

**MADISON COUNTY PLANNING AND ZONING COMMISSION
PUBLIC HEARING MINUTES
JUNE 21, 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.

OLD BUSINESS

1. CONSIDER APPROVING THE PRELIMINARY PLAT FOR SPRATLIN CREEK FARMS SUBDIVISION.

Clint Larkin, representing High Point Construction & Development, 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 not in attendance.

On motion by Bruce Gandy and second by Kenneth Bradley, the board voted to take the matter up again at their July 19th, 2022 meeting due to the unexpected failure to appear by Mr. Larkin.

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

NEW BUSINESS

2. PUBLIC HEARING ITEMS:

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1. **Helena Santoyo**, requesting a conditional use for her A2, 5.02-acre property, to allow her to operate a dog kennel with a maximum of (14) dogs on property that she and her family live on. She breeds show-quality Exotic Bullies which are small/medium in size. She is trying to bring her current, non-compliant dog kennel that has been in operation for six years, into compliance with the dog kennel regulations in the Zoning Ordinance. The property is located at 628 Cecil Stewart Rd on map 0039 parcel 079 in **District 2**.

Zoning Administrator Tracy Patrick read the application and explained the details of the request.

Chairman Scott opened the public hearing.

Mrs. Santoyo addressed the board and answered their questions.

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.

Ms. Helen Booth of 476 Chandler Road, spoke in opposition to the request and submitted a petition with signatures from others also in opposition that live near the proposed kennel.

After discussion, the public hearing was closed and a vote was taken.

On motion by Cynthia Fortson and second by William Smith, the board voted to approve the conditional use to operate a dog kennel with conditions that the preexisting metal building that does not meet the minimum setback requirement not be used for kennel purposes, there be a maximum of (14) adult dogs on property at one time, and that a privacy fence be erected.

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

2. **Consider Amending the Zoning Ordinance (Section 9.7)**

Cemeteries

- **Section 9.7.3:** Consider **adding** an additional section (9.7.3) to address **Private Cemeteries**.

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.
No one came forward.

After discussion, the public hearing was closed and a vote was taken.

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On motion by William Smith and second by Bruce Gandy, the board voted to approve section 9.7.3 for Private Cemeteries to be added to the zoning ordinance as presented in its entirety.

The vote was as follows: William Smith, Lee Mitchell, Kenneth Bradley, and Bruce Gandy voted YES. Chairman Scott and Cynthia Fortson voted NO.

3. DISCUSS AMENDING THE ZONING ORDINANCE (SECTION 7.2)

A2-Permitted Uses

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

~~Private Cemetery.~~

The board discussed the amendment and will vote on it at their July 5th, 2022 meeting.

4. DISCUSS 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.

Mr. Roach addressed the board to discuss the need for amending these sections.

The board reviewed the amendments and will vote on them at their July 5th, 2022 meeting.

5. DISCUSS 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.

Mr. Roach addressed the board to discuss the need for amending these sections.

The board reviewed the amendments and will vote on them at their July 5th, 2022 meeting.

6. ADJOURN

On motion by Lee Mitchell and second by William Smith, the board voted unanimously to adjourn at 7:48 PM.