

**MINUTES OF THE MEETING OF THE MADISON COUNTY
PLANNING AND ZONING COMMISSION HELD AND CONDUCTED ON
THURSDAY, THE 9th DAY OF SEPTEMBER, 2021 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 9th day of September, 2021, at 9:00 a.m. in the Madison County Complex Building.

Present: Larry Miller (by telephone)
 Walter McKay
 Dr. Keith Rouser
 Bill Billingsley
 Scott Weeks, Planning and Zoning Administrator

The meeting was opened with prayer by Chairman Rouser, and all present participated in pledging allegiance to our flag, led by Chairman Rouser.

There first came on for consideration the minutes of the August 12, 2021, meeting of the Commission. Upon motion by Commissioner Billingsley, seconded by Commissioner McKay with all voting "aye," motion to approve the August 12, 2021 minutes passed.

There next came on for consideration, the need to open the meeting for public hearing of certain matters. Upon motion by Commissioner McKay to open the meeting for public hearing of certain matters, seconded by Commissioner Billingsley, with all voting "aye," the public hearing was so opened.

There next came on for consideration the Application of Joe and Regina Wall for Special Exception for Surface Mining 4 Acres of Less. The property subject to the application is located on Sulphur Springs Road, is currently zoned A-1 Agricultural, and is in Supervisor District 5. Don McGraw, Esquire, appeared on behalf of the Applicants. Mr. McGraw advised that the Walls own approximately 60 acres in the area, but only seek to mine dirt on approximately four (4) acres of their property. Mr. McGraw advised that they had applied to MDEQ for an exemption, but have not received it back yet. Mr. McGraw advised that access to the property, and hauling would be off of Highway 43 headed back east on Sulphur Springs Road. Upon motion by Commissioner Billingsley to approve the Application of Joe and Regina Wall for Special Exception for Surface Mining 4 Acres of Less. seconded by Commissioner McKay, with all voting "aye," the motion to approve the Application of Joe and Regina Wall for Special Exception for Surface Mining 4 Acres of Less was approved.

There next came on for consideration the Application of Quick Fill, LLC to Rezone its property from R-1 Residential to C-2 Commercial. The property is on Old Canton Road and is the site of the old Deerfield Mini Mart, is currently zoned R-1 Residential and is in Supervisor District

5. R.J. Singh appeared on behalf of the Applicant. Mr. Singh that they are seeking to have the property rezoned for Deerfield Nutrition, which had previously been at his property in the convenience store at Old Canton Road and Yandell Road. Mr. Singh advised that they were going to remove the canopy, re-surface the parking lot, remove the fuel tanks, and re-upscale the property. Commissioner McKay and Commissioner Miller inquired as to the actual property being re-zoned. After discussion, and clarification from Administrator Weeks, it was clarified that the parcel under consideration is +/- .46 acres, and is only where the business, and adjacent parking lot, will sit. In response to questions from Commissioner Billingsley, clarification was made by Administrator Weeks that the subject property was previously a Mini Mart, but it closed. When the owners ceased to operate the Mini Mart, the property reverted back to R-1 Residential. Now, because the property is a non-conforming use, re-zoning is required to go back to a commercial space. As to change in the character of the neighborhood, and public need, and upon questions from the Commissioners, and Administrator Weeks, Mr. Singh advised that traffic has increased in the area, a new convenience store has been built in the area, and the property adjacent to that new store, and in the general area are all now commercial. Upon motion by Commissioner Billingsley to approve the Application of Quick Fill, LLC to Rezone its property from R-1 Residential to C-2 Commercial, seconded by Commissioner McKay, with all voting "aye," the motion to approve the Application of Quick Fill, LLC to Rezone its property from R-1 Residential to C-2 Commercial was approved.

There next came on for consideration the Application for Variance on setbacks fronting Mannsdale Village Drive by Stribling Lake, LLC. The property is on the northeast corner of Gluckstadt Road and Mannsdale Road, is currently zoned C-2 Commercial and is in Supervisor District 2. Blake Cress appeared on behalf of the Applicant. Mr. Cress gave a brief recitation of the history of this development and answered questions from the Commissioners regarding plans for the development. Mr. Cress advised that with the exception of the dental office currently under construction, all of the businesses shown on Mannsdale Village Drive are merely conceptual. Applicant requested a variance for the property to be developed along the east side of Mannsdale Village Drive because: the overall historic architecture and layout scheme of the development are meant to have the buildings closer to streets; green space requirements within the Mannsdale Historic Preservation District, especially in conjunction with C-2 Commercial setback requirements, greatly restrict the useable land on the east side of Mannsdale Village Drive; and a drainage way running along the Mannsdale Livingston Historic Preservation District buffer area and the parcels at issue further reduce useable area on the parcels. Mr. Cress requested a variance for all buildings along the east side of Mannsdale Village Drive, and that all buildings allowed to be no closer than 13' from the property line which is at 25' from the curb of Mannsdale Village Drive. Upon motion by Commissioner McKay to approve the Application for Variance on setbacks fronting Mannsdale Village Drive by Stribling Lake, LLC, subject to receipt of a Certificate of Appropriateness from Mannsdale Livingston Historic Preservation District, seconded by Commissioner Billingsley, with all voting "aye," the motion to approve the Application for Variance on setbacks fronting Mannsdale Village Drive by Stribling Lake, LLC, subject to receipt of a Certificate of Appropriateness from Mannsdale Livingston Historic Preservation District was approved.

There next came on for consideration, the need to close the public hearing. Upon motion by Commissioner Rouser to close the public hearing, seconded by Commissioner Billingsley, with all voting "aye," the public hearing was so closed.

There next came on for consideration the site plan for Gluckstadt Park Phase Three. The property is in Dees Plaza, is currently zoned C-2 Commercial and is in Supervisor District 2. Daniel Wooldridge, architect for the project, appeared on behalf of the Petitioner. Mr. Wooldridge advised that this is a continuation of the development of the property, with buildings 1 and 2 already under construction. Mr. Wooldridge advised that the site is a total of 30,000 ft. sq., and that a total parking space count on the site is 201 spaces to allow flexibility for leasing. Mr. Wooldridge advised that this building will look exactly like buildings 1 and 2. Commissioner McKay inquired as to the islands in the parking lot. Mr. Wooldridge advised that the islands generally protrude approximately one (1) foot. Commissioner McKay requested that the owners consider shortening the islands to allow for easier access to the parking space adjacent to the island, and that the building parapet be painted to match the brick so that it does not contrast so heavily. Upon motion by Commissioner McKay to approve the site plan for Gluckstadt Park Phase Three, seconded by Commissioner Billingsley, with all voting "aye," the motion to approve the site plan for Gluckstadt Park Phase Three was approved.

There next came on for consideration the site plan for Tate Office Warehouse. The property is on Kimball Drive, is currently zoned C-2 Commercial and is in Supervisor District 1. Daniel Wooldridge, architect for the project, appeared on behalf of the Petitioner. Mr. Wooldridge advised that this site is two office/warehouse buildings, and that the total parking space count exceeds the requirements of the Ordinance. Mr. Wooldridge advised that there would be garage style doors on the front of the buildings. The buildings will be solid brick on the front, with the brick turning down the sides transitioning to metal, and the rear would be metal. Commissioner McKay inquired as to the trash bin drawing, and Mr. Wooldridge explained that there were no curbs to block access to the garbage trucks, and that there is enough room for the trucks to pick up the bins. Upon motion by Commissioner McKay to approve the site plan for Tate Office Warehouse, seconded by Commissioner Billingsley, with all voting "aye," the motion to approve the site plan for Tate Office Warehouse was approved.

There next came on for consideration the site plan for Madison Fireplace and Patio. The property is located at 135 American Way, is currently zoned C-2 Commercial and is in Supervisor District 2. Tommy Stallings and his son, Tommy, appeared as owners of the property. Mr. Stallings advised that he was seeking to build a new warehouse to meet the needs of his business. Mr. Stallings advised that it would be a metal building with a brick façade entrance on the east side of the building with a German chalet style front. Commissioner McKay inquired as to drainage on the area, and Mr. Stallings advised that the water flows down the side of the property and toward the pond as a detention area. Mr. Stallings advised that this area was 7.9 acres, he has two existing buildings on the property, wants to have another building, and all would be accessed by a paved road. Mr. Stallings advised that there would be a trash bin on the North side of the building by the dock area shown. Commissioner McKay brought to Mr. Stallings' attention that the parking spaces shown on the plan showed 9'5" and it should be 9.5'. Upon motion by Commissioner Billingsley to approve the site plan for Madison Fireplace and Patio, conditioned on addition of a trash bin on future plans, and that parking spaces should be 9.5' wide, seconded

by Commissioner McKay, with all voting "aye," the motion to approve the site plan for Madison Fireplace and Patio, conditioned on addition of a trash bin on future plans, and that parking spaces should be 9.5' wide was approved.

There next came on for discussion, the setting of the October, 2021 meeting. October 7, 2021, was suggested. Upon motion by Commissioner Billingsley, seconded by Commissioner McKay, with all voting "aye," motion to set the September, 2021 meeting for September 9th, 2021 passed.

With there being no further business, the September 12, 2021, meeting of the Madison County Planning and Zoning Commission was adjourned.

10-7-2021
Date


Dr. Keith Rouser, Chairman