

Place: Jackie Dole Sherrill Community Center (Dining Room)

Time: 1:00 PM

Planning Commission

AGENDA

11/2/2022

I. Business Meeting

1. Review and approval of November meeting's agenda
2. Review and approval of the minutes of the October meeting
3. Building Report
4. Planning Report
5. Chair's Report
6. Introductions

II. Public Hearing

1. Presentation of Petitions for Public Hearing

A. A petition has been filed by Robert Owen, Owner, and Heather Dickerson, Representative, as required in the Land Development Code, Ord. No. 3209, to rename the public street presently known as Eagle Drive to "Newhaven Drive" (Eagle Drive is a dead-end street connecting only to N 38th Ave), Ward 1, Forrest County).

B. A petition has been filed by Forrest General Hospital, Owner, Jeff Cook, Applicant, and Dustin Gatlin, Engineer, for approval by planning commission (conditional use) to expand a non-conforming use of "Parking lot or garage" in OS (Open Space Zoning) District as required by the Hattiesburg Form-Based Code, Section 7.3.B.3, for a certain property located at approximately 205 S 28th Avenue (Parcel 2-028N-07-011.00, 2-028N-07-010.00; PPIN 20796, 20795; Ward 3).

C. A petition has been filed by Newton Fawcett, Owner, as required in the Flood Damage Prevention Ordinance No. 3294, as amended of the City of Hattiesburg, Mississippi, to request a Flood variance per Article 6, Section E, which states that qualifying historic structures may apply for a Flood variance from the requirement to elevate or flood proof the structure, for 102 Walley Street (Parcel No. 2-029K-09-212.00, PPIN 19634, Forrest County, Ward 2).

III. Other Business

IV. Adjournment

**MINUTES OF THE
REGULAR MEETING OF THE
HATTIESBURG PLANNING COMMISSION
October 5th, 2022**

The Hattiesburg Planning Commission did meet in a regular session on October 5th, 2022, at 1:02p.m. at the Jackie Dole Community Center, 220 West Front Street, Hattiesburg, Mississippi. Mark Miller, Chair, presided over the meeting. Due to the ongoing COVID-19 pandemic, CDC-recommended social distancing guidelines were observed. Staff utilized GoToMeeting, an online meeting, desktop sharing, and telephone/video conferencing platform to give Commissioners, petitioners, and the public the option to participate remotely. A quorum was indicated and the attendance was as follows:

Commissioners Present: Dick Conville
Charles Dawe (via GoToMeeting)
Michael Dickerson (via GoToMeeting)
Amy Hinton, Vice-Chair
Jeff Keysear (via GoToMeeting)
Elayne Lockett
Luke McNair (via GoToMeeting)
Rebekah Ray
Carlos Wilson

Commissioners Absent: Mark Miller - Chair
Rhoda A. Pickett

Also Present: Ginger M. Lowrey, AICP, Planning Div. Manager
Nathan Satcher, Planner
Wiley Quinn, Director of Urban Development
Jim Gladden, Esq.

AGENDA REVIEW

There came the matter of the October 2022 Agenda. A request was made by Ginger Lowrey to remove the business item. A request was made by Chair Hinton for a motion to approve the October 2022 Agenda with the amendment. A motion to approve was made by Commissioner Ray and seconded by Commissioner Lockett to approve the amended agenda.

Commissioners voting aye: Dick Conville
Michael Dickerson
Amy Hinton, Vice-Chair
Jeff Keysear

Elayne Lockett
Luke McNair
Rebekah Ray
Carlos Wilson

Commissioners voting nay: None

Commissioners absent: Charles Dawe

MINUTES REVIEW

There came the matter of the September 7th, 2022 minutes. A motion was made by Commissioner Conville to approve the minutes. Commissioner Ray seconded the motion.

Commissioners voting aye: Dick Conville
Michael Dickerson
Amy Hinton, Vice-Chair
Jeff Keysear
Elayne Lockett
Luke McNair
Rebekah Ray
Carlos Wilson

Commissioners voting nay: None

Commissioners absent: Charles Dawe

REPORTS

BUILDING REPORT

Kevin Bates, Building Official, provided the Building Permit Report for September 2022 and provided some comments on the report. Bates noted that residential permits make up the majority of permits in the past months and that 50-60% of those are roofing permits. Roofing permits make up 25-30% of all permits including commercial averaging 4 new Single-Family Residential homes per month. June saw an increase in electrical permits, the majority of which was a single apartment complex. Several other elements of the report were discussed.

PLANNING REPORT

There came the matter of the Planning Report by Mrs. Lowrey, Planning Division Manager. Lowrey noted that the Willow Pointe Rezone request, from the September HPC

agenda, was tabled by City Council due to a letter of opposition received following the Planning Commission meeting.

CHAIR’S REPORT

There came the matter of the Chair’s Report. In Commissioner Miller’s absence, Commissioner Hinton had no report to give.

INTRODUCTIONS

The Commissioners introduced themselves.

PUBLIC HEARING – PLANNING COMMISSION

There came the matter of Item A (Rezone From B-3 to B-5), filed by Mike Bonner, owner, and Max Bonner, applicant, as required in the Land Development Code, Ord. No. 3209, to change the zoning classification of property at 2703 Oak Grove Road from Section 4.5.10 B-3 Community Business District to Section 4.5.12 B-5 Regional Business District (Parcel No. 056E-14-023.000, PPIN 15880, Lamar County, Ward 3).

	<u>Name</u>	<u>Address</u>	<u>City/State</u>
<u>Presented by:</u>	Mike Bonner	2703 Oak Grove Road	Hattiesburg, MS 39402
	Max Bonner	2703 Oak Grove Road	Hattiesburg, MS 39402
<u>Proponents:</u>	None		
<u>Opponents:</u>	None		

Max Bonner of Bonner Analytical presented the application. He stated that the company has been in business since 1981 as a testing laboratory for various testing (water, forensic, etc). Max noted that many cannabis cultivators have reached out to Bonner Analytical for their expertise in testing. Bonner noted that only one lab in the state of Mississippi has a license for medical cannabis testing. He stated that they have a timeline and that they want to be prepared for the first growth period in December. He mentioned that security has already been taken care of in existing facilities due to the nature of their business and that they have various accreditations and audits. 10 new positions may be added to the site with this expansion to the

laboratory.

Bonner stated they will most likely see similar traffic but could see a very slight increase with the addition of 10 new employees. Mike Bonner then spoke on a traffic perspective stating that there would be a negligible increase in traffic with no walk-ins allowed for medical cannabis and an increase in traffic would only come from new employees. Commissioner Hinton then closed the public hearing portion of the meeting.

Commissioner Conville questioned whether this is considered spot-zoning as the city properties are all on a commercial corridor but surrounded by single-family residential that is outside of the city limits. Mr. Gladden stated that it is unclear if there is a concern for spot-zoning given the surrounding residential areas are outside of the city limits.

Commissioner Hinton stated that there is a new need for medical cannabis facilities and this would provide one of the few testing sites in Mississippi. Commissioner Dawe agreed with the idea that this would serve the public and would be a lower impact than a lot of other solutions. Commissioner Conville agrees as well that there is a health and safety issue that is being addressed by providing an additional testing option to expedite providing medical cannabis.

Commissioner Conville made a motion to approve the request based the criteria that the character of the neighborhood has changed substantially so that rezoning is clearly justified and there is a public need for the rezoning, referencing existing high levels of traffic similar to B-5 zones and a public need for medical cannabis testing. Commissioner Lockett seconded the motion. A roll call vote was then conducted.

Commissioners voting aye: Dick Conville
Charles Dawe
Michael Dickerson
Amy Hinton, Vice-Chair
Jeff Keysear
Elayne Lockett
Luke McNair
Rebekah Ray
Carlos Wilson

Commissioners voting nay: None

Commissioners abstaining: Rebekah Ray

BUSINESS MEETING

Having no further business, Commissioner Ray made a motion to adjourn. The motion was seconded by Commissioner Conville and the public meeting was adjourned at 1:40 PM.

Amy Hinton, Vice-Chair

Ginger Lowrey, Planning Division Manager



**Planning Commission
Case Fact Sheet**

Names of Petitioner: Robert Owen, Petitioner, and Heather Dickerson, Representative, SVN / Southgate Realty, LLC.

Address of Property: Eagle Drive **Tax Parcels/Ward:** - **PPIN:** - **Ward:** 1

Request: **Street Renaming**

Purpose of Request: To consider an application **to rename the public street** presently known as Eagle Drive to "Newhaven Drive" (Eagle Drive is a dead-end street connecting only to N 38th Ave, Ward 1, Forrest County).

Applicant Summary: * See Attached *

Present Adjacent Zoning: R-3 Multi-Family Residential, B-2, Neighborhood Business

Most Nearly Bounded By (streets): This location is presently known as Eagle Drive, beginning at the intersection of N 38th Ave and terminating approximately 560 feet from N 38th Ave as a dead-end street.

Letters or Concerns stated: The Planning Division Office has not received any letters or other written communications relative to this case, as of October 19th, 2022.

Comments: Eagle Drive serves as a local street that only serves the apartment complex units owned by Robert Owen and managed by SVN / Southgate Realty, LLC. Owens owns all parcels that would be affected by the street name change. The apartments located on the street are currently under renovation and the rename request to "Newhaven Drive" is part of a rebranding effort for the apartments and street by the owner.

Item: A
Robert Owen, Petitioner, Heather Dickerson, Applicant
Request to **Rename Street**

Options:

Recommend approval or denial of the request to rename the public street presently known as Eagle Drive (Eagle Drive is a dead-end street connecting only to N 38th Ave, Ward 1, Forrst County) to **Newhaven Drive.**

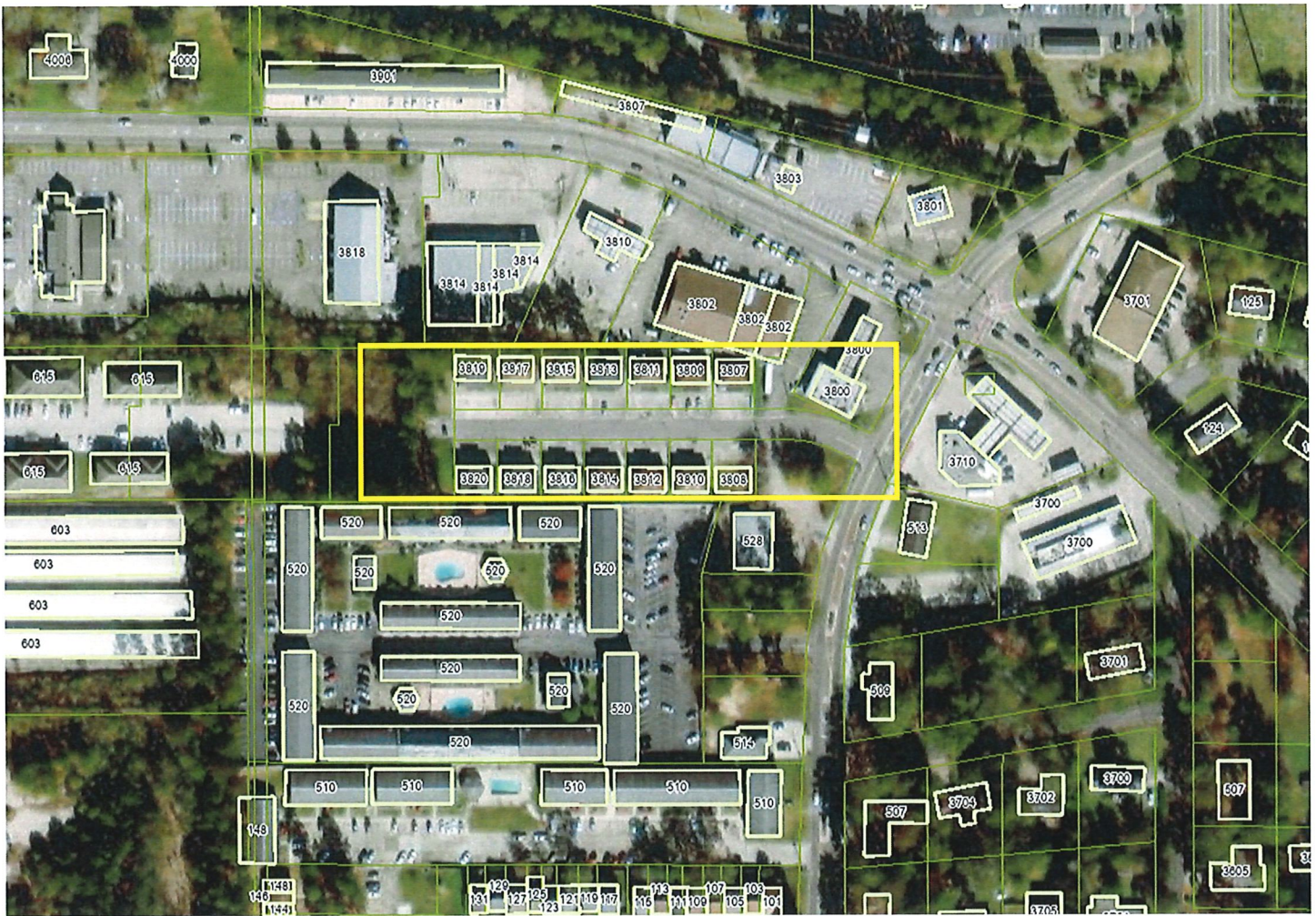
SUBJECT STREET:
Eagle Drive—Proposed renaming to
“Newhaven Drive”

Robert Owen, Applicant, Heather Dickerson,
Representative

The applicant requests to rename the public street presently known as Eagle Drive to “Newhaven Drive” (Eagle Drive is a dead-end street connecting only to N 38th Ave), Ward 1, Forrest County).



Aerial of Subject Area



Subject Area

Intersection of Eagle Drive and
North 38th Ave



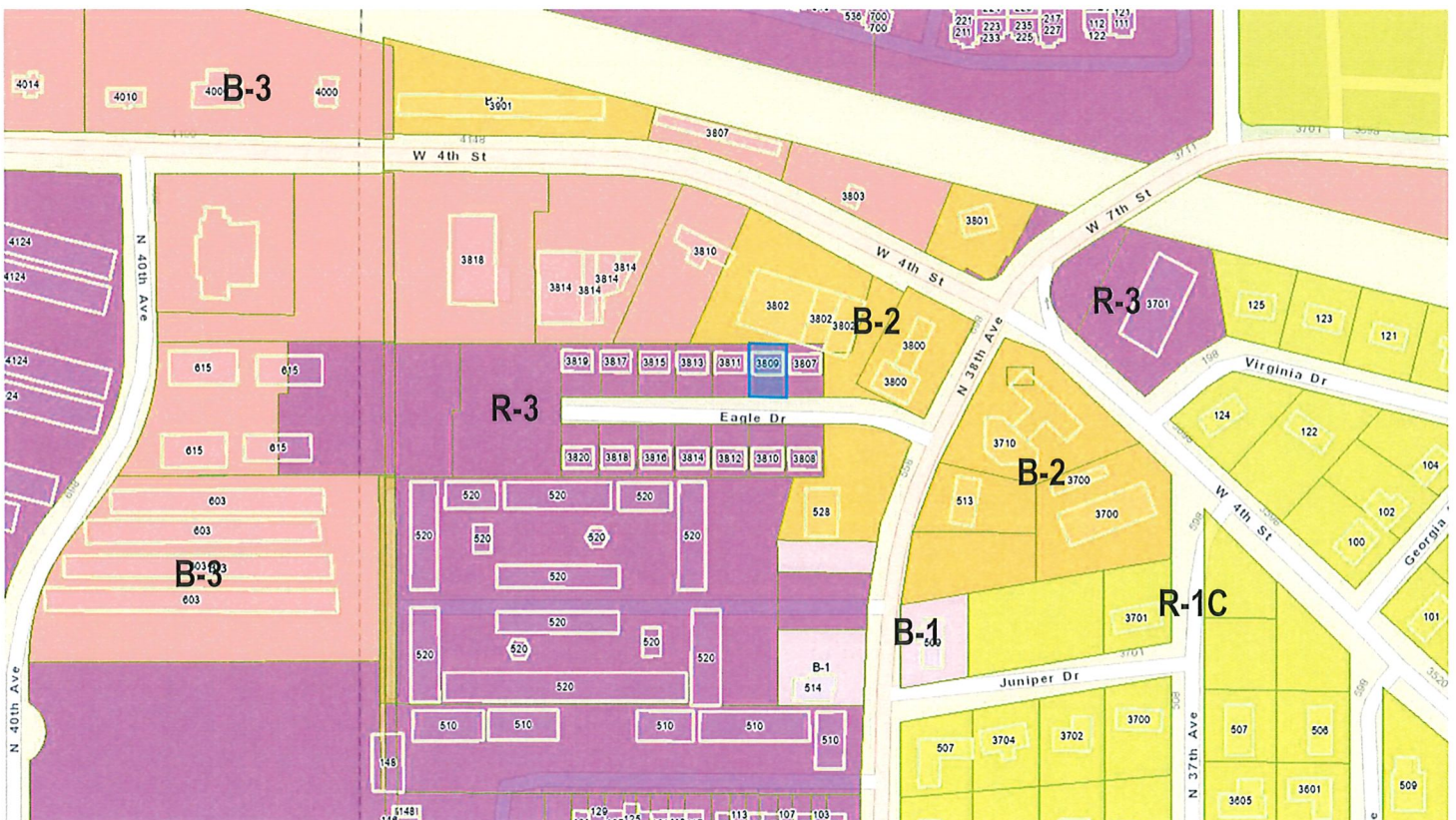
Eagle Drive—Facing West to dead-end



Eagle Drive—Facing East towards N
38th Ave

4 Unit Apartment Complexes on
Eagle Drive





Item: B
Forrest General Hospital, Owner, Jeff Cook, Representative, and Dustin Gatlin, Engineer
Request for: **Conditional Use to Expand a Non-Conforming Use**



**Planning Commission
Case Fact Sheet**

Name of Petitioners: Forrest General Hospital, Owner, Jeff Cook, Representative, and Dustin Gatlin, Engineer

Address of Property:	Tax Parcel	PPIN:	Ward:
205 S 28 th Ave	2-028N-07-011.00	20796	3
	2-028N-07-010.00	20795	3

Request: **Conditional Use Request to Expand a Non-Conforming Use**

Purpose of Request: To consider a request to expand a non-conforming use of a "Parking lot or garage" in OS (Open Space Zoning) District as required by the Midtown Form-Based Code, Section 7.3.B.3, for a certain property located at approximately 205 S 28th Avenue (Parcel 2-028N-07-011.00, 2-028N-07-010.00; PPIN 20796, 20795; Ward 3).

Applicant Summary: See Attached

Applicable Regulations:

Section 4 Section 4.4 Permitted Use Table (FBC Page 48)

	MX -3, -4, -5	EM -2, -3	EM -4, -6, -9	RA -3	RD -2	OS	Definition/ Use Standard
Commercial Uses							
Ambulance service	P	P	P	X	X	X	Sec. 4.5.C.1
Hotel, motel (13 or more rooms)	P	X	X	X	X	X	Sec. 4.5.C.2
Hospice	P	P	P	X	X	X	Sec. 4.5.C.3
Hospital	X	P	P	X	X	X	Sec. 4.5.C.4
Medical clinic, office	P	P	P	X	X	X	Sec. 4.5.C.5
Office	P	P	P	L	X	X	Sec. 4.5.C.6
Parking lot or garage	PC	PC	PC	X	X	X	Sec. 4.5.C.7
Veterinary clinic	L	L	L	X	X	X	Sec. 4.5.C.8

Key: P = Permitted by-right

PC = Planning Commission review required

L = Use permitted subject to use standards specified in cross-reference

X = Not permitted

Note: None of the above permitted uses include an "adult entertainment establishment" as defined in the Land Development Code.

Section 7.3 Nonconformities

7.3.B.3 - Extensions/Expansions: Any existing use that does not conform with this Code cannot be expanded, enlarged, or increased in size, footprint or coverage without approval by the Planning Commission.

Present Zoning: OS (Open Space District)

Sec. 2.7 – Open Space District – The OS District is intended to accommodate civic greens, plazas, and parks and is characterized by both active and passive uses.

Present Use: Non-compliant Parking Lot

Future Land Use: Neighborhood Business Corridor
From 2008-2028 City of Hattiesburg Comprehensive Plan (Adopted before the formation of the Midtown Form-Based Code and Plan)

**Surrounding Zoning:
and Land Use:** North: MX-3 (Mixed Use Districts)
South: EM-3/MX-3 (Employment District / Mixed-Use District)
East: MX-3 (Mixed Use Districts)
West: OS (Open Space District)

**Letters or
Concerns stated:** The Planning Division Office has not received any letters or other written communications relative to this case as of October 21, 2022.

History / Background: The applicant seeks to expand/improve an existing non-conforming parking lot to accommodate parking needs for Forrest General Hospital and its future expansion plans. Forrest General plans to occupy and renovate the clinic to the west of the parking lot (which is also zoned Open-Space) to house a portion of their neurosurgery program.

The Midtown Form-Base-Code requires Planning Commission review for certain uses and expansions. The purpose is to ensure these uses are located and sited appropriately and that they are consistent with the adopted Midtown Master Plan and its intent.

The Midtown Masterplan established the location of The Midtown Green/Amphitheatre (Masterplan Pg. 39, 44, 48) to serve as a focal point and as a central location for community and civic gatherings. The amenity of an amphitheater was chosen given the proximity to USM and the prominence of their music department. More important than the celebration of music, however, is the strategically located outdoor amenity convenient to all commercial, mixed use, and hospital uses. Greenspace amenities are valuable to high-density mixed-use development as well as visitors to all uses that currently and will exist in a fully developed Midtown.

Item: B

Forrest General Hospital, Owner, Jeff Cook, Representative, and Dustin Gatlin, Engineer
Request for: **Conditional Use to Expand a Non-Conforming Use**

Parking lots should be thoughtfully placed and should not dominate the streetscape of this pedestrian-oriented, urban environment.

The Planning Commission should consider the broader impact of approving the expansion of a parking lot in open-space zoning and the long-term effects this would have on the Midtown Masterplan's intent.

Options:

Recommend approval or denial of the request to expand a non-conforming use of a "Parking lot or garage" in OS (Open Space Zoning) District as required by the Midtown Form-Based Code, Section 7.3.B.3, for a certain property located at approximately 205 S 28th Avenue

SUBJECT PARCEL:

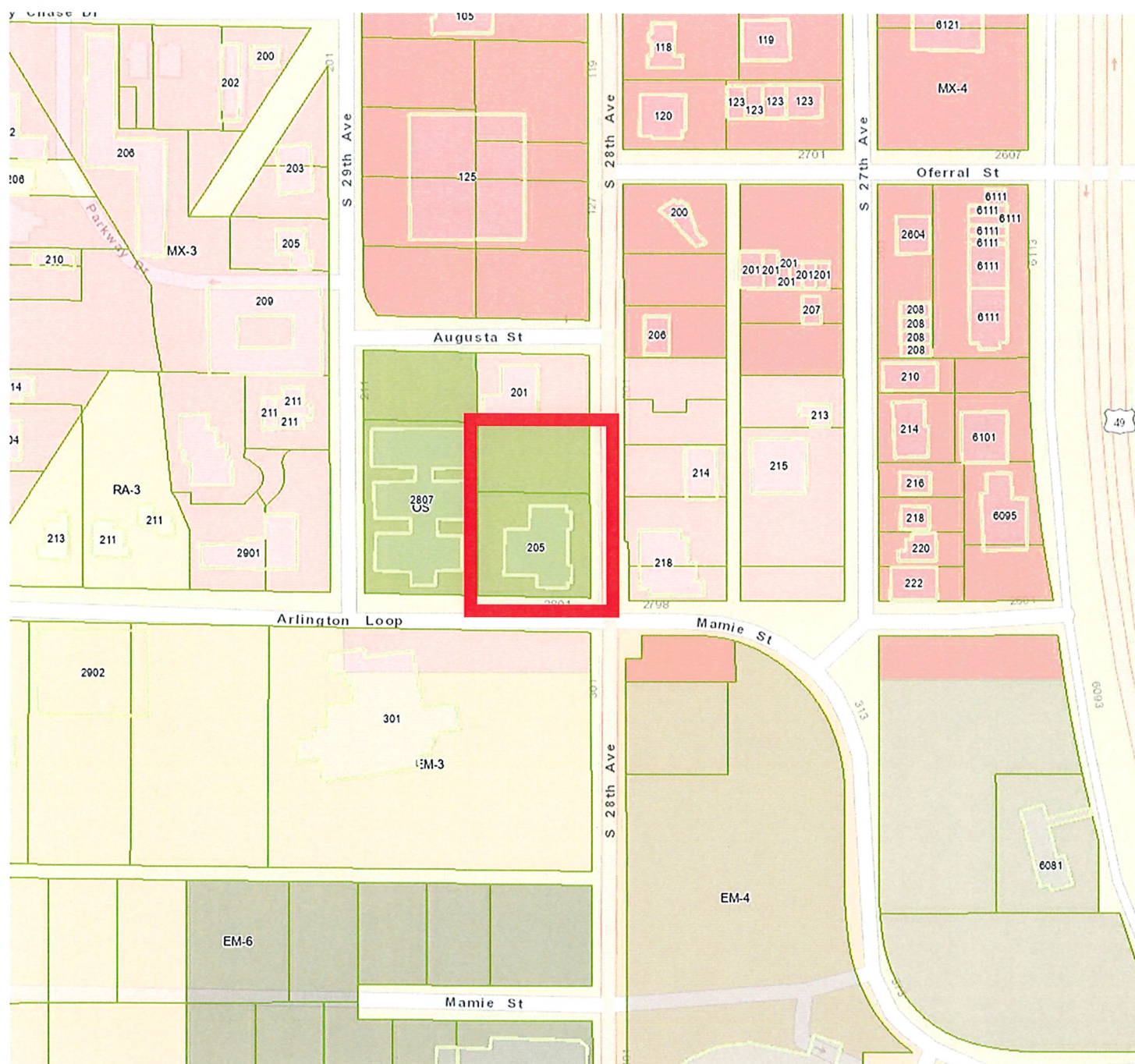
205 S 28th Avenue—Forrest General Hospital

by Forrest General Hospital, Owner, Jeff Cook, Applicant, and Dustin Gatlin, Engineer

The petitioners request approval by planning commission (conditional use) to expand a non-conforming use of “Parking lot or garage” in OS (Open Space Zoning) District for a certain property located at approximately 205 S 28th Avenue (Parcel 2-028N-07-011.00, 2-028N-07-010.00; PPIN 20796, 20795; Ward 3).



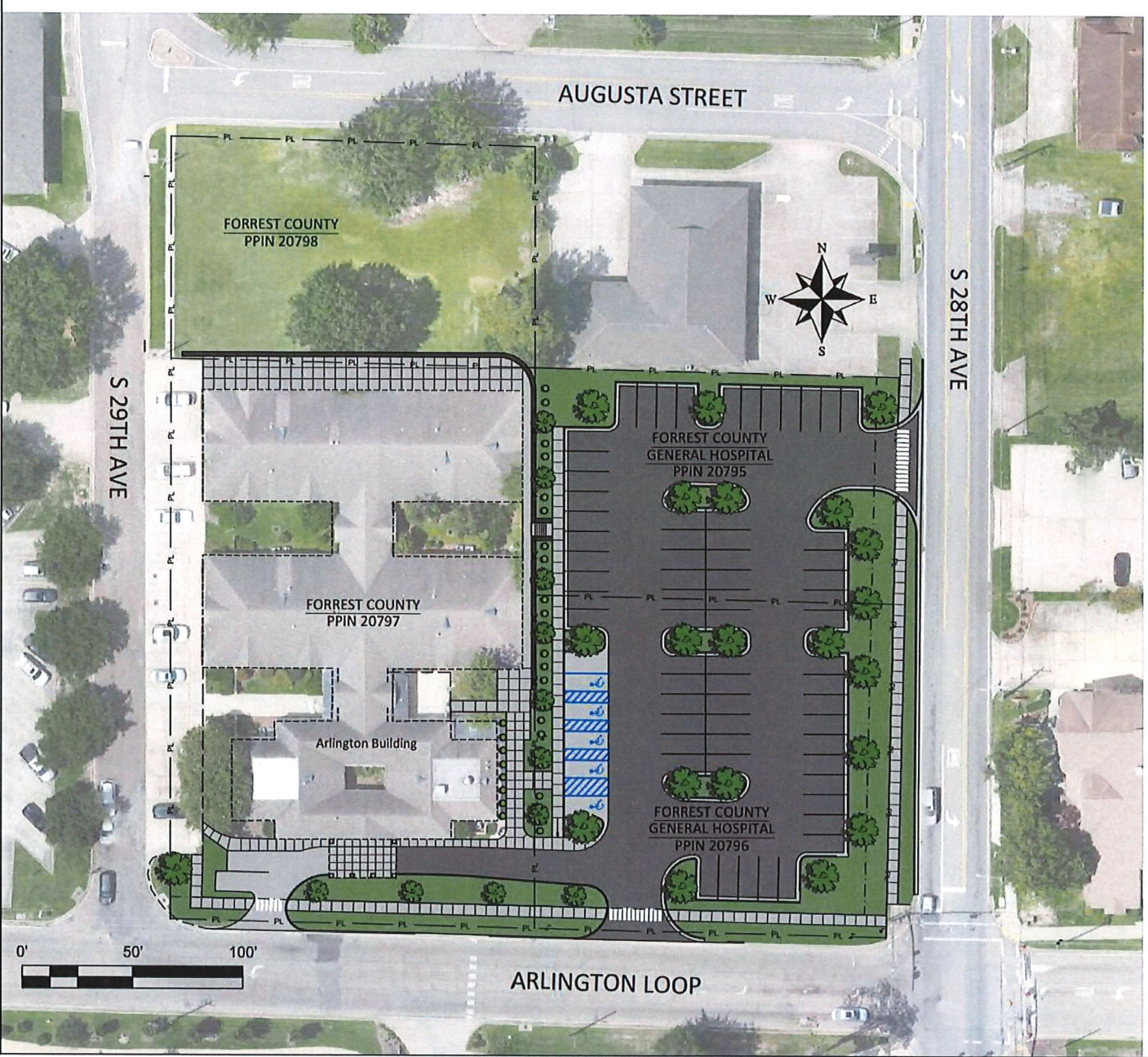
Subject Area for Use Request



Site Aerial



Site Plan



SUBJECT PROPERTIES

North: MX-3 (Mixed Use District)



South: EM-3/MX-3 (Employment District / Mixed-Use District)



East: MX-3 (Mixed Use District)



West: OS (Open Space District)

SURROUNDING AREA

Streetscape of S 28th Ave Facing North



Streetscape of S 28th Ave Facing South

Southeast Corner of Arlington Loop/Mamie Street and S 28th Ave



Proposed building for Neurosurgery Expansion



Conditional Use (2 pages)

12.3.3.1 Compliance Required. Uses requiring Planning Commission approval, as noted in the Tables of Uses in Section 5 of this Code, shall be approved subject to this Section. Any application for such use must comply with all applicable standards that apply to similar uses and properties in the zoning district in general, the specific conditions listed for that use in Section 5, and the following criteria. Where conflicts exist, the Planning Commission shall determine which criteria apply on a case by case basis.

1. Does this application meet the conditions set forth in Section 5 for the requested use? If yes, please explain.

Yes, the requested use is for vehicle parking which is in-line with the conditions as set forth in Section 5. The proposed parking meets the design standards as established by the applicable zoning regulations.

2. Describe the effects the proposed use of utilities and facilities will have on the community.
See separate document describing benefits to community.

3. Describe how the size of the site is appropriate for the proposed use.

The size of the parcels is adequately sized for the intended use. The building will be for medical clinic use which requires a minimum of 1 space per 250 square feet of gross floor area. The proposed parking will be for approx. 13,400 sq. ft. of the building so a minimum of 54 spaces is required.

4. Will there be any additional pedestrian or vehicular traffic generated by the proposed use? No
If yes, please explain:

All traffic that will be accessing the building and parking addition is currently coming to FGH. The proposed project will relocate that traffic from the main hospital to the building at the corner of 28th Ave and Arlington Loop.

5. Will there be any elevation in the noise level resulting from this proposed use? no

If yes, please explain:

6. What is the expected number of customers/employees per day? The existing gravel parking lot is
currently utilized for staff parking. The paved parking lot will be for patients only. The patient load is expected
to be less than the staff load currently utilizing the parking lot. All staff will be diverted to existing paved parking
south of Mamie Street and East of 28th Avenue.

7. Parking Requirements:

Commercial/Industrial: Paved parking will be provided for 68 vehicles, and
5 ADA vehicle(s); with 4 loading spaces.

73 spaces in total for parking improvements. Building has another 17 spaces accessed from S 29th Avenue.

For more information please reference the Land Development Code Section 12.3.3.2.

RESPONSE FOR ITEM NO. 2 ON CONDITIONAL USE DOCUMENT:

2. Describe the effects the proposed use of the utilities and facilities will have on the community.

As our community grows, so does the need for medical services. Forrest General Hospital (FGH) is one of three hospitals in Mississippi with a Level-II Trauma designation. Beginning on July 1, 2022 FGH was forced to employ four (4) neurosurgeons who were previously not employed by FGH in efforts to maintain our Level-II Trauma designation. At the present time, these neurosurgeons are sharing clinical space inside the main hospital with another group of physicians. Due to the patient load and the services provided, it is necessary that FGH move the neurosurgeons to a separate space.

These neurosurgeons will be relocated into an existing building located at 2807 Arlington Loop. This building will be called "Forrest Health's Institute of Neuroscience". This facility will benefit the Greater Hattiesburg area in a myriad of ways. The Institute will provide solutions to complex and serious medical issues using the expertise of local medical professionals – neurosurgeons – who provide treatment of the brain, spine, and nervous system to patients in the Greater Pine Belt area and state.

Neurological disorders can be daunting and difficult for many patients to handle. A facility, such as this, will move these patients out of the busy, hustle-and-bustle of a hospital environment to a facility staffed by clinicians who offer prompt, personalized care in a more intimate and nurturing environment.

Having this facility within the Forrest Health system will allow for seamless, collaborative care as patients at the regional hospitals and clinics will benefit by having access to this expertise. The care provided by the Institute will have far-reaching effects to those in the southern part of the state. It will keep residents in our community and the surrounding area from having to travel out of state or great distances in order to receive the medical treatment they need.

Forrest Health's Institute of Neuroscience is a facility which will play an important role as the Hub City's medical community continues to find new ways of providing optimal care for its residents.



**Planning Commission
Case Fact Sheet**

Name of Petitioner: Dr. Newton Fawcett, Owner

Address of Property: 102 Walley Street **Tax Parcel:** 2-029K-09-212.00 **PPIN:** 19634 **Ward:** 2

Request: **Historic Flood Variance** from the Flood Damage Prevention Ordinance

Purpose of Request: To request a variance from Article 6, Section E, which states that qualifying historic structures may apply for a flood variance from the requirement to elevate or flood proof the structure, for 102 Walley St (Parcel No. 2-029K-09-212.00, PPIN 19634, Forrest County, Ward 2).

Applicant Summary: See Attached
Applicable Regulations:

SECTION 4 Zoning Districts Established

4.5.5 R-1C Single-Family Residential District: The purpose of the R-1C District is to permit single-family residential uses with related recreational, religious and educational facilities. This district is consistent with the Neighborhood Conservation 1 and 2 districts in the Comprehensive Plan. This zoning district encourages protected lower density residential neighborhoods with only compatible supporting institutional uses and open space.

CODE OF ORDINANCES, CHAPTER 10, ARTICLE 6, SECTION E

See attached Ordinance Excerpt

Present Zoning:	The parcel is currently zoned R-1C, Single-Family Residential
Present Use:	Single-Family Residential Structure
Future Land Use:	Neighborhood Conservation District 1
Surrounding Zoning and Land Use:	North: R-1C, Single-Family Residential South: R-1B Single-Family Residential East: R-1C, Single-Family Residential West: R-1C, Single-Family Residential
Letters or Concerns stated:	The Planning Division Office has received one citizen inquiry about the historic flood variance as of October 21, 2022.
History / Background:	Substantial Improvement has been proposed for an accessory structure at this address. A structure in a hazardous flood zone that proposes Substantial Improvement must come in to compliance with the Flood Damage Prevention Ordinance or may apply for a variance from these requirements if qualifying. At the time of this report the applicant has not provided full documentation for the requirements of Chapter 10. Article 6. Section E. 1-3 as a "Bona-fide Historic Structure", but is expected to. The city is assiting with documentation from MDAH. Planning Commission approval is required for "Flood Variances" See the included Flood Ordinance for guidance. A "historic variance" will allow the existing structure to be improved without being required to be elevated, no matter the value of the work. This variance will not prevent additions to the historic structure from the elevation requirement. Any new construction or addition will still be subject to the requirements of the flood ordinance. The accessory structure has already been granted a Certificate of Appropriateness by the Hattiesburg Historic Conservation Commission for the changes to the exterior.
Option:	Approve or Deny

minimum necessary so as not to destroy the historic character and design of the building. (See Article 6, Section F.)

- (3) Any applicant to whom a variance is granted shall be given written notice specifying the difference between the base flood elevation and the elevation to which the lowest floor is to be built and stating that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation.
- (4) The Floodplain Administrator shall maintain the records of all appeal actions and report any variances to the Federal Emergency Management Agency and Mississippi Emergency Management Agency upon request. (See Article 6 Section E.)
- (5) Upon consideration of the factors listed above and the purposes of this ordinance, the Hattiesburg Planning Commission may attach such conditions to the granting of variances as it deems necessary to further the purposes of this ordinance.
- (6) Variances shall not be issued “after the fact.”

SECTION D. VARIANCE NOTIFICATION.

Any applicant to whom a variance is granted shall be given written notice over the signature of a community official that:

- (1) The issuance of a variance to construct a structure below the base flood elevation will result in increased premium rates for flood insurance up to amounts as high as \$25 for \$100 of insurance coverage, and;
- (2) List the specific variance granted with the minimum requirement that was changed with the approved variance. List the article, section and subsection for which the variance was issued to.
- (3) Such construction below the base flood level increases risks to life and property. A copy of the notice shall be recorded by the Floodplain Administrator in the Office of the Chancery Clerk and shall be recorded in a manner so that it appears in the chain of title of the affected parcel of land.

The Floodplain Administrator will maintain a record of all variance actions, including justification for their issuance, and report such variances to the Federal Emergency Management Agency and the Mississippi Emergency Management Agency upon request.

SECTION E. HISTORIC STRUCTURES.

Variances may be issued for the repair or rehabilitation of “historic structures” only upon a determination that the proposed repair or rehabilitation will not preclude the structure’s continued designation as a “historic structure” and the variance is the minimum to preserve the historic character and design of the structure.

- (1) The building must be a bona-fide “historic structure.” As followed by definition.
- (2) The project must maintain the historic status of the structure. If the proposed improvements to the structure will result in it being removed from or ineligible for the National Register or federally-certified state or local inventory, then the proposal cannot be granted an exemption from the substantial improvement rule.
 - (a) Written review and approval of proposed plans by the local historic preservation board and/or the Historic Planner, if it is federally-certified, or by the state historic preservation office. If the plans are approved, you can grant the exemption. If no, no exemption can be permitted.
- (3) Take all possible flood damage reduction measures. Even though the exemption to the substantial improvement rule means the building does not have to be elevated to or above BFE or be renovated with flood-resistant materials that are not historically sensitive, many things can and should be done to reduce the flood damage potential. Examples include:

- (a) Locating mechanical and electrical equipment above the BFE or floodproofing it.
- (b) Elevating the lowest floor of an addition to or above the BFE with the change in floor elevation disguised externally.
- (c) Building the lowest floor of an addition with flood-resistant materials and providing hydrostatic openings.

SECTION F. SPECIAL CONDITIONS.

Upon consideration of the factors listed in Article 6, and the purposes of this ordinance, the Hattiesburg Planning Commission may attach such conditions to the granting of variances, as it deems necessary to further the purposes of this ordinance.

SECTION G. FLOODWAY.

Variances shall not be issued within any designated regulatory floodway if any increase in flood levels during the base flood discharge would result.

ARTICLE 7. SEVERABILITY.

If any section, clause, sentence, or phrase of the Ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way effect the validity of the remaining portions of this Ordinance."

SECTION 2. That Ordinance Number 3247 adopted December 18, 2018, and any other ordinances in conflict thereof are hereby repealed.

SECTION 3. This Ordinance shall take effect and be in force immediately after passage as provided by law. It is vital to the public health, safety, and welfare and is necessary for residents within SIIFA to be able to obtain flood insurance.

The foregoing Ordinance having been reduced to writing was introduced by Council Vice President George, seconded by Council Member Brown and was adopted by the following vote, to wit:

YEAS:
George
Delgado
Carroll
Ware
Brown

NAYS:
None

ABSENT:
None

The President thereby declared the motion carried and the Ordinance adopted this the 7th day of September, 2021.

SUBJECT PARCEL:

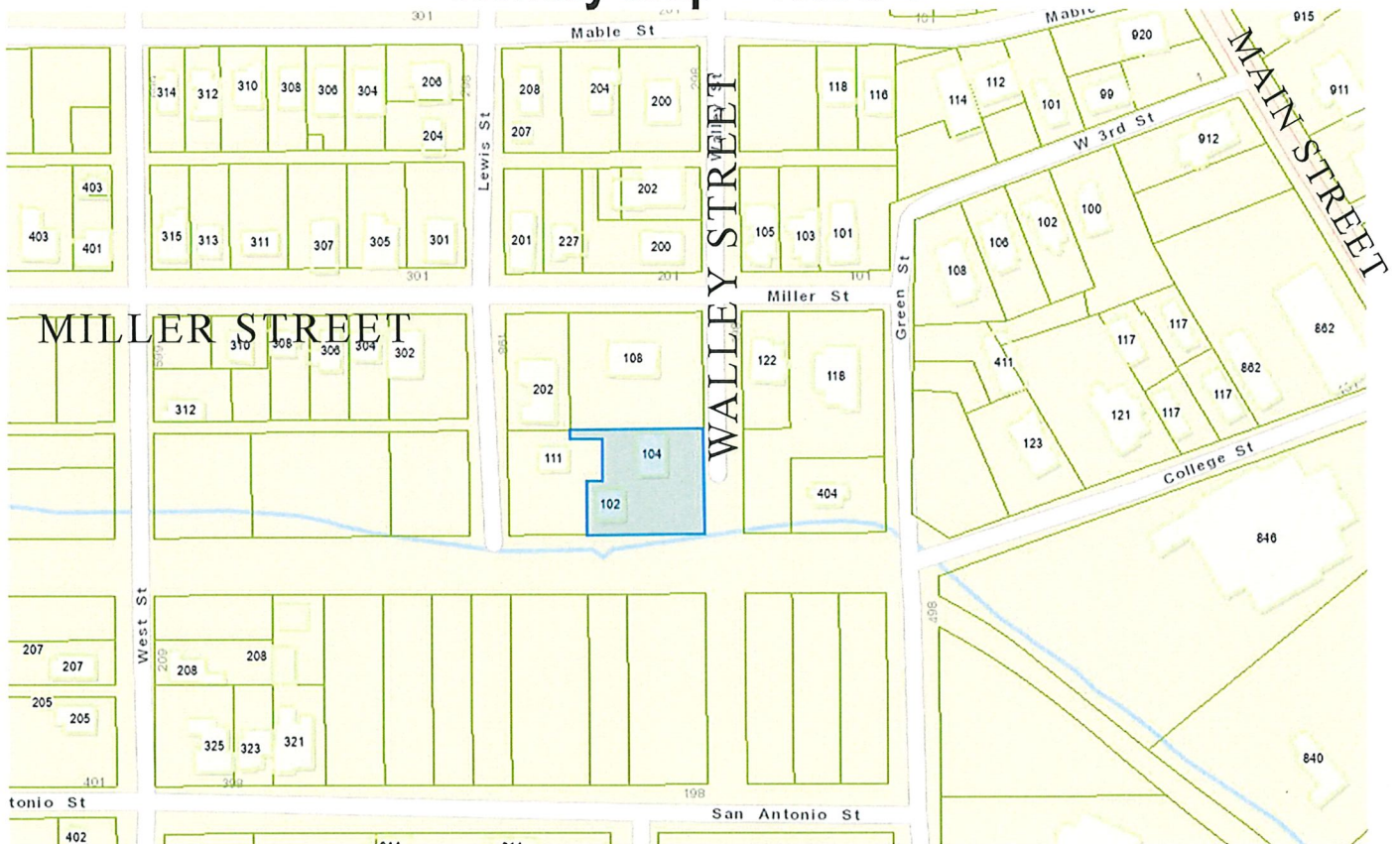
102 Walley St

Newton Fawcett, Owner

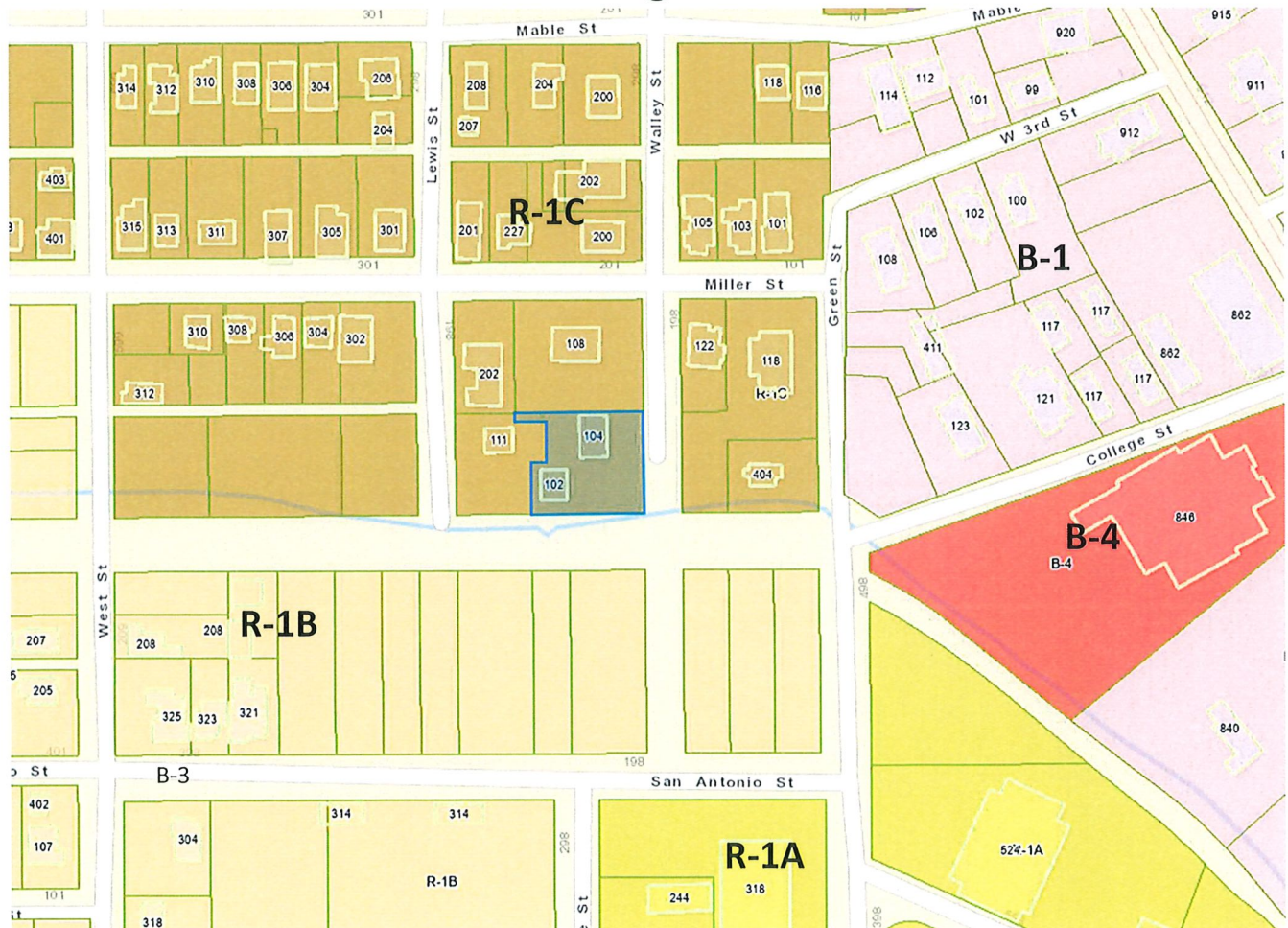
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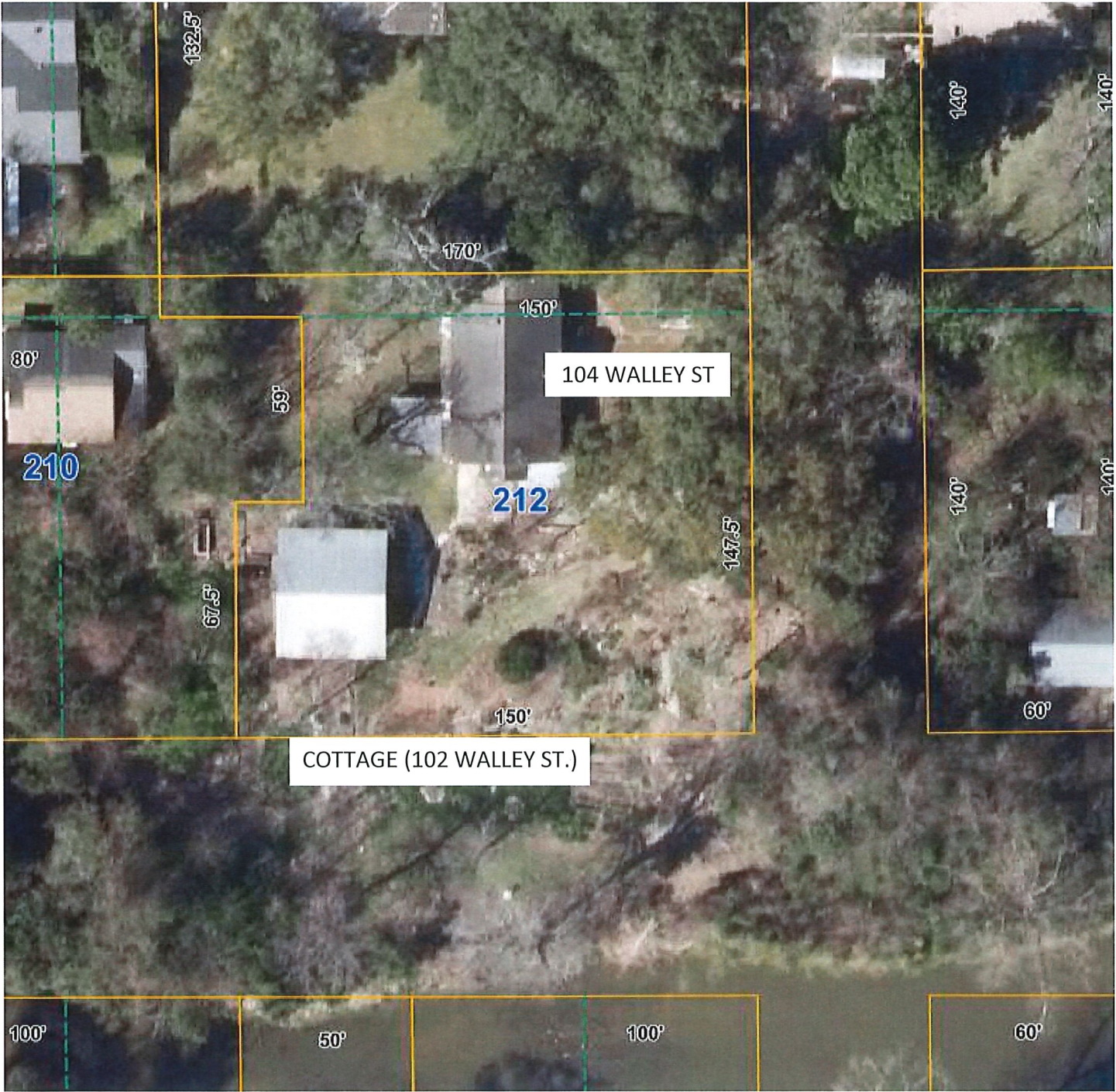
Vicinity Map—Ward 4



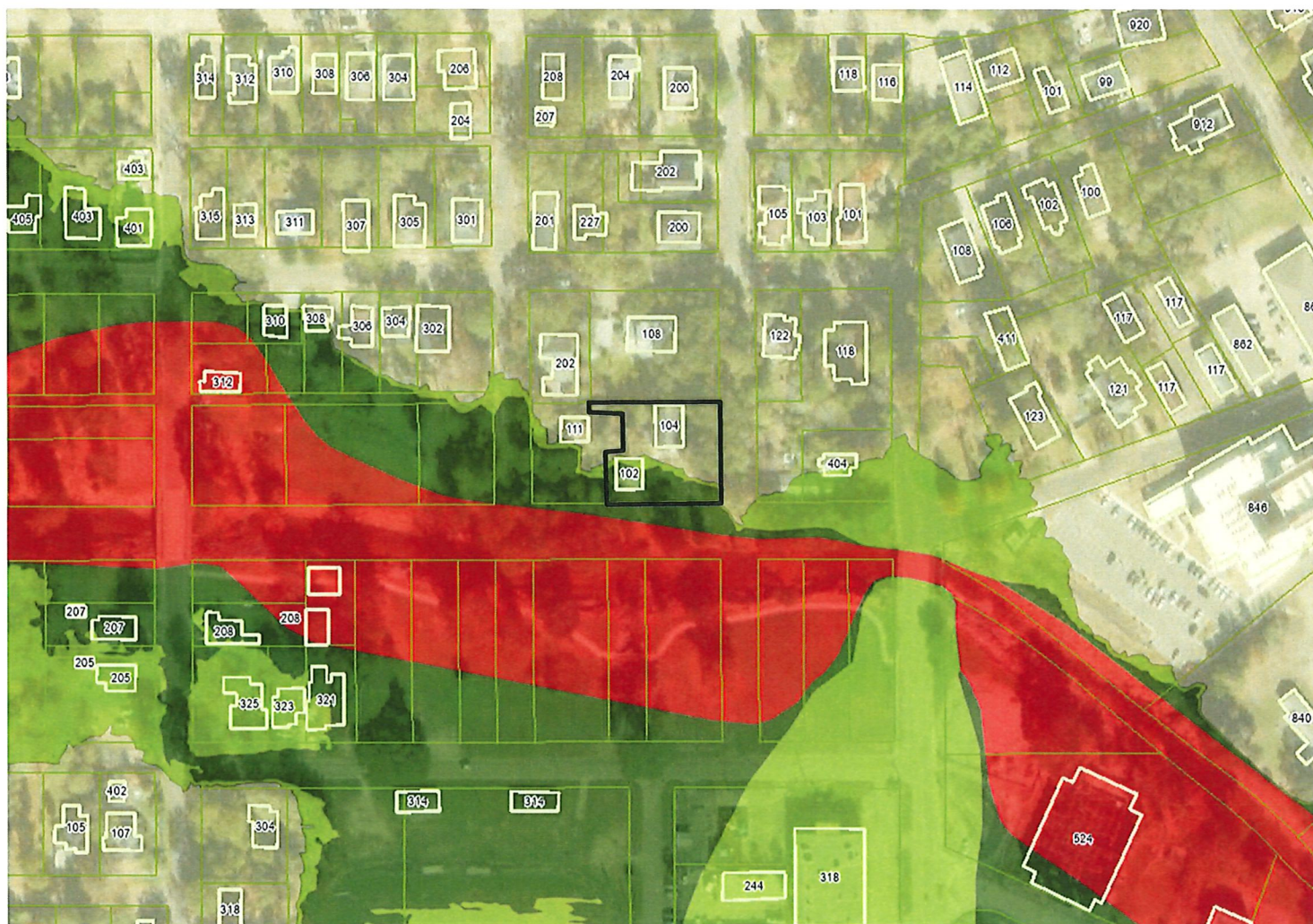
Zoning—B-5



Site Aerial



Flood Zone Map—Property Outlined in Black



Note: Floodways and Zone AE are regulated flood zones

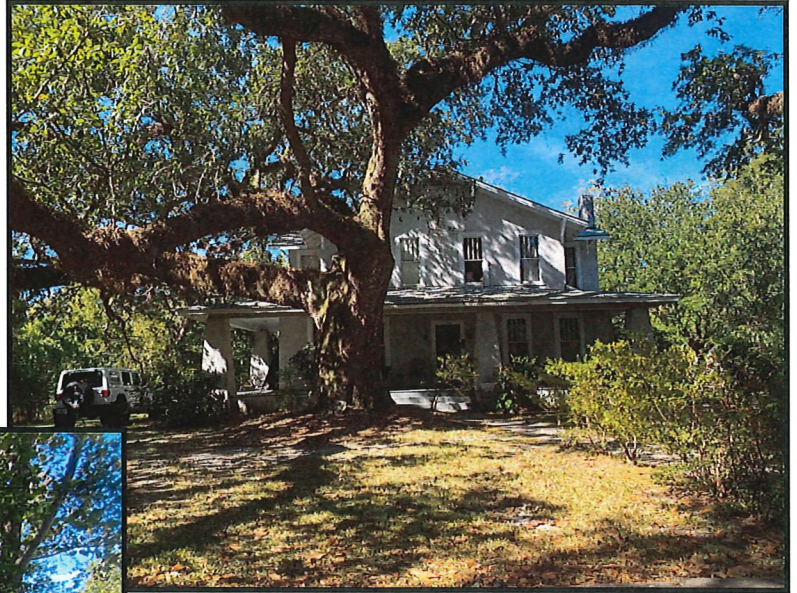
Floodplain

FEMA Flood Zones

- FLOODWAY AREA IN ZONE AE
- ZONE A (100 yr flood - no elevation)
- ZONE AE (100 yr flood w / elevation)
- ZONE SX (500 yr flood)
- ZONE X (No Special Flood Hazard Area)

SURROUNDING AREA

Northern Direction: R-1C Single-Family Residential



Southern Direction: R-1C Single-Family Residential

Facing to Gordon's Creek

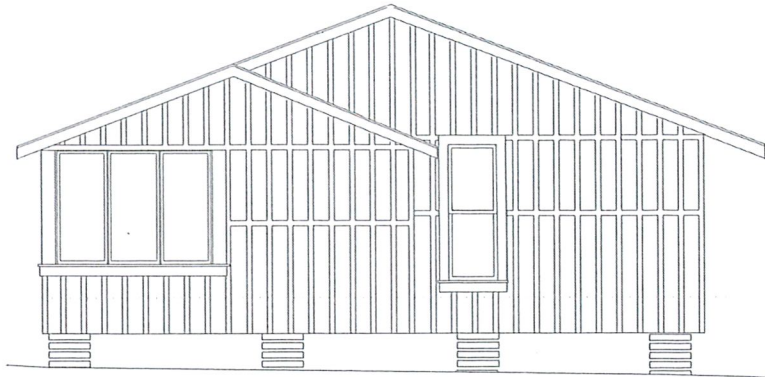


Eastern Direction: R-1C Single-Family Residential

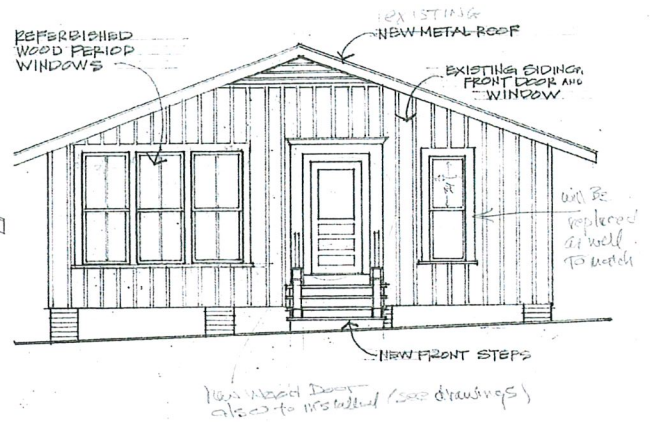


Western Direction: R-1C Single-Family Residential

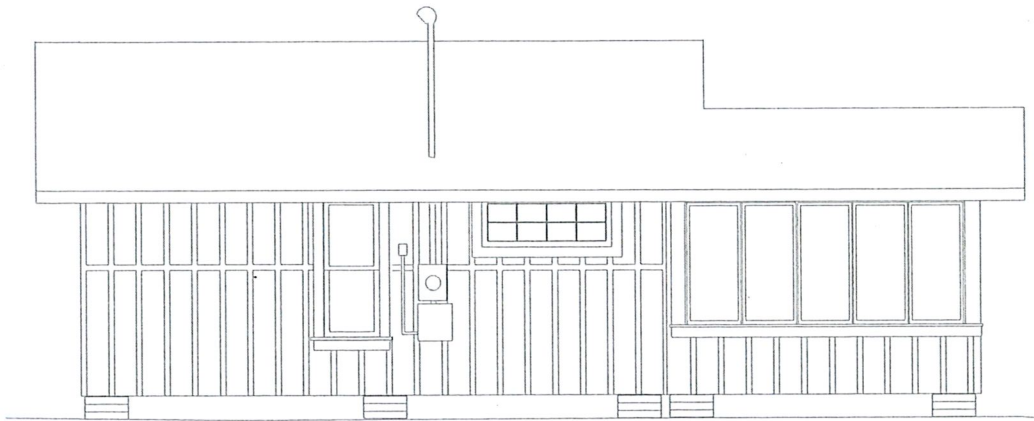




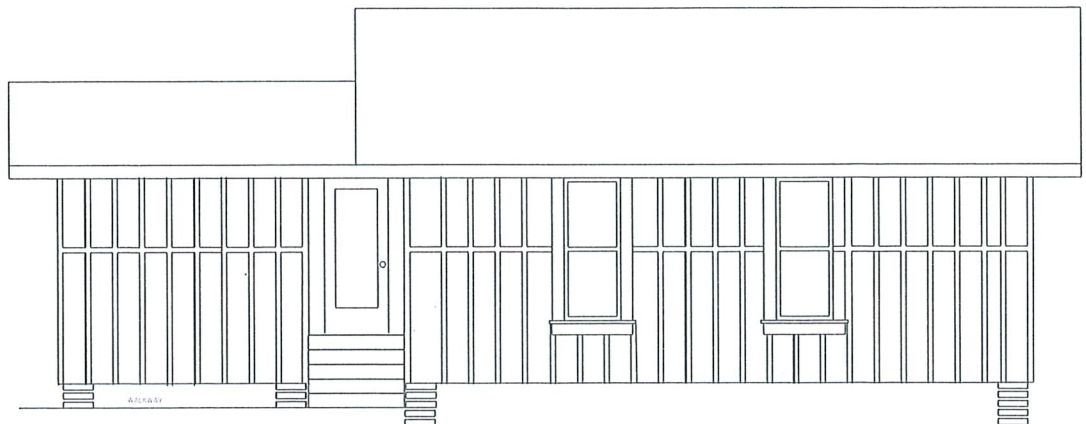
YH - PROPOSED WEST ELEVATION WELI
2/21 1/4" = 1.0'



PROPOSED FRONT ELEVATION
1/4" = 1.0"



YH PROPOSED NORTH ELEVATION NELI
1/21 1/4" = 1.0



YH - PROPOSED SOUTH ELEVATION 1/21
SELIA 1/4" = 1'