

**Board of Adjustment**

**Jackie Dole Sherrill Community Center (Dining Room)**

**220 W Front Street**

**September 4, 2024, 3:30 PM**

**I. Business Meeting**

1. Review and approval of September meeting's agenda
2. Review and approval of the minutes of the July meeting
3. Planning Report
4. Chair's Report
5. Introductions

**II. Public Hearing**

1. Presentation of Petitions for Public Hearing
  - A. **Structure height variance** - Kerri McAlpin Little, applicant, Charlie Holder, applicant, and Mary Bryant, representative, request a variance from the maximum height of 72 ft for a structure in a B-5 zoned property to instead to allow for a 100 ft maximum structure (flag pole) for a property located at 6461 US 98 (PPIN 26161, Ward 3, Lamar County).
  - B. **Lot dimension size variance** - Ola M. Jordan, applicant, requests a variance from the minimum lot size of 43,560 sq ft (1 acre) for an A-2 zoned property to instead allow for a minimum lot size of 16,200 sq ft on a property located at 532 Cox Street. The request is contingent upon approval of a rezone request to A-2 (PPIN 12368, Ward 5, Forrest County).

**III. Other Business**

**IV. Adjournment**

**MINUTES OF THE  
REGULAR MEETING OF THE  
BOARD OF ADJUSTMENT  
July 3<sup>rd</sup>, 2024**

**Board Members Roll Call:**

Members Present:

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

Members Absent:

1. Stacey Ready
2. James Hughes

**Staff Present:**

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

Chair Harris declared the Board of Adjustment meeting open and in session at 3:30p.m.

**AGENDA REVIEW**

A motion was made to accept the agenda with the revision to remove item A.

**Motion:**

Made by Brandon E.J. Williams to approve the agenda

**Second:**

Made by James Trussell



**Vote:**

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

**MINUTES REVIEW**

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

**Motion:**

Made by Brandon EJ Williams.

**Second:**

Made by John Eye.

**Vote:**

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

## **PLANNING REPORT**

Nathan Satcher gave an update about council votes. Cory Long gave update about Broadway events—August 30<sup>th</sup>. Dr. Conville asked about HPC and BOA role in consultants. Cory thinking that reports could be given in the August meeting, Nathan brought up a mid-project update for the public.

## **CHAIR'S REPORT**

No report from the chair.

## **INTRODUCTIONS**

Board of Adjustment members and Staff introduced themselves.

### **Item B:**

**Minimum frontage requirement for sign variance** - Joel Ford, applicant, requests a variance from the minimum required frontage of 150 ft for a pole sign for a B-5 zoned property to instead allow for a 93 ft frontage on a property located at 6054 Hwy 98 Hardy Street. (PPIN 30851, Ward 3, Lamar County).

### **Discussion and Vote:**

Staff (Nathan Satcher) introduced the case. Joel Ford and Rocky Thornton presented on behalf of the application.

### **Presented by:**

1. Joel Ford and Rocky Thornton.

### **Proponents:**

1. None

### **Opponents:**

1. None

### **Motion:**

John Eye motioned to deny variance (for not meeting any of the basis for approval).

### **Second:**

Made by Herman Dungan

### **Vote:**

| <b>Board Member</b> | <b>Yea</b> | <b>Nay</b> | <b>Other</b> |
|---------------------|------------|------------|--------------|
| John Eye            | X          |            |              |
| Richard Conville    |            | X          |              |
| Bernard Green       |            | X          |              |

|                  |   |   |        |
|------------------|---|---|--------|
| Shawn Harris     | X |   |        |
| Brandon Williams |   | X |        |
| Stacey Ready     |   |   | ABSENT |
| Eric Boney       |   | X |        |
| Herman Dungan    | X |   |        |
| James Trussell   |   | X |        |
| Bruce Betts      |   |   | ABSENT |
| Jessica Cathy    |   | X |        |

**Motion:**

Conville motioned to approve variance.

**Second:**

Made by Brandon Williams

**Vote:**

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

**OTHER BUSINESS**

No other business came before the Board of Adjustment.

**Adjournment:**

The meeting was adjourned at 4:49 p.m.

**Motion:**

Made by Herman Dungan

**Second:**

Made by Bernard Green

**Vote:**

| Board Member   | Yea | Nay | Other |
|----------------|-----|-----|-------|
| Shawn Harris   | X   |     |       |
| John Eye       | X   |     |       |
| James Trussell | X   |     |       |

|                     |   |  |        |
|---------------------|---|--|--------|
| Brandon E. Williams | X |  |        |
| Eric Boney          | X |  |        |
| Richard Conville    | X |  |        |
| Stacey Ready        |   |  | ABSENT |
| Herman Dungan       | X |  |        |
| Jessica Cathey      | X |  |        |
| Bernard Green       | X |  |        |
| James Hughes        | X |  |        |

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Shawn Harris, Chair

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Cory Long, AICP, Planning Division Manager



**Board of Adjustment  
Case Fact Sheet**

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**Name of Petitioners:** Kerri McAlpin Little, Applicant

**Address of Property:**  
6461 US-98

**Tax Parcel**  
052N-09-032.000

**PPIN:**  
26161

**Ward:**  
3

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**Request:** **Structure Variance - Maximum Height Requirement**

**Purpose of Request:** Kerri McAlpin Little, applicant, requests a variance from the maximum height of 72 ft for a structure in a B-5 zoned property to instead to allow for a 100 ft maximum structure (flag pole) for a property located at 6461 US 98 (PPIN 26161, Ward 3, Lamar County).

**History / Background:** The applicant met with staff regarding installing a flagpole at the Toyota of Hattiesburg property in December of 2021. The original proposal included a 125' flag pole that would fly a 30' x 50' American flag and would "not be used as a billboard; it will only be used to display the American flag." The applicant stated that they were aware of the existing regulations within the Land Development Code for pole signs, the maximum height requirement of 35', and the provision allowing flags to be exempted from permitting when they are not used as commercial promotion or advertising devices. Staff told the applicant that the flag pole would need to be at or below the 72' building height requirement for a B-5 zone and that it needed to meet the 30' front setback requirement. Staff also informed the applicant that they would need to seek a variance to move forward with the 125' flag pole.

The applicant met again with staff regarding the installation of the flag pole in July of 2024, seeking to install a 100' flag pole that would fly a 20'-30' American flag.

**Applicant Summary:** See Attached

**Applicable Regulations:**

**SECTION 6 Table 6.1 Dimensional Standards and Measurements**

| 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-1                             | 0/100                                    | -                   | .75                   | 20               | 25         | 0 or 15   | 0         | 35 feet or 3 stories   | 80%                                  | 20             |
| B-2                             | 4,000/ 100                               | -                   | 0.75                  | 0                | 10         | 0 or 10   | 0         | 35 feet or 3 stories   | 80%                                  | 20             |
| B-3                             | No minimum/ 100                          | -                   | 1.00                  | 30               | -          | 0 or 10   | 0         | 40 feet or 3 stories   | 80%                                  | 30             |
| B-4                             | No minimum/ none                         | -                   | No limit              | 0                | 10         | 0         | 0         | 135 feet or 10 stories | 100%                                 | 40             |
| B-5                             | No minimum/ 100                          | -                   | 1.50                  | 30               | 150        | 0 or 10   | 0         | 72 feet or 6 stories   | 90%                                  | 50             |

**SECTION 10 10.5 Certain Permanent and Temporary Signs Exempt.**

10.5.1.2 Signs Associated with Public Bodies, Public and Private Universities and Schools. Such signs include:

- Signs erected by or on behalf of or pursuant to the authorization of a governmental body, including legal notices, identification and informational signs, and traffic, directional, or regulatory signs
- Official signs of a noncommercial nature erected by public utilities
- Flags, pennants, or insignia of any governmental or nonprofit organization when not displayed in connection with a commercial promotion or as an advertising device

**Present Zoning:** B-5 Regional Business

**Present Use:** Car Dealership

**Future Land Use:** Regional Business Corridor/Regional Business

September 2024 BOA Item: A  
Kerri McAlpin Little, Applicant  
Request for: **Structure Height Variance**

**Surrounding Zoning:  
and Land Use:**

North: B-5 Regional Business  
South: B-5 Regional Business  
East: B-3 Community Business and B-5 Regional Business  
West: B-5 Regional Business

**Letters or  
Concerns stated:**

Staff have not received any letters or concerns regarding this project as of completing this report.

**Options:**

Recommend **approval or denial** of the variance from the maximum height of 72 ft for a structure in a B-5 zoned property to instead to allow for a 100 ft maximum structure (flag pole) for a property located at 6461 US 98 (PPIN 26161, Ward 3, Lamar County).

**Basis for Approval (12.4.1.1):**

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

I. Hardship.

- The hardship is unique to the property and is not or will not be caused by the actions or inactions of the applicant.
- There are exceptional conditions creating an undue hardship applicable only to the property involved or the intended use which do not apply generally to the other land areas or uses within the same zoning district.

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

III. Literal Interpretation. The literal interpretation of the provisions of the regulations would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district and would cause unnecessary and undue hardship on the applicant.

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

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

VI. Conformance with the Purposes of this Code. The granting of

September 2024 BOA Item: A  
Kerri McAlpin Little, Applicant  
Request for: **Structure Height Variance**

a variance will not conflict with the purposes and intent expressed  
or implied in the Land Development Code.



## SUBJECT PARCEL

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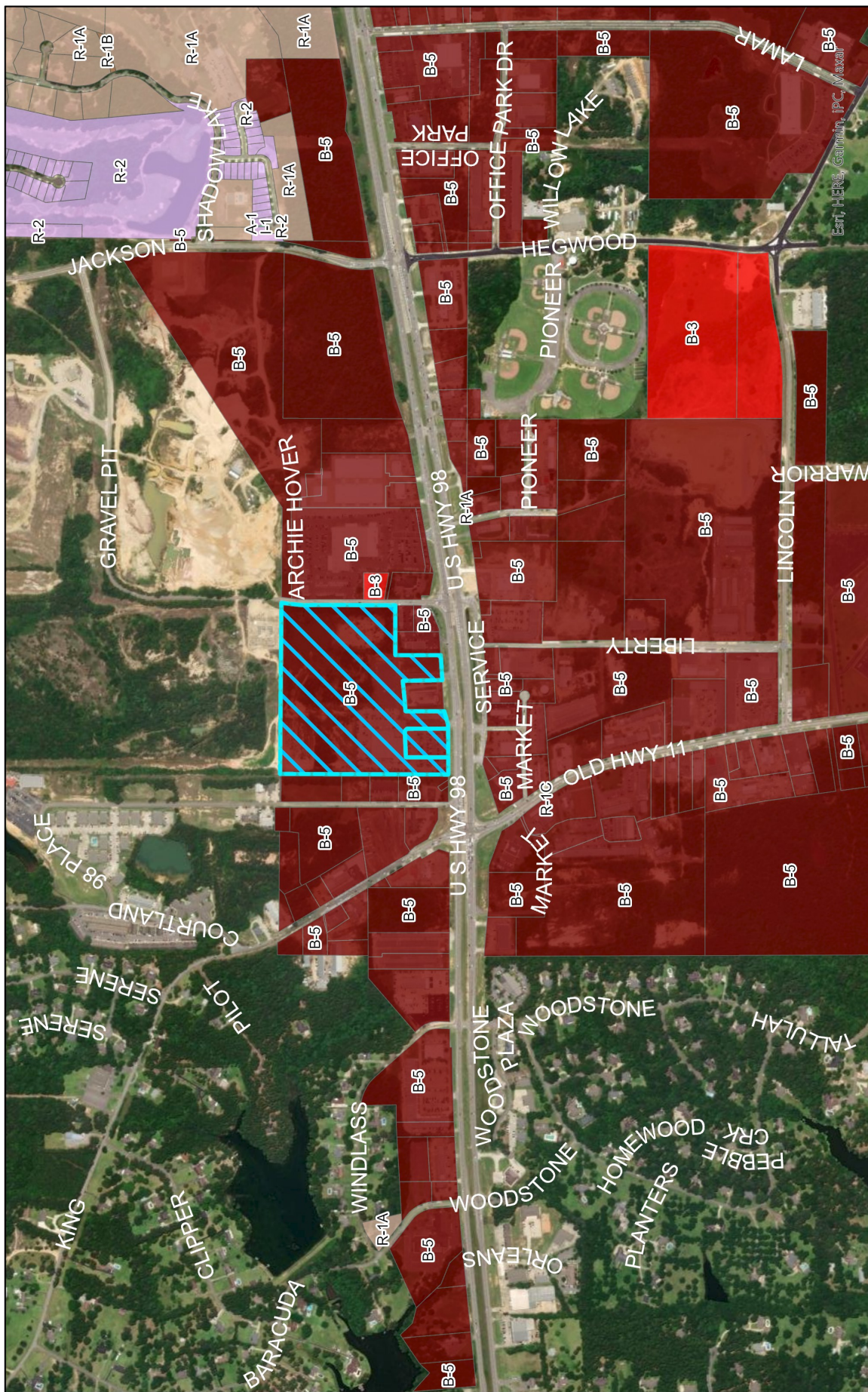
### 6461 US Hwy 98 — Variance Request

Kerri McAlpin Little, Applicant, Charlie Holder, Applicant, and Mary Bryant, Representative

Requests a variance from the maximum height of 72 ft for a structure in a B-5 zoned property to instead to allow for a 100 ft maximum structure (flag pole) for a property located at 6461 US 98 (PPIN 26161, Ward 3, Lamar County).







Zoning Map

-  Subject Site
-  R-1A
-  R-1B
-  B-3
-  B-5
-  R-2

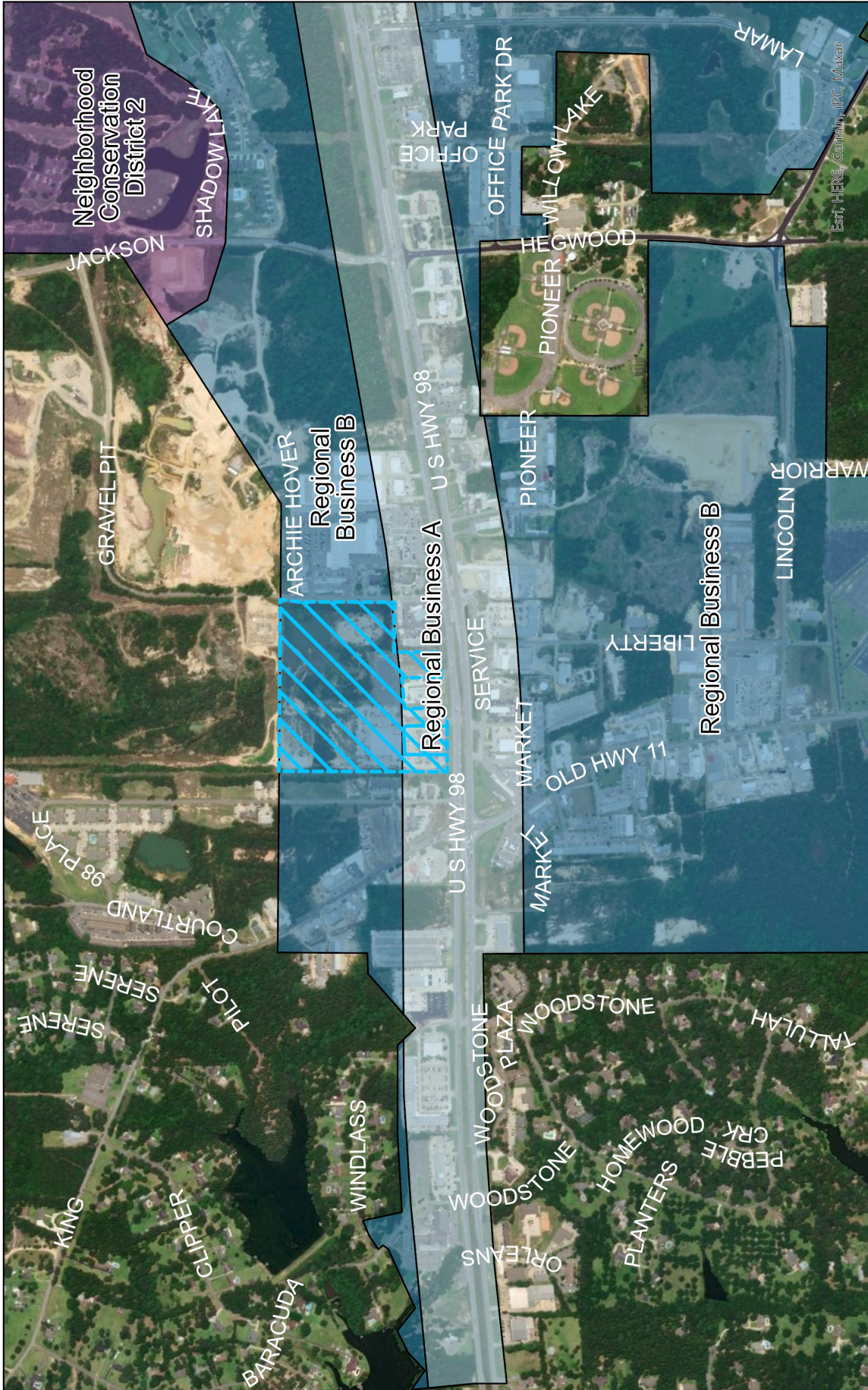
Variance request for 100' Flag Pole  
6461 US 98  
PPIN: 26161  
Flood Zone: X  
Ward 3, Lamar County



**URBAN  
DEVELOPMENT  
PLANNING DIVISION**  
Center: 89°24'35"W 31°19'5"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: 8/15/2024 11:21 AM





**Future Land Use Map**

- Subject Site
- Neighborhood Conservation District 2
- Regional Business A
- Regional Business B

Variance request for 100' Flag Pole

6461 US 98  
 PPIN: 26161  
 Flood Zone: X  
 Ward 3, Lamar County



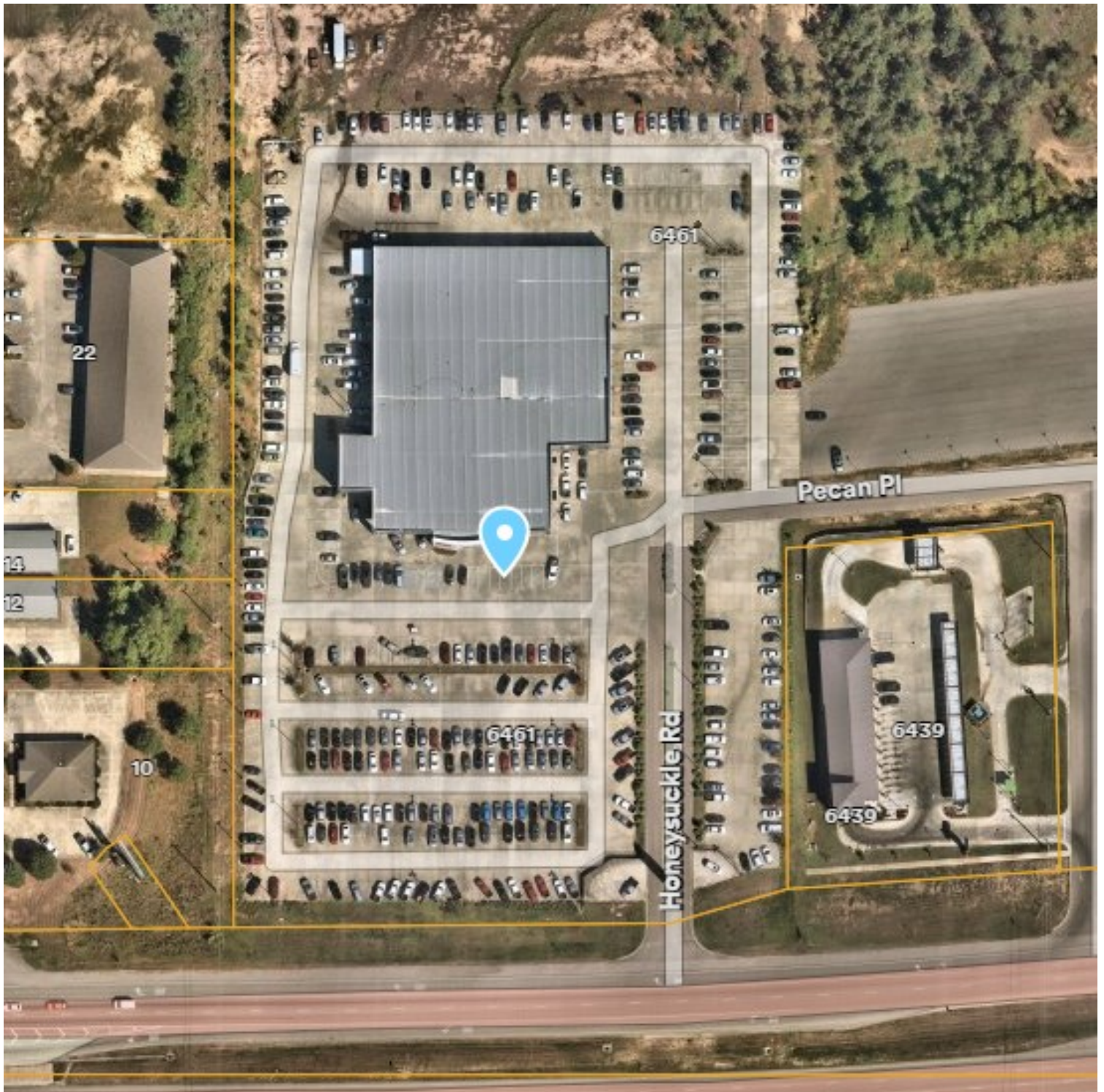
**URBAN  
DEVELOPMENT**  
**PLANNING DIVISION**  
 Center: 89°24'35"W 31°19'5"N

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: 8/15/2024 11:23 AM



## Site Aerial

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## Surrounding Area





## Surrounding Area

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## Surrounding Area

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# 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: Kerri McAlpin Little

Project Name: Toyota of Hattiesburg

Proposed Use(s): No change- request for flag pole

Project Street Address: 6461 US 98, Hattiesburg, MS 39402

PPIN Number(s) (if unknown, can be found on tax receipt): 26161

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

### 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

☐ Open Space

☒ Other: Flag Pole Height of 100'

### 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: \_\_\_\_\_

### 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: <u>Kerri McAlpin Little-- Munn Enterprises, Inc.</u>           |                                         |                                                                                                                                                                                            |
| <input type="checkbox"/> Applicant                                   | <input type="checkbox"/> Property Owner | <input type="checkbox"/> Representative <input type="checkbox"/> Agent <input checked="" type="checkbox"/> Contractor <input type="checkbox"/> Architect <input type="checkbox"/> Engineer |
| <input type="checkbox"/> Other (please specify): _____               |                                         |                                                                                                                                                                                            |
| Phone: <u>601-264-7449 x 1002</u>                                    | Fax: <u>601.264.7449</u>                | Email: <u>KerriL@munnterprises.com</u>                                                                                                                                                     |
| Mailing Address: <u>7712 Highway 49 North, Hattiesburg, MS 39402</u> |                                         |                                                                                                                                                                                            |
| _____                                                                |                                         |                                                                                                                                                                                            |

**Secondary:**

|                                                                      |                                         |                                                                                                                                                                                            |
|----------------------------------------------------------------------|-----------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Name: <u>Charlie Holder-- Munn Enterprises, Inc.</u>                 |                                         |                                                                                                                                                                                            |
| <input type="checkbox"/> Applicant                                   | <input type="checkbox"/> Property Owner | <input type="checkbox"/> Representative <input type="checkbox"/> Agent <input checked="" type="checkbox"/> Contractor <input type="checkbox"/> Architect <input type="checkbox"/> Engineer |
| <input type="checkbox"/> Other (please specify): _____               |                                         |                                                                                                                                                                                            |
| Phone: <u>601.264-7446</u>                                           | Fax: <u>601.264.7449</u>                | Email: <u>CharlieH@munnterprises.com</u>                                                                                                                                                   |
| Mailing Address: <u>7712 Highway 49 North, Hattiesburg, MS 39402</u> |                                         |                                                                                                                                                                                            |
| _____                                                                |                                         |                                                                                                                                                                                            |

**Other(s):**

|                                                           |                                         |                                                                                                                                                                                            |
|-----------------------------------------------------------|-----------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Name: <u>Mary Bryant- Toyota of Hattiesburg</u>           |                                         |                                                                                                                                                                                            |
| <input type="checkbox"/> Applicant                        | <input type="checkbox"/> Property Owner | <input checked="" type="checkbox"/> Representative <input type="checkbox"/> Agent <input type="checkbox"/> Contractor <input type="checkbox"/> Architect <input type="checkbox"/> Engineer |
| <input type="checkbox"/> Other (please specify): _____    |                                         |                                                                                                                                                                                            |
| Phone: <u>601.450.9630</u>                                | Fax: _____                              | Email: <u>mbryant.toyota@gmail.com</u>                                                                                                                                                     |
| Mailing Address: <u>6461 US 98, Hattiesburg, MS 39402</u> |                                         |                                                                                                                                                                                            |
| _____                                                     |                                         |                                                                                                                                                                                            |

|                                                        |                                         |                                                                                                                                                                                 |
|--------------------------------------------------------|-----------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Name: _____                                            |                                         |                                                                                                                                                                                 |
| <input type="checkbox"/> Applicant                     | <input type="checkbox"/> Property Owner | <input type="checkbox"/> Representative <input type="checkbox"/> Agent <input type="checkbox"/> Contractor <input type="checkbox"/> Architect <input type="checkbox"/> Engineer |
| <input type="checkbox"/> 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  
6461 US Hwy 98 Hattiesburg MS 39402,  
 Street Address City State  
 on this the 27 day of June, 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 27 day of June, 2024.

Alton Pierce  
 Property Owner (print)

Alton Pierce  
 Property Owner (signature)

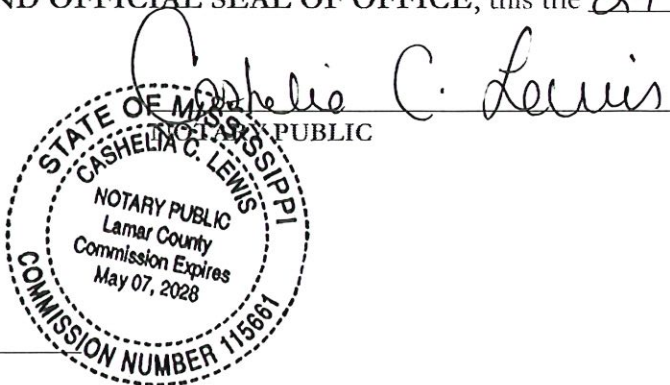
STATE OF MS

COUNTY OF LAMAR

Personally came and appeared before me, the within named

Alton Pierce,  
 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 27 day of  
June, 2024.



My Commission Expires:

May 7, 2028

**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

7712 Highway 49 North, Hattiesburg, MS 39402  
 Street Address City State

on this the 2<sup>nd</sup> day of July, 2024.

Herri McAlpin Little  
 Applicant (print)

Herri McAlpin Little  
 Applicant (signature)

STATE OF MS

COUNTY OF Lamar

Personally came and appeared before me, the within named

Herri Little

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 2<sup>nd</sup> day of July, 2024.

Connie Lynn Munn  
 NOTARY PUBLIC

My Commission Expires:

July 27, 2024





## PLANNING COMMISSION & BOARD OF ADJUSTMENT – PETITIONER

### REQUIRED SUBMITTAL INFORMATION

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

Hattiesburg Planning Commission Meeting Date: \_\_\_\_\_ Time: 1:00pm

Hattiesburg Board of Adjustment Meeting Date: \_\_\_\_\_ Time: 3:30pm

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

City Council Agenda Review Date – (you or your representative should attend): \_\_\_\_\_ Time: 4:00pm

City Council Meeting (Vote) Date – (you or your representative may attend): \_\_\_\_\_ Time: 5:00pm

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

*\*Dates and times are subject to change\**

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

The following paperwork MUST be attached to this application:

- ☒ Site Diagram (11" x 17" preferred size): Drawing to scale prepared by professional engineer/surveyor showing lot dimensions, existing/proposed building, signs, parking areas, etc. (Different standard may be accepted only per approval from staff)
- ☐ Site & Design Review Committee, if needed.
- ☒ Copy of entire Warranty Deed (filed and recorded at courthouse) with legal description granting title to current owner. (If the Warranty Deed covers a larger piece of property than the current project, a legal description for this project site only may also be required)
- ☒ Electronic/Digital copy of legal description REQUIRED for all public notices, saved as Word or text document OR emailed to [planning@hattiesburgms.com](mailto:planning@hattiesburgms.com)
- ☒ An affidavit (pages 3 & 4) attesting that the applicant or representing party (if other than the owner) is acting on behalf of the owner(s) of record. The affidavit must be sworn to before a notary public or other appropriate official. (Included in owners signature page, or may be a separate document)
- ☒ Variance application only: A letter of approval/denial from all adjoining property owners must be obtained and submitted with application.
- ☒ Other documents needed (per Planning Division):
 

|                                                                  |                                                                                 |
|------------------------------------------------------------------|---------------------------------------------------------------------------------|
| <input type="checkbox"/> Maps of digital billboard removal sites | <input checked="" type="checkbox"/> Maps of digital billboard replacement sites |
| <input type="checkbox"/> Documentation on measurements           | <input checked="" type="checkbox"/> Other: _____                                |
- ☐ Payment to the City of Hattiesburg for filing application in the amount of \$\_\_\_\_\_.

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

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

### Required Fees

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

#### Public Hearing Fees:

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

**\*OTHER PROCESSES MAY HAVE ADDITIONAL FEES\***

**Make all checks payable to the City of Hattiesburg**

### FOR VARIANCE APPLICANTS:

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

The following conditions must be met before a variance can be recommended.

#### **Approval Criteria.**

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

1. **Hardship.** (a) the hardship is unique to the property and is not or will not be caused by the actions or inactions of the applicant. (b) There are exceptional conditions creating an undue hardship applicable only to the property involved or the intended use which do not apply generally to the other land areas or uses within the same zoning district.

Due to the natural landscape of the area and land around Toyota of Hattiesburg, the taller  
flag pole seems necessary. In order for the beauty of the American Flag to be seen in every  
direction, North, South, East and West, a height increase is imperative. The natural landscapes  
of increasing and decreasing hills and valleys are not the fault of the owner and was not  
created by the owner. (Also see attached letter for hardship)

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

By granting the approval of the variance, the city would not be conferring special privileges.  
Anyone can apply for a variance and go through the process for an approval.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_





# TOYOTA OF HATTIESBURG

6461 US Hwy 98 • Hattiesburg, MS 39402



Hard Ship Letter

25 OF 111

In 1975, Max Pierce had a dream. His dream was to make Toyota an exemplary car dealership in Hattiesburg, MS. With a foundation of reliable vehicles and excellent customer service, Toyota of Hattiesburg was created. 2025 will signify 50 years that Mr. Pierce's dream will be alive.

In the present day, Alton Pierce continues to honor his late father by making Toyota of Hattiesburg the biggest and best dealership in all of South Mississippi. In the 11 years that we have been at the Highway 98 location, we still get reviews that we have the friendliest staff and dependable cars.

With all of this being said, a 100 foot Flag Pole would be a representation of all the hard work that the Pierce's have put into Toyota. We bring business to Hattiesburg from all over the United States. Whether it be Idaho, Louisiana, or Florida, people come to our growing city of Hattiesburg for Toyota.

This flag pole has been years in the making, and we want to represent our country in the greatest way possible. In 1986, Toyota Motor Company started manufacturing vehicles in the United States. Since then, 48.9% of Toyotas are made in America. The Toyota Motor Manufacturing Factory happens to have a facility only 261 miles in Union County, Mississippi. For the past 10 years, Toyota of Hattiesburg has generated over \$24 million in sales tax. In return improving the economy for the city and state.

With a 100 foot flagpole, we hope to honor and celebrate Toyota's place in Hattiesburg and American history. The flag not only represents freedom, but also dignity, perseverance, and the true meaning of being an American. Our flag will be a symbol of ambition for all to see. Whether you're traveling from Columbia or getting off of Interstate 59, you will see our 100 foot flag and think, "That's Toyota". What started as a dream almost 50 years ago has transformed into the reality of Toyota of Hattiesburg.

Thank you for all consideration as we continue to make Toyota of Hattiesburg the biggest and best. Just like Max Pierce always wanted.

Alton Pierce

C.C. charlie holder

C.C. mary bryant

C.C. catherine swann

3. **Literal Interpretation.** The literal interpretation of the provision of the regulation would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district and would cause unnecessary and undue hardship on the applicant.

If the varince is not granted, it would be depriving the land/business owner the abilty to display the flag of the United States of America at a height that will be pleasing to our company, employees, and the general public. The American flag displayed will reflect the company's commitment to honoring national traditions and customs which can significantly impact the public image and employee morale.

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

The city ordinance actully does not address flag poles in it. However, the city is requiring us to stay within the land code requirements. This would restrict the flag pole to only 72' instead of 100'.

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

We are requestesting a minimum request of an additional 28' in height to the allowed 72' overall height allowed in a B-5 zone in the Land Code Ordinance. Please keep in mind the flag pole will be a beautiful addtion to the area and the City of Hattiesburg.

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

By approving and granting an approval of the variance request, it will not cause any conflict with the purpose of the Land Code since flag pole are actually not addressed in the ordinance.

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

**FOR CONDITIONAL USE APPLICANTS:**

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

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

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

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

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4. Will there be any additional pedestrian or vehicular traffic generated by the proposed use? If yes, please explain:

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5. Will there be any elevation in the noise level resulting from this proposed use? If yes, please explain:

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6. What is the expected number of customers/employees per day?

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7. Is proposed use compatible with surrounding uses and design? If yes, please explain:

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8. Parking requirements:

Commercial/Industrial: Paved parking will be provided for \_\_\_\_\_ vehicles, and \_\_\_\_\_ ADA vehicles; with \_\_\_\_\_ loading spaces.

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



### 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 \_\_\_\_\_

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

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

| Newly subdivided<br>Parcels                                                                                         | New lot size in<br>square footage (sf)<br>or acres (A) | New lot has<br>public road<br>frontage<br>(yes / no)                                       | New lot has<br>private road<br>frontage<br>(yes / no) | Indicate name of public or private road(s) | Staff - Lot area &<br>frontage<br>requirements<br>comply? |    |
|---------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------|--------------------------------------------------------------------------------------------|-------------------------------------------------------|--------------------------------------------|-----------------------------------------------------------|----|
|                                                                                                                     |                                                        |                                                                                            |                                                       |                                            | Yes                                                       | No |
| 1.                                                                                                                  |                                                        |                                                                                            |                                                       |                                            |                                                           |    |
| 2.                                                                                                                  |                                                        |                                                                                            |                                                       |                                            |                                                           |    |
| 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<br>Parcel                                                                                                    |                                                        |                                                                                            |                                                       |                                            |                                                           |    |
|                                                                                                                     |                                                        | Total square footage of new lots (verify total matches existing parcel<br>prior to splits) |                                                       |                                            |                                                           |    |

2. Infrastructure required:

Water/Sewer \_\_\_\_\_ Gas \_\_\_\_\_ Electric \_\_\_\_\_ Telephone \_\_\_\_\_ Cable \_\_\_\_\_ Streets \_\_\_\_\_



## Street/Alley Renaming, Closing, or Vacating Information

1. Please indicate specific request(s):      ☐ Street      ☐ Alley  
                  ☐ Closing      ☐ Vacating      ☐ Naming      ☐ Re-Naming
2. Current name of street/alley to be named/re-named, vacated, or closed:  
      \_\_\_\_\_
3. Proposed name of street/alley to be named or re-named (If applicable):  
      \_\_\_\_\_
4. Describe the portion of the street/alley to be renamed, closed, or vacated (use all bounding or intersecting streets/alleys, from and to):  
      \_\_\_\_\_  
      \_\_\_\_\_  
      \_\_\_\_\_
5. Tax Block(s) and Lot(s) involved in closing request  
      \_\_\_\_\_  
      \_\_\_\_\_  
      \_\_\_\_\_
6. Describe existing land use of properties and number of residents affected by renaming the street/alley within 400 feet.

| Type of Land Use of adjacent development | Number of properties adjacent to the existing street | Number of property owners adjacent to the existing street | Number of residents affected by the change of address |  |
|------------------------------------------|------------------------------------------------------|-----------------------------------------------------------|-------------------------------------------------------|--|
| Businesses                               |                                                      |                                                           |                                                       |  |
| Residences                               |                                                      |                                                           |                                                       |  |
| Apartments                               |                                                      |                                                           |                                                       |  |
| Churches/Schools                         |                                                      |                                                           |                                                       |  |
| Other                                    |                                                      |                                                           |                                                       |  |

Any additional Information: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

5. Describe the effect the proposed change will have on existing development and the transportation system within the affected area.

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6. Have applications for zoning, variance, building permit, or other applications been filed?

\_\_\_\_\_ Yes \_\_\_\_\_ No

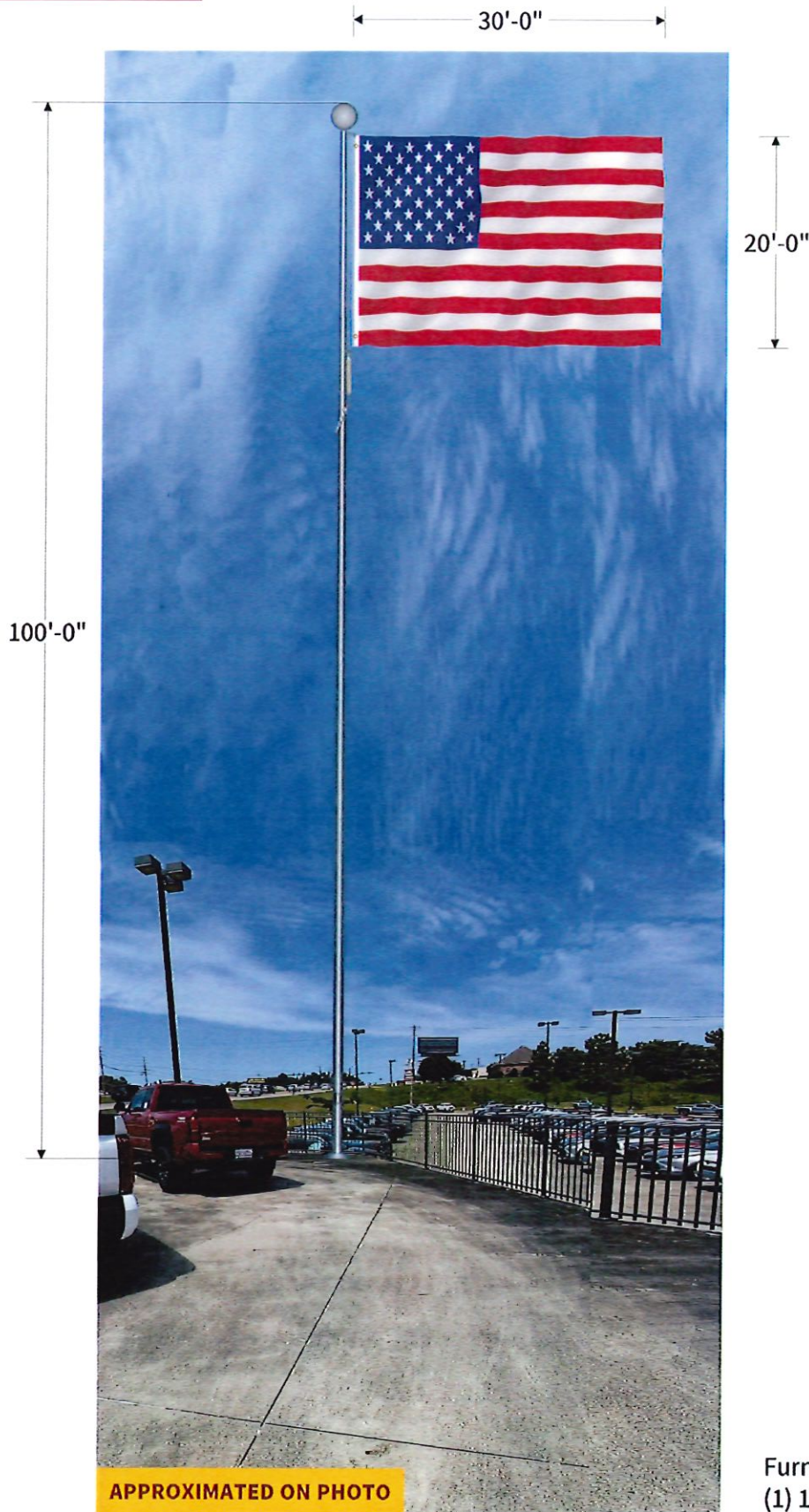
If yes, provide reference numbers and dates: \_\_\_\_\_

7. Acknowledgment of property owners affected by the street/alley renaming. Include all names and addresses.
8. Obtain from the City's Engineering Department the legal description of the street/alley or portion thereof to be closed, vacated, named or re-named (need electronic copy)

Attach Acknowledgement of Affected residents/business

As Additional Page(s)

CONCEPT DRAWING



Furnish and Install  
(1) 100' Tall Flag Pole with a 20' x 30' Flag



This color sketch is provided as an example of color. There may be some color variation between printed ink and paint. For best color representation, please choose Pantone Matching System® Colors for paint or print.



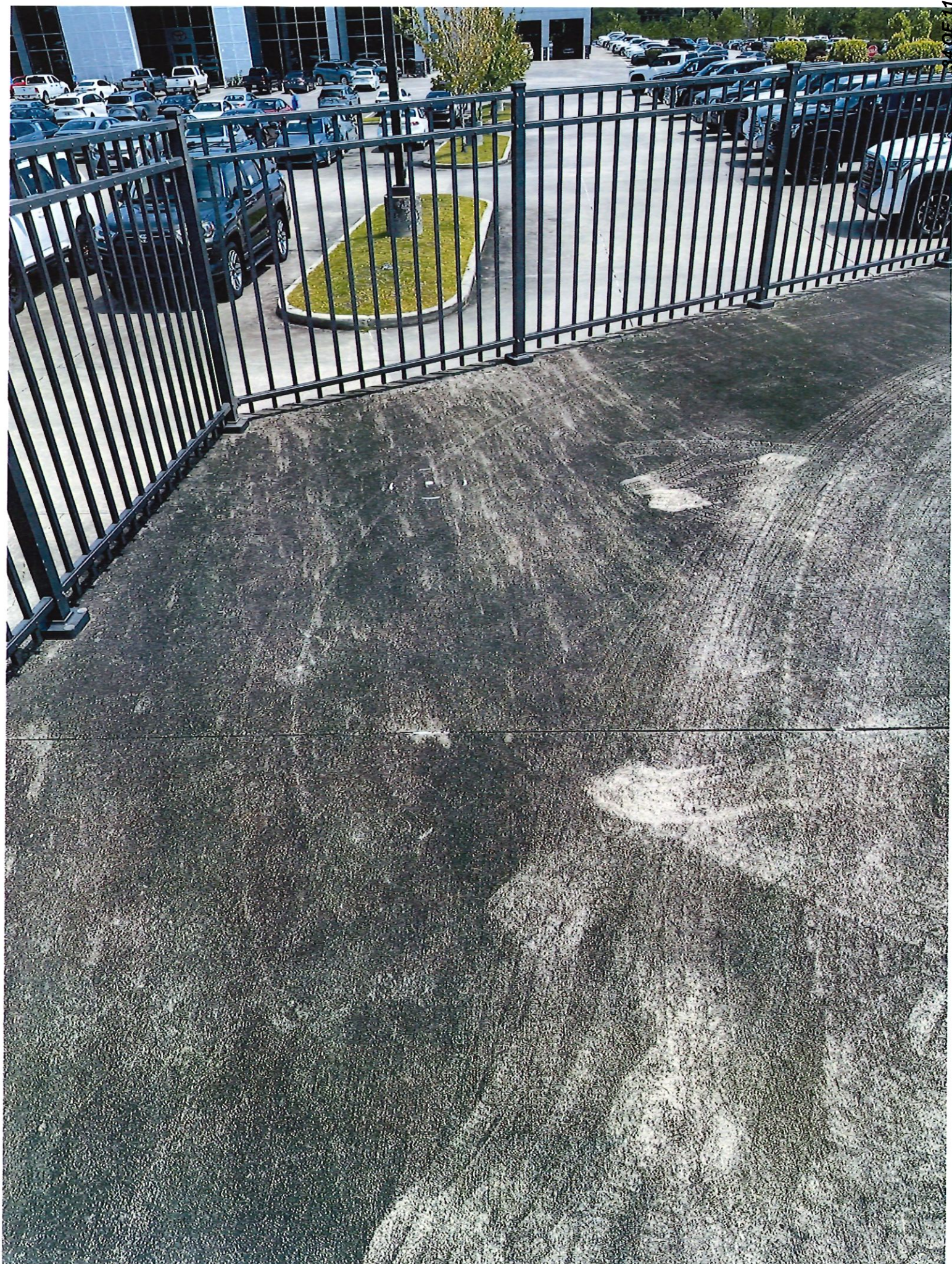
THIS CONCEPT IS SOLELY THE PROPERTY OF MUNN ENTERPRISES, INC., AND MAY NOT BE USED, REPRODUCED, COPIED, EXHIBITED, ALTERED, OR DISTRIBUTED IN ANY MANNER.

**Be Bold in a Visual World**  
601.264.7446 MunnEnterprises.com

**Toyota Of Hattiesburg - Flag Pole and Flag**

|                                 |     |                       |                                |
|---------------------------------|-----|-----------------------|--------------------------------|
| CUSTOMER: Toyota of Hattiesburg |     | CUSTOMER # TOY100     | DATE: 06/19/2024               |
| LOCATION: Hattiesburg, MS       | PM: | SALES: Charlie Holder | PRIMARY DESIGNER: D. Schneider |
| REVISION: No Current Revisions  |     | CURRENT DESIGNER:     |                                |
| CUSTOMER APPROVAL:              |     | SIGN HERE             |                                |





















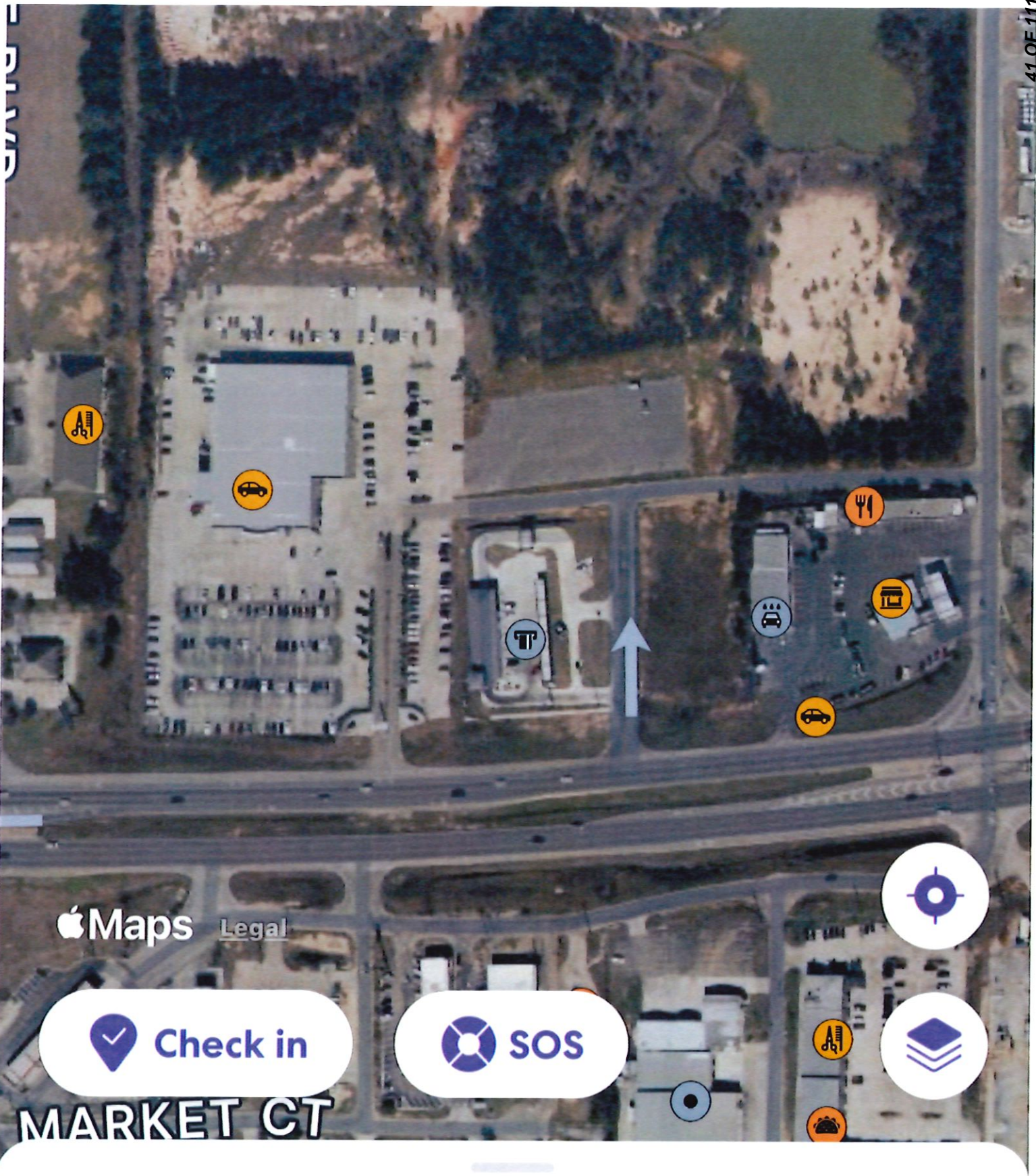








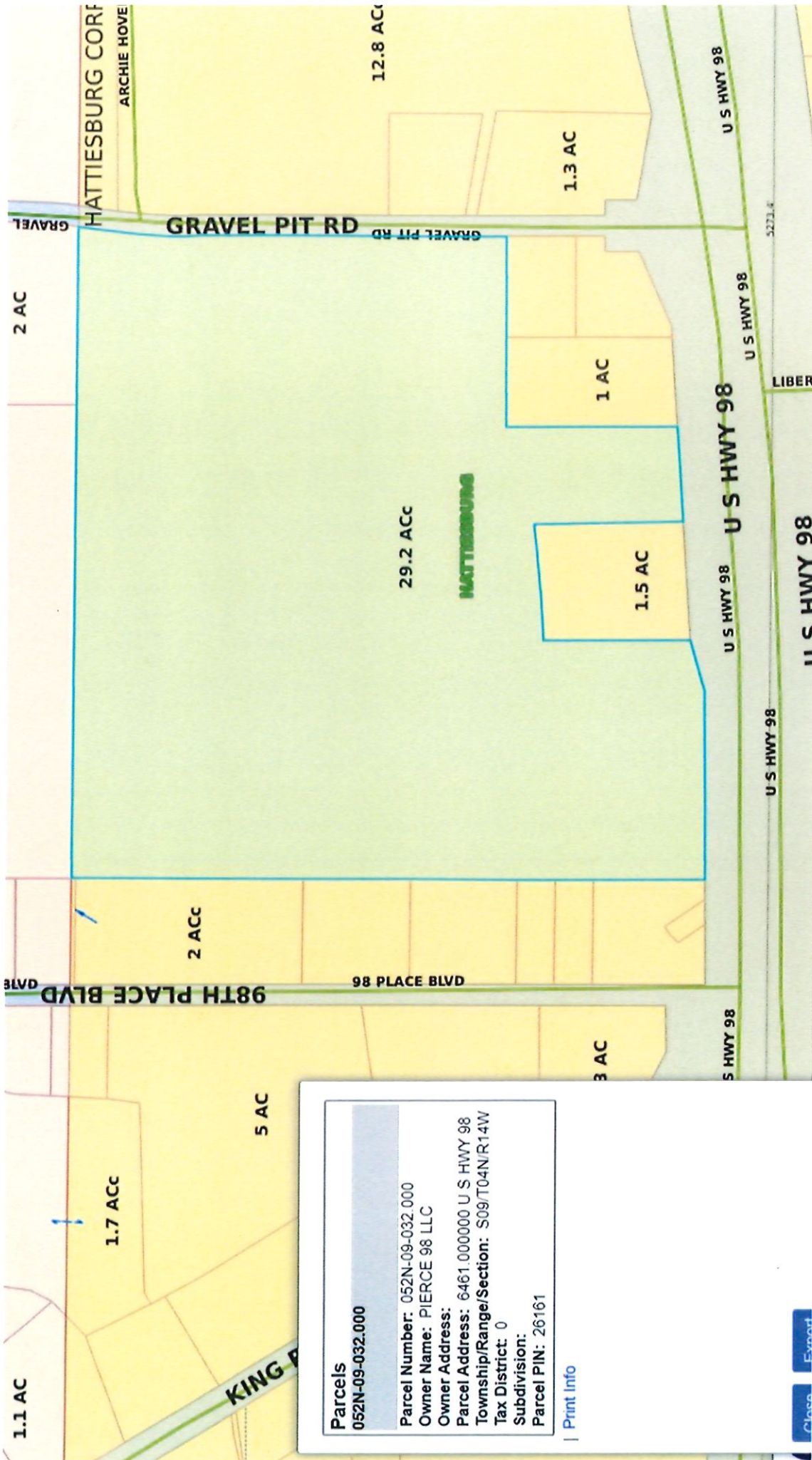




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Life360 Gold

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#### Parcels

052N-09-032.000

Parcel Number: 052N-09-032.000

Owner Name: PIERCE 98 LLC

Owner Address:

Parcel Address: 6461.000000 U S HWY 98

Township/Range/Section: S09/T04N/R14W

Tax District: 0

Subdivision:

Parcel PIN: 26161

[Print Info](#)

[Close](#)

[Export](#)



# HATTIESBURG MISSISSIPPI

Welcome

Property Search

Property Details

Details

Boundaries

Planning

Ward  
Ward 3

N

6161

ne Class

-5

Finance Number

proved Date

eful Links

- City of Hattiesburg
- Forrest County
- Forrest County Emergency Management District
- Lamar County
- Tri-State Consulting Map Services
- U.S. Department of Housing and Urban Development





July 1, 2024

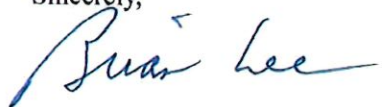
To Whom It May Concern:

I am writing this letter in support of the variance request for a 100' flagpole Toyota of Hattiesburg, 6461 US 98, Hattiesburg, MS is requesting to install. I am a business and/or landowner adjacent to the property in question. The flagpole will be a beautiful asset to our area.

I do not have any objections or apprehensions as the business and/or landowner next to this property.

Below is my name and number if you have any questions.

Sincerely,

A handwritten signature in blue ink that reads "Brian Lee". The signature is fluid and cursive, with a small mark above the "i" in "Brian".

BKS, Inc  
601-408-8235

July 1, 2024

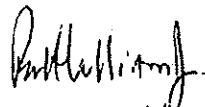
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I do not have any objections or apprehensions as the business and/or landowner next to this property.

Below is my name and number if you have any questions.

Sincerely,

  
McDonald's



July 1, 2024

To Whom It May Concern:

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I do not have any objections or apprehensions as the business and/or landowner next to this property.

Below is my name and number if you have any questions.

Sincerely,



Fine Wine & Liqueur Loft  
601-579-7848

July 1, 2024

To Whom It May Concern:

I am writing this letter in support of the variance request for a 100' flagpole Toyota of Hattiesburg, 6461 US 98, Hattiesburg, MS is requesting to install. I am a business and/or landowner adjacent to the property in question. The flagpole will be a beautiful asset to our area.

I do not have any objections or apprehensions as the business and/or landowner next to this property.

Below is my name and number if you have any questions.

Sincerely,

Sasa Hood  
Hair unlimited  
601 680 2004



July 1, 2024

To Whom It May Concern:

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I do not have any objections or apprehensions as the business and/or landowner next to this property.

Below is my name and number if you have any questions.

Sincerely,

KAShe Wedgeworth

Lake Serene Grocery

601-264-6393

A handwritten signature, likely of KAShe Wedgeworth, consisting of stylized initials and a long horizontal line extending to the right.

July 1, 2024

To Whom It May Concern:

I am writing this letter in support of the variance request for a 100' flagpole Toyota of Hattiesburg, 6461 US 98, Hattiesburg, MS is requesting to install. I am a business and/or landowner adjacent to the property in question. The flagpole will be a beautiful asset to our area.

I do not have any objections or apprehensions as the business and/or landowner next to this property.

Below is my name and number if you have any questions.

Sincerely,



**Kim's Nail Salon**

Full service salon

**Tuyet and Vu**

Please call for an appointment

(601) 296-1188

Closed Sunday & Monday

Open Tues-Fri 9:00-7:00

Sat. 9:00-5:00 gift certificate available

28 market court suite 30

Hattiesburg, MS. 39402

Right behind McDonald in Oak Grove

*Kim's*  
7/2/24



July 1, 2024

To Whom It May Concern:

I am writing this letter in support of the variance request for a 100' flagpole Toyota of Hattiesburg, 6461 US 98, Hattiesburg, MS is requesting to install. I am a business and/or landowner adjacent to the property in question. The flagpole will be a beautiful asset to our area.

I do not have any objections or apprehensions as the business and/or landowner next to this property.

Below is my name and number if you have any questions.

Sincerely,

 W. A. Stearhouse  
601-323-1005

July 1, 2024

To Whom It May Concern:

I am writing this letter in support of the variance request for a 100' flagpole Toyota of Hattiesburg, 6461 US 98, Hattiesburg, MS is requesting to install. I am a business and/or landowner adjacent to the property in question. The flagpole will be a beautiful asset to our area.

I do not have any objections or apprehensions as the business and/or landowner next to this property.

Below is my name and number if you have any questions.

Sincerely,

Jessie Tour 601.550.8815  
Champagne Taste Consignment Shop

Joanna Chandler 601.550.8815  
Champagne Taste Consignment



July 1, 2024

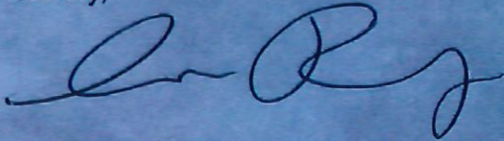
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Below is my name and number if you have any questions.

Sincerely,



ANDREW ZELUNG, HR  
(972-746-1269)

APPROVED BY RODDY RUMBLEY, OWNER 7/4/24  
(601-757-7178)

617

FILED

2011 DEC 22 AM 9 24

WAYNE SMITH  
CHANCERY CLERK

---

**Prepared by and Return to:**

Perry W. Phillips, MSB #9424, Jay Rodgers, MSB #100166, Perry W. Phillips, PLLC  
P.O. Box 1978, Purvis, MS 39475 Phone: 601-264-3500

INDEXING INSTRUCTIONS: SE ¼ of SW ¼. Section 9, Township 4 North, Range 14 West,  
Lamar County, MS

---

**STATE OF MISSISSIPPI  
COUNTY OF LAMAR**

**WARRANTY DEED**

FOR AND IN CONSIDERATION of the sum of TEN DOLLARS (\$10.00), cash in hand paid and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, I, **98 DEVELOPMENT, A Mississippi Limited Liability Company, 112 Sheffield Loop, Ste. D, Hattiesburg, MS 39402, (601) 264-1222**, the Grantor herein, do hereby grant, bargain, sell, convey and warrant all of my right, title and interest unto **PIERCE 98, LLC, 620 West Pine St., Hattiesburg, MS 39401 (601)544-9630**, the Grantee herein, the following described property situated in Lamar County, Mississippi, to-wit:

**SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF.**

Subject to any Covenants, Restrictions and easements affecting the subject property which may be of record in the office of the Chancery Clerk of Lamar County, Mississippi.

Subject to any and all easements for public roads and public utilities as presently laid out, constructed or in use.



618

Said conveyance is subject to any and all prior reservations and/or conveyances of the oil, gas and other minerals in, on and under the subject property.

Taxes for the year 2011 shall be pro-rated as of the date of this instrument and assumed by the Grantees. It is specifically agreed and understood that taxes for the current year are pro-rated based upon the previous years taxes.

Subject to those certain Subdivision Regulations adopted by the Board of Supervisors of Lamar County of record in Minute Book 59 at Page 202 and amended in Minute Book 82 at Page 282 in the office of the Chancery Clerk of Lamar County, Mississippi. Subject to those certain Subdivision Regulations adopted by the Board of Supervisors of Lamar County of record in Minute Book 112 at Page 290 and amended in Minute Book 112 at Page 144 and amended in Book 148 at Pages 706 and 727, in the office of the Chancery Clerk of Lamar County, Mississippi.

Subject to that certain Right of Way Easement executed by Malcolm Lavon Mills unto Pearl River Valley Electric Power Association dated May 16, 1997 and filed July 2, 1997 in Book 12-W at Page 208 in the office of the Chancery Clerk of Lamar County, Mississippi.

Subject to that certain Right of Way Easement executed by M.L. Mills unto Pearl River Valley Electric Power Association dated June 11, 2002 and filed November 2, 2002 in Book 15-Y at Page 331 in the office of the Chancery Clerk of Lamar County, Mississippi.

Subject to that Easement, Covenants, and Restriction Agreement executed by 98 Development, LLC unto Regions Exchange, LLC dated and filed October 10, 2008 in Book 20-F at Page 613 in the office of the Chancery Clerk of Lamar County, Mississippi.

Subject to that Certificate to Divide Non-Residentially Zoned Property, executed by the City of Hattiesburg unto 98 Development, LLC dated October 9, 2008 and filed October 10, 2008 in Book 20-F at Page 599 in the office of the Chancery Clerk of Lamar County, Mississippi.

WITNESS OUR signatures on this the 16<sup>th</sup> day of December, A.D., 2011.

98 DEVELOPMENT, LLC

BY: 

BENNETT V. YORK

Its: MANAGER

619

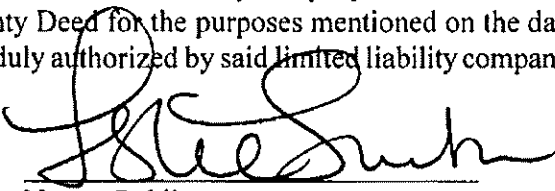
**STATE OF MISSISSIPPI  
COUNTY OF LAMAR**

PERSONALLY appeared before me the undersigned authority in and for the said county and state, on the 16<sup>th</sup> day of December, 2011, within my jurisdiction, the within named BENNETT V. YORK, who acknowledged that he is Manager of 98 DEVELOPMENT, A Mississippi Limited Liability Company, and that for and on behalf of the said limited liability company, and as its act and deed, he executed the above and foregoing Warranty Deed for the purposes mentioned on the day and year therein mentioned, after first having been duly authorized by said limited liability company so to do.

My Commission Expires:

\_\_\_\_\_



  
Notary Public

I:\wd\Pierce 98, LLC from 98 Development.wd  
11-12-13284 ls



620  
PARCELS ONE AND TWO ARE ALSO KNOWN AS:

## SURVEY DESCRIPTION:

A parcel of land located in the SE  $\frac{1}{4}$  of the SW  $\frac{1}{4}$ , of Section 9, Township 4 North, Range 14 West, Lamar County, Mississippi, and being more particularly described as follows:

Begin at a Metal Pipe at the NW corner of said SE  $\frac{1}{4}$  of the SW  $\frac{1}{4}$ ; thence South 89 degrees 56 minutes 13 seconds East along the north line of said SE  $\frac{1}{4}$  of SW  $\frac{1}{4}$  for 1259.83 feet to a point on the west right of way line of Gravel Pit Road; thence along said west right of way line for the following calls; thence along a curve to the left for 162.82 feet, said curve having a radius of 1989.23 feet, a delta angle of 04 degrees 41 minutes 23 seconds, a chord distance of 162.77 feet, and a chord bearing of South 05 degrees 16 minutes 50 seconds West; thence South 00 degrees 45 minutes 49 seconds West for 168.21 feet; thence South 00 degrees 21 minutes 32 seconds East for 535.92 feet; thence leaving said west right of way line run South 88 degrees 04 minutes 53 seconds West for 340.98 feet; thence South 00 degrees 58 minutes 45 seconds East for 293.34 feet to a point on the north right of way line of U. S. Hwy 98; thence along said north right of way line for the following calls; thence South 86 degrees 04 minutes 38 seconds West 463.87 feet; thence South 72 degrees 03 minutes 13 seconds West for 102.94 feet; thence South 88 degrees 06 minutes 18 seconds West for 340.08 feet to a point on the west line of said SE  $\frac{1}{4}$  of the SW  $\frac{1}{4}$ ; thence leaving said north right of way line run North 00 degrees 26 minutes 25 seconds West along the west line of said SE  $\frac{1}{4}$  of the SW  $\frac{1}{4}$  for 1247.03 feet, Back to the Point of Beginning. Said parcel contains 31.87 acres, more or less.

Less and Except Property Conveyed to Regions Exchange, LLC

Parcel 2 as depicted and described on that certain Plat referenced in and attached to that certain City of Hattiesburg Certificate to Divide Non-Residentially Zoned Property dated October 9, 2008 recorded in the office of the Chancery Clerk of Lamar County, Mississippi contemporaneously herewith, said Parcel 2 being more particularly described as follows:

A parcel of land located in the SE  $\frac{1}{4}$  of the SW  $\frac{1}{4}$ , of Section 9, Township 4 North, Range 14 West, Lamar County, Mississippi, and being more particularly described as follows:

Commence at a Metal Pipe at the NW corner of said SE  $\frac{1}{4}$  of the SW  $\frac{1}{4}$ ; thence South 00 degrees 26 minutes 25 seconds East along the west line of said SE  $\frac{1}{4}$  of the SW  $\frac{1}{4}$  for 1247.03 feet to the North right-of-way line of U.S. Highway 98; thence North 88 degrees 06 minutes 18 seconds East along said North right-of-way line for 127.11 feet to -and for the Point of Beginning; thence continue North 88 degrees 06 minutes 18 seconds East along said North right-of-way line for 211.15 feet; thence North for 289.45 feet; thence along a curve to the left for 32.22 feet, said curve having a radius of 20.00 feet, delta angle of 92 degrees 17 minutes 28 seconds, chord bearing of North 46 degrees 08 minutes 44 seconds West, and chord length of 28.84 feet; thence South 87 degrees 42 minutes 32 seconds West for 188.84 feet; thence along a curve to the left for 1.55 feet, said curve having a radius of 20.00 feet, delta angle of 04 degrees 26 minutes 07 seconds, chord bearing of South 85 degrees 29 minutes 28 seconds West, and chord length of 1.55 feet; thence South for 308.74 feet back to the Point of Beginning.

CERTIFICATE OF FILING AND RECORDING  
STATE OF MISSISSIPPI • LAMAR COUNTY  
WAYNE SMITH • CHANCERY CLERK  
hjd BOOK 22-C PAGE 617  
INDEXED ☒ RECORDED ☒ ABSTRACTED ☒  
Sharon Herrin D.C.





## INSTRUCTIONS TO APPLY FOR COMMERCIAL PROJECT PERMIT:

**IMPORTANT REMINDER FOR CONTRACTORS:** THE FIRST STEP FOR OWNERS: OWNERS MAY NOT BE AWARE THAT THEIR PROJECT MAY REQUIRE APPROVAL FROM THE PLANNING DIVISION. ALL NEW COMMERCIAL BUILDINGS/COMMERCIAL ADDITION OF SQUARE FOOTAGE OR AFTER EXTERIOR CHANGE IN OCCUPANCY USE WILL REQUIRE APPROVAL. IF THEY HAVE NOT DONE SO, THEY SHOULD CALL CITY OF HATTIESBURG PLANNING DEPT. AT 601.545.4599. THE PLANNING DIVISION HAS A COMPLETELY SEPARATE PAPERWORK PROCESS, FEE, AND SCHEDULE.

### TO FILL OUT PERMIT APPLICATION:

1. ALL COMMERCIAL PLANS FOR PROJECTS OF 5,000 SF OR MORE MUST BE STAMPED AND SIGNED BY MS LICENSED ARCHITECT-The seal does not have to be a wet seal, but each page must be signed/stamped.
2. IF YOU HAVE ANY SPECIFIC QUESTIONS ABOUT YOUR PLANS, PLEASE CALL THE BUILDING DEPARTMENT BEFORE DRAFTING THEM. **3 ORIGINAL SETS MUST BE SUBMITTED WITH A \$200.00 CHECK MADE PAYABLE TO THE CITY OF HATTIESBURG.** THIS IS THE PLAN REVIEW FEE AND IT **IS NOT THE PERMIT FEE.** (GRADING ONLY: No building plans required, in most cases a site plan will be required.)
3. SITE PLAN AFFIDAVIT NEED TO BE SUBMITTED WITH THE APPLICATION. (IF SITE PLAN REVIEW MEETING WAS REQUIRED BY PLANNING) This 2-PAGE document will need to be notarized and submitted with the permit application. THE PLANNING DIVISION WILL GIVE THIS DOCUMENT TO THE OWNER AFTER THE SITE PLAN REVIEW COMMITTEE HAS APPROVED THE PROJECT.
4. IF THE PROJECT IS \$50,000 OR LESS, THE OWNER MAY CHOOSE TO PULL THE PERMIT THEMSELVES, HOWEVER, THE SUB-CONTRACTORS FOR ELECTRIC, MECHANICAL, PLUMBING, FIRE SPRINKLER/SECURITY **MUST BE LICENSED WITH THE CITY OF HATTIESBURG.**
5. **A LICENSE WITH THE CITY OF HATTIESBURG IS NOT THE SAME AS A LICENSE WITH THE STATE. STATE LICENSE MAY TAKE UP TO A MONTH TO COMPLETE. PLEASE CALL THE BUILDING DIVISION TO CONFIRM THAT THE CONTRACTOR IS LICENSED WITH THE CITY.**
6. AN APPLICATION AND PERMIT FEE SCALE HAVE BEEN ATTACHED. PLEASE CALL IF YOU NEED ASSISTANCE. WE WILL BE HAPPY TO HELP YOU.
7. IF YOU ARE MAILING YOUR PERMIT APPLICATIONS/PLANS BY FED EX OR UPS. PLEASE USE OUR PHYSICAL ADDRESS:

CITY OF HATTIESBURG  
1<sup>ST</sup> FLOOR BUILDING DIVISION  
200 FORREST STREET  
HATTIESBURG MS 39401

Building Permit Office Phone Number: 601-554-1004 or 601-545-4555

Dept. of Urban Dev/Building Division [www.hattiesburgms.com](http://www.hattiesburgms.com) Commercial Permit Instructions. 11-2015





# BUILDING PERMIT Application

CITY OF HATTIESBURG  
BUILDING DIVISION

P. O. Box 1898  
Hattiesburg, MS 39403-1898  
Phone (601)-554-1004  
Fax (601)-545-4688

TO BE COMPLETED BY APPLICANT: (Please print)

DATE: 06 / 21 / 2024

Business/Residential Project Name: Toyota of Hattiesburg

Project Address: 6461 US 98, Hattiesburg, MS 39402

Owner's Name: Toyota of Hattiesburg

Owner's Address: 6461 US Highway 98, Hattiesburg, MS 39402

Owner's Mailing Address: 6461 US 98

City: Hattiesburg State: MS Zip Code: 39402 County: Lamar

Phone: ( ) Cell Phone: ( ) FAX: ( )

## TYPE OF CONSTRUCTION:

← (initial)

Structure: New ☒ Existing ☐ Attached ☐ Detached ☐

Gross Sq. Ft: Number of Floors:

Single Family Residential: Commercial: ☒ Multi-Family: Duplex:

(No. of apartment buildings No. of units per building: Total no. of units:)

CIRCLE ONE: Addition / Repair / Remodel / Roof / Grading / Other

Describe fully: Install (1) 100' flag pole with a 20' x 30' USA Flag at a 68' setback from the edge of the road

## CONSTRUCTION PLAN SUBMITTAL REQUIREMENTS:

(3 sets of plans) Commercial (new/renovation/repairs) with approved site plan affidavit, if applicable, or  
(2 sets of plans) Residential (new/renovation/repairs).

**DEMOLITION/REMODEL/RENOVATION:** I understand that it is my responsibility to verify if there are Asbestos-containing materials at this site. Also, I will abide by the Mississippi Department of Environmental Quality (MDEQ) regulations to properly remove the materials. Please call the MDEQ at (601)961-5769.

Mailing address: MDEQ, P.O. Box 2339, Jackson, MS, 39225-2339

Website www.deq.state.ms.us

kml ← (initial)

**CONTRACTOR INFORMATION:**

Contractor: Munn Enterprises, Inc.

Project: Residential \_\_\_\_\_ Commercial ☒

Electrical: \_\_\_\_\_

Site Sewer line/Water: \_\_\_\_\_

Plumbing/Gas: \_\_\_\_\_

Mechanical: \_\_\_\_\_

Sprinkler: \_\_\_\_\_

Fire Alarm: \_\_\_\_\_

Hood System: \_\_\_\_\_

Fire Marshal Notified: \_\_\_\_\_ Fire Marshal Plans: \_\_\_\_\_

VERIFIED BY LDC.

|           |           |          |
|-----------|-----------|----------|
| INS _____ |           | SL _____ |
| RR _____  | RB _____  | GC _____ |
| INS _____ |           | SL _____ |
| INS _____ |           | SL _____ |
| INS _____ |           | SL _____ |
| INS _____ | EPA _____ | SL _____ |
| INS _____ |           | SL _____ |
| INS _____ |           | SL _____ |
| INS _____ |           | SL _____ |

**SITE CLEAN UP:**

Contact Person: \_\_\_\_\_ Company Name: \_\_\_\_\_

Address: \_\_\_\_\_ Phone: \_\_\_\_\_

*Dirt, mud, construction material or other debris deposited upon public right-of-way or private property as a result of construction and/or demolition shall be removed by the contractor by the end of each work day.*

Signature of responsible party for clean-up/disposal: \_\_\_\_\_ ← (sign)

TOTAL JOB COST: \$54,671.00

Grading Cost: \_\_\_\_\_

I HEREBY CERTIFY THAT I HAVE READ AND  
EXAMINED THIS DOCUMENT AND KNOW THE SAME  
TO BE TRUE AND CORRECT:

\_\_\_\_\_ kml ← (sign)

**FEES**

Permit: \_\_\_\_\_  
Plans Review: \_\_\_\_\_  
Grading Permit: \_\_\_\_\_  
Penalty: \_\_\_\_\_  
TOTAL: \_\_\_\_\_

**OFFICE USE ONLY**

PPIN#: \_\_\_\_\_ Parcel#: \_\_\_\_\_ Zoning Class: \_\_\_\_\_ Flood Zone: \_\_\_\_\_ CRS \_\_\_\_\_

Appraised Building Value: \_\_\_\_\_ Substantial Improvement Log Posted: \_\_\_\_\_

Flood Elevation Certificate: \_\_\_\_\_ Elevations Received: Pre- \_\_\_\_\_ Post - \_\_\_\_\_ Const. \_\_\_\_\_

Historic Dist. \_\_\_\_\_ COA: \_\_\_\_\_ LOC: \_\_\_\_\_ Mid-Town Dist. \_\_\_\_\_

Code Enforcement: Violation(s): \_\_\_\_\_ Ward: \_\_\_\_\_ Council Resolution: Y N Officer approval: \_\_\_\_\_

Permit Prepared By: \_\_\_\_\_ Date: \_\_\_\_\_

Approved By: \_\_\_\_\_ Title: \_\_\_\_\_

Date Approved: \_\_\_\_\_ Permit Number(s): \_\_\_\_\_

Cross Reference Permit Number (grading, etc.): \_\_\_\_\_

Notes/Comments: \_\_\_\_\_





# BUILDING PERMIT Acknowledgement

CITY OF HATTIESBURG  
BUILDING DIVISION

P. O. Box 1898  
Hattiesburg, MS 39403-1898  
Phone (601)-554-1004  
Fax (601)-545-4688

**RE: Owner Name:** Toyota of Hattiesburg

**Project Address:** 6461 US 98, Hattiesburg, MS 39402

**Contractor:** Munn Enterprises. Inc.

**Email Address:** KerriL@munnterprises.com

I, Harold Munn, do hereby acknowledge that:  
*Print Owner's Name* *Initial*

|                                                                                                                                                                                                                                                                                                                                                           | <i>Initial</i> |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|
| 1. I am the Contractor <input checked="" type="checkbox"/> , Owner _____, or Other _____, Specify _____                                                                                                                                                                                                                                                   | hm             |
| 2. The field copy of the plans must be on site at all times.                                                                                                                                                                                                                                                                                              | hm             |
| 3. The Contractor or a representative will be on site for all inspections.                                                                                                                                                                                                                                                                                | hm             |
| 4) Twenty four hour notice is required for all inspections.                                                                                                                                                                                                                                                                                               | hm             |
| 5) The Building cannot be used or occupied until all finals have been done and a Certificate of Occupancy has been issued.                                                                                                                                                                                                                                | hm             |
| 6) No licensed Contractor will allow an un-licensed Contractor to work.                                                                                                                                                                                                                                                                                   | hm             |
| 7) When changing a contractor or sub-contractor, an affidavit from the new Contractor must be submitted prior to the change.                                                                                                                                                                                                                              | hm             |
| 8) Any changes to the approved site plan or building plans must be resubmitted to the City for approval prior to construction.                                                                                                                                                                                                                            | hm             |
| 9) I understand that if an electrical inspection reveals that repairs need to be done before electrical service can be restored, I must retain a Licensed Electrician at my own expense and a re-inspection fee may be applied.                                                                                                                           | hm             |
| 10) I acknowledge that it is my responsibility to make sure all required inspections are completed by the City before covering up any work and understand that if I fail to do so, I will be required to remove any dirt, concrete, insulation, sheetrock or any other materials that may conceal construction components that will need to be inspected. | hm             |

NOTE: To request construction debris pick up by the City of Hattiesburg you will need to please contact Public Works Department at 601-545-4545 for any required fees.

hm <-- (initial)

I do hereby accept full personal responsibility for all the above and understand that a violation of any of the above may result in fines or imprisonment of not more than 90 days per offense, construction delays, and possible loss of license.

Harold Everette Munn  
Signature

Harold Everette Munn  
Print Name:  
7712 Highway 49 North, Hattiesburg, MS 39402  
Mailing Address:  
7712 Highway 49 North, Hattiesburg, MS 39402  
Physical Address:  
801784993  
Driver's License#:

Harold Everette Munn  
Signature:

Hattiesburg, MS 39402  
City, State, & Zip Code  
601.270.4220  
Cellphone:  
601.264.7446 x 1002  
Business Phone:  
Expiration Date:  
6-21-2024  
Date:





**Building Permit  
Final Administrative Regulation Form**

City of Hattiesburg  
Building Division

P. O. Box 1898  
Hattiesburg, MS 39403-1898  
Phone (601) 554-1004  
Fax (601) 545-4688

**FINAL ADMINISTRATIVE RULE/REGULATION ADOPTION  
STATE BOARD OF CONTRACTORS  
STATE OF MISSISSIPPI**

Effective October 15, 2007 the following administrative rule/regulation has been officially adopted by the Mississippi State Board of Contractors.

Once a building permit is issued to a residential builder or remodeler, or the holder of a certificate of responsibility by a municipal or county building official, or any other authority charged with the duty of issuing local building permits, such licensed residential builder or residential remodeler or holder of a certificate of responsibility shall exhibit a sign at the permitted job site which shall include, prominently displayed in lettering at least two (2) inches high and twelve (12) inches wide, the license or certificate of responsibility number of the residential builder or residential remodeler or holder of the certificate of responsibility and the State issuing it.

Munn Enterprises, Inc.  
Name of Contractor Company:

7712 Highway 49 North, Hattiesburg, MS 39402  
Company Address:

*Harold Everette Munn*  
Contractor Signature:

6-21-2024  
Date:



## EPA/HUD Lead Renovation, Repair, & Painting Certification

**Are you ready?**

The Environmental Protection Agency (EPA) and the Department of Housing and Urban Development (HUD) issued a rule requiring the use of lead-safe practices.

All firms and individuals performing or desiring to perform renovation, repair, or painting work must become certified by April 22<sup>nd</sup>, 2010. [www.epa.gov/lead/pubs.renovation.htm](http://www.epa.gov/lead/pubs.renovation.htm)

This regulation applies to housing and children-occupied facilities built before 1978 and impacts:

Contractors (General, Plumbing, Electrical, HVAC, Painting, etc.)

Child Care Facilities and Schools

Property Owners and Maintenance Workers of Rental and Multi-family Housing

Renovators and Remodelers

Mississippi State University's Safety Environmental Unit is now an EPA-Accredited Renovation, Repair, and Painting Program training provider;

Renovator Initial Training Course

Renovator Refresher Training Course

Dust Sampling Technician Training Course

To Register

Call (662)-325-5002 or visit [www.ce.msstate.edu/training](http://www.ce.msstate.edu/training)

I do here certify that I have read the above notice and I agree to comply with the above EPA regulations concerning lead based paint testing and abatement.

Kerri McAlpin Little  
PRINTED NAME:

6-21-2024  
DATE:

*Kerri McAlpin Little*  
SIGNATURE:

6461 US 98, Hattiesburg, MS 39402  
PROJECT ADDRESS:





## Building Permit Fee Scale

City of Hattiesburg  
BUILDING DIVISION  
 P.O. Box 1898  
 Hattiesburg, MS 39403-1898  
 Phone (601) 554-1004  
 Fax (601) 545-4688

The following permit fee schedule will be used to calculate all other types of permit/inspections for new, expansion or renovation construction for residential\* and/or commercial work, demolitions, land disturbance (including grading, grubbing, and/or clearing) signs, and said fees shall be made prior to issuance of permit:

|                                  |                                                                                                 |
|----------------------------------|-------------------------------------------------------------------------------------------------|
| \$1 to 500.00                    | \$24.00                                                                                         |
| \$500.01 to \$2,000              | \$24.00 for the first \$500, plus \$3.00 for each additional hundred or fraction thereof        |
| \$2,000.01 to \$40,000           | \$69.00 for the first \$2,000 plus \$11.00 for each additional thousand or fraction thereof     |
| \$40,000.01 to \$100,000         | \$487.00 for the first \$40,000 plus \$9.00 for each additional thousand or fraction thereof    |
| \$100,000.01 to \$500,000        | \$1,027 for the first \$100,000 plus \$7.00 for each additional thousand or fraction thereof    |
| \$500,000.01 to \$1,000,000.00   | \$3,827 for the first \$500,000 plus \$5.00 for each additional thousand or fraction thereof    |
| \$1,000,000.01 to \$5,000,000.00 | \$6,327 for the first \$1,000,000 plus \$3.00 for each additional thousand or fraction thereof  |
| \$5,000,000.01 and over          | \$18,327 for the first \$5,000,000 plus \$1.00 for each additional thousand or fraction thereof |

TOTAL PROJECT VALUATION:

FEE:

Additional information, or inspection trips, made necessary through the failure of a contractor to specify location of installation, or failure to install equipment properly, or to otherwise create conditions making such additional inspections or trips necessary, are hereby designated "Re-Inspections." For each such "Re-Inspections," the designated Re-Inspect Fee shall be charged against and paid by said contractor into the treasury of the City of Hattiesburg.

Permit fees shall apply to all owners, contractors, and non-profit organizations, with the only exception being those non-profit organizations (with approved non-profit charters) providing construction services on a totally volunteer basis for new, expansion or renovation construction on single-family residences.



|                                                                                       |                                                                                                   |                                                                                   |
|---------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------|
|  | <b>MUNN ENTERPRISES, INC.</b><br><b>7742 Hwy 49 North, Hattiesburg, MS</b><br><b>601-264-7446</b> | <b>SOUTHERN<br/>SIGN<br/>SPECIALISTS</b>                                          |
| <b>DWG. BY:</b> LONDON TRIGG                                                          | <b>WORK ORDER</b> # -14485                                                                        | <b>LOCATION:</b><br>TOYOTA OF HATTIESBURG<br>6461 HWY 98<br>HATTIESBURG, MS 39402 |
| <b>DATE:</b> 6/20/24                                                                  | <b>SALESMAN:</b> C.H.                                                                             |                                                                                   |
| <b>CUSTOMER:</b> TOYOTA OF HATTIESBURG                                                |                                                                                                   |                                                                                   |
| <b>PROPERTY OF</b> MUNN ENTERPRISES, INC. - NOT TO BE DUPLICATED                      |                                                                                                   |                                                                                   |

REV.



Toyota of Hattiesburg

Lake Serer  
Grocery

5-min express  
carwash

Flag Pole Location

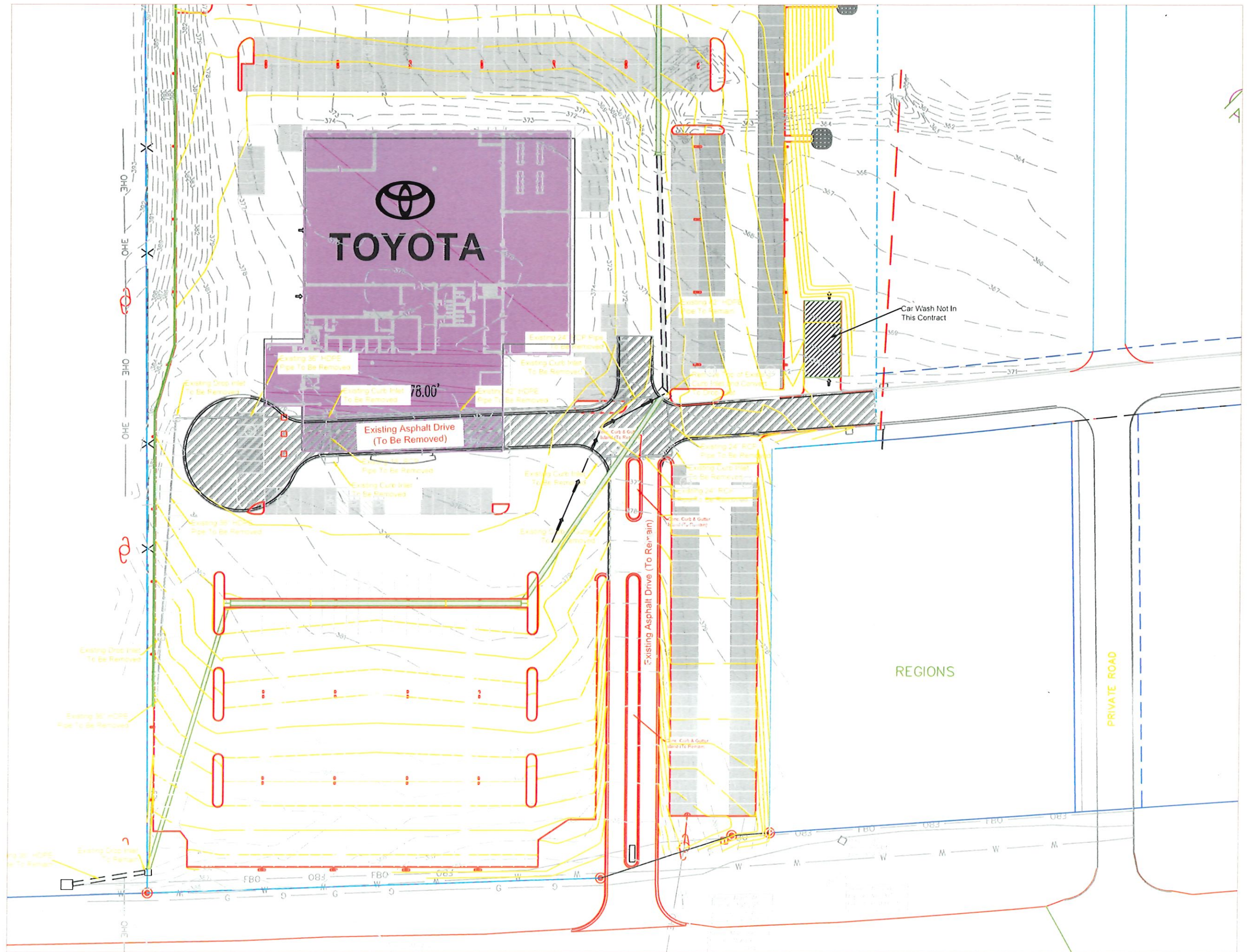
68'-0"

HIGHWAY EDGE

US HWY 98







July 1, 2024

To Whom It May Concern:

I am writing this letter in support of the variance request for a 100' flagpole Toyota of Hattiesburg, 6461 US 98, Hattiesburg, MS is requesting to install. I am a business and/or landowner adjacent to the property in question. The flagpole will be a beautiful asset to our area.

I do not have any objections or apprehensions as the business and/or landowner next to this property.

Below is my name and number if you have any questions.

Sincerely,

 Wanda L. Benson STEARHOUSE  
601-323-1005



July 1, 2024

To Whom It May Concern:

I am writing this letter in support of the variance request for a 100' flagpole Toyota of Hattiesburg, 6461 US 98, Hattiesburg, MS is requesting to install. I am a business and/or landowner adjacent to the property in question. The flagpole will be a beautiful asset to our area.

I do not have any objections or apprehensions as the business and/or landowner next to this property.

Below is my name and number if you have any questions.

Sincerely,

Jessie Tour 601-550-8815  
Champagne Taste Consignment Shop

Joanna Chandler 601-550-8815  
Champagne Taste Consignment

July 1, 2024

To Whom It May Concern:

I am writing this letter in support of the variance request for a 100' flagpole Toyota of Hattiesburg, 6461 US 98, Hattiesburg, MS is requesting to install. I am a business and/or landowner adjacent to the property in question. The flagpole will be a beautiful asset to our area.

I do not have any objections or apprehensions as the business and/or landowner next to this property.

Below is my name and number if you have any questions.

Sincerely,



Fine Wine & Liqueur Loft  
601-579-7848



July 1, 2024

To Whom It May Concern:

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I do not have any objections or apprehensions as the business and/or landowner next to this property.

Below is my name and number if you have any questions.

Sincerely,

Sara Hood  
Hair unlimited  
601 680 2004

July 1, 2024

To Whom It May Concern:

I am writing this letter in support of the variance request for a 100' flagpole Toyota of Hattiesburg, 6461 US 98, Hattiesburg, MS is requesting to install. I am a business and/or landowner adjacent to the property in question. The flagpole will be a beautiful asset to our area.

I do not have any objections or apprehensions as the business and/or landowner next to this property.

Below is my name and number if you have any questions.

Sincerely,



**Kim's Nail Salon**  
Full service salon  
**Tuyet and Vu**  
Please call for an appointment

(601) 296-1188  
Closed Sunday & Monday  
Open Tues-Fri 9:00-7:00  
Sat. 9:00-5:00 gift certificate available

28 market court suite 30  
Hattiesburg, MS. 39402  
Right behind McDonald in Oak Grove

*Tuyet Vu*  
7/2/24



July 1, 2024

To Whom It May Concern:

I am writing this letter in support of the variance request for a 100' flagpole Toyota of Hattiesburg, 6461 US 98, Hattiesburg, MS is requesting to install. I am a business and/or landowner adjacent to the property in question. The flagpole will be a beautiful asset to our area.

I do not have any objections or apprehensions as the business and/or landowner next to this property.

Below is my name and number if you have any questions.

Sincerely,

KAShe Wedgewood

Lake Serene Grocery

601-264-6393

A handwritten signature in dark ink, appearing to be 'KAShe', followed by a long horizontal line extending to the right.

July 1, 2024

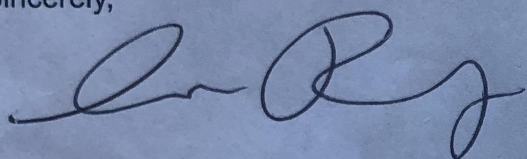
To Whom It May Concern:

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I do not have any objections or apprehensions as the business and/or landowner next to this property.

Below is my name and number if you have any questions.

Sincerely,



ANDREW ZEDUNG, HR  
(972-746-1269)

APPROVED BY RODDY RUMBLY, OWNER 7/4/24  
(601-757-7178)



July 1, 2024

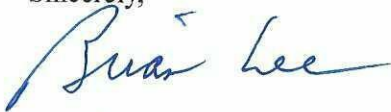
To Whom It May Concern:

I am writing this letter in support of the variance request for a 100' flagpole Toyota of Hattiesburg, 6461 US 98, Hattiesburg, MS is requesting to install. I am a business and/or landowner adjacent to the property in question. The flagpole will be a beautiful asset to our area.

I do not have any objections or apprehensions as the business and/or landowner next to this property.

Below is my name and number if you have any questions.

Sincerely,

A handwritten signature in blue ink that reads "Brian Lee". The signature is fluid and cursive, with a small mark above the "i" in "Brian".

BKS, Inc  
601-408-8235

July 1, 2024

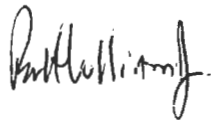
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I do not have any objections or apprehensions as the business and/or landowner next to this property.

Below is my name and number if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Paul H. Herring". The signature is written in a cursive, flowing style with a long horizontal stroke at the end.





**Board of Adjustment  
Case Fact Sheet**

---

**Name of Petitioners:** Ola M. Jordan, Applicant

**Address of Property:**  
532 Cox Street

**Tax Parcel**  
2-042E-26-024.00

**PPIN:**  
12368

**Ward:**  
5

---

**Request:**

**Structure Variance - Maximum Height Requirement**

**Purpose of Request:**

Ola M. Jordan, applicant, requests a variance from the minimum lot size of 43,560 sq ft for an A-2 zoned property to instead allow for a minimum lot size of 16,200 sq ft on a property located at 532 Cox Street (PPIN 12368, Ward 5, Forrest County).

**History / Background:**

The applicant met with staff regarding the potential of relocating a mobile home to her lot. The mobile home was purchased following the applicant's home burning down earlier this year. Staff advised that her lot was zoned as R-1C (Single Family Residential) and that zoning does not allow for mobile homes to be placed in that zoning. Staff advised that the property would need to be rezoned to an agricultural zoning and the applicant is pursuing a zoning change to A-2 (Agricultural Residential), which allows for the placement of mobile homes. Staff also advised that a variance would be required since her lot was smaller than the required minimum lot size of 43,560 sq ft in an A-2 zone. The applicant is also pursuing a variance for the minimum lot size for A-2 zoning, requesting a variance to allow the minimum lot size to be the size of her lot at 16,200 sq ft.

**Applicant Summary:**

See Attached

**Applicable Regulations:**

**SECTION 6**

**Table 6.1 Dimensional Standards and Measurements**

| 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 |                      |                                      |                |
| A-1                             | 130,680 / 100                            | 1 per lot           | -                     | 25               | -          | 15        | 25        | 35 feet or 3 stories | 35%                                  | -              |
| A-2                             | 43,560 / 100                             | 1 per lot           | -                     | 25               | -          | 15        | 25        | 35 feet or 3 stories | 50%                                  | -              |

**Present Zoning:** R-1C, Single-Family Residential

**Present Use:** Residential Lot

**Future Land Use:** Neighborhood Conservation District 2

**Surrounding Zoning and Land Use:**  
 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:** Staff have not received any letters or concerns regarding this project as of completing this report.

**Options:** Recommend **approval or denial** of the variance from the minimum lot size of 43,560 sq ft for a A2 zoned property to instead allow for a minimum lot size of 16,200 sq ft on a property located at 532 Cox Street (PPIN 12368, Ward 5, Forrest County).

**Basis for Approval (12.4.1.1):**

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

I. Hardship.

- The hardship is unique to the property and is not or will not be caused by the actions or inactions of the applicant.
- There are exceptional conditions creating an undue hardship applicable only to the property involved or the intended use which do not apply generally to the other land areas or uses within the same zoning district.

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

III. Literal Interpretation. The literal interpretation of the provisions of the regulations would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district and would cause unnecessary and undue hardship on the applicant.

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

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

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



## SUBJECT PARCEL

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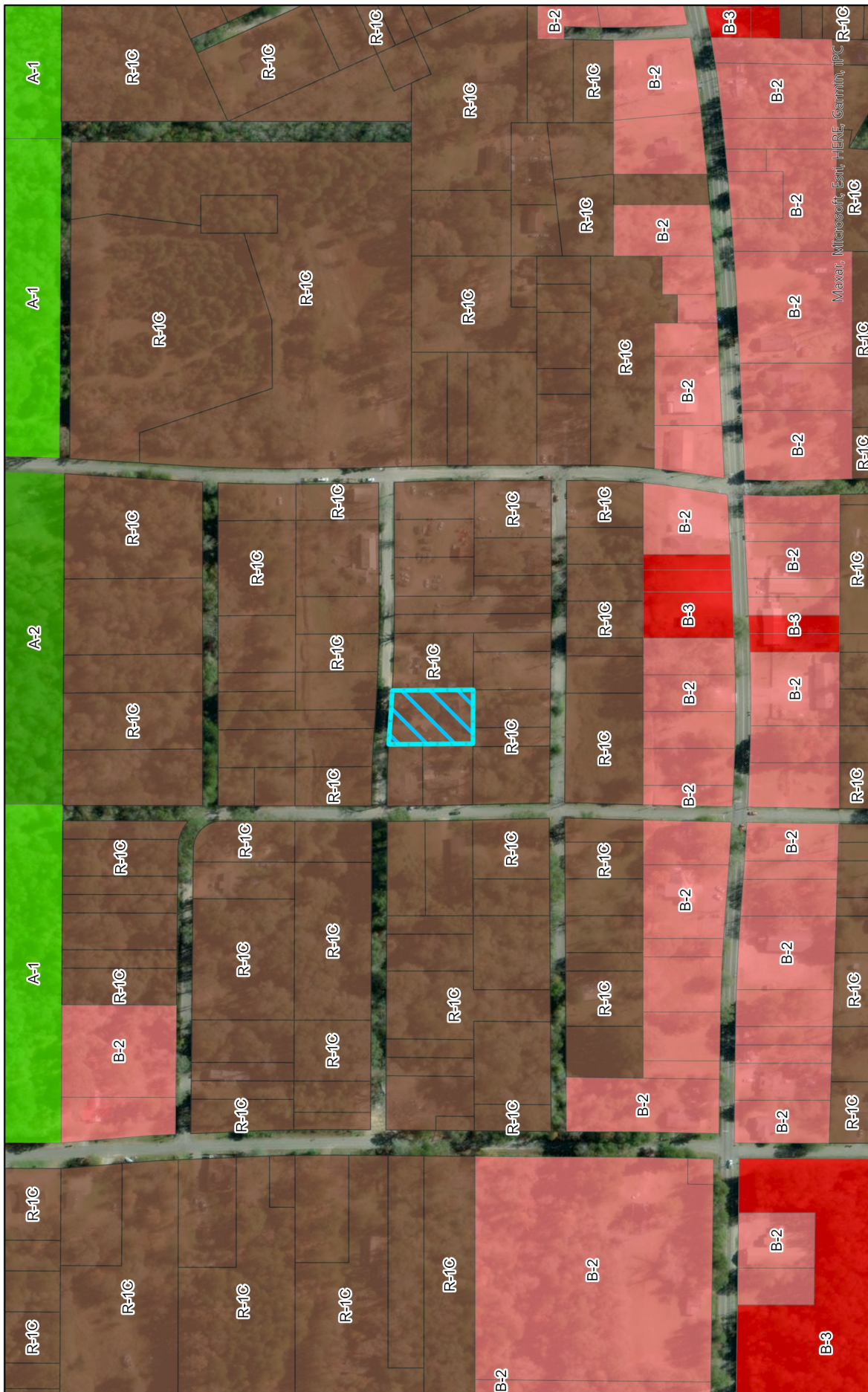
532 Cox Street — Request for reduced lot size for an A-2 Zoned Parcel

Ola M. Jordan, Applicant

Ola M. Jordan, applicant, requests a variance from the minimum lot size of 43,560 sq ft (1 acre) for an A-2 zoned property to instead allow for a minimum lot size of 16,200 sq ft on a property located at 532 Cox Street. The request is contingent upon approval of a rezone request to A-2 (PPIN 12368, Ward 5, Forrest County).





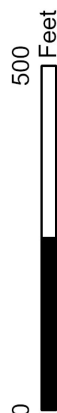


**Zoning Map**

|  |     |  |      |  |     |
|--|-----|--|------|--|-----|
|  | A-1 |  | R-1C |  | B-3 |
|  | A-2 |  | B-2  |  |     |

Rezoning Request from R-1C to A-2  
Variance for reduced lot size dimensions  
for A-2 Zoned parcel  
532 Cox Street  
PPIN: 12368  
Flood Zone: X, Ward 5, Forrest County

DISCLAIMER: This map is ONLY FOR REFERENCE. There is NO WARRANTY of the accuracy of data.  
This information CANNOT be used as a substitute for legal, business, tax or other professional advice.  
Map Exported on: 8/14/2024 4:26 PM



  
  
**URBAN DEVELOPMENT**  
**PLANNING DIVISION**  
Center: 89°16'22"W 31°16'44"N





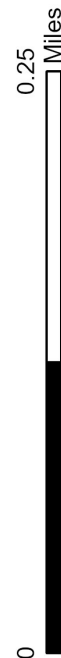
Future Land Use Map

-  Community Business A
-  Neighborhood Conservation District 2

Rezoning Request from R-1C to A-2  
Variance for reduced lot size dimensions  
for A-2 Zoned parcel  
532 Cox Street  
PPIN: 12368

Flood Zone: X, Ward 5, Forrest County

DISCLAIMER: This map is ONLY FOR REFERENCE. There is NO WARRANTY of the accuracy of data.  
This information CANNOT be used as a substitute for legal, business, tax or other professional advice.  
Map Exported on: 8/14/2024 4:37 PM



**URBAN  
DEVELOPMENT**  
**PLANNING DIVISION**  
Center: 89°16'21"W 31°16'44"N



# Site Aerial

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## Surrounding Area

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# 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: Ola M. Jordan

Project Name: \_\_\_\_\_

Proposed Use(s): Home

Project Street Address: 532 Cox St. Hattiesburg MS, 39401

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

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

### Application for (check all appropriate types):

- |                                                                           |                                                           |
|---------------------------------------------------------------------------|-----------------------------------------------------------|
| <input checked="" type="checkbox"/> Variance (see below)                  | <input type="checkbox"/> Conditional Use (see below)      |
| <input type="checkbox"/> Subdividing of Lot, Parcel, or Tract (see p. 12) | <input checked="" type="checkbox"/> Re-Zoning (see below) |
| <input type="checkbox"/> Street or Alley Renaming (see pp. 13-14)         | <input type="checkbox"/> Overlay District                 |
| <input type="checkbox"/> Vacating Street or Alley (see pp. 13-14)         | <input type="checkbox"/> Planned Mixed-Use District       |

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

- |                                                                                 |                                                               |                                           |
|---------------------------------------------------------------------------------|---------------------------------------------------------------|-------------------------------------------|
| <input type="checkbox"/> Sign                                                   | <input type="checkbox"/> Setback (front, side, or rear _____) | <input type="checkbox"/> Off-Site Parking |
| <input type="checkbox"/> Lot Width                                              | <input type="checkbox"/> Lot Coverage Area                    | <input type="checkbox"/> Buffer           |
| <input type="checkbox"/> Other: <u>Lot Size: Reduce to 16,200ft<sup>2</sup></u> | <input type="checkbox"/> Open Space                           |                                           |

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

- |                                                     |                                                         |
|-----------------------------------------------------|---------------------------------------------------------|
| <input type="checkbox"/> Automotive Filling Station | <input type="checkbox"/> Telecommunications             |
| <input type="checkbox"/> Digital Billboard, New     | <input type="checkbox"/> Digital Billboard, Replacement |
| <input type="checkbox"/> Restaurant                 | <input type="checkbox"/> Solar Farm                     |
| <input type="checkbox"/> Other: _____               |                                                         |

### For Re-Zoning Only, see p. 11:

Existing Zoning: R-1C

Proposed Zoning: A-2

### STAFF USE ONLY – Do Not Complete:

Pre-Application Date: \_\_\_\_\_ Planner: \_\_\_\_\_

Parcel Number(s): \_\_\_\_\_ Historic District(s): \_\_\_\_\_

Flood Zone(s): \_\_\_\_\_ Zoning District(s): \_\_\_\_\_

Project No.: \_\_\_\_\_

### Code Sections:

LDC Section No. \_\_\_\_\_

Section No. \_\_\_\_\_

Section No. \_\_\_\_\_

Section No. \_\_\_\_\_

Section No. \_\_\_\_\_

RECIVED DATE & INITIALS:

**PROJECT REPRESENTATIVE INFORMATION:****Primary:**

|                                                        |                                                    |                                         |                                |
|--------------------------------------------------------|----------------------------------------------------|-----------------------------------------|--------------------------------|
| Name:                                                  | Ola mae Jordan                                     |                                         |                                |
| <input checked="" type="checkbox"/> Applicant          | <input checked="" type="checkbox"/> Property Owner | <input type="checkbox"/> Representative | <input type="checkbox"/> Agent |
| <input type="checkbox"/> Contractor                    | <input type="checkbox"/> Architect                 | <input type="checkbox"/> Engineer       |                                |
| <input type="checkbox"/> Other (please specify): _____ |                                                    |                                         |                                |
| Phone:                                                 | 769 3079412                                        | Fax:                                    |                                |
| Email:                                                 | 532 coz st a gmail: Con                            |                                         |                                |
| Mailing Address:                                       | 532 Coz Street                                     |                                         |                                |
|                                                        | Hattiesburg Mississippi 39401                      |                                         |                                |

**Secondary:**

|                                                        |                                         |                                         |                                |
|--------------------------------------------------------|-----------------------------------------|-----------------------------------------|--------------------------------|
| Name:                                                  | _____                                   |                                         |                                |
| <input type="checkbox"/> Applicant                     | <input type="checkbox"/> Property Owner | <input type="checkbox"/> Representative | <input type="checkbox"/> Agent |
| <input type="checkbox"/> Contractor                    | <input type="checkbox"/> Architect      | <input type="checkbox"/> Engineer       |                                |
| <input type="checkbox"/> Other (please specify): _____ |                                         |                                         |                                |
| Phone:                                                 | _____                                   | Fax:                                    | _____                          |
| Email:                                                 | _____                                   |                                         |                                |
| Mailing Address:                                       | _____                                   |                                         |                                |
|                                                        | _____                                   |                                         |                                |

**Other(s):**

|                                                        |                                         |                                         |                                |
|--------------------------------------------------------|-----------------------------------------|-----------------------------------------|--------------------------------|
| Name:                                                  | _____                                   |                                         |                                |
| <input type="checkbox"/> Applicant                     | <input type="checkbox"/> Property Owner | <input type="checkbox"/> Representative | <input type="checkbox"/> Agent |
| <input type="checkbox"/> Contractor                    | <input type="checkbox"/> Architect      | <input type="checkbox"/> Engineer       |                                |
| <input type="checkbox"/> Other (please specify): _____ |                                         |                                         |                                |
| Phone:                                                 | _____                                   | Fax:                                    | _____                          |
| Email:                                                 | _____                                   |                                         |                                |
| Mailing Address:                                       | _____                                   |                                         |                                |
|                                                        | _____                                   |                                         |                                |

|                                                        |                                         |                                         |                                |
|--------------------------------------------------------|-----------------------------------------|-----------------------------------------|--------------------------------|
| Name:                                                  | _____                                   |                                         |                                |
| <input type="checkbox"/> Applicant                     | <input type="checkbox"/> Property Owner | <input type="checkbox"/> Representative | <input type="checkbox"/> Agent |
| <input type="checkbox"/> Contractor                    | <input type="checkbox"/> Architect      | <input type="checkbox"/> Engineer       |                                |
| <input type="checkbox"/> 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

532 Cox Street Natchezburg Miss.  
Street Address City State

on this the 15<sup>th</sup> day of July, 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 \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Ola Jordan

Property Owner (print)

Ola Jordan

Property Owner (signature)

STATE OF MS.

COUNTY OF FORREST

Personally came and appeared before me, the within named

OLA JORDAN

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 15<sup>th</sup> day of

July, 2024

James E. Hughes  
NOTARY PUBLIC

My Commission Expires:

July 23<sup>rd</sup> 2024

**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 532 Cox St Hattiesburg Miss  
Street Address City State

on this the 15<sup>th</sup> day of July, 2024

Ola Jordan

Applicant (print)

Ola Jordan

Applicant (signature)

STATE OF MS.

COUNTY OF FORREST

Personally came and appeared before me, the within named

OLA JORDAN

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 15<sup>th</sup> day of JULY, 2024.

[Signature]  
NOTARY PUBLIC

My Commission Expires:

July 23<sup>rd</sup>, 2024





## PLANNING COMMISSION & BOARD OF ADJUSTMENT – PETITIONER

### REQUIRED SUBMITTAL INFORMATION

Deadline for applicant to file petition: July 22<sup>nd</sup> 5:00pm (End of business day)  
 Hattiesburg Planning Commission Meeting Date: September 4<sup>th</sup> Time: 1:00pm  
 Hattiesburg Board of Adjustment Meeting Date: " " Time: 3:30pm

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

City Council Agenda Review Date – (you or your representative should attend): \_\_\_\_\_ Time: 4:00pm

City Council Meeting (Vote) Date – (you or your representative may attend): \_\_\_\_\_ Time: 5:00pm

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

***\*Dates and times are subject to change\****

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

The following paperwork MUST be attached to this application:

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

\_\_\_\_ Site & Design Review Committee, if needed.

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

X Electronic/Digital copy of legal description REQUIRED for all public notices, saved as Word or text document OR emailed to [planning@hattiesburgms.com](mailto:planning@hattiesburgms.com)

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

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

\_\_\_\_ Other documents needed (per Planning Division):

\_\_\_\_ Maps of digital billboard removal sites      \_\_\_\_ Maps of digital billboard replacement sites

\_\_\_\_ Documentation on measurements      \_\_\_\_ Other: \_\_\_\_\_

X Payment to the City of Hattiesburg for filing application in the amount of \$ 575.

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

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

### Required Fees

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

**Public Hearing Fees:**

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

**\*OTHER PROCESSES MAY HAVE ADDITIONAL FEES\***

**Make all checks payable to the City of Hattiesburg**



### FOR VARIANCE APPLICANTS:

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

The following conditions must be met before a variance can be recommended.

#### **Approval Criteria.**

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

1. **Hardship.** (a) the hardship is unique to the property and is not or will not be caused by the actions or inactions of the applicant. (b) There are exceptional conditions creating an undue hardship applicable only to the property involved or the intended use which do not apply generally to the other land areas or uses within the same zoning district.

*My house burnt down in March. I own this property and have been living here over thirty years.*

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

*I would like to put trailers on the property. This is what I could afford after my house burnt. There are other trailers around my lot land.*

3. **Literal Interpretation.** The literal interpretation of the provision of the regulation would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district and would cause unnecessary and undue hardship on the applicant.

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

*Reasonable use of the property to get a trailer on my land. I own a half an acre of land!*

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

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

*I do not believe my living arrangement will interfere with the area. I'm asking to resize area to smaller amount of space.*

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



**FOR CONDITIONAL USE APPLICANTS:**

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

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

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

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

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4. Will there be any additional pedestrian or vehicular traffic generated by the proposed use? If yes, please explain:

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5. Will there be any elevation in the noise level resulting from this proposed use? If yes, please explain:

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6. What is the expected number of customers/employees per day?

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7. Is proposed use compatible with surrounding uses and design? If yes, please explain:

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8. Parking requirements:

Commercial/Industrial: Paved parking will be provided for \_\_\_\_\_ vehicles, and \_\_\_\_\_ ADA vehicles; with \_\_\_\_\_ loading spaces.

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





### 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:

My house burn and I didn't have the money to rebuild so I got a mobile home to replace my house. I need some where to live

## 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 \_\_\_\_\_

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

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

| Newly subdivided<br>Parcels                                                                                         | New lot size in<br>square footage (sf)<br>or acres (A) | New lot has<br>public road<br>frontage<br>(yes / no)                                       | New lot has<br>private road<br>frontage<br>(yes / no) | Indicate name of public or private road(s) | Staff - Lot area &<br>frontage<br>requirements<br>comply? |    |
|---------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------|--------------------------------------------------------------------------------------------|-------------------------------------------------------|--------------------------------------------|-----------------------------------------------------------|----|
|                                                                                                                     |                                                        |                                                                                            |                                                       |                                            | Yes                                                       | No |
| 1.                                                                                                                  |                                                        |                                                                                            |                                                       |                                            |                                                           |    |
| 2.                                                                                                                  |                                                        |                                                                                            |                                                       |                                            |                                                           |    |
| 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<br>Parcel                                                                                                    |                                                        |                                                                                            |                                                       |                                            |                                                           |    |
|                                                                                                                     |                                                        | Total square footage of new lots (verify total matches existing parcel<br>prior to splits) |                                                       |                                            |                                                           |    |

2. Infrastructure required:

Water/Sewer \_\_\_\_\_ Gas \_\_\_\_\_ Electric \_\_\_\_\_ Telephone \_\_\_\_\_ Cable \_\_\_\_\_ Streets \_\_\_\_\_



### Street/Alley Renaming, Closing, or Vacating Information

1. Please indicate specific request(s):      ☐ Street      ☐ Alley  
                                          ☐ Closing      ☐ Vacating      ☐ Naming      ☐ Re-Naming
2. Current name of street/alley to be named/re-named, vacated, or closed:  
      \_\_\_\_\_
3. Proposed name of street/alley to be named or re-named (If applicable):  
      \_\_\_\_\_
4. Describe the portion of the street/alley to be renamed, closed, or vacated (use all bounding or intersecting streets/alleys, from and to):  
      \_\_\_\_\_  
      \_\_\_\_\_  
      \_\_\_\_\_
5. Tax Block(s) and Lot(s) involved in closing request  
      \_\_\_\_\_  
      \_\_\_\_\_  
      \_\_\_\_\_
6. Describe existing land use of properties and number of residents affected by renaming the street/alley within 400 feet.

| Type of Land Use of adjacent development | Number of properties adjacent to the existing street | Number of property owners adjacent to the existing street | Number of residents affected by the change of address |  |
|------------------------------------------|------------------------------------------------------|-----------------------------------------------------------|-------------------------------------------------------|--|
| Businesses                               |                                                      |                                                           |                                                       |  |
| Residences                               |                                                      |                                                           |                                                       |  |
| Apartments                               |                                                      |                                                           |                                                       |  |
| Churches/Schools                         |                                                      |                                                           |                                                       |  |
| Other                                    |                                                      |                                                           |                                                       |  |

Any additional Information: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

5. Describe the effect the proposed change will have on existing development and the transportation system within the affected area.

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6. Have applications for zoning, variance, building permit, or other applications been filed?

\_\_\_\_\_ Yes      \_\_\_\_\_ No

If yes, provide reference numbers and dates: \_\_\_\_\_

7. Acknowledgment of property owners affected by the street/alley renaming. Include all names and addresses.

8. Obtain from the City's Engineering Department the legal description of the street/alley or portion thereof to be closed, vacated, named or re-named (need electronic copy)

Attach Acknowledgement of Affected residents/business

As Additional Page(s)



*Boat 15843 - HH*

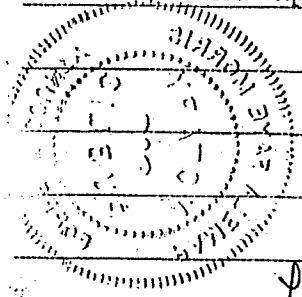
THE STATE OF MISSISSIPPI

County of Forrest

IN CONSIDERATION OF the sum of ten dollars (10.00), cash in hand paid and other good and valuable considerations, the receipt of which is hereby acknowledged, I Dorothy Hines (single), do hereby,

sell, Convey and warrant to Ola Jordan (single)

the land described as Lots Twelve (12), Thirteen (13) and Fourteen (14) in Block Three (3) of the Washington Heights, being a subdivision of the South Half of the Northeast Quarter of the Southwest Quarter (S $\frac{1}{2}$  of NE $\frac{1}{4}$  of SW $\frac{1}{4}$ ) of Section 26, Township 4 North, Range 13 West, as per plat on file in the Office of the Chancery Clerk of Forrest County, Mississippi, together with all improvements thereon and appurtenances thereunto belonging.



9000  
STATE OF MISSISSIPPI  
FORREST COUNTY  
CERTIFY THIS INSTRUMENT  
WAS FILED AND RECORDED

90 OCT 11 PM 12:50

*GLR*  
B&P SI

REC. DR. AND PAGE OR U.C.  
FILE NO. AS SHOWN  
WITNESS MY HAND AND SEAL  
*Jaime C. Howard*  
CHANCERY CLERK

*3.00*

ADDRESS OF GRANTOR:

532 Cox Street  
Hattiesburg, MS 39401

Home Phone (601) 583-3798

NO Work Phone

ADDRESS OF GRANTEE:

532 Cox Street  
Hattiesburg, MS 39401

Home Phone (601) 583-3798

Work Phone (601) 268-8816



THE STATE OF MISSISSIPPI, COUNTY OF \_\_\_\_\_

Personally appeared before me, \_\_\_\_\_ of the County of \_\_\_\_\_

\_\_\_\_\_ in said State, the within named \_\_\_\_\_ and \_\_\_\_\_ wife of said \_\_\_\_\_

\_\_\_\_\_ who acknowledged that he signed and delivered the foregoing instrument on the day and year therein mentioned.

Given under my hand and official seal at \_\_\_\_\_, Mississippi, this the \_\_\_\_\_ day of \_\_\_\_\_ A. D., 19\_\_\_\_.

THE STATE OF MISSISSIPPI, COUNTY OF Forrest

Personally appeared Darrell Wallace

\_\_\_\_\_ one of the subscribing witnesses to the foregoing instrument, who, being first duly sworn, depose and saith that he saw the within named

Dorothy Hines (single)

~~XXXXXX~~

whose name he subscribed thereto, sign and deliver the same to the said Ola Jordan

; that he, this affiant, subscribed his name as a witness hereto, in the presence of the said Dorothy Hines (Single)

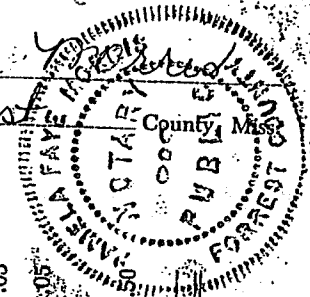
*Darrell Wallace*

Affiant.

SWORN TO and subscribed before me at the City of Hattiesburg, Mississippi, this the 11th day of October A. D., 19 90

*Pamela J. Hays*

*Notary Public*



My Commission Expires 11-16-92

WARRANTY DEED

Filed for record \_\_\_\_\_ o'clock \_\_\_\_\_ M., on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_

\_\_\_\_\_, Clerk THE STATE OF MISSISSIPPI,

\_\_\_\_\_, County.

I, \_\_\_\_\_ Clerk of the Chancery Court of said county, hereby certify that the within instrument of writing was filed

in my office for record at \_\_\_\_\_ M.,

on the \_\_\_\_\_ day of \_\_\_\_\_ A. D., 19\_\_\_\_ and that the same was this day recorded in Deed Record

\_\_\_\_\_ on pages \_\_\_\_\_

Witness my hand and official seal, this \_\_\_\_\_ day of \_\_\_\_\_

A. D., 19\_\_\_\_

\_\_\_\_\_, Clerk.

\_\_\_\_\_, D. C.

FEES

Filing \_\_\_\_\_ \$ .05  
Indexing \_\_\_\_\_  
Recording \_\_\_\_\_ words \_\_\_\_\_  
Certificate \_\_\_\_\_  
Total \_\_\_\_\_

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Form 512







# URBAN DEVELOPMENT PLANNING DIVISION



313 E 3rd Street -  
Economy Supply Lay

## PRE-APPLICATION MEETING SUMMARY

Thursday, July 11<sup>th</sup>, 2024

### STAFF PRESENT:

Cory Long, Nathan Satcher, Jerald Little, Shawn Whitaker, Blake Michaels, Meridian McDaniel.

### APPLICANT Present:

Name: Ola Jordan

Business: 532 Cox Street

### PROJECT ADDRESS/LOCATION:

Address: 532 Cox Street

Zoning: R-1C

### CASE TYPE:

Zoning Change for Mobile Home

### SPECIAL DISTRICT:

☐ Flood Zone ☐ Historic District

☐ Form-Based District

### PROJECT SUMMARY:

- Applicant Summary
  - Had a house fire in March and trying to get housing taken care of—Zoning is what is causing a problem. Mobile homes only allowed in agricultural zones. Already have purchased it and trying to find somewhere to be able to put it—either at this property or another property.
- Planning
  - HUD standards for mobile homes. Housing is built under international building codes.
  - Property is 0.39 acres
  - Variance for lot size (from requirement of 1 Acre) and zoning request to A2
  - Planning has been talking about an overlay to allow for mobile homes in Palmers Crossing area but no action has been taken as of today.
- Building
- Engineering
- Fire

### NEXT STEPS:

- Additional information
  - Zoning Change and Variance Applications deadline is July 22<sup>nd</sup> by 5pm to be put on the agenda for the September 4<sup>th</sup> Planning Commission/Board of Adjustment. Bring applications to Planning Division Office (2<sup>nd</sup> floor of City Hall- 200 Forrest St.)
    - Zoning Change- Planning Commission @ 1:00
    - Variance Request- Board of Adjustment @ 3:30
  - Zoning Change/Variance Application fee waiver, if applied for, goes to the Director of Urban Development, Wiley Quinn.
  - Planning Commission and Board of Adjustments and recommendations will go to City Council, who will vote on the items on:

*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

- September 16 at 4:00pm (Public Hearing portion)
- September 17 at 5:00pm (Official Vote)
- Permits
  - If Zoning Change and Variance Requests are approved, building permits would be required and would be the next step.

#### APPLICATIONS REQUIRED:

- |                                                                     |                                                      |
|---------------------------------------------------------------------|------------------------------------------------------|
| <input type="checkbox"/> Site Plan Review Checklist and Application | <input type="checkbox"/> Conditional Use Application |
| <input checked="" type="checkbox"/> Public Hearing Application      | <input type="checkbox"/> Street/Alley Closing        |
| <input checked="" type="checkbox"/> Variance Application            | <input type="checkbox"/> Major Subdivision           |
| <input checked="" type="checkbox"/> Rezone Application              | <input type="checkbox"/> Minor Subdivision           |
| <input type="checkbox"/> Certificate of Appropriateness (Historic)  | <input type="checkbox"/> 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.*



Do you approve or Disapprove  
of me putting a Mobile Home  
on the property of 532 Cox St.  
For Ola Jordan

Yes I Approve my name is  
Johnny Lee Jones

526 Cox St Hattiesburg Miss  
39401

for the property of 832 Chest.  
 I am writing a note to you  
 as an officer, as discussed.

As I approve my name as  
 [Signature]

375 Cox St. [Signature]  
 3/10/01

Do you approve or Disapprove  
of me putting a mobile Home  
on the property of 532 Cox St.  
for Ola Jordan

William E Moore yes I Approve  
251 northwashington St.



to have approval for the purchase  
of the building at 235 East St.  
for the new building.

235 East St. 235 East St.  
235 East St. 235 East St.

Do you approve or disapprove  
of me putting a mobile home  
on the property of 532 Cox  
St. for Ola Jordan  
Russell Coleman yes I agree  
225 N WASHINGTON AVE

255 N. Washington Ave  
Frost College  
St. for the  
for the property of 2336  
of the putting a mobile home  
to have approved for disapproval





# **URBAN DEVELOPMENT**

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## **PLANNING DIVISION**

**BOARD OF ADJUSTMENT**  
**PUBLIC HEARING STAFF REPORTS**  
**September 4, 2024**