

**Zoning Board of Adjustment and Appeals
Minutes of the July 8, 2021 Regular Meeting**

The meeting convened in the Madison Municipal Complex, City Council Chambers, 100 Hughes Road, Madison, Alabama 35758, and was called to order at 5:30 p.m. by Board Vice Chair Brenda Buschman.

In Attendance:

Betty Fletcher, Chair	Absent
Mary Hudson	Present
Brenda Buschmann	Present
Lisa Laurendine	Present
Larry Miles	Present

City Staff Present

Johnny Blizzard, Senior Planner and Megan Zingarelli, City Attorney

Registered Public Attendees

Nobert Webly

Approval of Minutes

Mrs. Buschmann asked Board members for requested changes and/or corrections, if any, to the June 3, 2021 minutes. There being no changes. Mrs. Buschmann asked for a motion.

Motion: Mary Hudson moved to approve the June 3, 2021 minutes. Lisa Laurendine seconded the motion and the vote was as follows:

Betty Fletcher, Chair	---
Mary Hudson	Aye
Brenda Buschmann	Aye
Lisa Laurendine	Aye
Larry Miles	Aye
Motion Carried	

Petitions and Formal Requests for Action

Mrs. Buschmann read aloud, *this Board is composed of five persons, with two supernumeraries, and is empowered by the Alabama State Legislature, but appointed by the City Council and is 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.*

Case SE-2021-001, Case SE-2021-001, NOW Soccer Academy is requesting a Special Exception to allow the use of Indoor Recreation in the M1 Restricted Industrial Zoning District at 135 Westchester Drive, Suites B & C. This request is in accordance with Section 10-4 of the City of Madison Zoning Ordinance.

Mr. Nobert Weby informed the Board since moving NOW Soccer Academy's business operations to Madison in 2020, they have experienced tremendous growth and doubled the number of students in their program. The goals for the business remain the same including development of athletes' character and skills both on and off the field. A large percentage of the players in the program have the opportunity to play at the collegiate level and the program is attracting a growing number of college recruiters. Mr. Weby stated they would like to expand their operation and provide a larger indoor field space to showcase players to college scouts and coaches. The facility at 135 Westchester Drive will accommodate an 85 feet and 210 feet indoor field turf. Now Soccer Academy will also continue operations at 145 Westchester Drive.

Mrs. Buschmann asked staff if they had received any correspondence from the public concerning the case. Mr. Blizzard replied that they had not received any.

Mrs. Buschmann read the staff recommendations for the following conditions to be added to the approval.

- A. The special exception shall only apply for the requested use at 135 Westchester Road Building B & C for a period of five years or until the business license is terminated, whichever comes first.
- B. Amendments to the architectural plan must be approved before the Special Exception becomes effective.
- C. The occupancy of Building B & C must be capped at 92 person to comply with a parking ratio of one parking space per four occupants.
- D. Patrons must park on-site and may not use the parking areas of adjacent properties or businesses.

Megan Zingarelli, City Attorney asked the Board to add an additional condition for IDB (Industrial Development Board) approval based on concerns that the special exception may violate the terms of an abatement agreement approved for the property.

Motion:

Mrs. Hudson made motion to approve Special Exception 2021-001 to allow the use of Indoor Recreation in the M1 (Restricted Industrial District) at 135 Westchester Drive Suites B & C with the following conditions:

- A. The special exception shall only apply for the requested use at 135 Westchester Road Building B & C for a period of five years or until the business license is terminated, whichever comes first.

- B. Amendments to the architectural plan must be approved before the Special Exception becomes effective.
- C. The occupancy of Building B & C must be capped at 92 person to comply with a parking ratio of one parking space per four occupants.
- D. Patrons must park on-site and may not use the parking areas of adjacent properties or businesses.
- E. The Madison IDB must grant approval of the use due to the abatement agreement approved for the property.

Mrs. Laurendine seconded the motion,

Betty Fletcher, Chair	---
Mary Hudson	Aye
Brenda Buschmann	Aye
Lisa Laurendine	Aye
Larry Miles	Aye
Motion Carried	

New Business

Mrs. Buschmann asked Board members and Staff if there were items of old business to discuss. There was none.

Adjournment

With no further business before the Board, Mrs. Buschmann adjourned the meeting at 6:15 P.M.

Approved:



Brenda Buschmann Vice- Chair

Attest:



Johnny Blizzard, Recording Secretary