

**MADISON ADJUSTMENTS AND APPEALS BOARD  
MINUTES OF THE REGULAR SCHEDULED MEETING  
March 05, 2009**

The City of Madison Adjustments and Appeals Board held their scheduled meeting on March 05, 2009 at 5:30 p.m. in the PEB Conference Room located downstairs in the Madison Municipal Complex, 100 Hughes Road, Madison, Alabama. David Aichele, Chairperson, called the meeting to order at 5:30 pm. Attendance was as follows:

<b>Betty Fletcher, Chairperson</b>	<b>Absent</b>
<b>Carla Daily</b>	<b>Absent</b>
<b>Keith Graham</b>	<b>Present</b>
<b>David Aichele</b>	<b>Present</b>
<b>Patrick Nelson</b>	<b>Absent</b>
<b>Fredrick Davey</b>	<b>Present</b>
<b>John Horch</b>	<b>Present</b>

**Staff Present:** Johnny Blizzard, AICP, CFM, Chief Planner, Gina Romine, Planner I, Lori J. Goff, Recording Secretary.

**Public Attendees (as registered):** William C. Fuller, Charles Cramer, Vijay Patel, Arthur Spencer, Manil Maskey, Vera MIller and Herschel Miller.

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.

The first item of business was the appointment of David Aichele as Chairperson in Betty Fletcher's absence. The Board voted unanimously that David Aichele would sit as Chairperson for the March Meeting. The second order of business was the approval of minutes from the February 5, 2009 meeting. **Motion:** Keith Graham moved to approve the minutes as written, John Horch seconded the motion and the vote was unanimous in favor of the motion. **Minutes approved.** John Horch made a motion to remove case# 1026 from the table and Fredrick Davey seconded all were in favor motion carried.

**Case #1026: DHS Hospitality:**

*Request:* A Variance to Section 5-15-1, Minimum Space Requirements to reduce the required parking from 1.2 parking spaces per room to 1.0 parking spaces per room. The property is currently zoned B-3, General Business District. This Variance is in accordance with Section 10-9 of the Zoning Ordinance.

Arthur Spencer presented his case for a Variance, explaining that the conference room had been removed from the building plans and rooms were put in its place, which changed the need for parking due to this he requested a Variance for 1 parking space per room instead of two. David Aichele asked if we had received any correspondence or phone calls on this; Lori Goff stated there were none.

**Motion: Keith Graham** made a motion to approve the Variance to Section 5-15-1, Minimum Space Requirements to reduce the required parking from 1.2 parking spaces per room to 1.0 parking spaces per room. The property is currently zoned B-3, General Business District. This Variance is in accordance with Section 10-9 of the Zoning Ordinance. John Horch seconded the motion and the vote was unanimous in favor of the motion. **Motion carried**

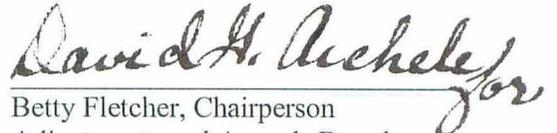
**Case #1033: Charles Cramer, 119 Averbeck Court:**

*Request:* A Variance to Section 4-3-3 (2) to reduce the side yard setback from 10' feet to 6' feet. The property is currently zoned R-2, Medium Density Residential. This Variance is in accordance with Section 10-9 of the Zoning Ordinance.

**Charles Cramer** presented his case for a Variance to Section 4-3-3 (2) to reduce the side yard setback from 10' feet to 6' feet so that he could build a detached garage. David Aichele opened the floor for discussion and Mr. Cramer's neighbor Manil Maskey expressed his concern for the sunlight being blocked by the height of the garage. David Aichele asked if we had received any correspondence or phone calls on this; Lori Goff stated there were none.

**Motion: Fredrick Davey** made a motion to approve the Variance to Section 4-3-3 (2) to reduce the side yard setback from 10' feet to 6' feet This Variance is in accordance with Section 10-9 of the Zoning Ordinance. Keith Graham seconded the motion and the vote was unanimous in favor of the motion. **Motion carried**

With no further business before the Board, the meeting was adjourned at 6:00 p.m.

  
Betty Fletcher, Chairperson  
Adjustments and Appeals Board

Attest:

  
Lori J. Goff, Recording Secretary