

**(TO BE APPROVED & ADOPTED 07/06/17)**

**MADISON COUNTY  
PLANNING AND ZONING**

**Public Hearing Minutes**

**June 20, 2017**

**MEMBERS PRESENT:**

Chairman Lamar Hughston  
Bob Fowler  
Conolus Scott  
Terry Chandler  
Duane Bruno  
Kenneth Bradley  
Gabe Martin

**MEMBERS ABSENT:**

**OTHERS PRESENT:**

Linda Fortson, Zoning Administrator

The Madison County Planning and Zoning Commission held their June public hearing in the public meeting room of the Madison County Government Complex on Tuesday June 20, 2017 Chairman Lamar Hughston 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 June 20, 2017 Public Hearings.

The first scheduled public hearing concerned a request by Jeff Welborn is representing Willis Welborn in requesting to rezone 1 ac. from A1 to B, for their existing meat process business. The property is located on Map 67 Parcel 60 on Hwy 98 E. in District 2.

Ms. Linda Fortson confirmed that the applicant met all the legal requirements of the Madison County Zoning Ordinance.

There was public comment.

The public hearing was closed and a special session of the Madison County Planning and Zoning Commission was opened.

Duane Bruno made a motion to recommend approval of the rezone request as submitted to the Madison County Board of Commissioners.

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 7 to 0.

Chairman Lamar Hughston - yes

Bob Fowler – yes

Conolus Scott- yes

Terry Chandler - yes

Duane Bruno – yes

Kenneth Bradley – yes

Gabe Martin - yes

The second scheduled public hearing concerned a request by Ashely Fitzpatrick is representing her mother Diana Whitlock in requesting to rezone 8 ac. from A1 to

RR, to subdivide the property for another home site. The property is located on Map 2 Parcel 54 on Hwy 29 S. in District 1.

Ms. Linda Fortson confirmed that the applicant met all the legal requirements of the Madison County Zoning Ordinance.

There was public comment.

The public hearing was closed and a special session of the Madison County Planning and Zoning Commission was opened.

Kenneth Bradley made a motion to recommend approval of the rezone request as submitted to the Madison County Board of Commissioners.

Conolus Scott seconds the motion.

The vote to recommend approval of the request to the Madison County Board of Commissioners was a unanimous vote of 7 to 0.

Chairman Lamar Hughston - yes

Bob Fowler – yes

Conolus Scott- yes

Terry Chandler - yes

Duane Bruno – yes

Kenneth Bradley – yes

Gabe Martin - yes

The third scheduled public hearing concerned a request by Jose and Tina Mazariegos; they are requesting to rezone their 5.74 ac. parcel from R3 to A2 to allow farm animals. The property is located on map 59 parcel 103 on Shoal Creek Rd. in District 5.

Ms. Linda Fortson confirmed that the applicant met all the legal requirements of the Madison County Zoning Ordinance.

The applicants were not present, that made this request a withdrawal.

The fourth scheduled public hearing concerned a request by Conrado Arellano-Lopez to rezone 4.46 ac. from A2 to RR for an additional home site. The property is located on map 14 parcel 82 on Lucky Jones Rd. in District 1.

Ms. Linda Fortson confirmed that the applicant met all the legal requirements of the Madison County Zoning Ordinance.

There was no public comment.

The public hearing was closed and a special session of the Madison County Planning and Zoning Commission was opened.

Terry Chandler made a motion to recommend approval of the rezone request as submitted to the Madison County Board of Commissioners.

Duane Bruno seconded the motion.

The vote to recommend approval of the request to the Madison County Board of Commissioners was a unanimous vote of 7 to 0.

Chairman Lamar Hughston - yes

Bob Fowler – yes

Conolus Scott- yes

Terry Chandler - yes

Duane Bruno – yes

Kenneth Bradley – yes

Gabe Martin - yes

The fifth scheduled public hearing concerned a request by Annette Shuler is representing her father's estate, Clark Bryant. The request is to rezone 5 ac. of this 5 ac. parcel from A2 to RR to subdivide the mobile home on the property. The property is located on map 70 parcel 31-03 in District 2.

Ms. Linda Fortson confirmed that the applicant met all the legal requirements of the Madison County Zoning Ordinance.

There was public comment.

The public hearing was closed and a special session of the Madison County Planning and Zoning Commission was opened at 7:40 p.m.

Lamar Hughston made a motion to recommend approval of the rezone request as submitted to the Madison County Board of Commissioners.

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 7 to 0.

Chairman Lamar Hughston - yes

Bob Fowler – yes

Conolus Scott- yes

Terry Chandler - yes

Duane Bruno – yes

Kenneth Bradley – yes

Gabe Martin - yes

The sixth scheduled public hearing concerned the following amendments to the Zoning Ordinance.

#### ARTICLE III; Definitions

Ms. Linda Fortson explained that this was cleaning up some of the existing definitions and adding new definitions to this section of the Madison County Zoning Ordinance.

There was no public comment.

The public hearing was closed and a special session of the Madison County Planning and Zoning Commission was opened.

Conolus Scott made a motion to recommend approval of the amendment as submitted to the Madison County Board of Commissioners.

Kenneth Bradley 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 Lamar Hughston - yes

Bob Fowler – yes

Conolus Scott- yes

Terry Chandler - abstained

Duane Bruno – yes  
Kenneth Bradley – yes  
Gabe Martin - yes

The seventh scheduled public hearing Section 4.6 Interpretation of Uses.

Chairman Lamar Hughston read this amendment to the Madison County Zoning Ordinance.

There was no public comment.

The public hearing was closed and a special session of the Madison County Planning and Zoning Commission was opened.

Bob Fowler made a motion to recommend approval of the amendment as submitted to the Madison County Board of Commissioners.

Terry Chandler seconded the motion.

The vote to recommend approval of the request to the Madison County Board of Commissioners was a unanimous vote of 7 to 0.

Chairman Lamar Hughston - yes  
Bob Fowler – yes  
Conolus Scott- yes  
Terry Chandler - yes  
Duane Bruno – yes  
Kenneth Bradley – yes  
Gabe Martin – yes

The eighth scheduled public hearing Section 4.7 Prohibited Uses.

Ms. Linda Fortson explained that this new section is being added of Madison County Zoning Ordinance.

There was no public comment.

The public hearing was closed and a special session of the Madison County Planning and Zoning Commission was opened.

The Board tabled this until they could have further discussion.

Conolus Scott made a motion to table this amendment for further discussion. Gabe Martin seconded the motion.

The vote to recommend tabling this for further discussion was a unanimous vote of 7 to 0.

Chairman Lamar Hughston - yes

Bob Fowler – yes

Conolus Scott- yes

Terry Chandler - yes

Duane Bruno – yes

Kenneth Bradley – yes

Gabe Martin – yes

The ninth scheduled public hearing was Section 6.6.3 recreational vehicles.

Ms. Linda Fortson explained that this section is being deleted and being replaced by the new verbiage regarding travel trailers, recreational vehicles, and tiny houses on wheels.

There was no public comment.

The public hearing was closed and a special session of the Madison County Planning and Zoning Commission was opened.

Duane Bruno made a motion to approve this amendment.

Kenneth Bradley seconded the motion.

The vote to recommend approval was a unanimous vote of 7 to 0.

Chairman Lamar Hughston - yes  
Bob Fowler – yes  
Conolus Scott- yes  
Terry Chandler - yes  
Duane Bruno – yes  
Kenneth Bradley – yes  
Gabe Martin – yes

The tenth scheduled public hearing was taken up as one vote. Section 7.1.2.5  
Transmission Towers, 7.2.2.14 Transmission Towers, Section 7.7.1.67  
Transmission Towers, and Section 7.9.2.3 Transmission Towers.

Ms. Linda Fortson explained that these sections are to allow cell towers as a  
conditional use in A2 Madison County Zoning Ordinance.

There was no public comment.

The public hearing was closed and a special session of the Madison County  
Planning and Zoning Commission was opened.

Gabe Martin made a motion to approve these amendments.  
Conolus Scott seconded the motion.

The vote to recommend approval was a unanimous vote of 7 to 0.

Chairman Lamar Hughston - yes  
Bob Fowler – yes  
Conolus Scott- yes  
Terry Chandler - yes  
Duane Bruno – yes  
Kenneth Bradley – yes  
Gabe Martin – yes

The eleventh scheduled public hearing Article VII Transmission towers.

Chairman Lamar Hughston explained that this section is a chart that lists the  
different uses Madison County Zoning Ordinance.



There was no public comment.

The public hearing was closed and a special session of the Madison County Planning and Zoning Commission was opened.

Terry Chandler made a motion to approve this amendment.  
Gabe Martin seconded the motion.

The vote to recommend approval was a unanimous vote of 7 to 0.

Chairman Lamar Hughston - yes

Bob Fowler – yes

Conolus Scott- yes

Terry Chandler - yes

Duane Bruno – yes

Kenneth Bradley – yes

Gabe Martin – yes

The twelfth scheduled public hearing was taken up as one vote. Section 14.2.4.16  
Rezone Analysis.

Chairman Lamar Hughston explained that this section covers the analysis that covers the rezone application Madison County Zoning Ordinance.

There was public comment.

The public hearing was closed and a special session of the Madison County Planning and Zoning Commission was opened.

Gabe Martin made a motion to approve these amendments.  
Terry Chandler seconded the motion.

The vote to recommend approving this was a unanimous vote of 7 to 0.

Chairman Lamar Hughston - yes

Bob Fowler – yes

Conolus Scott- yes

Terry Chandler - yes

Duane Bruno – yes  
Kenneth Bradley – yes  
Gabe Martin – yes

The thirteenth scheduled public hearing was concerning amendment to the Subdivision Regulations Section 7.7 (2).

Ms. Linda Fortson explained that this section is to change the lot size from 1 acre to 1.5 acres.

There was no public comment.

10.

The public hearing was closed and a special session of the Madison County Planning and Zoning Commission was opened.

After discussion by the Board a motion was made by Terry Chandler to recommend approval to the Board of Commissioners.

Lamar Hughston seconded the motion.

The vote to recommend approving this was a vote of 2 to 4.

Chairman Lamar Hughston - yes  
Bob Fowler – no  
Conolus Scott- no  
Terry Chandler - yes  
Duane Bruno – abstained  
Kenneth Bradley – no  
Gabe Martin – no

With further discussion Conolus Scott made the motion to leave this section with the 1 acre lots.

Kenneth Bradley seconded the motion.

The vote to recommend approving this was a vote of 5 to 2.

Chairman Lamar Hughston - no  
Bob Fowler – yes  
Conolus Scott- yes  
Terry Chandler - no  
Duane Bruno – yes  
Kenneth Bradley – yes  
Gabe Martin –yes

The fourteenth scheduled public hearing was concerning amendment to the Subdivision Regulations Section 7.7 .

Ms. Linda Fortson explained that this section was from one part of the subdivision regulations that is now being moved to the section, with some clean up to one sentence in number five, six and seven.

There was no public comment.

The public hearing was closed and a special session of the Madison County Planning and Zoning Commission was opened.

After discussion by the Board;

Bob Fowler made a motion to approve the amendment as presented.  
Kenneth Bradley seconded the motion.

The vote to recommend approval was a vote of 4 to 3.

Chairman Lamar Hughston - Yes  
Bob Fowler – Yes  
Conolus Scott- Yes  
Terry Chandler - No  
Duane Bruno – No  
Kenneth Bradley – Yes  
Gabe Martin – No

The fifteenth scheduled public hearing was concerning amendment to the 7.7, that all homes within a subdivision are to be site built and must be built on a concrete foundation, (slab or crawl space.)

Chairman Lamar Hughston asked Linda Fortson if she would explain this amendment.

Terry Chandler asks if there was a definition of site built in the definitions. Ms. Fortson read the definition of site built and the definition of modular home.

There was no public comment.

After further discussion the motion was made as follows;

Duane Bruno made a motion to approve.

Kenneth Bradley seconded the motion.

The vote to recommend approval was a vote of 5 to 2.

Chairman Lamar Hughston - Yes

Bob Fowler – Yes

Conolus Scott- Yes

Terry Chandler - No

Duane Bruno – Yes

Kenneth Bradley – Yes

Gabe Martin – No

The sixteenth scheduled public hearing was concerning amendment to the Subdivision Regulations ARTICLE IV, CONSERVATION SUBDIVISIONS. This amendment is to remove the conservation subdivision from the subdivision regulations.

There was no public comment.

The public hearing was closed and a special session of the Madison County Planning and Zoning Commission was opened.

Gabe Martin made a motion to approve these amendments.

Terry Chandler seconded the motion.

The vote to recommend approval was a unanimous vote of 7 to 0.

Chairman Lamar Hughston - yes

Bob Fowler – yes

Conolus Scott- yes

Terry Chandler - yes

Duane Bruno – yes

Kenneth Bradley – yes

Gabe Martin – yes

The seventeenth scheduled public hearing was concerning amendment to delete all overlay districts from subdivision requirements.

Chairman Lamar Hughston asked Linda Fortson if she would explain this amendment.

There was no public comment.

The public hearing was closed and a special session of the Madison County Planning and Zoning Commission was opened.

Terry Chandler made a motion to approve this amendment.

Conolus Scott seconded the motion.

The vote to recommend approval was a unanimous vote of 7 to 0.

Chairman Lamar Hughston - yes

Bob Fowler – yes

Conolus Scott- yes

Terry Chandler - yes

Duane Bruno – yes

Kenneth Bradley – yes

Gabe Martin – yes

The eighteenth scheduled public hearing was concerning amendment to grandfather in all existing poultry houses, and hog parlors.

There was public comment on this matter.

The public hearing was closed and a special session of the Madison County Planning and Zoning Commission was opened.

Conolus Scott made a motion to approve this amendment with the addition of all other intensive agriculture.

Terry Chandler seconded the motion.

The vote to recommend approval was a unanimous vote of 7 to 0.

Chairman Lamar Hughston - yes

Bob Fowler – yes

Conolus Scott- yes

Terry Chandler - yes

Duane Bruno – yes

Kenneth Bradley – yes

Gabe Martin – yes

The nineteenth scheduled public hearing was concerning amendment to Section 7.1.1.3, poultry house setbacks.

There was public comment on this matter.

The public hearing was closed and a special session of the Madison County Planning and Zoning Commission was opened.

After discussion by the Board the following motion was made;

Terry Chandler made a motion to delete this amendment with this amendment; to recommend the setbacks be 300' from all property lines.

Where adjoining zones of A2, RR, R1, R2, and R3 there is to be a vegetative or earthen barrier.

Must be 600' from any school.

To be 400' from any residence other than what is on the property as currently is stated in the zoning ordinance.

To delete the recommendation by the Board of Commissioners that there shall be a vegetative and/or natural barrier between poultry houses and the road frontage, and

no poultry or hog farms shall be allowed within one (1) mile of any municipality within Madison County.

Kenneth Bradley seconded the motion.

The vote to recommend approval was a unanimous vote of 7 to 0.

Chairman Lamar Hughston - yes

Bob Fowler – yes

Conolus Scott- yes

Terry Chandler - yes

Duane Bruno – yes

Kenneth Bradley – yes

Gabe Martin – yes

The twentieth scheduled public hearing was concerning amendment to Section 7.1.1.21; no parcels shall be rezoned to a1 unless total acreage or combined acreage equals 50 acres or more.

There was public comment on this matter.

The public hearing was closed and a special session of the Madison County Planning and Zoning Commission was opened.

Terry Chandler made a motion to approve this amendment with the change from 50 acres to 25 acres.

Gabe Martin seconded the motion.

The vote to recommend approval was a unanimous vote of 7 to 0.

Chairman Lamar Hughston - yes

Bob Fowler – yes

Conolus Scott- yes

Terry Chandler - yes

Duane Bruno – yes

Kenneth Bradley – yes

Gabe Martin – yes

The twenty-first scheduled public hearing was concerning amendment to add Section 7.1.1.22; A1 parcels that sit idle from intensive operations for 12 months will revert/or be rezoned to A2 property.

There was public comment on this matter.

The public hearing was closed and a special session of the Madison County Planning and Zoning Commission was opened.

Lamar Hughston made a motion to deny this amendment.  
Duane Bruno seconded the motion.

The vote to recommend approval was a unanimous vote of 7 to 0.

Chairman Lamar Hughston - yes

Bob Fowler – yes

Conolus Scott- yes

Terry Chandler - yes

Duane Bruno – yes

Kenneth Bradley – yes

Gabe Martin – yes

The twenty-second scheduled public hearing was concerning amendment to add Section 7.1.1.23; there will be no rezone to A1 within the residential or commercial character area of the Land Use Map.

There was public comment on this matter.

Chairman Lamar Hughston, ask Linda Fortson if she would explain what a character area was.

The public hearing was closed and a special session of the Madison County Planning and Zoning Commission was opened.

Terry Chandler made a motion to table this amendment until the new Land Use Map was approved.

Duane Bruno seconded the motion.



The vote to recommend approval was a unanimous vote of 7 to 0.

Chairman Lamar Hughston - yes

Bob Fowler – yes

Conolus Scott- yes

Terry Chandler - yes

Duane Bruno – yes

Kenneth Bradley – yes

Gabe Martin – yes

### **Adjournment**

With no further business being left to discuss, Terry Chandler made a motion to adjourn the meeting. Kenneth Bradley seconded the motion

The meeting was adjourned with a unanimous vote at 11:00 p.m.

Chairman Lamar Hughston - yes

Bob Fowler – yes

Conolus Scott- yes

Terry Chandler - yes

Duane Bruno – yes

Kenneth Bradley – yes

Gabe Martin – yes

18.