

BEFORE THE BOARD OF SUPERVISORS OF THE COUNTY OF MADISON
STATE OF MISSISSIPPI

IN THE MATTER OF REZONING OF CERTAIN
LAND SITUATED IN SECTION – 14, 23
TOWNSHIP 8 NORTH, RANGE 1 EAST
MADISON COUNTY, MISSISSIPPI

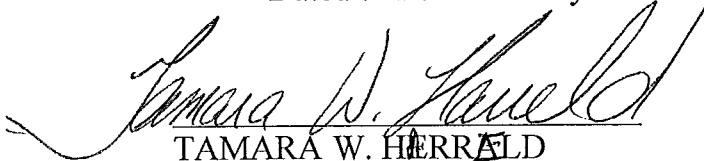
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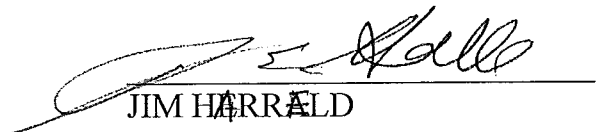
PETITIONER: SHARON VANDEBURG LLC
PETITIONERS: SCOTT GIDEON, MATT JENSEN

NOTICE OF APPEAL

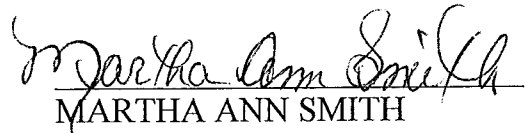
Pursuant to Section 2613.02 of the Madison County Zoning Ordinance, the undersigned, appeal the recommendation of the Planning Commission as adopted at the meeting of the commission on November 10, 2016, to grant Petitioners' Petition to rezone and reclassify 510 acres from Zoning District Classification A-1 Agricultural District to R2 Residential District. A copy of the Petition subject to the appeal is attached.

Dated this the 22nd day of November, 2016.


TAMARA W. HERRALD


JIM HARRALD


RUSSELL SMITH


MARTHA ANN SMITH


BRIAN McPHEARSON


JAMIE McPHEARSON


JOHN D. PRICE


TERRY C. PRICE

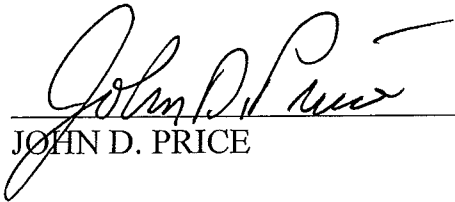
CERTIFICATE OF SERVICE

I, John D. Price, do hereby certify that I have this day hand delivered a true and correct copy of the above and foregoing to:

Carl Allen, Zoning Administrator
Madison County Planning and
Zoning Department
125 West North Street (39046)
P. O. Box 608
Canton, Mississippi 39046-0608

Trey Baxter, President
Madison County Board of Supervisors
146 West Center Street
Canton, Mississippi 39046

Dated this the 22nd day of November, 2016.



JOHN D. PRICE

BEFORE THE BOARD OF SUPERVISORS OF THE COUNTY OF MADISON
STATE OF MISSISSIPPI

RECEIVED
AUG 30 2016

IN THE MATTER OF REZONING OF
CERTAIN LAND SITUATED IN SECTIONS 14,23
TOWNSHIP 8 NORTH, RANGE 1 EAST
MADISON COUNTY, MISSISSIPPI

PETITIONER: SCOTT GIDEON , MATT JENSEN

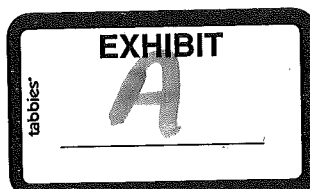
PETITION TO REZONE AND RECLASSIFY REAL PROPERTY

Comes now Scott Gideon and Matt Jensen developers of the hereinafter described land and property, and files this petition with the Board of Supervisors of Madison County, Mississippi, to rezone and reclassify a tract or parcel of land situated in Sections 14 & 23, 8 north, range 1 east Madison County, Mississippi, more particularly described as follows, to wit:

SEE EXHIBIT A

from its present Zoning District Classification of A-1 Agricultural District to R-2 Residential District, in support thereof would respectfully show as follows, to wit:

1. The subject property consists of 510 acres, more or less.
2. The zoning proposed is not in compliance with adopted Land Use Plan, of Madison County, but is the highest and best use.
3. List of changes or conditions that support rezoning:

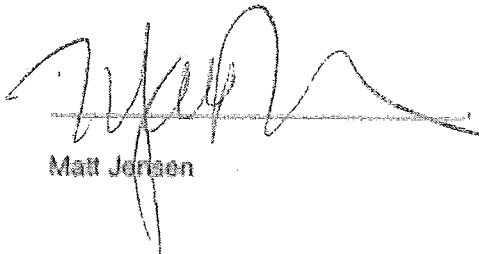


WHEREFORE, PREMISES CONSIDERED, Petitioners respectfully request that this petition be received, and after due consideration, the Board of Supervisors of Madison County will enter an order amending the land use plan to reflect R-2 zoning, and reclassifying this property from its present A-1 Agricultural District classification to a R-2 Residential District.

Respectfully submitted, this the 22nd day of September, 2016


_____, Petitioner

Scott Gideon


_____, Petitioner

Matt Jensen

LEGAL DESCRIPTION

The North ½ of the North ½ of Section 23, Township 8 North, Range 1 East, containing 160 acres, more or less;

The South ½ of the North ½ of Section 23, Township 8 North, Range 1 East, less 30 acres in the southwest corner lying west of an existing gas line, containing 130 acres, more or less;

The South ½ less 60 acres off the north end thereof, less 45 acres in the northwest corner lying south of existing Stribling Road, Section 14, Township 8 North, Range 1 East, containing 220 acres, more or less; containing in all 510 acres, more or less.

EXHIBIT "A"

EXHIBIT B

Changes and Conditions Supporting Petition

The subject property is comprised of 510 acres, more or less, and is bordered on the east side by Deweese rd. and to the north by Stribling road. The character of the area surrounding the proposed development has changed substantially over the last fifteen years with adjacent properties developing into neighborhoods including Johnstone, Ashbrooke, Saddlebrook, Reunion, Fieldstone, Devlin Springs, and Lake Caroline. This property remains undeveloped only due to the fact that the land owners were not prepared to market the property. Developers have met with adjacent land owners to discuss this project and have been proactive in doing so. A tremendous amount of thought and planning has gone into the design and analysis of the subject property and developers have performed detailed due diligence to ensure the quality of this development. An R-2 Zoning is requested with square ft. minimums of 2200 square ft. as a minimum and larger lots with up to 2700 square ft. minimums. The minimum lot size is 13,500 sq. ft. and goes up to well over an acre in size. A vegetated buffer has been included on property borders where needed and requested by adjacent landowners. Lot sizes on property borders are deeper in order to provide additional buffers. Other factors important to quality development including soil quality, environmental impacts, and access to utilities have been studied and ensured.

The Madison County Comprehensive Plan acknowledges the fact that this is one of the fastest growing areas in the state. Excellent schools, retail businesses, and increased property values have all been created through this growth. The developers have been involved in many of the projects that have contributed to this growth and draw from this experience to ensure the success of the project.

Other factors supporting petition are as follows: 1. Petitioners have met with Madison Co. School officials to discuss our project with regards to square ft. minimums, number of houses, home values, and projected time frames and to analyze the impact it will have on the school system and their growth projections. They have assured us that it falls within their projections for growth in the county and their ability to handle new students.

2. An important factor in the decision to develop this property is to satisfy a public need. Petitioners have 30 plus years developing in Madison Co. including properties in close proximity to subject property. The demand and need for housing in the size categories represented on proposed master plan are consistent with houses built and sold in prior years.

3. A significant portion of Petitioner's due diligence work has been the coordination and cooperation between Petitioners and the county. Traffic impact studies have been performed on the proposed development and discussed with the county engineer as well as supervisors. The contribution of right-of-way from petitioners has been addressed. We have also met with the county engineer for comprehensive discussions that involve other factors that relate to our development, including impacts to public roads.

EXHIBIT "C"

VERIFICATION OF THE NECESSARY UTILITIES TO DEVELOP



P. O. Box 107
Canton, MS 39046

Phone: (601) 856-5969
Fax: (601) 856-8936

April 28, 2016

Mr. Scott Gideon
Mr. Matt Jensen

RE: Property in Sections 14 and 23, T8N, R1E
Madison County, Mississippi

Dear Sirs:

Bear Creek Water Association is aware of the potential development of the 500-600 acre tract (currently undeveloped) at the southwest corner of Dewees Road and Stibling Road. This property does lie within Bear Creek Water Association's water and sewer certificated area. The association will provide any developments within that area such services in accordance with its standard water and sewer extension policies and procedures. The development of this project is within our planning and projections and we will be able to adequately handle the water and sewer demands without putting any burden on our existing customers.

The development of this property will allow for the installation of a water main along the north side of the property (south side of Stibling Road). This will strengthen the fire protection capabilities and overall water system in the surrounding areas. That will be a benefit to existing customers in Ashbrooke, Devlin Springs, Hartfield, Hatheway Lake, Saddlebrooke, Fieldstone, Johnstone, and Providence.

Sincerely,

A handwritten signature in black ink, appearing to read "Nolan P. Williamson".

Nolan P. Williamson, P.E.
General Manager

EXHIBIT "D"

PROPOSED MASTER PLAN

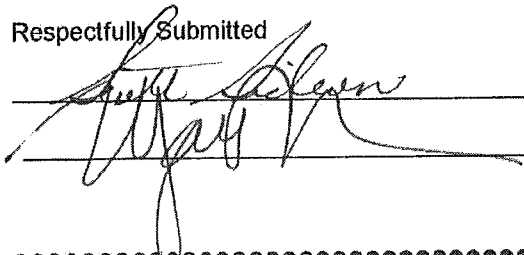
**APPLICATION FOR REZONING
A-1 AGRICULTURAL TO R-2 RESIDENTIAL**

Name and Address of Applicant: Scott Gideon and Matt Jensen P.O. Box 2447 Madison, MS 39130	Street Address of Property (if different address): South/West Corner of Stribling Road and Dewees Road
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APPLICATION DATE	Present Zoning of Property	Legal Description of Property:	TAX PARCEL NUMBER	FLOOD ZONE	MAP/PLAT OF PROPERTY
08/31/2016	A-1	See (Exhibit A)	81F-14-001/00.00 81F-23-002/00.00 81F-23-003/00.00	X	See (Exhibit B)

Other Comments: As per Article 2606 of the Madison County Zoning Ordinance.

Comments

Respectfully Submitted


Petition submitted to Madison County Planning and Development Commission on _____

Recommendation of Madison County Planning and Development Commission on Petition _____

Public Hearing date as established by the Madison County Board of Supervisors _____

Final disposition of Petition _____

LAW OFFICE OF RYAN VANDEBURGH PLLC

1000 Highland Colony Pkwy #5203
Ridgeland, MS 39157

(601) 862-1182
ryanvandeburgh@gmail.com

July 13, 2016

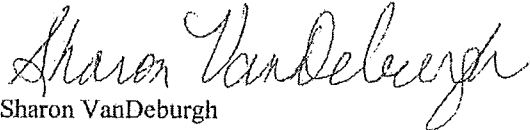
Madison County

Re: Sharon Scott VanDeburgh, LLC Rezoning Petition

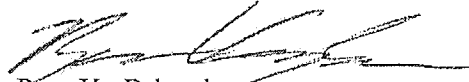
To whom it may concern:

This will serve as authorization that Sharon VanDeburgh, sole member of Sharon Scott VanDeburgh, LLC hereby grants the changing of the name of the petition to rezone 510 acres from A-1 Agricultural to R-2 Residential. This petition, brought in her name may be brought before the relevant governmental authorities under the name of Charlo I, Inc., Scott Gideon or his representatives.

Sincerely,



Sharon VanDeburgh
Sharon Scott VanDeburgh, LLC



Ryan VanDeburgh
Attorney at Law
Law Office of Ryan VanDeburgh, PLLC

[s]ScottGideon Matt Jensen
quleg-dsp
[bt

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that Scott Gideon and Matt Jensen have filed a petition with the Board of Supervisors of Madison County, MS, to request rezoning of certain property, pursuant to the Zoning Ordinance of Madison County, Mississippi, to amend the Land Use Plan and Zoning Maps adopted pursuant thereto, by rezoning A-1 Agricultural District to a R-2 Residential District, to-wit:

LEGAL DESCRIPTION

The North ½ of the North ½ of Section 23, Township 8 North, Range 1 East, containing 160 acres, more or less;

The South ½ of the North ½ of Section 23, Township 8 North, Range 1 East, less 30 acres in the southwest corner lying west of an existing gas line, containing 130 acres, more or less;

The South ½ less 60 acres off the north end thereof, less 45 acres in the northwest corner lying south of existing Stribling Road, Section 14, Township 8 North, Range 1 East, containing 220 acres, more or less; containing in all 510 acres, more or less.

NOTICE IS FURTHER GIVEN that the Planning Commission of Madison County, MS, will meet at 9 a.m. on October 06, 2016, at the Madison County Complex Building, in the Board Room, located at 125 West North Street, Canton, Madison County, MS to consider and act upon the petition, and will at such time, date and place, hold and conduct a public hearing at which all parties in interest and citizens shall have an opportunity to be heard on the matter of the petition, either in person, by petition, or by attorney.

BY ORDER OF THE PLANNING COMMISSION OF MADISON COUNTY, MISSISSIPPI,
on this the 8th day of September, 2016.

/s/Scott Weeks, Zoning Administrator

Publish: September 15, 2016

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