

The Madison County Board of Zoning Appeals met on the above date at 9:00 A.M. with, Mary Jane Baker, Chairman, presiding.

Members Present: Mary Jane Baker, John Simmermon, Bill Maxwell, Bill Hobbs, and Rick Durham.

Members Absent: None

Also Present: Ken Ellis, Planning Director, Gerald Shine, Jr., Attorney, and Elizabeth Bruns, Board Secretary.

**CURRENT BUSINESS**

1. Pledge of Allegiance
2. Prayer – Member Durham
3. Roll call taken with all members being present.
4. The minutes for the August 23, 2011 meeting were mailed to each member prior to this meeting. Member Hobbs stated that he noticed two errors that needed to be corrected. Per Chairman Baker, these minutes are approved with corrections.

**NEW BUSINESS**

1. Petition: 2011-V-007 Variance Zoning: CR  
Address: 184 & 208 East 600 South  
Location: North side of 600 South, approximately ½ mile west of New Columbus Road  
Petitioner: Barbara J. Wiles  
Request: Request a Variance (1) to be allowed to split a parent tract of land less than six (6) acres; (2) Relief of 12.3 feet on the east side setback of Lot #2. The Madison County Land Use & Development Code requires a parent tract to be a minimum of six (6) acres to create any splits, and requires a 25 foot side setback on any new splits from a parent tract of property. The barn on Lot #2 is 12.7 feet from the east property line.

Richard Ward, Surveyor, is representing the Petitioner. He offered to answer any questions regarding this variance.

The Board inquired on acreage amount and setback issues.

I'm Barbara Wiles and Hilltop Realty is a farm intricate which has several farms related to it, years ago my father put this in a trust, and we would now like to sell off the land where his home was along with two acres. We need to keep the other acreage so that we have access to the farm.

Director Ellis stated that it is a minimum 25' setback, so this is not a problem.

Member Simmermon made a motion to approve 2011-V-007 as written in the proposal and we understand the answers to our questions that we have asked today, and concur with the Staff's Findings of Facts. Member Hobbs seconded the motion, vote was unanimous in favor of the motion, **2011-V-007 Approved.**

2. Petition: 2011-V-008 Variance Zoning: CR  
Address: 1676 East 600 South  
Location: North side of 600 South, approximately 1/4 mile west of 200 East  
Petitioner: Clint H. & Jennifer A. Kline  
Request: Request a Variance (1) to build a Detached Garage in front of a Primary Residence; (2) Relief of side setback for proposed garage; (3) Relief of front setback for proposed garage. The Madison County Land Use & Development requires an accessory structure to be placed even with the primary residence or behind the primary residence; and it also requires the front set back on a collector road in a CR zone district to be 100 feet. The proposed front set back is 33' 9" and side yard setback of 23' 9".

Director Ellis requested a continuance on Petition 2011-V-008 per the Petitioner's request, and stated that proper noticing was completed. Member Maxwell made a motion to continue Petition 2011-V-008, Member Hobbs seconded the motion. **2011-V-008 Continued until the November Meeting.**

The Board had a discussion of the reasons for this Petition.

### **MISCELLANEOUS**

Director Ellis informed the Board that the Madison County Planning Commission voted to only pay board members when we have a meeting and they attend.

Discussion held regarding the new forms for the Findings of each petition that the Board is required to complete and return at the end of the meeting.

Chairman Baker adjourned the meeting.

Adjournment: 9:38:12 A.M.

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Mary Jane Baker, Chairman

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Elizabeth Bruns, Board Secretary