

**MINUTES OF THE
REGULAR MEETING OF THE
HATTIESBURG PLANNING COMMISSION AND BOARD OF ADJUSTMENTS
September 6, 2017**

The Hattiesburg Planning Commission and Board of Adjustments did meet in a regular session on September 6, 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
Amy Hinton, Vice-Chairman
Judy Corts
Mark Miller
Jessie Wilson
Rebekah Ray
Paul Sims

Commissioners Absent: Sandra Thompson

Board Members Present: Dick Conville, Chairman
Amy Hinton, Vice-Chairman
Judy Corts
Mark Miller
Jessie Wilson
Rebekah Ray
Paul Sims

Board Members Absent: None

Also Present: Ginger Maddox, AICP, Planning Division Manager
Andrew Ellard, Director of Urban Development
Stephen Guthrie, Planner
Steve Mitchell, Building Official

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

INVOCATION

Chairman Conville held a moment of silence for the victims of Hurricane Harvey.

AGENDA REVIEW

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

Commissioners voting aye: Dick Conville, Chairman
Amy Hinton, Vice-Chairman
Judy Corts
Mark Miller
Jessie Wilson
Rebekah Ray
Paul Sims

Commissioners voting nay: None

Commissioners abstaining: None

MINUTES REVIEW

There came the matter of the August 2, 2017, minutes. A request was made by Chairman Conville for a motion to approve the August 2, 2017, minutes. A motion was made by Commissioner Wilson to approve the minutes and seconded by Commissioner Ray.

Commissioners voting aye: Dick Conville, Chairman
Amy Hinton, Vice-Chairman
Judy Corts
Mark Miller
Jessie Wilson
Rebekah Ray
Paul Sims

Commissioners voting nay: None

Commissioners abstaining: None

REPORTS

BUILDING REPORT

There came the matter of the Building Report. The Building Official Steve Mitchell discussed a new custom report from the building report software manager that is being developed for future reports.

PLANNING REPORT

There came the matter of the Planning Report by Ginger Maddox, Planning Division Manager. The new Director of Urban Development, Andrew Ellard was introduced as well as the two new Planning Commission and Board of Adjustment commissioners, Rebekah Ray PhD, and Paul Sims. All items from the August Planning Commission and Board of Adjustment meetings were appealed. At the August 22, 2017, City Council Meeting voted to set the appeal hearings for the following items: City's Comprehensive Plan 2008-2028, Tara Poole, text amendment; 314 Bay Street, Corey Arrington, rezoning request; 1711 S 28th Avenue, Chad Edmonson, rezoning request; the public hearing for these items will take place September 18, 2017.

CHAIRMAN'S REPORT

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

PUBLIC HEARING – PLANNING COMMISSION

Chairman Conville declared the Public Hearing open at 1:10 P.M. and read the rules and procedures of the hearing.

There came the matter of Item A (Text Amendment), filed by The City of Hattiesburg, as required in the Land Development Code, Ord. No. 3209, to consider an application to amend the Land Development Code, Section 6, Table 6.1 from "Minimum front setback "0" feet and Maximum front setback "30" to read: "Minimum front setback "30" feet and Maximum front setback "150" feet".

	Name	Address	City/State
<u>Presented by:</u>	City of Hattiesburg		
<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 Miller made a motion to approve the request for the text amendment to the Land Development Code, Ord. No. 3209, to consider an application to amend the Land Development Code, Section 6, Table 6.1 to read: “Minimum front setback “30” feet and Maximum front setback “150” feet”. The motion was seconded by Commissioner Hinton.

Commissioners voting aye: Dick Conville, Chairman
 Amy Hinton, Vice-Chairman
 Judy Corts
 Mark Miller
 Jessie Wilson
 Rebekah Ray
 Paul Sims

Commissioners voting nay: None

Commissioners abstaining: None

PUBLIC HEARING – BOARD OF ADJUSTMENTS

There came the matter of Item A (Variance), filed by Fred Yeager, Applicant, on behalf of Prince McDougal, Regions Mortgage Operations Center, Representative, as required in the Land Development Code, Ord. No. 3209, to vary from Section 7.5.1.3 which states curb cuts shall be located directly opposite one another or separated by a minimum of 150 feet and instead allow a 100’ separation between curb cuts across Lamar Boulevard for a variance of 50’ for the property located at 5214 Lincoln Road (Parcel 055-15-029.00, PPIN 11770, Ward 3).

	Name	Address	City/State
<u>Presented by:</u>	Frederick Yeager	2625 5th Ave. N. Bldg. C	Bessemer, AL
	- Representative		
<u>Proponents:</u>	Todd Jackson	One Convention Center Plaza	Hattiesburg, MS
	- Hattiesburg Convention Center		
<u>Opponents:</u>	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: that the special conditions and circumstances do not result from the actions of the applicant. The motion was seconded by Commissioner Hinton.

Commissioners voting aye: Dick Conville, Chairman
 Amy Hinton, Vice-Chairman
 Judy Corts
 Mark Miller
 Jessie Wilson

Rebekah Ray
Paul Sims

Commissioners voting nay: None

Commissioners abstaining: None

There came the matter of Item B (Rezone), filed by Fred Yeager, Applicant, on behalf of Prince McDougal, Regions Mortgage Operations Center, Representative, as required in the Land Development Code, Ord. No. 3209, to vary from Section 6, Table 6.1 states that the maximum front setback for a B-5 development is 30 feet and instead allow a setback of 142 feet, 4 inches for a variance of 112 feet 4 inches on the Lincoln Road façade and allow a setback of 45 feet 10 inches for a variance of 15 feet 10 inches on the Lamar Boulevard façade side for the property located at 5214 Lincoln Road (Parcel 055-15-029.00, PPIN 11770, Ward 3).

	Name	Address	City/State
<u>Presented by:</u>	Frederick Yeager	2625 5 th Ave. N. Bldg. C	Bessemer, AL
	- 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 Hinton made a motion to approve the request for variance with the following criteria: that literal interpretation of the provisions of this code would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this code; that the special conditions and circumstances do not result from the actions of the applicant; 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 Wilson.

Commissioners voting aye: Dick Conville, Chairman
Amy Hinton, Vice-Chairman
Judy Corts
Mark Miller
Jessie Wilson
Rebekah Ray
Paul Sims

Commissioners voting nay: None

Commissioners abstaining: None

BUSINESS MEETING

There being no further business, the meeting was adjourned at 1:50 PM. Commissioner Hinton made a motion to adjourn the meeting. The motion was seconded at Commissioner Wilson.

Dick Conville, Chairman

Ginger Maddox, AICP, CFM, Planning Division Manager