

**MADISON ZONING BOARD OF ADJUSTMENTS
MINUTES OF THE JUNE 6, 2013 REGULAR MEETING**

The City of Madison Zoning Board of Adjustment and Appeals held its regularly scheduled monthly meeting on June 6, 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 5:30 P.M. and attendance was as follows:

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

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): Ben Lewis; Cynthia Koopman; Matthew A. Koopman.

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 April 4, 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 April 4, 2013 Regular Meeting, as written. Mr. Whitney seconded the motion and the vote was as follows:

Betty Fletcher	Aye
John Horch	Aye
Christopher Lindsey	Aye
Ted Whitney	Aye
Larry Mason	Aye

Motion Carried.

Petitions and Formal Requests for Action

1. Case #1093 – 102 Overview Drive; Ben G. Lewis, as agent for Matt and Cindy Koopman; a request for a variance to Section 4-1-3 (1) of the city of Madison Zoning Ordinance to reduce the front yard setback from forty (40) feet to thirty-nine (39) feet; a request for a variance to Section 4-1-3(2) of the city of Madison Zoning Ordinance to reduce the side yard setback at the east property line from fifteen (15) feet to thirteen (13) feet and; a request for a variance to Section 4-1-3(2) of the city of Madison Zoning Ordinance to reduce the side yard setback at the west property line from fifteen (15) feet to fourteen (14) feet. The property is currently zoned Low Density Residential (R-1A). This request is in accordance with Section 10-9 of the Zoning Ordinance.

Request: Applicant presented his request stating: Mr. and Mrs. Koopman contracted to build a house at 102 Overview Drive in Clift's Cove subdivision. The builder laid the house out without first getting a survey. It wasn't until the house was built that the encroachments were discovered. In order to get a certificate of occupancy and for the house to be legally compliant, a variance is needed.

Board Comments: No comment

Public Comments: No comment

Staff Comments: Board Secretary Sherri Blair stated she did not receive phone calls or correspondence from the public regarding this request prior to the meeting.

Chief Planner Johnny Blizzard stated that Staff recommends approval of the requested variances.

Motion: Mr. Mason moved to approve case number 1093 a request for a variance to Section 4-1-3 (1) of the city of Madison Zoning Ordinance to reduce the front yard setback from forty (40) feet to thirty-nine (39) feet; a request for a variance to Section 4-1-3(2) of the city of Madison Zoning Ordinance to reduce the side yard setback at the east property line from fifteen (15) feet to thirteen (13) feet and; a request for a variance to Section 4-1-3(2) of the city of Madison Zoning Ordinance to reduce the side yard setback at the west property line from fifteen (15) feet to fourteen (14) feet. The property is currently zoned Low Density Residential (R-1A). 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
John Horch	Aye
Christopher Lindsey	Aye
Ted Whitney	Aye
Larry Mason	Aye

Motion Carried.

Other Business

With no further business before the Board, Mrs. Fletcher adjourned the meeting at 5:43 P.M.

Approved:



Betty Fletcher, Chairperson

Attest:



Sherri W. Blair, Recording Secretary