

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: Bill Maxwell, John Randall, Jr., Mary Jane Baker, and Bill Hobbs.

Members Absent: Shirley Aubrey.

Also Present: Michael Hershman, Executive Director, Gerald Shine, Jr., Attorney, and Beverly Guignet, Secretary.

CURRENT BUSINESS

1. Roll call was taken and one member, Shirley Aubrey was absent.
2. The minutes of the preceding meetings were distributed to each member prior to the meeting. Mr. Maxwell made a motion to approve the minutes with the corrections as stated. Mr. Randall seconded the motion. The vote was unanimous in favor of the motion.

New Business

1. **Petition #503 of Mark A. & Kelly M. Johnson, landowners and petitioners, for a variance for rear setback relief.** This property is zoned “PUD” and is located as the 4th lot south of Midnight Drive and north side of West Stargazer Drive in Summerlake Subdivision located at the southwest corner of Co. Rd. 800S and State Road 13 in Green Twp. The size of the lot in question is 50 feet by 105 feet.

Kelly Johnson was present representing this request.

Mr. Hershman said, houses on smaller lots characterize the surrounding area. The site is a house lot.

The property is located at 9490 West Stargazer Drive, 4th lot east of South Midnight Drive on the north side of West Stargazer Drive. The property is in Green Township, Section 13.

Staff has received proof of proper notification.

The applicant is making the request in order to build an 18’x12’ sunroom. The proposed room will be 16’ from the rear property line.

The house does have a slab on the back. There is a house on the corner of South Midnight Drive and West Stargazer Drive that has a deck that extends into the rear yard. There are no houses in the surrounding area with enclosures that extend into the rear yard. However, property is in row of houses and the addition would not be visible from the street.

Kelly Johnson, 9490 Stargazer Drive.

Mrs. Johnson said, I have submitted this to my Homeowners Association and they could not find anything in the covenant so they approved me.

The cement pad that is there will be removed that is right now a 10 x 10 so we are going to extend it over so we can come of the back door and it should not extend quite over that far. It will be 18 feet wide and come out 12 feet. It will not cover any of the utilities coming in to the house.

There were no remonstrators present.

Mr. Hobbs said, I would move to approve Petition #503 of Mark A. & Kelly M. Johnson, landowners and petitioners, for a variance for rear setback relief, it is consistent with the Findings of Fact. No public safety, health or welfare would be affected. The use and the value should in the area be unaffected and to the home and the strict application of the requirements would prevent the construction of the addition.

Mr. Randall seconded the motion.

The vote was unanimous in favor of the motion. **Petition #503 of Mark A. & Kelly M. Johnson, landowners and petitioners, for a variance for rear setback relief was approved.**

2. Miscellaneous

Mr. Hershman introduced Elizabeth Bruns who will be the new Office Coordinator.

Mr. Maxwell said, I would move to approve the BZA Calendar for 2007.

Mr. Hobbs seconded the motion. The vote was unanimous in favor of the motion.

Mr. Hershman informed the board Kyle Gottschammer, Building Inspector is resigning affective December 9th as he going to Lawrence to be their inspector.

It was the consensus of the board to adjourn.

Adjournment: 10:37:40 P.M.

Mary Jane Baker, Chairman

Beverly Guignet, Secretary

