

**MINUTES OF THE MADISON COUNTY PLANNING AND ZONING  
COMMISSION HELD AND CONDUCTED ON THURSDAY, THE 12<sup>TH</sup> DAY OF  
NOVEMBER, 2009 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 12<sup>th</sup> day of November, 2009 at 9:00 a.m. in the Madison County Complex Building.

Present:        Chairman, Bennie Luckett  
                  Brad Sellers, Zoning Administrator  
                  Ken Steere  
                  William Amadio  
                  Henry Brown  
Absent:         Sidney Spiro

There first came on for consideration the minutes of the October 15, 2009 meeting. Upon motion by Commissioner Amadio, seconded by Commissioner Steere, with all voting "aye", the motion to approve the minutes passed.

There next came on for discussion the resignation of Sidney Spiro.

There next came on for consideration the Petition for a special exception for a communication tower at 6091 Hwy. 51 North, Canton, Mississippi. Zoning Administrator Sellers introduced the Petition. The Petitioner informed the Commission that it was CellularSouth's intent to construct a 300 foot guyed tower in an A-1 district that is currently being utilized as a farming operation. The Petitioner stated that the intent was to increase and improve CellularSouth's coverage areas in more of the rural areas of Madison County. The proposed tower and the intended coverage is expected to tie into a proposed site to the south. Commissioner Steere inquired as to whether there has been any comments from the public to which Zoning Administrator Sellers stated that he had received a few calls but none presented any objections. Zoning Administrator Sellers inquired as to whether the Petitioner would have any objection to allowing Madison County access to the site, to which the Petitioner stated that they would not. Upon motion by Commissioner Steere, seconded by Commissioner Brown with all voting "aye", motion to recommend approval for a special exception for a communication tower in an A-1 district with a condition that the tower site be accessible by the County, passed.

There next came on for consideration a Petition of CellularSouth for a special exception for a communication tower in an A-1 district at 907 Davis Crossing Road, Canton, Mississippi. Zoning Administrator Sellers introduced the Petition. Todd Jenkins appeared on behalf of the Petitioner and stated that it was there intent to construct a 300 foot guyed tower. He stated that

the surrounding property is currently being utilized as a cattle pasture and that the lighting has been approved by the FAA as a medium density dual lighting system. He informed the Commission that the property is owned by Billy James and that the coverage will link with the coverage from the tower to the North, once constructed. Todd Jenkins also informed the Commission that a 60 foot X 60 foot chain link fence will be resurrected around the tower site and that access to the site will be from Davis Crossing Road and will be gated. Zoning Administrator Sellers inquired as to whether the Petitioner would have any objection to allowing the County access to the sight for public service, to which the Petitioner stated that they would have no objection. Chairman Luckett inquired as to the homes in the immediate surrounding area, to which the Petitioner stated that there are 2 homes in the area Southwest of the tower site. The Petitioner also stated that these homes are on the opposite side of the road. The Petitioner stated that there is a patch of trees between the tower and the homes and that these trees would block the compound area of the tower. Commissioner Amadio inquired as to whether there had been any calls, to which the Zoning Administrator Sellers stated that there had been calls but no opposition to the Petition. Upon motion by Commissioner Amadio, seconded by Commissioner Brown, with all voting "aye", motion to recommend approved the Petition for a special exception for a communication tower with the condition that the County be allowed access to the site, passed.

There next came on for consideration the Petition for a special exception for a communication tower. Zoning Administrator Sellers introduced the Petition. Billy England appeared on behalf of the Petitioner, AT&T, and stated that it is the intent of AT&T to construct a 350 foot guyed tower in order to improve coverage in the area. He stated that the nearest site is 5 miles from the subject site. Joe McDaniel is the owner of the property, and the Petitioner stated that it is currently used as a pasture. As with the other Petitions, the Petitioner stated that the need for the tower is to expand existing coverage where needed in North Madison County. He also informed the Commission that there are no other homes in the area other than the land owner, Joe McDaniel. Zoning Administrator Sellers inquired as to whether other providers would be allowed to co-locate to which the Petitioner stated that they would. Commissioner Amadio inquired as to the lighting to which the Petitioner stated that a dual lighting system will be used. Upon motion by Commissioner Brown, seconded by Commissioner Amadio, with all voting "aye", motion to recommend approval for a special exception for a communication tower with the condition that the County be allowed access to the site, passed.

There next came on for consideration the site plan of Little Footprints, LLC for the expansion of an existing daycare. Todd Middleton, the builder, appeared on behalf of the owners. He stated that the daycare had been constructed 2 years ago and that the owners are looking to expand on the same lot. The Petitioner stated that the landscape is intended to model the landscape that is currently in place for the existing daycare. One of the owners informed the Commission that there are currently 115 children at the daycare and that there are approximately 100 on a waiting list, which has necessitated their need to expand. Commissioner Steere

inquired as to whether the new building would connect to the existing building, to which the builder stated that the buildings will join with a breeze-way only. Commissioner Steere inquired as to whether there is any opposition to the Petition, to which Zoning Administrator Sellers stated that there was not. Commissioner Steere then inquired as to whether the setback requirements had been met, to which Zoning Administrator Sellers stated that they had. At that time, the builder circulated pictures of the existing building for the Commissioners. Upon motion by Commissioner Steere, seconded by Commissioner Amadio, with all voting "aye", motion to recommend approval of the site plan to the board of supervisors passed.

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

There next came on for discussion the date for the December, 2009 meeting of the Madison County Planning Commission. December 10<sup>th</sup> was proposed. Upon motion by Commissioner Steere, seconded by Commissioner Brown, with all voting "aye" motion to set the December meeting of the Madison County Planning Commission for December 10, 2009, passed.

With there being no further business, the meeting adjourned at approximately 9:18 a.m.

Dec 10<sup>th</sup> 2009  
Date

  
(Chairman)