



**OFFICIAL AGENDA  
PLANNING & ZONING COMMISSION  
CITY OF STARKVILLE, MISSISSIPPI  
MEETING OF TUESDAY, OCTOBER 11, 2016  
CITY HALL - COURT ROOM,  
110 West Main Street, 5:30 PM**

- I. CALL TO ORDER
- II. PLEDGE OF ALLEGIANCE AND MOMENT OF SILENCE
- III. ROLL CALL
- IV. CONSIDERATION OF THE OFFICIAL AGENDA
- V. CONSIDERATION FOR APPROVAL OF MINUTES
  - A. Consideration of the Unapproved minutes for February 9, 2016
  - B. Consideration of the Unapproved minutes for April 12, 2016
  - C. Consideration of the Unapproved minutes for May 10, 2016
  - D. Consideration of the Unapproved minutes for September 13, 2016
- VI. CITIZEN COMMENTS
- VII. NEW BUSINESS
  - A. EX 16:04 Request for an Exception to allow an addition to Peter's Rock Temple located at 223 Dr. Martin Luther King Jr Drive West in a T-5 zone with the parcel numbers 118O-00-158.00, 118O-00-156.00, 118O-00-171.00, and 118O-00-169.00
  - B. EX 16-05 Request for Exception from lot occupation in a T-5 district located at 519 University Drive located in a T-5 zoned with the parcel numbers 17M-00-090.00, 17M-00-090.01, and 17M-00-191.00
  - C. FP 16-12 Request for Final Plat approval for a three lot subdivision of a 9.59 acre parcel on the southeast corner of the intersection of Lynn Lane and Louisville Street in an C-2 zone with the parent parcel number 02J-00-113.00
- VIII. PLANNER'S REPORT
- IX. ADJOURN



**MINUTES OF THE REGULAR MEETING OF THE PLANNING AND ZONING  
COMMISSION**

**City of Starkville, Mississippi May 10, 2016**

Be it remembered, that, the members of the Planning and Zoning Commission of the City of Starkville, met in their regularly scheduled meeting on May 10, 2016 at 5:30 p.m. in the Courtroom of City Hall, located at 110 West Main Street, Starkville, MS.

There being present were Michael Brooks, Chairman, Ward 4, Jason Camp, Ward 1, Jim McReynolds, Ward 2, Tom Walker, Ward 3, Patrick Miller, Ward 5, Ira Loveless, Ward 6, and John Moore, Ward 7. Attending the Commissioners were Community Development Director Buddy Sanders, City Planner Daniel Havelin, City Attorney Chris Latimer, and Recording Secretary Bill Green.

Commission Chairman Michael Brooks opened the meeting with the Pledge of Allegiance followed by a moment of silence.

**1. A MOTION TO APPROVE THE OFFICIAL AGENDA AS PRESENTED**

There came for consideration, the matter of the approval of the motion to approve the Official Agenda of the Planning and Zoning Commission of May 10, 2016 as presented.

OFFICIAL AGENDA  
PLANNING & ZONING COMMISSION  
CITY OF STARKVILLE, MISSISSIPPI  
MEETING OF TUESDAY, MAY 10, 2016  
CITY HALL - COURT ROOM,  
WEST MAIN STREET, 5:30 PM

- I. CALL TO ORDER
- II. PLEDGE OF ALLEGIANCE AND MOMENT OF SILENCE
- III. ROLL CALL
- IV. CONSIDERATION OF THE OFFICIAL AGENDA
- V. CITIZEN COMMENTS
- VI. NEW BUSINESS

- A. EX 16-03 Request for Exception for a nonconforming band sign at 200 South Montgomery located in a T-5 zoned with the parcel number 118P-00-365.00
- B. FP 16-04 Request for Final Plat approval for subdividing a +/- 20.7 acre parcel into two lots. The parcel is located directly south of Starkville Christian School on Lynn Lane in an R-5 Zone with the parcel number 102O-00-004.00.
- C. RZ 16-04 Request for Rezoning one parcel at 300 Yellow Jacket Drive from R-1 Single Family to B-1 Buffer with the parcel number 102H-00-043.00

- D. CU 16-04 Request for a Conditional Use for a “Institutional and Health Care Facilities” on one parcel at 300 Yellow Jacket Drive currently zoned R-1 Single Family with the parcel number 102H-00-043.00

VII. ADJOURN

After discussion and upon the motion of Commissioner Miller, duly seconded by Commissioner Moore, the motion to approve the Official Agenda of the Planning and Zoning Commission for May 10, 2016, as presented, received unanimous approval.

**CITIZEN COMMENTS**

The Chair opened up the meeting for citizen comments. Seeing there were none, the Commission moved to new business.

**NEW BUSINESS**

**A. CONSIDERATION OF EX 16-03, A REQUEST FOR EXCEPTION FOR A NONCONFORMING BAND SIGN AT 200 SOUTH MONTGOMERY LOCATED IN A T-5 ZONED WITH THE PARCEL NUMBER 118P-00-365.00**

City Planner Daniel Havelin presented the request EX 16-03, an exception request by applicant Tabor Construction & Development to allow a nonconforming wall sign to be placed on the elevator tower on the north side of the Central Station building. The proposed sign will exceed the size requirement for a band sign in a T-5 zoned areas. The proposed sign is shown at 9'-6" wide and 15' tall. After discussion of the requested EX 16-03, the Commission Chair opened a public hearing and called for comments regarding the above request.

The Commission Chair opened a public hearing and called for comments regarding the above request.

The applicant, Jeremy Tabor came forward to speak on the request.

Calling for and hearing no further comments. The Commission Chair closed the Public hearing portion of the meeting.

After discussion, a motion to Approve EX16-03 was made by Commissioner Walker which was duly seconded by Commissioner McReynolds. The Commission voted 4 to 2 to approve the request.

**B. CONSIDERATION OF FP 16-04 REQUEST FOR FINAL PLAT APPROVAL FOR SUBDIVIDING A +/- 20.7 ACRE PARCEL INTO TWO LOTS. THE PARCEL IS LOCATED DIRECTLY SOUTH OF STARKVILLE CHRISTIAN SCHOOL ON LYNN LANE IN AN R-5 ZONE WITH THE PARCEL NUMBER 1020-00-004.00**

City Planner Daniel Havelin presented FP 16-04, a request by Jason Pepper on behalf of Ruth Vickers Living Trust for Final Plat approval for subdividing a +/- 20.7-acre parcel into two lots. The parcel is located directly south of Starkville Christian School on Lynn Lane in an R-5 Zone. This request is part of a proposed purchase by Starkville Christian School for future expansion. The School is in the process of purchasing 5 acres from Ruth Vickers Living Trust. After the parcel has been subdivided, the school will aggregate the 5 acres into their existing property for future expansion. The Board of Aldermen approved the Preliminary Plat on April 19, 2016. The commission chair called for comments regarding the above request.

The applicant, Jason Pepper, spoke on the request.

After discussion, a motion to approve PP-16-04 was made by Commissioner Walker which was seconded by Commissioner Camp. The Commission voted unanimously to approve the request.

**C. CONSIDERATION OF RZ 16-04, A REQUEST FOR REZONING ONE PARCEL AT 300 YELLOW JACKET DRIVE FROM R-1 SINGLE FAMILY TO B-1 BUFFER WITH THE PARCEL NUMBER 102H-00-043.00**

City Planner Daniel Havelin presented the request RZ 16-04, a request by Wendi Woods on behalf of the Estate of Betty and David Josey to rezone one parcels located at 300 Yellow Jacket Drive from R-1 Single Family to B-1 Buffer. 44 Property owners were noticed by mail, an ad was placed in Starkville daily news on April 18, 2016 and a sign was posted on the property. As of this date, the Planning Office has received three phone calls and four letters against the request. Five letters supporting this request were included in the Applicant's Statement.

The Commission Chair opened a public hearing and called for comments regarding the above request. Comments were received from the following individuals:

Julie Brown, the attorney representing Wendi Woods and the Josey Family, spoke on the request.

Robert Boyd spoke against the request.

Kristen Dechert spoke against the request.

Jerry McBride spoke against the request.

Ed Dechert spoke against the request.

David Josey, the owner, spoke in favor of the request.

Wendi Woods, spoke in favor of the request.

Calling for and hearing no further comments. The Commission Chair closed the Public hearing portion of the meeting.

After discussion, a motion to deny RZ-16-04 based on a lack of change in the neighborhood was made by Commissioner Loveless which was duly seconded by Commissioner Miller. The Commission voted 4 to 3 to deny the request. Chairman Brooks was the tie breaking vote.

**D. CONSIDERATION OF CU 16-04, A REQUEST FOR A CONDITIONAL USE FOR A “INSTITUTIONAL AND HEALTH CARE FACILITIES” ON ONE PARCEL AT 300 YELLOW JACKET DRIVE CURRENTLY ZONED R-1 SINGLE FAMILY WITH THE PARCEL NUMBER 102H-00-043.00**

CU 16-04 was not heard due to lack of approval of RZ 16-04.

**PLANNERS REPORT**

Community Development Director Buddy Sanders announced the hire of Emily Corban as Assistant City Planner.

**6. A MOTION TO ADJOURN**

There came for consideration, the matter of the approval of the motion to adjourn until 5:30 p.m. on June 14, 2016, in the courtroom of City Hall located at 110 West Main Street, Starkville MS.

After discussion, and upon the motion of Commissioner Moore, duly seconded by Commissioner McReynolds, the motion to adjourn until 5:30 p.m. on June 14, 2016, in the courtroom of City Hall located at 110 West Main Street, Starkville MS, was unanimously approved.

**MINUTES OF THE REGULAR MEETING OF THE PLANNING AND ZONING  
COMMISSION  
City of Starkville, Mississippi April 12, 2016**

Be it remembered, that, the members of the Planning and Zoning Commission of the City of Starkville, met in their regularly scheduled meeting on April 12, 2016 at 5:30 p.m. in the Courtroom of City Hall, located at 110 West Main Street, Starkville, MS.

There being present were Michael Brooks, Chairman, Ward 4, Jason Camp, Ward 1, Jim McReynolds, Ward 2, Tom Walker, Ward 3, Ira Loveless, Ward 6, and John Moore, Ward 7. Commissioner Patrick Miller, Ward 5 was absent. Attending the Commissioners were Community Development Director Buddy Sanders, City Planner Daniel Havelin, City Attorney Chris Latimer, and Recording Secretary Bill Green.

Commission Chairman Michael Brooks opened the meeting with the Pledge of Allegiance followed by a moment of silence.

**1. A MOTION TO APPROVE THE OFFICIAL AGENDA AS PRESENTED**

There came for consideration, the matter of the approval of the motion to approve the Official Agenda of the Planning and Zoning Commission of April 12, 2016 as presented.

OFFICIAL AGENDA  
PLANNING & ZONING COMMISSION  
CITY OF STARKVILLE, MISSISSIPPI  
MEETING OF TUESDAY, APRIL 12, 2016  
CITY HALL - COURT ROOM,  
110 WEST MAIN STREET, 5:30 PM

- I. CALL TO ORDER
- II. PLEDGE OF ALLEGIANCE AND MOMENT OF SILENCE
- III. ROLL CALL
- IV. CONSIDERATION OF THE OFFICIAL AGENDA
- V. CONSIDERATION FOR APPROVAL OF MINUTES
  - A. consideration of the unapproved December 8, 2015 minutes
  - B. consideration of the unapproved January 12, 2016 minutes
- VI. CITIZEN COMMENTS
- VII. NEW BUSINESS
  - A. CU 16-03 REQUEST FOR CONDITIONAL USE TO FOR A "DWELLING, 2 FAMILY" DUPLEX ON ONE PARCEL ZONED R-2 SINGLE FAMILY/DUPLEX ON SOUTH LAFAYETTE STREET WITH THE PARCEL NUMBER 102A-00-095.00PP

B. PP 16-05 REQUEST FOR PRELIMINARY PLAT APPROVAL FOR SUBDIVIDING A +/- 20.7 ACRE PARCEL INTO TWO LOTS. THE PARCEL IS LOCATED DIRECTLY SOUTH OF STARKVILLE CHRISTIAN SCHOOL ON LYNN LANE IN AN R-5 ZONE WITH THE PARCEL NUMBER 1020-00-004.00.

VIII. PLANNER REPORT

IX. ADJOURN

After discussion and upon the motion of Commissioner Miller, duly seconded by Commissioner Moore, the motion to approve the Official Agenda of the Planning and Zoning Commission for April 12, 2016, as presented, received unanimous approval.

**CONSIDERATION FOR APPROVAL OF THE MINUTES OF THE MEETING OF DECEMBER 8, 2015**

After discussion and upon the motion of Commissioner Walker, duly seconded by Commissioner McReynolds, the motion to approve the Minutes as amended of the December 8, 2015 Planning and Zoning Commission received unanimous approval.

**CONSIDERATION FOR APPROVAL OF THE MINUTES OF THE MEETING OF JANUARY 12, 2016**

After discussion and upon the motion of Commissioner McReynolds, duly seconded by Commissioner Walker, the motion to approve the Minutes as amended of the January 12, 2016 Planning and Zoning Commission received unanimous approval.

**CITIZEN COMMENTS**

The Chair opened up the meeting for citizen comments. Seeing there were none, the Commission moved to New Business.

**NEW BUSINESS**

**A. CONSIDERATION OF CU 16-03 REQUEST FOR CONDITIONAL USE TO FOR A "DWELLING, 2 FAMILY" DUPLEX ON ONE PARCEL ZONED R-2 SINGLE FAMILY/DUPLEX ON SOUTH LAFAYETTE STREET WITH THE PARCEL NUMBER 102A-00-095.00P**

City Planner Daniel Havelin presented the request CU 16-03, a request by Jim Defoe for a Conditional Use for a "Dwelling, 2 Family" duplex on one parcel zoned R-2 Single Family/Duplex. 28 property owners were notified directly by mail of the request. A public hearing notice was published in the Starkville Daily News on March 10, 2016. The City has received no phone calls against this request and one phone call for information on the request. Mr. Defoe is currently in the process of purchasing the property. He is planning on building a duplex for his personal and family use for extended stays in Starkville. The property is located within a flood plain. To avoid having to heavily grade the lot, Mr. Defoe is proposing that the duplex be elevated above the flood plain.

Requested Conditions:

1. Bottom level of the house to have a wall facing the street with garage doors.
2. The drive way and parking areas are to be concrete or brick pavers.

The Commission Chair opened a public hearing and called for comments regarding the above request.

The applicant Jason Pepper, representing Jim Defoe, spoke on the request.

Calling for and hearing no further comments. The Commission Chair closed the Public hearing portion of the meeting.

After discussion, a motion to Approve CU 16-03 made by Commissioner Walker which was duly seconded by Commissioner Loveless. The Commission voted unanimously to approve the request with one condition:

1. The drive way and parking areas are to be concrete or brick pavers.

**B. CONSIDERATION OF PP 16-05 REQUEST FOR PRELIMINARY PLAT APPROVAL FOR SUBDIVIDING A +/- 20.7 ACRE PARCEL INTO TWO LOTS. THE PARCEL IS LOCATED DIRECTLY SOUTH OF STARKVILLE CHRISTIAN SCHOOL ON LYNN LANE IN AN R-5 ZONE WITH THE PARCEL NUMBER 1020-00-004.00.**

City Planner Daniel Havelin presented PP 16-05, a request by Jason Pepper on behalf of Ruth Vickers Living Trust for Preliminary Plat approval for subdividing a +/- 20.7-acre parcel into two lots. The parcel is located directly south of Starkville Christian School on Lynn Lane in an R-5 Zone. The request is part of a proposed purchase by Starkville Christian School for future expansion. The School is in the process of purchasing 5 acres from Ruth Vickers Living Trust. After the parcel has been subdivided, the school will aggregate the 5 acres into their existing property for future expansion. The applicant, Jason Pepper, gave information on the request. The Commission Chair called for comments regarding the above request. Comments were received from the following individuals:

The applicant, Jason Pepper spoke on the request.

After discussion, a motion to approve PP-16-05 was made by Commissioner Camp which was seconded by Commissioner Walker. The Commission voted unanimously to approve the request.

**PLANNERS REPORT**

## **6. A MOTION TO ADJOURN**

There came for consideration, the matter of the approval of the motion to adjourn until 5:30 p.m. on May 10, 2016, in the courtroom of City Hall located at 110 West Main Street, Starkville MS.

After discussion, and upon the motion of Commissioner Moore, duly seconded by Commissioner McReynolds, the motion to adjourn until 5:30 p.m. on May 10, 2016, in the courtroom of City Hall located at 110 West Main Street, Starkville MS, was unanimously approved.

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**MINUTES OF THE REGULAR MEETING OF  
THE PLANNING AND ZONING COMMISSION  
City of Starkville, Mississippi February 9, 2016**

Be it remembered, that, the members of the Planning and Zoning Commission of the City of Starkville, met in their regularly scheduled meeting on February 9, 2016 at 5:30 p.m. in the Courtroom of City Hall, located at 110 West Main Street, Starkville, MS.

There being present were Michael Brooks, Chairman, Ward 4, Commissioners Jason Camp, Ward 1, Jim McReynolds, Ward 2, Tom Walker, Ward 3, Patrick Miller, Ward 5, Ira Loveless, Ward 6, and John Moore, Ward 7. Attending the Commissioners were Community Development Director Buddy Sanders, City Planner Daniel Havelin, City Attorney Chris Latimer, and Recording Secretary Bill Green.

Commission Chairman Michael Brooks opened the meeting with the Pledge of Allegiance followed by a moment of silence.

**CONSIDERATION OF THE OFFICIAL AGENDA**

There came for consideration, the matter of the approval of the motion to approve the Official Agenda of the Planning and Zoning Commission of February 9, 2015 as presented.

OFFICIAL AGENDA  
PLANNING & ZONING COMMISSION  
CITY OF STARKVILLE, MISSISSIPPI  
MEETING OF TUESDAY, FEBRUARY 9, 2016  
CITY HALL - COURT ROOM,  
West Main Street, 5:30 PM

- A. CALL TO ORDER
- B. PLEDGE OF ALLEGIANCE AND MOMENT OF SILENCE
- C. ROLL CALL
- D. CONSIDERATION OF THE OFFICIAL AGENDA
- E. CONSIDERATION FOR APPROVAL OF MINUTES
  - A. Consideration of the unapproved November 10, 2015 minutes
- F. CITIZEN COMMENTS
- G. NEW BUSINESS
  - A. CU 16-01 Request for Conditional Use to operate a "Vehicular Sales & Service" business on two parcels zoned C-1 Neighborhood Commercial with the parcel numbers 102G-00-160.01 and 102G-00-160.00
  - B. PP 16-01 Request for Preliminary Plat for an 18 lot subdivision named Adelaide Phase I located on the west side of South Montgomery Street directly north of The Claiborne at Adelaide retirement community in a R-4a

(pending) zone with the parent parcel numbers 105 -15-007.00 and 105 -22-001.00

- C. PP 16-03 Request for Preliminary Plat approval for an 11 lot subdivision named East Creek Subdivision located on the northwest corner of Garrard Road and Old West Point Road in a B-1 zone with the parent parcel number 117C-00-036.01
  - D. FP 16-02 Request for Final Plat approval for an 11 lot subdivision named East Creek Subdivision located on the northwest corner of Garrard Road and Old West Point Road in a B-1 zone with the parent parcel number 117C-00-036.01
  - E. PP 16-04 Request for Preliminary Plat approval for a 4 lot subdivision on the west side of Bluefield Road +/-0.4 miles south of Highway 12 West in an R-1 zone with the parent parcel numbers 104-18-001.00 and 104-18-001.03
  - F. FP 16-03 Request for Final Plat approval for a 4 lot subdivision on the west side of Bluefield Road +/-0.4 miles south of Highway 12 West in an R-1 zone with the parent parcel numbers 104-18-001.00 and 104-18-001.03
  - G. RZ 16-02 Request for Rezoning one parcel at 99 Hartness Street from R-3 to T-5 with the parcel number 117M-00-195.00
  - H. RZ 16-03 Request for Rezoning one parcel on the north side of Garrard Road +/-750 feet west of Old West Point Road from R-1 to R-3A with the parcel number 117C-00-036.01
- H. PLANNER REPORT
- A. Copies of the Draft of the Starkville Comprehensive Plan will be disturbed to Commissioners for review and comments.
- I. ADJOURN

After discussion and upon the motion of Commissioner Camp, duly seconded by Commissioner McReynolds, the motion to approve the Official Agenda of the Planning and Zoning Commission for February 9, 2016, as presented, received unanimous approval.

### **CONSIDERATION FOR APPROVAL OF THE MINUTES OF THE MEETING OF NOVEMBER 10, 2015**

After discussion and upon the motion of Commissioner McReynolds, duly seconded by Commissioner Walker, the motion to approve the Minutes of the November 10, 2015 Planning and Zoning Commission received unanimous approval.

### **CITIZEN COMMENTS**

The Chair opened up the meeting for Citizen Comments. Seeing there were none, the Commission move to New Business.

### **NEW BUSINESS**

- A. **CONSIDERATION OF CU 16-01, A REQUEST FOR CONDITIONAL USE TO OPERATE A "VEHICULAR SALES & SERVICE" BUSINESS ON TWO PARCELS**

**ZONED C-1 NEIGHBORHOOD COMMERCIAL WITH THE PARCEL NUMBERS  
102G-00-160.01 AND 102G-00-160.00**

City Planner, Daniel Havelin, presented the request CU 16-01, a request by Action Auto LLC for Conditional Use to operate a "Vehicular Sales & Service" business on two parcels zoned C-1 Neighborhood Commercial. The properties are zoned C-1 and according to the chart of permitted uses, "Vehicular Sales & Service" business would require a Conditional Use. 25 property owners were notified directly by mail of the request. A public hearing notice was published in the Starkville Daily News on January 25, 2016. City Staff received no phone calls against this request. After presenting the five criteria for Conditional Use, Mr. Havelin ended the presentation.

The Commission Chair opened a public hearing and called for comments regarding the above request. Comments were received from the following individuals:

Louis Sharp, spoke in support of the request.

Calling for further comments and hearing none, the Commission Chair closed the Public hearing portion of the meeting.

After a discussion by the Commissioners and upon the motion to approve CU 16-01 by Commissioner Walker, duly seconded by Commissioner Camp, the motion was unanimously approved with staff requested condition:

1. All signage shall be compliant with current sign ordinance.

**B. CONSIDERATION OF PP 16-01, A REQUEST FOR PRELIMINARY PLAT FOR AN 18 LOT SUBDIVISION NAMED ADELAIDE PHASE I LOCATED ON THE WEST SIDE OF SOUTH MONTGOMERY STREET DIRECTLY NORTH OF THE CLAIBORNE AT ADELAIDE RETIREMENT COMMUNITY IN A R-4A (PENDING) ZONE WITH THE PARENT PARCEL NUMBERS 105 -15-007.00 AND 105 -22-001.00.**

City Planner, Daniel Havelin, presented the request PP 16-01, a request for Preliminary Plat for an 18 lot subdivision named Adelaide Phase I located on the west side of South Montgomery Street directly north of The Claiborne at Adelaide retirement community in a R-4A (pending) zone with the parent parcel numbers 105 -15-007.00 and 105 -22-001.00, the Commission Chair called for comments regarding the above request. Comments were received from the following individuals:

Saunders Ramsey spoke on the request.

Calling for and hearing no further comments. The Commission deliberated.

After discussion and upon the motion of Commissioner Camp, duly seconded by Commissioner McReynolds, the motion to approve PP 16-01, was unanimously approved.

**C. CONSIDERATION OF PP 16-03, A REQUEST FOR PRELIMINARY PLAT APPROVAL FOR AN 11 LOT SUBDIVISION NAMED EAST CREEK SUBDIVISION LOCATED ON THE NORTHWEST CORNER OF GARRARD ROAD AND OLD WEST POINT ROAD IN A B-1 ZONE WITH THE PARENT PARCEL NUMBER 117C-00-036.01**

City Planner, Daniel Havelin, presented the request PP 16-03 and FP 16-02, a request by Michael Kraker for Preliminary and Final Plat approval for an 11 lot subdivision named East Creek Subdivision located on the northwest corner of Garrard Road and Old West Point Road in a B-1 zone with the parent parcel number 117C-00-036.01, the Commission Chair called for comments regarding the above request. Comments were received from the following individuals:

Jason Pepper, spoke on the request.

Michael Kraker, spoke on the request.

Lucy Senter, voiced her concern regarding the bridge near the intersection of Garrard Road and Old West Point road and the increase of the traffic.

Maggie Wood, voiced her concern regarding an increase in the traffic specifically once the car dealership opens.

John Moore spoke in reference to the bridge and the dealership, noting that, most individuals visiting the dealership would be using the by-pass and that the local residents who are already affiliated with the area will continue to travel in that area and that, an increase in traffic is not likely and therefore the “danger” level is not likely to increase either.

Calling for and hearing no further comments, the Commission deliberated.

After discussion and upon the motion of Commissioner Walker, duly seconded by Commissioner Moore, the motion to approve PP 16-03 was unanimously approved.

The Planning and Zoning Commission noted for the record that the city engineer should review the bridge near the intersection of Garrard road and Old West Point Road. City Engineer should determine if the increase of the traffic in the area would affect the existing bridge to the detriment of the citizenry as a result of the car dealership’s presence.

**D. CONSIDERATION OF FP 16-02 REQUEST FOR FINAL PLAT APPROVAL FOR AN 11 LOT SUBDIVISION NAMED EAST CREEK SUBDIVISION LOCATED ON THE NORTHWEST CORNER OF GARRARD ROAD AND OLD WEST POINT ROAD IN A B-1 ZONE WITH THE PARENT PARCEL NUMBER 117C-00-036.01**

City Planner, Daniel Havelin, presented the request FP 16-02, a request for final plat approval for an 11 lot subdivision named East Eagle Creek subdivision located on the northwest corner of Garrard Road and Old West Point Road in a B-1 zone with the parent parcel number 117C-00-036.01. The Commission Chair called for comments regarding the above request. No comments were received.

Calling for and hearing no further comments, the Commission deliberated.

After discussion and upon the motion of Commissioner Walker, duly seconded by Commissioner Miller, the motion to approve FP 16-02 was unanimously approved.

**E. CONSIDERATION OF PP 16-04, A REQUEST FOR PRELIMINARY PLAT APPROVAL FOR A 4 LOT SUBDIVISION ON THE WEST SIDE OF BLUEFIELD ROAD +/-0.4 MILES SOUTH OF HIGHWAY 12 WEST IN AN R-1 ZONE WITH THE PARENT PARCEL NUMBERS 104-18-001.00 AND 104-18-001.03**

City Planner, Daniel Havelin, presented the request PP 16-04, a request for preliminary plat approval for a 4 lot subdivision on the west side of Bluefield Road +/-0.4 miles south of highway 12 west in an R-1 zone with the parent parcel numbers 104-18-001.00 and 104-18-001.03, the Commission Chair called for comments regarding the above request. No comments were received.

Calling for and hearing no further comments, the Commission deliberated.

After discussion and upon the motion of Commissioner Camp, duly seconded by Commissioner Moore, the motion to approve PP 16-04 was unanimously approved.

**F. CONSIDERATION OF FP 16-03, A REQUEST FOR FINAL PLAT APPROVAL FOR A 4 LOT SUBDIVISION ON THE WEST SIDE OF BLUEFIELD ROAD +/-0.4 MILES SOUTH OF HIGHWAY 12 WEST IN AN R-1 ZONE WITH THE PARENT PARCEL NUMBERS 104-18-001.00 AND 104-18- 001.03**

City Planner, Daniel Havelin, presented the request FP 16-03, a request for Final Plat approval for a 4 lot subdivision on the west side of Bluefield Road +/-0.4 miles south of Highway 12 West in an R-1 zone with the parent parcel numbers 104-18-001.00 and 104-18-001.03. The Commission Chair called for comments regarding the above request.

No comments were received.

Calling for and hearing no further comments, the Commission deliberated.

After discussion and upon the motion of Commissioner Camp, duly seconded by Commissioner Moore, the motion to approve FP 16-03 was unanimously approved.

**G. CONSIDERATION OF RZ 16-02 REQUEST FOR REZONING ONE PARCEL AT 99 HARTNESS STREET FROM R-3 TO T-5 WITH THE PARCEL NUMBER 117M-00-195.00**

City Planner, Daniel Havelin, presented the request RZ 16-02, a request by Jeremy Tabor on behalf of Joe & Mary Tkach, Tkach Properties, LLC, and Food Group, Inc. for rezoning one parcel at 99 Hartness street from R-3 to T-5 with the parcel number 117m-00-195.00. 65 Property owners were noticed by mail, an ad was placed in Starkville Daily News on January 25<sup>th</sup>, 2016 and a sign was posted on the property. As of this date, the Planning Office has received two phone calls requesting information and one letter expressing concern over the rezoning.

The commission chair opened a public hearing and called for comments regarding the above request. Comments were received from the following individuals:

Jeremy Tabor, and Joe Savage addressed the Commission regarding parking concerns associated with the project.

Calling for and hearing no further comments, the Commission Chair closed the Public hearing portion of the meeting.

There came for consideration, the matter of the approval of the motion to approve RZ 16-02 request for rezoning one parcel at 99 Hartness street from R-3 to T-5 with the parcel number 117M-00-195.00.

After discussion and upon the motion to approve rezoning based on change in conditions by Commissioner Camp, duly seconded by Commissioner Walker was unanimously approved.

**H. CONSIDERATION OF RZ 16-03 REQUEST FOR REZONING ONE PARCEL ON THE NORTH SIDE OF GARRARD ROAD +/-750 FEET WEST OF OLD WEST POINT ROAD FROM R-1 TO R-3A WITH THE PARCEL NUMBER 117C-00-036.01**

City Planner, Daniel Havelin, presented the request RZ 16-03, a request for rezoning one parcel on the north side of Garrard road +/-750 feet west of Old West Point Road from R-1 to R-3a with the parcel number 117c-00-036.01. The commission chair opened a public

hearing and called for comments regarding the above request, comments were received from the following individuals:

Michael Kraker addressed the Commission's concerns associated with the size of the cottages of the project.

*Commissioner Mc Reynolds left the meeting.*

Deb Middleton addressed the Commission regarding her concerns associated with safety and possible liability of the pond on her property.

Calling for and hearing no further comments, the Commission Chair closed the Public hearing portion of the meeting.

After discussion and upon the motion of Commissioner Camp, duly seconded by Commissioner Walker, the motion to approve RZ 16-03 was unanimously approved by those members present and voting with conditions.

1. No individual driveway curb cuts allowed on Garrard Road.
2. Landscape Buffer, with dimensions stated in the City ordinance, will be required along the northern property line.
3. Six foot solid fence along northern property line adjacent to Southern Crossway property (Parcel #117-26-001.02)

## **10. A MOTION TO ADJOURN**

There came for consideration, the matter of the approval of the motion to adjourn until 5:30 p.m. on April 12, 2016, in the courtroom of City Hall located at 110 West Main Street, Starkville MS.

After discussion, and upon the motion of Commissioner Camp, duly seconded by Commissioner Miller, the motion to adjourn until 5:30 p.m. on April 12, 2016, in the courtroom of City Hall located at 110 West Main Street, Starkville MS, was unanimously approved.



**MINUTES OF THE REGULAR MEETING OF  
THE PLANNING AND ZONING COMMISSION  
City of Starkville, Mississippi September 13, 2016**

Be it remembered, that, the members of the Planning and Zoning Commission of the City of Starkville, met in their regularly scheduled meeting on September 13, 2016 at 5:30 p.m. in the Large Conference Room of City Hall, located at 110 West Main Street, Starkville, MS.

There being present were Michael Brooks, Chairman, Ward 4, Jim McReynolds, Ward 2, Patrick Miller, Ward 5, Ira Loveless, Ward 6 and John Moore, Ward 7. Commissioners Jason Camp, Ward 1, and Tom Walker, Ward 3 were absent. Attending the Commissioners were City Planner Daniel Havelin and Assistant City Planner Emily Corban.

Commission Chairman Michael Brooks opened the meeting with the Pledge of Allegiance followed by a moment of silence.

**CONSIDERATION OF THE OFFICIAL AGENDA**

There came for consideration, the matter of the approval of the motion to approve the Official Agenda of the Planning and Zoning Commission of September 13, 2016 as presented.

**OFFICIAL AGENDA  
PLANNING & ZONING COMMISSION  
CITY OF STARKVILLE, MISSISSIPPI  
MEETING OF TUESDAY, SEPTEMBER 13, 2016  
CITY HALL - COURT ROOM,  
110 West Main Street, 5:30 PM**

- I. CALL TO ORDER
- II. PLEDGE OF ALLEGIANCE AND MOMENT OF SILENCE
- III. ROLL CALL
- IV. CONSIDERATION OF THE OFFICIAL AGENDA
- V. CONSIDERATION FOR APPROVAL OF MINUTES
  - A. Reconsideration of the Unapproved minutes for February 9, 2016
  - B. Consideration of the Unapproved minutes for April 12, 2016
  - C. Consideration of the Unapproved minutes for May 10, 2016
  - D. Consideration of the Unapproved minutes for June 14, 2016
  - E. Consideration of the Unapproved minutes for July 12, 2016
  - F. Consideration of the Unapproved minutes for August 9, 2016
- VI. CITIZEN COMMENTS

VII. **NEW BUSINESS**

- A. **FP 16-06** Request for Final Plat approval for a three lot subdivision of a +- 3.28 acre parcel on the northeast corner of the intersection of Lynn Lane and Louisville Street in a C-2 zone with the parent parcel number 102J-00-114.00
- B. **FP 16-10** Request for Final Plat approval for subdividing one parcel into two located on the northwest corner of Lynn Lane and South Montgomery with the parent parcel number 102I-00-003.00
- C. ~~PP 16-14~~ Request for Preliminary Plat approval for subdividing a +/- 2.64-acre parcel into eight lots. The parcel is located at 705 University Drive in a T-5 Zoning districts with the parcel numbers ~~101D-00-001.00, 101D-00-002.00, 101D-00-003.00, 101D-00-004.00~~
- D. **PP 16-15** Request for Preliminary Plat approval for a four lot subdivision of a 9.59 acre parcel on the southeast corner of the intersection of Lynn Lane and Louisville Street in an C-2 zone with the parent parcel number 102I-00-013.00

VIII. **PLANNER'S REPORT**

IX. **ADJOURN**

At the request of the Applicant, PP 16-14 was pulled from the agenda. After discussion and upon the motion of Commissioner McReynolds, duly seconded by Commissioner Miller, the motion to approve the Official Agenda of the Planning and Zoning Commission for September 13, 2016, as revised, received unanimous approval.

**CONSIDERATION FOR APPROVAL OF THE MINUTES OF THE MEETING OF  
JUNE 14, 2016**

After discussion and upon the motion of Commissioner Miller, duly seconded by Commissioner Moore, the motion to approve the Minutes as amended of the June 14, 2016 Planning and Zoning Commission received unanimous approval.

**CONSIDERATION FOR APPROVAL OF THE MINUTES OF THE MEETING OF  
JULY 12, 2016**

After discussion and upon the motion of Commissioner Miller, duly seconded by Commissioner Moore, the motion to approve the Minutes as amended of the July 12, 2016 Planning and Zoning Commission received unanimous approval. Commissioner Loveless abstained due to being absent from the July 12, 2016 meeting.

**CONSIDERATION FOR APPROVAL OF THE MINUTES OF THE MEETING OF  
AUGUST 9, 2016**

After discussion and upon the motion of Commissioner Miller, duly seconded by Commissioner Moore, the motion to approve the Minutes as amended of the August 9, 2016 Planning and Zoning Commission received unanimous approval.

## **CITIZEN COMMENTS**

The Chair opened up the meeting for Citizen Comments. Seeing there were none, the Commission moved to New Business.

## **NEW BUSINESS**

### **A. CONSIDERATION OF FP 16-06 REQUEST FOR FINAL PLAT APPROVAL FOR A THREE LOT SUBDIVISION OF A +/- 3.28 ACRE PARCEL ON THE NORTHEAST CORNER OF THE INTERSECTION OF LYNN LANE AND LOUISVILLE STREET IN A C-2 ZONE WITH THE PARENT PARCEL NUMBER 102J-00-114.00**

Assistant City Planner Emily Corban presented FP 16-06, a request by 4J-I LP for Preliminary approval for 3 lot subdivision on the northeast corner of the intersection of Lynn Lane and Louisville Street. The Subdivision consists of 3 lots on +/- 3.28 acres in a C-2 zone. The staff recommended 3 conditions for approval.

After discussion, and upon the motion of Commissioner McReynolds, duly seconded by Commissioner Miller, the motion to approve FP 16-06 was unanimously approved subject to the staff requested conditions:

1. Any sidewalks not completed by the time of Final Plat consideration by the Board of Aldermen, shall be required to have a form of surety in place in the amount of 150% of the estimated cost of construction.
2. Any utility infrastructure not completed by the time of Final Plat consideration by the Board of Aldermen, shall be required to have a form of surety in place in the amount of 150% of the estimated cost of construction. All infrastructure shall be required to be installed, inspected, tested and approved by City staff prior to the issuance of a building permit for any individual lot.
3. A letter from the Applicant to the City Engineer addressing the handling of all future stormwater requirements (lot by lot detention or regional detention) shall be accepted prior to Final Plat approval. If the lot-by-lot approach is selected, the applicant understands and will communicate to all future lot owners that mitigation of excess stormwater will be required no matter the lot size. If a regional approach is selected, the applicant will be required to provide the engineering calculations and construction plans for the facility as a part of the infrastructure drawings.

### **B. CONSIDERATION OF FP 16-10 REQUEST FOR FINAL PLAT APPROVAL FOR SUBDIVIDING ONE PARCEL INTO TWO LOCATED ON THE NORTHWEST CORNER OF LYNN LANE AND SOUTH MONTGOMERY WITH THE PARENT PARCEL NUMBER 102I-00-003.00**

City Planner, Daniel Havelin, presented the request PP 16-10, a request by Riddle Run LLC for Final Plat approval for subdividing one parcel into two located on the northwest corner of Lynn Lane and South Montgomery in a R-3 zone. The proposed lot would be located on Lynn Lane and was rezoned R-3 by the Board of Aldermen on July 7, 2015. The developer is currently building duplex style homes for sale on the property. The property is also currently going through the Condominium Plating process with the City.

If the Planning and Zoning Commission decides to approve the Applicant's request for a Final Plat for a lot subdivision, the following conditions approved by the Board of Aldermen July 7, 2015 will still be in affect:

1. Rezoning contingent upon subdividing proposed rezoned area from the rest of the parcel within 90 days of the approval for rezoning.
2. Each unit shall be single family owner occupied
3. No more than 12 dwelling units
4. Buffer per Section 8 of the Landscape Ordinance required adjacent to R-1 zoned parcels
5. Require adherence to HOA Covenants
6. Requiring a privacy screen on average height between 7 and 8 feet with a maximum of 20% transparency along the northern boundary adjacent to Pleasant Acreage and along the boundary of the Guyton property.

The staff recommended 1 condition for approval:

1. Any sidewalks not completed by the time of Final Plat consideration by the Board of Aldermen, shall be required to have a form of surety in place in the amount of 150% of the estimated cost of construction.

After discussion and upon the motion of Commissioner McReynolds duly seconded by Commissioner Moore, the motion to approve FP 16-10 was unanimously approved with staff recommended conditions:

1. Any sidewalks not completed by the time of Final Plat consideration by the Board of Aldermen, shall be required to have a form of surety in place in the amount of 150% of the estimated cost of construction.

**C. CONSIDERATION OF PP 16-15, A REQUEST FOR PRELIMINARY PLAT APPROVAL FOR A FOUR LOT SUBDIVISION OF A 9.59 ACRE PARCEL ON THE SOUTHEAST CORNER OF THE INTERSECTION OF LYNN LANE AND LOUISVILLE STREET IN AN C-2 ZONE WITH THE PARENT PARCEL NUMBER 102I-00-013.00**

City Planner Daniel Havelin presented request by 4J-I LP for Preliminary Plat approval for a three lot subdivision of a 9.59-acre parcel on the southeast corner of the intersection of Lynn Lane and Louisville Street in an C-2 zone. The lots that are part of this subdivision are shown on the proposed plat as Lot 3, Lot 4 and Lot 5. Lot 2 as shown on the proposed plat was a part of a previous proper subdivision. Lot 3, Dollar General, has been previous sold, but has not been properly subdivided.

The staff recommended 3 conditions for approval:

1. Any sidewalks not completed by the time of Final Plat consideration by the Board of Aldermen, shall be required to have a form of surety in place in the amount of 150% of the estimated cost of construction.
2. Any utility infrastructure not completed by the time of Final Plat consideration by the Board of Aldermen, shall be required to have a form of surety in place in the amount of 150% of the estimated cost of construction. All infrastructure shall be required to be installed, inspected, tested and approved by City staff prior to the issuance of a building permit for any individual lot.
3. A letter from the Applicant to the City Engineer addressing the handling of all future stormwater requirements (lot by lot detention or regional detention) shall be accepted prior to Final Plat approval. If the lot-by-lot approach is selected, the applicant understands and will communicate to all future lot owners that mitigation of excess stormwater will be required no matter the lot size. If a regional approach is selected, the applicant will be required to provide the engineering calculations and construction plans for the facility as a part of the infrastructure drawings.

After discussion and upon the motion of Commissioner McReynolds duly seconded by Commissioner Miller, the motion to approve PP 16-15 was unanimously approved with staff requested conditions:

### **PLANNERS REPORT**

Assistant City Planner Emily Corban announced Mayor Wiseman's request that the Planning and Zoning Commission Members consider a special call meeting on Monday September 19, 2016 to consider the Preliminary and Final Plat for the Cotton Mill Marketplace to meet TIF requirements.

After discussion and upon the motion of Commissioner Miller duly seconded by Commissioner Moore, the Board voted unanimously to allow a special call meeting on Monday September 19, 2016 at 5:30 to consider the Preliminary and Final Plat for the Cotton Mill Marketplace to meet TIF requirements.

## **6. A MOTION TO ADJOURN**

There came for consideration, the matter of the approval of the motion to adjourn until 5:30 p.m. on September 19, 2016, in the courtroom of City Hall located at 110 West Main Street, Starkville MS.

After discussion, and upon the motion of Commissioner Miller, duly seconded by Commissioner Loveless, the motion to adjourn until the Special Call meeting at 5:30 p.m. on September 19, 2016, in the courtroom of City Hall located at 110 West Main Street, Starkville MS, was unanimously approved.

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

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**STAFF REPORT**

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**TO:** Members of the Planning & Zoning Commission  
**FROM:** Daniel Havelin, City Planner (662-323-2525 ext. 3136)  
**CC:** Pastor Michael Jones, Applicant  
**SUBJECT:** EX 16:04: Request for an Exception to allow an addition to Peter's Rock Temple located at 223 Dr. Martin Luther King Jr Drive West in a T-5 zone with the parcel numbers 118O-00-158.00, 118O-00-156.00, 118O-00-171.00, and 118O-00-169.00  
**DATE:** October 11, 2016

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The purpose of this report is to provide information regarding the request by Pastor Michael Jones on behalf of Peter's Rock Temple for an Exception for an addition to the existing church located at 223 Dr. Martin Luther King Jr Drive West. The parcels that are included in the request and their associated zoning are as follows: 118O-00-158.00 (T5), 118O-00-156.00 (T5), 118O-00-171.00 (C-2), and 118O-00-169.00 (C-2). Together the parcels are approximately 2.1 acres. Please see attachments 1-4.

**BACKGROUND INFORMATION**

The proposed expansion would include a new addition to the west of the existing building. The new addition will serve as a Family Life Center. The size of the proposed building addition is shown to be +/-10,200 sqft. The existing structure is approximately +/- 4,100 sqft. The only proposed off site improvement is the relocation of existing riprap in the drainage area located along HWY 182. As part of the expansion, a new concrete parking lot with 82 parking spaces is also being proposed west of the new addition. Sidewalks will be required. Approval for this request has previously been granted by the Board of Aldermen on December 16, 2015. That approval has since expired. The Applicant has also received an approved site plan that has since expired. The applicant is scheduled for review by the Development Review Committee on October 6, 2016.

The table below provides the zoning and land uses adjacent to the subject property:

Direction	Zoning	Current Use
North	T5	Auto Mechanic Shop, School and Cemetery
East	T5 and R2	Church Recreation Center and Single Family Residential
South	C2 and R2	Single Family Residential
West	T5	Undeveloped Vacant Land

30 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 on September 26, 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. One phone call from an adjacent property owner expressing concerns over encroachment onto his property. Current site plans show no encroachment.

## **ANALYSIS**

### **APPENDIX A – ZONING, ARTICLE VII. – DISTRICT REGULATIONS, Sec. T. – Transect districts**

#### **1.5 EXCEPTION AND VARIANCE**

- (a) *There are two types of permitted deviations from the requirements of this Section:*
- i. *Exception*
    - a. *Requests for Exception shall only be permitted as specifically indicated in this Section.*
    - b. *To apply for an Exception, the applicant shall provide the following:*
      - i. *The specific Exception(s) requested including citation from this Section and why the Exception is being sought.*
      - ii. *Maps, text, drawings and/or statistical data related to the requested Exception(s).*
    - c. *No Exception shall be approved unless the Planning and Zoning Commission finds the approval would:*
      - i. *Be consistent with § 1.2 Intent and 1.3 Transect Districts of this Section,*
      - ii. *and be consistent with the goals, objectives and policies of the City of Starkville's Comprehensive Plan.*
    - d. *Any decision regarding an approval or denial of an Exception shall state, in writing, the reasons for the approval or denial.*
    - e. *If the Planning and Zoning Commission denies any requested Exception, the applicant may appeal the decision to the Mayor and Board of Aldermen. The Mayor and Board of Aldermen shall review the application de novo.*
  - ii. *Dimensional Variance*
    - a. *A Dimensional Variance shall be processed pursuant to Chapter 2 - Administration, Article VI - Board of Adjustments & Appeals, Section 2 - 176 Variances and the Board of Adjustments & Appeals of the City of Starkville's Code of Ordinances.*
- (b) *Exceptions shall be advertised and noticed in the same fashion as conditional uses in the City's Code of Ordinances in accordance with Appendix A, Article VI, Section 1.*

### **APPENDIX A – ZONING, ARTICLE VII. – DISTRICT REGULATIONS, Sec. T. – Transect districts**

#### **1.2 INTENT**

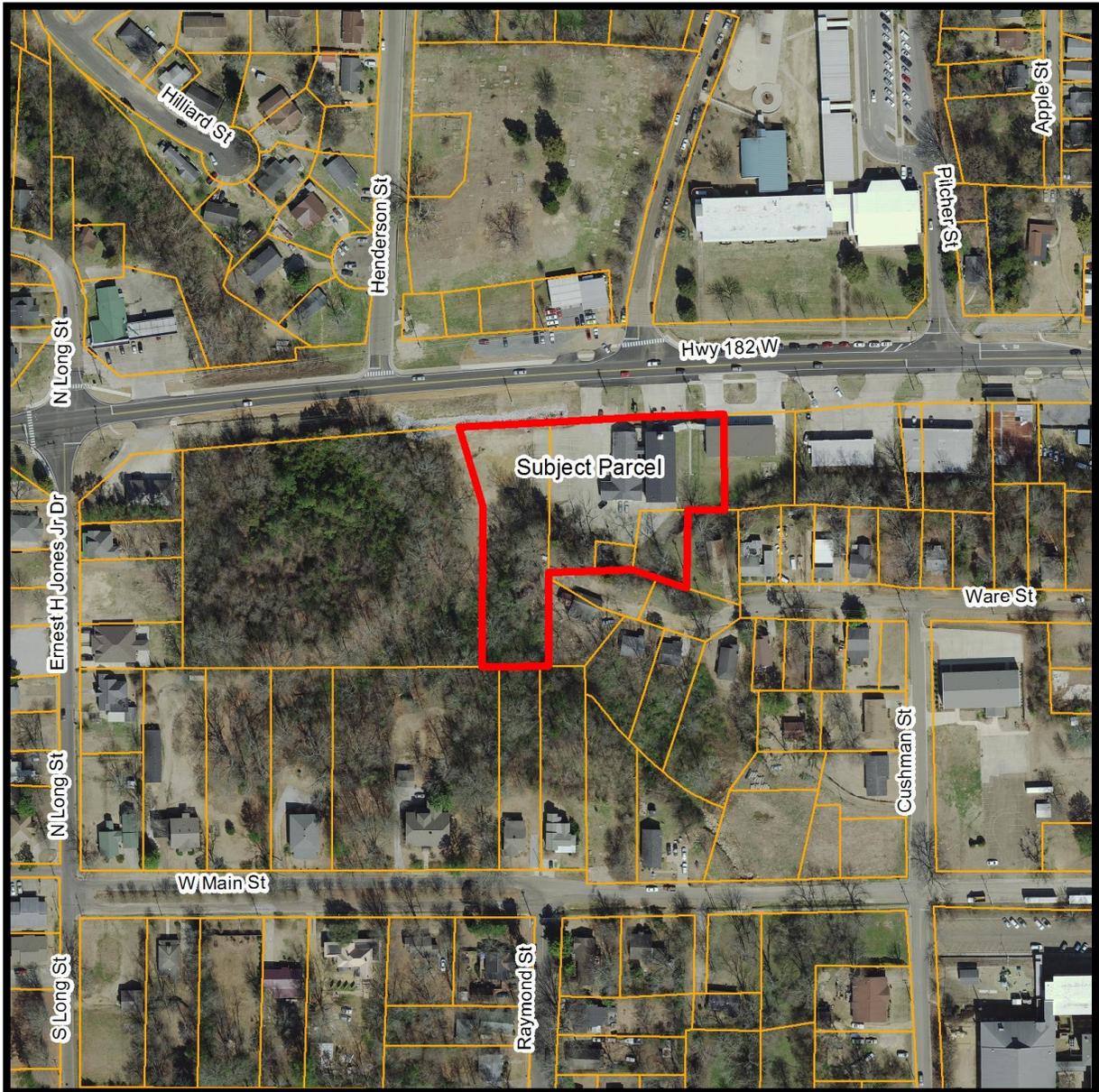
- (a) *Regulations on buildings equitably balance the rights of individual property owners and the interests of the community as a whole.*
- (b) *Infrastructure, landscape and buildings shape the public realm, the spatial definition of which can be understood as a continuum from weak to strong.*

- (c) *Transect Districts organize the individual characteristics of infrastructure, landscape and buildings into distinct physical environments, with the overall character of each differing from one another.*
- (d) *Distinct physical environments provide a choice in living arrangement for citizens with differing physical, social, and emotional needs.*
- (e) *Mixed Uses within Transect Districts and individual buildings provides access to daily needs within close proximity to dwellings so that residents may choose to work, recreate, and shop within walking distance to their home.*

### **1.3 TRANSECT DISTRICTS**

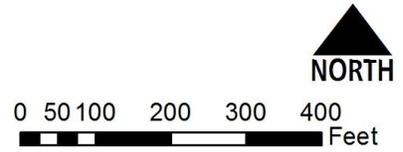
- (a) *The following Transect Districts are established under the provisions of this Section and are illustrated on Table 1:*
  - i) *T1 District - Reserved for Future*
  - ii) *T2 District - Reserved for Future*
  - iii) *T3 District - Reserved for Future*
  - iv) *T4 District*
  - v) *T5 District*
  - vi) *T6 District*
  - vii) *Civic District*
- (b) *The T1 District consists of land approximating a wilderness condition, including land unsuitable for development due to topography, hydrology, or vegetation.*
- (c) *The T2 District consists of sparsely settled lands in open or cultivated states with little spatial definition, if any.*
- (d) *The T3 District consists of lightly settled lands and is primarily residential in character, where deep setbacks and limited Lot coverage creates only a minimal level of spatial definition of outdoor spaces.*
- (e) *The T4 District consists of moderately settled lands, is primarily residential in character, but permits an appropriate level of Mixed Use. Moderate setbacks and Lot coverage by buildings creates an increased sense of spatial definition.*
- (f) *The T5 District consists of heavily settled lands and is primarily Mixed-Use in character. Shallow setbacks, high Lot coverage, and multi-level buildings creates strong spatial definition of outdoor spaces.*
- (g) *The T6 District consists of the most intensely settled lands and is mixed-use in character. Multi-storied buildings positioned at the front Lot Line, no Setbacks, and maximum Lot coverage by buildings creates the strongest definition of outdoor space of all Districts.*
- (h) *The Civic District consists of open spaces and public buildings dedicated to arts, culture, education, recreation, local government, and/or municipal parking Uses that serve as necessary components of any community.*

Attachment 1  
EX 16-04 Aerial

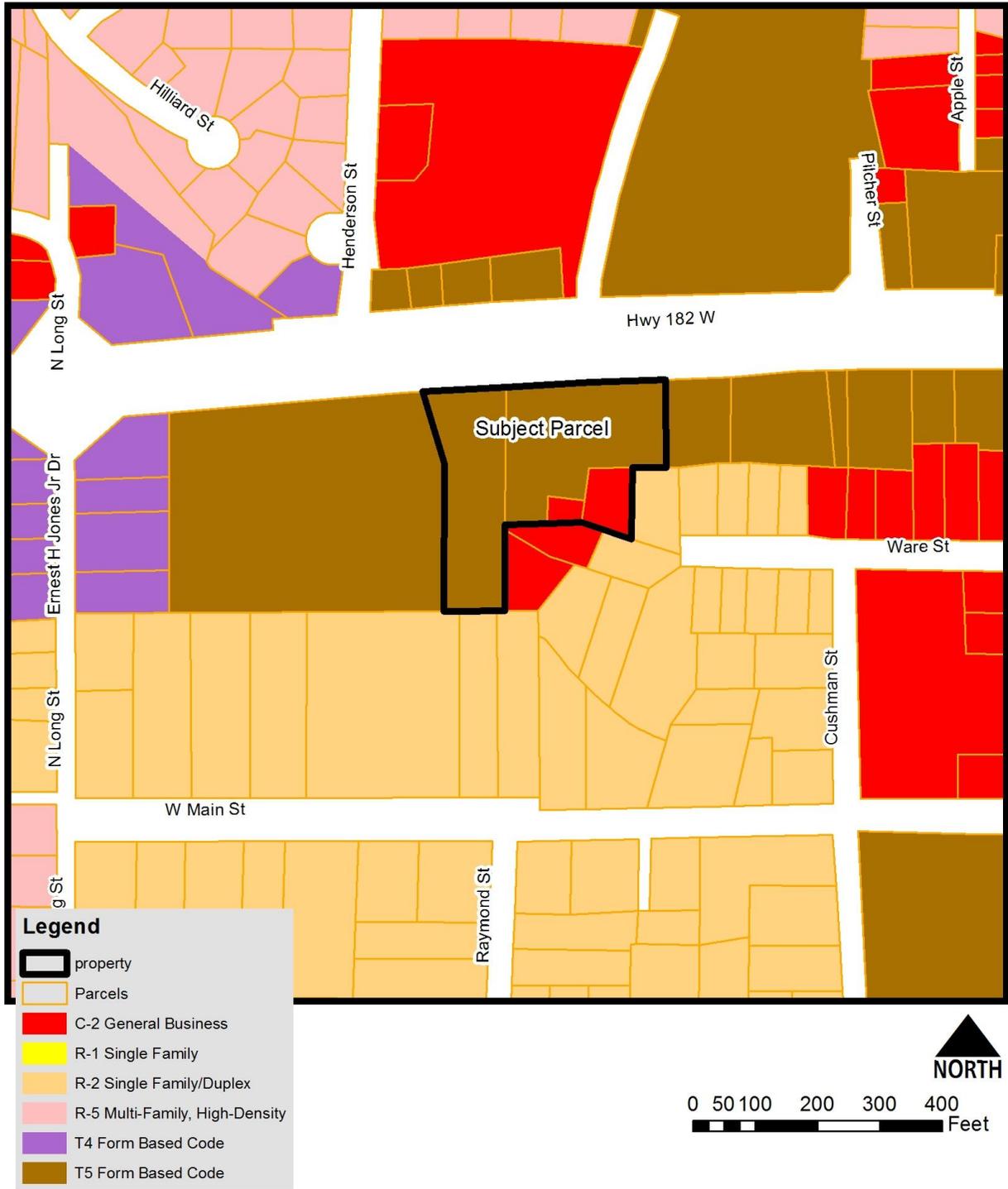


**Legend**

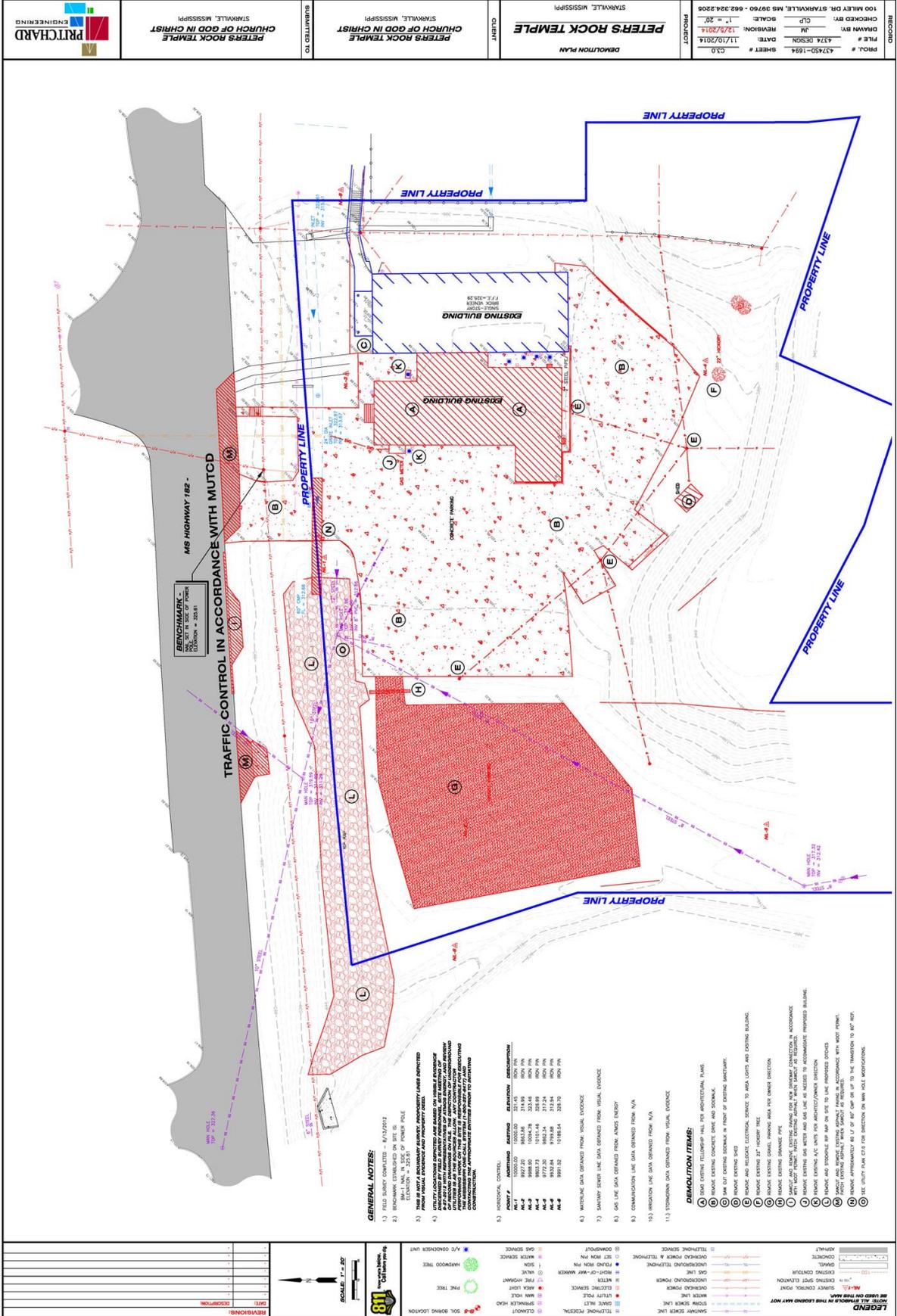
-  property
-  Parcels



Attachment 2  
EX 16-04 Zoning



# Attachment 3- Existing Conditions









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

**STAFF REPORT**

**TO:** Members of the Planning & Zoning Commission  
**FROM:** Daniel Havelin, City Planner (662-323-2525)  
**CC:** Applicant: Mitch Mitchell Owner: Sparrow Properties  
**SUBJECT:** EX 16-05 Request for Exception from lot occupation in a T-5 district located at 519 University Drive located in a T-5 zone with the parcel numbers 17M-00-090.00, 17M-00-090.01, and 17M-00-191.00.  
**DATE:** October 11, 2016

The purpose of this report is to provide information regarding the request by Mitch Mitchell for an Exception from lot occupation in a T5 District. Please see attachments 1-3.

**BACKGROUND INFORMATION**

The applicant is requesting an Exception to allow the façade along the primary frontage line to not be parallel to the "Frontage line of a Lot or to the tangent of a curved Frontage Line of a Lot." The proposed building will be oriented to true north and not the angle of the street, thus effecting the intent of shaping the public realm in the Transect Districts.

**APPENDIX A – ZONING, ARTICLE VII. – DISTRICT REGULATIONS, Sec. T. – Transect districts**

**1.5 EXCEPTION AND VARIANCE**

- (a) *There are two types of permitted deviations from the requirements of this Section:*
  - i. *Exception*
    - a. *Requests for Exception shall only be permitted as specifically indicated in this Section.*
    - b. *To apply for an Exception, the applicant shall provide the following:*
      - i. *The specific Exception(s) requested including citation from this Section and why the Exception is being sought.*
      - ii. *Maps, text, drawings and/or statistical data related to the requested Exception(s).*
    - c. *No Exception shall be approved unless the Planning and Zoning Commission finds the approval would:*
      - i. *Be consistent with § 1.2 Intent and 1.3 Transect Districts of this Section,*
      - ii. *and be consistent with the goals, objectives and policies of the City of Starkville's Comprehensive Plan.*

- d. *Any decision regarding an approval or denial of an Exception shall state, in writing, the reasons for the approval or denial.*
- e. *If the Planning and Zoning Commission denies any requested Exception, the applicant may appeal the decision to the Mayor and Board of Aldermen. The Mayor and Board of Aldermen shall review the application de novo.*
- ii. *Dimensional Variance*
  - a. *A Dimensional Variance shall be processed pursuant to Chapter 2 - Administration, Article VI - Board of Adjustments & Appeals, Section 2 - 176 Variances and the Board of Adjustments & Appeals of the City of Starkville's Code of Ordinances.*
- (b) *Exceptions shall be advertised and noticed in the same fashion as conditional uses in the City's Code of Ordinances in accordance with Appendix A, Article VI, Section 1.*
- (b) *The T1 District consists of land approximating a wilderness condition, including land unsuitable for development due to topography, hydrology, or vegetation.*
- (c) *The T2 District consists of sparsely settled lands in open or cultivated states with little spatial definition, if any.*
- (d) *The T3 District consists of lightly settled lands and is primarily residential in character, where deep setbacks and limited Lot coverage creates only a minimal level of spatial definition of outdoor spaces.*
- (e) *The T4 District consists of moderately settled lands, is primarily residential in character, but permits an appropriate level of Mixed Use. Moderate setbacks and Lot coverage by buildings creates an increased sense of spatial definition.*
- (f) *The T5 District consists of heavily settled lands and is primarily Mixed-Use in character. Shallow setbacks, high Lot coverage, and multi-level buildings creates strong spatial definition of outdoor spaces.*
- (g) *The T6 District consists of the most intensely settled lands and is mixed-use in character. Multi-storied buildings positioned at the front Lot Line, no Setbacks, and maximum Lot coverage by buildings creates the strongest definition of outdoor space of all Districts.*
- (h) *The Civic District consists of open spaces and public buildings dedicated to arts, culture, education, recreation, local government, and/or municipal parking Uses that serve as necessary components of any community.*

### **2.3 LOT OCCUPATION**

- (a) *Primary Buildings, Secondary Buildings and Outbuildings shall be Setback in relation to the boundaries of their Lot as specified on Table 3.*
- (b) *Within the permitted ranges for each Transect District, the designated front Setback shall be the same for each Lot of a Block Face.*
- (c) *Primary buildings shall be positioned on a Lot in accordance with Table 3. Building type examples diagrammed on Table 3 are provided for illustrative purposes only; specific designs shall be prepared in accordance to the descriptions for each type.*

(d) The Facade of a Primary Building shall be built parallel to the Frontage Line of a Lot or to the tangent of a curved Frontage Line of a Lot, and along a minimum percentage of a Lot's width, as specified on Table 3 as Frontage Buildout.

(e) Lot coverage by buildings and impermeable surfaces is specified on Table 3.

**APPENDIX A – ZONING, ARTICLE VII. – DISTRICT REGULATIONS, Sec. T. – Transect districts**

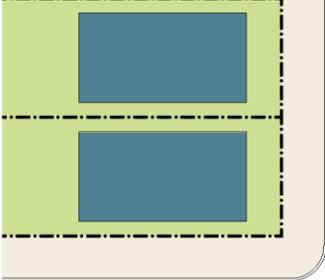
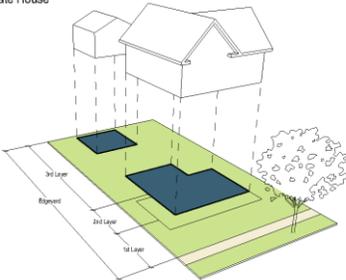
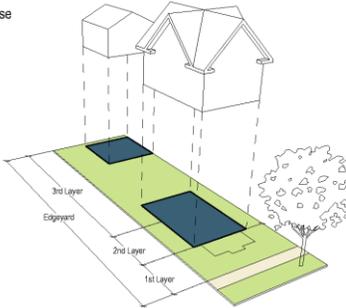
TABLE 3. BUILDING PLACEMENT	
<b>EDGEYARD PLACEMENT</b>	
<p>The placement of a Primary Building within the boundaries of its Lot to create an Edgeward around the building, with Setbacks on all sides. This is the least urban of types as the front yard sets the building back from the Public Frontage, while the side yards weaken the spatial definition of the Thoroughfare in front of the building.</p>	
<p>Types: Estate House, House, Cottage, Duplex, Apartment House</p>	

TABLE 3. BUILDING PLACEMENT (continued)				
TYPE EXAMPLES - For illustrative and advisory purposes only	TRANSECT ZONE	T4	T5	T6
<div style="display: flex; flex-direction: column; align-items: center;"> <div style="margin-bottom: 20px;"> <p>Estate House</p>  </div> <div> <p>House</p>  </div> </div>	<b>A. LOT OCCUPATION</b>			
	Lot Coverage	70% max.	n/a	n/a
	Frontage Buildout at Setback	60% min.	n/a	n/a
	<b>B. BUILDING SETBACKS</b>			
	Primary Front Setback	6 ft. min. 18 ft. max.	n/a	n/a
	Secondary Front Setback	6 ft. min. 18 ft. max.	n/a	n/a
	Side Setback	0 ft. min.	n/a	n/a
	Rear Setback	3 ft. min.	n/a	n/a
	<b>C. OUTBUILDING SETBACKS</b>			
	Front Setback	setback + 20 ft. min.	n/a	n/a
	Side Setback	0 ft. or 3 ft. at corner	n/a	n/a
	Rear Setback	3 ft. min.	n/a	n/a

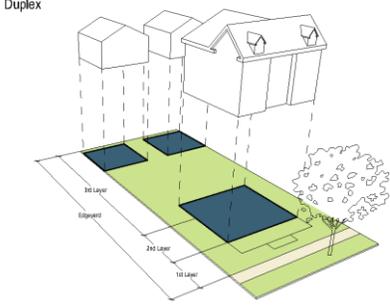
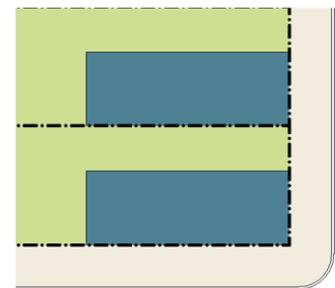
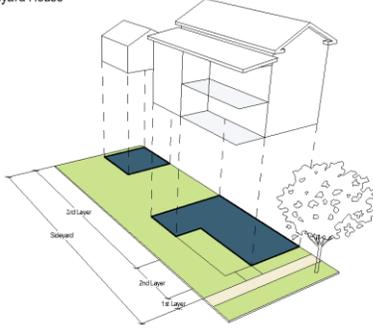
	<b>D. BUILDING HEIGHT (stories)</b>			
	Principal Building	2 max.	n/a	n/a
	Secondary Building	2 max.	n/a	n/a
	Outbuilding	2 max.	n/a	n/a
	<b>E. PRIVATE FRONTAGE</b>			
	i. Setback Encroachments			
	Open Porch	50% max.	n/a	n/a
	Balcony and/or Bay Window	50% max.	n/a	n/a
	Stoop, Lightwell, or Terrace	100% max.	n/a	n/a
	ii. Public Frontage Encroachments			
	Awning, Gallery, or Arcade	100% max.	n/a	n/a
	iii. Encroachment Depths			
	Porch	8 ft. min.	n/a	n/a
	Gallery	10 ft. min.	n/a	n/a
	Arcade	n/a	n/a	n/a
<b>F. PARKING LOCATION</b>				
2nd Layer	not permitted	n/a	n/a	
3rd Layer	permitted	n/a	n/a	

TABLE 3. BUILDING PLACEMENT (continued)

**SIDEYARD PLACEMENT**

The placement of a Primary Building within the boundaries of its Lot to create a private Sideyard, with a Setback to one side. A shallow Front Setback defines a more urban condition. If the adjacent building is similar with a blank side wall, the yard can be quite private. This type permits systematic climatic orientation in response to the sun or the breeze. If a Sideyard House abuts a neighboring Sideyard House, the type is known as a twin or double House.



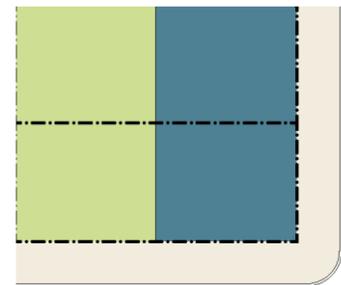
TYPE EXAMPLES - For illustrative and advisory purposes only	TRANSECT ZONE	T4	T5	T6
<p data-bbox="215 915 302 930">Sideyard House</p> 	<b>A. LOT OCCUPATION</b>			
	Lot Coverage	70% max.	80% max.	n/a
	Frontage Buildout at Setback	60% min.	80% min.	n/a
	<b>B. BUILDING SETBACKS</b>			
	Primary Front Setback	6 ft. min. 18 ft. max.	2 ft. min. 15 ft. max.	n/a
	Secondary Front Setback	6 ft. min. 18 ft. max.	2 ft. min. 15 ft. max.	n/a
	Side Setback	0 ft. min.	0 ft. min. 24 ft. max.	n/a
	Rear Setback	3 ft. min.	3 ft. min.	n/a
	<b>C. OUTBUILDING SETBACKS</b>			
	Front Setback	setback + 20 ft. min.	40 ft. max. from rear	n/a
	Side Setback	0 ft. or 3 ft. at corner	0 ft. or 3 ft. at corner	n/a
	Rear Setback	3 ft. min.	3 ft. min.	n/a
	<b>D. BUILDING HEIGHT (stories)</b>			
	Principal Building	2 max.	4 max.	n/a
	Secondary Building	2 max.	4 max.	n/a
	Outbuilding	2 max.	2 max.	n/a
	<b>E. PRIVATE FRONTAGE</b>			
	i. Setback Encroachments			
	Open Porch	50% max.	n/a	n/a
	Balcony and/or Bay Window	50% max.	100% max.	n/a
	Stoop, Lightwell, or Terrace	100% max.	100% max.	n/a
	ii. Sidewalk Encroachments			

	Awning, Gallery, or Arcade	100% max.	100% max.	n/a
iii. Encroachment Depths				
	Porch	8 ft. min.	n/a	n/a
	Gallery	10 ft. min.	10 ft. min.	n/a
	Arcade	n/a	12 ft. min.	n/a
<b>F. PARKING LOCATION</b>				
	2nd Layer	not permitted	not permitted	n/a
	3rd Layer	permitted	permitted	n/a

**TABLE 3. BUILDING PLACEMENT (continued)**

**REARYARD PLACEMENT**

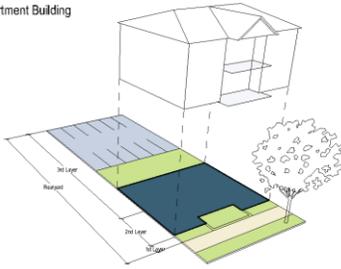
The placement of a Primary Building within the boundaries of its Lot to create a Rearyard, leaving the rear of the Lot as private space or available for dedicated parking in its commercial form. Common walls shared with adjacent buildings create a continuous Façade along the Frontage Line that steadily defines the public Thoroughfare in front of the building. Rear Elevations may be articulated for functional purposes.



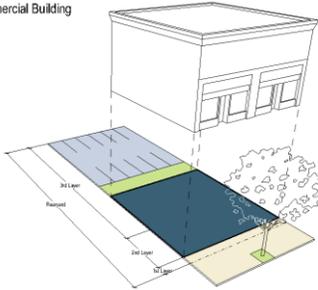
Types: Rowhouse, Apartment Building, Commercial Building, Office Building, Live-Work Building, Mixed-Use Building

<b>TYPE EXAMPLES - For illustrative and advisory purposes only</b>	<b>TRANSECT ZONE</b>	<b>T4</b>	<b>T5</b>	<b>T6</b>
<p>Townhouse</p> <p>3rd Layer</p> <p>Rearyard</p> <p>2nd Layer</p> <p>1st Layer</p>	<b>A. LOT OCCUPATION</b>			
	Lot Coverage	70% max.	80% max.	90% max.
	Frontage Buildout at Setback	60% min.	80% min.	80% min.
	<b>B. PRINCIPAL BUILDING SETBACKS</b>			
	Primary Front Setback	6 ft. min. 18 ft. max.	2 ft. min. 15 ft. max.	0 ft. min. 15 ft. max.
Secondary Front Setback	6 ft. min. 18 ft. max.	2 ft. min. 15 ft. max.	0 ft. min. 15 ft. max.	

Apartment Building



Commercial Building

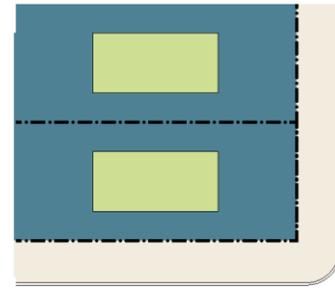


Side Setback	0 ft. min.	0 ft. min. 24 ft. max.	0 ft. min. 24 ft. max.
Rear Setback	3 ft. min.	3 ft. min.	0 ft. min.
<b>C. OUTBUILDING SETBACKS</b>			
Front Setback	setback + 20 ft. min.	40 ft. max. from rear	n/a
Side Setback	0 ft. or 3 ft. at corner	0 ft. or 3 ft. at corner	n/a
Rear Setback	3 ft. min.	3 ft. min.	n/a
<b>D. BUILDING HEIGHT (stories)</b>			
Principal Building	2 max.	4 max.	5 max.
Secondary Building	2 max.	4 max.	n/a
Outbuilding	2 max.	2 max.	n/a
<b>E. PRIVATE FRONTAGE</b>			
i. Setback Encroachments			
Open Porch	50% max.	n/a	n/a
Balcony and/or Bay Window	50% max.	100% max.	100% max.
Stoop, Lightwell, or Terrace	100% max.	100% max.	100% max.
ii. Sidewalk Encroachments			
Awning, Gallery, or Arcade	100% max.	100% max.	100% max.
iii. Encroachment Depths			
Porch	8 ft. min.	n/a	n/a
Gallery	10 ft. min.	10 ft. min.	10 ft. min.
Arcade	n/a	12 ft. min.	12 ft. min.
<b>F. PARKING LOCATION</b>			
2nd Layer	not permitted	not permitted	not permitted
3rd Layer	permitted	permitted	permitted

**TABLE 3. BUILDING PLACEMENT (continued)**

**COURTYARD PLACEMENT**

The placement of a Primary Building within the boundaries of its Lot to create a private Courtyard, while internally defining one or more private patios. Common walls shared with adjacent buildings create a continuous Facade along the Frontage Line that steadily defines the public Thoroughfare in front of the building. This is the most urban of types, as it is able to shield the private realm from all sides.



Types: Courtyard House, Courtyard Apartment Building

TYPE EXAMPLES - For illustrative and advisory purposes only	TRANSECT ZONE	T4	T5	T6
	<b>A. LOT OCCUPATION</b>			
	Lot Coverage	n/a	80% max.	90% max.
	Frontage Buildout at Setback	n/a	80% min.	80% min.
	<b>B. PRINCIPAL BUILDING SETBACKS</b>			
	Primary Front Setback	n/a	2 ft. min. 15 ft. max.	0 ft. min. 15 ft. max.
	Secondary Front Setback	n/a	2 ft. min. 15 ft. max.	0 ft. min. 15 ft. max.
	Side Setback	n/a	0 ft. min. 24 ft. max.	0 ft. min. 24 ft. max.
	Rear Setback	n/a	3 ft. min.	0 ft. min.
	<b>C. OUTBUILDING SETBACKS</b>			
	Front Setback	n/a	40 ft. max. from rear	n/a
	Side Setback	n/a	0 ft. or 3 ft. at corner	n/a
	Rear Setback	n/a	3 ft. min.	n/a
	<b>D. BUILDING HEIGHT (stories)</b>			
	Principal Building	n/a	4 max.	5 max.
	Secondary building	n/a	4 max.	n/a

Outbuilding	n/a	2 max.	n/a
<b>E. PRIVATE FRONTAGE</b>			
i. Setback Encroachments			
Open Porch	n/a	n/a	n/a
Balcony and/or Bay Window	n/a	100% max.	100% max.
Stoop, Lightwell, or Terrace	n/a	100% max.	100% max.
ii. Sidewalk Encroachments			
Awning, Gallery, or Arcade	n/a	100% max.	100% max.
iii. Encroachment Depths			
Porch	n/a	n/a	n/a
Gallery	n/a	10 ft. min.	10 ft. min.
Arcade	n/a	12 ft. min.	12 ft. min.
<b>F. PARKING LOCATION</b>			
2nd Layer	n/a	not permitted	not permitted
3rd Layer	n/a	permitted	permitted

**APPENDIX A – ZONING, ARTICLE VII. – DISTRICT REGULATIONS, Sec. T. –  
Transect districts**

**1.2 INTENT**

- (a) *Regulations on buildings equitably balance the rights of individual property owners and the interests of the community as a whole.*
- (b) *Infrastructure, landscape and buildings shape the public realm, the spatial definition of which can be understood as a continuum from weak to strong.*
- (c) *Transect Districts organize the individual characteristics of infrastructure, landscape and buildings into distinct physical environments, with the overall character of each differing from one another.*
- (d) *Distinct physical environments provide a choice in living arrangement for citizens with differing physical, social, and emotional needs.*
- (e) *Mixed Uses within Transect Districts and individual buildings provides access to daily needs within close proximity to dwellings so that residents may choose to work, recreate, and shop within walking distance to their home.*

### **1.3 TRANSECT DISTRICTS**

*(a) The following Transect Districts are established under the provisions of this Section and are illustrated on Table 1:*

- i) T1 District - Reserved for Future*
- ii) T2 District - Reserved for Future*
- iii) T3 District - Reserved for Future*
- iv) T4 District*
- v) T5 District*
- vi) T6 District*
- vii) Civic District*

28 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 on September 26<sup>th</sup>, 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 calls against this request.

Attachment 1  
EX 16-05 Aerial



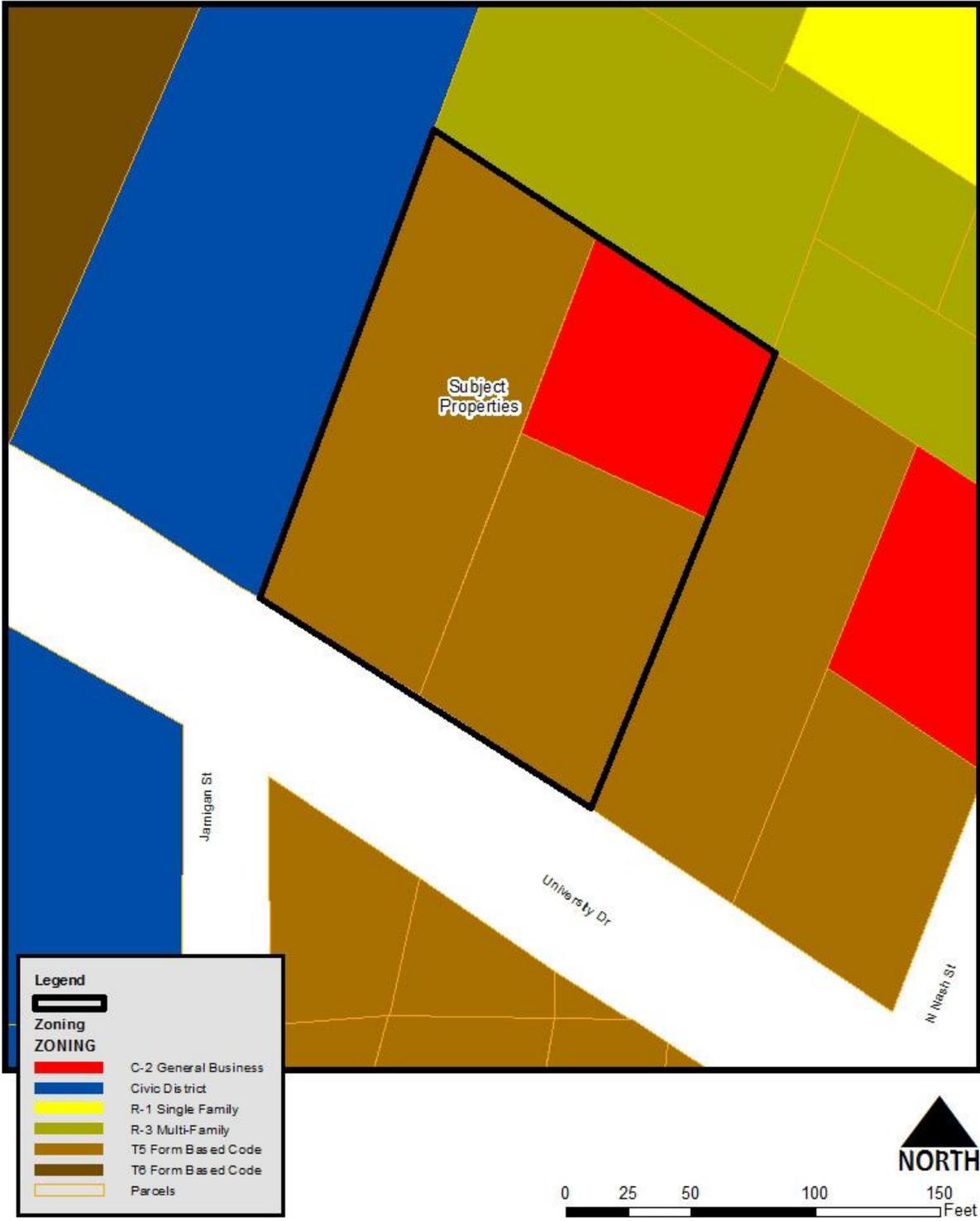
Legend

  Parcels

 NORTH

0 30 60 120 180 Feet

Attachment 2  
EX 16-05 Zoning



Attachment 3- Master Site Plan



Areas that will be effected by the proposed lot occupation





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

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**STAFF REPORT**

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**TO:** Members of the Planning & Zoning Commission  
**FROM:** Daniel Havelin, City Planner (662-323-2525 ext. 3136)  
**CC:** Applicant: Saunders Ramsey Owner: 4J-I LP  
**SUBJECT:** FP 16-12 Request for Final Plat approval for a three lot subdivision of a 9.59 acre parcel on the southeast corner of the intersection of Lynn Lane and Louisville Street in an C-2 zone with the parent parcel number 02J-00-113.00  
**DATE:** October 11, 2016

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**BACKGROUND INFORMATION:**

The purpose of this report is to provide information regarding the request by 4J-I LP for Final approval for a three lot subdivision on the southeast corner of the intersection of Lynn Lane and Louisville Street. The lots that are a part of this subdivision are shown on the proposed plat as Lot 3, Lot 4 and Lot 5. Lot 2 as shown on the proposed plat was a part of a previous proper subdivision. Lot 3, Dollar General, has been previously sold, but has not been properly subdivided. The Subdivision consists of 3 lots on +/- 9.59 acres in a C-2 zone. Please see attachments 1-3.

Below is information pertaining to C-2 General Business District

***Sec. L. - C-2 business (general business) zoning district regulations.***

*These [C-2 general business] districts are intended to be composed of the wide range of commercial goods and services to support community needs. Under special conditions some light industrial and distribution uses are also permitted. Usually located along arterial streets or near the intersection of two or more arterials, these districts are usually large and within convenient driving distance of the entire community. The district regulations provide for certain minimum yard and area standards to be met to assure adequate open space and compatibility with surrounding districts. [The following regulations apply in the C-2 districts:]*

- 1. See chart for uses permitted.*
- 2. See chart for uses which may be permitted as an exception.*
- 3. Minimum lot size: It is the intent of this ordinance that lots of sufficient size be used for any business or service use and to provide adequate parking and loading space in addition to the space required for the other normal operations of the business or service.*

4. *Minimum yard size: Front, 20 feet; rear, 20 feet; side, a total of 20 feet, but one side shall be sufficient in width to provide vehicular access to the rear. On any lot [in] which the side lot line adjoins a residential district, the side yard on that side shall not be less than required by the residential district.*
5. *Maximum height of building or structures: 45 feet.*
6. *Off-street parking: One space for each 200 square feet of retail or office building area. See article VIII of this ordinance for requirements for other uses.*
7. *Off-street loading and unloading: The required rear or side yard may be used for loading and unloading.*
8. *All building facades that are visible from public right-of-way or adjacent property zoned residential shall meet these requirements.*
  - a. *The following materials are allowed for use on a building façade: brick, wood, fiber cement siding, stucco, natural stone, and split faced concrete masonry units that are tinted and textured. Architectural metal panels may be used as long as the panels make up less than 40 percent of an individual façade*
  - b. *The following materials are not allowed for use on a building facade: smooth faced concrete masonry units, vinyl siding, tilt-up concrete panels, non-architectural steel panels (R Panels), and EIFS (exterior insulation and finish systems). EIFS is permitted to be used for trim and architectural accents.*
  - c. *The primary facade colors shall be low reflectance, subtle, neutral or earth tones. The use of high intensity, metallic flake, or fluorescent colors is prohibited.*
9. *All parking lots adjacent to public right-of-way shall be paved either entirely or with a combination of the following: asphalt, concrete, porous pavement, concrete pavers, or brick pavers. Gravel can be used temporarily as a parking surface for a period on no longer than 12 months upon the approval of the community development director. All temporary gravel lots must provide ADA accessible parking and access ways in accordance with the ADA guidelines.*

## **PLAT PROPOSAL**

### **General Information**

The subdivision has a gross acreage of +/-9.59 acres with a total of three lots. Portions of all three lots are within the boundary of designated flood zone. A portion of Lot 4 is within the Flood Way.

### **Easements and Dedications**

Existing and proposed easements are shown on the plat.

### **Findings and Comments**

All utilities are available for each proposed lot. Sidewalks will be required along all roadway frontages that do not have existing sidewalks.

## CONDITIONS PLACED BY THE BOARD OF ALDERMEN ON SEPTEMBER 20, 2016

1. Any sidewalks not completed by the time of Final Plat consideration by the Board of Aldermen, shall be required to have a form of surety in place in the amount of 150% of the estimated cost of construction. **An approved form of surety was received for Lot 4 and Lot 5. Lot 3 has begun constructing the required sidewalk.**
2. Any utility infrastructure not completed by the time of Final Plat consideration by the Board of Aldermen, shall be required to have a form of surety in place in the amount of 150% of the estimated cost of construction. All infrastructure shall be required to be installed, inspected, tested and approved by City Staff prior to the issuance of a building permit for any individual lot. **All required utilities are in place.**
3. A letter from the Applicant to the City Engineer addressing the handling of all future stormwater requirements (lot by lot detention or regional detention) shall be accepted prior to Final Plat approval. If the lot-by-lot approach is selected, the applicant understands and will communicate to all future lot owners that mitigation of excess stormwater will be required no matter the lot size. If a regional approach is selected, the applicant will be required to provide the engineering calculations and construction plans for the facility as a part of the infrastructure drawings. **A letter satisfying this requirement was received by the City Engineer on September 7, 2016.**

Attachment 1  
PP 16-15 Aerial



**Legend**

	Property
	Parcels

  
**NORTH**

0 100 200 400 600  
Feet

# Attachment 2 PP 16-15 Zoning

