

**MINUTES OF THE MEETING OF THE MADISON COUNTY  
PLANNING AND ZONING COMMISSION HELD AND CONDUCTED ON  
THURSDAY, THE 11th DAY OF DECEMBER 2014 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 11<sup>th</sup> day of December 2014 at 9:00 a.m. in the Madison County Complex Building.

Present: William Amadio  
Rev. Henry Brown  
Larry Miller  
Will Sligh

Scott Weeks, Planning and Zoning Administrator

Absent: Dr. Keith Rouser

There first came on for consideration the revised minutes of the November, 2014 meeting of the Commission. Upon motion by Commissioner Amadio to approve the minutes, seconded by Commissioner Miller, with all voting "aye," the motion to approve the November 13, 2014 minutes passed.

There next came on for consideration the Petition of Raman Preet Singh to rezone a business at Lake Castle Road, Section 15 T7N-R1E from R-1 to C-2. This matter was tabled from the November 13, 2014 hearing. The subject property has been operating as a convenience store at this location for approximately 26 years. Petitioner is seeking to significantly upgrade the current store and gas pumps. Monty Simpkins appeared on behalf of Petitioner and argued the need for a better gas station in the area. Commissioner Miller inquired regarding how this might affect the surrounding home owners taxes and Petitioner explained it wouldn't affect their taxes at all. The floor was opened to those present in opposition to the Petition to address their concerns. Minister Holiness Barnes, Jr. spoke as President on behalf of the Southwest Madison County Neighborhood Association. He stated that he represented the homeowners in the immediate area near this location. He presented a Petition with 90 signatures in opposition to this Petition and it is attached as Exhibit "A." They are concerned that this gas station will change the character of the neighborhood and bring in outside traffic. He said the road this station is on is a small 2 lane road and it cannot support traffic this type store would bring into the area. Commissioner Sligh acknowledged that this was a narrow road with a steep embankment near this location. The Vice President of the HOA spoke next in opposition to the Petition. He is located at 139 Lake Castle Rd, 4 houses down from the subject location. He explained the neighborhood is opposed to the commercialization of this neighborhood and too voiced concerns regarding the traffic and outside people it would attract. He explained they don't have an issue with the current store but they do have issues with the expansion of it. Petitioner then spoke in response to their concerns and pointed out that the store had been in

existence for 26 years and they are only seeking to improve the current store to make it look nicer. Such an expansion would improve the quality of the neighborhood, not affect it in a negative way. The opposition spoke again and stated that this improvement would add no further value to their community as it wouldn't offer jobs to any residents nor add any other quality to their neighborhood. Mr. Singh next spoke and explained he would continue to operate the same hours of business to prohibit disturbing the neighbors. Upon Motion by Commissioner Miller to deny the Petition, seconded by Commissioner Sligh, with all voting "aye," the motion to deny the petition passed.

There next came on for consideration the Petition of Hust Farms, LLC to rezone SU-1 Special Use District to R-1 Residential Estate District. This property is located at the corner of Old Rice Road and Pearl River Church Rd. Petitioner is requesting to rezone the property in order to build several houses for petitioner and his children. Jim Hust appeared on behalf of Petitioner. Zoning Administrator Weeks stated that there had been no calls in opposition to this petition. Upon Motion by Commissioner Amadio to approve the petition, seconded by Commissioner Sligh, with all voting "aye," the motion to approve the petition passed.

There next came on for consideration the Petition of Lucky Town Acres, LP to rezone R-1 Residential and A-1 Agricultural District to R-2 Residential. This property is located on the N/E corner of Gluckstadt and Catlett Rd. Brad Sellers appeared on behalf of Petitioner. He explained this is 46.11 acres that will be developed into a subdivision. He explained the changes in Gluckstadt and that this subdivision would be very similar to Belle Terre which neighbors this land. The same developers from Belle Terre will be doing the development, Matt Jenson and Scott Gideon. Matt Jenson spoke next and explained that this development will be very similar to Phase III of Belle Terre which is across the street from the subject property. The homes will be minimum of 2,400 square feet but generally the average house is approximately 3,000 square feet. The lot size is approximately 1/3 of an acre. The floor was opened to those present in opposition to the petition. Catherine Kraft spoke next and said that she owns 20 acres that is adjacent to this property. She is not opposed to the development; however, she voiced concerns regarding the developers not being sloppy with their work. She stated that during the Stillhouse development, there was trash everywhere and she didn't want that to happen again. Commissioner Miller inquired regarding if these were the same developers as Stillhouse and Petitioner replied that they are not the same developers. Upon Motion by Commissioner Sligh, seconded by Commissioner Amadio, with all voting "aye," the motion to approve the petition passed.

There next came on for consideration the Petition of Lucky Town Acres, LP to rezone R-1 Residential and A-1 Agricultural District to C-1 General Commercial. Petitioner requests to rezone 9.76 acres to C-1 General Commercial due to an increased demand for commercial property in this area. Brad Sellers appeared on behalf of Petitioner. He stated that this is part of the same property being developed into subdivision. He said they have agreed to restrictions to prevent certain types of businesses in this area. Specifically, they have agreed that the conditional uses of C-1 will not be allowed for this property. He explained they have met with Belle Terre residents on 2 occasions and they have no objection to the rezoning as long as the restrictions previously mentioned are included. Matt Jenson spoke next and explained that they

have met with the landowner for almost a year planning this development and it's a \$4 million project. He said he trusts the landowners vision completely due to the amount of time and detail that has been spent in planning the development. He explained he is in favor of the project and thinks it will add value to the overall project and surrounding community. Brad Sellers spoke next and addressed the ordinance which allows for such a rezoning if there is a change in the character of the neighborhood and public need for same. He quoted specific language from the ordinance that is also part of the plan that was submitted for consideration. This is attached hereto as Exhibit "B". The floor was then opened up to those present in opposition to the Petition. Beverly Kraft spoke first and stated that she lives in the area and is opposed to the development. She explained that a public need could not be demonstrated because there is other commercial property available in surrounding areas. She also noted that although there has been change in the area as a whole, there has not been a substantial change in their immediate area. Everything in the immediate area is residential or agricultural. If the Petition is approved, she said this would be the actual change of the character of the neighborhood that would allow for future commercial development. Therefore, she wants to keep it without commercial zoning. Brad Sellers spoke in response and explained the significant changes in the Gluckstadt area and the large growth of development has brought about a need for commercial zoning as well. Commissioner Sligh inquired regarding what type of development is planned. Brad Sellers explained that the developers would not be doing the commercial property. The landowner wants it to be very nice with professional businesses and other retail type stores that would be 9 to 5 businesses. He again stressed that the landowner had agreed that no conditional uses would be allowed so no convenient stores or like businesses would be allowed to be developed in this location. He further noted that the landowner still lives there and she is adamant that she wants to keep all of the development very nice. David Hanes spoke next in opposition to the Petition. He explained that a similar commercial petition had been proposed recently and it was significantly opposed and ultimately denied. He explained that he nor the surrounding landowners wanted any type of convenient store present in this area. Ms. Catherine Kraft spoke next and expressed her concerns about commercial development and that she was opposed to having that near her residential property. Brad Sellers spoke next and pointed out that the property closest to this property was Belle Terre so they would be the main ones affected by the development and no one from that area was present in opposition to the Petition. Richard Young spoke next and stated that he lives about a mile from the subject property. He stated that they didn't need further commercial development in this area. He noted that businesses open and close in the area all the time because the community can't support those businesses. He said he wasn't opposed to this petition potentially in the future but right now there was not a need for commercial development. Commissioner Miller inquired regarding what neighborhood he resided in and he stated there was no HOA but there were 12 houses in this area. Brad Sellers spoke next and stated that thousands of people live in this area and pointed out that only 4 people were present in opposition to the petition. Florette Hootsell, the landowner, addressed the commission next. She explained she wanted the area to look nice and had a village type look planned for the development. She stated that she envisioned retail businesses such as a drug store or dry cleaning or florist or bank for this development. She would not allow a convenient store or similar type business to ever be allowed at this location. She explained that she had gone through several developers before she chose the ones for the residential development and she would do the same for this. It was pointed out that once a site plan was actually developed for

this area, that would have to come back before the Commission for approval as well. Upon Motion by Commissioner Sligh to approve the Petition with the restrictions on the hours of operation and no conditional uses allowed, seconded by Commissioner Amadio, with all voting "aye", the motion to approve the petition passed.

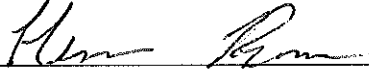
There next came on for consideration the site plan of Mac Patrick for an existing business located on Coker Road. The property is zoned C-2 and Petitioner is wanted to add an additional 10 feet to the existing building and to make improvements to it. Brad Sellers appeared on behalf of Petitioner. He explained that Mac had done a lot to help clean up the site and planned to bring it up to compliance of the zoning ordinances with landscaping and appearance. Upon Motion by Commissioner Amadio to approve the site plan, seconded by Commissioner Miller, with all voting "aye", the motion to approve the site plan passed.

There next came on for discussion the issue of attorney fees for November, 2014. Upon motion by Commissioner Sligh, seconded by Commissioner Amadio, with all voting "aye," the motion to approve attorney fees passed.

There next came on for discussion, the setting of the January, 2015 meeting. January 8, 2015 was suggested. Upon motion by Commissioner Amadio, seconded by Commissioner Miller, with all voting "aye," motion to set the January, 2015 meeting for January 8, 2015 passed.

With there being no further business, the December 11, 2014 meeting was adjourned.

1-8-15  
Date

  
(Chairman)