APPROVED MINUTES OF THE MEETING OF
THE BOARD OF ADJUSTMENTS & APPEALS
CITY OF STARKVILLE, MISSISSIPPI
October 26, 2022

Be it remembered that the members of the Board of Adjustments & Appeals of the City of Starkville held their regularly scheduled meeting on October 26, 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, George Ford, Ward 1, Kurt Gaude Ward 2, George Sills Ward 4, and Shawn Sullivan, Ward 7. Bo Richardson, Ward 3, was absent. Physically present attending the Commissioners were City Planner Daniel Havelin and Assistant City Planner Lyle MeCaskey.

Chairman Webb opened the meeting.

III. CONSIDERATION OF THE OFFICIAL AGENDA

OFFICIAL AGENDA
BOARD OF ADJUSTMENTS & APPEALS
CITY OF STARKVILLE, MISSISSIPPI
MEETING OF WEDNESDAY, OCTOBER 26, 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 SEPTEMBER 28, 2022
V. NEW BUSINESS
  A. PUBLIC HEARING AND CONSIDERATION OF VA 22-13 A REQUEST FOR A VARIANCE FROM STORMWATER REQUIREMENTS LOCATED AT 216 INDUSTRIAL PARK ROAD IN AN I ZONING DISTRICT.
  B. PUBLIC HEARING AND CONSIDERATION OF VA 22-14 A REQUEST FOR A VARIANCE TO DEVIATE FROM SETBACK REQUIREMENTS FOR AN ACCESSORY STRUCTURE LOCATED AT 230 BANCROFT AVENUE IN TN-N ZONING DISTRICT.
VI. ADJOURN

III. CONSIDERATION OF THE OFFICIAL AGENDA

The Board considered the matter of the approval of the written agenda dated October 26, 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 SEPTEMBER 28, 2022

The Board considered the matter of the approval of the minutes of the September 28, 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 22-13 A REQUEST FOR A VARIANCE FROM STORMWATER REQUIREMENTS LOCATED AT 216 INDUSTRIAL PARK ROAD IN AN I ZONING DISTRICT

This is a request by Boardtown Enterprises, LLC from stormwater requirements located at 216 Industrial Park Road. The applicant is looking to renovate an existing building to use as a coffee roasting facility. Due to the project's scope, site plan review and approval are required. The proposed project does increase the size of the existing gravel parking lot. The existing building would not be increased as part of this phase. The existing site is heavily wooded. To meet the stormwater requirements, a large portion of the trees would need to be removed on the western half of the site to construct the detention area. The applicant is requesting relief from the stormwater requirements in section 16.9 of the Unified Development Code (UDC) for this phase to preserve the existing trees.

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 October 6, 2022. 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.

Dr. Kenneth Thomas, the applicant, came forward to speak in favor of the request.

Chad Philips, the project engineer, 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. Nicovich, duly seconded by Mr. Ford, the motion to approve VA 22-13 was unanimously approved with one condition of approval.

1. Any future expansion of the parking lot or building will require stormwater mitigation.

B. PUBLIC HEARING AND CONSIDERATION OF VA 22-14 A REQUEST FOR A VARIANCE TO DEVIATE FROM SETBACK REQUIREMENTS FOR AN ACCESSORY STRUCTURE LOCATED AT 230 BANCROFT AVENUE IN TN-N ZONING DISTRICT.

This is a request by Joe Couvillion on behalf of Tom Balzli for a variance request to deviate from setback requirements for an accessory structure located at 230 Bancroft Avenue. The applicant, Joe Couvillion on behalf of Tom Balzli, has built an outdoor fireplace within the 5' side setback of the property. The fireplace is placed less than 1' from the property line. An outdoor fireplace is classified as an accessory structure in the Unified Development Code. The applicant is requesting relief from section 6.3.4 of the Unified Development Code (UDC).

The request was noticed in accordance with Section 3.7.3.E of the Unified Development Code. 11 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 September 11, 2022. A sign was posted on the property in a conspicuous location. As of this date, the Planning Office has received two phone calls requesting information about the request and one email against the request.

Chairman Webb opened the public hearing to citizen comments.

Joe Couvillion came forward to speak in favor of the request.

Dr. Bart Starr came forward to speak in favor of the request.

Dr. Tom Balzli came forward to speak in favor of the request.

Joel Pettit came forward to speak on the request.

City Building Official Stein McMillen came forward to answer questions about 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. Gaude, duly seconded by Mr. Sills, the motion to approve VA 22-14 was 4-0 with one abstention with one condition of approval. Mr. Sullivan abstained from the vote.

1. The outdoor fireplace shall either be converted to gas only or a spark arrestor installed on the top of the chimney.

VI. ADJOURNMENT

After discussion, Mr. Richardson moved to adjourn which was seconded by Mr. Ford, and the Board voted unanimously to adjourn until 4:00 p.m. on November 16, 2022, in the second-floor conference room located at 110 West Main Street, Starkville, MS.

Bill Webb, Chairman

Daniel Havelin, City Planner