



URBAN DEVELOPMENT

PLANNING DIVISION

BOARD OF ADJUSTMENT
PUBLIC HEARING STAFF REPORTS
July 3rd, 2024

Hattiesburg Board of Adjustment

Place: Jackie Dole Sherrill Community Center (Dining Room)

Time: 3:30 PM

July 3rd 2024

I. Business Meeting

1. Review and approval of the July 2024 meeting's agenda
2. Review and approval of the June 5th, 2024 meeting's minutes
3. Building Report
4. Planning Report
5. Chair's Report
6. Introductions

II. Public Hearing

- A. Zoning Buffer Variance (Tabled from June 5th Meeting)** - Hattiesburg Public School District, owner, and Hunter Andrews, engineer, request a variance from the minimum required zoning buffer of 20 ft for a B-2 (Neighborhood Business) zoned property adjacent to a residentially zoned property to 10 ft. The request is for a property that is bound by South Street to the east, and Stadium Drive to the West. The request is also contingent upon a rezoning request for the property (PPIN 26633, 26636, and 26632; Ward 2, Forrest County).
- B. Minimum frontage requirement for sign variance** - Joel Ford, applicant, requests a variance from the minimum required frontage of 150 ft for a pole sign for a B-5 zoned property to instead allow for a 93 ft frontage on a property located at 6054 Hwy 98 Hardy Street. (PPIN 30851, Ward 3, Lamar County).

III. Other Business

IV. Adjournment

**MINUTES OF THE
REGULAR MEETING OF THE
BOARD OF ADJUSTMENT
June 5th, 2024**

Board Members Roll Call:

Members Present:

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

Members Absent:

1. Stacey Ready
2. James Hughes

Staff Present:

1. Cory Long, Planning Manager
2. Nathan Satcher, Planner II
3. David Miller, Esq.
4. Jim Gladden, Esq.
5. Wiley Quinn

Chair Harris declared the Board of Adjustment meeting open and in session at 4:23 p.m.

AGENDA REVIEW

A motion was made to accept the agenda.

Motion:

Made by Mr. Conville to approve the agenda

Second:

Made by Brandon E. Williams

Vote:

Board Member	Yea	Nay	Other
John Eye	X		
Richard Conville	X		
Bernard Green	X		
Shawn Harris	X		
Brandon Williams	X		
Stacey Ready	X		
Eric Boney	X		
Herman Dungan	X		
James Trussell	X		
Bruce Betts			Absent
Jessica Cathy			Absent

MINUTES REVIEW

The minutes from April were discussed and no changes were made.

Motion:

Made by Brandon E. Williams

Second:

Made by Jessica Cathey

Vote:

Board Member	Yea	Nay	Other
John Eye	X		
Richard Conville	X		
Bernard Green	X		
Shawn Harris	X		
Brandon Williams	X		
Stacey Ready	X		
Eric Boney	X		
Herman Dungan			Absent
James Trussell	X		
Bruce Betts			Absent
Jessica Cathy			Absent

PLANNING REPORT

Due to the meeting starting an hour late, the planning report was skipped for timeliness.

CHAIR'S REPORT

Due to the meeting starting late, the chair skipped the report for timeliness.

INTRODUCTIONS

Board of Adjustment members and Staff introduced themselves.

PUBLIC HEARING – Board of Adjustment

Item A:

Mississippi Tank Company, applicant, Bobby Threatt, applicant, and Chris Bowen, representative, request a variance from the minimum required zoning buffer of 60 ft for an I-1 (Light industrial) zoned property adjacent to a residentially zoned property (multi-family residential) to 10 ft. The request is for an expansion to a property located adjacent to 3000 West 7th Street. The request is also contingent upon a rezoning request for the property (PPIN 26407, Ward 1, Forrest County).

Discussion and Vote:

Staff introduced the case. Chris Bowen presented on behalf of the application.

Presented by:

1. Chris Bowen

Proponents:

1. None

Opponents:

1. None

Motion:

Made by Mr. Green to approve

Second:

Made by Ms. Ready

Vote:

Board Member	Yea	Nay	Other
John Eye		X	
Richard Conville	X		
Bernard Green	X		
Shawn Harris		X	
Brandon Williams	X		
Stacey Ready	X		
Eric Boney	X		
Herman Dungan			Absent
James Trussell	X		

Bruce Betts			Absent
Jessica Cathy			Absent

Item B:

Mississippi Tank Company, applicant, Bobby Threatt, applicant, and Chris Bowen, representative, request a variance from the maximum allowed fence height in a front yard of 4 feet to instead allow for an 8 ft fence for a proposed expansion to a property located adjacent to 3000 West 7th Street. The request is also contingent upon a rezoning request for the property (PPIN 26407, Ward 1, Forrest County).

Discussion and Vote:

Staff introduced the case. Chris Bowen presented on behalf of the application.

Presented by:

1. Chris Bowen

Proponents:

1. None

Opponents:

1. None

Motion:

Made by Mr. Trussell to approve with the condition to allow a fence that is consistent fencing on site.

Second:

Made by Mr. Green

Vote:

Board Member	Yea	Nay	Other
John Eye		X	
Richard Conville		X	
Bernard Green	X		
Shawn Harris		X	
Brandon Williams	X		
Stacey Ready	X		
Eric Boney	X		
Herman Dungan			Absent
James Trussell	X		
Bruce Betts			Absent
Jessica Cathy			Absent

Item C:

Hattiesburg Public School District, owner, and Hunter Andrews, engineer, request a variance from the minimum required zoning buffer of 20 ft for a B-2 (Neighborhood Business) zoned property adjacent to a residentially zoned property to 10 ft. The request is for a property that is bound by South Street to the east, and Stadium Drive to the West. The request is also contingent upon a rezoning request for the property (PPIN 26633, 26636, and 26632; Ward 2, Forrest County).

Discussion and Vote:

Staff introduced the case. Hunter Andrews presented on behalf of the application.

Presented by:

1. Hunter Andrews

Proponents:

1. None

Opponents:

1. None

Motion:

Made by Mr. Conville to table until the next meeting, and requested a school representative attend the meeting.

Second:

Made by Mr. Green

Vote:

Board Member	Yea	Nay	Other
John Eye		X	
Richard Conville	X		
Bernard Green	X		
Shawn Harris	X		
Brandon Williams	X		
Stacey Ready	X		
Eric Boney	X		
Herman Dungan			Absent
James Trussell	X		
Bruce Betts			Absent
Jessica Cathy			Absent

Item D:

Hastings Pucket, owner, requests a variance from the minimum 5ft width sidewalk requirement for a B-5 zoned property to instead allow for a 0ft sidewalk (Section 7.6, Table 7.1, Subsection 7.6.1.1 LDC) for a proposed expansion located at 7128 US Highway 49, in Forrest County, Ward 2 (PPIN 9237, and 9216).

Discussion and Vote:

Staff introduced the case. Kevin Cochran presented on behalf of the application.

Presented by:

1. Kevin Cochran

Proponents:

1. None

Opponents:

1. None

Motion:

Made by Mr. Green to approve

Second:

Made by Mr. Williams

Vote:

Board Member	Yea	Nay	Other
John Eye		X	
Richard Conville			Absent
Bernard Green	X		
Shawn Harris	X		
Brandon Williams	X		
Stacey Ready	X		
Eric Boney	X		
Herman Dungan			Absent
James Trussell	X		
Bruce Betts			Absent
Jessica Cathy			Absent

Item E:

John Anglin, engineer, and Craig Flanagan, representative, request a variance from the maximum allowed distance for a local street block length of 800 feet to instead allow for a block length of 1600 feet, for a proposed expansion of the Shadow Ridge Subdivision on a property located on Shadow Ridge Drive (Lamar County, Ward 3, PPIN 24500).

Discussion and Vote:

Staff introduced the case. John Anglin presented on behalf of the application.

Presented by:

1. John Anglin

Proponents:

1. None

Opponents:

1. None

Motion:

Made by Commissioner Green

Second:

Made by Commissioner Ready

Vote:

Board Member	Yea	Nay	Other
John Eye	X		
Richard Conville			Absent
Bernard Green	X		
Shawn Harris	X		
Brandon Williams	X		
Stacey Ready	X		
Eric Boney	X		
Herman Dungan			Absent
James Trussell	X		
Bruce Betts			Absent
Jessica Cathy			Absent

OTHER BUSINESS

No other business came before the Board of Adjustment.

Adjournment:

The meeting was adjourned at 6:59 p.m.

Motion:

Made by Bernard Green

Second:

Made by Eric Boney

Vote:

Board Member	Yea	Nay	Other
Shawn Harris	X		
John Eye	X		
James Trussell			Absent
Brandon E. Williams	X		
Eric Boney	X		
Richard Conville			Absent
Stacey Ready			Absent
Herman Dungan	X		
Jessica Cathey	X		

Bernard Green	X		
James Hughes			Absent

Shawn Harris, Chair

Cory Long, AICP, Planning Division Manager



**Board of Adjustment
Case Fact Sheet**

Name of Petitioners: Hattiesburg Public School District, owner, and Hunter Andrews, engineer

Address of Property:	PPINs	County	Ward
South Street and Stadium Drive (vacant lots)	26633, 26636, and 26632	Forrest	2

Request: **Zoning Buffer Variance**

Purpose of Request: Hattiesburg Public School District, owner, and Hunter Andrews, engineer, request a variance from the minimum required zoning buffer of 20 ft for a B-2 (Neighborhood Business) zoned property adjacent to a residentially zoned property to 10 ft. The request is for a property that is bound by South Street to the east, and Stadium Drive to the West. The request is also contingent upon a rezoning request for the property (PPIN 26633, 26636, and 26632; Ward 2, Forrest County).

History / Background: The applicant met with staff in a pre-application meeting to discuss the development of an additional parking lot for Hattiesburg High School on vacant property they own near the school. The parking lot would span across three parcels, two of which are zoned R-1C, with the remaining lot (which directly fronts Stadium Drive) being zoned B-2. To establish a stand-alone parking lot, the parcels zoned R-1C require a zoning change.

The zoning would need to be a minimum of B-2 to establish a parking lot, which one of their lots already is. B-2 allows for the use as a parking lot for the proposed property, but if approved, would also create a zoning buffer requirement for its adjacency to residentially zoned properties. The applicant has proposed a parking design that encroaches on that zoning buffer and is requesting a variance for relief. The parking lot design has been reviewed by the site and design review committee, but has not yet been approved. The applicant will also need to collapse the parcels into a single parcel and will be required before the ordinance can be approved by

June 2024 BOA Item: C
Hattiesburg Public School District, owner, and Hunter Andrews, engineer
Request for: **Zoning Buffer Variance**

City Council. Approval of a zoning buffer variance is contingent upon approval of the zoning change request.

Applicant Summary: See Attached

Applicable Regulations:

SECTION 4 Zoning Districts

4.5.9 B-2 Neighborhood Business District. The purpose of the B-2 District is to provide for retail and personal service uses in locations convenient to residential neighborhoods consistent with comprehensive planning policies. This district is consistent with the Neighborhood Business District in the Comprehensive Plan.

7.11.13 Zoning Buffer Requirements.

Table 7.11-2 Zoning Buffer Requirements														
Zones	A-1	A-2	R-1A	R-1B	R-1C	R-2	R-3	B-1/B-2	B-3	B-4	B-5	I-1	I-2	Buffer Yard Specifications
R-3	10'	10'	10'	10'	10'	10'	-	-	-	-	-	-	-	Type 10 shall consist of a landscaped area a minimum of 10 feet in width, landscaped with One (1) large canopy tree (ultimate height 50+ feet) for every seventy-five (75) lineal feet of buffer yard and Three (3) medium evergreen trees (planted on a 25 foot triangular staggered spacing) and one small ornamental tree for every 75 lineal feet of buffer yard.
B-1/ B-2	20'	20'	20'	20'	20'	20'	20'	20'	-	-	-	-	-	Type 20 shall consist of a landscaped area a minimum of 20 feet in width, landscaped as an opaque barrier. One large canopy tree (ultimate height 50+ feet) and 2 small ornamental deciduous trees spaced 30 feet on center for every 60 lineal feet of buffer yard. An opaque wall may be substituted for landscape screening.

Present Zoning: R-1C Single Family Residential and B-2 Neighborhood Business

Present Use: Vacant

Future Land Use: Neighborhood Conservation District 1

Surrounding Zoning:
North: B-2 Neighborhood Business
South: R-1C Single Family Residential

June 2024 BOA Item: C
Hattiesburg Public School District, owner, and Hunter Andrews, engineer
Request for: **Zoning Buffer Variance**

East: R-1C Single Family Residential
West: B-2 Neighborhood Business

**Letters or
Concerns stated:**

The Planning Division has not received any letters of concern as of the writing of this report on May 29th, 2024.

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.

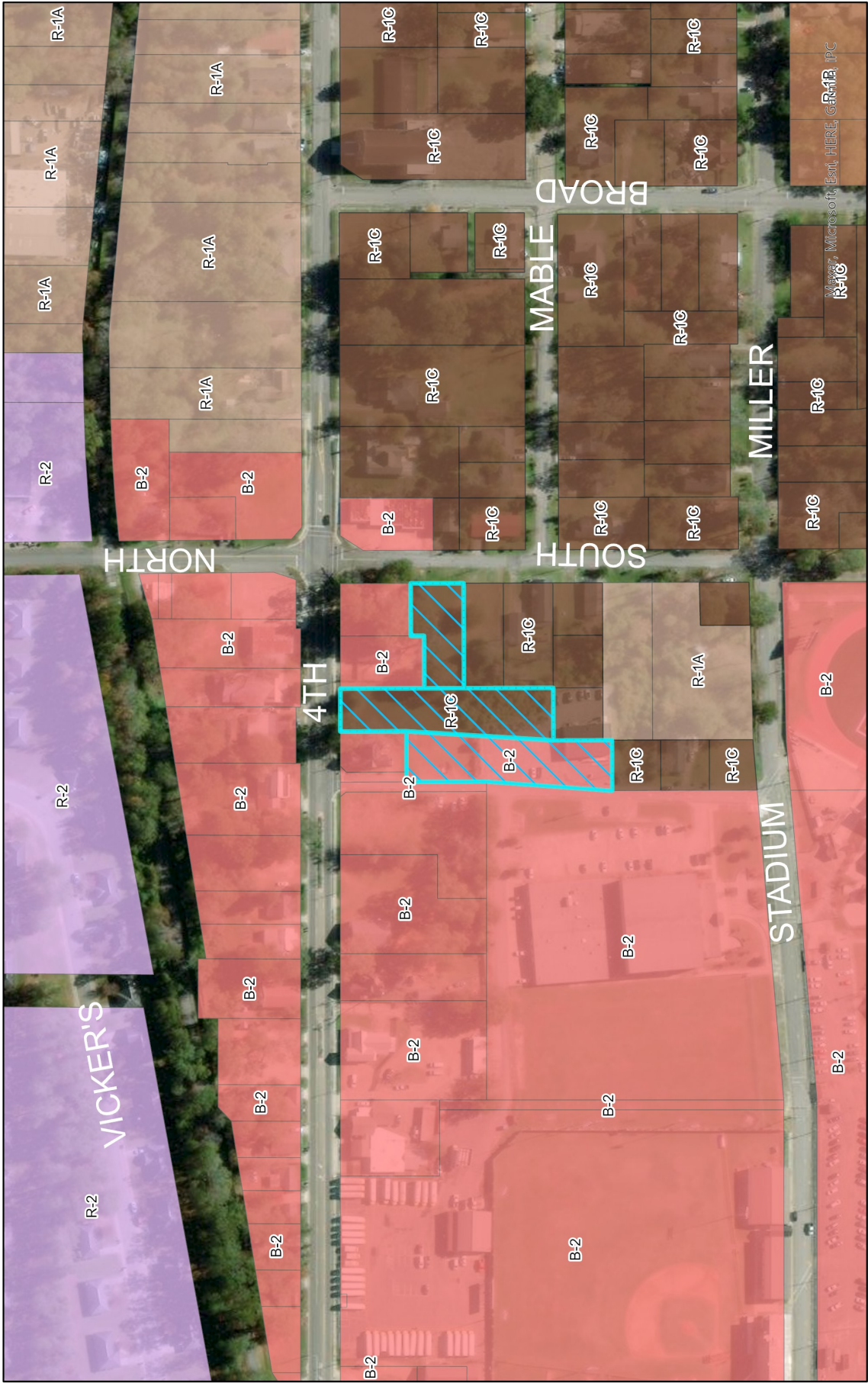
V. Minimum Required. The granting of a variance is the minimum variance that will make possible the reasonable use of the land or structure.

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

Property on South Street / Stadium Drive—Zoning Change Request
Hattiesburg Public School District, owner, and Hunter Andrews, engineer, request a variance from the minimum required zoning buffer of 20 ft for a B-2 (Neighborhood Business) zoned property adjacent to a residentially zoned property to 10 ft. The request is for a property that is bound by South Street to the east, and Stadium Drive to the West. The request is also contingent upon a rezoning request for the property (PPIN 26633,





Zoning Map

- R-1A
- R-1B
- R-1C
- R-2
- B-2
- Subject Property

Stadium Drive
Zoned B-2; R-1C
PPIN: 26632, 26633, & 26636
Flood Zone: X
Ward 4, Forrest County



URBAN
DEVELOPMENT
PLANNING DIVISION

Center: 89°18'23"W 31°19'54"N



Zoning Map

-  Neighborhood Business
-  Neighborhood Conservation District 1
-  Subject Property

Stadium Drive
Zoned B-2; R-1C
PPIN: 26632, 26633, & 26636
Flood Zone: X
Ward 4, Forrest County

DISCLAIMER: This map is ONLY FOR REFERENCE. There is NO WARRANTY of the accuracy of data. This information CANNOT be used as a substitute for legal, business, tax or other professional advice.
Map Exported on: 5/8/2024 5:36 PM



**URBAN
DEVELOPMENT
PLANNING DIVISION**

Center: 89°18'22"W 31°19'52"N

Site Aerial



— — — Area requested for rezone request for parking lot

Surrounding Area

North of proposed zoning change on W 4th Street, largely zoned B-2

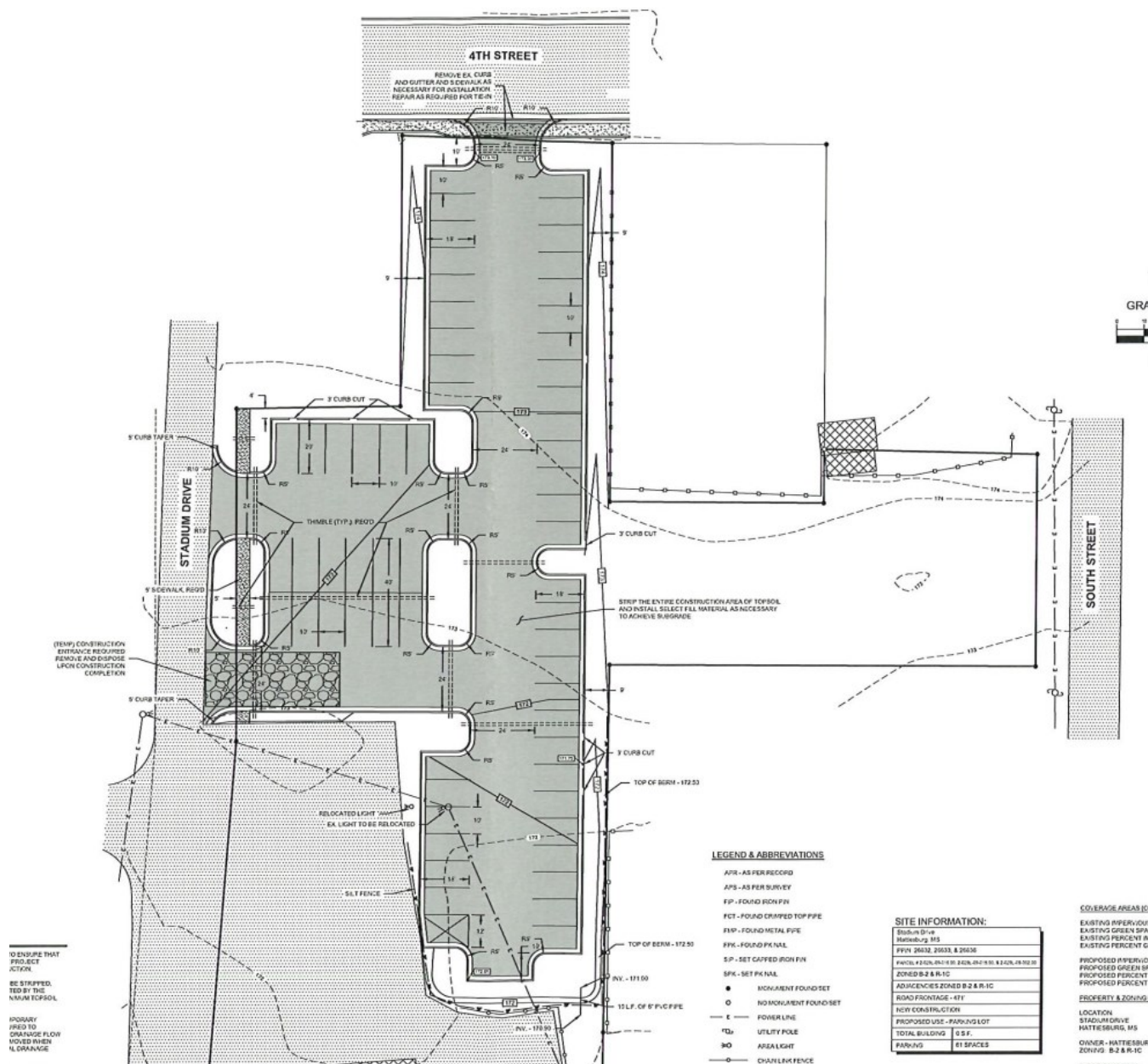


Adjacent Parking lot for Hattiesburg High School, south of the proposed zoning change

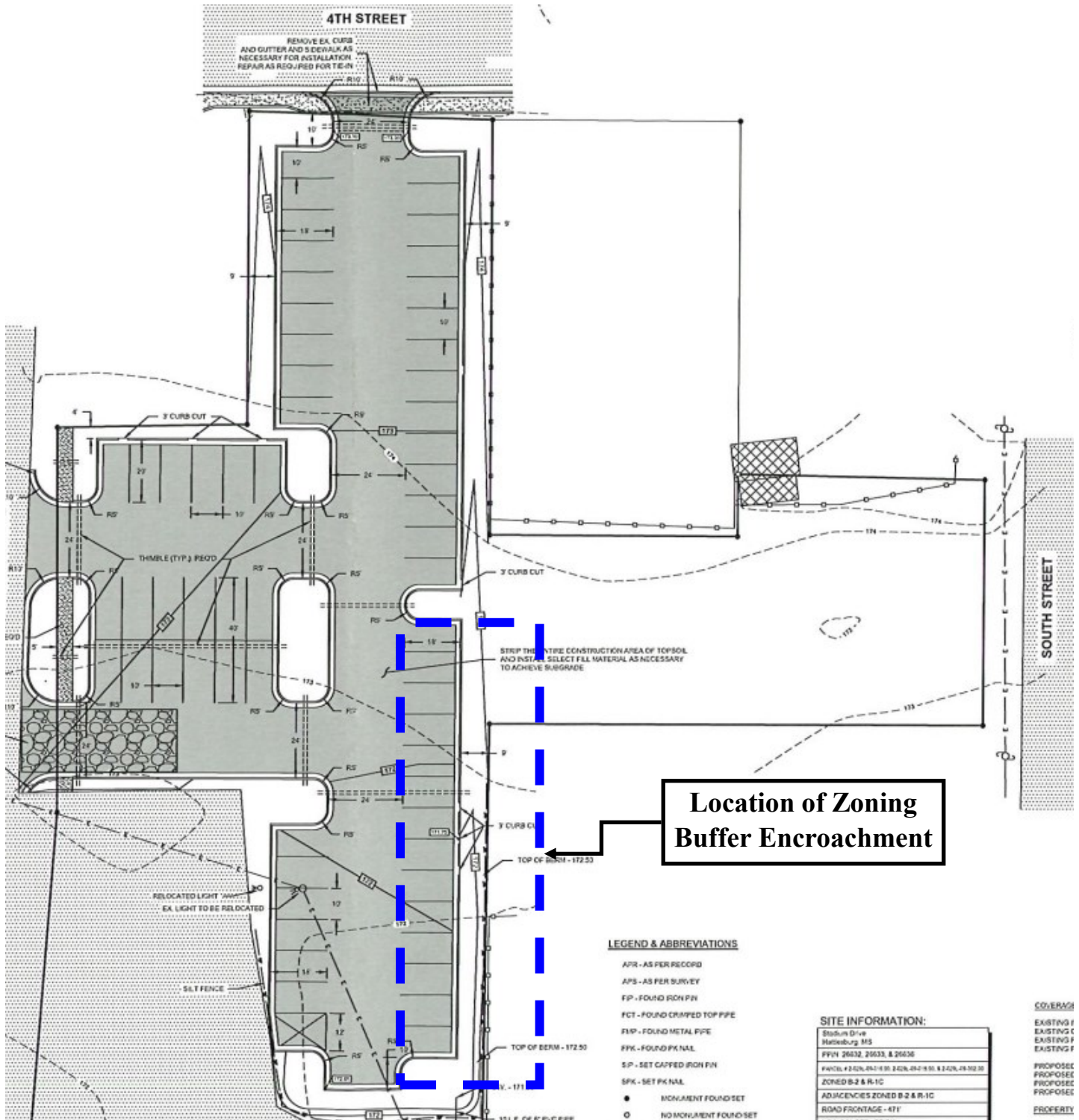


Preliminary Design of Parking Lot

Note: Zoning changes are not bound to site plans and are subject to change



Preliminary Design of Parking Lot





URBAN DEVELOPMENT PLANNING DIVISION

RECEIVED
MAR 25 2024

BY: MS

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: Hattiesburg Public School District

Project Name: Stadium Drive Parking Lot

Proposed Use(s): Parking lot

Project Street Address: Stadium Drive

PPIN Number(s) (if unknown, can be found on tax receipt): 26632, 26633, & 26636

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: <u>10' green strip</u> | ☐ 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: B-2 & R-1C

Proposed Zoning: B-2

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

STAFF USE ONLY – Do Not Complete:

Pre-Application Date: _____	Planner: _____
Parcel Number(s): _____	Historic District(s): _____
Flood Zone(s): _____	Zoning District(s): _____
Project No.: _____	
Code Sections:	
LDC Section No. _____	
Section No. _____	
Section No. _____	
Section No. _____	
Section No. _____	

RECIVED DATE & INITIALS:

PROJECT REPRESENTATIVE INFORMATION:**Primary:**

Name: <u>Hunter Andrews</u>		
☐ Applicant	☐ Property Owner	☐ Representative ☐ Agent ☐ Contractor ☐ Architect ☒ Engineer
☐ Other (please specify): _____		
Phone: <u>601-408-7703</u>	Fax: _____	Email: <u>hunter@andrewsengineering.net</u>
Mailing Address: <u>P.O. Box 1935</u>		

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: _____		

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
301 Mamie Street Hattiesburg MS
 Street Address City State
 on this the 22nd day of March, 2024.

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. N/A

on this the 22nd day of March, 2024.

Hattiesburg Public Schools
 Property Owner (print)

[Signature]
 Property Owner (signature)

STATE OF Mississippi

COUNTY OF Forrest

Personally came and appeared before me, the within named

Robert L. Williams
 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 22nd day of March, 2024.

[Signature]
 NOTARY PUBLIC

My Commission Expires:

12/22/25

Last updated 7/31/2023



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

Street Address _____ City _____ State _____

on this the _____ day of _____, 20____.

Applicant (print)

Applicant (signature)

STATE OF _____

COUNTY OF _____

Personally came and appeared before me, the within named

_____,
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 _____ day of _____, 20____.

NOTARY PUBLIC

My Commission Expires:

PLANNING COMMISSION & BOARD OF ADJUSTMENT – PETITIONER

REQUIRED SUBMITTAL INFORMATION

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

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

Hattiesburg Board of Adjustment Meeting Date: _____ 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): _____ Time: 4:00pm

City Council Meeting (Vote) Date – (you or your representative may attend): _____ 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 \$_____.

**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.

Required Fees

All fees adopted by Ordinance No. 2977, adopted January 22, 2008, as amended. This is an excerpt from that ordinance:

Public Hearing Fees:

Variance (includes Concept Site Plan Review) ----- and one Variance request; plus \$50.00 for each additional variance request within same application	\$175.00 per application
Street/Alley Naming or Re-Naming----- plus \$100.00 per required street name sign if approved* (*Fees for replacement street signs shall be paid after City Council approval, but prior to effective date.)	\$300.00 per application,
Street/Alley Closing -----	\$300.00 per application
(Conditional) Use Permit -----	\$200.00 per application
Zoning Change ----- (*see PUD or PRD & zoning package rate)	\$400.00 per application*
Planned Unit Development (PUD) or Planned Residential Development (PRD), & (Planned Mixed-Use District PMU) ----- (*see PUD or PRD zoning package rate) or (**see PUD or PRD & Subdivision of Land package rate)	\$400.00 per application
Planned Unit Development (PUD) or Planned Residential Development (PRD) with zoning change package ----- application	\$600.00 per package
Subdivision of Land (Preliminary Plats) ----- plus \$10.00 for each created lot (** see PUD or PRD & Subdivision of Land package rate) Note: Final Plats should be submitted to the governing body for approval within 12 months of approval of preliminary plats.	\$225.00 per application,
Planned Unit Development (PUD) or Planned Residential Development with Subdivision of Land Package** ----- plus \$10.00 for each created lot (**see PUD or PRD & Subdivision of Land package rate)	\$500.00 per application,
Change in Land Development Code Text -----	\$200.00 per application
Appeal Fees for Proponent or Opponent appeals to City Council ----- Exempt from fees – Established Neighborhood Associations	\$50.00 per appeal
Cancellation/Re-notification fee on any public hearing process (Planning Commission or City Council) that is tabled or cancelled at the owner/developer's Request ----- mailing labels)	\$50.00 (per each 100

OTHER PROCESSES MAY HAVE ADDITIONAL FEES

Make all checks payable to the City of Hattiesburg

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.

Due to the property dimensions and the required parking space and drive isle dimensions, a narrower green space and buffer will be needed to make use of the property.

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

No knowledge of other lands being denied similar requests.

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.

There is a need for additional parking at Hattiesburg High School. Without the requested variances, the property will not provide adequate parking.

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

Without the requested variances, the property will not provide adequate parking.

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

Only the minimum variances are being requested.

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.

It does not.

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.

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
301 MAMIE STREET HATTIESBURG MS
Street Address City State
on this the 22 day of MARCH, 2024

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 N/A

on this the 22 day of MARCH, 2024.

Hattiesburg Public Schools
Property Owner (print)

[Signature]
Property Owner (signature)

STATE OF Mississippi
COUNTY OF Forrest

Personally came and appeared before me, the within named

Robert L. Williams
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 22nd day of
March, 2024.

[Signature]
NOTARY PUBLIC

My Commission Expires:

12/22/25

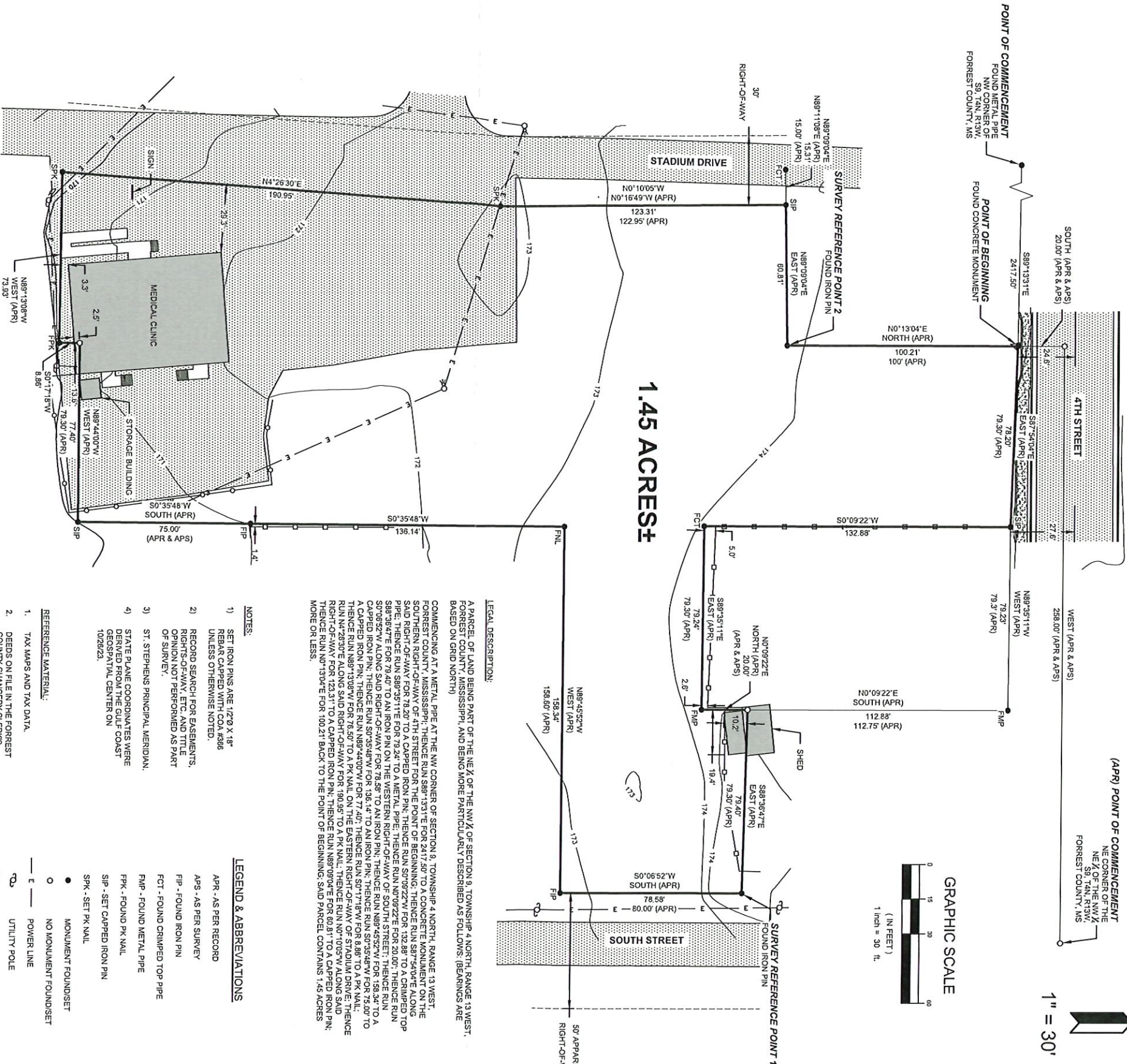
Last updated 7/31/2023



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SURVEY REFERENCE POINT 1
SPC ZONE, MISSISSIPPI EAST 2301
DATUM: NAD 83 / NAVD 88
CONVERGENCE ANGLE: -0°14'44.40"
COMBINED FACTOR: 0.99998037341
NORTHING: 686,474.504
EASTING: 636,731.201
LAT: N33°14.10'
LONG: W89°18'20.89"

SURVEY REFERENCE POINT 2
SPC ZONE, MISSISSIPPI EAST 2301
DATUM: NAD 83 / NAVD 88
CONVERGENCE ANGLE: -0°14'45.88"
COMBINED FACTOR: 0.9998677885
NORTHING: 686,482.330
EASTING: 636,484.384
LAT: N33°14.10'
LONG: W89°18'23.82"



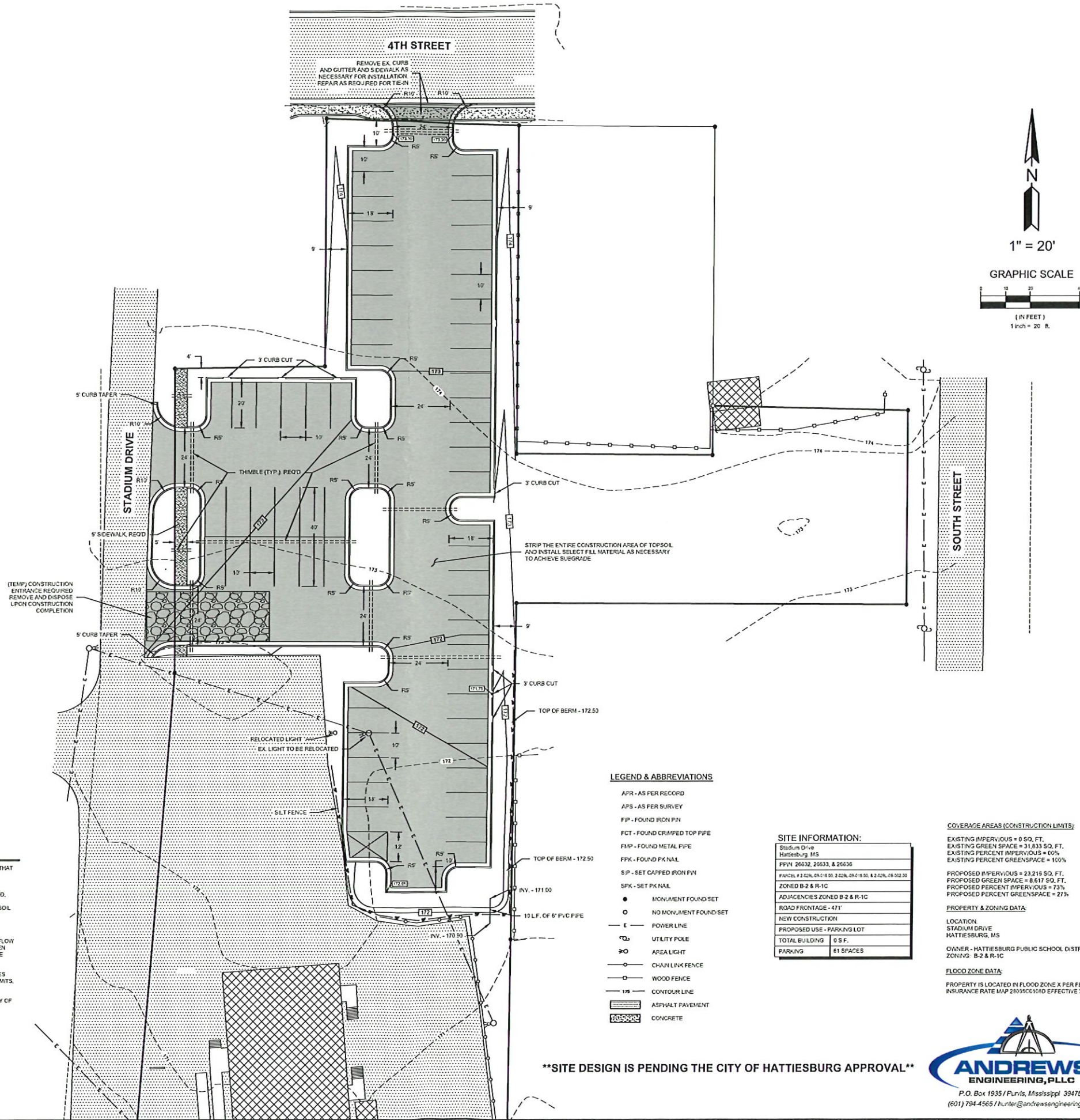
LEGAL DESCRIPTION:
A PARCEL OF LAND BEING PART OF THE NE 1/4 OF SECTION 9, TOWNSHIP 4 NORTH, RANGE 13 WEST, FOREST COUNTY, MISSISSIPPI, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: (BERARINGS ARE BASED ON GRID NORTH)
COMMENCING AT A METAL PIPE AT THE NW CORNER OF SECTION 9, TOWNSHIP 4 NORTH, RANGE 13 WEST, FOREST COUNTY, MISSISSIPPI; THENCE RUN S89°13'31"E FOR 2417.50' TO A CONCRETE MONUMENT ON THE SOUTHERN RIGHT-OF-WAY OF 4TH STREET FOR THE POINT OF BEGINNING; THENCE RUN S87°54'04"E ALONG SAID RIGHT-OF-WAY FOR 73.20' TO A CAPPED IRON PIN; THENCE RUN S70°22'2"W FOR 132.88' TO A CRIMPED TOP PIPE; THENCE RUN S89°35'11"E FOR 73.24' TO A METAL PIPE; THENCE RUN N0°08'22"E FOR 20.00' THENCE RUN S70°06'32"W ALONG SAID RIGHT-OF-WAY FOR 73.20' TO THE WESTERN RIGHT-OF-WAY OF SOUTH STREET; THENCE RUN S70°06'32"W ALONG SAID RIGHT-OF-WAY FOR 136.14' TO AN IRON PIN; THENCE RUN N89°45'52"W FOR 158.34' TO A CAPPED IRON PIN; THENCE RUN N89°13'08"W FOR 76.50' TO A PK NAIL ON THE EASTERN RIGHT-OF-WAY OF STADIUM DRIVE; THENCE RUN N4°28'30"E ALONG SAID RIGHT-OF-WAY FOR 123.31' TO A CAPPED IRON PIN; THENCE RUN N89°09'04"E FOR 80.81' TO A CAPPED IRON PIN; THENCE RUN N0°13'04"E FOR 100.21' BACK TO THE POINT OF BEGINNING; SAID PARCEL CONTAINS 1.45 ACRES MORE OR LESS.

- NOTES:**
- 1) SET IRON PINS ARE 1/2"Ø X 18" REBAR CAPPED WITH COA #396 UNLESS OTHERWISE NOTED.
 - 2) RECORD SEARCH FOR EASEMENTS, RECORDS, DEEDS, AND TITLE OPINION NOT PERFORMED AS PART OF SURVEY.
 - 3) ST. STEPHENS PRINCIPAL MERIDIAN.
 - 4) STATE PLANE COORDINATES WERE DERIVED FROM THE GULF COAST GEOSPATIAL CENTER ON 10/26/23.

- LEGEND & ABBREVIATIONS**
- | | |
|------------------------------|-------------------------|
| APR - AS PER RECORD | — E — POWER LINE |
| APS - AS PER SURVEY | ○ NO MONUMENT FOUND/SET |
| FIP - FOUND IRON PIN | ○ UTILITY POLE |
| FCT - FOUND CRIMPED TOP PIPE | ○ AREA LIGHT |
| FMP - FOUND METAL PIPE | ○ CHAIN LINK FENCE |
| FNP - FOUND PK NAIL | ○ WOOD FENCE |
| SIP - SET CAPPED IRON PIN | — 178 — CONTOUR LINE |
| SPK - SET PK NAIL | ▨ ASPHALT PAVEMENT |
| | ▨ CONCRETE |
- REFERENCE MATERIAL:**
1. TAX MAPS AND TAX DATA.
 2. DEEDS ON FILE IN THE FOREST COUNTY CLERK'S OFFICE: DB 1144, DB 1145, DB 1146, DB 1147, DB 1148, DB 1149, DB 1150, DB 1151, DB 1152, DB 1153, DB 1154, DB 1155, DB 1156, DB 1157, DB 1158, DB 1159, DB 1160, DB 1161, DB 1162, DB 1163, DB 1164, DB 1165, DB 1166, DB 1167, DB 1168, DB 1169, DB 1170, DB 1171, DB 1172, DB 1173, DB 1174, DB 1175, DB 1176, DB 1177, DB 1178, DB 1179, DB 1180, DB 1181, DB 1182, DB 1183, DB 1184, DB 1185, DB 1186, DB 1187, DB 1188, DB 1189, DB 1190, DB 1191, DB 1192, DB 1193, DB 1194, DB 1195, DB 1196, DB 1197, DB 1198, DB 1199, DB 1200, DB 1201, DB 1202, DB 1203, DB 1204, DB 1205, DB 1206, DB 1207, DB 1208, DB 1209, DB 1210, DB 1211, DB 1212, DB 1213, DB 1214, DB 1215, DB 1216, DB 1217, DB 1218, DB 1219, DB 1220, DB 1221, DB 1222, DB 1223, DB 1224, DB 1225, DB 1226, DB 1227, DB 1228, DB 1229, DB 1230, DB 1231, DB 1232, DB 1233, DB 1234, DB 1235, DB 1236, DB 1237, DB 1238, DB 1239, DB 1240, DB 1241, DB 1242, DB 1243, DB 1244, DB 1245, DB 1246, DB 1247, DB 1248, DB 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GENERAL SITE NOTES:

- CONTRACTOR IS RESPONSIBLE FOR ALL NECESSARY DEMOLITION AND DEBRIS DISPOSAL.
- THERE SHALL BE A 2% MAXIMUM SLOPE IN ALL HANDICAP PARKING SPACES AND UNLOADING AREAS. A ZERO-STEP ENTRY SHALL BE PROVIDED ON HANDICAP ACCESSIBLE ENTRIES.
- EXISTING UTILITIES, DRAINAGE STRUCTURES, TOPOGRAPHIC FEATURES, ETC., ARE SHOWN ON THIS DRAWING FOR THE CONTRACTOR'S INFORMATION ONLY. THE EXACT LOCATION MAY VARY FROM THAT SHOWN ON DRAWINGS. THE CONTRACTOR SHALL ASSUME ALL RESPONSIBILITY FOR LOCATING AND PROTECTING ALL UTILITIES, INCLUDING ANY NOT SHOWN ON PLANS. NOTIFY MS-ONE-CALL.
- SILT WILL NOT BE ALLOWED TO LEAVE SITE. THE CONTRACTOR SHALL PROPERLY MAINTAIN SILT FENCE AT ALL RUN-OFF POINTS. ADDITIONAL MEASURES MAY BE REQUIRED IF NECESSARY TO AVOID SILT LEAVING SITE. SILT FENCE AND HAY BALS WILL BE REQUIRED AROUND ALL STORM INLETS DURING CONSTRUCTION TO FILTER SILT BEFORE IT LEAVES SITE.
- THE CONTRACTOR IS RESPONSIBLE FOR ALL SAFETY AND COMPLIANCE WITH ALL OSHA STANDARDS. THE ENGINEER IS NOT TRAINED TO DETERMINE SAFE CONSTRUCTION PRACTICES AND IS NOT RESPONSIBLE OR LIABLE FOR THE MEANS AND METHODS THAT THE CONTRACTOR USES.
- A GEOTECHNICAL INVESTIGATION SHALL BE PERFORMED AND THE RECOMMENDATIONS OF THE INVESTIGATION FOLLOWED. HOWEVER AT A MINIMUM THE FOLLOWING PROCEDURES SHALL BE FOLLOWED: FILL LIFTS SHALL BE COMPACTED TO 94% OF THE STANDARD PROCTOR DENSITY AT A MOISTURE CONTENT WITHIN 3 PERCENTAGE POINTS OF OPTIMUM MOISTURE. FILL MATERIAL MUST BE DETERMINED TO BE SUITABLE BY A CERTIFIED TESTING LABORATORY. STABILITY MUST BE EVENT FOR EACH LIFT ON ALL FILL AREAS PRIOR TO PLACING THE NEXT LIFT. MAXIMUM LOOSE LIFT SHALL BE 6" WITH HEAVY COMPACTION EQUIPMENT AND 8" WITH HAND-OPERATED COMPACTION EQUIPMENT.
- CONTRACTOR SHALL TAKE ALL NECESSARY STEPS TO ENSURE THAT POSITIVE DRAINAGE OCCURS ON ALL AREAS OF THE PROJECT THROUGHOUT AND UPON COMPLETION OF CONSTRUCTION.
- ALL TOPSOIL AND/OR OTHER ORGANIC SOILS SHALL BE STRIPPED, STOCKPILED, AND PLACED ON SLOPES OR AS DIRECTED BY THE ENGINEER UPON COMPLETION OF THE GRADING. MINIMUM TOPSOIL LAYER SHALL BE 2" TO ENSURE GRASS GROWTH.
- CONTRACTOR SHALL BE RESPONSIBLE FOR ANY TEMPORARY STRUCTURES, EMBANKMENTS, AND CULVERTS REQUIRED TO MAINTAIN THE EXISTING DRAINAGE SYSTEM AND/OR DRAINAGE FLOW PATTERNS. THESE TEMPORARY ITEMS SHALL BE REMOVED WHEN NECESSARY IF THEY ARE NOT NEEDED FOR THE FINAL DRAINAGE SYSTEM.
- CONTRACTOR SHALL NOT COMMENCE CONSTRUCTION ACTIVITIES PRIOR TO THE ACQUISITION OF ALL REQUIRED APPROVALS, PERMITS, CLEARANCES, EASEMENTS, AGREEMENTS, ETC.
- ANY EXCESS EXCAVATION SHALL BECOME THE PROPERTY OF THE CONTRACTOR AND REMOVED FROM THE PROPERTY AT THE CONTRACTOR'S EXPENSE.
- STRUCTURE DETAILS ARE SUBJECT TO CHANGE PENDING A GEOTECHNICAL REPORT.



LEGEND & ABBREVIATIONS

- APR - AS PER RECORD
APS - AS PER SURVEY
FP - FOUND IRON PIN
FCT - FOUND CRIMPED TOP PIPE
FMP - FOUND METAL PIPE
FPK - FOUND PK NAIL
SP - SET CAPPED IRON PIN
SPK - SET PK NAIL
- MONUMENT FOUND SET
○ NO MONUMENT FOUND SET
— POWER LINE
— UTILITY POLE
— AREA LIGHT
— CHAIN LINK FENCE
— WOOD FENCE
— CONTOUR LINE
— ASPHALT PAVEMENT
— CONCRETE

SITE INFORMATION:

Stadium Drive Hattiesburg, MS
PPIN 26632, 26633, & 26636
PANTEL # 2 529L 04-1-15 50, 2 422N 49-2-15 50, & 2 422N 49-302 30
ZONED B-2 & R-1C
ADJACENCIES ZONED B-2 & R-1C
ROAD FRONTAGE - 471'
NEW CONSTRUCTION
PROPOSED USE - PARKING LOT
TOTAL BUILDING 0 SF.
PARKING 61 SPACES

COVERAGE AREAS (CONSTRUCTION LIMITS)

EXISTING IMPERVIOUS = 0 SQ. FT.
EXISTING GREEN SPACE = 31,833 SQ. FT.
EXISTING PERCENT IMPERVIOUS = 00%
EXISTING PERCENT GREENSPACE = 100%

PROPOSED IMPERVIOUS = 23,218 SQ. FT.
PROPOSED GREEN SPACE = 8,611 SQ. FT.
PROPOSED PERCENT IMPERVIOUS = 73%
PROPOSED PERCENT GREENSPACE = 27%

PROPERTY & ZONING DATA:
LOCATION: STADIUM DRIVE
HATTIESBURG, MS
OWNER - HATTIESBURG PUBLIC SCHOOL DISTRICT
ZONING: B-2 & R-1C

FLOOD ZONE DATA:
PROPERTY IS LOCATED IN FLOOD ZONE X PER FEMA FLOOD
INSURANCE RATE MAP 28055C01050 EFFECTIVE 3/2/10.



SITE DESIGN IS PENDING THE CITY OF HATTIESBURG APPROVAL

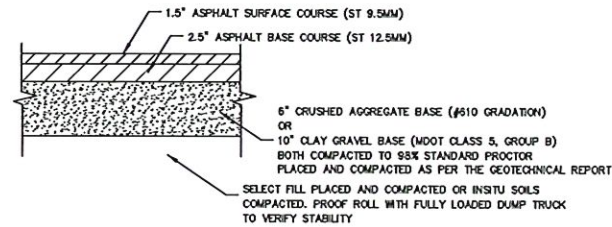
McCleskey / Jones
ARCHITECTS
P.L.L.C.
105 PATTON AVENUE
HATTIESBURG, MISSISSIPPI 39401
Phone: 601.544.8894
Fax: 601.544.8899
McCleskeyAssociates.com



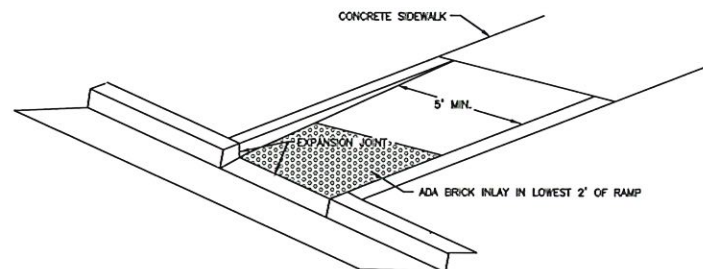
NOTE
THIS DRAWING IS
FORMATTED FOR 24 X 36
PRINT. SCALE MAY BE
INCORRECT DUE TO PRINT
SETTLE AND PAPER SIZE.
SCALING SHALL BE FOR
REFERENCE ONLY. IF
ADDITIONAL DIMENSIONS
ARE NEEDED, CONTACT
ARCHITECT.

PROJECT
2024 REPAIRS AND IMPROVEMENTS
MULTIPLE CAMPUSES
THE HATTIESBURG PUBLIC SCHOOL DISTRICT
HATTIESBURG, MISSISSIPPI

SHEET KEY	
G0.1 - MAIN TITLE PAGE	
G0.2 - PROJECT NOTES	
G0.3 - SITE DETAILS	
G0.4 - PLUMBING DETAILS	
(GUIDELINES, AND DETAILS FOR ALL CAMPUSES)	
H HATTIESBURG HIGH	
B BURGER MIDDLE & S.T.E.A.M. ACADEMY	
R ROWAN ELEM SCHOOL	
T THAMES ELEM SCHOOL	
G GRACE CHRISTIAN ELEM SCHOOL	
W WOODLEY ELEM SCHOOL	
L LILLIE BURNAY LEARNING CENTER	
BID DOCUMENTS 03.25.2024	
CAMPUS	
HATTIESBURG HIGH SCHOOL (HHS)	
SHEET NUMBER	
H	
C.01	
PROJECT NUMBER	
121421	

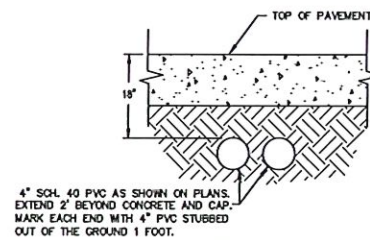


STANDARD DUTY ASPHALT PAVEMENT DETAIL
N.T.S.

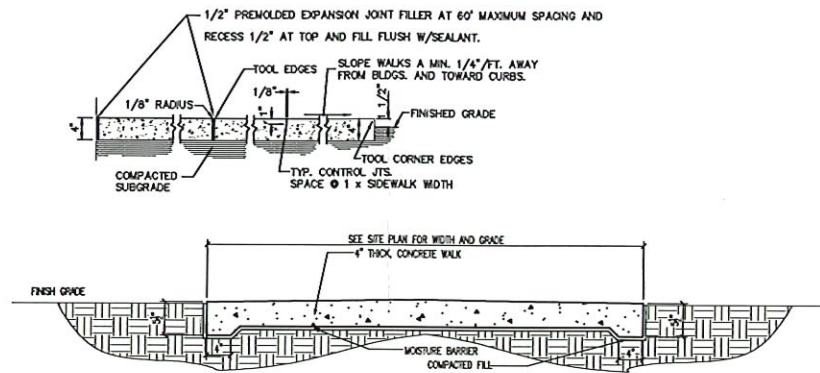


- NOTES
1. MAX. SLOPE ON ANY RAMP OR SIDEWALK: 12:1
 2. A MINIMUM OF 4' OF CLEAR SPACING SHALL BE PROVIDED FOR ALL HANDICAP ACCESS AREAS

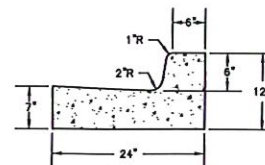
SIDEWALK RAMP DETAIL AT STREET INTERSECTION
N.T.S.



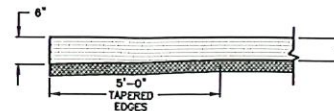
THIMBLE DETAIL
N.T.S.



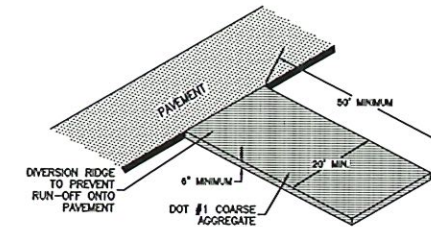
SIDEWALK DETAIL
N.T.S.



- NOTE: REVERSE GUTTER SLOPE DIRECTION WHERE THE SLOPE SHOULD BE AWAY FROM THE CURB TO ENSURE THERE WILL BE NO PONDING ADJACENT TO THE CURB.
- STANDARD COMBINATION CURB & GUTTER DETAIL
N.T.S.



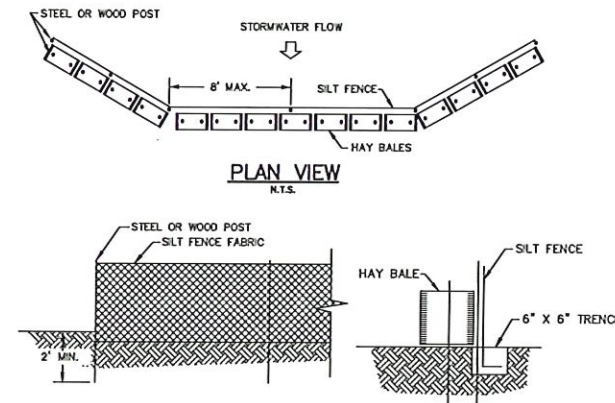
THICKENED PAVEMENT EDGES
N.T.S.



GRAVEL CONSTRUCTION ENTRANCE
N.T.S.

EROSION CONTROL NOTES

1. SILT FENCE AND HAY BALES SHALL BE PLACED AT A MAXIMUM SPACING OF 500' IN ALL DRAINAGEWAYS AND AT ALL LOCATIONS WHERE DRAINAGEWAYS DISCHARGE ONTO OFF-SITE AREAS.
2. SILT BARRIERS SHALL BE PERIODICALLY CHECKED AND SEDIMENT SHALL BE REMOVED ONCE ACCUMULATION FORMS.
3. HAY BALES SHALL BE REPLACED ONCE DETERIORATION BEGINS.
4. SILT BARRIERS SHALL BE LEFT IN PLACE UNTIL A PERMANENT VEGETATIVE COVER IS ESTABLISHED.
5. EROSION CONTROL MEASURES MUST BE IN PLACE BEFORE GRUBBING, CLEARING AND GRADING CAN BEGIN.



ELEVATION VIEW
N.T.S.

SECTION VIEW
N.T.S.

EROSION CONTROL DETAIL
N.T.S.



McCLESKEY / JONES
ARCHITECTS
PLLC
105 PATTON AVENUE
HATTIESBURG, MISSISSIPPI 39401
Phone: 601.244.8894
Fax: 601.244.8895
McCleskeyArchitects.com



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PROJECT

2024 REPAIRS AND IMPROVEMENTS
MULTIPLE CAMPUSES
THE HATTIESBURG PUBLIC SCHOOL DISTRICT
HATTIESBURG, MISSISSIPPI

SHEET KEY

- G0.1 - MAIN TITLE PAGE
- G0.2 - PROJECT NOTES
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- R ROWAN ELEM SCHOOL
- T THAMES ELEM SCHOOL
- G GRACE CHRISTIAN ELEM SCHOOL
- W WOODLEY ELEM SCHOOL
- L LILLIE BURNIE LEARNING CENTER

BID DOCUMENTS
03.25.2024
CAMPUS

HATTIESBURG HIGH SCHOOL (HHS)

SHEET NUMBER

H
C.02

PROJECT NUMBER
121421



**Board of Adjustment
Case Fact Sheet**

Name of Petitioners: Rocky Thornton, Applicant/Property Owner, and Joel Ford, Engineer

Address of Property:	Tax Parcel	PPIN:	Ward:
6054 US-98	051N-11-039.001	30851	3

Request: **Sign Variance - Minimum Frontage Requirement**

Purpose of Request: Rocky Thornton, Applicant/Property Owner, and Joel Ford, Engineer requests a variance from the minimum required frontage of 150 ft for a pole sign for a B-5 zoned property to instead allow for a 93 ft frontage on a property located at 6054 US-98 Hardy Street. (PPIN 30851, Ward 3, Lamar County).

History / Background: The applicant met with staff regarding developing a parcel in the rear for a fast-food restaurant, "Big Chicken." The site plan has been approved and permits have been issued for construction, having met all requirements for site plan approval for the B-5 zoning. Signage requires a separate permit and the property needs a minimum of 150 ft street frontage to establish a pole sign for the development.

Before the development of Aldi, and Aspen Dental, a minor subdivision was approved for three parcels in this location for the location. The lot for the proposed Big Chicken was noted to have limited street frontage, and would not qualify for a freestanding sign. A multi-tenant sign, however, could be permitted, which could include the signage for multiple tenants of the same project and contiguous parcels, and was presented as an option to the applicant.

Sign control and regulations are necessary to protect the beauty, character, economic, and aesthetic value of land, and to safeguard the safety, welfare, and public health of citizens. Minimum lot widths for freestanding signs are also in place to protect communities by preventing the establishment of

July 2024 BOA Item: B
 Rocky Thornton, Applicant/Property Owner, and Joel Ford, Engineer
 Request for: **Sign Variance**

freestanding signs on narrow lots. These requirements help to avoid a cluttered landscape, ensuring that signage remains proportional and appropriate to the surroundings. Additionally, such regulations contribute to clear and effective communication, enhancing both the visual environment and the overall navigability of the area.

Applicant Summary: See Attached

Applicable Regulations:

SECTION 10 Table 10.1 Allowed Sign Types

Table 10.1 Allowed Sign Types		
Type and Definition	Category	Illustrative Examples
Monument Sign – A sign suspended or supported by one or more uprights or braces anchored in the ground with no more than 30 inches clearance from the bottom of the sign to the ground below.	On-premises freestanding sign	
Pole Sign – A sign that is mounted on a freestanding pole or other support so that the bottom edge of the message area is six feet or more above grade.	On-premises freestanding sign	
Shopping Center and Multi-Tenant Sign – A freestanding sign that provides space for major tenants in a multi-tenant location, including shopping centers, to advertise their business. This sign type is regulated by Monument and/or Pole Sign dimensional requirements as applicable, Table 10.6-2.	On-premises freestanding sign	

Table 10.6-2 – Dimensional Requirements By Sign Type

July 2024 BOA Item: B
Rocky Thornton, Applicant/Property Owner, and Joel Ford, Engineer
Request for: **Sign Variance**

Table 10.6 - 2 Dimensional Requirements By Sign Type					
Sign Type	Sign Height/Width (max)	Sign Message Area (max) (sq. ft.)	Setback (min.)		Additional Criteria
			Front	Side	
On Premises Signs Freestanding					
Monument Sign	10'/None	All applicable zones except I-1 and I-2 – 50 square feet;	5'	15'	1 per 500' of parcel street frontage /2 on corner lot (1 per street) with 150' min. frontage for any on premises freestanding sign; bottom edge of message area is min 18" and max 30" above ground; dimensions include multitenant signs
		For I-1 and I-2 – 72 square feet			
Pole Sign	35'/20'	For B-3 – 1square foot sign message area/1' street frontage up to 200 square feet	10'	15'	1 per 500' of parcel street frontage/2 on corner lot (1 per street) with 150' min. street frontage for any on premises freestanding sign; Bottom edge of message area is min. 6' above ground; dimensions include multitenant signs
		B-5, I-1, I-2 – 2 square feet sign message area/1' street frontage up to 400 square feet			

SECTION 13

DEFINITIONS

Sign: Any device, fixture, placard, or structure that uses any color, form, graphic, illumination, symbol, or writing to advertise, announce the purpose of, or identify the purpose of a person or entity, or to communicate information of any kind to the public

Sign, Free Standing: Means any sign connected to the ground which is not an attached sign, inclusive of signs on movable objects, except signs on vehicles which are moving or are parked only temporarily. A freestanding sign may display on and off premise information

Sign, Multitenant Directory: A multitenant sign advertising a group or grouping of establishments originally developed as one project regardless of whether the development is under single or diverse ownership. This may include contiguous parcels part of a platted and developed office park, medical park, commercial center, or similar.

Present Zoning: B-5 Regional Business

Present Use: Vacant

Future Land Use: Regional Business Corridor/Regional Business

July 2024 BOA Item: B
Rocky Thornton, Applicant/Property Owner, and Joel Ford, Engineer
Request for: **Sign Variance**

**Surrounding Zoning:
and Land Use:**

North: B-5 Regional Business
South: B-5 Regional Business
East: B-5 Regional Business
West: B-5 Regional Business

**Letters or
Concerns stated:**

Staff have not received any letters or concerns regarding this project as of June 26th, 2024.

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.

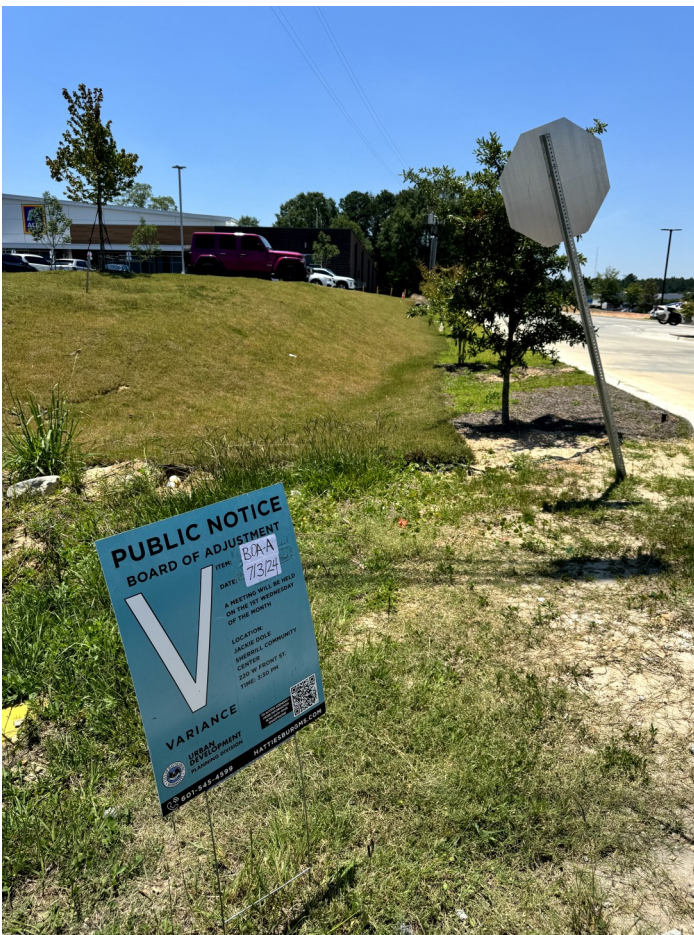
VI. Conformance with the Purposes of this Code. The granting of a variance will not conflict with the purposes and intent expressed or implied in the Land Development Code.

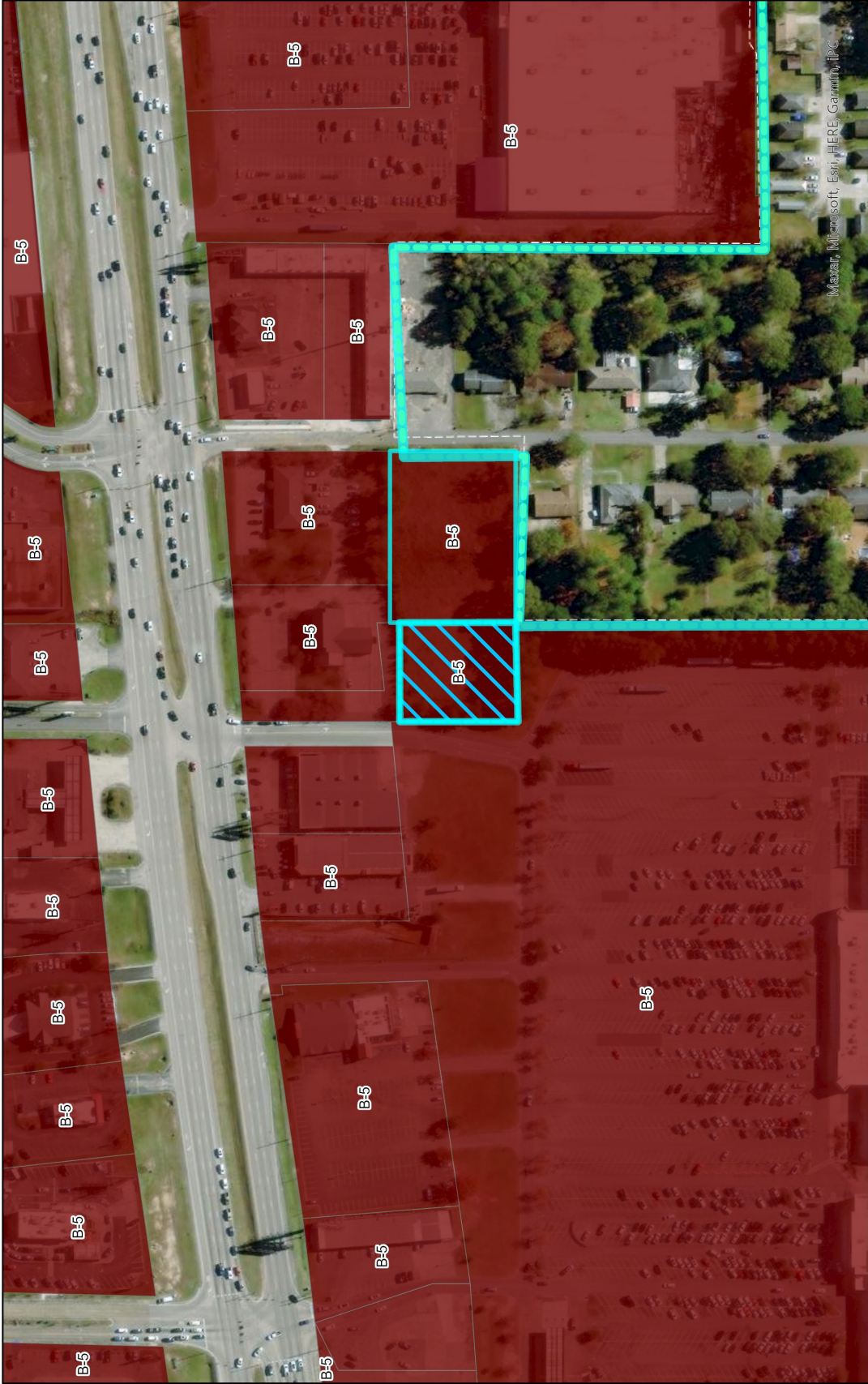
SUBJECT PARCEL

6054 US-98 — Sign Variance

Rocky Thornton, Owner, Joel Ford, Engineer

Requesting a variance from the minimum required frontage of 150 ft. for a pole sign for a B-5 zoned property to instead allow for a 93 ft frontage on a property located at 6054 US-98. (PPIN 3851, Ward 3, Lamar County).





Zoning Map - Legend
 Subject Property
 B-5

Variance for Big Chicken
 Freestanding Sign
 PPIN: 30851
 Flood Zone: X
 Ward 3, Lamar County

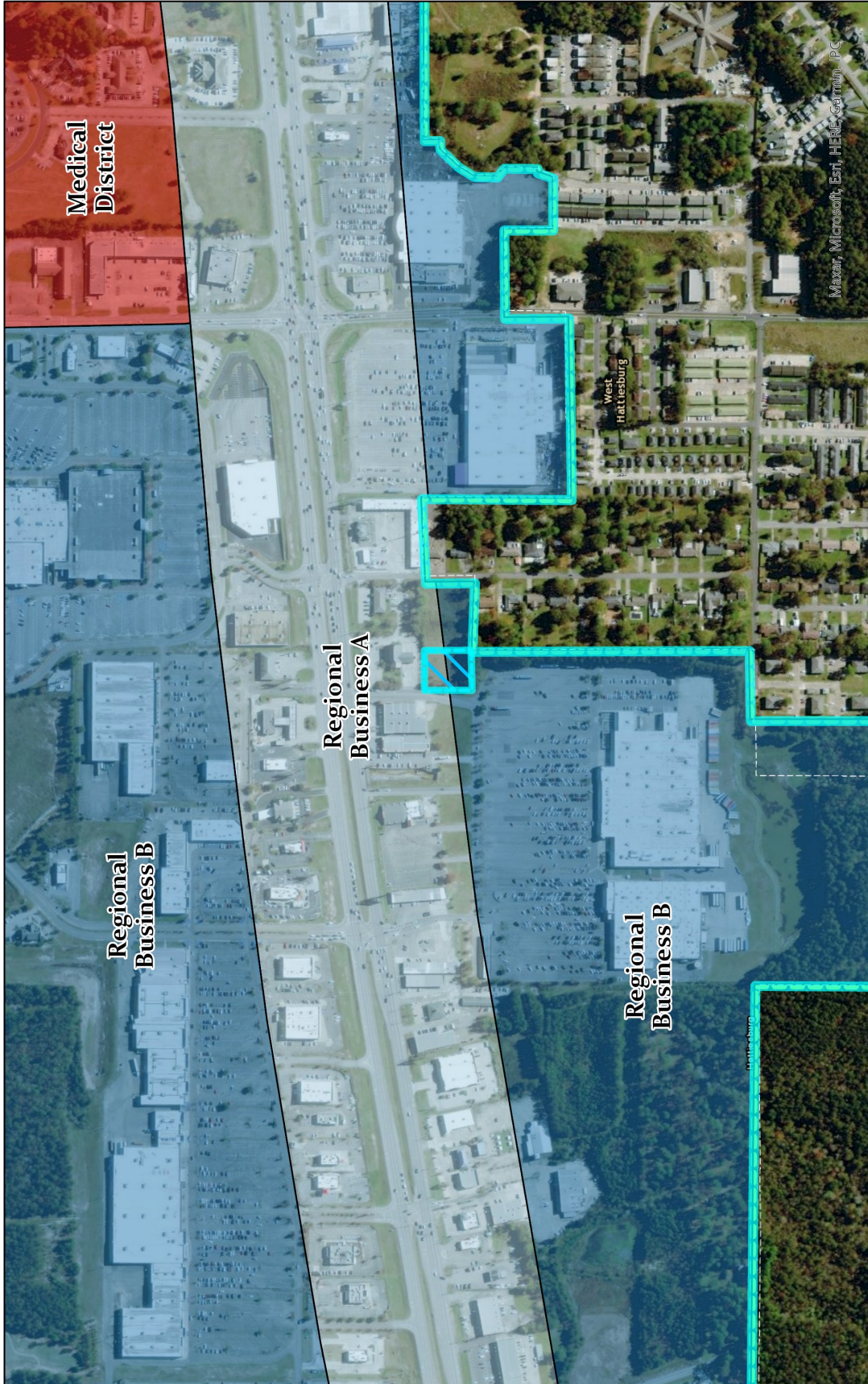
0 500 Feet

N

CITY OF WEATHERFORD
URBAN DEVELOPMENT
PLANNING DIVISION

Center: 89°22'41"W 31°19'15"N

DISCLAIMER: This map is ONLY FOR REFERENCE. There is NO WARRANTY of the accuracy of data. This information CANNOT be used as a substitute for legal, business, tax or other professional advice. Map Exported on: 6/21/2024 9:54 AM



Future Land Use Map

-  Subject Property
-  Medical District
-  Regional Business A
-  Regional Business B

Variance for Big Chicken
Freestanding Sign
PPIN: 30851
Flood Zone: X
Ward 3, Lamar County



**URBAN
DEVELOPMENT
PLANNING DIVISION**

Center: 89°22'41"W 31°19'15"N

DISCLAIMER: This map is ONLY FOR REFERENCE. There is NO WARRANTY of the accuracy of data. This information CANNOT be used as a substitute for legal, business, tax or other professional advice. Map Exported on: 6/21/2024 9:57 AM

Surrounding Area



Existing
signage
on
Hwy 98



Surrounding Area





DRAWING NO. 2075A CHECKED BY J.S.P. DATE 2/7/24	DRAWING NAME POLE SIGN PLAN	DRAWING NO. 2075A CHECKED BY J.S.P. DATE 2/7/24	PROJECT SOUTHERN GULF PROPERTIES	DRAWING NO. 2075A CHECKED BY J.S.P. DATE 2/7/24
DRAWING NO. 2075A CHECKED BY J.S.P. DATE 2/7/24	DRAWING NAME POLE SIGN PLAN	PROJECT SOUTHERN GULF PROPERTIES	DRAWING NO. 2075A CHECKED BY J.S.P. DATE 2/7/24	DRAWING NO. 2075A CHECKED BY J.S.P. DATE 2/7/24

PUBLIC HEARING APPLICATION**P O BOX 1898 (200 Forrest Street/39401)****HATTIESBURG, MS 39403-1898**

Department of Urban Development

(601) 545-4594 or 545-4599 or FAX (601) 545-1962

PUBLIC HEARING TYPE REQUESTED:**Application for (check all appropriate types):**

- ☒ Variance (details below)
 ☐ Use Permit (details below)
 ☐ Re-Zoning (details below)
- ☐ Subdividing of Lot, Parcel or Tract
 ☐ Overlay District
- ☐ Street or Alley Renaming
 ☐ Vacating Street or Alley
- ☐ Planned Unit Development
 ☐ Planned Residential Development

FOR VARIANCE ONLY:

Check all appropriate variance types:

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

Land Development Code Article No. _____

Section _____

Article No. _____

Section _____

Article No. _____

Section _____

Staff
Information –
do not complete**FOR USE PERMIT UPON REVIEW ONLY:**

Check Applicable Type:

- ☐ Auto Sales
 ☐ Barber/Beauty Shop
 ☐ Care Center (type _____)
- ☐ Digital Billboard, New
 ☐ Digital Billboard, Replacement
 ☐ Junk Yard
- ☒ Restaurant
 ☐ Telecommunications
 ☐ Other _____

Land Development Code Article No. _____

Section _____

Staff
Information**FOR RE-ZONING ONLY:**

Existing Zoning: _____

Proposed Zoning: _____

Public Hearing Contact Information Form

City of Hattiesburg - Planning Department

Pre-Application Date: 12/21/23 [Click here to enter a date.](#)

Planner:

Today's Date: [Click here to enter a date.](#) 5/15/24

Project Name: Big Chicken Restaurant

Proposed Use(s): Restaurant

Project Street Address: 3300 Hardy Street

PPIN Number(s) (If unknown, can be found on tax receipt): 30851

Parcel Number(s):

Flood Zone(s): X Historic District(s): N/A

Zoning District(s): B-5 Proposed Cost of the Project: \$900,000

Project Representative Information

Project Representative and Title: ☒ Applicant ☐ Property Owner ☐ Representative ☐ Agent ☐ Contractor ☐

Architect ☐ Engineer ☐ Other (Specify):

Name: Rocky Thornton

Company Name: Southern Gulf Properties

Phone: 601-517-2088

Fax:

Email: rocky@3tstrucking.com

Mailing Address: 3959 Highway 29

New Augusta, MS 39462

Name: Joel Ford

☐ Applicant ☐ Property Owner ☐ Representative ☐ Agent ☐ Contractor ☐ Architect ☒ Engineer ☐ Other (Specify):

Phone: 601-408-7829

Fax:

Email: joel@fordengr.com

Mailing Address: 2010 Oak Grove Road, Bldg. 4, Ste. 1

Hattiesburg, MS 39402

Name:

☐ Applicant ☐ Property Owner ☐ Representative ☐ Agent ☐ Contractor ☒ Architect ☐ Engineer ☐ Other (Specify):

Phone:

Fax:

Email:

Mailing Address:

Note: A pre-application submittal must contain a completed Site Plan Pre-Application form and a concept plan drawn to scale.

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

Owner is Applicant – Page Not Completed

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

_____,
Street Address *City* *State*

on this the _____ day of _____, 20____.

Applicant

Applicant

STATE OF _____

COUNTY OF _____

Personally came and appeared before me, the within named

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 _____ day of _____,
20____.

NOTARY PUBLIC

My Commission Expires:

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

6054 US Highway 98 Hattiesburg MS
Street Address City State

on this the 15th day of May, 2024.

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

Joel Ford

on this the 15th day of May, 2024.

Southern Gulf Properties, LLC.

Wallace R. Thornton
Property Owner

Property Owner

STATE OF MS

COUNTY OF Perry

Personally came and appeared before me, the within named

Wallace R. Thornton

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 15th day of May, 2024.

My Commission Expires:



Debra L. Sadowski
NOTARY PUBLIC

[illegible][illegible]

1. *Chlorophyll a* and *Chlorophyll b* were determined in 100% methanol extracts of *Chlorella* cells using a Shimadzu UV-1601 spectrophotometer. The absorbance of the extracts was measured at 663 nm and 646 nm, respectively. The concentration of chlorophyll *a* and chlorophyll *b* was calculated using the following equations: $\text{Chlorophyll } a (\mu\text{g mL}^{-1}) = 12.7 \times \text{Absorbance at } 663 \text{ nm}$ and $\text{Chlorophyll } b (\mu\text{g mL}^{-1}) = 22.9 \times \text{Absorbance at } 646 \text{ nm}$. The total chlorophyll concentration was calculated as the sum of chlorophyll *a* and chlorophyll *b*.

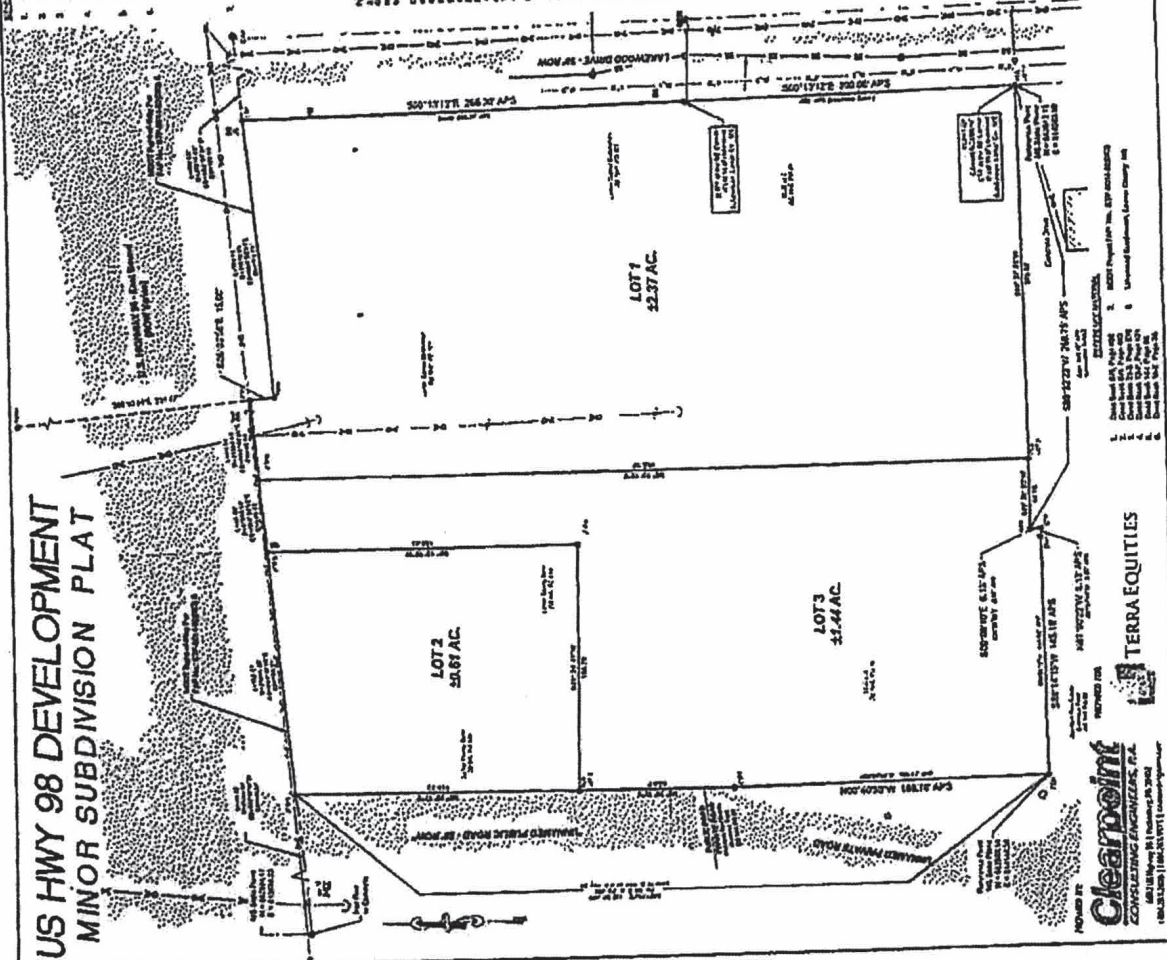
[illegible]

PAPER 3

A Panel of Experts was invited by the IFA to discuss 10th November 1986, 14th November 1986, 17th November 1986, 20th November 1986, 23rd November 1986, 26th November 1986, 29th November 1986, 2nd December 1986, 5th December 1986, 8th December 1986, 11th December 1986, 14th December 1986, 17th December 1986, 20th December 1986, 23rd December 1986, 26th December 1986, 29th December 1986, 2nd January 1987, 5th January 1987, 8th January 1987, 11th January 1987, 14th January 1987, 17th January 1987, 20th January 1987, 23rd January 1987, 26th January 1987, 29th January 1987, 2nd February 1987, 5th February 1987, 8th February 1987, 11th February 1987, 14th February 1987, 17th February 1987, 20th February 1987, 23rd February 1987, 26th February 1987, 29th February 1987, 2nd March 1987, 5th March 1987, 8th March 1987, 11th March 1987, 14th March 1987, 17th March 1987, 20th March 1987, 23rd March 1987, 26th March 1987, 29th March 1987, 2nd April 1987, 5th April 1987, 8th April 1987, 11th April 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GRAPHIC SCALE
(IN FEET)
1 inch = 40 ft



BK:0001 Pg:47
RCD: 08/21/2023 @ 2:37:51:PM
LAMAR COUNTY, MS
JAMES AULTMAN CHANCERY CLERK





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											SCALE: 1" = 20'
											DATE: 2/7/24
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