

APPLICATION FOR VARIANCE

Side Setback in R-2 District

Applicant SCOTT GIDEON CASE # 199 EDEN LANE V100 MADISON, MS 39110	Street Address of Property (if different address): LOTS TO BE DEVELOPED ON SOUTH PROPERTY FROM THE CORRECTED PLAT OF BELLE TERRE, PART II
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APPLICATION DATE	Present Zoning of Property	Legal Description of Property:	TAX PARCEL NUMBER	FLOOD ZONE	MAP/PLAT OF PROPERTY
4-9-13	R-2	See (Exhibit A)	082I30-3/04	X	See (Exhibit B)

Other Comments: As per Section 2606 of the Madison County Zoning Ordinance.

SEE ATTACHED EXHIBITS

- A (LEGAL DESCRIPTION)
- B (MAP/PLAT)
- C (NARRATIVE)

Respectfully Submitted



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 August 5, 2013

Final disposition of Petition _____

Exhibit A (description of property for variance)

A parcel of land situated in Section 30, Township 8 North, Range 2 East, Madison County, Mississippi and being more particularly described as follows:

Lots 136-153 as shown on the preliminary plat for Belle Terre, Part III, said preliminary plat being that particular preliminary plat that was approved by the Madison County Board of Supervisors on January 7, 2013 (consent agenda item # 30).

I am requesting that Lots 136-153 as shown on the preliminary plat for Belle Terre, Part III, be granted a side setback variance. The preliminary plat was approved by the Madison County Board of Supervisors on January 7, 2013 (consent agenda item #30). I am requesting that the side setback be 7.5 feet. The property is currently zoned R-2, and R-2 zoning requires a 10 foot side setback. I am not requesting any changes to the front or rear setbacks.

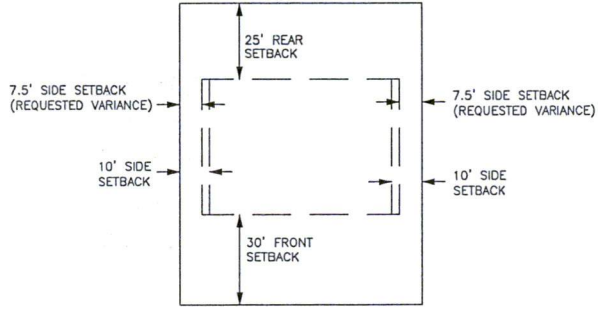
The property immediately north of this (existing lots 71-83 of Belle Terre) is zoned R-5 and utilizes a 7.5 foot side setback. Therefore, this variance would allow me to more closely match those existing lots. I am not requesting a full rezoning to R-5 because the lots already meet the R-2 criteria in both lot width and lot size. My goal, however, is to be able to put a slightly larger house on these lots than would be feasible with the current 75 feet in width, and the side setback variance would allow for a wider house.

The other lots shown on the preliminary plat for Belle Terre, Part III (Lots 89-135) would not be adversely affected. I am not requesting a variance on those lots.

There are currently two areas of R-5 zoning in the Belle Terre Subdivision that utilize 7.5 feet wide side setbacks. One section is already complete. The other section has not been constructed yet.

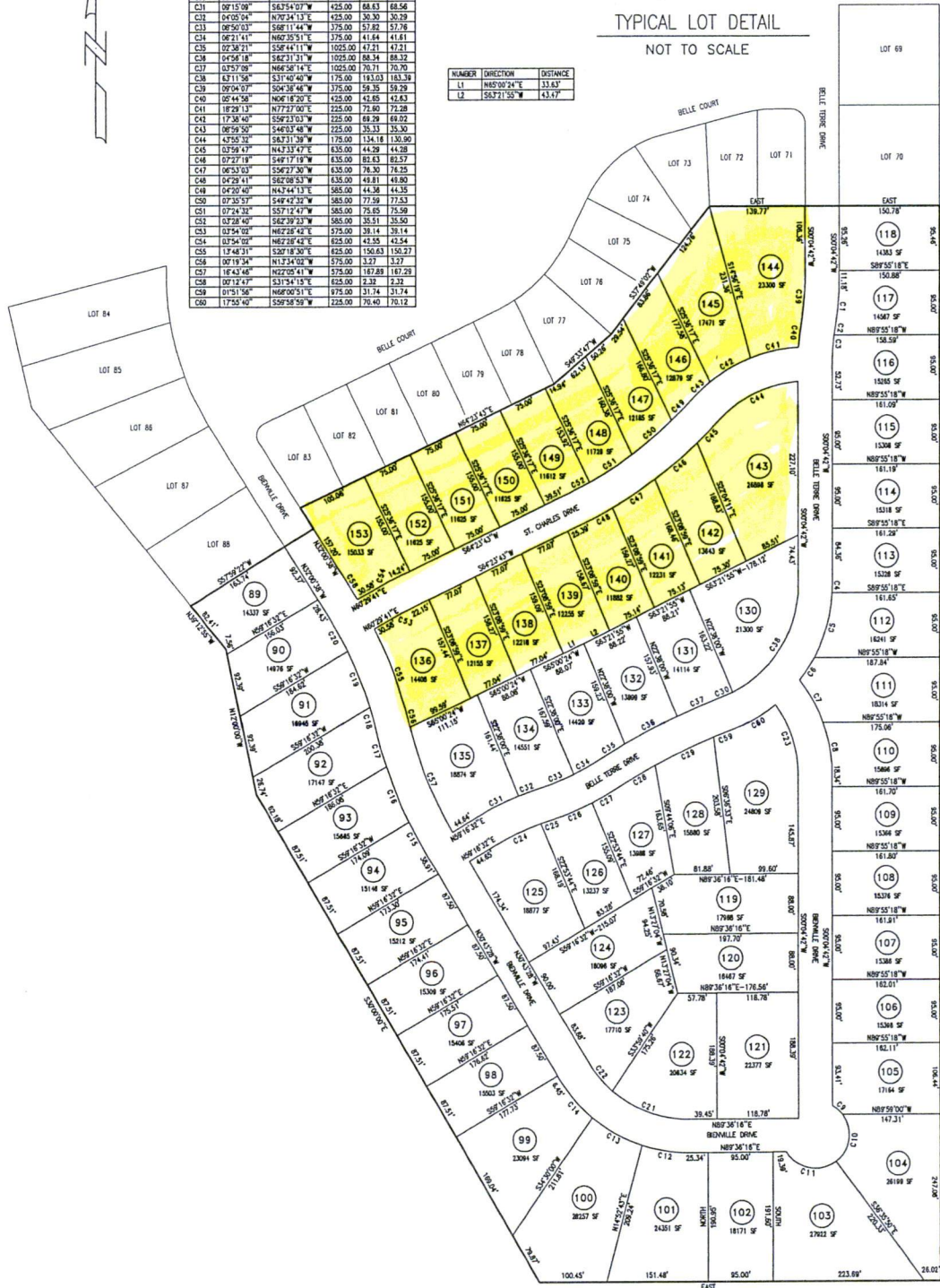
NUMBER	DELTA ANGLE	CHORD BEARING	RADIUS	LENGTH	CHORD
C1	09°04'57"	S04°38'46"W	425.00	67.37	67.30
C2	02°35'07"	S07°50'56"W	375.00	16.99	16.99
C3	06°28'20"	S01°18'55"W	375.00	42.36	42.34
C4	02°42'39"	N01°28'01"E	225.00	10.65	10.64
C5	29°17'26"	S13°28'07"W	225.00	89.32	88.52
C6	19°02'15"	S33°00'00"W	225.00	38.42	38.37
C7	18°07'18"	N02°54'05"W	225.00	71.18	70.87
C8	19°55'09"	S09°52'53"E	225.00	78.32	77.83
C9	22°37'50"	S49°28'22"E	50.00	20.04	19.81
C10	00°21'36"	S08°13'21"W	50.00	78.85	78.83
C11	88°12'06"	N78°28'47"W	50.00	83.95	74.43
C12	18°45'15"	S81°01'06"E	225.00	73.85	73.32
C13	21°48'00"	N02°45'29"W	225.00	88.48	88.66
C14	19°09'01"	N46°17'58"W	225.00	75.30	74.85
C15	04°27'33"	S28°29'42"E	225.00	48.64	48.63
C16	08°07'04"	N22°12'24"E	225.00	88.55	88.48
C17	04°44'58"	N15°48'33"W	225.00	51.75	51.73
C18	03°52'42"	N15°20'35"W	225.00	38.32	38.31
C19	08°50'13"	N21°42'03"W	225.00	68.68	68.60
C20	05°53'29"	N09°55'24"W	225.00	58.12	58.10
C21	41°24'47"	S89°41'21"E	175.00	128.48	133.75
C22	18°13'29"	N43°51'13"W	175.00	55.77	55.83
C23	35°53'18"	S17°15'57"E	175.00	108.81	107.83
C24	11°38'39"	S45°05'51"W	375.00	76.31	76.08
C25	01°41'34"	S71°45'58"W	375.00	11.08	11.08
C26	08°38'44"	S87°47'23"W	425.00	71.85	71.48
C27	05°33'01"	N00°11'31"E	425.00	41.17	41.15
C28	04°02'40"	S29°28'21"W	425.00	68.82	68.81
C29	02°37'12"	N88°18'17"E	425.00	85.84	85.60
C30	05°40'07"	S48°04'44"W	175.00	117.32	117.11
C31	09°15'09"	S63°54'07"W	425.00	68.83	68.56
C32	04°05'04"	N70°34'13"E	425.00	30.30	30.29
C33	08°50'33"	S68°11'44"W	375.00	52.82	52.78
C34	06°21'41"	N02°30'51"E	375.00	41.84	41.81
C35	02°38'21"	S58°44'11"W	1025.00	47.21	47.21
C36	04°58'18"	S82°21'31"W	1025.00	88.34	88.32
C37	03°57'09"	N06°08'41"E	1025.00	70.11	70.09
C38	63°11'56"	S31°40'40"W	175.00	193.03	183.38
C39	09°04'57"	S04°38'46"W	375.00	58.35	58.29
C40	02°44'58"	N06°18'14"W	225.00	42.85	42.83
C41	18°29'13"	N77°27'00"E	225.00	72.80	72.58
C42	17°38'40"	S52°23'03"W	225.00	69.29	69.02
C43	06°59'50"	S49°53'48"W	225.00	35.33	35.30
C44	43°52'02"	S47°11'39"W	175.00	134.18	130.90
C45	03°59'47"	N43°33'47"E	635.00	44.29	44.28
C46	07°27'19"	S49°17'19"W	635.00	82.83	82.57
C47	06°33'03"	S56°27'30"W	635.00	76.30	76.25
C48	04°29'41"	S62°08'53"W	635.00	49.81	49.80
C49	04°20'40"	N47°44'13"E	585.00	44.38	44.35
C50	07°35'37"	S49°42'32"W	585.00	77.59	77.53
C51	07°24'34"	S57°14'49"W	585.00	79.85	79.59
C52	03°28'40"	S62°39'23"W	585.00	35.51	35.50
C53	03°54'02"	N02°28'42"E	575.00	38.14	38.14
C54	03°54'02"	N02°28'42"E	575.00	43.55	43.54
C55	13°48'31"	S20°18'30"W	625.00	150.63	150.27
C56	09°19'34"	N13°34'02"E	575.00	3.27	3.27
C57	18°43'48"	N02°05'14"E	575.00	187.89	187.29
C58	00°12'47"	S33°54'13"W	625.00	2.32	2.32
C59	01°51'56"	N06°00'51"E	875.00	31.74	31.74
C60	17°52'40"	S59°58'59"W	225.00	70.40	70.12

NUMBER	DIRECTION	DISTANCE
L1	N85°07'24"E	33.83
L2	S63°21'55"W	43.47



STREET (50' TYPICAL R.O.W.)

TYPICAL LOT DETAIL
NOT TO SCALE



ORKIN
PROPERTY
MANAGEMENT, LLC

May 24, 2013

Mr. Brad Sellers
Zoning Administrator
PO Box 608
Canton, MS 39046

Mr. Sellers:

The Belle Terre Home Owners Association Board acknowledges lots 136-153 in proposed phase 3, which back directly up to existing Belle Court in phase 2, will have same side line restriction of 7.5 feet minimum, for a total of 15 feet minimum between houses, as the existing Belle Court. This will require a variance to be granted by Madison County for proposed lots 136-153 in phase 3. This Board acknowledges and agrees with this variance.

Sincerely:
Belle Terre Property Owners Association, Inc.
Orkin Property Management, LLC., Agent



Ted S. Orkin, CMCA, AMS, PCAM
Manager

TSO/me