

APPLICATION FOR VARIANCE

Accessory Building (Barn)

Applicant
Hector M. Valdez
880 Williams Blvd., Apt. 100
Ridgeland, MS 39157

Street Address of Property (if different address):
107 Rocking Chair Road

APPLICATION DATE	Present Zoning of Property	Legal Description of Property:	TAX PARCEL NUMBER	FLOOD ZONE	MAP/PLAT OF PROPERTY
	A-1 Ag	See (Exhibit A)	0831-30-001/07	X	See (Exhibit B)

Other Comments: As per Section 2604 of the Madison County Zoning Ordinance.

Respectfully Submitted

Hector M. Valdez

.....

Petition submitted to Madison County Planning and Development Commission on 7/11/13

Recommendation of Madison County Planning and Development Commission on Petition Approve

Public Hearing date as established by the Madison County Board of Supervisors AUG. 5, 2013

Final disposition of Petition _____

MADISON COUNTY

BOARD OF SUPERVISORS

DEPARTMENT OF PLANNING & ZONING

TO WHOM IT MAY CONCERN:

I HECTOR M. VALDEZ HUMBLY ASK YOU TO PLEASE HELP ME WITH THE RECONSIDERATION AND MODIFICATION OF CONSTRUCTION PERMIT #18492 OF PHYSICAL ADDRESS 107 ROCKING CHAIR ROAD CANTON MS 39046

I'M DEEPLY SORRY FOR THE MISUNDERSTANDING OF THE PERSON WE HAD HIRED TO OBTAIN THE PROPER BUILDING PERMITS FOR NOT OBTAINING THE PROPER DOCUMENTATIONS FOR THE NEEDS AND LEGAL REQUIREMENTS TO OBLIGE BY THE RULES OF THE MADISON COUNTY FOR WHAT WE HAD INTENDED TO DO.

THERE WAS NEVER ANY INTENTION TO PURPOSELY DISOBEY OR IGNORE THE CODES NOR THE RULES OF THE MADISON COUNTY REGARDING CONSTRUCTION.

THEREFORE ONCE AGAIN I ASK YOU FORGIVENESS, AND ON BEHALF OF MYSELF I CAN PROMISE YOU NOTHING LIKE THIS WILL EVER HAPPEN AGAIN IF YOU COULD PLEASE ME AND HELP ME WITH THE RECONSIDERATION OF CONSTRUCTION PERMIT.

THANK YOU

SINCERELY

HECTOR M VALDEZ

Hector M. Valdez

Prepared by:
Paige L. Purvis, Esq.
2630 Ridgewood Road, Suite E
Jackson, MS 39216
(601) 988-6000
File No. 11-188-1

Return to:
Paige L. Purvis, P.A.
2630 Ridgewood Road, Suite E
Jackson, MS 39216
(601) 988-6000
File No. 11-188-1

STATE OF MISSISSIPPI
COUNTY OF MADISON
FIRST JUDICIAL DISTRICT

WARRANTY DEED

FOR AND IN CONSIDERATION of the sum of Ten Dollars (\$10.00), cash in hand paid, and other good and valuable considerations, the receipt and sufficiency of which are hereby acknowledged, We (I)

SCOTT NANCE
1164 Windrose Circle
Madison, MS 39110
(601) 303-0300

Grantor, a married person does hereby sell, convey, bargain and warrant to

HECTOR M. VALDEZ
880 William Blvd, Apt. 1002
Ridgeland, MS 39157
(601) 291-6223

Grantee, the following described land and real property situated and located in the First Judicial District of Madison County, Mississippi, more particularly and certainly described as follows:

SEE ATTACHED EXHIBIT A

INDEXING INSTRUCTIONS: A Parcel of Land Situated in Section 25, Township 8 North, Range 2 East AND in Section 30, Township 8 North, Range 3 East.

PROPERTY ADDRESS: 0 Rocking Chair Road, Canton, MS 39046.

PARCEL NUMBER: 0931-30-001/07.09

THIS CONVEYANCE is made subject to all applicable building restrictions, restrictive covenants, easements, and mineral reservations of record.

IT IS AGREED and understood that the taxes for the current year have been prorated as of this date on an estimated basis. When said taxes are actually determined, if the proration as of this date is incorrect, the Grantor(s) agree to pay to the Grantee(s) or his/her/their assigns, any amount which is a deficit on an actual proration. Likewise, Grantee(s) agree to pay to the Grantor(s) any amount overpaid by Grantor(s).

The property described above constitutes no part of the homestead of the Grantor herein.

WITNESS THE UNDERSIGNED SIGNATURE, on this the 31st day of APRIL, 2011.

Scott Nance by attorney in fact Cindi Nance
SCOTT NANCE, by his attorney in fact,
CINDI NANCE

STATE OF MISSISSIPPI

COUNTY OF HINDS

PERSONALLY APPEARED BEFORE ME, the undersigned authority in and for the jurisdiction above stated, the within named CINDI NANCE, as attorney in fact for SCOTT NANCE, who(m) stated and acknowledged to me that he/she/they did sign and deliver the above and foregoing instrument on the date and for the purposes therein stated.

GIVEN UNDER MY HAND AND OFFICIAL SEAL, this the 31st day of APRIL, 2011.

Regina D. Breland
NOTARY PUBLIC

MY COMMISSION EXPIRES:



EXHIBIT A

LOT 2: A parcel of land located in the Southeast 1/4 of Section 25, Township 8 North, Range 2 East, and the Southwest 1/4 of Section 30, Township 8 North, Range 3 East, Madison County, Mississippi and being more particularly described as follows:

Commence at the Southwest corner of said Section 30, Township 8 North, Range 3 East, Madison County, Mississippi, marked by a found iron pin; thence South 89 degrees 45 minutes 25 seconds East for a distance of 1,564.11 feet to a found 1/2" iron pin; thence North 00 degrees 01 minutes 58 seconds East for a distance of 634.20 feet to a found 1/2" iron pin in the center of Rocking Chair Road, (private, gravel road); thence North 89 degrees 45 minutes 40 seconds West along said road center line for a distance of 1310.67 feet to a set 1/2" iron pin; thence leaving said center line run North 08 degrees 24 minutes 36 seconds East for a distance of 30.31 feet to a set 1/2" iron pin on the North right-of-way line of said Rocking Chair Road, and being the POINT OF BEGINNING; thence North 89 degrees 45 minutes 40 seconds West along said North right-of-way line for a distance of 416.61 feet to a set 1/2" iron pin; thence leaving said right-of-way line run North 12 degrees 33 minutes 08 seconds East for a distance of 665.45 feet to a set 1/2" iron pin; thence North 89 degrees 59 minutes 31 seconds East for a distance of 368.28 feet to a set 1/2" iron pin; thence South 03 degrees 24 minutes 36 seconds West for a distance of 650.42 feet to the POINT OF BEGINNING, containing 5.86 acres, more or less.

Access to public road, (Old Canton Road), provided by Egress & Easement along Rocking Chair Road, (private), being a 60 foot right-of-way, being more particularly described as follows:

A 60 foot road easement located in the Southwest 1/4 of Section 30, Township 8 North, Range 3 East, and the Southeast 1/4 of Section 25, Township 8 North, Range 2 East, Madison County, Mississippi, being more particularly described as follows:

Commencing at an iron rod at the Southwest corner of said Section 30, Township 8 North, Range 3 East, and run South 89 degrees 45 minutes 25 seconds East for a distance of 1584.11 feet to an iron rod; thence run North 00 degrees 01 minutes 58 seconds East for a distance of 604.20 feet to the POINT OF BEGINNING; thence continue North 00 degrees 01 minutes 58 seconds East for a distance of 60.00 feet; thence run North 89 degrees 45 minutes 40 seconds West for a distance of 2140.46 feet to a point on the Eastern right-of-way of Old Canton Road, as presently laid out and in use; thence following said Eastern right-of-way, run South 16 degrees 35 minutes 11 seconds West for a distance of 31.26 feet to a concrete monument; thence run South 75 degrees 58 minutes 38 seconds East for a distance of 4.24 feet to a concrete monument and the POINT OF CURVATURE OF A CURVE TO THE LEFT (Point 00 degrees 47 minutes 23 seconds, Radius 1866.96, Arc 23.00); thence run along the chord of said curve to the left South 17 degrees 31 minutes 05 seconds West for a distance of 23.00 feet; thence, leaving said Eastern right-of-way, run South 89 degrees 45 minutes 40 seconds East for a distance of 2154.25 feet to the POINT OF BEGINNING.

AND ALSO,

A parcel of land located in the Southeast 1/4 of Section 25, Township 8 North, Range 2 East, Madison County, Mississippi, and being more particularly described as follows:

Commence at the Southeast corner of said Section 25, T8N - R2E, Madison County, Mississippi, marked by a 1/2" iron pin;

Thence West for a distance of 166.0 feet to a point;

Thence North for a distance of 1304.16 feet to a point on the East R-O-W line of Old Canton Road, and being the Point of Beginning;

Thence N89°59'31"E for a distance of 5.22 feet to a point;

Thence S16°34'11"W for a distance of 5.22 feet to a point;

Thence S89°30'31"W for a distance of 5.22 feet to a point on the East R-O-W of said Old Canton Road;

Thence N16°34'11"E along said East R-O-W for a distance of 5.22 feet to the Point of Beginning, containing 26.1 square feet, more or less.



Notes:
All visible utilities located

I, T. E. McDONALD, REGISTERED LAND SURVEYOR DO HEREBY CERTIFY to ALBERT VALDEZ THAT THE FEATURES DEPICTED ON THIS SURVEY ARE A CORRECT REPRESENTATION OF CONDITIONS AS THEY EXISTED ON May 15, 2013.

lot 2: A parcel of land located in the Southeast 1/4 of Section 25, Township 8 North, Range 2 East, and the Southwest 1/4 of Section 30, Township 8 North, Range 3 East, Madison County, Mississippi and being more particularly described as follows:

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Access to public road, (Old Canton Road), provided by Ingress & Egress easement along Rocking Chair Road, (private), being a 60 foot right-of-way, being more particularly described as follows:

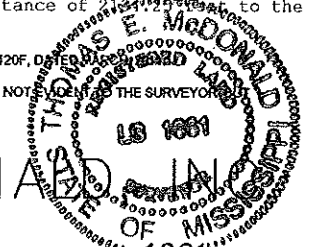
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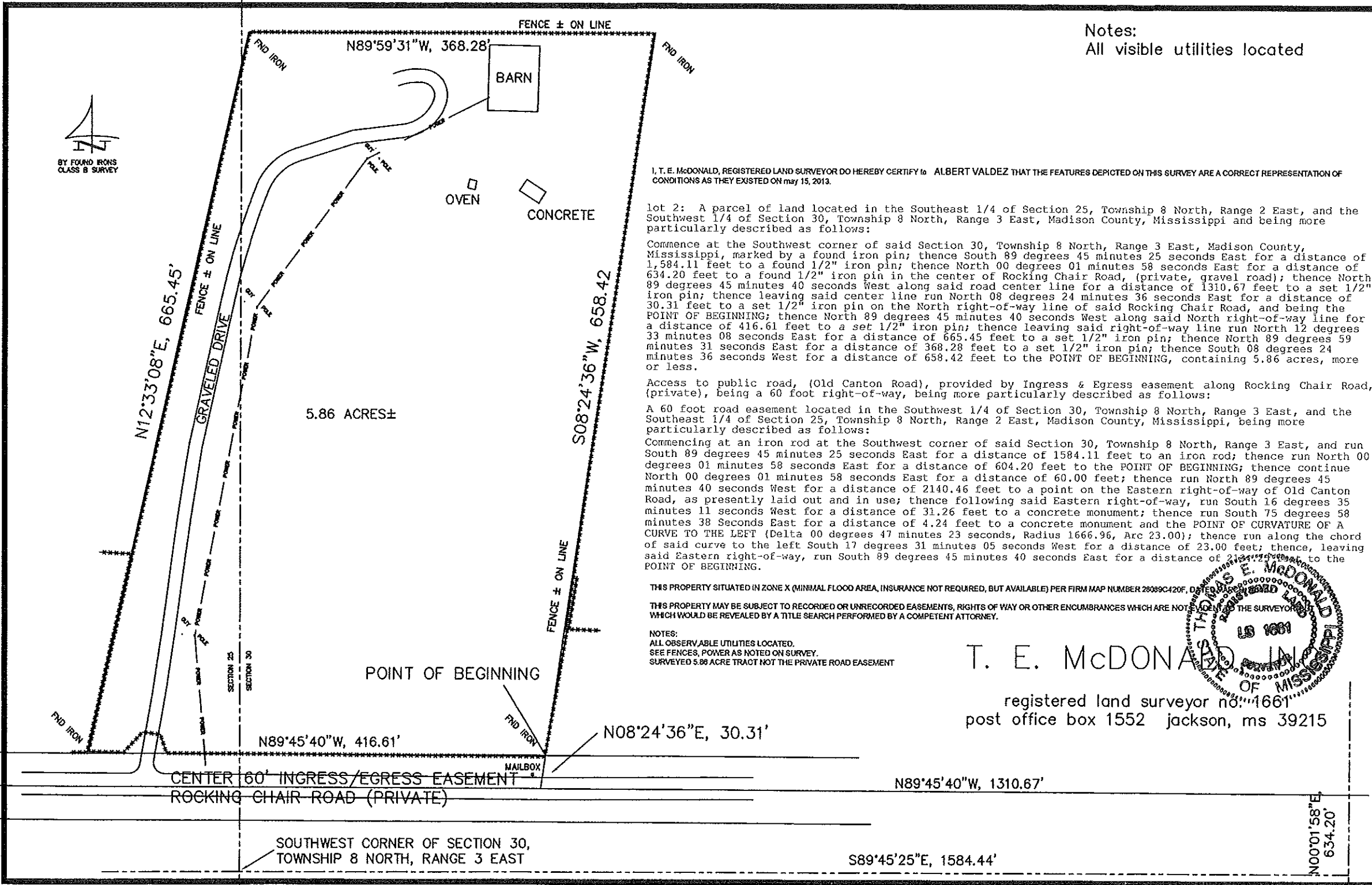
THIS PROPERTY SITUATED IN ZONE X (MINIMAL FLOOD AREA, INSURANCE NOT REQUIRED, BUT AVAILABLE) PER FIRM MAP NUMBER 28089C420F, DATED 05/15/13.

THIS PROPERTY MAY BE SUBJECT TO RECORDED OR UNRECORDED EASEMENTS, RIGHTS OF WAY OR OTHER ENCUMBRANCES WHICH ARE NOT EVIDENT AS THE SURVEYOR, WHICH WOULD BE REVEALED BY A TITLE SEARCH PERFORMED BY A COMPETENT ATTORNEY.

NOTES:
ALL OBSERVABLE UTILITIES LOCATED.
SEE FENCES, POWER AS NOTED ON SURVEY.
SURVEYED 5.86 ACRE TRACT NOT THE PRIVATE ROAD EASEMENT

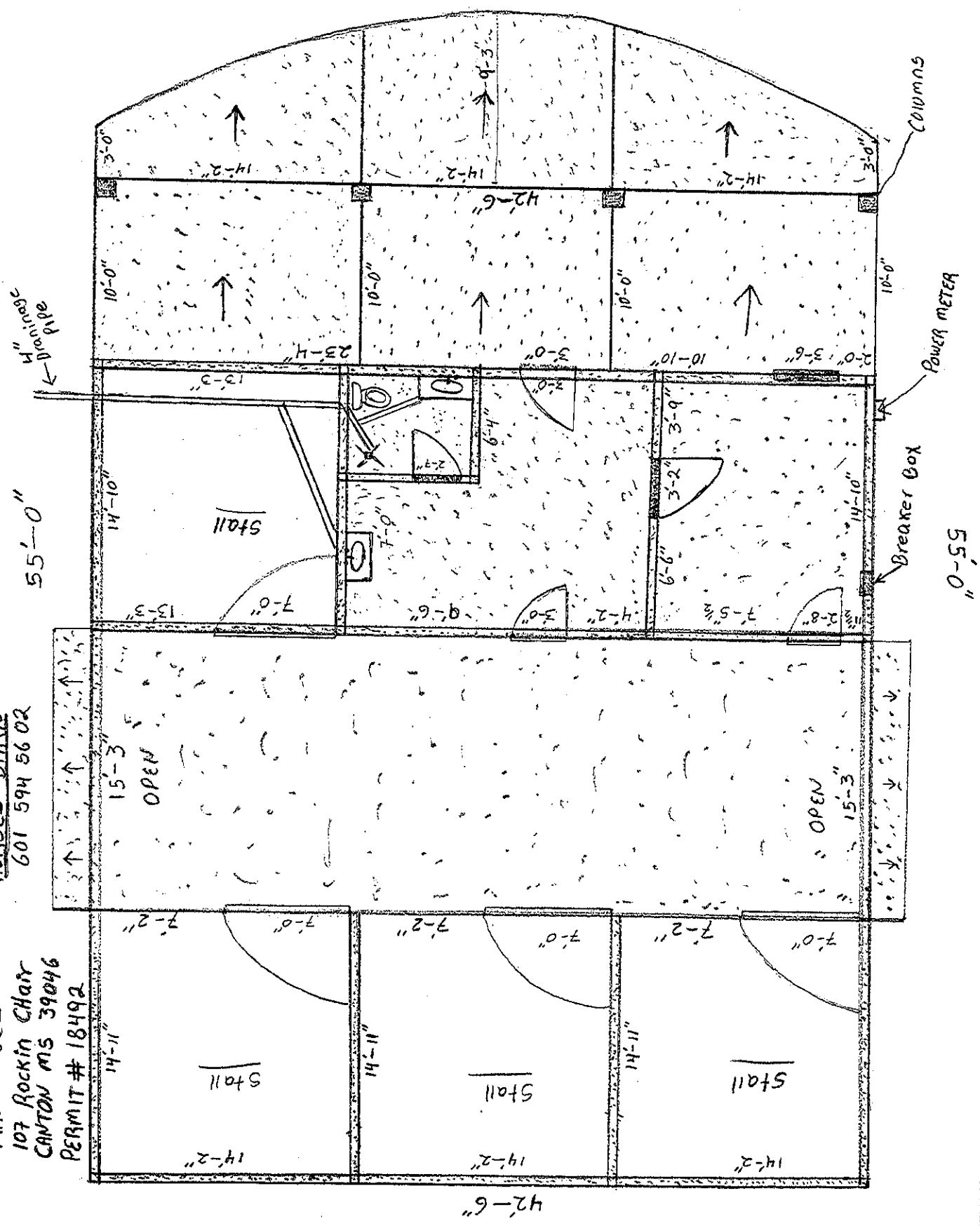


T. E. McDONALD
registered land surveyor no. 1667
post office box 1552 jackson, ms 39215



MR. VALDEZ
 107 Rockin Chan
 CANTON MS 39046
 PERMIT # 18492

HORSES BARN
 601 594 5602



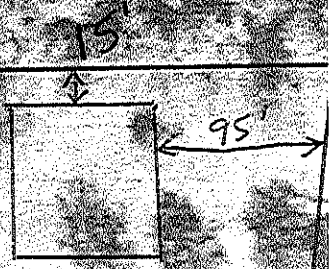
5/03.01
2 ACd

5/03
2 ACc

02
Cd

2

1/07
5.86 ACd



Barn location

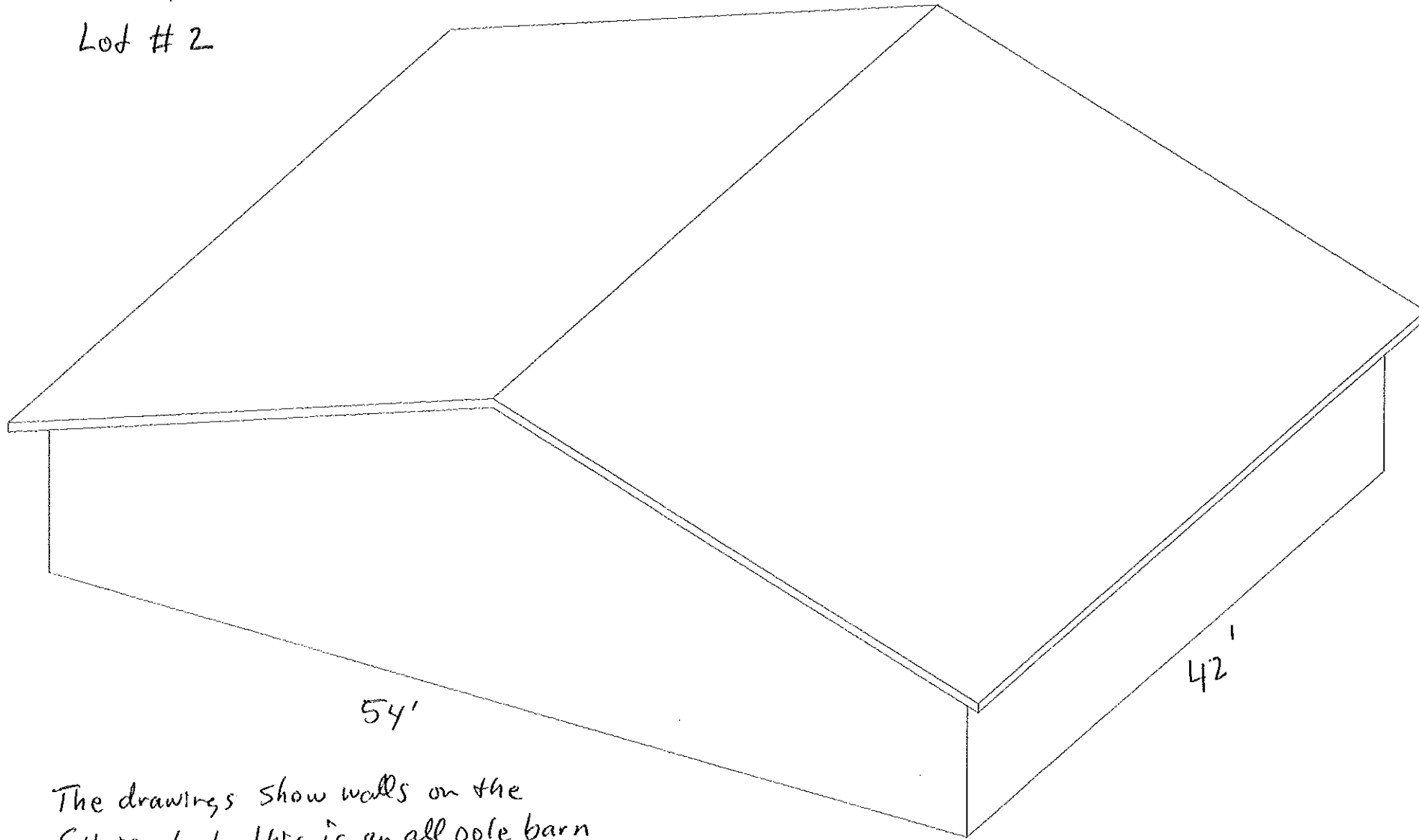
KING CHAIR ROAD

Hector Valdez

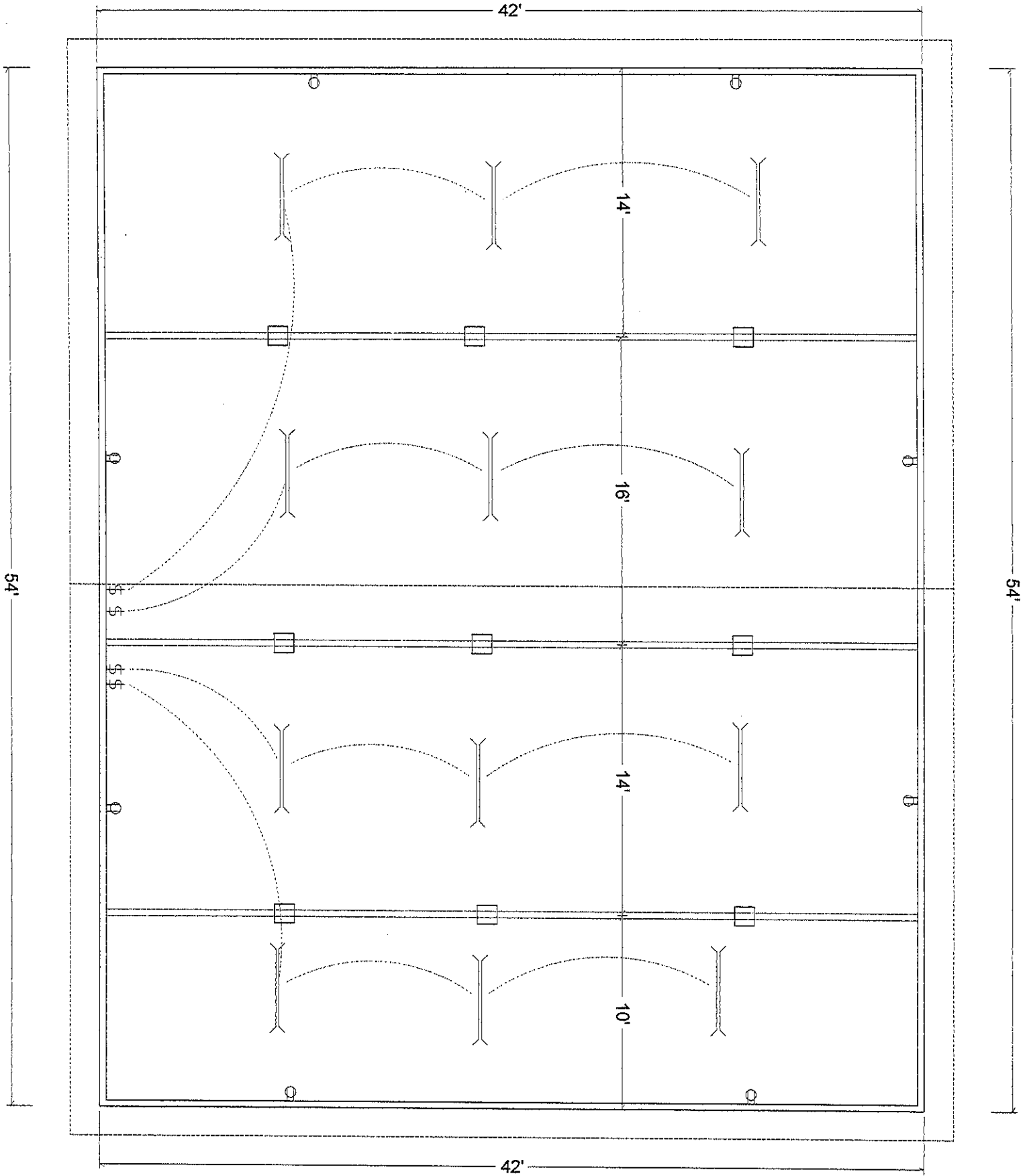
107 Rocking Chair Rd.

Canton, MS 39046

Lot # 2



The drawings show walls on the exterior but this is an all pole barn



Permit/Recommendation

This document is proof that a Notice of Intent has been filed as per Mississippi
Code Section 41-67-5 of 1972, Annotated

The Mississippi State Department of Health has examined the soil and terrain of the property indicated below. The following recommendations are made using soil and site analysis principles and our best efforts. The Mississippi State Department of Health makes no warranty or representation as to any wastewater system installed. Recommendations may be voided if grading or fill changes the soil characteristics or if plat (dwelling) is changed and/or relocated.

Applicant: Hector Valdez 107 Rocking Chair Rd Canton MS 39046	Property: 107 Rocking Chair Rd Canton 39046 Section: Township: Range: Subdivision Name: Lot Number: Lot Size: 255262 Sq.Ft. 5.86 Acres	Soil and Site Evaluation: Slope: 1.00 % Soil Textures: Top Soil: Silt Loam Sub Soil: Heavy Loam Seasonal High Water Table: 12 inches Restriction: 12 inches Sensitive Water: No
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Plat: Type of Dwelling: Office (with Showers) Estimated Usage: 25 Gallons per Day	Water Supplier: Drinking Water:	Department Use Only: ID: 118868/107287 Recommendation Date: 3/28/2013 Notice of Intent filed: 3/29/2013
Questions: For any questions, please contact the Environmentalist noted on this form.		GPD = Gallons per day N/A = Not Available

Treatment: <table style="width: 100%;"> <tr> <td>Septic Tank with baffle</td> <td style="text-align: center;">750</td> <td style="text-align: center;">Gallons</td> </tr> <tr> <td>Septic Tank without baffles</td> <td style="text-align: center;">750</td> <td style="text-align: center;">Gallons</td> </tr> <tr> <td>Advanced Treatment System</td> <td style="text-align: center;">400</td> <td style="text-align: center;">GPD</td> </tr> </table>	Septic Tank with baffle	750	Gallons	Septic Tank without baffles	750	Gallons	Advanced Treatment System	400	GPD	Disposal: "Registered" Aggregate Replacment Options: <table style="width: 100%;"> <tr><td>Double 6 inch Pipe</td><td style="text-align: right;">N/A</td></tr> <tr><td>8 inch Pipe</td><td style="text-align: right;">N/A</td></tr> <tr><td>10 inch Pipe</td><td style="text-align: right;">N/A</td></tr> <tr><td>Multi-Pipe System</td><td style="text-align: right;">N/A</td></tr> <tr><td>EPS Horizontal 3-10</td><td style="text-align: right;">N/A</td></tr> <tr><td>EPS Horizontal 1-12</td><td style="text-align: right;">N/A</td></tr> <tr><td>EPS Horizontal 2-12</td><td style="text-align: right;">N/A</td></tr> <tr><td>EPS Horizontal 3-12</td><td style="text-align: right;">N/A</td></tr> <tr><td>EPS Triangular Chambers</td><td style="text-align: right;">N/A</td></tr> <tr><td>Tire Chip Absorption Trench 2 foot wide</td><td style="text-align: right;">N/A</td></tr> <tr><td>Tire Chip Absorption Trench 3 foot wide</td><td style="text-align: right;">N/A</td></tr> <tr><td>Tire Chip Absorption Bed</td><td style="text-align: right;">N/A</td></tr> </table>	Double 6 inch Pipe	N/A	8 inch Pipe	N/A	10 inch Pipe	N/A	Multi-Pipe System	N/A	EPS Horizontal 3-10	N/A	EPS Horizontal 1-12	N/A	EPS Horizontal 2-12	N/A	EPS Horizontal 3-12	N/A	EPS Triangular Chambers	N/A	Tire Chip Absorption Trench 2 foot wide	N/A	Tire Chip Absorption Trench 3 foot wide	N/A	Tire Chip Absorption Bed	N/A
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Disposal: Maximum Depth: N/A Backfill Required for Aggregate 12 inches backfill required for all available options Aggregate Trench: Aggregate Absorption Trench 2 foot wide N/A Aggregate Absorption Trench 3 foot wide N/A Aggregate Bed: Aggregate Absorption Bed N/A																																		

ATS Specific Dispersal Options: <table style="width: 100%;"> <tr><td>Subsurface Drip System</td><td style="text-align: center;">N/A</td></tr> <tr><td>Backfill Required for Drip</td><td style="text-align: center;">N/A</td></tr> <tr><td>Spray Irrigation Disposal</td><td style="text-align: center;">N/A</td></tr> <tr><td>Backfill Required for Spray</td><td style="text-align: center;">N/A</td></tr> <tr><td>Overland Discharge - Single Pipe</td><td style="text-align: center;">N/A</td></tr> <tr><td>Overland Discharge - 2 point</td><td style="text-align: center;">0 N/A</td></tr> <tr><td>Overland Discharge - 4 point</td><td style="text-align: center;">0 N/A</td></tr> </table>	Subsurface Drip System	N/A	Backfill Required for Drip	N/A	Spray Irrigation Disposal	N/A	Backfill Required for Spray	N/A	Overland Discharge - Single Pipe	N/A	Overland Discharge - 2 point	0 N/A	Overland Discharge - 4 point	0 N/A	Additional Dispersal Options: <table style="width: 100%;"> <tr> <td>Elevated Sand Mound - Sand</td> <td style="text-align: center;">21</td> <td style="text-align: right;">Square Feet</td> </tr> <tr> <td>Elevated Sand Mound - Basal</td> <td style="text-align: center;">42</td> <td style="text-align: right;">Square Feet</td> </tr> </table>	Elevated Sand Mound - Sand	21	Square Feet	Elevated Sand Mound - Basal	42	Square Feet
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Permit/Recommendation

This document is proof that a Notice of Intent has been filed as per Mississippi Code Section 41-67-5 of 1972, Annotated

Reminder:

The Permit/Recommendation is valid for 1 year and non-transferrable.

Approval of the design, construction or installation of an Individual On-site Wastewater Disposal System by the Department is required.

After installation, you must provide the following to the Department:

- (1) A signed Affidavit-Installation from the Certified Installer or Certified Professional Evaluator,
- (2) A signed Affidavit-Maintenance from you, if an Advanced Treatment System was installed, and
- (3) Fee \$75.00 fee.

Notification and scheduling of installation must be provided to the Department at least 24 hours before beginning construction of an Individual On-site Wastewater Disposal System.

A current list of Certified Installers can be viewed from www.healthmys.com or verified by the Environmentalist at your local health department.

Maintenance:

An Advanced Treatment System includes a 2-year warranty/inspection from the Certified Installer. After the initial 2-year warranty/inspection, you must establish a continous maintenance agreement with a Certified Installer or receive training by a Certified Installer or other factory representative.

Exemption:

Any lot or tract that is 2 acres or larger shall be exempt from the requirements of Statute - Chapter 67 and Regulations of the Department relating to approval of the Individual On-site Wastewater Disposal System by the Department, provided that a Certified Installer signs an Affidavit-Exemption attesting to the following:

- (a) All wastewater is contained on the lot or tract; and
- (b) No "water course", of Mississippi or the United States is impacted.

NOTE: Be aware that County Ordinances, County Utility Authorities, Lending Agencies or Water Utilities may require you to have a Final Approval regardless of property size.

Variance:

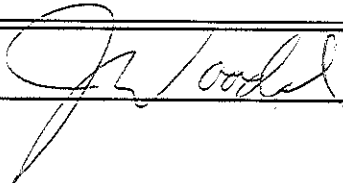
Any Applicant can apply for a variance, provided that the Applicant submits the following: 1) A letter contesting this form (Permit/Recommendation), 2) A report for a proposed system from a Registered Professional Engineer or Certified Professional Evaluator with a copy of his/her Errors and Omissions Insurance. Mail packet to MSDH/Director of Environmental Health Office for review.

Notes:

Author: JONATHAN WOODARD

These recommendations are for the bathroom in the horse barn only. If a house is to be built in the future, other options will become available. Discussed this with Mr. Valdez.

Environmentalist Signature:



Date:

5/28/13