



**DESOTO COUNTY PLANNING COMMISSION  
ORDER OF ITEMS  
JANUARY 3, 2019**

1. Call to Order
2. Invocation
3. Roll Call
4. Approval of Minutes – November 29, 2018

**Public Hearing**

**Rezoning**

**Massey Place C2 (773)** – Application is for rezoning of 2.00 acres from AR to C2, Located on the southwest corner of Laughter and I-269, identified as Parcel #2077350000003910 in Section 35, Township 2, Range 07 (District 5)

**Applicant: Bridgforth Properties**

**The Orchard (772)** - Application is for approval of Rezoning of property from AR to AR Overlay identified as Parcel # 2065150000001000, located north side of Stewart Road and east of Highway 305 in Section 15, Township 2, Range 6 and is zoned AR (District 1)

**Applicant: Chad Fischer**

**Bridgforth Convenience Neighborhood Commercial Center (774)** – Application is for rezoning of 6.80 acres from AR to C-1, Located on the southwest corner of College and Craft, identified as Parcel #2-06-4-18-00-0-00001-00 in Section 18, Township 2, Range 6 (District 5)

**Applicant: David R. Bridgforth**

**Center Hill Estates (770)**- Application is for rezoning of property from AR to PUD, identified as Parcel # 105420000 0000400, located south of Kirk Road and west & east of Mustang Road in Section 20, Township 1, Range 05 and is zoned PUD (District 1)

**Applicant: Center Hill Estates PUD**

**Preliminary Subdivision**

**Vinson Ridge, Phase 3 (7313)** – Application is preliminary approval of 14 lots on 25.33 acres, identified as Parcel(s) #3-07-9-30-00-0-00005-00.

Subject property is located on the north & south side of Vinson Rd and west of McCracken Road in Section 30, Township 3, Range 7 and is zoned A. (District 5)

**Applicant: Vinson Ridge Developers, LLC**

**Final Subdivision**

**Bakersfield West, Section B (7312)** - Application is for final subdivision approval of thirty two (32) lots on 20.0 acre(s) to include a waiver to allow the side setback to be 10 ft instead of the require 15 ft. Subject property is identified as Parcel(s) #2-07-7-26-00-0-00003-00. Subject property is located on the east side of Malone Road and south of Pleasant Hill Road in Section 26, Township 2, Range 7 and is zoned (R-20). (District 5)

**Applicant: R.R. Bridgforth Heirs**

**Minor Lot**

**Jones Farm Minor Lot (7315)** - Application is for final subdivision approval of two (2) lots on 7.99 acre(s) to include a waiver to allow the easement length to be 777.89 ft instead of 650 ft. Subject property is identified as Parcel(s) #3-05-9-30-00-0-00008-03. Subject property is located on the west side of Red Banks Road and north of Holly Springs Road in Section 30, Township 3, Range 5 and is zoned (A). (District 1)

**Applicant: Greg Jones/Everette West**

The Desoto County Planning Commission met at 6:30 p.m. on Thursday, January 3, 2019, in the Board Room of the County Administration Building in Hernando, Mississippi. The following Commission members were present: Randy Jones, Julius Cowan, Ted Dorsey, Ray Denison, Joan Robertson, Jeanne Shannon, Greg Ryan, Floyd Fiveash, B.G. Smith, Steve Reeves, Jim Holland, Len Lawhon and David Arnett. Staff members present included Bennie Hopkins, Austin Cardosi, Taylor Rivera, and Sam Barber, Board Attorney.

Planning Commission Chairman Mr. Fiveash called the meeting to order and asked whether any member of the Commissioners recommended changes to the Minutes dated November 29, 2018. No changes were suggested. Mrs. Robertson made a Motion to approve the minutes as presented. Mr. Arnett seconded the Motion. The Motion passed with a unanimous vote.

### **Public Hearing**

#### **Rezoning**

Mrs. Robertson made a Motion to open a Public Hearing. Mr. Cowan seconded the Motion. The Motion passed with a unanimous vote.

**Massey Place C2 (773) – Application is for rezoning of 2.00 acres from AR to C2, Located on the southwest corner of Laughter and I-269, identified as Parcel #207735000003910 in Section 35, Township 2, Range 07 (District 5)  
Applicant: Bridgforth Properties**

Mr. Hopkins presented the Massey Place application for rezoning of property from A-R to C-2. Mr. Steve Steinbach was present to present the application.

Mr. Steinbach came forward and stated that the applicant feels this is a practical closing of the loop of the Laughter Road C-2 rezoning application that was approved by the Board of Supervisors. Mr. Ryan wanted to know if the site before or after the Corridor study. Mr. Cardosi informed him that there was no site plan.

Mr. Fiveash asked if there was anyone to speak for or against this item.

Ernest Dobbins – 686 Laughter Road North- came forward and had the following concerns:

- Wanted the acreage to still have the same regulations as other property

Mr. Steinbach confirmed that it would have the same regulations. Mr. Lawhon said that they would want a site plan and will exam it to the fullest extent.

Mr. Lawhon made a Motion and Mrs. Shannon seconded the Motion to approve the Massey Place application for rezoning of property from A-R to C-2. The Motion passed with a roll call vote of 13-0.

**The Orchard (772) - Application is for approval of Rezoning of property from AR to AR Overlay identified as Parcel # 206515000001000, located north side of Stewart Road and east of Highway 305 in Section 15, Township 2, Range 6 and is zoned AR (District 1)  
Applicant: Chad Fischer**

Mr. Hopkins presented The Orchard application for rezoning of property from A-R to A-R Overlay. Mr. Rusty Norville and Mr. Chad Fisher were present to present the application.

Mr. Norville came forward and stated that the applicant has reduced the number of lots from 25 to 20. By doing this it added 10 percent of open space, and a park area were added to the plan. Mr. Norville enlarged the drainage system and added a buffer among Stewart Road. They will have a strict convince and monitor the house size. Mr. Norville also added that they went around the community and had a neighborhood meeting. He advised that only 30 people showed up, but there were a lot of good reviews. Mr. Norville stated that there was R-30 to the North and East, R-30 to the Southwest, and Overlay to the East.

Mr. Fiveash asked for clarifications concerning MDOT. Mr. Norville stated that MDOT said the speed limit was not followed because this was a vertical hill. The flow of traffic moved fast and there was time to get out. He thinks the reduction of lots will help with the traffic. There is 450 feet of horizontal space and that the traffic is part of the growth of the community. Mr. Dorsey asked about the sewage and where it would go. Mr. Norville said that it will be the same system like Gwynn Farms. Mr. Dorsey asked if there would be a buffer along Stewart Road and if there are existing trees. Mr. Norville stated that there is an existing tree line to the church and it would continue to be there. They would eventually ask the Church if they wanted to purchase the land.

Mr. Fiveash asked if there was anyone to speak for or against this item.

David Linville – 9388 Stewart Rd- came forward and had the following concerns:

- Would this be Olive Branch or Lewisburg water
- Excessive traffic already on Stewart Rd
- Fire code concerns – must have two access roads
- Wrecks often happen in the area
- Requested turning lane to be added
- Concrete barricade like in Cypress Plantation

Barry Caldwell – 9183 Stewart Rd- came forward and had the following concerns:

- Safety of driving on the street
- Requested turning lane to be added

Mr. Dorsey asked if Lewisburg Water Association could handle the water supply. Mr. Linville said that Lewisburg Water Association would be able to handle the water supply if they used Lewisburg Water Association. Ms. Shannon asked if there were currently any turning lanes in the area and Mr. Linville stated that there was not any.

Mr. Norville stated that he felt like they were in compliance for this type of land use. He also stated that from Cypress Plantation there is a right of way but the street was never built. Mr. Norville stated that MDOT should align intersection during the widening of 305. In regards to the turning lanes, they only had a limited amount of funding and space. The turning lane on Hwy 305 was approved and funded partly by the Board of Supervisors. Mr. Norville said if they widened the road that they would also have to buy land from property owners nearby.

Mr. Ryan said that the previous R-30 was approved and that 305 widening would help with the traffic. He wanted to know what was the timeline on the project and how long would it take for them from start to finish. Mr. Fisher said they would start construction within the next 60 days and the improvements would be done this year. The project should be completed by 2020. Mr. Dorsey asked what the minimum square footage of the homes would be. Mr. Fisher said homes would be a minimum of 2,600 square foot.

Mr. Ryan made a Motion and Mr. Fivash seconded the Motion to approve The Orchard application for rezoning of property from AR to AR- Overlay. The Motion passed with a roll call vote of 13-0.

**Bridgforth Convenience Neighborhood Commercial Center (774) – Application is for rezoning of 6.80 acres from AR to C-1, Located on the southwest corner of College and Craft, identified as Parcel #2-06-4-18-00-0-00001-00 in Section 18, Township 2, Range 6 (District 5) Applicant: David R. Bridgforth**

Mr. Hopkins presented the Bridgforth Convenience Neighborhood Commercial Center application for rezoning of property from A-R to C-1. Mr. Steve Steinbach was present to present the application.

Mr. Steinbach came forward and stated that the applicant feels all requirements are satisfied as far as traffic and location and this site would be ideal for a C-1 zoning. The apposed area is in the flood zone and is not good for residential lots. Mr. Steinbach stated that it would be a convenience and an asset to the community and surrounding areas.

Mr. Ryan asked if there are currently any traffic lights. Mr. Steinbach stated that all major roads have to be considered and studied by the State and he is only asking for the appropriate use. Mr. Ryan said scrutiny will come at site plan.

Mr. Fiveash asked if there was anyone to speak for or against this item.

Bill Clark – 7387 Allison Rd- came forward and had the following concerns:

- Wanted to keep it an urban environment
- Will deteriorate the community
- Does not believe the community would use this

Joel Branson – 7105 Cedar Lane – came forward and had the following concerns:

- Concerned about what would come if this is approved
- Appearance of the community
- Increased commercial development in the area

Mike Skillern– 3747 College Bluff – came forward and had the following concerns:

- Appearance of the community will be taken away
- Taking away serenity
- Noise concern

Scott Dauberger– 4825 Cherry Tree – came forward and had the following concerns:

- His house is in the flood zone and if this is approved it will cause his land to be flooded
- Concerned about where the water will go

Shawn Aldridge– 7058 Allison Rd – came forward and had the following concerns:

- Visual look

John Caldwell– 7109 Dunn Lane – came forward and had the following concerns:

- Floodplain concerns

Anthony Vinson– 7593 Dunn Lane – came forward and had the following concerns:

- Visual look
- He is a 30 year resident and does not want to see it change

Mr. Steinbach stated that this is an urbanizing county and the growth in the area would benefit from this. He believes that this should only be used as a C-1 and retail space and wants it to be carefully planned. He does not believe that it would cause any commercial piggybacking in the area. Mr. Steinbach also said that growth in the community is not the enemy.

Mr. Fiveash asked if anyone else had any comments or questions. Mr. Lawhon stated that there would be no more comments allowed.

Mr. Lawhon stated he feels this could be considered spot zoning and would not approve this because it is in the floodplain. Mr. Lawhon feels that this application is inappropriate for this site.

Mr. Lawhon made a Motion and Mr. Arnett seconded the Motion to deny the Bridgforth Convenience Neighborhood Commercial Center application for

rezoning of property from A-R to C-1 due to there being a lack of proof of substantial change in the area and lack of public need. The Motion passed with a roll call vote of 13-0.

**Center Hill Estates (770)- Application is for rezoning of property from AR to PUD, identified as Parcel # 105420000 0000400, located south of Kirk Road and west & east of Mustang Road in Section 20, Township 1, Range 05 and is zoned PUD (District 1)  
Applicant: Center Hill Estates PUD**

Mr. Hopkins presented the Center Hill Estates application for rezoning of property from A-R to PUD. Mr. Blair Parker, Mr. Rusty Norville and Mr. Brandon Doss were present to present the application.

Mr. Parker came forward and stated that the applicant thinks is a good location for Residential building. The property is near major roads and highways. He stated that the northwest corner of the property is industrial. He believes that the density is comparable to the surrounding zonings. He then stated that the minimum square footage of homes would be 1,800 to 2,400 depending on the lot size. Mr. Parker stated that his plan for Center Hill Estates had pedestrian walkways throughout and a park with a lot of greenery. He also stated there will be green space on both sides of Desoto Rd as a corridor. Mr. Parker wants to further the hydraulic study.

Mr. Lawhon stated that the school board built Mustang Rd and no inspections were done by the county. He also stated that Desoto Rd has no right of way. Mr. Lawhon stated that he wants Mustang Rd fixed because it is not appropriate for school traffic. He also believes that the unfinished hydraulic situation needs to be fixed and paid for by the developer.

Mr. Fiveash asked if there was anyone to speak for or against this item.

Russell Kostka – 5583 Murray Rd- came forward and had the following concerns:

- Thinks the layout is good but the proposal is incomplete
- Floodplain
- Wants to see places on Desoto Rd filled in
- Wanted to know if the minimum lot size is guaranteed
- Type of brick/fence/porch/garage
- The road to the east of the property line and Mustang Rd – will it work

Susan Lawhon – 8405 Center Hill Rd- came forward and had the following concerns:

- Her property joins this property
- Floodplain
- Noise if they cut down trees
- Wanted final calculations of the elevation to Mustang Rd
- Does not think it is a good location because it is too close to proposed development
- Material of houses

William Lawhon – 8405 Center Hill Rd- came forward and had the following concerns:

- Requested 50 foot barrier as a natural buffer against his property
- Wants new trees/landscaping to be added

Mr. Dorsey agrees that there needs to be a buffer and wanted more specific information on what the fence material would look like. He also stated that he wanted to make sure the road frontage looks good. Mr. Fiveash asked if there would be any stub outs onto the Lawhon property. Mr. Parker told him no, there would not be any stub outs onto the Lawhon property.

Mr. Norville stated that this was a PUD submittal; not individual design. Mr. Norville stated that there was a drainage study done and established. He stated that he met with some of the Supervisors about Mustang Rd and requested a 5 lane access, but it was denied because they said it would change the dynamic from rural. Mr. Norville said he evaluated all lots for drainage.

Mr. Lawhon stated that he had concerns about the drainage from east to west. Mr. Norville said that this was only the master plan, but adjustments can be made. Mr. Kostas wanted to know how they were going to maintain the rural area and keep it the same if they are taking down trees. Mr. Norville told him that this is just the vision but the right of way drain and culverts are already there.

Mr. Fiveash wanted to know where the widening of the road would occur and if it will need to be cut and filled. Mr. Lawhon stated that they were going to strip from his property line to Mustang Rd. Mr. Dorsey asked if that area was all wooded. Mr. Lawhon stated it is. Mr. Lawhon stated that a 20 foot barrier would be adequate for a buffer. Mr. Cardosi ..... shared lot??

Mr. Fiveash asked if there was going to be a natural buffer. Mr. Lawhon stated that there would be a natural buffer. Mr. Hopkins stated that a Residential to Residential would have a possible connection stub street and interconnectivity appealing residents because of the connection. Mr. Fiveash asked if Kirk Rd would go through and Mr. Lawhon replied not yet, but it can or will.

Mr. Ryan stated he saw challenges with this property but thinks it could work if the hydraulic study is figured out. He feels it is an excellent project and likes how thorough the plans are.

Mr. Fiveash asked if anyone else wanted to speak for or against this project.

Ms. Lawhon wanted to know if Mr. Parker would be in charge of this once the project started. Mr. Hopkins stated that a lot of PUDs end up in other hands, but once it is approved then it's approved. Mr. Fiveash asked a convenience come. Mr. Hopkins and Cardosi both agreed that it would be required at the Final Plat. Mr. Arnett asked if this was just the start of the plan. Mr. Cardosi replied yes, this is the first of many steps.



Mr. Lawhon made a Motion to approve and Mr. Greg seconded the Motion to approve the Center Hill Estates application for rezoning of property from A-R to PUD on the following conditions:

1. Complete study of existing hydraulic analysis be done;
2. The fencing along Desoto Rd to match Center Hill Plantation (fencing) continually installed by the developer;
3. The buffer along the pasture will be 20 foot from property line; and
4. The Board of Supervisors to re-consider Mustang Road cross section.

The Motion passed with a roll call vote of 13-0.

### **Preliminary Subdivision**

**Vinson Ridge, Phase 3 (7313) – Application is preliminary approval of 14 lots on 25.33 acres, identified as Parcel(s) #3-07-9-30-00-0-00005-00. Subject property is located on the north & south side of Vinson Rd and west of McCracken Road in Section 30, Township 3, Range 7 and is zoned A. (District 5)**

**Applicant: Vinson Ridge Developers, LLC**

Mr. Hopkins presented the Vinson Ridge, Phase 3 application for preliminary approval of 14 lots. Mr. Andy Richardson was present to present the application.

Mr. Richardson came forward and stated that he wants to use this for private access for the neighborhood.

Mr. Fiveash asked if there was anyone to speak for or against this item.

Mr. Ryan questioned about the 40 foot strip when temporary access or permanent.

Mr. Ryan made a Motion and Mr. Denison seconded the Motion to approve the Vinson Ridge Phase 3 application for Preliminary Subdivision. The Motion passed with a unanimous vote.

### **Final Subdivision**

**Bakersfield West, Section B (7312) - Application is for final subdivision approval of thirty two (32) lots on 20.0 acre(s) to include a waiver to allow the side setback to be 10 ft instead of the require 15 ft. Subject property is identified as Parcel(s) #2-07-7-26-00-0-00003-00. Subject property is located on the east side of Malone Road and south of Pleasant Hill Road in Section 26, Township 2, Range 7 and is zoned (R-20). (District 5)**

**Applicant: R.R. Bridgforth Heirs**

Mr. Hopkins presented the application for Bakersfield West, Section B for final subdivision approval of 32 lots. Mr. Barry Bridgforth was present to present the application.

Mr. Bridgforth came forward and stated that this will be ½ acre lots and will not be like R-8 or R-12.

Mr. Fiveash asked if we were increasing the side set back from 10 to 15. Mr. Bridgforth said he is asking for a waiver for the setback for 10 foot instead of 15 foot.

Mr. Ryan made a Motion and Mr. Denison seconded the Motion to approve the Bakersfield application for Final Subdivision to include a waiver of the side setback to be 10 feet instead of the required 15 feet. The Motion passed with a unanimous vote.

**Minor Lot**

**Jones Farm Minor Lot (7315) - Application is for final subdivision approval of two (2) lots on 7.99 acre(s) to include a waiver to allow the easement length to be 777.89 ft instead of 650 ft. Subject property is identified as Parcel(s) #3-05-9-30-00-0-00008-03. Subject property is located on the west side of Red Banks Road and north of Holly Springs Road in Section 30, Township 3, Range 5 and is zoned (A). (District 1)**

**Applicant: Greg Jones/Everette West**

Mr. Hopkins presented the Jones Farm Minor Lot for final subdivision approval of 2 lots on 7.99 acres to include a waiver to allow the easement length to be 777.89 ft instead of 650 ft. Mr. Greg Jones was present to represent this property.

Mr. Jones stated that he is requesting the waiver of the easement length in order to have access to the property behind the existing lot. Mr. Fiveash asked if it is for residential or development. Mr. Jones stated that it is for residential use.

Mr. Ryan made a Motion and Mr. Denison seconded the Motion to approve the Jones Farm Minor Lot application for Final Subdivision of 2 lots on 7.99 acres to include a waiver to allow the easement length to be 777.89 ft instead of 650 ft. The Motion passed with a unanimous vote.