

**MINUTES OF THE REGULAR MEETING OF
THE PLANNING AND ZONING COMMISSION
CITY OF STARKVILLE, MISSISSIPPI JANUARY 9, 2018**

Be it remembered, that, the members of the Planning and Zoning Commission of the City of Starkville, met at their regularly scheduled meeting on January 9, 2018 at 5:30 p.m. in the Courtroom of City Hall, located at 110 West Main Street, Starkville, MS.

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

There came for consideration, the matter of the approval of the motion to approve the Official Agenda of the Planning and Zoning Commission of January 9, 2018 as presented.

**OFFICIAL AGENDA
PLANNING & ZONING COMMISSION
CITY OF STARKVILLE, MISSISSIPPI
MEETING OF TUESDAY, JANUARY 09, 2018
CITY HALL - COURT ROOM,
110 West Main Street, 5:30 PM**

- I. CALL TO ORDER
- II. PLEDGE OF ALLEGIANCE AND MOMENT OF SILENCE
- III. ROLL CALL
- IV. CONSIDERATION OF THE OFFICIAL AGENDA
- V. CONSIDERATION FOR APPROVAL OF MINUTES
 - A. CONSIDERATION OF THE UNAPPROVED MINUTES OF DECEMBER 12, 2017
- VI. CITIZEN COMMENTS
- VII. OLD BUSINESS
 - A. DISSUSSION AND CONSIDERATION OF MAKING A JOINT RECOMMENDATION WITH THE HISTORIC PRESERVATION COMMISSION TO THE BOARD OF ALDERMEN TO INCLUDE ARCHITECTURAL REVIEW IN THE NEW UNIFIED DEVELOPMENT CODE.

VIII. **NEW BUSINESS**

- A. **FP 18-01** REQUEST FOR FINAL PLAT APPROVAL FOR SUBDIVIDING +- 7.58 ACRE PARCEL INTO 2 LOTS. HWY 12 AND MARKET STREET IN A C-2 ZONE WITH THE PARCEL NUMBER 117F-00-008.08.
- B. **CU 18-01** REQUEST FOR CONDITIONAL USE TO ALLOW FOR AN ACCESSORY DWELLING UNIT AT 1700 S. MONTGOMERY IN AN R-1 ZONE WITH THE PARCEL NUMBER 106-23-003.01

IX. **PLANNER'S REPORT**
VIII. **ADJOURN**

After discussion and upon the motion of Commissioner Camp duly seconded by Commissioner Gregory, the motion to approve the official agenda of the Planning and Zoning Commission for January 09, 2018 received unanimous approval.

**CONSIDERATION FOR APPROVAL OF THE MINUTES OF THE MEETING OF
DECEMBER 12, 2017**

After discussion and upon the motion of Commissioner Dumas, duly seconded by Commissioner Gregory, the motion to approve the Minutes as amended of the December 12, 2017 Planning and Zoning Commission received unanimous approval.

CITIZEN COMMENTS

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

OLD BUSINESS

**A. DISSUSSION AND CONSIDERATION OF MAKING A JOINT
RECOMMENDATION WITH THE HISTORIC PRESERVATION COMMISSION TO
THE BOARD OF ALDERMEN TO INCLUDE ARCHITECTURAL REVIEW IN THE
NEW UNIFIED DEVELOPMENT CODE**

Commissioner Dumas motioned to move from old business to new business the discussion of making a joint recommendation of an architectural review, duly seconded by Commissioner Camp, the motion received unanimous approval.

Commissioner Dumas make a joint recommendation of including an architectural review process to the unified development code, duly seconded by Commissioner Walker, the motion received unanimous approval.

NEW BUSINESS

A. CONSIDERATION OF FP 18-01 REQUEST FOR FINAL PLAT APPROVAL FOR SUBDIVIDING +- 7.58 ACRE PARCEL INTO 2 LOTS. HWY 12 AND MARKET STREET IN A C-2 ZONE WITH THE PARCEL NUMBER 117F-00-008.08.

This is a Final Plat request subdividing 7.58- acre parcel into 2 lots. The property is located at Hwy 12 and Market Street with the parcel number 117F-00- 008.08. The proposed subdivision is named "Wal-Mart Commercial Subdivision". The site plan was approved by the Development Review Committee on November 17, 2015. A modification to the site plan was approved by the Development Review Committee in May of 2017. The preliminary plat was approved by the Board of Aldermen on November 11, 2015. The preliminary plat was renewed by the Board of Aldermen on December 20, 2016. A sign variance for an increase in the size of the wall signs was approved by the Board of Alderman on June 6, 2017. All easements and roadway dedications are shown on the plat. The roadways will be dedicated to the City. This proposal is not part of a previously platted subdivision. There are 14 recommended conditions.

After discussion and upon the motion of Commissioner Dumas, duly seconded by Commissioner Camp, the motion to approve FP 18-01 was approved unanimously.

B. CONSIDERATION OF CU 18-01 REQUEST FOR CONDITIONAL USE TO ALLOW FOR AN ACCESSORY DWELLING UNIT AT 1700 S. MONTGOMERY IN AN R-1 ZONE WITH THE PARCEL NUMBER 106-23-003.01

This is a Conditional Use Request by Kane Overstreet to allow for an accessory dwelling unit located at 1700 S. Montgomery in an R-1 zoning district with the property #106-23-003.01. The property is zoned R-1 zone and in order to construct a "Accessory dwelling unit", a Conditional Use is required per the City of Starkville's Permitted and Conditional Use Chart. The applicant has already completed the construction of the accessory dwelling without the knowledge or approval of the Planning Department. The structure was labeled garage on the original building plans. At the time of the request for Certificate of Occupancy, the Building Department made the applicant aware of the issue.

19 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 December 18, 2017 and a sign was posted on the property concurrent with publication of the notice. The sign was reposted on January 3, 2018 after it was apparently removed from the site. As of this date, the Planning Office has received no phone calls against 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 an Accessory dwelling unit could be considered a compatible use with adjacent properties. The property is currently zoned R-1 single family. The 2016 Comprehensive plan has the are as 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 did not receive a Conditional Use approval prior to construction. If Conditional Use approval is granted, the applicant would be in compliance.

The Commission Chair then opened up the public hearing and called for comments regarding the above request.

The applicant, Kane Overstreet came forward to speak in favor of the request. Sid Salters 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 Walker, duly seconded by Commissioner Gregory, the motion to approve CU 18-01 was approved unanimously with the following conditions:

1. No rental of the structure including game day rental.
2. The structure cannot be separately metered from the main structure.

VIII. PLANNER'S REPORT

City Planner Daniel Havelin announced staff is expecting to receive directive from the Board of Aldermen to proceed with public hearings for adopting the first two sections of the new unified development code. The code outline is currently separated into four sections. The first two sections, introduction, bodies, and procedures will be introduced first. The third section is zoning, subdivisions, and standards. The fourth section is definitions. Staff will be bringing these sections forward in the next several months.

IX. ADJOURN

ADJOURN

There came for consideration, the matter of the approval of the motion to adjourn until 5:30 p.m. on February 13, 2018, 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 February 13, 2018, in in the Courtroom located at 110 West Main Street, Starkville MS, was unanimously approved.

Mike Brooks, Commission Chair

Daniel Havelin, City Planner