

## Planning Commission Agenda

Jackie Dole Sherrill Community Center (Dining Room)

Time: 1:00 PM

6/3/2026

### **I. Business Meeting**

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

### **II. Public Hearing**

1. Presentation of Petitions for Public Hearing
  - A. Mississippi Children's Home Society, Applicant, requests to alter a platted subdivision known as "Fortieth Place Subdivision- Phase 1" for a property located at 121 Lundy Lane (PPIN 20977, Lamar County, Ward 3).
  - B. Conditional Use Request - Tomeka Matthews, Applicant, requests a conditional use approval for a "group care home" for a property located at 910 Tipton Street (PPIN 22017, Forrest County, Ward 2).
  - C. Rezoning Request - Leonard Moody, Property Owner/Representative, and Aftan Moody, Applicant, request a zoning change from R-1C to A-2 for a property located at 321 North Hattiesburg Avenue (PPIN 12337, Forrest County, Ward 5).
  - D. Rezoning Request - Felicia McIntyre, Applicant/Property Owner, requests a zoning change from R-1C to A-2 for a property located on N Hattiesburg Avenue (PPIN 47150, Forrest County, Ward 5).
  - E. Subdivision Request - Leonard Moody and Felicia McIntyre (Applicants/Property Owners) request to alter a subdivision known as the "Toomer Subdivision" and for approval of a preliminary plat for a property located at 321 North Hattiesburg Avenue (PPINS 12337 and 47150, Forrest County, Ward 5).
  - F. Hong Her, Applicant, requests to close an alley located to the west of an MX-3 zoned property located at 203 S 29th Avenue (PPIN 20799, Ward 3, Forrest County).
  - G. Hong Her, Applicant, requests to alter a platted subdivision known as the "Avenue of Pines for an MX-3 zoned property located at 203 S 29th Avenue (PPIN 20799 & 20802, Ward 3, Forrest County).
  - H. Alvin Watson, Applicant, requests a conditional use approval for "Dwelling, Multi-Family" for a B-2 zoned property located at 241 Short Columbia Street (PPIN

23928, Forrest County, Ward 2)

**III. Other Business**

**IV. Adjournment**

**MINUTES OF THE  
REGULAR MEETING OF THE  
HATTIESBURG PLANNING COMMISSION  
May 6<sup>th</sup>, 2026**

**Board Members Roll Call:**

Members Present:

1. Charles Dawe
2. Amy Hinton, Chair
3. Caroline Ingram
4. Elayne Lockett
5. Lee Anne Venable (departed at 3:00pm)
6. Rebekah Ray, Secretary
7. Michael Dickerson
8. Edward Hargrove (departed at 3:00pm)
9. Rhoda Pickett, Vice Chair

Members Absent

1. Richard Conville

**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
6. Kevin Bates, Building Official

Amy Hinton, Chair, declared the Hattiesburg Planning Commission meeting open and in session at 1:00pm.

**AGENDA REVIEW**

The May 2026 agenda was reviewed.

**Motion:**

Rebekah Ray motioned to accept the amended agenda.

**Second:**

Lee Anne Venable.

**Vote:**

<b>Board Member</b>	<b>Yea</b>	<b>Nay</b>	<b>Other</b>
Richard Conville			ABSENT
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		

**MINUTES REVIEW**

The minutes from the April 2026 meeting were reviewed.

**Motion:**

Caroline Ingram motioned to approve the April 2026 meeting minutes.

**Second:**

Rhoda Pickett.

**Vote:**

<b>Board Member</b>	<b>Yea</b>	<b>Nay</b>	<b>Other</b>
Richard Conville			ABSENT
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		

**BUSINESS MEETING**

1. Building Report:
  - a. The building official reported on building permits from April.
2. Planning Report:

- a. The planning team reported on last month’s cases, updates for the new comprehensive plan public engagement, and the need for a meeting next Wednesday.
- 3. Chair’s Report:
  - a. No report.

**INTRODUCTIONS**

Commissioners and staff introduced themselves.

**PUBLIC HEARING – Planning Commission**

**Item A:**

Subdivision Request- Alan Howe, Applicant, requests to alter a platted subdivision known as the “Country Club Lake Estates, 1st Addition” for a property located at 52 Fair Lake Drive (PPIN 9823, Ward 1, Forrest County).

**Discussion and Vote :**

The planning staff introduced the case.

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

**Motion:**

Lee Anne Venable motioned to table the request to next month.

**Second:**

Elayne Lockett.

**Vote:**

<b>Board Member</b>	<b>Yea</b>	<b>Nay</b>	<b>Other</b>
Richard Conville			ABSENT
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		

**Item B**

Street/Alley Closure - The Housing Authority for the City of Hattiesburg/Judy Mellard, Applicants, request to close a portion of Kemper Street between Briarfield Street and E 2nd Street and a portion of E 3rd Street between Ryan Street and Gordon Street (Ward 2, Forrest County).

**Discussion and Vote :**

The planning staff introduced the case.

- **Presented by:**
  - Jesse Sweigart
  - Judy Mellard
- **Proponents:**
  - None
- **Opponents:**
  - Louis Gagnet
- **General Comments:**
  - Quimby Chunn

**Motion:**

Edward Hargrove motioned to recommend approval of the request.

**Second:**

Caroline Ingram.

**Vote:**

Board Member	Yea	Nay	Other
Richard Conville			ABSENT
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		

**Item C:**

Subdivision Request - Housing Authority of the City of Hattiesburg/Judy Mellard, Applicants, requests to alter a platted subdivision known as the Hardy and Scott Survey of the City of Hattiesburg Subdivision and request approval for a preliminary plat (Ward 2, Forrest County).

**Discussion and Vote :**

The planning staff introduced the case.

- **Presented by:**
  - Jesse Sweigart

- Judy Mellard
- **Proponents:**
  - None
- **Opponents:**
  - Louis Gagnet
- **General Comments:**
  - Quimby Chunn

**Motion:**

Edward Hargrove motioned to recommend approval of the request.

**Second:**

Caroline Ingram.

**Vote:**

Board Member	Yea	Nay	Other
Richard Conville			ABSENT
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		

**Item D:**

Historic Flood Variance Request - Beau Roberts, Applicant, requests a variance from Article 6, Section E of the Flood Ordinance, which states that qualifying historic structures may apply for a flood variance from the requirement to elevate or flood-proof the structure, for a structure at 213 Main Street (PPIN 18526, Forrest County, Ward 4).

**Discussion and Vote :**

The planning staff introduced the case.

- **Presented by:**
  - Lori Brechtel
- **Proponents:**
  - None
- **Opponents:**
  - None

**Motion:**

Caroline Ingram motioned to talbe the request untilt he applicant provides engineering proof that the building cannot be flood proofed.

**\*\*The motion died without a second\*\***

**Motion:**

Edward Hargrove motioned to recommend approval of the request.

**Second:**

Michael Dickerson.

**Vote:**

<b>Board Member</b>	<b>Yea</b>	<b>Nay</b>	<b>Other</b>
Richard Conville			ABSENT
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		

**Item E:**

Conditional Use Request - Pedesco, Inc/Perry Doleac, Property Owner/Applicant, requests a conditional use approval for dustless gravel for outdoor equipment storage (LDC 7.12.10.4) for a property located at 1725 Byron Street (PPIN 23329, Forrest County, Ward 5)

**Discussion and Vote :**

The planning staff introduced the case.

- **Presented by:**
  - Perry Doleac
- **Proponents:**
  - None
- **Opponents:**
  - None

**Motion:**

Rhoda Pickett motioned to approve the request with the added condition to require R-3 Zoning Buffer Requirements for landscaping around the property (LDC Table 7.11.13).

**Second:**

Charles Dawe.

**Vote:**

<b>Board Member</b>	<b>Yea</b>	<b>Nay</b>	<b>Other</b>
Richard Conville			ABSENT
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		

**Item F:**

Conditional Use Request - Johnnie Williams, Property Owner/Applicant, requests a conditional use approval for automotive sales and rentals for a property located at 1601 Corinne Street (PPIN 17592, Forrest County, Ward 4).

**Discussion and Vote :**

The planning staff introduced the case.

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

**Motion:**

Charles Dawe motioned to approve the request with the added conditions to require R-3 Zoning Buffer Requirements for landscaping around the property (LDC Table 7.11.13), that the inoperable vehicles be removed within 2 months, and that the approval of their PTL be contingent upon meeting all these conditions.

**Second:**

Elayne Lockett.

**Vote:**

<b>Board Member</b>	<b>Yea</b>	<b>Nay</b>	<b>Other</b>
Richard Conville			ABSENT
Charles Dawe	X		
Michael Dickerson	X		
Edward Hargrove	X		
Amy Hinton	X		

Caroline Ingram			ABSTAIN
Elayne Lockett	X		
Rhoda Pickett	X		
Rebekah Ray	X		
Lee Anne Venable	X		

**\*\* Lee Anne Venable and Edward Hargrove departed the meeting following the vote on Item F. \*\***

**Item G:**

Rezoning Request - Nate Reynolds, Property Owner/Applicant, requests a zoning change from A-1 to A-2 for a property located at 18 Classic Drive (PPIN 9514, Forrest County, Ward 1).

**Discussion and Vote :**

The planning staff introduced the case.

- **Presented by:**
  - Ethan Hartfield
- **Proponents:**
  - None
- **Opponents:**
  - None
- **General Comments:**
  - Waylon Blakney
  - Chris Bowen

**Motion:**

Rhoda Pickett motioned to recommend approval of the request.

**Second:**

Elayne Lockett.

**Vote:**

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

**Item H:**

Subdivision Request - Nate Reynolds, Property Owner/Applicant, requests approval of a preliminary plat for a major subdivision for a property located at 18 Classic Drive (PPIN 9514, Forrest County, Ward 1).

**Discussion and Vote :**

The planning staff introduced the case.

- **Presented by:**
  - Ethan Hartfield
- **Proponents:**
  - None
- **Opponents:**
  - None
- **General Comments:**
  - Waylon Blakney
  - Chris Bowen

**Motion:**

Caroline Ingram motioned to recommend approval of the request.

**Second:**

Rhoda Pickett.

**Vote:**

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

***\*\*Rhoda Pickett motioned to recess the meeting until Wednesday May 13<sup>th</sup>, 2026 at 1:30pm. The motion was seconded by Amy Hinton. All present voted in favor of the motion.\*\****

***\*\*There was no meeting held May 13<sup>th</sup> due to lack of quorum. Items moved to the regular meeting in June\*\****

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Rebekah Ray, Secretary

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Cory Long, AICP, Planning Division Manager



# Hattiesburg Planning Commission Planning Division

## Item A - Staff Report

June 3<sup>rd</sup>, 2026

**Quick Facts:**

**Applicant:**

Mississippi Children’s Home Society

**Address:**

121 Lundy Lane

**Zoning:**

B-3 (Community 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):**

20977

**Parcel Number(s):**

051J-12-011.000



*Property Area Image*

**Applicant’s Request:**

Mississippi Children’s Home Society, Applicant, requests to alter a platted subdivision known as “Fortieth Place Subdivision- Phase 1” for a property located at 121 Lundy Lane (PPIN 20977, Lamar County, Ward 3).

# Background and History

The applicant met with staff at a pre-application meeting in the Spring of 2026 to discuss the recent purchase of property to the South of the existing Canopy School site. They explained that their intention was to turn the newly acquired property into a playground area. Staff explained that the division of land in the sale was only a portion of an existing lot, that it altered a platted subdivision, and that the alteration would need to be approved by the City Council. The proposed alteration of the subdivision is a division of Lot 3 to create a 0.306-acre lot with 13,322ft<sup>2</sup>, adjacent to the school's property. The applicant's intention is to extend the Canopy School property into a portion of the adjacent parcel to install an outdoor playground for the school.



*Property Area Image*

This request is being processed as a plat alteration/replat pursuant to Miss. Code Ann. § 17-1-23 and the City's subdivision regulations. If approved, the revised plat will apply to the lot(s) included in the request and will be recorded in the Office of the Chancery Clerk. Recording of the amended plat is required before the altered lot configuration can be recognized for purposes of future conveyance, permitting, or development. Approval of the replat does not waive or replace any other applicable requirements of the Land Development Code, building and fire codes, or utility and access standards, and any existing easements or rights-of-way must be addressed and shown as required in the final plat.

## **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 4: Zoning Districts Established

### 4.5.10 B-3 Community Business District.

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

## 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. Imperious Surface Lot Coverage	Buffer in Feet
				Min. Front	Max. Front	Min. Side	Min. Rear			
B-1	0/100	-	.75	20	25	0 or 15	0	35 feet or 3 stories	80%	20
B-2	4,000/ 100	-	0.75	0	10	0 or 10	0	35 feet or 3 stories	80%	20
B-3	No minimum/ 100	-	1.00	0	30	0 or 10	0	40 feet or 3 stories	80%	30
B-4	No minimum/ none	-	No limit	0	10	0	0	135 feet or 10 stories	100%	40
B-5	No minimum/ 100	-	1.50	30	150	0 or 10	0	72 feet or 6 stories	90%	50

## SECTION 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



*Surrounding Area Image*

**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



*Surrounding Area Image*

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.

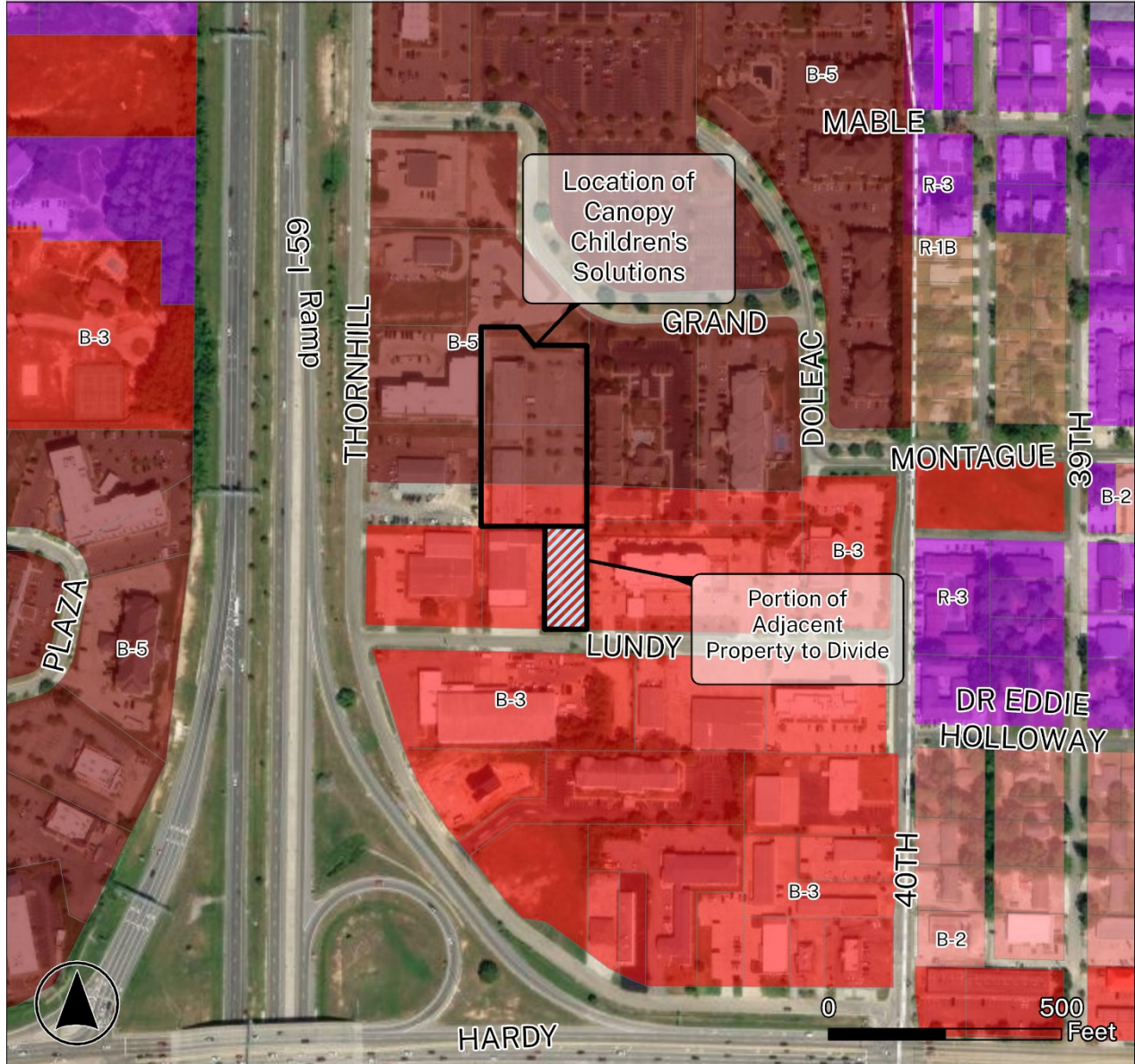
# Considerations and Basis for Approval

## Applicant's Requests:

Recommend approval or denial to alter a platted subdivision known as “Fortieth Place Subdivision-Phase 1” for a property located at 121 Lundy Lane (PPIN 20977, Lamar County, Ward 3).

# Plat Alteration of a Subdivision

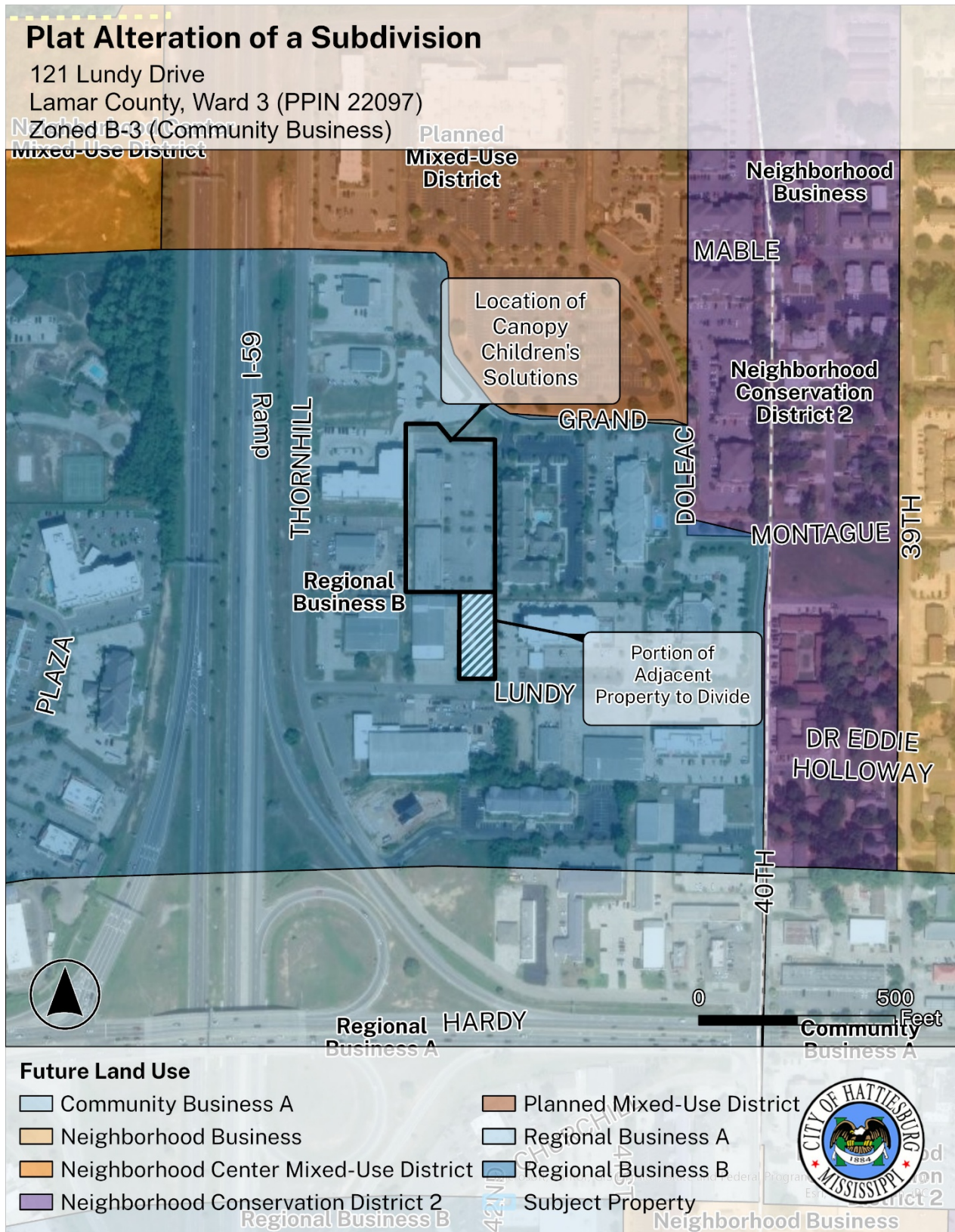
121 Lundy Drive  
Lamar County, Ward 3 (PPIN 22097)  
Zoned B-3 (Community Business)



## Zoning Districts

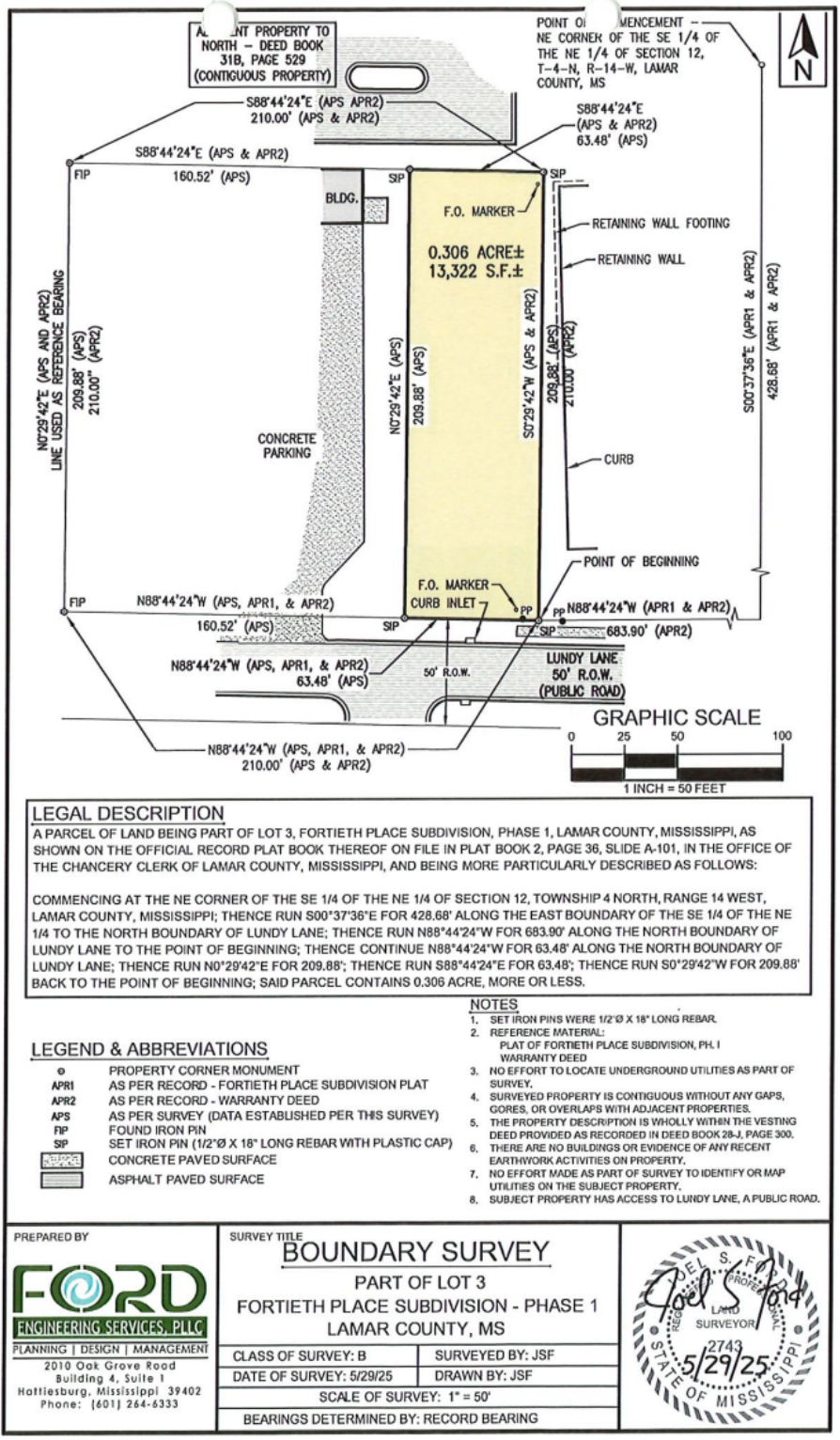
- R-1B
- R-2
- R-3
- B-2
- B-3
- B-5
- Subject Property





### Proposed Alteration of Plat (To Divide Lot 3 into two lots)

Attachment: H







# 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](http://hattiesburgms.com/planning) for Land Development Code and GIS map. Access via link or QR code



## Applicant Information

Name Applicant: MS Children's Home Society (dba Canopy) Project Name: Canopy - CARES School and Clinic

Municipal Address of Site: 124 Grand Drive, Hattiesburg MS 39401 PPIN #: 20977

Parcel Number(s): 051J-12-011.000

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: <u>B-3</u>	Historic District: <u>NO</u>	Flood Zone: <u>NO</u>	Ward: <input type="checkbox"/> 1 <input type="checkbox"/> 2 <input checked="" type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5	
Project Number: <u>SUBD - 04-26 - 0033</u>		Received: 		
PPIN # or Parcel #: <u>20977</u>				



## 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: 3/30/2026

Hattiesburg Planning Commission Meeting Date: 2/26/2026

Hattiesburg Board of Adjustment Meeting Date: 5/6/2026

City Council Agenda Review Date – (you or your representative should attend): 5/18/2026

City Council Meeting (Vote) Date – (you or your representative may attend): 5/19/2026

- 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 5/29/2026 and a 30-day wait period for Zoning or Street closing/re-naming, PMUs, PRDs, PUDs which ends N/A.
- 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](mailto:planning@hattiesburgms.com)
- An affidavit (pages 3 & 4) attesting that the applicant or representing party (if other than the owner) is acting on behalf of the owner(s) of record. The affidavit must be sworn to before a notary public or other appropriate official. (Included in owners signature page, or may be a separate document).
- Variance application only:** A letter of approval/denial from all adjoining property owners must be obtained and submitted with 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 \$ \_\_\_\_\_

Updated Version 05/22/25



### Application for Site Plan Review

City of Hattiesburg – Planning Division

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

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

Public Hearing Fees	
Public Hearing Type	Fees Associated
<b>Variance</b> Variance applications include one Concept Site Plan Review and one Variance request	\$175.00 per application. \$50.00 for each additional variance.
<b>Street / Alley Naming or Re-Naming</b>	\$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.)
<b>Street / Alley Closing</b>	\$300.00 per application.
<b>Conditional Use</b>	\$200.00 per application.
<b>Zoning Change</b>	\$400.00 per application. *see PUD or PRD & zoning package rate)
<b>Planned Unit Development (PUD) or Planned Residential Development (PRD) with zoning change package</b>	\$600.00 per package.
<b>Subdivision of Land (Preliminary Plats)</b> 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)
<b>Planned Unit Development (PUD) or Planned Residential Development with Subdivision of Land Package**</b>	\$500.00 per application. \$10.00 per each additional created lot (** see PUD or PRD & Subdivision of Land package rate)
<b>Change in Land Development Code Text</b>	\$200.00 per application.
<b>Appeal Fees for Proponent or Opponent appeals to City Council</b> *Exempt from fees – Established Neighborhood Association*	\$50.00 per appeal.
<b>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</b>	\$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 D. Damon, Ph.D., CEO

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

A Part of Lot 3 off Lundy Lane, Phase I, Hattiesburg, Mississippi \_\_\_\_\_, Street Address  
City State

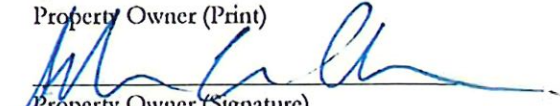
on this the 26th day of March, 2026.

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.

Canopy Children's Solutions and/or Rebecca Hamilton, Canopy Counsel

on this the 26th day of March, 2026.

JW Chain Investments, LLC  
Property Owner (Print)

  
Property Owner (Signature)  
John W. Chain, Owner

STATE OF Mississippi

COUNTY OF Lamar

Personally came and appeared before me, the within named  
JW Chain Investments, LLC by and through John W. Chain, its Owner,  
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 26th day of  
March, 2026.

  
NOTARY PUBLIC



*MY Commission EXPIRES : 1/1/2027*

**OWNER AFFIDAVIT PAGE**

THIS PAGE MUST BE SIGNED IN FRONT OF A NOTARY, BY THE OWNER(S) OF THE SUBJECT PROPERTY

WITNESS THE SIGNATURES of the OWNER(s) of the subject property located at

at or around 124 Grand Drive / Lundy Lane Hattiesburg, MS  
Street Address City State

on this the 27<sup>th</sup> day of March, 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.

Rebecca Hamilton, Esq. / Allison Rooker / Paula DeYoung  
on this the 27<sup>th</sup> day of March, 2026

John D. Damon, Ph.D., CEO  
Property Owner (Print)

[Signature]  
Property Owner (Signature)

STATE OF MS

COUNTY OF Hinds

Personally came and appeared before me, the within named

MS Children's Home Society, d.b.a., Canopy Children's Solutions by and through its CEO John D. Damon, PhD

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

GIVEN UNDER MY HAND AND OFFICIAL SEAL OF OFFICE, this the 27<sup>th</sup> day of March, 2026.

[Signature]  
NOTARY PUBLIC

My Commission Expires:

Jan. 20, 2030



**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

at or around 124 Grand Drive / Lundy Lane Hattiesburg, MS  
Street Address City State

on this the 27<sup>th</sup> day of March, 2026.

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

Rebecca Hamilton, Esq. / Allison Rooker / Paula DeYoung

on this the 27<sup>th</sup> day of March, 2026.

John D. Damon, Ph.D., CEO

Applicant (Print)

[Signature]  
Applicant (Signature)

STATE OF MS

COUNTY OF Hinds

Personally came and appeared before me, the within named MS Children's Home Society, d.b.a., Canopy Children's Solutions by and through its CEO John D. Damon, PhD who signed and delivered the above and foregoing instrument as and for their free act and deed on the day and year therein mentioned, and who acknowledge to me that they are the owner(s) of the subject property as described in this Public Hearing Application.

GIVEN UNDER MY HAND AND OFFICIAL SEAL OF OFFICE, this the 27<sup>th</sup> day of March, 2026.



Lori Wartes  
NOTARY PUBLIC

My Commission Expires:  
Jan. 20, 2026

**FOR SUBDIVIDING OF LOT, PARCEL OR TRACT**

**Property Data**

- Parent Parcel / Existing lot/parcel/tract contains: 4.94 Lot 3 of Forieth Place Subdivision Square Footage/Acres
- Lot Area Requirement:
- Lot Frontage Requirement:
- Existing use of lot/parcel/tract: vacant; to be developed as playground for adjacent CARES School
- To be subdivided into two 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 or private road(s)	<b>STAFF ONLY</b> Lot area & frontage requirements comply?
1.	4.63 (A)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Lundy Lane	<input type="checkbox"/> Yes <input type="checkbox"/> No
2.	.036 (A)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Lundy Lane	<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
<b><u>Be sure to include information on the remainder of "existing" lot after splits made -- identify as "Parent Parcel"</u></b>					
<b><u>Parent Parcel</u></b>	4.634	Y	Y	Lundy Lane	
<b><u>Total square footage of new lots (verify total matches existing parcel prior to splits)</u></b>					

**Infrastructure required: (Check all that apply)**

- Water/Sewer    Gas    Electric    Telephone    Cable    Streets

NAME OF RECORDED SUBDIVISION TO BE ALTERED:

---

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

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

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

I have also submitted the following with this application:

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

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

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

Signature \_\_\_\_\_



Date \_\_\_\_\_

3/27/26

**Attachment: G-2**

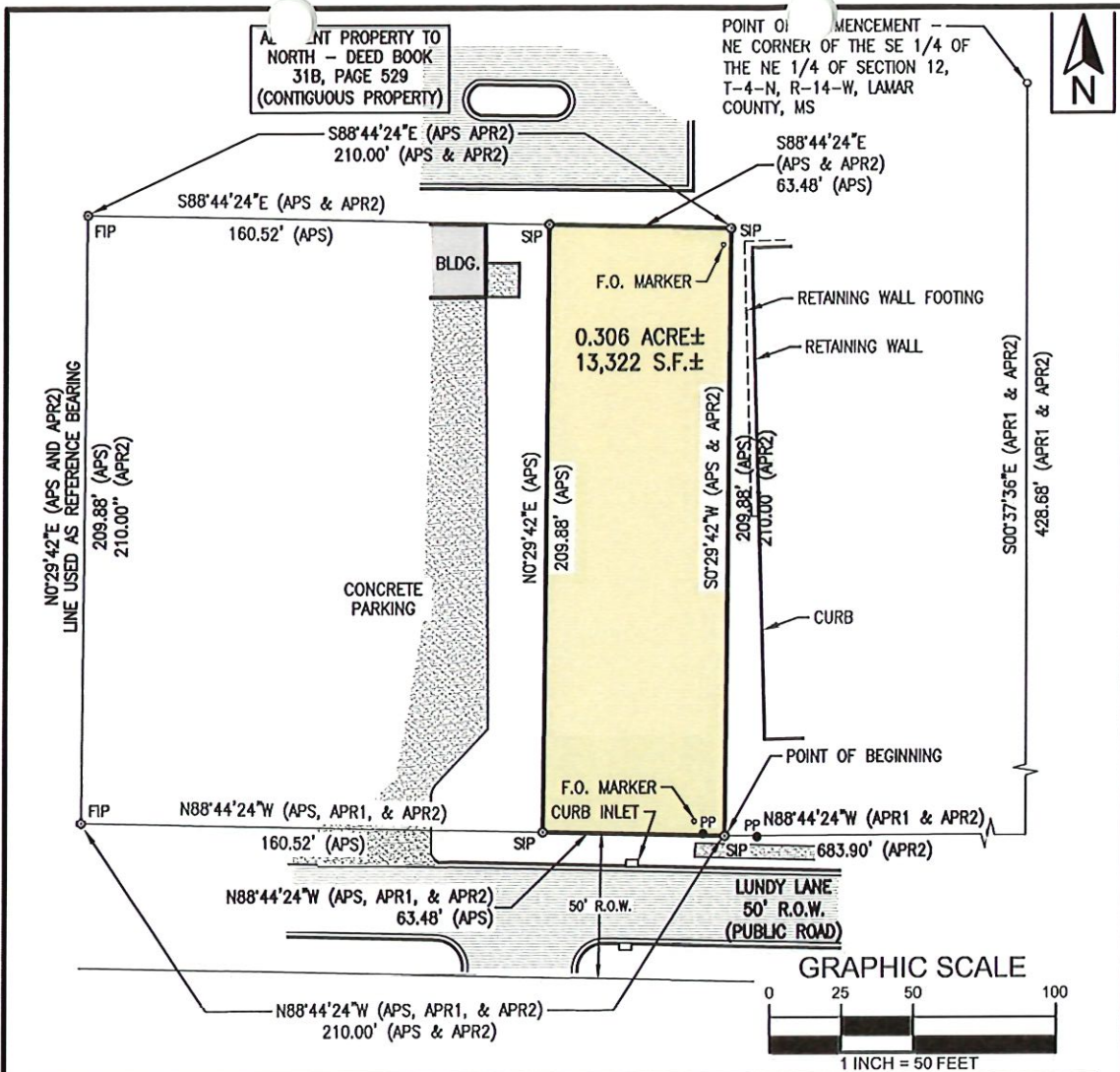
**Identification of Persons Adversely Affected or Directly Interested in Proposed Subdivision Alteration**

Name of Subdivision being altered:  
Fortleth Place Subdivision

Address and PPIN of alteration in subdivision:  
121 Lundy Lane Hattiesburg, MS 39402; PPIN #20977

Approve of Proposed  
 Alteration (Yes or  
 No)

	Name	Address	Phone Number	Yes	No	Signature
1	JW Chain Investments, LLC	121 Lundy Lane Hattiesburg, MS 39402	601-476-1101			see exhibit C (affidavit of JW Chain)
2						
3						
4						
5						
6						
7						
8						
9						
10						
11						
12						
13						
14						
15						
16						
17						
18						
19						



**LEGAL DESCRIPTION**

A PARCEL OF LAND BEING PART OF LOT 3, FORTIETH PLACE SUBDIVISION, PHASE 1, LAMAR COUNTY, MISSISSIPPI, AS SHOWN ON THE OFFICIAL RECORD PLAT BOOK THEREOF ON FILE IN PLAT BOOK 2, PAGE 36, SLIDE A-101, IN THE OFFICE OF THE CHANCERY CLERK OF LAMAR COUNTY, MISSISSIPPI, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NE CORNER OF THE SE 1/4 OF THE NE 1/4 OF SECTION 12, TOWNSHIP 4 NORTH, RANGE 14 WEST, LAMAR COUNTY, MISSISSIPPI; THENCE RUN S00°37'36\"/>

**LEGEND & ABBREVIATIONS**

- PROPERTY CORNER MONUMENT
- APR1 AS PER RECORD - FORTIETH PLACE SUBDIVISION PLAT
- APR2 AS PER RECORD - WARRANTY DEED
- APS AS PER SURVEY (DATA ESTABLISHED PER THIS SURVEY)
- FIP FOUND IRON PIN
- SIP SET IRON PIN (1/2\"/>

**NOTES**

1. SET IRON PINS WERE 1/2\"/>

PREPARED BY



PLANNING | DESIGN | MANAGEMENT  
 2010 Oak Grove Road  
 Building 4, Suite 1  
 Hattiesburg, Mississippi 39402  
 Phone: (601) 264-6333

SURVEY TITLE

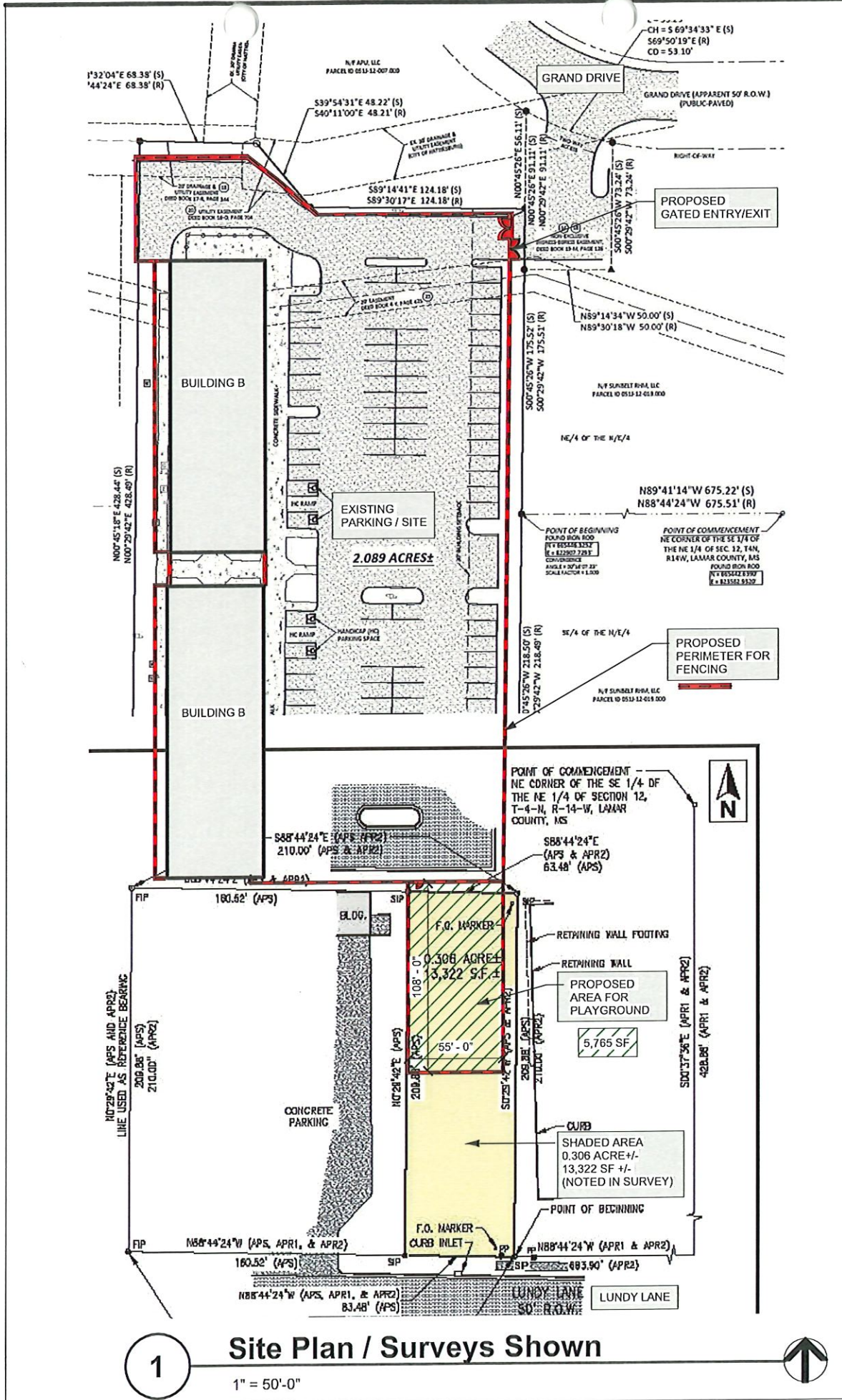
**BOUNDARY SURVEY**

PART OF LOT 3  
 FORTIETH PLACE SUBDIVISION - PHASE 1  
 LAMAR COUNTY, MS

CLASS OF SURVEY: B	SURVEYED BY: JSF
DATE OF SURVEY: 5/29/25	DRAWN BY: JSF
SCALE OF SURVEY: 1" = 50'	
BEARINGS DETERMINED BY: RECORD BEARING	







A125

CARES SCHOOL HATTIESBURG  
CANOPY CHILDRENS SOLUTIONS  
1400 23RD

PENNI COOPER INTERIOR DESIGN, LLC



**URBAN DEVELOPMENT PLANNING DIVISION**

**PRE-APPLICATION MEETING SUMMARY NOTES**

Meeting Date: Thursday, February 26, 2026

Pre-App Number: PRE-0226-1113

**Staff Present:** Nathan Satcher (Senior Planner), Jerald Little (Engineering Technician), Noah Gower (Engineering Technician), Shawn Whitaker (Fire Department), Daija Arrington (Planning Office Manager),

**Project:** Canopy Addition

**Address:** 124 Grand Dr.

**Presented by:** Rebecca Hamilton, Paula DeYoung, Allison Rooker

**Project Type:** Addition

**PPIN:** 29283, 8064, 20275, 20977

**Flood Zone:**X

**Historic District:** N/A

**Elevation Certificate Required:** No

**County:** Forrest

**Ward:** 3

**Estimated Cost:** TBD

**Zoning:** B-5

**Designated Use:** School K-12

**PROJECT SUMMARY:**

**Applicant Summary:**

- Proposed addition of fencing around the property and expansion of a play area to the property adjacent to the south that was purchased (portion of a lot in a platted subdivision).
- Planning
  - Property that was acquired and divided from the adjacent property owner was not addressed properly through the subdivision process
    - Is considered an alteration of a subdivision plat as only a portion of a lot was purchased and transferred.
      - Is in the “Fortieth Place Subdivision.”
      - Subdivision/Plat alterations must follow both state and local regulations
        - State law provides two methods via § 19-27-31 & § 17-1-23
          - § 17-1-23 is the easiest method through the public hearing process with the City of Hattiesburg, facilitated through our planning commission in a public hearing
          - Planning Commission would make a recommendation, and the item is then forwarded to the City Council for final approval
        - The survey originally completed for the transfer can be used for the initial application to show the proposed change. Once approved, the subdivision plat could then be created and filed, reflecting the new property boundaries.
    - Fencing around the property, as proposed, would be OK, as the property does not have any direct street frontage access.
      - Max height 8 ft; 6 ft recommended. The proposed fence design (black aluminum fence panels) will also meet code.
  - Building

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

## Attachment: I-5

- No Comment
- Engineering
  - Drainage easement located on the NW portion of the property may need to be avoided. If work needs to be done, the fence would be removed if placed over the easement at the owner's expense.
  - Ensure adequate stacking space at front gates for vehicles. Be mindful of gate swing direction to not be in conflict with oncoming/outgoing traffic.
- Fire
  - Knox Box for fire department access attached to the fence.
- NEXT STEPS:
  - Submit for public hearing for Plat Alteration
    - Application deadline of March 30<sup>th</sup> for a May 6<sup>th</sup> public hearing
    - Additional form for plat alteration to be submitted as well with the public hearing application.
  - Once approved by the city council, the updated plat will need to be filed
    - Can be addressed in site plan review as a minor subdivision.
    - Staff to include a sample of one that has been done previously as an example.

### APPLICATIONS REQUIRED:

- |  |   |
|--|---|
| <input checked="" 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 type="checkbox"/> Major Subdivision            |
| <input type="checkbox"/> Rezone Application                                    | <input checked="" 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.*

300

FILED CHC '20 JUL 21  
JAMES AULTRAN #1:22

**Prepared By**

Name: Appliance Parts Company, Inc.  
Address: 6761 E. 10 Mile Rd.  
Center Line  
State: Michigan Zip Code: 48015  
Phone: (248) 720-0290

**After Recording Return To**

Name: John W. Polderman  
Address: 37000 Woodward Avenue, Ste 250  
Bloomfield Hills  
State: Michigan Zip Code: 48304  
Phone: (248) 720-0290

Index this Instrument as follows: A PART OF LOT 3, FORTIETH PLACE SUBDIVISION, PHASE I, LAMAR COUNTY, MISSISSIPPI, AS SHOWN ON THE OFFICIAL RECORD PLAT THEREOF ON FILE IN PLAT BOOK 2, PAGE 36, SLIDE A-101, IN THE OFFICE OF THE CHANCERY CLERK OF LAMAR COUNTY, MISSISSIPPI

**WARRANTY DEED**  
Under Miss. Code Ann. § 89-1-33

This WARRANTY DEED, executed this 29 day of June, 2020, by the GRANTOR,

Appliance Parts Company, Inc. successor by merger to Appliance Parts Company, Inc of Hattiesburg, a Mississippi corporation  
6761 E. 10 Mile Rd.  
Center Line, Michigan 48015  
Phone: (248) 720-0290

To the GRANTEE,  
JW Chain Investments LLC, a Mississippi limited liability company  
32 Millbranch, Ste 20  
Hattiesburg, MS 39402  
Phone: (601) 334-7125

301

WITNESSETH, that for and in consideration of \$420,006.22  
Four Hundred and Twenty Thousand and Six Dollars and 22/100 and other valuable  
consideration

The grantor does hereby CONVEY and WARRANT unto the Grantee the following parcel of  
real property, and improvements and appurtenances thereto in Hattiesburg, Mississippi – legally  
described on Exhibit A – in Lamar County,

Commonly known as: 121 Lundy Lane, Hattiesburg, MS 39401  
Tax Parcel No.: 051J-12-011.000  
Alt. Parcel No. 605 H 1200301 00304

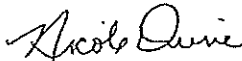
Source of Title;  
Warranty Deed from Joseph F. Tatum Jr. and Deborah T. Hill, dated 08/25/1995 and recorded in  
Book 11-V, Page 295 on 08/25/1995, in the Office of the Chancery Clerk Lamar County,  
Mississippi.

THIS CONVEYANCE is made subject to the permitted exceptions listed in Exhibit

IN WITNESS WHEREOF, the grantor has signed and sealed these presents on the day and  
year first written above.

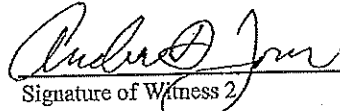
WITNESSES

GRANTOR:



Signature of Witness 1

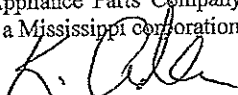
Nicole Durie  
Printed Name of Witness 1



Signature of Witness 2

Printed Name of Witness 2

Appliance Parts Company, Inc. successor by  
merger to Appliance Parts Company, Inc of  
Hattiesburg, a Mississippi corporation



By: Kim Adler  
Its: President

STATE OF MICHIGAN  
COUNTY OF OAKLAND

Personally appeared before me, the undersigned authority in and for the said county and state, on  
this 24 day of June, 2020, within my jurisdiction, the within named Kim Adler,  
President of Appliance Parts Company, Inc. successor by merger to Appliance Parts Company,  
Inc of Hattiesburg, a Mississippi corporation, who proved to me on the basis of satisfactory  
evidence to be the person(s) whose name(s) is/are subscribed in the above and foregoing  
instrument and acknowledged that he/she/they executed the same in his/her/their representative

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capacity(ies), and that by his/her/their signature(s) on the instrument, and as the act and deed of the person(s) or entity(ies) upon behalf of which he/she/they acted, executed the above and foregoing instrument, after first having been duly authorized so to do.

My commission expires: 6-30-2020

*Tricia C. Mink*

NOTARY PUBLIC

Print Name: Tricia C. Mink

Oakland County, State of Michigan

My Commission Expires: 6-30-2020

Acting in the County of Oakland

Seal Below:

*Notarized Using Remote  
Electronic Technology*



303

EXHIBIT A

Real property in the City of Hattiesburg, County of Lamar, State of Mississippi, described as follows:

A PART OF LOT 3, FORTIETH PLACE SUBDIVISION, PHASE I, LAMAR COUNTY, MISSISSIPPI, AS SHOWN ON THE OFFICIAL RECORD PLAT THEREOF ON FILE IN PLAT BOOK 2, PAGE 36, SLIDE A-101, IN THE OFFICE OF THE CHANCERY CLERK OF LAMAR COUNTY, MISSISSIPPI, BEING A PART OF THE SE¼ OF THE NE¼ OF SECTION 12, TOWNSHIP 4 NORTH, RANGE 14 WEST, LAMAR COUNTY, MISSISSIPPI, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE NE CORNER OF THE SE¼ OF THE NE¼ OF SECTION 12, TOWNSHIP 4 NORTH, RANGE 14 WEST, LAMAR COUNTY, MISSISSIPPI, AND RUN SOUTH 00° 37' 36" WEST ALONG THE EAST BOUNDARY OF THE SE¼ OF THE NE¼ FOR 428.68 FEET TO THE NORTH RIGHT OF WAY BOUNDARY OF LUNDY LANE; THENCE RUN NORTH 88° 44' 24" WEST AND ALONG THE NORTH RIGHT OF WAY BOUNDARY OF LUNDY LANE FOR 683.90 FEET TO AND FOR THE POINT OF BEGINNING; THENCE CONTINUE NORTH 88° 44' 24" WEST AND ALONG THE NORTH RIGHT OF WAY BOUNDARY OF LUNDY LANE FOR 224.00 FEET; THENCE RUN NORTH 00° 29' 42" EAST FOR 210.00 FEET; THENCE RUN SOUTH 88° 44' 24" EAST FOR 224.00 FEET; THENCE RUN SOUTH 00° 29' 42" WEST FOR 210.00 FEET BACK TO THE POINT OF BEGINNING; SAID PARCEL LYING WITHIN A PART OF ABOVE SAID LOT 3, FORTIETH PLACE SUBDIVISION AND BEING A PART OF THE SE¼ OF THE NE¼ OF SECTION 12, TOWNSHIP 4 NORTH, RANGE 14 WEST, LAMAR COUNTY, MISSISSIPPI, AND CONTAINING 1.07 ACRES, MORE OR LESS.

Commonly known as: 121 Lundy Lane, Hattiesburg, MS 39401  
Tax Parcel No.: 051J-12-011.000  
Alt. Parcel No. 605 H 1200301 00304

304

EXHIBIT B

PERMITTED EXCEPTIONS

1. Site Plan Ordinances and Subdivision Regulations recorded in Book 59, Page 202; Book 82, Page 282; Book 112, Page 144, Book 112, Page 290; Book 142, Page 173; Book 148, Page 706; Book 148, Page 727; Book 1, Page 507 and Book 1, Page 528.
2. Matters shown on Plat of Fortieth Place Subdivision, Phase I.
3. Subject to all zoning ordinances, designations of flood status or other regulations of any local, state or federal governmental agency applicable to the subject real property.
4. Any interests disclosed by any documents furnished by Grantor to Grantee prior to the date of this Deed. Matters which would be disclosed by an accurate survey or inspection of the Property.
5. All laws, ordinances, rules, regulations, permits, judgments and orders of any federal, state or local governmental agency or authority, including but not limited to zoning, historic preservation, building and environmental.
6. The rights of the public and of any governmental unit in any part thereof taken, used or deeded for street, road or highway purposes.
7. Taxes and assessments, whether general or special, and any lien arising therefrom, which are not due and payable as of the date of this Deed.
8. Grants, reservations, exceptions or leases of coal, oil, gas or other minerals.
9. Any defects, liens, encumbrances, adverse claims or other matters created, suffered, assumed or agreed to by the Grantee.
10. Any matters arising prior to the date the Orders were entered.
11. Any other rights of way, easements, restrictions or encumbrances of record as of the date of this Deed.

Capitalized terms not defined in this Exhibit B shall have the meanings given them in the foregoing Deed

CERTIFICATE OF FILING AND RECORDING,  
 STATE OF MISSISSIPPI  
 LAMAR COUNTY  
 JAMES D. AULTMAN, CHANCERY CLERK  
 LD Book 28-J Page 300  
 Indexed Recorded Abstracted  
 Sharon Ferrin D.C.





DEED

**Bk:321 Pg:545-546**

**RCD: 06/17/2025 @ 9:54:31:AM**

**LAMAR COUNTY, MS**

**JAMES AULTMAN CHANCERY CLERK**

THIS INSTRUMENT PREPARED BY:

Richard & Thomas, PLLC  
132 Westover Drive  
Hattiesburg, MS 39402  
(601) 602-2457

**Indexing Instructions:** The property described in this instrument is situated in part of Lot 3, Fortieth Place Subdivision, Phase I, Lamar County, Mississippi. Please index accordingly in the sectional index.

RETURN TO: ✓

Richard & Thomas, PLLC  
132 Westover Drive  
Hattiesburg, MS 39402  
(601) 602-2457

STATE OF MISSISSIPPI

COUNTY OF LAMAR

WARRANTY DEED

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

**JW CHAIN INVESTMENTS, LLC**  
a Mississippi limited liability company  
20 Hegwood Road  
Hattiesburg, MS 39402  
Phone: (601) 297-6014

does hereby grant, bargain, sell, convey and warrants unto GRANTEE

**MISSISSIPPI CHILDREN'S HOME SOCIETY**  
a Mississippi corporation

Address: 1465 Lakeland Drive  
Jackson, MS 39216  
Phone: 601-352-7784

the following described real property, lying and being situate in Lamar County, Mississippi, described as follows, to-wit:

A parcel of land being part of Lot 3, Fortieth Place Subdivision, Phase I, Lamar County, Mississippi, as shown on the Official Record Plat book thereof on file in Plat Book2, Page 36, Slide A-101, in the office of the Chancery Clerk of Lamar County, Mississippi, and being more particularly described as follows:

Commencing at the NE Corner of the SE¼ of the NE¼ of Section 12, Township 4 North, Range 14 West, Lamar County, Mississippi; thence run S 00 degrees 37'36"E for 428.68' along the East boundary of the SE¼ of the NE¼ to the North boundary of Lundy Lane; thence run N 88 degrees 44'24"W for 683.90 along the North boundary of Lundy Lane to the Point of Beginning; thence continue N 88 degrees 44'24"W for 63.48' along the North boundary of Lundy Lane; thence run NO degrees 29'42"E for 209.88'; thence run S 88 degrees 44'24"E for 63.48'; thence run SO degrees 29'42"W for 209.88' back to the Point of Beginning; said parcel contains 0.306 acre, more or less; together with all improvements thereon and appurtenances thereunto belonging.

File No. 25-04-278

Grantor and Grantees shall pro-rate county and state ad valorem taxes for 2025.

The above warranty and this conveyance is made subject to prior reservations of oil, gas and other minerals by former owners.

The above warranty and this conveyance is made subject to any and all valid and outstanding oil, gas and mineral leases, exceptions, reservations and conveyances.

The above warranty and this conveyance is made subject to any and all covenants, restrictions or conditions of record or in use of the subject property, and any and all rights of way and easements for public roads and public utilities as presently laid out, constructed or in use.

The above warranty and this conveyance is made subject to those subdivision regulations of record in Minute Book 59 at Page 202, Minute Book 82 at Page 282, Minute Book 112 at Pages 144 and 290, Minute Book 148 at Page 706 and Ordinances Book 1 at Page 507 and to those site plan regulations of record in Minute Book 142 at Page 173, Minute Book 148 at Page 727 and Ordinances Book 1 at Page 528.

WITNESS the signature of said limited liability company by its manager/member after first having been duly authorized by said company so to sign, execute and deliver said instrument on this 10<sup>th</sup> day of June, A.D., 2025.

JW CHAIN INVESTMENTS, LLC, a Mississippi limited liability company

By: [Signature]  
JOHN W. CHAIN, Manager/President

STATE OF MISSISSIPPI

COUNTY OF LAMAR

Personally appeared before me, the undersigned authority in and for the said county and state, on this 10<sup>th</sup> day of June, A.D., 2025, within my jurisdiction, the within named John W. Chain, who acknowledged that he is Manager/President of JW Chain Investments, LLC, a Mississippi limited liability company, and that for and on behalf of said company and as its act and deed, he executed the above and foregoing instrument after first having been duly authorized by said company so to do.

[Signature]  
NOTARY PUBLIC

My Commission Expires:

File No. 25-04-278





March 27, 2026

Via E-mail & USPS  
planning@hattiesburgms.com  
City of Hattiesburg  
Attn: Planning Division  
PO Box 1898  
Hattiesburg, MS 39403

Re: Alteration of Fortieth Place Subdivision – Lot 3  
Owner: Mississippi Children's Home Society  
Tax Parcel Number: 051J-12-011.000

Dear Planning Division,

I am writing on behalf of Mississippi Children's Home Society, d.b.a., Canopy Children's Solutions ("Canopy"), to submit Canopy's Public Hearing Application in connection with Lot 3, Fortieth Place Subdivision in Hattiesburg. Canopy respectfully requests placement on the City Council's May 6, 2026, public hearing agenda for formal approval of an alteration to Lot 3 Fortieth Place Subdivision.

This request relates to a portion of Lot 3 of the Fortieth Place Subdivision, which property Canopy acquired from JW Chain Investments, LLC, on or about June 10, 2025. The property conveyed into JW Chain Investments, LLC, (Canopy's Seller), also contained only a portion of Lot 3, and not the entire lot.

Canopy representatives attended a pre-application meeting with the City's Planning Division on Thursday, February 26, 2026 (Pre App Number: PRE 0226 1113) for an initial discussion. As discussed in that meeting, it is Canopy's desire to build a playground on the Property and gate that playground, along with Canopy's adjacent property at 124 Grand Drive. These projects are important to the enjoyment and safety of the students at Canopy's CARES School Hattiesburg located on the adjacent property.

Enclosed, please find the following application materials and supporting documentation:

- A: Canopy's Application for Public Hearing
- B: Canopy's Application for Site Plan Review
- C: Owner Affidavit executed by JW Chain Investments, LLC
- D: Owner Affidavit executed by Canopy
- E: Applicant Affidavit executed by Canopy
- F: Application pg. 12 for division of Lot, Parcel, or Tract
- G: Formal Subdivision Alteration Application
- H: Site Diagram in the form of a Survey Completed 5/29/2025
- I: Site & Design Review Committee Pre-Application Form, Site Plan, & Meeting Notes
- J: Electronic Copy of Legal Description emailed to the City on 3/27/2026
- K: Warranty Deed for transfer of Property to JW Chain Investments, LLC on June 29, 2020
- L: Warranty Deed for transfer of Property to Canopy on June 10, 2025
- M: Fortieth Place Subdivision Plat

**Transforming Lives**

1513 Lakeland Drive, Suite 200

Jackson, MS 39216

Main: 601.939.7990

Fax: 601.487.1136

mycanopy.org



It is our hope and intention that the enclosed materials are fully responsive to the information requests made by the Planning Department at the Pre-Application meeting and subsequent emails; however, please do not hesitate to contact me if you have questions or desire that we supplement our submission with additional documentation or information in advance of the May 6 meeting.

We look forward to hearing from you.

Respectfully submitted,



Rebecca L. Hamilton, Esq.

Canopy Counsel

[rebecca.hamilton@mycanopy.org](mailto:rebecca.hamilton@mycanopy.org)

Direct Line: 769-777-1007



# Hattiesburg Planning Commission Planning Division

## Item B - Staff Report

June 3<sup>rd</sup>, 2026

### Quick Facts:

#### Applicant:

Tomeka Matthews

#### Address:

910 Tipton Street

#### Zoning:

R-1C (Single-Family  
Residential)

#### Future Land Use:

Neighborhood Conservation  
District 1

#### Historic District:

N/A

#### Overlay District(s):

N/A

#### Flood Zone:

AE

#### Ward:

2

#### County:

Forrest

#### PPIN Number(s):

22017

#### Parcel Number(s):

2-037D-14-082.00



*Property Area Image*

#### **Applicant's Request:**

Tomeka Matthews, Applicant, requests a conditional use approval for a "group care home" for a property located at 910 Tipton Street (PPIN 22017, Forrest County, Ward 2).



# Background and History

The applicant met with staff in March of 2026 to discuss the applicant’s proposed project, Legacy of Life. The applicant explained that the Legacy of Life is intended to establish a community-based support facility at 910 Tipton Street to serve individuals experiencing housing instability, mental health challenges, and economic hardship.



*Surrounding Area Image*

The applicant explained that she has experience as a correctional officer and as a mental health professional, and has identified an increased need for services following the closure of local homeless encampments. The project is envisioned as a centralized location where individuals can access resources such as employment assistance, housing support, food, clothing, and hygiene facilities, with an additional component providing short-term overnight accommodations

Staff explained that the property is zoned R-1C and that a Care Center (non-overnight use) is not permitted within the R-1C district. However, a Group Care Home, which allows for limited residential occupancy and supportive services, with a conditional use approval. Additionally, staff noted that a single-family dwelling operated as a rental is permitted by right within the R-1C district; however, only one principal structure is allowed per lot. Based on the proposed inclusion of overnight accommodations and the operational characteristics described, staff determined that the project most closely aligned with the definition of a Group Care Home. Group Care homes must 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.”



*Surrounding Area Image- Example of a nearby structure elevated above the BFE*

Staff also explained that the subject property is located within the AE (100-year) flood zone and will be required to meet all applicable floodplain development standards. Specifically, any structure must be elevated at least one (1) foot above the Base Flood Elevation (BFE), with preliminary estimates suggesting a required elevation of approximately four (4) to five (5) feet or more, depending on site-specific conditions. An elevation certificate

prepared by a licensed surveyor or engineer will be required to confirm the exact elevation requirements.

**Future Land Use:**

**Neighborhood Conservation District 1 –**

Downtown/Historic Neighborhoods: This Neighborhood Conservation District is primarily a residential district located adjacent to Downtown Hattiesburg and in older, established neighborhoods east of U.S. Highway 49. In this district, predominantly residential land uses may be found that exhibit certain types of development patterns.



*Surrounding Area Image*

**District Characteristics:** The characteristics of this district include the following: moderate-density single-family residences or residential lands along the city’s original street system; certain two-family and multi-family uses constructed to the character of the surrounding neighborhood; buildings with shallow front and side yards; certain neighborhood business land uses that are compatible in design to the surrounding residential areas; and a higher overall density of development than modern or suburban neighborhoods.

**District Land Uses:** The following land uses should be found in this district: single-family residential uses; certain two–family and multi-family residences, subject to use, density, and design guidelines; public and quasi-public uses, such as churches and schools; and small offices and retail uses clustered along collector streets or at the edges of neighborhoods and constructed to the same character as the surrounding residences.

**Codes and Regulations**

**SECTION 4: Zoning Districts Established**

**4.5.5 R-1C Single-Family Residential District**

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

**SECTION 5 — Use Regulations**

**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.

## Considerations and Basis for Approval

### Applicant's Request:

Recommend approval or denial for a conditional use request for a “group care home” for a property located at 910 Tipton Street (PPIN 22017, Forrest County, Ward 2).

### Basis for Approval:

1. Conditional Use

- a. 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.
- b. 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.
- c. 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.
- d. The proposed development will be compatible with surrounding uses and will protect adjacent properties through the following measures:



- e. 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.
- f. 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.

**12.3.5.4.viii. Conditions.**

Conditions may be imposed on any application to ensure compliance with the Land Development Code and other rules and regulations and to protect the neighborhood. Conditions may include but are not limited to parking location/design, site design, expiration of approval requiring renewal, intensity of use, occupancy, hours of operation, etc. Such conditions shall be reasonable and related to the expected impacts of the development

# Conditional Use Request for "Group Care Home"

910 Tipton Street  
PPIN 22107, Forrest County, Ward 2



# Conditional Use Request for "Group Care Home"

910 Tipton Street  
PPIN 22107, Forrest County, Ward 2



### Future Land Use

- Community Business A
- Industrial 2
- Neighborhood Conservation District 1
- Subject Property

Industrial 2



Microsoft, Vantor, GIS Division, State and Federal Program, Esri, HPC

# Conditional Use Request for "Group Care Home"

910 Tipton Street  
PPIN 22107, Forrest County, Ward 2

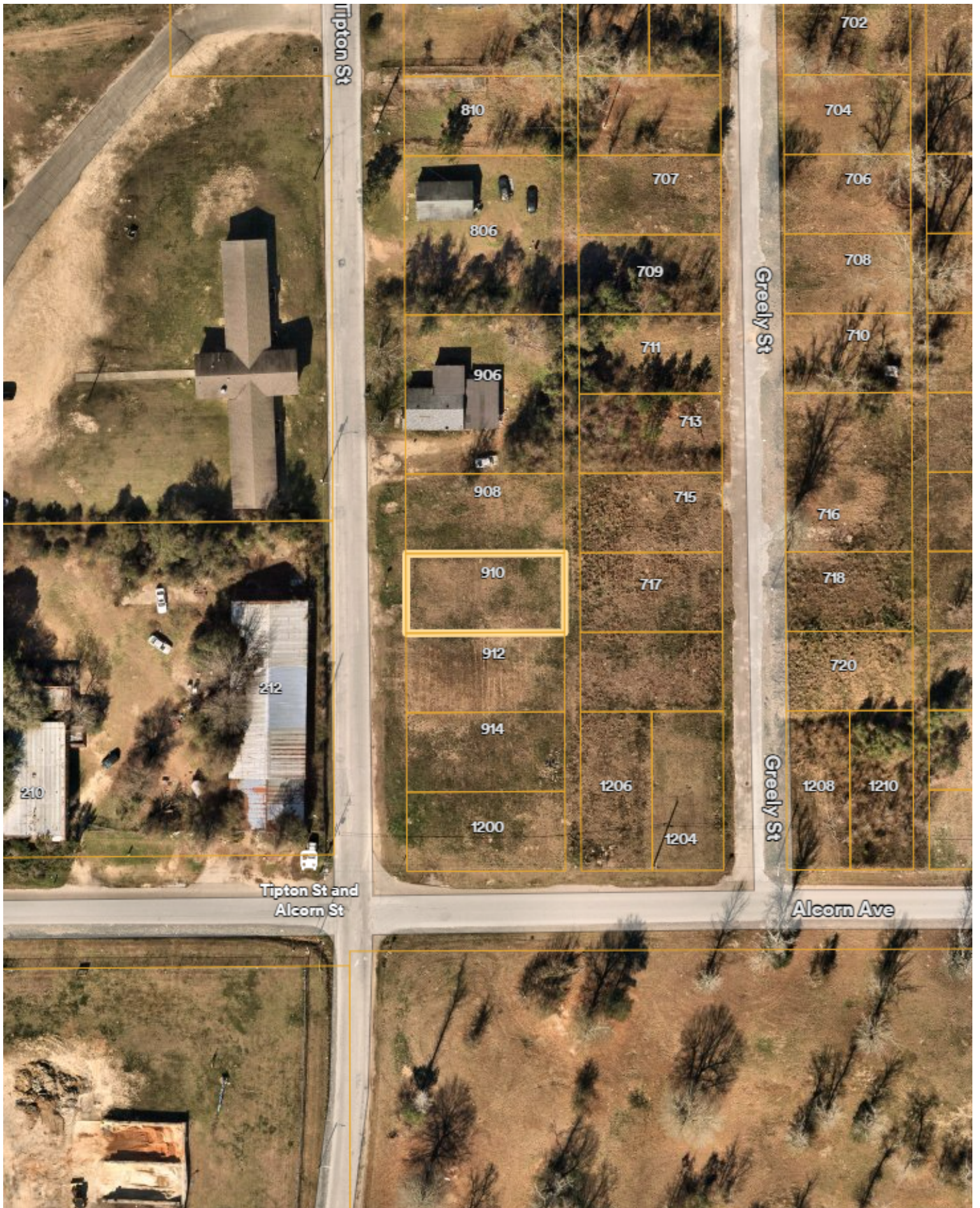


### Flood Zones & Wetlands

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



Microsoft, Vantor, GIS Division, State and Federal Program  
EPC





# 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](http://hattiesburgms.com/planning) for Land Development Code and GIS map. Access via link or QR code



### Applicant Information

Name Applicant: Tomeka Matthews Project Name: \_\_\_\_\_

Municipal Address of Site: 910 Tipton St. Hattiesburg, MS PPIN #: 22017

Parcel Number(s): 166, ~~129 (777 Creech St)~~ JM

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>Independent Living Home</u>

### Other Application types:

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

For Staff Only:			
Zoning: <u>R-AC</u>	Historic District: <u>NO</u>	Flood Zone: <u>AE</u>	Ward: <input type="checkbox"/> 1 <input checked="" type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5
Project Number: <u>USE - 04-26 - 0038</u>		Received:	
PPIN # or Parcel #: <u>22017</u>			

**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

910 Lipton St  
Street Address City State

on this the 30 day of March, 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\_\_\_\_\_.

Tomelka Matthews  
Property Owner (Print)  
Tomelka Matthews  
Property Owner (Signature)

STATE OF Mississippi  
COUNTY OF Forrest

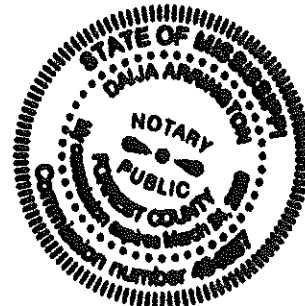
Personally came and appeared before me, the within named Tomelka Matthews

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 30<sup>th</sup> day of March, 2026

Danya Singh  
NOTARY PUBLIC

My Commission Expires:  
March 24, 2029





# 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
<b>Variance</b> Variance applications include one Concept Site Plan Review and one Variance request	<b>\$175.00</b> per application. <b>\$50.00</b> for each additional variance.
<b>Street / Alley Naming or Re-Naming</b>	<b>\$300.00</b> per application. <b>\$100.00</b> 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.)
<b>Street / Alley Closing</b>	<b>\$300.00</b> per application.
<b>Conditional Use</b>	<b>\$200.00</b> per application.
<b>Zoning Change</b>	<b>\$400.00</b> per application. *see PUD or PRD & zoning package rate)
<b>Planned Unit Development (PUD) or Planned Residential Development (PRD) with zoning change package</b>	<b>\$600.00</b> per package.
<b>Subdivision of Land (Preliminary Plats)</b> Note: Final Plats should be submitted to the governing body for approval within 12 months of approval of preliminary plats.	<b>\$225.00</b> per application. <b>\$10.00</b> per each additional created lot (** see PUD or PRD & Subdivision of Land package rate)
<b>Planned Unit Development (PUD) or Planned Residential Development with Subdivision of Land Package**</b>	<b>\$500.00</b> per application. <b>\$10.00</b> per each additional created lot (** see PUD or PRD & Subdivision of Land package rate)
<b>Change in Land Development Code Text</b>	<b>\$200.00</b> per application.
<b>Appeal Fees for Proponent or Opponent appeals to City Council</b> *Exempt from fees – Established Neighborhood Association*	<b>\$50.00</b> per appeal.
<b>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</b>	<b>\$50.00</b> (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: Tomeka Matthews

Signature: *Tomeka Matthews*

Updated Version 05/22/2025

**FOR CONDITIONAL USE APPLICANTS:**

Section 12.3.3.1 Compliance Required. Uses requiring Planning Commission approval as noted in the Tables of Uses in Section 5 of this Code, shall be approved subject to this Section.

Any application for such use must comply with: all applicable standards that apply to similar uses and properties in the zoning district in general, the specific conditions listed for that use in Section 5, and the following criteria. \*Where conflicts exist, the Planning Commission shall determine which criteria apply on a case-by-case basis.\*

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

Yes, the dwelling will be occupied by no more than four individuals.

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

The consumption of water and electricity will be consistent with a standard single-family residential home. The proposed use will have a minimal impact on community utilities and facilities.

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

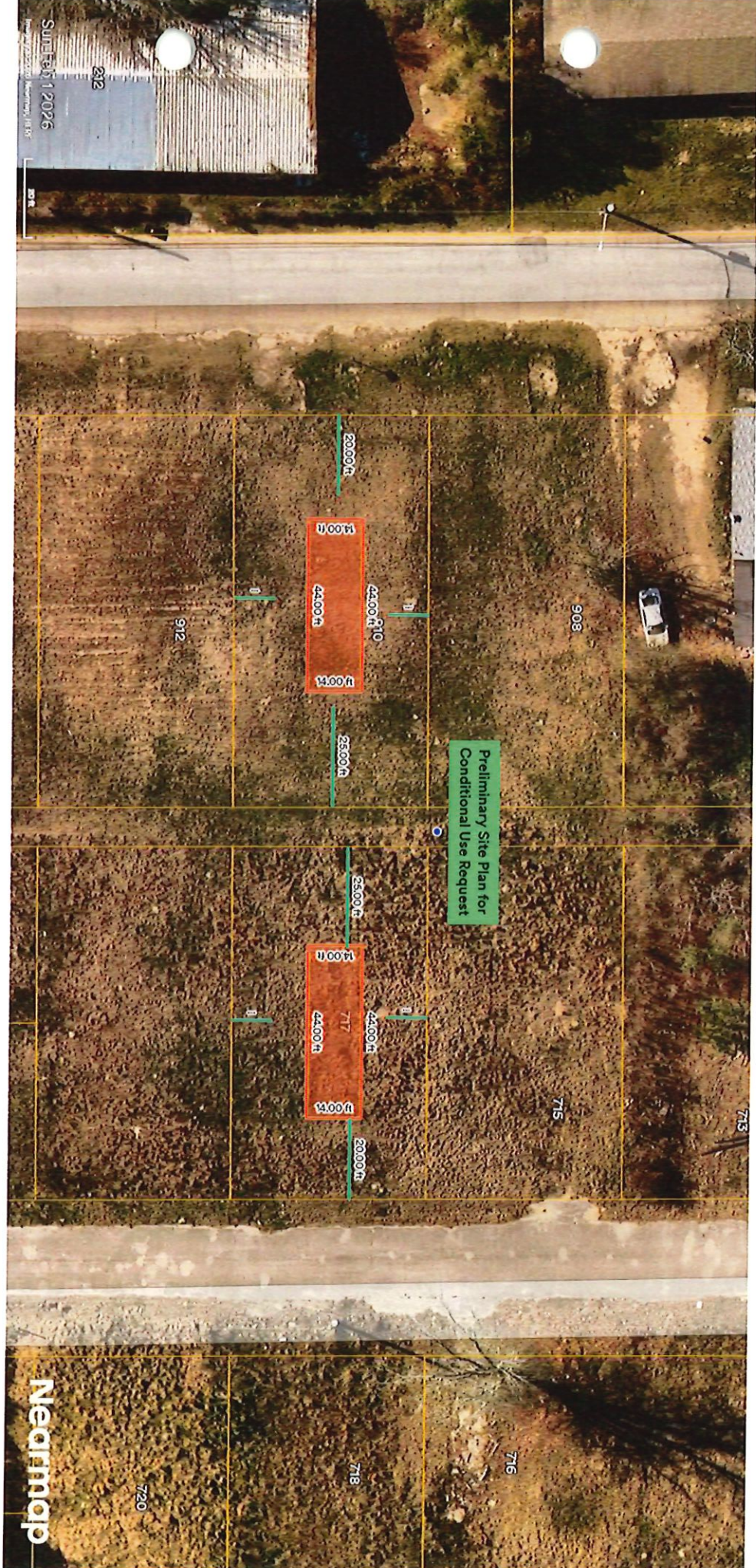
The site requires a minimal average size of 12x44 or 16x40. My plans are to utilize the required size to accommodate 4 individuals.

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

~~Yes~~, NO.

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

NO



Nearmap



DEED

**Bk:1485 Page:500-503**  
**RCD: 10/30/2025 @ 9:42:53:AM**  
**FORREST COUNTY, MS**  
**LANCE C. REID CHANCERY CLERK**

*This space is reserved for Recorder's use only.*

### Mississippi Quitclaim Deed

County of Forrest

This instrument was prepared by:

Name: Elite Acres LLC-Jasmine Brown (owner)  
Address: PO Box 7751 Gulfport MS 39506  
Phone: (228) 918-1738 State Bar No.: \_\_\_\_\_

After recording, return to:

Name: Tomeka A. Matthews (601)818-9487  
Address:223 Sam Rayburn Dr Hattiesburg MS 39402

**KNOW ALL MEN BY THESE PRESENTS**, that for and in consideration of the sum of

Two thousand two hundred seventy five US Dollar (\$2,275.00) in hand paid to

Elite Acres LLC (228)918-1738,

a Mississippi Limited Liability Company with an address of

PO Box 7751 Gulfport MS 39506

(the "Grantor" or "Grantors"), does/do hereby remise, release, and forever quit claim to

Tomeka A. Matthews (601) 818-9487,

private buyer with an address of

223 Sam Rayburn Dr Hattiesburg MS 39402

(the "Grantee" or Grantees") all the rights, title, interest, and claim in or to the following described real estate, situated in Forrest County, Mississippi, to wit:

**A complete legal description of the real property being conveyed by this instrument is attached hereto on page 4 as EXHIBIT A.**

Tax Parcel ID Number 2-037D-14-166.00

Until amended, tax information shall be sent to:

Name: Tomeka A. Matthews (601)818-9487  
Address: 223 Sam Rayburn Dr Hattiesburg MS 39402

**TO HAVE AND TO HOLD**, all and singular the described property, together with the tenements, hereditaments, and appurtenances belonging, or in anywise appertaining thereto, unto the Grantee(s), and their heirs and assigns forever.

**IN WITNESS WHEREOF**, the Grantor(s) has/have duly executed this Quitclaim Deed as of the date hereinunder.

Grantor Signature: Jasmine Brown Date: 10/30/2025  
Printed Name: Jasmine Brown

Grantor Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Printed Name: \_\_\_\_\_

### NOTARY ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of Mississippi )  
County of Forrest )

On October 30 2025 before me, Lance C. Reid,  
personally appeared Elite Acres LLC - Jasmine Brown,  
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are  
subscribed to the within instrument and acknowledged to me that he/she/they executed the same in  
his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the  
person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

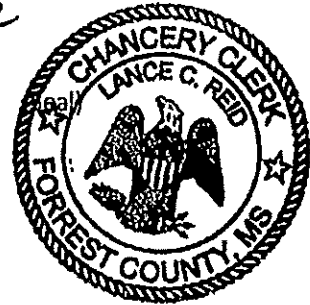
I certify under PENALTY OF PERJURY under the laws of the state of Mississippi that the foregoing  
paragraph is true and correct.

WITNESS my hand and official seal.

Signature Lance C. Reid by: Elizabeth Moore

Printed Name Lance C. Reid by: Elizabeth Moore

My Commission Expires My Commission Expires January 2, 2028



**EXHIBIT A**

Legal description of the real property being conveyed by this instrument.

Parcel 2-037D-14-166.00 Alt Parcel  
244-0656-006-023.00  
Exempt Code 16 JD 0 Tax District 1110 Subdivision  
0656  
MCINNIS, MITCHELL, & LONGRE  
Neighborhood 0656 0000 St Addr 910 TIPTON STREET  
Sect/Twn/Rng 14 04N 13W Blk 006  
LOT 21 BLK 6  
PREV#:H0656-06-023

FORREST COUNTY, MS LANCE C. REID  
I CERTIFY THIS INSTRUMENT WAS FILED ON 10/30/2025 9:42:53 AM AND RECORDED IN DEED BOOK:1485 PAGE:500

Library 2025 LANDROLL - F )EST

STATE OF MISSISSIPPI

Parcel 2-037D-14-166.00 PPIN 22107  
 Alt Parcel 244 -0656-006-023.00  
 Exempt Code 16 JD 0 Tax District 1110  
 Subdivision 0656 ADDENDUM  
 MCINNIS, MITCHELL, & LONGRE  
 Neighborhood 0656 Map

0000 St Addr 910 TIPTON STREET

Sect/Twn/Rng 14 04N 13W Blk 006

Cls	C-Acres	C-Value	U-Acres	U-Value	T-Acres	Improved	True	Assessed
1		1260					1260	189
2								
		1260					1260	189

Homestead Type 1=065 2=DAV 3=DIS 4=Reg Reg 100 DAV  
 Mtg 999 \*\*\* MAILING LIST \*\*\* Group Eligible C11 N (Y/N)  
 New Value Added F-Fire O-Override Deed Bk 1390 Pg 0429 Ext  
 Drainage Code Benefit Price Total Deed Date 3 18 2022 Type QCD  
 Current 2025 Yr Added 12 1 1990  
 L 1260 XXX  
 B Chged 10 6 2022

Levee Benefits X = Use1 5740 Use2 5740 DFRANK  
 F3-NEXT PARCEL F5-LEGAL F6-ADDENDUM F7-DEEDS F8-FLAGS F9-OPTIONS F24-EXIT  
 F3 next record, Page-Up prev record, F13 Paperlink

Lt 21 Blk 6



Staff Present:

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

**STATUS:** **APPLY FOR PUBLIC HEARING**

**Project:** Legacy of Life

**Address:** 910 Tipton Street

**Presented by:** Tomeka Matthews

**Use Designation:** TBD

**PPIN:** 22017

**Flood Zone:** AE

**Historic District:** N/A

**Elevation Certificate Required:** Yes

**County:** Forrest

**Ward:** 2

**Construction type:** New Construction

**Zoning:** R-1C

**Estimated Cost:** TBD

**Project Summary:**

- Applicant Summary
  - Involved in corrections and then mental health therapy and crisis management. With the recent closing of homeless encampments, there has been an influx of individuals who need aid.
  - Wanting to have a place to help people get help—whether that means resources/support for work, housing, or basic needs like clothing/showering/food.
  - Looking to have 2 buildings— one for a day facility and then one for quick overnight stays, showers, and food.
- Planning
  - Use proposals:
    - Care Center (no overnight)
      - Zoning does not allow a care center in the R-1C zoning district.
    - Group Home (overnight stays)
      - Zoning allows it with a conditional use approval.
        - Conditional Use Requests require a public hearing with the Planning Commission.
          - Planning Commission is held monthly on the first Wednesday of the month at 1:00 pm
            - Planning Commission makes a recommendation to the City Council. City council will have the final vote.
          - Upcoming Dates for Application Deadlines and Public Hearings
            - May 6<sup>th</sup> Public Hearing
              - Public Hearing Date: May 6<sup>th</sup>, 2026
              - Application Deadline: March 30<sup>th</sup> at 5:00pm
              - City Council Dates:

*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.*

- May 18<sup>th</sup> at 4:00 pm (Agenda Review)
      - May 19<sup>th</sup> at 5:00 pm (Vote)
    - June 3<sup>rd</sup> Public Hearing
      - Public Hearing Date: June 3<sup>rd</sup>, 2026
      - Application Deadline: April 27<sup>th</sup> at 5:00pm
      - City Council Dates:
        - June 15<sup>th</sup> at 4:00 pm (Agenda Review)
        - June 16<sup>th</sup> at 5:00 pm (Vote)
    - Use Regulations:
      - 5.4.28 Group Care Home; Group Care Center.
        - 5.4.28.1 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.
    - LDC Definition:
      - Group Care Home: A dwelling unit housing up to six persons unrelated by blood or marriage and operating as a family-based household. A group care home provides less than primary health care by staff appropriately certified or licensed to provide such treatment for persons who are not a danger to themselves or others.
      - Dwelling, Single Family (to be used as a rental)
        - Permitted by right in R-1C zoning district.
          - Only one structure is allowed per lot.
    - Flood Zone- AE
      - Property is located in the AE-100 year flood zone.
      - The structure is required to be elevated 1ft or more above the BFE (Base Flood Elevation)
        - Rough estimate from flood maps looks like the structures would need to be elevated at least 4-5ft, potentially more.
        - A surveyor/engineer will need to provide an elevation certificate to determine how much the structure will need to be elevated.
      - Will require an engineer-stamped foundation, which would have to show that the design would meet the structural loads that the impact of flooding could place on it.
  - Building
    - Proposed Shell Building:
      - No provisions are currently in the code for converting a utility building into a dwelling unit.
      - Would need an engineer-certified construction drawing with code design criteria for the particular model that would be proposed.
      - Would need to be certified to international residential building codes to be used as a dwelling (Group R code classification).
        - Will have to meet the city's requirements for a 130mph wind rating.
      - The manufacturer should have a third-party inspection program in place that could provide reports for prefabricated components.
      - Foundation drawings would have to be engineer-stamped and meet building code requirements.

*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.*

- Since the property is located in a flood hazard area, the foundation would also have to show that the design would meet the structural loads that the impact of flooding could place on it.
      - Code Design plans would need to be provided that show the full proposed build-out, including electrical, mechanical, and plumbing, and detail how it would meet all the requirements of the residential code.
  - Engineering
    - No comments at this meeting.
  - Fire
    - No comments at this meeting.

NEXT STEPS:

- Additional information
  - Get updated building plans to the building official to look at the building plans to see if they meet the international residential building codes.
  - Decide on which way to go—get planning and an updated scope of how the property is proposed to be used.
- Permits
  - Apply for the 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 C- Staff Report

June 3<sup>rd</sup>, 2026

**Quick Facts:**

**Applicant:**

Leonard and Aftan Moody

**Address:**

Located on N Hattiesburg  
Avenue

**Zoning:**

R-1C (Single-Family  
Residential)

**Future Land Use:**

Neighborhood Conservation  
District 2

**Historic District:**

N/A

**Overlay District(s):**

N/A

**Flood Zone:**

X

**Ward:**

5

**County:**

Forrest

**PPIN Number(s):**

12337

**Parcel Number(s):**

2-042F-26-154.00



*Property Area Image*

**Applicant's Request:**

Leonard Moody, Property owner/Representative, and Aftan Moody, Applicant, request a zoning change from R-1C to A-2 for a property located at 321 North Hattiesburg Avenue (PPIN 12337, Forrest County, Ward 5).

# Background and History

Staff met with the applicants on multiple occasions for pre-application meetings to discuss housing options for their property at on N Hattiesburg Avenue. The applicant told the staff that they wanted to place a mobile home on the property as a home to ensure safe, adequate housing. Staff let them know 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 to allow a mobile home, and the applicant is pursuing a zoning change to A-2 (Agricultural Residential), which allows mobile homes.



*Property Area/Surrounding Area Image*

Staff also went over the division of the land, which was a subdivision of the parent parcel (owned by the Moodys) and a 0.5-acre parcel (now owned by the McIntyres), also located in a platted subdivision. Since the land was subdivided and an existing plat was altered, the subdivision would be required to go to a public hearing for approval. The Moody’s proposed lot for rezoning meets the LDC’s dimensional standards for A-2 requirements, as it is 5.3 acres. The Planning Commission should evaluate the neighborhood's changes over the years and the public needs of the neighborhood in their decision.



*Property 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

**4.5.2 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. Imperious 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

## Applicant's Requests:

Recommend approval or denial for a zoning change request from R-1C to A-2 for a property located at 321 North Hattiesburg Avenue (PPIN 12337, Forrest County, Ward 5).

## Basis for Approval:

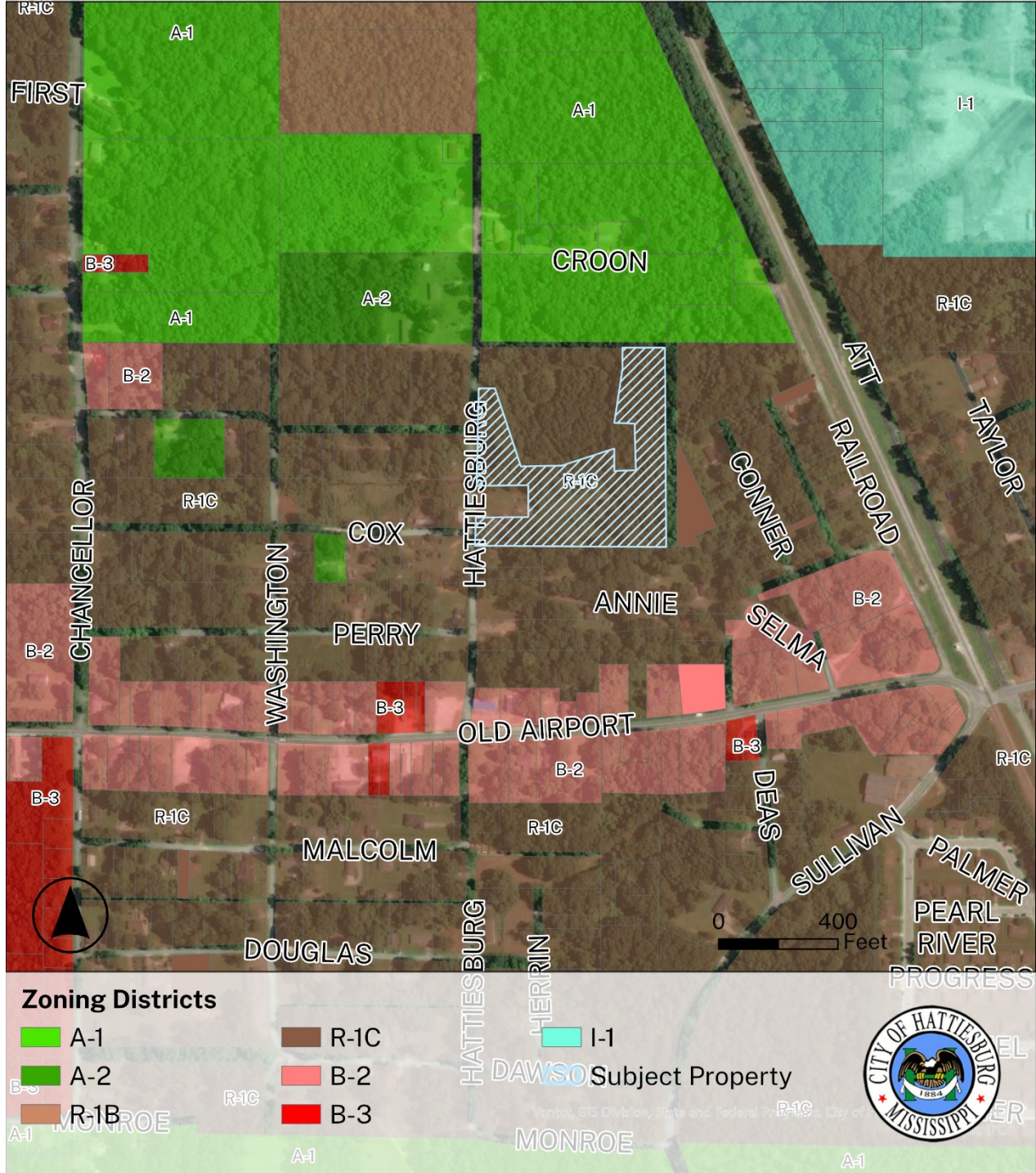
- Zoning Change & Text Amendments
  - There was a mistake in the original zoning.
  - The character of the neighborhood has changed substantially, so that rezoning is clearly justified, and there is a public need for the rezoning.
  - Annexation



*Property Area Image*

# Rezone Request from R-1C to A-2

321 North Hattiesburg Avenue  
PPIN 12337, Forrest County, Ward 5







# Rezone Request from R-1C to A-2

321 North Hattiesburg Avenue  
PPIN 12337, Forrest County, Ward 5

Industrial 2



### Future Land Use

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







# 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](http://hattiesburgms.com/planning) for Land Development Code and GIS map. Access via link or QR code



### Applicant Information

Name Applicant: AFTAN MOODY Project Name: \_\_\_\_\_

Municipal Address of Site: 321 North Hattiesburg Ave. PPIN #: 12337

Parcel Number(s): BK: 1300 page 257-260

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 checked="" type="checkbox"/> Rezoning (fill out page 11)	Existing Zoning: <u>R-1C</u> Proposed Zoning: <u>A2</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:

- |  |   |
|--|---|
| <input type="checkbox"/> Subdividing of a lot, Parcel, or Tract (fill out page 12) | <input type="checkbox"/> Text Amendment                   |
| <input type="checkbox"/> Street or Alley Renaming (fill out pages 13 & 14)         | <input type="checkbox"/> Overlay District                 |
| <input type="checkbox"/> Vacating Street or Alley (fill out pages 13 & 14)         | <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 #:		8125 -		

Updated Version 05/22/25

**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

321 North Hattensbury Ave Miss 39401  
Street Address City State

on this the 25 day of Augy, 202025

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.

Aftan mcead

on this the 25 day of Augy, 2025

Leonrd Moody  
Property Owner (Print)

Leonard Moody  
Property Owner (Signature)

STATE OF Mississippi  
COUNTY OF Forrest

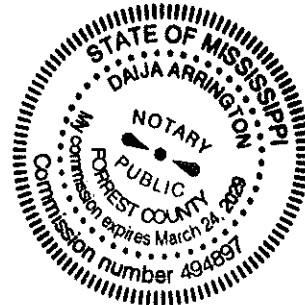
Personally came and appeared before me, the within named Leonard Moody

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 25<sup>th</sup> day of August, 2025

Dasha Augusta  
NOTARY PUBLIC

My Commission Expires:  
March 24, 2029



**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:**

To whom it may concern, I'm explaining to the best of my knowledge, that rezoning this area would be a great thing, the area is quiet and its very comfortable out of the way of anything dramatic. A nice area for my kids and grandchildren years ago this area was annexed to the city, but yet still its considered a rural area, its in a dead end zone, just perfect for my manufactured home, thats located on 4.30 acres of land, its completely out of city area, where kids can enjoy out of harms way. This is family property and I would gladly appreciate the courts to agree in my favor on making their decision.



DEED

**Bk:1300 Page:257-260**

**RCD: 12/05/2018 @11:08:59:AM**

FORREST COUNTY, MS

JIMMY C. HAVARD CHANCERY CLERK

THIS INSTRUMENT PREPARED BY:  
PINE BELT LAND TITLE, LLC  
POST OFFICE BOX 183  
NEW AUGUSTA, MS 39462  
(601) 964-7878 MS Bar#6918

RETURN TO:  
LEONARD RAY MOODY  
312 SATCHELL ROAD  
HATTIESBURG, MS 39401

**Indexing Instructions:** NW ¼ of SE ¼, Section 26, Township 4 North, Range 13 West,  
Forrest County, Mississippi.

STATE OF MISSISSIPPI  
COUNTY OF FORREST

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS that for and in consideration of the sum of  
TEN DOLLARS (\$10.00), and other good and valuable consideration, the receipt and sufficiency of  
which is hereby acknowledged, I,

**VASSIE J. JONES, Grantor,**  
312 Satchell Road  
Hattiesburg, MS 39401  
Phone: 601-684-1345

Do hereby grant, bargain, sell, convey and warrant to,

**LEONARD RAY MOODY, Grantee,**  
312 Satchell Road  
Hattiesburg, MS 39401  
Phone: 228-223-1776

the following described property located in the County of Forrest, State of Mississippi, to-wit:

FORREST COUNTY, MISSISSIPPI  
TOWNSHIP 4 NORTH, RANGE 13 WEST

Section 26: "Toomer Addition," a suburb to the City of Hattiesburg, Mississippi, being a subdivision of all of the Northwest Quarter (NW ¼) of the Northwest Quarter (NW ¼) of the Southeast Quarter (SE ¼) of Section Twenty-Six (26), Township Four (4) North, Range Thirteen (13) West, formerly Perry County, now Forrest County, Mississippi, otherwise described as follows:  
Northwest Quarter (NW ¼) of Northwest Quarter (NW ¼) of Southeast Quarter (SE ¼) Section Twenty-six (26), Township (4) North, of Range Thirteen (13) West, Forrest County, Mississippi.

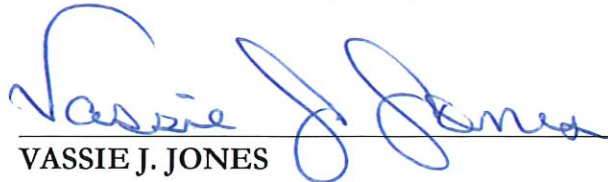
This property is not homestead property.

By way of explanation this property was conveyed to Vassie J. Jones from Emma Jones.

Emma Jones reserved unto herself a life estate in that certain Warranty Deed filed of record in Land Deed Book 1031, Page 558. Emma Jones is now deceased and a copy of her death certificate is attached hereto as Exhibit "A".

This conveyance and the warranty hereof is further subject to all easements, roadways, servitudes restrictive covenants and oil, gas and other mineral reservations, exceptions, conveyances and leases of record or obvious on reasonable inspection of the subject property.

WITNESS MY SIGNATURE on the day and year mentioned herein.

  
VASSIE J. JONES

STATE OF MISSISSIPPI

COUNTY OF Perry

THIS DAY, PERSONALLY CAME AND APPEARED BEFORE ME, the undersigned authority in and for the jurisdiction aforesaid, **VASSIE J. JONES**, who acknowledged that she executed and delivered the above and foregoing WARRANTY DEED on the day and year mentioned therein.

GIVEN UNDER MY HAND AND OFFICIAL SEAL OF OFFICE, this the 5<sup>th</sup> day of December A.D., 2018.

Rachele Myrick  
NOTARY PUBLIC

My Commission expires:



**THIS DEED WAS PREPARED WITHOUT THE BENEFIT OF A TITLE SEARCH. DESCRIPTION FURNISHED BY GRANTEE. NO OTHER LEGAL SERVICES SOUGHT OR RENDERED.**



# Hattiesburg Planning Commission

## Planning Division

### Item D - Staff Report

June 3<sup>rd</sup>, 2026

**Quick Facts:**

**Applicant:**

Felicia McIntyre

**Address:**

Located on N Hattiesburg Avenue

**Zoning:**

R-1C (Single-Family Residential)

**Future Land Use:**

Neighborhood Conservation District 2

**Historic District:**

N/A

**Overlay District(s):**

N/A

**Flood Zone:**

X

**Ward:**

5

**County:**

Forrest

**PPIN Number(s):**

47150

**Parcel Number(s):**

2-042F-26-154.01



**Applicant’s Request:**

Felicia McIntyre, Applicant/Property Owner, requests a zoning change from R-1C to A-2 for a property located on N Hattiesburg Avenue (PPIN 47150, Forrest County, Ward 5).

# Background and History

Staff met with the applicant on two occasions for pre-application meetings to discuss housing options for her property at on N Hattiesburg Avenue. The applicant told the staff that she had purchased 0.5 acres and wanted to place a mobile home on the property as her home to ensure safe, adequate housing.



*Property Area Image*

Staff let her know 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 to allow a mobile home, and the applicant is pursuing a zoning change to A-2 (Agricultural Residential), which allows mobile homes. Staff also went over the purchase of the land, which was a subdivision of land from the parent parcel, which was also located in a platted subdivision. Since the land was subdivided and altered an existing plat, the subdivision would be required to go to a public hearing for approval. Staff explained that a variance would be required because her lot was smaller than the minimum lot size of 43,560 sq ft 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 21,780 sq ft (0.5 acre). The rezoning request is contingent on the variance approval. The Planning Commission should evaluate the neighborhood's changes over the years and the public needs of the neighborhood in their decision.

## 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



*Surrounding Area Image*

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. Imperious 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

## Applicant's Requests:

Recommend approval or denial of a zoning change request from R-1C to A-2 for a property located on N Hattiesburg Avenue (PPIN 47150, Forrest County, Ward 5).



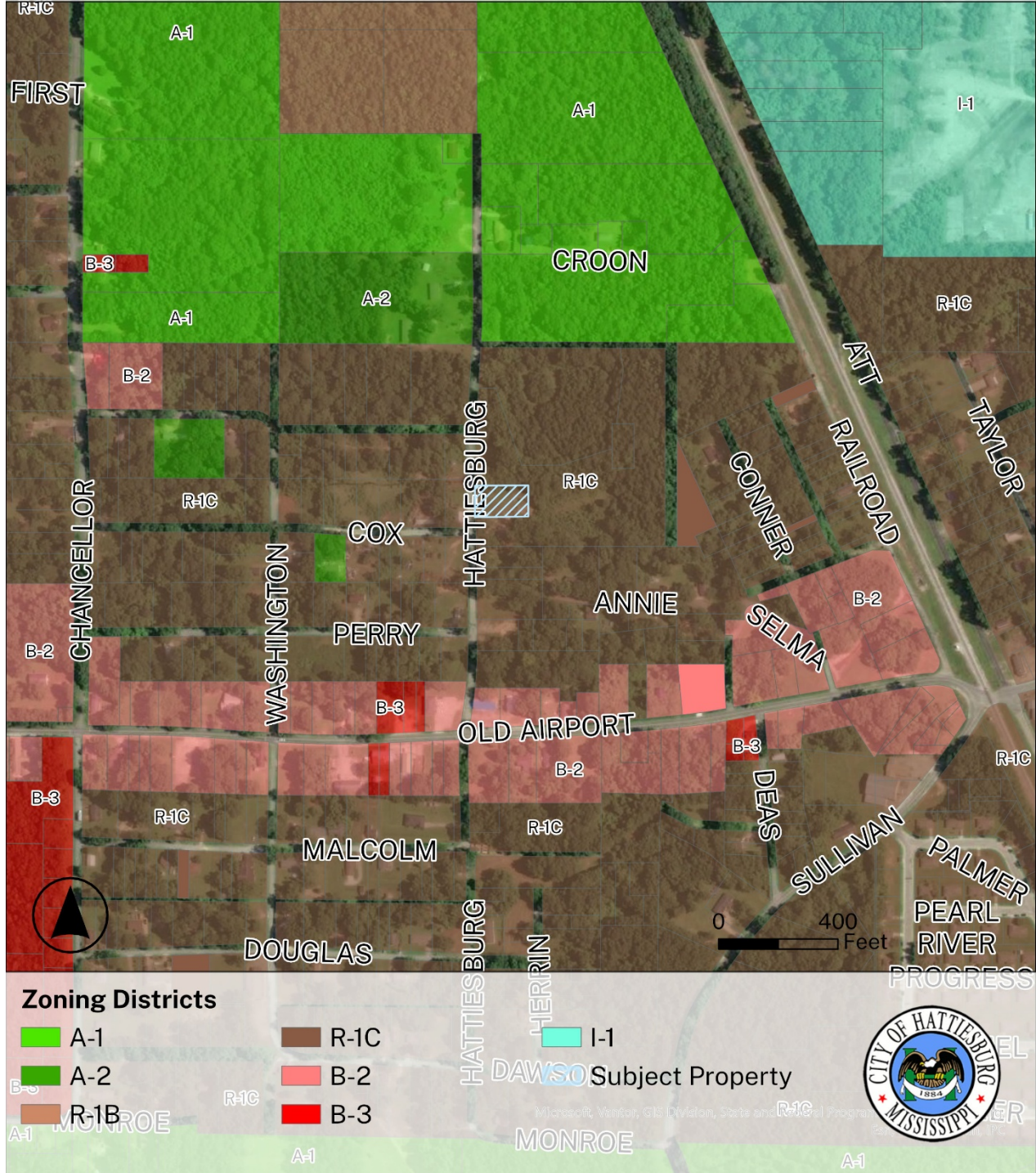
*Property Area Image*

## Basis for Approval:

- Zoning Change & Text Amendments
  - 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

# Rezone Request from R-1C to A-2

North Hattiesburg Avenue (Vacant Property)  
PPIN 47150, Forrest County, Ward 5



# Rezone Request from R-1C to A-2 with Variance

North Hattiesburg Avenue (Vacant Property)  
PPIN 47150, Forrest County, Ward 5

Industrial 2



## Future Land Use

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







**Staff Present:**

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

**Project:** Click or tap here to enter text.

**Address:** ~321 N Hattiesburg

**Presented by:** Felicia McIntyre

**Project Type:** Subdivision/Rezone

**PPIN:** 47150

**Flood Zone:**X

**Historic District:** N/A

**Elevation Certificate Required:** No

**County:** Forrest

**Ward:** 5

**Estimated Cost:** TBD

**Zoning:** R-1C

**Designated Use:** TBD

PROJECT SUMMARY:

- Applicant Summary
  - Property is on corner of N Hattiesburg and Annie Lane. Bought 0.5 acres from Mr. Moody in 2021 across the street from the current residence on Cox Street. Wanting to have better housing because current house is heir property. Cleared trees from 0.5 acre area. Talked to mobile home companies and they directed the applicant to check with the city about zoning.
  - Wanting to rezone the property to an agricultural zoning to be able to place a mobile home on the property.
- Planning
  - Subdivision issues:
    - Property was subdivided and sold in ~2021
  - Rezoning:
    - Code calls for the lots of agriculturally zoned land to be either 1 acre (A-2) or 3 acres (A-1)
      - McIntyre 0.5 acre lot
        - Options:
          - Obtain another 0.5 acres to have 1 acre—would meet code requirements
          - Seek a variance for the lot size
            - This would go to public hearing before the Board of Adjustment
      - Property is potentially in a platted subdivision
        - Survey shows that it is in the Toomer Addition Subdivision
          - Planning and engineering to check on subdivision and ROW issues
        - If it is a platted subdivision, altering a platted subdivision would also require a public hearing.
    - Consider reaching out to Nick Brown (W5 Councilman) about the rezoning request/mobile home
- Building

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

- No comments at this meeting.
- Engineering
  - Engineering will look into the unplatted Right of Way situation and subdivision situation.
- Fire
  - No comments at this meeting.

NEXT STEPS:

- Additional information
  - Work through subdivision with other property owner.
- Permits
  - Apply for permits indicated below

APPLICATIONS REQUIRED:

- |   |   |
|---|---|
| <input type="checkbox"/> Site Plan Review Checklist and Application | <input type="checkbox"/> Conditional Use Application  |
| <input 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 checked="" 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.*



DEED

**Bk:1357 Page:434-437**

**RCD: 01/22/2021 @ 2:08:37:PM**

**FORREST COUNTY, MS**

**LANCE C. REID CHANCERY CLERK**

Prepared by and Return to:

John McIntyre and Felicia Watts McIntyre  
503 Cox Street  
Hattiesburg MS 39401

Indexing Instructions: Section 26, Township 4 North, Range 13 West

State of Mississippi  
County of Forrest

**QUITCLAIM DEED**

FOR AND CONSIDERATION of the sum of Ten Dollars (\$10), cash in hand paid, the receipt and sufficiency of which is hereby acknowledged the undersigned

Leonard Ray Moody  
312 Satchell Rd  
Hattiesburg MS 39401  
601-543-3867

Do hereby convey and quit claim unto

John McIntyre and wife Felicia Watts McIntyre  
503 Cox Street  
Hattiesburg MS 39401  
601-466-5812/601-620-7704

As Joint tenants with the right of survivorship and not as tenants in common and not as tenants by the entirety, the following described real property, situated and being in the county of Forrest, State of Mississippi and more particularly described as follow to wit

The following described property located in the County of Forrest, State of Mississippi, to wit:

COMMENCE AT RAILROAD SPIKE IN N. HATTIESBURG AVENUE MARKING THE NORTHWEST CORNER OF THE NORTHWEST ¼ OF THE NORTHWEST ¼ OF THE SOUTHEAST ¼ OF SECTION 26, TOWNSHIP 4 NORTH, RANGE 13 WEST FORREST COUNTY MISSISSIPPI AND RUNS S 00 DEGREES 48'36" E FOR 475.33 FEET TO A ½" REBAR ON THE EAST RIGHT- OF- WAY LINE OF SAID N. HATTIESBURG AVENUE FOR THE POINT OF BEGINNING. THENCE RUN N 89 DEGREES 37'21"E FOR 187.76 FEET TO A ½ " REBAR; THENCE RUN S 00 DEGREES 48'58" E FOR 116.00 FEET TO A ½" REBAR ON THE NORTH RIGHT-OF-WAY LINE OF ANNIE LANE: THENCE RUN S 89 DEGREES 37"21" W ALONG SAID ROAD RIGHT-OF-WAY LINE FOR 187.76 FEET TO A ½" REBAR ON THE EAST RIGHT-OF-WAY LINE OF AFOREMENTIONED N. HATTIESBURG AVENUE; THENCE RUN N 00 DEGREES 48'58" W ALONG SAID ROAD RIGHT-OF-WAY LINE FOR 116.00 FEET BACK TO THE POINT OF BEGINNING. SAID PARCEL OF LAND IS A PART OF LOTS 18,19,20,21,22, AND 23 OF BLOCK 2 OF THE TOOMER ADDITION, A SURBURB TO THE CITY OF HATTIESBURG, AND IS LOCATED IN THE NORTHWEST ¼ OF THE NORTHWEST ¼ OF THE SOUTHEAST ¼ OF THE SECTION 26, TOWNSHIP 4 NORTH, RANGE 13 WEST, FORREST COUNTY, MISSISSIPPI AND CONTAINS 0.50 ACRE MORE OR LESS.

Witness Leonard Ray Moody signature, this the 22 day of Jan, A.D. 2021

Leonard Ray Moody

State of Mississippi  
County of Forrest

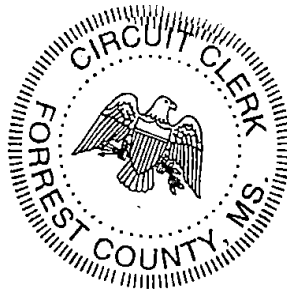
Personally appeared before me, the undersigned, in and for the County and State aforesaid, the within named Leonard Ray Moody Acknowledge and therein mentioned.

Given under my hand seal of office, this 22 day of Jan, A.D. 2021

Rhonda Crowne  
Notary Public

My commission Expires:

1-6-24



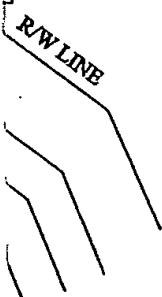
**LEGAL DESCRIPTION FOR 0.50 ACRE**

COMMENCE AT A RAILROAD SPIKE IN N. HATTIESBURG AVENUE MARKING THE NORTHWEST CORNER OF THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 26, TOWNSHIP 4 NORTH, RANGE 13 WEST, FORREST COUNTY, MISSISSIPPI, AND RUN S 00°48'36" E FOR 475.33 FEET TO A 1/2" REBAR ON THE EAST RIGHT-OF-WAY LINE OF SAID N. HATTIESBURG AVENUE FOR THE POINT OF BEGINNING. THENCE RUN N 89°37'21" E FOR 187.76 FEET TO A 1/2" REBAR; THENCE RUN S 00°48'58" E FOR 116.00 FEET TO A 1/2" REBAR ON THE NORTH RIGHT-OF-WAY LINE OF ANNIE LANE; THENCE RUN S 89°37'21" W ALONG SAID ROAD RIGHT-OF-WAY LINE FOR 187.76 FEET TO A 1/2" REBAR ON THE EAST RIGHT-OF-WAY LINE OF AFOREMENTIONED N. HATTIESBURG AVENUE; THENCE RUN N 00°48'58" W ALONG SAID ROAD RIGHT-OF-WAY LINE FOR 116.00 FEET BACK TO THE POINT OF BEGINNING. SAID PARCEL OF LAND IS A PART OF LOTS 18, 19, 20, 21, 22, AND 23 OF BLOCK 2 OF THE TOOMER ADDITION, A SUBURB TO THE CITY OF HATTIESBURG, AND IS LOCATED IN THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 26, TOWNSHIP 4 NORTH, RANGE 13 WEST, FORREST COUNTY, MISSISSIPPI, AND CONTAINS 0.50 ACRE MORE OR LESS.

**GRAPHIC SCALE**



( IN FEET )  
 1 inch = 40 ft.



THIS IS TO CERTIFY THAT I HAVE CAUSED A SURVEY OF THE PROPERTY LINES SHOWN ON THIS PLAT AND THAT SAID SURVEY IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

*Christopher G. Boone*

CHRISTOPHER G. BOONE, P.S. NO. 02905  
 STATE OF MISSISSIPPI.

SURVEY FOR: JOHN & FELICIA MCINTYRE

MidSouth Surveying & Mapping, LLC

502 HILL STREET  
 ELLISVILLE, MS 39437  
 (601) 517-9908 OR (601) 984-0115

- |                        |                             |  |
|------------------------|-----------------------------|--|
| CHAIN LINK FENCE       | ○ = SET 1/2" REBAR          | <input type="checkbox"/> SOLAR OBSERVATION           |
| WIRE FENCE             | ● = CORNER FOUND            | <input type="checkbox"/> RECORD BEARING              |
| CENTERLINE             | ○ = SET IRON SPINDLE        | <input checked="" type="checkbox"/> GEODETIC         |
| ELEC LINE              | ○ = RAILROAD SPIKE          | <input type="checkbox"/> CLASS "A" SURVEY            |
| POWER POLE             | □ = CONCRETE MONUMENT FOUND | <input checked="" type="checkbox"/> CLASS "B" SURVEY |
| A.P.R. = AS PER RECORD | A.P.S. = AS PER SURVEY      | <input type="checkbox"/> CLASS "C" SURVEY            |
|                        |                             | <input type="checkbox"/> CLASS "D" SURVEY            |

CREW CHIEF: RICHARD BALL    TECH.: E. CLARK

REFERENCE MATERIAL

DB 726, PG 346-347  
 DB 903, PG 429-432  
 DB 1300, PG 257-260  
 DB 1306, PG 35-36

PLAT DATE: 01/06/2021  
 SURVEY DATE: 12/28/2020

DRAWING NO. 122820R1

DRAWN BY: KIM MCMINN

POC  
FND RRS IN  
N. HATTIESBURG AVE.  
NW/C-NW 1/4-NW 1/4-SE 1/4  
SEC 26, T4N, R13W  
FORREST CO., MS

S00°48'36"E  
475.33'

CREEK

POB  
SET 1/2"  
REBAR

N89°37'21"E  
187.76'

FORREST COUNTY MS JANCE C. REITZ  
I CERTIFY THIS INSTRUMENT WAS FILED  
ON 1/22/2021 2:08:37 PM AND RECORDED  
IN DEED BOOK 1357 PAGE 437

BLOCK 2

LOT 18

LOT 19

LOT 20

LOT 21

LOT 22

LOT 23

0.50 ACRE

R/W LINE  
116.00'  
N00°48'58"W

116.00'

SET 1/2"  
REBAR

S89°37'21"W  
187.76'

SET 1/2"  
REBAR

R/W LINE

N. HATTIESBURG AVENUE  
50' WIDE R/W OBSERVED

ANNIE LANE

50' WIDE R/W OBSERVED

COX STREET





**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](http://hattiesburgms.com/planning) for Land Development Code and GIS map. Access via link or QR code



**Applicant Information**

Name Applicant: Felicia McIntyre Project Name: \_\_\_\_\_

Municipal Address of Site: \_\_\_\_\_ PPIN #: 47150

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

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-1C</u> Proposed Zoning: <u>A2</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: <u>R-1C</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 type="checkbox"/> 4 <input checked="" type="checkbox"/> 5	
Project Number: <u>Zone - 000 795 - 2026</u>		Received: <u>DAF</u> <u>3-31-26</u>		
PPIN # or Parcel #: <u>47150 &amp; 12337</u>				

parent parcel ppin #: 12337

Updated Version 05/22/25

**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

PPIN 47150 - H'burg MS  
Street Address City State

on this the 31<sup>st</sup> day of March, 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\_\_\_\_.

Felicia Watts McIntyre  
Property Owner (Print)

[Signature]  
Property Owner (Signature)

STATE OF MS

COUNTY OF Forrest

Personally came and appeared before me, the within named Felicia Watts McIntyre,

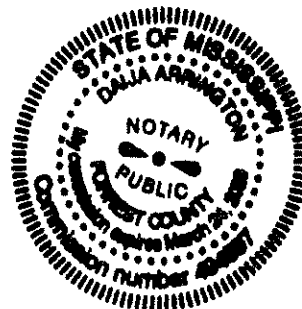
who signed and delivered the above and foregoing instrument as and for their free act and deed on the day and year therein mentioned, and who acknowledge to me that they are the owner(s) of the subject property as described in this Public Hearing Application.

GIVEN UNDER MY HAND AND OFFICIAL SEAL OF OFFICE, this the 31<sup>st</sup> day of March, 2026.

[Signature]  
NOTARY PUBLIC

My Commission Expires:

March 24, 2029





# 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
<b>Variance</b> Variance applications include one Concept Site Plan Review and one Variance request	<b>\$175.00</b> per application. <b>\$50.00</b> for each additional variance.
<b>Street / Alley Naming or Re-Naming</b>	<b>\$300.00</b> per application. <b>\$100.00</b> 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.)
<b>Street / Alley Closing</b>	<b>\$300.00</b> per application.
<b>Conditional Use</b>	<b>\$200.00</b> per application.
<b>Zoning Change</b>	<b>\$400.00</b> per application. *see PUD or PRD & zoning package rate)
<b>Planned Unit Development (PUD) or Planned Residential Development (PRD) with zoning change package</b>	<b>\$600.00</b> per package.
<b>Subdivision of Land (Preliminary Plats)</b> Note: Final Plats should be submitted to the governing body for approval within 12 months of approval of preliminary plats.	<b>\$225.00</b> per application. <b>\$10.00</b> per each additional created lot (** see PUD or PRD & Subdivision of Land package rate)
<b>Planned Unit Development (PUD) or Planned Residential Development with Subdivision of Land Package**</b>	<b>\$500.00</b> per application. <b>\$10.00</b> per each additional created lot (** see PUD or PRD & Subdivision of Land package rate)
<b>Change in Land Development Code Text</b>	<b>\$200.00</b> per application.
<b>Appeal Fees for Proponent or Opponent appeals to City Council</b> *Exempt from fees – Established Neighborhood Association*	<b>\$50.00</b> per appeal.
<b>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</b>	<b>\$50.00</b> (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: Felicia McIntyre

Signature: [Handwritten Signature]  
Updated Version 05/22/2025



# 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: May 6<sup>th</sup> 2026 @ 1:00 pm  
 Hattiesburg Board of Adjustment Meeting Date: May 6<sup>th</sup> 2026 @ 3:30 pm  
 City Council Agenda Review Date – (you or your representative should attend): May 18<sup>th</sup> @ 4pm  
 City Council Meeting (Vote) Date – (you or your representative may attend): May 18<sup>th</sup> @ 5pm

- 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](mailto:planning@hattiesburgms.com)
- An affidavit (pages 3 & 4) attesting that the applicant or representing party (if other than the owner) is acting on behalf of the owner(s) of record. The affidavit must be sworn to before a notary public or other appropriate official. (Included in owners signature page, or may be a separate document).
- Variance application only:** A letter of approval/denial from all adjoining property owners must be obtained and submitted with 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 \$\_\_\_\_\_

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 current property that I live in is unsafe do to poor installation and major electrical problems. The foundation has shifted. The property is for property which prevents me from trying to make a safe living space for me and my family.

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

I am not requesting special privileges. My request to be allowed to put a safe affordable (Mobile Home) on my property.

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.

Following the rules I will not be able to put a mobile home on my property and if the request is denied I will not be able to improve my current living condition to have a safe home to live in.

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

Without the exception I can't use the property as my residence because my home is unsafe and there is no way to improve my situation under the current rules.

Because of ownership, and under the rules there is no way to improve the living conditions.

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 requesting what is necessary to place a mobile home on my property for safe affordable living.

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.

Approving this variance would support need of the zoning rules and ~~purpose~~ afford safe living conditions for my family (purpose)

**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 purchased this property to improve my current living conditions. The home I currently live in is unsafe. I can't make any updates or improvements to the home because it is air property. Because the ownership situation the home will continue to decline. As previously stated the foundation has shifted tremendously and major electrical problems may cause a fire at anytime. By allowing me to put a mobile home in the area it would not change the nature of the property it would be allowing me to have a safe home.



DEED

**Bk:1357 Page:434-437**

**RCD: 01/22/2021 @ 2:08:37:PM**

**FORREST COUNTY, MS**

**LANCE C. REID CHANCERY CLERK**

Prepared by and Return to:

John McIntyre and Felicia Watts McIntyre  
503 Cox Street  
Hattiesburg MS 39401

Indexing Instructions: Section 26, Township 4 North, Range 13 West

State of Mississippi  
County of Forrest

QUITCLAIM DEED

FOR AND CONSIDERATION of the sum of Ten Dollars (\$10), cash in hand paid, the receipt and sufficiency of which is hereby acknowledged the undersigned .

Leonard Ray Moody  
312 Satchell Rd  
Hattiesburg MS 39401  
601-543-3867

Do hereby convey and quit claim unto

John McIntyre and wife Felicia Watts McIntyre  
503 Cox Street  
Hattiesburg MS 39401  
601-466-5812/601-620-7704

As Joint tenants with the right of survivorship and not as tenants in common and not as tenants by the entirety, the following described real property, situated and being in the county of Forrest, State of Mississippi and more particularly described as follow to wit

The following described property located in the County of Forrest, State of Mississippi, to wit:

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Witness Leonard Ray Moody signature, this the 22 day of Jan, A.D. 2021

Leonard Ray Moody

State of Mississippi  
County of Forrest

Personally appeared before me, the undersigned, in and for the County and State aforesaid, the within named Leonard Ray Moody Acknowledge and therein mentioned.

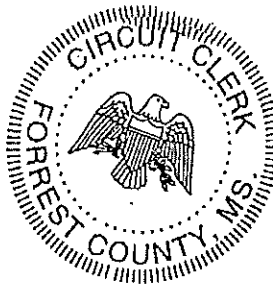
Given under my hand seal of office, this 22 day of Jan, A.D. 2021

Deonda Cromel

Notary Public

My commission Expires:

1-6-24

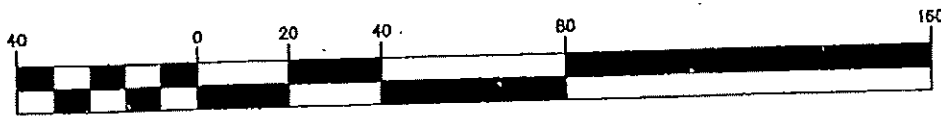


LEGAL DESCRIPTION FOR 0.50 ACRE

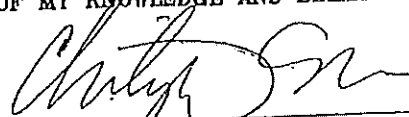
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R/W LINE

GRAPHIC SCALE



( IN FEET )  
 1 inch = 40 ft.

THIS IS TO CERTIFY THAT I HAVE CAUSED A SURVEY OF THE PROPERTY LINES SHOWN ON THIS PLAT AND THAT SAID SURVEY IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.   CHRISTOPHER G. BOONE, P.S. NO. 02905 STATE OF MISSISSIPPI.	SURVEY FOR: JOHN & FELICIA MCINTYRE MidSouth Surveying & Mapping, LLC 502 HILL STREET ELLISVILLE, MS 39437 (601) 517-9908 OR (601) 984-0115		REFERENCE MATERIAL DB 726, PG 346-347 DB 903, PG 429-432 DB 1300, PG 257-260 DB 1306, PG 35-36
	CHAIN LINK FENCE ○ = SET 1/2" REBAR WIRE FENCE * = CORNER FOUND CENTERLINE C = SET IRON SPINDLE ELEC LINE - = RAILROAD SPIKE * = POWER POLE □ = CONCRETE MONUMENT FOUND A.P.R. = AS PER RECORD A.P.S. = AS PER SURVEY	<input type="checkbox"/> SOLAR OBSERVATION <input type="checkbox"/> RECORD BEARING <input checked="" type="checkbox"/> GEODETIC <input type="checkbox"/> CLASS "A" SURVEY <input checked="" type="checkbox"/> CLASS "B" SURVEY <input type="checkbox"/> CLASS "C" SURVEY <input type="checkbox"/> CLASS "D" SURVEY	PLAT DATE: 01/06/2021 SURVEY DATE: 12/28/2020 DRAWING NO. 122820R1 DRAWN BY: KIM MCMINN
CREW CHIEF: RICHARD BALL      TECH.: E. CLARK			

Book 1357 Page 437  
Instrument# 815917  
DEED 1/22/2021 2:08:37 PM

POC  
FND RRS IN  
N. HATTIESBURG AVE.  
NW/C-NW 1/4-NW 1/4-SE 1/4  
SEC 26, T4N, R13W  
FORREST CO., MS

S00°48'36"E  
475.33'

CREEK

POB  
SET 1/2"  
REBAR

N89°37'21"E  
187.76'

FORREST COUNTY, MS, LANCE C. REITZEL SET 1/2" REBAR ON 1/22/2021 2:08:37 PM AND RECORDS IN DEED BOOK 1357 PAGE 437. I CERTIFY THIS INSTRUMENT WAS FILED.

BLOCK 2

R/W LINE

LOT 18

LOT 19

LOT 20

LOT 21

LOT 22

LOT 23

0.50 ACRE

116.00'  
N00°48'58"W

116.00'

ELEC LINE

SET 1/2"  
REBAR

S89°37'21"W  
187.76'

R/W LINE

SET 1/2" REBAR



N. HATTIESBURG AVENUE  
50' WIDE R/W OBSERVED

COX STREET

ANNIE LANE

50' WIDE R/W OBSERVED





# Hattiesburg Planning Commission Planning Division

## Item E - Staff Report

June 3<sup>rd</sup>, 2026

### Quick Facts:

#### Applicant:

Leonard and Aftan Moody; Felicia McIntyre

#### Address:

Located on N Hattiesburg Avenue

#### Zoning:

R-1C (Single-Family Residential)

#### Future Land Use:

Neighborhood Conservation District 2

#### Historic District:

N/A

#### Overlay District(s):

N/A

#### Flood Zone:

X

#### Ward:

5

#### County:

Forrest

#### PPIN Number(s):

12337; 47150

#### Parcel Number(s):

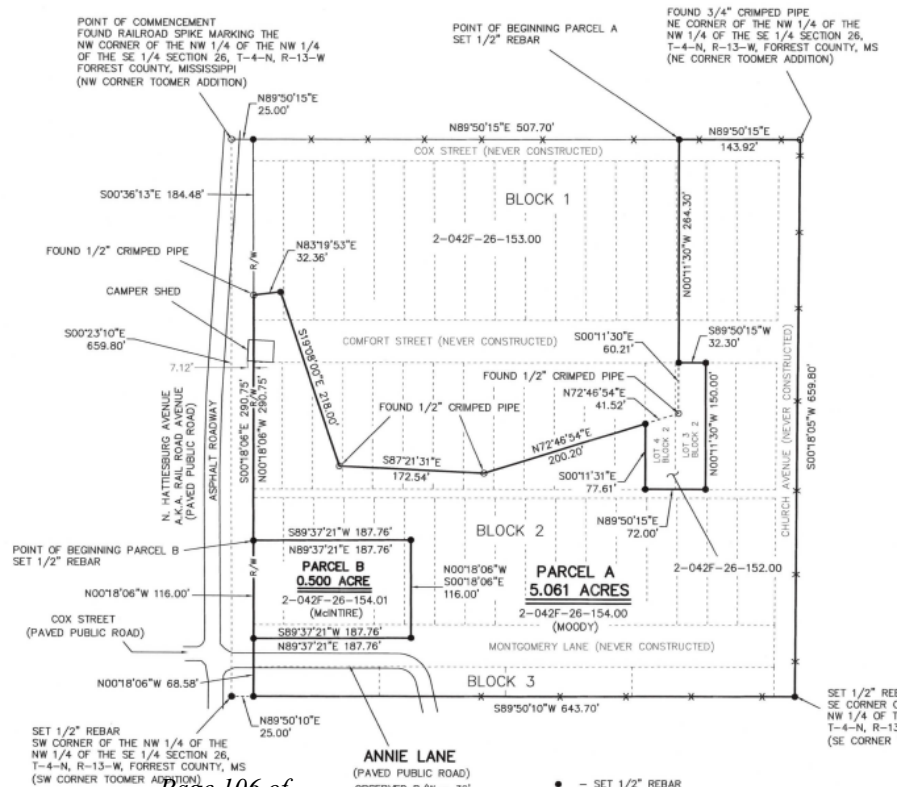
2-042F-26-154.00; 2-042F-26-154.01.



Property Area Image

### Applicant's Request:

Leonard Moody and Felicia McIntyre (Applicants/Property Owners) request to alter a subdivision known as the "Toomer Subdivision" and for approval of a preliminary plat for a property located at 321 North Hattiesburg Avenue (PPINS 12337 and 47150, Forrest County, Ward 5).



# Background and History

Staff met with the applicants on various occasions for pre-application meetings to discuss housing options for two properties on N Hattiesburg Avenue. In one of the meetings, one of the applicants told the staff that she had purchased 0.5 acres from the other applicant, and both applicants expressed a desire to place a mobile home on their properties to ensure safe, adequate housing. Staff reviewed the purchase of the land, which was a



*Property Area/Surrounding Area Image*

subdivision of the parent parcel, also located in a platted subdivision. Since the land was subdivided and an existing plat was altered, the subdivision would be required to go to a public hearing for retroactive approval. Staff notes that this property is currently in violation of the city’s subdivision regulations, and this process, if approved, would make it compliant.

Both applicants are pursuing zoning changes from R-1C to A-2, and Ms. McIntyre is pursuing a variance from the minimum lot size requirement for A-2 zoning, requesting that the minimum lot size be her lot at 21,780 sq ft (0.5 acre). The lots both face the existing public streets and have access to both water and sewer lines, making it “infill” development. The rezoning request is contingent on the variance approval. The subdivision is also contingent upon the variance request.



*Property 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

**4.5.2 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. Imperious 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

## Applicant's Requests:

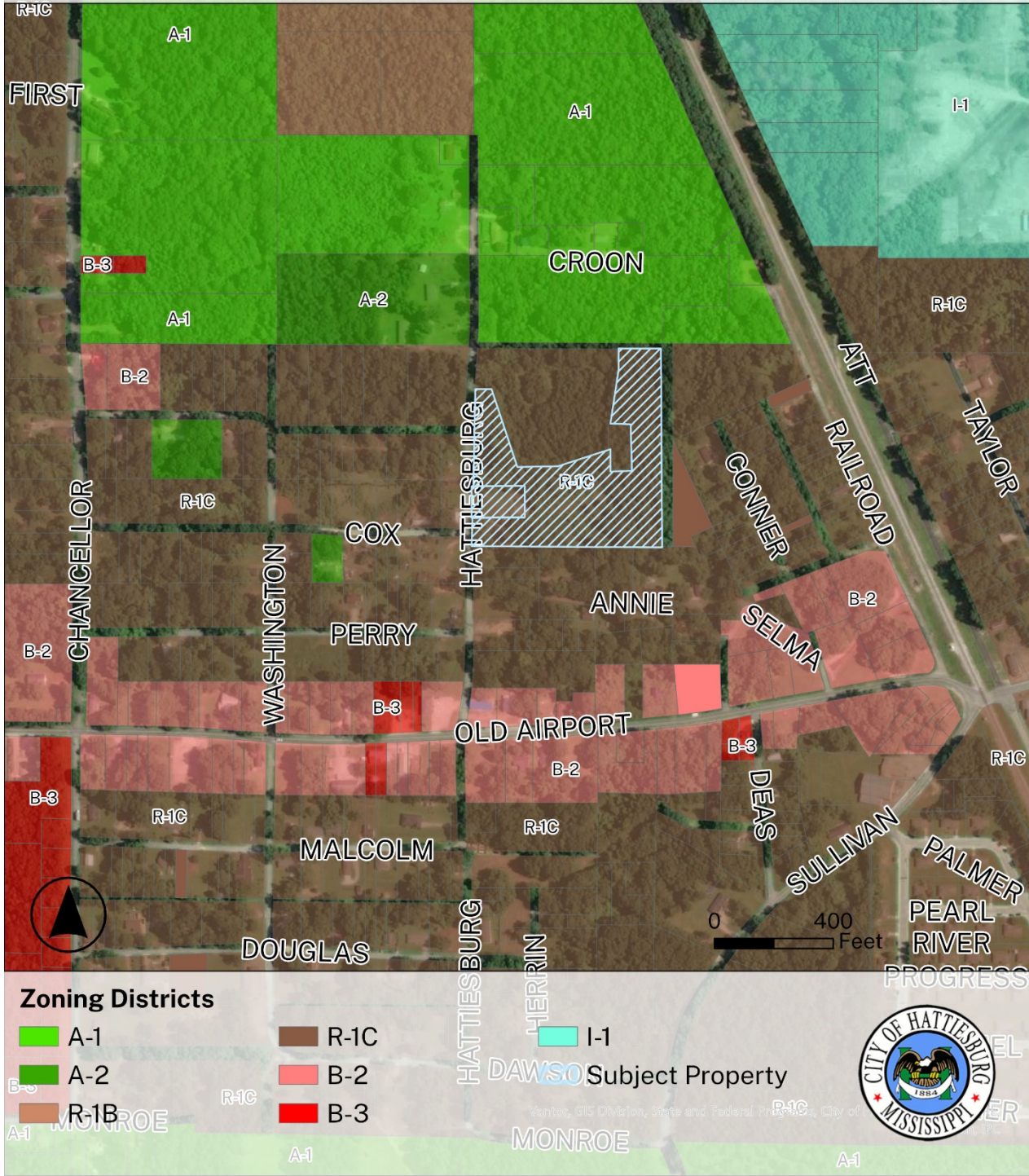
Recommend approval or denial to alter a platted subdivision to alter a subdivision known as the "Toomer Subdivision" and for approval of a preliminary plat for a property located at 321 North Hattiesburg Avenue (PPINS 12337 and 47150, Forrest County, Ward 5).



*Property Area Image*

# Subdivision Alteration Request

321 North Hattiesburg Avenue (Toomer Addition Subdivision)  
PPIN 12337 and 47150, Forrest County, Ward 5







# Subdivision Alteration Request

321 North Hattiesburg Avenue (Toomer Addition Subdivision)  
PPIN 12337 and 47150, Forrest County, Ward 5

Industrial 2



### Future Land Use

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



Microsoft, Vantion, GIS Division, State and Federal Program







NAME OF RECORDED SUBDIVISION TO BE ALTERED:

Toomer Subdivision

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:

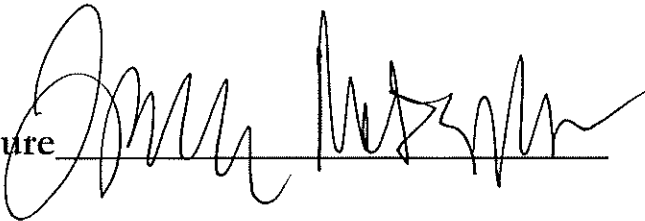
1. **Identification of Affected Individuals:** I have thoroughly documented and named all persons who would be adversely affected by or directly interested in the proposed subdivision alteration.
2. **Notification of Proposed Changes:** Before initiating any action regarding the alteration, I have ensured 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 4-13-2024

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

Name of Subdivision being altered: DOMER

Address and PPIN of alteration in subdivision:

Name	Address	Phone Number	Approve of Proposed Alteration (Yes or No)		Signature
			Yes	No	
1 Felicia Watts	North Hethersoy	601620 7764	Yes		<i>[Signature]</i>
2					
3					
4					
5					
6					
7					
8					
9					
10					
11					
12					
13					
14					
15					
16					
17					
18					
19					

2 - 04215-26-1521,01

**FOR SUBDIVIDING OF LOT, PARCEL OR TRACT**

**Property Data**

- Parent Parcel / Existing lot/parcel/tract contains: 5.561 Square Footage/Acres
- Lot Area Requirement:
- Lot Frontage Requirement:
- Existing use of lot/parcel/tract
- To be subdivided into 2 lots/parcels (including parent parcel) – outlined below.

Use extra copies of this form if needed for additional lots

Newly Subdivided Parcels	New lot size in square footage (SF) or acres (A)	New lot has public road frontage	New lot has private road frontage	Indicate name of public or private road(s)	<b>STAFF ONLY</b>
					Lot area & frontage requirements comply?
1.	0.5	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	North Hattisbug	<input type="checkbox"/> Yes <input type="checkbox"/> No
2.	5.061	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" 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
<b>Be sure to include information on the remainder of "existing" lot after splits made – identify as "Parent Parcel"</b>					
<u>Parent Parcel</u>					
		<b>Total square footage of new lots (verify total matches existing parcel prior to splits)</b>			

**Infrastructure required: (Check all that apply)**

- Water/Sewer    Gas    Electric    Telephone    Cable    Streets



# Hattiesburg Planning Commission Planning Division

## Item F & G - Staff Report

June 3<sup>rd</sup>, 2026

### Quick Facts:

**Applicant:**

Hong Her

**Address:**

203 S 29<sup>th</sup> Avenue

**Zoning:**

MX-3

**Future Land Use:**

Neighborhood Center Mixed-Use  
District

**Historic District:**

N/A

**Overlay District(s):**

N/A

**Flood Zone:**

X

**Ward:**

3

**County:**

Forrest

**PPIN Number(s):**

20799 & 20802

**Parcel Number(s):**

2-028N-07-039.00

2-028N-07-035.00



*Property Area Image*

### **Applicant's Requests:**

**Alley Closure Request:**

Hong Her, Applicant, requests to close an alley/street located to the west of a MX-3 zoned property located at 203 S 29th Avenue (PPIN 20799, Ward 3, Forrest County).

**Subdivision Request:**

Hong Her, Applicant, requests to alter a platted subdivision known as the "Monte Vista Terrace Subdivision" for an MX-3 zoned property located at 203 S 29th Avenue (PPIN 20799 & 20802, Ward 3, Forrest County).

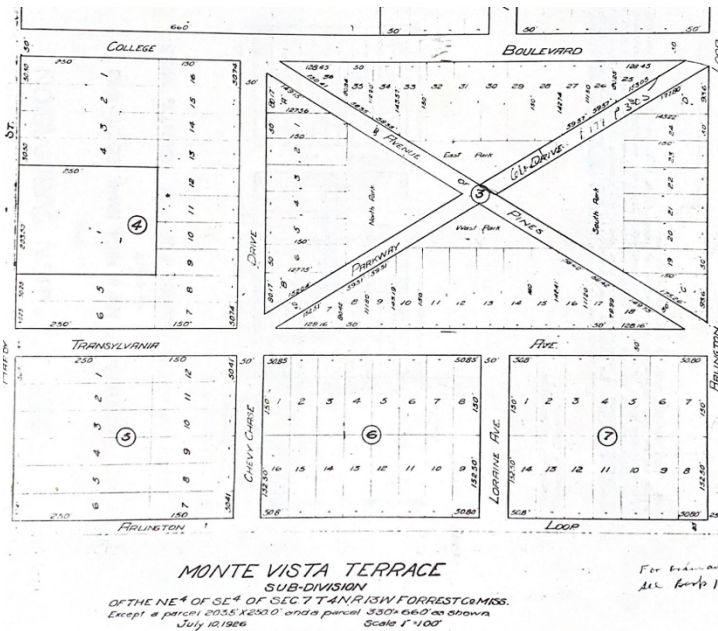
# Background and History

The applicant held pre-application meetings with staff twice, once in 2024 and again in 2025, to discuss a proposed property boundary adjustment between two neighboring parcels in the Monte Vista Terrace Subdivision. The request is based on a long-standing discrepancy between the recorded property lines and an existing fence that separates the church property from the adjacent parcel. The applicant clarified that the fence does not align with the legal property boundary, and the land exchange proposal aims to match the property lines with the fence's position. Specifically, the church would deed a southern part of its property to the neighboring owner, while that owner would deed a northern part back to the church. The applicant noted that the goal is to resolve boundary issues caused by a previous alley vacation and to formalize longstanding ownership arrangements.



*Property Area/Surrounding Area Image*

Staff clarified that since the subject properties are located within the recorded Monte Vista Terrace



**Exhibit A: Block 3 of the Monte Vista Terrace Subdivision, showing the intersecting streets in the middle of the block.**

Subdivision, the request represents a modification of an existing subdivision plat. They also informed the applicant that a plat modification application would be necessary as part of the process. The staff discussed that a small section of the former alley/street is still active public property and would require a formal vacation before the land exchange proceeds.

In the original plat for the Monte Vista Terrace Subdivision, streets were platted in an “X” formation within the middle of the block (See exhibit A). Subsequent development in the block has not directly followed the platted subdivision, and multiple sections of that “X” have since been vacated. The

request would close a portion of the Avenue of Pines Alley/Street on the plat. The alleys/streets have not been improved, but the city does maintain easements through the alleys. The closing of the alley portion would not affect the easements, which would still be maintained by the city. Sanitary sewer lines already run through a portion of the vacated alley/street, but also partially through some private property. If the plat alteration and street closure are approved, it should include a condition to obtain easements over any portion of the sanitary sewer lines that are not currently within city easements.

## **Future Land Use:**

**Neighborhood Center Mixed-Use Districts** provide locations for a range of compatible uses that primarily serve neighborhood residents, area businesses, employment centers, and visitors drawn to the special district. In this district, a mix of land uses may be found that complement the character of the surrounding neighborhoods and/or employment centers, and allow the extension of certain non-residential land uses to properties that had previously been used as residences. Areas with this designation contain residential properties in transition and a mix of existing types.



*Surrounding Area Image*

Residential properties in transition are considered to be properties that are vacant, abandoned, or temporarily rented until a viable use is identified. Minor changes in these areas, such as increases in traffic, encroachment of non-residential uses, and high vacancy rates, give the perception that single-family, owner-occupied housing is no longer sustainable. This description does not include areas characterized as follows: a majority of the properties are occupied as residential properties; non-residential uses have not yet penetrated the residential block; and non-residential uses are only proposed to satisfy the desires of the owner(s) of a single property.



*Property Area/Surrounding Area Image*

**District Characteristics** The characteristics of this district include the following: a mix of building types; residential buildings that have been converted to non-residential uses, such as offices; buildings with shallow front and side yards; small private parking areas and shared parking in public lots; green space in the form of smaller private yards and courtyards; and buildings with both residential and commercial uses.

**District Land Uses** The following land uses should be found in this district: single-family residential uses; accessory apartments; small townhome developments (six to eight units per acre; development sizes no greater than two acres); second-floor apartments over retail or service businesses; smaller, low-intensity retail and service businesses, such as specialty shops, delis and cafes; public and quasi-public uses, such as churches, schools

## Codes and Regulations

### Hattiesburg Form-Based Code

Article 2. Districts Sec. 2.1. Zoning Districts Established

The following Form-Based Code Districts are established.

- A. Mixed Use Districts (MX-)
  - a. The MX- Districts are intended to accommodate a mix of compatible commercial, employment, and higher-density residential in a pedestrian-friendly and walkable environment.
- B. The MX- Districts vary based on the maximum allowed building height.
  - a. a. MX-2 has a maximum building height of 2 stories.
  - b. b. MX-3 has a maximum building height of 3 stories.

### Hattiesburg Land Development Code

#### **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.

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#### **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.
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## Considerations and Basis for Approval

**Alley Closure Request:**

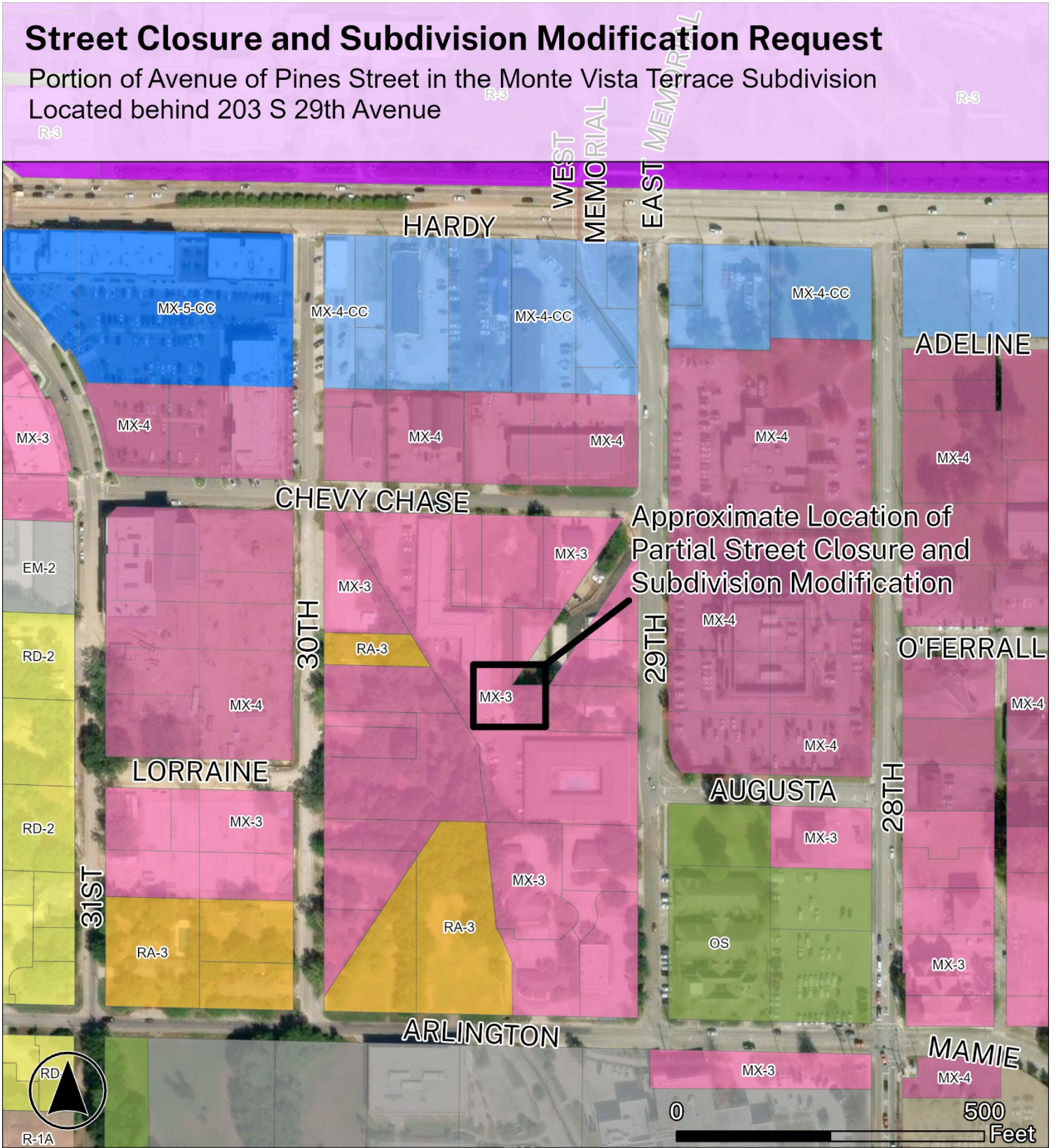
Recommend approval or denial for a request to close an alley located to the west of a MX-3 zoned property located at 203 S 29th Avenue (PPIN 20799, Ward 3, Forrest County).

**Subdivision Request:**

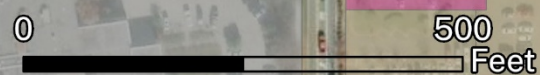
Recommend approval or denial for a request to alter a platted subdivision known as the “Avenue of Pines for a MX-3 zoned property located at 203 S 29th Avenue (PPIN 20799 & 20802, Ward 3, Forrest County).

# Street Closure and Subdivision Modification Request

Portion of Avenue of Pines Street in the Monte Vista Terrace Subdivision  
 Located behind 203 S 29th Avenue



Approximate Location of  
 Partial Street Closure and  
 Subdivision Modification



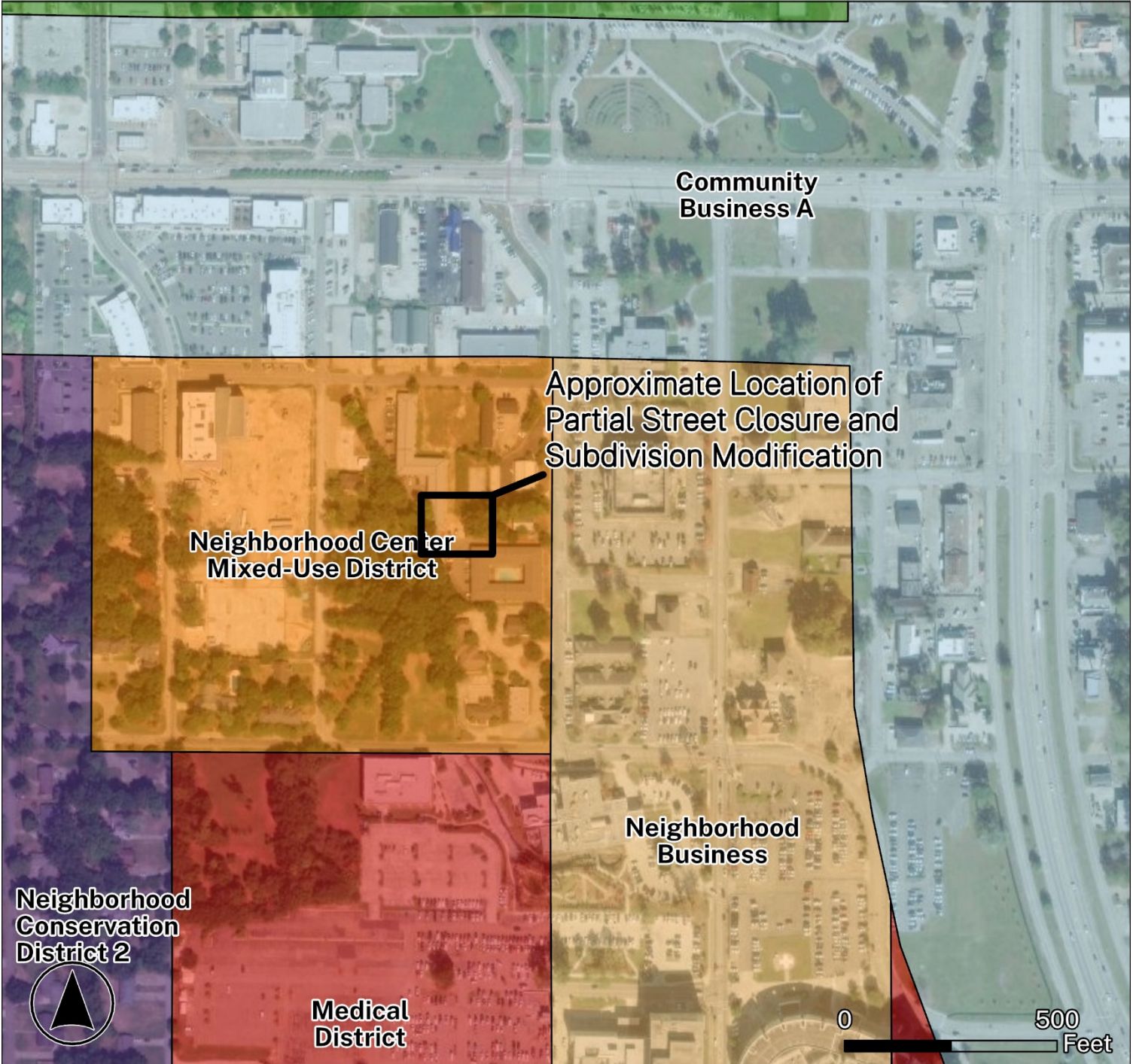
## Zoning Districts

R-1A	RA-3	MX-5-CC	EM-6
R-2	MX-3	EM-2	OS
R-3	MX-4	EM-3	
RD-2 <sup>S</sup>	MX-4-CC	EM-4	



# Street Closure and Subdivision Modification Request

Portion of Avenue of Pines Street in the Monte Vista Terrace Subdivision  
Located behind 203 S 29th Avenue



### Future Land Use

- Community Business A
- Medical District
- Neighborhood Business

- Neighborhood Center Mixed-Use District
- Neighborhood Conservation District 2
- University/College District

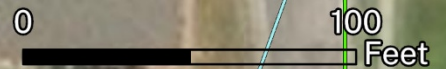


Vantor, GIS Division, State and Federal Programs

# Street Closure and Subdivision Modification Request

Portion of Avenue of Pines Street in the Monte Vista Terrace Subdivision  
Located behind 203 S 29th Avenue

Approximate Location of  
Partial Street Closure and  
Subdivision Modification

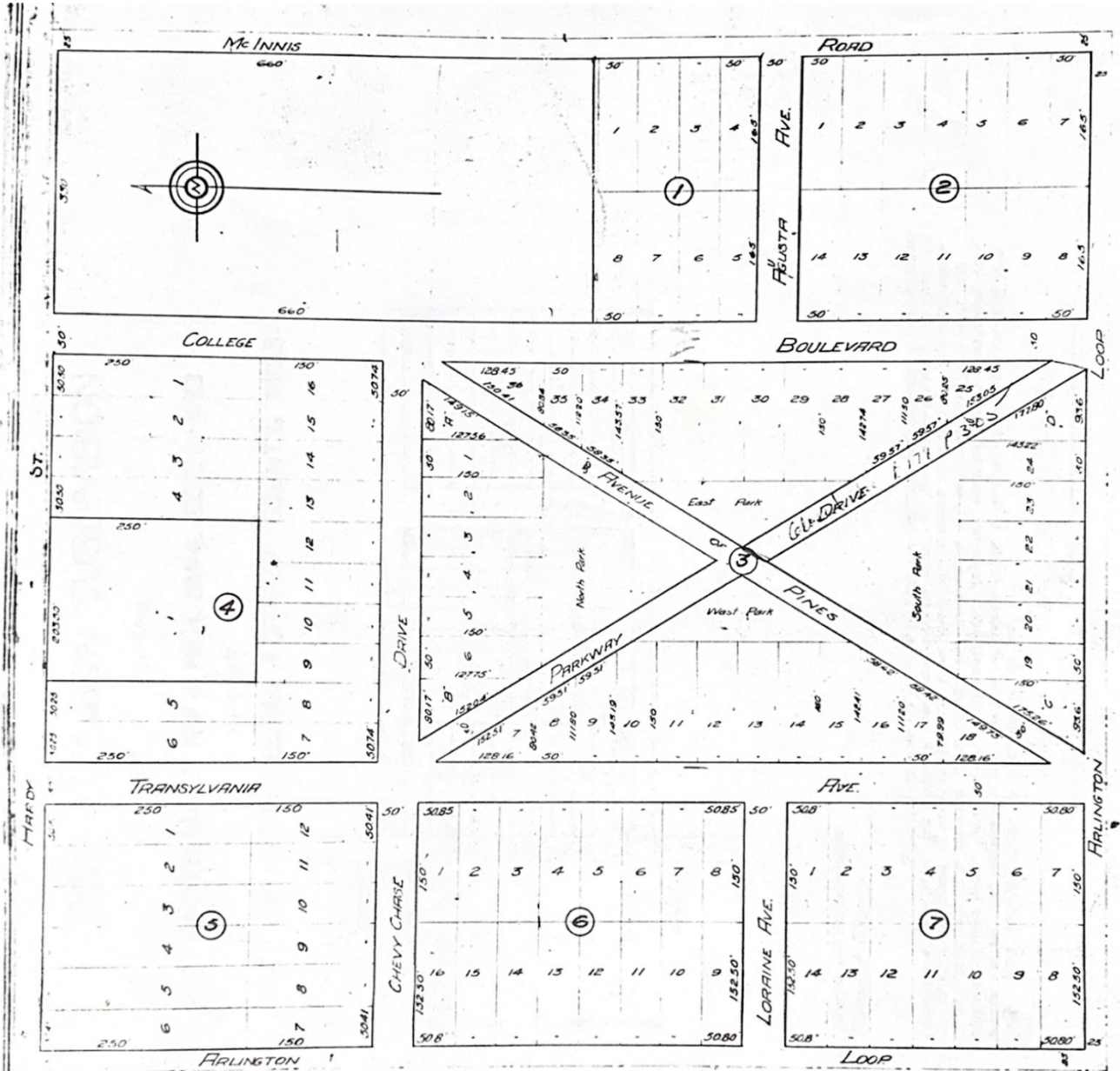


## Utilities

- Sewer Gravity Lines
- Water Lines



Subdivision Plat for the Monte Vista Terrace Subdivision



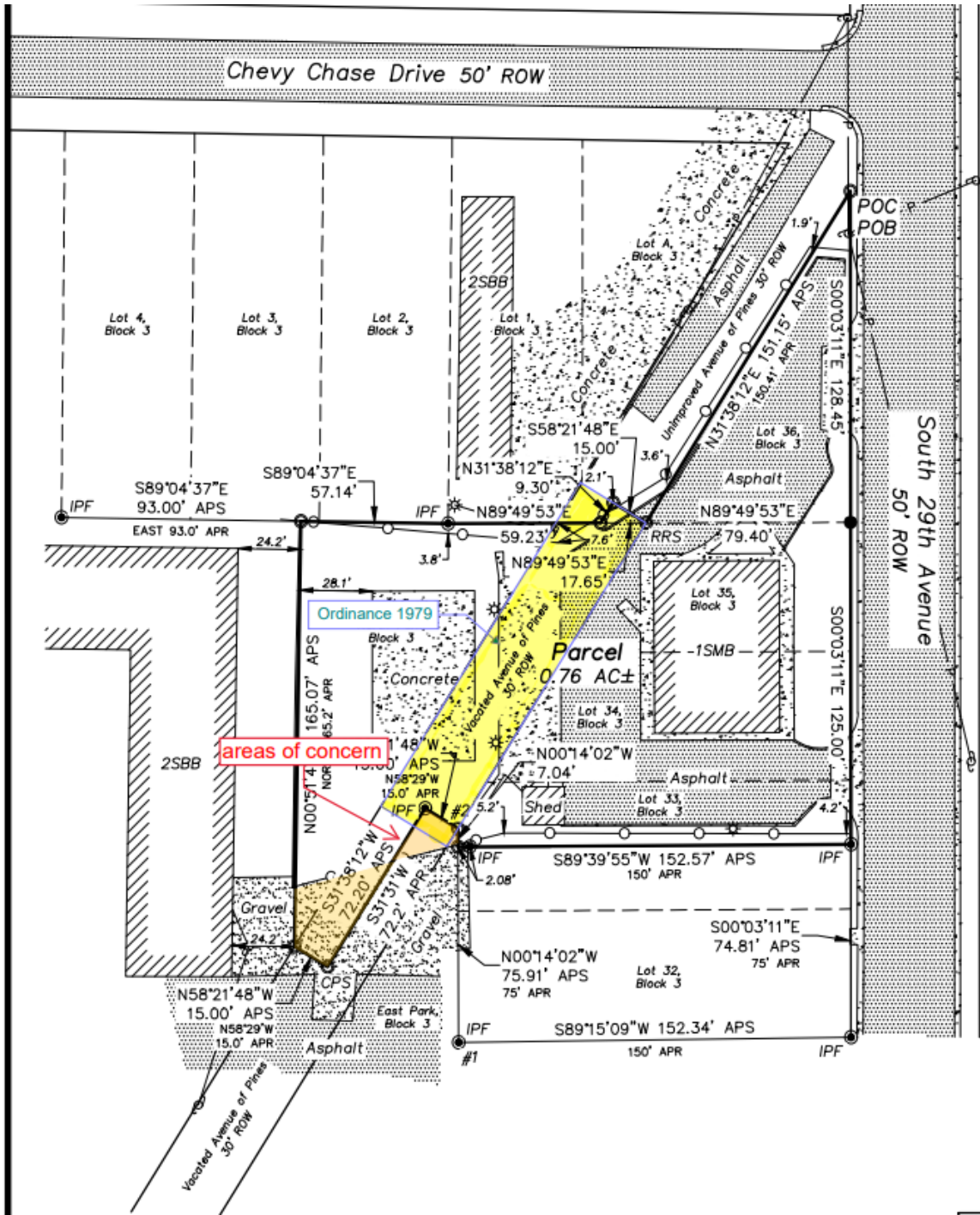
MONTE VISTA TERRACE  
SUB-DIVISION

OF THE NE<sup>4</sup> OF SE<sup>4</sup> OF SEC 7 T4N, R13W FORREST & MISS.  
Except a parcel 203.5' X 250.0' and a parcel 330' X 660' as shown  
July 10, 1926 Scale 1" = 100'

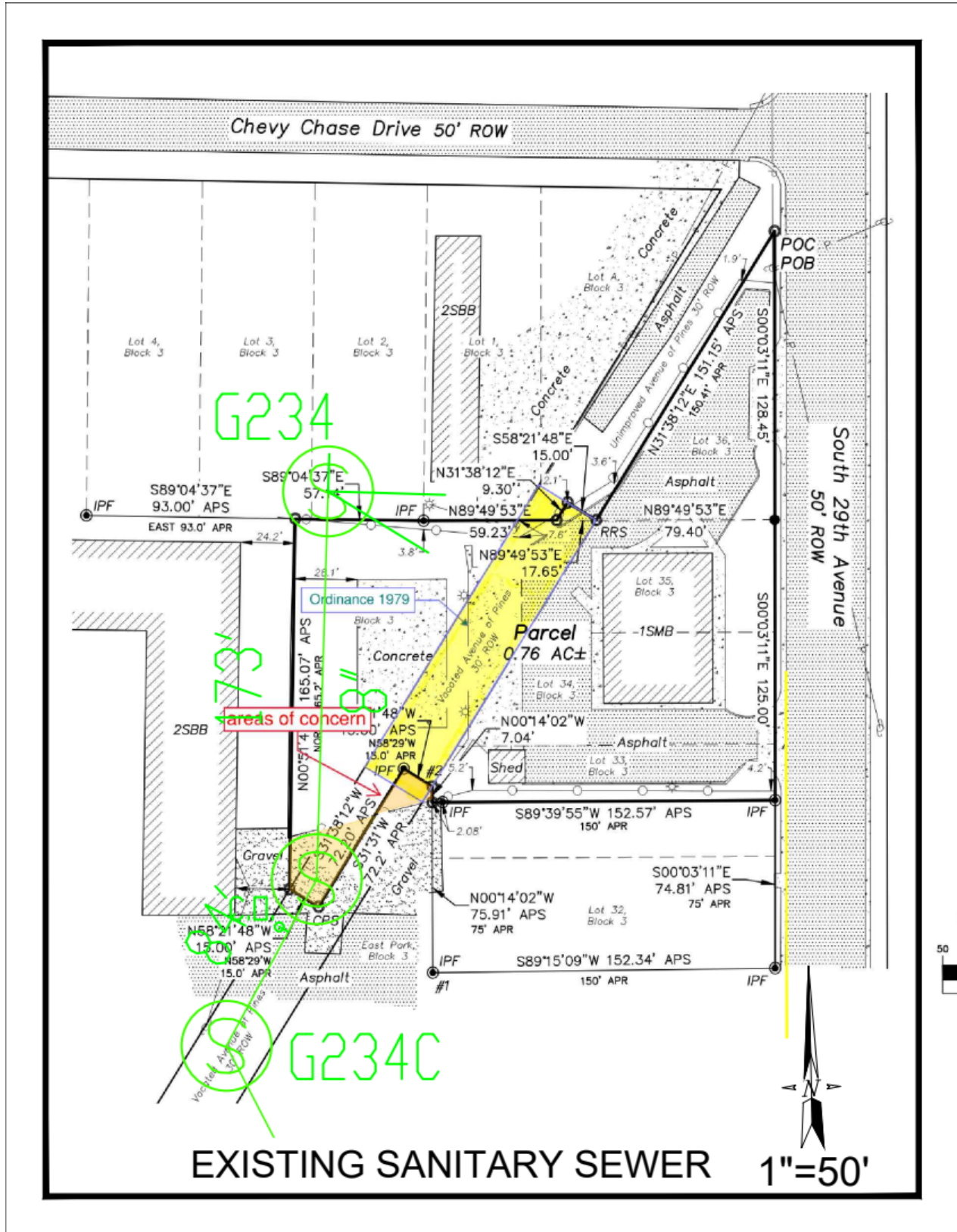
For Finance  
See Book 174

Page

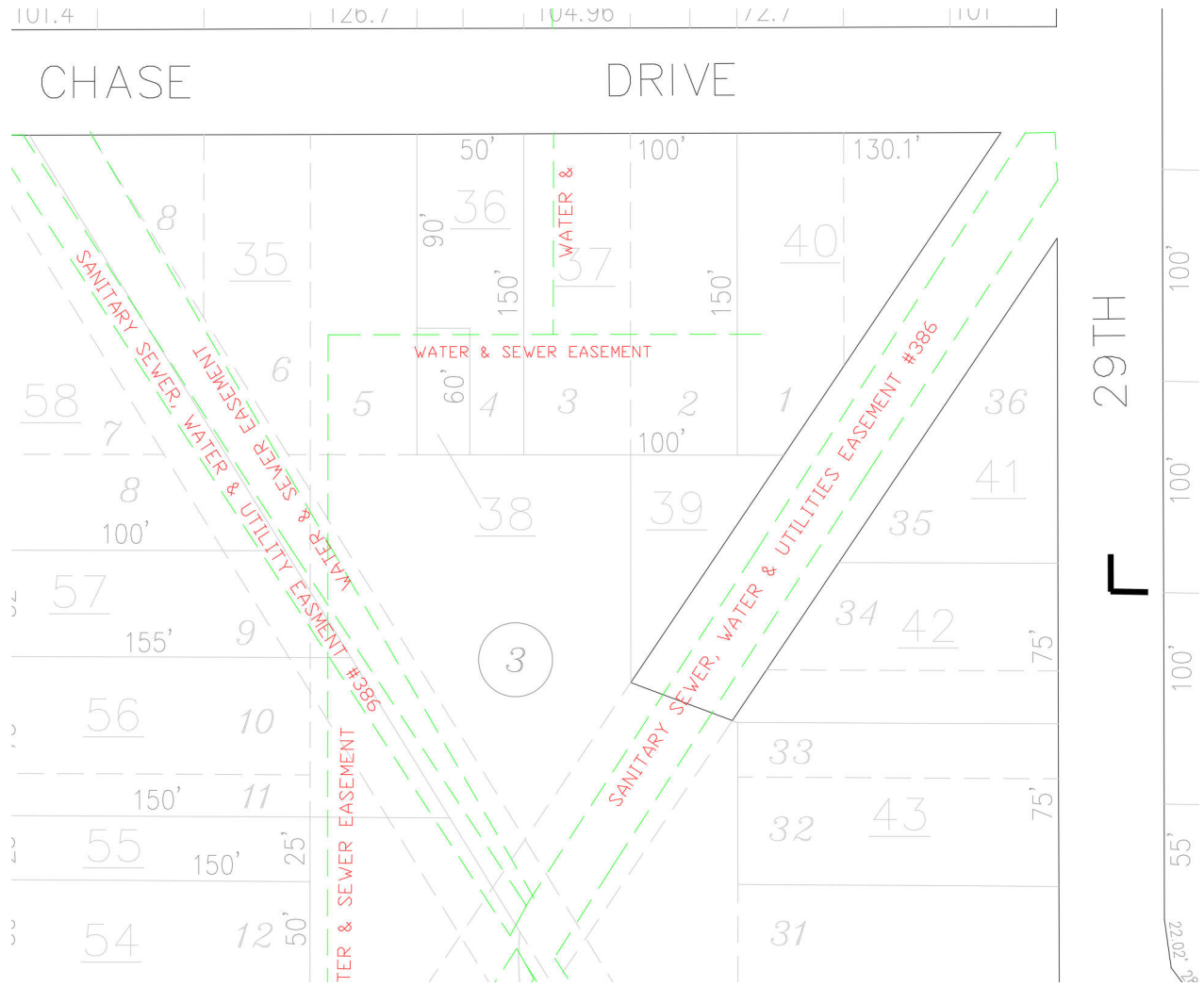
### Marked up Survey Showing Area Requested for Vacation



### Location of Sanitary Sewer Lines



### Location of Existing Easements





# 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](http://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)<br><input type="checkbox"/> Street or Alley Renaming (fill out pages 13 & 14)<br><input type="checkbox"/> Vacating Street or Alley (fill out pages 13 & 14) | <input type="checkbox"/> Text Amendment<br><input type="checkbox"/> Overlay District<br><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:

- 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](mailto:planning@hattiesburgms.com)
- An affidavit (pages 3 & 4) attesting that the applicant or representing party (if other than the owner) is acting on behalf of the owner(s) of record. The affidavit must be sworn to before a notary public or other appropriate official. (Included in owners signature page, or may be a separate document).
- Variance application only:** A letter of approval/denial from all adjoining property owners must be obtained and submitted with 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 \$ 525.<sup>00</sup>



# 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
<b>Variance</b> Variance applications include one Concept Site Plan Review and one Variance request	<b>\$175.00</b> per application. <b>\$50.00</b> for each additional variance.
<b>Street / Alley Naming or Re-Naming</b>	<b>\$300.00</b> per application. <b>\$100.00</b> 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.)
<b>Street / Alley Closing</b>	<b>\$300.00</b> per application.
<b>Conditional Use</b>	<b>\$200.00</b> per application.
<b>Zoning Change</b>	<b>\$400.00</b> per application. *see PUD or PRD & zoning package rate)
<b>Planned Unit Development (PUD) or Planned Residential Development (PRD) with zoning change package</b>	<b>\$600.00</b> per package.
<b>Subdivision of Land (Preliminary Plats)</b> Note: Final Plats should be submitted to the governing body for approval within 12 months of approval of preliminary plats.	<b>\$225.00</b> per application. <b>\$10.00</b> per each additional created lot (** see PUD or PRD & Subdivision of Land package rate)
<b>Planned Unit Development (PUD) or Planned Residential Development with Subdivision of Land Package**</b>	<b>\$500.00</b> per application. <b>\$10.00</b> per each additional created lot (** see PUD or PRD & Subdivision of Land package rate)
<b>Change in Land Development Code Text</b>	<b>\$200.00</b> per application.
<b>Appeal Fees for Proponent or Opponent appeals to City Council</b> *Exempt from fees – Established Neighborhood Association*	<b>\$50.00</b> per appeal.
<b>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</b>	<b>\$50.00</b> (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: Hong Her

*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

203 S. 29<sup>th</sup> Avenue Hattiesburg MS  
Street Address City State

on this the 8 day of December, 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.

Hong Her ; Ryan Wallace ; Jared Vincent

on this the 8 day of December, 2025.

Matthew R. Cummings Authorizing  
Property Owner (Print)  
Matthew R. Cummings  
Property Owner (Signature)

STATE OF Utah

COUNTY OF Salt Lake

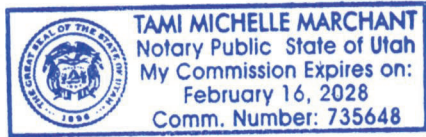
Personally came and appeared before me, the within named

Matthew R. Cummings  
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 8 day of December, 2025.

[Signature]  
NOTARY PUBLIC

My Commission Expires:  
February 16, 2028



**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

203 S. 29<sup>th</sup> Ave Hattiesburg MS  
Street Address City State

on this the 18<sup>th</sup> day of March, 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.

Hong Her ; Ryan Wallace ; Jared Vincent  
on this the 18 day of March, 2026.

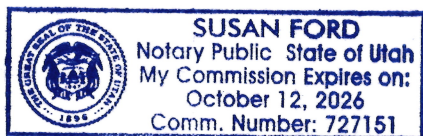
Hong Her  
Applicant (Print)  
[Signature]  
Applicant (Signature)

STATE OF Utah  
COUNTY OF Salt Lake

Personally came and appeared before me, the within named Hong Her, 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 18<sup>th</sup> day of March, 2026.

Susan Ford  
NOTARY PUBLIC



My Commission Expires:  
10/12/2026

**FOR SUBDIVIDING OF LOT, PARCEL OR TRACT**

**Property Data**

- Parent Parcel / Existing lot/parcel/tract contains: **2.10 acres** Square Footage/Acres
- Lot Area Requirement: Combined acreage for lots:  
North Park - 0.09 acres
- Lot Frontage Requirement: East Park - 2.01 acres
- Existing use of lot/parcel/tract **church and apartments**
- To be subdivided into **2** lots/parcels (including parent parcel) – outlined below.

Use extra copies of this form if needed for additional lots

Newly Subdivided Parcels	New lot size in square footage (SF) or acres (A)	New lot has public road frontage	New lot has private road frontage	Indicate name of public or private road(s)	<b>STAFF ONLY</b> Lot area & frontage requirements comply?
1. North Park	.08 acres	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		<input type="checkbox"/> Yes <input type="checkbox"/> No
2. East Park	2.02 acres	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	S. 29th Ave; Chevy Chase Dr.	<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
<b><u>Be sure to include information on the remainder of "existing" lot after splits made – identify as "Parent Parcel"</u></b>					
<b><u>Parent Parcel</u></b>					
2.10 acres	<b><u>Total square footage of new lots (verify total matches existing parcel prior to splits)</u></b>				

**Infrastructure required: (Check all that apply)**

- Water/Sewer    Gas    Electric    Telephone    Cable    Streets

**FOR STREET/ALLEY RENAMING, CLOSING, OR VACATING**

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

Street    Alley    Closing    Vacating    Naming    Renaming

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

Avenue of Pines

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

N/A

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

any portion of Avenue of Pines that is between Lots 33, 34, 35 and North Park, Block 3, and has not already been vacated pursuant to Ordinances #1512 and #1979

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

North Park and East Park, Block 3

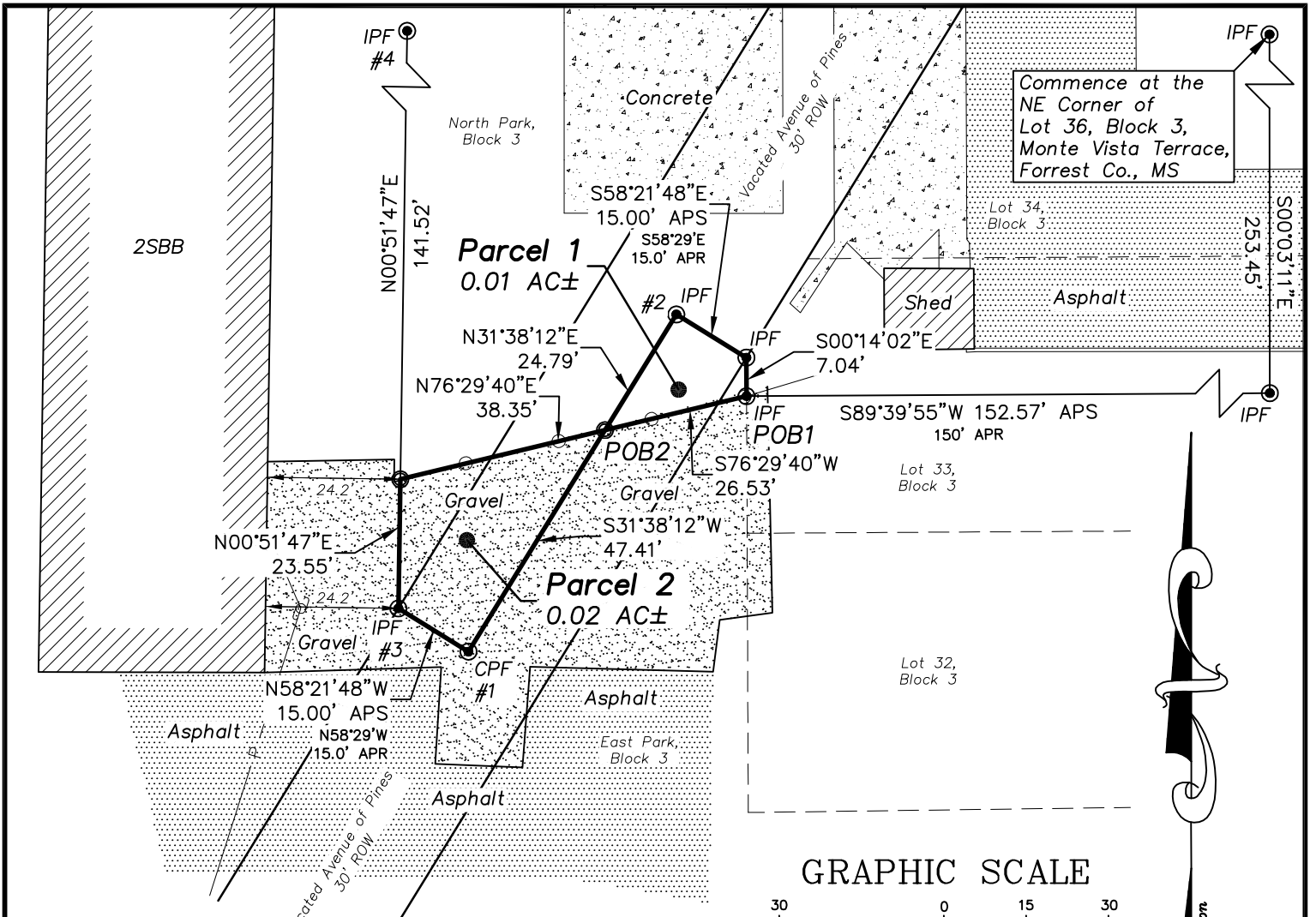
6. **Describe the existing land use of properties and the number of residents affected by renaming the street/alley within 400 feet:**

Type of Land Use of adjacent development	Number of properties adjacent to the existing street	Number of property owners adjacent to the existing street	Number of residents affected by the change of address
Businesses			
Residences			
Apartments	1	1	0
Churches/Schools	1	1	0
Other			

**Any Additional Information:** mutual boundary adjustment between 2 neighbors, City informed us that there was a portion of Avenue of Pines that was not vacated. We are seeking to do that here.

7. **Describe the effect the proposed change will have on existing development and the transportation system within the affected area:** none

8. Have applications for zoning, variance, building permit, or other applications been filed?  
 Yes (If so, provide reference #s and dates: \_\_\_\_\_)  
 No
9. Acknowledgement of property owners affected by the street/alley renaming. Include all names and addresses. Please attach these as additional page(s).
10. Obtain from City's Engineering Department the legal description of the street/alley or portion thereof to be closed, vacated, named, or renamed (electronic copy required)



**Reference Materials**

- 1) Forrest County Tax Map
- 2) Record Plat of Monte Vista Terrace Subdivision
- 3) Deed Book 459, Page 367
- 4) Deed Book 1225, Page 466
- 5) Deed Book 1412, Page 24
- 6) City Ordinance No. 1979 (Book 473, Page 680)
- 7) City Ordinance No. 1301 (Book 182, Page 391)
- 8) City Ordinance No. 1512 (Book 269, Page 417)
- 9) City Ordinance No. 1291 (Book 178, Page 305)
- 10) Instructions per client
- 11) Previous survey by Landmark Surveying, LLC dated 10/13/2023

**Notes**

- 1) No record search of easements was conducted.
- 2) Survey performed without the benefit of a title opinion.
- 3) ½"X18" rebar with cap set at all property corners, unless noted otherwise.
- 4) Orientation is based upon GPS Observation (Geodetic North).
- 5) Record call from #1 to #2 is N31°31'E for 72.2 feet.
- 6) Record call from #3 to #4 is North for 165.2 feet.

**Legal Descriptions**

**Parcel 1**

A parcel of land located in East Park and Avenue of Pines, Block 3 of Monte Vista Terrace Subdivision, City of Hattiesburg, Forrest County, Mississippi and being more particularly described as follows:

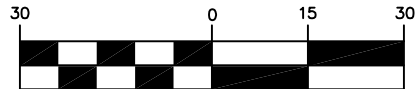
Commence at an iron pin found marking the NE Corner of Lot 36 of said Block 3; thence South 00 degrees 03 minutes 11 seconds East along the east line of said Block 3 for 253.45 feet to an iron pin found; thence South 89 degrees 39 minutes 55 seconds West for 152.57 feet to an iron pin found, said point also being the Point of Beginning; thence South 76 degrees 29 minutes 40 seconds West for 26.53 feet to an iron pin set; thence North 31 degrees 38 minutes 12 seconds East for 24.79 feet to an iron pin found; thence South 58 degrees 21 minutes 48 seconds East for 15.00 feet to an iron pin found; thence South 00 degrees 14 minutes 02 seconds East for 7.04 feet back to the Point of Beginning. Said parcel contains 0.01 acres, more or less. Bearings in above description are based upon GPS Observation of Geodetic North.

**Parcel 2**

A parcel of land located in North Park and Avenue of Pines, Block 3 of Monte Vista Terrace Subdivision, City of Hattiesburg, Forrest County, Mississippi and being more particularly described as follows:

Commence at an iron pin found marking the NE Corner of Lot 36 of said Block 3; thence South 00 degrees 03 minutes 11 seconds East along the east line of said Block 3 for 253.45 feet to an iron pin found; thence South 89 degrees 39 minutes 55 seconds West for 152.57 feet to an iron pin found; thence South 76 degrees 29 minutes 40 seconds West for 26.53 feet to an iron pin set, said point also being the Point of Beginning; thence South 31 degrees 38 minutes 12 seconds West for 47.41 feet to a cotton picker spindle found; thence North 58 degrees 21 minutes 48 seconds West for 15.00 feet to an iron pin found; thence North 00 degrees 51 minutes 47 seconds East for 23.55 feet to an iron pin set; thence North 76 degrees 29 minutes 40 seconds East for 38.35 feet back to the Point of Beginning. Said parcel contains 0.02 acres, more or less. Bearings in above description are based upon GPS Observation of Geodetic North.

**GRAPHIC SCALE**



( IN FEET )

1 inch = 30 ft.

**Legend**

- Monument Set
- Monument Found
- IPF Iron Pin Found
- CPF Cotton Picker Spindle Found
- ROW Right of Way
- POB Point of Beginning
- APS As Per Survey
- APR As Per Record
- 2SBB 2 Story Brick Building
- ⊙ Power Pole
- P— Overhead Electric Line
- Chain Link Fence

CAD FILE: 40722301-2.DWG PROJECT NO. 40722301



P.O. Box 580 • Magee, Mississippi 39111  
 Magee: (601) 849-1796 Sumral: (601) 758-3511

**SURVEY FOR:**  
**The Church of Jesus Christ of Latter-Day Saints**

BLOCK 3, MONTE VISTA TERRACE  
 SUBDIVISION, CITY OF HATTIESBURG,  
 FORREST COUNTY, MISSISSIPPI



SCALE: 1" = 30'

DATE OF SURVEY: 07/10/2024

CLASS OF SURVEY: C

BEARINGS DETERMINED BY: GPS Observation

SURVEYED BY: CM

DRAWN BY: CS



# Hattiesburg Planning Commission Planning Division

## Item F & G - Staff Report

June 3<sup>rd</sup>, 2026

### Quick Facts:

**Applicant:**

Hong Her

**Address:**

203 S 29<sup>th</sup> Avenue

**Zoning:**

MX-3

**Future Land Use:**

Neighborhood Center Mixed-Use  
District

**Historic District:**

N/A

**Overlay District(s):**

N/A

**Flood Zone:**

X

**Ward:**

3

**County:**

Forrest

**PPIN Number(s):**

20799 & 20802

**Parcel Number(s):**

2-028N-07-039.00

2-028N-07-035.00



*Property Area Image*

### **Applicant's Requests:**

**Alley Closure Request:**

Hong Her, Applicant, requests to close an alley/street located to the west of a MX-3 zoned property located at 203 S 29th Avenue (PPIN 20799, Ward 3, Forrest County).

**Subdivision Request:**

Hong Her, Applicant, requests to alter a platted subdivision known as the "Monte Vista Terrace Subdivision" for an MX-3 zoned property located at 203 S 29th Avenue (PPIN 20799 & 20802, Ward 3, Forrest County).

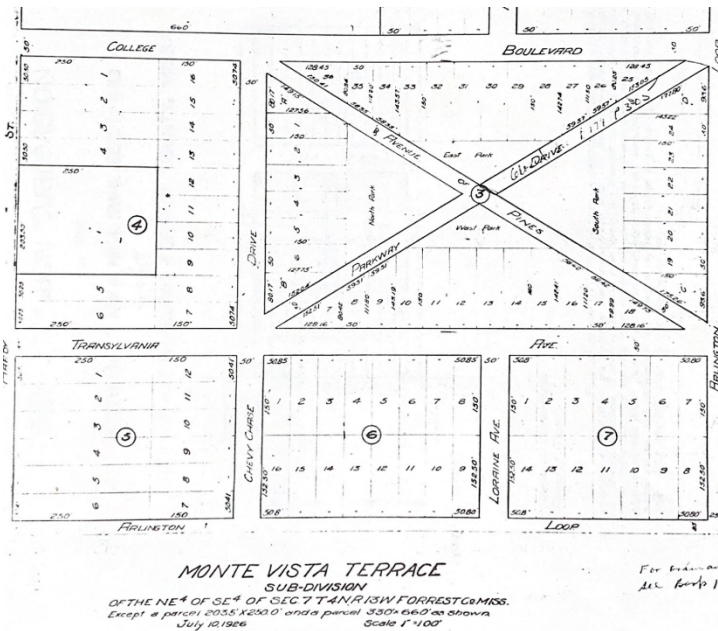
# Background and History

The applicant held pre-application meetings with staff twice, once in 2024 and again in 2025, to discuss a proposed property boundary adjustment between two neighboring parcels in the Monte Vista Terrace Subdivision. The request is based on a long-standing discrepancy between the recorded property lines and an existing fence that separates the church property from the adjacent parcel. The applicant clarified that the fence does not align with the legal property boundary, and the land exchange proposal aims to match the property lines with the fence's position. Specifically, the church would deed a southern part of its property to the neighboring owner, while that owner would deed a northern part back to the church. The applicant noted that the goal is to resolve boundary issues caused by a previous alley vacation and to formalize longstanding ownership arrangements.



*Property Area/Surrounding Area Image*

Staff clarified that since the subject properties are located within the recorded Monte Vista Terrace



**Exhibit A: Block 3 of the Monte Vista Terrace Subdivision, showing the intersecting streets in the middle of the block.**

Subdivision, the request represents a modification of an existing subdivision plat. They also informed the applicant that a plat modification application would be necessary as part of the process. The staff discussed that a small section of the former alley/street is still active public property and would require a formal vacation before the land exchange proceeds.

In the original plat for the Monte Vista Terrace Subdivision, streets were platted in an “X” formation within the middle of the block (See exhibit A). Subsequent development in the block has not directly followed the platted subdivision, and multiple sections of that “X” have since been vacated. The

request would close a portion of the Avenue of Pines Alley/Street on the plat. The alleys/streets have not been improved, but the city does maintain easements through the alleys. The closing of the alley portion would not affect the easements, which would still be maintained by the city. Sanitary sewer lines already run through a portion of the vacated alley/street, but also partially through some private property. If the plat alteration and street closure are approved, it should include a condition to obtain easements over any portion of the sanitary sewer lines that are not currently within city easements.

## **Future Land Use:**

**Neighborhood Center Mixed-Use Districts** provide locations for a range of compatible uses that primarily serve neighborhood residents, area businesses, employment centers, and visitors drawn to the special district. In this district, a mix of land uses may be found that complement the character of the surrounding neighborhoods and/or employment centers, and allow the extension of certain non-residential land uses to properties that had previously been used as residences. Areas with this designation contain residential properties in transition and a mix of existing types.



*Surrounding Area Image*

Residential properties in transition are considered to be properties that are vacant, abandoned, or temporarily rented until a viable use is identified. Minor changes in these areas, such as increases in traffic, encroachment of non-residential uses, and high vacancy rates, give the perception that single-family, owner-occupied housing is no longer sustainable. This description does not include areas characterized as follows: a majority of the properties are occupied as residential properties; non-residential uses have not yet penetrated the residential block; and non-residential uses are only proposed to satisfy the desires of the owner(s) of a single property.



*Property Area/Surrounding Area Image*

**District Characteristics** The characteristics of this district include the following: a mix of building types; residential buildings that have been converted to non-residential uses, such as offices; buildings with shallow front and side yards; small private parking areas and shared parking in public lots; green space in the form of smaller private yards and courtyards; and buildings with both residential and commercial uses.

**District Land Uses** The following land uses should be found in this district: single-family residential uses; accessory apartments; small townhome developments (six to eight units per acre; development sizes no greater than two acres); second-floor apartments over retail or service businesses; smaller, low-intensity retail and service businesses, such as specialty shops, delis and cafes; public and quasi-public uses, such as churches, schools

## Codes and Regulations

### Hattiesburg Form-Based Code

Article 2. Districts Sec. 2.1. Zoning Districts Established

The following Form-Based Code Districts are established.

- A. Mixed Use Districts (MX-)
  - a. The MX- Districts are intended to accommodate a mix of compatible commercial, employment, and higher-density residential in a pedestrian-friendly and walkable environment.
- B. The MX- Districts vary based on the maximum allowed building height.
  - a. a. MX-2 has a maximum building height of 2 stories.
  - b. b. MX-3 has a maximum building height of 3 stories.

### Hattiesburg Land Development Code

#### **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

**Alley Closure Request:**

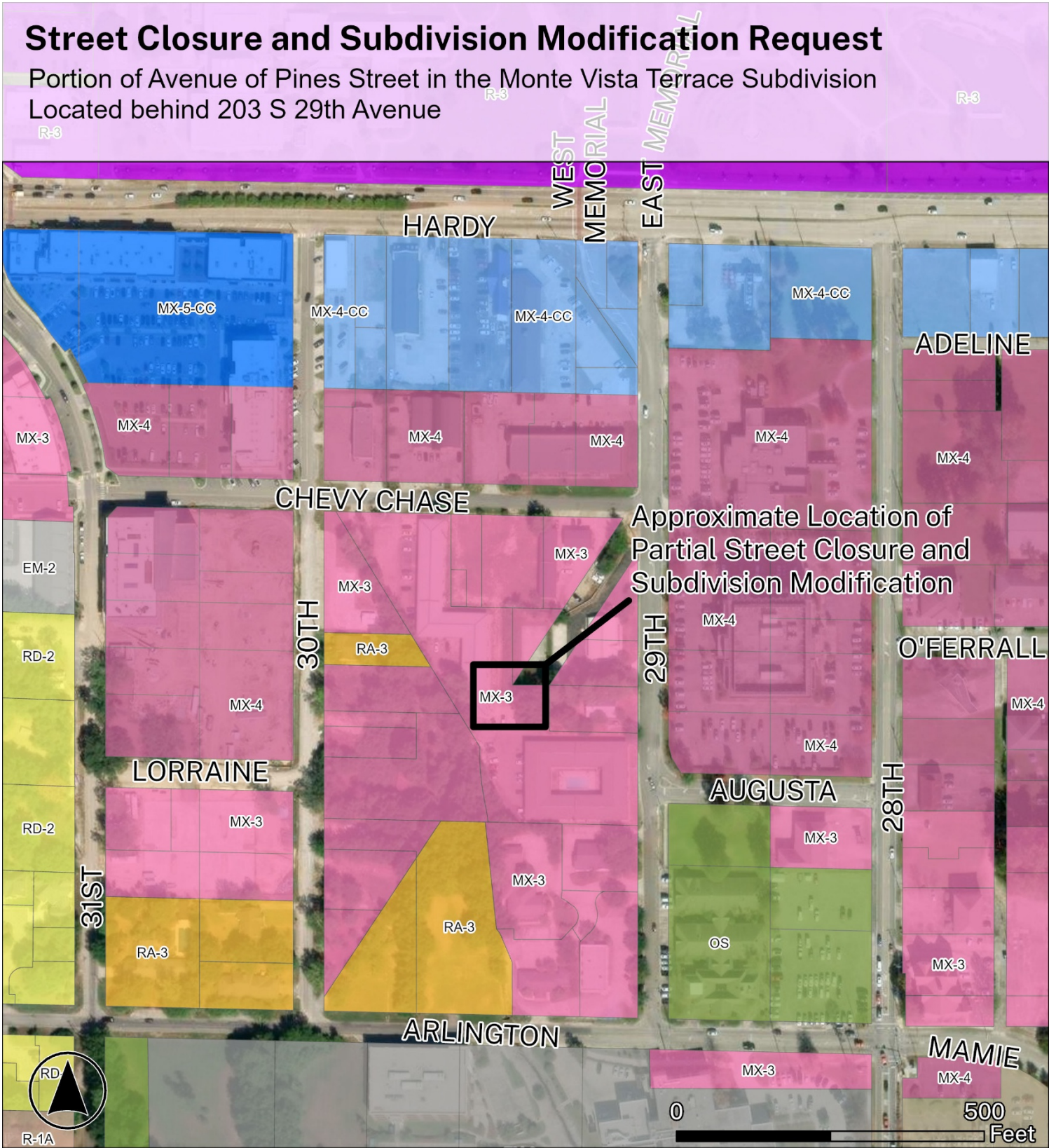
Recommend approval or denial for a request to close an alley located to the west of a MX-3 zoned property located at 203 S 29th Avenue (PPIN 20799, Ward 3, Forrest County).

**Subdivision Request:**

Recommend approval or denial for a request to alter a platted subdivision known as the “Avenue of Pines for a MX-3 zoned property located at 203 S 29th Avenue (PPIN 20799 & 20802, Ward 3, Forrest County).

# Street Closure and Subdivision Modification Request

Portion of Avenue of Pines Street in the Monte Vista Terrace Subdivision  
 Located behind 203 S 29th Avenue



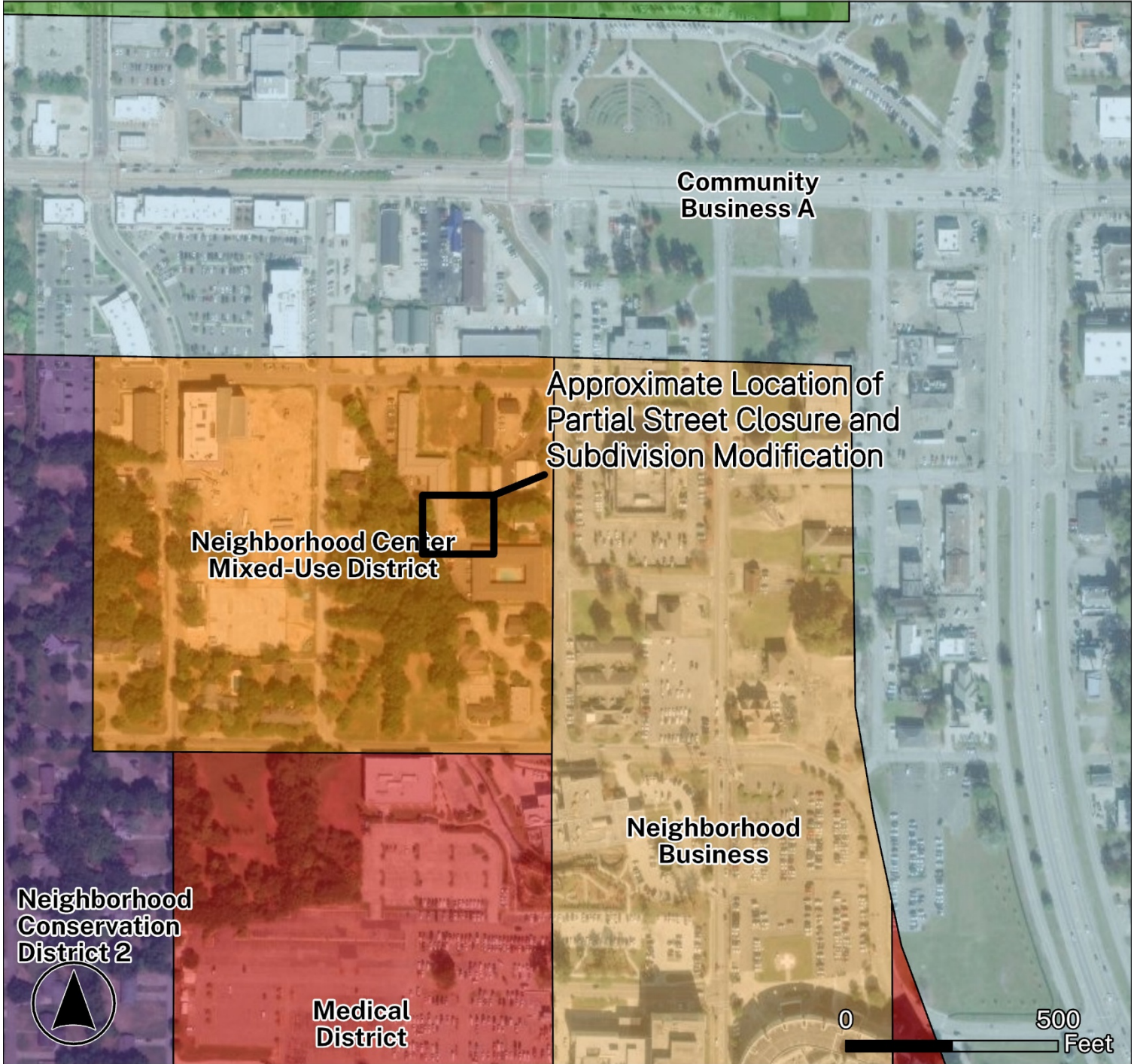
## Zoning Districts

R-1A	RA-3	MX-5-CC	EM-6
R-2	MX-3	EM-2	OS
R-3	MX-4	EM-3	
RD-2 <sup>S</sup>	MX-4-CC	EM-4	



# Street Closure and Subdivision Modification Request

Portion of Avenue of Pines Street in the Monte Vista Terrace Subdivision  
Located behind 203 S 29th Avenue



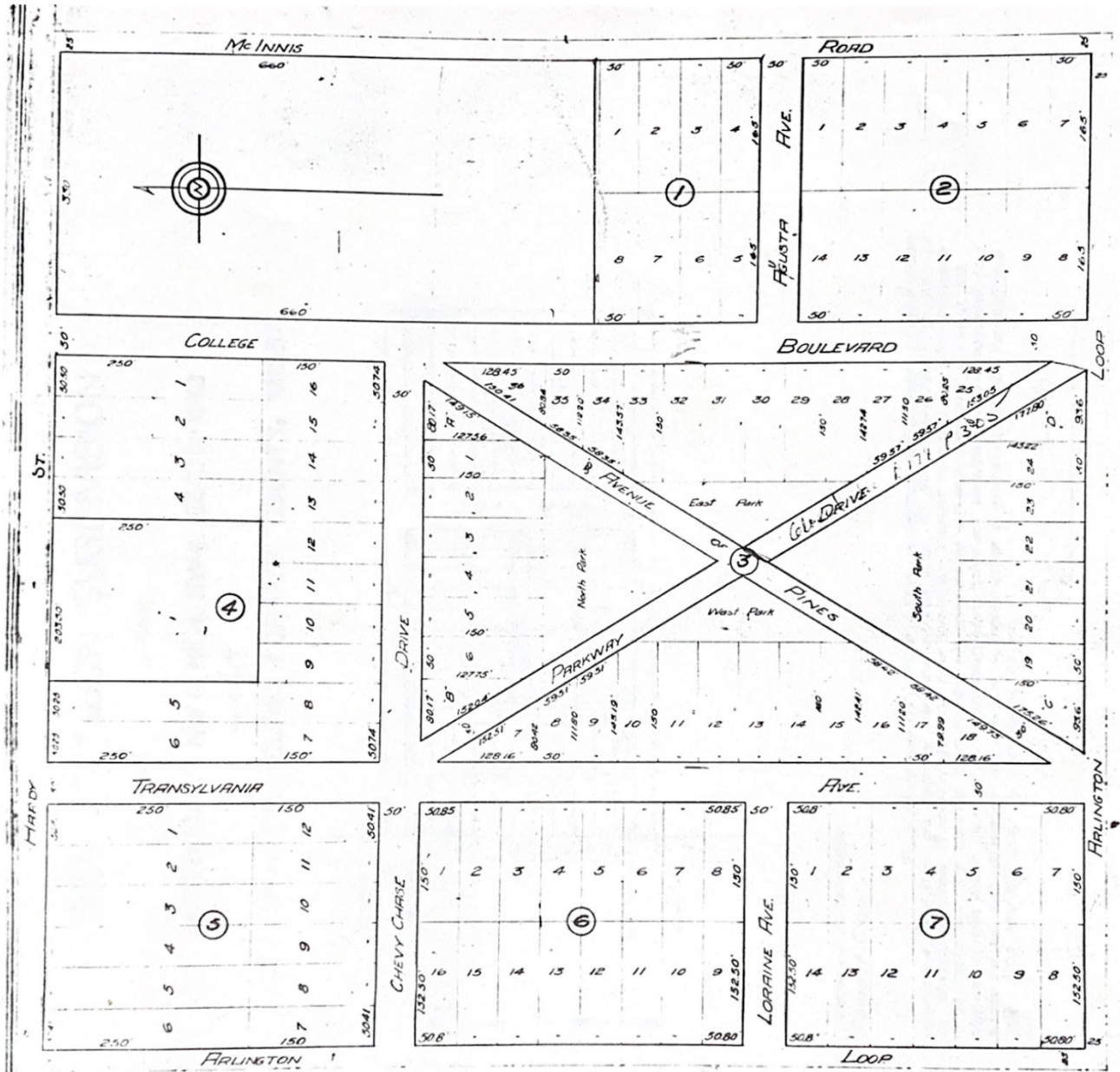
### Future Land Use

- Community Business A
- Medical District
- Neighborhood Business
- Neighborhood Center Mixed-Use District
- Neighborhood Conservation District 2
- University/College District





Subdivision Plat for the Monte Vista Terrace Subdivision



MONTE VISTA TERRACE  
SUB-DIVISION

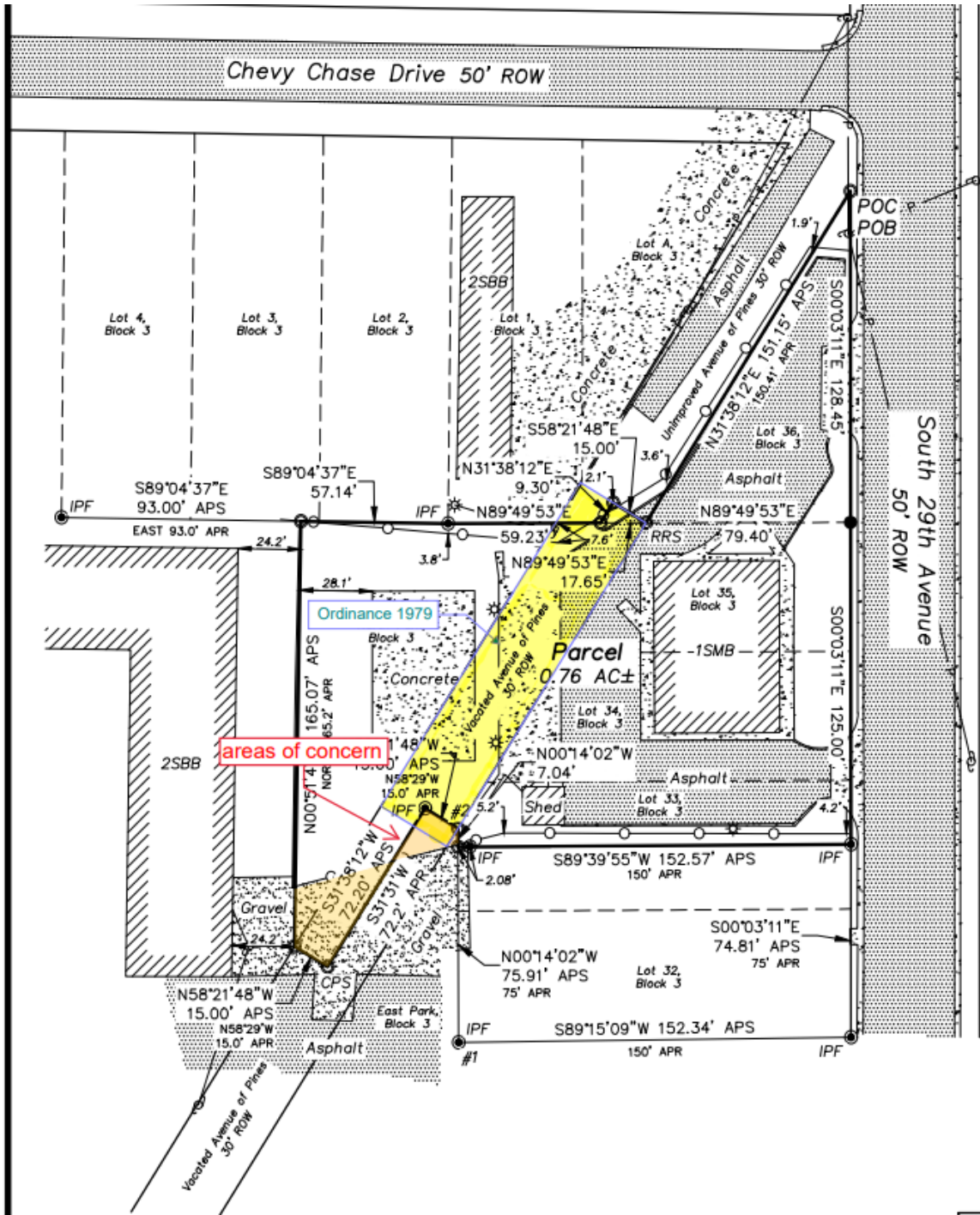
OF THE NE<sup>4</sup> OF SE<sup>4</sup> OF SEC 7 T4N R13W FORREST C&MISS.  
Except a parcel 203.5' X 250.0' and a parcel 330' X 660' as shown  
July 10, 1926  
Scale 1" = 100'

For Finance  
See Book 174

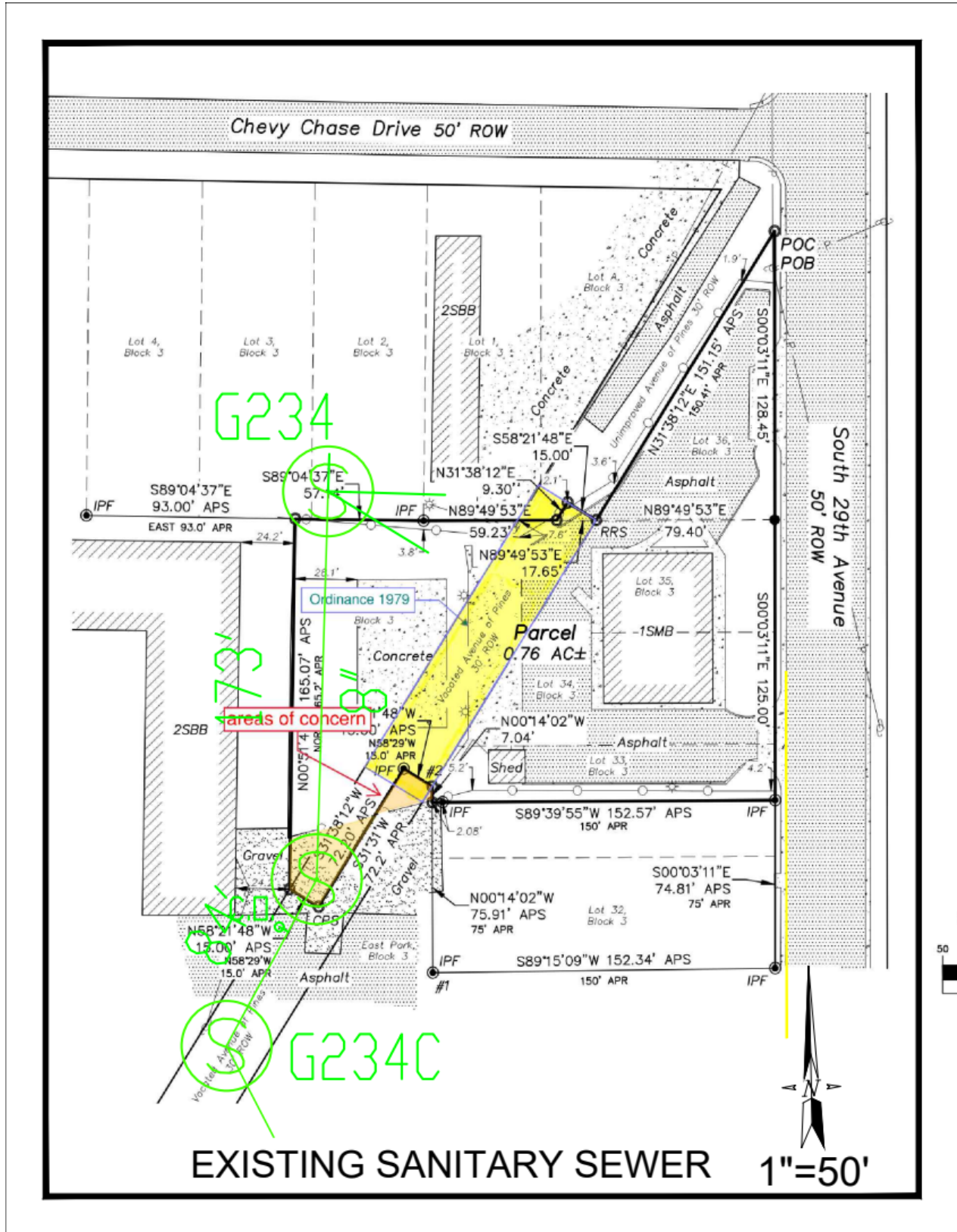
*Handwritten initials*

*Page*

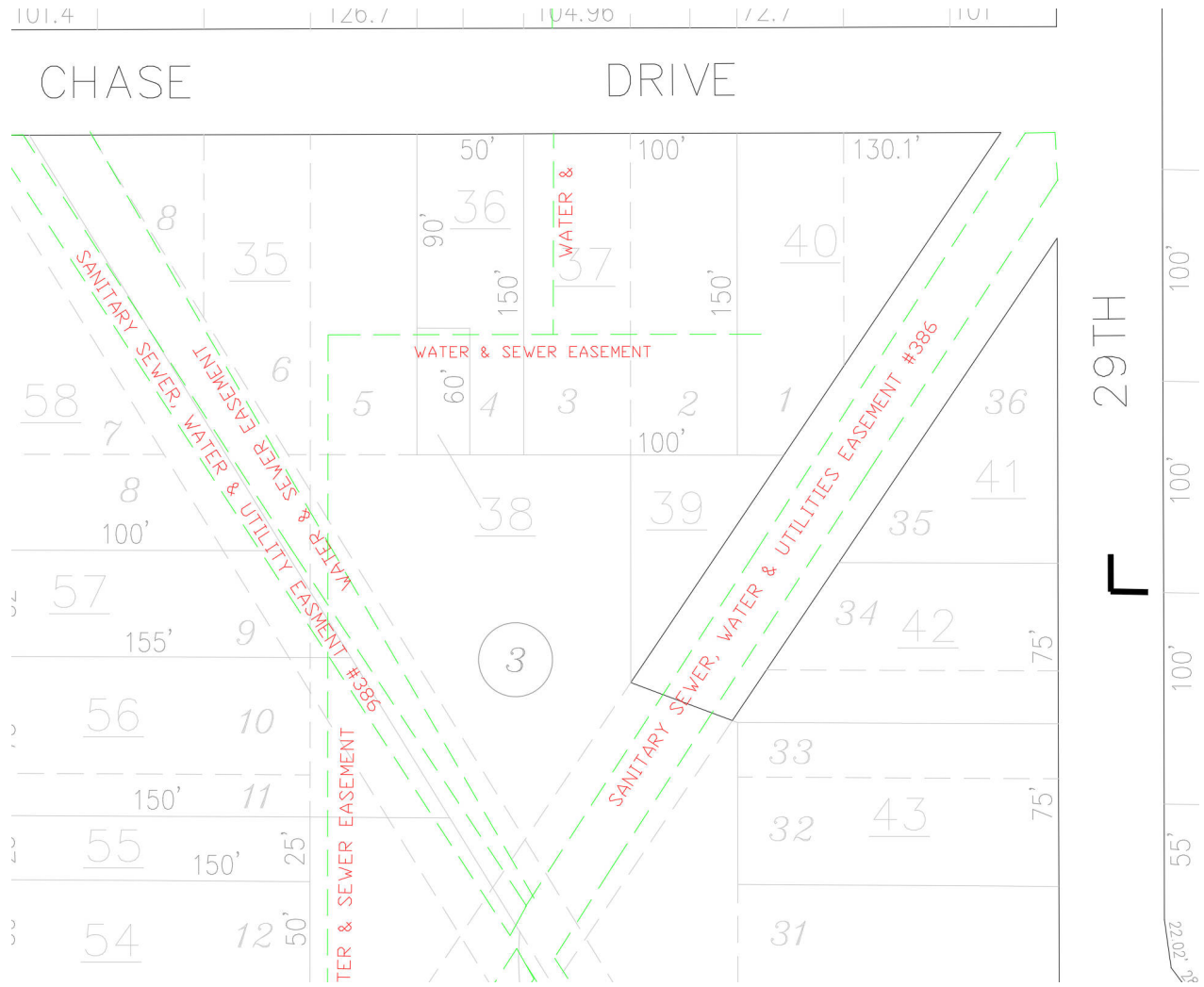
### Marked up Survey Showing Area Requested for Vacation



### Location of Sanitary Sewer Lines



### Location of Existing Easements





# 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](http://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)<br><input type="checkbox"/> Street or Alley Renaming (fill out pages 13 & 14)<br><input type="checkbox"/> Vacating Street or Alley (fill out pages 13 & 14) | <input type="checkbox"/> Text Amendment<br><input type="checkbox"/> Overlay District<br><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](mailto:planning@hattiesburgms.com)
- An affidavit (pages 3 & 4) attesting that the applicant or representing party (if other than the owner) is acting on behalf of the owner(s) of record. The affidavit must be sworn to before a notary public or other appropriate official. (Included in owners signature page, or may be a separate document).
- Variance application only:** A letter of approval/denial from all adjoining property owners must be obtained and submitted with 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 \$ 525.<sup>00</sup>



# 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
<b>Variance</b> Variance applications include one Concept Site Plan Review and one Variance request	<b>\$175.00</b> per application. <b>\$50.00</b> for each additional variance.
<b>Street / Alley Naming or Re-Naming</b>	<b>\$300.00</b> per application. <b>\$100.00</b> 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.)
<b>Street / Alley Closing</b>	<b>\$300.00</b> per application.
<b>Conditional Use</b>	<b>\$200.00</b> per application.
<b>Zoning Change</b>	<b>\$400.00</b> per application. *see PUD or PRD & zoning package rate)
<b>Planned Unit Development (PUD) or Planned Residential Development (PRD) with zoning change package</b>	<b>\$600.00</b> per package.
<b>Subdivision of Land (Preliminary Plats)</b> Note: Final Plats should be submitted to the governing body for approval within 12 months of approval of preliminary plats.	<b>\$225.00</b> per application. <b>\$10.00</b> per each additional created lot (** see PUD or PRD & Subdivision of Land package rate)
<b>Planned Unit Development (PUD) or Planned Residential Development with Subdivision of Land Package**</b>	<b>\$500.00</b> per application. <b>\$10.00</b> per each additional created lot (** see PUD or PRD & Subdivision of Land package rate)
<b>Change in Land Development Code Text</b>	<b>\$200.00</b> per application.
<b>Appeal Fees for Proponent or Opponent appeals to City Council</b> *Exempt from fees – Established Neighborhood Association*	<b>\$50.00</b> per appeal.
<b>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</b>	<b>\$50.00</b> (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: Hong Her

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

203 S. 29<sup>th</sup> Avenue Hattiesburg MS  
Street Address City State

on this the 8 day of December, 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.

Hong Her ; Ryan Wallace ; Jared Vincent

on this the 8 day of December, 2025.

Matthew R. Cummings Authorizing  
Property Owner (Print)  
Matthew R. Cummings  
Property Owner (Signature)

STATE OF Utah

COUNTY OF Salt Lake

Personally came and appeared before me, the within named

Matthew R. Cummings

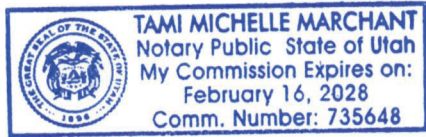
who signed and delivered the above and foregoing instrument as and for their free act and deed on the day and year therein mentioned, and who acknowledge to me that they are the owner(s) of the subject property as described in this Public Hearing Application.

GIVEN UNDER MY HAND AND OFFICIAL SEAL OF OFFICE, this the 8 day of December, 2025.

[Signature]  
NOTARY PUBLIC

My Commission Expires:

February 16, 2028



**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

203 S. 29<sup>th</sup> Ave Hattiesburg MS  
Street Address City State

on this the 18<sup>th</sup> day of March, 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.

Hong Her ; Ryan Wallace ; Jared Vincent  
on this the 18 day of March, 2026.

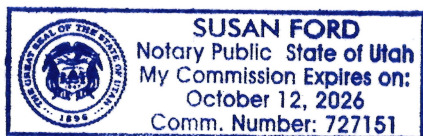
Hong Her  
Applicant (Print)  
[Signature]  
Applicant (Signature)

STATE OF Utah  
COUNTY OF Salt Lake

Personally came and appeared before me, the within named Hong Her, 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 18<sup>th</sup> day of March, 2026.

[Signature]  
NOTARY PUBLIC



My Commission Expires:  
10/12/2026

**FOR SUBDIVIDING OF LOT, PARCEL OR TRACT**

**Property Data**

- Parent Parcel / Existing lot/parcel/tract contains: **2.10 acres** Square Footage/Acres
- Lot Area Requirement: **Combined acreage for lots:**
- Lot Frontage Requirement: **North Park - 0.09 acres**
- Existing use of lot/parcel/tract **church and apartments**
- To be subdivided into **2** lots/parcels (including parent parcel) – outlined below.

Use extra copies of this form if needed for additional lots

Newly Subdivided Parcels	New lot size in square footage (SF) or acres (A)	New lot has public road frontage	New lot has private road frontage	Indicate name of public or private road(s)	<b>STAFF ONLY</b> Lot area & frontage requirements comply?
1. North Park	.08 acres	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		<input type="checkbox"/> Yes <input type="checkbox"/> No
2. East Park	2.02 acres	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	S. 29th Ave; Chevy Chase Dr.	<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
<b><u>Be sure to include information on the remainder of "existing" lot after splits made – identify as "Parent Parcel"</u></b>					
<b><u>Parent Parcel</u></b>					
2.10 acres	<b><u>Total square footage of new lots (verify total matches existing parcel prior to splits)</u></b>				

**Infrastructure required: (Check all that apply)**

- Water/Sewer    Gas    Electric    Telephone    Cable    Streets

**FOR STREET/ALLEY RENAMING, CLOSING, OR VACATING**

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

Street    Alley    Closing    Vacating    Naming    Renaming

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

Avenue of Pines

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

N/A

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

any portion of Avenue of Pines that is between Lots 33, 34, 35 and North Park, Block 3, and has not already been vacated pursuant to Ordinances #1512 and #1979

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

North Park and East Park, Block 3

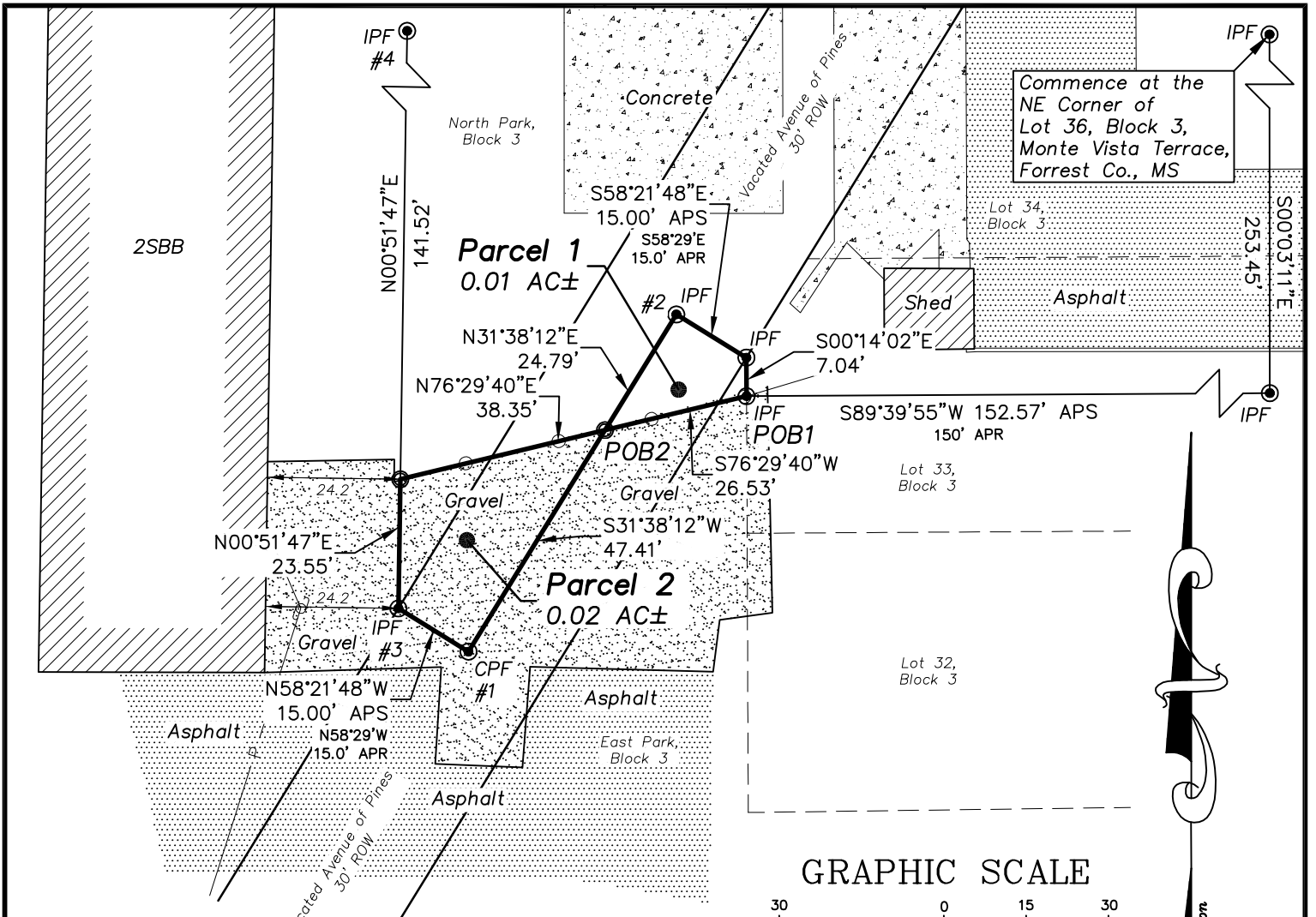
6. **Describe the existing land use of properties and the number of residents affected by renaming the street/alley within 400 feet:**

Type of Land Use of adjacent development	Number of properties adjacent to the existing street	Number of property owners adjacent to the existing street	Number of residents affected by the change of address
Businesses			
Residences			
Apartments	1	1	0
Churches/Schools	1	1	0
Other			

**Any Additional Information:** mutual boundary adjustment between 2 neighbors, City informed us that there was a portion of Avenue of Pines that was not vacated. We are seeking to do that here.

7. **Describe the effect the proposed change will have on existing development and the transportation system within the affected area:** none

8. Have applications for zoning, variance, building permit, or other applications been filed?  
 Yes (If so, provide reference #s and dates: \_\_\_\_\_)  
 No
9. Acknowledgement of property owners affected by the street/alley renaming. Include all names and addresses. Please attach these as additional page(s).
10. Obtain from City's Engineering Department the legal description of the street/alley or portion thereof to be closed, vacated, named, or renamed (electronic copy required)



**Reference Materials**

- 1) Forrest County Tax Map
- 2) Record Plat of Monte Vista Terrace Subdivision
- 3) Deed Book 459, Page 367
- 4) Deed Book 1225, Page 466
- 5) Deed Book 1412, Page 24
- 6) City Ordinance No. 1979 (Book 473, Page 680)
- 7) City Ordinance No. 1301 (Book 182, Page 391)
- 8) City Ordinance No. 1512 (Book 269, Page 417)
- 9) City Ordinance No. 1291 (Book 178, Page 305)
- 10) Instructions per client
- 11) Previous survey by Landmark Surveying, LLC dated 10/13/2023

**Notes**

- 1) No record search of easements was conducted.
- 2) Survey performed without the benefit of a title opinion.
- 3) 1/2"X18" rebar with cap set at all property corners, unless noted otherwise.
- 4) Orientation is based upon GPS Observation (Geodetic North).
- 5) Record call from #1 to #2 is N31°31'E for 72.2 feet.
- 6) Record call from #3 to #4 is North for 165.2 feet.

**Legal Descriptions**

**Parcel 1**

A parcel of land located in East Park and Avenue of Pines, Block 3 of Monte Vista Terrace Subdivision, City of Hattiesburg, Forrest County, Mississippi and being more particularly described as follows:

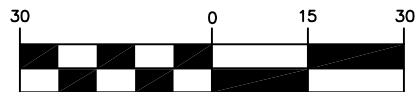
Commence at an iron pin found marking the NE Corner of Lot 36 of said Block 3; thence South 00 degrees 03 minutes 11 seconds East along the east line of said Block 3 for 253.45 feet to an iron pin found; thence South 89 degrees 39 minutes 55 seconds West for 152.57 feet to an iron pin found, said point also being the Point of Beginning; thence South 76 degrees 29 minutes 40 seconds West for 26.53 feet to an iron pin set; thence North 31 degrees 38 minutes 12 seconds East for 24.79 feet to an iron pin found; thence South 58 degrees 21 minutes 48 seconds East for 15.00 feet to an iron pin found; thence South 00 degrees 14 minutes 02 seconds East for 7.04 feet back to the Point of Beginning. Said parcel contains 0.01 acres, more or less. Bearings in above description are based upon GPS Observation of Geodetic North.

**Parcel 2**

A parcel of land located in North Park and Avenue of Pines, Block 3 of Monte Vista Terrace Subdivision, City of Hattiesburg, Forrest County, Mississippi and being more particularly described as follows:

Commence at an iron pin found marking the NE Corner of Lot 36 of said Block 3; thence South 00 degrees 03 minutes 11 seconds East along the east line of said Block 3 for 253.45 feet to an iron pin found; thence South 89 degrees 39 minutes 55 seconds West for 152.57 feet to an iron pin found; thence South 76 degrees 29 minutes 40 seconds West for 26.53 feet to an iron pin set, said point also being the Point of Beginning; thence South 31 degrees 38 minutes 12 seconds West for 47.41 feet to a cotton picker spindle found; thence North 58 degrees 21 minutes 48 seconds West for 15.00 feet to an iron pin found; thence North 00 degrees 51 minutes 47 seconds East for 23.55 feet to an iron pin set; thence North 76 degrees 29 minutes 40 seconds East for 38.35 feet back to the Point of Beginning. Said parcel contains 0.02 acres, more or less. Bearings in above description are based upon GPS Observation of Geodetic North.

**GRAPHIC SCALE**



( IN FEET )

1 inch = 30 ft.

**Legend**

- Monument Set
- Monument Found
- IPF Iron Pin Found
- CPF Cotton Picker Spindle Found
- ROW Right of Way
- POB Point of Beginning
- APS As Per Survey
- APR As Per Record
- 2SBB 2 Story Brick Building
- ⊙ Power Pole
- P— Overhead Electric Line
- Chain Link Fence

CAD FILE: 40722301-2.DWG PROJECT NO. 40722301



P.O. Box 580 • Magee, Mississippi 39111  
 Magee: (601) 849-1796 Sumral: (601) 758-3511

**SURVEY FOR:**  
**The Church of Jesus Christ of Latter-Day Saints**

BLOCK 3, MONTE VISTA TERRACE  
 SUBDIVISION, CITY OF HATTIESBURG,  
 FORREST COUNTY, MISSISSIPPI



SCALE: 1" = 30'

DATE OF SURVEY: 07/10/2024

CLASS OF SURVEY: C

BEARINGS DETERMINED BY: GPS Observation

SURVEYED BY: CM

DRAWN BY: CS

**NAME OF RECORDED SUBDIVISION TO BE ALTERED:**

Monte Vista Terrace Subdivision

---

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:

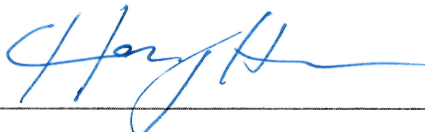
1. **Identification of Affected Individuals:** I have thoroughly documented and named all persons who would be adversely affected by or directly interested in the proposed subdivision alteration.
2. **Notification of Proposed Changes:** Before initiating any action regarding the alteration, I have ensured 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 3/18/26

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


Name of Subdivision being altered:

Monte Vista Terrace Subdivision

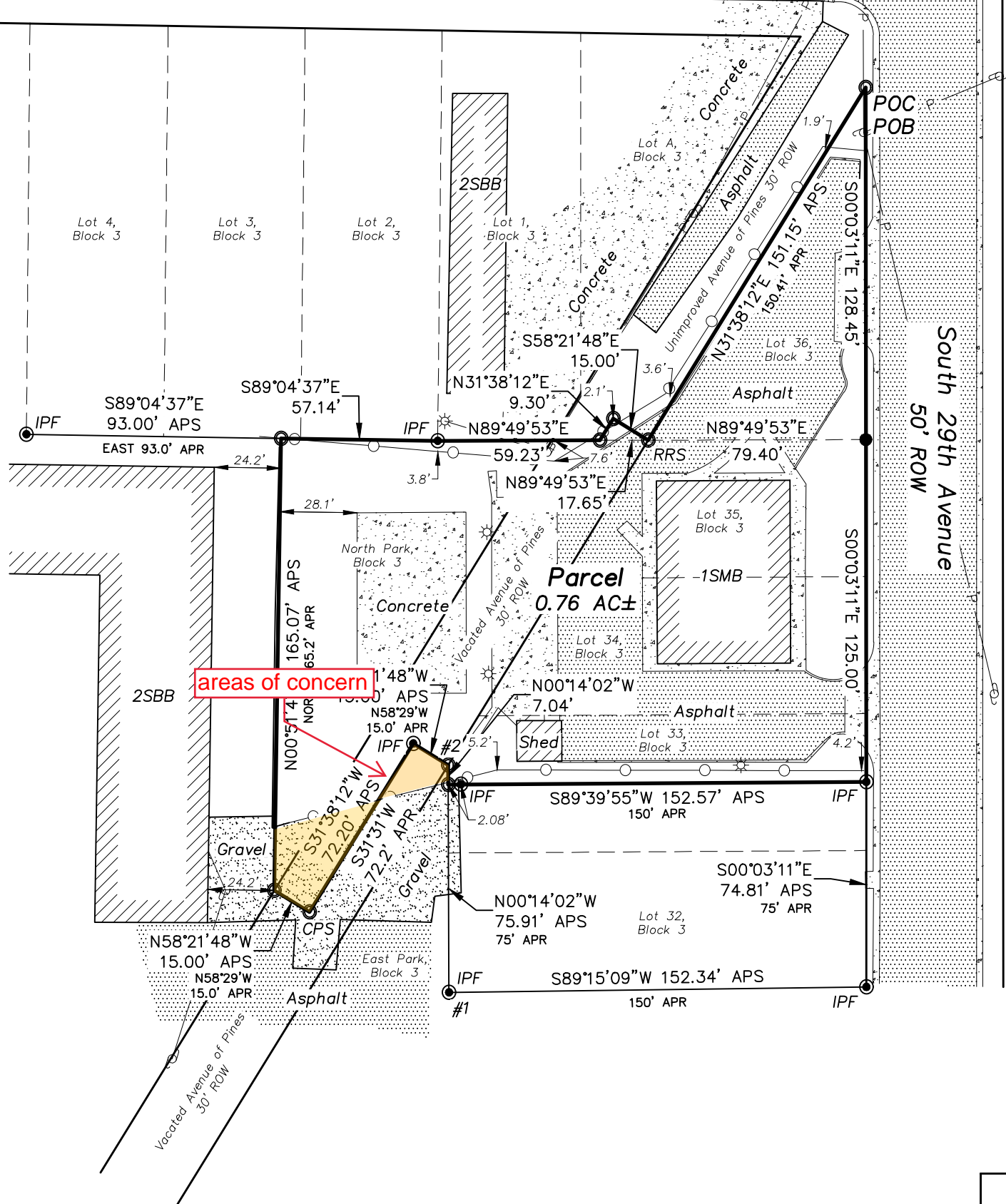
Address and PPIN of alteration in subdivision:

203 S. 29th Ave, Hattiesburg, MS 39401; PPIN 2-028N-07-039.00

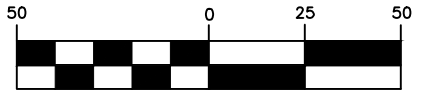
Approve of Proposed  
Alteration (Yes or  
No)

	Name	Address	Phone Number	Approve of Proposed Alteration (Yes or No)	Signature
1	Heritage MS, LLC	2817 Overton Rd., Birmingham, AL 35223	205-948-4031	Yes	
2					
3					
4					
5					
6					
7					
8					
9					
10					
11					
12					
13					
14					
15					
16					
17					
18					
19					

Chevy Chase Drive 50' ROW



GRAPHIC SCALE



( IN FEET )  
1 inch = 50 ft.

Notes

- 1) No record search of easements was conducted.
- 2) Survey performed without the benefit of a title opinion.
- 3) 1/2"X18" rebar with cap set at all property corners, unless noted otherwise.
- 4) Orientation is based upon GPS Observation (Geodetic North).
- 5) Record call from #1 to #2 is N00°36'W for 87.1 feet.

Legal Description

A parcel of land located in Lots 33, 34, 35, 36, North Park and part of Avenue of Pines, all being located in Block 3 of Monte Vista Terrace Subdivision, City of Hattiesburg, Forrest County, Mississippi and being more particularly described as follows:

Commence and Begin at an iron pin set marking the NE Corner of said Lot 36 of Block 3; thence South 00 degrees 03 minutes 11 seconds East along the east line of Block 3 for 253.45 feet to an iron pin found; thence South 89 degrees 39 minutes 55 seconds West for 152.57 feet to an iron pin set on the west line of said Lot 33; thence North 00 degrees 14 minutes 02 seconds West along said west line for 7.04 feet to an iron pin set on the eastern right of way line of said Avenue of Pines; thence North 58 degrees 21 minutes 48 seconds West for 15.00 feet to an iron pin found in the centerline of said Avenue of Pines; thence South 31 degrees 38 minutes 12 seconds West along said centerline for 72.20 feet to a cotton picker spindle set; thence North 58 degrees 21 minutes 48 seconds West for 15.00 feet to an iron pin set on the western right of way line of said Avenue of Pines; thence North 00 degrees 51 minutes 47 seconds East for 165.07 feet to an iron pin set on the south line of Lot 3 of said Block 3; thence South 89 degrees 04 minutes 37 seconds East along said south line and the south line of Lot 2 of said Block 3 for 57.14 feet to an iron pin found marking the SW Corner of Lot 1 of said Block 3; thence North 89 degrees 49 minutes 53 seconds East for 59.23 feet to an iron pin set in the said centerline of Avenue of Pines; thence North 31 degrees 38 minutes 12 seconds East along the west line of said Lot 36 for 151.15 feet back to the Point of Beginning. Said parcel contains 0.76 acres, more or less. Bearings in above description are based upon GPS Observation of Geodetic North.

Legend	
○	Monument Set
●	No Monument Set
⊙	Monument Found
IPF	Iron Pin Found
RRS	Railroad Spike Set
CPS	Cotton Picker Spindle Set
ROW	Right of Way
POB	Point of Beginning
POC	Point of Commencement
APS	As Per Survey
APR	As Per Record
1SMB	1 Story Metal Building
2SBB	2 Story Brick Building
⊗	Power Pole
⊕	Utility Pole
—P—	Overhead Electric Line
—○—	Chain Link Fence

Reference Materials

- 1) Forrest County Tax Map
- 2) Record Plat of Monte Vista Terrace Subdivision
- 3) Deed Book 459, Page 367
- 4) Deed Book 1225, Page 466
- 5) Deed Book 1412, Page 24
- 6) City Ordinance No. 1979 (Book 473, Page 680)
- 7) City Ordinance No. 1301 (Book 182, Page 391)
- 8) City Ordinance No. 1512 (Book 269, Page 417)
- 9) City Ordinance No. 1291 (Book 178, Page 305)

CAD FILE: 40722301.DWG PROJECT NO. 40722301

**LANDMARK SURVEYING, LLC**

P.O. Box 580 • Magee, Mississippi 39111  
Magee: (601) 849-1796 Sumrall: (601) 758-3511

SCALE: 1" = 50'

DATE OF SURVEY: 10/13/2023

CLASS OF SURVEY: C

SURVEY FOR:  
**The Church of Jesus Christ of Latter Day Saints**

BLOCK 3, MONTE VISTA TERRACE SUBDIVISION, CITY OF HATTIESBURG, FORREST COUNTY, MISSISSIPPI

BEARINGS DETERMINED BY: GPS Observation

SURVEYED BY: HW

DRAWN BY: CS

LANDRY P. ADCOCK  
LICENSED PROFESSIONAL  
LAND SURVEYOR  
0055  
STATE OF MISSISSIPPI

Digital Copy



# Hattiesburg Planning Commission

## Planning Division

### Item H - Staff Report

June 3<sup>rd</sup>, 2026

**Quick Facts:**

**Applicant:**

Alvin Watson

**Address:**

241 Short Columbia Street

**Zoning:**

B-2 (Neighborhood Business)

**Future Land Use:**

Neighborhood Conservation  
District 1

**Historic District:**

N/A

**Overlay District(s):**

N/A

**Flood Zone:**

X

**Ward:**

2

**County:**

Forrest

**PPIN Number(s):**

23928

**Parcel Number(s):**

2-029E-04-147.00



*Property Area Image*

**Applicant's Request:**

Alvin Watson, Applicant, requests a conditional use approval for "Dwelling, Multi-Family" for a B-2 zoned property located at 241 Short Columbia Street (PPIN 23928, Forrest County, Ward 2)



*Property Area Image*

# Background and History

The property is located near the Hercules Plant, a chemical production facility that employed hundreds of workers at its height and closed in 2009. When Hercules was open, the area surrounding the plant was home to several local businesses, including properties located around 7th Street and Short Columbia. There are still a handful of businesses and churches in the surrounding area. However, much of the surrounding area has shifted into primarily residential neighborhoods. The structure at 241 Short Columbia has been vacant for some years, but before its current state, it was planned to be a veteran’s home. The current applicant purchased the property two years ago.



*Surrounding Area Image*

The property adjacent to this request (237 Short Columbia) received conditional use approval for a single-family residential use in June of 2025. The structure has since been rehabilitated and is currently occupied. The current proposal is by the same applicant. The applicant's intention is to remodel the structure to have 4 dwelling units that are three-bedroom, two-bath units. The applicant has submitted a preliminary site plan and floor plan showing the proposed layout, which are still subject to any adjustments needed for site and design review and approval. The current Comprehensive Plan supports the use of certain multi-family residential properties, subject to use, design, and density.



*Image: Adjacent Property that received a conditional use approval for a single-family residential*

## **Future Land Use:**

### **Neighborhood Conservation District 1**

– Downtown/Historic Neighborhoods:  
This Neighborhood Conservation District is primarily a residential district located adjacent to Downtown Hattiesburg and in older, established neighborhoods east of U.S. Highway 49. In this district, predominantly residential land uses may be found that exhibit certain types of development patterns.

**District Characteristics:** The characteristics of this district include the following: moderate-density single-family

residences or residential lands along the city’s original street system; certain two-family and multi-family uses constructed to the character of the surrounding neighborhood; buildings with shallow front and side yards; certain neighborhood business land uses that are compatible in design to the surrounding residential areas; and a higher overall density of development than modern or suburban neighborhoods.

**District Land Uses:** The following land uses should be found in this district: single-family residential uses; certain two–family and multi-family residences, subject to use, density, and design guidelines; public and quasi-public uses, such as churches and schools; and small offices and retail uses clustered along collector streets or at the edges of neighborhoods and constructed to the same character as the surrounding residences.

# Codes and Regulations

## SECTION 4: Zoning Districts

### Established

4.5.9 B-2 Neighborhood Business District.

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

This district is consistent with the Neighborhood Business District in the Comprehensive Plan.



*Surrounding Area Image*

# Considerations and Basis for Approval

## Applicant’s Request:

Approve or deny a conditional use request for “Dwelling, Multi-Family” for a B-2 zoned property located at 241 Short Columbia Street (PPIN 23928, Forrest County, Ward 2)

## Basis for Approval:

1. Conditional Use
  - a. 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.
  - b. 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.

- c. 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.
- d. The proposed development will be compatible with surrounding uses and will protect adjacent properties through the following measures:
  - e. 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.
  - f. 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.

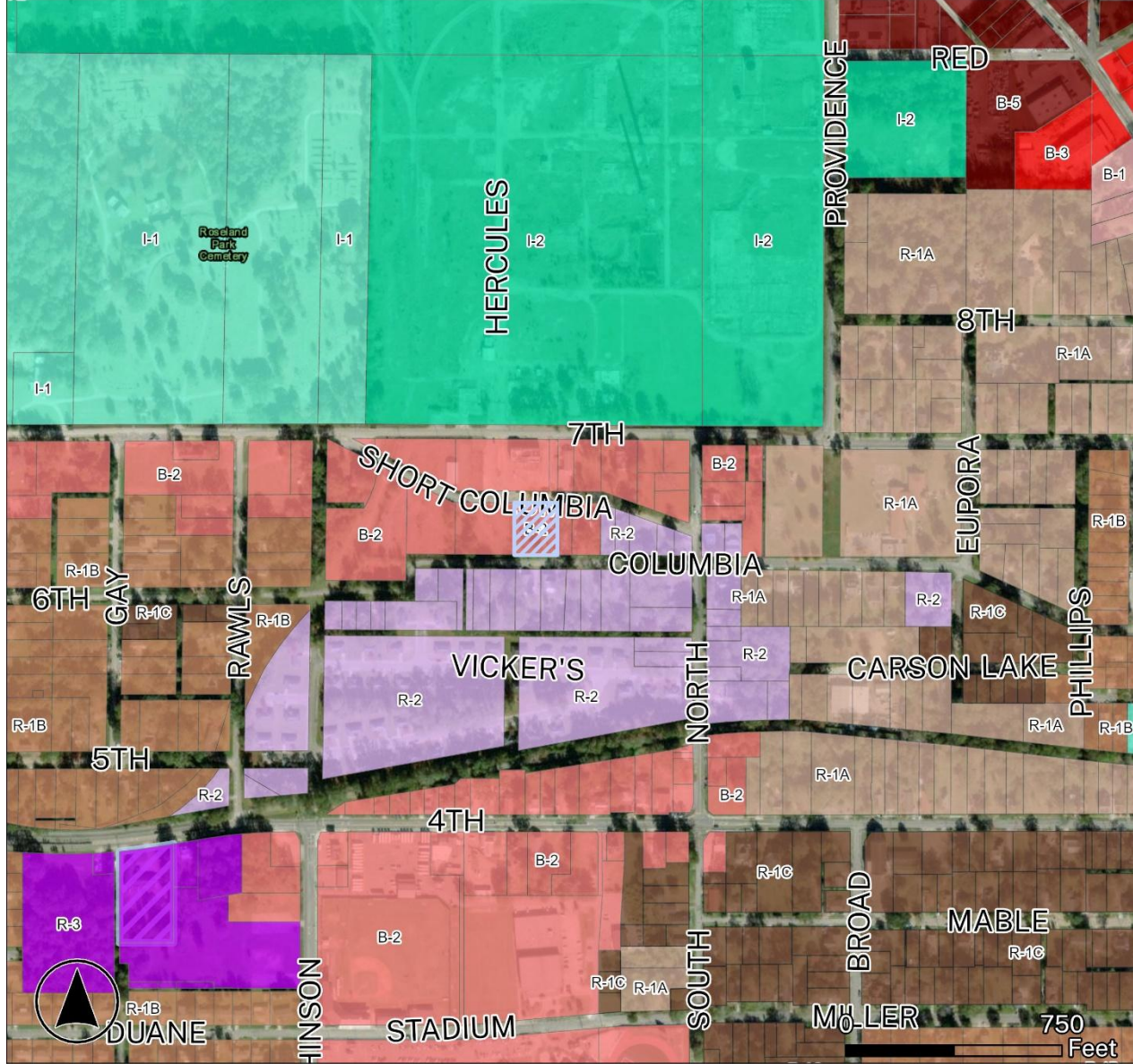
Compatible design and integration. The use meets all design criteria required by this Code that apply and is designed to integrate well both on and off site.

**12.3.5.4.viii. Conditions.**

Conditions may be imposed on any application to ensure compliance with the Land Development Code and other rules and regulations and to protect the neighborhood. Conditions may include but are not limited to parking location/design, site design, expiration of approval requiring renewal, intensity of use, occupancy, hours of operation, etc. Such conditions shall be reasonable and related to the expected impacts of the development

# Conditional Use Request for Multi-Family in B-2 Zoning

241 Short Columbia Street  
Zoned B-2, PPIN: 23928



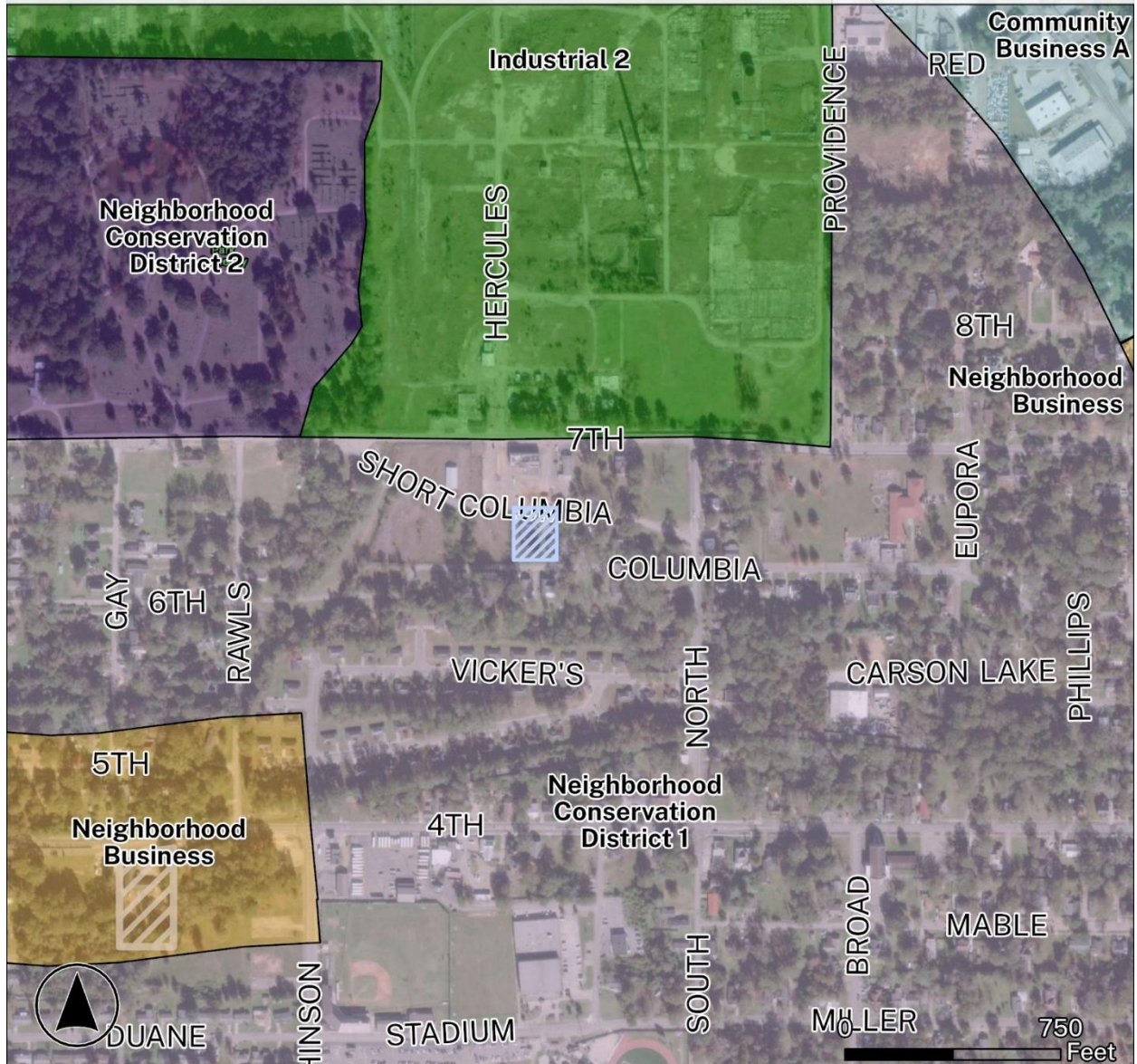
## Zoning Districts

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



# Conditional Use Request for Multi-Family in B-2 Zoning

241 Short Columbia Street  
 Zoned B-2, PPIN: 23928



**Future Land Use**

- Community Business A
- Industrial 2
- Neighborhood Business
- Neighborhood Conservation District 1
- Neighborhood Conservation District 2
- Regional Business A
- Subject Property



### Site Aerial



# Site Plan

## FREDY AILON BUILDING RENOVATION 241 SHORT COLUMBIA HATTIESBURG, MS, 39401 FORREST COUNTY

APRIL - 2026

### INDEX TO DRAWINGS

TITLE - TITLE SHEET, CODES AND SITE PLAN

- A1 - DEMOLITION PLAN, FLOOR PLAN
- A2 - DOOR AND FINISH SCHEDULE
- A3 - INTERIOR ELEVATIONS
- A4 - EXTERIOR PICTURE ELEVATIONS

E1 - ELECTRICAL PLAN

P1 - SEWER PLAN/POTABLE WATER PLAN

### CODE COMPLIANCE GENERAL NOTES

- A REFERENCES
- 2018 LIFE CODE NFPA 101
  - 2018 INTERNATIONAL BUILDING CODE, IBC
  - 2017 NATIONAL ELECTRICAL CODE, NEC
  - 2007 ASHRAE 90.1 CODE ENERGY CODE COMPLIANCE
  - 2018 INTERNATIONAL FIREMARC CODE, W/ LOUISIANA AMENDMENTS
  - 2018 INTERNATIONAL MECHANICAL CODE

### BUILDING INFORMATION

THE PROJECT CONSISTS OF THE RENOVATION OF AN EXISTING BUILDING. CONTRACTOR RESPONSIBLE FOR VERIFYING ALL DIMENSIONS AND CURRENT CONDITIONS OF REW CONSTRUCTION.

#### BUILDING CONSTRUCTION TYPE I-B

OCCUPANCY CLASSIFICATION BUSINESS GROUP - R-2  
PROJECT AREA SQUARE FOOTAGE - 3774 SF  
FIRE SUPPRESSION UNPROTECTED  
FIRE ALARM - RENOVATED

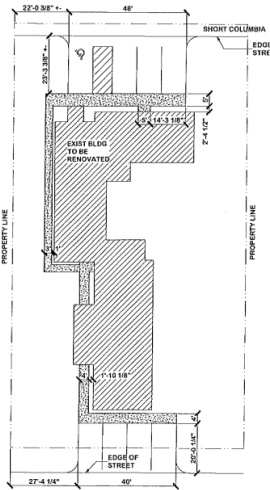
#### OCCUPANCY TABLE

RESIDENTIAL  
STAFFS - 1871 + 18 PERSONS

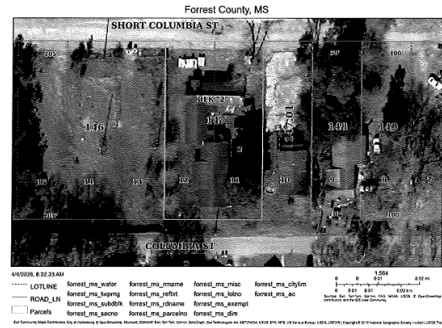
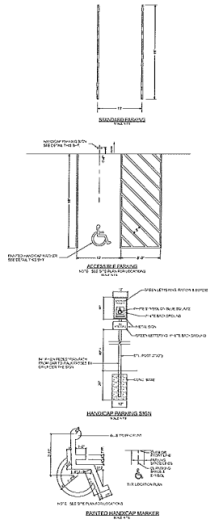
SCOPE  
RECONSTRUCTION RENOVATION OF EXISTING BUILDING  
THE BUILDING CONSISTS OF 4 RESIDENTIAL UNITS



VICINITY MAP  
Scale: NTS



SITE PLAN  
Scale: 1/8" = 1'-0"



PROPERTY LINE PLAN  
Scale: NTS





**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](http://hattiesburgms.com/planning) for Land Development Code and GIS map. Access via link or QR code



**Applicant Information**

Name Applicant: Avin Watson Project Name: 241 Short Columbia  
 Municipal Address of Site: 241 Short Columbia St 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: _____

**Other Application types:**

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

For Staff Only:				
Zoning: <u>B-2</u>	Historic District: <u>N/A</u>	Flood Zone: <u>X</u>	Ward: <input type="checkbox"/> 1 <input checked="" type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5	
Project Number: <u>4-27</u>		Received: <u>DA</u>		
PPIN # or Parcel #: <u>23926</u>				



# 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](mailto:planning@hattiesburgms.com)
- An affidavit (pages 3 & 4) attesting that the applicant or representing party (if other than the owner) is acting on behalf of the owner(s) of record. The affidavit must be sworn to before a notary public or other appropriate official. (Included in owners signature page, or may be a separate document).
- Variance application only:** A letter of approval/denial from all adjoining property owners must be obtained and submitted with 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



# 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
<b>Variance</b> Variance applications include one Concept Site Plan Review and one Variance request	<b>\$175.00</b> per application. <b>\$50.00</b> for each additional variance.
<b>Street / Alley Naming or Re-Naming</b>	<b>\$300.00</b> per application. <b>\$100.00</b> 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.)
<b>Street / Alley Closing</b>	<b>\$300.00</b> per application.
<b>Conditional Use</b>	<b>\$200.00</b> per application.
<b>Zoning Change</b>	<b>\$400.00</b> per application. *see PUD or PRD & zoning package rate)
<b>Planned Unit Development (PUD) or Planned Residential Development (PRD) with zoning change package</b>	<b>\$600.00</b> per package.
<b>Subdivision of Land (Preliminary Plats)</b> Note: Final Plats should be submitted to the governing body for approval within 12 months of approval of preliminary plats.	<b>\$225.00</b> per application. <b>\$10.00</b> per each additional created lot (** see PUD or PRD & Subdivision of Land package rate)
<b>Planned Unit Development (PUD) or Planned Residential Development with Subdivision of Land Package**</b>	<b>\$500.00</b> per application. <b>\$10.00</b> per each additional created lot (** see PUD or PRD & Subdivision of Land package rate)
<b>Change in Land Development Code Text</b>	<b>\$200.00</b> per application.
<b>Appeal Fees for Proponent or Opponent appeals to City Council</b> *Exempt from fees – Established Neighborhood Association*	<b>\$50.00</b> per appeal.
<b>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</b>	<b>\$50.00</b> (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: Austin Watson

Signature: Austin Watson

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

241 Short Columbia Hattiesburg MS  
Street Address City State

on this the 27 day of April, 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.

Amber Bell

on this the 27 day of Apr, 2026.

Alvin Watson  
Property Owner (Print)

Alvin Watson  
Property Owner (Signature)

STATE OF MS

COUNTY OF Forrest

Personally came and appeared before me, the within named Alvin Watson

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

GIVEN UNDER MY HAND AND OFFICIAL SEAL OF OFFICE, this the 27<sup>th</sup> day of April, 2026.

[Signature]  
NOTARY PUBLIC

My Commission Expires:  
March 24<sup>th</sup>, 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:

yes, This property is already deemed as Commercial, there are other ~~multiple~~ multiplicity family businesses in the immediate area

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

NO negative effects at all, it will reduce the number of vagrants to the area and provide suitable living conditions to 4 families

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

the building is over 3K sq. parking is ~~available~~ available and the property is large enough to accommodate 4 families

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

In my estimation the work will only be the addition of visitors visiting the residence

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?

the number of employees will vary depending on the scope of work that's being done on any given day

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

yes, this surrounding area is already suited for residential use, this will be in furtherance of that cause

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](http://hattiesburgms.com/planning) for Land Development Code and GIS map. Access via link or QR code.





DEED

**Bk:1453 Page:200-201**

**RCD: 08/01/2024 @11:11:42:AM**

**FORREST COUNTY, MS**

**LANCE C. REID CHANCERY CLERK**

**THIS INSTRUMENT PREPARED BY:**

Richard & Thomas, PLLC  
132 Westover Drive  
Hattiesburg, MS 39402  
(601) 602-2457

**Indexing Instructions:** The property described in this instrument is situated in Lot 4, Block 8, C.C. McSwain Subdivision No.2, Forrest County, Mississippi. Please index accordingly in the sectional index.

**RETURN TO:**

Richard & Thomas, PLLC  
132 Westover Drive  
Hattiesburg, MS 39402  
(601) 602-2457

**STATE OF MISSISSIPPI**

**COUNTY OF FORREST**

**WARRANTY DEED**

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

**SAPIENCE INVESTMENTS, LP,**  
a Wyoming limited partnership  
30 N. Gould Street, Suite 6022  
Sheridan, WY 82801  
(844) 855-0755

do hereby grant, bargain, sell, convey and warrant unto GRANTEE

**J. ALVIN INVESTMENTS, LLC,**  
a Mississippi limited liability company  
630 Columbia Street  
Hattiesburg, MS 39401  
(769) 241-4504

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

Lot 4, Block 8 of the C.C. McSwain Subdivision No. 2, Forrest County, Mississippi, as per the official map or plat thereof on file in the office of the Chancery Clerk of Forrest County, Mississippi; together with all improvements thereon and appurtenances thereunto belonging.

Grantor(s) and Grantee(s) shall pro-rate county and state ad valorem taxes for 2024.

The above warranty and this conveyance is made subject to any and all valid and outstanding oil, gas and mineral leases, exceptions, reservations and conveyances.

The above warranty and this conveyance is made subject to any and all covenants, restrictions or conditions of record or in use of the subject property, and any and all rights of way and easements for public roads and public utilities as presently laid out, constructed or in use.

WITNESS THE SIGNATURE of said partnership by its general partner, after being duly authorized by said partnership so to execute the same, on this, the 24<sup>th</sup> day of June, A.D., 2024.

**SAPIENCE INVESTMENTS, LP, a  
Wyoming limited partnership, by Pertinacity  
Investments, LLC, a Wyoming limited liability  
company, its General Manager**

By: James Brown  
**DR. JAMES R. BROWN,  
Its Managing Member**

STATE OF MISSISSIPPI

COUNTY OF LAMAR

Personally appeared before me, the undersigned authority in and for the said county and state, on this 24<sup>th</sup> day of June, A.D., 2024, within my jurisdiction, the within named DR. JAMES R. BROWN, as Manager/Member of Pertinacity Investments, LLC, a Wyoming limited liability company, General Partner of Sapience Investments, LP, a Wyoming limited partnership, and that for and on behalf of said company as General Partner, he executed the above and foregoing instrument in his capacity as manager of said company with full power and authority so to do.

[Signature]  
NOTARY PUBLIC

My Commission Expires: