



OFFICIAL AGENDA
BOARD OF ADJUSTMENTS & APPEALS
CITY OF STARKVILLE, MISSISSIPPI
SPECIAL CALL MEETING OF WEDNESDAY, November 29, 2017
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 October 25, 2017
- V. NEW BUSINESS
- VI.
 - A. VA 17-17 Request by OCEDA for Variance relief from street width and street standards requirements for a proposed industrial park in an M-1 zone with the property #115-21-007.01, 115-21-007.00, and 115-21-010.02
- VII. PLANNER REPORT
- VIII. ADJOURN

UNAPPROVED

**MINUTES OF THE MEETING OF THE
BOARD OF ADJUSTMENTS & APPEALS
THE CITY OF STARKVILLE, MISSISSIPPI
OCTOBER 25, 2017**

The Board of Adjustments & Appeals held their regularly scheduled meeting at 4:00 PM on October 26, 2017, in the Community Development Department at City Hall. Members present were Kim Moreland Ward 1, Jerry Jefferson Ward 2, Bo Richardson Ward 3, Robert Camp Ward 4, Marco Nicovich Ward 5 and Shawn Sullivan Ward 7. Absent from the meeting was Chairman Bill Webb Ward 6. Sitting in as acting Chairman was Vice Chairman Marco Nicovich. Attending the Board members were the City Planner Daniel Havelin.

A CONSIDERATION OF THE WRITTEN AGENDA

**OFFICIAL AGENDA
BOARD OF ADJUSTMENTS & APPEALS
CITY OF STARKVILLE, MISSISSIPPI
MEETING OF WEDNESDAY, October 25, 2017
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 September 27, 2017
- V. NEW BUSINESS
 - A. VA 17-16 Request by SER LLC for Variance relief from sidewalk requirements located at +/- 250' east of Industrial Park Road in an M-1 zone with the parcel # 102N-00-005.01
- VI. PLANNER REPORT
- VII. ADJOURN

The Board considered the matter of approval of the written agenda dated October 25, 2017. Upon the motion of Ms. Moreland seconded by Mr. Jefferson, the Board voted unanimously to approve the written agenda.

**CONSIDERATION FOR APPROVAL OF THE MINUTES OF
THE MEETING OF July 26, 2017**

After discussion and upon the motion of Ms. Moreland, duly seconded by Mr. Jefferson, the motion to approve the Minutes of the September 27, 2017 Board of Adjustments and Appeals meeting received unanimous approval.

NEW BUSINESS

**A. CONSIDERATION OF VA 17-16 REQUEST BY SER LLC FOR VARIANCE
RELIEF FROM SIDEWALK REQUIREMENTS LOCATED AT +/-250' EAST
OF INDUSTRIAL PARK ROAD IN AN M-1 ZONE WITH THE PARCEL #
102N-00-005.01**

Chairman Nicovich introduced the item VA 17-16. Board member Bo Richardson recused himself from voting on the request due to him being the applicant. The applicant's consultant Jason Pepper explained the project and the variance request. The applicant is seeking relief from the sidewalk requirements along the street and the connecting sidewalk to the proposed building as required in Section 98-54 of the City of Starkville's ordinance.

7 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 October 5, 2017 and a placard was posted on the property. As of this date, the Planning Office has received no phone calls regarding this request.

After discussion among the Board Members, Ms. Moreland moved to approve the variance requests, which was seconded by Mr. Jefferson and the Board voted 4 to 0 to approve VA 17-16.

PLANNER'S REPORT

At the request of the Board members due to conflicts with the holiday schedule, the City Planner recommend changing the scheduled meeting dates for the November and December Board of Adjustment and Appeals. The proposed dates are November 20, 2017 and December 20, 2017. After discussion among the Board Members, Ms. Moreland moved to approve the proposed meeting dates, which was seconded by Mr. Jefferson and the Board voted 5 to 0 to approve.

ADJOURNMENT

There being no further business before the Board of Adjustments & Appeals, the Board adjourned the meeting.

Marco Nicovich, Vice Chair

Daniel Havelin, City Planner



THE CITY OF STARKVILLE
PLANNING DEPARTMENT
BOARD OF ADJUSTMENTS & APPEALS

CITY HALL, 110 WEST MAIN STREET
STARKVILLE, MISSISSIPPI 39759

STAFF REPORT

To: Members of the Board of Adjustments & Appeals
From: Daniel Havelin, City Planner (662-323-2525 ext. 3136)
Emily Corban, Assistant City Planner (662-323-2525 ext. 3138)
Subject: VA 17-17 Request by OCEDA for Variance relief from street width and street standards requirements for a proposed industrial park in an M-1 zone with the property #115-21-007.01, 115-21-007.00, and 115-21-010.02
Date: November 29, 2017

The purpose of this report is to provide information regarding Variance Request by Saunders Ramsey on behalf of OCEDA (Oktibbeha County Economic Development Association) for street width and street standards requirements for a proposed industrial park located at northeast corner of the intersection of Highways 25 and 82 in an M-1 zone with the property #115-21-007.01, 115-21-007.00, and 115-21-010.02. Please see attachments 1-4.

PROPOSED USE & BACKGROUND:

The Applicant is currently in the process of obtaining Preliminary Plat approval for a proposed industrial park. As part of that request, a variance will be needed from the proposed street width of 24' in lieu of the 31' required and to have no curb and gutter. The applicant attended a Development Review Committee meeting on November 16, 2017. The property was rezoned by the Board of Aldermen on January 3, 2017 from C-2, R-4 and R-5 to M-1. If the request for Variance is recommended for approval, the applicant's requests for Preliminary Plat will be heard by the Planning and Zoning Commission on December 12, 2017 and the request for Variance and Preliminary Plat will be heard by Board of Aldermen on December 19, 2017.

NOTIFICATION:

9 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 November 10, 2017 and a placard was posted on the property concurrent with publication of the notice. As of this date, the Planning Office has received 1 phone call and 1 in person visit against this request.

VARIANCE REQUESTS FROM:

Request #1- Street Width

APPENDIX B – SUBDIVISIONS, ARTICLE VI. - MINIMUM DESIGN STANDARDS, SEC. 1. - STREET PLAN.

- 1. The location and width of all highways, thoroughfares, streets and roads shall conform to the comprehensive plan.*

2. *The proposed street system shall be laid out according to good land planning principles and practices for the type of development proposed, and shall be coordinated with the street systems of the surrounding areas. All streets must provide for the continuation or appropriate projection of principal streets in the surrounding area, and provide a reasonable means of ingress and egress for surrounding acreage tracts.*
3. *Reserve strips or spite strips shall be prohibited.*
4. *Subdivisions which border on or have included within the proposed area to be subdivided any arterial street or major highway shall provide marginal access streets so that the individual lots shall not have direct access to such highway. Subdivisions containing such major roadway facilities must be accompanied by a letter from the state highway department stating its objections and/or recommendations to the proposed street layout.*
5. *Subdivisions that adjoin existing streets shall dedicate additional rights-of-way to meet the minimum street width requirements from each side of the centerline of the existing streets. When a subdivision is located on only one side of an existing street, one-half of the required right-of-way, and in no case less than 25 feet measured from the centerline of the existing right-of-way, shall be provided by the subdivision.*
6. *The proposed street system of the subdivision shall extend existing streets or projections at the same or greater width, but in no case less than the required minimum width.*

- a. *Street right-of-way width shall not be less than the following:*

Expressways, arterial streets and freeways, as specified by the comprehensive plan. [\[2\]](#)

Major streets, 80-foot minimum.

Marginal access streets, 50-foot minimum.

Collector streets, 60-foot minimum.

Minor streets, 50-foot minimum.

Culs-de-sac, 50-foot minimum.

Culs-de-sac, turnabouts, 50-foot radius.

Alleys, 20 feet.

- b. *Minimum roadway width shall be as follows:*

Expressways, arterial streets and freeways, as specified by the comprehensive plan.

Major streets, 49 feet back of curb to back of curb.

Collector streets, 41 feet back of curb to back of curb.

Minor streets, 31 feet back of curb to back of curb.

Culs-de-sac, 31 feet back of curb to back of curb.

Culs-de-sac turnarounds, 40 feet from center of circle to outer curb (40-foot radius).

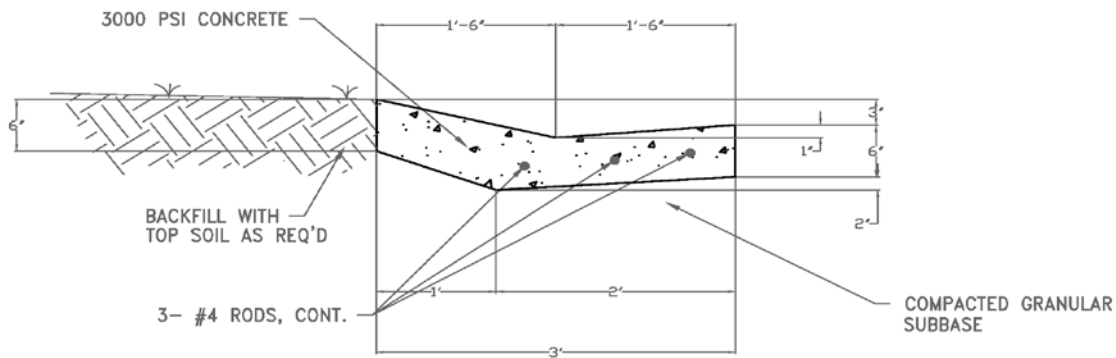
Alleys, 16 feet.

7. *Street alignment shall be designed to eliminate sharp curves and street jogs.*
 - a. *Tangents of at least 100 feet will be required between reverse curves unless severe local conditions would warrant a shorter tangent. In such cases the board of aldermen shall have the power to grant a modification to the provision, provided no traffic hazard would result.*
 - b. *Street intersections with centerline offsets of less than 125 feet shall not be permitted.*
 - c. *Street intersections shall be as nearly at right angles as possible, and no intersection shall be permitted at an angle of less than 60 degrees. Detailed designs of intersections may be required by the commission.*
 - d. *Property line radii at street intersections shall not be less than ten feet, and where the angle of street intersection is less than 90 degrees, the commission may require a greater radius.*
 - e. *Curbline radii at street intersections shall be at least 20 feet. Curb radii of streets or driveways feeding into arterial highways or major streets shall have a radius of not less than 25 feet. Where the angle of street intersection is less than 90 degrees, the commission may require that greater radii be required.*
8. *Cul-de-sac and dead-end streets will not be approved except in cases where the topography or surrounding development would warrant them or unless a dead-end street is for the purpose of connecting future development. Cul-de-sac streets or courts designed to have one end permanently closed shall be no more than 400 feet long. For other dead-end streets, the board of aldermen may require temporary easements for turnaround facilities.*
9. *Street names for all subdivision plats shall be subject to the approval of the city engineer.*

Request #2- Street Standards (curb and gutter requirements)

Sec. 98-84. - Curbs and gutters.

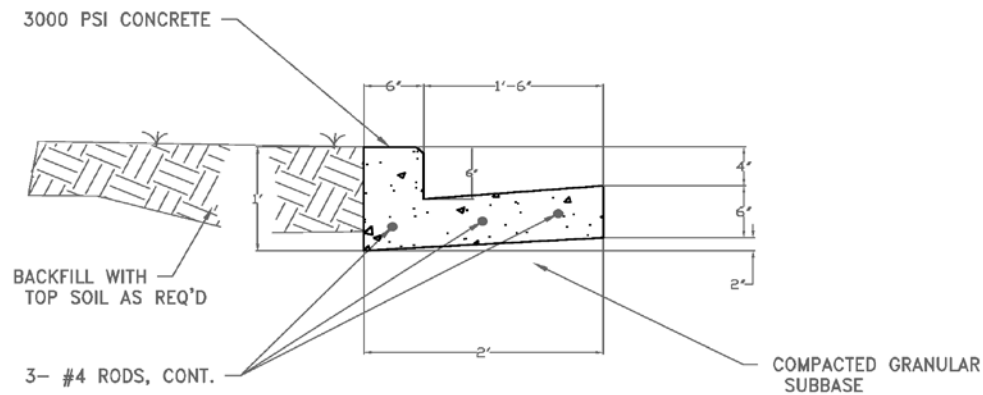
- (1) Curbs and gutters shall be constructed of not less than 28-day compressive strength 3000 concrete. Under certain conditions, formed asphalt or concrete curbs may be authorized for residential area.
- (2) *Concrete curb shapes and sizes should be as detailed below.*



1/2" EXPANSION JOINTS ON 60'-0" INTERVALS,
EXTEND #4 RODS 18" THRU EXP. JOINTS IN
PLASTIC SLEEVES.

SCORE JOINTS AT 10'-0" INTERVALS.

ROLL-OVER CURB and GUTTER



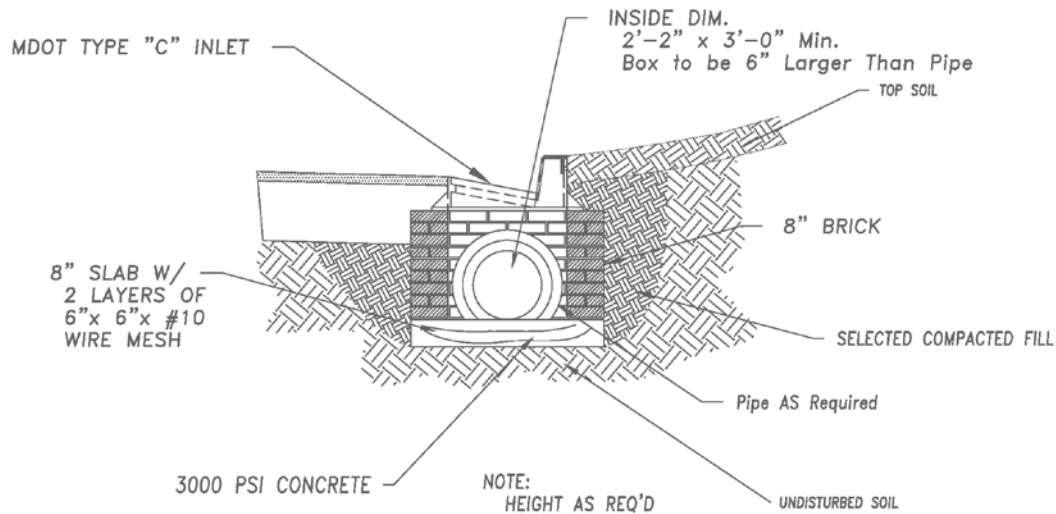
1/2" EXPANSION JOINTS ON 60'-0" INTERVALS,
EXTEND #4 RODS 18" THRU EXP. JOINTS IN
PLASTIC SLEEVES.

SCORE JOINTS AT 10'-0" INTERVALS.

CONVENTIONAL CURB and GUTTER

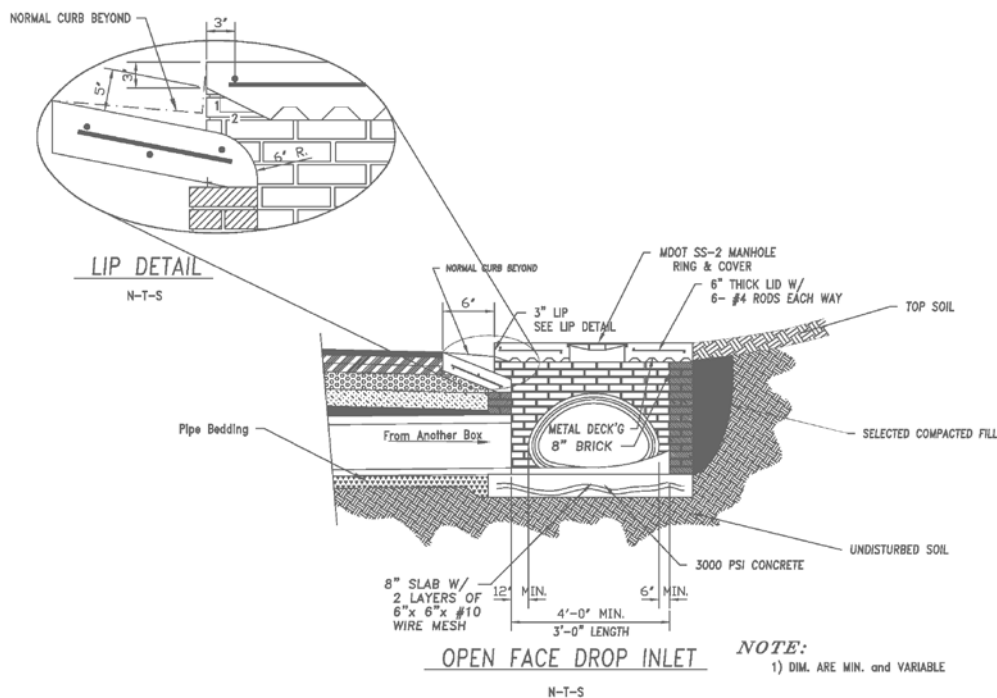
- (3) Concrete curb and gutters shall be backfilled within 72 hours after stripping.
- (4) Concrete curb and gutter forms shall not exceed ten feet in length and a one-half inch pre-molded expansion joint filler shall be installed each 30 feet. Exceptions may be granted by city engineer.
- (5) Concrete curb and gutters shall have not less than three #4 bars of steel placed as indicated.
- (6) Curbs and gutters shall be placed on lines and grades conforming to the approved construction drawings and conform to slopes indicated to assure complete drainage and proper flow of storm water without destruction and puddling.

- (7) Placement of curb and gutter shall be on compacted base or sub-base materials of same character as balance of paving base or sub-base material.
- (8) Drainage structures shall be provided at all low points in major, minor and collector streets. Distances between drainage structures shall not exceed 500 feet. Acceptable designs for drainage structures are shown at Exhibit "A".



GRATE DROP INLET

Exhibit A



(9) Driveways entering streets are to be a 90 degree angle to the street center line or as close to this angle as possible.

(10) Driveways shall be constructed so as to permit passenger vehicles to enter or leave the street without bumping or dragging and shall not obstruct the flow of water. Builders shall not tear out or modify curbs or streets to construct driveways without obtaining permission from street department or building department.

(Ord. No. 2011-4, § D, 12-6-11)

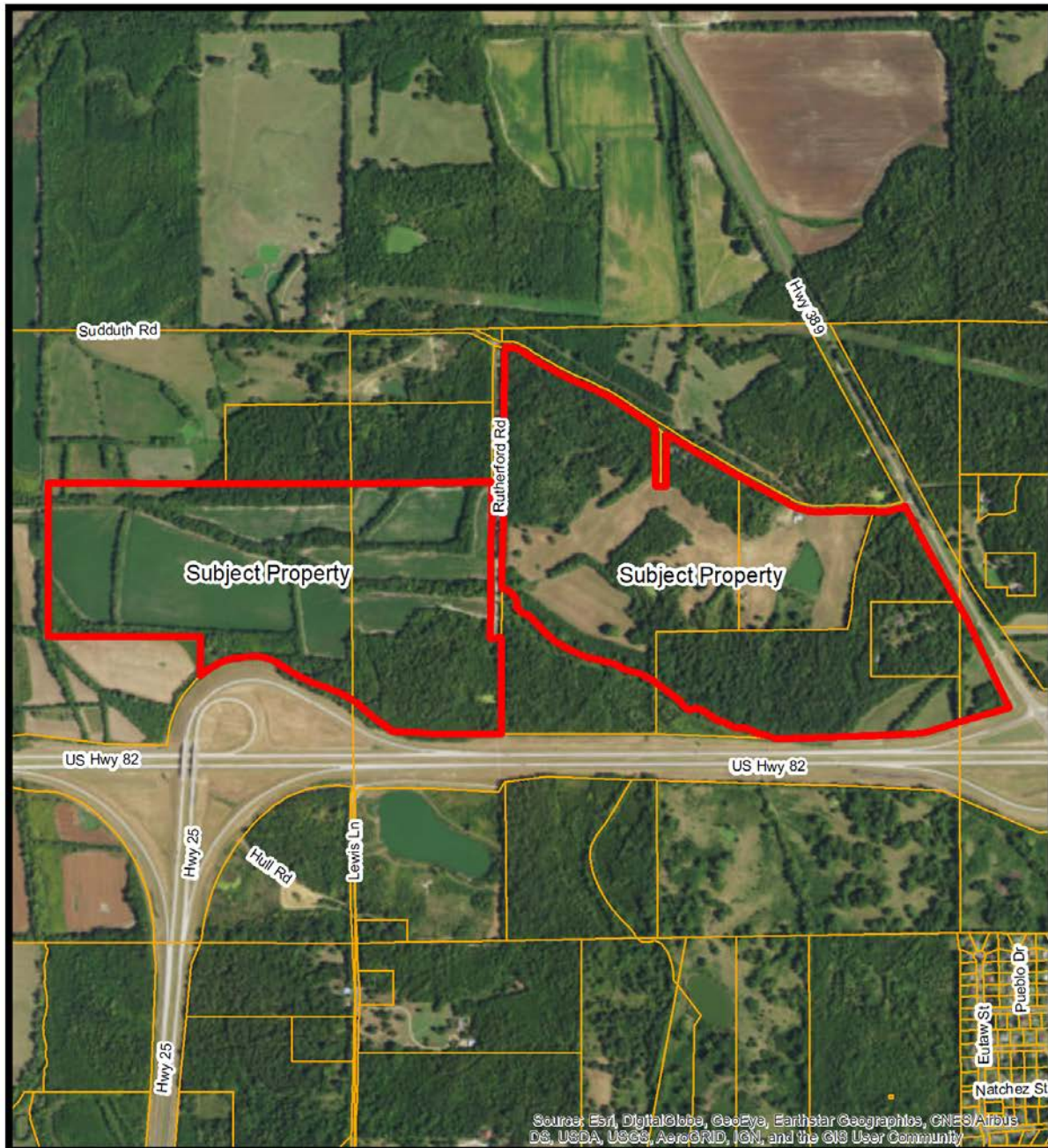
VARIANCE REQUEST REQUIREMENTS:

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 17-17 Aerial



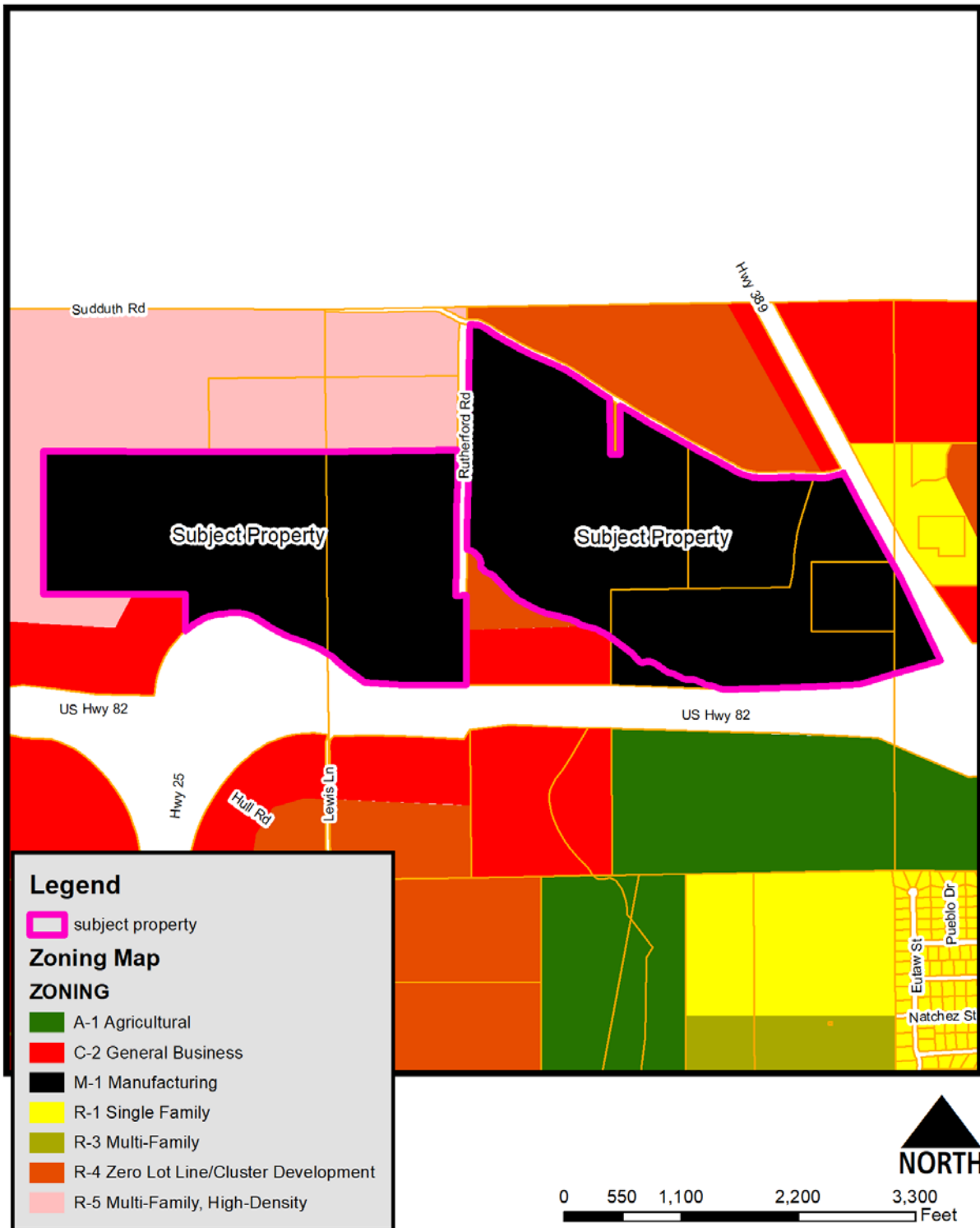
Legend

 subject property

0 550 1,100 2,200 3,300
Feet



Attachment 2
VA 17-17 Zoning



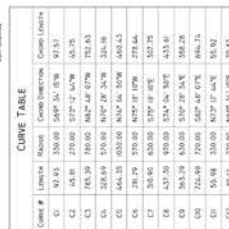
SECTION 21 AND THE WEST $\frac{1}{2}$ OF SECTION 22 T-19-N, R-14-E
STARKVILLE, OKTIBBEHA COUNTY, MISSISSIPPI
(SHEET 2 OF 3)

SECTION 21 AND THE WEST $\frac{1}{2}$ OF SECTION 22 T-19-N, R-14-E
STARKVILLE, OKTIBBEHA COUNTY, MISSISSIPPI
(SHEET 2 OF 3)



QUALITY LICENSED

8" PROPOSED SEWER	8" EXISTING SEWER	10" EXISTING SEWER	15" EXISTING SEWER	10" PROPOSED WATER	8" EXISTING WATER	30" EXISTING WATER	12" EXISTING WATER
0'-0"	4'-0"	0'-0"	0'-0"	0'-0"	0'-0"	13'-0"	12'-0"



Attachment 4- Proposed Street Section

