

**MINUTES OF THE MEETING OF THE MADISON COUNTY
PLANNING AND ZONING COMMISSION HELD AND CONDUCTED ON
THURSDAY, THE 12th DAY OF DECEMBER, 2024 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 12th day of December 2024, at 9:00 a.m. in the Madison County Complex Building.

Present: Dr. Keith Rouser
 Mandy Sumerall
 Rev. Henry Brown

Scott Weeks, Planning and Zoning Administrator

Not Present: Amanda Myers
 Jean McCarty

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

There first came on for consideration the minutes of the November 14, 2024, meeting of the Commission. Upon motion by Commissioner Brown, seconded by Commissioner Sumerall, with all voting “aye,” the November 14, 2024, minutes of the Planning and Zoning Commission were approved.

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

There next came on for consideration the Application of Rands, LLC to Re-Zone certain property from its current designation of (R-1) Residential Estate District to (R-2) Medium Density Residential District. The subject property is located on Catlett Road, and is in Supervisor District 2.

Steve Rimmer appeared on behalf of the Applicant, and requested that this matter be tabled until the next meeting of the Commission.

Upon motion by Commissioner Sumerall to table the Application of Rands, LLC to Re-Zone certain property from its current designation of (R-1) Residential Estate District to (R-2) Medium Density Residential District, seconded by Commissioner Brown, with all voting “aye,” the Application of Rands, LLC to Re-Zone certain property from its current designation of (R-1) Residential Estate District to (R-2) Medium Density Residential District was tabled.

There next came on for consideration the Application of Yandell Shell LLC to Re-Zone certain property from its current designation of (R-1) Residential Estate District to (C-2) Highway Commercial District. The subject property is at the southwest corner of Highway 51 and Reunion Parkway, is Madison County Tax Parcel Nos.: 082H-33-013/00.00 and 082H-33-014/00.00, and is in Supervisor District 2.

Steve H. Smith, Esq. appeared on behalf of the Applicant, and advised that the Applicant is seeking to have a +/-1.874 acre parcel of property re-zoned from R-1 to C-2. Mr. Smith advised that the subject property lies on the southwest corner of Reunion Parkway and Highway 51. Mr. Smith further advised that the Applicant proposes to construct a +/-9,000 sf. building on the subject property which will serve as a convenience store and gas station, and directed the Commission to the site plan included in the meeting packet.

Mr. Smith next directed the Commission to the C-2 portion of the Zoning Ordinance, and that convenience stores are permitted outright in such designation. Mr. Smith further directed the Commission to and quoted the purpose of the C-2 District as being “to provide relatively spacious areas for the development of vehicle-oriented commercial activities which typically require direct auto traffic access and visibility from highways or other major thoroughfares.” Mr. Smith argued that the Applicant’s application certainly fits that criteria.

Mr. Smith further argued that the new, signalized intersection at Highway 51 and Reunion Parkway has drastically changed, and will continue to change the character of the neighborhood to such an extent as to justify the re-zoning. Mr. Smith argued that such intersection did not exist at the time of the current Land Use Plan was adopted in 2019, but that such intersection was a part of the 2019 Transportation Plan.

Mr. Smith further directed the Commission to and quoted from the 2019 Madison County Land Use Plan, in that “the realistic life expectancy of a land use plan in a growing area is 5-10 years” and that “it is necessary to review and revise the land use plan periodically in light of changing conditions.” Mr. Smith argued that there is no place in Madison County that is changing more than that of the area around Reunion Parkway.

Mr. Smith further directed the Commission to the Madison County Comprehensive Plan, and a stated goal of the Land Use Plan is to “designate additional lands as needed for commercial uses near transportation corridors,” and that the Transportation Plan contemplates that “the construction of major streets will create pressure for more intensive types of development.” Mr. Smith argued that this is exactly what the Applicant’s application presents to the Commission. Mr. Smith further reiterated that the new signalized intersection of the two major thoroughfares, along with the rapid growth of Gluckstadt have undeniably changed the character of the neighborhood and created a need for the proposed C-2 zoning of the subject property.

Mr. Smith further argued that C-2 zoning is the highest and best use of the subject property, and is consistent with the commercial uses of property in the cities of Madison, Ridgeland, Canton, and Gluckstadt.

Mr. Smith further argued that the proposed re-zoning is consistent with the purpose, operation, and application of the Madison County Comprehensive Plan in that the Comprehensive Plan anticipates certain re-zonings, such as the subject property, while recognizing that it is nearly impossible to foresee every re-zoning. Mr. Smith argued that deviations from the Comprehensive Plan are, many times, necessary in response to actual changes in the community, and that the new intersection is a change in the neighborhood and community.

Mr. Smith next directed the Commission to and quoted from the Comprehensive Plan as stating that “[t]he Land Use Plan should not be regarded as ‘cast in concrete.’ Instead, it should be remembered that the Land Use Plan is subject to change as the County grows.” Mr. Smith argued that this is exactly what is before the Commission in that the County is growing, the Transportation Plan is being implemented, and when you have major thoroughfares intersecting, you have a need for commercial property.

Mr. Smith argued that the Applicant’s application for re-zoning represents the epitome of changes in the Comprehensive Plan that have come about through exponential growth in the County as a whole, and specifically in the area of the subject property.

Mr. Smith next argued that the Commission need only look at the Comprehensive Plan to see the changes in the neighborhood. Mr. Smith argued that there, at Tables 1-1 and 1-2 show the population growth in Madison County over the last 50 years, and double digit population growth. Particularly, from 1970 to 1980, Madison County experienced a 39% increase in population. From 1980 to 1990, Madison County experienced a 29% increase in population. From 1990 to 2000, Madison County experienced a 38% increase in population. From 2000 to 2010, Madison County experienced a 37% increase in population. From 2010 to 2020, Madison County experienced a 17% increase in population. From 2020 to 2030, Madison County is projected to have more than 128,000 people—up from 110,000 in 2020, or another increase of 15%. Mr. Smith argued that as the population continues to grow, the need for amenities and necessities offered by convenience stores will also increase. Mr. Smith pointed out that, currently, there is not a convenience store or gas station within one (1) mile of the subject property, and that the proposed use will support the long-term demand anticipated by Madison County’s population growth.

Mr. Smith argued that population growth leads to increased traffic, and that currently there are 14,000 traffic counts per day in the area of the subject property. Mr. Smith argued that in the area of Bozeman Road, the traffic count is 15,000 per day, at Industrial Drive, the traffic count is 2,200 per day, and, after the planned I-55 interchange is constructed, the traffic count is anticipated to be 63,000 per day. Mr. Smith argued that the proposed use will support the increased demand created by the extension of Reunion Parkway.

Mr. Smith next pointed out that the Applicant had submitted letters from eight (8) different individuals that either live in the immediate vicinity, or travel through there daily, and are in favor of the Applicant’s application. Mr. Smith also submitted another such letter from Kenneth R. McIntosh which is attached hereto as **Exhibit “A.”** Mr. Smith also requested that the spiral bound packet of information submitted to the Commission be included as a part of these minutes.

Mr. Smith argued that the Application, and the presentation made at the meeting, meets the criteria for re-zoning as set forth in the Madison County Zoning Ordinance, as well as Mississippi case law. Mr. Smith argued that the Application should be approved, and that the Commission should recommend that the property be re-zoned from (R-1) Residential Estate District to (C-2) Highway Commercial District.

Luke Grcich of Bradshaw Ridge Subdivision appeared in opposition. Mr. Grcich advised that he moved here 4 years ago to raise his family, and that he drives the area on a daily basis. Mr. Grcich argued that there are already three (3) gas stations and convenience stores in the Green Oak and Yandell Road areas within 1.5 miles of the subject property, and that if you go further south, there are another two (2). As such, Mr. Grcich argued that, in his opinion, there is an overabundance of gas stations and convenience stores in Gluckstadt. Mr. Grcich advised that he is not against re-zoning the property as commercial, but that he is against another gas station. Mr. Grcich argued that he desired additional businesses to support families.

Alan Henderson appeared in opposition and argued that there is currently a 2,300 sf. house on the subject property with people living in it. Mr. Henderson further argued that every person that pulls into the proposed convenience store will be looking into his yard. Mr. Henderson argued that those in favor of the re-zoning do not live in the area, and that the surrounding properties are a residential area, and that those that live there do not want a convenience store next door. Mr. Henderson argued that the Applicant already owns a convenience store on Yandell Road and that the hours of operation would be 5:30 a.m. to 11:00 p.m. with cars coming and going at all hours of the day and night. Mr. Henderson argued that convenience stores are the fourth most popular areas of crime in the United States. Mr. Henderson argued that he is not against convenience stores, but that the proposed site is the wrong place. Mr. Henderson further argued that the properties closer to I-55 would be a better place for convenience stores. Mr. Henderson further argued that convenience stores also come along with restaurants and food trucks which cause noise. Mr. Henderson argued that he will be able to see the grease trap and dumpster from his property, and will likely move if the convenience store is approved.

Barr Mackey appeared in opposition and advised that he owns property within 200 feet of the subject property, and that there is not a need for a convenience store. Mr. Mackey advised that no one has asked him, or the other property owners if there is a need for a convenience store. Mr. Mackey further argued that the character of the neighborhood has not changed and that it is still a residential area. Mr. Mackey argued that he is not against commercial, but that he does not want a convenience store.

Larissa Henderson appeared in opposition and advised that they live on the property adjacent to the subject property, that the property has been in her family since the 1920's, and that the neighborhood has not changed. Ms. Henderson argued that the surrounding property owners have cows, horses, and sheep. Ms. Henderson advised that she understands that the owners of the subject property want to sell the property, but asked that they not put a convenience store on the subject property, and that if it is approved, she will not support it.

Toby Butler of 206 Green Oak Lane appeared in opposition. Mr. Butler argued that he bought his property because it is a residential area with acreage. Mr. Butler argued that Madison County already has enough convenience stores in the area of the subject property, and reiterated the concern of crime, traffic, lighting, and disruption that comes along with convenience stores. Mr. Butler urged the Commission to not support the Application.

Nema Namati appeared in opposition and argued that placing a gas station on this site will negatively impact the community. Mr. Namati argued a recent study conducted in the southeast with comparable data to the current situation. Mr. Namati argued that gas stations offer late hours as hang out places for potential targets, deal in cash and have ATM machines on site and offer opportunities for robberies, and offer easy in and out access for criminals. Mr. Namati argued that the rate of cancer is higher in residential communities near gas stations. Mr. Namati reiterated that there are already numerous gas stations within the vicinity of the subject property and voiced his opposition to the Application.

Don McGraw, Esq. appeared representing those in opposition. Mr. McGraw argued that there has been no mistake in the original zoning. Mr. McGraw further argued that the only change in the neighborhood is the Reunion Parkway interchange tying in with Highway 51. Mr. McGraw further argued that there has been no proof offered of a public need, and that there has been proof by the objectors that there are numerous gas stations within close proximity to the proposed site. Mr. McGraw further argued that the Future Land Use Map calls for professional office commercial use on the site, that his clients do not object to same, and that there had been no proof showing that the planned use should be changed. Mr. McGraw argued that based on the Madison County Zoning Ordinance, and the Future Land Use Map, the Application should be denied.

Michael Bentley, Esq. appeared on behalf of the City of Madison and Mayor Mary Hawkins-Butler. Mr. Bentley argued that the City of Madison is approximately 3/10ths of a mile from the subject property. Mr. Bentley further argued that in order to approve a re-zoning application, there has to be proof of an actual change in the character of the neighborhood, and not merely future projections about possible change. Mr. Bentley further argued that there has to be proof of public need because re-zoning disrupts the lives of those that live in the area. Mr. Bentley argued that the Applicant must prove the elements for re-zoning by clear and convincing evidence, and that means that if it is a close question, the Commission should deny the application.

Mr. Bentley argued that the neighborhood is residential, and in spite of the Reunion Parkway interchange, the area has remained residential. Mr. Bentley argued that a re-zoning of the property to C-2 would not be consistent with the current neighborhood, and that case law is clear that use consistent with the re-zoning is not a reason to re-zone. Mr. Bentley further argued that there is no public need for the re-zoning of the property as there is an abundance of gas stations; however, if there is a public need, there are other properties nearby that are better suited for the proposed use. Mr. Bentley further argued that those in support of the Application are commuters, and do not live in the neighborhood.

Mr. Bentley argued that the proposal is carving out a tiny island of commercial property in a residential area, and is classic spot zoning. Mr. Bentley argued that this is not a reason to re-zone, and is a reason not to re-zone.

Mr. Smith reappeared and advised that he is the former Planning & Zoning attorney for the City of Ridgeland and that he has vast experience in zoning matter. Mr. Smith advised that he has seen a lot of growth in Madison County, and that he has not seen any vacant convenience stores or any convenience stores going out of business. Mr. Smith argued that this is not about convenience stores, but rather is about whether the property should be re-zoned from R-1 to C-2 as it is on a major thoroughfare and Highway 51. Mr. Smith urged the Commission to look at other major thoroughfares in the County, State, and Country, and they would see C-2 zoning. Mr. Smith further argued that he has looked at every major thoroughfare in the City of Madison, and found C-2 zoning immediately adjacent to residential zoning. Mr. Smith reminded the Commission that just last year, Madison County re-zoned 350 acres on the west side of I-55 along Reunion Parkway and Bozeman Road to C-2, and that this Application is consistent with that re-zoning.

Daniel Wooldridge appeared as the architect for the Applicant. Mr. Wooldridge argued that the character of the neighborhood has physically changed with the installation of the traffic light at Highway 51 and Reunion Parkway within the last two years. Mr. Wooldridge argued that this will continue to change the neighborhood as people will now be stopping at the traffic light, and entering and exiting I-55. Mr. Wooldridge advised that they had taken into account that the convenience store would be utilizing entrance and exit onto Reunion Parkway and not onto Highway 51. Mr. Wooldridge further argued that there is no driveway or access on the rear of the property, and that the canopy would be on the front of the property, so those to the south would not see any grease traps or dumpsters, and only the rear of the building.

Alan Henderson reappeared and argued that the traffic coming and going from the convenience store would be shining lights directly onto his property.

Luke Greich reappeared and argued that there is already a commercial location closer to I-55 to serve those desiring a convenience store. Mr. Greich reiterated that there is no need for another convenience store. Mr. Greich argued that the most fundamental change will be the addition of a gas station if approved.

Upon motion by Commissioner Sumerall to deny the Application of Yandell Shell LLC to Re-Zone certain property from its current designation of (R-1) Residential Estate District to (C-2) Highway Commercial District, seconded by Commissioner Brown, with all voting "aye," the motion to deny the Application of Yandell Shell LLC to Re-Zone certain property from its current designation of (R-1) Residential Estate District to (C-2) Highway Commercial District, passed.

There next came on for consideration, the Application of Sam Hilary Livingston, IV to Re-Zone certain property from its current designation of (A-1) Agricultural District to (C-2) Highway Commercial District. The subject property is located at 2335 Sharon Road, and is in Supervisor District 5.

Jim Crews, Esq. appeared on behalf of the Applicant. Mr. Crews advised that Mr. Livingston is the owner of Mason Dixon Kennels, LLC located on the subject property which is a professional dog training facility specializing in training for field trials, hunting and obedience. Mr. Crews advised that Mr. Livingston's dogs have won many awards in field trials, and that he has employed many young people with income and teaching responsibility. Mr. Crews stated that Madison County prides itself on being pro-business and that Mason Dixon is an asset to the County.

Mr. Crews provided the Commission with a packet of information on Mason Dixon Kennels, LLC, and such packet is attached hereto as **Exhibit "B."**

Mr. Crews advised that he understood there is some objection to the Application based on periodically barking dogs. Mr. Crews advised that he can't hide from the fact that dogs bark. But, Mr. Crews also pointed out that there are other dogs in the area that also bark. Nonetheless, Mr. Crews advised that Mr. Livingston desired to be a good neighbor, and did not want to pose a situation that would disturb his neighbors. In that regard, Mr. Crews advised that Mr. Livingston had engaged Venture Construction Company to draw a site plan that would include enclosing and sound-proofing the kennels in order to alleviate the concern at a cost of approximately \$125,000.00. Mr. Crews submitted the site plan to the Commission. Such site plan is on file with the Madison County Planning & Zoning office.

Mr. Crews advised that when Mr. Livingston purchased the subject property, he relied on his realtor's advice that the subject property was suitable for kennel use. However, Mr. Livingston later learned that A-1 is not the appropriate designation for such use. As such, Mr. Crews requested that the Commission re-zone the property to a C-2 designation in order that Mr. Livingston may continue his business. Mr. Crews advised that the property is approximately +/-18 acres and that the kennel is located on the extreme north tip of the property. Mr. Crews advised that they had filed the re-zoning on the entire property on a procedural basis, but that in reality, they only need +/-3 acres, and were not planning on any additional buildings. Mr. Crews advised that they would certainly amend their Application and submit a survey as needed.

Mr. Crews argued that the property immediately north of the subject property at the intersection of Sharon Road and Stump Bridge Road is zoned as C-2. Mr. Crews provided the Commission with a map depicting such property, and such map is attached hereto as **Exhibit "C."** Mr. Crews argued that the neighborhood has already changed, and the C-2 is an appropriate designation for the subject property. Mr. Crews further argued that just across road from the subject property is a framed and planned community center, and that just down the road is a fire station. As such, Mr. Crews argued that the subject property is not entirely agriculturally situated.

Mr. Crews further argued that based on his research, he has found at least one other property operating as a kennel in an A-1 designated areas. Mr. Crews provided the Commission with a map of that property, and such map is attached hereto as **Exhibit "D."** Mr. Crews advised that he is not seeking any type of trouble, but merely wanted to point out that enforcing the ordinance against Mr. Livingston, but not the owner of the other property being used as a kennel is a violation of the equal protection afforded by the state and federal constitutions.

Mr. Crews advised that he was simply seeking a re-zoning of Mr. Livingston's property to C-2 to allow Mr. Livingston to continue his business while not disturbing his neighbors.

In response to questions from Commissioner Sumerall, Mr. Crews clarified that the Application is to re-zone +/-18 acres, but in actuality, only +/-3 acres is needed. Mr. Crews further clarified that there is no proposal for additional buildings, and only to enclose and soundproof the existing kennels. Mr. Crews further clarified that the property to the immediate north and which is currently zoned as C-2 is a closed store and that Mr. Livingston had attempted to purchase same, but that it was heirship property with no immediate marketability.

Steve Harris appeared in opposition. Mr. Harris advised that he lives on the property immediately adjacent to the subject property and that he has been complaining for two (2) years. Mr. Harris advised that the dogs bark continuously, prevent him from sleeping, and that the use is illegal.

Marjorie Davis appeared in opposition. Ms. Harris advised that she is an adjacent property owner and is against the Application as she believes it will lower property values of the adjacent properties. Ms. Davis argued that application would open a Pandora's Box as to future use of the property if the Applicant should move. Ms. Davis inquired as to the Applicant's justification for re-zoning, and what the compelling needs to justify the re-zoning. Ms. Davis argued that the subject property is mostly residential and consists of mostly retirees that have returned to Mississippi. Ms. Davis argued that the residents of the area desire to have peace and tranquility in the enjoyment of their residential property. Ms. Davis argued that there is no reasonable justification to change the neighborhood by re-zoning the subject property.

Alonzo McGruder appeared in opposition and on behalf of property owners adjacent to the subject property. Mr. McGruder argued that the existing kennel is already illegal, and that he takes exception to the Applicant now seeking to re-zone. Mr. McGruder took exception to the Applicant seeking to take a stray dog to the pound while the dogs in his kennel are barking. Mr. McGruder complained about the continuing barking of the dogs in the Applicant's kennel.

Mary McGruder appeared in opposition. Ms. McGruder argued that the character of the neighborhood has not changed. Ms. McGruder further advised that the metal building as a community event center has been on the property for at least 20 years, and that the aforementioned store has not been in operation for at least 15 years. Ms. McGruder complained about the constant barking of the dogs that she can hear from her property and expressed her opposition.

Calvin Garrett appeared in opposition. Mr. Garrett advised that the metal building across the street from the subject property is owned by a non-profit organization for the community betterment. Mr. Garrett advised that he and his wife chose to move to the area to enjoy space, peace and quiet. Mr. Garrett advised that he lives approximately ¼ mile from the kennel, but can hear the dogs barking and is opposed to the re-zoning.

Darren McGruder appeared in opposition and advised that he works in mental health. Mr. McGruder asked the Commission to close their eyes for a "grounding exercise" and then made a

loud burst of noise to demonstrate the interruption of peace that he experiences with the barking of the dogs and disruption of his and his children's lives.

Seqora Goins appeared in opposition. Ms. Goins advised that she works at night and that they disturb her when she is trying to sleep. Ms. Goins argued that the noise of the dogs echoes and that she is fearful for her grandchildren playing in the yard.

Calvin Smith appeared in opposition. Mr. Smith advised that his wife likes to walk and that she is scared of the dogs while walking.

Upon motion by Commissioner Brown to deny the Application of Sam Hilary Livingston, IV to Re-Zone certain property from its current designation of (A-1) Agricultural District to (C-2) Highway Commercial District, seconded by Commissioner Sumerall, with all voting "aye," the motion to deny the Application of Sam Hilary Livingston, IV to Re-Zone certain property from its current designation of (A-1) Agricultural District to (C-2) Highway Commercial District, passed.

There next came on for consideration, the Application of Peter and Mireille DeBeukelaer to Re-Zone certain property from its current designation of (A-1) Agricultural District to (R-1A) Single Family Residential District. The subject property is located on Gus Green Road, and is in Supervisor District 2.

Walter Wilson, Esq. appeared on behalf of the Applicant. Mr. Wilson advised that the Applicant is seeking to re-zone +/-17 acres from A-1 to R-1A in order to construct approximately 20 homes with approximately 7/10 acres for each home. Mr. Wilson advised that all of the surrounding properties are zoned residential and that the owner has been building homes in Madison County for approximately 30 years.

Mr. Wilson advised that the Applicant will pay for any repairs to Gus Green Road for any damage done during the construction and development of the property.

In response to question from Administrator Weeks, Tom Bobbitt, landscape architect for the project, advised and clarified as to the location of the sewer for the project.

Desiree Green Seals appeared and inquired as to how this will affect the taxes on her property. Attorney Clark advised that her property is taxed on how it is used and that adjacent property will not be effected by re-zoning of adjacent property. Ms. Seals expressed concern over the long term implications of the re-zoning, taxation on her property, and opposed the re-zoning.

Solomon Green, Jr. appeared and advised that he had seen the re-zoning sign up, and did not know where the re-zoning was going on, but that he did not believe it was for his good, and was for someone else's good. Mr. Green advised that he knew construction was going on, but that he did not know where, and only knew that trucks were coming through his neighborhood all day.

Mr. Wilson reiterated that the Applicant would pay for any road damage during construction, and noted that this is only twenty (20) home sites, and would not significantly impact traff.

Upon motion by Commissioner Sumerall to approve the Application of Peter and Mireille DeBeukelaer to Re-Zone certain property from its current designation of (A-1) Agricultural District to (R-1A) Single Family Residential District, seconded by Commissioner Brown, with all voting “aye,” the motion to approve the Application of Peter and Mireille DeBeukelaer to Re-Zone certain property from its current designation of (A-1) Agricultural District to (R-1A) Single Family Residential District, passed.

There next came on for consideration the Application of the Mega Site Cell Tower for a Conditional Use for a Cell Tower. The subject property is located at the Madison County Mega Site on Madison County Parkway and is in Supervisor District 4.

Mike Jarvis and Belinda Bodie with Neal Schaffer appeared as the Applicant. Ms. Bodie advised that they are seeking a conditional use to construct a cell tower for up to four (4) carriers. Ms. Bodie advised that this will improve cell coverage, and Mr. Jarvis advised that AT&T have signed on to provide service, and that CSpire and Verizon are in the works.

Upon motion by Commissioner Sumerall to approve the Application of the Mega Site Cell Tower for a Conditional Use for a Cell Tower, seconded by Commissioner Brown, with all voting “aye,” the Application of the Mega Site Cell Tower for a Conditional Use for a Cell Tower, passed.

There next came on for consideration, the need to close the public hearing. Upon motion by Commissioner Sumerall 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, 2024 meeting. January 9, 2024, was suggested. Upon motion by Commissioner Sumerall, seconded by Commissioner Brown, with all voting “aye,” the motion to set the January, 2024 meeting for January 9, 2024, was approved.

With there being no further business, the December 12, 2024, meeting of the Madison County Planning and Zoning Commission was adjourned.

Date

Dr. Keith Rouser, Chairman

12/11, 2024

To Whom It May Concern:

I live ~~in/on~~ ^{land that fronts} ~~the new parkway~~ the intersection of Highway 51, Green Oak Lane, and Reunion Parkway. The extension of Reunion Parkway and addition of a stoplight at this intersection is greatly appreciated by me and my neighbors. I commute through this intersection almost daily, and I believe that adding a convenience store at this intersection would be a huge benefit to the area by providing us a much closer "pit-stop" on our way home.

I was delighted to hear of the plans for this convenience store, and I support and recommend approval for its construction.

Sincerely,



[name]

Kenneth R. McIntosh

[address]

143 Lansbury Way Madison, MS 39110

[phone]

601-720-7608



MASON DIXON KENNELS, LLC

SAMUEL LIVINGSTON



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MASON DIXON KENNELS, LLC

Mason Dixon Kennels, LLC is located in Canton, Mississippi on 19 fenced-in acres. Our facility is surrounded with multiple training ponds and large fields to train our dogs. We specialize in training gundogs, competitive field trial retrievers, and basic obedience for all breeds. All kennels are enclosed concrete slabs that are cleaned and sterilized daily. Our employees are trained to produce high quality driven dogs and are all highly motivated individuals. Every dog that comes for training must provide proof of a Bordetella vaccination, heart-worm preventative to be distributed as well as flea and tick preventative. Every client will receive a Mason Dixon Kennels, LLC Waiver to review and sign before services are provided.



In 2015, Mason Dixon Kennels, LLC was first established being located outside of Starkville, Mississippi. Samuel Livingston started this business about ten years ago, in an effort to pay his way through college while earning his business and forestry degree at Mississippi State University. Today, Mason Dixon Kennels has grown tremendously. We have been fortunate enough to call Canton, Mississippi home since June of 2019.

Mason Dixon Kennels, LLC has employed many Madison County citizens with jobs. These employees have ranged from students enrolled at Canton Academy High School, locals from Sharon, Mississippi, and even some of its surrounding neighbors.

We have made relationships with businesses and people located all throughout Madison County areas and all over Mississippi. Our business has brought many people throughout Mississippi and traveling from other states to Canton, by supporting local businesses while dropping off, picking up, and visiting their pet. Additionally, Mason Dixon Kennel's supports many local businesses in the area on a daily basis. To name a few, Canton Animal Hospital, Tractor Supply, Madison County Co-Op, Phillips Lumber, and Sharon Corner Store.

The clients of Mason Dixon Kennels, LLC mostly are residents of Madison County and other surrounding counties. In addition to training dogs across the state of Mississippi, we also have clients from all over the country, such as New York, Maryland, Louisiana, Arkansas, Tennessee and more, who all have trusted and chosen Mason Dixon Kennels for the care and services we provide.



For the past several years, Mason Dixon Kennels, LLC has ranked in the top 20 of the most AKC Master passes out of hundreds of competing trainers and kennels throughout the country. We proudly have raised and trained a female retriever, Journey, who holds title as the youngest Grand Hunting Retriever Champion in the country. Additionally, we have trained over 20 dogs who have received titles as Hunting Retriever Champions and Master Hunters.



REVIEWS & TESTIMONIALS



Robert Campbell

1 review · 4 photos

★★★★★ 2 years ago

Best trainer I've ever used. Dropped off my 5 month old Lab and 3 months later she came back a seasoned and obedient hunter. Sam uses live ducks to train and has plenty of land and water to make them come back some BA bird dogs. They are very caring and attentive to the dogs and great at keeping in contact with the owners. I live in Dallas and fully believe it was worth the trip to have her train with Mason Dixon Kennels. 10/10 highly recommend.



Mary Rea

3 reviews

★★★★★ a year ago

Best dog trainer around!



Dawson Doucet

3 reviews

★★★★★ 3 years ago

Hands down best dog trainers around. Extremely obedient Jam up duck dogs. Sam truly has a God given talent.



Tyler Fletcher

Mason Dixon Kennels with **Samuel Livingston** is the only person I'd bring my dog to. He and his team are top notch and are a proven program. Both in the field and competition world

11h Love Reply



Chris Goss

Local Guide · 33 reviews · 3 photos

★★★★★ a year ago

SUPER awesome experience!! Samuel really knows his stuff!! Couldn't be happier with how far he has brought my dog over the last 4 months. Take yours to him, and you WON'T be disappointed.



Logan Sears Havard recommends **Mason Dixon Kennels.**

Feb 28, 2020 · 🌐

Anyone looking for a dog trainer, whether it's obedience or retriever/gun dog training, Sam Livingston is your guy!!! We just picked Dax up from three months of training & we couldn't be more pleased with his progress. Sam truly puts his heart into what he does & loves every dog like they're his own. He is so proud when they succeed and always encourages them. Any questions or concerns we had, he was ALWAYS so quick to reply or call. We highly recommend Mason Dixon Kennels !!! Thank you for everything Sam, especially for your patience with our crazy pup 🐶

#MDK 🦆🐶
FIVE STARS ★★★★★



Patrick McIntire

Mason Dixon Kennels & **Samuel Livingston** would be my only choice. He goes above and beyond to see your k9 succeed in whatever you are wanting for them as an end goal, from obedience to master level retrieval. Him & his kennel are top notch, with proven history of accomplishments, would be my highest recommendation

11h Love Reply



Jimmy Eaton

Mason Dixon Kennels hands down. They bred and trained my dog he's a beast.

4h Love Reply



REVIEWS & TESTIMONIALS



Amanda Foster Coleman recommends **Mason Dixon Kennels.**

Jun 22, 2021 · 🌐

We brought our Golden doodle home this weekend after 7 weeks of obedience training. Tucker is still a spirited and loving dog, but he will now obey my 6 year old son. Thank you, Dawson and Sam, for your help!!



chipper leech
1 review · 1 photo

★★★★★ 3 years ago

Positive

Responsiveness, Reliability, Quality, Professionalism, Value



Anne DelPapa recommends **Mason Dixon Kennels.**

Jul 7, 2019 · 🌐

I have a great puppy from this kennel. He is so smart and beautiful! Just took him swimming for the first time (6 months old) and he swam like a pro! Such a great dog!!! Thanks so much for Jack!!

👍 Lacey Houston + 1

1 share



Marcus Dodd recommends **Mason Dixon Kennels.**

Feb 26, 2019 · 🌐

Sam is absolutely amazing with dogs. My lab is a completely different dog.



Christi C. Turnage recommends **Mason Dixon Kennels.**

Dec 9, 2019 · 👥

We sent Sadie to Sam for training and while she is not a lab that wants to hunt, she is a golden doodle who had a stubborn streak. She came back so much better. She has a great understanding of basic commands and is retrieving multiple toys. So thankful for the time she spend with Sam! Highly recommend:-)



Claudia Salihu Adams recommends **Mason Dixon Kennels.**

Jul 10, 2021 · 🌐

Awesome JOB WITH OUR MAXX. NO LEASH HOLDING. IN THE FRONT YARD AS PEOPLE IS OUT. AND HE STILL IS FOCUS. NO CHASING NO BARKING.



Bailey White
1 review

★★★★★ 3 years ago

Sam and Dawson are not only great people but they have done an amazing job with my pup. They have have had her for 4 months ,goin on her 5th, and my expectation has been surpassed. Would highly recommend these guys.

MASON DIXON KENNELS, LLC

RECOGNITIONS



Crash

Owned by Ty Young of Owensboro, Kentucky



Happy

Owned by John and Amanda Polles, owners of Polles Properties in Madison, MS. Happy has earned her HRCH and MH title while being at MDK.



Mocha

Owned by Jeff Cox, owner of Birdsong Construction of Clinton, MS



Otis

Owned by Tim Tharp of Brandon, MS. Youngest Master Hunter trained at MDK.



Char

Owned by Keith McMinn of Sturgis, MS. He has earned his Grand Hunting Retriever Champion title and Master National Retriever. He is very close to going into the Hall of Fame



Babe

Owned by Blake Kiff of Grand Isle, LA. She has earned her Master Hunter and HRCH title at MD



Georgia

Owned by Leighton Davis of Madison, MS. She has earned her Grand Hunting Retriever Champion and Master Hunter Title at MDK



Journey

Owned by Penny Fore of Gulfport, MS. She is the youngest GRHRCH ever titled in the country.

**Herman Sutton property
2369 Sharon Road
Canton, MS 39046
Madison County Tax Parcel No. 103F-13-
006/01
Zoning Classification C-2**

***This property is immediately north of and
adjoining the Livingston property.**



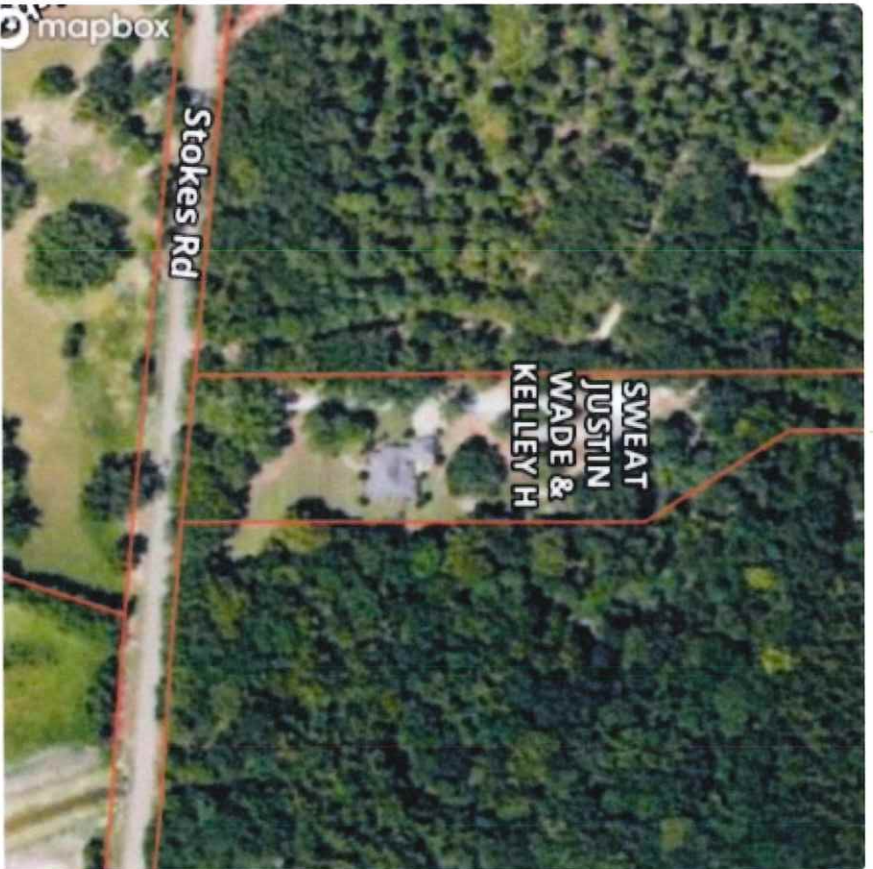


Herman Sutton
2369 Sharon Road
Canton, MA 01030

**Justin and Kelley Sweat Property
1790 Stokes Road
Canton, MIS 39046
Madison County Tax Parcel No. 92D-19-
003/02.00
Zoning Classification A-1**

This property is operating a dog kennel which appears to be in violation of the Madison County Zoning Ordinance. The lack of enforcement of the Zoning Ordinance against this property constitutes a violation of the equal protection rights of Sam Hilary Livingston.





Justin and Kelley Sweat
1790 Stokes Road
Canton, MS 39046
Tax parcel no. 92D-19-003/02.00
Zoned A-1