



BOARD OF ADJUSTMENT
ORDER OF ITEMS
January 10th, 2022

CALL TO ORDER: 7:00

APPROVAL OF MINUTES: December 13th, 2021

NEW BUSINESS

Variance

Application by Christopher Jefferson (**VAR-001685-2021**) for a variance to allow a fence taller than 3 ft. in the designated front yard in accordance with the DeSoto County Zoning Ordinance. Subject property is located at 7534 Belle Manor Drive on the east side of Belle Manor Drive and the south side of Elm Hill Drive Parcel #**10582090001300** Section 28 Township 1 Range 5 and is zoned R-20 (District 1)

Application by Carlos Silva (**VAR-001686-2021**) for a variance to allow an accessory building in the designated front yard in accordance with the DeSoto County Zoning Ordinance. Subject property is located at 4958 Tucker Ridge on the east side of Tucker Ridge Road and the south side of Church Road Parcel #**2091120100003100** Section 12 Township 2 Range 9 and is zoned AR (District 3)

Application by Keller Enterprises Inc. (**VAR-001687-2021**) for a variance to allow a side setback of less than 5 ft. in accordance with the DeSoto County Zoning Ordinance. Subject property is located at 5224 Watson View Drive on the north side of Watson View and east of Laughter Road Parcel #**2076240000000802** Section 24 Township 2 Range 7 and is zoned PUD (District 5)

Application by Richard Coffman (**VAR-001688-2021**) for a variance to allow an accessory building to be larger than 75% of the square footage of the primary structure and location in accordance with the DeSoto County Zoning Ordinance. Subject property is located at 2861 Horn Lake Road South and on the west side of Horn Lake Road south and the north side of West Oak Grove Road Parcel #**3084170500002100** Section 17 Township 3 Range 8 and is zoned A (District 5)

Application by Corey Campbell (**VAR-001689-2021**) for a variance to allow a mobile home more than 10 years old with side setbacks of less than 100 ft. in accordance with the DeSoto County Zoning Ordinance. Subject property is

located at 5511 Belmont Road on the west side of Belmont Road and east side of Highway 51 Parcel #**3079310000002806** Section 31 Township 3 Range 7 and is zoned A (District 5)

Application by Michael Morris (**VAR-001690-2021**) for a variance to allow an accessory building in the designated side yard in accordance with the DeSoto County Zoning Ordinance. Subject property is located at 2463 Sportsman Drive and east side of Sportsman Drive and west of Fogg Road Parcel #**2084190300003607** Section 19 Township 2 Range 8 and is zoned A-R (District 4)

The DeSoto County Board of Adjustment met at 7:00 p.m. on Monday, January 10, 2022, in the Board Room of the County Administration Building in Hernando, Mississippi. The following Board members were present: Earl Ward, Phillip Steward, and Mike Hancock. Staff members present included Bennie Hopkins, Austin Cardosi, Ashley Hendricks, and Celeste Sanders.

Board of Adjustment Chairman Mr. Steward called the meeting to order and asked whether any member of the Board recommended changes to the Minutes dated December 13, 2021. Mr. Hancock made a Motion to approve the minutes as corrected. Mr. Steward seconded the Motion. The Motion was passed with a unanimous vote.

Ms. Ashley Hendricks explained the meeting process, the provisions for Board approval of a Conditional Use and a Variance under the DeSoto County Zoning Ordinance, and the appeal process. She stated the deadline to file an appeal on items heard at this meeting is February 22, 2022, at 5:00 p.m. She then stated any appeals filed will be heard by the Board of Supervisors on January 18, 2022.

NEW BUSINESS

Variance

Application by Christopher Jefferson (VAR-001685-2021) for a variance to allow a fence taller than 3 ft. in the designated front yard in accordance with the DeSoto County Zoning Ordinance. Subject property is located at 7534 Belle Manor Drive on the east side of Belle Manor Drive and the south side of Elm Hill Drive Parcel #10582090001300 Section 28 Township 1 Range 5 and is zoned R-20 (District 1)

Mr. Hopkins presented the application by Christopher Jefferson for a variance to allow a fence taller than 3 ft. in the designated front yard. Mr. Christopher Jefferson was present to represent the application.

Mr. Jefferson stated he is asking for a fence to be placed on his side yard but since he is on a corner lot it is considered front yard. He showed the proposed location of the fence and gates.

Mr. Steward asked what height the fence would be and. Mr. Jefferson stated the fence would be 6 ft. tall with an 8 ft. gate on one side (2 – 4 ft. gates) and another 4 ft. gate on the other side.

Mr. Ward asked what materials would be used and Mr. Jefferson stated the fence would be cedar.

Mr. Steward asked if there is anyone present to speak for or against this item. There was no one.

Mr. Ward made a Motion and Mr. Hancock seconded the Motion to approve the application by Christopher Jefferson for a variance to allow a

fence taller than 3 ft. in the designated front yard as shown on applicant exhibit. The Motion was passed with a unanimous vote.

Application by Carlos Silva (VAR-001686-2021) for a variance to allow an accessory building in the designated front yard in accordance with the DeSoto County Zoning Ordinance. Subject property is located at 4958 Tucker Ridge on the east side of Tucker Ridge Road and the south side of Church Road Parcel #2091120100003100 Section 12 Township 2 Range 9 and is zoned AR (District 3)

Mr. Hopkins presented the application by Carlos Silva to allow an accessory building in the designated front yard. Mr. Silva was present to represent the application.

Mr. Silva stated that he was wanting to build a 4 car garage opposite from his existing garage and connect it to the back of his existing house across the driveway and showed the location of the building and connection.

Mr. Cardosi stated that if the garage is to be connected then the required setbacks change.

Mr. Hopkins stated that if Mr. Silva could move the proposed garage 15' off the property line and connect it to the house then Mr. Silva would not need a variance.

Mr. Silva stated that he could move the proposed garage and connect it to the existing house.

Mr. Hopkins stated that with the proposed location of the building and the fact that it would be connected to the existing house a variance was no longer needed.

Mr. Cardosi stated that motion to withdraw the variance needed to be made.

Mr. Hancock made a Motion to withdraw the variance and Mr. Steward seconded the Motion. The Motion was passed with a unanimous vote.

Application by Keller Enterprises Inc. (VAR-001687-2021) for a variance to allow a side setback of less than 5 ft. in accordance with the DeSoto County Zoning Ordinance. Subject property is located at 5224 Watson View Drive on the north side of Watson View and east of Laughter Road Parcel #2076240000000802 Section 24 Township 2 Range 7 and is zoned PUD (District 5)

Mr. Hopkins presented the application by Keller Enterprises for a variance to allow a side setback of less than 5 feet. Mr. Brian Keller was present to represent the application.

Ms. Keller stated that the house was under construction. The crew that poured the concrete moved the boards for the foundation to the wrong mark hence making the building 4" too close to the property line.

Mr. Hancock asked if there was anyone to speak for or against the item. There was no one.

Mr. Hancock made a Motion and Mr. Steward seconded the Motion to approve the application by Keller Enterprises for a variance to allow a setback of less than 5 feet. The Motion was passed with a unanimous vote.

Application by Richard Coffman (VAR-001688-2021) for a variance to allow an accessory building to be larger than 75% of the square footage of the primary structure and location in accordance with the DeSoto County Zoning Ordinance. Subject property is located at 2861 Horn Lake Road South and on the west side of Horn Lake Road south and the north side of West Oak Grove Road Parcel #3084170500002100 Section 17 Township 3 Range 8 and is zoned A (District 5)

Mr. Hopkins presented the application by Richard Coffman for a variance to allow an accessory building larger than 75% of the square footage of the primary structure. Mr. Cardosi presented a location sketch provided by Mr. Coffman that afternoon. Mr. Richard Coffman was present to represent the application.

Mr. Coffman stated the building will be 20 feet off the property line.

Mr. Hancock asked what the building was going to be used for and Mr. Coffman stated it would be for personal use as a shop and to store motorcycles.

Mr. Steward asked if the shop would be open for public use to which Mr. Coffman stated no.

Mr. Hancock asked what materials will be used. Mr. Coffman stated it would be a metal building with some brick.

Mr. Steward asked if there was anyone to speak for or against the item.

Mr. Mark Logan, a neighbor that lives behind Mr. Coffman, had concerns that the proposed building might divert water off of Mr. Coffman's property and onto his property. There are already drainage issue that affect his lot.

Mr. Coffman stated that his building should not make any difference to the existing drainage.

Mr. Steward asked if there was any other opposition. There was not.

Mr. Steward made a Motion and Mr. Hancock seconded the Motion to approve the application by Richard Coffman for a variance to allow an accessory building larger than 75% of the square footage of the primary structure as shown on applicant exhibit. The Motion was passed with a unanimous vote.

Application by Corey Campbell (VAR-001689-2021) for a variance to allow a mobile home more than 10 years old with side setbacks of less than 100 ft. in accordance with the DeSoto County Zoning Ordinance. Subject property is located at 5511 Belmont Road on the west side of Belmont Road and east side of Highway 51 Parcel #3079310000002806 Section 31 Township 3 Range 7 and is zoned A (District 5)

Mr. Hopkins presented the application by Corey Campbell for a variance to allow a mobile home more than 10 years old with side setbacks of less than 100 feet. Mr. Hopkins also stated that there had been an email and some phone calls in opposition. Mr. Campbell was present to represent the application.

Mr. Campbell stated that the mobile home was a 2006 model that was currently being refurbished. He would like to place it on the lot facing the street and that on one side there would be a 60 ft. setback and on the south side would be 100 ft. setback. He measured it himself and those measurements included the 60 ft. length of the mobile home.

Mr. Hopkins and Mr. Cardosi questioned his measurements and verified on the GIS map. They stated that he would still need a variance for the age of the mobile home and the 60 ft. setback.

Mr. Steward asked if this was going to be his primary residence. Mr. Campbell stated that he would be there on the weekends but hoped to retire there. Mr. Steward asked if the mobile home was already on the site to which Mr. Campbell replied no.

Mr. Derrick Young was present on behalf of Mr. Campbell as a representative to speak on the condition of the mobile home. He verified the age of the mobile home and that it was being updated and remodeled. He stated that his company was doing the foundation, piers and tie downs for the mobile home.

Mr. Hopkins asked if Mr. Campbell had to face the mobile home facing the road to which Mr. Campbell replied he would prefer it that way and is planning on building a porch on the front.

Mr. Steward asked if there is anyone present to speak for or against this item.

Mr. Sonny Daniels stated that he lived on the corner of Slocum Road and Belmont Road. He stated that most homes in the area are \$300,000 and up. He does not want to look out his window and see a 15 year old mobile home.

Mr. Ward asked what the distance was from Mr. Daniels' property to Mr. Campbell's property to which Mr. Daniels stated less than 500 feet.

Mr. Daniels stated that he removed 2 mobile homes from property and that Mr. Campbell was not asking for a hardship in this case. He believed that even though the mobile home would be renovated on the inside it would still look old on the outside.

Mr. Steward asked if Mr. Campbell owned the land and Mr. Campbell stated that he had inherited the land and he did own it.

Mr. Hancock stated he had reservations about Mr. Campbell not living in the mobile home full time.

Mr. Hopkins stated that this was just a variance request, not a conditional use request to which Mr. Steward replied that the Board can't mandate Mr. Campbell to do any work on the outside of the mobile home. Mr. Hopkins responded that the variance was just for the age of the mobile home and the setback.

Mr. Hancock made a Motion to deny the variance and Mr. Ward seconded the Motion to deny the application by Corey Campbell for a variance to allow a mobile home more than 10 years old with side setbacks of less than 100 ft. The Motion was passed with a unanimous vote. Mr. Hopkins informed Mr. Campbell that he does have the right to appeal at the Board of Supervisors meeting on January 18th.

Application by Michael Morris (VAR-001690-2021) for a variance to allow an accessory building in the designated side yard in accordance with the DeSoto County Zoning Ordinance. Subject property is located at 2463 Sportsman Drive and east side of Sportsman Drive and west of Fogg Road Parcel #2084190300003607 Section 19 Township 2 Range 8 and is zoned A-R (District 4)

Mr. Hopkins presented the application by Michael Morris for a variance to allow an accessory building in the designated side yard. Mr. Cardosi stated that the building size is permitted, the variance is to locate the building in the side yard. Mr. Michael Morris was present to represent the application.

Mr. Morris stated that he would like to build a garage straight across from his existing garage.

Mr. Hancock asked what materials would be used to which Mr. Morris responded the building would be metal and brick to match the house.

Mr. Steward asked if the building would be on the opposite side of the driveway to which Mr. Morris stated yes

Mr. Hancock asked if the garage doors would be on the front of the building or on the side of the building. Mr. Morris said they would be on the side of the building. Mr. Hancock also asked if the front of the building would be brick. Mr. Morris stated that the building would have a 3 ft. tall skirt all the way around.

Mr. Ward asked the dimensions of the building and Mr. Morris responded it would be 30 feet by 36 feet.

Mr. Duncan asked if there is anyone present to speak for or against this item. There was no one.

Mr. Steward asked if there is anyone present to speak for or against this item. There were a couple of neighbors present, Greg Merritt and Linda Algee. The neighbors present had questions about the building but once presented with information, they had not opposition.

Mr. Ward made a Motion and Mr. Hancock seconded the Motion to approve the application by Michael Morris for a variance to allow an accessory building in the designated side yard as shown on applicant exhibit. The Motion was passed with a unanimous vote.

Mr. Steward made a Motion and Mr. Hancock seconded the Motion to adjourn. The Motion was passed with a unanimous vote.