

MINUTES
MADISONVILLE BOARD OF ZONING APPEALS
April 18, 2017

Members Present

James Lee, Chairman
Marilyn Atkins, Vice Chair
Tony Wilson, Secretary
Glenn Moser, Mayor
Linda Garrett-Hensley
Susan Saunders
Larry Smades

Members Absent

Jack Harrill

Others Present

Ruth Viergutz Hawk, Planner
Greg Altum, Press
Butch Baur, Waffle House

CALL TO ORDER AND APPROVAL OF MINUTES

Chairman Lee called the meeting of the Board of Zoning Appeals to order at 6:00 p.m. Commissioner Garrett-Hensley moved to approve the May 17, 2016, Board of Zoning Appeals minutes as presented. Commissioner Atkins seconded the motion and the motion passed 6-0, with Commission Smades having not yet arrived.

PUBLIC HEARING ON A VARIANCE REQUEST FROM THE MADISONVILLE ZONING ORDINANCE, SECTION 11-403. OFF-STREET PARKING REGULATIONS, TO REDUCE THE MINIMUM NUMBER OF REQUIRED PARKING SPACES FOR AN EXISTING RESTAURANT FROM 61 PARKING SPACES TO 48 PARKING SPACES SO THAT THE 1.67 ACRE LOT CAN BE FURTHER SUBDIVIDED TO ACCOMMODATE A WAFFLE HOUSE RESTAURANT, PARCEL 202.03, MONROE COUNTY TAX MAP 067, LAS FUENTES RESTAURANT, ZONED C-3 (Butch Baur, Applicant)

Staff reviewed the facts of the request and the issues at hand. Staff also distributed a summary of the request and the issues. The proposed Waffle House restaurant, 2,325 sq.ft., will provide 29 parking spaces, 6 spaces above the minimum required. Bert's Restaurant, which is located next door, 4,550 sq.ft., provides 67 parking spaces, 21 spaces above the minimum required. Las Fuentes Restaurant, 6,100 sq.ft., currently provides 80 parking spaces, 21 spaces above the minimum required. The request is to reduce the number of parking spaces provided for Las Fuentes by 34 parking spaces, which is 13 spaces below the minimum requirement.

The issues at hand are as follows:

1. The parking section of the Zoning Ordinance was recently updated to reflect current parking needs;
2. Approving a variance on required parking sets a precedent;
3. Creating a non-compliant situation will impede the growth and success of Las Fuentes Restaurant or a future restaurant at that location; and
4. There are no grounds for a variance per Chapter 4, Section 11-704. 2, of the *Madisonville Zoning Ordinance*.

A general discussion followed. Butch Baur addressed the Board.

Commissioner Saunders moved to approve the variance request. Commissioner Smades seconded the motion and the motion passed unanimously.

PUBLIC HEARING ON A VARIANCE REQUEST FROM THE MADISONVILLE ZONING ORDINANCE, SECTION 11-403. OFF-STREET PARKING REGULATIONS, TO ELIMINATE THE MINIMUM 5' PARKING LOT SET BACK FROM A PROPERTY LINE FOR AN EXISTING PARKING LOT AND DRIVEWAY SO THAT THE 1.67 ACRE LOT CAN BE FURTHER SUBDIVIDED, PARCEL 202.03, MONROE COUNTY TAX MAP 067, LAS FUENTES RESTAURANT, ZONED C-3 (Butch Baur, Applicant)

Staff reported that the applicant is also requesting a variance from Section 11-404. of the Zoning Ordinance, which requires parking lots to be set back a minimum of 5' from side property lines. Rather than having two driveways immediately adjacent to each other, the site plan shows the Las Fuentes driveway aisle as the access into the Waffle House parking lot and the access to the garbage dumpster.

A general discussion followed. Butch Baur addressed the Board.

Commissioner Saunders moved to approve the variance request. Commissioner Atkins seconded the motion and the motion passed unanimously.

ADJOURNMENT

Commissioner Atkins moved to adjourn. Commissioner Smades seconded the motion and the meeting adjourned at 6:18 p.m.

Secretary

Date