

**MINUTES OF THE MADISON COUNTY PLANNING AND
ZONING COMMISSION HELD AND CONDUCTED ON
THURSDAY, THE 11th DAY OF DECEMBER, 2008 AT 9:00 A.M.
AT THE MADISON COUNTY CHANCERY BUILDING**

BE IT REMEMBERED that a meeting of the Madison County Planning and Zoning Commission was duly called, held and conducted on Thursday, the 11th day of December, 2008, at 9 a.m. in the Madison County Chancery Building.

Present: Chairman Bennie Lockett
 Brad Sellers, Zoning Administrator
 Sidney Spiro
 Ken Steere
 William Amadio

Absent: Rev. Henry Brown

There first came on for consideration the Minutes of the November 13, 2008 meeting. Upon motion by Commissioner Spiro, seconded by Commissioner Steere, with all voting "aye", the motion to approve the Minutes passed.

There next came on for consideration the petition of Nissan North America, Inc. to rezone A-1 Agricultural District to I-2 Industrial District. The site plan for this structure was approved at the November meeting. Attorney Katie Hester appeared on behalf of the petitioner. The zoning change is to enlarge an existing industrial building occupied by Nissan Supplier Logistics Center. The proposed addition will be 80,000 square feet. Zoning Administrator Sellers stated that he had received some phone calls about this structure but no one was opposed to it. Upon Motion by Commissioner Amadio to approve the Petition to rezone A-1 to I-2, seconded by Commissioner Spiro, with all voting "aye," the motion to approve the Petition passed.

There next came on for consideration the petition of RDS, LLC to rezone C-1A Commercial to C-1 Commercial. Zoning Administrator Sellers stated that C-1A only allows for office use. Roy Steed appeared on behalf of the petitioner. He stated that they are requesting the rezoning to be able to conduct retail sales. They plan to convert and renovate a old bed and breakfast establishment to an upscale patio furniture type store called "The Garden Well". Mr. Steed explained that it would be a nice and unique store and that they planned to keep a lot of the original building, including the well located on the property. Zoning Administrator Sellers stated that he had received several phone calls inquiring about the business but no opposition to it. Commissioner Steere inquired where the well is located and Mr. Steed referred the Commission to the site plan which shows the well is located in the front of the property. Mr. Steed further stated that the existing building would be used for the store. Upon Motion by Commissioner Steere to approve the petition to rezone from C-1A to C-1, seconded by Commissioner Amadio, with all voting "aye", the motion to approve the petition passed.

There next came on for consideration the petition of B.W. Brown, Jr. and Robert L. Brown to rezone R-2 Residential to MHP District. The location of the property is Sections 32 and 33, T9N-R1W, Kearney Park area. The land consists of approximately 20 acres combined. The petitioners are requesting the rezoning to develop a manufactured home park, with utilities to be provided by West Madison Utility District. Sammie Brown appeared on behalf of petitioner. He stated that they would like to develop this park with primarily newer homes for residential use. Some of the homes would be moved from an existing manufactured home park in Flora, MS. He stated that there are many individuals who are currently residing in the Flora park who are from the Kearney Park area and would like to move back. He further stated that 50-60% would be homeowner occupied and they would lease the land from petitioner. Commission Steere inquired regarding the layout of the proposed park in relation to the existing park in Kearney Park. Mr. Brown stated that the existing has 16 single and 10 double homes and it would be near that park. The access to this park would be from Kearney Park Road. The Commission solicited questions from the attendees. Carol Green first addressed the Commission. She stated she has a home about a block from this land where petitioner is proposing to place the park. She further works in the Flora area. She presented pictures to the Commission of the existing park in Flora owned by Mr. Brown. The photographs are attached hereto as Exhibit "A". She stated that the town of Flora is attempting to bring the mobile home park up to code because of the poor conditions. Commissioner Spiro inquired regarding whether the pictures shown were of the homes that were owned or rented from Mr. Brown and Mrs. Green replied that she was not sure. She also presented a petition of surrounding homeowners in this area who are against this mobile home park. The petition is attached hereto as Exhibit "B". She stated that there concerns are that it will decrease their property value and they do not think the current water/sewer system can withstand a park this size. She said it is currently overloaded and adding this park would make it much worse. Mr. Brown then spoke to address the concerns laid out by Mrs. Green. He stated that he did not own the park in Flora, that it was owned by Chip Estes, and he pays rent to Mr. Estes. He said the homes in the pictures would not be the ones going to Kearney Park. He owns 32 homes in the Flora park. He is aware of the controversy surrounding the Flora park and said he is trying to do his part to clean the area up. Commissioner Steere inquired regarding whether any rules and covenants had been drafted, to which Mr. Brown directed the Commission to the plan he submitted, which includes the rules. Mr. Brown further stated that he would adhere to the rules and guidelines put in place by Madison County.

Attendee Mike Green also addressed the Commission. He stated that he grew up in Kearney Park and owns house there and has been there his whole life. He is against this park because he said its essentially that Flora is trying to dump its trailer park in Kearney Park. He is opposed to the park and said he is very concerned because he cares about the area. Attendee Mike Green also addressed the Commission and stated that this area is right across the street from his home. He too addressed concern regarding the water/sewage system. Attendee Shane Weathersby further addressed the Commission stating that his home is right across the street from the park. They already have severe water/sewage problems and go for days at a time without water or with boil water notice. He is very concerned what this park would do to further complicate the system. Atendee Methel Bell also addressed the Commission and the water/sewage issues. She stated that the current system would have to be upgraded to support another park of this nature. Flora Mayor Scott Greavs next addressed the Commission. He stated that the town had made moves

against the current owner of the park in Flora to get something done to improve the area, which would likely result in litigation in the near future. Zoning Administrator Sellers inquired regarding whether he would endorse this petition. He stated he would not based on the ongoing issues with the Flora park. Commissioner Steere inquired regarding the water system issues. He stated that he believed it was well below what was needed for the area and that an emergency line was planned to be run out there sometime next year. Lastly, Eddie Ziggler addressed the Commission. He owns the existing Kearney Park mobile home park. He stated that he personally paid for the upgrade to the water system for his park because Madison County wouldn't pay for it. He has a manager and grounds keeper and said they have done a lot to clean up this area. He was not opposed to this petition and stated that he hoped the Commission would approve it. Upon Motion by Commissioner Amadio to deny the petition to rezone from R-2 to MHP District because it doesn't conform to what is currently located in the area and because the current area cannot support this park, seconded by Commissioner Steere, with all voting "aye", the motion to deny the petition passed. Zoning Administrator Sellers told Mr. Brown he would have fifteen (15) days to appeal this decision.

There next came on for consideration the petition of Sturdivant Veterinary Clinic to approve the site plan located on Gluckstadt Road. Kevin Thompson appeared on behalf of the petitioner. The site plan is for a vet clinic with fully enclosed dog runs behind the clinic. The building would be brick facade and he was not sure what the enclosure behind the building would be made of. Zoning Administrator Sellers inquired regarding the roof and stated that the County would prefer a bronze roof. Petitioner agreed to use the bronze roof. Upon Motion by Commissioner Steere to approve the site plan, seconded by Commissioner Spiro, with all voting "aye," the motion to approve the site plan passed.

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

The next meeting will be held on January 15, 2009. Upon Motion by Commissioner Amadio to approve the January meeting date, seconded by Commissioner Steere, with all voting "aye", the motion to set the next meeting for January 15, 2009 passed.

With there being no further business, the meeting adjourned at 10:00 a.m.

1/15/09
Date



(Chairman)