

**MINUTES OF THE
REGULAR MEETING OF THE
HATTIESBURG PLANNING COMMISSION AND BOARD OF ADJUSTMENTS**

May 3, 2017

The Hattiesburg Planning Commission and Board of Adjustments did meet in a regular session on May 3, 2017 at 1:00 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:

Commissioners Present: Dick Conville, Chairman
Judy Corts
Amy Hinton, Vice-Chairman
Mark Miller

Commissioners Absent: Peggy Horton, Secretary
Jessie Wilson
Sandra Thompson

Board Members Present: Dick Conville, Chairman
Judy Corts
Amy Hinton, Vice-Chairman
Mark Miller

Board Members Absent: Peggy Horton, Secretary

Also Present: Ginger Maddox, AICP, Planning Division Manager
Pattie Brantley, AICP, Director of Urban Development
Stephen Guthrie, Planner

Chairman Conville declared the meeting of the Hattiesburg Planning Commission and Board of Adjustments open and in session at 1:10 P.M.

INVOCATION

Chairman Conville held a moment of silence.

AGENDA REVIEW

There came the matter of the May 2017 Agenda. A request was made by Chairman Conville for a motion to approve the May 2017 Agenda. A motion was made to approve the May 2017 Agenda by Commissioner Hinton and seconded by Commissioner Corts.

Commissioners voting aye: Judy Corts
Amy Hinton
Mark Miller

Commissioners voting nay: None

Commissioners abstaining: None

MINUTES REVIEW

There came the matter of the March 1, 2017, minutes. A request was made by Chairman Conville for a motion to approve the March 1, 2017, minutes. A motion was made by

Commissioner Hinton to approve the minutes and seconded by Commissioner Cortis. There are no previous minutes for the Hattiesburg Board of Adjustments.

Commissioners voting aye: Judy Cortis
Amy Hinton
Mark Miller

Commissioners voting nay: None

Commissioners abstaining: None

REPORTS

BUILDING REPORT

There came the matter of the Building Report. The building reports for February, March, and April were presented by Steve Mitchell, Building Division Manager.

PLANNING REPORT

There came the matter of the Planning Report by Ginger Maddox, Planning Division Manager. The new Hattiesburg, Mississippi Land Development Code established a Board of Adjustments. 5 members were appointed by the City Council on April 18, 2017: Peggy Horton (2 year term), Just Cortis (1 year term), Mark Miller (2 year term), Dick Conville (1 year term), and Amy Hinton (3 year term). It is the Staff’s intention to appoint the same members to both the Planning Commission and the Board of Adjustments. At the March 21, 2017, City Council Meeting the following items were heard and action taken on: 306 Hood Road rezoning from I-1 to R-1B (withdrawn); 304 S. 40th Ave., Forrest General Hospital, sign variance (approved); 5004 Lincoln Rd., Nick Crechale, driveway width variance (approved).

CHAIRMAN’S REPORT

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

PUBLIC HEARING

There were no petitions submitted to the Planning Commission. Chairman Conville declared the Public Hearing for the Board of Adjustments open at 1:20 P.M. and read the rules and procedures of the hearing.

There came the matter of Item A (Variance), filed by Joey Taylor, Representative, D. R. Horton, Owner, as required in the Land Development Code, Ord. No. 3209, Section 6 Table 6.1 Minimum side setback for R-1A which states the minimum side setback of ten (10) feet and instead allow a setback of seven and one half (7.5) feet for a variance of two and one half (2.5) feet for certain property located at 54 East Yellowstone Drive (Parcel 051C-02-001.076, PPIN 32898, Ward 1).

	Name	Address	City/State
<u>Presented by:</u>	Joey Taylor	203 S. 22 nd Ave.	Hattiesburg, MS
	- Representative		
<u>Proponents:</u>	None		

Opponents: None

Chairman Conville declared the Public Hearing closed and the Business Meeting open to vote on the request. Commissioner Miller made a motion to approve the request for a variance with the following criteria met: Hardship, that 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; 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 and would cause unnecessary and undue hardship on the applicant; Reasonable Use, the applicant cannot make reasonable use of the property without the requested variance; Minimum Required, the granting of a variance is the minimum variance that will make possible the reasonable use of the land or structure; Conformance with the Purposes of This Code, the granting of a variance will not conflict with the purposed and intent expressed or implied in the land development code. The motion was seconded by Commissioner Hinton.

Commissioners voting aye: Judy Cortis
Amy Hinton
Mark Miller

Commissioners voting nay: None

Commissioners abstaining: None

There came the matter of Item B (Variance), filed by Rusty Edwards, Representative, on behalf of University Baptist Church, Owner, as required in the Land Development Code, Ord. No. 3209, to request a variance from Section 7.9.1.7. which states the maximum height of walls shall be four feet (4’) when located in a front yard and instead allow a height of six feet ten inches (6’10”) for a variance of two feet ten inches (2’10”) for certain property located at 3200 Arlington Loop (Parcel 028N-07-173.00, PPIN 26520, Ward 3).

	Name	Address	City/State
<u>Presented by:</u>	Kevin Mauseth	3200 Arlington Loop	Hattiesburg, MS
	-	University Baptist Church, Representative	
<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. Commissioner Conville and Commissioner Hinton recused themselves from discussion and voting. Commissioner Miller made a motion to approve the request for a variance with the following criteria met; 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 and would cause unnecessary and undue hardship on the applicant; Conformance with the Purposes of This Code, the granting of a variance will not conflict with

the purposed and intent expressed or implied in the land development code. The motion was seconded by Commissioner Corts.

Commissioners voting aye: Judy Corts
Mark Miller

Commissioners voting nay: None

Commissioners abstaining: None

Commissioners recusing: Dick Conville
Amy Hinton

BUSINESS MEETING

There being no further business, the meeting was adjourned at 2:05 PM. Commissioner Hinton made a motion to adjourn the meeting. The motion was seconded at Commissioner Corts.

Dick Conville, Chairman

Ginger Maddox, AICP, CFM, Planning Division Manager