



URBAN DEVELOPMENT

PLANNING DIVISION

HATTIESBURG PLANNING COMMISSION

PUBLIC HEARING STAFF REPORTS

July 3rd, 2024

Planning Commission

Place: Jackie Dole Sherrill Community Center (Dining Room)

Time: 1:00 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. **Appeal of Decision by Site and Design Review Committee** - Douglas Miller, petitioner, requests to appeal section 11.7 the decision of the Urban Development Director on the request for interpretation of the intent or the meaning of the provisions of the Land Development Code. The request is specifically for the definition of a Congregate Care and/or Church instead of a Group requests facility. The property in question is located at 408 Broadway Drive, PPIN 21766 (Forrest, County, Ward 2).
- B. **Conditional Use Request for "Club and Bar" Use** - Robert Green, owner, request a conditional use approval for a "Clubs and Bars" for a property located at 912 Dabbs Street, Zoned B-2 (PPIN 13800 Ward 2, Forrest County).
- C. **Request to modify a platted subdivision** - ALS Properties, owner, request approval to alter the platted subdivision known as "D. D, McInnis 3rd Survey or Addition" to subdivide the property located at 305 J C Killingsworth Drive into three lots Zoned R-1C (PPIN 21408, Ward 5, Forrest County).
- D. **Zoning Change Request** - Shelby Murray, engineer, and Forrest Dungan, engineer, and David Lawson, owner, request approval for rezoning a property located at 2100 McInnis Loop from B-5 (Regional Business) to I-1 (Light Industrial) (PPIN 38592 and 47444, Ward 5, Forrest County).

III. Other Business

IV. Adjournment

**MINUTES OF THE
REGULAR MEETING OF THE
HATTIESBURG PLANNING COMMISSION
June 5th, 2024**

Board Members Roll Call:

Members Present:

1. Elayne Lockett
2. Rhoda Pickett, Vice Chair
3. Dick Conville
4. Amy Hinton, Chair
5. Rebekah Ray, Secretary
6. Carlos Wilson
7. Charles Dawe
8. Michael Dickerson (Virtual)

Members Absent:

1. Lee Anne Venable
2. Michale Pruitt
3. (vacant seat)

Staff Present:

1. Cory Long, Planning Manager
2. Nathan Satcher, Planner II
3. David Miller, Esq.
4. Jim Gladden, Esq.
5. Kevin Bates, Building Official
6. Wiley Quinn, Director of Urban Development
7. Meridian McDaniel, Planner I

Chair Hinton declared the Hattiesburg Planning Commission meeting open and in session at 1:03 p.m.

AGENDA REVIEW

Commissioner Pickett made a motion to accept the agenda, seconded by Commissioner Wilson.

Motion:

Made by Commissioner Pickett to approve the agenda

Second:

Made by Commissioner Wilson

Vote:

Board Member	Yea	Nay	Other
Elayne Lockett	X		
Rhoda A. Pickett	X		
Dick Conville	X		
Amy Hinton	X		
Rebekah Ray	X		
Lee Anne Venable			ABSENT
Carlos Wilson	X		
Michael Dickerson (Online)	X		
Charles Dawe	X		
Michael Pruitt			ABSENT

MINUTES REVIEW

Commissioner Conville made a motion to approve the May 1st minutes, and Commissioner Lockett seconded this motion.

Motion:

Made by Commissioner Conville to approve

Second:

Made by Commissioner Lockett

Vote:

Board Member	Yea	Nay	Other
Elayne Lockett	X		
Rhoda A. Pickett	X		
Dick Conville	X		
Amy Hinton	X		
Rebekah Ray	X		
Lee Anne Venable			ABSENT
Carlos Wilson	X		
Michael Dickerson (Online)	X		
Charles Dawe	X		
Michael Pruitt			ABSENT

BUILDING REPORT

Kevin Bates, Building Official, provided the Building Permit Report for May 2024.

PLANNING REPORT

The Planning Division opted to skip this presentation for time purposes with the lengthy agenda.

CHAIR'S REPORT

The Chair did not have a report for the meeting.

INTRODUCTIONS

Commissioners and staff introduced themselves.

PUBLIC HEARING – Planning Commission

Item A:

Mississippi Tank Company, applicant, Bobby Threath, applicant, and Chris Bowen, representative, request approval for rezoning from R-3 (Multi-family residential) to I-1 (Light Industrial) for a property located adjacent to 3000 West 7th Street (PPIN 26407, Ward 1, Forrest County).

Discussion and Vote:

Staff introduced the case. Chris Bowen presented on the case and answered questions from the commissioners. After some discussion, the commission reopened the public hearing portion to speak to Mr. Bowen again.

Presented by:

1. Chris Bowen

Proponents:

1. None

Opponents:

1. None

Motion:

Made by Commissioner Ray to approve

Second:

Made by Commissioner Dawe

Vote:

Board Member	Yea	Nay	Other
Elayne Lockett	X		
Rhoda A. Pickett	X		
Dick Conville	X		
Amy Hinton	X		
Rebekah Ray	X		

Lee Anne Venable			ABSENT
Carlos Wilson	X		
Michael Dickerson (Online)	X		
Charles Dawe	X		
Michael Pruitt			ABSENT

Item B:

Richard Hiatt, owner, request approval for a preliminary plat for a major subdivision for a property located on North 30th Avenue, and North 31st Avenue. The proposed subdivision is for single-family residential structures (PPIN 47255, 47277 Ward 1, Forrest County).

Discussion and Vote:

The Planning Staff introduced the case. Richard Hiatt appeared to speak on behalf of his case and answered questions from commissioners.

Presented by:

1. Richard Hiatt

Proponents:

1. None

Opponents:

1. Helen Lambert

Motion:

Made by Commissioner Dawe

Second:

Made by Commissioner Lockett

Vote:

Board Member	Yea	Nay	Other
Elayne Lockett	X		
Rhoda A. Pickett	X		
Dick Conville	X		
Amy Hinton	X		
Rebekah Ray	X		
Lee Anne Venable			ABSENT
Carlos Wilson	X		
Michael Dickerson (Online)	X		
Charles Dawe	X		
Michael Pruitt			ABSENT

Item C:

Zoning Change Request - Clifford Lockhart, representative, and Matthew H. Bailey, owner, and Jackie. D. Baily, owner, request approval for rezoning from R-1C (Single-family residential) to R-3 (Multi-family residential) for properties located at 102 South Street. (PPIN 19729, Ward 2, Forrest County).

Discussion and Vote:

The Planning Staff introduced the case. Clifford Lockhart spoke on behalf of the case and answered questions from the Commissioners. After discussions, the commission reopened the public portion to speak with Mr. Lockhart again.

Presented by:

1. Clifford Lockhart

Proponents:

1. Stella Payton

Opponents:

1. Letter Exhibit

Motion:

Made by Commissioner Conville to deny

Second:

Made by Commissioner Ray

Vote:

Board Member	Yea	Nay	Other
Elayne Lockett	X		
Rhoda A. Pickett	X		
Dick Conville	X		
Amy Hinton	X		
Rebekah Ray	X		
Lee Anne Venable			Absent
Carlos Wilson			Abstain
Michael Dickerson (Online)	X		
Charles Dawe	X		
Michael Pruitt			Absent

Item D:

Request to modify a platted subdivision - Tripperlee, LLC. owner, request approval to alter the platted subdivision known as "Sutherland and Reeves Survey" to subdivide the property located at 209 S 13th Avenue into two lots to create two single-family structures (PPIN 24175, Ward 4, Forrest County).

Discussion and Vote:

The Planning Staff introduced the case. Mr. Tripp spoke on behalf of his case answering questions from the commissioners.

Presented by:

1. Steven Tripp

Proponents:

1. None

Opponents:

1. Lurne McClain

Motion:

Made by Commissioner Ray to deny

Second:

Made by Commissioner Lockett

Vote:

Board Member	Yea	Nay	Other
Elayne Lockett	X		
Rhoda A. Pickett	X		
Dick Conville		X	
Amy Hinton	X		
Rebekah Ray	X		
Lee Anne Venable			Absent
Carlos Wilson	X		
Michael Dickerson (Online)	X		
Charles Dawe	X		
Michael Pruitt			Absent

Item E:

Zoning Change Request - Jacob Shemper, owner, requests approval for rezoning from A-2 (Agricultural Residential) to R-1A (Single-family residential) for a property located at 111 Pinehills Drive. (PPIN 17198, Ward 3, Forrest County).

Discussion and Vote:

The Planning Staff introduced the case. Mr. Shemper came up and spoke on behalf of the development. The applicant decided not to refute the opposition of the neighborhood.

Presented by:

1. Jacob Shemper

Proponents:

1. None

Opponents:

1. Joe Wiley
2. Carolyn Moore
3. Kathryn Floyd
4. Alice McCann
5. Betty Ross
6. Willaim Kennedy
7. Renee Megenee
8. Joy Lubritz
9. Adam Rowls
10. Stella Payton
11. Margret Murkwaldar
12. John Jackson
13. Dorian Shoemake
14. Cifford Lockhart
15. Debra Helmintorter
16. Susie Hebert
17. Steve Zary
18. Jocelyn Wiley

Motion:

Made by Commissioner Ray to deny

Second:

Made by Commissioner Lockett

Vote:

Board Member	Yea	Nay	Other
Elayne Lockett	X		
Rhoda A. Pickett		X	
Dick Conville		X	
Amy Hinton	X		
Rebekah Ray	X		
Lee Anne Venable			Absent
Carlos Wilson			Absent
Michael Dickerson (Online)		X	
Charles Dawe	X		
Michael Pruitt			Absent

Item F:

Major Subdivision Request - Jacob Shemper, owner, requests approval for a preliminary plat for a major subdivision located at 111 Pinehills Drive. The subdivision request is also to alter the platted subdivision known as “Hattiesburg Homestead Survey” to subdivide the property into 5 single-family residential lots. (PPIN 17198, Ward 3, Forrest County).

Discussion and Vote:

The Planning Staff introduced the case in combination with Agenda Item E. Both items were discussed together though the votes were taken individually. This item was not considered when the proceeding item was denied.

Presented by:

1. Jacob Shemper

Proponents:

1. None

Opponents:

1. Joe Wiley
2. Carolyn Moore
3. Kathryn Floyd
4. Alice McCann
5. Betty Ross
6. Willaim Kennedy
7. Renee Megenee
8. Joy Lubritz
9. Adam Rowlis
10. Stella Payton
11. Margret Murkwaldner
12. John Jackson
13. Dorian Shoemake
14. Cifford Lockhart
15. Debra Helmintorter
16. Susie Hebert
17. Steve Zary
18. Jocilyn Wiley

Motion:

No motion made as the Zoning Change was denied.

Second:**Vote:**

Board Member	Yea	Nay	Other
Elayne Lockett			

Rhoda A. Pickett			
Dick Conville			
Amy Hinton			
Rebekah Ray			
Lee Anne Venable			Absent
Carlos Wilson			Absent
Michael Dickerson (Online)			
Charles Dawe			
Michael Pruitt			Absent

Item G:

Zoning Change Request - Hattiesburg Public School District, owner, and Hunter Andrews, engineer, request approval for rezoning of multiple properties from R-1C (Single-family residential) to B-2 for vacant properties that are bound by South Street to the east, and Stadium Drive to the West. (PPIN 26633, 26636, Ward 2, Forrest County).

Discussion and Vote:

The Planning Staff introduced the case. Hunter Andrews Spoke on behalf of the case.

Presented by:

1. Hunter Andrews

Proponents:

1. Clifford Lockhart
2. Margret Murkwalter

Opponents:

1. None

Motion:

Made by Commissioner Dawe to approve

Second:

Made by Commissioner Lockett

Vote:

Board Member	Yea	Nay	Other
Elayne Lockett	X		
Rhoda A. Pickett	X		
Dick Conville	X		
Amy Hinton	X		
Rebekah Ray	X		
Lee Anne Venable			Absent
Carlos Wilson			Absent
Michael Dickerson (Online)	X		

Charles Dawe	X		
Michael Pruitt			Absent

A motion was made by Chair Hinton seconded by Commissioner Ray and voted in favor by all present to recess the meeting to Wednesday, June 12, 2024.

Wednesday, June 12, 2024, the members present declared the Hattiesburg Planning Commission meeting open and in session at 1:30 p.m.

Item H:

Request to modify a platted subdivision - Stephen Ward, owner, requests approval to alter the platted subdivision known as “Hawkins and Thompson Subdivision” to subdivide the properties located at 145 W 5th Street and 116 Columbia Street to create two separate single-family residential lots (PPIN 17253 and 17254, Ward 2, Forrest County).

Discussion and Vote:

The Planning Staff introduced the case. Mr. Steven Ward spoke on behalf of the property.

Presented by:

1. Steven Ward

Proponents:

1. Ophellia Jenkins

Opponents:

1. None

Motion:

Made by Commissioner Hinton to approve

Second:

Made by Commissioner Pruitt

Vote:

Board Member	Yea	Nay	Other
Elayne Lockett	X		
Rhoda A. Pickett	X		
Dick Conville			Absent
Amy Hinton	X		
Rebekah Ray	X		
Lee Anne Venable (online)	X		
Carlos Wilson	X		
Michael Dickerson (Online)	X		
Charles Dawe	X		

Michael Pruitt	X		
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Item I:

Major Subdivision Request – Josh Morris, owner, John Anglin, engineer, and Craig Flanagan, representative, request approval for a preliminary plat for a major subdivision for a property located on Shadow Ridge Drive. The proposed subdivision will be Phase III of the Shadow Ridge Subdivision (Lamar County, Ward 3, PPIN 24500).

Discussion and Vote:

The Planning Staff introduced the case. Mr. John Anglin spoke on behalf of the development.

Presented by:

1. John Anglin

Proponents:

1. None

Opponents:

1. None

Motion:

Made by Commissioner Dawe to approve with the condition that the land-locked common area in the rear of lots 30-41 be corrected through the dissolution of the common area into the surrounding lots, to create access to the road, to be combined with the golf course, or some combination of these recommendations.

Second:

Made by Commissioner Hinton

Vote:

Board Member	Yea	Nay	Other
Elayne Lockett	X		
Rhoda A. Pickett	X		
Dick Conville	X		Absent
Amy Hinton	X		
Rebekah Ray	X		
Lee Anne Venable (online)	X		
Carlos Wilson	X		
Michael Dickerson (Online)	X		
Charles Dawe	X		
Michael Pruitt	X		

Item K:

Land Development Code Text Amendment Request - The City of Hattiesburg requests to amend the Land Development Code, Ord. No. 3209, and make changes to Sections 12. More specifically, the changes are concerning subdivision regulations and bond requirements for new subdivisions. This is an abbreviated summary of the topics addressed in the proposed amendment, and interested parties are encouraged to contact City Hall to review the proposed amendment in its entirety.

Discussion and Vote:

The Planning Staff introduced the case. Discussions around the types of bonds and the penalties came to the forefront. The item was tabled and a committee was formed to provide a recommendation to the Planning Commission. The committee consisted of Commissioners:

1. Dawe
2. Dickerson
3. Ray

Presented by:

1. Mr. Cory Long, Planning Manager

Proponents:

1. None

Opponents:

1. None

Motion:

Made by Commissioner Pickett to table the case and form a committee to review for further recommendations.

Second:

Made by Commissioner Ray

Vote:

Board Member	Yea	Nay	Other
Elayne Lockett	X		
Rhoda A. Pickett	X		
Dick Conville			Absent
Amy Hinton	X		
Rebekah Ray	X		
Lee Anne Venable (online)	X		
Carlos Wilson	X		
Michael Dickerson (Online)	X		
Charles Dawe	X		
Michael Pruitt	X		

Item L:

Land Development Code Text Amendment Request – (Tabled from May 2024): The City of Hattiesburg requests to amend the Land Development Code, Ord. No. 3209, and make changes to Sections 4 and 6. More specifically, the changes are related to regulatory flood zone properties within the A-1 zoning district to increase the minimum lot size requirement and reduce the total developable area. This is an abbreviated summary of the topics addressed in the proposed amendment, and interested parties are encouraged to contact City Hall to review the proposed amendment in its entirety.

Discussion and Vote:

The Planning Staff introduced the case. Discussions occurred around flood zones, citywide impacts, and the Community Ratings System (CRS) program.

Presented by:

1. Cory Long, Planning Manager

Proponents:

1. None

Opponents:

1. Lisa Collins

Motion:

Made by Commissioner Pickett to approve

Second:

Made by Commissioner Lockett

Vote:

Board Member	Yea	Nay	Other
Elayne Lockett	X		
Rhoda A. Pickett	X		
Dick Conville			Absent
Amy Hinton	X		
Rebekah Ray	X		
Lee Anne Venable (online)	X		
Carlos Wilson	X		
Michael Dickerson (Online)	X		
Charles Dawe	X		
Michael Pruitt	X		

OTHER BUSINESS

No other business came before the board.

Adjournment:

The meeting was adjourned at 3:00 p.m.

Motion:

Made by Commissioner Pickett

Second:

Made by Commissioner Ray

Vote:

Board Member	Yea	Nay	Other
Elayne Lockett	X		
Rhoda A. Pickett	X		
Dick Conville			Absent
Amy Hinton	X		
Rebekah Ray	X		
Lee Anne Venable (online)	X		
Carlos Wilson	X		
Michael Dickerson (Online)	X		
Charles Dawe	X		
Michael Pruitt	X		

Amy Hinton, Vice Chair

Cory Long, AICP, Planning Division Manager



**URBAN
DEVELOPMENT
PLANNING DIVISION**

**Planning Commission
Case Fact Sheet**

Names of Petitioner: Douglas Miller, Representative

Address of Property:	Tax Parcels/Ward:	PPIN:	Ward:
408 Broadway Dr	2-038D-16-026.00	21766	2

Request: Appeal Request for 408 Broadway Dr

Purpose of Request: **Appeal of Decision by Site and Design Review Committee -** Douglas Miller, petitioner, requests to appeal section 11.7 the decision of the Urban Development Director on the request for interpretation of the intent or the meaning of the provisions of the Land Development Code. The request is specifically for the definition of a Congregate Care and/or Church instead of a Group facility. The property in question is located at 408 Broadway Drive, PPIN 21766 (Forrest, County, Ward 2).

History / Background: The petitioner met with staff in Pre-Application to discuss a proposed use for 408 Broadway Drive. A previous request was submitted to the Planning Division where the applicant self-identified their use as a rehabilitation center. At this initial meeting on June 15th, 2023, the applicant went into further detail on the description of the proposed services that would be provided, where staff identified the use to be a "Group Care Facility." Staff then advised the applicant on the process to pursue the proposed use at that location, which included a rezoning request to B-3, where the current zoning of B-5 does not permit a "Group Care Facility". The rezone request was partnered with a conditional use request as well, as required by the B-3 zoning. The applicant applied for both a rezoning and conditional use request. The planning commission recommended the denial of the rezoning application.

City Council upheld the decision by the Planning Commission to deny the rezoning request to B-3 for the property, so the applicant met with staff in an additional pre-application meeting on August 31st, 2023, to further discuss the use classification for their proposed business/services. The applicant described services offered and again self-identified as a "Rehabilitation Facility". Staff categorized the facility as a "Group Facility", where the applicant appealed the decision of the Director of Urban Development for his use designation

for the property. The appeal was sent to the Planning Commission, who recommended upholding the decision of the Director of Urban Development to categorize the proposed business as a “Group Facility”. The applicant then appealed that decision to City Council, where a public hearing was held on January 2nd, 2024 in front of City Council. City Council then upheld the decision of the Director of Urban Development as a “Group Care Facility”.

The applicant requested an additional pre-application meeting, where staff met with them on May 16th, 2024. The description provided by the applicant on their application sought to be classified as “Congregate Care” and for a “church permit.” Churches fall under the “places of assembly” use designation. However, during the pre-application meeting, staff asked if there were any changes from the original application submitted to the City, where the applicant indicated there were not, and it was the same proposed use as originally submitted. Given that disclosure, the Director of Urban Development then reaffirmed their primary use designation as a “Group Care Facility”, which is not permitted use in a B-3 zone.

The applicant has appealed that decision and requests to be classified as a church. The use provided on the application and discussed during each pre-application meeting is principally a Group Facility (Group Care Facility) and is not permitted in the zoning district. In general, a “church” would be permitted in this district if it met all other regulatory requirements in the LDC and the International Building/Fire Codes adopted. The use of a “church” or “place of assembly” would be an accessory use to the primary use as described by the applicant, and would need to meet all regulations of a “Group Care Facility”, including the required zoning districts, to open and operate.

Applicable Regulations:

SECTION 4

Zoning Districts Established

B-5 Regional Business District: The purpose of the B-5 District is to provide for retail, personal and business services, offices, and financial services in locations with convenient access to the region’s population consistent with comprehensive planning policies. This district is consistent with the Regional Business District in the Comprehensive Plan.

SECTION 5

Use Regulations

July 2024 HPC Item: A
Kenneth Thronson, Property Owner/Petitioner, and Douglas Miller, Representative
Request for: **Appeal Request for 408 Broadway Dr**

Table 5.1 Table of Uses																
Use		Additional Use Conditions Cross Reference														
		Agricultural			Residential				Business				Industrial			
		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	
■	Permitted															
□	Permitted with conditions															
◆	Conditional Use															
×	Not Permitted															
Group facility		◆	◆	x	x	x	x	◆	◆	◆	x	x	x	x	x	5.4.24
Rehabilitation center, nursing care, assisted living, congregate care, palliative care, and hospice care		x	x	x	x	x	x	◆	□	□	□	□	□	x	x	5.4.35

5.4.25 Group Care Home; Group Care Center

5.4.25.1 A group home shall be located in a structure originally constructed as and designed for a single-family dwelling which shall be the principal structure on the lot. The structure shall not be altered nor the site used in any manner which diminishes its value as a single-family dwelling or which changes its exterior residential character.

5.4.25.2 Group care centers serving individuals who are deemed to be a danger to themselves or others must be identified by the applicant during Site Plan Review Care centers may not serve more than 20 residents; however, in order to protect the health and safety of the community, the Planning Commission has the right to further restrict the location of facilities and the number of residents, and to require increased buffering, screening, and fencing.

5.4.35 Rehabilitation Centers, Nursing Care, Assisted Living, Congregate Care, Palliative Care, and Hospice Care

5.4.35.1 Driveway access to accessory structures shall be through the main entrance to the facility.

5.4.35.2 No single building shall be greater than 40,000 square feet if located within 500 feet, as measured in any direction from the closest point, to a lot line of an adjacent residentially zoned lot.

SECTION 13

Definitions

Assembly: Structures and land designed for 50 or more people to congregate for civic, social, religious, or recreational functions. This definition includes but is not limited to theaters, arenas, coliseums, and worship centers.

Group Care Facility: A facility or dwelling unit housing persons unrelated by blood or marriage and operating as a group household. A group care facility may include half-way houses,

July 2024 HPC Item: A
Kenneth Thronson, Property Owner/Petitioner, and Douglas Miller, Representative
Request for: **Appeal Request for 408 Broadway Dr**

recovery homes, and homes for orphans, foster children, the elderly, battered children and women. It would include a specific treatment providing less than primary health care by staff appropriately certified or licensed to provide such treatment.

Present Zoning: The parcel is currently zoned B-5

Present Use: Vacant property

Future Land Use: Community Business Corridor

Surrounding Zoning and Land Use:
North: B-5 Regional Business District / B-3 Community Business
South: B-5 Regional Business District
East: B-5 Regional Business District
West: B-5 Regional Business District

Letters or Concerns stated: The Planning Division Office has not received any letters or other written communications relative to this case as of June 24th, 2024.

Option: Recommend upholding or overturning the decision of the Director of Urban Development of the proposed use as a "Group Care Facility."

SUBJECT PARCEL

408 Broadway Drive — Appeal Request

Kenneth Thronson, Owner, Douglas Miller, Representative

The petitioner requests to appeal section 11.7, the decision of the Urban Development Director on the request for interpretation of the intent or the meaning of the provisions in the Land Development Code. The request is specifically for the definition of a Congregate Care and/or Church instead of a “Group Care Facility.” (PPIN 21766, Ward 2, Forrest County).





Zoning Map



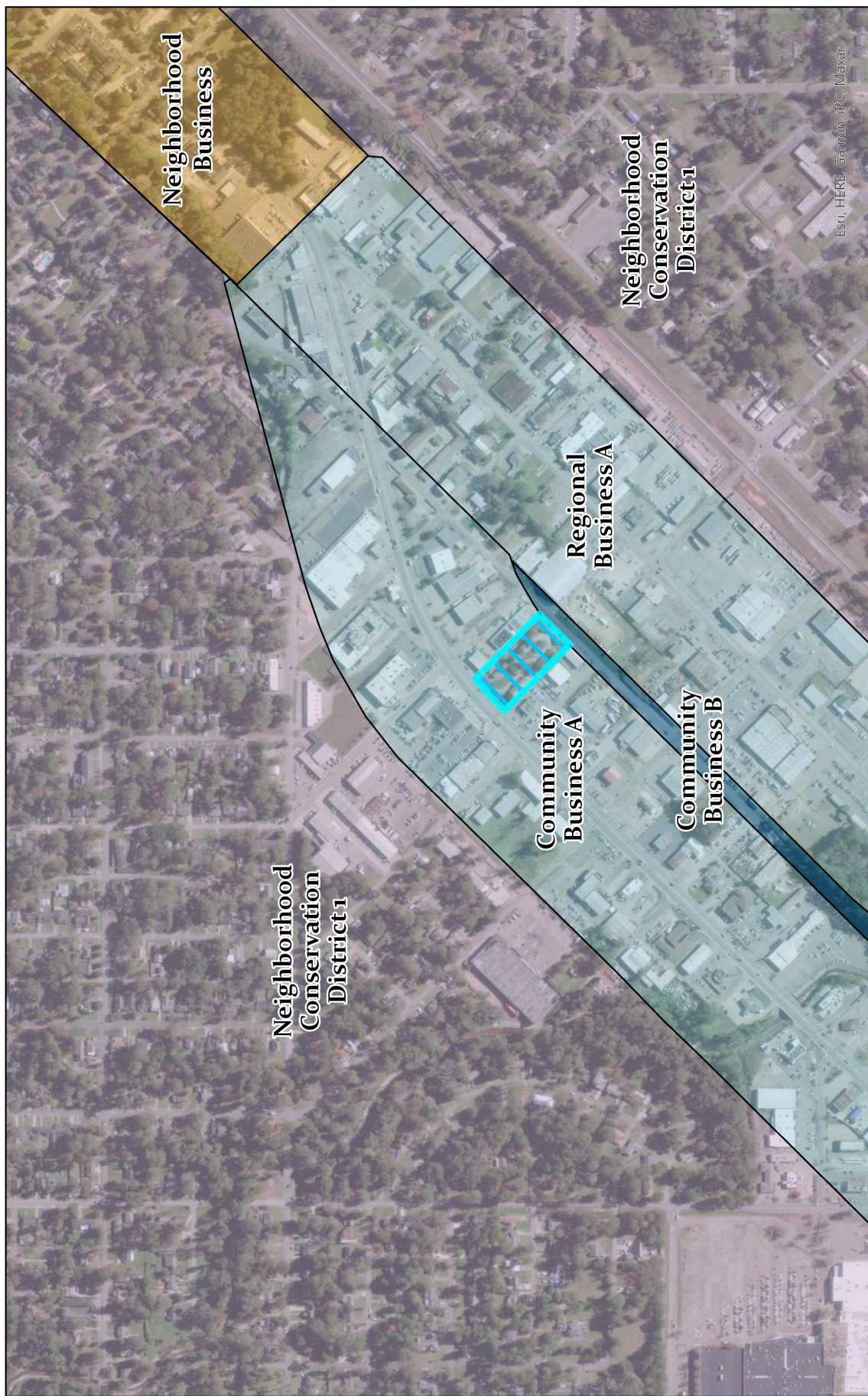
Appeal of Use Determination
408 Broadway Drive
PPIN: 21766
Flood Zone: X
Ward 4, Forrest County



**URBAN
DEVELOPMENT**
PLANNING DIVISION

Center: 89°18'26"W 31°18'54"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 12:11 PM



Esri, HERE, Garmin, ICG, Maxar

Future Land Use Map

- Community Business A
- Community Business B
- Neighborhood Business

- Neighborhood Conservation District 1
- Regional Business A

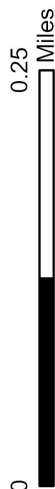
Appeal of Use Determination

408 Broadway Drive

PPIN: 21766

Flood Zone: X

Ward 4, Forrest County

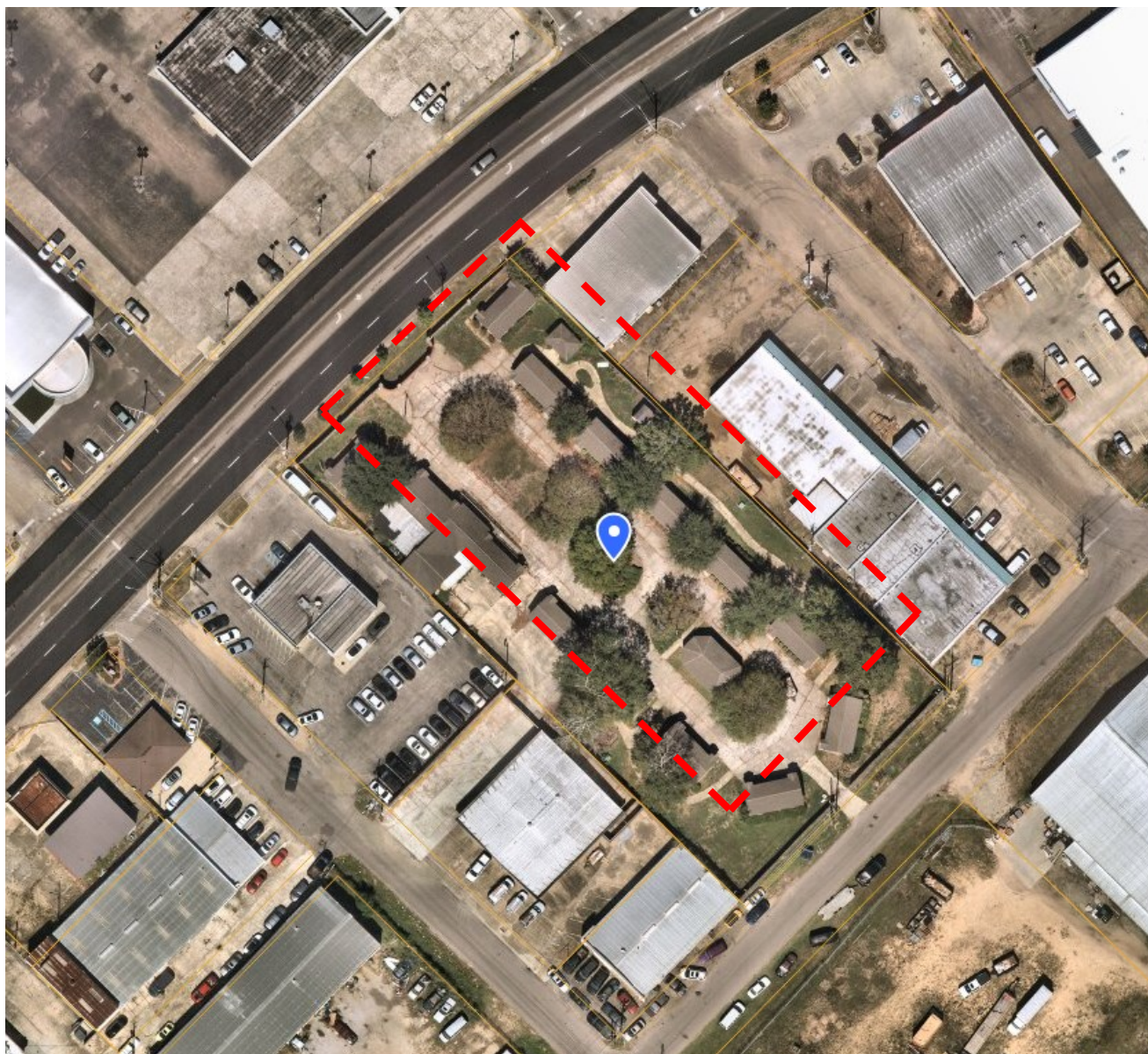


**URBAN
DEVELOPMENT**
PLANNING DIVISION

Center: 89°18'27"W 31°18'56"N

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Site Aerial



Surrounding Area



Surrounding Area



Pre-Application Meeting Process
City of Hattiesburg Planning Department

200 Forrest Street

Hattiesburg, MS 39401

Phone: 601-545-4599

Fax: 601-545-1962/Email: [planning @hattiesburgms.com](mailto:planning@hattiesburgms.com)

PURPOSE

Prior to applying for a Site Plan Review, a Pre-Application meeting is required. During this meeting the applicant will describe and present their project, views and ideas being considered. Thereafter, the planning staff will advise further action for a Site Plan Review process submittal.

The Pre-Application Committee assesses the proposed project and helps identify any issues and helps the applicant in putting together a complete application thus streamlining the application process and avoiding delays.

SCHEDULE A MEETING

Step 1: Fill out Pre-Application form. Provide a project narrative briefly describing the proposed uses.

Step 2: Bring a detailed concept plan drawn to scale. Plans are to be a minimum of 11" x 17". The drawing must include the following:

- ☐ Show entire parcel boundary with property dimensions (County parcel map)
- ☐ All adjacent streets with names
- ☐ Dimensioned Existing and Proposed Structures: Footprint, setback distances from property line to structure(s) and square footage
- ☐ Dimensioned Existing and Proposed Parking areas and curb cuts.
- ☐ Existing and Proposed utilities/easements required

Step 3: The Pre-Application form and concept plan should be submitted by Thursday, 12 noon to be on the following week's meeting list. A member of the planning staff will contact applicants to confirm the pre-application meeting date and time.

WHAT TO EXPECT FROM THE PRE-APPLICATION MEETING

The applicant will review and discuss their conceptual site plan project with the planning staff. The staff will review and provide comments regarding compliance with the necessary codes and regulations. This preview is intended to save the developer/property owner time and money before submitting the final drawings for approval by the Site Plan Review Committee. Site Plan approval is required to apply for a building permit.

Pre-Application Form
City of Hattiesburg Planning Department

200 Forrest Street
Hattiesburg, MS 39401
Phone: 601-545-4599
Fax: 601-545-1962

Return the completed form and site plan to the Planning Department by Thursday 12 noon. A member of the planning staff will contact applicants to confirm the pre-application meeting date and time. For further information, please contact: Planning Division Office Manager, 601-545-4599 or email: planning@hattiesburgms.com

Today's Date: May 1, 2023
Project Name: Lighthouse Rescue Mission Inc
Proposed Use: Rescue Mission
Project Street Address: 408 Broadway Drive

PPIN Number: 21766 Parcel Number: 2-038D-16-026.00
Flood Zone: _____ Historic District: _____
Zoning District(s): B-5 Regional Business Commercial
Proposed Cost of the Project: _____

Project Representative Information

Project Representative and Title: Ken Thronson

Company Name: Lighthouse Rescue Mission Inc.
Phone: 601-582-5900 Fax: _____
Email: TheLighthousems@gmail.com
Mailing Address: 204 Eupora Street, Hattiesburg, MS 39401

Property Owner Name: The Lighthouse Rescue Mission Inc
Phone: 601-582-5900 Fax: _____
Email: TheLighthousems@gmail.com
Mailing Address: 204 Eupora Street, Hattiesburg, MS 39401

Provide project narrative fully explaining the proposed project:

The Lighthouse Rescue Mission is organized exclusively for charitable, religious, literary, educational and scientific purposes as set forth in Section 501(c)(3) the Internal Revenue Code of 1986, as amended. All of the Corporation's activities will be conducted by and through its Board of Directors.

The Lighthouse Rescue Mission will provide a Chapel open to the beneficiaries of its activities, specifically targeting those persons who may not feel comfortable in a traditional Church setting.

The Lighthouse Rescue Mission intends to provide a Biblically based Alcohol and Drug Treatment in a Congregate Care setting.

The property has been historically utilized as Congregate Care (Residential housing where people who are not related reside in close proximity and share at least one common room the Kitchen.)

The property has 12 individual cottages with two bedrooms and a shared Bathroom in each cottage. The property has a central Kitchen and will have a Cottage remodeled for Bible Study and a Church House.

We do not plan to construct new building on the property instead we intend to renovate and repair the existing infrastructure to reverse the damage it has sustained and ensure the facility meets our standards for safety and comfort.

The Property is zoned as B-5. Congregate Care is allowed in the B-5 therefore Rezoning would not be necessary.

Also we would request a Church Permit for the Lighthouse Rescue Mission.

A Church is also allowed in B-5 zone, therefore rezoning would not be required.



PRE-APPLICATION MEETING SUMMARY

Thursday, May 16th, 2024

STAFF PRESENT:

Nathan Satcher, Cory Long, Jerald Little, Blake Michaels, Slade Suber,
Joined on Thursday May 23, 2024: Wiley Quinn, Kevin Bates, Shawn Whitaker,

APPLICANT(S):

Name: Ken Thronson, Douglas Miller
Business: Lighthouse Rescue Mission

PROJECT ADDRESS/LOCATION:

Address: 408 Broadway Dr.
Zoning: B-5

CASE TYPE:

Congregate Care facility with chapel and kitchen

SPECIAL DISTRICT:

☐ Flood Zone ☐ Historic District
☐ Form-Based District

PROJECT SUMMARY:

- Applicant summary
 - 12 cottages, 2 man rooms with restroom in each cottage. 2-4 people sharing a bathroom
 - Central Kitchen facility for the complex
 - Male facility
 - Bible study with Chapel area
 - 7 designations under the 501c3
 - Grandfathered status expected
 - Veteran services to be provided
 - Discussed the non-congregate facility the city has an open grant to consider
 - May want to discuss this further with the city when 408 Broadway is complete
 - Minor remodeling may be needed. Updates to plumbing and electrical proposed
 - Target group is not homelessness, but veterans and those struggling from addiction. This group will be those that ask for help and those that may accept help as reference from the VA.
 - Group home, group facility, rehabilitation, palliative, and congregate care are all synonymous
 - 1941-1986 building was a motor-court.
- Use Category
 - No changes from the original application from 2023.
 - Chapel is an accessory use and will be permitted if the primary use can be permitted
- Building Requirements
 - Handicapped room required.
- Fire Requirements
 - Each unit will have to be sprinkled with notification systems tied to it at projected occupancy.
 - Changes may reduce this to a fire alarm in each building.

Pre-application meeting notes are provided as a courtesy by staff during pre-application meetings. These notes are not exhaustive. All Land Development Codes and City Ordinances apply, even if not listed during a pre-application meeting.



URBAN DEVELOPMENT PLANNING DIVISION

NEXT STEPS:

- Urban Development Director & Fire Marshall are unavailable and these notes will be completed upon his return. Wednesday 5/22/24 is the target date for the notes to be sent to the applicant. Notes finished Thursday 5/23/24
- Link to the Broadway study: <https://www.hattiesburgms.com/broadway/>
- The site plan review committee and the Urban Development Director finds the use to be a Group Facility as defined by the LDC in reference to information from the NAICS. Options include:
 - Appeal the decision of the use category of the Urban Development Director
 - Request a zoning change after 1 year from the last request
 - Request a zoning text amendment
 - Adjust the method of operation of the project to meet medical facility standards.

APPLICATIONS REQUIRED:

- | | |
|---|--|
| ☐ Site Plan Review Checklist and Application | ☐ Conditional Use Application |
| ☐ Public Hearing Application | ☐ Street/Alley Closing |
| ☐ Variance Application | ☐ Major Subdivision |
| ☐ Rezone Application | ☐ Minor Subdivision |
| ☐ Certificate of Appropriateness (Historic) | ☐ Building Permit Application |

Pre-application meeting notes are provided as a courtesy by staff during pre-application meetings. These notes are not exhaustive. All Land Development Codes and City Ordinances apply, even if not listed during a pre-application meeting.

RECEIVED
MAY 24 2024
BY 

Douglas E. Miller, PLLC

Attorney at Law

804 Main Street
P. O. Box 1616
Purvis, MS 39475

Phone: 601-794-6100

Fax: 601-794-6107

E-mail: Douglasmillerlaw@gmail.com

May 24, 2024

Wiley Quinn
Director of Urban Development
Department of Urban Development
P. O. Box 1898
Hattiesburg, MS 39403

Re: Lighthouse Rescue Mission, Inc.
408 Broadway Drive
Hattiesburg, MS

Dear Cory Long;

In denying the Lighthouse Rescue Mission request to use the above-described property as a Congregate Care you responded as follows:

"The site plan review committee and the Urban Development Director finds the use to be a Group Facility as defined by the LDC in reference to information from the NAICS."

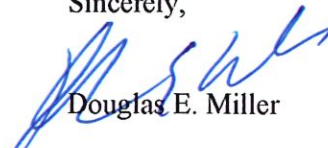
Could you provide the definition of Group Facility as defined by the LDC and the NAICS code used to deny Lighthouse Rescue Mission's request. Are you referring to the Group Care Facility (Page 159) definition in the LDC or is there a different definition for Group Facility you are referring to?

Just to be clear you denied the request for the property to be used as a church?

How do we appeal this decision and how long do we have to appeal.

Thank you for your assistance in this matter.

Sincerely,


Douglas E. Miller



MAYOR
Toby Barker

COUNCIL - WARD ONE
Jeffrey George

COUNCIL - WARD TWO
Deborah Denard Delgado

COUNCIL - WARD THREE
Carter Carroll

COUNCIL - WARD FOUR
Dave Ware

COUNCIL - WARD FIVE
Nicholas Brown

Department of Urban Development

DATE: May 28, 2024

REQUESTED BY: Douglas Miller

REFERENCE: Lighthouse Rescue Mission Correspondence Dated May 24, 2024
Lighthouse Rescue Mission, Inc.
408 Broadway Dr
Hattiesburg, MS

Dear Mr. Douglas Miller,

The above-referenced letter provided three essential questions concerning the status of the use designation provided by the Director of Urban Development and the Site Plan Review (copy attached):

1. Could you provide the definition of Group Facility as defined by the LDC and the NAICS code used to deny Lighthouse Rescue Mission's request. Are you referring to the Group Care Facility (Page 159) definition in the LDC or is there a different definition for Group Facility you are referring to?
2. Just to be clear you denied the request for the property to be used as a church?
3. How do we appeal this decision and how long do we have to appeal.

Answers to the questions submitted:

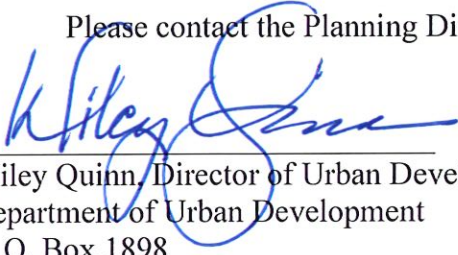
1. Congregate Care is the use self-identified in the request for pre-application. Upon review of the LDC, a definition of Congregate Care does not exist, nor is there a definition with the latest version of the North American Industrial Classification System (NAICS). The use category of Rehabilitation Center, Nursing Care, Assisted Living, Congregate Care, Palliative Care, and Hospice Care provides for temporary habitation while a patient

undergoes professional medical treatment. It is determined by the Director of Urban Development that the description provided aligns with the Group Facility (Group Care Facility) use and definition. Group Facility links to this definition in the LDC on page 159:

“Group Care Facility: A facility or dwelling unit housing persons unrelated by blood or marriage and operating as a group household. A group care facility may include half-way houses, recovery homes, and homes for orphans, foster children, the elderly, battered children and women. It would include a specific treatment providing less than primary health care by staff appropriately certified or licensed to provide such treatment.”

2. A “church” is a “place of assembly not otherwise listed” in Table 5.1 Table of Uses which is allowed by right with some conditions. The use provided on the application is principally a Group Facility (Group Care Facility) and is not permitted in the zoning district. Referencing an accessory use (Section 5.4.2), the principal use must occur before we can approve any accessory uses. A principal use of a “church” was not explored and is not referenced for review. In general, a “church” would be permitted in this district if it met all other regulatory requirements in the LDC and the International Building/Fire Codes adopted.
3. The appeal process is provided in section 12.4.2 of the LDC with fees (\$50) referenced from ordinance 2977. The applicant or his representative will have 10 days from the decision date of the notification to file for appeal. Notification date May 23, 2024, appeal ending date June 3, 2024, at the close of business hours.

Please contact the Planning Division for any additional questions at (601) 545-4599.



Wiley Quinn, Director of Urban Development
Department of Urban Development
P. O. Box 1898
Hattiesburg, MS 39403

Douglas E. Miller, PLLC
Attorney at Law

804 Main Street
P. O. Box 1616
Purvis, MS 39475

Phone: 601-794-6100

Fax: 601-794-6107

E-mail: Douglasmillerlaw@gmail.com

May 24, 2024

Wiley Quinn
Director of Urban Development
Department of Urban Development
P. O. Box 1898
Hattiesburg, MS 39403

Re: Lighthouse Rescue Mission, Inc.
408 Broadway Drive
Hattiesburg, MS

Dear Cory Long;

In denying the Lighthouse Rescue Mission request to use the above-described property as a Congregate Care you responded as follows:

"The site plan review committee and the Urban Development Director finds the use to be a Group Facility as defined by the LDC in reference to information from the NAICS."

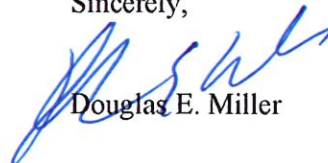
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Just to be clear you denied the request for the property to be used as a church?

How do we appeal this decision and how long do we have to appeal.

Thank you for your assistance in this matter.

Sincerely,



Douglas E. Miller

RECEIVED
MAY 24 2024
BY [Signature]

Douglas E. Miller, PLLC

Attorney at Law

804 Main Street
P. O. Box 1616
Purvis, MS 39475

Phone: 601-794-6100

Fax: 601-794-6107

E-mail: Douglasmillerlaw@gmail.com

May 29, 2024

The Planning Division of Urban Development
P. O. Box 1898
Hattiesburg, MS 39403

Kermas Eaton
Director of Administration/City Clerk

Wiley Quinn
Director of Urban Development

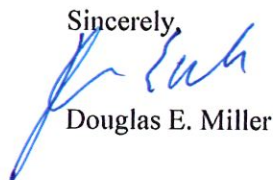
Re: Lighthouse Rescue Mission, Inc.
408 Broadway Drive
Hattiesburg, MS

Dear Sirs;

Please find enclosed our request to appeal the Planning Commission recommendation of the:

- 1) Designation of Lighthouse Rescue Mission, Inc. as a Group Care Facility.
 - 2) Denial of Lighthouse Rescue Mission to use the property as a Church.
- in the Pre-Application meeting on May 16, 2024. Also Enclosed is the \$50.00 fee to appeal. If you need any further information, please contact me.

Sincerely,



Douglas E. Miller



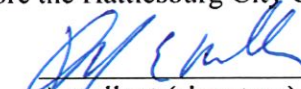
**URBAN
DEVELOPMENT
PLANNING DIVISION**

REQUEST TO APPEAL DECISION OR RECOMMENDATION

Today's Date:	May 29, 2024
Date of Decision/Recommendation Date:	May 23, 2024
<i>(Appeals must be made within ten consecutive days of the recommendation)</i>	
Name of Property Owner/Petitioner:	Kenneth Thronson
Name of Person Requesting Appeal Hearing:	Douglas E. Miller
Mailing Address of Person Requesting Appeal Hearing:	Post Office Box 1616, Purvis, MS 39475
Address of Petitioned Property:	
408 Broadway Drive, Hattiesburg, MS	
Name of the Deciding Body:	
Director of UD ☒ Site and Design Review Committee ☐ Historic Conservation Commission ☐ Planning Commission ☐ or Board of Adjustment ☐	
Petitioner's Request of the Deciding Body:	
Review the denial of a Church and look at Congregate care versus Group Care Facility	
Deciding Body's Recommendation:	
Denied use of property for Church. Defined Lighthouse as a Group Care Facility.	

**Attach the specific grounds for appeal to this application.
Subject to a \$50 fee per ordinance 2977**

I hereby APPEAL the Planning Commission Recommendation for the above-referenced petition and request to hold a Public Hearing before the Hattiesburg City Council.


Appellant (signature)
Douglas E. Miller

Send to:
The Planning Division of Urban Development

Copy to:
Kermas Eaton, Director of Administration/City Clerk
Wiley Quinn, Director of Urban Development

P.O. Box 1898
Hattiesburg, MS 39403
601.545.4591



URBAN DEVELOPMENT PLANNING DIVISION

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: Robert Green

Project Name: The Side Packet

Proposed Use(s): Pool Hall/Bar

Project Street Address: 912 Debbs

PPIN Number(s) (if unknown, can be found on tax receipt): 13800

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: Pool Hall/Bar

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: April 25, 2024 Planner: _____

Parcel Number(s): 2-038B-15-232.00 Historic District(s): _____

Flood Zone(s): X Zoning Districts(s): B-2

Project No.: PRE-0424-0779

Code Sections:

LDC Section No. _____

Section No. _____

Section No. _____

Section No. _____

Section No. _____

RECEIVED DATE & INITIALS:

PROJECT REPRESENTATIVE INFORMATION:**Primary:**

Name: Robert Green

☒ Applicant ☒ Property Owner ☐ Representative ☐ Agent ☐ Contractor ☐ Architect ☐ Engineer

☐ Other (please specify): _____

Phone: 601 408-2105 Fax: _____ Email: REGreen221@comcast.net

Mailing Address: P.O. Box 1831

Secondary:

Name: Tolerance Green

☐ Applicant ☐ Property Owner ☒ Representative ☐ Agent ☐ Contractor ☐ Architect ☐ Engineer

☐ Other (please specify): _____

Phone: 601 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
912 A Dobbins St Hattiesburg MS,
 Street Address City State
 on this the _____ day of _____, 20____.

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.

Robert Green
 on this the _____ day of _____, 20____.

Robert Green
 Property Owner (print)
[Signature]
 Property Owner (signature)

STATE OF MS
 COUNTY OF Lamar

Personally came and appeared before me, the within named

Robert Green,
 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 13th day of May, 2024.

Hazel Young
 NOTARY PUBLIC



My Commission Expires:

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 912 A Debbs st Abbeville MS,
 Street Address City State
 on this the _____ day of _____, 20____.

Robert Green
 Applicant (print)

[Signature]
 Applicant (signature)

STATE OF MS

COUNTY OF Jones

Personally came and appeared before me, the within named

Robert Green,
 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 13th day of May, 2021.

[Signature]
 NOTARY PUBLIC

My Commission Expires:





**URBAN
DEVELOPMENT
PLANNING DIVISION**

**Planning Commission
Case Fact Sheet**

Names of Petitioner: Robert Green, Applicant/ Property Owner

Address of Property:	Tax Parcels	PPIN:	Ward:
912 Dabbs Street	2-038B-15-232.00	13800	2

Request: **Conditional Use Request for “Club and Bar” Use**

Purpose of Request: **Conditional Use Request for “Club and Bar” Use** - Robert Green, owner, request a conditional use approval for a “Clubs and Bars” for a property located at 912 Dabbs Street, Zoned B-2 (PPIN 13800 Ward 2, Forrest County).

History / Background: The applicant met with Staff to discuss the establishment of a club and bar at 912 Dabbs Street. A previous application was submitted for a “cigar bar” for a business at 915 Dabbs St, which included a proposal for an off-site parking lot, which required multiple variances to be approved. All of the requests were approved by the City Council in 2021.

However, the applicant never obtained site plan approval for the parking lot and it was never constructed. A privilege tax license was never issued to the cigar bar at 915 Dabbs Street known as “The Tobacco Company”. The applicant is now requesting to establish the club and bar at 912 Dabbs St. The applicant has also proposed the construction of a parking lot on the vacant lot across the street but has not presented any formal plans for the design and construction of the parking lot, and has not been reviewed by the site and design review committee.

Applicant Summary: * See Attached *

Applicable Regulations:

SECTION 4

Zoning Districts Established

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.

SECTION 5

Table 5.1 – Table of Uses

Table 5.1 Table of Uses																
Use		Agricultural		Residential				Business				Industrial		Additional Use Conditions Cross Reference		
■	Permitted	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	
□	Permitted with conditions															
◆	Conditional Use															
×	Not Permitted															
Care center		◆	◆	×	×	×	×	□	□	□	□	□	□	◆	×	5.4.12
Care center, home		□	□	◆	◆	◆	◆	◆	□	□	□	□	□	×	×	5.4.12
Cemeteries and columbariums accessory to a worship center		□	□	□	□	□	□	□	□	□	□	□	□	×	×	5.4.13
Cemetery and columbarium as principal uses		◆	◆	×	×	×	×	×	×	×	□	×	□	×	×	5.4.13
Civic/cultural/community center		×	◆	◆	◆	◆	◆	◆	□	□	□	□	□	◆	×	5.4.14
Clubs and bars		×	×	×	×	×	×	×	×	◆	□	□	□	×	×	5.4.15

5.4.15 Clubs and Bars.

5.4.15.1 Amplified music, loud speakers, and similar noise devices shall not be permitted outdoors. Noise emanating from the club shall not exceed ambient noise levels in the surrounding area at a distance of more than 100 feet from any point of the property containing the club.

5.4.15.2 Off-premises parking for bars in B3 is not permitted.

Present Zoning:	Property is currently zoned B-2 Neighborhood Business District.
Present Use:	Commercial building, no active privilege tax license application on file
Future Land Use:	Neighborhood Conservation District 1
Surrounding Zoning and Land Use:	North: B-2 Neighborhood Business South: B-2 Neighborhood Business East: R-1A, Single Family Residential West: B-2 Neighborhood Business / R-1A, Single Family Residential

Letters or

Concerns stated:

The Planning Division Office has received multiple phone calls regarding the proposal with concerns regarding the addition of a club and bar in the neighborhood.

Recommend **Approval** or **Denial** of the Conditional Use Request for a “Club and Bar” at 912 Dabbs St.

Basis for approval:

12.3.3 Conditional Use Approvals

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

12.3.3.2 Additional Approval Criteria. In addition to the standards mentioned above, the applicant for a request for the Planning Commission to approve a use shall be required to demonstrate that his/her proposal addresses the following additional requirements, except that the Planning Commission may waive any one or more criteria that it determines are not applicable based upon the expected impact of the proposal.

- i. Determination that adequate public facilities and services will be available concurrent with the impacts of the development as evidenced by letters of sufficiency from utilities and schools and a determination by the city engineer that the available capacity of existing streets can safely provide access to the site.
- ii. The proposed development will be compatible with surrounding uses and will protect adjacent properties through the following measures:
 - Protection of privacy. The proposed plan shall provide reasonable visual and auditory privacy for all dwelling units located within and adjacent to the site. Fences, walls, barriers and / or vegetation shall be arranged to protect and enhance the property and to enhance the privacy of on-site and neighboring occupants.
 - Protection of use and enjoyment. The proposed plan shall be designed and arranged to have minimal negative impact on the use and enjoyment of adjoining property.

July 2024 HPC Item: B
Robert Green, Applicant/ Property Owner
Request for: **Conditional Use Approval**

- Compatible design and integration. The use meets all design criteria required by this Code that apply and is designed to integrate well both on and off site.

SUBJECT PARCEL

912 Dabbs Street—Conditional Use Request for “Club and Bar” Use

Robert Green, owner, requests a conditional use approval for a “Clubs and Bars” for a property located at 912 Dabbs Street, Zoned B-2 (PPIN 13800 Ward 2, Forrest County).





Zoning Map

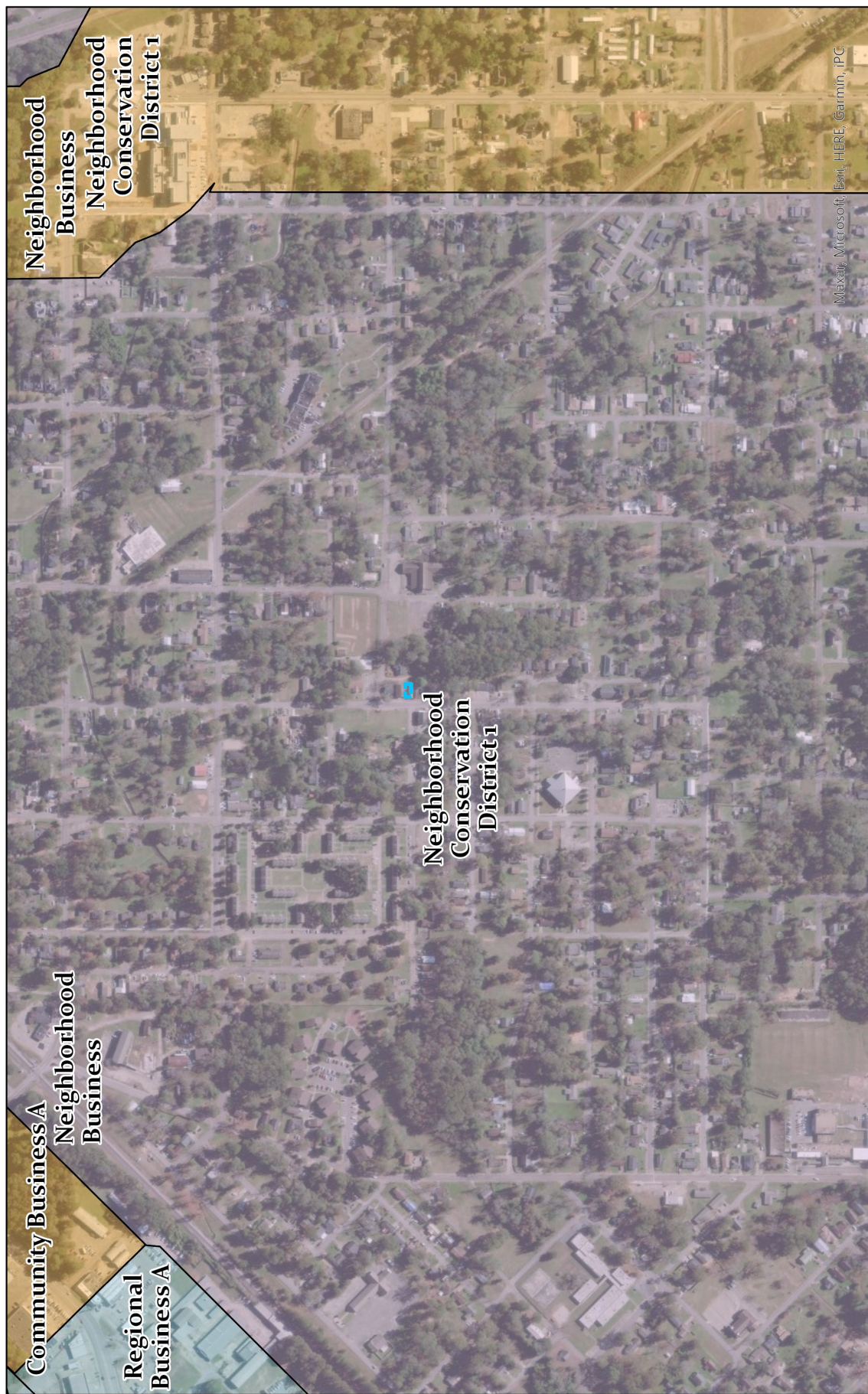
-  Subject Property
-  R-1A
-  R-1C
-  B-2

Conditional Use Request for
"Club and Bar"
PPIN: 13800
Flood Zone: X
Ward 2, Forrest County



**URBAN
DEVELOPMENT**
PLANNING DIVISION
Center: 89°17'35"W 31°18'49"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 12:02 PM



Future Land Use Map

- Subject Property
- Community Business A
- Neighborhood Business

- Neighborhood Conservation District 1
- Regional Business A

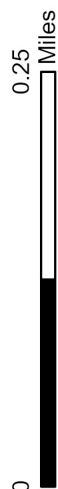
Conditional Use Request for

"Club and Bar"

PPIN: 13800

Flood Zone: X

Ward 2, Forrest County



**URBAN
DEVELOPMENT**
PLANNING DIVISION

Center: 89°17'35"W 31°18'47"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 12:00 PM

Site Aerial



Surrounding Area



Surrounding Area



July HPC Item: C
Arthur L. Siggers, Property Owner, Jeremy Siggers, Representative
Request for: **Modification of a Platted Subdivision**



**URBAN
DEVELOPMENT
PLANNING DIVISION**

**Planning Commission
Case Fact Sheet**

Names of Petitioner: Arthur L. Siggers, Property Owner, Jeremy Siggers, Representative

Address of Property:
305 J C Killingsworth Drive

Tax Parcels:
2-038F-16-129.00

PPIN:
21408

Ward:
5

Request:

Modification of a Platted Subdivision

Purpose of Request:

ALS Properties, owner, request approval to alter the platted subdivision known as "D. D. McInnis 3rd Survey or Addition" to subdivide the property located at 305 J C Killingsworth Drive into three lots Zoned R-1C (PPIN 21408, Ward 5, Forrest County).

History / Background:

The applicant met with staff in a pre-application meeting to discuss changing the current property and lot boundaries located at ~305 J C Killingsworth Drive. The applicant is proposing a subdivision of the property into 3 new lots. However, the lot is within the D.D. McInnis 3rd Survey Addition subdivision, and requires it to meet the requirements of state law for alteration/modification. The 3 newly proposed lots all meet the dimensional requirements for the R-1C zoning. The applicant has constructed homes directly across the street from this lot and is proposing to construct similar homes on each of the 3 lots.

By definition, this is considered a minor subdivision, which only requires staff-level approval through the site plan review committee. However, the proposed division is in the platted subdivision known as the "Hawkins and Thompson Subdivision." Platted subdivisions are subject to state requirements for alteration as recorded. State law provides two routes to pursue alteration of a subdivision, under Miss. Code Ann. § 17-1-23 or Miss. Code Ann. § 19-27-31. The applicant is pursuing a modification following Miss. Code Ann. § 17-1-23, which allows a request to be petitioned to the city council for modification.

July HPC Item: C
 Arthur L. Siggers, Property Owner, Jeremy Siggers, Representative
 Request for: **Modification of a Platted Subdivision**

Applicable Regulations:

SECTION 4 - Zoning Districts Established

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

SECTION 6 - 6.1 District Dimensional Standards

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-1C	5,000/ 50	1 per lot	-	20	-	10	25	35 feet or 3 stories	50%	-

SECTION 12 – Processes

12.5 Administrative Development Approvals; Process.

12.5.1 Subdivisions.

12.5.1.1 Minor Subdivision Approval.

i. Approval Criteria

- Conformance with the Comprehensive Plan.
- Conformance with the standards of the zoning district.
- Conformance with other standards and requirements of this Code and other City policies and regulations that apply.
- Determination that adequate public facilities and services will be available concurrent with the impacts of the subdivision as evidenced by letters of sufficiency from utilities and schools and a determination by the city engineer that the available capacity of existing streets can safely provide access to the site.

12.5.1.3 Recording.

In order to be an official and legal plat, final approved plats must be recorded with the Chancery Clerk of Forrest or Lamar County, as appropriate. The Director shall ensure that

the City records this information in a timely fashion.

SECTION 13 – DEFINITIONS

Plat:	A complete and exact map representing a tract of land, showing the boundaries and location of individual lots, easements, and streets, which has been approved by the planning commission and recorded in the office of the county clerk. Includes a replat.
Preliminary Plat:	The preliminary drawing or drawings, described in this ordinance, indicating the proposed manner or layout of the subdivision to be submitted to the appropriate official for city approval.
Subdivision:	The division of a lot, tract, or parcel of land into two or more lots, plats, sites, or other divisions of land for the purpose, whether immediate or future, of sale, lease, or building development by means of an appropriately recorded legal document.
Subdivision, Minor:	Any subdivision (lot split) containing not more than three lots fronting on an existing street that does not result in the creation of any new street, the extension of municipal utilities, or the need for additional public improvements. A series of related minor subdivisions on contiguous land cumulatively totaling four or more lots shall be construed to create a major subdivision.

Miss. Code Ann. § 17-1-23 – Subdivision Regulation

Section 4 –

(4) If the owner of any land which shall have been laid off, mapped or platted as a city, town or village, or addition thereto, or subdivision thereof, or other platted area, whether inside or outside a municipality, desires to alter or vacate such map or plat, or any part thereof, he may petition the board of supervisors of the county or the governing authorities of the municipality for relief in the premises, setting forth the particular circumstances of the case and giving an accurate description of the property, the map or plat of which is to be vacated or altered and the names of the persons to be adversely affected thereby or directly interested therein. However, before taking such action, the parties named shall be made aware of the action and must agree in writing to the vacation or alteration. Failure to gain approval from the parties named shall prohibit the board of supervisors or governing authorities from altering or vacating the map or plat, or any part thereof. Any alterations of a plat or map must be recorded in the appropriate location and a note shall be placed on the original plat denoting the altered

July HPC Item: C
Arthur L. Siggers, Property Owner, Jeremy Siggers, Representative
Request for: **Modification of a Platted Subdivision**

or revised plat. No land shall be subdivided nor shall the map or plat of any land be altered or vacated in violation of any duly recorded covenant running with the land. Any municipality which shall approve such a vacation or alteration pursuant to this section shall be exempt from the sale of surplus real property provisions as outlined in Section 21-17-1.

Present Zoning: The parcel is currently zoned R-1C Single-Family Residential

Present Use: Vacant Lot

Future Land Use: Neighborhood Conservation District 1

Surrounding Zoning:
North: R-1C Single-Family Residential
South: R-1C Single-Family Residential
East: R-1C Single-Family Residential
West: R-1C Single-Family Residential

Letters or Concerns stated: The Planning Division has not received any letters or concerns stated for this proposal as of June 25th, 2024.

Option: Recommend **approval or denial** of the request to alter the platted subdivision as requested by the applicant.

SUBJECT PARCEL

305 J C Killingsworth Drive— Modification of a Platted Subdivision

Arthur L. Siggers, Property Owner, requests approval to alter the platted subdivision known as the “D.D. McInnis 3rd Survey or Addition” to subdivide the property located at 305 J C Killingsworth Drive into three lots Zones R-1C (PPIN 21408, Ward 5, Forrest County).





Zoning Map

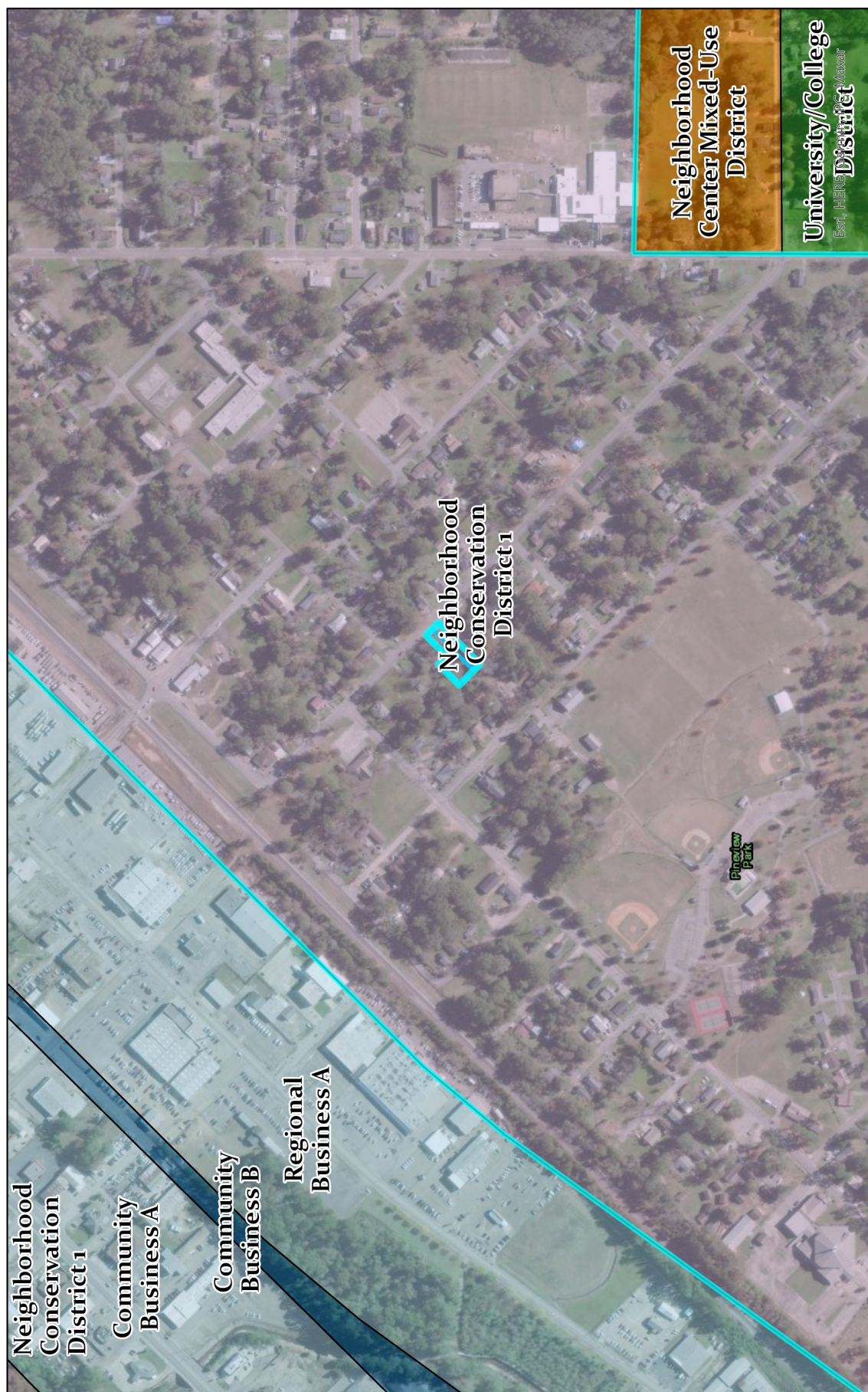
- Subject Property
- B-2
- B-3
- B-5
- R-1A
- R-1B
- R-1C

Request to Modify Platted
Subdivision
~305 JC Killingsworth
PPIN: 21408
Flood Zone: X
Ward 5, Forrest County



**URBAN
DEVELOPMENT**
PLANNING DIVISION
Center: 89°18'13"W 31°18'33"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 12:21 PM



Future Land Use Map

- Subject Property
- Community Business A
- Community Business B
- Neighborhood Center Mixed-Use District

- Neighborhood Conservation District 1
- Regional Business A
- University/College District

Request to Modify Platted
Subdivision
~305 JC Killingsworth
PPIN: 21408
Flood Zone: X
Ward 5, Forrest County



**URBAN
DEVELOPMENT**
PLANNING DIVISION
Center: 89°18'16"W 31°18'34"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 12:23 PM

Site Aerial



Surrounding Area



Surrounding Area





URBAN DEVELOPMENT PLANNING DIVISION

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

RECEIVED
MAY 17 2024

APPLICANT:

Applicant Name: Arthur L Siggers DBA ALS Properties
Project Name: Siggers Cove (JC Killingsworth / Dumas Project)
Proposed Use(s): Residential dwellings
Project Street Address: 305 J C Killingsworth Drive
PPIN Number(s) (if unknown, can be found on tax receipt): 021408

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: _____ 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. _____

RECEIVED DATE & INITIALS:

PROJECT REPRESENTATIVE INFORMATION:**Primary:**

Name: Arthur L Siggers

☒ Applicant ☒ Property Owner ☐ Representative ☐ Agent ☐ Contractor ☐ Architect ☐ Engineer

☐ Other (please specify): _____

Phone: 601 310-0250 Fax: _____ Email: moses5754741@aol.com

Mailing Address: 1313 Country Club Road
Hattiesburg, MS 39401

Secondary:

Name: Jeremy Siggers

☐ Applicant ☐ Property Owner ☒ Representative ☐ Agent ☐ Contractor ☐ Architect ☐ Engineer

☐ Other (please specify): _____

Phone: 601 520 9036 Fax: _____ Email: jsiggers2@gmail.com

Mailing Address: 19 Siggers Rd Ellisville, MS 39437

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
305 JC Killingsworth Dr Hattiesburg, MS
Street Address City State
on this the 16 day of May, 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.

Jeremy Siggers
on this the 16 day of May, 2024.

Arthur L Siggers
Property Owner (print)

Arthur L. Siggers
Property Owner (signature)

STATE OF MS

COUNTY OF FORREST

Personally came and appeared before me, the within named
ARTHUR L. SIGGERS,
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 17th day of
May, 2024.

Warren T. Carter
NOTARY PUBLIC

My Commission Expires:

12-1-2027



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
305 JC Killingsworth Drive Hattiesburg, MS
Street Address City State
on this the 16 day of May, 2024

Arthur L Siggers
Applicant (print)

Arthur L. Siggers
Applicant (signature)

STATE OF MS

COUNTY OF FORREST

Personally came and appeared before me, the within named ARTHUR L. SIGGERS, 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 17th day of May, 2024.

Warren T. Carter
NOTARY PUBLIC

My Commission Expires:

12-1-2027



Subdividing of Lot, Parcel or Tract Information

1. Property data:

Parent Parcel / Existing lot/parcel/tract contains _____ Square Footage/Acres

Lot Area Requirement: _____

Lot Frontage Requirement: _____

Existing use of lot/parcel/tract residential

To be subdivided into 3 lots/parcels (including parent parcel) – outlined below.

Use extra copies of this form if needed for additional lots.

Newly subdivided Parcels	New lot size in square footage (sf) or acres (A)	New lot has public road frontage (yes / no)	New lot has private road frontage (yes / no)	Indicate name of public or private road(s)	Staff - Lot area & frontage requirements comply?	
					Yes	No
1.	50 x 100	yes	no	Dumas Avenue		
2.	50 x 100	yes	NO	Dumas Avenue		
3.						
4.						
5.						
6.						
7.						
8.						
9.						
10.						
11.						
12.						
Be sure to include information on the remainder of "existing" lot after splits made – identified as "Parent Parcel"						
Parent Parcel	100 x 60	yes	NO	50 Killingworth Dr		
	Total square footage of new lots (verify total matches existing parcel prior to splits)					

2. Infrastructure required:

Water/Sewer * Gas _____ Electric * Telephone _____ Cable _____ Streets _____

NAME OF RECORDED SUBDIVISION TO BE ALTERED:

Siggers Cove

I am writing to formally submit my application for approval of a subdivision alteration as per the requirements outlined in Mississippi State Code 17-1-23, Section 4. I have diligently complied with the provisions of this statute by identifying and notifying individuals who may be adversely affected or directly interested in the proposed alteration.

Below is a summary of the steps required to meet the requirements of Mississippi State Code 17-1-23 for alteration of a plat:

1. Identification of Affected Individuals: I have thoroughly documented and named all persons who would be adversely affected by or directly interested in the proposed subdivision alteration.
2. Notification of Proposed Changes: Before initiating any action regarding the alteration, I have ensured that the parties named are made aware of the proposed changes.
3. Obtaining Written Agreement: I have obtained written agreements to the vacation or alteration from all affected individuals, as required by the statute.

I have also submitted the following with this application:

- ☐ List of persons who are adversely affected or otherwise directly interested in the alteration of the subdivision
- ☐ Written agreements from the persons identified approving the proposed alteration
- ☐ Proposed alteration to the subdivision, drawn to scale.

Enclosed with this application, you will find comprehensive documentation supporting my compliance with Mississippi State Code 17-1-23, Section 4. This includes a list of individuals adversely affected or directly interested in the proposed subdivision alteration, along with copies of their written agreements to the vacation or alteration.

I attest that I have met the requirements above for the alteration of a recorded subdivision in the State of Mississippi and the City of Hattiesburg as outlined in MS State Code 17-1-23.

Signature Arthur L. Siggers

Date 5/16/2024

Identification of Persons Adversely Affected or Directly Interested in Proposed Subdivision Alteration

Name of Subdivision being altered:

Siggers Cove

Address and PPIN of alteration in subdivision:

305 JC Killingsworth Dr. 021408

Approve of Proposed

Alteration (Yes or

No)

Phone Number

Address

Name

Signature

1	021A BOOTH	212-Barry	601-596-2554		021A Booth
2					
3					
4					
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18					
19					

July HPC Item: D
Shelby Murray, Engineer, Forrest Dungan, Engineer, and David Lawson, Property Owner
Request for: **Zoning Change From B-5 (Regional Business) to I-1 (Light Industrial)**



**URBAN
DEVELOPMENT
PLANNING DIVISION**

**Planning Commission
Case Fact Sheet**

Names of Petitioner Shelby Murray, Engineer, Forrest Dungan, Engineer, and David Lawson, Property Owner

Address of Property:	Tax Parcels:	PPIN:	Ward:
2100 McInnis Loop	2-039I-20-034.00, 2-039I-20-009.02	38592/47444	5

Request: **Zoning Change From B-5 (Regional Business) to I-1 (Light Industrial)**

Purpose of Request: To request **approval for rezoning a property located at 2100 McInnis Loop from B-5 (Regional Business) to I-1 (Light Industrial)** (PPIN 38592 and 47444, Ward 5, Forrest County).

History / Background: The Lil' Butcher Shoppe met with staff in pre-application to discuss the proposal of a new meat processing and manufacturing facility on McInnis Loop, directly adjacent to their existing meat market and butcher shop. Industrial zoning is required for the proposed use, and the applicant is proposing a rezone to I-1 from the existing B-5 zoning for two parcels for their proposed development.

The proposed facility would be an 18,099ft² meat smoking facility and would be designed to accommodate additional expansion in future phases. The facility would increase the production of its current smoked meats. A preliminary site plan has been presented to the site and design review committee, and has received comments for adjustment based on the proposed I-1 zoning, where many of the standards of design are reduced in this zoning from the current B-5 zoning district.

The Planning Commission should consider several factors of rezoning from commercial to industrial zoning, including but not limited to, environmental impact, adequate infrastructure, community impact, economic considerations, compatibility, and long-term sustainability.

Applicant Summary: * See Attached *

July HPC Item: D
Shelby Murray, Engineer, Forrest Dungan, Engineer, and David Lawson, Property Owner
Request for: **Zoning Change From B-5 (Regional Business) to I-1 (Light Industrial)**

Applicable Regulations:

SECTION 4

Zoning Districts Established

B-5 Regional Business District: The purpose of the B-5 District is to provide for retail, personal and business services, offices, and financial services in locations with convenient access to the region's population consistent with comprehensive planning policies. This district is consistent with the Regional Business District in the Comprehensive Plan.

I-1 Light Industrial District: The purpose of the I-1 District is to provide for the development of research, light industrial, office parks, warehouse, and distribution centers consistent with comprehensive planning policies. This district is consistent with the Industry and Corporate Office District in the Comprehensive Plan.

SECTION 6

6.1 District Dimensional Standards

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			
B-5	No minimum/ 100	-	1.50	30	150	0 or 10	0	72 feet or 6 stories	90%	50
I-1	No minimum/ 100	-	0.75	40	40	0 or 10	0	75 feet	60%	60

Present Zoning: The parcel is currently zoned B-5 Regional Business

Present Use: Vacant

Future Land Use: Community Business Corridor / Neighborhood Conservation District 2

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: The Planning Division has not received any letters or concerns as of the writing of this report on June 25th, 2024.

July HPC Item: D

Shelby Murray, Engineer, Forrest Dungan, Engineer, and David Lawson, Property Owner

Request for: **Zoning Change From B-5 (Regional Business) to I-1 (Light Industrial)**

Option: Recommend **approval** or **denial** of the request for a Zoning Change

Basis for approval (Zoning Change):

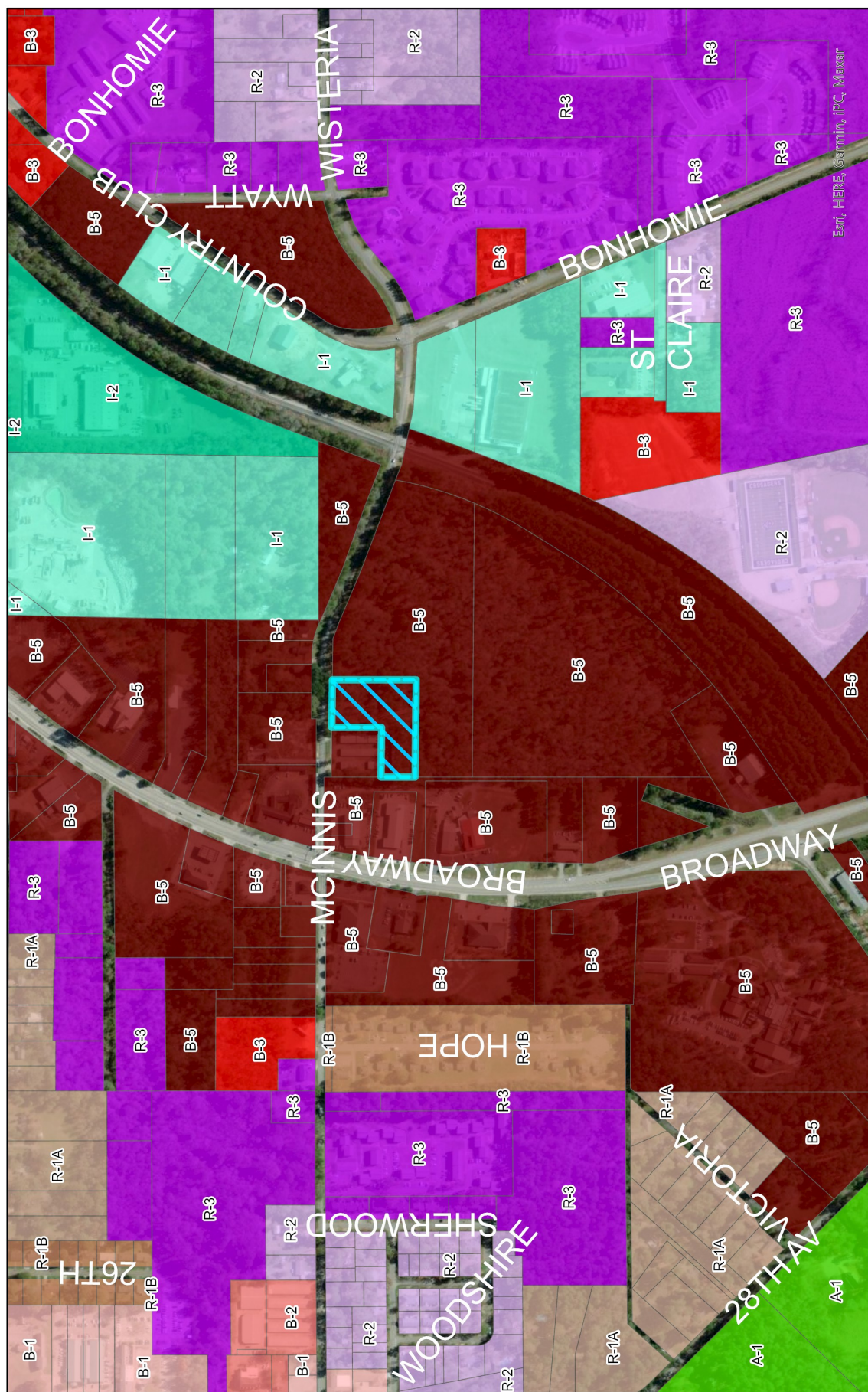
- I. There was a mistake in the original zoning
- II. The character of the neighborhood has changed substantially so that rezoning is clearly justified and there is a public need for the rezoning
- III. Annexation

SUBJECT PARCEL

2100 McInnis Loop— Zoning Change from B-5 (Regional Business) to I-1 (Light Industrial)

Request approval for rezoning a property located at 2100 McInnis Loop from B-5 (Regional Business) to I-1 (Light Industrial) (PPIN 38592 and 47444 Ward 2, Forrest County).





Rezone Request from B-5 to I-1
~2100 McInnis Loop
PPIN: 38592, 47444
Flood Zone: X
Ward 5, Forrest County

0 0.25 Miles

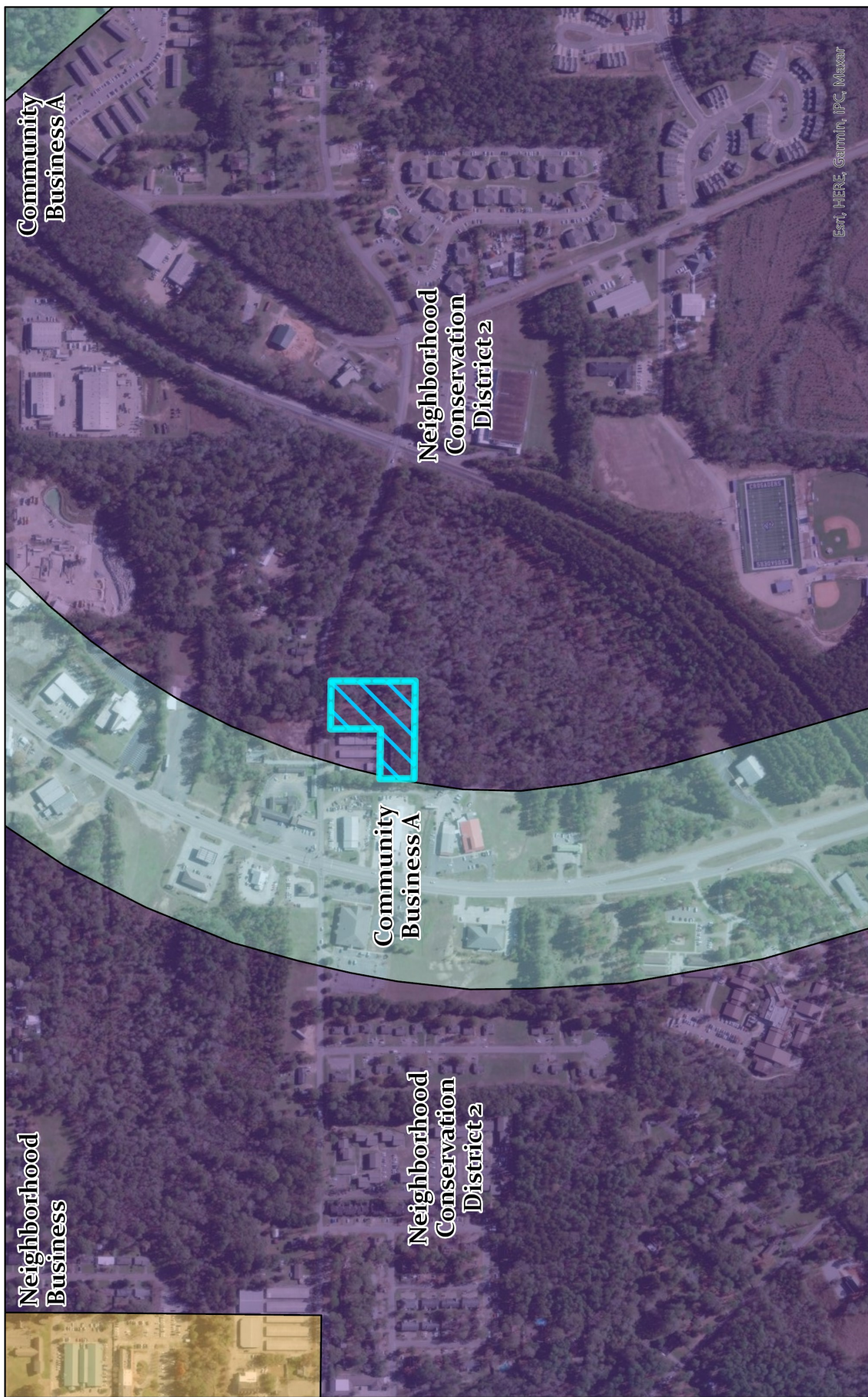
N

CITY OF MADISON
URBAN DEVELOPMENT
PLANNING DIVISION
Center: 89°19'18"W 31°17'52"N

Zoning Map

	Subject Property	R-2	B-3
	A-1	R-3	B-5
	R-1A	B-1	I-1
	R-1B	B-2	I-2

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 12:37 PM



Future Land Use Map

- Subject Property
- Community Business A
- Neighborhood Business
- Neighborhood Conservation District 2

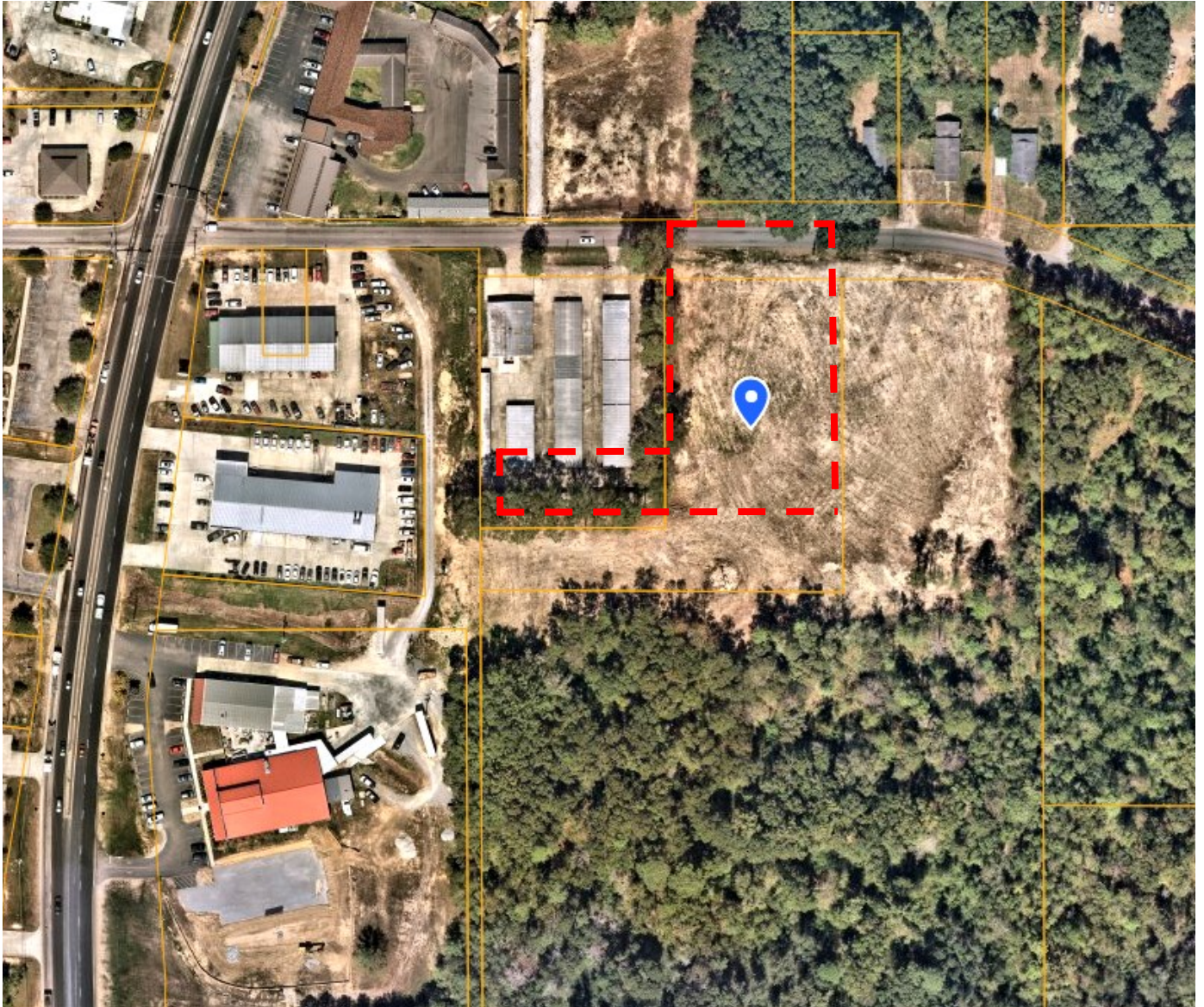
Rezoning Request from B-5 to I-1
~2100 McInnis Loop
PPIN: 38592, 47444
Flood Zone: X
Ward 5, Forrest County



**URBAN
DEVELOPMENT**
PLANNING DIVISION
Center: 89°19'18"W 31°17'52"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 12:38 PM

Site Aerial



Surrounding Area



Surrounding Area





URBAN DEVELOPMENT PLANNING DIVISION

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: David Lawson
Project Name: Lil Butcher Shoppe New Building and Parking
Proposed Use(s): Meat Smoking Facility with parking for employees and large trucks.
Project Street Address: 2100 McInnis Loop, Hattiesburg, MS 39402

PPIN Number(s) (if unknown, can be found on tax receipt): 38592 and 47444

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 |
| ☐ Lot Coverage Area | ☐ Open Space | ☐ Other: |

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-5, Regional Business

Proposed Zoning: I-1, Light Industrial

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 Districts(s): _____

Project No.: _____

Code Sections:

LDC Section No. _____

Section No. _____

Section No. _____

Section No. _____

Section No. _____

RECIVED DATE & INITIALS:

PROJECT REPRESENTATIVE INFORMATION:

Primary:

Name: Shelby Murray – Clearpoint Engineers

☐Applicant ☐Property Owner ☐Representative ☐Agent ☐Contractor ☐Architect ☒Engineer

☐Other (please specify): _____

Phone: 601-261-2609 Fax: _____ Email: shelby@clearpointengineers.com

Mailing Address: 6652 Highway 98 West, Hattiesburg, MS 39402

Secondary:

Name: Forrest Dungan – Clearpoint Engineers

☐Applicant ☐Property Owner ☐Representative ☐Agent ☐Contractor ☐Architect ☐Engineer

☐Other (please specify): _____

Phone: 601-261-2609 Email: forrest@clearpointengineers.com

Mailing Address: 6652 Highway 98 West, Hattiesburg, MS 39402

Other(s):

Name: David Lawson

☐Applicant ☒Property Owner ☐Representative ☐Agent ☐Contractor ☐Architect ☐Engineer

☐Other (please specify): _____

Phone: 601-261-2765 Email: lilbutchershoppe@gmail.com

Mailing Address: 1910 Broadway Dr, Hattiesburg, MS 39401

Name: N/A

☐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

2100 McInnis Loop Hattiesburg MS 39401
Street Address City State

on this the 20th day of May, 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.

on this the 20th day of May, 2024.

DAVID LAWSON
Property Owner (print)
[Signature]
Property Owner (signature)

STATE OF MS

COUNTY OF Lamar

Personally came and appeared before me, the within named

David Lawson,
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 20th day of May, 2024.

Stacey Odom
NOTARY PUBLIC

My Commission Expires:

10/18/27

Last updated 7/31/2023



Page 3 of 14

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
2100 McInnis Loop Hattiesburg MS 39401
Street Address City State

on this the 20th day of May, 2024.

DAVID Lawson
Applicant (print)
[Signature]
Applicant (signature)

STATE OF MS

COUNTY OF Lamar

Personally came and appeared before me, the within named

David Lawson,
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 20th day of May, 2024.

Stacey Odom
NOTARY PUBLIC

My Commission Expires:

10/18/27



FOR RE-ZONING APPLICANTS:

As stated in Section 12.3 in the Land Development Code, one of the following conditions must be met before a rezoning can be recommended. Check the condition(s) most applicable to your request and explain in writing.

☐ There was a mistake in the original zoning.

☒ The character of the neighborhood has changed substantially so that rezoning is clearly justified and there is a public need for the rezoning.

☐ Annexation.

Detailed explanation of condition(s) most applicable to your request:

The owner is requesting re-zoning from the existing B-5 zone to I-1 Light Industrial zone. For parcels 38592 and 47444. The zones are described below.

The Regional Business District, classified as B-5, provides a location for the largest, most land-intensive commercial uses, including regional “big box” retail stores, large strip commercial centers, shopping malls, and automobile sales businesses. These districts are primarily located along major corridors such as U.S. Highway 49, U.S. Highway 98, U.S. Highway 11 and U.S. Highway 42. The largest regional business area within the city is in western Hattiesburg along U. S. Highway 98 in Lamar County.

Industries and Industrial Park Industrial land uses are found in the Forrest County Industrial Park and on scattered sites in certain areas of the city. The 1988 Land Development Code established two industrial zones: the I-1, Light Industrial district and the I-2, Heavy Industrial district. Industrial corridors within the city include portions of U.S. Highway 49, Highway 42, Bouie Street, Edwards Street, James Street, and Dixie Pine Road.

The Lil Butcher Shoppe is proposing to expand their Hattiesburg operations with the construction of a new 18,900 square foot meat smoking facility. The project will consist of a new building, staff parking, truck docks, required detention pond and access drive. This site will primarily be for the purpose of packaging and distribution with large trucks. This location will be on the west side of McInnis Loop which is close the Lil Butcher Shop facility at 1910 Broadway Drive. The precise location is shown on the attachments.

The proposed rezoning of the parcels will blend with the adjacent I-1 zone to northeast and east of the site as shown on the exhibits.

Light industrial zoning I-1 typically permits uses such as packaging, certain types of manufacturing, and distribution facilities, while heavy industrial zoning I-2 typically permits uses such as chemical manufacturing, mining, and power production. This site fits the description for Light Industrial Zoning I-1 classification.

The proposed site is currently partially wooded and undeveloped.

Land Management, LTD
875 Old Richburg Road
Purvis, Mississippi USA 39475
Telephone: 601-544-7490
FAX: 601-544-7531

TO: Hattiesburg Planning Commission

FROM: Land Management Ltd.
Joseph F Tatum Jr.
General Partner

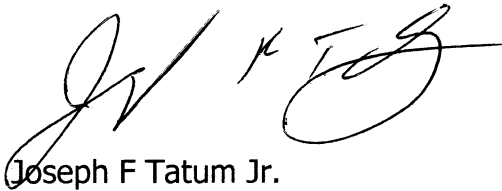
DATE: June 18, 2024

This letter supports the change in zoning by Lit Butcher Shoppe at 2100 McInnis Loop. Currently, the land is zoned B5 with a proposed zoning of I-1 light industrial.

Land Management is the sole neighbor on the east and south boundary of the requested rezoning.

The proposed rezoning is an excellent use for the area, and the rezoning will be very positive for the City of Hattiesburg.

Thank you,

A handwritten signature in black ink, appearing to read 'JF Tatum Jr.', is written over the printed name.

Joseph F Tatum Jr.
Land Management Ltd.
General Partner

Forrest County, MS

SLA
Sal Longo ARCHITECT
605 S. Michot Drive
Lafayette, Louisiana 70508
P.337.281.2155 F.1.866.295.2486
www.longoarchitecture.com
las@longoarchitecture.com

Project Team

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ELECTRICAL ENGINEER
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Hattiesburg, MS 39401
P.222.727.7070
EVE@eve-engineering.com

LIL BUTCHER SHOPPE
2100 McInnis Loop
Hattiesburg, MS

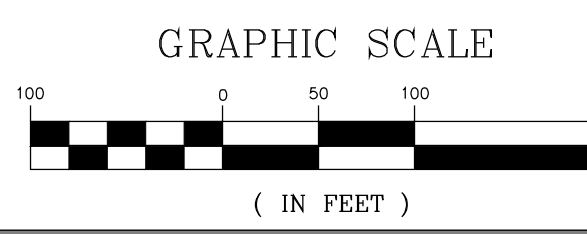
Date: 2022, September, 7
Project No. 010821
Drawn By: SEL Checked By: SEL

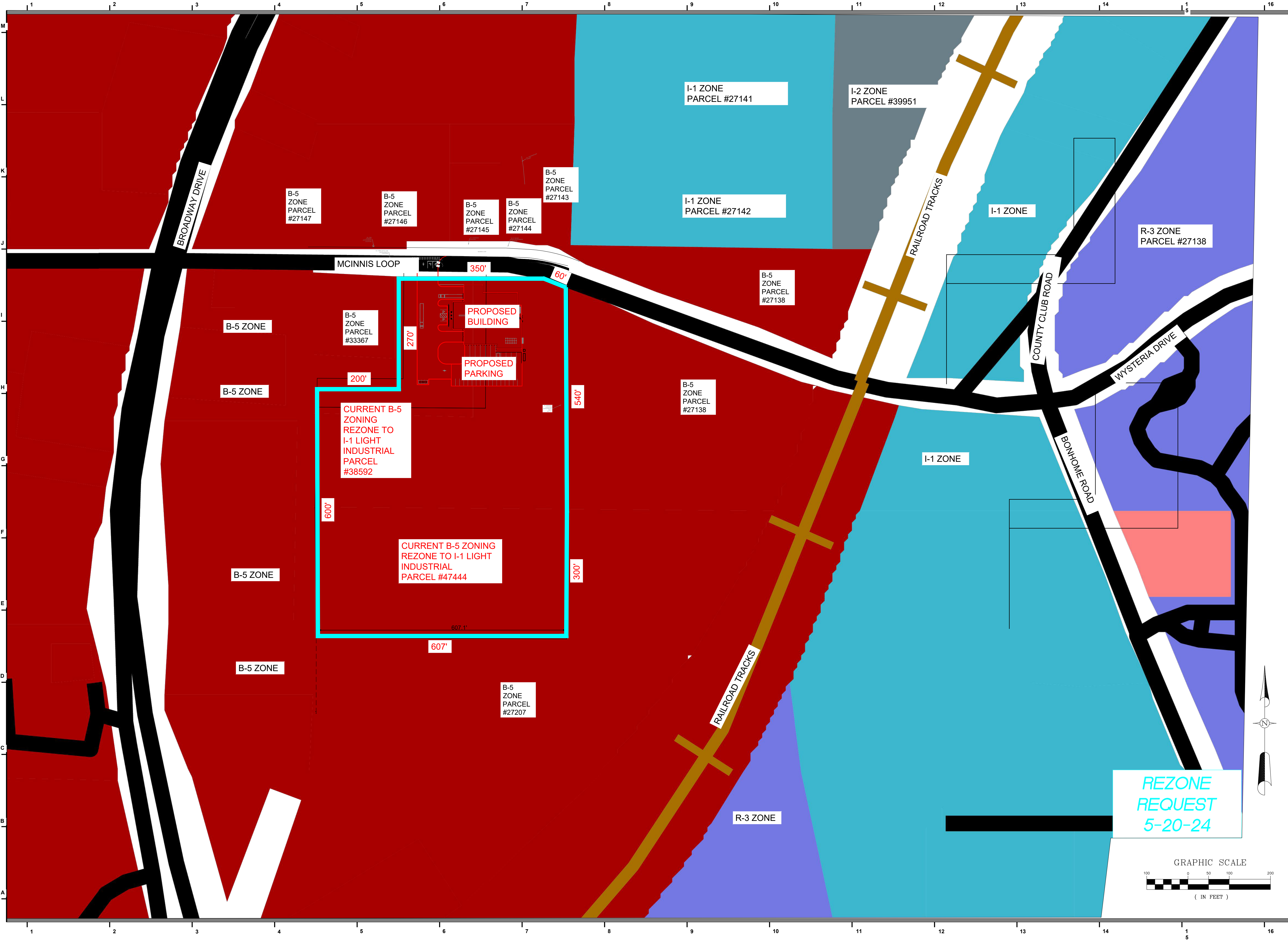
Revision	Date	Description

Z1.0
Proposed Re-Zoning
GIS Overlay



REZONE
REQUEST
5-20-24





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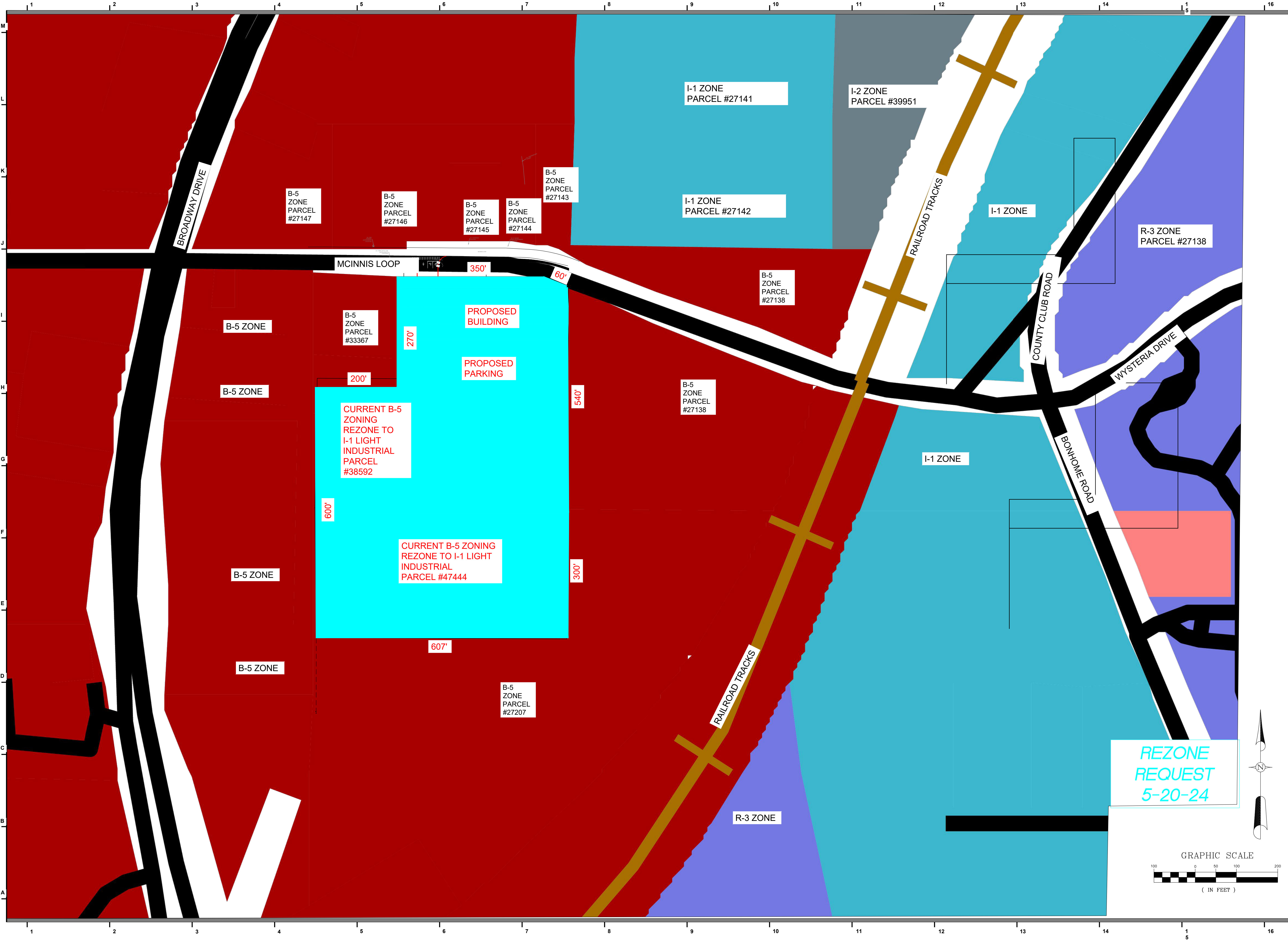
ELECTRICAL ENGINEER
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F. 601.767.7070
eve@eve-engineering.com

LIL BUTCHER SHOPPE
2100 McInnis Loop
Hattiesburg, MS

Date: 2022, September, 7
Project No. 010821
Drawn By: SEL Checked By: SEL

Revision	Description	Date

Z2.0
Proposed Re-Zoning
Zoning Overlay



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Project Team

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LIL BUTCHER SHOPPE
2100 McInnis Loop
Hattiesburg, MS

Date: 2022, September, 7
Project No. 010821
Drawn By: SEL Checked By: SEL

Revision	Date	Description

Z3.0
Proposed Re-Zoning
After
Approval



DEED

Bk:1395 Page:389-390

RCD: 06/01/2022 @ 4:31:20:PM

FORREST COUNTY, MS

LANCE C. REID CHANCERY CLERK

Prepared By:

James Kearney Travis, III
Travis and Travis, PLLC
P. O. Box 590
Hattiesburg, MS 39403-0590
(601) 582-5591
MSB #8779

Return To:

James Kearney Travis, III
Travis and Travis, PLLC
P. O. Box 590
Hattiesburg, MS 39403-0590

INDEXING INSTRUCTIONS: Index under the SW1/4 of the NE1/4 of Section 20, Township 4 North, Range 13 West, Forrest County, MS

STATE OF MISSISSIPPI
COUNTY OF FORREST

WARRANTY DEED

For and in consideration of the sum of Ten and No/100 (\$10.00) Dollars cash in hand paid and other good and valuable considerations, the receipt and sufficiency of which are hereby acknowledged and confessed, we,

James A. Roseberry and wife, Marcia T. Roseberry, Grantors
17 Longwood Drive
Hattiesburg, MS 39402
Phone: 601-268-3439

do hereby grant, bargain, sell, convey, and warrant, subject to the exceptions and reservations hereinafter set forth, unto

Lil' Land Company, LLC, a Mississippi Limited Liability Company, Grantee
P. O. Box 1509
Purvis, MS 39475
Phone: 601-270-2594

the real property lying and being situated in the City of Hattiesburg, County of Forrest, State of Mississippi, described as follows, to-wit:

COMMENCE AT A ¾" IRON PIPE AT THE SOUTHWEST CORNER OF THE NORTH ½ OF THE SOUTHWEST ¼ OF THE NORTHEAST ¼ OF SECTION 20, TOWNSHIP 4 NORTH, RANGE 13 WEST, FORREST COUNTY, MISSISSIPPI AND RUN NORTH FOR 243.85 FEET TO A ½" REBAR AND THE POINT OF BEGINNING. FROM THE POINT OF BEGINNING CONTINUE NORTH FOR 70.00 FEET TO A ½" REBAR; THENCE RUN EAST FOR 208.71 FEET TO A ½" REBAR; THENCE RUN NORTH FOR 282.21 FEET TO A ½" REBAR AND THE SOUTH RIGHT-OF-WAY LINE OF MCINNIS PAVED PUBLIC LOOP; THENCE RUN EAST ALONG SAID SOUTH RIGHT-OF-WAY LINE FOR 200.00 FEET TO A ½" REBAR; THENCE RUN SOUTH FOR 352.21 FEET TO A ½" REBAR; THENCE RUN WEST FOR 408.71 FEET BACK TO THE POINT OF BEGINNING. SAID PARCEL OF LAND IS PART OF THE NORTH ½ OF THE SOUTHWEST ¼ OF THE NORTHEAST ¼ OF SECTION 20, TOWNSHIP 4 NORTH, RANGE 13 WEST, FORREST COUNTY, MISSISSIPPI AND CONTAINS 1.95 ACRES,

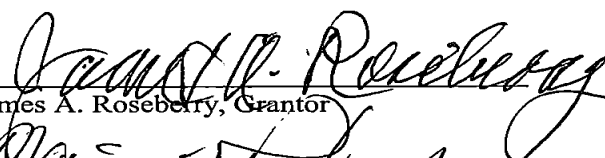
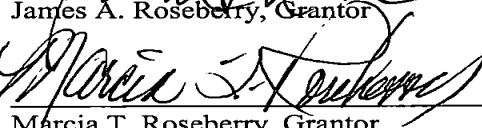
MORE OR LESS; TOGETHER WITH ANY IMPROVEMENTS THEREON
AND APPURTENANCES THEREUNTO BELONGING.

This conveyance and the warranty hereof are subject to all valid and existing mineral leases, exceptions, reservations, and conveyances, and to all valid and existing easements, grants, or rights-of-way for public roads and streets, and for electric, telephone, gas, water, drainage, sewage, or other utility purposes which affect or relate to the above described property.

This conveyance and the warranty hereof are further made subject to the following Restrictive Covenant which is binding and runs with the title to the land: No part of the above described property shall be used as a mini-storage or self-storage facility and no mini-storage or self-storage units may be placed thereon.

Taxes on the above described property are being prorated as of this date.

IN TESTIMONY WHEREOF, Witness our Signatures on this the 27 day
of May, A.D., 2022.


James A. Roseberry, Grantor

Marcia T. Roseberry, Grantor

STATE OF MISSISSIPPI

COUNTY OF FORREST

PERSONALLY appeared before me, the undersigned authority in and for said County and State, the within named James A. Roseberry and wife, Marcia T. Roseberry, who acknowledged that they signed, executed, and delivered the above and foregoing Warranty Deed on the day and year therein mentioned as their respective free and voluntary acts and deeds.

GIVEN under my hand and official seal of office on this the 27 day of May, A.D., 2022.

My Commission Expires:
9-8-25




Notary Public

FORREST COUNTY MS LANCE C. REID
I CERTIFY THIS INSTRUMENT WAS FILED ON 6/1/2022 4:31:20 PM AND RECORDED IN DEED BOOK: 1395 PAGE: 389



DEED

Bk:1402 Page:503-507

RCD: 08/25/2022 @11:59:09:AM

FORREST COUNTY, MS

LANCE C. REID CHANCERY CLERK

Prepared by:
James Kearney Travis, III
Travis & Travis, PLLC
P. O. Box 590
Hattiesburg, MS 39403-0590
(601) 582-5591
MSB #8779

Return to:
James Kearney Travis, III
Travis & Travis, PLLC
P. O. Box 590
Hattiesburg, MS 39403-0590

INDEXING INSTRUCTIONS: Index as a part of the SW ¼ of the NE ¼ of Section 20,
Township 4 North, Range 13 West, Forrest County, Mississippi.

STATE OF MISSISSIPPI
COUNTY OF FORREST

WARRANTY DEED

For and in consideration of the sum of Ten and No/100 (\$10.00) Dollars cash in hand paid and other good and valuable considerations, the receipt and sufficiency of which are hereby acknowledged and confessed,

Land Management, Ltd., Limited Partnership, a Mississippi Limited Partnership, Grantor
875 Old Richburg Road
Purvis, MS 39475
Phone: (601) 544-7490

does hereby grant, bargain, sell, convey, and warrant, subject to the exceptions and reservations hereinafter set forth, unto

Lil' Land Company, LLC, a Mississippi Limited Liability Company, Grantee
P.O. Box 1509
Purvis, MS 39475
Phone: (601) 270-2594

the real property lying and being situated in the City of Hattiesburg, County of Forrest, State of Mississippi, described as follows, to-wit:

SEE EXHIBIT "A" ATTACHED HERETO AND INCORPORATED HEREIN BY
REFERENCE.

Together with any improvements thereon and appurtenances thereunto belonging.

LESS AND EXCEPT all of the oil, gas, and other minerals of like kind and
character in, on, and under the above described property.

This conveyance and the warranty hereof are subject to all valid and existing
mineral leases, exceptions, reservations, and conveyances, including but not limited to that certain
Non-Participating Royalty Conveyance and Reservation dated January 1, 1952, and appearing of
record in Land Deed Book 140 at Page 492.

This conveyance and the warranty hereof are further subject to all valid and existing
easements, grants, or rights-of-way for public roads and streets, and for electric, telephone, gas,
water, drainage, sewage, or other utility purposes which affect or relate to the above described
property.

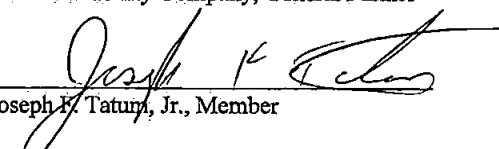
Taxes on the above described property are being prorated as of this date.

IN TESTIMONY WHEREOF, Witness the Signature of the Grantor by its
undersigned duly authorized general partners on this the 22 day of August, A.D., 2022.

Land Management, Ltd., Limited Partnership,
a Mississippi Limited Partnership, Grantor

By: JFT Management, LLC, a Mississippi
Limited Liability Company, General Partner

By:


Joseph F. Tatum, Jr., Member

By: WOT Management, LLC, a Mississippi
Limited Liability Company, General Partner

By:

Thomas C. Parry, III, Manager

SEE EXHIBIT "A" ATTACHED HERETO AND INCORPORATED HEREIN BY
REFERENCE.

Together with any improvements thereon and appurtenances thereunto belonging.

LESS AND EXCEPT all of the oil, gas, and other minerals of like kind and
character in, on, and under the above described property.

This conveyance and the warranty hereof are subject to all valid and existing
mineral leases, exceptions, reservations, and conveyances, including but not limited to that certain
Non-Participating Royalty Conveyance and Reservation dated January 1, 1952, and appearing of
record in Land Deed Book 140 at Page 492.

This conveyance and the warranty hereof are further subject to all valid and existing
easements, grants, or rights-of-way for public roads and streets, and for electric, telephone, gas,
water, drainage, sewage, or other utility purposes which affect or relate to the above described
property.

Taxes on the above described property are being prorated as of this date.

IN TESTIMONY WHEREOF, Witness the Signature of the Grantor by its
undersigned duly authorized general partners on this the 22 day of August, A.D., 2022.

Land Management, Ltd., Limited Partnership,
a Mississippi Limited Partnership, Grantor

By: JFT Management, LLC, a Mississippi
Limited Liability Company, General Partner

By: _____
Joseph F. Tatum, Jr., Member

By: WOT Management, LLC, a Mississippi
Limited Liability Company, General Partner

By: Thomas C. Parry III
Thomas C. Parry, III, Manager

STATE OF MISSISSIPPI

COUNTY OF Lamar

PERSONALLY appeared before me, the undersigned authority in and for said County and State, the within named Joseph F. Tatum, Jr., who acknowledged to me that he is a member of JFT Management, LLC, a Mississippi Limited Liability Company, a General Partner of Land Management, Ltd., Limited Partnership, a Mississippi Limited Partnership, and that for and on behalf of said company as General Partner of said limited partnership, and as the act and deed of said company as General Partner of said limited partnership, and as the act and deed of said limited partnership, he executed the above and foregoing Warranty Deed, after first having been duly authorized by said company and said limited partnership so to do.

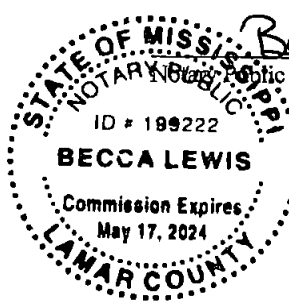
GIVEN under my hand and official seal of office on this the 22 day of August, A.D., 2022.

My Commission Expires:

5/17/24

STATE OF MISSISSIPPI

COUNTY OF Lamar



PERSONALLY appeared before me, the undersigned authority in and for said County and State, the within named Thomas C. Parry, III, who acknowledged to me that he is Manager of WOT Management, LLC, a Mississippi Limited Liability Company, a General Partner of Land Management, Ltd., Limited Partnership, a Mississippi Limited Partnership, and that for and on behalf of said company as General Partner of said limited partnership, and as the act and deed of said company as General Partner of said limited partnership, and as the act and deed of said limited partnership, he executed the above and foregoing Warranty Deed, after first having been duly authorized by said company and said limited partnership so to do.

GIVEN under my hand and official seal of office on this the 22 day of August, A.D., 2022.

Becca Lewis
Notary Public

My Commission Expires:

5/17/24

Page 3 of 3



EXHIBIT "A"

LEGAL DESCRIPTION 9.384 ACRES

BEGIN AT A 1/2" REBAR MARKING THE SW CORNER OF THE NORTH 1/2 OF THE SW 1/4 OF THE NE 1/4 OF SECTION 20, T-4-N, R-13-W, FORREST COUNTY, MISSISSIPPI AND RUN N00°05'08"E ALONG THE WEST LINE OF SAID NORTH 1/2 FOR 243.85 FEET TO A 1/2" REBAR; THENCE RUN S89°54'58"E FOR 408.70 FEET TO A 1/2" REBAR; THENCE RUN N00°04'43"E FOR 352.19 FEET TO A 1/2" REBAR AND THE SOUTH R/W LINE OF McINNIS LOOP (PAVED PUBLIC ROAD); THENCE RUN S87°42'18"E ALONG SAID R/W LINE FOR 93.87 FEET TO A 1/2" REBAR; THENCE CONTINUE ALONG SAID R/W LINE AND ALONG A CURVE WHICH BEARS TO THE RIGHT HAVING A RADIUS OF 341.40 FEET, A LENGTH OF 108.98 FEET, AND A CHORD BEARING AND DISTANCE OF S78°06'54"E AND 108.50 FEET, RESPECTIVELY, TO A 1/2" REBAR; THENCE LEAVING SAID R/W LINE RUN S00°04'43"W FOR 884.51 FEET TO A 1/2" REBAR; THENCE RUN WEST FOR 607.13 FEET TO A 1/2" REBAR AND THE WEST LINE OF THE SOUTH 1/2 OF SAID SW 1/4 OF THE NE 1/4; THENCE RUN N00°12'43"W ALONG SAID WEST LINE FOR 315.17 FEET BACK TO THE POINT OF BEGINNING.

SAID PARCEL OF LAND IS A PART OF THE SW 1/4 OF THE NE 1/4 OF SECTION 20, T-4-N, R-13-W, FORREST COUNTY, MISSISSIPPI AND CONTAINS 9.384 ACRES, MORE OR LESS.

FORREST COUNTY MS LANCE C. REID
I CERTIFY THIS INSTRUMENT WAS FILED ON 8/25/2022 11:59:09 AM AND RECORDED IN DEED BOOK 1402 PAGE 503