



**OFFICIAL AGENDA
PLANNING & ZONING COMMISSION
CITY OF STARKVILLE, MISSISSIPPI
MEETING OF TUESDAY, MAY 14, 2019
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 THE APPROVAL OF MINUTES
 - A. CONSIDERATION OF THE UNAPPROVED MINUTES OF APRIL 9, 2019
- VI. CITIZEN COMMENTS
- VII. NEW BUSINESS
 - A. CU 19-06 REQUEST FOR CONDITIONAL USE TO ALLOW FOR A MOBILE HOME TO BE PLACED AT 1560 LOUISVILLE STREET IN A R-5 ZONE WITH THE PARCEL NUMBER 105 -16-009.00.
 - B. AA 19-02 REQUEST BY HENRY PILKINTON FOR AN APPEAL TO AN ADMINISTRATIVE DETERMINATION ON THE LEGAL NONCONFORMING STATUS OF THE STRUCTURE AT 805 UNIVERSITY DR. IN A T-5 ZONING DISTRICT WITH THE PROPERTY #101C-00-005.00.
- VIII. ADJOURN

**UNAPPROVED MINUTES OF THE REGULAR MEETING OF
THE PLANNING AND ZONING COMMISSION
CITY OF STARKVILLE, MISSISSIPPI APRIL 09, 2019**

Be it remembered that the members of the Planning and Zoning Commission of the City of Starkville met at their regularly scheduled meeting on April 9, 2019 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, Jason Camp, Ward 1, Carl Smith Jr., Ward 2, Tom Walker, Ward 3, and Alexis Gregory, Ward 5. Absent from the meeting was Jeremiah Dumas, Ward 6 and Tommy Verdell Jr., Ward 7. Attending the Commissioners were City Planner Daniel Havelin, Assistant City Planner Emily Corban, and City Attorney Chris Latimer.

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

CONSIDERATION OF THE OFFICIAL AGENDA

Commissioner Brooks announced to the Commission that there was a request by the applicant for EX 19-01 to have his case moved to the first item under new business due to a family matter. There came for consideration the matter of the approval of the motion to approve the Official Agenda of the Planning and Zoning Commission of April 09, 2019 as amended.

**OFFICIAL AGENDA
PLANNING & ZONING COMMISSION
CITY OF STARKVILLE, MISSISSIPPI
MEETING OF TUESDAY, APRIL 09, 2019
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 OF THE APPROVAL OF MINUTES
 - A. CONSIDERATION OF THE UNAPPROVED MINUTES OF MARCH 12, 2019
- VI. CITIZEN COMMENTS
- VII. OLD BUSINESS
 - A. RZ 19-03- REQUEST BY CARPENTER COURT 2019, LP TO REZONE ONE PARCEL FROM C-1 BUSINESS AND R-5 RESIDENTIAL TO R-5 RESIDENTIAL LOCATED AT THE SOUTHEAST CORNER OF THE

INTERSECTION OF LOUISVILLE STREET AND SAND ROAD WITH THE
PARCEL NUMBER 105B-00-001.05

VIII. NEW BUSINESS

- A. EX 19-01 REQUEST FOR AN EXCEPTION FROM BAND SIGN REQUIREMENTS FOR PROPERTY LOCATED AT 114 EAST MAIN STREET IN A T-6 DISTRICT WITH THE PARCEL NUMBER 118P-00-311.00.
- B. CU 19-03 REQUEST FOR CONDITIONAL USE TO ALLOW FOR RESIDENTIAL DWELLING UNITS AS PART OF A PROPOSED MIXED USE DEVELOPMENT LOCATED APPROXIMATELY 1700' WEST OF THE INTERSECTION OF LYNN LANE AND SOUTH MONTGOMERY ON THE NORTHSIDE OF LYNN LANE IN A C-2 ZONING DISTRICT WITH THE PARCEL NUMBER 201I-00-013.00.
- C. CU 19-04 REQUEST FOR CONDITIONAL USE TO ALLOW FOR A BED AND BREAKFAST INN TO BE LOCATED WITHIN AN EXISTING HOME AT 607 OLD WEST POINT ROAD IN A R-E ZONE WITH THE PARCEL NUMBER 117L-00-001.00.
- D. CU 19-05 REQUEST FOR CONDITIONAL USE TO ALLOW FOR A MOBILE HOME TO BE LOCATED AT 1605 SAND ROAD IN A R-5 ZONE WITH THE PARCEL NUMBER 105 -16-023.01.
- E. EX 19-02 REQUEST FOR AN EXCEPTION TO ALLOW A NONCONFORMING MONUMENT SIGN TO BE PLACED AT 310 RUSSELL STREET IN A T-5 DISTRICT WITH THE PARCEL NUMBER 101D-00-211.00.
- F. RZ 19-03 REQUEST BY SAPIERIOR PATTON REZONE ONE PARCEL FROM R-1 SINGLE FAMILY TO R-6 MOBILE HOMES LOCATED +- 250 WEST OF THE INTERSECTION OF ROCKHILL ROAD AND BUTLER ROAD WITH THE PARCEL NUMBER 115 -22-001.00.

IX. PLANNER'S REPORT

X. ADJOURN

After discussion and upon the motion of Commissioner Smith, duly seconded by Commissioner Gregory, the motion to approve the official agenda as amended of the Planning and Zoning Commission for March 12, 2019 received unanimous approval.

CONSIDERATION FOR APPROVAL OF THE MINUTES OF THE MEETING OF MARCH 12, 2019

After discussion and upon the motion of Commissioner Gregory, duly seconded by Commissioner Camp, the motion to approve the Minutes as amended of March 12, 2019 Planning and Zoning Commission received unanimous approval.

CITIZEN COMMENTS

The Chair opened up the meeting for Citizen Comments. Calling for and receiving no other comments, the Commission moved to New Business.

OLD BUSINESS

A. CONSIDERATION OF RZ 19-02- REQUEST BY CARPENTER COURT 2019, LP TO REZONE ONE PARCEL FROM C-1 BUSINESS AND R-5 RESIDENTIAL TO R-5 RESIDENTIAL LOCATED AT THE SOUTHEAST CORNER OF THE INTERSECTION OF LOUISVILLE STREET AND SAND ROAD WITH THE PARCEL NUMBER 105B-00-001.05

Assistant City Planner Emily Corban introduced the request by Carpenter Court 2019, LP to rezone one split zoned parcel located at the southeast corner of the intersection of Louisville Street and Sand Road with the parcel number 105B-00-001.05. The applicant is seeking to rezone from C-1 Business and R-5 Residential to R-5 Residential based on a manifest error in the ordinance and a public need to correct the error.

11 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 February 13, 2019 and a sign was posted on the property concurrent with publication of the notice. As of this date, the Planning Office has received no phone calls inquiring about the request.

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

Within 1 mile of the subject property along Louisville Street and Sand Road, there have been two rezonings since the adoption of the 2013 Zoning Map.

- In March of 2018, 288 Sand Road was rezoned from R-5 to R-6.
- In June of 2018, the property on the west side of Louisville Street south of Academy Road was rezoned from R-4 to C-1.

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 2016 Comprehensive Plan lists the subject property's place type as suburban center. Multi-family is listed as a possible use in the suburban center placetype.

Land Use Compatibility: The proposed rezoning would be consistent and compatible the adjacent land uses in the vicinity. The subject property is bordered to the east and south by a multi-family development.

The Chairman opened up the public hearing.

- The applicant, Britton Jones, came forward to speak in favor of the request.

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

After discussion and upon the motion of Commissioner Walker, duly seconded by Commissioner Smith, the motion to approve RZ 19-02 due to change and condition and public need was approved unanimously.

NEW BUSINESS

A. EX 19-01 REQUEST FOR AN EXCEPTION FROM BAND SIGN REQUIREMENTS FOR PROPERTY LOCATED AT 114 EAST MAIN STREET IN A T-6 DISTRICT WITH THE PARCEL NUMBER 118P-00-311.00.

This is a request by MSU's Center for Entrepreneurship and Outreach for an exception from band sign requirements for 114 East Main Street in a T-6 zoning district. The applicant is seeking an exception to allow for larger type band sign than allowed in a T-6 zoning district.

52 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 13, 2019 and a sign was posted on the property concurrent with

publication of the notice. As of this date, the Planning Office has received no phone calls about the request.

No Exception shall be approved unless the Planning and Zoning Commission finds the approval would: Be consistent with

- i. § 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.

The comprehensive plan does not address signage specifically in the placetype designation of this property. The placetype is Urban Core. This sign type has not been allowed since the rezoning of the property to T-6 District in 2012.

The Chairman opened up the public hearing.

The applicant, Jeffery Rupp, came forward to speak in favor of the request.

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

After discussion and upon the motion of Commissioner Camp, duly seconded by Commissioner Walker, the motion to approve EX 19-01 was approved unanimously.

B. CU 19-03 REQUEST FOR CONDITIONAL USE TO ALLOW FOR RESIDENTIAL DWELLING UNITS AS PART OF A PROPOSED MIXED-USE DEVELOPMENT LOCATED APPROXIMATELY 1700' WEST OF THE INTERSECTION OF LYNN LANE AND SOUTH MONTGOMERY ON THE NORTHSIDE OF LYNN LANE IN A C-2 ZONING DISTRICT WITH THE PARCEL NUMBER 2011-00-013.00.

This is a Conditional Use Request by 4/J ILP to allow for the use of “dwelling, multi-family” in a proposed mixed-use development located approximately 1700' west of the intersection of Lynn Lane and South Montgomery on the northside of Lynn Lane in a C-2 zone. The applicant is proposing to place a mixed-use building on the property. The building is proposed to have commercial units downstairs and 4 residential units upstairs. In a future phase, another residential building may be placed on the property and/or a third story may be added for an additional 4 residential units for a total of 8 residential units.

The property is zoned C-2 and in order to construct a “dwelling, multi-family”, a conditional use is required per the City of Starkville's Permitted and Conditional Use Chart.

11 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

March 8, 2019 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 requesting information.

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 "dwelling, multi-family" could be considered a compatible use with adjacent properties. The property is currently zoned C-2 General Commercial. The 2016 Comprehensive plan has the areas placetype listed as Suburban Corridor. Multi-family housing is a listed land use for Suburban Corridor.
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 applicant is responsible for obtaining all the property permitting required by City and State

One requested condition:

1. The applicant shall have six months from time of Conditional Use approval to obtain site plan approval by the City's Development Review Committee.

The Chairman 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.

After discussion and upon the motion of Commissioner Camp, duly seconded by Commissioner Smith, the motion to approve CU 19-03 was approved unanimously with one recommended condition:

1. The applicant shall have six months from time of Conditional Use approval to obtain site plan approval by the City's Development Review Committee.

**C. CU 19-04 REQUEST FOR CONDITIONAL USE TO ALLOW FOR A
BED AND BREAKFAST INN TO BE LOCATED WITHIN AN
EXISTING HOME AT 607 OLD WEST POINT ROAD IN A R-E
ZONE WITH THE PARCEL NUMBER 117L-00-001.00.**

This is a Conditional Use request by Lee and Jennifer Carson to allow for a bed and breakfast inn to be located within an existing home at 607 Old West Point Road in a R-E zone. The applicant is proposing to operate a bed and breakfast at the property. The property is zoned R-E and in order to construct a "Bed and Breakfast Inn", a conditional use is required per the City of Starkville's Permitted and Conditional Use Chart.

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 March 9, 2019 and a sign was posted on the property concurrent with publication of the notice. As of this date, the Planning Office has received two phone calls requesting information.

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 Bed and Breakfast Inn could be considered a compatible use with adjacent properties. The property is currently zoned R-E. The 2016 Comprehensive plan has the area's placetype listed as suburban single family.
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 applicant is responsible for obtaining all the property permitting required by City and State

One requested condition:

1. The applicant shall have six months from time of Conditional Use approval to obtain site plan approval by the City's Development Review Committee.
- The Chairman opened up the public hearing.

The Chairman opened up the public hearing.

- The applicants, Lee and Jennifer Carson, came forward to speak in favor of the request.
- Bert Montgomery came forward to express his concerns regarding for the request.

- David Cross came forward to express his concerns regarding the request.
- Chris Vickers came forward to express his concerns regarding the request.
- Frances McDavid came forward to express her concerns regarding the request.

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

After discussion and upon the motion of Commissioner Camp duly seconded by Commissioner Gregory, the motion to approve CU 19-04 was approved unanimously.

**D. CU 19-05 REQUEST FOR CONDITIONAL USE TO ALLOW FOR A
MOBILE HOME TO BE LOCATED AT 1605 SAND ROAD IN A R-
5 ZONE WITH THE PARCEL NUMBER 105 -16-023.01**

This is a Conditional Use request by Diane Jordan to allow for a mobile home to be located at 1605 Sand Road in a R-5 zone. The applicant is proposing to place a mobile home on the subject property. The property is zoned R-5 and in order to place a “mobile home”, a Conditional Use is required per the City of Starkville’s Permitted and Conditional Use Chart.

5 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 March 21, 2019 and a sign was posted on the property concurrent with publication of the notice. As of this date, the Planning Office has received no phone calls about the request.

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. The 2016 Comprehensive plan has the areas placetype listed as traditional neighborhood new.
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 applicant is responsible for obtaining all the property permitting required by City and State.

The Chairman opened up the public hearing.

- The applicant, Diane Jordan, came forward to speak in favor the request.

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

After discussion and upon the motion of Commissioner Camp, duly seconded by Commissioner Gregory, the motion to approve CU 19-05 was approved unanimously.

**E. EX 19-02 REQUEST FOR AN EXCEPTION TO ALLOW A
NONCONFORMING MONUMENT SIGN TO BE PLACED AT 310
RUSSELL STREET IN A T-5 DISTRICT WITH THE PARCEL
NUMBER 101D-00-211.00.**

This is a request by Richard Myers and Mitch Stripling for an exception to allow a nonconforming monument sign to be placed at 310 Russell Street in a T-5 District. The applicant is proposing to place an internally lit monument type sign with digital letters. T-5 districts do not allow for site signage, internally lit signage, or digital message boards. An exception from the type, the lighting, and use of a message board is required for approval. Table 8 shows the available sign types for a T-5 district. 11 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 19, 2019 and a sign was posted on the property concurrent with publication of the notice. As of this date, the Planning Office has received no phone calls about the request.

No Exception shall be approved unless the Planning and Zoning Commission finds the approval would: Be consistent with

- iii. § 1.2 Intent and 1.3 Transect Districts of this Section,
- iv. and be consistent with the goals, objectives and policies of the City of Starkville's Comprehensive Plan.

The comprehensive plan does not address signage specifically in the placetype designation of this property. The placetype is Urban Core. This sign type has not been allowed since the rezoning of the property to T-5 District in 2012.

The Chairman opened up the public hearing.

The applicant Mitch Stripling came forward to speak in favor of the request.
Kirk Christie came forward to speak in favor of the request.

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

After discussion and upon the motion of Commissioner Gregory, duly seconded by Commissioner Walker, the motion to approve EX 19-02 was approved unanimously.

F. RZ 19-03 REQUEST BY SAPERIOR PATTON REZONE ONE PARCEL FROM R-1 SINGLE FAMILY TO R-6 MOBILE HOMES LOCATED +/- 250 WEST OF THE INTERSECTION OF ROCKHILL ROAD AND BUTLER ROAD WITH THE PARCEL NUMBER 115 - 22-001.00.

This is a request by Superior Patton one parcel from R-1 single family to R-6 mobile homes located +/- 250 west of the intersection of Rockhill Road and Butler Road. The applicant is seeking to rezone from R-1 to R-6 based on change in condition with public need.

10 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 March 18, 2019 and a sign was posted on the property concurrent with publication of the notice. As of this date, one letter against the request was hand delivered to the Planning Department on April 4, 2019 with the signatures of three property owners in the area.

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:

Error: There is no apparent error.

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.

Since 2012 there has been one rezoning along Rockhill Road north of the Highway 82 (+/- 0.7 miles).

- August 2012 1646 Rockhill Road was rezoned R-1 to R-M based on error

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 2016 Comprehensive Plan has the area listed as an Optional District. The Optional District list out four uses for the place type: Commercial Option, Industrial Option, Traditional Neighborhood Development Option, and Conservation Subdivision Development Option. The zoning classification of R-6 does not have any permitted uses other than single family detached dwelling that fit into any of the use types for Optional District..

Land Use Compatibility: The proposed rezoning could be considered consistent and compatible the adjacent land uses in the vicinity. There are three mobile homes located directly to the south of the property and one single family home to the east.

The Chairman opened up the public hearing.

- The applicant Saperior Patton came forward to speak in favor of the request.
- May Bell came forward to speak against the request.

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

After discussion and upon the motion of Commissioner Camp, duly seconded by Commissioner Gregory, the motion to approve RZ 19-05 based on change in condition and public need was approved unanimously with one condition.

1. Only one mobile home will be allowed on the property.

PLANNERS REPORT

City planner Daniel Havelin introduced the new community development director Dr. Simon Kim to the planning commission.

ADJOURN

There came for consideration, the matter of the approval of the motion to adjourn until 5:30 p.m. on May 14, 2019, in the Courtroom of City Hall located at 110 West Main Street, Starkville MS.

After discussion, and upon the motion of Commissioner Camp, duly seconded by Commissioner Gregory, the motion to adjourn until 5:30 p.m. on May 14, 2019 in in the Courtroom located at 110 West Main Street, Starkville MS, was unanimously approved.

Mike Brooks, Commission Chair

Daniel Havelin, 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: CU 19-06 Request for Conditional Use to allow for a mobile home to be placed at 1560
Louisville Street in a R-5 zone with the parcel number 105 -16-009.00.
Date: May 14, 2019

The purpose of this report is to provide information regarding Conditional Use Request by Christina Johnson to allow for a mobile home to be placed at 1560 Louisville Street in a R-5 zone with the parcel number 105-16-009.00. Please see attachments 1- 2.

BACKGROUND INFORMATION

The applicant is seeking a Conditional Use to place a mobile home on the subject property. The property is zoned R-5 and in order to place a “mobile home” on the property, a Conditional Use is required per the City of Starkville’s Permitted and Conditional Use Chart. The property is part of 16th section land that is owned by the Starkville Oktibbeha School District.

Scale and intensity of use.

The placement of the home has not yet been determined. The property is +/- 2.18 acres.

On- or off-site improvement needs.

There are no off-site improvements being proposed.

On-site amenities proposed to enhance the site.

There are no amenities being proposed

Site issues.

There is an existing abandoned house that current sits on the property.

The table below provides the zoning and land uses adjacent to the subject property:

Direction	Zoning	Current Use
North	R-5	vacant
East	R-5	vacant
South	R-5	vacant
West	C-2	Residence, mobile home

ALLOWED USES UNDER THE PERMITTED AND CONDITIONAL USE CHART

R-5 RESIDENTIAL ZONING DISTRICT

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

NOTIFICATION

2 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 March 27, 2019 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 regarding the request.

ANALYSIS

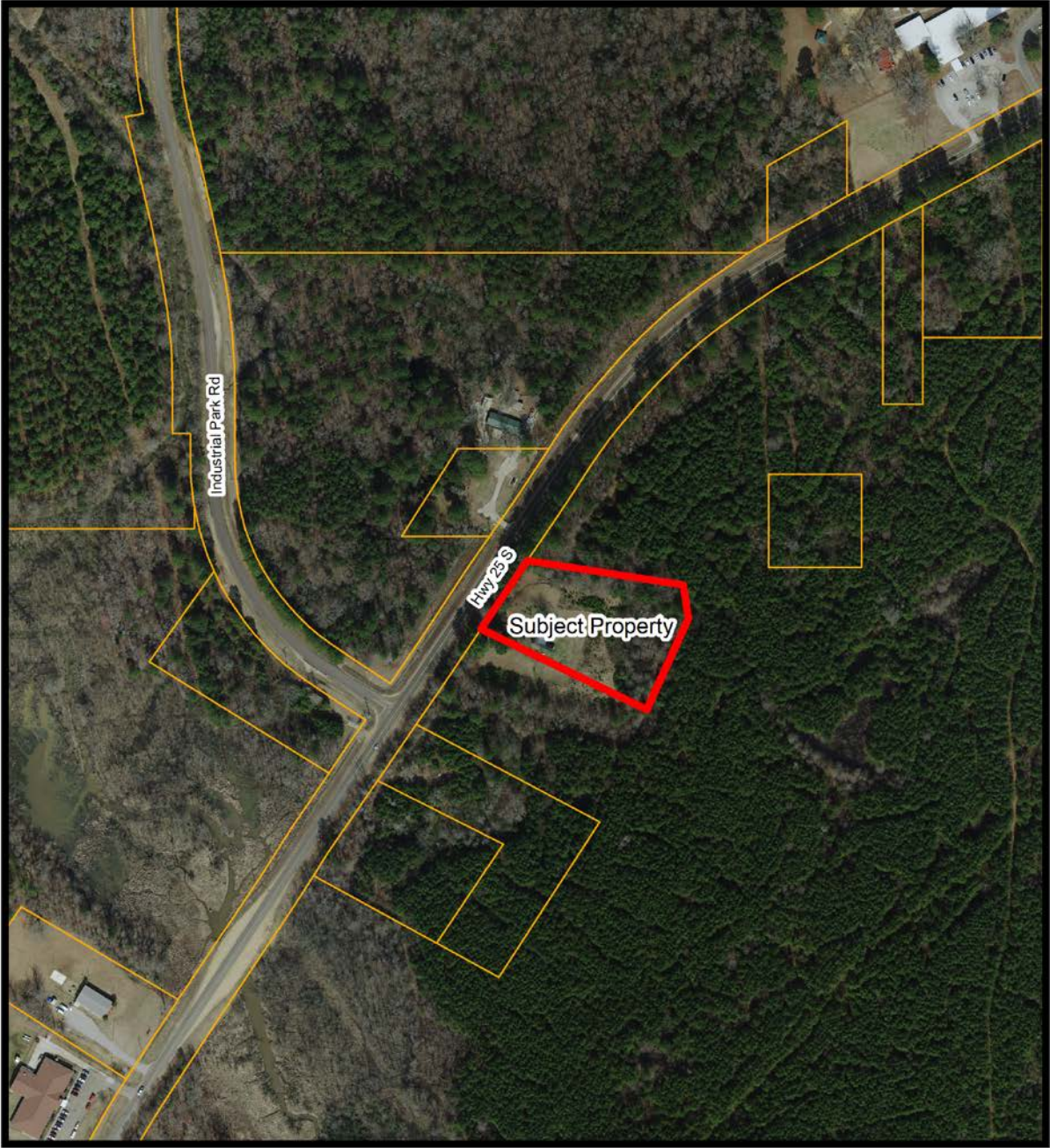
Appendix A, Article VI, Section I of the City's Code of Ordinances provides five specific criteria for conditional use review and approval:

- 1. Land use compatibility.** The proposed use as a "mobile home" could be considered a compatible use with adjacent properties. There is an existing mobile home across the street to the west. The 2016 Comprehensive plan has the areas placetype listed as rural corridor. Residential is listed as a land use for the placetype of rural corridor.
- 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 applicant is responsible for obtaining permits as required by the City and State prior to occupying the dwelling.

Requested Conditions:

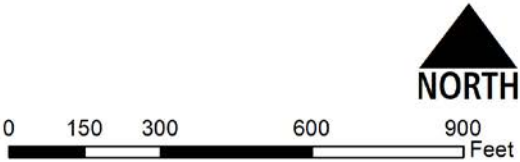
1. The applicant shall have six months from time of Conditional Use approval to begin the permitting process with the City.
2. The mobile home shall be placed at least 50' away from the existing structure on the site and within the required setbacks for an R-5 zoning district.

Attachment 1
CU 19-06 Aerial

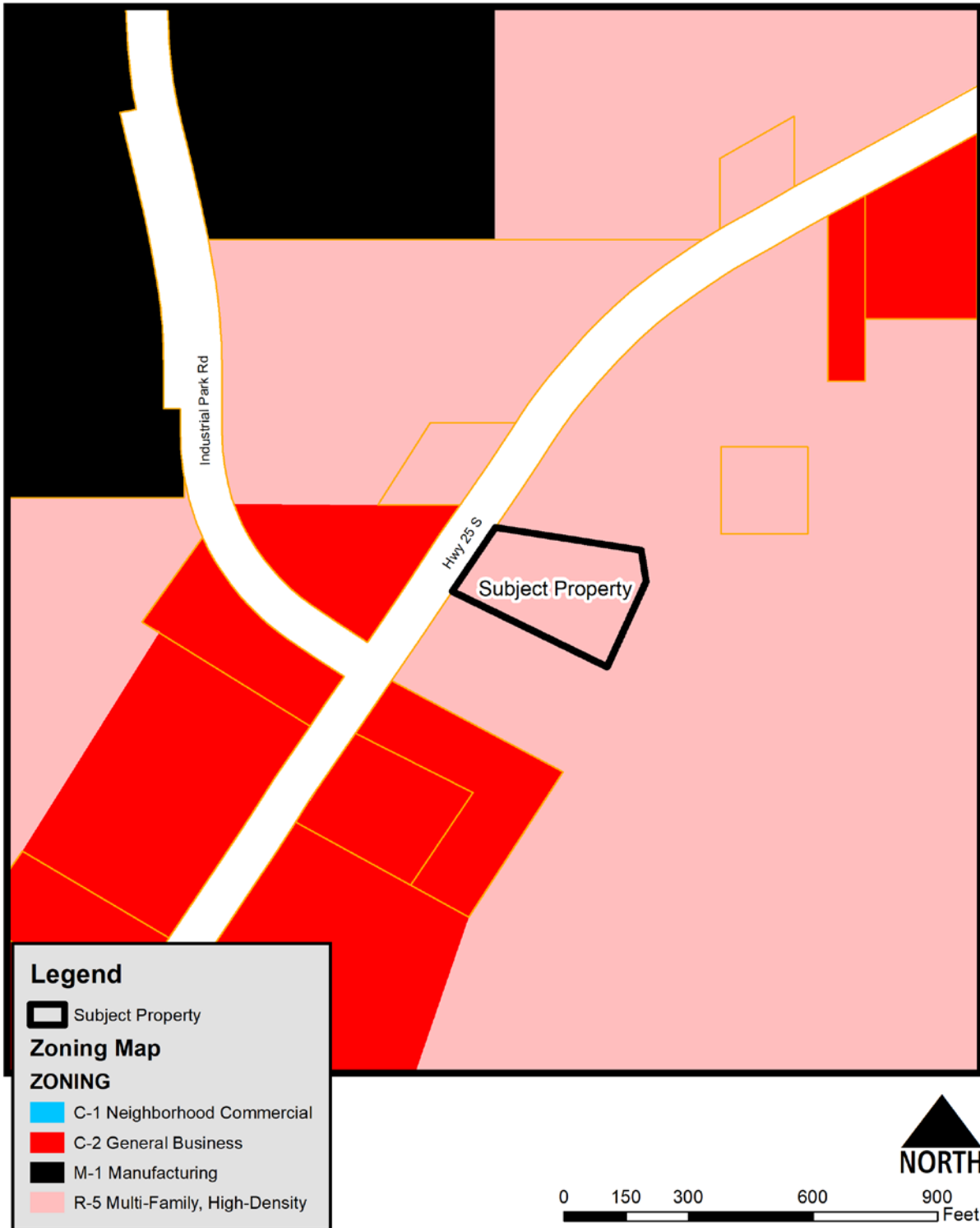


Legend

 Subject Property



Attachment 2
CU 19-06 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: Emily Corban, Assistant City Planner (662-323-2525 ext. 3138)
Subject: AA 19-02 Request by Henry Pilkinton for an appeal to an administrative determination on the legal nonconforming status of the structure at 805 University Dr. in a T-5 zoning district with the property #101C-00-005.00.
Date: May 14, 2019

BACKGROUND INFORMATION:

The applicant, Mr. Pilkinton, is appealing an administrative determination of the Community Development Director regarding the legal nonconforming status of the structure at 805 University Dr. in a T-5 zoning district with the property #101C-00-005.00. Please see attachments 1- 6.

The applicant initially spent \$9,823.95 modifying the shed structure, with \$7,859.16 being spent on the exterior of the building without proper building permits.

2 (two) issues occurred as a result of these initial modifications to the structure:

The first issue was the question of determining the use of the building. If it was defined as residential, it would be required to meet the minimum floor size to meet the current residential building standards. Residential building standards require more square footage for the use and the structure could not be expanded because it was non-conforming to the current zoning requirements. The Building Official originally determined that the structure was residential in use.

April 16, 2019, the Board of Aldermen approved an administrative appeal to modify the decision of the building official, determining the structure at 805 University Drive to be nonresidential with the following recommended conditions that were agreed to by the applicant:

1. The shower and associated plumbing shall be removed.
2. No overnight lodging shall be allowed in the structure.
3. No rentals shall be allowed for the structure.
4. If the property sells, the structure shall be removed from the premises

The action of the Board of Aldermen effectively resolved the first issue.

The second issue was that staff had to determine whether or not the modification to the building violated the substantial modification standards for a non-conforming structure in a form-based district. If alteration to the building, excluding the interior, was made at more than 50% of the market value of the entire building, it would have violated the threshold.

The applicant was asked to present the market value of the structure in order to determine whether or not substantial modification had occurred. When the applicant provided the fair

market value of the 144 square-foot shed structure being 15% (or \$60,000) of the entire property value (\$400,000), The Community Development Director determined that the provided fair market value does not represent the market value of the structure itself, and concluded that the structure had been substantially modified and thus can no longer be declared a lawful nonconforming use. The Applicant is appealing this determination to the Planning and Zoning Commission. Please see attachment 4 for a more detailed explanation of the administrative determination made by the Community Development Director.

It is expected that the applicant will provide additional information including a professional market valuation of the structure to the Planning and Zoning Commission.

Below are relevant sections of the ordinance that outline the appeal process for administrative reviews in the transect districts. In addition, sections relevant to the term substantial modification have been cited.

ADMINISTRATIVE REVIEW APPEAL REQUIREMENTS:

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

§ 1 - INTENT AND PROCESS.

1.4 ADMINISTRATIVE REVIEW

- (a) This Section specifically provides for the administrative approval or denial of site and/or building plans.*
- (b) Administrative reviews of site and/or building plans shall be reviewed within 30 calendar days of receipt of a complete application submittal package to the Planning Office.*
- (c) Any decision regarding an approval or denial of a site and/or building plan shall state, in writing, the reasons for the approval or denial, within 30 calendar days of receipt of the complete application submittal package to the Planning Office.*
- (d) If the Planning Office denies any site and/or building plan, the applicant may appeal the decision to the Planning and Zoning Commission so long as the appeal is submitted within 30 days of the denial. The Planning and Zoning Commission shall review the application de novo.*
 - i. The appeal must be filed with the Planning Office for submittal to the Planning and Zoning Commission.*
 - ii. The following procedures shall apply to all appeals:*
 - a. The appeal shall state specific relief sought and reasons for such relief.*
 - b. It shall be the applicant's responsibility to provide sufficient justification for approval of the appeal.*
 - c. The City Planner shall prepare a report evaluating the applicant's appeal for the Planning and Zoning Commission within 30 days of the filing of the appeal. If the Planning and Zoning Commission fails to act upon the appeal within 90 days of the filing of the appeal, the appeal will be deemed denied and subject to further appeal as set out in subsection (g).*

- d. *In reviewing the appeal, the Planning and Zoning Commission shall consider all technical evaluation and relevant factors presented by the applicant and City staff.*
- e. *The Planning and Zoning Commission may attach such conditions to the granting of the appeal as it deems necessary to further the purpose of this Form Based Code.*
- f. *If the appeal is approved, it shall be granted upon findings by the Planning and Zoning Commission that the following standards have been met:*
 - i. *That failure to approve the appeal could result in exceptional hardship to the applicant; and*
 - ii. *That approving the appeal will not result in any threats to public safety, extraordinary public expense, create nuisances, cause fraud or victimization of the public; and*
 - iii. *That the necessity for the appeal is not the result of conditions which have been self-imposed by the applicant; and*
 - iv. *That the approval of the appeal is the minimum necessary for the applicant to continue with the project.*
- g. *If the appeal is not approved, the decision of the Planning and Zoning Commission may be appealed to the Mayor and Board of Aldermen. The appeal shall be filed in writing by the applicant within 10 working days of the denial by the Planning and Zoning Commission and shall be filed with the Planning Office. The appeal shall be heard at the next regularly scheduled meeting of the Mayor and Board of Aldermen following receipt of the notice of appeal.*

§ 2 - GENERAL TO ALL TRANSECT DISTRICTS

Lots located within the T1, T2, T3, T4, T5 and T6 Transect Districts shall be subject to the requirements of this sub-section.

2.1 PERMITS

(a) Building or construction permits shall not be issued for development or redevelopment on private Lots prior to the submittal and approval of a site or building plan drawn to scale showing the following, in compliance with the standards of this Section and subject to the regulations of APPENDIX A - ZONING, ARTICLE III - ENFORCEMENT of the Starkville Municipal Code:

- i. *Site Plan Area*
- ii. *Lots*
 - a. *Lot Lines*
 - b. *Lot Width*
- ii. *Lot Occupation*
 - a. *Setbacks*
 - b. *Building Placement*
 - c. *Facade Alignment*
 - d. *Facade Buildout*

- e. Lot Coverage
- iii. Building Form
 - a. Building Height
 - b. Setback Encroachments
 - c. Fenestration
- iv. Use and Intensity
- v. Parking
- vi. Landscape
- vii. Signage

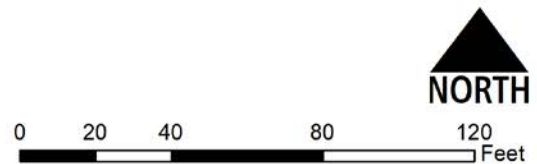
(b) Site and building plans submitted under this Section shall be prepared by the land owner or a representative of the land owner, and shall be approved administratively by the Building/Codes Official.

(c) Existing buildings that do not conform to the provisions of this Section may be continued in such Use until a Substantial Modification is requested, at which time the provisions of this Section shall apply.

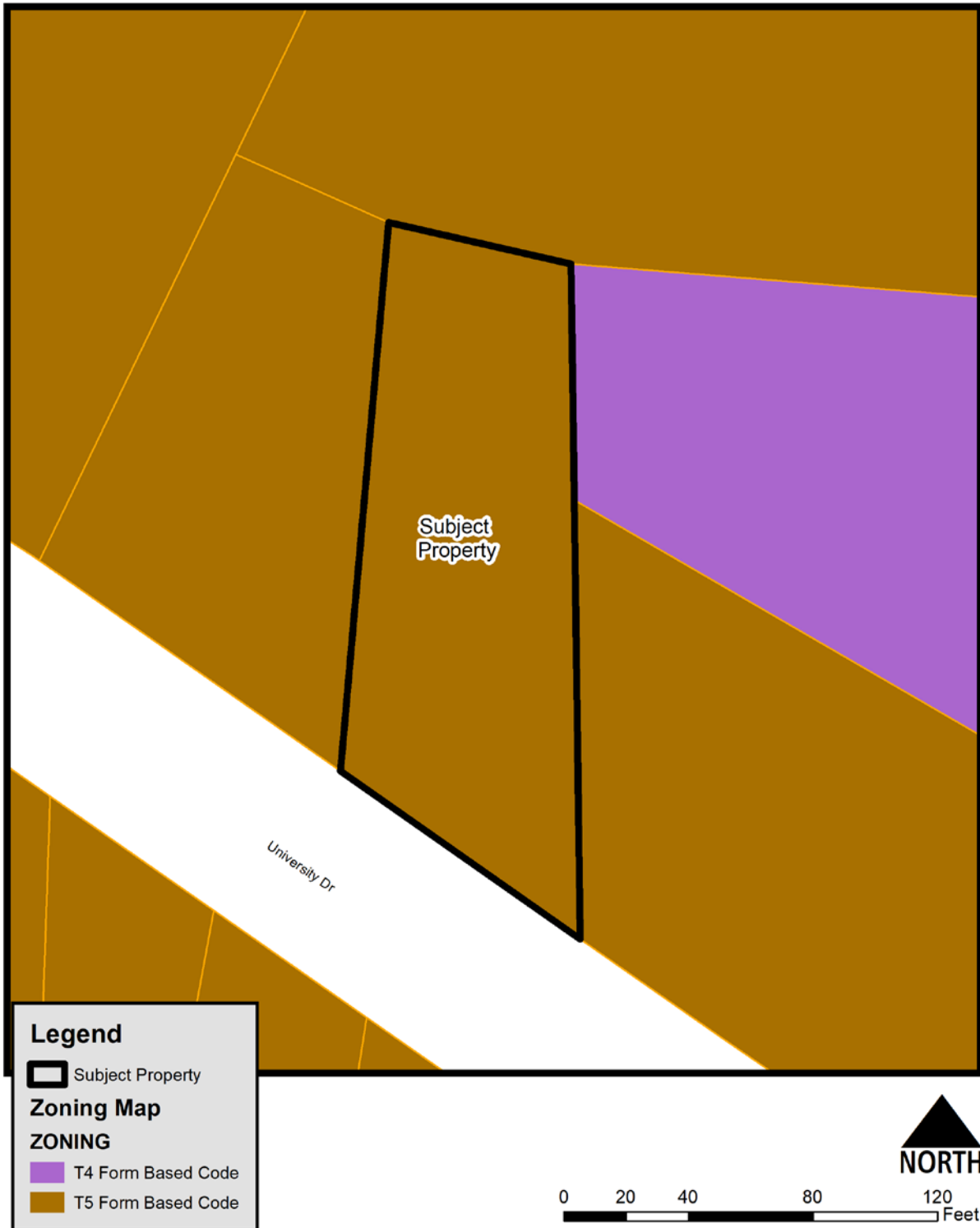
§ 7. - DEFINITIONS.

Substantial Modification: alteration to a building, excluding the interior, that is valued at more than 50% of the market value of the entire building.

Attachment 1
AA 19-01 Aerial



Attachment 2
AA 19-01 Zoning



Attachment 3- Applicant Appraisal Submittal

5/7/2019

City Of Starkville Mail - 805 University Drive - H. Pilkinton



Emily Corban <e.corban@cityofstarkville.org>

805 University Drive - H. Pilkinton

7 messages

Henry Pilkinton IV <henrypilk@betterbrands.net>
To: Emily Corban <e.corban@cityofstarkville.org>

Tue, Apr 16, 2019 at 11:05 AM

Emily,

Attached is a January 2016 appraisal I had done on the property. As you can see the appraisal was completed by Mike Brooks.

Page 7 contains the value of the property at that time at \$ 400,000.00.

While I consider the property to have increased in value since then (due to the comparable sales next to me).

I am prepared to use this value for the Planning determination.

After speaking with several people about this manner, I believe that a "Fair Market Value" of the building, on the property, of 15% is a conservative estimate.

This would assign a value of \$ 60,000.00 dollars for the building (400,000.00 X .15 = \$ 60,000.00).

I have a total remodeling cost of \$ 9,823.95, after speaking with my contractor, we determined 80% of materials and labor were for the exterior of the building.

Bringing the exterior expenses (including installation labor) to \$7,859.16 (\$ 9,823.95 x .80 = \$ 7859.16).

Should I be allowed to continue, I will need to paint the exterior and place two outside light fixtures.

I liberally estimate this at \$650.00 (including labor). I already have a quote for the painting at \$ 550.00.

This would bring the total exterior cost of this project to \$ 8509.16

-

-

Henry Pilkinton

-

Attachment 4- Community Development determination of nonconforming use

Sungman "Simon" Kim
Community Development
Director



Phone: 662-323-2525 x 3119
Fax: 662-323-4143
s.kim@cityofstarkville.org

April 18, 2019

Mr. Henry Pilkinton
1055 Greenbriar Dr.
Columbus, MS 39705

RE: Determination of Legal Nonconformity

Dear Mr. Pilkinton,

This letter notifies you that the City of Starkville Community Development Department has determined that the structure on 805 University Drive has been modified substantially and, thus, no longer can be declared a lawful nonconforming use.

When an application is made to determine if the property still is a lawful non-conforming structure, Staff needs to rely on a professional valuation of the subject structure, separate and distinct from the tract as a whole.

The valuation should give staff a firm ground to compare with the Starkville Code of Ordinance (Chapter 7 definition of Section T Transect Districts). The current code section states that "alteration to a building, excluding the interior, that is valued at more than 50% of the market value of the entire building" would constitute a "Substantial Modification" to a non-conforming structure.

The cost you spent to upgrade the structure was \$9,823.95 or \$7,859.16 for exterior only. So, staff requested you provide the market value of the structure on 805 University Drive to compare with the cost you spent.

On Tuesday, April 16, 2019, you emailed us a 2016 appraisal of the entire property, which was prepared by Mr. Mike Brooks. The appraisal evaluated the market price of the entire property to be \$400,000.

Then, in the body of the email, you stated that "After speaking with several people about this manner, I believe that a Fair Market Value of the building, on the property, of 15% is a conservative estimate." Thus, the value of the structure stated by you was \$60,000.

In staff's opinion, without further evidence, such a price does not represent the 144 square feet structure. Staff looked up the price of a storage building, which ranged only from \$400 to \$5,000 for the size.

Without a professional valuation of the building itself, staff has insufficient grounds to compare your valuation to the requirements of the Starkville Code of Ordinances.

You have the right to appeal this decision to the Planning & Zoning Commission at 5:30PM on May 14th, 2019. To do so, please contact Starkville's planning staff for the requirements necessary to be placed on the Planning and Zoning Commission Agenda. In the meantime, please do not hesitate to contact me if you have questions or would like to discuss the matter further.

Thank you.

Sincerely,



Sungman "Simon" Kim
Community Development Director

Attachment 5- Appeal Request

April 24, 2019

Simon Kim
Community Development
Director /Starkville, MS

Mr. Kim,

I wish to formally appeal the decision you made and the letter you sent me on April 18, 2019 to the Planning and Zoning Commission concerning the property located at 805 University Drive. I would like to be on the agenda for the next Planning and Zoning Commission meeting May 14, 2019.

Thank you,

Henry Pilkinton

W.M. Brooks & Associates

Form NIV5 - "TOTAL" appraisal software by a la mode, inc. - 1-800-ALAMODE

BANKFIRST

A Better Way to Bank

January 15, 2016

Michael Brooks
P.O. Box 806
Starkville MS 39760

Dear Mike:

Please find enclosed our request for Appraisal/Evaluation services in the form of an engagement letter. Please sign this letter and return it to BankFirst Financial Services within seven (7) days from receipt.

INTRODUCTION: This letter is for professional Appraisal/Evaluation services and represents your authorization to prepare an independent Appraisal/Evaluation Report for Henry Pilkington, IV. BankFirst is the client for this report. In addition, you shall perform this report as an independent contractor and not as an employee/partner, principal, nor agent of this Bank. This report is to be conducted on the subject property located at 805 University Drive, Starkville Ms 39759(See attached Legal Description).

FEE: The Fee for Appraisal/Evaluation services rendered shall be \$. The date of completion shall be no later than 1/22/2016.

PPIN OR PARCEL NUMBER: Appraisal to include PPIN or Parcel Number.

ELECTRONIC COPY: Please provide a PDF Electronic formatted copy of the Appraisal/Evaluation to the client, BankFirst Financial Services.

REQUIRED CONTENTS: THE APPRAISAL/EVALUATION REPORT SHALL BE PREPARED WITH THE FOLLOWING MINIMUM GUIDELINES:

WRITTEN - This Appraisal/Evaluation Report is to be in writing and in narrative format or on a form approved by this institution and the appropriate Federal Banking Regulatory Agency. Regardless of the format chosen, the report shall conform to the minimum reporting requirements of the appropriate Federal Financial Institution's Regulatory Agencies.

CONFORMITY WITH THE UNIFORM STANDARDS OF PROFESSIONAL APPRAISAL PRACTICE (USPAP) - This Appraisal/Evaluation Report is to conform to USPAP.

Engagement Letter - Page 2

DISCLOSURE OF COMPETENCY - This Appraisal/Evaluation Report shall make an affirmative statement that the appraiser is competent to complete this report in accordance with the competency provision in USPAP. In the absence of an affirmative statement, the appraiser must disclose any lack of knowledge and/or experience for this assignment and any necessary steps taken to comply with the competency provision in the USPAP.

DEFINED VALUE - The type of value estimate desired in this report is market value. If the value to be estimated is market value, the appraiser shall use the definition of market value as it appears in the definitions section of the USPAP. Definitions of other types of values must be approved by an officer of this institution prior to acceptance of the Appraisal/Evaluation Report. No alternative definitions are acceptable to this institution.

MARKETING TIME - Appraiser to disclose opinion of marketing time.

APPRAISER INDEPENDENCE - Include in the certification required by the USPAP an additional statement that the appraiser has acted in an independent capacity and that the appraisal/evaluation assignment is not based on a requested minimum valuation, a specific valuation, or the approval of a loan.

APPRAISER INTEREST - The Appraiser has no direct or indirect interest in the property or the transaction and/or bias with respect to the parties involved.

CLIENT - BankFirst Financial Services is the client for this report. The Appraisal/Evaluation shall be ordered/requested from an employee of this institution and payment shall be made directly from the borrower to the Lender. All documents furnished to the appraiser from this bank are to be considered confidential information to the appraiser pursuant to the disclosure requirements in the confidentiality section of the ethics provision and statement on Appraisal Standards Number 5.

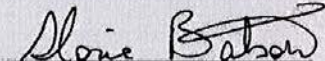
ADDITIONAL REQUIREMENTS:

All Appraisal/Evaluation Reports must include a signed copy of this letter and a completed Environmental Checklist. (See Environmental Checklist on Page 3).

The completed Appraisal/Evaluation Report is to be delivered on or before 1/22/2016 or as soon as possible.

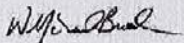
I/WE AGREE TO THE TERMS OF THIS ENGAGEMENT LETTER:

FOR BANKFIRST FINANCIAL SERVICES (THE CLIENT IN THIS ASSIGNMENT)



BANKFIRST OFFICER

BANK ADDRESS:

 3/10/16

APPRAISER SIGNATURE

DATE

Engagement Letter - Page 3

BANKFIRST FINANCIAL SERVICES

ENVIRONMENTAL SITE VISIT CHECKLIST

(This form is to be used as a worksheet and may be submitted with hand-written entries and additional pages, if necessary.)

Distressed Vegetation (This includes vegetation dead, dying, or stressed from hazardous substances)

Unnaturally Discolored Ponds or Flowing Water

Liquid and Solid Waste Dumping or Disposal

Groundwater, Wells, Cisterns, Cesspools, Or Septic Tanks

Abnormal Odors

Recent Soil Disturbances (Evidence of soil removal or replacement)

PCB (Electrical Transformers, Capacitors, Heat Exchange Equipment, Florescent Light Ballasts)

Asbestos

Tanks

Waste Disposal Practices (How is household and farm waste handled)

Pits and Sumps

Neighboring Facilities

Comments: No adverse conditons noted.



APPRAISAL OF REAL PROPERTY

LOCATED AT:

805 University Dr
All of Lot 34 of Block 28 as shown in the A. L. Goodman Official Map, 1951 Edition
Starkville, MS 39759

FOR:

BankFirst Financial Services
P.O. Box 1348
Starkville, MS 39760

AS OF:

03/11/2016

BY:

W. Michael Brooks, MAI
Principal
W.M. Brooks & Associates, LLC
106 Shotts Ave
Starkville, MS 39759

Borrower	Hickory Grove Farms, LLC	File No.	pilkinton-103-2016
Property Address	805 University Dr		
City	Starkville	County	Oktibbeha
		State	MS
Lender/Client	BankFirst Financial Services	Zip Code	39759

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W. Michael Brooks, MAI
W. M. Brooks & Associates, LLC
106 Shotts Ave
Starkville, MS 39759

March 14, 2016

BankFirst Financial Services
P.O. Box 1348
Starkville, MS 39760

Re: Property: 805 University Dr
Starkville, MS 39759
Client: Hickory Grove Farms, LLC
File No.: pilkinton-103-2016

Gentlemen:

In accordance with your request, we have personally inspected and prepared an appraisal report of the above referenced property. The purpose of this appraisal is to develop an opinion of the market value of the property described in this appraisal report, as improved, in unencumbered fee simple title of ownership.

Enclosed, please find the appraisal report which describes certain data gathered during our investigation of the property. The methods of approach and reasoning in the valuation of the various physical and economic factors of the subject property are contained in this report.

This report is based on a physical analysis of the site and improvements, a locational analysis of the neighborhood and city, and an economic analysis of the market for properties such as the subject. The appraisal was developed and the report was prepared in accordance with the Uniform Standards of Professional Appraisal Practice.

This is an Appraisal Report that is intended to comply with the reporting requirements set forth under Standards Rule 2-2(a) of the Uniform Standards of Professional Appraisal Practice for an Appraisal Report. As such, it represents only summary discussions of the data, reasoning and analyses that were used in the appraisal process to develop the appraiser's opinion of value. Supporting documentation concerning the data, reasoning and analyses is retained in the appraiser's file. The depth of the discussion contained in this report is specific to the needs of the client and for the intended use stated later in the report. The appraiser is not responsible for unauthorized use of this report.

An inspection of the property and a study of pertinent factors, including valuation trends, led the appraiser to the conclusion that the market value, as of March 11, 2016 is:

\$400,000.
Tax Parcel: 101C-00-005.00 // PPIN 6783

The value conclusions reported are as of the effective date stated in the body of the report and contingent upon the certification and limiting conditions attached.

It has been a pleasure to assist you. Please do not hesitate to contact me or any of my staff if we can be of additional service to you.

Sincerely,



W. Michael Brooks, MAI
MS License #: GA-673
Expires: 08/31/2016

USPAP ADDENDUM

File No. pilkinton-103-2016

Borrower	Hickory Grove Farms, LLC		
Property Address	805 University Dr		
City	Starkville	County	Oktibbeha
State	MS	Zip Code	39759
Lender	BankFirst Financial Services		

This report was prepared under the following USPAP reporting option:

☒ Appraisal Report This report was prepared in accordance with USPAP Standards Rule 2-2(a).

☐ Restricted Appraisal Report This report was prepared in accordance with USPAP Standards Rule 2-2(b).

Reasonable Exposure Time
My opinion of a reasonable exposure time for the subject property at the market value stated in this report is: 3 to 6 months
Reasonable Exposure Time - Comments in Standards Rules 1-2(c) states "When exposure time is a component of the definition for the value opinion being developed, the appraiser must also develop an opinion of reasonable exposure time linked to that value opinion." Confusion between Exposure Time and marketing time can arise because most sources of market information report historical information about days on market as "marketing time." In this context, the marketing time is a historical number that reflects the length of time a property was exposed to the market prior to sale. This, by definition, is Exposure Time. With support from data outside the data set coupled with the "days on the market" for the comparable sales, the reasonable exposure time for the subject property is estimated to be 3 - 6 months.

Additional Certifications
I certify that, to the best of my knowledge and belief:

☒ I have NOT performed services, as an appraiser or in any other capacity, regarding the property that is the subject of this report within the three-year period immediately preceding acceptance of this assignment.

☐ I HAVE performed services, as an appraiser or in another capacity, regarding the property that is the subject of this report within the three-year period immediately preceding acceptance of this assignment. Those services are described in the comments below.

- The statements of fact contained in this report are true and correct.
- The reported analyses, opinions, and conclusions are limited only by the reported assumptions and limiting conditions and are my personal, impartial, and unbiased professional analyses, opinions, and conclusions.
- Unless otherwise indicated, I have no present or prospective interest in the property that is the subject of this report and no personal interest with respect to the parties involved.
- I have no bias with respect to the property that is the subject of this report or the parties involved with this assignment.
- My engagement in this assignment was not contingent upon developing or reporting predetermined results.
- My compensation for completing this assignment is not contingent upon the development or reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of this appraisal.
- The reported analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the requirements Code of Professional Ethics & Standards of Professional Appraisal Practice of the Appraisal Institute, which include the Uniform Standards of Professional Appraisal Practice.
- Unless otherwise indicated, I have made a personal inspection of the property that is the subject of this report.
- Unless otherwise indicated, no one provided significant real property appraisal assistance to the person(s) signing this certification (if there are exceptions, the name of each individual providing significant real property appraisal assistance is stated elsewhere in this report).
- The use of this report is subject to the requirements of the Appraisal Institute relating to review by its duly authorized representatives.
- As of the date of this report, I, W. Michael Brooks, MAI, have completed the continuing education program for Designated Members of the Appraisal Institute.

Additional Comments

Highest and Best Use: Highest and Best Use is defined as: "The reasonably probable and legal use of vacant land or an improved property that is physically possible, appropriately supported, financially feasible, and that results in the highest value. The four criteria the highest and best use must meet are legal permissibility, physical possibility, financial feasibility, and maximum productivity. Alternatively, the probable use of land or improved property-specific with respect to the user and timing of the use that is adequately supported and results in the highest present value." Therefore, to be considered the Highest and Best Use, the property should be among those probable uses that are legally permissible and conform to current zoning laws, physically adapted for the size and configuration of the property, appropriate because of location and/or other factors, and economically capable of producing a competitive return on capital invested. The subject property is located in an area with a T-5, Transect District zoning classification which consists of heavily settled lands and is primarily Mixed-Use in character.

The Highest and Best Use has been considered in the context of the above and it is concluded that the Highest and Best Use of the site as vacant is as a mixed use, commercial and residential, multi-story development. This use meets all of the criteria of Highest and Best Use including being legally permissible, physically adapted for the size and configuration of the property, appropriate because of location and/or other factors, and economically capable of producing a competitive return on capital invested at the appraised value(s). With little vacant mixed use space in the Cotton District area, the timing for this use is current. The potential purchasers of the subject property are real estate investors and developers. The most likely potential users of the commercial space will be retail oriented occupants while the residential space will likely be occupied by students and alumni of Mississippi State University.

APPRAISER: W. Michael Brooks
Signature: _____
Name: W. Michael Brooks, MAI
Date Signed: 03/14/2016
State Certification #: GA-673
or State License #: _____
State: MS
Expiration Date of Certification or License: 08/31/2016
Effective Date of Appraisal: 03/11/2016

SUPERVISORY APPRAISER: (only if required)
Signature: _____
Name: _____
Date Signed: _____
State Certification #: _____
or State License #: _____
State: _____
Expiration Date of Certification or License: _____
Supervisory Appraiser Inspection of Subject Property:
☐ Did Not ☐ Exterior-only from Street ☐ Interior and Exterior

LAND APPRAISAL SUMMARY REPORT

File No.: pilkinton-103-2016

Property Address: 805 University Dr		City: Starkville		State: MS		Zip Code: 39759	
County: Oktibbeha		Legal Description: All of Lot 34 of Block 28 as shown in the A. L. Goodman Official Map, 1951 Edition					
Assessor's Parcel #: 101C-00-005.00 / PPIN 6783		Tax Year: 2015		R.E. Taxes: \$ 871.62		Special Assessments: \$	
Market Area Name: Cotton District		Map Reference: 101C		Census Tract: 9504.00			
Current Owner of Record: Hickory Grove Farms, LLC		Borrower (if applicable): Hickory Grove Farms, LLC					
Project Type (if applicable): ☐ PUD ☐ De Minimis PUD ☐ Other (describe)		HOA: \$ ☐ per year ☐ per month					
Are there any existing improvements to the property? ☐ No ☒ Yes		If Yes, indicate current occupancy: ☐ Owner ☐ Tenant ☒ Vacant ☐ Not habitable					
If Yes, give a brief description: The subject site has been improved with a 170(+/-) SF wood frame structure that is utilized primarily as a storage building.							
The purpose of this appraisal is to develop an opinion of: ☒ Market Value (as defined), or ☐ other type of value (describe)							
This report reflects the following value (if not Current, see comments): ☒ Current (the Inspection Date is the Effective Date) ☐ Retrospective ☐ Prospective							
Property Rights Appraised: ☒ Fee Simple ☐ Leasehold ☐ Leased Fee ☐ Other (describe)							
Intended Use: This appraisal has as the intended use to aid the Client, BankFirst Financial Services in loan underwriting and/or credit decisions with respect to the real property that is the subject of this Report.							
Intended User(s) (by name or type): This Appraisal Report was prepared and is intended for the use of the Client, BankFirst Financial Services.							
Other intended users may include the Client's successors or assigns.							
Client: BankFirst Financial Services		Address: P.O. Box 1348, 1000 Highway 12 West, Starkville, MS 39760					
Appraiser: W. Michael Brooks, MAI		Address: 106 Shotts Ave, Starkville, MS 39759					

Characteristics				Predominant Occupancy	One-Unit Housing	Present Land Use	Change in Land Use
Location:	☒ Urban	☐ Suburban	☐ Rural	☐ Owner	PRICE \$ (000)	AGE (yrs)	One-Unit 25% ☒ Not Likely
Built up:	☒ Over 75%	☐ 25-75%	☐ Under 25%	☐ Tenant	150	Low 1	2-4 Unit 50% ☐ Likely * ☐ In Process *
Growth rate:	☒ Rapid	☒ Stable	☐ Slow	☒ Vacant (0-5%)	600	High 75	Multi-Unit 10% ☐ To: _____
Property values:	☒ Increasing	☐ Stable	☐ Declining	☐ Vacant (>5%)	300	Pred 50	Comm'l 10% ☐
Demand/supply:	☐ Shortage	☒ In Balance	☐ Over Supply				% ☐
Marketing time:	☐ Under 3 Mos.	☒ 3-6 Mos.	☐ Over 6 Mos.				% ☐

Factors Affecting Marketability											
Item	Good	Average	Fair	Poor	N/A	Item	Good	Average	Fair	Poor	N/A
Employment Stability	☒	☐	☐	☐	☐	Adequacy of Utilities	☐	☒	☐	☐	☐
Convenience to Employment	☒	☐	☐	☐	☐	Property Compatibility	☐	☒	☐	☐	☐
Convenience to Shopping	☒	☐	☐	☐	☐	Protection from Detrimental Conditions	☐	☒	☐	☐	☐
Convenience to Schools	☒	☐	☐	☐	☐	Police and Fire Protection	☐	☒	☐	☐	☐
Adequacy of Public Transportation	☐	☒	☐	☐	☐	General Appearance of Properties	☐	☒	☐	☐	☐
Recreational Facilities	☐	☒	☐	☐	☐	Appeal to Market	☐	☒	☐	☐	☐

Market Area Comments: The market area of the subject property encompasses an area locally known as "The Cotton District". This unique neighborhood occupies several blocks on the outskirts of Mississippi State University. The area features an atmosphere comparable to Savannah, GA or Charleston, SC with its brick sidewalks and plentiful courtyards. The Cotton District has received national acclaim for incorporating new structures into the planned construction and rehabilitation of older buildings. Located within a one mile radius of the subject property are approximately 632 businesses with 14,235 employees. With 9,413 residents in this direct area, the employee to residential population ratio is 1.51:1. 3,582 housing units are located within a one mile radius, of which 68.6 percent are renter occupied. As can be expected in a "college town", the majority of the multi-family units are geared toward student housing. In an effort to capitalize on a better working relationship with Mississippi State University, the city has initiated plans to enhance the immediate area. New bars, restaurants and retail shops have opened and the city has adopted a zoning overlay district. The city has installed bike lanes, reworked sidewalks and upgraded the landscaping.

Dimensions: 94.0' X 172.0' X 60.0' X 217.0'

Site Area: 14,250 Sq Ft

Zoning Classification: T-5, Transect District

Description: 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.

Do present improvements comply with existing zoning requirements? ☐ Yes ☐ No ☐ No Improvements

Uses allowed under current zoning: The form based code allows mixed uses in the designated "Transect Districts" which are normally not allowed in the City's standard zoning districts. The intent is to encourage dense, compact and orderly growth and to encourage redevelopment in areas needing an economic boost. A building may have a maximum of 4 stories and cover up to 90% of the lot in a T-5, Transect District.

Are CC&Rs applicable? ☐ Yes ☒ No ☐ Unknown Have the documents been reviewed? ☐ Yes ☐ No Ground Rent (if applicable) \$ _____ /

Comments: N/A

Highest & Best Use as improved: ☐ Present use, or ☒ Other use (explain) Although currently improved with a "storage building", the highest and best use of the subject is for a mixed use, commercial and residential development.

Actual Use as of Effective Date: Recreational Use as appraised in this report: Mixed Use

Summary of Highest & Best Use: Standard Rule 1-3(b) requires the development of an opinion of the Highest and Best Use of the subject if necessary for credible assignment results. The highest and best use must meet the test of being 1) Legally permissible, 2) Physically possible, 3) Financially feasible and 4) Maximally Productive. In compliance with the associated zoning restrictions, it is concluded that the highest and best use of the site, as unimproved, would be for an allowable multi-story, mixed use, commercial and residential development. The potential purchasers include real estate investors and developers.

Utilities	Public	Other	Provider/Description	Off-site Improvements	Type	Public	Private	Frontage	94
Electricity	☒	☐	City of Starkville	Street	University Dr	☒	☐	Topography	Basically level
Gas	☒	☐	Atmos Energy	Width	50 ft			Size	14,500 SF
Water	☒	☐	City of Starkville	Surface	Asphalt			Shape	Slightly Irregular
Sanitary Sewer	☒	☐	City of Starkville	Curb/Gutter	Concrete	☒	☐	Drainage	Appears Adequate
Storm Sewer	☒	☐	City of Starkville	Sidewalk	Concrete	☒	☐	View	Mixed Use Residential
Telephone	☒	☐	AT&T	Street Lights	Mercury Vapor	☒	☐		
Multimedia	☒	☐	None	Alley	None	☐	☐		

Other site elements: ☒ Inside Lot ☐ Corner Lot ☐ Cul de Sac ☐ Underground Utilities ☐ Other (describe)

FEMA Spec'l Flood Hazard Area ☐ Yes ☒ No FEMA Flood Zone X FEMA Map # 28105C0158E FEMA Map Date 2/17/2010

Site Comments: According to the plat furnished to the Appraiser and Flood Insurance Rate Map 28105C0158E, dated 02/17/2010, the subject property does not appear to be located in or near a Special Flood Hazard Area. A copy of the flood map is included in this Appraisal Report. The subject is located along University Dr in the Cotton District. This major street serves as one of the main traffic arteries for access between Downtown Starkville and Mississippi State University. Access to the property is available directly from University Drive via two driveways. The property is basically level and roughly at, or slightly above, street grade. The site has been improved with an aggregate surface allowing all weather utilization. All municipal utilities are available to the property.

LAND APPRAISAL SUMMARY REPORT

File No.: pilkinton-103-2016

My research ☐ did ☒ did not reveal any prior sales or transfers of the subject property for the three years prior to the effective date of this appraisal.

Data Source(s): Oktibbeha County Public Records located in the office of the Chancery Clerk of Oktibbeha County Mississippi.

1st Prior Subject Sale/Transfer
Date: 08/09/2004
Price: N/A
Source(s): 2004/5924

Analysis of sale/transfer history and/or any current agreement of sale/listing: The subject was conveyed to the current owner in a related party transaction on 8/9/2004. However, Mississippi is a non-disclosure state and the details of the transaction were not made available.

2nd Prior Subject Sale/Transfer
Date:
Price:
Source(s):

On the date of this appraisal, research of available data, including a review of the Golden Triangle Multiple Listing Service, led to the conclusion that the subject property was not listed for sale, nor were there any other types of options or agreements that would affect the market value.

FEATURE	SUBJECT PROPERTY	COMPARABLE NO. 1	COMPARABLE NO. 2	COMPARABLE NO. 3
Address	805 University Dr Starkville, MS 39759	701 Russell St Starkville, MS 39759	603 Russell St Starkville, MS 39759	304-306 Jarnigan St Starkville, MS 39759
Proximity to Subject		0.15 miles SW	0.19 miles SW	0.29 miles W
Sale Price	\$ 45,000	\$ 2,000,000	\$ 200,000	\$ 450,000
Price / Sq.Ft.	\$ 3.16	\$ 26.85	\$ 28.76	\$ 26.99
Data Source(s)	Inspection	Inspection, David Blackburn	Inspection, Richard Hewlett	Inspection, John Hartlein
Verification Source(s)	Okt Co Ch Clk	Deed Book 2014, Page 7421	Deed Book 2015, Page 3227	Deed Book 2014, Page 757
VALUE ADJUSTMENT	DESCRIPTION	DESCRIPTION	DESCRIPTION	DESCRIPTION
Sales or Financing	N/A	Conventional	Conventional	Conventional
Concessions	N/A	Brokerage	Demo	Demo
Date of Sale/Time	03/11/2016	11/14/2014	04/30/2015	02/04/2014
Rights Appraised	Fee Simple	Fee Simple	Fee Simple	Fee Simple
Location	Cotton District	Cotton District	Cotton District	Cotton District
Site Area (in Sq.Ft.)	14,250	74,488	6,955	16,675
Frontage/Access	94 ft - 1:151	776 ft - 1:95	65 ft - 1:107	271 ft - 1:61
Topography	Basically Level	Stepped	Basically Level	Basically Level
Zoning	T-5, Transect	T-5, Transect	T-5, Transect	T-5, Transect
Improvements	Storage Bldg	None	None	None
Net Adjustment (Total, in \$)		\$ 140,000	\$ -3,000	\$ 4,501
Net Adjustment (Total, in % of \$ / Sq.Ft.)		(7 % of \$/Sq.Ft.)	(-1.5 % of \$/Sq.Ft.)	(1 % of \$/Sq.Ft.)
Adjusted Sale Price (in \$ / Sq.Ft.)		\$ 28.73	\$ 28.33	\$ 27.26

Summary of Sales Comparison Approach In the above analysis, 3 sales of somewhat comparable properties were considered; all of which are located in the Cotton District with similar zoning. Percentage adjustments based upon price per SF of each comparable were applied in the above grid. In the appraisal of land, desirable comparables will be similar in size to the subject property. Larger tracts of land typically sell for less per unit of measure than smaller tracts provided that site utility is not compromised with a decrease in size. To determine a size adjustment in this analysis, Comparable 1, the largest property and Comparable 2, the smallest sale, were compared resulting in the conclusion that The Cotton District market does not measurably discount larger tracts simply due to size. Thus, no size adjustment was applied. The subject has 1 front foot for each 151 SF of site area. The comparables are all considered to be superior to the subject. After applying the adjustments for the dissimilarities, the adjusted price per SF for a fee simple interest ranged from \$27.26 to \$28.73 with an adjusted mean of \$28.10 and a standard deviation of \$0.80. Once the adjusted values are weighted (see Reconciliation Statement on following page), a reasonable indication of value by the sales comparison approach is considered to be \$28.00 per SF or \$400,000 (rounded).

PROJECT INFORMATION FOR PUDs (if applicable) ☐ The Subject is part of a Planned Unit Development.

Legal Name of Project: N/A

Describe common elements and recreational facilities: N/A

Indicated Value by: Sales Comparison Approach \$ 400,000 or \$ 28.00 per Sq.Ft.

Final Reconciliation The Sales Comparison analysis is given most consideration as the best indicator of Buyer/Seller reaction in the marketplace for mixed use, commercial and residential lots. See detailed Reconciliation Statement on following page.

This appraisal is made ☒ "as is", or ☐ subject to the following conditions: Appraisal is made "AS IS" and it is assumed that the subject property has marketable fee simple title and no adverse conditions exist which would affect the final opinion of value.

☒ This report is also subject to other Hypothetical Conditions and/or Extraordinary Assumptions as specified in the attached addenda.

Based upon an inspection of the subject property, defined Scope of Work, Statement of Assumptions and Limiting Conditions, and Appraiser's Certifications, my (our) Opinion of the Market Value (or other specified value type), as defined herein, of the real property that is the subject of this report is: \$ 400,000, as of: 03/11/2016, which is the effective date of this appraisal. If indicated above, this Opinion of Value is subject to Hypothetical Conditions and/or Extraordinary Assumptions included in this report. See attached addenda.

A true and complete copy of this report contains 24 pages, including exhibits which are considered an integral part of the report. This appraisal report may not be properly understood without reference to the information contained in the complete report, which contains the following attached exhibits: ☒ Scope of Work

☒ Limiting Cond./Certifications ☐ Narrative Addendum ☒ Location Map(s) ☒ Flood Addendum ☐ Additional Sales

☒ Photo Addenda ☒ Parcel Map ☐ Hypothetical Conditions ☒ Extraordinary Assumptions ☐

Client Contact: Debbie Morgan Client Name: BankFirst Financial Services

E-Mail: dmorgan@bankfirstfs.com Address: P.O. Box 1348, 1000 Highway 12 West, Starkville, MS 39760

APPRAISER

W. Michael Brooks

Appraiser Name: W. Michael Brooks, MAI

Company: W.M. Brooks & Associates, LLC

Phone: (662) 324-2300 Fax: (240) 201-0236

E-Mail: wmbrooks@wmbrooks.com

Date of Report (Signature): 03/14/2016

License or Certification #: GA-673 State: MS

Designation: MAI

Expiration Date of License or Certification: 08/31/2016

Inspection of Subject: ☒ Did Inspect ☐ Did Not Inspect (Desktop)

Date of Inspection: 03/11/2016

SUPERVISORY APPRAISER (if required) or CO-APPRAISER (if applicable)

Supervisory or Co-Appraiser Name:

Company:

Phone: Fax:

E-Mail:

Date of Report (Signature):

License or Certification #: State:

Designation:

Expiration Date of License or Certification:

Inspection of Subject: ☐ Did Inspect ☐ Did Not Inspect

Date of Inspection:



Borrower	Hickory Grove Farms, LLC				
Property Address	805 University Dr				
City	Starkville	County	Oktibbeha	State	MS Zip Code 39759
Lender/Client	BankFirst Financial Services				

Scope of This Appraisal

The scope of work used in preparing this appraisal is included throughout this report in the various descriptions and analysis. The following bullet points give a general overview of the scope of work, while more detailed descriptions are included in the appropriate sections of the report. The general scope is shown below:

In preparing this appraisal, I:

- Completed a physical inspection of the property on March 11, 2016. The subject is a mixed use lot with a storage building improvement. This inspection included viewing and photographing the site.
- Was provided a legal description of the site by representatives of the Client, BankFirst Financial Services.
- Interviewed market participants including real estate brokers, developers, property owners, tenants, and commercial loan officers who were familiar with and active in the subject market.
- Researched the demographics and other data affecting the area and neighborhood. Among our sources of information that were referenced; properties that I have previously appraised in the area, relevant publications, periodicals, U.S. Census data, and other reference material.
- Researched the subject market resulting in the gathering of information on comparable vacant land/lot sales, comparable improved sales, and comparable rentals. To find appropriate sales and rental data, an in-house database as well as the online sources of the local Golden Triangle Multiple Listing Services (MLS), and Oktibbeha County records were reviewed. Sufficient comparable data in all categories was available in the subject's market. All comparable sales and rentals, if applicable, were verified and are assumed to be correct.
- Analyzed the data, considered all three approaches to value and determined which approach or approaches were applicable, given the nature of the assignment and the characteristics of the subject property.
- Reconciled the applicable approaches to value to reach my final opinion of the market value of the fee simple interest in the subject property.

In preparing my written report I have:

- Stated the Assumptions and Limiting Conditions upon which this report was based.
- Identified the property by tax identification number(s) and deed references.
- Considered the purpose and intended use of the appraisal.
- Prepared a brief history of the property.
- Stated the current definition of market value and exposure time.
- Determined the property rights being appraised as the Fee Simple interest in the property.
- Discussed and analyzed to the extent appropriate, the demographic data in the area surrounding the subject; including population characteristics, employment data, income characteristics, school district, and other amenities.
- Described the neighborhood surrounding the subject, including highway access and the location and uses of notable properties.
- Discussed and analyzed the physical attributes of the subject site.
- Analyzed the Highest and Best Use of the site.
- Analyzed and discussed the reasoning for choosing the most applicable approach or approaches in determining the value for the subject property.
- Thoroughly discussed and documented my value conclusions by the applicable approach and/or approaches.
- Analyzed and discussed the Reconciliation of the applicable approaches and final conclusions of values.

Reconciliation Statement: Pursuant to the highest and best use analysis, the suggested potential purchasers of the property include real estate investors and developers. From the aspect of these market participants, the sales comparison approach tends to represent their point of view. The principal of substitution, which holds that the value of property tends to be set by the cost of acquiring a substitute or alternative property of similar utility and desirability within a reasonable amount of time, is applicable to this approach. Thus, due to the nature and location of the subject land, the sales comparison approach has been selected as the method to value the subject property land in this assignment. When good and sufficient data is available, this method is generally considered the most reliable guide to final valuation. The reliability of this technique is dependent upon: (a) the availability of comparable sale data; (b) the verification of the sales data; (c) the comparability of the properties, including the amount of adjustment because of the time difference in the sales and (d) the financial conditions and terms of the sales as compared to the subject property. The comparative analysis performed in the approach focuses on the similarities and difference among properties and transactions that affect value. While there were numerous dissimilarities, all of the comparables were considered to be relevant to the valuation of the subject property. Adjustments were based, where possible, on paired sales analysis from within and outside the data set. In those instances where sufficient data was not available, best judgment was used to make reasonable and appropriate adjustments as warranted, although the magnitude of those adjustments may not necessarily be reflected in the market. Every effort was made to base the adjustments on quantified empirical or reasonably inferred market data. Estimated indicated value is determined by using the Gross Adjustment of sale price for each comparable as a measure of the relative quality of the comp. A lower adjustment indicates a better comp, and vice versa. The ratio of gross dollar adjustment to sale price for each of the comps is used to calculate the weight each comparable should have in a weighted value calculation. This weighted value is used as the indicated value of the subject. As with any method, this technique is not perfect. However, it does do a very good job of giving more weight to the most similar comparables while at the same time minimizing values near the extremes of the indicated value range. In this analysis, slightly more weight was assigned to Comparables 1 and 2. After consideration of all the comparables and the related adjustments, the final opinion of value is \$28.00 per SF or \$400,000 (rounded).

Assumptions, Limiting Conditions & Scope of Work

File No: pilkinton-103-2016

Property Address: 805 University Dr City: Starkville State: MS Zip Code: 39759
Client: BankFirst Financial Services Address: P.O. Box 1348, 1000 Highway 12 West, Starkville, MS 39760
Appraiser: W. Michael Brooks, MAI Address: 106 Shotts Ave, Starkville, MS 39759

STATEMENT OF ASSUMPTIONS & LIMITING CONDITIONS

- The appraiser will not be responsible for matters of a legal nature that affect either the property being appraised or the title to it. The appraiser assumes that the title is good and marketable and, therefore, will not render any opinions about the title. The property is appraised on the basis

of it being under responsible ownership.

- The appraiser may have provided a plat and/or parcel map in the appraisal report to assist the reader in visualizing the lot size, shape, and/or orientation. The appraiser has not made a survey of the subject property.

- If so indicated, the appraiser has examined the available flood maps that are provided by the Federal Emergency Management Agency (or other data sources) and has noted in the appraisal report whether the subject site is located in an identified Special Flood Hazard Area.

Because

the appraiser is not a surveyor, he or she makes no guarantees, express or implied, regarding this determination.

- The appraiser will not give testimony or appear in court because he or she made an appraisal of the property in question, unless specific arrangements to do so have been made beforehand.

- The appraiser has noted in the appraisal report any adverse conditions (including, but not limited to, the presence of hazardous wastes, toxic substances, etc.) observed during the inspection of the subject property, or that he or she became aware of during the normal research involved

in performing the appraisal. Unless otherwise stated in the appraisal report, the appraiser has no knowledge of any hidden or unapparent conditions of the property, or adverse environmental conditions (including, but not limited to, the presence of hazardous wastes, toxic substances, etc.) that would make the property more or less valuable, and has assumed that there are no such conditions and makes no guarantees or

warranties, express or implied, regarding the condition of the property. The appraiser will not be responsible for any such conditions that do exist

or for any engineering or testing that might be required to discover whether such conditions exist. Because the appraiser is not an expert in the

field of environmental hazards, the appraisal report must not be considered as an environmental assessment of the property.

- The appraiser obtained the information, estimates, and opinions that were expressed in the appraisal report from sources that he or she considers to be reliable and believes them to be true and correct. The appraiser does not assume responsibility for the accuracy of such items

that were furnished by other parties.

- The appraiser will not disclose the contents of the appraisal report except as provided for in the Uniform Standards of Professional Appraisal Practice, and any applicable federal, state or local laws.

- An appraiser's client is the party (or parties) who engage an appraiser in a specific assignment. Any other party acquiring this report from the

client does not become a party to the appraiser-client relationship. Any persons receiving this appraisal report because of disclosure requirements

applicable to the appraiser's client do not become intended users of this report unless specifically identified by the client at the time of the assignment.

- The appraiser's written consent and approval must be obtained before this appraisal report can be conveyed by anyone to the public, through advertising, public relations, news, sales, or by means of any other media, or by its inclusion in a private or public database. Possession of this

report or any copy thereof does not carry with it the right of publication.

- Forecasts of effective demand for the highest and best use or the best fitting and most appropriate use were based on the best available data concerning the market and are subject to conditions of economic uncertainty about the future.

The Scope of Work, as outlined above, is the type and extent of research and analyses performed in an appraisal assignment that is required to produce credible assignment results, given the nature of the appraisal problem, the specific requirements of the intended user(s) and the intended use of the appraisal report. Reliance upon this report, regardless of how acquired, by any party or for any use, other than those specified in this report by the Appraiser, is prohibited. The Opinion of Value that is the conclusion of this report is credible only within the context of the Scope of Work, Effective Date, the Date of Report, the Intended User(s), the Intended Use, the stated Assumptions and Limiting Conditions, any Hypothetical Conditions and/or Extraordinary Assumptions, and the Type of Value, as defined herein. The appraiser, appraisal firm, and related parties assume no obligation, liability, or accountability, and will not be responsible for any unauthorized use of this report or its conclusions.

Extraordinary Assumptions and Hypothetical Conditions

While the furnished legal lists a metes and bounds description of the subject property, the actual site size is not defined. In the attached Warranty Deed, the site measurements are listed as: 94' X 172' X 60' X 217'. These measurements are also displayed on the A. L. Goodman Official Map of the City of Starkville, 1951 Edition, a copy of which is located in the Office of the Chancery Clerk of Oktibbeha County. Note: the attached Oktibbeha County Tax Assessor's Plat Map describes the west property boundary as 177' rather than 172'. Since no survey was furnished and an estimation of the site area was required for this analysis, the site size was determined to be approximately 14,250 SF by utilizing the metes and bounds description and Informatik Mapdraw. However, this estimate is not intended to be an official survey. Rather, this method was simply employed in an effort to determine a reasonable estimate of the site area. An official survey may determine that the site area differs from this estimate and the difference could be significant. Thus, this appraisal is based upon the extraordinary assumption that a reasonable estimate of the subject's site area is 14,250 SF. The use of this extraordinary assumption requires additional reporting requirements as set forth in the Uniform Standards of Professional Appraisal Practice. The additional reporting requirement is to ensure that the user of this report clearly understands that:

*the use of this extraordinary assumption may have affected the assignment results

If the site area is subsequently determined to differ significantly from the 14,250 SF estimate utilized in this appraisal, the right to revise the appraisal as necessary is reserved.

Certifications & Definitions

File No.: pilkinton-103-2016

Property Address: 805 University Dr City: Starkville State: MS Zip Code: 39759
Client: BankFirst Financial Services Address: P.O. Box 1348, 1000 Highway 12 West, Starkville, MS 39760
Appraiser: W. Michael Brooks, MAI Address: 106 Shotts Ave, Starkville, MS 39759

Certification Statement

I, W. Michael Brooks, MAI, certify that, to the best of my knowledge and belief:

The statements of fact contained in this report are true and correct.

The reported analyses, opinions, and conclusions are limited only by the reported assumptions and limiting conditions and are my personal, impartial, and unbiased professional analyses, opinions, and conclusions.

I have no present or prospective interest in the property that is the subject of this appraisal report and no personal interest with respect to the parties involved.

I have no bias with respect to the property that is the subject of this report or to the parties involved with this assignment.

My engagement in this assignment was not contingent upon developing or reporting predetermined results.

My compensation for completing this assignment is not contingent upon the development or reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of this appraisal.

The reported analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the requirements Code of Professional Ethics & Standards of Professional Appraisal Practice of the Appraisal Institute, which include the Uniform Standards of Professional Appraisal Practice.

The use of this report is subject to the requirements specified under Assumptions and Limiting Conditions.

I have made a personal inspection of the property that is the subject of this report.

No one provided significant real property appraisal assistance to the person signing this certification.

As of the date of this report, I, W. Michael Brooks am a General Certified Appraiser in the state of Mississippi (Certificate Number GA-673), which certificate expires on 8/31/2016.

Except as noted below, I/we have performed no services regarding the subject property within the last three years prior to accepting this assignment.

The use of this report is subject to the requirements of the Appraisal Institute relating to review by its duly authorized representatives.

As of the date of this report, I, W. Michael Brooks, have completed the continuing education program for Designated Members of the Appraisal Institute.

DEFINITION OF MARKET VALUE *:

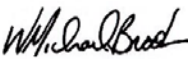
Market value means the most probable price which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller each acting prudently and knowledgeably, and assuming the price is not affected by undue stimulus. Implicit in this definition is the consummation of a sale as of a specified date and the passing of title from seller to buyer under conditions whereby:

1. Buyer and seller are typically motivated;
2. Both parties are well informed or well advised and acting in what they consider their own best interests;
3. A reasonable time is allowed for exposure in the open market;
4. Payment is made in terms of cash in U.S. dollars or in terms of financial arrangements comparable thereto; and
5. The price represents the normal consideration for the property sold unaffected by special or creative financing or sales concessions granted by anyone associated with the sale.

* This definition is from regulations published by federal regulatory agencies pursuant to Title XI of the Financial Institutions Reform, Recovery, and Enforcement Act (FIRREA) of 1989 between July 5, 1990, and August 24, 1990, by the Federal Reserve System (FRS), National Credit Union Administration (NCUA), Federal Deposit Insurance Corporation (FDIC), the Office of Thrift Supervision (OTS), and the Office of Comptroller of the Currency (OCC). This definition is also referenced in regulations jointly published by the OCC, OTS, FRS, and FDIC on June 7, 1994, and in the Interagency Appraisal and Evaluation Guidelines, dated October 27, 1994.

Client Contact: Debbie Morgan Client Name: BankFirst Financial Services
E-Mail: dmorgan@bankfirstfs.com Address: P.O. Box 1348, 1000 Highway 12 West, Starkville, MS 39760

APPRAISER



Appraiser Name: W. Michael Brooks, MAI
Company: W.M. Brooks & Associates, LLC
Phone: (662) 324-2300 Fax: (240) 201-0236
E-Mail: wmbrooks@wmbrooks.com
Date Report Signed: 03/14/2016
License or Certification #: GA-673 State: MS
Designation: MAI
Expiration Date of License or Certification: 08/31/2016
Inspection of Subject: ☒ Did Inspect ☐ Did Not Inspect (Desktop)
Date of Inspection: 03/11/2016

SUPERVISORY APPRAISER (if required) or CO-APPRAISER (if applicable)

Supervisory or
Co-Appraiser Name: _____
Company: _____
Phone: _____ Fax: _____
E-Mail: _____
Date Report Signed: _____
License or Certification #: _____ State: _____
Designation: _____
Expiration Date of License or Certification: _____
Inspection of Subject: ☐ Did Inspect ☐ Did Not Inspect
Date of Inspection: _____

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Land Comparables - Page 1

Land Comparable 1 Datasheet

Property Identification

Property Type: blackburn-112-2014
 Property Sub-Type: Land
 Property Name: Mixed Commercial and/or Residential Development
 Street Address: Belfry Property
 City, State, Zip Code: Russell St, Maxwell St and Colonel Muldrow Ave, Starkville, MS 39759
 County: Oktibbeha
 Flood Information: Zone X per 28105C0158E
 Tax Map No.: See attached exhibit for tax parcels



Assessment Data

Assessed Land Value: \$800,000
 Assessed Total Value: \$800,000

Property Summary

General Location: Urban
 Price per s.f.-Land: \$26.85
 Price per Acre: \$1,169,591
 Price per F.F.: \$2,577

Land Data

Land Area - s.f.: 74,488
 Area - acres: 1.710
 Front Feet: 776
 Dimensions: 232.47' X 434.73'

Latitude: [33.43452]
 Longitude: [-88.83534]
 Property Rights: Fee Simple
 Conveyed:
 Conditions of Sale: Arm's Length
 Financing Terms: Market Terms

Shape

Irregular

Zoning

T-5, Transect District

Sale Data

Deed Bk Vol., Page: 2014, 7421
 Grantor: Starkville Belfry, LLC
 Grantee: Starkville Condominiums, LLC
 Sale Price: \$2,000,000
 Sale Date: 11/14/2014
 Deed Type: Warranty Deed
 Expenditures: Brokerage/Closing Costs
 Adj. to Sale Price: \$120,000
 Adjusted Price: \$2,120,000

Data Source

Oktibbeha Co Chan Clk, Inspect

Property Description

This comparable represents the sale of a property, estimated to contain approximately 1.71 acres (74,488 square feet), that is located along the north side of Russell Street between Downtown Starkville and Mississippi State University. The site is subject to the recently adopted T-5, Transect District zoning classification that encourages mixed use, high density development. Directly opposite the subject on the south side of Russell St is an ongoing \$40 million project that is known as The Mill at Mississippi State University. This development features three main projects: transforming a landmark former cotton mill into a conference center and related office space, building an adjacent hotel and parking garage, and developing mixed-use business parcels on the land around the university's old physical plant. In addition to roughly 435 feet of frontage on Russell St, the subject adjoins Maxwell St for some 109 feet and Colonel Muldrow Ave for approximately 232 feet. Following the natural terrain of the immediate area, the site adjoins the aforementioned streets at grade. However, there is a distinct change in elevation that renders the northeast corner of the property above the remainder of the site. According to the USGS Topographical Map the difference is measured as roughly 10 ft across the tract. Legally described as 10 individual lots, the property formerly housed a number of single and multi-family units. Approximately 8 years prior to the effective date of this analysis, these improvements were demolished and the site cleared in preparation for an upscale condominium development that was to be known as "The Belfry". However, this project was shelved, in large part, due to the economic recession.

Land Comparables - Page 2

Land Comparable 2 Datasheet

Property Identification

Property Type Land
 Property Sub-Type Multi Family Development
 Property Name Guy to Hewlett
 Street Address 803 Russell St
 City, State, Zip Code Starkville, MS 39759
 Location 0.25 Miles West Of Mississippi State University
 County Oktobbeha
 Flood Information Zone X per 28105C0158E
 Tax Map No. 101D-00-170.00 // PPIN 5007
 Market Area Cotton District
 Construction Class Class D



Assessment Data

Assessed Land Value \$50,000
 Assessed Building Value \$46,190
 Assessed Total Value \$96,190

Land Data

Land Area - s.f. 8,955
 Area - acres 0.160
 Front Feet 65
 Dimensions 65' X 107'
 Shape Rectangular
 Zoning T-6, Transect District

Sale Data

Deed Bk Vol., Page 2015, 3227
 Grantor Edna R. Guy
 Grantee Richard G. Hewlett
 Sale Price \$200,000
 Sale Date 4/30/2015
 Deed Type Warranty Deed
 Expenditures \$5,000 Demo
 Adj. to Sale Price \$5,000
 Adjusted Price \$205,000
 Topography Level, Street Grade
 Landscaping Average
 Adverse Easements None Noted
 Data Source Okt Co Chan Ck, Inspection

Property Summary

General Location Suburban
 Number of Structures 1
 Gross Building Area 1,144 s.f.
 Price per s.f.-Land \$28.76
 Price per Acre \$1,250,000
 Price per F.F. \$3,077
 Latitude [33.4583398280135]
 Longitude [-88.8033362742879]
 Utilities All Municipal Available
 Depth 107
 Frontage Type Major Street
 Property Rights Conveyed Fee Simple
 Conditions of Sale Arm's Length
 Financing Terms Market Terms

Property Description

This site, located in the "Cotton District" was improved with a house at the time of the sale. However, the property was purchased as "land only", and the house is to be removed subsequent to the sale. The property was purchased for the expansion of an adjoining apartment complex.

Notes

Abbreviated Legal: Part of Lot 5, Block 2, Urban Renewal Area, City of Starkville, MS

Land Comparables - Page 3

Land Comparable 3 Datasheet

Property Identification

Property Type Land
Property Sub-Type Multi Family Development
Property Name Hartlein
Street Address 304, 306 Jamigan St
City, State, Zip Code Starkville, MS 39759
County Oktobbeha
Flood Information Zone X per 28105C0158E
Tax Map No. 101D-00-203.00
 204.00



Land Data

Land Area - s.f. 16,875
Area - acres 0.383
Front Feet 271
Dimensions 150' X 121'
Shape Rectangular
Zoning T-5, Transect District

Property Summary

General Location Suburban
Price per s.f.-Land \$26.99
Price per Acre \$1,174,936
Price per F.F. \$1,661

Latitude [33.43452]
Longitude [-88.83534]
Property Rights Leased Fee
Conveyed Arm's Length
Conditions of Sale Market Terms
Financing Terms

Sale Data

Deed Bk Vol., Page 2014, 757
Grantor William L. Sparrow
Grantee High Cotton Development, LLC
Sale Price \$460,000
Sale Date 2/4/2014
Deed Type Warranty Deed
Expenditures Demo
 Adj. to Sale Price \$22,000
Adjusted Price \$472,000

Data Source Seller, Inspection

Property Description

This comparable represents the sale of two properties located at the intersection of Jamigan St and Lummus Dr. At the time of the sale, the lots were each improved with a single family residence utilized as rental property occupied by MSU students. 306 Jamigan is a 4 bedroom property that generates \$1,700 per month while 304 Jamigan is a three bedroom unit renting for \$1,500 per month. The purchaser plans to demolish the houses and develop the property into a multi-family apartment complex. \$22,000 has been allocated for the cost of demolition.

Notes

Abbreviated Legal: Lot 16 and Lot 17 in Block 2 of the University Urban Renewal Area of the City of Starkville, MS

Photograph Addendum

Borrower	Hickory Grove Farms, LLC				
Property Address	805 University Dr				
City	Starkville	County	Oktibbeha	State	MS Zip Code 39759
Lender/Client	BankFirst Financial Services				



University Dr



Subject Property



Subject Property



Subject Property



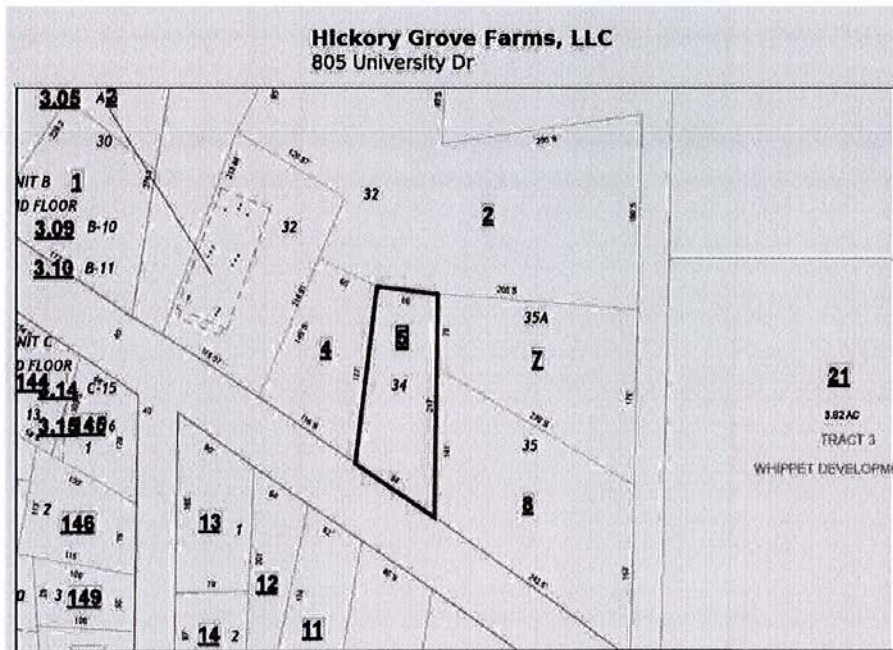
Subject Improvement



Subject Improvement

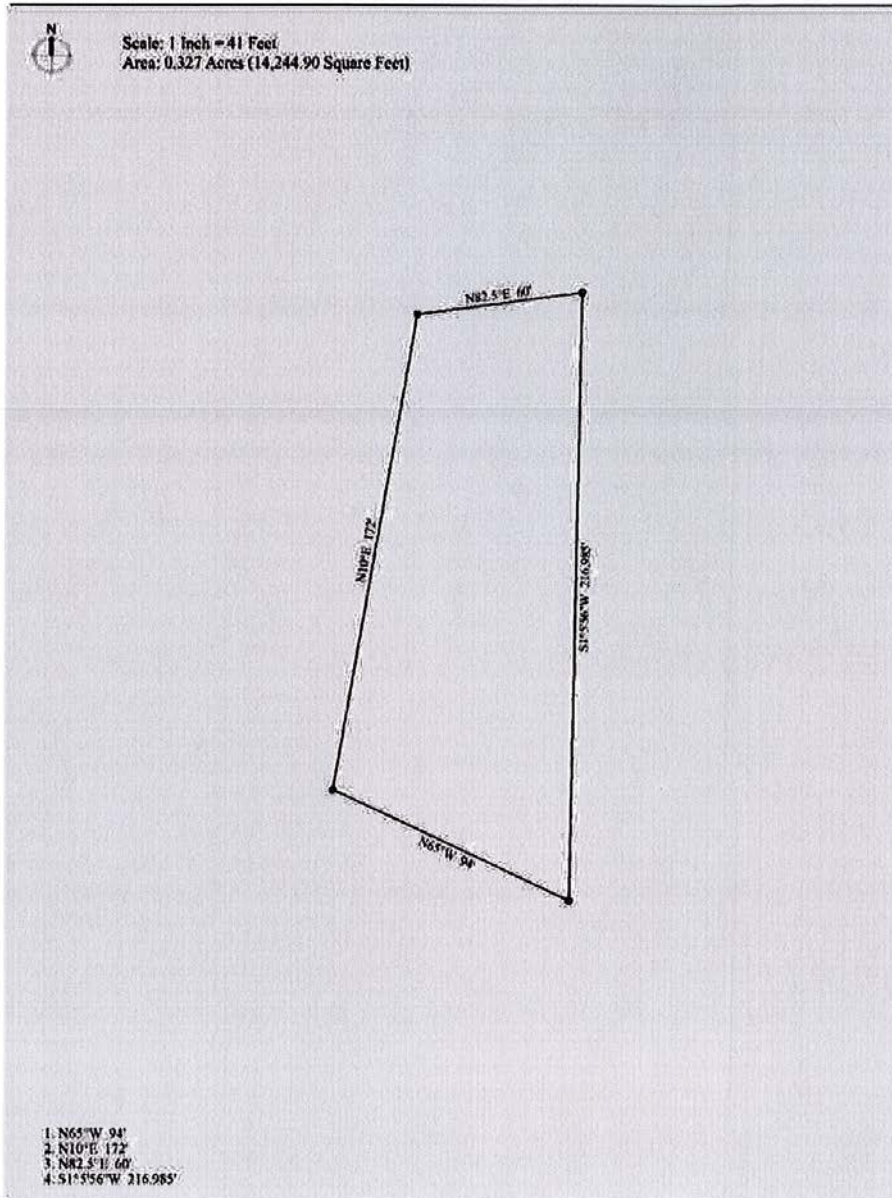
Plat Map

Borrower	Hickory Grove Farms, LLC			
Property Address	805 University Dr			
City	Starkville	County	Oktibbeha	State MS Zip Code 39759
Lender/Client	BankFirst Financial Services			



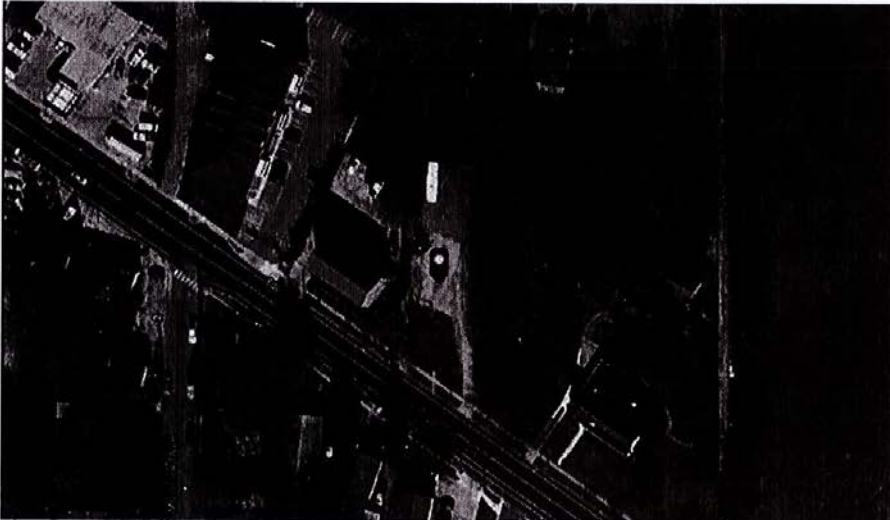
Estimated Site Area

Borrower	Hickory Grove Farms, LLC			
Property Address	805 University Dr			
City	Starkville	County	Oktibbeha	State MS Zip Code 39759
Lender/Client	BankFirst Financial Services			



Aerial View

Borrower	Hickory Grove Farms, LLC				
Property Address	805 University Dr				
City	Starkville	County	Oktibbeha	State	MS Zip Code 39759
Lender/Client	BankFirst Financial Services				



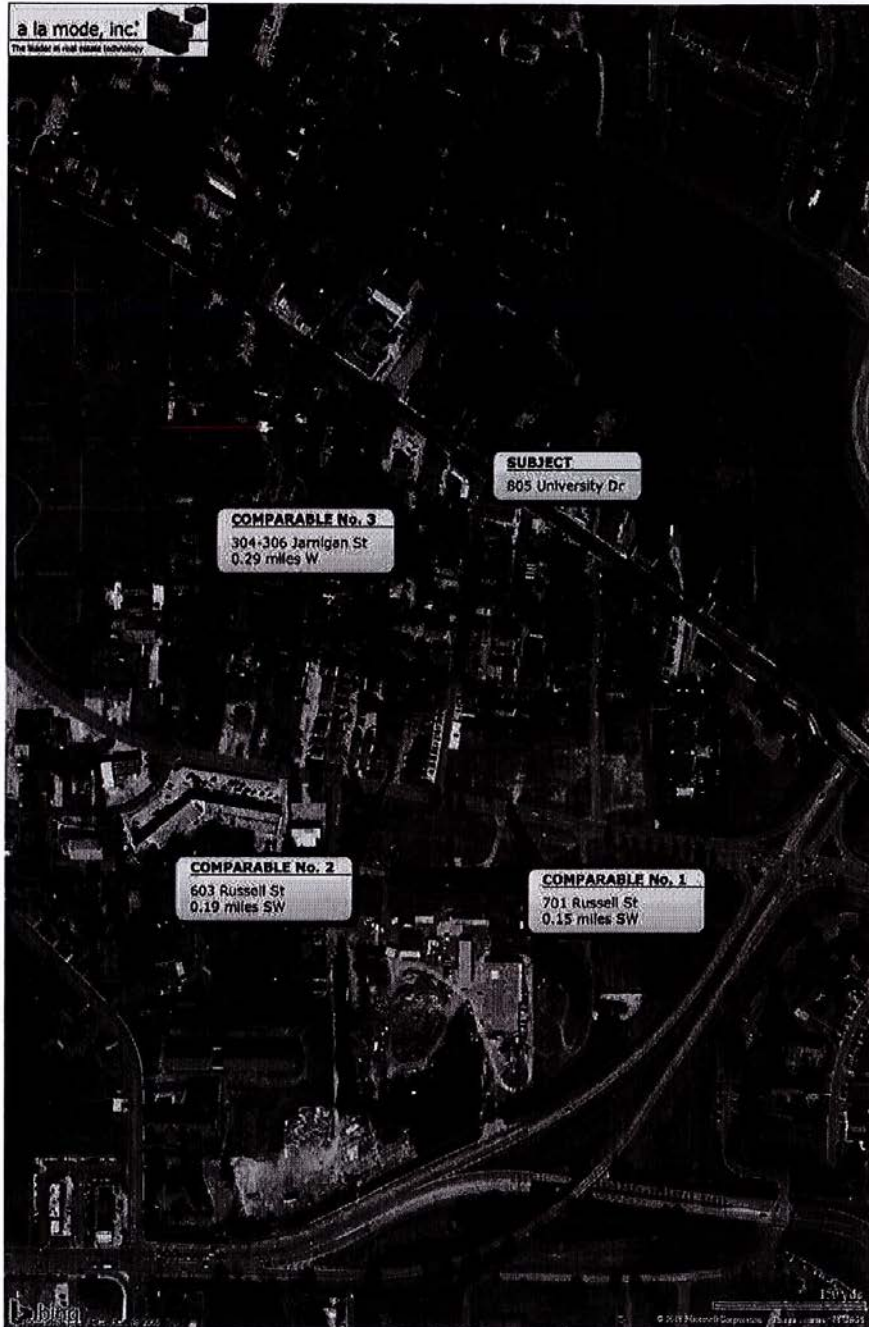
Flood Map

Borrower	Hickory Grove Farms, LLC			
Property Address	805 University Dr			
City	Starkville	County	Oktibbeha	State MS Zip Code 39759
Lender/Client	BankFirst Financial Services			



Location Map

Borrower	Hickory Grove Farms, LLC			
Property Address	805 University Dr			
City	Starkville	County Oktibbeha	State MS	Zip Code 39759
Lender/Client	BankFirst Financial Services			



STATE OF MISSISSIPPI
COUNTY OF OKTIBBEHA

2004 5924
Recorded in the Above
Deed Book & Page
09-09-2004 01:33:28 PM
Monica W. Banks
Oktibbeha County, MS

WARRANTY DEED

GRANTORS:

HENRY COX PILKINTON, IV and wife,
SANDRA C. PILKINTON
1055 GREENBRIAR DRIVE
COLUMBUS, MS 39705
(662) 492-4774

GRANTEE:

HICKORY GROVE FARMS, LLC, a
Mississippi limited liability company
1055 GREENBRIAR DRIVE
COLUMBUS, MS 39705
(662) 492-4774

In consideration of Ten Dollars (\$10.00), cash in hand paid, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, we, HENRY COX PILKINTON, IV and wife, SANDRA C. PILKINTON, do hereby convey and warrant unto HICKORY GROVE FARMS, LLC, a Mississippi limited liability company, the real property located in the County of Oktibbeha, State of Mississippi, described as follows:

Commence with the intersection of the West right of way of Camp Avenue with the North right of way of University Drive and run in a Northwesterly direction along the North right of way of University Drive a distance of 242.5 feet to the Southwest corner of Lot 35 of Block 28 as shown on the A. L. Goodman Official Map of the City of Starkville, Mississippi, 1951 Edition and use as the Point of Beginning.

Thence continue in a Northwesterly direction along the North right of way of University Drive a distance of 94.0 feet to the Southeast corner of Lot 32; thence run in a Northeasterly direction along the East boundary of Lot 32 a distance of 172.0 feet; thence run in an Easterly direction a distance of 60.0 feet to the Northwest corner of Lot 35-A; thence run in a Southerly direction along the West boundary of Lot 35-A and Lot 35 a distance of 217.0 feet to the Southwest corner of Lot 35 and the Point of Beginning.

TO:177943.1

Warranty Deed - Page 2

2004 5925
Recorded in the Above
Deed Book & Page
08-09-2004 01:33:28 PM

Being all of Lot 34 of Block 28 as shown on the A. L. Goodman
Official Map of the City of Starkville, Mississippi, 1951 Edition.

SUBJECT TO all prior mineral reservations, if any, and also
SUBJECT TO easements for public utilities and rights of way for
public roadways, whether the same appear of record or not, if any.

[Source of Title: Deed Book 2003, Pages 7072-7073]

WITNESS THE SIGNATURES of the Grantors on this, the _____ day of _____, 2004.

Henry Cox Pilkinton IV
HENRY COX PILKINTON, IV

Sandra C. Pilkinton
SANDRA C. PILKINTON

STATE OF MISSISSIPPI

COUNTY OF Louise

Personally appeared before me, the undersigned authority in and for the said county and state,
on this 22nd day of July, 2004, within my jurisdiction, the within named HENRY COX
PILKINTON, IV, who acknowledged that he executed the above and foregoing instrument.

Brent Bell
NOTARY PUBLIC

My Commission Expires:

MY COMMISSION EXPIRES:
MARCH 09, 2007



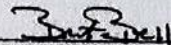
(SEAL)

STATE OF MISSISSIPPI

COUNTY OF Lewis

2004 5926
Recorded in the Above
Deed Book & Page
08-09-2004 01:33:28 PM
Monica W. Banks
Oktibbeha County, MS

Personally appeared before me, the undersigned authority in and for the said county and state,
on this 22nd day of July, 2004, within my jurisdiction, the within named SANDRA C.
PILKINTON, who acknowledged that she executed the above and foregoing instrument.


NOTARY PUBLIC

My Commission Expires:

~~MY COMMISSION EXPIRES:~~
MARCH 06, 2007



(SEAL)

Index as follows:

Lot 34, Block 28, City of Starkville, Oktibbeha County, Mississippi.

Prepared by:

Gregory D. Pirkle, MS Bar No. 4369
Phelps Dunbar LLP
One Mississippi Plaza, Seventh Floor
201 S. Spring Street
P. O. Box 1220
Tupelo, MS 38802-1220
(662) 842-7907



Oktibbeha County, MS
I certify this instrument was filed on
08-09-2004 01:33:28 PM
and recorded in Deed Book
2004 at pages 5924 - 5926
Monica W. Banks

William Michael Brooks - License

