

**MINUTES OF THE REGULAR MEETING OF
THE PLANNING AND ZONING COMMISSION
CITY OF STARKVILLE, MISSISSIPPI JULY 10, 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 July 10, 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, Alexis Gregory, Ward 5, Jeremiah Dumas, Ward 6, and Tommy Verdell Jr., Ward 7. Attending the meeting by phone was Jason Camp, Ward 1. Absent from the meeting was Tom Walker, Ward 3. Attending the Commissioners were City Planner Daniel Havelin, 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 Official Agenda of the Planning and Zoning Commission of July 10, 2018 as presented.

**OFFICIAL AGENDA
PLANNING & ZONING COMMISSION
CITY OF STARKVILLE, MISSISSIPPI
MEETING OF TUESDAY, JULY 10, 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 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. PLANNER'S REPORT

VIII. ADJOURN

After discussion and upon the motion of Commissioner McReynolds, duly seconded by Commissioner Gregory, the motion to approve the official agenda of the Planning and Zoning Commission for July 10, 2018 received unanimous approval.

**CONSIDERATION FOR APPROVAL OF THE MINUTES OF THE MEETING OF
June 12, 2018 and June 29, 2018**

After discussion, and upon the motion of Commissioner Verdell, duly seconded by Commissioner Gregory, the motion to table the consideration of minutes from the June 12 and June 29, 2018 meeting in order to give staff time to incorporate revisions to the minutes received unanimous approval.

CITIZEN COMMENTS

None.

NEW BUSINESS

A. CONSIDERATION OF 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.

City Planner Daniel Havelin introduced the request by Beth Bland to allow a nonconforming sign to be placed at 500 Russell Street Suite 31 in a T-5 zone. 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 via email against the request. On Monday one letter of support was delivered to City Hall.

The Commissioner opened up the public hearing.

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

Upon the motion of Commissioner Dumas, duly seconded by Commissioner Gregory, the motion to deny EX 18-02 was approved 5 to 0.

B. CONSIDERATION OF 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.

City Planner Daniel Havelin introduced the request by Beth Bland to allow a nonconforming sign to be placed at 500 Russell Street Suite 20 in a T-5 zone. 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 1 phone call and two letters via email against the request. On Monday one letter of support was delivered to City Hall.

The Commissioner opened up the public hearing.

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

Upon the motion of Commissioner Dumas, duly seconded by Commissioner Gregory, the motion to deny EX 18-03 was approved 5 to 0.

C. CONSIDERATION OF 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.

City Planner Daniel Havelin introduced the request by Ryan Ashford to allow a nonconforming sign to be placed at 223 Dr. Martin Luther King Drive West in a T-5 zone. 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 June 18, 2018 and a sign was posted on the property concurrent with publication of the notice. The packet incorrectly listed the publication date as July 18th.

As of this date, the Planning Office has received one phone call for information on this request.

The Commissioner opened up the public hearing.

Ryan Ashford came forward to speak in favor of the request.

Alderman Henry Vaughn 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 Verdell, the motion to approve EX 18-04 was approved 5 to 0.

D. CONSIDERATION OF 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.

Assistant City Planner Emily Corban introduced the request by Jason Pepper on behalf of Josey Betty Family Trust to rezone one parcel located at 300 Yellow Jacket Drive from R-1 to R-3A. The applicant is seeking to rezone based on change in condition with public need.

The property to the north is zoned B-1 and is currently storage units. The property to the east is zoned R-1 and is single family. The property to the south is zoned R-3A and is single family. The property to the west is zoned R-1 and is the baseball field for the Starkville High School.

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.

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

Error in the map: There is no Error

Or Change in conditions with public need:

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.

The Commissioner opened up the public hearing.

Julie Brown, representing the applicant, came forward to speak in favor of the request.

Robert Boyd, came forward to ask questions about the request.

Elnera Jefferson, came forward to ask questions about the request.

Beth Baker, came forward to ask questions about the request.

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

Upon the motion of Commissioner Gregory, duly seconded by Commissioner Dumas, the motion to approve RZ 18-04 was approved 5 to 0 based on change in conditions and public need.

E. CONSIDERATION OF 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.

Assistant City Planner Emily Corban introduced the request by Jason Pepper on behalf of Fowler Construction Company and Paige Shearer to rezone two parcels from R-2 to R-5 located at 314 Louisville Street and 300 Scales Street. The applicant is seeking to rezone based on change in condition with public need. All properties adjacent to the subject property are zoned R-2. 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. The day of the Planning and Zoning meeting, the Planning Department received two emailed letters against this request.

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

Error in the map: There is no Error

Or Change in conditions with public need:

There have been no rezonings within a ½ mile of the subject property since the adoption of the 2013 City of Starkville Zoning Map.

The Commissioner opened up the public hearing.

Julie Brown, representing the applicant, came forward to speak in favor of the request.

George Dunn, came forward to speak against the request.

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

Upon the motion of Commissioner Camp, duly seconded by Commissioner Gregory, the motion to deny RZ 18-05 was approved 4 to 1, with Commissioner McReynolds being the dissenting vote, based on a lack of change in condition or public need.

VIII. ADJOURN

ADJOURN

There came for consideration, the matter of the approval of the motion to adjourn until 12:00 p.m. on August 7, 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 August 7, 2018, in the Courtroom located at 110 West Main Street, Starkville MS, was unanimously approved.

Mike Brooks, Commission Chair

Daniel Havelin, City Planner