



**DESOTO COUNTY PLANNING COMMISSION
ORDER OF ITEMS
March 3rd, 2022**

1. **Call to Order**
2. **Invocation**
3. **Roll Call**
4. **Approval of Minutes – January 6th, 2022**
5. **Public Hearing**
 - a. **The Crossings (RZNE-000806-2022)** – Application is for rezoning of 35.4 acres from Agricultural to C-4, Located on the north west corner of Fogg Rd and I-269, identified as parcel # 208931000 0000104 in Section 31, Township 2, Range 8 (District 4)
Applicant: Orion Planning and Design
 - b. **Richard Bolan Rezoning (RZNE-000807-2022)** – Application is for rezoning of 21 acres from Agricultural-Residential to Agricultural, Located on west side of Craft Road, identified as parcel # 206930000 0000402 in Section 30, Township 2, Range 6 (District 5)
Applicant: Richard Boland
6. **Preliminary Subdivision**
 - a. **Rowsey Crossing Phase B (SUB-007670-2021)**
–Application is for preliminary subdivision of 5 lots on 9.87 acres Property is located on the east side of Fogg Rd and south of Oak Grove Rd, identified as parcel # 308420000 0000501 in Section 20, Township 3, Range 08 (District 5)
Applicant: Eagle Land Co
7. **Final Subdivision**
 - a. **Rowsey Crossing Phase B (SUB-007671-2021)**
–Application is for final subdivision of 5 lots on 9.87 acres Property is located on the east side of Fogg Rd and south of Oak Grove Rd, identified as parcel # 308420000 0000501 in Section 20, Township 3, Range 08 (District 5)
Applicant: Eagle Land Co

- b. Howard Estates (SUB-007687-2022)** Application is for final subdivision of 4 lots on 9.31 acres. Identified as Parcel(s) # 305521000 0000500. Subject property is located on the west side of Watson DeSoto Road and north of Denman Road in Section 21, Township 3, Range 7 and is zoned A (District 1)
Applicant: Dale Howard
- c. Hunters Ridge (SUB-007697-2021)** Application is for final subdivision approval of 4 lots on 7.67 acres. Identified as parcel # 307932000 0000200 and is located on the north side of Slocum Road, east of I55 in Section 32, Township 35, Range 7 and is zoned AR (District 5)
Applicant: Dream Home Construction

8. Minor Lot

- a. Remington Ridge Phase 2 Minor Lot 1st Revision (SUB-007690-2022)** Approval of 2 lot(s) on 8.55 acre(s). Identified as Parcel #205307000 0000206. Subject property is located on the east side of Polk Lane and north of Hwy 178 in Section 07, Township 2, Range 5 (District 1)
Applicant: Stoney Brook Homes
- b. Elizabeth Meadows Minor Lot (SUB-007691-2021)**
Application is for final subdivision of 2 lots on 13.5 acres. Identified as Parcel(s) # 307210000 0001400. Subject property is located on the south side of Bright Road and west of Malone Road in Section 10, Township 3, Range 7 and is zoned A (District 5)
Applicant: Clarence Phillips
- c. Cermeno Minor Lot (SUB-007696-2022)** Approval of 1 lot(s) on 2.00 acre(s) out of 27.0 acres. Identified as Parcel #209101000 0001500 Subject property is located on the east side of Poplar Corner Rd and north of Church Rd in Section 1, Township 2, Range 9 (District 3)
Applicant: Juan Cermeno

The Desoto County Planning Commission met at 6:30 p.m. on Thursday, March 3, 2022, in the Board Room of the County Administration Building in Hernando, Mississippi. The following Commission members were present: Julius Cowan, Selena Baker, Randy Denton, Ron McCluskey, Jeanne Shannon, Floyd Fiveash, B.G. Smith, Steve Reeves, David Arnett, Jim Holland, Murry Haslip and Scott Ferguson. Staff members present included Bennie Hopkins, Austin Cardosi, Ashley Hendricks, Celeste Sanders and Sam Barber, Board Attorney.

Planning Commission Chairman Ms. Shannon called the meeting to order and asked whether any member of the Commissioners recommended changes to the Minutes dated January 6, 2022. No changes were suggested. Mr. Ferguson made a Motion to approve the minutes as presented. Mr. Fiveash seconded the Motion. The Motion passed with a unanimous vote.

9. **Public Hearing**

Mr. Fiveash made a Motion and Ms. Baker seconded the Motion to open a Public Hearing. The Motion passed with a unanimous vote.

- a. **The Crossings (RZNE-000806-2022) – Application is for rezoning of 35.4 acres from Agricultural to C-4, Located on the north west corner of Fogg Rd and I-269, identified as parcel # 208931000 0000104 in Section 31, Township 2, Range 8 (District 4)
Applicant: Orion Planning and Design**

Mr. Hopkins presented The Crossings application for rezoning of 35.4 acres from Agricultural to C-4. Mr. Bob Barber was present to represent the application.

Mr. Holland asked if staff has the original signed application for this item. Mr. Cardosi stated the original signed application is in the file.

Mr. Barber presented the Master Plan for the development. He gave the following examples to support a change in the neighborhood:

- Opening of I-269
- Approval of C-4 rezoning across the street that is currently under development
- Increase in residential subdivision approvals in the area
- Increased residential growth
- In compliance with the Comprehensive plan
- In compliance with the I-269 Corridor Study

Mr. Barber stated the development is not a “Big Box” development, it is more of a community scale commercial development. He stated there will be an open space buffer between the proposed site and future residential development. Mr. Barber stated it will be a high quality village like development. He then explained the phasing plan presented in the Master Plan presented. Mr. Barber stated the first phase would off Fogg Road and on the west side of the property. He stated

the character of the mini-storage facility will be a quality facility as evidenced by the applicant's other facility like it. Mr. Fiveash asked if there will be fencing around the mini-storage area. Mr. Barber stated there will be fencing of an appropriate character and that the façade of the building will be brick with décor. Ms. Shannon asked if there will be any outside storage. Mr. Barber stated there will be no outside storage. Mr. Fiveash asked if it will be controlled access. Mr. Barber stated the mini-storage facility will be controlled access.

Ms. Shannon asked if there is anyone to speak for or against this item.

William Armstrong – 6615 Jamestown – came forward and stated he bought lots in Deerwood Crossing and wanted to make sure this development will not decrease his property value. Mr. Barber stated the development will be about ¼ of mile from Mr. Armstrong's lots and that the future residential development will be closest to his property and will be of the same scale as Deerwood Crossing. He then stated this will be an upscale development so he feels property values in the area will increase.

Mr. Denton asked if the Planning Commission has seen the plans for the residential development being mentioned. Mr. Barber stated those plans have not been submitted yet.

Mr. Denton made a Motion and Mr. Arnett seconded the Motion to approve The Crossings application for rezoning of 35.4 acres from Agricultural to C-4 based on a change in the neighborhood as presented in the presentation. The Motion passed in a 12-0 roll call vote.

Mr. Holland made a Motion and Mr. Arnett seconded the Motion to amend the motion of approval to include the proposal presented of the Master Plan be included as part of the approval of the development. The Motion passed in a 12-0 roll call vote.

**Richard Bolan Rezoning (RZNE-000807-2022) –
Application is for rezoning of 21 acres from Agricultural-
Residential to Agricultural, Located on west side of Craft
Road, identified as parcel # 206930000 0000402in
Section 30, Township 2, Range 6 (District 5)
Applicant: Richard Boland**

Mr. Hopkins presented the Richard Bolan application for rezoning of 21 acres from Agricultural Residential to Agricultural. He stated the application to down zone the property to allow a sawmill by conditional use. Mr. Richard Bolan was present to represent the application.

Mr. Ferguson asked if the surrounding parcels are A or AR. Mr. Cardosi stated the surrounding properties for AR and went on to explain the reason for the down zoning is to allow for a custom saw mill. Mr. Fiveash asked if the sawmill will be a conditional use. Mr. Cardosi stated if the rezoning is approved the applicant will need to make application to go before the Board of Adjustment to request a conditional use which will be another layer of review for the use. Mr. Ferguson

asked if that end of Craft Rd. is a truck route. Mr. Cardosi stated he is not sure. Mr. Hopkins stated the applicant came and met with staff about the sawmill operation and can explain the operation better.

Mr. Bolan stated there will not be logging trucks. He then stated the operation would be a portable ban saw to cut custom beams and mantels. He then stated it would all be custom cuts. He stated Mr. Pennington asked him about putting the portable saws on the slab left from his barn that was destroyed by the tornado in 2020. Mr. Bolan stated individuals will bring logs that are generally 16 ft. long or less. He then stated wood will be stacked on the property to dry. Mr. Fiveash asked if a kiln will be built on the property. Mr. Michael Pennington stated a kiln will be built on the property. Mr. Fiveash stated he is concerned with how the property will look. Mr. Bolan stated the property will look better than it does now. He then stated the saw mills are generally 18 ft. long but Mr. Pennington did purchase a 40 ft. extension for a custom cut of a 40 ft. beam. He then stated Mr. Pennington has a shop further down the road where he builds furniture. Mr. Hopkins stated if approved, the applicant will need to apply for a conditional use where conditions will be placed for the approval. Mr. Arnett asked if it will be a commercial business. Mr. Hopkins stated it will be, but this type of use is allowed by conditional use in the A zone.

Mr. McCluskey asked if this would be considered spot zoning since surrounding properties are zoned AR. Mr. Hopkins stated he doesn't feel like it is because the applicant is requesting to down zone and there is up zoning all around this area. He then stated that before the tornado there was a barn on the property and there many agricultural uses in the area.

Mr. Haslip stated if the updated Zoning Ordinance had been approved this property would have been rezoned A. He then stated he feels that A zoning is more appropriate for this area.

Mr. Bolan stated he feels there was a mistake in the zoning and this property should still be zoned A. He then stated he is just looking at a way to make money off of his property until development comes this way.

Mr. Sam Barber explained that spot zoning is more like rezoning for a use that is not in character with area uses. He then stated when dealing with uses that are similar to other uses in the area he doesn't feel like it is spot zoning.

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

Mr. Fiveash made a Motion and Mr. Ferguson seconded the Motion to approve the Richard Bolan application for rezoning of 21 acres from Agricultural Residential to Agricultural based on a mistake being made in the zoning. The Motion passed in a 12-0 roll call vote.

Mr. Ferguson made a Motion and Mr. Haslip seconded the Motion to close the Public Hearing. The Motion passed with a unanimous vote.

10. Preliminary Subdivision

- a. Rowsey Crossing Phase B (SUB-007670-2021)**
–Application is for preliminary subdivision of 5 lots on 9.87 acres Property is located on the east side of Fogg Rd and south of Oak Grove Rd, identified as parcel # 308420000 0000501 in Section 20, Township 3, Range 08 (District 5)
Applicant: Eagle Land Co

Mr. Hopkins presented the Rowsey Crossing, Ph. B application for preliminary and final subdivision approval of 5 lots on 9.87 acres. Mr. Joe F. Lauderdale was present to represent the application.

Ms. Shannon asked if the requirement for the homes to be sprinkled is determined by the location of the driveway. Mr. Cardosi explained the applicant originally applied for a subdivision with less than 30 lots and now is coming back and adding 5 lots which will make the number of lots be more than 30 lots which requires a second entrance or the homes to be sprinkled. He then stated the fire department came back and said that with the additional lots all homes in both phases will need to be sprinkled, but as a compromise the applicant could turn the driveways of the additional lots onto Fogg Rd. Mr. Cardosi stated the applicant may ask the Board of Supervisors to allow only these 5 homes be sprinkled with the driveways located internally of the subdivision.

Mr. Lauderdale stated they agree to sprinkling these 5 homes. He then stated this phase will have the same covenants as Phase 1.

Mr. Ferguson asked which way the homes will face. He then stated he hoped they will not face Fogg Rd because he is concerned with the additional driveways on Fogg Rd. Mr. Lauderdale stated it will be up to the Board of Supervisors.

Mr. Haslip asked why these lots can't be minor lots, but feels its better this way so they are required to follow all the same restrictions as the first phase. Mr. Lauderdale stated they have already done 10 lots on the north side of the development as minor lots and according to regulations they can't do any more minor lots.

Ms. Shannon asked if there is anyone to speak for or against this item. There was no one.

Mr. Haslip made a Motion and Mr. Arnett seconded the Motion to approve the Rowsey Crossing, Ph. B application for preliminary and final subdivision approval of 5 lots on 9.87 acres. The Motion passed with a unanimous vote.

11. Final Subdivision

- a. Rowsey Crossing Phase B (SUB-007671-2021)**
–Application is for final subdivision of 5 lots on 9.87

**acres Property is located on the east side of Fogg Rd and south of Oak Grove Rd, identified as parcel # 308420000 0000501 in Section 20, Township 3, Range 08 (District 5)
Applicant: Eagle Land Co**

This item was heard with the preliminary subdivision application.

**b. Howard Estates (SUB-007687-2022) Application is for final subdivision of 4 lots on 9.31 acres. Identified as Parcel(s) # 305521000 0000500. Subject property is located on the west side of Watson DeSoto Road and north of Denman Road in Section 21, Township 3, Range 7 and is zoned A (District 1)
Applicant: Dale Howard**

Mr. Hopkins presented the Howard Estates application for final approval of 4 lots on 9.31 acres. He stated the final plat substantially conforms to the preliminary plat.

Mr. Holland made a Motion and Mr. Fiveash seconded the Motion to approve the Howard Estates application for final approval of 4 lots on 9.31 acres. The Motion passed with a unanimous vote.

**c. Hunters Ridge (SUB-007697-2021) Application is for final subdivision approval of 4 lots on 7.67 acres. Identified as parcel # 307932000 0000200 and is located on the north side of Slocum Road, east of I55 in Section 32, Township 35, Range 7 and is zoned AR (District 5)
Applicant: Dream Home Construction**

Mr. Hopkins presented the Hunters Ridge application for final approval of 4 lots on 7.67 acres. He stated the final plat substantially conforms to the preliminary plat.

Mr. Holland made a Motion and Mr. Fiveash seconded the Motion to approve the Hunters Ridge application for final approval of 4 lots on 7.67 acres. The Motion passed with a unanimous vote.

12. Minor Lot

**a. Remington Ridge Phase 2 Minor Lot 1st Revision (SUB-007690-2022) Approval of 2 lot(s) on 8.55 acre(s). Identified as Parcel #205307000 0000206. Subject property is located on the east side of Polk Lane and north of Hwy 178 in Section 07, Township 2, Range 5 (District 1)
Applicant: Stoney Brook Homes**

Mr. Hopkins presented the Remington Ridge Phase 2 Minor Lot 1st Revision for approval of 2 lots on 8.55 acres to include a waiver of the easement length. Mr. Jamie Jones with Civil-Link was present to represent the application.

Mr. Jones stated the applicant would like to divide Lot 10 into 2 lots.

Mr. Fiveash asked if there is a house on Lot 7 or Lot 8. Mr. Cardosi stated there is a house on Lot 7 and a cell tower on Lot 8.

Mr. Fiveash asked if there are any drainage issues with the creek near the property. Mr. Jones stated not that he is aware of.

Mr. Haslip asked if affected parties will have to sign the plat. Mr. Cardosi stated on a major subdivision affected parties would be determined by the Board of Supervisors, but this is a minor lot and the engineer will determine who owns the easement and who will need to sign the plat.

Mr. Holland asked how wide the easement is. Mr. Cardosi stated the easement is 30 ft. wide. Mr. Holland asked if there is a turnaround for emergency vehicles. Mr. Cardosi stated he is not sure. Mr. Reeves stated that a driveway would be sufficient for a fire truck to turn around in.

Mr. Fiveash asked if there is water service. Mr. Cardosi stated the property is in the City of Olive Branch water district.

Mr. Haslip stated he feels they maximized the property when the 10 lots were approved. He then stated he does not feel cutting out another lot are a good idea.

There was discussion if this is a revision of the existing minor lot subdivision or a standalone minor lot subdivision.

Mr. Fiveash made a Motion and Mr. Cowan seconded the Motion to approve the Remington Ridge Phase 2 Minor Lot 1st Revision for approval of 2 lots on 8.55 acres to include a waiver of the easement length. The Motion passed in a 10-2 vote, with Mr. Haslip and Mr. Holland voting no.

**b. Elizabeth Meadows Minor Lot (SUB-007691-2021)
Application is for final subdivision of 2 lots on 13.5
acres. Identified as Parcel(s) # 307210000 0001400.
Subject property is located on the south side of Bright
Road and west of Malone Road in Section 10, Township
3, Range 7 and is zoned A (District 5)
Applicant: Clarence Phillips**

Mr. Hopkins presented the Elizabeth Meadows Minor Lot application for final subdivision approval of 2 lots on 13.5 acres to include a waiver of the easement length. Mr. Clarence Phillips and Mrs. Wanda Phillips were present to represent the application.

Mrs. Wanda Phillips came forward and stated she would like to divide the parcel into 2 lots to have her mother move up here and to not land lock the property to the rear.

Mr. Fiveash asked how wide the easement is. Mr. Phillips stated the easement is 40 ft. wide.

There was discussion of the easement to the west of the property.

Mr. Haslip made a Motion and Mr. Ferguson seconded the Motion to approve the Elizabeth Meadows Minor Lot application for final subdivision approval of 2 lots on 13.5 acres to include a waiver of the easement length. The Motion passed with a unanimous vote.

c. Cermeno Minor Lot (SUB-007696-2022) Approval of 1 lot(s) on 2.00 acre(s) out of 27.0 acres. Identified as Parcel #209101000 0001500 Subject property is located on the east side of Poplar Corner Rd and north of Church Rd in Section 1, Township 2, Range 9 (District 3) Applicant: Juan Cermeno

Mr. Hopkins presented the Cermeno Minor Lot for approval of 1 lot on 2.0 acres out of 27.0 acres to include an easement of the waiver length. Mr. Shae Skeen is present to represent the application.

Mr. Fiveash asked are there parallel easements on the surrounding property. Mr. Skeen stated there are already 4 homes served by the easement to the south. He then stated all the lots are family owned.

Mr. Haslip made a Motion and Ms. Baker seconded the Motion to approve the Cermeno Minor Lot for approval of 1 lot on 2.0 acres out of 27.0 acres to include an easement of the waiver length. The Motion passed with a unanimous vote.

Mr. Ferguson made a Motion and Mr. Fiveash seconded the Motion to adjourn. The Motion passed with a unanimous vote.