

**MINUTES OF THE MEETING OF THE MADISON COUNTY  
PLANNING AND ZONING COMMISSION HELD AND CONDUCTED ON  
THURSDAY, THE 12<sup>th</sup> DAY OF APRIL, 2018 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 12<sup>th</sup> day of April, 2018 at 9:00 a.m. in the Board Room of the Madison County Chancery and Administrative Building.

Present:        Larry Miller  
                  Bill Billingsley  
                  Walter McKay  
                  Dr. Bill Howard

Scott Weeks, Planning and Zoning Administrator

Absent:         Rev. Henry Brown

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

There first came on for consideration the minutes of the March 8, 2018 meeting of the Commission. Upon motion by Commissioner McKay to approve the minutes with revisions to the Capitol Body Shop flag variance, seconded by Commissioner Howard, with all voting “aye,” the motion to approve the March 8, 2018 minutes passed.

There next came on for consideration to open the public hearing for various matters. Upon motion by Commissioner McKay to open the public hearing, seconded by Commissioner Billingsley, with all voting “aye,” the motion to open the public hearing passed.

There next came on for public hearing the petition of Carlisle 536 LLC to rezone C-1 Commercial to C-2 Commercial. This land is located at Weisenberger Rd and Gluckstadt Rd. Don Nichols appeared on behalf of the petition. This is a small piece of land that was an easement from the bank and will now be used as part of Wendy’s currently under development. There were no questions from the Commissioners or those in attendance. Upon motion by Commissioner Billingsley to approve the petition for rezoning, seconded by Commissioner Miller, with all voting “aye,” the motion to approve the rezoning passed.

There next came on for public hearing the petition of Madison Lanscape to rezoning A-1 Agricultural to C-2 Commercial. The land is located at Old Jackson Rd. James Peden appeared on behalf of the petitioner and the owner Phillip Robinson was also present. He stated that they were negotiating with the neighboring property owner and requested a continuance to the next meeting in May. Upon Motion by Commissioner McKay to continue the petition to the May meeting, seconded by Commissioner Howard, with all voting “aye,” the motion to continue the petition

passed.

There next came on for consideration the petition for a conditional use of SSR Communications for a 280 foot communication tower. The property is located at North Livingston Rd. and Lake Cavalier Rd. Matthew Wesolowski appeared on behalf of the petitioner. A discussion was held regarding a portion of the property being on 16<sup>th</sup> section land and he acknowledged the school board had given them permission. There was no opposition present in attendance. It was also discussed that the neighbor had spoken with Zoning Administrator Weeks and he was ok with the request. Upon Motion by Commissioner Billingsley to approve the conditional use, seconded by Commissioner Miller, with all voting “aye,” the motion to approve the conditional use passed.

There next came on for consideration the zoning ordinance amendments. Such proposed amendments were properly published and available in the zoning office for review. A discussion was held regarding the proposed amendments and revisions to same. A change was made to Section 2301.02 to state as follows: Change the minimum size space to 180 SF (9.5 ft min. width) to match the definition of a parking space as re-defined in Definitions Sect. 201. A copy of the proposed amendments as revised are attached as Exhibit “A.” There were no questions from those in attendance. Upon Motion by Commissioner McKay to approve the zoning ordinance amendments with the change to Section 2301.02, seconded by Commissioner Howard, with all voting “aye,” the motion to approve the amendments 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 Billingsley, with all voting “aye,” the motion to close the public hearing passed.

There next came on for consideration the site plan amendment of CIA Autoplex located at 380 Distribution Dr. Lee Sahler appeared on behalf of the site plan. The amendments to the site plan were discussed regarding Building B which was a lot larger in size. Building A was also discussed which was now two-story but the same height and size overall as originally proposed. Mr. Sahler explained there had been a change in ownership and they had decided to expand the size. Upon Motion by Commissioner Billingsley 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 Quality Glass for an addition to the business located at 109 Westfalen Dr. Nick Thomas appeared on behalf of the site plan. Upon Motion by Commissioner Miller to approve the site plan, seconded by Commissioner Billingsley, with all voting “aye,” the motion to approve the site plan passed.

There next came on for consideration the site plan of Atlas Greek Cuisine for a new business located on Calhoun Station Parkway. Daniel Wooldridge appeared on behalf of the site plan. He explained that this was South of Capitol Body Shop. The proposed business will have 10 foot parking spaces and the exterior cooler will be painted the same color of the building exterior and landscaped. Upon Motion by Commissioner Billingsley 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 Luckytown Square for a new business located on Gluckstadt Rd. and Distribution Dr. Alton Clingan appeared on behalf of the site plan. There was a discussion regarding there not being any set tenants for the development yet so they don't know how many parking spaces and they don't have a sign package. Upon Motion by Commissioner Billingsley to approve the site plan, seconded by Commissioner Howard, with all voting "aye," the motion to approve the site plan passed.

There next came on for consideration the site plan for a new business of Calhoun Station located at Church Rd. and Calhoun Station Pkwy. Commissioner McKay inquired regarding the entrance off Church Rd. because of the safety hazard it poses being in a high traffic area with a right turn lane right there. A discussion was held regarding this issue and Commissioner McKay stated that he would like Dan Gaillet, County Engineer to review the Church Rd. entrance. Upon Motion by Commissioner Billingsley to approve the site plan conditional on the Church Rd. entrance being reviewed and approved by Dan Gaillet, seconded by Commissioner Miller, with all voting "aye," the motion to approve the site plan with the condition passed.

There next came on for consideration to open the public hearing. Upon motion by Commissioner McKay 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 rezoning of land from R-2 to R-5 Residential located on Catlett Rd. Brian Sartain appeared on behalf of the petition. He explained that this would be 1,800 square foot minimum homes with a 2-car garage. Don McGivens appeared next in opposition to the request. He stated that he lives directly across the street from this and traffic is already a large issue and this increase in homes would negatively affect the condition. Earl Hill also appeared and stated that he lives at 301 Catlett Rd. near this area and he was opposed to the development because there had been too much growth already and he was against another large development. Richard Young also addressed the Commission. He was the spokesperson for the Quail Ridge neighborhood association. He explained that this would be out of character with the area and also a traffic hazard when there was already a safety issue since homes of this size were being marketed to elderly, retired individuals/couples. Martha Ann Smith who lives on Dewees Rd. also spoke and inquired how this might affect the Catlett Rd. expansions and a discussion was had regarding that issue.

The Commission discussed the requirements of R-2 which does not have a minimum square footage size required and does not require any green space. Commissioner Billingsley inquired regarding how many houses the request would add and Mr. Sartain explained that it would add five (5) rooftops to the development if the request was granted. Upon Motion by Commissioner Howard to deny the request because he did not feel like the petitioner had met the burden of proof for rezoning, seconded by Commissioner Miller, with Commissioners Howard, Miller and McKay voting "aye," and Commissioner Billingsley voting "nay," the Motion to deny the petition for rezoning passed. Zoning Administrator Weeks notified the petitioner of his fifteen (15) day appeal period.

There next came on for consideration to close the public hearing. Upon Motion by

Commissioner Billingsley to close the public hearing, seconded by Commissioner Miller, with all voting “aye,” the motion to close the public hearing passed.

There next came on for discussion the setting of the May, 2018 meeting/public hearing. The second Thursday is Canton Flea Market so the meeting will need to be the third week of May to meet the publication requirements. Upon Motion by Commissioner McKay to set the meeting/hearing for May 17, 2018, seconded by Commissioner Miller, with all voting “aye,” the motion to set the meeting date passed.

With there being no further business, the April 12, 2018 meeting was adjourned.

---

Date

---

(Chairman)