



BOARD OF ADJUSTMENT
ORDER OF ITEMS
March 8, 2021

CALL TO ORDER: 7:00
APPROVAL OF MINUTES: February 8, 2021

NEW BUSINESS

Variance

Application by **Victor Hernandez (1637)** for a variance to allow a side setback of less than 100 ft. for a mobile home in accordance with the DeSoto County Zoning Ordinance. Subject property is located at 14482 Pigeon Roost on the north side of Pigeon Roost and east of Jason Way Parcel #2-05-8-28-03-0-00039-00 Section 28 Township 2 Range 5 and is zoned A (District 1)

Application by **Brian Nelson (1638)** for a variance to allow an accessory building larger than 50% of the square footage of the primary structure in accordance with the DeSoto County Zoning Ordinance. Subject property is located at 7417 Hickory Estates on the west side of Hickory Estates and south of Liberty Estates Parcel #1-09-7-25-09-0-00090-00 Section 25 Township 1 Range 9 and is R-3 (District 3)

Application by **Carl Hines (1639)** for a variance to allow an accessory building in the designated front yard of a double frontage lot in accordance with the DeSoto County Zoning Ordinance. Subject property is located at 3350 Dean Cove North on the north side of Dean Cove North and west of Dean Heights Dr Parcel #2-08-8-28-03-0-00023-00 Section 28 Township 2 Range 8 and is zoned A-R (District 4)

Application by **Jennifer Lamont (1641)** for a variance to allow a fence taller than 3 ft in the designated front yard of a double frontage lot in accordance with the DeSoto County Zoning Ordinance. Subject property is located at 2119 Watson Place Cv on the west side of Watson Place Cv and north of Watson Place Blvd Parcel #2-07-6-24-02-0-00020-00 Section 24 Township 2 Range 7 and is zoned PUD (District 5)

Application by **Jason Downs (1642)** for a variance to allow a fence taller than 3 ft in the designated front yard of a double frontage lot in accordance with the

DeSoto County Zoning Ordinance. Subject property is located at 6625 Farm Cv on the east side of Farm Cv and west of Craft Rd Parcel #2-06-9-30-00-0-00013-00 Section 30 Township 2 Range 6 and is zoned R-30 Overlay (District 5)

Application by **Dream Home Construction (1643)** for a variance to allow a side setback of less than 15 ft. in accordance with the DeSoto County Zoning Ordinance. Subject property is located at 2785 Cypress Lake Dr S. on the west side of Cypress Lake Dr and north of Woolsey Rd Parcel #2-06-5-22-00-0-00040-01 Section 22 Township 2 Range 6 and is zoned R-30 (District 1)

withdrawn

~~Application by **Bob Stifolter (1644)** for a variance to allow a side setback of less than 15 ft. in accordance with the DeSoto County Zoning Ordinance. Subject property is located at 1441 Horn Lake Rd on the west side of Horn Lake Rd and north of Dean Rd Parcel #2-08-9-29-00-0-00018-01 Section 29 Township 2 Range 8 and is zoned A-R (District 4)~~

Conditional Use

withdrawn

~~Application by **Michael Rikard (1566)** for a Conditional Use to allow a mobile home on less than 3 acres under hardship conditions in accordance with the DeSoto County Zoning Ordinance. Subject property is located at 3437 Robert Dr on the west side of Robert Dr and south of N. Cockrum Rd Parcel #3-06-6-23-01-0-00015-00 Section 23 Township 3 Range 6 and is zoned A (District 5)~~

The DeSoto County Board of Adjustment met at 7:00 p.m. on Monday, March 8, 2021, in the Board Room of the County Administration Building in Hernando, Mississippi. The following Board members were present: Tom Williams, Phillip Steward, Mike Hancock, Earl Ward and Mike Duncan. Staff members present included Bennie Hopkins, Austin Cardosi, Ashley Hendricks, Mauri Staten and Sam Barber, Board Attorney.

Board of Adjustment Chairman Mr. Williams called the meeting to order and asked whether any member of the Board recommended changes to the Minutes dated February 8, 2021. Mr. Hancock made a Motion to approve the minutes as corrected. Mr. Duncan 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 March 18, 2021, at 5:00 p.m. She then stated any appeals filed will be heard by the Board of Supervisors on April 19, 2021.

NEW BUSINESS

Variance

Application by Victor Hernandez (1637) for a variance to allow a side setback of less than 100 ft. for a mobile home in accordance with the DeSoto County Zoning Ordinance. Subject property is located at 14482 Pigeon Roost on the north side of Pigeon Roost and east of Jason Way Parcel #2-05-8-28-03-0-00039-00 Section 28 Township 2 Range 5 and is zoned A (District 1)

Mr. Hopkins presented the application by Victor Hernandez for a variance to allow a side setback of less than 100 ft. for a mobile home. Mr. Michael Russell was present to represent the application.

Mr. Russell stated the mobile home was placed in the current location because the landowner did realize they had not gotten a permit and did not realize the location was not correct. He then stated the correct location would be difficult due to the topography of the property. He stated the home was already delivered and would cost at least \$14,000 to move to a different location on the property.

Ms. Hernandez stated she came to the Building office and applied for a stormwater permit and thought that was the only permit that was needed. Mr. Russell stated the mobile home company has the homeowner pull the permit for the mobile home because they work in several different jurisdictions and are not aware of all requirements and permits are needed for each jurisdiction.

There was discussion of how the appropriate permits were not pulled but inspections were made.

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

There was discussion that the mobile home manufacturers/dealers need to make sure homeowners/buyers are aware that permits are needed.

Mr. Steward made a Motion and Mr. Duncan seconded the Motion to approve the application by Victor Hernandez for a variance to allow a side setback of less than 100 ft. for a mobile home. The Motion was passed with a unanimous vote.

Application by Brian Nelson (1638) for a variance to allow an accessory building larger than 50% of the square footage of the primary structure in accordance with the DeSoto County Zoning Ordinance. Subject property is located at 7417 Hickory Estates on the west side of Hickory Estates and south of Liberty Estates Parcel #1-09-7-25-09-0-00090-00 Section 25 Township 1 Range 9 and is R-3 (District 3)

Mr. Hopkins presented the application by Brian Nelson for a variance to allow an accessory building larger than 50% of the square footage of the primary structure. Mr. Brian Nelson was present to represent the application.

Mr. Nelson stated the building he is requesting to build is to be used to store personal belongings to protect them from theft and the weather.

Mr. Steward asked how the building will be accessed. Mr. Nelson stated he will extend his existing driveway to access the new building.

Mr. Williams asked what material the building will be made. Mr. Nelson stated the building will be metal and a color that matches the house.

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

Mr. Steward made a Motion and Mr. Ward seconded the Motion to approve the application by Brian Nelson for a variance to allow an accessory building larger than 50% of the square footage of the primary structure. The Motion was passed with a unanimous vote.

Application by Carl Hines (1639) for a variance to allow an accessory building in the designated front yard of a double frontage lot in accordance with the DeSoto County Zoning Ordinance. Subject property is located at 3350 Dean Cove North on the north side of Dean Cove North and west of Dean Heights Dr Parcel #2-08-8-28-03-0-00023-00 Section 28 Township 2 Range 8 and is zoned A-R (District 4)

Mr. Hopkins presented the application by Carl Hines for a variance to allow an accessory building in the designated front yard of a double frontage lot. Mr. Carl Hines was present represent the application.

Mr. Hancock asked what materials the building will be. Mr. Hines stated it will brick like the home.

Mr. Williams asked what the main purpose of the home will be. Mr. Williams asked what the purpose of the building is. Mr. Nelson stated the building will be used for personal storage.

Mr. Hines stated the backyard is a hill and drainage runs off the hill and around the west side of the house to the road. He stated there is also run off on the east side of the property.

Mr. Hancock asked if the building will be placed at the turnaround of the driveway. Mr. Hines stated it will be.

Mr. Hines stated the road on the east of the property is actually a dead end into an individual parcel.

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

Mr. Hancock made a Motion and Mr. Steward seconded the Motion to approve the application by Carl Hines for a variance to allow an accessory building in the designated front yard of a double frontage lot. The Motion was passed with a unanimous vote.

Application by Jennifer Lamont (1641) for a variance to allow a fence taller than 3 ft in the designated front yard of a double frontage lot in accordance with the DeSoto County Zoning Ordinance. Subject property is located at 2119 Watson Place Cv on the west side of Watson Place Cv and north of Watson Place Blvd Parcel #2-07-6-24-02-0-00020-00 Section 24 Township 2 Range 7 and is zoned PUD (District 5)

Mr. Hopkins presented the application by Jennifer Lamont for a variance to allow a fence taller than 3 ft in the designated front yard of a double frontage lot. Ms. Jennifer Lamont was present to represent the application.

Ms. Lamont stated she would like a 6 ft cedar fence and didn't realize she had two front yards. She stated she wants the fence in the proposed location to allow for a larger rear yard.

Mr. Hancock asked if it will obstruct the view of traffic. Mr. Cardosi stated it will not obstruct view in the proposed location.

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

Mr. Duncan made a Motion and Mr. Hancock seconded the Motion to approve the application by Jennifer Lamont for a variance to allow a fence taller than 3 ft

in the designated front yard of a double frontage lot. The Motion was passed with a unanimous vote.

Application by Jason Downs (1642) for a variance to allow a fence taller than 3 ft in the designated front yard of a double frontage lot in accordance with the DeSoto County Zoning Ordinance. Subject property is located at 6625 Farm Cv on the east side of Farm Cv and west of Craft Rd Parcel #2-06-9-30-00-0-00013-00 Section 30 Township 2 Range 6 and is zoned R-30 Overlay (District 5)

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

Mr. Downs stated he would like to maximize the usage of his yard by extending the fence closer to the street. He then stated the fence will not obstruct view of traffic because the fence will be on the cove side of the lot.

Mr. Williams asked how far the proposed fence will be from the property line. Mr. Cardosi stated the fence will be 26 feet from the property line.

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

Mr. Ward made a Motion and Mr. Duncan seconded the Motion to approve the application by Jason Downs for a variance to allow a fence taller than 3 ft in the designated front yard. The Motion was passed with a unanimous vote.

Application by Dream Home Construction (1643) for a variance to allow a side setback of less than 15 ft. in accordance with the DeSoto County Zoning Ordinance. Subject property is located at 2785 Cypress Lake Dr S. on the west side of Cypress Lake Dr and north of Woolsey Rd Parcel #2-06-5-22-00-0-00040-01 Section 22 Township 2 Range 6 and is zoned R-30 (District 1)

Mr. Hopkins presented the application by Dream Home Construction for a variance to allow a side setback of less than 15 ft. Mr. Sean Green was present to represent the application.

Mr. Green stated that due to the size of the home and the garage he needed a few more feet to make it fit on the lot.

Mr. Duncan asked if the silt fence is in place on the lot. Mr. Green stated the silt fence is in place.

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

Mr. Hancock made a Motion and Mr. Williams seconded the Motion to approve the application by Dream Home Construction for a variance to allow a side setback of less than 15 ft. The Motion was passed with a unanimous vote.

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