

**APPROVED MINUTES OF THE MEETING OF
THE BOARD OF ADJUSTMENTS & APPEALS
CITY OF STARKVILLE, MISSISSIPPI
May 26, 2021**

Be it remembered that the members of the Board of Adjustments & Appeals of the City of Starkville held their regularly scheduled meeting on May 26, 2021 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, Marco Nicovich, Vice Chairman, Ward 5, Shawn Sullivan, Ward 7. Joining the meeting via Google Meets virtual meeting platform were Bo Richardson, Ward 3, and George Ford, Ward 1. Not in attendance was Robert Camp, Ward 4. Physically present attending the Commissioners was City Planner Daniel Havelin.

Chairman Webb opened the meeting.

III. CONSIDERATION OF THE OFFICIAL AGENDA

**OFFICIAL AGENDA
BOARD OF ADJUSTMENTS & APPEALS
CITY OF STARKVILLE, MISSISSIPPI
MEETING OF WEDNESDAY, May 26, 2021
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. **APPROVAL OF THE MINUTES:**
 - A. CONSIDERATION OF THE UNAPPROVED MINUTES FOR May 3, 2021
- V. **NEW BUSINESS**
 - A. PUBLIC HEARING AND CONSIDERATION OF VA 21-04 A REQUEST FOR A VARIANCE FROM SETBACKS FOR A PROPOSED RESTAURANT LOCATED AT 780 LOUISVILLE STREET IN A CN ZONING DISTRICT WITH THE PROPERTY #102G-00-046.04
 - B. CONSIDERATION OF ADOPTING THE 2021-2022 BOARD OF ADJUSTMENTS AND APPEALS MEETING SCHEDULE
 - C. DISCUSSION ON UPCOMING EXPIRING TERMS AND REAPPOINTMENTS
- VI. **ADJOURN**

The Board considered the matter of the approval of the written agenda dated May 26, 2021. Upon the motion of Mr. Sullivan, seconded by Mr. Nicovich, the Board voted unanimously to approve the written agenda.

IV. APPROVAL OF THE MINUTES

A. APPROVAL OF THE UNAPPROVED MINUTES FOR May 3, 2020

The Board considered the matter of the approval of the minutes of the May 3, 2020 Board of Adjustments and Appeals Special Call meeting. Upon the motion of Mr. Sullivan, seconded by Mr. Nicovich, the Board voted unanimously to approve the minutes as amended.

V. NEW BUSINESS

A. PUBLIC HEARING AND CONSIDERATION OF VA 21-04 A REQUEST FOR A VARIANCE FROM SETBACKS FOR A PROPOSED RESTAURANT LOCATED AT 780 LOUISVILLE STREET IN A CN ZONING DISTRICT WITH THE PROPERTY #102G-00-046.04

This is a request by Dale Bright of St. John & Associates, Inc. for a variance from maximum building setback and parking setbacks. The applicants are proposing to build a Jack's Family Restaurant in the northeast corner of the existing parking lot. Access to the site will be through the parking lot from the signalized intersection of Louisville Street and Yellow Jacket Drive. Due to the site access and location of the existing lot, the drive-thru will pass between the building and the existing right-of-way of Louisville Street. The required 15' turning radius of the drive-thru, the 12' drive-thru lane, the 12' bypass lane, and the 5' landscape area increase the proposed building setback to 46.73'. The maximum building setback in a CN (Commercial Neighborhood) zoning district is 30'. The proposed site plan has the required amount of parking for the proposed use. The location of several of the parking spaces are within the front setback. The applicant will need relief from the requirement that parking be located behind the front wall of the primary building

The request was noticed in accordance with Section 3.7.3.E of the Unified Development Code. 4 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 May 5, 2021. A sign was posted on the property in a conspicuous location. As of this date, the Planning Office has received one phone call about the request.

Chairman Webb opened the public hearing to citizen comments.

Dale Bright came forward representing the applicant to speak in favor of the request.

Call 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. Sullivan, duly seconded by Mr. Nicovich, the motion to approve VA 21-04 received unanimous approval.

**B. CONSIDERATION OF ADOPTING THE 2021-2022 BOARD OF
ADJUSTMENTS AND APPEALS MEETING SCHEDULE**

Mr. Havelin presented the proposed meeting schedule for 2021. The calendar has adjusted dates for the November and December meeting dates to avoid conflict with the Holiday Schedule.

After a discussion and upon the motion of Mr. Sullivan, duly seconded by Mr. Nicovich, the motion to approve the 2021-2022 Board of Adjustments and Appeals Meeting Schedule as presented received unanimous approval.

**C. DISCUSSION ON UPCOMING EXPIRING TERMS AND
REAPPOINTMENTS**

Mr. Havelin presented a chart with the currently vacant and expiring seats on the Board of Adjustments and Appeals. There is one vacant seat for Ward 2 and four expiring seats for wards 3, 4, 6, and 7. Mr. Havelin explain the process for applying for reappointment and appointment.

VI. ADJOURNMENT

After discussion, Mr. Sullivan moved to adjourn which was seconded by Mr. Nicovich, and the Board voted unanimously to adjourn until 4:00 p.m. on June 23, 2021 in the second-floor conference room located at 110 West Main Street, Starkville, MS.

Bill Webb, Chairman

Daniel Havelin, City Planner