



**DESOTO COUNTY PLANNING COMMISSION  
ORDER OF ITEMS  
JUNE 30, 2005**

1. Call to Order
2. Invocation
3. Roll Call
4. Approval of Minutes – June 2, 2005

**CONSENT AGENDA**  
**MINOR LOTS**

**Louis Malone (6363)** – Application is for 3 lots on 6 acres of 2 acres each. Subject property is located on the west side of Baptist Road and south of Star Landing Road in Section 20, Township 2, Range 7 and is zoned Agricultural-Residential. (District 5)

**Ruby McCoy (6365)** – Application is for 1 lot of 4 acres out of 8 acres. Subject property is located on the south side of Slocum Road and east of Highway 51, in Section 31, Township 3, Range 7 and is zoned Agricultural. (District 5)

**Hick, Charles (6368)** – Application is for 2 lots one of 10 acres and one lot of 7.764 acres out of 17.7 acres. Subject property is located on the east side of Craft Road and south of Vaiden Road, in Section 8, Township 3, Range 6 and is zoned Agricultural. (District 5)

**Stapleton, Angela (6369)** – Application is for 3 lots, one of 5 acres, one lot of 6.84 acres and one lot of 4.82 acres out of 16.66 acres. Subject property is located on the east side of Love Road and north of Mosby Road, in Section 5 & 8, Township 4, Range 7 and is zoned Agricultural. (District 5)

**Crawford, Richard (6370)** – Application is for 2 lots out of 7.58 acres. One lot of 1.35 and one lot of 6.22. Subject property is located on the north side of Star Landing Road and west of Horn Lake Road, in Section 17, Township 2, Range 8 and is zoned Agricultural-Residential. (District 4)

**W.E. Boggan (6373)** – Application is for 1 lot of 3 acres out of 8 acres. Subject property is located on the north side of Vaiden and west of Highway 305, in Section 4, Township 3, Range 6 and is zoned Agricultural-Residential. (District 5)

## **FINAL SUBDIVISIONS**

**Emerald Estates (6367)** – Application is for final subdivision approval of 47 lots on 78.90 acres. Subject property is located on the south side of Highway 304 and east of Bluff Road, in Section 17, Township 3, Range 9 and is zoned Agricultural-Residential. (District 4)

**Estates of Center Hill, Section C (6371)** – Application is for final subdivision approval of 2 lots on 4 acres. Subject property is located on the south side of Burton Road and east of Centerhill Road, in Section 9, Township 2, Range 5 and is zoned Agricultural-Residential. (District 1)

## **OLD BUSINESS**

**Hickory Forest (6359)** – Application is for final subdivision approval of 82 lots on 16.44 acres. Subject property is located on the west side of Highway 301 and south of DeSoto Road, in Section 25, Township 1, Range 9 and is zoned R-3. (District 3)

## **NEW BUSINESS**

### **SUBDIVISIONS**

**Flowering Meadows (6366)** – Application is for preliminary subdivision approval of 22 lots on 35.09 acres. Subject property is located on the south side of Newell Road and west of Baldwin Road, in Section 10, Township 3, Range 9 and is zoned Agricultural-Residential. (District 5)

**Forest Hills (6372)** – Application is for preliminary subdivision approval of 9 lots on 37.87 acres. Subject property is located on the north side of Williams Road and south of KoKo Reef Drive, in Section 31 & 32, Township 3, Range 9 and is zoned Agricultural. (District 4)

### **REZONING**

**Walker's Ridge (658)** – Application is to rezone 25.85 acres from Agricultural-Residential to Planned Unit Development (PUD). Subject property is located on the west side of Center Hill Road and south of Goodman Road, in Section 32, Township 1, Range 5, and is zoned Agricultural-Residential. (District 1)

The DeSoto County Planning Commission met at 7:00 p.m. on Thursday, June 30, 2005, in the Third Floor Board Room of the Administration Building of DeSoto County located at 365 Loshier Street, Hernando, MS. Commissioners present included: Dennis Clemmer, Leonard Lindsey, Len Lawhon, Eddie O'Bannon, Robin James, Jimmy Maxwell, Julius Cowan, Charles McNemar, Wade Carter, Leigh Graves, Joe Forsythe, Mike Robison. Planning Commission Staff present included Merritt Powell, Jim McDougal, Denise Dingman, Andy Swims and Mr. Jody Neyman, Commission Attorney.

After the invocation, Chairman Mike Robison asked if there were any additions or deletions from the Minutes of the Planning Commission meeting held on June 2, 2005. Mr. Lindsey made a Motion to approve the minutes as written. Mr. Cowan seconded the Motion. The Motion passed by a unanimous vote.

At this time Mr. Jim McDougal introduced Mr. Eddie O'Bannon as a new Planning Commission Member.

Mr. McDougal stated the Scenic Hollow Rezoning application will be carried over until July 28, 2005.

## **CONSENT AGENDA**

### **MINOR LOTS**

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**W.E. Boggan (6373)** – Application is for 1 lot of 3 acres out of 8 acres. Subject property is located on the north side of Vaiden and west of Highway 305, in Section 4, Township 3, Range 6 and is zoned Agricultural-Residential. (District 5)

Mr. McDougal then announced the Consent Agenda. Mr. McDougal announced the above items and stated that the minor lots conform to the DeSoto County Zoning and Subdivision Regulations and are ready for approval, subject to dedication of road right of way, and health department approval with the exception of the Angela Stapleton lot, which is to be removed from the agenda. Mr. Lindsey made a Motion to approve the consent agenda. Mr. James seconded the Motion. The Motion was approved with a unanimous vote.

### **FINAL SUBDIVISIONS**

**Emerald Estates (6367)** – Application is for final subdivision approval of 47 lots on 78.90 acres. Subject property is located on the south side of Highway 304 and east of Bluff Road, in Section 17, Township 3, Range 9 and is zoned Agricultural-Residential. (District 4)

Mr. McDougal began his presentation by saying there needs to be a notation to remove the language stating part of the property may be rezoned. Mr. Smith, Representative stated the note was placed on the plat because lot 2 is located on two major streets, which could be rezoned to commercial.

Mr. Powell suggested that lot 2 be an out parcel, so the plat does not have to be revised if and when that lot were rezoned to a commercial use.

Mr. Robison entertained a Motion.

Mr. James made a Motion to approve this application with staff recommendations and that lot two be removed from the plat. Mr. Maxwell seconded the Motion. The Motion was passed by a unanimous vote.

**Estates of Center Hill, Section C (6371)** – Application is for final subdivision approval of 2 lots on 4 acres. Subject property is located on the south side of Burton Road and east of Centerhill Road, in Section 9, Township 2, Range 5 and is zoned Agricultural-Residential. (District 1)

Mr. Robison entertained a Motion.

Mr. James made a Motion to approve this application with staff recommendations. Mr. Maxwell seconded the Motion. The Motion was passed by a unanimous vote.

**Hickory Forest (6359)** – Application is for final subdivision approval of 82 lots on 16.44 acres. Subject property is located on the west side of Highway 301 and south of DeSoto Road, in Section 25, Township 1, Range 9 and is zoned R-3. (District 3)

Mr. McDougal began by saying this application is for a concurrence due to the fact that the plat was not recorded within 1 year of the final approval. He then explained that this was carried over from the last Planning Commission Meeting (June 2). Mr. McDougal

stated the only change on this application is that the open space has been moved to the north. He then recognized Mr. Ben Smith as being present to represent this application.

Mr. Carter asked about the house sizes. Mr. Smith said the house size has not changed, they are still 1,100 square feet. The only change is the park space has been dedicated to the county to expand the 301 park.

Mr. Powell asked about lot 81. Mr. Smith said it would be a “no build zone”, and there will no longer be a homeowners association, because there is no longer any common space. There will not be any homes backing up to River Birch. It was also decided that a part of each lot will be a “no build zone”, including fences, unless it is a brick fence (lots 75-80). They will make lots 38/39/57/58 will be combined. Mr. Smith agreed to build a brick fence along lots 75-80.

Mr. Andy Swims, County Engineer asked about the detention. Mr. Smith answered saying there is a large hole in the back and they may need another pond.

Mr. Robison asked if there was anyone here for or against this application, there was none.

Mr. Lawhon made a Motion to approve this application with staff recommendations and with the following stipulations: Changes to the park location; Homeowners Association to be dissolved at the time the county takes over the park; lots 75-80 have a brick fence along River Birch and that lots 38, 39, 57 and 58 to be combined. Mr. Lindsey seconded the Motion. The Motion passed by a 10-2 vote.

## **NEW BUSINESS**

### **SUBDIVISIONS**

**Flowering Meadows (6366) – Application is for preliminary subdivision approval of 22 lots on 35.09 acres. Subject property is located on the south side of Newell Road and west of Baldwin Road, in Section 10, Township 3, Range 9 and is zoned Agricultural-Residential. (District 5)**

Mr. McDougal presented the application and the staff report to the Planning Commission. He then recognized Mr. Ben Smith as being present to represent the application.

Mr. Robison asked about the setbacks. Mr. Powell said they will follow the county regulations. Mr. Smith said the side setback will be 15' each side.

Mr. Robison then asked if there would be covenants. Mr. Smith answered saying “yes”, with 2,000 minimum home sizes. He continued saying this is a rural subdivision with larger lots and good circulation.

Mr. O'Bannon asked if the road will line up with Misty Meadows. Mr. Powell said "yes", it should.

Mr. Robison asked if there was anyone here for or against this application, there was none.

Mr. James made a Motion to approve this application with staff recommendations. Mr. Lawhon seconded the Motion. The Motion was passed by a unanimous vote.

**Forest Hills (6372) – Application is for preliminary subdivision approval of 9 lots on 37.87 acres. Subject property is located on the north side of Williams Road and south of KoKo Reef Drive, in Section 31 & 32, Township 3, Range 9 and is zoned Agricultural. (District 4)**

Mr. McDougal presented the application and the staff report to the Planning Commission. He then recognized Mr. Dee LeBlond as being present to represent the application.

Mr. LeBlond began by stating there are 31 covenants and mobile homes will not be allowed. He will also change the name of the subdivision. The minimum home size will be 1,800 square feet.

Mr. Carter asked if this development will drain into KoKo Reef. Mr. LeBlond answered saying it will drain away from KoKo Reef.

Mr. Robison asked if there was anyone here for or against this application, there was none.

Mr. Lindsey made a Motion to approve this application with staff recommendations. Mr. McNemar seconded the Motion. The Motion was passed by a unanimous vote.

## **REZONING**

**Walker's Ridge (658) – Application is to rezone 25.85 acres from Agricultural-Residential to Planned Unit Development (PUD). Subject property is located on the west side of Center Hill Road and south of Goodman Road, in Section 32, Township 1, Range 5, and is zoned Agricultural-Residential. (District 1)**

Mr. McDougal presented the application and the staff report to the Planning Commission. He then recognized Mr. Vince Thilen as being present to represent the application.

Mr. Robison stated this application does not look like a complete PUD application. Mr. McDougal replied saying it is not in a form that this board is used to seeing.

Mr. Lawhon began by saying, a PUD is a packet that speaks for us, what we have tonight is not complete, even though preliminary the concept looks like it will be nice. He wants to see this plan documented, he does not like the "concept" idea.

Mr. Robison agreed and said the first thing he looks for is the bulk requirements, this does not have any of that.

Ms. Graves said she looks for the size of the homes or at least a reference to it, this document does not have any information.

Mr. Vince Thilen from ETI Corporation began by saying they did have a couple of preliminary meetings with the Planning Commission staff and it was not their intention to submit something with information lacking. He then asked if he could continue with this presentation. Mr. Robison stated this is a rezoning application, and we would like to wait for the next hearing when we have a complete application.

A representative from Looney, Ricks, Kiss spoke stating he respects what the Board members are saying and he is not here to push the Board into doing something they are not comfortable with. This is a unique property and they want to preserve the character. He then asked what type of typical information does a PUD consist of. Mr. Robison said a PUD offers flexibility which would be a great way to preserve the character and gives design flexibility with homes, streets, etc. He added saying the more information the better.

Mr. Vince Thilen requested that this application be carried over for 30 days.

Mr. Lawhon made a Motion to carryover this application until the July 28, 2005 Planning Commission. Mr. Maxwell seconded the Motion. The Motion was passed by a unanimous vote.

There being no further business in front of the Planning Commission, this meeting adjourned at 8:00 p.m. These minutes were recorded and transcribed by Denise Dingman.