OFFICIAL AGENDA
PLANNING & ZONING COMMISSION
CITY OF STARKVILLE, MISSISSIPPI
MEETING OF TUESDAY, MAY 12, 2020
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 MARCH 10, 2020
B. CONSIDERATION OF THE UNAPPROVED MINUTES OF APRIL 14, 2020

VI. CITIZEN COMMENTS

VII. NEW BUSINESS

A. SE 20-04 REQUEST FOR SPECIAL EXCEPTION TO ALLOW FOR A "BORROW PIT" AT 1594 ROCKHILL ROAD.

B. SE 20-05 REQUEST FOR SPECIAL EXCEPTION TO ALLOW FOR A MANUFACTURED HOME ON THE EAST SIDE OF BABYLON ROAD APPROXIMATELY 1, 550 FEET (0.29 MILES) SOUTH OF WEST GARRARD ROAD IN AN R-N ZONING DISTRICT

VIII. ADJOURN

UNAPPROVED MINUTES OF THE REGULAR MEETING OF THE PLANNING AND ZONING COMMISSION CITY OF STARKVILLE, MISSISSIPPI MARCH 10, 2020

Be it remembered that the members of the Planning and Zoning Commission of the City of Starkville met at their regularly scheduled meeting on March 10, 2020 at 5:30 p.m. in the Courtroom of City Hall, located at 110 West Main Street, Starkville, MS.

There being present were Kim Moreland, Ward 1, Vicki West, Ward 2, Michael Brooks, Chairman, Ward 4, Alexis Gregory, Ward 5, and Tommy Verdell Jr., Ward 7. Absent from the meeting were Lee Harris, Ward 3, and Jeremiah Dumas Ward 7. Attending the Commissioners were Assistant City Planner Emily Corban, Community Development Director Dr. Simon Kim, and City Attorney Chris Latimer.

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

CONSIDERATION OF THE OFFICIAL AGENDA

There came for consideration the matter of the approval of the Official Agenda of the Planning and Zoning Commission of March 10, 2020 as presented.

OFFICIAL AGENDA
PLANNING & ZONING COMMISSION
CITY OF STARKVILLE, MISSISSIPPI
MEETING OF TUESDAY, FEBRUARY 11, 2020
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 JANUARY 14, 2020
VI. CITIZEN COMMENTS
VII. NEW BUSINESS
   A. PP 20-03 REQUEST FOR PRELIMINARY PLAT APPROVAL FOR "CLARK GROVE SUBDIVISION PHASE I"
   B. SE 20-01 REQUEST FOR SPECIAL EXCEPTION TO ALLOW FOR AN ACCESSORY DWELLING UNIT AT 201 PINEBROOK ROAD IN AN SD-6 WITH THE PARCEL NUMBER 102D-00-028.00

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C. SE 20-02 REQUEST FOR SPECIAL EXCEPTION TO ALLOW FOR AN ACCESSORY DWELLING UNIT AT 607 OLD WEST POINT ROAD IN A SD-2 WITH THE PARCEL NUMBER 117L-00-001.00

VIII. ADJOURN

After discussion and upon the motion of Commissioner Gregory, duly seconded by Commissioner Moreland, the motion to approve the official agenda of the Planning and Zoning Commission for March 10, 2020 received unanimous approval.

CONSIDERATION FOR APPROVAL OF THE MINUTES OF THE MEETING OF FEBRUARY 11, 2020

After discussion and upon the motion of Commissioner Verdell, duly seconded by Commissioner Gregory, the motion to approve the minutes as amended of the Planning and Zoning Commission for February 11, 2020 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.

NEW BUSINESS

A. PP 20-03 REQUEST FOR PRELIMINARY PLAT APPROVAL FOR "CLARK GROVE SUBDIVISION PHASE I"

This is a request by Jay Bryan of McCarty Architects on behalf of Stewart Rutledge for Preliminary Plat approval for subdividing a +/-16.91-acre parcel into 39 lots. The proposed subdivision is named "Clark Grove Subdivision Phase I" and is located in a TN-E zoning district at the northeast corner of the intersection of Reed Road and West Side Drive. The future phase of the development is located directly to the north of phase I

The proposed development has a gross density of 2.3 units per acre. The applicant has not identified any adversely affected parties to the subdivision. All easements are provided on the Preliminary Plat. All proposed roadway dedications are shown on the plat. The applicant shall contact the County for review and approval of the proposed road name. The Applicant shall meet the requirements of the electrical service, potable water, and sanitary sewer utility services provider. There are no recommended conditions to the request.

Jay Bryan came forward to speak in favor of the request.

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After discussion and upon the motion of Commissioner Gregory, duly seconded by Commissioner Verdell, the motion to approve PP 20-03 received unanimous approval.

B. SE 20-01 REQUEST FOR SPECIAL EXCEPTION TO ALLOW FOR AN ACCESSORY DWELLING UNIT AT 201 PINEBROOK ROAD IN A SD-6 WITH THE PARCEL NUMBER 102D-00-028.00

This is a request by Gregory Tompkins for a Special Exception to allow for an Accessory Dwelling Unit to be located in the rear yard of 201 Pinebrook Road. The property is currently zoned SD-6 (Single Dwelling 6 units per acre). The Use Chart requires a Special Exception for "accessory dwelling unit" in a SD-6 zoning district. Section 13.3.4 of Unified Development Code also requires that the Special Exception meet the additional standards for that use.

The applicant is seeking a Special Exception to convert a partially constructed accessory structure into an accessory dwelling unit. The applicant has obtained building permits to construct the accessory structure and started construction. During construction, the applicant decided to make a request to finish the structure as an accessory dwelling. The proposed dwelling will consist of a living room, one bedroom, kitchen and a bathroom in a one-story building with the exterior dimensions of 20 feet by 24 feet for a total square footage of 480.

Accessory Dwelling Unit shall meet the Design Standards under Sec. 13.5.2. Section 3.4.1 of the UDC list 8 criteria for review and approval of the Special Exceptions. The request was noticed in accordance with Section 3.4.3.E of the Unified Development Code.

13 property owners of record within 160 feet of the subject property were notified directly by mail of the request. A legal ad was published in the Starkville Daily News on February 17, 2020. A sign was posted on the property in a conspicuous location.

As of this date, the Planning Office has received four (4) phone calls against the request. In the opinion of the Planning Department the proposed use associated with the Special Exception request does meet the criteria for special exception review and approval. However, the partially complete structure will need to meet the requirements of the adopted residential building code and all other applicable codes prior to being occupied.

Requested Condition through the DRC

1. The applicant shall obtain all required building permits for the use requested.
2. There shall be no separate meters for the accessory dwelling unit, but an electrical disconnect is required for an emergency cutoff.

The Chairman opened the public hearing:

The applicant, Greg Tompkins, came forward to speak in favor of the request.
Michele Herman came forward to speak against the request.
Beth Thomas came forward to speak against the request.

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Marnita Henderson came forward to speak against the request.

Calling for and hearing no other comments, the chairman closed the public hearing.

After discussion and upon the motion of Commissioner Verdell, duly seconded by Commissioner Gregory, the motion to table SE 20-01 until the April 14th planning and zoning commission received unanimous approval with the following requests:

1. more information on parking issues
2. site pictures of the accessory building

C. SE 20-02 REQUEST FOR SPECIAL EXCEPTION TO ALLOW FOR AN ACCESSORY DWELLING UNIT AT 607 OLD WEST POINT ROAD IN A SD-2 WITH THE PARCEL NUMBER 117L-00-001.00

This is a request by Lee Carson for a Special Exception to allow for an Accessory Dwelling Unit to be located in the rear yard of 607 Old West Point Road. The property is currently zoned SD-2 (Single Dwelling 2 units per acre). The Use Chart requires a Special Exception for "accessory dwelling unit" in a SD-2 zoning district, and the applicant is proposing to upgrade the existing accessory building for dwelling.
Section 13.3.4 of Unified Development Code also requires that the Special Exception meet the additional standards for that use.

The applicant is seeking a Special Exception to convert an existing accessory structure into an accessory dwelling unit. The existing structure is original to the house and was previously used as storage. The applicant is currently operating a bed and breakfast out of the main house. The accessory dwelling would be used as part of the bed and breakfast. The proposed dwelling is a one-story building with the exterior dimensions of 18 feet by 20 feet for a total square footage of 360. Accessory Dwelling Unit shall meet the Design Standards under Sec. 13.5.2. Section 3.4.1 of the UDC list 8 criteria for review and approval of the Special Exceptions.

The request was noticed in accordance with Section 3.4.3.E of the Unified Development Code. 20 property owners of record within 160 feet of the subject property were notified directly by mail of the request. A legal ad was published in the Starkville Daily News on February 19, 2020. A sign was posted on the property in a conspicuous location. As of this date, the Planning Office has received one (1) phone call against the request; two (2) emails against; one (1) phone call requesting information; and one (1) visit for favor.
In the opinion of the Planning Department the proposed use associated with the Special Exception request does generally meet the criteria for special exception review and approval. However, the existing structure will need to meet the requirements of the adopted residential building code and all other applicable codes prior to being occupied.
The requested conditions through the DRC were:

1. The applicant shall obtain all required building permits for the use requested.
2. There shall be no separate meters for the accessory dwelling unit, but an electrical disconnect is required for an emergency cutoff.

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There is one requested deviation from the Use Standard (per Sec.3.4.1)

1. Deviation from Sec.13.5.2.D.3 requiring kitchen facility.

The Chairman opened the public hearing:

The applicant, Lee Carson came forward to speak in favor of the request.
Lynn Berch, came forward to speak in favor of the request.
Frances McDavid came forward to speak against the request.

Calling for and hearing no other comments, the chairman closed the public hearing.

After discussion and upon the motion of Commissioner Verdell, duly seconded by Commissioner Gregory, the motion to approve the SE 20-02 received unanimous approval with the recommended conditions and requested deviation.

ADJOURN

There came for consideration, the matter of the approval of the motion to adjourn until 5:30 p.m. on April 14, 2020, in the Courtroom of City Hall located at 110 West Main Street, Starkville MS.

After discussion, and upon the motion of Commissioner Dumas, duly seconded by Commissioner Harris, the motion to adjourn until 5:30 p.m. on March 10, 2020 in the Courtroom located at 110 West Main Street, Starkville MS, was unanimously approved.

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Mike Brooks, Commission Chair

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Dr. Simon Kim, Community Development Director

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UNAPPROVED MINUTES OF THE REGULAR MEETING OF THE PLANNING AND ZONING COMMISSION CITY OF STARKVILLE, MISSISSIPPI APRIL 14, 2020

Be it remembered that the members of the Planning and Zoning Commission of the City of Starkville held their regularly scheduled meeting on April 14, 2020 at 5:30 p.m. in the Courtroom of City Hall, located at 110 West Main Street, Starkville, MS.

There being physically present at the meeting were Kim Moreland, Ward 1 and Michael Brooks, Chairman, Ward 4. Joining the meeting via Google Meets virtual meeting platform were Vicki West, Ward 2, Alexis Gregory, Ward 5, and Jeremiah Dumas Ward 7. Tommy Verdell Jr., Ward 7 was absent from the meeting. Attending the Commissioners at the meeting was City Planner Daniel Havelin. Joining the meeting via Google Meets virtual meeting platform were Assistant City Planner Emily Camp Corban, Community Development Director Dr. Simon Kim, and City Attorney Chris Latimer.

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

CONSIDERATION OF THE OFFICIAL AGENDA

There came for consideration the matter of the approval of the Official Agenda of the Planning and Zoning Commission of April 14, 2020 as presented.

OFFICIAL AGENDA
PLANNING & ZONING COMMISSION
CITY OF STARKVILLE, MISSISSIPPI
MEETING OF TUESDAY, APRIL 14, 2020
1ST FLOOR CITY HALL – COURTROOM
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. CITIZEN COMMENTS
VI. OLD BUSINESS
   A. SE 20-01 REQUEST FOR SPECIAL EXCEPTION TO ALLOW FOR AN ACCESSORY DWELLING UNIT AT 201 PINEBROOK ROAD IN AN SD-6 WITH THE PARCEL NUMBER 102D-00-028.00
VII. NEW BUSINESS

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A. EX 20-02 REQUEST FOR AN EXCEPTION FROM FENESTRATION REQUIREMENTS AT 593 RUSSELL ST. PREVIOUSLY ZONED T-6 WITH THE PROPERTY NUMBER 101C-00-018.00.
B. PP 20-04 REQUEST FOR PRELIMINARY PLAT APPROVAL FOR "JAX CORNER SUBDIVISION".
C. SE 20-03 REQUEST FOR SPECIAL EXCEPTION TO ALLOW FOR A 42-UNIT TOWNHOUSE DEVELOPMENT ON LYNN LANE IN A TN-N ZONE WITH THE PARCEL NUMBER #102I-00-002.00

VIII. ADJOURN

After discussion and upon the motion of Commissioner Gregory, duly seconded by Commissioner Moreland, the motion to approve the official agenda of the Planning and Zoning Commission for March 10, 2020 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 Old Business.

OLD BUSINESS

A. SE 20-01 REQUEST FOR SPECIAL EXCEPTION TO ALLOW FOR AN ACCESSORY DWELLING UNIT AT 201 PINEBROOK ROAD IN AN SD-6 WITH THE PARCEL NUMBER 102D-00-028.00

Upon the motion of Commissioner Moreland, duly seconded by Commissioner Gregory, the motion to lift this item from the table received unanimous approval.

The Chair requested an update from Mr. Havelin on the status of the request. Mr. Havelin informed the commission that the Applicant withdrew the request via email on April 9th to Assistant City Planner, Emily Camp Corban. With the request closed, the Commission moved to New Business.

NEW BUSINESS

A. EX 20-02 REQUEST FOR AN EXCEPTION FROM FENESTRATION REQUIREMENTS AT 593 RUSSELL ST. PREVIOUSLY ZONED T-6 WITH THE PROPERTY NUMBER 101C-00-018.00

This is a request by Ron Hartley on behalf of Cadence Bank for an Exception from fenestration requirements at 593 Russell Street in a previously zoned T-6. The property is currently zoned T5-C.

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The applicant is proposing to construct a new commercial building to house Cadence Bank on the property. The project was started prior to the adoption of the Unified Development Code and is therefore being reviewed under the previous ordinance. The applicant is seeking an Exception to reduce the fenestration requirements from 70% to 55%.

No Exception shall be approved unless the Planning and Zoning Commission finds the approval would:
i. Be consistent with § 1.2 Intent and 1.3 Transect Districts of this Section,
ii. and be consistent with the goals, objectives and policies of the City of Starkville's Comprehensive Plan.

In the opinion of the Planning Department the proposed reduction in fenestration requirements would generally be consistent with the goals, objectives, and policies of the City of Starkville's Comprehensive Plan. The current zoning of the property as T5-C has similar transparence (fenestration) requirements as the request.

The staff report in the epacket incorrectly states that the request was noticed in accordance to the UDC and to all properties within 160 feet. The request was noticed in accordance with previous code section Appendix A, Article 6, Section i to all properties within 300 feet.

The Chairman opened the public hearing:

The Applicant, Ron Hartley came forward to speak in favor of the request.

Calling for and hearing no other comments, the chairman closed the public hearing.

After discussion and upon the motion of Commissioner Gregory, duly seconded by Commissioner West, the motion to approve the EX 20-02 received unanimous approval.

B. PP 20-04 REQUEST FOR PRELIMINARY PLAT APPROVAL FOR "JAX CORNER SUBDIVISION".

This is a request by Jason Pepper on behalf of Jody Josey and 4j I LP for Preliminary Plat approval for subdividing and reconfiguring several lots into 2 lots. The proposed subdivision is named "Jax Corner Subdivision". Proposed Lot 1 is shown as having an acreage of +/- 0.74 and Lot 2 is shown as having an acreage of +/- 1.1. Lot 1 will continue the current business of a veterinary clinic. Lot 2 will be made available for sale and redevelopment. The applicant has not identified any adversely affected parties to the subdivision.

There were three requested conditions from Engineering staff.

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1. All development and redevelopment on either lot will be required to comply with new access management requirements, stormwater management and any other codes per the UDC.
2. Lot 1 will be required to be in compliance with access management requirements prior to execution of the final plat
3. Infrastructure plans should be submitted and approved by DRC which will include all required improvements.

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

After discussion and upon the motion of Commissioner Moreland, duly seconded by Commissioner Dumas, the motion to approve PP 20-04 with the three requested conditions received unanimous approval.

C. SE 20-03 REQUEST FOR SPECIAL EXCEPTION TO ALLOW FOR A 42-UNIT TOWNHOUSE DEVELOPMENT ON LYNN LANE IN A TN-N ZONE WITH THE PARCEL NUMBER #102I-00-002.00

This is a request by Henry Minor on behalf of William, Sean, and Dallas Richmond for a Special Exception to allow for a townhome development to be located on Lynn Lane in a TN-N zone The Use Chart requires a Special Exception for "dwelling, townhouse/rowhouse" in a TN-N zoning district. The property is approximately 5.3 acres. The proposal is to build 42 (3) bedroom townhome units with an overall gross density of 7.92 dwelling units per acre. The concept plan shows 158 parking spaces. Which meets the requirement of 1.25 spaces per bedroom. A buffer is also shown on the north side of the property. The applicant has submitted concept drawings of the proposed buildings. The project will require Architectural Review in accordance with Section 3.10 of the UDC.

The request was noticed in accordance with Section 3.4.3.E of the Unified Development Code. 39 property owners of record within 160 feet of the subject property were notified directly by mail of the request. A legal ad was published in the Starkville Daily News on March 18,2020. A sign was posted on the property in a conspicuous location.

As of this date, the Planning Office has received two emails and three phone calls requesting information about the request. An Email from George Barry (Attachment 4) expressed some concerns with the project and requested conditions if approved. On April 14th an additional email not stated in the e-packet was received from Mark Guyton against the request. The email was provided to the Commission.

Section 3.4.1 list 8 criteria for Special Exception approval. Section 13.3.4 of Unified Development Code also requires that the Special Exception meet the additional standards for that use. Section 13.5.5.D lists 7 additional standards for the proposed use.

The Development Review Committee reviewed and commented on the request in the MyGov system in accordance with Section 3.4.1.E. The final site plan will require Site Plan approval from the DRC.

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In the opinion of the Planning Department the proposed use associated with the Special Exception request does meet the criteria for special exception review and approval.

The Chairman opened the public hearing:

The applicant, Jason Pepper, came forward to speak in favor of the request.
Tom Freeman came forward to speak against the request. Mr. Freeman also provided staff with his comments in writing.

Calling for and hearing no other comments, the chairman closed the public hearing.

After discussion and upon the motion of Commissioner Dumas, duly seconded by Commissioner Moreland, the motion to approve SE 20-03 passed by a vote of 3-1 with Commissioner Gregory voting against the motion.

ADJOURN

There came for consideration, the matter of the approval of the motion to adjourn until 5:30 p.m. on May 12, 2020, in the Courtroom of City Hall located at 110 West Main Street, Starkville MS.

After discussion, and upon the motion of Commissioner Moreland, duly seconded by Commissioner West, the motion to adjourn until 5:30 p.m. on May 12, 2020 in the Courtroom located at 110 West Main Street, Starkville MS, was unanimously approved.

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Mike Brooks, Commission Chair

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Daniel Havelin, City Planner

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HISTORIC STARKVILLE
MISSISSIPPI'S COLLEGE TOWN

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)
Subject:	SE 20-04 Request for Special Exception to allow for a "Borrow Pit" at 1594 Rockhill Road.
Date:	May 12, 2020

The purpose of this report is to provide information regarding Special Exception Request by Nic Parish of Burns Dirt Construction on behalf of Dudley Waldrop to allow for a "Borrow Pit" located at 1594 Rockhill Road in a R-N zoning district with the property #116-23-007.17. Please see attachments 1- 3.

BACKGROUND INFORMATION

The applicant is seeking a Special Exception to operate a borrow pit. The Use Chart in Section 13.3 of the Unified Development Code requires a Special Exception for "borrow pit" in an R-N zoning district. A borrow pit is defined in Section 13.8.3.A as "An area from which soil, aggregate, or other unconsolidated material is removed to be used, with or without further processing, as fill for activities such as landscaping, building construction, or roadway construction and maintenance on another site. This use shall also be granted and maintain all applicable local, state, and federal permits". Section 13.3.4 of Unified Development Code also requires that the Special Exception meet the additional standards for that use. There are no additional standards for this use.

CRITERIA FOR SPECIAL EXCEPTION REVIEW AND APPROVAL (Section 3.4.1.)

1. **Site suitability.** The proposed location of the structure and use has adequate space for development, adequate access to the site, fits contextually with the surrounding area, and has been properly designed for any environmental constraints.
2. **Traffic.** There is no undue nuisance or serious hazard to pedestrian or vehicular traffic in the surrounding area by the proposed structure and use.
3. **Immediate neighborhood impact.** The proposed structure and use is not detrimental, injurious, obnoxious, or offensive to other properties in the neighborhood. Negative impacts can include excessive trip generation, noise, vibration, dust, glare, heat, smoke, fumes, gas, odors, and inappropriate hours of operation.
4. **Availability of public services.** The proposed structure and use is adequately served by sewer, water, electricity, fire protection, police protection, and provides for any stormwater requirements.
5. **Site Plan.** A site plan shall be reviewed by the Development Review Committee prior to review by the Planning and Zoning Commission. This review shall be to determine if elements have been adequately provided on the plan. These elements can include, but are not limited to: parking areas, loading areas, buffers, screening, landscaping, and signage. Additional approval by the Development Review Committee may be required for site plan approval after approval of a special exception.
6. **Impact on property values.** The proposed location of the structure and use will not cause or contribute to a decline in property values of surrounding properties.

7. **Consistency with Comprehensive Plan.** The proposed special exception is consistent with the goals, objectives, and policies of the Comprehensive Plan.
8. **Additional Standards.** All associated additional standards for the proposed building, sign, accessory structure, or site associated with the use have been adequately provided for on the site plan.

ABANDONMENT OR DISCONTINUANCE (Section 3.4.3.K)

Any built structure or site associated with an approved special exception may continue with the associated use unless the use is made a nonconformity by any subsequent zoning ordinance n and/or action by the Board of Aldermen. All nonconformities shall be regulated in accordance with section 3.17. If a specific time is not set as part of the approval of a special exception, the special exception shall expire within 18 months if no building permit has been issued and/or construction activities have ceased on the site. A special exception for any sign type shall expire upon the abandonment or discontinuance of the use or business. Reapplication for a special exception for sign will be required.

NOTIFICATION

The request was noticed in accordance with Section 3.4.3.E of the Unified Development Code.

1. 11 property owners of record within 160 feet of the subject property were notified directly by mail of the request.
2. A legal ad was published in the Starkville Daily News on April 22. 2020.
3. A sign was posted on the property in a conspicuous location.

RESPONSE TO NOTIFICATION

As of this date, the Planning Office has received no response from the notifications.

ANALYSIS

In the opinion of the Planning Department the proposed use associated with the Special Exception request does meet the criteria for special exception review and approval.

CONDITIONS OF APPROVAL

Any condition attached to the approval of a special exception by the Mayor and Board of Aldermen shall run with the land and shall be binding upon the applicants, their heirs, successors, and assigns for the duration of the use of the building, sign, accessory structure, or site (Section 3.4.3.J).

Attachment 1

SE 20-04 Aerial

Legend

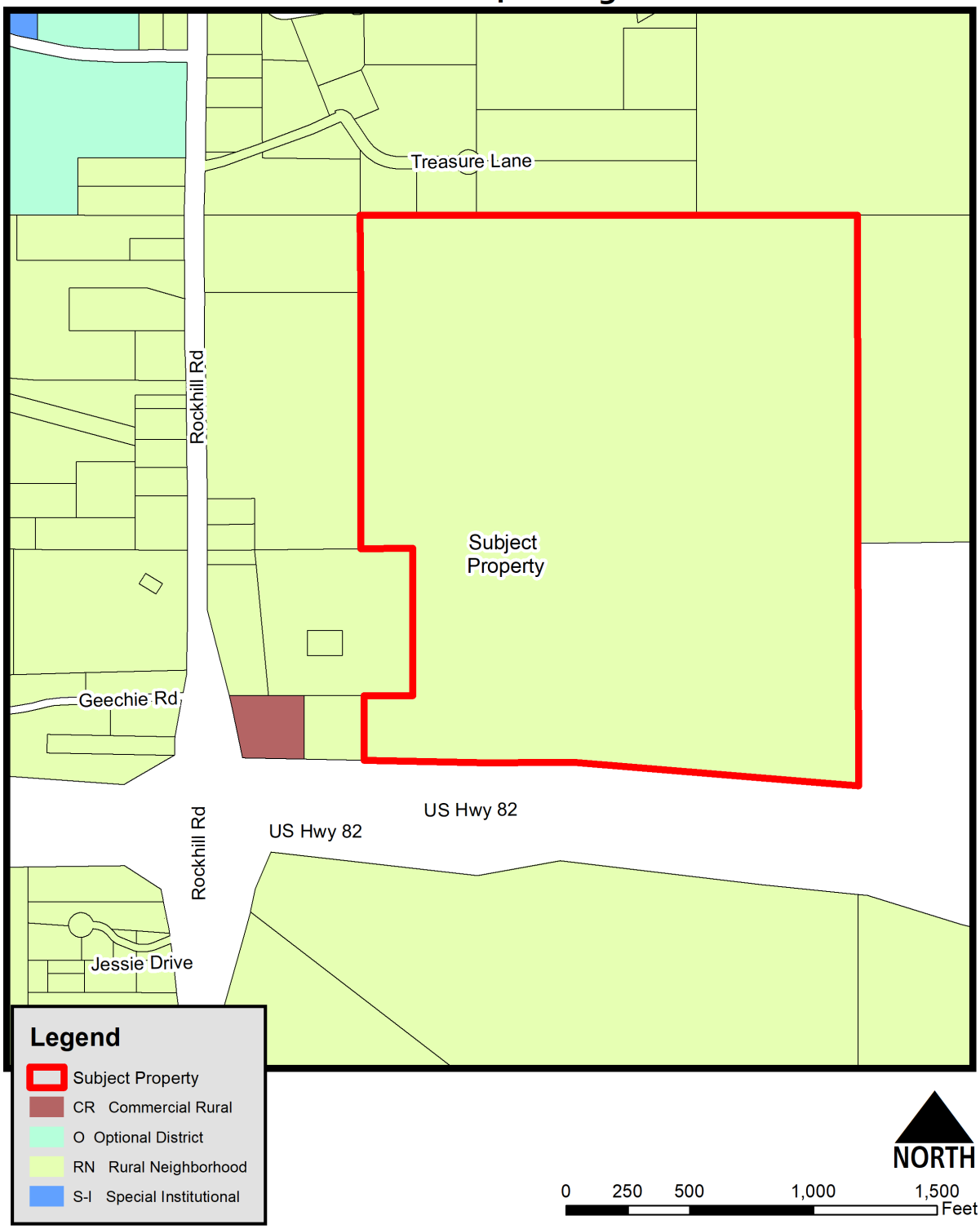
Subject Property

NORTH

0 250 500 1,000 1,500 Feet

Attachment 2

SE 20-04 Zoning



Attachment 3- Site Plan

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Starkville, MS 39759

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WALDROP PIT
BURNS DIRT
CIVIL DRAWINGS
STARKVILLE, MISSISSIPPI

DRAWING INFORMATION

N-S PROJECT NO.: NS	
FILENAME: WALDROP PIT-SITE ECP-GRADING	
SCALE:	
SURVEYED BY:	BB/JW
DSGN BY: BRS	DATE: 4/20
DRWN BY: BRS	DATE: 4/20
CHKD BY: JLD	DATE: 4/20
QA/QC BY:	DATE:

REVISION

NO.	DATE	BY	DESCRIPTION

GRADING PLAN

EROSION CONTROL PLAN

REVISION		
NO.	DATE	BY	DESCRIPTION

DRAWING INFORMATION
N/A PROJECT NO: XX
FILENAME: WALDROP PIT SITE ECP DRAWING
SCALE:
SURVEYED BY: BB/JW
DESIGNED BY: BS DATE: 4/20
DRAWN BY: BS DATE: 4/20
CHKD BY: JHD DATE: 4/20
QA/QC BY: DATE:

WALDROP PIT
BURNS DIRT
CIVIL DRAWINGS
STARKVILLE, MISSISSIPPI

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MISSISSIPPI'S COLLEGE TOWN

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:	SE 20-05 Request for Special Exception to allow for a manufactured home on the east side of Babylon Road approximately 1, 550 feet (0.29 miles) south of West Garrard Road in an R-N zoning district
Date:	May 12, 2020

The purpose of this report is to provide information regarding Special Exception Request by Tommy James Perkins Jr. on behalf of Darlene H. Perkins for a Special Exception to allow for a manufactured home on the east side of Babylon Road approximately 1, 550 feet (0.29 miles) south of West Garrard Road. The property is located within a R-N zoning district with the parcel numbers 119-30-012.00. Please see attachments 1- 2.

BACKGROUND INFORMATION

The applicant is seeking a Special Exception to place a manufactured home on the subject property. The Use Chart in Section 13.3 of the Unified Development Code requires a Special Exception for "Dwelling, Manufactured and Modular Home" in a Rural Neighborhood (R-N) zoning district. The entire parcel is listed at 11.73 acres. Only a portion of the property is to be used for the proposed use. The applicant provided a sketch of the home site area (see attachment 3). The home site area is approximately 116 ft by 392 ft for a total square footage of 45,472. The required minimum lot with for an R-N zone is 100 ft with a minimum of 40,000 square feet of lot area. The required setbacks are as follows: front 30 ft, rear 25 ft, and side 10 ft. There are currently no other dwellings on the property. Section 13.3.4 of Unified Development Code also requires that the Special Exception meet the additional standards for that use.

CRITERIA FOR SPECIAL EXCEPTION REVIEW AND APPROVAL (Section 3.4.1.)

1. **Site suitability.** The proposed location of the structure and use has adequate space for development, adequate access to the site, fits contextually with the surrounding area, and has been properly designed for any environmental constraints.
2. **Traffic.** There is no undue nuisance or serious hazard to pedestrian or vehicular traffic in the surrounding area by the proposed structure and use.
3. **Immediate neighborhood impact.** The proposed structure and use is not detrimental, injurious, obnoxious, or offensive to other properties in the neighborhood. Negative impacts can include excessive trip generation, noise, vibration, dust, glare, heat, smoke, fumes, gas, odors, and inappropriate hours of operation.
4. **Availability of public services.** The proposed structure and use is adequately served by sewer, water, electricity, fire protection, police protection, and provides for any stormwater requirements.
5. **Site Plan.** A site plan shall be reviewed by the Development Review Committee prior to review by the Planning and Zoning Commission. This review shall be to determine if elements have been adequately provided on the plan. These elements can include, but are

not limited to: parking areas, loading areas, buffers, screening, landscaping, and signage. Additional approval by the Development Review Committee may be required for site plan approval after approval of a special exception.

6. **Impact on property values.** The proposed location of the structure and use will not cause or contribute to a decline in property values of surrounding properties.
7. **Consistency with Comprehensive Plan.** The proposed special exception is consistent with the goals, objectives, and policies of the Comprehensive Plan.
8. **Additional Standards.** All associated additional standards for the proposed building, sign, accessory structure, or site associated with the use have been adequately provided for on the site plan.

ADDITIONAL STANDARDS ASSOCIATED WITH THE PROPOSED USE OF "DWELLING, MANUFACTURED AND MODULAR HOME" (Section 13.5.8.D)

1. Homes shall be anchored according to International Building Code requirements.
2. Homes shall bear the FMHCCS Label or Seal of Compliance.
3. Homes shall have horizontal siding. At a minimum, the exterior siding shall consist predominantly of vinyl or aluminum lap siding whose reflectivity does not exceed that of flat white paint, wood or hardboard, comparable in composition, appearance, and durability to the exterior siding commonly used in standard residential construction.
4. Homes shall have a minimum of a 3/12 roof pitch with asphalt shingles.
5. All homes shall be placed on the lot in harmony with the existing site-built structures. Where no neighboring structures are available for comparison, it shall be sited with the front running parallel to the street providing access to the site.
6. The towing tongue, wheels, and hitch-axle shall be removed upon final placement of the unit.
7. All manufactured homes shall be placed on permanent masonry foundations with appropriate screening of the foundations. The foundation shall not be visible from the street or adjacent properties.
8. All manufactured homes shall have either a deck or porch with steps at each entrance constructed and installed in accordance with the standards set forth by the International Building Code. The minimum square footage of the floor of such porch or deck shall measure at least thirty-six (36) square feet.
9. No manufactured and modular home more than ten (10) years old may be relocated or moved onto any lot within the city limits of Starkville.
10. See zoning district general provisions for density requirements and other standards.
11. See zoning district base dimensional standards for location, setback, and height requirements.

ABANDONMENT OR DISCONTINUANCE (Section 3.4.3.K)

Any built structure or site associated with an approved special exception may continue with the associated use unless the use is made a nonconformity by any subsequent zoning ordinance n and/or action by the Board of Aldermen. All nonconformities shall be regulated in accordance with section 3.17. If a specific time is not set as part of the approval of a special exception, the special exception shall expire within 18 months if no building permit has been issued and/or construction activities have ceased on the site. A special exception for any sign type shall expire upon the abandonment or discontinuance of the use or business. Reapplication for a special exception for sign will be required.

NOTIFICATION

The request was noticed in accordance with Section 3.4.3.E of the Unified Development Code.

1. 7 property owners of record within 160 feet of the subject property were notified directly by mail of the request.
2. A legal ad was published in the Starkville Daily News on April 22, 2020.
3. A sign was posted on the property in a conspicuous location.

RESPONSE TO NOTIFICATION

As of this date, the Planning Office has received no response from the notifications.

ANALYSIS

In the opinion of the Planning Department the proposed use associated with the Special Exception request does meet the criteria for special exception review and approval.

CONDITIONS OF APPROVAL

Any condition attached to the approval of a special exception by the Mayor and Board of Aldermen shall run with the land and shall be binding upon the applicants, their heirs, successors, and assigns for the duration of the use of the building, sign, accessory structure, or site (Section 3.4.3.J).

Attachment 1

SE 20-05 Aerial

Legend

area

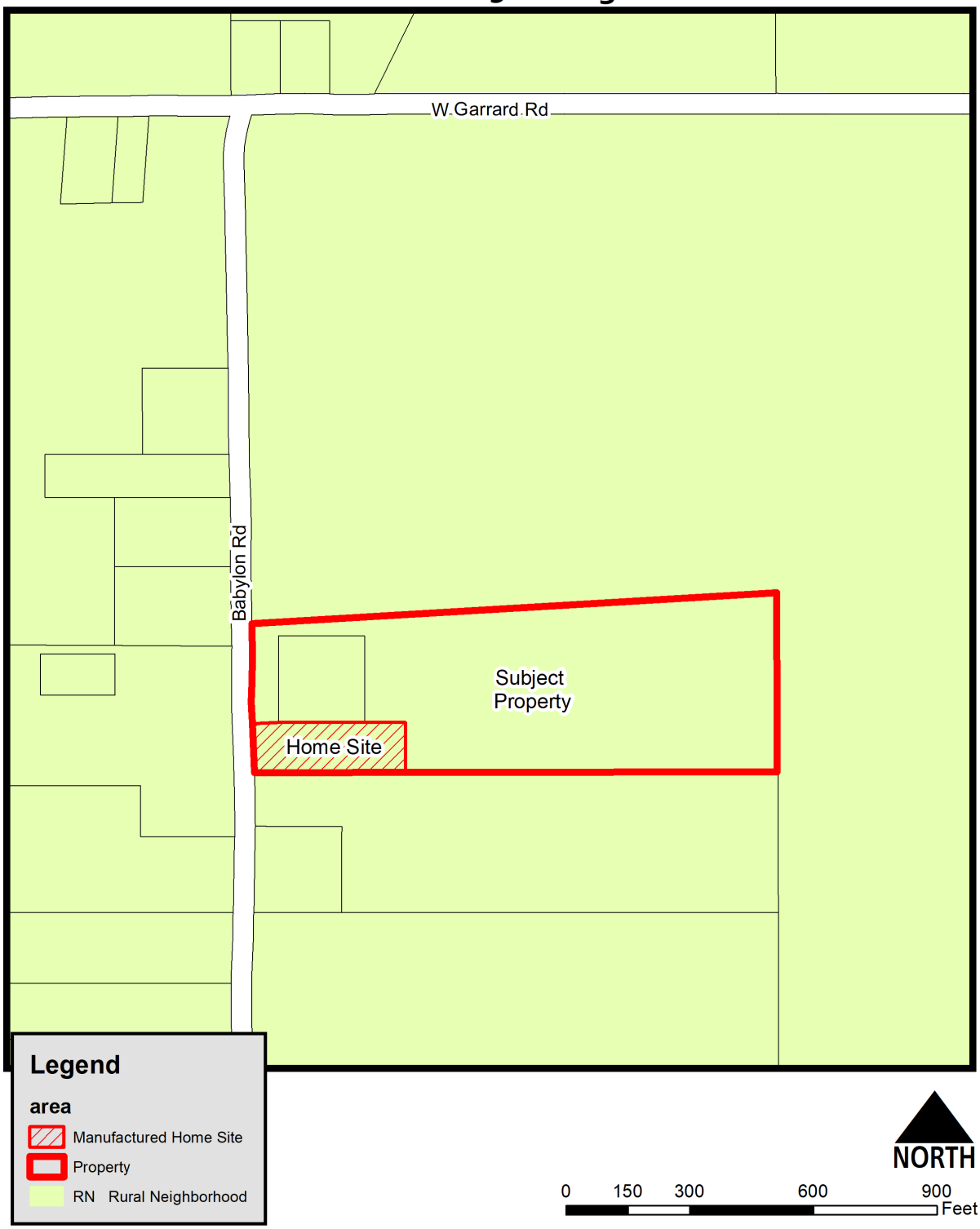
- Manufactured Home Site
- Property

NORTH

0 150 300 600 900 Feet

Attachment 2

SE 20-05 Zoning



Attachment 3- Home Site Sketch

Legend

subject property

NORTH

0 140 280 560 840 Feet