



OFFICIAL AGENDA
BOARD OF ADJUSTMENTS & APPEALS
CITY OF STARKVILLE, MISSISSIPPI
MEETING OF WEDNESDAY, MARCH 22, 2023
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 FEBRUARY 22, 2023
- V. NEW BUSINESS
 - A. PUBLIC HEARING AND CONSIDERATION OF VA 23-02 A REQUEST FOR A VARIANCE FROM THE MAXIMUM SIZE OF A WALL SIGN LOCATED AT 101 AIRPORT ROAD IN AN INDUSTRIAL ZONING DISTRICT.
- VI. ADJOURN

**APPROVED MINUTES OF THE MEETING OF
THE BOARD OF ADJUSTMENTS & APPEALS
CITY OF STARKVILLE, MISSISSIPPI
FEBRUARY 22, 2023**

Be it remembered that the members of the Board of Adjustments & Appeals of the City of Starkville held their regularly scheduled meeting on February 22, 2023, 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, George Ford, Ward 1, Bo Richardson, Ward 3, and Shawn Sullivan, Ward 7. Attending virtually via the Google Meets platform was George Sills Ward 4. Marco Nicovich, Vice Chairman, Ward 5, and Kurt Gaude Ward 2 were absent. Physically present attending the Commissioners were City Planner Daniel Havelin and Assistant City Planner Lyle McCaskey.

Chairman Webb opened the meeting.

III. CONSIDERATION OF THE OFFICIAL AGENDA

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- II. ROLL CALL
- III. CONSIDERATION OF THE OFFICIAL AGENDA
- IV. APPROVAL OF THE MINUTES:
 - A. CONSIDERATION OF THE UNAPPROVED MINUTES FOR OCTOBER 26, 2022
- V. NEW BUSINESS
 - A. PUBLIC HEARING AND CONSIDERATION OF VA 23-01 A REQUEST FOR A VARIANCE FROM SETBACK REQUIREMENTS OF AN ACCESSORY STRUCTURE AT 109 OAK RIDGE IN AN SD-2 ZONING DISTRICT.
- VI. ADJOURNMENT

III. CONSIDERATION OF THE OFFICIAL AGENDA

The Board considered the matter of the approval of the written agenda dated February 22, 2023. Upon the motion of Mr. Sullivan, seconded by Mr. Ford, the Board voted unanimously to approve the written agenda.

IV. APPROVAL OF THE MINUTES

A. APPROVAL OF THE UNAPPROVED MINUTES FOR OCTOBER 26, 2022

The Board considered the matter of the approval of the minutes of the October 26, 2022, Board of Adjustments and Appeals meeting. Upon the motion of Mr. Sullivan, seconded by Mr. Ford, the Board voted unanimously to approve the minutes.

V. NEW BUSINESS

A. PUBLIC HEARING AND CONSIDERATION OF VA 23-01 A REQUEST FOR A VARIANCE FROM SETBACK REQUIREMENTS OF AN ACCESSORY STRUCTURE AT 109 OAK RIDGE IN AN SD-2 ZONING DISTRICT.

This is a request by Dan Punday for the placement of an accessory structure in a location other than the backyard located at 109 Oak Ridge in an SD-2 zoning district. The applicant is requesting relief from Section 13.9.1.B.C of the Unified Development Code which requires that an Accessory structure not occupy any part of a required front yard or side yard. The applicant has already started the construction of the structure without a permit. After the applicant hired a contractor, the contractor started the permit process. At that time, the planning department became aware of the issue. Once we reviewed the location of the structure, it was determined that a variance would be required prior to issuing a building permit. The proposed accessory structure is located at the end of the existing driveway within the side yard.

The request was noticed in accordance with Section 3.7.3.E of the Unified Development Code. 14 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 February 3, 2023. 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 requesting information.

Chairman Webb opened the public hearing to citizen comments.

Jack Varco came forward to speak about the request.

Dan Punday, the applicant, came forward to speak in favor of the request.

Kyle and Lura Jordan came forward expressing concerns about the request and spoke against 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. Sills, duly seconded by Mr. Ford, the motion to approve VA 23-01 was unanimously approved with two conditions of approval.

1. No windows shall be placed on the north side of the structure.
2. Insulation for soundproofing shall be added to the northern wall of the structure.

VI. ADJOURNMENT

After discussion, Mr. Sullivan moved to adjourn which was seconded by Mr. Ford, and the Board voted unanimously to adjourn until 4:00 p.m. on March 22, 2023, in the second-floor conference room located at 110 West Main Street, Starkville, MS.

Bill Webb, Chairman

Daniel Havelin, City Planner

STAFF REPORT

To: Members of the Board of Adjustments & Appeals
From: Daniel Havelin, City Planner (662-323-2525 ext. 3136)
 Lyle McCaskey, Assistant City Planner (662-323-2525 ext. 3130)
Subject: Public hearing and consideration of VA 23-02 a request for a Variance from the maximum size of a wall sign located at 101 Airport Road in an Industrial zoning district.
Date: March 22, 2023

The purpose of this report is to provide information regarding Variance Request by Jason Riel on behalf of Columbia Industries for a variance from the maximum size of a wall sign located at 101 Airport Road in an Industrial zoning district with the parcel number 102L-00-012.00. Please see attachments 1- 3.

BACKGROUND INFORMATION

The maximum size of a wall sign in an industrial zoning district is one hundred fifty square feet by right. The proposed signage as seen in attachment #3 is one hundred ninety-two square feet. The applicant is requesting relief from section 14.7.8.A.2.1 of the Unified Development Code for the 42 square feet of signage area over the amount allowed by right in an industrial zoning district. If the request for Variance is recommended for approval, the applicant's requests will be heard by the Board of Aldermen at the April 4th, 2023 meeting.

VARIANCE REQUEST FROM

UDC Section 14.7.8.A Wall Sign



1. Description

1. A wall sign is a sign attached flat to, painted on, or mounted away from but parallel to the building wall.
2. A sign permit is required for a wall sign.

2. Size Requirements

1. The copy area or sign area, whichever is greater, of a wall sign shall not exceed fifty percent (50%) of the square footage of the facade face of the building and not to exceed one hundred fifty (150) square feet in size.
2. 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.

3. The sign area of a wall sign in TN-N, TN-E, MU-9, and MU-20 districts shall not exceed three (3) feet in height and fifty percent (50%) of the width of the facade face up to a maximum of fifty (50) square feet in size.
4. Wall signs shall not extend out more than twelve (12) inches from the building wall.
3. **Location**
 1. No portion of a wall sign may extend above the roof line of a building without a parapet wall. No portion of a wall sign shall extend above the parapet without a use exception being granted.
 2. No wall sign may extend above the lower eave line of a building with a pitched roof.
 3. The minimum clearance above a walkway or public sidewalk from the bottom of a wall sign shall be eight (8) feet.
4. **Additional Standards**
 1. The font height of wall signs in the TN-N, TN-E, and Form-based Districts shall not exceed eighteen (18) inches.
 2. Wall signs in the TN-N, TN-E, and Form-based Districts shall not be internally illuminated. Halo type or backlit illumination is not considered internally illuminated. Push thru letters with an opaque letter face are allowed.
 3. If the primary structure is located more than two hundred (200) feet from the nearest adjacent street, the square footage of a wall sign may be increased to two hundred and fifty (250) square feet in a Commercial, Industrial, Optional- Commercial use district, or Optional- Industrial use district.
 4. Painted wall signs shall meet all size and location requirements in addition to being painted in a professional and contextually complementary manner. An artistic mural that is not related to the use of the building or site is not considered a wall sign and is not regulated by this section.
 5. This sign type is only allowed in RN and O-E zoning districts with an approved commercial or multi-dwelling unit residential use.
 6. This sign type is only allowed in TN-N and TN-E zoning districts with an approved commercial use or use exception for existing use.

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. 7 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 March 7th, 2023.
3. A sign was posted on the property in a conspicuous location.

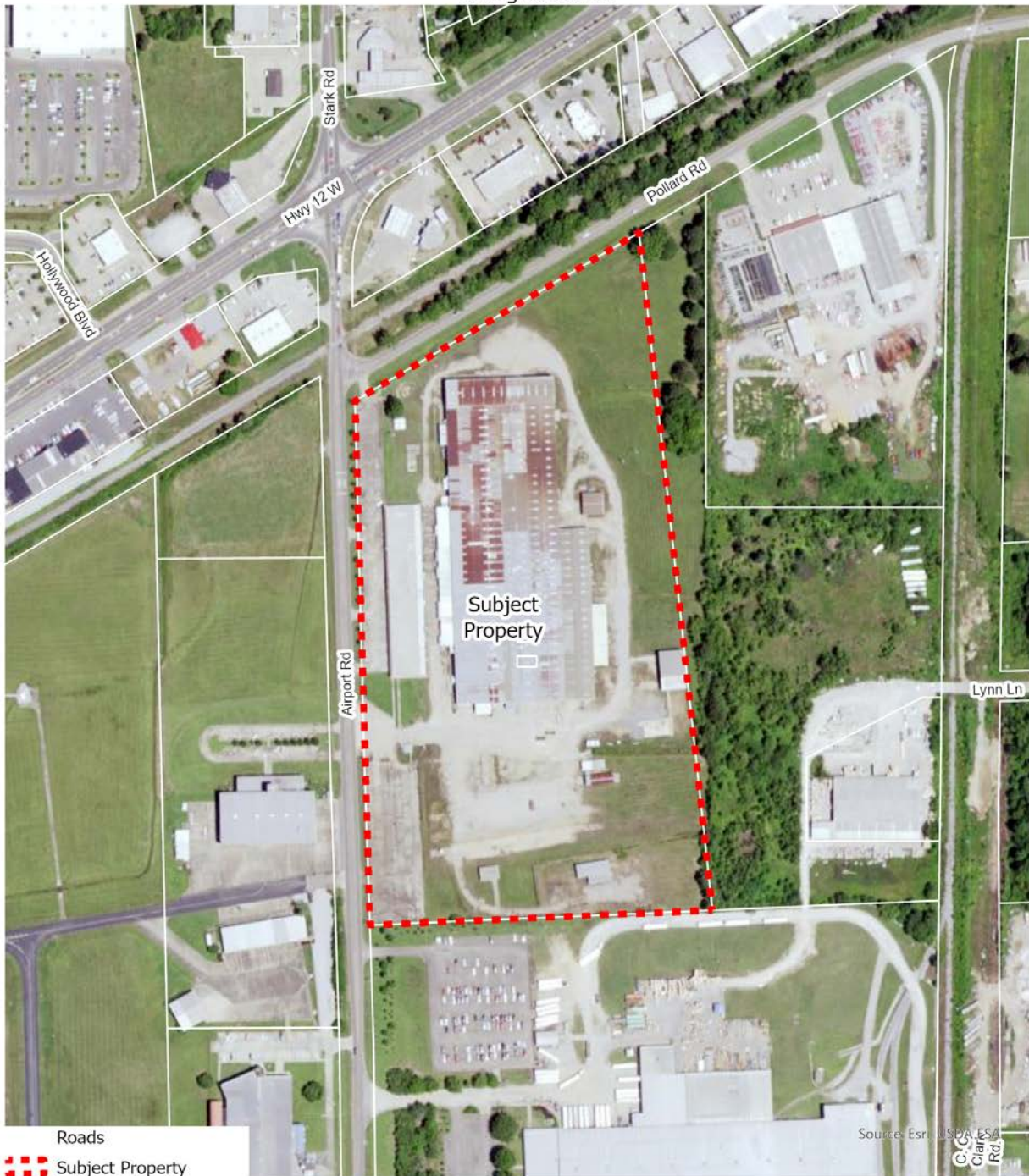
RESPONSE TO NOTIFICATION

As of this date, the Planning Office has received no response to the notifications.

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.

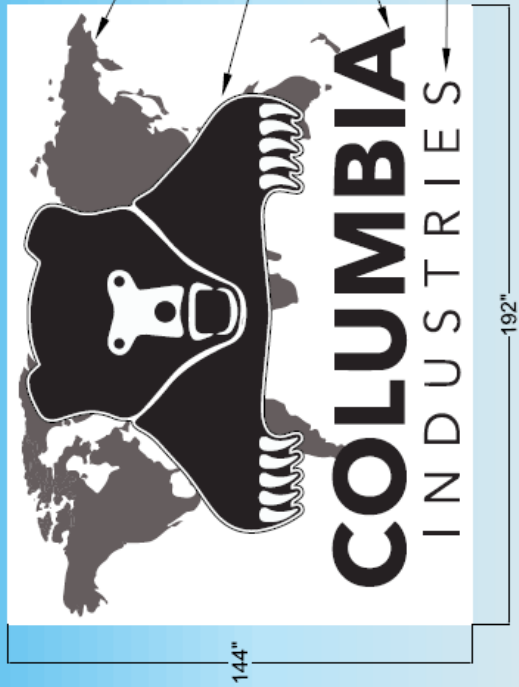
Attachment 1
VA 23-02 Aerial



Attachment 2
VA 23-02 Zoning



Attachment 3- Proposed Signage



(1) 12' X 16' S/F ALUMINUM FRAME PANEL SIGN
TO MOUNT ON BUILDING

*WORLD LOGO = VINYL GRAPHICS - 3M DARK GREY 3650-41

BEAR LOGO = REVERSE CHANNEL LOGO HALO & FRONT LIT

*COLUMBIA = 1" DEEP REVERSE HALO LIT CHANNEL LETTERS

*INDUSTRIES = 1" DEEP REVERSE HALO LIT CHANNEL LETTERS



1-800-728-8869



APPROVAL INFORMATION & CONFIRMATION

☐ Proof is approved. Proceed with production of order. ☐ Proof is approved with corrections. Make corrections

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Client: COLUMBIA INDUSTRIES
Location: STARKVILLE, MS
Drawn By: JEANNE
Date: 2/9/2023

serving the mid-south since 1978