

**AGENDA FOR THE REGULAR MEETING OF THE
MADISON COUNTY PLANNING AND ZONING BOARD
TO BE HELD IN THE BOARD ROOM OF THE COUNTY
COURTHOUSE ANNEX AT 5:30 P.M. THURSDAY, JANUARY 7, 2016**

ROLL CALL

MEMBERS: Chair - Mack Primm, Vice-Chair - Julia Shewchuk , Mike Holton, Brent Whitman, Christy Grass, Chad Thurner and Calvin Malone

ALTERNATE MEMBERS: Dorothy Alexander

SCHOOL BOARD REPRESENTATIVES: Tim Ginn

APPROVAL OF MINUTES FROM THE REGULAR MEETING: Held December 3, 2015

OLD BUSINESS

1. Public Hearing – Special Exception Application by C4 Towers, LLC for a Cell Tower.
2. Public Hearing – Special Exception Application by Tri-County Electric Cooperative for an Electrical Substation

NEW BUSINESS

1. Public Hearing – Small Scale Comprehensive Plan Amendment – CPA 16.1 Application from Concept Development, Inc. on behalf of William L. Sullivan to change the land use from Residential to Commercial on a 2 (+-) acre parcel at the south east intersection of NE Colin Kelly Highway and an unnamed platted road – See attached aerial.
2. Public Hearing – Amendment to Floodplain Management Ordinance – revisions required by FEMA.

ADJOURNMENT: Chairman

ANY PERSON WHO DECIDES TO APPEAL ANY DECISION MADE BY THE BOARD WITH RESPECT TO ANY MATTER CONSIDERED AT SUCH MEETING WILL NEED A RECORD OF THE PROCEEDINGS, AND THAT FOR SUCH PURPOSE, HE OR SHE MAY NEED TO INSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS BASED.

**MINUTES FROM THE PLANNING & ZONING BOARD MEETING HELD
Thursday January 7, 2016 at 5:30 p.m.**

PRESENT: Chairman Mack Primm, Vice-Chair Julia Shewchuk, Mike Holton, Chad Thurner and Calvin Malone

ABSENT: Brent Whitman and Christy Grass

ALSO PRESENT: Jeanne Bass, Dorothy Alexander (Alternate) and Allen Cherry

The meeting was called to order at 5:35 p.m. by Vice Chair Julia Shewchuk and after roll call the meeting proceeded with a quorum present.

APPROVAL OF MINUTES:

The Minutes from the meeting held December 3, 2015 were reviewed by the Board. A motion to approve the Minutes was made by Mike Holton, second by Chad Thurner. The motion was carried unanimously.

OLD BUSINESS:

1. Public Hearing – Special Exception Application by C4 Towers, LLC for a Cell Tower. – Jeanne summed up the actions from the December 3, 2015 in which this item had been tabled in order for the applicant to provide an Engineer's Report as to why or why not the tower could not be co-located on the Cherry Lake Water Tower and documentation as to the carrier. Jeanne had received the Engineer's Report right before the meeting after numerous attempts to obtain it. No documentation as to the carrier was received. Jeanne also informed the Board that she had seen a public notice in the Wednesday, January 6, 2016 paper that another company representing Verizon was looking to do a cell tower about ½ mile from this proposed location and had been filing the FCC requirements.

Julia opened the Public Hearing:

Angelina Curtis signed in to speak opposing the location of the proposed cell tower and provided the Board documentation stating that cell towers in residential areas reduced land values. She and her husband live across the street from the proposed tower and she requested that if the special exception is granted, she would like to have the construction delayed in order to give her family time to move. Michael Bland also signed in to speak in opposition of the proposed location for himself and his sister, Sharon French, who own the house that the Curtis's were going to buy and did not want the tower there as they would lose the sale of the house and they had spent a lot of money fixing it up and they were concerned that no one else would want to live there. Cynthia Dennis representing C4 Towers spoke stating that the Engineer's Report showed that the proposed location would have more coverage than the Water Tower site. She did not have any documentation from a carrier.

Julia closed the Public Hearing and the Board discussed the application. After some discussion, Mike Holton made a motion to recommend denial of the application based on

the application being incomplete as there was still no documentation as to who the carrier would be and that was a requirement of the land development code. Chad Thurner seconded the motion and it carried unanimously.

Jeanne informed Cynthia Dennis and the people present that the Special Exception application was scheduled for the Board of County Commissioner's (BOCC) meeting on January 13, 2016 at 9 am for a final decision and that Board could follow the recommendation of P&Z or not.

2. Public Hearing – Special Exception Application by Tri-County Electric Cooperative for an Electrical Substation – Jeanne summed up the previous meeting at which the P&Z Board had tabled the application and requested that Tri-County and the DeJonge's get together to work out a landscaping plan. Mack Primm had also gone to the Tri-County board meeting and had talked to Jeff Brewer to see if there was any way the substation location could be moved and he was convinced that it could not. Jeff Brewer and Julius Hackett attended the meeting representing Tri-County. Jeff showed a rendering with the substation being moved further away from the DeJonge's property and flipped from vertical to horizontal so that there would be less visibility from their property. He also stated that Tri-County would spend up to \$5000 in landscaping to buffer the view. The DeJonge's had not responded to his numerous attempts to work out a landscaping plan.

Julia opened the Public Hearing:

No one from the public signed in to speak.

Julia closed the Public Hearing and after discussion by the Board, Mike Holton made a motion to recommend approval of the application, seconded by Chad Thurner. Motion carried unanimously.

Jeanne reminded the audience that this matter too would go before the BOCC on January 13, 2016 at 9 am for a final decision.

NEW BUSINESS:

1. Public Hearing – Small Scale Comprehensive Plan Amendment – CPA 16.1 Application from Concept Development, Inc. on behalf of William L. Sullivan to change the land use from Residential to Commercial on a 2 (+-) acre parcel at the south east intersection of NE Colin Kelly Highway and an unnamed platted road – Ryan Thompson with CHW Inc. signed in to speak for the applicant. They are proposing to put a commercial retail store on the location requested.

Julia opened the Public Hearing:

There was no one that had signed in to speak but there were a couple of people in the audience that had come to hear about the application. One of the neighboring property owners, Mrs. Pryor questioned whether the change from Residential to Commercial would change her property taxes. Jeanne told her that the land use change was just for the applicant and it would not change her property or taxes. The other question was from property owners across the street that were concerned about lighting. Julia assured them

that the store's lighting could be self-contained, or kept solely on their site and not shine out. As there were no more questions or concerns, Julia closed the Public Hearing.

After discussion by the Board, Mike Holton made a motion to recommend approval of the application to the BOCC, seconded by Calvin Malone. Motion carried unanimously.

Jeanne reminded the audience that this matter would be heard by the BOCC on January 13, 2016 at 9 am for a final decision.

2. Public Hearing – Amendment to Floodplain Management Ordinance – revisions required by FEMA. – Jeanne informed the Board that amendments were being requested by FEMA as to wording in the current Floodplain Management Ordinance to make it compliant. Nothing that was being requested changed any of the requirements or conditions, it just changed some wording.

Julia opened the Public Hearing. As no one had signed in to speak or had any questions, the Public Hearing was closed.

Mike Holton made a motion to recommend approval of the amended Ordinance to the BOCC, seconded by Calvin Malone. Motion carried unanimously.

3. Nomination of Chair and Vice Chair – The Board voted to have Mack Primm remain as Chair, Julia Shewchuk to remain as Vice Chair and Mike Holton to serve as an Alternate Chair if both of them were absent.

With no further business to discuss the meeting was adjourned at 6:40 p.m.

Respectfully Submitted By:
Jeanne Bass