

**MINUTES OF THE MEETING OF THE MADISON COUNTY
PLANNING AND ZONING COMMISSION HELD AND CONDUCTED ON
THURSDAY, THE 8th DAY OF DECEMBER, 2022 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 8th day of December, 2022, at 9:00 a.m. in the Madison County Complex Building.

Present: Larry Miller
 Walter McKay
 Dr. Keith Rouser
 Bill Billingsley
 Rev. Henry Brown
 Scott Weeks, Planning and Zoning Administrator

The meeting was opened with prayer by Commissioner Rouser, and all present participated in pledging allegiance to our flag, led by Chairman Rouser.

There first came on for consideration the minutes of the September 8, 2022, meeting of the Commission. Upon motion by Commissioner Billingsley, seconded by Commissioner Miller with all voting “aye,” motion to approve the September 8, 2022 minutes passed.

There next came on for consideration, the need to open the meeting for public hearing of certain matters. Upon motion by Commissioner Billingsley to open the meeting for public hearing of certain matters, seconded by Commissioner Mckay, with all voting “aye,” the public hearing was so opened.

There next came on for consideration the Application for Variance of Hollis Shoemaker for a variance on side setbacks. The property subject to the application is Lot 1289 Katherine Lake I of Caroline, is zoned as PUD, and is Supervisor District 4. Scott Shoemaker appeared, and advised that the plat provided to the builders at the lot drawing showed 7.5’ side setbacks. Mr. Shoemaker advised that after construction had commenced, it was discovered that the setbacks were later adjusted to a 10’ side setbacks in the Covenants governing the property. Accordingly, Applicant is now seeking a 2.5’ variance to the side setbacks. Mr. Shoemaker provided documentation, as attachments to his Application, from the lot owner on either side of Lot 1289, the Developer of Katherine Lake I of Caroline, and the Lake Caroline Architectural Review Committee indicating that they had no objection to the Application for Variance. Commissioner Billingsley questioned as to how the side setbacks were changed from 7.5’ to 10’, and Mr. Shoemaker responded that he did not know. Commissioner McKay questioned as to the difference between the plat, and the Covenants, and Mr. Shoemaker advised that now, all remaining setbacks would be 10’, but that a variance was needed for the house already under construction on Lot 1289. Upon motion by Commissioner McKay to approve the Application for Variance of Hollis

Shoemaker for a variance on side setbacks, seconded by Commissioner Miller, with all voting “aye,” the motion to approve the Application for Variance of Hollis Shoemaker for a variance on side setbacks was approved.

There next came on for consideration, the Application for Rezoning of LFP, LLC to rezone +/-9.13 acres from R-1 Residential to R-2 Residential. The subject property is owned by Aurila Nash, Miriam Bowden, Angela Love Williams, and Rannie C. Dykes, Jr., is located on Catlett Road, adjacent to property that Applicant previously had re-zoned to R-2 in March of 2021, and is in Supervisor District 4. Scott Shoemaker of LFP, LLC appeared on behalf of the Applicant. Mr. Shoemaker advised that his intent is to add on to the previously-rezoned property.

Mr. Shoemaker directed the Commission to his **Attachment “I,”** to show the location of the property, and explained that it is approximately one (1) mile north of the Catlett/Gluckstadt Road interchange. Mr. Shoemaker next directed the Commission to his **Attachment “N,”** and **“O”** in order to show the existing plat, as well as the planned additional lots. Mr. Shoemaker advised that there would not be any additional entrance, but only additional lots.

Next, Mr. Shoemaker addressed the change in character of the neighborhood, and presented a timeline of relevant re-zoning events as **Attachment “F,”** and Board of Supervisors minutes as **Attachment “G,”** showing various zoning changes in the general area of the subject property since October of 2019.

Next, Mr. Shoemaker addressed the public need for re-zoning of the subject property to allow for additional housing, and directed the Commission to his **Attachment “H,”** and **Attachment “J,”** as depicting specific neighborhoods in the direct vicinity of the subject property, and showing number of listings, days on the market, and inventory from October 2021 to October 2022. Mr. Shoemaker also presented information indicating that a “healthy” supply of inventory is a six (6) month supply of homes, and what the market is currently showing is a two (2) month supply. As such, Mr. Shoemaker argued that the housing market is in a depleted supply.

Upon motion by Commissioner Billingsley to approve the Application for Rezoning of LFP, LLC to rezone +/-9.13 acres from R-1 Residential to R-2 Residential, seconded by Commissioner Miller, the Application for Rezoning of LFP, LLC to rezone +/-9.13 acres from R-1 Residential to R-2 Residential was approved.

There next came on for consideration the Application for Conditional Use for Public/Quasi-Public Facilities or Utilities of Kimberly Ferdinand for an assisted living home. The subject property is located at 2314 Sharon Road, is currently zoned A-1 Agricultural, and is in Supervisor District 5.

Ashley Kelly appeared on behalf of the Applicant and requested the Conditional Use. Commissioner Billingsley questioned as how many residents the facility would house, and Ms. Kelly advised that the application was for 20 single occupants, a cafeteria, office space, recreational space, and a central courtyard. Commissioner McKay commented that the requirements for Conditional Use had not been met or provided as per the requirements of Section 805.03 (and quoted them).

Attorney Clark interjected that there seems to be a recurring issue with certain matters before the Commission in that certain Applicants wish to have a particular use approved prior to spending time and money on plans as the Ordinance requires. Attorney Clark advised that whether there was a conditional approval of the use, or the matter was to be tabled, the end result would be the same—the Applicant must return for site plan approval. Attorney Clark advised that the Commission may want to take a look at the process for approval at some point in the future.

Upon motion by Commissioner Billingsley, and seconded by Commissioner Miller, the Application for Conditional Use for Public/Quasi-Public Facilities or Utilities of Kimberly Ferdinand for an assisted living home was approved only as to the requested use, and subject to submittal and approval of a site plan, and other requirements of Section 805.03 by the Commission, and prior to submission to the Board of Supervisors for final approval, the Application for Conditional Use for Public/Quasi-Public Facilities or Utilities of Kimberly Ferdinand for an assisted living home was approved only as to the requested use, and subject to submittal and approval of a site plan, and other requirements of Section 805.03 was approved..

There next came on for consideration, the need to close the public hearing. Upon motion by Commissioner Billingsley to close the public hearing, seconded by Commissioner Brown, with all voting “aye,” the public hearing was so closed.

There next came on for discussion, the setting of the January, 2023 meeting. January 12th, 2023, was suggested. Upon motion by Commissioner Brown, seconded by Commissioner Billingsley, with all voting “aye,” motion to set the January, 2023 meeting for January 12th, 2023, passed.

With there being no further business, the December 8, 2022, meeting of the Madison County Planning and Zoning Commission was adjourned.

Date

Dr. Keith Rouser, Chairman