

**MINUTES OF THE MEETING OF THE MADISON COUNTY  
PLANNING AND ZONING COMMISSION HELD AND CONDUCTED ON  
THURSDAY, THE 7<sup>th</sup> DAY OF MAY 2026 AT 9:00 A.M. AT THE  
MADISON COUNTY COMPLEX BUILDING**

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**BE IT REMEMBERED** that a meeting of the Madison County Planning and Zoning Commission was duly called, held and conducted on Thursday, the 7th day of May 2026, at 9:00 a.m. in the Madison County Complex Building.

Present:       Dr. Keith Rouser  
                  Rev. Henry Brown  
                  Mandy Sumerall  
                  Jean McCarty

Scott Weeks, Planning and Zoning Administrator

Absent:         Amandy Myers

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

There first came on for consideration the minutes of the April 9, 2026, meeting of the Commission. Upon motion by Commissioner Sumerall, seconded by Commissioner McCarty, with all voting “aye,” the April 9, 2026, minutes of the Planning and Zoning Commission were approved.

There next came on the need to open the meeting for public hearing of certain matters. Upon motion by Commissioner Brown, seconded by Commissioner McCarty, with all voting “aye,” the public hearing was so opened.

There next came on for consideration the Application of Sharon and David Hardigree to rezone +/-4.4 acres from its current designation of (R-1) Residential Estate District to (C-2) Highway Commercial District. The subject property is on Old Canton Road and is in Supervisor District 5. This matter was tabled at the meeting of the Commission on March 12, 2026.

Sharon Hardigree appeared as the owner of the subject property. Ms. Hardigree advised that she had recently reached out to the surrounding property owners and advised them that the Hardigrees understand their concerns and that their proposal includes measures to minimize disruptions and enhance the area. Ms. Hardigree further advised that they desired to work together to make the proposal beneficial to everyone. Ms. Hardigree advised that the improvements to the neighborhood would be upgraded infrastructure, local service and job creation, and restricted hours of operation for public access. Ms. Hardigree advised that aesthetically, any commercial buildings would compliment and not take away from the neighborhood. Ms. Hardigree further advised that commercial development would boost property values in the area.

Ms. Hardigree further advised that she would agree to grant a fifteen (15) year access easement to the adjacent property owners, George and Wanda Carmeans.

Attorney Clark advised the Commission that Mr. James T. Carmeans was at the April meeting of the Commission and advised that he would not be able to attend the May meeting, but that he did draft a letter of objection and provide it to counsel for distribution to the Commission. Such letter is attached to these minutes as **Exhibit "A."**

George Carmeans appeared in opposition and advised that he did receive a text message from Ms. Hardigree, but that it only asked what they could do to make this easier. Mr. Carmeans further advised that he had a petition signed by adjacent property owners that are in opposition to the re-zoning. Such petition is attached hereto as **Exhibit "B."** Mr. Carmeans further advised that he had been approached by property owners in Harvey Crossing that wished to express their opposition to the re-zoning.

Mr. Carmeans argued that people do not move that far out of town to be next to a shopping center, but do so for the peace and quiet of a residential area. Mr. Carmeans read the letter that his son had sent to counsel (**Exhibit "A"**) aloud to the Commission. Mr. Carmeans reiterated that he is opposed to the re-zoning and desires for the property to remain residential. Mr. Carmeans further argued that, pursuant to the deed to his property, he has permanent access to his property through the subject property, no matter who owns it.

Wanda Carmeans appeared in opposition and argued that the re-zoning affects them more than it does anyone else because they live directly behind the subject property and have no road frontage. Ms. Carmeans argued that there is nothing positive to come from the re-zoning, and that she felt if the Commission were in her shoes, they would be opposed.

Dale Barnes appeared in opposition and advised that she lives right around the corner from the subject property and had lived there since 1985. Ms. Barnes advised she did not know the subject property had ever been considered commercial and had always been residential. Ms. Barnes further argued that with all of the planned work in the area, including the widening of Yandell Road, the area would be used for a variety of purposes, but that it seemed silly to place a commercial property in the middle of residential properties.

In response to question from Commissioner McCarty, Mr. Carmeans stated that he has a 20' perpetual easement along the edge of the subject property and that was conveyed to him in the deed to his property. Mr. Carmeans further advised that numerous utilities come up the easement to his house, and that he has improved the easement for use as a driveway to his house. Mr. Carmeans further advised that North Old Canton Road is approximately 400' from the front of his house and that he has allowed trees to grow on the front of his property between his house and the road.

Ms. Hardigree reappeared and advised that Mr. Carmeans does have another means of access through his son's adjacent property but that they have no objection to Mr. Carmeans using the easement through their property and if the property ever sold, the owners would have to allow the Carmeans' access as well. Mr. Carmeans responded that the only access to his son's property

from his is a four wheeler trail that his grandchildren use, and reiterated that his deed contains a perpetual easement across the subject property.

In response to question from Commissioner McCarty, Attorney Clark advised that if Mr. Carmeans purchased his property along with a dedicated easement along and across the subject property, then that is a perpetual easement. Mr. Clark further advised that he would assume that the Hardigrees purchased their property subject to the easement.

In response to question from Chairman Rouser, Mr. Carmeans advised that his son's house is on the corner of Cedar Grove Lane and North Old Canton Road, and that he accesses his property by public road.

Commissioner McCarty stated that remote neighborhoods need a commercial hub, but that they also need a neighborhood-friendly commercial hub and C-2 does not match that. However, Commissioner McCarty noted that there are two (2) adjacent parcels that have already been rezoned to C-2. Commissioner McCarty further noted that neighborhood amenities help drive increased property values of homes in a neighborhood. Commissioner McCarty stated that a neighborhood-friendly commercial hub that 1) buffers the residential district, and 2) enhances the residential district would be beneficial. Commissioner McCarty stated that it seemed the Commission is stuck with C-2, but that she would like to see it restricted.

Upon motion by Commissioner McCarty to approve the Application of Sharon and David Hardigree to rezone +/-4.4 acres from its current designation of (R-1) Residential Estate District to (C-2) Highway Commercial District with conditions to include an 8' tall landscaped evergreen buffer, or an 8' fence along the west boundary, and half way up the north and south boundary of the subject property in order to completely buffer the adjacent residential properties; and the following specific restrictions and uses to be strictly prohibited: veterinary clinics and pet shops, supermarkets, hotels and motels, bowling alleys, skating rinks, motion picture theaters and similar indoor recreational or entertainment enterprises conducted entirely within fully-enclosed buildings, mortuaries and funeral homes, convenience stores, vehicle sales, rental or lease, vehicle service centers, garages/body shops, big box retail establishments, heavy equipment sales and service, building material sales where some or all building materials, such as bricks, lumber, concrete culverts, etc. are displayed/ stored outdoors or are visible from adjoining thoroughfares, fireworks stands, outdoor advertising (billboards), recreational vehicle parks, rental housing, used (pre-owned) vehicle sales, fully enclosed storage or warehouse, check cashing businesses, payday loan businesses, car title/cash for titles loan businesses, pawn shops, tattoo and/or body piercing parlor, vaporizer stores, smoke lounges or similar businesses where cigarettes/vaporizers are sold or used, palm reading or fortune telling businesses, sports betting/wagering/gaming establishments or businesses whether operated independently of other business purposes or jointly, adult entertainment uses, recreational or entertainment uses that encourage high traffic and parking or produce noise, either outdoor or fully enclosed buildings such as theatres, bowling alleys, musical venues, retail sales uses where bulk inventory is stored outdoors (except for Yard and Garden Centers), patio homes, new and used vehicle sales or rentals, including ATV, RV, golf carts, etc., and quasi-public systems/substations/equipment yards/outdoor storage, seconded by Commissioner Sumerall, with all voting "aye," the motion to approve the Application of Sharon and David Hardigree to rezone +/-4.4 acres from its current designation of (R-1) Residential Estate

District to (C-2) Highway Commercial District with the conditions and restrictions listed immediately above, was approved.

Commissioner McCarty amended the motion to approve the Application of Sharon and David Hardigree to rezone +/-4.4 acres from its current designation of (R-1) Residential Estate District to (C-2) Highway Commercial District with the conditions and restrictions listed immediately above, and to add that hours of operation will not to exceed 10:00 p.m. Commissioner Sumerall seconded the motion, and with all voting “aye,” the amended motion was approved.

There next came on for consideration the Application of LFP, LLC to rezone certain property being Madison County Tax Parcel Nos.: 081F-13-004/00.00 and 081F-13-004/00.00 from its current designation of (R-1) Residential Estate District to (R-2) Medium Density Residential District. LFP, LLC simultaneously submitted an Application to rezone certain property being Madison County Tax Parcel No.: 082D-18-001/00.00 from its current designation of (SU-1) Special Use District to (R-2) Medium Density Residential District. The subject properties are both located east of Autumn Crest and Falls Crossing subdivisions on Catlett Road and is in Supervisor District 2. This matter was tabled at the April 9, 2026, meeting until such time as Applicant produces a traffic study, approval from Entergy to construct a road under the existing transmission line, and comments, if any, from the County Engineer.

Scott Shoemaker appeared on behalf of the Applicant, and advised that the intent is to rezone the properties in order to continue the adjacent Autumn Crest development. Mr. Shoemaker next produced a demonstrative plat of the proposed development to the Commission. Such demonstrative plat is attached hereto as **Exhibit “C.”**

Mr. Shoemaker then quoted Section 806 of the Madison County Zoning Ordinance as to the required criteria for re-zoning, and advised that he was seeking re-zoning based on Section 806.03 (B) being the change in the character of the neighborhood and public need. Mr. Shoemaker argued that the change in the character of the neighborhood started a while back and directed the Commission to the included map in Attachment “D” of his Application which shows the current zoning of properties adjacent to the Subject Property.

In response to question from Chairman Rouser, Mr. Shoemaker advised that he had fulfilled each request that the Commission had made, but that he understood that he was to go back through his Application again, and wanted to make certain that his previous argument and presentation regarding the change in character of the neighborhood and public need were included in the record.

Mr. Shoemaker next turned his attention to three items of concern that were raised at the last meeting, and being 1) Is driving under a power line safe? 2) What about traffic concerns? and 3) review of County Engineer. Mr. Shoemaker argued that none of these are factors to effect re-zoning, but that he had addressed each matter.

Mr. Shoemaker distributed an email received from Entergy confirming that there is no issue with a road being constructed under a power line, as long as Entergy requirements are met. Such email is attached hereto as **Exhibit “D.”** Mr. Shoemaker also distributed pictorial examples of

Hampton Hills Subdivision and the neighborhood road going under a power line. Such examples are attached to these minutes as cumulative **Exhibit “E.”** Mr. Shoemaker further distributed a map depicting roads going under power lines at Stribling, Catlett, Gluckstadt Roads and I-55. Such map is attached to these minutes as **Exhibit “F.”** Mr. Shoemaker also noted that there is a power line across Lake Caroline that people boat and fish underneath.

Next, as to the issue of traffic, Mr. Shoemaker distributed a traffic study to the Commission. Such traffic study is attached to these minutes as **Exhibit “G.”** Mr. Shoemaker directed the Commission to page 6 of the traffic study noting planned improvements to Catlett Road and signalizing Stribling Road Extension. Mr. Shoemaker argued that this is doubling the capacity of southbound traffic, and reminded the Commission that although construction is to begin soon, he will probably not begin any homes until sometime in 2029. Next, Mr. Shoemaker next directed the Commission to pages 8 & 9 of the traffic study stating that the future year 2023 levels of service are forecast to be at acceptable levels of service.

Lastly, Mr. Shoemaker advised that he had provided the County Engineer with the traffic study and that Mr. Bryan had stated that based on his initial review, the traffic congestion is essentially unchanged with the construction of new houses and the road construction improvements that are planned on Catlett Road in the coming years, and that this is today’s forecast and there can always be additional improvements to county road infrastructure in the coming years.

Mr. Shoemaker argued that the elements required for a re-zoning had been met.

In response to question from Commissioner Sumerall, Mr. Shoemaker advised that the plan was still to have a one way in and one way out from the proposed neighborhood and that there are 87 lots depicted on his conceptual plan, that that number could go up or down, but that he has a history of actually having less than the maximum number of allowable lots. Mr. Shoemaker further stated that if he saw an opportunity for another entrance/exit to this portion of the neighborhood, then he would do that, but that he does not see that opportunity because the land is not available to do so.

In response to question from Commissioner McCarty, Mr. Shoemaker advised that there are currently 61 houses in Autumn Crest, and over 200 in Falls Crossing.

Clyde Hines appeared in opposition and argued that the traffic is already a concern, but that if you compound that with construction of homes, then it will be an additional concern. Mr. Hines advised that he is not against growth, but that there has to be a better way for traffic to flow.

Jason Peterson appeared in opposition and stated that he is not against the growth or addition to the neighborhood, and that their main concern is the traffic with the one way in and one way out. Mr. Peterson distributed a community petition to the Commission and read the same to the Commission. Such petition is attached to these minutes as **Exhibit “H.”**

Mr. Peterson also referenced the traffic study and the plans to widen Catlett Road to three (3) lanes, and inquired to what the acceptable levels of service actually are and what qualifies them

as such. Mr. Peterson further opined that adding a lane is not going to make much of a difference with the number of homes to be built.

In response to question from Commissioner McCarty, Mr. Shoemaker stated that there are 377 homes in Grayhawk Subdivision, that they do have an emergency exit, but that it is only a vacant lot with no road. Mr. Shoemaker further reiterated that he has thus far been unable to negotiate the purchase of property to the south or north of the subject property.

Upon motion by Commissioner Sumerall to approve the Application of LFP, LLC to rezone certain property being Madison County Tax Parcel Nos.: 081F-13-004/00.00 and 081F-13-004/00.00 from its current designation of (R-1) Residential Estate District to (R-2) Medium Density Residential District with the condition that the County Engineer, Zoning Administrator, and Board of Supervisors consider the one way in/one way out ingress/egress, seconded by Commissioner McCarty, with all voting “aye,” the motion was approved.

Upon motion by Commissioner Sumerall to approve the Application of LFP, LLC to rezone certain property being Madison County Tax Parcel No.: 082D-18-001/00.00 from its current designation of (SU-1) Special Use District to (R-2) Medium Density Residential District with the condition that the County Engineer, Zoning Administrator, and Board of Supervisors consider the one way in/one way out ingress/egress, seconded by Commissioner McCarty, with all voting “aye,” the motion was approved.

There next came on for consideration, the need to close the public hearing. Upon motion by Commissioner Sumerall to close the public hearing, seconded by Commissioner Brown, with all voting “aye,” the public hearing was so closed.

There next came on for discussion, the setting of the June 2026 meeting. June 11, 2026, was suggested. Upon motion by Commissioner Brown, seconded by Commissioner Sumerall, with all voting “aye,” the motion to set the June 2026 meeting for June 11, 2026, was approved.

With there being no further business, the May 7, 2026, meeting of the Madison County Planning and Zoning Commission was adjourned.

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Date

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Dr. Keith Rouser, Chairman