

MADISON ZONING BOARD OF ADJUSTMENT AND APPEALS
MINUTES OF THE FEBRUARY 6, 2014 ANNUAL ORGANIZATIONAL AND REGULAR MEETING

The City of Madison Zoning Board of Adjustment and Appeals held its annual organizational and regularly scheduled monthly meeting on February 6, 2014 at 5:30 P.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:

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|------------------------------------|----------------|
| Betty Fletcher, Chairperson | Present |
| Mary Hudson | Present |
| John Horch | Present |
| Christopher Lindsey | Absent |
| Ted Whitney | Present |
| Supernumeraries | |
| Wesley Alford | Absent |
| Larry Mason | Present |

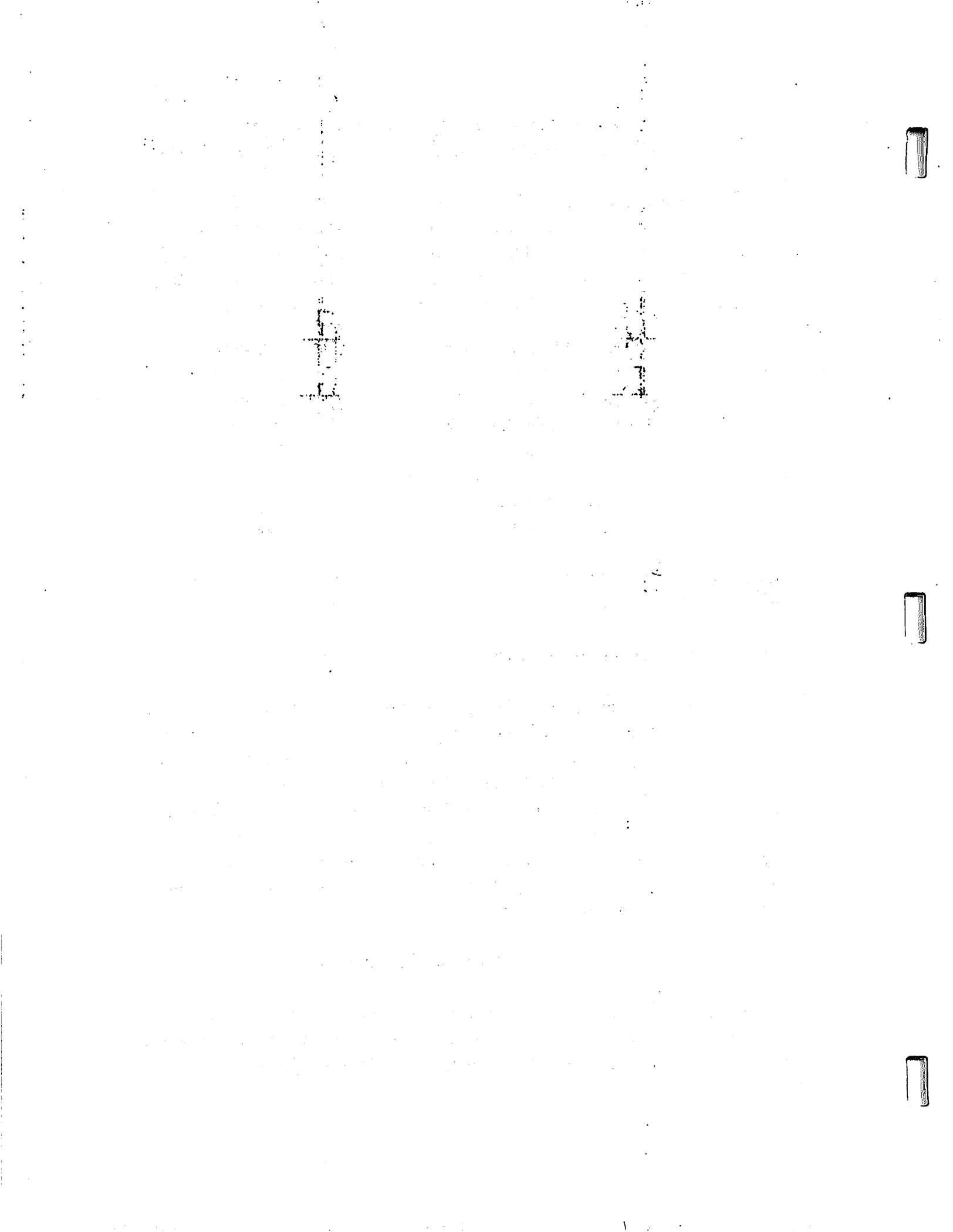
City Staff Present: Johnny Blizzard, Senior Planner; Sherri Williams, Assistant Planner and Board Secretary

Public Attendees (as registered): Brian Trhun; Van Wales

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.

II. Approval of Minutes

The first order of business was the approval of minutes from the December 5, 2013 Regular Meeting. Mrs. Fletcher asked Board members for requested changes and/or corrections, if any. Board members requested no changes or corrections.



Motion: Dr. Horch moved to approve the minutes of the December 5, 2013 Regular Meeting, as written. Mr. Whitney seconded the motion and the vote was as follows:

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|-----------------------|------------|
| Betty Fletcher | Aye |
| Mary Hudson | Aye |
| John Horch | Aye |
| Ted Whitney | Aye |
| Larry Mason | Aye |

Motion Carried.

III. Election of 2014 Officers

- a. Election of 2014 Chair: Mr. Mason nominated Betty Fletcher to serve as Chair for calendar year 2014. Mrs. Hudson seconded the nomination was approved by acclamation. Mrs. Fletcher expressed her appreciation for the continued support of the board.

- b. Election of 2014 Vice-Chair: Mrs. Hudson nominated Chris Lindsey to serve as Vice-Chair for calendar year 2014. Dr. Horch seconded the nomination.

Mr. Mason nominated John Horch to serve as Vice-Chair for calendar year 2014. Mr. Whitney seconded the motion.

Members voted in order of nomination beginning with Chris Lindsey's nomination:

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|-----------------------|------------|
| Betty Fletcher | Aye |
| Mary Hudson | Aye |
| John Horch | Aye |
| Ted Whitney | Aye |
| Larry Mason | Aye |

Motion Carried.

With the vote for Mr. Lindsey being unanimous, a roll call vote for Dr. Horch was not required. Mrs. Hudson addressed Mrs. Fletcher and thanked Dr. Horch for his years of service as Vice-Chair.

IV. Petitions and Formal Requests for Action

- a. Case #1097 – Hunter Pearson, Pearson Homes, Inc.; A request for a Variance to section 4-4-A-3(3) to reduce the rear yard setback from twenty-five feet (25') to twelve feet and two inches (12'2"). The property is currently zoned Single Family Detached Residential (R-

3A). This request is in accordance with Section 10-9 of the City of Madison Zoning Ordinance.

Request: Van Wells, on behalf of Pearson Homes, presented the request and stated, because the only access to the lot is from the stub street at the rear of the property, the geometry of the lot is unusual and prevents building on the lot while maintaining the required rear yard setback.

Public Comments: Brian Trhun, 191 West Lake Circle, stated he appeared because he misunderstood the request. Since he heard the details, he has no objection.

Board Comments: Board members had no questions or comments.

Staff Comments: Senior Planner Johnny Blizzard stated that Staff recommends approval of the variance to Section 4-4-A-3(3) of the Zoning Ordinance to reduce the twenty-five (25) foot rear yard setback to twelve (12) feet and two (2) inches. He further stated that Staff considered the proximity of the proposed dwelling to the ingress/egress easement. Since this particular ingress/egress, easement serves only the subject property and the adjoining 187 West Lake Circle, its primary functions is a driveway and should not cause a hazard to residents of the dwelling. Board Secretary Sherri Williams stated, no negative inquiries or correspondence were received prior to the meeting.

Motion: Mr. Mason moved to approve case number 1097, a request for a Variance to section 4-4-A-3(3) to reduce the rear yard setback from twenty-five feet (25') to twelve feet and two inches (12'2"), as presented. The property is currently zoned Single Family Detached Residential (R-3A). This request is in accordance with Section 10-9 of the City of Madison Zoning Ordinance. Mrs. Hudson seconded the motion and the vote was as follows:

| | |
|-----------------------|------------|
| Betty Fletcher | Aye |
| Mary Hudson | Aye |
| John Horch | Aye |
| Ted Whitney | Aye |
| Larry Mason | Aye |

Motion Carried.

V. Old Business

Mrs. Fletcher asked Board members and Staff if there were any items of old business to discuss. There being none, Mrs. Fletcher closed the floor to old business.

VI. Other Business

Mrs. Fletcher asked Board members and Staff if there were any items of other business to discuss. There being none, Mrs. Fletcher closed the floor to other business.

VII. Adjournment

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

Approved:



Betty Fletcher, Chairperson

Attest:



Sherri Williams, Recording Secretary