

**MINUTES OF THE MEETING OF THE MADISON COUNTY
PLANNING AND ZONING COMMISSION HELD AND CONDUCTED ON
THURSDAY, THE 17TH DAY OF MAY, 2012 AT 9:00 A.M. AT THE
MADISON COUNTY COMPLEX BUILDING**

BE IT REMEMBERED that a meeting of the Madison County Planning and Zoning Commission was duly called, held and conducted on Thursday, the 17th day of May, 2012 at 9:00 a.m. in the Madison County Complex Building.

Present: Will Sligh
Rev. Henry Brown
Dr. Keith Rouser
William Amadio
Brad Sellers, Zoning Administrator

Absent: Jim Smith

There first came on for consideration the minutes of the April 12, 2012 meeting. Upon motion by Commissioner Amadio, seconded by Commissioner Rouser, with all voting "aye", motion to approve the minutes passed.

There next came on for consideration the petition of Barton and Cheryl Bankston for a special exception to develop and operate a major recreational facility in the form of a Paintball/Airsoft Park. The property is located along Old Natchez Trace Road and consists of 49 acres. Zoning Administrator Sellers introduced the petition. Barton and Cheryl Bankston appeared on behalf of the petitioner. They advised the Commission that they have operated in this unique market for many years out of Rankin County; however, the property where the paintball operations were conducted is no longer available. They also stated that many of their customers were from Madison County, such as youth groups and birthday parties. The proposed operation is for Saturdays only, and the petitioners anticipate the parking to accommodate approximately 25-30 vehicles. Commissioner Amadio inquired as to whether any changes would be made to the property, to which the petitioners stated that the only required changes would be to clear a parking area and to move a storage shed onto the property. The petitioners also stated that they will maintain a 75 foot buffer around the entire property and the operations will not be visible from off the property.

Percy and Angela Harris both appeared in opposition. They are neighboring landowners to the subject property. They expressed concerns with increased traffic, interference with the wildlife habitat, and interference with their peaceful enjoyment of their property. Issues with regard to the location of the Harris property in comparison to the subject property was discussed, but the Harris' could not provide any specific location details other than it is in the same vicinity. The location of the Harris property was discussed next, as were issues of parking and the 75 foot buffer mentioned by the petitioners. Upon motion by Commissioner Amadio, seconded by Commissioner Sligh, with all voting "aye", motion to recommend approval of the requested special exception passed.

There next came on for consideration the petition of JNL Land and Pine, LP for a special exception to operate a surface mining operation along Highway 22. Jim Giddy, managing member, appeared on behalf of the petitioner. Zoning Administrator Sellers introduced the petition to the Commission. The petitioner stated that no immediate County roads would be affected by the operation and that it is expected that State and other non-county routes would most likely be utilized by the operation. He further stated that a MDEQ application has been submitted covering 4 acres and further that there is a reclamation plan in place that will result in the property being re-seeded as pasture at the conclusion of the operation. He also stated that if successful, the petitioner might seek to expand to the remainder of the parcel. There are no residences within ¼ mile of the property and they will post appropriate signage. The petitioner owns the property to the North and East of the subject parcel. He also informed the Commission that CGL insurance coverage is in place, and the pit operator also has CGL and workers' compensation insurance in place. Commissioner Sligh inquired as to whether any potential buyers are in place with regard to the dirt to which the petitioner stated that nothing specific has been arranged but that prospects are on the horizon. Commissioner Sligh and the petitioner also discussed the runoff on the property, and Commissioner Amadio discussed the issue of the length of the operation. It was Commissioner Amadio's opinion that one year would be sufficient. The petitioner stated that the MDEQ permit in place now is active through September 2012. Upon motion by Commissioner Sligh, seconded by Commissioner Amadio, with all voting "aye", motion to recommend approval of the special exception to the Board of Supervisors contingent upon approval for a period of one year, passed.

There next came on for consideration the petition of Chuck and Kim Best for a special exception to operate a bed and breakfast at Summerfield Farms. Kim Best appeared on behalf of the petitioner, and Zoning Administrator Sellers introduced their petition to the Commission. Kim Best described the property and the dwellings located thereon. She further described the equestrian activities on the property and the desire to open and operate a commercial bed and breakfast on the property surrounding the equestrian activities. Commissioner Amadio inquired as to the existence of a Home Owners Association, to which the petitioner acknowledged the existence. However, she stated that it has not met in years and has no communication or involvement in the neighborhood. Amadio further inquired as to the covenants and whether this would be allowed. The response was vague but the testimony and exhibits established clearly the

existence of covenants and that commercial businesses were excluded. The petitioner acknowledged knowing of the existence of the covenants. Mike Baxter, the HOA president and neighbor to the petitioner presented as Exhibit "A" a letter of opposition from all property owners and as Exhibit "B" the covenants. Baxter advised the Commission that this would violate the covenants as it would constitute a commercial establishment. He also expressed concerns with decreased property values and safety concerns with the increased traffic. Upon motion by Commissioner Sligh, seconded by Commissioner Amadio, with all voting "aye", motion to recommend denial of the petition to the Board of Supervisors passed.

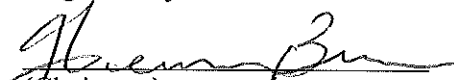
There next came on for consideration the petition of Elizabeth Raley for a variance to a side setback at Lake Caroline. Elizabeth Raley appeared on behalf of the petitioner. She advised the Commission that due to her son's disabled status, they need to renovate the existing house and need the variance to accommodate the process. They have no objections from the neighbors or from the HOA. Upon motion by Commissioner Amadio, seconded by Commissioner Sligh, with all voting "aye", motion to recommend approval to the Board of Supervisors passed.

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

There next came on for discussion the setting of the June 2012 meeting. June 14, 2012 was suggested. Upon motion by Commissioner Sligh, seconded by Commissioner Amadio, with all voting "aye", motion to set the June 2012 meeting for June 14, 2012 passed.

With there being no further business, the meeting was adjourned at 9:55 a.m.

6/14/12
Date


(Chairman)