



**TOWN OF MASON  
MUNICIPAL PLANNING COMMISSION MEETING MINUTES  
MAY 13, 2024, 6:05PM**

**I. Call to Order and Determination of a Quorum - Alderman Alethea Harris**

**Prayer:** Alderman Alethea Harris

**Roll Call:** Mayor Eddie Noeman, Alderman Alethea Harris, Norma Davis, William Martin, and Lureatha Harris (Laquesha Hennings and Richard Marbury were absent)

**Others in Attendance:** Brett Morgan, Mark Daugherty, Alderman Virginia Rivers, Fire Chief -Tanner Jenkins, Michael Apperson, and T-Ray Greer (Ricky Oakley attended via phone)

**Visitors:** Ben Smith, Wynde and Kevin Ross, Stanley Harwell, Ronald Frazier, and Bob Pelts

**II. Approval of the Planning Committee Meeting Minutes of April 8<sup>th</sup>, 2024**

Mayor Noeman made a motion to approve the Planning Commission Meeting Minutes of April 8<sup>th</sup>, 2024, and the motion was 2<sup>nd</sup> by Ms. Davis: vote passed 5-0

**III Old Business:**

- **Language on Mixed Use Development Text Cont'd - Bret Morgan**

Mr. Morgan suggests no minimum lot size in the Mixed-Use Development Language. Overlay districts have base zoning, highest density is base zoning district. Look at land use according to capacity. The board can determine individual requirements, and different developments will require different plans. You cannot condition straight zoning.

Rezoning comes with a site plan, can change sixty acres (60) to zero (0) usage.

Mr. Morgan suggests recommending the Mixed Use Planned Development to the Board.

Mr. Martin made a motion to recommend the Mixed Use Planned Development Text to the Board with the contingency of changing the usage to zero (0) in the lot size, and the motion was 2<sup>nd</sup> by Mayor Noeman: vote passed 5-0 Mr. Morgan will present the Ordinance Language, and present a presentation before the Board.

**IV. New Business:**

- **Stanley Harwell – Variance Application for a Setback Variance**

Mr. Harwell has a five (5) lot subdivision that was recorded years ago, that was platted without a street. Mr. Morgan recommends granting a variance for lots one (1) and two (2), that will require a road platted on or a private drive. Improvements are needed to the opening of the



drive, need to widen to the south where there is other land. This can be fifty ft. (50ft wide) or curb to curb. The structure needs to be dried in, and five (5) individual addresses will be required.

Mr. Harwell was granted a variance for lots one (1) and two (2) of twenty ft. (20 ft.) in the rear yard, and twenty-four ft. (24ft.) in the front yard, to get the house dried in. This would be lifted with conditions of getting the road improvements completed. Ms. Davis made a motion to accept granting Mr. Harwell a variance of lots one and two (1 & 2) with the above footage in the front and rear yard, and the motion was 2<sup>nd</sup> by Mayor Noeman: vote passed 5-0

Ms. Lureatha Harris will have the STOP WORK ORDER removed and notify Mr. Harwell.

- **A Resolution Amending the Scope of Services Pursuant to The Creation and Adoption of a Master Plan for the Town of Mason**

Mr. Morgan informed the Board that this would be a more Mason focused Land Use Plan.

Look at capital investments, and making certain the land use fits the infrastructure.

This would be a Resolution to amend the former Resolution for a Master Plan.

Laura Harris works with Delta Regional Authority, and Isa Reeb is working with the Grant Application. Mayor Noeman made a motion to recommend the above Resolution Number 05202024-1 (A Resolution Amending the Scope of Services Pursuant to The Creation and Adoption of a Master Plan for the Town of Mason, and the motion was 2<sup>nd</sup> by Ms. Davis: vote passed 5-0 This Resolution will be passed to the Board for approval.

- **Ricky Oakley with CEC via Phone for Questions and Concerns**

Rickey Oakley attended via phone, which is the engineer for the Town of Mason.

The conversation involved the Rogers property rezoning request at 11554 Hwy 59, Main St., Charleston Mason Rd. and Hwy 59 East. The question was regarding the sewer system. Mr. Oakley will check on the flow coming in to see if it can handle the flow discharge.

This would need to be determined if the flow is greater than what it's permitted for.

Core Civic/CCA has a flow meter that must be evaluated, read daily. Mr. Oakley need to review the data, this would be the key to getting a new location for discharge, and looking at solutions that are most cost effective. A corrective action plan needs to be submitted to the State.

Mason has eight (8) inch gravity flow and only discharges one hundred ten thousand (110,000) gallons daily. The state looks at the pounds of Biological or Biochemical Oxygen Demand (BOD). The cleanliness of water must be approved. Mr. Morgan informed the Board that you can't condition Zoning other things need to be considered also. Regarding the Rogers Property, R-3 Zoning cannot be conditioned. The suggestion would be Mixed Use Planned Development.

Mr. Oakley will need more time to review the discharge history.

**Mr. Ben Smith received his answer from Mr. Oakley and had no further questions.**

**V. Any Other Business:**

- **Daniel Rogers – Rezoning Request 11554 Hwy 59/Main St./Charleston Mason Rd./Hwy 59 East**  
This was discussed in the conversation with Mr. Oakley.



Alderman Rivers questioned the inspection at 578 Hwy 70

An inspection was conducted by Mr. Daugherty and the inspection failed, no business could be conducted in the structure until all the use criteria and inspections had been approved/passed.

Mayor Noeman questioned the inspection of the business located at 190 Hwy 70, Mason Small Engines. Mr. Daugherty reported that the property is zoned Commercial/Business, but there is a non-conforming use present, a residential structure. Prior to the parcel being rezoned commercially, the exact date of rezoning is unknown to the Town officials, the parcel was zoned residential. The small engine repair business is being operated out of an existing accessory structure in the back yard. A fence has been erected to limit access and visually separate the sight line from the street. No structural additions and/or changes have been made to the building. The use conforms to the current zoning.

Mayor Noeman informed Mr. Daugherty that he thinks double standards are used when conducting the building inspections. Mr. Daugherty said he was a State Certified Building Inspector and will not be weaponized, and does not operate double standard.

Mrs. Wendy Ross has concerns about a demolition permit, utilities connected, asbestos, and lead abatement. Mr. Daugherty provided the contact person as Richard Harrison regarding Mrs. Ross request.

**VI. Adjournment:**

Mr. Martin made a motion to adjourn the Planning Commission Meeting, and the motion was 2<sup>nd</sup> by Ms. Davis: vote passed 5-0 (Meeting adjourned at 7:48PM)

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Lureatha Harris, Secretary

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Date

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Alethea Harris, Chairman