



**BOARD OF ADJUSTMENT
ORDER OF ITEMS
FEBRUARY 13, 2017**

CALL TO ORDER: 7:00

APPROVAL OF MINUTES: January 9, 2017

NEW BUSINESS

Variance

Application by **Joseph Yarbrough (1478)** for a variance to allow an accessory building and a fence taller than 3 feet to be located within the designated front yard and allow an accessory building to be larger than 50% of the square footage of the primary structure in accordance with Article X, Paragraph 2, 6 & 7, Page 110-111 of the DeSoto County Zoning Ordinance. Subject property is located at 2295 Jaybird Road on the west side of Jaybird Road and north side of Oak Crest Road. Parcel #3-07-4-147-04-0-00002-00 Section 17, Township 3 Range 7 and is zoned A-R (District 5)

Application by **Bridgforth Homes, LLC (1479)** for a variance to allow an accessory building to be less than 10 feet from the rear property line in accordance with Article X, Paragraph 6, Page 110 of the DeSoto County Zoning Ordinance. Subject property is located at 4251 Lundy Bend E, on the west side of Lundy Bend East and south of Woodgate Lane Ext. Parcel #2-07-1-11-04-0-00159-00 Section 11 Township 2 Range 7 and is zoned PUD (District 2)

OTHER

Election of Officers

The DeSoto County Board of Adjustment met at 7:00 p.m. on Monday, February 13, 2017, in the Board Room of the County Administration Building in Hernando, Mississippi. The following Board members were present: Philip Steward, Rudy Davis, Earl Ward, Mike Duncan, and Tom Williams. 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 January 9, 2017. Mr. Williams made a Motion to approve the minutes as presented. 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 February 23, 2017, at 5:00 p.m. She then stated any appeals filed will be heard by the Board of Supervisors on March 20, 2017, at 11:00 a.m.

NEW BUSINESS

Variance

Application by Joseph Yarbrough (1478) for a variance to allow an accessory building and a fence taller than 3 feet to be located within the designated front yard and allow an accessory building to be larger than 50% of the square footage of the primary structure in accordance with Article X, Paragraph 2, 6 & 7, Page 110-111 of the DeSoto County Zoning Ordinance. Subject property is located at 2295 Jaybird Road on the west side of Jaybird Road and north side of Oak Crest Road. Parcel #3-07-4-147-04-0-00002-00 Section 17, Township 3 Range 7 and is zoned A-R (District 5)

Mr. Hopkins presented the application Joseph Yarbrough for a variance to allow an accessory building and a fence taller than 3 feet to be located within the designated front yard and allow an accessory building to be larger than 50% of the square footage of the primary structure. Mr. Joseph Yarbrough was present to present the application.

Mr. Yarbrough came forward and stated that, due to his lot being a corner lot, he has to meet a front setback on two sides of his lot. He stated he would like to install a 6 foot privacy fence along the south side of his property and would need a variance for it to be taller than 3 feet. He also stated he would like to build his storage building within the designated front setback so that he is not blocking access by the neighbors to the pond. He stated the storage building is going to be used to store lawn equipment and such.

Mr. Duncan asked how big the lot is. Mr. Yarbrough stated it is 1.5 acres.

Mr. Duncan asked what material the building will be made of. Mr. Yarbrough stated it will be a metal building. Mr. Steward asked what color the building will be. Mr. Yarbrough stated it will match the house.

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

Mr. Williams made a Motion and Mr. Davis seconded the Motion to approve the variance to allow an accessory building and a fence taller than 3 feet to be located within the designated front yard and allow an accessory building to be larger than 50% of the square footage of the primary structure with the condition that the color of the building match the house, based upon a finding that special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are applicable to other lands, structures, or buildings in the same district; literal interpretation of the provisions of the ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of the ordinance; the special conditions and circumstances do not result from the actions of the applicant; and granting the variance requested will not confer on the applicant any special privilege that is denied by the ordinance to other lands, structures, or buildings in the same district. The Motion was passed with a unanimous vote.

Application by Bridgforth Homes, LLC (1479) for a variance to allow an accessory building to be less than 10 feet from the rear property line in accordance with Article X, Paragraph 6, Page 110 of the DeSoto County Zoning Ordinance. Subject property is located at 4251 Lundy Bend E, on the west side of Lundy Bend East and south of Woodgate Lane Ext. Parcel #2-07-1-11-04-0-00159-00 Section 11 Township 2 Range 7 and is zoned PUD (District 2)

Mr. Hopkins presented the application by Bridgforth Homes, LLC for a variance to allow an accessory building to be less than 10 feet from the rear property line. Mr. Keith Williams was present to present the application.

Mr. Keith Williams came forward and stated the owner of the property would like build a storage building large enough to house a bass boat and in order to do so will need to be 5 feet from the rear property line. He stated the detached building will be the same brick as the home.

Mr. Duncan asked if there is a utility easement. Mr. Keith Williams stated there is a 5 foot utility easement along all property lines.

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

Mr. Duncan made a Motion and Mr. Williams seconded the Motion to approve the variance to allow an accessory building to be less than 10 feet from the rear property line

with the condition that the color of the building matches the house, based upon a finding that special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are applicable to other lands, structures, or buildings in the same district; literal interpretation of the provisions of the ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of the ordinance; the special conditions and circumstances do not result from the actions of the applicant; and granting the variance requested will not confer on the applicant any special privilege that is denied by the ordinance to other lands, structures, or buildings in the same district. The Motion was passed with a unanimous vote.

OTHER

Election of Officers

Mr. Davis made a Motion to keep the Officers the same as the officers for the year 2016. Mr. Ward seconded the Motion. The Motion was passed with a unanimous vote.

Mr. Steward made a Motion to Adjourn. Mr. Ward seconded the Motion. The Motion was passed with a unanimous vote.