

**MADISON ZONING BOARD OF ADJUSTMENTS
MINUTES OF THE OCTOBER 4, 2012 REGULAR MEETING**

The City of Madison Zoning Board of Adjustments held its regularly scheduled monthly meeting on October 4, 2012 at 5:30 p.m. in the City Council Chambers located in Madison Municipal Complex, 100 Hughes Road, Madison, Alabama. In the absence of Chairperson Betty Fletcher, Ted Whitney called the meeting to order at 5:30 pm. Attendance was as follows:

Betty Fletcher, Chairperson	Absent
Mary Hudson	Absent
Fredrick Davey	Present
John Horch	Absent
Ted Whitney	Present
Supernumeraries	
Wesley Alford	Present
Christopher Lindsey	Present

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

Public Attendees (as registered): Jerry Cargile

Mr. Whitney 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.

He further stated that since there were only four (4) board members in attendance, a unanimous vote would be required for approval. The applicant was given the option to wait until five or more members were in attendance to present its case but chose to proceed.

Approval of Minutes

The first order of business was the approval of minutes from the August 2, 2012 Regular Meeting. Mr. Whitney asked board members for requested changes and/or corrections, if any. Board members requested one change and/or corrections and Mr. Whitney called for a motion.

Motion: Mr. Davey moved to approve the minutes of the August 2, 2012 Regular Meeting, as corrected. Mr. Lindsey seconded the motion and the vote was as follows:

Fredrick Davey	Aye
Ted Whitney	Aye
Wesley Alford	Aye
Christopher Lindsey	Aye

Motion Carried.

Petitions and Formal Requests for Action

1. Case #1086 – Intergraph Corporation - A request for a Variance to Section 4-10-3 of the City of Madison Zoning Ordinance to allow a building to exceed the maximum height restriction of forty-five (45) feet by thirty (30) feet. The property is currently zoned Restricted Industrial (M-1) and General Industrial (M-2). This request is in accordance with Section 10-9 of the Zoning Ordinance.

Jerry Cargile, PE, 4Site Engineering, representing Intergraph Corporation, distributed a rendering to board members and staff, marked as Exhibit 1 and made a part of the file, and stated: unique circumstances surround the development of the new Intergraph building which include a railroad right-of-way; manmade lake/retention pond and the topography. The topography of the land slopes downward along the western side of the property requiring Intergraph to construct an open terrace level design to accommodate the building and required 1,000 parking spaces. This building design creates the seventy-five (75) foot height. In reality, the majority of the proposed building on east, north and south elevations is much closer to the maximum forty-five (45) feet height limitation. A large amount of the property is occupied by a retention pond, which is an engineering feature designed to store storm water run-off on site. The retention pond reduces the amount of building area and requires the applicant to build upward instead of expanding outward.

Board Comment: No comment

Public Comment: No comment

Motion: Mr. Lindsey moved to approve Case number 1086, Intergraph Corporation's request for a Variance to Section 4-10-3 of the City of Madison Zoning Ordinance to allow a building to exceed the maximum height restriction of forty-five (45) feet by thirty (30) feet. The property is currently zoned Restricted Industrial (M-1) and General Industrial (M-2). This request is in accordance with Section 10-9 of the Zoning Ordinance. Mr. Davey seconded the motion and the vote was as follows:

Fredrick Davey	Aye
Ted Whitney	Aye

Wesley Alford
Christopher Lindsey

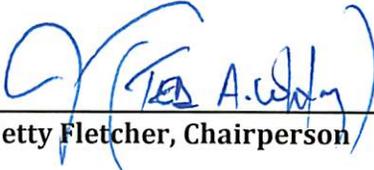
Aye
Aye

Motion Carried.

Other Business

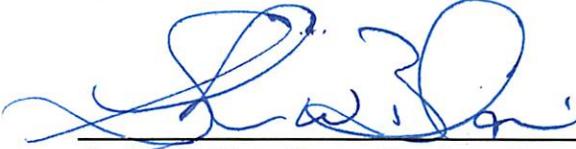
There being no other business, Mr. Whitney adjourned the meeting at 5:42P.M.

Approved:



Betty Fletcher, Chairperson

Attest:



Sherri W. Blair, Recording Secretary