

**MADISON ZONING BOARD OF ADJUSTMENTS
MINUTES OF THE FEBRUARY 7, 2013 REGULAR MEETING**

The City of Madison Adjustments and Appeals Board held their regularly scheduled monthly meeting on February 7, 2013 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
Mary Hudson	Present
Ted Whitney	Present
Christopher Lindsey	Present
John Horch	Present
Supernumeraries	
Wesley Alford	Present
Larry Mason	Present

City Staff Present: Kelly Butler, City Attorney; Johnny Blizzard, Chief Planner; Sherri Blair, Zoning Administrator and Board Secretary

Public Attendees (as registered): Dawson Vincent

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 January 3, 2013 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: Mr. Whitney moved to approve the minutes of the January 3, 2013 Annual Organizational and Regular Meeting, as written. Dr. Horch seconded the motion and the vote was as follows:

Betty Fletcher	Aye
Mary Hudson	Aye
Christopher Lindsey	Aye
John Horch	Aye
Ted Whitney	Aye

Motion Carried.

Petitions and Formal Requests for Action

1. Case #1089 – Griffon Aerospace, 106 Commerce Circle; a request for a Variance to Section 4-9-3 (6) of the City of Madison Zoning Ordinance, to increase the maximum height of a structure from thirty-five (35) feet to sixty (60) feet. The property is currently zoned M-1, Restricted Industrial District. This request is in accordance with Section 10-9 of the Zoning Ordinance.

Request: Dawson Vincent, Program Manager and Engineer with Griffon Aerospace presented the request stating: Griffon Aerospace has been in business in Madison for five (5) years and currently has fifty (50) employees. Griffon Aerospace was awarded a contract to fabricate and test a subscale composite tank set for Northrop-Grumman. In order to perform required testing of the composite tank-set, a temporary outdoor test stand must be constructed. Foundation installation is planned to begin March 2013 with test fixture fabrication July-December, 2013. Testing of the tank is scheduled to take approximately six (6) months with a completion date in June 2014. After testing, the temporary testing facility will then be dismantled and removed from the site. Since the overall height of the temporary test stand will exceed the maximum height requirement for the M-1 district, which is thirty-five (35) feet, the applicant requested a variance to increase the maximum height to sixty (60) feet.

Board Comment: Members questioned applicant about environmental impact; smoke, noise, fuel. Applicant stated that hydraulics will be used to minimize the noise; the tank will be filled with diesel, not jet fuel, for weight purposes, and will not be ignited. A reservoir tank will catch any fuel in the event of a leak. No fuel will go into the ground. There will be no smoke or fumes.

Public Comment: No comment

Staff Comment: Staff did not received correspondence from the public regarding this request. Attorney Butler recommended the board apply the following contingencies if the variance is granted:

1. Inspection and approval of the fuel storage tank by the City of Madison Fire Marshal;
2. The Variance shall be effective from March 1, 2013 until December 31, 2014. Prior to the expiration, the applicant may apply to the Zoning Board of Adjustments and Appeals for an extension;
3. The applicant receives all necessary state and federal approvals;
4. The applicant sends written notification of construction to the Huntsville-Madison County Airport Authority;
5. The structure is not to be used for human occupancy.

Motion: Mr. Lindsey moved to approve case number 1088, a request for a Variance to Section 4-9-3 (6) of the City of Madison Zoning Ordinance, to increase the maximum height of a structure from thirty-five (35) feet to sixty (60) feet with the following conditions:

6. Inspection and approval of the fuel storage tank by the City of Madison Fire Marshal;
7. The Variance shall be effective from March 1, 2013 until December 31, 2014. Prior to the expiration, the applicant may apply to the Zoning Board of Adjustments and Appeals for an extension;
8. The applicant receives all necessary state and federal approvals;
9. The applicant sends written notification of construction to the Huntsville-Madison County Airport Authority;
10. The structure is not to be used for human occupancy.

The property is currently zoned M-1, Restricted Industrial District. This request is in accordance with Section 10-9 of the Zoning Ordinance. Ms. Hudson seconded the motion and the vote was as follows:

Betty Fletcher	Aye
Mary Hudson	Aye
Christopher Lindsey	Aye
John Horch	Aye
Ted Whitney	Aye

Motion Carried.

Other Business

With no further business before the Board, the meeting was adjourned at 5:54 P.M.

Approved:



Betty Fletcher, Chairperson

Attest:



Sherri W. Blair, Recording Secretary