

**MADISON ADJUSTMENTS AND APPEALS BOARD
MINUTES OF THE DECEMBER 3, 2009
REGULAR SCHEDULED MEETING**

The City of Madison Adjustments and Appeals Board held their scheduled meeting on December 3, 2009 at 5:30 p.m. in the PEB Conference Room located downstairs in the Madison Municipal Complex, 100 Hughes Road, Madison, Alabama. David Aichele, acting Chairperson, called the meeting to order at 5:30 pm. Attendance was as follows:

Betty Fletcher, Chairperson	Absent
David Aichele	Present
Patrick Nelson	Present @ 5:37
Fredrick Davey	Present
John Horch	Present
Troy Wesson	Absent
Ted Whitney	Present

Staff Present: Gina Romine, CFM, C.A.P.Z.O., Planner I and Sherri Blair, CFM, C.A.P.Z.O., Zoning Administrator and Recording Secretary.

Public Attendees (as registered): Melinda Gibson

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 November 5, 2009 meeting. **Motion:** John Horch moved to approve the minutes as written, Fred Davey seconded the motion and the vote was unanimous in favor of the motion. **Minutes approved.**

Case #1043: Melinda Gibson:

Request: Special Exception to Section 4-2-2 (4-1-2) to allow a major home occupation subject to Article XIV for a single-chair beauty parlor. The property is currently zoned R-1B, Low Density Residential. This Variance is in accordance with Section 10-9 of the Zoning Ordinance.

At the commencement of the meeting, Mr. Aichele informed Ms. Gibson that with only 4 members present, she must receive a unanimous vote in her favor for her request to be approved. If she preferred to wait until the January meeting when more members might be present, she had the option. She stated she understood but would prefer to move forward.

Ms. Gibson explained her request to have a single chair beauty parlor. She was laid off from her job on the Arsenal and is currently working at a salon. She would like to work from her home, cutting friends' hair and people from church and whom she worked with in the past. She would only have one customer at a time and would not need additional parking. She would not advertise and would attract customers by word of mouth. She needs the income now and after she is re-hired on the Arsenal, she will continue her business for extra income.

Staff Comments: Gina Romine stated that there were no objections from adjacent property owners prior to the meeting. Further, staff supports this request with precedence.

Motion: Fred Davey moved to approve a Special Exception to Section 4-2-2 (4-1-2) to allow a major home occupation subject to Article XIV for a single-chair beauty parlor. John Horch seconded the motion and vote was unanimous in favor. **Motion carried.**

With no further business before the Board, the meeting was adjourned at 5:44 p.m.

Approved:



**Betty Fletcher, Chairperson
Adjustments and Appeals Board**

Attest:



Sherri Blair, Recording Secretary