

**MADISON ADJUSTMENTS AND APPEALS BOARD
MINUTES OF THE NOVEMBER 3, 2011
REGULAR SCHEDULED MEETING**

The City of Madison Adjustments and Appeals Board held their regularly scheduled meeting on November 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
Troy Wesson	Present
Fredrick Davey	Present
John Horch	Present
Ted Whitney	Present
Supernumeraries	
Tim Malueg	Absent
Mary Hudson	Absent

Staff Present: Amy Bell Furfori, Director, Community Development and Planning; Kelly Butler, City Attorney; Johnny Blizzard, Chief Planner

Public Attendees (as registered): Weldon Hill; Kenny Watts

Mrs. 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 September 1, 2011 meeting. Mrs. Fletcher asked board members for requested changes and/or corrections, if any. Board members requested administrative changes and/or corrections and Mrs. Fletcher entertained a motion.

Motion: Mr. Whitney moved to approve the minutes of the September 1, 2011 regular meeting, as amended. Mr. Wesson 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 #1074 – 114 Oakland Trace** - A Variance to Section 4-1-3 of the City of Madison Zoning Ordinance, reducing the side yard setback from 30 feet to 25 feet. The property is currently zoned Low Density Residential District (R-1A);

Request: Property owner Weldon Hill presented his request stating he would like to construct an attached garage which will extend into the side yard setback 3 feet 2 inches. He further stated that the addition will not pose a visibility problem at the intersection.

Board Comment: None

Public Comment: None

Staff Comment: Chief Planner Johnny Blizzard stated staff was not opposed to the request.

Motion: Dr. Horch moved to approve case number 1074, a Variance to Section 4-1-3 of the City of Madison Zoning Ordinance, reducing the side yard setback from 30 feet to 25 feet, as presented. Mr. Wesson 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.

2. **Case #1071 – 103 Willena Drive** – Request by property owner to rescind Variance granted September 1, 2011.

Request: Property owner requested the variance previously granted by the Board be rescinded as it is no longer needed.

Board Comment: None

Public Comment: None

Staff Comment: None

Motion: Mr. Davey moved to approve a request by property owner to rescind the Variance granted September 1, 2011, for case number 1071. Mr. Wesson 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.

Other Business

With no further business before the Board, the meeting was adjourned at 5:37 p.m.

Approved:



Betty Fletcher, Chairperson
Zoning Board of Adjustments and Appeals

Attest:



Sherri W. Blair, Recording Secretary