

**MINUTES OF THE MEETING OF THE MADISON COUNTY
PLANNING AND ZONING COMMISSION HELD AND CONDUCTED ON
THURSDAY, THE 14th DAY OF AUGUST, 2025 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 14th day of August, 2025, at 9:00 a.m. in the Madison County Complex Building.

Present: Dr. Keith Rouser
 Jean McCarty
 Rev. Henry Brown
 Amanda Myers

Scott Weeks, Planning and Zoning Administrator

Absent: Mandy Sumerall

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 July 10, 2025, meeting of the Commission. Upon motion by Commissioner McCarty, seconded by Commissioner Brown, with all voting “aye,” the July 10, 2025, minutes of the Planning and Zoning Commission were approved.

There next came on for consideration the site plan of Bob Lloyd/Movietown for an addition to existing building. The subject property is located on Virililia Road and is in Supervisor District 4.

Nick Newcomb appeared on behalf of the Applicant and advised that they are seeking approval of a site plan for expansion of the current office on site to include a new laundry room and covered picnic area off the back of the building. Upon question from Commissioner McCarty, Mr. Newcomb advised that the addition is approximately 1,000 sf. and that current parking is adequate for the current building and proposed addition.

Upon motion by Commissioner McCarty to approve the site plan of Bob Lloyd/Movietown for an addition to existing building, seconded by Commissioner Myers, with all voting “aye,” the motion to approve the site plan of Bob Lloyd/Movietown for an addition to existing building was approved.

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

There next came on for consideration the Application of Lloyd G. Spivey/Lyon Excavation for a Conditional Use for a mining operation. The subject property is located on Highway 43 North and is in Supervisor District 5.

Scott Lyon of Lyon Excavation appeared as the Applicant. Mr. Lyon advised that he has been mining at the site under a four (4) acre or less exempt permit, but is now applying for a larger permit.

Upon motion by Commissioner Brown to approve the application of Lloyd G. Spivey/Lyon Excavation for a Conditional Use for a mining operation, seconded by Commissioner Myers, with all voting “aye,” the motion to approve the Application of Lloyd G. Spivey/Lyon Excavation for a Conditional Use for a mining operation was approved.

There next came on for consideration the Application of Tower LLC d/b/a Vertical Bridge for a Conditional Use for a cell tower (site plan included). The subject property is located at 1933 Cox Ferry Road and is in Supervisor District 4.

David McGee appeared on behalf of the Applicant. Mr. McGee advised that Applicant is seeking to build a 280’ self-supporting wireless communications tower. Mr. McGee advised that this is a build-to-suit tower for Verizon wireless to provide better coverage over the area. Mr. McGee advised that the nearest tower to the proposed site is approximately 3.5 miles to the south. Mr. McGee advised that the proposed tower meets Verizon’s criteria, but also has room to add other carriers in the future. Mr. McGee advised that the tower would be lit, but the lighting would turn to red at night so as not to disturb adjacent property owners. Upon question from Attorney Clark, Mr. McGee advised that there was no objection to communications equipment being placed on the tower to serve Madison County law enforcement and first responders.

Upon motion by Commissioner McCarty to approve the Application of Tower LLC d/b/a Vertical Bridge for a Conditional Use for a cell tower (site plan included), seconded by Commissioner Brown, with all voting “aye,” the motion to approve the Application of Tower LLC d/b/a Vertical Bridge for a Conditional Use for a cell tower (site plan included), was approved.

There next came on for consideration the Application of Brandon Keel to re-zone certain property from its current designation of (R-1) Residential Estate District to (R-1A) Single Family Residential District. The subject property is on North Old Canton Road, and is in Supervisor District 5.

Neill Bryant, Esq. and Brandon Keel appeared as the Applicant. Mr. Bryant recounted the previous objections raised by residents of Denson Farms Subdivision at the June 2025 Commission meeting, and announced that a resolution had been reached with the Applicant agreeing to a 45’ no cut buffer along the entire length of the east side of the subject property where it adjoins Denson Farms Subdivision. Mr. Bryant read the terms of the Agreement into the record, as follows:

- 3,000 sf. minimum house size;

- 45' no cut buffer along the entire length of the east side of the subject property where it adjoins Denson Farms Subdivision (to be included in deeds of conveyance);
- No trees with a diameter of 6" or greater may be removed from the no cut buffer;
- For lots without trees greater than 6" diameter in the buffer zone, at Developer's option, said buffer zone may be 1) left undisturbed, or 2) mulched/cleared and 3' tall evergreen hedgerow to be maintained by the lot owner.

In response to question from Mr. Bryant, Attorney Clark advised that if the proposed rezoning is approved with the above conditions, then such becomes a condition to the rezoning, and thereby binding upon subsequent purchasers or developers as part of the zoning of the subject property. Mr. Bryant advised that the same conditions would be included in deeds to lots sold, and covenants to be placed on the property so as to run with the land.

Ronny Lott appeared in his personal capacity and advised that there had been an agreement reached as to the west side of the subject property, and Mr. Bryant clarified that there will be a 10' no cut buffer inside the 25' setbacks of the lots adjoining other properties to the west of the subject property, and that these restrictions will also be included in deeds to lots sold, and covenants to be placed on the property so as to run with the land.

Upon motion by Commissioner Myers to approve the Application of Brandon Keel to re-zone certain property from its current designation of (R-1) Residential Estate District to (R-1A) Single Family Residential District, with the restrictions on the east and west sides of the subject property set forth above as a condition to rezoning, and to be included in deeds to lots sold, and covenants to be placed on the property so as to run with the land, seconded by Commissioner McCarty, with all voting "aye," the motion to approve the Application of Brandon Keel to re-zone certain property from its current designation of (R-1) Residential Estate District to (R-1A) Single Family Residential District, with the restrictions on the east and west sides of the subject property as a condition to rezoning, and to be included in deeds to lots sold, and covenants to be placed on the property so as to run with the land, was approved.

There next came on for consideration the Application of Brandon Keel to remove 2 acre restrictions on R-1A zoning. Mr. Bryant restated and incorporated all of his statements, agreements and conditions into his Application.

Upon motion by Commissioner McCarty to approve the Application of Brandon Keel to remove 2 acre restrictions on R-1A zoning, with the restrictions on the east and west sides of the subject property set forth above as a condition to removing the 2 acre restrictions, and to be included in deeds to lots sold, and covenants to be placed on the property so as to run with the land, seconded by Commissioner Myers, with all voting "aye," the motion to approve the Application of Brandon Keel to remove 2 acre restrictions on R-1A zoning, with the restrictions on the east and west sides of the subject property set forth above as a condition to removing the 2 acre restrictions, and to be included in deeds to lots sold, and covenants to be placed on the property so as to run with the land, was approved.

There next came on for consideration, the Application of Grace Chapel M.B. Church for a Conditional Use for a church (site plan included). The subject property is located on Harris Road and is in Supervisor District 4.

Jessie Hambrick appeared on behalf of the Applicant and advised that they are seeking to build a church on the subject property.

Upon motion by Commissioner McCarty to approve the Application of Grace Chapel M.B. Church for a Conditional Use for a church (site plan included), seconded by Commissioner Brown, with all voting “aye,” the motion to approve the Application of Grace Chapel M.B. Church for a Conditional Use for a church (site plan included), was approved.

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

There next came on for discussion, the setting of the September 2025 meeting. September 11, 2025, was suggested. Upon motion by Commissioner Brown, seconded by Commissioner Myers, with all voting “aye,” the motion to set the September 2025 meeting for September 11, 2025, was approved.

With there being no further business, the August 14, 2025, meeting of the Madison County Planning and Zoning Commission was adjourned.

Date

Dr. Keith Rouser, Chairman