

**City of Hernando, Mississippi**

**Office of Planning**

**PLANNING COMMISSION**

**October 10, 2023, MINUTES**

The Planning Commission met in a regular session on October 10, 2023, at 6:00 p.m. at City Hall Board Room, 475 W Commerce Street. The following Commissioners were present: Commissioner Ashworth, Commissioner Thorn, Commissioner Clark, Commissioner Max, Commissioner Jordan, Commissioner Hawkins, and Commissioner Safley. The following staff members were also present, Josie Gilder, City Attorney, Kristen Duggan, and Austin Cardosi.

Commissioner Hawkins called the meeting to order at 6:01 p.m. and Commissioner Hawkins gave the invocation followed by roll being called.

Commissioner Hawkins asked if everyone had reviewed the September 12, 2023, minutes. Commissioner Safley made a motion to approve the minutes as written. Commissioner Clark seconded the motion. The motion passed unanimously.

Chairman Hawkins announced the following items:

**PL-1766 –Crestview R-20 Rezoning** - Request to rezone 20.63 acres from AR to R-20 The subject property is identified as parcel 3073080000000202 and is located on the west side of Keenlan Drive, South of Milam Lane in Section 8, Township 3, Range 7 Ben Smith, representing the owner of the property.

**PL-1748 – 1791 Wooten Dr Variance** – Request for a fence variance to encroach 10-foot into the setback. The subject property is located on the south of Andys Way, West side of Wooten Dr, more specifically 1791 Wooten Dr, in Sections 25 Township 2, and Range 8, Tyler Jaap, owner.

**PL-1767 - Crestview Subdivision Preliminary Plat –** Request for preliminary plat approval of 25 lots, with 2 common open space parcels. The subject property is identified as parcel 3073080000000202 and is located on the west side of Keenlan Drive, South of Milam Lane in Section 8, Township 3, Range 7 Ben Smith, representing the owner of the property.

Commissioner Hawkins announced that the applicants of these applications have all requested to table their applications.

Commissioner Clark made the motion to table all three applications until November 14, 2023. Commissioner Safley seconded the motion. The motion passed with a unanimous vote.

Chairman Hawkins announced the following item:

**PL-1754** – **1946 Wooten Dr –** 1946 Wooten Rd Variance - Request for a fence variance to encroach 10-foot into the setback. The subject property is located on the south side of Millers Way, east side of Wooten Dr, more specifically 1946 Wooten Dr, in Sections 25 Township 2, and Range 8, George Woldt, owner.

Mr. Cardosi presented the application to the commission. The commission had no questions.

Mr. George Woldt came forward to represent the application.

Commissioner Max asked if there would be a curb cut for the additional driveway. Mr. Woldt stated that he was waiting for the variance to be approved before requesting a curb cut permit.

Commissioner Thorn asked if the fence would be out of the right of way. Mr. Cardosi stated that it would. Commissioner Max then stated that he is concerned with this being next to the house and not in the backyard.

Commissioner Jordan then asked if the city allows RV’s to be parked in residential subdivisions. Mr. Cardosi said that they are allowed up to 20 feet in length. Commissioner Jordan then stated that this would not be accomplishing the applicant’s goal if the RV is not allowed.

Commissioner Hawkins then asked if the applicant would like to proceed with the variance request since the RV would not be allowed to be parked in the residential neighborhood.

Mr. Woldt stated that he would like to withdraw the application.

There is no motion needed for a withdrawal by applicant.

Chairman Hawkins announced the following item:

**PL-1759** – **3529 Robertson Gin Road** - Request for a variance to the allowable size of an accessory building. The subject property is located on the west side of Robertson Gin Road, south of Oak Grove Road, more specifically 3529 Robertson Gin Road in Section 23, Township 3, Range 8. Brenda Slaughter, Advanced Restoration Technology, representing Mark Hollar, owner.

Mr. Cardosi presented the application to the commission. The commission had no questions for Mr. Cardosi.

Mr. Mark Hollar with Advanced Restoration Technology came forward to represent the application. He is representing the owner, Jacob Johnson. He explained that this will be a horse barn and will sit far enough from the road so that it is not visible.

The commission had no questions.

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

Commissioner Max made a motion to **APPROVE** a request by Mr. Hollar for a variance to the allowable size of an accessory building. subject property is located on the west side of Robertson Gin Road, south of Oak Grove Road, more specifically 3529 Robertson Gin Road in Section 23, Township 3, Range 8

1. *That the special conditions and circumstances that exist* ***are*** *peculiar to the land, structures, or buildings involved, and are not generally applicable to other lands, structures, or buildings in the same district.*
2. *That the literal enforcement of the provisions of these standards* ***would*** *deprive the applicant of rights commonly enjoyed by other properties within the same district under the terms of this Ordinance.*
3. *That the special conditions and circumstances* ***do not*** *result from the actions of the applicant and are not based upon economic considerations.*
4. *That granting the variance requested* ***would not*** *confer on the applicant any special privilege that is otherwise denied by this Ordinance to other lands, structures, or buildings in the same district.*

Commissioner Safley seconded the motion. The motion passed unanimously.

Chairman Hawkins announced the following item:

**PL-1769** – **Whitfield Commercial Variance** **-**Request for a design variance on curb and gutter at the rear of the site at Whitfield Commercial Subdivision First Revision. Located on the south side of Whitfield Drive, west of Memphis Street Nick Kreunen, representing Jon Stevenson.

Mr. Cardosi presented the application to the commission. He explained that the application is under the Certificate of Development review and if the variance is approved then the Certificate of Development will be released. The commission had no questions for Mr. Cardosi.

Mr. Jon Stevenson came forward to represent the application. He explained that the reason for this request is drainage concerns. There are also erosion and conservation issues with the blue line ditch in the rear of the property.

Commissioner Max asked if the City of Hernando Public Works lot has curb and gutter. Mr. Stevenson stated that it does not. None of the buildings in the cove have curb and gutter.

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

Commissioner Jordan made a motion to **APPROVE** a request to waive the curb requirements along the back property line. The subject property is located on the west side of Memphis Street, South side of Whitfield Dr, more specifically 621 Whitfield Dr, in Sections 12 Township 3, and Range 8 based upon the following findings:

1. *That the special conditions and circumstances that exist* ***are*** *peculiar to the land, structures, or buildings involved, and are not generally applicable to other lands, structures, or buildings in the same district.*
2. *That the literal enforcement of the provisions of these standards* ***would*** *deprive the applicant of rights commonly enjoyed by other properties within the same district under the terms of this Ordinance.*
3. *That the special conditions and circumstances* ***do not*** *result from the actions of the applicant and are not based upon economic considerations.*
4. *That granting the variance requested* ***would not*** *confer on the applicant any special privilege that is otherwise denied by this Ordinance to other lands, structures, or buildings in the same district.*

Commissioner Thorn seconded the motion. The motion passed unanimously.

Chairman Hawkins announced the following item:

**PL-1768** – **Deercreek Subdivision** – First Revision Request to re-classify a Common Open Space Lot. The Subject property is listed as Parcel # 307307140 0011801 located on the south side of Fawn Lane, east of Deercreek Dr. currently addressed as 45 Fawn Lane. Dave Stone, the owner of the property.

Mr. Cardosi presented the application to the commission. The commission had no questions for Mr. Cardosi.

Mr. David Stone came forward to represent the application. He explained that he has been taking care of this lot for 26 years but can no longer keep up with the maintenance, so he needs to sell it. It would need to be made a buildable lot to sell.

Commissioner Max asked if this would be sold as one lot. Mr. Stone stated that it would be one 5.2-acre lot with only a small buildable area.

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

Commissioner Clark made a motion to **APPROVE** of Final plat for Deercreek Subdivision Section C First Revision by Dave Stone, the owner of the property, subject to staff conditions. The Subject property is listed as Parcel # 307307140 0011801 located on the south side of Fawn Lane, east of Deercreek Dr. currently addressed as 45 Fawn Lane, subject to the following conditions:

1. All landscaping in all common open space areas, natural areas, buffer areas, streetscape areas, medians, islands, and the entrance signage areas and such other associated improvements shall be installed/constructed prior to the issuance of any building permit within that respective phase of the development. Street trees may be bonded insuring their installation prior to the final inspection and occupancy of the residence upon each lot.
2. Improvements are to be the responsibility of the developer and not the responsibility of the City of Hernando.
3. All covenants shall match the existing section of Deercreek Section C.
4. The developer shall install drainage pipe, erosion control material, sewer mains and service, water mains, fire hydrants, and service, gas mains and service, curb and gutter for all streets, and gravel or soil cement base for the streets and one (1) layer of blacktop, 1½" thick, before the plat of the subdivision, or any phase of the subdivision, is recorded. A performance guarantee must be filed for the remainder of the improvements in an amount set by the City Engineer. This includes another 1½" of blacktop making a total of three (3") of blacktop surface and sidewalks, if applicable.
5. Sidewalks shall be installed on both sides of all streets.
6. Finished floor elevations shall be listed for each lot.
7. Streetlights shall be installed at the developer’s expense. Streetlight plans shall be submitted to the Office of Planning for City Engineer and Planning Director approval.
8. All utilities and services (electric, telephone, cable, etc.) are to be installed underground. The water service lines shall be installed with tracing wire at the top.
9. No relocated buildings will be allowed.
10. Surrounding properties that are within 100 ft. shall be outlined with ownership records given.
11. Federal Emergency Management Agency (FEMA) designated floodplain and flood elevations shall be illustrated on the plat.
12. Prior to recording the final plat, all Public Improvements shall be installed, completed, and accepted by the City of Hernando.
13. Prior to recording the final plat, the Developer shall include all required certificates and execute those that are applicable to him and his assigns.

Commissioner Max seconded the motion. The motion passed unanimously.

There being no further business to come before the commission, a motion was made and seconded to adjourn the meeting. The meeting was adjourned at 6:40 p.m.