



**OFFICIAL AGENDA  
BOARD OF ADJUSTMENTS & APPEALS  
CITY OF STARKVILLE, MISSISSIPPI  
SPECIAL CALL MEETING OF WEDNESDAY, DECEMBER 17, 2025  
2<sup>ND</sup> 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 OCTOBER 22, 2025
- V. NEW BUSINESS
  - A. PUBLIC HEARING AND CONSIDERATION OF VA 25-03 A REQUEST FOR A VARIANCE TO REDUCE THE FRONT YARD SETBACK FROM 25' TO 15' FOR LOTS 227-234 OF THE COUNTRY CLUB ESTATES PHASE 3-E SUBDIVISION IN A SD-2 ZONING DISTRICT.
- VI. PLANNER'S REPORT
- VII. ADJOURN



**APPROVED MINUTES OF THE MEETING OF  
THE BOARD OF ADJUSTMENTS & APPEALS  
CITY OF STARKVILLE, MISSISSIPPI  
OCTOBER 22, 2025**

Be it remembered that the members of the Board of Adjustments & Appeals of the City of Starkville held their regularly scheduled meeting on October 22, 2025, 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; Vice Chairman Marco Nicovich, Ward 5; Amanda Jacobs, Ward 1; Kurt Gaude, Ward 2; Dan Shipp, Ward 3; and George Sills, Ward 4; Emily Morris, Ward 7. City Planner Daniel Havelin and Assistant City Planner Lyle McCaskey were both present at the meeting in person.

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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 FEBRUARY 26, 2025
- V. NEW BUSINESS
  - A. PUBLIC HEARING AND CONSIDERATION OF VA 25-02 A REQUEST FOR A VARIANCE FROM THE MAXIMUM ALLOWED PERCENTAGE OF PARKING AREA WITHIN THE FRONT YARD LOCATED ON THE NORTH SIDE OF WARE STREET APPROXIMATELY 47 FEET TO THE EAST OF 204 WARE STREET WITHIN A TN-E ZONING DISTRICT.
- VI. ADJOURN

The Board considered the approval of the written agenda dated October 22, 2025. Upon Mr. Nicovich's motion, seconded by Mr. Sills, the Board voted unanimously to approve the written agenda.

**IV. APPROVAL OF THE MINUTES**

**A. APPROVAL OF THE UNAPPROVED MINUTES FOR FEBRUARY 26, 2025.**

The Board considered approving the February 26, 2025, Board of Adjustments and Appeals meeting minutes. Upon Mr. Nicovich's motion, seconded by Mr. Gaude,

the Board voted unanimously to approve the minutes.

## **V. NEW BUSINESS**

### **A. PUBLIC HEARING AND CONSIDERATION OF VA 25-02 A REQUEST FOR A VARIANCE FROM THE MAXIMUM ALLOWED PERCENTAGE OF PARKING AREA WITHIN THE FRONT YARD LOCATED ON THE NORTH SIDE OF WARE STREET APPROXIMATELY 47 FEET TO THE EAST OF 204 WARE STREET WITHIN A TN-E ZONING DISTRICT.**

Daniel Havelin presented the request by Charles Prewitt for variance to vary from the maximum allowed percentage of parking area within the front yard. The applicant is proposing to build a duplex with two two-bedroom units. The parking requirement is one onsite space per bedroom. The applicant is requesting relief from the requirement that restricts the amount parking area within the front yard. Section 14.10.2.D.7. The UDC allows for a maximum coverage of 40%, the proposed site plan is approximately 65%. There are six criteria for Variance review and approval. The area around the property consists single dwelling houses with driveways 10-12' wide primarily located on the side of the front yard. The applicant has not demonstrated a Special Condition or Hardship related to the request. This requirement applies to all single and duplex dwellings in all residential zoning districts. Granting of this variance would not be consistent with the Comprehensive Plan. The placetype for this area is Traditional Neighborhoods Existing. The development form is building close to the street with parking to the side and rear.

The request was noticed in accordance with Section 3.7.3.E of the Unified Development Code. 15 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 4, 2025. A sign was posted on the property in a conspicuous location. As of this date, the Planning Office has no response to the notifications. If the request for Variance is recommended for approval or denial, the applicant's variance request and special exception request will be heard by the Board of Aldermen at the November 4, 2025,

Chairman Webb opened the public hearing to citizen comments.

Charles Prewitt spoke 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 Mr. Gaude's motion, duly seconded by Ms. Jacobs, the Board voted unanimously to deny.

## **VI. ADJOURNMENT**

After discussion, Mr. Nicovich moved to adjourn, which was seconded by Mr. Gaude. The board unanimously voted to adjourn until 4:00 p.m. on November 19, 2025, in the second-floor conference room at 110 West Main Street, Starkville, MS.

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Bill Webb, Chairman

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Daniel Havelin, City Planner

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**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 McCaskey, Assistant City Planner (662-323-2525 ext. 3130)  
**Subject:** Public hearing and consideration of VA 25-03 a request for a variance to reduce the front yard setback from 25' to 15' for Lots 227-234 of the Country Club Estates Phase 3-E subdivision in a SD-2 zoning district.  
**Date:** December 17, 2025

The purpose of this report is to provide information regarding a Variance request by Jordan Steele, Keith Stegall, and Frank Jones for a variance to reduce the front yard setback from 25' to 15' for Lots 227-234 of the Country Club Estates Phase 3-E subdivision. The lots are located in an SD-2 zoning district with the parcel numbers 106-14-013.18, 106-14-013.17, 106-14-013.16, 106-14-013.15, 106-14-013.11, 106-14-013.12, 106-14-013.13, and 106-14-013.14. Please see attachments 1- 3.

**SUMMARY**

The applicants are currently in the process of obtaining building permits for the subject lots. During the review, the applicants expressed the desire to move the house toward the street to increase the size of the backyard and move the house further away from the drainage ditch.

A similar variance was approved on August 1, 2017, for Lots 238–260, which reduced the front yard setback to approximately 15 to 18 feet for the block immediately south of the subject properties. Those lots are part of Country Club Estates Phase 3C, which was approved on July 17, 2018. The Board of Aldermen approved the final plat for Country Club Estates Phase 3-E (attachment 3) on September 20, 2022, subject to the following condition:

1. The minimum finished floor elevations on all lots that abut or border the storm water management areas shall be required to have finished floor elevations a minimum of one (1) foot above the maximum elevation of the street(s) adjacent to said lot.

One potential impact of the requested front setback reduction is a decrease in available space for required on-site parking. With a garage door located only 15 feet from the front property line, there is insufficient driveway length to accommodate a parked vehicle without obstructing the sidewalk or encroaching into the public right-of-way. To address this issue, staff recommends that any approval of the variance include a condition requiring all street-facing garage doors to be set back a minimum of 20 feet from the public right-of-way.

If the Planning Commission recommends approval or denial of the variance, the request will be forwarded to the Board of Aldermen for consideration at the January 6, 2026 meeting.

## VARIANCE REQUEST FROM

The subject lots were part of a final plat process that started prior to the adoption of the Unified Development Code. Therefore, the setbacks established at the start of that process are the setbacks that are required. Section 1.11.3.A states “Any development approvals granted before the effective date of this Code in accordance with the procedures outlined in the City’s previous Code, the Subdivision Regulations and/or other related regulations shall remain valid until their expiration date. Developments with valid approvals or permits may be carried out in accordance with the terms and conditions of their approval and the development standards in effect at the time of approval, provided the permit or approval is valid and has not expired.” The setbacks for the subject lots as shown on the approved final plat (attachment 3) are as follows:

**FRONT SETBACK:** 25'

**REAR SETBACK:** 20'

**MAXIMUM BUILDING HEIGHT:** 35'

**SIDE SETBACK:** 10'

## 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. 8 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 November 26, 2025.
3. 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.

## 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 conditions of approval are recommended by the Planning Department:

1. Any front facing garage door shall be setback a minimum of 20' from the right-of-way.

Attachment 1  
VA 25-03 Aerial



Attachment 12  
VA 25-03 Zoning



