



Lafayette County Development Services
Planning, Zoning & Building Inspection

To: Lafayette County Planning Commission
From: Tristan Riddell, Planner
Meeting Date: August 24, 2026
Case: 26-312

Applicant: Charles Harris and Anna Grey Harris
Request: Dimensional Variance – Rear Yard Setback

Location: 11000 Covington Way, Wellsgate Lot 369
Parcel Number(s): 145Z-22-036.17
PPIN: 29001

Existing Zoning District: Residential Low Density (R-1)
Adjacent Zoning Districts: Residential Low Density (R-1)
Minimum Yard/Setback: Rear Yard: 25 feet

Background

Charles Harris and Anna Grey Harris request a dimensional variance from rear yard setback requirements (Article VIII, Section 803, Lafayette County Zoning Ordinance (LCZO)) to allow for the construction of an addition to an existing home. The applicants purchased the property in 2020 and the previous owner had constructed the existing home and an in-ground pool at the rear of the house. The in-ground pool, landscaping and rear lot fencing fully extended to the rear lot line and likely onto the adjacent property. The pool has been demolished and filled and the applicant proposes to construct an addition.

Dimensional Variance Requirements - Article XXI, Section 2104

Dimensional variances shall not be granted unless the applicant demonstrates:

- A. That special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings, in the same district.
- B. That literal interpretation of the provisions of this Ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this Ordinance.
- C. That granting the variance requested will not confer on the applicant any special privilege that is denied by this Ordinance to other lands, structures, or buildings in the same zoning district.

The applicant states that the existing dwelling was cited by the previous owner in such a manner as to deprive them from being able to construct an addition to the dwelling commonly seen on other homes in the Wellsgate Subdivision. The landowner has remedied a more egregious setback encroachment, having removed a previously installed in-ground pool. The Wellsgate

Architectural Review Committee has reviewed the proposed addition and setback request and concluded that it is not inconsistent with the Wellsgate setback requirements.

The applicant states that the dimensional variance would allow for five (5) feet of encroachment, however, this is inaccurate as the minimum rear setback for properties within the R-1 District is 25 feet not 20 feet as stated on the application submittal. The dimensional variance would result in a 10 foot setback from the rear lot line at the nearest point of the addition (see site plan submitted by applicant).

The subject property, Lot 369, has a relatively smaller building envelope than the surrounding lots within the Wellsgate Subdivision. The proposed addition aligns with the size and layout of neighboring homes within the Wellsgate Subdivision. Due to the smaller lot size, compatibility with surrounding construction and the approval from the Wellsgate Owners Association, the dimensional variance is appropriate.

Public Notice/Public Comment

Dimensional variance requests are required to be heard during a properly notified public hearing (Article XXI, Section 2104.03, LCZO). Notice of this public hearing was posted on the subject property and printed in the Northeast Mississippi Daily Journal.

Adjacent landowners were properly notified by certified mail in advance of the Planning Commission meeting. To date, Planning Staff has not received any written public comment.

Planning Staff Recommendation

Planning Staff recommends approval of the dimensional variance to allow the construction of home addition as submitted.

Enc.:

1. Application Materials

REQUEST FOR DIMENSIONAL VARIANCE
APPLICATION

Name of Applicant: Charles Harris and Anna Grey Harris

Property Address: 11000 Covington Way, Oxford, MS 38655 (Lot #369, Wellsgate Subdivision)

Phone Number: 1-901-497-3300 Email Address: annagmccraw@gmail.com

Current Zoning District: R-1

(Selected answer is bolded and underlined)

DOES THE PROPERTY HAVE RESTRICTIVE COVENANTS? **YES** NO

(If YES, please attach a copy of restrictive covenants) — Declaration of Covenants, Conditions and Restrictions for Wellsgate is attached.

HAS THERE BEEN A PREVIOUS REQUEST FOR ANY ZONING ACTIONS AT THIS PROPERTY BEFORE? YES **NO**

(If YES, please attach a copy of all decisions made by the Planning Commission and Board of Supervisors)

Requirements of Applicant:

1. Letter stating reason for requested dimensional variance — attached
2. Copy of the written legal description — to be attached
3. Site plan of property — attached (survey by Hill Lewis Surveying, dated June 2026, Job #26-122)
4. Complete set of plans — to be attached

Requirements for Granting Dimensional Variance: *(Section 2404.01— Zoning Ordinance)*

A. That special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings, in the same district.

B. That literal interpretation of the provisions of this Ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this Ordinance.

C. That granting the variance requested will not confer on the applicant any special privilege that is denied by this Ordinance to other lands, structures, or buildings in the same zoning district.

Applicant shall be present at the Planning Commission meeting. Documents shall be submitted thirty (30) days prior to the Planning Commission meeting. Applicant is responsible for complying with all applicable requirements of the Zoning Ordinance.

By signing this application, it is understood that permission is given to the Zoning Administrator to have a sign erected on subject property, given notice to the public that said property is being considered for dimensional variance.

JOSEPH MOORE

Signature (Joseph Moore, JM Engineering and Design, LLC)

07/13/2026

Date

July 10, 2026

Lafayette County Planning Commission
c/o Tristan Riddell, County Planner
Lafayette County Building & Planning Department
300 N. Lamar Blvd.
Oxford, MS 38655

RE: Letter Stating Reason for Requested Dimensional Variance

Property: 11000 Covington Way, Oxford, MS 38655 (Lot #369, Wellsgate Subdivision)

Applicants: Charles Harris and Anna Grey Harris

Dear Members of the Planning Commission:

Charles Harris and Anna Grey Harris (“Applicants”) respectfully submit this letter in support of their application for a dimensional variance from the rear yard setback requirement of the Lafayette County Zoning Ordinance applicable to the above-referenced property, pursuant to Section 2404.01.

Background. Applicants purchased the property in 2020. The existing single-family residence was constructed by a prior owner/builder; Applicants did not build the house and were not involved in siting it on the lot. At the time of purchase, an in-ground swimming pool built by a prior owner was located at the rear of the lot. That pool appears to have been constructed at or across the rear property line, and its presence contributed to Applicants' impression that more usable rear yard area existed than actually exists. The pool has since been demolished and the area filled in. Applicants now wish to construct an addition to the rear of the existing dwelling, consisting of conditioned living space and an attached patio. As shown on the enclosed site plan (Hill Lewis Surveying, field survey June 2026), the existing dwelling's position on Lot #369 leaves less rear yard depth than Applicants had originally understood, and the proposed addition will require relief of approximately five (5) feet from the required rear setback.

Requirements for Granting Dimensional Variance (Section 2404.01)

A. Special conditions peculiar to the land or structure. The existing dwelling was sited on the lot by the original builder in a manner that leaves reduced rear yard depth relative to other comparably zoned lots in the district. This is a physical characteristic of the existing structure and its placement on the lot — not a condition Applicants created — and it is not a condition applicable to vacant or differently configured lots within the same district.

B. Deprivation of rights commonly enjoyed by others. Strict application of the rear setback, given the existing dwelling's placement, would prevent Applicants from adding a reasonably sized, code-compliant addition of the type commonly constructed by similarly situated homeowners elsewhere in the R-1 district and within the Wellsgate subdivision — effectively depriving Applicants of a property right their neighbors already enjoy.

C. No special privilege. The relief requested is modest (approximately five feet) and tailored to the minimum necessary to accommodate the proposed addition. Granting it would not confer any privilege on

Applicants beyond what other property owners in the district already enjoy when constructing similar additions on comparably sized lots.

Disclosure Regarding Existing Front Setback Condition

For the Commission's full awareness, Applicants also note that the existing dwelling's front setback is likewise deficient under current requirements, by approximately six (6) feet at its most nonconforming point. This condition predates Applicants' 2020 purchase of the property and was not created by Applicants. Based on Applicants' observation of the surrounding neighborhood, similar front setback conditions appear common among other homes within the Wellsgate subdivision, which suggests this reflects the site layout and building practices used at the time of the subdivision's original development, rather than an isolated or self-created condition on this lot.

Applicants are not proposing any change to the front of the structure, and this application does not request variance relief as to the front setback. It is disclosed here solely for context and transparency, and to illustrate that the conditions affecting this property are consistent with a broader pattern in the immediate area rather than unique to Applicants' own conduct.

Conclusion

For the foregoing reasons, Applicants respectfully request that the Planning Commission recommend, and the Board of Supervisors grant, a dimensional variance of approximately five (5) feet from the required rear yard setback to allow construction of the proposed rear addition. Applicants will be present at the Planning Commission meeting and are prepared to answer any questions and to comply with all applicable requirements of the Zoning Ordinance.

Thank you for your consideration.

Sincerely,

Joseph Moore
JM Engineering and Design, LLC

WELLSGATE

Owners Association, Inc.

Date: July 24, 2026
To: Lafayette County Planning Commission
From: Wellsgate ARC Committee
Re: Support for Variance Request Submitted by Charles and Anna Grey Harris

To the Lafayette County Planning Commission:

The Wellsgate Architectural Review Committee (ARC) is writing in regards to the variance request submitted by Charles and Anna Grey Harris for their property within the Wellsgate subdivision.

After reviewing the proposed project, the ARC has determined that the requested County 5-foot variance does not conflict with the intent of Wellsgate's architectural guidelines. Specifically, the proposed setback remains consistent with the subdivision's customary rear lot setback considerations, and the Committee has no objection to the requested 5-foot variance.

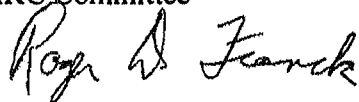
The Harris project application has already received approval from the Wellsgate ARC, subject to any approvals required by Lafayette County. The Committee believes the requested variance is reasonable and supports the homeowners' request for approval by the Planning Commission.

Should the variance be granted, the homeowners will continue to follow the established ARC review and approval process for the proposed addition as required by the Wellsgate governing documents.

Thank you for your consideration of this request.

Sincerely,

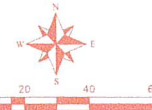
Wellsgate Homeowners Association
ARC Committee



Roger Franck
Wellsgate Board of Directors President



410 Enterprise Drive, Suite 4, Oxford, MS 38655
Phone (662) 236-9611
hoa@keithcollinsco.com



NOTE: ALL CALLS EITHER MATCH THE DEED CALLS OR ARE NEW CALLS CREATED BY THIS SURVEY.

PROPERTY LINES
EASEMENT LINES
SETBACK LINES
EDGE OF PAVEMENT
CENTERLINE OF ROAD
BUILDING
FENCE
6 PROPERTY CORNERS(1/2" IRON PIN SET)
EXISTING MONUMENTS(1/2" IRON PIN)
● SURVEY POINTS

REVISION				SITE PLAN FOR LOT #369 WELLSGATE	
NO.	BY	DESCRIPTION	DATE		
				HILL LEWS 169 HIGHWAY 6 EAST, STE. 201 OXFORD, MS 38655 PH: 662-371-1985 Surveying DRAWING CHK: BH DATE: 6-27-26 J08#26-122	

Lafayette County MS



6/29/2026, 10:23:24 AM

Roads and Railroads

2

Leader

SUBD_TIC_LN

Parcels

lafayette_ms_water

lafayette_ms_twprng

lafayette_ms_subref

lafayette_ms_secno

lafayette_ms_rname

lafayette_ms_roadname

lafayette_ms_parno

lafayette_ms_misc

lafayette_ms_lotno

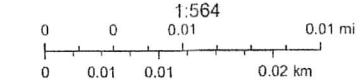
lafayette_ms_exempt

lafayette_ms_dist

lafayette_ms_dim

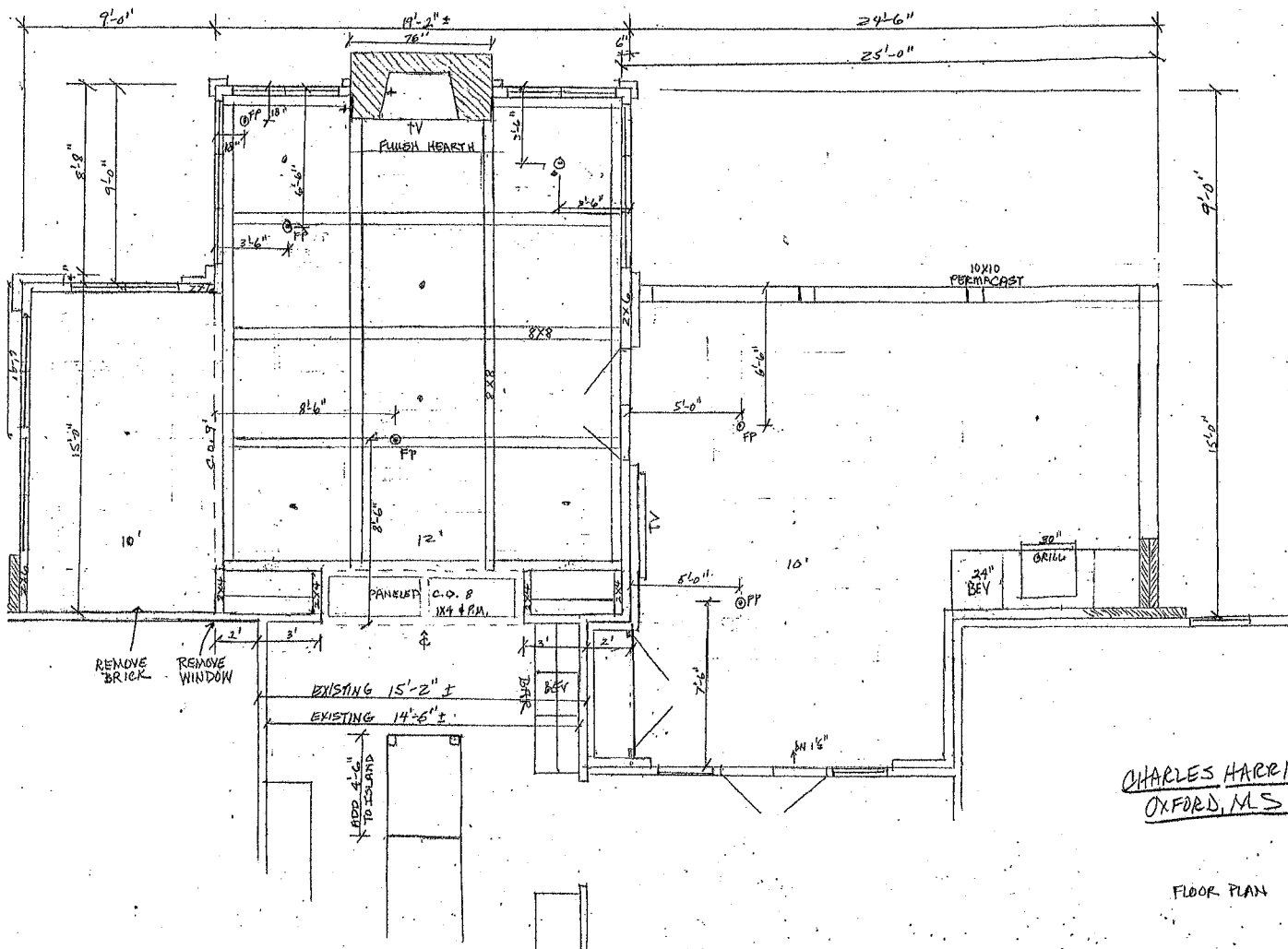
lafayette_ms_citylim

lafayette_ms_ac



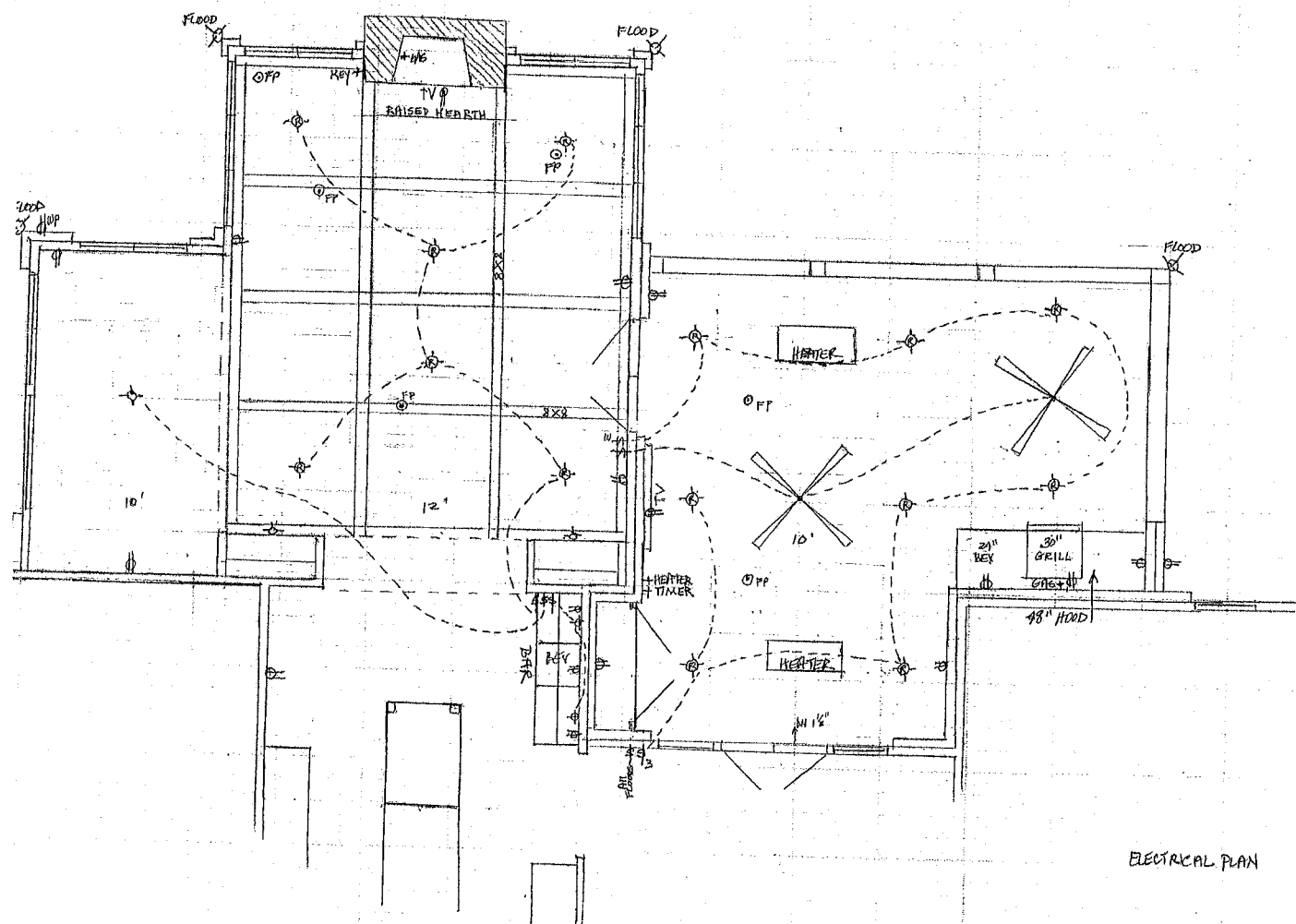
Esri, HERE, Garmin, (c) OpenStreetMap contributors, and the GIS user community, Esri, HERE, Garmin, GeoTechnologies, Inc., USGS, EPA

GIS

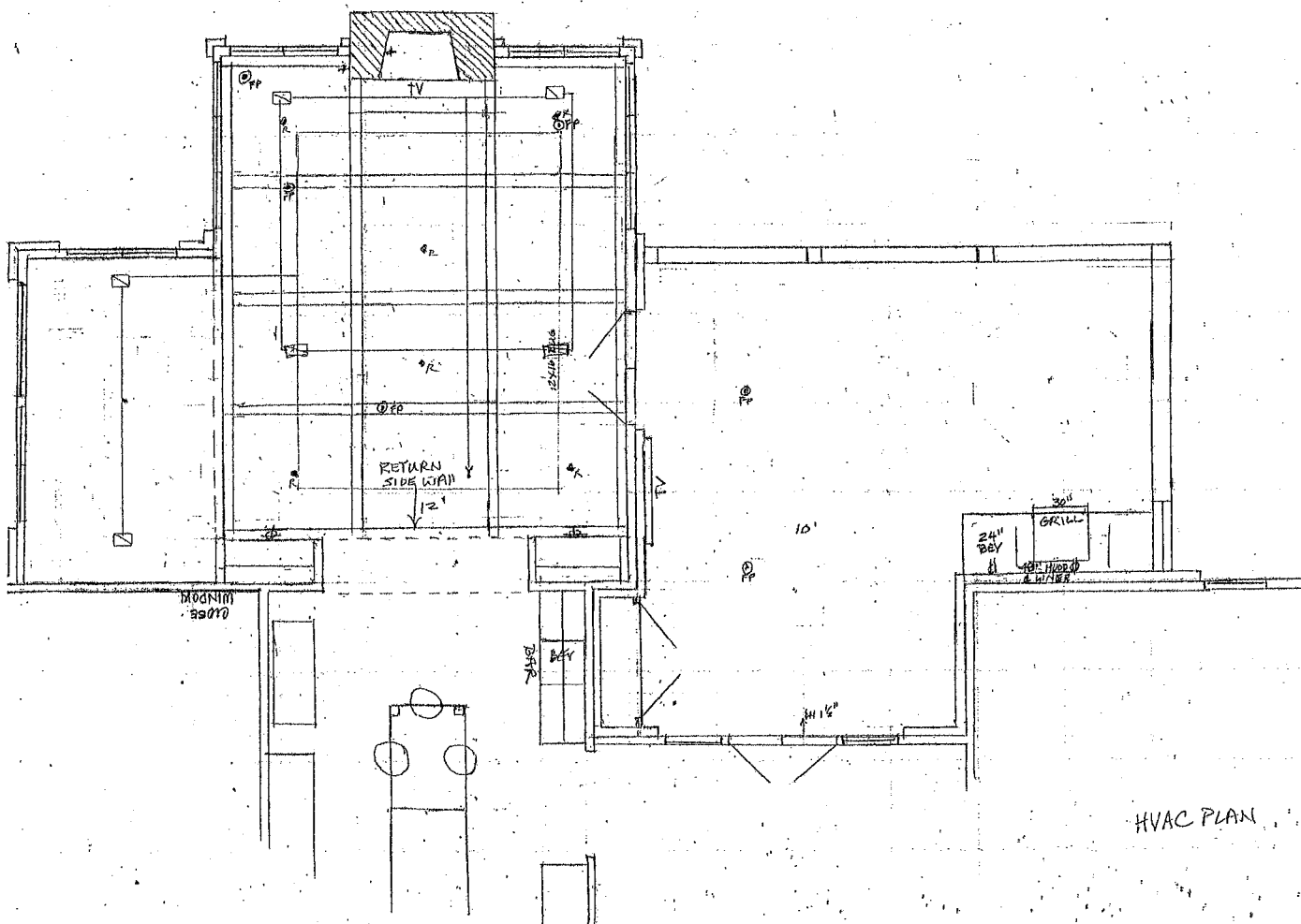


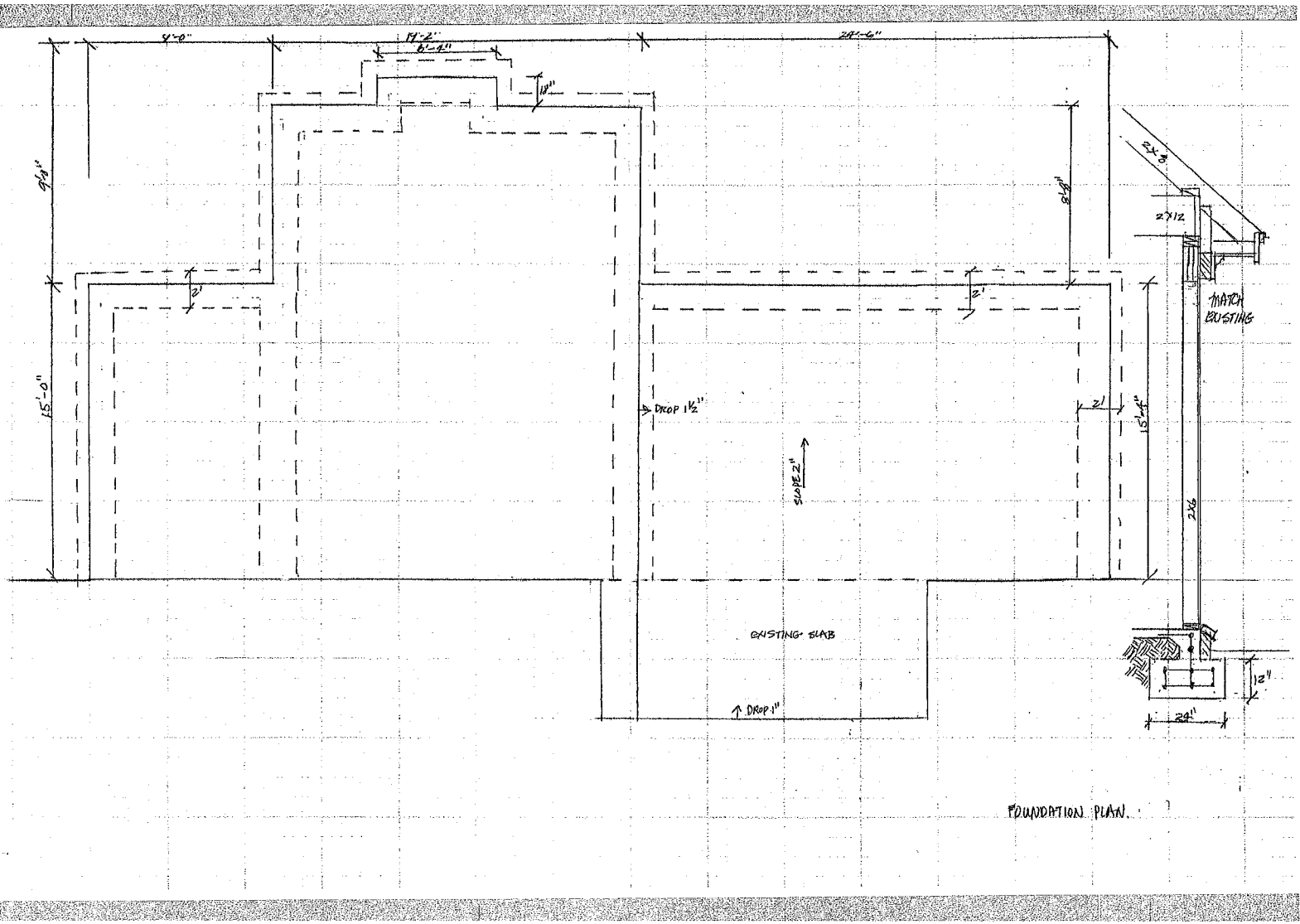
CHARLES HARRIS
OXFORD, MS

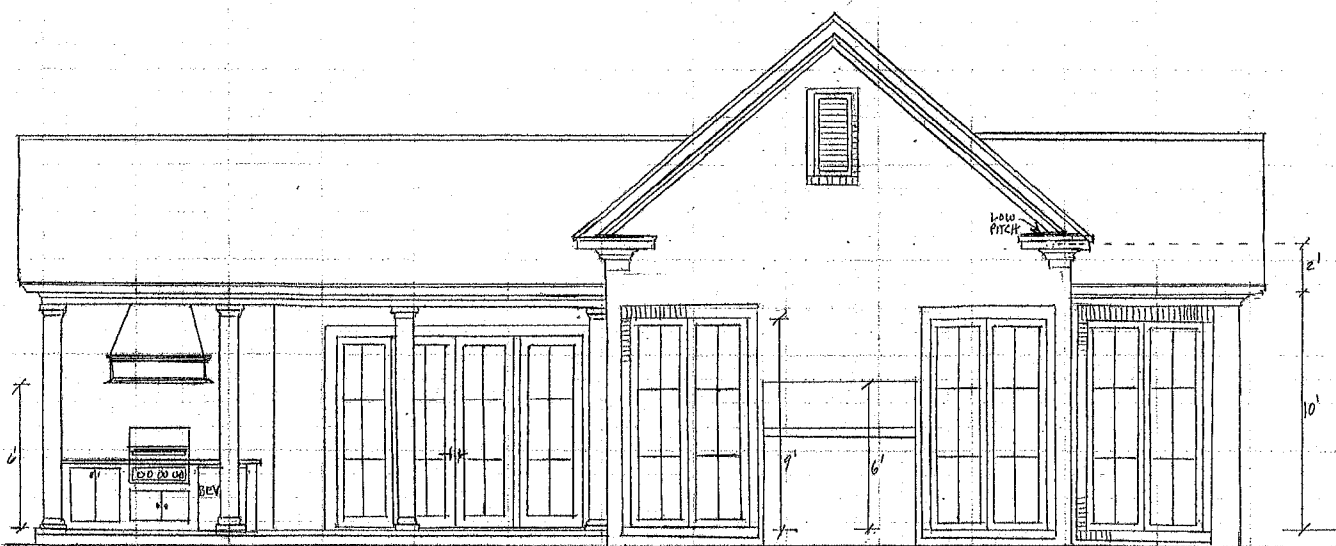
FLOOR PLAN



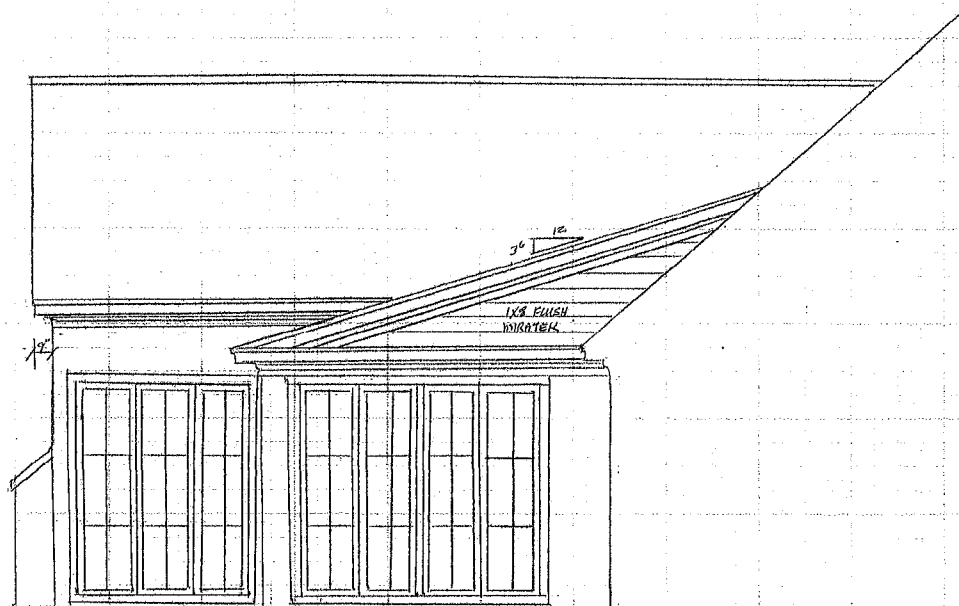
ELECTRICAL PLAN



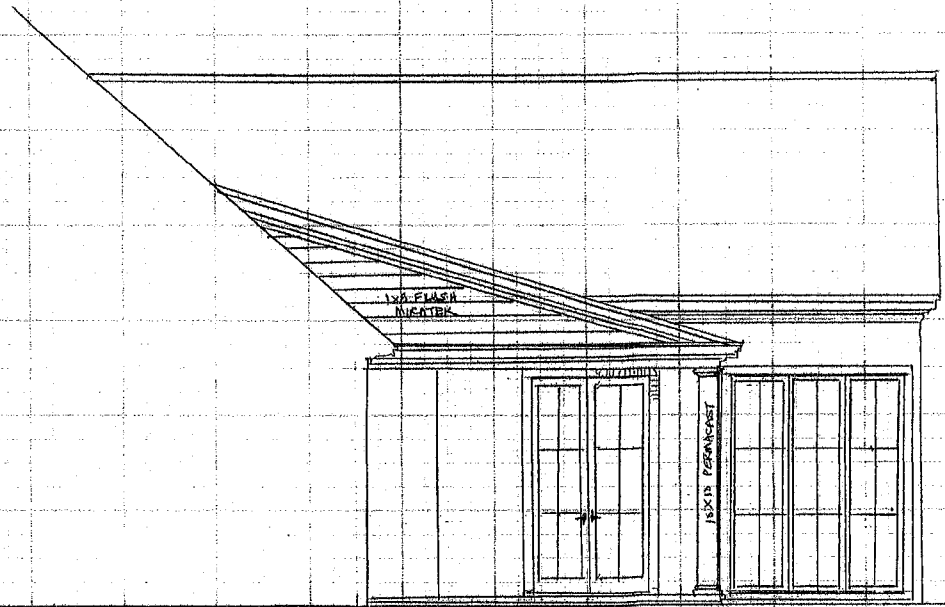




BACK ELEVATION



WEST ELEVATION



EAST ELEVATION