



**OFFICIAL AGENDA  
PLANNING & ZONING COMMISSION  
CITY OF STARKVILLE, MISSISSIPPI  
MEETING OF TUESDAY, JULY 10, 2018  
1ST FLOOR CITY HALL – COURT ROOM  
110 WEST MAIN STREET AT 5:30 PM**

- I. CALL TO ORDER
- II. PLEDGE OF ALLEGIANCE AND MOMENT OF SILENCE
- III. ROLL CALL
- IV. CONSIDERATION OF THE OFFICIAL AGENDA
- V. CONSIDERATION FOR APPROVAL OF MINUTES
  - A. CONSIDERATION OF THE UNAPPROVED MINUTES OF JUNE 12, 2018
  - B. CONSIDERATION OF THE UNAPPROVED MINUTES OF JUNE 29, 2018
- VI. CITIZEN COMMENTS
- VII. NEW BUSINESS
  - A. EX 18-02 REQUEST FOR AN EXCEPTION TO ALLOW A NONCONFORMING SIGN TO BE PLACED AT 500 RUSSELL STREET, SUITE #31 IN A T-5 ZONE WITH THE PARCEL NUMBER 101D-00-315.00.
  - B. EX 18-03 REQUEST FOR AN EXCEPTION TO ALLOW A NONCONFORMING SIGN TO BE PLACED AT 500 RUSSELL STREET, SUITE #20 IN A T-5 ZONE WITH THE PARCEL NUMBER 101D-00-315.00.
  - C. EX 18-04 REQUEST FOR AN EXCEPTION TO ALLOW A NONCONFORMING SIGN TO BE PLACED AT 223 DR. MARTIN LUTHER KING DRIVE WEST IN A T-5 ZONING DISTRICT WITH THE PROPERTY NUMBERS 118O-00-158.00 AND 118O-00-156.00.
  - D. RZ 18-04 REQUEST TO REZONE 1 LOT LOCATED AT 300 YELLOW JACKET DRIVE FROM R-1 TO R-3A ZONING WITH THE PARCEL NUMBER 102H-00-043.00.
  - E. RZ 18-05 REQUEST TO REZONE TWO PARCELS FROM R-2 TO R-5 LOCATED AT 314 LOUISVILLE STREET AND 300 SCALES STREET WITH THE PARCEL NUMBERS 102B-00-051.00 AND 102B-00-052.00.
- VIII. PLANNERS REPORT
- IX. ADJOURN



**UNAPPROVED MINUTES OF THE REGULAR MEETING OF  
THE PLANNING AND ZONING COMMISSION  
CITY OF STARKVILLE, MISSISSIPPI JUNE 12, 2018**

Be it remembered, that, the members of the Planning and Zoning Commission of the City of Starkville, met at their regularly scheduled meeting on June 12, 2018 at 5:30 p.m. in the Courtroom of City Hall, located at 110 West Main Street, Starkville, MS.

There being present were Michael Brooks, Chairman, Ward 4, Jim McReynolds, Ward 2, Tom Walker, Ward 3, Alexis Gregory, Ward 5, Jeremiah Dumas, Ward 6, and Tommy Verdell Jr., Ward 7. Absent from the meeting was Jason Camp, Ward 1. Attending the Commissioners were Assistant City Planner Emily Corban, City Attorney Chris Latimer, and Community Development Director Buddy Sanders.

Commission Chairman Michael Brooks opened the meeting with the Pledge of Allegiance followed by a moment of silence.

**CONSIDERATION OF THE OFFICIAL AGENDA**

There came for consideration, the matter of the approval of the motion to approve the Official Agenda of the Planning and Zoning Commission of June 12, 2018 as presented.

**OFFICIAL AGENDA  
PLANNING & ZONING COMMISSION  
CITY OF STARKVILLE, MISSISSIPPI  
MEETING OF TUESDAY, JUNE 12, 2018  
CITY HALL - COURT ROOM,  
110 West Main Street, 5:30 PM**

- I. CALL TO ORDER
- II. PLEDGE OF ALLEGIANCE AND MOMENT OF SILENCE
- III. ROLL CALL
- IV. CONSIDERATION OF THE OFFICIAL AGENDA
- V. CONSIDERATION FOR APPROVAL OF MINUTES
  - A. CONSIDERATION OF THE UNAPPROVED MINUTES OF MAY 8, 2018
- VI. CITIZEN COMMENTS
- VII. NEW BUSINESS
  - A. EX 18-01 REQUEST FOR AN EXCEPTION FROM PARKING LOCATION FOR 114 MILL STREET IN A T-4 DISTRICT WITH THE PARCEL NUMBER 101D-00-322.00
  - B. RZ 18-03 REQUEST TO REZONE FOUR PARCELS LOCATED AT 701, 703, 705, AND 707 NORTH MONTGOMERY STREET FROM C-2 TO R-5

WITH THE PARCEL NUMBER 108I-00-002.00, 108I-00-002.01, 108I-00-002.02, AND 108I-00-002.03

C. SECOND PUBLIC HEARING AND DISCUSSION FOR UPDATING THE RESIDENTIAL PARKING REQUIREMENTS OF THE ZONING ORDINANCE2 ZONE WITH THE PARCEL NUMBER 102A-00-157.00 AND 102A-00-156.00.

VIII. PLANNER'S REPORT

VIII. ADJOURN

After discussion and upon the motion of Commissioner Dumas, duly seconded by Commissioner Gregory, the motion to approve the official agenda of the Planning and Zoning Commission for June 12, 2018 received unanimous approval.

**CONSIDERATION FOR APPROVAL OF THE MINUTES OF THE MEETING OF  
MAY 8, 2018**

After discussion and upon the motion of Commissioner Dumas, duly seconded by Commissioner Gregory, the motion to approve the Minutes as amended of the March 13, 2018 Planning and Zoning Commission received unanimous approval.

**CITIZEN COMMENTS**

**NEW BUSINESS**

**A. CONSIDERATION OF EX 18-01 REQUEST FOR AN EXCEPTION FROM  
PARKING LOCATION FOR 114 MILL STREET IN A T-4 DISTRICT WITH THE  
PARCEL NUMBER 101D-00-322.00**

Assistant City Planner Emily Corban introduced the request by Mark Castleberry for an exception from parking location for 114 Mill Street in a T-4 District with the property #101D-00-322.00. 58 property owners of record within 300 feet of the subject property were notified directly by mail of the request. A public hearing notice was published in the Starkville Daily News March 11, 2018 and a placard was posted on the property concurrent with publication of the notice. As of this date, the Planning Office one letter in favor of the application that was submitted by the applicant at the time of application. The applicant is seeking an exception to allow for parking in the 1st layer of his home. The Applicant has submitted a statement explaining that the subject property is located in a placetype area of "Urban" or "Special District" according to the 2016 Comprehensive Plan. The site is actually located in a "Traditional Neighborhood – Existing" placetype per the 2016 Comprehensive Plan. The Applicant submitted a rezoning request that was approved by the Board of Aldermen on April 5, 2017 that changed the zoning classification of the subject property from R2 to T4.

This zoning amendment was consistent with the 2016 Comprehensive Plan. In the Staff Report that appeared in agenda for the Board of Aldermen dated March 14, 2017, it listed the requirements for parking in a T4 District on page 3 under 6.5 Parking (b).

The requirement reads “All parking areas and garages shall be located within the third Lot Layer as illustrated on Table 11”. In addition to being listed in the staff report and in the ordinance as a requirement, the initial building permit application was denied due to the placement of the garage within the 1st and 2nd layer of the property.

The applicant then resubmitted the building permit application with the front room shown as a “studio” with no connectivity to the driveway and parking in the rear of the building. The garage door and the driveway were shown as separated by a landscape bed, thus making the room unusable as a garage. The permit application was approved.

Once construction started on the building, it became apparent a few months into the construction that the approved building plan was being purposefully deviated from without prior approval by the Community Development Department, the Planning and Zoning Commission and/or the Board of Alderman. This is a violation of the Zoning Ordinance. The intent of the T-district zoning ordinance, and the advantage that T-4 zoning allows the applicant, is “Moderate setbacks and Lot coverage by buildings that creates an increased sense of spatial definition”. Sec. T, 1.2. Intent lists 5 statements on the intent of t-districts.

The Commissioner opened up the public hearing.

Saunders Ramsey, representing the applicant, came forward to speak in favor of the request.

Mark Castleberry, the applicant, came forward to speak in favor of the request.

Calling for and receiving no other comments, the Commission Chair closed the public hearing.

Upon the motion of Commissioner Walker, duly seconded by Commissioner McReynolds, the motion to approve EX 18-01 was approved 5 to 1 with Commissioner Gregory being the dissenting vote.

**B. CONSIDERATION OF RZ 18-03 REQUEST TO REZONE FOUR PARCELS  
LOCATED AT 701, 703, 705, AND 707 NORTH MONTGOMERY STREET FROM  
C-2 TO R-5 WITH THE PARCEL NUMBER 108I-00-002.00, 108I-00-002.01, 108I-  
00-002.02, AND 108I-00-002.03**

Assistant City Planner Emily Corban introduced the request by Jason Pepper on behalf of James Fowler to rezone four parcels located at 701, 703, 705, and 707 North Montgomery Street from C-2 to R-5. The applicant is seeking to rezone from C-2 to R-5

based on error in the map. In the 2000 Official Zoning Map the properties in questions appear to have been incorrectly split zoned R-5 and C-2. The prior maps have always shown the property as a residential zoned property. The property to the north is zoned R-5 and is used as multi family. The property to the east is zoned R-2 and is single family. The property to the south is zoned R-3 and is undeveloped. The property to the west is zoned R-3 and is an elementary school.

17 property owners of record within 300 feet of the subject property were notified directly by mail of the request. A public hearing notice was published in the Starkville Daily News May 28, 2018 and a placard was posted on the property concurrent with publication of the notice. As of this date, the Planning Office has received no phone calls against.

A rezoning can only take place is one of the following conditions prevail

Change in conditions: No change in condition

Error: There is a Manifest Error in the ordinance and a Public Need to correct the error:  
There is an Error

The proposed rezoning would generally be consistent with the goals, objectives and policies found in the City's Comprehensive Plan. The subject properties' placetype is listed as traditional neighborhood- existing. The proposed rezoning would be consistent and compatible the adjacent land uses in the vicinity. The property immediately to the north is R-5 zoning and the surrounding property is residential in nature.

The Commissioner opened up the public hearing.

Jason Pepper, representing the applicant, came forward to speak in favor of the request.

Calling for and receiving no other comments, the Commission Chair closed the public hearing.

Upon the motion of Commissioner Walker, duly seconded by Commissioner McReynolds, the motion to approve RZ 18-03 to R-5 due to error was unanimously approved.

**C. SECOND PUBLIC HEARING AND DISCUSSION FOR UPDATING THE  
RESIDENTIAL PARKING REQUIREMENTS OF THE ZONING ORDINANCE2  
ZONE WITH THE PARCEL NUMBER 102A-00-157.00 AND 102A-00-156.00.**

Commissioner McReynolds left the meeting at 6:40 pm.

The Planning Commission gave city planning staff several opinions on the residential parking requirements including those outlined below:

- enforcement
- education
- appeal process

VIII. ADJOURN

**ADJOURN**

There came for consideration, the matter of the approval of the motion to adjourn until 12:00 p.m. on June 29, 2018, in the Courtroom of City Hall located at 110 West Main Street, Starkville MS.

After discussion, and upon the motion of Commissioner Dumas, duly seconded by Commissioner Verdell, the motion to adjourn until 12:00 p.m. on June 29, 2018, in in the Courtroom located at 110 West Main Street, Starkville MS, was unanimously approved.

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Mike Brooks, Commission Chair

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Emily Corban, Assistant City Planner

**UNAPPROVED MINUTES OF THE SPECIAL CALL MEETING OF  
THE PLANNING AND ZONING COMMISSION  
CITY OF STARKVILLE, MISSISSIPPI JUNE 29, 2018**

Be it remembered, that, the members of the Planning and Zoning Commission of the City of Starkville, met at their specially called meeting on June 29, 2018 at 12:00 p.m. in the Courtroom of City Hall, located at 110 West Main Street, Starkville, MS.

There being present were Michael Brooks, Chairman, Ward 4, Jason Camp, Ward 1, Tom Walker, Ward 3, Jeremiah Dumas, Ward 6, and Tommy Verdell Jr., Ward 7. Absent from the meeting were Jim McReynolds, Ward 2, and Alexis Gregory, Ward 5. Attending the Commissioners were, Assistant City Planner Emily Corban, and Community Development Director Buddy Sanders.

Commission Chairman Michael Brooks opened the meeting with the Pledge of Allegiance followed by a moment of silence.

**CONSIDERATION OF THE OFFICIAL AGENDA**

There came for consideration, the matter of the approval of the motion to approve the Official Agenda of the Special Call Planning and Zoning Commission of June 29, 2018 as presented.

**OFFICIAL AGENDA  
SPECIAL CALL  
PLANNING & ZONING COMMISSION  
CITY OF STARKVILLE, MISSISSIPPI  
MEETING OF TUESDAY, JUNE 29, 2018  
CITY HALL - COURT ROOM,  
110 West Main Street, 12:00 PM**

- I. CALL TO ORDER
- II. PLEDGE OF ALLEGIANCE AND MOMENT OF SILENCE
- III. ROLL CALL
- IV. CONSIDERATION OF THE OFFICIAL AGENDA
- V. CITIZEN COMMENTS
- VI. NEW BUSINESS

- A. CU 18-01 REQUEST FOR CONDITIONAL USE TO ALLOW FOR 5 MOBILE HOMES ON SAND RD. IN TOWNSHIP RANGE 16-18N-14E IN AN R-5 AND C-2 ZONE WITH THE PARCEL NUMBER 105 -16-002.00

- VII. PLANNER'S REPORT

## VIII. ADJOURN

After discussion and upon the motion of Commissioner Camp, duly seconded by Commissioner Dumas, the motion to approve the official agenda of the Planning and Zoning Commission for June 29, 2018 received unanimous approval.

### **CITIZEN COMMENTS**

The Chair opened up the meeting for Citizen Comments. Seeing there were none, the Commission moved to New Business.

### **NEW BUSINESS**

#### **A. CONSIDERATION OF CU 18-01 REQUEST FOR CONDITIONAL USE TO ALLOW FOR AN ACCESSORY DWELLING UNIT AT 400 LAUREL HILL DRIVE IN AN R-1 ZONE WITH THE PARCEL NUMBER 106D.00.158.21**

Assistant City Planner Emily Corban introduced the Conditional Use Request by Shanaria Smith, Nekitia Smith, Kaye Henderson, Tracey Baldwin, and Reshequia Henderson on behalf of the Starkville Oktibbeha Consolidated School District to allow for 5 mobile homes located on Sand Road in Township Range 16-18N-14E in an R-5 and C-2 zone with the parcel number 105 -16-002.00. The applicants are seeking a Conditional Use to allow mobile homes to be located on property leased by the Starkville Oktibbeha Consolidated School District. All leased areas are located along Sand Road and will have access to City water and electric service. All leased properties will have septic tanks or access to City sewer lines. The property is currently split zoned R-5 and C-2 and in order to place a "mobile home", a Conditional Use is required per the City of Starkville's Permitted and Conditional Use Chart.

The property to the North is zoned C-2/C-1 and its current use is Single family/mobile homes. The property to the East is zoned R-5/M-1 and its current use is Multi-family/mobile homes/City Waste Treatment. The property to the South is zoned R-5, R-6, and its current use is C-2 Single family/mobile homes. The property to the West is zoned C-2/R-5 and its current use is Single family/warehouse.

39 property owners of record within 300 feet of the subject property were notified directly by mail of the request. A public hearing notice was published in the Starkville Daily News June 14, 2018 and a placard was posted on the property concurrent with publication of the notice. As of this date, the Planning Office has received one phone call requesting information and one phone call against.

Appendix A, Article VI, Section I of the City's Code of Ordinances provides five specific criteria for conditional use review and approval:

1. Land use compatibility. The proposed use as a Mobile Home could be considered a compatible use with adjacent properties. The property is currently zoned R-5 and C-2 (R-5 along Sand Road). The 2016 Comprehensive plan has the areas

placetype listed as Special District. This classification signifies that the property is owned by a government or civic entity. This placetype is not typically associated with any specific type of development.

2. Sufficient site size and adequate site specifications to accommodate the proposed use. The site is adequately sized to accommodate the proposed use.

3. Proper use of mitigative techniques. None proposed

4. Hazardous waste. No hazardous waste or materials would be generated, used or stored at the site

5. Compliance with applicable laws and ordinances. The applicants are responsible for obtaining all the property permitting required by City and State prior to occupying the structure.

The staff report originally listed 3 conditions for approval. Staff has added one additional recommended condition:

Reshequia Henderson, LMS #528, is to provide a stamped site plan prepared by a licensed Mississippi surveyor illustrating and stating the proposed placement of any structure will not encroach onto any utility easement areas. No structure under LMS #528 will be allowed to encroach onto any utility easements.

The Commissioner opened up the public hearing.

The applicants Nekitia Smith, Reshequia Henderson, and Trennis Gooden came forward to speak in favor of the request.

Calling for and receiving no other comments, the Commission Chair closed the public hearing.

Upon the motion of Commissioner Dumas, duly seconded by Commissioner Camp, the motion to approve CU 18-02 received unanimous approval with the following conditions:

1. The applicant shall have six months from time of Conditional Use approval to place mobile homes on the individual lease areas.
2. The applicant shall provide documentation that all necessary permits and approval from the Mississippi State Department of Health for a septic system have been approved.
3. Reshequia Henderson, LMS #528, is to provide a stamped site plan prepared by a licensed Mississippi surveyor illustrating and stating the proposed placement of any structure will not encroach onto any utility easement areas. No structure under LMS #528 will be allowed to encroach onto any utility easements.
4. All of the above conditions shall be fully and faithfully executed or the conditional use shall become null and void.

## VIII. PLANNER'S REPORT

Assistant City Planner Emily Corban announced to the Commission that there will be a full case load at the July 10 planning and zoning meeting.

IX. ADJOURN

**ADJOURN**

There came for consideration, the matter of the approval of the motion to adjourn until 5:30 p.m. on July 10, 2018, in the Courtroom of City Hall located at 110 West Main Street, Starkville MS.

After discussion, and upon the motion of Commissioner Dumas, duly seconded by Commissioner Verdell, the motion to adjourn until 5:30 p.m. on July 10, 2018, in the Courtroom located at 110 West Main Street, Starkville MS, was unanimously approved.

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Mike Brooks, Commission Chair

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Emily Corban, Assistant City Planner



**THE CITY OF STARKVILLE**  
**PLANNING DEPARTMENT**  
**PLANNING AND ZONING COMMISSION**  
CITY HALL, 110 WEST MAIN STREET  
STARKVILLE, MISSISSIPPI 39759

**STAFF REPORT**

**To:** Members of the Planning & Zoning Commission  
**From:** Daniel Havelin, City Planner (662-323-2525 ext. 3136)  
Emily Corban, Assistant City Planner (662-323-2525 ext. 3138)  
**Subject:** EX 18-02 Request for an exception to allow a nonconforming sign to be placed at 500 Russell Street, Suite #31 in a T-5 zone with the parcel number 101D-00-315.00.  
**Date:** July 10, 2018

The purpose of this report is to provide information regarding the request by Beth Bland on behalf of Scrubville, LLC and Cotton Crossing to allow a nonconforming sign to be placed at 500 Russell Street, Suite #31 in a T-5 zoning district with the parcel number 101D-00-315.00. Please see attachments 1- 7.

**BACKGROUND INFORMATION:**

The applicant is seeking an exception to allow for an internally lit sign within the T-district. Transect districts do not allow for any type of internally lit signage (7.7 Signage, (c)). On May 3, 2018 an application was received requesting the proposed signage. On May 9, 2018 the applicant for the sign permit was notified that the permit application was denied. The applicant was given the option to use a backlit or halo lit sign at the time of denial. In recent months, two other sign applications were denied based on the same part of the code. Both applicants modified their sign type to the halo lit type sign and were approved.

**NOTIFICATION:**

63 property owners of record within 300 feet of the subject property were notified directly by mail of the request. A public hearing notice was published in the Starkville Daily News on June 14, 2018 and a placard was posted on the property concurrent with publication of the notice. As of this date, the Planning Office has received one phone call and two letters against this request.

**CODE SECTION REQUESTING EXCEPTION FROM:**

The applicant is requesting to use a sign not shown as permitted for this zone. See attachment 3 for the below referenced Table 8.

***APPENDIX A – ZONING, ARTICLE VII. – DISTRICT REGULATIONS, Sec. T. – Transect districts***

**2.8 SIGNAGE**

- (a) *Signage shall be designed according to Table 8 and specific types permitted as indicated for each Sub-District.*
- (b) *Address Signs shall be made easily visible through the use of colors or materials that contrast with their background and shall be attached to the Facade or Principal Entrance of the unit they identify. Address Signs may be attached to a mailbox by Exception.*

- (c) *Awning Signage shall be limited to no more than seventy percent (70%) of the Valance of the awning or the vertical portion of a dome awning. The height of the Valance shall not exceed twelve (12) inches. Awning Signs shall contain only the business name, logo, and/or street address.*
- (d) *One (1) Band Sign limited to 90% of the width of the building Facade shall be permitted for each building with a Commercial Use. Information shall consist only of the name and/or logo of the business.*
- (e) *Blade Signs shall be permitted only for businesses that have a Principal Entrance on the first Story.*
- (f) *One (1) Blade Sign shall be permitted for each business if the Facade is no more than five (5) feet from the Principal Frontage Line. Blade Signs may encroach into the Public Frontage up to four (4) feet, shall clear the Sidewalk by at least eight (8) feet, and shall not encroach above the bottom of any second Story windows. Blade Signs shall be limited to the name and/or logo of the business.*
- (g) *Marquees shall be located only above the Principal Entrance of a building, shall provide a minimum clearance of ten (10) feet, and may Encroach the Public Frontage to within two (2) feet of the Curb. Message Boards shall be permitted as part of Marquees.*
- (h) *One (1) Nameplate per address limited to three (3) square feet and consisting of either a panel or individual letters applied to a building wall, may be attached to a building wall within ten (10) feet of a Principal Entrance.*
- (i) *Outdoor Display Cases shall not exceed six (6) square feet and may be internally illuminated.*
- (j) *One (1) freestanding, double-sided, temporary Sidewalk Sign may be placed within the Parking Strip of the Public Frontage for each business. Sidewalk Signs shall be removed at the close of business each day.*
- (k) *Window signs shall not interfere with the primary function of windows, which is to enable passersby and public safety personnel to see through windows into premises and view product displays. Window signs may list services and/or products sold on the premises, or provide phone numbers, operating hours or other messages.*

## **7.7 SIGNAGE**

(a) Address, Awning, Band, Blade, Marquee, Nameplate, Outdoor Display Case, Sidewalk, and Window Signs shall be permitted.

(b) Permitted signage types shall conform to the specifications of Table 8.

(c) Illuminated signage shall be externally illuminated only, except signage within a Shopfront window may be neon lit.

## **EXCEPTION REQUEST REQUIREMENTS:**

## **APPENDIX A – ZONING, ARTICLE VII. – DISTRICT REGULATIONS, Sec. T. – Transect districts**

### **1.5 EXCEPTION AND VARIANCE**

- (a) *There are two types of permitted deviations from the requirements of this Section:*
- i. *Exception*
    - a. *Requests for Exception shall only be permitted as specifically indicated in this Section.*
    - b. *To apply for an Exception, the applicant shall provide the following:*
      - i. *The specific Exception(s) requested including citation from this Section and why the Exception is being sought.*
      - ii. *Maps, text, drawings and/or statistical data related to the requested Exception(s).*
    - c. *No Exception shall be approved unless the Planning and Zoning Commission finds the approval would:*
      - i. *Be consistent with § 1.2 Intent and 1.3 Transect Districts of this Section,*
      - ii. *and be consistent with the goals, objectives and policies of the City of Starkville's Comprehensive Plan.*
    - d. *Any decision regarding an approval or denial of an Exception shall state, in writing, the reasons for the approval or denial.*
    - e. *If the Planning and Zoning Commission denies any requested Exception, the applicant may appeal the decision to the Mayor and Board of Aldermen. The Mayor and Board of Aldermen shall review the application de novo.*
  - ii. *Dimensional Variance*
    - a. *A Dimensional Variance shall be processed pursuant to Chapter 2 - Administration, Article VI - Board of Adjustments & Appeals, Section 2 - 176 Variances and the Board of Adjustments & Appeals of the City of Starkville's Code of Ordinances.*
- (b) *Exceptions shall be advertised and noticed in the same fashion as conditional uses in the City's Code of Ordinances in accordance with Appendix A, Article VI, Section 1.*

## **APPENDIX A – ZONING, ARTICLE VII. – DISTRICT REGULATIONS, Sec. T. – Transect districts**

### **1.2 INTENT**

- (a) *Regulations on buildings equitably balance the rights of individual property owners and the interests of the community as a whole.*
- (b) *Infrastructure, landscape and buildings shape the public realm, the spatial definition of which can be understood as a continuum from weak to strong.*
- (c) *Transect Districts organize the individual characteristics of infrastructure, landscape and buildings into distinct physical environments, with the overall character of each differing from one another.*
- (d) *Distinct physical environments provide a choice in living arrangement for citizens with differing physical, social, and emotional needs.*

- (e) *Mixed Uses within Transect Districts and individual buildings provides access to daily needs within close proximity to dwellings so that residents may choose to work, recreate, and shop within walking distance to their home.*

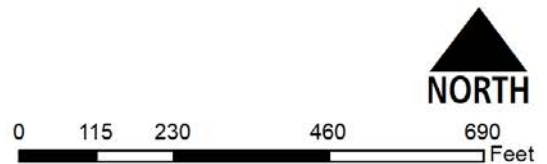
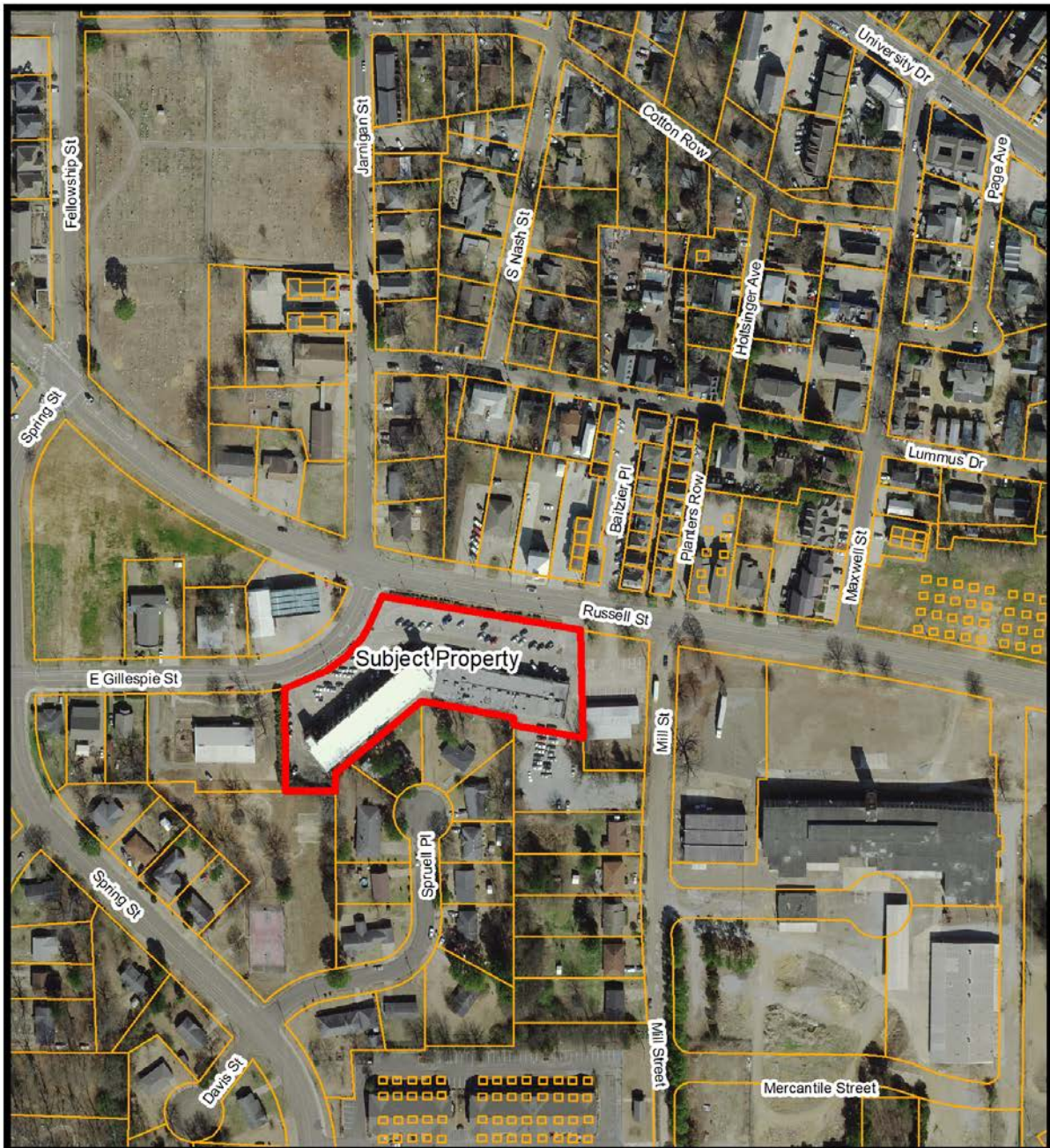
### **1.3 TRANSECT DISTRICTS**

- (a) *The following Transect Districts are established under the provisions of this Section and are illustrated on Table 1:*
  - i) *T1 District - Reserved for Future*
  - ii) *T2 District - Reserved for Future*
  - iii) *T3 District - Reserved for Future*
  - iv) *T4 District*
  - v) *T5 District*
  - vi) *T6 District*
  - vii) *Civic District*
- (b) *The T1 District consists of land approximating a wilderness condition, including land unsuitable for development due to topography, hydrology, or vegetation.*
- (c) *The T2 District consists of sparsely settled lands in open or cultivated states with little spatial definition, if any.*
- (d) *The T3 District consists of lightly settled lands and is primarily residential in character, where deep setbacks and limited Lot coverage creates only a minimal level of spatial definition of outdoor spaces.*
- (e) *The T4 District consists of moderately settled lands, is primarily residential in character, but permits an appropriate level of Mixed Use. Moderate setbacks and Lot coverage by buildings creates an increased sense of spatial definition.*
- (f) *The T5 District consists of heavily settled lands and is primarily Mixed-Use in character. Shallow setbacks, high Lot coverage, and multi-level buildings creates strong spatial definition of outdoor spaces.*
- (g) *The T6 District consists of the most intensely settled lands and is mixed-use in character. Multi-storied buildings positioned at the front Lot Line, no Setbacks, and maximum Lot coverage by buildings creates the strongest definition of outdoor space of all Districts.*
- (h) *The Civic District consists of open spaces and public buildings dedicated to arts, culture, education, recreation, local government, and/or municipal parking Uses that serve as necessary components of any community.*

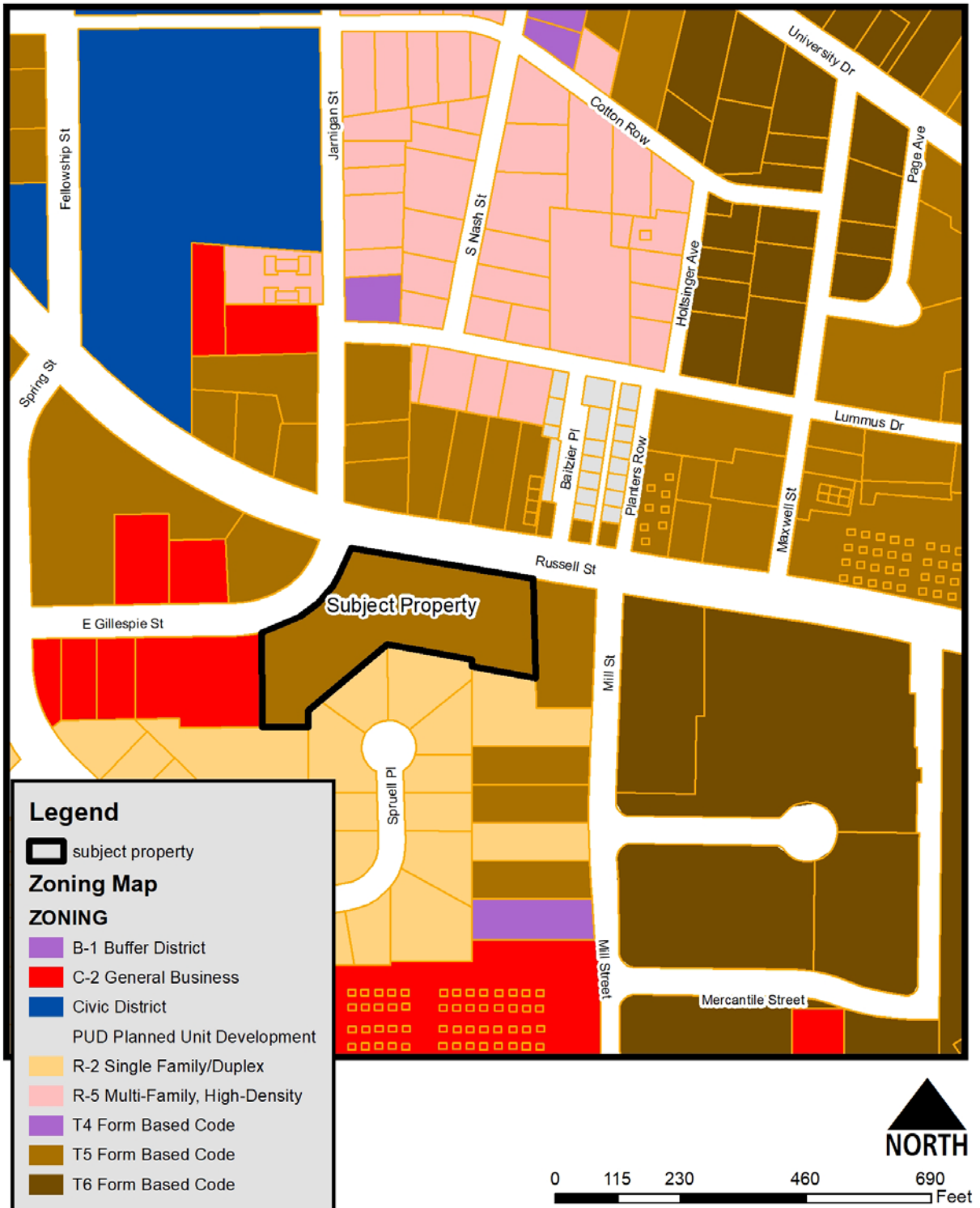
### **CONSISTENCY WITH COMPREHENSIVE PLAN:**

The proposed exception would generally be not consistent with the goals, objectives and policies of the City of Starkville's Comprehensive Plan. The 2016 Comprehensive Plan lists the property's placetype as Urban Corridor. The existing building is a legal nonconforming structure. The continued use of a nonconforming sign type would increase the nonconforming nature of the building.

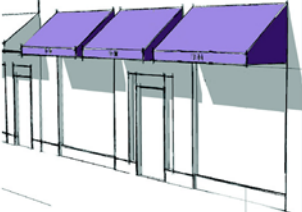
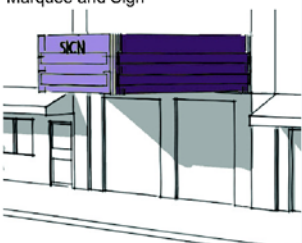
Attachment 1  
EX 18-02 Aerial



Attachment 2  
EX 18-02 Zoning



Attachment 3- Table 8

| TABLE 8. SIGN STANDARDS                                                                                        |    |    |    |                                                                                                 |                                                                                                                                                     |
|----------------------------------------------------------------------------------------------------------------|----|----|----|-------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------|
|                                                                                                                | T4 | T5 | T6 | SPECIFICATIONS                                                                                  |                                                                                                                                                     |
| <b>Address Sign</b><br>       | ■  | ■  | ■  | Quantity<br>Area<br>Width<br>Height<br>Depth / Projection<br>Clearance<br>Apex<br>Letter Height | 1 per address<br>2 sq ft max<br>24 in max<br>12 in max<br>3 in max<br>4.5 ft min<br>N/A<br>6 in max                                                 |
| <b>Awning and Sign</b><br>    | ■  | ■  | ■  | Quantity<br>Area<br>Width<br>Height<br>Depth / Projection<br>Clearance<br>Apex<br>Letter Height | 1 per window<br>N/A<br>width of Awning<br>N/A<br>4 ft min<br>8 ft max<br>N/A<br>5 in min, 10 in max                                                 |
| <b>Band Sign</b><br>         | □  | ■  | ■  | Quantity<br>Area<br>Width<br>Height<br>Depth / Projection<br>Clearance<br>Apex<br>Letter Height | 1, 2 for corner building<br>1.5 sq ft per linear ft of Facade<br>90% of width of Facade max<br>3 ft max<br>7 in max<br>7 ft max<br>N/A<br>18 in max |
| <b>Blade Sign</b><br>       | ■  | ■  | ■  | Quantity<br>Area<br>Width<br>Height<br>Depth / Projection<br>Clearance<br>Apex<br>Letter Height | 1 per Facade, 2 max<br>T3: 4 sq ft; T4 & T5: 8 sq ft<br>4 ft max<br>4 ft max<br>4 ft max<br>8 ft min<br>N/A<br>8 in max                             |
| <b>Marquee and Sign</b><br> | ■  | ■  |    | Quantity<br>Area<br>Width<br>Height<br>Depth / Projection<br>Clearance<br>Apex<br>Letter Height | 1 per business<br>N/A<br>width of entrance plus 4' o.c.<br>50% Story height max<br>4 ft min, 10 ft max<br>N/A<br>N/A<br>3 ft min                    |

■ By Right

□ By Exception

**TABLE 8. SIGN STANDARDS (continued)**

|                                                                                                                  | T4 | T5 | T6 | SPECIFICATIONS                                                                                                                                                    |
|------------------------------------------------------------------------------------------------------------------|----|----|----|-------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Nameplate Sign</b><br>       | ■  | ■  | ■  | Quantity 1<br>Area 3 sf max<br>Width 18 in max<br>Height 2 ft max<br>Depth / Projection 3 in max<br>Clearance 4 ft max<br>Apex 7 ft max<br>Letter Height N/A      |
| <b>Outdoor Display Case</b><br> | ■  | ■  | ■  | Quantity 1<br>Area 6 sf max<br>Width 3.5 ft max<br>Height 3.5 ft max<br>Depth / Projection 5 in max<br>Clearance 4 ft max<br>Apex N/A<br>Letter Height N/A        |
| <b>Sidewalk Sign</b><br>       | ■  | ■  | ■  | Quantity 1 per business<br>Area 8 sf max<br>Width 26 in max<br>Height 42 in max<br>Depth / Projection N/A<br>Clearance N/A<br>Apex 42 in max<br>Letter Height N/A |
| <b>Window Sign</b><br>        | ■  | ■  | ■  | Quantity 1 per window<br>Area 25% of glass max<br>Width varies<br>Height varies<br>Depth / Projection N/A<br>Clearance 4 ft<br>Apex N/A<br>Letter Height 8 in max |

- By Right
- By Exception

# Attachment 4-Exception Application

**REQUEST FOR PUBLIC HEARING**  
 City of Starkville Planning & Zoning Commission  
 City Hall, 110 West Main Street  
 Starkville, Mississippi 39759-2823  
 Phone: (662) 323-8012 Fax: (662) 323-4143  
 e-mail: buildingdept@cityofstarkville.org



## APPLICANT INFORMATION

Name: SCRUBVINE, LLC Phone: 338-5218  
 Address: 500 RUSSELL ST # 31  
 E-mail address: Mcnauryvance@gmail.com

## PROPERTY OWNER INFORMATION

Name: CBS REAL ESTATE Phone: \_\_\_\_\_  
 Address: 200 S. MONTGOMERY, SUITE 201  
 E-mail address: bethbland@bellsouth.net

*If different from applicant, please attach notarized letter of authorization.*

## APPLICATION INFORMATION

Street Address/Location: 500 RUSSELL STREET # 31  
 Tax Map/Parcel ID Number: 101 D-00-315.00 Zoning: COMMERCIAL

Type of Requested: ☐ Rezoning ☐ Conditional Use ☒ Use by Exception ☐ Preliminary Plat ☐ Final Plat

Reason for request: COTTON CROSSING IS REQUESTING THIS SIGN PERMIT BE EXEMPT FROM SIGN REQUIREMENT. WE ARE REQUESTING THIS EXCEPTION TO KEEP ALL OF THE SIGNS AT THE CENTER CONSISTANT AND UNIFORM. WE APPRECIATE YOUR TIME AND CONSIDERATION.

Property to the NORTH: Zoning RESIDENTIAL Current Use HOUSES  
 Property to the EAST: Zoning COMMERCIAL Current Use RESTAURANT  
 Property to the SOUTH: Zoning RESIDENTIAL Current Use APARTMENTS  
 Property to the WEST: Zoning COMMERCIAL Current Use CONVENIENT STORE

*Submittal deadline is approximately 30 days prior to proposed public hearing date; please refer to P&Z schedule.*

☐ Application Fee ☐ Legal Description ☐ Notarized Owner Authorization

Submitted by: BETH BLAND Date: 29 MAY 18

## Attachment 5- Sign Permit Application

**SIGN PERMIT APPLICATION**  
City of Starkville Community Development Dept  
City Hall, 101 E. Lampkin Street  
Starkville, Mississippi 39759-2944  
Phone: (662) 323-2525 Fax: (662) 323-4143  
e-mail: buildingdept@cityofstarkville.org



|                                                                           |                              |
|---------------------------------------------------------------------------|------------------------------|
| Sign Street Address/Location <u>500 RUSSELL STREET; SUITE 31 &amp; 32</u> |                              |
| Owner's Name <u>TABOR CONSTRUCTION</u>                                    | Phone Number _____           |
| Owner's Address <u>SAME</u>                                               |                              |
| Contractor's Name <u>MID-SOUTH SIGNS</u>                                  | Phone Number <u>327-7807</u> |
| Contractor's Address <u>8043 HWY. 182 EAST; COLUMBUS, MS 39702</u>        |                              |
| Estimated Valuation \$ <u>2500.00</u>                                     | Permit Cost \$ _____         |

Type of Project: ☒ New ☐ Alteration ☐ Repair ☐ Removal ☐ Sign Face Change  
Description of Work: INSTALL 10 SET L.E.D. LIGHTED CHANNEL LETTERS  
ON A RACWAY

### SIGN FACE CHANGE ONLY

Type of Sign: ☐ Monument ☐ Wall ☐ Band

☐ Other \_\_\_\_\_

Existing Square Feet \_\_\_\_\_ Proposed Square Feet \_\_\_\_\_

### NEW SIGNAGE

Type of Sign(s): ☐ Monument ☒ Wall ☐ Band ☐ Billboard ☐ Blade ☐ Awning ☐ Window ☐ Marquee

☐ Other \_\_\_\_\_

Monument Sign: Square Footage of Face \_\_\_\_\_

Height of Sign \_\_\_\_\_

Wall Sign: Square Footage 10.21

Square Footage of Wall 98.17 (BAND) ONLY

Other Signage: \_\_\_\_\_

Total Square Footage 10.21

### ELECTRICAL INFORMATION

Electrical Requirements: ☐ 60 amp ☐ 100 amp ☐ 125 amp ☐ 150 amp ☐ 200 amp ☒ Other 120V

Is sign to be lighted? ☒ Yes ☐ No If yes, ☒ Internally illuminated ☐ externally lighted ☐ neon ☒ LED

Will there be an electronic message board? ☐ Yes ☒ No Dimensions \_\_\_\_\_

Electrician \_\_\_\_\_

Phone \_\_\_\_\_

Approved By: \_\_\_\_\_ Date: \_\_\_\_\_ Permit # \_\_\_\_\_

I understand that in consideration for the issuance of the requested building permit, that I, the applicant, shall assume total responsibility for final cleanup of all trash, debris, and other construction materials or residue generated as a result of this permit. I also assume total responsibility for the removal of said debris and materials from the site and all public property and street right-of-way prior to final inspection.

Applicant is responsible for the following:

1. If the applicant is not the property owner, a notarized authorization shall be required.
2. Provide a sketch, drawn to scale, showing location of sign, all right-of-ways, buildings, driveways, lighting and color schemes with this application.
3. All new signage proposed shall be graphically depicted, drawn to scale and include square footages.
4. No sign may be placed within the sight distance triangle as defined by City Ordinance.
5. No monument-type sign shall be placed closer than ten (5) feet from the edge of the paved road or right-of-way line, whichever is greater.
6. Monument-type signs require a footer or foundation that does not need to be designed by an engineer.
7. All signs shall be designed to withstand sustained wind speeds of 90 MPH with 3-second gusts.
8. Contacting all utility providers regarding any location, relocation or abandonment of any utilities.
9. Contacting all utility providers prior to construction under or near any electrical lines.
10. Insuring that no structure is built on any easement.
11. Complying with any restrictive covenants that apply to the property.
12. Complying with all applicable codes, ordinances and regulations.
13. Providing a current copy of applicable State contractor license to the Building Department at time of permitting.
14. Paying a \$20 re-inspection fee for any re-inspections required as a result of the work not being ready for inspection or not being in conformance with the applicable code when inspected.
15. Posting the issued building permit card on the jobsite at all times.
16. No permit shall be issued until all requirements have been met.

**SUBMITTAL OF THIS APPLICATION IS FOR REVIEW PURPOSES ONLY.**

**No signage shall be erected and/or installed until permit is issued or the PERMIT FEE SHALL BE TRIPLED.**

**Three or more violations in a calendar year by individuals, businesses or sign installation companies shall result in the loss of sign erection/installation privileges for one year from the date of the action.**

Submitted by

*Jannie King*

Date

*5/3/18*

**DO NOT WRITE IN THIS AREA—FOR OFFICE USE ONLY**

**Permit Fee Calculations:**

Valuation \_\_\_\_\_

Payment Type:

Valuation \_\_\_\_\_

Cash / Check # \_\_\_\_\_

Sub-Total \_\_\_\_\_

Receipt # \_\_\_\_\_

Electrical Inspections \_\_\_\_\_

Permit # \_\_\_\_\_

Total \$ \_\_\_\_\_

14 7/8" 98 7/8" 17 1/2" 23 1/4"

# Scrubville



(1) SET L.E.D. LIGHTED CHANNEL LETTERS  
ON RACEWAY

RACEWAY COLOR TBD

PMS CYAN BLUE  
PMS 485C RED OR 3M POPPY RED TRANS. VINYL



1-800-728-8869



MID-SOUTH SIGNS  
COLUMBUS, MS / SHEFFIELD, AL / MEMPHIS, TN

### APPROVAL INFORMATION & CONFIRMATION

☐ Proof is approved. Proceed with production of order.  
☐ Proof is approved with conditions. Make corrections as indicated and proceed with production of order.  
 SIGNATURE: \_\_\_\_\_ PRINT NAME: \_\_\_\_\_ DATE: \_\_\_\_\_  
(This signature must be signed by the person who owns, controls, and manages the business, or their authorized representative.)

NOTE: THIS ORDER IS A CONTRACT. IT IS ASSUMED THAT THE CUSTOMER HAS READ AND UNDERSTOOD THE TERMS AND CONDITIONS OF THIS ORDER. BY SIGNING THIS ORDER, THE CUSTOMER AGREES TO THE TERMS AND CONDITIONS OF THIS ORDER. THE CUSTOMER'S OBLIGATION TO PAY THE ORDERED ITEMS IS NOT LIMITED BY ANY OTHER AGREEMENT OR UNDERSTANDING. THE CUSTOMER'S OBLIGATION TO PAY THE ORDERED ITEMS IS NOT LIMITED BY ANY OTHER AGREEMENT OR UNDERSTANDING.



Client: SCRUBVILLE  
 Location: STARKVILLE, MS  
 Drawn By: J. J. JAMES  
 Date: 8/2/2018  
 Approved By: \_\_\_\_\_  
 Sheet: \_\_\_\_\_  
 File: SCRUBVILLE - STARKVILLE 5

serving the mid-south since 1978

## Attachment 6- Letter Against

6/29/2018

City Of Starkville Mail - Nonconforming signs at Cotton Crossing



Emily Corban <e.corban@cityofstarkville.org>

---

### Nonconforming signs at Cotton Crossing

---

Laura Bryan <llovestennis@gmail.com>  
To: Emily Corban <e.corban@cityofstarkville.org>

Fri, Jun 29, 2018 at 12:17 PM

Emily

Can you use this email stating that Pat and I are opposed to the exception for both the non-conforming signs? We have no problem with our names being included in the report.

Thanks  
Laura Bryan

Sent from my iPhone  
Laura Bryan  
[Quoted text hidden]

## Attachment 7- Letter Against

# Arjen Lagendijk - Architect, PLLC

P. O. Box 848 2322 Front Street Meridian, MS 39302-0848 601 482-7303 F 601 482-7336 www.thearchitectsoffice.net

June 26, 2018

VIA EMAIL

**The City of Starkville**  
**Community Development**  
110 West Main Street  
Starkville, MS 39759

**RE: EX18-02 & EX18-03**  
**Non-Conforming Sign - 500 Russell Street Suite., #31 and Suite #20**  
**Parcel Number 101D-00-315.00**

**ATTN: Mr. Daniel Havelin, City Planner**

Dear Mr. Havelin,

Please regard this letter as my response to the notice for the Exception request for placement of non-conforming signs at the above referenced suites at Cotton Crossing. We own a unit at 509 Russell Street, Property # 101D-00-196.04 - and in discussing the issue with you in our telephone conversation of June 26, 2018 - I hereby request that the Planning and Zoning Commission of the City of Starkville follow the requirements of the ordinance and the recommendation of the Community Development Department. It is my understanding, that the sign ordinance for the Transect District, specifically the subject property being zoned T5, has specific requirements for signs as amended to the Zoning Ordinance per Table 8 in Section T. Assuming that the subject property was zoned B-1, C-1 or C-2 prior to the Transect District Amendment, the sign ordinance per Appendix A was deemed less restrictive than the current requirements as referenced.

Furthermore, understanding that as the City of Starkville and MSU endeavors to enhance the current and future development of the Transect Districts; I do hereby support the Community Development Department's proposal to allow the "reuse" of the existing box signs with the tenant providing new faces for the sign, or further meeting the more stringent requirements of the aforementioned Table 8 of Section T. However, I do oppose the introduction/installation of "new" box signs as per the Exception requests 18-02 and 18-03.

I am afraid that I will not be able to attend the Public Hearing scheduled for July 10, 2018 as I will be traveling out of state; however, I do hope that this input assists in supporting the City of Starkville in their efforts to grow the City, yet improve the livability of what I consider one of Mississippi's premier communities. Should you need further assistance with this issue, please do not hesitate to contact me.

Very respectfully,



Arjen Lagendijk, AIA  
509 Russell Street, Unit A





**THE CITY OF STARKVILLE**  
**PLANNING DEPARTMENT**  
**PLANNING AND ZONING COMMISSION**  
CITY HALL, 110 WEST MAIN STREET  
STARKVILLE, MISSISSIPPI 39759

**STAFF REPORT**

**To:** Members of the Planning & Zoning Commission  
**From:** Daniel Havelin, City Planner (662-323-2525 ext. 3136)  
Emily Corban, Assistant City Planner (662-323-2525 ext. 3138)  
**Subject:** EX 18-03 Request for an exception to allow a nonconforming sign to be placed at 500 Russell Street, Suite #20 in a T-5 zone with the parcel number 101D-00-315.00.  
**Date:** July 10, 2018

The purpose of this report is to provide information regarding the request by Beth Bland on behalf of Everett Financial, Inc. and Cotton Crossing to allow a nonconforming sign to be placed at 500 Russell Street, Suite #20 in a T-5 zoning district with the parcel number 101D-00-315.00. Please see attachments 1- 6.

**BACKGROUND INFORMATION:**

The applicant is seeking an exception to allow for an internally lit sign within the T-district. Transect districts do not allow for any type of internally lit signage. Transect districts do not allow for any type of internally lit signage (7.7 Signage, (c)). There has been no formal sign permit application for this sign. In recent months, two other sign applications were denied based on the same part of the code. Both applicants modified their sign type to the halo lit type sign and were approved.

**NOTIFICATION:**

63 property owners of record within 300 feet of the subject property were notified directly by mail of the request. A public hearing notice was published in the Starkville Daily News June 14, 2018 and a placard was posted on the property concurrent with publication of the notice. As of this date, the Planning Office has received one phone call and two letters against this request.

**CODE SECTION REQUESTING EXCEPTION FROM:**

The applicant is requesting to use a sign not shown as permitted for this zone. See attachment 3 for the below referenced Table 8.

***APPENDIX A – ZONING, ARTICLE VII. – DISTRICT REGULATIONS, Sec. T. – Transect districts***

***2.8 SIGNAGE***

- (a) Signage shall be designed according to Table 8 and specific types permitted as indicated for each Sub-District.*
- (b) Address Signs shall be made easily visible through the use of colors or materials that contrast with their background and shall be attached to the Facade or Principal Entrance of the unit they identify. Address Signs may be attached to a mailbox by Exception.*

- (c) *Awning Signage shall be limited to no more than seventy percent (70%) of the Valance of the awning or the vertical portion of a dome awning. The height of the Valance shall not exceed twelve (12) inches. Awning Signs shall contain only the business name, logo, and/or street address.*
- (d) *One (1) Band Sign limited to 90% of the width of the building Facade shall be permitted for each building with a Commercial Use. Information shall consist only of the name and/or logo of the business.*
- (e) *Blade Signs shall be permitted only for businesses that have a Principal Entrance on the first Story.*
- (f) *One (1) Blade Sign shall be permitted for each business if the Facade is no more than five (5) feet from the Principal Frontage Line. Blade Signs may encroach into the Public Frontage up to four (4) feet, shall clear the Sidewalk by at least eight (8) feet, and shall not encroach above the bottom of any second Story windows. Blade Signs shall be limited to the name and/or logo of the business.*
- (g) *Marquees shall be located only above the Principal Entrance of a building, shall provide a minimum clearance of ten (10) feet, and may Encroach the Public Frontage to within two (2) feet of the Curb. Message Boards shall be permitted as part of Marquees.*
- (h) *One (1) Nameplate per address limited to three (3) square feet and consisting of either a panel or individual letters applied to a building wall, may be attached to a building wall within ten (10) feet of a Principal Entrance.*
- (i) *Outdoor Display Cases shall not exceed six (6) square feet and may be internally illuminated.*
- (j) *One (1) freestanding, double-sided, temporary Sidewalk Sign may be placed within the Parking Strip of the Public Frontage for each business. Sidewalk Signs shall be removed at the close of business each day.*
- (k) *Window signs shall not interfere with the primary function of windows, which is to enable passersby and public safety personnel to see through windows into premises and view product displays. Window signs may list services and/or products sold on the premises, or provide phone numbers, operating hours or other messages.*

## **7.7 SIGNAGE**

(a) Address, Awning, Band, Blade, Marquee, Nameplate, Outdoor Display Case, Sidewalk, and Window Signs shall be permitted.

(b) Permitted signage types shall conform to the specifications of Table 8.

(c) Illuminated signage shall be externally illuminated only, except signage within a Shopfront window may be neon lit.

## **EXCEPTION REQUEST REQUIREMENTS:**

## **APPENDIX A – ZONING, ARTICLE VII. – DISTRICT REGULATIONS, Sec. T. – Transect districts**

### **1.5 EXCEPTION AND VARIANCE**

- (a) *There are two types of permitted deviations from the requirements of this Section:*
  - i. *Exception*
    - a. *Requests for Exception shall only be permitted as specifically indicated in this Section.*
    - b. *To apply for an Exception, the applicant shall provide the following:*
      - i. *The specific Exception(s) requested including citation from this Section and why the Exception is being sought.*
      - ii. *Maps, text, drawings and/or statistical data related to the requested Exception(s).*
    - c. *No Exception shall be approved unless the Planning and Zoning Commission finds the approval would:*
      - i. *Be consistent with § 1.2 Intent and 1.3 Transect Districts of this Section,*
      - ii. *and be consistent with the goals, objectives and policies of the City of Starkville's Comprehensive Plan.*
    - d. *Any decision regarding an approval or denial of an Exception shall state, in writing, the reasons for the approval or denial.*
    - e. *If the Planning and Zoning Commission denies any requested Exception, the applicant may appeal the decision to the Mayor and Board of Aldermen. The Mayor and Board of Aldermen shall review the application de novo.*
  - ii. *Dimensional Variance*
    - a. *A Dimensional Variance shall be processed pursuant to Chapter 2 - Administration, Article VI - Board of Adjustments & Appeals, Section 2 - 176 Variances and the Board of Adjustments & Appeals of the City of Starkville's Code of Ordinances.*
- (b) *Exceptions shall be advertised and noticed in the same fashion as conditional uses in the City's Code of Ordinances in accordance with Appendix A, Article VI, Section 1.*

## **APPENDIX A – ZONING, ARTICLE VII. – DISTRICT REGULATIONS, Sec. T. – Transect districts**

### **1.2 INTENT**

- (a) *Regulations on buildings equitably balance the rights of individual property owners and the interests of the community as a whole.*
- (b) *Infrastructure, landscape and buildings shape the public realm, the spatial definition of which can be understood as a continuum from weak to strong.*
- (c) *Transect Districts organize the individual characteristics of infrastructure, landscape and buildings into distinct physical environments, with the overall character of each differing from one another.*
- (d) *Distinct physical environments provide a choice in living arrangement for citizens with differing physical, social, and emotional needs.*

- (e) *Mixed Uses within Transect Districts and individual buildings provides access to daily needs within close proximity to dwellings so that residents may choose to work, recreate, and shop within walking distance to their home.*

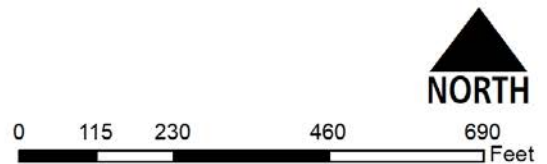
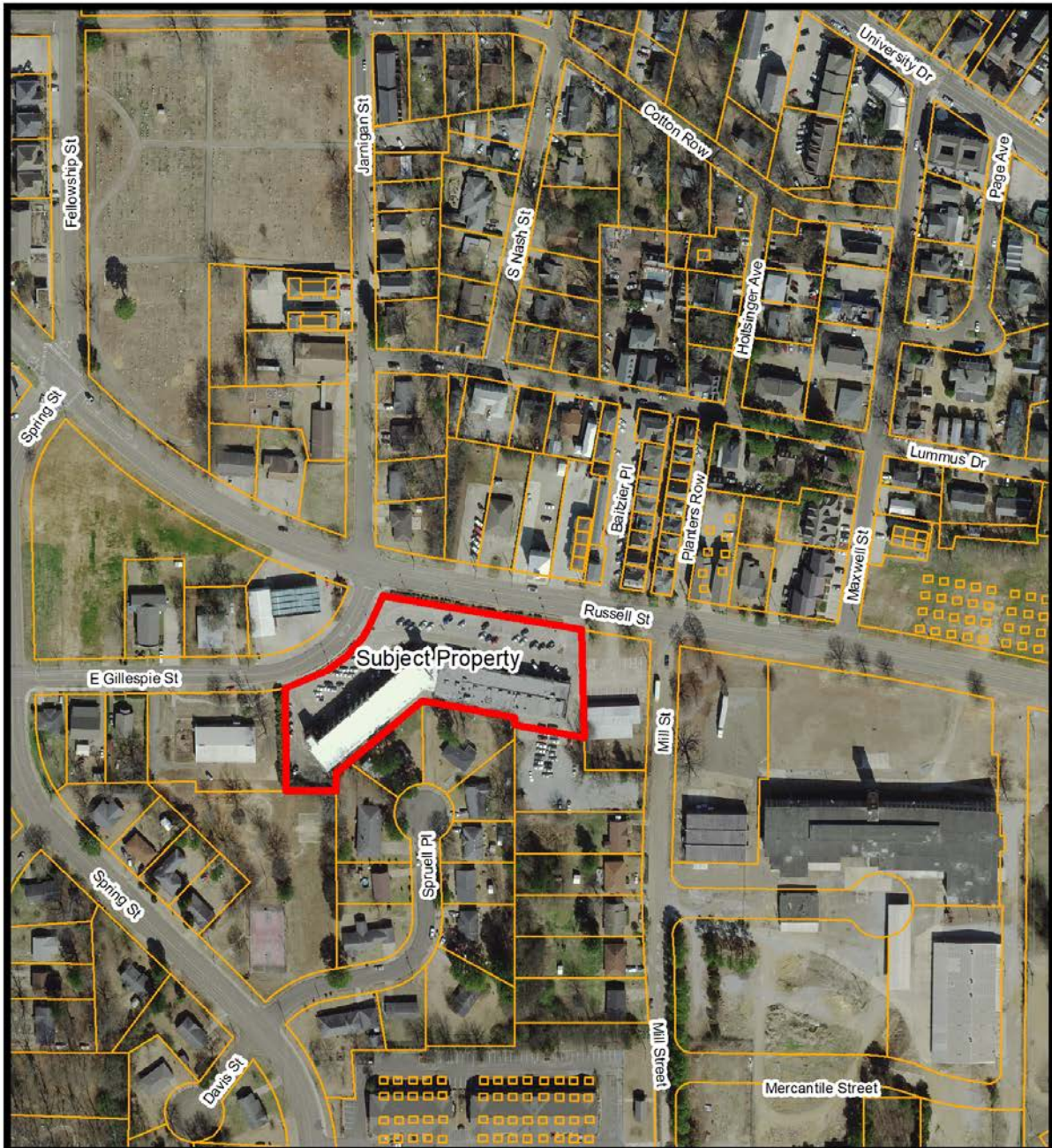
### **1.3 TRANSECT DISTRICTS**

- (a) *The following Transect Districts are established under the provisions of this Section and are illustrated on Table 1:*
  - i) *T1 District - Reserved for Future*
  - ii) *T2 District - Reserved for Future*
  - iii) *T3 District - Reserved for Future*
  - iv) *T4 District*
  - v) *T5 District*
  - vi) *T6 District*
  - vii) *Civic District*
- (b) *The T1 District consists of land approximating a wilderness condition, including land unsuitable for development due to topography, hydrology, or vegetation.*
- (c) *The T2 District consists of sparsely settled lands in open or cultivated states with little spatial definition, if any.*
- (d) *The T3 District consists of lightly settled lands and is primarily residential in character, where deep setbacks and limited Lot coverage creates only a minimal level of spatial definition of outdoor spaces.*
- (e) *The T4 District consists of moderately settled lands, is primarily residential in character, but permits an appropriate level of Mixed Use. Moderate setbacks and Lot coverage by buildings creates an increased sense of spatial definition.*
- (f) *The T5 District consists of heavily settled lands and is primarily Mixed-Use in character. Shallow setbacks, high Lot coverage, and multi-level buildings creates strong spatial definition of outdoor spaces.*
- (g) *The T6 District consists of the most intensely settled lands and is mixed-use in character. Multi-storied buildings positioned at the front Lot Line, no Setbacks, and maximum Lot coverage by buildings creates the strongest definition of outdoor space of all Districts.*
- (h) *The Civic District consists of open spaces and public buildings dedicated to arts, culture, education, recreation, local government, and/or municipal parking Uses that serve as necessary components of any community.*

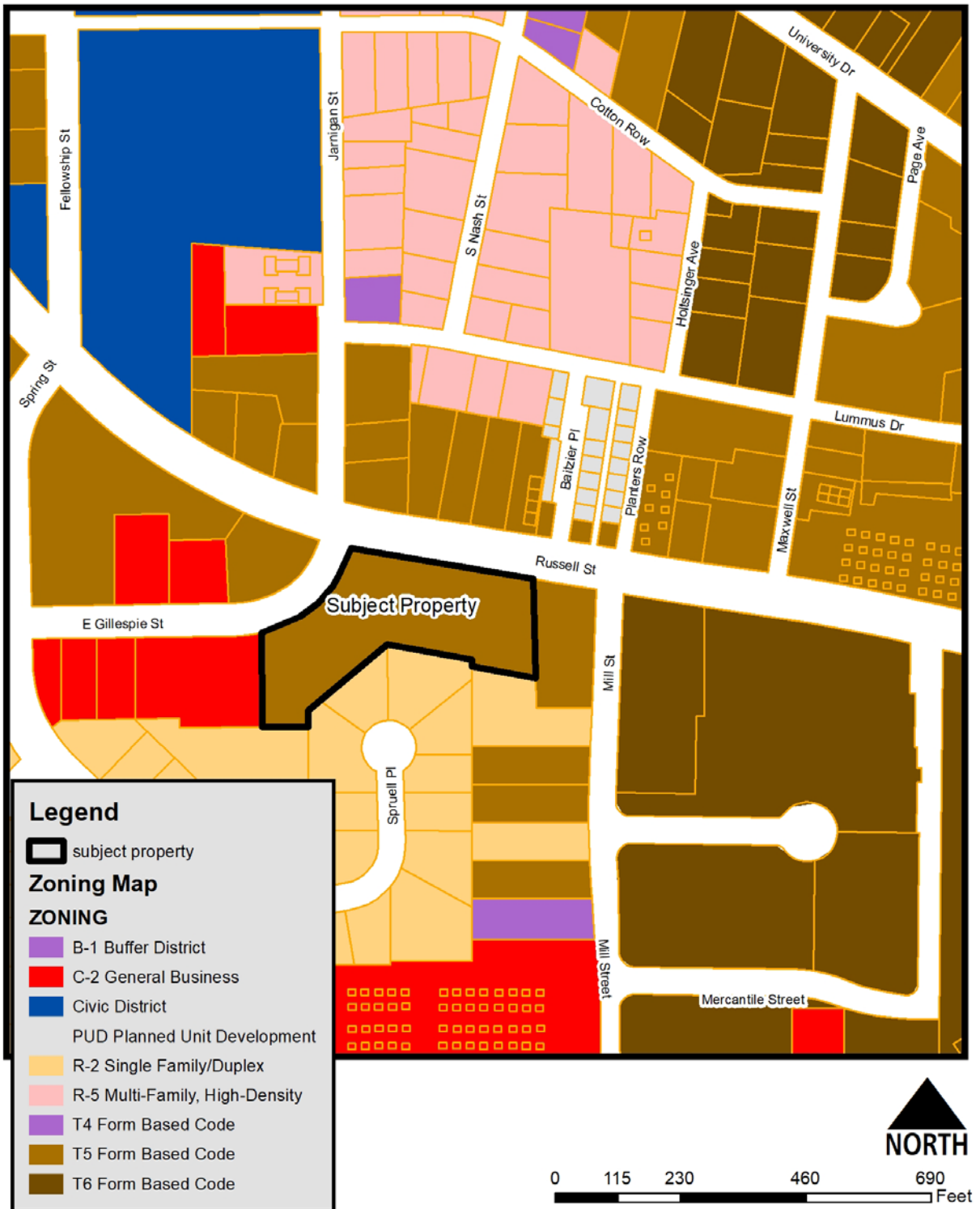
### **CONSISTENCY WITH COMPREHENSIVE PLAN:**

The proposed exception would generally be not consistent with the goals, objectives and policies of the City of Starkville's Comprehensive Plan. The 2016 Comprehensive Plan list the property's placetype as Urban Corridor. The existing building is legal nonconforming structure. The continued use of a nonconforming sign types would increase the nonconforming nature of the building.

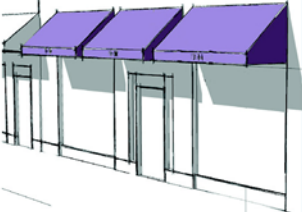
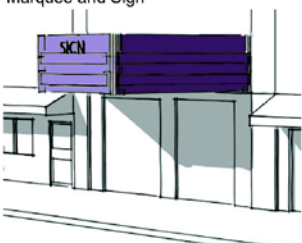
Attachment 1  
EX 18-03 Aerial



Attachment 2  
EX 18-03 Zoning



Attachment 3- Table 8

| TABLE 8. SIGN STANDARDS                                                                                        |    |    |    |                                                                                                 |                                                                                                                                                     |
|----------------------------------------------------------------------------------------------------------------|----|----|----|-------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------|
|                                                                                                                | T4 | T5 | T6 | SPECIFICATIONS                                                                                  |                                                                                                                                                     |
| <b>Address Sign</b><br>       | ■  | ■  | ■  | Quantity<br>Area<br>Width<br>Height<br>Depth / Projection<br>Clearance<br>Apex<br>Letter Height | 1 per address<br>2 sf max<br>24 in max<br>12 in max<br>3 in max<br>4.5 ft min<br>N/A<br>6 in max                                                    |
| <b>Awning and Sign</b><br>    | ■  | ■  | ■  | Quantity<br>Area<br>Width<br>Height<br>Depth / Projection<br>Clearance<br>Apex<br>Letter Height | 1 per window<br>N/A<br>width of Awning<br>N/A<br>4 ft min<br>8 ft max<br>N/A<br>5 in min, 10 in max                                                 |
| <b>Band Sign</b><br>         | □  | ■  | ■  | Quantity<br>Area<br>Width<br>Height<br>Depth / Projection<br>Clearance<br>Apex<br>Letter Height | 1, 2 for corner building<br>1.5 sq ft per linear ft of Facade<br>90% of width of Facade max<br>3 ft max<br>7 in max<br>7 ft max<br>N/A<br>18 in max |
| <b>Blade Sign</b><br>       | ■  | ■  | ■  | Quantity<br>Area<br>Width<br>Height<br>Depth / Projection<br>Clearance<br>Apex<br>Letter Height | 1 per Facade, 2 max<br>T3: 4 sq ft; T4 & T5: 8 sq ft<br>4 ft max<br>4 ft max<br>4 ft max<br>8 ft min<br>N/A<br>8 in max                             |
| <b>Marquee and Sign</b><br> | ■  | ■  |    | Quantity<br>Area<br>Width<br>Height<br>Depth / Projection<br>Clearance<br>Apex<br>Letter Height | 1 per business<br>N/A<br>width of entrance plus 4' o.c.<br>50% Story height max<br>4 ft min, 10 ft max<br>N/A<br>N/A<br>3 ft min                    |

■ By Right

□ By Exception

**TABLE 8. SIGN STANDARDS (continued)**

|                                                                                                                  | T4 | T5 | T6 | SPECIFICATIONS                                                                                                                                                    |
|------------------------------------------------------------------------------------------------------------------|----|----|----|-------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Nameplate Sign</b><br>       | ■  | ■  | ■  | Quantity 1<br>Area 3 sf max<br>Width 18 in max<br>Height 2 ft max<br>Depth / Projection 3 in max<br>Clearance 4 ft max<br>Apex 7 ft max<br>Letter Height N/A      |
| <b>Outdoor Display Case</b><br> | ■  | ■  | ■  | Quantity 1<br>Area 6 sf max<br>Width 3.5 ft max<br>Height 3.5 ft max<br>Depth / Projection 5 in max<br>Clearance 4 ft max<br>Apex N/A<br>Letter Height N/A        |
| <b>Sidewalk Sign</b><br>       | ■  | ■  | ■  | Quantity 1 per business<br>Area 8 sf max<br>Width 26 in max<br>Height 42 in max<br>Depth / Projection N/A<br>Clearance N/A<br>Apex 42 in max<br>Letter Height N/A |
| <b>Window Sign</b><br>        | ■  | ■  | ■  | Quantity 1 per window<br>Area 25% of glass max<br>Width varies<br>Height varies<br>Depth / Projection N/A<br>Clearance 4 ft<br>Apex N/A<br>Letter Height 8 in max |

- By Right
- By Exception

Attachment 4- Exception Application

**REQUEST FOR PUBLIC HEARING**  
City of Starkville Planning & Zoning Commission  
City Hall, 110 West Main Street  
Starkville, Mississippi 39759-2823  
Phone: (662) 323-8012 Fax: (662) 323-4143  
e-mail: buildingdept@cityofstarkville.org



**APPLICANT INFORMATION**  
Name: EVERETT FINANCIAL, INC dba SUPREME LENDING Phone: 214.340.5225  
Address: 14801 QUORUM DR, SUITE 300 DALLAS TX 75254  
E-mail address: anthony.ossio@supremelending.com

**PROPERTY OWNER INFORMATION**  
Name: CBS REAL ESTATE Phone: 324.0506  
Address: 200 S. MONTGOMERY, SITE 201  
E-mail address: bethbland@bellsouth.net  
If different from applicant, please attach notarized letter of authorization.

**APPLICATION INFORMATION**  
Street Address/Location: 500 RUSSELL STREET #20  
Tax Map/Parcel ID Number: 101D-00-315.00 Zoning: COMMERCIAL  
Type of Requested: ☐ Rezoning ☐ Conditional Use ☒ Use by Exception ☐ Preliminary Plat ☐ Final Plat  
Reason for request: COTTON CROSSING IS REQUESTING THIS SIGN PERMIT BE EXEMPT FROM SIGN REQUIREMENT. WE ARE REQUESTING THIS EXCEPTION TO KEEP ALL OF THE SIGNS AT THE CENTER CONSISTANT AND UNIFORM. WE APPRECIATE YOUR CONSIDERATION.  
Property to the NORTH: Zoning RESIDENTIAL Current Use HOUSES  
Property to the EAST: Zoning COMMERCIAL Current Use RESTURANT  
Property to the SOUTH: Zoning RESIDENTIAL Current Use APARTMENTS  
Property to the WEST: Zoning COMMERCIAL Current Use CONVENIENT STORE

Submittal deadline is approximately 30 days prior to proposed public hearing date; please refer to P&Z schedule.  
☐ Application Fee ☐ Legal Description ☐ Notarized Owner Authorization  
Submitted by: BETH BLAND Date: 29 May 18

## Attachment 5- Letter Against

6/29/2018

City Of Starkville Mail - Nonconforming signs at Cotton Crossing



Emily Corban <e.corban@cityofstarkville.org>

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### Nonconforming signs at Cotton Crossing

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Laura Bryan <llovestennis@gmail.com>  
To: Emily Corban <e.corban@cityofstarkville.org>

Fri, Jun 29, 2018 at 12:17 PM

Emily

Can you use this email stating that Pat and I are opposed to the exception for both the non-conforming signs? We have no problem with our names being included in the report.

Thanks  
Laura Bryan

Sent from my iPhone  
Laura Bryan  
[Quoted text hidden]

## Attachment 6- Letter Against

# Arjen Legendijk - Architect, PLLC

P. O. Box 848 2322 Front Street Meridian, MS 39302-0848 601 482-7303 F 601 482-7336 www.thearchitectsoffice.net

June 26, 2018

VIA EMAIL

**The City of Starkville**  
**Community Development**  
110 West Main Street  
Starkville, MS 39759

**RE: EX18-02 & EX18-03**  
**Non-Conforming Sign - 500 Russell Street Suite., #31 and Suite #20**  
**Parcel Number 101D-00-315.00**

**ATTN: Mr. Daniel Havelin, City Planner**

Dear Mr. Havelin,

Please regard this letter as my response to the notice for the Exception request for placement of non-conforming signs at the above referenced suites at Cotton Crossing. We own a unit at 509 Russell Street, Property # 101D-00-196.04 - and in discussing the issue with you in our telephone conversation of June 26, 2018 - I hereby request that the Planning and Zoning Commission of the City of Starkville follow the requirements of the ordinance and the recommendation of the Community Development Department. It is my understanding, that the sign ordinance for the Transect District, specifically the subject property being zoned T5, has specific requirements for signs as amended to the Zoning Ordinance per Table 8 in Section T. Assuming that the subject property was zoned B-1, C-1 or C-2 prior to the Transect District Amendment, the sign ordinance per Appendix A was deemed less restrictive than the current requirements as referenced.

Furthermore, understanding that as the City of Starkville and MSU endeavors to enhance the current and future development of the Transect Districts; I do hereby support the Community Development Department's proposal to allow the "reuse" of the existing box signs with the tenant providing new faces for the sign, or further meeting the more stringent requirements of the aforementioned Table 8 of Section T. However, I do oppose the introduction/installation of "new" box signs as per the Exception requests 18-02 and 18-03.

I am afraid that I will not be able to attend the Public Hearing scheduled for July 10, 2018 as I will be traveling out of state; however, I do hope that this input assists in supporting the City of Starkville in their efforts to grow the City, yet improve the livability of what I consider one of Mississippi's premier communities. Should you need further assistance with this issue, please do not hesitate to contact me.

Very respectfully,



Arjen Legendijk, AIA  
509 Russell Street, Unit A





**THE CITY OF STARKVILLE**  
**PLANNING DEPARTMENT**  
**PLANNING AND ZONING COMMISSION**

CITY HALL, 110 WEST MAIN STREET  
STARKVILLE, MISSISSIPPI 39759

**STAFF REPORT**

**To:** Members of the Planning & Zoning Commission  
**From:** Daniel Havelin, City Planner (662-323-2525 ext. 3136)  
Emily Corban, Assistant City Planner (662-323-2525 ext. 3138)  
**Subject:** EX 18-04 Request for an exception to allow a nonconforming sign to be placed at 223 Dr. Martin Luther King Drive West in a T-5 zoning district with the property numbers 118O-00-158.00 and 118O-00-156.00.  
**Date:** July 10, 2018

The purpose of this report is to provide information regarding the request by Ryan Ashford on behalf of Peters Rock Temple to allow a nonconforming sign to be placed at 223 Dr. Martin Luther King Drive West in a T-5 zoning district with the property numbers 118O-00-158.00 and 118O-00-156. 00. Please see attachments 1- 4.

**BACKGROUND INFORMATION:**

The applicant is seeking an exception to allow for a wall sign with an overall height of 12 feet on the northern façade of Peter's Rock Temple Family Life Center. The building is currently under construction. Band signs cannot exceed 3 feet in overall height in a T-5 district. The original sign application exceeded the maximum height of 3 ft and maximum letter height of 18 inches. The sign was revised to make the letter height compliant. The exception is only for the sign height.

**NOTIFICATION:**

29 property owners of record within 300 feet of the subject property were notified directly by mail of the request. A public hearing notice was published in the Starkville Daily News on July 18, 2018 and a placard was posted on the property concurrent with publication of the notice. As of this date, the Planning Office has received one call for information only.

**CODE SECTION REQUESTING EXCEPTION FROM:**

The applicant is requesting to use a sign not shown as permitted for this zone. See attachment 3 for the below referenced Table 8.

***APPENDIX A – ZONING, ARTICLE VII. – DISTRICT REGULATIONS, Sec. T. – Transect districts***

***2.8 SIGNAGE***

- (a) Signage shall be designed according to Table 8 and specific types permitted as indicated for each Sub-District.*
- (b) Address Signs shall be made easily visible through the use of colors or materials that contrast with their background and shall be attached to the Facade or Principal Entrance of the unit they identify. Address Signs may be attached to a mailbox by Exception.*

- (c) *Awning Signage shall be limited to no more than seventy percent (70%) of the Valance of the awning or the vertical portion of a dome awning. The height of the Valance shall not exceed twelve (12) inches. Awning Signs shall contain only the business name, logo, and/or street address.*
- (d) *One (1) Band Sign limited to 90% of the width of the building Facade shall be permitted for each building with a Commercial Use. Information shall consist only of the name and/or logo of the business.*
- (e) *Blade Signs shall be permitted only for businesses that have a Principal Entrance on the first Story.*
- (f) *One (1) Blade Sign shall be permitted for each business if the Facade is no more than five (5) feet from the Principal Frontage Line. Blade Signs may encroach into the Public Frontage up to four (4) feet, shall clear the Sidewalk by at least eight (8) feet, and shall not encroach above the bottom of any second Story windows. Blade Signs shall be limited to the name and/or logo of the business.*
- (g) *Marquees shall be located only above the Principal Entrance of a building, shall provide a minimum clearance of ten (10) feet, and may Encroach the Public Frontage to within two (2) feet of the Curb. Message Boards shall be permitted as part of Marquees.*
- (h) *One (1) Nameplate per address limited to three (3) square feet and consisting of either a panel or individual letters applied to a building wall, may be attached to a building wall within ten (10) feet of a Principal Entrance.*
- (i) *Outdoor Display Cases shall not exceed six (6) square feet and may be internally illuminated.*
- (j) *One (1) freestanding, double-sided, temporary Sidewalk Sign may be placed within the Parking Strip of the Public Frontage for each business. Sidewalk Signs shall be removed at the close of business each day.*
- (k) *Window signs shall not interfere with the primary function of windows, which is to enable passersby and public safety personnel to see through windows into premises and view product displays. Window signs may list services and/or products sold on the premises, or provide phone numbers, operating hours or other messages.*

## **EXCEPTION REQUEST REQUIREMENTS:**

### **APPENDIX A – ZONING, ARTICLE VII. – DISTRICT REGULATIONS, Sec. T. – Transect districts**

#### **1.5 EXCEPTION AND VARIANCE**

- (a) *There are two types of permitted deviations from the requirements of this Section:*
  - i. *Exception*
    - a. *Requests for Exception shall only be permitted as specifically indicated in this Section.*
    - b. *To apply for an Exception, the applicant shall provide the following:*

- i. *The specific Exception(s) requested including citation from this Section and why the Exception is being sought.*
  - ii. *Maps, text, drawings and/or statistical data related to the requested Exception(s).*
- c. *No Exception shall be approved unless the Planning and Zoning Commission finds the approval would:*
  - i. *Be consistent with § 1.2 Intent and 1.3 Transect Districts of this Section,*
  - ii. *and be consistent with the goals, objectives and policies of the City of Starkville's Comprehensive Plan.*
- d. *Any decision regarding an approval or denial of an Exception shall state, in writing, the reasons for the approval or denial.*
- e. *If the Planning and Zoning Commission denies any requested Exception, the applicant may appeal the decision to the Mayor and Board of Aldermen. The Mayor and Board of Aldermen shall review the application de novo.*
- ii. *Dimensional Variance*
  - a. *A Dimensional Variance shall be processed pursuant to Chapter 2 - Administration, Article VI - Board of Adjustments & Appeals, Section 2 - 176 Variances and the Board of Adjustments & Appeals of the City of Starkville's Code of Ordinances.*
- (b) *Exceptions shall be advertised and noticed in the same fashion as conditional uses in the City's Code of Ordinances in accordance with Appendix A, Article VI, Section 1.*

**APPENDIX A – ZONING, ARTICLE VII. – DISTRICT REGULATIONS, Sec. T. – Transect districts**

**1.2 INTENT**

- (a) *Regulations on buildings equitably balance the rights of individual property owners and the interests of the community as a whole.*
- (b) *Infrastructure, landscape and buildings shape the public realm, the spatial definition of which can be understood as a continuum from weak to strong.*
- (c) *Transect Districts organize the individual characteristics of infrastructure, landscape and buildings into distinct physical environments, with the overall character of each differing from one another.*
- (d) *Distinct physical environments provide a choice in living arrangement for citizens with differing physical, social, and emotional needs.*
- (e) *Mixed Uses within Transect Districts and individual buildings provides access to daily needs within close proximity to dwellings so that residents may choose to work, recreate, and shop within walking distance to their home.*

**1.3 TRANSECT DISTRICTS**

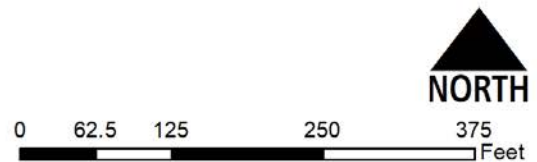
- (a) *The following Transect Districts are established under the provisions of this Section and are illustrated on Table 1:*
  - i) *T1 District - Reserved for Future*

- ii) *T2 District - Reserved for Future*
- iii) *T3 District - Reserved for Future*
- iv) *T4 District*
- v) *T5 District*
- vi) *T6 District*
- vii) *Civic District*
- (b) *The T1 District consists of land approximating a wilderness condition, including land unsuitable for development due to topography, hydrology, or vegetation.*
- (c) *The T2 District consists of sparsely settled lands in open or cultivated states with little spatial definition, if any.*
- (d) *The T3 District consists of lightly settled lands and is primarily residential in character, where deep setbacks and limited Lot coverage creates only a minimal level of spatial definition of outdoor spaces.*
- (e) *The T4 District consists of moderately settled lands, is primarily residential in character, but permits an appropriate level of Mixed Use. Moderate setbacks and Lot coverage by buildings creates an increased sense of spatial definition.*
- (f) *The T5 District consists of heavily settled lands and is primarily Mixed-Use in character. Shallow setbacks, high Lot coverage, and multi-level buildings creates strong spatial definition of outdoor spaces.*
- (g) *The T6 District consists of the most intensely settled lands and is mixed-use in character. Multi-storied buildings positioned at the front Lot Line, no Setbacks, and maximum Lot coverage by buildings creates the strongest definition of outdoor space of all Districts.*
- (h) *The Civic District consists of open spaces and public buildings dedicated to arts, culture, education, recreation, local government, and/or municipal parking Uses that serve as necessary components of any community.*

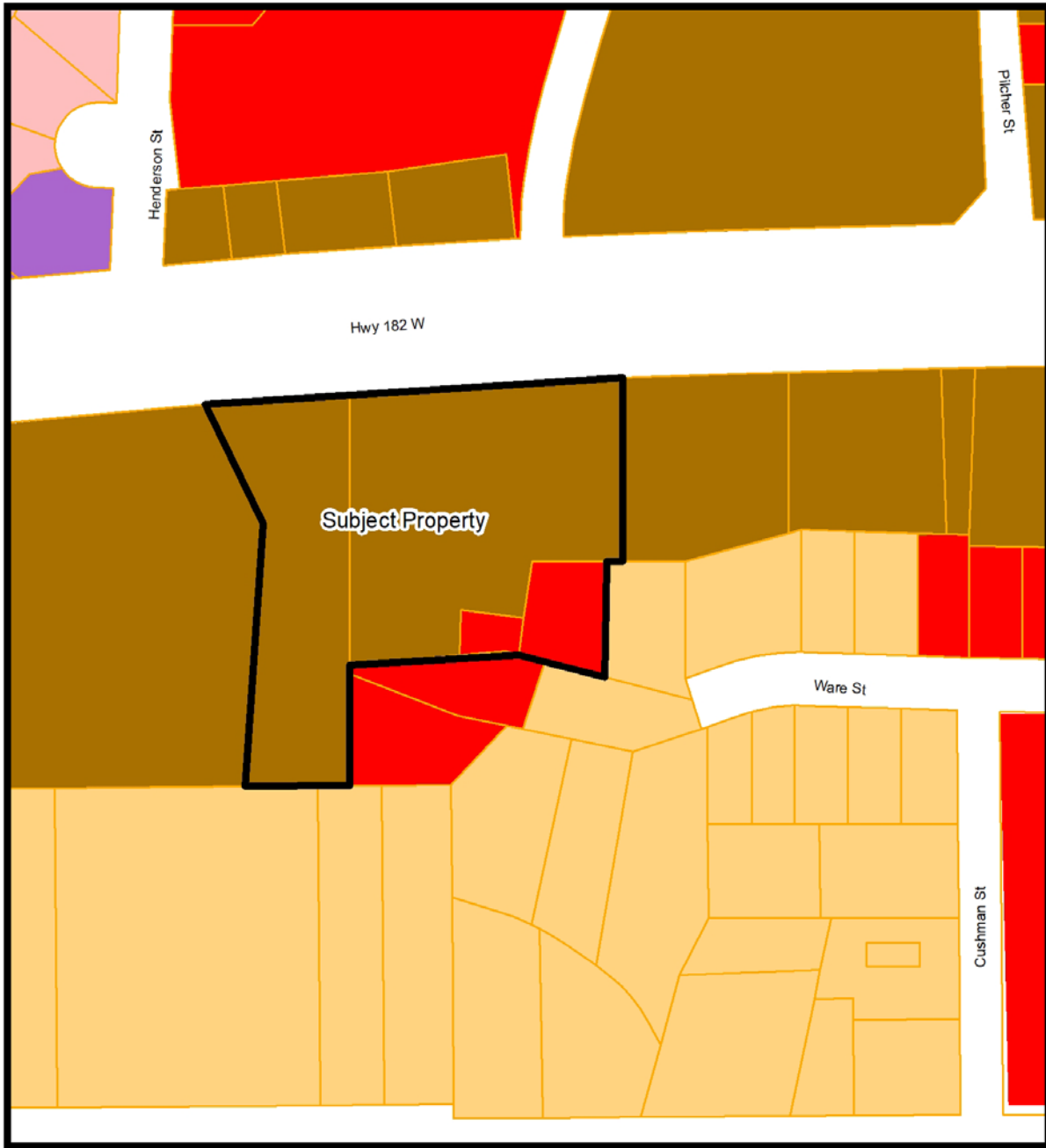
### **CONSISTENCY WITH COMPREHENSIVE PLAN:**

The proposed exception would generally be not consistent with the goals, objectives and policies of the City of Starkville's Comprehensive Plan. The 2016 Comprehensive Plan list the property's placetype as Urban Corridor. Although 2016 Starkville MS 182 Corridor Plan does not address signage in the area, it does suggest adaptive reuse of the properties along Hwy 182. For adaptive reuse to work, signage regulations along the corridor will need to be modified from the existing requirements for T Districts.

Attachment 1  
EX 18-04 Aerial

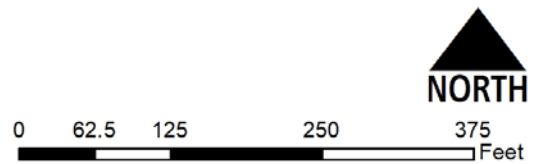


Attachment 2  
EX 18-04 Zoning

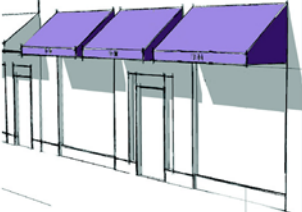
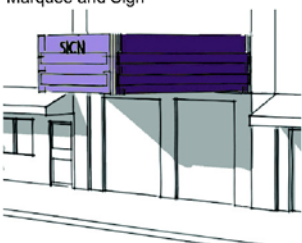


**Legend**

 subject property



Attachment 3- Table 8

| TABLE 8. SIGN STANDARDS                                                                                        |    |    |    |                                                                                                 |                                                                                                                                                     |
|----------------------------------------------------------------------------------------------------------------|----|----|----|-------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------|
|                                                                                                                | T4 | T5 | T6 | SPECIFICATIONS                                                                                  |                                                                                                                                                     |
| <b>Address Sign</b><br>       | ■  | ■  | ■  | Quantity<br>Area<br>Width<br>Height<br>Depth / Projection<br>Clearance<br>Apex<br>Letter Height | 1 per address<br>2 sq ft max<br>24 in max<br>12 in max<br>3 in max<br>4.5 ft min<br>N/A<br>6 in max                                                 |
| <b>Awning and Sign</b><br>    | ■  | ■  | ■  | Quantity<br>Area<br>Width<br>Height<br>Depth / Projection<br>Clearance<br>Apex<br>Letter Height | 1 per window<br>N/A<br>width of Awning<br>N/A<br>4 ft min<br>8 ft max<br>N/A<br>5 in min, 10 in max                                                 |
| <b>Band Sign</b><br>         | □  | ■  | ■  | Quantity<br>Area<br>Width<br>Height<br>Depth / Projection<br>Clearance<br>Apex<br>Letter Height | 1, 2 for corner building<br>1.5 sq ft per linear ft of Facade<br>90% of width of Facade max<br>3 ft max<br>7 in max<br>7 ft max<br>N/A<br>18 in max |
| <b>Blade Sign</b><br>       | ■  | ■  | ■  | Quantity<br>Area<br>Width<br>Height<br>Depth / Projection<br>Clearance<br>Apex<br>Letter Height | 1 per Facade, 2 max<br>T3: 4 sq ft; T4 & T5: 8 sq ft<br>4 ft max<br>4 ft max<br>4 ft max<br>8 ft min<br>N/A<br>8 in max                             |
| <b>Marquee and Sign</b><br> | ■  | ■  |    | Quantity<br>Area<br>Width<br>Height<br>Depth / Projection<br>Clearance<br>Apex<br>Letter Height | 1 per business<br>N/A<br>width of entrance plus 4' o.c.<br>50% Story height max<br>4 ft min, 10 ft max<br>N/A<br>N/A<br>3 ft min                    |

■ By Right

□ By Exception

**TABLE 8. SIGN STANDARDS (continued)**

|                                                                                                                  | T4 | T5 | T6 | SPECIFICATIONS                                                                                                                                                    |
|------------------------------------------------------------------------------------------------------------------|----|----|----|-------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Nameplate Sign</b><br>       | ■  | ■  | ■  | Quantity 1<br>Area 3 sf max<br>Width 18 in max<br>Height 2 ft max<br>Depth / Projection 3 in max<br>Clearance 4 ft max<br>Apex 7 ft max<br>Letter Height N/A      |
| <b>Outdoor Display Case</b><br> | ■  | ■  | ■  | Quantity 1<br>Area 6 sf max<br>Width 3.5 ft max<br>Height 3.5 ft max<br>Depth / Projection 5 in max<br>Clearance 4 ft max<br>Apex N/A<br>Letter Height N/A        |
| <b>Sidewalk Sign</b><br>       | ■  | ■  | ■  | Quantity 1 per business<br>Area 8 sf max<br>Width 26 in max<br>Height 42 in max<br>Depth / Projection N/A<br>Clearance N/A<br>Apex 42 in max<br>Letter Height N/A |
| <b>Window Sign</b><br>        | ■  | ■  | ■  | Quantity 1 per window<br>Area 25% of glass max<br>Width varies<br>Height varies<br>Depth / Projection N/A<br>Clearance 4 ft<br>Apex N/A<br>Letter Height 8 in max |

- By Right
- By Exception



**THE CITY OF STARKVILLE**  
**PLANNING DEPARTMENT**  
**PLANNING AND ZONING COMMISSION**  
 CITY HALL, 110 WEST MAIN STREET  
 STARKVILLE, MISSISSIPPI 39759

**STAFF REPORT**

**To:** Members of the Planning & Zoning Commission  
**From:** Daniel Havelin, City Planner (662-323-2525 ext. 3136)  
 Emily Corban, Assistant City Planner (662-323-2525 ext. 3138)  
**Subject:** RZ 18-04 Request to Rezone 1 lot located at 300 Yellow Jacket Drive from R-1 to R-3A zoning with the parcel number 102H-00-043.00  
**Date:** July 10, 2018

The purpose of this report is to provide information regarding the request by Jason Pepper on behalf of Josey Betty V Family Trust to rezone one parcel from R-1 to R-3A located at 300 Yellow Jacket Drive with the parcel number 102H-00-043.00. Please see attachments 1- 2.

**BACKGROUND INFORMATION:**

The applicant is seeking to rezone from R-1 zoning to R-3A zoning based on changed or changing conditions in an existing area, or in the planning area generally, or the increased or increasing need for commercial or manufacturing sites or additional subdivision of open land into urban building sites make a change in the ordinance necessary and desirable, and in accord with the public need for orderly and harmonious growth. The applicant is proposing a new subdivision. On June 7, 2016 the Board of Aldermen denied a request to rezone the subject property to B-1 Buffer Zone.

| Zoning Change Subject Property                        |                     |                  |          |                |
|-------------------------------------------------------|---------------------|------------------|----------|----------------|
| Properties                                            | 1960s-<br>1970s Map | 1982-1991<br>Map | 2000 Map | Current<br>Map |
|                                                       | R-1                 | R-1              | R-1      | R-1            |
| Zoning Change Adjacent Properties                     |                     |                  |          |                |
| Properties                                            | 1960s-<br>1970s Map | 1982-1991<br>Map | 2000 Map | Current<br>Map |
| North                                                 | R-1                 | R-3              | R-3      | B-1            |
| East                                                  | R-1                 | R-1              | R-1      | R-1            |
| South                                                 | R-1                 | R-1              | R-1      | R-3A           |
| West                                                  | R-1                 | R-1              | R-1      | R-1            |
| Zoning and land uses adjacent to the subject property |                     |                  |          |                |
| Direction                                             | Zoning              | Current Use      |          |                |
| North                                                 | B-1                 | Storage units    |          |                |
| East                                                  | R-1                 | Single-family    |          |                |
| South                                                 | R-3A                | Single-family    |          |                |
| West                                                  | R-1                 | School/baseball  |          |                |

**NOTIFICATION:**

47 property owners of record within 300 feet of the subject property were notified directly by mail of the request. A public hearing notice was published in the Starkville Daily News on June 15, 2018 and a sign was posted on the property concurrent with publication of the notice. As of this date, the Planning Office has received one phone call in favor of the request and one phone call for information only.

**REZONING REQUEST:**

The subject property rezoning request is from R-1 to R-3A. Differences between zones are:

**Current Zoning District:*****Sec. C. - R-1 residence zoning district regulations.***

*These [R-1 residential] districts are intended to be composed mainly of single-family residential properties along with appropriate neighborhood facilities, with their character protected by requiring certain minimum yard and area standards to be met. [The following regulations apply to R-1 districts:]*

- 1. See chart for permitted uses.*
- 2. See chart for uses which may be permitted as a special exception.*
- 3. Required lot area and width, yards, building areas and height for residences:*
  - (a) Minimum lot area: 10,000 square feet.*
  - (b) Minimum lot width at the building line: 75 feet.*
  - (c) Minimum depth of front yard: 30 feet.*
  - (d) Minimum depth of rear yard: 35 feet.*
  - (e) Minimum width of each side yard: Ten feet.*
  - (f) Maximum height of structure: 45 feet.*
- 4. Off-street parking requirements: See article VIII of this ordinance for requirements for other uses.*

**Proposed Zoning District:*****Sec. R. - R-3A single-family, medium-density.***

*A. Intent. These districts are intended to be composed of single-family dwellings. Appropriate neighborhood supporting facilities are provided for and the district's open residential character is protected by requiring minimum yard and area standards. R-3A zoning districts*

*shall be more restrictive than the R-3 (multi-family) district but less restrictive than the R-1 (single-family) district.*

*B. Required lot area and width, yards, building areas and height for single-family dwellings:*

*Front setback: 25 feet*

*Side setback: 5 feet*

*Rear setback: 20 feet*

*Minimum lot area: 5,000 square feet*

*Minimum width at building line: 50 feet*

*Maximum building height: 45 feet*

*C. Off-street parking. A minimum of three off-street parking spaces shall be provided for each dwelling unit.*

*D. Permitted and conditional uses shall be as follows:*

*1. The following uses are permitted by right in the R-3A zoning district:*

*a. Single-family dwelling.*

*b. Garden.*

*c. Home occupation.*

*2. The following uses are allowed by conditional use in the R-3A zoning district:*

*a. Church or place of worship.*

*b. Golf course, not including commercial driving ranges; need not be enclosed within structure.*

*c. Public utilities.*

*d. Recreational facilities.*

*e. Comprehensive plan. The R-3A zoning district shall be considered a medium density residential land use classification allowing a maximum gross density of eight dwelling units per acre, as allowed per Table 32 of the city's comprehensive plan.*

### **Permitted and Conditional Uses:**

The following uses are permitted by right in the R-3A zoning district:

1. Dwelling, live/work
2. Dwelling, single family, detached
3. Parks & Recreation, Passive

The following uses are allowed by conditional use in the R-3A zoning district:

1. Accessory Dwelling unit
2. Community Services
3. Education Facilities
4. Government Facilities
5. Parks & Recreation, Active
6. Places of Worship
7. Public Spaces

## STATE REZONING CRITERIA

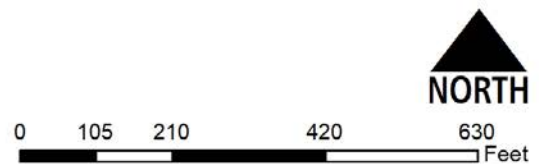
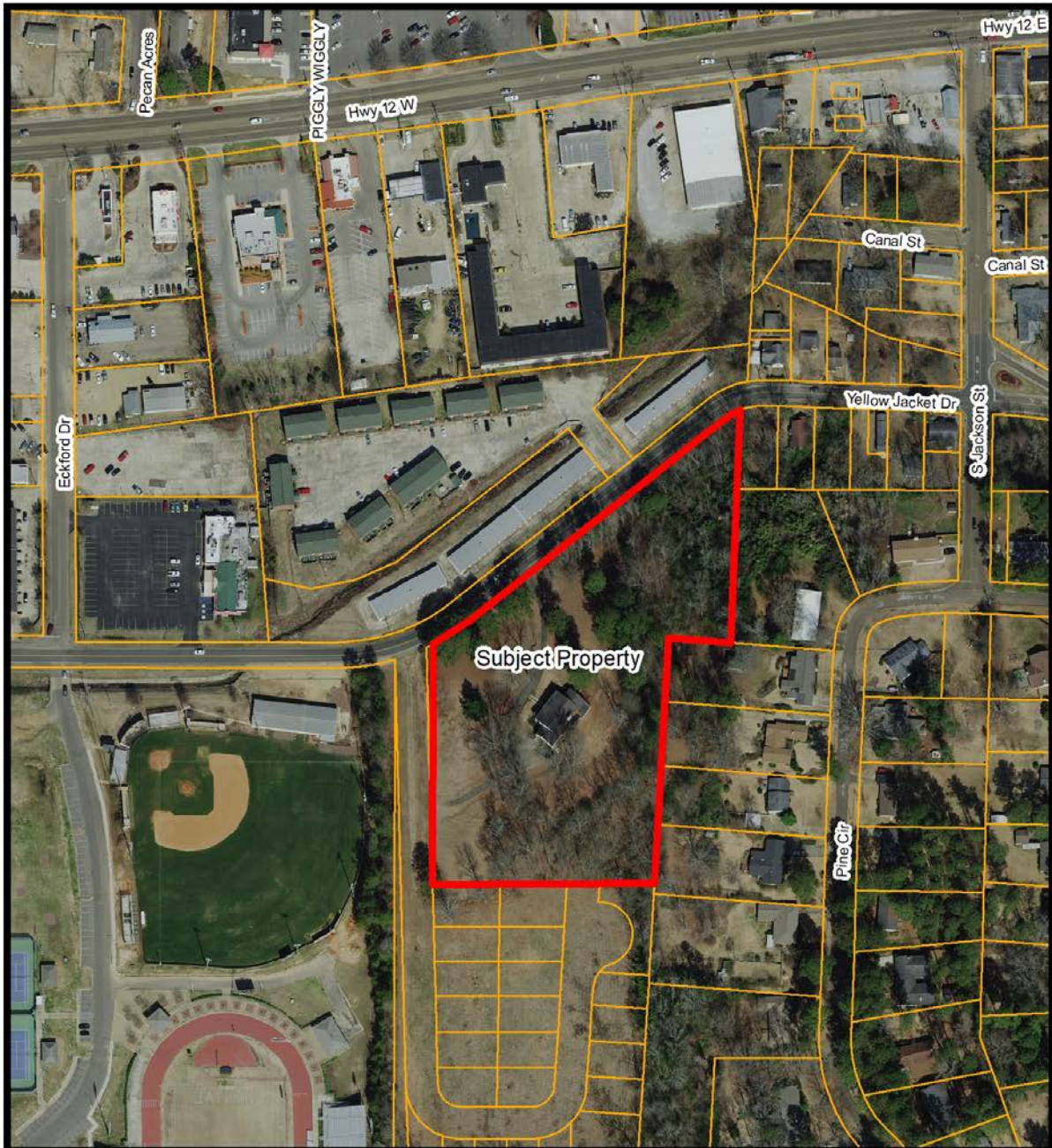
Per Title 17, Chapter 1, of the Mississippi Code of 1972, as amended, and Appendix A, Article IV, Section A, of the City of Starkville Code of Ordinances, the Official Zoning Map may be amended only when one or more of the following conditions prevail:

1. **Error:** There is a Manifest Error in the ordinance and a Public Need to correct the error:
  - No Error
2. **Change in conditions:** Changed or changing conditions in an existing area, or in the planning area generally, or the increased or increasing need for commercial or manufacturing sites or additional subdivision of open land into urban building sites make a change in the ordinance necessary and desirable, and in accord with the public need for orderly and harmonious growth.
  - There has been five Rezoning since 2014 within ½ mile of the subject property.
    1. The property directly south of Sonic Drive In restaurant on Vine Street was rezoned from R-1 to B-1 in June of 2014.
    2. The Cottages at Starkville Station was rezoned from R-5 to R-4A in June of 2014
    3. The subdivision now known as Bent Brook Ridge was rezoned from R-1 to R-3A in February of 2014
    4. The former site of a mobile home park directly south of Starkville High School was rezoned from R-6 to R-5 in December of 2014
    5. Riddle Run development on Lynn Lane was rezoned from R-1 to R-3 in July of 2015

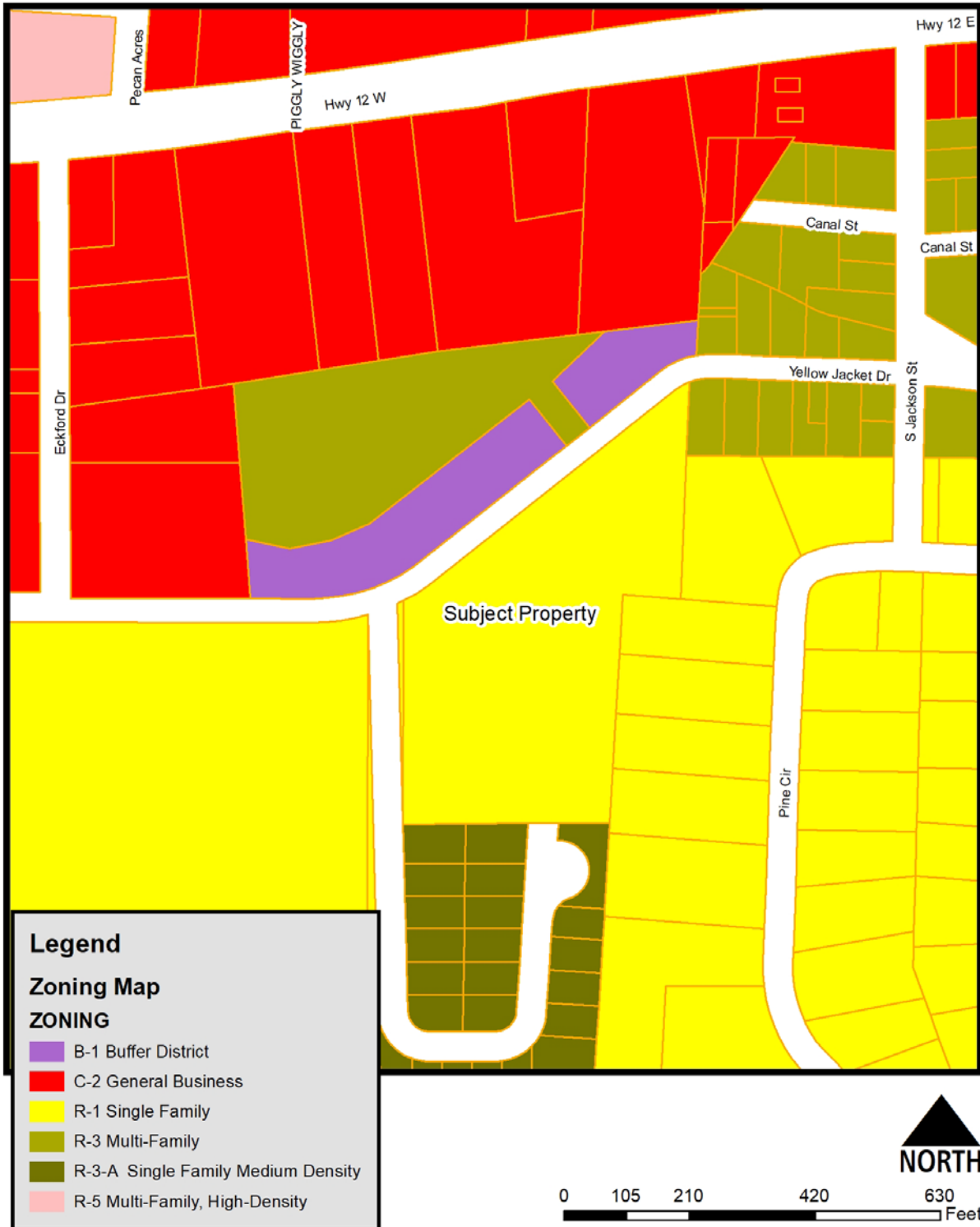
**Consistency with Comprehensive Plan:** The proposed rezoning would generally be consistent with the goals, objectives and policies found in the City's Comprehensive Plan. The placetype for the subject property is suburban single family.

**Land Use Compatibility:** The proposed rezoning would be consistent and compatible the adjacent land uses in the vicinity. The subject property is adjacent to an R-3A single family neighborhood and a R-1 single family neighborhood.

Attachment 1  
RZ 18-04 Aerial



Attachment 2  
RZ 18-04 Zoning





**THE CITY OF STARKVILLE**  
**PLANNING DEPARTMENT**  
**PLANNING AND ZONING COMMISSION**  
 CITY HALL, 110 WEST MAIN STREET  
 STARKVILLE, MISSISSIPPI 39759

**STAFF REPORT**

**To:** Members of the Planning & Zoning Commission  
**From:** Daniel Havelin, City Planner (662-323-2525 ext. 3136)  
 Emily Corban, Assistant City Planner (662-323-2525 ext. 3138)  
**Subject:** RZ 18-05 Request to Rezone two parcels from R-2 to R-5 located at 314 Louisville Street and 300 Scales Street with the parcel numbers 102B-00-051.00 and 102B-00-052.00.  
**Date:** July 10, 2018

The purpose of this report is to provide information regarding the request by Jason Pepper on behalf of Fowler Construction Company and L. Paige Shearer to rezone two parcels from R-2 to R-5 located at 314 Louisville Street and 300 Scales Street with the parcel numbers 102B-00-051.00 and 102B-00-052.00. Please see attachments 1- 2.

**BACKGROUND INFORMATION:**

The applicant is seeking to rezone from R-2 to R-5 based on changed or changing conditions in an existing area, or in the planning area generally, or the increased or increasing need for commercial or manufacturing sites or additional subdivision of open land into urban building sites make a change in the ordinance necessary and desirable, and in accord with the public need for orderly and harmonious growth.

| Zoning Change Subject Property                        |                     |                  |          |                |
|-------------------------------------------------------|---------------------|------------------|----------|----------------|
| Properties                                            | 1960s-<br>1970s Map | 1982-1991<br>Map | 2000 Map | Current<br>Map |
| x                                                     | R-2A                | R-2              | R-2      | R-2            |
| Zoning Change Adjacent Properties                     |                     |                  |          |                |
| Properties                                            | 1960s-<br>1970s Map | 1982-1991<br>Map | 2000 Map | Current<br>Map |
| North                                                 | R-2A                | R-2              | R-2      | R-2            |
| East                                                  | R-2                 | R-2              | R-2      | R-2            |
| South                                                 | R-2A                | R-2              | R-2      | R-2            |
| West                                                  | R-2A                | R-2              | R-2      | R-2            |
| Zoning and land uses adjacent to the subject property |                     |                  |          |                |
| Direction                                             | Zoning              | Current Use      |          |                |
| North                                                 | R-2                 | Single family    |          |                |
| East                                                  | R-2                 | Single family    |          |                |
| South                                                 | R-2                 | Single family    |          |                |
| West                                                  | R-2                 | Single family    |          |                |

**NOTIFICATION:**

28 property owners of record within 300 feet of the subject property were notified directly by mail of the request. A public hearing notice was published in the Starkville Daily News on June 15, 2018 and a sign was posted on the property concurrent with publication of the

notice. As of this date, the Planning Office has received three phone calls against the request and two phone calls requesting information.

**REZONING REQUEST:**

The subject property rezoning request is from R-2 to R-5. Differences between zones are:

**Current Zoning District:**

***Sec. D. - R-2 residential zoning regulations.***

*These [R-2 residential] districts are intended to be composed of higher density single-family residential properties and, under special conditions, duplexes, along with appropriate neighborhood support facilities, with their character protected by requiring certain minimum yard and area standards to be met. [The following regulations apply to R-2 districts:]*

- 1. See chart for permitted uses.*
- 2. See chart for uses which may be permitted as a special exception.*
- 3. Required lot area and width, yards, building areas and height for residences:*
  - (a) Minimum lot area: 7,500 square feet.*
  - (b) Minimum lot width at the building line: 60 feet.*
  - (c) Minimum depth of front yard: 25 feet.*
  - (d) Minimum depth of rear yard: 35 feet.*
  - (e) Minimum width of each side yard: 7½ feet.*
  - (f) Maximum height of structure: 45 feet.*
- 4. Off-street parking requirements: See article VIII of this ordinance for requirements for other uses.*

**Proposed Zoning District:**

***Sec. G. - R-5 residential zoning regulations.***

*These [R-5 residential] districts are intended to be composed mainly of multifamily dwellings, although a wide range of dwelling types is also permitted. Mobile homes, mobile home parks, and mobile home subdivisions are also permitted under certain special conditions. Appropriate supporting facilities to accommodate higher density multifamily districts are permitted and the character of this residential district is protected by requiring certain yard and area standards to be met. [The following regulations apply to R-5 districts:]*

1. See chart for permitted uses.

2. See chart for uses which may be permitted as a special exception.

3. Required lot area and width, yards, building areas and height for residences:

a) Minimum lot area, per unit: 1,800 square feet.

b) Minimum lot width at building line:

Single-family and multifamily dwelling of less than eight units: 50 feet.

Townhouse dwelling: 16 feet.

Multifamily dwelling of eight units or more: 100 feet.

c) Minimum depth of front yard: 25 feet.

d) Minimum width of side yard: 5 feet.

e) Minimum depth of rear yard: 20 feet.

f) Maximum height of structure: 45 feet.

Mobile homes on individual lots shall comply with the provisions of article VII, section E. Mobile home parks and mobile home subdivisions shall comply with provisions of article VII, section H.

4. Off-street parking requirements: See article VII of this ordinance for requirements for other uses.

5. All building facades that are visible from public right-of-way or adjacent property zoned residential shall meet these requirements.

a) The following materials are allowed for use on a building façade: brick, wood, fiber cement siding, stucco, natural stone, and split faced concrete masonry units that are tinted and textured. Architectural metal panels may be used as long as the panels make up less than 40 percent of an individual façade.

b) The following materials are not allowed for use on a building facade: smooth faced concrete masonry units, vinyl siding, tilt-up concrete panels, non-architectural steel panels (R Panels), and EIFS (exterior insulation and finish systems). EIFS is permitted to be used for trim and architectural accents.

c) The primary facade colors shall be low reflectance, subtle, neutral or earth tones. The use of high intensity, metallic flake, or fluorescent colors is prohibited.

6. All parking lots adjacent to public right-of-way shall be paved either entirely or with a combination of the following: asphalt, concrete, porous pavement, concrete pavers, or brick pavers. Gravel can be used temporarily as a parking surface for a period of no longer than

*twelve months upon the approval of the community development director. All temporary gravel lots must provide ADA accessible parking and access ways in accordance with the ADA guidelines.*

*(Ord. No. 2007-5, § 1, 4-17-07; Ord. No. 2014-5, 9-16-14)*

**Permitted and Conditional Uses:**

The following uses are permitted by right in the R-5 zoning district:

1. Accessory dwelling unit
2. Assisted Living Facility
3. Dwelling, live/work
4. Dwelling, single family, detached
5. Dwelling, multi-family
6. Dwelling, 3-4 family
7. Personal Care/Group Home
8. Family Child Care
9. Parks & Recreation, Passive
10. Business Offices

The following uses are allowed by conditional use in the R-5 zoning district:

1. Bed & Breakfast Inn
2. Boarding/Rooming House
3. Dormitory
4. Dwelling, 2-family
5. Fraternity/Sorority House
6. Manufactured Homes
7. Mobile Homes
8. Community Services
9. Education Facilities
10. Government Facilities
11. Institutional and Health Care Facilities
12. Parks & Recreation, Active
13. Places of Worship
14. Public Spaces
15. Utilities
16. Conference/Convention Center
17. Eating & Drinking Establishments
18. General Retail & Services
19. Parking Lots & Garage
20. Personal Services

## STATE REZONING CRITERIA

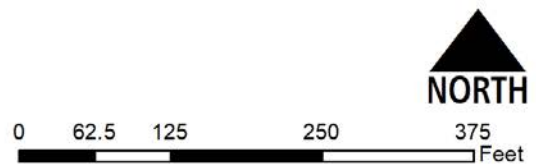
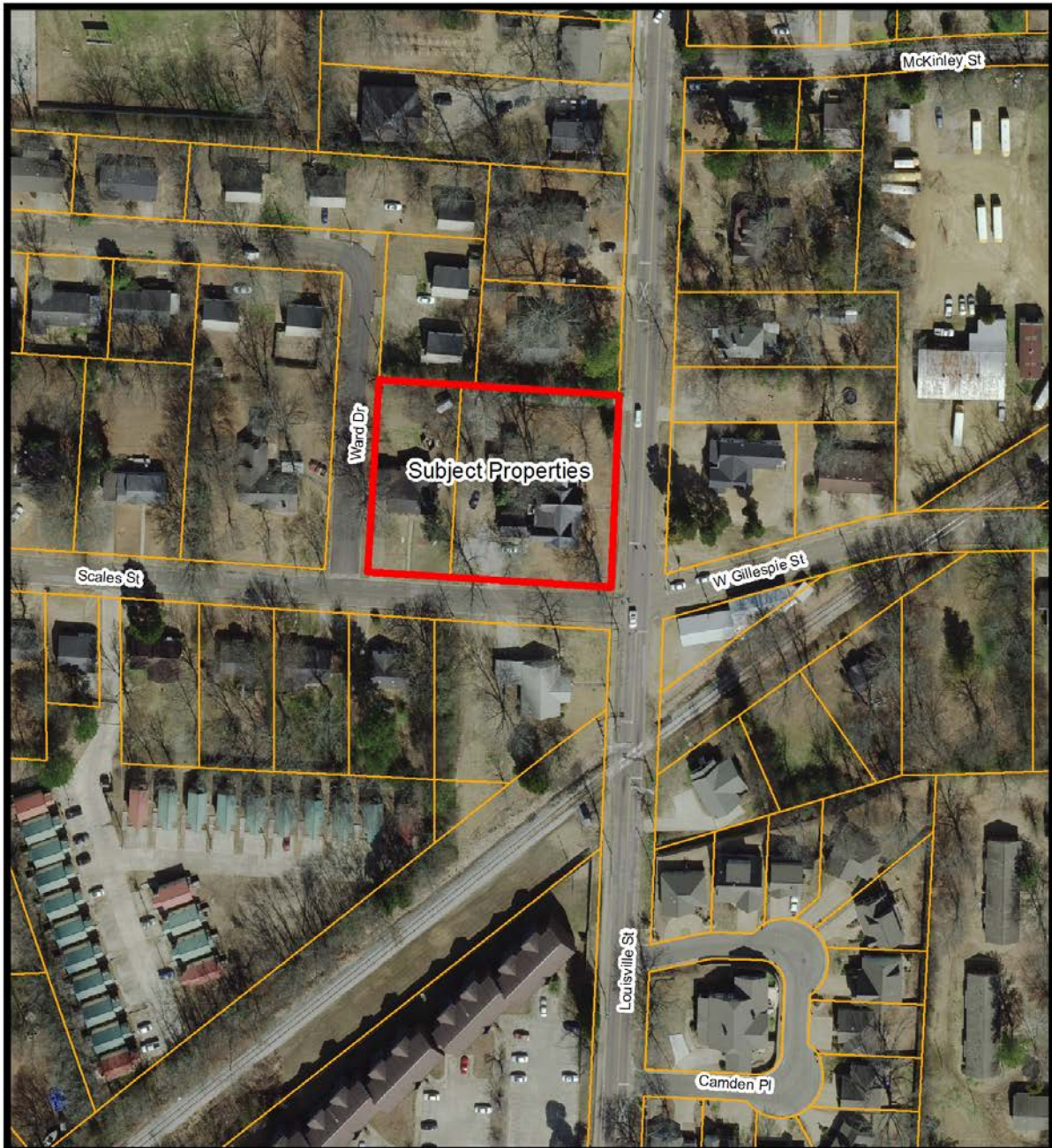
Per Title 17, Chapter 1, of the Mississippi Code of 1972, as amended, and Appendix A, Article IV, Section A, of the City of Starkville Code of Ordinances, the Official Zoning Map may be amended only when one or more of the following conditions prevail:

1. **Error:** There is a Manifest Error in the ordinance and a Public Need to correct the error:
  - No Error
2. **Change in conditions:** Changed or changing conditions in an existing area, or in the planning area generally, or the increased or increasing need for commercial or manufacturing sites or additional subdivision of open land into urban building sites make a change in the ordinance necessary and desirable, and in accord with the public need for orderly and harmonious growth.
  - There have been no rezonings within a ½ mile of the subject property since the adoption of the 2013 City of Starkville Zoning Map.

**Consistency with Comprehensive Plan:** The proposed rezoning would generally be not consistent with the goals, objectives and policies found in the City's Comprehensive Plan. The subject properties placetype is listed as Traditional Neighborhood- Existing.

**Land Use Compatibility:** The proposed rezoning would be not consistent and compatible the adjacent land uses in the vicinity. While the placetype of Traditional Neighborhood- Existing does allow for multi-family, the R-5 zoning would allow for a higher density of dwelling units from what is found immediately adjacent to the subject properties.

Attachment 1  
RZ 18-05 Aerial



Attachment 2  
RZ 18-05 Zoning

