

**MINUTES OF THE MEETING OF THE MADISON COUNTY
PLANNING AND ZONING COMMISSION HELD AND CONDUCTED ON
THURSDAY, THE 9th DAY OF APRIL, 2015 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 9th day of April, 2015 at 9:00 a.m. in the Madison County Complex Building.

Present: William Amadio
Larry Miller
Will Sligh
Dr. Keith Rouser

Scott Weeks, Planning and Zoning Administrator

Absent: Rev. Henry Brown

There first came on for consideration the minutes of the March, 2015 meeting of the Commission. Upon motion by Commissioner Rouser to approve the minutes, seconded by Commissioner Sligh, with all voting "aye," the motion to approve the March 12, 2015 minutes passed.

There next came on for consideration the Petition of Ronald L. Hutchinson and John C. Harreld to rezone 70.93 acres of R-1 Residential District to C-2 Commercial District. This property is located on the southwest corner of Church Road and Calhoun Station Parkway. Petitioner is requesting the rezoning due to an increased need for commercial development in this area. Brad Sellers appeared on behalf of Petitioners. He explained that the 2005 land use plan had depicted this area as commercial; however, when the land use plan was renewed in 2012, there was an error and this area was changed erroneously to residential. He further explained that the land use plan should have been C-2 Commercial District. The land is currently zoned R-1 Residential. He explained the increased need for commercial zoning in this area. Commissioner Sligh inquired regarding the roads and said as it currently stands, Church Road can't manager any further traffic to which Mr. Sellers agreed. Zoning Administrator Weeks presented emails he had received in opposition to the rezoning which are attached hereto as Exhibit "A." Mr. Sellers presented a map showing the predicted plan for this area, including the roads, which is attached hereto as Exhibit "B." Lisa Williams spoke next in opposition to the Petition. She explained that she is a current resident of Germantown subdivision and she is concerned about the safety hazzard due to the schools in the area and how it will affect the current traffic concerns in this area. Jim Pigott also spoke and stated that he was not opposed to commercial but he wanted to see a plan for what was to be developed. He further explained that he wanted to be able to have some control over what is put there as it would affect his property value as a nearby property owner. Commissioner Rouser inquired if there was an agreement reached between Petitioner and those in opposition, could something be worked out. He said it would help for him but he

couldn't speak for the others. Walter McKay also spoke in opposition and reiterated the same concerns about the increase in traffic and unlimited development without their being able to have any input in what is placed in the area. Mr. Sellers responded to these concerns and said it would be the county's responsibility to deal with the traffic issue as this is already a current issue. He pointed out that commercial zoning would have less of an impact on traffic than putting another residential neighborhood in this area. Upon Motion by Commissioner Sligh to table the Petition while the parties meet and work out an agreed upon plan, seconded by Commissioner Rouser, with all voting "aye," the motion to table the petition passed.

There next came on for consideration the Petition of Caroline 22 LLC for a variance from the required 40 foot front setback. This property is located on Caroline Blvd. South of Highway 22. Zoning Administrator Weeks stated that there were no calls in opposition. Blake Cress appeared on behalf of Petitioner. Upon Motion by Commissioner Rouser to approve the petition, seconded by Commissioner Miller, with all voting "aye," the motion to approve the petition passed.

There next came on for consideration the site plan of The Town of Livingston for a Chapel. Jonathon McPhail appeared on behalf of Petitioner. He explained the origin of the chapel and how they intended to move it to the Livingston town square. He explained that they intended to bring it up to code while keeping the feel of the original building. Zoning Administrator Weeks presented a letter from the Mannsdale-Livingston Heritage Preservation District ("MLHPD") which states that the building must be consistent with the sketches prior to being presented a Certificate of Appropriateness (attached hereto as Exhibit "C"). Ken Primos with the MLHPD spoke next and addressed concerns regarding the development. He explained the process whereby the MLHPD will approve plans for the development but when the building gets built, it will not be according to the plan that was approved. He stated that the MLHPD wants the buildings to be consistent with the original plan. He further stated that in the past they have just allowed them to obtain a certificate of occupancy despite the inconsistencies because it would be too costly to ask them to make the changes necessary to meet the original plans. However, moving forward if the buildings are different from the plan that was approved, they will be allowed sixty (60) days to comply with the plans or they will have to remove the structure. It was also explained that there will be a more detailed process of inspecting buildings along the way to ensure they comply with the plans. Upon Motion by Commissioner Rouser to approve the site plan subject to the provision that if the building is built different from the approved site plan, they will have sixty (60) days to bring it into compliance or the structure will be removed, seconded by Commissioner Sligh, with all voting "aye," the motion to approve the site plan subject to said restrictions passed.

There next came on for discussion the issue of attorney fees for April, 2015. Upon motion by Commissioner Sligh, seconded by Commissioner Miller, with all voting "aye," the motion to approve attorney fees passed.

There next came on for discussion, the setting of the May, 2015 meeting. May 7, 2015 was discussed. Upon motion by Commissioner Rouser, seconded by Commissioner Miller, with all voting "aye," the motion to set the May, 2015 meeting for May 7, 2015 passed.

With there being no further business, the April 9, 2015 meeting was adjourned.

May 7th 2015
Date

William R. ...
(Chairman)