

**APPROVED MINUTES OF THE MEETING OF
THE BOARD OF ADJUSTMENTS & APPEALS
CITY OF STARKVILLE, MISSISSIPPI
AUGUST 28, 2024**

Be it remembered that the members of the Board of Adjustments & Appeals of the City of Starkville held their regularly scheduled meeting on August 28, 2024, 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. City Planner Daniel Havelin and Assistant City Planner Lyle McCaskey were both present at the meeting in person, attending the Board.

**OFFICIAL AGENDA
BOARD OF ADJUSTMENTS & APPEALS
CITY OF STARKVILLE, MISSISSIPPI
MEETING OF WEDNESDAY, AUGUST 28, 2024
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 MAY 22, 2024
- V. NEW BUSINESS
 - A. PUBLIC HEARING AND CONSIDERATION OF VA 24-02 A REQUEST FOR A VARIANCE FROM POOL SETBACK REQUIREMENTS LOCATED AT 250 BANCROFT AVE IN A TN-N ZONING DISTRICT.
 - B. PUBLIC HEARING AND CONSIDERATION OF VA 24-03 A REQUEST FOR A VARIANCE FROM FRONT SETBACK REQUIREMENTS LOCATED AT 290 TURNBERRY LANE IN AN SD-2 ZONING DISTRICT.
- VI. PLANNER'S REPORT
- VII. ADJOURN

The Board considered the approval of the written agenda dated August 28, 2024. Upon Mr. Nicovich's motion, 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 May 22, 2024

The Board considered approving the January 24, 2024, Board of Adjustments and Appeals meeting minutes. Upon Mr. Nicovich's motion, seconded by Mr. Sills, the Board voted unanimously to approve the minutes.

V. NEW BUSINESS

A. PUBLIC HEARING AND CONSIDERATION OF VA 24-02 A REQUEST FOR A VARIANCE FROM POOL SETBACK REQUIREMENTS LOCATED AT 250 BANCROFT AVE IN A TN-N ZONING DISTRICT.

Mr. Havelin presented Jerry Toney's request for a variance from the 5' pool setback requirement at 250 Bancroft Ave in a TN-N zoning district. The applicant is requesting relief from the pool setback requirement. The UDC requires that swimming pools be located a minimum of five (5) feet from any building or property line. The proposed variance request would reduce the distance to +/- 2 feet. In addition to this request, the applicant also seeks a Special Exception on the placement of the pool equipment.

The request was noticed in accordance with Section 3.7.3.E. 8 property owners of record were notified directly by mail of the request. A legal ad was published in the Starkville Daily News on August 13, 2024, and a sign was posted on the property. As of this date, the Planning Office has received no response from the notifications.

Chairman Webb opened the public hearing to citizen comments.

Jerry Toney spoke in favor of the request.

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

After a discussion and upon Mr. Nicovich's motion, duly seconded by Mr. Ford, the Board voted unanimously to approve.

B. PUBLIC HEARING AND CONSIDERATION OF VA 24-03 A REQUEST FOR A VARIANCE FROM FRONT SETBACK REQUIREMENTS LOCATED AT 290 TURNBERRY LANE IN AN SD-2 ZONING DISTRICT.

Mr. Havelin presented a request by Frank Jones for a variance from setback requirements located at 290 Turnberry Lane in an SD-2 zoning district. The applicant is requesting relief from the front setback requirements. The proposed structure designed for the applicant encroaches on the front setback in three places. The largest deviation is +/- 5 feet. The applicant was also the developer of the subdivision and this phase, which was platted on September 26, 2022. Since the development was started before the adoption of the current zoning, the setbacks for this phase were permitted to match the previous phases (25' Front, 20' Rear, and 10' sides).

The request was noticed in accordance with Section 3.7.3.E. 9 property owners of record were notified directly by mail of the request. A legal ad was published in the Starkville Daily News on August 13, 2024, and a sign was posted on the property. As of this date, the Planning Office has received no response from the notifications.

Chairman Webb opened the public hearing to citizen comments.

Frank Jones spoke in favor of the request.

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

After a discussion and upon Mr. Sullivan's motion, duly seconded by Mr. Richardson, the Board voted unanimously to approve.

VI. PLANNER'S REPORT

Mr. Havelin and Mr. McCaskey informed the board that there is an application for the September 25, 2024 meeting.

VII. ADJOURNMENT

After discussion, Mr. Nicovich moved to adjourn, which was seconded by Mr. Richardson. The board voted unanimously to adjourn until 4:00 p.m. on September 25, 2024, in the second-floor conference room located at 110 West Main Street, Starkville, MS.



Bill Webb, Chairman



Daniel Havelin, City Planner