



BOARD OF ADJUSTMENT
ORDER OF ITEMS
April 11th, 2022

CALL TO ORDER: 7:00
APPROVAL OF MINUTES: March 14th, 2022

NEW BUSINESS

Variance

Application by Kimberly and Kevin Dawkins (**VAR-001702-2022**) for a variance to allow a fence taller than 3 ft. in the designated front yard of a corner lot in accordance with the DeSoto County Zoning Ordinance. Subject property is located at 8233 Williamson Drive on the south side of Williamson Drive and the west side of Ross Meadows Lane Parcel **#2065210700004200** Section 21 Township 2 Range 6 and is zoned R-30 (District 5)

Application by Kenneth Morris (**VAR-001703-2022**) for a variance to allow an accessory building in the designated side yard in accordance with the DeSoto County Zoning Ordinance. Subject property is located at 1445 Malone Rd on the west side of Malone Rd and north of Magnolia Lane Parcel **#2078270000002102** Section 27 Township 2 Range 7 and is zoned A-R (District 5)

Application by Jerry Tucker (**VAR-001704-2022**) for a variance to allow an accessory building larger than 50% of the square footage of the primary structure in accordance with the DeSoto County Zoning Ordinance. Subject property is located at 3398 Windemere Road N the north side of Windemere Rd N and east of Westwind Dr Parcel **#2075220400005600** Section 22 Township 2 Range 7 and is zoned A-R (District 5)

Application by Trevor DeGroot (**VAR-001705-2022**) for a variance to allow an accessory building larger than 75% of the square footage of the primary structure in accordance with the DeSoto County Zoning Ordinance. Subject property is located at 5098 Days Road W the north side of Days Rd and west of Fogg Rd N Parcel **#2084180000000300** Section 18 Township 2 Range 8 and is zoned A-R (District 4)

Conditional Use

Application by Michael Pennington (**CU001607-2022**) for a conditional use to allow a sawmill in accordance with the DeSoto County Zoning Ordinance. Subject property is located at 1821 Craft Road on west side of Craft Road and south of Bethel Road Parcel #206930000000402 Section 30 Township 2 Range 6 and is zoned A-R (District 5)

The DeSoto County Board of Adjustment met at 7:00 p.m. on Monday, April 11, 2022, in the Board Room of the County Administration Building in Hernando, Mississippi. The following Board members were present: Phillip Steward, Tom Williams and Mike Duncan. Staff members present included Bennie Hopkins, Austin Cardosi, Ashley Hendricks and Celeste Sanders. Board of Adjustment attorney Mr. Sam Barber was also present.

Board of Adjustment Chairman Mr. Williams called the meeting to order and asked whether any member of the Board recommended changes to the Minutes dated March 14, 2022. Mr. Duncan made a Motion to approve the minutes as corrected. Mr. Steward 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 April 21, 2022, at 5:00 p.m. She then stated any appeals filed will be heard by the Board of Supervisors on May 16, 2022.

NEW BUSINESS

Variance

Application by Kimberly and Kevin Dawkins (VAR-001702-2022) for a variance to allow a fence taller than 3 ft. in the designated front yard of a corner lot in accordance with the DeSoto County Zoning Ordinance. Subject property is located at 8233 Williamson Drive on the south side of Williamson Drive and the west side of Ross Meadows Lane Parcel #2065210700004200 Section 21 Township 2 Range 6 and is zoned R-30 (District 5)

Mr. Hopkins presented the application by Kimberly and Kevin Dawkins to allow a fence taller than 3 ft. in the designated front yard of a corner lot. Mrs. Kimberly Dawkins was present to represent the application.

Mrs. Kimberly Dawkins stated the following:

- want to take advantage of the space in the yard
- would like to put a pool in at some point in the future and need to utilize all the space they have

Mr. Williams asked if this would be a picket style fence to which Mrs. Dawkins responded yes.

Mr. Steward asked if there would be any sight issues to which Mr. Cardosi replied no.

Mr. Duncan made a Motion and Mr. Steward seconded the Motion to approve the application by Kimberly and Kevin Dawkins to allow a fence taller than 3 ft. in the designated front yard of a corner lot. The Motion passed with a unanimous vote.

Application by Kenneth Morris (VAR-001703-2022) for a variance to allow an accessory building in the designated side yard in accordance with the DeSoto County Zoning Ordinance. Subject property is located at 1445 Malone Rd on the west side of Malone Rd and north of Magnolia Lane Parcel #207827000002102 Section 27 Township 2 Range 7 and is zoned A-R (District 5)

Mr. Hopkins presented the application Kenneth Morris for a variance to allow an accessory building in the designated side yard. Mr. Kenneth Morris was present to represent the application.

Mr. Morris stated the following:

- showed the proposed the detached garage location
- there is a significant 5 to 7 foot drop off on property
- would like to put in a pool in the future so did not want to put this building behind the house, want to put it to the side and place pool equipment behind it

Mr. Williams asked if this would be a 2 car garage. Mr. Morris said it would be a 3 car garage. Mr. Williams then asked what materials would be used. Mr. Morris said that it would match the existing house.

Mr. Duncan asked what size the building would be to which Mr. Morris stated it would be a 25' x 37' building. Mr. Duncan asked if there would be utilities in the building. Mr. Morris said that there would only be electricity, basically it is just going to be a detached garage.

Mr. Williams asked if anyone had called in regards to this application. Mr. Cardosi replied no. Mr. Williams asked if there was anyone here to speak for or against this application and there was no one. Mr. Williams then asked if there was enough setback for the proposed building to which Mr. Cardosi responded that there was enough.

Mr. Steward made a Motion and Mr. Duncan seconded the Motion to approve the application by Kenneth Morris for a variance to allow an accessory building in the designated side yard. The Motion passed with a unanimous vote.

Application by Jerry Tucker (VAR-001704-2022) for a variance to allow an accessory building larger than 50% of the square footage of the primary structure in accordance with the DeSoto County Zoning Ordinance. Subject property is located at 3398 Windemere Road N the north side of Windemere Rd N and east of Westwind Dr Parcel #2075220400005600 Section 22 Township 2 Range 7 and is zoned A-R (District 5)

Mr. Hopkins presented the application by Jerry Tucker for a variance to allow an accessory building larger than 50% of the square footage of the primary structure. Mr. Jerry Tucker was present to represent the application.

Mr. Tucker stated the following:

- wants to add a shop behind his open air pavilion to store items such as lawn mower and tractor
- planning on using lap siding to match house
- basically will be a pole barn with walls
- have more houses popping up behind his house and just wants enclosed storage to keep everything safe
- was told that the road next to his house would not be connected to new neighborhood, but there is a park behind his house and does not want anyone to have access to his equipment and potentially hurt themselves

Mr. Duncan asked if he was just adding onto his existing building to which Mr. Tucker replied yes, just adding 2 walls and a door.

Mr. Williams asked if there had been any calls in regards to this application to which Mr. Cardosi stated no.

Mr. Steward made a Motion and Mr. Duncan seconded the Motion to approve the application by Jerry Tucker for a variance to allow an accessory building larger than 50% of the square footage of the primary structure. The Motion passed with a unanimous vote.

Application by Trevor DeGroot (VAR-001705-2022) for a variance to allow an accessory building larger than 75% of the square footage of the primary structure in accordance with the DeSoto County Zoning Ordinance. Subject property is located at 5098 Days Road W the north side of Days Rd and west of Fogg Rd N Parcel #208418000000300 Section 18 Township 2 Range 8 and is zoned A-R (District 4)

Mr. Hopkins presented the application by Trevor DeGroot for a variance to allow an accessory building larger than 75% of the square footage of the primary structure. Mr. Trevor DeGroot was present to represent the application.

Mr. DeGroot presented the following information:

- first accessory building on property
- just going to use for working on old cars and woodworking, his hobbies
- lives in a small house, needs a big shop to store things
- just for hobbies in his off time

Mr. Williams asked if there had been any calls on this application to which Mr. Cardosi replied no.

Mr. Duncan asked what type of building this was going to be to and Mr. DeGroot stated it would be a steel structure. Mr. Duncan then asked if there would be any utilities in the building and Mr. DeGroot replied that there would be electrical.

Mr. Williams asked what color the building would be. Mr. DeGroot said he wasn't sure yet. He stated it would be corrugated metal and he was planning on trying to match his house, probably a tan color.

Mr. Duncan asked if this would be on a slab and Mr. DeGroot said yes.

Mr. Williams asked if Mr. DeGroot knew his neighbors to the east and he said yes, it was two brothers and that he did know them.

Mr. Steward made a Motion and Mr. Duncan seconded the Motion to approve the application by Trevor DeGroot for a variance to allow an accessory building larger than 75% of the square footage of the primary structure. The Motion passed with a unanimous vote.

Conditional Use

Application by Michael Pennington (CU001607-2022) for a conditional use to allow a saw mill in accordance with the DeSoto County Zoning Ordinance. Subject property is located at 1821 Craft Road on west side of Craft Road and south of Bethel Road Parcel #2069300000000402 Section 30 Township 2 Range 6 and is zoned A-R (District 5)

Mr. Hopkins presented the application by Michael Pennington for a conditional use to allow a saw mill. Mr. Michael Pennington was present to represent the application.

Mr. Williams asked if was the property where the barn was destroyed by the tornado and Mr. Pennington stated yes.

Mr. Pennington stated the following:

- he does custom cutting and woodwork for mantels, etc.
- no neighbors in close proximity
- works from 8 to 5
- smaller scale operation with a small band mill with manual operation
- would source the mill with local wood but would have to buy logs occasionally
- noise would be about the same as a lawn mower, no disturbance

Mr. Steward asked how Mr. Pennington was going to source the sawmill. Mr. Pennington said that he would have lumbar stakes with some wood stacked and some wood drying. Mr. Steward wanted confirmation that Mr. Pennington did not have a contract with any big lumber companies. Mr. Pennington said he did not have any dealings with big lumbar companies.

Mr. Duncan asked if the building was going to be built on the existing slab. Mr. Pennington said that yes, he would be putting a metal building up at some point.

Mr. Steward asked how many years he would like for the conditional use to be granted. Mr. Pennington said 5 to 10 years operating from 8 to 5, 5 days a week.

Mr. Hopkins stated that during the Board of Supervisors meeting there was some concern about keeping the site clean and having some sort of screen to hide any mess. Mr. Pennington stated that he was planning on putting up a fence along the front of the property and some landscaping to dress it up.

Mr. Williams asked if there had been any calls regarding this application. Mr. Cardosi responded no.

Mr. Duncan made a Motion and Mr. Steward seconded the Motion to approve the application by Michael Pennington for a conditional use to allow a sawmill with the following conditions:

1. Granted for 10 years, until April 11, 2032;
2. Hours of Operation will be 8 a.m. to 5 p.m.;
3. There will be no work on Sundays; and
4. There will be a plant buffer to screen logs and materials

The Motion was passed with a unanimous vote.

Mr. Steward stated that he would like to offer special congratulations to Austin Cardosi on his new position with the City of Hernando. Mr. Steward said that Mr. Cardosi has done a great job all of his years with the county and that we will all miss him.

Mr. Duncan made a Motion and Mr. Steward seconded the Motion to adjourn the meeting. The Motion was passed with a unanimous vote.