

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

August 5, 2015

The Hattiesburg Planning Commission did meet in a regular session on August 5, 2015 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: Joseph White, Chairman
Linda McMurtrey, Vice-Chairman
Peggy Horton, Secretary
Dick Conville
Judy Corts
Eric Martin
Don McCleskey
Mark Miller
Sandra Thompson
Jessie Wilson

Commissioners Absent: None

Also Present: Pattie Brantley, AICP, Director of Urban Development
Ginger Maddox, Planning Division Manager
Michael Maret, Planner
Steve Mitchell, Building Official
Russel Archer, Historic Planner

Chairman White declared the meeting of the Hattiesburg Planning Commission open and in session at 1:03 P.M.

INVOCATION

Chairman White gave the invocation.

AGENDA REVIEW

There came the matter of the August 2015 Agenda. A request was made by Chairman White for a motion to Approve the August 2015 Agenda. A motion was made to approve by Commissioner Corts and seconded by Commissioner Horton.

Commissioners voting aye: Linda McMurtrey, Vice-Chairman
Peggy Horton, Secretary
Dick Conville
Judy Corts
Eric Martin
Don McCleskey
Mark Miller
Sandra Thompson
Jessie Wilson

Commissioners voting nay: None

Commissioners abstaining: None

MINUTES REVIEW

There came the matter of the July 1, 2015 Minutes. A request was made by Chairman White for a motion to Approve the July 2015 Minutes. A motion was made by Commissioner Thompson to approve the minutes and seconded by Commissioner Conville.

Commissioners voting aye: Linda McMurtrey, Vice-Chairman
Peggy Horton, Secretary
Dick Conville
Judy Corts
Eric Martin
Don McCleskey
Mark Miller
Sandra Thompson
Jessie Wilson

Commissioners voting nay: None

Commissioners abstaining: None

REPORTS

ENGINEERING REPORT

There came the matter of the Engineering Report. There was none.

BUILDING REPORT

There came the matter of the Building Inspection Report. Steve Mitchell, Building Official, provided a report to the commission of monthly and YTD Permit information for August.

PLANNING REPORT

There came the matter of the Planning Report. Ginger Maddox, Planning Division Manager, informed the Commission that the Use Permit on Review for a Digital Billboard along Arcadia Street /Hwy 49 Frontage Road was approved by City Council. She also informed the Commission that Michael Maret would be leaving his position with the City.

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 1:09 P.M. and read the rules and procedures of the hearing.

There came the matter of Item A (Variance), Clinton Heidelberg, Owner, with the Mayor and Council of the City of Hattiesburg, Mississippi, as required in the Comprehensive Zoning Ordinance No. 2330, as amended, of the City of Hattiesburg, Mississippi, requesting a variance from Article 5, Section 84.01(2) which states that fences that allow for visibility may be four (4) feet high in the front of the building line, and instead allow six (6) feet, for a variance of two (2) feet. The property is located at 976 Richburg Road (Parcel 040D-30-013.00, PPIN 6994, Ward 3) and is zoned A-1 (General Agricultural) District.

	Name	Address	City/State
<u>Presented by:</u>	Clinton Heidelberg	976 Richburg Road	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 variance because 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: Linda McMurtrey, Vice-Chairman
Peggy Horton, Secretary
Dick Conville
Eric Martin
Don McCleskey
Sandra Thompson
Jessie Wilson

Commissioners voting nay: Judy Corts
Mark Miller

There came the matter of Item B (Zoning Change), Jerry Weeks, on behalf of David Rimes, Owner, with the Mayor and Council of the City of Hattiesburg, Mississippi, as required in the Comprehensive Zoning Ordinance No. 2330, as amended, of the City of Hattiesburg, Mississippi, to change the zoning classification, pending subdivision approval, of a portion of a certain property located at 135 Lake Estates Drive (Parcel 026I-34-028.00, PPIN 39492, Ward 1) from A-1 (General Agricultural) District to A-2 (Agricultural Residential) District.

	Name	Address	City/State
<u>Presented by:</u>	John Weeks	301 2 nd Avenue	Hattiesburg, MS
	- Representative, Shows, Dearman & Waits, Inc.		
<u>Proponents:</u>	Kathryn Cummings	111 Lake Shore Drive	Hattiesburg, MS
<u>Opponents:</u>	Frank Mitchell	127 Lake Estates Drive	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 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: Linda McMurtrey, Vice-Chairman
Peggy Horton, Secretary
Dick Conville
Judy Corts
Eric Martin
Don McCleskey
Sandra Thompson
Jessie Wilson

Commissioners voting nay: Mark Miller

There came the matter of Item C (Variance), Jerry Weeks, on behalf of David Rimes, Owner, with the Mayor and Council of the City of Hattiesburg, Mississippi, as required in the

Comprehensive Zoning Ordinance No. 2330, as amended, of the City of Hattiesburg, Mississippi, requesting a variance from Article 4, Section 51.04(9) which states that the minimum lot width is one hundred (100) feet measured at the building setback line, and instead allow a width of sixty-eight point three (68.3) feet, a variance of thirty-one point seven (31.7) feet. The property is a portion of a certain property located at 135 Lake Estates Drive (Parcel 026I-34-028.00, PPIN 39492, Ward 1) pending approval of subdivision and a zoning change from A-1 (General Agricultural) District to A-2 (Agricultural Residential) District.

	Name	Address	City/State
<u>Presented by:</u>	John Weeks	301 2 nd Avenue	Hattiesburg, MS
	- Representative, Shows, Dearman & Waits, Inc.		
<u>Proponents:</u>	Kathryn Cummings	111 Lake Shore Drive	Hattiesburg, MS
<u>Opponents:</u>	Frank Mitchell	127 Lake Estates Drive	Hattiesburg, MS

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 are special conditions and circumstances that 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. The motion was seconded by Commissioner Wilson.

Commissioners voting aye: Linda McMurtrey, Vice-Chairman
 Peggy Horton, Secretary
 Dick Conville
 Judy Cortis
 Eric Martin
 Don McCleskey
 Sandra Thompson
 Jessie Wilson

Commissioners voting nay: Mark Miller

There came the matter of Item D (Zoning Change), Danny Johnson, Representative, on behalf of Erick Garcia Hernandez (Hernandez’s Tires), Owner, with the Mayor and Council of the City of Hattiesburg, Mississippi, as required in the Comprehensive Zoning Ordinance No. 2330, as amended, of the City of Hattiesburg, Mississippi, to change the zoning classification of a certain property located at 100 & 102 Pinehurst Street (Parcel 029N-09-024.00, PPIN 13237, Ward 4) from B-1 (Professional Business) District to B-3 (Community Business) District.

	Name	Address	City/State
<u>Presented by:</u>	Danny Johnson	P.O. Box 19080	Hattiesburg, MS
	- Representative, Faith Design & Remodeling LLC		
<u>Proponents:</u>	E. John Ferrell	812 Hardy Street	Hattiesburg, MS
	Randall Sanders	110 Hardwood Ct, Apt B	Hattiesburg, MS
<u>Opponents:</u>	Kate Smith		
	- President of Oaks Neighborhood Association		
	Gene Hortman	410 S. 6 th Avenue	Hattiesburg, MS
	Jeff Keysear	400 N. 21 st Avenue	Hattiesburg, MS
	Toddy Tatum	110 Pinehurst Street	Hattiesburg, MS

David Ott	310 S. 22 nd Avenue	Hattiesburg, MS
Patti Mowery	2324 Adeline Street	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 table the petition so that the neighborhood and petitioner could attempt to come to an agreement. The motion was seconded by Commissioner Wilson.

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

Commissioners voting nay: Sandra Thompson

There came the matter of Item E (Variance), Danny Johnson, Representative, on behalf of Erick Garcia Hernandez (Hernandez’s Tires), Owner, with the Mayor and Council of the City of Hattiesburg, Mississippi, as required in the Comprehensive Zoning Ordinance No. 2330, as amended, of the City of Hattiesburg, Mississippi, requesting a variance from Article 5, Section 78.03 which states that a buffer strip with a minimum width of thirty (30) feet is required between B-3 and Residential Districts, and instead allow a ten (10) foot buffer, for a variance of twenty (20) feet. The property is located at 100 & 102 Pinehurst Street (Parcel 029N-09-024.00, PPIN 13237, Ward 4) and pending a zoning change from B-1 (Professional Business) District to B-3 (Community Business) District.

	Name	Address	City/State
<u>Presented by:</u>	Danny Johnson	P.O. Box 19080	Hattiesburg, MS
	- Representative, Faith Design & Remodeling LLC		
<u>Proponents:</u>	E. John Ferrell	812 Hardy Street	Hattiesburg, MS
	Randall Sanders	110 Hardwood Ct, Apt B	Hattiesburg, MS
<u>Opponents:</u>	Kate Smith		
	- President of Oaks Neighborhood Association		
	Gene Hortman	410 S. 6 th Avenue	Hattiesburg, MS
	Jeff Keysear	400 N. 21 st Avenue	Hattiesburg, MS
	Toddy Tatum	110 Pinehurst Street	Hattiesburg, MS
	David Ott	310 S. 22 nd Avenue	Hattiesburg, MS
	Patti Mowery	2324 Adeline Street	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 table the petition so that the neighborhood and petitioner could attempt to come to an agreement. The motion was seconded by Commissioner Wilson.

Commissioners voting aye: Linda McMurtrey, Vice-Chairman
 Peggy Horton, Secretary
 Dick Conville
 Judy Corts

Eric Martin
 Mark Miller
 Don McCleskey
 Jessie Wilson

Commissioners voting nay: Sandra Thompson

There came the matter of Item F (Variance), David Ott (BNO, LLC), Owner, with the Mayor and Council of the City of Hattiesburg, Mississippi, as required in the Comprehensive Zoning Ordinance No. 2330, as amended, of the City of Hattiesburg, Mississippi, requesting a variance from Article 4, Section 53.04(3) which states that the rear setback is a minimum of twenty-five (25) feet measured from the rear main building line, and instead allow a setback of four (4) feet, a variance of twenty-one (21) feet. The property is located at 415 S. 22nd Avenue (Parcel 0280-08-080.00, PPIN 16729, Ward 4) and is zoned R-1B (Single-Family Residential) District.

	Name	Address	City/State
<u>Presented by:</u>	Scott Pipkins	706 Rebecca Avenue	Hattiesburg, MS
	- Representative/Contractor, Hub City Construction		
<u>Proponents:</u>	Patti Mowery	2324 Adeline Street	Hattiesburg, MS
<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 as granting it 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: Linda McMurtrey, Vice-Chairman
 Peggy Horton, Secretary
 Dick Conville
 Judy Corts
 Eric Martin
 Mark Miller
 Don McCleskey
 Sandra Thompson

Commissioners voting nay: None

Commissioners Absent: Jessie Wilson

BUSINESS MEETING

A preliminary plat review for the lot subdivision at 135 Lake Estates Drive was presented by Ginger Maddox and John Weeks to the Commission for approval. Commissioner Conville made a motion to approve the plat and Commissioner McCleskey seconded the approval. The vote to approve the preliminary plat is detailed below:

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

Commissioners voting nay: Sandra Thompson

Commissioners Abstaining: Mark Miller
Jessie Wilson

There being no further business, the meeting was adjourned at 3:03 P.M.

Joe White, Chairman

Pattie Brantley, AICP, Director of Urban Development.