

**MADISON COUNTY PLANNING AND ZONING COMMISSION  
PUBLIC HEARING MINUTES  
JULY 5, 2022 @ 6:00 PM**

**MEMBERS PRESENT**

Chairman Conolus Scott  
Kenneth Bradley  
Lee Mitchell  
William Smith  
Bruce Gandy  
Cynthia Fortson

**MEMBERS ABSENT**

Jeff Hendricks

**STAFF PRESENT**

Tracy W. Patrick, Zoning Administrator  
Christopher Roach, Planning, Zoning, and Code Enforcement Dept. Head  
Mike Pruett, County Attorney

**OPEN/WELCOME/INTRODUCTIONS**

Chairman Scott called the meeting to order at 6:00 PM and opened in a word of prayer.

**REQUIRED STATEMENTS**

No member of the Planning and Zoning Commission indicated any conflict of interest for the public hearings scheduled for tonight.

**1. APPROVAL OF MINUTES**

Minutes of the June 7, 2022 Regular Business Meeting  
Minutes of the June 21, 2022 Public Hearing

On motion by Kenneth Bradley and second by Cynthia Fortson, the board voted to approve the minutes of the June 7, 2022 Regular Business Meeting and the June 21, 2022 Public Hearing. The vote was as follows: William Smith, Lee Mitchell, Chairman Scott, Kenneth Bradley, Cynthia Fortson, and Bruce Gandy voted YES.

**2. NEW BUSINESS**

The board discussed the following amendments.

**DISCUSS AMENDING THE ZONING ORDINANCE IN SECTIONS 7.1, 7.2, 7.3, 8.5 AND 9.7.**

1. Discuss Amending the Zoning Ordinance, **Section 7.1, A-1** Classification Summary
2. Discuss Amending the Zoning Ordinance, **Section 7.1.1.6**, Permitted Uses
3. Discuss Amending the Zoning Ordinance, **Section 7.1.1.7**, Permitted Uses
4. Discuss Amending the Zoning Ordinance, **Section 7.1.1.17**, Permitted Uses
5. Discuss Amending the Zoning Ordinance, **Section 7.1.1.21**, Permitted Uses
6. Discuss Amending the Zoning Ordinance, **Section 7.1.2**, Conditional Uses
7. Discuss Amending the Zoning Ordinance, **Section 7.1.2.7**, Conditional Uses
8. Discuss Amending the Zoning Ordinance, **Section 7.1.2.10**, Conditional Uses

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9. Discuss Amending the Zoning Ordinance, **Section 7.1.2.16**, Conditional Uses
10. Discuss Amending the Zoning Ordinance, **Section 7.1.2.17**, Conditional Uses
11. Discuss Amending the Zoning Ordinance, **Section 7.2, A-2** Classification Summary
12. Discuss Amending the Zoning Ordinance, **Section 7.2.1.5**, Permitted Uses
13. Discuss Amending the Zoning Ordinance, **Section 7.2.1.11**, Permitted Uses
14. Discuss Amending the Zoning Ordinance, **Section 7.2.1.13**, Permitted Uses
15. Discuss Amending the Zoning Ordinance, **Section 7.2.2**, Conditional Uses
16. Discuss Amending the Zoning Ordinance, **Section 7.2.2.7**, Conditional Uses
17. Discuss Amending the Zoning Ordinance, **Section 7.2.2.15**, Conditional Uses
18. Discuss Amending the Zoning Ordinance, to add **Section 7.2.2.17**, Conditional Uses
19. Discuss Amending the Zoning Ordinance, **Section 7.3, RR** Classification Summary
20. Discuss Amending the Zoning Ordinance, **Section 7.3.1.4**, Permitted Uses
21. Discuss Amending the Zoning Ordinance, **Section 7.3.1.11**, Permitted Uses
22. Discuss Amending the Zoning Ordinance, **Section 7.3.1.14**, Permitted Uses
23. Discuss Amending the Zoning Ordinance, **Section 7.3.2**, Conditional Uses
24. Discuss Amending the Zoning Ordinance, to add **Section 7.3.2.8**, Conditional Uses
25. Discuss Amending the Zoning Ordinance, **Section 8.5.1.1, Accessory Dwelling Units (ADU)**
26. Discuss Amending the Zoning Ordinance, **Section 9.7.1.2, Public Cemeteries**

**3. PUBLIC HEARING ITEMS**

**1. PRELIMINARY PLAT REVIEW (Spratlin Creek Farms Subdivision)**

Clint Larkin, representing High Point Construction & Development, is presenting the preliminary plat review for Spratlin Creek Farms Subdivision. The subdivision contains (11) lots and a designated section of green space with picnic areas and walking trails. The property is located on Spratlin Mill Road on map 0045 parcels 173 & 181. The property was rezoned from A1 to R1 and approved by the Board of Commissioners on January 3, 2022. The homes will be from 2,800 to 4,000 square feet in size.

Mr. Larkin was present and addressed questions from the board.

On motion by Bruce Gandy and second by Cynthia Fortson, the board voted to approve the preliminary plat for Spratlin Creek Farms Subdivision as presented.

The vote was as follows: William Smith, Lee Mitchell, Chairman Scott, Kenneth Bradley, Cynthia Fortson, and Bruce Gandy voted YES.

There was discussion between the board and Mr. Christopher Roach, Building, Zoning, and Code Enforcement Department Head, regarding upcoming amendments being considered by the Board of Commissioners for the Madison County Planning and Zoning Commission Ordinance and By-Laws.

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**2. CONSIDER AMENDING THE ZONING ORDINANCE (SECTION 7.2)**

A2-Permitted Uses

- **Section 7.2.1.11:** Consider deleting section in its entirety, with nothing substituted in its place.  
~~Private Cemetery.~~

Chairman Scott opened the public hearing.

Chairman Scott asked if anyone would like to speak in favor of the request.  
No one came forward.

Chairman Scott asked if anyone would like to speak in opposition to the request.

Mr. Dale Berrong of 633 Drake Woods Road, addressed the board to request clarification between private and public cemeteries. He expressed concerns regarding potential problems for future landowners of properties that have private cemeteries located on them.

District 2 Commissioner Mr. Terry Chandler, of 202 Fowler Freeman Road, addressed the board to express concerns regarding long-term implications of private cemeteries.

The public hearing was closed and a vote was taken.

On motion by Lee Mitchell and second by Kenneth Bradley, the board voted to delete Section 7.2.1.11 in the Madison County Zoning Ordinance in its entirety with nothing substituted in its place.

The vote was as follows: William Smith, Lee Mitchell, Chairman Scott, Kenneth Bradley, Cynthia Fortson, and Bruce Gandy voted YES.

**3. CONSIDER AMENDING THE ZONING ORDINANCE (SECTION 8.6)**

Recreational Vehicles as a Temporary Residence.

- **Section 8.6.2.2:** Consider deleting section in its entirety, with nothing substituted in its place.  
~~A permit may be granted in an R-1 zone only if the lot has a minimum of 1.5 acres, in an RR zone only if the lot has a minimum of 4 acres, and in an A-1 or A2 zone only if the lot has a minimum of 10 acres.~~
- **Section 8.6.2.7:** Consider revising section as follows:  
The requirements of this section 8.6.2 do not apply if the RV is occupied for less than ~~30~~ 15 total days in a ~~12 month~~ 60 day period.

Chairman Scott opened the public hearing for Section 8.6.2.2.

Chairman Scott asked if anyone would like to speak in favor of the request.  
No one came forward.

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Chairman Scott asked if anyone would like to speak in opposition to the request.  
No one came forward.

The public hearing was closed and a vote was taken.

On motion by Bruce Gandy and second by Lee Mitchell, the board voted to delete Section 8.6.2.2 in the Madison County Zoning Ordinance in its entirety with nothing substituted in its place.

The vote was as follows: William Smith, Lee Mitchell, Chairman Scott, Kenneth Bradley, Cynthia Fortson, and Bruce Gandy voted YES.

Chairman Scott opened the public hearing for Section 8.6.2.7.

Chairman Scott asked if anyone would like to speak in favor of the request.  
No one came forward.

Chairman Scott asked if anyone would like to speak in opposition to the request.  
No one came forward.

The public hearing was closed and a vote was taken.

On motion by William Smith and second by Chairman Scott, the board voted to revise Section 8.6.2.7 in the Madison County Zoning Ordinance as presented.

The vote was as follows: William Smith, Lee Mitchell, Chairman Scott, Kenneth Bradley, Cynthia Fortson, and Bruce Gandy voted YES.

**4. CONSIDER AMENDING THE SUBDIVISION REGULATIONS (SECTION 8.4)**

Preparation of Preliminary Plat and Distribution Copies.

- **Section 8.4, #3** Consider revising the number of hardcopies required for the preliminary plat from ~~fifteen (15)~~ to **four (4) copies** submitted to the Building and Zoning Department.
- **Section 8.4, #3(b)** of the Subdivision Regulations: Consider revising the number of hardcopies required for the preliminary plat from ~~seven (7)~~ to **one (1) copy** for the Planning and Zoning Commission.
- **Section 8.4, #3(c)** of the Subdivision Regulations: Consider revising the number of hardcopies required for the preliminary plat from ~~six (6)~~ to **one (1) copy** for the Board of Commissioners.

Chairman Scott opened the public hearing for Sections 8.4, #3, 8.4, #3(b), and 8.4, #3(c).

Chairman Scott asked if anyone would like to speak in favor of the request.  
No one came forward.

Chairman Scott asked if anyone would like to speak in opposition to the request.

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No one came forward.

The public hearing was closed and a vote was taken.

On motion by Kenneth Bradley and second by Cynthia Fortson, the board voted to revise Sections 8.4, #3, 8.4, #3(b), and 8.4, #3(c) in the Madison County Zoning Ordinance as presented.

The vote was as follows: William Smith, Lee Mitchell, Chairman Scott, Kenneth Bradley, Cynthia Fortson, and Bruce Gandy voted YES.

**4. OLD BUSINESS**

There was none.

**5. ADJOURN**

On motion by Cynthia Fortson and second by Chairman Scott, the board voted unanimously to adjourn at 7:55 PM.