



**OFFICIAL AGENDA
BOARD OF ADJUSTMENTS & APPEALS
CITY OF STARKVILLE, MISSISSIPPI
MEETING OF WEDNESDAY, AUGUST 28, 2019
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 JULY 11, 2019
 - B. CONSIDERATION OF THE UNAPPROVED MINUTES FOR JULY 24, 2019
- V. NEW BUSINESS
 - A. VA 19-11 REQUEST BY OCEDA FOR VARIANCE RELIEF FROM SIGN REQUIREMENTS FOR NORTH STAR INDUSTRIAL PARK IN A M-1 ZONE WITH THE PARCEL NUMBERS 115-21-007.01, 115-21-007.00, 115 -21-010.00, 115 -21-010.01, 115-21-010.02, 115 -22-026.00, 155-21-006.00, AND 114-20-003.00
- VI. ADJOURN

**UNAPPROVED
MINUTES OF THE SPECIAL CALL
MEETING OF THE BOARD OF
ADJUSTMENTS & APPEALS
THE CITY OF STARKVILLE, MISSISSIPPI
JULY 11, 2019**

The Board of Adjustments & Appeals held their Special Call meeting at 4:00 PM on July 11, 2019, 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, Chairman Bill Webb, Ward 5, Marco Nicovich, Ward 6, and Shawn Sullivan, Ward 7. Attending the Board members were Community Development Director Dr. Simon Kim. And Assistant City Planner Emily Corban.

A CONSIDERATION OF THE WRITTEN AGENDA

**OFFICIAL AGENDA
BOARD OF ADJUSTMENTS & APPEALS
CITY OF STARKVILLE, MISSISSIPPI
SPECIAL CALL MEETING OF WEDNESDAY, JULY 11, 2019
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. NEW BUSINESS
 - A. AA 19-02 REQUEST BY HENRY PILKINTON FOR AN APPEAL ON ADMINISTRATIVE INTERPRETATIONS OF ZONING REGULATIONS FOR THE LEGALLY NONCONFORMING SHED STRUCTURE AND THE ILLEGALLY-BUILT PERGOLA(S), LOCATED AT 805 UNIVERSITY DRIVE IN AN T-5 ZONING DISTRICT WITH THE PROPERTY #101C-00-005.00
- V. ADJOURN

NEW BUSINESS

- A. AA 19-02 REQUEST BY HENRY PILKINTON FOR AN APPEAL ON ADMINISTRATIVE INTERPRETATIONS OF ZONING REGULATIONS FOR THE LEGALLY NONCONFORMING SHED STRUCTURE AND THE ILLEGALLY-BUILT PERGOLA(S), LOCATED AT 805 UNIVERSITY DRIVE IN AN T-5 ZONING DISTRICT WITH THE PROPERTY #101C-00-005.00

Dr. Simon Kim introduced the Administrative Appeal case to the Board members and presented the case.

Then applicant Mr. Henry Pilkington and his Attorney, Mr. Jason Sharp, came forward to present their request.

Calling for and receiving no comments, the Chairman closed the public meeting to begin deliberations. After discussion among the Board Members, Mr. Richardson moved to approve AA 19-02, which was seconded by Mr. Webb and the Board voted 7 to 0 to recommend approval of this administrative appeal request with the following conditions:

1. That if the property sells, the structure and swing shall be removed from the premises.
2. That the applicant not build anything else on the property without going through proper city procedures.
3. That the structure and swing not be required to be inspected by the building department.

ADJOURNMENT

After discussion, Mr. Sullivan moved to adjourn which was seconded by Mr. Richardson, and the Board voted unanimously to adjourn until 4:00 p.m. on July 24, 2019 in the second-floor conference room located at 110 West Main Street, Starkville, MS.

Bill Webb, Chairman

Emily Corban, Assistant City Planner

DRAFT

**UNAPPROVED
MINUTES OF THE MEETING OF THE
BOARD OF ADJUSTMENTS & APPEALS
THE CITY OF STARKVILLE, MISSISSIPPI
JULY 24, 2019**

The Board of Adjustments & Appeals held their meeting at 4:00 PM on July 24, 2019, 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, and Marco Nicovich, Ward 6. Absent from the meeting were Chairman Bill Webb, Ward 5, and Shawn Sullivan, Ward 7. Attending the Board members were City Planner Daniel Havelin, Assistant City Planner Emily Corban, and Community Development Director Dr. Simon Kim.

A CONSIDERATION OF THE WRITTEN AGENDA

**OFFICIAL AGENDA
BOARD OF ADJUSTMENTS & APPEALS
CITY OF STARKVILLE, MISSISSIPPI
SPECIAL CALL MEETING OF WEDNESDAY, JULY 24, 2019
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 22, 2019
- V. NEW BUSINESS
 - A. VA 19-10 REQUEST BY ANDY FORNEA FOR VARIANCE RELIEF FROM FRONT SETBACK REQUIREMENTS FOR A PROPOSED SUBDIVISION IN AN R-3A ZONE WITH THE PARCEL NUMBERS 102I-00-005.00, 102I-00-006.00 AND 102I-00-002.00
- VI. PLANNER REPORT
- VII. ADJOURN

The Board considered the matter of the approval of the written agenda dated May 22, 2019. Upon the motion of Ms. Moreland seconded by Mr. Camp, the Board voted unanimously to approve the written agenda.

CONSIDERATION FOR APPROVAL OF THE MINUTES OF THE MEETING OF MAY 22, 2019

After discussion and upon the motion of Ms. Moreland, seconded by Mr. Richardson, the motion to approve the Minutes of the May 22, 2019 Board of Adjustments and Appeals meeting as amended received unanimous approval.

NEW BUSINESS

A. VA 19-10 REQUEST BY ANDY FORNEA FOR VARIANCE RELIEF FROM FRONT SETBACK REQUIREMENTS FOR A PROPOSED SUBDIVISION IN AN R-3A ZONE WITH THE PARCEL NUMBERS 102I-00-005.00, 102I-00-006.00 AND 102I-00-002.00

This is a variance request by Andy Fornea for relief from front setback requirements for a proposed 79 lot subdivision located in an R-3A zoning district. The applicant is requesting a reduced minimum front setback to bring the front of the homes closer to the street to create a more pedestrian friendly streetscape and to allow for a covered porch to extend out beyond the front façade of the house and front-loaded garage.

43 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 June 22, 2019 and a sign was posted on the property concurrent with publication of the notice. As of this date, the Planning Office has received no phone calls about this request and one in office visit requesting information.

Chairman Bill Webb opened the public hearing.

The applicant Andy Fornea and Mike Hammond came forward to speak in favor of the request.

Calling for and receiving no comments, the Chairman closed the public hearing. After discussion among the Board Members, Mr. Richardson moved to approve VA 19-10, which was seconded by Mr. Camp and the Board voted 5 to 0 to recommend approval of this request.

ADJOURNMENT

After discussion, Mr. Camp moved to adjourn which was seconded by Mr. Jefferson, and the Board voted unanimously to adjourn until 4:00 p.m. on August 28, 2019 in the second-floor conference room located at 110 West Main Street, Starkville, MS.

Marco Nicovich, Vice-Chairman

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 19-11 Request by OCEDA for Variance relief from sign requirements for North Star Industrial Park in a M-1 zone with the parcel numbers 115-21-007.01, 115-21-007.00, 115 -21-010.00, 115 -21-010.01, 115-21-010.02, 115 -22-026.00, 155-21-006.00, and 114-20-003.00
Date: August 28, 2019

The purpose of this report is to provide information regarding a variance request by Saunders Ramsey on behalf of OCEDA (Oktibbeha County Economic Development Association for Variance relief from multi-tenant sign size and separation distance requirements for North Star Industrial Park located in a M-1 zone with the parcel numbers 115-21-007.01, 115-21-007.00, 115 -21-010.00, 115 -21-010.01, 115-21-010.02, 115 -22-026.00, 155-21-006.00, and 114-20-003.00. Please see attachments 1- 5.

PROPOSED USE & BACKGROUND:

The applicant is requesting relief from two sign requirements. The first requirement is the maximum square footage allowed for a multi-tenant sign. The second is the separation distance between multi-tenant signs. OCEDA is proposing to place two signs, one on each side of the entrance from Highway 389. The proposed signs have a square footage of approximately 200 square feet each and are placed 150 feet apart. The sign ordinance allows for a maximum of 100 feet for a multi-tenant sign and a minimum separation of 330 feet between signs for the same development. The subject property was rezoned from C-2, R-4, and R-5 to M-1 on January 3, 2017. The preliminary plat for the subdivision and a variance from street standards was approved by the Board of Aldermen on December 19, 2017. If the request for Variance is recommended for approval, the applicant's requests will be heard by the Board of Aldermen at the September 3, 2019 meeting.

NOTIFICATION:

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 on August 1, 2019 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 about this request and one email in favor of the request (Attachment 3).

VARIANCE REQUESTS FROM:

Appendix A-Zoning, Article. IX-Signage, Section D.- Sign requirements for zoning districts, Section C (4)(b) and (4)(e)

C. Commercial district (C-2) and manufacturing district (M-1). The following signs are permitted in the C-2 and M-1 zoning districts of the City of Starkville under the following conditions:

1. Monument signs.

- a. Monument signs advertising the name of a business and services provided by a business shall not exceed 80 square feet in area and shall be a minimum of five feet from the edge of the paved road, back of curb or right-of-way line, whichever is greater, and shall not be placed within the sight-distance triangle of any intersection.
- b. The area beneath and around the sign shall be landscaped with plants, ground cover and materials so as to complement the site and integrate the monument sign with buildings, parking areas, surrounding vegetation and natural features of the landscape.
- c. Multiple on-site signs advertising the name and services provided by the same business must be separated by a minimum of 330 linear feet of frontage along a public roadway.
- d. Monument signs shall not exceed eight feet in height above the finished grade.

2. Wall signs.

- a. Wall signs are permitted and the aggregate square footage of all wall signs displayed upon an individual wall shall not exceed 50 percent of the total square footage of the individual wall, not to exceed 150 square feet, where the square footage of the wall is measured in its entirety without regard to the placement or number of windows and doors. If the primary structure is located more than 200 feet from the nearest adjacent public roadway, the square footage may be increased to 250 square feet.
- b. Those signs hanging or projecting over the right-of-way shall be placed a minimum of eight feet above the finished grade, shall not present a danger to and shall not alter the walking path of the public.

3. Window signs.

- a. Window signs are permitted and shall not exceed 25 percent of coverage for any individual window or door.
- b. This includes temporary signage of any type placed inside windows.

4. Multi-tenant signs.

- a. Multi-tenant business signs must be freestanding, and constructed and supported by a monument-type structure.
- b. The central part of the multi-tenant sign, normally reserved for advertising the name of the shopping facility or mall itself, shall be no more than a maximum of 100 square feet in area.**

- c. The area beneath and around the sign shall be landscaped with plants, ground cover and materials so as to complement the site and integrate the monument sign with buildings, parking areas, surrounding vegetation and natural features of the landscape.
 - d. The entire structure may not exceed 12 feet in height above the finished grade, and must meet all applicable setbacks.
 - e. **Additional multi-tenant business signs may be allowed on the same property, providing that the signs are separated in distance by 330 linear feet of frontage along a public roadway.**
 - f. Multi-tenant signs shall be a minimum of five feet from the edge of the paved road, back of curb or right-of-way line, whichever is greater, and shall not be placed within the sight-distance triangle of any intersection.
5. Bypass signs.
- a. Bypass signs must be freestanding, and constructed and supported by a monument-type structure.
 - b. The sign area shall not exceed 160 square feet in area and shall be a minimum of five feet from the edge of the paved road, back of curb or right-of-way line, whichever is greater, and shall not be placed within the sight-distance triangle of any intersection. Monument signs shall not exceed 20 feet in height above the finished grade.
 - c. The area beneath and around the sign shall be landscaped with plants, ground cover and materials so as to complement the site and integrate the monument sign with buildings, parking areas, surrounding vegetation and natural features of the landscape.
 - d. Multiple on-site signs advertising the name and services provided by the same business must be separated by a minimum of 660 linear feet of frontage along a public roadway.
6. Other signs.
- a. Awning signs, marquee signs and electronic message board signs are permitted in C-2 and M-1 zoning districts.
 - b. Banners are allowed only by permit in the C-2 and M-1 zoning districts.
 - c. Portable signs are temporarily permitted in C-2 and M-1 zoning districts; shall be displayed for a maximum of 15 days; are permitted for only four periods per location per calendar year and cannot be moved to a new location within 500 feet of the previous location if it is to be used by the same business.
 - d. Roof signs shall be considered nonconforming signs.
 - e. The following signs shall be prohibited: Flashing signs, pole signs, post signs, inflatable displays, snipe signs, motor vehicle signs (other than those for businesses located on the premises), non-seasonal decorative lighting, and portable signs that also meet the definition of a flashing sign.

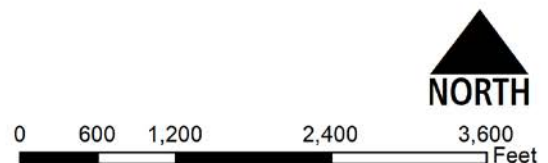
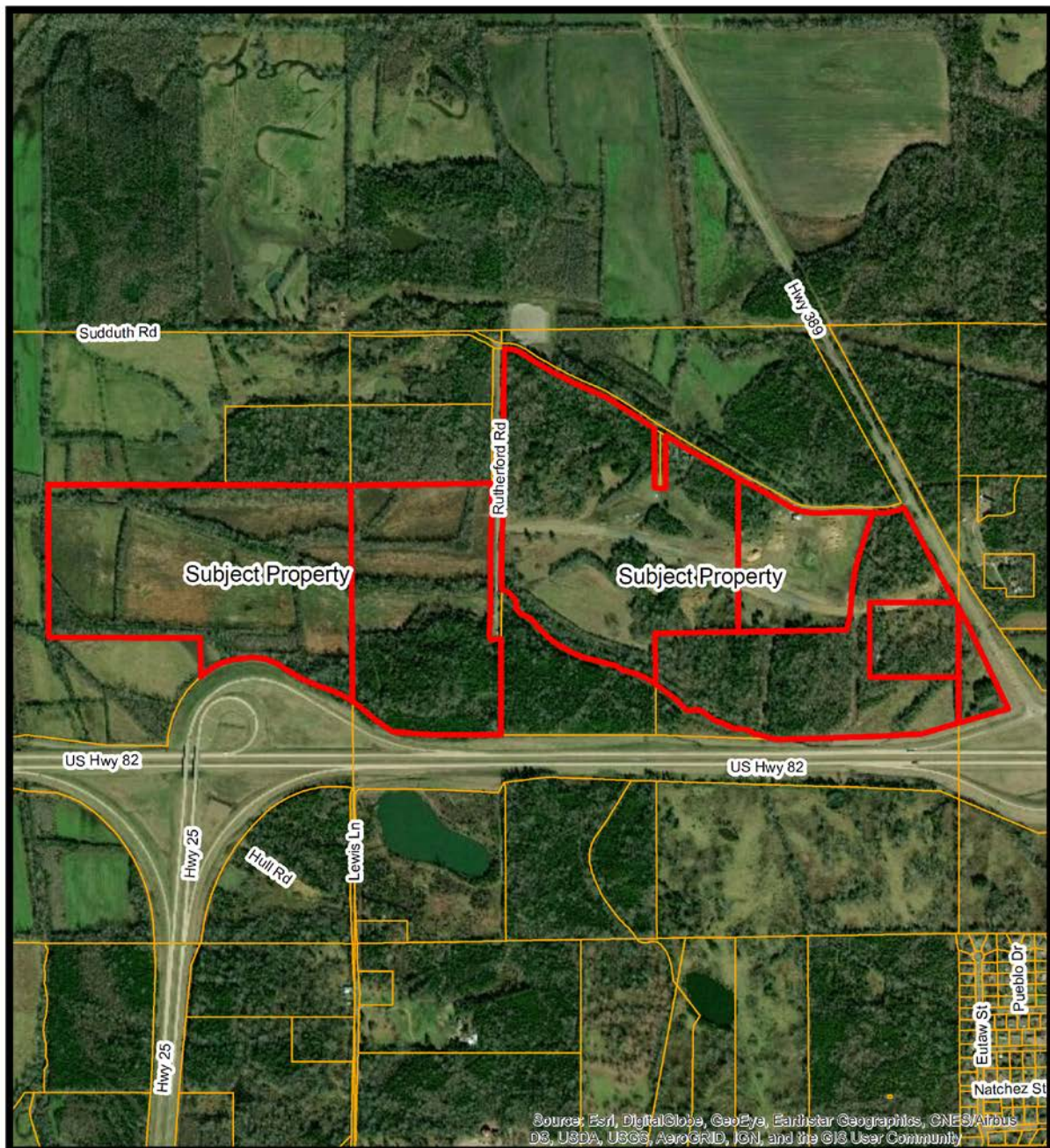
VARIANCE REQUEST REQUIREMENTS:

Appendix A, Article VI, Section K outlines four conditions a Variance request needs to meet:

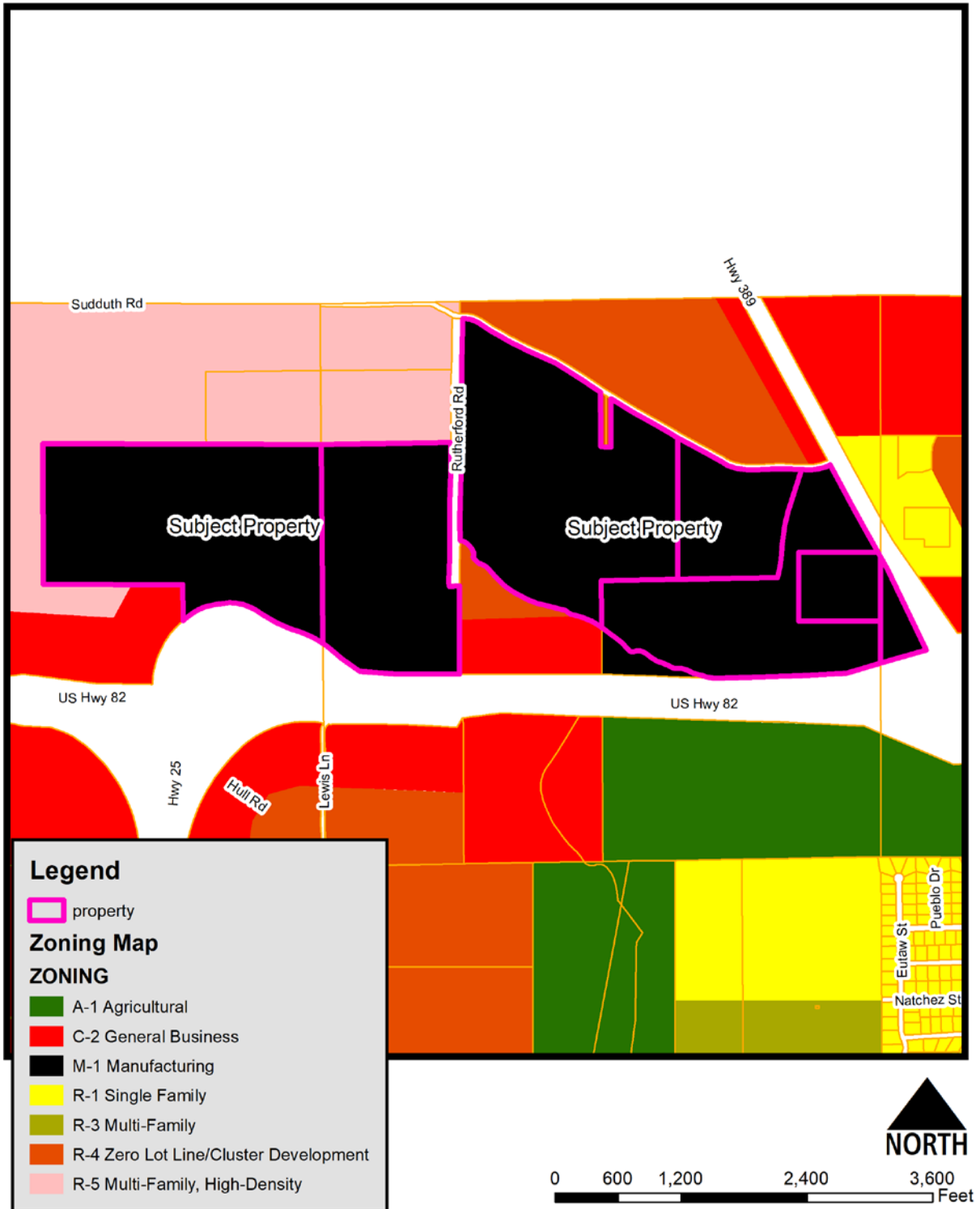
To authorize an appeal in specific cases such variance from the terms of this ordinance [may be issued] as will not be contrary to the public interest where, owing to special conditions, a literal enforcement of the provisions of this ordinance would result in unnecessary hardship. A variance from the 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:

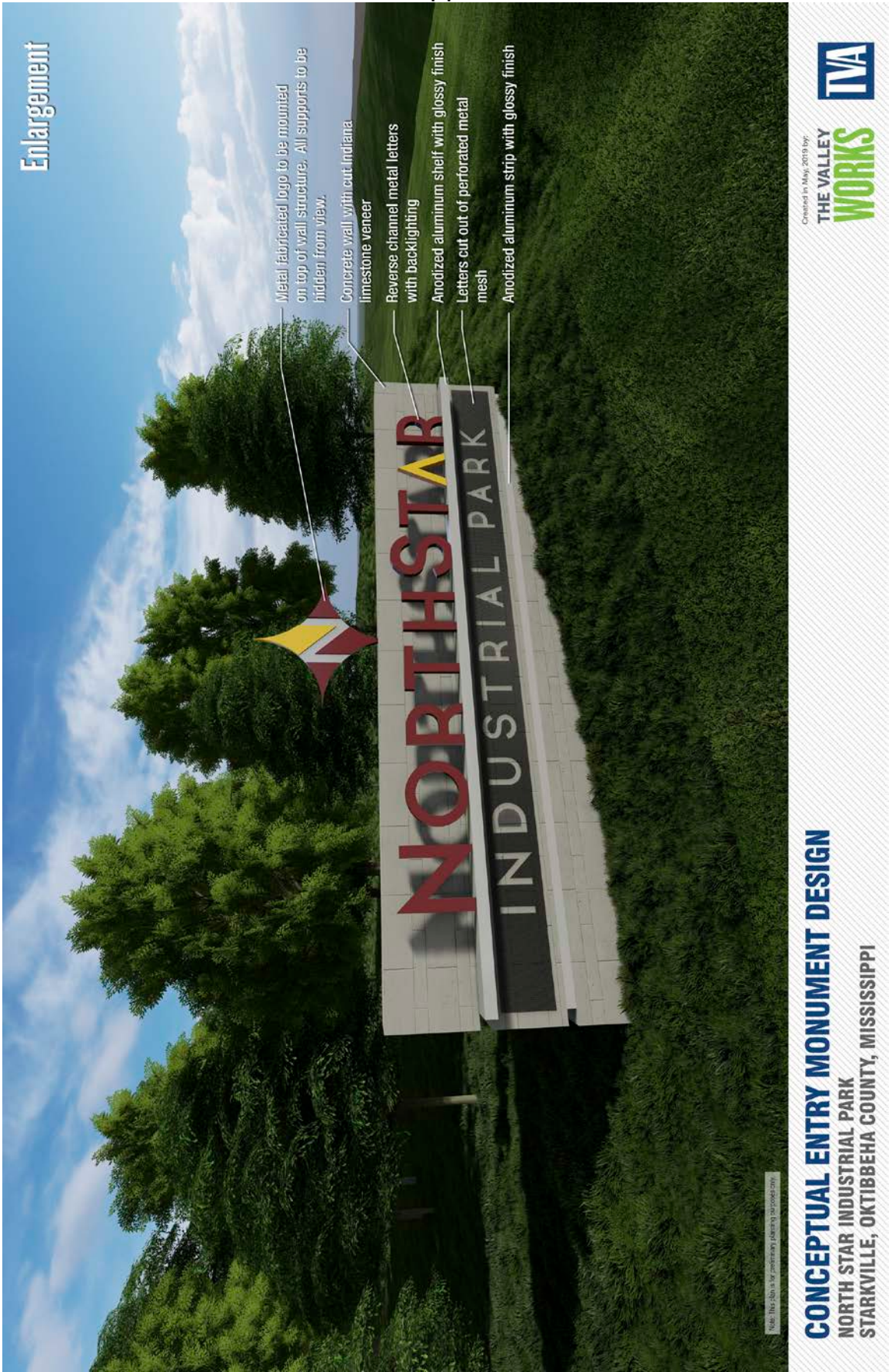
1. That special conditions and circumstances exist which are peculiar to the land, structure, or building involved, and the same conditions are not applicable to other land, structures and buildings in the same district.
2. That literal interpretation of the provisions of this ordinance would deprive 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 19-11 Aerial

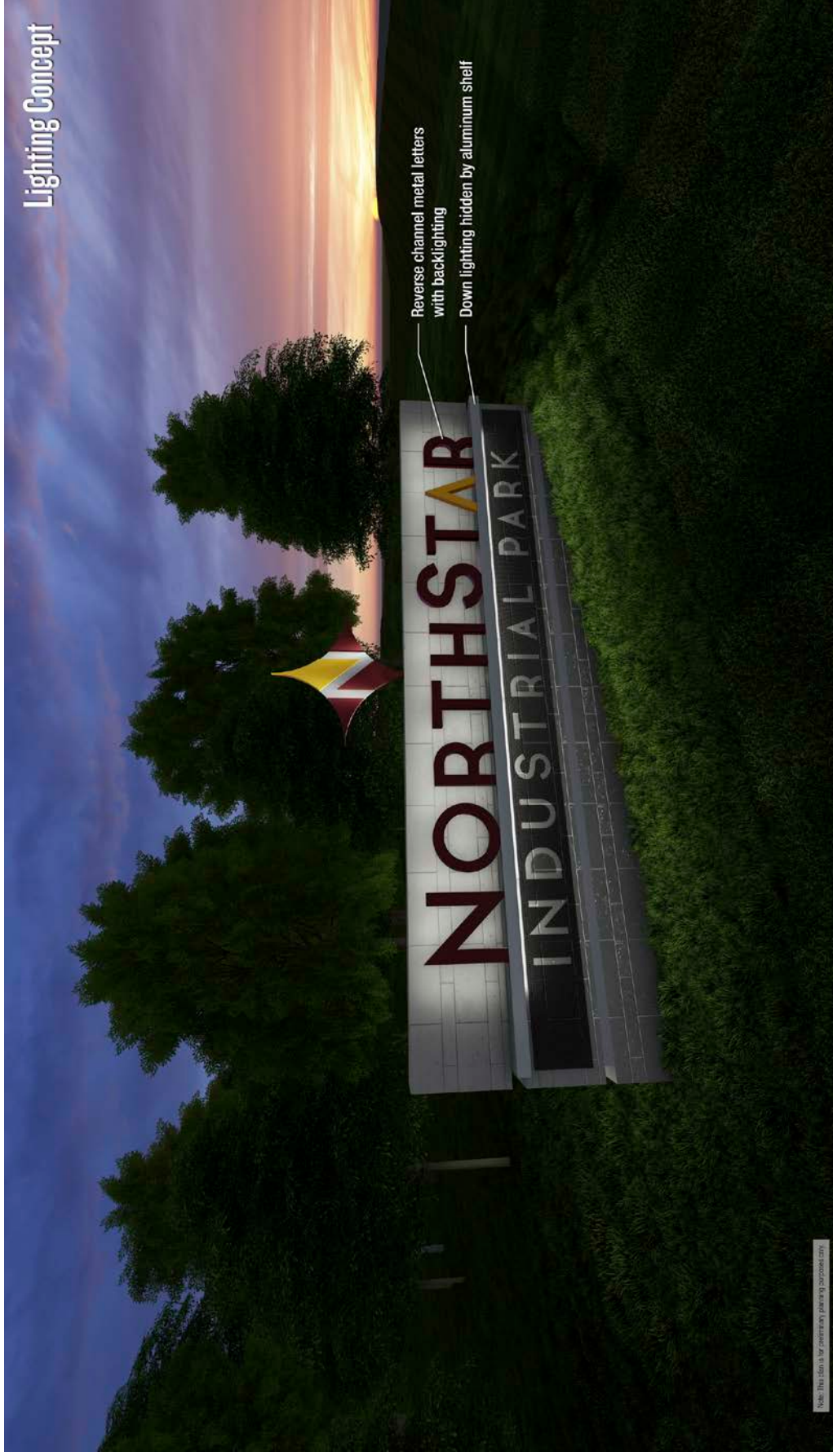


Attachment 2 VA 19-11 Zoning





Lighting Concept



CONCEPTUAL ENTRY MONUMENT DESIGN

NORTH STAR INDUSTRIAL PARK
STARKVILLE, OKTIBBEHA COUNTY, MISSISSIPPI



Note: This plan is for preliminary planning purposes only.

CONCEPTUAL ENTRY MONUMENT DESIGN

NORTH STAR INDUSTRIAL PARK
STARKVILLE, OKTIBBEHA COUNTY, MISSISSIPPI

Created in May, 2019 by
THE VALLEY
WORKS





Note: This plan is for conceptual planning purposes only.

CONCEPTUAL ENTRY MONUMENT DESIGN

NORTH STAR INDUSTRIAL PARK
STARKVILLE, OKTIBBEHA COUNTY, MISSISSIPPI

Created in May, 2019 by

THE VALLEY
WORKS



Attachment 4- Application



VARIANCE APPLICATION
City of Starkville Board of Adjustments & Appeals
City Hall, 110 West Main Street
Starkville, Mississippi 39759-2823
Phone: (662) 323-8012 Fax: (662) 323-4143
e-mail: buildingdept@cityofstarkville.org

APPLICANT / AGENT INFORMATION

Name: Saunders Ramsey Phone: (662) 648-9010
Address: 912 Lynn Lane
E-mail address: Saunders.Ramsey@neel-schaffer.com

PROPERTY OWNER INFORMATION

Name: OCEDA Phone: 662-323-3322
Address: 200 EAST MAIN STREET
E-mail address: LYNN@SPRILLAPTS.COM

If different from applicant, please attach notarized letter of authorization.

APPLICATION INFORMATION

Street Address/Location: SW CORNER OF HIGHWAY 25 & HIGHWAY 389
Tax Map/Parcel ID Number: 115-21-010.02 Zoning: M-1
Variance Sought: Sign Size and Spacing Between Signs

Dimension Requested: 200 SF and 150' Dimension Required: 100 SF and 330'

Section(s) of the Code of Ordinances from which variance is being sought:

Article IX-Signage: Sec. S - Sign restriction and prohibitions

Reason for request:

Current ordinance provides guidance for multi-tenant signs and for bypass signs. However, Bypass sign standards would be too aggressive for the intended purpose, and the multi-tenant sign standards are too limited for the intended purpose of signage for industrial park

Property to the NORTH: Zoning C-2 Current Use Farmland
Property to the EAST: Zoning R-1 Current Use Single Family
Property to the SOUTH: Zoning A-1 Current Use Farmland
Property to the WEST: Zoning M-1 Current Use Farmland

☐ Application Fee ☒ Legal Description ☒ Notarized Owner Authorization

Submitted by: [Signature] Date: 7/22/19

Attachment 5- Email in Favor of the Request

8/14/2019

City Of Starkville Mail - Proposed Variance request for relief from sign size for the North Star Industrial Park.



Daniel Havelin <d.havelin@cityofstarkville.org>

Proposed Variance request for relief from sign size for the North Star Industrial Park.

1 message

Frank Ingels <ingelsfm@gmail.com>

Wed, Aug 14, 2019 at 7:39 AM

To: d.havelin@cityofstarkville.org, e.corban@cityofstarkville.org, Frank Ingels <ingelsfm@gmail.com>

I think this is a good idea and hope it passes.

Frank Ingels
ingelsfm@gmail.com
662-425-8850