



OFFICIAL AGENDA
BOARD OF ADJUSTMENTS & APPEALS
CITY OF STARKVILLE, MISSISSIPPI
SPECIAL CALL MEETING OF WEDNESDAY, April 12, 2016
2ND FLOOR CITY HALL – COMMUNITY DEVELOPMENT,
110 West Main Street, 4:00 PM

- I. CALL TO ORDER
- II. ROLL CALL
- III. CONSIDERATION OF THE OFFICIAL AGENDA
- IV. NEW BUSINESS
 - A. VA 16-04 Request for Variance from maximum lot width requirements for a proposed lot aggregation of three lots on the northwest corner of the intersection of University Drive and Hartness Street with the parcel #117M-00-195.00, 117M-00-195.01, and 117M-00-195.02VA 16-02
- I. PLANNER REPORT
- II. ADJOURN



THE CITY OF STARKVILLE
COMMUNITY DEVELOPMENT DEPT
CITY HALL, 110 WEST MAIN STREET
STARKVILLE, MISSISSIPPI 39759

STAFF REPORT

TO: Members of the Board of Adjustments & Appeals
FROM: Daniel Havelin (662-323-2525 ext. 3136)
SUBJECT: VA 16-04 Request for Variance from maximum lot width requirements for a proposed lot aggregation of three lots on the northwest corner of the intersection of University Drive and Hartness Street with the parcel #117M-00-195.00, 117M-00-195.01, and 117M-00-195.02
DATE: April 12, 2016

AREA:

The combination of the subject properties would be +/-1.81 acres and is located on the northwest corner of the intersection of University Drive and Hartness Street in a T-5 District.

PROPOSED USE & BACKGROUND:

The applicant, Jeremy Tabor, is requesting relief from the maximum lot width requirements on behalf of Joe & Mary Tkach, Tkach Properties, LLC, and Food Group, Inc.. The three properties are part of a proposed mixed use development. The applicant is requesting to aggregate all three properties into one property. The proposed aggregated property would exceed the maximum lot width for a T-5 District. The proposed new lot width along University Drive is 426.83'. A Variance from the maximum lot width of 120' would be required prior to the lot aggregation. If the request for Variance is recommended for approval, the applicant's requests will be heard by the Board of Aldermen at the April 19, 2016 meeting. See attachments 1-4.

NOTIFICATION

57 property owners of record within 300 feet of the subject property were notified directly by mail of the request. A public hearing notice was published in the Starkville Daily News March 28th 2016 and a placard was posted on the property concurrent with publication of the notice. As of this date, the Planning Office has received no phone call against this request.

Variance Requests From:

1. Appendix A- Zoning, Article VII. - District Regulations, Sec. T. - Transect districts., § 4 – Specific to T5 Districts, 7.1 Lots, A

**Appendix A- Zoning, Article VII. - District Regulations
Sec. T. - Transect districts**

§ 4 - SPECIFIC TO T5 DISTRICTS.

Lots located within the T5 District shall be subject to the requirements of this section.

7.1 LOTS

- (a) *Subdivisions of existing Lots and new combinations of Lots shall have a minimum width of 18 feet and a maximum width of 120 feet, measured at the Frontage Line.*

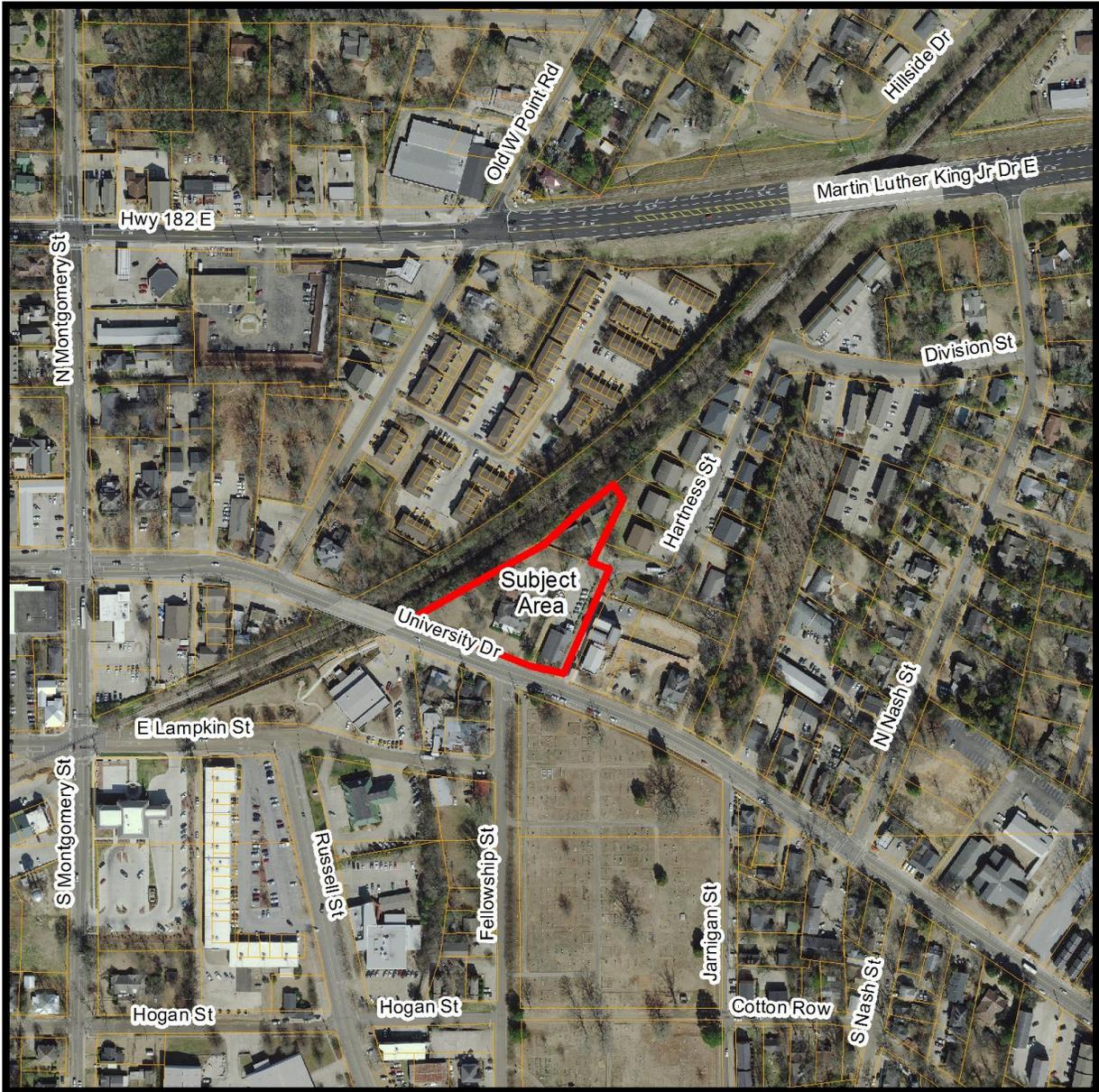
VARIANCE REQUEST REQUIREMENTS:

Appendix A, Article VI, Section K outlines four conditions a Variance request needs to meet:

To authorize an appeal in specific cases such variance from the terms of this ordinance [may be issued] as will not be contrary to the public interest where, owing to special conditions, a literal enforcement of the provisions of this ordinance would result in unnecessary hardship. A variance from the terms of this ordinance shall not be granted by the board of adjustments and appeals unless and until a written application for a variance shall be submitted, demonstrating:

1. That special conditions and circumstances exist which are peculiar to the land, structure, or building involved, and the same conditions are not applicable to other land, structures and buildings in the same district.
2. 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.
3. That the special conditions and circumstances have not resulted from the actions of the applicant.
4. 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 district. In granting any variance, the board of adjustments and appeals shall have the authority to prescribe appropriate conditions and safeguards in conformity with this ordinance. Violation of such conditions and safeguards, when made a part of the terms under which the variance is granted, shall be deemed a violation of this ordinance. Under no circumstances shall the board of adjustments and appeals grant a variance to permit a use other than a use permitted generally, or by special exception, in the district involved, nor shall a variance be granted to any use expressly or by implication prohibited by the terms of this ordinance in said district.

Attachment 1
VA 16-04 Aerial

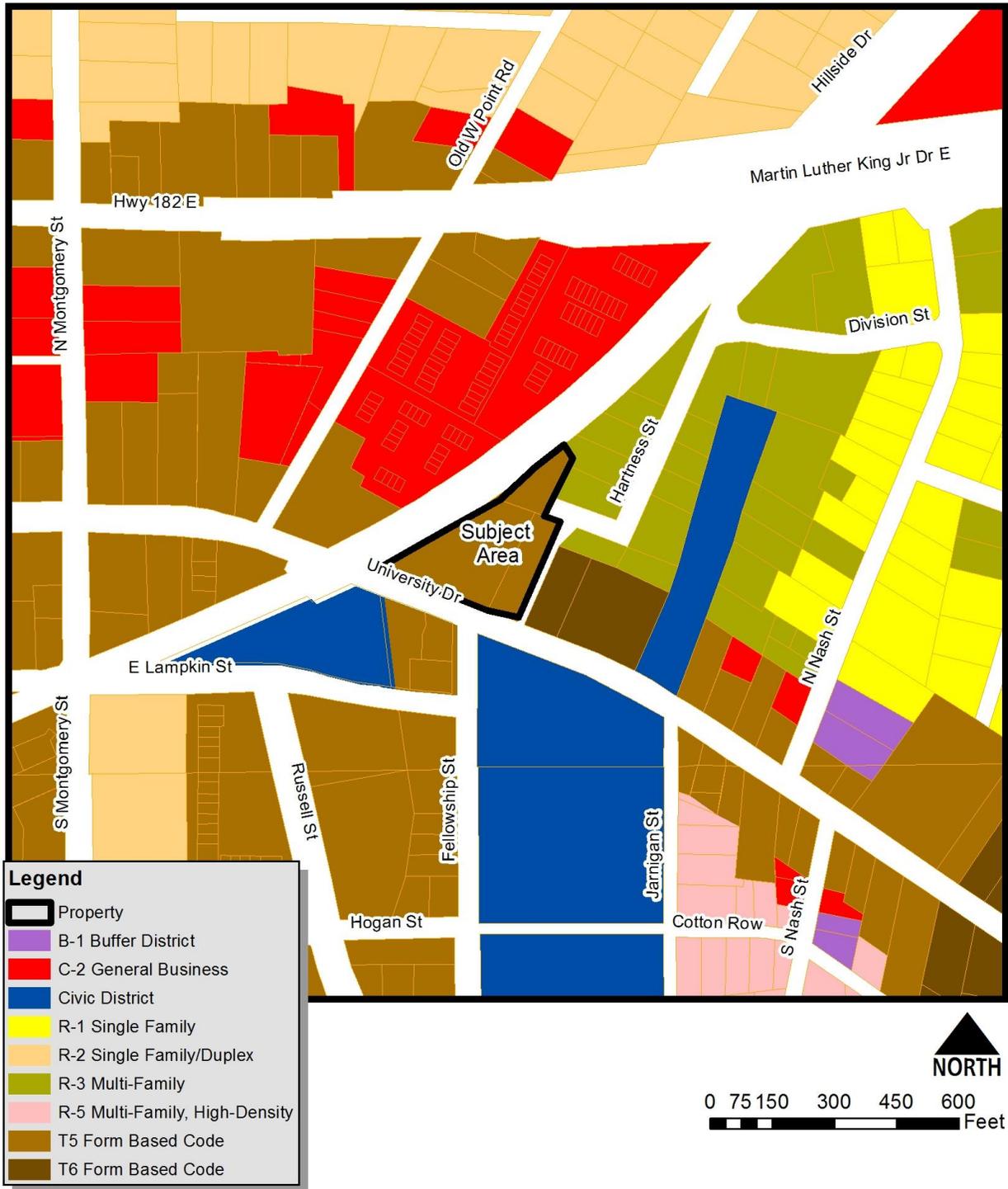


0 75 150 300 450 600
Feet

Legend

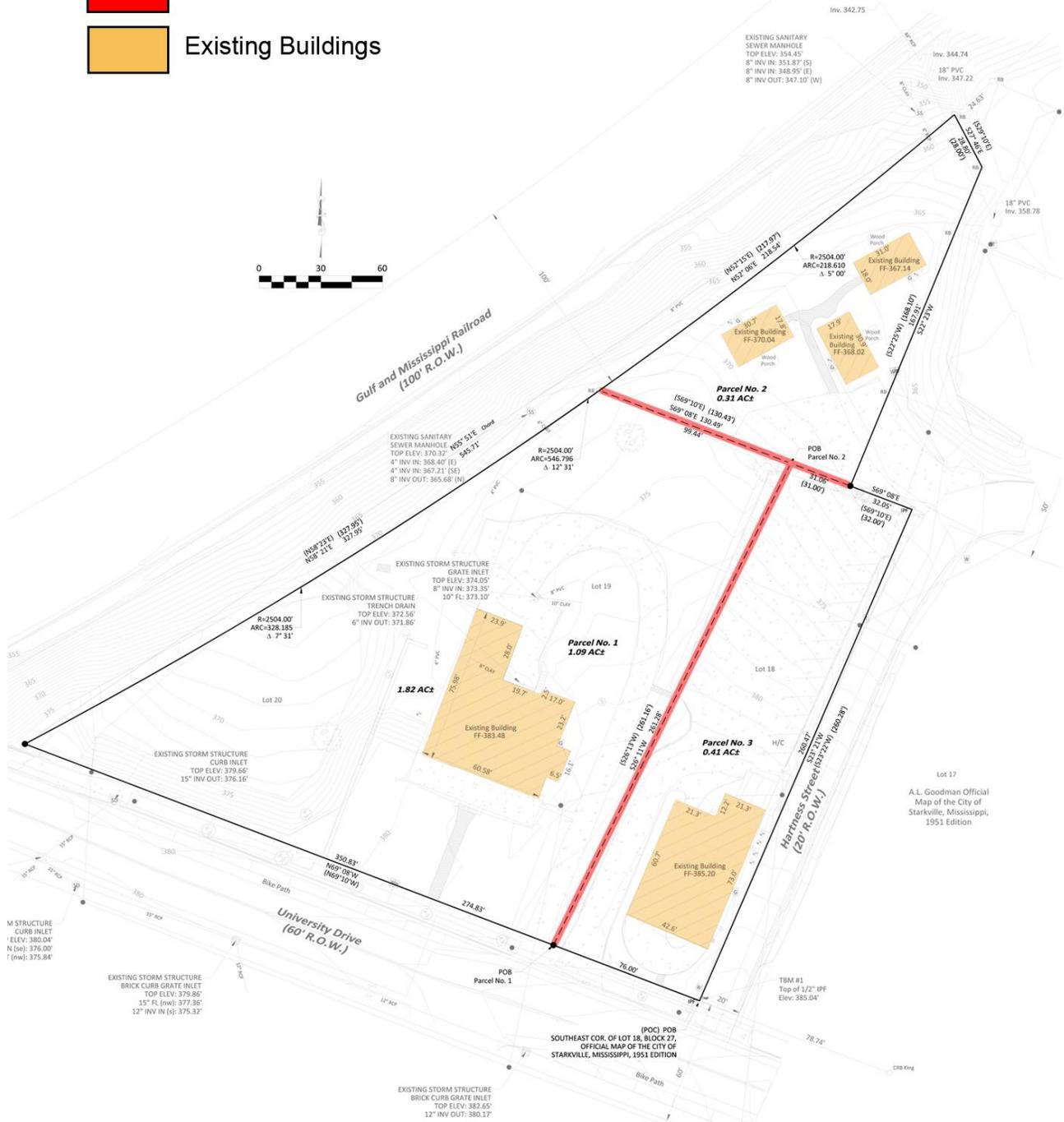
 Property

Attachment 2 VA 16-04 Zoning



Attachment 3- Survey

- Existing Property Line
- Existing Buildings



Attachment 4- Conceptual Plan

