



**BOARD OF ADJUSTMENT
ORDER OF ITEMS
MAY 9, 2016**

CALL TO ORDER: 7:00

APPROVAL OF MINUTES: April 11, 2016

NEW BUSINESS

Variance

Application by **Frank Woolsey** (1455) for a Variance to allow an accessory building larger than 50% of the square footage of the primary structure in accordance with Article X, Section 7 Page 102 of the DeSoto County Zoning Ordinance. Subject property is located at 10104 Woolsey Road, on the north side of Woolsey Road and west of Bethel Road, Parcel #2-06-6-23-00-0-00010-00 in Section 23, Township 2, Range 6 and is zoned A-R. (District 1)

Application by **Bill Scott** (1456) for a Variance to allow an accessory building in the designated front yard of a double frontage lot in accordance with Article X, Section 6 Page 101 of the DeSoto County Zoning Ordinance. Subject property is located at 4441 Fogg Road, located on the west side of Fogg Road and south of W. Oak Grove Road, Parcel #3-08-9-30-00-0-00005-00 in Section 30, Township 3, Range 8 and is zoned A. (District 5)

Application by **Morgan Cothorn** (1457) for a Variance to allow a mobile home to be less than 100 feet from the side property line in accordance with Article V, Paragraph 1, Section B(11) Page 20 of the DeSoto County Zoning Ordinance. Subject property is located at 7710 Edwards Place Road, on the north side of Edwards Place Road and north of Holly Springs Road, Parcel #3-06-4-20-02-0-00018-00 in Section 20, Township 3, Range 6 and is zoned A. (District 5)

The DeSoto County Board of Adjustment met at 7:00 p.m. on Monday, May 9, 2016, in the Board Room of the County Administration Building in Hernando, Mississippi. The following Board members were present: Tom Williams, Mike Duncan, Phillip Steward, Earl Ward and Rudy Davis. Staff members present included Bennie Hopkins, Austin Cardosi, Ashley Hendricks and Robert Quimby, 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 April 11, 2016. Mr. Duncan made a Motion to approve the minutes as presented. Mr. Ward 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 May 19, 2016, at 5:00 p.m. She then stated any appeals filed will be heard by the Board of Supervisors on June 20, 2016, at 11:00 a.m.

NEW BUSINESS

Variance

Application by Frank Woolsey (1455) for a Variance to allow an accessory building larger than 50% of the square footage of the primary structure in accordance with Article X, Section 7 Page 102 of the DeSoto County Zoning Ordinance. Subject property is located at 10104 Woolsey Road, on the north side of Woolsey Road and west of Bethel Road, Parcel #2-06-6-23-00-0-00010-00 in Section 23, Township 2, Range 6 and is zoned A-R. (District 1)

Mr. Hopkins presented the application by Frank Woolsey for a Variance to allow an accessory building larger than 50% of the square footage of the primary structure. Mr. Frank Woolsey was present to present the application.

Mr. Woolsey stated he would like to place the building on his one acre track to house the equipment to work on his adjoining 11 acre parcel. He stated he feels the building will be more secure if closer to his home. Mr. Woolsey stated he spoke with his neighbor Mr. Harold Haylon and he does not have a problem with him placing the building on his property.

Mr. Steward asked if the building will be used to store equipment. Mr. Woolsey stated it would be used to store equipment. Mr. Steward asked where the equipment is being stored now. Mr. Woolsey stated it is sitting outside in the weather right now.

There was discussion of where the building will go on the property. Mr. Woolsey stated the building will be approximately 75 feet from the rear property line. He then stated it will be built out of metal and painted green. Mr. Ward asked how far the building will be from the house. Mr. Cardosi stated it will be located approximately 100 feet from the house.

Mr. Steward asked if there was any response from neighbors. Staff stated they did not receive any letters or calls concerning this application.

Mr. Williams asked if there will be any electricity to the building. Mr. Woolsey stated there will not be any electricity to the building at this time.

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

Mr. Williams made a Motion to approve the Variance application by Frank Woolsey to allow an accessory building larger than 50% of the square footage of the primary structure based on staff recommendations and findings that special conditions and circumstances exist which are peculiar to the land, structure, or building involved; literal interpretation of the ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district; special conditions and circumstances do not result from the actions of the applicant; and granting the Variance will not confer on the applicant any special privilege that is denied by the ordinance to other lands, structures, or buildings in the same zoning district. Mr. Ward seconded the motion. The Motion was passed with a unanimous vote.

Application by Bill Scott (1456) for a Variance to allow an accessory building in the designated front yard of a double frontage lot in accordance with Article X, Section 6 Page 101 of the DeSoto County Zoning Ordinance. Subject property is located at 4441 Fogg Road, located on the west side of Fogg Road and south of W. Oak Grove Road, Parcel #3-08-9-30-00-0-00005-00 in Section 30, Township 3, Range 8 and is zoned A. (District 5)

Mr. Hopkins presented the application by Bill Scott for a Variance to allow an accessory building in the designated front yard of a double frontage lot. Mr. Bill Scott was present to present the application.

Mr. Bill Scott came forward and stated that the proposed building would be 90 feet from the house and 136 feet from the road and that due to setbacks it could not be located behind the house. He then stated you would not be able to see the building from the road.

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

Mr. Ward made a Motion to approve the Variance application by Bill Scott to allow an accessory building in the designated front yard of a double frontage lot based on staff recommendations and findings that special conditions and circumstances exist which are peculiar to the land, structure, or building involved; literal interpretation of the ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district; special conditions and circumstances do not result from the actions of the applicant; and granting the Variance will not confer on the applicant any special privilege

that is denied by the ordinance to other lands, structures, or buildings in the same zoning district. Mr. Davis seconded the motion. The Motion was passed with a unanimous vote.

Application by Morgan Cothorn (1457) for a Variance to allow a mobile home to be less than 100 feet from the side property line in accordance with Article V, Paragraph 1, Section B(11) Page 20 of the DeSoto County Zoning Ordinance. Subject property is located at 7710 Edwards Place Road, on the north side of Edwards Place Road and north of Holly Springs Road, Parcel #3-06-4-20-02-0-00018-00 in Section 20, Township 3, Range 6 and is zoned A. (District 5)

Mr. Hopkins presented the application by Morgan Cothorn for a Variance to allow a mobile home to be less than 100 feet from the side property line. Ms. Morgan Cothorn was present to present the application.

Ms. Cothorn came forward and stated that she wants to build a house on the property in the future so the mobile home will only be on the property temporarily. She then stated she is asking for a variance to the side setback because this location is the only spot on the property other than the site she plans to build a home that she can place the mobile home.

Mr. Davis asked if the mobile home will remain on the property once the house is built. Ms. Cothorn stated the mobile home will be removed from the property once the house is built.

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

Mr. Davis made a Motion to approve the Variance application by Morgan Cothorn to allow a mobile home to be less than 100 feet from the side property line based on staff recommendations and findings that special conditions and circumstances exist which are peculiar to the land, structure, or building involved; literal interpretation of the ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district; special conditions and circumstances do not result from the actions of the applicant; and granting the Variance will not confer on the applicant any special privilege that is denied by the ordinance to other lands, structures, or buildings in the same zoning district. Mr. Duncan seconded the motion. The Motion was passed with a unanimous vote.