



CITY OF PRATTVILLE

BILL GILLESPIE, JR.
MAYOR

CITY COUNCIL

WILLIE WOOD, JR.
PRESIDENT
DISTRICT 2

ALBERT C. STRIPLIN
PRESIDENT PRO TEMPORE
DISTRICT 1

DENISE B. BROWN
DISTRICT 3

JERRY STARNES
DISTRICT 4

CLYDE CHAMBLISS, JR.
DISTRICT 5

RAY C. BOLES
DISTRICT 6

LORA LEE BOONE
DISTRICT 7

City of Prattville Board of Zoning Adjustment

**The minutes of the August 13, 2013 meeting of the
City of Prattville Board of Zoning Adjustment
were approved.**



Leo Jamieson, Chairman

10/8/13

Date

PLANNING & DEVELOPMENT DEPARTMENT

102 WEST MAIN STREET ■ PRATTVILLE, ALABAMA 36067 ■ 334-361-3613 ■ 334-361-3677

FACSIMILE

planning.prattvilleal.gov



CITY OF PRATTVILLE

BILL GILLESPIE, JR.
MAYOR

CITY COUNCIL

WILLIE WOOD, JR. **ALBERT C. STRIPLIN** **DENISE D. BROWN** **JERRY STARNES** **CLYDE CHAMBLISS, JR.** **RAY C. BOLES** **LORA LEE BOONE**
PRESIDENT PRESIDENT PRO TEMPORE DISTRICT 3 DISTRICT 4 DISTRICT 5 DISTRICT 6 DISTRICT 7
DISTRICT 2 DISTRICT 1

CITY OF PRATTVILLE
BOARD OF ZONING ADJUSTMENT
A G E N D A
August 13, 2013
4:00pm

Call to Order:

Roll Call:

Chairman Leo Jamieson, Vice-Chairman Jerry Schannep, Mr. Jerry Cimis, Mr. Mac Macready, and Mr. James Miles. Alternate Member: Commander Michael Whaley.

Minutes:

Old Business:

None

New Business:

1. 130813-01 USE-ON-APPEAL: *District 3*
To allow an antenna for commercial use.
1320 Old Ridge Road
FAR Zoning District (Forest, Agricultural, Recreation)
Cellco Partnership d/b/a Verizon Wireless/East Memorial
Baptist Church, Petitioner

2. 130813-02 USE-ON-APPEAL: *District 7*
To operate a home child daycare.
214 Deer Trace
R-2 Zoning District (Single Family Residential)
Susan Foster, Petitioner

3. 130813-03 VARIANCE: *District 3*
To encroach 2' into the 10' required from the property line.
601 Ashton Oak Drive
R-3 Zoning District (Single/Multi Family Residential)
Dan Hildreth, Petitioner

Miscellaneous:

Adjourn:

Approved 10/8/13

**City of Prattville Board of Zoning Adjustment
Minutes
August 13, 2013**

CALL TO ORDER:

The regular meeting of the Prattville Board of Zoning Adjustment (BZA) was called to order by Chairman Leo Jamieson at 4:02 p.m. on Tuesday, August 13, 2013.

ROLL CALL:

Present: Chairman Leo Jamieson, Vice-Chairman Mrs. Jerry Schannep, Mr. Gerald Cimis, and Commander Michael Whaley. Absent: Mr. Mac Macready, and Mr. James Miles.

Quorum Present

Staff present: Mr. Joel Duke, City Planner and Ms. Alisa Morgan, Secretary.

Chairman Jamieson stated the governing rules for the Prattville Board of Zoning Adjustment according to the *Code of Alabama, 1975* and the procedure of the meeting.

MINUTES:

None

OLD BUSINESS:

None

NEW BUSINESS:

USE-ON-APPEAL

To allow an antenna for commercial use

1320 Old Ridge Road

FAR Zoning District (Forest, Agricultural, Recreation)

Cellco Partnership d/b/a Verizon Wireless/East Memorial Baptist Church, Petitioner

Mr. Duke introduced the use-on-appeal request to allow an antenna for commercial use. He stated that the cell tower would be located on the northern end of East Memorial Baptist Church property.

Andrew Rotenstreich of Baker Donelson, petitioner's representative for Verizon Wireless, stated that the tower would be located near the school in the wooded area. He stated that the proposed single pole tower would be at a height of 199' which meets Federal Communications Commission (FCC) height requirements without having to require lighting. He stated that the proposed tower would be able to co-locate two other companies. He stated that a 10x20' shelter to house equipment would be located at the base of the tower within the perimeter fence.

Chairman Jamieson opened the public hearing.

Amy Lambert, 2289 Gathering Way, spoke in opposition to the request. She stated that she had concerns about health issues that may occur from the cell tower and its proximity to the existing school and neighborhood and was concerned about the aesthetics of the tower. She also presented a list of adjacent property owners in opposition to the request.

The public hearing was closed.

Approved 10/8/13

Mr. Rotenstreich stated that the tower was governed by FCC regulations and that they were in compliance with all of its regulations.

After no further comments, questions, or discussion, the vote was called. Mrs. Schannep moved to approve the use-on-appeal to allow an antenna for commercial use as submitted. Commander Whaley seconded the motion.

The motion passed unanimously.

The BZA voted unanimously to approve the use-on-appeal to allow an antenna for commercial use as submitted on property at 1320 Old Ridge Road.

USE-ON-APPEAL

To operate a home child daycare

214 Deer Trace

R-2 Zoning District (Single Family Residential)

Susan Foster, Petitioner

Mr. Duke introduced the use-on-appeal request to operate a home occupation for a child daycare business at 214 Deer Trace.

Susan Foster, petitioner, stated that she was a professional home child care provider with licenses from two other states. She stated that with her requested state license she would be able to care for a maximum of six children but she would only be caring for three children. She stated that the hours of operation would be from 7:00 a.m. – 5:30 p.m. She also stated that two of her own children are in the home.

Chairman Jamieson opened the public hearing.

Cory Foster, 214 Deer Trace, spoke in favor of the request. He stated that there would not be additional traffic increase due to their request.

Jon Lee Finnegan, 211 Deer Trace spoke in favor of the request. She stated that she would not want to see more than three children cared for in the home.

Tom Allen, spoke in favor of the request for his mother who resides at 219 Deer Trace. He stated that he was in favor as long as there are no more than three children in the daycare.

Don Drasheff, 136 Quail Run, spoke in opposition to the request. He stated that he opposed because of safety concerns and he did not want to see a business in the neighborhood.

Sharon Fox, 223 Deer Run, spoke in opposition to the request. She stated that the business would create negative impact on traffic, noise and property value.

Morris McKenna, 108 Antelope Circle, spoke in opposition to the request. He stated that it would set precedence for other business to develop in the area.

Joann Bigham, 131 Quail Run, spoke in opposition to the request.

Chris Lincoln, 119 Thomas Lane, spoke in opposition to the request. He stated he was concerned about the child care being located next to a home with a pool.

The public hearing was closed.

Mrs. Foster addressed concerns of the public comments. She stated that in her previous home where she operated a home daycare, her home was sold for more than was purchased. She stated that DHR regulates and audits home daycares to ensure the safety of children. She stated that her property has a 7' privacy fence around the yard and could not be accessed by adjacent property where the pool is located. She stated that she would not object to self-imposing restricting the number of children in her care to three because that is her limit requested on her application.

After no further comments, questions, or discussion, the vote was called. Mr. Cimis moved to approve the use-on-appeal to operate a home child daycare as submitted (limit 3 children). Mrs. Schanney seconded the motion.

The motion passed unanimously.

The BZA voted unanimously to approve the use-on-appeal to operate a home child daycare as submitted (limit 3 children) on property at 214 Deer Trace.

VARIANCE

To encroach 2' into the 10' required from the property line.

601 Ashton Oak Drive

R-3 Zoning District (Single/Multi Family Residential)

Dan Hildreth, Petitioner

Mr. Duke introduced the variance request to encroach 2' into the required 10' from the property line. He stated that pools are considered an accessory structure but zoning regulations require that they maintain 10' off the rear property line.

Dan Hildreth, petitioner, stated that he wanted to install a pool for entertainment purposes. He stated that there was only 2' between the existing back porch and the proposed pool. He stated that he wanted to move the pool back 2' for safety reasons. He stated that other pool dimensions were looked at, but would not safely accommodate a diving board. He stated that he tried to acquire additional property from the adjacent rear property owner when he lived in a previous house on Ashton Oak and got no response from the property owner. He stated that if the variance was not granted that the pool would be built as submitted without the encroachment.

Chairman Jamieson opened the public hearing. There were none to speak. The public hearing was closed.

In their discussion, the BZA's findings were that the request was favorable because of safety issues but the size of the pool and choice of a diving board was personal choices of the petitioner therefore, this was a self-created hardship.

After no further comments, questions, or discussion, the vote was called. **The BZA voted 2/2 to deny the variance to encroach 2' into the 10' required from the property line on property at 601 Ashton Oak Drive.** The votes are as recorded. Favor: Mrs. Jerry Schanney and Commander Whaley. Oppose: Mr. Gerald Cimis and Chairman Jamieson.

MISCELLANEOUS:

None

Approved 10/8/13

ADJOURN:

After no further comments, questions or discussion the meeting was adjourned at 5:35 p.m.

Respectfully submitted,

A handwritten signature in cursive script that reads "Alisa Morgan".

Alisa Morgan, Secretary
Board of Zoning Adjustment

PRATTVILLE BOARD OF ZONING ADJUSTMENT

**PETITIONER: EAST MEMORIAL BAPTIST CHURCH
1320 OLD RIDGE ROAD
PRATTVILLE, AL 36066**

**REQUEST: USE-ON-APPEAL TO ALLOW AN ANTENNA FOR COMMERCIAL
USE.
1320 OLD RIDGE ROAD
FAR ZONING DISTRICT (FOREST, AGRICULTURAL,
RECREATION)**

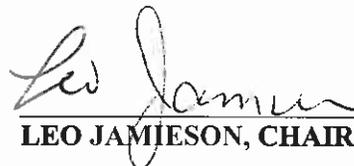
ORDER

The above petition having been duly considered at a public hearing meeting before the Board of Zoning Adjustment of the City of Prattville, having been advertised in *The Prattville Progress*, a newspaper of general circulation in the city limits of Prattville, Alabama, and setting forth notice of the request for a variance to the Zoning Laws of Prattville, Alabama, as set out in the aforesaid petition and giving notice that a public hearing would be held on August 13, 2013 at the City Hall in Prattville, Alabama, and after due consideration of the party in interest, the Board of Zoning Adjustment of the City of Prattville **voted to approve the use-on-appeal to allow an antenna for commercial use as submitted on property at 1320 Old Ridge Road.**

IT IS THEREFORE ORDERED the petition of East Memorial Baptist Church, 1320 Old Ridge Road, Prattville, AL is hereby approved.

DONE THIS THE 13th DAY OF August 2013.

BOARD OF ZONING ADJUSTMENT



LEO JAMIESON, CHAIRMAN



ALISA MORGAN, SECRETARY

**CITY OF PRATTVILLE BOARD OF ADJUSTMENT
PUBLIC HEARING
SPEAKERS SIGN-IN SHEET**

MEETING DATE: August 13, 2013

PETITIONER: Cellco Partnership d/b/a Verizon Wireless/East
Memorial Baptist Church

ADDRESS OF PETITION: 1320 Old Ridge Road

	NAME	ADDRESS
1.	<i>Andy Rotenstreich</i>	
2.	<i>Amy Lambert</i>	<i>2289 Gathering way</i>
3.		
4.		
5.		
6.		
7.		
8.		
9.		
10.		
11.		
12.		
13.		
14.		
15.		
16.		
17.		
18.		
19.		
20.		

CITY OF PRATTVILLE
Board of Zoning Adjustment

Planning Department Staff Report



DATE:	7/17/13
APPLICATION TYPE:	Use-On-Appeal (130813-01)
PROPERTY LOCATION or DESCRIPTION:	1320 Old Ridge Road
PETITIONER(S) AND AGENT(S):	Cellco Partnership d/b/a Verizon Wireless/East Memorial Baptist Church
ZONING DISTRICT(S)	FAR (Forest, Agricultural, Recreation)
REQUESTED ACTION:	Use-On-Appeal to allow an antenna for commercial use.
ZONING ORDINANCE REFERENCE:	<p>Article 7. District Requirements. Appendix A-Zoning Ordinance Section 74 Forest, Agricultural, Recreation</p> <p>(FAR) USES PERMITTED ON APPEAL: Churches and other places of worship, schools offering general education courses, clubs not conducted for profit, outdoor advertising signs and structures, plant nurseries and greenhouses, hospitals, sanitariums, nursing homes and orphanages, resorts, campgrounds, riding academies and stables, airports, sanitary landfills, quarries, railroad rights-of-way, cemeteries, and essential community facilities. Accessory structures or uses customarily incidental in any of the aforementioned conditional uses.</p> <p>Appendix A-Zoning Ordinance Section 9. Structures</p> <p>(b) <i>[Antennas.]</i></p> <p>(1) Antennas for the reception or transmission of radio and television signals located in FAR, residential, or manufactured (trailer or mobile home) housing zones shall be considered public utilities, if used for any commercial purpose, and shall be allowed only as a use on appeal.</p>



CITY OF
PRATTVILLE, AL

East Memorial
Christian Academy

1320
Old Ridge Rd E

Scale: 1" = 500'



STREETS
TAX PARCEL





130813-01

Use-On-Appeal
To allow an antenna for commercial use

City Of Prattville
Planning and Development Department
102 W. Main Street
Prattville, AL 36067
(334) 361-3614 Fax (334) 361-3677
www.prattvilleal.gov

Application
Prattville Board of Zoning Adjustment

Application type: Use-On-Appeal Variance Administrative Appeal

Applicant /Agent Information
Notarized letter from the property owner is required if agent is used for representation

Name: Andy Rotenstreich

Street Address: 420 North 20th Street, Suite 1400

City: Birmingham State AL Zip: 35203

Phone Number(s): 205-250-8304

Property Owner Information
If different than above

Name: East Memorial Baptist Church

Address of Property Owner: 1320 Old Ridge Road

City: Prattville State: AL Zip: 36066

Phone Number: () 334-300-3221

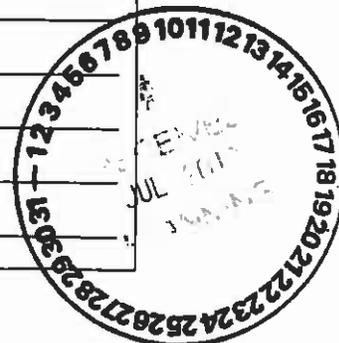
Property Description

County Tax Parcel Number/Legal Description: 1007350000040030
Deed Bk 2003 Page 169

Current Zoning of Property: FAR Physical Address: 1320 Old Ridge Rd

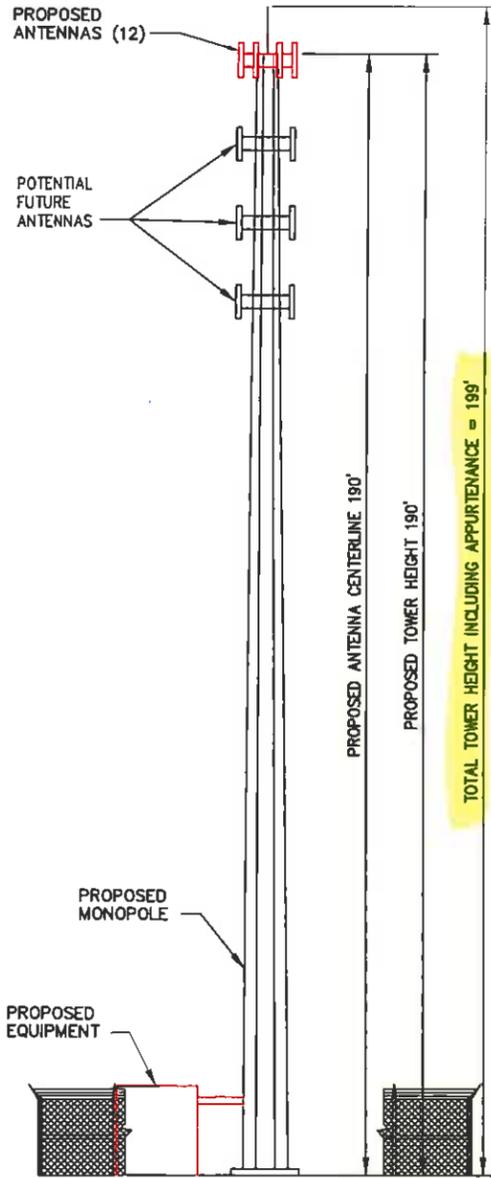
Proposed Use of Property (generally): cell tower

Describe Proposed Use or Variance: Use on appeal to construct a 199' monopole cell tower



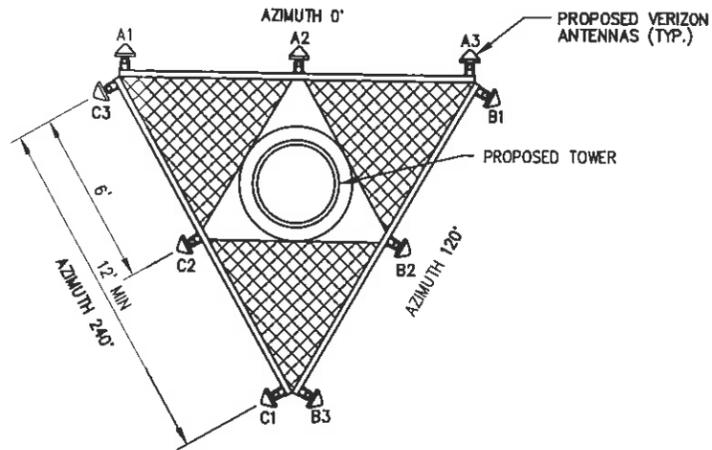
130813-01/A

Use-On-Appeal
To allow an antenna for commercial use



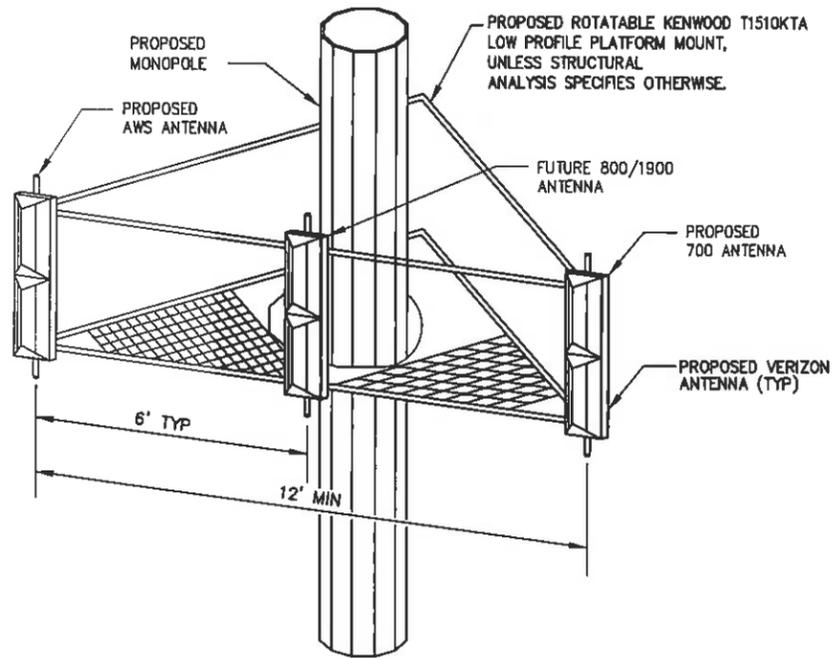
TOWER ELEVATION
NOT TO SCALE

NOTE:
- TOWER AND FOUNDATION DESIGN / CHECK PERFORMED BY OTHERS. (MANUFACTURER)
- THIS CONSTRUCTION DOCUMENT MUST BE ACCOMPANIED BY A SEALED & SIGNED STRUCTURAL ASSESSMENT/ANALYSIS REVIEW MADE BY A LICENSED ENGINEER.



ANTENNA ORIENTATION DETAIL

NOT TO SCALE

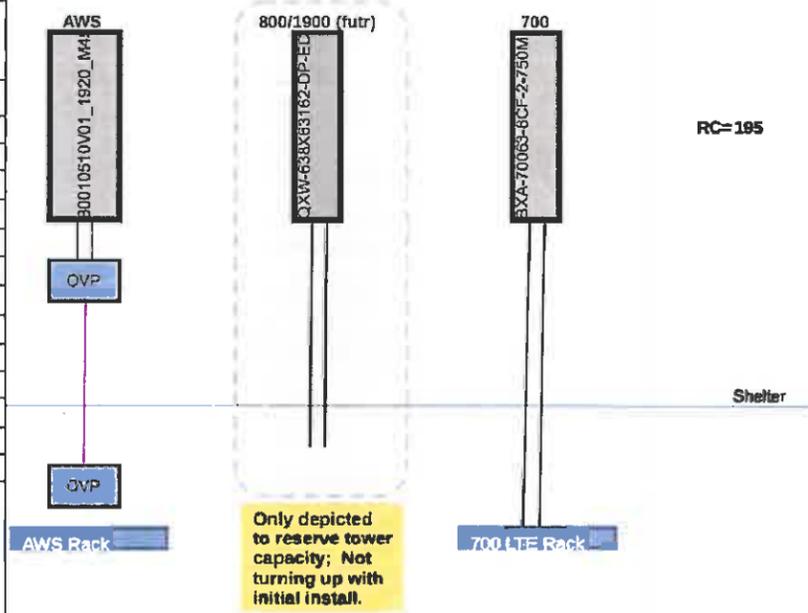


ANTENNA MOUNTING DETAIL

NOT TO SCALE

	AWS MAIN TBD	AWS DIVERSITY TBD	LTE-A MAIN TBD	LTE-A DIVERSITY TBD
ALPHA	RED	RED	RED	RED
BETA	BLUE	BLUE	BLUE	BLUE
GAMMA	WHITE	TEAL	BROWN	GREY
	WHITE	TEAL	BROWN	GREY

COLOR	DESCRIPTION
RED	ALPHA
BLUE	BETA
YELLOW	GAMMA
GREEN	800 MHZ RX1 / CARRIERS 1-3
RED	800 MHZ RX2 / CARRIERS 4-6
PURPLE	19GHZ RX1 / CARRIES 1-3
ORANGE	19 GHZ RX2 / CARRIERS 4-6
BROWN	LTE - A MAIN
GREY	LTE - A DIVERSITY
BLUE	LTE-C MAIN
YELLOW	LTE-C DIVERSITY
WHITE	AWS MAIN
TEAL	AWS DIVERSITY



ERICSSON COLOR CODE

	CDMA DIVERSITY 1	PCS MAIN 2	PCS DIVERSITY 2	LTE-C MAIN 3	LTE-C DIVERSITY 3	CDMA MAIN 4
ALPHA	RED	RED	RED	RED	RED	RED
BETA	RED	PURPLE	ORANGE	BLUE	YELLOW	GREEN
BETA	BLUE	BLUE	BLUE	BLUE	BLUE	BLUE
BETA	RED	PURPLE	ORANGE	BLUE	YELLOW	GREEN
GAMMA	YELLOW	YELLOW	YELLOW	YELLOW	YELLOW	YELLOW
GAMMA	RED	PURPLE	ORANGE	BLUE	YELLOW	GREEN

ANTENNA MARK	SECTOR	ANTENNA MFR	ANTENNA MODEL #	AZIMUTH (0°=NORTH)	DOWN TILT ANGLE	COAXIAL CABLE MANUFACTURER	COAXIAL CABLE PART NUMBER	# OF COAX PER ANTENNA	COAXIAL CABLE LENGTH	TMA ON TOWER	BIAS-T/DIPLEXER (IN SHELTER)
A1	1	ANTEL	80010510V01-1920-M45-04.0	0°	0°	RFS (FIBER)	1-5/8" HYBRID	1	120'	(1) RayCap RVB	(1) RayCap RVB
A2	1	AMPHENOL	QXW-638X63162-DP-EDIN	0°	0°	ANDREW	AVA7-50	2	120'		
A3	1	AMPHENOL	BXA-70063-BCF-2-750MHZ	0°	0°	ANDREW	AVA7-50	2	120'		
A4	1										
B1	2	ANTEL	80010510V01-1920-M45-04.0	120°	0°			SHARED			
B2	2	AMPHENOL	QXW-638X63162-DP-EDIN	120°	0°	ANDREW	AVA7-50	2	120'		
B3	2	AMPHENOL	BXA-70063-BCF-2-750MHZ	120°	0°	ANDREW	AVA7-50	2	120'		
B4	2										
C1	3	ANTEL	80010510V01-1920-M45-04.0	240°	0°			SHARED			
C2	3	AMPHENOL	QXW-638X63162-DP-EDIN	240°	0°	ANDREW	AVA7-50	2	120'		
C3	3	AMPHENOL	BXA-70063-BCF-2-750MHZ	240°	0°	ANDREW	AVA7-50	2	120'		
C4	3										



TOWERSOURCE INC.
1875 OLD ALABAMA ROAD
SUITE 1008
ROSWELL, GA 30076
TEL: 678-990-2188
FAX: 678-990-2181

NUM	DATE	DESCRIPTION
0	6/19/13	ISSUED FOR REVIEW
1	6/28/13	ISSUED FOR CONSTRUCTION
2		
3		
4		



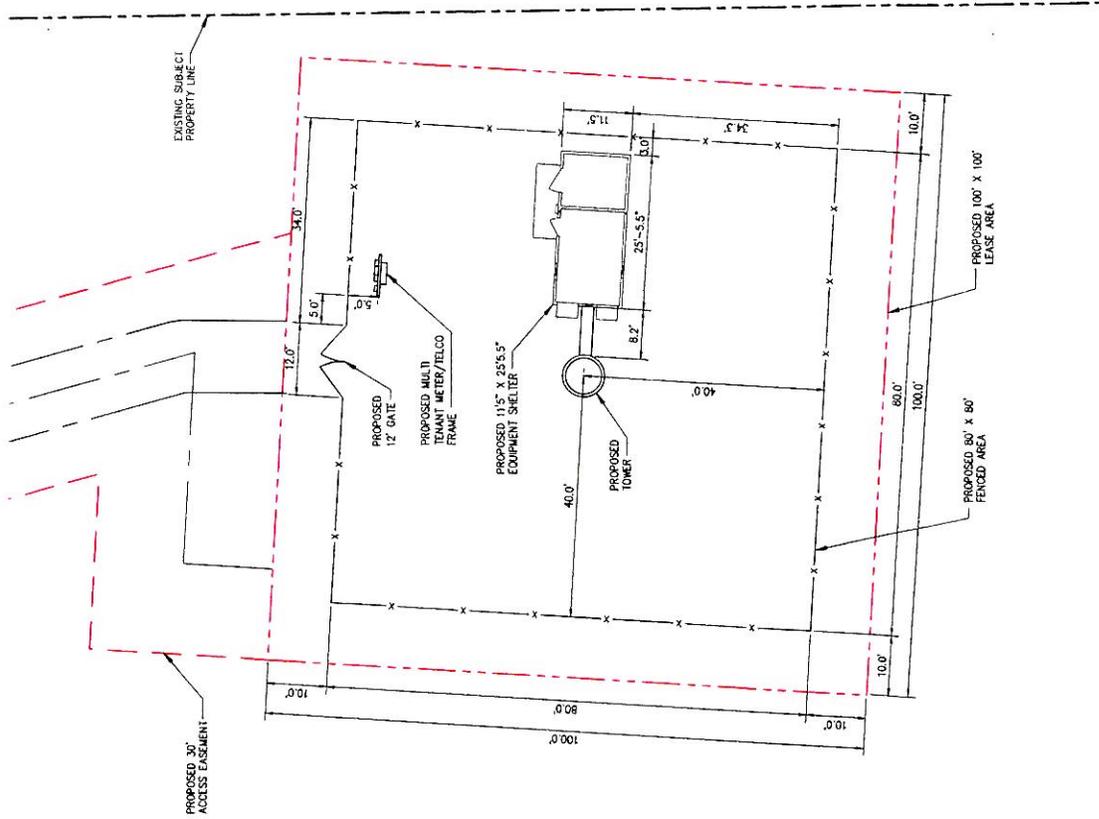
DESIGNED: BAA
DRAWN: BAA
CHECKED: DJ

FERB
TOWER ELEVATION AND
ANTENNA SCHEDULE

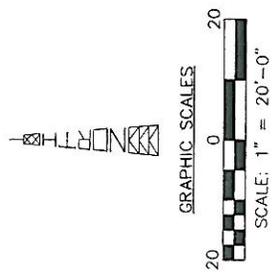
C-4

130813-01/C

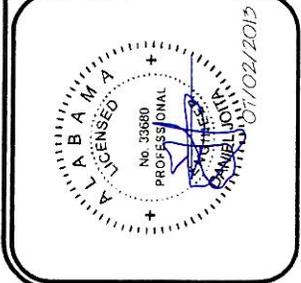
Use-On-Appeal
To allow an antenna for commercial use



DETAILED SITE PLAN
SCALE: 1" = 20'-0"



STRUCTURAL NOTES:
 - TOWER AND FOUNDATION STRUCTURAL ANALYSIS/CHECK PERFORMED BY OTHERS.
 - ALL MOUNT FRAMES TO BE CERTIFIED FOR STRESS AND STABILITY BY OTHERS.
 - PROJECT OWNER IS RESPONSIBLE TO PROVIDE GLOBAL/LOCAL STABILITY ANALYSIS OF ALL ELEMENTS, AND DESIGN / DETAIL ANY REQUIRED STRUCTURAL MODIFICATION.
 - THIS CONSTRUCTION DOCUMENT MUST BE ACCOMPANIED BY A SIGNED & SEALED STRUCTURAL ASSESSMENT/ANALYSIS REVIEW MADE BY A LICENSED ENGINEER.



DETAILED SITE PLAN
FERB

ISSUED: BAA
 DRAWN: BAA
 CHECKED: DJ



NO.	DATE	DESCRIPTION
0	5/15/13	ISSUED FOR REVIEW
1	6/28/13	ISSUED FOR CONSTRUCTION

TOWERSOURCE INC.
 8000 ALABAMA ROAD
 ALPHARETTA, GA 30022
 TEL: 404-486-3146
 FAX: 404-486-3147

C-3

130813-01/D

Use-On-Appeal
To allow an antenna for commercial use

DATE	DESCRIPTION
8/19/13	ISSUED FOR REVIEW
8/19/13	ISSUED FOR CONSTRUCTION

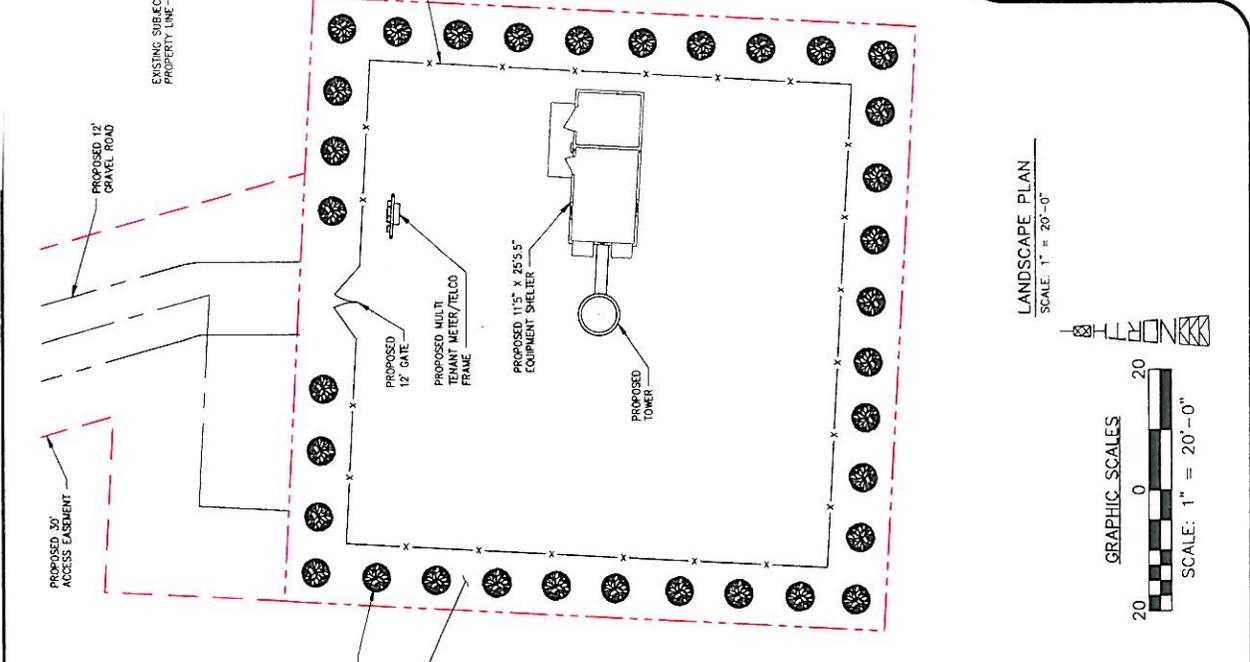
TAMPSON PERECT, INC.
 100 W. PALM BEACH BLVD.
 WEST PALM BEACH, FL 33411
 TEL: 561-833-9900
 FAX: 561-833-9900

10300 OLD ALABAMA ROAD CONNECTOR
 ALABAMA, GA 30022

REVISIONS:
 BAA DRAWN
 BAA CHECKED
 DJ

LANDSCAPE PLAN
 FERB

LICENSED PROFESSIONAL
 LANDSCAPE ARCHITECT
 NO. 33680
 JAMES M. JOY
 07/02/2013



LANDSCAPE NOTES
 1. ALL PLANTS MUST BE HEALTHY, VIGOROUS MATERIAL, FREE OF PESTS AND DISEASE.
 2. ALL PLANTS MUST BE CONTAINER-GROWN OR BALLED AND BURLAPPED AS SPECIFIED.
 3. ALL TREES MUST BE STRAIGHT TRUNKED, FULL HEADED AND MEET ALL REQUIREMENTS SPECIFIED.
 4. ALL PLANTS ARE SUBJECT TO THE APPROVAL OF THE ENGINEER'S REPRESENTATIVE BEFORE, DURING, AND AFTER INSTALLATION.
 5. ALL TREES MUST BE GUYED OR STAKED AS SHOWN.
 6. ALL PLANTS AND PLANTING AREAS MUST BE COMPLETELY MULCHED AS SPECIFIED.
 7. PRIOR TO CONSTRUCTION, THE CONTRACTOR SHALL BE RESPONSIBLE FOR LOCATING ALL UNDERGROUND UTILITIES AND SHALL AVOID DAMAGE TO ALL UTILITIES DURING COURSE OF THE WORK. THE CONTRACTOR IS RESPONSIBLE FOR REPAIRING ALL DAMAGE TO UTILITIES, STRUCTURES, SITE APURTENANCES, ETC. WHICH OCCURS AS A RESULT OF THE LANDSCAPE CONSTRUCTION.
 8. THE CONTRACTOR IS RESPONSIBLE FOR FULLY MAINTAINING ALL PLANTING (INCLUDING, BUT NOT LIMITED TO, WATERING, SPRAYING, MULCHING, FERTILIZATION, ETC.) OF PLANTING AREAS UNTIL THE WORK IS ACCEPTED IN TOTAL BY THE ENGINEER'S REPRESENTATIVE.
 9. THE CONTRACTOR SHALL COMPLETELY GUARANTEE ALL PLANT MATERIAL FOR A PERIOD OF ONE (1) YEAR BEGINNING AT THE DATE OF THE CONTRACTOR'S PROMPTLY MAKE ALL REPLACEMENTS BEFORE OR AT THE END OF THE GUARANTEE PERIOD.
 10. THE ENGINEER'S REPRESENTATIVE WILL APPROVE THE STAKED LOCATION OF ALL PLANT MATERIAL PRIOR TO INSTALLATION.
 11. AFTER BRINGING DIG AT THE NURSERY SOURCE, ALL TREES IN LEAF SHALL BE ACCLIMATED FOR TWO (2) WEEKS UNDER A MIST SYSTEM PRIOR TO INSTALLATION.
 12. ANY PLANT MATERIAL THAT DIES, TURNS BROWN OR DEFLAUTES (PRIOR TO TOTAL ACCEPTANCE OF THE WORK), SHALL BE PROMPTLY REMOVED FROM THE SITE AND REPLACED WITH MATERIAL OF THE SAME SPECIES, QUANTITY, SIZE AND MEETING ALL SPECIFICATIONS.
 13. STANDARDS SET FORTH IN "AMERICAN STANDARD FOR NURSERY STOCK", LATEST EDITION, REPRESENT GUIDELINE SPECIFICATIONS ONLY AND SHALL CONSTITUTE MINIMUM QUALITY REQUIREMENTS FOR PLANT MATERIAL.

PLANT LIST:	COMMON NAME	BOTANICAL NAME	SIZE/REMARKS
34	LELAND CYPRESS	CUPRESSOPHARYS LEYLANDII	6' MIN. HEIGHT AT PLANTING

TOTAL AREA OF LANDSCAPE BUFFER: 3,480 SF - 0.0344 ACRES
 3,480 SF PINESTRAW MULCH - 3' SETTLED LAYER OF CLEAN STRAW

NOTES:
 1) ALL PARKING WILL OCCUR ON EXISTING DRIVE.
 2) NO BURNING OR BURIAL OF DEBRIS ON SITE.
 3) ALL BUFFERS AND TREE SAVE AREAS ARE TO BE CLEARLY IDENTIFIED WITH FLAGGING AND/OR FENCING PRIOR TO COMMENCEMENT OF ANY LAND DISTURBANCE.

TREE PROTECTION DETAIL
 NOT TO SCALE

TREE PLANTING DETAIL
 NOT TO SCALE

GRAPHIC SCALES
 SCALE: 1" = 20'-0"
 NORTH



CITY OF PRATTVILLE

BILL GILLESPIE, JR.
MAYOR

CITY COUNCIL

WILLIE WOOD, JR.
PRESIDENT
DISTRICT 2

ALBERT C. STRIPLIN
PRESIDENT PRO TEMPORE
DISTRICT 1

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DISTRICT 3

JERRY STARNES
DISTRICT 4

CLYDE CIAMBLISS, JR.
DISTRICT 5

RAY C. BOLES
DISTRICT 6

LORA LEE BOONE
DISTRICT 7

July 31, 2013

ADJ10073500000040560
LAMBERT, BENJAMIN W
2289 GATHERING WAY
PRATTVILLE, AL 36066

headaches
memory loss
cancer
birth defects
heart conditions
Alzheimers

NOTICE OF PI

PRATTVILLE BOARD

LOCATION:]

DATE: A

TIM_

In compliance with Section 11-52-80, of the Code of Alabama, 1975, as amended, you are hereby notified that a public hearing will be held concerning the property listed below.

Please be advised that **Cellco Partnership d/b/a Verizon Wireless/East Memorial** has filed a petition with the Prattville Board of Zoning Adjustment. The request is for a use-on-appeal to allow an antenna for commercial use on property located at **1320 Old Ridge Road** in a FAR Zoning District (Forest, Agricultural, Recreation).

As a property owner within 500' of the proposed request, you are invited to attend a scheduled public hearing to voice your comments regarding this petition.

Further information concerning this hearing may be obtained by contacting the Prattville Planning Department, 102 West Main Street, Prattville, AL 36067, (334) 595-0503, FAX (334) 595-0509 or alisa.morgan@prattvilleal.gov.

Sincerely,

Alisa Morgan, Secretary
Board of Zoning Adjustment

PLANNING & DEVELOPMENT DEPARTMENT

102 WEST MAIN STREET ■ PRATTVILLE, ALABAMA 36067 ■ 334-361-3613 ■ 334-361-3677
FACSIMILE
planning.prattvilleal.gov

Petition to Protest Commercial Antenna

Petition summary and background	Health concerns; Construction of antenna will drastically lower the value of homes; Unpleasant site for families
Action petitioned for	We, the undersigned, are concerned citizens who urge our leaders to act now to protest the construction of an antenna for commercial use on the property located at 1320 Old Ridge Road.

Printed Name	Signature	Address	Comment	Date
BEN LAMBERT	<i>Ben Lambert</i>	2289 GATHERING WAY PRATTVILLE, AL 36066	No. I DON'T WANT A HUGE TOWER IN MY YARD	8/12/13
Amy Lambert	<i>Amy S. Lambert</i>	2289 GATHERING WAY PRATTVILLE, AL 36066		8-12-13
Jodio Shedd	<i>J Shedd</i>	2176 Addison Way Prattville, AL 36066		8/12/13
Brad Shedd	<i>Brad Shedd</i>	2176 Addison Way Prattville, AL 36066		
Michael Schmidt	<i>Michael Schmidt</i>	2183 Addison Way Prattville, AL 36066	do not want	8/12/13
Lugh Anne Morenus	<i>Lugh Anne Morenus</i>	2188 Addison Way Prattville, AL 36066		8/12/13
Dodey Raughton	<i>Dodey Raughton</i>	2285 GATHERING WAY PRATTVILLE, AL 36066		8-12-13
CHARLES ROUGHTON	<i>Charles Raughton</i>	2285 GATHERING WAY PRATTVILLE, AL 36066	DO NOT WANT	8/2/2013
MARIL MILLER	<i>Maril Miller</i>	2287 GATHERING WAY PRATTVILLE, AL 36066	DO NOT WANT	8/12/2013
William Ferguson	<i>William Ferguson</i>	2283 GATHERING WAY Prattville, AL 36066	DO NOT WANT	8/12/13
Stacy Ferguson	<i>Stacy Ferguson</i>	2283 Gathering way Prattville, AL 36066	DO NOT want	8/12/13
Karen Fortman	<i>Karen Fortman</i>	2190 ADDISON WAY	Do not want	8-12-13

Printed Name	Signature	Address	Comment	Date
Lee Pittman	Lee Pittman	2190 Addison way	I don't want	8-12-13
Jonia Harrison	Jonia Harrison	1894 Pendlebrooke	not in favor	8-12-13
Britt Huggins	Britt Huggins	2178 Addison Way	NOT in favor	8-12-13
Judy Rice	Judy Rice	2194 Addison Way	I don't want it	8/12/13
Tommy Rice	Tommy Rice	2194 Addison Way	Don't want it	8/12/13
LISA Cochran	Lisa Cochran	2291 Gathering Way	Don't want it	8/12/13
Joe M. Cochran	Joe M. Cochran	2291 Gathering Way	Don't want it	
Tina Smith	Tina Smith	2199 Addison Way	not in favor	8/12/13
MICHAEL JONES	Michael Jones	1888 Pendlebrooke	NOT IN FAVOR	8/12/13
Pebble Jones	Pebble Jones	1888 Pendlebrooke	NOT IN FAVOR	8/12/13
Amanda Allen	Amanda Allen	2181 Addison Way	NOT IN FAVOR	8/12/13
CARL ALLEN	Carl Allen	2181 ADDISON WAY	NO!!!	8-12-13
Nancy Schull	Nancy Schull	2292 Gathering Way	No	8-12-13
JOHN A. SCHULL	John A. Schull	2292 Gathering Way	NOT IN FAVOR	8-12-13
WILLIAM MATHIAS	William Mathias	2279 GATHERING WAY	NO!!!	8-12-13

PRATTVILLE BOARD OF ZONING ADJUSTMENT

PETITIONER: WILLIAM & SUSAN FOSTER
214 DEER TRACE
PRATTVILLE, AL 36067

REQUEST: USE-ON-APPEAL TO OPERATE A HOME CHILD DAYCARE
214 DEER TRACE
R-2 ZONING DISTRICT (SINGLE FAMILY RESIDENTIAL)

ORDER

The above petition having been duly considered at a public hearing meeting before the Board of Zoning Adjustment of the City of Prattville, having been advertised in *The Prattville Progress*, a newspaper of general circulation in the city limits of Prattville, Alabama, and setting forth notice of the request for a variance to the Zoning Laws of Prattville, Alabama, as set out in the aforesaid petition and giving notice that a public hearing would be held on August 13, 2013 at the City Hall in Prattville, Alabama, and after due consideration of the party in interest, the Board of Zoning Adjustment of the City of Prattville voted to approve the use-on-appeal to allow operate a home child daycare as submitted (limit 3 children) on property at 214 Deer Trace.

IT IS THEREFORE ORDERED the petition of William & Susan Foster, 214 Deer Trace, Prattville, AL is hereby approved.

DONE THIS THE 13th DAY OF August 2013.

BOARD OF ZONING ADJUSTMENT



LEO JAMIESON, CHAIRMAN



ALISA MORGAN, SECRETARY

**CITY OF PRATTVILLE BOARD OF ADJUSTMENT
PUBLIC HEARING
SPEAKERS SIGN-IN SHEET**

MEETING DATE: August 13, 2013

PETITIONER: Susan Foster

ADDRESS OF PETITION: 214 Deer Trace

	NAME	ADDRESS
1.	Susan Foster	214 Deer Trace
2.	Cory Foster	214 Deer Trace
3.	Janice Finnegan	211 Deer Trace
4.	Tom Allen	219 Deer Trace
5.	DON DRASHEFF	136 QUAIL RUN
6.	Sharon A Fox	223 Deer Run
7.	Morris Ms Kennel	108 Antelope Circle
8.	Joann Bigham	131 Quail Run
9.	Choir Lina	119 Thonac Lane
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CITY OF PRATTVILLE
Board of Zoning Adjustment

Planning Department Staff Report



DATE:	7/24/13
APPLICATION TYPE:	Use-On-Appeal (130813-02)
PROPERTY LOCATION or DESCRIPTION:	214 Deer Trace
PETITIONER(S) AND AGENT(S):	Susan Foster
ZONING DISTRICT(S)	R-2 (Single Family Residential)
REQUESTED ACTION:	To operate a home child daycare on property.
ZONING ORDINANCE REFERENCE:	<p>Appendix A-Zoning Ordinance Section 71</p> <p>R-2 Uses Permitted On Appeal:</p> <p>...regulations common to all "R" Districts</p> <p>All "R" Districts" Uses Permitted On Appeal:</p> <p>Customary home occupations...day care centers...</p> <p>Home Occupation as defined by ordinance (Sec. 68):</p> <p>Any use customarily conducted entirely within a dwelling and carried within a dwelling and carried on solely by the inhabitant thereof, and which use is clearly incidental and secondary to the use of the dwelling for dwelling purposes, and does not change the character thereof...</p>



CITY OF
PRATTVILLE, AL

214
DEER TRACE

Scale: 1" = 100'



STREETS
TAX PARCEL





City Of Prattville
Planning and Development Department
102 W. Main Street
Prattville, AL 36067
(334) 361-3614 Fax (334) 361-3677
www.prattville.com

130813-02

Use-On-Appeal
To operate a home child daycare

Application
Prattville Board of Zoning Adjustment

ype: Use-On-Appeal Variance Administrative Appeal

Applicant /Agent Information
Notarized letter from the property owner is required if agent is used for representation.

Name: SUSAN FOSTER

Street Address: 214 DEER TRACE

City: PRATTVILLE State: ALABAMA Zip: 36067

Phone Number(s): 570-417-3251 570-592-4773

Property Owner Information
If different than above

Name: WILLIAM + SUSAN FOSTER

Address of Property Owner: 214 DEER TRACE

City: PRATTVILLE State: ALABAMA Zip: 36067

Phone Number: 570-417-3251 570-592-4773

Property Description

County Tax Parcel Number/Legal Description: 19-04-17-1-012-019.000#0

Current Zoning of Property: Residential Physical Address: 214 DEER TRACE

Proposed Use of Property (generally): HOME

Describe Proposed Use or Variance: IN HOME CHILD CARE :
TO BE ABLE TO CARE FOR THREE
CHILDREN IN MY HOME WITH A
LICENSE FROM THE DEPARTMENT OF HUMAN
RESOURCES

7:00am to 5:30 pm
Monday → Friday

2nd Lot

19-04-17-1-012-005.000#0

The following items must be attached to the application (check those items included):

- Tax record map from the Autauga County or Elmore County Tax Assessors Office
- Site sketch plan (drawn to scale) showing any property lines, required and proposed setbacks, existing and proposed structures and any additional information you believe will be helpful to the Board of Adjustment
- Application fees: Variance and Administrative Appeal - Fifty dollars (\$50), Use-on-Appeal - Two hundred fifty dollars (\$250).
- Names and address of all property owners immediately adjacent to the subject property (not required for administrative appeals). Adjacent properties include those directly across the street from the subject property.
- If person signing application is someone other than property owner, attach authorization to file application (i.e. notarized letter, real estate contract, etc.)

Hardship: The Board requests a statement of hardship to justify any variance application:

"To authorize upon appeal in specific cases such variance from the terms of the (zoning) ordinance as will not be contrary to the public interest, where, owing to special conditions, a literal enforcement of the provision of the (zoning) ordinance will result in unnecessary hardship and so that the spirit of the (zoning) ordinance shall be observed and substantial justice done." Code of Alabama, 1975, as amended. § 11-52-80(d) (3)

I certify that I am the property owner, or authorized agent, and attest that all facts are true and correct. I do hereby certify that the property owner list attached to this application was obtained from the Autauga County Revenue Office, (Elmore County if applicable), and is a complete list of all real property owners adjacent to the parcel submitted for consideration. I also attest that I have read and understand what a hardship is according to the Code of Alabama, 1975, as amended.

SUSAN Jo FOSTER
Printed Name

Susan Jo Foster
Signature

Date 7-11-13

I the undersigned authority, a Notary Public in and for said County in said State, hereby certify that Susan Jo Foster, whose name is signed to the forgoing petition, and who is known to me, acknowledged same before me on this the 11 day of

July, 2013.

Daniel J. Lankford
Notary Public

My commission expires _____

My Commission Expires March 19, 2016

**CITY OF PRATTVILLE BOARD OF ADJUSTMENT
PUBLIC HEARING
SPEAKERS SIGN-IN SHEET**

MEETING DATE: August 13, 2013

PETITIONER: Dan Hildreth

ADDRESS OF PETITION: 601 Ashton Oak Drive

	NAME	ADDRESS
1.	Dan Hildreth	601 ASHTON DRIVE
2.		
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CITY OF PRATTVILLE
Board of Zoning Adjustment

Planning Department Staff Report



DATE:	7/30/13
APPLICATION TYPE:	Variance (130813-03)
PROPERTY LOCATION or DESCRIPTION:	601 Ashton Oak Drive
PETITIONER(S) AND AGENT(S):	Dan Hildreth
ZONING DISTRICT(S)	R-3 (Single/Multi Family Residential)
REQUESTED ACTION:	To encroach 2' into the 10' required from property line.
ZONING ORDINANCE REFERENCE:	Appendix A-Zoning Ordinance Section 63 Swimming and wading pools. Swimming pools and wading pools with a depth of one (1) foot or more in any portion of the pool, and not located within a permanently and completely walled structure, shall be constructed no closer than ten (10) feet of any property line and shall be completely fenced off from the ground up to a height of at least five (5) feet...



City Of Prattville
 Planning and Development Department
 102 W. Main Street
 Prattville, AL 36067
 (334) 361-3614 Fax (334) 361-3677
 www.prattville.com

130813-03

Variance
 To encroach 2' into the required 10' from property line

Application
 Prattville Board of Zoning Adjustment

Use-On-Appeal Variance Administrative Appeal

Applicant /Agent Information
 Notarized letter from the property owner is required if agent is used for representation.

Name: N/A

Street Address: _____

City: _____ State _____ Zip: _____

Phone Number(s): _____



Property Owner Information
 If different than above

Name: DAN HILDEBRATH

Address of Property Owner: 601 ASHTON OAK DR.

City: PRATTVILLE State: AL Zip: 36066

Phone Number: (334) 235-1158

Property Description

County Tax Parcel Number/Legal Description: 19-01-02-1-000-159.000

LOT 6, PLAT 5 AT RIVERCHASE NORTH, BOOK 2007 PAGE 9.

Current Zoning of Property: RES. Physical Address: 601 ASHTON OAK DR.

Proposed Use of Property (generally): PRIMARY HOME

Describe Proposed Use or Variance: I would like ASK FOR A 2' VARIANCE off of the BACK PROPERTY line when installing my POOL. The Proposed Drawing only has 2'5" from the edge of the porch to the edge of the water of the pool. My PRIMARY CONCERN is that WE have small children who will enjoy the pool. OUR fear is that we could have A SLIP OR TRIP And fall with someone hitting

their head being knocked unconscious and MAKING it INTO the water and potentially DROWNING. The variance of 2' feet toward the PROPERTY LINE would allow for a small additional Room for Safety.

The following items must be attached to the application (check those items included):

- Tax record map from the Autauga County or Elmore County Tax Assessors Office
- Site sketch plan (drawn to scale) showing any property lines, required and proposed setbacks, existing and proposed structures and any additional information you believe will be helpful to the Board of Adjustment
- Application fees: Variance and Administrative Appeal - Fifty dollars (\$50), Use-on-Appeal - Two hundred fifty dollars (\$250).
- Names and address of all property owners immediately adjacent to the subject property (not required for administrative appeals). Adjacent properties include those directly across the street from the subject property.
- If person signing application is someone other than property owner, attach authorization to file application (i.e. notarized letter, real estate contract, etc.) - N/A



Hardship: The Board requests a statement of hardship to justify any variance application:

"To authorize upon appeal in specific cases such variance from the terms of the (zoning) ordinance as will not be contrary to the public interest, where, owing to special conditions, a literal enforcement of the provision of the (zoning) ordinance will result in unnecessary hardship and so that the spirit of the (zoning) ordinance shall be observed and substantial justice done." Code of Alabama, 1975, as amended. § 11-52-80(d) (3))

Purchased this new home on 7-19, would like to
ASK for 2' VARIANCE for safety reasons as
outlined on the previous page. The current
drawing meets city requirements and will be
constructed if the VARIANCE is NOT GRANTED.
However, I would prefer to have the additional
2' for the safety of my family & guests. Thanks for
your consid

I certify that I am the property owner, or authorized agent, and attest that all facts are true and correct. I do hereby certify that the property owner list attached to this application was obtained from the Autauga County Revenue Office, (Elmore County if applicable), and is a complete list of all real property owners adjacent to the parcel submitted for consideration. I also attest that I have read and understand what a hardship is according to the Code of Alabama, 1975, as amended.

Dan Hildreth
Printed Name

[Signature]
Signature

Date 7-26-13

I the undersigned authority, a Notary Public in and for said County in said State, hereby certify that Dan Hildreth, whose name is signed to the forgoing petition, and who is known to me, acknowledged same before me on this the 26th day of

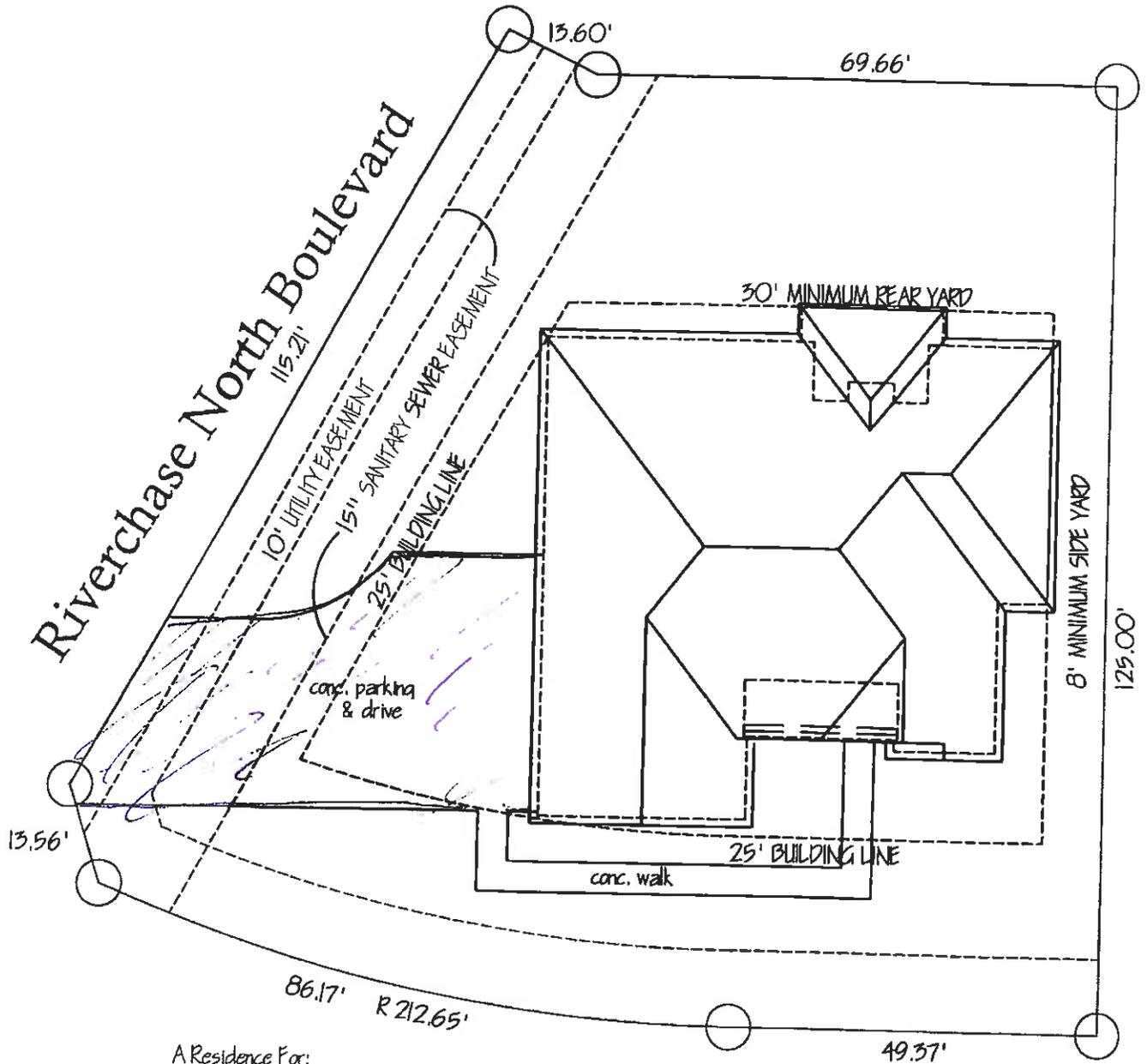
July, 2013

Vickie M. Hildreth
Notary Public

My commission expires My Commission Expires May 20,
My Commission Expires May 20, 20

130813-03/A

Variance
To encroach 2' into the required 10' from property
line



A Residence For:
The Boutin Family
Lot 6
Riverchase North Plat 5
Prattville, Alabama

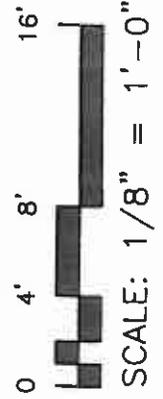
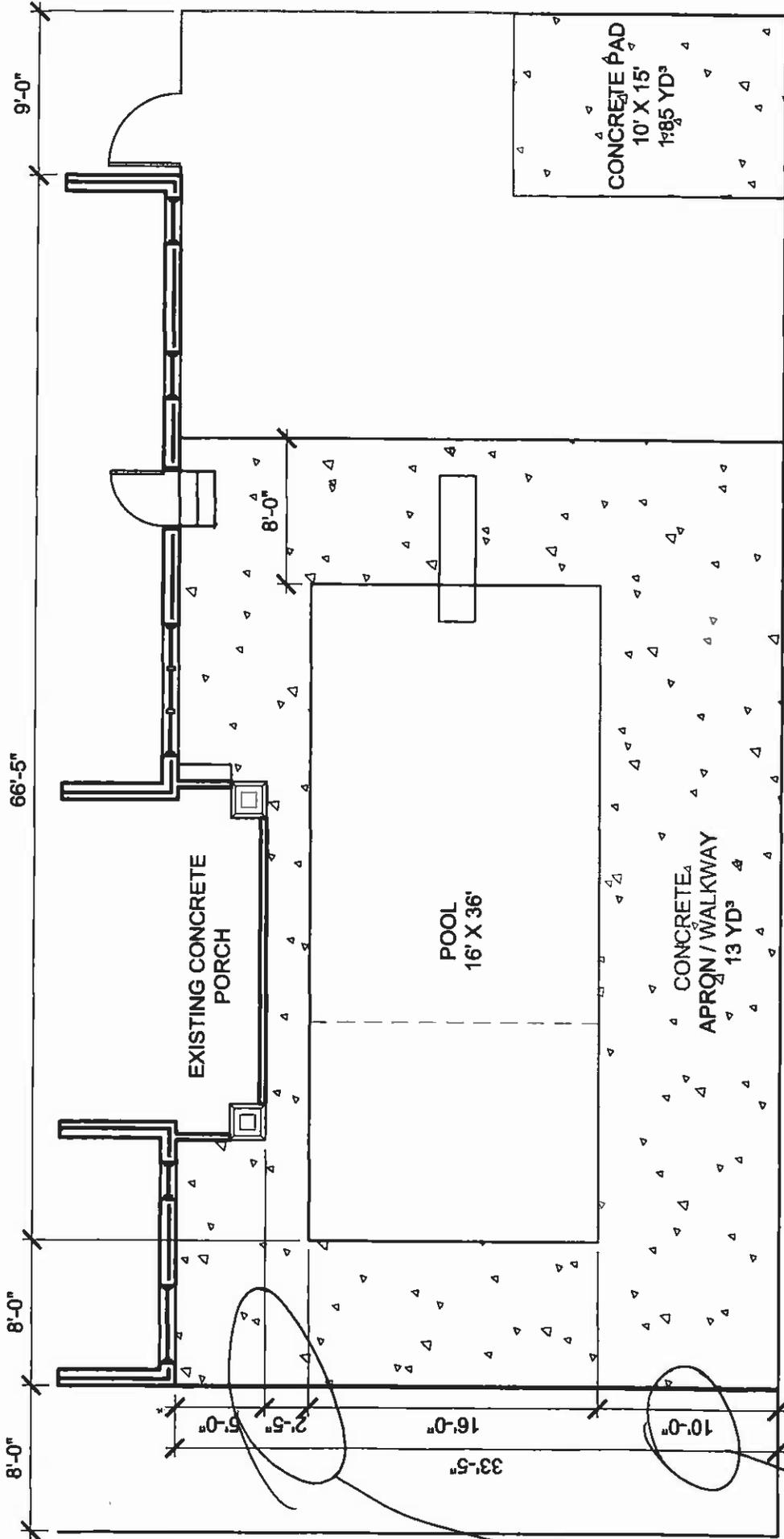
Ashton Oak Drive site plan

scale: 1" = 20'

Variance

130813-03/B

Variance
To encroach 2' into the required 10' from property
line



Propose to shift the Pool 2' away from the House, a total of 4' 5" from the porch for safety reasons. See variance application To 8'ft.