

**MINUTES OF THE MEETING OF THE MADISON COUNTY
PLANNING AND ZONING COMMISSION HELD AND CONDUCTED ON
THURSDAY, THE 13
th DAY OF MAY, 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 13th day of May, 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
 Rev. Henry Brown
 Dr. Keith Rouser
 Bill Billingsley

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 March 12, 2020 meeting of the Commission. Upon motion by Commissioner McKay to approve the minutes, seconded by Commissioner Rouser, with all voting "aye," the motion to approve the March 12, 2020 minutes passed.

There next came on for consideration to open the public hearing for the Commission to hear certain items. Upon motion by Commissioner Rouser to open the public hearing, seconded by Commissioner Brown, with all voting "aye," the motion to open the public hearing passed.

There next came on for consideration the petition of GSM LLC for a variance to the front setbacks of Lots 36-39 of Coventry Part 2. Tim Weaver appeared on behalf of the petition. He explained that there is a ditch in the rear yard that creates a hardship on the setback requirements. They are asking for a variance of 5 feet and the setbacks to be reduced from 30 to 25 feet. He explained this issue does not affect any other lots. There was no one present in opposition to the request. Upon Motion by Commissioner Billingsley to approve the petition, seconded by Commissioner Rouser, with all voting "aye" the motion to approve the petition for a variance passed.

There next came on for consideration the petition of Lee Sahler to rezone property located on Lexington Drive (Lots 6 and & of Gluckstadt Office Park) from C-1 to C-2 Commercial. Mr Sahler appeared on behalf of the petition and explained the request. There was no one present in opposition to the request. Upon motion by Commissioner McKay to approve, seconded by Commissioner Billingsley, with all voting "aye," the motion to approve the petition to rezone passed.

There next came on for consideration the petition of PCG (Paramount Construction Group) to rezone property located at the Northwest corner of Hwy 51 and West Sowell Rd. from R-2 to C-2. Jonathon McDaniel appeared on behalf of the petition. He explained it was to relocate their business headquarters. He had spoken to surrounding neighbors and was not aware of any opposition. It is a 5 acre lot they will use within the entire 17 acre site. There was no one present in opposition to the request. Upon motion by Commissioner Billingsley to approve, seconded by Commissioner Rouser, with all voting "aye," the motion to approve the petition to rezone passed.

There next came on for consideration the petition of BDP Group for a variance. Upon motion by Commissioner Brown to table the petition to the June meeting, seconded by Commissioner Rouser, with all voting "aye," the motion to table the petition passed.

There next came on for consideration the petition of Rands LLC to rezone property located on Catlett Rd. from R-1 to R-2. Scott Shoemaker appeared on behalf of the petition, along with Steven Reimer. He explained that there was an easement on the property they were working to get removed. Commissioner McKay inquired about the public need for this type property and he explained that the market for R-2 type homes was small and there was a need for houses on smaller lots. He said they had not established a square footage minimum for the houses yet. They had 2 separate individuals present who work in the industry to support the public need aspect. They addressed the Commission and explained that there was a great need for homes of this size and value for the first time buyer's market. It was further explained that there was an abundance of quantity of larger houses for sale and building more would just add more competition. But adding homes that were actually needed would increase the value because it draws interest into that area.

There were several individuals present in opposition to the request. Mimi Spyerer who resides in nearby Belle Terre addressed the Commission next. She presented emails from all of those in opposition they had gathered, which is attached and incorporated herein as Exhibit "A." She said she had concerns because the roads were already overloaded and the infrastructure couldn't support additional houses and cars and this would bring a lot more. She also did not think this fit the requirement as outlined by the Land Use Map for this area. She quoted the language necessary for a rezoning pursuant to legal authority and specifically read parts of quotes from a case (139 So.3d 771, 775 (Miss. 2014)). Flo Hootsal also appeared and stated that she lived across the street from this property in First Colony and that the HOA President of that neighborhood had sent an email that's incorporated in Exhibit "A." She stated that she was concerned about traffic and high turnover in these houses especially without having more information about the square footage and what was being planned. There was a discussion about how square footage was calculated and the petitioner confirmed that it was based on heated and cooled space only and did not include garage's or patios.

The Commission inquired if the petitioner had anyone in the area who was in favor of the request. They stated that they had not made that request to anyone. A discussion was had regarding the various home and lot sizes in the area. Upon Motion of Commissioner Rouser to table the request to June for the petitioner to bring more information about what they plan to do

and any other specific support for the request, seconded by Commissioner Brown, with all voting "aye," the motion to table the petition passed.

There next came on for consideration the petition of Big River Rentals for a conditional use for the outdoor display of rental equipment at their business located at 106 Cedarstone Dr. Steven Holden appeared on behalf of the petition. He explained that it would be neat and not appear cluttered. The business would have a security gate for safety and everything would be stored behind the gate during nonbusiness hours. It was discussed that this should be a conditional approval to only be allowed for this business and not to run with the land. Commissioner Miller inquired about the purpose and confirmed it was to display large and small equipment. Upon Motion by Commissioner Rouser to approve the request with the condition that it was for this business only and would not run with the property, seconded by Commissioner Brown, with all voting "aye," the motion to approve the petition for a 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 Billingsley, with all voting "aye," the motion to close the public hearing passed.

There next came on for consideration the site plan of Lee Sahler for an office warehouse located on Lexington Dr. This is for the petition that was approved earlier in the meeting. Daniel Wooldridge appeared on behalf of the site plan. He explained it would be the same style and materials as the other building but longer. It was discussed that there were some issues with the parking and other calculations that were incorrect on the plans. Upon motion by Commissioner McKay to table the site plan to allow the plans to be revised, seconded by Commissioner Billingsley, with all voting "aye," the motion to table the site plan passed.

There next came on for consideration the site plan of PCG for property located on the corner of Hwy 51 and Sowell Rd. This is for a petition that was approved earlier in the meeting. Jonathon McDaniel appeared on behalf of the plan and explained that it would have minimal landscaping and the exterior trees would be kept. Upon Motion by Commissioner McKay to approve the 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 Premier Kindergarten and After School located on Gluckstadt Way. A traffic study was included in the packet for this request. Paul Ingram is the architect for the property and he appeared on its behalf along with Jeff Burnett who owns the business. It was explained that this would be a \$4 million project and have up to 200 at full capacity. They explained that this site was picked because it was a safe and secure area and it would have a wrought iron fence and be gated for security purposes. He explained about the things the school planned to offer. Upon Motion by Commissioner Billingsley, 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 Pets at Rest located on Industrial Drive S. No one appeared on behalf of the request. Upon motion by Commissioner McKay to

table the request, seconded by Commissioner Rouser, with all voting "aye," the motion to approve the motion to table passed.

There next came on for discussion the setting of the June, 2020 meeting/public hearing. Upon Motion by Commissioner McKay to set the meeting for June 11, 2020, seconded by Commissioner Billingsley, with all voting "aye," the motion to set the meeting date passed.

With there being no further business, the May 13, 2020 meeting was adjourned.

6-11-20
Date

Mark McKay
(Chairman)