

# Harrison County Planning Commission Minutes

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**November 18, 2021**

The Harrison County Planning Commission met on November 18, 2021 at 5:02 p.m. in the Board of Supervisors' meeting room at the First Judicial District Courthouse of Harrison County, in the City of Gulfport, Mississippi.

Present and in attendance were:

## **Members**

Rondell W. Young, District 1 Commissioner  
Claudia Keyes, District 2 Commissioner  
Kendra Simpson, District 3 Commissioner  
Rev. Eddie Hartwell Jr., District 4 Commissioner – Chairman  
Mendon Weidner, District 5 Commissioner

## **Staff**

Patrick Bonck, Zoning Administrator  
Amanda Crose, Planner II  
Michelle Clifford, Zoning Officer  
April Thomas, Planner I  
Valerie Hill, Administrative Assistant  
Christine Duggan, Secretary  
Virgil Gillespie, Legal Council

## **Court Reporter**

Melissa Burdine

## **Visitors**

As per list on file with the Recording Secretary (**Exhibit 2111PC- 1**)

Commissioner Hartwell called the meeting to order at 5:02 PM.

The minutes of the last meeting on Thursday October 21, 2021 were approved by Commissioner Weidner and Commissioner Weidner Young the motion.

Commissioner Claudia Keyes voted	Aye
Commissioner Rondell W. Young voted	Aye
Commissioner Kendra Simpson voted	Aye
Commissioner Eddie Hartwell, Jr. voted	Aye
Commissioner Mendon Weidner voted	Aye

The motion having received a favorable vote of the majority of the Commission, the Chairman declared the motion adopted this the 18<sup>th</sup> day of November 2021.

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The chairman read into the record proceedings for the hearings and the Public declaration of appeal process.

Commissioner Hartwell ensured all applicants from each group of cases read and understood the appeal process. The applicants acknowledged this before the meeting continued.

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**November 18, 2021**

**Public Agenda**

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**Old Business**

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# Harrison County Planning Commission Minutes

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**November 18, 2021**

## **New Business**

### **Case File 2111HC186 – Zoning Map Amendment & Conditional Use Permit to subdivide & rezone from E-1 to R-2 for an existing manufactured home on Parcel "1" – XXXXX Big Creek Rd – tax parcel 0407E-01-018.000 – Daren & Jeanne Tichenor – Supervisor District 3**

Said petition was filed by Daren & Jeanne Tichenor requesting approval to change the zoning district classification of a 1- acre parcel of land. The property is currently zoned as an E-1 (Very Low Density Residential) District. The request is to change the zoning district classification to an R-2 District for the purpose of subdividing the property. The changing of manufactured home lot dimensions in the E-1 or R-2 district requires a Conditional Use Permit from the Planning Commission. The subject property is located at 14071 Big Creek Rd and is portion of ad valorem tax parcel number 0407E-01-018.000.

Jonathan Carr was present on behalf of the applicant.

Yvonne Cuevas spoke in opposition saying 14071 is her address and not the address for the applicant.

Steven Harrison spoke in opposition. He said 6 property owners in the area are not in approval. He said there is a newer manufactured home there and he does not believe there was a permit. Mr. Harrison is worried that the septic is not up to code as well due to a smell.

Mr. Carr spoke rebutting the oppositions' concerns. He said the address is already in works with being a changed. He said the remaining property is going to be used as a buffer and not as a new buildable lot. He said there was an issue with the septic tank and it has since been fixed. He added his notes as part of the record. Mr. Carr added there was a shooting range owned by the applicant and he does not own the property any longer. Mr. Carr corrected himself saying the property was purchased for the brother of the applicant.

Patricia Harrison spoke in opposition about the address and said this property is not believed to be for the daughter as previously stated.

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Commissioner Young made a motion to recommend to the Board of Supervisors to approve the rezoning and conditional use permit request as petitioned and based upon the facts set forth in the Application, the entire record before the Planning Commission, and the hearing hereon, all of which are incorporated herein as the findings of fact of the Planning Commission. The basis for the recommendation is change in conditions and that the proposed development is compatible with the neighborhood as demonstrated in the application. Commissioner Weidner seconded the motion.

Commissioner Rondell W. Young voted	Aye
Commissioner Claudia Keyes voted	Aye
Commissioner Kendra Simpson voted	Aye
Commissioner Eddie Hartwell, Jr. voted	Aye
Commissioner Mendon Weidner voted	Aye

The motion having received a favorable vote of the majority of the Commission, the Chairman declared the motion adopted this the 18<sup>th</sup> day of November 2021.

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**November 18, 2021**

**Case File 2111HC187 – Conditional Use Permit to allow for the temporary use of a camper while building a house – 25522 Elmer Ladner Rd – tax parcel 0308-11-004.019 – Timothy Gratton & Jeanne Chauffe – Supervisor District 3**

Said petition was filed by Tim Gratton & Jeanne Chauffe requesting a Conditional Use Permit to allow for the temporary use of an RV during the construction of their home on a 4.2-acre parcel of land. The E-1 (Very Low Density Residential) District requires a conditional use permit for the temporary use of an RV. The subject property is located at 25522 Elmer Ladner Rd. The ad valorem tax parcel number is 0308 -11-004.019.

The applicants were present.

Commissioner Young made a motion to approve the request as petitioned and based upon the facts set forth in the Application, the entire record before the Planning Commission, and the hearing hereon, all of which are incorporated herein as the findings of fact of the Planning Commission. The basis for the motion is that the proposed development is compatible with the neighborhood as described in the application. Commissioner Weidner seconded the motion.

Commissioner Rondell W. Young voted	Aye
Commissioner Claudia Keyes voted	Aye
Commissioner Kendra Simpson voted	Aye
Commissioner Eddie Hartwell, Jr. voted	Aye
Commissioner Mendon Weidner voted	Aye

The motion having received a favorable vote of the majority of the Commission, the Chairman declared the motion adopted this the 18<sup>th</sup> day of November 2021.

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**November 18, 2021**

**Case File 2111HC188 – Zoning Map Amendment to subdivide into 3 parcels & rezone from the A-1 to E-1 – XXXXX Mennonite Rd – tax parcel 0506-22-022.000 – Billy Parish Jr., Denea Chambers & Johnny Woods – Supervisor District 2**

Said petition was filed by Billy Parish JR, Denea Chambers, & Johnny Woods requesting approval to change the zoning district classification of a 14.8-acre parcel of land. The property is currently zoned as an A-1 (General Agriculture) District. The request is to change the zoning district classification to the E-1 (Very Low Density Residential) District for the purpose of subdividing the property into 3 parcels as shown on site plan. The subject property is located at XXXXX Mennonite Rd. The subject property is ad valorem tax parcel number 0506 -22-022.000.

Denea Chambers was present for all applicants.

Commissioner Young made a motion to recommend to the Board of Supervisors to approve the rezoning request as petitioned and based upon the facts set forth in the Application, the entire record before the Planning Commission, and the hearing hereon, all of which are incorporated herein as the findings of fact of the Planning Commission. The basis for the recommendation is change in conditions as demonstrated in the application. Commissioner Simpson seconded the motion.

Commissioner Rondell W. Young voted	Aye
Commissioner Claudia Keyes voted	Aye
Commissioner Kendra Simpson voted	Aye
Commissioner Eddie Hartwell, Jr. voted	Aye
Commissioner Mendon Weidner voted	Aye

The motion having received a favorable vote of the majority of the Commission, the Chairman declared the motion adopted this the 18<sup>th</sup> day of November 2021.

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**November 18, 2021**

**Case File 2111HC189 – Zoning Map Amendment & Conditional Use Permit to subdivide & rezone parcel "2" from the E-1 to R-2 to allow for the placement of a manufactured home & changing of lot dimensions of an existing manufactured home – 21438 Mennonite Rd – tax parcel 0506M-01-009.001 – Corey & Candace Johnson for Jimmy & Dana Ruiz – Supervisor District 3**

Said petition was filed by Corey & Candice Johnson for Jimmy & Dana Ruiz requesting approval to change the zoning district classification of a 1-acre parcel of land. The property is currently zoned as an E-1 (Very Low Density Residential) District. The request is to change the zoning district classification to an R-2(Medium Density Residential) District for the purpose of subdividing property and placing a manufactured home on the new lot as identified on the site plan. The placement of a manufactured home in the R-2 district requires a Conditional Use Permit from the Planning Commission. The subject property is located at 21438 Mennonite Rd. The subject property is a portion of ad valorem tax parcel number 0506M-01-009.001.

The applicants were present.

The applicant added this is for a family member that will be there to help care for an elderly family member.

Je'Nell Blum spoke on behalf of the opposition. She added a packet to the record showing the majority of the property is E-1 and A-1 properties. She said it would be better to acquire more property instead of creating smaller lots out of existing parcels. Mrs. Blum said this request is out of character of the neighborhood. She wanted the record to reflect 12 people present in opposition.

The applicant added the original 4.5-acres had a manufactured home a FEMA cottage on the same 1-acre spot that had been used before.

It was added that the survey provided by the applicant is inaccurate as the existing structure is NOT a single-story stick-built residence, but it is a manufactured home.

Tracy Craig spoke in opposition. She said allowing the creation of a 1-acre lot and moving in of manufactured homes would be detrimental to the property values.

Jimmy Miller spoke in opposition saying the application before this application was also for their neighborhood and it was approved for three 5-acre lots. He believes that is more in keeping with the character of the neighborhood. He also added a police report from 2019 about a noise complaint against the applicant.



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Commissioner Young made a motion to deny the request and based upon the facts set forth in the Application, the entire record before the Planning Commission, and the hearing hereon, all of which are incorporated herein as the findings of fact of the Planning Commission. The basis for the recommendation there is no change in conditions and that the proposed development is **not** compatible with the neighborhood as demonstrated in the application. Commissioner Weidner seconded the motion.

Commissioner Rondell W. Young voted	Aye
Commissioner Claudia Keyes voted	Nay
Commissioner Kendra Simpson voted	Aye
Commissioner Eddie Hartwell, Jr. voted	Nay
Commissioner Mendon Weidner voted	Aye

The motion having received a favorable vote of the majority of the Commission, the Chairman declared the motion adopted this the 18<sup>th</sup> day of November 2021.

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**November 18, 2021**

**Case File 2111HC190 – Zoning Map Amendment to rezone from E-1 to R-1 for the purpose of combining property to build a house – XXXXX Lobouy Rd – tax parcel 0310N-02-032.001 – Julia & Michael Overfield Jr. – Supervisor District 3**

Said petition was filed by Michael Jr. & Julia Overfield requesting approval to change the zoning district classification of a 1.2-acre parcel of land. The property is currently zoned as an E-1 (Very Low Density Residential) District. The request is to change the zoning district classification to the R-1 (Low Density Residential) District for the purpose of combining with the adjacent parcel as shown on site plan and building a house. The subject property is located at XXXXX Lobouy Rd. The subject property is a portion of ad valorem tax parcel number 0310N-02-032.001.

The applicant was present.

Commissioner Young made a motion to recommend to the Board of Supervisors to approve the rezoning request as petitioned and based upon the facts set forth in the Application, the entire record before the Planning Commission, and the hearing hereon, all of which are incorporated herein as the findings of fact of the Planning Commission. The basis for the recommendation is change in conditions as demonstrated in the application. Commissioner Weidner seconded the motion.

Commissioner Rondell W. Young voted	Aye
Commissioner Claudia Keyes voted	Aye
Commissioner Kendra Simpson voted	Aye
Commissioner Eddie Hartwell, Jr. voted	Aye
Commissioner Mendon Weidner voted	Aye

The motion having received a favorable vote of the majority of the Commission, the Chairman declared the motion adopted this the 18<sup>th</sup> day of November 2021.

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**November 18, 2021**

**Case File 2111HC191 – Conditional Use Permit to allow for a guest cottage – 23200 Bells Ferry Rd – tax parcel 0410-31-021.000 – Ryan & Rebecca Stohldrier & Rhonda Vaughan – Supervisor District 3**

Said petition was filed by Ryan & Rebecca Stohldrier and Rhonda Vaughan requesting a Conditional Use permit to allow for the construction of a guest cottage on a 14.8-acre parcel of land. The E-1 (Very Low Density Residential) District requires a conditional use permit for the construction of a guest cottage. The subject property is located at 23200 Bells Ferry Rd. The ad valorem tax parcel number is 0410 -31-021.000.

The applicant was present.

Mrs. Stohldrier added the guest cottage is for her mother-in-law.

Commissioner Young made a motion to approve the request as petitioned and based upon the facts set forth in the Application, the entire record before the Planning Commission, and the hearing hereon, all of which are incorporated herein as the findings of fact of the Planning Commission. The basis for the motion is that the proposed development is compatible with the neighborhood as described in the application. Commissioner Weidner seconded the motion.

Commissioner Rondell W. Young voted	Aye
Commissioner Claudia Keyes voted	Aye
Commissioner Kendra Simpson voted	Aye
Commissioner Eddie Hartwell, Jr. voted	Aye
Commissioner Mendon Weidner voted	Aye

The motion having received a favorable vote of the majority of the Commission, the Chairman declared the motion adopted this the 18<sup>th</sup> day of November 2021.

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**November 18, 2021**

**Case File 2111HC193 – Conditional Use Permit to allow for the existing house as a guest cottage – 13369 Big Creek Rd – tax parcel 0407-31-003.001 – Michael & Cynthia Shaw – Supervisor District 3**

Said petition was filed by Michael & Cynthia Shaw requesting a Conditional Use permit to allow for the construction of a guest cottage on a 44.40-acre parcel of land. The A-1 (General Agriculture) District requires a conditional use permit for guest cottages. The subject property is located at 13369 Big Creek Rd. The ad valorem tax parcel number is 0407 -31-003.001.

The applicant was present.

Commissioner Young made a motion to approve the request as petitioned and based upon the facts set forth in the Application, the entire record before the Planning Commission, and the hearing hereon, all of which are incorporated herein as the findings of fact of the Planning Commission. The basis for the motion is that the proposed development is compatible with the neighborhood as described in the application. Commissioner Weidner seconded the motion.

Commissioner Rondell W. Young voted	Aye
Commissioner Claudia Keyes voted	Aye
Commissioner Kendra Simpson voted	Aye
Commissioner Eddie Hartwell, Jr. voted	Aye
Commissioner Mendon Weidner voted	Aye

The motion having received a favorable vote of the majority of the Commission, the Chairman declared the motion adopted this the 21<sup>st</sup> day of October 2021.

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**November 18, 2021**

**Case File 2111HC194 – Zoning Map Amendment to subdivide & rezone from A-1 to E-1 for the purpose of building a house – XXXXX Cuevas Rd – tax parcel 0110-32-001.000 – Tyler Lee for Mass Blackwell – Supervisor District 3**

Said petition was filed by Tyler Lee for Mass Blackwell requesting approval to change the zoning district classification of a 10-acre parcel of land. The property is currently zoned as an A-1 (General Agriculture) District. The request is to change the zoning district classification to the E-1 (Very Low Density Residential) District for the purpose of subdividing the property as shown on site plan. The subject property is located at XXXXX Cuevas Rd. The subject property is a portion of ad valorem tax parcel number 0110 -32-001.000.

Vincent Adams, realtor for the applicant, was present.

Lector Cuevas spoke in fear that the deed restriction of a 10-acre min will not be upheld later.

Commissioner Young made a motion to recommend to the Board of Supervisors to approve the rezoning request as petitioned and based upon the facts set forth in the Application, the entire record before the Planning Commission, and the hearing hereon, all of which are incorporated herein as the findings of fact of the Planning Commission. The basis for the recommendation is change in conditions as demonstrated in the application. Commissioner Simpson seconded the motion.

Commissioner Rondell W. Young voted	Aye
Commissioner Claudia Keyes voted	Aye
Commissioner Kendra Simpson voted	Aye
Commissioner Eddie Hartwell, Jr. voted	Aye
Commissioner Mendon Weidner voted	Aye

The motion having received a favorable vote of the majority of the Commission, the Chairman declared the motion adopted this the 18<sup>th</sup> day of November 2021.

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**November 18, 2021**

**Case File 2111HC195 – Conditional Use Permit to allow for an existing manufactured home – 22220 Yankee Town Rd – tax parcel 0603F-01-005.000 – Margaret Levens & Grady Stone – Supervisor District 2**

Said petition was filed by Margaret Levens and Grady Stone requesting a Conditional Use Permit to allow the registration of an existing manufactured home on a 3.0-acre parcel of land as shown on site plan. The E-1 (Very Low Density Residential) District requires a conditional use permit for manufactured homes. The subject property is located at 22220 Yankee Town Rd. The ad valorem tax parcel number is 0603F-01-005.000.

The applicant was present.

Commissioner Weidner made a motion to approve the request as petitioned and based upon the facts set forth in the Application, the entire record before the Planning Commission, and the hearing hereon, all of which are incorporated herein as the findings of fact of the Planning Commission. The basis for the motion is that the proposed development is compatible with the neighborhood as described in the application. Commissioner Simpson seconded the motion.

Commissioner Rondell W. Young voted	Aye
Commissioner Claudia Keyes voted	Aye
Commissioner Kendra Simpson voted	Aye
Commissioner Eddie Hartwell, Jr. voted	Aye
Commissioner Mendon Weidner voted	Aye

The motion having received a favorable vote of the majority of the Commission, the Chairman declared the motion adopted this the 18<sup>th</sup> day of November 2021.

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**November 18, 2021**

**Case File 2111HC196 – Conditional Use Permit to allow for the placement of a manufactured home – 13452 Mansion Oaks Pl – tax parcel 0507-33-002.000 – Sam & Olivia McWilliams for Joel & Sheila Hodges – Supervisor District 3**

Said petition was filed by Sam & Olivia McWilliams requesting a Conditional Use Permit to allow for the placement of a manufactured home on a 3.0-acre parcel of land. The E-1 (Very Low Density Residential) District requires a conditional use permit for the placement of a manufactured home as shown on site plan. The subject property is located at 13452 Mansion Oaks Place. The ad valorem tax parcel number is 0507 -33-002.000.

**Withdrawn by applicant**

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**November 18, 2021**

**Case File 2111HC197 – Conditional Use Permit to allow for subdivision with a private access easement for 5 lots – XXXXX Blackwell Farm Rd – tax parcel 1003-18-001.012 – Johnny & Wendy Fayard – Supervisor District 1**

Said petition was filed by Johnny & Wendy Fayard requesting a Conditional Use Permit to allow for a “Private Access” road/easement to create 5-lots on approximately 32.5-acres of land as shown on site plan. The properties are currently zoned R-1 (Low Density Residential) District. Subdivisions using a “Private Access” with two or more lots require a conditional use permit from Planning Commission. The subject properties are located XXXX Blackwell Farm Rd. The ad valorem tax parcel number is 1003 -18-001.012.

The applicants were present.

Commissioner Young made a motion to approve the request as petitioned and based upon the facts set forth in the Application, the entire record before the Planning Commission, and the hearing hereon, all of which are incorporated herein as the findings of fact of the Planning Commission. The basis for the motion is that the proposed development is compatible with the neighborhood as described in the application. Commissioner Weidner seconded the motion.

Commissioner Rondell W. Young voted	Aye
Commissioner Claudia Keyes voted	Aye
Commissioner Kendra Simpson voted	Aye
Commissioner Eddie Hartwell, Jr. voted	Aye
Commissioner Mendon Weidner voted	Aye

The motion having received a favorable vote of the majority of the Commission, the Chairman declared the motion adopted this the 18<sup>th</sup> day of November 2021.

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# Harrison County Planning Commission Minutes

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**November 18, 2021**

**Case File 2111HC198 – Conditional Use Permit to allow for the placement of a manufactured home – XXXXX Dills Rd – tax parcel 0607-35-029.000 – Thomas II & Sabra Shoemaker – Supervisor District 2**

Said petition was filed by Thomas and Sabra Shoemaker requesting a Conditional Use Permit to allow for the placement of a manufactured home on a 4.5-acre parcel of land. The E-1 (Very Low Density Residential) District requires a conditional use permit for the placement of a manufactured home as shown on site plan. The subject property is located at XXXXX Dills Rd. The ad valorem tax parcel number is 0607 -35-029.000.

The applicant was present.

Commissioner Young made a motion to approve the request as petitioned and based upon the facts set forth in the Application, the entire record before the Planning Commission, and the hearing hereon, all of which are incorporated herein as the findings of fact of the Planning Commission. The basis for the motion is that the proposed development is compatible with the neighborhood as described in the application. Commissioner Weidner seconded the motion.

Commissioner Rondell W. Young voted	Aye
Commissioner Claudia Keyes voted	Aye
Commissioner Kendra Simpson voted	Aye
Commissioner Eddie Hartwell, Jr. voted	Aye
Commissioner Mendon Weidner voted	Aye

The motion having received a favorable vote of the majority of the Commission, the Chairman declared the motion adopted this the 18<sup>th</sup> day of November 2021.

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**November 18, 2021**

**Case File 2111HC199 – Zoning Map Amendment & Conditional Use Permit to subdivide & rezone parcel "2" from E-1 to R-1 to build a house and to allow livestock (goats) in the E-1 district on Parcel "1" – 25308 Herman Ladner Rd – tax parcel 0304-26-001.001 – Johnathon & Susan Johnston – Supervisor District 2**

Said petition was filed by Johnathon & Susan Johnston requesting approval to change the zoning district classification of Parcel 2 which is a 1.2-acre parcel of land. The property is currently zoned as an E-1 (Very Low Density Residential) District. The request is to change the zoning district classification to the R-1 (Low Density Residential) District for the purpose of subdividing and building a house. Parcel 1 (11-acres) is asking for a Conditional Use Permit to keep goats. The subject property is located at 25308 Herman Ladner Rd. The subject property is a portion of ad valorem tax parcel number 0304 -26-001.001.

Applicant was present.

Commissioner Simpson made a motion to recommend to the Board of Supervisors to approve the rezoning and conditional use permit request as petitioned and based upon the facts set forth in the Application, the entire record before the Planning Commission, and the hearing hereon, all of which are incorporated herein as the findings of fact of the Planning Commission. The basis for the recommendation is change in conditions and that the proposed development is compatible with the neighborhood as demonstrated in the application. Commissioner Young seconded the motion.

Commissioner Rondell W. Young voted	Aye
Commissioner Claudia Keyes voted	Aye
Commissioner Kendra Simpson voted	Aye
Commissioner Eddie Hartwell, Jr. voted	Aye
Commissioner Mendon Weidner voted	Aye

The motion having received a favorable vote of the majority of the Commission, the Chairman declared the motion adopted this the 18<sup>th</sup> day of November 2021.

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**November 18, 2021**

**Case File 2111HC192 – Conditional Use Permit to allow for a 6 lot single family residential subdivision known as High Point Phase II – XXXXX Vick Rd – tax parcel 0806-21-060.000 – Daniel Boudreaux for Vick Road Development, LLC – Supervisor District 5**

Said petition was filed by Daniel Boudreaux for Vick Road Development, LLC requesting a Conditional Use Permit to allow for a 6 lot, single family residential subdivision on a 40.0-acre parcel of land as identified on the site plan. Residential subdivisions require a conditional use permit from Planning Commission. The property is currently zoned as an R-1 (Low Density Residential) District. The subject property is located at xxxxxx Vick Road. The ad valorem tax parcel number is 0806 -21-060.000.

The applicant was present.

Mr. Boudreaux spoke clarifying the additional lots are being added after it was determined this area is usable.

Tom Ellerbee spoke in opposition asking where the new lots are going to be placed and worried about increase in traffic.

Mr. Boudreaux spoke saying the lots are being renumbered due to this area now being deemed as usable. He added these lots will front Vick Rd.

Stephanie Logan spoke agreeing with Mr. Ellerbee about the traffic concerns. Mrs. Logan wanted to know also why she did not receive a letter on a different case.

Commissioner Keyes made a motion to approve the request as petitioned and based upon the facts set forth in the Application, the entire record before the Planning Commission, and the hearing hereon, all of which are incorporated herein as the findings of fact of the Planning Commission. The basis for the motion is that the proposed development is compatible with the neighborhood as described in the application. Commissioner Weidner seconded the motion.

Commissioner Rondell W. Young voted	Aye
Commissioner Claudia Keyes voted	Aye
Commissioner Kendra Simpson voted	Aye
Commissioner Eddie Hartwell, Jr. voted	Absent and Excused
Commissioner Mendon Weidner voted	Aye

The motion having received a favorable vote of the majority of the Commission, the Chairman declared the motion adopted this the 18<sup>th</sup> day of November 2021.

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**November 18, 2021**

**Case File 2106HC107 – Conditional Use Permit to allow for a 67-lot single family residential subdivision – XXXXX Shaw Rd – tax parcel 0606E-01-004.000 – Heinrich & Associates LLC for Michael Slade and Sandra Ammons – Supervisor District 2**

*(This case is on appeal to the Board of Supervisors, they sent the case back to the Planning Commission to consider impacts to Walker Farm Subdivision, ingress and egress and lot sizes. The applicants have revised their proposal for Walker Farm West as shown on the site plan. The applicants have also revised the site plan proposal for Walker Farm South, case file number 2108HC164 which is also on appeal but has not yet been heard by the Board of Supervisors.)*

Said petition was filed by Heinrich & Associates, LLC for Michael Slade and Sandra Ammons requesting a Conditional Use Permit to allow for a 67-lot, single family residential subdivision on an 18.6-acre parcel of land as identified on the site plan. Residential subdivisions require a conditional use permit from Planning Commission. The property is currently zoned as an R-1 (Low Density Residential) District. The subject property is located north of Hwy 53 and east of & adjacent to Shaw Rd. The ad valorem tax parcel number is 0606E-01-004.000.

**The applicant has requested this case be postponed**

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**November 18, 2021**

**Case File 2108HC164 – Conditional Use Permit to allow for a 57-lot single family residential subdivision – 19530 Hwy 53 – tax parcel 0606E-01-009.002 – Heinrich & Associates LLC for S & W Properties LLC – Supervisor District 2**

*(This Rezoning and Conditional Use Permit case is on appeal to the Board of Supervisors and the appeal date has not been scheduled yet. The applicants have revised the site plan proposal for the Walker Farm South Conditional Use Permit as shown on the site plan. The Planning Commission decision regarding this proposed Conditional Use Permit will be added to the two appeals on file from David Reeves and Christopher Peck.)*

Said petition was filed by Heinrich & Associates, LLC for S & W Properties requesting a Conditional Use Permit to allow for a 57-lot, single family residential subdivision on a 23-acre parcel of land as identified on the site plan. Residential subdivisions require a conditional use permit from Planning Commission. The subject property is located north of Hwy 53 and east of & adjacent to Shaw Rd. The ad valorem tax parcel number is 0606E-01-004.000.

**The applicant has requested this case be postponed**

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**November 18, 2021**

**Case File 2111HC200 – Conditional Use Permit to allow for 270 lot single family subdivision known as River Hills Phases 3 & 4 – Old Hwy 49 & Mark West Rd – tax parcel 0706-18-001.000, 0705-07-008.000, 0705-07-008.001 & 0706-17-009.000 – Donovan Scruggs for Gulfport River Hills, LLC – Supervisor District 2**

Said petition was filed by Donovan Scruggs for Gulfport River Hills, LLC requesting a Conditional Use Permit to allow for Phases 3 and 4 of River Hills Subdivision, a 270 lot, single family residential subdivision on a 91-acre parcel of land as identified on the site plan. Residential subdivisions require a conditional use permit from Planning Commission. The property is currently zoned as an R-1 (Low Density Residential) District. The subject property is located at Old Hwy 49 and Mark West Rd. The ad valorem tax parcel numbers are 0706 -18-001.000, 0705-07-008.000, 0705 -07-008.001, and 0706 -17-009.000.

The applicant was present.

Dennis Stiefel spoke about the present status of the property and what all has to be done before ground can be broken.

Mr. Scruggs presented a power point outlining the area and plans for the property. He reiterated that he is not asking for a rezoning but only a CUP.

Commissioner Keyes asked why the lot widths have not increased to which Mr. Scruggs said these sizes were discussed before and have not changed from previous approvals.

Mr. Stiefel added the developer did not close on the property until this was approved in the previous meeting and he doesn't understand how the commission can impose larger lots at this point.

Commissioner Keyes made a motion to table the request until changes in site plan can be presented. Motion died due to lack of a second.

Commissioner Young asked when next phases will be presented and Mr. Stiefel said in apprx 2-3 years and current phases will be built out in next 4 years.

Commissioner Young asked if it is possible to decrease the 60' lot sizes and Mr. Stiefel said he has to confer with his client but they can try to decrease the smaller lot sizes and increase the larger lot sizes. He added there are financial margins that have to be met.

Commissioner Keyes also asked that when planning future projects this is considered.

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Commissioner Young made a motion to recommend to the Board of Supervisors to approve the conditional use permit request as petitioned and based upon the facts set forth in the Application, the entire record before the Planning Commission, and the hearing hereon, all of which are incorporated herein as the findings of fact of the Planning Commission. The basis for the recommendation is consistency with the Comprehensive Plan and that the proposed development is compatible with the neighborhood as demonstrated in the application. Commissioner Simpson seconded the motion.

Commissioner Rondell W. Young voted	Aye
Commissioner Claudia Keyes voted	Aye
Commissioner Kendra Simpson voted	Aye
Commissioner Eddie Hartwell, Jr. voted	Aye
Commissioner Mendon Weidner voted	Absent and Excused

The motion having received a favorable vote of the majority of the Commission, the Chairman declared the motion adopted this the 18<sup>th</sup> day of November 2021.

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# Harrison County Planning Commission Minutes

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**November 18, 2021**

**Case File 2106HC106 – Conditional Use Permit to allow for a 19-lot single family residential subdivision – XXXXX N. Aberdeen Dr – tax parcel 0310J-01-001.042 – Heinrich & Associates, LLC for North Oaks Development, LLC – Supervisor District 3**

Said petition was filed by Heinrich & Associates, LLC for North Oaks Development, LLC requesting a Conditional Use Permit to allow for Block E. Phase 2 of the Oaks Subdivision, a 19-lot, single family residential subdivision on a 6.9-acre parcel of land as identified on the site plan. Residential subdivisions require a conditional use permit from Planning Commission. The property is currently zoned as an R-2 (Medium Density Residential) District. The subject property is located at XXXXX N. Aberdeen Dr. The ad valorem tax parcel number is 0310J-01-001.042.

The applicant was present.

Bobby Heinrich spoke saying Mr. Lowery has improved the water system. He said these are 80' wide lots.

Bernie Baningo asked what is the maximum lots the single well can supply with a 60 PSI per household being maintained. He asks because he is currently experiencing water pressure problems.

Mr. Heinrich said that well is designed to maintain around 400 lots and it is almost to capacity. He added there is a connection to tie into West Harrison Co Water System if it is determined it is needed.

Mr. Heinrich said this hearing is for the CUP that will allow him to do the engineering. He said they will not be given the state approvals without a passing pressure test.

Commissioner Young added this was tabled before due to questions about the water service. He added the question was can the well supply existing lots and the proposed as well.

Mr. Heinrich said that has been accomplished and a letter to that effect has been added to the file.

Mr. Gillespie added West Harrison Water and Sewer District cannot serve an area that is served by a private sector. He said if there is a problem that is not able to be rectified then there is a simple valve that can be turned and there will be no interruption and is almost instantaneous.

Mr. Lowery spoke adding the public service commission required that there be a second water supply either by well or water supplier. He said he holds 68 PSI and Harrison Co holds 60 PSI.

Sharron Nosalick spoke asking what "revamped" well mean and how is the traffic going to be routed.

Mr. Heinrich said there is only 1 way in and 1 way out as it was previously approved.



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Mr. Lowery said the well was completely taken down, sand blasted, epoxy painted the inside and outside, added new control valve, and get all necessary approvals. He added he guarantees this for a min of 5 years.

Howard Whittington asked about lot sizes and if they are in the wetlands.

Mr. Heinrich said these lots are not in the wetlands.

Mr. Whittington asked why is Mr. Lowery doing a new development when South Oaks is in a mess.

Mr. Lowery said all approvals have been met but he is a lawsuit with the potential builder because he wants him to give him the lots.

Mrs. Tricia Lowery spoke asking how is the current well not at capacity as of today. She also added the road is coming out in a cul-de-sac and it is going to be congestion issue.

Commissioner Simpson asked how many total houses will there be at total build-out and Mr. Lowery said 350. He added this does not include the 18<sup>th</sup> hole townhomes.

Mary Whittington spoke asking him to reiterate that the total amount is 350 homes at final build-out to which Mr. Lowery said yes.

Commissioner Young made a motion to approve the request as petitioned and based upon the facts set forth in the Application, the entire record before the Planning Commission, and the hearing hereon, all of which are incorporated herein as the findings of fact of the Planning Commission. The basis for the motion is that the proposed development is compatible with the neighborhood as described in the application. Commissioner Keyes seconded the motion.

Commissioner Rondell W. Young voted	Aye
Commissioner Claudia Keyes voted	Aye
Commissioner Kendra Simpson voted	Aye
Commissioner Eddie Hartwell, Jr. voted	Aye
Commissioner Mendon Weidner voted	Absent and Excused

The motion having received a favorable vote of the majority of the Commission, the Chairman declared the motion adopted this the 18<sup>th</sup> day of November 2021.

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**Report any Cease & Desists issued since last meeting**

**Adjournment**

Commissioner Young made a motion to adjourn the meeting at 8:07 PM.  
Commissioner Simpson seconded the motion.

Commissioner Rondell W. Young voted	Aye
Commissioner Claudia Keyes voted	Aye
Commissioner Kendra Simpson voted	Aye
Commissioner Eddie Hartwell, Jr. voted	Aye
Commissioner Mendon Weidner voted	Absent and Excused

The motion having received a favorable vote of the majority of the Commission, the Chairman declared the motion adopted this the 18<sup>th</sup> day of November 2021.

The meeting was adjourned this the 18<sup>th</sup> day of November 2021 at 8:07 PM.

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