



BOARD OF ADJUSTMENT
ORDER OF ITEMS
April 8th, 2019

CALL TO ORDER: 7:00

APPROVAL OF MINUTES: March 11, 2019

OLD BUSINESS

Application by **Ever Anchondo** (1544) for a variance to allow an accessory building larger than 125% of the square footage of the primary structure in accordance with Article X, Paragraph 7, Page 110 of the DeSoto County Zoning Ordinance. Subject property is located at 5340 Hwy 51 S on the east side of Hwy 51 S and north of Sterlin Lane Parcel #3-07-9-31-00-0-00006-01 Section 31, Township 3 Range 7 and is zoned A (District 5)

NEW BUSINESS

Variance

Application by **Eudora Utilities** (1548) for a variance to allow an accessory building to be located in the designated front yard in accordance with Article X, Paragraph 6 & 7, Page 110 of the DeSoto County Zoning Ordinance. Subject property is located south of 934 West Commerce on the east side of Harper Road and south of Commerce Parcel # 309516000 0001602 Section 16, Township 3 Range 09 and is zoned A (District 4)

Application by **Ken Joyner** (1549) for a variance to allow an accessory building to be located in the designated front yard in accordance with Article X, Paragraph 6 & 7, Page 110 of the DeSoto County Zoning Ordinance. Subject property is located at 9758 Coryelle on the north side of side of Coryelle and west of Hwy 305 Parcel # 306522000 0000100 Section 22, Township 3 Range 06 and is zoned A (District 5)

Conditional Use

Standard Construction Company, LLC (1536) has filed an application with the Desoto County Board of Adjustment for a Conditional Use under Article V, Paragraph 1, Section C (10), Page 20 of the DeSoto County Zoning Ordinance to allow gravel extraction. Subject property is located on the west side of Alphaba Road and north of

County Line Road in Section 32, Township 3, Range 6 and is zoned Agricultural.
(District 5)

The DeSoto County Board of Adjustment met at 7:00 p.m. on Monday, April 8, 2019, in the Planning Commission Conference Room of the County Administration Building in Hernando, Mississippi. The following Board members were present: Mike Duncan, Phillip Steward, Tom Williams and Rudy Davis. Staff members present included Bennie Hopkins, Austin Cardosi, Ashley Hendricks and Sam Barber, Board Attorney.

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 March 11, 2019. Mr. Steward made a Motion to approve the minutes as corrected. Mr. Davis 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 April 18, 2019, at 5:00 p.m. She then stated any appeals filed will be heard by the Board of Supervisors on May 20, 2019, at 9:30 a.m.

OLD BUSINESS

Application by Ever Anchondo (1544) for a variance to allow an accessory building larger than 125% of the square footage of the primary structure in accordance with Article X, Paragraph 7, Page 110 of the DeSoto County Zoning Ordinance. Subject property is located at 5340 Hwy 51 S on the east side of Hwy 51 S and north of Sterlin Lane Parcel #3-07-9-31-00-0-00006-01 Section 31, Township 3 Range 7 and is zoned A (District 5)

Mr. Hopkins presented the variance application by Ever Anchondo to allow an accessory building larger than 125% of the square footage of the primary structure. Mr. Ever Anchondo was present to represent the application.

Mr. Steward asked what the building will be used for. Mr. Anchondo stated that the building will be used for storage, lawnmower and 4-wheeler.

Mr. Duncan asked if the building will have utilities. Mr. Anchondo stated there will be no utilities.

Mr. Duncan asked if the accessory building will be a metal building. Mr. Anchondo stated that the building will be a metal building. Mr. Duncan asked if it will have concrete floors. Mr. Anchondo stated it will not have concrete floors.

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

Mr. Williams made a Motion and Mr. Duncan seconded the Motion to approve the variance application by Ever Anchondo to allow an accessory building larger than 125% of the square footage of the primary structure. The Motion passed in a 3-1 vote with Mr. Steward voting no.

NEW BUSINESS

Variance

Application by Eudora Utilities (1548) for a variance to allow an accessory building to be located in the designated front yard in accordance with Article X, Paragraph 6 & 7, Page 110 of the DeSoto County Zoning Ordinance. Subject property is located south of 934 West Commerce on the east side of Harper Road and south of Commerce Parcel # 309516000 0001602 Section 16, Township 3 Range 09 and is zoned A (District 4)

Mr. Hopkins presented the variance by Eudora Utilities to allow an accessory building to be located in the designated front yard. Mr. D.W. Gilbert was present to represent the application.

Mr. Cardosi presented an updated drawing and stated that the applicant will also need a variance for the side setback as well.

Mr. Gilbert came forward and stated that he tried to place the building on other sites on the property but the neighbors were not happy with those locations. He stated they did not want to disturb the park area that is located on their property and there are water lines that need to be worked around as well. He then stated that they plan to provide a concrete area where the crumbling asphalt is currently that connects to the Fire Department property to have access via the Fire Departments parking lot.

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

Jack Helton – 2059 Harper Road – came forward and asked what color the building will be.

Mr. Gilbert stated that the building will be a tan/sandstone color. Mr. Helton stated he is also concerned that the building was not placed near the pines trees closer to the park.

Mr. Steward made a Motion and Mr. Williams seconded the Motion to approve the variances by Eudora Utilities to allow an accessory building to be located in the designated front yard and to allow a side setback of less than 5 feet. The Motion was passed with a unanimous vote.

Application by Ken Joyner (1549) for a variance to allow an accessory building to be located in the designated front yard in accordance with Article X, Paragraph 6 & 7, Page 110 of the DeSoto County Zoning Ordinance. Subject property is located at 9758 Coryelle on the north side of side of Coryelle and west of Hwy 305 Parcel # 306522000 0000100 Section 22, Township 3 Range 06 and is zoned A (District 5)

Mr. Hopkins presented the variance application by Ken Joyner to allow an accessory building in the designated front yard. Mr. Ken Joyner was present to represent the application.

Mr. Cardosi explained that there was an old house on the property that was torn down, but the landowner would like to keep the old dairy barn that is on the property. He stated the new home would be located behind the dairy barn so they will need a variance to be able to have an accessory building in the designated front yard.

Mr. Joyner stated the dairy barn is a concrete building and is in good shape and they would like to keep it.

Mr. Steward asked what the barn would be used for. Mr. Mark Ellis the property owner came forward and stated he would like to make it into a shop later.

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

Mr. Steward made a Motion and Mr. Williams seconded the Motion to approve the variance application by Ken Joyner to allow an accessory building in the designated front yard. The Motion was passed with a unanimous vote.

Conditional Use

Standard Construction Company, LLC (1536) has filed an application with the Desoto County Board of Adjustment for a Conditional Use under Article V, Paragraph 1, Section C (10), Page 20 of the DeSoto County Zoning Ordinance to allow gravel extraction. Subject property is located on the west side of Alphaba Road and north of County Line Road in Section 32, Township 3, Range 6 and is zoned Agricultural. (District 5)

Mr. Hopkins presented the Conditional Use application by Standard Construction, LLC to allow an extension of a gravel extraction operation. Mr. Bill Myers was present to represent the application.

Mr. Myers stated that the work is almost complete at this site. He stated that they can remove the remaining gravel and reclaim the property within 2 years. He then stated that the traffic has improved on the road and the applicant agrees to all previous conditions of the previous approval.

Mr. Duncan asked if they will be using the same route. Mr. Myers stated that they will be using the same route.

Mr. Williams asked if the lights that were required in the previous approval were installed. Mr. Myers stated that they were installed.

There was discussion of the reclamation of the property.

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

Mr. Williams asked how deep they are allowed to dig for the gravel. Mr. Cliff Hunt with Standard Construction stated they dig approximately 50 ft. but on average they dig 40 ft.

Mr. Davis made a Motion and Mr. Steward seconded the Motion to approve the Conditional Use application by Standard Construction, LLC to allow an extension of a gravel extraction operation with the following conditions:

1. Conditions from previous approval shall be kept in effect; and
2. The Conditional Use is approved for a five (5) years, until April 9, 2024.

The Motion was passed with a unanimous vote.

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