

**Order of Items**  
**DeSoto County Planning Commission**  
**July 3, 2003**

1. Invocation
2. Roll Call
3. Approval of Minutes – 5/29/2003

**REQUEST FOR CONTINUANCE UNTIL SPECIAL MEETING**

**JULY 10**

**ZONINGS**

4. The Neighborhood at Cedar View (610) – Application is to rezone 75.1 acres to Planned Unit Development. Subject property is located on the west side of Highway 305 and south of College Road, currently zoned Planned Unit Development.  
Section 16, Township 2, Range 6
5. Jefferson Planned Unit Development (613) – Application is to rezone 96.7 acres to Planned Unit Development. Subject property is located on the southeast corner of Jaybird and Holly Springs Roads, currently zoned Agricultural.  
Section 21, Township 3, Range 7

**MINOR LOT SUBDIVISIONS**

6. Rochelle Minor Lot Subdivision (6168) – Application is for one lot of 1.5 acres from 20 acres. Subject property is located on the south side of Nail Road and west of Highway 301, zoned Agricultural-Residential.  
Section 1, Township 2, Range 9
7. Sanderson Minor Lot Subdivision (6172) – Application is for one lot of 1.28 acres. Subject property is located on the south side of Nolan Road and east of Highway 305, zoned Agricultural-Residential.  
Section 15, Township 2, Range 6
8. McDonald Minor Lot Subdivision (6174) – Application is for one lot of 3 acres. Subject property is located on the south side of Highway 304 and west of Fogg Road, zoned Agricultural.  
Section 18, Township 3, Range 8
9. Brant Minor Lot Subdivision (6175) – Application is for one lot of 3 acres from 113 acres. Subject property is located on the north side of Star Landing Road and east of Tulane Road, zoned Agricultural-Residential.  
Section 15, Township 2, Range 8
10. Griffin Minor Lot Subdivision (6176) – Application is to vacate minor lot subdivision 6111 (Crocket Minor) and subdivide three lots of 3+ acres each from 9.38 acres. Subject property is located on the north side of Deerwood Road and east of Highway 51, zoned Agricultural.  
Section 32, Township 3, Range 7
11. Lambert/Wood Minor Lot Subdivision (6177) – Application is for one lot of 3.028 acres from 32 acres. Subject property is located on north side of Highway 304 and west of Highway 301, zoned Agricultural.  
Section 9, Township 3, Range 9

12. Booth Minor Lot Subdivision (6181) – Application is for two lots of 3.0 acres and 9.03 acres. Subject property is located on the west side of Tchulahoma Road and south of Lester Road, zoned Agricultural-Residential.  
Section 29, Township 2, Range 7

### **OLD BUSINESS**

13. Northwest Mississippi Board of Realtors Lot (6173) **Formerly Johnson Commercial Lot 1 (5909)** – Application is for a concurrence of one commercial lot of 5.25 acres. Subject property is located on the west side of Highway 51 and south of Star Landing Road, zoned C-4/C-2.  
Section 24, Township 2, Range 8

### **NEW BUSINESS**

#### **MAJOR SUBDIVISIONS**

14. Crown Estates 1<sup>st</sup> Revision (6167) – Application is for a revision to an existing subdivision with ten lots on 23.3 acres by adjusting two lot boundaries. Subject property is located on the west side of Scott Road and south of Highway 304, zoned Agricultural.  
Section 14, Township 3, Range 8
15. Chaffin Industrial Lot 1 (6169) – Application is for preliminary and final subdivision approval for one industrial lot of 7.66 acres. Subject property is located on the south side of Packing Plant Road and west of Highway 51, zoned M-1.  
Section 24, Township 3, Range 8
16. Williamsburg Subdivision Phase 1(6170) – Application is to vacate an existing plat with four lots on 11.6 acres. Subdivision is located on the north side of Dunn Lane and east of Craft Road, zoned Agricultural-Residential.  
Section 17, Township 2, Range 6
17. Lanesborough Estates (6170) – Application is for final subdivision approval for five lots on 13.5 acres. Subject property is located on the south side of Whispering Pines Drive and west of Polk Lane, zoned Agricultural-Residential.  
Section1, Township 2, Range 6

#### **SITE PLAN REVISION**

18. Northwest Mississippi Board of Realtors Planned Commercial (570) – Application is to revise/amend an existing site plan of a planned commercial district. Subject property is located on the west side of Highway 51 and south of Star Landing Road, zoned C-4.  
Section 24, Township 2, Range 8

#### **OTHER ITEMS**

19. Commercial Building Design Standards

County Planning Commission met at 7:00 p.m. on Thursday, July 3, 2003, in the Third Floor Boardroom of the Administration Building of DeSoto County located at 365 Loshier Street, Hernando, MS. Commissioners present were: Claudia Niebanck, Ed Williams, Jimmy Maxwell, Robin James, Larry Sykes, Julius Cowan, Charles McNemar, and Earl Ward. Planning Commission Staff included: Michael Garriga, DeSoto County Planner, Merritt Powell, Director Denise Dingman, Planning Commission staff and Katie Jewell, County Attorney.

Vice Chairman Claudia Niebanck called the meeting to order at 7:00 p.m., she then asked Mr. Larry Sykes to lead the Commission in prayer.

Mr. Larry Sykes made a Motion to approve the May 29, 2003 minutes. Mr. Maxwell seconded Motion. The Motion was carried by a unanimous vote.

Mr. Garriga informed the board that the Jefferson Planned Unit Development rezoning and the Neighborhood at Cedar View Rezoning applicants have requested a continuance to be held at a special meeting due to the holiday. Mr. Garriga stated he had talked with Mr. Mike Robison (Planning Commission Chairman) regarding this issue and Mr. Robison set a date of Thursday, July 10, 2003 at 7:00 p.m. for a special meeting. Mr. Powell explained saying, if these cases are heard this month, they can still go before the Board of Supervisors in August. Mr. Sykes made a Motion to have these two items carried over until the July 10, meeting. Mr. Maxwell seconded the Motion. At this point there was some discussion regarding the new meeting date and proper notification. Mr. Garriga then explained the notification process and it was agreed that proper notification was and has been given.

### **MINOR LOTS**

**Rochelle Minor Lot Subdivision** (6168) – Application is for one lot of 1.5 acres from 20 acres. Subject property is located on the south side of Nail Road and west of Highway 301, zoned Agricultural-Residential. Section 1, Township 2, Range 9

**Sanderson Minor Lot Subdivision** (6172) – Application is for one lot of 1.28 acres. Subject property is located on the south side of Nolan Road and east of Highway 305, zoned Agricultural-Residential. Section 15, Township 2, Range 6

**McDonald Minor Lot Subdivision** (6174) – Application is for one lot of 3 acres. Subject property is located on the south side of Highway 304 and west of Fogg Road, zoned Agricultural. Section 18, Township 3, Range 8

**Brant Minor Lot Subdivision** (6175) – Application is for one lot of 3 acres from 113 acres. Subject property is located on the north side of Star Landing Road and east of Tulane Road, zoned Agricultural-Residential. Section 15, Township 2, Range 8

**Griffin Minor Lot Subdivision** (6176) – Application is to vacate minor lot subdivision 6111 (Crocket Minor) and subdivide three lots of 3+ acres each from 9.38 acres. Subject property is located on the north side of Deerwood Road and east of Highway 51, zoned Agricultural. Section 32, Township 3, Range 7

**Lambert/Wood Minor Lot Subdivision (6177)** – Application is for one lot of 3.028 acres from 32 acres. Subject property is located on north side of Highway 304 and west of Highway 301, zoned Agricultural. Section 9, Township 3, Range 9

**Booth Minor Lot Subdivision (6181)** – Application is for two lots of 3.0 acres and 9.03 acres. Subject property is located on the west side of Tchulahoma Road and south of Lester Road, zoned Agricultural-Residential. Section 29, Township 2, Range 7

Mr. Garriga 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. Mr. Maxwell made a Motion to approve the minor lots. Mr. Ward seconded the Motion. The Motion was passed by a unanimous vote.

Mr. Garriga then moved to old business on the agenda and stated this case will be referred to the site plan revision (Northwest Mississippi Board of Realtors Planned Commercial) at the end agenda, and stated these two may need to be heard together. Mr. Sykes made a Motion to move this item to the end of the agenda. Mr. Maxwell seconded the Motion. The Motion was passed by a unanimous vote.

**Crown Estates 1<sup>st</sup> Revision (6167)** – Application is for a revision to an existing subdivision with ten lots on 23.3 acres by adjusting two lot boundaries. Subject property is located on the west side of Scott Road and south of Highway 304, zoned Agricultural. Section 14, Township 3, Range 8

Mr. Garriga presented the application and presented the staff report to the Planning Commission. He then stated the representative would not be here due to the holiday to represent the application.

Mr. Garriga stated this is a revision of a plat by amending two lot boundaries between lots 2 & 3. This will also require signatures from individuals with property interest, including mortgagees. A culvert table also needs to be noted on the new plat.

Ms. Niebanck asked what would happen if the signatures were not on the plat. Mr. Garriga responded by saying, if this application is approved it would be null and void if the plat was not complete and did not follow the plat revision procedures. Mr. Powell added, the owners could still sell lots until the new plat is recorded.

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

**Chaffin Industrial Lot 1 (6169)** – Application is for preliminary and final subdivision approval for one industrial lot of 7.66 acres. Subject property is located

**on the south side of Packing Plant Road and west of Highway 51, zoned M-1.  
Section 24, Township 3, Range 8**

Mr. Garriga presented the application and presented the staff report to the Planning Commission. He said this is the old packing plant (Hernando Boneless Beef) outside of Hernando and is zoned M-1. He then recognized Mr. Dwight Chaffin as being present to represent the application.

Ms. Niebanck asked what the proposed use would be for this building. Mr. Garriga said Mr. Chaffin would like to section the building off and rent out space to different companies, and to host his own plumbing business and supply store. This will not be a retail establishment. He added, Mr. Chaffin is dedicating the proper road right of way.

Ms. Niebanck questioned the amount of traffic. Mr. Powell said the traffic flow would be less than what the packing plant generated. Ms. Niebanck then asked about the road being built to industrial standards. Mr. Garriga responded additional asphalt would be needed, along with curb and gutter along his section of the road. Mr. Powell said the county maintains this road up to this property and it would need to be there decision on what to do with the road.

Mr. Williams said when county sewer is in, will the lagoon be done away with? Mr. Powell said it is a good possibility. Mr. Williams added, it seems to be a win – win situation for everyone involved and the surrounding neighbors.

Mr. Chaffin began by saying the road was done with one continuous pour, for about 4 weeks straight. He continued saying, he has gutted the building and would like to rent sections and have it customized the way future tenants would like. There will be about 16,000 square feet for rent. Mr. Chaffin agreed that the Board of Supervisors would need to tell him what to do with the road, because he is not sure. He then described the condition to the road and the location of the creek. Mr. Powell suggested that Mr. Chaffin talk with the soil and water conservation about working on the ditch. Mr. Chaffin said he will ask the Board of Supervisors for their help, it is county property and it is only his road that is caving in. The first four homes along the road is o.k.

Ms. Niebanck entertained a Motion. Mr. Sykes made a Motion to approve this application with staff recommendations. Mr. Williams seconded the Motion. The Motion was passed by a unanimous vote.

**Williamsburg Subdivision Phase 1(6170) – Application is to vacate an existing plat with four lots on 11.6 acres. Subdivision is located on the north side of Dunn Lane and east of Craft Road, zoned Agricultural-Residential. Section 17, Township 2, Range 6**

Mr. Garriga presented the application and presented the staff report to the Planning Commission. He stated this is a request to vacate a plat of 11.6 acres, which is four lots. There was no representation for this application due to the holiday.

Mr. Williams said there is a house on lot 3, which is owned by Robert Williams, Jr. Mr. Garriga said he will need to relinquish the plat and then do a minor lot subdivision for himself. The minor lot will need to be done before the vacation of the plat. Mr. Powell said the application needs to be in the office before July 31<sup>st</sup>, in order for the deed to be recorded in the Warranty Books in Land Records.

Ms. Niebanck entertained a Motion. Mr. Sykes made a Motion to carryover the application to the July 31<sup>st</sup> Planning Commission meeting. Mr. Williams seconded the Motion. The Motion was passed by a unanimous vote.

**Lanesborough Estates (formerly Kingstown Estates) (6170) – Application is for final subdivision approval for five lots on 13.5 acres. Subject property is located on the south side of Whispering Pines Drive and west of Polk Lane, zoned Agricultural-Residential. Section 1, Township 2, Range 6**

Mr. Garriga presented the application and presented the staff report to the Planning Commission. He then recognized Mr. Lane as being present to represent this application.

Mr. Garriga stated no road construction has begun on this property.

There were no questions to the applicant or staff. Ms. Niebanck entertained a Motion. Mr. Williams made a Motion to approve this application with staff recommendations. Mr. James seconded the Motion. The Motion passed by a unanimous vote.

**20. Northwest Mississippi Board of Realtors Lot (6173) Formerly Johnson Commercial Lot 1 (5909) – Application is for a concurrence of one commercial lot of 5.25 acres. Subject property is located on the west side of Highway 51 and south of Star Landing Road, zoned C-4/C-2. Section 24, Township 2, Range 8**

**21. Northwest Mississippi Board of Realtors Planned Commercial (570) – Application is to revise/amend an existing site plan of a planned commercial district. Subject property is located on the west side of Highway 51 and south of Star Landing Road, zoned C-4. Section 24, Township 2, Range 8**

Mr. Garriga presented the application and presented the staff report to the Planning Commission. He then recognized Mr. Flannigan as being present to represent this application.

Mr. Garriga stated that the name on the plat (6173) needs to be changed to Northwest Mississippi Board of Realtors (formerly Johnson Commercial). The correct buffer yard also needs to be noted on the plat. There was then some discussion regarding the need to extend the easement.

Mr. Garriga then explained that the Board of Realtors (570) is turning the building to face Highway 51, which is the reason for the need of an amended site plan, and they will now be required to construct an additional lane.

Ms. Niebanck asked how to encourage harmonious designs? Mr. Garriga said that it was stated no further division of the land until an integrated design was supplied.

At this time, Mr. Robin James asked legal council if he needs to recuse himself because he is a member of the Board of Realtors. Ms. Katie Jewell responded saying, he can decide if he wants to vote, he is a realtor member, he does not necessarily have a vested interest in this lot.

Mr. Williams asked if the Shrine Club is currently active? Mr. Garriga said “yes”, there is no road, but they have done a lot of dirt work. Mr. Powell, said this is a good plan, but would like to know what is going to be done with the back lot and the easement, he knows Mr. Flannigan’s clients do not want to build a commercial road. Mr. Flannigan said his clients have no plans to build a road at this time, maybe 5-6 years down the road. He continued saying, there is no need to improve the current road at this time. There was then some discussion regarding the road and how and when it would be constructed to commercial standards and road right of way.

Mr. Sykes stated this is a better plan than what was previously presented and the easement is in material at this point.

Ms. Neibanck entertained a Motion. Mr. Sykes made a Motion to approve the Northwest Mississippi Board of Realtors Commercial Lot (6173) with staff recommendations. Mr. Cowan seconded the Motion. The Motion was carried by a unanimous vote.

Mr. Sykes then made a Motion to approve the Northwest Mississippi Board of Realtors Planned Commercial Site Plan Revision (570). Mr. Cowan seconded the Motion. The Motion was carried by a unanimous vote.

### **Commercial Building Design Standards**

Mr. Powell began by saying the county does not have regulations for commercial design standards in regards to how a commercial building is to be constructed. He then gave an example of a new metal building that has been constructed and stated this would only be for commercial areas, not residential. There was then some discussion among the board members and staff regarding the metal building and the covering on the front (brick). Mr. Garriga said it is hard to regulate subjective issues, but it can be done as long as we go through the proper procedures and proper public policy in place.

Mr. Williams said metal buildings don’t look bad if they are done right, in addition, metal buildings are strong in regards to their construction.

Mr. Powell informed the board that other cities have an architecture design committee and maybe the county should consider setting one up. There was then some discussion regarding who would be on this committee and the process of setting this up. Mr.

Powell then suggested maybe putting a moratorium on metal buildings for 120 days. Mr. Garriga said research could be conducted on the different policies in other cities in regards to commercial buildings.

Mr. Sykes made a Motion to recommend to the Board of Supervisors a moratorium on metal structures in commercial zones for 120 days. Mr. Williams seconded the Motion. The Motion was passed by a unanimous vote.

There being no further business in front of the Commission, the Planning Commission adjourned at 8:30 p.m. These Minutes were recorded and transcribed by Denise Dingman.