

**MINUTES OF THE MADISON COUNTY PLANNING AND ZONING
COMMISSION HELD AND CONDUCTED ON THURSDAY, THE 15TH DAY OF
OCTOBER, 2009 AT 9:00 A.M. AT THE MADISON COUNTY
COMPLEX BUILDING.**

BE IT REMEMBERED that a meeting of the Madison County Planning and Zoning Commission was duly called, held and conducted on Thursday, the 15^h day of October, 2009 at 9:00 a.m. in the Madison County Complex Building.

Present: Chairman, Bennie Lockett
 Brad Sellers, Zoning Administrator
 Ken Steere
 William Amadio
Absent: Reverend, Henry Brown
 Sidney Spiro

There first came on for consideration the minutes of the September 10, 2009 meeting. Upon motion by Commissioner Steere, seconded by Commissioner Amadio, with all voting "aye", the motion to approve the minutes passed.

There next came on for consideration, the Petition of Ralph McDaniels to re-zone I-2 industrial to R-2 residential. Zoning Administrator Sellers introduced the Petition and stated that the Petitioner and his family have lived on the property since 1957 and seek to have the property re-zoned R-2 residential, as it has been used in such a manner since 1957. Zoning Administrator Sellers informed the Commission that the current use is non-conforming due to the zoning classification put in place in the late 1960's for Madison County. The Petitioner stated that he was in the process of attempting to refinance his house, but due to the non-conforming use classification. Zoning Administrator Sellers stated that he could not issue a permit to rebuild should something happen to his house. The re-zoning is necessary to bring the property into compliance, and the Petitioner also sought to amend the land use plan. Zoning Administrator Sellers stated that the Kearney Park area was initially industrial when zoning was introduced to Madison County and that re-zoning industrial back to residential has been a trend in this area. Chairman Lockett inquired as to the size of the property to which the Petitioner stated that it was 1.4 acres. Upon motion by Commissioner Steere, seconded by Commissioner Amadio, with all voting "aye", motion to approve the Petition to re-zone I-2 industrial to R-2 residential and to amend the land use plan passed.

There next came on for consideration the Petition of Joe and Pam Hargett for a variance to a side set-back in an A-1 district. Zoning Administrator Sellers introduced the Petition and informed the Commission the Petitioners obtained a permit to build a free standing garage at their residence, which only required a 10 foot set back. However, they now seek to attach the

existing free-standing garage to their residence. The Petitioners seek a variance to the 25 foot set-back requirements, which are required for attached garages. The Petitioner has stated that they intend to construct a brick paver and a covered walkway from the free standing garage that is already constructed. Zoning Administrator Sellers stated that although they had a lot of telephone calls inquiring as to the public notice there was no opposition expressed. Zoning Administrator Sellers also stated that the neighbor who will be affected by the variance is not opposed to the Petition. Upon motion by Commissioner Amadio, seconded by Commissioner Steere, with all voting "aye", the motion to approve the Petition for a variance to the side set-back passed.

There next came on for consideration the issue of attorney's fees. Upon motion by Commissioner Steere, seconded by Commissioner Amadio, with all voting "aye", the motion to approve attorney's fees passed.

There next came on for consideration the date of the November meeting. November 12, 2009 was proposed by Zoning Administrator Sellers. Upon motion by Commissioner Amadio, seconded by Commissioner Steere, with all voting "aye", the November meeting of the Madison County Planning and Zoning Commission was set for November 12, 2009.

With there being no further business, the meeting adjourned at approximately 9:18 a.m.

11/12/09
Date


(Chairman)