

**MINUTES OF THE MEETING OF THE MADISON COUNTY
PLANNING AND ZONING COMMISSION HELD AND CONDUCTED ON
THURSDAY, THE 24th DAY OF OCTOBER, 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 24th day of October, 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
 Rev. Henry Brown

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 September 12, 2019 meeting of the Commission. Upon motion by Commissioner Billingsley to approve the minutes, seconded by Commissioner Brown, with all voting "aye," the motion to approve the September 12, 2019 minutes passed.

There next came on for consideration the site plan of Walker Property for the addition of an equipment shed to their property zoned I-2 Industrial located on Virillia Rd. Robert Beard appeared on behalf of the site plan. Zoning Administrator Weeks explained that there is a need to move the building for maintenance purposes. There were no questions from the Commissioners. Upon Motion by Commissioner Billingsley 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 Cotrell Gym for a new addition to their business zoned I-2 Industrial located at 360 Industrial Park. Greg Ainsworth is the architect and he appeared on behalf of the site plan addition. It was explained that this was just more open space to teach additional classes and other similar uses. No additional parking would be necessary. Upon Motion by Commissioner Howard 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 consideration the site plan of Capchlor Office Building for a new business zoned C-2 Commercial and located at Lot 2 Sowell Rd. Commercial. Daniel Wooldridge is the architect and appeared on behalf of the site plan. He explained that this was a new business. The appearance was discussed and that the metal portions were in keeping with the surrounding area. Upon Motion by Commissioner McKay 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 Lot 20 Lone Wolf Drive for a new business located at the S/W corner of Lone Wolf Drive and Hwy. 51. Daniel Wooldridge appeared on behalf of the site plan. He explained this is for a new business. It will have the garbage area enclosed and ten feet parking spaces. Upon Motion by Commissioner Billingsley 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 consideration the site plan of Germantown Office Complex for an amendment. Daniel Wooldridge appeared on behalf of the plans. He explained that previously the buildings had been equal size and one building will now be a larger size and the other building a smaller size. There are no other changes to the proposed plan. Upon Motion by Commissioner Howard to approve the site plan, seconded by Commissioner Brown, with all voting "aye," the motion to approve the site plan amendment passed.

There next came on for consideration to open the public hearing for the Commission to hear certain items. Upon motion by Commissioner Billingsley 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 updates to the proposed Comprehensive Plan, which includes the updates to the Land Use Plan, and the amendments to the Zoning Ordinances, which includes the updates to the zoning map. Because these items are interrelated, they were presented together. Zoning Administrator Weeks introduced these items and explained that the legal publishing requirements had been met and these had been available on-line and in his office. He had received a few questions which he had addressed. He introduced Gray Ouzts with the Central Mississippi Planning and Development Department who their office had worked with to accomplish these updates. She explained that this had been a two-year process and that state law requires such updates to address controlled growth. She explained the growth to this area and stated that the highest growth areas had been in Districts 2 and 4. She further stated that a change in the character of the area had occurred because it was more suburban and so the updates had addressed that issue. She also explained that this was catching up with the future land use map that already had these areas Residential Estate instead of Agricultural. She said the other changes to the zoning on the map they had made to reconcile differences in the use with the actual zoning or make corrections on zoning errors and provided a few examples. She further noted that state law at Code Section 17-1-21 now restricts the County's ability to regulate agriculturally zoned areas so it was in the best interest of everyone to change this to residential.

It was discussed that current uses would be grandfathered in which is a nonconforming use pursuant to the zoning ordinance language. Mrs. Ouzts stated that there had been additional changes made this week and those were available for review. A copy of these new changes are attached hereto as Exhibit "B." She briefly reviewed those changes with those in attendance. A copy of the updates to the ordinance language prior to this week are attached hereto as Exhibit "C." Questions were taken from those in attendance. Lisa Williams at 139 Old Orchard Rd.

in Germantown subdivision addressed the Commission with questions. It was confirmed that the new changes to the zoning map from Agricultural to Residential would not change any current uses with animals on the property. She inquired about the home occupation and it was confirmed that it was a permitted use. The residential flag language and height restrictions were also discussed and explained. The updates to street parking for large trucks or commercial vehicles in residential areas was explained. She also inquired if there would be a public hearing at the Board of Supervisors level and it was explained that there would be a hearing at the Board level. She also inquired about transient vendors and it was confirmed that those would require a paid license or permit now.

Jim Harreld addressed the Commission next and stated that he resided at 492 Stribling Rd. and he was currently a candidate for Supervisor in District 4. He had concerns about the change in the zoning map and whether everyone had notice of what was being changed. He understood it went through the proper legal channels but encouraged that more awareness be given to the citizens when things are being changed potentially through a social media page. He also had concerns about whether the use would run with the property upon it being sold. It was discussed that language would be considered to help strengthen that the nonconforming use would run with the land upon being sold.

The specific neighborhoods were listed out that would be affected by the change from agricultural to residential zoning. Mrs. Ouzts explained that the more rural areas that had more intense agricultural uses would remain the same. Commissioner McKay stated that he would like to include the following changes to the updates in Exhibit "B": 1) Section 501.02 – change parking spaces from 180 square feet to 200 square feet or 10 x 20 feet minimum because the Commission has been requiring that size of businesses and he wants it to continue that way; 2) Section 702.f – reduce commercial flag pole size to up to 80 feet allowed with a ratio allowing the flag length to be 1/4 of the pole height; 3) Section 707 – removal of the phrase "However the Board of Supervisors is hereby empowered to grant special permits for a sign up to 40 feet above the surrounding grade" because the Board is granted that power already in Section 715.06; 4) Section 715.06.A – delete the words "...as allowed by Section 707." A copy of these changes are attached hereto as Exhibit "D." Commissioner McKay made a motion to approve the zoning ordinance updates and then further discussion occurred and the motion was withdrawn. Upon Motion by Commissioner Billingsley to approve the amended Comprehensive Plan (which includes the Land Use Map), seconded by Commissioner Miller, with all voting "aye," the motion to approve the amended Comprehensive Plan passed. Upon Motion by Commissioner Billingsley to approve the amendments to the Zoning Ordinances (which includes the zoning map) with the amendments as addressed by Commissioner McKay in Exhibit "D," seconded by Commissioner Brown, with all voting "aye," the motion to approve the amendments to the Zoning Ordinances passed.

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

There next came on for discussion the setting of the November, 2019 meeting/public hearing. Upon Motion by Commissioner McKay to set the meeting for November 14, 2019,

seconded by Commissioner Brown, with all voting "aye," the motion to set the meeting date passed.

With there being no further business, the October 24, 2019 meeting was adjourned.

11-14-19

Date

Walter McKay
(Chairman)