



OFFICIAL AGENDA
PLANNING & ZONING COMMISSION
CITY OF STARKVILLE, MISSISSIPPI
MEETING OF TUESDAY DECEMBER 13, 2022
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. CONSIDERATION FOR THE APPROVAL OF MINUTES
 - A. CONSIDERATION OF THE UNAPPROVED MINUTES OF NOVEMBER 8, 2022
- VI. CITIZEN COMMENTS
- VII. NEW BUSINESS
 - A. DISCUSSION AND CONSIDERATION OF AA 22-02 A REQUEST FOR AN ADMINISTRATIVE APPEAL OF THE DECISION TO DENY THE USE OF A HOME OCCUPATION FOR 400 GREENSBORO STREET.
- VIII. ADJOURN

**APPROVED MINUTES OF THE MEETING OF
THE PLANNING AND ZONING COMMISSION
CITY OF STARKVILLE, MISSISSIPPI NOVEMBER 8, 2022**

Be it remembered that the members of the Planning and Zoning Commission of the City of Starkville held a meeting on November 8, 2022, 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 Chairman Jeremiah Dumas, Ward 6, Vicki West, Ward 2, Alexis Gregory Ward 5, and Tommy Verdell Jr., Ward 7. Joining virtually VIA the Google Meets platform was Carl Smith, Ward 4. Absent from the meeting was Kelly Prather, Ward 3. Kim Moreland, Ward 1 arrived at the meeting after the vote for consideration for the approval of minutes. Physically present attending the Commissioners were City Planner Daniel Havelin and Assistant City Attorney Jason Sharp.

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

IV. 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 November 8, 2022, as presented.

**OFFICIAL AGENDA
PLANNING & ZONING COMMISSION
CITY OF STARKVILLE, MISSISSIPPI
MEETING OF TUESDAY NOVEMBER 8, 2022
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 OCTOBER 11, 2022
- VI. CITIZEN COMMENTS
- VII. NEW BUSINESS
 - A. PUBLIC HEARING AND CONSIDERATION OF SE 22-06 A REQUEST FOR SPECIAL EXCEPTION TO ALLOW FOR A “PLACES OF WORSHIP” AT 105 FELIX LONG STREET IN A TN-E ZONING DISTRICT.
 - B. PUBLIC HEARING AND CONSIDERATION OF SE 22-07 A REQUEST FOR SPECIAL EXCEPTION TO ALLOW FOR A “DWELLING, ACCESSORY UNIT” AT 100 FOLEY DRIVE IN A SD-2 ZONING DISTRICT.
 - C. DISCUSSION AND CONSIDERATION OF PLANNING & ZONING COMMISSION 2023 MEETING SCHEDULE AND SUBMITTAL DEADLINES.
- VIII. ADJOURN

After discussion and upon the motion of Commissioner Gregory, duly seconded by Commissioner West, the motion to approve the official agenda of the Planning and Zoning Commission for November 8, 2022, received unanimous approval.

V. CONSIDERATION FOR THE APPROVAL OF MINUTES

A. CONSIDERATION OF THE UNAPPROVED MINUTES OF OCTOBER 11, 2022

After discussion and upon the motion of Commissioner Gregory, duly seconded by Commissioner Verdell, the motion to approve the revised minutes of the Planning and Zoning Commission for October 11, 2022, with revisions received unanimous approval. Commissioner Moreland entered the meeting after the vote.

VI. CITIZEN COMMENTS

The Chair opened up the meeting for citizen comments.

Calling for and receiving no comments, the Commission moved to New Business.

VII. NEW BUSINESS

A. PUBLIC HEARING AND CONSIDERATION OF SE 22-06 A REQUEST FOR SPECIAL EXCEPTION TO ALLOW FOR A "PLACES OF WORSHIP" AT 105 FELIX LONG STREET IN A TN-E ZONING DISTRICT

City Planner Daniel Havelin presented the request by Luke Castleberry for a special exception to allow for a place of worship at 105 Felix Long Street. The applicant is seeking a Special Exception to allow for the use "Places of Worship" in a TN-E zoning district for the relocation of the Starkville Korean Church. The proposed move would allow the church to have a new location to better suit their needs and for a new use to occupy their former location on Lafayette Street.

The request was noticed in accordance with Section 3.4.3.E of the Unified Development Code. 16 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 October 10, 2022. A sign was posted on the property in a conspicuous location.

As of this date, the Planning Office has received three letters requesting a condition if approved. The requested condition is to prohibit any future changes to the site that could have an adverse impact on neighboring properties from runoff from the site.

Chairman Dumas opened the item for discussion.

Mark Castleberry came forward to speak in favor of the request

Robert Ball came forward to express concerns about stormwater drainage from the site

Taze Fulford came forward to express concerns about stormwater drainage from the site

Shawn Sullivan came forward to express concerns about stormwater drainage from the site

Calling for and receiving no additional comments, Chairman Dumas closed the public hearing and opened the item up for discussion amongst the Commissioners.

After discussion and upon the motion to approve by Commissioner Verdell, duly seconded by Commissioner Moreland, the motion was unanimously approved.

B. PUBLIC HEARING AND CONSIDERATION OF SE 22-07 A REQUEST FOR SPECIAL EXCEPTION TO ALLOW FOR A "DWELLING, ACCESSORY UNIT" AT 100 FOLEY DRIVE IN A SD-2 ZONING DISTRICT.

City Planner Daniel Havelin presented the request Michael Everett of ECON Construction on behalf of Jordan and Sarah Windham for a "Dwelling, Accessory Unit" at 100 Foley Drive in a SD-2 zoning district. The applicant is proposing to build a pool house in the rear of the property. A portion of the pool house will include a kitchen area, full bathroom, electricity, and will be heated or cooled. The rest of the structure is not enclosed. Therefore, a portion of the structure is classified as an accessory dwelling unit (ADU). The Use Chart in Section 13.3.6 of the Unified Development Code requires a Special Exception for the use of a "Dwelling, Accessory Unit" in a SD-2 zoning district. The additional standards for accessory dwelling unit require a square footage of less than 600 sqft. The entire area under the roof of the proposed structure is +/-1,170 square feet. The portion that is enclosed with the accessory dwelling unit is +/-412 square feet. Therefore, the additional standard requirement of less than 600 square feet needs to be removed as part of this request in accordance with Section 3.4.

The request was noticed in accordance with Section 3.4.1 of the Unified Development Code. 7 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 October 20, 2022. A sign was posted on the property in a conspicuous location.

As of this date, the Planning Office has received no response to the notification.

Chairman Dumas opened the item for discussion.

Michael Everett came forward to speak in favor of the request.

Calling for and receiving no additional comments, Chairman Dumas closed the public hearing and opened the item up for discussion amongst the Commissioners.

After discussion and upon the motion to approve with one staff recommended condition by Commissioner Verdell, duly seconded by Commissioner Moreland, the motion was unanimously approved with one condition.

1. The additional standard of 600 square feet or less for accessory dwelling unit shall not apply to this structure as proposed.

C. DISCUSSION AND CONSIDERATION OF PLANNING & ZONING COMMISSION 2023 MEETING SCHEDULE AND SUBMITTAL DEADLINES.

Commissioner Smith exited the virtual meeting prior to discussing this item. City Planner Daniel Havelin presented the 2023 Planning and Zoning Commission meeting schedule and submittal deadlines.

After discussion and upon the motion to approve by Commissioner Verdell, duly seconded by Commissioner Moreland, the motion was unanimously approved.

D. VIII. ADJOURN

There came for consideration the matter of the approval of the motion to adjourn until 5:30 p.m. on December 13, 2022, in the Courtroom of City Hall located at 110 West Main Street, Starkville MS.

After discussion and upon the motion to adjourn until 5:30 p.m. on December 13, 2022, in the Courtroom located at 110 West Main Street, Starkville MS by Commissioner Gregory, duly seconded by Commissioner Verdell, the motion was unanimously approved.

Jeremiah Dumas, 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)
Lyle McCaskey, Assistant City Planner (662-323-2525 ext. 3130)
Subject: Discussion and consideration of AA 22-02 a request for an administrative appeal of the decision to deny the use of a Home Occupation for 400 Greensboro Street.
Date: December 13, 2022

The purpose of this report is to provide information regarding a request by Will and Stephanie Arnett for an Administrative Appeal of the decision by the City Planner Daniel Havelin to deny the use of Home Occupation at 400 Greensboro Street in a TN-E zoning district with the property # 118O-00-319.00. Please see attachments 1- 12.

BACKGROUND INFORMATION

The applicants are the owners of a real estate brokerage business, Mississippi Magnolia LLC. The applicants had made a request for the use of a "Home Occupation" to run their business at the property. That application was approved and then revoked (denied) after it became apparent the requirements of a Home Occupation were not being met. The applicants then applied for a Use Exception for the use of "Office-Professional". On October 11, 2022, the Planning and Zoning Commission voted unanimously to recommend denial of the request to the Board of Aldermen. On October 18, 2022, the applicants requested to withdraw their application for a Use Exception. The Board of Aldermen held the noticed public hearing on the request but took no action on the request. On December 7, 2022, the applicants submitted an application and supporting documents for an Administrative Appeal of the decision to deny the request for a "Home Occupation" (see attachment 13). The following is a timeline of the requests for a "Home Occupation" and the Use Exception for "Office-Professional".

- On July 1, 2022, Applicant Stephanie Arnett emailed City Planner Daniel Havelin outlining a request for a Use Exception for 400 Greensboro Street. In the email, she referenced Section 13.7.17 Office-Professional. Under the section "Intended Use" in the email, Ms. Arnett stated "Second home on first floor, private office space on second floor [not open to the public]". Mr. Havelin was out of the office from June 30, 2022, to July 12, 2022, and did not respond to the email. An automated email response was sent, but no response directly to the email (Attachment #3 page 1).
- On July 28, 2022, Stephanie Arnett emailed Daniel Havelin again outlining a request for a Use Exception for 400 Greensboro Street. In that email, she also referenced Section 13.7.17 Office-Professional. She included the same information from the previous email from July 1, 2022, except for the section "Intended Use". This email replaced the previous text in the first email under Intended Use with "Residential usage on first floor, private office space on second floor in the room titled "Family Room" [452sf - floor plan measurement enclosed] The total square footage of the home is 4,310". It also included an additional sentence "The home would not be open to the public, nor do we plan to have a monument sign" (Attachment #4 page 1).
- On August 2, 2022, Daniel Havelin responded to the email from July 28, 2022. Mr. Havelin stated, "It sounds like you are doing a home occupancy and not a professional office. The main difference is the intensity of the use and the fact that you live in the home". Mr. Havelin also listed the

requirements of a Home Occupation from Section 13.5.9. The decision to recommend processing the use as a Home Occupation was due to the statement in the previous email from July 28, 2022, from Ms. Arnett stating, "Residential usage on first floor, private office space on the second floor". Mr. Havelin stated that the decision was made based on the "fact that you live in the home" (Attachment 4 page 4). The definition of Home Occupations from Section 13.5.9, which was included in the email, states "Any occupation or profession, craft or trade, carried on by a person residing on the premises of a residential dwelling that is clearly incidental and secondary to the use of the residential dwelling, which does not change the character of the dwelling or neighborhood, and which brings little additional traffic and few visitors to the premise".

In addition to the definition, Section 13.5.9 also includes Section 13.5.9.D Additional Standards for the use of Home Occupation. Section 13.3.2 states "uses with additional standards shall be required to meet the use standards and additional standards". The Use Chart found in Section 13.3 requires additional standards for the use Home Occupation for the zoning district TN-E.

- On August 2, 2022, Stephanie Arnett emailed Daniel Havelin responding that she would get the application submitted (Attachment 4 page 4).
- On August 3, 2022, an application for a Home Occupation was given to city staff, and a case was created in MyGov (the city's permitting software). The application was approved on August 3, 2022 (Attachment 7). On the digitally signed application, Ms. Arnett checked the box acknowledging that she had read the requirements for a Home Occupation in Section 13.5.9 (Attachment 5). She also indicated that the business had no more than 2 employees, not including current residents. She stated the square footage used by the business as 862 square feet.
- On August 17, 2022, Daniel Havelin emailed Stephanie Arnett that the Home Occupation approval is only valid if you live in the home and that a Use Exception would be required to operate the business at that location. Information on how to apply for a Use Exception was provided by either a section reference or hyperlink by Mr. Havelin in this email (Attachment 4 page 5).
- On August 17, 2022, Stephanie Arnett replied to the previous email from Daniel Havelin asking what she would need to provide to "satisfy primary residence requirements" (Attachment 4 page 5).
- On August 17, 2022, Daniel Havelin replied to Stephanie Arnett's previous email with the response "you need to live there" (Attachment 4 page 6).
- On August 18, 2022, Stephanie Arnett emailed Daniel Havelin and copied City Attorney Chris Latimer and Alderman Brooks. In that email, she references the email to Daniel Havelin from July 1, 2022 (Attachment 3), where she listed the intended use as a "second home". This email was not responded to directly by Mr. Havelin and was not used by him for consideration for the decision to process it as a Home Occupation. Ms. Arnett also mentions that she had an in-person meeting at City Hall to discuss the use exception for the use Office-Professional. That meeting took place when Mr. Havelin was out of town and there were no planning department staff members at City Hall. She asked Mr. Havelin for "guidance" to seek a "feasible solution" (Attachment 6 page 1).
- On August 24, 2022, Daniel Havelin accessed the MyGov permitting software and reopened the application for a Home Occupation for 400 Greensboro and changed the status of the approval to "denied" (Attachment 7).
- On August 26, 2022, Stephanie Arnett emailed Mayor Spruill, City Attorney Chris Latimer, Alderman Carver, Alderman Brooks, Building Official Stein McMullen, and Daniel Havelin. In this email, Ms.

Arnett references the email she sent on August 18, 2022 (Attachment 3). In the email, she states "I questioned the need for the variance/exception previously suggested, because I was specifically told by City Hall [inwriting] that one was not needed". On August 2, 2022, Ms. Arnett was told in writing via email from Mr. Havelin that decision for a home occupation and not a use exception was based on the "fact that you live in the home" (Attachment 4 page 4). That decision was based on the information provided in the email on July 28, 2022.

In the August 26, 2022 email, Ms. Arnett also stated that she did not get a response to her email from August 18, 2022, and had questions about what is needed, what is the process, what are the submittal deadlines, and what is the timeline for approval. All of this information was previously provided by either a section reference or hyperlink by Mr. Havelin on August 17, 2022, via email (Attachment 4 page 5).

- On August 26, 2022, Daniel Havelin replied to Stephanie Arnett's previous email. Mr. Havelin again referenced the August 17, 2022 email with information on the use exception process (Attachment 6 page 8).
- On August 28, 2022, Stephanie Arnett emailed Daniel Havelin an application for a Use Exception for the use of Office-Professional at 400 Greensboro Street (Attachment 6 page 8). At this point, the Use Exception process was started. As part of that process, two public hearings were held. The first was with the Planning and Zoning Commission on October 11, 2022, where the commission unanimously recommended the denial of the request. The second was with the Board of Aldermen on October 18, 2022, where no action was taken due to the request by the applicants to withdraw their application.

Included with the application for a Use Exception was an applicant statement. In this letter document dated August 30, 2022, and signed by Will Arnett and Stephanie Arnett, they state that the request for the use of Office-Professional includes the entire second floor (Attachment 10 page 1).

- On September 8, 2022, Stephanie Arnett emailed several current and past city staff members including Daniel Havelin. In this email, she invited "Esteemed Committee Members" to attend a "tour of the Stark House" on September 15, 2022. She attached a pdf document to this email titled "The Stark House REFRESHER" (Attachment 9). In this document on page 6, she states the question "Will you be living in the home?". Her reply is "According to our Momma's, NO [we lay our heads down to sleep off South Montgomery]".
- On October 6, 2022, Stephanie Arnett applied for another Home Occupation through the City's MyGov permit software. This request was denied by Daniel Havelin on October 12, 2022, based on not meeting the requirements of a home occupation per Section 13.5.9.A, Section 13.5.9.D.1, Section 13.5.9.D.3, Section 13.5.9.D.4, and Section 13.5.9.D.5.

Section 13.5.9.A- States "Any occupation or profession, craft or trade, carried on by a person residing on the premises of a residential dwelling...". Per the document titled The Stark House REFRESHER (Attachment 9 page 6), Ms. Arnett states that "we lay our heads down to sleep off South Montgomery". Therefore, Ms. Arnett only occupies the structure as her place of business and not her home.

Section 13.5.9.D.1- States "Home occupations must be clearly incidental and secondary to the residential use of the structure". If the only use of the property is commercial, it therefore cannot be secondary to the residential use of the structure.

Section 13.5.9.D.3- States "Home occupations must not use over twenty percent (20%) of the principal building..." . Per the applicant's statement submitted the entire second floor will be used as part of the business. Per the document titled The Stark House REFRESHER (Attachment 9 page 6), Ms. Arnett states that the first-floor square footage is 3,079 and the second-floor square footage is 1, 232 square feet. Using those numbers provided by Ms. Arnett, the commercial use would occupy approximately 28.6% of the home. Therefore, exceeding the 20% allowed per Section 13.5.9.D.1.

Section 13.5.9.D.5- States "No more than two (2) outside employees shall be on-site at any one time". On the applicant's website (www.mississippimagnolia.com), more than 2 employees are shown on the Meet the Team link. It can be reasonably assumed if the team is larger than 2 employees there will at some point be more than 2 employees on-site. This does not include the applicants who also admittedly do not live on the property.

- On November 8, 2022 pictures were taken outside 400 Greensboro Street. The two pictures shown in Attachment 10 show cars of on-site employees parking in the driveway and on the street (Attachment 11).
- On November 28, 2022 pictures were taken inside and outside 400 Greensboro Street. The two pictures are shown in Attachment 11 and show cars of on-site employees parking in the driveway and the only beds in the house. The beds did not have mattresses (Attachment 12).

ANALYSIS

The decision to approve the initial application for a Home Occupation by Mr. Havelin was based on the information provided by Ms. Arnett in the July 28, 2022 email and then reinforced by the statements on the application submitted on August 3, 2022. At that time, Mr. Havelin reasonably believed that Ms. Arnett had been truthful on the application and had read the requirements in Section 13.5.9 Home Occupations as she indicated on the Home Occupation application. Once Mr. Havelin had become aware that at least one of the requirements of Section 13.5.9 was not being met, the status of the application was changed to denied.

This decision was later proven correct with the additional information provided through emails from the applicant, the applicant's statement for a Use Exception, the document titled "Stark House REFRESHER", and photos taken of the house by Code Enforcement. The applicant was given the opportunity to apply for a Use Exception to allow her to operate a business at the property. She has chosen voluntarily not to complete that process. Therefore, it is the recommendation of the Planning Department to uphold the decision to deny the home occupation application on August 3, 2022, based on the requirements of Section 13.5.9 Home Occupation having not been met. Even though it is not part of this request, it is also recommended to uphold the decision to deny the home occupation application on October 6, 2022, based on the requirements of Section 13.5.9 Home Occupation.

CRITERIA FOR ADMINISTRATIVE APPEAL REVIEW AND APPROVAL

3.8.1. Criteria for Administrative Appeal.

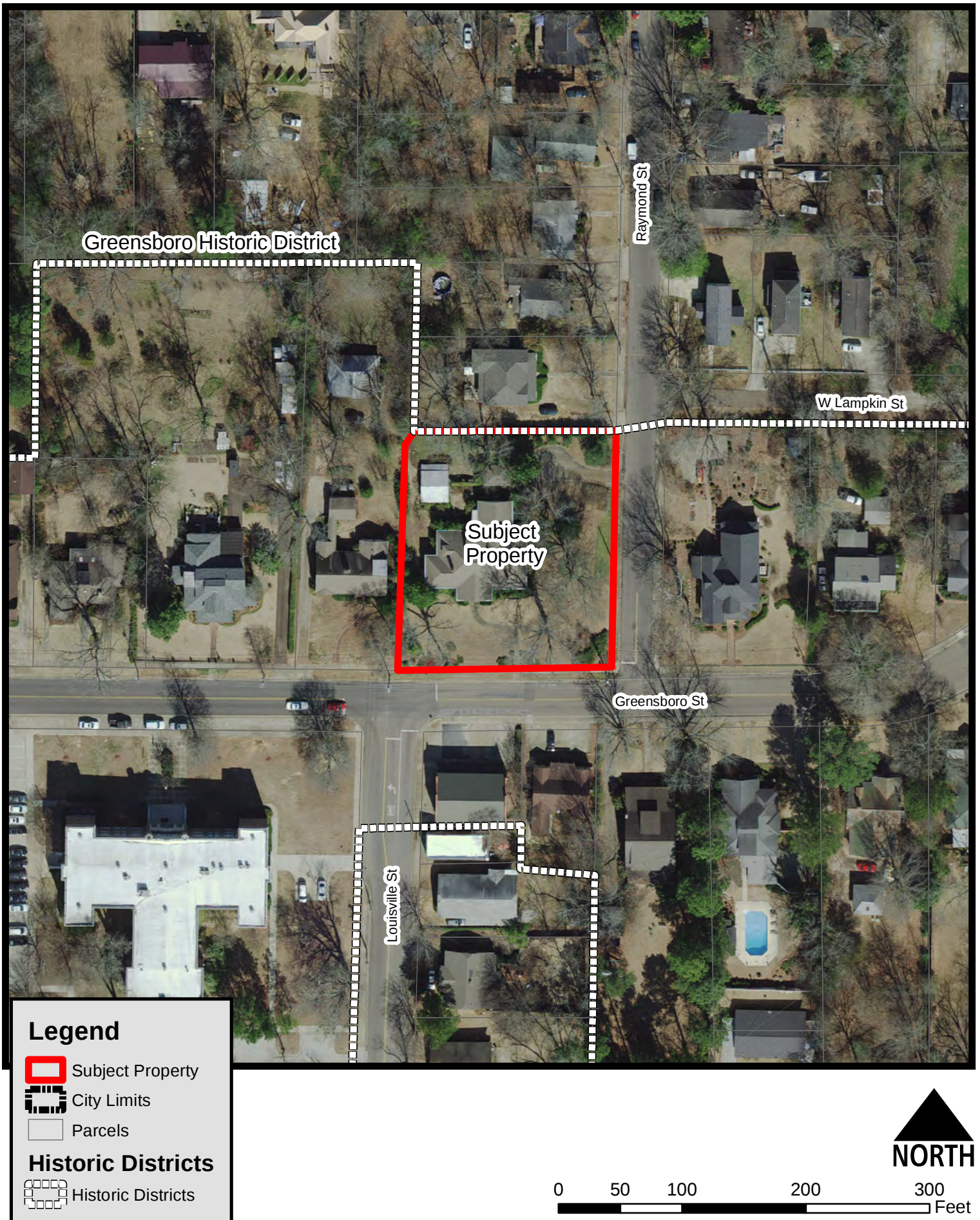
- A. Interpretation. The appeal of the interpretation of the requirements by City Staff or the City's Consultant(s) shall be based on an alleged error in interpreting and/or the application of the requirements of the Unified Development Code.
- B. Appropriateness of the request. The request for an Administrative Appeal shall be for interpretation only and does not trigger the requirements of a variance, waiver, use exception, or special exception.

- C. Review. The Planning and Zoning Commission, Board of Adjustment and Appeals, and the Board of Aldermen shall have the power to review the decision of City Staff, de novo, but shall not consider new evidence that was not available to City Staff at the time of making an interpretation.

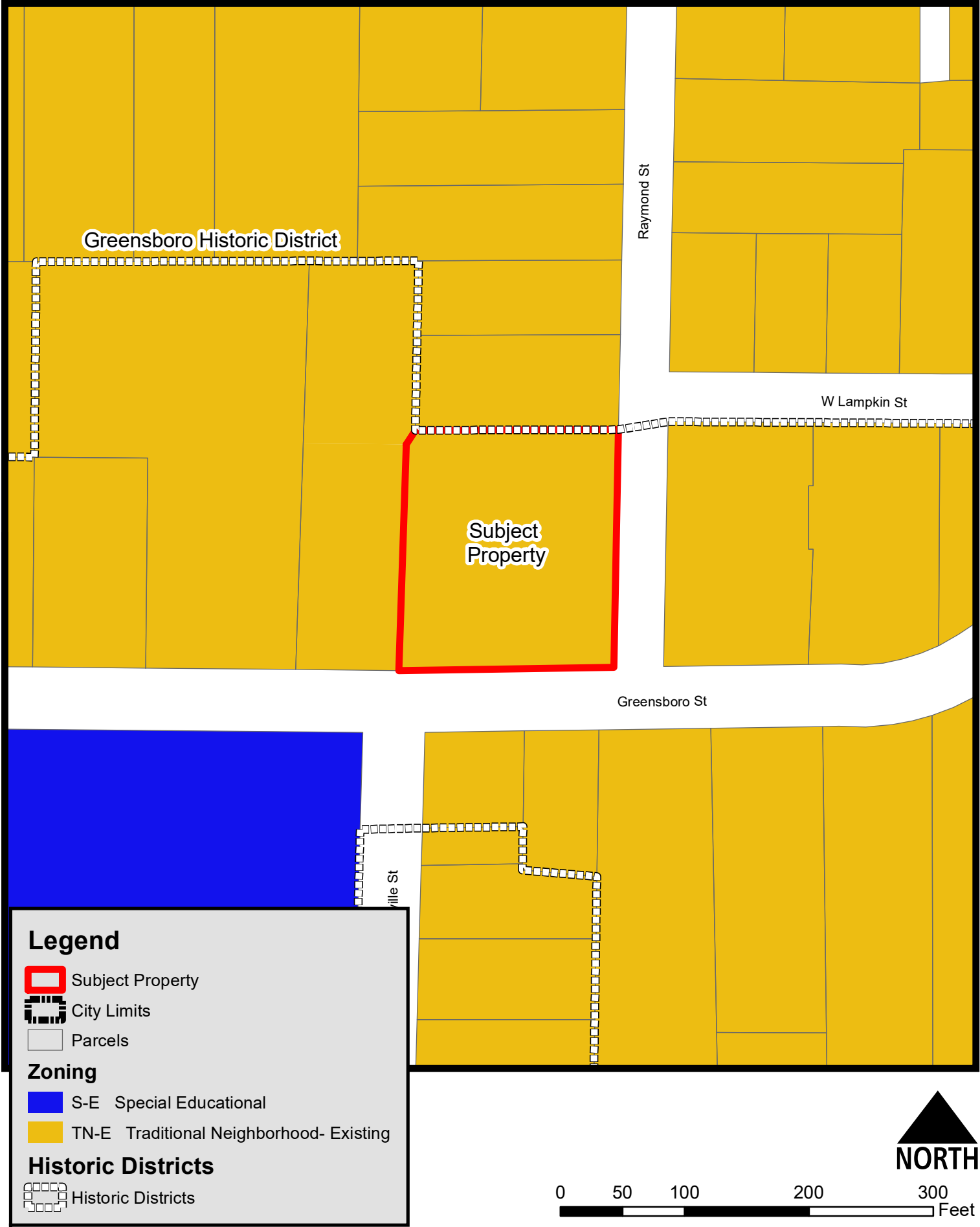
CONDITIONS OF APPROVAL

Any condition attached to the approval of an Administrative Appeal by the Mayor and Board of Aldermen shall run with the land and shall be binding upon the applicants, their heirs, and successors.

Attachment 1
AA 22-02 Aerial



Attachment 2
AA 22-02 Zoning





Daniel Havelin <d.havelin@cityofstarkville.org>

SECTION 13: Use Standards [Post-Vaca Work Email 03]

1 message

Stephanie Arnett | Mississippi Magnolia <stephanie@mississippimagnolia.com>

Fri, Jul 1, 2022 at 8:48 PM

To: d.havelin@cityofstarkville.org

PERSONAL:

Please tell me how amazing the *Avatar Flight of Passage* is 🤖 One of my TOP FIVE movies, and I have never experienced the ride. Just wondering if it is ok for a claustrophobic, 40 something year old 🙄

WORK STUFF:

I met w/Stein & Lyle yesterday at City Hall [Stein was intentional, Lyle got roped in]

They let me know that you were out of the office, and did their best to walk me through the basics

We discussed 215 North Jackson [off the table due to excessive deferred maintenance], and 400 Greensboro
[LINK: <https://www.missmaghomes.com/property-search/detail/298/22-1085/400-greensboro-st-starkville-ms-39759/>]

I have reviewed **SECTION 13.7.17**, and would like to seek your guidance, and to see if I understand the **USE STANDARDS for Offices - Professional** correctly:

TN-E w/Overlay - Historic Greensboro District**A. Definition:** Real Estate Agency**B. Parking:**

1. Not in zones CN, C, CR, O
2. One(1) space per five hundred (500) square feet of floor area [property is 4,310sf, so rounding up, that would be nine (9) spaces]
3. Not in zone T-5D
4. No shared parking lot
5. ***I could not locate the standards for parking in my search***

C. Loading: No commercial deliveries**D. Additional Standards:**

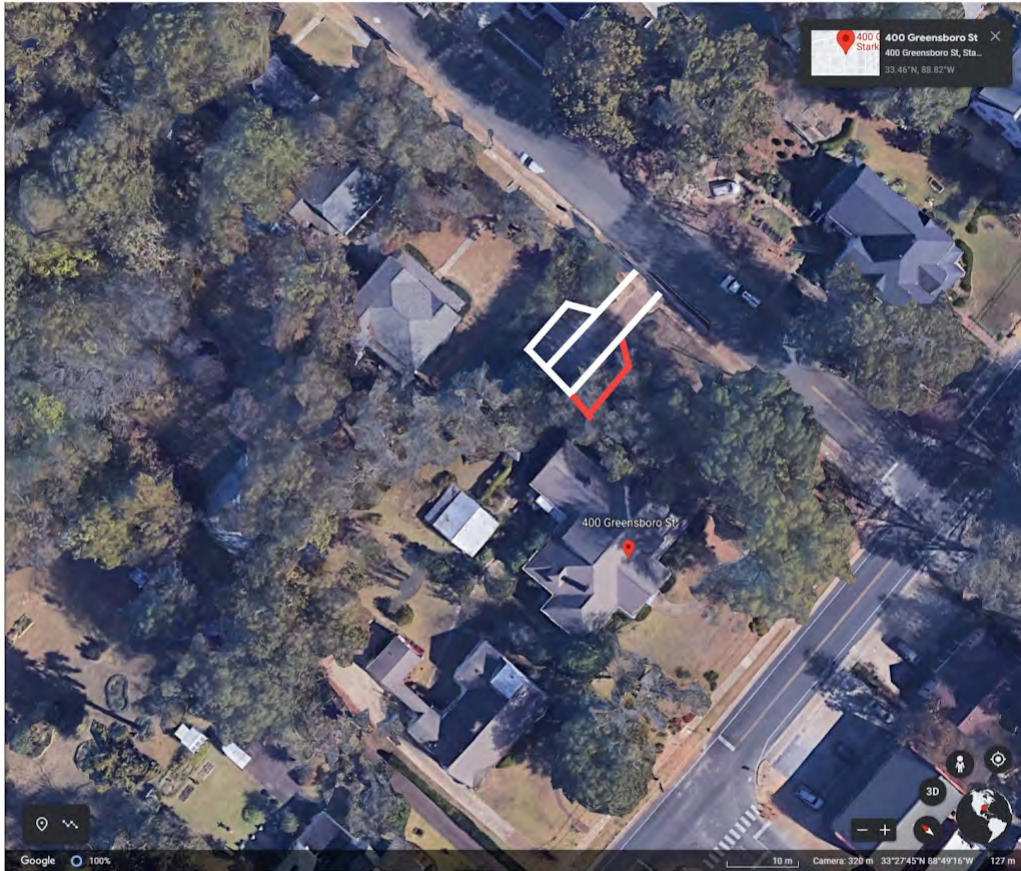
1. Does not apply
2. Requires Board of Alderman approval [no expansion] [if additional parking is required, I have attached an aerial view w/idea - white is current, red is idea]
3. No new building/expansion

INTENDED USE:

Second home on first floor, private office space on second floor [not open to the public]

I am from Natchez, MS, and understand the integrity of a Historic District. I feel that we will be an asset for the home, and will increase curb appeal, complete deferred maintenance, and increase property values

Thank you again for your guidance [and patience!!],
Stephanie



★ This email is not intended to solicit Buyers or Sellers currently under contract with another brokerage. This e-mail message, and any attached files, are confidential, and are intended solely for the use of the addressees named above. If you are not the intended recipient, any review, use, or distribution of this e-mail message, and any attached files, is strictly prohibited. This communication may contain material protected by Federal privacy regulations, client work product, or other privileges. If you have received this confidential communication in error, please notify the sender immediately by reply e-mail message, and permanently delete the original message, and any printed copies.



Daniel Havelin <d.havelin@cityofstarkville.org>

SECTION 13: Use Standards

7 messages

Stephanie Arnett | Mississippi Magnolia <stephanie@mississippimagnolia.com>

Thu, Jul 28, 2022 at 1:34 PM

To: d.havelin@cityofstarkville.org

Cc: Stein McMullen <smcmullen@cityofstarkville.org>, l.mecaskey@cityofstarkville.org

Afternoon -

I met w/Stein, Lyle & Cody at City Hall on June 30th [Stein was intentional, Lyle & Cody got roped in]

They walked through everything with me, and do not see anything out of sorts, but asked for me to reach out to you [post-vacation]

I reached out to Mike Brooks as well, and he requested to know which room would be utilized as an office. He agreed w/the recap from City Hall, and suggested that I email full plans to you

The home in discussion is 400 Greensboro [LINK: <https://www.missmaghomes.com/property-search/detail/298/22-1085/400-greensboro-st-starkville-ms-39759/>]

I have reviewed **SECTION 13.7.17**, and would like to seek your guidance, and to see if I understand the **USE STANDARDS for Offices - Professional** correctly:

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3. Not in zone T-5D
4. No shared parking lot
5. ***I could not locate the standards for parking in my search***

C. Loading: No commercial deliveries

D. Additional Standards:

1. Does not apply
2. Requires Board of Alderman approval [no expansion] [if additional parking is required, I have attached an aerial view w/idea - white is current, red is idea]
3. No new building/expansion

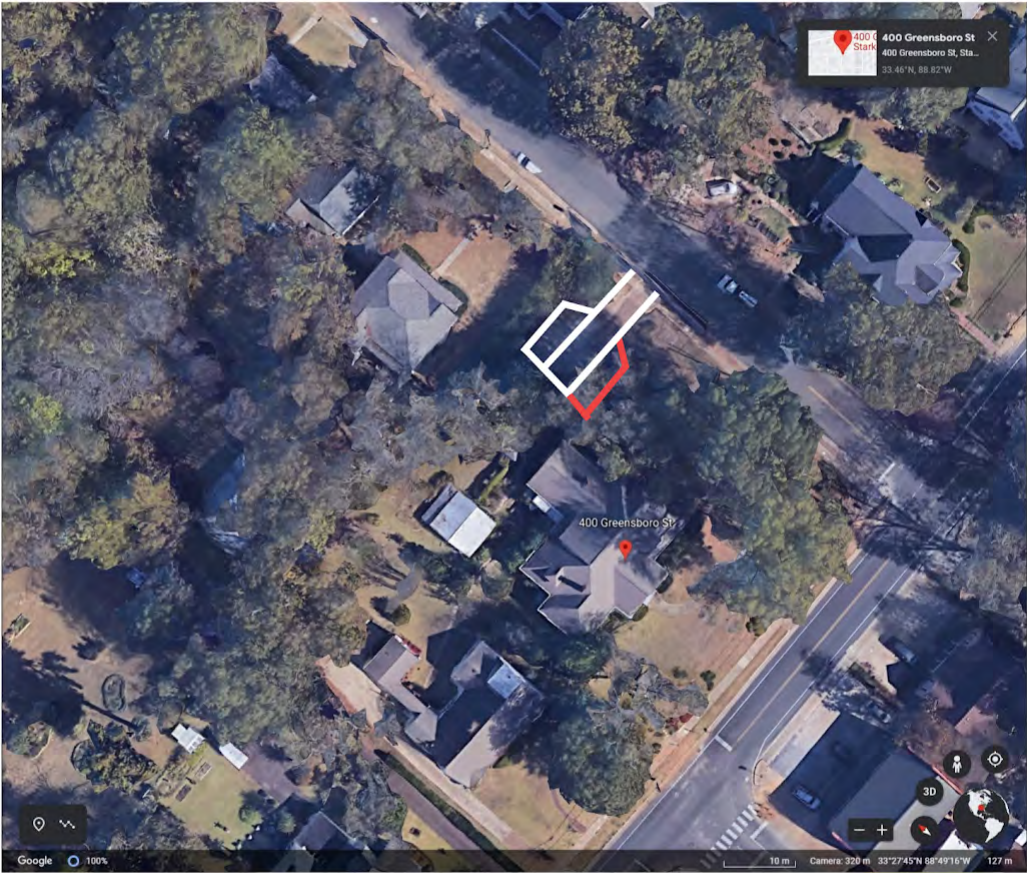
INTENDED USE:

Residential usage on first floor, private office space on second floor in the room titled "Family Room" [452sf - floor plan measurement enclosed] The total square footage of the home is 4,310

The home would not be open to the public, nor do we plan to have a monument sign

I am from Natchez, MS, and understand the integrity of a Historic District. I feel that we will be an asset for the home, and will increase curb appeal, complete deferred maintenance, and increase property values

Thank you again for your guidance [and patience!!],
Stephanie



400 Greensboro St, Starkville, MS

2nd Floor Finished Area 1232.11 sq ft
Unfinished Area 254.27 sq ft



PREPARED 2022/05/28

White regions are excluded from total floor area in iGUIDE floor plans. All room dimensions and floor areas must be considered approximate and are subject to independent verification.

Stephanie Arnett
Crypto + Seller Rep + Broker

MississippiMagnolia.com
662-268-7928
Starkville | Columbus | West Point | Webster
Forbes | BossBabe | Inman News

- My working day may not be your working day. Feel free to read, act on, or respond at a time that works for you
- HOURS: Monday - Saturday 630am-630pm, and Sundays OFF for faith & family
- I sent the message, iPhone sent the typos

★ This email is not intended to solicit Buyers or Sellers currently under contract with another brokerage. This e-mail message, and any attached files, are confidential, and are intended solely for the use of the addressees named above. If you are not the intended recipient, any review, use, or distribution of this e-mail message, and any attached files, is strictly prohibited. This communication may contain material protected by Federal privacy regulations, client work product, or other privileges. If you have received this confidential communication in error, please notify the sender immediately by reply e-mail message, and permanently delete the original message, and any printed copies.

Daniel Havelin <d.havelin@cityofstarkville.org>

To: Stephanie Arnett | Mississippi Magnolia <stephanie@mississippimagnolia.com>

Cc: Stein McMullen <smcmullen@cityofstarkville.org>, l.mecaskey@cityofstarkville.org

Tue, Aug 2, 2022 at 9:41 AM

Stephanie,

It sounds like you are doing a home occupancy and not a professional office. The main difference is the intensity of the use and the fact that you live in the home. A home occupation permit is required as part of your business license. Below are the requirements for a home occupation in the Unified Development Code. Let me know if you have any questions.

13.5.9. Home Occupations

A. Definition: Any occupation or profession, craft or trade, carried on by a person residing on the premises of a residential dwelling that is clearly incidental and secondary to the use of the residential dwelling, which does not change the character of the dwelling or neighborhood, and which brings little additional traffic and few visitors to the premise.

B. Parking:

1. Off-street parking for customers shall not exceed one (1) space.
2. Vehicles used in connection with the home occupation shall not be parked overnight on a right-of-way.
3. Outside employees shall not be parked on the right-of-way.

C. Loading:

1. Delivery of materials to and from the premises shall not involve the use or increased frequency of vehicles not normally experienced in residential areas.
2. A designated loading area shall not be constructed or added for a home occupation.

D. Additional Standards:

1. Home occupations must be clearly incidental and secondary to the residential use of the structure.
2. There shall be no external evidence of the home occupation and it shall not change the residential character of the building.
3. Home occupations must not use over twenty percent (20%) of the principal building, but can be located within an approved accessory dwelling unit, but not to exceed six hundred (600) square feet of the accessory dwelling unit.
4. All on-site employees associated with a home occupation shall reside within the principal dwelling or the accessory dwelling.
5. No more than two (2) outside employees shall be on site at any one time.
6. Customer and client contact shall be primarily by means other than visits to the premises, and if visits by customers are required, they shall be by appointment only with a maximum of five (5) persons at any one time.
7. Home occupations must not cause the outdoor storage of materials, supplies, or equipment used in providing the service or a product of the service of the home occupation.
8. Home occupations must not have an outside display of merchandise being produced, sold, or stored.
9. The home occupation shall not use mechanical, electrical, or other equipment which produces noise, electrical or magnetic interference, dust, vibration, heat, glare, or other nuisances.

[Quoted text hidden]

--

Daniel Havelin, AICP, PLA

City Planner, City of Starkville

110 West Main Street | Starkville | MS 39759-2823

Ph: 662.323.2525 ext: 3136

[Planning](#) | [Unified Development Code](#) | [Zoning Map](#) | [Applications](#)

Stephanie Arnett | Mississippi Magnolia <stephanie@mississippimagnolia.com>

Tue, Aug 2, 2022 at 9:45 AM

To: Daniel Havelin <d.havelin@cityofstarkville.org>

Cc: Stein McMullen <smcmullen@cityofstarkville.org>, l.mecaskey@cityofstarkville.org

BOMB DOT COM!! Thank you so much, and I will get the application submitted this week



- My working day may not be your working day. Feel free to read, act on, or respond at a time that works for you
- HOURS: Monday - Saturday 630am-630pm, and Sundays OFF for faith & family
- I sent the message, iPhone sent the typos

[Quoted text hidden]

Daniel Havelin <d.havelin@cityofstarkville.org>

Mon, Aug 15, 2022 at 6:27 PM

To: Sandra Sistrunk <sandra.c.sistrunk@gmail.com>, Sandra Sistrunk <s.sistrunk@cityofstarkville.org>

[Quoted text hidden]

Daniel Havelin <d.havelin@cityofstarkville.org>

Wed, Aug 17, 2022 at 11:08 AM

To: Stephanie Arnett | Mississippi Magnolia <stephanie@mississippimagnolia.com>

Cc: Stein McMullen <smcmullen@cityofstarkville.org>, I.mecaskey@cityofstarkville.org

Stephanie,

It has come to our attention that you will not be living in the home that the home occupation application was approved for. That approval is only valid if you live in the home. Section 13.5.9.A states, "Any occupation or profession, craft or trade, carried on by a person residing on the premises of a residential dwelling that is clearly incidental and secondary to the use of the residential dwelling, which does not change the character of the dwelling or neighborhood, and which brings little additional traffic and few visitors to the premise". If you wish to operate an office at that location, the use would be classified as "Office- Professional" and would require an approval of a Use Exception. The Use Exception process can be found in Section 3.5 of the Unified Development Code link below. [Click here](#) for the schedule for meeting dates and submission deadlines. If you have any questions, please let me know.

[Quoted text hidden]

Stephanie Arnett | Mississippi Magnolia <stephanie@mississippimagnolia.com>

Wed, Aug 17, 2022 at 12:12 PM

To: Daniel Havelin <d.havelin@cityofstarkville.org>

Cc: Stein McMullen <smcmullen@cityofstarkville.org>, I.mecaskey@cityofstarkville.org

Thank you so much for emailing

What do I need to provide that will satisfy primary residence requirements?

Respectfully Yours,
Stephanie

[Quoted text hidden]

--

STEPHANIE ARNETT

Mississippi Magnolia
Licensed Broker | Crypto

FORBES | INMAN NEWS | BOSSBABE

E Stephanie@MississippiMagnolia.com
W MississippiMagnolia.com
M 662-546-1769
O 662-268-7928

- My working day may not be your working day. Feel free to read, act on, or respond at a time that works for you
- HOURS: Monday - Friday 630am-630pm, Saturday 10am-2pm, and Sundays OFF
- I sent the message, iPhone sent the typos

[Quoted text hidden]

Daniel Havelin <d.havelin@cityofstarkville.org>

Wed, Aug 17, 2022 at 12:17 PM

To: Stephanie Arnett | Mississippi Magnolia <stephanie@mississippimagnolia.com>

Cc: Stein McMullen <smcmullen@cityofstarkville.org>, Lyle MeCaskey <l.mecaskey@cityofstarkville.org>

Stephanie,
You need to live there.

[Quoted text hidden]

HOME OCCUPATION APPLICATION**City of Starkville**

110 West Main Street

Starkville, MS 39759

Ph:662.323.2525

Email: buildingdept@cityofstarkville.org

**APPLICANT'S INFORMATION**

Name: STEPHANIE ARNETT Phone: (662) 769-0721

Company Name: STEPHARNETTMS

Email: STEPHANIE@MISSISSIPPIMAGNOLIA.COM

Address: 400 GREENSBORO, STARKVILLE, MS 39759

PROPERTY OWNER'S INFORMATION (IF NOT APPLICANT)

Name: BLAKE MORGAN DOUGLAS Phone: (662) 317-4004

Email: BLANCODEMORGAN@GMAIL.COM

Address: 2322 DOUGLASTOWN RD, MABEN MS 39750

BUSINESS INFORMATION

Number of employees not including current residents? 2

How many square feet of the residence will be used by the Business? 862

Will there be outdoor storage of materials, supplies, or equipment used in providing the service or a product of the service? ☐ Yes ☒ No

I have read the requirements for a Home Occupation in Section 13.5.9 of the Unified Development Code and agree to meet the requirements in full (see reverse side) ☒ Yes ☐ No

Briefly give a description of the home occupation (be sure to include type of services or goods to be provided):

NO GOODS OR SERVICES WILL BE PROVIDED AT THE HOME ; AUTHOR + VIRTUAL REAL ESTATE CONSULTATION

Applicant Signature: STEPHANIE ARNETT

dotloop verified
08/02/22 10:05 AM CDT
NTLC-XXMO-BRGA-185Y

Property Owner's Signature:

BLAKE MORGAN DOUGLAS

dotloop verified
08/02/22 10:29 AM CDT
ATOC-5KXQ-AX7N-20LR

(required if not applicant)

Date: 08/02/2022

Date: 08/02/2022

FOR STAFF USE ONLY

Parcel Number: _____ Current Zone District: _____

Approved By: _____ Date Approved: _____



Daniel Havelin <d.havelin@cityofstarkville.org>

ARNETT: 400 Greensboro

8 messages

Stephanie Arnett | Mississippi Magnolia <stephanie@mississippimagnolia.com>

Thu, Aug 18, 2022 at 3:39 PM

To: Daniel Havelin <d.havelin@cityofstarkville.org>

Cc: clatimer@mittchellmcnutt.com, wmbrooks@wmbrooks.com

Hi, Daniel -

I will have to admit, I was a little taken aback by your email yesterday. After sleeping on it, I realized I needed clarification from you

Your email stated:

- "It has come to our attention that you will not be living in the home that the home occupation application was approved for."
- "If you wish to operate an office at that location, the use would be classified as "Office- Professional" and would require an approval of a Use Exception."

In response to the claim that you were unaware of the intended use of Greensboro, please see the section labelled **"INTENDED USE"** in the attached email, dated 07/01/22

This email was promptly followed up with an OOO receipt notification, dated 07/01/22 [attached]

To clarify, at no point in time did I represent to you this would be my primary residence. In fact, you are the one that recommended I apply for "home occupancy", and not a professional office [email 08.02.22 at 941am CST]. In every single inquiry to you, I explicitly stated that "I have reviewed **SECTION 13.7.17**, and would like to seek your guidance". My in-person meeting at City Hall was in regards to SECTION 13.7.17. My conversation with Alderman Brooks was in regards to SECTION 13.7.17. NONE of my conversations or emails inquired about "home occupancy"

When I had a dream, I went straight to City Hall. I did not sneak around, I did not try to circumvent city codes, I came to YOU. Over the course of 1.5 months, I contacted you numerous times, met with City officials in-person, took the initiative to contact an Alderman, and quite honestly, did everything that was asked of me

After your email, I was notified by multiple community members of Alderwoman Sistrunk's inquiries about me. After hearing the same story, from multiple community members, I feel quite uneasy. The statements Alderwoman Sistrunk made has my stomach in knots - "she will be watching us", she will be "counting cars"...

I have always respected the authority of our elected officials, but in this scenario, it seems as though Alderwoman Sistrunk has a personal agenda. I believe it stems from her dear friend's inability to purchase the same property, for the lowball price in which they were willing to pay. To me, this falls outside the purview of her position, and should her threats turn to action, I will be forced to do the same

So, please - aside from Alderwoman Sistrunk's promises, what has changed?

I came to you for guidance. The purchase of this home was contingent upon the City of Starkville's approval, and I would have never moved forward with the purchase without your blessing. As you will see below, we did not even schedule the closing until we had your written approval

I am coming to you - again, requesting your guidance

I am seeking a feasible solution, that does not jeopardize my sizeable investment, our dream, or the reputation of City Hall

What do you recommend?

Respectfully,
Stephanie Arnett

RECAP of our interactions YTD - below in **RED**:

06/15 - first contact w/Havelin on purchasing an OFFICE for MissMag

06/30 - in-person meeting with City employees reviewing SECTION 13.7.17

07/01 - first contact w/Havelin on purchasing Greensboro as "second home on first floor, private office space on second floor" ; recap of SECTION 13.7.17 to see if I understood the use correctly, and if our business met all requirements [zero response]

[DUE TO LACK OF RESPONSE: I contacted City employees multiple times by phone, text, email to request a response from Havelin]

07/28 - due to no response, submitted recap of email sent on 07/01 ; added in the discussion w/Mike Brooks on the intended use, and his verbal acknowledgement that he agreed w/the City employees I met with on 06/30 on SECTION 13.7.17 ; per Brooks' request, I clarified the sq ft that would be utilized as office space [submitted floor plan for review]

08/02 - Havelin emailed stating that it looked like we were doing a home occupancy, and not a home office ; recommended I apply for home occupation permit

08/03 - in-person meeting with City employees to apply for permit ; paid privilege license fee and submitted application

08/03 - received approval from City for home occupation permit ; received approved privilege license

08/03 - celebrated approval from City, removed contract contingency stating the City's approval had been obtained

08/10 - upon receipt of City approval, we scheduled closing with our attorney [.jpg attached below recap]

08/16 - closed on the home

08/17 - received email from Havelin stating "it has come to our attention that you will not be living in the home, and the approval is only valid if you [I] live in the home", and that " If you [I] wish to operate an office at that location, the use would be classified as "Office- Professional" and would require an approval of a Use Exception" [REMINDER: emails on 07/01 and 07/28 both stated my intention to apply for the Use Exception]

- - - -

Stephanie Arnett

Licensed Broker + Crypto Specialist

Author: Forbes | Inman News | BossBabe



o. 662-268-7928

c. 662-546-1769

w. mississippimagnolia.com

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Insider's Guide to Mississippi State University

MissMagHomes | MissMagGives | MissMagMgmt | MissMagPartners

200 South Montgomery, Starkville, MS 39759, United States

- My working day may not be your working day. Feel free to read, act on, or respond at a time that works for you
- HOURS: Monday - Friday 630am-630pm, Saturdays 10am-2pm, and Sundays OFF for faith & family

- I sent the message, iPhone sent the typos

★ *This email is not intended to solicit Buyers or Sellers currently under contract with another brokerage. This e-mail message, and any attached files, are confidential, and are intended solely for the use of the addressees named above. If you are not the intended recipient, any review, use, or distribution of this e-mail message, and any attached files, is strictly prohibited. This communication may contain material protected by Federal privacy regulations, client work product, or other privileges. If you have received this confidential communication in error, please notify the sender immediately by reply e-mail message, and permanently delete the original message, and any printed copies.*

3 attachments

-  **CITY email stating Greensboro primary office and second home and requesting 13.7.17 07.01.22.pdf**
2314K
-  **CITY OOO Notice 07.01.22.pdf**
88K
-  **EMAIL Brown Law scheduling closing 08.10.22.pdf**
434K

Daniel Havelin <d.havelin@cityofstarkville.org>
To: Lynn Spruill <l.spruill@cityofstarkville.org>

Fri, Aug 19, 2022 at 7:09 AM

Mayor,

I would like to speak to you this morning before I respond to the email below.

[Quoted text hidden]

--

Daniel Havelin, AICP, PLA
City Planner, City of Starkville
110 West Main Street | Starkville | MS 39759-2823
Ph: 662.323.2525 ext: 3136
[Planning](#) | [Unified Development Code](#) | [Zoning Map](#) | [Applications](#)

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434K

Lynn Spruill <l.spruill@cityofstarkville.org>
To: Daniel Havelin <d.havelin@cityofstarkville.org>

Fri, Aug 19, 2022 at 8:17 AM

Ok.

Regards,

Lynn
Sent from my iPhone

On Aug 19, 2022, at 07:09, Daniel Havelin <d.havelin@cityofstarkville.org> wrote:

[Quoted text hidden]

3 attachments

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2314K

 **CITY OOO Notice 07.01.22.pdf**
88K

 **EMAIL Brown Law scheduling closing 08.10.22.pdf**
434K

Stephanie Arnett | Mississippi Magnolia <stephanie@mississippimagnolia.com> Fri, Aug 26, 2022 at 10:38 AM
To: l.spruill@cityofstarkville.org, clatimer@mittchellmcnutt.com, b.carver@cityofstarkville.org, w.brooks@cityofstarkville.org,
Stein McMullen <smcmullen@cityofstarkville.org>, Daniel Havelin <d.havelin@cityofstarkville.org>
Cc: Will | Mississippi Magnolia <will@mississippimagnolia.com>

Mayor Spruill, Mr. Latimer, Esquire, Alderman Carver, Alderman Brooks, Mr. McMullen, and Mr. Havelin -

I am writing today to respectfully ask for your guidance and assistance. On August 18th, I emailed Daniel Havelin, requesting his guidance. The email recap is below, and shows where I relied on the City's direction in purchasing a piece of property, for a very specific purpose. The email outlines all details, but in summary, exactly one day after I purchased the property [in accordance with the City's' direction and issuance of my privilege license], I was advised that I would be violating City ordinances, should I use the property for my intended use.

It has been one week since this email was sent, and Mr. Havelin has not responded. I have received no further correspondence from the City of Starkville, other than what I understand to be a "systematic response", showing that my Home Occupation Review has been denied. I was not even aware our property was under review. When I select the link provided to "view project", no further information is provided.

I am not a developer, contractor, or speculative investor. I do not have experience in applying for a variance, or exception. I am, however, a resident of the City of Starkville, with a sizable investment in this city. I tried to do things the right way. I consulted with the City in my uncertainty, responded to all requests for information, provided all documentation requested, responded to every email and phone call, yet - I cannot get the same in return from the City. This is the same city that we live in, vote in, pay taxes in, and quite literally - promote, every single day.

I questioned the need for the variance/exception previously suggested, because I was specifically told by City Hall [in writing] that one was not needed. However, as stated above, I did not get a response. Is that what is needed? If so, what is the process? What are the submittal deadlines? What is the timeline for approval? What am I risking by occupying this property with my intended use in the interim [we are approaching a \$625K+ investment as of today's date, and are scheduled to move in mid-September]? Is this a rubber stamp scenario to correct a City mistake? Or, is this open to the public for interpretation and discussion? How many votes are needed? What are the implications if it is not approved? Can we resubmit?

If Mr. Havelin is not the appropriate party to address these items to, can you please advise who is?

We humbly come to you again, City of Starkville, and request guidance.

The stress of this situation, the obvious associated financial risks, and the overwhelming unknown, are more that we can sustain.

Respectfully Yours,
Stephanie & Will Arnett

- - - -

Stephanie Arnett

Licensed Broker + Crypto Specialist
 Author: Forbes | Inman News | BossBabe



o. 662-268-7928

c. 662-546-1769

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Insider's Guide to Mississippi State University

MissMagHomes | MissMagGives | MissMagMgmt | MissMagPartners
 200 South Montgomery, Starkville, MS 39759, United States

- My working day may not be your working day. Feel free to read, act on, or respond at a time that works for you
- HOURS: Monday - Friday 630am-630pm, Saturdays 10am-2pm, and Sundays OFF for faith & family
- I sent the message, iPhone sent the typos

----- Forwarded message -----

From: **Stephanie Arnett | Mississippi Magnolia** <stephanie@mississippimagnolia.com>

Date: Thu, Aug 18, 2022 at 3:39 PM

Subject: ARNETT: 400 Greensboro

To: Daniel Havelin <d.havelin@cityofstarkville.org>

Cc: <clatimer@mitchellmcnutt.com>, <wmbrooks@wmbrooks.com>

[Quoted text hidden]

[Quoted text hidden]

3 attachments



CITY email stating Greensboro primary office and second home and requesting 13.7.17 07.01.22.pdf
 2314K



CITY OOO Notice 07.01.22.pdf
 88K



EMAIL Brown Law scheduling closing 08.10.22.pdf
 434K

Daniel Havelin <d.havelin@cityofstarkville.org>

Fri, Aug 26, 2022 at 12:48 PM

To: Stephanie Arnett | Mississippi Magnolia <stephanie@mississippimagnolia.com>

Cc: l.spruill@cityofstarkville.org, clatimer@mitchellmcnutt.com, b.carver@cityofstarkville.org, w.brooks@cityofstarkville.org, Stein McMullen <smcmullen@cityofstarkville.org>, Will | Mississippi Magnolia <will@mississippimagnolia.com>

Stephanie,

The process required is a Use Exception as written in the August 17th email exchange. The text from that email is below.

"If you wish to operate an office at that location, the use would be classified as "Office- Professional" and would require an approval of a Use Exception. The Use Exception process can be found in Section 3.5 of the Unified Development Code link below. [Click here](#) for the schedule for meeting dates and submission deadlines. If you have any questions, please let me know."

The application can be found on our website. Once the application is complete in accordance with Section 3.5, email it to me and I will start the process.

On Aug 26, 2022, at 10:38 AM, Stephanie Arnett | Mississippi Magnolia <stephanie@mississippimagnolia.com> wrote:

[Quoted text hidden]

3 attachments



CITY email stating Greensboro primary office and second home and requesting 13.7.17 07.01.22.pdf
2314K



CITY OOO Notice 07.01.22.pdf
88K



EMAIL Brown Law scheduling closing 08.10.22.pdf
434K

Mail Delivery Subsystem <mailer-daemon@googlemail.com>
To: d.havelin@cityofstarkville.org

Fri, Aug 26, 2022 at 12:48 PM



Address not found

Your message wasn't delivered to
w.brooks@cityofstarkville.org because the address couldn't
be found, or is unable to receive mail.

[LEARN MORE](#)

The response was:

550 5.1.1 The email account that you tried to reach does not exist. Please try double-checking the recipient's email address for typos or unnecessary spaces. Learn more at <https://support.google.com/mail/?p=NoSuchUser> f13-20020a0562141d2d00b004736cd0660dsor179090qvd.28 - gsmtip

Final-Recipient: rfc822; w.brooks@cityofstarkville.org
Action: failed

Status: 5.1.1

Diagnostic-Code: smtp; 550-5.1.1 The email account that you tried to reach does not exist. Please try

550-5.1.1 double-checking the recipient's email address for typos or

550-5.1.1 unnecessary spaces. Learn more at

550 5.1.1 <https://support.google.com/mail/?p=NoSuchUser> f13-20020a0562141d2d00b004736cd066

Odsor179090qvd.28 - gsmt

Last-Attempt-Date: Fri, 26 Aug 2022 10:48:28 -0700 (PDT)

----- Forwarded message -----

From: Daniel Havelin <d.havelin@cityofstarkville.org>

To: "Stephanie Arnett | Mississippi Magnolia" <stephanie@mississippimagnolia.com>

Cc: l.spruill@cityofstarkville.org, clatimer@mitchellmcnutt.com, b.carver@cityofstarkville.org,

w.brooks@cityofstarkville.org, Stein McMullen <smcmullen@cityofstarkville.org>, "Will | Mississippi Magnolia"

<will@mississippimagnolia.com>

Bcc:

Date: Fri, 26 Aug 2022 12:48:17 -0500

Subject: Re: ARNETT: 400 Greensboro

----- Message truncated -----

Lynn Spruill <l.spruill@cityofstarkville.org>

Fri, Aug 26, 2022 at 3:35 PM

To: Stephanie Arnett | Mississippi Magnolia <stephanie@mississippimagnolia.com>

Cc: clatimer@mitchellmcnutt.com, b.carver@cityofstarkville.org, w.brooks@cityofstarkville.org, Stein McMullen

<smcmullen@cityofstarkville.org>, Daniel Havelin <d.havelin@cityofstarkville.org>, Will | Mississippi Magnolia

<will@mississippimagnolia.com>

Ms. Arnett,

I was made aware of the conflict in the use of the property and the application of a home occupancy versus a use exception last week before I left on vacation.

I was under the impression that we would be communicating to you the need to go through a use exception process since this will not be your primary residence which is in conflict with the requirements of the code and based on your answers in the application.

I will not be back in town until Sunday but we can address it first of the week next week.

Regards,

Lynn

Sent from my iPhone

On Aug 26, 2022, at 09:38, Stephanie Arnett | Mississippi Magnolia <stephanie@mississippimagnolia.com> wrote:

[Quoted text hidden]

3 attachments



CITY email stating Greensboro primary office and second home and requesting 13.7.17 07.01.22.pdf
2314K



CITY OOO Notice 07.01.22.pdf
88K

**EMAIL Brown Law scheduling closing 08.10.22.pdf**

434K

Stephanie Arnett | Mississippi Magnolia <stephanie@mississippimagnolia.com>

Wed, Aug 31, 2022 at 5:03 PM

To: Daniel Havelin <d.havelin@cityofstarkville.org>

Cc: l.spruill@cityofstarkville.org, clatimer@mitchellmcnutt.com, b.carver@cityofstarkville.org, Stein McMullen <smcmullen@cityofstarkville.org>, Will | Mississippi Magnolia <will@mississippimagnolia.com>, wmbrooks@wmbrooks.com

Daniel,

My apologies for not emailing this to you yesterday

Please see the submitted application attached

Respectfully,
Stephanie

- - - -

Stephanie Arnett

Licensed Broker + Crypto Specialist

Author: Forbes | Inman News | BossBabe



o. 662-268-7928

c. 662-546-1769

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- I sent the message, iPhone sent the typos

[Quoted text hidden]

**SUBMITTED Application 08.30.22.pdf**

372K



REVIEWS

Project Type: Home Occupation | **Project Title:** Home Occupation @ 400 Greensboro

ID # 22-000231 | **Started:** 08/03/2022 at 3:41 PM

Address

400 Greensboro,
Starkville, MS USA 39759

Legal

No legal information

Property Info

No property information

Description

No goods or services will be provided at the home; Author + Virtual Real Estate Consultation

REVIEW	STATUS	REQUIRED	CORRECTED
Home Occupation Review	Denied	0	0
History 🚫 Denied by Daniel Havelin on 08/24/2022 at 10:17 AM ✅ Approved by Daniel Havelin on 08/03/2022 at 4:30 PM			
Planning Review	Approved	0	0
History ✅ Approved by Daniel Havelin on 08/03/2022 at 4:29 PM			
Home Occupation Application Review	Approved	0	0
History ✅ Approved by Bridgette McCleer Smith on 08/03/2022 at 3:53 PM			



Daniel Havelin <d.havelin@cityofstarkville.org>

INVITATION to The Stark House Enclosed

1 message

Stephanie Arnett | Mississippi Magnolia <stephanie@mississippimagnolia.com>

Thu, Sep 8, 2022 at 4:18 PM

To: Daniel Havelin <d.havelin@cityofstarkville.org>, "o.avery@cityofstarkville.org" <o.avery@cityofstarkville.org>, Stein McMullen <smcmullen@cityofstarkville.org>, e.kemp@cityofstarkville.org, "c.burnett@cityofstarkville.org" <c.burnett@cityofstarkville.org>, mmcurdy@cityofstarkville.org, "c.yarbrough@cityofstarkville.org" <c.yarbrough@cityofstarkville.org>, mballard@cityofstarkville.org, jforrester@cityofstarkville.org, vmckenzie@cityofstarkville.org, anagel@cityofstarkville.org, c.smiley@cityofstarkville.org, jhorner@starkvilleutilities.com
Cc: Will | Mississippi Magnolia <will@mississippimagnolia.com>

Esteemed Committee Members,

We would like to personally invite you to the "Invitation Only" tour of the Stark House

I have enclosed the invitation, along with additional information about our process

Thank you for all that you do for our community

Respectfully Yours,
Stephanie & Will Arnett

- - -

Stephanie Arnett

Licensed Broker + Crypto Specialist

Author: Forbes | Inman News | BossBabe



o. 662-268-7928

c. 662-546-1769

w. mississippimagnolia.com

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Insider's Guide to Mississippi State University

MissMagHomes | MissMagGives | MissMagMgmt | MissMagPartners

200 South Montgomery, Starkville, MS 39759, United States

- My working day may not be your working day. Feel free to read, act on, or respond at a time that works for you
- HOURS: Monday - Friday 630am-630pm, Saturdays 10am-2pm, and Sundays OFF for faith & family
- I sent the message, iPhone sent the typos

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11/22/22, 9:05 AM

City Of Starkville Mail - INVITATION to The Stark House



The Stark House REFRESHER.pdf
19310K

THE STARK HOUSE



REFRESHER

400 GREENSBORO | GREENSBORO STREET HISTORIC DISTRICT
WILL & STEPHANIE ARNETT | MISSISSIPPI MAGNOLIA

CONTENTS

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| 01. | Bye-Bye, Overgrown Foliage! |
| 02. | Our Dream |
| 03. | Our Process |
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| 05. | Greensboro Appreciation |



BYE-BYE, OVERGROWN FOLIAGE!





OUR DREAM

Front Porch Sittin' +
Writing Retreat +
Home Office

Will & Stephanie's Dream Home

The moment his Mother moved into the Historic District, Will fell in love with the culture, walkability, and waving 'hello' to the school kids

When Stephanie started writing more, they realized she needed a "quiet place" to encourage creativity

Enter, Greensboro Street

In '19, they utilized Sedona Flats for Stephanie's "writing retreat"

After two years, due to rowdy neighbors, they sadly released their Flat



Enter, Nostalgia

Born & raised in Natchez, Mississippi, Stephanie appreciates the need for preservation, bygone times, and the sheer strength of homes built in the 1800's, & early 1900's

As they watched the Stark House become consumed by foliage, nostalgia tugged on their heart strings, & respect moved them into action



OUR PROCESS

Breath of Life

01

First, we removed the overgrown foliage, clutter, window units, storage, worn fixtures, bars from the windows & doors, rotten wood, vermin, and mildew

Refresh

02

Secondly, we are refreshing paint, dilapidated wood, aging electrical & piping, and curb appeal

Front Porch Sittin' + Writing Retreat + Home Office

03

Our intent is to bring grace to the revered home, & to blend the best of southern hospitality, writing retreat, and virtual workspace

The improvements you have watched over the last few months, are the extent of our changes to the home's exterior. The interior refresher will improve deferred maintenance, wallpaper repair + installation, and paint throughout

Our promise to you, is that we will be the best of neighbors, and that we truly hope to build a lasting friendship

Q & A

Will you be living in the home?

According to the IRS definition, YES [this is the home in which the majority of Stephanie's time will be spent]

According to our Momma's, NO [we lay our heads down to sleep off South Montgomery]

Does that mean you are going to Airbnb the home?

NO!! [said as emphatically as we can, without 'yelling']

The Stark House is NOT an income producing property, and will not be treated as such [caveat: City of Starkville rejecting our special usage/exception]

We were paying rent for Stephanie's writing retreat, plus her virtual workplace. This home allows us to combine both, without additional "income" needed to support the transition

The use exception says "Professional Office"...

Section 13 allows professional activities to be conducted and provided to the public, loading trucks/deliveries, and monument signage

Mississippi Magnolia is a virtual real estate brokerage, and will remain that way. Need proof? If you can knock on the door of our current office, I will personally deliver a freshly-baked 'CONGRATS' cookie to your door

The home will not be open to the public, your street will not become congested with parked cars, there will be zero signage, and we are not changing the character of the home

Will your plans negatively impact my home's value?

As a real estate professional, that is a valid concern, and a wonderful question [most people never think about this - until it is too late]

The short answer, NO. The Stark House will not negatively impact the value of your home [year-to-date market stats are enclosed]

The long answer, NO, and here is why:

- a vacant home, with overgrown foliage, has the ability to negatively impact your home's value
- a vacant home, with deferred maintenance, has the ability to negatively impact your home's value
- in order to increase your home's value, we paid above current market value for The Stark House
- the refresher + improvements being made, will improve the area's value

I still don't understand???? This is a professional office, but...not really?

Clear as mud, right?

Here it is in a nutshell:

MAIN FLOOR:

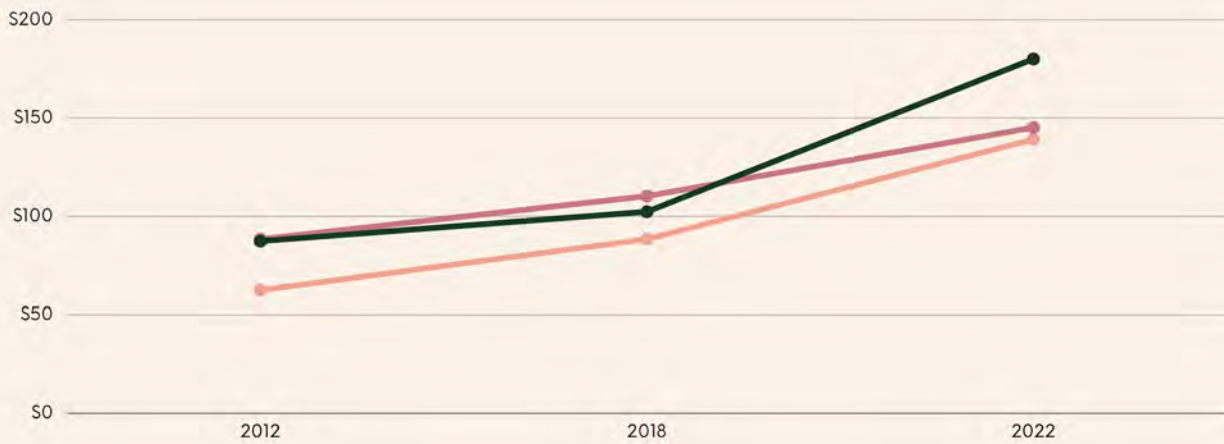
- 3,079 sf
- residential
- zero office space
- 16.4% of home will be utilized as virtual workspace

SECOND FLOOR:

- 1,232 sf
- office space [707 sf]

If you are anything like us, you have to 'see it, to believe it'. So....we would like to invite you to do just that [private invitation enclosed]. Come by, tour the home, share any concerns you may have, so that we may work through them together

GREENSBORO APPRECIATION



Black: 2,200sf | Dark Pink: 3,200sf | Light Pink: 4,000sf+

	\$200,000 512 Greensboro Street Starkville, MS 39759 Closed / 21-197
	\$239,900 500 Greensboro Street Starkville, MS 39759 Closed / 21-1101
	\$247,000 614 Greensboro St Starkville, MS 39759 Closed / 22-1148
	\$250,000 619 Greensboro St Starkville, MS 39759 Closed / 21-1722
	\$270,000 625 Greensboro St Starkville, MS 39759 Closed / 22-101

	\$350,000 703 Greensboro St Starkville, MS 39759 Closed / 21-1388
	\$395,000 404 Greensboro Street Starkville, MS 39759 Closed / 22-1408 Status Change
	\$490,000 311 Greensboro St Starkville, MS 39759 Closed / 21-2526
	\$550,000 400 Greensboro St Starkville, MS 39759 Closed / 22-1085

JANURAY 2021
TO
SEPTEMBER 2022

SA

SEPTEMBER 15, 2022

BY INVITATION ONLY



WILL & STEPHANIE ARNETT
CORDIALLY INVITES YOU TO JOIN

The Stark House Tour

THURSDAY, FOUR-THIRTY TO SIX PM
400 GREENSBORO STREET

Will@MississippiMagnolia.com | Stephanie@MississippiMagnolia.com

Will & Stephanie Arnett
400 Greensboro Street
Starkville, MS 39759
662.769.0721

August 30, 2022

City of Starkville
110 West Main Street
Starkville, MS 39759

RE: Special and Use Exception Application

To Whom it May Concern:

Enclosed, please find my completed application for a Special/Use Exception for my property located at 400 Greensboro Street. Prior to purchasing this property earlier this month, I sought the City's direction during my contract due diligence period to ensure that this property could be utilized for my intended use of Second Home/Professional Office Space, prior to purchasing. I was advised by the City that no Special or Use Exception was required because I met the requirements of Home Occupation, which is permitted by right in this zoning district, subject to additional standards. In addition to advising that no exceptions were required, a privilege license was issued for my Real Estate Brokerage (Professional Office Space) at this location. I am not familiar with this process or the Unified Development Code, which is why I sought and relied upon the City's direction.

The day after purchasing this property, I was notified by the City that that a Special/Use Exception is required, although neither my intended use, nor the specifics thereof have changed. I submit this application to you for processing as expeditiously as possible, so that I may begin to use my property for the purpose in which it was purchased. Below, I have outlined additional information that I feel will assist you with your approval of this application. Should any additional information be required, please do not hesitate to contact me.

Current Zoning: TN-E w/Overlay - Historic Greensboro District.

Use requiring Special/Use Exception: Professional Office (Section 13 of the UDC indicates that Professional Office Space is permitted within this zoning by Special or Use Exception).

Intended Use: Residential on the first floor, with professional office space (Real Estate Brokerage) on the second floor, which constitutes less than 1/3 of the overall square footage of the property. Please note that in light of the correspondence from the City over the past month, I have increased the commercial square footage to include all finished square footage on the second floor, so as to avoid any potential future ambiguity in my compliance with the City's direction. Technically, only 707 square feet will be Professional Office Space – however, I do not want to risk any future stress or misunderstandings. Based on recent conversations with the City, I have determined that I may quite possibly file for homestead on this property. If not, it will be my second home as originally intended. Regardless, this property will meet either classification, according to State and IRS requirements.

Per Section 13-7-17 of the Unified Development Code, please note the following:

A. Definition: Real Estate Agency

B. Parking:

1. Not Applicable.
2. Not Applicable.
3. Not Applicable.
4. No shared parking with other businesses.
5. I was unable to locate the parking requirements for this zoning within the code. Using the most extreme I could locate of 1.25 per bedroom (x 4 bedrooms) that would require 5 parking spaces for the first floor residential. At one (1) space per five hundred (500) square feet of commercial floor area [using a maximum of the entire second floor including 1232 square feet], that would require 3 additional parking spaces, rounding up, for a total of 8 parking spaces. If we calculated the entire property with one space per every 500 square feet, that would require a total of 9 parking spaces. Regardless, this can be accommodated on site (see attached parking layout), in the side yard, where parking is currently located.

C. Loading: Not applicable, as there will be no commercial deliveries.

D. Additional Standards:

1. Not applicable. However, no parking exists in the front yard.
2. Requires Board of Alderman approval as stated above. However, there is no planned expansion of the existing building, or planned additional structures. Should the Board of Aldermen determine that additional off street parking is required, I have attached an aerial view from our contractor identifying current parking in white and potential additional parking in red.
3. Not applicable. There is no planned expansion of the existing building, or planned additional structures.

Additional Notes:

- A minimum of 1/3 of the property's square footage will be used for professional office space
- There will be no exterior signage to indicate the presence of professional office space
- There will be no change to the exterior character of the home to accommodate the presence of professional office space. (There will be improvements to the exterior to enhance the curb appeal, remedy deferred maintenance, etc – much of which has already been done at the time of this application)
- The business will not be open to the general public. Operationally, we are primarily a paperless business, with virtual operations. Most client meetings are conducted off site (while showing or touring homes), or in restaurants, coffee shops, etc.
- In June's discussions with the City, to meet ADA requirements, the property will need a handrail in first floor bathroom, and an exterior ramp into the property (already in agreement to be installed within 60 days – contractor is sitting on "ready")

As stated above, I am not familiar with this process. If there is a better solution to resolve the issue at hand, please know that I welcome the direction from City Hall. For me, time is of the essence, due to the substantial financial investment that has already been made.

Respectfully,


Will Arnett


Stephanie Arnett

400 Greensboro St, Starkville, MS

2nd Floor
Finished Area 1232.11 sq ft
Unfinished Area 254.27 sq ft



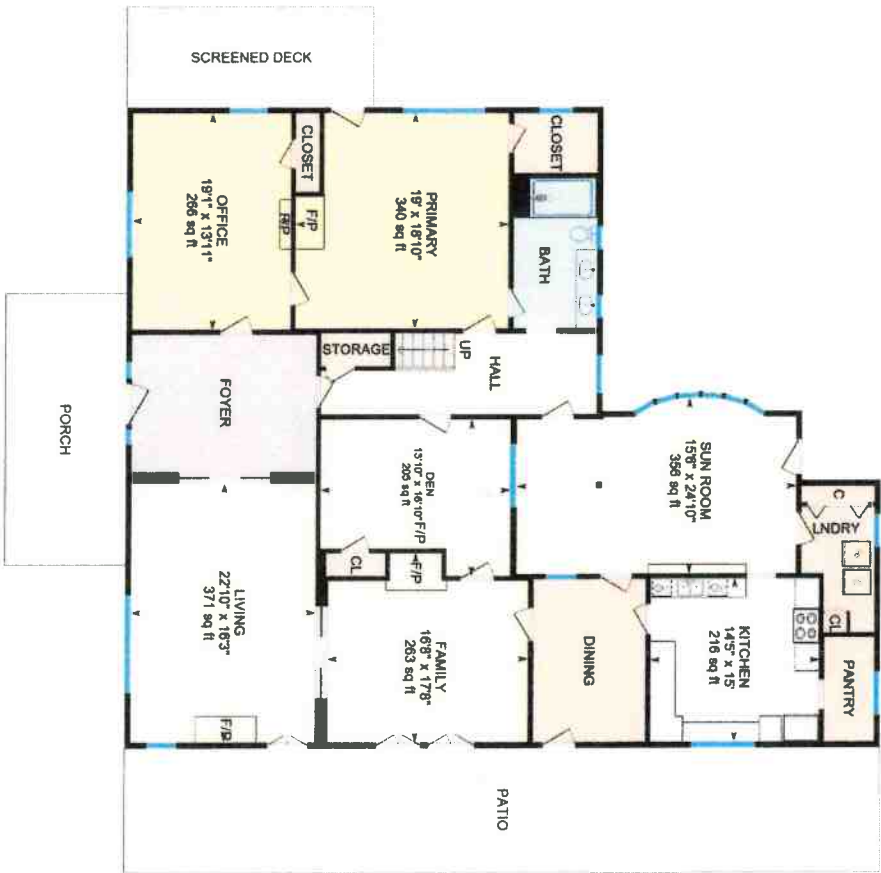
PREPARED: 2022/05/28



While regions are excluded from total floor area in iGUIDE floor plans. All room dimensions and floor areas must be considered approximate and are subject to independent verification.

400 Greensboro St, Starkville, MS

Main Floor Finished Area 3078.61 sq ft



0 6 12
ft

PREPARED: 2022/05/28

White regions are excluded from total floor area in iGUIDE floor plans. All room dimensions and floor areas must be considered approximate and are subject to independent verification.





This picture was taken by Code Enforcement on November 8, 2022, of the driveway of 400 Greensboro Street showing cars of on-site employees



This picture was taken by Code Enforcement on November 8, 2022, showing cars of onsite employees parked in the street in front of 400 Greensboro Street.



This picture was taken by Code Enforcement on November 28, 2022, of the driveway of 400 Greensboro Street showing cars of on-site employees



This picture was taken by Code Enforcement on November 28, 2022, showing the only beds found in the house. The beds did not have mattresses.



MAILING: POST OFFICE BOX 748, COLUMBUS, MISSISSIPPI 39703
PHYSICAL: 407 7TH STREET NORTH, COLUMBUS, MISSISSIPPI 39701
TELEPHONE: 662.328.4850
FACSIMILE: 662.798.4016

WILLIAM P. STARKS, II
william@starkslaw.com

December 7, 2022

ADMINISTRATIVE APPEAL

City of Starkville
ATTN: Daniel Havelin, City Planner
Planning & Zoning Commission
110 West Main Street
Starkville, MS 39759

RE: *Will and Stephanie Arnett, 400 Greensboro Street, Starkville, MS 39759*
Home Occupation Permit Denial
Application for Administrative Appeal

Dear Mr. Havelin:

This letter is attached to the Administrative Appeal Application signed by my clients, Will and Stephanie Arnett, which are also the property owners of the property in question. Pursuant to my conversations with City Attorney Christopher Latimer, it is my understanding that this will be placed upon the docket for the December 13, 2022, hearing before the Planning and Zoning Commission. Please advise if this is incorrect. Otherwise, please process this appeal as required by the Unified Development Code.

BACKGROUND AND HISTORY

On June 15, 2022, Ms. Arnett initially contacted City Planner Havelin about potentially purchasing a home located at 215 North Jackson for an office and seeking a Use Exception. See Exhibit 1- June 15, 2022 Email. On June 30, 2022, Ms. Arnett met with Stein McMullen and Lyle McCaskey at City Hall to discuss the potential plans and changing to 400 Greensboro as a potential purchase. On July 1, 2022, Ms. Arnett emailed City Planner Havelin regarding the requirements for a Use Exception for 400 Greensboro and specifically stated the intended use was as a "Second home on first floor, private office space on second floor [not open to the public]." See Exhibit 2 - July 1, 2022 Email. Due to a lack of any response to this email, Ms. Arnett sent a second email to City Planner Havelin on July 28, 2022 (not asking about home occupation but a use exception), where Ms. Arnett stated the intended use was "Residential usage on first floor, private office space on

second floor in the room titled 'Family Room' . . . See Exhibit 3 – July 28, 2022 Email.

On August 2, 2022, City Planner Havelin emailed Ms. Arnett, and Mr. Havelin suggested to Ms. Arnett without prompting that she should apply for home occupation rather than a use exception. See Exhibit 4 – August 2, 2022 Email. On the same date, Stephanie Arnett submitted her application for a Home Occupation permit. See Exhibit 5 – Home Occupation Application. On August 3, 2022, the home occupation permit was approved, and a business license issued for 400 Greensboro Street. See Exhibit 6 – Home Occupation Permit Email and Exhibit 7 – Business License.

Upon receipt of the approval, Ms. Arnett scheduled the closing on the property at 400 Greensboro Street and removed the contingency in the contract on the property requiring the approval. On August 16, 2022, the Arnetts closed on the property at 400 Greensboro Street. One day later, City Planner Havelin sent an email stating that **"It has come to our attention that you will not be living in the home that the home occupation application was approved for. That approval is only valid if you live in the home."** (emphasis added). The City Planner then quotes 13.5.9.A as follows: "Any occupation or profession, craft or trade, carried on by a person residing on the premises of a residential dwelling that is clearly incidental and secondary to the use of the residential dwelling, which does not change the character of the dwelling or neighborhood, and which brings little additional traffic and few visitors to the premise." (underlining added by City Planner). Based upon the City Planner's advice, the Arnetts were advised they needed to apply for a use exception which they did. The application was denied by the Planning & Zoning Commission in October 2022. However, the opposition from neighbors was primarily directed and limited to the "Use Exception" and not a "Home Occupation Permit" which they viewed as more restrictive.

COMPLIANCE WITH 13.5.9

If granted, the Arnetts would be required to fully comply with UDC 13.5.9 and have all intentions to do so. No external evidence of the home occupation will be present as there will be no signage and no changes to the residential character of the building. The intended use of the residence at 400 Greensboro is to use the downstairs completely as residential use and the upstairs for office space for Stephanie (the on-site employee residing on the premises) and no more than two (2) outside employees at any one time. The space used would not be over

20% of the square footage of the principal building. There would be no outdoor storage of any material, supplies or equipment and no outside display of any merchandise. The home occupation would not produce any environmental issues such as noise, dust, vibration, heat, glare or other nuisances.

PRIOR DECISION RENDERED BY CITY PLANNER

Although the Arnetts have never received any correspondence stating expressly that the permit has been revoked or denied, it is the Arnetts' understanding that the City takes the position that the August 17th email referenced above constitutes the applicable revocation or denial of the home occupation permit and this appeal is being filed to appeal that denial. Based upon the video hearing of the previous use exception hearing held by the Planning & Zoning Commission in October, 2022, Daniel Havelin testified that the **sole** reason for not approving the permit was Mr. Havelin's finding that Ms. Arnett was not living in the home full time which he deemed to be required for a home occupation permit.

APPEAL OF INTERPRETATION OF UDC AND ERRONEOUS FACTUAL FINDING CITY PLANNER

For a home occupation permit, the UDC contains a requirement that the applicant be a "person residing on the premises." The UDC contains no definition of this phrase or the terms "reside" or "residence." Since there is no definition given, the City Planner is given discretion to interpret the UDC on behalf of the City of Starkville but is subject to the U.S. Constitution, Mississippi law, the Planning & Zoning Commission's administrative appeal review and approval by the Board of Aldermen and ultimately Court review. During the October 2022 Planning & Zoning hearing on the Arnett's use exception, Chairman Jeremiah Dumas asked the City Planner - "The discussion of home occupation --- so Daniel [Havelin] and Jason [Sharp, Asst. City Attorney] ya'll correct me - - if this is deemed a home occupation then they have to live there full time . . .?" City Planner Daniel Havelin answered in the affirmative. Thus, it is clear from his August 17, 2022, email to Ms. Arnett and his exchange with Chairman Dumas that City Planner Havelin has interpreted the phrase "person residing on the premises" to require the applicant to "live" in the home full time or that the home be the primary residence. The Arnetts contend this interpretation is contrary to Mississippi law which allows one to have multiple residences simultaneously, and the UDC does not have any express requirement that anyone live in the home full time or that it be a primary residence. In addition to the legal interpretation, a

separate factual finding that Stephanie Arnett did not reside in the home by City Planner Havelin had to be made to deny the home occupation permit.

1) "RESIDING ON THE PREMISES" SHOULD NOT BE RESTRICTIVELY INTERPRETED AS LIVING FULL TIME ON THE PREMISES OR ONLY AS PRIMARY RESIDENCE

The first issue in this appeal is the strictly legal issue of the interpretation of the phrase "residing on the premises." In the UDC, the City Planner is directed to certain resources related to the planning and legal professions to assist in defining undefined terms. One such resource listed in the UDC (Section 18-1) is Black's Law Dictionary which defines "resident" as follows:

Any person who occupies a dwelling within the State, has a present intent to remain within the State for a period of time, and manifests the genuineness of that intent by establishing an ongoing physical presence within the State together with the indicia that his presence within the State is something other than merely transitory in nature.

BLACK'S LAW DICTIONARY 1309 (6th ed.1990). Since it references one that occupies, the definition of "occupant" seems to also be relevant which is:

[p]erson in possession. Person having possessory rights, who can control what goes on on [the] premises. One who has actual use, possession or control of a thing.

Id. at 1078. Another resource is "The Complete Illustrated Book of Development Definitions" which provides that one may have more than one residence.

Under Mississippi law, the concept of a "residence" is a flexible concept (as opposed to *domicile* – not the term used in the UDC) and is not limited to one (1) home. In *Johnson v. Preferred Risk Auto. Ins. Co.*, 659 So.2d. 866 (Miss. 1996), the Mississippi Supreme Court stated expressly, "**a person may have multiple residences simultaneously.**" (emphasis added) The Court also stated that "'the term 'residence' imports merely having abode at a particular place which may be one of any number of such places at which one is, at least from time to time, **physically present.**" *Johnson v. Preferred Risk Auto. Ins. Co.*, 659 So.2d 866 (Miss. 1995)(quoting *In re Brown*, 505 N.Y.S.2d 334, 132 Misc.2d 811 (N.Y.Sur.1986)(emphasis added).

In Starkville, many residents have second homes. If the UDC required full time residency, the UDC could easily state such a regulation which would prohibit anyone with a second home in Starkville from getting a home occupation license. The obvious purpose of the home occupations regulation “residing on the premises” is to ensure a person who owns and uses the home to be present so that you have a person that is physically present on-site (except for temporary absences) and not an absentee business owner.

Although no one desires to litigate the interpretation of the phrase “residing on the premises,” it may be helpful for the Commission to know of a recent change by the Mississippi Supreme Court in interpreting zoning laws. Previously, local governments were granted deference in their interpretation of zoning ordinances, but the Supreme Court has now ruled that interpretation of undefined terms of a zoning ordinance is a matter of law. Such items are reviewed *de novo* by any reviewing Court without such deference. See *Wheelan v. City of Gautier*, 332 So.3d 851 (Miss. 2022)(en banc)(“Today, we overrule *Hatfield* and our other cases that established a standard of review deferential to local agencies on the pure questions of law presented in the interpretation of zoning ordinances”).

Based upon the foregoing, Appellants Stephanie and Will Arnett would urge the Commission to reverse the decision of the City Planner’s interpretation of the undefined term “residing on the premises” to include someone who may have multiple residences simultaneously as allowed by Mississippi law. In this event, the permit should clearly be granted.

2) STEPHANIE ARNETT “RESIDES ON THE PREMISES” OF 400 GREENSBORO STREET

The second issue for this appeal is for the Commission to determine whether Stephanie Arnett is indeed a resident of 400 Greensboro Street. City Planner Daniel Havelin decided that Stephanie Arnett did “not live in” the home at 400 Greensboro Street without speaking with Ms. Arnett. His email to her stated “It has come to our attention that you will not be living in the home that the home occupation application was approved for. That approval is only valid if you live in the home.” Thus, it is unknown what information Daniel Havelin relied upon in making the fact intensive determination of whether she was residing on the premises. Thus, Ms. Arnett has filed this appeal and submits the following as information which she believes is relevant in making the determination of whether she is “residing on the premises” of 400 Greensboro Street.

1. Stephanie is present, in possession and control of the premises at 400 Greensboro and *uses* the premises daily for approximately 12-14 hours per day. Stephanie spends most of her time at this residence.
2. Stephanie cooks food there in her kitchen and maintains a stocked refrigerator and cabinets with food there.
3. Stephanie brings her pets there and her child there daily and visits with friends there.
4. Stephanie's extended family comes to visit there and stays overnight when in town.
5. Stephanie receives mail at 400 Greensboro.
6. Stephanie works in the downtown area and the home is close to her work.
7. The home is close to her church (First Baptist).
8. The home is close to where she banks (Renasant, Bank of Commerce and Regions).
9. The home is close to family members with a daughter living on Gillespie Street.
10. Stephanie is registered to vote at 400 Greensboro Street. See Exhibit 8 – Proof of Voter Registration.
11. Stephanie's driver's license address is listed at 400 Greensboro Street. See Exhibit 9 -Copy of Driver's License
12. She also has her car tag registered at 400 Greensboro Street. See Exhibit 10 – Car Tag Receipt.

After examining the UDC, there is no objective criteria listed for determining whether someone is a resident or any factors to consider. Thus, if one looks at IRS regulations on principal residences. See 26 CFR §1.121-1. In said regulation, the "property that the taxpayer uses a majority of the time during the year ordinarily will be considered the taxpayer's principal residence." Stephanie clearly uses this property the majority of the time since she spends significantly more time there than her other residence. Further, other factors the IRS considers are the address listed on the driver's license, voter registration card, automobile registration, location of taxpayer's banks, and location of religious organizations. Id. Stephanie satisfies all the IRS factors for primary residence.

Thus, Stephanie Arnett would ask the Commission to find 400 Greensboro Street is indeed her primary residence and reverse the factual finding by City Planner Daniel Havelin that Ms. Arnett is not "residing on the premises." If so, the decision of the City Planner must be reversed and the permit reinstated.

City of Starkville
Daniel Havelin, City Planner
Planning & Zoning Commission
December 7, 2022
Page 7

Even, assuming *arguendo*, that the Commission does not find 400 Greensboro to be her *primary* residence, the Commission should still find that Ms. Arnett “resides on the premises” under Mississippi law which allows for multiple residences simultaneously. Certainly, the purpose of requiring a person to reside on the premises to conduct an occupation is to ensure they are physically present during the operation of the business and not have an absentee business owner. Ms. Arnett has demonstrated her commitment to being present daily to conduct her occupation out of her residence at 400 Greensboro. Thus, Ms. Arnett would request that the Commission find she is “residing on the premises” under the facts and circumstance presented to this Commission and reverse the decision of the City Planner and grant the Home Occupation permit.

Sincerely,



William P. Starks, II

WPS/st
cc: Mayor Lynn Spruill
Christopher L. Latimer, Esq.



Stephanie Arnett | Mississippi Magnolia <stephanie@mississippimagnolia.com>

Re: DRC Committee Review

1 message

Daniel Havelin <d.havelin@cityofstarkville.org>

Wed, Jun 15, 2022 at 8:34 AM

To: Stephanie Arnett | Mississippi Magnolia <stephanie@mississippimagnolia.com>

Cc: Stein McMullen <smcmullen@cityofstarkville.org>, Lyle McCaskey <l.mecaskey@cityofstarkville.org>

Stephanie,

See my responses below in **Red**. Let me know if you have any additional questions.**SHORT TERM:**

- no structural, electrical or plumbing changes will be made (aside from cosmetic - replacing toilets, shower surround, etc) **See Building Department for required permits**
- the home meets ADA requirements (per seller) **Building Department will determine if ADA requirements are met for commercial use**
- office space is the primary purpose of the main building **Office space in at TN-E (Traditional Neighborhood Existing) zoning district requires either a special exception or use exception. See Pages 13-5 for the use chart and 13-36 for the use requirements in the Unified Development Code linked below in my signature line. Section 3.4 and 3.5 outlines the process for special and use exceptions. After I have seen plans on what you are proposing, I will determine which process is required.**

LONG TERM:

- since the home will not be used for B&B/Airbnb, there is a consideration to add up to four "tiny homes" on the property ; nothing in stone, but wanted to toss the idea to you. **This is not a permitted use and will not be allowed on that property. That zoning district is made up of primarily detached single dwelling residential unit property. Multi-dwelling developments are not permitted in that zoning district.**

On Wed, Jun 15, 2022 at 6:40 AM Stephanie Arnett | Mississippi Magnolia <stephanie@mississippimagnolia.com> wrote:

Morning 🌞

Stein McMullen pawned us off on you (please, yell at him for that 🙄)

We are in the due diligence period on **215 North Jackson**, and would like to know what all we need to do with you/the City?**SHORT TERM:**

- no structural, electrical or plumbing changes will be made (aside from cosmetic - replacing toilets, shower surround, etc)
- the home meets ADA requirements (per seller)
- office space is the primary purpose of the main building

LONG TERM:

- since the home will not be used for B&B/Airbnb, there is a consideration to add up to four "tiny homes" on the property ; nothing in stone, but wanted to toss the idea to you

Please let us know what you need on our end

Thank you!!
Stephanie



A
U
T
H
O
R



- My working day may not be your working day. Feel free to read, act on, or respond at a time that works for you
- HOURS: Monday - Saturday 630am-630pm, and Sundays OFF for faith & family
- I sent the message, iPhone sent the typos

★ *This email is not intended to solicit Buyers or Sellers currently under contract with another brokerage. This e-mail message, and any attached files, are confidential, and are intended solely for the use of the addressees named above. If you are not the intended recipient, any review, use, or distribution of this e-mail message, and any attached files, is strictly prohibited. This communication may contain material protected by Federal privacy regulations, client work product, or other privileges. If you have received this confidential communication in error, please notify the sender immediately by reply e-mail message, and permanently delete the original message, and any printed copies.*

--
Daniel Havelin, AICP, PLA
City Planner, City of Starkville
[110 West Main Street | Starkville | MS 39759-2823](#)
Ph: 662.323.2525 ext: 3136

[Planning](#) | [Unified Development Code](#) | [Zoning Map](#) | [Applications](#)



Stephanie Arnett | Mississippi Magnolia <stephanie@mississippimagnolia.com>

SECTION 13: Use Standards [Post-Vaca Work Email 83]

1 message

Stephanie Arnett | Mississippi Magnolia <stephanie@mississippimagnolia.com>

Fri, Jul 1, 2022 at 8:48 PM

To: d.havelin@cityofstarkville.org

Bcc: Stephanie Arnett | Mississippi Magnolia <stephanie@mississippimagnolia.com>

PERSONAL:

Please tell me how amazing the *Avatar Flight of Passage* is 🤩 One of my TOP FIVE movies, and I have never experienced the ride. Just wondering if it is ok for a claustrophobic, 40 something year old 🙏

WORK STUFF:

I met w/Stein & Lyle yesterday at City Hall [Stein was intentional, Lyle got roped in]

They let me know that you were out of the office, and did their best to walk me through the basics

We discussed 215 North Jackson [off the table due to excessive deferred maintenance], and 400 Greensboro
[LINK: <https://www.missmaghomes.com/property-search/detail/298/22-1085/400-greensboro-st-starkville-ms-39759/>]

I have reviewed **SECTION 13.7.17**, and would like to seek your guidance, and to see if I understand the **USE STANDARDS for Offices - Professional** correctly:

TN-E w/Overlay - Historic Greensboro District**A. Definition:** Real Estate Agency**B. Parking:**

1. Not in zones CN, C, CR, O
2. One(1) space per five hundred (500) square feet of floor area [property is 4,310sf, so rounding up, that would be nine (9) spaces]
3. Not in zone T-5D
4. No shared parking lot
5. ***I could not locate the standards for parking in my search***

C. Loading: No commercial deliveries**D. Additional Standards:**

1. Does not apply
2. Requires Board of Alderman approval [no expansion] [if additional parking is required, I have attached an aerial view w/idea - white is current, red is idea]
3. No new building/expansion

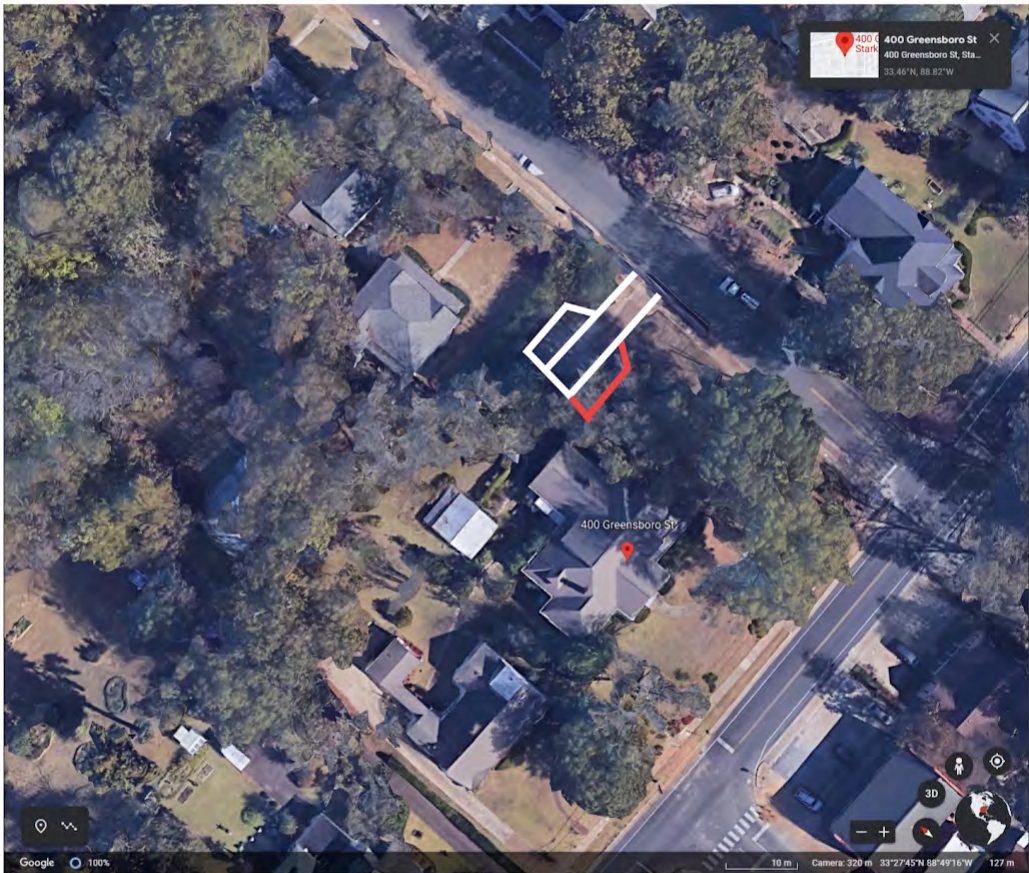
INTENDED USE:

Second home on first floor, private office space on second floor [not open to the public]

I am from Natchez, MS, and understand the integrity of a Historic District. I feel that we will be an asset for the home, and will increase curb appeal, complete deferred maintenance, and increase property values

Thank you again for your guidance [and patience!!],
Stephanie







Stephanie Arnett | Mississippi Magnolia <stephanie@mississippimagnolia.com>

SECTION 13: Use Standards

1 message

Stephanie Arnett | Mississippi Magnolia <stephanie@mississippimagnolia.com>

Thu, Jul 28, 2022 at 1:34 PM

To: d.havelin@cityofstarkville.org

Cc: Stein McMullen <smcmullen@cityofstarkville.org>, l.mecaskey@cityofstarkville.org

Bcc: Stephanie Arnett | Mississippi Magnolia <stephanie@mississippimagnolia.com>

Afternoon -

I met w/Stein, Lyle & Cody at City Hall on June 30th [Stein was intentional, Lyle & Cody got roped in]

They walked through everything with me, and do not see anything out of sorts, but asked for me to reach out to you [post-vacation]

I reached out to Mike Brooks as well, and he requested to know which room would be utilized as an office. He agreed w/the recap from City Hall, and suggested that I email full plans to you

The home in discussion is 400 Greensboro [LINK: <https://www.missmaghomes.com/property-search/detail/298/22-1085/400-greensboro-st-starkville-ms-39759/>]I have reviewed **SECTION 13.7.17**, and would like to seek your guidance, and to see if I understand the **USE STANDARDS for Offices - Professional** correctly:

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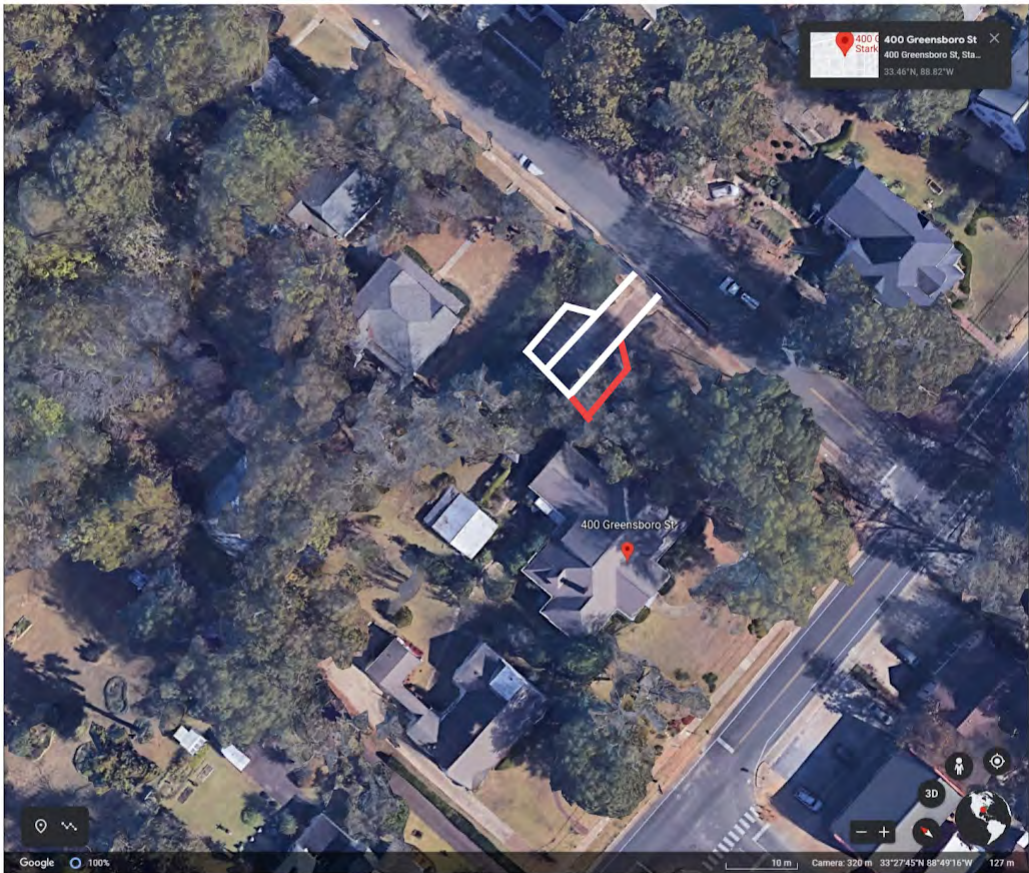
INTENDED USE:

Residential usage on first floor, private office space on second floor in the room titled "Family Room" [452sf - floor plan measurement enclosed] The total square footage of the home is 4,310

The home would not be open to the public, nor do we plan to have a monument sign

I am from Natchez, MS, and understand the integrity of a Historic District. I feel that we will be an asset for the home, and will increase curb appeal, complete deferred maintenance, and increase property values

Thank you again for your guidance [and patience!!],
Stephanie



400 Greensboro St, Starkville, MS

2nd Floor Finished Area 1232.11 sq ft
Unfinished Area 254.27 sq ft



0 4 8 ft

PREPARED 2022/05/28



White regions are excluded from total floor area in iGUIDE floor plans. All room dimensions and floor areas must be considered approximate and are subject to independent verification.



Stephanie Arnett
Crypto + Seller Rep + Broker

MississippiMagnolia.com

662-268-7928

Starkville | Columbus | West Point | Webster

Forbes | BossBabe | Inman News

- My working day may not be your working day. Feel free to read, act on, or respond at a time that works for you
- HOURS: Monday - Saturday 630am-630pm, and Sundays OFF for faith & family
- I sent the message, iPhone sent the typos



Stephanie Arnett | Mississippi Magnolia <stephanie@mississippimagnolia.com>

Re: SECTION 13: Use Standards

1 message

Daniel Havelin <d.havelin@cityofstarkville.org>

Tue, Aug 2, 2022 at 9:41 AM

To: Stephanie Arnett | Mississippi Magnolia <stephanie@mississippimagnolia.com>

Cc: Stein McMullen <smcmullen@cityofstarkville.org>, l.mecaskey@cityofstarkville.org

Stephanie,

It sounds like you are doing a home occupancy and not a professional office. The main difference is the intensity of the use and the fact that you live in the home. A home occupation permit is required as part of your business license. Below are the requirements for a home occupation in the Unified Development Code. Let me know if you have any questions.

13.5.9. Home Occupations

A. Definition: Any occupation or profession, craft or trade, carried on by a person residing on the premises of a residential dwelling that is clearly incidental and secondary to the use of the residential dwelling, which does not change the character of the dwelling or neighborhood, and which brings little additional traffic and few visitors to the premise.

B. Parking:

1. Off-street parking for customers shall not exceed one (1) space.
2. Vehicles used in connection with the home occupation shall not be parked overnight on a right-of-way.
3. Outside employees shall not be parked on the right-ofway.

C. Loading:

1. Delivery of materials to and from the premises shall not involve the use or increased frequency of vehicles not normally experienced in residential areas.
2. A designated loading area shall not be constructed or added for a home occupation.

D. Additional Standards:

1. Home occupations must be clearly incidental and secondary to the residential use of the structure.
2. There shall be no external evidence of the home occupation and it shall not change the residential character of the building.
3. Home occupations must not use over twenty percent (20%) of the principal building, but can be located within an approved accessory dwelling unit, but not to exceed six hundred (600) square feet of the accessory dwelling unit.
4. All on-site employees associated with a home occupation shall reside within the principal dwelling or the accessory dwelling.
5. No more than two (2) outside employees shall be on site at any one time.
6. Customer and client contact shall be primarily by means other than visits to the premises, and if visits by customers are required, they shall be by appointment only with a maximum of five (5) persons at any one time.
7. Home occupations must not cause the outdoor storage of materials, supplies, or equipment used in providing the service or a product of the service of the home occupation.
8. Home occupations must not have an outside display of merchandise being produced, sold, or stored.
9. The home occupation shall not use mechanical, electrical, or other equipment which produces noise, electrical or magnetic interference, dust, vibration, heat, glare, or other nuisances.

On Thu, Jul 28, 2022 at 1:34 PM Stephanie Arnett | Mississippi Magnolia <stephanie@mississippimagnolia.com> wrote:
Afternoon -

I met w/Stein, Lyle & Cody at City Hall on June 30th [Stein was intentional, Lyle & Cody got roped in]

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TN-E w/Overlay - Historic Greensboro District

EXHIBIT**4**

HOME OCCUPATION APPLICATION

City of Starkville

110 West Main Street

Starkville, MS 39759

Ph: 662.323.2525

Email: buildingdept@cityofstarkville.org



APPLICANT'S INFORMATION

Name: STEPHANIE ARNETT Phone: (662) 769-0721
Company Name: STEPHARNETTMS
Email: STEPHANIE@MISSISSIPPIMAGNOLIA.COM
Address: 400 GREENSBORO, STARKVILLE, MS 39759

PROPERTY OWNER'S INFORMATION (IF NOT APPLICANT)

Name: BLAKE MORGAN DOUGLAS Phone: (662) 317-4004
Email: BLANCODEMORGAN@GMAIL.COM
Address: 2322 DOUGLASTOWN RD, MABEN MS 39750

BUSINESS INFORMATION

Number of employees not including current residents? 862
How many square feet of the residence will be used by the Business? 862
Will there be outdoor storage of materials, supplies, or equipment used in providing the service or a product of the service? ☐ Yes ☒ No
I have read the requirements for a Home Occupation in Section 13.5.9 of the Unified Development Code and agree to meet the requirements in full (see reverse side) ☒ Yes ☐ No

Briefly give a description of the home occupation (be sure to include type of services or goods to be provided):

NO GOODS OR SERVICES WILL BE PROVIDED AT THE HOME ; AUTHOR + VIRTUAL REAL ESTATE CONSULTATION

Applicant
Signature

STEPHANIE ARNETT

dotloop verified
08/02/22 10:05 AM CDT
NTLC-XXMO-BRGA-186Y

Property Owner's
Signature

BLAKE MORGAN DOUGLAS

dotloop verified
08/02/22 10:29 AM CDT
ATOC-SKXQ-AX7N-20LR

(required if not applicant)

Date: 08/02/2022

Date: 08/02/2022

FOR STAFF USE ONLY

Parcel Number: _____ Current Zone District: _____
Approved By: _____ Date Approved: _____

EXHIBIT

5

Unified Development Code- Section 13. Use Regulations and Use Standards

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9. The home occupation shall not use mechanical, electrical, or other equipment which produces noise, electrical or magnetic interference, dust, vibration, heat, glare, or other nuisances.



Stephanie Arnett | Mississippi Magnolia <stephanie@mississippimagnolia.com>

Home Occupation Review Approved

1 message

City of Starkville, MS <no-reply@web.mygov.us>
Reply-To: "City of Starkville, MS" <no-reply@web.mygov.us>
To: Stephanie Arnett <stephanie@mississippimagnolia.com>

Wed, Aug 3, 2022 at 4:31 PM



PI Home Occupation Review Approved

Hello Stephanie Arnett,

This Home Occupation Review step has been "Approved" on the Home Occupation @ 400 Greensboro application ID **#22-000231**.

To access the project, you must first create an account using the email address where this was received, then request access to this agency. Once approved, log in and click the agency name. Thank you!

[CREATE ACCOUNT](#)

Address:

400 Greensboro, Starkville, MS USA 39759



HISTORIC
STARKVILLE
MISSISSIPPI'S COLLEGE TOWN

This License is Granted to:

MISSISSIPPI MAGNOLIA
400 GREENSBORO
STARKVILLE MS 39760

Date Issued: 8/03/2022
Expires: 8/31/2023
Business License #: 2534
Class: HOME BASED
SERVICE
Location: 400 GREENSBORO

6150 REAL ESTATE BROKER SERVICES

\$ 20.00

THIS LICENSE DOES NOT AUTHORIZE A BUSINESS TO CONFLICT WITH THE CITY ZONING ORDINANCES. THIS LICENSE SHALL NOT MAKE LAWFUL ANY ACT OR THING DECLARED TO BE UNLAWFUL BY THE STATE OF MISSISSIPPI.

Lisa Davis Hardin

AUTHORIZED SIGNATURE

THIS LICENSE MUST BE DISPLAYED IN A CONSPICUOUS PLACE, IS
NON-TRANSFERABLE, NON-REFUNDABLE, GOOD AND USABLE
ONLY BY PERSON TO WHOM ISSUED

DETACH OR FOLD ABOVE PRIOR TO POSTING THIS BUSINESS LICENSE

**NON-TRANSFERABLE
NON-REFUNDABLE**

CITY OF STARKVILLE
Office of the City Clerk
110 W MAIN STREET
(662)323-2525

Total Fees Paid \$ 20.00
Penalty Paid \$ 0.00

DATE : 8/3/2022 3:15 PM
OPER : LL
TKBY : Lisa LeMasters
TERM : 7
REC# : 00032028

100 PRIVILEGE LICENSE 20.00
2534-08/31/23 MISSISSIPPI MAGNOLIA
REAL ESTATE BROKER SE 20.00CR

Paid By:MISSISSIPPI MAGNOLIA
4-CREDIT CARD ONLINE 20.00AUTH:265881
RE

APPLIED 20.00
TENDERED 20.00
CHANGE 0.00

EXHIBIT

7

HISTORIC
STARKVILLE
MISSISSIPPI'S COLLEGE TOWN

LISA LEMASTERS
Accounts Receivable Deputy Clerk

Phone: (662) 323-2525 Ext. 3103
Fax: (662) 323-4961
l.lemasters@cityofstarkville.org

www.cityofstarkville.org

City Hall
110 West Main Street
Starkville, Mississippi 39759

Cardmember acknowledges receipt of goods

County: Oktibbeha

Voter Profile Report

Date : 12/07/2022
Report No: VR-005

Voter ID : 635846

Voter Information

<u>Voter ID</u>	<u>Last Name</u>	<u>First Name</u>	<u>Middle Name</u>	<u>Suffix</u>	<u>Date of Birth</u>	<u>Driver License</u>
635846	ATKINS-ARNETT	STEPHANIE			08/11/1979	800621472

Residence Address	400 GREENSBORO ST STARKVILLE MS 39759
--------------------------	---------------------------------------

Mailing Address	P O BOX 2160 STARKVILLE MS 39760
------------------------	----------------------------------

Registration Information

<u>Status</u>	<u>Active</u>	<u>Reasons</u>	<u>Registration Application</u>	<u>Reg. Source</u>	<u>Public Safety, Dept. of</u>
<u>Last Voted Date</u>	11/03/2020	<u>Eff Regn Date</u>	08/02/2022		

Miscellaneous Information

Secondary Language

Gender

Not Specified

Assistance

Districts

District Type

Name

United States

United States

Statewide

INITIATED BY PETITION AND ALTERNATIVE BY
LEGISLATURE

Statewide

State Of Mississippi

US House Of Representatives

US House Of Rep 03

Supreme Court

Northern District

Public Service Commissioner

Public Service Commissioner

Transportation Commissioner

Transportation Commissioner

District Attorney

District Attorney 16

State Senate

State Senate 16

State House of Representatives

State House Of Rep 38

Court of Appeals

Court Of Appeals 03

Chancery Court

Chancery Court 14--1

Circuit Court

Circuit Court 16

County Wide

Oktibbeha



County: Oktibbeha

Voter Profile Report

Date : 12/07/2022
Report No: VR-005

Voter ID : 635846

Judicial
Supervisor
Election Commissioner
Justice Court Judge
Constable
Municipality
City Ward
Municipal Precinct
School District

Judicial District 53
Supervisor Dist 3
Election Commissioner Dist 3
Justice Court Judge Dist 1
Constable Dist 1
Starkville
Ward 1
W1-STK NATL GUARD ARMORY
School District M

Alternate Names

Last Name	First Name	Middle Name	Suffix
ATKINS-ARNETT	STEPHANIE	L	

Voting Histories

Date	Election Description
11/07/2000	General
04/17/2001	Special Election
11/05/2002	General
08/05/2003	1st Primary
11/04/2003	General
11/02/2004	General
11/04/2008	General Election November 4, 2008
11/08/2011	General Election 11/08/2011
11/03/2015	November General Election for 11/3/15
11/08/2016	2016 Presidential General Election
11/29/2016	Run Off Election for '11/8/2016 - 2016 Presidential General Election'
11/06/2018	November General Election 11/6/18
11/05/2019	November General Election 11/5/19
11/03/2020	November General Election for 11/3/2020

Petition Sign History

Petition Number	Petition Title	Valid Signatures
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MISSISSIPPI

DRIVER LICENSE

Sean Findell

COMMISSIONER



4A LIC NO
800621472
3 DOB **08/11/1979**

4B EXP
08/11/2030

1 ATKINS-ARNETT
2 STEPHANIE
3 400 GREENSBORO ST
4 STARKVILLE, MS 39759-2804

4A ISS **10/06/2022**

9 CLASS **R** 9A END **NONE**

15 SEX **F** 16 HGT **5'-02"**

18 EYES **GRN**

5 DD **7544824F59AS22279F301TH**

12 RES **NONE**



EXHIBIT

9

OKTIBBEHA		530	301	NO. YR. 09/2023		3BYEEEEE	ZAM45VLA60177483		TITLE NUMBER MS0855186432		MODEL MS0855186432		NO. DAY YR. 09/05/2022		BODY TYPE CZ						
TAG NUMBER BYEEEEE		MSRP 132,825	YEAR 2016	MAKE MASE	TYPE VEHICLE PC	REGISTRANT CODE SAME AS TITLE X	LESSOR	FUEL TYPE G	CYL 8	PRIOR LEGISLATIVE TAG CREDIT 0	GRANTURISM	TRAUMA FUND	REGISTRATION FEE 14.00								
TAG TYPE VR		PASS 0	COLOR BLK	YES X	NO	APPL	DATE PURCHASED 09/26/2019	PRIOR LEGISLATIVE TAG CREDIT 0		TRAUMA FUND		REGISTRATION FEE 14.00									
FOR USE TAX PURPOSES		PURCHASE OUT OF STATE YES	PURCHASE PRICE OR VALUE		TRADE-IN		NONTAXABLE		TAXABLE BASE		CREDIT		CASUAL/USE TAX .00								
TAX COLLECTOR Allen Morgan		CITE AUTHORITY FOR AD VALOREM EXEMPTION/REDUCTION												PRIVILEGE TAX 15.00		PENALTY .00		LESS CREDIT .00		NET PRIVILEGE TAX 15.00	
CLERK 02		AD-VALOREM TAXES		VALUATION		TAX RATE		TAXES		LATE PMNT. PENALTY		LEGISLATIVE TAG CREDIT		CREDIT PREVIOUS TAX		TOTAL		TOTAL AD VALOREM TAX 423.96			
		COUNTY TAXES		6641		.05505		365.59		.00		209.19		.00		156.40		SPECIAL TAG FEE 33.00			
		MUN. TAXES		6641		.03013		200.09		.00		110.41		.00		89.68		TOTAL ALL TAXES 452.96			
581.09 "TAG CREDIT APPROVED BY THE MISSISSIPPI LEGISLATURE"		SCH OR SSD TAXES		6641		.06616		439.37		.00		261.49		.00		177.88		E/H TAX .00			

ARNETT, STEPHANIE
400 GREENSBORO ST
STARKVILLE MS 39759-2804

TAG APPLIED FOR

SEAT BELT AND CHILD RESTRAINT
DEVICES ARE REQUIRED IN MS.

STATE OF MISSISSIPPI ROAD AND BRIDGE PRIVILEGE TAX AND REGISTRATION RECEIPT

Form (Rev. 12/10)

MAILING FEE	5.20
TITLE FEE	.00
FINE PENALTY	.00
TOTAL DUE	491.16

INSTRUCTIONS FOR APPLYING PLATE DECALS:

1. Verify plate number and decal match.
2. Do not moisten decal or attempt to apply if temperature is below -10 degrees Fahrenheit.
3. Clean and dry plate before affixing new decal.
4. Remove decal by bending corner of card under decal along dotted line. PEEL HERE
5. Next, lift up corner of decal where card is creased.
6. Decal is fragile, peel decal off slowly.
7. If plate has a previous decal attached place new decal to cover old decal. See diagram on back of registration form for decal placement.
8. Rub or press firmly around edges of decal after applying.