

**APPROVED MINUTES OF THE MEETING OF  
THE BOARD OF ADJUSTMENTS & APPEALS  
CITY OF STARKVILLE, MISSISSIPPI  
FEBRUARY 22, 2023**

Be it remembered that the members of the Board of Adjustments & Appeals of the City of Starkville held their regularly scheduled meeting on February 22, 2023, at 4:00 p.m. in the conference room on the 2nd floor of City Hall located at 110 West Main Street, Starkville, MS.

There being physically present were, Bill Webb, Chairman, Ward 6, George Ford, Ward 1, Bo Richardson, Ward 3, and Shawn Sullivan, Ward 7. Attending virtually via the Google Meets platform was George Sills Ward 4. Marco Nicovich, Vice Chairman, Ward 5, and Kurt Gaude Ward 2 were absent. Physically present attending the Commissioners were City Planner Daniel Havelin and Assistant City Planner Lyle McCaskey.

Chairman Webb opened the meeting.

**III. CONSIDERATION OF THE OFFICIAL AGENDA**

**OFFICIAL AGENDA  
BOARD OF ADJUSTMENTS & APPEALS  
CITY OF STARKVILLE, MISSISSIPPI  
MEETING OF WEDNESDAY, FEBRUARY 22, 2023  
2<sup>ND</sup> 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. APPROVAL OF THE MINUTES:
  - A. CONSIDERATION OF THE UNAPPROVED MINUTES FOR OCTOBER 26, 2022
- V. NEW BUSINESS
  - A. PUBLIC HEARING AND CONSIDERATION OF VA 23-01 A REQUEST FOR A VARIANCE FROM SETBACK REQUIREMENTS OF AN ACCESSORY STRUCTURE AT 109 OAK RIDGE IN AN SD-2 ZONING DISTRICT.
- VI. ADJOURNMENT

**III. CONSIDERATION OF THE OFFICIAL AGENDA**

The Board considered the matter of the approval of the written agenda dated February 22, 2023. Upon the motion of Mr. Sullivan, seconded by Mr. Ford, the Board voted unanimously to approve the written agenda.

#### **IV. APPROVAL OF THE MINUTES**

##### **A. APPROVAL OF THE UNAPPROVED MINUTES FOR OCTOBER 26, 2022**

The Board considered the matter of the approval of the minutes of the October 26, 2022, Board of Adjustments and Appeals meeting. Upon the motion of Mr. Sullivan, seconded by Mr. Ford, the Board voted unanimously to approve the minutes.

#### **V. NEW BUSINESS**

##### **A. PUBLIC HEARING AND CONSIDERATION OF VA 23-01 A REQUEST FOR A VARIANCE FROM SETBACK REQUIREMENTS OF AN ACCESSORY STRUCTURE AT 109 OAK RIDGE IN AN SD-2 ZONING DISTRICT.**

This is a request by Dan Punday for the placement of an accessory structure in a location other than the backyard located at 109 Oak Ridge in an SD-2 zoning district. The applicant is requesting relief from Section 13.9.1.B.C of the Unified Development Code which requires that an Accessory structure not occupy any part of a required front yard or side yard. The applicant has already started the construction of the structure without a permit. After the applicant hired a contractor, the contractor started the permit process. At that time, the planning department became aware of the issue. Once we reviewed the location of the structure, it was determined that a variance would be required prior to issuing a building permit. The proposed accessory structure is located at the end of the existing driveway within the side yard.

The request was noticed in accordance with Section 3.7.3.E of the Unified Development Code. 14 property owners of record within 160 feet of the subject property were notified directly by mail of the request. A legal ad was published in the Starkville Daily News on February 3, 2023. A sign was posted on the property in a conspicuous location. As of this date, the Planning Office has received no response to the notification requesting information.

Chairman Webb opened the public hearing to citizen comments.

Jack Varco came forward to speak about the request.

Dan Punday, the applicant, came forward to speak in favor of the request.

Kyle and Lura Jordan came forward expressing concerns about the request and spoke against the request.

Calling for and receiving no additional comments, Chairman Webb closed the public hearing and opened the item up for discussion.

After a discussion and upon the motion of Mr. Sills, duly seconded by Mr. Ford, the motion to approve VA 23-01 was unanimously approved with two conditions of approval.

1. No windows shall be placed on the north side of the structure.
2. Insulation for soundproofing shall be added to the northern wall of the structure.

## **VI. ADJOURNMENT**

After discussion, Mr. Sullivan moved to adjourn which was seconded by Mr. Ford, and the Board voted unanimously to adjourn until 4:00 p.m. on March 22, 2023, in the second-floor conference room located at 110 West Main Street, Starkville, MS.

---

Bill Webb, Chairman

---

Daniel Havelin, City Planner