

**MADISON ADJUSTMENTS AND APPEALS BOARD  
MINUTES OF THE REGULAR SCHEDULED MEETING  
May 07, 2009**

The City of Madison Adjustments and Appeals Board held their scheduled meeting on May 07, 2009 at 5:30 p.m. in the PEB Conference Room located downstairs in the Madison Municipal Complex, 100 Hughes Road, Madison, Alabama. Betty Fletcher, Chairperson, called the meeting to order at 5:38 pm. Attendance was as follows:

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

**Staff Present:** Gina Romine, Planner I, Lori J. Goff, Recording Secretary.

**Public Attendees (as registered):** J.R. Carroll, Barry Nabors

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 order of business was the approval of minutes from the March 5, 2009 meeting. **Motion:** Patrick Nelson moved to approve the minutes as written, John Horch seconded the motion and the vote was unanimous in favor of the motion. **Minutes approved.**

**Case #1034: J.R. Carroll:**

*Request:* A Variance to Section 4-1-3 (1) to reduce the front yard setback from 40' feet to 30' feet and a Variance to Section 4-1-3 (3) to reduce the rear yard setback from 45' feet to 14' feet. The property is currently zoned R-1 A, Low Density Residential. This Variance is in accordance with Section 10-9 of the Zoning Ordinance.

J.R. Carroll presented his case to the Board, explaining that due to a hardship because of the lot layout they were requesting a Variance to turn the house and make it a safer more effective way of building the home on the lot. Betty Fletcher asked if there had been any correspondence on this case, Lori Goff stated there had been none. Betty asked if the staff was in favor of this, Gina Romine stated yes.

**Motion: Patrick Nelson** made a motion to approve the Variance to Section 4-1-3 (1) to reduce the front yard setback from 40' feet to 30' feet and a Variance to Section 4-1-3 (3) to reduce the rear yard setback from 45' feet to 14' feet. The property is currently zoned R-1 A, Low Density Residential 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**

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

Betty D. Fletcher  
Betty Fletcher, Chairperson  
Adjustments and Appeals Board

Attest:

Lori J. Goff  
Lori J. Goff Recording Secretary