

## Scott Weeks

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**From:** Brad Pepper <turfscapelandm@gmail.com>  
**Sent:** Wednesday, November 02, 2016 8:05 PM  
**To:** Scott Weeks  
**Subject:** Brad Pepper

Scott, I would like to move my hours of operation to 8-5 Monday through Saturday. Also only when school is in session. I have had zero complaints and would like to speed the process up on this excavation work. Thanks for your help.

Sent from my iPhone

**MINUTES OF THE MEETING OF THE MADISON COUNTY  
PLANNING AND ZONING COMMISSION HELD AND CONDUCTED ON  
THURSDAY, THE 11th DAY OF AUGUST, 2016 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 11<sup>th</sup> day of August, 2016 at 9:00 a.m. in the Board Room of the Madison County Chancery and Administrative Building.

Present:       Walter McKay  
                  Larry Miller  
                  Dr. Bill Howard  
                  Don Drane  
                  Rev. Henry Brown  
                  Scott Weeks, Planning and Zoning Administrator

The meeting was opened with prayer by Commissioner Brown, and those present participated in pledging allegiance to our flag.

There first came on for consideration the minutes of the July 14, 2016 meeting of the Commission. Upon motion by Commissioner Howard to approve the minutes, seconded by Commissioner Brown, with all voting "aye," the motion to approve the July 14, 2016 minutes passed.

There next came on for consideration the public hearing for the petition of Brad Pepper for a special exception to excavate a four (4) acre or less mining operation. The property is zoned A-1 Agricultural. This property is located at 1331 Livingston Vernon Rd near Flora, MS. Mr. Pepper was present and stated that this is to lower the elevation of their future home for privacy purposes. He stated that they intend to use some of the dirt and sell/haul the other part to help offset the cost. Norman Gainey with Gainey Construction also appeared and stated that the weather would play a factor on how long this project would take. Dr. Howard stated that his concern was for safety given this was a 2-lane road and he wanted to see the hours of operation limited. Mr. Pepper stated that they would have flag men present as necessary and would have irrigation to help settle any dust in the area. He stated that they would place the entry/exit route in a visible location off the road and would have someone present cleaning the roads as necessary. He stated that the neighbors do not have any objection to the project. He explained that this would be for the first phase and then they intend to do a pond in the future.

Zoning Administrator Weeks explained that this was a one year special exception only and if the mining went beyond that time frame or beyond four (4) acres, they would have to start the process for another special exception. Mr. Pepper agreed to limit the hours of operation to daylight hours only of 8:00 am to 2:00 pm, and after 4:00 pm, and no Sunday operations. Mr. Pepper further explained that a DEQ permit would be applied for in the future when they began to work on the pond. Zoning Administrator Weeks explained that any bond would be up to the Madison County



Engineer. Upon motion by Commissioner Howard to approve the petition subject to the limited hours of operation and flag men present as necessary for traffic safety, seconded by Commissioner Drane, with all voting "aye," the motion to approve the special exception passed.

There next came on for consideration the public hearing for the petition of Charles Gowdy for a conditional use to sell pre-owned vehicles. The property is located on Distribution Drive next to Camper Corral. A site plan is included with petitioner's materials. Mr. Gowdy appeared on behalf of the petition and stated that he is from the Canton area and his family owned a jewelry business there for many years. He currently has his pre-owned vehicle business in Jackson, MS and would like to re-locate closer to home because he lives in Madison County. He said they had conducted a lot of research in the area and this location was deemed best suited for this type of business because of the C-2 Commercial zoning, the visibility from the Interstate, and the current businesses already located in the area. He produced a letter from Camper Corral stating that they were in support of the business, attached hereto as Exhibit "A."

Leslie Ledbetter addressed the Commission next and she is the sister and office manager for the business. She stated that they currently produce \$18,000 to \$28,000 in sales tax so they would increase the tax base for the county. She stated that there were out of growing room in their current location and that they intend to add jobs in Madison County. She stated that they were working with Greg Ainsworth, a local architect, and that the business plans were of good quality and would be an improvement to the area. The exact location of the business was discussed and Mr. Gowdy produced an aerial map showing the location which is attached hereto as Exhibit "B." Mr. Gowdy stated that the access to this location would be off of Distribution Drive and that the County was in the process of finishing the roadway off which their access would be located. Commissioner Miller inquired about the lighting and Mr. Ainsworth stated that all lighting would be downward facing.

Lisa Williams addressed the Commission next and stated that she is a resident of Germantown Subdivision in Gluckstadt and she has traffic/safety concerns for the construction phase with trucks coming onto and off the roadway and inquired if traffic could be limited during high traffic times. In response to citizen Williams' request for limited traffic, Commissioner Drane stated that the same road was used by heavy trucks (18 wheelers) hauling steel headed into and out of the Majestic Metals facility located on a parcel to the south of the proposed facility and those trucks have apparently caused no traffic issues for nearby businesses. Mr. Gowdy explained that they would build the dealership first which would take at least six (6) months to complete and then the shop. Commissioner McKay stated that he was happy with the materials to be used on the buildings. He further stated that under the ordinances, he didn't think it was appropriate for hours of operation to be limited in this situation. Upon motion by Commissioner Miller to approve the special exception and site plan, seconded by Commissioner Howard, with all voting "aye," the motion to approve the special exception and site plan passed.

There next came on for consideration the petition for a site plan for a new office park located on Highway 51. Greg Ainsworth as the architect for the project and appeared on behalf of the petition, in addition to Matthew Miller who is the engineer for the project. A discussion was had regarding the location of the business and Mr. Ainsworth produced an updated site plan for the property which is attached hereto as Exhibit "C." Commissioner McKay inquired