

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

August 24, 2022

Be it remembered that the members of the Board of Adjustments & Appeals of the City of Starkville held their regularly scheduled meeting on August 24, 2022 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, Kurt Gaude, Ward 2, George Ford, Ward 1, and Shawn Sullivan, Ward 7. Commissioner Bo Richardson, Ward 3 was absent. 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, AUGUST 24, 2022
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 25, 2022
- V. NEW BUSINESS
 - A. PUBLIC HEARING AND CONSIDERATION OF VA 22-09 A REQUEST FOR A VARIANCE FROM FRONT SETBACK REQUIREMENTS FOR AN ACCESSORY STRUCTURE AT 227 LAKEWOOD DRIVE IN AN SD-2 ZONING DISTRICT WITH THE PARCEL NUMBER 117P-00-004.00
 - B. PUBLIC HEARING AND CONSIDERATION OF VA 22-10 A REQUEST FOR A VARIANCE FROM SIDEWALK REQUIREMENTS AT 106 STRANGE ROAD IN A SM ZONING DISTRICT WITH THE PARCEL NUMBER 118J-00-037.00
- VI. ADJOURN

III. CONSIDERATION OF THE OFFICIAL AGENDA

The Board considered the matter of the approval of the written agenda dated August 24, 2022. Upon the motion of Mr. Nicovich, seconded by Mr. Gaude, the Board voted unanimously to approve the written agenda.

IV. APPROVAL OF THE MINUTES

A. APPROVAL OF THE UNAPPROVED MINUTES FOR MAY 25, 2022

The Board considered the matter of the approval of the minutes of the May 25, 2022 Board of Adjustments and Appeals meeting. Upon the motion of Mr. Nicovich, seconded by Mr. Sullivan, the Board voted unanimously to approve the minutes.

V. NEW BUSINESS

A. PUBLIC HEARING AND CONSIDERATION OF VA 22-09 A REQUEST FOR A VARIANCE FROM FRONT SETBACK REQUIREMENTS FOR AN ACCESSORY STRUCTURE AT 227 LAKEWOOD DRIVE IN AN SD-2 ZONING DISTRICT WITH THE PARCEL NUMBER 117P-00-004.00

This is a request by Jay and Victoria McCurdy for a variance from front setback requirements for an accessory structure at 227 Lakewood Drive in an SD-2 zoning district within the Sheely Hills subdivision. The applicants are proposing to build a freestanding carport to side and front of their existing home. The applicant is requesting relief from the front setback requirement of an accessory structure in an SD-2 zoning district.

The request was noticed in accordance with Section 3.7.3.E of the Unified Development Code.

5 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 August 4, 2022. A sign was posted on the property in a conspicuous location. As of this date, the Planning Office has received one phone call in favor of the request.

Chairman Webb opened the public hearing to citizen comments.

Jay McCurdy came forward to speak in favor of 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. Sullivan, duly seconded by Mr. Gaude, the motion to approve VA 22-09 was unanimously approved.

B. PUBLIC HEARING AND CONSIDERATION OF VA 22-10 A REQUEST FOR A VARIANCE FROM SIDEWALK REQUIREMENTS AT 106 STRANGE ROAD IN A SM ZONING DISTRICT WITH THE PARCEL NUMBER 118J-00-037.00

This is a request by Springer Engineering, on behalf of MD Holdings Starkville LLC, to deviate from sidewalk requirements at 106 Strange Road. The applicants are in the process of remodeling an existing building to open Magnolia Dermatology clinic. The declared value of the work was \$144,841. Section 14.11.3.A requires sidewalks for any construction project located within the sidewalk development zone where the cost for the improvements exceeds \$50,000 and is less than 30% of the overall improvement cost. To add the required sidewalks to the project, existing parking would have to be reconfigured and a large existing oak tree could be damaged. The applicant is requesting to not place the sidewalk along either Strange Road or Carver Drive. The Fee in Lieu payment will be required prior to the issuance of a Certificate of Occupancy.

The request was noticed in accordance with Section 3.7.3.E of the Unified Development Code.

9 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 August 4, 2022. A sign was posted on the property in a conspicuous location. As of this date, the Planning Office has received one phone call requesting information about the request.

Chairman Webb opened the public hearing to citizen comments.

Holland Cox came forward to speak in favor of 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. Sullivan, duly seconded by Mr. Gaude, the motion to approve VA 22-10 was unanimously approved.

VI. ADJOURNMENT

After discussion, Mr. Nicovich moved to adjourn which was seconded by Mr. Ford, and the Board voted unanimously to adjourn until 4:00 p.m. on September 28, 2022 in the second-floor conference room located at 110 West Main Street, Starkville, MS.

Bill Webb, Chairman

Daniel Havelin, City Planner