



**DESOTO COUNTY PLANNING COMMISSION
ORDER OF ITEMS
April 1, 2021**

1. **Call to Order**
2. **Invocation**
3. **Roll Call**
4. **Approval of Minutes – February 25, 2021**

5. **Public Hearing 6:30pm**
 - a. **Enclave PUD (797)** – Application is for rezoning of 50.46 acres from AR and C1 to PUD. Identified as parcel # 306305000 0000900 Located on the south side of Byhalia Road, west of Craft in Section 3, Township 3, Range 67 and is zoned AR and C1 (District 5)
Applicant: Eagle Land, LLC

 - b. **East Lake (799)** – Application is for rezoning of 120.93 acres from A to R-20. Identified as parcel # 307204000 0001002 and 307204000 0000800 located on the south and east side of Byhalia Road, west of Foxwood Lane in Section 04, Township 3, Range 7 (District 5)
Applicant: Mark Utley

 - c. **Bakersfield West (800)** – Application is for rezoning of 108.5 acres from A to R-20. Identified as parcel # 2077260000000300 located on the south side of Bakers Trail, west of Laughter Rd in Section 26, Township 2, Range 7 and is zoned A (District 5)
Applicant: RR Bridgforth Heirs, LLC

6. **Preliminary Subdivision**
 - a. **Bakersfield West (7564)** – Application is for preliminary subdivision of 60 lots on 73.12 acres. Identified as parcel #309515000 0000100, located on the east side of Malone Rd and south of Pleasant Hill Rd in Section 26, Township 2, Range 7 is zoned R-20 (District 5)

Applicant: RR Bridgforth Heirs, LLC

- b. The Neighborhood at Pebble Ridge (7563)** – Application is for preliminary subdivision of 21 lots on 60.8 acres. Identified as parcel #309515000 0000100, located on the East side of Red Banks Road and north of Lee Road, in Section 7, Township 3, Range 5 is zoned A (District 1)

Applicant: EBI, LLC

- c. East Lake Subdivision (1-2021 *new software #)*** – Application is for preliminary subdivision of 130 lots on 120.93 acres. Identified as Parcel # 307204000 0001002 and 307204000 0000800, located on the south and east side of Byhalia Road, west of Foxwood Lane in Section 04, Township 3, Range 7 is zoned R-20 (District 5)

Applicant: Mark Utley

7. Final Subdivision

- a. Red Banks Rd Subd/Pebble Ridge, Section D (7557)** – Application is for final subdivision plat approval of 19 lot of 51.76 acres. Subject property is located on the East side of Red Banks Road and north of Lee Road, in Section 7, Township 3, Range 5 and is zoned A. (District 1)

Applicant: EBI, LLC

- b. Red Banks Rd Subd/Pebble Ridge, Section E (7558)** – Application is for final subdivision plat approval of 19 lot of 46.4 acres. Subject property is located on the East side of Red Banks Road and north of Lee Road, in Section 7, Township 3, Range 5 and is zoned A. (District 1)

Applicant: EBI, LLC

8. Minor Lot

- a. Fiona Lily 2 Lot Minor Lot (7561)** Final Approval of 2 lots on 2.73 acres to include a waiver of easement width. Identified as Parcel # 2-07-7-35-00-0-00013-01. Subject property is located on the east side of Malone Road and south of I-269 in Section 35, Township 2, Range 7 and is zoned A (District 5)

Applicant: Ian Sammons

The Desoto County Planning Commission met at 6:30 p.m. on Thursday, April 1, 2021, in the Board Room of the County Administration Building in Hernando, Mississippi. The following Commission members were present: Len Lawhon, Julius Cowan, Selena Baker, Randy Denton, Ron McCluskey, Jeanne Shannon, Greg Ryan, 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 and Sam Barber, Board Attorney.

Planning Commission Chairman Mrs. Shannon called the meeting to order and asked whether any member of the Commissioners recommended changes to the Minutes dated February 25, 2021. No changes were suggested. Mr. Arnett made a Motion to approve the minutes as presented. Mr. Fiveash seconded the Motion. The Motion passed with a unanimous vote.

9. **Public Hearing 6:30pm**

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

- a. **Enclave PUD (797) – Application is for rezoning of 50.46 acres from AR and C1 to PUD. Identified as parcel # 306305000 0000900 Located on the south side of Byhalia Road, west of Craft in Section 3, Township 3, Range 67 and is zoned AR and C1 (District 5)
Applicant: Eagle Land, LLC**

Mr. Cardosi presented the Enclave PUD application for rezoning of 50.46 acres from AR and C1 to PUD. Mr. Bob Barber was present to represent the application.

There was discussion of the stubs road and entrances proposed in the project.

Mr. Fiveash asked if there will be buffer between ministorage and the residential portion. Mr. Cardosi stated a buffer will be required.

Mr. Barber gave a presentation with a site overview. He listed the following as changes in the neighborhood to support rezoning:

- I-269 construction
- Lewisburg Schools and construction of a new school
- New Residential Subdivisions approved
- Increased residential growth
- C-4 rezoning approval nearby
- Increased utility availability in area
- Commercial Rezoning approval at Villages at Hawks Crossing
- Conforms to the Comp Plan and I-269 Corridor Plan

Mr. Barber stated two of the corners at Craft and Byhalia are zoned C-1 and C-4 currently.

Mr. Barber stated the site will include a market place, buildings of high character, a high character buffer between the storage and residential portions. He then stated the green space will include a pedestrian way, boulevard entry ways with signage, 2 small ponds in the common areas and common open spaces threading throughout the development.

Mr. Barber stated the market place will not be a big box store and the foot prints are limiting what will fit on the site. He stated the market place will have pumps in the rear only, parking on the side and rear and will be of a high architectural design. He then stated the self-storage portion will include indoor climate control storage with a brick façade and appropriate color scheme of outdoor access storage buildings. Mrs. Shannon stated that staff recommends no outside storage. Mr. Barber stated the outside storage will be for vehicles only and will be covered. Mrs. Shannon stated she feels self-contained storage would be preferred. Mr. Ryan asked if the commercial retail portion will be constructed of metal siding/panels. Mr. Barber stated they will not be. Mr. Ryan suggested removing Item 9 from the covenants/architectural requirements. Mr. Barber stated metal siding/panels would not be allowed due to the DeSoto County Design Standards.

Mr. Barber stated there is a public need for high quality well designed residential development in DeSoto County.

Mr. Ryan asked what the phasing of the development will be if approved. Mr. Barber the residential portion will be Phase 1 and the commercial portion will be Phase 2.

Mr. Ryan stated this is a beautiful development and is well needed. He then stated feels the market and the commercial buildings will cut down on traffic going north. Mr. Barber stated there is not a consumer goods store within 5 miles of the site.

There was discussion of the cell tower. The cell tower is existing.

Mr. Ryan asked if the applicant is willing to eliminate a carwash as a use for the development. Mr. Barber stated to eliminate a carwash as a use.

Mr. Lawhon asked if there will be controlled access of the mini-storage. Mr. Barber stated there will be a controlled access gate at the mini-storage.

Mr. Haslip stated the plan shows a minimum house size of 2,200 sqf, he would like to see a larger minimum square footage and side loading garages. Mr. Barber stated the applicant is willing to increase the minimum house size to 2,400 sqf.

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

Greg McRae – 451 Craft Rd – came forward and had the following concerns:

- Stormwater run-off onto his property
- Would like a buffer along the southern property line of the development
- The proposed home sizes are not comparable to new homes in the area
- Decreased property values
- Mini-storage
- Size of lots are too small
- One of the owners is not wanting to sell the property

Jody McRee – 7059 – came forward and has the following concerns:

- Not consistent with the area
- Homes are too small
- Will negative effect the utilities in the area

Tom Hughes – 6761 Byhalia Rd – came forward and had the following concerns:

- Water run-off
- Flooding
- Will there be an HOA
- Buffer between the development and his property to the west
- Doesn't want a stub road to his property on the west, concerned it will allow ATVs on to his property. He would rather see a cul-de-sac.
- Is there a deceleration lane at the northern entrance of the development

Phil Broadway – 7003 Byhalia Rd – came forward and stated he feels this is a good plan.

Mr. Barber stated there will be several detention/retention areas throughout the development and the developer will have to meet the standards of DeSoto County for stormwater management. He then stated the deceleration/turn lanes will be addressed in the engineered designs. He stated the buffer will have a high character fence/buffer that will be the responsibility of the HOA to maintain. Mr. Barber stated the self-storage will be high quality.

Mr. Holland stated Mr. Hughes concerns about ATVs would be a trespassing issue. He then asked if there will be barriers at the end of the stub road to address trespassing on to Mr. Hughes property. Mr. Barber stated they would eliminate the stub road if allowed by the County. Mr. Holland asked if fencing could be put between Mr. Hughes property and the stub road. Mr. Lawhon asked if they could back the stub road back 10-15 feet from the property line to where the asphalt will not touch Mr. Hughes property. Mr. Barber stated they could leave space between the end of the road and Mr. Hughes property line and install a fence.

Mr. Arnett asked if the applicant agrees to a 2,400 sqf minimum house size. Mr. Barber stated Anderson Ln Subdivision nearby has a minimum house size of 2,000 sqf. Mr. Ryan stated there are not a lot of lots in DeSoto County with this size home and in most developments the homes have been built way above the minimum square footage.

Mr. Haslip stated he likes the plan, feels the mini-storage is needed. He stated he would like to see higher design standards required.

Mr. Mike Bailey asked if they could do a percentage of the homes at 2,200 sqf and the rest be 2,400 sqf. Mr. Cardosi stated that would be hard to enforce. Mr. Barber stated the standards required for the homes are included in the master plan and they will be high quality standards.

Mr. Hughes asked if the privacy fence/buffer between his property and development run the entire length of the development. Mr. Barber stated the developer will be required to install a high quality fence on the north, west and south property lines.

Mr. Ryan made a Motion and Mr. Fiveash seconded the Motion to approve the Enclave PUD application for rezoning of 50.46 acres from AR and C1 to PUD finding that after consideration of the presentation to the Planning Commission, the comments of the applicant and the public from this meeting, documents presented, that this rezoning will not adversely affect the character of the surrounding residential neighborhood, that there is substantial evidence of a change in the character of the neighborhood and there is a demonstrated public need for the zoning; the approval is conditioned upon substantial compliance with the master plan as presented by the applicant, including, but not limited to the lot sizes, lot layout, commercial building layout, home size, and photographic representations of the home designs, and including the street cross sections all as presented in the master plan presented; and any changes thereto shall require application, with public notice, for any such changes, and with the following provisions:

1. No outside storage;
2. With staff recommendations/comments;
3. High character buffer, berm, fence between the residential portion and self-storage;
4. Cladding not to include metal siding or panels per building standards;
5. Eliminating Conditional Use #5, car wash;
6. Phasing to change from commercial as first to residential as first;
7. Minimum square footage to be 2,400 sqf;
8. Strict adherence to the water drainage standards, engineering for flood control;
9. Developer to install perimeter fencing and natural buffering to enhance the existing natural buffer installed where not present; and
10. Right of way of the stub road on the western portion of the development to extend to the property line and the installation of the road to extend half the distance of the lot.

The Motion passed in a 14-0 roll call vote.

b. East Lake (799) – Application is for rezoning of 120.93 acres from A to R-20. Identified as parcel # 307204000 0001002 and 307204000 0000800 located on the south

**and east side of Byhalia Road, west of Foxwood Lane in
Section 04, Township 3, Range 7 (District 5)
Applicant: Mark Utley**

Mr. Hopkins presented the East Lake application for rezoning of 120.93 acres from A to R-20. He then stated the applicant would like the preliminary subdivision application to be heard at the same time as this rezoning. Mr. Cardosi stated the developer has met with the Mayor of Hernando to discuss to address water service for the development. Mr. Nicholas Kreunen was present to represent the application.

Mr. Kreunen stated presented the following as justification for rezoning:

- Increased residential growth
- Approval of residential developments in the area
- Opening of I-269
- New utility, water and sewer now available

Mr. Kreunen stated the main reason for choosing R-20 is because the shape of the site was more conducive to R-20 lots. He then stated the shape of the lot called for some lots to be larger than 20,000 sqf. He stated they would like the restricted covenants to be made a part of the approval. Mr. Kreunen stated the plan calls for common open space along Byhalia Rd and they plan to keep the existing buffer along Byhalia Rd. He stated there will be boulevard entrances and deceleration/turn lanes at both entrances.

Mr. Kreunen stated the most southern portion of the development will be the first phase developed, the second entrance will be included in Phase 2 and then Phase 3 and 4 will be developed.

Mr. Kreunen stated the applicant is asking for a waiver of the lane and a half the entire length of Byhalia Rd or to delay the lane and a half until a later date to allow for a possible alternative. There was a discussion of roundabouts.

Mr. Mark Utley, Jr came forward and presented a bullet point presentation of the covenants as follows:

- 2,500 sqf minimum house size
- Architectural standards
- High price point
- Proposing club house overlooking the lake
- Walking trails
- Two common open spaces
- Two lakes
- Will leave a no disturbance area on Lots 117, 118, 119 abutting Foxwood Subdivision

Ms. Baker asked if there will be any parking around the clubhouse. Mr. Utley stated there will be because the mail cluster boxes will be located at the clubhouse.

Ms. Baker asked if there will be homes that back up to the cemetery, if so will there a buffer between the cemetery and the development. Mr. Utley stated there will be homes that back up to the cemetery and there will be a buffer.

Mr. Ryan asked when the applicant decided on this plan/layout. Mr. Utley stated they went through 3-4 layouts before deciding on this one. Mr. Ryan asked if they decided on this layout before or after January. Mr. Utley stated they decided on this layout around January. Mr. Ryan stated at the January Planning Commission Mr. Utley, Sr. stated the lots in this development would be ½ acre to 3 acre lots. Mr. Utley stated he feels that was misunderstood. Mr. Ryan stated the Planning Commission expects truthful representations, especially when you are objecting to another development. "Mr. Ryan went on to state that without further questioning whether Mr. Utley's statement was intended to deceive, that the Planning Commission expects truthful representations, especially when you are objecting to another development."

Mr. Lawhon stated the plan calls for the walking trails to be limestone. He then stated he feels limestone is short lived and feels asphalt should be considered in the open space areas. Mr. Utley stated the plan calls for an HOA with very robust dues to assure maintenance is done. He then stated they are concerned roots will bust up asphalt walkways.

Mr. Lawhon suggested one deciduous tree per lot not just one tree per lot. He then stated he would like to see a more detailed landscape plan for common open space.

Mr. Ryan asked if the developer will be building a perimeter fence. Mr. Utley stated there will be along Byhalia Rd. He then stated if the lot owner wants a privacy fence it will be installed along the other parts of the perimeter.

Mr. Utley stated they don't want to widen Byhalia Rd because it will take away from the buffer and the walking trail.

Mr. Ryan stated in the restrictive covenants it states the HOA is responsible for fencing, is this true. Mr. Utley stated the developer is the HOA, so the developer will build the fence if it is wanted by the individual lot owner. Mr. Ryan asked how tall the proposed berm will be. Mr. Utley stated there is already a berm. Mr. Ryan stated he is concerned with intermittent fencing along the road. Mr. Utley stated he would rather not see a fence at all, he would rather it be natural landscape. Mr. Ryan asked what the time line for the transfer from the developer to an HOA. Mr. Utley the development will be turned over to an HOA when 75% the development is complete. Mr. Ryan stated that is not what is stated in the restrictive covenants.

There was discussion of other things stated in the covenants.

There was discussion that a copy of the full covenants had not been presented to the entire Planning Commission and if the entire covenants are being tied to the approval all the Planning Commissioners should have the same documents.

Mr. Lawhon stated he feels the Planning Commission should hear the rezoning application tonight and continue the application for the preliminary subdivision application until all members have seen the covenants. Mr. Kreunen stated he feels the point of giving the bullet points was to give an overview and that the specifics of the covenants would be addressed at the time of Final Subdivision.

Mr. Bill Brown came forward and stated he has been involved in this project since the purchase of the property. He stated he feels the purpose of a PUD is to do something outside of the norm but if all the lots are of a similar size, then it is a straight zoning. He then stated the idea was that the minimum bullet points of the covenants would be made a part of the approval not the full covenants. Mr. Brown stated the details of the covenants will be worked out before final subdivision approval, the minimum bullet points were being offered as a show of good faith and are asking to go forward with the rezoning and preliminary subdivision approval at this time.

Mr. Brown listed the following as justification of a change in the neighborhood:

- Conforms to the current Comp Plan
- I-269
- New I-269 interchange at McIngvale is proposed
- DCRUA has installed sewer lines in the area
- Water has been installed since the Comp Plan was adopted
- Complies with the I-269 Corridor Study

Mr. Brown stated the applicant would like to leave lamppost out to the covenant bullet points until developer decides if actually wanted.

Mrs. Shannon asked if there was anyone to speak for or against the item.

George Ready – 1604 Byhalia Rd – came forward and had the following concerns:

- Haven't heard from the developers at all about this development
- Called Mr. Utley, Sr this morning and he lost his temper and hung up on Mr. Ready when he asked for details of the development
- Feels the developer should have met with the neighbors to try and address any concerns they may have
- All other new developments in the area are PUDs
- Would like to see this one as a PUD so that restrictions can be put on the development
- Would like for them to be held to the same standards Mr. Wilson was held to on the property to the south
- Feels there was misrepresentation at the January hearing of the Planning Commission for the Bright/Wilson PUD concerning this development
- Does not feel there is a public need

Elaine Latiolais – 225 Foxwood Circle W – came forward and had the following concerns:

- Minimum house size, at a previous meeting Mr. Utley stated the homes in this development would be 3,000 sqf

- Flooding due to drainage and an existing ditch
- Water run-off on to his property
- Will there be tree buffer where minor lots are planned

Greg Tacker – Goodman Rd – came forward and had the following concerns:

- Flooding of ditch
- Water run-off
- Construction noise
- Construction trash
- Construction dust
- How tall will the fence be that is to be used as the buffer?
- Who will maintain the perimeter fence?
- Traffic on Byhalia Rd
- Increased traffic issues
- Decreased traffic safety
- Buffer between his property and the development
- Existing drainage issues

Donna Tacker – 2411 Byhalia Rd – came forward and had the following concerns:

- Water run-off
- Drainage issues
- Her barn is on the property line
- Wants buffer between the development and her property
- Increased flooding

Mr. Lawhon asked how the developer plans to address the water runoff. Mr. Kreunen stated the existing pond will be turned into a retention pond and engineering will be done on the site.

Mr. Lawhon asked if there will be a visual buffer. Mr. Kreunen stated there will be a 30 ft. no disturb buffer along the west and north property lines.

Mr. Ryan asked what the argument for public need is. Mr. Kreunen stated the inventory of homes is at lowest it has currently been and it's hard to find a home.

Mr. Lawhon made a Motion and Mr. Fiveash seconded the Motion to approve the East Lake application for rezoning of 120.93 acres from A to R-20 based on a public need and a change in the neighborhood. The Motion passed in a 13-1 roll call vote.

- c. Bakersfield West (800) – Application is for rezoning of 108.5 acres from A to R-20. Identified as parcel # 207726000000300 located on the south side of Bakers Trail, west of Laughter Rd in Section 26, Township 2, Range 7 and is zoned A (District 5)
Applicant: RR Bridgforth Heirs, LLC**

Mr. Hopkins presented the Bakersfield West application for rezoning of 108.5 acres from A to R-20. Mr. Joe F. Lauderdale was present to represent the application.

Mr. Lauderdale listed the following as justification for a change in the neighborhood:

- Opening of I-269
- Increased residential growth
- Increased approval of residential subdivisions in the area

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

Mr. Ryan made a Motion and Mr. Fiveash seconded the Motion to approve the Bakersfield West application for rezoning of 108.5 acres from A to R-20 based on a public need and a change in the neighborhood. The Motion passed in a 14-0 roll call vote.

Mr. Ryan 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. Bakersfield West (7564) – Application is for preliminary subdivision of 60 lots on 73.12 acres. Identified as parcel #309515000 0000100, located on the east side of Malone Rd and south of Pleasant Hill Rd in Section 26, Township 2, Range 7 is zoned R-20 (District 5)
Applicant: RR Bridgforth Heirs, LLC**

Mr. Hopkins presented the Bakersfield West application for preliminary subdivision of 60 lots on 73.12 acres. Mr. Joe F. Lauderdale was present to represent the application.

Mr. Ryan asked if this development will have the same standards as the rest of Bakersfield West. Mr. Lauderdale stated it will have the same standards.

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

Mr. Ryan made a Motion and Mr. Fiveash seconded the Motion to approve the Bakersfield West application for rezoning of 108.5 acres from A to R-20. The Motion passed with a unanimous vote.

- b. The Neighborhood at Pebble Ridge (7563) – Application is for preliminary subdivision of 21 lots on 60.8 acres. Identified as parcel #309515000 0000100, located on the East side of Red Banks Road and north of Lee Road, in Section 7, Township 3, Range 5 is zoned A (District 1)**

Applicant: EBI, LLC

Mr. Hopkins presented The Neighborhood at Pebble Ridge application for preliminary subdivision of 21 lots on 60.8 acres. Mr. Joe F. Lauderdale was present to represent the application.

There was discussion of the Health Department approval. Mr. Cardosi explained the waiver of the Board of Supervisors concerning the Health Department approval being required before the preliminary subdivision application is heard.

Mr. Lauderdale stated this development will tie in to the Red Banks Road Subdivision to the south and will eventually tie into the Pines at Stonewall Subdivision. He stated this development will have the same covenants and standards as the Red Bank Roads Subdivision.

Mr. Denton asked if there was ever agricultural activity on this parcel. Mr. Lauderdale stated not that he knows of.

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

Mr. Lawhon made a Motion and Mr. Arnett seconded the Motion to approve The Neighborhood at Pebble Ridge application for preliminary subdivision of 21 lots on 60.8 acres. The Motion passed with a unanimous vote.

- c. East Lake Subdivision (SUB-000001-2021 *new software #)* – Application is for preliminary subdivision of 130 lots on 120.93 acres. Identified as Parcel # 307204000 0001002 and 307204000 0000800, located on the south and east side of Byhalia Road, west of Foxwood Lane in Section 04, Township 3, Range 7 is zoned R-20 (District 5)
Applicant: Mark Utley**

Mr. Lawhon made a Motion and Mr. Ferguson seconded the Motion to table the application for East Lake Subdivision for preliminary subdivision of 130 lots on 120.93 acres for 30 days. The Motion passed with a unanimous vote.

11. Final Subdivision

- a. Red Banks Rd Subd/Pebble Ridge, Section D (7557) – Application is for final subdivision plat approval of 19 lot of 51.76 acres. Subject property is located on the East side of Red Banks Road and north of Lee Road, in Section 7, Township 3, Range 5 and is zoned A. (District 1)
Applicant: EBI, LLC**

Mr. Hopkins presented the Red Banks Road /Pebble Ridge Subdivision, Section D application for final subdivision of 19 lots on 51.76 acres. Mr. Joe F. Lauderdale was present to represent the application.

Mr. Lawhon made a Motion and Mr. Cowan seconded the Motion to approve the Red Banks Road /Pebble Ridge Subdivision, Section D application for final subdivision of 19 lots on 51.76 acres. The Motion passed with a unanimous vote.

- b. Red Banks Rd Subd/Pebble Ridge, Section E (7558) – Application is for final subdivision plat approval of 19 lot of 46.4 acres. Subject property is located on the East side of Red Banks Road and north of Lee Road, in Section 7, Township 3, Range 5 and is zoned A. (District 1)
Applicant: EBI, LLC**

Mr. Hopkins presented the Red Banks Road /Pebble Ridge Subdivision, Section E application for final subdivision of 19 lots on 46.4 acres with the correction on the plat to read a rear setback of 40 ft. Mr. Joe F. Lauderdale was present to represent the application.

Mr. Lawhon made a Motion and Mr. Cowan seconded the Motion to approve the Red Banks Road /Pebble Ridge Subdivision, Section E application for final subdivision of 19 lots on 46.4 acres with the correction on the plat to read a rear setback of 40 ft. The Motion passed with a unanimous vote.

12. Minor Lot

- a. Fiona Lily 2 Lot Minor Lot (7561) Final Approval of 2 lots on 2.73 acres to include a waiver of easement width. Identified as Parcel # 2-07-7-35-00-0-00013-01. Subject property is located on the east side of Malone Road and south of I-269 in Section 35, Township 2, Range 7 and is zoned A (District 5)
Applicant: Ian Sammons**

Mr. Hopkins presented the Fiona Lily 2 Lot Minor Lot application for final subdivision approval of 2 lots on 2.73 acres to include a waiver of the easement width. Mr. Joe F. Lauderdale was present to represent the application.

Mr. Lawhon asked how long the easement is. Mr. Cardosi stated the length is fine, the width is too narrow.

Mr. Haslip stated the Health Department approval for the lot is for the incorrect lot size.

Mr. Reeves stated he is concerned with a 27 ft. wide easement.

Mr. Haslip made a Motion and Mr. Denton seconded the Motion to deny the Fiona Lily 2 Lot Minor Lot application for final subdivision approval of 2 lots on 2.73 acres to include a waiver of the easement width based on the lot size and the easement width. The Motion passed with a unanimous vote.

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