

Jefferson County Planning Commission
Meeting Minutes
November 9th, 2021

Commissioner Bud Wheeler called to order at 6:01 pm.

Commissioner Byron Arceneaux led the opening prayer and Pledge of Allegiance to the Flag.

Physically in attendance: Commissioner Bud Wheeler, Commissioner Byron Arceneaux, Commissioner Kimberly Odom, Commissioner Jacqueline Seabrooks, Commissioner Andrew Wellman, Commissioner Thomas 'Bobo' Chancy, Attorney Scott Shirley and Planning Official Shannon Metty. Commissioner John Floyd Walker was present, arrived after the meeting had opened.

Chairman Michael Schwier and Vice-Chairman Roy Faglie were not in attendance, so gavel was temporarily passed to the previous Chairman Bud Wheeler for the duration of this meeting.

Agenda Item #2-A: Special Exception-Major Development Application-Large Scale Solar:

- Attorney Shirley announced that this portion of the agenda has been rescheduled for a special meeting scheduled Tuesday November 30th, 2021, at 6:00pm.
- Commissioner Arceneaux asked why was a special meeting scheduled instead of being held at the next regular session? Attorney Shirley noted that adjustments were made with scheduling to allow the applicant to still meet with the B.O.C.C. in December. He added that this is not the first-time adjustments have been made for an applicant. Commissioner Arceneaux expressed his opposition and stated that an applicant should not be allowed to dictate the Planning Commission's schedule, he feels the application should be heard at the next regular scheduled meeting. Commissioner Wheeler asked was the special meeting scheduled just to benefit the applicant? Mrs. Metty advised the Board that the provision of the code states the Planning Commission meets on the second Thursday of the month unless an additional special meeting is required at which they will convene on the fourth Thursday of the month. She added that the fourth Thursday of this month was a holiday and so the agreement of Tuesday was made.

Agenda Item #2-B: Small Scale Comprehensive Map Change-Jazmen Lane/St. Augustine Road:

- Mrs. Metty reviewed the application and stated that in her review she found there were not currently any R-1 zonings in the surrounding area.
- Mrs. Willie Ann Dickey presented her request for rezoning. She stated that she bought this 5-acre parcel with the intention to divide it up and give it to her children. She stated that as it is right now, she cannot do that. She noted that the surrounding properties were all various lot sizes, so dividing hers should be no different.
- Attorney Shirley displayed on the map that even though the surrounding properties were various lot sizes, they were all zoned Ag-5 and conformed that land usage. He added that these lots were created in a judicial partition, which is what resulted in the odd shapes and sizes. He displayed the diagram which was created in 2016 for this split.

- Commissioner Wheeler asked, in looking at the map Mrs. Dickey owns a half-acre parcel, is not buildable? Attorney Shirley stated that because it was a judicial partition it is a buildable lot that conforms to the Ag-5 zoning.
- Mrs. Metty reviewed the Land Development Code for rezoning. She added a family lot subdivision would not be an option because this lot had previously been subdivided in 2016. She reviewed her recommendation for denial for this application.
- Commissioner Wheeler opened the public hearing.
- Public Hearing Comments:
 - Nick Prine, resident: Opened by describing the area in question. He stated that this area is considered to be the “neighborhood of St. Phillips” and is a homestead-timberland-agriculture area. He added that this area functions well and is thriving as an Ag-5 zoned area. He feels that Mrs. Metty’s recommendation should be followed and even though it is unfortunate had due diligence of the property been performed prior to purchase, it would have shown Mrs. Dickey that the plans to divide were not allowable. He added that if this parcel of land were closer to the outside of the agriculture area, then the rezoning could potentially be a better fit with less opposition, but it is right in the middle and would not work. He continued by saying when reviewing these requests three things should be taken into consideration: 1. What does the Land Development Code say? 2. How do the neighbors feel about the request? 3. How will spot zoning affect other areas in the County?
 - Nick Prine, resident: Asked for audience members to stand in support of Mrs. Metty’s recommendation. A total of 21 residents stood up. He then asked for a show of hands, how many of the standing residents were relatives of Mrs. Dickey’s, there were 3.
 - Marie Huntley, resident: States she owns 3-acres nearby and has no objections.
 - Gregory Lewis, resident: Expressed concern for Mrs. Dickey’s request as there are currently two houses on the property and she rents them out to someone other than her family. He added that the current tenants have caused trouble in the past and he does not feel it would be safe to allow for more to move in. Plain and simple, we do not want this change to be approved.
 - Cedric Stevens, resident: Stated that in the past he rented from Mrs. Dickey, and he supports Mrs. Metty’s recommendation for denial. He added that the current renters shot and killed his pets. He pleaded for the Commission to recommend denial.
 - C.P. Miller, county resident: Opened by stating he was surprised with Mrs. Metty’s recommendation for denial and the opposition from the neighbors despite her efforts and payment. He continued by adding that everyone was complaining of the potential to add homes but asked how they would feel if she decided to make a hog farm as it is an agriculture usage. He added that Mrs. Dickey is wanting to do something for her family and that land is not freely given away. He feels the Planning Commission is a mess and requests a clear explanation of why the application is being denied. He closed by stating she deserves to be recognized for her efforts to provide for others.

- Attorney Shirley addressed the standards of an application review, section 9.17.4.
- Commissioner Wheeler called for motion. Commissioner Chancy motion to recommend denial to the Board of County Commissioners. Commissioner Arceneaux second motion. Motion passed with unanimous approval.

Agenda Item #3: Citizens Request & Input:

- None.

Agenda Item #4: Comments from the Planning Commission:

- Commissioner Arceneaux readdressed the November 30th meeting. He stated that his opinion is there was no reason for a special meeting and wanted to push this meeting back to the normal scheduled date in December. Attorney Shirley stated that the November 30th meeting has already been advertised and cannot be changed. Mrs. Metty again read the provision of the code stating that the Planning Commission is scheduled to meet on the second Thursday of the month and the fourth Thursday of the month as needed, but this month the fourth Thursday is a holiday and so the Tuesday meeting was set. Attorney Shirley added that he understands the additional meeting is not convenient. He also stated that given Mr. Arceneaux's relation to the proposed project he would urge him to avoid advancing conflict in a public meeting. He added that the applicant is already aware of his opposition. Commissioner Wheeler stated he was not for change. Commissioner Wellman stated that he understood the need for the special meeting. He continued by stating he appreciates Mrs. Metty's efforts to keep everyone notified in a timely manner and as long as she continued to keep everyone reasonably informed, he did not have a problem with the special meeting. Commissioners Seabrooks, Walker and Chancy added that they had no issues with the special meeting.
- Extensive discussion regarding conduct continued between Commissioner Arceneaux, Commissioner Wheeler and Attorney Shirley.

Commissioner Chancy motioned to adjourn at 6:31pm. Commissioner Walker second motion. Motion was ignored and the discussion continued.

Commissioner Chancy motioned to adjourn; Commissioner Walker second motion. Commissioner Seabrooks stated that there was motion and a second on the floor.

Commissioner Wheeler adjourned meeting at 6:38pm.

Respectfully submitted,

Renee' Long

Renee Long

Jefferson County Planning Assistant