

**MINUTES OF THE MADISON COUNTY PLANNING AND ZONING COMMISSION  
HELD AND CONDUCTED ON THURSDAY, THE 10<sup>TH</sup> DAY OF SEPTEMBER, 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 10<sup>th</sup> day of September, 2009, at 9:00 a. m. in the Madison County Complex Building.

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

There first came on for consideration the minutes of the August 13<sup>th</sup>, 2009 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 Peyton Randolph/JNJ, LLC for a Special Exception to conduct surface mining on property zoned A-1 Agricultural District located on Stokes Road. This Petition had been tabled at the August meeting. Zoning Administrator Sellers informed the Commission the Petition had been withdrawn by request of the Petitioner. Upon motion by Commissioner Amadio, seconded by Commissioner Brown with all voting "aye", the motion to accept the withdrawal of this Petition passed.

There next came on for consideration, the Petition of CellularSouth for a Special Exception to erect and operate a 300 foot self-supporting cellular tower on property zoned A-1 Agricultural District. This property is located on Lula Baptist Church Road, Section 35, T8N-R2W, Madison County. Zoning Administrator Sellers introduced the Petition to the Commissioners and those present.

Chad Mullins appeared on behalf of the Petitioner and stated that CellularSouth was in the process of building out coverage for the Highway 22 corridor, and this site would become the hub of that system. The necessary towers in Hinds County had been approved, and this site was necessary to complete the coverage network. The information presented was noted, and the site plan discussed. Chairman Lockett called for any objection to the Petition, and receiving none, accepted a motion by Commissioner Steere, seconded by Commissioner Spiro, with all voting "aye", the motion to approve the Petition for a Special Exception by CellularSouth passed.

There next came on for consideration, the Petition of CellularSouth for a Special Exception for a 180 foot temporary cellular tower in Camden on property zoned R-1 Residential District. This property is located at 2122 Highway 17, Section 24, T11N-R4E, Madison County. Zoning

Administrator Sellers introduced the Petition to the Commissioners and those present.

Chad Mullins appeared on behalf of the Petitioner and stated CellularSouth had placed this tower onsite for testing purposes and benefit analysis for this area. The petitioner wishes to keep this temporary tower in place for approximately 4 months, and needs electrical service to the site. Mr. Mullins also stated that there were some historical sites to be considered at this location, and permanent locations on Loring Road were being investigated. Application for the permanent location would be forthcoming at the conclusion of the site selection process. The information presented was noted, and the site plan discussed. Chairman Luckett called for any objections to the Petition, and receiving none, accepted a motion by Commissioner Brown, seconded by Commissioner Amadio, with all voting "aye", the motion to approve the Petition for a Special Exception by CellularSouth passed.

There next came on for consideration, the Petition of Delbert Goodloe for a Special Exception to conduct surface mining on a parcel four 4 acres or less out of a 274 acre tract located at the intersection of Highway 51 North and Davis Crossing Road, Section 28, T10N-R3E, Madison County. Zoning Administrator Sellers introduced the Petition to the Commissioners and those present.

Delbert Goodloe appeared as the Petitioner and stated that he operated a construction company, and the material mined would be used primarily in his work. An existing surface mine on this property had been exhausted and reclaimed, and this new site would meet his needs for fill material. Application has been made to MDEQ for this activity, and an exempt permit issued. No Madison County roads will be affected in this mining operation. The information presented was noted, and the site plan discussed. Chairman Luckett called for any objections to the Petition, and receiving none, accepted a motion by Commissioner Brown, seconded by Commissioner Spiro, with all voting "aye", the motion to approve the Petition for a Special Exception by Delbert Goodloe passed.

There next came on for consideration a site plan submitted by Krystal Restaurant to construct a new facility adjacent to the existing location on Gluckstadt Road.

Dean Gerchar appeared to represent the site plan. The existing Krystal Restaurant is located within a convenience store, and the proposed new facility would be constructed on the adjacent lot, zoned C-2 Commercial. The information presented was noted, and the site plan discussed. Chairman Luckett accepted a motion by Commissioner Amadio, seconded by Commissioner Brown, with all voting "aye", the motion to approve the Site Plan for Krystal restaurant passed.

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

There next came on for consideration, the date for the October meeting. October 15<sup>th</sup> was proposed by Zoning Administrator Sellers. Upon motion by Commissioner Spiro, seconded by Commissioner Steere, with all motion "aye", the October meeting of the Madison County Planning

and Zoning Commission was set for October 15<sup>th</sup>, 2009 at 9:00 a.m..

With there being no further business, the meeting adjourned at approximately 9:45 a.m..

10/15/09  
Date

*Bernie Lubell*  
(Chairman)