

**MINUTES OF THE MEETING OF THE MADISON COUNTY
PLANNING AND ZONING COMMISSION HELD AND CONDUCTED ON
THURSDAY, THE 10th DAY OF DECEMBER, 2020 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 December, 2020 at 9:00 a.m. in the Board Room of the Madison County Chancery and Administrative Building.

Present: Larry Miller (by telephone)
 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 those present participated in pledging allegiance to our flag.

There first came on for consideration the minutes of the November 12, 2020 meeting of the Commission. Upon motion by Commissioner Billingsley to approve the minutes, seconded by Commissioner Rouser, with all voting "aye," the motion to approve the November 12, 2020 minutes passed.

There next came on for consideration the site plan of Grace Crossing Baptist Church for an expansion of their current building located on 598 Yandell Rd. Robert Farr, architect for the project, appeared on behalf of the plan and explained the plans. Upon motion by Commissioner Billingsley to approve the site plan, seconded by Commissioner Rouser, with all voting "aye", the motion to approve the site plan passed.

There next came on for consideration the site plan of Lone Wolf for a new business located at 107 Lone Wolf. Daniel Wooldridge is the architect and appeared on behalf of the plan. He explained that the front would be brick and the remaining sides metal and the building does not front the street. Upon motion by Commissioner Rouser to approve the site plan, seconded by Commissioner Billingsley, with all voting "aye", the motion to approve the site plan passed.

There next came on for consideration the site plan of Johnson Commercial Office for a site plan for a new business located at 1019 Gluckstadt Rd. JD Johnson is the architect and he appeared and explained the brick exterior to be used on the building. Upon motion by Commissioner Rouser to approve the site plan, seconded by Commissioner Billingsley, with all voting "aye", the motion to approve the site plan passed.

There next came on for consideration to open the public hearing for certain matters.

Upon motion by Commissioner McKay, seconded by Commissioner Billingsley, with all voting "aye", the motion to open the public hearing passed.

There next came on for consideration the petition of Nadine Mason to rezone 5.01 acres from C-1 Commercial to A-1 Agricultural located at 4691 Hwy 43. Ms. Mason appeared on behalf of the request. Zoning Administrator Weeks explained that he had received 3 of 4 return receipts for notice of the request to the neighboring property owners. There was no opposition to the request. Weeks explained that this would be more in character with the surrounding area. Having reviewed the materials and heard the information and finding the requisite items have been met, upon motion by Commissioner Billingsley to approve the rezoning, seconded by Commissioner Rouser, with all voting "aye," the motion to approve the rezoning passed.

There next came on for consideration the petition of Delbert Goodloe for a conditional use for surface mining operation located at Hwy 51 North of Pisgah Bottom Rd. Zoning Administrator Weeks explained that this was an extension of a prior request and they had not had any issues with Mr. Goodloe and the usual conditions must be met conditional to the approval. Commissioner McKay noted that the proposed land was not close to the road. Upon motion by Commissioner Brown to approve the conditional use based on the petitioner having met the requisite standard and pursuant to the following conditions: dawn to dusk hauling, no Sunday hauling, road must be kept clean and dust controlled, with construction entrances, seconded by Commissioner Billingsley, with all voting "aye," the motion to approve the conditional use with restrictions passed.

There next came on for consideration the petition of LFD LLC to rezone property located on Catlett Rd. from R-1 Residential to a Planned Unit Residential District (PURD). Scott Shumaker appeared on behalf of the request. Weeks informed the Commission that he had received some calls and an email in opposition to the request, a copy of which is attached and incorporated herein as Exhibit "A." Shumaker explained that they had recently been before the Commission and Board of Supervisors on another similar request nearby and rezoned it from R-1 to R-2. He also pointed out that Stillhouse Creek is across the street from this property and it is a PUD (which is now called a PURD under the new zoning regulations). He explained that the property was 34 acres and 129 lots would be proposed for this land which is less than the 140 lots that would be allowed under the ordinances. He said they plan to have 5.6 acres of green space to allow for a clubhouse and a pool. A map of the area and surrounding neighborhoods was presented, a copy of which is attached and incorporated herein as Exhibit "B." Shumaker also acknowledged another parcel rezoned in December of 2019 to R-2 on Catlett to show that 3 different rezonings have been passed in this area since the comprehensive plan was approved which demonstrated a change in the character of the neighborhood.

He went over the public need aspect and presented information about the current market which is down by 56% in inventory, a copy of which is attached and incorporated herein as Exhibit "C." He also explained that the average days on the market for houses is currently 7 days in comparison to 50 days in 2017. Shumaker addressed the concerns over traffic with information from a traffic study and how with the proposed improvements to roads in the area would support this development, a copy of which is attached and incorporated herein as Exhibit "D." He stated that given the timeline that it would be at least January of 2023 before houses

would be built, this provided time for enhancements to the roads. Commissioner McKay inquired regarding the lot sizes and square footage and they stated they weren't sure yet what the minimum would be for the development. He also did not know the comparison of number of homes between a PURD vs. R-2 zoning for this land. Mimi Speyerer appeared before the Commission next in opposition to the request. She presented a comprehensive exhibit which is attached hereto and incorporated herein as Exhibit "E." She argued that this was not a valid appeal as the company that filed the petition does not legally exist with the Secretary of State's office. There was a discussion regarding the request and that it had been advertised under the incorrect name and would need to be corrected and re-advertised out of abundance of caution. This would apply to both the rezoning and the variance setback. The petitioner agreed to withdraw the requests. There were others present in opposition to the request who did not speak given the withdrawal of the requests.

There next came on for consideration to close the public hearing for certain matters. Upon motion by Commissioner Billingsley, seconded by Commissioner Rouser, with all voting "aye", the motion to close the public hearing passed.

There next came on for discussion the setting of the January, 2021 meeting/public hearing. Upon Motion by Commissioner McKay to set the meeting for January 14, 2021, seconded by Commissioner Billingsley, with all voting "aye," the motion to set the meeting date passed.

With there being no further business, the December 10, 2020 meeting was adjourned.

1-14-21
Date

Walter McKay
(Chairman)