



**URBAN
DEVELOPMENT**

PLANNING DIVISION

HATTIESBURG PLANNING COMMISSION

PUBLIC HEARING STAFF REPORTS

February 4, 2026



URBAN DEVELOPMENT

PLANNING DIVISION

MEMORANDUM

TO: All Interested Parties
FROM: Planning Staff
DATE: January 28, 2026
SUBJECT: February 4, 2026 - Hattiesburg Planning Commission and Board of Adjustment

The Hattiesburg Planning Commission will meet in regular session at 1:00 PM, Wednesday, February 4, 2026, in the dining room of the Jackie Dole Sherrill Community Center.

Virtual Meeting Attendance Option for the Planning Commission

[Join the meeting now](#)

Meeting ID: 296 437 185 947 2

Passcode: bv3YA9qw

Dial in by phone

+1 929-346-7084

Phone conference ID: 716 995 575#

If you have any questions regarding the agenda or need information related to the virtual meeting option, please do not hesitate to call the Planning Division at (601)-545-4599 or email at planning@hattiesburgms.com.

Planning Commission Agenda

February 4, 2026, 1:00 PM

Jackie Dole Sherrill Community Center (Dining Room)

220 W Front Street

I. Business Meeting

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

II. Other Business

1. TABLED ITEM- Text Amendment Request- Chad F. Edmonson requests a text amendment to the Hattiesburg Land Development Code, Ord. No. 3209, as amended, to allow accessory dwelling units in residential zoning districts that are also located in historic districts. *(Tabled from January 7th's meeting)*

III. Public Hearing

1. Presentation of Petitions for Public Hearing
 - A. Conditional Use Request- Monique Jobe, Property Owner/Applicant, requests a conditional use approval for a "Group Care Home" for an R-1A zoned property at 2306 Clayton Place (PPIN 24337, Forrest County, Ward 4).
 - B. Text Amendment Request- The City of Hattiesburg requests a text amendment to the Hattiesburg Land Development Code, Ord. No. 3209, as amended, to Section 1 (Intent and Purpose), Section 2 (Applicability and Conformity), Section 3 (General Requirements), Section 4 (Zoning Districts Established), Section 5 (Use Regulations and Conditions), Section 6 (Dimensional Standards), Section 7 (Standards of Design), Section 8 (Infrastructure Standards), Section 9 (Environmental Standards), Section 10 (Signs), Section 11 (Administration and Enforcement), Section 12 (Process and Procedures), and Section 13 (Definitions).
 - C. Major Subdivision Alteration Request- John Weeks, Applicant, requests approval to alter a subdivision known as the "Mineral Creek Manor" subdivision for a property at 100 J Ed Turner Drive (PPIN 9505, Forrest County, Ward 1).
 - D. Conditional Use Request- Wyche McMullan, Applicant, requests a conditional use approval for "Automotive Sales and Rentals" for a B-3 (BCO) zoned property at 401 Broadway Drive (PPIN 21784, Forrest County, Ward 4).
 - E. Conditional Use Request- Mary Jane & Herbs, Property Owner/Applicant, and Michael Haddox, Property Owner/Applicant, request a conditional use approval to allow the property to be eligible to participate in the sidewalk fee-in-lieu program for

a B-3 zoned property located at 135 Thornhill Drive (PPIN 21511, Lamar County, Ward 3).

IV. Adjournment

**MINUTES OF THE
REGULAR MEETING OF THE
HATTIESBURG PLANNING COMMISSION
January 7th, 2026**

Board Members Roll Call:

Members Present:

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

Members Not Present:

1. 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 1:02 p.m.

AGENDA REVIEW

Motion:

Made by Commissioner Rebekah Ray to approve January's agenda.

Second:

Made by Commissioner Elayne Lockett

Vote:

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

The motion to approve January’s agenda was passed by an 8-0 vote.

Commissioner Dawe and Commissioner Venable arrived prior to the minutes review.

MINUTES REVIEW

Motion:

Made by Commissioner Rebekah Ray to approve the December 2025 meeting minutes, subject to staff corrections.

Second:

Made by Commissioner Rhoda Pickett

Vote:

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

The motion to approve the December 2025 meeting minutes passed with a 10-0 vote.

BUILDING REPORT

Kevin Bates, Building Official, gave the Building Permit Report for November and December 2025.

PLANNING REPORT

Planning staff provided updates on the previous month’s agenda items and an update on the progress of the comprehensive plan.

CHAIR’S REPORT

The Chair did not have a report for the meeting.

INTRODUCTIONS

Commissioners and staff introduced themselves.

PUBLIC HEARING – Planning Commission

Commissioner Pickett recused herself from items B and C.

Item B: Chad F. Edmonson requests a text amendment to Section 7 of the Hattiesburg Land Development Code, Ord. No. 3209, as amended, to add “crusher run” as an approved “hard surface” used for parking and driveways inside any historic district.” This is an abbreviated summary of the topics addressed in the proposed amendment, and interested parties are encouraged to contact City Hall to review the proposed amendment in its entirety.

Discussion and Vote:

The Planning Staff introduced the case.

- Presented by:
 - o Chad F. Edmonson
- Proponents:
 - o None
- Opponents:
 - o None

Motion:

Made by Commissioner Edward Hargrove to recommend approval of the intent of the text amendment that was on the screen at the meeting:

- “Crusher run” is an approved hard surface when used for parking and driveways inside any historic district, excepting aprons.”

Second:

Made by Commissioner Lee Anne Venable

Vote:

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

The motion to recommend approval of the request passed 8-1.

Commissioner Dawe recused himself from item C.

Item C: Chad F. Edmonson requests a text amendment to the Hattiesburg Land Development Code, Ord. No. 3209, as amended, to allow accessory dwelling units in residential zoning districts that are also located in historic districts. This is an abbreviated summary of the topics addressed in the proposed amendment, and interested parties are encouraged to contact City Hall to review the proposed amendment in its entirety.

Discussion and Vote:

The Planning Staff introduced the case.

- Presented by:
 - o Chad F. Edmonson
- Proponents:
 - o None
- Opponents:
 - o None

Motion:

Made by Commissioner Caroline Ingram to table the item for the next meeting.

Second:

Made by Commissioner Edward Hargrove

Vote:

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

The motion to table the request passed 8-0.

Commissioner Dawe and Commissioner Pickett rejoined the meeting.

Item D: Derrick Young, Applicant, requests approval of a zoning change from B-2 to R-1B for properties at 702 W 7th Street (PPIN 23495 & 23496, Forrest County, Ward 2).

Discussion and Vote:

The Planning Staff introduced the case.

- Presented by:
 - o Derrick Young
- Proponents:
 - o Jammeica Godfrey
 - o Chad F. Edmonson
- Opponents:
 - o None

Motion:

Made by Commissioner Charles Dawe to recommend approval.

Second:

Made by Commissioner Rebekah Ray

Vote:

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

The motion to recommend approval passed with a 10-0 vote.

Item E: Derrick Young, Applicant, requests approval for a preliminary plat for a major subdivision to be known as the “Rawls Avenue Development” for properties at 702 W 7th Street (PPIN 23495 & 23496, Forrest County, Ward 2).

Discussion and Vote:

The Planning Staff introduced the case.

- Presented by:
 - o Derrick Young
- Proponents:
 - o Jammeica Godfrey
 - o Chad F. Edmonson
- Opponents:
 - o None

Motion:

Made by Commissioner Charles Dawe to recommend approval.

Second:

Made by Commissioner Michael Dickerson

Vote:

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

The motion to recommend approval passed with a 10-0 vote.

Other Business:

- Work Session- February proposed LDC text Amendment presentation
 - *Commissioner Hargrove and Commissioner Lee Anne Venable departed the meeting.*

Adjournment:

Motion:

Made by Commissioner Rhoda Pickett to adjourn

Second:

Made by Commissioner Elayne Lockett

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

The Planning Commission adjourned the meeting at 3:16 pm.

Rebekah Ray, Secretary

Cory Long, AICP, Planning Division Manager



Hattiesburg Planning Commission Planning Division

Item C- Staff Report
January 7, 2025

Quick Facts:

Applicant:

Chad F Edmonson

Address:

N/A

Zoning:

N/A

Future Land Use:

N/A

Historic District:

N/A

Overlay District(s):

N/A

Flood Zone:

N/A

Ward:

N/A

County:

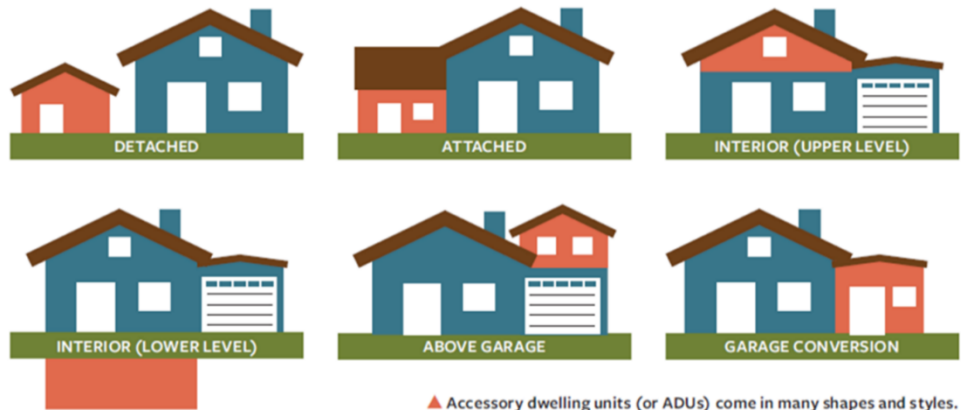
N/A

PPIN Number(s):

N/A

Parcel Number(s):

N/A



ADUs can come in a variety of options, as shown in graphic provided by the AARP

Applicant's Requests:

Chad F. Edmonson requests a text amendment to the Hattiesburg Land Development Code, Ord. No. 3209, as amended, to allow accessory dwelling units in residential zoning districts that are also located in historic districts.

Background and History

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.

1. Lot

2. Placement

Lot Dimensions		Principal Building Setbacks	
Ⓐ Lot area (min)	7,500 SF	Ⓐ Primary street (min)	15'
Ⓐ Lot area - rear loaded (min)	5,000 SF	Ⓑ Side street (min)	10'
Ⓑ Lot width (min)	50'	Ⓒ Side interior (min)	5'
Ⓑ Lot width - rear loaded (min)	40'	Ⓓ Rear (min)	20'
Ⓒ Dwelling units per lot (max)	1	Ⓔ Abutting alley	4' or 20' min
Additional Requirements with Carriage House		Accessory Structure/Carriage House Setbacks	
Ⓓ Lot depth (min)	120'	Ⓔ Primary street (min)	50'
Ⓔ Additional detached dwelling unit (max)	1	Ⓕ Side street (min)	10'
Ⓕ Additional on-site parking (min)	1 space	Ⓖ Side interior (min)	5'
		Ⓖ Rear (min)	5'
		Ⓖ Abutting alley	4' or 20' min

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 a previous public hearing on December 3, 2025, a proposal to amend the Land Development Code to create a conditional use pathway for ADUs was recommended for approval by the Planning Commission, which City Council later approved on

Hattiesburg Form Based Code ADU regulations

December 16, 2025. This approach allows ADU requests to be evaluated on a case-by-case basis while broader ADU policy considerations continue to be studied. A subcommittee was formed to discuss further regulatory standards to consider for text amendments for ADUs.

3. Height

4. Activation

Building Height		Pedestrian Access	
Ⓐ Principal building (max)		Ⓐ Entrance facing primary street	Required
RD-2	2 stories/35'		
RA-3	2 stories/40'		
Ⓑ Accessory structure (max)	24'		
Story Height		Building Elements	
Ⓒ Ground floor elevation (min)	2'	Porch	Allowed
		Stoop	Allowed
		Balcony	Allowed
		Gallery	Not allowed
		Awning/Canopy	Not allowed
		Forecourt	Not allowed

Hattiesburg Form Based Code ADU regulations

This applicant's text amendment proposes allowing one ADU per single-family dwelling in R-1A, R-1B, and R-1C districts that are also located in a historical district. The amendment proposes that the ADU not exceed the

primary dwelling unit in square footage and that the ADU may be metered separately (but not required). As presented, any new ADUs or exterior modifications to ADUs in historic districts would require design approval from the Hattiesburg Historic Conservation Commission (HHCC). HHCC can impose additional regulations as it relates to the Historic Design Guidelines for approval.

ADUs are common in some historic districts in Hattiesburg, specifically the Hattiesburg Historic Neighborhood and the Oaks Historic Neighborhood, with many of them being pre-existing and therefore legal nonconforming. Historically, these were known as “carriage” or “coach” houses, which could have been built originally for horse-drawn carriages. Some of the existing ADUs in the historic districts were also built as garages for automobiles, with a living unit above the storage area.

The current Land Development Code restricts accessory buildings to 33% of the primary unit’s square footage, with the intent to not allow accessory buildings to be larger than the primary unit. The applicant’s proposal could allow ADUs in historic districts to be as large as the primary unit and to be metered separately. The AARPs model ordinance approach is no minimum size, but a maximum size, usually as a percentage of the primary dwelling, to be consistent with the “accessory” concept. Should there be a hardship justifying a need for a unit larger than a set maximum percentage, an applicant could seek a variance for relief in this scenario.

The Planning Commission should consider whether the proposed regulations are appropriate as presented for Hattiesburg. Many municipalities have addressed the legalization of ADUs that range from no additional regulations to very strict, even so far as covenant restriction requirements for approval. Communities often adopt stricter regulations as a tool to curb speculative redevelopment or their use as rental units. While there are many approaches to establishing a pathway for ADUs, regulations on ADUs are intended to mitigate any potential impacts on neighboring properties. Staff also note that regulations are “living documents” which are intended to change over time to adjust to the community's needs and expectations.

Proposed Text of Amendment:

“Hattiesburg shall allow the development of one accessory dwelling unit for each single-family dwelling in areas zoned for single-family dwellings that are also located in a historical district. An accessory dwelling unit may be built or sited concurrently or after the primary single-family detached dwelling has been constructed or sited. An ‘accessory dwelling unit’ means an attached or detached residential structure that is used in connection with, or that is an accessory to, a primary single-family dwelling and that has no more total square footage than the primary single-family dwelling. Such accessory dwelling unit may be metered separately from the primary single-family residential structure.”

Chad F Edmonson, “Text Amendment to Land Development Code”

Codes and Regulations

SECTION 5: Use Regulations

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

Considerations and Basis for Approval

Applicant’s Request:

Chad F. Edmonson requests a text amendment to the Hattiesburg Land Development Code, Ord. No. 3209, as amended, to allow accessory dwelling units in residential zoning districts that are also located in historic districts.

Option:

Item D:

Recommend approval or denial of a text amendment to the Hattiesburg Land Development Code, Ord. No. 3209, as amended, to allow accessory dwelling units in residential zoning districts that are also located in historic districts.



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: Chad F. Edmonson Project Name: ADU

Municipal Address of Site: _____ PPIN #: _____

Parcel Number(s): _____

Type of Public Hearing	Additional Information Needed:
<input type="checkbox"/> Variance (fill out pages 7 & 8)	<input type="checkbox"/> Sign <input type="checkbox"/> Setback <input type="checkbox"/> Off-Site Parking <input type="checkbox"/> Lot Width <input type="checkbox"/> Lot Coverage Area <input type="checkbox"/> Buffer <input type="checkbox"/> Open Space <input type="checkbox"/> Other: _____
<input type="checkbox"/> Rezoning (fill out page 11)	Existing Zoning: _____ Proposed Zoning: _____
<input type="checkbox"/> Conditional Use (fill out pages 9 & 10)	<input type="checkbox"/> Automotive Filling Station <input type="checkbox"/> Digital Billboard, New <input type="checkbox"/> Digital Billboard, Replacement <input type="checkbox"/> Telecommunications <input type="checkbox"/> Restaurant <input type="checkbox"/> Solar Farm <input type="checkbox"/> 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:	
			<input type="checkbox"/> 1	<input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5
Project Number: <u>JX AM-1125-0006</u>		Received: <u>11/3/25</u> <u>NS</u>		
PPIN # or Parcel #:				

Chad F. Edmonson
1202 S 34th Ave
Hattiesburg, MS 39402
(917) 952-4262
chad.f.edmonson@gmail.com

November 3, 2025

Mr. Nathan Satcher,
Planner, Department of Urban Development
City of Hattiesburg
PO Box 1898
Hattiesburg, MS 39403

Subject: Text Amendment to Land Development Code.

Dear Mr. Satcher,

The purpose of this letter is to request a text amendment to the Land Development Code as follows:

Hattiesburg shall allow the development of one accessory dwelling unit for each single-family dwelling in areas zoned for single-family dwellings that are also located in a historical district. An accessory dwelling unit may be built or sited concurrently or after the primary single-family detached dwelling has been constructed or sited. An "accessory dwelling unit" means an attached or detached residential structure that is used in connection with, or that is an accessory to, a primary single-family dwelling and that has no more total square footage than the primary single-family dwelling. Such accessory dwelling unit may be metered separately from the primary single-family residential structure.

Thank you for the opportunity to present on this matter. If you have any questions or need additional information, please contact me.

Best,


Chad F. Edmonson



Hattiesburg Planning Commission Planning Division

Item A- Staff Report February 4th, 2026

Quick Facts:

Applicant:

Monique Jobe

Address:

2306 Clayton Place

Zoning:

R-1A Single-Family Residential

Future Land Use:

Neighborhood Conservation
District 2

Historic District:

N/A

Overlay District(s):

N/A

Flood Zone:

AE

Ward:

3

County:

Forrest

PPIN Number(s):

24337

Parcel Number(s):

2-039G-17-138.00



Property Image

Applicant’s Request:

Conditional Use Request—Monique Jobe, Property Owner/Applicant, request conditional use approval for a “Group Care Home” for an R-1A zoned property at 2306 Clayton Place (PPIN 24337, Forrest County, Ward 4).

Applicant’s Scope of Work:

The applicant is seeking approval for a conditional use request to use the property as a group home for individuals with Intellectual and Developmental disabilities.



Background and History

The applicant met with staff in a pre-application meeting in the Fall of 2025 to discuss the possibility of using the property as a Group Care Home. The applicant told staff that the home would be for adult individuals with Intellectual and Developmental Disabilities (IDD) and that the home would be kept as is, with only the improvements to the ADA ramp in the rear of the home. Staff went over the regulations and requirements for a group care home, including the need for a public hearing, maximum occupancy for the home, and other conditions listed in the Land Development Code under Section 5.4.25. The staff also told the applicant that the property is located in a flood zone and discussed substantial improvement and flood insurance requirements.



Surrounding Area Image

Conditional use requests allow a community to assess whether a specific use or feature is appropriate for the surrounding area and the overall community. It provides a bit of flexibility in a zoning ordinance, where in some instances a proposed use could be appropriate in a certain area of a zoning district, but not in other areas. As with any conditional use approvals, the planning commission can recommend certain conditions be met with approval, such as exceeding certain landscaping or buffering requirements so that the use is more harmonious with the surrounding area.



Surrounding Area Image

Future Land Use:

Neighborhood Conservation District 2 – Suburban Neighborhoods:

This Neighborhood Conservation District is primarily a residential district located in conventional subdivisions. In this district, large tracts of land were platted as single-family residential neighborhoods. Other than schools and churches, non-residential land uses are not typically found in these districts.

District Characteristics: The characteristics of this district include the following: low-density or moderate-density single-family residences; building lots with front and side yards with

standard depths; and a lower overall density of development than downtown or historic neighborhoods.

District Land Uses: The following land uses should be found in this district: single-family residential uses; public and quasi-public uses, such as churches and schools; small neighborhood parks and tot lots.

Codes and 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 5 — Use Regulations

Table 5.1 Table of Uses																
Use	Agricultural		Residential					Business				Industrial		Additional Use Conditions Cross Reference		
	A-1	A-2	R-1A	R-1B	R-1C	R-2	R-3	B-1	B-2	B-3	B-4	B-5	I-1		I-2	
■	Permitted															
□	Permitted with conditions															
◆	Conditional Use															
*	Not Permitted															
Gallery, museum, and library	◆	◆	◆	◆	◆	◆	◆	◆	◆	■	■	■	■	◆	◆	-
Gated communities	◆	◆	◆	◆	◆	◆	◆	x	x	x	x	x	x	x	x	5.4.25
Glass repair and replacement	x	x	x	x	x	x	x	x	x	□	x	□	x	x	x	5.4.26
Golf course	■	■	■	■	■	■	■	x	x	x	x	x	x	x	x	-
Government center/complex and offices	◆	◆	◆	◆	◆	◆	◆	■	■	■	■	■	■	■	■	-
Group facility	◆	◆	x	x	x	x	◆	◆	◆	◆	x	x	x	x	x	5.4.27
Group home	◆	◆	◆	◆	◆	◆	◆	◆	◆	x	x	x	x	x	x	5.4.27

5.4.25 Group Care Home; Group Care Center.

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

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



Property Image

Considerations and Basis for Approval

Applicant's Requests:

Recommend approval or denial of the conditional use request for a "Group Care Home" for an R-1A zoned property at 2306 Clayton Place (PPIN 24337, Forrest County, Ward 4).

Basis for Approval:

Conditional Use

- 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.
- 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.
- 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.

- 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.

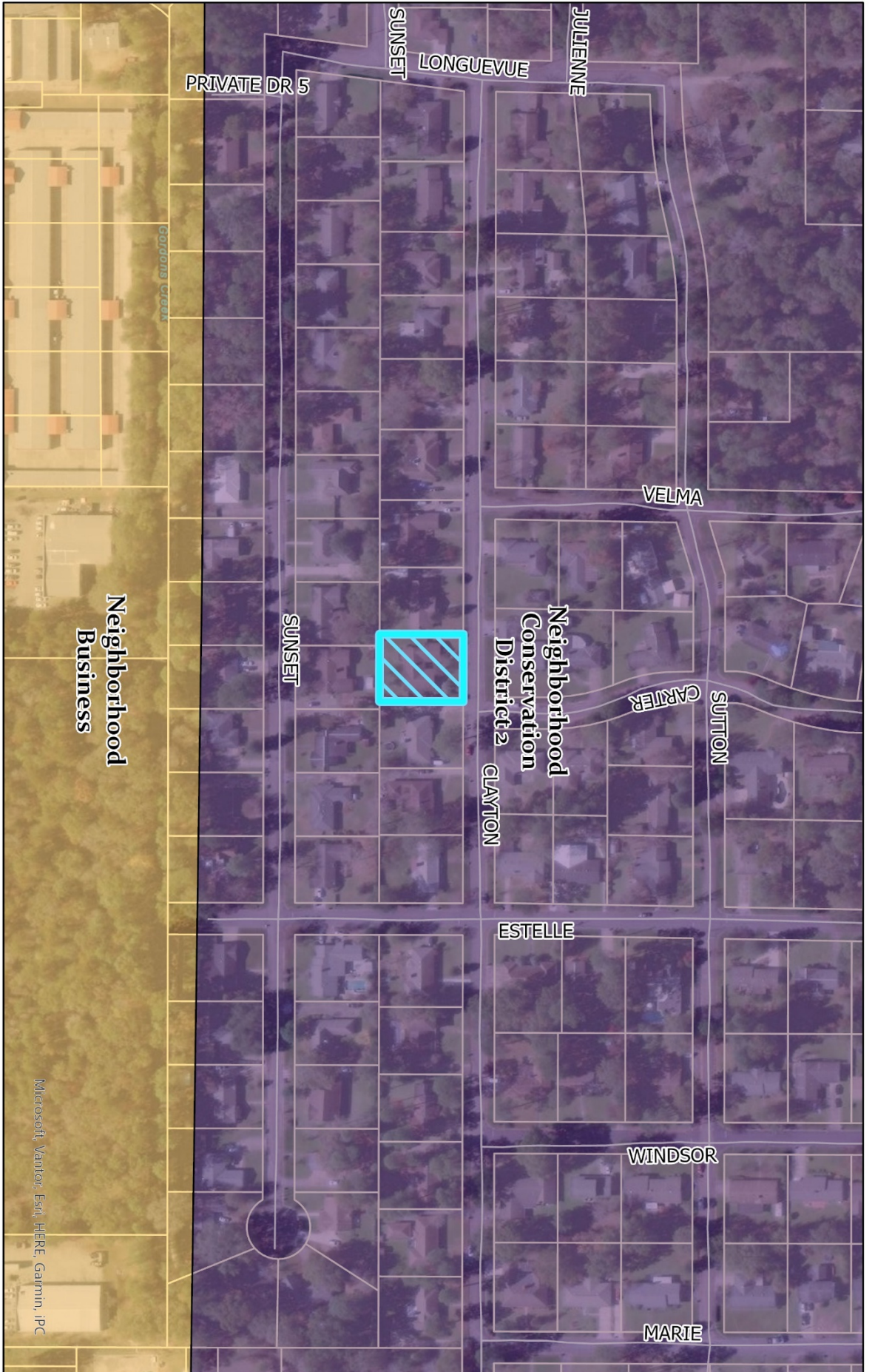


- Zoning Legend**
- R-1A
 - B-1
 - B-2
 - B-3
 - B-5
 - 2306 Clayton Place
- Conditional Use Request**
 2306 Clayton Place
 PPIN: 24337
 Flood Zone: AE
 Ward 4, Forrest County

DISCLAIMER: This map is ONLY FOR REFERENCE. There is NO WARRANTY of the accuracy of data. This information CANNOT be used as a substitute for legal, business, tax or other professional advice. Map Exported on: 1/9/2026 11:00 AM



URBAN DEVELOPMENT
PLANNING DIVISION
 Center: 89°19'34"W 31°18'22"N



- Future Land Use Map**
- Neighborhood Business
- Neighborhood Conservation District 2
- 2306 Clayton Place

Conditional Use Request
 2306 Clayton Place
 PPIN: 24337
 Flood Zone: AE
 Ward 4, Forrest County

Neighborhood Business

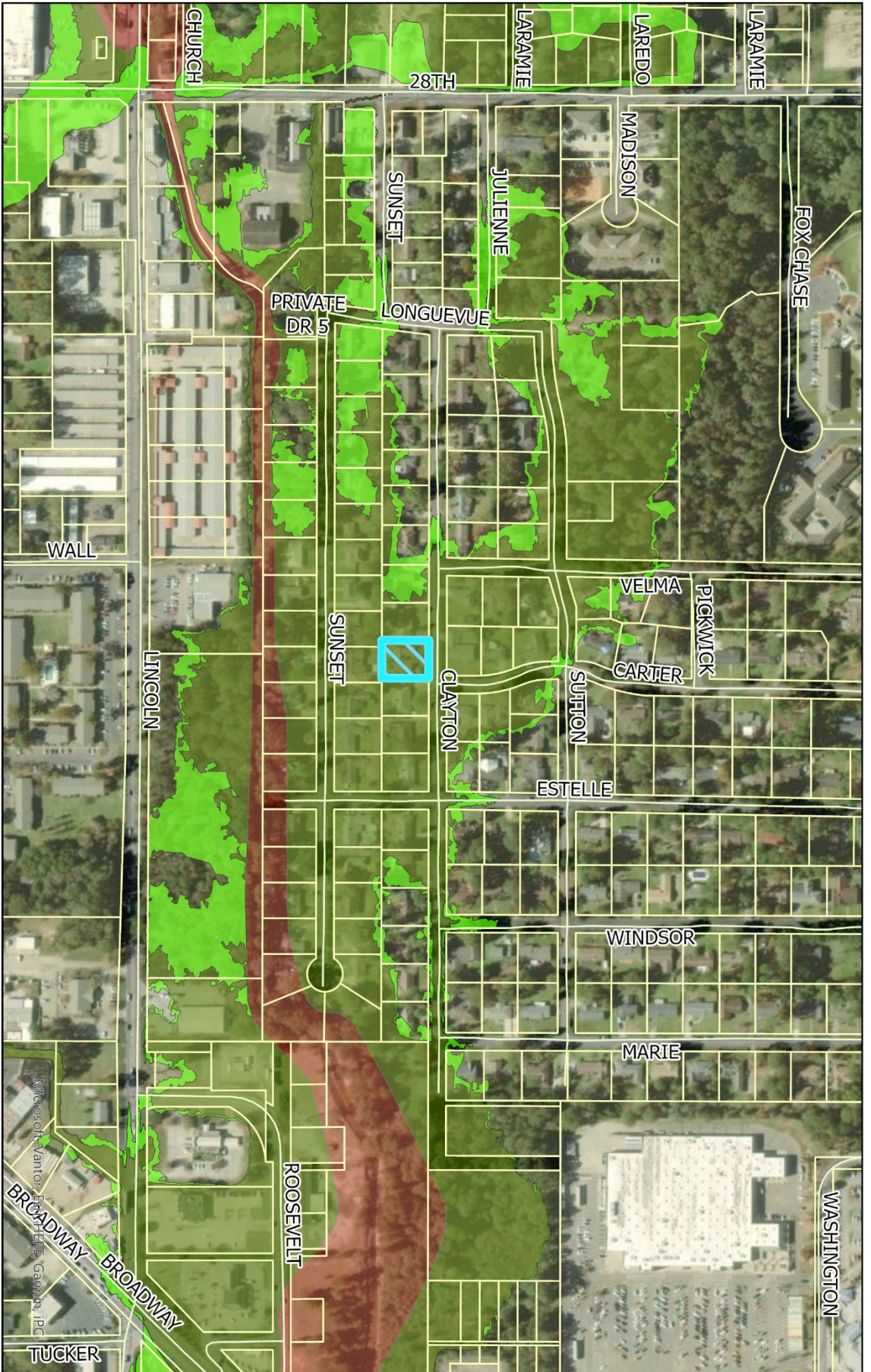
Neighborhood Conservation District 2

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 Map Exported on: 1/9/2026 10:56 AM



URBAN DEVELOPMENT PLANNING DIVISION
 Center: 89°19'34"W 31°18'22"N

- █ FLOODWAY AREA IN ZONE AE
 - █ ZONE A (100 yr flood - no elevation)
 - █ ZONE AE (100 yr flood w / elevation)
 - █ ZONE SX (500 yr flood)
 - █ 2306 Clayton Place
- Conditional Use Request
 2306 Clayton Place
 PPIN: 24337
 Flood Zone: AE
 Ward 4, Forrest County



0 1,000 Feet

URBAN DEVELOPMENT
PLANNING DIVISION
 Center: 89°19'33"W 31°18'23"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: 1/9/2026 11:08 AM

Surrounding Area Image- Clayton Place facing North



Surrounding Area Image- Clayton Place Facing South





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: Monique Jobe (Lighthouse to Independent) **Project Name:** The Willow Residence

Municipal Address of Site: 2306 Clayton Place, Hattiesburg, MS 39402 **PPIN #:** 024337

Parcel Number(s): 2-039G-17-138.00

Type of Public Hearing	Additional Information Needed:
<input type="checkbox"/> Variance (fill out pages 7 & 8)	<input type="checkbox"/> Sign <input type="checkbox"/> Setback <input type="checkbox"/> Off-Site Parking <input type="checkbox"/> Lot Width <input type="checkbox"/> Lot Coverage Area <input type="checkbox"/> Buffer <input type="checkbox"/> Open Space <input type="checkbox"/> Other: _____
<input type="checkbox"/> Rezoning (fill out page 11)	Existing Zoning: <u>R-1A</u> Proposed Zoning: <u>Community Residential Home</u>
<input checked="" type="checkbox"/> Conditional Use (fill out pages 9 & 10)	<input type="checkbox"/> Automotive Filling Station <input type="checkbox"/> Digital Billboard, New <input type="checkbox"/> Digital Billboard, Replacement <input type="checkbox"/> Telecommunications <input type="checkbox"/> Restaurant <input type="checkbox"/> Solar Farm <input type="checkbox"/> Other: _____

Other Application types:

- | | |
|--|---|
| <input type="checkbox"/> Subdividing of a lot, Parcel, or Tract (fill out page 12)
<input type="checkbox"/> Street or Alley Renaming (fill out pages 13 & 14)
<input type="checkbox"/> Vacating Street or Alley (fill out pages 13 & 14) | <input type="checkbox"/> Text Amendment
<input type="checkbox"/> Overlay District
<input type="checkbox"/> Planned Mixed-Use District (PMU) |
|--|---|

For Staff Only:				
Zoning:	Historic District:	Flood Zone:	Ward:	
			<input type="checkbox"/> 1	<input type="checkbox"/> 2
			<input type="checkbox"/> 3	<input type="checkbox"/> 4
			<input type="checkbox"/> 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: _____

Hattiesburg Planning Commission Meeting Date: _____

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.
 - o 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 \$ 200.00



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.
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: Monique Jobe

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
2306 Clayton Place Hattiesburg, MS 39402

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.

Monique Jobe

on this the _____ day of _____, 20____.

Monique Jobe

Property Owner (Print)

Property Owner (Signature)

STATE OF _____

COUNTY OF _____

Personally came and appeared before me, the within named

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

GIVEN UNDER MY HAND AND OFFICIAL SEAL OF OFFICE, this the _____ day of _____, 20____.

NOTARY PUBLIC

My Commission Expires:

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:**
The Willow Residence is a proposed community residential home that will provide housing and support for 3 to 6 adults with intellectual and developmental disabilities. The home will offer a family-styles living environment with 24-hour staff supervision, focusing on promoting independence, safety, and personal growth in a community setting.

2. **Describe the effects the proposed use of utilities and facilities will have on the community.**
The Willow Residence will maintain the residential character of the neighborhood. The property will continue to look and function as a single-family home. Residents will be integrated respectfully into the community and encouraged to participate in local activities, contributing positively to the neighborhood.

3. **Describe how the size of the site is appropriate for the proposed use.**
The property at 2306 Clayton Place provides ample interior living space with multiple bedrooms, bathrooms, and common areas, as well as outdoor areas including a courtyard and backyard. The layout supports a community residential model for up to 5 adult residents and staff, allowing for safe, comfortable, and private accommodations. The home's layout and square footage meet the needs for accessibility, supervision, and daily living.

4. **Will there be any additional pedestrian or vehicular traffic generated by the proposed use? If yes, please explain:**
There will be minimal additional traffic. Staff may arrive and depart in shifts, and occasional visitors such as case managers or services providers may stop by, but overall traffic will remain consistent with residential neighborhood levels. No major disruption to pedestrian or vehicular flow is expected.

5. **Will there be any elevation in the noise level resulting from this proposed use? If yes, please explain:**
No. The Willow Residence will operate like a typical single-family home. Residents and staff will engage in regular household activities without elevated noise levels.

No loud equipment, events or outdoor operations are expected. The peaceful residential environment will be maintained at all times.

6. **What is the expected number of customers/employees per day?**
The home will house 3 to 6 residents. Staff coverage includes 2 to 3 caregivers per shift, rotating over 3 shifts per day, totaling approximately 4 to 6 staff entering/exiting daily. Occasional visits by case workers or medical professionals may occur.

7. **Is proposed use compatible with surrounding uses and design? If yes, please explain:**
Yes. The home will maintain the look and function of a single-family residence and will blend into the neighborhood without structural or visual changes. Residents will be integrated respectfully into the community, and the care model promotes quiet independent living in a typical home setting.

8. **Parking requirements:** Commercial/Industrial: Paved parking will be provided for 4 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.



The Willow Residence – Community Residential Home Concept Plan

Prepared for: City of Hattiesburg Planning Department

Prepared by: Monique Jobe

Address: 2306 Clayton Place, Hattiesburg, MS 39402

Date: October 27, 2025

Project Overview

The Willow Residence, operated under *Lighthouse to Independent Corporation*, is a proposed community residential home designed to provide a safe, structured, and family-style environment for **three to five adults** with intellectual and developmental disabilities.

The program’s mission is to promote **independence, stability, and meaningful community involvement**, ensuring each resident receives care tailored to their needs and abilities. The home will provide 24-hour supervision from trained caregivers who assist residents in developing daily living skills, improving personal growth, and participating in household and community activities.

Located in a quiet residential area near **Forrest General Hospital** and **The University of Southern Mississippi**, the property offers convenient access to healthcare, employment, and recreational opportunities. The home will maintain the appearance and character of a single-family residence while offering a supportive living environment for adults who may otherwise face barriers to independent living.

Beyond residential care, *Lighthouse to Independent Corporation* provides **job readiness programs, adult day services, respite care, and transportation assistance** to empower individuals toward self-sufficiency and stability.

Property & Zoning Information

Field	Details
Property Address	2306 Clayton Place, Hattiesburg, MS 39402
Zoning	R-1A (Single-Family Residential)
Parcel Number	2-039G-17-138.00
Lot Size	105 ft x 130 ft
Parking	4 on-site spaces
Nearby Landmarks	Forrest General Hospital, The University of Southern Mississippi

Site & Floor Plan

The Willow Residence-Site & Floor Plan
 Property Address: 2306 Clayton Place,
 Hattiesburg, MS 39402
 Prepared For: City of Hattiesburg Planning
 Department
 Prepared By: Monique Jobe
 Proposed Use: Community Residential
 Home

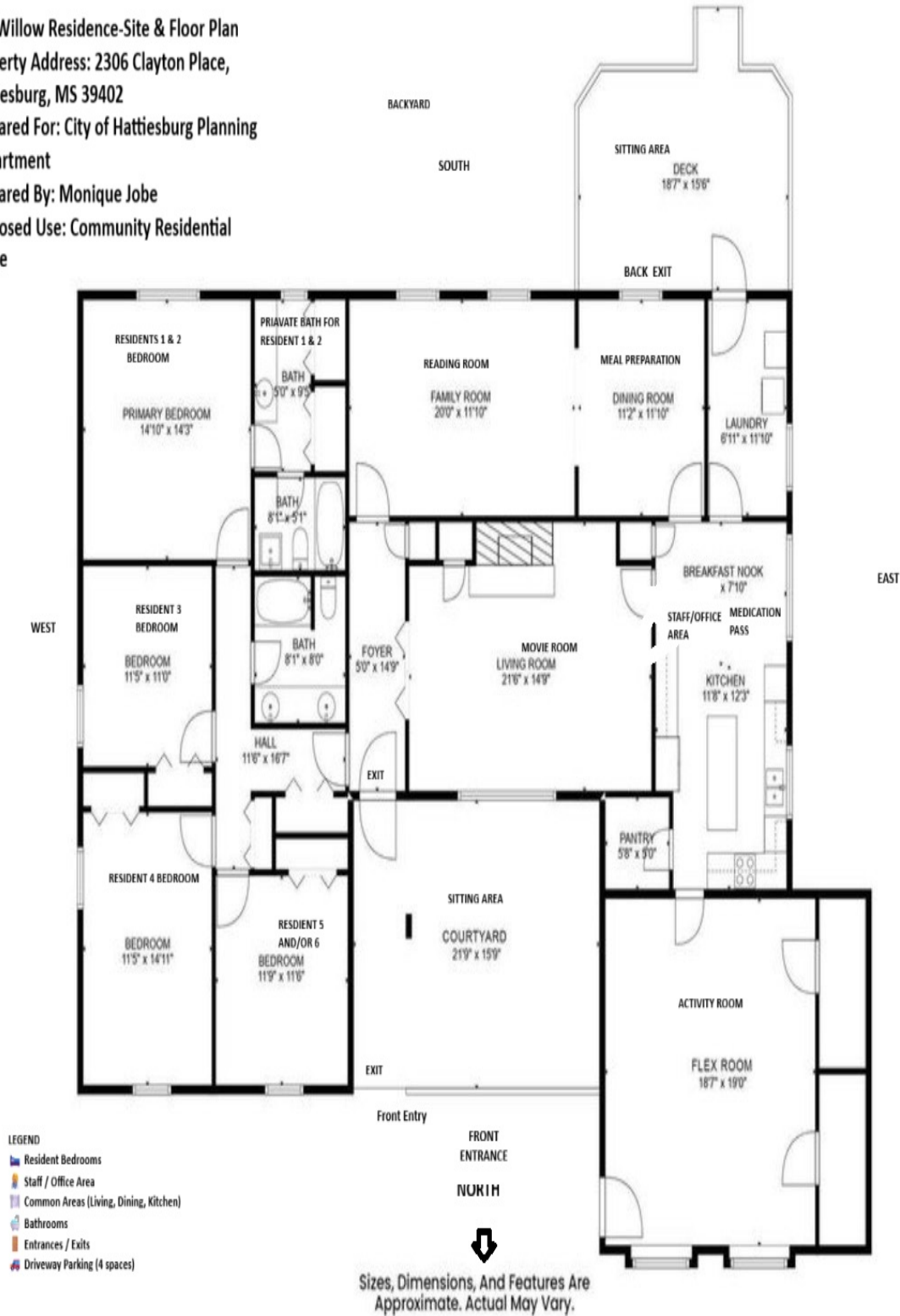


Figure 1. The Willow Residence – Floor Plan and Site Orientation

Property Photos (Walkthrough Order)

Front View / Street Entrance





Living Room / Common Area



Comfortable family-style space for resident interaction and activities.

Kitchen & Dining Area





Open kitchen and dining space for shared meals and daily living skill development.

Bedrooms





Private resident rooms designed for comfort, safety, and personal privacy.

Bathrooms



Clean and accessible bathroom facilities meeting residential care standards.

Backyard / Courtyard Area





Outdoor recreational space providing a peaceful and safe environment.

Concept Summary

The Willow Residence will operate as a small-scale, family-style community residential home offering 24-hour supervision, safety, and independence for residents. The home will maintain its residential character consistent with the **R-1A zoning district** and meet all **City of Hattiesburg** requirements.

Prepared for submission to the City of Hattiesburg Planning Department – October 2025

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

The neighborhood and broader community of Hattiesburg have experienced significant growth in demand for supportive housing and services for adults with intellectual and developmental disabilities, especially as aging parents seek safe and stable alternatives for their adult children.

As family dynamics evolve and community needs shift, there is a clear and growing public need for licensed community-based homes like the Willow Residence.

This project addresses a critical service gap by offering housing, supervision, transportation, and community integration services in a residential setting—without disrupting the single-family character of the area.

The rezoning will allow us to provide a much-needed residential alternative that meets the standards of health, safety, and independence while continuing to maintain the residential look and function of the property.



Staff Present:

Nathan Satcher (Senior Planner), Kevin Bates (Building Official), Shawn Whitaker (Fire Marshall), Jerald Little (Engineering Technician), Meridian McDaniel (Planner I), Noah Gower (Engineering Technician)

Project: The Willow Residence

Address: 2306 Clayton Place

Presented by: Monique Jobe

Project Type: Change of Use

PPIN: 24337

Flood Zone:X

Historic District: N/A

Elevation Certificate Required: No

County: Forrest

Ward: 3

Estimated Cost: TBD

Zoning: R-1A

Designated Use: Group Home

PROJECT SUMMARY:

- Applicant Summary
 - Currently in the process of purchasing the home, the layout was attractive for group home living.
 - Group Home for individuals with IDD. No plans for changing anything in the house except for improving the ADA ramp in the rear.
- Planning
 - Property is located in a flood zone- AE (100-year)
 - Substantial improvements limited to 50% of the dollar value of the structure
 - If an appraisal can be done (separated value of structure from value of land) and used as the value
 - If no appraisal, the tax assessed value will be used in this determination
 - Tax assessed value \$209,000
 - Improvements would be limited to ~\$105,000 over a rolling 10-year period
 - If the mortgage is federally backed, flood insurance is required
 - If the house was purchased outright, the staff still recommends flood insurance
 - 5.4.25 Group Care Home; Group Care Center.
 - 5.4.25.1 A group home shall be located in a structure originally constructed as and designed for a single-family dwelling which shall be the principal structure on the lot. The structure shall not be altered nor the site used in any manner which diminishes its value as a single-family dwelling or which changes its exterior residential character.
 - 5.4.25.2 Group care centers serving individuals who are deemed to be a danger to themselves or others must be identified by the applicant during Site Plan Review Care centers may not serve more than 20 residents; however, in order to protect the health and safety of the community, the Planning

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

Commission has the right to further restrict the location of facilities and the number of residents, and to require increased buffering, screening, and fencing.

- Zoning- R-1A (Single-Family Residential)
 - “Group Home” is a Conditional Use in this zoning
 - Conditional Use Requests go to a public hearing with the Hattiesburg Planning Commission
 - Public Hearing Information
 - Hearing Date: December 3rd, 2025 at 3:30pm
 - Application Deadline: October 27th, 2025 at 5:00pm
 - Hearing Date: January 7th, 2026 at 3:30pm
 - Application Deadline: November 24th, 2025 at 5:00pm
 - Staff recommendation to contact Councilwoman Lee Ann Vance and neighbors in the area to let them know what is going on with a public hearing for the property.
 - Current property owner will need to sign off on the application
 - Use: Group Care Home
 - Group Care Homes have a maximum # of 6 people that can live in the home and operate as a group care home.
- Building
 - To be qualified under residential building codes, a maximum of 5 people.
 - 6 people or more would trigger commercial building codes.
- Engineering
 - If needing more than one trash can, contact the Solid Waste Department
 - Contact: 601-544-5406
- Fire
 - A fire alarm system that is monitored is needed

NEXT STEPS:

- Additional information
 - Apply for a public hearing for a Conditional Use for a “Group Home”
 - Public Hearing Information
 - Hearing Date: December 3rd, 2025 at 1:00pm
 - Application Deadline: October 27th, 2025 at 5:00pm
 - Hearing Date: January 7th, 2026 at 1:00pm
 - Application Deadline: November 24th , 2025 at 5:00pm
- Permits
 - Apply for permits indicated below

APPLICATIONS REQUIRED:

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

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



Hattiesburg Planning Commission Planning Division

Item E- Staff Report

February 4th, 2026

Quick Facts:

Applicant:

Michael Haddox

Address:

135 Thornhill Drive

Zoning:

B-3 Community Business

Future Land Use:

Regional Business District

Historic District:

N/A

Overlay District(s):

N/A

Flood Zone:

X

Ward:

3

County:

Lamar

PPIN Number(s):

21511

Parcel Number(s):

2-038F-16-217.00



Property Image

Applicant's Request:

Conditional Use Request—Mary Jane & Herbs, Property Owner/Applicant, and Michael Haddox, Property Owner/Applicant, request a conditional use approval to allow the property to be eligible to participate in the sidewalk fee-in-lieu program for a B-3 zoned property located at 135 Thornhill Drive (PPIN 21511, Lamar County, Ward 3).

Applicant's Scope of Work:

The applicant is seeking approval for a conditional use request to be able to participate in the sidewalk bank fee-in-lieu program.



Background and History

A site plan for the subject property was approved on 4/20 in 2023 under the development standards of the B-3 (Community Business District), which include the sidewalk requirements under LDC Sections 7.6.1.1 and 7.6.1.3. Following construction, a certificate of occupancy inspection was conducted to determine final compliance with the approved site plan. During that inspection, it was noted that the required sidewalk along the Thornhill Drive frontage had not been installed, leaving the development incomplete with respect to approved site improvements.



Property / Surrounding Area Image

The property owner was notified of the deficiency after the inspection but did not complete the required installation or respond within the specified timeframe, thereby initiating the code compliance process. The business has since been operating under a temporary certificate of occupancy pending resolution of the outstanding sidewalk requirement.

Staff met with the applicant to discuss available compliance options, including constructing the sidewalk or participating in the City's Sidewalk Fee-in-Lieu Program. The applicant received a quote for the fee-in-lieu contribution but elected instead to pursue a variance request from the sidewalk requirement. The Board of Adjustment recommended denial of the applicant's request, and the applicant appealed the decision to the City Council. Following discussions with the Council, the applicant elected to pursue the sidewalk fee-in-lieu program. Participation in the sidewalk fee-in-lieu program requires conditional use approval under the ordinance requirements, as this specific area is not designated as a by-right participation corridor into the program.

Future Land Use:

Regional Business District The Regional Business District is primarily a non-residential district located along major arterial streets and highways. Limited types of residential uses—apartment complexes and second-floor housing in strip commercial or lifestyle centers—are allowed and encouraged to locate in this district. The nature and volume of traffic along these corridors are different from the traffic along other commercial corridors, and therefore, the land uses require

special consideration. The land uses in this district may generate a higher volume of regional traffic and/or require frequent access by large trucks and commercial vehicles.

District Characteristics The characteristics of this district include the following: suburban-style commercial centers and big-box buildings; well-positioned and screened outdoor uses; mixed-use buildings and developments; high-density residential developments such as apartment complexes; large, private parking areas; and light industrial campuses and employment centers. Regulations should be established to promote development patterns for these uses that enhance the streetscape, screen outdoor storage and equipment areas from public view, and enable safe circulation among neighboring properties without requiring travel on the street or highway corridor.

District Land Uses The following land uses should be found in this district: high-density residential uses; public and quasi-public uses; hotels and motels; general indoor and outdoor retail uses; heavy commercial and light industrial uses; service and office land uses; and light industrial campuses and corporate offices.

Codes and Regulations

SECTION 5 — Table 7.1 Design Standards

Table 7.1 Design Standards															
STANDARD	DISTRICT														
	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	PMU
■ = Required x = Not required															
7.6 PEDESTRIAN CIRCULATION.															
7.6.1 Circulation External to a Site.															
7.6.1.1	Sidewalks shall be provided along all public streets on the entire frontage of a development site and align with existing sidewalks on adjacent properties including both frontages on corner lots. Minimum sidewalk width is five feet. Additional width may be required as determined by Site and Design Review. <u>Where on-site construction is impractical or unnecessary, developers may contribute to the Sidewalk Bank Fee-in-Lieu Program, subject to approval.</u>														
	x	x	■	■	■	■	■	■	■	■	■	■	■	■	■
7.6.1.2	Sidewalks shall be ADA compliant. ADA access ramps shall be constructed at street corners.														
	x	x	■	■	■	■	■	■	■	■	■	■	■	■	■
7.6.1.3	Where sidewalks are not yet present on adjacent sites, sidewalks shall be constructed at least five feet behind the curb to allow for landscaping and street trees. If sidewalks are present on adjacent properties, the new sidewalk shall connect to the existing sidewalk.														
		x	■	■	■	■	■	■	■	■	■	■	■	■	■



Property Image

Considerations and Basis for Approval

Applicant's Requests:

Recommend approval or denial for a conditional use request to allow the property to be eligible to participate in the sidewalk fee-in-lieu program for a B-3 zoned property located at 135 Thornhill Drive (PPIN 21511, Lamar County, Ward 3).

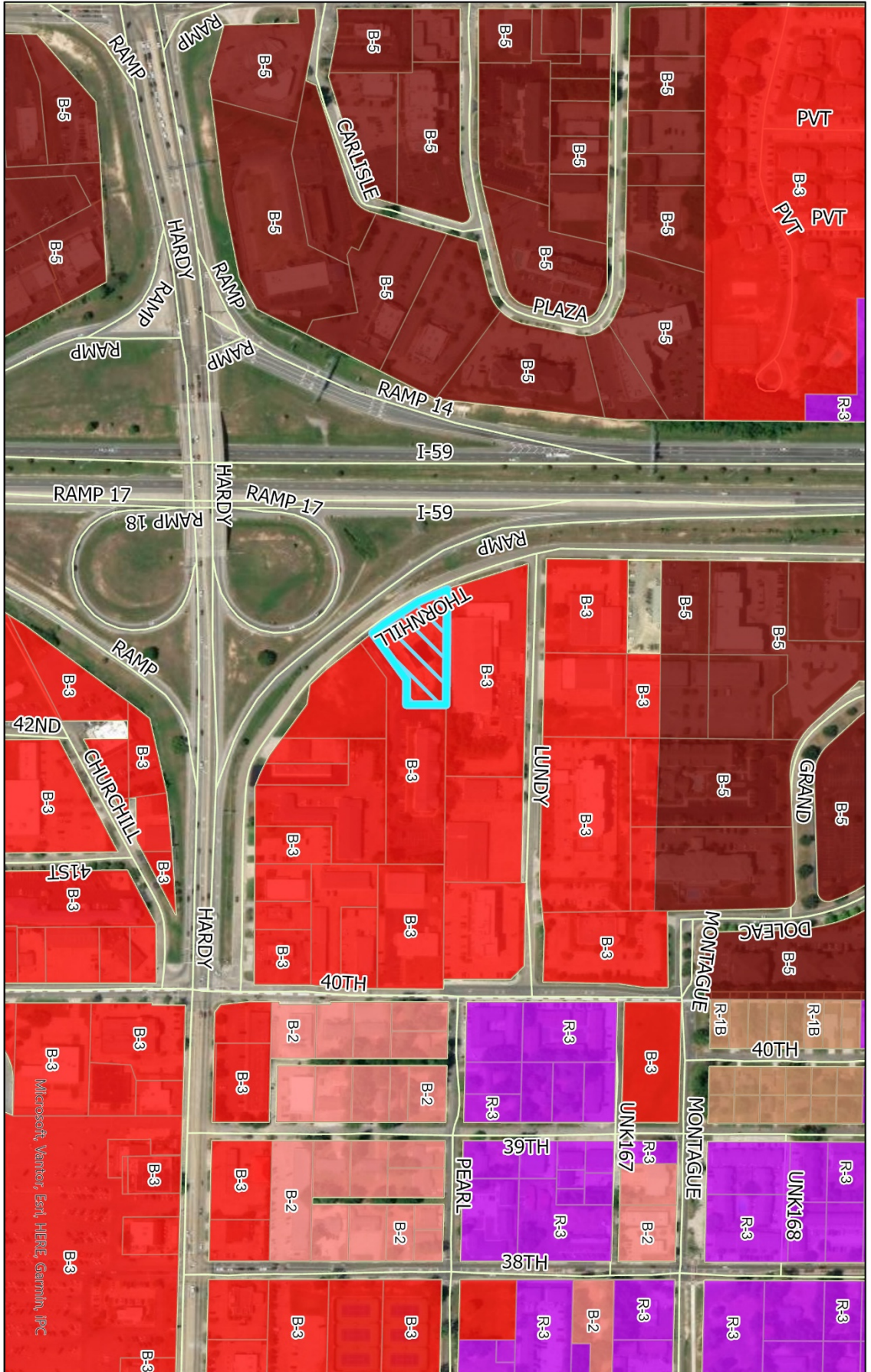
Basis for Approval:

Conditional Use

- 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.

- 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.
- 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.
- 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.



- Zoning Legend**
- B-2
 - B-3
 - B-5
 - R-3
 - R-1B

- 135 Thornhill Dr.

Conditional Use Request
 135 Thornhill Drive
 PPIN: 21511
 Flood Zone: X
 Ward 3, Lamar County

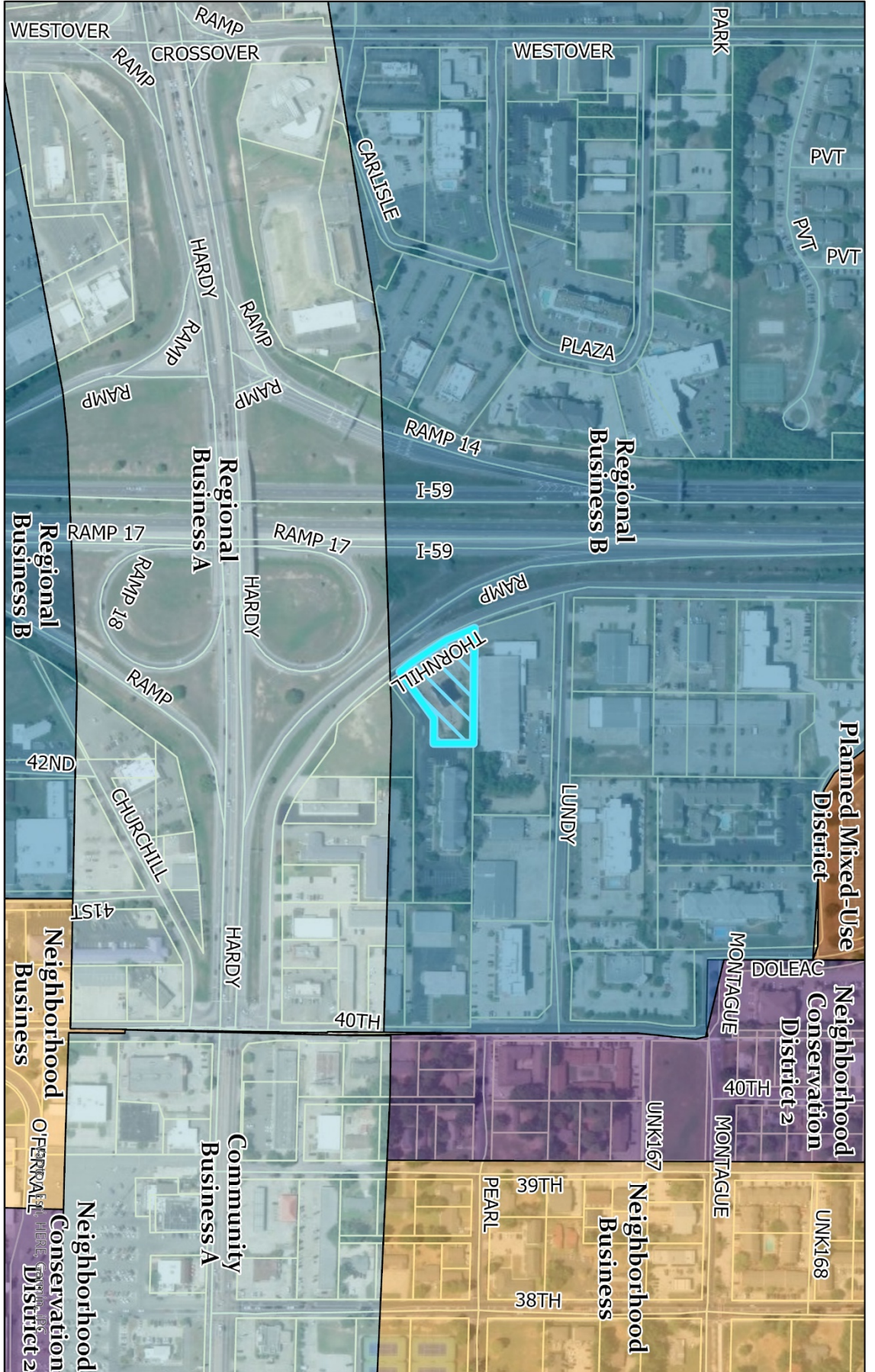
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 Map Exported on: 1/12/2026 3:00 PM

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1,000
Feet

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CITY OF ATHENS
PLANNING DIVISION
 Center: 89°21'2"W 31°19'36"N



- Future Land Use Map
- Community Business A
 - Neighborhood Business
 - Neighborhood Conservation District 2
 - Planned Mixed-Use District
 - Regional Business A
 - Regional Business B

Conditional Use Request
 135 Thornhill Drive
 PPN: 21511
 Flood Zone: X
 Ward 3, Lamar County

DISCLAIMER: This map is ONLY FOR REFERENCE. There is NO WARRANTY of the accuracy of data. This information CANNOT be used as a substitute for legal, business, tax or other professional advice. Map Exported on: 1/12/2025 3:00 PM



URBAN DEVELOPMENT
 PLANNING DIVISION
 Center: 89°21'3"W 31°19'35"N





ORDINANCE NUMBER _____
OF THE
CITY OF HATTIESBURG, MISSISSIPPI

AN ORDINANCE AMENDING THE LAND DEVELOPMENT CODE, ORDINANCE NUMBER 3209, AS AMENDED, SECTION 2 – APPLICABILITY AND CONFORMITY, SECTION 4 - ZONING DISTRICTS ESTABLISHED, SECTION 5 -USE REGULATION, SECTION 7 STANDARDS OF DESIGN, SECTION 12 PROCESSES AND PROCEDURES, AND SECTION 13 DEFINITIONS, FOR THE CITY OF HATTIESBURG, MISSISSIPPI.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF HATTIESBURG, MISSISSIPPI:

SECTION 1. That the Land Development Code, Ordinance Number 3209, as amended, of the City of Hattiesburg, Mississippi, be further amended as follows:

Code Section	Amendment <i>Explanation of the amendment in italics</i>
Section 2.4	<p><i>Add the following to create a new subsection under 2.4:</i></p> <p>2.4.11 Variances</p> <ul style="list-style-type: none"> A. Applicability. This section applies to any variances approved, whether approved before or after the effective date of this ordinance. B. Lawful continuation. A variance-approved condition that lawfully exists may continue only in accordance with the provisions of this section. C. Reestablishment restricted. A variance-approved condition, when discontinued or abandoned, shall not be resumed. Discontinuance or abandonment shall be defined as: <ul style="list-style-type: none"> i. When the variance-approved condition ceases to exist in a bona fide manner for a period of six consecutive calendar months. ii. When a building, structure, or site improvement that is authorized or enabled by a variance-approved condition is removed, demolished, or altered so that the variance-approved condition no longer exists. iii. When a property is redeveloped or reconfigured in a manner that eliminates or replaces the variance-approved condition. D. Conforming by Ordinance Change. If a variance-approved dimensional condition becomes compliant due to an amendment to this ordinance or a change to the applicable zoning district standards, the condition may continue as a conforming condition, and no new variance shall be required. E. A discontinued variance approved condition shall not be reestablished except in compliance with current Code requirements or upon approval of a new variance

	in accordance with Section 12.
Section 2	<p><i>Add the following to create a new section under Section 2:</i></p> <p>2.6 – Annexation Transition</p> <p>2.6.1 Annexed Properties, Interim Zoning Administration</p> <p>A. Applicability. Upon the effective date of annexation, annexed property shall be subject to this Code.</p> <p>B. Interim status. Until a zoning district is applied by ordinance through amendment to the Official Zoning Map, annexed property shall remain subject to the lawful county zoning classification, if any, or to its existing lawful use if the county has no zoning.</p> <p>C. Interim Development Designation. During the interim period, the Director of Urban Development may issue an Interim Development Designation for annexed property, subject to recommendation by the Site and Design Review Committee, for the limited purpose of administering development standards and permit review under this code.</p> <p>D. Basis. The Interim Development Designation shall be based on the current lawful land use and the zoning and development pattern of surrounding properties, and shall further the intent of this Code and any applicable adopted plans.</p> <p>E. Limits. The Interim Development Designation shall not amend the Official Zoning Map and shall not authorize uses not otherwise lawful under subsection B. The Interim Development Designation shall not prohibit development that is otherwise lawful under subsection B, except as necessary to comply with generally applicable City regulations and adopted standards (including, but not limited to, building and fire codes, flood damage prevention, stormwater and drainage requirements, access management, and public safety).</p> <p>F. Duration. The Interim Development Designation shall remain in effect for twelve (12) months from the effective date of annexation or until the property is assigned permanent zoning by ordinance, whichever occurs first.</p> <p>G. Permanent zoning required. The City shall initiate and process a zoning map amendment to apply permanent zoning in accordance with state law notice and public hearing requirements prior to expiration of the interim period in accordance with section 12.3.</p> <p>H. No vested right. An Interim Development Designation does not create a vested right to permanent zoning of the same classification.</p> <p>I. Appeals. Any determination or decision made under this Section, including issuance, denial, or conditions of an Interim Development Designation, may be appealed in accordance with Section 12.4.2.</p>
Section 4.7.2	<p><i>Add the following subsection under section 4.7.2, Historic Overlay District:</i></p> <p>4.7.2.1 - Superseded Standards and Conflicts. Where a Certificate of Appropriateness (COA) issued by the Hattiesburg Historic Conservation Commission (HHCC) requires a design or sign treatment that conflicts with a standard of this Code, the COA shall govern to the extent of the conflict. All standards not expressly addressed by the COA remain in</p>

	full force and effect. Nothing herein modifies compliance with applicable building and fire codes.
Section 5, Table 5.1	<p><i>Amend the following use in the B-5 zoning district for Self-Storage:</i></p> <p>For “Self-Storage”, change from “Permitted with conditions” to “Conditional Use” in B-5 Zoning Districts.</p>
Section 5, Table 5.1	<p><i>Add the following Use Conditions for “Automotive Filling Station” under section 5.4.7 and number accordingly:</i></p> <p>5.4.7.3 Automotive Filling Stations</p> <ol style="list-style-type: none"> i. Setback measurement. Where a fuel dispenser canopy is provided, required yard setbacks for an automotive filling station shall be measured to the outermost edge of the canopy, including overhangs. ii. Pump islands shall be located to provide queuing space for a minimum of one (1) vehicle behind the dispenser closest to an entrance or exit driveway, without impeding on-site circulation. iii. Parking Count. Fueling positions at pump islands may be counted toward the minimum off-street parking requirement. iv. Design Standards. All exterior elements of the canopy, including supporting columns, shall meet the façade and material requirements of Section 7.8 of the underlying zoning district and shall be compatible with the architectural style of the principal structure.
Section 5, Table 5.1	<p><i>Add the following Use Conditions for “Restaurant, with drive-thru” to section 5.4.41:</i></p> <p>5.4.41.7 Stacking and Drive-Through Requirements</p> <ol style="list-style-type: none"> i. Where a restaurant includes drive-through service, stacking and queuing requirements shall comply with Section 7.12.16, including any additional stacking space requirements applicable to fast food restaurants.
Section 5, Table 5.1	<p><i>Amend the use of “Rehabilitation center, nursing care, assisted living, congregate care, palliative care, and hospice care” to the following, removing palliative care:</i></p> <p>Rehabilitation center, nursing care, assisted living, congregate care, and hospice care.</p>
Section 6.3.3	<p><i>Add the following subsection to 6.3.3 regarding side yard setbacks</i></p> <p>6.3.3.4 Side yard standards where listed as “0 or 10 feet” and “0 or 15 feet”</p> <ol style="list-style-type: none"> i. Where a district lists the side yard as “0 or 10 feet/0 or 15 feet” a building may be located on one side lot line only if a minimum ten/fifteen (10/15) foot side yard is provided on the opposite side. A wall on the lot line shall contain no openings except as permitted by applicable building and fire codes. Where a wall is located less than five (5) feet from a side lot line, the Director may require a recorded

	<p>wall maintenance easement at least five (5) feet wide on the adjacent lot, parallel to the wall.</p>
<p>Section 7.5.3.9</p>	<p><i>Amend section 7.5.3.9 from the following:</i></p> <p>7.5.3.9 A landscaped island not less than 8 feet wide and 15 feet in length, measured from back of curb, shall be installed for each 150 lineal feet of parking area and shall cap ends of parking rows. Islands shall be landscaped in accordance with the landscape standards of this code. (See Illustration 7.5-3)</p> <p><i>To read as follows, specifying an alternative compliance using sq. ft.:</i></p> <p>7.5.3.9 A landscaped island providing not less than one hundred twenty (120) square feet of landscaped area shall be installed for each 150 lineal feet of parking area and shall cap ends of parking rows. Landscape islands shall generally be not less than 8 feet wide and 15 feet in length, measured from back of curb; alternative dimensions may be approved by the Site and Design Review Committee, provided the minimum area requirement is met, and the intent of this standard is satisfied. Islands shall be landscaped in accordance with the landscape standards of this code and designed and constructed to support long-term tree health (See Illustration 7.5-3)</p>
<p>Section 7.8.1.3</p>	<p><i>Amend section 7.8.1.3 from the following:</i></p> <p>7.8.1.3 Multiple buildings on a site should be clustered to create a plaza or pedestrian mall areas. Where this cannot be achieved, buildings shall be connected by means of pedestrian walkways defined by separate paving textures and accented by landscape areas.</p> <p><i>To read as follows, allowing multiple principal buildings:</i></p> <p>7.8.1.3 Multiple <u>principal</u> buildings may be permitted on a zoning lot where allowed by the underlying district and approved through site plan review or other applicable approval. Multiple buildings on a site should be clustered to create a plaza or pedestrian mall areas. Where clustering cannot be achieved, buildings shall be connected by pedestrian walkways defined by distinct paving textures and accented by landscape areas.</p>
<p>Section 7.8.1.6</p>	<p><i>Amend section 7.8.1.6 from the following:</i></p> <p>7.8.1.6 No flat-faced cement block or metal surfaces shall be visible upon the exterior of any building as a primary surface material or mansard. Alternatives of equal or better quality may be considered. (See illustration 7.8-3)</p> <p><i>To read as follows, specifying the % of exterior wall materials allowed:</i></p>

	<p>7.8.1.6 No flat-faced concrete masonry unit (CMU) block or metal panel surfaces shall be used as a primary exterior surface material. “Primary” means seventy-five percent (75%) or more of any exterior wall plane or mansard surface. Materials of equal or superior quality may be considered as alternatives, subject to approval through the applicable review process. (See Illustration 7.8-4.)</p>
Section 7.10.1.1	<p><i>Amend section 7.10.1.1 from the following :</i></p> <p>7.10.1.1 There shall be a minimum of 20 square feet of interior landscaped area provided within each parking lot for each parking space provided exclusive of landscape islands.</p> <p><i>To read as follows, specifying the type of landscaping required:</i></p> <p>7.10.1.1 There shall be a minimum of 20 square feet of interior landscaped area provided within each parking lot for each parking space provided exclusive of landscape islands. Interior landscaped areas shall not consist solely of turf grass and shall consist primarily of low-growing, native plant materials such as shrubs, groundcover, and/or flowering plants; trees may be included where appropriate.</p>
Section 10.6, Table 10.6-2	<p><i>Amend Table 10.6-2, wall sign message area max for B-1 and R zones from the following:</i></p> <p>For B-1, All R zones - 1 sq. ft. sign area/ 1’ front facade width up to 50 sq. ft.</p> <p><i>To read as following, adding agricultural zones:</i></p> <p>All A and R zones, B-1 zone- 1 sq. ft. sign area/ 1’ front facade width up to 50 sq. ft.</p>
Section 10.6, Table 10.6-2	<p><i>Amend Table 10.6-2, to create a new row under the “On Premises Signs Freestanding” section to add the following:</i></p> <p>Within the Historic Overlay District, the minimum street frontage requirement for new monument signs shall not apply, provided the Hattiesburg Historic Conservation Commission approval has been obtained through the Certificate of Appropriateness process.</p>
Section 10.6, Table 10.6-2	<p><i>Amend Table 10.6-2, additional criteria for Projecting Signs from the following:</i></p> <p>1/ May not project into public ROW, except sidewalks, or impede traffic</p> <p><i>To read as follows:</i></p> <p>1 per structure /unit - may not project into public ROW, except sidewalks, or impede traffic</p>

<p>Section 12.3.3.3</p>	<p><i>Amend to add the following new subsection under 12.3.3.3 Application and Review Procedures for Conditional Uses Approval</i></p> <p>12.3.3.3.i Site Plan Required. A site plan shall be required as part of a conditional use application.</p>
<p>Section 12.3.4</p>	<p><i>Amend Section 12.3.4 from the following:</i></p> <p>12.3.4 Approved Site Plans. Whenever a site plan is required for an appeal, the site plan shall be reviewed for conformity with the requirements of this Code and, if approved, shall be binding on the property. The Site and Design Review Committee may approve minor variations to the site plan during construction to accommodate unforeseen onsite issues provided that those variations do not alter the location, character, use, function, capacity or offsite impacts of the project as determined by the Committee. Any significant change in a site plan shall require the applicant to apply for board approval using the same process and procedures required for original approval. Approved site plans are good for a maximum of one year unless a valid building permit exists for construction according to the site plan.</p> <p><i>To read as follows:</i></p> <p>12.3.4 Approved Site Plans. Whenever a site plan is required for an appeal or conditional use approval, the site plan shall be reviewed for conformity with the requirements of this Code and, if approved, shall be binding on the property. The Site and Design Review Committee may approve minor variations to the site plan during construction to accommodate unforeseen onsite issues, provided that those variations do not alter the location, character, use, function, capacity, or offsite impacts of the project as determined by the Committee. Any significant change in a site plan shall require the applicant to apply for board approval using the same process and procedures required for original approval. Approved site plans are good for a maximum of one year unless a valid building permit exists for construction according to the site plan.</p>
<p>Section 12.4.1.2</p>	<p><i>Add the following to create a new subsection under 12.4.1.2 regarding variance approval conditions:</i></p> <p>12.4.1.2</p> <ul style="list-style-type: none"> i. Variance Establishment Deadline and Lapse. A variance approval shall expire and become void if not established within two (2) years of the date of approval. “Established” means the variance-approved condition has been implemented through issuance of required permits and commencement of substantial work, or otherwise placed into operation as applicable. ii. If not established upon expiration, the property shall comply with current code requirements unless a new variance is approved. iii. A variance-approved condition that has been discontinued or abandoned shall not be reestablished except in compliance with current regulations or upon

	approval of a new variance, following section 2.4.11
Section 12.4.3	<p><i>Add the following to create a new subsection under 12.4.3 regarding appeal procedures:</i></p> <p>12.4.3.2 Appeals of the decision of the Director of Urban Development and/or the Site and Design Review Committee shall not be subject to section 12.4.3.2.ii. They shall follow the following regarding notice:</p> <ul style="list-style-type: none"> i. Appeals shall be filed no later than fifteen (15) days before the next regularly scheduled meeting of the Planning Commission at which the appeal will be heard. ii. Appeals shall be advertised prior to the meeting, published in an official newspaper recognized by the City. iii.
Section 12.3.3	<p><i>Add the following subsection to create a new subsection under 12.3.3 regarding fee-in-lieu request procedures:</i></p> <p>12.3.3.i Fee-in-lieu requests shall not be subject to the notice requirements of section 12.3.5.4.vi and shall follow the procedures of the appeal process outlined in 12.4.3.2</p>
Section 12.5.4.3.vi	<p><i>Amend a portion of section 12.5.4.3.vi from the following:</i></p> <p>12.5.4.3.vi The applicant will post a sign provided by the City on each street frontage of the property at least 15 days prior to the date of the hearing. The sign will show the time, date and place of the hearing, the reason for the hearing, the date of the notice and signature of the Director, and a telephone number that can be called for information. The applicant is required to maintain the sign(s) on the subject property until the day after the final public hearing.</p> <p><i>To read as follows, adjusting the notice posting process:</i></p> <p>12.5.4.3.vi The applicant will post a sign provided by the City on each street frontage of the property at least 15 days prior to the date of the hearing. The sign will show the time, date and place of the hearing, the reason for the hearing, and a telephone number that can be called for information. The applicant is required to maintain the sign(s) on the subject property until the day after the final public hearing.</p>
Section 13.2	<p><i>Amend the definitions of “Bar” and “Restaurant” to read as follows:</i></p> <p>Bar. A commercial enterprise whose primary activity (defined as fifty-one percent (51%) or more) is the sale of alcoholic beverages to be consumed on the premises. Bars include taverns, nightclubs, pubs, and similar facilities serving alcoholic beverages. Primary use shall be determined based on gross sales over a consecutive ninety (90) day period, using sales records provided by the operator upon request.</p>

	<p><u>Restaurant.</u> A business establishment whose primary service (defined as fifty-one percent (51%) or more) is the providing of food for patrons for consumption on the premises or for take-out. Beverages containing alcohol may also be sold and consumed within the confines of the structure in conjunction with the food service and shall comply with Miss. Code Ann. § 67-1-5, applicable City ordinances, and this Code, including Section 73, Alcoholic Beverage Sales. Examples include cafes, cafeterias, delicatessens, fast food drive-ins, fast food with counter service, and drive-through restaurants. Primary use shall be determined based on gross sales over a consecutive ninety (90) day period, using sales records provided by the operator upon request.</p>
<p>Section 13.2</p>	<p><i>Add the following definitions to section 13.2 and alphabetize accordingly:</i></p> <p><u>Day.</u> Unless otherwise indicated, “day” means a calendar day.</p> <p><u>Interim Development Designation.</u> An administrative designation issued by the Director of Urban Development, with approval of the Site and Design Review Committee, for annexed property during the interim period prior to permanent zoning by ordinance. An Interim Development Designation is used solely to administer development standards and permit review under this Code, does not amend the Official Zoning Map, does not authorize uses not otherwise lawful, and shall not prohibit development otherwise lawful under the interim status except as necessary to comply with generally applicable City regulations and adopted standards.</p> <p><u>Rehabilitation Center.</u> An establishment licensed to provide diagnostic, medical treatment, and monitoring services for inpatients who suffer from mental illness or substance abuse disorders, typically requiring extended stays, and providing organized physician and medical staffing and patient food services.</p> <p><u>Nursing Care Facility (Nursing Home).</u> An establishment primarily engaged in providing inpatient nursing care and related rehabilitative services on an extended basis.</p> <p><u>Assisted Living.</u> A facility consisting of independent and semi-independent dwelling units, each occupied by not more than two residents per dwelling unit, providing supportive services that may include recreational activities, housekeeping assistance, dietary assistance, and access to on-site staff to provide resident support services.</p> <p><u>Congregate Care.</u> One main building, or portion thereof, on one zoning lot providing 24-hour-per-day temporary shelter and supportive services for persons without housing, generally for periods not exceeding thirty (30) days.</p> <p><u>Hospice Care.</u> Any coordinated program of home care with provision for inpatient care for terminally ill patients and their families, provided by a medically directed interdisciplinary team, offering palliative and supportive medical and other services during terminal illness and bereavement.</p>

SECTION 2. Except as hereby expressly changed and amended, the aforesaid Land Development Code, Ordinance Number 3209, adopted February 21, 2017, as amended, of said City of Hattiesburg, Mississippi, shall be and remain in full force and form as adopted.

SECTION 3. The Director of Urban Development, in coordination with the Planning Division, is authorized to renumber, reletter, or reformat the provisions of this Ordinance, including all associated tables, figures, and diagrams, as necessary to maintain consistency with the structure and organization of the Land Development Code. These administrative changes shall not alter the substance or intent of any provision and shall be documented in the official records of the City.

SECTION 4. That this Ordinance take effect and be in force thirty (30) days from and after passage as provided by law.

The foregoing Ordinance having been reduced to writing, the same was introduced by Councilmember _____, seconded by Councilmember _____, and was adopted by the following vote to-wit:

YEAS:

NAYS:

THE President thereby declared the motion carried and the foregoing Ordinance adopted and approved, this the _____ day of _____ A.D., 2026.

(S E A L)

ATTEST:

ADOPTED:

CLERK OF COUNCIL

PRESIDENT

THE above foregoing Ordinance having been submitted to and approved by the Mayor, this

the _____ day of _____ A.D., 2026.

ATTEST:

APPROVED:

CITY CLERK

MAYOR

DRAFT



Hattiesburg Planning Commission Planning Division

Item D and Item E- Staff Report January 7, 2025

Quick Facts:

Applicant:

John Weeks

Address:

100 J Ed Turner Drive

Zoning:

B-2 (Neighborhood Business)

Future Land Use:

Neighborhood Conservation 2

Historic District:

N/A

Overlay District(s):

N/A

Flood Zone:

A

Ward:

1

County:

Forrest

PPIN Number(s):

9505

Parcel Number(s):

2-026O-34-001.00



Property Area Image- Home Under Construction

Applicant's Requests:

John Weeks, Applicant, requests approval to alter a subdivision known as the "Mineral Creek Manor" subdivision for a property at 100 J Ed Turner Drive (PPIN 9505, Forrest County, Ward 1).

Applicant's Scope:

The applicant wants to amend an existing subdivision to divide the parcel into two lots, one ~ 3.17-acre-sized lot and the other to

remain the parent parcel.



Surrounding Area Image

Background and History

The subdivision of “Mineral Creek Manor” was created in January of 2025 as a minor subdivision with the division of a ~210-acre parcel located along J Ed. Turner Drive, Jackson Road, as well as Lake Estate Drive. The applicant further subdivided lot 2 to create the Mineral Creek Estates Subdivision, a 9-lot subdivision primarily along J Ed Turner Drive, and was approved by the City Council in March of 2025.



The applicant is now proposing the subdivision of the “Mineral Creek Manor”

Subdivision to carve off an approximately 3.17-acre lot (shown as lot 4 on their preliminary plat) facing Lake Estates Drive for their personal residence, leaving approximately 122.13 acres of the remaining lot.

Future Land Use:

Neighborhood Conservation District 2 – Suburban Neighborhoods: This Neighborhood Conservation District is primarily a residential district located in conventional subdivisions. In this district, large tracts of land were platted as single-family residential neighborhoods. Other than schools and churches, non-residential land uses are not typically found in these districts.

District Characteristics: The characteristics of this district include the following: low-density or moderate-density single-family residences; building lots with front and side yards with standard depths; and a lower overall density of development than downtown or historic neighborhoods.

District Land Uses: The following land uses should be found in this district: single-family residential uses; public and quasi-public uses, such as churches and schools; small neighborhood parks and tot lots.

Codes and Regulations

SECTION 4: Zoning Districts Established

4.5.1 A-1 Agricultural District

The purpose of the A-1 Agricultural District is to permit agricultural uses and low-density residential development. This district is consistent with the Rural Residential / Agricultural District in the

Comprehensive Plan. The district is intended to encourage and protect rural uses from urbanization until such is warranted and the appropriate change in district classification is made.

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.

Considerations and Basis for Approval



Property Area Image- Home Under Construction

Applicant’s Requests:

Item C: John Weeks, Applicant, requests approval to alter a subdivision known as the “Mineral Creek Manor” subdivision for a property at 100 J Ed Turner Drive (PPIN 9505, Forrest County, Ward 1).

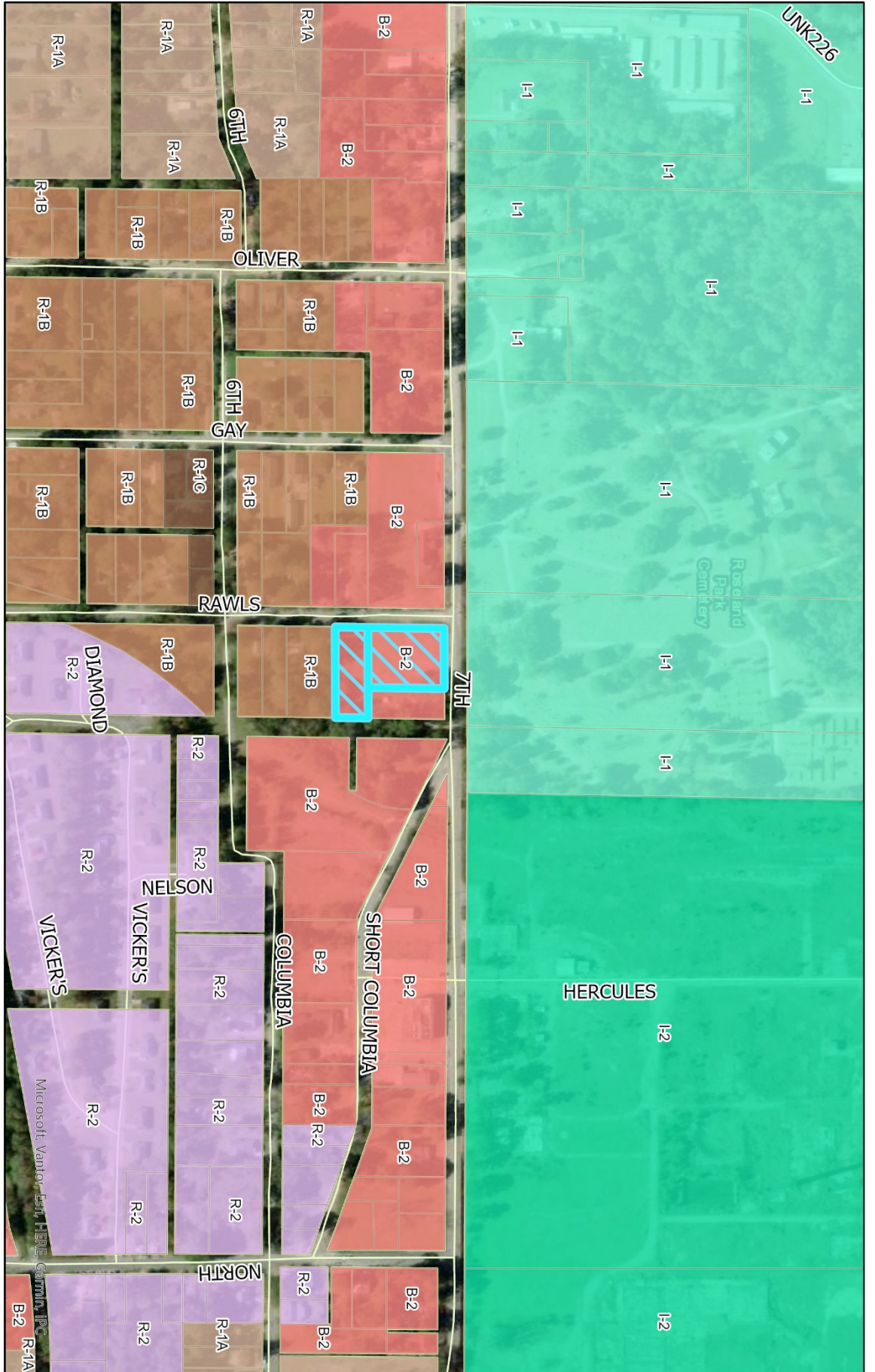
Option:

Item C:
Recommend approval or denial to alter a subdivision known as the “Mineral Creek Manor” subdivision for a property at 100 J Ed Turner Drive (PPIN 9505, Forrest County, Ward 1).

Basis for Approval:

- Subdivisions

- 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.



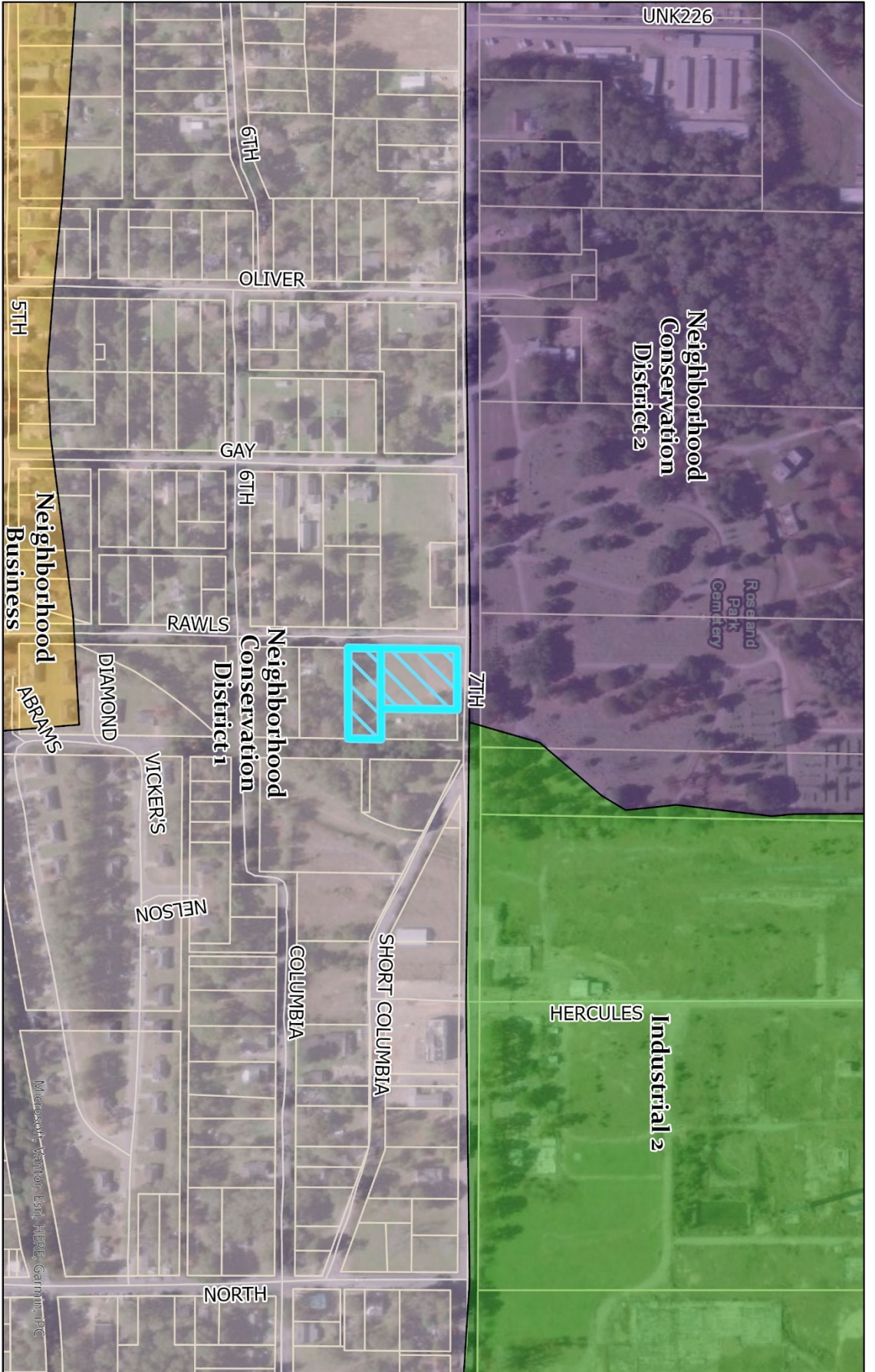
- Zoning Legend**
- R-1A
 - R-1B
 - R-1C
 - R-2
 - B-2
 - I-1
 - I-2
 - 702 W 7th Street

Zoning Change Request
 702 W 7th Street
 PPIN: 23495 & 23496
 Flood Zone: X
 Ward 2, Forrest County

DISCLAIMER: This map is ONLY FOR REFERENCE. There is NO WARRANTY of the accuracy of data. This information CANNOT be used as a substitute for legal, business, tax or other professional advice.
 Map Exported on: 12/22/2025 11:00 AM



URBAN DEVELOPMENT
PLANNING DIVISION
 Center: 89°18'37"W 31°20'8"N



- Future Land Use Map**
- Industrial 2
 - Neighborhood Business
 - Neighborhood Conservation District 1
 - Neighborhood Conservation District 2
- Zoning Change Request**
- 702 W 7th Street
 PPIN: 23495 & 23496
 Flood Zone: X
 Ward 2, Forrest County
- Neighborhood Business**

0 1,000 Feet

URBAN DEVELOPMENT PLANNING DIVISION
 Center: 89°18'38"W 31°20'8"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: 12/22/2025 10:59 AM

Surrounding Area Image- facing east in front of property



Surrounding Area Image- Property to north (Roseland Park Cemetery)





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: _____ Project Name: _____

Municipal Address of Site: _____ PPIN #: _____

Parcel Number(s): _____

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

Other Application types:

- | | |
|--|---|
| <input type="checkbox"/> Subdividing of a lot, Parcel, or Tract (fill out page 12)
<input type="checkbox"/> Street or Alley Renaming (fill out pages 13 & 14)
<input type="checkbox"/> Vacating Street or Alley (fill out pages 13 & 14) | <input type="checkbox"/> Text Amendment
<input type="checkbox"/> Overlay District
<input type="checkbox"/> Planned Mixed-Use District (PMU) |
|--|---|

For Staff Only:				
Zoning:	Historic District:	Flood Zone:	Ward:	
			<input type="checkbox"/> 1	<input type="checkbox"/> 2
			<input type="checkbox"/> 3	<input type="checkbox"/> 4
			<input type="checkbox"/> 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: _____

Hattiesburg Planning Commission Meeting Date: _____

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:

- 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 \$ 245.00



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.

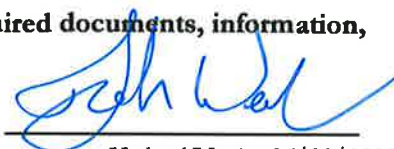
<u>Public Hearing Fees</u>	
Public Hearing Type	Fees Associated
Variance Variance applications include one Concept Site Plan Review and one Variance request	\$175.00 per application. \$50.00 for each additional variance.
Street / Alley Naming or Re-Naming	\$300.00 per application. \$100.00 per required 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: John Weeks

Signature: 

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

100 J Ed Turner Dr, Hattiesburg, MS, 39402

Street Address _____ City _____ State _____

on this the 5th day of January, 2026

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.

Subdivide Lot 1 of Mineral Creek Manor into 2 Lots

on this the 5th day of January, 2026

John T Weeks

Property Owner (Print)

[Signature]
Property Owner (Signature)

STATE OF Mississippi

COUNTY OF Forrest

Personally came and appeared before me, the within named John T Weeks

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 5 day of January, 2026.

[Signature]
NOTARY PUBLIC

My Commission Expires:
March 3, 2029



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 100 J Ed Turner Dr, Hattiesburg, MS, 39402

Street Address _____ City _____ State _____

on this the 5th day of January, 2026

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.

Subdivide Lot 1 of Mineral Creek Manor into 2 Lots

on this the 5th day of January, 2026

John T Weeks

Applicant (Print)

[Handwritten Signature]

Applicant (Signature)

STATE OF Mississippi

COUNTY OF Forrest

Personally came and appeared before me, the within named John T Weeks

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 5 day of January, 2026.

[Handwritten Signature]
NOTARY PUBLIC



My Commission Expires:
March 3, 2029

FOR SUBDIVIDING OF LOT, PARCEL OR TRACT

Property Data

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

Use extra copies of this form if needed for additional lots

Newly Subdivided 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.		<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No		<input type="checkbox"/> Yes <input type="checkbox"/> No
2.		<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No		<input type="checkbox"/> Yes <input type="checkbox"/> No
3.		<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No		<input type="checkbox"/> Yes <input type="checkbox"/> No
4.		<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No		<input type="checkbox"/> Yes <input type="checkbox"/> No
5.		<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No		<input type="checkbox"/> Yes <input type="checkbox"/> No
6.		<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No		<input type="checkbox"/> Yes <input type="checkbox"/> No
7.		<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No		<input type="checkbox"/> Yes <input type="checkbox"/> No
8.		<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No		<input type="checkbox"/> Yes <input type="checkbox"/> No
9.		<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No		<input type="checkbox"/> Yes <input type="checkbox"/> No
10.		<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No		<input type="checkbox"/> Yes <input type="checkbox"/> No
11.		<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No		<input type="checkbox"/> Yes <input type="checkbox"/> No
12.		<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No		<input type="checkbox"/> Yes <input type="checkbox"/> No
<u>Be sure to include information on the remainder of "existing" lot after splits made – identify as "Parent Parcel"</u>					
<u>Parent Parcel</u>					
<u>Total square footage of new lots (verify total matches existing parcel prior to splits)</u>					

Infrastructure required: (Check all that apply) **None Required - Existing**

- Water/Sewer Gas Electric Telephone Cable Streets

NAME OF RECORDED SUBDIVISION TO BE ALTERED:

Lot 1 of Mineral Creek Manor

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:

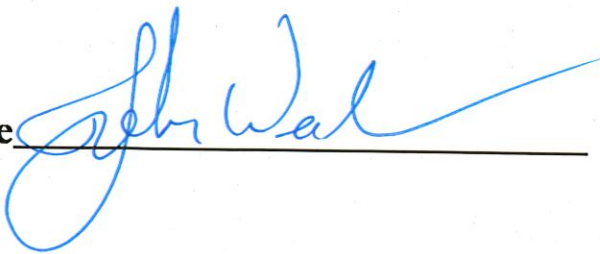
1. **Identification of Affected Individuals:** I have thoroughly documented and named all persons who would be adversely affected by or directly interested in the proposed subdivision alteration.
2. **Notification of Proposed Changes:** Before initiating any action regarding the alteration, I have ensured 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 12/22/25


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

Name of Subdivision being altered:

Mineral Creek Manor

Address and PPIN of alteration in subdivision:

9505

	Name	Address	Phone Number	Approve of Proposed Alteration (Yes or No)		Signature
				Yes	No	
1	John Weeks	100 J Ed Turner Dr	601.544.1821	Yes		
2						
3						
4						
5						
6						
7						
8						
9						
10						
11						
12						
13						
14						
15						
16						
17						
18						
19						

SURVEYOR'S NOTES:

- All paved areas are asphalt unless otherwise noted.
- No subsurface utilities are shown hereon. Utilities shown are based on visual evidence only.
- Lake Estates Drive appears to be a public roadway. The Surveyed Parcel, shown hereon, appears to have access to a public road.
 - Lake Estates Drive is a public roadway by virtue of the Subdivision Plats for Country Club Lake Estates 2nd Addition in Bk 10, Pg 24, 08-19-1968 and Country Club Lake Estates 3rd Addition in Bk 11, Pg 24, 09-18-1972.
- All SIP Corners are Set 1/2"x18" Rebar with Caps, unless otherwise noted.
- Principal Meridian: St. Stephens Meridian
- This survey was performed without the benefit of a title opinion, search or commitment. For Title Issues, Please consult a qualified Land Attorney.
 - Record Deeds noted hereon are the latest available based on the County Tax Roll database and County Land Records.
 - A complete easement search was not performed.
- The Surveyed Parcel, shown hereon, is located within an Area having a Flood Zone Designation "X", Areas Determined to be Outside the 0.2% Annual Chance of Flood Floodplain, by the Federal Emergency Management Agency (FEMA), on Flood Insurance Rate Map (FIRM) No. 28035C0085D, with a Date of Identification of March 2, 2010 for Community No. 280053, in Forrest County, Mississippi.

SURVEY DATE: AUGUST 20-21, 27-30, 2024
 SEPTEMBER 3-6, 2024
 NOVEMBER 13-15, 22-27, 2024
 DECEMBER 20, 2024
 SEPTEMBER 10, 2025

DRAWING SCALE: 1" = 100'

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

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

HORIZONTAL DATUM: NAD 83(2011)
 CONTROL STATION: RTCM0006 (USM CAMPUS)
 HATTIESBURG, MS

N: 665,022.122
 E: 827,206.385
 Z: 303.382

AT THE SOUTHEAST CORNER, SECTION 34,
 TOWNSHIP 5 NORTH, RANGE 14 WEST:
 COMBINED SCALE FACTOR: 0.999976185
 CONVERGENCE: -0°17'07.43"
 GRAPHIC SCALE



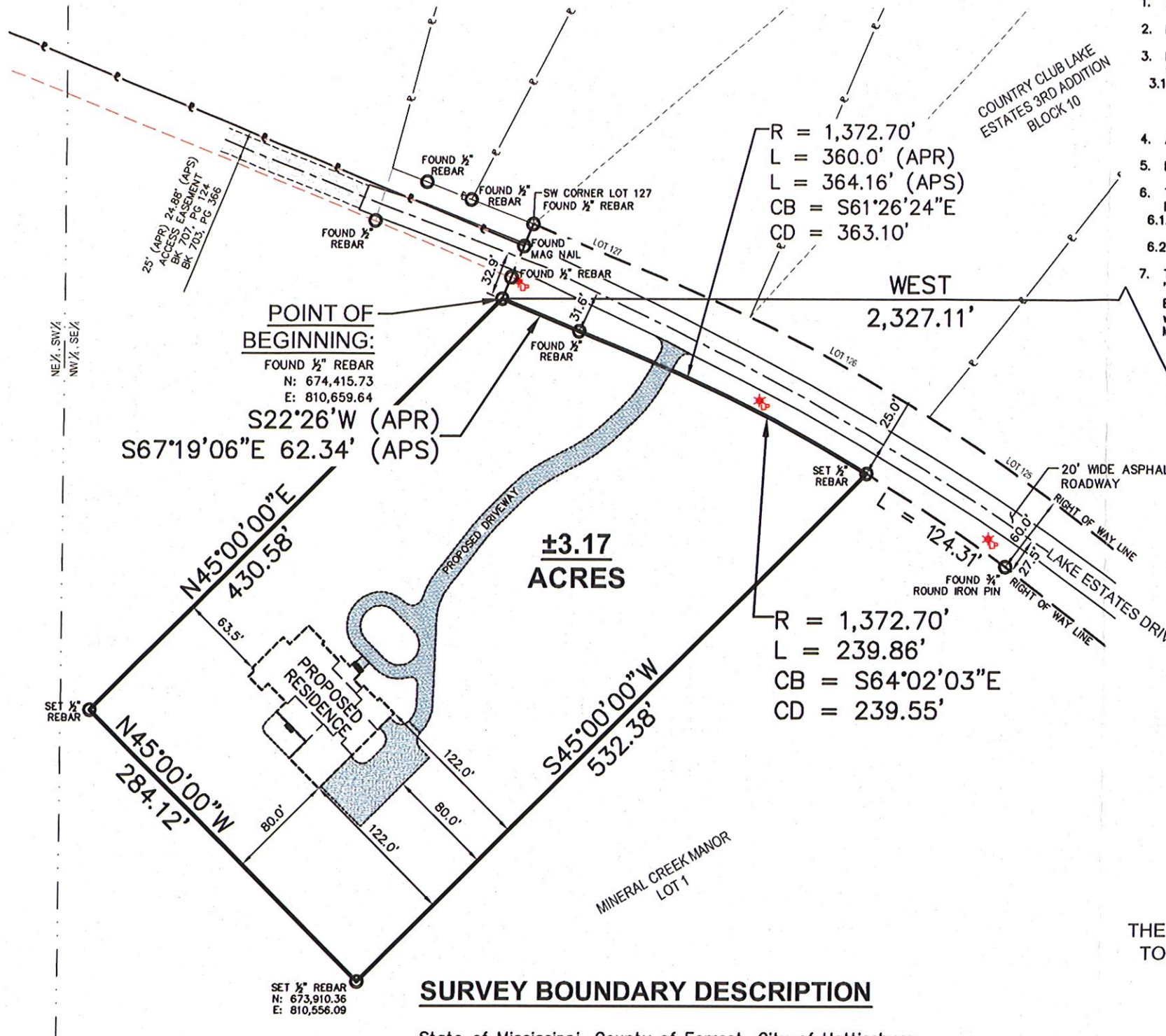
REFERENCE MATERIALS:

- FORREST COUNTY TAX MAP
- PLAT OF COUNTRY CLUB LAKE ESTATES 2nd ADDITION
BK 10 PG 24 08-19-1968
- PLAT OF COUNTRY CLUB LAKE ESTATES 3rd ADDITION
BK 11 PG 24 08-18-1972
- PLAT OF MINERAL CREEK MANOR
BK C PG 83 01-28-2025
- WARRANTY DEEDS
BK 703 PG 366 12-16-1993
BK 1460 PG 668 11-21-2024
- EASEMENT DEED
BK 707 PG 124 02-22-1994
- PROPERTY MAP OF J ED TURNER DRIVE, SECTIONS 34
& 35, TOWNSHIP 5 NORTH, RANGE 14 WEST, FORREST
COUNTY, MISSISSIPPI, BY NICHOLAS M. CONNOLLY, PE,
PLS
SDW No. FC15-220 09-28-2015
- 210.38 AC SURVEY IN SECTION 34, TOWNSHIP 5
NORTH, RANGE 14 WEST, FORREST COUNTY,
MISSISSIPPI, BY RICHARD E SULLIVAN, PLS
SDW No. 038 12-20-2024

LEGEND

- APR - AS PER RECORD
- APS - AS PER SURVEY
- BK - BOOK
- - - - - CENTER LINE
- CB - CHORD BEARING
- CD - CHORD DISTANCE
- E: - EASTING (GRID COORDINATE)
- L - LENGTH
- N: - NORTHING (GRID COORDINATE)
- NE - NORTHEASTERN
- NW - NORTHWESTERN
- PG - PAGE
- - - - - PARCEL LINE
- - - - - QUARTER SECTION LINE
- R - RADIUS
- SE - SOUTHEASTERN
- SW - SOUTHWESTERN
- - - - - SUBDIVISION LOT LINE
- * - UTILITY POLE WITH LIGHT

Dwg No.: 038
 Date: 09-11-2025



SURVEY BOUNDARY DESCRIPTION

State of Mississippi, County of Forrest, City of Hattiesburg

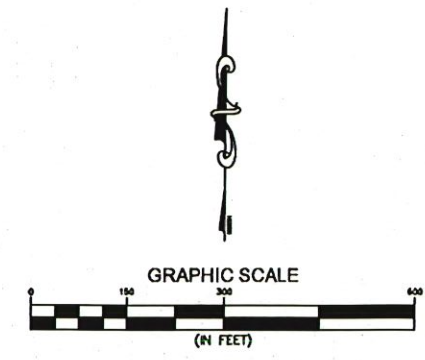
A part of the Northwest 1/4 of the Southeast 1/4, in Section 34, Township 5 North, Range 14 West, in the City of Hattiesburg, County of Forrest, State of Mississippi and being more particularly described using Mississippi State Plane Coordinate System, East Zone Grid, NAD 83(2011), US Survey Feet, with a combined scale factor of 0.999976185 and a convergence angle of (minus) -0°17'07.43" at the Southeast Corner of said Section 34, and **Commencing** at a 1/2 Inch Rebar representing said Southeast Section Corner and having a Grid Value of N 672,037.29 feet and E 812,986.75 feet on said East Zone Grid, thence North for 2,378.43 feet, thence run West 2,327.11 feet to a 1/2 Inch Rebar representing the Southwest Corner of the Right of Way of Lake Estates Drive, a public roadway as defined on the Plat or Map of Country Club Lake Estates 3rd Addition thereof on file in the Office of the Chancery Clerk of Forrest County, Mississippi, and a Corner on the Northeastern Line of Lot 1 of Mineral Creek Manor as per Plat or Map thereof on file in the Office of the Chancery Clerk of Forrest County, Mississippi, said Corner also being the **Point of Beginning** and having a Grid Value of N 674,415.73 feet and E 810,659.64 feet on said East Zone Grid; thence run S67°19'06"E along the Southwestern Right of Way Line of said Lake Estates Drive for 62.34 feet to a 1/2 Inch Rebar, thence run Southeasterly along an Arc to the Right and along said Southwestern Right of Way Line for 239.86 feet to a 1/2 Inch rebar, said Arc having a Radius of 1,372.70 feet, a Chord Bearing of S64°02'03"E and a Chord Distance of 239.55 feet, thence run S45°00'00"W for 532.38 feet to a 1/2 Inch Rebar having a Grid Value of N 673,910.36 feet and E 810,556.09 feet on said East Zone Grid, thence run N45°00'00"W for 284.12 feet to a 1/2 Inch Rebar, thence run N45°00'00"E for 430.58 feet to the **Point of Beginning**, comprising **3.17 Acres**, more or less.

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

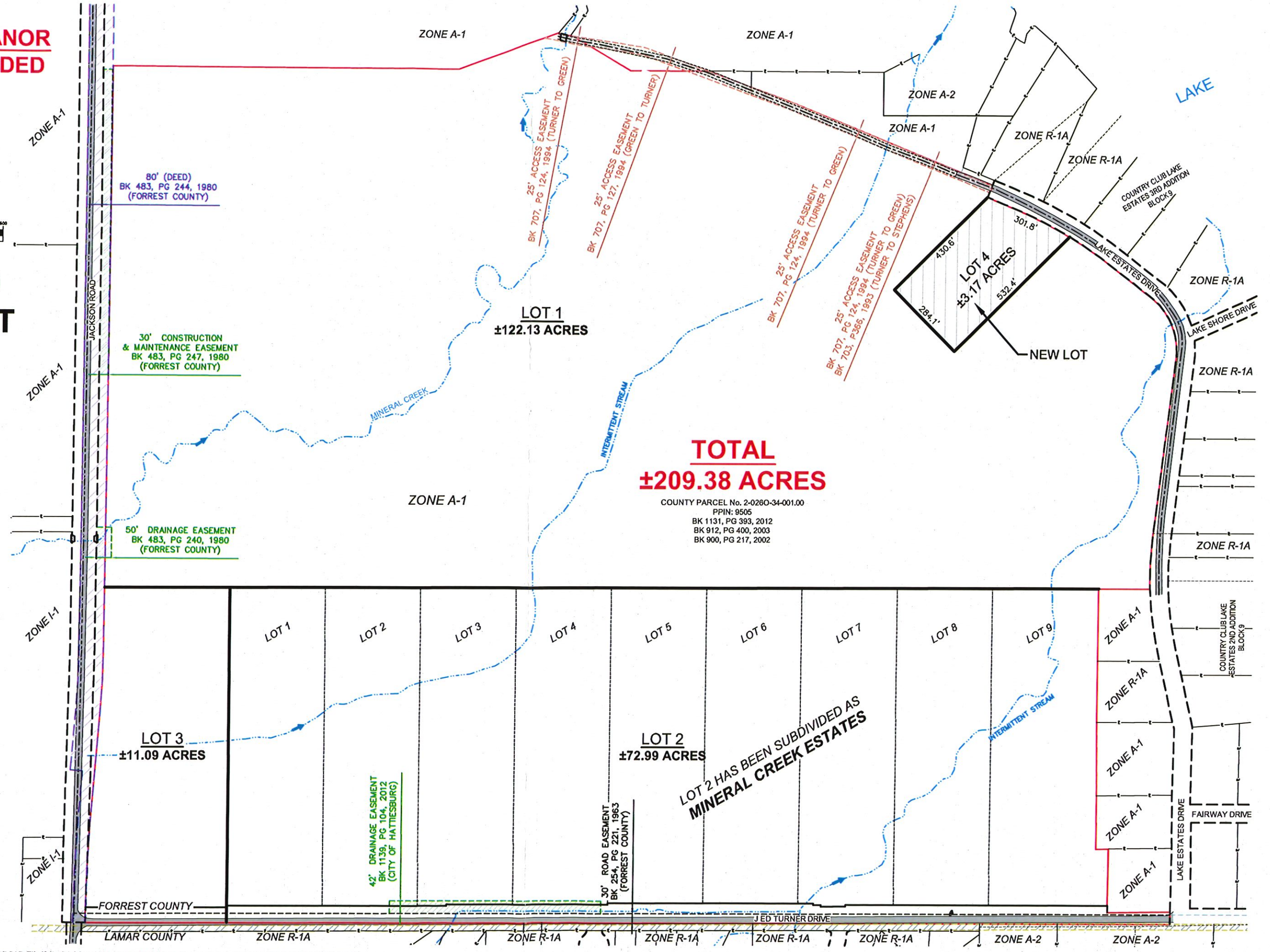
Richard E. Sullivan, PLS
 Land Surveyor No. 3276
 RICHARD E. SULLIVAN
 LICENSED PROFESSIONAL SURVEYOR
 09-11-2025
 PS-3276
 STATE OF MISSISSIPPI



MINERAL CREEK MANOR SUBDIVISION AMENDED



PROPOSED AMENDMENT



**TOTAL
±209.38 ACRES**

COUNTY PARCEL No. 2-0280-34-001.00
PPIN: 9505
BK 1131, PG 393, 2012
BK 912, PG 400, 2003
BK 900, PG 217, 2002

**LOT 2 HAS BEEN SUBDIVIDED AS
MINERAL CREEK ESTATES**

Date: 12-22-2025
Project No.: 038
Notes:
Proposed Map Based on Survey by SDW
& Filed Plat for Mineral Creek Manor.
This Document is NOT a Boundary Survey.





Staff Present:

Nathan Satcher (Senior Planner), Kevin Bates (Building Official),
Shawn Whitaker (Fire Marshal), Jerald Little (Engineering Technician),
Meridian McDaniel (Planner I), Noah Gower (Engineering Technician)

STATUS: SUBMIT FOR SUBDIVISION

Project: Mineral Creek Manor Amendment

Address: 100 J Ed Turner Drive

Presented by: Rick Sullivan and John Weeks

Use Designation: Dwelling, Single Family

PPIN: 9505

Flood Zone: A (100 year)

Historic District: N/A

Elevation Certificate Required: Yes

County: Forrest

Ward: 1

Construction type: New Construction

Zoning: A-1

Estimated Cost: TBD

Project Summary:

- Applicant Summary
 - Wanting to amend the subdivision to carve off a new lot ~3.17 acres
- Planning
 - Plat amendment—requires a public hearing with the Planning Commission
 - Will need to fill out the application for plat alteration as well
 - MS Code 17.1.23 (form will be attached to notes)
 - Lot 2 can be shown as the “Mineral Creek Subdivision.”
 - Show lot boundaries
- Building
 - No comments at this meeting.
- Engineering
 - No comments at this meeting.
- Fire
 - No comments at this meeting.

NEXT STEPS:

- Additional information
 - Public Hearing Information
 - February 4th public hearing
 - Application deadline- December 29th at 1:00 pm
 - City Council meetings- March 2nd (4:00pm) and March 3rd (5:00pm)
- Permits

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

- Apply for permits indicated below

APPLICATIONS REQUIRED:

- | | | | |
|-------------------------------------|--|-------------------------------------|-----------------------------|
| <input type="checkbox"/> | Site Plan Review Checklist and Application | <input type="checkbox"/> | Conditional Use Application |
| <input checked="" type="checkbox"/> | Public Hearing Application | <input type="checkbox"/> | Street/Alley Closing |
| <input type="checkbox"/> | Variance Application | <input checked="" type="checkbox"/> | Minor Subdivision |
| <input type="checkbox"/> | Rezone Application | <input type="checkbox"/> | Sign Permit |
| <input type="checkbox"/> | Certificate of Appropriateness (Historic) | <input type="checkbox"/> | Building Permit Application |
| <input type="checkbox"/> | Privilege Tax License | | |

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



Hattiesburg Planning Commission Planning Division

Item D- Staff Report

February 4th, 2026

Quick Facts:

Applicant:

Wyche McMullan

Address:

401 Broadway Drive

Zoning:

B-3 (BCO)

Future Land Use:

Community Business District

Historic District:

N/A

Overlay District(s):

Broadway Corridor Overlay

Flood Zone:

X

Ward:

4

County:

Forrest

PPIN Number(s):

21784

Parcel Number(s):

2-038D-16-022.00



Property Image



Applicant's Request:

Conditional Use Request—Wyche McMullan, Applicant, requests a conditional use approval for “Automotive Sales and Rentals” for a B-3 (BCO) zoned property at 401 Broadway Drive (PPIN 21784, Forrest County, Ward 4).

Applicant's Scope of Work:

The applicant is seeking approval for a conditional use request to use the property for automotive sales and rentals. The property is located in the Broadway Corridor Overlay.

Background and History

The applicant met with staff in a pre-application meeting to discuss the property and its intended use. The applicant explained that they want to use the property for automotive purposes and 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 are now subject to conditional use approval, including rental and sales.



Property / Surrounding Area Image

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.



Surrounding Area Image

Future Land Use:

Community Business District The Community Business District is primarily a non-residential district located along the city’s major roadways. In this district, certain residential and non-residential land uses may be found that exhibit suburban development patterns.

District Characteristics The characteristics of this district include the following: moderate-density single-family residences and certain two-family and multi-family uses; mixed-use buildings and

developments; suburban-style, higher-intensity business developments that provide services to the entire community; and less-intensive commercial uses than are found in the Regional Business District.

District Land Uses The following land uses should be found in this district: residential uses; public and quasi-public uses, such as churches and schools; and general indoor retail, service and office land uses that do not require the outdoor storage of goods or equipment.

Codes and 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

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 minimum/no minimum	17 per acre	0	15'	55' or 4 stories
B-5 REGIONAL BUSINESS	No minimum/no minimum	17 per acre	0	30'	72' or 6 stories

Considerations and Basis for Approval

Applicant’s Requests:

Recommend approval or denial of the conditional use request for “Automotive Sales and Rentals” for a B-3 (BCO) zoned property at 401 Broadway Drive (PPIN 21784, Forrest County, Ward 4).

Potential Considerations:

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:

- Breaking up of hard scaping on the front of the property
 - o Addition of landscaping or tree planting requirement on site
- Widening of the sidewalk on site to 8ft
- Making the curb cuts and driveways on the site code-compliant
 - o Existing driveways are ~ 50ft-65ft. Code-compliant driveways for 3-way driveways are 36ft max, and 2-way driveways are 24ft max.

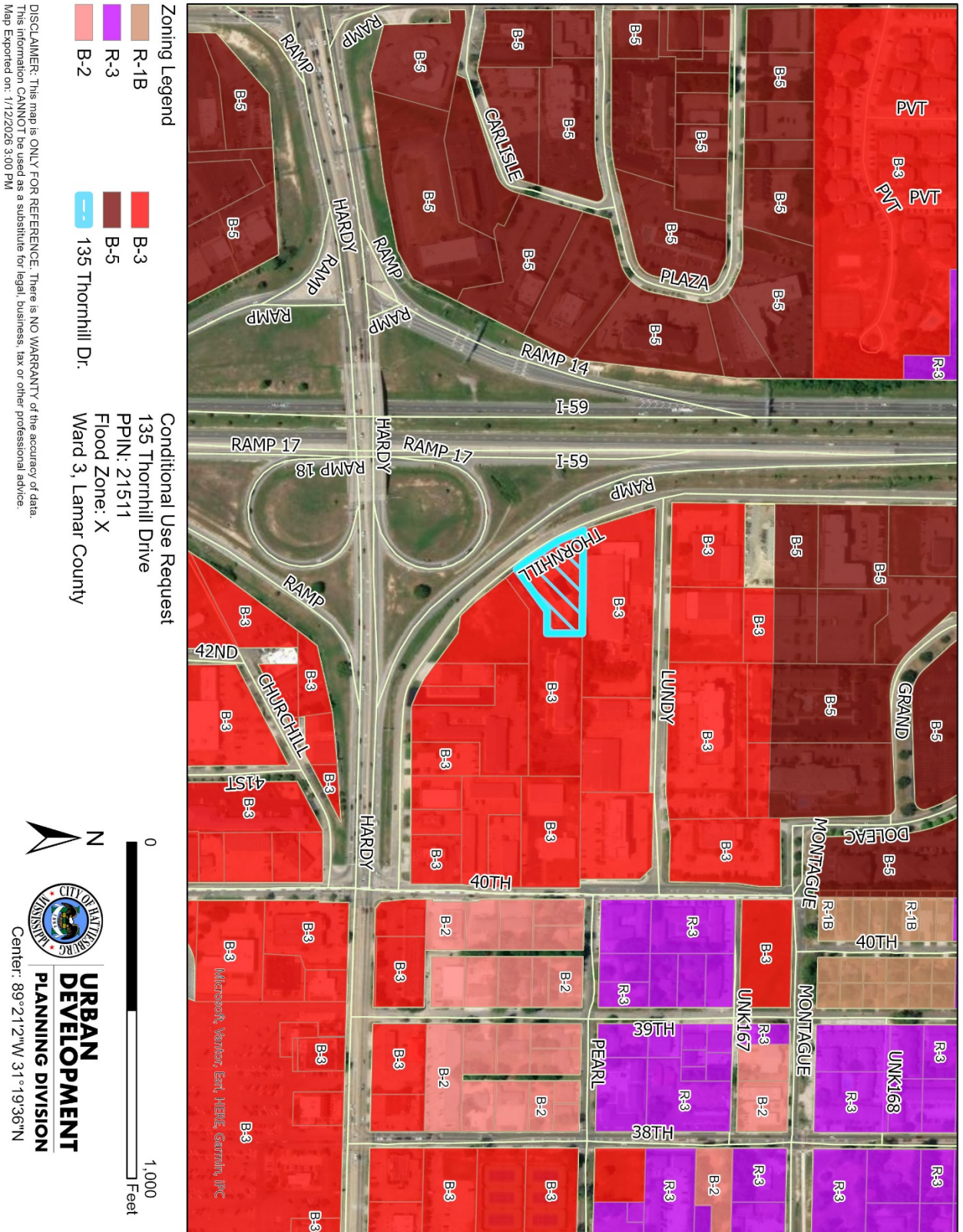


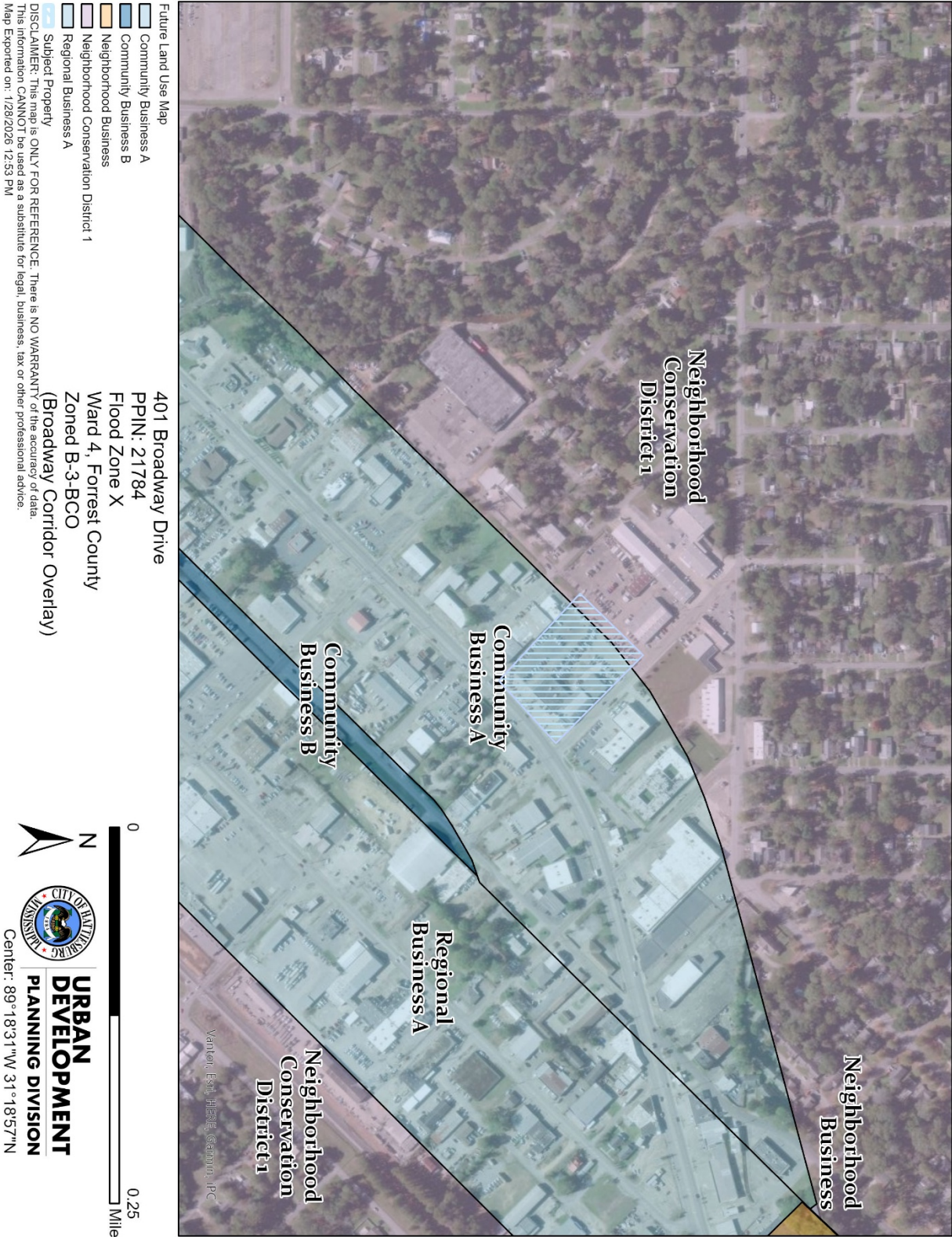
Surrounding Area Image

Basis for Approval:

Conditional Use

- 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.
- 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.
- 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.
- 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.





Surrounding Area Image- Broadway Drive facing East



Surrounding Area Image- Broadway Drive facing West





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: Mc's Inc Project Name: Mc's Inc RIGHT DOWN BROADWAY

Municipal Address of Site: 401 BROADWAY DR 601 SCOBIA PPIN #: _____

Parcel Number(s): _____

Type of Public Hearing	Additional Information Needed:
<input type="checkbox"/> Variance (fill out pages 7 & 8)	<input type="checkbox"/> Sign <input type="checkbox"/> Setback <input type="checkbox"/> Off-Site Parking <input type="checkbox"/> Lot Width <input type="checkbox"/> Lot Coverage Area <input type="checkbox"/> Buffer <input type="checkbox"/> Open Space <input type="checkbox"/> Other: _____
<input type="checkbox"/> Rezoning (fill out page 11)	Existing Zoning: _____ Proposed Zoning: _____
<input checked="" type="checkbox"/> Conditional Use (fill out pages 9 & 10)	<input type="checkbox"/> Automotive Filling Station <input type="checkbox"/> Digital Billboard, New <input type="checkbox"/> Digital Billboard, Replacement <input type="checkbox"/> Telecommunications <input type="checkbox"/> Restaurant <input type="checkbox"/> Solar Farm <input type="checkbox"/> Other: <u>VEHICLE REPAIR / MAINTENANCE</u>

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: <u>B-3-BCO</u>	Historic District: <u>N/A</u>	Flood Zone: <u>X</u>	Ward: <input type="checkbox"/> 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input checked="" type="checkbox"/> 4 <input type="checkbox"/> 5
Project Number: <u>USE-1225-0032</u>		Received:	
PPIN # or Parcel #: <u>21784, 21790</u>			

904



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: ~~JAN 5, 2026~~ Dec, 29th 2025
 Hattiesburg Planning Commission Meeting Date: ~~12/18/25~~ 2-9-2026
 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.
 - o 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.

<u>Public Hearing Fees</u>	
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: _____

Signature: _____

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

Wyche McMullan 401 Broadway Dr.
Street Address City State

on this the December day of 18th, 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____.

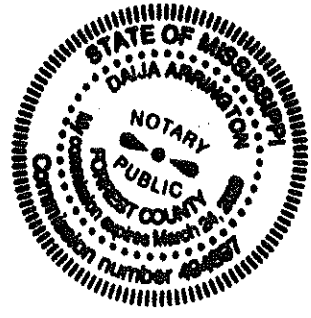
Mc's Inc By Wyche McMullan
Property Owner (Print) Sec/Treasurer
Wyche McMullan
Property Owner (Signature)

STATE OF Mississippi
COUNTY OF Forrest

Personally came and appeared before me, the within named Wyche McMullan, 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 18th day of December, 2025.
Daphne [Signature]
NOTARY PUBLIC

My Commission Expires:
March 24, 2029



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 NOW CONSTRUCTION

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

NOISE - HAS BEEN DOING THIS IN THIS FACILITY OVER 8 YEARS.

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

4-5 ACRES

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

HOPEFULLY - ~~WILL~~ WILL GET PEOPLE COMING TO RIDE TOWN BROWNS!

- 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?

10 - 20

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

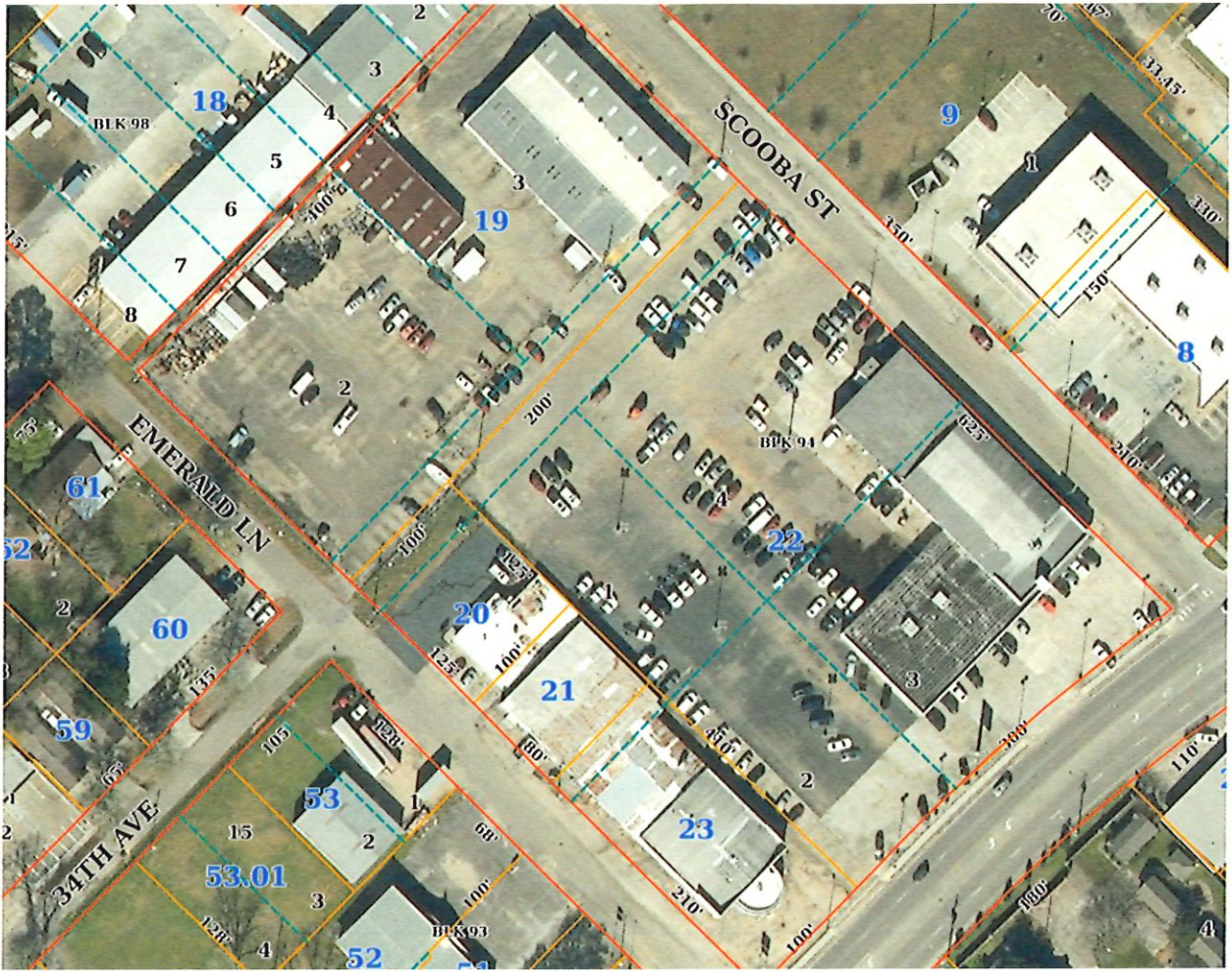
Yes, PROPOSOR HAS BEEN USE FOR SAME TYPE WORK SINCE 1945

8. Parking requirements: Commercial/Industrial: Paved parking will be provided for 100+ vehicles, and _____ ADA vehicles; with _____ loading spaces.

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

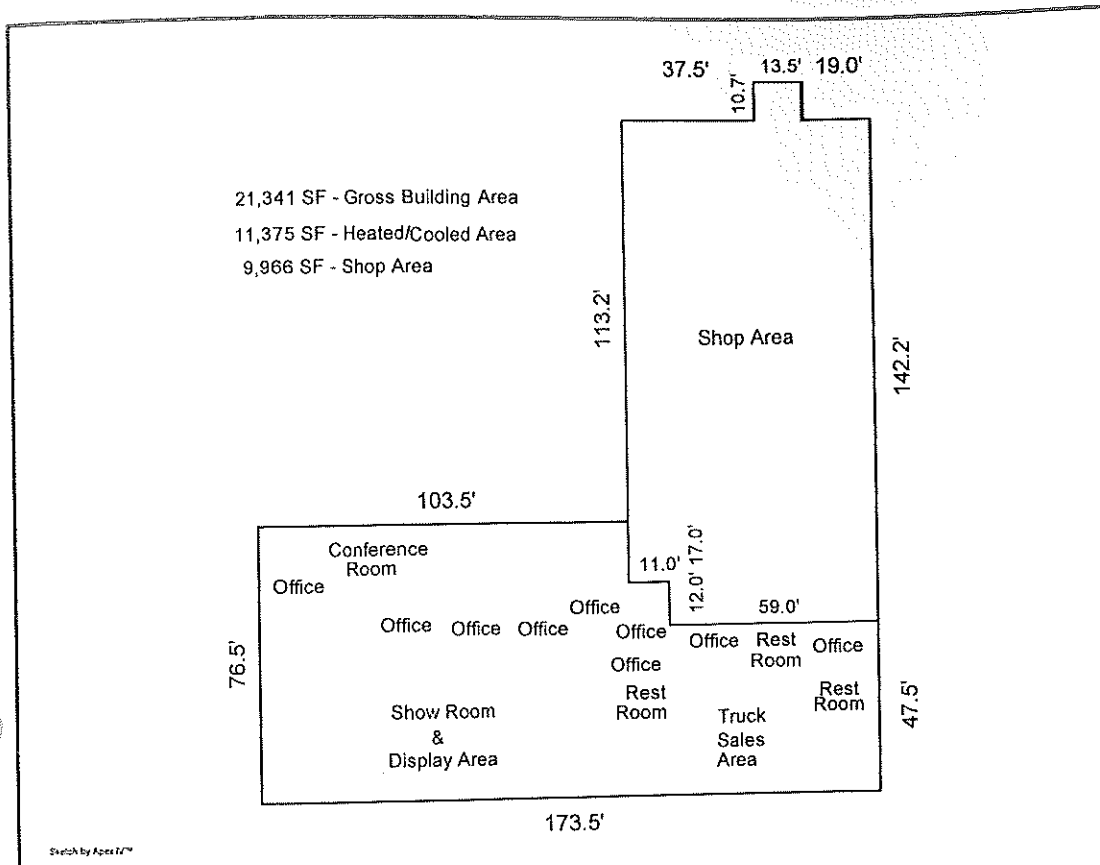
Refer to the hattiesburgms.com/planning for Land Development Code and GIS map. Access via link or QR code.





Building Sketch (Page - 1)

Builder	Wyche McMullan - owner/client				
Property Address	401 Broadway Dr				
City	Hattiesburg	County	Forrest	State	MS Zip Code 39401
Lender/Client	McMullan Motors, Inc.				



Sketch by Apex I/TM

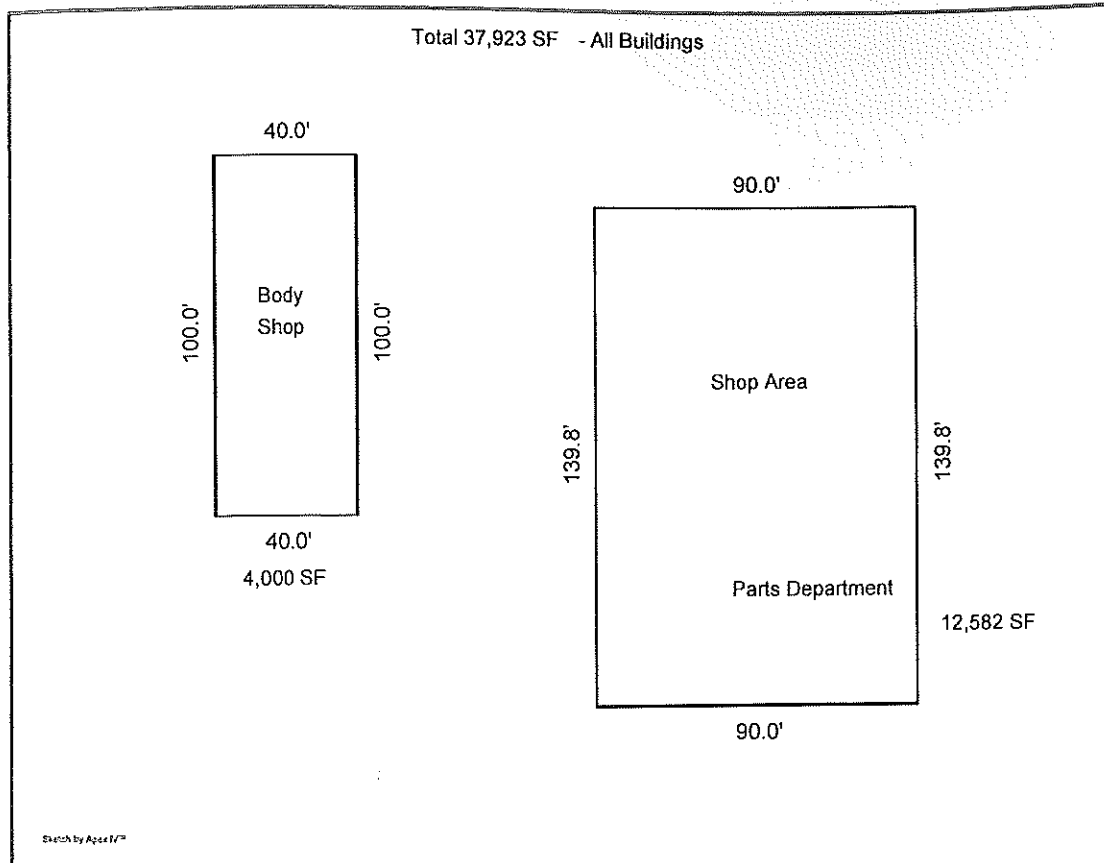
Comments:

Code	Description	Net Size	Net Totals
GRA1	First Floor	11374.8	21341.2
	1st Flr - Shop Area	9966.4	
Net BUILDING Area		(Rounded)	21341

Breakdown		Subtotals
First Floor		
59.5 x	114.5	6812.8
47.5 x	59.0	2802.5
17.0 x	103.5	1759.5
1st Flr - Shop Area		
10.7 x	13.5	144.5
17.0 x	70.0	1190.0
70.0 x	113.2	7924.0
12.0 x	59.0	708.0
7 Items	(Rounded)	21341

Building Sketch (Page - 2)

Borrower	Wyche McMullan - owner/client				
Property Address	401 Broadway Dr				
City	Hattiesburg	County	Forrest	State	MS
Lender/Client	McMullan Motors, Inc.				
				Zip Code	39401



Comments:

AREA CALCULATIONS SUMMARY			
Code	Description	Net Size	Net Totals
GBA1	Shop & Parts Depart	12582.0	16582.0
	Body Shop	4000.0	
Net BUILDING Area		(Rounded)	16582

BUILDING AREA BREAKDOWN		
Breakdown	Subtotals	
Shop & Parts Depart	90.0 x 139.8	12582.0
Body Shop	40.0 x 100.0	4000.0
2 Items	(Rounded)	16582



Staff Present:

Nathan Satcher (Senior Planner), Kevin Bates (Building Official),
Shawn Whitaker (Fire Marshal), Jerald Little (Engineering Technician),
Meridian McDaniel (Planner I), Noah Gower (Engineering Technician)

STATUS: SUBMIT FOR A PUBLIC HEARING

Project: Car Rental and Salee

Address: 401 Broadway Drive

Presented by: Wyche McMullen

Use Designation: Auto Rental and Sales

PPIN: 21784 & 21790

Flood Zone: X

Historic District: N/A

Elevation Certificate Required: No

County: Forrest

Ward: 4

Construction type: Other

Zoning: B-3 (BCO)

Estimated Cost: TBD

Project Summary:

- Applicant Summary
 - Came to the city hall recently, wanting to put in an auto repair shop. Has a potential tenant interested in leasing the property for automotive use. Wanting to know what the steps would be to get the property in use for automotive purposes.
 - Considering splitting the building to have more than one suite.
- Planning
 - Right Down Broadway Master Plan and Zoning Changes
 - An overlay district was approved in the Spring of 2025 by the Hattiesburg City Council
 - Automotive rental/sales or automotive maintenance requires a conditional use approval
 - **LDC4.7.2.3 Conditional Use Approval.** Within the B-3 Zoned areas of the BCO District, the following uses shall require conditional use approval, along with following all applicable additional use conditions as cross-referenced in Table 5.1, Table of Uses:
 - Automotive rental and sales
 - Automotive, truck, and small engine repair
 - Automotive, truck, and small engine maintenance
 - Automotive filling station
 - Parking, Passenger Vehicles
 - Parking, Commercial Vehicles
 - A conditional use requires a public hearing with the Planning Commission
 - A variety of other uses are permitted by right in the B-3 (BCO)
 - **LDC 4.7.2.2 Permitted Uses in B-3 Zones of the BCO.** Within the B-3 Zoned areas of the BCO District, uses may be permitted by right as for and subject to the district

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

regulations of the base zoning district. In addition, the following uses may be permitted, following the additional use conditions as cross-referenced in Table 5.1, Table of uses:

- Dwelling, Single-Family, attached
- Dwelling, Single-family, detached
- Dwelling, two-family
- Dwelling, zero lot line detached
- Building
 - No comments at this meeting.
- Engineering
 - No comments at this meeting.
- Fire
 - No comments at this meeting.

NEXT STEPS:

- Additional information
 - If moving forward with seeking a **conditional use** approval for an automotive use, submit a public hearing application for a conditional use
 - February 4th public hearing
 - Application deadline- December 29th at 1:00 pm
 - City Council meetings- March 2nd (4:00pm) and March 3rd (5:00pm)
 - March 4th public hearing
 - Application deadline- January 26th at 1:00 pm
 - City Council meetings- March 2nd (4:00pm) and March 3rd (5:00pm)
 - Consider talking to Ward 4 Councilman Dave Ware about the project.
- Permits
 - Apply for permits indicated below

APPLICATIONS REQUIRED:

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

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



Hattiesburg Planning Commission Planning Division

Item E- Staff Report

February 4th, 2026

Quick Facts:

Applicant:

Michael Haddox

Address:

135 Thornhill Drive

Zoning:

B-3 Community Business

Future Land Use:

Regional Business District

Historic District:

N/A

Overlay District(s):

N/A

Flood Zone:

X

Ward:

3

County:

Lamar

PPIN Number(s):

21511

Parcel Number(s):

2-038F-16-217.00



Property Image

Applicant's Request:

Conditional Use Request—Mary Jane & Herbs, Property Owner/Applicant, and Michael Haddox, Property Owner/Applicant, request a conditional use approval to allow the property to be eligible to participate in the sidewalk fee-in-lieu program for a B-3 zoned property located at 135 Thornhill Drive (PPIN 21511, Lamar County, Ward 3).

Applicant's Scope of Work:

The applicant is seeking approval for a conditional use request to be able to participate in the sidewalk bank fee-in-lieu program.



Background and History

A site plan for the subject property was approved on 4/20 in 2023 under the development standards of the B-3 (Community Business District), which include the sidewalk requirements under LDC Sections 7.6.1.1 and 7.6.1.3. Following construction, a certificate of occupancy inspection was conducted to determine final compliance with the approved site plan. During that inspection, it was noted that the required sidewalk along the Thornhill Drive frontage had not been installed, leaving the development incomplete with respect to approved site improvements.



Property / Surrounding Area Image

The property owner was notified of the deficiency after the inspection but did not complete the required installation or respond within the specified timeframe, thereby initiating the code compliance process. The business has since been operating under a temporary certificate of occupancy pending resolution of the outstanding sidewalk requirement.

Staff met with the applicant to discuss available compliance options, including constructing the sidewalk or participating in the City's Sidewalk Fee-in-Lieu Program. The applicant received a quote for the fee-in-lieu contribution but elected instead to pursue a variance request from the sidewalk requirement. The Board of Adjustment recommended denial of the applicant's request, and the applicant appealed the decision to the City Council. Following discussions with the Council, the applicant elected to pursue the sidewalk fee-in-lieu program. Participation in the sidewalk fee-in-lieu program requires conditional use approval under the ordinance requirements, as this specific area is not designated as a by-right participation corridor into the program.

Future Land Use:

Regional Business District The Regional Business District is primarily a non-residential district located along major arterial streets and highways. Limited types of residential uses—apartment complexes and second-floor housing in strip commercial or lifestyle centers—are allowed and encouraged to locate in this district. The nature and volume of traffic along these corridors are different from the traffic along other commercial corridors, and therefore, the land uses require

special consideration. The land uses in this district may generate a higher volume of regional traffic and/or require frequent access by large trucks and commercial vehicles.

District Characteristics The characteristics of this district include the following: suburban-style commercial centers and big-box buildings; well-positioned and screened outdoor uses; mixed-use buildings and developments; high-density residential developments such as apartment complexes; large, private parking areas; and light industrial campuses and employment centers. Regulations should be established to promote development patterns for these uses that enhance the streetscape, screen outdoor storage and equipment areas from public view, and enable safe circulation among neighboring properties without requiring travel on the street or highway corridor.

District Land Uses The following land uses should be found in this district: high-density residential uses; public and quasi-public uses; hotels and motels; general indoor and outdoor retail uses; heavy commercial and light industrial uses; service and office land uses; and light industrial campuses and corporate offices.

Codes and Regulations

SECTION 5 — Table 7.1 Design Standards Standards

Table 7.1 Design Standards															
STANDARD	DISTRICT														
	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	PMU
■ = Required x = Not required															
7.6 PEDESTRIAN CIRCULATION.															
7.6.1 Circulation External to a Site.															
7.6.1.1	Sidewalks shall be provided along all public streets on the entire frontage of a development site and align with existing sidewalks on adjacent properties including both frontages on corner lots. Minimum sidewalk width is five feet. Additional width may be required as determined by Site and Design Review. <u>Where on-site construction is impractical or unnecessary, developers may contribute to the Sidewalk Bank Fee-in-Lieu Program, subject to approval.</u>														
	x	x	■	■	■	■	■	■	■	■	■	■	■	■	■
7.6.1.2	Sidewalks shall be ADA compliant. ADA access ramps shall be constructed at street corners.														
	x	x	■	■	■	■	■	■	■	■	■	■	■	■	■
7.6.1.3	Where sidewalks are not yet present on adjacent sites, sidewalks shall be constructed at least five feet behind the curb to allow for landscaping and street trees. If sidewalks are present on adjacent properties, the new sidewalk shall connect to the existing sidewalk.														
		x	■	■	■	■	■	■	■	■	■	■	■	■	■



Property Image

Considerations and Basis for Approval

Applicant's Requests:

Recommend approval or denial for a conditional use request to allow the property to be eligible to participate in the sidewalk fee-in-lieu program for a B-3 zoned property located at 135 Thornhill Drive (PPIN 21511, Lamar County, Ward 3).

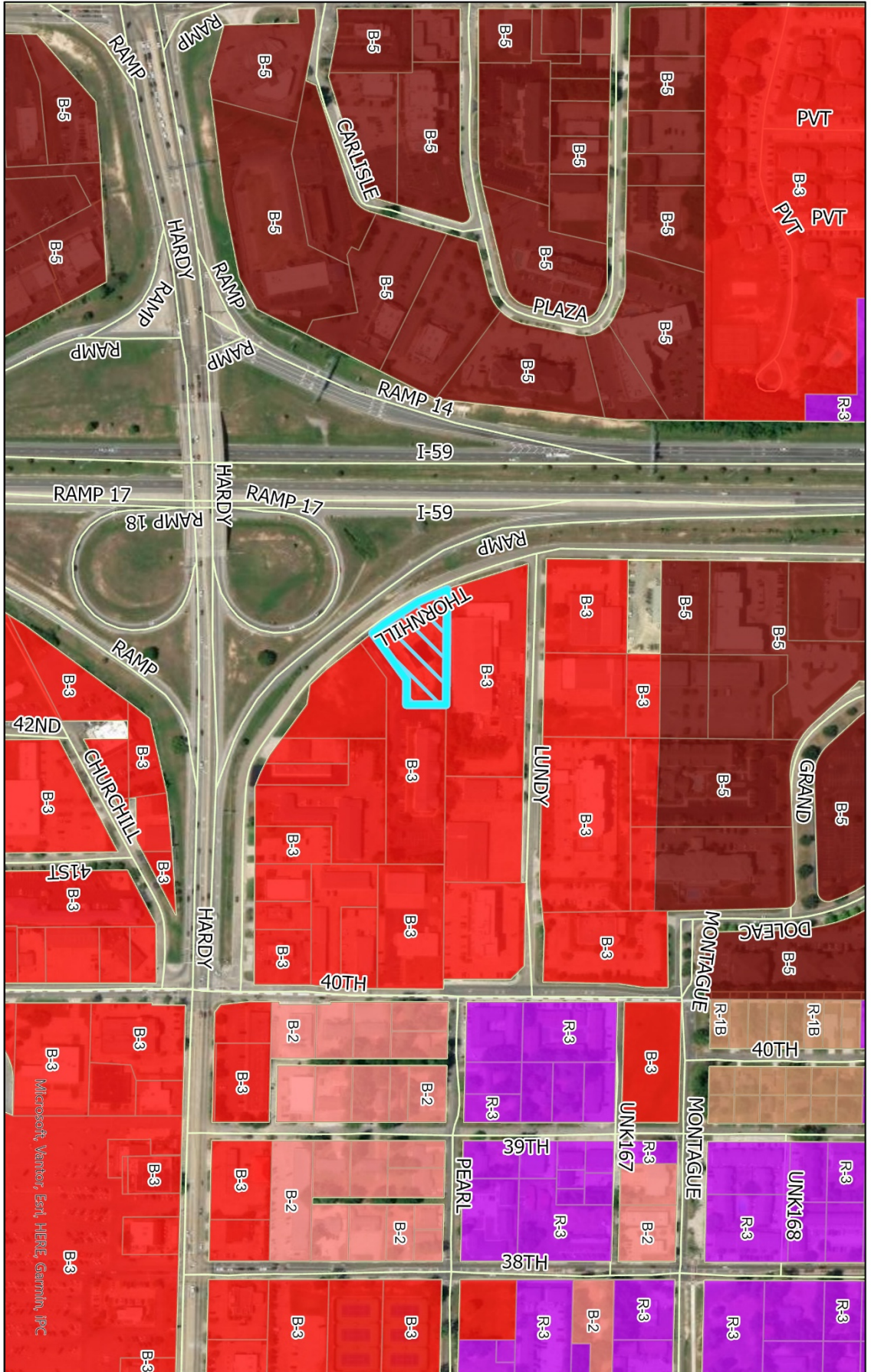
Basis for Approval:

Conditional Use

- 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.

- 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.
- 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.
- 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.



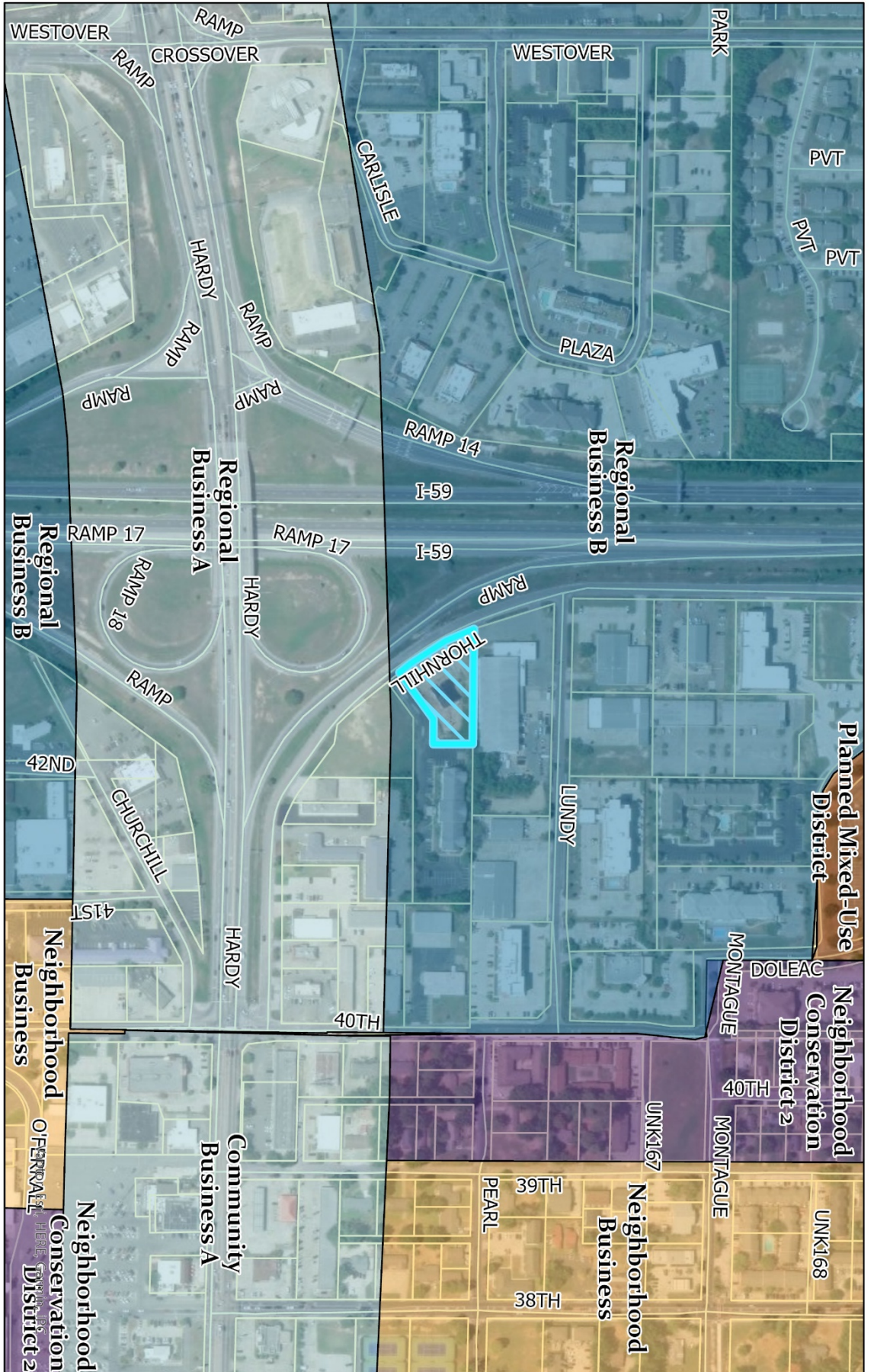
- Zoning Legend**
- R-1B
 - B-3
 - B-5
 - R-3
 - B-2

- B-3
- B-5
- 135 Thornhill Dr.

Conditional Use Request
 135 Thornhill Drive
 PPIN: 21511
 Flood Zone: X
 Ward 3, Lamar County

DISCLAIMER: This map is ONLY FOR REFERENCE. There is NO WARRANTY of the accuracy of data. This information CANNOT be used as a substitute for legal, business, tax or other professional advice. Map Exported on: 1/12/2026 3:00 PM





- Future Land Use Map
- Community Business A
 - Neighborhood Business
 - Neighborhood Conservation District 2
 - Planned Mixed-Use District
 - Regional Business A
 - Regional Business B

Conditional Use Request
 135 Thornhill Drive
 PPN: 21511
 Flood Zone: X
 Ward 3, Lamar County

DISCLAIMER: This map is ONLY FOR REFERENCE. There is NO WARRANTY of the accuracy of data. This information CANNOT be used as a substitute for legal, business, tax or other professional advice.
 Map Exported on: 1/12/2025 3:00 PM



URBAN DEVELOPMENT
PLANNING DIVISION
 Center: 89°21'3"W 31°19'35"N







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



[Handwritten mark]

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: Mary Jane and Herb S Project Name: _____

Municipal Address of Site: 135 Thornhill Dr. Hattiesburg PPIN #: _____

Parcel Number(s): _____

Type of Public Hearing	Additional Information Needed:
<input type="checkbox"/> Variance (fill out pages 7 & 8)	<input type="checkbox"/> Sign <input type="checkbox"/> Setback <input type="checkbox"/> Off-Site Parking <input type="checkbox"/> Lot Width <input type="checkbox"/> Lot Coverage Area <input type="checkbox"/> Buffer <input type="checkbox"/> Open Space <input type="checkbox"/> Other: _____
<input type="checkbox"/> Rezoning (fill out page 11)	Existing Zoning: _____ Proposed Zoning: _____
<input checked="" type="checkbox"/> Conditional Use (fill out pages 9 & 10)	<input type="checkbox"/> Automotive Filling Station <input type="checkbox"/> Digital Billboard, New <input type="checkbox"/> Digital Billboard, Replacement <input type="checkbox"/> Telecommunications <input type="checkbox"/> Restaurant <input type="checkbox"/> Solar Farm <input checked="" type="checkbox"/> Other: <u>Sidewalk LDC 7.6.1.1</u>

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:	
			<input type="checkbox"/> 1	<input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5
Project Number:		Received:		
PPIN # or Parcel #:				



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.

<u>Public Hearing Fees</u>	
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: Michael Haddock

Signature: _____

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

135 Thornhill Dr. Hattiesburg MS.
Street Address City State

on this the 29th day of Dec, 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____.

Michael Haddox
Property Owner (Print)

[Signature]
Property Owner (Signature)

STATE OF Mississippi
COUNTY OF Forrest

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

GIVEN UNDER MY HAND AND OFFICIAL SEAL OF OFFICE, this the 29th day of December, 2025.
[Signature]
NOTARY PUBLIC

My Commission Expires:
March 29, 2029





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:

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

safer without sidewalk
that cant be built ADA compliant.

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

not enough space for sidewalk

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

no

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?

80

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

yes, no sidewalk to connect to.

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.

