

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

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

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

Members Absent: None

CURRENT BUSINESS

1. Prayer by Member Durham
2. Pledge of Allegiance
3. Roll call taken with all Members present.
4. Member Simmermon made a motion to approve the minutes of the March 26, 2013 meeting. Member Etchison seconded the motion. Vote was unanimous in favor of the motion. **March Minutes Approved.**

NEW BUSINESS

1. **Petition:** 2013-SU-001
Address: 5515 North 100 West
Location: West side of 100 West, north of 500 North
Petitioner: Mark Naselroad d/b/a Precision Metal Works
Request: Special Use request to legally establish a welding/fabrication business in a GI Zoned District.

Director Ellis presented his Staff Report with a favorable recommendation.

Mark Naselroad – 979 Lakewood Drive, Alexandria

This property would give me plenty of room for growth. We are down to two to three employees. We do anything from a simple lawnmower deck repair to combustion systems. We do a little bit of sand blasting.

Earthworks dye tested when the water level was up and also down and they didn't see any problems. The location of the present system is out in the front of the building. Rick came out and is okay with this.

We contacted the State and they told us it was up to the County to approve. I work with Todd Wasalick and he contacted a guy at the State, and Rick has contacted the State and it's getting thrown back to the County.

Mr. Shine informed the Board that he is concerned with the septic system with the possibility of having 20 employees. He also stated that in the past the State has always stepped in and approved the plans, we have never had an issue with the State not doing this.

Member Hobbs made a motion to approve 2013-SU-001 based on Staff Findings providing that the State does not come back on another date and negate this motion, and subject to the receipt of a letter from either the State or the Madison County Health Department stating that the septic issues are acceptable. Member Simmermon seconded the motion. Roll call taken, vote was unanimous in favor of the motion. **2013-SU-001 approved with conditions.**

Staff Findings of Fact: 2013-SU-001

- 1. The proposal will not be injurious to the public health, safety, morals, and general welfare of the community.** The Board of Commissioners has determined that a welding/fabrication shop is allowed as a special use (exception) in the General Industrial (GI) zone as designated by the Zoning Ordinance. The proposed use is compatible with anticipated development. The subject parcel will not be injurious to the public health, safety, morals, and general welfare of the community because it is found to be an appropriate land use if managed responsibly. It should have a similar impact as prior existing permitted uses on the site for decades.
- 2. The requirements and development standards for the requested special use as prescribed by the ordinance will be met.** There would be no more adverse impact to adjacent properties than previous operational land uses. The subject parcel is physically suitable for a welding business. The proposed use is compatible with existing industrial uses and those permitted under current zoning. Granting of the Special Use will not affect neighborhood integrity. Welding/fabrication businesses of this type are found in Madison County AG and CR zones with no known negative impact. Traffic will be handled by an arterial road. The real estate market will influence any future development.
- 3. Granting the special use will not subvert the general purposes served by the ordinance and will not permanently injure other property or uses in the same district and vicinity.** The proposed use meets the special use (exception) requirements for the GI zone district. The physical appearance of the subject property would remain the same. There should be no adverse impact to adjacent properties in the AG or CR zone.
- 4. The proposed use will be consistent with the character of the zoning district in which it is located and the Madison County Comprehensive Plan.** The proposal is responsible land use development. The property has been used for commercial purposes for at least 41 years. The petitioner will operate a low impact industrial use. There are little options for adaptive reuses that would be consistent with the Comprehensive Plan. The Madison County Comprehensive

Plan calls for the promotion and protection of the rural character. The character of the neighborhood will not be changed.

MISCELLANEOUS

Chairperson Baker adjourned the meeting.

Adjournment: 9:26:20 A.M.

Mary Jane Baker
Mary Jane Baker, Chairman

Elizabeth Bruns
Elizabeth Bruns, Board Secretary