

**City of Hernando, Mississippi**

**Office of Planning**

**PLANNING COMMISSION**

**NOVEMBER 14, 2023, MINUTES**

The Planning Commission met in a regular session on November 14, 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 Hawkins, Commissioner Skeen, and Commissioner Safley. The following staff members were also present, 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 October 10, 2023, minutes. Commissioner Max 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-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.

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

Mr. Tyler Jaap came forward to represent the application. He explained that he hired a fence contractor to construct the fence and was told that the application would not be an issue and the contractor had handled everything. He was under the impression that a permit had been applied for and everything was approved.

Commissioner Max asked if a permit was pulled. Mr. Cardosi explained that the permit was applied but never paid and the inspection failed. Commissioner Thorn asked if the fence had been constructed. Mr. Jaap stated that the contractor told him a permit was pulled and a variance was applied for. He did not know any difference until the inspection failed.

1. Commissioner Clark made a motion to **APPROVE** a Request to approve a fence variance to encroach 10-foot into the setback, as described in the attached exhibits. The subject property is located on the south of Andys Way, West side of Wooten Dr, more specifically 1971 Wooten Dr, in Sections 25 Township 2, and Range 8 based upon the following findings:
2. *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.*
3. *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.*
4. *That the special conditions and circumstances* ***do not*** *result from the actions of the applicant and are not based upon economic considerations.*
5. *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:

**Sign Ordinance Update**

Mr. Cardosi presented the sign ordinance update to the commission. He explained the reason behind the need for this update and the major changes to the ordinance.

Commissioner Safley expressed his concern over the fines that are stated in the ordinance. Mr. Cardosi said he believed that is the standard misdemeanor language, but he would check into that.

Chairman Hawkins announced the following item:

**Comprehensive Plan Update**

Mr. Cardosi gave an update to the commission on the Comprehensive Plan Update. He went on to explain that there will be public hearing scheduled in the near future.

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 6:31 p.m.