

**(TO BE APPROVED & ADOPTED 06/02/15)**

**MADISON COUNTY  
PLANNING AND ZONING**

**Public Hearing Minutes**

**May 19, 2015**

**MEMBERS PRESENT:**

Chairman Wayne Douglas  
John Stuedemann  
Todd Higdon  
Bob Fowler  
Gabe Martin  
Lamar Hughston

**MEMBERS ABSENT:**

**OTHERS PRESENT:**

Linda Fortson, Zoning Administrator

The Madison County Planning and Zoning Commission held their May public hearing in the public meeting room of the Madison County Government Complex on Tuesday, May 19, 2015. Chairman Wayne Douglas called the public hearing to order at 6:30 p.m.

**Open and Welcome/Introductions**

**Reading of Required Statements**

No member of the Planning and Zoning Commission indicated any conflict of interest for the public hearings schedule for May 19, 2015.

The first scheduled public hearing is zoning amendments by Chairman, Wayne Douglas.

Home base business.

Bob Fowler made a motion to approve. John Stuedemann seconded the motion.

The vote to recommend approval of the request to the Madison County Board of Commissioners was a unanimous vote of 6 to 0.

Chairman Wayne Douglas - yes  
John Stuedemann - yes  
Todd Higdon - yes  
Bob Fowler - yes  
Gabe Martin - yes  
Lamar Hughston – yes

Wayne asked the board how they would like to take up the next two items.

John Stuedemann made a motion to take the items up separate. Todd Higdon seconded the motion.

Allowing chickens in R-1, R-2, and R-3.

Todd Higdon made a motion to approve. Wayne Douglas seconded the motion.

The vote to recommend approval of the request to the Madison County Board of Commissioners was a unanimous vote of 6 to 0.

Chairman Wayne  
Douglas - yes  
John Stuedemann - yes  
Todd Higdon - yes  
Bob Fowler - yes  
Gabe Martin - yes  
Lamar Hughston - yes

Allowing goats and sheep in R-1, R-2, and R-3.

John Stuedmann made a motion to approve. Bob Fowler seconded the motion.

The vote to recommend approval of the request to the Madison County Board of Commissioners was a unanimous vote of 6 to 0.

Chairman Wayne Douglas - yes

John Stuedemann - yes

Todd Higdon - yes

Bob Fowler - yes

Gabe Martin - yes

Lamar Hughston - yes

Withdrawal of rezone request.

Lamar Hughston a motion to approve. Gabe Martin seconded the motion.

The vote to recommend approval of the request to the Madison County Board of Commissioners was a unanimous vote of 6 to 0.

Chairman Wayne Douglas - yes

John Stuedemann - yes

Todd Higdon - yes

Bob Fowler - yes

Gabe Martin - yes

Lamar Hughston - yes

Appeal of Zoning Administrator and Chairman Dove's decision to consider a new use as the same as a grandfathered use on the property owned by Gibson Whitehust located on Map 63 parcel 24 and 25 on Jones Chapel Shiloh Rd. This property was formerly known as White's Sales when it was owned and operated by Bill White. The property is currently zoned A-2 that has a business use prior to zoning.

Bob Fowler made a motion to uphold Linda Fortson's decision. Motion failed for a lack of a seconded.

## Wayne read Section 11.2.1 Use Variance

Where the owner of a parcel of land has a legally non-conforming use at the time of the enactment of this ordinance or its amendment, the Board of Commissioners, after recommendation from the Planning and Zoning Commission may grant a use variance upon a finding that all of the following conditions exist;

- 11.2.1.1 Literal enforcement of these regulations will result in unnecessary hardship to the owner.
- 11.2.1.2 The plight of the owner is due to unique circumstances especially affecting the owner's parcel or building but not affecting generally the zoning district in which it is located;
- 11.2.1.3 The variance, if granted, is not country to the public interest; and
- 11.2.1.4 The use variance, if granted, will substantially serve the public convenience and not substantially and permanently injure the appropriate use of the neighboring property.

There was public comment.

Wayne Douglas made a motion to postpone until June 2, 2015 business meeting. Todd Higdon seconded the motion.

Chairman Wayne Douglas - yes

John Stuedemann - yes

Todd Higdon - yes

Bob Fowler - yes

Gabe Martin - yes

Lamar Hughston - yes

## **Other Business**

## **Adjournment**

With no further business being left to discuss, Gabe Martin made a motion to adjourn the meeting.

Wayne Douglas seconded the motion.

Chairman Wayne Douglas - yes

John Stuedemann - yes

Todd Higdon - yes

Bob Fowler - yes

Gabe Martin - yes

Lamar Hughston - yes

The meeting was adjourned with a unanimous vote at 8:05 p.m.