

**MADISON ZONING BOARD OF ADJUSTMENT AND APPEALS  
MINUTES OF THE FEBRUARY 5, 2015 REGULAR MEETING**

The City of Madison Zoning Board of Adjustment and Appeals held its regularly scheduled monthly meeting on February 5, 2015 in the City Council Chambers of the Madison Municipal Complex located at 100 Hughes Road, Madison, Alabama. Board Vice-Chair Christopher Lindsey, called the meeting to order at 5:30 P.M. and attendance was as follows:

<b>Betty Fletcher, Chairperson</b>	<b>Absent</b>
<b>Christopher Lindsey, Vice-Chair</b>	<b>Present</b>
<b>Mary Hudson</b>	<b>Present</b>
<b>John Horch</b>	<b>Present</b>
<b>Ted Whitney</b>	<b>Present</b>
<b>Supernumeraries</b>	
<b>Wesley Alford</b>	<b>Absent</b>
<b>Larry Mason</b>	<b>Present</b>

**City Staff Present:** Johnny Blizzard, Senior Planner; Kelly Butler, City Attorney; Ross Ivey, Assistant Planner; Sherri Williams, Assistant Planner and Board Secretary

**Public Attendees (as registered):** Travis Morris

Mr. Lindsey 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.

In the absence of five (5) members, Mr. Lindsey requested Supernumerary Larry Mason move into a voting position.

**II. Approval of Minutes**

The first order of business was the approval of minutes from the January 6, 2015 Annual Organizational and Regular Meeting. Mr. Lindsey asked Board members

for requested changes and/or corrections, if any. After changes and/or corrections were requested, Mr. Lindsey entertained a motion.

**Motion:** Mr. Whitney moved to approve the minutes of the January 6, 2015 Annual Organizational and Regular Meeting, as corrected. Ms. Hudson seconded the motion and the vote was as follows:

<b>Christopher Lindsey</b>	<b>Aye</b>
<b>Mary Hudson</b>	<b>Aye</b>
<b>John Horch</b>	<b>Aye</b>
<b>Ted Whitney</b>	<b>Aye</b>
<b>Larry Mason</b>	<b>Aye</b>

**Motion Carried.**

### **III. Petitions and Formal Requests for Action**

- a. **Case #1107, 252 Nale Drive;** A request for a variance to Section 4-1-3(2), to reduce the side yard setback from fifteen (15) feet to six (6) feet on the south property line. This request is in accordance with Section 10-5 of the City of Madison Zoning Ordinance.

**Request:** Applicant appeared and presented the request stating he wishes to renovate the house he owns in *Rainbow Mountain Heights Subdivision*, to accommodate the needs of his growing family. The addition will be on the side of the house and he cannot meet the fifteen (15) foot setback. The applicant provided a plot plan for review by the Board.

**Board Comments:** Board members asked questions regarding the addition and whether an eight (8) foot reduction, instead of six (6) feet, would suffice. Mr. Morris stated that it would. Chief Planner Johnny Blizzard stated that Planning Department staff is revisiting the requirements in the zoning ordinance in order to support the renovation of houses in older subdivisions.

**Public Comments:** No member of the public appeared to comment. Planning Staff stated they received neither emails nor phone calls objecting to the request.

**Staff Comments:** Staff recommended approval of case number 1107, 252 Nale Drive; A request for a variance to Section 4-1-3(2), to reduce the side yard setback from fifteen (15) feet to six (6) feet on the south property line, as presented.

**Motion:** Dr. Horch moved to approve case number 1107, 252 Nale Drive; A request for a variance to Section 4-1-3(2), to reduce the side yard setback from fifteen (15) feet to six (6) feet on the south property line, as presented. Ms. Hudson seconded the motion and the vote was as follows:

<b>Christopher Lindsey</b>	<b>Aye</b>
<b>Mary Hudson</b>	<b>Aye</b>
<b>John Horch</b>	<b>Aye</b>
<b>Ted Whitney</b>	<b>Aye</b>
<b>Larry Mason</b>	<b>Aye</b>

**Motion Carried.**

#### **IV. Old Business**

Mr. Lindsey asked Board members and Staff if there were any items of Old Business to discuss. There being none, Mr. Lindsey closed the floor to old business.

#### **V. Other Business**

Mr. Lindsey asked Board members and Staff if there were any items of Other Business to discuss. There being none, Mr. Lindsey closed the floor to other business.

#### **VI. Adjournment**

With no further business before the Board, Mr. Lindsey adjourned the meeting at 5:38 P.M.

**Approved:**

  
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**Christopher Lindsey, Vice-Chair**

**Attest:**

  
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**Sherri Williams, Recording Secretary**