



OFFICIAL AGENDA
BOARD OF ADJUSTMENTS & APPEALS
CITY OF STARKVILLE, MISSISSIPPI
MEETING OF WEDNESDAY, OCTOBER 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 AUGUST 25, 2021
- V. NEW BUSINESS
 - A. PUBLIC HEARING AND CONSIDERATION OF VA 21-09 A REQUEST FOR A VARIANCE FROM WALL SIGN SIZE REQUIREMENTS FOR ROSEY BABY LOCATED AT 300 SOUTH JACKSON STREET IN A T-5D ZONING DISTRICT WITH THE PARCEL NUMBER 102A-00-100.00.
 - B. PUBLIC HEARING AND CONSIDERATION OF VA 21-09 A REQUEST FOR A VARIANCE FROM WALL SIGN SIZE REQUIREMENTS LOCATED AT 301 EAST MAIN STREET IN A T-5D ZONING DISTRICT WITH THE PARCEL NUMBER 118P-00-210.00.
- VI. ADJOURN

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

August 25, 2021

Be it remembered that the members of the Board of Adjustments & Appeals of the City of Starkville held their regularly scheduled meeting on August 25, 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, George Ford, Ward 1, Kurt Gaude, Ward 2, Bo Richardson, Ward 3, Dan Shipp, Ward 4, and Shawn Sullivan, Ward 7. Physically present attending the Commissioners was City Planner Daniel Havelin.

Chairman Webb opened the meeting.

III. CONSIDERATION OF THE OFFICIAL AGENDA

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BOARD OF ADJUSTMENTS & APPEALS
CITY OF STARKVILLE, MISSISSIPPI
MEETING OF WEDNESDAY, AUGUST 25, 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 JULY 28, 2021
- V. NEW BUSINESS
 - A. PUBLIC HEARING AND CONSIDERATION OF VA 21-08 A REQUEST FOR A VARIANCE FROM WALL SIGN SIZE REQUIREMENTS LOCATED AT 211 SOUTH JACKSON STREET IN A T-5D ZONING DISTRICT WITH THE PARCEL NUMBER 102A-00-015.04
- VI. ADJOURN

The Board considered the matter of the approval of the written agenda dated August 25, 2021. Upon the motion of Mr. Ford, 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 July 28, 2021

The Board considered the matter of the approval of the minutes of the July 28, 2021 Board of Adjustments and Appeals meeting. Upon the motion of Mr. Ford, seconded by Mr. Gaude, the Board voted unanimously to approve the minutes as amended.

V. NEW BUSINESS

A. PUBLIC HEARING AND CONSIDERATION OF VA 21-08 A REQUEST FOR A VARIANCE FROM WALL SIGN SIZE REQUIREMENTS LOCATED AT 211 SOUTH JACKSON STREET IN A T-5D ZONING DISTRICT WITH THE PARCEL NUMBER 102A-00-015.04

The is a request by Thomas Stewart of Architectonics, LLC on behalf of Michele Fant for a variance on wall sign size requirements located at 211 South Jackson Street. The applicant is proposing halo lit wall sign on the south side of the building approximately 65 feet from the right-of-way of South Jackson Street. The proposed wall sign exceeds the maximum dimensions of 3' tall and the maximum font height of 18".

Variance #1: Request a variance to increase the height of the sign from 3' to 5'.

Variance #2: Request a variance to increase the height of the font above 18".

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 July 29, 2021. 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.

Chairman Webb opened the public hearing to citizen comments.

Roy Oswalt 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. Gaude, the motion to approve VA 21-08 was unanimous approval.

VI. ADJOURNMENT

After discussion, Mr. Shipp moved to adjourn which was seconded by Mr. Sullivan, and the Board voted unanimously to adjourn until 4:00 p.m. on September 22, 2021 in the second-floor conference room located at 110 West Main Street, Starkville, MS.

Bill Webb, 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)
Odie Avery, Assistant City Planner (662-323-2525 ext. 3138)
Subject: Public hearing and consideration of VA 21-09 a request for a variance from wall sign size requirements for Rosey Baby located at 300 South Jackson Street in a T-5D zoning district with the parcel number 102A-00-100.00.
Date: October 27, 2021

The purpose of this report is to provide information regarding Variance Request by Ashley Ray of Rosey Baby on behalf of Curt Crissey for a variance on wall sign size requirements located at 300 South Jackson Street in a T-5D zoning district with the parcel number 102A-00-100.00. Please see attachments 1- 4.

BACKGROUND INFORMATION

The applicant is proposing halo lit wall sign on the east side of the building approximately 90 feet from the right-of-way of South Jackson Street. The proposed wall sign exceeds the maximum dimensions of 3' tall and the maximum font height of 18". If the request for Variance is recommended for approval, the applicant's requests will be heard by the Board of Aldermen at the October 27, 2021 meeting.

VARIANCE REQUEST FROM

Variance #1: Sign Height Requirement. Section 14.7.8.A.2.ii. The sign area of a wall sign in Form-based districts shall not exceed three (3) feet in height and ninety percent (90%) of the width of the facade face.

Request a variance to increase the height of the sign from 3' to 5.5'.

Variance #2: Font Height Requirement. Section 14.7.8.A.4.i. The font height of wall signs in the TN-N, TN-E, and Formbased Districts shall not exceed eighteen (18) inches.

Request a variance to increase the height of the font above 18".

CRITERIA FOR VARIANCE REVIEW AND APPROVAL (Section 3.7)

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.

3.7.2. Criteria for variance review and approval in form-based zoning districts. In addition to the criteria stated above, the following criteria shall also be used to review variances in any form-based district.

- A. Physical Conditions. The physical condition of the property, such as steep slopes, floodplain, drainage, or small or irregular shaped lots, make compliance to the specific standard physically impossible, and this hardship is not created by the applicant.
- B. Burden. The burden of proof is on the applicant to demonstrate by clear and convincing evidence that the requested variance meets the criteria for variance review and approval.
- C. Impact. The variance will not significantly impact adjacent property owners, the character of the area, traffic conditions, parking, public infrastructure, stormwater management, and other matters affecting public health, safety and general welfare.
- D. Urban Principle. The modification will not result in a substantial departure from the basic urban principle that buildings should directly front streets (as opposed to being set back from the right-of-way) and add value to the public realm and pedestrian walkability of the street edge.

NOTIFICATION:

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

- 1. 17 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 September 26th, 2021.
- 3. A sign was posted on the property in a conspicuous location.

RESPONSE TO NOTIFICATION

As of this date, one call has been received inquiring on the status of the application.

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. The following condition of approval are recommended by the Planning Department:

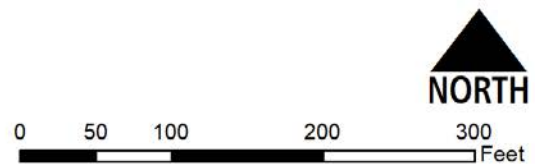
- 1. Existing Pole Sign will need to be removed prior to the installation of the proposed wall signs.

Attachment 1
VA 21-09 Aerial

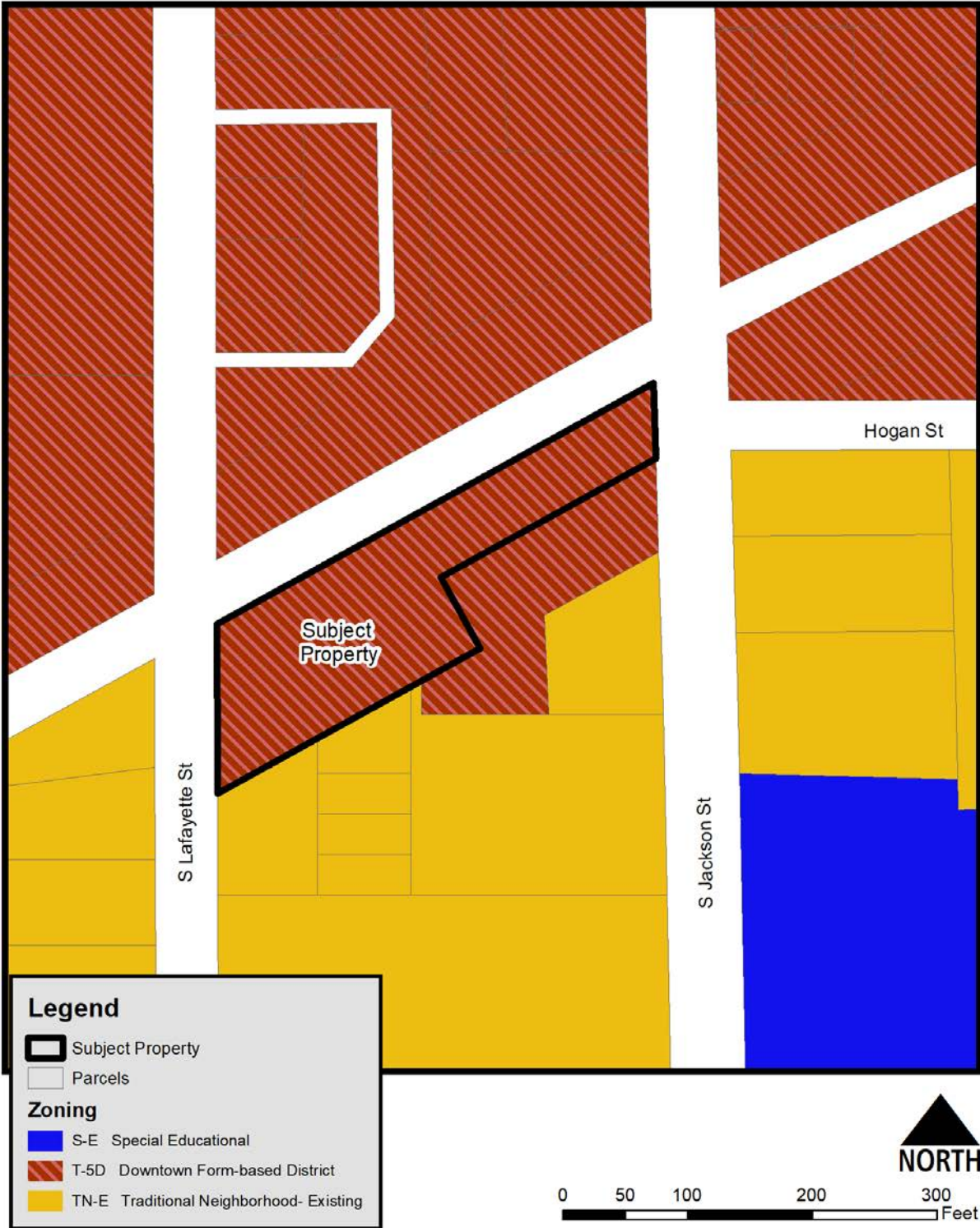


Legend

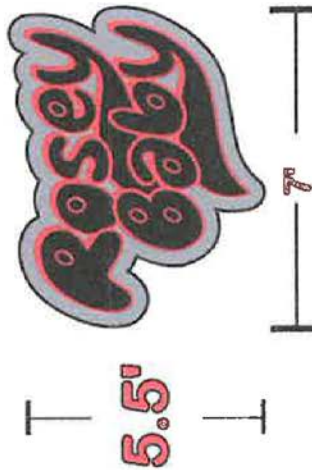
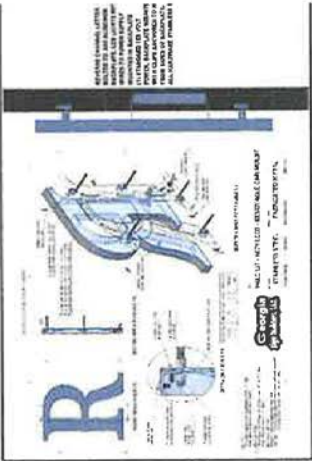
-  Subject Property
-  Parcels



Attachment 2
VA 21-09 Zoning

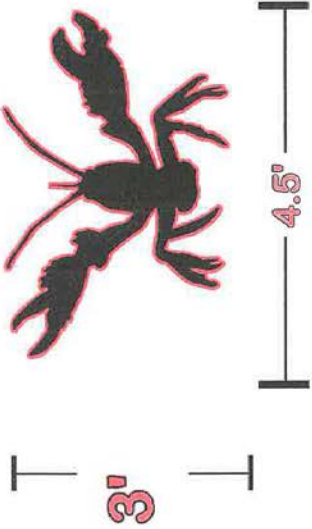
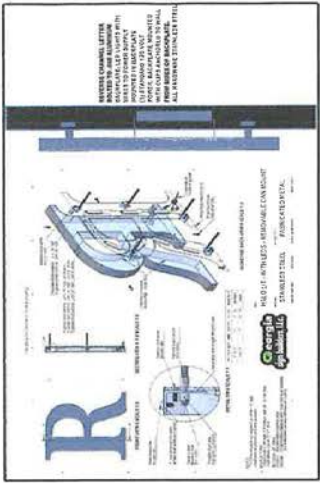
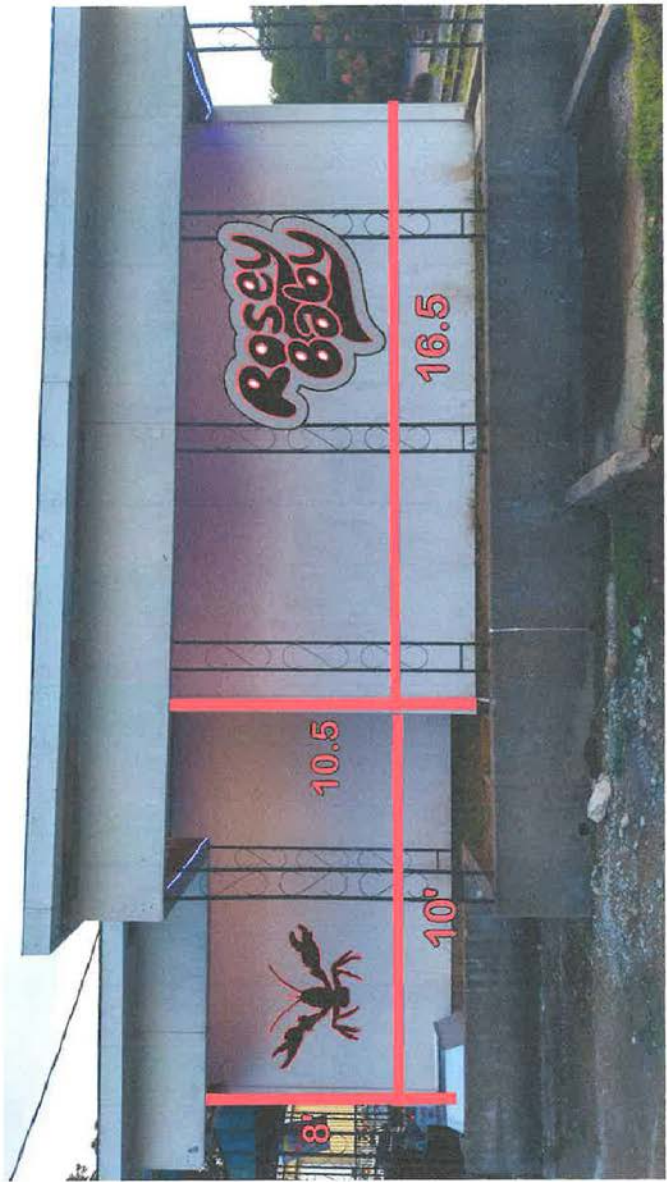


Attachment 3 – Proposed Sign



	300 South Jackson Street Starkville, MS 39759	 sign builders, LLC. Pick Allen www.GeorgiaSignBuilders.com 478-365-5411 ext. 400 or 411 fax: 770-888-0208 rob@georgiasignbuilders.com www.georgiasignbuilders.com	This is an original unpublished drawing, created by GSB. It is submitted for your personal use in conjunction with the project being planned for you by SIGNCO. It is not to be shown to anyone outside your organization, nor is it to be used, re-produced, copied, or exhibited in any manner without proof of purchase from GEORGIA SIGN BUILDERS.	Approval:
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Attachment 4 – Proposed Sign



300
South Jackson Street
Starkville, MS
39759



This is an original unpublished drawing, created by GSB. It is submitted for your personal use in conjunction with the project being planned for you by SIGNCO. It is not to be shown to anyone outside your organization, nor is it to be used, re-produced, copied, or exhibited in any manner without proof of purchase from GEORGIA SIGN BUILDERS.

Approval:



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)
Odie Avery, Assistant City Planner (662-323-2525 ext. 3138)
Subject: Public hearing and consideration of VA 21-09 a request for a variance from wall sign size requirements located at 301 East Main Street in a T-5D zoning district with the parcel number 118P-00-210.00.
Date: October 27, 2021

The purpose of this report is to provide information regarding Variance Request by Marc McGee of Mississippi State University Research and Technology Corporation on behalf of Innovation HUB for a variance on wall sign size requirements located at 301 East Main Street in a T-5D zoning district with the parcel number 118P-00-210.00. Please see attachments 1- 4.

BACKGROUND INFORMATION

The applicant is proposing to install an internally lit "M State" sign on the north and south sides of the building approximately 65 feet from the right-of-way of East Main Street. The applicant is also seeking a Special Exception for the internally lit signage. The proposed wall signs exceed the maximum dimensions of 3' tall and the maximum font height of 18". If the request for Variance is recommended for approval, the applicant's requests will be heard by the Board of Aldermen at the November 16, 2021 meeting.

VARIANCE REQUEST FROM

Variance #1: Sign Height Requirement. Section 14.7.8.A.2.ii. The sign area of a wall sign in Form-based districts shall not exceed three (3) feet in height and ninety percent (90%) of the width of the facade face.

Request a variance to increase the height of the front elevation sign from 3' to 7'.

Request a variance to increase the height of the rear elevation sign from 3' to 5'.

Variance #2: Font Height Requirement. Section 14.7.8.A.4.i. The font height of wall signs in the TN-N, TN-E, and Form based Districts shall not exceed eighteen (18) inches.

Request a variance to increase the height of the font above 18".

CRITERIA FOR VARIANCE REVIEW AND APPROVAL (Section 3.7)

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- 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.

3.7.2. Criteria for variance review and approval in form-based zoning districts. In addition to the criteria stated above, the following criteria shall also be used to review variances in any form-based district.

- A. Physical Conditions. The physical condition of the property, such as steep slopes, floodplain, drainage, or small or irregular shaped lots, make compliance to the specific standard physically impossible, and this hardship is not created by the applicant.
- B. Burden. The burden of proof is on the applicant to demonstrate by clear and convincing evidence that the requested variance meets the criteria for variance review and approval.
- C. Impact. The variance will not significantly impact adjacent property owners, the character of the area, traffic conditions, parking, public infrastructure, stormwater management, and other matters affecting public health, safety and general welfare.
- D. Urban Principle. The modification will not result in a substantial departure from the basic urban principle that buildings should directly front streets (as opposed to being set back from the right-of-way) and add value to the public realm and pedestrian walkability of the street edge.

NOTIFICATION:

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

- 1. 14 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 October 8, 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 response to the notification

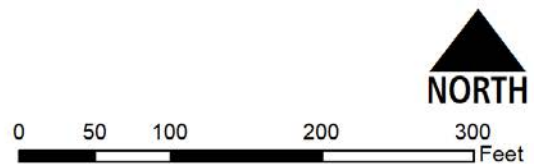
ANALYSIS

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.

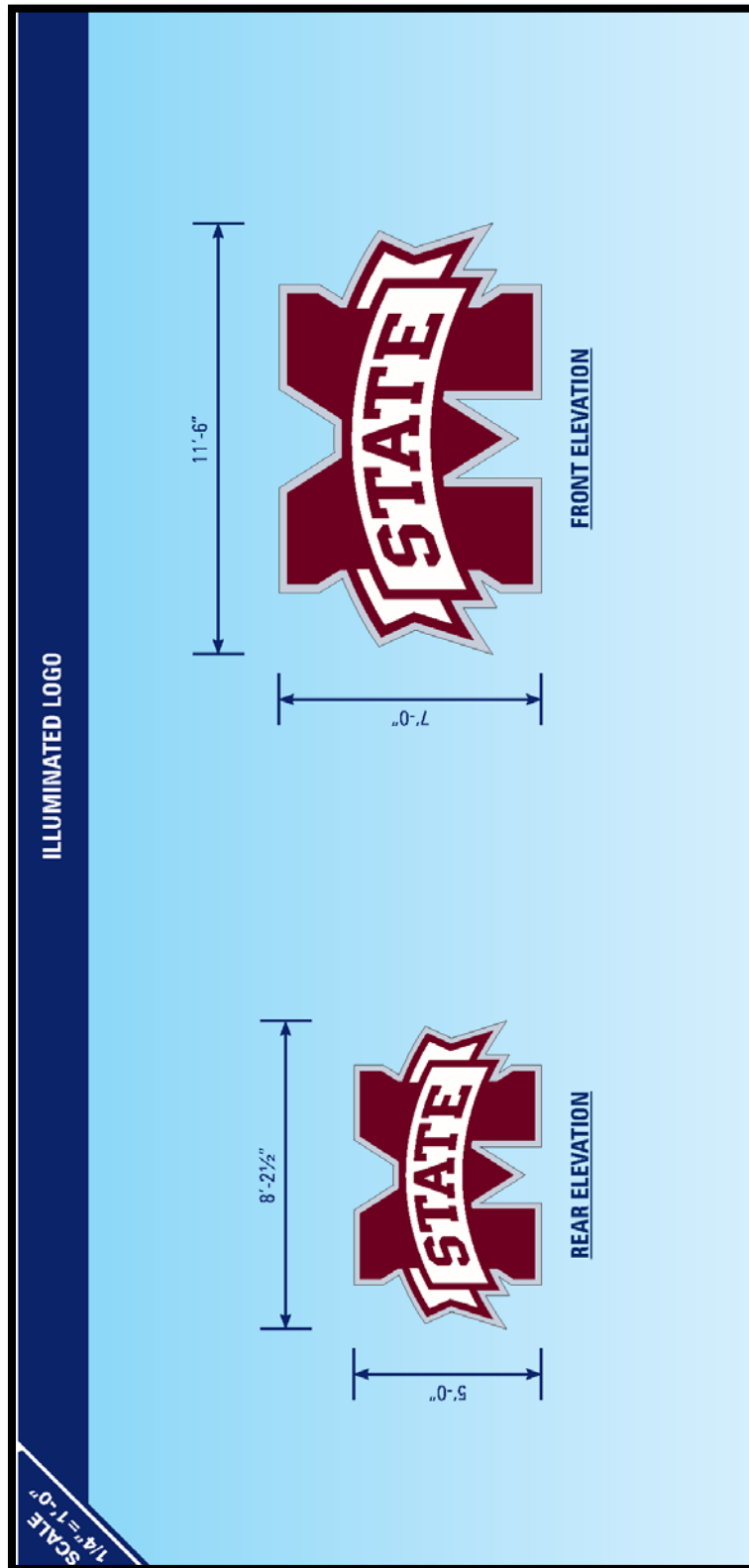
Attachment 1
VA 21-10 / SE 21-09 Aerial



Attachment 2
VA 21-10 / SE 21-09 Zoning



Attachment 3 – Proposed Sign



Attachment 4 – Proposed Sign

