

**MINUTES OF THE MADISON COUNTY PLANNING AND  
ZONING COMMISSION HELD AND CONDUCTED ON  
THURSDAY, THE 15<sup>th</sup> DAY OF NOVEMBER, 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 Planning and Zoning Commission was duly called, held and conducted on Thursday, the 15<sup>th</sup> day of November, 2007, at 9:00 a.m. in the Madison County Courthouse.

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

Absent:         None

There first came on for consideration the Minutes of the October 18, 2007 meeting. Upon motion by Commissioner Walters, seconded by Commissioner Spiro, with all voting "aye", the motion to approve the Minutes passed.

There next came on for consideration the Petition of Madison County Schools to rezone I-2 Industrial District to SU-1 Special Use District. The location of this property is Section 16, T8N-R2E on Calhoun Station Parkway. The purpose of the rezoning of this 90.44 acres is for the construction of a new middle school. Ronnie Magee appeared on behalf of the petitioners and stated that they will use this land to construct a middle school. The target date for opening is the fall of 2009. Commissioner Walters inquired regarding how large the school would be, to which the petitioner replied 600 student. They are looking at 200 students per grade but said it would probably be a total of 850 by 2015. Petitioner further explained that there would be no night games or activities because this is a middle school. Commissioner Walters inquired regarding traffic concerns. Petitioner stated that they do not anticipate a problem with traffic at this time. Zoning Administrator Sellers stated that if changes were needed in the future, the school would have to come back for approval of those changes. Upon motion by Commissioner Amadio to approve the rezoning to Special Use District, seconded by Commissioner Spiro, with all voting "aye", the motion to approve the rezoning passed.

There next came on for consideration the Petition of Graham Parker Homes, Inc. for a variance to the rear setback in the PUD District. The location of the property is 103 Glenwood Bend, Lot P-19, Glenwood at Reunion. The petitioner is requesting a 6 foot variance to the rear setback. The petitioner has provided a site plan and a letter from Reunion approving the application. Mr. Graham appeared on behalf of the petitioners and explained that the owner needed handicap access to the house which required some expansion to the building. Upon Motion of Commissioner Spiro to approve the variance

to the rear setback, seconded by Commissioner Brown, with all voting “aye,” the Motion passed.

There next came on for consideration the petition of William K. Poole for a variance to rear setback in the PUD District. The property is located at 136 Chadwyck Place, Lot J-47, Waverly at Reunion. The petitioner is requesting a 5 foot variance to the rear setback. The petitioner has provided a site plan and letter from Reunion approving the application. Betty Poole appeared on behalf of the petitioner. Upon Motion of Commissioner Walters to approve the variance to rear setback, seconded by Commissioner Brown, with all voting “aye,” the Motion passed.

There next came on for consideration the Petition of Madison Heights Church which was tabled at the October meeting for a new site plan. John Laws appeared for the petitioner, and stated that he had met with the mayor and obtained approval as submitted with three stipulations. A letter from Alan Hoops, Director of Community Development of City of Madison was discussed which outlines these stipulations. A copy of this letter is attached as Exhibit “A.” Mr. Laws explained that there would be just one driveway to the church which would be located on Bozeman. Chairman Luckett solicited questions from the attendees. Ken Steer stated that the conceptual plan as proposed doesn’t show the width of the driveway as that of a typical driveway. Mr. Laws stated that it would be the size of a driveway. Zoning Administrator Sellers stated that instead of having them redo the plan, this issue would be addressed in the minutes. Upon Motion of Commissioner Walters to approve the petition for Special Exception Public-Quasi/Public Facility in the SU-1 District located at Bozeman Road, Sections 31 and 36, T8N-R2E. and site plan with one driveway access on Bozeman, seconded by Commissioner Spiro, with all voting “aye,” the Motion passed.

There next came on for consideration the preliminary plat of Scottsboro Subdivision, phase I located on Catlett Road. Zoning Administrator Sellers stated that he is considering proposing a change to the zoning ordinance because the developer having to come back for re-approval of things previously approved is redundant and holds up the developer at least a month each time. At times, the Commission essentially ends up approving things they have already approved. Commissioner Walters inquired regarding if a party had something new to be approved, if they would have to come before the Commission. Zoning Administrator Sellers explained that if there were any changes, those would have to be approved. Upon Motion of Commissioner Walters to approve phase I, seconded by Commissioner Amadio, with all voting “aye,” phase I was approved.

There next came on for consideration the site plan of WP Properties, LLC for an addition to an existing commercial building at 338 Distribution Drive in Gluckstadt. No one was present to speak on behalf of WP Properties, LLC. Zoning Administrator Sellers introduced the matter and explained that the rules allow a vote on the site plan without anyone present but said the Commission could table the site plan if they chose. Upon Motion of Commissioner Amadio to table the site plan, seconded by Commissioner Brown, with all voting “aye”, the site plan was tabled.

There next came on for consideration the site plan Peoples Construction Corporation for a proposed commercial building at Church Road in Gluckstadt. Zoning Administrator Sellers introduced the matter and explained the proposed building would be adjacent to the building previously approved by the Planning Commission. Jeff Peoples appeared on behalf of the proposed site plan. He explained that the new building would be the same as the first building, including the landscaping. He explained they had gotten a lot of compliments on the architecture of the first building and therefore, they didn't want to change anything with the second building. Upon Motion of Commissioner Walters to approve the site plan, seconded by Commissioner Spiro, with all voting "aye", the site plan was approved.

A discussion was then had regarding the setback approvals in the Reunion subdivision. Because they are often minor approvals, Commission Attorney Jim Streetman stated that he would be willing to contact the Homeowners Association and discuss the potential of Reunion changing their setbacks to alleviate the problem of minor setbacks having to be approved by the Commission. Zoning Administrator Sellers agreed that this would be a good idea and it was decided that Mr. Streetman and Mr. Sellers would write a letter to the Reunion Homeowners Association to address the potential of changing their setbacks to alleviate this problem.

There next came on for consideration the approval of the attorney's fees. Upon Motion by Commissioner Spiro, seconded by Commissioner Amadio, with all voting "aye", the Motion to approve the attorney's fees passed.

There next came on for consideration the setting of the December meeting. Zoning Administrator Sellers suggested December 13<sup>th</sup>, which is the second Thursday of the month. Commission Chairman Lockett suggested that Mr. Sellers start putting the date for the next meeting on the agenda unless there is some reason to vote to change it, such as for the Canton Flea Market. The Commissioners agreed.

With there being no further business, the meeting adjourned at 9:50 a.m.

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Date

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(Chairman)