

**MADISON ZONING BOARD OF ADJUSTMENTS
MINUTES OF THE JANUARY 3, 2013
ANNUAL ORGANIZATIONAL AND REGULAR MEETING**

The City of Madison Adjustments and Appeals Board held their annual organizational and regularly scheduled meeting on January 3, 2013 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
Ted Whitney	Present
Christopher Lindsey	Present
John Horch	Present
Supernumeraries	
Wesley Alford	Present
Larry Mason	Present

City Staff Present: Kelly Butler, City Attorney; Johnny Blizzard, Chief Planner; Sherri Blair, Zoning Administrator and Board Secretary

Public Attendees (as registered): Tamera Smallwood; City Council Member Tim Holcombe

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.

Approval of Minutes

The first order of business was the approval of minutes from the October 4, 2012 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 entertained a motion.

Motion: Mr. Whitney moved to approve the minutes of the October 4, 2012 regular meeting, as written. Dr. Horch seconded the motion and the vote was as follows:

Betty Fletcher	Aye
Mary Hudson	Aye
Christopher Lindsey	Aye
John Horch	Aye
Ted Whitney	Aye

Motion Carried.

Election of Officers

Motion: Ms. Hudson moved to elect Betty Fletcher as Chair of the Zoning Board of Adjustments and Appeals for the 2013 calendar year. Mr. Whitney seconded the motion and the vote was unanimous.

Motion Carried.

Motion: Mr. Whitney moved to elect John Horch as Vice Chair of the Zoning Board of Adjustments and Appeals for the 2013 calendar year. Ms. Hudson seconded the motion and the vote was unanimous.

Motion Carried.

Petitions and Formal Requests for Action

1. Case #1087 – Walden Land Company, Joseph C. Murphy; a request for a Variance to Section 5-15-1 of the City of Madison Zoning Ordinance, reducing the number of required parking spaces for a subdivision clubhouse from seventeen (17) to eight (8) plus sixteen (16) bicycle spaces. The property is currently zoned Single Family Detached Residential (R-3A). This request is in accordance with Section 10-9 of the Zoning Ordinance.

Request: Applicant did not appear but communicated to Planning staff their desire to table the matter in order to define their hardship.

Board Comment: No comment.

Public Comment: No comment

Staff Comment: Staff did not received correspondence from the public regarding this request.

2. Case #1088 - Jeff Enfinger; a request for a Variance to Section 4-4-3 of the City of Madison Zoning Ordinance, to increase the maximum lot coverage percentage from thirty percent (30%) to sixty percent (60%) for lots 1-15, Grove Park, Phase Two. The property is currently zoned High Density Residential (R-3). This request is in accordance with Section 10-9 of the Zoning Ordinance.

Request: Applicant did not appear to present the request. Johnny Blizzard explained the request and stated: In December of 2010, a resubdivision of the Grove Park Subdivision was submitted proposing to consolidate thirty-four (34) of the townhome lots into seventeen (17) lots for single-family detached dwellings. The developer proposed lot areas below the minimum lot requirement of 7,500 square feet and received a variance in December of 2010. The Zoning Board of Adjustment granted the variance requested based upon the hardship that much of Grove Park Subdivision is undevelopable because of jurisdiction wetlands. The applicant is requesting a variance to Section 4-4-3 of the Zoning Ordinance to increase the maximum lot coverage for lots

1-15 of Grove Park, Phase Two from thirty percent (30%) to sixty percent (60%). A variance to increase the maximum lot coverage is being requested to compensate for the reduction of minimum lot size granted in the original variance request. The increase in lot coverage will allow for a dwelling foot print to be in relation to the reduced minimum lot size.

Board Comment: Members confirmed with staff that single family homes will only be in the center section of the subdivision and that the previously granted variance was due to the decrease in townhouse sales and the desire to built currently more desirable single family homes.

Public Comment: Tamera Smallwood, 114 Grove Park, voiced her concerns about the transition from a townhome community to single family. She bought in Grove Park believing it would remain multi-family and is concerned her townhome will not be as desirable when she tries to sell.

Staff Comment: Johnny Blizzard stated that in order to convert existing townhome lots into single family lots a new plat must be approved by Planning Commission and that neighbors would be notified.

Motion: Dr. Horch moved to approve case number 1088, a request for a Variance to Section 4-4-3 of the City of Madison Zoning Ordinance, to increase the maximum lot coverage percentage from thirty percent (30%) to sixty percent (60%) for lots 1-15, Grove Park, Phase Two. The property is currently zoned High Density Residential (R-3). Ms. Hudson seconded the motion and the vote was as follows:

Betty Fletcher	Aye
Mary Hudson	Aye
Christopher Lindsey	Aye
John Horch	Aye
Ted Whitney	Aye

Motion Carried.

Other Business

With no further business before the Board, the meeting was adjourned at 5:48 P.M.

Approved:


Betty Fletcher, Chairperson

Attest:


Sherri W. Blair, Recording Secretary