



BOARD OF ADJUSTMENT  
ORDER OF ITEMS  
August 8<sup>th</sup>, 2022

CALL TO ORDER: 7:00  
APPROVAL OF MINUTES: July 11<sup>th</sup>, 2022

**OLD BUSINESS**

**Variance**

Application by Rodger Bennett (**VAR-001716-2022**) for a variance to allow an accessory building in the designated front yard and to allow the building to be larger than 75% the square footage of the primary structure in accordance with the DeSoto County Zoning Ordinance. Subject property is located at 2725 McGowen Road on the north side of McGowen Road and east of Highway 301 Parcel **#2096240000003600** Section 24 Township 2 Range 9 and is zoned A-R (District 4)

**NEW BUSINESS**

**Variance**

Application by Chris Roberts (**VAR-001725-2022**) for a variance to allow an accessory building in the designated side yard and to allow the building to be larger than 50% the square footage of the primary structure in accordance with the DeSoto County Zoning Ordinance. Subject property is located at 12763 Byhalia Road on the south side of Byhalia Road and west side of Red Banks Road North Parcel **#305306100000300** Section 6 Township 3 Range 5 and is zoned A (District 1)

Application by Todd Ferguson (**VAR-001719-2022**) for a variance to allow a front building setback of less than 35 ft. in accordance with the 1973 DeSoto County Zoning Ordinance. Subject property is located at 4308 Huron Road on the north side of Huron Road and east of Malone Road Parcel **#2076230400060800** Section 23 Township 2 Range 7 and is zoned R-1 (District 5)

Application by Earl Walters (**VAR-001720-2022**) for a variance to allow an accessory building in the designated front yard in accordance with the DeSoto County Zoning Ordinance. Subject property is located at 11865 Whispering Pines

Drive on the south side of Whispering Pines Drive and west of Polk Lane Parcel **#206101000003401** Section 1 Township 2 Range 6 and is zoned A-R (District 1)

Application by Amy Perkins (**VAR-001721-2022**) for a variance to allow two accessory buildings in the designated front yard in accordance with the DeSoto County Zoning Ordinance. Subject property is located at 2668 Delta Crest Cove on the east side of Delta Crest Cove and south of West Commerce Parcel **#3094180400004000** Section 18 Township 3 Range 9 and is zoned A-R (District 4)

Application by Kyle Zimmerman (**VAR-001722-2022**) 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 4935 Bakers Trail East on the south side of Bakers Trail East and the west side of Laughter Road North Parcel **#2077260800006000** Section 26 Township 2 Range 7 and is zoned R-20 (District 5)

Application by Arthur Willis (**VAR-001723-2022**) for a variance to allow an accessory building in the designated front yard of a corner lot in accordance with the DeSoto County Zoning Ordinance. Subject property is located at 3917 Center Hill Cove on the south side of Center Hill Road and east of Highway 178 Parcel **#2054180100000800** Section 18 Township 2 Range 5 and is zoned A-R (District 1)

Application by Fred Hill (**VAR-001724-2022**) 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 1807 Bristol Drive on the west side of Bristol Drive and the north side of Pleasant Hill Road East Parcel **#2078271000009700** Section 27 Township 2 Range 7 and is zoned PUD (District 5)

Application by Gwendolyn Kimble Price (**VAR-001727-2022**) 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 2952 Williams Ridge Road on the east side of Williams Ridge Road and the south side of Starlanding Road East Parcel **#2075221100006300** Section 22 Township 2 Range 7 and is zoned PUD (District 5)

Application by Pedro Balderas (**VAR-001728-2022**) for a variance to allow a mobile home older than 10 years old in accordance with the DeSoto County Zoning Ordinance. Subject property is located at 8705 Hwy 61 Lot 310 on the east side of Lakeview Mobile Home Park Road and west of Hwy 61 Parcel **#109522000000200** Section 22 Township 1 Range 9 and is zoned A (District 3)

Application by Henry Tucker (**VAR-001729-2022**) for a variance to allow a fence taller than 3 ft. in the designated front yard and to allow an accessory building in the designated front yard of a corner lot in accordance with the DeSoto County Zoning Ordinance. Subject property is located at 9923 Timber Cove on the west

side of Cypress Lake Drive South and north of Woolsey Parcel  
**#2065220700004200** Section 22 Township 2 Range 6 and is zoned R-30  
(District 1)

### **Conditional Use**

Application by Cellco Partnership d/b/a Verizon Wireless (**CU-001614-2022**) for a conditional use for a telecommunication tower taller than 35' in accordance with the DeSoto County Zoning Ordinance. Subject property is located at 2484 Highway 305 North Parcel **#2065220000002800** Section 22 Township 2 Range 6 and is zoned A-R (District 1)

The Desoto County Board of Adjustment met at 7:00 p.m. on Monday, August 8, 2022, in the Board Room of the County Administration Building in Hernando, Mississippi. The following Board members were present: Phillip Steward, Tom Williams, Earl Ward, Mike Hancock and Mike Duncan. Staff members present included Bennie Hopkins, 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 July 11, 2022. Mr. Duncan made a Motion to approve the minutes as presented. Mr. Hancock seconded the Motion. The Motion was passed with a unanimous vote.

Mrs. Celeste Sanders 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 August 18, 2022, at 5:00 p.m. She then stated any appeals filed will be heard by the Board of Supervisors on September 19, 2022.

### **NEW BUSINESS**

#### **Conditional Use**

**Application by Cellco Partnership d/b/a Verizon Wireless (CU-001614-2022) for a conditional use for a telecommunication tower taller than 35' in accordance with the DeSoto County Zoning Ordinance. Subject property is located at 2484 Highway 305 North Parcel #2065220000002800 Section 22 Township 2 Range 6 and is zoned A-R (District 1)**

Mr. Hopkins presented the application by Cellco Partnership d/b/a Verizon Wireless for a conditional use for a telecommunication tower taller than 35 feet. Mr. Andy Rotenstreich of Baker, Donelson, Bearman, Caldwell & Berkowitz was present to represent the application.

Mr. Rotenstreich stated the following:

- proposed site for Verizon Wireless
- Verizon prefers to use an existing tower but there is not one in this area
- wanting to improve coverage
- site is north of 269, south of College
- property is zoned A-R, owned by Bobby Sparks and is 34 acres
- the tower will be a 170' monopole design which is the least obtrusive design
- tower is under 200' so it does not require lighting
- design meets all conditions of zoning ordinance
- presented site plan
- outlined access from Hwy 305
- not crossing any other property
- using existing driveway on property
- there is room for other companies to use this pole
- tower is in a heavily wooded area and sits back 900 +/- feet off the road
- there will be no guidelines or multiple legs
- reviewed the coverage map and the need for a tower in this area
- reviewed illumination report
- this property is the only option as a location for tower
- hosted a neighborhood meeting and sent out 25 notices to neighboring property owners to discuss concerns about the tower
- no one objected to tower

Mr. Duncan asked if the access road to the tower was going to be strictly used to access the tower and not for the gravel pit. Mr. Rotenstreich stated that there would only be access to the cell tower and there would be no increased traffic on this property. He stated that they were using an existing driveway on the property.

Mr. Williams asked if there was anyone present to speak for or against the application. There was no one present.

Mr. Williams asked if the tower would be visible from other properties. Mr. Rotenstreich stated that there were a lot of trees on the property and that only the top of the tower would be visible.

Mr. Barber asked if it was Verizon's position that there is a gap of coverage in this area to which Mr. Rotenstreich replied yes. Mr. Barber asked if this was the least obtrusive course of action to which Mr. Rotenstreich replied yes.

Mr. Williams asked if EMA would have access to the cell tower site and Mr. Rotenstreich replied that they would have access.

Mr. Steward made a Motion and Mr. Hancock seconded the Motion to approve the application by Cellco Partnership d/b/a Verizon Wireless for a conditional use for a telecommunication tower taller than 35 feet. The Motion passed with a unanimous vote.

## Variance

**Application by Chris Roberts (VAR-001725-2022) for a variance to allow an accessory building in the designated side yard and to allow the building to be larger than 50% the square footage of the primary structure in accordance with the DeSoto County Zoning Ordinance. Subject property is located at 12763 Byhalia Road on the south side of Byhalia Road and west side of Red Banks Road North Parcel #305306100000300 Section 6 Township 3 Range 5 and is zoned A (District 1)**

Mr. Hopkins presented the application by Chris Roberts for a variance to allow an accessory building in the designated side yard and allow the building to be larger than 50% of the square footage of the primary structure. Mr. Chris Roberts was present to represent the application.

Mr. Roberts stated the following:

- building going to be smaller than presented, actually going to be 42'x50'
- water flows and converges right behind the house so can't put building there
- talked to county about water flow issues
- water does flow off eventually after a heavy rain
- wants to place it in the side yard to keep it out of the water
- owns a lot of vehicles and is a collector so need a building to place them in

Mr. Steward asked if the automobiles are going inside the proposed building. Mr. Roberts stated that he likes to tinker and wants to get everything out of the yard

Mr. Duncan asked what type of building. Mr. Roberts stated he thought it would be a 42'x50' shed with concrete around it but have decided to go smaller with a 30'x40'. It will have electricity.

Mr. Hopkins asked if there would be a lean to on the building. Mr. Roberts stated that there would not be a lean to. Ms. Hendricks confirmed the building would be 30'x40' and Mr. Roberts agreed.

Mr. Williams inquired about the colors of the building. Mr. Roberts said he had two options to present. One option was a red, white and blue building. The other option was one where the colors would match his house. Mr. Williams stated that it would be best if the building matched Mr. Roberts' house. Mr. Hancock stated that the accessory building should blend as much as possible.

Mr. Williams asked if there anyone present to speak for or against the application. There was no one present to speak.

Mr. Steward made a Motion and Mr. Duncan seconded the Motion to approve the application for a variance to allow an accessory building in the designated side yard and to allow the building to be larger than 50% the square footage of the primary structure with the provision that Mr. Roberts uses colors that match his house and that the building is 30 feet by 40 feet in size. The Motion passed with a unanimous vote.

## OLD BUSINESS

### Variance

**Application by Rodger Bennett (VAR-001716-2022) for a variance to allow an accessory building in the designated front yard and to allow the building to be larger than 75% the square footage of the primary structure in accordance with the DeSoto County Zoning Ordinance. Subject property is located at 2725 McGowen Road on the north side of McGowen Road and east of Highway 301 Parcel #2096240000003600 Section 24 Township 2 Range 9 and is zoned A-R (District 4)**

Mr. Hopkins presented the application be Roger Bennett for a variance to allow an accessory building in the designated front yard and to allow the building to be larger than 75% the square footage of the primary structure. Mr. Roger Bennet and Mr. Roger Bennett Jr. were present to represent the application. Mr. Hancock recused himself at this time.

Mr. Bennett Jr. stated the following:

- been cleaning up the property
- moving vehicles
- have showed that they were cleaning up the property
- have a ditch that runs through the property
- Hwy 301 drains onto property
- water gets knee high
- drainage issues due to how the water is diverted
- the proposed location is the only location to put the building
- also a power line running through the property
- it will be a metal building, tan with green roof
- got rid of old vehicles that don't work
- two old buildings on the property are going to be torn down
- need the new building to store equipment in

Mr. Williams asked if there was anyone present to speak for or against the application.

Mr. James Moss of 2891 McGowen Road was present with the following concerns:

- his driveway is about 1000 feet away from Mr. Bennet's property
- Mr. Bennett's operation leaves mud on the road in the curve
- Mr. Bennett building a bigger operation will only leave more mud in the road, especially in the winter time
- don't see things getting better on the property with a bigger operation
- mud in the curve is a safety issue

Mr. Steward asked if anyone had spoken to the county engineer about the mud in the road. Mr. Hopkins replied that no one at this time but it needs to be addressed. Mr. Hopkins said that the county engineer or a sheriff could write Mr. Bennett up for leaving mud in the road.

Mr. Roger Bennett Jr. stated that part of the property is a pasture. They intend to put construction rock and concrete down while building is being constructed. They do not haul hay in and out of property.

Mr. Jeremy McGowen of 6375 McGowen Road stated the following:

- his family lives south of the Bennett's
- he had no problem with the building and they need it to put equipment in
- mud issue could be fixed with gravel and concrete pad
- sometimes the mud gets bad but is not dangerous
- Mr. Bennett is trying to protect his investments, his equipment, by putting it in a shed

Mr. Williams asked if there was anyone else present to speak. There was no one present. Mr. Hopkins did present a letter by Ms. Deborah Roberts to the members of the board.

Mr. Roger Bennett stated that Ms. Roberts thought the building was going on the hill but it is not. He stated that the building will be away from Ms. Roberts' property. He also stated that they have just realized that one of Ms. Roberts' buildings is on their property.

Mr. Ward asked if the building was going to be north of the power line. Mr. Roger Bennett Jr. stated no, the building would flood if they put it north of the power line. Mr. Ward stated that it is kind of like moving a farm into a neighborhood and this building would adversely affect property values.

Mr. Williams asked what the chances were of the Bennett's bringing in gravel. Mr. Bennett responded with the following:

- they will bring gravel in if the building gets approved
- waiting to get permit to get shop put up
- building will be done by Reed's metal building with a lean to on one side

Mr. Williams asked how much equipment had been removed. Mr. Bennett Jr. stated that any equipment that does not run will be removed. Mr. Williams then asked if they were removing the 2 existing sheds and Mr. Bennett stated yes.

Mr. Hopkins stated that for the record, this is in the A-R zone on an un-platted and recorded property which is treated like the A zone. Mr. Bennett is allowed to store equipment.

Mr. Steward stated that he's leveraging that he needs the building to clean the property up and that he is willing to mitigate the med/safety issue.

Mr. Roger Bennett Jr. stated that mud is not washing off of the property, it is coming off their vehicles. He said that gravel will fix this problem. Mr. Ward replied that mud on the road should be removed immediately.

Mr. Duncan asked where the house was located on the property. Mr. Bennett Jr. pointed out the house on the aerial map. He also stated that the existing two sheds combined are larger than the proposed building.

Mr. Duncan asked if the Board could put conditions on a variance for gravel. Mr. Barber replied that the Board could put conditions related to the variance.

Mr. Steward made a Motion and Mr. Williams seconded the Motion to approve the variance to allow an accessory building in the designated front yard and to allow the building to be larger than 75% the square footage of the primary structure with the following provisions:

- 1) Steps will be taken to mitigate the mud issue by putting gravel down
- 2) A concrete pad is poured for equipment

- 3) Remove the existing two sheds
- 4) Clean property up
- 5) Put the proposed building on high ground as shown

The Motion passed with Mr. Williams, Mr. Steward and Mr. Duncan voting yes. Mr. Ward voted no and Mr. Hancock abstained.

**Application by Todd Ferguson (VAR-001719-2022) for a variance to allow a front building setback of less than 35 ft. in accordance with the 1973 DeSoto County Zoning Ordinance. Subject property is located at 4308 Huron Road on the north side of Huron Road and east of Malone Road Parcel #2076230400060800 Section 23 Township 2 Range 7 and is zoned R-1 (District 5)**

Mr. Hopkins presented the application by Todd Ferguson for a variance to allow a front building setback of less than 35 feet. Mr. Todd Ferguson was present to represent the application.

Mr. Ferguson stated the following:

- would like to have a 25' setback instead of the noted 31'
- trying to save a large oak tree on his property
- the extra 10' being requested gets the house out of the drip ring

Mr. Williams asked if the lot had already been cleared. Mr. Ferguson replied yes but he kept the side and rear buffer of trees.

Mr. Williams asked if there had been any calls to which Mr. Hopkins replied there had been none.

Mr. Williams asked if there was anyone present to speak for or against the application. There was no one present.

Mr. Williams asked if Mr. Ferguson was requesting to move the house 10' forward. MR. Ferguson stated he was asking for a 25' setback instead of the 31' on the drawing and that the house would still be 35' from the road.

Mr. Williams asked about the setbacks of the neighboring houses. Mr. Hancock stated that the other houses had about the same setback.

Mr. Williams asked how big the house would be and Mr. Ferguson said 2080 square feet.

Mr. Hancock made a Motion and Mr. Duncan seconded the Motion to approve the application for a variance to allow a front building setback of less than 35 feet. The Motion passed with a unanimous vote.

**Application by Earl Walters (VAR-001720-2022) for a variance to allow an accessory building in the designated front yard in accordance with the DeSoto County Zoning Ordinance. Subject property is located at 11865 Whispering Pines Drive on the south side of Whispering Pines Drive and**



**west of Polk Lane Parcel #2061010000003401 Section 1 Township 2 Range 6 and is zoned A-R (District 1)**

Mr. Hopkins presented the application by Earl Walters for a variance to allow an accessory building in the designated front yard. Mr. Earl Walters was present to represent the application.

Mr. Walters stated the following:

- barn in front of where he wants to build house
- neighboring properties drain toward the front of his property and cause drainage issues
- the existing barn is 25 years old and in good condition
- wants to build a 3600-4000 square foot house, already have water and electric Site
- driveway all rock and in good condition
- need variance to build house behind barn
- don't want to tear the barn down

Mr. Williams asked if there had been any calls about this application. There had been none. Mr. Williams asked if there was anyone present to speak for or against the application. There was no one present.

Mr. Hancock asked if Mr. Walters was building the house for himself. Mr. Walters replied yes.

Mr. Barber asked what the other buildings were on the property. Mr. Walters stated that the building on the south side was a 25x50 metal shop that has power and water. He stated that there was also a small cabin that he uses for storage and the other building was an office he uses for his engineering (accounting?) business.

Mr. Ward made a Motion and Mr. Steward seconded the Motion to approve application for a variance to allow an accessory building in the designated front yard. The Motion passed with a unanimous vote.

**Application by Amy Perkins (VAR-001721-2022) for a variance to allow two accessory buildings in the designated front yard in accordance with the DeSoto County Zoning Ordinance. Subject property is located at 2668 Delta Crest Cove on the east side of Delta Crest Cove and south of West Commerce Parcel #3094180400004000 Section 18 Township 3 Range 9 and is zoned A-R (District 4)**

Mr. Hopkins presented the application by Amy Perkins for a variance to allow two accessory buildings in the designated front yard. Ms. Amy Perkins was present to represent the application.

Ms. Perkins stated the following:

- 2668 Delta Crest
- completely renovated the house
- left the existing driveway
- there was a storage building there that was torn down
- want to put a storage building back and a two car carport
- this is the only flat area to put buildings
- too much slope in the backyard

Mr. Williams asked if there had been any calls about this application. Mr. Hopkins replied that there had been none.

Mr. Williams asked if anyone was present to speak for or against the application.

Russell Yackey of 2726 Delta Crest Cove was present to speak. He stated the following:

- lives next door
- completely supports this application
- owns 3 houses on this street and is in the process of building another home
- Ms. Perkins has done a great job renovating her home

Mr. Duncan asked if the other building was just a carport to which Ms. Perkins replied yes.

Mr. Ward made a Motion and Mr. Duncan seconded the Motion to approve the application by Amy Perkins for a variance to allow two accessory buildings in the designated front yard. The Motion was passed with a unanimous vote.

**Application by Kyle Zimmerman (VAR-001722-2022) 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 4935 Bakers Trail East on the south side of Bakers Trail East and the west side of Laughter Road North Parcel #2077260800006000 Section 26 Township 2 Range 7 and is zoned R-20 (District 5)**

Mr. Hopkins presented the application by Kyle Zimmerman for a variance to allow a fence taller than 3 feet in the designated front yard of a corner lot. Mr. Lanier Hurdle from Wheeler Homes was present to represent the application.

Mr. Hurdle stated the following:

- built the house
- supposed to build fence
- it is a corner lot with 2 front yards
- request to come out 35' and not 33'
- huge area between house and Laughter Road
- Laughter Road is above the house, probably 6 feet higher
- this is the newest section of Bakersfield
- most subdivision usually have a screening fence

-Zimmerman's have small children and want a large yard and privacy

Mr. Williams asked if it would be a 6 foot cedar fence and Mr. Hurdle replied yes with the good side facing out.

Mr. Duncan asked if they wanted to go to the building setback line. Mr. Hurdle responded yes.

Mr. Williams asked if there were any questions. There were none.

Mr. Duncan made a Motion and Mr. Hancock seconded the Motion to approve the application by Kyle Zimmerman for a variance to allow a fence taller than 3 feet in the designated front yard of corner lot. The Motion passed with a unanimous vote.

**Application by Arthur Willis (VAR-001723-2022) for a variance to allow an accessory building in the designated front yard of a corner lot in accordance with the DeSoto County Zoning Ordinance. Subject property is located at 3917 Center Hill Cove on the south side of Center Hill Road and east of Highway 178 Parcel #2054180100000800 Section 18 Township 2 Range 5 and is zoned A-R (District 1)**

Mr. Hopkins presented the application. Mr. Arthur Willis was present to represent the application.

Mr. Willis stated the following:

- have a few cars, motorcycles and trailers
- need a building to put everything in
- power line and light post on the back of the property
- building will actually line up with driveway
- will eventually extend driveway to the proposed building
- wants to put building 35' from the power line
- 60' away from road
- 40x60 building
- will use colors to coordinate with colors of house
- just using to store vehicles
- want to install water and electricity

Mr. Williams asked what color the building will be. Mr. Willis said he would have to talk with the builders but he was thinking about a grey building with a white roof. He stated it would either be a steel building or a pole building.

Mr. Williams asked if there were any calls about this application. There had been none. Mr. Williams asked if there was anyone present to speak for or against this application. No one was present to speak.

Mr. Ward made a Motion and Mr. Duncan seconded the Motion to approve the application by Arthur Willis for a variance to allow an accessory building in the designated front yard of a corner lot. The Motion passed with a unanimous vote.

**Application by Fred Hill (VAR-001724-2022) 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 1807 Bristol Drive on the west side of Bristol Drive and the north side of Pleasant Hill Road East Parcel #207827100009700 Section 27 Township 2 Range 7 and is zoned PUD (District 5)**

Mr. Hopkins presented the application. Mr. Fred Hill was present to represent the application.

Mr. Williams asked if there had been any calls about this application. There had been none.

Mr. Duncan asked if the house faced Bristol and Mr. Hill replied yes.

Mr. Hill stated the following:

- want fence to go in front of the AC unit
- 25' from sidewalk
- 10' to 15' from side of the house
- 5' from property line

Mr. Duncan asked if he was going to use a 6' cedar fence and Mr. Hill replied yes.

Mr. Steward asked if the house was completed and Mr. Hill said that it was.

Mr. Duncan made a Motion and Mr. Hancock seconded the Motion to approve the application by Fred Hill for a variance to allow a fence taller than 3 ft. in the designated front yard of a corner lot. The Motion was passed with a unanimous vote.

**Application by Gwendolyn Kimble Price (VAR-001727-2022) 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 2952 Williams Ridge Road on the east side of Williams Ridge Road and the south side of Starlanding Road East Parcel #2075221100006300 Section 22 Township 2 Range 7 and is zoned PUD (District 5)**

Mr. Hopkins presented the application by Gwendolyn Kimble Price for a variance to allow a fence taller than 3 ft. in the designated front yard of a corner lot. Mr. Jimmy Reeves and Ms. Price were present to represent the application.

Mr. Reeves stated the following:

- corner lot
- house faces Williams Ridge Road
- want to cover the AC units
- come out 10 feet and go to the rear of the property
- there is an HOA easement behind the property that they will maintain

Mr. Duncan asked if it was going to be a 6 foot cedar fence. Mr. Reeves said yes.

Mr. Steward made a Motion and Mr. Duncan seconded the Motion to approve the application by Gwendolyn Kimble Price for a variance 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 Pedro Balderas (VAR-001728-2022) for a variance to allow a mobile home older than 10 years old in accordance with the DeSoto County Zoning Ordinance. Subject property is located at 8705 Hwy 61 Lot 310 on the east side of Lakeview Mobile Home Park Road and west of Hwy 61 Parcel #109522000000200 Section 22 Township 1 Range 9 and is zoned A (District 3)**

Mr. Hopkins presented the application by Pedro Balderas for a variance to allow a mobile home older than 10 years old. Mr. Pedro Balderas was present to represent the application.

Mr. Balderas stated the following:

- bought mobile home 2 months ago and was not aware of the ordinance at the time
- rent too high
- mobile home is now at Hilltop trailer park
- owner of Hilltop trailer park is moving all trailers out to make it a RV park
- the mobile home is livable, renovations are complete

Mr. Hancock asked if the mobile home is already set up and Mr. Balderas said no.

Mr. Williams asked what the owner of Lakeview had to say. Mr. Balderas said the owner approves. He stated that his in-laws live at Lakeview and are across the street from the lot where he wants to put the mobile home.

Mr. Hancock asked if there were any required inspections. Mr. Balderas said yes, the fire department and a county official will have to inspect. Mr. Hopkins stated it looked like Mr. Balderas has done extensive renovations to the mobile home. Mr. Hopkins said the county tries to keep dilapidated mobile homes out of the county. Mr. Balderas stated that he does not want to put any more money in to the mobile home if he can't move it.

Mr. Williams asked if the mobile home was in DeSoto county now. Mr. Balderas said that it was.

Mr. Williams asked if the application is approved is the mobile home subject to inspections. Mr. Hopkins stated that the county will go and look at mobile home for permits. The county will look inside and outside.

Mr. Hopkins asked if the mobile home will be skirted. Mr. Balderas said yes, they took the skirt off to move the mobile home and will replace it with a new one once it is in place.

Mr. Hancock asked if there was central air or window units. Mr. Balderas replied that the central unit leaks and is not working properly now. He said that they will use window units until he can save up to repair the central unit. Mr. Hancock asked if the wiring was in good shape. Mr. Balderas stated that the wiring looks good.

Mr. Hancock made a Motion and Mr. Ward seconded the Motion to approve the application by Pedro Balderas for a variance to allow a mobile home older than 10 years old with the condition that the mobile home will be inspected by the county. The Motion passed with a unanimous vote.

**Application by Henry Tucker (VAR-001729-2022) for a variance to allow a fence taller than 3 ft. in the designated front yard and to allow an accessory building in the designated front yard of a corner lot in accordance with the DeSoto County Zoning Ordinance. Subject property is located at 9923 Timber Cove on the west side of Cypress Lake Drive South and north of Woolsey Parcel #2065220700004200 Section 22 Township 2 Range 6 and is zoned R-30 (District 1)**

Mr. Hopkins presented the application by Henry Tucker for a variance to allow a fence taller than 3 ft. in the designated front yard and to allow an accessory building in the designated front yard of a corner lot. Mr. Tucker was present to represent the application.

Mr. Steward asked about the location and shape of the lot. Mr. Hopkins stated that the property has frontage on Timber Cove and Cypress Lake Drive.

Mr. Tucker stated the following:

- wants to put a 15x15 or 15x20 storage shed to store motorcycle and lawn mower
- showed where the proposed fence was going
- there is a storm drain on the property
- there is also a drainage ditch running through the lot
- shed needs to go in the proposed location because that is a high spot
- wants to put up a picket style fence made of wood
- won't be a solid fence, fence with an X, a split rail along the street
- will have a privacy fence on each side of the house

- 5 or 6 foot fence
- will leave it open at the woods
- iron gates where needed

Mr. Hancock asked if there were any sight issues at the corner with this type of fence. Mr. Hopkins replied no.

Mr. Hancock asked what the materials of the storage shed would be. Mr. Tucker said it would either be metal or wood. He said it would be brown with a green roof. Mr. Hancock then asked what the building would be used for. Mr. Tucker said just for storage.

Mr. Steward made a Motion and Mr. Hancock seconded the Motion to approve the application by Henry Tucker for a variance to allow a fence taller than 3 ft. in the designated front yard and to allow an accessory building in the designated front yard of a corner lot. The Motion was approved by a unanimous vote.

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