

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 October 25, 2011 meeting were mailed to each member prior to this meeting. Member Durham made a motion to approve the minutes as presented. Member Maxwell seconded the motion. **October Minutes Approved.**

NEW BUSINESS

1. 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 presented the Staff Report.

Clint Kline – 1676 East 600 South. We intend this to be used for storage purposes only.

Discussion held among the Board Members with concerns of value of the property if this is approved, wet and wooded area east of the proposed building, possibility of building in the pasture area, and right-of-way questions.

Patrick Manship – 1054 East 600 South, I am 3 houses west of this site. My garage is in front of my home as well as several others in the area. There is a legal drain to the east of this site, if this property is filled in, it may have an adverse affect on the drainage.

Tim Kline – 1588 East 600 South, I own all the land around there. His garage will have the same kind of siding and the same type of roof as his home, and I feel this will be an asset and not a detriment to the property.

Director Ellis would like to state for the record that this is not a hardship case and he has to prove practical difficulty, and it was his opinion that he had.

Member Hobbs made a motion to approve Petition 2011-V-008, this would not be injurious to public health, safety, morals and general welfare of the community. I do have a concern on the value of the area and the adjacent value as well as the property values of the Petitioner, I concur with Staff Findings on this. Member Maxwell seconded the motion. Roll Call Vote taken, 4-yes, Durham, Maxwell, Hobbs, and Baker, and 1-no, Simmermon. **Petition 2011-V-008 Approved.**

- 2. Petition: 2011-SU-003 Special Use Zoning: HC
Address: 2933 West Huntsville Road
Location: Southeast Corner of SR 67 and Huntsville Road
Petitioner: Tim & Julie Schnepf
Owners: Bryce & Steffanie Owens
Request: Request Special Use to operate a Real Estate Office in a Highway Commercial zone district.

Director Ellis stated that the Attorney for the Petitioner was called to Court this morning and the Petitioners are in Florida. We will continue with our meeting and come back to this Petition before we adjourn.

Director Ellis stated that Mr. Bucklew completed the installation of his fence as required by the Board on Petition #2010-SU-005. **2010-SU-005 is now in compliance.**

Member Durham made a motion to continue Petition 2011-SU-003 until the December 27, 2011 meeting, seconded by Member Hobbs. Vote was unanimous. **Petition 2011-V-003 Continued.**

Director Ellis asked that everyone take home the proposed 2012 calendar and we will vote on it at our December meeting.

Chairman Baker adjourned the meeting.

Adjournment: 9:53:02 A.M.

Mary Jane Baker, Chairman

Elizabeth Bruns, Board Secretary