

MINUTES OF THE MEETING OF THE MADISON COUNTY  
PLANNING AND ZONING COMMISSION HELD AND CONDUCTED ON  
THURSDAY, THE 15<sup>th</sup> DAY OF OCTOBER, 2015 AT 9:00 A.M. AT THE  
MADISON COUNTY COMPLEX BUILDING

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BE IT REMEMBERED that a meeting of the Madison County Planning and Zoning Commission was duly called, held and conducted on Thursday, the 15<sup>th</sup> day of October, 2015 at 9:00 a.m. in the Board Room of the Madison County Chancery and Administrative Building.

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

Scott Weeks, Planning and Zoning Administrator

There first came on for consideration the minutes of the September 10, 2015 meeting of the Commission. Upon motion by Commissioner Amadio to approve the minutes, seconded by Commissioner Rouser, with all voting "aye," the motion to approve the September 10, 2015 minutes passed.

There next came on for consideration the Petition of Sireesha and Styanarayana Vasireddy. This is a petition to rezone 41.87 acres from R-2 Residential to A-1 Agricultural located on Hill Road. Don McGraw, Esq. appeared on behalf of Petitioner. This matter was discussed and tabled at the September 10, 2015 hearing so that the parties could try and come to an agreement on the issue. Mr. McGraw addressed the Commission and stated that his clients had tried to work out an agreement with the opponents but were unsuccessful. He stated that his clients had agreed to not put any fowl on the land but did want goats and sheep. The opposition was asked to present their side and Fabian Hill at 205 Hill Rd. addressed the Commission. He stated that there are new homes that have been developed nearby and even with no fowl, the proposed buffer is not enough. He stated that it would decrease their property value and does not add anything to the tax base. He also pointed out that Germantown Middle School is nearby along with a church and nicer neighborhood. Commissioner Rouser inquired regarding Mr. Hill's land and he stated it had been in their family a long time. Reverend Charlie Smith also spoke and reiterated their opposition to the request as well. Upon Motion by Commissioner Rouser to deny the Petition, seconded by Commissioner Miller, with all voting "aye," the motion to deny the petition passed.

There next came on for consideration the Petition of Dale Wilson for a twenty-seven (27) square foot sign variance. Zoning Administrator Scott Weeks advised the Commission that the Mannsdale-Livingston Heritage Preservation District had approved the request and there had not been any objections. Upon Motion by Commissioner Amadio to approve the Petition, seconded by Commissioner Rouser, with all voting "aye," the motion to approve the petition passed.

There next came on for consideration the site plan of Commercial Construction and Maintenance, Inc. for a new gas station located on Hwy 51 South of Yandell Road. This matter was tabled at the September 10, 2015 hearing so that petitioner could meet with those individuals living nearby, particularly in Wildwood Subdivision, to try and work out an agreement. Jody Jordan appeared on behalf of Petitioner. He explained that he had been present at the last hearing and informed the owners of the land of the results and for them to meet with the HOA for Wildwood Subdivision. He reiterated that the C-2 zoning had been in place since January of 2002 and that they would agree to abide by whatever design restrictions were consistent with those being place on other gas stations. Bobby Brown is the owner of the property and he spoke next. He inquired of the Commission what would be a suitable use of the property if not a gas station. Commissioner Amadio inquired regarding the traffic study and Mr. Jordan stated that a specific study had not been done but a general study showed approximately 300 to 400 cars per day. Those in opposition were asked to come forward. Larry Taylor spoke next and stated that he had been designated as the spokesperson for the Wildwood Subdivision and Twin Cedars. His address is 105 Wildwood and he is on the HOA. He said that there were conversations between various homeowners of Wildwood and Mr. Brown when they were purchasing their lots. He stated that the homeowners were lead to believe that it would be light commercial office space. He reiterated the traffic and safety concerns and that a gas station would negatively affect an already congested area. He noted a recent wreck on September 25<sup>th</sup> in the area. He also was concerned about the lighting and how that would affect their neighborhood at night. He also pointed out the high concentration of gas stations in the area. He noted that within approximately a mile from this site, there were already at least six (6) existing gas stations and he didn't think another one was needed in the area. He also noted that the County's Comprehensive Plan has this area designated for light commercial development only. He presented photographs of the area and signed Affidavits which are attached hereto as Exhibit "A." Roxanne Case addressed the Commission next. She also resides in Wildwood Subdivision and stated that she was opposed to this development. She stated it would negatively affect their property value. She also urged the Commission to follow the County's Comprehensive Plan since it is a plan depicting a plan and what's best for the county. She stated that the owner had not shown a need for this development. She also stated that she was concerned about traffic and that the study done was not a true traffic study specific to that area. She said that a true study was needed to determine how this development would affect traffic. She also reiterated that they had been lead to believe there would be light commercial development and that the owners had done nothing to contact the HOA since last month's hearing. Mr. Brown next addressed the Commission. He stated that the land was petitioned for rezoning in late 2001 and it was approved in early 2002. The first lot for Wildwood Subdivision was not sold until June of 2002. He presented the plat to the Commission which is attached hereto as Exhibit "B." He agreed that there was an area he had designated for light commercial property but there was a one (1) acre portion at the front corner (which he highlighted in red on the plat) that he intended for a restaurant or convenient store type business. He agreed that traffic was congested in the area but said that was a MDOT issue, not a county issue. Commissioner Rouser inquired regarding whether light commercial would be permitted in this area and Zoning Administrator Weeks stated that would be more appropriate under C-1 or C-1A but this land was zoned C-2. Janet Dickinson addressed the Commission next and she resides at 126 Wildwood. She stated that the lots and homes were expensive. She said they were told that a buffer and fence would be present and the buffer was a row of small

trees that have since died and the fence has lots of holes in it. She also reiterated the traffic concerns and stated that she and her husband had been in a wreck in that area in recent years. Lisa Williams from Germantown Subdivision spoke next. She stated that her husband had been in a car accident in this area several years before that and a business of this nature would be dangerous. She further stated that policy # 21 of the Comprehensive Plan addresses this area. She also reiterated that to her knowledge, no one with Petitioner had reached out to any HOA members prior to today's meeting as requested by the Commission at the last hearing. She also noted the traffic study done on the other side of the Interstate in Gluckstadt and that it noted much higher volume than that presented and said she didn't think the study referenced could be accurate for this area. Parker Sartin with Petitioner next addressed the Commission. He stated that he is a consultant for the property and that all of the issues raised by the opposition more dealt with a rezoning issue, not a site plan approval issue. Upon Motion by Commissioner Amadio to deny the Petition based on the traffic and safety concerns, that the nearby homeowners and HOA's had not been properly informed of the development as recommended by the Commission, and that the plan is not consistent with the Madison County Comprehensive Plan for light commercial development, seconded by Commissioner Miller, with all voting "aye," the motion to deny the site plan passed.

There next came on for consideration the site plan of Callway's Garden Center located at Calhoun Station Parkway South of Church Rd. The property is zoned C-2 Commercial and petitioner wishes to construct a yard and garden center. Jim Williams and Brent Callaway appeared on behalf of Petitioner. He stated it would be an outdoor garden center and this would be a second location to the Callaway's already located on County Line Road in Ridgeland, MS. The main building would be approximately 7,600 square feet. Upon Motion by Commissioner Rouser 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 consideration the site plan of DEH Trucking and Maintenance Facility for a new business located at Old Jackson Rd. South of Church Rd. The property is zoned C-2 and petitioner plans to construct a new trucking maintenance facility. Matt McWilliams appeared on behalf of Petitioner. He stated that it would be a 5,000 square foot facility, with 1,000 of that being open space in the back. It would be a shop with an office. Zoning Administrator Weeks stated that he was not aware of any opposition to the plan. Commissioner Amadio inquired regarding what is located around the property. Zoning Administrator Weeks stated that there are some residents nearby and a fence and landscaped buffer would be required. He also noted there were other businesses in the area as well. Zoning Administrator Weeks inquired regarding lighting and Petitioner stated there would be shield on the lights to force it towards the ground. Commissioner Brown inquired regarding the sign and Petitioner stated that they had no plan to date for the sign and they would bring that issue back before the Commission prior to erecting same. 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.

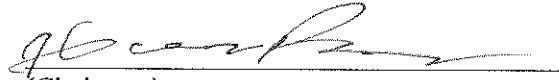
There next came on for discussion the issue of attorney fees for September, 2015. Upon Motion by Commissioner Amadio, seconded by Commissioner Miller, with all voting "aye," the

motion to approve the attorney fees for September passed.

There next came on for discussion the setting of the November, 2015 meeting. November 12, 2015 was discussed. Upon motion by Commissioner Amadio, seconded by Commissioner Miller, with all voting "aye," the motion to set the November, 2015 meeting for November 12, 2015 passed.

With there being no further business, the October 15, 2015 meeting was adjourned.

11/12/2015  
Date

  
(Chairman)