



**DESOTO COUNTY PLANNING COMMISSION
ORDER OF ITEMS
November 30, 2006**

1. Call to Order
2. Invocation
3. Roll Call
4. Approval of Minutes – November 2, 2006

CONSENT AGENDA

Black, Pamela (6545) – Application is for final subdivision approval of one (1) lot on 3 acres. Subject property is located on the west side of Grassy Pond Road and south of Vaiden Lane in Section 18, Township 3, Range 8 and is zoned Agricultural-Residential. (District 5)

PRELIMINARY SUBDIVISION

OLD BUSINESS

Gray's Creek (6523) – Application is for preliminary subdivision approval of 48 lots on 128 acres. Subject property is located south of Slocum Road and west of Getwell Road, in Sections 33 & 34, Township 3, Range 7 and is zoned Agricultural. (District 5)

FINAL SUBDIVISION

NEW BUSINESS

Magnolia Commons (6536) – Application is for final subdivision approval of 54 lots on 33.84 acres. Subject property is located north of Highway 302 and east of Payne Lane, in Section 28, Township 1, Range 5 and is zoned R-20. (District 1)

Miller Farms Section A (6379) – Application is for final subdivision approval of 65 lots on 125.5 acres. Subject property is located south of Highway 78 and east of Miller Road, in Section 18, Township 2, Range 5 and is zoned Agricultural-Residential. (District 1)

Emery Hills Phase I (6533) - Application is for final subdivision approval of 80 lots on 40.49 acres. Subject property is located north of Pleasant Hill and east of Getwell Road, in Section 27, Township 2, Range 7 and is zoned PUD. (District 5)

REZONING

Emery Hills Phase II (686) – Application is to rezone 11.5 acres from Agricultural-Residential to PUD. Subject property is located north of Pleasant Hill and east of Getwell Road, in Section 27, Township 2, Range 7 and is zoned Agricultural-Residential. (District 5)

The DeSoto County Planning Commission met at 7:00 p.m. on Thursday, November 30, 2006, in the Third Floor Board Room of the Administration Building of DeSoto County located at 365 Loshier Street, Hernando, MS. Commissioners present included: Len Lawhon, Pat Hefley, Dennis Clemmer, Leonard Lindsey, Wade Carter, Joe Forsythe, Leigh Graves, Frank Calvi, Eddie O'Bannon, Robin James, and Jimmy Maxwell. Planning Commission Staff present included Jim McDougal, Matt Hanks, Kristen Duggan, and Mr. Jody Neyman, DeSoto County Attorney.

After the invocation, Mr. Robison asked if there were any additions or deletions from the Minutes of the Planning Commission meeting held on November 2, 2006, there were none. Mr. Clemmer then made a Motion to approve the minutes. Mr. Carter seconded the Motion. The Motion was passed by a unanimous vote.

CONSENT AGENDA

MINOR LOTS

Black, Pamela (6545) – Application is for final subdivision approval of one (1) lot on 3 acres. Subject property is located on the west side of Grassy Pond Road and south of Vaiden Lane in Section 18, Township 3, Range 8 and is zoned Agricultural-Residential. (District 5)

Mr. Hanks announced the Consent Agenda. Mr. Hanks then announced the above items and stated that 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. Maxwell made a Motion to approve the consent agenda. Mr. Lawhon seconded the Motion. The Motion was approved with a unanimous vote.

OLD BUSINESS

PRELIMINARY SUBDIVISIONS

Gray's Creek (6523) – Application is for preliminary subdivision approval of 48 lots on 128 acres. Subject property is located south of Slocum Road and west of Getwell Road, in Sections 33 & 34, Township 3, Range 7 and is zoned Agricultural. (District 5)

Mr. Hanks presented the application, staff report and comments to the Planning Commission for Gray's Creek. He then recognized Mr. Joe Frank Lauderdale to represent the application.

Mr. Lauderdale began by stating to the board that the road in question has been stubbed out between lots 9 and 10. He also added that the maintenance of the open area has been addressed in the covenants.

Mr. Carter asked about the other lakes that were on the original plans. Mr. Lauderdale replied that they will be part of the plans and will be shown on the final plats as well as

the retention pond. He then added that they are on the construction plans and meet the Stormwater requirements. Mr. Lindsey asked again if they would be on the final plats and Mr. Lauderdale confirmed that they would.

Mr. McDougal then asked who is responsible for maintaining the open space lot. Mr. Lauderdale then replied that that the Homeowner's Association would specify these terms. The owners of the lake properties would be responsible for all lakes and open space.

Mr. Carter questioned why lot 47 and 25 are shaped as "flag lots." Mr. Lauderdale stated that the lots have a lots were designed this way to preserve the wooded areas that surround them.

Mr. Lindsey then asked if there would be mobile homes located on any of the properties, and Mr. Lauderdale informed the board that mobile homes would not be allowed on the properties. Mr. McDougal asked if that would be stated in the restrictive covenants, and it was confirmed that this would be included.

Mr. Carter also asked what the minimum home size would be. He was informed by Mr. Lauderdale that the homes would be a minimum of 3500 sq feet. Mr. Carter also questioned whether they would dedicate the 53 feet of right of way to the county. That was stated that it would be on the final plats.

Mr. Lindsey then asked whether there was anyone present to speak for or against the application. There was no one present.

Mr. Carter made a Motion to approve this preliminary subdivision with staff recommendations. Mr. Lawhon seconded the Motion. The Motion was passed by a unanimous vote.

FINAL SUBDIVISION

NEW BUSINESS

Magnolia Commons (6536) – Application is for final subdivision approval of 54 lots on 33.84 acres. Subject property is located north of Highway 302 and east of Payne Lane, in Section 28, Township 1, Range 5 and is zoned R-20. (District 1)

Mr. Hanks presented the application, staff report and comments to the Planning Commission for Magnolia Commons. He then asked if there was anyone present to represent this application. There was no one to represent.

Mr. Lawhon made a Motion to carry over this application due to no representation. Mr. James seconded the Motion. The Motion was passed by a unanimous vote.

Miller Farms Section A (6379) – Application is for final subdivision approval of 65 lots on 125.5 acres. Subject property is located south of Highway 78 and east of

Miller Road, in Section 18, Township 2, Range 5 and is zoned Agricultural-Residential. (District 1)

Mr. Hanks presented the application, staff report and comments to the Planning Commission for Miller Farms Section A. He then recognized Mr. Ben Smith to represent the application.

Mr. Smith began by stating that the issue with lots 19 and 20 being in the floodplain has been resolved. They have filled in those to above floodplain level.

Mr. McDougal then asked if there is a 53 foot dedication from the centerline and Mr. Smith replied "yes." He also asked if an accel/decal lane has been added. Mr. Smith explained that the additional lanes are on the construction plans that were turned into the County Engineer.

Mr. Lawhon questioned the size of the homes and Mr. Smith told him that the homes would be 3500 square feet.

Mr. Lindsey then asked whether there was anyone present to speak for or against the application. There was no one present.

Mr. Lawhon made a Motion to approve this final subdivision with staff recommendations. Mr. McNemar seconded the Motion. The Motion was passed by a unanimous vote.

Emery Hills Phase I (6533) - Application is for final subdivision approval of 80 lots on 40.49 acres. Subject property is located north of Pleasant Hill and east of Getwell Road, in Section 27, Township 2, Range 7 and is zoned PUD. (District 5)

Mr. Hanks presented the application, staff report and comments to the Planning Commission for Emery Hills Phase I. He then explained that the only changes from the preliminary plans is the strip of land that was being used as a buffer is now proposed to be the back of lots for Emery Hills Phase II rezoning. Mr. Hanks then explained to the board that the rezoning case was also on this evening's agenda and asked the board if they wanted to consider hearing both the final and the rezoning together.

Mr. McDougal then added that the Phase II is substantially the same as Phase I. He went on to add that the home sizes and lot sizes are to be the same, and he feels that Phase II would add to the appeal of Phase I.

Mr. Lawhon stated that he would rather hear the applications separately. He then made a Motion to hear Emery Hills Phase I final and Emery Hills Phase II rezoning separately. Mr. Maxwell seconded the Motion. The Motion was passed by a unanimous vote.

REZONING

Emery Hills Phase II (686) – Application is to rezone 11.5 acres from Agricultural-Residential to PUD. Subject property is located north of Pleasant Hill and east of Getwell Road, in Section 27, Township 2, Range 7 and is zoned Agricultural-Residential. (District 5)

Mr. Hanks presented the application, staff report and comments to the Planning Commission for Emery Hills Phase II rezoning. He then recognized Mr. Jay Easter to represent the application.

Mr. Easter began by explaining to the board that the same fence and trees from Phase I will be used in Phase II. The open space was moved to create useable space. They have also created a stub out from Phase I to Phase II.

Mr. Carter asked Mr. Easter to justify the need for rezoning this area. Mr. Easter stated that it would create road and subdivision improvements for Phase I.

Mr. McDougal asked whether the entrance for Phase II would be one way, and Mr. Easter explained that there would be a landscaped median which would create a one way entrance and one way exit. Mr. McDougal then asked what the width of the interior roads would be. Mr. Easter said that they would construct the roads at whatever standards the road department set forth. He also stated that the roads would have curb and gutter.

Mr. Lawhon stated that the open space makes more sense with Phase II added. He then questioned whether the percentage of open space meets standards. Mr. Hanks said that yes they do meet the standards they are over ten percent open spaces.

Mr. Lindsey then asked whether there was anyone present to speak for or against the application. There was no one present.

Mr. Lindsey then asked if Olive Branch would supply sewer. Mr. Easter replied that yes they would and the applicant would have a letter from the City of Olive Branch before returning to the Board of Supervisors.

Mr. James made a Motion to approve this rezoning application with staff recommendations. Ms. Leigh Graves seconded the Motion. The Motion was passed by a unanimous vote. The rezoning case will be heard by the Board of Supervisors of January 3, 2007.

At this time the board heard the final subdivision application for **Emery Hills Phase I**

Mr. Lawhon made a Motion to approve this final subdivision with staff recommendations and as it relates to Phase II. Mr. Maxwell seconded the Motion. The Motion was passed by a unanimous vote.

The meeting adjourned at 7:50 p.m. These minutes were recorded and transcribed by Kristen Duggan.