

**MINUTES OF THE MEETING OF THE MADISON COUNTY  
PLANNING AND ZONING COMMISSION HELD AND CONDUCTED ON  
THURSDAY, THE 9<sup>th</sup> DAY OF AUGUST, 2018 AT 9:00 A.M. AT THE  
MADISON COUNTY COMPLEX BUILDING**

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**BE IT REMEMBERED** that a meeting of the Madison County Planning and Zoning Commission was duly called, held and conducted on Thursday, the 9<sup>th</sup> day of August, 2018 at 9:00 a.m. in the Board Room of the Madison County Chancery and Administrative Building.

Present:       Larry Miller  
                  Walter McKay  
                  Rev. Henry Brown  
                  Bill Billingsley  
                  Dr. Bill Howard

Scott Weeks, 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 12, 2018 meeting of the Commission. Upon motion by Commissioner Howard to approve the minutes, seconded by Commissioner Miller, with all voting "aye," the motion to approve the July 12, 2018 minutes passed.

There next came on for consideration to open the public hearing for items to be considered. Upon Motion by Commissioner Miller to open the public hearing, seconded by Commissioner Billingsley, with all voting "aye," the motion to open the public hearing passed.

There next came on for consideration of the petition of Fastenal for a variance located at Old Jackson Rd. The site plan is included for a new business. The property is zoned I-2 Industrial. Bob Weaver is a contractor for the site. He explained that the zoning ordinances allow for 35 feet but due to the type of business and equipment needed, they are asking for a variance to the height restriction of up to 40 feet in one portion of the building and 55 feet in another portion of the building. Several representatives from Fastenal explained the plans for the growth of the business at this location. Commissioner McKay inquired about the materials and he explained the walls would be expandable metal and the permanent walls would be masonry or concrete. The building will be textured metal paneling and the surrounding will be well landscaped. Upon motion by Commissioner Billingsley to approve the variance, seconded by Commissioner Howard, with all voting "aye," the motion to approve the petition for a variance passed.

There next came on for consideration the site plan of Fastenal. Upon Motion by Commissioner Howard to approve the site plan contingent upon approval by the County Engineer as to drainage, seconded by Commissioner Miller, with all voting "aye," the motion to approve the site plan passed.

There next came on for consideration the petition of Brian Sartain for a variance on the front and rear setbacks of property located at 343 Catlett Rd. The property is zoned R-5 Residential. Mr. Sartain appeared and stated that he is requesting a variance of 15 instead of 25 feet to the front setback and 10 instead of 20 feet to the rear setback. He explained that all lots may not need it but he's asking for it to apply to all lots. He explained that he needed this setback to be able to build the size homes needed on those lots. Upon Motion by Commissioner Billingsley to approve the petition for a variance, seconded by Commissioner Miller, with all voting "aye," the motion to approve the variance passed.

There next came on for consideration the petition of Ricky Norton to rezone property from R-1 Residential to C-1 Commercial. The property is located at 2220 Hwy 51 in Canton, MS on the corner of Hwy 51 and Sowell Rd. East. Don McGraw, Esq. appeared on behalf of the petition. He explained that there had been a change in the character of the neighborhood because of the commercial development in the area, including C-2 Commercial which is directly across the street. He also explained that there was a public need for more C-1 which is more like office space type businesses. Judge Hunter next addressed the Commission and explained that she lived next door behind the church at 124 E Sowell Rd. and she had some questions about what was being proposed. She had received notice and said she wasn't in opposition but just wanted to know how this may affect her property. It was discussed that commercial development usually increased the value of the property. Zoning Administrator Weeks pointed out that this was what you would want for property in this location because it acts as a buffer between residential and heavier commercial districts. Upon motion by Commissioner Billingsley to approve the petition for rezoning, seconded by Commissioner Brown, with all voting "aye," the motion to approve the rezoning passed.

There next came on for consideration the petition of 55-16 Land Company for a conditional use for dirt pit mining operations located at Hwy 16 and Interstate 55. The property is zoned A-1 Agricultural. Andy Clark, Esq. appeared on behalf of the petition. He said they were proposing this on the property in a location as far away from residential areas as possible. He explained that Birdsong Construction would be in charge of the operation. It would be made into a lake once the operation was complete. There are no schools nearby but he agreed to limit the operation to daylight hours only, no Sunday hauling, with the permit being for one (1) year. If traffic is heavy in the area, they will provide a flagman to increase the safety. Lisa Williams, a Gluckstadt resident, addressed the Commission and inquired about keeping the area free of debris. Mr Clark advised that they will keep the road cleaned of debris and dirt from the operations. Upon Motion by Commissioner Howard to approve the petition for a conditional use contingent upon them operating daylight hours only and no Sundays, that they have flagmen present during high traffic times as a safety precaution and that they utilize water trucks or other measures to keep the dust down and the road free of dirt and debris from the operations, seconded by Commissioner Miller, with all voting "aye," the motion to approve the conditional use passed.

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

There next came on for consideration the site plan of Sprintmart for a new business located

on the corner of Dees Dr. and Gluckstadt Rd. The property is zoned C-2 Commercial. Paul Ingram is the architect for the plans and he appeared on behalf of the site plan. He explained that they had originally come before the Commission asking for a variance, which the Commission had approved but had not yet been heard by the Board of Supervisors. They have since obtained some studies regarding the area and revised their plans. Although they have not yet officially withdrawn the variance request, they are now moving forward on a site plan review only without the need for a variance. Neal Schaffer performed a traffic study and made some suggested modifications to the plans, including to the entrance/exit area which they have adopted as part of the proposed site plan. Mr. Ingram noted that the traffic study showed that traffic would be minimally impacted by this business. A copy of the report is attached hereto as Exhibit "A." Mr. Ingram presented a picture rendering what the proposed c-store business would look like and went through the material and landscaping. Commissioner McKay inquired about the entrance/exit and voiced his concern about cars entering into the exit only entrance. Mr. Ingram stated that the tanks couldn't be serviced if they shut that entrance entirely. Mr. Ingram also stated that this proposal was more restrictive than the variance plans that had been previously approved by the Commission. Commissioner McKay expressed his concern about the effect this store would have in light of future growth already planned in this area, some of which has already been approved. The location of the garbage dump and parking was discussed, as well as the timeline for splitting the lot and signage for the business.

Zoning Administrator stated that the County Engineer had signed off on Neal Schaffer's plan for the entrance/exit. There was a discussion regarding whether the business met the requirement of the Ordinances regarding storage vs. retail spaced allowed for a c-store. Mr. Ingram stated that he would look into the issue and address it if needed but he felt sure they had not exceeded the maximum amount of square footage allowed for retail space. Upon Motion by Commissioner Billingsley to approve the site plan contingent upon the confirmation that the business does not exceed 3,000 square feet in retail space as required by the ordinances, seconded by Commissioner Miller, with Commissioners Billingsley, Miller, Brown and Howard voting "aye," and Commissioner McKay abstaining from voting, the motion to approve the site plan passed.

There next came on for consideration the site plan of Foam Factory for a new business. The property is located at the corner of Calhoun Station Pkwy and Autobahn Loop, and the property is zoned C-2 Commercial. Greg Ainsworth is the architect for the property and he appeared on behalf of the site plan. He explained that this was a car wash business and it would look similar to the other buildings near it in the area. Upon Motion by Commissioner Miller to approve the site plan, seconded by Commissioner Howard, with all voting "aye," the motion to approve the site plan passed.

There next came on for consideration the site plan of West of 55 for a new business. Daniel Wooldridge appeared on behalf of the site plan He explained that this was 7,000 square feet of retail space. The entire building will be brick. They will match it to be consistent with other buildings in the area. Upon Motion by Commissioner McKay 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 discussion the setting of the September, 2018 meeting/public hearing. The second Thursday is September 13. Upon Motion by Commissioner McKay to set the

meeting/hearing for September 13, 2018, seconded by Commissioner Miller, with all voting "aye," the motion to set the meeting date passed.

With there being no further business, the August 9, 2018 meeting was adjourned.

9-13-18  
Date

Walter McKay  
(Chairman)