

**MINUTES OF THE MEETING OF THE MADISON COUNTY
PLANNING AND ZONING COMMISSION HELD AND CONDUCTED ON
THURSDAY, THE 10th DAY OF AUGUST, 2017 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 10th day of August, 2017 at 9:00 a.m. in the Board Room of the Madison County Chancery and Administrative Building.

Present: Walter McKay
 Dr. Bill Howard
 Rev. Henry Brown
 Larry Miller
 Don Drane
 Carl Allen, Planning and Zoning Administrator

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

There first came on for consideration the minutes of the July 13, 2017 meeting of the Commission. Upon motion by Commissioner Brown to approve the minutes, seconded by Commissioner Howard, with all voting "aye," the motion to approve the July 13, 2017 minutes passed.

There next came on for consideration to open the public hearing for various matters. Upon Motion by Commissioner Brown 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 petition for a conditional use by Danny Murphy to operate a dirt pit of 4 acres or less located at 2886 Highway 43 North. No one was present to represent the petition. Upon motion by Commissioner McKay to table the matter, seconded by Commissioner Brown, with all voting "aye," the motion to table the petition for a conditional use passed.

There next came on for consideration the petition for a conditional use and site plan by Barnett's Body Shop for the outdoor storage of vehicles. Tim Williams with Peeples Construction and Jim Barnett appeared on behalf of the petition. They explained the need for the petition. Pursuant to questions by the Commission, the following conditions were agreed to by the petitioner: 1) a ten (10) foot construction easement which has been requested but written approval must be given prior to the presentation of this petition to the Board of Supervisors; 2) a solid eight (8) foot fence will need to be placed like what is being done by Capitol Body Shop to provide adequate screening from public view; and 3) exterior lighting, both pole and wall mounted, will be downward facing. Upon motion by Commissioner Drane to approve the petition pursuant to these 3 conditions as listed herein, seconded by Commissioner Miller, with all voting "aye," the motion to approve the

petition for a conditional use passed. Upon motion by Commissioner Drane 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 and discussion the proposed text amendments to the Madison County Zoning Ordinances attached hereto as Exhibit “A.” Those were read during the meeting and discussed in detail. Questions were taken by those in attendance. A discussion was had regarding the request to change the fifteen (15) day notice to adjoining landowners to thirty (30) days. Upon motion by Commissioner Howard to make the change the language from fifteen (15) days to thirty (30) days in section 2606.05, seconded by Commissioner Drane, with Commissioners Howard, Drane, Miller and Brown voting “aye,” and Commissioner McKay abstaining from voting, the motion to make that change passed.

Commissioner Howard left the meeting following this vote at 10:00 A.M. due to a scheduling conflict. Following further discussion, a vote was taken on the text amendment changes. Upon motion by Commissioner McKay to approve the text amendments in Exhibit “A” with the change to 30 days in section 2606.05, seconded by Commissioner Drane, with all voting “aye,” including the proxy vote for Commissioner Howard by Commissioner Miller, the motion to approve the text changes passed.

There next came on for consideration a motion to close the public hearing. Upon Motion by Commissioner Miller to close the public hearing, seconded by Commissioner Brown, with all voting “aye,” the motion to close the public hearing passed.

There next came on for consideration the site plan for a new business, Lake Caroline Storage Facility. Daniel Wooldridge appeared on behalf of the petitioner. Greg Hopping is the owner and he also appeared on behalf of the petition. They explained the history in that they obtained approval for this site plan in 2007. The only change to the property since that time involves Entergy widening their power line easement by this property. They have redesigned the building in light of that fact and it now is smaller. It was discussed that they would need a conditional use for any outside storage of vehicles. It was also discussed that they would need written permission to park under those power lines from Entergy. They explained that the appearance was to be like a horse barn. It was discussed that they also needed something in writing from CMU for the file.

Steve Smith, representing the Lake Caroline HOA, addressed the Commission next. He explained that the HOA is opposed to this site plan. He noted the changes in amount of outside storage on this new plan. He noted that outdoor storage was supposed to be in the rear of the property and they don’t have room in the rear for any storage. He questioned whether storage facilities should be allowed in C-2 because they aren’t specifically listed in the permitted uses. He said that the HOA at best thought this was premature and they would need to get a conditional use prior to moving forward. Nancy Lang in Martinique addressed the Commission and noted that she was on the Board for the HOA and also resides near this property. She is a real estate broker and felt like this would harm property values in the area, and it wasn’t the highest and best use of the property. Upon Motion by Commissioner McKay to table the site plan pending further information as discussed today and a more detailed site plan, seconded by Commissioner Miller, with all voting “aye,” the motion to table the site plan passed.

There next came on for discussion whether the Commission would hear petitions if no one was present representing them. Commissioner Drane noted that our zoning ordinances at 2608.03 stated that all petitions must be represented. Commissioner Drane inquired why neither the commission attorney nor any other member of the commission had noted the absence of a petitioner at the prior meeting and why the measure was allowed for a vote and subsequent passage in conflict with the specific language of this zoning ordinance. Commissioner McKay, as the commission chair, stated that they would abide by the language and not vote on any matters in the future where someone was not present to represent the petition.

There next came on for discussion the setting of the September, 2017 meeting/public hearing. The second Thursday in September, being September 14, 2017, was discussed as the best option and agreed to by those present.

With there being no further business, the August 10, 2017 meeting was adjourned.

9-14-17

Date



(Chairman)