



**DESOTO COUNTY PLANNING COMMISSION
ORDER OF ITEMS
April 28th, 2022**

1. **Call to Order**
2. **Invocation**
3. **Roll Call**
4. **Approval of Minutes – March 31st, 2022**

1. **Public Hearing - Rezoning**

- a. **Longbranch PUD (RZNE-000808-2022)** – Application is for rezoning of 72 acres from Agricultural-Residential to PUD, Located on the west side of Hwy 301 and north of Nail Rd, identified as parcel # 109730000 0002300 in Section 36, Township 1, Range 9 (District 3)
Applicant: ACH Developers/Civil-Link
- b. **Patrick Miller Rezoning (RZNE-000809-2022)** – Application is for rezoning of 16.92 acres from Agricultural-Residential to Agriculture, Located on the south side of Nesbit Rd and west of Tulane Rd, identified as parcel # 208828000 0002112 in Section 28, Township 2, Range 8 (District 4)
Applicant: Patrick & Kellie Miller

2. **Minor Lot**

- a. **Barton-DeSoto 5 Lot Minor Lot (SUB-007717-2022)**
Approval of 5 lot(s) on 30.00 acre(s). Identified as Parcel #105833000 0001701. Subject property is located on the west side of Barton-DeSoto Rd and south of Goodman Rd in Section 33, Township 1, Range 5 (District 1)
Applicant: Looxahoma, LLC
- b. **Fulwood Minor Lot (SUB-007718-2022)** Application is for approval of 2 lots on 11.4 acres. Identified as Parcel(s) # 305417000 0000200. Subject property is located on the south side of Strickland Road and east of Red Banks Road in Section 17, Township 3, Range 5 and is zoned A (District 1)
Applicant: Randel Fulwood

The Desoto County Planning Commission met at 6:30 p.m. on Thursday, April 28, 2022, in the Board Room of the County Administration Building in Hernando, Mississippi. The following Commission members were present: David Arnett, Selena Baker, Julius Cowan, Randy Denton, Scott Ferguson, Floyd Fiveash, Murry Haslip, Amelia Lovorn, Ron McCluskey, Steve Reeve and B. G. Smith. Staff members present included Bennie Hopkins, Ashley Hendricks, Celeste Sanders and Sam Barber, Board Attorney.

Planning Commission Chairman Mr. Haslip called the meeting to order and asked whether any member of the Commissioners recommended changes to the Minutes dated March 31, 2022. No changes were suggested. Mr. Fiveash made a Motion to approve the minutes as presented. Mr. Arnett seconded the Motion. The Motion passed with a unanimous vote.

3. Public Hearing - Rezoning

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

- a. Longbranch PUD (RZNE-000808-2022) – Application is for rezoning of 72 acres from Agricultural-Residential to PUD, Located on the west side of Hwy 301 and north of Nail Rd, identified as parcel # 109730000 0002300 in Section 36, Township 1, Range 9 (District 3)
Applicant: ACH Developers/Civil-Link**

Mr. Hopkins presented the Longbranch PUD application for rezoning of 72 acres from Agricultural–Residential to PUD. Mr. Nicholas Kreunen was present to represent the application.

Mr. Kreunen presented an updated plan book and stated a few changes were made last minute. He stated the following are changes made to the plan book:

- Recessed front load garages
- Images of homes with recessed garages
- Setbacks for the lots at the front entrance
- Boulevard entrance
- Additional tree plantings

Mr. Kreunen stated this request is based on a change in the neighborhood and listed the following as evidence of change:

- Sewer availability
- New fire station built
- I-69

Mr. Kreunen stated the current design is to try and work around the gas line easement and once a survey of the property is done a more formal design will be presented. He stated the minimum house size will range from 1800-2000 sqf with

the smaller minimum square footage homes on the interior lots and the larger minimum square footage on the perimeter lots. He then stated the phasing of the development is based on the contours of the property. Mr. Kreunen went over the road cross sections and stated the boulevard portion will be 17 ft. roads on each side of the median.

Mr. Kreunen presented the covenants and restrictions for the development.

Mr. Fiveash asked if there are lots located on the gas easement and will the owners of these lots be able to build a fence due to the gas easement. Mr. Kreunen stated once a survey is done and the actual lots are sited they will tweak the lot lines to observe the easement.

There was discussion if there were other gas lines or oil pipelines coming through this property.

Mr. Fiveash asked if the stub out on the south will connect to Primrose Ln. Mr. Kreunen stated there is a stub for future connection on the Primrose Estates plat, but they plan to offer the southern entrance as a fire access with a gate.

Mr. Haslip asked if there was anyone to speak for or against this item.

Julian Goldwing – 6123 Primrose Ln – came forward and had the following concerns:

- The gas lines make a lot of noise
- Primrose Ln is too narrow to be an access for the new development
- Increased traffic
- Concerned will be annexed by City of Horn Lake because of the new fire station
- Will overtax the fire district

Daniel Riley – 6204 Primrose Ln – came forward and had the following concerns:

- Access via Primrose subdivision
- Decreased property values

Mr. Hopkins explained stated there is a stub road on the plat for Primrose Estates and the applicant will probably be asked by the County engineer to connect to that stub road. He then stated the County engineer, Fire department and the Board of Supervisors will determine if the access can be emergency access only.

Ms. Lovorn stated she has not seen any evidence new developments will decrease property values.

Deborah Summerford – 6177 Primrose Ln – came forward and had the following concerns:

- Increased traffic
- Concerned with through traffic
- Decreased traffic safety

- Safety of children in the subdivision due to increased traffic

Norris Wiltshire – 6254 Primrose Ln – came forward and had the following concerns:

- Access via Primrose Ln
- Not enough information on the proposed access road
- Lots on the gas line easement
- Opposed to Primrose Ln being a through street, but ok with an emergency access only road
- Wants to preserve their community
- Doesn't want change that will destroy their tranquility

Mr. Kreunen stated it is the intention of the developer to put a gate at Primrose Dr and it be for emergency vehicle use only. He then stated he will need to get approval from the county engineer, Board of Supervisors and the fire department to allow the emergency only access with gate.

Mr. Arnett stated he is concerned with the narrow roads in Primrose Estates Subdivision and emergency vehicles being able to access due to the narrow roads. Mr. Kreunen stated the standard emergency lane requirement is 20 f but will meet whatever requirements the County sets.

Mr. Haslip stated this application is for a rezoning and some lots may have to be reconfigured once engineering is done on the site.

There was the discussion of the boulevard entrance design versus the original design with two separate entrances. Mr. Kreunen stated EMA did not like the two separate entrances because they were too close together.

Mr. Reeves asked if the stub road in Primrose Estates is existing. Mr. Kreunen stated the stub road is not existing it is only listed on the plat for Primrose Estates Subdivision.

Mr. Goldwing asked why the road could not go by the new fire department and reiterated the gas line is very noisy.

Mr. Ferguson stated there are several issues that will need to be ironed out before final subdivision approval.

Mr. Fiveash made a Motion and Mr. Ferguson seconded the Motion to approve the Longbranch PUD application for rezoning of 72 acres from Agricultural-Residential to PUD based on a change in the neighborhood. The Motion passed in a 9-2 roll call vote.

b. Patrick Miller Rezoning (RZNE-000809-2022) – Application is for rezoning of 16.92 acres from Agricultural-Residential to Agriculture, Located on the south side of Nesbit Rd and west of Tulane Rd,

**identified as parcel # 208828000 0002112 in Section 28,
Township 2, Range 8 (District 4)
Applicant: Patrick & Kellie Miller**

Mr. Hopkins presented the Patrick Miller Rezoning application for rezoning of 16.92 acres from Agricultural-Residential to Agricultural. Mr. Patrick Miller was present to represent the application.

Mr. Miller stated he owns 17 acres and would like to rezone his property back to Agricultural to be able to make application for a Conditional Use to allow a dog kennel. He stated the dog kennel would be for 20-25 dogs, will be sound proof and the closest house will be 700 yards from the kennel.

Mr. Hopkins noted that with the new proposed updates to the County Zoning Ordinance this property would be zoned Agricultural. There was discussion when the possible update would be heard by the Board of Supervisors.

Mr. Hopkins reminded the Planning Commission this application is for a rezoning and a Conditional Use application would be heard by the Board of Adjustment and if approved conditions would be placed on the application.

Mr. Haslip asked if there was anyone to speak for or against this application.

Jackie Davis – 3505 Nesbit Rd – came forward and had the following concerns:

- Concerned with a dog kennel
- Concerned with noise from a dog kennel
- Concerned with smell from a dog kennel
- Concerned with run-off from a dog kennel
- This is a residential neighborhood

Lovie Tolbert – 3520 Tulane Rd. – came forward and had the following concerns:

- Noise from the dog kennel
- Her kids will be building in the area soon
- Has land near this property

Mr. Miller stated all drainage will be septic run-off and will stay on property.

Mr. Denton stated he sees no basis not to approve the rezoning especially with the possible Zoning Ordinance update.

Mr. Denton made a Motion and Mr. Arnett seconded the Motion to approve the Patrick Miller Rezoning application for rezoning of 16.92 acres from Agricultural-Residential to Agricultural due to a mistake in the current zoning. The Motion passed in an 11-0 roll call vote.

Mr. Fiveash made a Motion and Ms. Baker seconded the Motion to close the public hearing. The Motion passed with a unanimous vote.

4. Minor Lot

- a. Barton-DeSoto 5 Lot Minor Lot (SUB-007717-2022)
Approval of 5 lot(s) on 30.00 acre(s). Identified as Parcel #105833000 0001701. Subject property is located on the west side of Barton-DeSoto Rd and south of Goodman Rd in Section 33, Township 1, Range 5 (District 1)
Applicant: Looxahoma, LLC**

Mr. Hopkins presented the Barton-DeSoto 5 Lot Minor Lot for approval of 5 lots on 30.00 acres to include a waiver of the 4 to 1 ratio. Mr. Joe F. Lauderdale was present to represent this application.

Mr. Lauderdale stated the applicant would like to divide the property in to 5 lots.

There was discussion that lots are plenty wide enough for a home site.

Mr. Ferguson asked if all the lots are sold. Mr. Lauderdale stated he thinks there are people looking at the lots.

Mr. Ferguson made a Motion and Ms. Baker seconded the Motion to approve the Barton-DeSoto 5 Lot Minor Lot for approval of 5 lots on 30.00 acres to include a waiver of the 4 to 1 ratio. The Motion passed with a unanimous vote.

- b. Fulwood Minor Lot (SUB-007718-2022) Application is for approval of 2 lots on 11.4 acres. Identified as Parcel(s) # 305417000 0000200. Subject property is located on the south side of Strickland Road and east of Red Banks Road in Section 17, Township 3, Range 5 and is zoned A (District 1)
Applicant: Randel Fulwood**

Mr. Hopkins presented the Fulwood Minor Lot for approval of 2 lots on 11.4 acres to include a waiver of the easement length. Mr. Randel Fulwood was present to represent the application.

Mr. Fulwood stated he would like to subdivide the property to be able to build a home near his parents.

Mr. Fiveash made a Motion and Ms. Lovorn seconded the Motion to approve the Fulwood Minor Lot for approval of 2 lots on 11.4 acres to include a waiver of the easement length. The Motion passed with a unanimous vote.