

BZA - Minutes – December 22, 2009

815

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, Bill Maxwell, Rick Durham, Albert Stewart and Bill Hobbs.

Members Absent: None.

Also Present: Cory Wilson, Executive Director, Judy King, Plan Reviewer, and Gerald Shine, Jr., Attorney.

CURRENT BUSINESS

1. Roll call was taken and all members were present.
2. The minutes of the preceding meetings were distributed to each member prior to the meeting. The minutes were approved as read.

New Business

Continued Petitions

Tabled at the November 24, 2009 Meeting

1. **Petition:** **2009-V-011 Variance Zoning: AG**
Address: 3785 East Gemini Drive, Alexandria
Location: CR 600 N to CR 350 East, North to East Gemini Drive
Petitioner: Richard Sigler, Jr.
Request: Variance of the Development Standard to provide for a 7' 2" privacy fence located in the front yard. This parcel is a corner lot; therefore, it has 2 front and 2 side setbacks (Section 6.25, FW-03 of the Ordinance states in an AG zoned district a fence is prohibited in the front yard).

Director Wilson stated at last month's meeting the Board requested the Highway Department be contacted and a letter from the Sheriff be provided. The County Highway has no issues with this. They did want the petitioners to know that if at any time work would occur on Gemini Drive that the Highway Department would not be responsible for any damages to or for replacing the fence. Nothing has been obtained from the Sheriff's Office.

Although the staff continues to recommend denial of this request we will defer this to the County Highway Department and since they do not have any issues we will follow the lead.

Mrs. Richard Sigler, Jr., 3785 East Gemini Drive was present.

The Board was informed notices did go out and the property remained posted

There were no remonstrators present.

Member Maxwell moved to approve Petition #2009-V-011 for the fence that is there with the following stipulations; if the Highway Department, Utility Company or any governmental department finds the need for that fence to be moved, taken down, or if it's taken down and replaced for any reason, it cannot go back (in the right-of-way) to its current location. If for any reason a county agency inadvertently damages the fence which is in the right of way they shall not be responsible for replacing it. In the event the fence is ever removed or taken down then it shall meet the County Ordinance requirements.

Member Stewart seconded the motion.

The vote was unanimous in favor of the motion. **Petition #2009-V-011 was approved.**

NEW BUSINESS

1. Miscellaneous.

Director Wilson informed the Board they need to act on the calendar for 2010. The date change which the Board had requested for the November and December meeting dates have been made.

Member Hobbs made a motion, seconded by Member Durham to approve the 2010 calendar as discussed.

Director Wilson informed the Board a company, Nutrition101, Inc., is planning on building a new facility on the south side of St. Rd. 67 across from the Reformatory. They plan on constructing a 15,000 square foot building. They will be taking the product from Nestle that doesn't meet quality control. They then will take it to this new facility and remove the product from the inside. The plastic will be smashed down and sent off to be recycled. The milk product that is left over is then mixed into animal feed and that is sent out to the local farms.

The property they are interested in is zoned agricultural. It meets one of the permitted uses in the Agri. District. They will be going before the Tech Review in January.

Member Maxwell made a motion, seconded by Member Durham to adjourn. The vote was unanimous in favor of the motion.

Adjournment: 9:26:31 A.M.

Mary Jane Baker, Chairman

BZA - Minutes – December 22, 2009

817

Beverly Guignet, Secretary