

**MINUTES OF THE MEETING OF THE MADISON COUNTY
PLANNING AND ZONING COMMISSION HELD AND CONDUCTED ON
THURSDAY, THE 14th DAY OF FEBRUARY, 2019 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 February, 2019 at 9:00 a.m. in the Board Room of the Madison County Chancery and Administrative Building.

Present: Larry Miller
 Walter McKay
 Bill Billingsley
 Dr. Bill Howard

Scott Weeks, Planning and Zoning Administrator

Absent: Rev. Henry Brown

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

There first came on for consideration the minutes of the January 10, 2019 meeting of the Commission. Upon motion by Commissioner Billingsley to approve the minutes, seconded by Commissioner Miller, with all voting "aye," the motion to approve the January 10, 2019 minutes passed.

There next came on for consideration to open the public hearing for items to be considered. Upon Motion by Commissioner McKay 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 Barnette's Body Shop for a variance for additional square footage of signs. This property is located at 120 Autobahn Loop. Steve MacMillan of Rainbow signs and Jeff Barnette appeared on behalf of the petition. This matter was continued from the January meeting. It was discussed that they had already placed signs on the business. The sign to be placed in front of the business was discussed. Mr. MacMillan explained that he would like to do the sign perpendicular/double-sided so they had visibility from both directions. Commissioner McKay commented that they were approximately eight (8) square feet over but they had made small allowances to other businesses in the area. Lisa Williams, a Gluckstadt resident, inquired regarding specifics about the sign being placed which was answered. There were no other questions. Upon motion by Commissioner Miller to approve the sign variance, seconded by Commissioner Billingsley, with all voting "aye", the motion to approve the petition for a variance passed.

It was announced that the site plan on the agenda for Gluckstadt Park was being withdrawn.

There next came on for consideration the petition of C&H Land LLC for a conditional use for a dirt mining operation located at Hwy 16 West. The property is zoned A-1 Agricultural. Greg Johnston is the attorney for the applicant and he appeared on its behalf. He discussed that this is a somewhat remote location, that there were no immediate neighbors and is set off the road 700 feet. He did not anticipate that it would interfere with traffic on the highway, nor that it would be visible from the highway. He stated they were applying for the appropriate DEQ permit, and would follow usual restrictive daylight hours, be mindful of school traffic, would not operate on the weekends, and would have a water truck to control dust. He further explained he didn't think this would be incompatible with the surrounding area. Commissioner McKay inquired what they intended to do with the property once it was cleared. Mr. Johnston stated that there were no plans for a lake and they would have to follow DEQ regulations for resurfacing and restoring the land so there's not a giant hole in the ground. He expected the entire process to take about 4 to 5 years. Zoning Administrator Scott Weeks commented that the county only allowed 1 year permits and they would have to come back to get it renewed each year if it was approved.

Those in attendance were given the opportunity to speak. Ron Middleton spoke and stated that he grew up in the area and is a pastor of a local church near there. He expressed concern with the safety from the trucks and the dust in the area. Roby Whittington, Jr. addressed the Commission next and explained that he has 57 acres in this area and his brother has a home there. He provided a statement that is attached hereto as Exhibit "A," which he read to the Commission voicing his concerns. Dickson Perry spoke next and stated that he has a home adjacent to this property. He expressed his concern about the appearance of this land and how it will affect those in the area's home values. He also expressed concerns about safety and because this land is at the highest elevation, how it would affect water runoff. Commissioner Billingsley inquired what the specific plans were for reclamation of the property since all of the trees would be removed, and if they had done a survey regarding visibility. Mr. Johnston explained they would be required to level out the property and plant grass and address any runoff issue by DEQ. He further stated that no survey had been conducted, they had just given an approximate distance on the area from the roadway. Albert Jones addressed the Commission next and he lives near this property as well. He stressed the safety concerns with trucks hauling and this being a high traffic area. He further didn't know how a water truck would adequately cover the dust caused by the work. Commissioner Howard stated that he felt that the adverse affects to the area were too much to ignore. Upon Motion by Commissioner Howard to deny the petition, seconded by Commissioner Miller, with Commissioners Howard, Miller, and McKay voting "aye," and Commissioner Billingsley abstaining from voting, the motion to deny the petition for a conditional use passed.

There next came on for consideration the petition of Skipper Giordano for a variance on the side setbacks from 10 to 7.5 feet for Lot 53 at The Shores at Lake Caroline, Phase II. He explained that he had purchased the property with the intent to build his family home. He was not aware of the setback issue. He admitted that he had inquired of this issue with the developer and there was a mis-communication and he did not independently check the information. He said they had adjusted their building plans as much as they could but they still needed this variance of 2.5 feet to make their house plans work. Zoning Administrator Weeks stated that he had received some calls about the request but no one in opposition. Kenneth Hawkins addressed the Commission and explained that he lived in the area and he was concerned this would set a bad precedent and the setbacks were in

place for a reason. He said the plats were published and he felt the Commission should not allow anyone to not be consistent with the plans. Mr. Giordano explained that while he didn't check the records for the information, the setbacks were not on the website. He further said this home would improve the value because it is a nice home. Commissioner McKay stated that he thought this would set a bad precedent and they needed to stick with the set back requirements. Upon Motion by Commissioner McKay to deny the petition for a variance, seconded by Commissioner Howard, with all voting "aye," the motion to deny the petition passed.

There next came on for consideration the petition of Magnolia Speech School for a special exception for a Public/Quasi-Public facility. This property is located South of 432 Bozeman Rd. and is zoned SU-1. A conceptual site plan was included with the petition. Scott Jones appeared as the attorney for the petitioner, along with the director. He explained that the site plan included was not final, but was to provide a visual of what was being planned. He further explained that his client had a contract on the property but wanted to get preliminary approval on the plans before they finalized the purchase. He stated that this was across the street from Madison Heights Church and the road would match up with theirs. He said this was in Madison's certificated area so they would have to provide approval as well. He explained the nature of the school and that it is transitional for children ages 2-12 to help them move to a regular school setting. He said it is a full school day from 8 AM to 3 PM and they only have 63 students so it wouldn't be a negative impact on traffic. There were no questions from those in attendance. Upon Motion to approve the petition for a special exception by Commissioner Billingsley, seconded by Commissioner Miller, with all voting "aye," the motion to approve the petition passed.

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

There next came on for consideration the site plan of Starke Fitness II for a new business located on Lot 5 Dees Drive. Daniel Wooldridge appeared on behalf of site plan. He explained that this would be an extension of the previous business of Starke Fitness to be used for fitness purposes. He said the site plan was to blend with the current business. Commissioner McKay explained that the County was moving towards making Gluckstadt more aesthetically pleasing and would like to see more brick on the plan. Mr. Wooldridge presented an alternative plan, attached hereto as Exhibit "B," that had more brick on the front exterior and he explained it would be painted and down 2/3 one side and 12 feet on the other side of the building. Upon Motion by Commissioner Billingsley to approve the site plan as proposed in Exhibit "B," seconded by Commissioner McKay, with all voting "aye," the motion to approve the site plan passed.

There next came on for consideration the site plan amendment of Carter and Murphy located on Hwy 51. Daniel Wooldridge appeared on behalf of the petition. He explained that they would like to have brick in the corners with metal in between. The Commission stated that they would like to see more brick. An alternative plan was then presented, attached hereto as Exhibit "C," that had all brick on the front of the building. Upon Motion by Commissioner McKay to approve the site plan amendment as proposed in Exhibit "C," seconded by Commissioner Miller, with all voting "aye," the motion to approve the site plan amendment passed.

There next came on for consideration the site plan for a new addition to Mannsdale Veterinary Clinic located on Hwy 463. This addition was previously approved by MLHPD on 2/12/19. Dale Wilson is the owner and appeared on behalf of the site plan. He explained that this was for expansion of their current boarding 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 March, 2019 meeting/public hearing. The second Thursday is the 14th. Upon Motion by Commissioner McKay to set the meeting/hearing for March 14, 2019, seconded by Commissioner Billingsley, with all voting "aye," the motion to set the meeting date passed.

With there being no further business, the February 14, 2019 meeting was adjourned.

3-14-19
Date

Walter J. McKay
(Chairman)