

DESOTO COUNTY PLANNING COMMISSION
MEETING MINUTES
JUNE 3, 2004

Call to Order

Invocation

Roll Call

Approval of Minutes – April 29, 2004

Announcements:

CONSENT AGENDA

MINOR LOT SUBDIVISIONS

Richard Rexroade Minor Lot (6259) – Application is for two lots of 2.0 acres and 2.99 acres from 4.99 acres. Subject property is located on the west side of Highway 301 and north of Oak Grove Road, zoned Agricultural. Section 15, Township 3, Range 9

Cedar Ridge – Eric Blair Minor Lot (6260) – Application is for one lot of 4.0 acres. Subject property is located on the west side of Tulane Road and north of Star Landing Road, zoned Agricultural-Residential. Section 16, Township 2, Range 8

Willie Fox Minor Lot (6261) – Application is for one lot of 5.0 acres. Subject property is located on the west side of Laughter Road and south of Sunset Road, zoned Agricultural-Residential. Section 35, Township 2, Range 7

Robert Bridges Minor Lot (6262) – Application is for three lots of 2.05 acres, 1.91 acres, and 1.83 acres. Subject property is located on the east side of Highway 301 and south of Nesbit Road, zoned Agricultural. Section 25, Township 2, Range 9

Thousand Oaks Lot 16 (6266) – Application is for one lot of 1.62 acres. Subject property is located on the west side of Jaybird Road and north of Thousand Oaks Drive, zoned Agricultural-Residential. Section 17, Township 3, Range 7

Lundy Robinson Minor Lot (6267) – Application is for one lot of 2.0 acres. Subject property is located on the south side of Bethel Road and east of Craft Road, zoned Agricultural-Residential. Section 29, Township 2, Range 6

Jerry Garrett Minor Lot (6268) – Application is for two lots of 6.2 acres and 5.7 acres. Subject property is located on the north side of Cathey Road and east of Red Banks Road, zoned Agricultural. Sections 18 & 19, Township 3, Range 5

Dennis Wright Minor Lot (6270) – Application is for two lots of 4.8 acres each. Subject property is located on the west side of Crawford Road and south of Fogg Road, zoned Agricultural. Section 31, Township 3, Range 8

The Wright Place (6269) – Application is for four lots of 4.5 acres each. Subject property is located on the west side of Crawford Road and south of Fogg Road, zoned Agricultural. Section 31, Township 3, Range 8

Emerson Massey Subdivision (6271) – Application is for one lot of 1.5 acres from 17.65 acres. Subject property is located on the west side of Malone Road and south of Sunset Road, zoned Agricultural-Residential. Section 34, Township 2, Range 7

FINAL SUBDIVISION PLATS

Forest Hill Community (6242) – Application is to revise three final plats by realigning/amending the phasing of certain lots. Subject property is located on the north side of Center Hill Road and west of Coldwater Drive, zoned Planned Unit Development (PUD). Sections 7 & 12, Township 2, Range 5

Ranch Meadows Phase 3 Section F (6263) – Application is for final subdivision plat approval for 50 lots on 24.06 acres. Subject property is located on the south side of DeSoto Road and east of Poplar Corner Drive, zoned Planned Unit Development (PUD). Section 25, Township 1, Range 9

Southern Trails Sections A and B – formerly the Neighborhood at Cedar View (6256) – Application is for final subdivision plat approval for 69 lots on 75.1 acres. Subject property is located on the west side of Highway 305 and south of College Road, zoned R-40 (Single Family Residential). Section 16, Township 2, Range 6

OLD BUSINESS

Noting Hill (626) – Application is to rezone 112 acres from Agricultural-Residential to Planned Unit Development. Subject property is located on the west side of Jaybird Road and north of Bright Road. Section 8, Township 3, Range 7

Magnolia Gardens (627) – Application 68.8 acres from Agricultural to R-12 Overlay (Single Family Residential). Subject property is located on the east side of Magnolia Road and south of Oak Grove Road, just south of Acree Subdivision. Section 19, Township 3, Range 7

NEW BUSINESS

REZONINGS

Clairmont (630) – Application is to rezone 81.3 acres from Agricultural-Residential to Agricultural-Residential Overlay. Subject property is located on the south side of Church Road and west of Highway 305. Section 8, Township 2, Range 6

MAJOR SUBDIVISIONS

Creekside Estates (6233) – Application is for preliminary subdivision plat approval for 82 lots on 73.3 acres. Subject property is located on the west side of Highway 305 and north of Robertson Lane, zoned R-30 (Single Family Residential). Section 21, Township 2, Range 6

Weatherby (6234) – Application is for preliminary subdivision plat approval for 69 lots on 69.2 acres. Subject property is located on the north side of Oak Grove Road and west of Scott Road, zoned Agricultural. Section 14, Township 3, Range 8

Nikki Lake Estates (6257) – Application is for preliminary subdivision plat approval for 44 lots on 76.5 acres. Subject property is located on the west side of Tulane Road and north of Nesbit Road, zoned Agricultural-Residential. Section 21, Township 2, Range 8

Belmont Park (6258) – Application is for preliminary and final subdivision plat approval for 12 lots on 31.6 acres. Subject property is located on the east side of Highway 51 and north of Belmont Road/Ranch Road, zoned Agricultural. Section 31, Township 3, Range 7

Plantation Oaks Section D (6265) – Application is for preliminary and final subdivision approval for 4 lots on 8.92 acres. Subject property is located on the north side of Plantation Oaks Drive and west of Highway 305, zoned Agricultural. Section 34, Township 2, Range 6

OTHER ITEMS

Status report on Grandview Grove

The DeSoto County Planning Commission met at 7:00 p.m. on Thursday, June 3, 2004, in the Third Floor Boardroom of the Administration Building of DeSoto County located at: 365 Loshier Street, Hernando, MS. Commissioners present were: Jimmy Maxwell, Robin James, Leonard Lindsey, Dennis Clemmer, Wade Carter, Joe Forythe, Frank Calvi, Mike Robison, Pat Hefley, James Mayfield, Leigh Graves and Julius Cowan. Planning Commission Staff included: Michael Garriga, DeSoto County Planner, Merritt Powell, Director, Jim McDougal, Transportation Coordinator, Denise Dingman, Planning Commission staff and Katie Jewell County Attorney. Chairman Mr. Robison called the meeting to order at 7:00 p.m., he then asked Mr. Maxwell to lead the Commission in prayer.

Mr. Robison asked if there were any questions on the April 29, 2004 minutes. Mr. Robison then asked for a Motion to approve the April 29, 2004 minutes. Mr. Lindsey made a Motion to approve the minutes. Mr. Cowan seconded the Motion. The Motion was passed by a unanimous vote.

Mr. Garriga then announced that the public hearing will be continued at the Board of Supervisors meeting on June 9, 2004 at 9:00 a.m.

MINOR LOT SUBDIVISIONS

- 1. Richard Rexroade Minor Lot (6259) – Application is for two lots of 2.0 acres and 2.99 acres from 4.99 acres. Subject property is located on the west side of Highway 301 and north of Oak Grove Road, zoned Agricultural.
Section 15, Township 3, Range 9**
- 2. Cedar Ridge – Eric Blair Minor Lot (6260) – Application is for one lot of 4.0 acres. Subject property is located on the west side of Tulane Road and north of Star Landing Road, zoned Agricultural-Residential
Section 16, Township 2, Range 8**
- 3. Willie Fox Minor Lot (6261) – Application is for one lot of 5.0 acres. Subject property is located on the west side of Laughter Road and south of Sunset Road, zoned Agricultural-Residential.
Section 35, Township 2, Range 7**
- 4. Robert Bridges Minor Lot (6262) – Application is for three lots of 2.05 acres, 1.91 acres, and 1.83 acres. Subject property is located on the east side of Highway 301 and south of Nesbit Road, zoned Agricultural.
Section 25, Township 2, Range 9**
- 5. Thousand Oaks Lot 16 (6266) – Application is for one lot of 1.62 acres. Subject property is located on the west side of Jaybird Road and north of Thousand Oaks Drive, zoned Agricultural-Residential.
Section 17, Township 3, Range 7**
- 6. Lundy Robinson Minor Lot (6267) – Application is for one lot of 2.0 acres. Subject property is located on the south side of Bethel Road and east of Craft Road, zoned Agricultural-Residential.
Section 29, Township 2, Range 6**

- 7. Jerry Garrett Minor Lot (6268) – Application is for two lots of 6.2 acres and 5.7 acres. Subject property is located on the north side of Cathey Road and east of Red Banks Road, zoned Agricultural.
Sections 18 & 19, Township 3, Range 5**
- 8. Dennis Wright Minor Lot (6270) – Application is for two lots of 4.8 acres each. Subject property is located on the west side of Crawford Road and south of Fogg Road, zoned Agricultural.
Section 31, Township 3, Range 8**
- 9. The Wright Place (6269) – Application is for four lots of 4.5 acres each. Subject property is located on the west side of Crawford Road and south of Fogg Road, zoned Agricultural.
Section 31, Township 3, Range 8**
- 10. Emerson Massey Subdivision (6271) – Application is for one lot of 1.5 acres from 17.65 acres. Subject property is located on the west side of Malone Road and south of Sunset Road, zoned Agricultural-Residential.
Section 34, Township 2, Range 7**

Mr. Garriga announced the above items and stated that all the minor lots conform to the DeSoto County Zoning and Subdivision Regulations and are ready for approval, subject to dedication of road right of way, and health department approval. Mr. Lindsey made a Motion to approve the minor lots. Mr. Maxwell seconded the Motion. The Motion was passed by a unanimous vote.

FINAL SUBDIVISION PLATS

Forest Hill Community (6242) 6, 7, & 8 – Application is to revise three final plats by realigning/amending the phasing of certain lots. Subject property is located on the north side of Center Hill Road and west of Coldwater Drive, zoned Planned Unit Development (PUD). Sections 7 & 12, Township 2, Range 5

**Ranch Meadows Phase 3 Section F (6263) – Application is for final subdivision plat approval for 50 lots on 24.06 acres. Subject property is located on the south side of DeSoto Road and east of Poplar Corner Drive, zoned Planned Unit Development (PUD).
Section 25, Township 1, Range 9**

Southern Trails Sections A and B – formerly the Neighborhood at Cedar View (6256) – Application is for final subdivision plat approval for 69 lots on 75.1 acres. Subject property is located on the west side of Highway 305 and south of College Road, zoned R-40 (Single Family Residential). Section 16, Township 2, Range 6

Mr. Garriga announced that there were a few slight changes with the Forest Hill Community final plat application, but nothing that would adversely affect the traffic circulation. There was no need for the applicant to do a site plan amendment. He continued saying that Mr. Andy Swims, County Engineer had a few comments to make regarding Ranch Meadows and Southern Trails.

Mr. Swims began by saying he has noticed that a lot of these subdivisions are getting underway a lot faster than we want them to and he would like to recommend that he and Mr. Greg Russell

get together about the detention in Southern Trails. There are also some issues with the applicant also regarding Ranch Meadows such as, the sidewalk plan and detention plan.

Mr. Maxwell made a Motion to approve the final subdivision applications with staff recommendations and Mr. Swims recommendations. Mr. Cowan seconded the Motion. The Motion was approved by a unanimous vote.

Noting Hill (626) –Application is to rezone 112 acres from Agricultural-Residential to Planned Unit Development. Subject property is located on the west side of Jaybird Road and north of Bright Road. Section 8, Township 3, Range 7

Mr. Garriga presented the application and presented the staff report to the Planning Commission. He then recognized Mr. Brian Hill, from Lifestyle Communities as being present to represent the application. Mr. Garriga then stated they have come back tonight with a traffic circulation plan, added a sidewalk plan, amenities plan, cross section and streetscape, landscape plan and also presented pictures of sample homes to be built. Mr. Garriga is concerned with the powerlines on lot 97 in relation to a house being built.

Mr. Robinson asked about side lot distances (setbacks). Mr. Garriga responded saying these are standard setbacks for this zoning.

Mr. Hill began by saying he had gone back and addressed all issues from the last meeting. He talked about the amenities plan and said he described this last month, but he had gone back and drew it, he then showed the board the page in the site plan book. He described the trees, wood bridge & the stone bridge, entrance along Jaybird Road and the walking trails. He then talked about the landscape plan and explained all changes and gave them the page number in the site plan book. He then gave an example of the houses that would be built, all but 2 or 3 are the same that are built in Dickens Place.

Mr. Robison asked about covenants. Mr. Garriga said they are in the staff report. Mr. Hill added saying the covenants will be stricter than what has been provided to you, they are all ready good, but will be better.

Mr. Hill then talked about the change in the area and the need for this rezoning. He stated all of the subdivisions in the area are built out and Notting Hill will have the same size lots and homes that are in the area. The Comprehensive Plan states this area should be 2 lots per acre, and we fall below that requirement. There is the new interchange, new proposed banks, churches, the addition to the Hernando High and Middle school, the new Walmart along with the new inceptor line through the Regional Utility Authority and the improvements to North Mississippi water has been completed.

Mr. Carter asked if all the homes will have garages. Mr. Hill said “yes”.

Mr. Lindsey then asked about lot 97. Mr. Hill replied he had an engineer address that this lot will hold a home of 3,000 square feet, the garage would need to be out front.

Mr. Robison asked if there was anyone here for or against this application, there was none.

Mr. Lindsey then questioned the standard side yard setbacks. Mr. Garriga said they depend on the zoning. He said for an R-8 it is a minimum of 5 for a total of 10'. He added however, in a PUD it is planned and in turn we give them flexibility in terms of setbacks. We have PUD's that don't necessarily adhere to the zoning setbacks outlined in the ordinance.

Mr. Robison then entertained a Motion.

Mr. Calvi made a Motion to approve this application based on the changes in the area proven by the applicant and that the neighbors did not object to this development. Mr. Maxwell seconded the Motion. The Motion was approved with a roll call vote of 12-0.

Magnolia Gardens (627) – Application 68.8 acres from Agricultural to R-12 Overlay (Single Family Residential). Subject property is located on the east side of Magnolia Road and south of Oak Grove Road, just south of Acree Subdivision. Section 19, Township 3, Range 7

Mr. Garriga presented the application and presented the staff report to the Planning Commission. He then recognized Mr. Wesley Woodridge, from Carlson Consulting Engineering as being present to represent the application. Mr. Garriga added, we will be reviewing two different plans tonight.

Mr. Robison asked if this requires a tree preservation plan. Mr. Garriga said "no", not for an overlay, even though it is a good idea.

Mr. Clemmer asked how long do you think it will be before Hernando annexes. Mr. Garriga said he would suggest to the applicant that they file for voluntary annexation, maybe one year. If they do not annex, there will not be any water or sewer service.

Mr. Woodridge began his presentation by stating they are requesting an R-8 Overlay with rear access. This meets the 2010 Comprehensive Plan and also meets the 2030 Comprehensive Plan. He concluded by saying, he would answer any questions the board may have.

Mr. Robison responded saying, usually the applicant has a presentation. He then said he has been to the site and asked about clear cutting the land.

Mr. Woodridge said they do not plan on clear cutting all of the land, but they will remove 20' of a ridge due to the topography. They must follow the DeSoto County Engineer's guidelines. He continued saying, Magnolia Ridge Drive, Magnolia Grove Drive, Magnolia Bend will be clear cut.

Mr. Robison then said the south & west corner looks rough. Mr. Woodridge said it will be cleared and cut down. Mr. Robison then said one thing that he is concerned with is that he has heard the applicant talk before and he said it is a beautiful site with mature trees, and it is, but what is going to happen if it is to be clear cut. Mr. Woodridge said with the topography it is hard not to clear cut, even though they would like all of that to remain.

Mr. Robison continued saying he has not seen anything that is going to improve the open space, he said there is a lot of it, just not much you can do with. Mr. Woodridge said there is open

space with walking trails, which will allow the residents to get out and get exercise. It is too rough for a ball field or anything like that, but the area is shaded and it will tie into Conger Park.

Mr. Carter asked if there would be sidewalks and gutters. Mr. Woodridge said “yes” on both sides of the street.

Ms. Graves asked if the homes that are to be built are compatible to the other homes in the area. Mr. Garriga responded saying, Acree Subdivision was built 20-25 years ago and it was an R-2 zoning. Conger Court has newer homes and they range from 1,200 – 1,400 square feet. The east side of the property is vacant, but is zoned industrial. There is also commercial in the area. He then stated this is compatible to the area.

Ms. Graves then asked what the city of Hernando had to say about this subdivision. Mr. Garriga said the city planning commission recommended the R-12 Overlay with the larger lots, with houses fronting Magnolia Road and driveways being accessed by Magnolia Road and home sizes to be 1,600 square feet. The Board of Alderman recommend a similar plan with smaller lots in the north west area, with rear access to homes fronting Magnolia Drive. Mr. Garriga recommend the 1,600 square foot homes to be the minimum.

Mr. Woodridge said the Board of Alderman suggested 1,400 square foot homes that front Magnolia with rear access.

Mr. Robison asked if there was anyone here for or against this application.

Robert Long – He began by saying he is here as a private citizen not as a journalist. He loves Hernando and he has talked with ½ dozen of his neighbors, we all agree that it looks like a nice subdivision and it is compatible with the area and maybe even raise our property values. His concern is traffic, Old Highway 51 is very narrow and if the homes have driveways in front, there will be cars backing out onto this road, with not much room. He would like to driveways on the other side, it is also disheartening to see back yards when driving down Magnolia Road. It seems that the area is trying to be upgraded, and he would like to see rear access like an alley type area. The current landscaping is an asset to the area, and would like to see some of that remain. He had talked with the city to replace the street signs and up grade our area to make it really attractive. His main concern is the traffic and looking at back yards along Magnolia so that there community can be a part of our community. With the old historic homes and Conger Park in the area, it creates a sense of community and wants to keep it that way. He then asked if the construction traffic could be moved so that it is not congested in that area.

Mr. Robison replied saying they are looking at houses facing Magnolia, just not the driveways. Mr. Swims commented, the plans show the sanitary sewer to be in the street, but they need to utilize an utility easement.

Barry Bridgforth – He is an adjoining property owner. He said this development is not in his best interest. He said he was not notified from the City of Hernando that this was being heard by them. He has 75 acres that is zoned M-2 and 45-50 acres is zoned M-1. This is a big upgrade for the area, this is a nice plan. They took a rough piece of property and made it as good as they could make it. He owns the 122 acres next door and is zoned

M-1 & M-2. The homes are stair stepped, it goes from 1,400 square feet to 1,800 square feet that backs up to his property and that is not proper zoning. He has been in this business for 35 years, and proper zoning next door to industrial property is having multi family, and lower density and you stair step away from it. When next door to Industrial you don't give the opposite effect. This was zoned in 1982 and some was zoned before that, and he does not believe that the zoning will ever change. He wants the road coming from their property to tie into his property, this would be a great access. He wants this board to consider his concerns with him owning more property than the applicant. He wants the 1,400 square foot homes backing up to his property, not the 1,800 square foot homes. This will prevent people from getting mad at him when he decides to develop his industrial property. Mr. Joe Frank Lauderdale and himself had a plan to develop his property a few years ago, but decided not to sell. He concluded by saying, when there is underground drainage, you cannot save a lot of trees.

Jason Morgan – He is here tonight representing his mother who lives in the Acree Subdivision. Her main concern is the traffic. Magnolia is being a through fair during busy times of the days. They would like to see some alternative routes so that the traffic is not being funneled through Acree Subdivision.

Mr. Robison then closed the floor for public comments.

Mr. Woodridge said according to the population projections, growth is moving toward this area, it has already started with Conger Court. The largest home in this subdivision will be 1,900 square feet in the southwest corner, but we will have minimum of 1,400 on all lots. The city wanted 1,600 square feet with the 1,400 square feet on the rear-loaded homes.

Mr. Lindsey stated the applicant has not given any proof of change in the area or the mistake rule and we don't need to set a precedent. Even though the applicant may have given a presentation to the City of Hernando, we cannot assume anything, the burden of proof is on the applicant. Ms. Graves agreed.

Mr. Lindsey then commented about the walking trail, what is in a walking trail, there are asking for all of these small lots, and they are not willing to spend a dime for the people who would be living there. He thinks they should spend some money on amenities.

Mr. Carter then stated erosion control will be a nightmare with rugged terrain.

Mr. Robison then asked if anything could be done with the open space.

Mr. Carter asked if it was a flood plain. Mr. Garriga said "no". Mr. Carter said he does not know, it will be hard.

Ms. Graves said she is concerned that the City of Hernando made a recommendation for 1,600 square feet, but the applicant is asking us for 1,400 square feet homes and if Hernando is going to annex, she believes the applicant should follow Hernando's recommendation.

Mr. Lindsey said he has been on the board for years, we try to work and listen to what the cities have to say, but it is ultimately our decision. Mr. Garriga agreed.

Mr. Carter asked if this property had been logged. Mr. Bridgforth said “yes”, they then looked at the aerial photograph.

Mr. Robison said in the beginning lot size was a concern to him, but now he is concerned with how the area will be improved in regards to the open space. There needs to be documentation on how the area will be improved, open space and saving trees.

Mr. Lindsey said the application also lacks the burden of proof while is required to be met.

Mr. Robison then entertained a Motion.

Ms. Graves made a Motion to deny this application due to the lack of evidence provided by the applicant illustrating a change in the neighborhood. Mr. Lindsey seconded the Motion. The Motion was passed by a roll call vote of 12-0.

NEW BUSINESS

REZONINGS

Clairmont (630) -- Application is to rezone 81.3 acres from Agricultural-Residential to Agricultural-Residential Overlay. Subject property is located on the south side of Church Road and west of Highway 305. Section 8, Township 2, Range 6

Mr. Garriga presented the application and presented the staff report to the Planning Commission. He then recognized Mr. Greg Russell, from Russell and Company as being present to represent the application.

Mr. Russell began his presentation by saying the change in the area is the new Fedex plant that will be located within one mile of this property. The extension of Church Road, Craft Road will also be extended, the new subdivisions in the area and the increased population of Olive Branch. This application is for large lots with no curb and gutter, he has spoken to Mr. Swims, County Engineer about the drainage system. To say that this property has major trees is an understatement. He then asked the board members to look at Exhibit 3 regarding drainage. They plan on placing the roads in the low areas where possible to limit grading and tree removal. We have given great attention to the location of roads and their design. He then explained the roads in relation to the terrain. In addition, there will be smaller lots in the delta section, the hill section will have the larger lots (they begin at $\frac{3}{4}$ acre). There is 9 acres along Church Road which will be the open space. It is a passive recreation area, which will act as a buffer. They are not proposing any improvements to this area because the lots are quite a bit larger. There is also the Olive Branch park which is located within $\frac{1}{2}$ mile of this development. So they did not feel a need for additional parks. We provided road access to the east, west and south, the adjoining property does not have a road stub out to it, because it is not there on the other property. Further, the single story homes will be a minimum of 2,200 square feet and 2 story homes will be 2,600 square feet all will have the same mailboxes and street signs.

Mr. Clemmer asked about Craft Road. Mr. Russell explained the new road.

Mr. Garriga asked who would be supplying the sewer. Mr. Russell said Olive Branch.

Mr. Robison then asked if there was anyone here for or against this application.

Jim Jenkins – He lives in Payne Park and he and his grandson go walking in those woods on Sunday morning, and if he could have afforded to purchase that 80 acres he would have. Since that did not happen he feels like this is as much as he could hope for since it will be developed.

Mr. Robison then closed the floor.

Mr. Russell then talked about the flood plain. They have submitted a letter of map revision. The flood plain is located in the inbankment of Camp Creek. The flood plain has been changed, because conditions have changed. We should have this within one year.

Mr. Robison entertained a Motion.

Mr. Lindsey made a Motion to approve this application based on the changes in the area and public need illustrated by the conformity to the 2010& 2030 Land Use Plan proven by the applicant. Mr. Mayfield seconded the Motion. There was a roll call vote of 12-0 to approve this application.

MAJOR SUBDIVISIONS

Creekside Estates (6233) – Application is for preliminary subdivision plat approval for 82 lots on 73.3 acres. Subject property is located on the west side of Highway 305 and north of Robertson Lane, zoned R-30 (Single Family Residential). Section 21, Township 2, Range 6

Mr. Garriga presented the application and presented the staff report to the Planning Commission. He then recognized Mr. Ben Smith, from Smith Engineering as being present to represent the application.

Mr. Smith began by saying he has no problems with staff recommendations. He will also keep the temporary turnaround. The homes will be a minimum of 2,000 heated square feet with double garage. He has a letter for the sewer, and they have swapped out land with Lewisburg Water so we have a good working relationship with them.

Mr. Carter asked for the home sizes in Cedar View. Mr. Smith answered saying 1,800 square feet. Mr. Smith said there will not be a homeowners association but they will have covenants.

Mr. Robison asked if there was anyone here for or against this application, there was none.

Mr. Mayfield made a Motion to approved this application with staff recommendations. Mr. Maxwell seconded the Motion. The Motion was approved by a unanimous vote.

Weatherby (6234) – Application is for preliminary subdivision plat approval for 69 lots on 69.2 acres. Subject property is located on the north side of Oak Grove Road and west of Scott Road, zoned Agricultural. Section 14, Township 3, Range 8

Mr. Garriga presented the application and presented the staff report to the Planning Commission. He then recognized Mr. Ben Smith, from Smith Engineering as being present to represent the application.

Mr. Robison asked about the section line alignment. Mr. Garriga explained and pointed to it on the map.

Mr. Smith began by saying if the 53' right of way is on the plan then it is on the plan and will give what is needed. The 50' strip he is concerned with, one of the reasons the neighbors were in agreement with this plan is that a road would not be placed in that area. The circulation is fine and do not really need another road. He does not have any problems with the staff report or recommendations, other than the 50' strip.

Mr. Robison asked if there was anyone here for or against this application, there was none.

Mr. Robison then entertained a Motion.

Mr. Carter made a Motion to approve this application with staff recommendations and the 53' road right of way being dedicated. Mr. Maxwell seconded the Motion. The Motion was approved by a unanimous vote.

Nikki Lake Estates (6257) – Application is for preliminary subdivision plat approval for 44 lots on 76.5 acres. Subject property is located on the west side of Tulane Road and north of Nesbit Road, zoned Agricultural-Residential. Section 21, Township 2, Range 8

Mr. Garriga presented the application and presented the staff report to the Planning Commission. He then recognized Mr. Ben Smith, from Smith Engineering as being present to represent the application.

Mr. Carter asked does the 150' include driveways. Mr. Smith said "no".

Mr. Smith said he does not have a problem with a stub to the west. They will most likely off set it. He said there are 44 lots and only one driveway to Tulane Road, which is lot 28 and the driveway will be on the low side of the lot. The home sizes will have a minimum of 1,800 square feet. This will be compatible to Haley Hills and there will be restrictive covenants.

Mr. Robison asked if there was anyone here for or against this application, there was none. He then entertained a Motion.

Mr. Lindsey made a Motion to approve this application with staff recommendations. Mr. Maxwell seconded the Motion. The Motion was approved by a unanimous vote.

Belmont Park (6258) – Application is for preliminary and final subdivision plat approval for 12 lots on 31.6 acres. Subject property is located on the east side of Highway 51 and north of Belmont Road/Ranch Road, zoned Agricultural. Section 31, Township 3, Range 7

Mr. Garriga presented the application and presented the staff report to the Planning Commission. He then recognized Mr. Danny Rutherford, from Rutherford Engineering as being present to represent the application.

There was a brief discussion regarding MDOT permitting driveways to Highway's. Mr. Garriga then stated something does need to be worked out for the maintenance of this easement (service road).

Mr. Rutherford began by saying this is about a straight forward subdivision as you could get. He said access to Highway 51 was his only concern. So he though a 50' easement was a good solution. Lots 2, 3,4 will enter the Highway from lot 5. They will also grade the bank because it is high and steep. Water will be serviced from Belmont not North Mississippi Utility. He continued saying no mobile homes will be allowed and they do have restrictive covenants.

Mr. Robison asked if that easement will be asphalt. Mr. Rutherford said "yes". Mr. Robison said there needs to be a note on the plat that lots 1, 2, 3, 4 will access Highway 51 from the easement.

Mr. Linsey asked if the homes will be 1,650 square feet. Mr. Rutherford said "yes", the homes in the area are not that big.

Mr. Robison entertained a Motion.

Mr. James made a Motion to approve this application with staff recommendations and the easement maintenance be included in the covenants and all driveway access for lots 1-4 shall be through lot 5. Mr. Cowan seconded the Motion. The Motion was passed by a unanimous vote.

Plantation Oaks Section D (6265) – Application is for preliminary and final subdivision approval for 4 lots on 8.92 acres. Subject property is located on the north side of Plantation Oaks Drive and west of Highway 305, zoned Agricultural. Section 34, Township 2, Range 6

Mr. Garriga presented the application and presented the staff report to the Planning Commission. He then recognized Mr. Danny Rutherford, from Rutherford Engineering as being present to represent the application.

Mr. Lindsey asked how long the easement is? Mr. Rutherford answered saying 600-700 feet, but only three lots will have access to this easement. Mr. Rutherford then explained and gave the location of this easement and the gravel road that used to be used, he then explained the access to the 10 acre tract on the east side of the property. He continued saying Mr. Chris Berry wants to divide his lot into 4 lots.

Mr. Garriga said lots 31, 34 and 30 have access to the easement.

Mr. Robison entertained a Motion.

Mr. Linsley made Motion to approve this application with staff recommendations. Mr. Maxwell seconded the Motion. The Motion was approved by a unanimous vote.

OTHER ITEMS

Mr. Garriga then gave an update on the Grandview Grove Subdivision case. He gave a brief history of the case and said this subdivision was very controversial. He concluded saying the circuit court up held the county's decision, and said the R-3 rezoning from 1989 is valid.

Mr. Jim McDougal, Transportation Coordinator, said there are several environmental impact statement public hearings for the I-69 Corridor and one is to be at the Southaven City Hall from 5:00 p.m. – 7:00 p.m. on June 29, 2004.

Mr. Lindsey then requested an email be sent out to remind the Planning Commission members of the public hearing.

There being no further business in front of the Planning Commission, this meeting adjourned at 10:30 p.m. These minutes were recorded and transcribed by Denise Dingman.