

MADISON ZONING BOARD OF ADJUSTMENTS
MINUTES OF THE AUGUST 2, 2012 REGULAR MEETING

The City of Madison Zoning Board of Adjustments held its regularly scheduled monthly meeting on August 2, 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
Mary Hudson	Present
Fredrick Davey	Present
John Horch	Present
Ted Whitney	Absent
Supernumeraries	
Tim Malueg	Absent
Christopher Lindsey	Absent

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

Public Attendees (as registered): Angelique M. Lawrence; Shannon M. Johnson; Lynda Thompson; Tony Mancuso.

Following roll call, Mrs. Fletcher stated that a letter of resignation had been received by Planning staff from Tim Malueg and that a new member will be chosen by the City Council from applications on file and any new applications that are submitted.

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.

She 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 be heard.

Approval of Minutes

The first order of business was the approval of minutes from the July 12, 2012 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 stated she would entertain a motion.

Motion: Dr. Horch moved to approve the minutes of the July 12, 2012 Regular Meeting, as written. Mr. Davey seconded the motion and the vote was as follows:

Betty Fletcher	Abstain
Mary Hudson	Aye
Fredrick Davey	Aye
John Horch	Aye

Motion Carried.

Petitions and Formal Requests for Action

1. Case #1085 - Lot 1 Murphy Plaza, Phase Two (20060711000457810)-A request for a Special Exception to Section 4-8A-6 of the Zoning Ordinance to allow a veterinary hospital. The property is currently zoned B-3, General Business District. This request is in accordance with Section 10-8 of the Zoning Ordinance.

Angelique M. Lawrence, DVM, presented the request and stated that her veterinary facility is currently located on County Line Road in the Village Shoppes of Madison. It began as a cat hospital but now provides services for dogs and cats. Drs. Johnson and White will be her partners at the proposed new location. The building will aesthetically improve and compliment the surrounding businesses. She provided photographs of the sister clinic located on Old Railroad Bed Road and a conceptual architectural rendering of the proposed new building. Grooming as well as full medical services will be provided. She further stated that there will be no outside runs only exercise yards. An assistant will accompany the animals outdoors and will immediately remove and dispose of waste. A forty (40) foot buffer of large cypress trees will be planted where the property abuts residential zoning. The side that adjoins commercial property to the south will be screened by a privacy fence. The buffering/fencing will be shown on the site plan which has not yet been prepared.

Public Comment: Tony Mancuso, 12205 County Line Road, stated that he owns the commercial property to the south where 19 doctors have a medical practice. He expressed concerns about buffering between the proposed new building and his. He further stated he wants a similar landscape buffer as required for residential abutment.

Planning Director Bell stated that a buffer similar to residential requirements would not be appropriate but a privacy fence and a five (5) foot landscape buffer would be.

Motion: Ms. Hudson moved to approve case #1085, Lot 1 Murphy Plaza, Phase Two, request for a Special Exception to Section 4-8A-6 of the Zoning Ordinance to allow a veterinary hospital with the following condition: the addition of a five (5) foot landscape buffer and six (6) foot privacy fence along the side of the rear yard. The property is currently zoned B-3, General Business District. This request is in accordance with Section 10-8 of the Zoning Ordinance. Mr. Davey seconded the motion and the vote was as follows:

Betty Fletcher	Aye
Mary Hudson	Aye
Fredrick Davey	Aye
John Horch	Aye

Motion Carried.

Other Business

Mrs. Fletcher thanked board members and city staff for thoughts and prayers during her illness and for helping during her absence.

Director Bell stated that revisions to By-Laws and Regulations are being made and reviewed at staff level and should be ready for board members' review soon. Mrs. Fletcher suggested that a workshop be set up prior to or immediately following a regular meeting in order to review By-Laws and Regulations.

There being no other business, Mrs. Fletcher adjourned the meeting at 6:07P.M.

Attest:



Sherri W. Blair, Recording Secretary



Betty Fletcher, Chairperson