HISTORIC STARKVILLE
MISSISSIPPI'S COLLEGE TOWN

OFFICIAL AGENDA
BOARD OF ADJUSTMENTS & APPEALS
CITY OF STARKVILLE, MISSISSIPPI
SPECIAL CALL MEETING OF WEDNESDAY, MAY 24, 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. MINUTES

A. CONSIDERATION OF THE UNAPPROVED MINUTES FOR APRIL 26, 2023

V. NEW BUSINESS

A. PUBLIC HEARING AND CONSIDERATION OF VA 23-05 A REQUEST FOR A VARIANCE FROM FENCE HEIGHT REQUIREMENTS WITHIN THE FRONT YARD OF CORNER LOTS FOR THE ADELAIDE SUBDIVISION IN A TN-N ZONING DISTRICT.

VI. PLANNER'S REPORT

VII. ADJOURN

APPROVED MINUTES OF THE MEETING OF
THE BOARD OF ADJUSTMENTS & APPEALS
CITY OF STARKVILLE, MISSISSIPPI
APRIL 26, 2023

Be it remembered that the members of the Board of Adjustments & Appeals of the City of Starkville held their regularly scheduled meeting on April 26, 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, Marco Nicovich, Vice Chairman, Ward 5, George Ford, Ward 1, Kurt Gaude, Ward 2, Bo Richardson, Ward 3, George Sills Ward 4., and Shawn Sullivan, Ward 7. Physically present attending the Commissioners were City Planner Daniel Havelin and Assistant City Planner Lyle MeCaskey.

III. CONSIDERATION OF THE OFFICIAL AGENDA

OFFICIAL AGENDA
BOARD OF ADJUSTMENTS & APPEALS
CITY OF STARKVILLE, MISSISSIPPI
SPECIAL CALL MEETING OF WEDNESDAY, APRIL 26, 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. MINUTES
   A. CONSIDERATION OF THE UNAPPROVED MINUTES FOR MARCH 22, 2023
   B. CONSIDERATION OF THE UNAPPROVED MINUTES FOR MARCH 29, 2023
V. NEW BUSINESS
   A. PUBLIC HEARING AND CONSIDERATION OF VA 23-04 A REQUEST FOR A VARIANCE TO DEVIATE FROM SIDEWALK REQUIREMENTS LOCATED AT 900 STARK ROAD IN A COMMERCIAL ZONING DISTRICT.
VI. PLANNER'S REPORT
   A. EXPIRING BOARD TERM
VII. ADJOURN

III. CONSIDERATION OF THE OFFICIAL AGENDA

The Board considered the matter of the approval of the written agenda dated April 26, 2023. Upon the motion of Mr. Nicovich, seconded by Mr. Gaude, the Board voted unanimously to approve the written agenda.

DRAFT

IV. APPROVAL OF THE MINUTES

A. APPROVAL OF THE UNAPPROVED MINUTES FOR MARCH 22, 2023

The Board considered the matter of the approval of the minutes of the March 22, 2023, Board of Adjustments and Appeals meeting. Upon the motion of Mr. Nicovich, seconded by Mr. Sullivan, the Board voted unanimously to approve the minutes.

B. APPROVAL OF THE UNAPPROVED MINUTES FOR MARCH 29, 2023

The Board considered the matter of the approval of the minutes of the March 29, 2023, Board of Adjustments and Appeals special call 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 23-04 A REQUEST FOR A VARIANCE TO DEVIATE FROM SIDEWALK REQUIREMENTS LOCATED AT 900 STARK ROAD IN A COMMERCIAL ZONING DISTRICT.

This is a request by JT Harrison Construction Co, on behalf of Billy Kirkpatrick with Five Horizons, to deviate from sidewalk requirements at 900 Stark Road in a (C) Commercial zoning district. The applicant is requesting relief from Unified Development Code Section 14.11.3. The applicant is requesting to pay a fee in lieu of constructing the required sidewalks along Stark Road and Dr. Martin Luther King Jr. Drive West.

The request was noticed in accordance with Section 3.7.3.E of the Unified Development Code. 8 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 April 9, 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.

Rob Roberson came forward to speak in favor of the request

Jamil Dawson came forward to speak in favor of the request

DRAFT

Calling for and receiving no comments, Chairman Webb closed the public hearing and opened the item up for discussion.

Cody Burnett, City Engineer, came forward to answer questions from the Board.

After a discussion and upon the motion of Mr. Sullivan, duly seconded by Mr. Richardson, the motion to approve VA 23-04 was unanimously approved.

VI. PLANNER'S REPORT

A. PUBLIC EXPIRING BOARD TERM

City Planner Daniel Havelin presented the board with information regarding expiring terms and the process for reappointment.

VII. 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 May 24, 2023, in the second-floor conference room located at 110 West Main Street, Starkville, MS.

_____
Bill Webb, Chairman

_____
Daniel Havelin, City Planner

DRAFT

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)
Lyle MeCaskey, Assistant City Planner (662-323-2525 ext. 3130)
Subject: Public hearing and consideration of VA 23-05 a request for a variance from fence height requirements within the front yard of corner lots for the Adelaide Subdivision in a TN-N zoning district.
Date: May 24, 2023

The purpose of this report is to provide information regarding the Variance Request by Live Adelaide LLC for a variance from fence height requirements within the front yard of corner lots for the Adelaide Subdivision located on South Montgomery Street in TN-N zoning district. Please see attachments 1- 3.

SUMMARY

The Adelaide Subdivision is currently building in phases I and II of development. The applicant is requesting to vary from the fence height requirements in the front yard of corner lots. The request is to allow for fence types and layouts depicted in the Adelaide Pattern Book. As per Section 13.9.1.B.6.a of the Unified Development Code, fence height is limited to 3 ½ feet in the front yard. For corner lots, both areas adjacent to a street are regarded as front yards. The proposal is to allow for taller walls and fences along the secondary street of a corner lot, in line with the Adelaide Pattern Book (Attachment 3). If the request for Variance is recommended for approval, the applicant's requests will be heard by the Board of Aldermen at the June 6, 2023 meeting.

VARIANCE REQUEST FROM

13.9.1 Accessory Use or Structures (Excluding Dwellings)
13.9.1.B.6. Fences

a. From the street facing facade of any principal building to the right-of-way line of the streets, fences shall not be more than three and a half (3 ½) feet in height.
b. Fences located behind the front facade of the principal building shall not exceed eight (8) feet in height.
c. Razor wire shall not be placed on any fence.
d. See development standards charts for additional fencing requirements.

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.

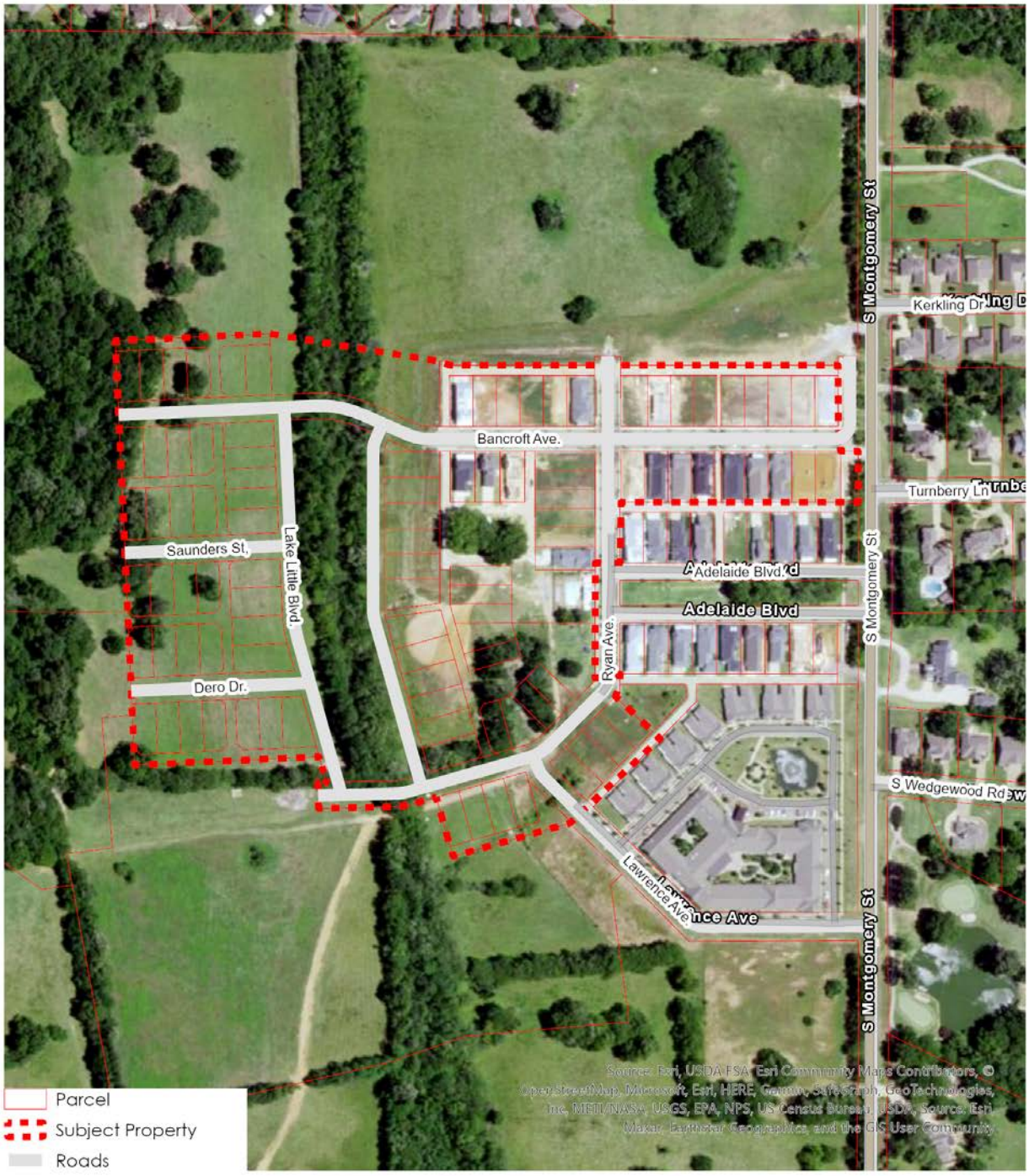
1. 16 property owners of record within 160 feet of the subject property were notified directly by mail of the request.
2. A legal ad was published in the Starkville Daily News on May 4, 2023.
3. A sign was posted on the property in a conspicuous location.

As of this date, the Planning Office has received 1 phone call requesting information.

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 23-05 Aerial



0 350 700 1,400 Feet

HISTORIC STARKVILLE
MISSISSIPPI'S COLLEGE TOWN

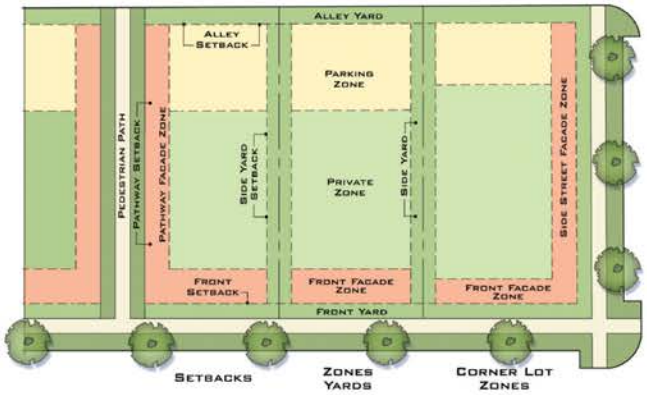
Attachment 2
VA 23-05 Zoning

HISTORIC STARKVILLE
MISSISSIPPI'S COLLEGE TOWN

HISTORIC LIFESTYLE

ADELAIDE

Cottage Lots



ZONES WITHIN THE SITE

PLACING THE ADELAIDE HOUSE ON THE SITE

Alley Setback: 7 feet for all structures at the Rear Alley and Side Alley.

Side Yard Setback: Adjacent Lots: Minimum 5 feet.
Side Street Setbacks: 6 feet. No part of the structure can be closer than 6 feet to sidewalk.

Side Street Facade Zone: 10 feet deep. The face of the structure must be placed within the Side Street Facade Zone.

On corner lots, side wings and garages should be placed in the Side Street Facade Zone and, with fences or courtyard walls, form a continuous structure within the Side Street Facade Zone to screen the Private Zone from public view. At minimum, 65% of the frontage within the Side Street Facade Zone should contain a residential structure such as a house or garage.

Front Setback: 6 feet.
Front Facade Zone: Corner Lots: 10 feet deep. Mid-Block Lots: 14 feet deep. The main body of the house, and/or front porches, of the front facade shall be no wider than 40' and may be placed anywhere within the Front Facade Zone.

Garages shall be placed within the Parking Zone. For corner lots, garages shall be placed at the Alley Setback. For mid-block lots, garages shall be placed either at the Alley Setback or minimum 18 feet from the alley property line. Only single garage doors are allowed.

Pathway Setbacks: 0 feet, or no closer than 6 feet to the Pedestrian Path.
Pathway Facade Zone: 8 feet. The face of the structure must be placed within the Pathway Facade Zone.

Side Wings within the Front Facade Zone shall be no more than one and one-half stories and positioned by a 45 degree line from the front corners of the main body (not porch) to the rear of the Front Facade Zone.

Private Zone Fences shall be a maximum of 6 feet high. They may be 100% opaque except along the Alley. They may extend to and be placed on property lines between lots, but shall be held within the front and rear setbacks of the Private Zone.

Front Driveways are not permitted.

Front Walks shall be a minimum of 3 feet 6 inches wide and be perpendicular to the Main Body of the house.

Front Yard Fences and Hedges are strongly encouraged in order to reduce the height of the front porch (see p. 29), and shall be a maximum of 3 feet. Maximum opacity for fences or low walls within this 3 foot 6 inch high plane is 60%. Front Yard Fences and Hedges should be continuous around the perimeter of the Front Yard, set between 6 inches and 2 feet from the sidewalk, and should have a gate or opening at the front walk.

Lot Type Diagrams

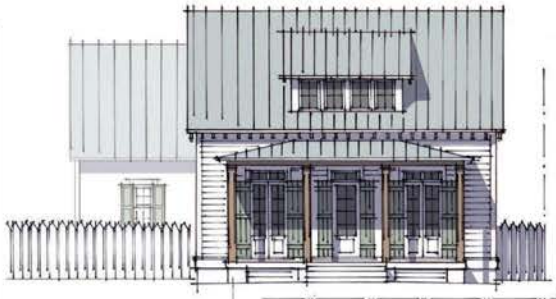
Cottage Lots
Cottage lots vary in size and shape, but are generally 50-60 feet wide and 120 feet deep. The location and dimensions of the zones indicated in the diagrams on this page are typical for Adelaide's Cottage Lots.

Porches are located in the Front Facade Zone with the door-wall of the main body also being located on the Front Facade Zone line or within it.
Identical houses may not be repeated on the same street.

Corner lots are slightly tighter to the street than mid-block lots.

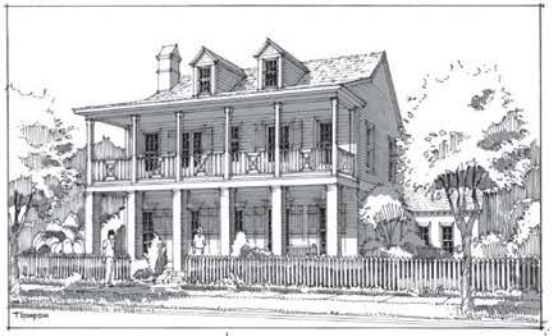
THOMPSON
architecture placemaking illustration

Sugar Shack I
3 BR 3 1/2 BA | 2,546 SF Living
Thompson Placemaking | 601.955.4094



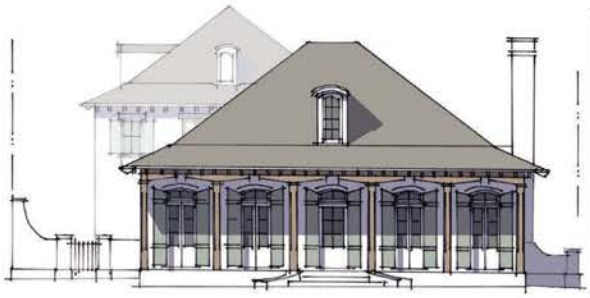
THOMPSON
architecture placemaking illustration

Sugar Shack II
3 BR 2 1/2 BA | 2,393 SF Living
Thompson Placemaking | 601.955.4094



THOMPSON
architecture placemaking illustration

Rabbit Manoir I
4 BR 2 1/2 BA | 2,671 SF Living
Thompson Placemaking | 601.955.4094



File' Gumbo
3 BR 3 1/2 BA | 2,646 SF Living
Thompson Placemaking | 601.955.4094

Cajun Sideyard
3 BR 3 1/2 BA | 2,200 SF Living
Thompson Placemaking | 601.955.4094

Rabbit Manoir II
4 BR 2 1/2 BA | 2,671 SF Living
Thompson Placemaking | 601.955.4094

THOMPSON
architecture planning illustration

Le Roux
3 BR 3 1/2 BA | 2,532 SF Living
Thompson Placemaking | 601.955.4094

THOMPSON
architecture planning illustration

Acadian Hollow
4 BR 2 1/2 BA | 2,489 SF Living
Thompson Placemaking | 601.955.4094

THOMPSON
architecture planning illustration

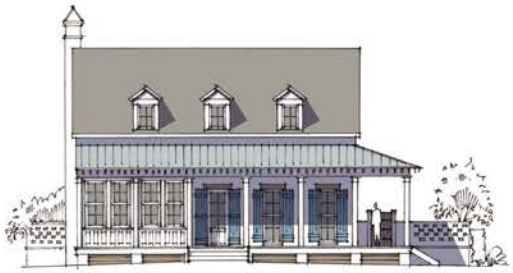
Lagniappe I
4 BR 3 1/2 BA | 3,395 SF Living
Thompson Placemaking | 601.955.4094

THOMPSON
architecture placemaking illustration

Adelaide I

4 BR 3 1/2 BA | 4,033 SF Living

Thompson Placemaking | 601.955.4094



THOMPSON
architecture placemaking illustration

Adelaide II

4 BR 3 1/2 BA | 4,084 SF Living

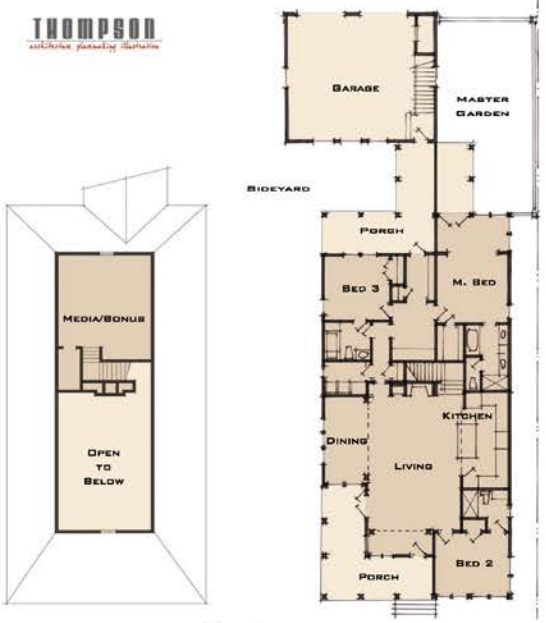
Thompson Placemaking | 601.955.4094

THOMPSON
architecture placemaking illustration

Adelaide III

3 BR 3 1/2 BA | 3,197 SF Living

Thompson Placemaking | 601.955.4094



Manchac
3 BR 3 BA | 2,350 SF Living
Thompson Placemaking | 601.955.4094

Lou'siana Boy
4 BR 2 1/2 BA | 2,489 SF Living
Thompson Placemaking | 601.955.4094