

**MINUTES OF THE
REGULAR MEETING OF THE
HATTIESBURG PLANNING COMMISSION**

April 6, 2016

The Hattiesburg Planning Commission did meet in a regular session on April 6, 2016 at 1:00 p.m. at the Jackie Dole Community Center, 220 West Front Street, Hattiesburg, Mississippi. Joseph White, Chairman, presided over the meeting. A quorum was indicated and the attendance was as follows:

Commissioners Present: Dick Conville
Peggy Horton, Secretary
Eric Martin
Don McCleskey
Linda McMurtrey, Vice-Chairman
Mark Miller
Joseph White, Chairman

Commissioners Absent: Judy Cortis
Sandra Thompson
Jessie Wilson

Also Present: Pattie Brantley, AICP, Director of Urban Development
Ginger Maddox, Planning Division Manager
Jeremy McNeil, Planner
Steve Mitchell, Building Official

Chairman White declared the meeting of the Hattiesburg Planning Commission open and in session at 1:00 P.M.

INVOCATION

Commissioner Horton gave the invocation.

AGENDA REVIEW

There came the matter of the April 2016 Agenda. A request was made by Chairman White for a motion to approve the April 2016 Agenda. A motion was made to approve by Commissioner Conville and seconded by Commissioner Horton.

Commissioners voting aye: Dick Conville
Peggy Horton, Secretary
Eric Martin
Don McCleskey
Linda McMurtrey, Vice-Chairman
Mark Miller

Commissioners voting nay: None

MINUTES REVIEW

There came the matter of the February 3, 2016 Minutes. A request was made by Chairman White for a motion to Approve the February 3, 2016 Minutes. A motion was made by Commissioner McClesky to approve the minutes and seconded by Commissioner Horton.

Commissioners voting aye: Dick Conville
Peggy Horton, Secretary
Eric Martin
Don McCleskey
Linda McMurtrey, Vice-Chairman
Mark Miller

Commissioners voting nay: None

Commissioners abstaining: None

REPORTS

BUILDING REPORT

There came the matter of the Building Inspection Report provided to the commission of monthly and YTD Permit information for February and March by Steve Mitchell, Building Official.

PLANNING REPORT

There came the matter of the Planning Report. Ginger Maddox, Planning Division Manager, informed the Commission that the most recent updated draft of Land Development Code will be uploaded to the City's website in two weeks. As well as her and Pattie Brantley, Director of Urban Development experience at the American Planning Associations' National Conference in Phoenix, Arizona. Also, Ms. Maddox informed the Commission of the City Council approval of the following items heard at the previous Planning Commission: the City of Hattiesburg, text amendment; TIDE School, Use Permit Upon Review, PPIN 27016; Richard Hiatt, Zoning Designation, Lots 3-10, 12, 15, and 16 at Augusta Court Subdivision of Greystone located on Augusta Court West; Stan Hall, Zoning Designation Lot 17 at Augusta Court Subdivision of Greystone located at 1 Augusta Court East; Matt Mayo, Zoning Designation, Lots 19-40 and an area designated as a "Common Area" at Augusta Court Subdivision of Greystone located on Augusta Court East and Amen Circle; and William Carey University, zoning change, use permit upon review, street closure.

CHAIRMAN'S REPORT

There came the matter of the Chairman's Report. There was none.

PUBLIC HEARING

Chairman White declared the Public Hearing open at 1:15 P.M. and read the rules and procedures of the hearing.

There came the matter of Item A (Rezoning), by David White, Representative, on behalf of Robert Wallace, Owner, as required in the Comprehensive Zoning Ordinance No. 2330, as amended, to change the zoning classification for a portion of certain property located at 6194 Hwy 98 (Parcel 052R-10-018.00, PPIN 17193, Ward 3) from Article 4, Section 62, B-5 (Regional Business) District to Article 4, Section 54, R-4 (High Density Residential) District.

	Name	Address	City/State
<u>Presented by:</u>	David White	4341 Ambergate Court	Franklin, TN
	- Representative, Franklin Construction Company		
<u>Proponents:</u>	None		
<u>Opponents:</u>	None		

Chairman White declared the Public Hearing closed and the Business Meeting open to vote on the request. Commissioner Miller made a motion to approve the zoning change because there is a material change in the circumstances and conditions of the neighborhood and area surrounding the petitioned property. The motion was seconded by Commissioner Dick.

Commissioners voting aye: Dick Conville
 Peggy Horton, Secretary
 Eric Martin
 Don McCleskey
 Linda McMurtrey, Vice-Chairman
 Mark Miller

Commissioners voting nay: None

There came the matter of Item B (Use Permit Upon Review), by Charles Bourland, Representative, on behalf of William Carey University, Owner, as required in the Comprehensive Zoning Ordinance No. 2330, as amended, to request a Use Permit Upon Review for a “Parking/Parking Lot” as provided in Article 4, Section 52.03 (4) for certain properties located at 204, 226, and 228 Tuscan Avenue (Parcel 038G-15-189.00, PPIN 13687; Parcel 038G-15-190.00, PPIN 13688; Parcel 038G-15-191.00, PPIN 13689, Ward 5).

	Name	Address	City/State
<u>Presented by:</u>	Charles Bourland	5211 Old Highway 11	Hattiesburg, MS
	- Representative, Landry and Lewis Architects, P.A.		
	Bob Blevin	498 Tuscan Ave	Hattiesburg, MS
	- Director of Facilities, William Carey University		
<u>Proponents:</u>	None		
<u>Opponents:</u>	Katie L. Riley	498 Tuscan Ave.	Hattiesburg, MS

Chairman White declared the Public Hearing closed and the Business Meeting open to vote on the request. Commissioner McCleskey made a motion to approve the application for a Use permit Upon Review because there is need to preserve and encourage the stability of the Hattiesburg business community. The motion was seconded by Commissioner Miller.

Commissioners voting aye: Dick Conville
 Peggy Horton, Secretary
 Eric Martin
 Don McCleskey
 Linda McMurtrey, Vice-Chairman
 Mark Miller

Commissioners voting nay: None

There came the matter of Item C (Rezoning) by Renee and Brian Dozier, Representative, on behalf of Sidney Malone, Owner, as required in the Comprehensive Zoning Ordinance No. 2330, as amended, to change the zoning classification for a certain property

located on The northeast corner of Turtle Creek Mall (Willow Street) (Parcel 051L-11-036.000, PPIN 17347, Ward 3) from Article 4, Section 59, B-2 (Neighborhood Business) District to Article 4, Section 62, B-5 (Regional Business) District.

	Name	Address	City/State
<u>Presented by:</u>	Kyle Wallace - Project Engineer, Shows, Dearman & Waits, Inc.	301 2 nd Avenue	Hattiesburg, MS
	Sidney Malone	104 Campbell Loop	Hattiesburg, MS
<u>Proponents:</u>	None		
<u>Opponents:</u>	None		

Chairman White declared the Public Hearing closed and the Business Meeting open to vote on the request. Commissioner Miller made a motion to approve the zoning change because there is a material change in the circumstances and conditions of the neighborhood and area surrounding the petitioned property. The motion was seconded by Commissioner Horton.

Commissioners voting aye: Dick Conville
Peggy Horton, Secretary
Eric Martin
Linda McMurtrey, Vice-Chairman
Mark Miller

Commissioners voting nay: None

Commissioners abstaining: Don McCleskey

There came the matter of Item D (Variance), by Renee and Brian Dozier, Representative, on behalf of Sidney Malone, Owner, as required in the Comprehensive Zoning Ordinance No. 2330, as amended, to request a variance from Article 4, Section 89.04 (39) which states one (1) parking space is required for each one thousand (1,000) square feet of gross floor area for a total (44) spaces required and instead allow a total of eight (8) spaces for a variance of thirty-six (36) parking spaces for certain property located at the northeast corner of Turtle Creek Mall (Willow Street) (Parcel 051L-11-036.000, PPIN 17347, Ward 3).

	Name	Address	City/State
<u>Presented by:</u>	Kyle Wallace - Project Engineer, Shows, Dearman & Waits, Inc.	301 2 nd Avenue	Hattiesburg, MS
	Sidney Malone	104 Campbell Loop	Hattiesburg, MS
<u>Proponents:</u>	None		
<u>Opponents:</u>	None		

Chairman White declared the Public Hearing closed and the Business Meeting open to vote on the request. Commissioner Conville made a motion to approve the variance because there is literal interpretation of the provision of the Code would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this code. The motion was seconded by Commissioner Horton.

Commissioners voting aye: Dick Conville
 Peggy Horton, Secretary
 Eric Martin
 Linda McMurtrey, Vice-Chairman

Commissioners voting nay: Mark Miller

Commissioners voting abstaining: Don McCleskey

There came the matter of Item E (Text Amendment), by the City of Hattiesburg to add and amend the text of the Midtown Form Based Code, Ord. 3105, so that Section 3.17 C.3.b.v. reads: “Chevy Chase Drive”.

Amended text to read:

- “b. Where more than one street abuts a lot, all of the streets are considered primary streets, except that the following streets are designated as side streets:
- i. 30th Avenue;
 - ii. Lorraine Street;
 - iii. 27th Avenue;
 - iv. Adeline Street; and
 - v. Chevy Chase Drive.”

	Name	Address	City/State
<u>Presented by:</u>	City of Hattiesburg		Hattiesburg, MS
<u>Proponents:</u>	None		
<u>Opponents:</u>	None		

Chairman White declared the Public Hearing closed and the Business Meeting open to vote on the request. Commissioner McCleskey made a motion to approve the text amendment. The motion was seconded by Commissioner Horton.

Commissioners voting aye: Dick Conville
 Peggy Horton, Secretary
 Eric Martin
 Don McCleskey
 Linda McMurtrey, Vice-Chairman
 Mark Miller

Commissioners voting nay: None

There came the matter of Item F (Variance), Robert Tatum, Representative, on behalf of the University of Southern Mississippi, Owner, as required in the Midtown Form-Based Code, to request a variance from Article 3, Section 3.4.2 (F) which states a Build-to Zone on a primary street shall meet 70% minimum overall lot width and instead allow 17% lot width for a variance of 53% lot width for certain property located on a portion of 3102 Hardy St and along S. 31st Avenue (Parcel 028N-07-079.00, PPIN 26492, & Parcel 028N-07-080.00, PPIN 26493, respectively, Ward 3).

	Name	Address	City/State
<u>Presented by:</u>	Robert Tatum	11 Parkway Blvd	Hattiesburg, MS
	-	Representative, CR Properties, LLC	
<u>Proponents:</u>	None		

Opponents: None

Chairman White declared the Public Hearing closed and the Business Meeting open to vote on the request. Commissioner McCleskey made a motion to approve the variance because special conditions and circumstances do exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same district; and that granting the variance requested will not confer on the applicant any special privilege that is denied by this code to other lands, structures, or buildings in the same district. The motion was seconded by Commissioner Miller.

Commissioners voting aye: Dick Conville
 Peggy Horton, Secretary
 Eric Martin
 Don McCleskey
 Linda McMurtrey, Vice-Chairman
 Mark Miller

Commissioners voting nay: None

There came the matter of Item G (Variance), Robert Tatum, Representative, on behalf of the University of Southern Mississippi, Owner, as required in the Midtown Form-Based Code, to request a variance from Article 5, Section 5.1.G.3 (a) which states landscaped interior islands must be provided every ten (10) parking spaces for a total of five (5) and instead allow one (1) landscaped interior island for a variance of three (3) landscaped interior islands for certain property located on parcels on and along S. 31st Avenue (Parcel 028N-07-079.00, PPIN 26492, & Parcel 028N-07-080.00, PPIN 26493, respectively, Ward 3).

	Name	Address	City/State
<u>Presented by:</u>	Robert Tatum	11 Parkway Blvd	Hattiesburg, MS
	-	Representative, CR Properties, LLC	
<u>Proponents:</u>	None		
<u>Opponents:</u>	None		

Chairman White declared the Public Hearing closed and the Business Meeting open to vote on the request. Commissioner McMurtrey made a motion to approve the variance because special conditions and circumstances do exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same district; and that granting the variance requested will not confer on the applicant any special privilege that is denied by this code to other lands, structures, or buildings in the same district. The motion was seconded by Commissioner Horton.

Commissioners voting aye: Dick Conville
 Peggy Horton, Secretary
 Eric Martin
 Don McCleskey
 Linda McMurtrey, Vice-Chairman
 Mark Miller

Commissioners voting nay: None

There came the matter of Item H (Variance), Robert Tatum, Representative, on behalf of the University of Southern Mississippi, Owner, as required in the Midtown Form-Based Code, to request a variance from Article 3, Section 3.15.1 (F) which states a Build-to Zone on a primary street (S. 31st Ave.) shall meet a 90% minimum overall lot width and instead allow 27% lot width for a variance of 63% lot width for certain property located on a portion of 3000 Hardy Street (Parcel 028N-07-078.00, PPIN 20837, Ward 3).

	Name	Address	City/State
<u>Presented by:</u>	Robert Tatum	11 Parkway Blvd	Hattiesburg, MS
	-	Representative, CR Properties, LLC	
<u>Proponents:</u>	None		
<u>Opponents:</u>	None		

Chairman White declared the Public Hearing closed and the Business Meeting open to vote on the request. Commissioner McCleskey made a motion to approve the variance because special conditions and circumstances do exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same district; and that granting the variance requested will not confer on the applicant any special privilege that is denied by this code to other lands, structures, or buildings in the same district. The motion was seconded by Commissioner Conville.

Commissioners voting aye: Dick Conville
 Peggy Horton, Secretary
 Eric Martin
 Don McCleskey
 Linda McMurtrey, Vice-Chairman
 Mark Miller

Commissioners voting nay: None

There came the matter of Item I (Variance), Robert Tatum, Representative, on behalf of the University of Southern Mississippi, Owner, as required in the Midtown Form-Based Code, to request a variance from Article 3, Section 3.15.2(B) which states a street facing façade with a height minimum of two (2) stories shall meet a 75% minimum overall lot width and instead allow 53% lot width along Hardy Street for a variance of 22% lot width for certain property located 3000 Hardy Street (Parcel 028N-07-078.00, PPIN 20837, Ward 3).

	Name	Address	City/State
<u>Presented by:</u>	Robert Tatum	11 Parkway Blvd	Hattiesburg, MS
	-	Representative, CR Properties, LLC	
<u>Proponents:</u>	None		
<u>Opponents:</u>	None		

Chairman White declared the Public Hearing closed and the Business Meeting open to vote on the request. Commissioner McCleskey made a motion to approve the variance because special conditions and circumstances do exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the

same district; and that granting the variance requested will not confer on the applicant any special privilege that is denied by this code to other lands, structures, or buildings in the same district. The motion was seconded by Commissioner Horton.

Commissioners voting aye: Dick Conville
 Peggy Horton, Secretary
 Eric Martin
 Don McCleskey
 Linda McMurtrey, Vice-Chairman
 Mark Miller

Commissioners voting nay: None

There came the matter of Item J (Variance), Robert Tatum, Representative, on behalf of the University of Southern Mississippi, Owner, as required in the Midtown Form-Based Code, to request a variance from Article 3, Section 3.15.2(B) which states a street facing façade with a height minimum of two (2) stories shall meet a 75% minimum overall lot width and instead allow 0% lot width along S. 30th Avenue for a variance of 75% lot width for certain property located 3000 Hardy Street (Parcel 028N-07-078.00, PPIN 20837, Ward 3).

	Name	Address	City/State
<u>Presented by:</u>	Robert Tatum	11 Parkway Blvd	Hattiesburg, MS
	-	Representative, CR Properties, LLC	
<u>Proponents:</u>	None		
<u>Opponents:</u>	None		

Chairman White declared the Public Hearing closed and the Business Meeting open to vote on the request. Commissioner McCleskey made a motion to approve the variance because special conditions and circumstances do exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same district; and that granting the variance requested will not confer on the applicant any special privilege that is denied by this code to other lands, structures, or buildings in the same district. The motion was seconded by Commissioner Horton.

Commissioners voting aye: Dick Conville
 Peggy Horton, Secretary
 Eric Martin
 Don McCleskey
 Linda McMurtrey, Vice-Chairman
 Mark Miller

Commissioners voting nay: None

There came the matter of Item K (Variance), Robert Tatum, Representative, on behalf of the University of Southern Mississippi, Owner, as required in the Midtown Form-Based Code, to request a variance from Article 3, Section 3.15.2(B) which states a street facing façade with a height minimum of two (2) stories shall meet a 75% minimum overall lot width and instead allow 0% lot width S. 31st Avenue for a variance of 75% lot width for certain property located 3000 Hardy Street (Parcel 028N-07-078.00, PPIN 20837, Ward 3).

	Name	Address	City/State
<u>Presented by:</u>	Robert Tatum	11 Parkway Blvd	Hattiesburg, MS
	-	Representative, CR Properties, LLC	
<u>Proponents:</u>	None		
<u>Opponents:</u>	None		

Chairman White declared the Public Hearing closed and the Business Meeting open to vote on the request. Commissioner McCleskey made a motion to approve the variance because special conditions and circumstances do exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same district; and that granting the variance requested will not confer on the applicant any special privilege that is denied by this code to other lands, structures, or buildings in the same district. The motion was seconded by Commissioner Horton.

Commissioners voting aye: Dick Conville
 Peggy Horton, Secretary
 Eric Martin
 Don McCleskey
 Linda McMurtrey, Vice-Chairman
 Mark Miller

Commissioners voting nay: None

There came the matter of Item L (Variance), Robert Tatum, Representative, on behalf of the University of Southern Mississippi, Owner, as required in the Midtown Form-Based Code, to request a variance from Article 3, Section 3.5.3.A (MX-4) which states a maximum story allowed in a MX-4 zone shall not exceed four (4) stories and instead allow five (5) stories for a variance of one (1) story for a hotel as proposed located at 3000 Hardy Street and 301 Chevy Chase Drive (Parcel 028N-07-078.00, PPIN 20837 ; Parcel 028N-07-076.00, PPIN 20839, Ward 3).

	Name	Address	City/State
<u>Presented by:</u>	Robert Tatum	11 Parkway Blvd	Hattiesburg, MS
	-	Representative, CR Properties, LLC	
<u>Proponents:</u>	None		
<u>Opponents:</u>	None		

Chairman White declared the Public Hearing closed and the Business Meeting open to vote on the request. Commissioner Conville made a motion to approve the variance because special conditions and circumstances do exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same district; and that granting the variance requested will not confer on the applicant any special privilege that is denied by this code to other lands, structures, or buildings in the same district. The motion was seconded by Commissioner Martin.

Commissioners voting aye: Dick Conville
 Peggy Horton, Secretary
 Eric Martin
 Linda McMurtrey, Vice-Chairman
 Mark Miller
 Don McCleskey

Commissioners voting nay: None

There came the matter of Item M (Variance), Robert Tatum, Representative, on behalf of the University of Southern Mississippi, Owner, as required in the Midtown Form-Based Code, to request a variance from Article 3, Section 3.4.2 (F) & (H) which states the Build-to Zone on a primary street shall meet a 70% minimum lot width and instead allow 0% lot width for a variance of 70% lot width along S. 31st Avenue and also allow 23% lot width for a variance of 47% lot width along Chevy Chase Drive for certain properties located at 3000 Hardy Street and 307 Chevy Chase Drive (Parcel 028N-07-076.00, PPIN 20839; Parcel 028N-07-078.00, PPIN 20837 ; Parcel 028N-07-077.00, PPIN 20838 respectively, Ward 3).

	Name	Address	City/State
<u>Presented by:</u>	Robert Tatum	11 Parkway Blvd	Hattiesburg, MS
	-	Representative, CR Properties, LLC	
<u>Proponents:</u>	None		
<u>Opponents:</u>	None		

Chairman White declared the Public Hearing closed and the Business Meeting open to vote on the request. Commissioner Horton made a motion to approve the variance because special conditions and circumstances do exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same district; and that granting the variance requested will not confer on the applicant any special privilege that is denied by this code to other lands, structures, or buildings in the same district. The motion was seconded by Commissioner McMurtrey.

- Commissioners voting aye:** Dick Conville
 Peggy Horton, Secretary
 Eric Martin
 Don McCleskey
 Linda McMurtrey, Vice-Chairman
 Mark Miller

Commissioners voting nay: None

There came the matter of Item N (Variance), Robert Tatum, Representative, on behalf of the University of Southern Mississippi, Owner, as required in the Midtown Form-Based Code, to request a variance from Article 3, Section 3.15.1 (F) which states a Build-to Zone on a primary street (S. 31st Ave.) shall meet a 90% minimum overall lot width and instead allow 0% lot width for a variance of 90% lot width and a variance from Article 3, Section 3.15.2(B) which states a street facing façade height with a minimum of two (2) stories shall meet a 75% minimum overall lot width and instead allow 0% lot width along S. 31st Avenue for a variance of 75% two lot width for certain property located on the southern portion of 3000 Hardy Street along S. 31st Avenue (Parcel 028N-07-078.00, PPIN 20837; Parcel 028N-07-077.00, PPIN 20838, Ward 3).

	Name	Address	City/State
<u>Presented by:</u>	Robert Tatum	11 Parkway Blvd	Hattiesburg, MS
	-	Representative, CR Properties, LLC	
<u>Proponents:</u>	None		

Opponents: None

Chairman White declared the Public Hearing closed and the Business Meeting open to vote on the request. Commissioner Horton made a motion to approve the variance because special conditions and circumstances do exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same district; and that granting the variance requested will not confer on the applicant any special privilege that is denied by this code to other lands, structures, or buildings in the same district. The motion was seconded by Commissioner McMurtrey.

Commissioners voting aye: Dick Conville
Peggy Horton, Secretary
Eric Martin
Don McCleskey
Linda McMurtrey, Vice-Chairman
Mark Miller

Commissioners voting nay: None

There came the matter of Item O (Variance), Robert Tatum, Representative, on behalf of the University of Southern Mississippi, Owner, as required in the Midtown Form-Based Code, to request a variance from Article 3, Section 3.15.2(B) which states a street facing façade height with a minimum of two (2) stories shall meet a 75% minimum overall lot width and instead allow 48% lot width along S. 30th Avenue for a variance of 27% lot width for certain property located on the southern portion of 3000 Hardy Street along S. 30th Avenue (Parcel 028N-07-078.00, PPIN 20837; Parcel 028N-07-076.00, PPIN 20839, Ward 3).

	Name	Address	City/State
<u>Presented by:</u>	Robert Tatum	11 Parkway Blvd	Hattiesburg, MS
	-	Representative, CR Properties, LLC	
<u>Proponents:</u>	None		
<u>Opponents:</u>	None		

Chairman White declared the Public Hearing closed and the Business Meeting open to vote on the request. Commissioner Horton made a motion to approve the variance because special conditions and circumstances do exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same district; and that granting the variance requested will not confer on the applicant any special privilege that is denied by this code to other lands, structures, or buildings in the same district. The motion was seconded by Commissioner Conville.

Commissioners voting aye: Dick Conville
Peggy Horton, Secretary
Eric Martin
Linda McMurtrey, Vice-Chairman
Mark Miller
Don McCleskey

Commissioners voting nay: None

There came the matter of Item P (Variance), Robert Tatum, Representative, on behalf of the University of Southern Mississippi, Owner, as required in the Midtown Form-Based Code,

to request a setback variance from Article 3. Section 3.15.1. (G) which states that a side street setback may be a maximum of fifteen (15) feet from the property line and instead allow a setback of 19.4 feet on S. 30th Avenue for a variance of 4.4 feet for a portion of a hotel as proposed located at 3000 Hardy Street and 301 Chevy Chase Drive (Parcel 028N-07-078.00, PPIN 20837; Parcel 028N-07-076.00, PPIN 20839, Ward 3).

	Name	Address	City/State
<u>Presented by:</u>	Robert Tatum	11 Parkway Blvd	Hattiesburg, MS
	-	Representative, CR Properties, LLC	
<u>Proponents:</u>	None		
<u>Opponents:</u>	None		

Chairman White declared the Public Hearing closed and the Business Meeting open to vote on the request. Commissioner Horton made a motion to approve the variance because special conditions and circumstances do exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same district; and that granting the variance requested will not confer on the applicant any special privilege that is denied by this code to other lands, structures, or buildings in the same district. The motion was seconded by Commissioner Miller.

- Commissioners voting aye:** Dick Conville
Peggy Horton, Secretary
Eric Martin
Linda McMurtrey, Vice-Chairman
Mark Miller
Don McCleskey

Commissioners voting nay: None

There came the matter of Item Q (Variance), Robert Tatum, Representative, on behalf of University of Southern Mississippi, Owner, as required in the Midtown Form-Based Code, to request a variance from Article 5, Section 5.1.G.3 (a) which states landscaped interior island must be provided every ten (10) parking spaces for a required total of fourteen (14) and instead allow three (3) landscaped interior islands for a variance of eleven (11) landscaped interior island for certain property located on a portion of 3102 Hardy Street and along S. 31st Avenue (Parcel 028N-07-079.00, PPIN 26492, & Parcel 028N-07-080.00, PPIN 26493, Parcel 028N-07-078.00, PPIN 20837, respectively, Ward 3).

	Name	Address	City/State
<u>Presented by:</u>	Robert Tatum	11 Parkway Blvd	Hattiesburg, MS
	-	Representative, CR Properties, LLC	
<u>Proponents:</u>	None		
<u>Opponents:</u>	None		

Chairman White declared the Public Hearing closed and the Business Meeting open to vote on the request. Commissioner McCleskey made a motion to approve the variance because special conditions and circumstances do exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same district; and that granting the variance requested will not confer on the applicant any

special privilege that is denied by this code to other lands, structures, or buildings in the same district. The motion was seconded by Commissioner Horton.

Commissioners voting aye: Dick Conville
Peggy Horton, Secretary
Eric Martin
Don McCleskey
Linda McMurtrey, Vice-Chairman
Mark Miller

Commissioners voting nay: None

There came the matter of Item R (Rezoning), Robert Tatum, Representative, on behalf of University of Southern Mississippi, Owner, as required in the Midtown Form-Based Code, to change the zoning classification for a portion of certain a parcel located on S. 31st Avenue (Parcel 028N-07-079.00, PPIN 26492, & Parcel 028N-07-080.00, PPIN 26493, respectively, Ward 3) from Article 2, Section 2.4, EM-2 (Employment) District to Article 2, Section 2.3, MX-3 (Mixed Use) District.

	Name	Address	City/State
<u>Presented by:</u>	Robert Tatum	11 Parkway Blvd	Hattiesburg, MS
	-	Representative, CR Properties, LLC	
<u>Proponents:</u>	None		
<u>Opponents:</u>	None		

Chairman White declared the Public Hearing closed and the Business Meeting open to vote on the request. Commissioner Miller made a motion to approve the zoning change because there is a material change in the circumstances and conditions of the neighborhood and area surrounding the petitioned property. The motion was seconded by Commissioner Conville.

Commissioners voting aye: Dick Conville
Peggy Horton, Secretary
Eric Martin
Don McCleskey
Linda McMurtrey, Vice-Chairman
Mark Miller

Commissioners voting nay: None

BUSINESS MEETING

There being no further business, the meeting was adjourned at 3:45 P.M. Commissioner McCleskey made a motion to adjourned the meeting at 3:45 P.M. The motion was seconded at Commissioner Martin.

Joe White, Chairman

Pattie Brantley, AICP, Director of Urban Development.