

**MADISON ZONING BOARD OF ADJUSTMENT AND APPEALS
MINUTES OF THE OCTOBER 3, 2013 REGULAR MEETING**

The City of Madison Zoning Board of Adjustment and Appeals held its regularly scheduled monthly meeting on October 3, 2013 at 5:30P.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:

Betty Fletcher, Chairperson	Present
Mary Hudson	Present
John Horch	Present
Christopher Lindsey	Present
Ted Whitney	Absent

Supernumeraries

Wesley Alford	Absent
Larry Mason	Present

City Staff Present: Johnny Blizzard, Chief Planner; Sherri Williams, Zoning Administrator and Board Secretary.

Public Attendees (as registered): Jim Wright; Wayne Blaxton.

With only four (4) members present, Mrs. Fletcher requested Supernumerary Larry Mason move into a voting position.

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 September 5, 2013 Regular Meeting. Mrs. Fletcher asked board members for requested changes and/or corrections, if any. Board members requested no changes.

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

Betty Fletcher	Aye
Mary Hudson	Aye
John Horch	Aye
Christopher Lindsey	Aye
Larry Mason	Aye

Motion Carried.

Petitions and Formal Requests for Action

1. Case number 1095, Burgreen Subdivision, a request for a Variance to Section 4-4-A-3 of the City of Madison Zoning Ordinance to increase the lot coverage percentage from thirty-three percent (33%) to forty percent (40%) for all lots in the proposed Burgreen Place subdivision. The property is currently zoned Single-Family Detached Residential District (R-3A). This request is in accordance with Section 10-9 of the Zoning Ordinance.

Request: Property owner, Jim Wright, presented his request stating: it is his wish to construct homes that will accommodate the needs of aging couples. The homes will offer wider hallways, doorways and closets for wheelchair access. To build a three (3) or four (4) bedroom ranch style house with a three (3) car garage and covered porches, it will be difficult to stay within the 33% lot coverage maximum. To be allowed 40% lot coverage, 2,800-3,000 square foot houses can be built. There are 28 total lots within the subdivision that the requested variance would be applied to.

Board Comments: Chris Lindsey asked that Planning Commission's approval of the number of lots be clarified. Johnny Blizzard stated that 62 lots were approved for the entire subdivision. This phase of the subdivision incorporates 45 of the 62 lots. Larry Mason asked if elevators can be installed in 2-story houses and Mr. Wright stated that it would be too expensive. Mr. Wright further stated that there are seven (7) or eight (8) different floor plans and only one (1) is a 2-story house.

Public Comments: No comment

Staff Comments: Board Secretary Sherri Williams stated she did not receive phone calls or correspondence from the public regarding this request prior to the meeting.

Motion: Dr. Horch moved to approve case number 1095, a Variance to Section 4-4-A-3 of the City of Madison Zoning Ordinance to increase the lot coverage percentage from thirty-three percent (33%) to forty percent (40%) for lots 2, 3, 4, 5, 6, 8, 9, 10, 15, 17, 27, 28, 29, 41, 42, 43, 44, 45, 46, 47, 50, 51, 54, 55, 56, 59, 60 and 61, in the proposed Burgreen Place subdivision, with the following contingencies:

1. Dwellings built on these lots must be single story;
2. A minimum of one (1) main or secondary exterior entrance that provides a maximum of one step or, in lieu, a wheelchair ramp into main floor of the home;
3. Wider interior doorways and hallways that provide maneuverability and wheelchair accessibility to all common areas and all areas within the master suite, including closets; and
4. The variance on any one of these lots would be automatically rescinded if at the time the original home is built upon said lot, the above conditions are not met, and therefore the 33% coverage will be used in lieu of the 40%.

The property is currently zoned Single-Family Detached Residential District (R-3A). This request is in accordance with Section 10-9 of the Zoning Ordinance. Mr. Lindsey seconded the motion and the vote was as follows:

Betty Fletcher	Aye
Mary Hudson	Aye
John Horch	Aye
Christopher Lindsey	Aye
Larry Mason	Aye

Motion Carried.

Other Business

With no further business before the Board, Mrs. Fletcher adjourned the meeting at 6:00 P.M.

Approved:



Betty Fletcher, Chairperson

Attest:



Sherri Williams, Recording Secretary