

**MADISON ZONING BOARD OF ADJUSTMENTS AND APPEALS
BOARD MINUTES OF THE MARCH 3, 2011 REGULAR MEETING**

The City of Madison Adjustments and Appeals Board held their regular meeting on March 3, 2011 at 5:30 p.m. in the City Council Chambers located in Madison Municipal Complex, 100 Hughes Road, Madison, Alabama. Chairperson Betty Fletcher called the meeting to order at 5:30 pm. Attendance was as follows:

Betty Fletcher, Chairperson	Present
John Horch, Vice Chair	Present
Troy Wesson	Present
Fredrick Davey	Present
Ted Whitney	Present

Supernumeraries

Tim Malueg	Present
Mary Hudson	Present

Staff Present: Amy Furfori, Director, Community Development and Planning; Kelly Butler, City Attorney; Johnny Blizzard, Chief Planner; Sherri Blair, Zoning Administrator and Recording Secretary

Chairperson Betty Fletcher stated: This Board is composed of five persons (with two supernumeraries), is empowered by the Alabama State Legislature, but appointed by the City Council, and charged with hearing petitions for relief from a literal and strict application of the Zoning Code. Cases are heard in the order in which they are filed. Motions are made in the positive and each case requires a positive vote of at least four members. (A simple majority will not approve an action). The burden of proof, for Variances and Special Exceptions, rests with the petitioner. Any party aggrieved by any decision of this Board may, within fifteen days, file a written notice of appeal to the Circuit Court.

APPROVAL OF MINUTES

The first order of business was the approval of minutes from the January 6, 2011 annual organizational and regular meeting. Mrs. Fletcher asked board members for requested changes and/or corrections, if any. Board members requested no changes and/or corrections and Mrs. Fletcher entertained a motion.

Motion: Dr. Horch moved to approve the minutes of the January 6, 2011 annual organizational and regular meeting, as written. Mr. Whitney seconded the motion and the vote was as follows:

Betty Fletcher	Aye
Troy Wesson	Aye
Fredrick Davey	Aye
John Horch	Aye
Ted Whitney	Aye

Motion Carried.

PETITIONS AND FORMAL REQUESTS FOR ACTION

1. Case #1067 – Mal Clissold, 500 Production Avenue Suite E – A Special Exception to Section 4-9-2 to allow motorized vehicle service, mechanical or body repair. The property is located in the Restricted Industrial (M-1) District.

Request to locate a vehicle repair in existing suite E of 500 Production Avenue was presented. The suite is 5,000 square feet and applicant believes the use will be compatible with the surrounding businesses in the M-1 area.

City Staff recommended approval under the following conditions:

- 1) The plans for the body shop are approved and in compliance with the latest adopted building and fire codes;
- 2) The disposal of all chemicals is in compliance with The Alabama Department of Environmental Management and Madison Utilities;
- 3) The plans must demonstrate that noise and odors will not adversely impact adjacent suites and;
- 4) The a plan detailing the location of vehicles waited to be repaired.

Motion: Mr. Wesson moved to approve Case number 1067, a Special Exception to Section 4-9-2 to allow motorized vehicle service, mechanical or body repair in the Restricted Industrial (M-1) zoning district contingent upon: 1) The plans for the body shop are approved and in compliance with the latest adopted building and fire codes; 2) The disposal of all chemicals is in compliance with The Alabama Department of Environmental Management and Madison Utilities;3) The plans must demonstrate that noise and odors will not adversely impact adjacent suites and; 4) The a plan detailing the location of vehicles waited to be repaired. Mr. Whitney seconded the motion and the vote was as follows:

Betty Fletcher	Aye
Troy Wesson	Aye
Fredrick Davey	Aye
John Horch	Abstain
Ted Whitney	Aye

Motion Carried.

OLD BUSINESS

Dr. Horch stated he would like staff to research and prepare necessary documents to rescind case #1055, 5636 Wall Triana since the applicant decided to not move forward with his plan to purchase the property and build the detached building that the granted variance applied to

With no further business before the Board, the meeting was adjourned 5:55 p.m.

APPROVED:



Betty Fletcher, Chairperson
Zoning Board of Adjustments and Appeals

ATTEST:



Sherri W. Blair, Recording Secretary