

MADISON COUNTY PLANNING AND ZONING COMMISSION
PUBLIC HEARING MINUTES
APRIL 19, 2022
6:00 PM

MEMBERS PRESENT:

Chairman Conolus Scott
Kenneth Bradley
Lee Mitchell
William Smith
Bruce Gandy

MEMBERS ABSENT:

Cynthia Fortson

STAFF PRESENT:

Tracy W. Patrick, Zoning Administrator
Mike Pruet, 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.

OLD BUSINESS:

None

NEW BUSINESS:

1. PUBLIC HEARING ITEMS:

1. The first rezone was for **Brenda Escobedo** is requesting to rezone her 5.9 acre property from A2 to RR to allow her to cut out two acres to sell to a family member to live on. The property is located at 0 Neese Commerce Road on map 0015 parcel 143-A03 in **District 1**.

Zoning Administrator Tracy Patrick, read and explained the rezone request to the board.

Chairman Scott opened the public hearing.

Brenda Escobedo addressed the board and stated her intentions for the request. She also provided an update regarding her decision to combine the remaining 3.9 acres from the 5.9 acre property being split, to her adjoining A2 property (0015/143-A04), where she currently resides.

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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.

Chairman Scott closed the public hearing and the floor was opened for discussion.

There was discussion.

The discussion was closed and a vote was taken.

A motion by Kenneth Bradley and second by William Smith was made to approve the rezone, however, County Attorney Mike Pruett, suggested for the motion to include the condition that the remaining 3.9 acres must be combined to her adjoining A2 property (0015/143-A04).

On amended motion by Kenneth Bradley and second by William Smith, the board voted to approve the rezone request with the condition that the remaining 3.9 acres be combined to her adjoining A2 property (0015/143-A04).

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

2. The second public hearing was for **Steven & Candace Bradley**, they are requesting to rezone their 15.94 acre property from A1 to A2 to combine .82 acres (0047/073A) from adjoining A2 property for a suitable building site to build a home for Steven's disabled brother. Property has unsuitable soil for septic system. The property is located at 1025 Lem Edwards Road on map 0047 parcel 073 in **District 3**.

Zoning Administrator Tracy Patrick, read and explained the rezone request to the board.

Chairman Scott opened the public hearing.

Steven Bradley addressed the board and stated their intentions for the request.

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.

Chairman Scott closed the public hearing and the floor was opened for discussion.

The discussion was closed and a vote was taken.

On motion by Bruce Gandy and second by Lee Mitchell, the board voted to approve the rezone request for the property to be rezoned from A1 to A2.

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

3. The third public hearing was for **Jimmy & Judy Bates**, they are requesting to rezone a .69 acre portion of their 13.54 acre property from A2 to RR to combine with adjoining (0046/180) RR property to give as a courtesy buffer to neighbor, Curtis Daniel. The property is located at 854 Jack Sharp Road on map 0046 parcel 178 in **District 5**.

Zoning Administrator Tracy Patrick, read and explained the rezone request to the board.

Chairman Scott opened the public hearing.

Applicant Curtis Daniel, addressed the board and stated the intentions regarding the request.

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

No one came forward.

Chairman Scott read a letter of support from Rita Kay Fortson that was given to the Zoning Administrator right before the meeting started.

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

No one came forward.

There was discussion.

Chairman Scott closed the public hearing and the floor was opened for discussion.

The discussion was closed and a vote was taken.

On motion by Conolus Scott and second by Bruce Gandy, the board voted to approve the .69 acre portion be rezoned from A2 to RR with the condition that the portion be combined with the adjoining 2.13 acre property (0046/180) RR property.

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

Zoning Administrator Tracy Patrick, informed the board that the next seven rezoning applications, were concerning parcels located around the Thousand Oaks Drive community, that were being requested to be rezoned from A1 to A2 to prohibit intensive farming practices.

There was discussion between County Attorney Mike Pruett and the board.

4. The fourth public hearing was for **Billy Crouch with Cajun Investments, LLC**, he is requesting to rezone his 10 acre property from A1 to A2 to prohibit intensive farming practices on the property. The property may be used for future home sites for him or his children, or possible investment property. The property is located at 0 Jot Em Down Road/0 Thousand Oaks Drive on map 0008 parcel 017 in **District 2**.

Zoning Administrator Tracy Patrick, read and explained the rezone request to the board.

Chairman Scott opened the public hearing.

The applicant was not present, nor did he have anyone at the hearing to represent him. The application was considered null and void since attendance to the first public hearing is required.

5. The fifth public hearing was for **Robert & Wendy Toll**, they are requesting to rezone their 39.22 acre property from A1 to A2 to prohibit intensive farming practices on the property. The property is located at 750 Davis Farms Road on map 0008 parcel 026 in **District 2**.

Zoning Administrator Tracy Patrick, read and explained the rezone request to the board.

Chairman Scott opened the public hearing.

Robert and Wendy Toll addressed the board and stated their intentions for the request.

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

Robert Kelley and Billy Norris both spoke in favor of the request.

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

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Chairman Scott closed the public hearing and the floor was opened for discussion.

On motion by Bruce Gandy and second by Conolus Scott, the board voted to approve the rezone request for the property to be rezoned from A1 to A2.

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

6. The sixth rezone request was for **Robert & Donna Kelley**, they are requesting to rezone their 29.59 acre property from A1 to A2 to prohibit intensive farming practices on the property. The property is located at 433 Thousand Oaks Drive on map 0008 parcel 022 in **District 2**.

Zoning Administrator Tracy Patrick, read and explained the rezone request to the board.

Chairman Scott opened the public hearing.

Robert Kelley addressed the board and stated their intentions for the request.

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

David Robbins spoke in favor of the request.

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

Chairman Scott closed the public hearing and the floor was opened for discussion.

On motion by Bruce Gandy and second by William Smith, the board voted to approve the rezone request for the property to be rezoned from A1 to A2.

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

7. The seventh rezone request was for **Randy & Cindy Pethel**, they are requesting to rezone their 21.17 acre property from A1 to A2 to prohibit intensive farming practices on the property. The property is located at 545 Thousand Oaks Drive on map 0008 parcel 023 in **District 2**.

Zoning Administrator Tracy Patrick, read and explained the rezone request to the board.

Chairman Scott opened the public hearing.

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Randy and Cindy Pethel addressed the board and stated their intentions for the request.

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

David Robbins spoke in favor of the request.

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

Chairman Scott closed the public hearing and the floor was opened for discussion.

On motion by Kenneth Bradley and second by Bruce Gandy, the board voted to approve the rezone request for the property to be rezoned from A1 to A2.

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

8. The eighth rezone request was for **David Robbins**, he is requesting to rezone his 10.53 acre property from A1 to A2 to prohibit intensive farming practices on the property. The property is located at 176 Thousand Oaks Drive on map 0008 parcel 020 in **District 2**.

Zoning Administrator Tracy Patrick, read and explained the rezone request to the board.

Chairman Scott opened the public hearing.

David Robbins addressed the board and stated his intentions for the request.

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

Robert Kelley spoke in favor of the request.

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

Chairman Scott closed the public hearing and the floor was opened for discussion.

On motion by Conolus Scott and second by Lee Mitchell, the board voted to approve the rezone request for the property to be rezoned from A1 to A2.

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

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9. The ninth rezone request was for **Billy Norris**, he is requesting to rezone his three contiguous tracts of land from A1 to A2 to prohibit intensive farming practices on the properties. The properties are located at 0 Davis Farms Road on map 21 parcels 134 (10.13 ac), 135 (33.02 ac), and 136 (29.68 ac) in **District 2** *(Note: There is a fourth contiguous tract located above these and he and his wife, Priscilla Norris, own all four parcels together. However, the fourth tract is listed in Priscilla's name and a separate rezone application has been submitted for it as well and is for the same purpose.)*

Zoning Administrator Tracy Patrick, read and explained the rezone request to the board.

Chairman Scott opened the public hearing.

Billy Norris addressed the board and stated his intentions for the request and said he would like to have cattle on the property as well.

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

Robert Toll spoke in favor of the request.

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

Chairman Scott closed the public hearing and the floor was opened for discussion.

There was discussion regarding the legal amount of cattle Mr. Norris could have on the proposed A2 property, which is one acre per cow, and he was in agreement with the requirement.

A motion was made by Kenneth Bradley to approve the rezone with the condition that Mr. Norris not exceed the animal limitation requirement for the property.

County Attorney Mike Pruett, addressed Mr. Bradley and suggested him not to condition the motion to simply state that he must follow the law, as it is legally discouraged.

Kenneth Bradley rescinded the motion.

On amended motion by Kenneth Bradley and second by Bruce Gandy, the board voted to approve the rezone request for the property to be rezoned from A1 to A2.

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

- 10.** The tenth rezone request was for **Priscilla B. Norris**, she is requesting to rezone her 20.45 acre property from A1 to A2 to prohibit intensive farming practices on the property. The property is located at 470 Dunneden Drive on map 0020 parcel 001 D in **District 2**. *(Note: This is the fourth contiguous parcel of the four owned by Mrs. Norris and her husband, Billy Norris. Mr. Norris has submitted a rezone application for three of the parcels they own together (134, 135, & 136). Mrs. Norris had to submit this separate request because the property was in her name only.)*

Zoning Administrator Tracy Patrick, read and explained the rezone request to the board.

Chairman Scott opened the public hearing.

Priscilla Robbins addressed the board and stated her intentions for the request.

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.

Chairman Scott closed the public hearing and the floor was opened for discussion.

On motion by Conolus Scott and second by Lee Mitchell, the board voted to approve the rezone request for the property to be rezoned from A1 to A2.

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

2. ADJOURN:

On motion by Bruce Gandy and second by Lee Mitchell, the board voted unanimously to adjourn at 7:33 PM.