



**DESOTO COUNTY PLANNING COMMISSION  
ORDER OF ITEMS  
JANUARY 31, 2019**

1. Call to Order
2. Invocation
3. Roll Call
4. Approval of Minutes – January 3, 2019

**Public Hearing**

**Rezoning**

**Oxner C-2 Rezoning (775)** – Application is for rezoning of 4.5 acres from AR to C-2, Located on the west side of Hwy 178 and south of Miller Road, identified as Parcel #2-05-4-17-00-0-00003-00 & #2-05-4-18-00-0-00021-02 in Section 17 & 18, Township 2, Range 5 (District 1)

**Applicant: Donald Oxner**

**Final Subdivision**

**Lewisburg Crossing (7317)** - Application is for final subdivision approval of sixteen (16) lots on 47.36 acre(s). Subject property is identified as Parcel(s) #3-06-1-01-00-0-00006-00. Subject property is located on the southeast corner of Byhalia and Box Corner Rd in Section 1, Township 3, Range 6 and is zoned A. (District 1)

**Applicant: EBI Land, LLC**

The Desoto County Planning Commission met at 6:30 p.m. on Thursday, January 31, 2019, in the Board Room of the County Administration Building in Hernando, Mississippi. The following Commission members were present: Julius Cowan, Ted Dorsey, Ray Denison, Joan Robertson, Jeanne Shannon, Floyd Fiveash, B.G. Smith, Steve Reeves, Jim Holland and David Arnett. Staff members present included Bennie Hopkins, Austin Cardosi, Ashley Hendricks, 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 January 3, 2019. No changes were suggested. Mrs. Shannon made a Motion to approve the minutes as presented. Mr. Arnett seconded the Motion. The Motion passed with a unanimous vote.

### **Public Hearing**

#### **Rezoning**

Mr. Fiveash made a Motion to open a Public Hearing. Mr. Holland seconded the Motion. The Motion passed with a unanimous vote.

**Oxner C-2 Rezoning (775) – Application is for rezoning of 4.5 acres from AR to C-2, Located on the west side of Hwy 178 and south of Miller Road, identified as Parcel #2-05-4-17-00-0-00003-00 & #2-05-4-18-00-0-00021-02 in Section 17 &18, Township 2, Range 5 (District 1)  
Applicant: Donald Oxner**

Mr. Hopkins presented the Oxner C-2 Rezoning application for rezoning of property from A-R to C-2. Mr. Donald Oxner was present to present the application.

Mr. Fiveash asked if the entire property is in flood. Mr. Hopkins stated that the property is in flood and the applicant will have to meet requirements of the Flood Ordinance to build on the property is the rezoning is approved.

Mr. Oxner came forward and explained that there is a portion of the property that is out of the flood and plans to build in that area. He stated that he has a lawn care business and wants to establish his business at this location. He then stated that all site improvements and the building will have to be approved by the Design Review committee.

Mr. Denison asked how much of the 4 acre parcel Mr. Oxner will be using for his business. Mr. Oxner stated that he will be using the portion not in the flood for his business, which is about half of the parcel.

Mr. Fiveash asked if water stands on the east side of the property. Mr. Oxner stated that water does not stand on the east side of the property.

Mr. Oxner stated that he would like to strike permitted use #2, 4, 6, 7, 9, 12, 14, 15, 17, 18, 19, 21, 25, 27, 29, 32, 33, 35, and 36 and conditional use #1, 2, 5, 6, 7, 9, 10, 11, 12, 14, 15, 16, 17, and 18 from this application.

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

Mr. Oxner stated that he feels that the increase in traffic due to the opening of I-269 and his desire to establish his business at this location proves a change in the neighborhood. Mr. Denison stated that there has been a lot of change in the area such as increased residential growth, Hwy 178 and the opening of I-269.

Mr. Denison made a Motion and Me. Holland seconded the Motion to approve the Oxner C-2 Rezoning application for rezoning of property from A-R to C-2 with permitted use #2, 4, 6, 7, 9, 12, 14, 15, 17, 18, 19, 21, 25, 27, 29, 32, 33, 35, and 36 and conditional use #1, 2, 5, 6, 7, 9, 10, 11, 12, 14, 15, 16, 17, and 18 deleted from this application. The Motion passed with a roll call vote of 10-0.

Mrs. Shannon made a Motion to close the Public Hearing. Mrs. Robertson seconded the Motion. The Motion passed with a unanimous vote.

### **Final Subdivision**

**Lewisburg Crossing (7317) - Application is for final subdivision approval of sixteen (16) lots on 47.36 acre(s). Subject property is identified as Parcel(s) #3-06-1-01-00-0-00006-00. Subject property is located on the southeast corner of Byhalia and Box Corner Rd in Section 1, Township 3, Range 6 and is zoned A. (District 1)  
Applicant: EBI Land, LLC**

Mr. Hopkins presented the Lewisburg Crossing application for final subdivision approval of sixteen (16) lots on 47.36 acre(s). Mr. Andy Richardson was present to represent the application.

Mr. Fiveash asked if the final plat substantially conforms to the preliminary plat. Mr. Hopkins stated that it does substantially conform. Mr. Richardson stated that some of the lot sizes have changed slightly after the formal survey was done. He then stated that there will be a buffer along the south property line and will be noted on the plat that the 50 foot buffer is to remain.

Mrs. Shannon asked if the buffer area is natural now. Mr. Richardson stated that it is a natural buffer and it will be noted on the plat that there is a 50 foot side setback on those lots.

Mrs. Robertson made a Motion and Mr. Dorsey seconded the Motion to approve the Lewisburg Crossing application for final subdivision approval of sixteen (16) lots on 47.36 acre(s). The Motion passed with a unanimous vote.