

**MADISON ZONING BOARD OF ADJUSTMENTS
MINUTES OF THE APRIL 4, 2013 REGULAR MEETING**

The City of Madison Zoning Board of Adjustment and Appeals held its regularly scheduled monthly meeting on April 4, 2013 at 5:30P.M. in the City Council Chambers of the Madison Municipal Complex located at 100 Hughes Road, Madison, Alabama. Board Chair Betty Fletcher called the meeting to order at 5:30P.M. and attendance was as follows:

Betty Fletcher, Chairperson	Present
Mary Hudson	Present
John Horch	Present
Christopher Lindsey	Present
Ted Whitney	Absent

Supernumeraries

Wesley Alford	Absent
Larry Mason	Present

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

Public Attendees (as registered): Wayne Blaxton; Jeff Enfinger.

With only four (4) members present, Mrs. Fletcher requested Supernumerary Larry Mason move into a voting position. Mrs. Fletcher then 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 March 7, 2013 Regular Meeting. Mrs. Fletcher asked board members for requested changes and/or corrections, if any. Board members requested no changes.

Motion: Dr. Horch moved to approve the minutes of the March 7, 2013 Regular Meeting, as written. Ms. Hudson seconded the motion and the vote was as follows:

Betty Fletcher	Aye
Mary Hudson	Aye
John Horch	Aye
Christopher Lindsey	Aye
Larry Mason	Aye

Motion Carried.

Petitions and Formal Requests for Action

1. Case #1092 – Jeff Enfinger; a request for a variance to section 4-4-3 to reduce the lot width from sixty (60) feet to fifty-five (55) feet for proposed lots 7-9; from sixty (60) feet to fifty-seven (57) feet for proposed lot 10 and from sixty (60) feet to fifty-four (54) feet for proposed lots 13-14. A request for a variance to section 4-4-3 to increase the lot coverage percentage from thirty (30) percent to sixty (60) percent for proposed lots 1-18. A request for a variance to section 4-4-3 to reduce the minimum lot area from 7500 square feet to not less than 5500 square feet for proposed lots 1-18 Grove Park Phase 3. The property is currently zoned R-3, High Density Residential District. This request is in accordance with Section 10-9 of the Zoning Ordinance.

Request: Applicant presented his request stating: the townhouse market is struggling and he believes patio home market is stronger. The variances requested will allow for patio homes to be placed on the lots and for the subdivision to be completed and houses sold and occupied.

Board Comment: Mr. Mason asked staff whether there will be further review when the houses are placed on the lots to which Johnny Blizzard stated they would be reviewed administratively; Mr. Mason further commented that a hardship should not be economic conditions and expressed concern that applicant was shoehorning a regular subdivision in too small an area. He stated he would prefer that garage entrances were placed at the back of the house. Mr. Enfinger stated that the plat restricts front entry garages and that the house plans are for side entry garages. He also stated that originally there were going to be thirty-four (34) housing units and now there will be eighteen (18), reducing the density by fifty (50) percent.

Public Comment: No comment

Staff Comment: Sherri Blair, stated she did not receive phone calls or correspondence from the public regarding this request. Johnny Blizzard stated that Staff recommends approval of the requested variances.

Motion: Mr. Lindsey moved to approve case number 1092 a request for a variance to section 4-4-3 to reduce the lot width from sixty (60) feet to fifty-five (55) feet for proposed lots 7-9; from sixty (60) feet to fifty-seven (57) feet for proposed lot 10 and from sixty (60) feet to fifty-four (54) feet for proposed lots 13-14; a request for a variance to section 4-4-3 to increase the lot coverage percentage from thirty (30) percent to sixty (60) percent for proposed lots 1-18; a request for a variance to section 4-4-3 to reduce the minimum lot area from 7500 square feet to not less than 5500 square feet for proposed lots 1-18 Grove Park Phase 3. The property is currently zoned R-3, High Density Residential District. This request is in accordance with Section 10-9 of the Zoning Ordinance. Dr. Horch seconded the motion and the vote was as follows:

Betty Fletcher	Aye
Mary Hudson	Aye
John Horch	Aye
Christopher Lindsey	Aye
Larry Mason	Nay

Motion Carried.

Other Business

With no further business before the Board, the meeting was adjourned at 5:51 P.M.

Approved:



Betty Fletcher, Chairperson

Attest:



Sherri W. Blair, Recording Secretary