



OFFICIAL AGENDA
SPECIAL CALL
BOARD OF ADJUSTMENTS & APPEALS
CITY OF STARKVILLE, MISSISSIPPI
MEETING OF MONDAY, MAY 03, 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 JANUARY 27, 2021
- V. NEW BUSINESS
 - A. PUBLIC HEARING AND CONSIDERATION OF VA 21-03 A REQUEST FOR A VARIANCE FROM THE MINIMUM LOT SIZE AND MINIMUM LOT WIDTH FOR TWO PROPOSED LOTS. THE SUBJECT PROPERTIES ARE LOCATED AT 1425 GRETA LANE IN AN OPTIONAL ZONING DISTRICT WITH THE PARCEL NUMBER 103P-08-012.00
- VI. ADJOURN

**UNAPPROVED MINUTES OF THE MEETING OF
THE BOARD OF ADJUSTMENTS & APPEALS
CITY OF STARKVILLE, MISSISSIPPI
JANUARY 27, 2021**

Be it remembered that the members of the Board of Adjustments & Appeals of the City of Starkville held their regularly scheduled meeting on January 27, 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 Jerry Jefferson, Ward 2, Shawn Sullivan, Ward 7. Joining the meeting via Google Meets virtual meeting platform were Bo Richardson, Ward 3, Robert Camp, Ward 4, and Marco Nicovich, Vice Chairman, Ward 5. Not in attendance were Bill Webb, Chairman, Ward 6 and George Ford, Ward 1. Physically present attending the Commissioners was City Planner Daniel Havelin.

Acting Chairman Nicovich opened the meeting.

III. CONSIDERATION OF THE OFFICIAL AGENDA

**OFFICIAL AGENDA
BOARD OF ADJUSTMENTS & APPEALS
CITY OF STARKVILLE, MISSISSIPPI
MEETING OF WEDNESDAY, JANUARY 27, 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 OCTOBER 28, 2020
- V. NEW BUSINESS**
 - A. PUBLIC HEARING AND CONSIDERATION OF VA 21-01 A REQUEST FOR A VARIANCE FROM SIDE AND REAR SETBACK REQUIREMENTS FOR THE EXISTING ACCESSORY STRUCTURE LOCATED AT 808 GREENBRIAR STREET IN A SD-2 ZONING DISTRICT WITH THE PARCEL NUMBER 106C-00-078.00.
- VI. ADJOURN**

The Board considered the matter of the approval of the written agenda dated January 27, 2021. Upon the motion of Mr. Sullivan, seconded by Mr. Jefferson, the Board voted unanimously to approve the written agenda.

IV. APPROVAL OF THE MINUTES

A. APPROVAL OF THE UNAPPROVED MINUTES FOR OCTOBER 28, 2020

The Board considered the matter of the approval of the minutes of the October 28, 2020 Board of Adjustments and Appeals meeting. Upon the motion of Mr. Sullivan, seconded by Mr. Jefferson, the Board voted unanimously to approve the minutes as amended.

V. NEW BUSINESS

A. PUBLIC HEARING AND CONSIDERATION OF VA 21-01 A REQUEST FOR A VARIANCE FROM SIDE AND REAR SETBACK REQUIREMENTS FOR THE EXISTING ACCESSORY STRUCTURE LOCATED AT 808 GREENBRIAR STREET IN A SD-2 ZONING DISTRICT WITH THE PARCEL NUMBER 106C-00-078.00.

This is a request by Neil Couvillion on behalf of Jetson & Bryn Taylor for side and rear setback requirements for the existing accessory structure. The property is located at 808 Greenbriar Street in an SD-2 zoning district. The applicants are proposing to add on to an existing accessory structure. The existing structure is approximately 1.5' from the side property line and 4.5' from the rear property line. The addition will meet all required setbacks, but the existing structure cannot.

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 December 20, 2020. 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.

Vice Chairman Nicovich opened the public hearing to citizen comments.

Eugene Liddell came forward representing the applicant to speak in favor of the request.

Call for and receiving no additional comments, Vice Chairman Nicovich 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. Camp, the motion to approve VA 20-11 received unanimous approval.

VI. ADJOURNMENT

After discussion, Mr. Jefferson moved to adjourn which was seconded by Mr. Camp, and the Board voted unanimously to adjourn until 4:00 p.m. on February 24, 2021 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: Public hearing and consideration of VA 21-03 a request for a variance from the minimum lot size and minimum lot width for two proposed lots. The subject properties are located at 1425 Greta Lane in an Optional zoning district with the parcel number 103P-08-012.00
Date: May 3, 2021

The purpose of this report is to provide information regarding a Variance Request by Herman Ashford on behalf of Mr. And Mrs. Rieves for a variance from the minimum lot size and minimum lot width for two proposed lots. The subject properties are located at 1425 Greta Lane in a O zoning district with the parcel number 103P-08-012.00 Please see attachments 1- 4.

BACKGROUND INFORMATION

The subject properties are located at 1425 Greta Lane and are a part of the proposed "Rieves Property" subdivision plat. The applicants are proposing to build a new home on proposed Parcel A. To do this, they need to subdivide the parcel from the existing parcel. The new subdivision will create a total of three parcels out of one. Parcel A and Parcel B are the new parcels.

VARIANCE REQUEST FROM

Parcel A needs a variance from lot width. Parcel B needs a variance from lot width and lot size. The remaining parcel does not require any variances.

For the proposed lot labeled Parcel "A", the request is a variance from minimum lot width. The applicant is requesting a lot width of 20' in lieu of the 140' requirement.

For the proposed lot labeled Parcel "B" the request is for a variance from minimum lot width and minimum lot size. The applicant is requesting a lot width of 62.22' in lieu of the 140' requirement. The applicant is also requesting a variance from the minimum lot size, requesting a lot size of 13,041.45 sq. ft. in lieu of the minimum of 40,000 square feet.

The applicant attended a Development Review Committee meeting on April 22, 2021. If the request for Variance is recommended for approval, the applicant's requests will be heard by the Board of Aldermen at the May 4, 2021 meeting.

In accordance with Section 10.1.5.A, any permitted residential use shall use the Rural Neighborhood requirements in Section 6.3.

Section 6.3.4 Base Dimensional Standards

Detached and Attached Duplex Dwelling	
A. Lot Dimensions	RN
A1 Lot size per unit in sq. ft (min.)	40000
A2 Lot width (min.)	140'
A3 Lot width at corner (min.)	140'
B. Primary Building Setbacks	RN
B1 Front setback	40' min
B. Primary Building Setbacks (cont.)	RN
B2 Side setback (min.)	10'
B3 Side setback corner lot (min.)	40'
B4 Rear setback (min.)	30'
B5 Rear setback adjacent to street or alley (min.)	20'
C. Accessory Dwelling Unit/Structure Setbacks	RN
C1 Front setback	
C2 Side setback	5' min
C3 Side setback corner lot (min.)	40'
C4 Rear setback	5', 100 for structures housing livestock
C5 Rear setback adjacent to alley for garages (min.)	N/A
C6 Structures housing livestock (min.)	100' min
D. Parking Setbacks	RN
D1 From primary street	N/A
E. Height	RN
E1 Principle building(s) (max)	35', 2.5 story
E. Height (cont.)	RN
E2 Accessory Dwelling Unit(s)/Structure(s) (max)	
E3 Accessory structure agricultural use	70'
F. Pedestrian Access	RN
F1 Street-facing primary entrance along street	yes

CRITERIA FOR VARIANCE REVIEW AND APPROVAL (Section 3.7.1)

3.7.1. Criteria for variance review and approval.

- A. Special Conditions. 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 surrounding area.
- B. Literal Interpretation. That the literal interpretation of the provisions of this Code would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this Code.
- C. Hardship. That the hardship has not resulted from the actions of the applicant.
- D. Special Privilege. That granting the variance requested will not confer on the applicant any special privilege that is denied by this Code to other lands, structures, or buildings in the same district.
- E. Minimum Variance. That granting the variance is the minimum variance that will make possible the reasonable use of the land, building, or structure.
- F. Consistency with Comprehensive Plan. That the granting of the variance will be consistent with the general purpose, intent, goals, objectives, and policies of the Comprehensive Plan and this code and will not be injurious to surrounding areas or otherwise detrimental to the public welfare.

NOTIFICATION:

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

- 1. 5 property owners of record within 160 feet of the subject property were notified directly by mail of the request.
- 2. A legal ad was published in the Starkville Daily News on April 15, 2021.
- 3. A sign was posted on the property in a conspicuous location.

RESPONSE TO NOTIFICATION

As of this date, the Planning Office has received no phone calls For or Against this request.

ANALYSIS

In the opinion of the Planning Department the proposed variance request could meet the criteria for variance review and approval.

CONDITIONS OF APPROVAL

Any condition attached to the approval of a variance by the Mayor and Board of Aldermen shall run with the land and shall be binding upon the applicants, their heirs, and successors.

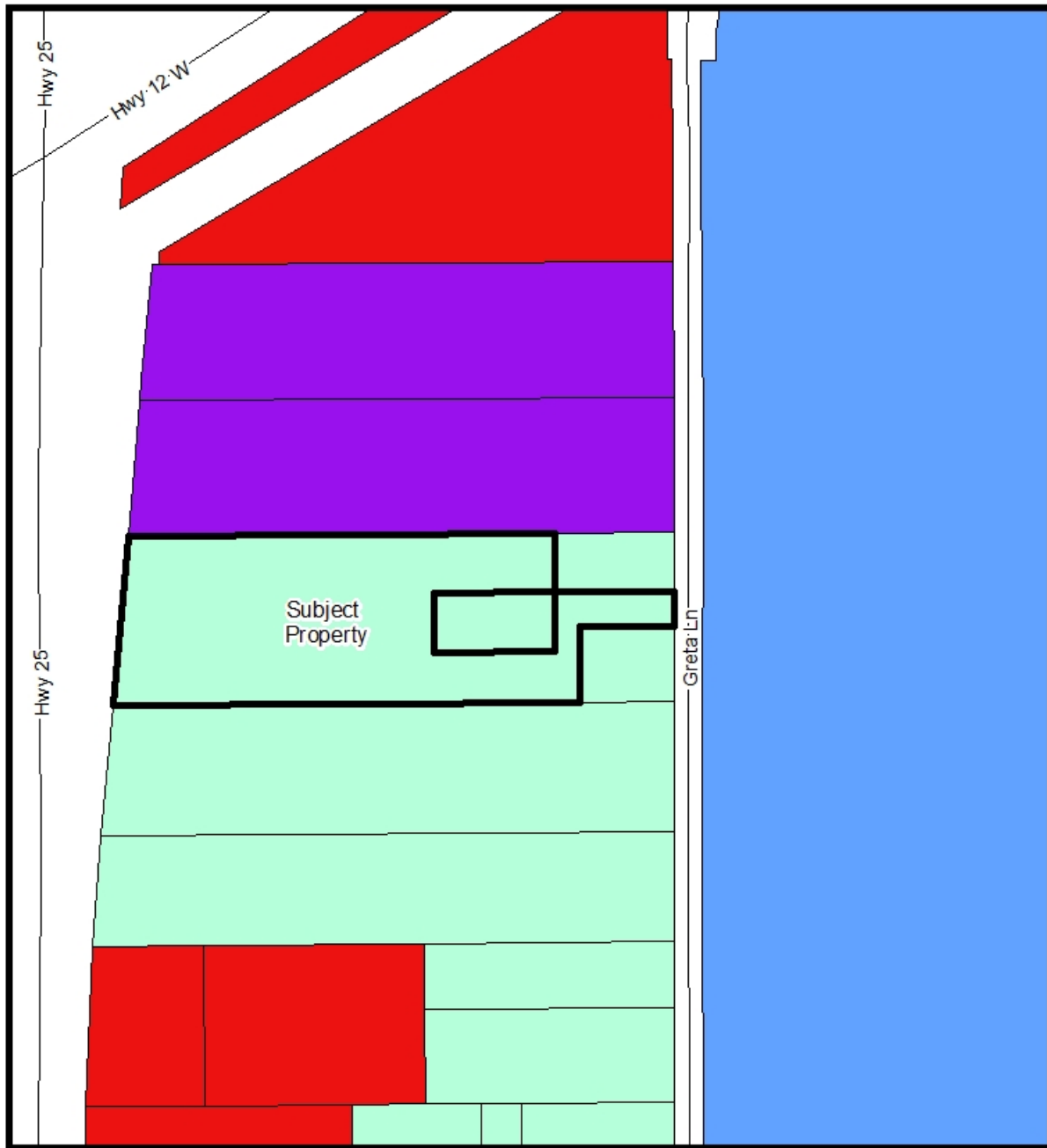
Attachment 1
VA 21-03 Aerial



Legend

 subject property

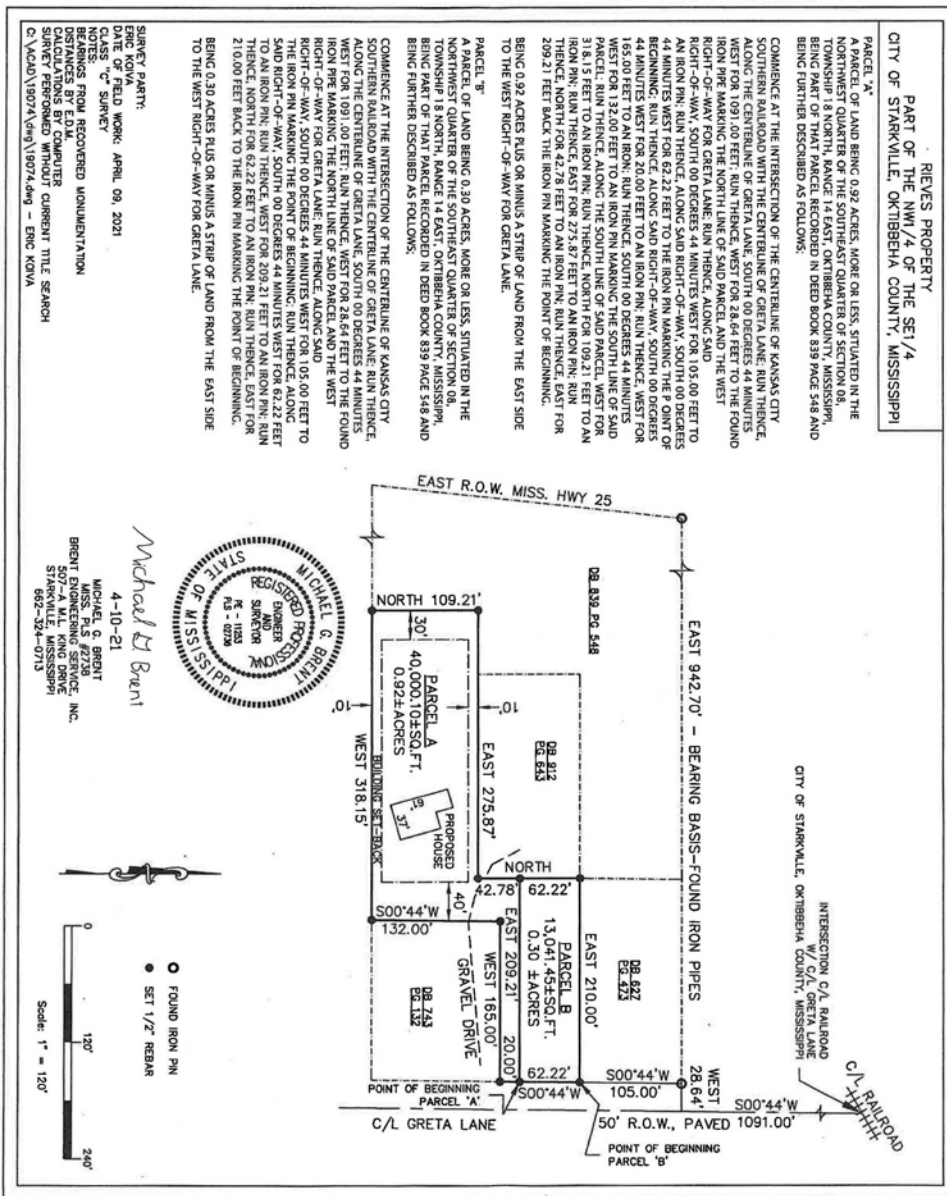
Attachment 2
VA 21-03 Zoning



Legend

-  subject property
- Zoning**
-  C Commercial
 -  I Industrial
 -  O Optional District
 -  S-I Social Institutional

Attachment 3- Proposed Final Plat



Attachment 4- Enlarged Proposed Final Plat

