

**MINUTES OF THE MADISON COUNTY PLANNING AND  
ZONING COMMISSION HELD AND CONDUCTED ON  
THURSDAY, THE 1<sup>ST</sup> DAY OF MARCH, 2007 AT 9:00 A.M.  
AT THE MADISON COUNTY COURTHOUSE**

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BE IT REMEMBERED that a meeting of the Madison County Zoning Commission was duly called, held and conducted on Thursday, the 1<sup>st</sup> day of March, 2007, at 9:00 a.m. in the Madison County Courthouse.

Present:       Chairman Bennie Lockett  
                  Brad Sellers, Zoning Administrator  
                  Rev. Henry Brown  
                  Sidney Spiro  
                  Steven Steen  
                  Lisa Walters

There first came on for consideration the Petition of Orco Investments, Inc./Twisted Oak, LLC for permission to rezone. At the February 8, 2007 meeting, the public hearing for this Petition was closed in order to allow the Commissioners an opportunity to review and evaluate the information provided to them. Despite this, attorney William Smith, on behalf of the Petitioner, stated that the Petitioner again wanted to amend the Petition to reflect 215 lots. Attorney Jim Martin, in opposition, stated that the Petitioner made an oral amendment at the February meeting for 205 lots, and despite the additional amendment to 215 lots, there has still not been a plat presented to reflect these amendments. He stated that the only plat provided for the Commission called for 260 lots. Correspondence from attorney Jim Martin, dated February 27, 2007, reflecting concerns and issues in opposition to this Petition, is attached hereto as Exhibit "A". In response to the Petition, Commissioner Steen read his opinion into the record. A copy of this statement is attached hereto as Exhibit "B". Upon motion by Commissioner Steen, seconded by Commissioner Spiro, with all voting "aye", motion to recommend denial of the Petition to the Board of Supervisors, passed.

There next came on for consideration the Petition of A & F Properties, LLC to change the Master Plan for Lake Caroline. Again, the vote at the February 8, 2007 meeting closed the public hearing on this Petition as well. Commissioner Spiro made a motion to recommend approval of the Petition to which Commissioner Steen read his opinion into the record. A copy of this statement is attached hereto as Exhibit "C". As a part of that statement, Commissioner Steen stated that he would abstain from the vote unless the motion also included language to the extent that a legal opinion be provided to the Board of Supervisors as to whether or not the landowner can or cannot subdivide property within a platted subdivision. Commissioner Walters expressed the same opinion as Mr. Steen, but she stated that she would vote against it as opposed to abstaining from the vote. Planning Commission Attorney Streetman informed the Commission that their duty within the Madison County Zoning Ordinance is to look at the Petition, as presented, and provide a "yes" or "no" recommendation to the Board of Supervisors. In response, Commissioner

Steen read additional statements into the record. A copy of this statement is attached hereto as Exhibit "B". The initial motion of Commissioner Spiro was seconded by Commissioner Brown, and with Commissioners Spiro, Brown, and Chairman Lockett voting "aye"; Commissioner Walter voting "nay"; and Commissioner Steen abstaining, motion to recommend approval to the Board of Supervisors passed.

With there being no further business, the meeting adjourned at 9:30 a.m.

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Date

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(Chairman)