

Board of Adjustment Agenda

Jackie Dole Sherrill Community Center (Dining Room)

220 W Front Street

March 4, 2026, 3:30 PM

I. Business Meeting

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

II. Public Hearing

1. Presentation of Petitions for Public Hearing
 - A. Discount Tire/Jarrett Bronson, Property Owner, requests two variances for the maximum requirement of one-way driveway widths of 14ft to allow for two 20ft one-way driveways for a B-5 zoned property at 6354 Hwy 98 (PPIN 12138, Ward 3, Forrest County).
 - B. Jeffrey Mack, Applicant, requests the following variances for a proposed subdivision and house construction for an R-1C zoned property on the corner of Miller Street and Stadium Drive (PPIN 26645, Ward 4, Forrest County):
 - ~~Lot 1 (north)~~
 - ~~Variance from the minimum lot size requirement of 5000sqft to allow 2400sqft~~
 - ~~Variance from the minimum front setback requirement of 20ft to allow for 17ft~~
 - ~~Variance from the minimum side setback requirement of 10ft to allow for 2.5ft~~
 - ~~Variance from the minimum side setback requirement of 10ft to allow for 2.5ft~~
 - ~~Variance from the minimum rear setback requirement of 25ft to allow for 20.5ft~~
 - ~~Variance from the maximum impervious surface lot coverage requirement of 50% to allow for 52%~~
 - ~~Lot 2 (south)~~
 - ~~Variance from the minimum lot size requirement of 5000sqft to allow 2400sqft~~
 - ~~Variance from the minimum front setback requirement of 20ft to allow for 17ft~~
 - ~~Variance from the minimum front setback requirement of 20ft to allow for 2.5ft~~

- ~~Variance from the minimum side setback requirement of 10ft to allow for 2.5ft~~
- ~~Variance from the maximum impervious surface lot coverage requirement of 50% to allow for 52%~~

C. Flora McIntyre, Property Owner, requests a variance from the A-2 requirements for the lot size of 43,560 sqft to instead allow for 19,350 sqft at a R-1C zoned property at 503 Perry Street (PPIN 12378, Ward 5, Forrest County).

III. Other Business

IV. Adjournment

**MINUTES OF THE
REGULAR MEETING OF THE
BOARD OF ADJUSTMENT
December 3rd, 2025**

Board Members Roll Call:

Members Present:

1. Sandi Boykins
2. Jessica Cathey
3. Richard Conville
4. Herman Dungan
5. John Eye
6. Bernard Green, Vice Chair
7. Shawn Harris, Chair
8. Stacey Ready, Secretary
9. Brandon Williams

Members Absent:

10. James Hughes
11. 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 Harris declared the Board of Adjustment meeting open and in session at 3:33 p.m.

AGENDA REVIEW

A motion was made to accept the agenda for the December 2025 meeting.

Motion:

Made by Brandon E.J. Williams to approve the December 2025 meeting agenda

Second:

Made by Bernard Green

Vote:

Board Member	Yea	Nay	Other
Sandi Boykins	X		
Jessica Cathey	X		
Richard Conville	X		
Herman Dungan	X		
John Eye	X		
Bernard Green	X		
Shawn Harris	X		
James Hughes			ABSENT
Stacey Ready	X		
Brandon Williams	X		

The motion to approve the December 2025 meeting agenda was passed by a 9-0 vote.

MINUTES REVIEW

A motion was made by Stacey Ready to approve the minutes from the November 2025 Meeting.

Motion:

Made by Stacey Ready

Second:

Made by Brandon E.J. Williams

Vote:

Board Member	Yea	Nay	Other
Sandi Boykins	X		
Jessica Cathey	X		
Richard Conville	X		
Herman Dungan	X		
John Eye	X		
Bernard Green	X		
Shawn Harris	X		
James Hughes			ABSENT
Stacey Ready	X		
Brandon Williams	X		

The motion to approve the November 2025 meeting minutes was passed by a 9-0 vote.

PLANNING REPORT

The Planning Division staff gave a report.

CHAIR’S REPORT

No report from the chair.

INTRODUCTIONS:

Board of Adjustment members and Staff introduced themselves.

PUBLIC HEARING:

Item A: SDP Mississippi 1, LLC, Property Owner/Applicant, Chris Berry, Engineer, and Joe Pegram, Applicant, request variances from:

- a front setback requirement of 30ft to instead allow for 35’±,
 - a west side setback requirement of 30ft to instead allow for 53’±,
 - an east side setback requirement of 30ft to instead allow for 47’±,
 - a landscaping buffer requirement of 30ft to instead allow for 5’,
 - A curb cut requirement of 10ft from a parcel line to instead allow for 5’,
 - a perimeter landscaping requirement of 10ft to instead allow for 2’ average,
 - a drive-through buffer requirement of 300ft to instead allow for 0’
- for a property at 3320 Hardy Street (PPIN 22656, Forrest County, Ward 3)

Discussion and Vote:

Staff introduced the case.

Presented by:

- Chris Berry

Proponents:

- None

Opponents:

- None

Motion:

Bernard Green motioned to recommend approval of all the requested variances on the basis of hardship, special privilege, and reasonable use.

Second:

Made by Jessica Cathey

Vote:

Board Member	Yea	Nay	Other
---------------------	------------	------------	--------------

Sandi Boykins	X		
Jessica Cathey	X		
Richard Conville	X		
Herman Dungan	X		
John Eye		X	
Bernard Green	X		
Shawn Harris	X		
James Hughes			ABSENT
Stacey Ready	X		
Brandon Williams	X		

The motion to recommend approval of the variance requests passed with an 8-1 vote.



Item B: Roger Fleenor, Property Owner/Applicant, requests a variance from the maximum front yard fence height of 4ft to allow for 8ft for an R-2 zoned property at 220 Martin Luther King Jr. Avenue (PPIN 21672, Forrest County, Ward 2).

Discussion and Vote:

Staff introduced the case.

Presented by:

- Roger Fleenor

Proponents:

- None

Opponents:

- None

Motion:

Stacey Ready motioned to recommend denial of the request.

Second:

Made by Richard Conville

Vote:

Board Member	Yea	Nay	Other
Sandi Boykins	X		
Jessica Cathey	X		
Richard Conville	X		
Herman Dungan	X		
John Eye	X		
Bernard Green	X		
Shawn Harris	X		

James Hughes			ABSENT
Stacey Ready	X		
Brandon Williams	X		

The motion to recommend denial of the variance request passed with a 9-0 vote.

~~~~~  
**OTHER BUSINESS:**

**Tabled Item:** Wesley Foundation of Mississippi Southern, Property Owner/Applicant, Eric Davis, Property Owner/Applicant, Shelby Murray, Applicant/Engineer, and Sarah Newton, Architect, request a variance from the requirement of a maximum amount of impervious surface lot coverage of 50% (LDC 6.1) to instead allow for 80% impervious surface lot coverage for a property located at 3200 Montague Blvd. (PPIN 22975 & 22976, Forrest County, Ward 1).

**Discussion and Vote:**

Staff introduced the case.

**Presented by:**

- Eric Davis
- Sarah Newton

**Proponents:**

- None

**Opponents:**

- None

**Motion:**

Brandon E.J. Williams motioned to remove the item from the table.

**Second:**

Made by Herman Dungan

**Vote:**

| <b>Board Member</b> | <b>Yea</b> | <b>Nay</b> | <b>Other</b> |
|---------------------|------------|------------|--------------|
| Sandi Boykins       | X          |            |              |
| Jessica Cathey      | X          |            |              |
| Richard Conville    | X          |            |              |
| Herman Dungan       | X          |            |              |
| John Eye            | X          |            |              |
| Bernard Green       | X          |            |              |
| Shawn Harris        | X          |            |              |

|                  |   |  |        |
|------------------|---|--|--------|
| James Hughes     |   |  | ABSENT |
| Stacey Ready     | X |  |        |
| Brandon Williams | X |  |        |

The motion to remove the item from the table passed with a 9-0 vote

**Motion:**

Richard Conville motioned to recommend approval on the basis of hardship and reasonable use.

**Second:**

Made by Sandi Boykins

**Vote:**

| Board Member     | Yea | Nay | Other   |
|------------------|-----|-----|---------|
| Sandi Boykins    | X   |     |         |
| Jessica Cathey   | X   |     |         |
| Richard Conville | X   |     |         |
| Herman Dungan    | X   |     |         |
| John Eye         |     |     | ABSTAIN |
| Bernard Green    | X   |     |         |
| Shawn Harris     | X   |     |         |
| James Hughes     |     |     | ABSENT  |
| Stacey Ready     | X   |     |         |
| Brandon Williams | X   |     |         |

The motion to recommend approval of the variance request passed with a 8-0-1 vote.

~~~~~  
MEETING RECESSED:

Motion:

Bernard Green motioned to recess the meeting until December 10th, 2025 at 3:30pm.

Second:

Made by Herman Dungan.

Vote:

Board Member	Yea	Nay	Other
Sandi Boykins	X		
Jessica Cathey	X		
Richard Conville	X		
Herman Dungan	X		
John Eye	X		

Bernard Green	X		
Shawn Harris	X		
James Hughes			ABSENT
Stacey Ready	X		
Brandon Williams	X		

The motion to recess the meeting until December 10th at 3:30pm passed with a 9-0 vote.

The Board of Adjustment was called to order at 3:45pm.

Board Members Roll Call:

Members Present:

1. Sandi Boykins (online)
2. Richard Conville
3. Herman Dungan (online)
4. Bernard Green, Vice Chair
5. Shawn Harris, Chair
6. Brandon Williams (online)

Members Absent:

1. James Hughes
2. Jessica Cathey
3. John Eye
4. Stacey Ready, Secretary
5. Vacant Seat

Tabled Item: Martin Luther King Jr. Baptist Church, Property Owners, Image Signs and Neon, Contractor, and Michael Bethley, Representative, request variances from the separation of electronic message boards from the nearest lot line of a residential use minimum requirement of 200ft to instead allow for 55ft and from the maximum requirement of 40% sign area of a electronic message board to instead allow for 45.71 % for a sign at a B-2 zoned property located at 110 Martin Luther King Jr. Drive (PPIN 32303, Forrest County, Ward 5).

Discussion and Vote:

Staff introduced the case.

Presented by:

- None

Proponents:

- None

Opponents:

- None

Motion:

Bernard Green remove the item from the table.

Second:

Made by Richard Conville

Vote:

Board Member	Yea	Nay	Other
Sandi Boykins	X		
Jessica Cathey			ABSENT
Richard Conville	X		
Herman Dungan	X		
John Eye			ABSENT
Bernard Green	X		
Shawn Harris	X		
James Hughes			ABSENT
Stacey Ready			ABSENT
Brandon Williams	X		

Motion:

Bernard Green table the item

Second:

Made by Richard Conville

Vote:

Board Member	Yea	Nay	Other
Sandi Boykins	X		
Jessica Cathey			ABSENT
Richard Conville	X		
Herman Dungan	X		
John Eye			ABSENT
Bernard Green	X		
Shawn Harris	X		
James Hughes			ABSENT
Stacey Ready			ABSENT
Brandon Williams	X		

The motion to table the item passed 6-0. The request will advance to City Council with no recommendation from the Board of Adjustment.

ADJOURNMENT

Motion:

Bernard Green motioned to adjourn the meeting.

Second:

Made by Richard Conville

Vote:

Board Member	Yea	Nay	Other
Sandi Boykins	X		
Jessica Cathey			ABSENT
Richard Conville	X		
Herman Dungan	X		
John Eye			ABSENT
Bernard Green	X		
Shawn Harris	X		
James Hughes			ABSENT
Stacey Ready			ABSENT
Brandon Williams	X		

The motion to adjourn was passed by a 6-0 vote.

The Board of Adjustment adjourned the meeting at 3:54pm

Stacey Ready, Secretary

Cory Long, AICP, Planning Division Manager



Hattiesburg Board of Adjustment Planning Division

Item A - Staff Report

March 4, 2026

Quick Facts:

Applicant:

Jarrett Bronson, Discount Tire

Address:

6354 Hwy 98

Zoning:

B-5 Regional Business

Future Land Use:

Regional Business

Historic District:

N/A

Overlay District(s):

N/A

Flood Zone:

X

Ward:

3

County:

Lamar

PPIN Number(s):

12138

Parcel Number(s):

052P-09-012.000



Property Image

Applicant's Requests:

Discount Tire/Jarrett Bronson, Property Owner, requests two variances for the maximum requirement of one-way driveway widths of 14ft to allow for two 20ft one-way driveways for a B-5 zoned property at 6354 Hwy 98 (PPIN 12138, Ward 3, Lamar County).



Background and History

The staff met with the applicant during site plan review in 2024 to review and approve Discount Tire’s proposed site plan. Upon completion of construction on the site, staff conducted a CO inspection to ensure the project was built as approved. While staff inspected the property, they found that the driveways had been changed from the approved plan from two 24ft *two-way* driveways to two 20ft *one-way* driveways. Staff advised that the driveways were no longer in compliance, as one-way driveways may not exceed 14ft in width.



Future Land Use- Hattiesburg Comprehensive Plan 2008-2028:

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 7: Standards of Design

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																
✕ = Not required																
7.5.2.2	One-way driveway entrances curb cuts shall be a minimum of 12 feet and a maximum 14 feet wide.	✕	✕	✕	✕	✕	✕	■	■	■	■	■	■	■	■	■
7.5.2.3	Two-way driveway entrances shall be a maximum of 24 feet wide.	✕	✕	✕	✕	✕	✕	■	■	■	■	■	■	✕	✕	✕
7.5.2.4	Three-way driveway entrances shall be a maximum of 36 feet wide.	✕	✕	✕	✕	✕	✕	■	■	■	■	■	■	✕	✕	■

Considerations and Basis for Approval

Option:

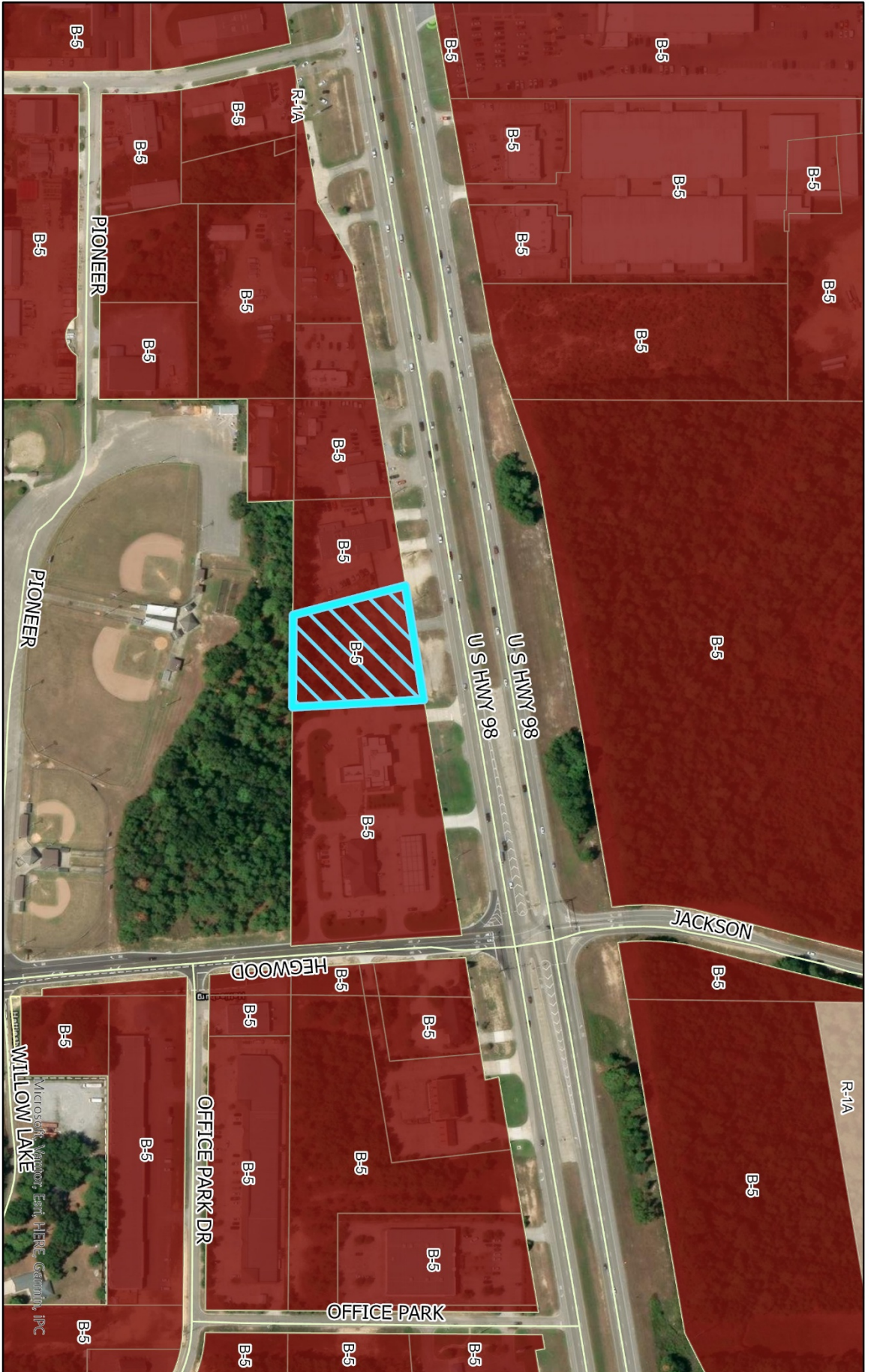
Recommend approval or denial of a variance requests for the maximum requirement of one-way driveway widths of 14ft to allow for two 20ft one-way driveways for a B-5 zoned property at 6354 Hwy 98 (PPIN 12138, Ward 3, Forrest County).



Basis for Approval:

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

- a. A variance shall not confer any special privilege that is denied to other lands or structures in the same zoning district.
3. Literal Interpretation.
 - a. The literal interpretation of the provisions of the regulations would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district and would cause unnecessary and undue hardship on the applicant
4. Reasonable Use.
 - a. The applicant cannot make reasonable use of the property without the requested variance.
5. Minimum Required.
 - a. The granting of a variance is the minimum variance that will make possible the reasonable use of the land or structure.
6. Conformance with the Purposes of this Code.
 - a. The granting of a variance will not conflict with the purposes and intent expressed or implied in the Land Development Code.



Zoning Legend
 R-1A
 B-5

Variance Request
 6354 Hwy 98
 PPIN: 12138
 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: 2/9/2026 11:46 AM




URBAN DEVELOPMENT PLANNING DIVISION
 Center: 89°24.4"W 31°19.6"N



- Future Land Use Map
- Regional Business A
 - Regional Business B

Variance Request
 6354 Hwy 98
 PPIN: 12138
 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: 2/9/2026 12:09 PM



URBAN DEVELOPMENT
PLANNING DIVISION
 Center: 89°24'4"W 31°19'6"N



Sheet No.: 5 of 12

Permit No.: 6-24-37-98-0201

DRIVEWAY PERMIT

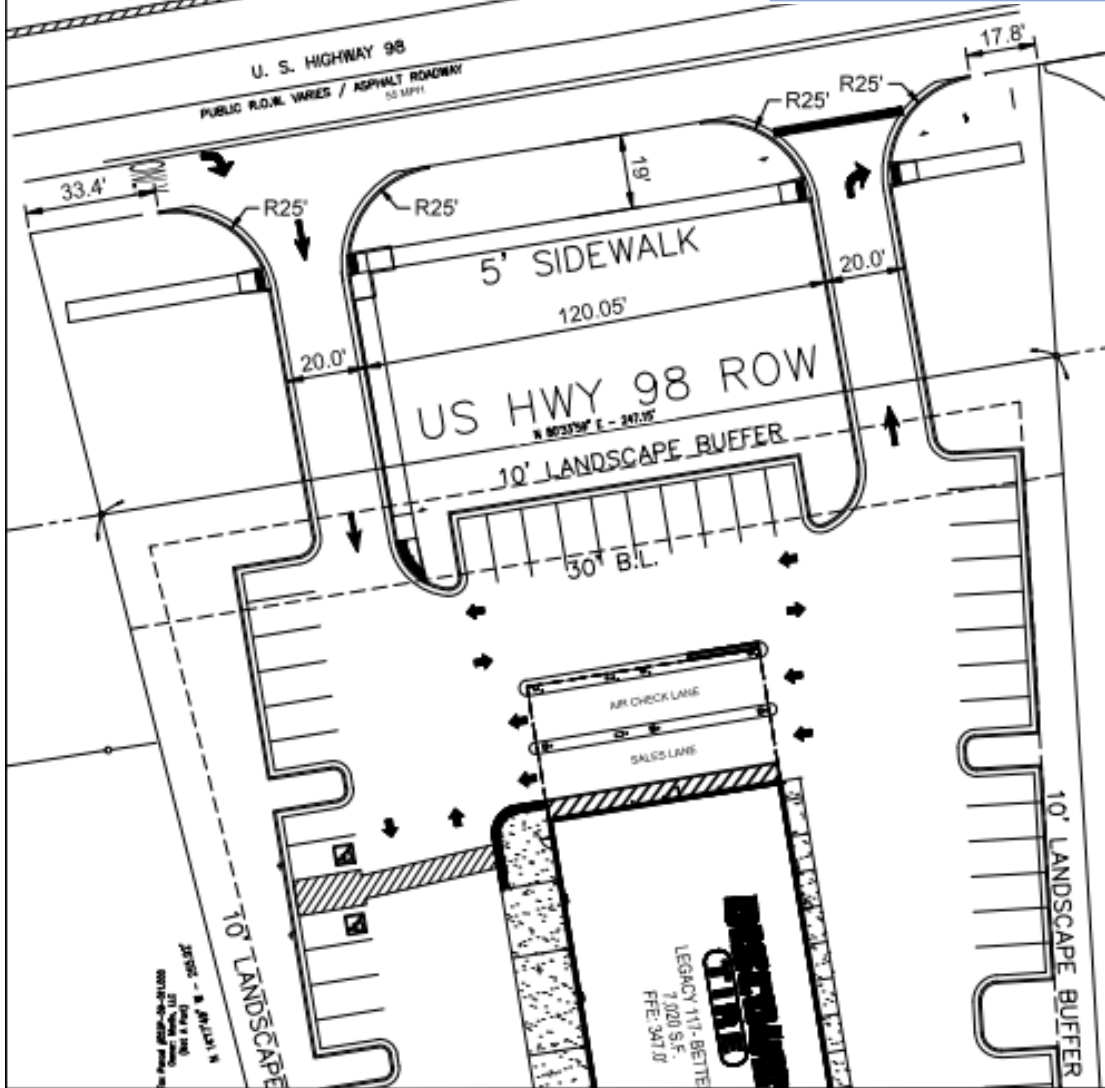
REVISIONS			
APPLICANT		MDOT	
DATE	BY	DATE	BY



GRID NORTH
MS EAST ZONE

SITE DATA TABLE	
ADDRESS	6354 US HWY 98
PARCEL ID	212138
JURISDICTION	CITY OF HATTIESBURG
ZONING	B-S / REGIONAL BUSINESS, AUTOMOTIVE REPAIR
OVERLAY DISTRICT	N/A
PARCEL SIZE	60,300 SF - 1.38 AC

MDOT Approved
Plan



PROJECT No. 120035-01-002 SCALE: 1"=40' DATE 12/6/2022 DRAWN BY: SAD CHECKED BY: JAB



DISCOUNT TIRE
6354 US HWY 98
HATTIESBURG, MS 39401

BOWMAN

4174 SILVER PEAK PARKWAY
SUWANEE, GEORGIA
PHONE: 770-832-8550
EMAIL: JBotano@bowman.com

Surrounding Area Image



Surrounding Area Image





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: Persons Services Corp **Project Name:** Discount Tire

Municipal Address of Site: 6354 US Highway 98, Hattiesburg, Mississippi **PPIN #:** 012138

Parcel Number(s): Site 0922-0149

Type of Public Hearing	Additional Information Needed:
<input checked="" 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 checked="" type="checkbox"/> Other: <u>Driveway width</u>
<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: 1/26/26

Hattiesburg Planning Commission Meeting Date: _____

Hattiesburg Board of Adjustment Meeting Date: 3/4/26

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 Variiances 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 \$ 175



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: Bobby Corrigan

Signature: *Bobby Corrigan*

Updated Version 05/22/2025

FOR VARIANCE APPLICANTS:

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

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

Approval Criteria.

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

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

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

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

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

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

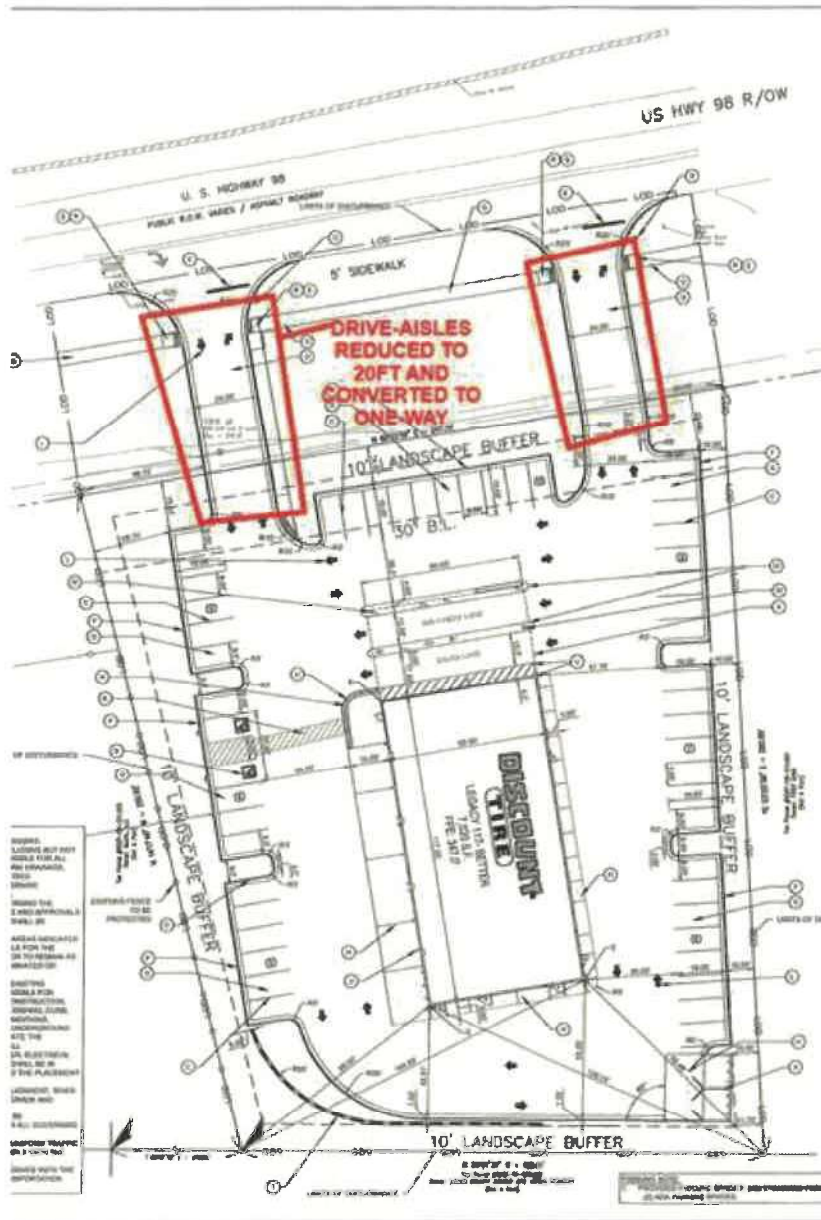
6. **Conformance with Purpose of this Code.** The granting of a variance will not conflict with the purposes and intent expressed or implied in the Land Development Code.

MDOT Driveway Permit approved the 20' wide one-way in and 20' wide one-way out.

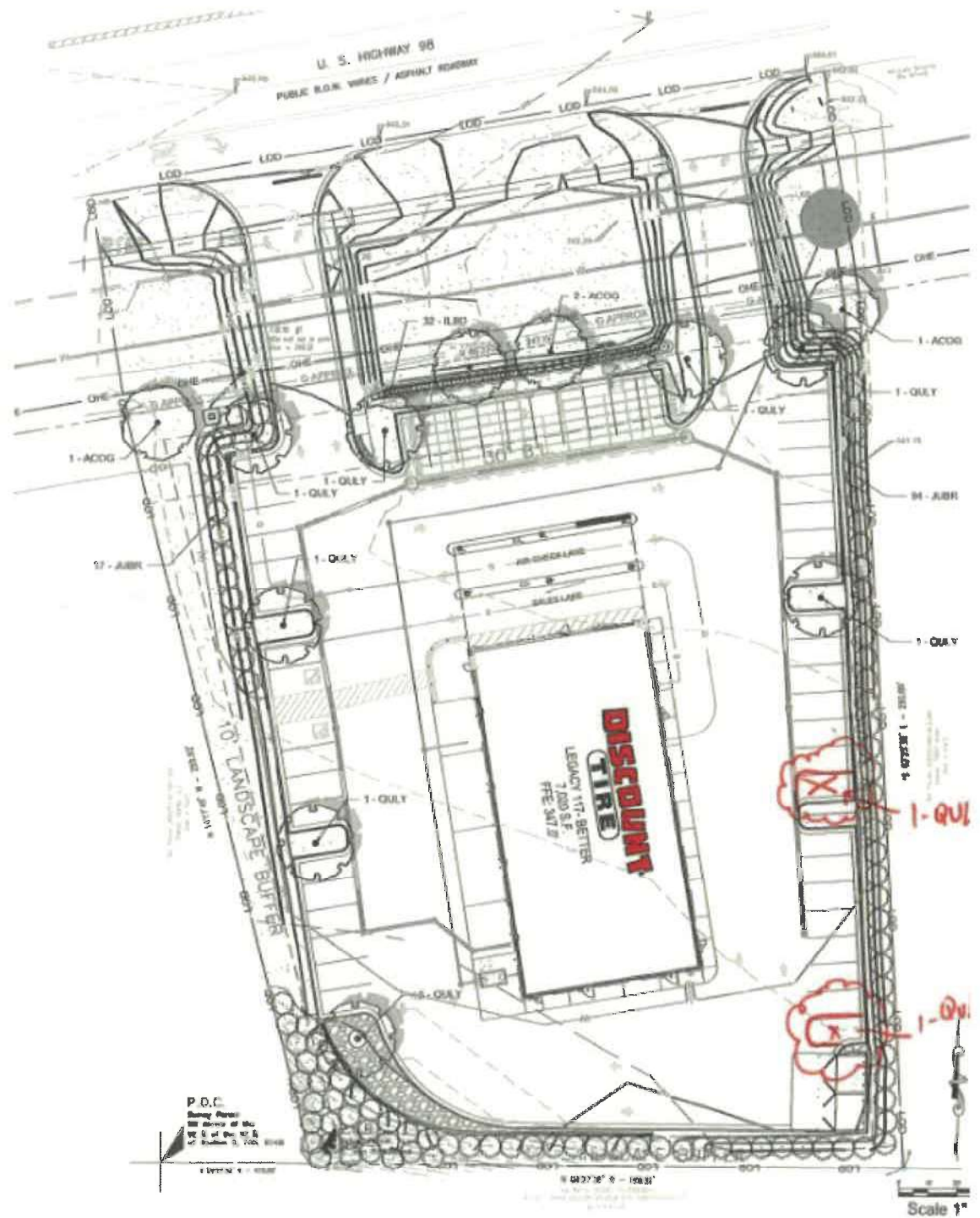
Discount Tire would like the wider driveways so the 53' Semi-truck making deliveries could access the site better.

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

- Drive aisles were reduced to 20ft (measured on-site) and converted to one-way drives. Approved width was 24ft and two-way. Max one-way drive is 12-14 ft (LDC 7.5.2.2)
 - Corrective actions: install as approved or seek a variance to allow a 20 ft single entrance. Open to other solutions by the applicant as well
- This may also be a conflict with the approved MDOT Permit that may affect their inspections. Staff will verify with MDOT.



- g
- Two Trees are missing in the landscape islands along the southeastern side of the parking lot (part of the redline approval)
 - Corrective action: install trees in landscape islands



Can you please forward this on to their contractor and let us know if they have any questions moving forward?

Thanks,
 Nathan Satcher, AICP, CFM
 Senior Planner

From: Bates, Kevin
Sent: Wednesday, January 7, 2026 5:40 PM
To: 'Joshua Mizell' <jmizell@personsservices.com>
Subject: RE: Fire sprinkler tap



DEED
BK:30K PAGE:118-123
RCD:12/8/2022 @ 9:18:45 AM
Lamar County, MS
James Aultman Chancery Clerk

Prepared by:
Daphne Wright
Commonwealth Land Title Ins. Co.
2390 East Camelback Road, Suite 230
Phoenix, AZ 85016
602.287.3251

After Recording Return To:
Luckett Land Title, Inc.
10 Lakeland Circle
Jackson, MS 39216
601.414.4141

INDEXING INSTRUCTIONS: SE1/4 of the SE1/4 of Section 9, Township 4 North, Range 14 West, Lamar County, Mississippi.

SPECIAL WARRANTY DEED

GRANTOR: **W.J. Morris, III, a/k/a Josh Morris and Martha Jo Howell Land Company, LLC, a Mississippi limited liability company**
38 Rollingwood
Hattiesburg, Mississippi 39402
601.310.3979

GRANTEE: **Halle Properties, L.L.C., an Arizona limited liability company**
20225 N. Scottsdale Road
Scottsdale, Arizona 85255
602.622.6397

RECORDING REQUESTED BY
Commonwealth Land Title Insurance
Company

AND WHEN RECORDED MAIL TO:

HALLE PROPERTIES, L.L.C., AN ARIZONA
LIMITED LIABILITY COMPANY
20225 N. SCOTTSDALE RD.
SCOTTSDALE, AZ 85255

ESCROW NO.: 22000956-040-D1W

SPACE ABOVE THIS LINE FOR RECORDER'S USE

Special Warranty Deed

For the consideration of Ten Dollars, and other valuable considerations, I or we,

W.J. Morris, III, a/k/a Josh Morris and Martha Jo Howell Land Company LLC, a Mississippi limited liability company ("Grantor")

do/does hereby convey to

Halle Properties, L.L.C., an Arizona limited liability company ("Grantee")

the following real property situated in Lamar County, **MISSISSIPPI**:

SEE EXHIBIT A ATTACHED HERETO AND MADE A PART HEREOF.


SUBJECT TO: Current taxes and other assessments, reservations in patents and all easements, rights of way, encumbrances, liens, covenants, conditions, restrictions, obligations, and liabilities as may appear of record.

And the Grantor hereby binds itself and its successors to warrant and defend the title, against all acts of the Grantor herein, and no other, subject to the matters set forth.

Dated: December 5th, 2022

SELLER:

W.J. Morris, III, a/k/a Josh Morris



Josh Morris

**Martha Jo Howell Land Company LLC, a Mississippi
limited liability company**

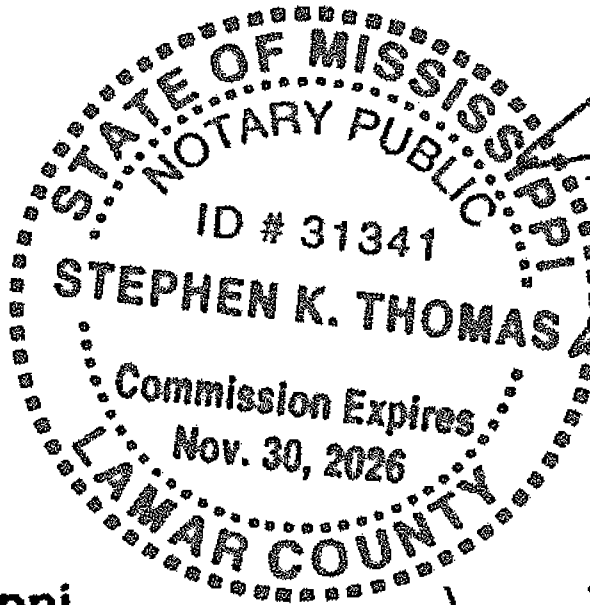
By: Howell Holdings, L.P., Member

Martha Jo Howell, Manager

NOTARY ACKNOWLEDGEMENT(S) TO SPECIAL WARRANTY DEED

State of Mississippi)
County of Lamar) ss

This instrument was acknowledged before me this 5th
day of December, 2022
by **W.J. Morris, III, a/k/a Josh Morris**, the person(s) herein
subscribed and if subscribed in a representative capacity, then for the
principal named and in the capacity indicated and acknowledged that
he/she/they executed the same.



Notary Public
My commission will expire: _____

State of Mississippi)
County of _____) ss

This instrument was acknowledged before me this
day of December, 2022
by **Martha Jo Howell Land Company LLC, a Mississippi limited
liability company**, the person(s) herein subscribed and if subscribed
in a representative capacity, then for the principal named and in the
capacity indicated and acknowledged that he/she/they executed the
same.

Notary Public
My commission will expire: _____

Dated: December 5th, 2022

SELLER:

W.J. Morris, III, a/k/a Josh Morris

Josh Morris

**Martha Jo Howell Land Company LLC, a Mississippi
limited liability company**

By: Howell Holdings, L.P., Member

Martha Jo Howell
Martha Jo Howell, Manager

NOTARY ACKNOWLEDGEMENT(S) TO SPECIAL WARRANTY DEED

State of Mississippi)
County of _____) ^{SS}

This instrument was acknowledged before me this _____
day of December, 2022
by. **W.J. Morris, III, a/k/a Josh Morris**, the person(s) herein
subscribed and if subscribed in a representative capacity, then for the
principal named and in the capacity indicated and acknowledged that
he/she/they executed the same.

Notary Public
My commission will expire: _____

State of Mississippi)
County of Alcorn) ^{SS}

This instrument was acknowledged before me this _____
day of December, 2022
by. **Martha Jo Howell Land Company LLC, a Mississippi limited
liability company**, the person(s) herein subscribed and if subscribed
in a representative capacity, then for the principal named and in the
capacity indicated and acknowledged that he/she/they executed the
same.

John O. Windsor

Notary Public
My commission will expire: _____

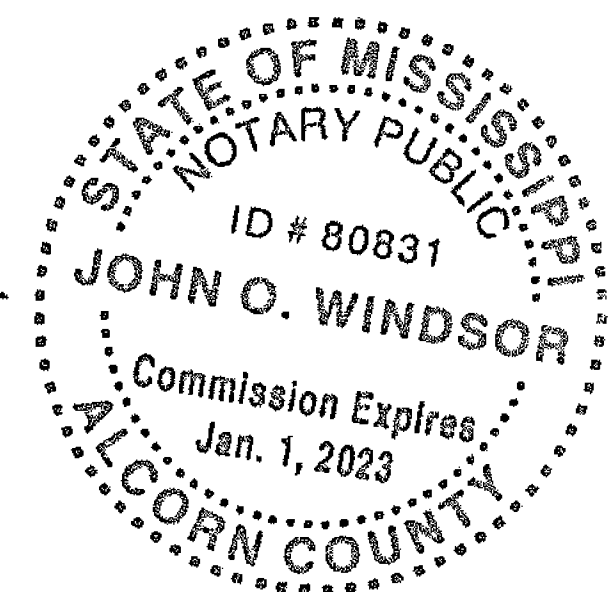


Exhibit A
Legal Description

The SE ¼ of the SE ¼ of Section 9, Township 4 North, Range 14 West LESS AND EXCEPT that 5.23 acres, more or less, of land conveyed by prior owners to the State Highway Commission of Mississippi, under date of July 21, 1939; and that part of the W ½ of the SW ¼ of the SE ¼ North of U.S. Highway 98, all in Section 9, Township 4 North, Range 14 West, Lamar County, Mississippi.

Less and Except: (Book 9V, Page 216)

A part of the SE ¼ of SE ¼ of Section 9, T-4-N, R-14-W, in the county of Lamar, State of Mississippi, being more particularly described as commencing at the SE Corner of said Forty, thence run N 89 degrees 42' 00" W along the South line of said Forty for 130.21 feet to the Point of Beginning, said point is the intersection of the West ROW line of proposed Sandy Run Road and the South line of said Forty, thence continue N 89 degrees 42' 00" W along said South line for 519.36 feet, thence run N 04 degrees 40' 20" W for 290.73 feet to the South ROW line of U.S. Highway 98, thence run N 80 degrees 08' 00" E along said South ROW line for 519.54 feet to said West ROW line of said Sandy Run Road, thence run S 04 degrees 40' 20" E along said West line for 382.78 feet to the Point of Beginning, containing 4.0 acres more or less.

Less and Except: (Book 17N, Page 460)

A part of the SE ¼ of the SE ¼ of Section 9, Township 4 North, Range 14 West, in the County of Lamar, State of Mississippi, being more particularly described as commencing at the SW corner of the said SE ¼ of the SE ¼ of Section 9; thence run S 89° 43' 15" E along the South line of the said SE ¼ of the SE ¼ of Section 9 for 214.20 feet to the Point of Beginning; thence continue S 89° 43' 15" E and along said South line of the SE ¼ of the SE ¼ of Section 9 for 13.75 feet; thence run N 03° 51' 51" W for 212.76 feet to the South right of way line of Mississippi Highway 98; thence run S 00° 09' 28" E for 212.21 feet to the Point of Beginning, comprising 0.03 acres, more or less.

Less and Except: (Book 23E, Page 124)

A parcel of land being located in the SE ¼ of the SE ¼, Section 9, Township 4 North, Range 14 West, Lamar County, Mississippi and being more particularly described as follows:

Commencing at the SW corner of the SE ¼ of the SE ¼ of Section 9, Township 4 North, Range 14 West, Lamar County, Mississippi; thence run South 89 degrees 43 minutes 15 seconds East along the South line of the SE ¼ of Section 9 a distance of 440.89 feet to a crimp-top pipe found of the South line of the SE ¼ of Section 9, said point also being the Point of Beginning; thence run North 00 degrees 13 minutes 05 seconds West a distance of 85.19 feet to a crimp-top pipe found; thence run North 30 degrees 22 minutes 58 seconds West a distance of 176.24 feet to a crimp-top pipe found on the South right of way U.S. Highway 98; thence run North 80 degrees 03 minutes 18 seconds East along the South right of way of U.S. Highway 98 a distance of 57.48 feet to a ½ inch iron rebar set in the South right of way of U.S. Highway 98; thence run South 14 degrees 41 minutes 32 seconds East a distance of 255.68 feet to a ½ inch iron rebar set in the South line of the SE ¼ of Section 9; thence run North 89 degrees 40 minutes 59 seconds West along the South

line of the SE ¼ of Section 9 for a distance of 32.00 feet to the Point of Beginning; said parcel contains 7,339 square feet, more or less; together with all improvements thereon and appurtenances thereunto belonging.

Less and Except: (Book 17M, Page 142)

A part of the SE¼ of the SE¼ of Section 9, Township 4 North, Range 14 West, in the County of Lamar, State of Mississippi, being more particularly described as Commencing at the SW corner of the said SE¼ of the SE¼ of Section 9; thence run S89°43'15"E along the South line of the said SE¼ of the SE¼ of Section 9 for 227.95 feet to the Point of Beginning; thence continue S89°43'15"E and along said South line of the SE¼ of the SE¼ of Section 9 for 212.94 feet; thence run N00°09'24"W for 85.24 feet; thence run N30°22'58"W for 176.15 feet to the South Right-of-Way (R.O.W.) line of Mississippi Highway 98; thence run S80°10'25"W along said South (R.O.W.) line for 140.00 feet; thence run S03°51'51"E for 212.76 feet to the Point of Beginning, comprising 1.01 acres, more or less; together with all improvements thereon and appurtenances thereunto belonging.

Less and Except: (Book 11K, Page 52)

A part of the SE 1/4 of the SE 1/4 of section 9, Township 4 North, Range 14 West, Lamar County, Mississippi, and being more particularly described at beginning at the southwest Corner of said SE 1/4 of the SE 1/4, and thence run North 0 degrees 10 minutes 54 seconds West along the West line of said Forty for 174.08 feet to a point on the Southern ROW line of U.S. Highway No. 98, thence run North 80 degrees 08 minutes East along said southern ROW line of said Highway for 217.30 feet, thence run south 0 degrees 10 minutes 48 seconds East for 212.36 feet to a point on the south line of the aforesaid SE 1/4 of the SE 1/4, thence run North 89 degrees 43 minutes 15 seconds West along the South line of said Forty for 214.20 feet to the Point of Beginning, and comprising 0.95 acres, more or less, together with all improvements lying thereon and appurtenances thereunto belonging.

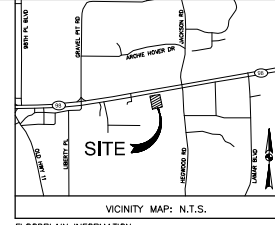
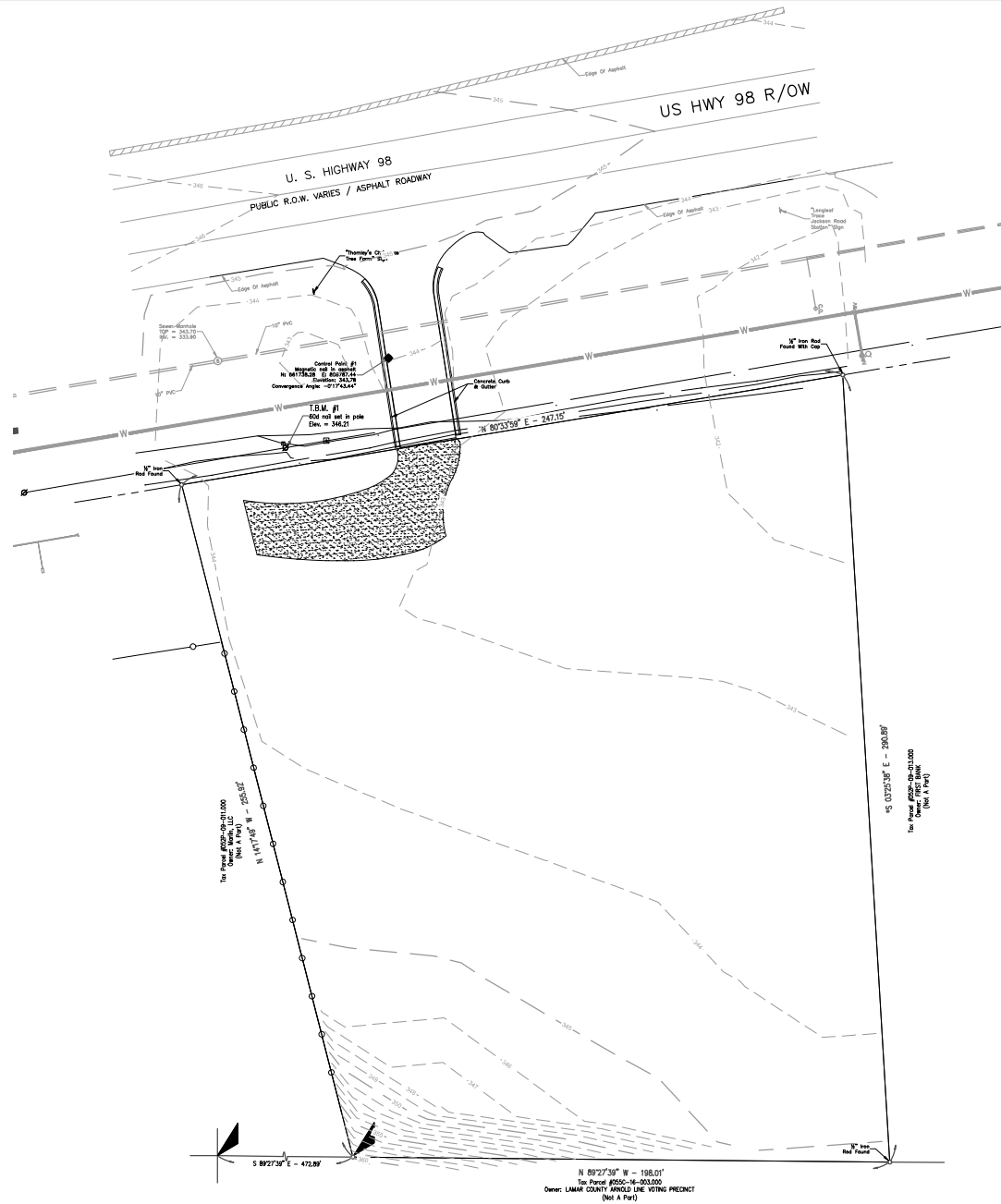
AS SURVEYED:

A parcel of land situated and being located in a portion of the Southeast Quarter of the Southeast Quarter (SE1/4 of the SE1/4) of Section 9, Township 4 North, Range 14 West, City of Hattiesburg, Lamar County, Mississippi, and being more particularly described as follows:

Commencing at the Southwest Corner of the Southeast Quarter of the Southeast Quarter (SE1/4 of the SE1/4) of Section 9, Township 4 North, Range 14 West, City of Hattiesburg, Lamar County, Mississippi; thence run South 89 degrees 27 minutes 39 seconds East along the South line of said SE1/4 of the SE1/4 of Section 9 a distance of 472.89 feet to a 1/2-inch iron rod at the POINT OF BEGINNING of the parcel herein described;

Thence run from said POINT OF BEGINNING, North 14 degrees 17 minutes 49 seconds West a distance of 255.92 feet to a 1/2-inch iron rod on the southerly margin of US Highway 98; thence run North 80 degrees 33 minutes 59 seconds East along the southerly margin of US Highway 98 a distance of 247.15 feet to a 1/2-inch iron rod with cap; thence departing the southerly margin of US Highway 98 run South 03 degrees 25 minutes 38 seconds East a distance of 290.89 feet to a 1/2-inch iron rod on the south line of said SE1/4 of the SE1/4 of Section 9; thence run North 89 degrees 27 minutes 39 seconds West along the south line of said SE1/4 of the SE1/4 of Section 9 a distance of 198.01 feet to the POINT OF BEGINNING. Said parcel contains 1.383 acres, more or less.

Y:\120035 - Halls Properties LLC\120035-01-002 (ENG) - DT - Hattiesburg, MS (US Hwy 98)\Engineering\Engineering Plans\Sheet Set\120035-01-002-DWG.dwg Dec. 16, 2024-2:42pm Terra Associates Inc., sldraw



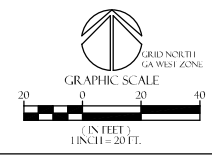
FLOODPLAIN INFORMATION:

FLOOD NOTE: THE PROPERTY HEREON IS LOCATED IN FLOOD ZONE "X" IN ACCORDANCE WITH FEMA FLOOD INSURANCE RATE MAP PANEL NUMBER 28035C00085, DATED MARCH 2, 2010. FOR CITY OF HATTIESBURG, MISSISSIPPI.

SURVEY LEGAL DESCRIPTION:

A PARCEL A LAND SITUATED AND BEING LOCATED IN A PORTION OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER (SE 1/4) OF THE SE 1/4 OF SECTION 9, TOWNSHIP 4 NORTH, RANGE 14 WEST, CITY OF HATTIESBURG, LAMAR COUNTY, MISSISSIPPI, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: 10-WIT COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTERS 1 OF THE SE 1/4 OF SECTION 9, TOWNSHIP 4 NORTH, RANGE 14 WEST, CITY OF HATTIESBURG, LAMAR COUNTY, MISSISSIPPI; THENCE RUN SOUTH 89 DEGREES 27 MINUTES 39 SECONDS EAST ALONG THE SOUTH LINE OF SAID SE 1/4 OF THE SE 1/4 OF SECTION 9 A DISTANCE OF 472.89 FEET TO A 1/2 - INCH IRON ROD AT THE POINT OF BEGINNING OF THE PARCEL HEREIN DESCRIBED; THENCE RUN FROM SAID POINT OF BEGINNING, NORTH 14 DEGREES 17 MINUTES 48 SECONDS WEST A DISTANCE OF 225.35 FEET TO A 1/2-INCH IRON ROD ON THE SOUTHERLY MARGIN OF US HIGHWAY 98; THENCE RUN NORTH 89 DEGREES 33 MINUTES 59 SECONDS EAST 247.15 FEET TO A 1/2-INCH IRON ROD WITH CAP; THENCE DEPARTING THE SOUTHERLY MARGIN OF US HIGHWAY 98 RUN SOUTH OF SECTION 9; THENCE RUN NORTH 89 DEGREES 27 MINUTES 39 SECONDS WEST ALONG THE SOUTH LINE OF SAID SE 1/4 OF THE SE 1/4 OF SECTION 9 A DISTANCE OF 198.01 FEET TO THE POINT OF BEGINNING. SAID PARCEL CONTAINS 1.383 ACRES, MORE OR LESS.

5	REVISION PER MDOT PERMIT REVIEW COMMENTS	05/01/2024
4	MINOR REVISION PER PERMIT REVIEW COMMENTS	03/28/2024
3	PERMIT REVISION SUBMITTAL	02/20/2024
2	REVISION PER CITY'S WATER REVIEW COMMENTS	12/14/2022
1	REVISION PER CITY'S REVIEW COMMENTS	11/14/2022
REVNO.	DESCRIPTION	DATE
DISCOUNT TIRE 6354 US HWY 98 HATTIESBURG, MS 39401		
SURVEY / EXISTING CONDITIONS		
BOWMAN 4174 SILVER PEAK PARKWAY SUWANEE, GEORGIA PHONE: 770-932-4550 EMAIL: jblano@bowman.com		
DRAWN BY:	RWH	SCALE:
CHECKED BY:	JAB	DATE: 12/16/2024
PROJECT No.	120035-01-002	SHEET NO.:
		C1.0



ISSUED FOR CONSTRUCTION SET: 12/18/2024

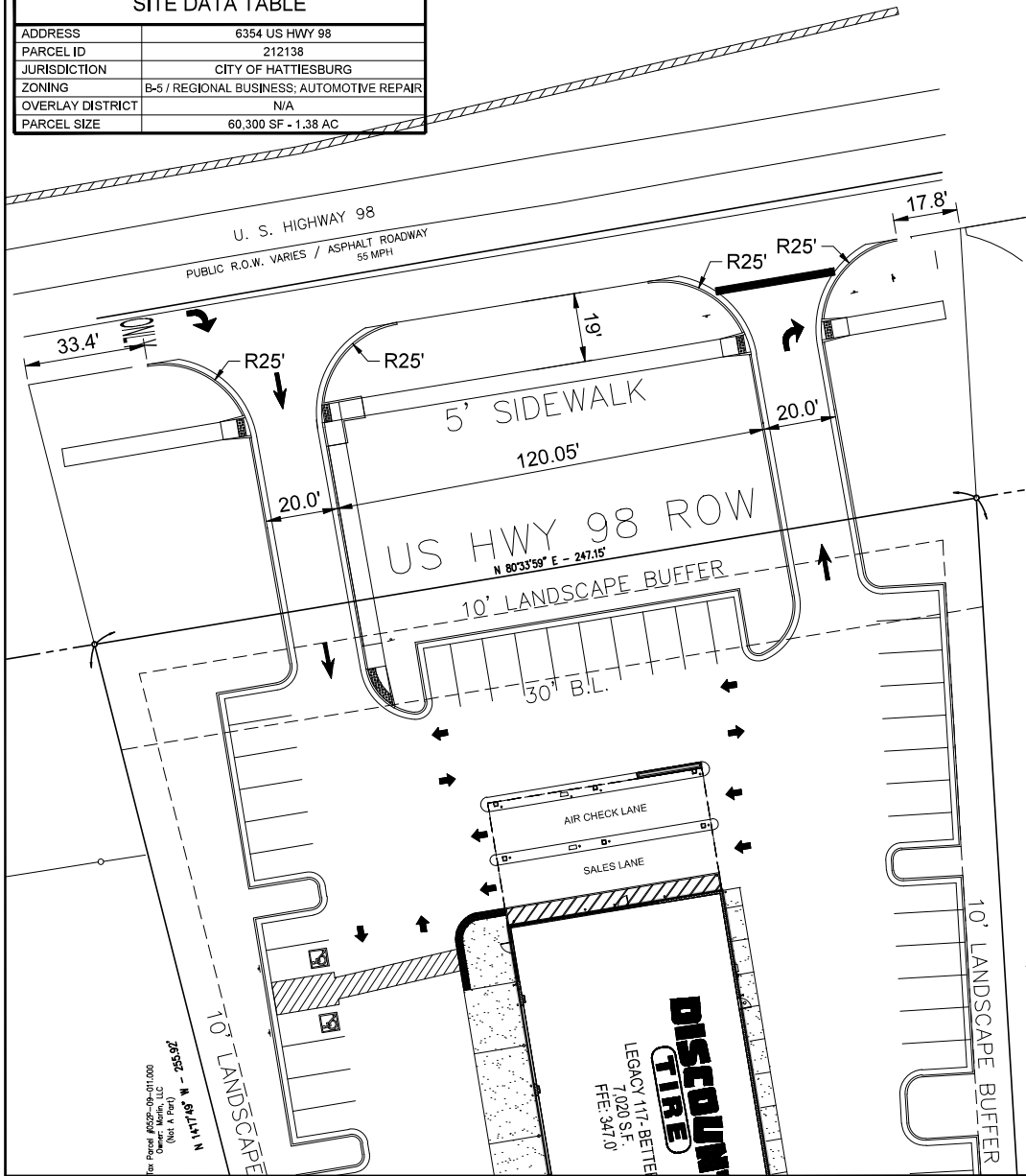
Sheet No.: 5 of 12
Permit No.: 6-24-37-98-0201

REVISIONS			
APPLICANT		MDOT	
DATE	BY	DATE	BY

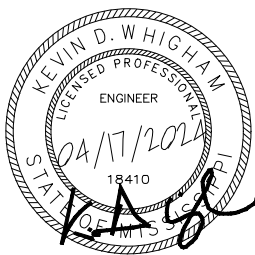


DRIVEWAY PERMIT

SITE DATA TABLE	
ADDRESS	6354 US HWY 98
PARCEL ID	212138
JURISDICTION	CITY OF HATTIESBURG
ZONING	B-5 / REGIONAL BUSINESS; AUTOMOTIVE REPAIR
OVERLAY DISTRICT	N/A
PARCEL SIZE	60,300 SF - 1.38 AC



PROJECT No. 120035-01-002 SCALE: 1"=40' DATE 12/6/2022 DRAWN BY: SAD CHECKED BY: JAB



DISCOUNT TIRE
6354 US HWY 98
HATTIESBURG, MS 39401

BOWMAN

4174 SILVER PEAK PARKWAY
SUWANEE, GEORGIA
PHONE: 770-932-6550
EMAIL: JBolano@bowman.com



Hattiesburg Board of Adjustment Planning Division

Item C - Staff Report

March 4, 2026

Quick Facts:

Applicant:

Flora McIntyre

Address:

503 Perry Street

Zoning:

R-1C Single-family Residential

Future Land Use:

Neighborhood Conservation 2

Historic District:

N/A

Overlay District(s):

N/A

Flood Zone:

X

Ward:

5

County:

Forrest

PPIN Number(s):

12378

Parcel Number(s):

2-042E-26-031.00



Property Image

Applicant's Requests:

Flora McIntyre, Property Owner, requests a variance from the A-2 requirements for the lot size of 43,560 sqft to instead allow for 19,350 sqft at a R-1C zoned property at 503 Perry Street (PPIN 12378, Ward 5, Forrest County).



Background and History

Staff met with the applicant on two occasions for pre-application meetings to discuss housing options for her property at 503 Perry Street. The applicant told staff that the existing home was over 100 years old and in poor condition, and that her aim was to demolish the existing home and place a mobile home on the lot to provide safe, adequate housing.



Property / Surrounding Area Image

Staff advised that her lot is zoned R-1C (Single Family Residential) and that mobile homes are not permitted in that zoning. Staff explained that the property would need to be rezoned to an agricultural zoning classification in order to have a mobile home, and the applicant is pursuing a zoning change to A-2 (Agricultural Residential), which allows for the

placement of mobile homes. Staff also explained that a variance would be required, as her lot was smaller than the minimum lot size of 43,560 sq ft required in an A-2 zone. The applicant is also pursuing a variance from the minimum lot size requirement for A-2 zoning, requesting that the minimum lot size be her lot at 19,350 sq ft. The rezoning request is contingent on the variance approval.

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.



Property / Surrounding Area Image

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

4.5.2 A-2 Agricultural Residential District. The purpose of the A-2 Agricultural District is to permit low density single-family residential development along with restrictive agricultural uses. This district is consistent with the Rural Residential / Agricultural District in the Comprehensive Plan. The district is intended to encourage and protect large lots, open space and low density population.

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

SECTION 6: Dimensional Standards and Measurements

District	Minimum Lot Size in SF/ Width at Setback	Max. Dwelling Units	Max. Floor Area Ratio	Setbacks in feet				Max. Height*	Max. Imper-vious 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%	-

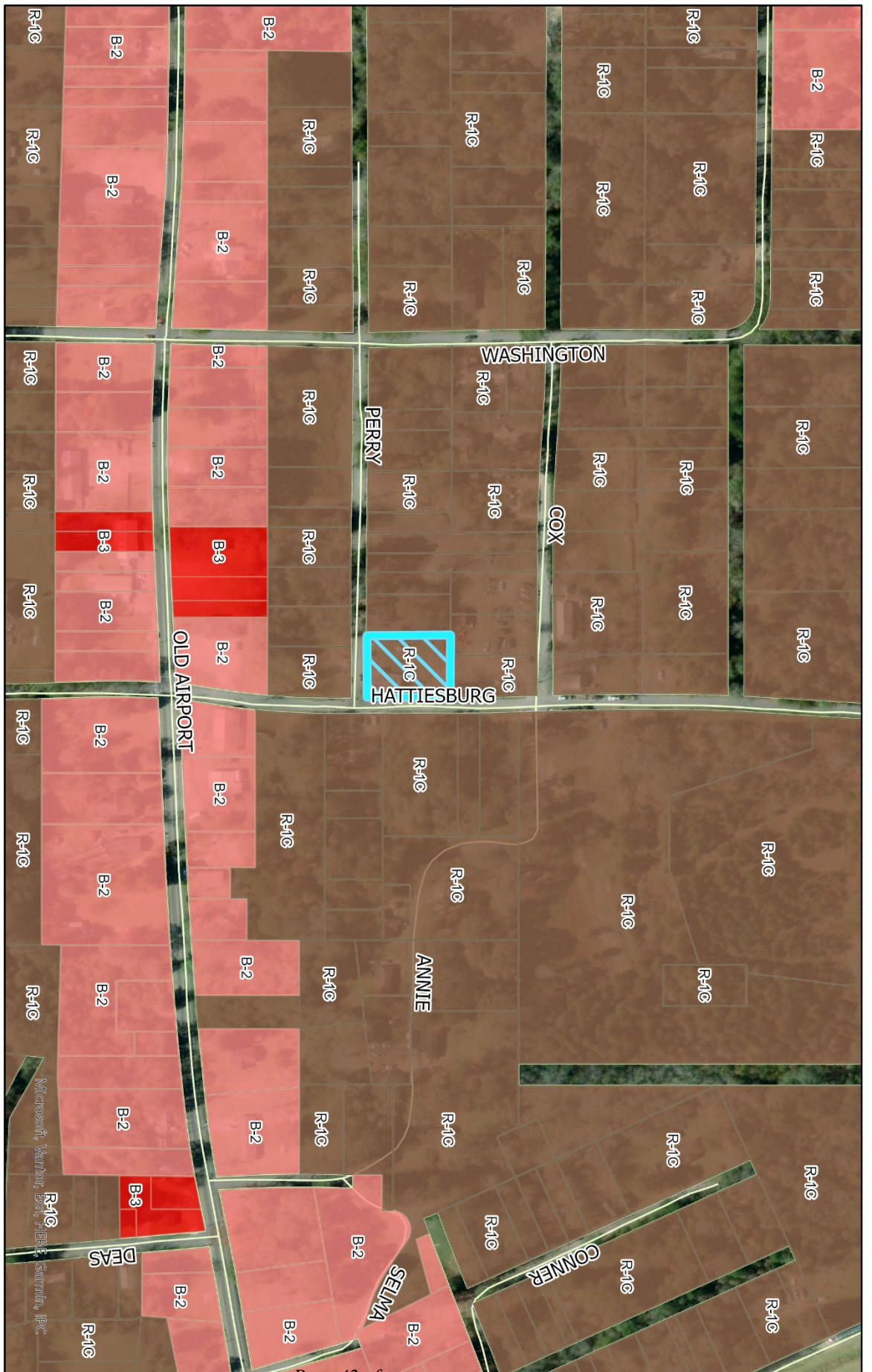
Considerations and Basis for Approval

Option:

Recommend approval or denial of a request for a variance from the A-2 requirements for the lot size of 43,560 sqft to instead allow for 19,350 sqft at a R-1C zoned property at 503 Perry Street (PPIN 12378, Ward 5, Forrest County).

Basis for Approval:

1. Hardship.
 - a. The hardship is unique to the property and is not or will not be caused by the actions or inactions of the applicant.
 - b. There are exceptional conditions creating an undue hardship applicable only to the property involved or the intended use which do not apply generally to the other land areas or uses within the same zoning district.
2. Special Privilege.
 - a. A variance shall not confer any special privilege that is denied to other lands or structures in the same zoning district.
3. Literal Interpretation.
 - a. The literal interpretation of the provisions of the regulations would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district and would cause unnecessary and undue hardship on the applicant
4. Reasonable Use.
 - a. The applicant cannot make reasonable use of the property without the requested variance.
5. Minimum Required.
 - a. The granting of a variance is the minimum variance that will make possible the reasonable use of the land or structure.
6. Conformance with the Purposes of this Code.
 - a. The granting of a variance will not conflict with the purposes and intent expressed or implied in the Land Development Code.



- Zoning Legend**
- R-1C
 - B-2
 - B-3
 - 503 Perry Street

Rezoning and Variance Request
 503 Perry Street
 PPIN: 12378
 Flood Zone: X
 Ward 5, Forrest County



URBAN DEVELOPMENT
PLANNING DIVISION
 Center: 89° 16' 17" W 31° 16' 43" 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: 2/3/2026 12:05 PM



- Future Land Use Map**
- Community Business A
 - Neighborhood Conservation District 2
 - 503 Perry Street

Rezoning and Variance Request
 503 Perry Street
 PPIN: 12378
 Flood Zone: X
 Ward 5, Forrest County

DISCLAIMER: This map is ONLY FOR REFERENCE. There is NO WARRANTY of the accuracy of data. This information CANNOT be used as a substitute for legal, business, tax or other professional advice. Map Exported on: 2/3/2026 12:07 PM



URBAN DEVELOPMENT
PLANNING DIVISION
 Center: 89°16'17"W 31°16'43"N



Surrounding Area Image- facing Perry Street



Surrounding Area Image Facing N Hattiesburg Avenue





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: Flora McIntyre Project Name: _____

Municipal Address of Site: 503 Perry St. Hattiesburg, MS 39401 PPIN #: 12378

Parcel Number(s): 2-042E-20-031.00

Type of Public Hearing	Additional Information Needed:
<input checked="" 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 checked="" type="checkbox"/> Lot Coverage Area <input type="checkbox"/> Buffer <input type="checkbox"/> Open Space <input type="checkbox"/> Other: _____
<input checked="" type="checkbox"/> Rezoning (fill out page 11)	Existing Zoning: <u>R-1-C</u> Proposed Zoning: <u>A-2</u>
<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)
- 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: Flora McIntyre

Signature: Flora McIntyre

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

503 Perry st. Hattiesburg ms 39401
Street Address City State

on this the 29th day of January, 2024.

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

Deidra Walker

on this the 29th day of January, 2024.

Flora McIntyre
Property Owner (Print)
Flora McIntyre
Property Owner (Signature)

STATE OF Mississippi
COUNTY OF Forrest.

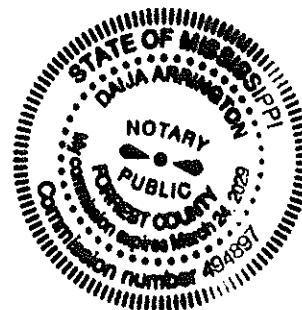
Personally came and appeared before me, the within named Flora McIntyre

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 January, 2024

Daphne Suggs
NOTARY PUBLIC

My Commission Expires:
March 24th, 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

503 Perry St. Hattiesburg, MS 39401
Street Address City State

on this the 29th 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.

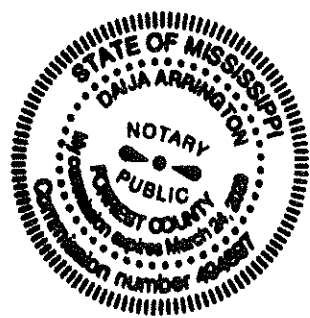
on this the _____ day of _____, 20____.
Deidra Walker
Applicant (Print)
Deidra Walker
Applicant (Signature)

STATE OF Mississippi
COUNTY OF Forrest

Personally came and appeared before me, the within named Deidra Walker, 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 January, 2026
[Signature]
NOTARY PUBLIC

My Commission Expires: March 24th, 2029



FOR VARIANCE APPLICANTS:

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

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

Approval Criteria.

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

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

~~The property~~ This hardship is due to my current property I live in this residents have decline over the years with poor installation. It has fallen apart with poor heating/AC which is no longer safe for reasonable living.

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

No I am not asking for any special privillage I am ^{only} asking to be allowed to place a small trailer 2/3 bedroom to live and ask for a safer home to live in and be safer in the area.

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

IF the rules are followed exactly I want be able to put a trailer on my property and if im not able to put trailer I want be able to Teplace that decline resident with more suitable living.

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

No without the exception the property can not be reasonable use as a residents because the existing house is unsafe there is no practical way to improve under the rules.

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

I am only requesting what is necessary to put a small trailer on my land to make it liveable and safe again.

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

Allowing this variance would support the purpose of the zoning rules and property by improving safety and living conditions and safety for everyone around the neighborhood.

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

FOR RE-ZONING APPLICANTS:

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

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

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

I have lived at the property for 50 years but the home has been there for 100 years. Over time, many homes in the neighborhood including mine, have aged and declined in condition. Allowing a small modest trailer on this property would not change the residential nature of the neighborhood. It would simply allow safe and decent housing on a lot that has been used as a home. This meets a real need for safe housing and helps prevent further decline of the property.

Forrest County
Filed/Recorded OCTOBER 1 2012 03:14:00PM
Witness my hand and seal
Jimmy C. Havard
Chancery Clerk

Prepared By: Jimmy C. Havard, Chancery Clerk Post Office Box 951 Hattiesburg, MS 39403	Indexing Instructions: Lots 32, 33 & 34 Blk 3 Washington Heights S/D	Return To: Robert E McIntyre 503 Perry St Hattiesburg, MS 39401
TAX DEED		Section 3273. Code 1930

THE STATE OF MISSISSIPPI, FORREST COUNTY

Be it known, that Delbert W. Dearman, Tax Collector of said County of Forrest,
did on the 30th day of August A.D., 2010, according to law, sell the following land,
situated in said County and assessed to Virgie M Roberson to wit:

Receipt # 36346 Parcel # 2-042E-26-031.00 PPIN# 12378
Lots 32, 33 & 34 Blk 3 Washington Heights S/D
Prev # 4550236 STR 26-04N-13W

for the taxes assessed for the year A. D., 2009, when Robert E McIntyre
became the best bidder therefore, at and for the sum of \$393 dollars and 44 cents; and
the same not having been redeemed, I,

Jimmy C. Havard, Chancery Clerk of Forrest County
Post Office Box 951
Hattiesburg, MS 39403
(601) 545-6014

therefore sell and convey said land to the said

Robert E McIntyre
503 Perry St
Hattiesburg, MS 39401
(601) 545-3022

Inst. 695994
Bk 1138 Pg 0481

Given under my hand, the 1st day of October, A.D., 2012.


Chancery Clerk

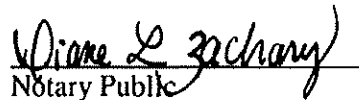
State of Mississippi
County of Forrest

Personally appeared before me the undersigned authority in and for said County and State, Jimmy C. Havard, Chancery Clerk, who acknowledged that he signed and delivered the above and foregoing instrument on the day and year therein mentioned and for the purpose therein expressed.

Given under my hand and official seal this the 1st day of
October, A.D., 2012.

My Commission Expires:




Notary Public

Inst. 695994
Bk 1138 Pg 0482

AFFIDAVIT

IN RE: Virgie Robertson
NAME
2-042E-26-031.00
PARCEL #
12378 36346
PPIN # RECEIPT #

I certify that I have made a diligent effort to locate the above named person(s) whose property is involved in

TAX SALE # _____

In the following manner:

Phone Directory: X

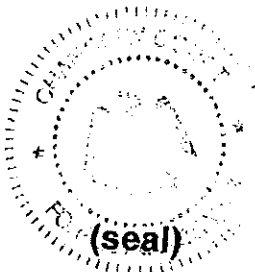
City Tax Collector: X

City Tax Directory: X

Other: _____

Jimmy C Havard, Chancery Clerk

By: Amy Shaguel
Deputy Clerk



Inst. 695994
Bk 1138 Pg 0483



Staff Present:

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

STATUS: APPLY FOR PUBLIC HEARING

Project: McIntyre House

Address: 503 Perry Street

Presented by: Flora McIntyre and Deidra

Use Designation: Single Family Dwelling

PPIN: 12378

Flood Zone: X

Historic District: N/A

Elevation Certificate Required: No

County: Forrest

Ward: 5

Construction type: New Construction

Zoning: R-1C

Estimated Cost: TBD

Project Summary:

- Applicant Summary
 - Wanting to demolish the existing house and put a mobile home in its place.
- Planning
 - Zoning of the property (R-1C) does not allow for a mobile home—an agricultural zoning is the only zoning that allows for mobile homes.
 - A zoning change request can be made—this requires a public hearing with the Hattiesburg Planning Commission
 - Planning Commission will make a recommendation to City Council, and then the City Council will make a final decision.
 - Staff recommendation to request a zoning change to A-2
 - This zoning requires at least 1 acre of land. This property does not meet this requirement—a variance can be requested for this.
 - A variance requires a public hearing with the Board of Adjustment
 - The Board of Adjustment will make a recommendation to the City Council, and then the City Council will make a final decision.
 - Only one home can be on a property at one time, so the existing house will have to be demolished before a new house can be placed.
- Building
 - A permit will be required for the demolition of the house.
- Engineering
 - If the house is being demolished, a kill service needs to be requested to protect the sewer tap.
- Fire

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.

- No comments at this meeting.

NEXT STEPS:

- Additional information
 - Staff recommendation for the applicants to talk to the councilman for Ward 5, Nick Brown, about the project.
 - Public Hearing Information:
 - April Dates:
 - Application Deadline: February 23, 2026, at 5:00 pm
 - Public Hearing Date: April 1, 2026, at 1:00 pm
 - May Dates:
 - Application Deadline: March 30, 2026, at 5:00 pm
 - Public Hearing Date: May 6, 2026, at 1:00 pm
- Permits
 - 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 checked="" type="checkbox"/> | Variance Application | <input type="checkbox"/> | Major Subdivision |
| <input checked="" type="checkbox"/> | Rezone Application | <input type="checkbox"/> | Minor Subdivision |
| <input type="checkbox"/> | Certificate of Appropriateness (Historic) | <input type="checkbox"/> | Building Permit Application |
| <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.