



**OFFICIAL AGENDA
PLANNING & ZONING COMMISSION
CITY OF STARKVILLE, MISSISSIPPI
MEETING OF TUESDAY, SEPTEMBER 10, 2024
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 AUGUST 13, 2024
- VI. CITIZEN COMMENTS
- VII. NEW BUSINESS
 - A. PUBLIC HEARING AND CONSIDERATION OF SE 24-06 A REQUEST FOR SPECIAL EXCEPTION TO ALLOW FOR THE PLACEMENT OF POOL EQUIPMENT WITHIN THE FRONT YARD AT 250 BANCROFT AVE IN A TN-N ZONING DISTRICT.
- VIII. ADJOURN

**APPROVED MINUTES OF THE MEETING OF
THE PLANNING AND ZONING COMMISSION
CITY OF STARKVILLE, MISSISSIPPI AUGUST 13, 2024**

Be it remembered that the Planning and Zoning Commission members of the City of Starkville held a meeting on August 13, 2024, at 5:30 p.m. in the Courtroom of City Hall, located at 110 West Main Street, Starkville, MS.

Vice Chairman Alexis Gregory, Ward 5; Joe Fratesi, Ward 1; Vicki West, Ward 2; Carl Smith, Ward 4; and Tommy Verdell, Ward 7, were physically present at the meeting. Chairman Jeremiah Dumas, Ward 6, and Kelly Prather, Ward 3, were absent. City Planner Daniel Havelin, Assistant City Planner Lyle McCaskey, and Assistant City Attorney Jason Sharp were physically present.

Vice Chairman Gregory 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 August 13, 2024, as presented.

**OFFICIAL AGENDA
PLANNING & ZONING COMMISSION
CITY OF STARKVILLE, MISSISSIPPI
MEETING OF TUESDAY, AUGUST 13, 2024
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 JULY 9, 2024
- VI. CITIZEN COMMENTS
- VII. OLD BUSINESS
 - A. PUBLIC HEARING AND CONSIDERATION OF UE 24-02 A REQUEST FOR USE EXCEPTION TO ALLOW FOR THE PLACEMENT OF A MANUFACTURED CLASSROOM AT STARKVILLE HIGH SCHOOL LOCATED AT 603 YELLOW JACKET DRIVE IN AN S-E ZONING DISTRICT.
 - B. PUBLIC HEARING AND CONSIDERATION OF UE 24-03 A REQUEST FOR USE EXCEPTION TO ALLOW FOR THE PLACEMENT OF A MANUFACTURED CLASSROOM AT EMERSON FAMILY SCHOOL LOCATED AT 1504 LOUISVILLE STREET IN AN S-E ZONING DISTRICT.

VIII. ADJOURN

City Planner Daniel Havelin pointed out an error in the agenda. The phrase "Consideration of the unapproved minutes of July 9, 2024," was left off the agenda under consideration for the approval of minutes. After a discussion and upon the motion of Commissioner Smith, duly seconded by Commissioner Verdell, the motion to approve the official agenda of the Planning and Zoning Commission for July 9, 2024, with the addition of the approval of the minutes for July 9, 2024, received unanimous approval.

V. CONSIDERATION FOR THE APPROVAL OF MINUTES

A. CONSIDERATION OF THE UNAPPROVED MINUTES OF JULY 9, 2024

After discussion and upon the motion of Commissioner Fratesi, duly seconded by Commissioner West, the motion to approve the minutes of the Planning and Zoning Commission for July 9, 2024, received unanimous approval without changes.

VI. CITIZEN COMMENTS

The Vice Chairman opened up the meeting for citizen comments.

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

VII. OLD BUSINESS

A. PUBLIC HEARING AND CONSIDERATION OF UE 24-02 A REQUEST FOR USE EXCEPTION TO ALLOW FOR THE PLACEMENT OF A MANUFACTURED CLASSROOM AT STARKVILLE HIGH SCHOOL LOCATED AT 603 YELLOW JACKET DRIVE IN AN S-E ZONING DISTRICT.

City Planner Daniel Havelin presented the request by Starkville Oktibbeha Consolidated School District to allow for the placement of a Manufactured Classroom at Starkville High School located at 603 Yellow Jacket Drive in an S-E zoning district. The request was tabled at the July 9, 2024, Planning and Zoning Commission meeting due to a lack of information. The additional information requested was an updated site plan to include screening, how long the structure will be used and in place, and the anticipated occupancy. The applicant provided that information and it was included in the staff report.

The request was noticed in accordance with Section 3.5.3.E of the Unified Development Code. 37 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 June 16, 2024, and noticed again on August 2, 2024. 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

Vice Chairman Gregory opened the public hearing.

Thomas Stewart, on behalf of the applicant, spoke in support of the request.

Calling for and receiving no further comments, Vice Chairman Gregory closed the public hearing.

The Commission asked Mr. Stewart questions. The discussion pertained to the lack of information to make a decision.

After a discussion and upon the motion of Commissioner Verdell, duly seconded by Commissioner Smith, the motion to approve UE 24-02 received unanimous approval with three conditions.

1. The manufactured classroom structure shall be located outside the existing SFHA (Special Flood Hazard Area) and the proposed SFHA, as shown by the current Base Level Engineering (BLE) data from FEMA.
2. The screening shall be as shown on the site plan
3. The structures shall be removed three years after approval.

B. PUBLIC HEARING AND CONSIDERATION OF UE 24-03 A REQUEST FOR USE EXCEPTION TO ALLOW FOR THE PLACEMENT OF A MANUFACTURED CLASSROOM AT EMERSON FAMILY SCHOOL LOCATED AT 1504 LOUISVILLE STREET IN AN S-E ZONING DISTRICT.

City Planner Daniel Havelin presented the request by Starkville Oktibbeha Consolidated School District to allow for the placement of a Manufactured Classroom at 1504 Louisville Street in an S-E zoning district. The request was tabled at the July 9, 2024, Planning and Zoning Commission meeting due to a lack of information. The additional information requested was an updated site plan to include screening, how long the structure will be used and in place, and the anticipated occupancy. The applicant provided that information and it was included in the staff report.

The request was noticed in accordance with Section 3.5.3.E of the Unified Development Code. 5 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 June 18, 2024, and noticed again on August 2, 2024. 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

Vice Chairman Gregory opened the public hearing.

Thomas Stewart, on behalf of the applicant, spoke in support of the request.

After a discussion and upon the motion of Commissioner Verdell, duly seconded by Commissioner Smith, the motion to approve UE 24-03 received unanimous approval with two conditions.

1. The screening shall be as shown on the site plan
2. The structures shall be removed three years after approval.

VIII. ADJOURN

There came for consideration the matter of the approval of the motion to adjourn until 5:30 p.m. on September 10, 2024, 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 September 10, 2024, in the Courtroom located at 110 West Main Street, Starkville MS by Commissioner Smith, duly seconded by Commissioner West, the motion was unanimously approved.

Alexis Gregory, Commission Vice Chair

Daniel Havelin, City Planner

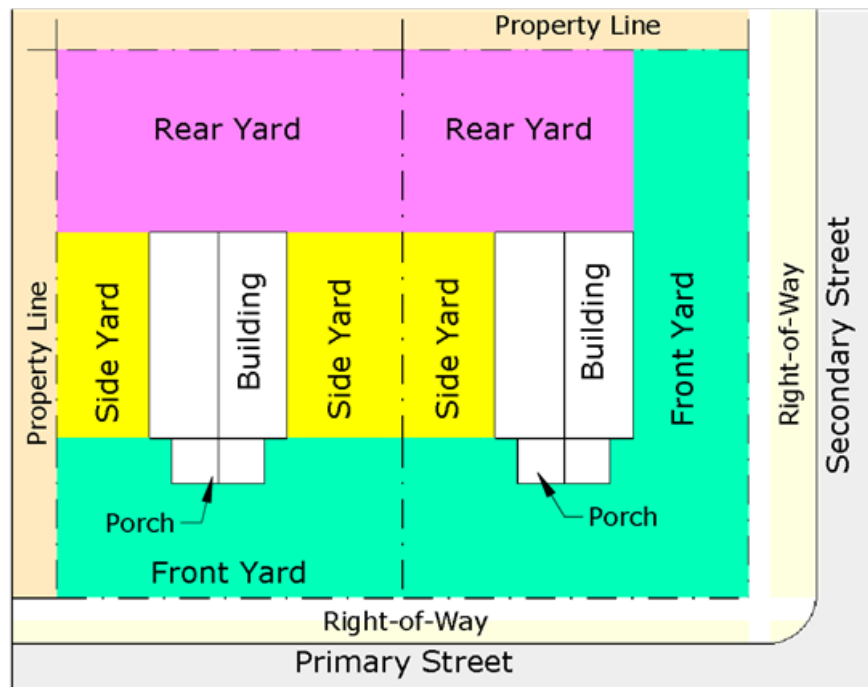
STAFF REPORT

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: Public Hearing and consideration of SE 24-06 a request for Special Exception to allow for the placement of pool equipment within the front yard at 250 Bancroft Ave in a TN-N zoning district.
Date: September 10, 2024

The purpose of this report is to provide information regarding a Special Exception request by Jerry Toney to allow for the placement of pool equipment within the front yard located at 250 Bancroft Ave in a TN-N with the property #105-15-007.20. Please see attachments 1-6.

BACKGROUND INFORMATION

The applicant is seeking a Special Exception to allow for the placement of pool equipment within the front yard of a corner lot. Corner lots are unique in that they have two front yards as illustrated by Figure 4.6-2 of the Unified Development Code.



Section 4, Fig. 4.6-2

As illustrated in Attachment 4, the applicant proposes to place the pool equipment within an enclosure in the front yard adjacent to Ryan Avenue (the secondary street). The Use Standards in Section 13.9.1.B.3.b of the Unified Development Code

require a Special Exception for the placement of pool equipment within the front yard in a TN-N zoning district. Section 3.4.1.F of the Unified Development Code also requires that the Special Exception meet the additional standards for that use. In addition to this request, the applicant also seeks a variance from the pool setback requirements between the house and the pool. That request was recommended for approval by the Board of Adjustments and Appeals. If the Special Exception request is recommended for approval or denial, it will be heard along with the Variance request by the Board of Aldermen on September 17, 2024.

13.9.1 Accessory Use or Structures (Excluding Dwellings)

- A. Definition:** An accessory use or structure that is incidental and subordinate to the principal use of the principal building. Structures with a kitchen area, full bathroom, electricity, and is heated or cooled shall be considered accessory dwellings.
- B. Accessory use or structure for residential uses**
 - 3. Swimming pool
 - a. Swimming pools shall be located in the rear yard a minimum of five (5) feet from any building or property line.
 - b. Pool equipment shall not be located within the front yard. Pool equipment shall be screened from view from the right-of-way.
 - c. The discharge of water from the pool or pump shall not be discharged onto adjacent property.
 - d. Fencing shall be provided for all swimming pools as required by current building codes.

CRITERIA SPECIAL EXCEPTION REVIEW AND APPROVAL (Section 3.4.1)

- A. Site Suitability.**

The proposed location of the structure and use has adequate space for development, adequate access to the site, fits contextually with the surrounding area, and has been properly designed for any environmental constraints.
- B. Traffic.**

There is no undue nuisance or serious hazard to pedestrian or vehicular traffic in the surrounding area by the proposed structure and use.
- C. Immediate neighborhood impact.**

The proposed structure and use are not detrimental, injurious, obnoxious, or offensive to other properties in the neighborhood. Negative impacts can include excessive trip generation, noise, vibration, dust, glare, heat, smoke, fumes, gas, odors, and inappropriate hours of operation.
- D. Availability of public services.**

The proposed structure and use are adequately served by sewer, water, electricity, fire protection, police protection, and provides for any stormwater requirements.

E. Site plan.

A site plan shall be reviewed by the Development Review Committee prior to review by the Planning and Zoning Commission only if the proposed development meets the requirements for site plan review. This review shall be to determine if elements have been adequately provided on the plan. These elements can include, but are not limited to: parking areas, loading areas, buffers, screening, landscaping, and signage. Additional approval by the Development Review Committee may be required for site plan approval after approval of a special exception.

F. Impact on property values.

The proposed location of the structure and use will not cause or contribute to a decline in property values of surrounding properties.

G. Consistency with Comprehensive Plan.

The proposed special exception is consistent with the goals, objectives, and policies of the Comprehensive Plan.

H. Additional standards.

All associated additional standards for the proposed building, sign, accessory structure, or site associated with the use have been adequately provided for on the site plan.

ABANDONMENT OR DISCONTINUANCE (Section 3.4.3.K)

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

NOTIFICATION

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

1. 9 property owners of record within 160 feet of the subject property were notified directly by mail of the request.
2. A legal ad was published in the Starkville Daily News on August 13, 2024.
3. 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.

CONDITIONS OF APPROVAL

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

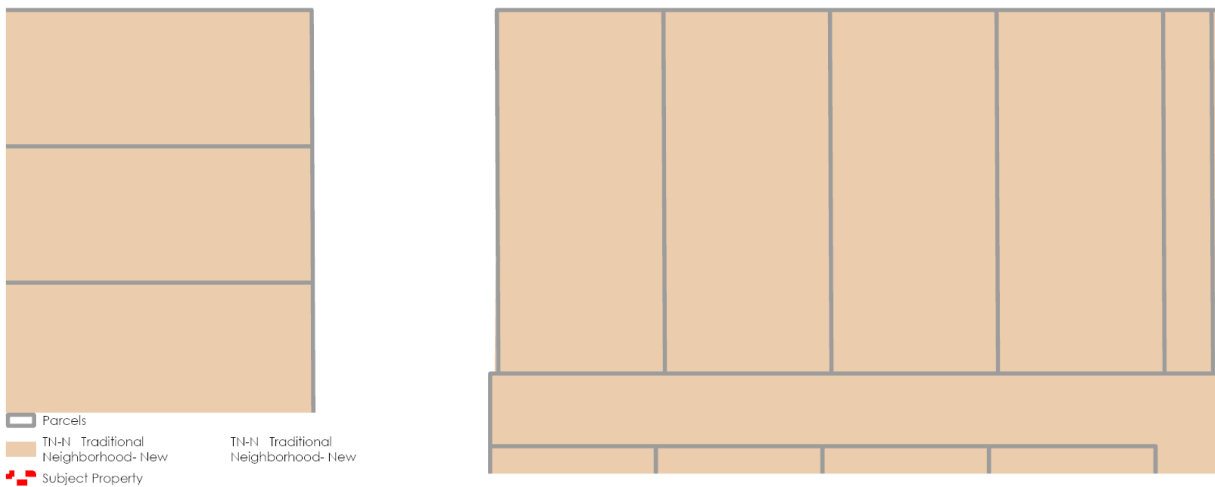
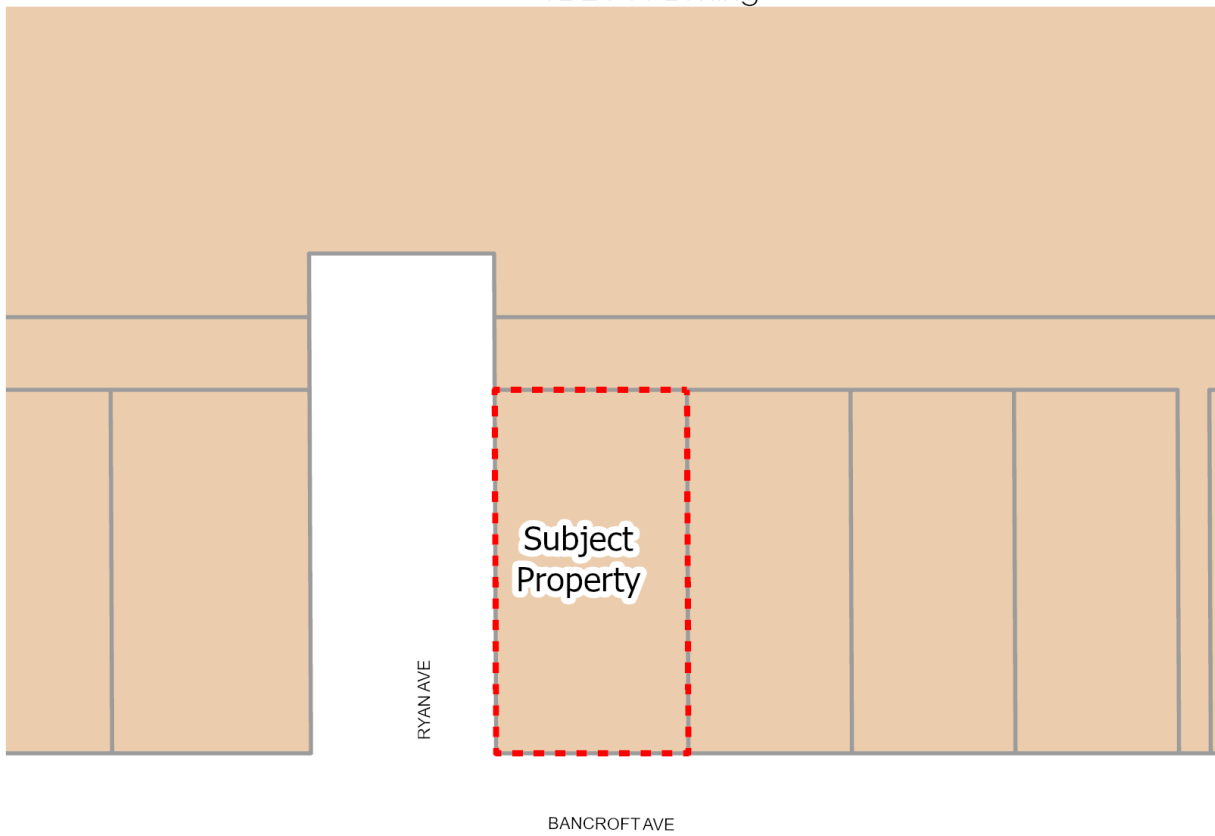
Attachment 1
SE 24-06 Aerial



0 60 120 240 Feet



Attachment 2
SE 24-06 Zoning



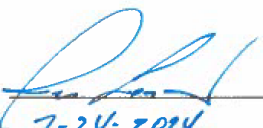
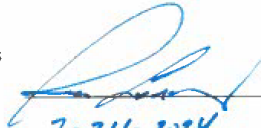
Parcels
TN-N Traditional Neighborhood- New
Subject Property

TN-N Traditional Neighborhood- New

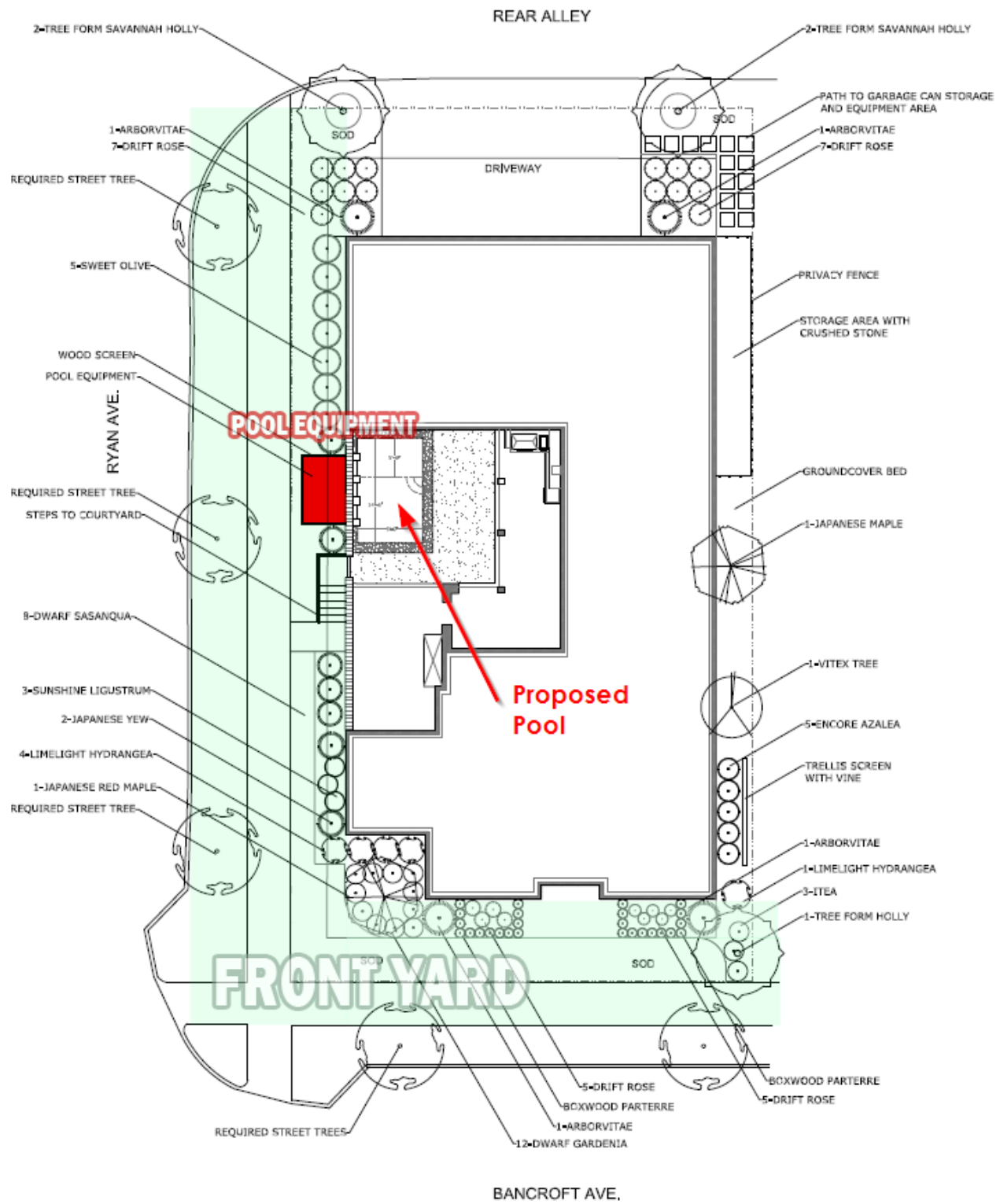
240 Feet



Attachment #3 - Statement

SPECIAL AND USE EXCEPTION APPLICATION									
City of Starkville 110 West Main Street Starkville, MS 39759 Ph: 662.323.2525 Email: buildingdept@cityofstarkville.org									
APPLICANT'S INFORMATION									
Name:	Jerry Toney	Phone:	(662) 418-2059						
Company Name:									
Email:	jerry.toney@protonmail.com								
Address:	113 Canna Avenue, Starkville, MS 39759								
PROPERTY OWNER'S INFORMATION (IF NOT APPLICANT)									
Name:			Phone:						
Email:									
Address:									
PROPERTY INFORMATION									
Property Address:	250 Bancroft Avenue								
Parcel Number:	105-15-007.20	Current Zone District:	TN-N 						
PROJECT INFORMATION									
Project Name:									
Proposed Use:	<table border="0" style="width: 100%;"><tr><td>☒ Residential</td><td>☐ Commercial</td><td>☐ Mixed Use</td></tr><tr><td>☐ Institutional</td><td>☐ Industrial</td><td>☐ Other</td></tr></table>			☒ Residential	☐ Commercial	☐ Mixed Use	☐ Institutional	☐ Industrial	☐ Other
☒ Residential	☐ Commercial	☐ Mixed Use							
☐ Institutional	☐ Industrial	☐ Other							
If Commercial, Proposed Number of Units:									
If Residential, Proposed Number of Dwelling Units:	1								
If Multi-Unit Residential, Proposed Number of Bedrooms:									
Project Description: We are requesting a variance to allow for our pool equipment to be installed behind a brick wall which faces a side street. The pool equipment will be completely hidden by a brick fence and not visible from any street angle. The pool equipment runs at a decibel level lower than that of a traditional air conditioning unit and will not be heard from the street or sidewalk. This design was approved by the neighborhood architecture review board. A visual depiction of the space is attached.									
Applicant's Signature:		Property Owner's Signature:							
Date:	7-24-2024	Date:	7-24-2024						

Attachment #4 – Site Plan



Attachment #5 – Rendering



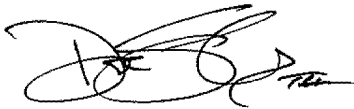
Attachment #6 – Letter of Support

August 1, 2024

City of Starkville Board of Adjustments and City of Starkville Board of Aldermen
110 W. Main Street
Starkville, MS 39759

On behalf of the Architecture Review Board for Live Adelaide, LLC, the review board has approved and supports the design plan which specifies the location of the swimming pool and pool equipment for Lot 36, 250 Bancroft Avenue.

Respectfully,

A handwritten signature in black ink, appearing to read 'Dero Saunders Ramsey, III', with a stylized flourish at the end.

Dero Saunders Ramsey, III