Planning Commission Agenda

Jackie Dole Sherrill Community Center (Dining Room)

Time: 1:00 PM

12/3/2025

I. Business Meeting

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

II. Public Hearing

1. Presentation of Petitions for Public Hearing

A. Conditional Use Request- Wesley Foundation of Mississippi Southern, Property Owner/Applicant, Eric Davis, Property Owner/Applicant, Shelby Murray, Applicant/Engineer, and Sarah Newton, Architect, request conditional use approval for "Place of Assembly" and "Mixed-Use" for a R-3 zoned property located at 3200 Montague Blvd. (PPIN 22975 & 22976, Forrest County, Ward 1).

B. Major Subdivision Request- Michael McCullum, Property Owner and Applicant, requests approval of a preliminary plat for a major subdivision to be known as the "Zainey's Corner Subdivision" for a property at 610 Dabbs Street (PPIN 18772, Forrest County, Ward 4).

C. Conditional Use Request- Gurbakh Signh, Property Owner/Applicant, requests conditional use approval for "restaurant" for a B-2 zoned property at 1000 N Main Street (PPIN 25113 and 18816, Forrest County, Ward 2).

D. Alley Closure Request- Cornell Malone, Property Owner/Applicant, and Rick Sullivan, Agent, request a partial alley closure for an unimproved alley located to the east of the DD McInnis 3rd Survey Subdivision and West of the Hicks Subdivision of the DD McInnis 3rd Survey Subdivision.

E. Subdivision Request- Cornell Malone, Property Owner/Applicant, and Rick Sullivan, Agent, request a minor subdivision and to alter an existing subdivision in both the DD McInnis 3rd Survey Subdivision and the Hicks Subdivision of the DD McInnis 3rd Survey Subdivision for a B-3 (BCO) zoned property at 802 Broadway Drive (PPIN 17605, 17606, and 26875, Forrest County, Ward 4).

F. Conditional Use Request- Cornell Malone, Property Owner, Deante Brumfiled, Applicant, and Stephen Stetelman, Representative, request a conditional use approval for "Automotive rental and sales" for a B-3 (BCO) zoned property at 710

Broadway Drive (PPIN 17605, 17606, and 26875, Forrest County, Ward 4).

G. Text Amendment Request- Bill, Ute, and James Benge, Property Owners/Applicants, request a text amendment to allow Accessory Dwelling Units as a Conditional Use approval.

H. Conditional Use Request- Bill, Ute, and James Benge, Property Owners/Applicants, request conditional use approval for an Accessory Dwelling Unit in a R-1B zoned property at 217 N 23rd Avenue (PPIN 16123, Forrest County, Ward 4).

I. Zoning Change Request- Ray and Gustavo Barria, Property Owners/Applicants, request a zoning change from R-1C to R-2 for a property located at 112 Dearborne Street (PPIN 20931, Forrest County, Ward 4)

III. Other Business

1. TABLED ITEM: Conditional Use Request- Jennifer Floyd, Property Owner/Applicant, and Catherine Daniel, Property Owner, request conditional use approval for a "Mobile Home Park" on an R-1C-zoned property located at 1678 James Street (PPIN 39149, Forrest County, Ward 5).

2. TABLED ITEM: Text Amendment Request- Wesley Foundation of Mississippi Southern, Property Owner/Applicant, Eric Davis, Property Owner/Applicant, Shelby Murray, Applicant/Engineer, and Sarah Newton, Architect, request a text amendment to the Hattiesburg Land Development Code (Ord. 3902, as amended) to allow Mixed-Use as a Conditional Use in R-3 zoning (LDC 5.1) and to add "cafes/coffee shops" as an accessory use to "Place of Assembly" (LDC 5.4.30.2).

3. TABLED ITEM: Text Amendment Request- Martin Luther King Jr. Baptist Church, Property Owners, Image Signs and Neon, Contractor, and Michael Bethley, Representative, request a text amendment of the Hattiesburg Land Development Code (Ord. 3209, as amended) to include pole signs as a conditional use approval in B-2 zoning districts and to allow electronic message reader boards as a conditional use approval in B-2 zoning districts.

4. TABLED ITEM: Conditional Use Request- Martin Luther King Jr. Baptist Church, Property Owners, Image Signs and Neon, Contractor, and Michael Bethley, Representative, request conditional use approvals for a pole sign and an electronic message reader board for a B-2 zoned property located at 110 Martin Luther King Jr. Drive (PPIN 32303, Forrest County, Ward 5).

IV. Adjournment

MINUTES OF THE
REGULAR MEETING OF THE
HATTIESBURG PLANNING COMMISSION
November 5th, 2025

Board Members Roll Call:

Members Present:

1. Amy Hinton, Chair
2. Richard Conville (Departed during Item K)
3. Charles Dawe
4. Caroline Ingram (Virtual)
5. Edward Hargrove
6. Rhoda Pickett, Vice Chair
7. Michael Dickerson (Virtual)

Members Not Present:

1. Lee Anne Venable
2. Rebekah Ray, Secretary
3. Elayne Lockett
4. Vacant Seat

Staff Present:

1. Cory Long, Planning Manager
2. Nathan Satcher, Senior Planner
3. Wiley Quinn, Director of Urban Development
4. David Miller, Esq.
5. Meridian McDaniel, Planner I

Chair Hinton declared the Hattiesburg Planning Commission meeting open and in session at 1:01 p.m.

AGENDA REVIEW

Motion:

Made by Commissioner Charles Dawe to approve November's agenda with the tabling of Item H and removal of Item I.

Second:

Made by Commissioner Rhoda Pickett

Vote:

Board Member	Yea	Nay	Other
Richard Conville	X		
Charles Dawe	X		
Michael Dickerson	X		
Amy Hinton	X		
Elayne Lockett	X		
Rhoda Pickett	X		
Edward Hargrove	X		
Rebekah Ray			ABSENT
Lee Anne Venable			ABSENT
Caroline Ingram	X		

The motion to approve November's agenda was passed by an 8-0 vote.

MINUTES REVIEW

Motion:

Made by Commissioner Rhoda Pickett to approve the October 2025 meeting minutes.

Second:

Made by Commissioner Elayne Lockett

Vote:

Board Member	Yea	Nay	Other
Richard Conville	X		
Charles Dawe	X		
Michael Dickerson	X		
Amy Hinton	X		
Elayne Lockett	X		
Rhoda Pickett	X		
Edward Hargrove	X		
Rebekah Ray			ABSENT
Lee Anne Venable			ABSENT
Caroline Ingram	X		

The motion to approve the meeting minutes for October 2025 meeting minutes passed with an 8-0 vote.

BUILDING REPORT

Kevin Bates, Building Official, gave a report on October's permits.

PLANNING REPORT

Planning staff provided updates on the previous month's agenda items, updates on the Comprehensive Plan, and about the MS APA Award that was given to the Planning Division for Outstanding Public Engagement at the 2025 MS/AL APA Conference.

CHAIR'S REPORT

The Chair did not have a report for the meeting.

INTRODUCTIONS

Commissioners and staff introduced themselves.

PUBLIC HEARING – Planning Commission

Item A: Kerri McAlpin Little, Applicant/Contractor, Harold Munn, Representative/Contractor, and Charlie Holder, Representative/Contractor, request conditional use approval for a "Digital Billboard, New" for a B-5 zoned property located at 6732 Hwy 49 (PPIN 27599, Forrest County, Ward 1).

Discussion and Vote:

The Planning Staff introduced the case.

- Presented by:
  - Kerri McAlpin Little
- Proponents:
  - None
- Opponents:
  - None

Motion:

Made by Commissioner Rhoda Pickett to recommend approval with the added conditions of additional cladding to cover the structural components and landscaping to include 85% minimum native species.

Second:

Made by Commissioner Richard Conville

Vote:

Board Member	Yea	Nay	Other
Richard Conville	X		

Charles Dawe	X		
Michael Dickerson	X		
Amy Hinton	X		
Elayne Lockett	X		
Rhoda Pickett	X		
Edward Hargrove	X		
Rebekah Ray			ABSENT
Lee Anne Venable			ABSENT
Caroline Ingram	X		

The motion to recommend approval with the added conditions of additional cladding to cover the structural components and landscaping to include 85% minimum native species passed with a vote of 8-0.

Item B: Kellie Nelson and Cameron Thompson, Property Owners/Applicants, and John Nelson, Contractor, request approval of a zoning change from R-1A to A-2 for a property located at 78 N Beverly Hills Road (PPIN 9508, Forrest County, Ward 1).

Discussion and Vote:
The Planning Staff introduced the case.

- Presented by:
  - Cameron Thompson
- Proponents:
  - None
- Opponents:
  - None

Motion:
Made by Commissioner Charles Dawe to recommend approval of the rezoning request from R-1A to A-2.

Second:
Made by Commissioner Michael Dickerson

Vote:

Board Member	Yea	Nay	Other
Richard Conville	X		
Charles Dawe	X		
Michael Dickerson	X		
Amy Hinton	X		

Elayne Lockett	X		
Rhoda Pickett	X		
Edward Hargrove	X		
Rebekah Ray			ABSENT
Lee Anne Venable			ABSENT
Caroline Ingram	X		

The motion to recommend approval of the rezoning request from R-1A to A-2 passed with an 8-0 vote.

Item C: Nathan Hinton, Property Owner/Applicant, requests conditional use approval for "Automotive Rental and Sales" for a B-3 (BCO) zoned property located at 1214 West Pine Street (PPIN 15200, Forrest County, Ward 4).

Discussion and Vote:
The Planning Staff introduced the case.

- Presented by:
  - Nathan Hinton
- Proponents:
  - None
- Opponents:
  - None

Motion:
Made by Commissioner Charles Dawe to recommend approval of the conditional use request for "Automotive Rental and Sales" with the added conditions of adding native species landscaping screening along the west property line and the removal of the nonconforming sign.
Second:
Made by Commissioner Ingram
Vote:

Board Member	Yea	Nay	Other
Richard Conville	X		
Charles Dawe	X		
Michael Dickerson	X		
Amy Hinton	X		
Elayne Lockett	X		
Rhoda Pickett	X		
Edward Hargrove	X		

Rebekah Ray			ABSENT
Lee Anne Venable			ABSENT
Caroline Ingram	X		

The motion to recommend approval of the conditional use request for "Automotive Rental and Sales" with the added conditions of adding native species landscaping screening along the west property line and the removal of the nonconforming sign passed with a vote of 8-0.

Item D: Waste Pro Southeast, LLC, Property Owner, Roland Joyner, Applicant, Katelyn Mizell, Engineer, and John Gaskill, Contractor, request a zoning change from A-1 to I-1 for a property located at 482 JM Tatum Industrial Drive (PPINs 32135 & 32140, Forrest County, Ward 5).

Discussion and Vote:
The Planning Staff introduced the case.

- Presented by:
  - Katelyn Mizell
- Proponents:
  - None
- Opponents:
  - None

Motion:
Made by Commissioner Hargrove to recommend approval of the rezoning request from A-1 to I-1.

Second:
Made by Commissioner Charles Dawe

Vote:

Board Member	Yea	Nay	Other
Richard Conville	X		
Charles Dawe	X		
Michael Dickerson	X		
Amy Hinton	X		
Elayne Lockett	X		
Rhoda Pickett	X		
Edward Hargrove	X		
Rebekah Ray			ABSENT
Lee Anne Venable			ABSENT
Caroline Ingram	X		

The motion to recommend approval of the rezoning request from A-1 to I-1 passed with a vote of 8-0.

Item E: Jennifer Floyd, Property Owner/Applicant, and Catherine Daniel, Property Owner, request conditional use approval for a "Mobile Home Park" on an R-1C-zoned property located at 1678 James Street (PPIN 39149, Forrest County, Ward 5).

Discussion and Vote:
The Planning Staff introduced the case.

- Presented by:
  - None
- Proponents:
  - None
- Opponents:
  - None

Motion:
Made by Commissioner Rhoda Pickett to table the request.
Second:
Made by Commissioner Elayne Lockett
Vote:

Board Member	Yea	Nay	Other
Richard Conville	X		
Charles Dawe	X		
Michael Dickerson	X		
Amy Hinton	X		
Elayne Lockett	X		
Rhoda Pickett	X		
Edward Hargrove	X		
Rebekah Ray			ABSENT
Lee Anne Venable			ABSENT
Caroline Ingram	X		

The motion to table the request passed with a vote of 8-0.

~~**Item F:** Kelly White, Property Owner/Applicant, requests approval for a Historic Flood Variance for a B-4 zoned property located at 101 Walnut Street (PPIN 23660, Forrest County, Ward 4).~~

Item G: Robert Green, Property Owner/Applicant, requests approval of a conditional use request for a "Club/Bar" for a B-2 zoned property located at 912A Dabbs Street (PPIN 13800, Forrest County, Ward 2).

Discussion and Vote:
The Planning Staff introduced the case.

- Presented by:
  - Robert Green
- Proponents:
  - None
- Opponents:
  - None

Motion:
Made by Commissioner Hargrove to recommend approval of the conditional use request for a "bar/club."

Second:
Made by Commissioner Elayne Lockett

Vote:

Board Member	Yea	Nay	Other
Richard Conville	X		
Charles Dawe	X		
Michael Dickerson	X		
Amy Hinton	X		
Elayne Lockett	X		
Rhoda Pickett		X	
Edward Hargrove	X		
Rebekah Ray			ABSENT
Lee Anne Venable			ABSENT
Caroline Ingram		X	

The motion to recommend approval of the conditional use request for a "bar/club" passed with a 6-2 vote.

~~**Item H:** Wesley Foundation of Mississippi Southern, Property Owner/Applicant, Eric Davis, Property Owner/Applicant, Shelby Murray, Applicant/Engineer, and Sarah Newton, Architect,~~

~~request a text amendment to the Hattiesburg Land Development Code (Ord. 3902, as amended) to allow Mixed-Use as a Conditional Use in R-3 zoning (LDC 5.1) and to add "cafes/coffee shops" as an accessory use to "Place of Assembly" (LDC 5.4.30.2).~~

~~**Item I:** Wesley Foundation of Mississippi Southern, Property Owner/Applicant, Eric Davis, Property Owner/Applicant, Shelby Murray, Applicant/Engineer, and Sarah Newton, Architect, request conditional use approval for "Place of Assembly" and "Mixed-Use" for a R-2 zoned property located at 3200 Montague Blvd. (PPIN 22975 & 22976, Forrest County, Ward 1).~~

Item J: John Neal, Property Owner/Applicant, Mitch Hembre, Architect, and Bill Rogers, Representative, request approval of a zoning change from B-3 to B-1 for a property located at 1001 Hardy Street (PPIN 21054, Forrest County, Ward 4).

Discussion and Vote:
The Planning Staff introduced the case.

- Presented by:
  - Bill Rogers
  - John Neal
- Proponents:
  - None
- Opponents:
  - None

Motion:
Made by Commissioner Richard Conville to recommend approval of the zoning change request from B-3 to B-1.

Second:
Made by Commissioner Charles Dawe

Vote:

Board Member	Yea	Nay	Other
Richard Conville	X		
Charles Dawe	X		
Michael Dickerson	X		
Amy Hinton	X		
Elayne Lockett	X		
Rhoda Pickett	X		
Edward Hargrove	X		
Rebekah Ray			ABSENT
Lee Anne Venable			ABSENT
Caroline Ingram		X	

The motion to recommend approval of the zoning change request from B-3 to B-1 passed with a 7-1 vote.

Item K: Martin Luther King Jr. Baptist Church, Property Owners, Image Signs and Neon, Contractor, and Michael Bethley, Representative, request a text amendment of the Hattiesburg Land Development Code (Ord. 3209, as amended) to include pole signs as a conditional use approval in B-2 zoning districts and to allow electronic message reader boards as a conditional use approval in B-2 zoning districts.

Discussion and Vote:
The Planning Staff introduced the case.

- Presented by:
  - Darlene Thomas
- Proponents:
  - Michael Bethley
- Opponents:
  - None

Motion:
Made by Commissioner Caroline Ingram to table the item to the December meeting.
Second:
Made by Commissioner Elayne Lockett
Vote:

Board Member	Yea	Nay	Other
Richard Conville			ABSENT
Charles Dawe	X		
Michael Dickerson			
Amy Hinton	X		
Elayne Lockett	X		
Rhoda Pickett	X		
Edward Hargrove	X		
Rebekah Ray			ABSENT
Lee Anne Venable			ABSENT
Caroline Ingram	X		

The motion to table the item to the December meeting passed 6-0.

Motion:

Made by Commissioner Amy Hinton meeting recessed to Wednesday 12th at 2:00pm.

Second:

Made by Commissioner Edward Hargrove

Vote:

Board Member	Yea	Nay	Other
Richard Conville			ABSENT
Charles Dawe	X		
Michael Dickerson			ABSENT
Amy Hinton	X		
Elayne Lockett	X		
Rhoda Pickett	X		
Edward Hargrove	X		
Rebekah Ray			ABSENT
Lee Anne Venable			
Caroline Ingram	X		

Motion:

Made by Commissioner Rhoda Pickett to resume the meeting on to Wednesday 12th at 2:00pm.

Second:

Made by Commissioner Charles Dawe

Board Member	Yea	Nay	Other
Richard Conville			ABSENT
Charles Dawe	X		
Michael Dickerson			ABSENT
Amy Hinton	X		
Elayne Lockett	X		
Rhoda Pickett	X		
Edward Hargrove	X		
Rebekah Ray			ABSENT
Lee Anne Venable	X		
Caroline Ingram	X		

The motion to resume the meeting passed 8-0.

Board Members Roll Call:

Members Present:

1. Amy Hinton, Chair
2. Charles Dawe
3. Caroline Ingram
4. Edward Hargrove
5. Rhoda Pickett, Vice Chair
6. Lee Anne Venable
7. Rebekah Ray, Secretary
8. Elayne Lockett

Members Not Present:

1. Michael Dickerson (Virtual)
2. Richard Conville
3. Vacant Seat

Item L: Martin Luther King Jr. Baptist Church, Property Owners, Image Signs and Neon, Contractor, and Michael Bethley, Representative, request conditional use approvals for a pole sign and an electronic message reader board for a B-2 zoned property located at 110 Martin Luther King Jr. Drive (PPIN 32303, Forrest County, Ward 5).

Discussion and Vote:

The Planning Staff introduced the case.

- Presented by:
  - None
- Proponents:
  - None
- Opponents:
  - None
-

Motion:

Made by Commissioner Lee Anne Venable to table the item to December

Second:

Made by Commissioner Elayne Lockett

Vote:

Board Member	Yea	Nay	Other

Richard Conville			ABSENT
Charles Dawe	X		
Michael Dickerson			ABSENT
Amy Hinton	X		
Elayne Lockett	X		
Rhoda Pickett	X		
Edward Hargrove		X	
Rebekah Ray	X		
Lee Anne Venable	X		
Caroline Ingram	X		

The motion to table the item to the December meeting passed 6-0.

Old Business:

Tabled items:

Tabled Item: Monir Sanaany, Property Owner/Applicant, requests a zoning change from B-2 to B-3 for a property located at 823 Edwards Street (PPIN 12895, Forrest County, Ward 2).

Motion:

Made by Commissioner Rebekah Ray to remove the item from the table.

Second:

Made by Commissioner Lee Anne Venable

Vote:

Board Member	Yea	Nay	Other
Richard Conville			ABSENT
Charles Dawe	X		
Michael Dickerson			ABSENT
Amy Hinton	X		
Elayne Lockett	X		
Rhoda Pickett	X		
Edward Hargrove	X		
Rebekah Ray	X		
Lee Anne Venable	X		
Caroline Ingram	X		

The motion to remove the item from the table passed with an 8-0 vote.

Discussion and Vote:

The Planning Staff introduced the case.

- Presented by:
    - Monir Sanaany
- Proponents:
    - None
- Opponents:
    - None

Motion:

Made by Commissioner Caroline Ingram to recommend denial of the request.

Second:

Made by Commissioner Rebekah Ray

Vote:

Board Member	Yea	Nay	Other
Richard Conville			ABSENT
Charles Dawe	X		
Michael Dickerson			ABSENT
Amy Hinton	X		
Elayne Lockett	X		
Rhoda Pickett	X		
Edward Hargrove	X		
Rebekah Ray	X		
Lee Anne Venable	X		
Caroline Ingram	X		

The motion to recommend denial of the item passed with a vote of 8-0.

Tabled Item: Martin Luther King Jr. Baptist Church, Property Owners, and Michael Bethley, Representative, request a zoning change from B-2 to B-3 for a property located at 110 Martin Luther King Jr. Drive (PPIN 32303, Forrest County, Ward 5).

Motion:

Made by Commissioner Rebekah Ray to remove the item from the table.

Second:

Made by Commissioner Lee Anne Venable

Vote:

Board Member	Yea	Nay	Other

Richard Conville			ABSENT
Charles Dawe	X		
Michael Dickerson			ABSENT
Amy Hinton	X		
Elayne Lockett	X		
Rhoda Pickett	X		
Edward Hargrove		X	
Rebekah Ray	X		
Lee Anne Venable	X		
Caroline Ingram	X		

The motion to remove the item from the table passed with a 7-1 vote.

Discussion and Vote:

The Planning Staff introduced the case.

- Presented by:
  - None
- Proponents:
  - None
- Opponents:
  - None

Motion:

Made by Commissioner Caroline Ingram to recommend denial of the request.

Second:

Made by Commissioner Rebekah Ray

Vote:

Board Member	Yea	Nay	Other
Richard Conville			ABSENT
Charles Dawe	X		
Michael Dickerson			ABSENT
Amy Hinton	X		
Elayne Lockett		X	
Rhoda Pickett	X		
Edward Hargrove		X	
Rebekah Ray	X		
Lee Anne Venable	X		
Caroline Ingram	X		

The motion to recommend denial of the item passed with a vote of 6-2.

Sign Regulation subcommittee:

- Charles Dawe
- Caroline Ingram

Officer Elections:

- Rebekah Ray motioned to form a Nominating Committee consisting of Charles Dawe, Michael Dickerson, Lee Ann Venable.
- Elayne Lockett seconded.

Board Member	Yea	Nay	Other
Richard Conville			ABSENT
Charles Dawe	X		
Michael Dickerson			ABSENT
Amy Hinton	X		
Elayne Lockett	X		
Rhoda Pickett	X		
Edward Hargrove	x		
Rebekah Ray	X		
Lee Anne Venable	X		
Caroline Ingram	X		

Business Closed

Motion:

Commissioner Rebekah Ray motioned to adjourn the meeting.

Second:

Made by Edward Hargrove.

Vote:

The motion to adjourn the meeting passed with an 8-0 vote.

The Planning Commission adjourned the meeting at 2:47 pm.

_____

Rebekah Ray, Secretary

_____

Cory Long, AICP, Planning Division Manager

November 2025 HPC Item: I
Wesley Foundation of Mississippi Southern, Property Owner/Applicant, Eric Davis, Property Owner/Applicant, Shelby Murray, Applicant/Engineer, and Sarah Newton, Architect
Request for: **Conditional Use Approval**

URBAN DEVELOPMENT
PLANNING DIVISION

Planning Commission
Case Fact Sheet

Names of Petitioner: Wesley Foundation of Mississippi Southern, Property Owner/Applicant, Eric Davis, Property Owner/Applicant, Shelby Murray, Applicant/Engineer, and Sarah Newton, Architect

Address of Property:	**Tax Parcel**	**PPIN:**	**Ward:**
3200 Montague Blvd.	2-028K-07-004.00	22975	1
3200 Montague Blvd.	2-028K-07-005.00	22976	1

Request: Conditional Use Request

Purpose of Request: Wesley Foundation of Mississippi Southern, Property Owner/Applicant, Eric Davis, Property Owner/Applicant, Shelby Murray, Applicant/Engineer, and Sarah Newton, Architect, request conditional use approval for "Place of Assembly" and "Mixed-Use" for a R-3 zoned property located at 3200 Montague Blvd. (PPIN 22975 & 22976, Forrest County, Ward 1).

History / Background: The applicants met with staff in multiple pre-application meetings to discuss plans to redevelop the existing Wesley Foundation site. The proposed project would replace the current structure with a new facility that includes residential, a place of assembly, and a coffee shop. The use classification is a combination of "mixed-use" and "place of assembly".

Staff informed the applicants that the R-3 zoning district does not currently permit mixed-use development or the commercial accessory use of a coffee shop associated with a place of assembly. To address these limitations, the applicants submitted a separate text amendment request proposing to: allow "Mixed-Use" as a conditional use within the R-3 zoning district; and add "Cafes/Coffee Shops" as an accessory use to

"Place of Assembly." The conditional use approval for "Mixed-Use" on this site is contingent upon the adoption of the related text amendments.

The Hattiesburg Comprehensive Plan identifies this area as part of the University/College District, which encompasses the University of Southern Mississippi and adjacent properties that support institutional, educational, residential, and related uses. The plan describes this district as a major employment and activity center designed to accommodate academic facilities, student housing, and supporting land uses in a manner that reinforces the university's role as a regional institution.

The plan encourages development within the University/College District that supports the university's educational and community mission, promotes compatible transitions between institutional and neighborhood uses, and provides student-oriented housing, civic, and service opportunities that strengthen connections between the campus and the broader community.

The proposed redevelopment of the Wesley Foundation property would occur within this district and represents a combination of institutional, residential, and limited accessory commercial functions associated with campus activity. The project's location along Montague Boulevard, adjacent to existing university facilities, is consistent with the Comprehensive Plan's designation of this area as an extension of the University/College District.

Conditional uses allow flexibility in the zoning ordinance while ensuring proposed uses remain compatible with surrounding development. Approval may be granted with conditions to ensure the use is in harmony with the neighborhood. The Planning Commission should consider whether the proposed use is appropriate for the location, whether it maintains compatibility with surrounding properties, whether it meets the review criteria for conditional uses as outlined in the Land Development Code and is consistent with the comprehensive plan.

Applicant Summary: See Attached

November 2025 HPC Item: I
Wesley Foundation of Mississippi Southern, Property Owner/Applicant, Eric Davis, Property Owner/Applicant, Shelby Murray, Applicant/Engineer, and Sarah Newton, Architect
Request for: **Conditional Use Approval**

Applicable Regulations:

SECTION 5 **Uses**

5.4.20 Dwelling, Mixed-Use.

5.4.20.1 Non-residential uses must be uses permitted within the zoning district.

5.4.20.2 Dwelling in conjunction with uses permitted within the same zoning district provided that mixed residential and non-residential uses are located within the same structure.

5.4.20.3 No more than 50% of the ground floor of a building may be a dwelling use.

5.4.32 Places of Assembly.

5.4.32.1 Places of assembly seating more than 600 people must have direct access to a major thoroughfare Pedestrian and bicycle access is encouraged and will be required whenever a public sidewalk or trail abuts the property.

5.4.32.2 Accessory uses such as administrative offices, bookstores, parking lots, community centers, multi-purpose facilities, outdoor recreational facilities, and care centers on the same site or sites contiguous to the principal use shall be permitted. Similar uses on noncontiguous sites or on a site separated from the principal use by a public street shall be considered principal uses in their own right and will be regulated as such. No merchandise or merchandise display shall be visible from outside a building. No business or identification sign pertaining to an accessory use shall be visible from outside the building.

5.4.32.3 Except as noted in 5.4.32.2 accessory uses not permitted as principal uses (including television stations, radio stations, printing presses, or sports complexes) are prohibited.

Present Zoning: R-3 Multi-Family Residential

November 2025 HPC Item: I
Wesley Foundation of Mississippi Southern, Property Owner/Applicant, Eric Davis, Property Owner/Applicant, Shelby Murray, Applicant/Engineer, and Sarah Newton, Architect
Request for: **Conditional Use Approval**

Present Use: USM Wesley Foundation Building

Future Land Use: University/College District

Surrounding Zoning and Land Use:

North:	R-3 Multi-Family Residential
South:	R-3 Multi-Family Residential
East:	R-3 Multi-Family Residential
West:	R-3 Multi-Family Residential

Letters or Concerns stated: The Planning Division Office has not received any letters or other written communications regarding this case as of finalizing this report.

Option: Recommend **Approval** or **Denial** of the Conditional Use request approval for "Place of Assembly" and "Mixed-Use" for a R-3 zoned property located at 3200 Montague Blvd. (PPIN 22975 & 22976, Forrest County, Ward 1).

NOTE: *Contingent upon approval of the corresponding text amendment.*

Basis for approval:

12.3.3 Conditional Use Approvals

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

12.3.3.2 Additional Approval Criteria. In addition to the standards mentioned above, the applicant for a request for the Planning Commission to approve a use shall be required to demonstrate that his/her proposal addresses the following additional requirements, except that the Planning Commission may waive any one or more criteria that it

determines are not applicable based upon the expected impact of the proposal.

i. Determination that adequate public facilities and services will be available concurrent with the impacts of the development as evidenced by letters of sufficiency from utilities and schools and a determination by the city engineer that the available capacity of existing streets can safely provide access to the site.

ii. The proposed development will be compatible with surrounding uses and will protect adjacent properties through the following measures:

- Protection of privacy. The proposed plan shall provide reasonable visual and auditory privacy for all dwelling units located within and adjacent to the site. Fences, walls, barriers and / or vegetation shall be arranged to protect and enhance the property and to enhance the privacy of on-site and neighboring occupants.
- Protection of use and enjoyment. The proposed plan shall be designed and arranged to have minimal negative impact on the use and enjoyment of adjoining property.
- Compatible design and integration. The use meets all design criteria required by this Code that apply and is designed to integrate well both on and off site.

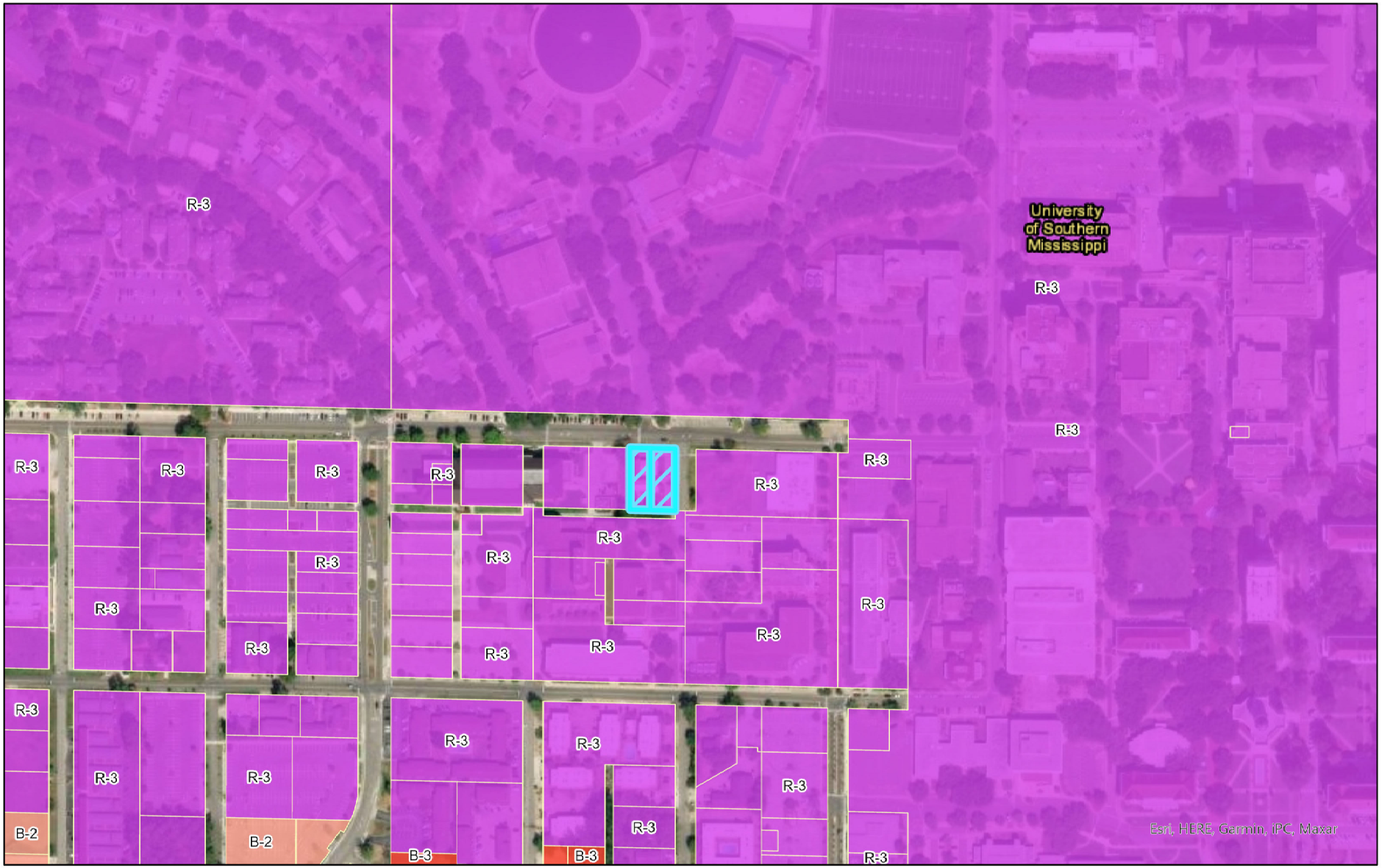
SUBJECT PARCEL

3200 Montague Blvd— Conditional Use Request

Wesley Foundation of Mississippi Southern, Property Owner/Applicant, Eric Davis, Property Owner/Applicant, Shelby Murray, Applicant/Engineer, and Sarah Newton, Architect, request conditional use approval for “Place of Assembly” and “Mixed-Use” for a R-3 zoned property located at 3200 Montague Blvd. (PPIN 22975 & 22976, Forrest County, Ward 1).



HPC Item: I



Zoning Classes

R-3

B-2

B-3

3200 Montague Blvd.

Conditional Use and Variance Requests
3200 Montague Blvd.
Zoned: R-3, PPIN 22975 &22976
Flood Zone: X
Ward 1, Forrest County

0 1,000 Feet

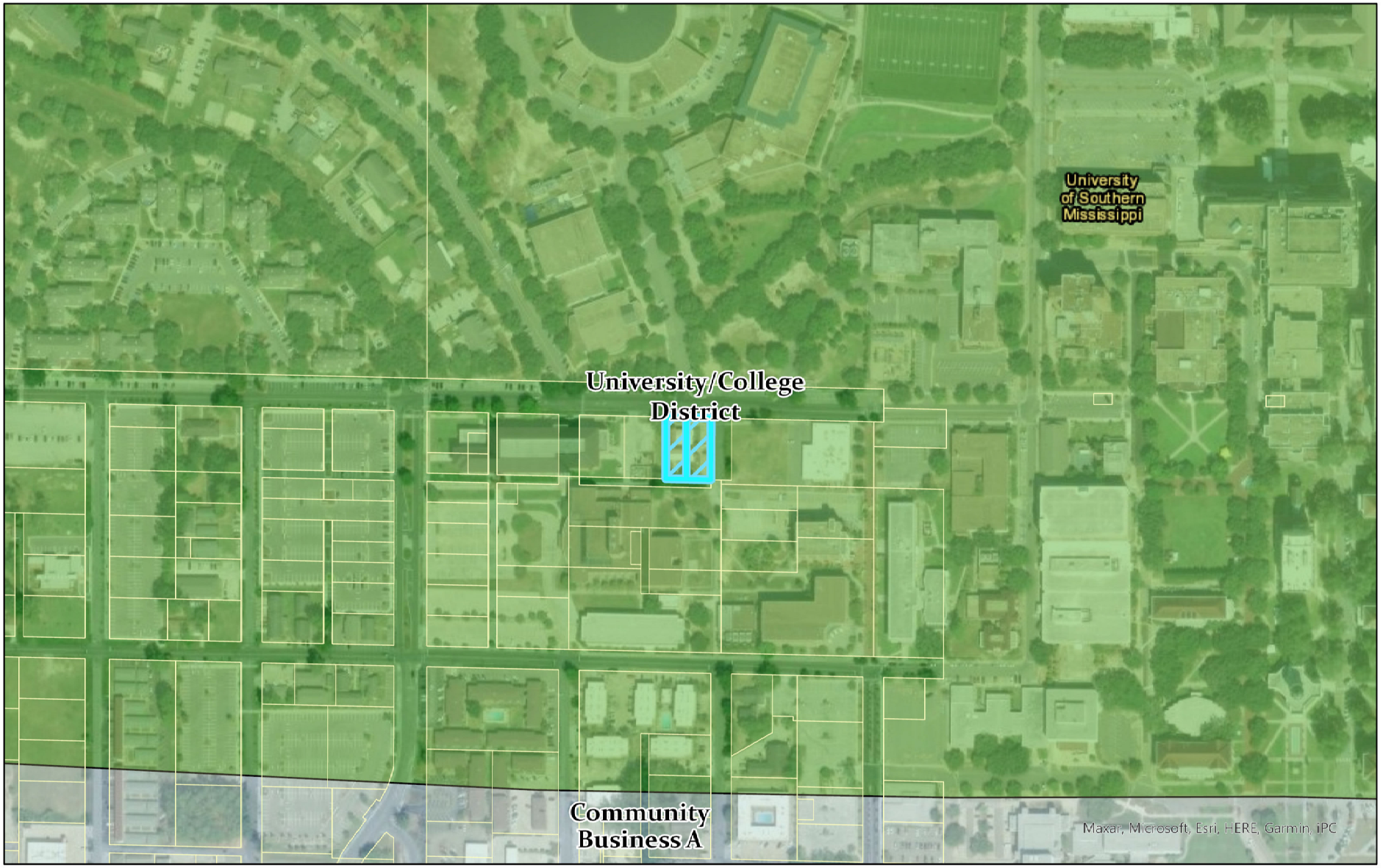
N

URBAN DEVELOPMENT
PLANNING DIVISION

Center: 89°20'14"W 31°19'42"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: 10/13/2025 1:27 PM

HPC Item: I



Future Land Use Map

- Community Business A
- University/College District
- 3200 Montague Blvd.

Conditional Use and Variance Requests
3200 Montague Blvd.
Zoned: R-3, PPIN 22975 &22976
Flood Zone: X
Ward 1, Forrest County

0 1,000 Feet

N

URBAN DEVELOPMENT
PLANNING DIVISION

Center: 89°20'15"W 31°19'42"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: 10/13/2025 1:30 PM

Site Aerial


Ross Blvd
Ross Blvd
Ross Blvd
Ross Blvd
Pearl St
Pearl St
Pearl St
Pearl St
Montague Blvd
Montague Blvd
Montague Blvd @
CuBard School
3206
3204
3200
N 32nd Ave
N 31st Ave
N 31st Ave
Pinehaven Cir
Fraternity Dr
Kay James Dr
Research Dr
Golden Eagle Ave
Golden Eagle Ave
Golden Eagle Ave

Surrounding Area





Surrounding Area





Application for Public Hearing

City of Hattiesburg – Planning Division
PO BOX 1898 – Hattiesburg, MS 39403-1898 | Phone (601)- 545-4599

NOTE:

- **Fill this application out IN FULL with what applies to your application**
- Refer to the hattiesburgms.com/planning for Land Development Code and GIS map. Access via link or QR code

Applicant Information

Name Applicant: Clearpoint Engineers / USM Wesley Foundation **Project Name:** USM Wesley Foundation Building

Municipal Address of Site: 3200 Montague Blvd, Hattiesburg (on USM campus) **PPIN #:** 22975 / 22976

Parcel Number(s): 2-08K-004 / 2-028K-005

Type of Public Hearing	Additional Information Needed:
■ Variance (fill out pages 7 & 8)	☐ Sign ☐ Setback ☐ Off-Site Parking ☐ Lot Width ☐ Lot Coverage Area ☐ Buffer ☐ Open Space ■ Other: Impervious Surface
☐ Rezoning (fill out page 11)	Existing Zoning: _____ Proposed Zoning: _____
■ Conditional Use (fill out pages 9 & 10)	☐ Automotive Filling Station ☐ Digital Billboard, New ☐ Digital Billboard, Replacement ☐ Telecommunications ☐ Restaurant ☐ Solar Farm ■ Other: Mixed Use / Place of Assembly

Other Application types:

☐ Subdividing of a lot, Parcel, or Tract (fill out page 12)
☐ Street or Alley Renaming (fill out pages 13 & 14)
☐ Vacating Street or Alley (fill out pages 13 & 14)
■ Text Amendment
☐ Overlay District
☐ Planned Mixed-Use District (PMU)

For Staff Only:			
Zoning:	**Historic District:**	**Flood Zone:**	**Ward:** ☐1 ☐2 ☐3 ☐4 ☐5
Project Number:		**Received:**	
PPIN # or Parcel #:			

Application for Public Hearing

City of Hattiesburg – Planning Division
PO BOX 1898 – Hattiesburg, MS 39403-1898 | Phone (601)- 545-4599

Public Hearing Petitioner Information:

Deadline for applicant to file petition: Mon, Sept 29, 2025 @ 5:00 p.m
Hattiesburg Planning Commission Meeting Date: Wed, November 5, 2025
Hattiesburg Board of Adjustment Meeting Date: _____
City Council Agenda Review Date – (you or your representative should attend): _____
City Council Meeting (Vote) Date – (you or your representative may attend): _____

- 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.
    - There is an additional 10-day appeal period, required by State Law, after the 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. *

Public Hearing Application Checklist

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 standards may be accepted only per approval from staff)
- ☐ Site & Design Review Committee, if needed
- ☐ Copy of entire Warranty Deed (filed and recorded at the courthouse) with legal description granting title to the current owner. (If the Warranty Deed covers a larger piece of property than the current project, a legal description for this project site only may also be required)
- ☐ Electronic/Digital copy of legal description REQUIRED for all public notices, saved as Word or text document OR emailed to planning@hattiesburgms.com
- ☐ An affidavit (pages 3 & 4) attesting that the applicant or representing party (if other than the owner) is acting on behalf of the owner(s) of record. The affidavit must be sworn to before a notary public or other appropriate official. (Included in owners signature page, or may be a separate document).
- ☐ **Variance application only:** A letter of approval/denial from all adjoining property owners must be obtained and submitted with the application
    - ☐ Other documents needed (if relevant):
        - ☐ Maps of digital billboard removal sites
        - ☐ Maps of digital billboard replacement sites
        - ☐ Documentation on measurements
        - ☐ Other: _____
- ☐ Payment to the City of Hattiesburg for filing a public hearing application in the amount of $ *TBD

*Waiver request submitted, per entry on Planning Review Notes dated 9/25/25

Application for Site Plan Review

City of Hattiesburg – Planning Division
PO BOX 1898 – Hattiesburg, MS 39403-1898 | Phone (601)- 545-4599

The following fees are an excerpt from Ordinance No. 2977, adopted January 22, 2008, as amended.

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

OTHER PROCESSES MAY HAVE ADDITIONAL FEES
Make all checks payable to the City of Hattiesburg

I hereby certify that I have completed and attached the above-required documents, information, and fees.

Print Name: Stacey Odom, Admin. **Signature:** Stacey Odom

Updated Version 05/22/2025

APPLICANT AFFIDAVIT PAGE

THIS PAGE MUST BE SIGNED IN FRONT OF A NOTARY, BY THE **APPLICANT(S)** OF THE 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

3200 Montague Blvd Hattiesburg MS,
Street Address City State

on this the 29th day of Sept, 2025

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.

Shelby Murray of Clearpoint Engineers

on this the 29th day of Sept, 2025

Shelby Murray
Applicant (Print)

Applicant (Signature)

STATE OF MS

COUNTY OF Lamar

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

GIVEN UNDER MY HAND AND OFFICIAL SEAL OF OFFICE, this the 29th day of Sept, 2025.

Stacey Odom
NOTARY PUBLIC

STATE OF MISSISSIPPI NOTARY PUBLIC ID # 379746 STACEY ODOM Commission Expires Oct. 18, 2027 LAMAR COUNTY

My Commission Expires:
10/18/2027

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

3200 Montague Blvd Hattiesburg MS
Street Address City State

on this the 29th day of Sept, 2025

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.

Eric Davis of USM Wesley Foundation

on this the 29th day of Sept, 2025.

Property Owner (Print)

Eric Davis
Property Owner (Signature)

STATE OF MS

COUNTY OF Lamar

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

GIVEN UNDER MY HAND AND OFFICIAL SEAL OF OFFICE, this the 29th day of Sept, 2025.

Stacey Odom
NOTARY PUBLIC

My Commission Expires:

10/18/2027

STATE OF MISSISSIPPI NOTARY PUBLIC ID # 379746 STACEY ODOM Commission Expires Oct. 18, 2027 LAMAR COUNTY

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.

   The property was originally intended for residential use. Current use of the property dictates a variance be granted for added impervious area to 80%. 80% impervious area matches the Business zone use which is matches this area. Current use of the property is a place of worship, coffee shop, and dwelling units.

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

   No special priviledge will be granted with the granting of this variance. The variance is site specific based on these circumstances. The site is surrounded by the University and public streets. The site has no adjacent residential uses.

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

   The literal interpretation of the code would not allow the property owner to make the proposed improvements.

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

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

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

Not applicable.

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.

The granting of this variance will not conflict with the purposes and intent implied in the land development code.

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:**
   Yes.
   With the text amendment described in the attached letter.

2. **Describe the effects the proposed use of utilities and facilities will have on the community.**
   The community will reap profound benefits of a family friendly worship place of assembly and coffee shop/cafe.

3. **Describe how the size of the site is appropriate for the proposed use.**
   The size is appropriate for the surrounding University campus. The site being in the center of campus allows easy access for students.

4. **Will there be any additional pedestrian or vehicular traffic generated by the proposed use? If yes, please explain:**
   Yes. A small amount because most attendees will be those who live on campus. Most USM Wesley events will be outside normal school day hours. Existing campus parking will be utilized.

5. **Will there be any elevation in the noise level resulting from this proposed use? If yes, please explain:**
   No.

6. **What is the expected number of customers/employees per day?**
Coffee shop will have 10-20 customers/employees per day at intermittent times to not cause traffic delays.

7. **Is proposed use compatible with surrounding uses and design? If yes, please explain:**
Yes. Very compatible with the needs of students on campus. Worship Center and cafe is very good for students.

8. **Parking requirements:** Commercial/Industrial: Paved parking will be provided for 18 vehicles, and 1 ADA vehicles; with 0 loading spaces.

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

Refer to the hattiesburgms.com/planning for Land Development Code and GIS map. Access via link or QR code.

a side or rear yard only.

5.4.27.3 **Design.** Such structures are subject to all of the design standards applicable to the district in which they are located as well as those that apply to all districts.

5.4.27.4 **Parking.** Parking for at least two vehicles is required to be shown on the site plan.

5.4.28 **Kennels; Veterinary Clinics and Hospitals.**

5.4.28.1 A maximum of twenty outside runs shall be permitted and shall be 250 feet from restaurants and residential uses..

5.4.28.2 Facilities shall at all times be maintained in neat and sanitary condition.

5.4.29 **Life Care Communities.**

5.4.29.1 A minimum of five acres shall be required. All land used for the community shall be contiguous and shall not be divided or transected by public roads, private roads granting easement(s) to tracts of land not included within the community, or natural features which would visually or functionally divide the development.

5.4.29.2 Accessory buildings shall only include accessory dwellings containing no more than four dwelling units or recreation centers and similar facilities, dining halls, and maintenance buildings. All other buildings shall be principal buildings the use of which shall be for single family dwellings, [illegible] ings, congregate or nursing

5.4.29.3 All structures shall be lim[illegible] to persons aged 55 years [illegible] cally handicapped, and the[illegible] for rooms or units occupied by resident staff personnel performing duties directly related to the operation of the facility.

5.4.29.4 Driveway access to accessory structures shall be through the main entrance to the community.

5.4.29.5 Paved walkways shall be provided between accessory dwellings, the principal building, and all common facilities such as dining halls and recreation centers.

5.4.29.6 Principal and accessory buildings shall be predominately designed and constructed with architectural features common to residential structures including, but not limited to, the following features: roof pitch, façade material, and size, type and placement of windows and doors.

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

5.4.29.8 No site shall have a density greater than eight units per acre for accessory single family dwellings. For the purposes of calculating density all land lying underneath and within twenty feet of any congregate care or nursing care facility and all loading/unloading, garbage collection, and parking areas associated with congregate care or nursing care facilities shall be excluded from the total acreage.

5.4.30 **Places of Assembly.**

5.4.30.1 Places of assembly seating more than 600 people must have direct access to a major thoroughfare Pedestrian and bicycle access is encouraged and will be required whenever a public sidewalk or trail abuts the property.

5.4.30.2 Accessory uses such as administrative offices, bookstores, parking lots, community centers, multi-purpose facilities, outdoor recreational facilities, and care centers on the same site or sites contiguous to the principal use shall be permitted. Similar uses on non-contiguous sites or on a site separated from the principal use by a public street shall be considered principal uses in their own right and will be regulated as such. No merchandise or merchandise display shall be visible from outside a building. No business or identification sign pertaining to an accessory use shall be visible from outside the building

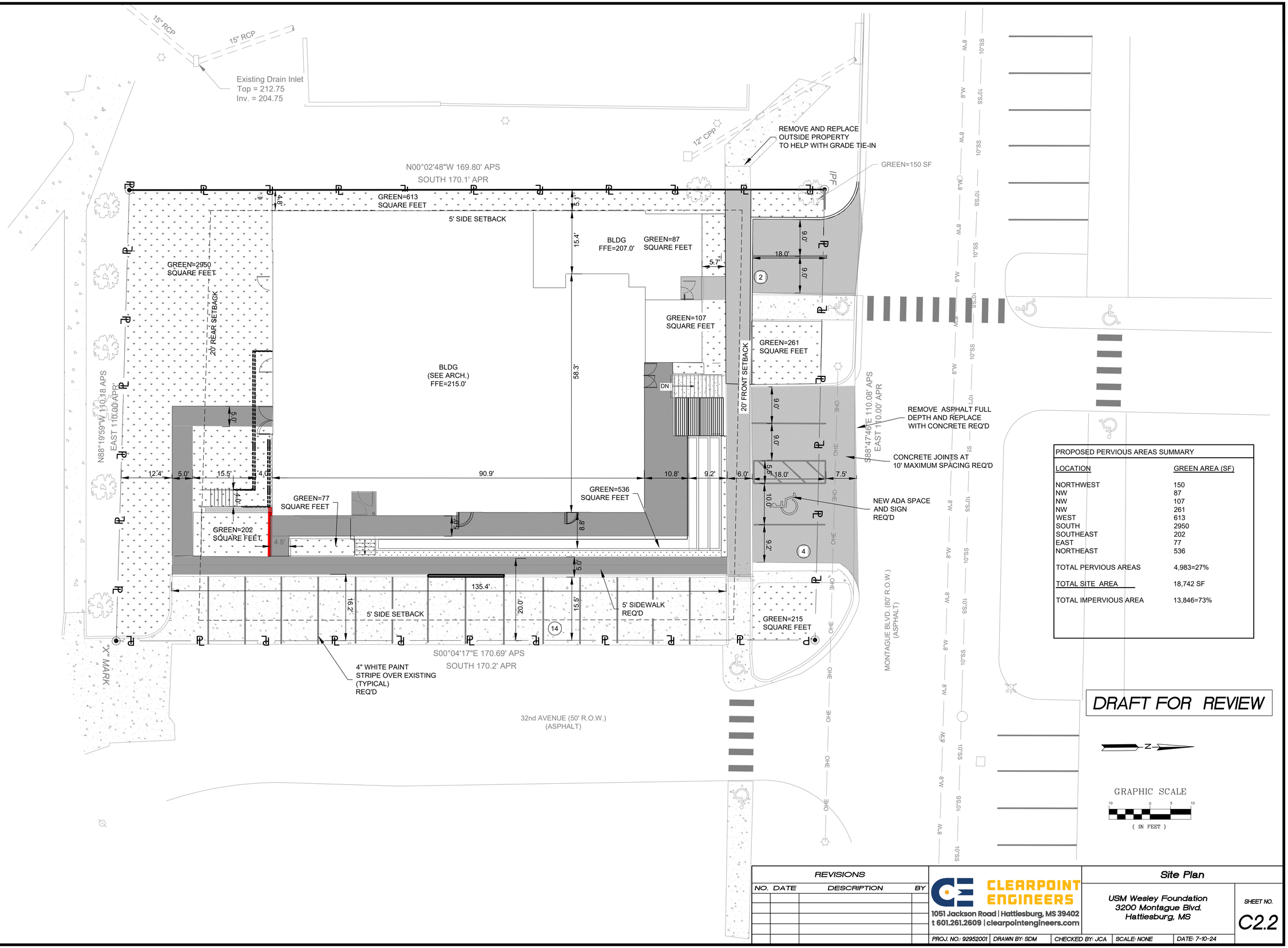
add cafe/coffe shop to 5.4.30.2 places of assembly

5.4.30.3 Except as noted in 5.4.33.2 accessory uses not permitted as principal uses (including television stations, radio stations, printing presses, or sports complexes) are prohibited.

the zoning district in which they are located. In no case shall such bonuses permit the building or development to encroach upon any required buffer or open space; however, minimum setbacks may be reduced by up to 20% to accommodate the increased density.

9.7.4.2 Fee Waiver. All fees related to land development approval shall be waived for all eligible development.

9.7.4.3 Tax Abatement. Abatement of any taxes as specified by City policy for any green, development, infill, or grayfield development located within an adopted Central Business District or Redevelopment Area.



PROPOSED PERVIOUS AREAS SUMMARY

LOCATION	GREEN AREA (SF)
NORTHWEST	150
NW	87
NW	107
NW	261
WEST	613
SOUTH	2950
SOUTHEAST	202
EAST	77
NORTHEAST	536
TOTAL PERVIOUS AREAS	4,983=27%
TOTAL SITE AREA	18,742 SF
TOTAL IMPERVIOUS AREA	13,846=73%

DRAFT FOR REVIEW

N

GRAPHIC SCALE

10 0 5 10

(IN FEET)

REVISIONS			
NO.	DATE	DESCRIPTION	BY

CLEARPOINT ENGINEERS
1051 Jackson Road | Hattiesburg, MS 39402
t 601.261.2609 | clearpointengineers.com

Site Plan

USM Wesley Foundation
3200 Montague Blvd.
Hattiesburg, MS

SHEET NO. C2.2

PROJ. NO.: 92952001 | DRAWN BY: SDM | CHECKED BY: JCA | SCALE: NONE | DATE: 7-10-24

December 2025 HPC Item: B
Michael McCullum, Property Owner and Applicant
Request for: **Major Subdivision**

URBAN DEVELOPMENT
PLANNING DIVISION

Planning Commission
Case Fact Sheet

Names of Petitioner: Michael McCullum, Property Owner and Applicant

Address of Property:	**Tax Parcels**	**PPIN:**	**Ward:**
610 Dabbs Street	055B-15-001.000	18772	4

Request: Major Subdivision

Purpose of Request: Michael McCullum, Property Owner and Applicant, requests approval of a preliminary plat for a major subdivision to be known as the "Zainey's Corner Subdivision" for a property at 610 Dabbs Street (PPIN 18772, Forrest County, Ward 4).

History / Background: The applicant met with staff in the Fall of 2025 during a pre-application meeting to review plans for an infill residential subdivision at 610 Dabbs Street. The preliminary concept included subdividing the parent tract into five single-family lots, each with driveway access from Dabbs Street. The applicant initially proposed lot sizes of approximately 7,500 square feet, and staff discussed options related to the density bonus provisions of the Land Development Code as well as the availability of a staff-level waiver to bring the proposed lots as close as possible to the 10,000-square-foot minimum required in the R-1A zoning district. Staff also reviewed the subdivision regulations and noted that the Hattiesburg Historic Conservation Commission would review the proposed homes for compliance with applicable design standards.

The proposed subdivision qualifies as infill development, which provides several advantages over projects that require new streets or major infrastructure installation. Infill development supports community connectivity, makes better use of existing public investments, and helps stabilize older neighborhoods by introducing new housing options in walkable, serviced areas. Infill subdivisions typically require less public spending, as they

take advantage of existing streets, utilities, and emergency service coverage, and they help reinforce the traditional development pattern of nearby blocks.

This portion of Dabbs Street has benefited from recent public investment, including the completion of the Hall Avenue streetscape improvements and the construction of new railroad overpasses along Hall Avenue. These overpasses exceed typical design standards by providing improved safety, sidewalk connectivity, enhanced lighting, and better multimodal circulation. As a result, the surrounding area has seen improved access, reduced delays, and greater neighborhood cohesion—conditions that support appropriate infill housing reinvestment.

The applicant's formal request is for approval of a preliminary plat that modifies the existing subdivision to create five lots ranging from approximately 9,150 to 10,200 square feet. No new public infrastructure—such as roads, utilities, or drainage facilities—is proposed as part of this subdivision, and the lots will utilize existing facilities along Dabbs Street.

A public hearing is required for this request under Mississippi Code § 17-1-23, which requires governing body approval for any subdivision or resubdivision of land. The purpose of this hearing is to consider the proposed plat modification and ensure compliance with state law and the City's subdivision regulations.

Applicant Summary: * See Attached *

Applicable Regulations:

SECTION 4 **Zoning Districts Established**

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

SECTION 6 **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%	-
R-1A	10,000/ 50	1 per lot	-	30	-	10	25	35 feet or 3 stories	50%	-
R-1B	7,500/ 50	1 per lot	-	25	-	10	25	35 feet or 3 stories	50%	-
R-1C	5,000/ 50	1 per lot	-	20	-	10	25	35 feet or 3 stories	50%	-

SECTION 11 **Administration and Enforcement**

11.10.1.8 Subdivision Violations. The owner of a subdivision shall not transfer title to any lot in such subdivision until such time as the final plat has been approved by the appropriate authority as outlined in this Code and duly recorded in the office of the Chancery Clerk of Forrest County or Lamar County, Mississippi. Transfers prior to such approval and recording shall be deemed a violation of this Code and shall be subject to any and all remedies available to the City.

11.10.1.9 Recording Violations.
The Chancery Clerks of Forrest County and Lamar County, Mississippi shall not receive, file or record a plat of a subdivision within the jurisdiction of this Land Development Code without prior approval of the appropriate authority as outlined in this Code. Plats recorded prior to such approval shall be deemed unlawful and invalid

SECTION 12 **Process and Procedures**

Categories of Development Approvals

12.3.2 Preliminary Plat Approval for Major Subdivisions

12.3.2.1 Approval Criteria.
i. Conformance with the Hattiesburg Comprehensive Plan.
ii. Conformance with the standards of the zoning district.
iii. Conformance with other standards and requirements of this Code and other City policies and regulations.
iv. Determination that adequate public facilities and services will be available concurrent with the impacts of the subdivision.
v. Determination that the project will have little or no adverse or negative impacts upon the natural environment.

12.3.2.4 Final Plat.
i. No Significant Change. Final plats of major subdivisions that are substantially the same as the approved preliminary plat, as determined by the Site and Design Review Committee, shall be approved administratively.
ii. Significant Change. Final plats that exhibit any significant deviation from the approved preliminary plat, as determined by the Site Plan Review Committee, shall require approval by the Planning Commission.

12.3.2.5 Recording.
Recording. In order to be an official and legal plat, the final approved plat must be recorded along with all applicable covenants, deed restrictions and property owners' association documents with the Chancery Clerk of Forrest or Lamar County, as appropriate. The City Engineer shall ensure that the City records this information within 90 days of submission for acceptance with any applicable bonds.

12.3.2.6 Duration.
As this code and state and federal law may change over time, approval of a preliminary plat shall be effective for a maximum period of one (1) year for a permit to be submitted to the city. A six (6) month extension may be granted upon the Planning Commission's recommendation to the City Council followed by an approval of the Council. An extension request must come in writing by the subdivider before the regularly scheduled Planning Commission hearing in which it is to be heard. The Planning Commission will offer its recommendation under "other business" as notice was given at the original hearing date. If the final plat has not been submitted to Urban Development within this time limit, the preliminary plat process shall begin anew.

Section 13 **DEFINITIONS**

Subdivision: The division of a lot, tract, or parcel of land into two or more lots, plats, sites, or other divisions of land for the purpose, whether immediate or future, of sale, lease or building development by means of an appropriately recorded legal document.

Subdivision, Major: Any subdivision of land (lot split) that does not conform to the definition of a minor subdivision

Subdivision, Minor: Any subdivision (lot split) containing not more than three lots fronting on an existing street that does not result in the creation of any new street, the extension of municipal utilities, or the need for additional public improvements. A series of related minor subdivisions on contiguous land cumulatively totaling four or more lots shall be construed to create a major subdivision.

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

Section 4 –

(4) If the owner of any land which shall have been laid off, mapped or platted as a city, town or village, or addition thereto, or subdivision thereof, or other platted area, whether inside or outside a municipality, desires to alter or vacate such map or plat, or any part thereof, he may petition the board of supervisors of the county or the governing authorities of the municipality for relief in the premises, setting forth the particular circumstances of the case and giving an accurate description of the property, the map or plat of which is to be vacated or altered and the names of the persons to be adversely affected thereby or directly interested therein. However, before taking such action, the parties named shall be made aware of the action and must agree in writing to the vacation or alteration. Failure to gain approval from the parties named shall prohibit the board of supervisors or governing authorities from altering or vacating the map or plat, or any part thereof. Any alterations of a plat or map must be recorded in the appropriate location and a note shall be placed on the original plat denoting the altered or revised plat. No land shall be subdivided nor shall the map or plat of any land be altered

or vacated in violation of any duly recorded covenant running with the land. Any municipality which shall approve such a vacation or alteration pursuant to this section shall be exempt from the sale of surplus real property provisions as set forth in Section 21-17-1.

Present Zoning: The property is currently zoned R-1A, Single Family Residential

Present Use: Vacant/Unimproved Land

Future Land Use: Neighborhood Conservation District 1

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

Letters or Concerns stated: As of finalizing this report, the Planning Division Office had received no calls or letters of concern.

Option: Recommend **Approval** or **Denial** of a preliminary plat for a major subdivision to be known as the "Zainey's Corner Subdivision" for a property at 610 Dabbs Street (PPIN 18772, Forrest County, Ward 4).

Basis for approval: Planning Commission must deem that all of the following approval criteria must be met before granting approval for the Preliminary Plat for a Major Subdivision:

12.3.2 Preliminary Plat Approval for Major Subdivisions
12.3.2.1 Approval Criteria.
i. Conformance with the Hattiesburg Comprehensive Plan.
ii. Conformance with the standards of the zoning district.
iii. Conformance with other standards and requirements of this Code and other City policies and regulations.
iv. Determination that adequate public facilities and services will be available concurrent with the impacts of the subdivision.
v. Determination that the project will have little or no adverse or negative impacts upon the natural environment.

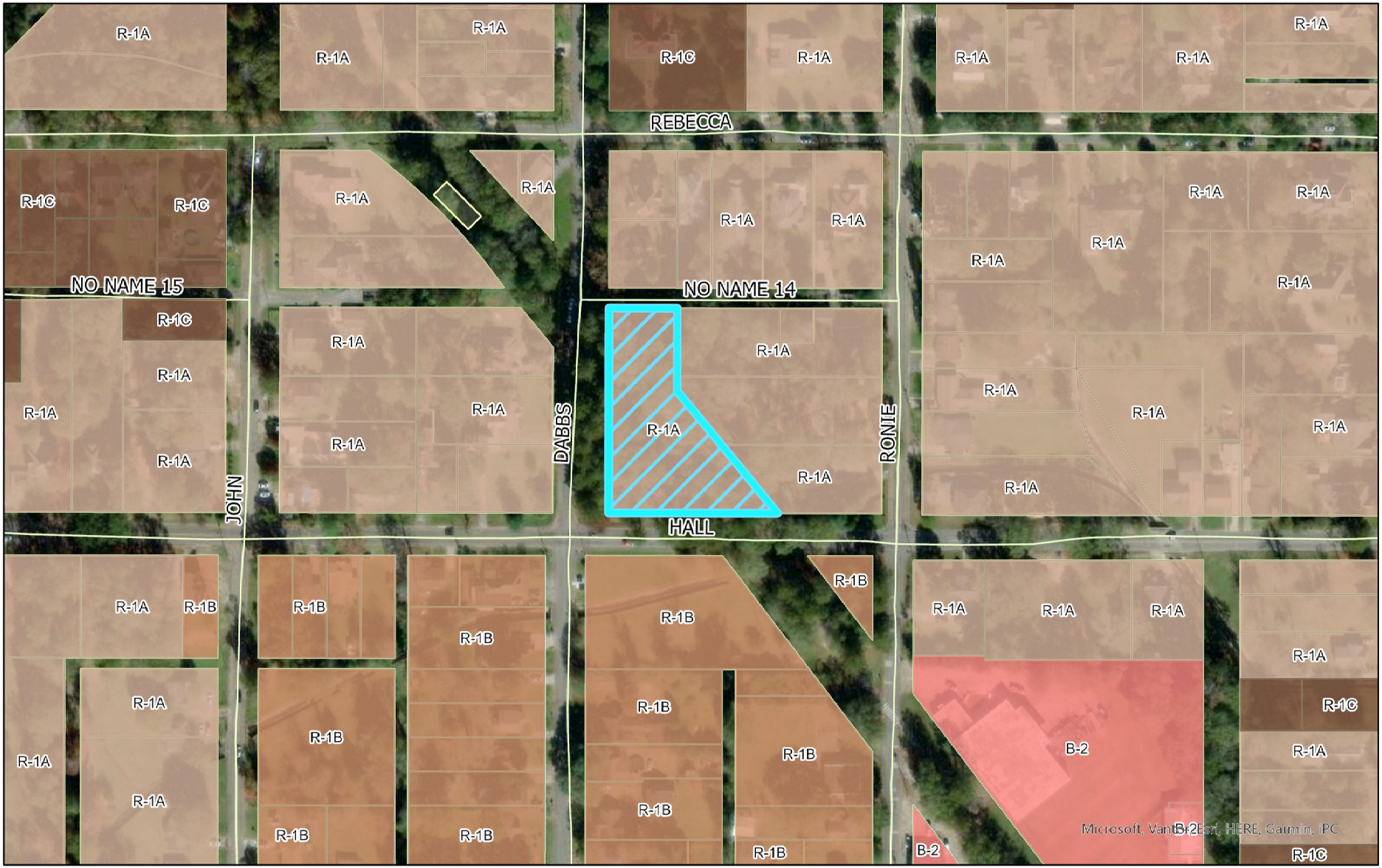
SUBJECT PARCEL

610 Dabbs Street — Major Subdivision Request

Michael McCullum, Property Owner and Applicant, requests approval of a preliminary plat for a major subdivision to be known as the “Zainey’s Corner Subdivision” for a property at 610 Dabbs Street (PPIN 18772, Forrest County, Ward 4).



HPC Item: B



Zoning Legend

- R-1A
- R-1B
- R-1C
- B-2
- 610 Dabbs Street

Major Subdivision Request
610 Dabbs Street
PPIN: 18772
Flood Zone: X
Ward 4, Forrest County

0 500 Feet

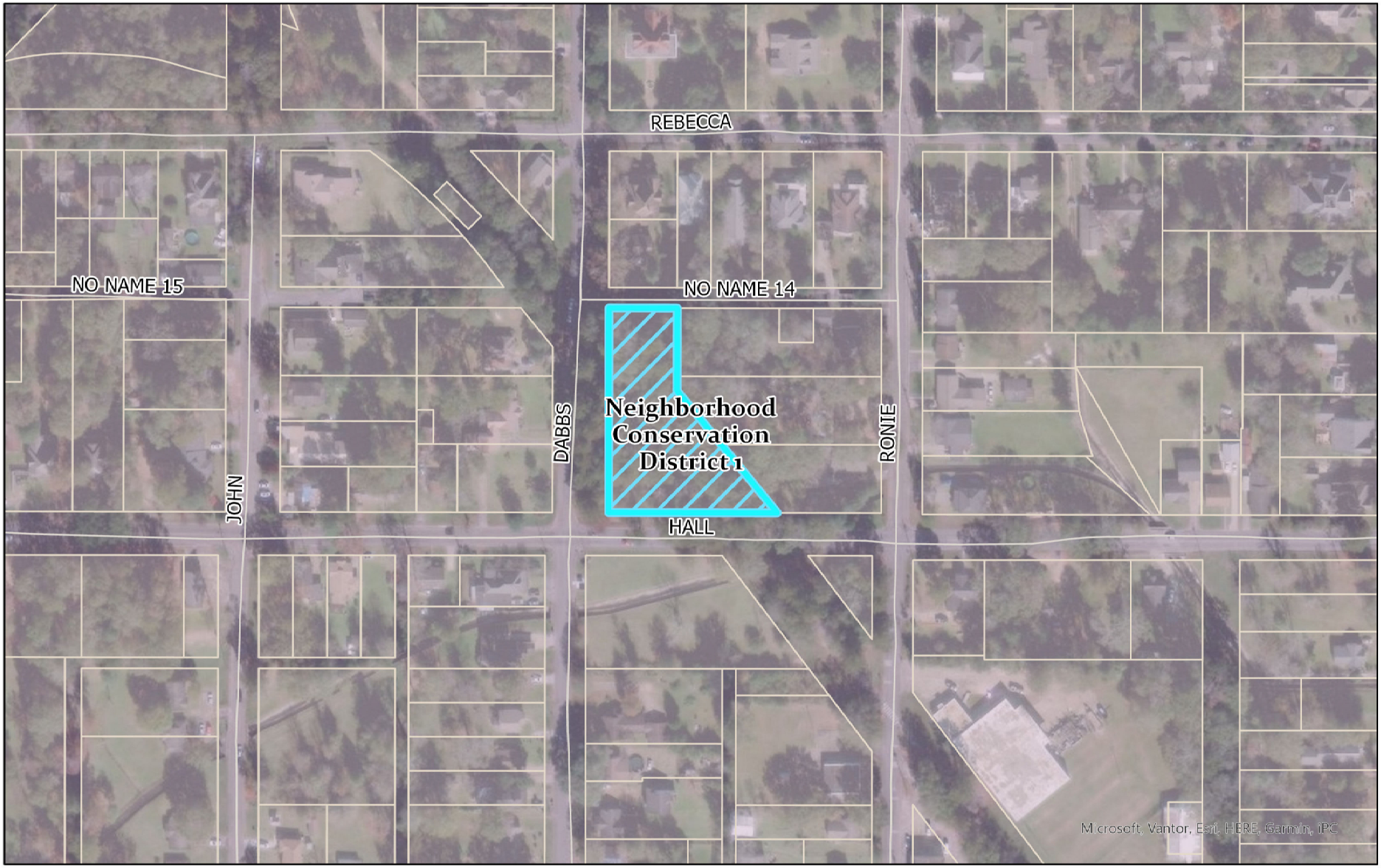
N

URBAN DEVELOPMENT
PLANNING DIVISION

Center: 89°17'33"W 31°19'4"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: 11/24/2025 2:05 PM

HPC Item: B



Future Land Use Map

Neighborhood Conservation District 1

610 Dabbs Street

Major Subdivision Request
610 Dabbs Street
PPIN: 18772
Flood Zone: X
Ward 4, Forrest County

0 500 Feet

N

URBAN DEVELOPMENT
PLANNING DIVISION

Center: 89°17'33"W 31°19'4"N

DISCLAIMER: This map is ONLY FOR REFERENCE. There is NO WARRANTY of the accuracy of data.
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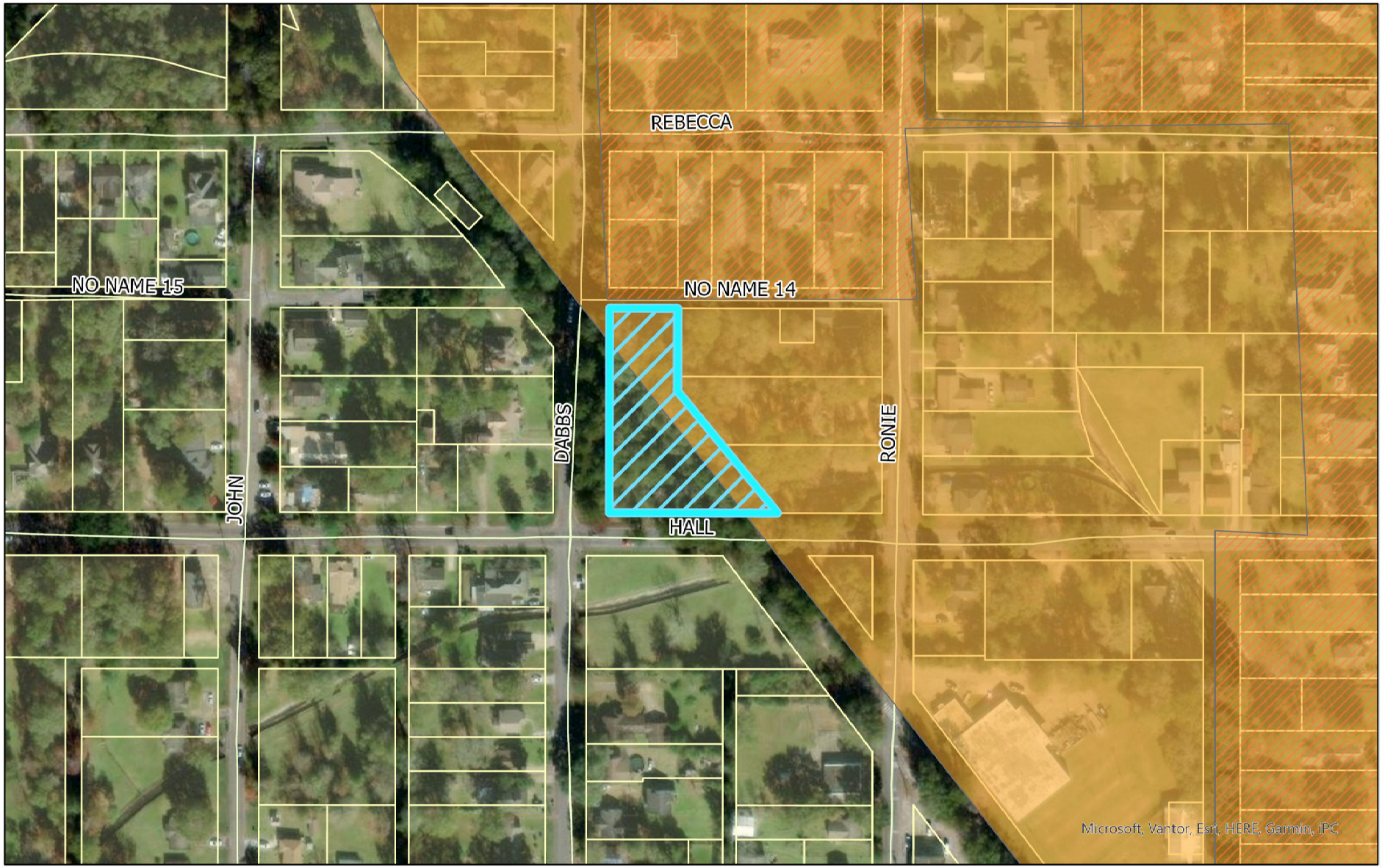
Map Exported on: 11/24/2025 2:07 PM

HPC Item: B



Historic Districts

Hattiesburg Historic Neighborhood,Local

Hattiesburg National Register District,National Register

Major Subdivision Request
610 Dabbs Street
PPIN: 18772
Flood Zone: X
Ward 4, Forrest County

0 500 Feet

N

URBAN DEVELOPMENT
PLANNING DIVISION

Center: 89°17'33"W 31°19'4"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: 11/24/2025 2:09 PM

Site Aerial



Surrounding Area





Surrounding Area



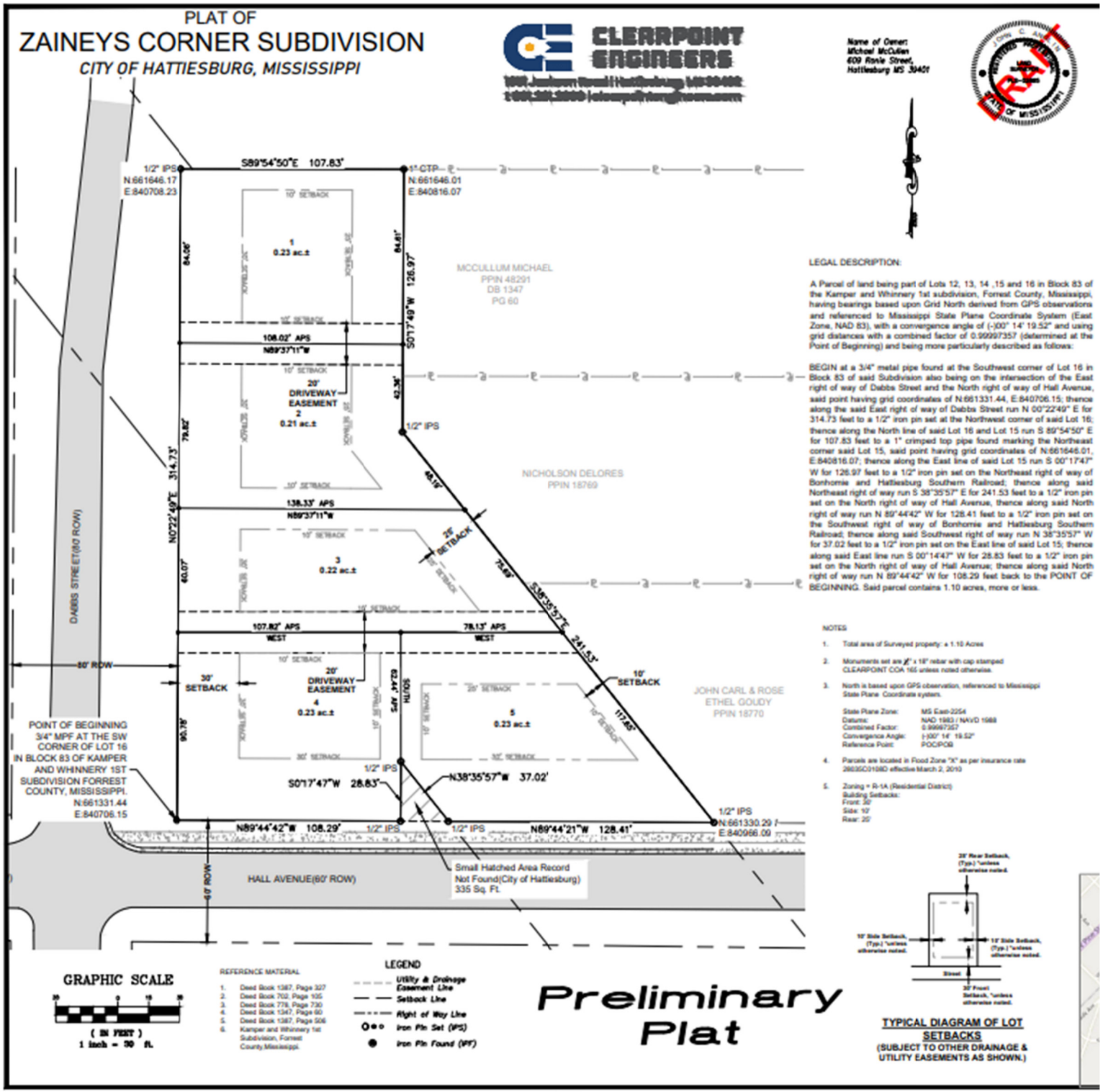


HPC Item: B

PLAT OF
ZAINEYS CORNER SUBDIVISION
CITY OF HATTIESBURG, MISSISSIPPI

CLEARPOINT ENGINEERS

Name of Owner:
Michael McCullen
409 Rovie Street,
Hattiesburg MS 39401



LEGAL DESCRIPTION:

A Parcel of land being part of Lots 12, 13, 14 ,15 and 16 in Block 83 of the Kamper and Whinnery 1st subdivision, Forrest County, Mississippi, having bearings based upon Grid North derived from GPS observations and referenced to Mississippi State Plane Coordinate System (East Zone, NAD 83), with a convergence angle of (-)00° 14' 19.52" and using grid distances with a combined factor of 0.99997357 (determined at the Point of Beginning) and being more particularly described as follows:

BEGIN at a 3/4" metal pipe found at the Southwest corner of Lot 16 in Block 83 of said Subdivision also being on the intersection of the East right of way of Dabbs Street and the North right of way of Hall Avenue, said point having grid coordinates of N:661331.44, E:840706.15; thence along the said East right of way of Dabbs Street run N 00°22'49" E for 314.73 feet to a 1/2" iron pin set at the Northwest corner of said Lot 16; thence along the North line of said Lot 16 and Lot 15 run S 89°54'50" E for 107.83 feet to a 1" crimped top pipe found marking the Northeast corner said Lot 15, said point having grid coordinates of N:661646.01, E:840816.07; thence along the East line of said Lot 15 run S 00°17'47" W for 126.97 feet to a 1/2" iron pin set on the Northeast right of way of Bonhomie and Hattiesburg Southern Railroad; thence along said Northeast right of way run S 38°35'57" E for 241.53 feet to a 1/2" iron pin set on the North right of way of Hall Avenue, thence along said North right of way run N 89°44'42" W for 128.41 feet to a 1/2" iron pin set on the Southwest right of way of Bonhomie and Hattiesburg Southern Railroad; thence along said Southwest right of way run N 38°35'57" W for 37.02 feet to a 1/2" iron pin set on the East line of said Lot 15; thence along said East line run S 00°14'47" W for 28.83 feet to a 1/2" iron pin set on the North right of way of Hall Avenue; thence along said North right of way run N 89°44'42" W for 108.29 feet back to the POINT OF BEGINNING. Said parcel contains 1.10 acres, more or less.

NOTES

1. Total area of Surveyed property: ± 1.10 Acres
2. Monuments set are ½" x 18" rebar with cap stamped CLEARPOINT COA 165 unless noted otherwise.
3. North is based upon GPS observation, referenced to Mississippi State Plane Coordinate system.

   State Plane Zone: MS East-2254
   Datums: NAD 1983 / NAVD 1988
   Combined Factor: 0.99997357
   Convergence Angle: (-)00° 14' 19.52"
   Reference Point: POC/POB
4. Parcels are located in Flood Zone "X" as per insurance rate 28035C0108D effective March 2, 2010
5. Zoning = R-1A (Residential District)
   Building Setbacks:
   Front: 30'
   Side: 10'
   Rear: 20'

GRAPHIC SCALE
30 0 15 30
(IN FEET)
1 inch = 30 ft.

REFERENCE MATERIAL
1. Deed Book 1367, Page 327
2. Deed Book 702, Page 105
3. Deed Book 778, Page 730
4. Deed Book 1347, Page 60
5. Deed Book 1367, Page 506
6. Kamper and Whinnery 1st Subdivision, Forrest County,Mississippi.

LEGEND
- Utility & Drainage Easement Line
- Setback Line
- Right of Way Line
- Iron Pin Set (IPS)
- Iron Pin Found (IPF)

Preliminary Plat

TYPICAL DIAGRAM OF LOT SETBACKS
(SUBJECT TO OTHER DRAINAGE & UTILITY EASEMENTS AS SHOWN.)

Application for Subdivision

City of Hattiesburg – Planning Division
PO BOX 1898 – Hattiesburg, MS 39403-1898 | Phone (601)- 545-4599

NOTE:

- This document must be completed **LEGIBLY** and **IN FULL** before any review by the Site Plan Review Committee. The committee meets every Thursday in the 1st Floor Conference Room at City Hall.
- The deadline for Subdivision Submission is by 5:00 pm on Monday for review that same Thursday, as scheduling allows. Meetings are scheduled in the order applications are received. A member of the planning staff will contact applicants to confirm the meeting date and time.
- A representative of the project must be present at the meeting.

Project Information

Application Date: 10-27-25

Name of Project: Zainey's Corner Subdivision **Parcel Number(s):** 2-0290-10-303.00

Municipal Address of Site: 610 Dabbs St, Hburg 39401 **PPIN #:** 18772

This application is for: (Check One)

☒ **Major Subdivision** ☐ **Minor Subdivision** ☐ **Planned Mixed Use (PMU):** _____

****Note: Major Subdivisions and PMUs will require a public hearing in front of the Planning Commission****

This application is: (Check One)

☒ **First Submission** ☐ **Resubmission #1** ☐ **Resubmission #2** ☐ **Other:** _____

Total Fee Enclosed: $ Waiver form submitted

Contact Information

Representative Name & Title: Forrest Dungan, PE **Company Name:** Clearpoint Engineers

Representative Email Address: forrest@clearpointengineers.com

Representative Full Address: 1051 Jackson Rd, Hattiesburg, MS 39402

Representative Phone Number: (601)261-2609

Property Owner Name & Title: Michael McCullum **Company Name:** McCullum Property

Property Owner Email Address: michael.mccullum@usm.edu

Property Owner Full Address: 609 Ronie St, Hattiesburg, MS 39401

Property Owner Phone Number: (601)270-7310

For Staff Only:			
Zoning:	**Historic District:**	**Flood Zone:**	**Ward:** ☐1 ☐2 ☐3 ☐4 ☐5
Project Number:		**Received:**	
Time & Date Scheduled:			

Application for Subdivision

City of Hattiesburg – Planning Division
PO BOX 1898 – Hattiesburg, MS 39403-1898 | Phone (601)- 545-4599

NOTE:

- Refer to the hattiesburgms.com/planning for Land Development Code and GIS map. Access via link or QR code
- **This document must be completed LEGIBLY and IN FULL before any review**

Property Data

1. **This property is located on the** East **side of** Dabbs St .
   (North/South/East/West) (Street Name).
2. **Existing Parent Parcel Contains:** .69 acres **Square Footage / Acres.**
3. **Existing use of Parent Parcel :** Undeveloped residential parcel (wooded) .
4. **Parent Parcel to be Subdivided into** # 5 (five) **Lots / Parcels.**
5. **Proposed Use of Parcels:** Build 5 new homes on 5 seperate lots .
6. **Present Zoning Classification:** R-1A
7. **Required Building Setbacks: Front:** 30 ft **Sides:** 10 ft **Rear:** 25 ft .
8. **Adjacent Property Zoning Classification and Current Use:**
   a. **Property to the North:**
      i. **Zoning Classification:** R-1A
      ii. **Current Use:** ☒ Residential ☐ Commercial ☐ Industrial ☐ Vacant
   b. **Property to the South:**
      i. **Zoning Classification:** R-1A
      ii. **Current Use:** ☒ Residential ☐ Commercial ☐ Industrial ☐ Vacant
   c. **Property to the East:**
      i. **Zoning Classification:** R-1A
      ii. **Current Use:** ☒ Residential ☐ Commercial ☐ Industrial ☐ Vacant
   d. **Property to the West:**
      i. **Zoning Classification:** R-1A
      ii. **Current Use:** ☒ Residential ☐ Commercial ☐ Industrial ☐ Vacant
9. **Is the Property in a Historic District or an Overlay District?** ☐ No ☒ Yes
   a. **If Yes, which one:** Historic - a portion of the parent parcel
10. **Is the Property in a Flood Hazard District?** ☒ No ☐ Yes
    a. **If Yes, which one(s):** _____
11. **Does the property contain Wetlands?** ☒ No ☐ Yes
    a. **If Yes, which one(s):** _____

Application for Subdivision

City of Hattiesburg – Planning Division
PO BOX 1898 – Hattiesburg, MS 39403-1898 | Phone (601)- 545-4599

NOTE:

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FOR SUBDIVIDING OF LOT, PARCEL OR TRACT

Property Data

- Parent Parcel / Existing lot/parcel/tract contains: .69 acres Square Footage/Acres
- Lot Area Requirement:
- Lot Frontage Requirement:
- Existing use of lot/parcel/tract
- To be subdivided into 5 (five) lots/parcels (including parent parcel) – outlined below.

Use extra copies of this form if needed for additional lots

Newly Subdivided Parcels	New lot size in square footage (SF) or acres (A)	New lot has public road frontage	New lot has private road frontage	Indicate name of public of private road(s)	STAFF ONLY Lot area & frontage requirements comply?
1.	9099 sf	■Yes ☐No	☐Yes ☐No	Dabbs St	☐Yes ☐No
2.	9189 sf	■Yes ☐No	☐Yes ☐No	Dabbs St	☐Yes ☐No
3.	9655 sf	■Yes ☐No	☐Yes ☐No	Dabbs St	☐Yes ☐No
4.	9841 sf	■Yes ☐No	☐Yes ☐No	Dabbs St	☐Yes ☐No
5.	10172 sf	■Yes ☐No	☐Yes ☐No	Dabbs St	☐Yes ☐No
6.		☐Yes ☐No	☐Yes ☐No		☐Yes ☐No
7.		☐Yes ☐No	☐Yes ☐No		☐Yes ☐No
8.		☐Yes ☐No	☐Yes ☐No		☐Yes ☐No
9.		☐Yes ☐No	☐Yes ☐No		☐Yes ☐No
10.		☐Yes ☐No	☐Yes ☐No		☐Yes ☐No
11.		☐Yes ☐No	☐Yes ☐No		☐Yes ☐No
12.		☐Yes ☐No	☐Yes ☐No		☐Yes ☐No
Be sure to include information on the remainder of "existing" lot after splits made – identify as "Parent Parcel"					
Parent Parcel					
		Total square footage of new lots (verify total matches existing parcel prior to splits)			

Infrastructure required: (Check all that apply)

■ Water/Sewer ☐ Gas ■ Electric ■ Telephone ☐ Cable ■ Streets

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

610 DABB St Hattiesburg MS

Street Address City State

on this the 23 day of October, 2025.

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.

Forrest Dungan

on this the 23 day of October, 2025.

Michael McCullum

Property Owner (Print)

Property Owner (Signature)

STATE OF Mississippi

COUNTY OF Forrest

Personally came and appeared before me, the within named Michael Michael McCullum,

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 23rd day of October, 2025.

NOTARY PUBLIC

My Commission Expires:

March 24, 2029

STATE OF MISSISSIPPI
DAIJA ARRINGTON
NOTARY PUBLIC
FORREST COUNTY
My commission expires March 24, 2029
Commission number 494897

Application for Subdivision

City of Hattiesburg – Planning Division
PO BOX 1898 – Hattiesburg, MS 39403-1898 | Phone (601)- 545-4599

NOTE:

- Refer to the hattiesburgms.com/planning for Land Development Code and GIS map. Access via link or QR code

Subdivision Application Checklist: (check all that apply)

- ☑ Application filled out in full.
- ☑ Survey showing entire boundary of parent parcel, proposed parcel lines, and existing and proposed easements.)
- ☑ Copy of warranty deed of parent parcel
- ☑ Legal description of parent parcel and newly created parcel
- ☑ Signed and notarized owner affidavits
- ☑ If major subdivision or PMU, public hearing application will be required.

Subdivision Review Fees

Subdivision Type	Fees Associated
Minor Subdivision Note: Final Plats should be submitted to the governing body for approval within 12 months of approval of preliminary plats	**$150.00**
Major Subdivision Note: Final Plats should be submitted to the governing body for approval within 12 months of approval of preliminary plats	**$225.00** per application. **$10.00** per each additional created lot (** see PUD or PRD & Subdivision of Land package rate)
Planned Unit Development (PUD) or Planned Residential Development with Subdivision of Land Package**	**$500.00** per application. **$10.00** per each additional created lot (** see PUD or PRD & Subdivision of Land package rate)

I hereby certify that I have completed and attached the above required documents, information, and fees.

Print Name: Stacey Odom, Admin Asst **Signature:** Stacey Odom

Updated Version 12/04/2024

DEED
Bk:1378 Page:506-507
RCD: 10/12/2021 @12:20:51:PM
FORREST COUNTY, MS
LANCE C. REID CHANCERY CLERK

Prepared by and Return to:
Joseph M. Gianola, Jr. (MSB#101972)
Stribling Law Firm, PLLC
63 98 Place Boulevard
Hattiesburg, MS 39402
(601) 265-9454

Indexing Instructions: **Lots 12-16, Block 83 of the Kamper and Whinery Survey No. 1, Forrest County, Mississippi**

STATE OF MISSISSIPPI

COUNTY OF FORREST

QUITCLAIM DEED

FOR AND IN CONSIDERATION of the sum of Ten and No/100 Dollars ($10.00), cash in hand paid, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Grantor,

ILLINOIS CENTRAL RAILROAD COMPANY,
an Illinois Corporation,
17641 S. Ashland Avenue
Homewood, Illinois 60430
(708) 332-3541

does hereby remise, release, convey and quitclaim unto, Grantee,

MICHAEL MCCULLUM
609 Ronie Street
Hattiesburg, Mississippi 39401
601-270-7310

the following described real property lying and being situated in Forrest County, Mississippi, and being more particularly described as follows, to-wit:

A strip of land 50 feet wide on either side of the center line of the Bonhomie and Hattiesburg Southern Railroad, forming a part of Lots 12, 13, 14, 15, and 16 of Block 83 of the Kamper and Whinery Survey No. 1 of the City of Hattiesburg, as per the map or plat thereof on file in the office of the Chancery Clerk of Forrest County, Mississippi.

This conveyance excepts and excludes all coal, oil, gas, and other minerals underlying the same and all rights and easements in favor of the owner of the mineral estate or any party claiming by, through, or under said estate.

GRANTOR reserves the right for the continued maintenance, replacement and use of all existing conduits, sewers, water mains, gas lines, electric power lines, wires and other utilities and easements on said premises whether or not of record including the repair, reconstruction and replacement thereof and Grantee agrees not to interfere with the rights herein reserved or any facilities used pursuant thereto.

As a part of the consideration hereof, and in accepting this conveyance, the Grantee agrees and binds itself to purchase, affix and cancel any and all documentary stamps of every kind and nature in the amount prescribed by statute, and to pay any and all required transfer taxes and fees incidental to recordation of this instrument.

The words "GRANTOR" and "GRANTEE" used herein shall be construed as if they read "Grantors" and "Grantees", respectively, whenever the sense of this instrument so requires and whether singular or plural, such words shall be deemed to include, in all cases, the heirs or successors and assigns of the respective parties.

WITNESS THE SIGNATURE of the Grantor on the date of its respective acknowledgement.

ILLINOIS CENTRAL RAILROAD COMPANY,
a Illinois corporation

James V. Fountain

By: JAMES V. FOUNTAIN

SENIOR MANAGER REAL ESTATE
(Print Name and Title)

STATE OF Illinois

COUNTY OF Cook

THIS DAY personally came and appeared before me, the undersigned authority in and for the jurisdiction aforesaid, the within named James V. Fountain, who acknowledged to me that he is Senior Manager Real Estate of Illinois Central Railroad Company, a Illinois corporation, and as its act and deed he executed and delivered the above and foregoing instrument, after first having been duly authorized by said corporation so to do.

GIVEN UNDER MY HAND AND OFFICIAL SEAL OF OFFICE, this the 6th day of October, 2021.

Sydney M. Cervantes
NOTARY PUBLIC

My Commission Expires: March 23, 2025

SYDNEY M CERVANTES
OFFICIAL SEAL
Notary Public, State of Illinois
My Commission Expires
March 23, 2025

FORREST COUNTY, MS LANCE C. REID
I CERTIFY THIS INSTRUMENT WAS FILED ON 10/12/2021 12:20:51 PM AND RECORDED IN DEED BOOK:1378 PAGE:506

Property Appraisal Link

FORREST COUNTY, MS

Current Date **10/27/2025** Tax Year **2025**

APPRAISAL INQUIRY

PARCEL 2-029O-10-303.00	**ALT PARCEL NUMBER** 238 -0444-083-013.00
PPIN 018772	**SKETCH** 1
OWNER NAME	MCCULLUM MICHAEL
OWNER ADDRESS	609 RONIE STREET HATTIESBURG MS39401
PROPERTY ADDRESS	
PROPERTY IS VACANT (Y/N) Y	
FIELD WORK BY **DATE:** / /	
CLASSED BY **DATE:** / /	
REVIEWED BY STA **DATE:** 7/16/2025	
REALTOR CODE	

LEGAL DESCRIPTION

1	LT 15 & 16 BLK 83
2	PREV #:H0444-25-013
3	B657-542 8-91
5	AND ALSO
6	STRIP OF LAND 50 FT WIDE ON EITHER
7	SIDE OF CENTER LINE OF BHS RR IN LT
8	12-16 BLK 83 KAMPER & WHINNERY

Block 083 **Section** 10 **Township** 04N **Range** 13W

Book 1387 **Page** 0327 **Type** JUD **Date** 2/ 4/2022
Book 1378 **Page** 0506 **Type** QCD **Date** 10/12/2021
Book 1367 **Page** 0297 **Type** PNT **Date** 5/20/2021
Book 0961 **Page** 480 **Type** TX **Date** 5/18/2005

LOT INFORMATION

LOT CODE 0444 **LOT SIZE** **LOT VALUE**

CODE	FRONT FT	DEPTH	PRICE	DEPTH TABLE	DEPTH %	ADJ. %	DESCRIPTION	ADJ PRICE	APPRAISED	CLASS
*** NO LOT INFO ***										

ACRE INFORMATION

ACRES	TYPE	QUAL CLASS	PRICE CODE	UNCULTIVATED CODE	PRICE	ADJ. %	DESCRIPTION	APPRAISED	MARKET
.69	A	2	O	C	4000.00	1.00		2760	2760

ACREAGE VALUE	2760	**OVERALL VALUE**	2760
LAND USE CODE CLASS 1 4190 OTHER RAIL TRANSPORTATIO			
LAND USE CODE CLASS 2 4190 OTHER RAIL TRANSPORTATIO			

NAME OF RECORDED SUBDIVISION TO BE ALTERED:

N/A No subdivision name for parcel on Dabbs St

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

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

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

I have also submitted the following with this application:

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

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

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

Signature _____ **Date** 10/23/2025

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

Name of Subdivision being altered: None/ Corner lot

Address and PPIN of alteration in subdivision: 18722 610 Dabbs St, Hattiesburg

	Name	Address	Phone Number	Approve of Proposed Alteration (Yes or No)	Signature
1	NONE				
2					
3					
4					
5					
6					
7					
8					
9					
10					
11					
12					
13					
14					
15					
16					
17					
18					
19					

December 2025 HPC Item: C
Gurbakh Signh, Property Owner/Applicant
Request for: **Conditional Use Approval**

URBAN DEVELOPMENT
PLANNING DIVISION

Planning Commission
Case Fact Sheet

Names of Petitioner: Gurbakh Signh, Property Owner/Applicant

Address of Property:	**Tax Parcel**	**PPIN:**	**Ward:**
1000 N Main Street	2-029F-04-223.00	25113	2
	2-029G-03-610.00	18816	2

Request: Conditional Use Request

Purpose of Request: Gurbakh Signh, Property Owner/Applicant, requests conditional use approval for "restaurant" for a B-2 zoned property at 1000 N Main Street (PPIN 25113 and 18816, Forrest County, Ward 2).

History / Background: The applicant met with staff in October 2025 during a pre-application meeting to discuss the property and to address existing code compliance issues. During the meeting, the applicant explained that a kitchen area had been added to the existing gas station, including a new hood system, fryers, and a three-compartment sink. Before these additions, the building did not contain a kitchen and was not operating as a restaurant.

Staff informed the applicant that the property is zoned B-2, where a restaurant requires conditional use approval. Staff also explained that the primary use of the building as an automotive filling station is a conditional use in B-2, and that any expansion or intensification of that use, including adding a restaurant component, requires conditional use review.

Staff also reviewed code requirements for restaurant operations. These include installation of a dumpster with a grease interceptor, compliance with building and mechanical code standards, and the need for retroactive permits for work completed without prior approvals.

The applicant has applied for permits related to the installation of the grease interceptor as required for food service operations. Final approval of those permits will depend on City Council action on the conditional use request. The dumpster will also need to be screened from the right-of-way.

Conditional uses allow the City to evaluate whether a proposed use is compatible with surrounding development and consistent with the intent of adopted plans. The Planning Commission should consider whether the restaurant use is appropriate for this location, whether it fits within the surrounding commercial context, and whether it aligns with the Comprehensive Plan and the purpose of the B-2 zoning district.

Applicant Summary: See Attached

Applicable Regulations:

SECTION 4 **Zoning Districts Established**

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

Present Zoning: B-2 Neighborhood Business District

Present Use: Automotive Fueling Station

Future Land Use: Regional Business Corridor

Surrounding Zoning and Land Use:

North:	B-2 Neighborhood Business District
South:	B-2 Neighborhood Business District
East:	B-2 Neighborhood Business District
West:	B-2 Neighborhood Business District

Letters or Concerns stated: The Planning Division Office has not received any letters or other written communications regarding this case as of the

finalization of this report.

Option: Recommend **Approval** or **Denial** of the Conditional Use for "restaurant" for a B-2 zoned property at 1000 N Main Street (PPIN 25113 and 18816, Forrest County, Ward 2).

Basis for approval:

12.3.3 Conditional Use Approvals

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

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

i. Determination that adequate public facilities and services will be available concurrent with the impacts of the development as evidenced by letters of sufficiency from utilities and schools and a determination by the city engineer that the available capacity of existing streets can safely provide access to the site.

ii. The proposed development will be compatible with surrounding uses and will protect adjacent properties through the following measures:

- Protection of privacy. The proposed plan shall provide reasonable visual and auditory privacy for all dwelling units located within and adjacent to the site. Fences, walls, barriers and / or vegetation shall be arranged to protect and

enhance the property and to enhance the privacy of on-site and neighboring occupants.

- Protection of use and enjoyment. The proposed plan shall be designed and arranged to have minimal negative impact on the use and enjoyment of adjoining property.
- Compatible design and integration. The use meets all design criteria required by this Code that apply and is designed to integrate well both on and off site.

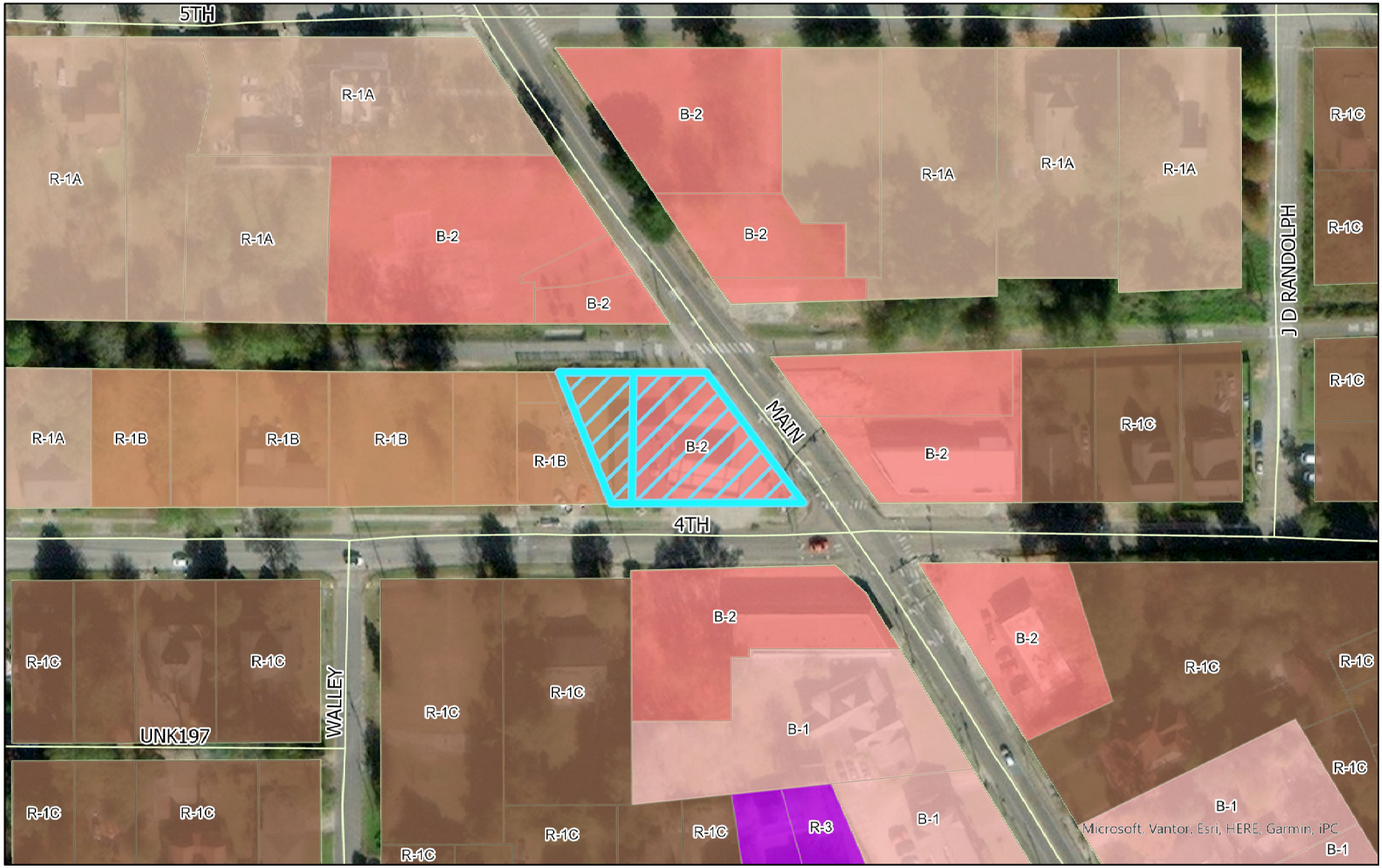
SUBJECT PARCEL

1000 North Main Street — Conditional Use Request

Gurbakh Signh, Property Owner/Applicant, requests conditional use approval for “restaurant” for a B-2 zoned property at 1000 N Main Street (PPIN 25113 and 18816, Forrest County, Ward 2).



HPC Item: B



Zoning Legend

- R-1A
- R-1B
- R-1C
- R-3
- B-1
- B-2
- 1000 N Main Street

Conditional Use Request
1000 N Main Street
PPIN: 18816 & 25113
Flood Zone: X
Ward 2, Forrest County

0 250 Feet

N

URBAN DEVELOPMENT
PLANNING DIVISION

Center: 89°17'49"W 31°19'56"N

DISCLAIMER: This map is ONLY FOR REFERENCE. There is NO WARRANTY of the accuracy of data.
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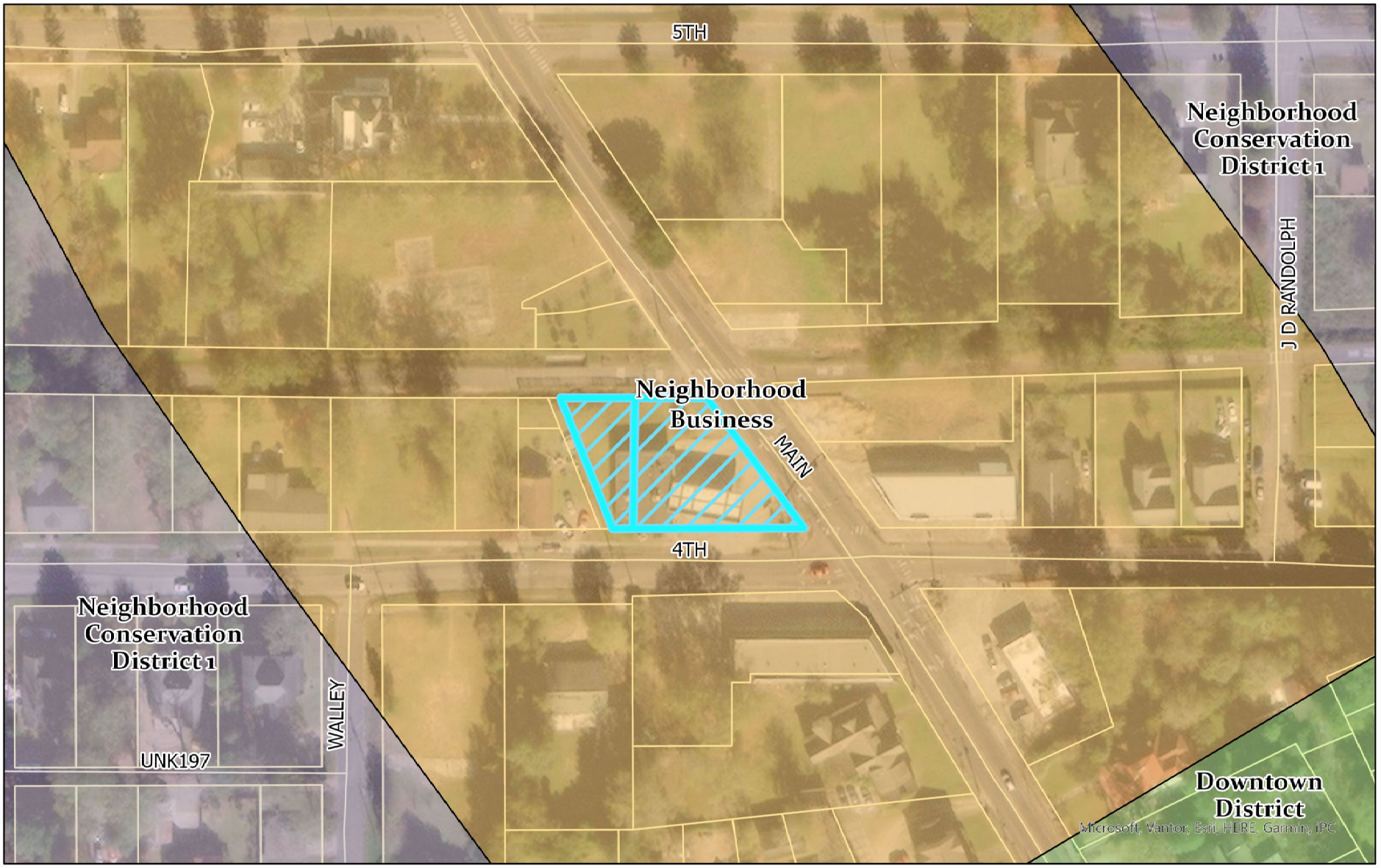
HPC Item: B



Future Land Use Map

- Downtown District
- Neighborhood Business
- Neighborhood Conservation District 1
- 1000 N Main Street

Conditional Use Request
1000 N Main Street
PPIN: 18816 &25113
Flood Zone: X
Ward 2, Forrest County

0 250 Feet

N

URBAN DEVELOPMENT
PLANNING DIVISION

Center: 89°17'49"W 31°19'57"N

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This information CANNOT be used as a substitute for legal, business, tax or other professional advice.
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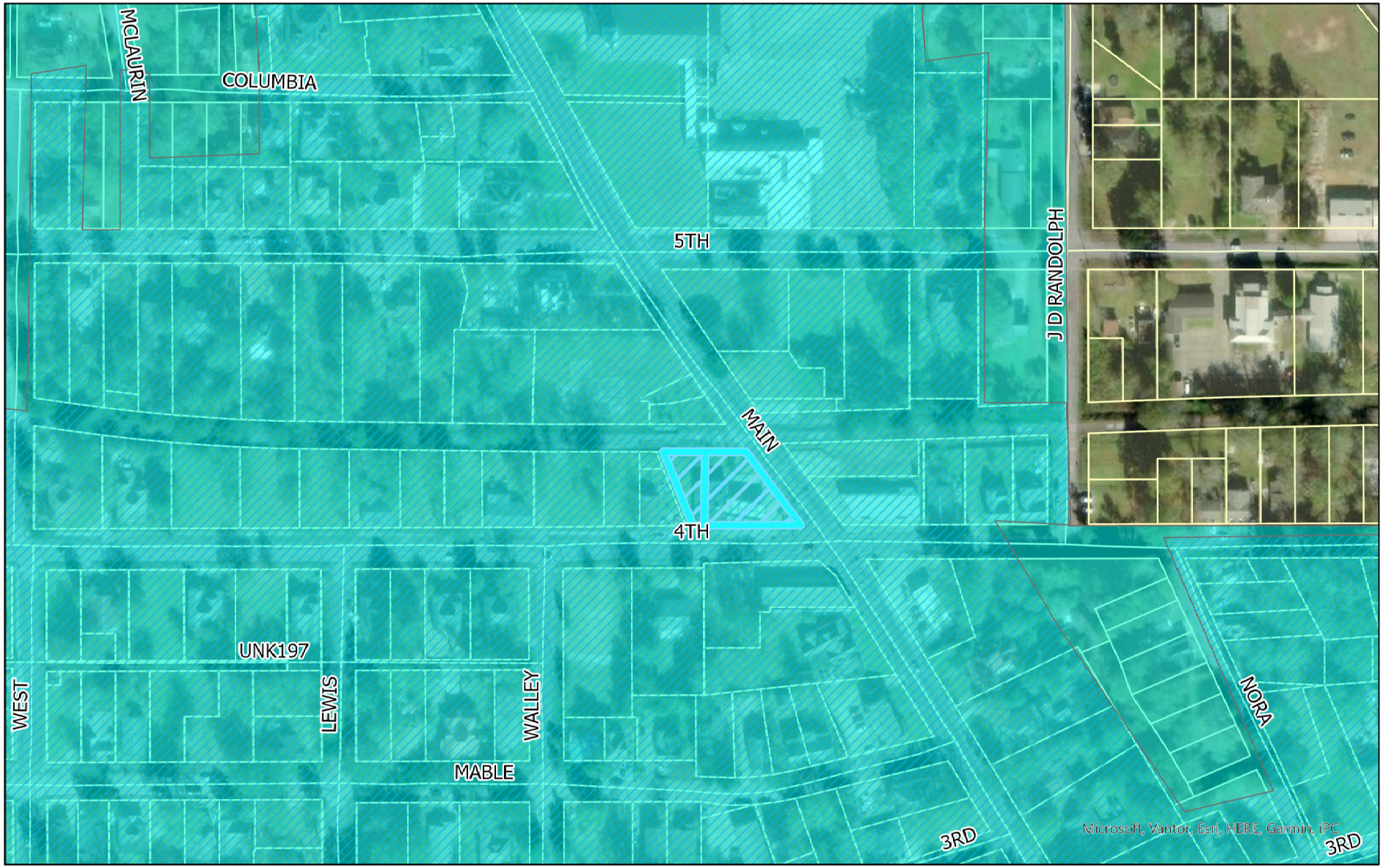
HPC Item: B



Historic Districts

- North Main Historic District,Local
- North Main National Register District,National Register
- 1000 N Main Street

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: 11/24/2025 2:33 PM

Conditional Use Request
1000 N Main Street
PPIN: 18816 &25113
Flood Zone: X
Ward 2, Forrest County

0 500 Feet

N

URBAN DEVELOPMENT
PLANNING DIVISION

Center: 89°17'50"W 31°19'57"N

Site Aerial



Surrounding Area





Surrounding Area





Application for Public Hearing

City of Hattiesburg – Planning Division
PO BOX 1898 – Hattiesburg, MS 39403-1898 | Phone (601)- 545-4599

NOTE:

- **Fill this application out IN FULL with what applies to your application**
- Refer to the hattiesburgms.com/planning for Land Development Code and GIS map. Access via link or QR code

Applicant Information

Name Applicant: GURBAKHSH SINGH **Project Name:** Prime Time Quick Stop

Municipal Address of Site: 1000 N Main Street, Hattiesburg, MS 39401 **PPIN #:** 25113

Parcel Number(s): _____

Type of Public Hearing	Additional Information Needed:
☐ Variance (fill out pages 7 & 8)	☐ Sign ☐ Setback ☐ Off-Site Parking ☐ Lot Width ☐ Lot Coverage Area ☐ Buffer ☐ Open Space ☐ Other: _____
☐ Rezoning (fill out page 11)	Existing Zoning: _____ Proposed Zoning: _____
☑ Conditional Use (fill out pages 9 & 10)	☐ Automotive Filling Station ☐ Digital Billboard, New ☐ Digital Billboard, Replacement ☐ Telecommunications ☑ Restaurant ☐ Solar Farm ☐ Other: _____

Other Application types:

☐ Subdividing of a lot, Parcel, or Tract (fill out page 12)
☐ Street or Alley Renaming (fill out pages 13 & 14)
☐ Vacating Street or Alley (fill out pages 13 & 14)
☐ Text Amendment
☐ Overlay District
☐ Planned Mixed-Use District (PMU)

For Staff Only:			
Zoning:	**Historic District:**	**Flood Zone:**	**Ward:** ☐1 ☒2 ☐3 ☐4 ☐5
Project Number:		10-24	**Received:**
PPIN # or Parcel #: 25113			

Updated Version 05/22/25

Application for Site Plan Review

City of Hattiesburg – Planning Division
PO BOX 1898 – Hattiesburg, MS 39403-1898 | Phone (601)- 545-4599

The following fees are an excerpt from Ordinance No. 2977, adopted January 22, 2008, as amended.

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

OTHER PROCESSES MAY HAVE ADDITIONAL FEES

Make all checks payable to the City of Hattiesburg

I hereby certify that I have completed and attached the above-required documents, information, and fees.

Print Name: Gurbakhsh Singh **Signature:**

Updated Version 05/22/2025

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

1000 N Main street Hattiesburg MS 39401,
Street Address City State

on this the 21 day of 10, 2025.

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 21 day of October, 2025.

Gurbakhsh Singh
Property Owner (Print)

Property Owner (Signature)

STATE OF Mississippi

COUNTY OF Forrest

Personally came and appeared before me, the within named
Gurbakhsh Singh,
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 21 day of October, 2025.

David Walker II
NOTARY PUBLIC

STATE OF MISSISSIPPI
DAVID WALKER II
NOTARY PUBLIC
ID No.482656
MY COMMISSION EXPIRES
AUG. 04, 2028
FORREST COUNTY

My Commission Expires:
Aug. 04, 2028

DEED
Bk:1374 Page:93-95
RCD: 08/13/2021 @11:50:09:AM
FORREST COUNTY, MS
LANCE C. REID CHANCERY CLERK

Prepared by/Return to:
Giddens Law Firm, PLLC
385 Edgewood Terrace
Jackson, MS 39206
601-373-4647

Indexing Instructions: Pt. of Lot 5, G. D. Wilson Subd of Block 170 of Crittenden survey to the City of Hattiesburg, AND Pt. Lots 1 & 2 of Block 100 of Kamper & Whinnery Subd No. 2

WARRANTY DEED

FOR AND IN CONSIDERATION of the sum of Ten Dollars ($10.00), cash in hand paid, and other good and valuable considerations, the receipt and sufficiency of all of which is hereby acknowledged,

Eagle Food Mart - NM, LLC
1000 N. Main St.
Hattiesburg, Ms 39401
Telephone: 601-447-4010

does hereby sell, convey and warrant unto

Gurlove Singh and Gurbakhsh Singh
1000 N. Main St.
Hattiesburg, MS 39401
Telephone: 601. 620. 6320

the following described property located and situated in Forrest County, Mississippi, to-wit:

Part of Lot 5 of the G. D. Wilson Subdivision of Block 170 of Crittenden survey of the City of Hattiesburg, Mississippi, that lies South of the right of way of the Mississippi Central Railroad Company, and part of Lots 1 and 2 of Block 100 of the Kamper and Whinnery Subdivision No. 2 that lies West of Main Street and South of the right of way of the Mississippi Central Railroad Company, and more particularly described as follows:

Beginning at the intersection of the North line of 4th Street, Hattiesburg, Mississippi, and the West line of Section 3, T4N, R13W, Forrest County, Mississippi, thence East along the North line of said 4th Street a distance of 148 feet to the West line of Main Street, thence Northwestward along the West line of said Main Street a distance of 141.3 feet to a point 25 feet South of the center line of the main track of the Mississippi Central Railroad measured at right angles thereto, thence Westward parallel to and 25 feet South of the center line of the main track of said Mississippi Central Railroad a distance of 111.1 feet to the West line of said Lot 5, thence Southeastward along the West line of said Lot 5 a distance of 114.6 feet to the North line of said 4th Street, thence East along the North line of said 4th Street a distance of 16 feet to the Point of Beginning.

The above tract describing Forrest County PPIN 18816 & 25113. Subject property was conveyed and assessed to Bedi Investments in Deed Book 1145, Page 576. Subject property was then conveyed to Grantor above, however, PPIN 25113 was never assessed to Grantor above.

EXCEPTED from the warranty hereof are all easements, rights of way, zoning ordinances, oil, gas and mineral interest, and restrictive and protective covenants, of record which may affect subject property.

IT IS AGREED and understood that the taxes for the current year have been prorated between Grantor and Grantee as of this date on an estimated basis. When said taxes are actually determined, if the proration as of this date is incorrect, then the Grantor agrees to pay to the Grantee or its assigns, any amount which is a deficit on an actual proration and likewise, the Grantee agrees to pay the Grantor any amounts overpaid.

WITNESS THE SIGNATURE of the Grantors this 09 day of August, 2021.

Eagle Food Mart - NM, LLC

Prakash

By: Prakash Bastola, Member/President

STATE OF MISSISSIPPI
COUNTY OF Hinds

PERSONALLY appeared before me, the undersigned authority in and for the State and

County aforesaid, on this 9 day of August, 2021, within my jurisdiction, the within named Prakash Bastola, Member/President of Eagle Food Mart - NM, LLC, who acknowledged that for and on behalf of the LLC, and as its act and deed, he executed the above and foregoing warranty deed on the day and year therein mentioned, being first duly authorized so to do.

NOTARY PUBLIC

STATE OF MISSISSIPPI
NOTARY PUBLIC
ID # 46206
GREGORY GIDDENS
Commission Expires
July 11, 2024
COPIAH COUNTY

FORREST COUNTY, MS LANCE C. REID
I CERTIFY THIS INSTRUMENT WAS FILED ON 8/13/2021 11:50:09 AM AND RECORDED IN DEED BOOK:1374 PAGE:93

December HPC Item: D
Cornell Malone, Property Owner/Applicant, and Rick Sullivan, Agent
Request for**: Street/Alley Closure**

Planning Commission
Case Fact Sheet

Names of Petitioner: Cornell Malone, Property Owner/Applicant, and Rick Sullivan, Agent

Address of Property:	**Tax Parcels**	**PPIN:**	**Ward:**
Broadway Drive	2-038D-16-145.00	17605	4
Broadway Drive	2-038D-16-139.00	17606	4
Broadway Drive	2-038D-16-135.00	26875	4

Request: **Street/Alley Closure**

Purpose of Request: Cornell Malone, Property Owner/Applicant, and Rick Sullivan, Agent, request a partial alley closure for an unimproved alley located to the east of the DD McInnis 3rd Survey Subdivision and West of the Hicks Subdivision of the DD McInnis 3rd Survey Subdivision.

History/Background: The applicant is requesting approval to vacate approximately 125 linear feet of an unimproved 50-foot-wide platted alley located between the DD McInnis 3rd Survey Subdivision and the Hicks Subdivision of the DD McInnis 3rd Survey Subdivision. The total area of the alley segment proposed for vacation is approximately 6,250 square feet, or 0.14 acres.

A substantial portion of this alley lies directly beneath the existing commercial building located at 802 Broadway Drive, as shown in the submitted site plan by the applicant. The alley has never been opened, improved, or maintained by the City, and it does not function as an access corridor for any adjacent parcel. Its location under an existing structure further indicates that the right-of-way has not been used for circulation for many years.

The requested alley closure is part of a larger property reconfiguration effort in which the applicant intends to adjust parcel boundaries through a major subdivision request to resolve

inconsistencies between the recorded plat and existing built conditions. Vacating the unused alley will allow the applicant to align legal property boundaries with the current development footprint.

No departments identified public infrastructure within the alley, and no future use of this right-of-way was noted by the engineering department. If any private utility lines are present, appropriate easements will need to be retained to ensure uninterrupted service.

All properties adjacent to the alley maintain adequate access from existing public streets, and closure of the unimproved alley will not create any landlocked parcels. Zoning classifications and boundaries follow the right of way or centerlines of streets, lot, and parcel boundaries. After closure, the vacated alley area will assume the zoning of the adjoining parcel it merges with, consistent with standard practice.

Applicant Summary: See Attached

Applicable Regulations:

SECTION 12.2 Categories of Development Approvals

Legislative Development Approvals – Street Closings

Present Use: Vacant Commercial Buildings

Surrounding Zoning and Land Use: The adjacent land to the alley being requested for vacation is a mixture of the following:

B-3 (BCO) Community Business (Broadway Corridor Overlay)

Please reference the zoning map attached to the image sheet

Letters or Concerns stated: As of finalizing this report, the Planning Division Office had received no calls or letters of concern.

Option: Recommend **Approval** or **Denial** of a request to close and vacate a portion of an unimproved alley located to the east of the DD McInnis 3rd Survey Subdivision and West of the Hicks Subdivision of the DD McInnis 3rd Survey Subdivision.

SUBJECT PARCEL

802 Broadway Drive — Alley Closure, Subdivision, and Conditional Use Requests

Alley Closure Request- Cornell Malone, Property Owner/Applicant, and Rick Sullivan, Agent, request a partial alley closure for an unimproved alley located to the east of the DD McInnis 3rd Survey Subdivision and West of the Hicks Subdivision of the DD McInnis 3rd Survey Subdivision.

Subdivision Request- Cornell Malone, Property Owner/Applicant, and Rick Sullivan, Agent, request a minor subdivision and to alter an existing subdivision in both the DD McInnis 3rd Survey Subdivision and the Hicks Subdivision of the DD McInnis 3rd Survey Subdivision for a B-3 (BCO) zoned property at 802 Broadway Drive (PPIN 17605, 17606, and 26875, Forrest County, Ward 4).

Conditional Use Request- Cornell Malone, Property Owner, Deante Brumfiled, Applicant, and Stephen Stetelman, Representative, request a conditional use approval for “Automotive rental and sales” for a B-3 (BCO) zoned property at 710 Broadway Drive (PPIN 17605, 17606, and 26875, Forrest County, Ward 4).



HPC Item: D, E, & F



Zoning Classes
- R-1A
- B-2
- B-3

- Proposed Alley Closure
- B-5-BCO
- B-3-BCO
- Subject Property

802 Broadway Drive
Subdivision Modification and Alley Closure
PPIN: 17605, 17606, 26875
Flood Zone AE, SX
Ward 4, Forrest County
Zoned B-3-BCO

0 500 Feet

N

URBAN DEVELOPMENT
PLANNING DIVISION

Center: 89°18'41"W 31°18'42"N

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This information CANNOT be used as a substitute for legal, business, tax or other professional advice.
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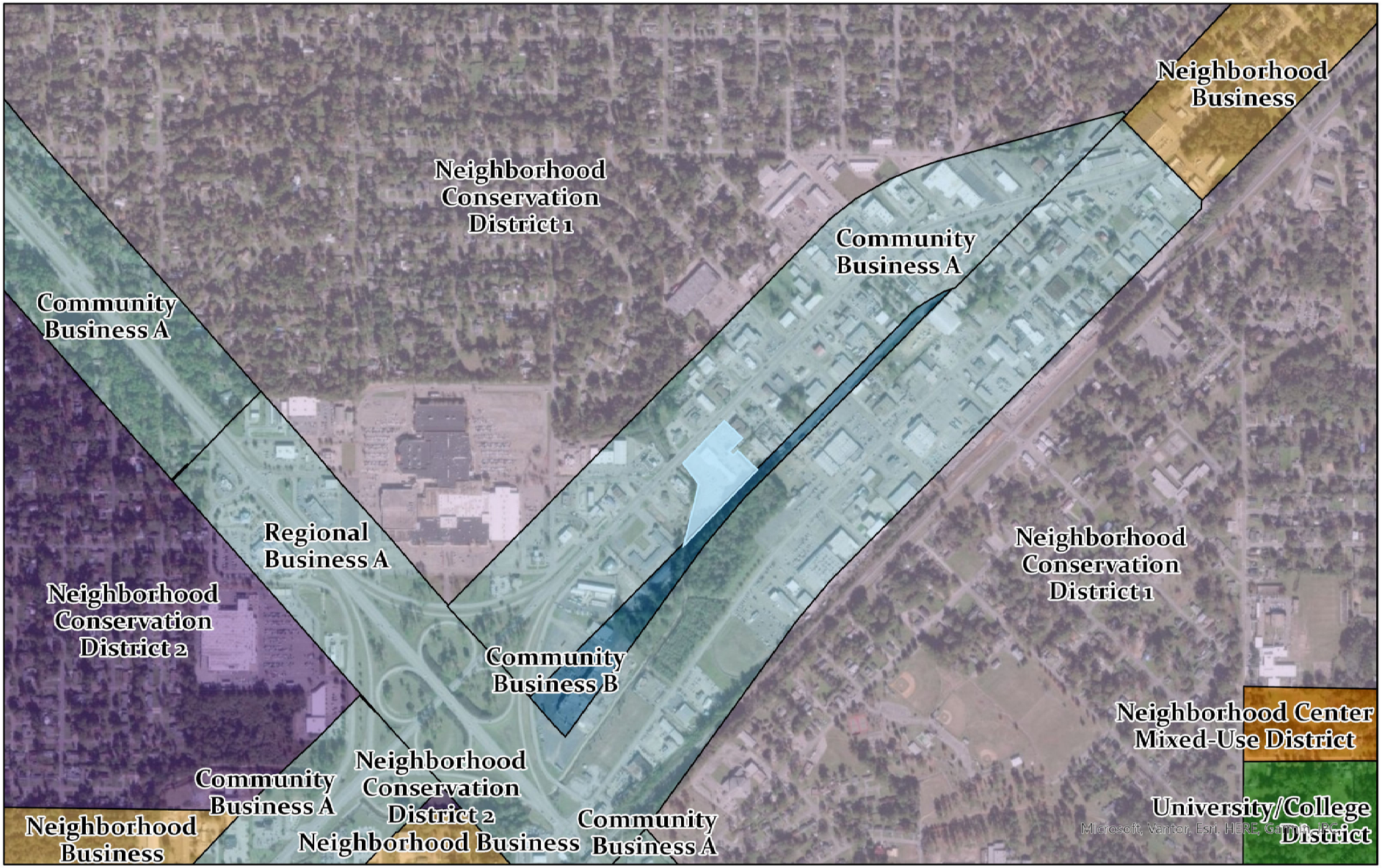
HPC Item: D, E, & F



Future Land Use Map

- Community Business A
- Community Business B
- Neighborhood Business
- Neighborhood Center Mixed-Use District
- Neighborhood Conservation District 1
- Neighborhood Conservation District 2
- Regional Business A
- University/College District
- Subject Property

802 Broadway Drive
Subdivision Modification and Alley Closure
PPIN: 17605, 17606, 26875
Flood Zone AE, SX
Ward 4, Forrest County
Zoned B-3-BCO

0 0.5 Miles

N

URBAN DEVELOPMENT
PLANNING DIVISION

Center: 89°18'41"W 31°18'44"N

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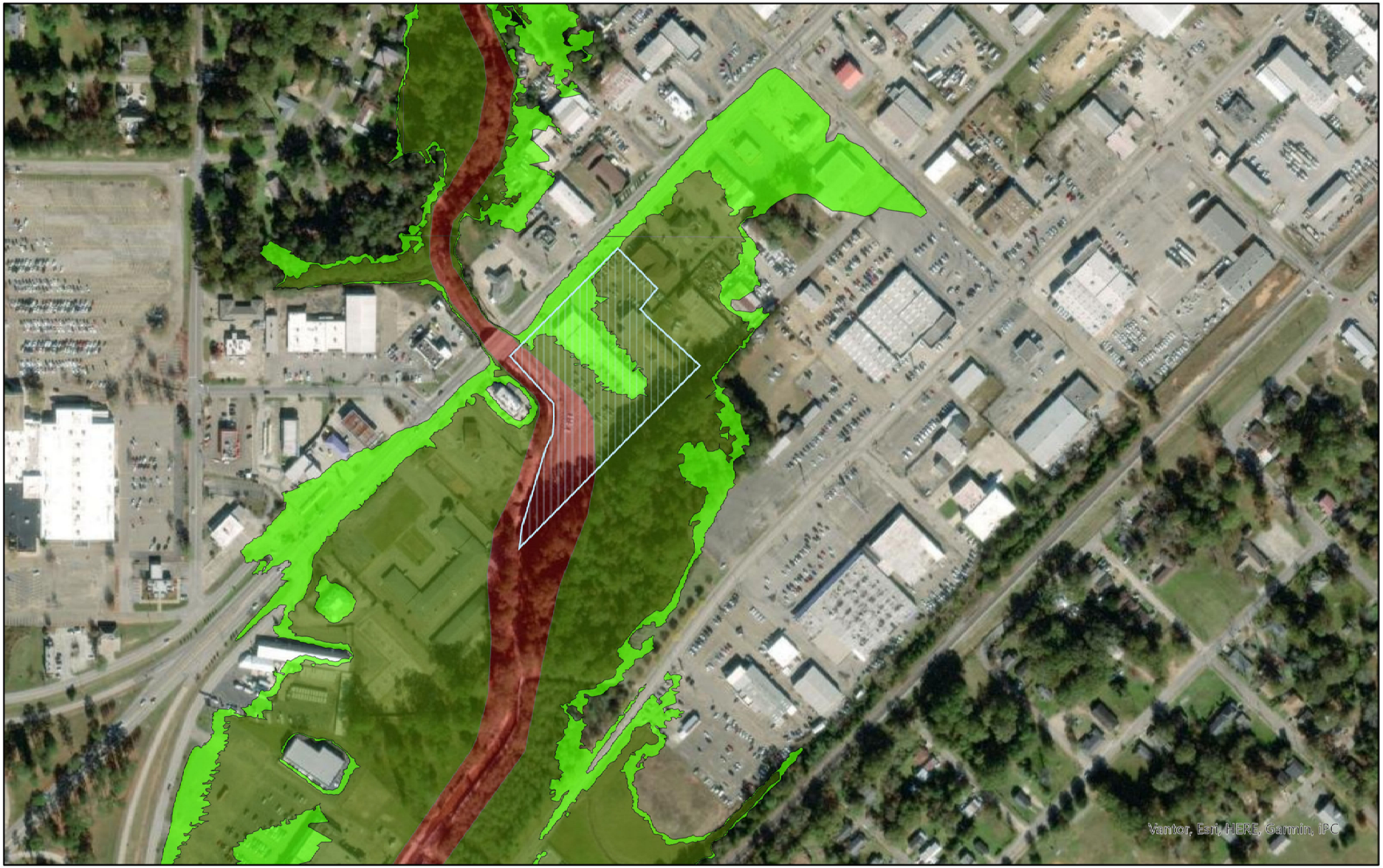
HPC Item: D, E, & F



Subject Property
FLOODWAY AREA IN ZONE AE
ZONE A (100 yr flood - no elevation)
ZONE AE (100 yr flood w / elevation)
ZONE SX (500 yr flood)

802 Broadway Drive
Subdivision Modification and Alley Closure
PPIN: 17605, 17606, 26875
Flood Zone AE, SX
Ward 4, Forrest County
Zoned B-3-BCO

0 0.2 Miles

N

URBAN DEVELOPMENT
PLANNING DIVISION

Center: 89°18'36"W 31°18'40"N

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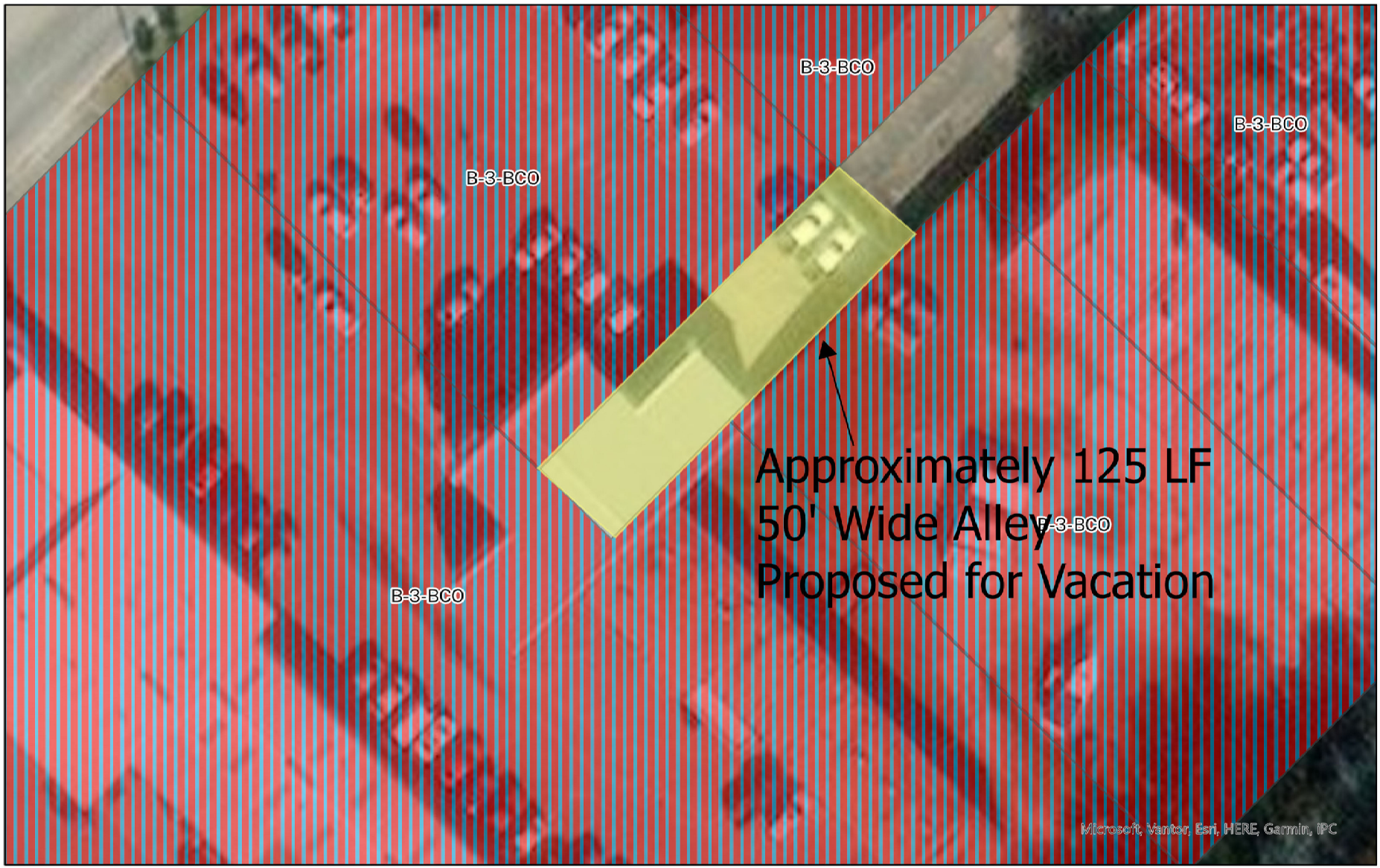
HPC Item: D, E, & F



Zoning Classes

B-3-BCO

Subject Property

Proposed Alley Closure

802 Broadway Drive
Subdivision Modification and Alley Closure
PPIN: 17605, 17606, 26875
Flood Zone AE, SX
Ward 4, Forrest County
Zoned B-3-BCO

0 125 Feet

N

URBAN DEVELOPMENT
PLANNING DIVISION

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Site Aerial



Surrounding Area



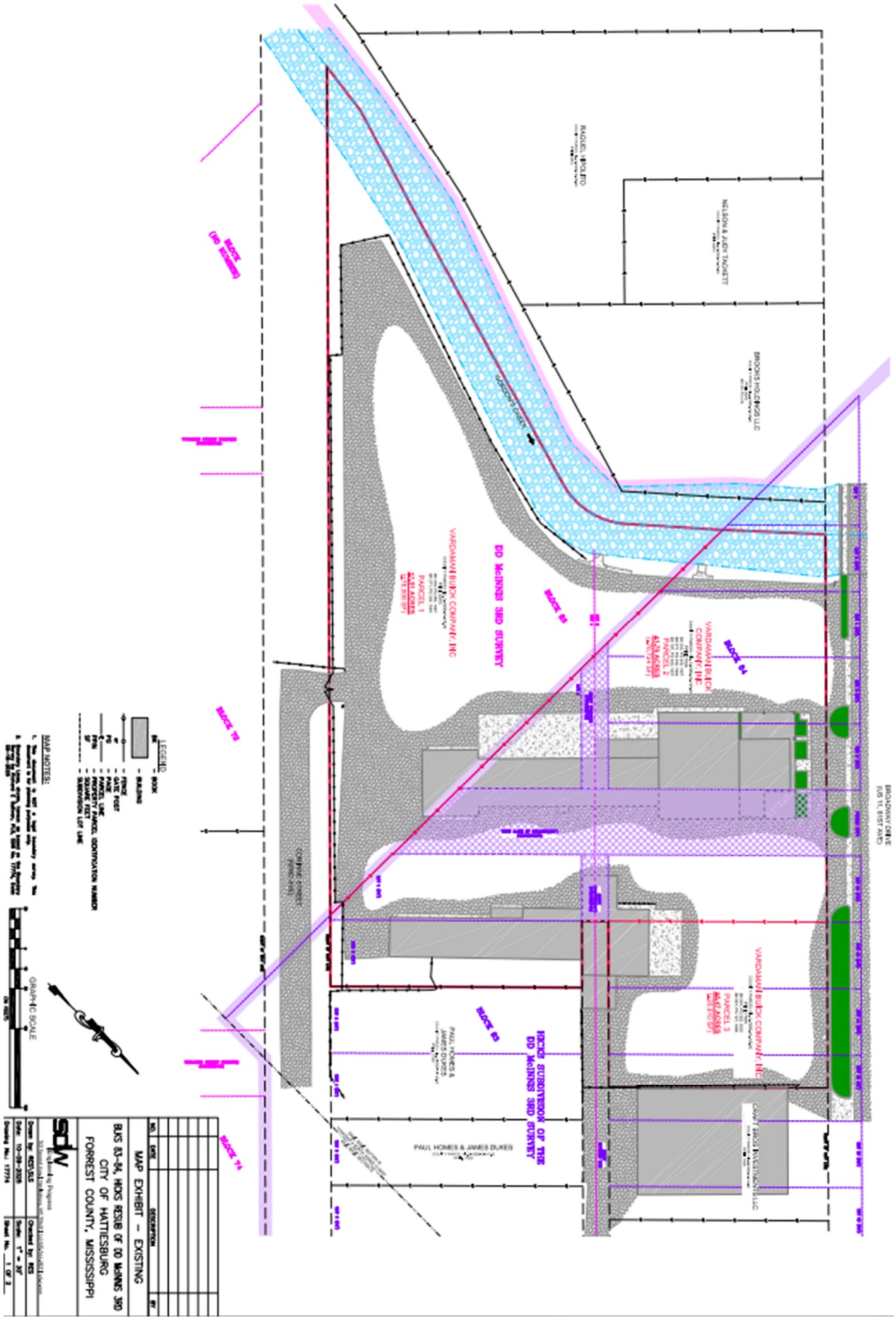


Surrounding Area

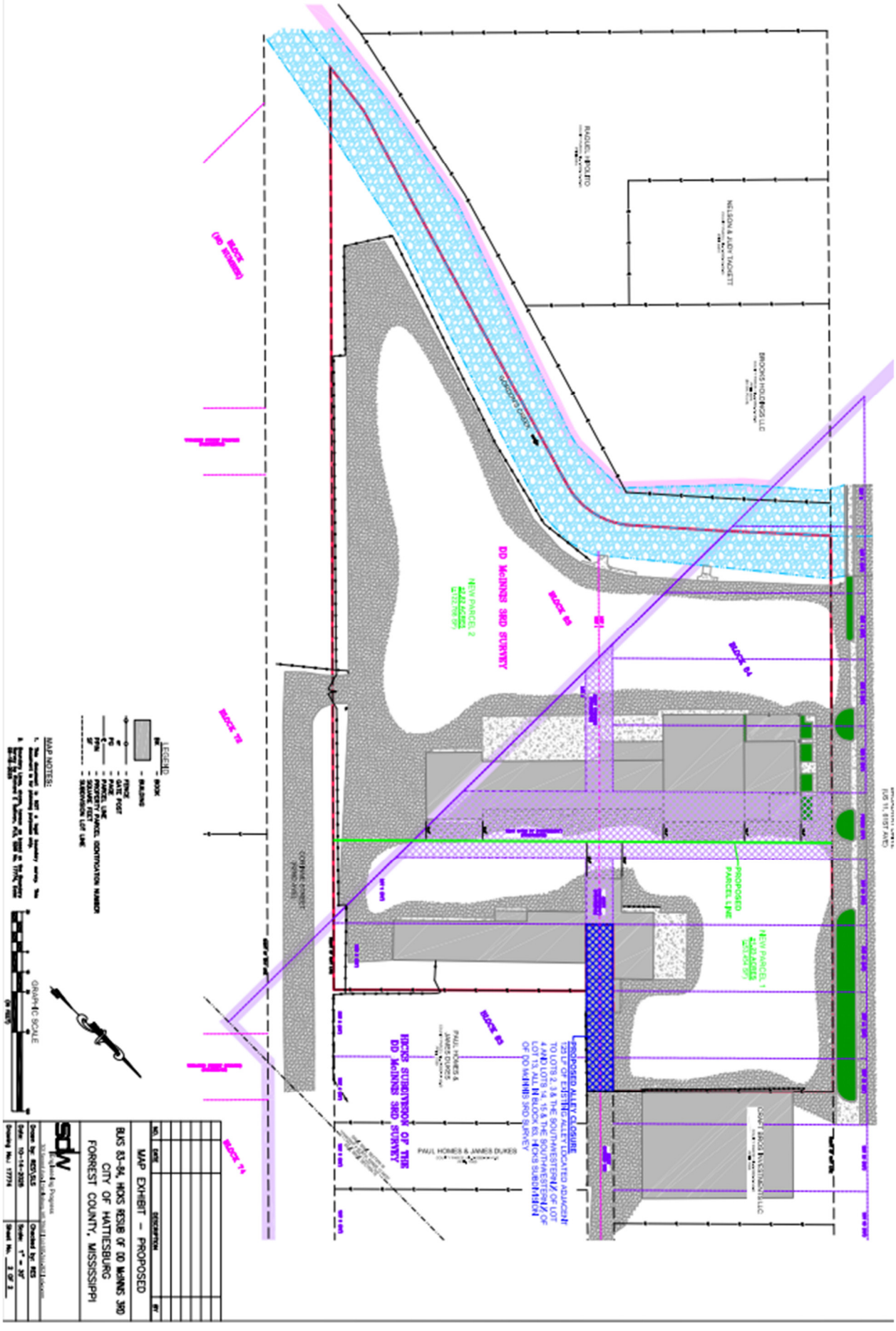




Existing Conditions



Proposed Subdivision and Alley Closure



Application for Public Hearing

City of Hattiesburg – Planning Division
PO BOX 1898 – Hattiesburg, MS 39403-1898 | Phone (601)- 545-4599

NOTE:

- **Fill this application out IN FULL with what applies to your application**
- Refer to the hattiesburgms.com/planning for Land Development Code and GIS map. Access via link or QR code

Applicant Information

Name Applicant: Cornell Malone **Project Name:** Vardaman Buick Honda Location

Municipal Address of Site: 802 Broadway Dr **PPIN #:** 17605, 17606, 26875

Parcel Number(s): 2-038D-16-145.00, 2-038D-16-139.00, 2-038D-16-135.00

Type of Public Hearing	Additional Information Needed:
☐ Variance (fill out pages 7 & 8)	☐ Sign ☐ Setback ☐ Off-Site Parking ☐ Lot Width ☐ Lot Coverage Area ☐ Buffer ☐ Open Space ☐ Other: _____
☐ Rezoning (fill out page 11)	Existing Zoning: _____ Proposed Zoning: _____
☐ Conditional Use (fill out pages 9 & 10)	☐ Automotive Filling Station ☐ Digital Billboard, New ☐ Digital Billboard, Replacement ☐ Telecommunications ☐ Restaurant ☐ Solar Farm ☐ Other: _____

Other Application types:

- ■ Subdividing of a lot, Parcel, or Tract (fill out page 12)
- ☐ Text Amendment
- ☐ Street or Alley Renaming (fill out pages 13 & 14)
- ☐ Overlay District
- ■ Vacating Street or Alley (fill out pages 13 & 14)
- ☐ Planned Mixed-Use District (PMU)

For Staff Only:			
Zoning:	**Historic District:**	**Flood Zone:**	**Ward:** ☐1 ☐2 ☐3 ☐4 ☐5
Project Number:		**Received:**	
PPIN # or Parcel #:			

Application for Public Hearing

City of Hattiesburg – Planning Division
PO BOX 1898 – Hattiesburg, MS 39403-1898 | Phone (601)- 545-4599

Public Hearing Petitioner Information:

Deadline for applicant to file petition: __27 Oct ___ _____
Hattiesburg Planning Commission Meeting Date: ___3 Dec _____
Hattiesburg Board of Adjustment Meeting Date: ___3 Dec _____
City Council Agenda Review Date – (you or your representative should attend): _____
City Council Meeting (Vote) Date – (you or your representative may attend): _____

- 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.
    - There is an additional 10-day appeal period, required by State Law, after the 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. *

Public Hearing Application Checklist

The following paperwork MUST be attached to this application:

X ☐ 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 standards may be accepted only per approval from staff)

☐ Site & Design Review Committee, if needed

X ☐ Copy of entire Warranty Deed (filed and recorded at the courthouse) with legal description granting title to the 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

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).

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

☐ Other documents needed (if relevant):

- ☐ 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 a public hearing application in the amount of $300

Application for Site Plan Review

City of Hattiesburg – Planning Division
PO BOX 1898 – Hattiesburg, MS 39403-1898 | Phone (601)- 545-4599

The following fees are an excerpt from Ordinance No. 2977, adopted January 22, 2008, as amended.

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

OTHER PROCESSES MAY HAVE ADDITIONAL FEES
Make all checks payable to the City of Hattiesburg

I hereby certify that I have completed and attached the above-required documents, information, and fees.

Print Name: Cornell Malone **Signature:** E. Cornell Malone

Updated Version 05/22/2025

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

802 Broadway Dr, Hattiesburg, MS

Street Address City State

on this the 24th day of October, 2025.

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.

Rick Sullivan (Shows Dearman Engineers)

on this the 24th day of October, 2025

E. Cornell Malone

Property Owner (Print)

E. Cornell Malone

Property Owner (Signature)

STATE OF MS

COUNTY OF Forrest

Personally came and appeared before me, the within named

E. Cornell Malone

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 24th day of October, 2025.

STATE OF MISSISSIPPI NOTARY PUBLIC ID # 188656 DENA C. BRYANT Commission Expires Jan. 29, 2028 FORREST COUNTY

NOTARY PUBLIC

My Commission Expires:

1/29/28

APPLICANT AFFIDAVIT PAGE

THIS PAGE MUST BE SIGNED IN FRONT OF A NOTARY, BY THE **APPLICANT(S)** OF THE 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

802 Broadway Dr, Hattiesburg, MS

Street Address City State

on this the 24th day of October, 2025.

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.

Rick Sullivan

on this the 24th day of October, 2025

E. Cornell Malone

Applicant (Print)

E. Cornell Malone

Applicant (Signature)

STATE OF MS

COUNTY OF Forrest

Personally came and appeared before me, the within named E. Cornell Malone,

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 24th day of October, 2025.

STATE OF MISSISSIPPI NOTARY PUBLIC ID # 188656 DENA C. BRYANT Commission Expires Jan. 29, 2028 FORREST COUNTY

NOTARY PUBLIC

My Commission Expires:

1/29/28

FOR SUBDIVIDING OF LOT, PARCEL OR TRACT

Property Data

- Parent Parcel / Existing lot/parcel/tract contains: 4.05 Ac Square Footage/Acres
- Lot Area Requirement: No Min
- Lot Frontage Requirement: 100 LF Min
- Existing use of lot/parcel/tract Commercial, Retail
- To be subdivided into 2 lots/parcels (including parent parcel) – outlined below.

Use extra copies of this form if needed for additional lots

Newly Subdivided Parcels	New lot size in square footage (SF) or acres (A)	New lot has public road frontage	New lot has private road frontage	Indicate name of public of private road(s)	**STAFF ONLY** Lot area & frontage requirements comply?
1.	2.82 Ac	■Yes ☐ No	☐Yes ☐ No	Broadway Dr & Corinne St	☐Yes ☐ No
2.		☐Yes ☐ No	☐Yes ☐ No		☐Yes ☐ No
3.		☐Yes ☐ No	☐Yes ☐ No		☐Yes ☐ No
4.		☐Yes ☐ No	☐Yes ☐ No		☐Yes ☐ No
5.		☐Yes ☐ No	☐Yes ☐ No		☐Yes ☐ No
6.		☐Yes ☐ No	☐Yes ☐ No		☐Yes ☐ No
7.		☐Yes ☐ No	☐Yes ☐ No		☐Yes ☐ No
8.		☐Yes ☐ No	☐Yes ☐ No		☐Yes ☐ No
9.		☐Yes ☐ No	☐Yes ☐ No		☐Yes ☐ No
10.		☐Yes ☐ No	☐Yes ☐ No		☐Yes ☐ No
11.		☐Yes ☐ No	☐Yes ☐ No		☐Yes ☐ No
12.		☐Yes ☐ No	☐Yes ☐ No		☐Yes ☐ No
Be sure to include information on the remainder of "existing" lot after splits made – identify as "Parent Parcel"					
Parent Parcel	1.23 Ac			Broadway Dr & Corinne St	
	4.05 Ac	**Total square footage of new lots (verify total matches existing parcel prior to splits)**			

Infrastructure required: (Check all that apply)

☐ Water/Sewer ☐ Gas ☐ Electric ☐ Telephone ☐ Cable ☐ Streets

FOR STREET/ALLEY RENAMING, CLOSING, OR VACATING

1. **Indicate the specific request(s):**

   ☐ Street ■ Alley ☐ Closing ☐ Vacating ☐ Naming ☐ Renaming

2. **Current name of street/alley to be named/renamed, vacated, or closed:**

   125 LF of Alley in Blk 83, Hicks Sub of DD McInnis 3rd, btwn Lots 2-4 & 13-15

3. **Proposed name of street/alley to be named/renamed (If Applicable):**

   n/a

4. **Describe the portion of the street/alley to be renamed, closed, or vacated (use all bounding or intersecting streets/alleys, from and to):**

   Hicks Sub of DD McInnis 3rd, btwn Lots 2, 3 & SW 1/2 of 4 & SW 1/2 of 13, 14,15
   West 64th St (Closed) & West 63rd St (Open - Alley is only accessible from this street)

5. **Tax Block(s) and Lot(s) involved in closing request:**

   2-038D-16-145.00, 2-038D-16-139.00; PPINs 17605, 17606, 26875

6. **Describe the existing land use of properties and the 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	3	3	0
Residences			0
Apartments			0
Churches/Schools			0
Other			0

Any Additional Information: Part of said Alley is already closed (adj to Lots 1 & 16), West 64th St is closed (adj to Blks 83 & 84). The existing Vardaman Honda Building is within & occupies the alley existing and is the reason for the proposed closure.

7. **Describe the effect the proposed change will have on existing development and the transportation system within the affected area:** No foresee changes. The current portion of the alley is occupied by building and parking, is fenced and is not accessable to the public for transportation & development needs.

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

   ☒ **Yes (If so, provide reference #s and dates:** PreApp 1025-1028, 2 Oct **)**

   ☐ **No**

9. **Acknowledgement of property owners affected by the street/alley renaming. Include all names and addresses. <u>Please attach these as additional page(s).</u>**

10. **Obtain from City's Engineering Department the legal description of the street/alley or portion thereof to be closed, vacated, named, or renamed (electronic copy required)**

STATE OF MISSISSIPPI
FORREST COUNTY
I Certify that this instrument was filed for record in my office at 3:45 o'clock, P M on the 21st day of Sept. 1967 and was recorded in Book 303 Page 456 Land Deed Record.
Given under my hand and seal at Hattiesburg, Miss., this 6 day of SEP 25 1967
Clyde W. Gaddling, Clerk
By _____ D.C.
RECORDED SEP 25 1967

WARRANTY DEED

STATE OF MISSISSIPPI)
)
COUNTY OF FORREST)

FOR AND 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 and confessed, the undersigned FARRIOR MOTOR COMPANY, INC., a Mississippi corporation, acting by and through its duly authorized officer, C. B. FARRIOR, JR., the Grantor herein, does hereby bargain, grant, sell, convey and warrant, subject to the exceptions, limitations and conditions hereinafter recited, unto VARDAMAN BUICK COMPANY, INC., a Mississippi corporation, Grantee herein, the remaining unexpired term of a Sixteenth Section leasehold interest for a period of ninety-nine years from May 6, 1952, and no longer, evidenced by Lease of Record in the office of the Chancery Clerk of Forrest County, Mississippi, in Supervisor's Minute Book 29, at Pages 55-56, and in Land Deed Book 122, at Pages 594-96, in, on, to and covering the following described lands, lying and being situated in Section 16, Township 4 North, Range 13 West, in the City of Hattiesburg, Forrest County, Mississippi, to-wit:

PARCEL NUMBER ONE

All that part of the unplatted portion of the Southwest Quarter of the Northwest Quarter (SW 1/4 of NW 1/4) of Section 16, Township 4 North, Range 13 West, Forrest County, Mississippi, lying and being East (E) of Gordon's Creek, South (S) of Blocks Eighty-three (83) and Eighty-four (84) of and according to the Hicks Subdivision of the D. D. McInnis Third Survey of or Addition to the City of Hattiesburg, Forrest County, Mississippi, as per the map or plat thereof on file

JP 135

WD. 303-456

in the office of the Chancery Clerk of Forrest County, Mississippi, and Northwest (NW) of the Northwest (NW) boundary line of 32nd Avenue in the City of Hattiesburg, Mississippi, as the same appears of record on the official map or plat of the D. D. McInnis Third Survey of or Addition to the City of Hattiesburg, Forrest County, Mississippi, on file in the office of the Chancery Clerk of Forrest County, Mississippi.

This instrument is executed and this conveyance of the above described land in Parcel Number One is made subject to, and the warranty hereof is expressly limited by:

1. All of the terms and provisions of the Sixteenth Section Lease hereinabove identified, specifically including, but without limitations, reservation of title to all oil, gas and other minerals and reservation of title to all merchantable timber, as therein set forth.

2. All statutory provisions of the State of Mississippi relating to, dealing with and affecting Sixteenth Section lands within the State of Mississippi, and the leasing and the use thereof.

3. All grants, easements, permits or rights of way over, across or relating to the hereinabove described land, appearing of record in the office of the Chancery Clerk of Forrest County, Mississippi, specifically including, but without limitation, Pole Line Permits in favor of the Mississippi Power Company, dated April 9, 1952, and April 7, 1952, and of record in the office of the Chancery Clerk of Forrest County, Mississippi, in Land Deed Book 123, at Page 419 and Page 428, respectively.

It is the intention of the Grantor, and it does, hereby convey all rights, title and interest it acquired in the above described leasehold interest by that certain Warranty Deed, dated December 3, 1964, and executed by J. Ed Turner to the Farrior Motor Company, Inc., and which appears of record in Land Deed Book 271, at Page 336, of the Land Deed Records on file in the office of the Chancery Clerk of Forrest County, Mississippi.

PARCEL NUMBER TWO

The unexpired Sixteenth Section leasehold interest for a term of ninety-nine (99) years, now owned by it, in and to and covering the following

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

All of Lots One (1) and Two (2) and part of Lot Sixteen (16) of Block 83, with included closed portions of Streets and Alleys, and also a part of Block 84 with adjacent Street (closed), all in Hicks Subdivision of D. D. McInnis Third Survey and more particularly described as follows:

Commence at the Southwest corner of the Northwest Quarter (NW 1/4) of Section Sixteen (16), Township Four (4) North, Range Thirteen (13) West, Forrest County, Mississippi, and run North for a distance of 460 feet, thence turn an angle of 90 degrees 14 minutes to the right and run East for a distance of 763.15 feet to a point on the easterly right-of-way line of U. S. Highway Number 11 (Broadway Drive), thence turn an angle of 45 degrees 29 minutes to the left and run northeasterly and along said highway right-of-way for a distance of 108.1 feet to the point of beginning, thence continue northeasterly and along said highway right-of-way for a distance of 318.7 feet to a point on the northeasterly boundary of above said Lot Sixteen (16) of said Block and Survey, thence run southeasterly and along said northeasterly boundary of said Lot Sixteen (16) and its extension southeasterly for a distance of 185 feet to a point on the southeasterly boundary of a twenty (20) foot alley, thence run northeasterly and along said southeasterly boundary of said alley for a distance of 50 feet to a point which is the most northerly corner of Lot Two (2) of above said Block and Survey, thence run southeasterly and along the northeasterly boundary of said Lot Two (2) for a distance of 190 feet to the northwesterly boundary of Corrine Street (32nd Avenue), thence run southwesterly and along said boundary of Corrine Street (32nd Avenue) for a distance of 107.8 feet to the South boundary of above said Block 84, thence run West and along said South boundary of Block 84 for a distance of 291 feet, thence run northwesterly for a distance of 168.15 feet to the point of beginning, together with all improvements thereon and appurtenances thereunto belonging.

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And this conveyance as it pertains to Parcel Number Two is subject to the following:

1. Each and all of those certain reservations, conditions and stipulations, including the reservations of all oil, gas and other minerals, contained,

recited and set forth in that particular Lease Contract from the Board of Supervisors of Forrest County, Mississippi, as Lessor, to First Federal Savings and Loan Association of Hattiesburg, Hattiesburg, Mississippi, as Lessee, dated May 3, 1947, and of record in the office of the Chancery Clerk of Forrest County, Mississippi, in Land Deed Record Book 96, at Page 135.

2. Each and all of those certain reservations, conditions, and stipulations, including the reservation of all oil, gas and other minerals, contained, recited and set forth in that particular Lease Contract from the Board of Supervisors of Forrest County, Mississippi, as Lessor, to Thomas St. John, as Lessee, dated December 1, 1947, and of record in the office of the Chancery Clerk of Forrest County, Mississippi, in Land Deed Record Book 100 at Page 91.

3. Easement for Gordons Creek.

It is the intention of the Grantor, and it does, hereby convey all rights, title and interest it acquired in the above described leasehold interest by that certain Warranty Deed, dated December 5, 1964, and executed by J. Ed Turner, Inc. to the Farrior Motor Company, Inc., a Mississippi corporation, and which appears of record in Land Deed Book 271, at Page 338, of the Land Deed Records on file in the office of the Chancery Clerk of Forrest County, Mississippi.

As an aid to the description of the above described Parcels One and Two, there is attached hereto and made a part of this Deed a Topographical Survey of R. L. Morrison, Consulting Engineer, Hattiesburg, Mississippi, dated November 6, 1964, and revised March 22, 1966, to show internal Lot Lines, Block Lines, etc.

It is understood and agreed by and between the parties that all taxes on said properties have been or are to be paid through the tax year of 1966 by the Grantor herein, and that all taxes against said properties for the taxes for the year 1967 shall be pro-rated between the parties as of September 15, 1967, with the Grantor herein paying said taxes on a

pro-rated basis from January 1, 1967, to September 15, 1967, and the Grantee herein assuming all taxes for the year 1967 from September 15, 1967, to December 31, 1967, and all subsequent years.

WITNESS THE SIGNATURE AND SEAL of FARRIOR MOTOR COMPANY, INC., the Grantor, by and through its duly authorized officers after being duly authorized to sign, seal and execute the same on this, the 18th day of September, 1967.

FARRIOR MOTOR COMPANY, INC.,
A MISSISSIPPI CORPORATION

BY: _____
President

ATTEST:

_____
Secretary

STATE OF MISSISSIPPI)
)
COUNTY OF FORREST)

This day personally came and appeared before me, the undersigned authority in and for the said County and State, the within named, C. B. FARRIOR, JR. and C. B. FARRIOR, SR., who acknowledged that as President and Secretary, respectively, on behalf of and by authority of FARRIOR MOTOR COMPANY, INC., a Mississippi corporation, they signed, sealed and delivered the above and foregoing instrument on the

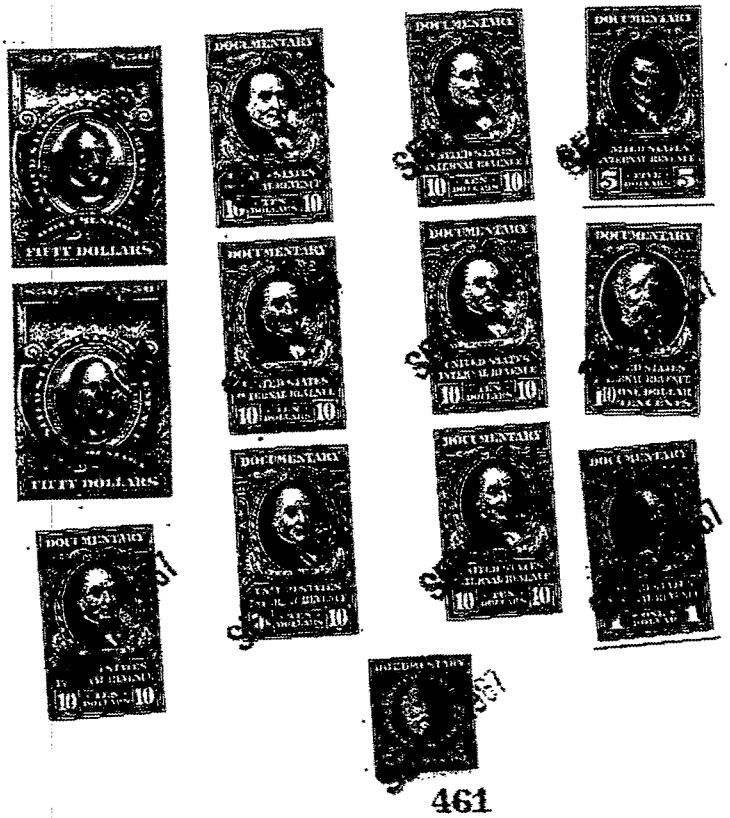
date therein mentioned as the voluntary act and deed of said corporation.

GIVEN under my hand and official seal of office on this the 20th day of September, 1967.

NOTARY PUBLIC

My Commission Expires:

April 12, 1971



RICHLAND TITLE, INC.
132 WESTOVER DRIVE
HATTIESBURG, MS 39402

STATE OF MISSISSIPPI

COUNTY OF FORREST

76361

2002 AUG -8 A 9:14

FILE NO. AS SHOWN
TO ESS MY HAND AND SEAL

CLERK

CONVEYANCE OF LEASEHOLD INTEREST AND ASSIGNMENT OF LEASE

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 is hereby acknowledged, the undersigned **CDB, INC., a Mississippi corporation,** does hereby grant, bargain, sell, convey and assign unto **VARDAMAN BUICK COMPANY, INC., a Mississippi corporation,** all of its leasehold right, title and interest in and to the remainder or unexpired portion of that certain ninety-nine (99) year Sixteenth Section land lease by the Forrest County Board of Education dated June 10, 1947 and recorded in Land Deed Book 443 at Page 62 in the office of the Chancery Clerk of Forrest County, Mississippi, covering the following described real property, lying and being situate in Forrest County, Mississippi, described as follows, to-wit:

> The SW ½ of Lot 13, and all of Lots 14 and 15, in Block 83 of the Hicks Subdivision of the D.D. McInnis Third Survey or Addition to the City of Hattiesburg, Forrest County, Mississippi, being a part of Section 16, Township 4 North, Range 13 West, Forrest County, Mississippi; together with all improvements thereon and appurtenances thereunto belonging.

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This conveyance is subject to prior reservation and conveyances of oil, gas and other minerals lying on or under said property.

Taxes of the 2002 tax year are to be prorated as of the date of this instrument.

This conveyance is subject to any and all easements or rights of way for public roads and public utilities as presently laid out, constructed or in use.

Title and this conveyance is subject to that certain drainage release to the City of Hattiesburg, dated October 6, 1977 and recorded in Land Deed Book 443 at Page 467 in the office of the Chancery Clerk of Forrest County, Mississippi.

WITNESS THE SIGNATURE of said corporation by its officer, after being duly authorized by said corporation so to sign, execute and deliver the same, on this, the 7th day of August, A.D., 2002.

CDB, INC., a Mississippi corporation

BY: _____
C. DAVID CHUNN, President

STATE OF MISSISSIPPI

COUNTY OF LAMAR

Personally appeared before me, the undersigned authority in and for the said county and state, on this 7th day of August, 2002, within my jurisdiction, the within named **C. David Chunn**, who acknowledged that he is **President of CDB, Inc., a Mississippi corporation**, and that for and on behalf of the said corporation, and as its act and deed he executed the above and foregoing instrument, after first having been duly authorized by said corporation so to do.

RAY J. RICHARD NOTARY PUBLIC LAMAR COUNTY, MISS.

Notary Public State of Mississippi
At Large
My Commission Expires
September 11, 2006
BONDED THRU
HEIDEN, BROOKS & GARLAND, INC.

_____
NOTARY PUBLIC

GRANTORS' ADDRESS:

P. O. Box 17619
Hattiesburg, MS 39404
Home Phone: 296-0121
Bus. Phone: _____

GRANTEES' ADDRESS:

P.O. Box 1996
Hattiesburg, MS 39403-1996
Home Phone: _____
Bus. Phone: 601-582-8261

THIS INSTRUMENT PREPARED BY:
Richland Title, Inc.
132 Westover Drive
Hattiesburg, MS 39402
(601) 264-2257

Indexing Instructions

Pursuant to Section 89-5-33 of the Mississippi Code, the following indexing instructions apply:

TO THE CHANCERY CLERK OF FORREST COUNTY, MISSISSIPPI:
The property described in this instrument is situated in Lots 13, 14, & 15, Block 83, Hicks Subdivision of D.D. McInnis Third Survey, Hattiesburg, Forrest County, Mississippi. Please index accordingly in your sectional index.

STATE OF MISSISSIPPI
FORREST COUNTY

I Certify that this instrument was filed for record in my office at 4 o'clock, P M on the 7 day of Dec 1964 and was recorded in Book 271 Page 338 Land Deed Record.

Given under my hand and seal at Hattiesburg, Miss., this 10 day of Dec 1964

Clyde M. Battenburg, Clerk
By _____, D. C.

STATE OF MISSISSIPPI
COUNTY OF FORREST

WARRANTY DEED

FOR AND IN CONSIDERATION of the sum of TEN DOLLARS ($10.00), cash in hand paid, and other good and valuable considerations, the receipt of all of which is hereby acknowledged, the undersigned, J. ED TURNER, INC., a Mississippi corporation, does hereby assign, grant, bargain, sell, convey and warrant unto FARRIOR MOTOR COMPANY, INC., a Mississippi corporation, subject to the exceptions, conditions and stipulations hereinafter recited, the unexpired Sixteenth Section leasehold interest for a term of ninety-nine (99) years, now owned by it, in and to and covering the folbwing described real property, lying and being situate in the City of Hattiesburg, County of Forrest, State of Mississippi, and more particularly described as follows, to-wit:

All of Lots One (1) and Two (2) and part of Lot Sixteen (16) of Block 83, with included closed portions of Streets and Alleys, and also a part of Block 84 with adjacent Street (closed), all in Hicks Subdivision of D. D. McInnis Third Survey and more particularly described as follows:

Commence at the southwest corner of the Northwest Quarter (NW¼) of Section Sixteen (16), Township Four (4) North, Range Thirteen (13) West, Forrest County, Mississippi, and run North for a distance of 460 feet, thence turn an angle of 90 degrees 14 minutes to the right and run East for a distance of 763.15 feet to a point on the easterly right-of-way line of U. S. Highway Number 11 (Broadway Drive), thence turn an angle of 45 degrees 29 minutes to the left and run northeasterly and along said highway right-of-way for a distance of 108.1 feet to the point of beginning, thence continue northeasterly and along said highway right-of-way for a distance of 318.7 feet to a point on the northeasterly boundary of above said Lot Sixteen (16) of said Block and Survey, thence run southeasterly and along said northeasterly boundary of said Lot Sixteen (16) and its extension southeasterly for a distance of 185 feet to a point on the southeasterly boundary of a twenty (20) foot alley, thence run northeasterly and along said southeasterly boundary of said alley for a distance of 50 feet to a point which is the most northerly corner of Lot Two (2) of above said Block and Survey, thence run southeasterly and along the northeasterly boundary of said Lot Two (2) for a distance of

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WD 271-338

190 feet to the northwesterly boundary of Corrine Street (32nd Avenue), thence run southwesterly and along said boundary of Corrine Street (32nd Avenue) for a distance of 107.8 feet to the South boundary of above said Block 84, thence run West and alongsaid South boundary of Block 84 for a distance of 291 feet, thence run northwesterly for a distance of 168.15 feet to the point of beginning, together with all improvements thereon and appurtenances thereunto belonging.

The above warranty and this conveyance is subject to the following:

(a) Each and all of those certain reservations, conditions and stipulations, including the reservations of all oil, gas and other minerals, contained, recited and set forth in that particular Lease Contract from the Board of Supervisors of Forrest County, Mississippi, as Lessor, to First Federal Savings and Loan Association of Hattiesburg, Hattiesburg, Mississippi, as Lessee, dated May 3, 1947, and of record in the office of the Chancery Clerk of Forrest County, Mississippi, in Land Deed Record Book 96, at Page 135.

(b) Each and all of those certain reservations, conditions, and stipulations, including the reservation of all oil, gas and other minerals, contained, recited and set forth in that particular Lease Contract from the Board of Supervisors of Forrest County, Mississippi, as Lessor, to Thomas St. John, as Lessee, dated December 1, 1947, and of record in the office of the Chancery Clerk of Forrest County, Mississippi, in Land Deed Record Book 100, at Page 91.

The above warranty and this conveyance is subject to easement for Gordons Creek.

The taxes for the year 1964 are to be pro-rated, with the grantor herein paying eleven-twelfths (11/12ths) thereof and the grantee herein paying one-twelfth (1/12th) thereof.

WITNESS THE SEAL AND SIGNATURE of said corporation by its officers after being duly authorized to so sign, seal and execute the same, this, the 11th day of December, A. D., 1964.

J. ED TURNER, INC.,
A MISSISSIPPI CORPORATION

BY: _____
President

ATTEST:

_____
Secretary

STATE OF MISSISSIPPI
FORREST COUNTY
I Certify that this instrument was filed for record in my office at 4 o'clock, P M on the 7 day of Dec 1968 and was recorded in Book 271 Page 336 Land Deed Record.
Given under my hand and seal at Hattiesburg, Miss., this 10 day of Dec 1964
Clyde W Castleberry, Clerk
By _____ D. D.

WARRANTY DEED

STATE OF MISSISSIPPI

COUNTY OF FORREST

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 all of which is hereby irrevocably acknowledged and confessed, the undersigned J. ED TURNER, Grantor herein, does hereby grant, bargain, sell, convey and warrant, subject to the exceptions, limitations and conditions hereinafter recited, unto FARRIOR MOTOR COMPANY, INC., a Mississippi Corporation, Grantee herein, the remaining unexpired term of a Sixteenth Section leasehold interest for a period of ninety-nine years from May 6, 1952, and no longer, evidenced by Lease of Record in the office of the Chancery Clerk of Forrest County, Mississippi in Supervisor's Minute Book 29 at Pages 55-56 and in Land Deed Book 122 at Pages 594-96, in, on, to and covering the following described land lying, being and situate in Section 16, Township 4 North, Range 13 West, in the City of Hattiesburg, Forrest County, Mississippi, to-wit:

> All that part of the unplatted portion of the Southwest Quarter of the Northwest Quarter (SW¼ of NW¼) of Section 16, Township 4 North, Range 13 West, Forrest County, Mississippi, lying and being East (E) of Gordon's Creek, South (S) of Blocks Eighty-three (83) and Eighty-four (84) of and according to the Hicks Subdivision of the D. D. McInnis Third Survey of or Addition to the City of Hattiesburg, Forrest County, Mississippi as per the map or plat thereof on file in the office of the Chancery Clerk of Forrest County, Mississippi, and Northwest (NW) of the Northwest (NW) boundary line of 32nd Avenue in the City of Hattiesburg, Mississippi as the same appears of record on the official map or plat of the D. D. McInnis Third Survey of or Addition to the City of Hattiesburg, Forrest County, Mississippi, on file in the office of the Chancery Clerk of Forrest County, Mississippi.

This instrument is executed and this conveyance made subject to, and the warranty hereof is expressly limited by, the following:

1. All of the terms and provisions of the Sixteenth Section Lease hereinabove identified, specifically including, but without limitations, reservation of title to all oil, gas and other minerals and reservation of title to all merchantable timber, all as therein set forth.

TP 135

WD 271-336

2. All statutory provisions of the State of Mississippi relating to, dealing with and affecting Sixteenth Section lands within the State of Mississippi, and the leasing and use thereof.

3. All grants, easements, permits or rights of way over, across or relating to the hereinabove described land, appearing of record in the office of the Chancery Clerk of Forrest County, Mississippi, specifically including, but without limitation, Pole Line Permits in favor of the Mississippi Power Company, dated April 9, 1952 and April 7, 1952 and of record in the office of the Chancery Clerk of Forrest County, Mississippi in Land Deed Book 123 at Page 419 and Page 428, respectively.

It is understood and agreed by and between the parties hereto that all ad valorem taxes assessed and levied upon and against the hereinabove described land and the leasehold interest hereby conveyed for the year 1964, as well as all such taxes for subsequent years, are assumed by the Grantee herein.

The Grantor herein hereby expressly represents and warrants that the hereinabove described land does not now constitute, and has never constituted, any part of his homestead and that the same does lie adjacent and contiguous thereto.

WITNESS THE SIGNATURE of the undersigned Grantor herein hereunto affixed on this the 3rd day of ~~November~~ December, A.D., 1964.

J. ED TURNER



STATE OF MISSISSIPPI

COUNTY OF FORREST

This day personally came and appeared before me, the undersigned authority in and for said County and State, the above and within named J. ED TURNER, personally known to me, who acknowledged that he signed, executed and delivered the above and foregoing instrument on the day and year therein mentioned for the purposes therein set forth as his free and voluntary act and deed.

Given under my hand and seal of office on this the 4th day of ~~November~~ December, A. D., 1964.

NOTARY PUBLIC

My Commission Expires:

June 1, 1968.



Thomas St. John

TO

J. Ed Turner

CERTIFICATE OF FILING AND RECORDING

Filed for record 10:30 o'clock AM.

3 day of June A. D. 1957

Recorded 6 day of June 1957

CLYDE W. EASTERLING, Chancery Clerk

STATE OF MISSISSIPPI

COUNTY OF FORREST

WARRANTY DEED

FOR AND IN CONSIDERATION of the sum of TEN DOLLARS ($10.00), cash in hand paid, and other good and valuable considerations, the receipt of all of which is hereby acknowledged, I, THOMAS ST. JOHN, do hereby assign, grant, bargain, sell, convey and warrant, subject to the exceptions, reservations, conditions and stipulations hereinafter recited, unto J. ED TURNER, the unexpired Sixteenth Section Leasehold Interests for a term of ninety-nine years, and no longer, now owned and held by me in, on and to and covering the following described land lying, being and situate in the City of Hattiesburg, County of Forrest, State of Mississippi, and more particularly described as follows, to-wit:-

PARCEL NUMBER ONE: Lots Seven (7) and Eight (8), Block 92 of the HICKS SUBDIVISION of the D. D. McInnis Third Survey of the City of Hattiesburg, County of Forrest, State of Mississippi, as per the map or plat thereof on file in the office of the Chancery Clerk of Forrest County, Mississippi, all of said land being in and forming a part of Section 16, Township 4 North, Range 13 West in the County of Forrest, State of Mississippi, same being leasehold property for 99 years from the 6th day of March, 1951; subject to each and all of those certain reservations, conditions and stipulations, including the reservations of all of the oil, gas and other minerals contained, recited and set forth in that particular Lease Contract from the Board of Supervisors of Forrest County, Mississippi, as Lessor, dated March 6, 1951, and of record in the office of the Chancery Clerk of Forrest County, Mississippi, in Land Deed Record Book 152, Pages 616-17, together with all improvements thereon and appurtenances thereunto belonging; AND ALSO

PARCEL NUMBER TWO: Lots One (1), Two (2) and Sixteen (16), LESS AND EXCEPT that part heretofore sold to Mississippi Highway Commission for highway purposes, all in Block 83 of HICKS SUBDIVISION of the D. D. McInnis Third Survey, as per the map or plat thereof on file in the office of the Chancery Clerk of Forrest County, Mississippi; all of said

WD 187-440

land being in and forming a part of Section 16, Township 4 North, Range 13 West in the County of Forrest, State of Mississippi, same being leasehold property for 99 years from the 3rd day of May, 1947; subject to each and all of those certain reservations, conditions and stipulations, including the reservation of all of the oil, gas and other minerals contained, recited and set forth in that particular Lease Contract from the Board of Supervisors of Forrest County, Mississippi, as Lessor, dated May 3, 1947, and of record in the office of the Chancery Clerk of Forrest County, Mississippi, in Land Deed Book 96, Pages 135-36, together with all improvements thereon and appurtenances thereunto belonging; AND ALSO

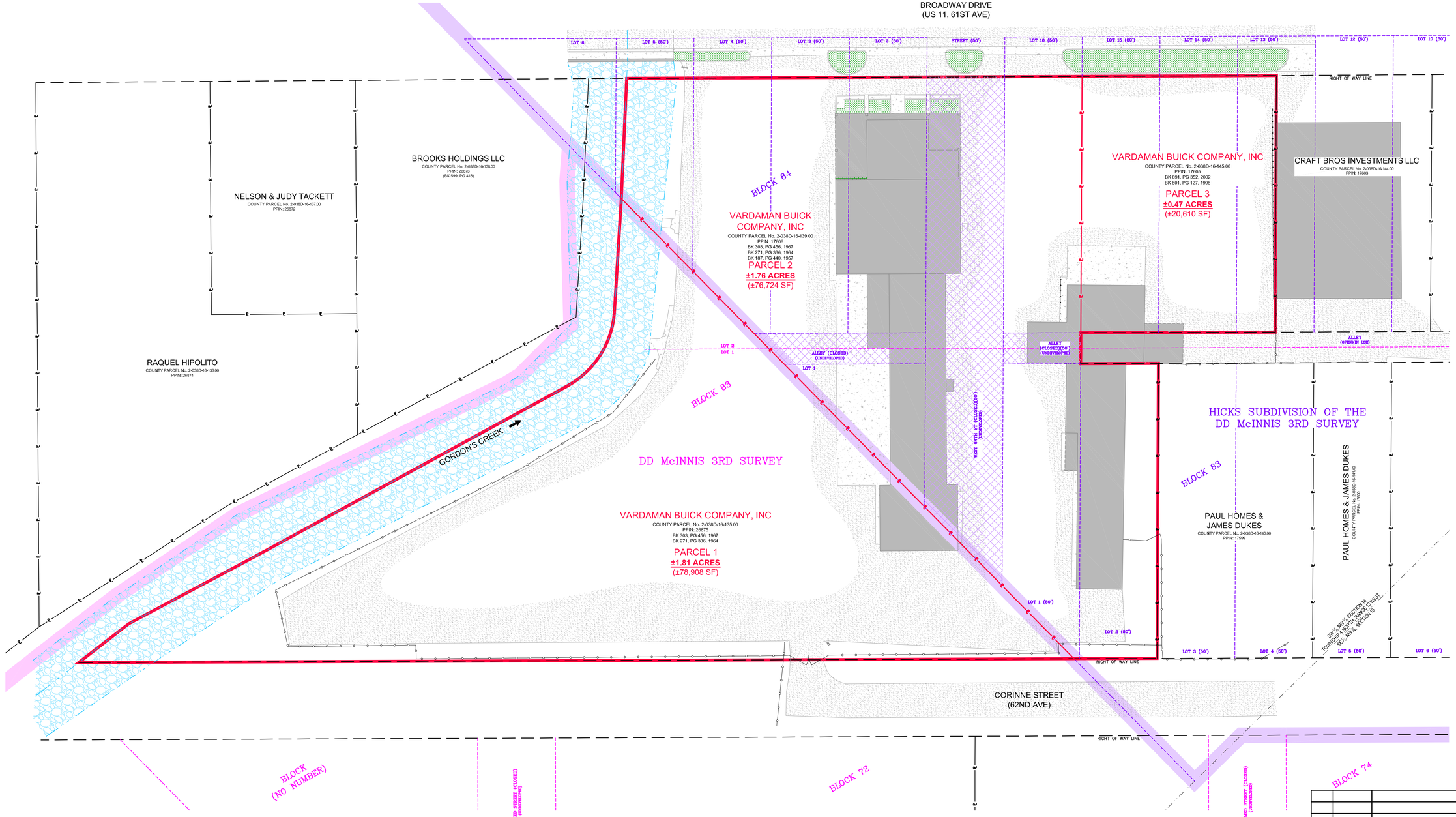
PARCEL NUMBER THREE: All of Block 84 of HICKS SUBDIVISION of the D. D. McInnis Third Survey of the City of Hattiesburg, County of Forrest, State of Mississippi, as per the map or plat thereof on file in the office of the Chancery Clerk of Forrest County, Mississippi, all of said land being in and forming a part of Section 16, Township 4 North, Range 13 West in the County of Forrest, State of Mississippi, same being leasehold property for 99 years from the 1st day of December, 1947; subject to each and all of those certain reservations, conditions and stipulations, including the reservation of all of the oil, gas and other minerals contained, recited and set forth in that particular Lease Contract from the Board of Supervisors of Forrest County, Mississippi, as Lessor, dated December 1, 1947, and of record in the office of the Chancery Clerk of Forrest County, Mississippi, in Land Deed Book 100, Pages 91-92; together with all improvements thereon and appurtenances thereunto belonging; AND ALSO

All that part of West 64th Street extending from the Southeasterly margin of U. S. Highway Number 11, generally known as Broadway Drive, in a Southeasterly direction between Blocks 83 and 84 of the Hicks Subdivision of the D. D. McInnis Third Survey to a dead end abutting unplotted land in the Southwest Quarter of the Northwest Quarter of Section 16, Township 4 North, Range 13 West; and that part of a certain alley extending from the Southwest margin of West 64th Street in a Southwesterly direction to the unplotted land in Section 16, Township 4 North, Range 13 West, as shown by Ordinance 1257 of record in Land Deed Record Book 159 at Pages 126-28.

The above described property is not now, nor has it ever been a part of the homestead of the grantor.

WITNESS MY SIGNATURE on this, the 31st day of May, A. D., 1957.

Thomas St. John



LEGEND

BK	– BOOK
	– BUILDING
	– FENCE
GT	– GATE POST
PG	– PAGE
℄	– PARCEL LINE
PPIN	– PROPERTY PARCEL IDENTIFICATION NUMBER
SF	– SQUARE FEET
	– SUBDIVISION LOT LINE

MAP NOTES:

1. This document is NOT a legal boundary survey. This document is for planning purposes only.
2. Boundary Lines, shown, hereon as based on the Boundary Survey by Richard E Sullivan, PLS, SDW No. 17774, Date: 09-16-2025

NORTH

GRAPHIC SCALE

30 0 15 30 60 120

(IN FEET)

NO.	DATE	DESCRIPTION	BY

MAP EXHIBIT – EXISTING

BLKS 83-84, HICKS RESUB OF DD McINNIS 3RD
CITY OF HATTIESBURG
FORREST COUNTY, MISSISSIPPI

sdw Engineering Progress
301 Second Ave. | Hattiesburg, MS 39401 | (p) 601.544.1821 | sd-w.com

Drawn by: RES\SLS	Checked by: RES
Date: 10-09-2025	Scale: 1" = 30'
Drawing No.: 17774	Sheet No. 1 OF 2

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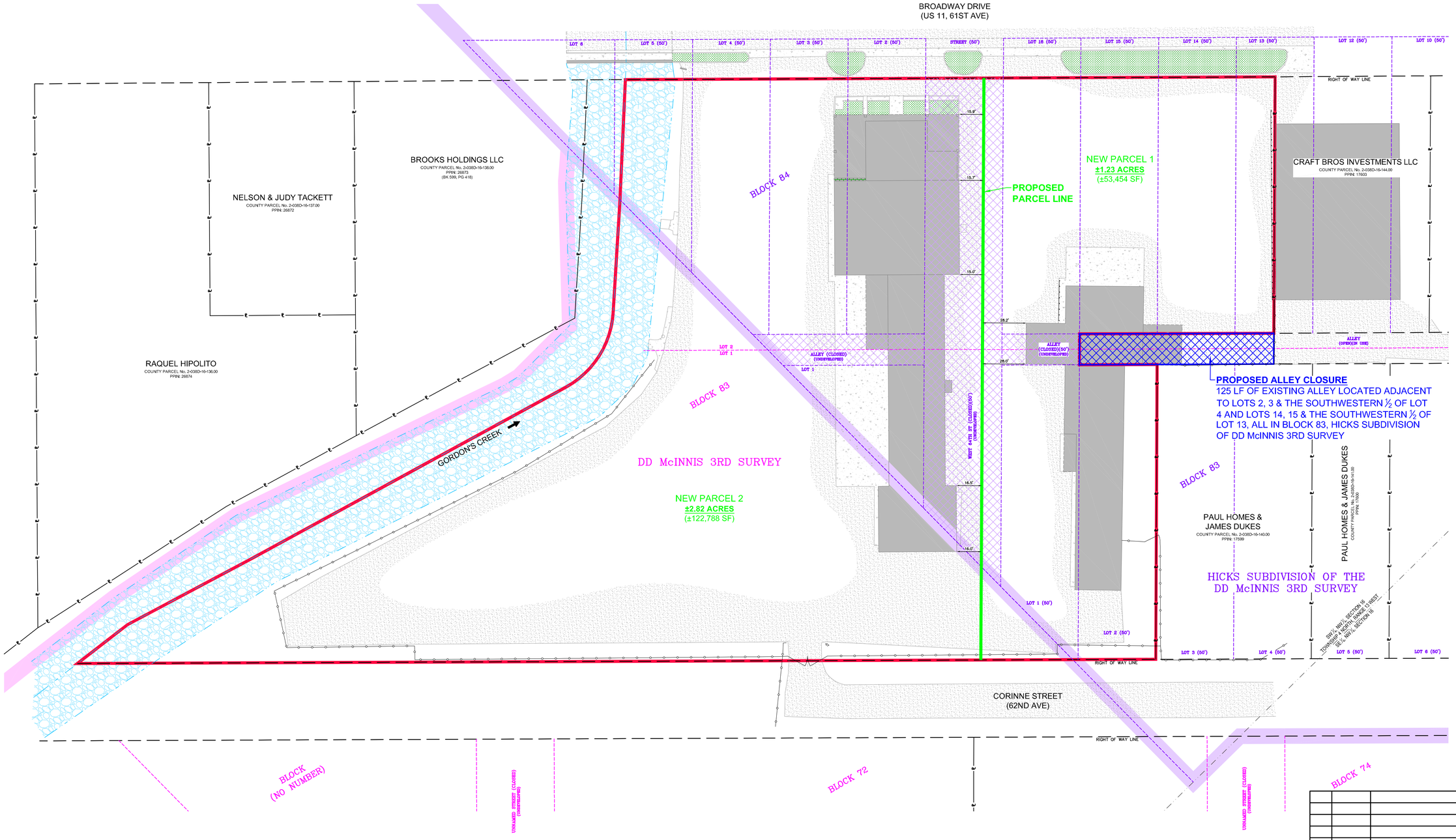

LEGEND

BK	– BOOK
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GRAPHIC SCALE

30 0 15 30 60 120

(IN FEET)

NO.	DATE	DESCRIPTION	BY

MAP EXHIBIT – PROPOSED

BLKS 83-84, HICKS RESUB OF DD McINNIS 3RD
CITY OF HATTIESBURG
FORREST COUNTY, MISSISSIPPI

sdw Engineering Progress
301 Second Ave. | Hattiesburg, MS 39401 | (p) 601.544.1821 | sd-w.com

Drawn by: RES\SLS	Checked by: RES
Date: 10-14-2025	Scale: 1" = 30'
Drawing No.: 17774	Sheet No. 2 OF 2

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NAME OF RECORDED SUBDIVISION TO BE ALTERED:

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

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

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

I have also submitted the following with this application:

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

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

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

Signature E. Conell Malone **Date** 10-29-2025

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

Name of Subdivision being altered: Hicks Subdivision of DD McInnis 3rd Survey & DD McInnis 3rd Survey

Address and PPIN of alteration in subdivision: 17605, 17606, 26875; 802 Broadway Dr, Hattiesburg MS

	Name	Address	Phone Number	Approve of Proposed Alteration (Yes or No)	Signature
1	Paul H Holmes	707 Broadway Dr, Hattiesburg (17599)			Paul H Holmes
2	James K Dukes	707 Broadway Dr, Hattiesburg (17599)			
3	Craft Bros Investments, LLC	706 Broadway Dr, Hattiesburg (17603)			
4	Brad Craft				
5					
6					
7					
8					
9					
10					
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16					
17					
18					
19					

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

802 Broadway Dr, Hattiesburg, MS

Street Address City State

on this the 27th day of October, 2025.

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 27th day of October, 2025. Vardaman Buick Company, Inc now know as Pine Belt Imports, Inc.

Janet Price, Secretary

Property Owner (Print)

Janet Price

Property Owner (Signature)

STATE OF Mississippi

COUNTY OF Covington

Personally came and appeared before me, the within named Janet Price, Secretary of Pine Belt Imports, Inc.,

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 27th day of October, 2025.

Shaylie B Dye

NOTARY PUBLIC

STATE OF MISSISSIPPI
SHAYLIE B DYE
NOTARY PUBLIC
Covington County
Commission Expires
July 13, 2026
COMMISSION NUMBER 325400

My Commission Expires:

7-13-26

December 2025 HPC Item: E
Cornell Malone, Property Owner/Applicant, and Rick Sullivan, Agent
Request for: **Major Subdivision**

URBAN DEVELOPMENT
PLANNING DIVISION

Planning Commission
Case Fact Sheet

Names of Petitioner: Cornell Malone, Property Owner/Applicant, and Rick Sullivan, Agent

Address of Property:	**Tax Parcels**	**PPIN:**	**Ward:**
Broadway Drive	2-038D-16-145.00	17605	4
Broadway Drive	2-038D-16-139.00	17606	4
Broadway Drive	2-038D-16-135.00	26875	4

Request: Major Subdivision

Purpose of Request: Cornell Malone, Property Owner/Applicant, and Rick Sullivan, Agent, request a minor subdivision and to alter an existing subdivision in both the DD McInnis 3rd Survey Subdivision and the Hicks Subdivision of the DD McInnis 3rd Survey Subdivision for a B-3 (BCO) zoned property at 802 Broadway Drive (PPIN 17605, 17606, and 26875, Forrest County, Ward 4).

History / Background: In Fall 2025, the applicants met with staff to discuss closing an unimproved alley and adjusting property lines. The alley closure and subdivision are part of their efforts to clarify the property's title. No new public infrastructure is proposed as part of this request. The public hearing is being held to consider a plat modification, consistent with Mississippi Code § 17-1-23, which requires governing body approval of subdivisions and resubdivisions of land.

Applicant Summary: * See Attached *

Applicable Regulations:

SECTION 4 **Zoning Districts Established**

4.5.10 B-3 Community Business District: The purpose of the B-3 District is to provide for retail, personal service, and offices in locations with convenient access to the community consistent with comprehensive planning policies. This district is consistent with the

Community Business District in the Comprehensive Plan.

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

SECTION 4 **Dimensional Standards and Measurements**

Table 4.7 - Dimensional Standards in the Broadway Corridor Overlay

ZONING DISTRICT	Minimum Lot Size in SF/ Width at Setback	Maximum Dwelling Units per Acre	Setbacks in Feet		Maximum Floors/Height*
			Minimum Front	Maximum Front	
B-3 COMMUNITY BUSINESS	No minimumum/no minimum	17 per acre	0	15'	55' or 4 stories
B-5 REGIONAL BUSINESS	No minimumum/no minimum	17 per acre	0	30'	72' or 6 stories

SECTION 11 **Administration and Enforcement**

11.10.1.8 Subdivision Violations. The owner of a subdivision shall not transfer title to any lot in such subdivision until such time as the final plat has been approved by the appropriate authority as outlined in this Code and duly recorded in the office of the Chancery Clerk of Forrest County or Lamar County, Mississippi. Transfers prior to such approval and recording shall be deemed a violation of this Code and shall be subject to any and all remedies available to the City.

11.10.1.9 Recording Violations.
The Chancery Clerks of Forrest County and Lamar County, Mississippi shall not receive, file or record a plat of a subdivision within the jurisdiction of this Land Development Code without prior approval of the appropriate authority as outlined in this Code. Plats recorded prior to such approval shall be deemed unlawful and invalid

SECTION 12 **Process and Procedures**

Categories of Development Approvals

12.3.2 Preliminary Plat Approval for Major Subdivisions
12.3.2.1 Approval Criteria.

i. Conformance with the Hattiesburg Comprehensive Plan.
ii. Conformance with the standards of the zoning district.
iii. Conformance with other standards and requirements of this Code and other City policies and regulations.
iv. Determination that adequate public facilities and services will be available concurrent with the impacts of the subdivision.
v. Determination that the project will have little or no adverse or negative impacts upon the natural environment.

12.3.2.4 Final Plat.
i. No Significant Change. Final plats of major subdivisions that are substantially the same as the approved preliminary plat, as determined by the Site and Design Review Committee, shall be approved administratively.
ii. Significant Change. Final plats that exhibit any significant deviation from the approved preliminary plat, as determined by the Site Plan Review Committee, shall require approval by the Planning Commission.

12.3.2.5 Recording.
Recording. In order to be an official and legal plat, the final approved plat must be recorded along with all applicable covenants, deed restrictions and property owners' association documents with the Chancery Clerk of Forrest or Lamar County, as appropriate. The City Engineer shall ensure that the City records this information within 90 days of submission
for acceptance with any applicable bonds.

12.3.2.6 Duration.
As this code and state and federal law may change over time, approval of a preliminary plat shall be effective for a maximum period of one (I) year for a permit to be submitted to the city. A six (6) month extension may be granted upon the Planning Commission's recommendation to the City Council followed by an approval of the Council. An extension request must come in writing by the subdivider before the regularly scheduled Planning Commission hearing in which it is to be heard. The Planning Commission will offer its recommendation under "other business" as notice was given at the original hearing date. If the final plat has not been submitted to Urban Development within this time limit, the preliminary plat process shall begin anew.

Section 13 **DEFINITIONS**

Subdivision: The division of a lot, tract, or parcel of land into two or more lots, plats, sites, or other divisions of land for the purpose, whether immediate or future, of sale, lease or building development by means of an appropriately recorded legal document.

Subdivision, Major: Any subdivision of land (lot

split) that does not conform to the definition of a minor subdivision

Subdivision, Minor: Any subdivision (lot split) containing not more than three lots fronting on an existing street that does not result in the creation of any new street, the extension of municipal utilities, or the need for additional public improvements. A series of related minor subdivisions on contiguous land cumulatively totaling four or more lots shall
be construed to create a major subdivision.

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

Section 4 –

(4) If the owner of any land which shall have been laid off, mapped or platted as a city, town or village, or addition thereto, or subdivision thereof, or other platted area, whether inside or outside a municipality, desires to alter or vacate such map or plat, or any part thereof, he may petition the board of supervisors of the county or the governing authorities of the municipality for relief in the premises, setting forth the particular circumstances of the case and giving an accurate description of the property, the map or plat of which is to be vacated or altered and the names of the persons to be adversely affected thereby or directly interested therein. However, before taking such action, the parties named shall be made aware of the action and must agree in writing to the vacation or alteration. Failure to gain approval from the parties named shall prohibit the board of supervisors or governing authorities from altering or vacating the map or plat, or any part thereof. Any alterations of a plat or map must be recorded in the appropriate location and a note shall be placed on the original plat denoting the altered or revised plat. No land shall be subdivided nor shall the map or plat of any land be altered or vacated in violation of any duly recorded covenant running with the land. Any municipality which shall approve such a vacation or alteration pursuant to this section shall be exempt from the sale of surplus real property provisions as set forth in Section 21-17-1.

Present Zoning: The property is currently zoned B-3 (BCO) Community Business (Broadway Corridor Overlay)

Present Use: Vacant Building (Previously a car dealership)

Future Land Use: Regional Business Corridor and Regional Business

Surrounding Zoning and Land Use:

North: B-3 (BCO) Community Business (Broadway Corridor Overlay)
South: B-3 (BCO) Community Business (Broadway Corridor Overlay) and B-5 (BCO) Regional Business (Broadway Corridor Overlay)
East: B-3 (BCO) Community Business (Broadway Corridor Overlay) and B-5 (BCO) Regional Business (Broadway Corridor Overlay)

West: B-3 (BCO) Community Business (Broadway Corridor Overlay)

Letters or Concerns stated: As of finalizing this report, the Planning Division Office had received no calls or letters of concern.

Option: Recommend **Approval** or **Denial** of a minor subdivision and to alter an existing subdivision in both the DD McInnis 3rd Survey Subdivision and the Hicks Subdivision of the DD McInnis 3rd Survey Subdivision for a B-3 (BCO) zoned property at 802 Broadway Drive (PPIN 17605, 17606, and 26875, Forrest County, Ward 4).

Basis for approval: Planning Commission must deem that all of the following approval criteria must be met before granting approval for the Preliminary Plat for a Major Subdivision:

12.3.2 Preliminary Plat Approval for Major Subdivisions
12.3.2.1 Approval Criteria.
i. Conformance with the Hattiesburg Comprehensive Plan.
ii. Conformance with the standards of the zoning district.
iii. Conformance with other standards and requirements of this Code and other City policies and regulations.
iv. Determination that adequate public facilities and services will be available concurrent with the impacts of the subdivision.
v. Determination that the project will have little or no adverse or negative impacts upon the natural environment.

SUBJECT PARCEL

802 Broadway Drive — Alley Closure, Subdivision, and Conditional Use Requests

Alley Closure Request- Cornell Malone, Property Owner/Applicant, and Rick Sullivan, Agent, request a partial alley closure for an unimproved alley located to the east of the DD McInnis 3rd Survey Subdivision and West of the Hicks Subdivision of the DD McInnis 3rd Survey Subdivision.

Subdivision Request- Cornell Malone, Property Owner/Applicant, and Rick Sullivan, Agent, request a minor subdivision and to alter an existing subdivision in both the DD McInnis 3rd Survey Subdivision and the Hicks Subdivision of the DD McInnis 3rd Survey Subdivision for a B-3 (BCO) zoned property at 802 Broadway Drive (PPIN 17605, 17606, and 26875, Forrest County, Ward 4).

Conditional Use Request- Cornell Malone, Property Owner, Deante Brumfiled, Applicant, and Stephen Stetelman, Representative, request a conditional use approval for “Automotive rental and sales” for a B-3 (BCO) zoned property at 710 Broadway Drive (PPIN 17605, 17606, and 26875, Forrest County, Ward 4).



HPC Item: D, E, & F



Zoning Classes
- R-1A
- B-2
- B-3

- Proposed Alley Closure
- B-5-BCO
- B-3-BCO
- Subject Property

802 Broadway Drive
Subdivision Modification and Alley Closure
PPIN: 17605, 17606, 26875
Flood Zone AE, SX
Ward 4, Forrest County
Zoned B-3-BCO

0 500 Feet

N

URBAN DEVELOPMENT
PLANNING DIVISION

Center: 89°18'41"W 31°18'42"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.
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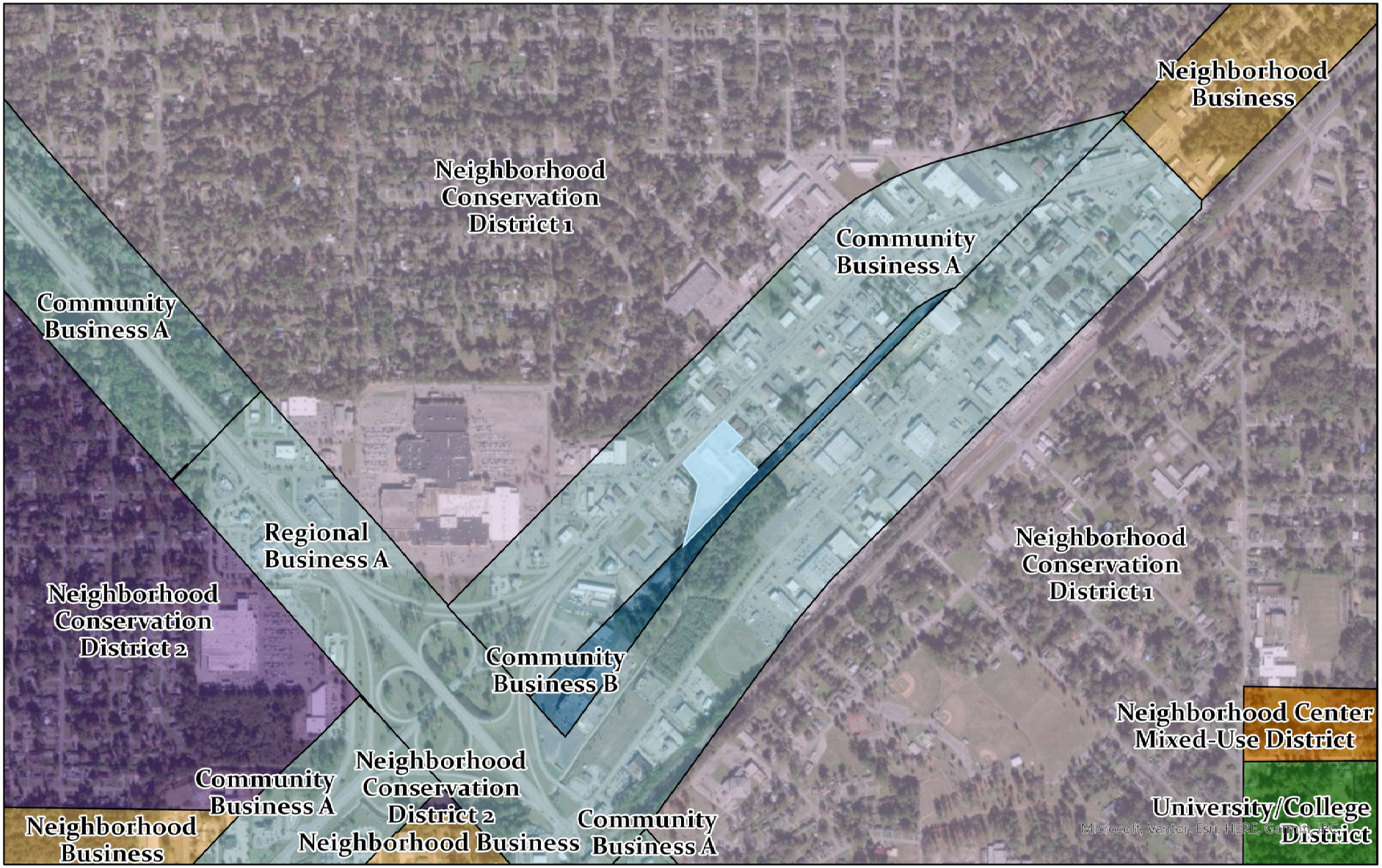
HPC Item: D, E, & F



Future Land Use Map

- Community Business A
- Community Business B
- Neighborhood Business
- Neighborhood Center Mixed-Use District
- Neighborhood Conservation District 1
- Neighborhood Conservation District 2
- Regional Business A
- University/College District
- Subject Property

802 Broadway Drive
Subdivision Modification and Alley Closure
PPIN: 17605, 17606, 26875
Flood Zone AE, SX
Ward 4, Forrest County
Zoned B-3-BCO

0 0.5 Miles

N

URBAN DEVELOPMENT
PLANNING DIVISION

Center: 89°18'41"W 31°18'44"N

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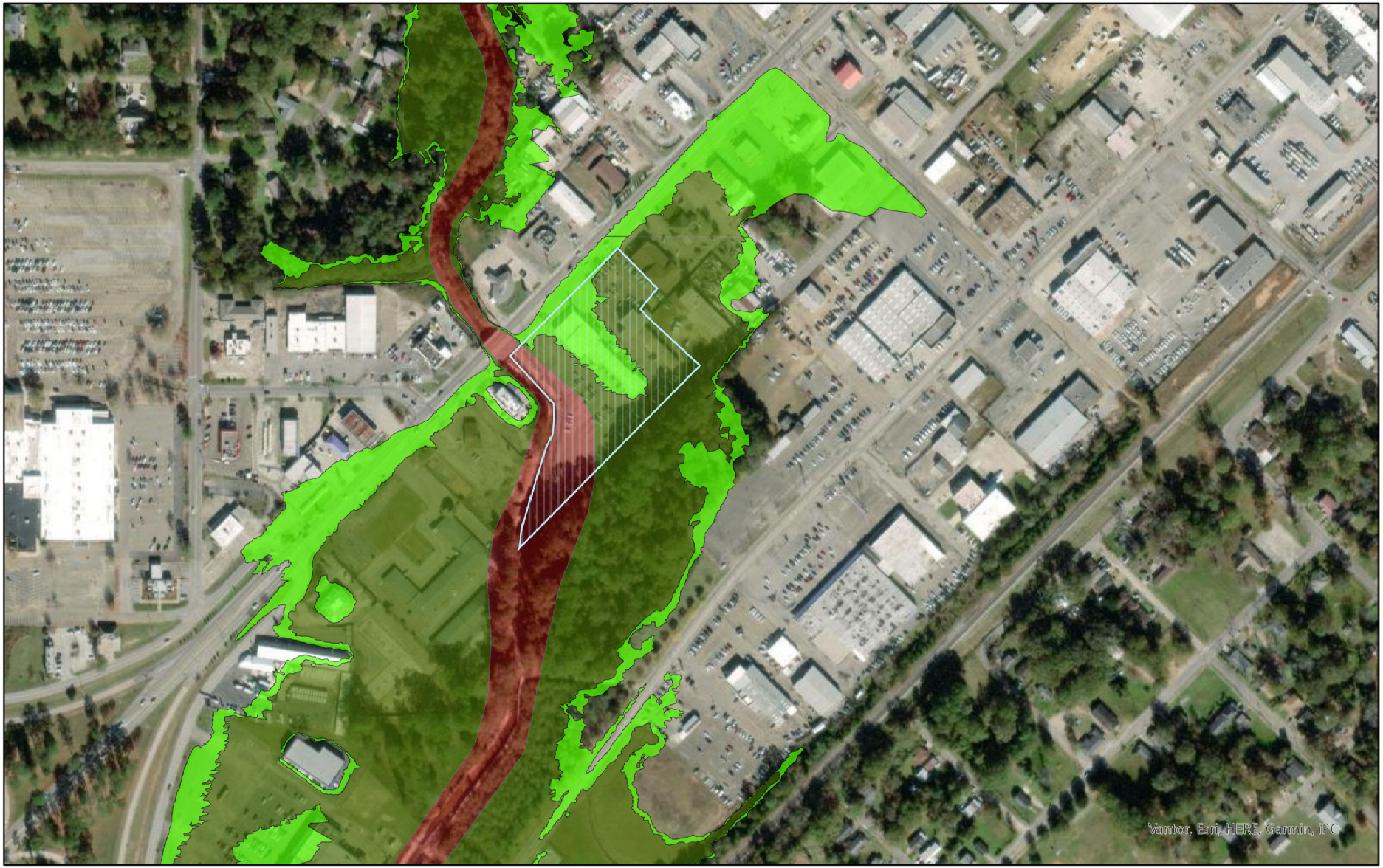
HPC Item: D, E, & F



Subject Property
FLOODWAY AREA IN ZONE AE
ZONE A (100 yr flood - no elevation)
ZONE AE (100 yr flood w / elevation)
ZONE SX (500 yr flood)

802 Broadway Drive
Subdivision Modification and Alley Closure
PPIN: 17605, 17606, 26875
Flood Zone AE, SX
Ward 4, Forrest County
Zoned B-3-BCO

0 0.2 Miles

N

URBAN DEVELOPMENT
PLANNING DIVISION

Center: 89°18'36"W 31°18'40"N

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This information CANNOT be used as a substitute for legal, business, tax or other professional advice.
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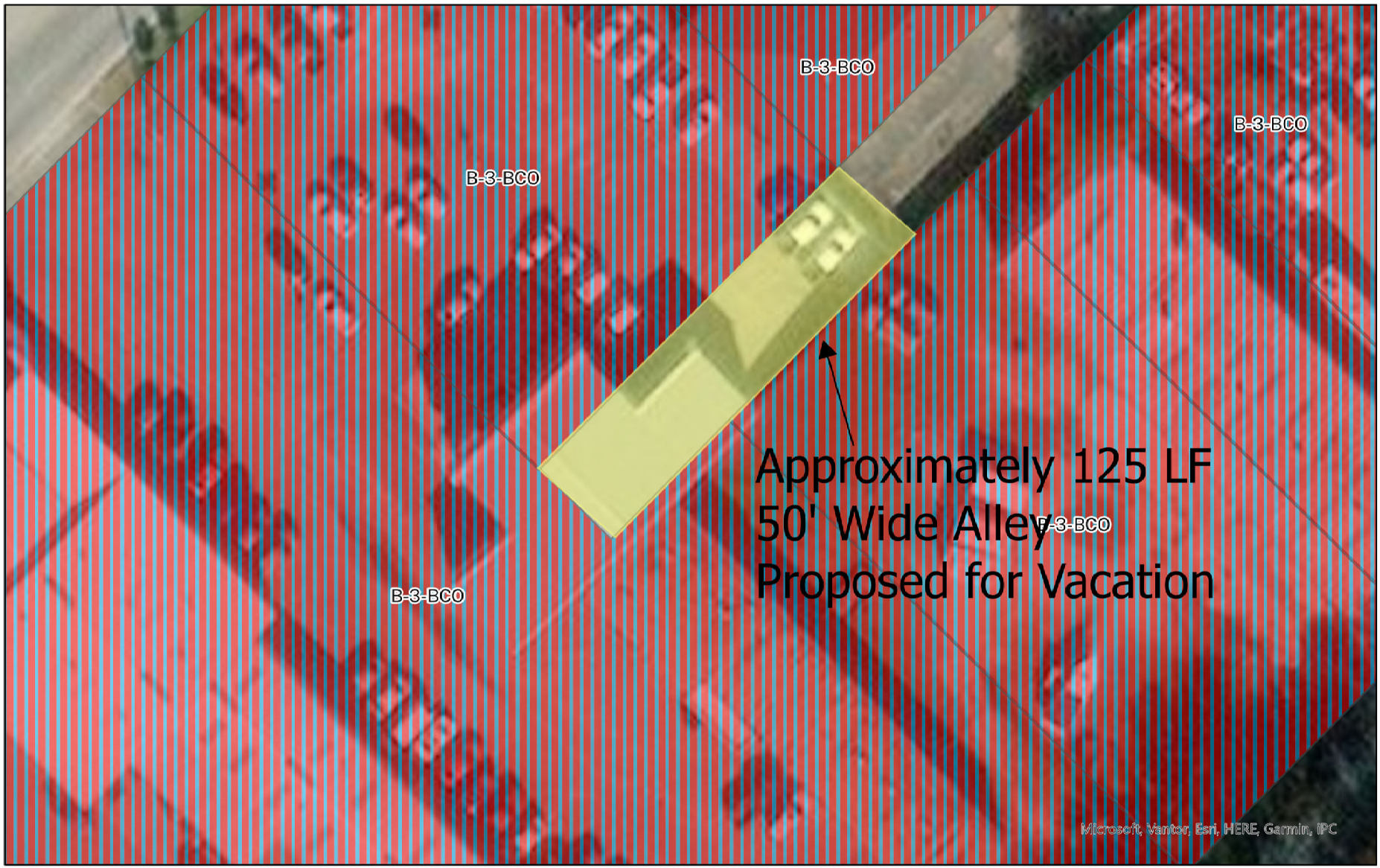
HPC Item: D, E, & F



Zoning Classes

B-3-BCO

Subject Property

Proposed Alley Closure

802 Broadway Drive
Subdivision Modification and Alley Closure
PPIN: 17605, 17606, 26875
Flood Zone AE, SX
Ward 4, Forrest County
Zoned B-3-BCO

0 125 Feet

N

URBAN DEVELOPMENT
PLANNING DIVISION

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This information CANNOT be used as a substitute for legal, business, tax or other professional advice.
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Site Aerial



Surrounding Area



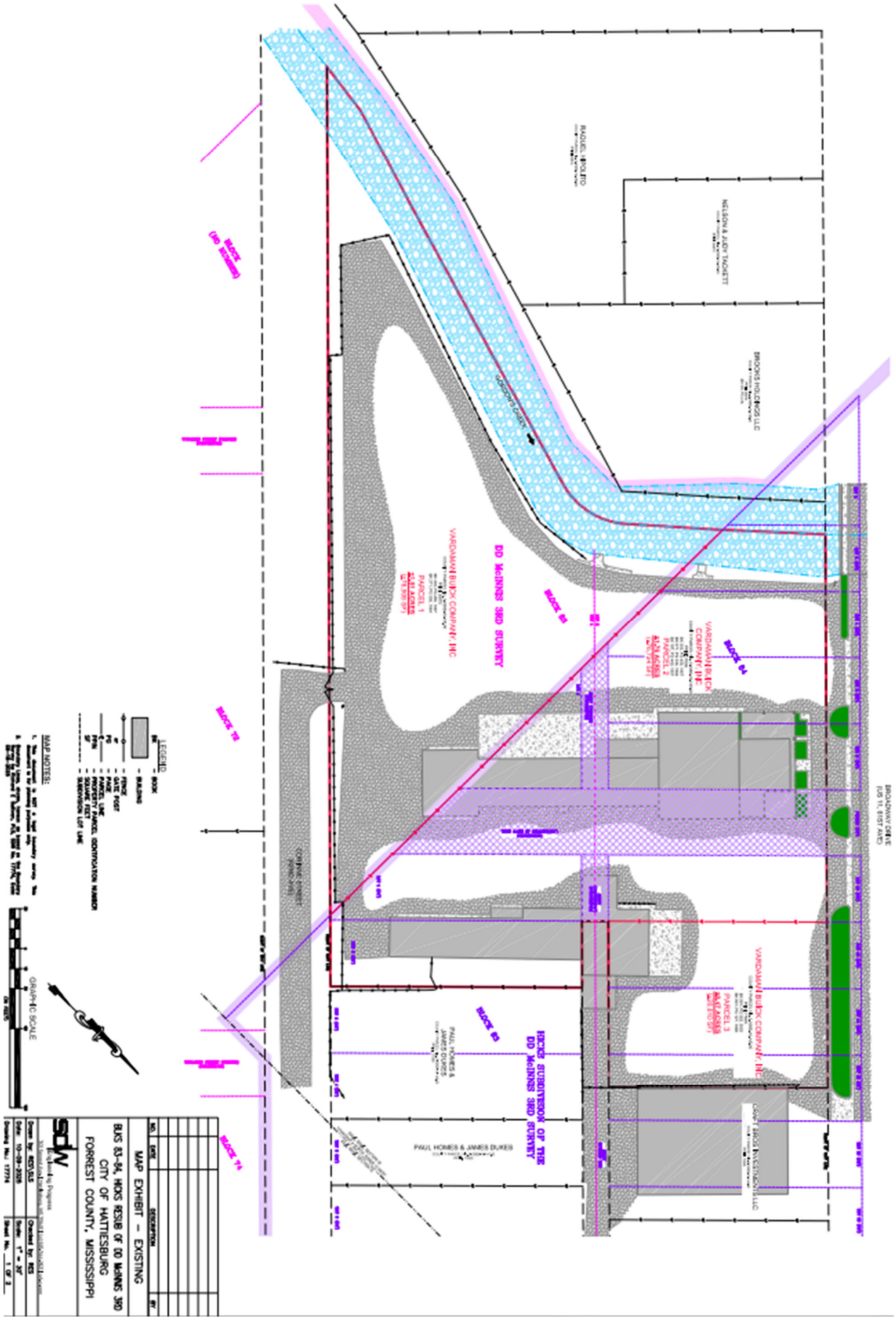


Surrounding Area

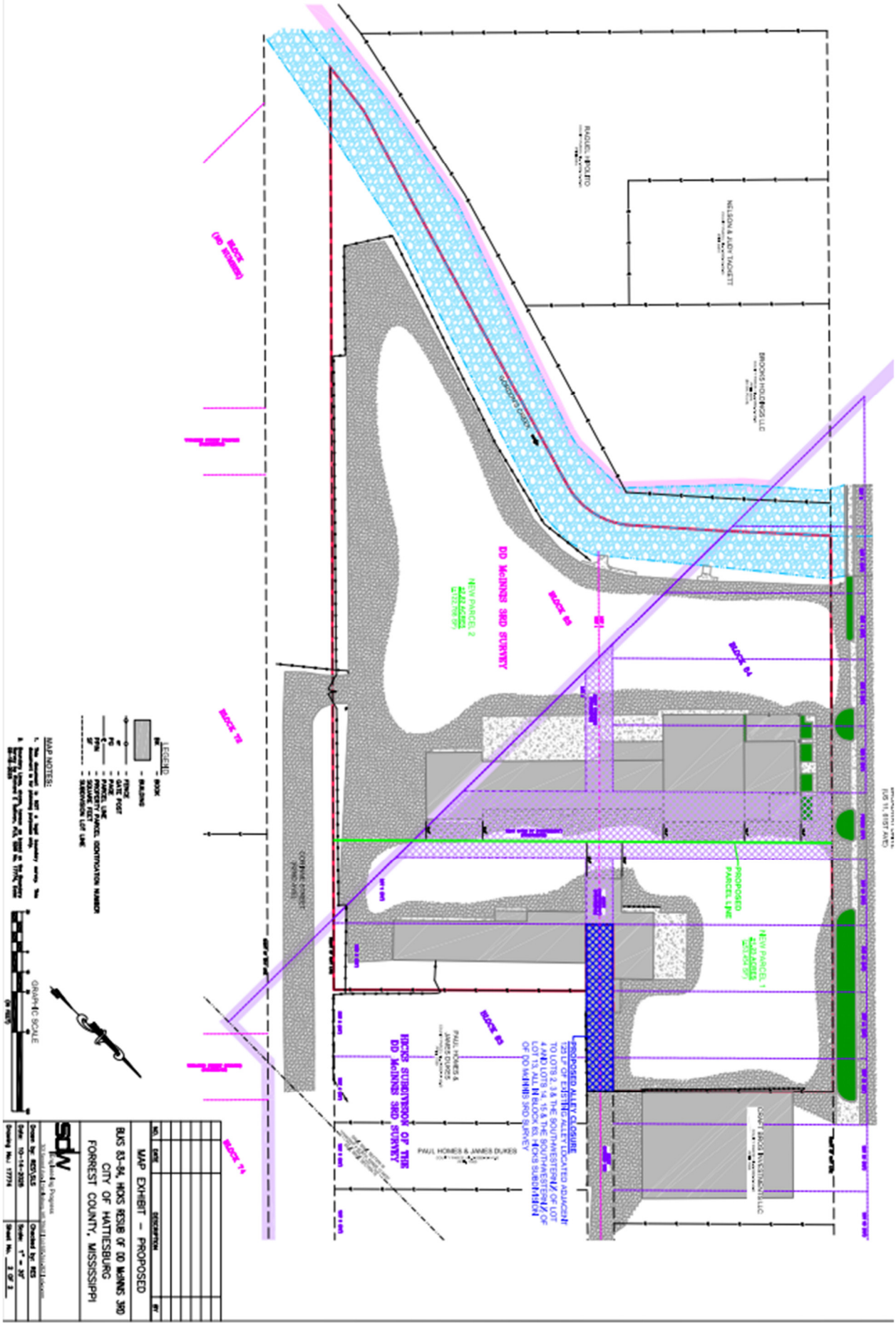




Existing Conditions



Proposed Subdivision and Alley Closure



Application for Public Hearing

City of Hattiesburg – Planning Division
PO BOX 1898 – Hattiesburg, MS 39403-1898 | Phone (601)- 545-4599

NOTE:

- **Fill this application out IN FULL with what applies to your application**
- Refer to the hattiesburgms.com/planning for Land Development Code and GIS map. Access via link or QR code

Applicant Information

Name Applicant: Cornell Malone **Project Name:** Vardaman Buick Honda Location

Municipal Address of Site: 802 Broadway Dr **PPIN #:** 17605, 17606, 26875

Parcel Number(s): 2-038D-16-145.00, 2-038D-16-139.00, 2-038D-16-135.00

Type of Public Hearing	Additional Information Needed:
☐ Variance (fill out pages 7 & 8)	☐ Sign ☐ Setback ☐ Off-Site Parking ☐ Lot Width ☐ Lot Coverage Area ☐ Buffer ☐ Open Space ☐ Other: _____
☐ Rezoning (fill out page 11)	Existing Zoning: _____ Proposed Zoning: _____
☐ Conditional Use (fill out pages 9 & 10)	☐ Automotive Filling Station ☐ Digital Billboard, New ☐ Digital Billboard, Replacement ☐ Telecommunications ☐ Restaurant ☐ Solar Farm ☐ Other: _____

Other Application types:

- ■ Subdividing of a lot, Parcel, or Tract (fill out page 12)
- ☐ Text Amendment
- ☐ Street or Alley Renaming (fill out pages 13 & 14)
- ☐ Overlay District
- ■ Vacating Street or Alley (fill out pages 13 & 14)
- ☐ Planned Mixed-Use District (PMU)

For Staff Only:			
Zoning:	**Historic District:**	**Flood Zone:**	**Ward:** ☐1 ☐2 ☐3 ☐4 ☐5
Project Number:		**Received:**	
PPIN # or Parcel #:			

Application for Public Hearing

City of Hattiesburg – Planning Division
PO BOX 1898 – Hattiesburg, MS 39403-1898 | Phone (601)- 545-4599

Public Hearing Petitioner Information:

Deadline for applicant to file petition: __27 Oct ___ _____
Hattiesburg Planning Commission Meeting Date: ___3 Dec _____
Hattiesburg Board of Adjustment Meeting Date: ___3 Dec _____
City Council Agenda Review Date – (you or your representative should attend): _____
City Council Meeting (Vote) Date – (you or your representative may attend): _____

- 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.
    - There is an additional 10-day appeal period, required by State Law, after the 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. *

Public Hearing Application Checklist

The following paperwork MUST be attached to this application:

X ☐ 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 standards may be accepted only per approval from staff)

☐ Site & Design Review Committee, if needed

X ☐ Copy of entire Warranty Deed (filed and recorded at the courthouse) with legal description granting title to the 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

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).

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

☐ Other documents needed (if relevant):

- ☐ 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 a public hearing application in the amount of $300

Application for Site Plan Review

City of Hattiesburg – Planning Division
PO BOX 1898 – Hattiesburg, MS 39403-1898 | Phone (601)- 545-4599

The following fees are an excerpt from Ordinance No. 2977, adopted January 22, 2008, as amended.

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

OTHER PROCESSES MAY HAVE ADDITIONAL FEES
Make all checks payable to the City of Hattiesburg

I hereby certify that I have completed and attached the above-required documents, information, and fees.

Print Name: Cornell Malone **Signature:** E. Cornell Malone

Updated Version 05/22/2025

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

802 Broadway Dr, Hattiesburg, MS

Street Address City State

on this the 24th day of October, 2025.

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.

Rick Sullivan (Shows Dearman Engineers)

on this the 24th day of October, 2025

E. Cornell Malone

Property Owner (Print)

E. Cornell Malone

Property Owner (Signature)

STATE OF MS

COUNTY OF Forrest

Personally came and appeared before me, the within named

E. Cornell Malone

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 24th day of October, 2025.

STATE OF MISSISSIPPI NOTARY PUBLIC ID # 188656 DENA C. BRYANT Commission Expires Jan. 29, 2028 FORREST COUNTY

NOTARY PUBLIC

My Commission Expires:

1/29/28

APPLICANT AFFIDAVIT PAGE

THIS PAGE MUST BE SIGNED IN FRONT OF A NOTARY, BY THE **APPLICANT(S)** OF THE 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

802 Broadway Dr, Hattiesburg, MS

Street Address City State

on this the 24th day of October, 2025.

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.

Rick Sullivan

on this the 24th day of October, 2025

E. Cornell Malone

Applicant (Print)

E. Cornell Malone

Applicant (Signature)

STATE OF MS

COUNTY OF Forrest

Personally came and appeared before me, the within named E. Cornell Malone,

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.

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STATE OF MISSISSIPPI NOTARY PUBLIC ID # 188656 DENA C. BRYANT Commission Expires Jan. 29, 2028 FORREST COUNTY

NOTARY PUBLIC

My Commission Expires:

1/29/28

FOR SUBDIVIDING OF LOT, PARCEL OR TRACT

Property Data

- Parent Parcel / Existing lot/parcel/tract contains: 4.05 Ac Square Footage/Acres
- Lot Area Requirement: No Min
- Lot Frontage Requirement: 100 LF Min
- Existing use of lot/parcel/tract Commercial, Retail
- To be subdivided into 2 lots/parcels (including parent parcel) – outlined below.

Use extra copies of this form if needed for additional lots

Newly Subdivided Parcels	New lot size in square footage (SF) or acres (A)	New lot has public road frontage	New lot has private road frontage	Indicate name of public of private road(s)	**STAFF ONLY** Lot area & frontage requirements comply?
1.	2.82 Ac	■Yes ☐ No	☐Yes ☐ No	Broadway Dr & Corinne St	☐Yes ☐ No
2.		☐Yes ☐ No	☐Yes ☐ No		☐Yes ☐ No
3.		☐Yes ☐ No	☐Yes ☐ No		☐Yes ☐ No
4.		☐Yes ☐ No	☐Yes ☐ No		☐Yes ☐ No
5.		☐Yes ☐ No	☐Yes ☐ No		☐Yes ☐ No
6.		☐Yes ☐ No	☐Yes ☐ No		☐Yes ☐ No
7.		☐Yes ☐ No	☐Yes ☐ No		☐Yes ☐ No
8.		☐Yes ☐ No	☐Yes ☐ No		☐Yes ☐ No
9.		☐Yes ☐ No	☐Yes ☐ No		☐Yes ☐ No
10.		☐Yes ☐ No	☐Yes ☐ No		☐Yes ☐ No
11.		☐Yes ☐ No	☐Yes ☐ No		☐Yes ☐ No
12.		☐Yes ☐ No	☐Yes ☐ No		☐Yes ☐ No
Be sure to include information on the remainder of "existing" lot after splits made – identify as "Parent Parcel"					
Parent Parcel	1.23 Ac			Broadway Dr & Corinne St	
	4.05 Ac	**Total square footage of new lots (verify total matches existing parcel prior to splits)**			

Infrastructure required: (Check all that apply)

☐ Water/Sewer ☐ Gas ☐ Electric ☐ Telephone ☐ Cable ☐ Streets

FOR STREET/ALLEY RENAMING, CLOSING, OR VACATING

1. **Indicate the specific request(s):**

   ☐ Street ■ Alley ☐ Closing ☐ Vacating ☐ Naming ☐ Renaming

2. **Current name of street/alley to be named/renamed, vacated, or closed:**

   125 LF of Alley in Blk 83, Hicks Sub of DD McInnis 3rd, btwn Lots 2-4 & 13-15

3. **Proposed name of street/alley to be named/renamed (If Applicable):**

   n/a

4. **Describe the portion of the street/alley to be renamed, closed, or vacated (use all bounding or intersecting streets/alleys, from and to):**

   Hicks Sub of DD McInnis 3rd, btwn Lots 2, 3 & SW 1/2 of 4 & SW 1/2 of 13, 14,15
   West 64th St (Closed) & West 63rd St (Open - Alley is only accessible from this street)

5. **Tax Block(s) and Lot(s) involved in closing request:**

   2-038D-16-145.00, 2-038D-16-139.00; PPINs 17605, 17606, 26875

6. **Describe the existing land use of properties and the 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	3	3	0
Residences			0
Apartments			0
Churches/Schools			0
Other			0

Any Additional Information: Part of said Alley is already closed (adj to Lots 1 & 16), West 64th St is closed (adj to Blks 83 & 84). The existing Vardaman Honda Building is within & occupies the alley existing and is the reason for the proposed closure.

7. **Describe the effect the proposed change will have on existing development and the transportation system within the affected area:** No foresee changes. The current portion of the alley is occupied by building and parking, is fenced and is not accessable to the public for transportation & development needs.

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

   ☒ **Yes (If so, provide reference #s and dates:** PreApp 1025-1028, 2 Oct **)**

   ☐ **No**

9. **Acknowledgement of property owners affected by the street/alley renaming. Include all names and addresses. <u>Please attach these as additional page(s).</u>**

10. **Obtain from City's Engineering Department the legal description of the street/alley or portion thereof to be closed, vacated, named, or renamed (electronic copy required)**

NAME OF RECORDED SUBDIVISION TO BE ALTERED:

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

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

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

I have also submitted the following with this application:

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

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

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

Signature E. Conell Malone **Date** 10-29-2025

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

Name of Subdivision being altered: Hicks Subdivision of DD McInnis 3rd Survey & DD McInnis 3rd Survey

Address and PPIN of alteration in subdivision: 17605, 17606, 26875; 802 Broadway Dr, Hattiesburg MS

	Name	Address	Phone Number	Approve of Proposed Alteration (Yes or No)	Signature
1	Paul H Holmes	707 Broadway Dr, Hattiesburg (17599)			Paul H Holmes
2	James K Dukes	707 Broadway Dr, Hattiesburg (17599)			
3	Craft Bros Investments, LLC	706 Broadway Dr, Hattiesburg (17603)			
4	Brad Craft				
5					
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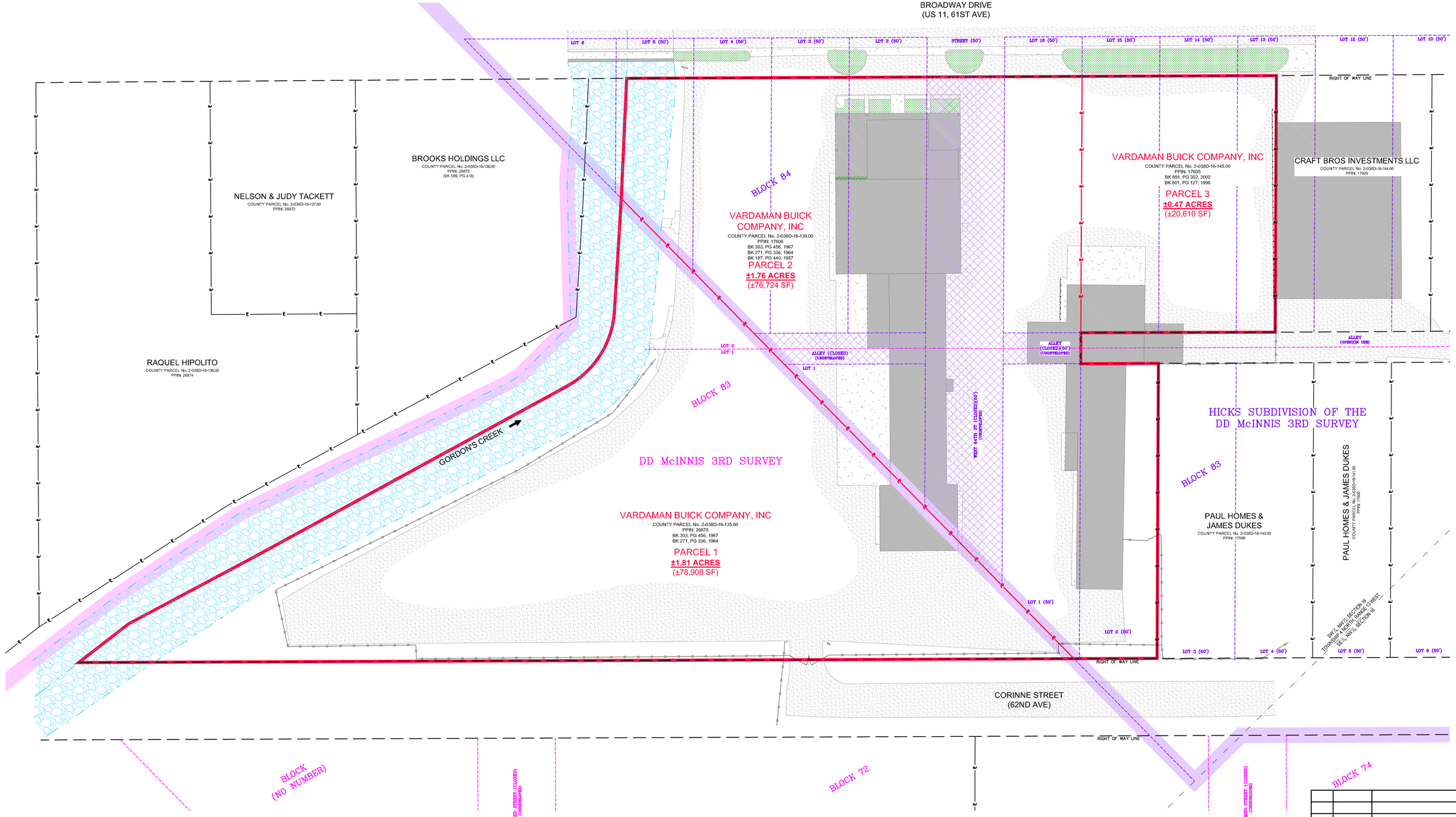

LEGEND

BK	– BOOK
	– BUILDING
	– FENCE
GT	– GATE POST
PG	– PAGE
℄	– PARCEL LINE
PPIN	– PROPERTY PARCEL IDENTIFICATION NUMBER
SF	– SQUARE FEET
	– SUBDIVISION LOT LINE

MAP NOTES:

1. This document is NOT a legal boundary survey. This document is for planning purposes only.
2. Boundary Lines, shown, hereon as based on the Boundary Survey by Richard E Sullivan, PLS, SDW No. 17774, Date: 09-16-2025

NORTH

GRAPHIC SCALE

30 0 15 30 60 120

(IN FEET)

NO.	DATE	DESCRIPTION	BY

MAP EXHIBIT – EXISTING

BLKS 83-84, HICKS RESUB OF DD McINNIS 3RD
CITY OF HATTIESBURG
FORREST COUNTY, MISSISSIPPI

sdw Engineering Progress
301 Second Ave. | Hattiesburg, MS 39401 | (p) 601.544.1821 | sd-w.com

Drawn by: RES\SLS	Checked by: RES
Date: 10-09-2025	Scale: 1" = 30'
Drawing No.: 17774	Sheet No. 1 OF 2

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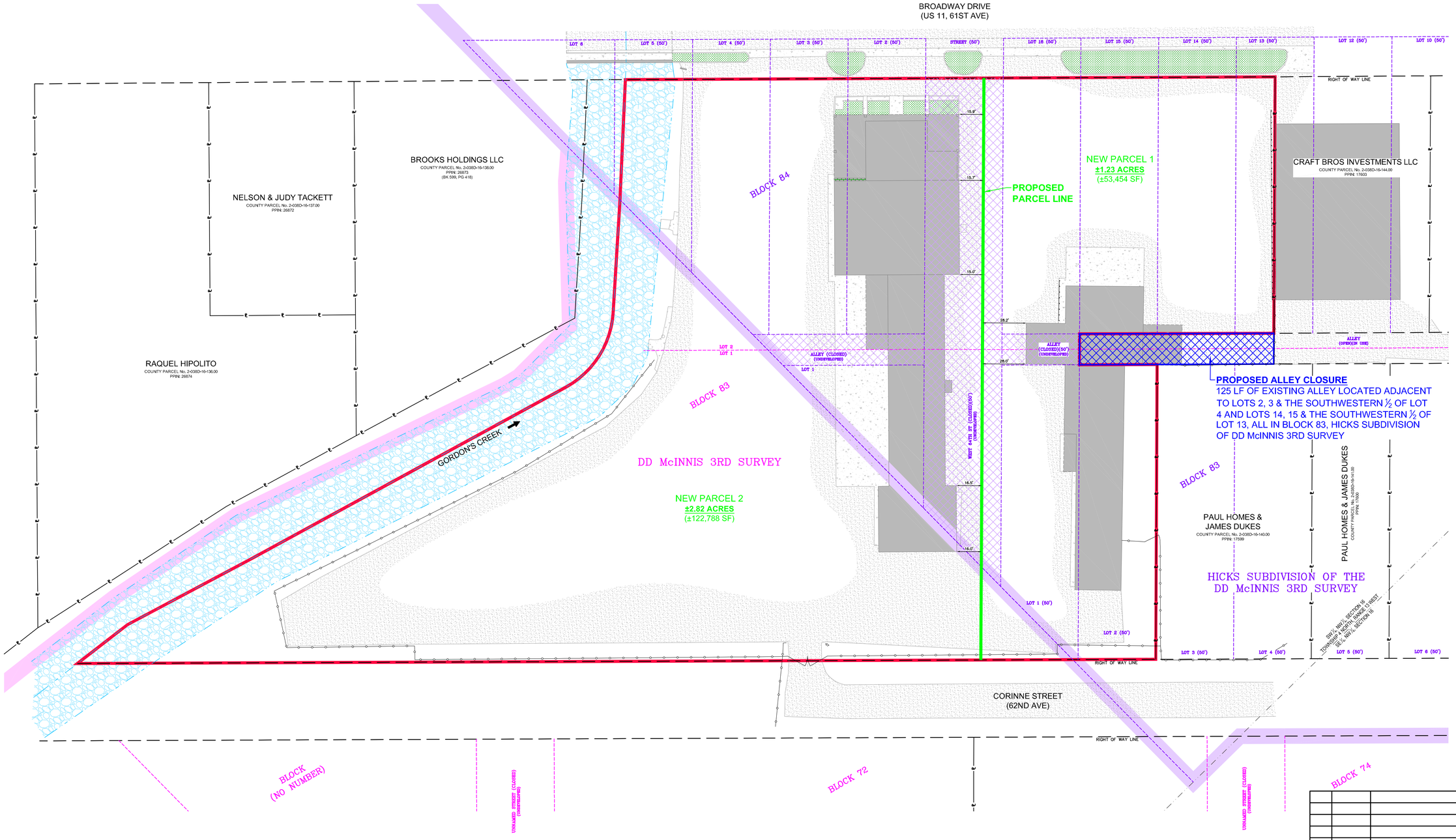

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GRAPHIC SCALE

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(IN FEET)

NO.	DATE	DESCRIPTION	BY

MAP EXHIBIT – PROPOSED

BLKS 83-84, HICKS RESUB OF DD McINNIS 3RD
CITY OF HATTIESBURG
FORREST COUNTY, MISSISSIPPI

sdw Engineering Progress
301 Second Ave. | Hattiesburg, MS 39401 | (p) 601.544.1821 | sd-w.com

Drawn by: RES\SLS	Checked by: RES
Date: 10-14-2025	Scale: 1" = 30'
Drawing No.: 17774	Sheet No. 2 OF 2

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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

802 Broadway Dr, Hattiesburg, MS

Street Address City State

on this the 27th day of October, 2025.

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 27th day of October, 2025. Vardaman Buick Company, Inc now know as Pine Belt Imports, Inc.

Janet Price, Secretary

Property Owner (Print)

Janet Price

Property Owner (Signature)

STATE OF Mississippi

COUNTY OF Covington

Personally came and appeared before me, the within named Janet Price, Secretary of Pine Belt Imports, Inc.,

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 27th day of October, 2025.

Shaylie B Dye

NOTARY PUBLIC

STATE OF MISSISSIPPI
SHAYLIE B DYE
NOTARY PUBLIC
Covington County
Commission Expires
July 13, 2026
COMMISSION NUMBER 325400

My Commission Expires:

7-13-26

December 2025 HPC Item F
Cornell Malone, Property Owner, Deante Brumfiled, Applicant, and Stephen Stetelman, Representative
Request for: **Conditional Use Approval**

URBAN DEVELOPMENT
PLANNING DIVISION

Planning Commission
Case Fact Sheet

Names of Petitioner: Cornell Malone, Property Owner, Deante Brumfiled, Applicant, and Stephen Stetelman, Representative

Address of Property:	**Tax Parcel**	**PPIN:**	**Ward:**
Broadway Drive	2-038D-16-145.00	17605	4
Broadway Drive	2-038D-16-139.00	17606	4
Broadway Drive	2-038D-16-135.00	26875	4

Request: Conditional Use Request

Purpose of Request: Cornell Malone, Property Owner, Deante Brumfiled, Applicant, and Stephen Stetelman, Representative, request a conditional use approval for "Automotive rental and sales" for a B-3 (BCO) zoned property at 710 Broadway Drive (PPIN 17605, 17606, and 26875, Forrest County, Ward 4).

History / Background: The applicant spoke with staff via phone calls to the office to discuss the property and its intended use. The applicant explained that they intended to move from their existing location on West Pine Street to this location on Broadway Drive and use the property to sell used cars. Staff explained the recent zoning changes to the Broadway-West Pine Corridor and the Right Down Broadway Master Plan. Specifically, they addressed how the overlay affects automotive-related uses, which now require conditional use approval, including rental and sales. After this explanation, the applicants claimed they had not heard of any changes to the corridor.

The *Right Down Broadway Master Plan*, adopted in January 2025, established a long-term vision to "transform Hattiesburg's Automotive Row into Hattiesburg's Creators Corridor." The plan's implementation matrix outlines a phased approach, spanning roughly the next decade, to gradually encourage reinvestment, redevelopment, and the introduction of new creative, commercial, and mixed-use opportunities along the corridor. The BCO overlay is intended to "promote infill activity in the Broadway Drive-West Pine Street Revitalization area by enabling additional uses that are supportive of the corridor vision plan and providing flexibility for the

continuation and expansion of existing businesses within the corridor. “

As part of this implementation, automotive uses are now conditional, allowing the City to evaluate each proposal individually for compatibility with the plan’s goals as the corridor transitions toward the desired future mix of uses. This approach provides flexibility for existing businesses while ensuring that new or continued automotive uses do not impede the corridor’s evolution toward its long-term vision.

Conditional uses provide flexibility within the zoning ordinance while ensuring proposed uses remain compatible with surrounding development and consistent with the intent of adopted plans. The Planning Commission should consider whether the proposed use is compatible with its immediate context and whether it aligns with the Comprehensive Plan and the Right Down Broadway Master Plan as the corridor transitions to a more diverse and creative economic corridor.

Should the Planning Commission recommend approval, they can include conditions with the approval to ensure the site coordinates with the Right Down Broadway Plan, such as:

- Addition of landscaping or tree planting requirement on site

Applicant Summary: See Attached

Applicable Regulations:

SECTION 4 **Zoning Districts Established**

4.7.2 Broadway Corridor Overlay District (BCO). The Broadway Corridor Overlay District is intended to promote infill activity in the Broadway Drive-West Pine Street Revitalization area by enabling additional uses that are supportive of the corridor vision plan and providing flexibility for the continuation and expansion of existing businesses within the corridor. The Broadway Corridor Overlay District was established as part of the Right Down Broadway Master Plan, adopted by the City of Hattiesburg on January 7th, 2025, Ordinance No. 3365. Additionally, the Broadway Corridor Overlay District aims to achieve the following:

i. Encourage incremental, mixed-use infill development.
ii. Encourage adaptive reuse, infill, and redevelopment that creates a pedestrian-oriented district with a mix of small retail, service, and artisan uses and complementary residential uses.
iii. Allow for a greater mix of housing types and opportunities.

4.7.3.3 Conditional Use Approval. Within the B-3 Zoned areas of the BCO District, the following uses shall require conditional use approval, along with the following all applicable additional use

conditions as cross-referenced in Table 5.1, Table of Uses:

i. Automotive rental and sales
ii. Automotive, truck, and small engine repair
iii. Automotive, truck, and small engine maintenance
iv. Automotive filling station
v. Parking, Passenger Vehicles
vi. Parking, Commercial Vehicles

Applicable Regulations:

SECTION 4 **Zoning Districts Established**

4.5.10 B-3 Community Business District: The purpose of the B-3 District is to provide for retail, personal service, and offices in locations with convenient access to the community consistent with comprehensive planning policies. This district is consistent with the Community Business District in the Comprehensive Plan.

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

SECTION 4 **Dimensional Standards and Measurements**

Table 4.7 - Dimensional Standards in the Broadway Corridor Overlay

ZONING DISTRICT	Minimum Lot Size in SF/ Width at Setback	Maximum Dwelling Units per Acre	Setbacks in Feet		Maximum Floors/Height*
			Minimum Front	Maximum Front	
B-3 COMMUNITY BUSINESS	No minimumum/no minimum	17 per acre	0	15'	55' or 4 stories
B-5 REGIONAL BUSINESS	No minimumum/no minimum	17 per acre	0	30'	72' or 6 stories

Present Zoning: B-3 (BCO) Community Business- Broadway Corridor Overlay

Present Use: Vacant Building (previously used as Car Dealership)

Future Land Use: Regional Business Corridor

Surrounding Zoning and Land Use:
North: B-3 (BCO) Community Business (Broadway Corridor Overlay)
South: B-3 (BCO) Community Business (Broadway Corridor Overlay)

and B-5 (BCO) Regional Business (Broadway Corridor Overlay)
East: B-3 (BCO) Community Business (Broadway Corridor Overlay) and B-5 (BCO) Regional Business (Broadway Corridor Overlay)
West: B-3 (BCO) Community Business (Broadway Corridor Overlay)

Letters or Concerns stated:

The Planning Division Office has not received any letters or other written communications regarding this case as of the finalization of this report.

Option:

Recommend **Approval** or **Denial** of the Conditional Use Request for "Automotive Rental and Sales" for a B-3 (BCO) zoned property located 710 Broadway Drive (PPIN 17605, 17606, and 26875, Forrest County, Ward 4).

Basis for approval:

12.3.3 Conditional Use Approvals

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

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

i. Determination that adequate public facilities and services will be available concurrent with the impacts of the development as evidenced by letters of sufficiency from utilities and schools and a determination by the city engineer that the available capacity of existing streets can safely provide access to the site.

ii. The proposed development will be compatible with surrounding uses and will protect adjacent properties through the following measures:

- Protection of privacy. The proposed plan shall provide reasonable visual and auditory privacy for all dwelling units located within and adjacent to the site. Fences, walls, barriers and / or vegetation shall be arranged to protect and enhance the

property and to enhance the privacy of on-site and neighboring occupants.

- Protection of use and enjoyment. The proposed plan shall be designed and arranged to have minimal negative impact on the use and enjoyment of adjoining property.
- Compatible design and integration. The use meets all design criteria required by this Code that apply and is designed to integrate well both on and off site.

SUBJECT PARCEL

802 Broadway Drive — Alley Closure, Subdivision, and Conditional Use Requests

Alley Closure Request- Cornell Malone, Property Owner/Applicant, and Rick Sullivan, Agent, request a partial alley closure for an unimproved alley located to the east of the DD McInnis 3rd Survey Subdivision and West of the Hicks Subdivision of the DD McInnis 3rd Survey Subdivision.

Subdivision Request- Cornell Malone, Property Owner/Applicant, and Rick Sullivan, Agent, request a minor subdivision and to alter an existing subdivision in both the DD McInnis 3rd Survey Subdivision and the Hicks Subdivision of the DD McInnis 3rd Survey Subdivision for a B-3 (BCO) zoned property at 802 Broadway Drive (PPIN 17605, 17606, and 26875, Forrest County, Ward 4).

Conditional Use Request- Cornell Malone, Property Owner, Deante Brumfiled, Applicant, and Stephen Stetelman, Representative, request a conditional use approval for “Automotive rental and sales” for a B-3 (BCO) zoned property at 710 Broadway Drive (PPIN 17605, 17606, and 26875, Forrest County, Ward 4).



HPC Item: D, E, & F



Zoning Classes
- R-1A
- B-2
- B-3

- Proposed Alley Closure
- B-5-BCO
- B-3-BCO
- Subject Property

802 Broadway Drive
Subdivision Modification and Alley Closure
PPIN: 17605, 17606, 26875
Flood Zone AE, SX
Ward 4, Forrest County
Zoned B-3-BCO

0 500 Feet

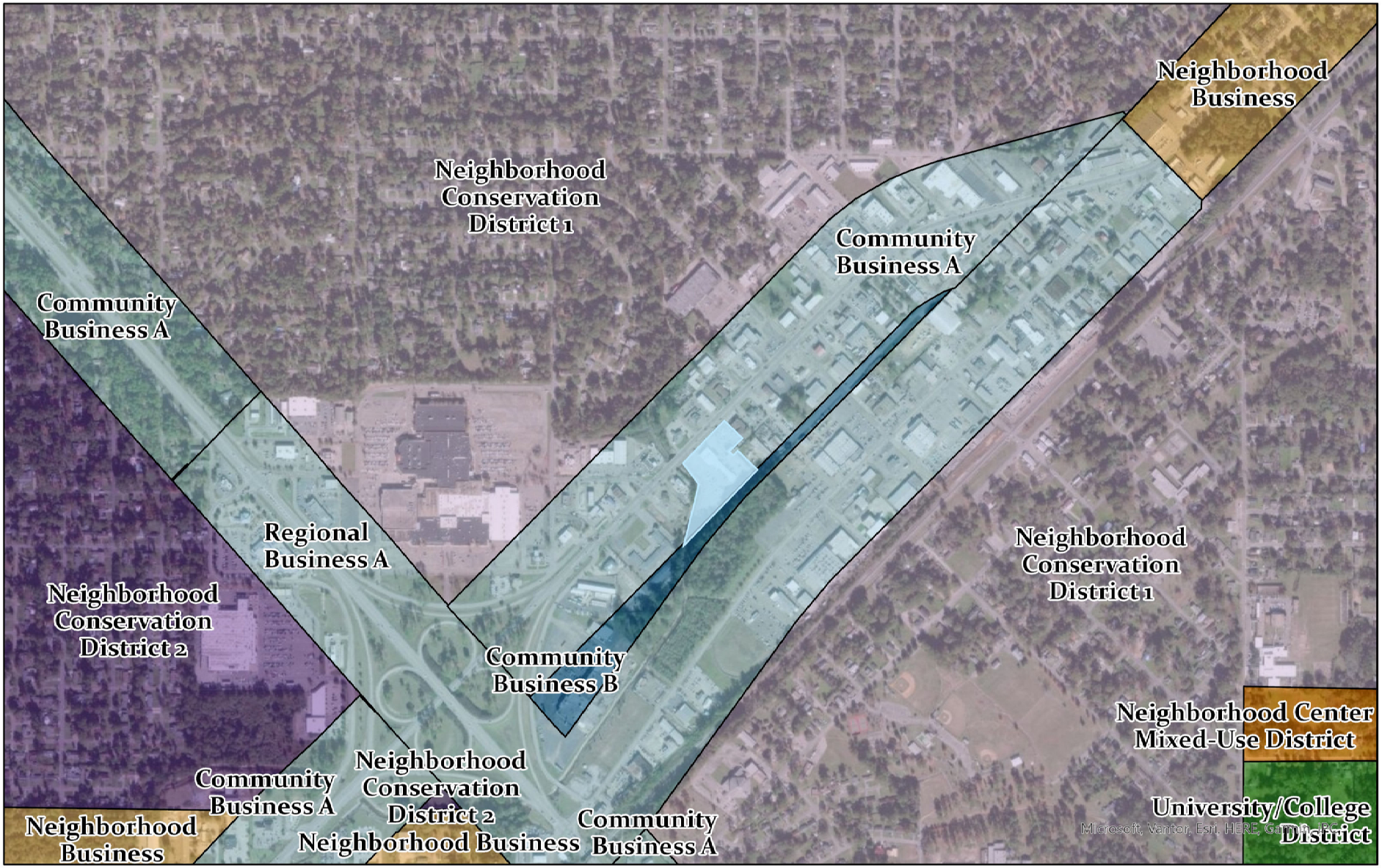
N

URBAN DEVELOPMENT
PLANNING DIVISION

Center: 89°18'41"W 31°18'42"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: 11/24/2025 3:16 PM

HPC Item: D, E, & F



Future Land Use Map

- Community Business A
- Community Business B
- Neighborhood Business
- Neighborhood Center Mixed-Use District
- Neighborhood Conservation District 1
- Neighborhood Conservation District 2
- Regional Business A
- University/College District
- Subject Property

802 Broadway Drive
Subdivision Modification and Alley Closure
PPIN: 17605, 17606, 26875
Flood Zone AE, SX
Ward 4, Forrest County
Zoned B-3-BCO

0 0.5 Miles

N

URBAN DEVELOPMENT
PLANNING DIVISION

Center: 89°18'41"W 31°18'44"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.
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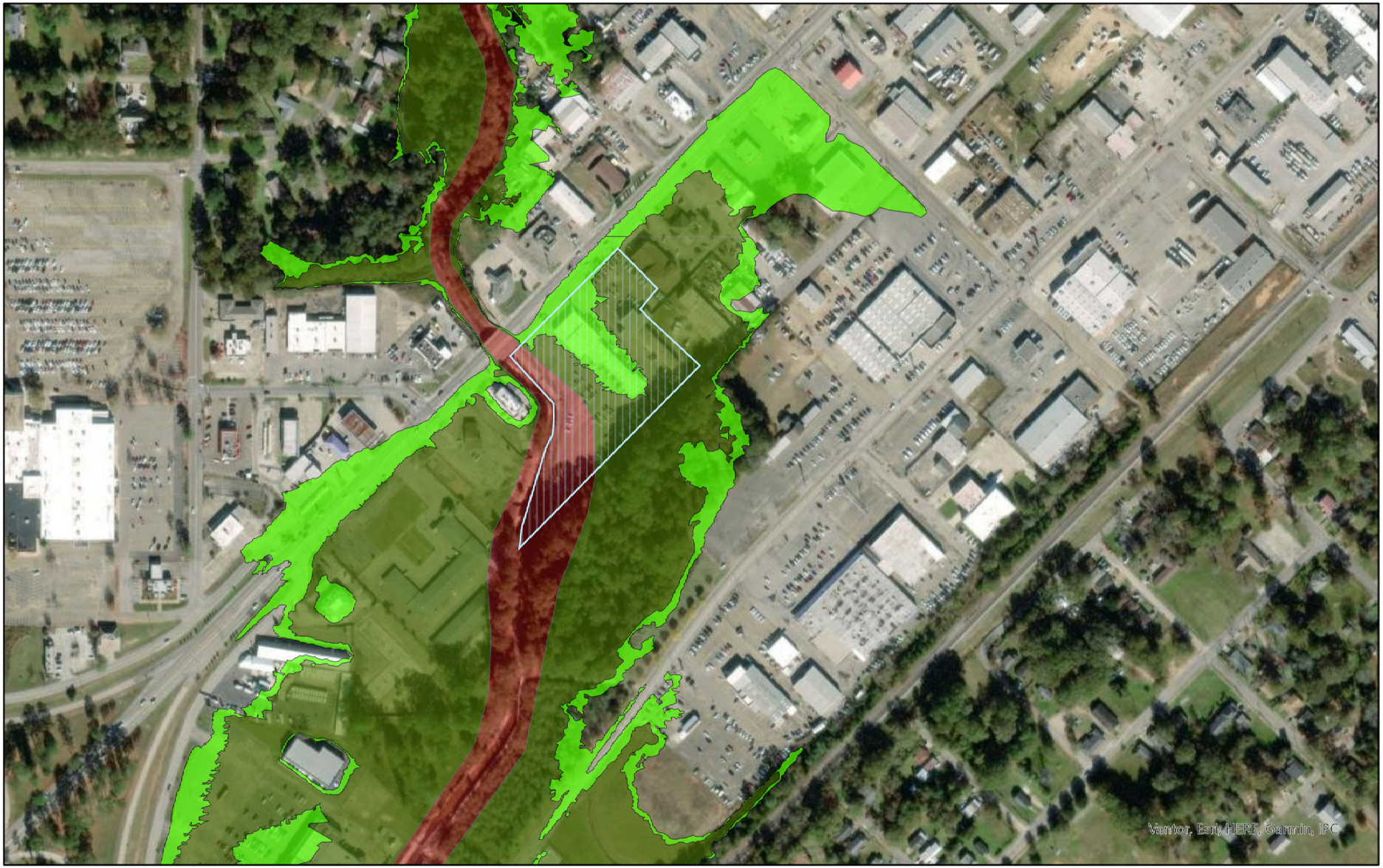
HPC Item: D, E, & F



Subject Property
FLOODWAY AREA IN ZONE AE
ZONE A (100 yr flood - no elevation)
ZONE AE (100 yr flood w / elevation)
ZONE SX (500 yr flood)

802 Broadway Drive
Subdivision Modification and Alley Closure
PPIN: 17605, 17606, 26875
Flood Zone AE, SX
Ward 4, Forrest County
Zoned B-3-BCO

0 0.2 Miles

N

URBAN DEVELOPMENT
PLANNING DIVISION

Center: 89°18'36"W 31°18'40"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.
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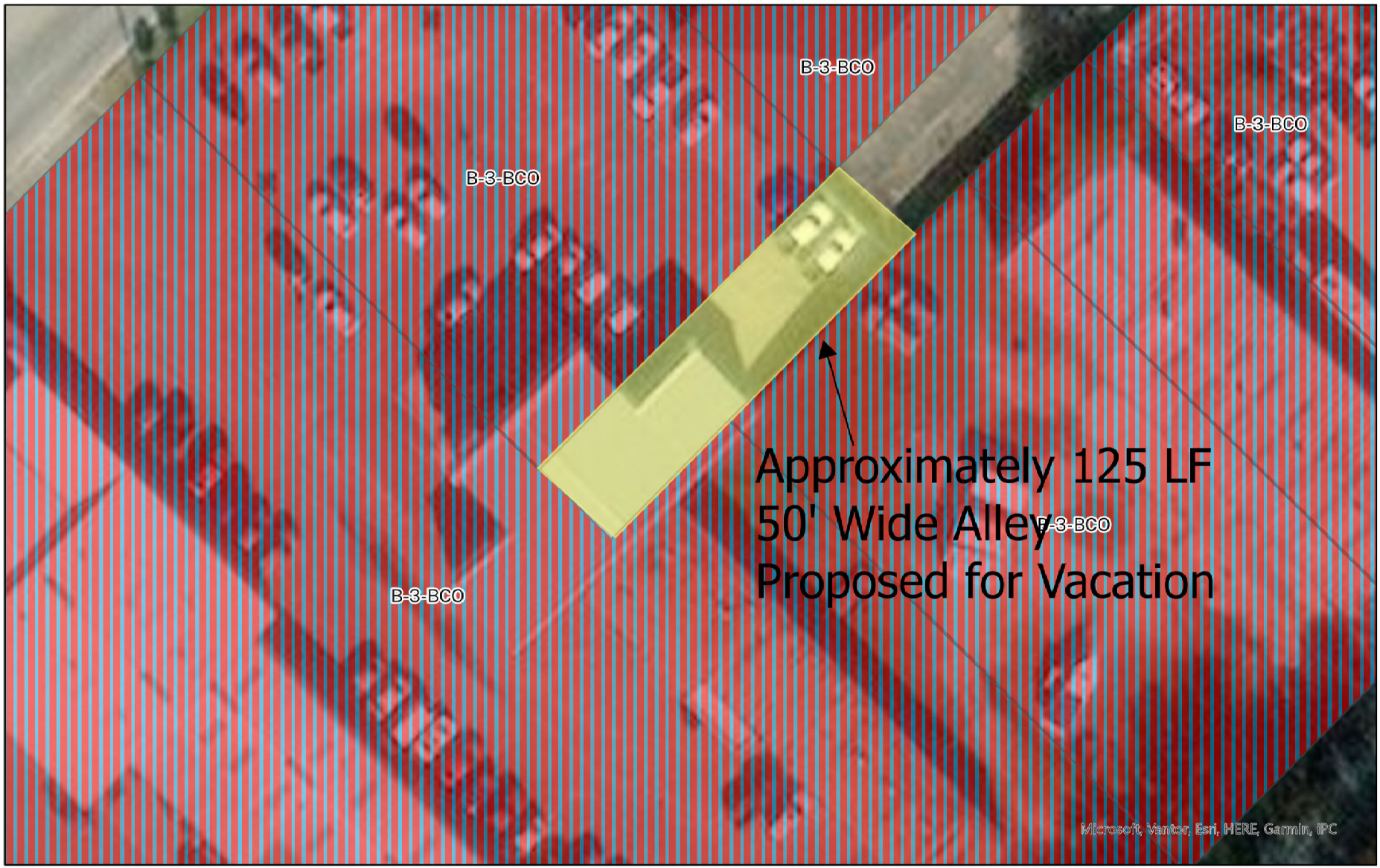
HPC Item: D, E, & F



Zoning Classes

B-3-BCO

Subject Property

Proposed Alley Closure

802 Broadway Drive
Subdivision Modification and Alley Closure
PPIN: 17605, 17606, 26875
Flood Zone AE, SX
Ward 4, Forrest County
Zoned B-3-BCO

0 125 Feet

N

URBAN DEVELOPMENT
PLANNING DIVISION

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: 11/24/2025 3:34 PM

Site Aerial



Surrounding Area



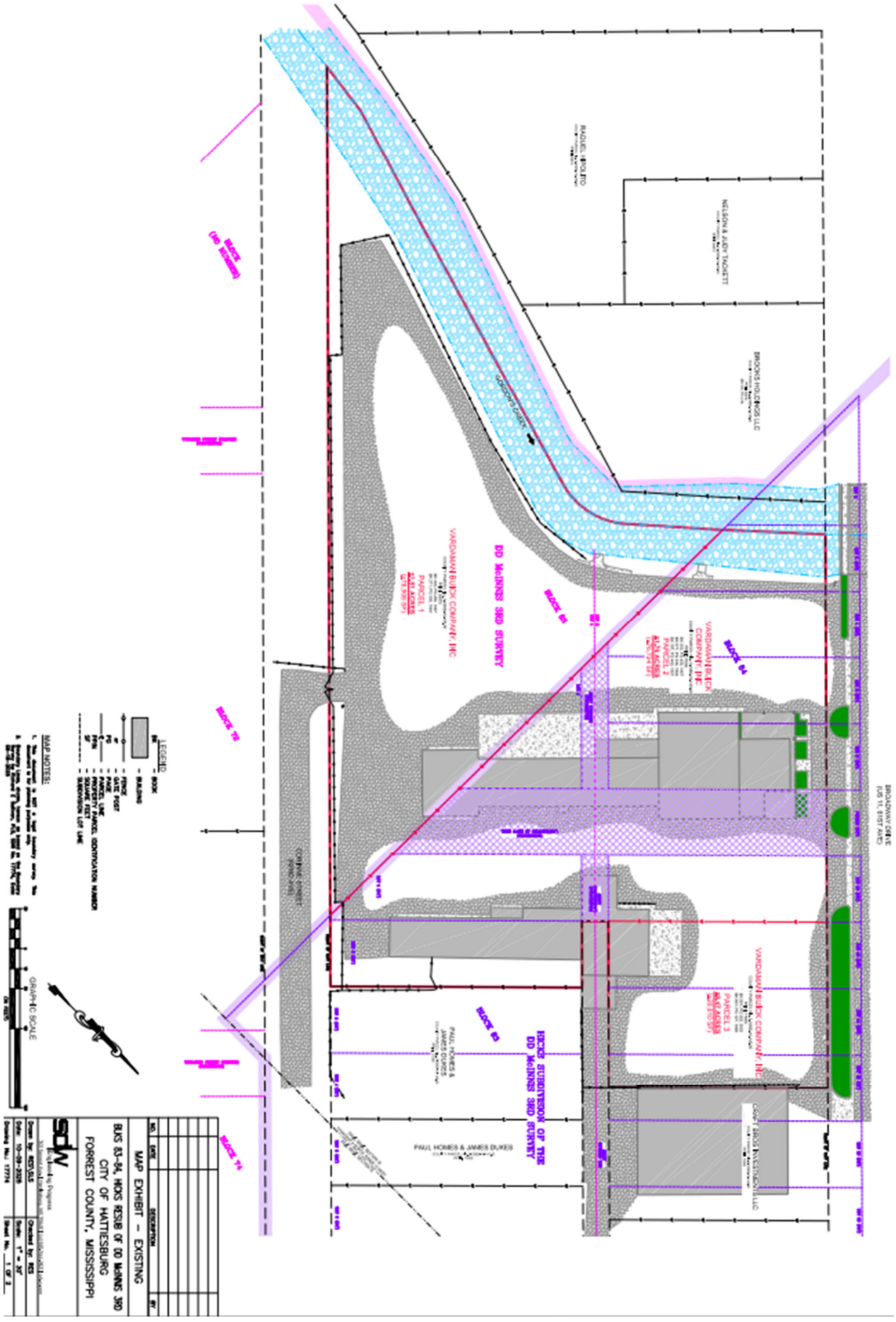


Surrounding Area

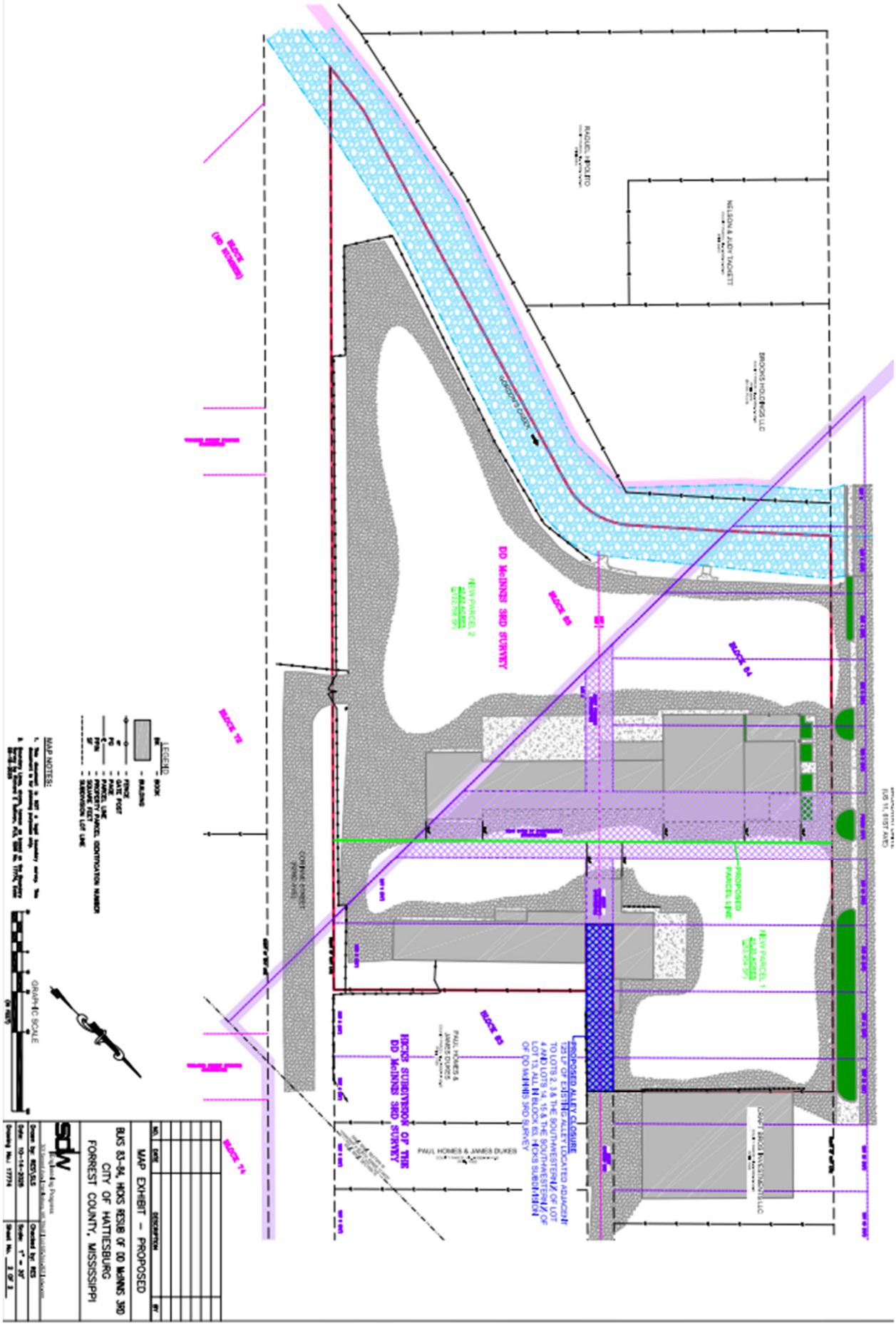




Existing Conditions



Proposed Subdivision and Alley Closure



Application for Public Hearing

City of Hattiesburg – Planning Division
PO BOX 1898 – Hattiesburg, MS 39403-1898 | Phone (601)- 545-4599

NOTE:

- **Fill this application out IN FULL with what applies to your application**

Applicant Information

Name Applicant: Stephen Stetelman **Project Name:** 710 Broadway Drive

Municipal Address of Site: 710 Broadway Drive **PPIN #:** 017605

Parcel Number(s): 2-038D-16-145.00

Type of Public Hearing	Additional Information Needed:
☐ Variance	☐ Sign ☐ Setback ☐ Off-Site Parking ☐ Lot Width ☐ Lot Coverage Area ☐ Buffer ☐ Open Space ☐ Other: _____
☐ Rezoning	Existing Zoning: _____ Proposed Zoning: _____
■ Conditional Use	☐ Automotive Filling Station ☐ Digital Billboard, New ☐ Digital Billboard, Replacement ☐ Telecommunications ☐ Restaurant ☐ Solar Farm ☐ Other: dealership
☐ Minor Subdivision	
☐ Subdividing of lot, Parcel, or Tract	
☐ Street or Alley Renaming	
☐ Vacating Street or Alley	
☐ Overlay District	
☐ Planned Mixed-Use District (PMU)	
C	

For Staff Only:			
Zoning:	**Historic District:**	**Flood Zone:**	**Ward:** ☐1 ☐2 ☐3 ☐4 ☐5
Project Number:		**Received:**	
PPIN # or Parcel #:			

Updated Version 07/31/2024

Application for Site Plan Review

City of Hattiesburg – Planning Division
PO BOX 1898 – Hattiesburg, MS 39403-1898 | Phone (601)- 545-4599

The following fees are an excerpt from Ordinance No. 2977, adopted January 22, 2008, as amended.

Public Hearing Fees	
Public Hearing Type	Fees Associated
Variance Variance applications include one Concept Site Plan Review and one Variance request	**$175.00** per application. **$50.00** for each additional variance.
Street / Alley Naming or Re-Naming *Fees for replacement street signs shall be paid after City Council approval but prior to the effective date. *	**$300.00** per application. **$100.00** per required street name sign *if approved*
Street / Alley Closing	**$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) with zoning change package	**$600.00** per package.
Subdivision of Land (Preliminary Plats) Note: Final Plats should be submitted to the governing body for approval within 12 months of approval of preliminary plats.	**$250.00** per application. **$10.00** per each additional created lot (** see PUD or PRD & Subdivision of Land package rate)
Planned Unit Development (PUD) or Planned Residential Development with Subdivision of Land Package**	**$500.00** per application. **$10.00** per each additional 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 *Exempt from fees – Established Neighborhood Association*	**$50.00** per appeal.
Cancellation/Re-notification fee on any public hearing process (Planning Commission or City Council) that is tabled or cancelled at the owner/developer's Request	**$50.00** (per each 100 mailing labels)

OTHER PROCESSES MAY HAVE ADDITIONAL FEES
Make all checks payable to the City of Hattiesburg

I hereby certify that I have completed and attached the above-required documents, information, and fees.

Print Name: Stephen Stetelman **Signature:**

Updated Version 07/31/2024

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

710 Broadway Drive Hattiesburg MS

Street Address City State

on this the _____ day of _____, 20___.

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

Stephen Stetelman

on this the _____ day of _____, 20____.

Cornell Malone

Property Owner (Print)

Cornell Malone

Property Owner (Signature)

STATE OF Mississippi

COUNTY OF Lamar

Personally came and appeared before me, the within named

_____,

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

GIVEN UNDER MY HAND AND OFFICIAL SEAL OF OFFICE, this the 29th day of September, 2025.

NOTARY PUBLIC

STATE OF MISSISSIPPI NOTARY PUBLIC ID # 126655 KELVIN BISHOP Commission Expires Jan. 30, 2027 LAMAR COUNTY

My Commission Expires:

1-30-2027

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:**
   Per section 4.20.3.3, this dealership falls under the umbrella of conditional uses for B-3 zoning. This property was previously a dealership and is suited to be one now.

2. **Describe the effects the proposed use of utilities and facilities will have on the community.**
   The tenant, Imperial Automotive, will use power and water as necessary to run his business. That said, they will be selling automobiles to the community paying rent to the landlord, and paying approriate taxes related to the personal property, real property, and sales.

3. **Describe how the size of the site is appropriate for the proposed use.**
   This site is ample to be a dealership, as it was recently occupied by a Buick dealership, and is the property's highest and best use.

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

5. **Will there be any elevation in the noise level resulting from this proposed use? If yes, please explain:**
   Nothing greater than the ambient noise from Broadway Drive.

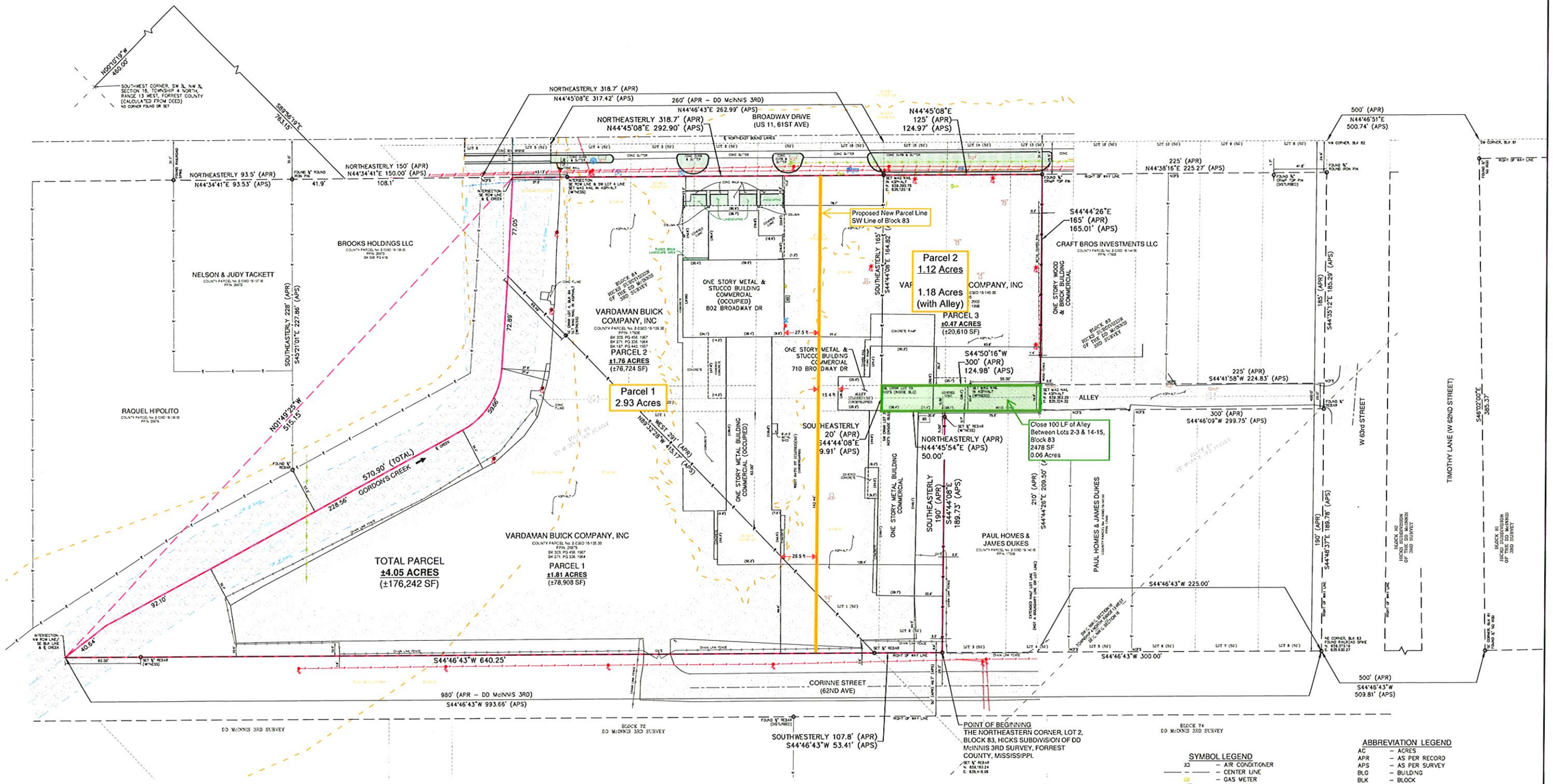
6. **What is the expected number of customers/employees per day?**
Less than 10 customers per day. They have two employees right now.

7. **Is proposed use compatible with surrounding uses and design? If yes, please explain:**
Yes, this building currently is finished nicely and one of the more aesthetic buildings on the block. This should do nothing but elevate the area in appearance, commerce, and activity.

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

Refer to the hattiesburgms.com/planning for Land Development Code and GIS map. Access via link or QR code.



SURVEY BOUNDARY DESCRIPTION

State of Mississippi
County of Forrest
City of Hattiesburg

A part of the Southwest ¼ of the Northwest ¼, in Section 16, in Township 4 North, Range 13 West, lying Easterly of Gordons Creek, South of Block 84 of Hicks Subdivision of DD McInnis (3rd) Survey of Section 16, Township 4 North, Range 13 West, as per Map or Plat thereof on file in the Office of the Chancery Clerk of Forrest County, Mississippi, Westerly of the Northwestern Right of Way Line of Corinne St, a public roadway also known as 62nd Avenue; AND all of Lots 1 & 2 and a part of Lots 13, 14, 15 & 16 and the Vacated Portion of the Alley between said Lots 1 & 16, all in Block 83 of said Hicks Subdivision of DD McInnis (3rd) Survey AND a part of Block 84 and the Vacated Alley, in Block 84 of said Hicks Subdivision of DD McInnis (3rd) Survey lying Northerly of Gordons Creek and Easterly of the Southeastern Right of Way Line of Broadway Dr, a public roadway also known as US Highway 11 and 61st Avenue AND a part of the Vacated Street located between said Blocks 83 & 84 of Hicks Subdivision of DD McInnis (3rd) Survey lying Easterly of said Southeastern Right of Way Line of Broadway Dr, all in the City of Hattiesburg, County of Forrest, State of Mississippi and being more particularly described using Mississippi State Plane Coordinate System, East Zone Grid, NAD 83(2011), US Survey Feet, with a combined scale factor of 0.9999703617 and a convergence angle of (minus) –0°14'50.38" at the Northeastern Corner of said Block 83, and **Beginning** at a ½ Inch Rebar representing the Northeastern Corner of said Lot 2, Block 83 and having a Grid Value of **N 659,160.24 feet** and **E 835,418.96 feet** on said East Zone Grid, thence run S44°46'43"W along the Southeastern Line of said Block 83 and along said Northwestern Right of Way Line of Corinne St for 53.41 feet to a ½ Inch Rebar representing the Southeastern Corner of said Block 83, thence continue S44°46'43"W along the Southerly Extension of said Southeastern Line of said Block 83 and along the Southeastern Line of Block 83 of DD McInnis 3rd Survey as per Map or Plat thereof on file in the Office of the Chancery Clerk of Forrest County, Mississippi and along said Northwestern Right of Way Line of Corinne Street for 640.25 feet to its Intersection with the Centerline of Gordons Creek (Witness Corner: from said Intersection, run N44°46'43"E along said Southeastern Block Line and along said Northwestern Right of Way Line for 60.00 feet to a ½ Inch Rebar), thence run Northwesterly along said Centerline of Gordons Creek and its meanderings for 570.90 feet to its Intersection with said Southeastern Right of Way Line of Broadway Drive (Witness Corner: from said Intersection, run N44°45'08"E along said Southeastern Right of Way Line of Broadway Drive for 43.13 feet to a Mag Nail in Asphalt representing its Intersection with the Southwestern Line of Lot 4 in said Block 84, said Intersection also being N01°49'25"W along a straight line for 515.15 feet from said Intersection of the Creek Centerline and the Northwestern Right of Way Line of Corinne Street, thence run N44°45'08"E along said Southeastern Right of Way Line of Broadway Drive for 292.90 feet to a Mag Nail in Asphalt representing its Intersection with the Southwestern Line of said Lot 15 in said Block 83 and having a Grid Value of **N 659,390.75 feet** and **E 835,120.18 feet** on said East Zone Grid, thence continue N44°45'08"E along said Southeastern Right of Way Line of Broadway Drive for 124.97 feet to a ¾ Inch Crimp Top Pin representing its Intersection with the Northwestern Line of the Southeastern half of said Lot 13, Block 83, thence run S44°44'26"E along said Southeastern Half Lot Line for 165.01 feet to a Mag Nail in Asphalt representing the Mid-Point of the Southeastern Line of said Lot 13 and a Point on the Northwestern Line of the Alley in said Block 83 having a Grid Value of **N 659,362.29 feet** and **E 835,324.32 feet** on said East Zone Grid, thence run S44°50'16"W along said Northwestern Alley Line and the Southeastern Line of said Lots 13, 14 & 15, Block 83 for 124.98 feet to the Southeastern Corner of said Lot 15, Block 83 (Witness Corner: from said Lot Line Mid-Point, run S44°50'16"W along said Northwestern Alley Line and the Southeastern Line of said Lots 13 & 14, Block 83 for 55.00 feet to a Mag Nail in Asphalt), thence run S44°44'08"E for 19.91 feet to the Southeastern Corner of said Lot 2, Block 83 and a Point on the Southeastern Line of said Alley, thence run N44°45'54"E along the Northwestern Line of said Lot 2 & said Southeastern Alley Line for 50.00 feet to the Northwestern Corner of said Lot 2 (Witness Corner: from said Northwestern Lot Corner, run S44°44'08"E along the Northeastern Line of said Lot 2 for 5.00 feet to a ½ Inch Rebar), thence run S44°44'08"E along said Northeastern Line of Lot 2 for 189.73 feet to the **Point of Beginning**, comprising **4.05 Acres (176,242 Square Feet)**, more or less.

RICHARD E. SULLIVAN — MISSISSIPPI — SURVEYOR — 09-19-2025 — PS 3276 — STATE OF MISSISSIPPI

This is to Certify that I have made a Survey of the Parcel shown & described hereon.

Richard E Sullivan, PLS
Land Surveyor No. 3276

REFERENCE MATERIALS:

FORREST COUNTY TAX MAP

MAP OF DD McINNIS 3RD SURVEY TO THE TOWN OF HATTIESBURG
BK 1.2 PG 15–18 05–15–1889

MAP OF HICKS SUBDIVISION OF THE DD McINNIS SURVEY OF SECTION 16, TOWNSHIP 4 NORTH, RANGE 13 WEST
BK 4 PG 16 05–18–1905

WARRANTY DEEDS

BK 38 PG 483	05–05–1930	
BK 187 PG 443	06–06–1957	
BK 271 PG 336	12–07–1964	
BK 271 PG 338	12–10–1964	
BK 303 PG 456	09–25–1967	
BK 599 PG 418	05–31–1988	
BK 599 PG 421	05–31–1988	
BK 801 PG 127	08–27–1998	

QUITCLAIM DEED
BK 890 PG 223 07–19–2002

CONVEYANCE OF LEASEHOLD INTEREST, ASSIGNMENT OF LEASE, AND QUITCLAIM OF IMPROVEMENTS
BK 1460 PG 650 11–20–2024

CONVEYANCE OF LEASEHOLD INTEREST, ASSIGNMENT OF LEASE
BK 891 PG 352 08–08–2002

DEED OF TRUST
BK 489 PG 401 07–02–1975

LAND DEED OF TRUST

BK 645 PG 15	09–25–1986	
BK 683 PG 634	03–21–1988	

SURVEYOR'S NOTES:

1. All paved areas are asphalt, unless otherwise noted.
2. The address of the Surveyed Parcel is noted hereon. Broadway Drive & Corinne St appear to be a public roadways. The surveyed parcel appears to have direct access to a public road.
3. Underground Utilities, Structures & Drainage were not located as a part of this survey. Utilities shown, hereon, are shown based on visual evidence only.
4. The Surveyed Parcel, shown hereon, is located within an Areas having a Flood Zone Designation "A" inside the 0.2% Annual Chance of Flood Hazard, Flood Zone Designation "AE" & Flood Zone Designation "AE Regulatory Floodway", all by the Federal Emergency Management Agency (FEMA), on Flood Insurance Rate Map (FIRM) No. 28035C0118E, with a Date of Identification of November 15, 2021 for Community No. 280053, in City of Hattiesburg, Forrest County, Mississippi.
5. All SIP Corners are Set ⅝"x18" Rebar with Caps, unless otherwise noted. Set Mag Nails have Brass Washers.
   5.1. No Corners set in Gordon's Creek.
   5.2. No Corners Set inside of the Building.
6. Principal Meridian: St. Stephens Meridian
7. This survey was performed without the benefit of a title opinion, search or commitment. For Title issues, Please consult a qualified Land Attorney.
   7.1. Record Deeds noted hereon are the latest available based on the County Tax Roll database and County Land Records.
   7.2. A complete easement search was not performed.

SYMBOL LEGEND

- AIR CONDITIONER
- CENTER LINE
- GAS METER
- GATE POST
- IRRIGATION CONTROL VALVE
- LIGHT STANDARD ON CONC BASE
- OVERHEAD UTILITY LINE
- PARCEL LINE
- POWER PANEL
- POWER SERVICE POINT
- SANITARY SEWER CLEAN OUT
- SANITARY SEWER LINE
- SANITARY SEWER MANHOLE
- SUBDIVISION LOT LINE
- UTILITY POLE
- WATER LINE
- WATER METER
- WATER VALVE
- WELL (COVER)

ABBREVIATION LEGEND

AC	– ACRES
APR	– AS PER RECORD
APS	– AS PER SURVEY
BLG	– BUILDING
BLK	– BLOCK
BK	– BOOK
℄	– CENTERLINE
CONC	– CONCRETE
CRNR	– CORNER
E:	– EASTING (GRID COORDINATE)
NCFS	– NO CORNER FOUND OR SET
NE	– NORTHEASTERN
N:	– NORTHING (GRID COORDINATE)
NW	– NORTHWESTERN
PG	– PAGE
POB	– POINT OF BEGINNING
PPIN	– PROPERTY PARCEL IDENTIFICATION NUMBER
ROW	– RIGHT OF WAY
SE	– SOUTHEASTERN
SW	– SOUTHWESTERN
SF	– SQUARE FEET

SURVEY DATES: AUGUST 28, 2025
SEPTEMBER 2–3, 2025
SEPTEMBER 15, 2025

JUDGED TO BE A CLASS 'A' SURVEY
SURVEYED TO CLASS 'A'

BEARINGS ARE BASED ON MS STATE PLANE COORDINATE SYSTEM, ZONE EAST GRID, US SURVEY FEET, AS DETERMINED BY GPS SINGLE BASE SOLUTION

HORIZONTAL DATUM: NAD 83(2011)
CONTROL STATION: RTCM0006 (USM CAMPUS) HATTIESBURG, MS
N: 665,022.112
E: 827,206.399
Z: 303.425

AT THE NORTHEASTERN CORNER, BLOCK 83, HICKS SUBDIVISION OF DD McINNIS 3RD SURVEY, FORREST COUNTY, MISSISSIPPI:
COMBINED SCALE FACTOR: 0.9999703617
CONVERGENCE: –0°14'50.38"

GRAPHIC SCALE
30 0 30 60 120
(IN FEET)

NO.	DATE	DESCRIPTION	BY

BOUNDARY SURVEY

BLKS 83–84, HICKS RESUB OF DD McINNIS 3RD
CITY OF HATTIESBURG
FORREST COUNTY, MISSISSIPPI

sdw Engineering Progress
301 Second Ave. | Hattiesburg, MS 39401 | (p) 601.544.1821 | sdw.com

Drawn by: RES\SLS	Checked by: RES
Date: 09–15–2025	Scale: 1" = 30'
Drawing No.: 17774	Sheet No. 1 OF 1

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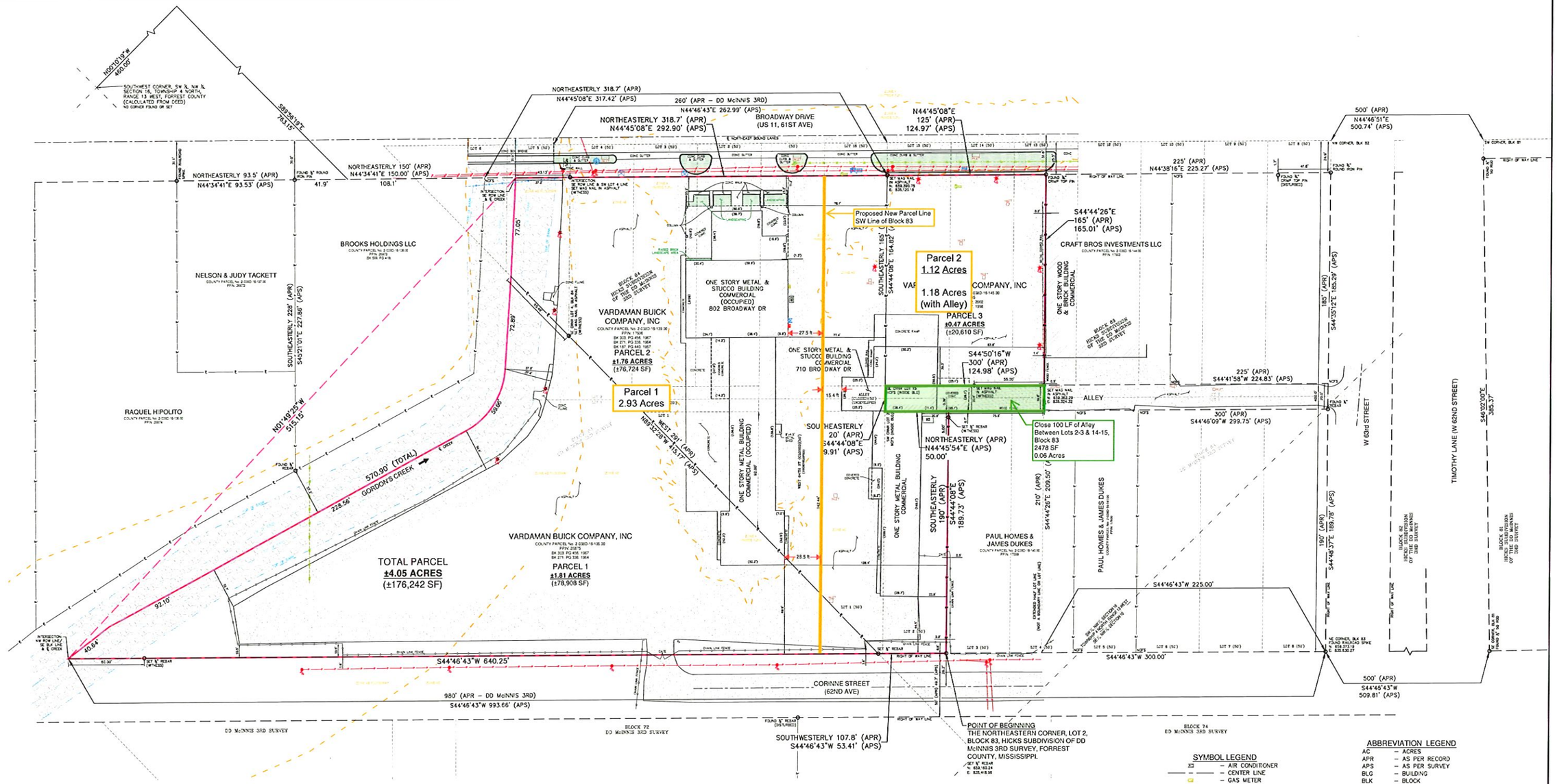

SURVEY BOUNDARY DESCRIPTION

State of Mississippi
County of Forrest
City of Hattiesburg

A part of the Southwest ¼ of the Northwest ¼, in Section 16, in Township 4 North, Range 13 West, lying Easterly of Gordons Creek, South of Block 84 of Hicks Subdivision of DD McInnis (3rd) Survey of Section 16, Township 4 North, Range 13 West, as per Map or Plat thereof on file in the Office of the Chancery Clerk of Forrest County, Mississippi, Westerly of the Northwestern Right of Way Line of Corinne St, a public roadway also known as 62nd Avenue; AND all of Lots 1 & 2 and a part of Lots 13, 14, 15 & 16 and the Vacated Portion of the Alley between said Lots 1 & 16, all in Block 83 of said Hicks Subdivision of DD McInnis (3rd) Survey AND a part of Block 84 and the Vacated Alley, in Block 84 of said Hicks Subdivision of DD McInnis (3rd) Survey lying Northerly of Gordons Creek and Easterly of the Southeastern Right of Way Line of Broadway Dr, a public roadway also known as US Highway 11 and 61st Avenue AND a part of the Vacated Street located between said Blocks 83 & 84 of Hicks Subdivision of DD McInnis (3rd) Survey lying Easterly of said Southeastern Right of Way Line of Broadway Dr, all in the City of Hattiesburg, County of Forrest, State of Mississippi and being more particularly described using Mississippi State Plane Coordinate System, East Zone Grid, NAD 83(2011), US Survey Feet, with a combined scale factor of 0.9999703617 and a convergence angle of (minus) –0°14'50.38" at the Northeastern Corner of said Block 83, and **Beginning** at a ½ inch Rebar representing the Northeastern Corner of said Lot 2, Block 83 and having a Grid Value of **N 659,160.24 feet** and **E 835,418.96 feet** on said East Zone Grid, thence run S44°46'43"W along the Southeastern Line of said Block 83 and along said Northwestern Right of Way Line of Corinne St for 53.41 feet to a ½ Inch Rebar representing the Southeastern Corner of said Block 83, thence continue S44°46'43"W along the Southerly Extension of said Southeastern Line of said Block 83 and along the Southeastern Line of Block 83 of DD McInnis 3rd Survey as per Map or Plat thereof on file in the Office of the Chancery Clerk of Forrest County, Mississippi and along said Northwestern Right of Way Line of Corinne Street for 640.25 feet to its Intersection with the Centerline of Gordons Creek (Witness Corner: from said Intersection, run N44°46'43"E along said Southeastern Block Line and along said Northwestern Right of Way Line for 60.00 feet to a ½ Inch Rebar), thence run Northwesterly along said Centerline of Gordons Creek and its meanderings for 570.90 feet to its Intersection with said Southeastern Right of Way Line of Broadway Drive (Witness Corner: from said Intersection, run N44°45'08"E along said Southeastern Right of Way Line of Broadway Drive for 43.13 feet to a Mag Nail in Asphalt representing its Intersection with the Southwestern Line of Lot 4 in said Block 84, said Intersection also being N01°49'25"W along a straight line for 515.15 feet from said Intersection of the Creek Centerline and the Northwestern Right of Way Line of Corinne Street, thence run N44°45'08"E along said Southeastern Right of Way Line of Broadway Drive for 292.90 feet to a Mag Nail in Asphalt representing its Intersection with the Southwestern Line of said Lot 15 in said Block 83 and having a Grid Value of **N 659,390.75 feet** and **E 835,120.18 feet** on said East Zone Grid, thence continue N44°45'08"E along said Southeastern Right of Way Line of Broadway Drive for 124.97 feet to a ¾ Inch Crimp Top Pin representing its Intersection with the Northwestern Line of the Southeastern half of said Lot 13, Block 83, thence run S44°44'26"E along said Southeastern Half Lot Line for 165.01 feet to a Mag Nail in Asphalt representing the Mid-Point of the Southeastern Line of said Lot 13 and a Point on the Northwestern Line of the Alley in said Block 83 having a Grid Value of **N 659,390.75 feet** and **E 835,324.32 feet** on said East Zone Grid, thence run S44°50'16"W along said Northwestern Alley Line and the Southeastern Line of said Lots 13, 14 & 15, Block 83 for 124.98 feet to the Southeastern Corner of said Lot 15, Block 83 (Witness Corner: from said Lot Line Mid-Point, run S44°50'16"W along said Northwestern Alley Line and the Southeastern Line of said Lots 13 & 14, Block 83 for 55.00 feet to a Mag Nail in Asphalt), thence run S44°44'08"E for 19.91 feet to the Southwestern Corner of said Lot 2, Block 83 and a Point on the Southeastern Line of said Alley, thence run N44°45'54"E along the Northwestern Line of said Lot 2 & said Southeastern Alley Line for 50.00 feet to the Northwestern Corner of said Lot 2 (Witness Corner: from said Northwestern Lot Corner, run S44°44'08"E along the Northeastern Line of said Lot 2 for 5.00 feet to a ½ Inch Rebar), thence run S44°44'08"E along said Northeastern Line of Lot 2 for 189.73 feet to the **Point of Beginning**, comprising **4.05 Acres (176,242 Square Feet)**, more or less.

RICHARD E. SULLIVAN — REGISTERED PROFESSIONAL LAND SURVEYOR — 09-15-2025 — PLS 3276 — STATE OF MISSISSIPPI

This is to Certify that I have made a Survey of the Parcel shown & described hereon.

Richard E Sullivan, PLS
Mississippi Land Surveyor No. 3276

REFERENCE MATERIALS:

FORREST COUNTY TAX MAP

MAP OF DD McINNIS 3RD SURVEY TO THE TOWN OF HATTIESBURG
BK 1.2 PG 15–18 05–15–1889

MAP OF HICKS SUBDIVISION OF THE DD McINNIS SURVEY OF SECTION 16, TOWNSHIP 4 NORTH, RANGE 13 WEST
BK 4 PG 16 05–18–1905

WARRANTY DEEDS

BK	38 PG	483	05–05–1930
BK	187 PG	440	06–06–1957
BK	271 PG	336	12–07–1964
BK	271 PG	338	12–10–1964
BK	303 PG	456	09–25–1967
BK	599 PG	418	05–31–1988
BK	599 PG	421	05–31–1988
BK	801 PG	127	08–27–1998

QUITCLAIM DEED
BK 890 PG 223 07–19–2002

CONVEYANCE OF LEASEHOLD INTEREST, ASSIGNMENT OF LEASE, AND QUITCLAIM OF IMPROVEMENTS
BK 1460 PG 650 11–20–2024

CONVEYANCE OF LEASEHOLD INTEREST, ASSIGNMENT OF LEASE
BK 891 PG 352 08–08–2002

DEED OF TRUST
BK 489 PG 401 07–02–1975

LAND DEED OF TRUST
BK 645 PG 15 09–25–1986
BK 683 PG 634 03–21–1988

SURVEYOR'S NOTES:

1. All paved areas are asphalt, unless otherwise noted.
2. The address of the Surveyed Parcel is noted hereon. Broadway Drive & Corinne St appear to be a public roadways. The surveyed parcel appears to have direct access to a public road.
3. Underground Utilities, Structures & Drainage were not located as a part of this survey. Utilities shown, hereon, are shown based on visual evidence only.
4. The Surveyed Parcel, shown hereon, is located within an Area having a Flood Zone Designation "X" inside the 0.2% Annual Chance of Flood Hazard, Flood Zone Designation "AE" & Flood Zone Designation "AE Regulatory Floodway", all by the Federal Emergency Management Agency (FEMA), on Flood Insurance Rate Map (FIRM) No. 28035C0116E, with a Date of Identification of November 18, 2021 for Community No. 280053, in City of Hattiesburg, Forrest County, Mississippi.
5. All SIP Corners are Set ⅝"x18" Rebar with Caps, unless otherwise noted. Set Mag Nails have Brass Washers.
   5.1. No Corners set in Gordon's Creek.
   5.2. No Corners Set inside of the Building.
6. Principal Meridian: St. Stephens Meridian
7. This survey was performed without the benefit of a title opinion, search or commitment. For Title issues, Please consult a qualified Land Attorney.
   7.1. Record Deeds noted hereon are the latest available based on the County Tax Roll databases and County Land Records.
   7.2. A complete easement search was not performed.

SURVEY DATES: AUGUST 28, 2025
SEPTEMBER 2–3, 2025
SEPTEMBER 15, 2025

JUDGED TO BE A CLASS 'A' SURVEY
SURVEYED TO CLASS 'A'

BEARINGS ARE BASED ON MS STATE PLANE COORDINATE SYSTEM, ZONE EAST GRID, US SURVEY FEET, AS DETERMINED BY GPS SINGLE BASE SOLUTION

HORIZONTAL DATUM: NAD 83(2011)
CONTROL STATION: RTCM0006 (USM CAMPUS) HATTIESBURG, MS
N: 665,022.112
E: 827,206.399
Z: 303.425

AT THE NORTHEASTERN CORNER, BLOCK 83, HICKS SUBDIVISION OF DD McINNIS 3RD SURVEY, FORREST COUNTY, MISSISSIPPI:
COMBINED SCALE FACTOR: 0.9999703617
CONVERGENCE: –0°14'50.38"

GRAPHIC SCALE
30 0 15 30 60 120
(IN FEET)

SYMBOL LEGEND

- AIR CONDITIONER
- CENTER LINE
- GAS METER
- GATE POST
- IRRIGATION CONTROL VALVE
- LIGHT STANDARD ON CONC BASE
- OVERHEAD UTILITY LINE
- PARCEL LINE
- POWER PANEL
- POWER SERVICE POINT
- SANITARY SEWER CLEAN OUT
- SANITARY SEWER LINE
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- SUBDIVISION LOT LINE
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- WATER METER
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- WELL (COVER)

ABBREVIATION LEGEND

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ROW	– RIGHT OF WAY
SE	– SOUTHEASTERN
SW	– SOUTHWESTERN
SF	– SQUARE FEET

NO.	DATE	DESCRIPTION	BY

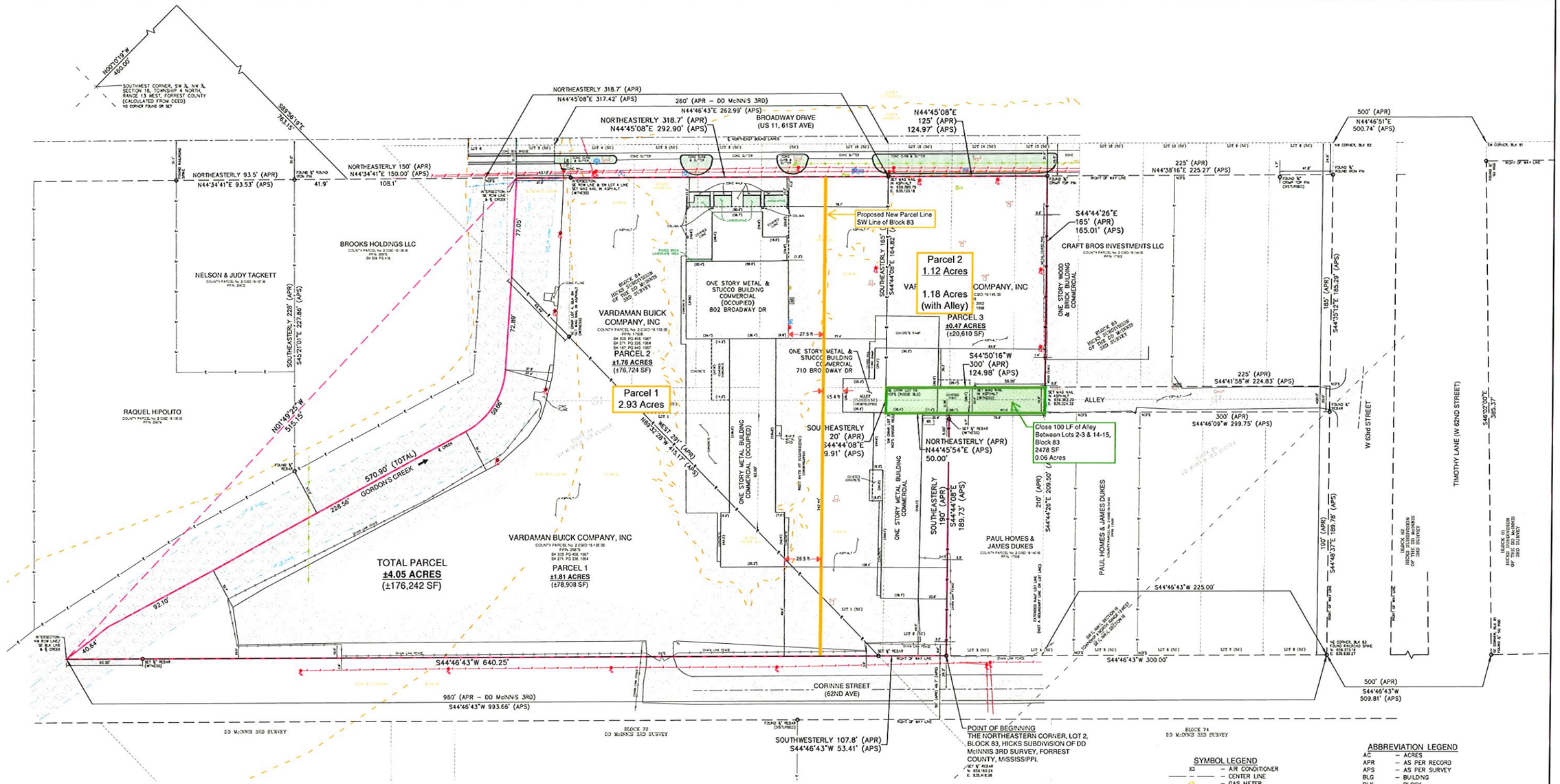
BOUNDARY SURVEY

BLKS 83–84, HICKS RESUB OF DD McINNIS 3RD
CITY OF HATTIESBURG
FORREST COUNTY, MISSISSIPPI

sdw Engineering Progress
301 Second Ave. | Hattiesburg, MS 39401 | (p) 601.544.1821 | sdw.com

Drawn by: RES\SLS	Checked by: RES
Date: 09–15–2025	Scale: 1" = 30'
Drawing No.: 17774	Sheet No. 1 OF 1

G:\PROJECTS\Abalone Coast\17774 - Vardaman Block Survey\4 Design\17774CAD 10sc\17774 - Survey.dwg, 1 OF 1, 9/19/2025 4:50:00 PM



SURVEY BOUNDARY DESCRIPTION

State of Mississippi
County of Forrest
City of Hattiesburg

A part of the Southwest ¼ of the Northwest ¼, in Section 16, in Township 4 North, Range 13 West, lying Easterly of Gordons Creek, South of Block 84 of Hicks Subdivision of DD McInnis (3rd) Survey of Section 16, Township 4 North, Range 13 West, as per Map or Plat thereof on file in the Office of the Chancery Clerk of Forrest County, Mississippi, Westerly of the Northwestern Right of Way Line of Corinne St, a public roadway also known as 62nd Avenue; AND all of Lots 1 & 2 and a part of Lots 13, 14, 15 & 16 and the Vacated Portion of the Alley between said Lots 1 & 16, all in Block 83 of said Hicks Subdivision of DD McInnis (3rd) Survey AND a part of Block 84 and the Vacated Alley in Block 84 of said Hicks Subdivision of DD McInnis (3rd) Survey lying Northerly of Gordons Creek and Easterly of the Southeastern Right of Way Line of Broadway Dr, a public roadway also known as US Highway 11 and 61st Avenue AND a part of the Vacated Street located between said Blocks 83 & 84 of Hicks Subdivision of DD McInnis (3rd) Survey lying Easterly of said Southeastern Right of Way Line of Broadway Dr, all in the City of Hattiesburg, County of Forrest, State of Mississippi and being more particularly described using Mississippi State Plane Coordinate System, East Zone Grid, NAD 83(2011), US Survey Feet, with a combined scale factor of 0.9999703617 and a convergence angle of (minus) −0°14'50.38" at the Northeastern Corner of said Block 83, and **Beginning** at a ½ Inch Rebar representing the Northeastern Corner of said Lot 2, Block 83 and having a Grid Value of **N 659,160.24 feet** and **E 835,418.96 feet** on said East Zone Grid, thence run S44°46'43"W along the Southeastern Line of said Block 83 and along said Northwestern Right of Way Line of Corinne St for 53.41 feet to a ½ Inch Rebar representing the Southeastern Corner of said Block 83, thence continue S44°46'43"W along the Southerly Extension of said Southeastern Line of said Block 83 and along the Southeastern Line of Block 83 of DD McInnis 3rd Survey as per Map or Plat thereof on file in the Office of the Chancery Clerk of Forrest County, Mississippi and along said Northwestern Right of Way Line of Corinne Street for 640.25 feet to its Intersection with the Centerline of Gordons Creek (Witness Corner: from said Intersection, run N44°46'43"E along said Southeastern Block Line and along said Northwestern Right of Way Line for 60.00 feet to a ½ Inch Rebar), thence run Northwesterly along said Centerline of Gordons Creek and its meanderings for 570.90 feet to its Intersection with said Southeastern Right of Way Line of Broadway Drive (Witness Corner: from said Intersection, run N44°45'08"E along said Southeastern Right of Way Line of Broadway Drive for 43.13 feet to a Mag Nail in Asphalt representing its Intersection with the Southwestern Line of Lot 4 in said Block 84, said Intersection also being N01°49'25"W along a straight line for 515.15 feet from said Intersection of the Creek Centerline and the Northwestern Right of Way Line of Corinne Street, thence run N44°45'08"E along said Southeastern Right of Way Line of Broadway Drive for 292.90 feet to a Mag Nail in Asphalt representing its Intersection with the Southwestern Line of said Lot 15 in said Block 83 and having a Grid Value of **N 659,390.75 feet** and **E 835,120.18 feet** on said East Zone Grid, thence continue N44°45'08"E along said Southeastern Right of Way Line of Broadway Drive for 124.97 feet to a ½ Inch Crimp Top Pin representing its Intersection with the Northeastern Line of the Southeastern half of said Lot 13, Block 83, thence run S44°44'26"E along said Southeastern Half Lot Line for 165.01 feet to a Mag Nail in Asphalt representing the Mid-Point of the Southeastern Line of said Lot 13 and a Point on the Northwestern Line of the Alley in said Block 83 having a Grid Value of **N 659,362.29 feet** and **E 835,324.32 feet** on said East Zone Grid, thence run S44°50'16"W along said Northwestern Alley Line and the Southeastern Line of said Lots 13, 14 & 15, Block 83 for 124.98 feet to the Southeastern Corner of said Lot 15, Block 83 (Witness Corner: from said Lot Line Mid-Point, run S44°50'16"W along said Northwestern Alley Line and the Southeastern Line of said Lots 13 & 14, Block 83 for 55.00 feet to a Mag Nail in Asphalt), thence run S44°44'08"E for 19.91 feet to the Southeastern Corner of said Lot 2, Block 83 and a Point on the Southeastern Line of said Alley, thence run N44°45'54"E along the Northwestern Line of said Lot 2 & said Southeastern Alley Line for 50.00 feet to the Northwestern Corner of said Lot 2 (Witness Corner: from said Northwestern Lot Corner, run S44°44'08"E along the Northeastern Line of said Lot 2 for 5.00 feet to a ½ Inch Rebar), thence run S44°44'08"E along said Northeastern Line of Lot 2 for 189.73 feet to the **Point of Beginning**, comprising **4.05 Acres (176,242 Square Feet)**, more or less.

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BK 197 PG 440 06-06-1957
BK 271 PG 336 12-07-1964
BK 271 PG 338 12-10-1964
BK 303 PG 456 09-25-1967
BK 599 PG 418 05-31-1988
BK 599 PG 421 05-31-1988
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BK 891 PG 352 08-06-2002

DEED OF TRUST
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LAND DEED OF TRUST
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BK 683 PG 834 03-21-1988

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7. This survey was performed without the benefit of a title opinion, search or commitment. For Title issues, Please consult a qualified Land Attorney.
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   7.2. A complete easement search was not performed.

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GM – GAS METER
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– OVERHEAD UTILITY LINE
– PARCEL LINE
PP – POWER PANEL
PSP – POWER SERVICE POINT
SSCO – SANITARY SEWER CLEAN OUT
– SANITARY SEWER LINE
SSMH – SANITARY SEWER MANHOLE
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– WATER LINE
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PPIN – PROPERTY PARCEL IDENTIFICATION NUMBER
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SF – SQUARE FEET

GRAPHIC SCALE
30 0 15 30 60 120
(IN FEET)

SURVEY DATES: AUGUST 28, 2025
SEPTEMBER 2-3, 2025
SEPTEMBER 15, 2025

JUDGED TO BE A CLASS 'A' SURVEY
SURVEYED TO CLASS 'A'

BEARINGS ARE BASED ON MS STATE PLANE COORDINATE SYSTEM, ZONE EAST GRID, US SURVEY FEET, AS DETERMINED BY GPS SINGLE BASE SOLUTION

HORIZONTAL DATUM: NAD 83(2011)
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N: 665,022.112
E: 827,206.399
Z: 303.425

AT THE NORTHEASTERN CORNER, BLOCK 83, HICKS SUBDIVISION OF DD McINNIS 3RD SURVEY, FORREST COUNTY, MISSISSIPPI:
COMBINED SCALE FACTOR: 0.9999703617
CONVERGENCE: −0°14'50.38"

NO.	DATE	DESCRIPTION	BY

BOUNDARY SURVEY

BLKS 83-84, HICKS RESUB OF DD McINNIS 3RD CITY OF HATTIESBURG FORREST COUNTY, MISSISSIPPI

sdw Engineering Progress
301 Second Ave. | Hattiesburg, MS 39401 | (p) 601.544.1821 | sdw.com

Drawn by: RES\SLS	Checked by: RES
Date: 09-15-2025	Scale: 1" = 30'
Drawing No.: 17774	Sheet No. 1 OF 1

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URBAN DEVELOPMENT
PLANNING DIVISION

Planning Commission
Case Fact Sheet

Names of Petitioner: Bill, Ute, and James Benge, Property Owners/Applicants

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Request(s): **Request for Land Development Code Text Amendment**

Purpose of Request: Bill, Ute, and James Benge, Property Owners/Applicants, request a text amendment to allow Accessory Dwelling Units (ADUs) as a Conditional Use approval.

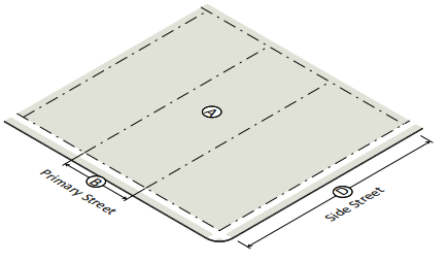
History / Background: The applicants met with staff to discuss converting an existing accessory structure on their property into a legal Accessory Dwelling Unit. The current Land Development Code, which is Euclidean-based and governs the majority of land within the city, does not permit ADUs within single-family zoning districts. However, the Hattiesburg Form-Based Code already contains regulations that allow ADUs by right for detached single-family houses, subject to dimensional standards such as minimum setbacks, separation from the primary structure, and a maximum conditioned floor area of 600 square feet (see Figure 1).

ADUs are smaller, independent housing units located on the same lot as the primary residence. They are most often detached units in the rear yard but may also be attached, such as above-garage apartments. The American Planning Association (APA) and the AARP have promoted ADUs as a tool to increase housing choice and affordability by diversifying housing types within existing neighborhoods. Over the past twenty-five years, national organizations have published model ordinances, regulatory guidance, and research supporting ADUs as a means to expand housing availability without requiring the extension of major new infrastructure.

In 2022, the Hattiesburg Planning Commission reviewed ADU concepts through a subcommittee process. While ADU regulations were explored, no formal ordinance amendments were forwarded for adoption. During that review, staff and the subcommittee examined ADU regulations from comparable communities and evaluated model ordinances prepared by the APA and the AARP.

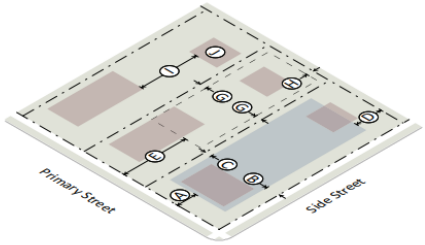
During the applicants' recent meeting with staff, the possibility of pursuing a text amendment to create a conditional use pathway for ADUs within the Land Development Code was discussed. This approach would allow ADU requests to be evaluated on a case-by-case basis while broader ADU policy considerations continue to be studied.

1. Lot



Lot Dimensions	
Ⓐ Lot area (min)	7,500 SF
Ⓐ Lot area - rear loaded (min)	5,000 SF
Ⓑ Lot width (min)	50'
Ⓑ Lot width - rear loaded (min)	40'
Ⓒ Dwelling units per lot (max)	1
Additional Requirements with Carriage House	
Ⓓ Lot depth (min)	120'
Ⓔ Additional detached dwelling unit (max)	1
Ⓕ Additional on-site parking (min)	1 space

2. Placement



Principal Building Setbacks	
Ⓐ Primary street (min)	15'
Ⓑ Side street (min)	10'
Ⓒ Side interior (min)	5'
Ⓓ Rear (min)	20'
Ⓓ Abutting alley	4'or 20' min
Accessory Structure/Carriage House Setbacks	
Ⓔ Primary street (min)	50'
Ⓕ Side street (min)	10'
Ⓖ Side interior (min)	5'
Ⓗ Rear (min)	5'
Ⓗ Abutting alley	4' or 20' min

Figure 1 - Accessory Structure Regulations for detached houses from the Hattiesburg Form-Based Code, permitted by right, Section 3.13

The AARP's 2020 updated model ordinance provides regulatory language and definitions that could assist in drafting local ADU standards. Two potential definition frameworks are included below for the Planning Commission discussion:

Limiting ADUs to parcels that are already the site of a single-family dwelling: "Accessory Dwelling Unit" (ADU) means a residential living unit on the same parcel as a single-family dwelling. The ADU provides complete independent living facilities for one or more persons. It may take various forms: a detached unit; a unit that is part of an accessory structure, such as a detached garage; or a unit that is part of an expanded or remodeled dwelling.

The ADU to be built before or concurrently with a single-family home: "Accessory Dwelling Unit" (ADU) means a residential living unit on the same parcel as a single-family dwelling or a parcel on which a single-family dwelling is present or may be constructed. The ADU provides complete independent living facilities for one or more

persons. It may take various forms: a detached unit, a unit that is part of an accessory structure, such as a detached garage; or a unit that is part of an expanded or remodeled dwelling.

The Planning Commission may view this text amendment as an interim or "stopgap" measure that allows limited ADU development under conditional use review while the City continues evaluating broader ADU regulations. Additional research may include assessing potential impacts on neighborhood character, reviewing parking and infrastructure considerations, evaluating compatibility standards, and comparing approaches used by peer communities.

A conditional use process would allow the City to review ADUs on a site-specific basis while long-term regulatory frameworks are further developed.

Applicable Regulations:

SECTION 5

5.4.2 Accessory Uses, Buildings.

5.4.2.1 In no event shall "accessory use" or "accessory structure" be construed to authorize a use or structure not otherwise permitted in the district in which the principal use is located.

5.4.2.2 All accessory uses and accessory structures shall conform to the applicable requirements of this ordinance, including all dimensional requirements and use, design and landscaping standards applicable to the primary use/structure. The provisions of this section establish additional requirements and restrictions for particular accessory uses and structures.

5.4.2.3 Accessory uses and structures that are clearly related to and incidental to the permitted principal use or structure on the lot are permitted in all districts.

5.4.2.4 All accessory uses and structures shall require the issuance of a certificate of zoning compliance.

5.4.2.5 Structures accessory to residential uses (except for agricultural buildings located in agricultural districts) shall have a combined floor area (aggregate of all detached accessory structures) of no more than 33% of the total floor area of the principal structure.

5.4.2.6 No accessory structure shall be located in a required front yard nor shall any accessory structure on a residential lot located in any zoning district be placed between the street and the rear building line of the principal structure except that:

i. In the A1 District, accessory structures located more than 100 feet from the primary street may be placed in the front yard; and

ii. Detached garages shall be permitted in side yards.

iii. Accessory residential structures shall be five (5) feet from the rear property line and five (5) feet from the side property line. No accessory structure on a corner lot shall project beyond the front yard line of the lots in the rear.

5.4.2.7 Temporary buildings and storage of materials and goods associated with construction or remodeling activity are permitted for a

period not to exceed six months. One six-month extension may be granted on a case-by-case basis

Applicant Summary: * See Attached *

PROPOSED TEXT AMENDMENT CHANGES BY APPLICANT

Amend section 5, Table 5.1, for the following use:

"Accessory Dwelling Unit (ADU)"

Request an amendment to allow ADUs as a conditional use approval.

OPTIONS TO CONSIDER WITH THE AMENDMENT:

Consider which zoning districts allow ADUs as a conditional use and an appropriate definition for accessory dwelling units for the Land Development Code.

Letters or Concerns stated: The Planning Division has not received any letters or concerns as of finalizing this report.

Option: Recommend **Approval** or **Denial** of the request for an Amendment of the Hattiesburg Land Development Code, Ord. No. 3209, as amended.

SUBJECT PARCEL

217 N 23rd Avenue — Text Amendment and Conditional Use Request

Text Amendment Request- Bill, Ute, and James Benge, Property Owners/Applicants, request a text amendment to allow Accessory Dwelling Units as a Conditional Use approval.

Conditional Use Request- Bill, Ute, and James Benge, Property Owners/Applicants, request conditional use approval for an Accessory Dwelling Unit in a R-1B zoned property at 217 N 23rd Avenue (PPIN 16123, Forrest County, Ward 4).





HPC Item: G and H



Zoning Legend

- R-1A
- R-1B
- 217 N 23rd Avenue

Conditional Use Request
217 N 23rd Avenue
PPIN: 16123
Flood Zone: X
Ward 4, Forrest County

0 250 Feet

N

URBAN DEVELOPMENT
PLANNING DIVISION

Center: 89°19'29"W 31°19'41"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: 11/24/2025 2:39 PM

HPC Item: G and H



Future Land Use Map

Neighborhood Conservation District 1

217 N 23rd Avenue

Conditional Use Request
217 N 23rd Avenue
PPIN: 16123
Flood Zone: X
Ward 4, Forrest County

0 250 Feet

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Site Aerial



Surrounding Area





Surrounding Area





Application for Public Hearing

City of Hattiesburg – Planning Division
PO BOX 1898 – Hattiesburg, MS 39403-1898 | Phone (601)- 545-4599

NOTE:

- **Fill this application out IN FULL with what applies to your application**
- Refer to the hattiesburgms.com/planning for Land Development Code and GIS map. Access via link or QR code

Applicant Information

Name Applicant: Bill Benge Project Name: Conditional Use Adu

Municipal Address of Site: 217 N. 23rd Avenue PPIN #: 16123

Parcel Number(s): 2-028J-08-276.00

Type of Public Hearing	Additional Information Needed:
☐ Variance (fill out pages 7 & 8)	☐ Sign ☐ Setback ☐ Off-Site Parking ☐ Lot Width ☐ Lot Coverage Area ☐ Buffer ☐ Open Space ☐ Other: _____
☐ Rezoning (fill out page 11)	Existing Zoning: _____ Proposed Zoning: _____
☑ Conditional Use (fill out pages 9 & 10)	☐ Automotive Filling Station ☐ Digital Billboard, New ☐ Digital Billboard, Replacement ☐ Telecommunications ☐ Restaurant ☐ Solar Farm ☐ Other: _____

Other Application types:

☐ Subdividing of a lot, Parcel, or Tract (fill out page 12)
☐ Street or Alley Renaming (fill out pages 13 & 14)
☐ Vacating Street or Alley (fill out pages 13 & 14)
☑ Text Amendment
☐ Overlay District
☐ Planned Mixed-Use District (PMU)

For Staff Only:			
Zoning:	**Historic District:**	**Flood Zone:**	**Ward:** ☐1 ☐2 ☐3 ☐4 ☐5
Project Number:		**Received:**	
PPIN # or Parcel #:			

Updated Version 05/22/25

Application for Public Hearing

City of Hattiesburg – Planning Division
PO BOX 1898 – Hattiesburg, MS 39403-1898 | Phone (601)- 545-4599

Public Hearing Petitioner Information:

Deadline for applicant to file petition: October 27, 2025 @ 5:00 pm
Hattiesburg Planning Commission Meeting Date: December 3, 2025 @ 1:00 pm
Hattiesburg Board of Adjustment Meeting Date: N/A
City Council Agenda Review Date – (you or your representative should attend): December 15, 2025 @ 4:00pm
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- 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. *

Public Hearing Application Checklist

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 standards may be accepted only per approval from staff)

☐ Site & Design Review Committee, if needed

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

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

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

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

☐ Other documents needed (if relevant):

- ☐ Maps of digital billboard removal sites
- ☐ Maps of digital billboard replacement sites
- ☐ Documentation on measurements
- ☐ Other: _____

☑ Payment to the City of Hattiesburg for filing a public hearing application in the amount of $ ~~200.00~~ 175.00

Application for Site Plan Review

City of Hattiesburg – Planning Division
PO BOX 1898 – Hattiesburg, MS 39403-1898 | Phone (601)- 545-4599

The following fees are an excerpt from Ordinance No. 2977, adopted January 22, 2008, as amended.

Public Hearing Fees	
Public Hearing Type	Fees Associated
Variance Variance applications include one Concept Site Plan Review and one Variance request	**$175.00** per application. **$50.00** for each additional variance.
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OTHER PROCESSES MAY HAVE ADDITIONAL FEES

Make all checks payable to the City of Hattiesburg

I hereby certify that I have completed and attached the above-required documents, information, and fees.

Print Name: Bill Benge **Signature:**

Updated Version 05/27/2025

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

217 N. 23rd Avenue (Street Address) Hattiesburg (City) MS (State) 39401,

on this the _____ day of _____, 20___.

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

Ute Benge, James Benge

on this the _____ day of _____, 20____.

Bill Benge
Property Owner (Print)

Property Owner (Signature)

STATE OF Mississippi

COUNTY OF Forrest

Personally came and appeared before me, the within named Bill Benge,
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 23rd day of October, 2025.

Donald R. Broome
NOTARY PUBLIC

My Commission Expires:

June 20, 2029

STATE OF MISSISSIPPI NOTARY PUBLIC ID# 78135 DONALD R. BROOME Commission Expires June 30, 2029 FORREST COUNTY

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:**
   Not applicable as this is a new application.

2. **Describe the effects the proposed use of utilities and facilities will have on the community.**
   We are requesting an amendment to the Land Development Code for R-Zones to allow conditional use ADUs. We feel this will help revitalize our neighborhood and make the best use of already existing infrastructure.

3. **Describe how the size of the site is appropriate for the proposed use.**
   Our family currently owns and occupies two houses on this block. The 20'x30' existing structure would be renovated as an ADU, and serve as a comfortable alternative to a nursing home for our 92 year old mother.

4. **Will there be any additional pedestrian or vehicular traffic generated by the proposed use? If yes, please explain:**
   No, as my mother would move from 208 N. 22nd Avenue to the proposed ADU on the alley behind 217 N. 23rd Avenue.

5. **Will there be any elevation in the noise level resulting from this proposed use? If yes, please explain:**
   No.

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

N/A

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

Yes, there are properties with already existing ADUs at the following addresses: 206½, 208½, 209½ N. 23rd Avenue; 108½, 207½ N. 22nd Avenue; and 107½, 112½ N. 21st Avenue. All of these existing ADUs are located at the back of properties with alley access.

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

Refer to the hattiesburgms.com/planning for Land Development Code and GIS map. Access via link or QR code.

DEED
Bk:1473 Page:393-394
RCD: 05/27/2025 @ 3:32:54:PM
FORREST COUNTY, MS
LANCE C. REID CHANCERY CLERK

PREPARED BY & RETURN TO
Richard & Thomas, PLLC
132 Westover Drive
Hattiesburg, MS 39402
(601) 602-2457

Indexing Instructions: The property described in this instrument is situated in the North 40 feet of Lot 22 and the South 25 feet of Lot 23, Block 10, Hattiesburg Heights Second Survey, City of Hattiesburg Forrest County, Mississippi. Please index accordingly in the sectional index.

STATE OF MISSISSIPPI
COUNTY OF FORREST

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 is hereby acknowledged, the undersigned GRANTOR

JAMES DAVID LILES
Address: 203 Fox Terrace H,burg MS 39402

Phone No.: 601 466 4380

do hereby grant, bargain, sell, convey and warrant unto GRANTEES

WILLIAM DAVID BENGE, and wife, UTE CHRISTINE BENGE
208 N 22nd Avenue
Hattiesburg, MS 39401
Phone: 601-818-1301

and

JAMES BENGE
217 N 23rd Avenue
Hattiesburg, MS 39401
Phone: 601-408-7763

as joint tenants with full rights of survivorship and not as tenants in common and not as tenants by the entirety, the following described real property, lying and being situate in Forrest County, Mississippi, described as follows, to-wit:

The North 40 Feet of Lot 22 and the South 25 Feet of Lot 23 in Block 10 of and according to the Hattiesburg Heights Second Survey of or Addition to the City of Hattiesburg, Forrest County, Mississippi, as per the map or plat thereof on file in the office of the Chancery Clerk of Forrest County, Mississippi, said parcel of land having a frontage of 65 feet on North 23rd Avenue in Hattiesburg, Mississippi, and extending back between parallel lines a uniform depth of 150 feet.

File No. 25-05-312

The above warranty and this conveyance is made subject to any and all valid and outstanding oil, gas and mineral leases, exceptions, reservations and conveyances.

The above warranty and this conveyance is made subject to any and all covenants, restrictions or conditions of record or in use of the subject property, and any and all rights of way and easements for public roads and public utilities as presently laid out, constructed or in use.

WITNESS OUR SIGNATURES on this 22ND day of May, 2025.

James David Liles

JAMES DAVID LILES

STATE OF MISSISSIPPI

COUNTY OF LAMAR

Personally appeared before me, the undersigned authority in and for the said county and state, on this 22ND day of May, A.D., 2025, within my jurisdiction, the within named James David Liles, who acknowledged that he executed the above and foregoing instrument.

NOTARY PUBLIC

STATE OF MISSISSIPPI NOTARY PUBLIC ID # 31341 STEPHEN K. THOMAS Commission Expires Nov. 30, 2026 LAMAR COUNTY

My Commission Expires:

File No. 25-05-312

Dear Neighbors,

Bill and Ute Benge, at 208 N 22nd Ave, have bought a property on 217 N 23rd in conjunction with our son, James Benge. The house was purchased in the spring of 2025, renovated and occupied by James since August of this year.

The property currently has a 20'x30' metal shop in back, adjacent to the ally. The previous owner equipped it with power and water to prepare it for residential use. He never finished the renovation.

We would like to do that renovation. However, currently our subdivision of Longleaf Heights is not zoned for this project. We have submitted a request for variance with the City of Hattiesburg, asking for permission to complete the building into an "auxiliary dwelling unit", a secondary residence on a property that already has a primary residence. Our goal is to provide an "age in place" residence for our mother, who lives with us. This is an alternative to moving her into a nursing home.

The city has asked us to request permission from our neighbors. Your signature below will signify your approval of this project and would be greatly appreciated.

Thank you,
Ute, Bill and James Benge

J. Mann	338 Emerson
Megan [illegible]	219 N 23rd Ave
[illegible]	216 N 22nd Ave
[illegible]	207 N 22nd Avenue
Project 22nd Ave	203 N 22nd Avenue
[illegible]	206 N 22nd Ave
Robyn Cooper	209 N 23rd Ave Apt C
Pam Dossett	222 N. 23rd Ave
Eric Mathis	218 N 23 Ave
Katarina Ortega	215 N 23 Ave

No. 88810
10/27/25

CITY OF HATTIESBURG
TAX DEPARTMENT
P.O. DRAWER 1898
HATTIESBURG, MS 39403-1898

200.00

RECEIVED FROM U.C. BENGE
TWO HUNDRED AND 00/100 ********** Dollars
Check - Number 6329,6330 200.00

ACCOUNT OF PUBLIC HEARING APPICATION

FOR CREDIT OF: T/001 General Fund

Dear City Planning Commission Members,

Ute and Bill Benge are respectfully requesting that you consider a text amendment for land development for conditional use. Specifically to add use of the land for auxillary dwelling units, (adu's).

In 2025, we purchased a second property on the same block as our existing home. The primary residence has been renovated and is occupied by our son James since August of this year. We would like to renovate and existing 20' x 30' metal shop, already supplied with power and water, into an adu. Our goal is to provide an "age in place" residence for our mother, as an alternative to moving her into a nursing home. We feel that this development would match the current character of our neighborhood of Long Leaf Heights. There are currently already existing adu's at 7 locations on 21st, 22nd and 23rd Avenues.

Thank you for considering our proposal,

Ute and Bill Benge

December 2025 HPC Item H
Bill, Ute, and James Benge, Property Owners/Applicants
Request for: **Conditional Use Approval**

URBAN DEVELOPMENT
PLANNING DIVISION

Planning Commission
Case Fact Sheet

Names of Petitioner: Bill, Ute, and James Benge, Property Owners/Applicants

Address of Property:	**Tax Parcel**	**PPIN:**	**Ward:**
217 N 23rd Avenue	2-028J-08-276.00	16123	4

Request: Conditional Use Request

Purpose of Request: Bill, Ute, and James Benge, Property Owners/Applicants, request conditional use approval for an Accessory Dwelling Unit in a R-1B zoned property at 217 N 23rd Avenue (PPIN 16123, Forrest County, Ward 4).

History / Background: The applicants met with staff to discuss converting an existing accessory structure on their property into a legal Accessory Dwelling Unit. The current Land Development Code, which is Euclidean-based and governs the majority of land within the city, does not permit ADUs within single-family zoning districts. However, the Hattiesburg Form-Based Code already contains regulations that allow ADUs by right for detached single-family houses, subject to dimensional standards.

Conditional uses provide flexibility within the zoning ordinance while ensuring proposed uses remain compatible with surrounding development and consistent with the intent of adopted plans. The Planning Commission should consider whether the proposed use is compatible with its immediate context and whether it aligns with the Comprehensive Plan.

Applicant Summary: See Attached

Applicable Regulations:

SECTION 4 **Zoning Districts Established**

4.5.4 R-1B Single-Family Residential District
The purpose of the R-1B District is to permit single-family residential uses with related recreational, religious and educational facilities. This district is consistent with the

Neighborhood Conservation 1 and 2 districts in the Comprehensive Plan. This zoning district encourages protected lower density residential neighborhoods with only compatible supporting institutional uses and open space.

Present Zoning: R-1B Single Family Residential

Present Use: Single-Family Dwelling

Future Land Use: Neighborhood Conservation District 1

Surrounding Zoning and Land Use:

North:	R-1B Single Family Residential
South:	R-1B Single Family Residential
East:	R-1B Single Family Residential
West:	R-1A Single Family Residential

Letters or Concerns stated: The Planning Division Office has not received any letters or other written communications regarding this case as of the finalization of this report.

Option: Recommend **Approval** or **Denial** of the Conditional Use Request for an Accessory Dwelling Unit in a R-1B zoned property at 217 N 23rd Avenue (PPIN 16123, Forrest County, Ward 4).

Basis for approval:

12.3.3 Conditional Use Approvals

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

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

i. Determination that adequate public facilities and services will be available concurrent with the impacts of the development as evidenced by letters of sufficiency from utilities and schools and a determination by the city engineer that the available capacity of existing streets can safely provide access to the site.

ii. The proposed development will be compatible with surrounding uses and will protect adjacent properties through the following measures:

- Protection of privacy. The proposed plan shall provide reasonable visual and auditory privacy for all dwelling units located within and adjacent to the site. Fences, walls, barriers and / or vegetation shall be arranged to protect and enhance the property and to enhance the privacy of on-site and neighboring occupants.
- Protection of use and enjoyment. The proposed plan shall be designed and arranged to have minimal negative impact on the use and enjoyment of adjoining property.
- Compatible design and integration. The use meets all design criteria required by this Code that apply and is designed to integrate well both on and off site.

SUBJECT PARCEL

217 N 23rd Avenue — Text Amendment and Conditional Use Request

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HPC Item: G and H



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HPC Item: G and H



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Surrounding Area





Surrounding Area





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Parcel Number(s): 2-028J-08-276.00

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☐ Rezoning (fill out page 11)	Existing Zoning: _____ Proposed Zoning: _____
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Updated Version 05/22/25

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☐ Site & Design Review Committee, if needed

☑ Copy of entire Warranty Deed (filed and recorded at the courthouse) with legal description granting title to the 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

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Application for Site Plan Review

City of Hattiesburg – Planning Division
PO BOX 1898 – Hattiesburg, MS 39403-1898 | Phone (601)- 545-4599

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Make all checks payable to the City of Hattiesburg

I hereby certify that I have completed and attached the above-required documents, information, and fees.

Print Name: Bill Benge **Signature:**

Updated Version 05/27/2025

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

217 N. 23rd Avenue (Street Address) Hattiesburg (City) MS (State) 39401,

on this the _____ day of _____, 20___.

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

Ute Benge, James Benge

on this the _____ day of _____, 20____.

Bill Benge
Property Owner (Print)

Property Owner (Signature)

STATE OF Mississippi

COUNTY OF Forrest

Personally came and appeared before me, the within named Bill Benge,
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 23rd day of October, 2025.

Donald R. Broome
NOTARY PUBLIC

My Commission Expires:

June 20, 2029

STATE OF MISSISSIPPI NOTARY PUBLIC ID# 78135 DONALD R. BROOME Commission Expires June 30, 2029 FORREST COUNTY

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:**
   Not applicable as this is a new application.

2. **Describe the effects the proposed use of utilities and facilities will have on the community.**
   We are requesting an amendment to the Land Development Code for R-Zones to allow conditional use ADUs. We feel this will help revitalize our neighborhood and make the best use of already existing infrastructure.

3. **Describe how the size of the site is appropriate for the proposed use.**
   Our family currently owns and occupies two houses on this block. The 20'x30' existing structure would be renovated as an ADU, and serve as a comfortable alternative to a nursing home for our 92 year old mother.

4. **Will there be any additional pedestrian or vehicular traffic generated by the proposed use? If yes, please explain:**
   No, as my mother would move from 208 N. 22nd Avenue to the proposed ADU on the alley behind 217 N. 23rd Avenue.

5. **Will there be any elevation in the noise level resulting from this proposed use? If yes, please explain:**
   No.

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

N/A

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

Yes, there are properties with already existing ADUs at the following addresses: 206½, 208½, 209½ N. 23rd Avenue; 108½, 207½ N. 22nd Avenue; and 107½, 112½ N. 21st Avenue. All of these existing ADUs are located at the back of properties with alley access.

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

Refer to the hattiesburgms.com/planning for Land Development Code and GIS map. Access via link or QR code.

DEED
Bk:1473 Page:393-394
RCD: 05/27/2025 @ 3:32:54:PM
FORREST COUNTY, MS
LANCE C. REID CHANCERY CLERK

PREPARED BY & RETURN TO
Richard & Thomas, PLLC
132 Westover Drive
Hattiesburg, MS 39402
(601) 602-2457

Indexing Instructions: The property described in this instrument is situated in the North 40 feet of Lot 22 and the South 25 feet of Lot 23, Block 10, Hattiesburg Heights Second Survey, City of Hattiesburg Forrest County, Mississippi. Please index accordingly in the sectional index.

STATE OF MISSISSIPPI
COUNTY OF FORREST

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 is hereby acknowledged, the undersigned GRANTOR

JAMES DAVID LILES
Address: 203 Fox Terrace H,burg MS 39402

Phone No.: 601 466 4380

do hereby grant, bargain, sell, convey and warrant unto GRANTEES

WILLIAM DAVID BENGE, and wife, UTE CHRISTINE BENGE
208 N 22nd Avenue
Hattiesburg, MS 39401
Phone: 601-818-1301

and

JAMES BENGE
217 N 23rd Avenue
Hattiesburg, MS 39401
Phone: 601-408-7763

as joint tenants with full rights of survivorship and not as tenants in common and not as tenants by the entirety, the following described real property, lying and being situate in Forrest County, Mississippi, described as follows, to-wit:

The North 40 Feet of Lot 22 and the South 25 Feet of Lot 23 in Block 10 of and according to the Hattiesburg Heights Second Survey of or Addition to the City of Hattiesburg, Forrest County, Mississippi, as per the map or plat thereof on file in the office of the Chancery Clerk of Forrest County, Mississippi, said parcel of land having a frontage of 65 feet on North 23rd Avenue in Hattiesburg, Mississippi, and extending back between parallel lines a uniform depth of 150 feet.

File No. 25-05-312

The above warranty and this conveyance is made subject to any and all valid and outstanding oil, gas and mineral leases, exceptions, reservations and conveyances.

The above warranty and this conveyance is made subject to any and all covenants, restrictions or conditions of record or in use of the subject property, and any and all rights of way and easements for public roads and public utilities as presently laid out, constructed or in use.

WITNESS OUR SIGNATURES on this 22ND day of May, 2025.

James David Liles

JAMES DAVID LILES

STATE OF MISSISSIPPI

COUNTY OF LAMAR

Personally appeared before me, the undersigned authority in and for the said county and state, on this 22ND day of May, A.D., 2025, within my jurisdiction, the within named James David Liles, who acknowledged that he executed the above and foregoing instrument.

NOTARY PUBLIC

STATE OF MISSISSIPPI NOTARY PUBLIC ID # 31341 STEPHEN K. THOMAS Commission Expires Nov. 30, 2026 LAMAR COUNTY

My Commission Expires:

File No. 25-05-312

Dear Neighbors,

Bill and Ute Benge, at 208 N 22nd Ave, have bought a property on 217 N 23rd in conjunction with our son, James Benge. The house was purchased in the spring of 2025, renovated and occupied by James since August of this year.

The property currently has a 20'x30' metal shop in back, adjacent to the ally. The previous owner equipped it with power and water to prepare it for residential use. He never finished the renovation.

We would like to do that renovation. However, currently our subdivision of Longleaf Heights is not zoned for this project. We have submitted a request for variance with the City of Hattiesburg, asking for permission to complete the building into an "auxiliary dwelling unit", a secondary residence on a property that already has a primary residence. Our goal is to provide an "age in place" residence for our mother, who lives with us. This is an alternative to moving her into a nursing home.

The city has asked us to request permission from our neighbors. Your signature below will signify your approval of this project and would be greatly appreciated.

Thank you,
Ute, Bill and James Benge

J. Mann	338 Emerson
Megan [illegible]	219 N 23rd Ave
[illegible]	216 N 22nd Ave
[illegible]	207 N 22nd Avenue
Project 22nd Ave	203 N 22nd Avenue
[illegible]	206 N 22nd Ave
Robyn Cooper	209 N 23rd Ave Apt C
Pam Dossett	222 N. 23rd Ave
Eric Mathis	218 N 23 Ave
Katarina Ortega	215 N 23 Ave

No. 88810
10/27/25

CITY OF HATTIESBURG
TAX DEPARTMENT
P.O. DRAWER 1898
HATTIESBURG, MS 39403-1898

200.00

RECEIVED FROM U.C. BENGE
TWO HUNDRED AND 00/100 ********** Dollars
Check - Number 6329,6330 200.00

ACCOUNT OF PUBLIC HEARING APPICATION

FOR CREDIT OF: T/001 General Fund

Dear City Planning Commission Members,

Ute and Bill Benge are respectfully requesting that you consider a text amendment for land development for conditional use. Specifically to add use of the land for auxillary dwelling units, (adu's).

In 2025, we purchased a second property on the same block as our existing home. The primary residence has been renovated and is occupied by our son James since August of this year. We would like to renovate and existing 20' x 30' metal shop, already supplied with power and water, into an adu. Our goal is to provide an "age in place" residence for our mother, as an alternative to moving her into a nursing home. We feel that this development would match the current character of our neighborhood of Long Leaf Heights. There are currently already existing adu's at 7 locations on 21st, 22nd and 23rd Avenues.

Thank you for considering our proposal,

Ute and Bill Benge

December 2025 HPC Item I
Ray and Gustavo Barria, Property Owners/Applicants
Request for: **Rezoning**

URBAN DEVELOPMENT
PLANNING DIVISION

Planning Commission
Case Fact Sheet

Names of Petitioner: Ray and Gustavo Barria, Property Owners/Applicants

Address of Property:	**Tax Parcels**	**PPIN:**	**Ward:**
112 Dearborne Street	2-029K-09-397.00	20931	4

Request: Rezoning

Purpose of Request: Ray and Gustavo Barria, Property Owners/Applicants, request a zoning change from R-1C to R-2 for a property located at 112 Dearborne Street (PPIN 20931, Forrest County, Ward 4)

History / Background: The applicant met with staff in the Fall of 2025 to discuss establishing the existing structure at 112 Dearborne Street as a two-plex dwelling. The applicants explained that a fire had damaged the property and would need to be almost completely gutted and renovated to get it back into livable condition. To use the property as a two-plex, the site would need to be rezoned to R-2 (Two-Family Residential District). The property is currently zoned R-1C (Single-Family Residential District), which does not permit two-family dwellings.

The current Comprehensive Plan places this property within the Neighborhood Business District, which allows for single-family, certain two-family, and multifamily uses when constructed in keeping with the character of the surrounding neighborhood, subject to use, density, and design guidelines.

The Comprehensive Plan's call for slightly higher residential densities in this area reflects a broader effort to expand housing options and make efficient use of existing land and infrastructure. Guidance from the APA Housing Supply Accelerator Playbook notes that modest density increases through "missing middle" housing types—such as duplexes, townhomes, and small multifamily—can increase housing attainability, serve a wider range of household needs, and reduce per-unit development costs. Reintroducing housing types historically present in older neighborhoods also maintains neighborhood scale while offering additional housing choices.

Staff notes that this rezoning request is generally consistent with the Comprehensive Plan's designation for Neighborhood Business District in the Future Land Use section, which anticipates "moderate-density single-family residences and certain two-family and multi-family uses; mixed-use buildings and developments; smaller, lower-intensity business developments that provide services to the neighborhood and community; and less-intensive commercial uses than are found in the Community Business District" (Hattiesburg Comprehensive Plan 2008-2028, pg 96).

The Planning Commission should consider whether the neighborhood has changed significantly so that rezoning is justified, and whether there is a public need for the requested zoning change.

Applicant Summary: * See Attached *

Applicable Regulations:

SECTION 4 **Zoning Districts Established**

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

4.5.6 R-2 Two-Family Residential District
The purpose of the R-2 District is to permit medium density residential uses including two-family, or duplex structures, with related recreational, religious and educational facilities. This district is consistent with the Neighborhood Conservation 1 and 2 districts in the Comprehensive Plan. This zoning district encourages protected residential neighborhoods with only compatible supporting institutional uses and open space.

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

Present Use: Vacant Single-family dwelling

Future Land Use: Neighborhood Business Corridor

Surrounding Zoning and Land Use:
North: R-1C Single-Family Residential District
South: B-2 Neighborhood Business
East: R-1C Single-Family Residential District
West: R-1C Single-Family Residential District

December 2025 HPC Item I
Ray and Gustavo Barria, Property Owners/Applicants
Request for: **Rezoning**

Letters or Concerns stated:	As of finalizing this report, the Planning Division Office had received no calls or letters of concern.
Option:	Recommend **Approval** or **Denial** of a zoning change from R-1C to R-2 for a property located at 112 Dearborne Street (PPIN 20931, Forrest County, Ward 4)
Basis for approval (Zoning Change):	I. There was a mistake in the original zoning II. The character of the neighborhood has changed substantially so that rezoning is clearly justified **and** there is a public need for the rezoning III. Annexation

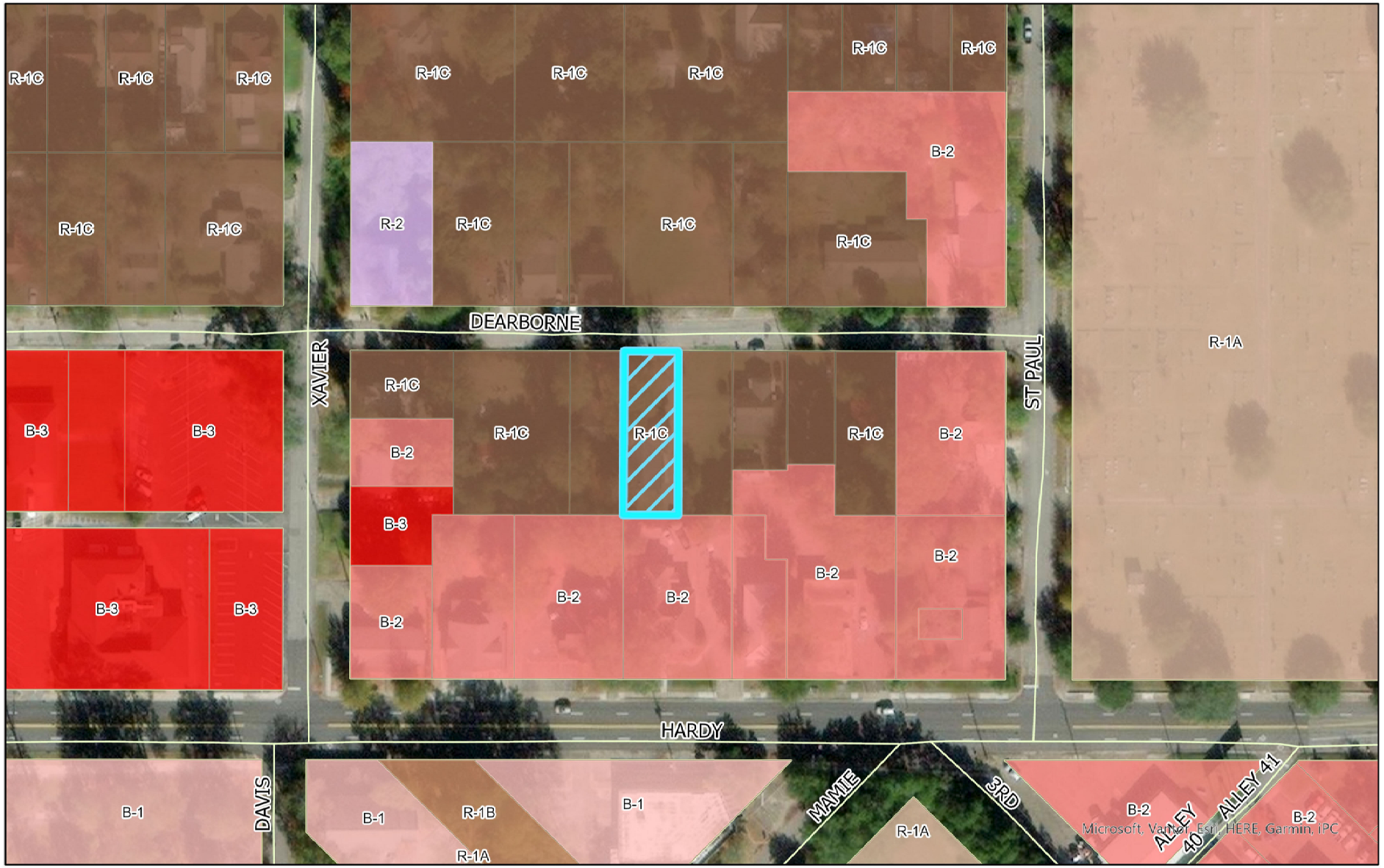
SUBJECT PARCEL

112 Dearborne Street — Zoning Change Request

Ray and Gustavo Barria, Property Owners/Applicants, request a zoning change from R-1C to R-2 for a property located at 112 Dearborne Street (PPIN 20931, Forrest County, Ward 4)



HPC Item: B



Zoning Legend

- R-1A
- R-1B
- R-1C
- R-2
- B-1
- B-2
- B-3
- 112 Dearborne Street

Zoning Change Request
112 Dearborne Street
PPIN: 20931
Flood Zone: X
Ward 4, Forrest County

0 250 Feet

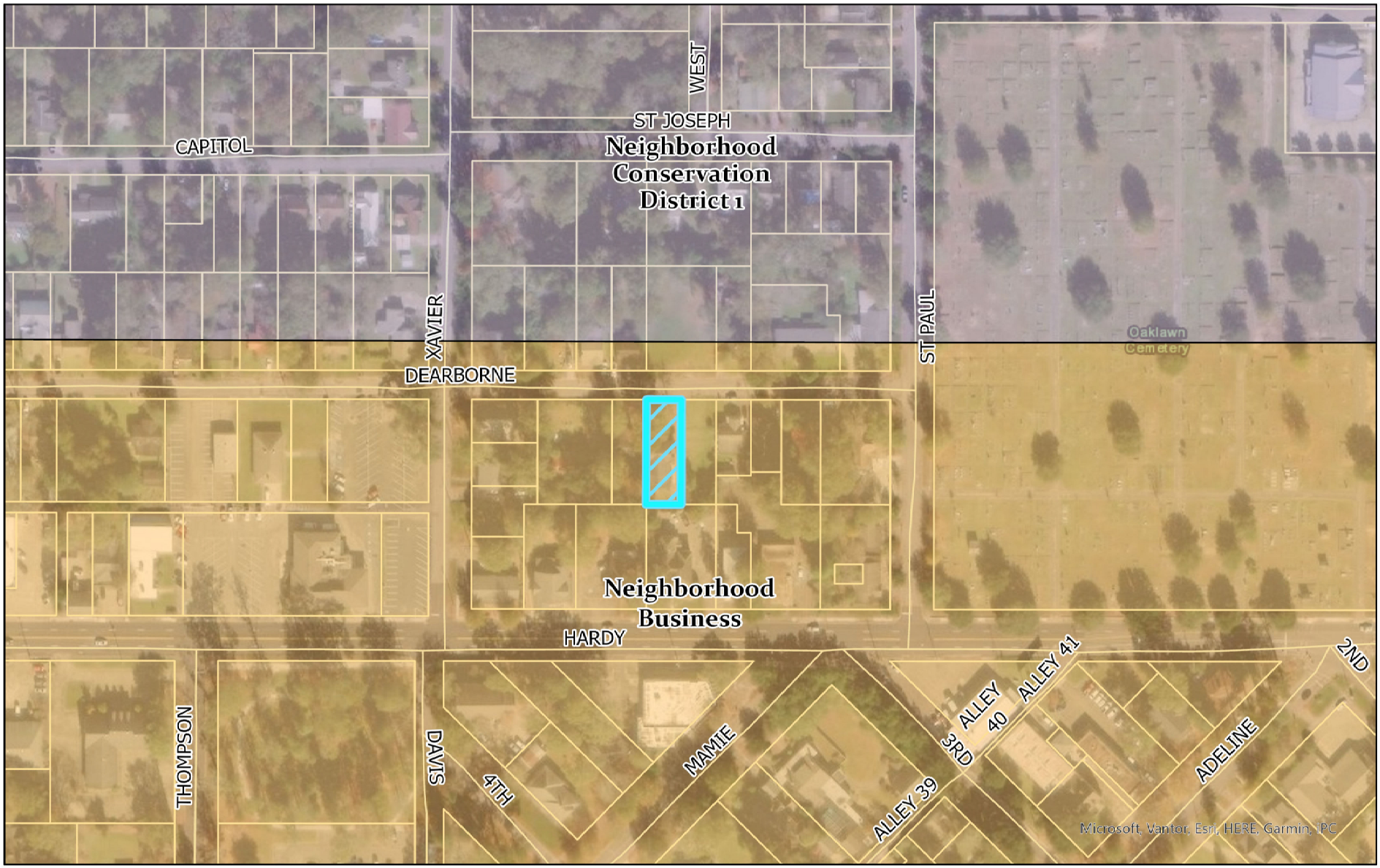
N

URBAN DEVELOPMENT
PLANNING DIVISION

Center: 89°18'1"W 31°19'32"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: 11/24/2025 2:48 PM

HPC Item: B



Future Land Use Map

- Neighborhood Business
- Neighborhood Conservation District 1
- 112 Dearborne Street

Zoning Change Request
112 Dearborne Street
PPIN: 20931
Flood Zone: X
Ward 4, Forrest County

0 500 Feet

N

URBAN DEVELOPMENT
PLANNING DIVISION

Center: 89°18'1"W 31°19'32"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: 11/24/2025 2:51 PM

Site Aerial



Surrounding Area





Surrounding Area





Application for Public Hearing

City of Hattiesburg – Planning Division
PO BOX 1898 – Hattiesburg, MS 39403-1898 | Phone (601)- 545-4599

NOTE:

- **Fill this application out IN FULL with what applies to your application**
- Refer to the hattiesburgms.com/planning for Land Development Code and GIS map. Access via link or QR code

Applicant Information

Name Applicant: RAY BARRIA **Project Name:** 112 DEARBORNE ST.

Municipal Address of Site: 112 DEARBORNE ST. **PPIN #:** 20931

Parcel Number(s): _____

Type of Public Hearing	Additional Information Needed:
☐ Variance (fill out pages 7 & 8)	☐ Sign ☐ Setback ☐ Off-Site Parking ☐ Lot Width ☐ Lot Coverage Area ☐ Buffer ☐ Open Space ☐ Other: _____
☑ Rezoning (fill out page 11)	Existing Zoning: R-1 Proposed Zoning: R-2
☐ Conditional Use (fill out pages 9 & 10)	☐ Automotive Filling Station ☐ Digital Billboard, New ☐ Digital Billboard, Replacement ☐ Telecommunications ☐ Restaurant ☐ Solar Farm ☐ Other: _____

Other Application types:

☐ Subdividing of a lot, Parcel, or Tract (fill out page 12)
☐ Text Amendment
☐ Street or Alley Renaming (fill out pages 13 & 14)
☐ Overlay District
☐ Vacating Street or Alley (fill out pages 13 & 14)
☐ Planned Mixed-Use District (PMU)

For Staff Only:			
Zoning:	**Historic District:**	**Flood Zone:**	**Ward:** ☐1 ☐2 ☐3 ☐4 ☐5
Project Number:		**Received:**	
PPIN # or Parcel #:			

Application for Public Hearing

City of Hattiesburg – Planning Division
PO BOX 1898 – Hattiesburg, MS 39403-1898 | Phone (601)- 545-4599

Public Hearing Petitioner Information:

Deadline for applicant to file petition: 10-27-25
Hattiesburg Planning Commission Meeting Date: 12-3-25
Hattiesburg Board of Adjustment Meeting Date: _____
City Council Agenda Review Date – (you or your representative should attend): 12-15-25
City Council Meeting (Vote) Date – (you or your representative may attend): 12-16-25

- 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.
    - There is an additional 10-day appeal period, required by State Law, after the 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. *

Public Hearing Application Checklist

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 standards may be accepted only per approval from staff)

☐ Site & Design Review Committee, if needed

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

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

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

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

☐ Other documents needed (if relevant):

- ☐ Maps of digital billboard removal sites
- ☐ Maps of digital billboard replacement sites
- ☐ Documentation on measurements
- ☐ Other: _____

☐ Payment to the City of Hattiesburg for filing a public hearing application in the amount of $_____

Application for Site Plan Review

City of Hattiesburg – Planning Division
PO BOX 1898 – Hattiesburg, MS 39403-1898 | Phone (601)- 545-4599

The following fees are an excerpt from Ordinance No. 2977, adopted January 22, 2008, as amended.

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

OTHER PROCESSES MAY HAVE ADDITIONAL FEES
Make all checks payable to the City of Hattiesburg

I hereby certify that I have completed and attached the above-required documents, information, and fees.

Print Name: RAY BARRIA **Signature:**

Updated Version 05/22/2025

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

112 DEARBORNE STREET HATTIESBURG MS 39401

Street Address City State

on this the 24TH day of OCTOBER, 2025.

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____.

GUSTAVO BARRIA RAY BARRIA

Property Owner (Print)

Property Owner (Signature)

STATE OF Mississippi

COUNTY OF Covington

Personally came and appeared before me, the within named

Gustavo Barria, Ray Barria,

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 24th day of October, 2025.

Karen Tubbs

NOTARY PUBLIC

STATE OF MISSISSIPPI NOTARY PUBLIC ID# 49460 KAREN D. TUBBS Commission Expires August 1, 2029 SMITH COUNTY

My Commission Expires

_____

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.

X. 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 conditions(s) most applicable to your request:

1. Statement of Purpose

The purpose of this rezoning request is to request that the City of Hattiesburg reclassify the subject property from R-1 to R-2 so that the zoning designation more accurately reflects the existing and evolving character of the neighborhood, better aligns with the surrounding pattern of development, and addresses a demonstrated community and public need. The current R-1 zoning no longer is fully compatible with the contextual realities of the area. The proposed R-2 designation will provide a transitional and appropriate residential zoning that fosters infill, flexibility, and reasoned density while maintaining residential integrity.

2. Evidence of Changed Neighborhood Character

Since the original R-1 classification of this property and the surrounding area, there have been substantial and demonstrable changes to land use, infrastructure and development patterns. The following points provide support:

- Shifting development patterns: The immediate neighborhood around 112 Dearborne Street has seen an increase in two-unit dwellings, duplexes, or other medium-density residential uses, and in many cases lots and structures have been modified to serve functions beyond the original low-density single-family intent.

- Lot-size and structure changes: Some parcels in the vicinity are now being redeveloped or subdivided in ways consistent with two-family use, suggesting an emergent medium-density residential context rather than strictly low-density single families.

- Infrastructure capacity and connectivity: The local utilities, streets, sidewalks and services now support somewhat greater intensity than at the time of original R-1 zoning, meaning that the environment is capable of accommodating R-2 density without undue strain.

- Consistency with the Code's expressed purpose for R-2: Under the City's Land Development Code, the R-2 District is described as permitting medium-density residential uses

including two-family or duplex structures, "with related recreational, religious and educational facilities." This confirms that R-2 was intended for precisely the sort of evolving area this property now resides in.

- Logical transitional zoning: The proposed rezoning serves as a logical zoning transition — from the low-density single-family of R-1 to the more flexible but still residential R-2 which aligns with observed changes and avoids the abrupt jump to high density or non-residential zoning that might provoke opposition.

Together, these factors show that the neighborhood has changed substantially, justifying a zoning classification update.

3. Public Need and Community Benefit

Rezoning the property to R-2 provides a number of public benefits and meets community needs:

- Housing flexibility and affordability: Allowing two-family or duplex options at this site can contribute to broader housing supply and choice in Hattiesburg, supporting households who may benefit from somewhat smaller or dual-unit residential opportunities, while still maintaining a residential character.

- Efficient land use / infill development: The proposed zoning helps the city make better use of existing infrastructure (roads, utilities, sidewalks) rather than driving outward expansion. This aligns with goals of efficient growth and infill in established neighborhoods.

- Compatibility with neighborhood context: By rezoning to R-2 (rather than a commercial or high-density designation), the change remains residential and compatible with adjacent uses. It reduces risk of abrupt land-use conflict while adapting to the changed character.

- Supporting the City's planning objectives: The existing Hattiesburg Comprehensive Plan 2008-2028 outlines that land use decisions should preserve, promote, protect and improve the public health, safety, comfort, good order and appearance of the City. The proposed rezoning supports that objective by aligning zoning with actual neighborhood conditions and future needs.

- Predictable redevelopment and transition: Granting the rezoning provides clarity for both the property owner and the community about future allowable uses. It avoids surprise redevelopment under non-compatible uses and supports a gradual, predictable transition of the area.

4. Consistency with the City's Zoning Code and Comprehensive Plan

- Zoning code alignment: The City's Land Development Code defines R-2 as intended for medium density residential uses including two-family or duplex structures, which the proposed rezoning would permit. The property's location and context indicate that such medium density is now appropriate.

- Comprehensive Plan alignment: The Comprehensive Plan urges that zoning map amendments be considered when "conditions have substantially changed" and when the proposed zoning better fulfills community goals and objectives. This request meets both criteria, as shown above — the conditions changed, and the rezoning better advances compatible residential redevelopment.

- Compatibility with adjacent zoning and land uses: The rezoning to R-2 remains residential in nature, thus maintaining compatibility with surrounding residential areas and avoiding intensive non-residential uses that might disrupt the neighborhood.

5. Additional Considerations and Mitigations

In support of the request, the applicant commits to the following measures to ensure that the rezoning and any subsequent development remain respectful of the neighborhood:

- Any duplex or two-family dwellings constructed pursuant to R-2 zoning will be designed to be compatible in scale, height, setback and landscaping with the existing homes in the surrounding area.

- Adequate buffer/transition landscaping will be provided at edges abutting lower density single-family uses.

- Traffic and parking impacts will be addressed through site design so as not to overload neighborhood streets.

- Demonstration that utilities, storm water, sidewalks and other infrastructure elements can support the new zoning without adverse impact.

6. Conclusion

Because the neighborhood surrounding 112 Dearborne Street has undergone substantial change in land use, density, and infrastructure capacity making the current R-1 classification out of step with the area's character and because the requested R-2 classification aligns with the City's Land Development Code and Comprehensive Plan, and furthers important public goals (housing choice, efficient use of infrastructure, predictable development), approval of this rezoning request is both justified and in the public interest.

We respectfully request that the Hattiesburg Planning Commission and the Hattiesburg City Council approve this rezoning from R-1 to R-2.

DEED
Bk:1483 Page:62-63
RCD: 09/18/2025 @ 1:06:49:PM
FORREST COUNTY, MS
LANCE C. REID CHANCERY CLERK

THIS INSTRUMENT PREPARED BY:
Richard & Thomas, PLLC
132 Westover Drive
Hattiesburg, MS 39402
(601) 602-2457

Indexing Instructions: The property described in this instrument is situated in Lot 7, Blk 6, Mosely and Dozier Subdivision of Lot 14 of the Kamper and Whinnery Subdivision, Forrest County, Mississippi. Please index accordingly in the sectional index.

RETURN TO:
Richard& Thomas, PLLC
132 Westover Drive
Hattiesburg, MS 39402
(601) 602-2457

STATE OF MISSISSIPPI

COUNTY OF FORREST

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 is hereby acknowledged, the undersigned GRANTOR

H2hoMes, LLC,
a Mississippi limited liability company
133 Wild Meadows
Hattiesburg, MS 39402
(601) 698-4199

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

DEARBORNE HOLDINGS, LLC,
a Mississippi limited liability company
3101 Prince George Road
Hattiesburg, MS 39402
(601) 310-9667

the following described real property, lying and being situate in Forrest County, Mississippi, described as follows, to-wit:

Lot Seven (7), Block Six (6) of the Mosely and Dozier Subdivision of Lot Fourteen (14) of the Kamper and Whinnery Subdivision One (1) of the City of Hattiesburg, Mississippi, and being situated in the SE ¼ of NE ¼, Section Nine (9), Township Four (4), Range Thirteen (13) West; together with all improvements thereon and appurtenances thereunto belonging.

Grantor(s) and Grantee(s) shall pro-rate county and state ad valorem taxes for 2025.

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

File No. 25-09-687

The above warranty and this conveyance is made subject to any and all valid and outstanding oil, gas and mineral leases, exceptions, reservations and conveyances.

The above warranty and this conveyance is made subject to any and all covenants, restrictions or conditions of record or in use of the subject property, and any and all rights of way and easements for public roads and public utilities as presently laid out, constructed or in use.

WITNESS THE SIGNATURE of said company by its members, after being duly authorized by said company so to sign, execute and deliver the same, on this, the 17th day of September, A.D., 2025.

H2hoMes, LLC, a Mississippi limited liability company

By: _____
HANNAH NICOLE TATUM, Manager/Member

By: _____
PETER KELLY, Manager/Member

STATE OF MISSISSIPPI

COUNTY OF LAMAR

Personally appeared before me, the undersigned authority in and for the said county and state, on this 17th day of September, A.D., 2025, within my jurisdiction, the within named **Hannah Nicole Tatum and Peter Kelly,** who acknowledged that they are manager/members of H2hoMes, LLC, a Mississippi limited liability company, and that for and on behalf of said company, and as their acts and deeds, they executed the above and foregoing instrument, after first having been duly authorized by said company so to do.

_____
NOTARY PUBLIC

My Commission Expires:

STATE OF MISSISSIPPI
GRAHAM K. THOMAS
NOTARY PUBLIC
Forrest County
Commission Expires
July 27, 2029
COMMISSION NUMBER 291191

File No. 25-09-687

November 2025 HPC Item: E
Jennifer Floyd, Property Owner/Applicant, and Catherine Daniel, Property Owner
Request for: **Conditional Use Approval**

URBAN DEVELOPMENT
PLANNING DIVISION

Planning Commission
Case Fact Sheet

Names of Petitioner: Jennifer Floyd, Property Owner/Applicant, and Catherine Daniel, Property Owner

Address of Property:	**Tax Parcel**	**PPIN:**	**Ward:**
1678 James Street	2-037N-23-031.00	39149	5

Request: Conditional Use Request

Purpose of Request: Jennifer Floyd, Property Owner/Applicant, and Catherine Daniel, Property Owner, request conditional use approval for a "Mobile Home Park" on an R-1A zoned property located at 1678 James Street (PPIN 39149, Forrest County, Ward 5).

History / Background: The applicant met with staff in a pre-application meeting in September 2025. They expressed their desire to place two mobile homes on their property at 1678 James Street. The previous structure on the property was lost in a fire. Staff discussed the zoning of the property as R-1A, which does not permit mobile homes. They explored a variety of options, including potential rezoning, a conditional use permit for a mobile home park (since they wanted two mobile homes on the property), and other types of homes allowed within the zoning. The applicant ultimately chose to pursue the conditional use permit. Staff also explained the property's location within two flood zones and discussed that any structures would need to comply with flood ordinance regulations.

As a "mobile home park" is not listed in the table of uses or defined in the Land Development Code, staff determined that a "conditional use" request could be sought as outlined in Section 5.2. If approved as a conditional use, the property would not be allowed to expand without additional approval by the Planning Commission and City Council. The applicant decided to move forward with the option—requesting conditional use approval for a "mobile home park."

Conditional uses allow a community to regulate certain uses in a zoning ordinance, allowing for some flexibility while ensuring a use is in harmony with the ordinance's purpose and intent. This can be

done by permitting with a set of carefully crafted conditions that ensure the use is compatible and in harmony with the surrounding uses.

The proposed use would have no adverse effect on public utilities, as the structures have previously been used in this location for existing utilities/services. The Planning Commission should consider whether or not the proposed use is compatible with the surrounding uses and in harmony with the neighborhood.

Planning Commission may also recommend any conditions for approval to ensure these conditions are met, including meeting the conditions for use outlined for the use "Dwelling, Manufactured (mobile) Home" (5.4.19). PC may consider requiring the structure to meet the requirements of 5.4.19 for anchoring, equipment removal, skirting, and porch.

Applicant Summary: See Attached

Applicable Regulations:

SECTION 5 **USE REGULATIONS**

5.2 Determination of Use Category
The Director shall make a determination as to whether or not any proposed use is permitted within Hattiesburg's zoning jurisdiction based on the uses listed in the Table of Uses. Whenever it is not clear whether a proposed use is or is not permitted, the Director shall consult the purpose statement for each district and the latest version of the North American Industrial Classification System (NAICS) to help make a determination. Any use not specifically listed in the Permitted Uses Table and any proposed use not substantially similar to a listed use as determined by the Director after consultation may be considered a "Conditional Use" and will require review by the Hattiesburg Planning Commission.

Table 5.4 – Use Conditions for "Dwelling, Manufactured (mobile) Home"
5.4.19 Dwelling, Manufactured (mobile) Home. One dwelling, manufactured (mobile) home allowed per lot. Manufactured homes on individual lots shall meet the following requirements:

5.4.19.1 Compatibility. Homes shall be generally in keeping with the scale, size and texture of the residential structures in the surrounding neighborhood.

5.4.19.2 Anchoring. Anchoring and Foundation. Homes shall be installed and anchored according to State Fire Marshal requirements.

5.4.19.3 Labeling. Shall bear FMHCCS Label or Seal of Compliance.

5.4.19.4 Exterior finish. Homes shall have horizontal siding. At a minimum, the exterior siding shall consist predominantly of vinyl or aluminum lap siding whose reflectivity does not exceed that of flat white paint, wood or hardboard, comparable in composition, appearance, and durability to the exterior siding commonly used in standard residential construction.

5.4.19.5 Roof construction and pitch. Homes shall have a minimum of a 3/12 roof pitch with asphalt shingles.

5.4.19.6 Placement. All homes shall meet setbacks and be placed on the lot in harmony with the existing structures.

5.4.19.7 Equipment Removal. The towing tongue, wheels and hitch-axle shall be removed upon final placement of the unit.

5.4.19.8 Skirting. Skirting or other solid screen shall be installed to enclose the foundation of the structure and crawl space and shall complimentary to the design of the structure.

5.4.19.9 Porch Required. Porch Required. All manufactured homes shall have either a deck or porch with steps at each entrance constructed and installed in accordance with the standards set forth by the current building codes. The minimum square footage of the floor of such porch or deck shall measure at least 36 square feet.

Present Zoning: R-1A Single-Family Residential

Present Use: Vacant Residential Lot

Future Land Use: Neighborhood Conservation District 2

Surrounding Zoning and Land Use:

North: R-1A Single-Family Residential
South: A-1 General Agriculture
East: R-1A Single-Family Residential
West: I-1 Industrial

Letters or Concerns stated: The Planning Division Office has not received any letters or other written communications regarding this case as of finalizing this report.

Option: Recommend **Approval** or **Denial** of the conditional use approval for a “Mobile Home Park” on an R-1A-zoned property located at 1678 James Street (PPIN 39149, Forrest County, Ward 5).

November 2025 HPC Item: E
Jennifer Floyd, Property Owner/Applicant, and Catherine Daniel, Property Owner
Request for: **Conditional Use Approval**

Basis for approval:

12.3.3 Conditional Use Approvals

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

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

i. Determination that adequate public facilities and services will be available concurrent with the impacts of the development as evidenced by letters of sufficiency from utilities and schools and a determination by the city engineer that the available capacity of existing streets can safely provide access to the site.

ii. The proposed development will be compatible with surrounding uses and will protect adjacent properties through the following measures:

- Protection of privacy. The proposed plan shall provide reasonable visual and auditory privacy for all dwelling units located within and adjacent to the site. Fences, walls, barriers and / or vegetation shall be arranged to protect and enhance the property and to enhance the privacy of on-site and neighboring occupants.
- Protection of use and enjoyment. The proposed plan shall be designed and arranged to have minimal negative impact on the use and enjoyment of adjoining property.
- Compatible design and integration. The use meets all design criteria required by this Code that apply and is designed to integrate well both on and off site.

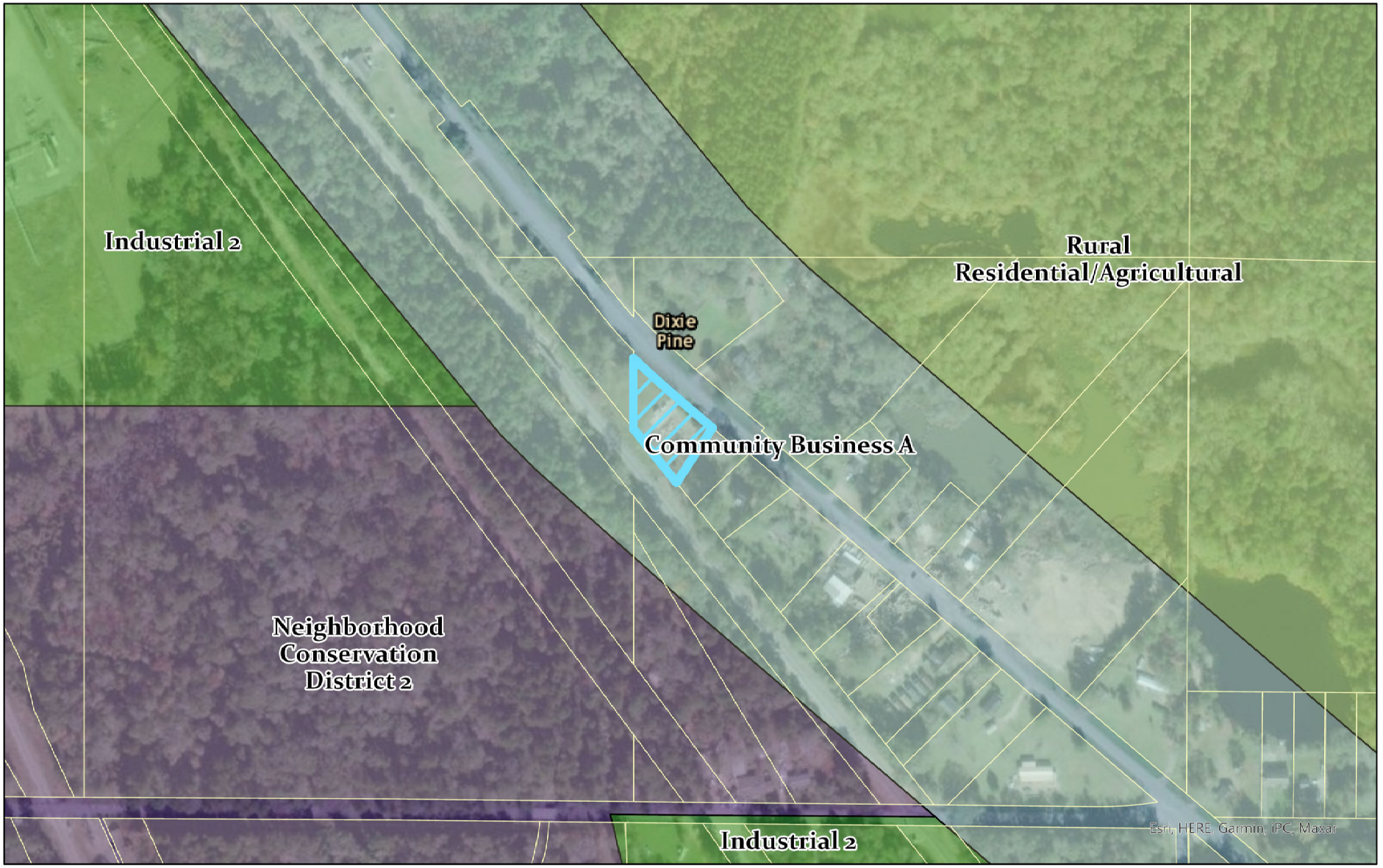
SUBJECT PARCEL

1678 James Street — Conditional Use Request

Jennifer Floyd, Property Owner/Applicant, and Catherine Daniel, Property Owner, request conditional use approval for a “Mobile Home Park” on an R-1A zoned property located at 1678 James Street (PPIN 39149, Forrest County, Ward 5).



HPC Item: E



Future Land Use Map

- Community Business A
- Industrial 2
- Neighborhood Conservation District 2
- Rural Residential/Agricultural
- 1678 James Street

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: 10/13/2025 12:19 PM

Conditional Use Request
1678 James Street
Zoned: R-1A, PPIN 39149
Flood Zone: SX and AE
Ward 5, Forrest County

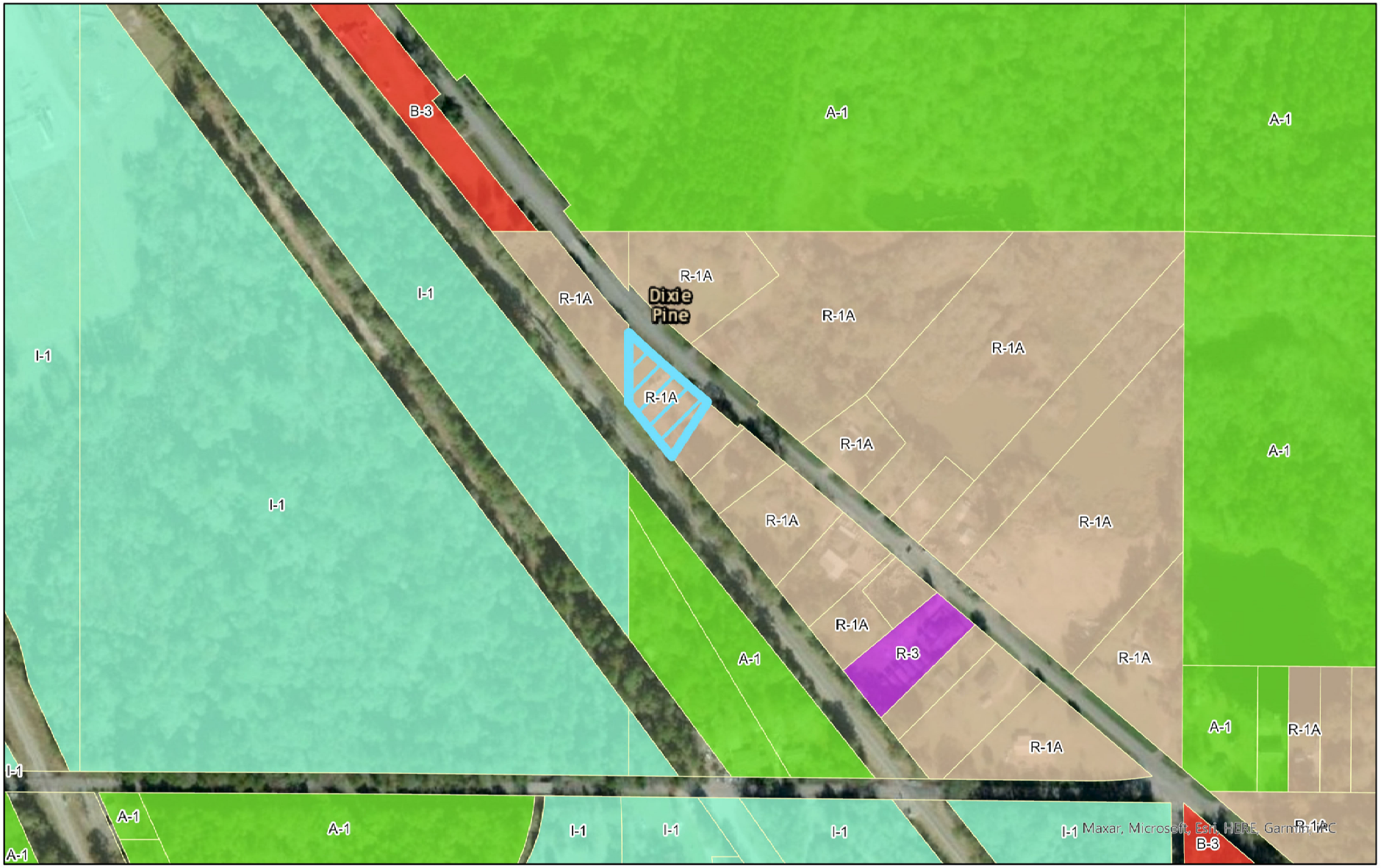
0 1,000 Feet

N

URBAN DEVELOPMENT
PLANNING DIVISION

Center: 89°16'W 31°17'27"N

HPC Item: E



Zoning Classes

A-1	B-3
R-1A	I-1
R-3	1678 James Street

Conditional Use Request
1678 James Street
Zoned: R-1A, PPIN 39149
Flood Zone: SX and AE
Ward 5, Forrest County

0 1,000 Feet

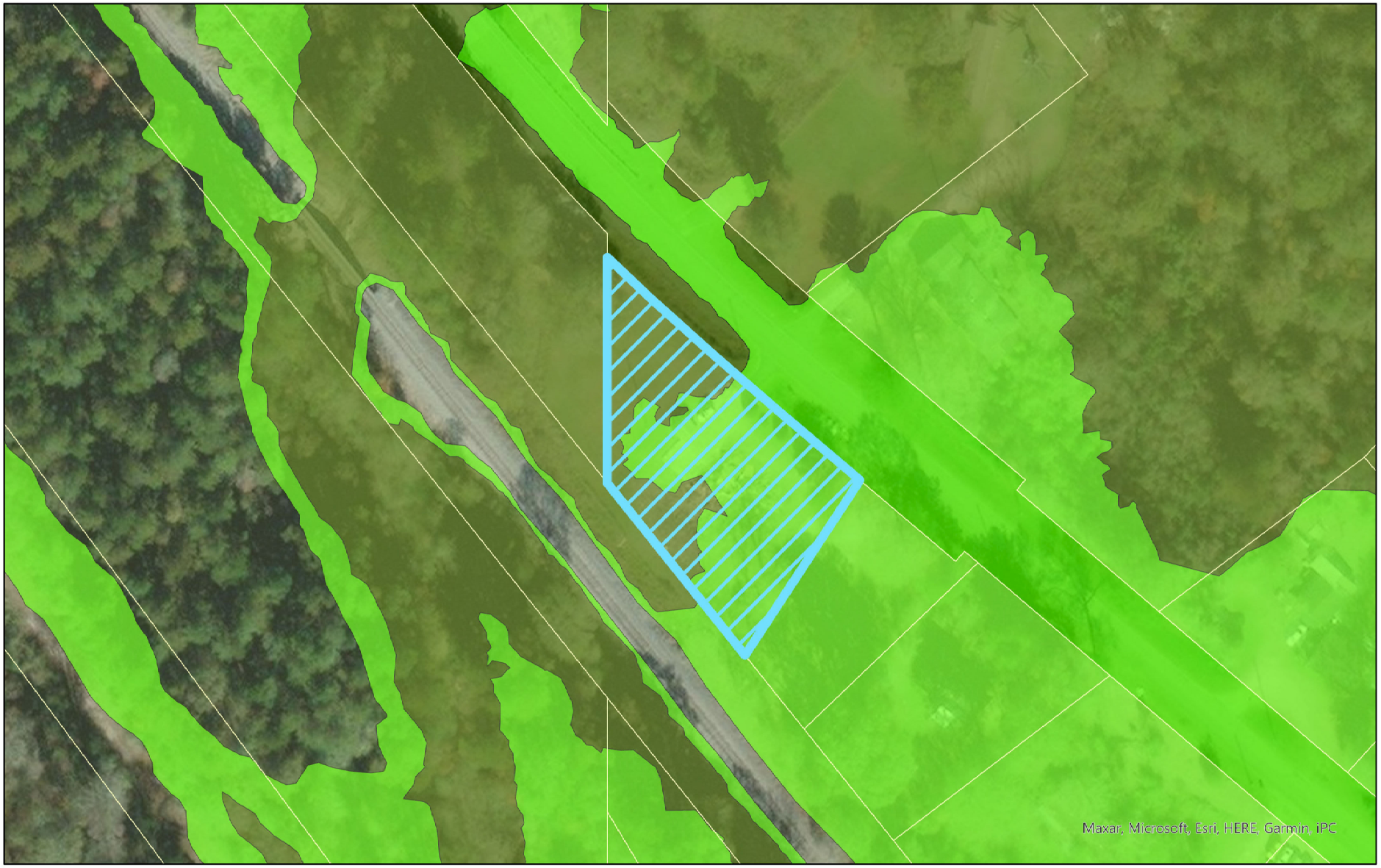
N

URBAN DEVELOPMENT
PLANNING DIVISION

Center: 89°16'W 31°17'26"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: 10/13/2025 12:15 PM

HPC Item: E



FLOODWAY AREA IN ZONE AE
ZONE A (100 yr flood - no elevation)
ZONE AE (100 yr flood w / elevation)
ZONE SX (500 yr flood)
1678 James Street

Conditional Use Request
1678 James Street
Zoned: R-1A, PPIN 39149
Flood Zone: SX and AE
Ward 5, Forrest County

0 250 Feet

N

URBAN DEVELOPMENT
PLANNING DIVISION

Center: 89°16'1"W 31°17'28"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: 10/13/2025 12:27 PM

Site Aerial


James St
James St
James St
1636
1640
1671
1678
1682
1677
1674
1645
1679
1681
1688
1692
1700
1704
1693
1695
1706
1710
1714
1703
1705
1709
1701
120

Surrounding Area





Surrounding Area





Application for Public Hearing

City of Hattiesburg – Planning Division
PO BOX 1898 – Hattiesburg, MS 39403-1898 | Phone (601)- 545-4599

NOTE:

- **Fill this application out IN FULL with what applies to your application**
- Refer to the hattiesburgms.com/planning for Land Development Code and GIS map. Access via link or QR code

Applicant Information

Name Applicant: Jennifer Floyd **Project Name:** _____

Municipal Address of Site: 1678 James St H'burg, MS **PPIN #:** _____

Parcel Number(s): _____

Type of Public Hearing	Additional Information Needed:
☐ Variance (fill out pages 7 & 8)	☐ Sign ☐ Setback ☐ Off-Site Parking ☐ Lot Width ☐ Lot Coverage Area ☐ Buffer ☐ Open Space ☐ Other: _____
☐ Rezoning (fill out page 11)	Existing Zoning: _____ Proposed Zoning: _____
☐ Conditional Use (fill out pages 9 & 10)	☐ Automotive Filling Station ☐ Digital Billboard, New ☐ Digital Billboard, Replacement ☐ Telecommunications ☐ Restaurant ☐ Solar Farm ☐ Other: _____

Other Application types:

☐ Subdividing of a lot, Parcel, or Tract (fill out page 12)
☐ Street or Alley Renaming (fill out pages 13 & 14)
☐ Vacating Street or Alley (fill out pages 13 & 14)
☐ Text Amendment
☐ Overlay District
☐ Planned Mixed-Use District (PMU)

For Staff Only:			
Zoning:	**Historic District:**	**Flood Zone:**	**Ward:** ☐1 ☐2 ☐3 ☐4 ☐5
Project Number:		**Received:**	
PPIN # or Parcel #:			

Application for Public Hearing

City of Hattiesburg – Planning Division
PO BOX 1898 – Hattiesburg, MS 39403-1898 | Phone (601)- 545-4599

Public Hearing Petitioner Information:

Deadline for applicant to file petition: NOV Hearing - Sept. 29, 2025
Hattiesburg Planning Commission Meeting Date: NOV. 5, 2025
Hattiesburg Board of Adjustment Meeting Date: _____
City Council Agenda Review Date – (you or your representative should attend): NOV. 17
City Council Meeting (Vote) Date – (you or your representative may attend): NOV. 18

- 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.
    - There is an additional 10-day appeal period, required by State Law, after the 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. *

Public Hearing Application Checklist

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 standards may be accepted only per approval from staff)

☐ Site & Design Review Committee, if needed

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

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

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

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

☐ Other documents needed (if relevant):

- ☐ Maps of digital billboard removal sites
- ☐ Maps of digital billboard replacement sites
- ☐ Documentation on measurements
- ☐ Other: _____

☐ Payment to the City of Hattiesburg for filing a public hearing application in the amount of $_____

Application for Site Plan Review

City of Hattiesburg – Planning Division
PO BOX 1898 – Hattiesburg, MS 39403-1898 | Phone (601)- 545-4599

The following fees are an excerpt from Ordinance No. 2977, adopted January 22, 2008, as amended.

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

OTHER PROCESSES MAY HAVE ADDITIONAL FEES

Make all checks payable to the City of Hattiesburg

I hereby certify that I have completed and attached the above-required documents, information, and fees.

Print Name: Jennifer Hoyd **Signature:**

Updated Version 01/22/2025

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

1078 James St Hattiesburg MS 39401,
Street Address City State

on this the 21st day of Sept, 2025.

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.

(not applicable)

on this the 21st day of September, 2025.

Jennifer Floyd
Property Owner (Print)

Property Owner (Signature)

STATE OF Mississippi

COUNTY OF Jones

Personally came and appeared before me, the within named

Jennifer Lee Floyd,

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 21st day of Sept, 2025.

NOTARY PUBLIC

STATE OF MISSISSIPPI
NOTARY PUBLIC
ID # 109813
K DOUGLAS LEE
Commission Expires
Oct. 14, 2027
JONES COUNTY

My Commission Expires:

10/14/2027

APPLICANT AFFIDAVIT PAGE

THIS PAGE MUST BE SIGNED IN FRONT OF A NOTARY, BY THE **APPLICANT(S)** OF THE 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

1678 James St Hattiesburg, MS 39401
Street Address City State

on this the 21st day of Sept, 2025.

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.

(not applicable)

on this the 21st day of Sept, 2025.

Catherine Daniel
Applicant (Print)

Catherine Daniel
Applicant (Signature)

STATE OF Mississippi

COUNTY OF Jones

Personally came and appeared before me, the within named Catherine Daniel,
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 21st day of Sept, 2025.

NOTARY PUBLIC

STATE OF MISSISSIPPI NOTARY PUBLIC ID # 109813 K DOUGLAS LEE Commission Expires Oct. 14, 2027 JONES COUNTY

My Commission Expires:

10/14/2027

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:**
   Yes, because we will follow the guidelines for the mobile home

2. **Describe the effects the proposed use of utilities and facilities will have on the community.**
   Already a residential infrastructure on the property for ~~utility~~ utility use.

3. **Describe how the size of the site is appropriate for the proposed use.**
   Residential size mobile homes and the property.

4. **Will there be any additional pedestrian or vehicular traffic generated by the proposed use? If yes, please explain:**
   Yes, it will be 3 adults and 4 children.

5. **Will there be any elevation in the noise level resulting from this proposed use? If yes, please explain:**
   No.

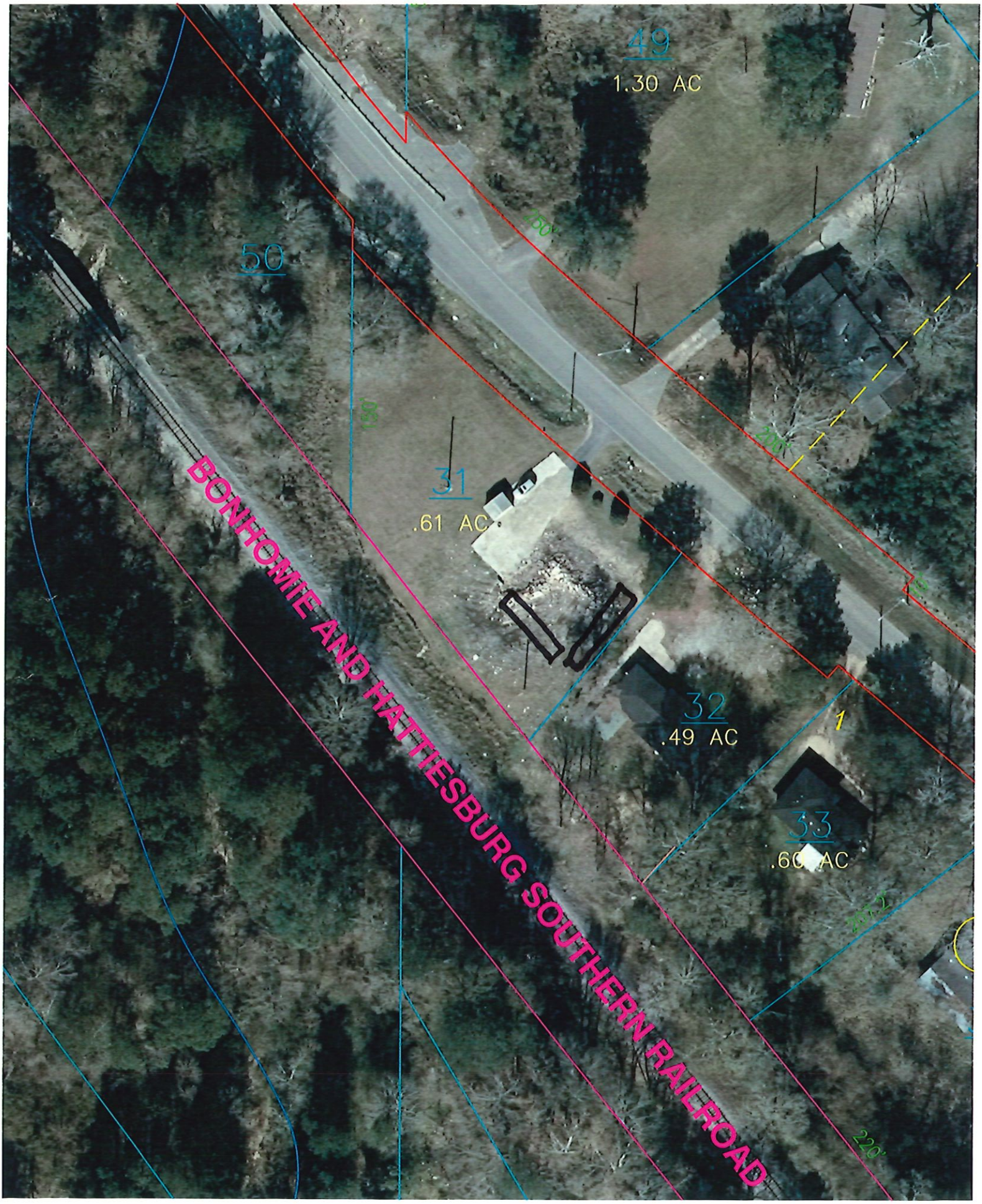
6. **What is the expected number of customers/employees per day?**
N/A

7. **Is proposed use compatible with surrounding uses and design? If yes, please explain:**
Yes, because it will be aligned with other homes in the area.

8. **Parking requirements:** Commercial/Industrial: Paved parking will be provided for N/A vehicles, and _____ ADA vehicles; with _____ loading spaces.

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

Refer to the hattiesburgms.com/planning for Land Development Code and GIS map. Access via link or QR code.


49
1.30 AC
50
250'
200'
100'
31
.61 AC
BONHOMIE AND HATTIESBURG SOUTHERN RAILROAD
32
.49 AC
33
.60 AC
220'

November 2025: Item H
Hattiesburg Land Development Code Amendment Request
Wesley Foundation of Mississippi Southern, Property Owner/Applicant, Eric Davis, Property Owner/Applicant, Shelby Murray, Applicant/Engineer, and Sarah Newton, Architect

URBAN DEVELOPMENT
PLANNING DIVISION

Planning Commission
Case Fact Sheet

Names of Petitioner: Wesley Foundation of Mississippi Southern, Property Owner/Applicant, Eric Davis, Property Owner/Applicant, Shelby Murray, Applicant/Engineer, and Sarah Newton, Architect

---

Request(s): **Request for Land Development Code Text Amendment**

Purpose of Request: Wesley Foundation of Mississippi Southern, Property Owner/Applicant, Eric Davis, Property Owner/Applicant, Shelby Murray, Applicant/Engineer, and Sarah Newton, Architect, request a text amendment to the Hattiesburg Land Development Code (Ord. 3902, as amended) to allow Mixed-Use as a Conditional Use in R-3 zoning (LDC 5.1) and to add "cafes/coffee shops" as an accessory use to "Place of Assembly" (LDC 5.4.30.2).

History / Background: The applicants intend to construct a new Wesley Foundation facility that incorporates student housing, a café, and a worship area within a single building on the site of the existing structure. The proposed building and property are privately owned, even though it sits withing the formal boundaries of the University of Southern Mississippi Campus. Staff discussed with the applicants that the current R-3 zoning does not allow mixed-use development or commercial accessory functions such as cafés within places of assembly. The proposed text amendment would provide a pathway for consideration of such uses through the conditional use process, allowing the Planning Commission to evaluate design, intensity, and neighborhood compatibility on a case-by-case basis.

National planning guidance supports this approach. The American Planning Association's A Planners Dictionary (PAS Report 5xx/5xx) notes that most zoning codes permit churches and other places of assembly within residential districts, either by right or as a conditional use, and often include accessory uses such as schools, coffee houses, day care centers, or community halls. The report further observes that communities may wish to distinguish these accessory activities from the primary assembly use when they have the potential to produce greater impacts on surrounding neighborhoods.

This text amendment aligns with that principle by allowing cafés or coffee shops as an accessory use only in conjunction with a principal Place of Assembly, ensuring such uses remain subordinate and integrated into the primary institutional or faith-based purpose of the site. Conditional use review provides an additional safeguard by enabling evaluation of traffic generation, parking, hours of operation, and neighborhood compatibility prior to approval.

Similarly, the proposed amendment to allow Mixed-Use as a Conditional Use within R-3 zoning provides flexibility for institutions and organizations, such as the Wesley Foundation, to incorporate limited residential and community-serving components within predominantly residential areas, subject to Planning Commission review. This reflects broader planning best practices that encourage context-sensitive infill development and integrated housing and service uses near major institutional campuses, as supported by the City's Comprehensive Plan.

The request is also being partnered with a conditional use request that would allow for this project, and with a variance request to exceed the maximum impervious surface coverage area for R-3 (50%) to instead allow for 80% for the proposed development site.

The Planning Commission should consider whether these proposed text amendments maintain appropriate safeguards for residential districts while providing the flexibility needed for evolving community, educational, and faith-based uses that serve neighborhood and student populations.

Applicant Summary: * See Attached *

November 2025: Item H
Hattiesburg Land Development Code Amendment Request
Wesley Foundation of Mississippi Southern, Property Owner/Applicant, Eric Davis, Property Owner/Applicant, Shelby Murray, Applicant/Engineer, and Sarah Newton, Architect

AGENDA ITEM H:
PROPOSED TEXT AMENDMENT CHANGES BY APPLICANT

Amend section 5, Table 5.1, for the following use:

"Dwelling, Mixed use"
Request change the use in the R-3 Zoning District from "Not Permitted" to "conditional use approval"

Amend Section 5.4.32.2 from the following:

"Accessory uses such as administrative offices, bookstores, parking lots, community centers, multi-purpose facilities, outdoor recreational facilities, and care centers on the same site or sites contiguous to the principal use shall be permitted. Similar uses on noncontiguous sites or on a site separated from the principal use by a public street shall be considered principal uses in their own right and will be regulated as such. No merchandise or merchandise display shall be visible from outside a building. No business or identification sign pertaining to an accessory use shall be visible from outside the building."

To include "Cafe's/coffee shops" to read as follows:

"Accessory uses such as administrative offices, bookstores, parking lots, community centers, multi-purpose facilities, outdoor recreational facilities, care centers, and **café's/coffeeshops** on the same site or sites contiguous to the principal use shall be permitted. Similar uses on noncontiguous sites or on a site separated from the principal use by a public street shall be considered principal uses in their own right and will be regulated as such. No merchandise or merchandise display shall be visible from outside a building. No business or identification sign pertaining to an accessory use shall be visible from outside the building."

OPTIONS TO CONSIDER WITH THE AMENDMENT:

Consider the addition of a definition for a "Café/Coffee Shop" into section 13, Definitions, from the American Planning Association's PAS Report, *A Planner's Dictionary:*

Café/Coffee Shop – "An informal restaurant primarily offering coffee, tea, and other beverages, and where light refreshments and limited menu meals may also be sold."

Letters or Concerns stated: The Planning Division has not received any letters or concerns as of finalizing this report.

Option: Recommend **Approval** or **Denial** of the request for an Amendment of the Hattiesburg Land Development Code, Ord. No. 3209, as amended.

Application for Public Hearing

City of Hattiesburg – Planning Division
PO BOX 1898 – Hattiesburg, MS 39403-1898 | Phone (601)- 545-4599

NOTE:

- **Fill this application out IN FULL with what applies to your application**
- Refer to the hattiesburgms.com/planning for Land Development Code and GIS map. Access via link or QR code

Applicant Information

Name Applicant: Clearpoint Engineers / USM Wesley Foundation **Project Name:** USM Wesley Foundation Building

Municipal Address of Site: 3200 Montague Blvd, Hattiesburg (on USM campus) **PPIN #:** 22975 / 22976

Parcel Number(s): 2-08K-004 / 2-028K-005

Type of Public Hearing	Additional Information Needed:
■ Variance (fill out pages 7 & 8)	☐ Sign ☐ Setback ☐ Off-Site Parking ☐ Lot Width ☐ Lot Coverage Area ☐ Buffer ☐ Open Space ■ Other: Impervious Surface
☐ Rezoning (fill out page 11)	Existing Zoning: _____ Proposed Zoning: _____
■ Conditional Use (fill out pages 9 & 10)	☐ Automotive Filling Station ☐ Digital Billboard, New ☐ Digital Billboard, Replacement ☐ Telecommunications ☐ Restaurant ☐ Solar Farm ■ Other: Mixed Use / Place of Assembly

Other Application types:

☐ Subdividing of a lot, Parcel, or Tract (fill out page 12)
☐ Street or Alley Renaming (fill out pages 13 & 14)
☐ Vacating Street or Alley (fill out pages 13 & 14)
■ Text Amendment
☐ Overlay District
☐ Planned Mixed-Use District (PMU)

For Staff Only:			
Zoning:	**Historic District:**	**Flood Zone:**	**Ward:** ☐1 ☐2 ☐3 ☐4 ☐5
Project Number:		**Received:**	
PPIN # or Parcel #:			

Application for Public Hearing

City of Hattiesburg – Planning Division
PO BOX 1898 – Hattiesburg, MS 39403-1898 | Phone (601)- 545-4599

Public Hearing Petitioner Information:

Deadline for applicant to file petition: Mon, Sept 29, 2025 @ 5:00 p.m
Hattiesburg Planning Commission Meeting Date: Wed, November 5, 2025
Hattiesburg Board of Adjustment Meeting Date: _____
City Council Agenda Review Date – (you or your representative should attend): _____
City Council Meeting (Vote) Date – (you or your representative may attend): _____

- 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.
    - There is an additional 10-day appeal period, required by State Law, after the 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. *

Public Hearing Application Checklist

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 standards may be accepted only per approval from staff)
- ☐ Site & Design Review Committee, if needed
- ☐ Copy of entire Warranty Deed (filed and recorded at the courthouse) with legal description granting title to the current owner. (If the Warranty Deed covers a larger piece of property than the current project, a legal description for this project site only may also be required)
- ☐ Electronic/Digital copy of legal description REQUIRED for all public notices, saved as Word or text document OR emailed to planning@hattiesburgms.com
- ☐ An affidavit (pages 3 & 4) attesting that the applicant or representing party (if other than the owner) is acting on behalf of the owner(s) of record. The affidavit must be sworn to before a notary public or other appropriate official. (Included in owners signature page, or may be a separate document).
- ☐ **Variance application only:** A letter of approval/denial from all adjoining property owners must be obtained and submitted with the application
    - ☐ Other documents needed (if relevant):
        - ☐ Maps of digital billboard removal sites
        - ☐ Maps of digital billboard replacement sites
        - ☐ Documentation on measurements
        - ☐ Other: _____
- ☐ Payment to the City of Hattiesburg for filing a public hearing application in the amount of $ *TBD

*Waiver request submitted, per entry on Planning Review Notes dated 9/25/25

Application for Site Plan Review

City of Hattiesburg – Planning Division
PO BOX 1898 – Hattiesburg, MS 39403-1898 | Phone (601)- 545-4599

The following fees are an excerpt from Ordinance No. 2977, adopted January 22, 2008, as amended.

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

OTHER PROCESSES MAY HAVE ADDITIONAL FEES
Make all checks payable to the City of Hattiesburg

I hereby certify that I have completed and attached the above-required documents, information, and fees.

Print Name: Stacey Odom, Admin. **Signature:** Stacey Odom

Updated Version 05/22/2025

APPLICANT AFFIDAVIT PAGE

THIS PAGE MUST BE SIGNED IN FRONT OF A NOTARY, BY THE **APPLICANT(S)** OF THE 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

3200 Montague Blvd Hattiesburg MS,
Street Address City State

on this the 29th day of Sept, 2025

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.

Shelby Murray of Clearpoint Engineers

on this the 29th day of Sept, 2025

Shelby Murray
Applicant (Print)

Applicant (Signature)

STATE OF MS

COUNTY OF Lamar

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

GIVEN UNDER MY HAND AND OFFICIAL SEAL OF OFFICE, this the 29th day of Sept, 2025.

Stacey Odom
NOTARY PUBLIC

STATE OF MISSISSIPPI NOTARY PUBLIC ID # 379746 STACEY ODOM Commission Expires Oct. 18, 2027 LAMAR COUNTY

My Commission Expires:
10/18/2027

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

3200 Montague Blvd Hattiesburg MS
Street Address City State

on this the 29th day of Sept, 2025

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.

Eric Davis of USM Wesley Foundation

on this the 29th day of Sept, 2025.

Property Owner (Print)

Eric Davis
Property Owner (Signature)

STATE OF MS

COUNTY OF Lamar

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

GIVEN UNDER MY HAND AND OFFICIAL SEAL OF OFFICE, this the 29th day of Sept, 2025.

Stacey Odom
NOTARY PUBLIC

My Commission Expires:

10/18/2027

STATE OF MISSISSIPPI NOTARY PUBLIC ID # 379746 STACEY ODOM Commission Expires Oct. 18, 2027 LAMAR COUNTY

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.

   The property was originally intended for residential use. Current use of the property dictates a variance be granted for added impervious area to 80%. 80% impervious area matches the Business zone use which is matches this area. Current use of the property is a place of worship, coffee shop, and dwelling units.

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

   No special priviledge will be granted with the granting of this variance. The variance is site specific based on these circumstances. The site is surrounded by the University and public streets. The site has no adjacent residential uses.

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

   The literal interpretation of the code would not allow the property owner to make the proposed improvements.

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

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

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

Not applicable.

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.

The granting of this variance will not conflict with the purposes and intent implied in the land development code.

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:**
   Yes.
   With the text amendment described in the attached letter.

2. **Describe the effects the proposed use of utilities and facilities will have on the community.**
   The community will reap profound benefits of a family friendly worship place of assembly and coffee shop/cafe.

3. **Describe how the size of the site is appropriate for the proposed use.**
   The size is appropriate for the surrounding University campus. The site being in the center of campus allows easy access for students.

4. **Will there be any additional pedestrian or vehicular traffic generated by the proposed use? If yes, please explain:**
   Yes. A small amount because most attendees will be those who live on campus. Most USM Wesley events will be outside normal school day hours. Existing campus parking will be utilized.

5. **Will there be any elevation in the noise level resulting from this proposed use? If yes, please explain:**
   No.

6. **What is the expected number of customers/employees per day?**
Coffee shop will have 10-20 customers/employees per day at intermittent times to not cause traffic delays.

7. **Is proposed use compatible with surrounding uses and design? If yes, please explain:**
Yes. Very compatible with the needs of students on campus. Worship Center and cafe is very good for students.

8. **Parking requirements:** Commercial/Industrial: Paved parking will be provided for 18 vehicles, and 1 ADA vehicles; with 0 loading spaces.

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

Refer to the hattiesburgms.com/planning for Land Development Code and GIS map. Access via link or QR code.

a side or rear yard only.

5.4.27.3 **Design.** Such structures are subject to all of the design standards applicable to the district in which they are located as well as those that apply to all districts.

5.4.27.4 **Parking.** Parking for at least two vehicles is required to be shown on the site plan.

5.4.28 **Kennels; Veterinary Clinics and Hospitals.**

5.4.28.1 A maximum of twenty outside runs shall be permitted and shall be 250 feet from restaurants and residential uses..

5.4.28.2 Facilities shall at all times be maintained in neat and sanitary condition.

5.4.29 **Life Care Communities.**

5.4.29.1 A minimum of five acres shall be required. All land used for the community shall be contiguous and shall not be divided or transected by public roads, private roads granting easement(s) to tracts of land not included within the community, or natural features which would visually or functionally divide the development.

5.4.29.2 Accessory buildings shall only include accessory dwellings containing no more than four dwelling units or recreation centers and similar facilities, dining halls, and maintenance buildings. All other buildings shall be principal buildings the use of which shall be for single family dwellings, [illegible] ings, congregate or nursing

5.4.29.3 All structures shall be lim[illegible] to persons aged 55 years [illegible] cally handicapped, and the[illegible] for rooms or units occupied by resident staff personnel performing duties directly related to the operation of the facility.

5.4.29.4 Driveway access to accessory structures shall be through the main entrance to the community.

5.4.29.5 Paved walkways shall be provided between accessory dwellings, the principal building, and all common facilities such as dining halls and recreation centers.

5.4.29.6 Principal and accessory buildings shall be predominately designed and constructed with architectural features common to residential structures including, but not limited to, the following features: roof pitch, façade material, and size, type and placement of windows and doors.

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

5.4.29.8 No site shall have a density greater than eight units per acre for accessory single family dwellings. For the purposes of calculating density all land lying underneath and within twenty feet of any congregate care or nursing care facility and all loading/unloading, garbage collection, and parking areas associated with congregate care or nursing care facilities shall be excluded from the total acreage.

5.4.30 **Places of Assembly.**

5.4.30.1 Places of assembly seating more than 600 people must have direct access to a major thoroughfare Pedestrian and bicycle access is encouraged and will be required whenever a public sidewalk or trail abuts the property.

5.4.30.2 Accessory uses such as administrative offices, bookstores, parking lots, community centers, multi-purpose facilities, outdoor recreational facilities, and care centers on the same site or sites contiguous to the principal use shall be permitted. Similar uses on non-contiguous sites or on a site separated from the principal use by a public street shall be considered principal uses in their own right and will be regulated as such. No merchandise or merchandise display shall be visible from outside a building. No business or identification sign pertaining to an accessory use shall be visible from outside the building

add cafe/coffe shop to 5.4.30.2 places of assembly

5.4.30.3 Except as noted in 5.4.33.2 accessory uses not permitted as principal uses (including television stations, radio stations, printing presses, or sports complexes) are prohibited.

the zoning district in which they are located. In no case shall such bonuses permit the building or development to encroach upon any required buffer or open space; however, minimum setbacks may be reduced by up to 20% to accommodate the increased density.

9.7.4.2 Fee Waiver. All fees related to land development approval shall be waived for all eligible development.

9.7.4.3 Tax Abatement. Abatement of any taxes as specified by City policy for any green, development, infill, or grayfield development located within an adopted Central Business District or Redevelopment Area.

CLEARPOINT ENGINEERS
1051 Jackson Road
Hattiesburg, MS 39402
(601) 261-2609

September 29, 2025

Mr. Nathan Satcher,
Planner, Department of Urban Development
City of Hattiesburg
PO Box 1898
Hattiesburg, MS 39403

Subject: **New Wesley Foundation Building – USM Campus**
Text Amendment to Land Development Code
3200 Montague Blvd
Hattiesburg, MS 39401

Dear Mr. Satcher,

The purpose of this letter is to request a text amendment to the Land Development Code as follows:

1. To allow mixed use in a R-3 zoning as conditional use.
2. LDC 5.4.30.2 Add café/coffee shop to places of assembly. Text to read as follows:
"Accessory uses such as administrative offices, bookstores, parking lots, community centers, multi-purpose facilities, outdoor recreational facilities, care centers, and cafés/coffee shops on the same site or sites contiguous to the principal use shall be permitted."

As always, we appreciate the opportunity to present for this project. If you have any questions or need additional information, please contact us.

Sincerely,

Shelby D. Murray

Shelby Murray, P.E.
Clearpoint Engineers, PA

November 2025: Item K
Hattiesburg Land Development Code Amendment Request
Martin Luther King Jr. Baptist Church, Property Owners, Image Signs and Neon, Contractor, and Michael Bethley, Representative

URBAN DEVELOPMENT
PLANNING DIVISION

Planning Commission
Case Fact Sheet

Names of Petitioner: Martin Luther King Jr. Baptist Church, Property Owners, and Michael Bethley, Representative

Address of Property:	**Parcel:**	**PPIN:**	**Ward:**
110 Martin Luther King Jr. Dr.	2-029F-04-067.00	32303	5
		32304	5

Request(s): **Request for Land Development Code Text Amendment**

Purpose of Request: Martin Luther King Jr. Baptist Church, Property Owners, Image Signs and Neon, Contractor, and Michael Bethley, Representative, request a text amendment of the Hattiesburg Land Development Code (Ord. 3209, as amended) to include pole signs as a conditional use approval in B-2 zoning districts and to allow electronic message reader boards as a conditional use approval in B-2 zoning districts.

History / Background: The applicant met with staff in a pre-application meeting in July of 2025, where a proposed sign with an electronic reader board portion was discussed. The property's current zoning, B-2, does not allow for electronic reader boards. The applicant discussed that recent changes to the neighborhood, with the Hall Avenue Overpass, have significantly altered circulation and access in this area. While it has improved traffic flow along the corridor, it has affected access to this property. Overpass warrants a signage change.

The applicants originally applied for a zoning change that was brought to the Planning Commission, and the Planning

Commission tabled the request. They asked the applicants and staff to meet to discuss other options for obtaining the desired signage without a zoning change. Staff and the applicants met in another pre-application meeting to review the various options for the different signage types. Staff presented and discussed multiple options to establish signage, that would meet the current regulations. The applicants expressed that they wanted to move forward with trying to obtain an electronic reader board and applied for text amendments to allow pole signs and electronic message reader boards as conditional use approvals in the B-2 zoning district for their current proposed sign design.

The proposed sign design will also require variances from the electronic message reader board zoning requirements. The signs' location does not meet the residential buffer requirements (within 200 feet of an active residential use zoning), and the electronic message reader board section is a larger % than what the code allows for (45.71% instead of a max of 40%).

Allowing pole signs and electronic message reader boards as conditional uses would not automatically authorize such installations but would create a discretionary process for case-by-case evaluation. This could provide flexibility for sites affected by major infrastructure changes while retaining the ability to impose conditions related to sign height, illumination, and design to ensure compatibility with corridor objectives and adjacent properties.

The Planning Commission should assess whether the requested amendment maintains the overall intent of the City's sign regulations to promote safety, legibility, and visual quality, while also recognizing the changing access and visibility conditions resulting from the Hall Avenue Overpass project.

Applicant Summary: * See Attached *

Applicable Regulations:

Section 10 **SIGNS**

10.1.1 The purpose of sign control in the City of Hattiesburg is to:

July 2025: Item C
Hattiesburg Form-Based Code Amendment Request
Lincoln Plaza Development LLC, Lincoln Road Investments LLC, Lincoln Road Investments II LLC, David Lee, Property Owners/Applicants, Ginger M. Lowrey, Representative, Forrest Dungan, Engineer, and Charles M. Dawe, Representative

- Provide for identification, information and advertisement in an orderly manner
- Protect the public health, safety and welfare of the City
- Improve the visual quality of gateways and corridors and protect the integrity of adjacent neighborhoods
- Implement the City of Hattiesburg Comprehensive Plan

Table 10.6 - 1 Permitted Signs By Zoning District

		Zone													
■= Permitted ×= Not Permitted		Agricul-tural		Residential					Business					Industrial	
		A-1	A-2	R-1A	R-1B	R-1C	R-2	R-3	B-1	B-2	B-3	B-4	B-5	I-1	I-2
Sign Type	On Premises Freestanding Sign														
	Monument*	■	■	■	■	■	■	■	■	■	■	×	■	■	■
	Pole	×	×	×	×	×	×	×	×	×	■	×	■	■	■
	Subdivision or Multi-family Sign	■	■	■	■	■	■	■	×	×	×	×	×	×	×
	On Premises Building Sign														
	Wall	■	■	■	■	■	■	■	■	■	■	■	■	■	■
	Projecting	×	×	×	×	×	×	×	■	■	■	■	■	×	×
	Marquee	×	×	×	×	×	×	×	×	×	■	■	■	×	×
	Canopy (door or window)	×	×	×	×	×	×	×	■	■	■	■	■	×	×
	Off Premises Freestanding Sign														
	Billboards	×	×	×	×	×	×	×	×	×	×	×	■	■	■
	Billboards, Digital	See Section 10.13													
	Off Premises Building Sign - Off Premises Building Signs are Not Permitted														
	Wall	×	×	×	×	×	×	×	×	×	×	×	×	×	×
	Projecting	×	×	×	×	×	×	×	×	×	×	×	×	×	×
	Roof	×	×	×	×	×	×	×	×	×	×	×	×	×	×
	Marquee	×	×	×	×	×	×	×	×	×	×	×	×	×	×
	Canopy	×	×	×	×	×	×	×	×	×	×	×	×	×	×
Notes	* Monument and wall signs in residential districts are limited to non-residential uses. See Section 10.8.2.5 for electronic message boards as a conditional use in the R-1A district.														

July 2025: Item C
Hattiesburg Form-Based Code Amendment Request
Lincoln Plaza Development LLC, Lincoln Road Investments LLC, Lincoln Road Investments II LLC, David Lee, Property Owners/Applicants, Ginger M. Lowrey, Representative, Forrest Dungan, Engineer, and Charles M. Dawe, Representative

Table 10.6 - 2 Dimensional Requirements By Sign Type

Sign Type	Sign Height/Width (max)	Sign Message Area (max) (sq. ft.)	Setback (min.)		Additional Criteria
			Front	Side	
On Premises Signs Freestanding					
Monument Sign	10'/None	All applicable zones except I-1 and I-2 – 50 square feet; For I-1 and I-2 – 72 square feet	5'	15'	1 per 500' of parcel street frontage /2 on corner lot (1 per street) with 150' min. frontage for any on premises freestanding sign; bottom edge of message area is min 18" and max 30" above ground; dimensions include multitenant signs
Pole Sign	35'/20'	For B-3 – 1square foot sign message area/1' street frontage up to 200 square feet B-5, I-1, I-2 – 2 square feet sign message area/1' street frontage up to 400 square feet	10'	15'	1 per 500' of parcel street frontage/2 on corner lot (1 per street) with 150' min. street frontage for any on premises freestanding sign; Bottom edge of message area is min. 6' above ground; dimensions include multitenant signs
Subdivision or Multi-family Sign	6'/8'	32	5'	2'	2 per entrance
On Premises Signs Building					
Wall Sign	Wall signs shall not extend above roof line	For B-1 , All R zones– 1 square foot sign area/1' front façade width up to 50 square feet	n/a	n/a	2 per structure/unit
		For B-2 – 1 square foot sign area/1' front façade width up to 100 square feet	n/a	n/a	3 per structure/unit
		For B-3, B-5, I-1, I-2 – maximum of 15% of the single wall, 350 square feet max, or for structural canopy 10% per side For B-4 - 1' sign area/1' front facade width up to 150'	n/a	n/a	3 per structure/unit
Projecting Sign	8' min above sidewalk	5% of façade Area/ up to 45 square feet	n/a	n/a	1/ May not project into public ROW, except sidewalks, or impede traffic
Marquee	10' min above sidewalk	200 square feet	n/a	n/a	No higher than roof line of 2nd story
Awning	10' min above sidewalk	10 square feet	n/a	n/a	Under or on the face of the canopy only

10.8 Sign Design

10.8.2.5 No sign may contain or be illuminated with flashing or intermittent lights or lights of changing degrees of intensity except electronic message boards or historic signs under the following conditions and restrictions:

i. The restoration or operation of historic signs within a local historic conservation district or a district listed in the National Register of Historic Places.
ii. Electronic message board lighting may be provided by right in the B-3 and B-5 Districts or in the R-1A and R-3 District as a conditional use as follows:
iii. Flashing, blinking, animated or scrolling messages, or interactive signs are prohibited. iv. Messages shall post for a minimum time of 8 seconds and the image will change instantaneously as seen by the human eye;
iv. Messages shall post for a minimum time of 8 seconds and the image will change instantaneously as seen by the human eye
v. Messages consisting of time or alphabetic or numeric characters on a background that may not include any video or moving images; vi. The use of red lights is discouraged in electronic message board signs;
vi. An electronic message is considered accessory to a larger static sign. The electronic message portion of such sign shall constitute no more than 40% of sign area of a freestanding sign and shall be limited to one such sign per lot.
vii. Electronic message boards shall be separated from the nearest lot line of any residential use by a minimum 200 feet.
viii. All electronic message boards shall be equipped with light sensing devices or a scheduled dimming timer that will automatically dim the intensity of the light emitted by the sign during ambient low-light conditions and at night so that the sign does not exceed the maximum brightness levels allowed in this section.
ix. Maximum brightness shall not exceed 0.3-foot candles over ambient light levels measured at a distance of one hundred and fifty (150) feet

x. Written certification from the sign manufacturer must be provided at the time of application for a sign permit certifying that the light intensity of the electronic message center has been preset not to exceed the illumnation levels established by this section.

xi. Any malfunction shall be repaired or disconnected within 48 hours by the owner or operator of such sign

AGENDA ITEM K:
PROPOSED TEXT AMENDMENT CHANGES BY APPLICANT:

LDC Table 10.6-1 Permitted Signs by Zoning District, Permitted Zoning District for "Pole Signs"

Text amendment to add conditional use approval for Pole Sign in B-2 Zones

LDC 10.8.2.5. ii. Electronic message board lighting may be provided by right in the B-3 and B-5 Districts or in the R-1A or R-3 Districts as a conditional use as follows:

Text amendment to add "B-2" as a conditional use, to read as:

"Electronic message board lighting may be provided by right in the B-3 and B-5 Districts or in the R-1A, R-3, or B-2 Districts as a conditional use as follows"

If approved, staff also recommend the following changes to make requirements consistent for the additions:

LDC Table 10.6-1 Dimensional Requirements by Sign Type

Text amendment to include B-2 dimensional requirements for the Sign Message Area (max) (sq. ft.) for Pole Sign:

*"For **B-2**/B-3 – 1square foot sign message area/1' street frontage up to 200 square feet"*

Letters or Concerns stated: The Planning Division has not received any letters or concerns as of finalizing this report.

July 2025: Item C
Hattiesburg Form-Based Code Amendment Request
Lincoln Plaza Development LLC, Lincoln Road Investments LLC, Lincoln Road Investments II LLC, David Lee, Property Owners/Applicants, Ginger M. Lowrey, Representative, Forrest Dungan, Engineer, and Charles M. Dawe, Representative

Option: Recommend **Approval** or **Denial** of the request for an Amendment of the Hattiesburg Land Development Code, Ord. No. 3209, as amended to include pole signs as a conditional use approval in B-2 zoning districts and to allow electronic message reader boards as a conditional use approval in B-2 zoning districts.

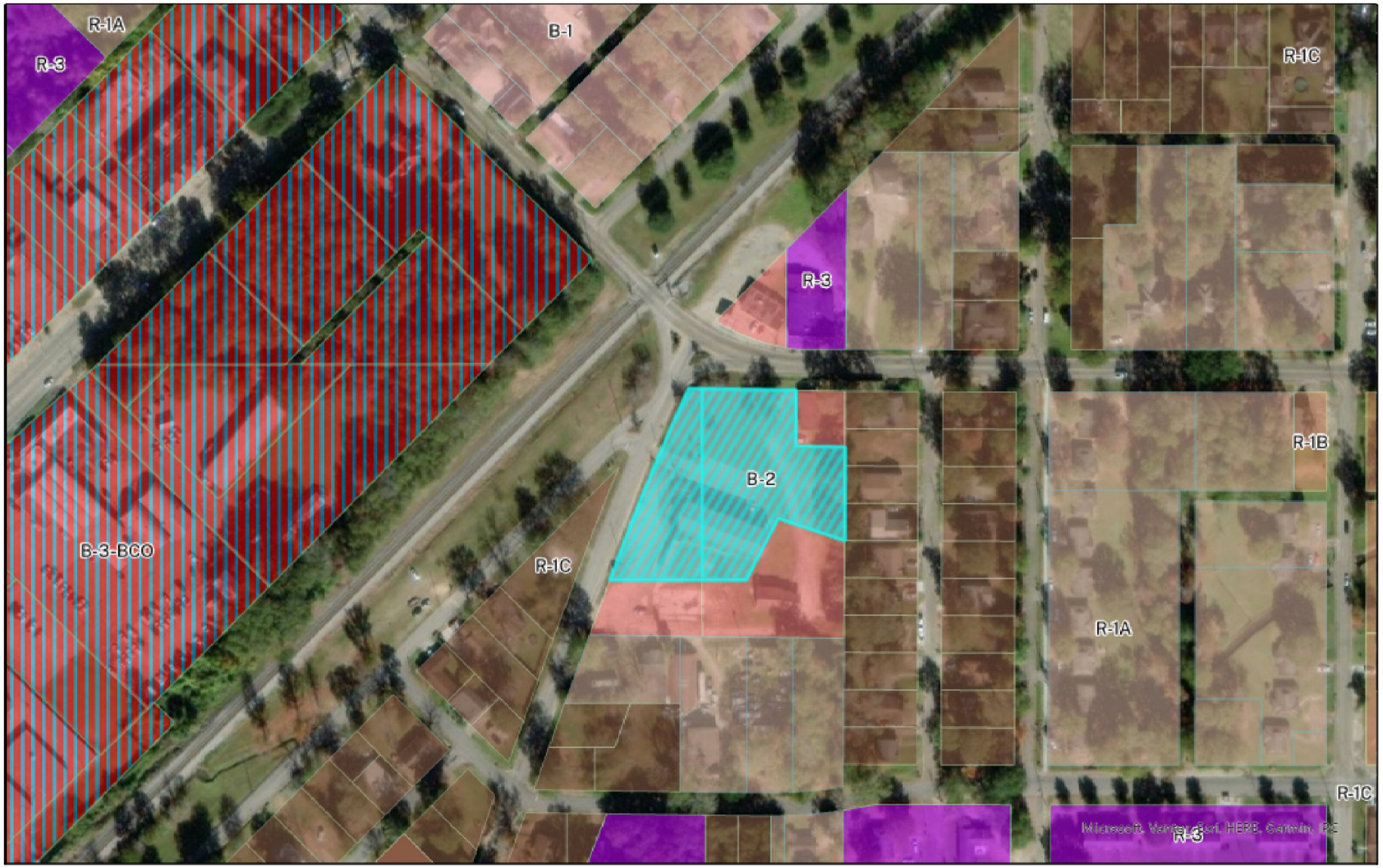
SUBJECT PARCEL

Text Amendment Request

Martin Luther King Jr. Baptist Church, Property Owners, Image Signs and Neon, Contractor, and Michael Bethley, Representative, request a text amendment of the Hattiesburg Land Development Code (Ord. 3209, as amended) to include pole signs as a conditional use approval in B-2 zoning districts and to allow electronic message reader boards as a conditional use approval in B-2 zoning districts.



HPC Item: K



Zoning Legend

R-1A	R-3	B-3
R-1B	B-1	B-5
R-1C	B-2	B-3-BCO

Zoning Change Request
110 Martin Luther King Jr. Avenue
PPIN: 32303 & 32304
Flood Zone: X
Ward 5, Forrest County

0 500 Feet

N

URBAN DEVELOPMENT
PLANNING DIVISION

Center: 89°17'51"W 31°19'2"N

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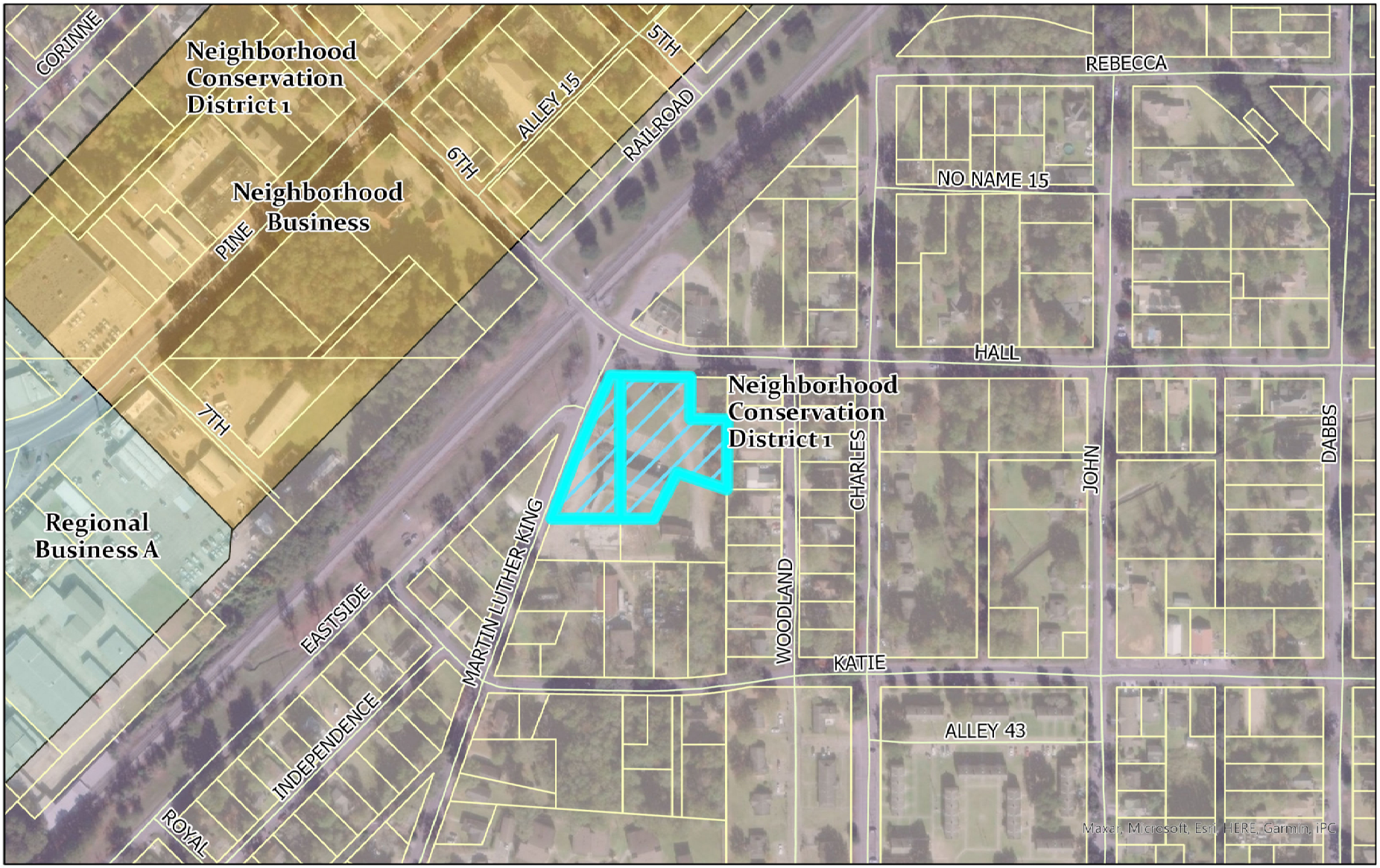
HPC Item: K



Future Land Use Map

- Neighborhood Business
- Neighborhood Conservation District 1
- Regional Business A
- Subject Property

Zoning Change Request
1300 N Main Street
PPIN: 14508
Flood Zone: X
Ward 2, Forrest County

0 500 Feet

N

URBAN DEVELOPMENT
PLANNING DIVISION

Center: 89°17'51"W 31°19'1"N

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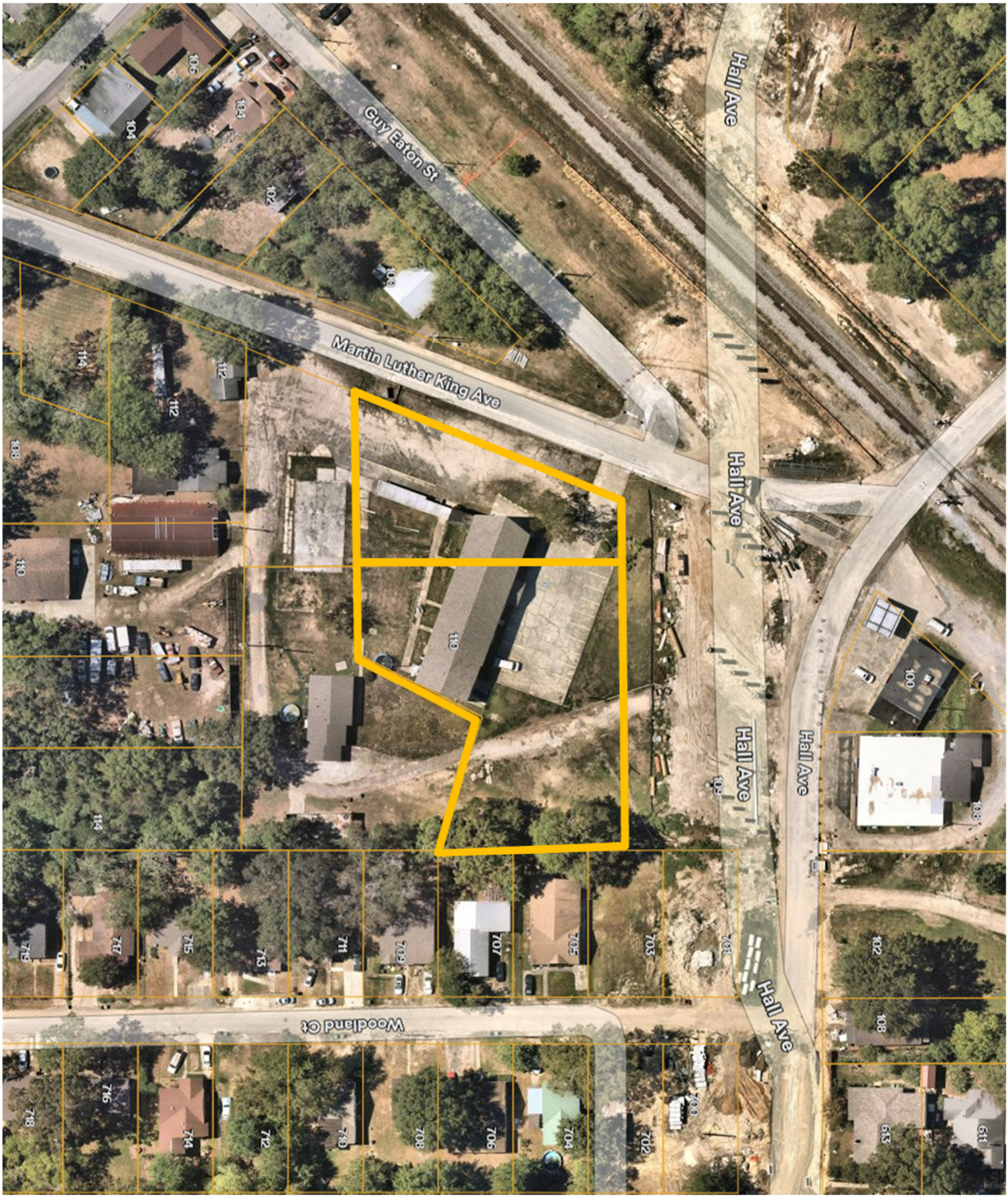
Site Aerial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Martin Luther King Ave
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711
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705
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701
102
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716
714
712
710
708
706
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Surrounding Area





Surrounding Area





Text Amendment- MLK Baptist Church

Electronic Reader Board in B-2 as a conditional use

The Martin Luther King Baptist Church respectfully requests a text amendment to the City of Hattiesburg's zoning ordinance to allow Electronic Reader Board as a *conditional use* within the B-2 zoning district. This request is made to enhance the Church's ability to communicate effectively with its congregation and the broader community.

As a longstanding institution in Hattiesburg, Martin Luther King Baptist Church serves not only as a place of worship but also as a vital community hub. An Electronic Reader Board will enable the church to disseminate real-time information about services, events, charitable drives, educational programs, and emergency alerts. This increased communication capacity will contribute positively to the well-being, safety, and connectedness of local residents.

The church is committed to implementing technology that respects nearby land uses and avoids any visual pollution. Design guidelines and operational restrictions can ensure that EMC signs remain tasteful and appropriate.

Allowing an Electronic Reader Board for institutional uses like churches in the B-2 zone supports smart growth, public information access, and equitable use of communication tools. This approach is consistent with contemporary planning trends that encourage digital signage as a responsible, adaptive reuse of traditional sign allowances.

We believe this amendment strikes a balance between maintaining the character of the B-2 district and meeting the evolving communication needs of local institutions serving the public good.

Text Amendment- MLK Baptist Church

Pole Sign as a conditional use in B-2

Martin Luther King Baptist Church respectfully requests a text amendment to the City of Hattiesburg's zoning ordinance to permit a pole sign as a conditional use in the B-2 zoning district. This request is part of our broader effort to improve visibility, communication, and community outreach through signage that is both functional and context sensitive.

The Church is situated along a roadway with nearby competing visual elements. A pole sign provides the necessary elevation and visibility to safely and effectively guide visitors, including first-time attendees, seniors, and those unfamiliar with the area. Monument signs or low-profile signs may not be sufficiently visible due to sight-line obstructions or landscaping.

B-2 zones are designed for general business activity, often along higher-traffic corridors where taller signage is common and expected. Pole signs have historically been part of such commercial environments and, when appropriately designed, do not conflict with the visual identity of the district. A conditional use process allows the city to ensure design compatibility with adjacent uses on a case-by-case basis.

Elevated signage helps reduce last-minute driving maneuvers by providing earlier notice of entrances and exits. This supports safer vehicle and pedestrian traffic, particularly during peak service times. Churches often see large gatherings at set intervals, and clear signage helps manage that flow responsibly.

Many peer communities in Mississippi and the Southeast allow pole signs in commercial or mixed-use zones under conditional use or with design criteria. By updating the B-2 signage regulations to include pole signs as a conditional use, Hattiesburg can remain competitive and consistent with regional planning practices while preserving local character.

Churches, nonprofits, and other institutions that serve public needs should have access to effective communication tools. Pole signs, when well-designed, are essential for equitable participation in a visual landscape dominated by commercial signage. This amendment helps level the playing field for organizations serving the public interest.

We believe this request reflects a reasonable, balanced approach to signage — allowing appropriate flexibility while preserving the intent and character of the B-2 zone through oversight and conditional use approval.

November 2025 HPC Item: L
Martin Luther King Jr. Baptist Church, Property Owners, and Michael Bethley, Representative
Request for: **Conditional Use Approval**

URBAN DEVELOPMENT
PLANNING DIVISION

Planning Commission
Case Fact Sheet

Names of Petitioner: Martin Luther King Jr. Baptist Church, Property Owners, and Michael Bethley, Representative

Address of Property:	**Parcel:**	**PPIN:**	**Ward:**
110 Martin Luther King Jr. Dr.	2-029F-04-067.00	32303	5
		32304	5

Request: Conditional Use Request

Purpose of Request: Martin Luther King Jr. Baptist Church, Property Owners, Image Signs and Neon, Contractor, and Michael Bethley, Representative, request conditional use approvals for a pole sign and an electronic message reader board for a B-2 zoned property located at 110 Martin Luther King Jr. Drive (PPIN 32303, Forrest County, Ward 5).

History / Background: The applicant met with staff in a pre-application meeting in July of 2025, where a proposed sign with an electronic reader board portion was discussed. The property's current zoning, B-2, does not allow for electronic reader boards. The applicant discussed that recent changes to the neighborhood, with the Hall Avenue Overpass, have significantly altered circulation and access in this area. While it has improved traffic flow along the corridor, it has affected access to this property. Overpass warrants a signage change.

The applicants originally applied for a zoning change that was brought to the Planning Commission, and the Planning Commission tabled the request. They asked the applicants and staff to meet to discuss other options for obtaining the desired signage without a zoning change. Staff and the applicants met in another pre-application meeting to review the various options for the different signage types. Staff presented and discussed

multiple options to establish signage, that would meet the current regulations. The applicants expressed that they wanted to move forward with trying to obtain an electronic reader board and applied for text amendments to allow pole signs and electronic message reader boards as conditional use approvals in the B-2 zoning district for their current proposed sign design.

The proposed sign design will also require variances from the electronic message reader board zoning requirements. The signs' location does not meet the residential buffer requirements (within 200 feet of an active residential use zoning), and the electronic message reader board section is a larger % than what the code allows for (45.71% instead of a max of 40%).

Conditional uses allow flexibility in the zoning ordinance while ensuring proposed uses remain compatible with surrounding development. Approval may be granted with conditions to ensure the use is in harmony with the neighborhood, such as further restricting the size or height of the sign. The Planning Commission should consider whether the proposed use is compatible with the surrounding context and consistent with the Comprehensive Plan.

Applicable Regulations:

Land Development Code

Section 4 **Zoning Districts Established**

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

Present Zoning: **B-2 Neighborhood Business**

Present Use: Place of Assembly (Church)

November 2025 HPC Item: L
Martin Luther King Jr. Baptist Church, Property Owners, and Michael Bethley, Representative
Request for: **Conditional Use Approval**

Future Land Use: Neighborhood Business Corridor

Surrounding Zoning and Land Use:
North: B-2 Neighborhood Business District & R-3 Multi-Family Residential
South: R-1A Single-Family Residential
East: B-2 Neighborhood Business District
West: R-1C Single-Family Residential

Letters or Concerns stated: As of finalizing this report, the Planning Division Office had received no calls or letters of concern.

Option: Recommend **Approval** or **Denial** of the Conditional Use Request for for a pole sign and an electronic message reader board for a B-2 zoned property located at 110 Martin Luther King Jr. Drive (PPIN 32303, Forrest County, Ward 5).

Basis for approval:

12.3.3 Conditional Use Approvals

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

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

i. Determination that adequate public facilities and services will be available concurrent with the impacts of the development as evidenced by letters of sufficiency from utilities and schools and a

determination by the city engineer that the available capacity of existing streets can safely provide access to the site.

ii. The proposed development will be compatible with surrounding uses and will protect adjacent properties through the following measures:

- Protection of privacy. The proposed plan shall provide reasonable visual and auditory privacy for all dwelling units located within and adjacent to the site. Fences, walls, barriers and / or vegetation shall be arranged to protect and enhance the property and to enhance the privacy of on-site and neighboring occupants.
- Protection of use and enjoyment. The proposed plan shall be designed and arranged to have minimal negative impact on the use and enjoyment of adjoining property.
- Compatible design and integration. The use meets all design criteria required by this Code that apply and is designed to integrate well both on and off site.

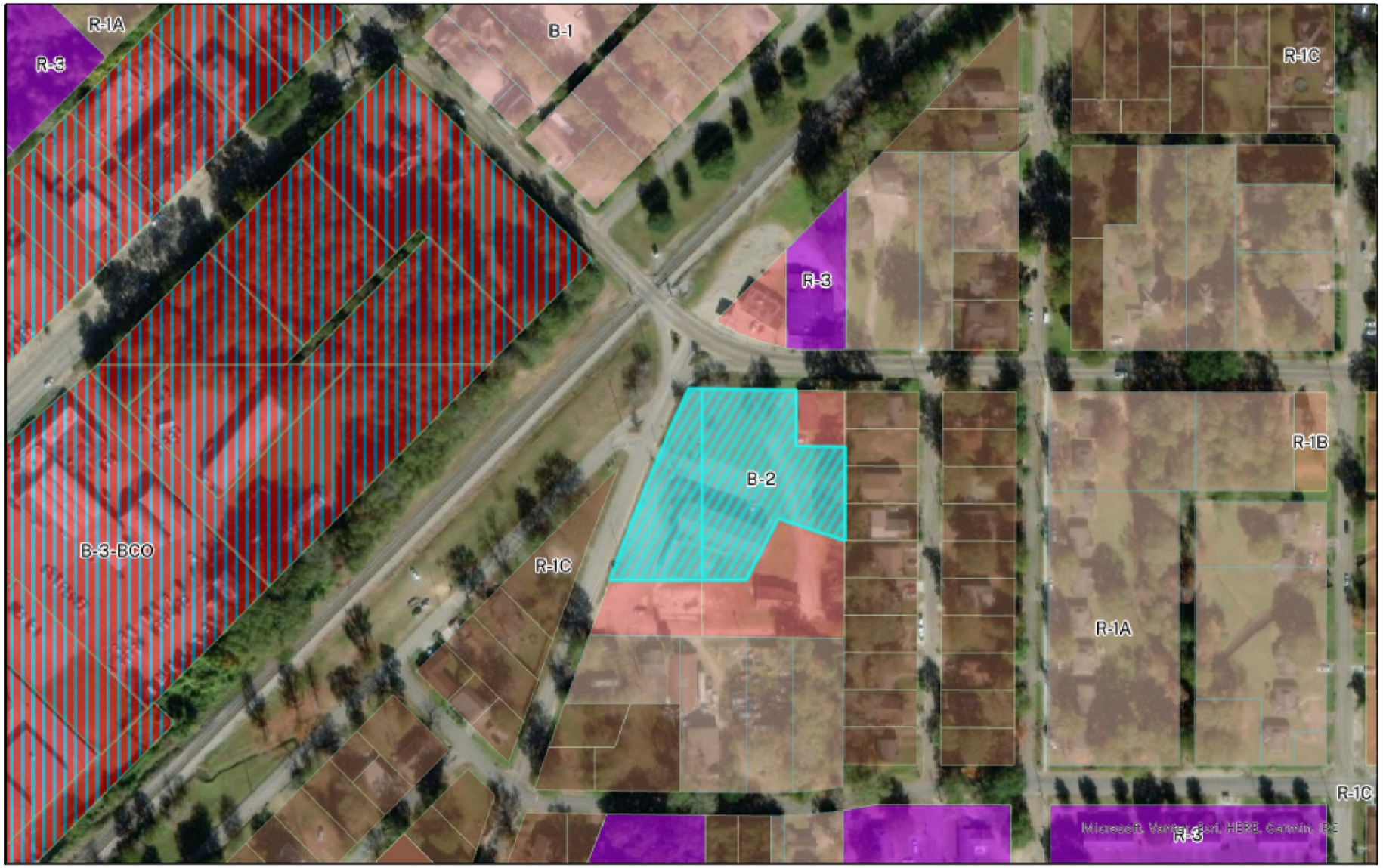
SUBJECT PARCEL

110 MLK Avenue — Conditional Use Requests

Martin Luther King Jr. Baptist Church, Property Owners, Image Signs and Neon, Contractor, and Michael Bethley, Representative, request conditional use approvals for a pole sign and an electronic message reader board for a B-2 zoned property located at 110 Martin Luther King Jr. Drive (PPIN 32303, Forrest County, Ward 5).



HPC Item: L



Zoning Legend

R-1A	R-3	B-3
R-1B	B-1	B-5
R-1C	B-2	B-3-BCO

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110 Martin Luther King Jr. Avenue
PPIN: 32303 & 32304
Flood Zone: X
Ward 5, Forrest County

0 500 Feet

N

URBAN DEVELOPMENT
PLANNING DIVISION

Center: 89°17'51"W 31°19'2"N

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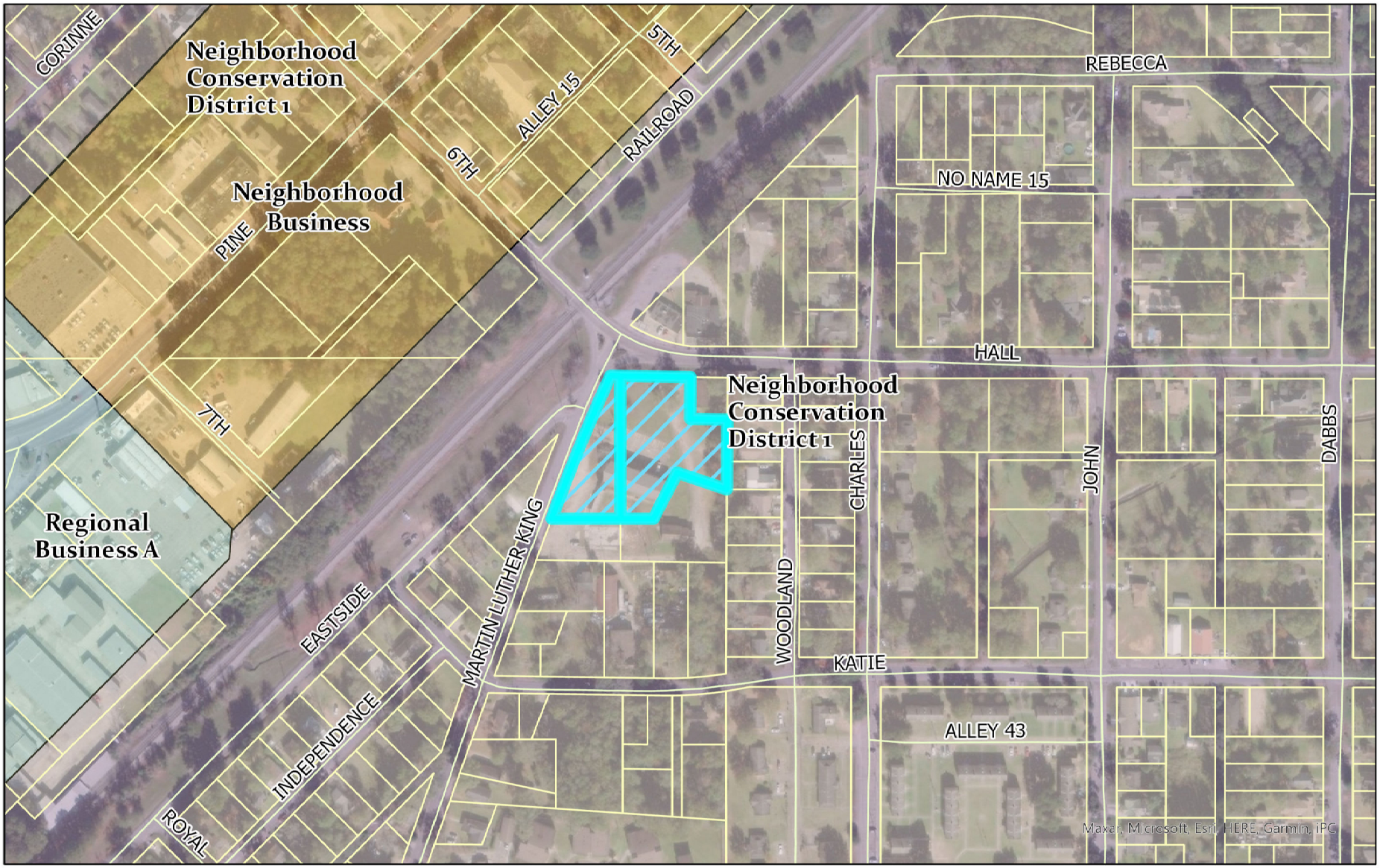
HPC Item: L



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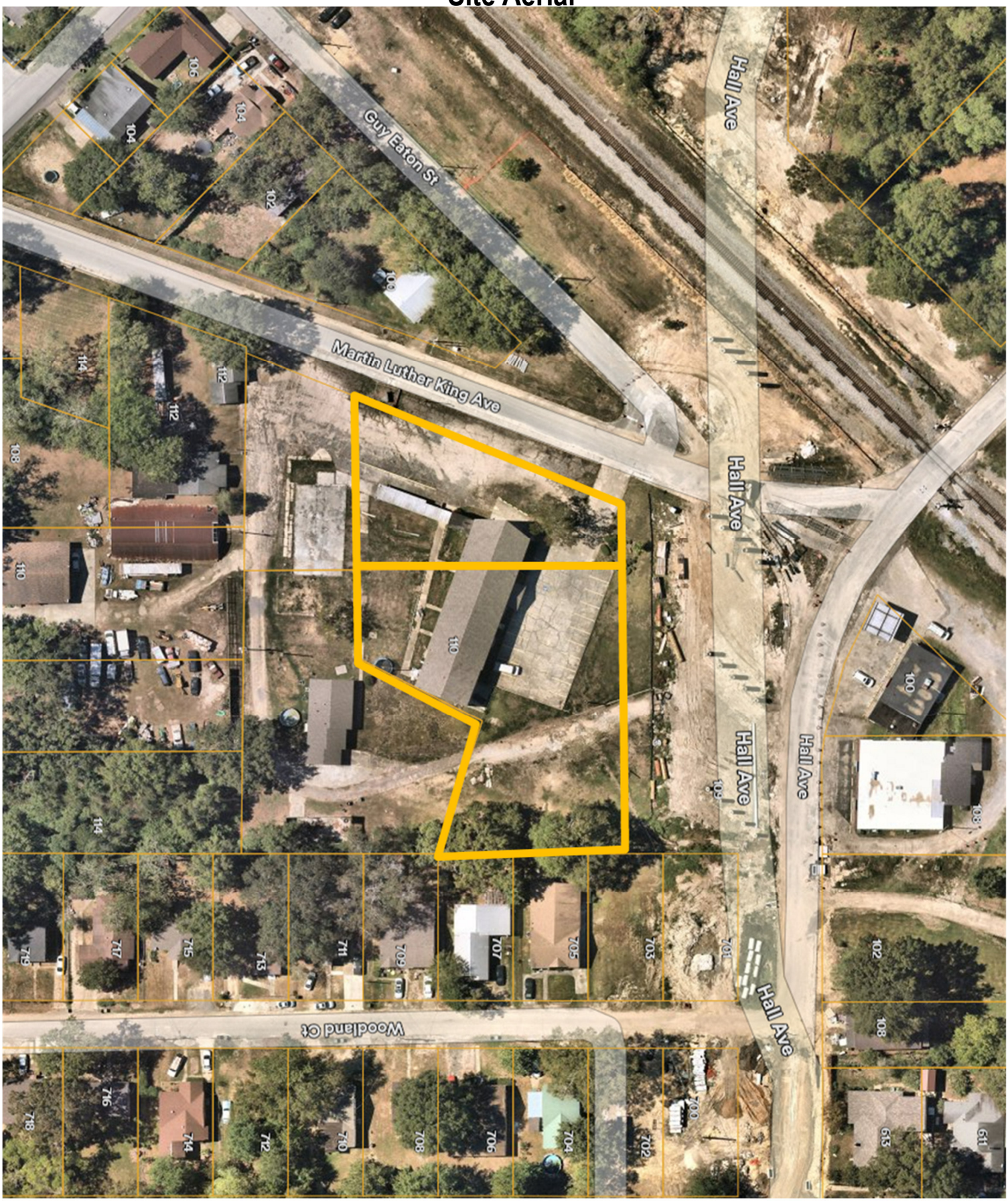
Site Aerial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Surrounding Area





Surrounding Area





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We believe this request reflects a reasonable, balanced approach to signage — allowing appropriate flexibility while preserving the intent and character of the B-2 zone through oversight and conditional use approval.

Variance Application MLK Baptist Church Text Amendment

Residential Lot Line-55ft

LDC 10.8.25.viii Electronic message boards shall be separated from the nearest lot line of any residential use by a minimum of 200ft.

We respectfully request a variance from the 200ft residential setback requirement for EMCs on a pole sign. Our proposed sign will be located approximately 55ft from the nearest residential lot line due to the existing layout of the church property. The church was constructed long before current signage rules were enacted, and the site's size and layout make it impossible to meet the 200ft requirement while still having a visible and functional sign. This sign is essential for effectively communicating service times, community events and other important messages. The sign will not directly face any residential neighborhoods.

To ensure minimal impact of the adjacent residential properties, the sign will include:

- No flashing messages
- Appropriate orientation to minimize glare or intrusion toward nearby homes
- Limited hours of operation

Additionally, there are existing vegetation and overpasses that help buffer the sign from the adjacent residential lot. Also, the properties located nearby that are owned by patrons of the church are petitioning to allow this variance.

We believe the actual impact of the sign at 55ft will be minimal, especially with these mitigation measures in place. The variance represents the least deviation necessary to make reasonable use of the property and denying it would leave the church without a practical way to communicate with the surrounding community.

Percentage of ERB (tbd)

LDC 10.8.2.5 vii- An electronic message is considered accessory to a larger static sign. The electronic message portion of such sign shall constitute no more than 40% of sign area of a freestanding sign and shall be limited to one such sign per lot.

Martin Luther King Baptist Church respectfully requests a variance from Section 10.8.2.5 (vii) of the Hattiesburg LDC, which limits the electronic message center (EMC) portion of a

freestanding sign to no more than 40% of the total sign area. We are seeking approval for an EMC that exceeds this threshold in order to better serve the public, support community engagement, and maintain safe, effective communication from our property.

The EMC component is intended to display important community-focused content, including service times, food drives, educational programs, emergency notices, and other time-sensitive messages. Due to the church's location and the nature of vehicular traffic in the B-2 corridor, the content needs to be legible from a safe distance. A 40% cap significantly reduces the ability to display text at an appropriate font size for visibility at posted speeds, creating a practical hardship not self-imposed but inherent to the site and use.

As a longstanding institution serving Hattiesburg residents, our church plays a vital role beyond religious services — offering youth mentorship, voter engagement, health clinics, and community outreach. A larger EMC will help broadcast time-sensitive, non-commercial messages to the community. This use is in the public interest and aligns with the broader goals of communication, transparency, and public service.

The goal of LDC 10.8.2.5 (vii) is to prevent signs that are overly distracting or dominated by digital displays. While our EMC will exceed 40%, it will still represent a reasonable proportion of the overall sign face and will be functionally and visually integrated with architectural design. This ensures the intent of the ordinance — visual balance and aesthetic control — is maintained, even if the strict numerical standard is exceeded.

Reducing the height of the proposed pole and EMC would place the sign at a lower and more vulnerable position, significantly increasing the risk of vandalism, tampering, and accidental damage. The church is located in a well-trafficked area, placing the sign too low would make it more accessible to pedestrians and vehicles, including potential vandals. A lower height could also expose the sign to incidental contact from maintenance equipment, landscaping crews, or even parked vehicles, depending on the layout.

The requested pole height has been carefully selected to ensure:

- Adequate clearance from pedestrian access areas and parked vehicles
- Improved safety and security by placing the sign out of easy reach
- Better long-term durability of the sign investment

In addition, the height allows the sign to maintain visibility passing traffic without needing to increase its size or brightness, which would have a greater impact on surrounding properties.

For these reasons, the requested height represents a practical and reasonable minimum necessary for the safe, secure, and effective use of the sign, and a shorter pole would create unnecessary risk and hardship.