

**MADISON ADJUSTMENTS AND APPEALS BOARD
MINUTES OF THE JANUARY 5, 2012
ANNUAL ORGANIZATIONAL AND REGULARLY SCHEDULED MEETING**

The City of Madison Adjustments and Appeals Board held their annual organizational and regularly scheduled meeting on January 5, 2012 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	Present

City Staff Present: Amy Bell Furfori, Director, Community Development and Planning; Johnny Blizzard, Chief Planner; Sherri Blair, Zoning Administrator and Board Secretary

Public Attendees (as registered): Michael McBrayer; Crystal McBrayer

Mrs. Fletcher read aloud: 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 December 1, 2011 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 December 1, 2011 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.

Election of Officers

Motion: Mr. Wesson moved to elect Betty Fletcher as Chair of the Zoning Board of Adjustments and Appeals for the 2012 calendar year. Dr. Horch 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.

Motion: Dr. Horch moved to elect Mr. Wesson as Vice-Chair of the Zoning Board of Adjustments and Appeals for the 2012 calendar year. Mr. Davey seconded the motion. Mr. Wesson stated that he would be appointed to the Planning Commission and no longer serving on the ZBA. For that reason he must refuse the nomination. Mr. Davey moved to elect Dr. Horch as Vice-Chair of the Zoning Board of Adjustments and Appeals for the 2012 calendar year. 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

- A. **Case #1077 – 890 Browns Ferry Road** - Variance to Section 5-9 of the City of Madison Zoning Ordinance, to increase the proportionality of a detached accessory building to the principal structure from 25 percent to 51 percent. The property is currently zoned Low Density Residential District (R-1A);

Request: Property owner Michael McBrayer presented his request stating that the proposed accessory building will be 25 feet by 30 feet and will sit approximately fifty feet (50') behind the house and ten (10) feet from the rear property line. The attached garage was converted to living space. He further stated that the house is actually 500 square feet larger than tax records indicate. Mr. McBrayer answered members' questions about location and visibility from the street.

Board Comment: No comment.

Public Comment: No comment.

Staff Comment: Johnny Blizzard stated that staff's report was based upon information from the Tax Assessor's Office.

Motion: Mr. Wesson moved to approve case number 1077, 890 Browns Ferry Road, a Variance to Section 5-9 of the City of Madison Zoning Ordinance, to increase the proportionality of a detached accessory building to the principal structure from 25 percent to 51 percent. Mr. Davey 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

Mrs. Fletcher thanked board members for their continued support and confidence in her leadership. Mr. Davey wished Mr. Wesson future luck on the Planning Commission and thanked him for his service to the ZBA. With no further business before the Board, the meeting was adjourned at 5:50 P.M.

Approved:

Betty Fletcher, Chairperson

Attest:

Sherri W. Blair, Recording Secretary