

# MEMO

**To:** Madison County Board of Supervisors  
**From:** Brad Sellers  
**Subject:** Key Constructors, request renewal of mining permit  
**Date:** April 29, 2013

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Key Constructors received approval to mine 23.33 acres, Tax Parcel No. 82E-22-12, Highway 51, for a 2 year period beginning 2006 until 2008. This property was not mined, and now they are seeking approval to begin mining. See minutes dated November 21, 2005.

# Key, LLC

ENGINEERS - CONSTRUCTORS

Post Office Box 590 - 219 Key Drive (39110)  
MADISON, MISSISSIPPI 39130-0590  
601-898-9892 Fax 601-898-9896

April 29, 2013

Mr. Brad Sellers  
Madison County, Mississippi – Zoning Administrator  
125 West North Street  
Canton, MS 39046  
601-855-5501

**RE: MDEQ Surface Mining Permit P06-06**

**Subject: Surface Mining Special Exemption**

Mr. Sellers:

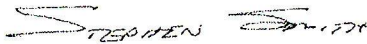
As we spoke about on the phone, Key, LLC would like to request a “Surface Mining Special Exemption” from the Madison County Board of Supervisors for the following pit:

Key, LLC – Stuckey Pit  
Physical Address  
1909 Hwy 51  
Madison, MS 39110

If you should need any additional information please feel free to give us a call.

Sincerely,

**Key LLC**



Stephen Smith

cc: file

described real property.

ORDAINED, ADOPTED AND APPROVED by the Board of Supervisors of Madison County, Mississippi, at a meeting thereof held on the 21<sup>st</sup> day of November, 2005.

Following discussion, Mr. Karl M. Banks did offer and Mr. Douglas L. Jones did second a motion to close the public hearing on said Petitioner's petition and grant the request and adopt the Ordinance as set forth herein above. The vote on the matter being as follows:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Aye
Supervisor Andy Taggart	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and the public hearing was and is hereby closed, the request of the petitioner to rezone said property from a classification of C-1 Commercial District to a classification of C-2 Commercial District was and is hereby approved, the subject property was and is hereby re-zoned, the foregoing Ordinance was and is hereby adopted, and the County zoning ordinance and map are amended accordingly.

SO ORDERED this the 21<sup>st</sup> day of November, 2005.

***In re: Petition of Key Constructors for Special  
Exception to Allow Surface Mining on Highway 51***

WHEREAS, the Board of Supervisors had previously advertised its intent to conduct a public hearing concerning the request of Key Constructors and Henry and Nelda Stuckey for a Special Exception to Conduct a Surface Mining Operation on property zoned A-1 agricultural use on certain property situated in Section 22, T8N, R2E and more particularly described as 23.33 acres, more or less, comprising Parcel # 82E-22-12 in Madison County, MS, and

WHEREAS, the Board authorized the publication of notice in the *Madison County Herald*, a newspaper of general circulation in Madison County, the same having been accomplished on November 3, 2005, and

WHEREAS, a true and correct copy of said Notice is attached hereto as Exhibit B, spread hereupon, and incorporated herein by reference, and

WHEREAS, the date and hour as advertised did arrive and the Board President declared open the public hearing to consider the request of Key Constructors for a Special Exception to conduct surface mining in an A-1 agricultural use district, and

WHEREAS, County Zoning Administrator Brad Sellers and Mr. Paul McPhail did appear before the Board and explained that the special exception was being sought in order to mine the property for a construction job in the City of Madison for MDOT Project No. STP-6947-00(001), and

WHEREAS, the Planning and Zoning Commission did recommend approval of the request, on condition that hours of operation be limited to 8:00 am until 4:30 pm for a period commencing May, 2006 and continuing through May, 2008, and

WHEREAS, no one appeared in opposition thereto, despite the giving of full and proper notice hereof,

**President's Initials:** \_\_\_\_\_

**Date Signed:** \_\_\_\_\_

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Following discussion, Mr. Karl M. Banks did offer and Mr. Andy Taggart did second a motion to close the public hearing and grant the special exception for the period reflected above and subject to the conditions recommended by the Planning and Zoning Commission. The vote on the matter being as follows:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Aye
Supervisor Andy Taggart	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and the public hearing was and is hereby closed and the special exception sought by Key Constructors was and is hereby granted for the period reflected above and subject to the conditions recommended by the Planning and Zoning Commission.

SO ORDERED this the 21<sup>st</sup> day of November, 2005.

***In re: Petition of Community First Development to  
Rezone R-1 Residential to R-2 Residential  
Certain Property on Johnson Lane***

**ORDINANCE BY THE BOARD OF SUPERVISORS  
OF MADISON COUNTY, MISSISSIPPI,  
REZONING AND RECLASSIFYING REAL PROPERTY**

WHEREAS, the Board of Supervisors had previously advertised its intent to conduct a public hearing concerning the petition of Community First Development seeking rezoning of certain property, pursuant to the Zoning Ordinance of Madison County, MS, and to amend the Zoning Maps adopted pursuant thereto, and to amend the county's Land Use Plan, by requesting property be rezoned from its present R-1 Residential District to R-2 Residential District, and

WHEREAS, the Board authorized the publication of notice in the *Madison County Herald*, a newspaper of general circulation in Madison County, the same having been accomplished on November 3, 2005, and

WHEREAS, a true and correct copy of said Notice is attached hereto as Exhibit C, spread hereupon, and incorporated herein by reference, and

WHEREAS, the hour of 9:00 a.m. did arise and County Zoning Administrator Brad Sellers and developer John Jordan did appear before the Board on behalf of the Petitioners for a public hearing seeking to rezone a certain tract from its present R-1 Residential District to R-2 Residential District, and

WHEREAS, the Planning and Zoning Commission did recommend the approval of said rezoning, and

WHEREAS, Mr. Jordan did present certain proposed Covenants which are to be applicable to the property which is the subject of said Petition, a true and correct copy of which may be found in the Miscellaneous Appendix to these Minutes,

Following discussion, Mr. Douglas L. Jones did offer a motion to deny the request, which motion failed for lack of a second.

SO ORDERED this the 21<sup>st</sup> day of November, 2005.

**President's Initials:** \_\_\_\_\_

**Date Signed:** \_\_\_\_\_

***For Searching Reference Only: Page 4 of 29 (11/21/05)***