



**Monday, March 18, 2024
4:00 PM**

**City Council
Monday Meeting Agenda**

**Council Chambers
200 Forrest Street**

Call to Order

Appeal Public Hearing

1. **2024-1092** Hold a public hearing for an appeal filed by James Smith, applicant, and Jasmine Washington, owner, being aggrieved by the decision made by the Hattiesburg Board of Adjustment to deny a variance request for the property located at 87 Everglades. The applicant and owner requested to allow for a reduced side setback of 3.4 feet for a residential structure (PPIN 32905, Lamar County, Ward 1).

Agenda Review

Citizens' Forum

Meeting Recess



Memorandum

To: Mayor Toby Barker and Members of City Council

From:

cc: Ann Jones, Chief Administrative Officer

Date: Monday, March 18, 2024

Re: Hold a public hearing for an appeal filed by James Smith, applicant, and Jasmine Washington, owner, being aggrieved by the decision made by the Hattiesburg Board of Adjustment to deny a variance request for the property located at 87 Everglades. The applicant and owner requested to allow for a reduced side setback of 3.4 feet for a residential structure (PPIN 32905, Lamar County, Ward 1).
File Number: 2024-1092
Minute Book #

Summary

Hold a public hearing for an appeal filed by James Smith, applicant, and Jasmine Washington, owner, being aggrieved by the decision made by the Hattiesburg Board of Adjustment to deny a variance request for the property located at 87 Everglades. The applicant and owner requested to allow for a reduced side setback of 3.4 feet for a residential structure (PPIN 32905, Lamar County, Ward 1).

The Board of Adjustment recommended to deny on February 7th, 2024.

Recommendation Statement

The Board of Adjustment recommended to deny on February 7th, 2024.

Please place this on the March 18, 2024 City Council meeting for consideration.



Send to:

Dept. of Urban Development
P.O. Box 1898
Hattiesburg, MS 39403
601.545.4599 or fax 601.545.1962

**REQUEST TO APPEAL PLANNING COMMISSION OR BOARD OF ADJUSTMENTS
RECOMMENDATION**

Today's Date: <u>2-12-24</u>
Planning Commission or Board of Adjustment Date: <u>2-7-24</u> (Appeals must be made within ten consecutive days of the recommendation)
Name of Property Owner/Petitioner: <u>Jasmine Washington</u>
Name of Person Requesting Appeal-Hearing: <u>James T. Smith</u>
Mailing Address of Person Requesting Appeal Hearing: <u>87 Everglades 2050 Anna Dr. Sumner MS 39482</u>
Address of Petitioned Property: <u>87 Everglades Hattiesburg MS 39402</u>
Petitioner's Request of the Planning Commission or Board of Adjustments: <u>Board of adjustments</u>
Planning Commission or Board of Adjustment's Recommendation: Approve ☐ or Deny ☒

I/We hereby APPEAL the Planning Commission or Board of Adjustment's Recommendation for the above reference petition and request to hold a Public Hearing before the Hattiesburg City Council.

James T. Smith
Appellant (print)

James T. Smith
Appellant (signature)

the specifications provided. The City of Hattiesburg reserves the right to amend the specifications, necessary.

Submissions will be evaluated and vendors submitting acceptable offers will be invited to submit priced bids via reverse auction. Electronic bids and/or reverse auction bids can be submitted at www.hattiesburgsbids.com. For any questions relating to the electronic process, please call PH Bidding at (662) 407-0193. Qualified bidders will be invited to participate in a reverse auction, which will take place on February 21, 2024, at 10:00 a.m.

Four (4) Small to midsize Sports utility vehicles for the Department of Urban Development.

Sealed bids shall be bid upon and delivered as specified specifications on file in the Office of the City Clerk, P. O. Box 1898, 200 Forrest Street, Hattiesburg, Mississippi, 39403-1898, (601) 545-1234. Bids may be obtained upon request.

The best and best bid received will be accepted subject to the provisions of Section 31-7-1 of the Mississippi Code of 1972, Annotated as amended, and other applicable State law; but the City reserves the right to reject any or all bids and to waive informalities.

Witnessed by Order of the Council on this, the 22nd day of February 2024

CITY OF HATTIESBURG, MISSISSIPPI
BY: Kermas Eaton /s/
CITY CLERK
Published February 22, 29, March 7, 2024

CHANCERY COURT OF LAMAR COUNTY, MISSISSIPPI

IN RE: ESTATE OF
RICHARD TEAGUE, II, DECEASED

Case No. PR-0019-SM

PUBLICATION

KNOWN OR KNOWN HEIRS AT LAW
PERSON CLAIMING ANY RIGHT,
AND ALL AS HEIRS OF THE ESTATE OF
RICHARD TEAGUE, II, DECEASED.

MADE a respondent to a Petition
filed by Richard Teague, Sr., Adversely
affected is a lawsuit filed against
requesting the Court to determine
the rights of RICHARD TEAGUE, II, Deceased,
and to settle real and personal property
belonging to the Decedent.

and to appear and defend
against you in this action.
3rd day of June, A.D. 2024

room of the Lamar County
located in Purvis, Mississippi.

failure to appear and defend

law, and interpose any objections, if they have any, to the adjudication of Sylvia Peterson, Dana M. Clark, Harold M. Dearman, and Terrell L. Dearman, as the sole and only heirs-at-law of Agnes Marie Dearman, deceased, and that upon a final hearing hereon, to be held on the 8th day of April, 2024, at 9:00 A.M. at the Chancery Courthouse in Poplarville, Mississippi, the Court enter its Judgment and Order adjudicating the lawful heirs-at-law of Agnes Marie Dearman, deceased, to be Sylvia Peterson, Dana M. Clark, Harold M. Dearman, and Terrell L. Dearman. Respectfully submitted,

/s/ Sylvia Peterson
SYLVIA PETERSON, Administratrix
WILLIAM L. DUCKER
Ducker and Bishop, LLP

MSB # 6201

P. O. Box 217

Purvis, MS 39475

601-794-8545

E-mail: bill@duckerlawfirm.com

Published February 22, 29, March 7, 2024

PUBLIC HEARING FOR THE HATTIESBURG PLANNING COMMISSION

NOTICE is hereby given that an application has been filed by James Smith, applicant, and Jasmine Washington, owner, to appeal the decision made by the Hattiesburg Board of Adjustment to deny a variance request for the property located at 87 Everglades. The applicant and owner requested to allow for a reduced side setback of 3.4 feet for a residential structure (PPIN 32905, Lamar County, Ward 1).

James Smith, and Jasmine Washington, being aggrieved with the decision, filed a request for hearing before the Mayor and City Council of the City of Hattiesburg, as provided by law.

NOW, THEREFORE, NOTICE IS GIVEN that a public hearing in relation to the petition as hereinabove set forth will be held at 4:00 p.m., Monday, March 18th, 2024, in the City Council Chambers of City Hall, 200 Forrest St., Hattiesburg, Mississippi, at which time and at which said hearing all parties of interest and citizens shall have an opportunity to be heard.

WITNESS my signature and the official seal of said City on this, the 15th day of February, 2024.

CITY OF HATTIESBURG, MISSISSIPPI

BY: Kermas Eaton /s/

CITY CLERK

(SEAL)

Published February 22, 2024

COMMUNITY DEVELOPMENT BLOCK GRANT

NOTICE IS HEREBY GIVEN TO THOSE PARTIES IN INTEREST THAT THERE WILL BE A HEARING MARCH 12, 2024, AT 2:00 PM IN THE BOARD ROOM IN THE PETE GAMBLE CHANCERY COURTHOUSE, 403 MAIN STREET, PURVIS, LAMAR COUNTY MISSISSIPPI, FOR THE PURPOSE OF DETERMINING WHETHER OR NOT THE ZONING OF THE DESCRIBED PROPERTIES SHALL BE CHANGED FROM GC-2/GENERAL COUNTRY 2 TO RE/RESIDENTIAL ESTATE ALSO. AT THE HEARING, IT WILL BE DETERMINED WHETHER THE LAND USE CLASSIFICATION FOR THE PROPERTIES ON THE LAND USE AND THOROUGHFARES PLAN SHALL BE CHANGED FROM AGRICULTURAL GENERAL TO RESIDENTIAL ESTATE. THE PROPERTY IS LOCATED OFF OF PARISH ROAD.

A parcel of land located in the West 1/2 of the NE 1/4 and all of the NW 1/4, and in the North 1/2 of the SW 1/4, and in the SE 1/4 of the SW 1/4 and in the NW 1/4 of the SE 1/4, of Section 21, Township 5 North, Range 15 West, Lamar County, Mississippi and being more particularly described as follows:

Commence at a Found Pine Knot marking the

NE corner of the NW 1/4 of the NE 1/4 Section 21;

Thence South 89 degrees 17 minutes 22 seconds

West along the North Line of the NW 1/4 of the NE

1/4 of said Section 21, for 74.29 feet to the POINT

OF BEGINNING; Thence continue South 89 de-

grees 17 minutes 22 seconds West along said

North Line for 1219.39 feet to the NE corner of the

NE 1/4 of the NW 1/4 of said Section 21; Thence

south 89 Degrees 47 Minutes 20 Seconds West

along North Line of said NE 1/4 of the NW 1/4 of

2589.17 feet to the NW Corner of said Section

Thence South 00 Degrees 46 Minutes 43 S

onds West along the West Line of said Section

Thence 2648.47 feet to the NW corner of the

1/4 of the SW 1/4 of Section 21; Thence con

South 00 Degrees 46 Minutes 43 Second

along said West Line of the NW 1/4 of the S

1010.53 feet point on the North right of

of Rails to Trails; Thence along said N

of way line for the following calls: Th

a curve to the right 551.57 feet, said c

a radius of 1532.69, and a chord bear

72 degrees 24 minutes 28 seconds

South 62 Degrees 06 Minutes 02

for 1381.42 feet; Thence along a cu

for 534.35 feet to a point on the

right of way line of Epley Road, s

a radius of 1686.94 feet, a del

grees 14 minutes 02 seconds

ing north right of way line of

run along the northwesterly

Epley Road for the following

39 Degrees 52 Minutes

251.49 feet; Thence along

February 2024 BOA Item: A
James Smith (Applicant) and Jasmine Washington (Owner)
Request for: **Side Setback Variance**



**Board of Adjustment
Case Fact Sheet**

Name of Petitioners: James Smith (Applicant) and Jasmine Washington (Owner)

Address of Property:	Tax Parcel	PPIN:	Ward:
87 Everglades	051C-02-001.083	32905	1

Request: **Side Setback Variance**

Purpose of Request: To consider a variance from the minimum 10 feet width side setback requirement for an R-1A zoned property to instead allow for a side setback of 3.4 feet (Section 6, Table 6.1) for a residential structure located at 87 Everglades (PPIN 32905, Lamar County, Ward 1).

Applicant Summary: See Attached

Applicable Regulations:

SECTION 4 **Zoning Districts**

4.5.3 R-1A Residential District. The purpose of the R-1A 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.

SECTION 6 **Table 6.1 Dimensional Standards**

February 2024 BOA Item: A
 James Smith (Applicant) and Jasmine Washington (Owner)
 Request for: **Side Setback Variance**

Table 6.1 Dimensional Standards										
District	Minimum Lot Size in SF/ Width at Setback	Max. Dwelling Units	Max. Floor Area Ratio	Setbacks in feet				Max. Height*	Max. Impervious Surface Lot Coverage	Buffer in Feet
				Min. Front	Max. Front	Min. Side	Min. Rear			
R-1A	10,000/ 50	1 per lot	-	30	-	10	25	35 feet or 3 stories	50%	-

Present Zoning: R-1A Single Family Residential District

Present Use: Single Family House

Future Land Use: Industrial/Corporate Office District and Neighborhood Conservation District 2

Surrounding Zoning: and Land Use:
 North: R-1A Single Family Residential
 South: R-1A Single Family Residential
 East: R-1A Single Family Residential
 West: R-1A Single Family Residential

Letters or Concerns stated: The Planning Division Office has not received any letters or other written communications relative to this case as of January 22nd, 2024.

History / Background: The Building Division notified the Staff that the applicant did not meet the minimum side setback requirements for a new single-family house built at 87 Everglades. The applicant met with Staff to discuss a variance application for the property. The applicant is the contractor for the home and indicated there was an error in where they believed the property line was during construction, and based their plans off of an incorrectly placed property stake. The home is currently occupied by the property owner.

Another project being done on the site prompted a survey, where it was then made known that the constructed home did not meet the required 10ft setback as originally believed to have been constructed. The contractor disclosed that a property stake was relocated after site grading was done for construction. The relocated stake was incorrectly placed several feet to the south, which created an inconsistency between the drawn plans and the actual property line.

Staff have communicated with the applicant to discuss this variance with the affected neighboring property.

February 2024 BOA Item: A
James Smith (Applicant) and Jasmine Washington (Owner)
Request for: **Side Setback Variance**

Basis for Approval (12.4.1.1):

Approval Criteria. A variance is not a right, but a privilege that property owners meeting the following criteria may request. These criteria are to be used to consider all variance requests. It shall be the burden of the applicant to prove that the request meets these criteria:

I. 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.

II. Special Privilege. A variance shall not confer any special privilege that is denied to other lands or structures in the same zoning district.

III. 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.

IV. Reasonable Use. The applicant cannot make reasonable use of the property without the requested variance.

V. Minimum Required. The granting of a variance is the minimum variance that will make possible the reasonable use of the land or structure.

VI. Conformance with the Purposes of this Code. The granting of a variance will not conflict with the purposes and intent expressed or implied in the Land Development Code.

SUBJECT PARCEL

87 Everglades — Side Setback Variance

James Smith, Representative and Jasmine Washington, Owner

Petitioners request a variance from the minimum 10 feet width side setback requirement for an R-1A zoned property to instead allow for a side setback of 3.4 feet (Section 6, Table 6.1) for a residential structure located at 87 Everglades (PPIN 32905, Lamar County, Ward 1).





Zoning

A-1
A-2
R-1A
R-1B

Site Information

Property is located at at 87 Everglades (PPIN 32905, Lamar County, Ward 1)



**URBAN
DEVELOPMENT
PLANNING DIVISION**





Future Land Use

- Industrial/Corporate Office District
- Neighborhood Conservation District 2
- Planned Mixed-Use District

Site Information

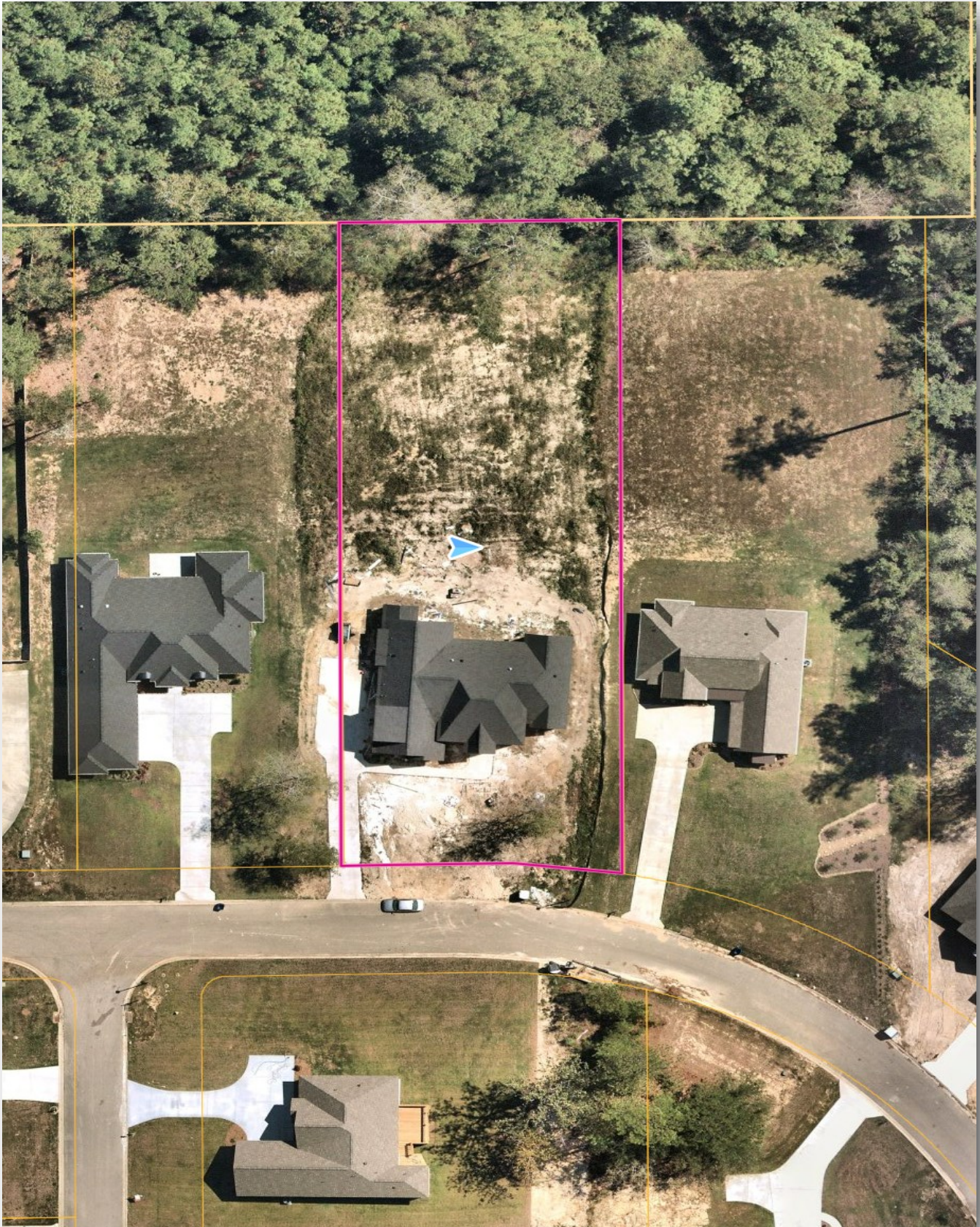
Future Land Use map for 87 Everglades, and surrounding area. Requested area for this case is denoted in blue.



URBAN DEVELOPMENT
PLANNING DIVISION



Site Aerial



Surrounding Area

Northern and Southern Directions: R-1A Single Family Residential



“The Preserve” neighborhood and surrounding houses

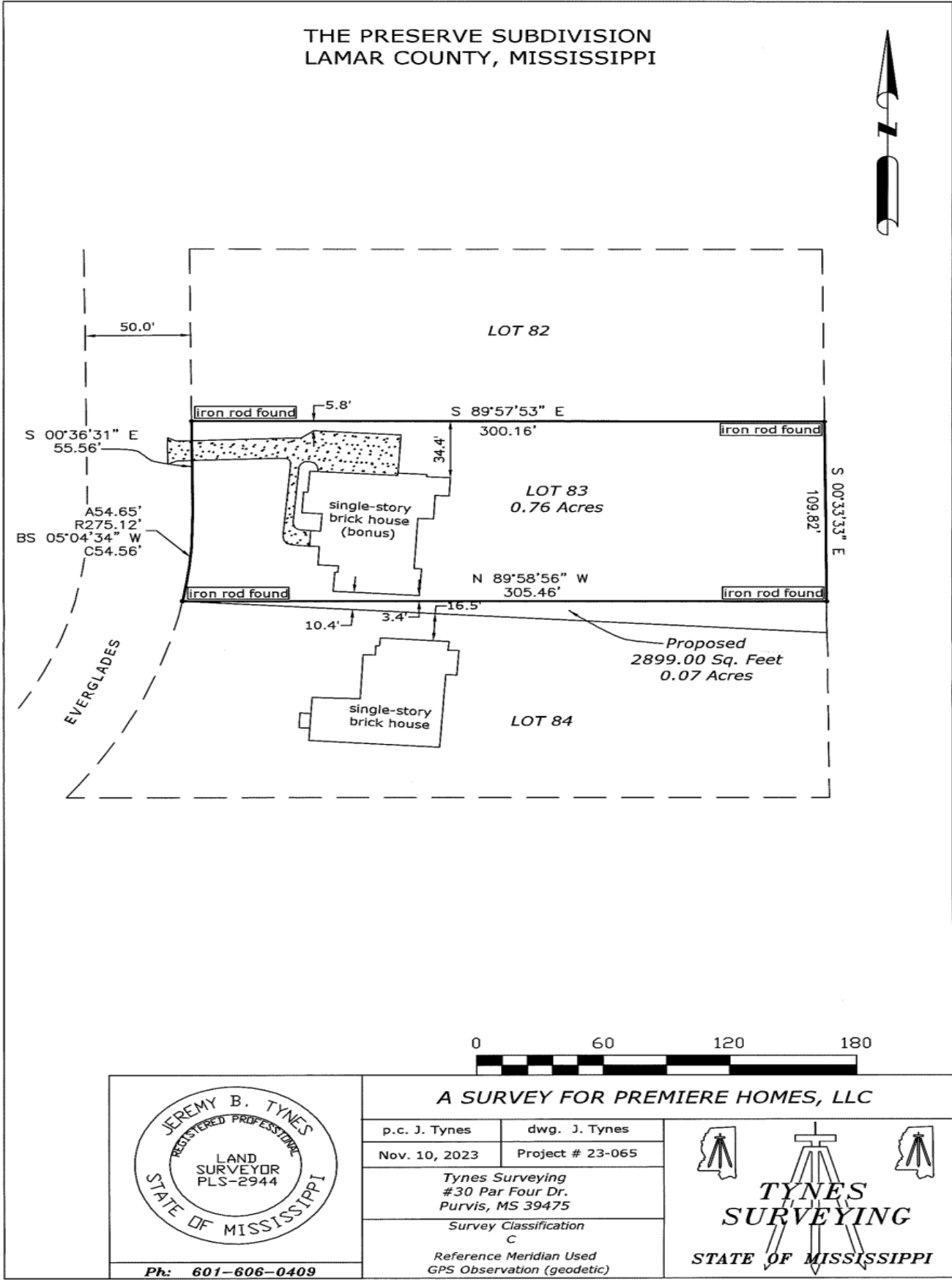
Surrounding Area

East and Western Directions: R-1A Single Family Residential and A-1 Agricultural



USM Accelerator on Shelby Thames Drive and street view from Classic Dr

Site Plan





URBAN DEVELOPMENT PLANNING DIVISION

RECEIVED
DEC 28 2023

Public Hearing Application

P.O. BOX 1898 (200 Forrest Street/39401)

Hattiesburg, MS 39403-1898

Department of Urban Development

(601) 545-4599 or FAX (601) 545-1962

APPLICANT:

Applicant Name: James Smith

Project Name: Preserve Lot 83

Proposed Use(s): Residential

Project Street Address: 87 Every Lakes

PPIN Number(s) (if unknown, can be found on tax receipt): _____

Application for (check all appropriate types):

- | | |
|---|--|
| ☒ Variance (see below) | ☐ Conditional Use (see below) |
| ☐ Subdividing of Lot, Parcel, or Tract (see p. 12) | ☐ Re-Zoning (see below) |
| ☐ Street or Alley Renaming (see pp. 13-14) | ☐ Overlay District |
| ☐ Vacating Street or Alley (see pp. 13-14) | ☐ Planned Mixed-Use District |

For Variance Only (check all appropriate variance types), see pp. 7 & 8:

- | | | |
|---------------------------------------|--|---|
| ☐ Sign | ☒ Setback (front, side, or rear _____) | ☐ Off-Site Parking |
| ☐ Lot Width | ☐ Lot Coverage Area | ☐ Buffer |
| ☐ Other: _____ | ☐ Open Space | |

For Conditional Use Permit Only (check applicable type), see pp. 9 & 10:

- | | |
|---|---|
| ☐ Automotive Filling Station | ☐ Telecommunications |
| ☐ Digital Billboard, New | ☐ Digital Billboard, Replacement |
| ☐ Restaurant | ☐ Solar Farm |
| ☐ Other: _____ | |

For Re-Zoning Only, see p. 11:

Existing Zoning: _____

Proposed Zoning: _____

PLEASE BE SURE TO FILL OUT PP. 1-5 AND SEE FEES ON P. 6

STAFF USE ONLY – Do Not Complete:

Pre-Application Date: 11/20/23 Planner: Nathan Sathle

Parcel Number(s): 39406 Historic District(s): N/A

Flood Zone(s): X Zoning District(s): R-1A

Project No.: VARI-000751-2023

Code Sections:

LDC Section No. Table 6.1 - Dimensional Standards

Section No. R-1A Side Setback - min 10 ft

Section No. Required

Section No. _____

Section No. _____

RECEIVED DATE & INITIALS:

NS 12/28/23

X

PROJECT REPRESENTATIVE INFORMATION:

Primary:

Name:	James T. Smith		
☐ Applicant	☐ Property Owner	☒ Representative	☐ Agent ☐ Contractor ☐ Architect ☐ Engineer
☐ Other (please specify):			
Phone:	432-894-1927	Fax:	Email: JamesT.Smith@pmd.com
Mailing Address:	2050 Ann Dr. Sumner MS 39482		

Secondary:

Name:			
☐ Applicant	☐ Property Owner	☐ Representative	☐ Agent ☐ Contractor ☐ Architect ☐ Engineer
☐ Other (please specify):			
Phone:		Fax:	Email:
Mailing Address:			

Other(s):

Name:			
☐ Applicant	☐ Property Owner	☐ Representative	☐ Agent ☐ Contractor ☐ Architect ☐ Engineer
☐ Other (please specify):			
Phone:		Fax:	Email:
Mailing Address:			

Name:			
☐ Applicant	☐ Property Owner	☐ Representative	☐ Agent ☐ Contractor ☐ Architect ☐ Engineer
☐ Other (please specify):			
Phone:		Fax:	Email:
Mailing Address:			

X

OWNER AFFIDAVIT PAGE

THIS PAGE MUST BE SIGNED IN FRONT OF A NOTARY, BY THE OWNER(S) OF THE SUBJECT PROPERTY

WITNESS THE SIGNATURES of the OWNER(s) of the subject property located at

87 Everglades Hattiesburg MS
Street Address City State

on this the 21 day of December, 2023

In the matter of this request, the property owner further authorizes the following named person(s) to represent them at the public hearing on this petition.

James F. Smith
on this the 21 day of December, 2023

JASMINE WASHINGTON

Property Owner (print)

Jas Washington

Property Owner (signature)

Jasmine Washington

STATE OF MS

COUNTY OF Lamar

Personally came and appeared before me, the within named

Jasmine Washington

who signed and delivered the above and foregoing instrument as and for their free act and deed on the day and year therein mentioned, and who acknowledge to me that they are the owner(s) of the subject property as described in this Public Hearing Application.

GIVEN UNDER MY HAND AND OFFICIAL SEAL OF OFFICE, this the 29th day of December, 2023.

Robyn R Smith
NOTARY PUBLIC

My Commission Expires:

March 27, 2027



X

APPLICANT AFFIDAVIT PAGE

THIS PAGE MUST BE SIGNED IN FRONT OF A NOTARY, BY THE **APPLICANT** OF
THIS PETITION, ONLY IF DIFFERENT FROM THE OWNER(S) OF THE SUBJECT
PROPERTY

WITNESS THE SIGNATURES of the **APPLICANT(s)** of the subject property located

at
87 Everglades Hattiesburg MS
Street Address City State

on this the 21 day of December, 2023.

James T. Smith
Applicant (print)

[Signature]
Applicant (signature)

STATE OF MS

COUNTY OF Lamar

Personally came and appeared before me, the within named

James T. Smith

who signed and delivered the above and foregoing instrument as and for their free act and deed on
the day and year therein mentioned, and who acknowledge to me that they are the owner(s) of the
subject property as described in this Public Hearing Application.

GIVEN UNDER MY HAND AND OFFICIAL SEAL OF OFFICE, this the 29th day of
December 2023

Robyn R Smith
NOTARY PUBLIC

My Commission Expires:

March 27, 2027



PLANNING COMMISSION & BOARD OF ADJUSTMENT – PETITIONER

REQUIRED SUBMITTAL INFORMATION

Deadline for applicant to file petition: 1/1/24 5:00pm (End of business day)

Hattiesburg Planning Commission Meeting Date: _____ Time: 1:00pm

Hattiesburg Board of Adjustment Meeting Date: 2/1/24 Time: 3:30pm

There is a 10-day appeal period, required by State Law, between the Planning Commission Meeting and/or Board of Adjustment Meeting and the City Council Meeting – appeals must be filed within this 10-day period.

City Council Agenda Review Date – (you or your representative should attend): 2/1/24 Time: 4:00pm

City Council Meeting (Vote) Date – (you or your representative may attend): 2/1/24 Time: 5:00pm

There is an additional 10-day appeal period, required by State Law, after City Council Meeting, for all Variances and Conditional Use Permit which ends _____ and a 30-day wait period for Zoning or Street closing/re-naming, PMUs, PRDs, PUDs which ends _____. So, if approved by the City, no final site plan review approvals or building permits could be issued prior to these dates.

Dates and times are subject to change

If an appeal is filed or the petition is tabled for any reason at any stage, the above listed dates would need to be revised.

The following paperwork MUST be attached to this application:

☒ Site Diagram (11" x 17" preferred size): Drawing to scale prepared by professional engineer/surveyor showing lot dimensions, existing/proposed building, signs, parking areas, etc. (Different standard may be accepted only per approval from staff)

____ Site & Design Review Committee, if needed.

☒ Copy of entire Warranty Deed (filed and recorded at courthouse) with legal description granting title to current owner. (If the Warranty Deed covers a larger piece of property than the current project, a legal description for this project site only may also be required)

☒ Electronic/Digital copy of legal description REQUIRED for all public notices, saved as Word or text document OR emailed to planning@hattiesburgms.com

☒ An affidavit (pages 3 & 4) attesting that the applicant or representing party (if other than the owner) is acting on behalf of the owner(s) of record. The affidavit must be sworn to before a notary public or other appropriate official. (Included in owners signature page, or may be a separate document)

☒ Variance application only: A letter of approval/denial from all adjoining property owners must be obtained and submitted with application.

____ Other documents needed (per Planning Division):

____ Maps of digital billboard removal sites

____ Maps of digital billboard replacement sites

____ Documentation on measurements

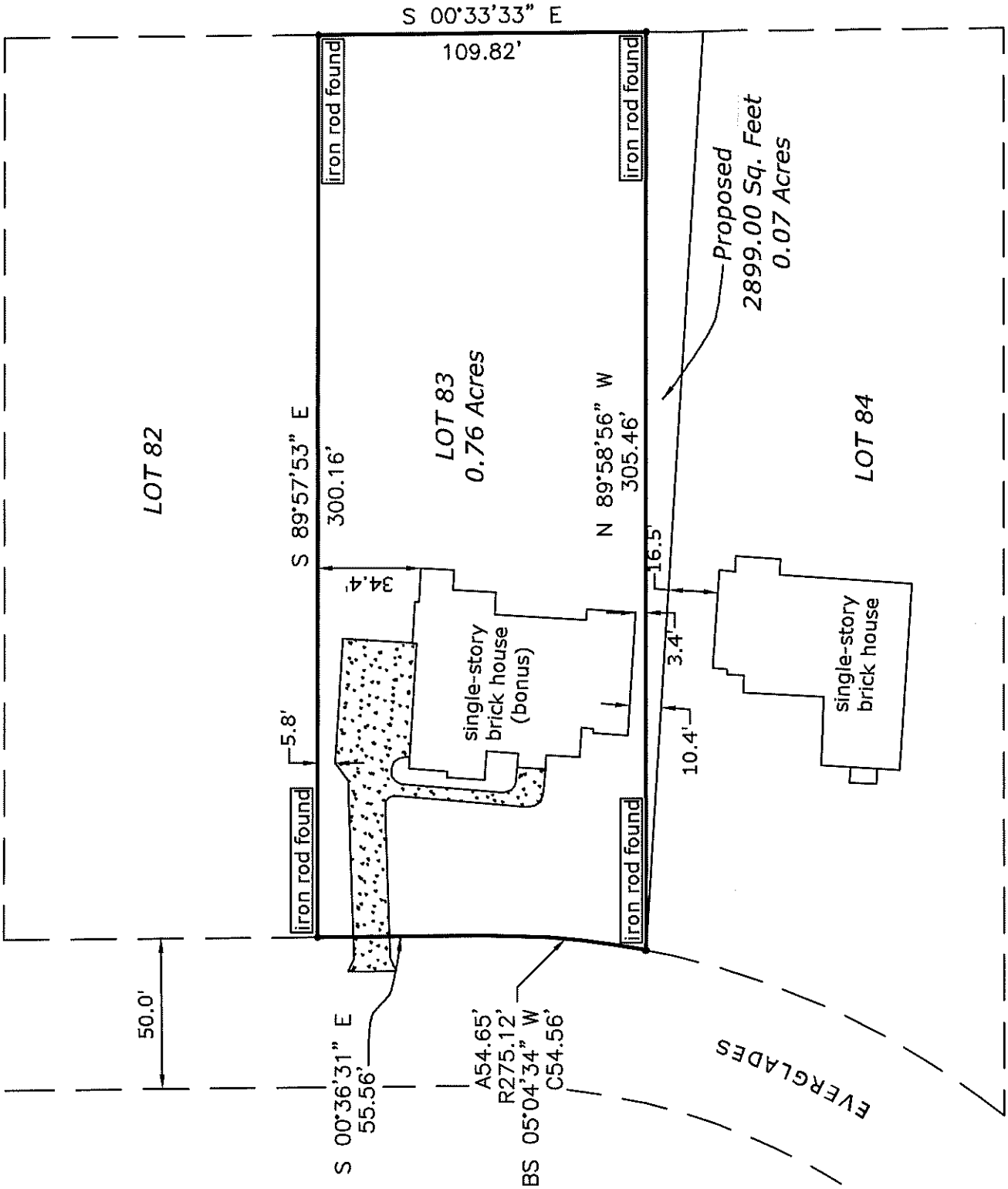
____ Other: _____

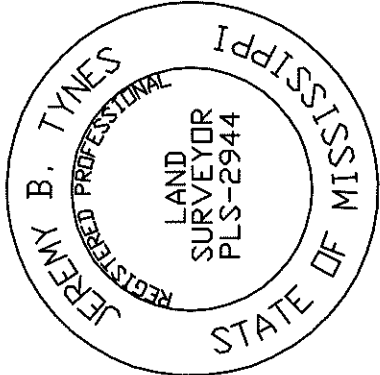
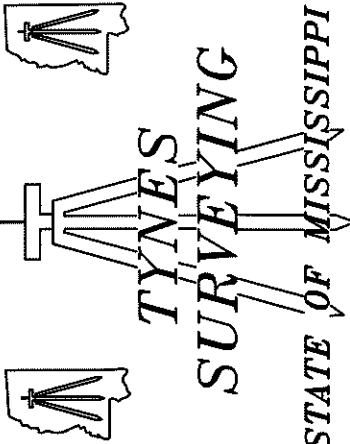
☒ Payment to the City of Hattiesburg for filing application in the amount of \$ 175.

**You may be responsible for posting a sign (prepared by Planning Division staff)
a minimum of fifteen (15) days prior to the hearing date.**

You will be responsible for maintaining the sign for the duration of the public hearing process.

THE PRESERVE SUBDIVISION
LAMAR COUNTY, MISSISSIPPI



		A SURVEY FOR PREMIERE HOMES, LLC	
p.c. J. Tynes	dwg. J. Tynes		
Nov. 10, 2023	Project # 23-065		
Tynes Surveying #30 Par Four Dr. Purvis, MS 39475			
Survey Classification C		Reference Meridian Used GPS Observation (geodetic)	
Ph: 601-606-0409			

BOUNDARY LINE TABLE

LINE	LENGTH	BEARING
L1	89.24'	S15°56'44"W
L2	73.84'	S39°00'42"W
L3	84.57'	S88°59'49"W
L4	164.89'	S60°23'24"W
L5	99.99'	S81°18'08"W
L6	63.86'	N13°10'15"E
L7	29.72'	N18°57'39"E
L8	66.24'	S29°33'17"W
L9	35.31'	S10°44'14"W
L10	178.28'	S89°00'14"W
L11	241.21'	N00°50'48"W
L12	70.00'	S89°00'14"W
L13	138.88'	S00°58'46"E
L14	150.49'	S89°00'14"W
L15	131.26'	SOUTH
L16	210.52'	N89°28'24"W
L17	48.13'	S85°13'10"W
L18	52.78'	N88°28'45"W
L19	93.27'	N33°34'02"W
L20	94.75'	N50°38'13"W
L21	21.07'	N83°38'02"W
L22	60.40'	N61°02'43"W
L23	42.32'	S47°55'42"W
L24	41.00'	S37°25'30"W
L25	55.06'	N88°36'23"W
L26	44.77'	S84°45'25"W
L27	61.10'	S87°41'01"W
L28	37.55'	S22°28'54"W
L29	30.08'	S78°42'16"W
L30	36.65'	N46°18'15"W
L31	111.41'	N01°12'30"W
L32	40.41'	N85°26'02"E
L33	38.24'	N27°00'22"E
L34	31.47'	N44°37'34"E
L35	15.57'	N01°05'39"W
L36	31.29'	N50°52'54"W
L37	26.40'	N33°00'49"W
L38	43.78'	N30°10'44"E
L39	185.34'	S69°01'43"W
L40	25.49'	S44°01'43"W
L41	36.88'	N76°56'23"W
L42	130.70'	N87°43'29"W

ROW LINE TABLE

LINE	LENGTH	BEARING
L43	86.82'	S84°27'50"E
L44	86.92'	N84°27'50"W
L45	50.98'	S13°11'28"E
L46	50.98'	N13°11'28"W
L47	50.74'	S00°37'56"W
L48	81.17'	S23°46'17"W
L49	81.17'	N23°46'17"E

PARCEL LINE TABLE

LINE	LENGTH	BEARING
L50	36.61'	N78°10'59"W
L51	66.00'	S79°06'20"W
L52	50.92'	S74°07'12"W
L53	47.15'	S74°27'59"W
L54	50.20'	S82°25'42"W
L55	52.49'	S53°14'21"W
L56	48.57'	S49°40'58"W
L57	38.19'	S43°05'27"W
L58	52.18'	S32°17'32"W
L59	63.54'	S12°16'29"W
L60	58.21'	S02°02'04"W
L61	11.74'	S30°14'04"E
L62	38.73'	N30°14'04"E
L63	52.77'	N09°34'50"W
L64	13.85'	N28°35'50"W
L65	50.09'	N71°32'34"W
L66	30.05'	S89°03'13"E
L67	33.47'	N23°35'43"W
L68	61.69'	N85°23'22"W
L69	54.89'	S58°22'29"E
L70	71.92'	S28°43'48"E
L71	37.48'	S48°02'58"E
L72	99.26'	S58°20'28"E
L73	8.74'	S07°40'30"W
L74	110.84'	S07°40'30"W
L75	28.00'	S63°08'20"E
L76	17.95'	S25°28'16"E
L77	13.50'	S02°52'19"E
L78	29.89'	S16°59'20"W
L79	39.45'	S04°32'08"W
L80	20.05'	S04°32'08"W
L81	67.79'	S04°32'08"W
L82	64.73'	S28°14'10"W
L83	6.28'	S28°14'10"W
L84	90.08'	S13°38'18"E
L85	49.18'	S51°13'28"E
L86	46.38'	S51°13'28"E
L87	26.94'	S36°54'50"E

LOT AREA SCHEDULE

LOT No.	ACREAGE	SQ. FT.	LOT No.	ACREAGE	SQ. FT.	LOT No.	ACREAGE	SQ. FT.
1	0.42	18,375	35	0.46	20,125	69	0.44	19,250
2	0.50	21,875	36	0.40	17,500	70	0.40	17,500
3	0.86	37,511	37	0.87	29,355	71	0.42	18,375
4	0.59	25,809	38	0.73	31,680	72	0.46	20,125
5	0.67	28,131	39	0.40	17,500	73	0.48	21,000
6	0.57	24,620	40	0.48	21,000	74	0.42	18,375
7	0.83	35,254	41	0.48	20,933	75	0.48	20,125
8	0.61	26,377	42	0.40	17,375	76	0.40	17,500
9	0.43	18,935	43	0.48	20,831	77	0.78	34,086
10	0.44	19,156	44	0.48	21,000	78	0.92	39,980
11	0.46	20,004	45	0.48	21,000	79	0.75	32,471
12	0.87	37,770	46	0.40	17,800	80	0.72	31,502
13	0.80	34,672	47	0.46	20,125	81	0.72	31,502
14	0.82	35,795	48	0.50	21,875	82	0.72	31,502
15	0.60	26,147	49	0.40	17,500	83	0.76	33,090
16	0.61	26,379	50	0.44	19,228	84	0.90	39,325
17	0.53	23,163	51	0.46	20,041	85	0.50	21,895
18	0.86	28,640	52	0.44	19,250	86	0.77	33,629
19	0.51	22,333	53	0.40	17,500	87	0.72	31,526
20	0.60	26,049	54	0.46	20,125	88	0.64	23,740
21	0.62	27,003	55	0.42	18,375	89	0.67	29,115
22	0.78	34,056	56	0.50	21,875	90	0.51	22,354
23	0.46	19,896	57	0.42	18,375	91	0.74	32,167
24	0.63	27,472	58	0.44	19,250	92	0.76	33,231
25	0.49	21,346	59	0.49	21,292	93	0.69	28,908
26	0.44	19,250	60	0.40	17,550	94	0.48	20,977
27	0.40	17,500	61	0.46	20,125	95	0.62	26,919
28	0.44	19,250	62	0.40	17,500	96	0.76	33,078
29	0.48	21,000	63	0.59	25,508	GREEN SPACES		
30	0.80	26,250	64	0.48	21,000	61	0.14	6,187
31	0.48	21,000	65	0.46	20,125	62	0.08	3,292
32	0.40	17,328	66	0.40	17,500	63	0.18	7,997
33	0.48	20,630	67	0.42	18,175	64	5.89	256,727
34	0.40	17,500	68	0.48	20,850			

PARCEL CURVE TABLE

CURVE	LENGTH	RADIUS	CHD DIST	CHD BRG
C37	128.26'	10200.00'	128.26'	S89°43'33"E
C38	133.29'	10800.00'	133.29'	S89°43'33"E

BOUNDARY CURVE TABLE

CURVE	LENGTH	RADIUS	CHD DIST	CHD BRG
C1	15.71'	10.00'	14.14'	N44°00'14"E
C2	15.71'	10.00'	14.14'	S45°59'46"E
C3	172.23'	275.00'	169.43'	N38°54'18"W
C4	15.71'	10.00'	14.14'	S24°01'58"W
C5	118.99'	275.00'	119.04'	S56°31'43"W

ROW CURVE TABLE

CURVE	LENGTH	RADIUS	CHD DIST	CHD BRG
C6	167.97'	419.38'	166.85'	S05°13'45"E
C7	165.69'	479.38'	164.86'	N04°34'34"W
C8	14.73'	10.00'	13.43'	S48°26'23"W
C9	16.53'	10.00'	14.71'	N42°01'12"W
C10	18.40'	10.00'	15.91'	S36°40'01"E
C11	13.42'	10.00'	12.43'	N52°11'56"E
C12	67.32'	424.38'	57.28'	S18°54'06"W
C13	82.86'	474.38'	82.76'	N18°46'02"E
C14	212.02'	525.00'	210.59'	S12°12'06"W
C15	183.99'	475.00'	182.84'	N12°40'29"E
C16	15.81'	10.00'	14.21'	N43°42'50"W
C17	15.96'	10.00'	14.32'	N44°58'21"E
C18	127.10'	526.88'	126.80'	S08°18'45"E
C19	103.21'	476.88'	103.01'	N08°09'23"W
C20	342.09'	275.00'	320.45'	S48°49'38"E
C21	279.89'	225.00'	262.18'	N48°49'38"W
C22	344.87'	3025.00'	344.89'	S87°43'48"E
C23	339.17'	2975.00'	338.69'	S48°49'38"E
C24	430.28'	275.00'	387.71'	N44°10'48"E
C25	352.05'	225.00'	317.22'	S44°10'48"W
C26	18.61'	10.00'	14.07'	S45°21'54"E
C27	15.81'	10.00'	14.21'	S44°38'06"W
C28	15.67'	10.00'	14.11'	N44°14'08"E
C29	175.20'	50.00'	98.36'	N11°18'05"W
C30	31.22'	20.00'	28.15'	S45°21'54"E
C31	125.43'	9975.00'	125.43'	N89°43'33"W

LEGAL DESCRIPTION:

STATE OF MISSISSIPPI, COUNTY OF LAMAR

A part of the North 1/2 of the Northeast 1/4 of Section 2, Township 4 North, Range 14 West in the County of Lamar, State of Mississippi and being more particularly described as Beginning at a Concrete Monument at the Northeast Corner of said Section 2; thence run S00°38'37"E along the East Line of the Northeast 1/4 of the said Northeast 1/4 for 911.94 feet, thence run West for 200.39 feet, thence run S35°24'55"W for 139.76 feet, thence run S15°56'44"W for 89.24', thence run S39°00'42"W for 73.94 feet, thence run S88°59'49"W for 84.57 feet, thence run S60°23'24"W for 164.89 feet, thence run S81°18'08"W for 99.99 feet, thence run N13°10'15"E for 29.72 feet, thence run N18°57'39"E for 66.24 feet, thence run S29°33'17"W for 35.31 feet, thence run S89°00'14"W for 178.28 feet, thence run N00°50'48"W for 241.21 feet, thence run Northwesterly along an Arc to the Right for 15.71 feet, said Arc having a Radius of 10.00 feet, a Chord Bearing of N44°00'14"E and a Chord Distance of 14.14 feet, thence run S89°00'14"W for 70.00 feet, thence run Southeasterly along an Arc to the Right for 15.71 feet, said Arc having a Radius of 10.00 feet, a Chord Bearing of S45°59'46"E and a Chord Distance of 14.14 feet, thence run S89°00'14"W for 150.49 feet, thence run South for 131.25 feet, thence run N88°28'45"W for 210.52 feet, thence run S85°13'10"W for 48.13 feet, thence run N88°28'45"W for 62.78 feet, thence run N33°34'02"W for 93.27 feet, thence run N60°36'13"W for 94.75 feet, thence run N83°38'02"W for 21.07 feet, thence run N61°02'43"W for 50.40 feet, thence run S47°55'42"W for 42.32 feet, thence run S37°25'30"W for 41.00 feet, thence run N88°36'23"W for 55.06 feet, thence run S84°45'25"W for 44.77 feet, thence run S87°41'01"W for 37.55 feet, thence run S22°28'54"W for 30.08 feet, thence run S78°42'16"W for 36.65 feet, thence run N01°12'30"W for 11.41 feet, thence run N65°26'02"E for 40.41 feet, thence run N27°00'22"E for 35.24 feet, thence run N44°37'34"E for 31.47 feet, thence run N01°05'39"W for 15.57 feet, thence run N50°52'54"W for 31.29 feet, thence run N30°10'44"E for 43.78 feet, thence run Northwesterly along an Arc to the Right for 15.71 feet, said Arc having a Radius of 275.00 feet, a Chord Bearing of S24°01'58"W and a Chord Distance of 14.14 feet, thence run S89°01'43"W for 195.34 feet, thence run Southwesterly along an Arc to the Left for 119.99 feet, said Arc having a Radius of 275.00 feet, a Chord Bearing of S56°31'43"W and a Chord Distance of 119.04 feet, thence run S44°01'43"W for 25.49 feet, thence run N76°56'23"W for 36.88 feet, thence run N87°43'29"W for 130.70 feet, thence run N71°27'42"W for 292.54 feet to a Point on the East Line of the said Northeast 1/4 of the said Northeast 1/4, thence run N00°10'27"W along the said East Line for 902.94 feet to a Concrete Monument at the Northwest Corner of the said Northeast 1/4 of the said Northeast 1/4, thence run N89°43'33"W along the North Line of the said Northeast 1/4 of the said Northeast 1/4 for 1,321.19 feet to the Point of Beginning, comprising 67.21 Acres, more or less.

SET BACK NOTES:

- FROM: THE LOT FRONT FOR CORNER LOTS SHALL BE CONSIDERED ALONG THE SIDE STREET. ALL SET BACK DISTANCES ARE AS FOLLOWS:
30' LOTS 4 THRU 11, 15 THRU 24 & LOTS 65 THRU 95
35' LOTS 1 THRU 3 & LOTS 25 THRU 77
50' LOTS 12 THRU 15 & LOTS 78 THRU 84
- REAR: ALL REAR SET BACK DISTANCES ARE AS FOLLOWS (SEE EXCEPTIONS):
20' LOTS 6 THRU 7 (WEST LINE)
25' LOTS 16 THRU 63
30' LOTS 1 THRU 5 (NORTH LINE)
35' LOTS 64 THRU 77
50' LOTS 78 THRU 84
- SIDE: THE LOT FRONT FOR CORNER LOTS SHALL BE CONSIDERED ALONG THE SIDE STREET. ALL SET BACK DISTANCES ARE AS FOLLOWS (SEE EXCEPTIONS):
5' LOTS GREATER THAN 55 FEET IN WIDTH AT THE FRONT SET BACK LINE BUT LESS THAN 100 FEET IN WIDTH AT THE RIGHT OF WAY LINE
10' LOTS 100 FEET IN WIDTH AT THE RIGHT OF WAY LINE
15' LOTS GREATER THAN 100 FEET IN WIDTH AT THE RIGHT OF WAY LINE
20' LOTS GREATER THAN 150 FEET IN WIDTH AT THE RIGHT OF WAY LINE
CORNER LOT SIDE SET BACKS ARE AS FOLLOWS:
15' LOTS 25, 50 & 51
30' LOTS 11, 37, 38, 63, 80 & 90
- EXCEPTIONS: ANY LOT LINE WHICH IS ADJACENT TO A DEFINED GREEN SPACE, LAKE AND/OR WETLAND SHALL HAVE NO SETBACK REQUIREMENT ON SAID LOT LINE.

PARCEL CURVE TABLE

CURVE	LENGTH	RADIUS	CHD DIST	CHD BRG
C37	128.26'	10200.00'	128.26'	S89°43'33"E
C38	133.29'	10800.00'	133.29'	S89°43'33"E

STATE OF MISSISSIPPI, COUNTY OF LAMAR
This is to certify that we, the undersigned owners of the property shown hereon and/or on behalf of the corporation after first having been duly authorized by said corporation to do so, hereby adopt this plat as a plan for subdivision and dedicate the street right of way, utilities and easements as shown to public use forever.

Witness our signatures on this, the 16th day of April, 2008

Roger Abbott Pine Valley, LLC
3012 Jefferson Hwy STE C4
Baton Rouge, LA 70809

STATE OF MISSISSIPPI, COUNTY OF LAMAR
Personally appeared before me, the undersigned authority in and for said County and State, on this 15th day of April, 2008, within my jurisdiction, the within named Brad Bryon and Roger Abbott, who acknowledged that they are the Owners of this Yellowstone and that for and on behalf of the said corporation, and it is not and does not execute the above and foregoing instrument, after first having reviewed and approved it.

STATE OF MISSISSIPPI, COUNTY OF LAMAR
This is to certify that I, the undersigned County Planner, have received and reviewed this plat and find that it complies with the requirements of the rules and regulations of the subdivision laws of Lamar County and the State of Mississippi.

Witness my signature on this, the 3rd day of April, 2008

Wayne Smith, C.C.
County Engineer

STATE OF MISSISSIPPI, COUNTY OF LAMAR
This is to certify that I, the undersigned County Planner, have received and reviewed this plat and find that it complies with the requirements of the rules and regulations of the subdivision laws of Lamar County and the State of Mississippi.

STATE OF MISSISSIPPI, COUNTY OF LAMAR
I certify that this instrument was filed for record in my office on this, the 15th day of April, 2008, in Plot Book 3, Page 365, Sub 429.

STATE OF MISSISSIPPI, COUNTY OF LAMAR
Final approval of street for public maintenance:

Wayne Smith, C.C.
County Engineer

STATE OF MISSISSIPPI, COUNTY OF LAMAR
Final approval of street for public maintenance:

Wayne Smith, C.C.
County Engineer

STATE OF MISSISSIPPI, COUNTY OF LAMAR
Final approval of street for public maintenance:

Wayne Smith, C.C.
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Final approval of street for public maintenance:

Wayne Smith, C.C.
County Engineer

STATE OF MISSISSIPPI, COUNTY OF LAMAR
Final approval of street for public maintenance:

Wayne Smith, C.C.
County Engineer

STATE OF MISSISSIPPI, COUNTY OF LAMAR
Final approval of street for public maintenance:

X

FOR VARIANCE APPLICANTS:

The Board of Adjustment has the responsibility to hear and make recommendation on requests for variances to the requirements of this Code (per Section 11.4). Section 12.4.1 Variances are departures from the standards of the Land Development Code, except land use, which will not be contrary to the public interest and where, owing to conditions peculiar to the property and not as a result of the action of the applicant, a literal enforcement of this Code would result in unnecessary and undue hardship.

The following conditions must be met before a variance can be recommended. Not all criteria must be met. However, a strong application will meet multiple criteria.

Approval Criteria.

A variance is not a right, but a privilege that property owners meeting the following criteria may request. These criteria are to be used to consider all variance requests. It shall be the burden of the applicant to prove that the request meets these criteria. Use this worksheet or format your own to demonstrate the following criteria.

1. **Hardship.** (a) the hardship is unique to the property and is not or will not be caused by the actions or inactions of the applicant. (b) 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.

This property has an undue hardship created by an unknown person moving the SE "T" post commonly used to mark property corners. The movement of said "T" post gave a false property line on the south, that lead to construction of the new home outside the city's desired set backs.

2. **Special Privilege.** A variance shall not confer any special privilege that is denied to other lands or structures in the same zoning district.

This variance would not affect any other residences. The north & south adjoining lots have existing homes on them and the present construction on lot 83 does not affect either of these structures.

X

3. **Literal Interpretation.** The literal interpretation of the provision of the regulation 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.

The set back guidelines for lot 83 are met on 3 of the 4 corners of the new home. The variance request if granted would only be for the SE portion of the home and would not affect any adjoining properties. The literal interpretation of the setback requirements would be met as no structures are effected

4. **Reasonable Use.** The applicant cannot make reasonable use of the property without the requested variance.

The granted variance would allow the applicant reasonable use to her property on the SE corner without concern from the Preserve HOA or future adjoining land owners.

5. **Minimum Required.** The granting of a variance is the minimum variance that will make possible the reasonable use of the land or structure.

The requested minimum variance is 3.2' located @ the SE corner of the new home this is the smallest amount of the requested variance as shown in the survey attached. The 3.2' will be in lieu of the normal 10' setback.

6. **Conformance with Purpose of this Code.** The granting of a variance will not conflict with the purposes and intent expressed or implied in the Land Development Code.

This variance will in no way affect adjoining landowners in the present or future.

12.4.1.2 Conditions of Approval. In recommending the granting of a variance, the Board of Adjustment may require appropriate conditions and safeguards in conformity with this Code. Violation of such conditions and safeguards, when made a part of the terms under which a variance is granted, shall be deemed a violation of the Code. The recommendation of the Board Adjustment shall be presented to the City Council for final action.



DEED

Bk:30-O Pg:707-709

RCD: 03/07/2023 @ 4:17:19:PM

LAMAR COUNTY, MS

JAMES AULTMAN CHANCERY CLERK

Prepared by Return to:
Lisa M Brown, Esq.
8 Woodstone Plaza, Suite 102
Hattiesburg, MS 39402
(601) 336-2539

STATE OF MISSISSIPPI
COUNTY OF LAMAR

INDEXING INSTRUCTIONS: Lot 83, The Preserve Phase I, Lamar County Mississippi

WARRANTY DEED

FOR AND IN CONSIDERATION of the sum of Ten and No/100 Dollars (\$10.00), and other good and valuable considerations, not herein mentioned, the receipt and sufficiency of all of which is hereby acknowledged:

Geneva McDonald, Grantor
3000 Mississippi 589
Hattiesburg, MS 39402
(601) 606-2190

does hereby grant, bargain, sell, convey and warrant unto:

Jasmine Teshae Washington, Grantee
3002 Hardy Street, Unit 208
Hattiesburg, MS 39401
(601) 918-1644

fee simple title in the following described lands, together with any and all improvements thereon and appurtenances thereunto belonging, said lands in Lamar County, Mississippi, being more particularly described as follows, to-wit:

Lot 83, The Preserve Phase I, Lamar County, Mississippi as per the map or plat thereof on file and of record in the office of the Chancery Clerk of Lamar County, Mississippi; together with all improvements thereon and appurtenances thereunto belonging.

The above warranty and this conveyance are subject to prior reservations of oil, gas and other minerals by former owners.

The above warranty and this conveyance are subject to any and all easements for public roads and public utilities as presently laid out, constructed or in use.

Subject to any covenants, restrictions, or easements affecting the subject property which may be of record in the office of the Chancery Clerk of Lamar County, Mississippi.

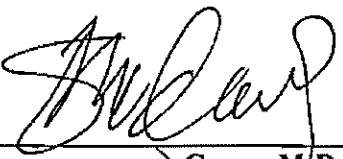
Subject to all exceptions, reservations, and conveyances to any existing easements, grants, or rights-of-way for public roads, streets, and alleys, and for electric, telephone, telegraph, gas, water, drainage, sewerage, or similar utility purposes which affect or relate to the above described real property.

Subject to any and all leases, exceptions, reservations and/or conveyances, together with release of damages, of or related to minerals of every kind and character, including, but not limited to, oil and gas, and/or of related to any geothermal energy resources, in, on or under the real property hereby conveyed or which affect the real property hereby conveyed;

Subject to any environmental condition existing upon the subject property which would cause said property to be in violation of any State and/or Federal Environmental Protection Act and subject to any such condition which may be in violation of such laws and is subject to any such condition which may affect the title to said property or lien placed against said property by any lender, individual Corporation or otherwise.

Taxes for the current year shall be pro-rated as of the date of this instrument and assumed by the Grantees herein. It is specifically agreed and understood that taxes for the current year are pro-rated based upon the previous year's taxes.

WITNESS MY SIGNATURE on this the 24 day of February, 2023.

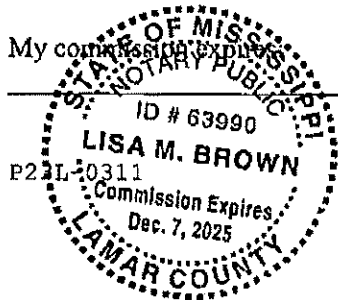


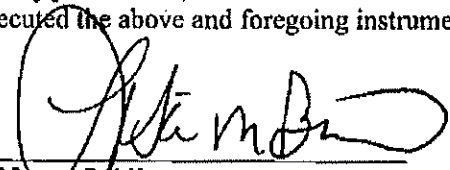
Geneva McDonald

STATE OF MISSISSIPPI
COUNTY OF LAMAR

Personally, appeared before me, the undersigned authority in and for the said county and state, on this 24 day of July, 2023, within my jurisdiction, the within named **Geneva McDonald**, who acknowledged that they/he/she executed the above and foregoing instrument.

(Seal)




Notary Public

LAMAR COUNTY, MS JAMES AULTMAN
I CERTIFY THIS INSTRUMENT WAS FILED ON 3/7/2023 4:17:19 PM AND RECORDED IN DEED BOOK:30-O PAGE:707

EXHIBIT A-1







October 28th











**MINUTES OF THE
REGULAR MEETING OF THE
BOARD OF ADJUSTMENT**

February 7th, 2024

The Hattiesburg Board of Adjustment did meet in regular session on February 7th, at 3:30 PM at the Jackie Dole Community Center, 220 West Front Street, Hattiesburg, Mississippi. Shawn Harris, Chair, presided over the meeting. A quorum was indicated and the attendance was as follows:

Board Members Roll Call:

Members Present:

1. Shawn Harris, Chair
2. Richard Conville
3. Hernan Dungan
4. John Eye
5. Eric Boney
6. Brandon E. Williams
7. Jessica Cathey
8. Bernard Green, Vice Chair

Members Absent:

1. Stacey Ready
2. James Trussell

Staff Present:

1. Cory Long, Planning Manager
2. Andrea Garcia, Planner I
3. Esq. Jim Gladen

Chair Harris declared the Board of Adjustment meeting open and in session at 3:31 p.m.

AGENDA REVIEW

There came the matter of the February 2024 Agenda. A motion was made by Mr. Williams to approve the agenda and was seconded by Mr. Dungan. All members presented voted in favor of the motion.

Motion:

Made by Brandon E. Williams

Second:

Made by Hernan Dungan

Vote:

Board Member	Yea	Nay	Other
Shawn Harris (Chair)	X		
Richard Conville	X		
Hernan Dungan	X		
John Eye	X		
Eric Boney	X		
Brandon E. Williams	X		
Jessica Cathey			ABSENT
Bernard Green			ABSENT

MINUTES REVIEW

Chair Harris made a motion to approve the January 3rd minutes after corrections had been made. All members present voted in favor of the motion.

Motion:

Made by Hernan Dungan

Second:

Made by Brandon E. Williams

Vote:

Board Member	Yea	Nay	Other
Shawn Harris (Chair)	X		
Richard Conville	X		
Hernan Dungan	X		
John Eye	X		
Eric Boney	X		
Brandon E. Williams	X		
Jessica Cathey			ABSENT
Bernard Green			ABSENT

PLANNING REPORT

There came the matter of the Planning Report by Cory Long, Planning Manager. He announced that the City Council tabled the January 3rd variance case, and informed the Board Members of the latest updates concerning the Broadway corridor. Additionally, he announced that an updated comprehensive plan proposal is in the process of being prepared.

CHAIR'S REPORT

The Chair did not have a report for the meeting.

INTRODUCTIONS

Board of Adjustment members and Staff introduced themselves.

PUBLIC HEARING – Board of Adjustment

Item A:

James Smith, Representative, and Jasmine Washington, Owner request a variance from the minimum 10 feet width side setback requirement for an R-1A zoned property to instead allow for a side setback of 3.4 feet (Section 6, Table 6.1) for a residential structure located at 87 Everglades (PPIN 32905, Lamar County, Ward 1).

Discussion and Vote:

Staff introduced the case. Chair Harris opened the public portion of the meeting. Mr. James Smith came to speak on behalf of the proposal. Board members raised questions to the applicant regarding the layout of the structure and the possibility of negotiation. Ms. Veronica Scott and Attorney Shronda Carter came to speak in opposition to the proposal. The public hearing portion of the meeting was closed by Chair Harris. Vice Chair Green expressed his opposition to the variance and suggested a negotiation. Chair Harris stated that the request did not meet any of the Basis for Approval (12.4.1.1).

Presented by:

1. James Smith

Proponents:

1. None

Opponents:

1. Veronica Scott
2. Attorney Shronda Carter

Motion:

Made by Bernard Green to deny the variance

Second:

Made by Jessica Cathey

Vote:

Board Member	Yea	Nay	Other
Shawn Harris (Chair)	X		
Richard Conville		X	

Hernan Dungan		X	
John Eye	X		
Eric Boney	X		
Brandon E. Williams	X		
Jessica Cathey	X		
Bernard Green	X		

OTHER BUSINESS

For the year 2024, the nominating committee recommended Mr. Shawn Harris as Chair, Mr. Bernard Green as Vice Chair and Ms. Stacey Ready as secretary. All board members voted in favor. Additionally, the Board of Adjustment members and Planning Staff discussed the proposed changes to the By-laws. Chair Harris, presented the amendments made to the document.

Vote:

Board Member	Yea	Nay	Other
Shawn Harris (Chair)	X		
Richard Conville	X		
Hernan Dungan	X		
John Eye	X		
Eric Boney	X		
Brandon E. Williams	X		
Jessica Cathey	X		
Bernard Green	X		

Adjournment:

The meeting was adjourned at 4:39 p.m.

Motion:

Made by Brandon E. Williams

Second:

Made by Richard Conville

Vote:

Board Member	Yea	Nay	Other
Shawn Harris (Chair)	X		

Richard Conville	X		
Hernan Dungan	X		
John Eye	X		
Eric Boney	X		
Brandon E. Williams	X		
Jessica Cathey	X		
Bernard Green	X		

Shawn Harris, Chair

Cory Long, AICP, Planning Division Manager