

GSM, LLC  
Post Office Box 1666  
Ridgeland, Mississippi 39158-1666

December 18, 2017

Re: 130 Smith Carr Road  
Canton, MS 39046  
Re-zoning Appeal

Dear Board of Supervisors,

On December 14, 2017 the Madison County, Mississippi Planning Commission denied the re-zoning for a 10 +/- acre tract located at 130 Smith Carr Road, Madison County, MS. The owners Mr. and Mrs. Pope are going to appeal the decision.

As their representative, with Power of Attorney, I will deliver the Appeal documents to the Madison County Planning and Zoning Administrator.

Best regards,

Tim Weaver

Tim Weaver

**APPLICATION FOR REZONING**  
**R-1 Residential Estate to R-2 Medium Density Residential**

**Name and Address of Applicant:**  
 Robert D. Pope Jr. and Rebecca D. Pope  
 130 Smith Carr Road  
 Canton, MS 39046

**Street Address of Property (if different address):**  
 (Same)

APPLICATION DATE	Present Zoning of Property	Legal Description of Property:	TAX PARCEL NUMBER	FLOOD ZONE	MAP/PLAT OF PROPERTY
October 19, 2017	R-1	See (Exhibit A)	082F-23-020/04.00	X	See attached Plat

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

Comments

Respectfully Submitted

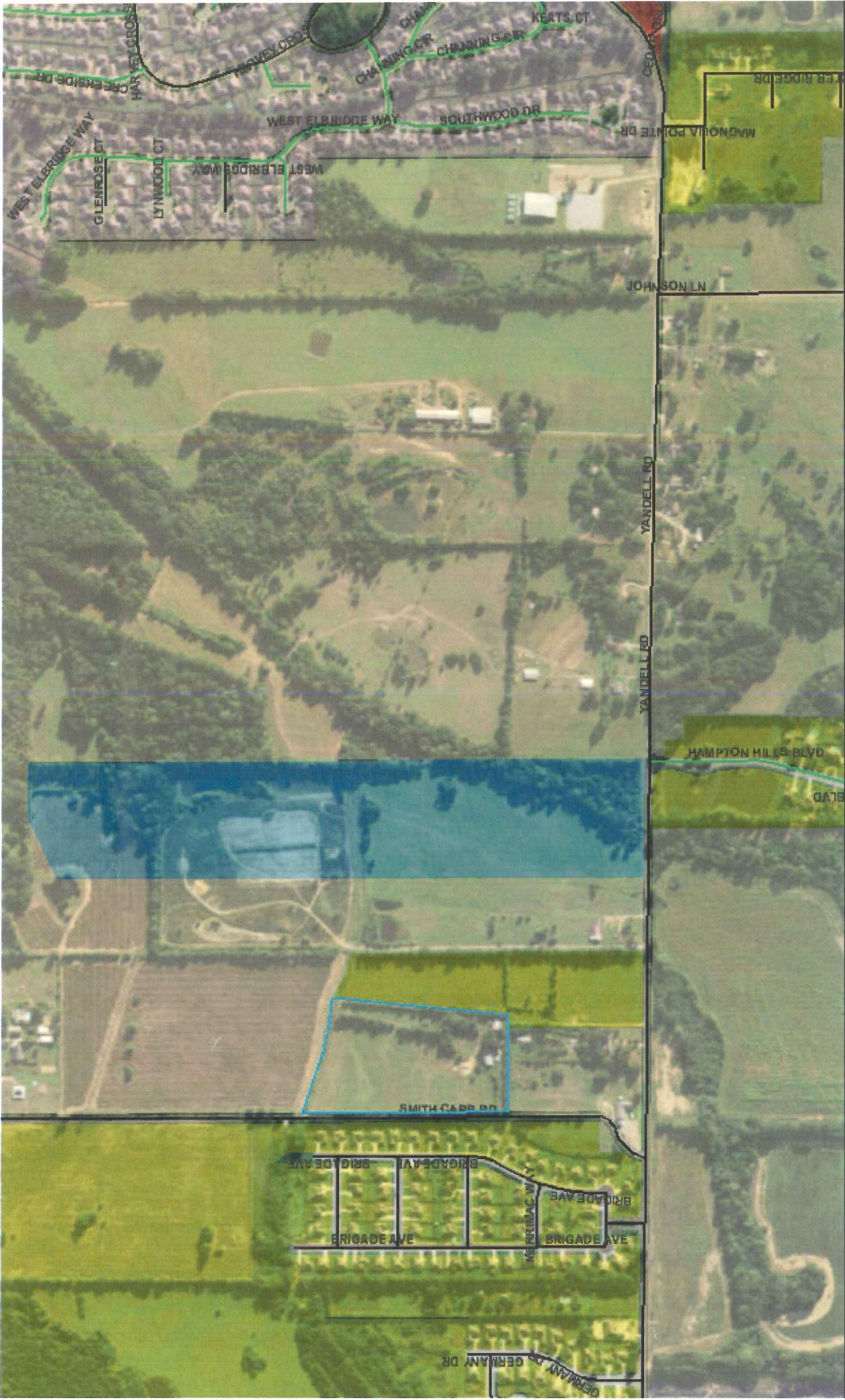
Robert D. Pope Jr. and Rebecca D. Pope

Petition submitted to Madison County Planning and Development Commission on \_\_\_\_\_

Recommendation of Madison County Planning and Development Commission on Petition \_\_\_\_\_

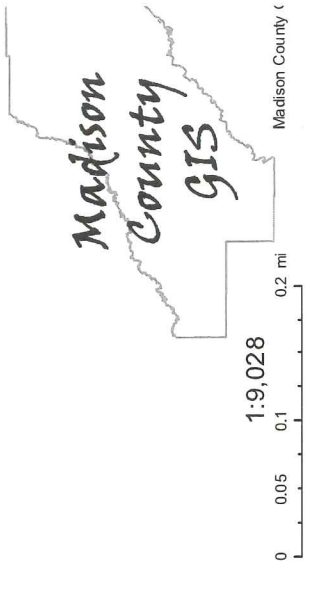
Public Hearing date as established by the Madison County Board of Supervisors \_\_\_\_\_

Final disposition of Petition \_\_\_\_\_



# Madison County Web Map

- Roads**
- Public
  - PRIVATE
- Zoning**
- A-1
  - C-2
  - PURD
  - R-1
  - R-2



Madison County (



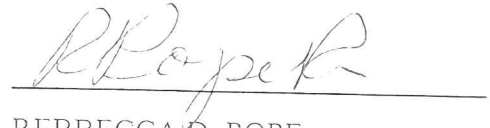
AUTHORITY TO REPRESENT

KNOW ALL MEN BY THESE PRESENTS, that ROBERT D. POPE JR and REBBECA D. POPE, 130 Smith-Carr Road, Canton, MS 39046, do hereby make constitute and appoint GSM, LLC, manager James T. Weaver, P.O. Box 1666, Ridgeland, Mississippi, 39158, as its true and lawful representative to have full and complete authority to act for and represent ROBERT D. POPE JR and REBBECA D. POPE in all matters pertaining to the rezoning and use district reclassification of certain real property which ROBERT D. POPE JR and REBBECA D. POPE owns lying partially in Madison County, Mississippi, and being situated along Smith-Carr Road, said property being described in exhibit A:

The authority hereby conferred is for the limited purposes of granting to GSM, LLC its manager James T. Weaver the authority to execute any and all petitions, request, papers, forms, or other documents necessary to pursue the rezoning and classification of the above described property and to represent ROBERT D. POPE JR and REBBECA D. POPE at or before any meeting or hearing with respect to the rezoning of said properties before the Madison County Board of Supervisors, Madison County, MS, and any board or commission thereof which shall consider or act on any Petition or request relative to the rezoning or change in use district classifications of the said property.

THIS THE 29 day of ~~August~~, 2017  
*September*

  
ROBERT D. POPE JR

  
REBBECA D. POPE



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

IN THE MATTER OF REZONING OF  
CERTAIN LAND SITUATED IN SECTION 23  
TOWNSHIP 08 NORTH, RANGE 02 EAST  
MADISON COUNTY, MISSISSIPPI

PETITIONER:

Robert D. Pope Jr. and Rebbecca D. Pope

PETITION TO REZONE AND RECLASSIFY REAL PROPERTY

Comes now Robert D Pope Jr. and Rebbecca Pope, owner 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 Section 23, Township 08N, Range 02E, Madison County, Mississippi, more particularly described as follows, to-wit:

SEE EXHIBIT A (legal Description)

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

1. The subject property consists of 10.00 +/- acres.
2. The zoning proposed is not in compliance with the adopted Land Use and Transportation Plan of Madison County, but is the highest and best use.
3. List of changes or conditions that support rezoning:

Numerous changes and conditions have occurred in proximity to the subject property which support the need for reclassification.

Sewer is readily available for subdividing land.

Attached hereto as Exhibit "B" is a Letter from Bear Creek Water Association relating to available utilities.

The R-2 District is consistent with the present zoning of properties to the South and East. See Exhibit "C"

Recent Residential Developments: (Change in Neighborhood)

1. Coventry
2. Bear Creek Crossing
3. Hannover
4. Hampton Hills
5. Kemper Creek
6. Sweetbriar
7. White Oak
8. Whitney Ridge

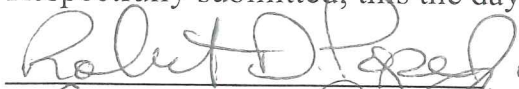
The above referenced subdivisions, most of which are completed or in the final stages, range in size from 1/4 acre lots to 1/3 acre lots. The minimum square footages are primarily 1400 square feet.

In the past five years new schools have been constructed in the Gluckstadt Community. Madison Crossing Elementary KG-5, Germantown Middle 6-8, Germantown High School all comprising Madison Crossing Attendance Zone.

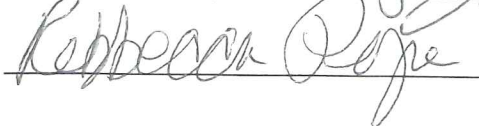
Along the Highway 51 corridor and Yandell Road new Commercial Shopping is available. The new Gluckstadt Interchange has been completed to better serve traffic needs as well as Madison County has completed plans and specifications for the improvement of Yandell Road.

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 zoning, and reclassifying this property from its present District classification to a District.

Respectfully submitted, this the day of October 19, 2017.



Petitioner



Petitioner

## Project Narrative

for

### Coventry Part 2 Development

Coventry is a development located on the north side of Yandell Road east of Smith Carr Road. Presently, the total area being developed as Part 1 is 10.17 acres of open rolling farm land. It is being requested that 10 acres northwest and contiguous to Coventry be rezoned and will be Part 2. The requested zoning is R-2.

Coventry will be a quaint "Neighborhood". It will have one ingress/egress point off of Yandell Road with a gated emergency access off Smith - Carr. The entrance as well as the landscaped frontage along Yandell will be professionally designed and landscaped to create an aesthetically pleasing experience for the residents and the surrounding community. As indicated on the Master Plan there will be a total of 50 residential lots for a density of 2.48 lots per acre. The lots will be larger than Glenwild, Hannover, Kemper Creek and other similar subdivisions. The wider lots will allow for side entry garages. The square footage minimum for the homes will be 2000 s.f. heated and cooled. Landscape requirements will ensure that each new home have a minimum of two trees planted to "re-forest" the neighborhood. The detention pond will be designed and maintained with mowable slopes and treated as a water feature.

Conceptually, the linear design of the subdivision allows for an efficient use of both the land and infrastructure. Sidewalks will be required to be constructed connecting each lot with pedestrian access. Restrictive Covenants and Design Guidelines will direct the overall architectural character of the residences and provide for the protection of home ownership and property values.



## EXHIBIT "A"

From the point of intersection of the North boundary of Yandell Road and the East boundary of Section 23, Township 8 North, Range 2 East, run thence West for a distance of 948.2 feet; thence run North for 641.0 feet to the Point of Beginning; thence run North 04 degrees 59 minutes East for a distance of 843.95 feet to the center of a ditch; thence run North 67 degrees 30 minutes West along center of said ditch for a distance of 46.6 feet; thence run North 81 degrees 30 minutes West along center of ditch for a distance of 157.1 feet; thence North 76 degrees 30 minutes West along center of ditch for a distance of 125.7 feet; thence run North 74 degrees 38 minutes West along center of ditch for a distance of 235.1 feet to the East boundary of Smith Carr Road; thence run South 0 degrees 45 minutes East along said road for a distance of 973.5 feet; thence run East for a distance of 461.3 feet to the Point of Beginning and containing 10.52 acres, more or less and being situated in the SE  $\frac{1}{4}$  of Section 23, Township 8 North , Range 2 East, Madison County, Mississippi.

## Parcel Details

Parcel number	082F-23-020/04.00
PPIN	23154
Owner's name	POPE ROBERT D & REBECCA D
Physical street number	130
Physical street name	SMITH CARR RD
Mailing address	130 SMITH CARR RD
Mailing city	CANTON
Mailing state	MS
Mailing zip	39046
True Values	
Land	36110
Improvement	29670
Total	65780
Assessed Values	
Total	6912
Legal description	10 AC BEING E/S WHATLEY ROAD
Legal description 2	
Legal description 3	
Township	08N
Range	02E
Section	23
Taxing District:	4 M
Taxing Exempt:	NO
Supervisor District	4
Municipality	
School District	MADISON COUNTY
Special Assessment District	SOUTH MADISON COUNTY FIRE DIST
<b>Deeds signed through 12/31/2016 and recorded by 1/7/2017</b>	
Book / Page / Date	
329 / 513 / 1994-01-18	<a href="#">[View Deed]</a>
	<a href="#">[Search By Legal Description]</a>
Date	1994-01-12
Homestead	YES

## Available Maps

- 082F23.PDF

Notice: Map files are very large and may take several minutes to download.

## Improvements

No.	Structure Type	Basic Sq Ft	Adj Sq Ft	Year Built	Value
1	SINGLE RESIDENCE	1,488	1,623	1950	27850
2	B71	600	600	1950	550
3	DECK/DOCK WOOD	100	100	1950	260
4	UTILITY SHED WOOD HAS FLOOR(AV)	300	300	1950	620
5	UTILITY SHED WOOD HAS FLOOR(AV)	192	192	1950	390

**Return to Owners Name Search**

## WARRANTY DEED

For and in consideration of Ten (\$10.00) Dollars and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, I, MARY L. SCOTT, a widow, Grantor, do hereby convey and warrant unto ROBERT D. POPE, JR., and REBECCA D. POPE, husband and wife, Grantees, as joint tenants with the right of survivorship and not as tenants in common, the following described property lying and being situated in the County of Madison, State of Mississippi, to-wit:

From the point of intersection of the North boundary of Yandell Road and the East boundary of Section 23, Township 8 North, Range 2 East, run thence West for a distance of 948.2 feet; thence run North for 641.0 feet to the Point of Beginning; thence run North 04 degrees 59 minutes East for a distance of 843.95 feet to the center of a ditch; thence run North 67 degrees 30 minutes West along center of said ditch for a distance of 46.6 feet; thence run North 81 degrees 30 minutes West along center of ditch for a distance of 157.1 feet; thence North 76 degrees 30 minutes West along center of ditch for a distance of 125.7 feet; thence run North 74 degrees 38 minutes West along center of ditch for a distance of 235.1 feet to the East boundary of Smith Carr Road; thence run South 0 degrees 45 minutes East along said road for a distance of 973.5 feet; thence run East for a distance of 461.3 feet to the Point of Beginning and containing 10.52 acres, more or less, and being situated in the SE 1/4 of Section 23, Township 8 North, Range 2 East, Madison County, Mississippi.

This conveyance is made subject to: (1) Taxes for the year 1994 which shall be paid by Grantees; (2) Zoning and Subdivision Regulation Ordinances of Madison County, Mississippi, as amended; and (3) Such oil, gas and other minerals and rights-of-way and easements as may now be outstanding of record.

Witness my signature this the 15th day of January, 1994.

*Mary L. Scott*  
Mary L. Scott

STATE OF MISSISSIPPI

COUNTY OF MADISON

Personally appeared before me, the undersigned authority in and for the aforementioned jurisdiction, the within named MARY L. SCOTT who acknowledged that she signed and delivered the above



and foregoing instrument on the day and year therein mentioned.

Given under my hand and official seal of office this the  
17 day of January, 1994.

*Amogene E. Key*  
Notary Public



My commission expires:  
Oct. 5, 1997.

Mailing addresses and telephone numbers of:

Grantor: Route 3, Box 214  
Canton, Mississippi 39046  
Telephone - (601) 856-6405

Grantees: 210 Meadow Lane  
Madison, Mississippi 39110  
Telephone - (601) 856-8742



STATE OF MISSISSIPPI, COUNTY OF MADISON:

I certify that the within instrument was filed for record in my office this 18 day  
of Jan, 1994, at 10:00 o'clock A.M., and was duly recorded  
on the JAN 18 1994, Book No. 329, Page 513.

STEVE DUNCAN, CHANCERY CLERK

BY: K. G. Key D.C.



P. O. Box 107  
Canton, MS 39046

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

October 18, 2017

Mr. Carl Allen  
Madison County Planning & Zoning Administrator

RE: Property in Section 23, T8N, R2E  
Madison County, Mississippi

Dear Mr. Allen:

Please be advised that all properties within Section 23, Township 8 North, Range 2 East are within Bear Creek Water Association's water and sewer certificated area. This includes that approximate 10 acre parcel on the east side of Smith Carr Road designated as parcel 082F-23-20/04 on the Madison County Tax Parcel Maps. Bear Creek Water Association will provide any developments within that area such services in accordance with its standard water and sewer extension policies and procedures.

Please contact me if you need any additional information.

Sincerely,

A handwritten signature in cursive script, appearing to read "Nolan P. Williamson".

Nolan P. Williamson, P.E.  
General Manager

7014 3490 0002 3083 1971  
7014 3490 0002 3083 2022  
7014 0340 0000 6212 9775  
7016 0340 0000 6212 9775  
7014 3490 0002 3083 1957  
7014 3490 0002 3083 2008

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Byron D and Candace L Thompson  
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\$	\$6.59	
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7016 0340 0000 6212 9737

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**MADISON, MS 39110**

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<input type="checkbox"/> Adult Signature Restricted Delivery	\$ 0.00	
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Sent To <i>Clarence Et Al and Gloria Et Al Adams</i> <i>219 Sunset Circle</i> <i>Madison, MS 39110</i>		

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<input type="checkbox"/> Certified Mail Restricted Delivery	\$ 0.00	
<input type="checkbox"/> Adult Signature Required	\$ 0.00	
<input type="checkbox"/> Adult Signature Restricted Delivery	\$ 0.00	
Postage	\$ 0.49	11/08/2017
Total Postage and Fees	\$ 6.59	
Sent To <i>Jennifer Scott Wells</i> <i>200 Thomas Rd</i> <i>French Camp, MS 39745</i>		

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

7016 0340 0000 6212 9768

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**CANTON, MS 39046**

Certified Mail Fee	\$ 3.35	0157 05
Extra Services & Fees (check box, add fee as appropriate)		
<input type="checkbox"/> Return Receipt (hardcopy)	\$ 0.00	Postmark Here
<input type="checkbox"/> Return Receipt (electronic)	\$ 0.00	
<input type="checkbox"/> Certified Mail Restricted Delivery	\$ 0.00	
<input type="checkbox"/> Adult Signature Required	\$ 0.00	
<input type="checkbox"/> Adult Signature Restricted Delivery	\$ 0.00	
Postage	\$ 0.49	11/08/2017
Total Postage and Fees	\$ 6.59	
Sent To <i>Michael Chase Mosal</i> <i>115 Brigade Ave</i> <i>Canton, MS 39046</i>		

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

7016 0340 0000 6212 9751

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**KOSCIUSKO, MS 39090**

Certified Mail Fee	\$ 3.35	0157 05
Extra Services & Fees (check box, add fee as appropriate)		
<input type="checkbox"/> Return Receipt (hardcopy)	\$ 0.00	Postmark Here
<input type="checkbox"/> Return Receipt (electronic)	\$ 0.00	
<input type="checkbox"/> Certified Mail Restricted Delivery	\$ 0.00	
<input type="checkbox"/> Adult Signature Required	\$ 0.00	
<input type="checkbox"/> Adult Signature Restricted Delivery	\$ 0.00	
Postage	\$ 0.49	11/08/2017
Total Postage and Fees	\$ 6.59	
Sent To <i>Atwoods Fence Company Inc.</i> <i>P.O. Box 565</i> <i>Kosciusko, MS 39090</i>		

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

7014 3490 0002 3083 1988

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**CANTON, MS 39046**

Postage	\$ 3.35	0157 05
Certified Fee	\$ 2.75	
Return Receipt Fee (Endorsement Required)	\$ 0.00	Postmark Here
Restricted Delivery Fee (Endorsement Required)	\$ 0.00	
Total Postage & Fees	\$ 6.59	
Sent To <i>Felicia V. Estes</i> <i>123 Brigade Ave</i> <i>Canton, MS 39046</i>		

PS Form 3800, July 2014 See Reverse for Instructions

7016 0340 0000 6212 9720

**U.S. Postal Service™**  
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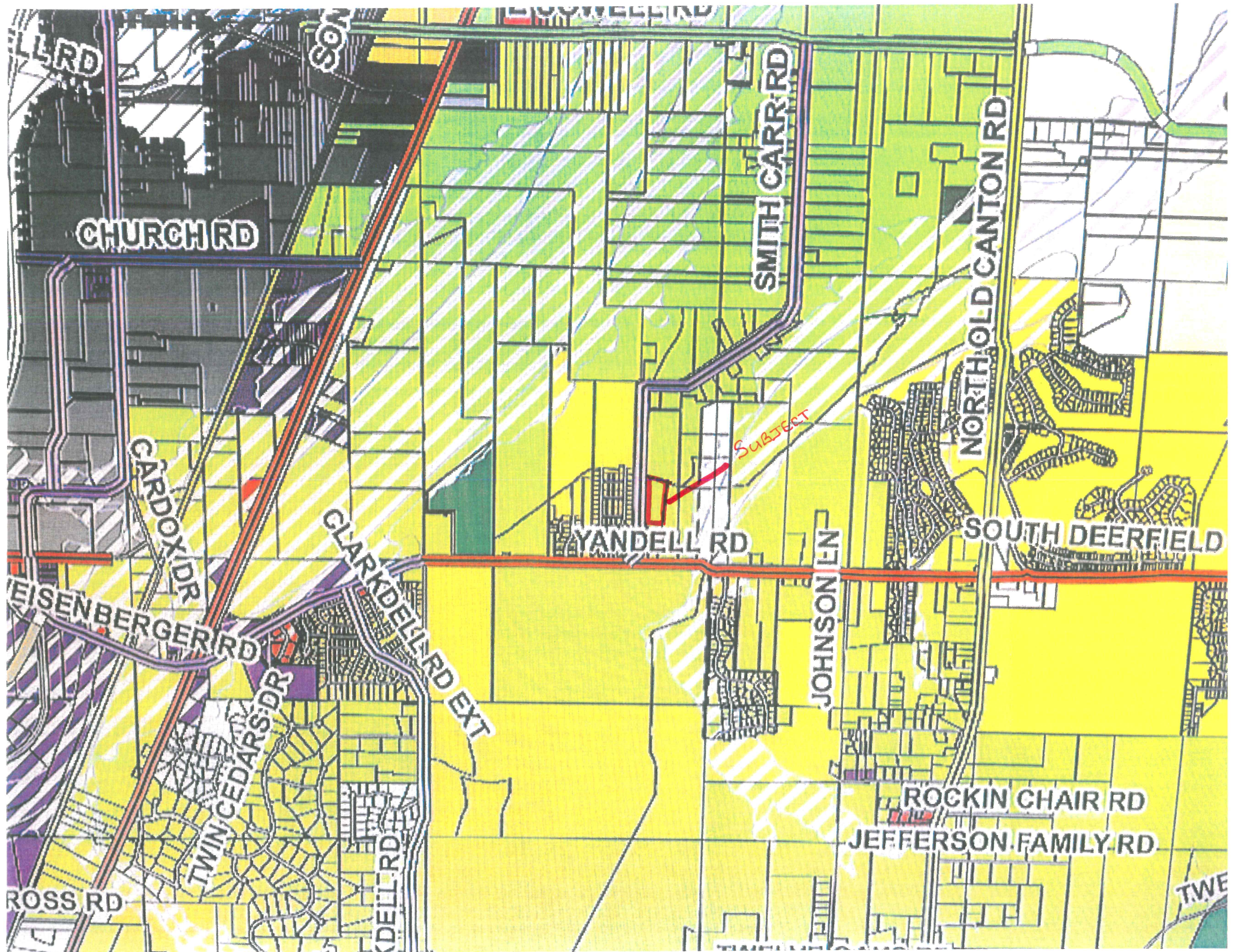
For delivery information, visit our website at [www.usps.com](http://www.usps.com)®.

**CANTON, MS 39046**

Certified Mail Fee	\$ 3.35	0157 05
Extra Services & Fees (check box, add fee as appropriate)		
<input type="checkbox"/> Return Receipt (hardcopy)	\$ 0.00	Postmark Here
<input type="checkbox"/> Return Receipt (electronic)	\$ 0.00	
<input type="checkbox"/> Certified Mail Restricted Delivery	\$ 0.00	
<input type="checkbox"/> Adult Signature Required	\$ 0.00	
<input type="checkbox"/> Adult Signature Restricted Delivery	\$ 0.00	
Postage	\$ 0.49	11/08/2017
Total Postage and Fees	\$ 6.59	
Sent To <i>Mt Zion Church Et Al</i> <i>437 Yandell Rd</i> <i>Madison, MS 39046</i>		

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions





CHURCH RD

SMITH CARR RD

NORTH OLD CANTON RD

YANDELL RD

SOUTH DEERFIELD

JOHNSON LN

ROCKIN CHAIR RD

JEFFERSON FAMILY RD

ROSS RD

CARDOX DR

EISENBERGER RD

TWIN CEDARS DR

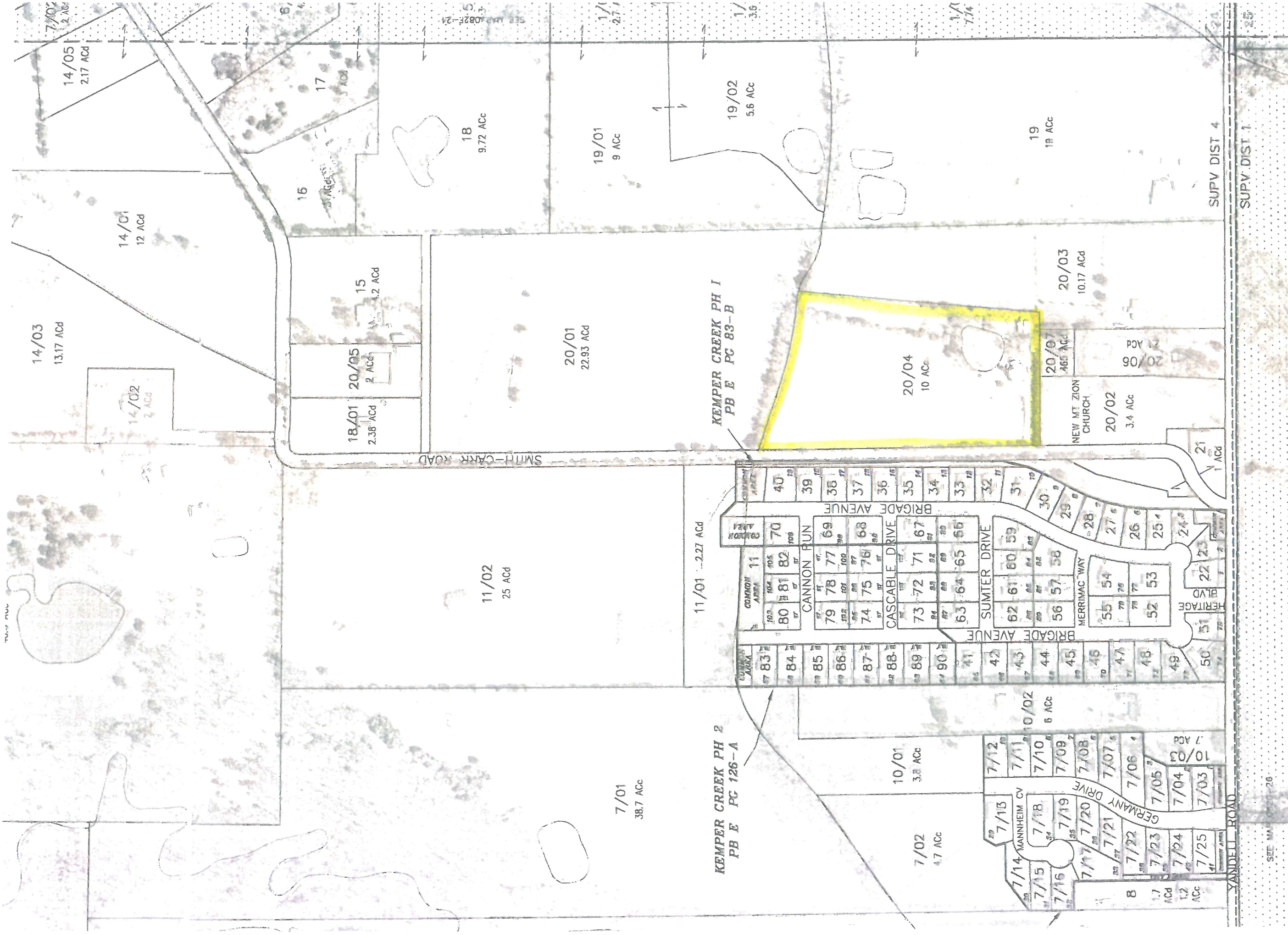
CLARKDELL RD EXT

DELL RD

TWE

SUBJECT





MADISON COUNTY, MISSISSIPPI  
**MAP 082F-23**



COUNTY LOCATOR

123	124	125	T12N
113	114	115	T11N
103	104	105	T10N
093	094	095	T9N
083	084	085	T8N
073	074	075	T7N

TOWNSHIP LOCATOR

1	2	3	4	5	6	7	8	9	10	11	12
13	14	15	16	17	18	19	20	21	22	23	24
25	26	27	28	29	30	31	32	33	34	35	36

1/4 SECTION

B	A
C	D

SECTION	23
TOWNSHIP	8N
RANGE	2E

DATE OF PHOTOGRAPHY: FEBRUARY 19, 2013

SCALE: 1"=200'

BER

24  
2.4 AC  
1.3 ACc  
28  
100'

SEE MAP 082F-20

SUPV DIST 4  
 SUPV DIST 1



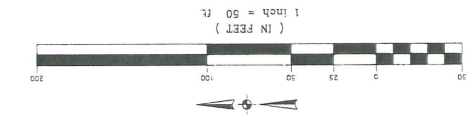
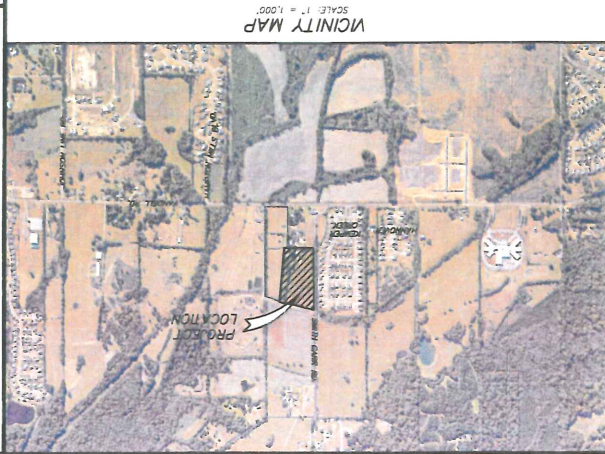


PROJECT: **COVENTRY, PART 2**  
 SHEET CONTENTS: **PRELIMINARY PLAT**  
 SHEET NUMBER: **1** of **1**  
 PROJECT NUMBER: **B-5660**

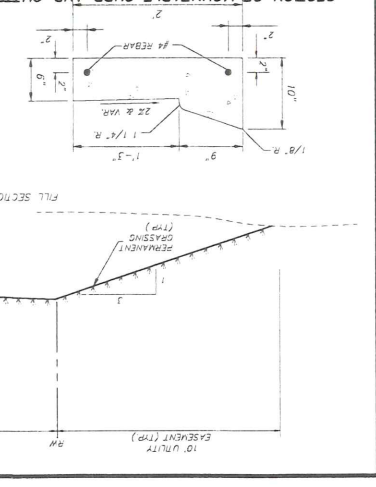
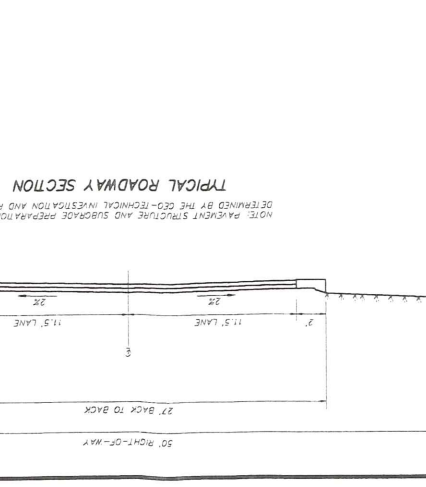
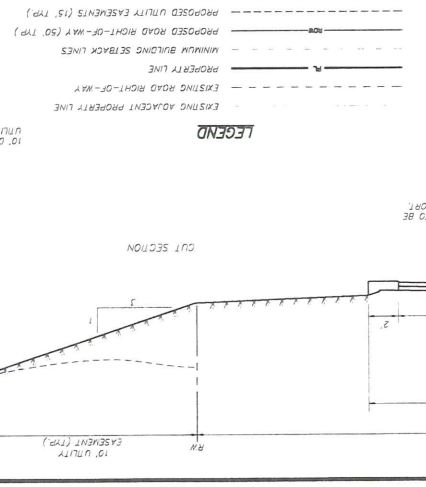
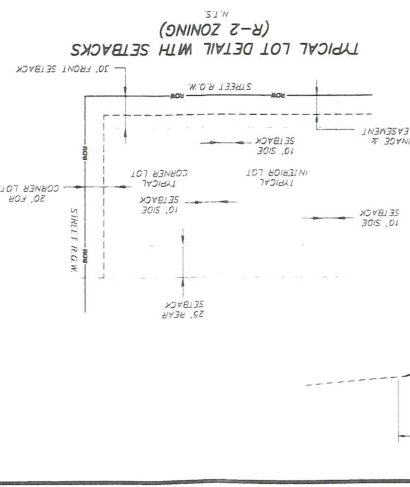
PROJECT LOCATION: **YANDELL ROAD**  
 CLIENT: **MANASSAS COUNTY, MISSISSIPPI**  
 CLIENT: **GSM, LLC**  
 P.O. BOX 1666, RIDGELAND, MS 39158

DATE	DD/MM/YY	DRAWN	CHKD
CHECKED	GAB	SCALE	1" = 40'
REF. C/L			
FC SURFACE			

**BENCHMARK ENGINEERING & SURVEYING, LLC**  
 1811 Magnolia Street, Suite A, Ridgeland, Mississippi 39158  
 Phone: 601-981-1817 Fax: 601-981-1811  
 www.benchmark-engineering.com



NOTES:  
 1. THIS PARCEL IS LOCATED IN FLOOD ZONE X ACCORDING TO FLOOD INSURANCE RATE MAP NUMBER 28080C0001R PANEL 0208 DATE MARCH 17, 2012.  
 2. MAKE SURE THE PARCEL IS IN RELATION TO PROJECT BOUNDARY AND THE CORNER BEARS THE RIGHT TO CONFORMANCE WITH MANASSAS COUNTY REQUIREMENTS.  
 3. MAKE MODIFICATIONS TO SUCH SO LONG AS THE MODIFICATIONS ARE IN COMPLIANCE WITH MANASSAS COUNTY REQUIREMENTS.  
 4. CONSTRUCTION PLANS WILL BE DESIGNED TO MEET CURRENT LOCAL AND STATE REQUIREMENTS.  
 5. DATE OF SURVEY: MAY 8, 2017  
 6. SURVEY DATA USED: MANASSAS COUNTY RECORD BOOKS  
 7. ELEVATIONS ARE NAVD83  
 8. TOTAL ACRES - 410.51 AC  
 9. CURRENT ZONING - R-2, RESIDENTIAL ESTATE DISTRICT  
 10. REQUESTED ZONING - R-2, RESIDENTIAL ESTATE DISTRICT  
 11. MINIMUM SETBACK REQUIREMENTS:  
 FRONT - 30', SIDE - 10', REAR - 25'  
 12. MINIMUM LOT REQUIREMENTS:  
 LOT AREA - 10,600 SF  
 LOT WIDTH - 25'  
 TOTAL # OF LOTS - 28  
 RIGHT-OF-WAY - 50'  
 AVERAGE LOT SIZE - 15,222 SF





**MINUTES OF THE MEETING OF THE MADISON COUNTY  
PLANNING AND ZONING COMMISSION HELD AND CONDUCTED ON  
THURSDAY, THE 14<sup>th</sup> DAY OF DECEMBER, 2017 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 14<sup>th</sup> day of December, 2017 at 9:00 a.m. in the Board Room of the Madison County Chancery and Administrative Building.

Present:       Dr. Bill Howard  
                  Rev. Henry Brown  
                  Larry Miller  
                  Don Drane  
                  Walter McKay

Carl Allen, 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 November 9, 2017 meeting of the Commission. Upon motion by Commissioner Miller to approve the minutes, seconded by Commissioner Brown, with all voting "aye," the motion to approve the November 9, 2017 minutes passed.

There next came on for consideration to open the public hearing for various matters. Upon Motion by Commissioner Miller to open the public hearing, seconded by Commissioner Howard, with all voting "aye," the motion to open the public hearing passed.

There next came on for consideration the petition of Robert D. Pope Jr. and Rebecca D Pope to rezone property from R-1 Residential to R-2 Residential. The land is located on Smith Carr Rd north of Yandell Rd. Tim Weaver appeared on behalf of the petition. He explained that part 1 of this development that neighbors this property has already begun construction. This land will be part 2 and will consist of 50 homes. A preliminary layout showing the plan was included with the petition packet. Those in opposition were asked to speak. Ward Van Skiver addressed the Commission and explained that he was speaking on behalf of his neighbors. He stated that they were not in favor of the rezoning because they did not feel like the character of the neighborhood had changed and they weren't in favor of the density. He said they were concerned about the traffic and negative effect this would have on Smith Carr Rd. He said they already had issues with delays and congestion at high traffic times and this would just worsen the problem and be a safety concern.

A discussion was held by the Commission as to the other residential zoning in that area, including both R-1 and R-2 zoning. Brandon Manley addressed the Commission next. He said he was the President of their voluntary HOA of those who lived on Smith Carr Rd. He reiterated the

traffic and safety concerns especially for Smith Carr Rd. Mr. Weaver responded and pointed out that a nearby neighborhood had 1/4 acre lots and this would be larger than that at 1/3 acre lots. He said the way the property is currently zoned your only option is to come out on Smith Carr Rd. but if they were allowed the R-2 zoning, they could instead push the traffic out onto Yandell Rd. instead which would alleviate a lot of their concerns. Kay Van Skiver addressed the Commission next and explained that most of the property owners had been there many years and were opposed to this development because it meant more houses and traffic in the area. They said between the choice of more or less houses, they wanted less which was consistent with the current R-1 zoning.

Dave Scott addressed the Commission next and stated he also lived in this area. He discussed the grave condition of the road and stressed that it would not be able to accommodate more traffic in its current state. He stated it was the equivalent of a country road and people cannot pass each other safely and this would worsen that already dangerous condition. He also stated that it was the county's responsibility to maintain and improve the infrastructure to protect the safety and welfare of its residents. Until that road is widened to accommodate the increase in traffic this would bring, he did not think the rezoning should be allowed. A discussion was held wherein those in attendance were encouraged by the Commissioners to address their traffic and safety concerns with the Board of Supervisors. Marvin Hart addressed the Commission next and also reiterated the traffic concerns and stated that he not only lived in the area but he also was a member of the nearby church. Mr. Weaver again reiterated that they would work with the county on the best options to alleviate the traffic concerns including routing the traffic onto Yandell Rd. Commissioner McKay explained that he understood their position but he felt this was likely the best use of the property considering the other residential development in the area that has come over the years.

Chris Jones addressed the Commission next. She stated that she too lives in the area and has been to the Board of Supervisors a number of times about the condition of the roads and safety concerns. She also stated that there was flooding on Sowell Rd. and promises had been made but nothing had ever been done about it. Carolyn Mims also addressed the Commission and also lives in the area and expressed traffic concerns. She stated that there had been multiple accidents already in this area. A Motion was made by Commissioner McKay to approve the petition for rezoning pursuant to the condition that the access be from Yandell Rd. and not Smith Carr Rd. which died for lack of a second. Upon Motion by Commissioner Howard to deny the petition because the requirements of change in the character of the neighborhood and public need had not been met in addition to the safety concerns and lack of infrastructure in this area to support additional development, seconded by Commissioner Miller, with Commissioners Howard, Miller, Drane and Brown voting "aye," and Commissioner McKay voting "nay," the motion to deny the petition for rezoning passed.

There next came on for consideration the petition of Lee Ford Terry and Donna Terry for a variance to the side setback of their property located at 142 Meadow Lane in Lake Cavalier subdivision. There was no opposition present and the petitioner stated that the neighbors had not had any complaint about the proposal. Upon Motion by Commissioner Miller to approve the petition for the variance, seconded by Commissioner Howard, with all voting "aye," the motion to approve the variance passed.



There next came on for consideration to close the public hearing. Upon Motion by Commissioner McKay to close the public hearing, seconded by Commissioner Brown, with all voting "aye," the motion to close the public hearing passed.

There next came on for consideration the site plan of Powder Keg Finishes for a new business located on Industrial Drive. The property is zoned I-2 Industrial. Greg Ainsworth appeared on behalf of the site plan. He explained that it was a powder coating business. The owner was present and stated that they hoped to be in business by April. Upon Motion by Commissioner Howard to approve the site plan, seconded by Commissioner Miller, with all voting "aye," the motion to approve the site plan passed.

There next came on for consideration the site plan of Lone Oak Construction for a new business located at 131 Enterprise Drive. The property is zoned C-2 Commercial. Daniel Wooldridge appeared on behalf of the petition. He stated that there would be 2 businesses there, one a construction company that focused on foundation work and the other a gutter business. He explained they would get the necessary permits for fuel. Upon Motion by Commissioner Howard to approve the site plan, seconded by Commissioner Miller, with all voting "aye," the motion to approve the site plan passed.

There next came on for discussion the setting of the January, 2018 meeting/public hearing. The second Thursday is January 11, 2018. Upon Motion by Commissioner McKay to set the meeting/hearing for January 11, 2018, seconded by Commissioner Brown, with all voting "aye," the motion to set the meeting date passed.

With there being no further business, the December 14, 2017 meeting was adjourned.

\_\_\_\_\_  
Date

\_\_\_\_\_  
(Chairman)