

**Zoning Board of Adjustment and Appeals  
Minutes of the December 1, 2022, 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 Buschmann.

**In Attendance:**

Betty Fletcher, Chair	Absent
Mary Hudson	Present
Brenda Buschmann, Vice Chair	Present
Lisa Laurendine	Present
David Kessler	Present
Scott Harbour	Present

**City Staff Present**

Johnny Blizzard, Senior Planner; Matt Davidson, Principal Planner; Brian Kilgore, City Attorney

**Registered Public Attendees**

Tami Massengale, Clyde Walker, Josh Muckelvaney

**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 Number VAR-2022-009, 7830 U.S. Highway 72, Anchor Sign Inc. is requesting a Variance to Section 7-11-5.e.1 of the Zoning Ordinance to increase the allowable building sign area from 200 square feet to 384 square feet. This request is in accordance with the Section 10-5 of the City of Madison Zoning Ordinance .

Josh Muckelvaney, with Anchor Signs representing the applicant Floor & Decor, presented the request to the Board. He told the Board the applicant is requesting the additional sign area because they feel that the current code allotment is not adequate for customers to safely locate the store while driving on US Hwy 72. They feel that the request is consistent with other existing signs on retail establishments in the area.

Mrs. Buschmann asked if staff had received any outside correspondence. Mr. Blizzard stated that no correspondence had been received.

**Motion:**

Mrs. Hudson made a motion to approve a Variance to Section 7-11-5.e.1 of the Zoning Ordinance to increase the allowable building sign area from 200 square feet to 384 square feet. This request is in accordance with Section 10-5 of the City of Madison Zoning Ordinance.

Mrs. Laurendine seconded the motion.

Betty Fletcher, Chair	----
Mary Hudson	Aye
Brenda Buschmann	Aye
Lisa Laurendine	Aye
David Kessler	Aye
Scott Harbour	Aye

**Motion Carried**

Case Number VAR-2022-010, 401 Lanier Road, W.L. Halsey Grocery Company, Inc, is requesting a Variance to Section 4-9-3.2 to reduce the side yard setback from 20 feet to one foot. This request is in accordance with the Section 10-5 of the City of Madison Zoning Ordinance.

Tami Massengale, on behalf of W.L. Halsey Grocery Company, Inc., presented the request to the Board. She stated that the request is to reduce the side yard setback from 20 feet to one foot on the west side of the property adjacent to the railroad ROW for the placement of a cooler addition. She stated that the area in question is the most feasible area for the placement of the proposed cooler addition. She also stated that the cooler addition would not encroach any further into the western setback than the existing buildings along that side.

Mrs. Buschmann asked if there had been any outside correspondence. Staff indicated there had not.

Chuck Bayshore, neighboring property owner, asked if the proposed cooler would be using the same type of cooling system that other coolers on the property are currently using. Tami Massengale responded that the proposed cooler would utilize the same type of cooling system as the other existing coolers on site.

There being no further discussion Mrs. Buschmann asked for a Motion.

Mrs. Hudson made a motion to allow a Variance to Section 4-9-3.2 to reduce the side yard setback from 20 feet to one foot. This request is in accordance with Section 10-5 of the City of Madison Zoning Ordinance.

Mrs. Laurendine seconded the motion.

Betty Fletcher, Chair	----
Mary Hudson	Aye
Brenda Buschmann	Aye

Lisa Laurendine	Aye
David Kessler	Aye
Scott Harbour	Aye

**Motion Carried**

**Approval of Minutes**

Mrs. Buschmann asked Board members for requested changes and/or corrections, if any, to the September 1, 2022 minutes. There being no changes, she asked for a motion.

**Motion:** Mrs. Hudson moved to approve the September 1, 2022 minutes. Lisa Laurendine seconded the motion, and the vote was as follows:

Betty Fletcher, Chair	----
Mary Hudson	Aye
Brenda Buschmann	Aye
Lisa Laurendine	Aye
David Kessler	Aye
Scott Harbour	Aye

**Motion Carried**

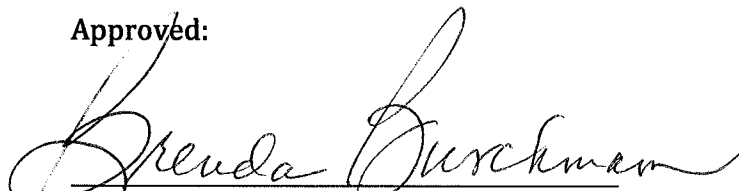
**New Business**

Mrs. Buschmann asked if there was any new or old business to discuss.


**Adjournment**

With no further business before the Board, Mrs. Buschmann adjourned the meeting at 5:43 P.M.

**Approved:**

  
Brenda Buschmann, Vice Chair

**Attest:**

  
Matt Davidson, Recording Secretary

