

**MINUTES OF THE
REGULAR MEETING OF THE
HATTIESBURG BOARD OF ADJUSTMENT
February 7, 2018**

The Hattiesburg Board of Adjustment did meet in a regular session on February 7, 2018 immediately following the Planning Commission agenda at 2:00 p.m. at the Jackie Dole Community Center, 220 West Front Street, Hattiesburg, Mississippi. Dick Conville, Chairman, presided over the meeting. A quorum was indicated and the attendance was as follows:

Board Members Present: Dick Conville, Chairman
Judy Corts
Isaiah Easterling
Amy Hinton, Vice-Chairman
James Hughes
Mark Miller
Paul Sims
Kenneth Waits
Rebekah Ray

Board Members Absent: Jessie Wilson

Also Present: Ginger Maddox Lowrey, AICP, Planning Division Manager
Andrew Ellard, Director of Urban Development
Stephen Guthrie, Planning Division

Chairman Conville declared the meeting of the Hattiesburg Board of Adjustment open and in session at 2:00 P.M.

AGENDA REVIEW

There came the matter of the February 2018 Agenda. A request was made by Chairman Conville for a motion to approve the February 2018 Agenda. A motion was made to approve the February 2018 Agenda by Amy Hinton and seconded by Mark Miller.

Board Members voting aye: Dick Conville, Chairman
Judy Corts
Isaiah Easterling
Amy Hinton, Vice-Chairman
James Hughes
Mark Miller

Paul Sims
Kenneth Waits
Rebekah Ray

Board Members voting nay: None

REPORTS

PLANNING REPORT

There came the matter of the Planning Report by Ginger Maddox Lowrey, AICP, Planning Division Manager. Mrs. Lowrey introduced three new Board of Adjustment members, appointed by City Council on January 6, 0218: Isaiah Easterling (W5), James Hughes (W5), and Kenneth Waits (W1).

CHAIRMAN'S REPORT

There came the matter of the Chairman's Report. Chairman Conville invited Commissioner Miller to present the nominations. Commissioner Mark Miller spoke for the nominating committee, including Commissioner Wilson and Commissioner Ray, and announced the following nominations: Dick Conville – Chairman, Amy Hinton – Vice Chair, Mark Miller – Secretary.

Chairman Conville deferred the order of the meeting to Commission Courts. Commissioner Courts entertained additional nominations from the floor. There were none. Commissioner Courts entertained a motion on the nominations. Chairman Ray made a motion to approve the nominations and Chairman Hughes seconded. The vote passed unanimously.

PUBLIC HEARING – BOARD OF ADJUSTMENT

Dick Conville declared the Public Hearing for the Board of Adjustment open at 2:05 P.M.

There came the matter of Item A (Variance), filed by Lynn Greer, Architect, Mike Essary, Representative, on behalf of Wesley Foundation of MS Southern College as required in the Land Development Code, Ord. No. 3209, to vary from Section 6, Table 6.1 which states maximum impervious surface lot coverage for property located in an R-3 Zone is 50% and instead allow a total of 69% impervious lot coverage for a variance of 19% for a property located at 210 North 32nd Avenue, Hattiesburg, MS (Parcel 028K-07-005.00, PPIN 22976; Parcel 028K-

07-004.00, PPIN 22975, Ward 1).

	Name	Address	City/State
<u>Presented by:</u>	Mike Essary	38 Baneberry Trace	Hattiesburg, MS
	- Representative, Engineer Neel-Schaffer		
	Lynn Greer	5211 Old Hwy 11	Hattiesburg, MS
<u>Proponents:</u>	None		
<u>Opponents:</u>	None		

Chairman Conville declared the Public Hearing closed and the Business Meeting open to vote on the request. Mark Miller made a motion to approve the request for variance with the following basis: Hardship, the hardship is unique to the property and is not or will not be caused by the actions or inactions of the applicant & there are exceptional conditions creating an undue hardship applicable only to the property involved or the intended use which do not apply generally to the other land areas or uses within the same zoning district; Special Privilege, a variance shall not confer any special privilege that is denied to other lands or structures in the same zoning district [interpreted geographically surrounding the location within USM campus]; Literal Interpretation. The literal interpretation of the provisions of the regulations would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district [interpreted geographically surrounding the location within USM campus] and would cause unnecessary and undue hardship on the applicant; and Reasonable Use the applicant cannot make reasonable use of the property without the requested variance. The following Condition was also established: The percent volume water runoff created by impervious area greater than allowed by code (19%) will be detained onsite. The motion was seconded by Amy Hinton.

Board members voting aye: Dick Conville, Chairman
 Judy Corts
 Isaiah Easterling
 Amy Hinton, Vice-Chairman
 James Hughes
 Mark Miller
 Paul Sims
 Kenneth Waits
 Rebekah Ray

Commissioners voting nay: None

BUSINESS MEETING

There being no further business, the meeting was adjourned at 2:45 PM. Judy Corts made a motion to adjourn the meeting. The motion was seconded at Commissioner Hinton.

Dick Conville, Chairman

Ginger Maddox Lowrey, AICP, CFM, Planning Division Manager