

Board of Adjustment Agenda

September 2, 2026, 3:30 PM

Jackie Dole Sherrill Community Center

220 W Front Street

I. Business Meeting

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

II. Public Hearing

1. Presentation of Petitions for Public Hearing
 - A. Hattiesburg Public School District, Applicants, request a variance from the landscaping requirement of the minimum size for an end cap landscape island of 120sqft to instead allow for 0ft for a R-3 zoned property at 174 WSF Tatum Drive (PPIN 34751, Ward 5, Forrest County)
 - B. Hattiesburg Public School District, Applicants, request a variance from the front yard fence height maximum of 4ft to instead allow for 10ft for a property located on 4th Street (PPINs 26617, 26621, 26622, Forrest County, Ward 4).
 - C. Mississippi Power Company, Applicant, requests variances from the front yard maximum of 4ft for a fence to allow for an 8ft fence; from the front I-1 setback requirement of 40ft to allow for 240ft for a property located in a B-5 zoning district near 5012 Old Hwy 42 (PPIN 27551 & 47653, Forrest County, Ward 2)
 - D. R.E.I. Group, LLC, Applicants, request a variance from the lot width at setback requirement of 100 ft to allow for 35ft for a property located in a B-5 zoning district near 5012 Old Hwy 42 (PPIN 27551 & 47653, Forrest County, Ward 2)

III. Other Business

IV. Adjournment

**MINUTES OF THE
REGULAR MEETING OF THE
HATTIESBURG BOARD OF ADJUSTMENT
August 5th, 2026**

Board Members Roll Call:

Members Present:

1. Sandi Boykins
2. John Eye
3. Shawn Harris, Chair
4. Stacey Ready, Secretary
5. Richard Conville
6. Ronda Norris
7. Herman Dungan

Members Absent:

1. Brandon Williams
2. Jessica Cathey
3. James Hughes
4. Bernard Green, Vice Chair

Staff Present:

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

Shawn Harris, Chair, declared the Hattiesburg Board of Adjustment meeting open and in session at 3:34 pm.

AGENDA REVIEW

The August 2026 agenda was reviewed.

Motion:

Herman Dungan motioned to approve the agenda.

Second:

Stacey Ready.

Vote:

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

MINUTES REVIEW

The minutes from the May and June meetings were reviewed.

Motion:

Herman Dungan motioned to approve both May and June's minutes.

Second:

Sandi Boykins.

Vote:

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

Shawn Harris	X		
James Hughes			ABSENT
Ronda Norris	X		
Stacey Ready	X		
Brandon Williams			ABSENT

BUSINESS MEETING

1. Planning Report:
2. Chair's Report:

INTRODUCTIONS

Commissioners and staff introduced themselves.

PUBLIC HEARING – Board of Adjustment

Item A: Larry Albert, Applicant, requests a variance from the 10ft minimum side setback requirement to allow for 1ft for a R-1A zoned property located at 701 Adeline Street (PPIN 19452, Forrest County, Ward 4).

Discussion and Vote :

The planning staff introduced the case.

Presented by:

- Sally Hughes

Proponents:

- None

Opponents:

- None

Motion:

Herman Dungan motioned to recommend approval of the request.

Second:

Stacey Ready.

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

The motion to recommend approval passed with a 5-2 vote.

Item B: Clearpoint Engineers, Applicant, request a variance from the R-3 district residential density maximum of 7 dwelling units to allow for 9 (LDC Table 6.1) for a property zoned R-3 located at 3200 Montague Blvd (PPIN 22975 & 22976, Forrest County, Ward 1).

Discussion and Vote :

The planning staff introduced the case.

Presented by:

- Eric Davis
- Sarah Newton

Proponents:

- None

Opponents:

- None

Motion:

Richard Conville motioned to recommend approval of the request.

Second:

Sandy Boykins

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

The motion to recommend approval passed with a 6-0-1 vote.

Item C: Laron Smith, Applicant, requests a variance from the residential buffer requirement of 30ft to allow for 0ft for a B-3 (BCO) zoned property located at 1209 Corrine Street (PPIN21809 & 21810, Forrest County, Ward 4).

Discussion and Vote :

The planning staff introduced the case.

Presented by:

- Laron Smith
- Jammeciq Godfrey

Proponents:

- None

Opponents:

- Kate Smith, President of the Oaks Historic Neighborhood Association
 - a. Exhibit C-2
- Jacquie Pace
- John McMahan, Farmers Village
- Mary Dryden
- Lee Cook
- Wendi Hill
 - a. Exhibit C-3

General Comments:

- Terry Smith
- Chris Vineyard

Motion:

Herman Dungan motioned to recommend denial of the request.

Second:

John Eye.

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

The motion to recommend denial passed with a 4-2-1 vote.

Item D: United Fence, Applicant, request a variance from the fence height requirement of a maximum of 4ft in a front yard to instead allow for 7ft for a I-1 zoned property located at 6892 Hwy 49 (PPIN 27559, Forrest County, Ward 1).

Discussion and Vote :

The planning staff introduced the case.

Presented by:

- Johnny Box
- James Davis

Proponents:

- None

Opponents:

- None

Motion:

Herman Dungan motioned to recommend approval of the request.

Second:

Stacey Ready.

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

Brandon Williams			ABSENT
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The motion to recommend approval passed with a 5-2 vote.

BUSINESS MEETING

- Discussion of upcoming text amendment requests.

Quorum was lost at 4:48 pm.

Stacey Ready, Secretary

Cory Long, AICP, Planning Division Manager



Quick Facts:

Applicant:

Hattiesburg Public School
District

Address:

174 WSF Tatum Drive

Zoning:

R-3 (Multi-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):

34751

Parcel Number(s):

2-038J-22-009.00

Hattiesburg Board of Adjustment Planning Division

Item A - Staff Report

September 2nd, 2026



Property Image

Applicant's Requests:

Hattiesburg Public School District, Applicants, request a variance from the landscaping requirement of the minimum size for an end cap landscape island of 120sqft to instead allow for 0ft for a R-3 zoned property at 174 WSF Tatum Drive (PPIN 34751, Ward 5, Forrest County).



Background and History

Representatives from the Hattiesburg Public School District met with staff for a pre-application meeting on May 22, 2026, to discuss a series of facility improvement projects planned throughout the district between 2026 and 2028. The proposed work includes a combination of interior renovations, signage improvements, demolition, athletic facility upgrades, site improvements, and other improvements to existing school facilities. Projects discussed included work at Hawkins Elementary, Mary Bethune Alternative Center, Grace Christian Elementary, Woodley Elementary, Lillie Burney Elementary, Thames Elementary, N.R. Burger Middle School, Rowan Elementary, and Hattiesburg High School.



Staff advised the School District that projects involving exterior additions or site improvements would generally require site plan review and should be submitted as individual applications for each school location. Upon review of the site plan for N.R. Burger, staff noticed that the plans for a new dumpster enclosure included the removal of a required end-cap parking landscape island. Staff let the applicants know that the landscape island was still required and provided options: creating a new landscape island one parking space over, since their parking exceeded the required number, or seeking a variance. The applicants elected to request the variance.



Property and 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 7: Dimensional Standards

7.5.3.9 A landscaped island providing not less than one hundred twenty (120) square feet of landscaped area shall be installed for each 150 lineal feet of parking area and shall cap ends of parking rows. Landscape islands shall generally be not less than 8 feet wide and 15 feet in length, measured from back of curb; alternative dimensions may be approved by the Site and Design Review Committee, provided the minimum area requirement is met, and the intent of this standard is satisfied. Islands shall be landscaped in accordance with the landscape standards of this code and designed and constructed to support long-term tree health (See Illustration 7.5-3)



Property Image

Considerations and Basis for Approval

Option:

Recommend approval or denial of a variance from the landscaping requirement of the minimum size for an end cap landscape island of 120sqft to instead allow for 0ft for a R-3 zoned property at 174 WSF Tatum Drive (PPIN 34751, Ward 5, Forrest County).

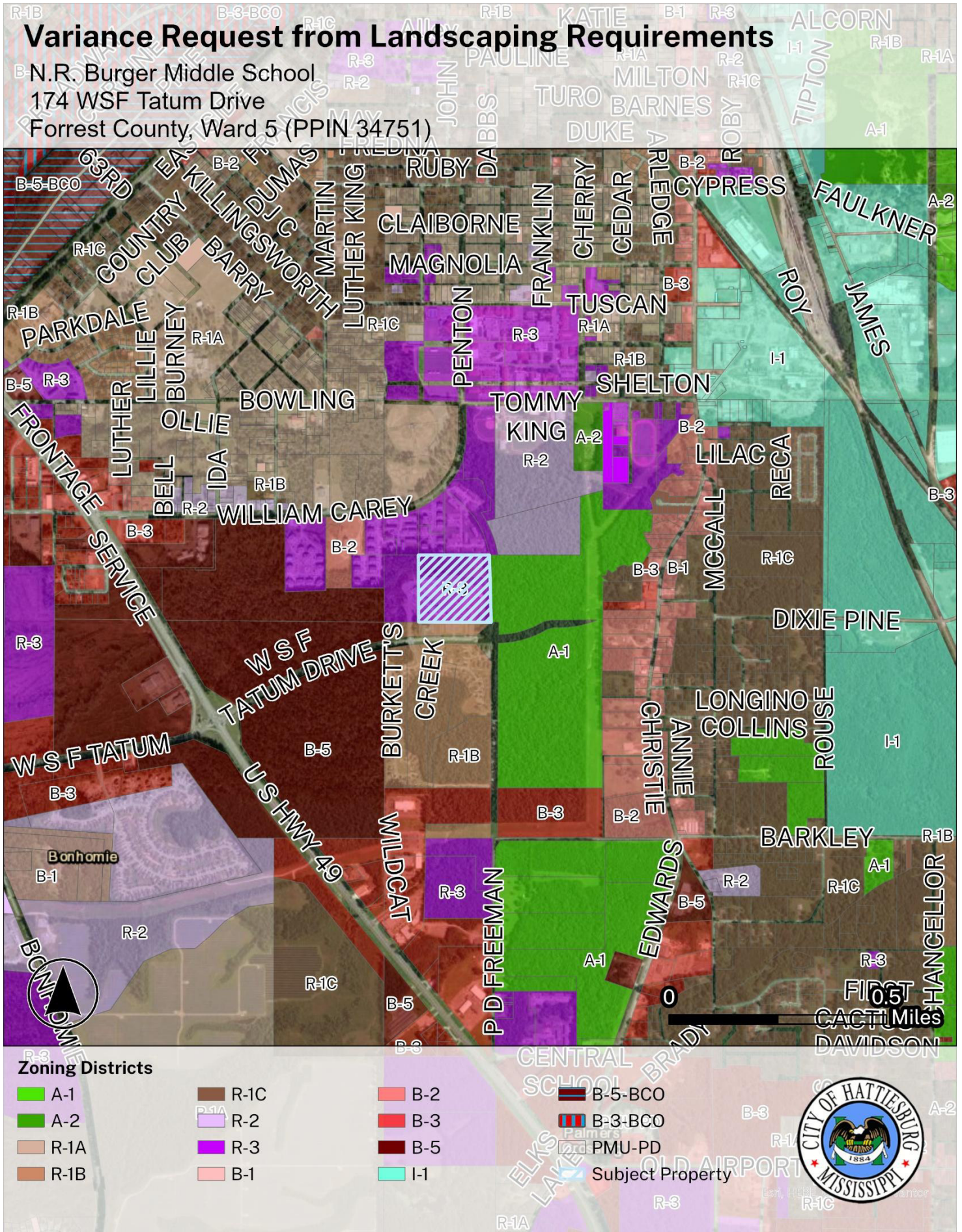
Basis for Approval:

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

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

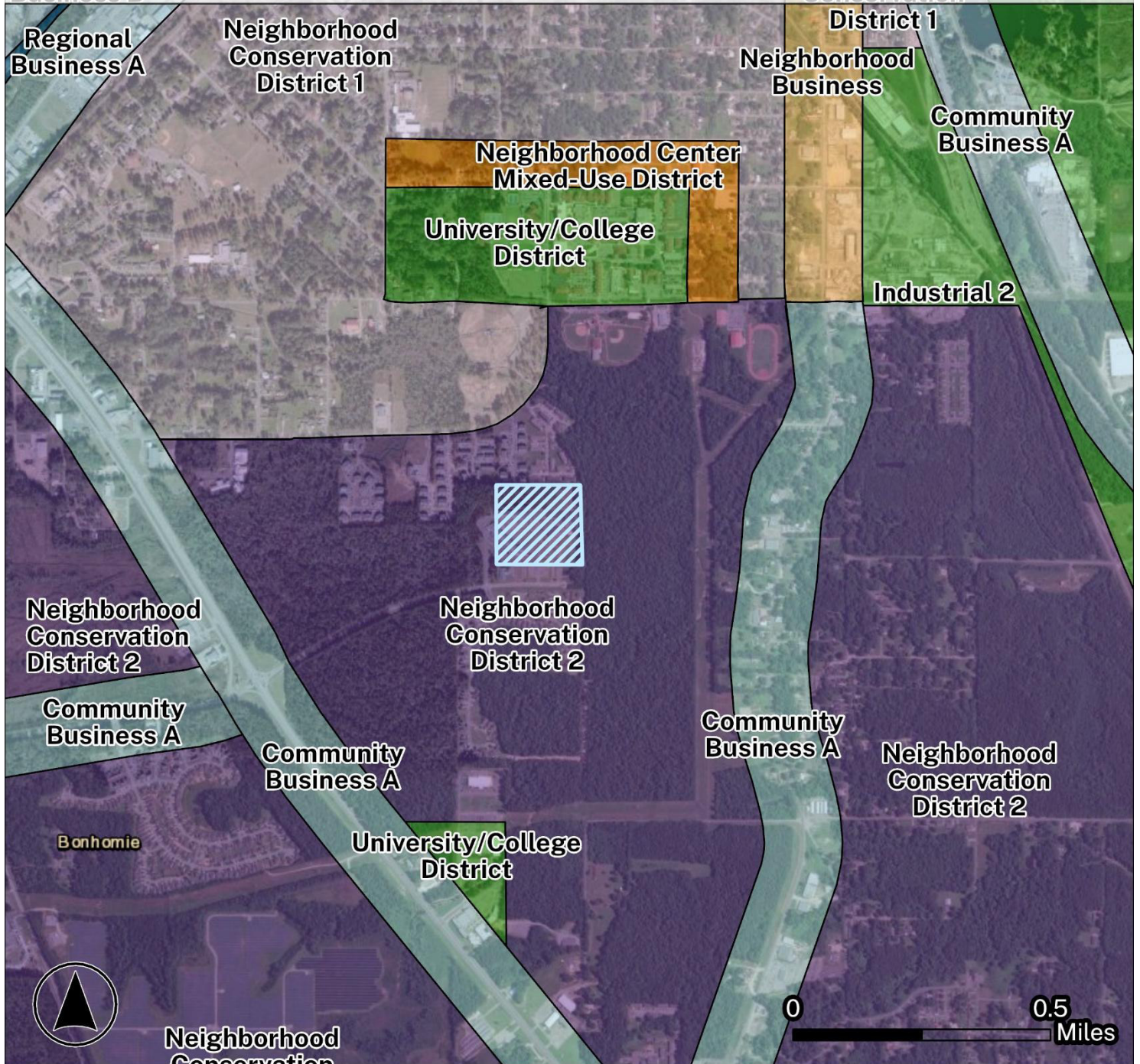
Variance Request from Landscaping Requirements

N.R. Burger Middle School
174 WSF Tatum Drive
Forrest County, Ward 5 (PPIN 34751)



Variance Request from Landscaping Requirements

N.R. Burger Middle School
174 WSF Tatum Drive
Forrest County, Ward 5 (PPIN 34751)



Future Land Use

- Community Business A
- Community Business B
- Industrial 2
- Neighborhood Business
- Neighborhood Center Mixed-Use District
- Neighborhood Conservation District 1

- Neighborhood Conservation District 2
- Regional Business A
- Rural Residential/Agricultural
- University/College District
- Subject Property



[illegible]



Application for Public Hearing

City of Hattiesburg – Planning Division

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

NOTE:

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



Applicant Information

Name Applicant: Stephen R. McClay Project Name: NR

Municipal Address of Site: 174 WSF Tatum Drive PPIN #: 34751

Parcel Number(s): 2-0385-22-009.00

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

Other Application types:

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

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

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 existing site was developed under prior code requirements and the available buildable area is fully utilized by the existing building, parking, and drive aisles. There are also other requirements that limit the possible locations for a code-required trash enclosure. There is no location on site that accommodates the dumpster

enclosure without encroaching on the minimum green space requirement.

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

The request does not grant a use, structure, or benefit unavailable to similarly situated properties. Dumpster/trash enclosures are a standard, required site improvement for businesses or schools, and this request simply seeks the same operational accommodation other similarly constrained properties have received.

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.

Strict application of the green space requirement, given the site's existing improvements and lack of remaining developable area, would stop us going forward with building this new Enclosure.

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

Without the variance, the property cannot reasonably accommodate solid waste collection in a manner that meets city requirements or health codes. Other areas of the site do not provide adequate access for collection vehicles without similarly encroaching on setbacks or green space.

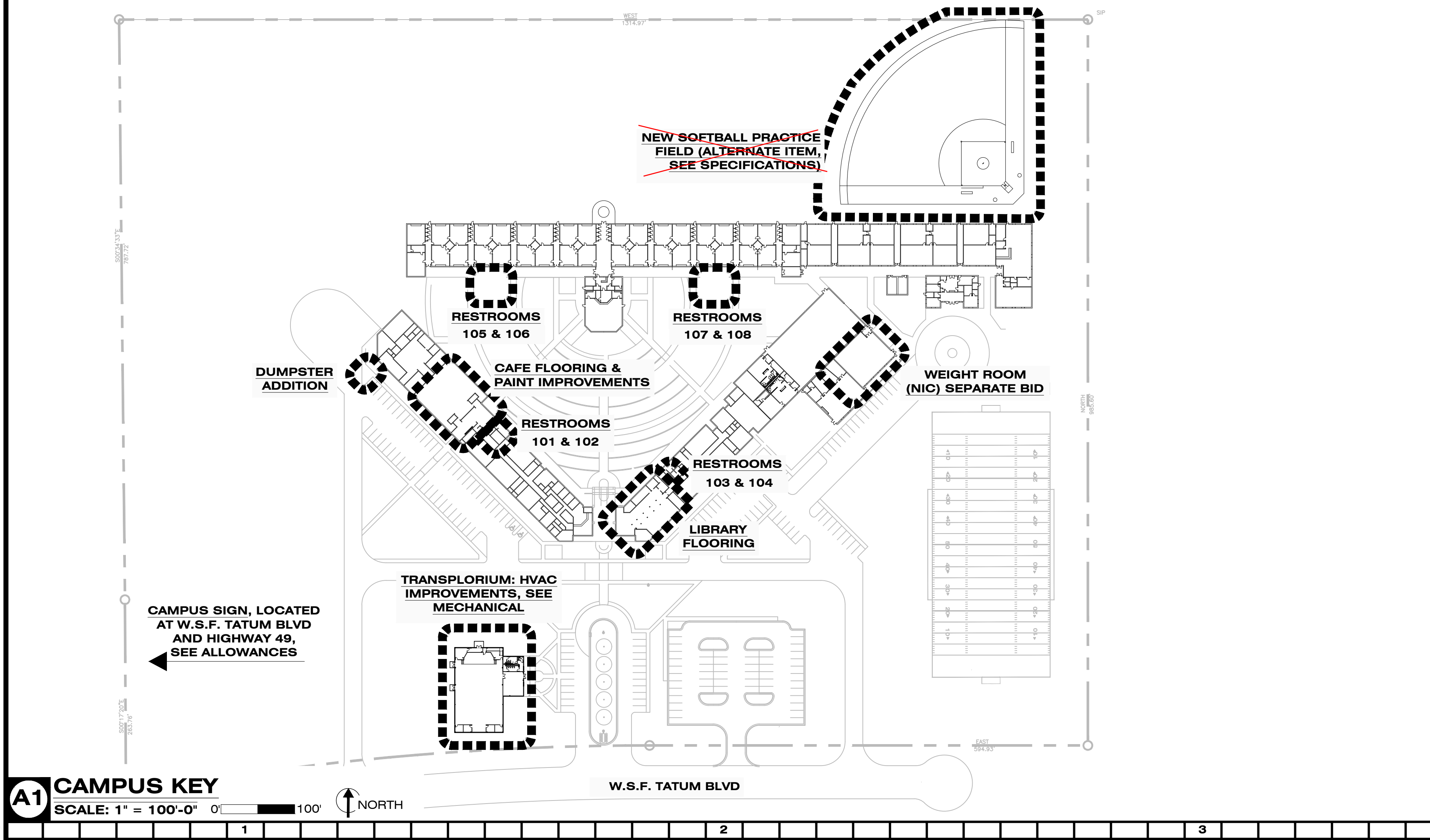
-
-
5. **Minimum Required.** The granting of a variance is the minimum variance that will make possible the reasonable use of the land or structure.

~~The proposed enclosure is sized at the minimum dimensions needed to~~
~~house the required dumpster, and the green space reduction is limited to,~~
~~the smallest area necessary to site the enclosure while maintaining required~~
~~clearances.~~

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

~~The proposed enclosure will be screened with Block walls and sited to~~
~~minimize visual and functional impact, keeping the intent of the ordinance~~
~~despite the minor reduction in coverage.~~

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.



SHEET SERIES	SHEET SERIES KEY
	CAMPUS
00 H B R K T G W L M	ALL CAMPUSES: PROJECT NOTES, GUIDELINES, AND DETAILS HATTIESBURG HIGH SCHOOL (HHS) (S.H. BLAIR) BURGER ELEMENTARY SCHOOL (N.R. BURGER) & STEAM ACADEMY ROWAN ELEMENTARY SCHOOL (L.J. ROWAN) HAWKINS ELEMENTARY SCHOOL (G.L. HAWKINS) THAMES ELEMENTARY SCHOOL (W.I. THAMES) GRACE CHRISTIAN ELEMENTARY SCHOOL WOODLEY ELEMENTARY SCHOOL (F.B. WOODLEY) LILLIE BURNEY LEARNING CENTER MARY BETHUNE ALTERNATIVE CENTER
NOTE: THE CONTRACT DOCUMENTS (DRAWINGS, SPECIFICATIONS, AND ANY ISSUED ADDENDUM(S) AND MEMORANDUM(S) SHALL NOT BE SEPARATED, BROKEN APART, AND / OR SECTIONS REMOVED, RESULTING IN A PARTIAL AND / OR INCOMPLETE SET. REFER TO THE ENTIRE SET OF CONTRACT DOCUMENTS (DRAWINGS, SPECIFICATIONS, AND ANY ISSUED ADDENDUM(S) AND MEMORANDUM(S)) FOR COMPLETE SCOPE OF WORK.	
<u>ALTERNATE ITEMS: SEE SPECIFICATIONS SECTION 01100 - ALTERNATES</u>	
<u>ALLOWANCE ITEMS: SEE SPECIFICATIONS SECTION 01600 - ALLOWANCES</u>	



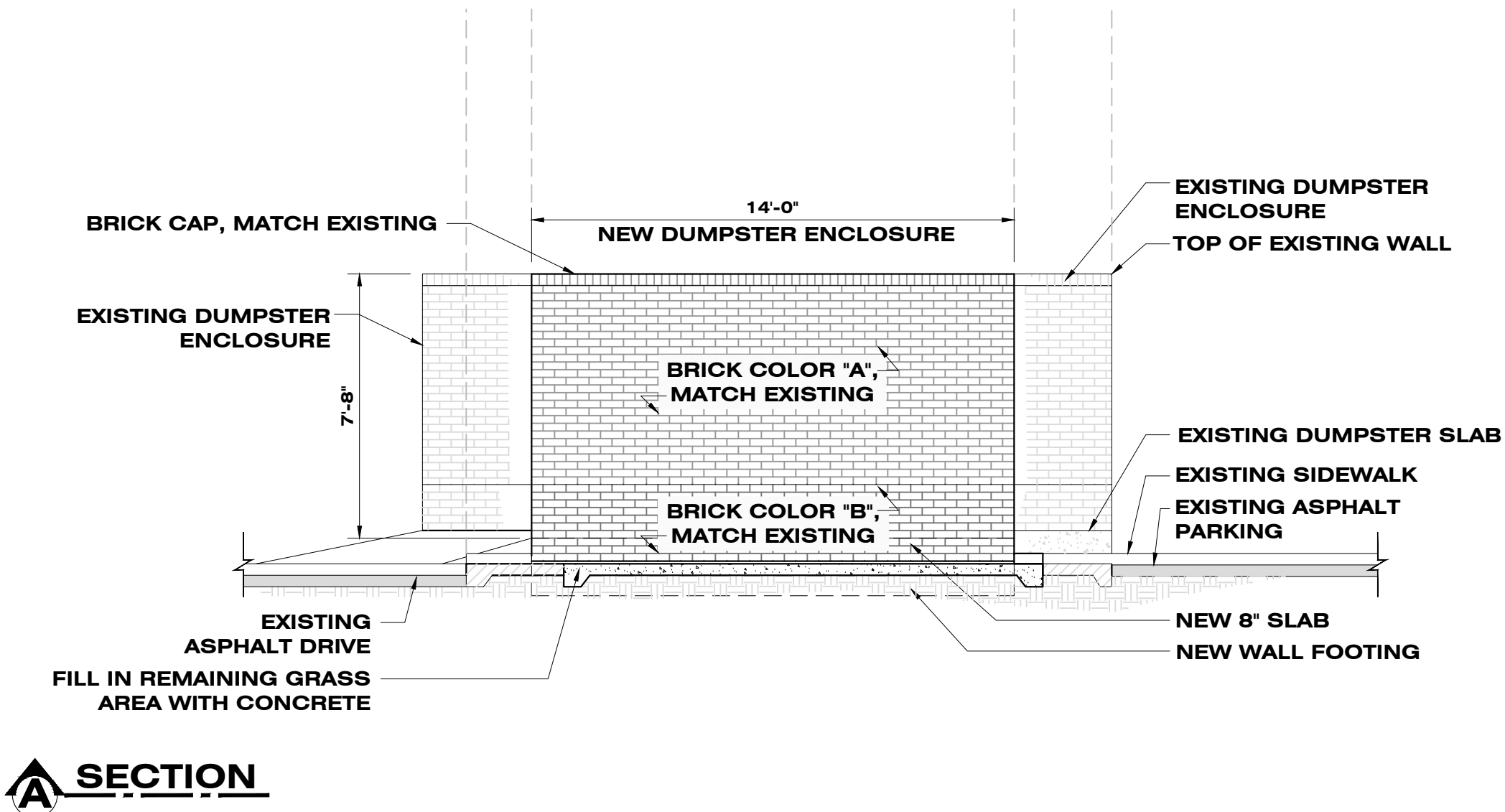
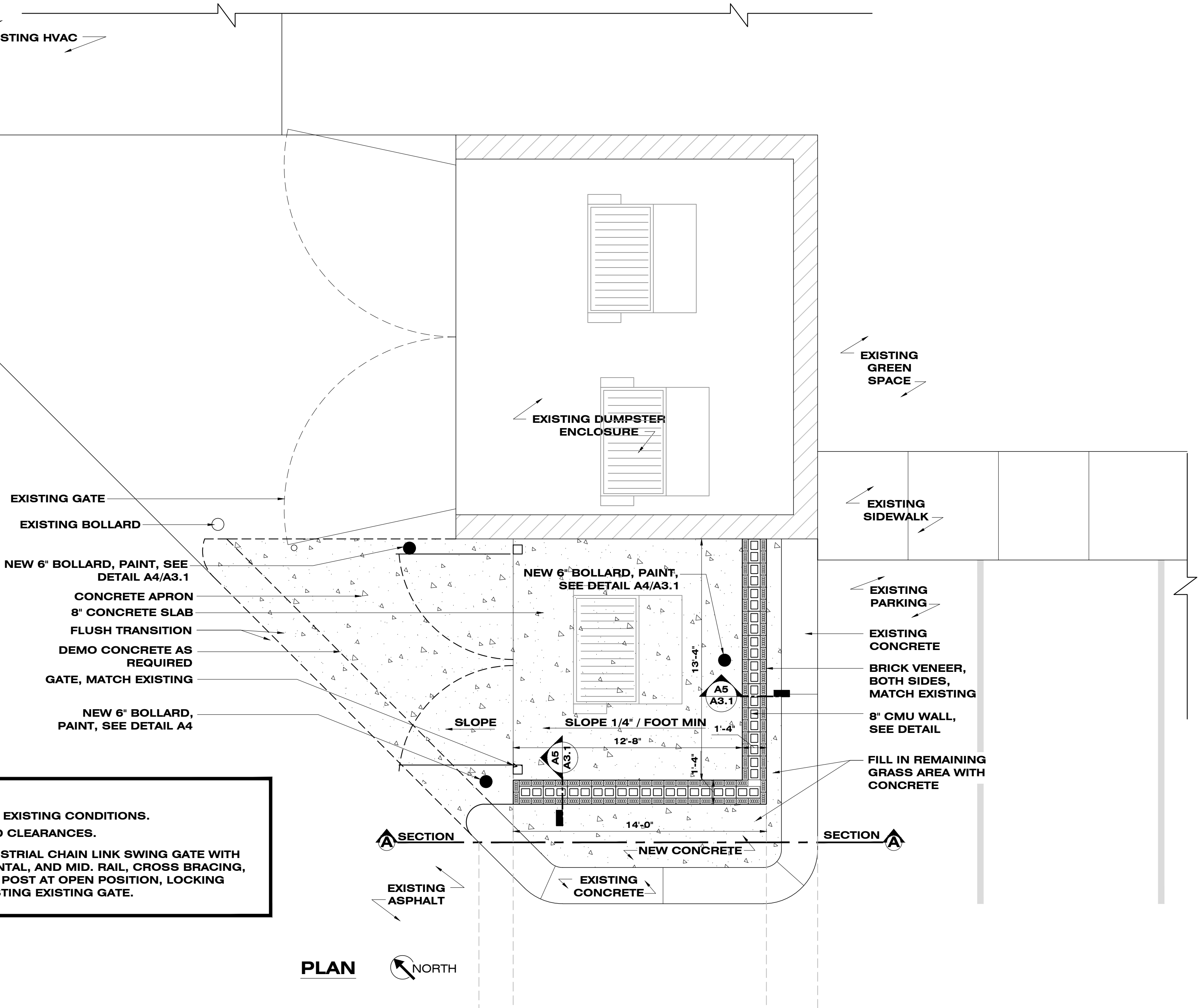
SHEET INDEX

SHEET KEY	
00.0 - TITLE PAGE	
00.1 - MAIN CONTENT INDEX	
00.2 - PROJECT NOTES	
00.3 - SITE DETAILS	
00.4 - GUIDELINES/DETAILS	
00.5 - GUIDELINES/DETAILS	
H HATTIESBURG HIGH & 9TH GRADE ACADEMY	
B BURGER MIDDLE & S.T.E.A.M. ACADEMY	
R ROWAN ELEM SCHOOL	
K HAWKINS ELEM SCHOOL	
T THAMES ELEM SCHOOL	
G GRACE CHRISTIAN ELEM SCHOOL	
W WOODELY ELEM SCHOOL	
L LILLIE BURNLEY LEARNING CENTER	
M MARY BETHUNE ALTERNATIVE CENTER	
ISSUED SET	
01.02.2026	
CAMPUS	
B BURGER MIDDLE SCHOOL	
SHEET NUMBER	
BURGER MIDDLE & S.T.E.A.M. ACADEMY	
A0.1	
PROJECT NUMBER	
010825	

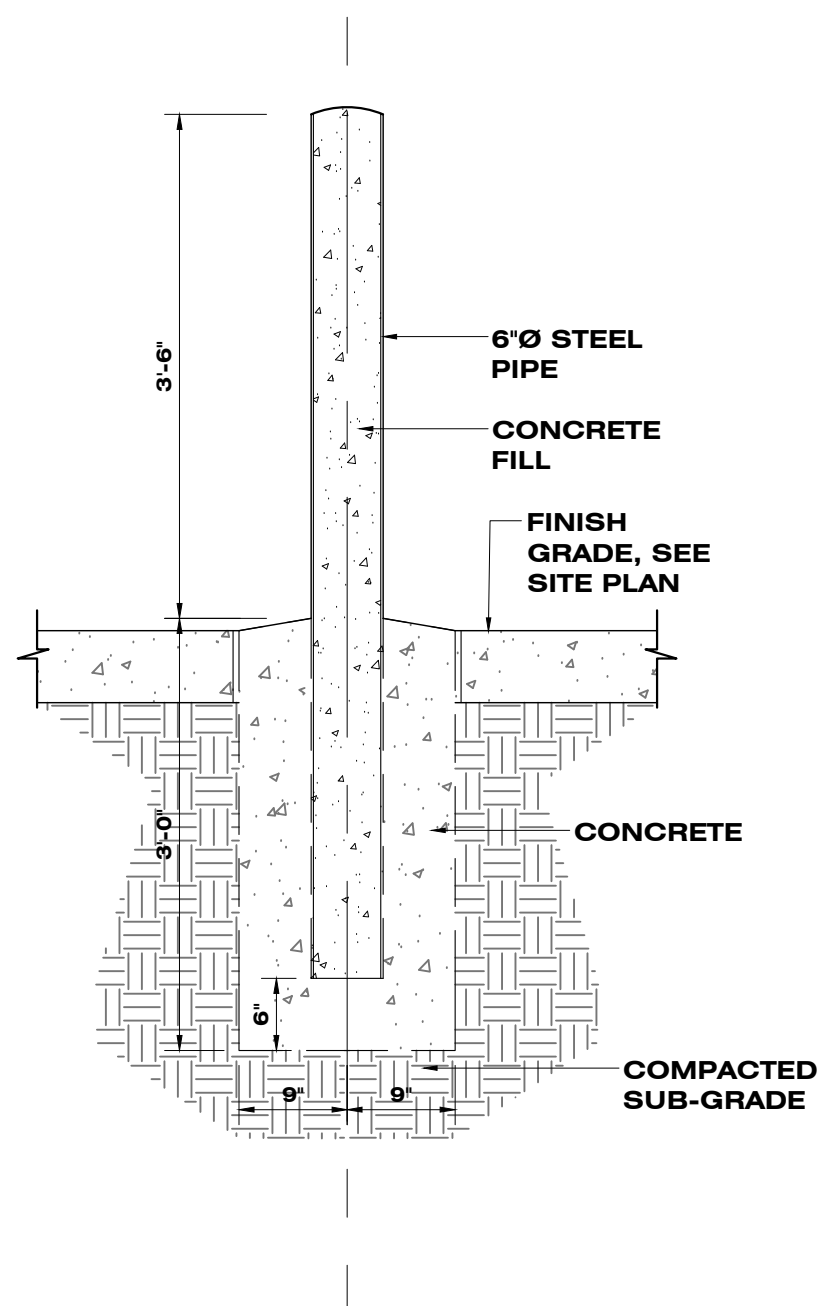
NOTE:
FIELD VERIFY EXACT LOCATION AND EXISTING CONDITIONS.
FIELD VERIFY DUMPSTER SIZES AND CLEARANCES.
NEW GATE TO BE GALVANIZED INDUSTRIAL CHAIN LINK SWING GATE WITH SCREEN SLATS, VERTICAL, HORIZONTAL, AND MID. RAIL, CROSS BRACING, HINGES, GATE SUPPORTS, SECURE POST AT OPEN POSITION, LOCKING LATCH, AND HEIGHT TO MATCH EXISTING EXISTING GATE.

DUMPSTER NOTES:

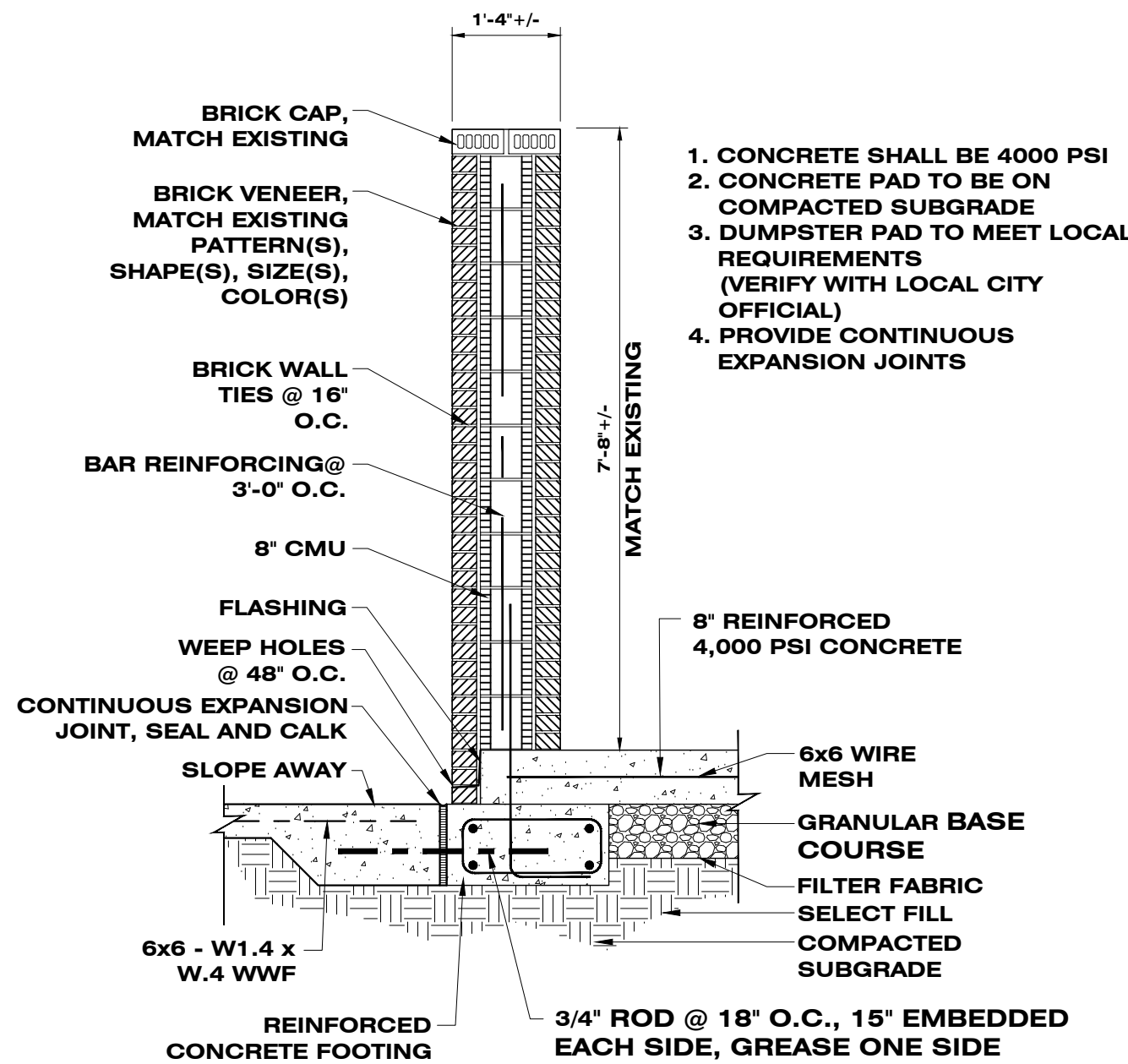
LAYOUT: CONTRACTOR TO PROVIDE ON-SITE FIELD LAYOUT AND ADJUST AS REQUIRED TO ACHIEVE CLEARANCES. LAYOUT TO BE VERIFIED WITH OWNER BEFORE CONSTRUCTION.
CONSTRUCTION: CONTRACTOR TO PROTECT EXISTING CONSTRUCTION, PAVING, AND LAWN. ANY DAMAGED AREAS DAMAGED BY CONSTRUCTION SHALL BE REPAIRED TO OWNER'S SATISFACTION.
PROVIDE EXPANSION JOINTS WERE REQUIRED WITH 18" #4 BAR @ 18" O.C. WITH BACKER ROD AND EXPANSION JOINT SEALER.
ALL METAL BRACING JOINTS TO BE WELDED.
PAINT ALL EXPOSED METAL POSTS, FRAMES, AND BRACING.
ALL HARDWARE AND FASTENERS TO BE STAINLESS STEEL
ALL HARDWARE TO MATCH EXISTING.
GATES: METAL FRAMED GATE TO MATCH EXISTING. GATES TO BE LOCKABLE.
BOLLARDS: CONCRETE FILLED, CONCRETE FOOTING, MATCH EXISTING ADJACENT.



A1 DUMPSTER EXPANSION
SCALE: 1/4" = 1'-0" 0' 1' 2' 3' 4' 5'



A4 BOLLARD DETAIL
SCALE: 3/4" = 1'-0" 0' 1' 2' 3' 4' 5' 6' 7' 8' 9' 10' 11' 12' 13' 14' 15' 16'



A5 WALL SECTION
SCALE: 1/2" = 1'-0" 0' 1' 2' 3' 4' 5' 6' 7' 8' 9' 10' 11' 12' 13' 14' 15' 16'

NEW DUMPSTER ENCLOSURE

McCLESKEY / JONES ARCHITECTS PLLC
Phone: 601.544.8994
Fax: 601.544.8969
105 PATTON AVENUE
HATTIESBURG, MISSISSIPPI 39401
mccleskeyarchitects.com

PROFESSIONAL SEAL:
Brian H. Jones
Architect
No. 3066
State of Mississippi
THIS DRAWING IS FORMATTED FOR 24 x 36 PRINT. SCALING SHALL BE FOR REFERENCE ONLY. IF ADDITIONAL DIMENSIONS ARE NEEDED, CONTACT ARCHITECT.

DISTRICT - WIDE IMPROVEMENT PROJECTS PHASE II
MULTIPLE CAMPUSES
THE HATTIESBURG PUBLIC SCHOOL DISTRICT
HATTIESBURG, MISSISSIPPI

SHEET KEY
00.0 - TITLE PAGE
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M MARY BETHUNE ALTERNATIVE CENTER
ISSUED SET
01.02.2026
CAMPUS
BURGER MIDDLE SCHOOL
SHEET NUMBER
B
A3.1
PROJECT NUMBER
010825



Quick Facts:

Applicant:

Hattiesburg Public School
District

Address:

4th Street, Near Hutchinson
Intersection

Zoning:

B-2 & R-3

Future Land Use:

Neighborhood Business

Historic District:

N/A

Overlay District(s):

N/A

Flood Zone:

X

Ward:

4

County:

Forrest

PPIN Number(s):

26617, 26621, 26622

Parcel Number(s):

2-029L-09-035.00, 2-029L-09-
028.00, 2-029L-09-027.00

Hattiesburg Board of Adjustment Planning Division

Item B - Staff Report

September 2nd, 2026



Property Image

Applicant's Requests:

Hattiesburg Public School District, Applicants, request a variance from the front yard fence height maximum of 4ft to instead allow for 10ft for property located on 4th Street (PPINs 26617, 26621, 26622, Forrest County, Ward 4).



Background and History

Representatives from the Hattiesburg Public School District met with staff for a pre-application meeting on May 22, 2026, to discuss a series of facility improvement projects planned throughout the district between 2026 and 2028. The proposed work includes a combination of interior renovations, signage improvements, demolition, athletic facility upgrades, site improvements, and other improvements to existing school facilities. Projects discussed included work at Hawkins Elementary, Mary Bethune Alternative Center, Grace Christian Elementary, Woodley Elementary, Lillie Burney Elementary, Thames Elementary, N.R. Burger Middle School, Rowan Elementary, and Hattiesburg High School.



Surrounding Area Image

Staff advised the School District that projects involving exterior additions or site improvements would generally require site plan review and should be submitted as individual applications for each school location. The District may coordinate review of several projects during the same meeting; however, larger projects, including the proposed Hattiesburg High School tennis facility at 4th Street and Hutchinson Avenue, will require a separate review due to the scope of the project. During the site plan process, staff noted that the school district owned a parcel zoned R-3, which differed from the rest of its B-2-zoned parcels on the west side of Hutchinson. The school district decided to move forward with the rezoning request, along with a variance request for the tennis/pickleball facility project.

Future Land Use:

The Neighborhood Business District is primarily a residential district located along the city's collector, minor arterial, and certain local streets. In this district, certain residential and low-intensity business uses may be found that exhibit development patterns that complement the



Property and Surrounding Area Image

residential, pedestrian-oriented character of surrounding neighborhoods.

› **District Characteristics** The characteristics of this district include the following: moderate-density single-family residences and certain two-family and multi-family uses; mixed-use buildings and developments; smaller, lower-intensity business developments that provide services to the neighborhood and community; and less-intensive commercial uses than are found in the Community Business District. Site development standards should include maximum building sizes, maximum residential densities, minimum and maximum building setbacks, building and site design elements, and provisions for pedestrian comfort and accessibility.

› **District Land Uses** The following land uses should be found in this district: single-family residential uses; two-family and multifamily residences, subject to use, density, and design guidelines; public and quasi-public uses, such as general indoor retail, specialty retail, service and office land uses that do not require the outdoor storage of goods or equipment.

Codes and Regulations

SECTION 7: Dimensional Standards

7.9.1.7 The maximum height of fences and walls shall be four feet above grade when located in a front yard. Otherwise, the maximum height of a fence is eight feet.

Considerations and Basis for Approval

Option:

Recommend approval or denial of a variance from the front yard fence height maximum of 4ft to instead allow for 10ft for property located on 4th Street (PPINs 26617, 26621, 26622, Forrest County, Ward 4).



Property Image

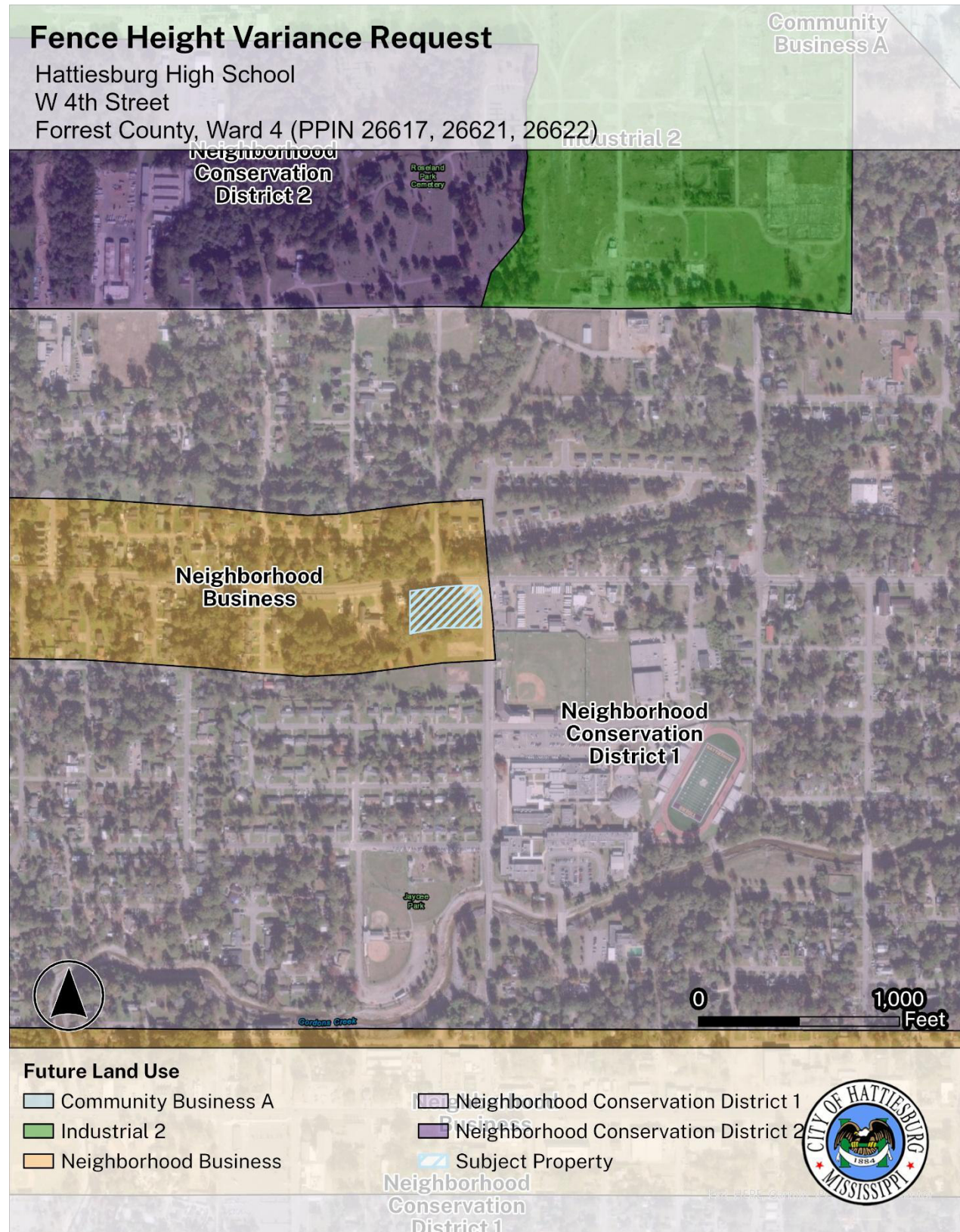
Basis for Approval:

1. Hardship.
 - a. The hardship is unique to the property and is not or will not be caused by the actions or inactions of the applicant.

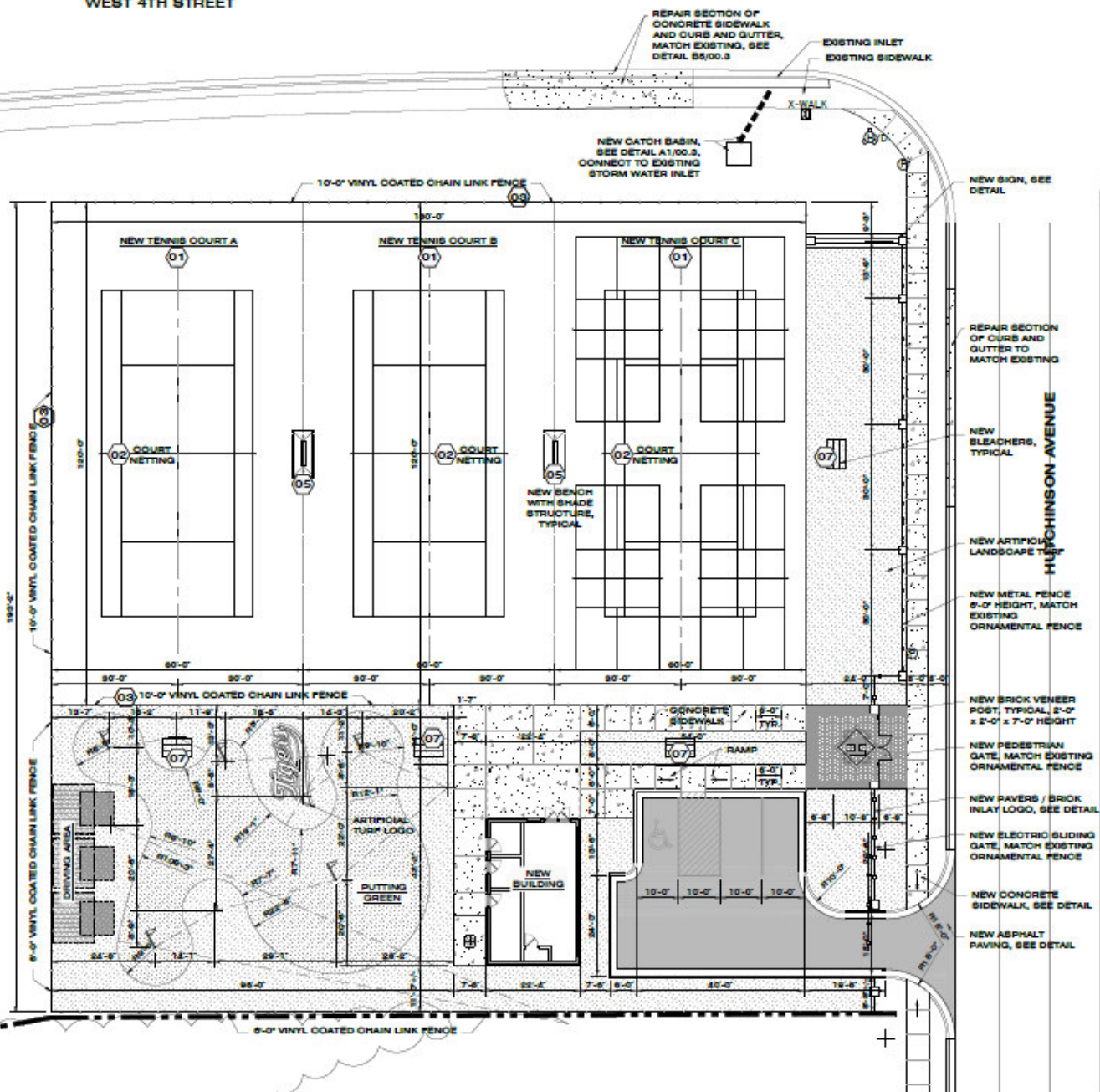
- b. There are exceptional conditions creating an undue hardship applicable only to the property involved or the intended use which do not apply generally to the other land areas or uses within the same zoning district.
- 2. Special Privilege.
 - a. A variance shall not confer any special privilege that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

Hattiesburg High School
W 4th Street
Forrest County, Ward 4 (PPIN 26617, 26621, 26622)





WEST 4TH STREET



A1 SITE PLAN

SCALE: 1/16" = 1'-0"

0 16'



Application for Public Hearing

City of Hattiesburg – Planning Division

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

NOTE:

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



Applicant Information

Name Applicant: Stephen R. McCay Project Name: HHS Tennis Courts
Municipal Address of Site: Hutchinson Avenue PPIN #: 26617, 26621, 26622
Parcel Number(s): 2-029L-09-035.00, 2-029L-09-028.00, 2-029L-09-027.00

Type of Public Hearing	Additional Information Needed:
☒ Variance (fill out pages 7 & 8)	☐ Sign ☐ Setback ☐ Off-Site Parking ☐ Lot Width ☐ Lot Coverage Area ☐ Buffer ☐ Open Space ☒ Other: <u>fencing</u>
☒ Rezoning (fill out page 11)	Existing Zoning: <u>R3</u> Proposed Zoning: <u>B2</u>
☐ Conditional Use (fill out pages 9 & 10)	☐ Automotive Filling Station ☐ Digital Billboard, New ☐ Digital Billboard, Replacement ☐ Telecommunications ☐ Restaurant ☐ Solar Farm ☐ Other: _____

Other Application types:

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

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

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 proposed use — a tennis/golf facility — requires ball containment fencing that meets standard specifications for the sport. A fence height of 10 feet is standard and necessary to reasonably contain balls in play and prevent them from leaving the property onto adjacent land, public rights-of-way, or streets. The hardship arises from the nature of the permitted use itself, not from any choice by the applicant; a fence at the code-maximum height would not adequately serve its functional purpose for this type of facility.

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

The requested fence height variance is not a special privilege, as it is consistent with fence heights routinely granted or permitted for similar athletic/recreational facilities (tennis courts, golf facilities, ball fields). The relief requested matches industry-standard specifications for this specific use, not a benefit unique to this applicant.

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.

Strict application of the standard fence height maximum, written primarily to address residential and security fencing, would prevent adequate ball

containment for a permitted athletic use, an outcome not intended by the ordinance when applied to recreational sports facilities of this type.

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

Without the variance, the site cannot be reasonably developed and operated as a tennis/golf facility, since a fence at the standard height maximum would not contain balls in play, creating safety concerns for neighboring properties, pedestrians, and vehicular traffic, and would render the facility non-functional for its intended use.

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

~~The requested 10-foot fence height reflects the minimum standard specification necessary for ball containment for tennis or golf. No greater height is requested than what is functionally required for the sport.~~

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

~~The fence height ordinance is intended to preserve neighborhood aesthetics, sightlines, and safety. This variance conforms with that intent because the additional height is functional (ball containment) rather than for screening or security purposes, and can be paired with [see-through mesh/chain-link material, appropriate setback from property line, landscaping buffer] to minimize visual impact on adjacent properties.~~

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:

The Hattiesburg Public Schools own three adjoining vacant parcels facing West 4th Street. Two of the parcels are currently zoned B-2, while the third parcel is zoned R-3. HPS proposed to combine the three parcels into a single tract. And rezone the R-3 parcel to B-2 to establish consistent zoning across the property.

The subject properties are located along West 4th Street beginning at the west corner of West 4th Street & Hutchinson Avenue. To the north, across West 4th Street, is the Longleaf Trace recreational & fitness corridor.

The proposed development of tennis facilities on the combined site will improve the appearance of the area by transforming currently vacant property into a well-maintained recreational asset. The request is compatible with the surrounding area, which is characterized by a predominately commercial development pattern along the West 4th Street corridor. Additionally, the project will expand the athletic facilities available to Hattiesburg High School & support the recreational, educational, & community needs of HPS.



CONCEPTUAL RENDERINGS, DO NOT USE FOR CONSTRUCTION



EXISTING CONDITIONS NOTES

TOPOGRAPHICAL SURVEY

CONTRACTOR TO PROVIDE TOPOGRAPHICAL SURVEY, SEE SPECIFICATIONS SECTION 01600 - ALLOWANCES

EXISTING AND NEW SITE PLAN ARE CONCEPTUAL WITH REGARD TO EXISTING CONDITIONS (E.G., PROPERTY LINE LOCATIONS, CONTOUR LINES, TREE LOCATIONS / SIZES, UTILITIES ...)

TOPOGRAPHICAL SURVEY TO INCLUDE PROPERTY LINE LOCATIONS, EXISTING CONSTRUCTION, UTILITIES, 1' FOOT CONTOUR INTERVALS, TREE SIZES AND LOCATIONS AS REQUIRED BY CONTRACTOR.

CONTRACTOR SHALL BE BID ALL WORK AS INDICATED IN CONSTRUCTION DOCUMENTS.

FINAL DESIGN WILL BE PROVIDED BY ARCHITECT SUBSEQUENT TO TO TOPOGRAPHICAL SURVEY.

DIFFERENCES BETWEEN THE ARCHITECT'S CONCEPTUAL DESIGN AND FINAL DESIGN WILL BE NEGOTIATED WITH CONTRACTOR.

SITE PLAN REVIEW

FINAL SITE PLAN DESIGN WILL BE REQUIRED TO BE APPROVED BY COH SITE PLAN REVIEW COMMITTEE

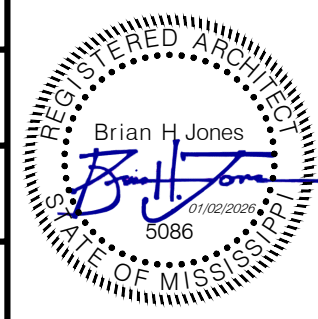
ENGINEER SELECTED BY CONTRACTOR WILL SET UP MEETINGS WITH COH AND CONTINUE REVIEW PROCESS UNTIL APPROVED FOR CONSTRUCTION.

SITE PLAN KEY

- PROPERTY LINE
APPROXIMATE LOCATION, SEE EXISTING CONDITIONS NOTES
- - - EXISTING CONTOUR LINE
SEE EXISTING CONDITIONS NOTES
- - - NEW CONTOUR LINE
SEE EXISTING CONDITIONS NOTES

McCleskey / Jones
ARCHITECTS
PLLC
105 PATTON AVENUE
HATTIESBURG, MISSISSIPPI 39401
PHONE: 601.544.8994
FAX: 601.544.8969
mccleskeyarchitects.com

PROFESSIONAL SEAL:



THIS DRAWING IS FORMATTED FOR 24 x 36 PRINT. SCALING SHALL BE FOR REFERENCE ONLY. IF ADDITIONAL DIMENSIONS ARE NEEDED, CONTACT ARCHITECT.

WEST 4TH STREET

EXISTING SIDEWALK

EXISTING INLET

EXISTING SIDEWALK

X-WALK

REMOVE PAVING

REMOVE BUILDING SLAB

REMOVE ALL TREES IN THIS AREA AS REQUIRED FOR CONSTRUCTION
CONTRACTOR TO VERIFY ALL TREES REMOVAL BY REQUIRED SITE VISIT.

SEE EXISTING CONDITIONS NOTES

HUTCHINSON AVENUE

REMOVE PORTION OF CONCRETE CURB AND GUTTER AS REQUIRED FOR NEW CONSTRUCTION

A1 NEW TENNIS FACILITY: EXISTING SITE PLAN - CONCEPTUAL

SCALE: 1" = 20'-0" 0' 20'



WEST 4TH STREET

EXISTING SIDEWALK

SWALE TO NEW CATCH BASIN, SEE EXISTING CONDITIONS NOTES
NEW CATCH BASIN, SEE DETAIL, CONNECT TO EXISTING DRAINAGE INLET

EXISTING INLET

EXISTING SIDEWALK

X-WALK

HUTCHINSON AVENUE

SOD ALL DISTURBED AREAS, SEE DETAIL 5/A10.3
EROSION CONTROL, SEE DETAIL C5/A10.3
SEE EXISTING CONDITIONS NOTES

NEW COURT, SEE SITE PLAN A1/10.2

NEW COURT, SEE SITE PLAN A1/10.2

NEW COURT, SEE SITE PLAN A1/10.2

NEW 8" PERIMETER DRAIN, CONNECT TO DRAINAGE SYSTEM

NEW ARTIFICIAL TURF GOLF AREA, SEE SITE PLAN A1/10.2

NEW 4" @ DRAIN @ 1'-0" O.C. SEE DETAIL D1/A10.3

NEW BUILDING, SEE FLOOR PLAN A1/A10.5

NEW PARKING AREA, SEE SITE PLAN A1/10.2

SWALE TO EXISTING DRAINAGE SYSTEM, SEE EXISTING CONDITIONS NOTES

A2 NEW SPORTS FACILITY: GRADING PLAN - CONCEPTUAL

SCALE: 1" = 20'-0" 0' 20'



DISTRICT - WIDE IMPROVEMENT PROJECTS

PHASE II

MULTIPLE CAMPUSES
THE HATTIESBURG PUBLIC SCHOOL DISTRICT
HATTIESBURG, MISSISSIPPI

SHEET KEY

- 00.0 - TITLE PAGE
 - 00.1 - MAIN SHEET INDEX
 - 00.2 - PROJECT NOTES
 - 00.3 - SITE DETAILS
 - 00.4 - GUIDELINES/DETAILS
 - 00.5 - GUIDELINES/DETAILS
- H HATTIESBURG HIGH & 9TH GRADE ACADEMY
B BURGER MIDDLE & S.T.E.A.M. ACADEMY
R ROWAN ELEM SCHOOL
K HAWKINS ELEM SCHOOL
T THAMES ELEM SCHOOL
G GRACE CHRISTIAN ELEM SCHOOL
W WOODLEY ELEM SCHOOL
L LILLIE BURNIE LEARNING CENTER
M MARY BETHUNE ALTERNATIVE CENTER

ISSUED SET
01.02.2026

CAMPUS

H HATTIESBURG HIGH SCHOOL (HHS)

SHEET NUMBER

H HATTIESBURG HIGH SCHOOL

A10.1

PROJECT NUMBER
010825

NEW TENNIS FACILITY

WELDED ORNAMENTAL FENCE
CONSTRUCTION SPECIFICATION

PART 1 - GENERAL
1.01 WORK INCLUDED
THE CONTRACTOR SHALL PROVIDE ALL LABOR, MATERIALS AND APPURTENANCES NECESSARY FOR INSTALLATION OF THE WELDED ORNAMENTAL STEEL FENCE SYSTEM DEFINED HEREIN.

1.02 RELATED WORK
SECTION — — EARTHWORK
SECTION — — CONCRETE

1.03 SYSTEM DESCRIPTION
THE MANUFACTURER SHALL SUPPLY A TOTAL FENCE SYSTEM EQUAL TO THE MONTAGE PLUS™ / MONTAGE PLUS ATF™ WELDED ORNAMENTAL STEEL MAJESTIC SERIES DESIGN. THE SYSTEM SHALL INCLUDE ALL COMPONENTS (I.E., PANELS, POSTS, GATES AND HARDWARE) REQUIRED.

1.04 QUALITY ASSURANCE
THE CONTRACTOR SHALL PROVIDE LABORERS AND SUPERVISORS WHO ARE THOROUGHLY FAMILIAR WITH THE TYPE OF CONSTRUCTION INVOLVED AND MATERIALS AND TECHNIQUES SPECIFIED.

1.05 REFERENCES
ASTM A653/A653M - STANDARD SPECIFICATION FOR STEEL SHEET, ZINC-COATED (GALVANIZED) OR ZINC-IRON ALLOY COATED (GALVANNEALED) BY THE HOT-DIP PROCESS. ASTM B117 - PRACTICE FOR OPERATING SALT-SPRAY (FOG) APPARATUS. ASTM D523 - TEST METHOD FOR SPECULAR GLOSS. ASTM D622 - PRACTICE FOR CONDUCTING TESTS ON PAINT AND RELATED COATINGS AND MATERIALS USING FILTERED OPEN-FLAME CARBON-ARC LIGHT AND WATER EXPOSURE APPARATUS. ASTM D1654 - TEST METHOD FOR EVALUATION OF PAINTED OR COATED SPECIMENS SUBJECTED TO CORROSIVE ENVIRONMENTS. ASTM D2244 - TEST METHOD FOR CALCULATION OF COLOR DIFFERENCES FROM INSTRUMENTALLY MEASURED COLOR COORDINATES. ASTM D2794 - TEST METHOD FOR RESISTANCE OF ORGANIC COATINGS TO THE EFFECTS OF RAPID DEFORMATION (IMPACT). ASTM D3359 - TEST METHOD FOR MEASURING ADHESION BY TAPE TEST.

1.06 SUBMITTAL
THE MANUFACTURER'S LITERATURE SHALL BE SUBMITTED PRIOR TO INSTALLATION.

1.07 PRODUCT HANDLING AND STORAGE
UPON RECEIPT AT THE JOB SITE, ALL MATERIALS SHALL BE CHECKED TO ENSURE THAT NO DAMAGE OCCURRED DURING SHIPPING OR HANDLING. MATERIALS SHALL BE STORED IN SUCH A MANNER TO ENSURE PROPER VENTILATION AND DRAINAGE, AND TO PROTECT AGAINST DAMAGE, WEATHER, VANDALISM AND THEFT.

PART 2 - MATERIALS
2.01 MANUFACTURER
THE FENCE SYSTEM SHALL BE EQUAL TO MONTAGE PLUS WELDED ORNAMENTAL STEEL MAJESTIC SERIES DESIGN, EXTENDED PICKET BOTTOM RAIL TREATMENT, (RIGID) WELD TREATMENT, EQUAL TO STYLE MANUFACTURED BY AMERISTAR FENCE PRODUCTS, INC.

2.02 MATERIAL
STEEL MATERIAL FOR FENCE PANELS AND POSTS SHALL CONFORM TO THE REQUIREMENTS OF ASTM A653/A653M, WITH A MINIMUM YIELD STRENGTH OF 50,000 PSI (344 MPA) AND A MINIMUM ZINC (HOT-DIP GALVANIZED) COATING WEIGHT OF 0.90 OZ/FT² (276 g/m²). COATING DESIGNATION G-60.

A. MATERIAL FOR FENCE PICKETS SHALL BE 3/4" SQUARE X 16 GA. TUBING. THE RAILS SHALL BE STEEL CHANNEL, (RIGID-MONTAGE PLUS) PROFILE, 1.5" X 1.4375" X 14 GA. PICKET HOLES IN THE RAIL SHALL BE SPACED 4.334" O.C. POSTS SHALL BE A MINIMUM OF 2-1/2" SQUARE X 16 GA. 12 GA. POSTS MAY BE USED FOR HEAVY APPLICATIONS.

2.03 FABRICATION
A. PICKETS, RAILS AND POSTS SHALL BE PRE-CUT TO SPECIFIED LENGTHS. RAILS SHALL BE PRE-PUNCHED TO ACCEPT PICKETS.

PICKETS SHALL BE INSERTED INTO THE PRE-PUNCHED HOLES IN THE RAILS AND SHALL BE ALIGNED TO STANDARD SPACING USING A SPECIALLY CALIBRATED ALIGNMENT FIXTURE. THE ALIGNED PICKETS AND RAILS SHALL BE JOINED AT EACH PICKET-TO-RAIL INTERSECTION EQUAL TO AMERISTAR'S PROPRIETARY FUSION WELDING PROCESS, THUS COMPLETING THE RIGID PANEL ASSEMBLY (NOTE: THE PROCESS PRODUCES A VIRTUALLY SEAMLESS, SPATTER-FREE GOOD-NEIGHBOR APPEARANCE, EQUALLY ATTRACTIVE FROM EITHER SIDE OF THE PANEL.).

B. THE MANUFACTURED PANELS AND POSTS SHALL BE EQUAL TO AMERICOAT INLINE ELECTRODEPOSITION COATING PROCESS CONSISTING OF A MULTI-STAGE PRETREATMENT WASH (WITH ZINC PHOSPHATE), FOLLOWED BY A DUPLEX CATHODIC ELECTROCOAT APPLICATION OF AN EPOXY PRIMER FOLLOWED BY AN ACRYLIC TOPCOAT. THE MINIMUM CUMULATIVE COATING THICKNESS OF EPOXY AND ACRYLIC SHALL BE 2 MILS (0.058 MM). THE COLOR SHALL BE BLACK. THE COATED PANELS AND POSTS SHALL BE CAPABLE OF MEETING THE PERFORMANCE REQUIREMENTS FOR EACH QUALITY CHARACTERISTIC SHOWN IN TABLE 1.

C. GATES SHALL BE FABRICATED USING WELDED ORNAMENTAL PANEL MATERIAL AND GATE ENDS HAVING A 1-3/4" SQUARE CROSS-SECTIONAL SIZE. ALL RAIL AND UPRIGHT INTERSECTIONS SHALL BE JOINED BY WELDING. ALL PICKET AND RAIL INTERSECTIONS SHALL ALSO BE JOINED BY WELDING.

PART 3 - EXECUTION
3.01 PREPARATION
ALL NEW INSTALLATION SHALL BE LAID OUT BY THE CONTRACTOR IN ACCORDANCE WITH THE CONSTRUCTION PLANS.

3.02 INSTALLATION
FENCE POSTS SHALL BE SET ACCORDING TO MANUFACTURER'S RECOMMENDATIONS. FENCE PANELS SHALL BE ATTACHED TO POSTS WITH BOULEVARD BRACKETS SUPPLIED BY THE MANUFACTURER. GATE POSTS SHALL BE SPACED ACCORDING TO THE GATE OPENINGS SPECIFIED IN THE CONSTRUCTION PLANS. THE 'EARTHWORK' AND 'CONCRETE' SECTIONS OF THIS SPECIFICATION SHALL GOVERN POST BASE MATERIAL REQUIREMENTS.

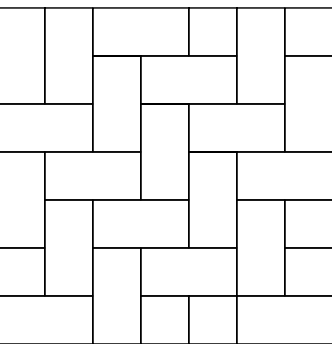
3.03 CLEANING
THE CONTRACTOR SHALL CLEAN THE JOBSITE OF EXCESS MATERIALS; POST-HOLE EXCAVATIONS SHALL BE SCATTERED UNIFORMLY AWAY FROM POSTS.

GRADING AND DRAINAGE:

101. EROSION: THE CONTRACTOR SHALL PROVIDE, INSTALL, AND MAINTAIN A SILT FENCE AROUND PROJECT FOR EROSION AND SILT RUNOFF CAUSED BY CONSTRUCTION, SEE SILT FENCE DETAIL.
102. THE GENERAL CONTRACTOR SHALL PROVIDE DRAINAGE OF SURFACE WATER AWAY FROM SLAB ON ALL SIDES. 2% SLOPE MINIMUM.
103. FINISH GRADE SHALL BE 3" MINIMUM BELOW SLAB ELEVATION AND SLOPE AWAY FROM SLAB.
104. THE GENERAL CONTRACTOR IS TO PROVIDE AND PLACE TOPSOIL AND GRASSING (SEED) WHERE EARTH IS EXPOSED BY CONSTRUCTION OPERATIONS THAT IS NOT SCHEDULED TO RECEIVE CONCRETE OR ASPHALT PAVING, SEE SOD DETAIL.

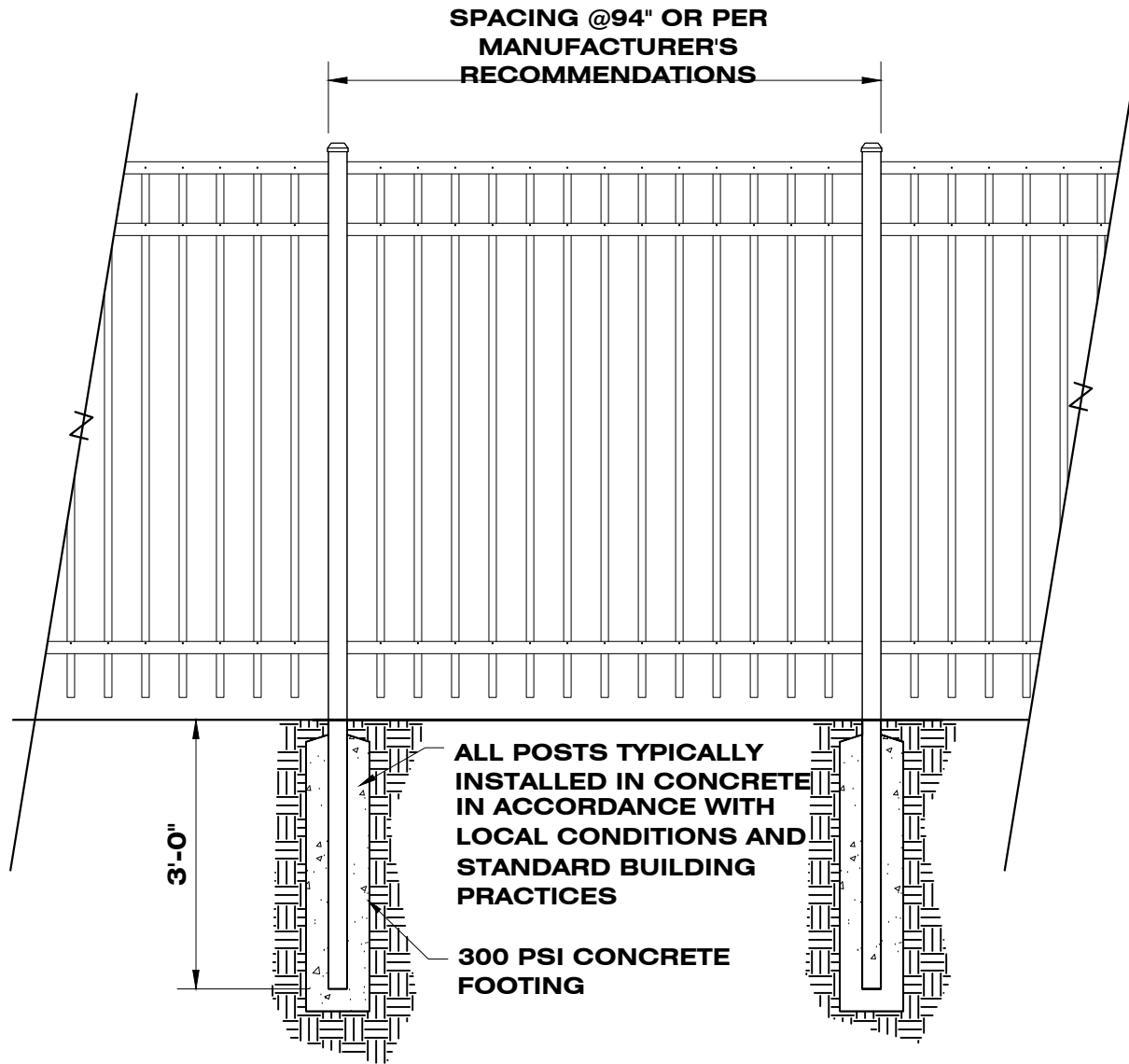
SOD NOTES

101. SOIL PREPARATION:
REMOVE ALL DEBRIS AND COMPACTED AREAS.
MINIMUM OF 4" TOP SOIL: CONTRACTOR SHALL PROVIDE AND INSTALL 125 CUBIC YARDS (MINIMUM) OF TOPSOIL TO SITE.
TEST SOIL: TEST PH LEVELS AT VARIOUS LOCATIONS AND CORRECT AS REQUIRED.
LEVEL: ADDRESS SOFT (SUNK IN) OR RAISED HARD AREAS.
TILL SOIL AND RAKE.
WATER THOROUGHLY: WATER TOPSOIL BEFORE INSTALLING SOD.
102. SOD INSTALLATION:
VERIFY TYPE OF SOD WITH OWNER.
STAGGER SOD ROWS (NO CONTINUOUS LINIER SEAM) LEAVING NO GAPS.
USE A ROLLER FOR SOD TO SOIL CONNECTION.
WATER IMMEDIATELY AFTER INSTALLATION.
KEEP SOD MOIST FOR MINIMUM OF TWO WEEKS.
NO FOOT TRAFFIC, MACHINERY, OR VEHICLES SHALL BE ALLOWED ON INSTALLED SOD UNTIL SOD HAS FULLY ESTABLISHED.

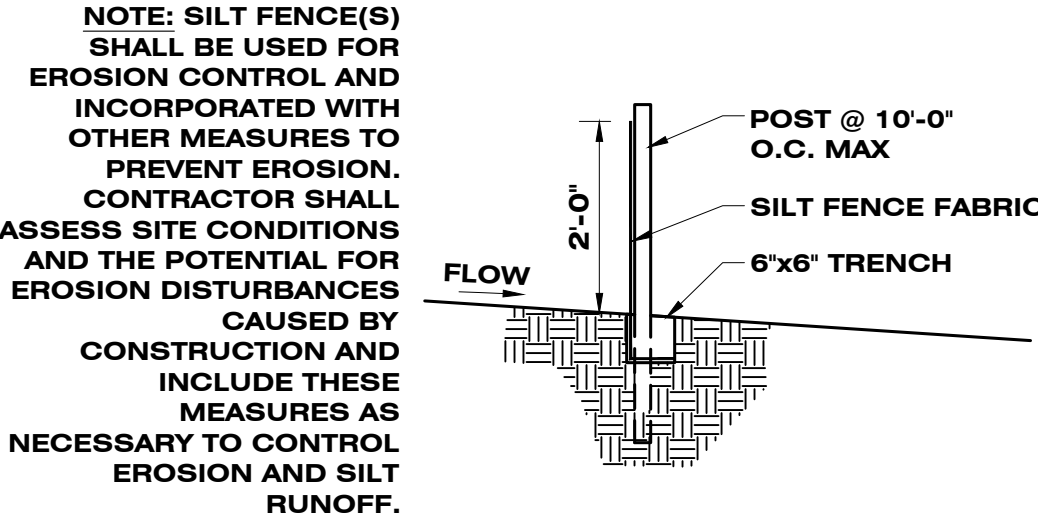


STAGGERED SOD
PATTERN EXAMPLE

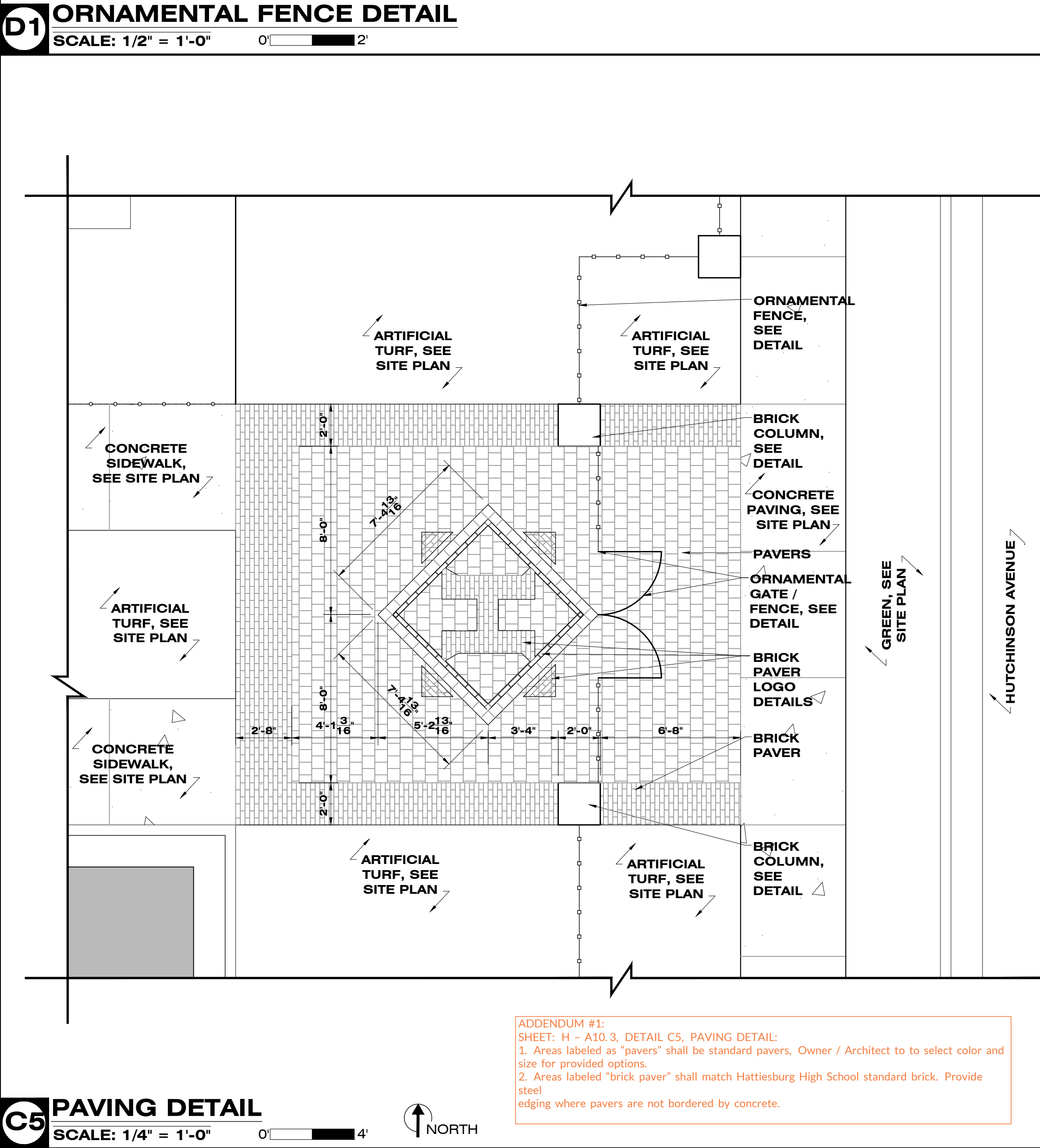
D1 ORNAMENTAL FENCE DETAIL
SCALE: 1/2" = 1'-0" 0' 2'



D5 SOD DETAIL
SCALE: 1/8" = 1'-0" 0' 8'

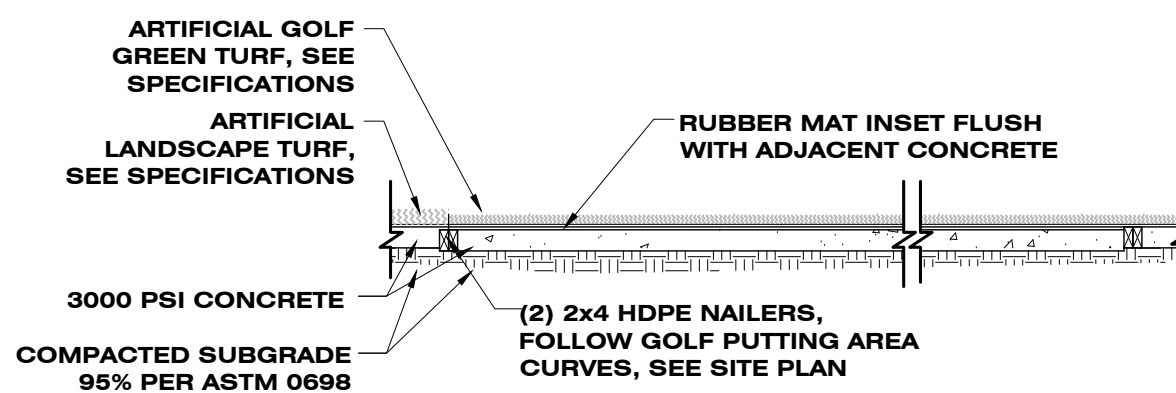


C5 SILT FENCE DETAIL
SCALE: 1/2" = 1'-0" 0' 2'

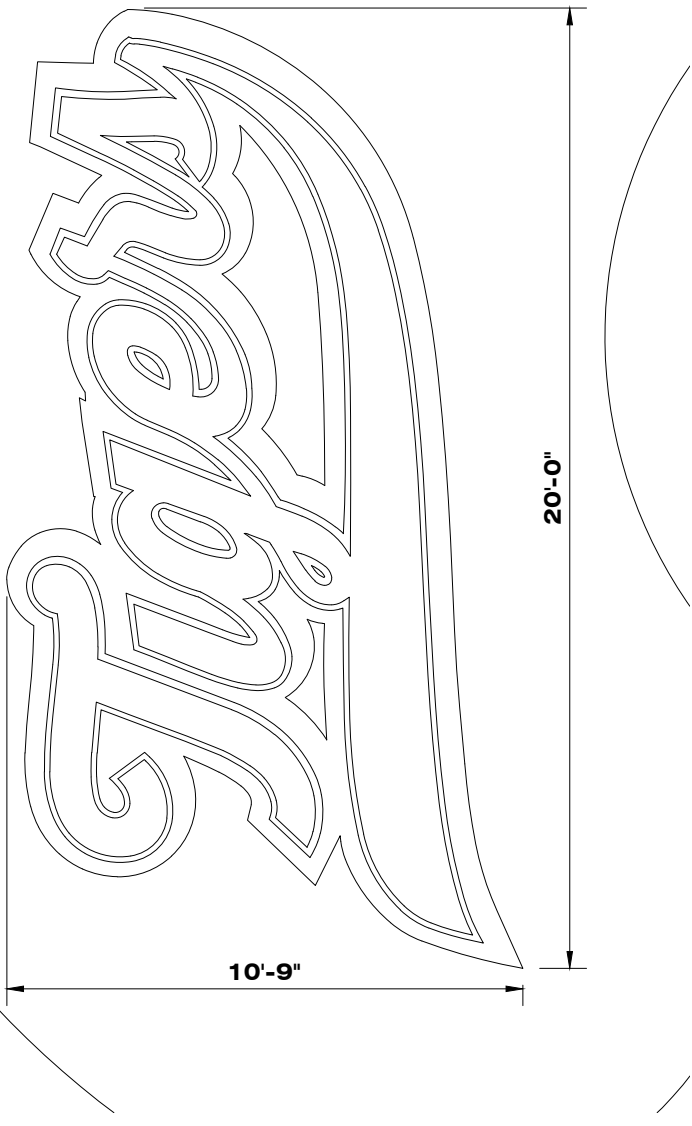


C5 PAVING DETAIL
SCALE: 1/4" = 1'-0" 0' 4'

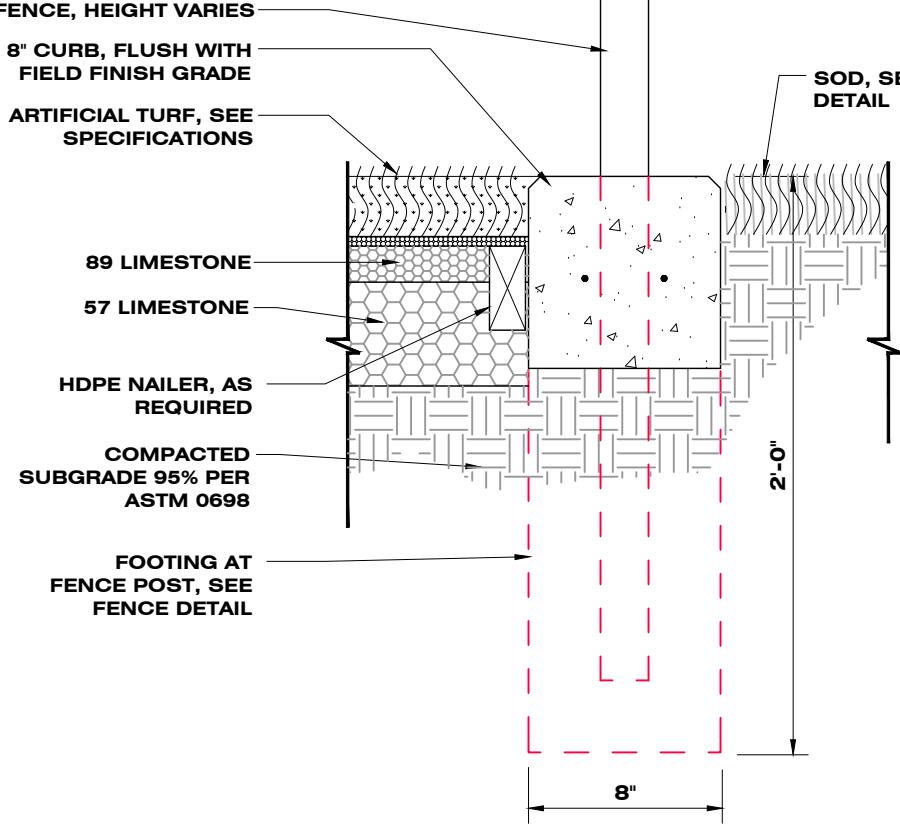
C3 PUTTING GREEN SECTION
SCALE: 3/8" = 1'-0" 0' 32"



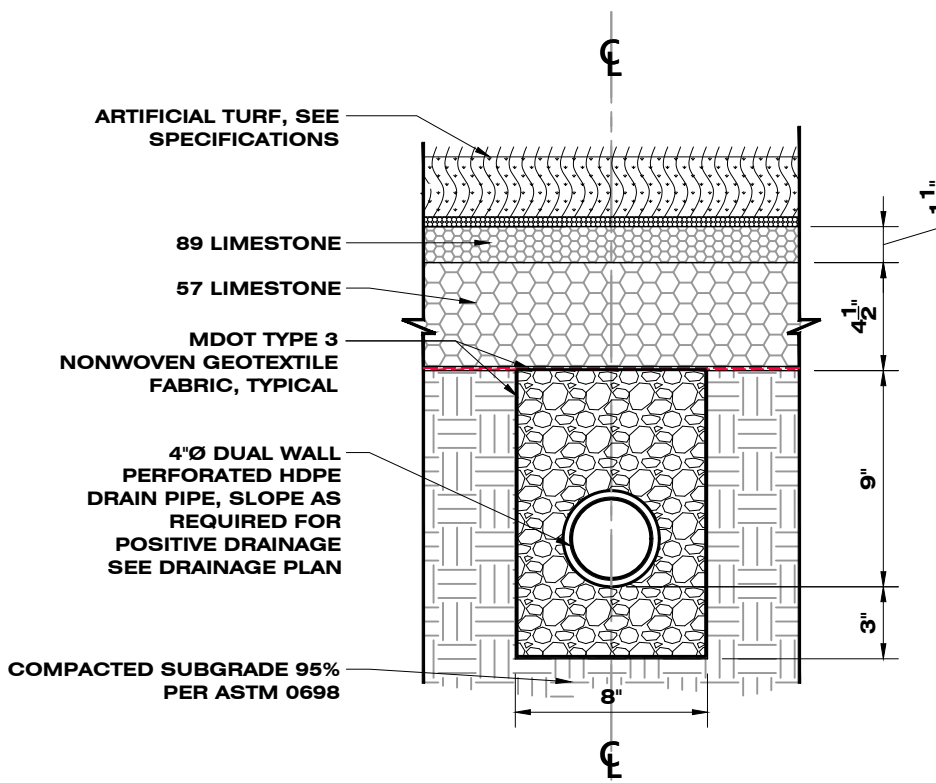
B5 ARTIFICIAL TURF LOGO
SCALE: 1/4" = 1'-0" 0' 4'



D3 CURB DETAIL
SCALE: 1-1/2" = 1'-0" 0' 8'



D1 TURF DRAIN
SCALE: 1-1/2" = 1'-0" 0' 8'



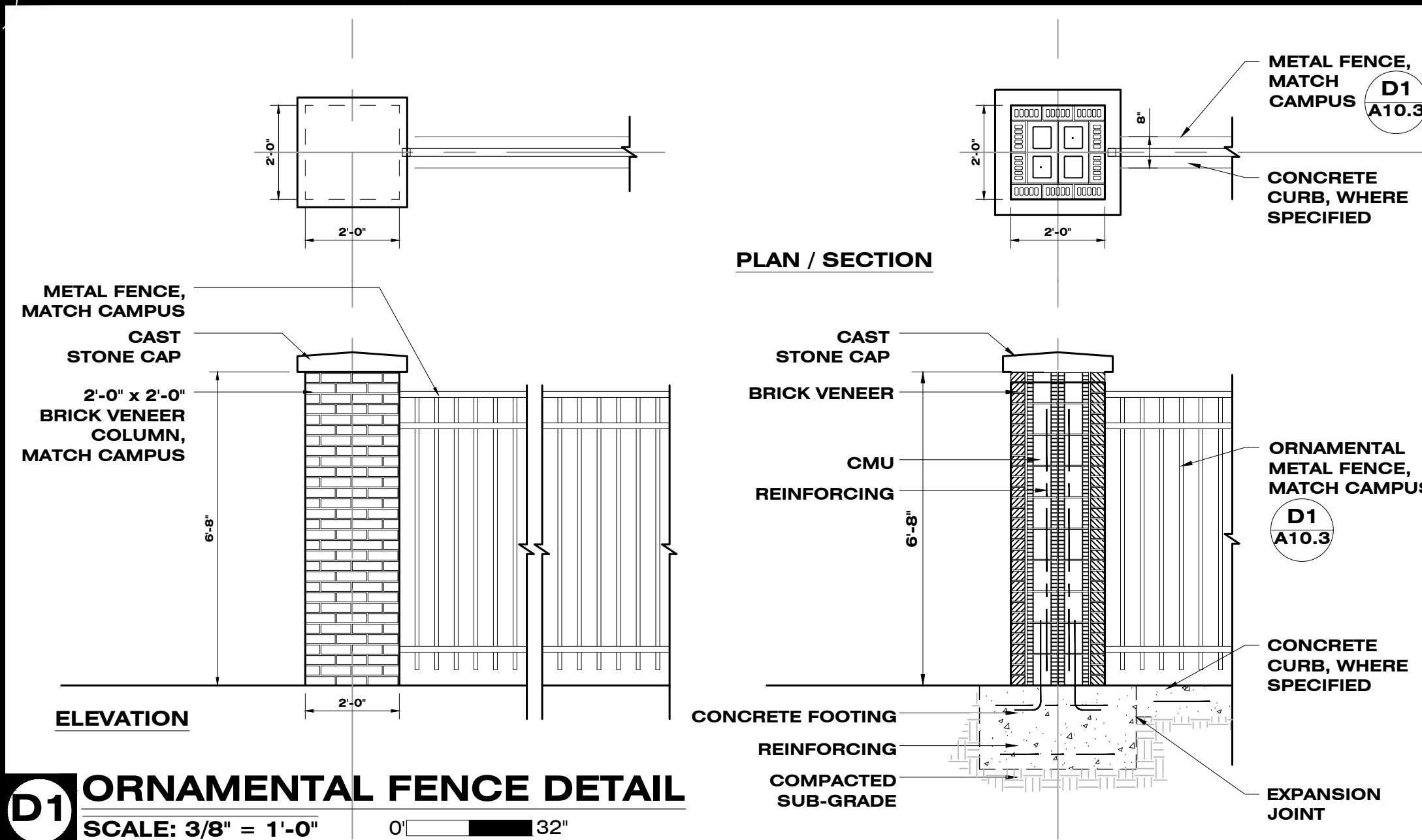
McCleskey / Jones
ARCHITECTS
PLLC
105 PATTON AVENUE
HATTIESBURG, MISSISSIPPI 39401
Phone: 601.544.8994
Fax: 601.544.8969
McCleskeyAssociates.com

PROFESSIONAL SEAL:

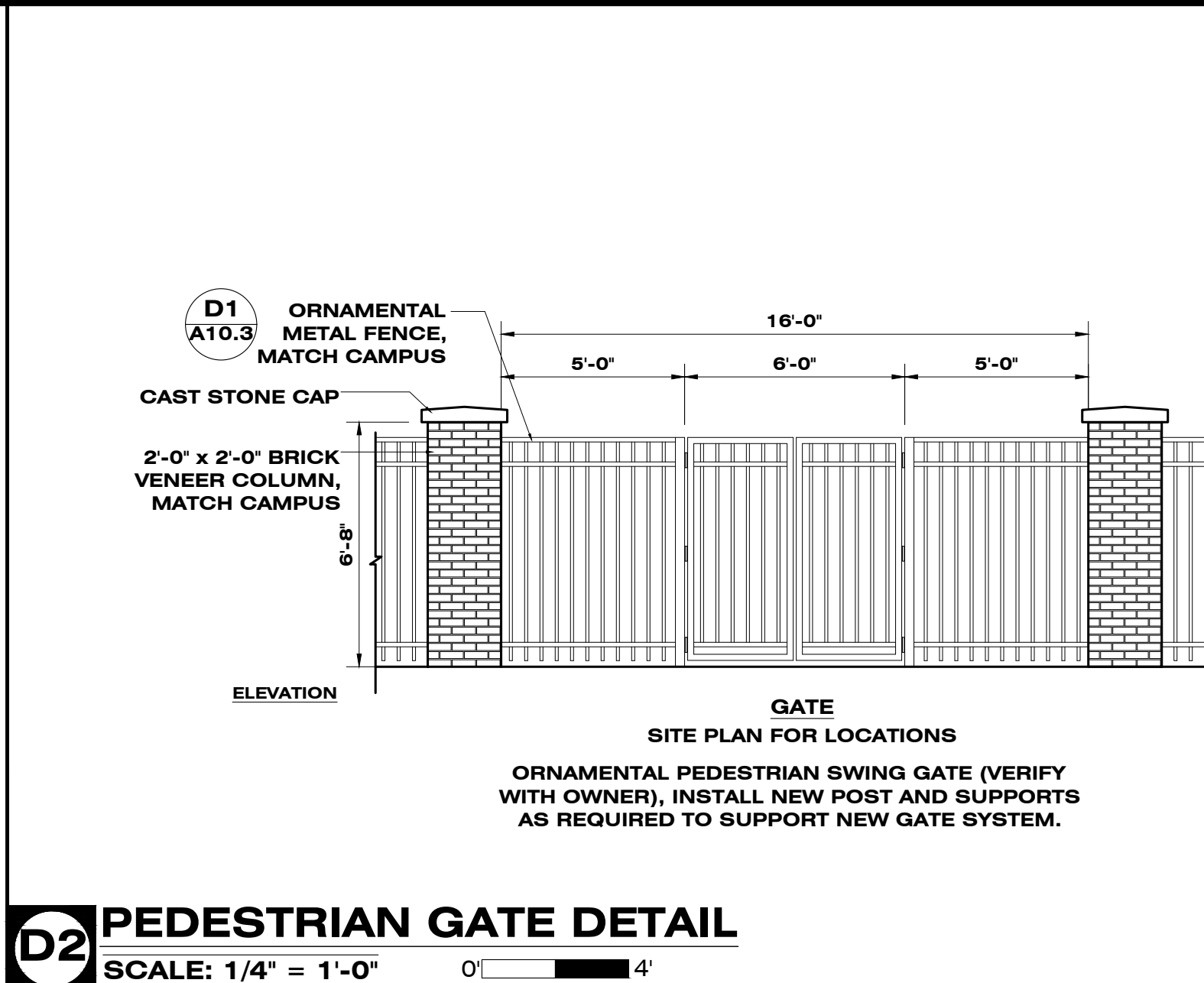
THIS DRAWING IS
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DISTRICT - WIDE IMPROVEMENT PROJECTS
PHASE II
MULTIPLE CAMPUSES
THE HATTIESBURG PUBLIC SCHOOL DISTRICT
HATTIESBURG, MISSISSIPPI

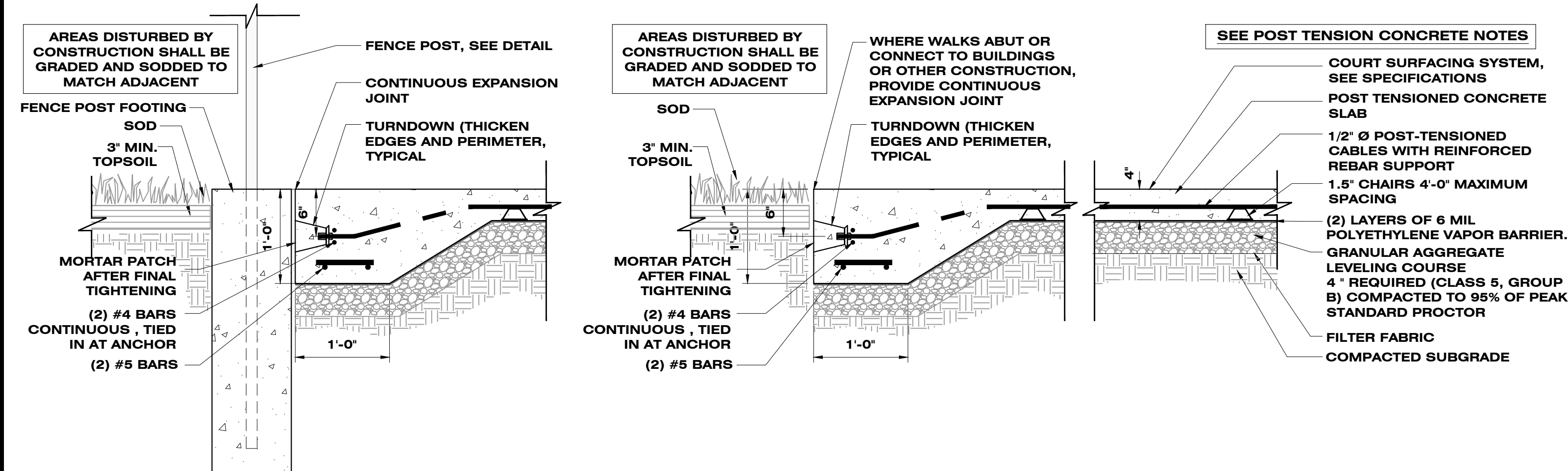
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H HATTIESBURG HIGH & 9TH GRADE ACADEMY
B BURGER MIDDLE & S.T.E.A.M. ACADEMY
R ROWAN ELEM SCHOOL
K HAWKINS ELEM SCHOOL
T THAMES ELEM SCHOOL
G GRACE CHRISTIAN ELEM SCHOOL
W WOODLEY ELEM SCHOOL
L LILLIE BURNAY LEARNING CENTER
M MARY BETHUNE ALTERNATIVE CENTER
ISSUED SET
01.02.2026
CAMPUS
H HATTIESBURG HIGH SCHOOL (HHS)
SHEET NUMBER
H HATTIESBURG HIGH SCHOOL
A10.3
PROJECT NUMBER
010825



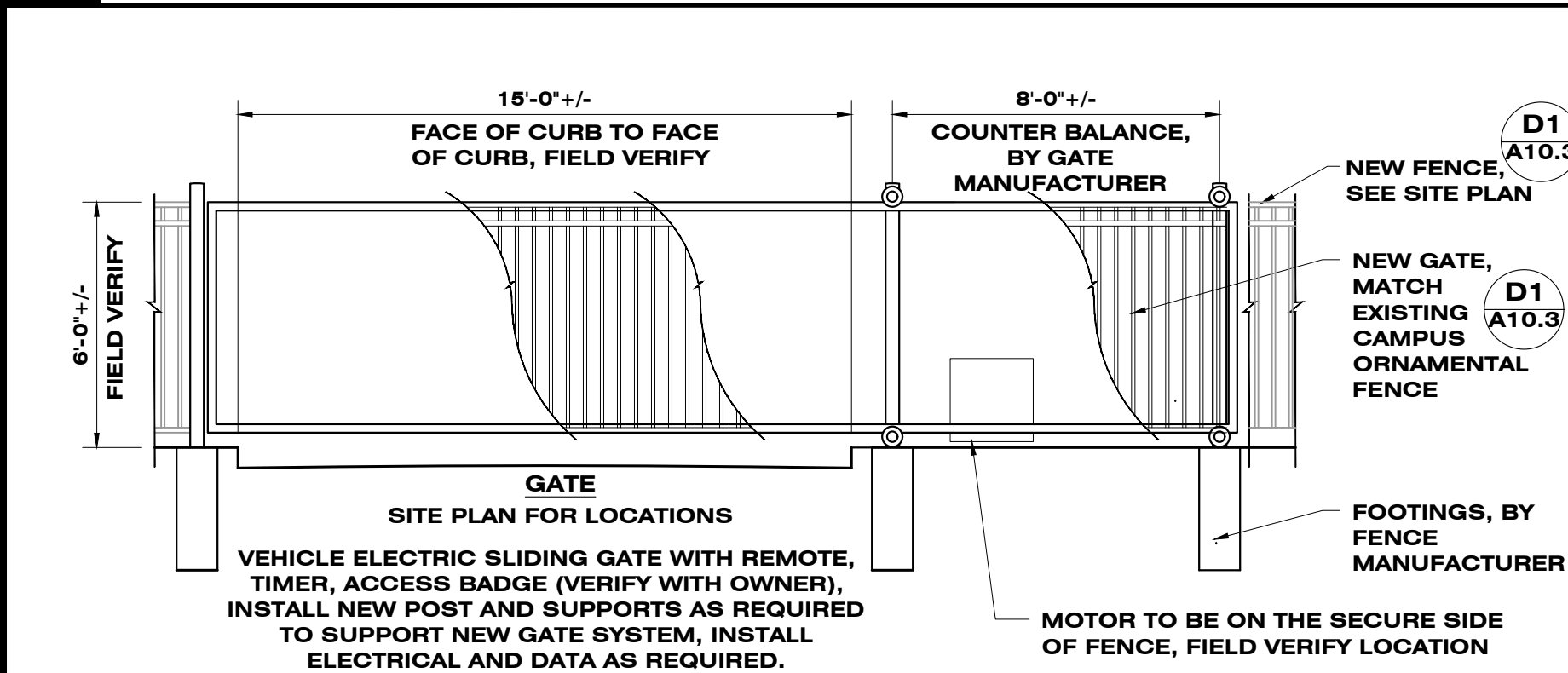
D1 ORNAMENTAL FENCE DETAIL
SCALE: 3/8" = 1'-0"



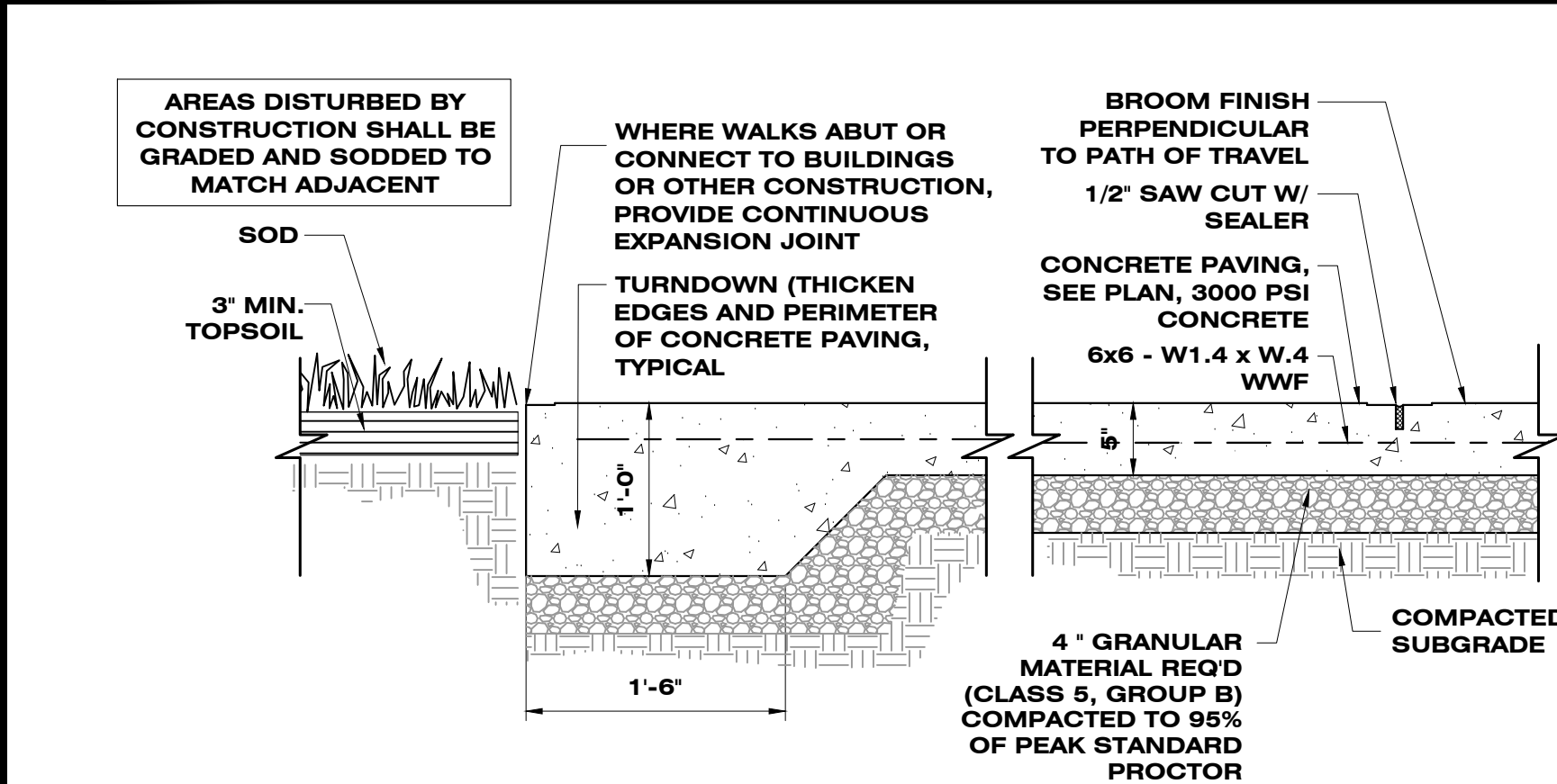
D2 PEDESTRIAN GATE DETAIL
SCALE: 1/4" = 1'-0"



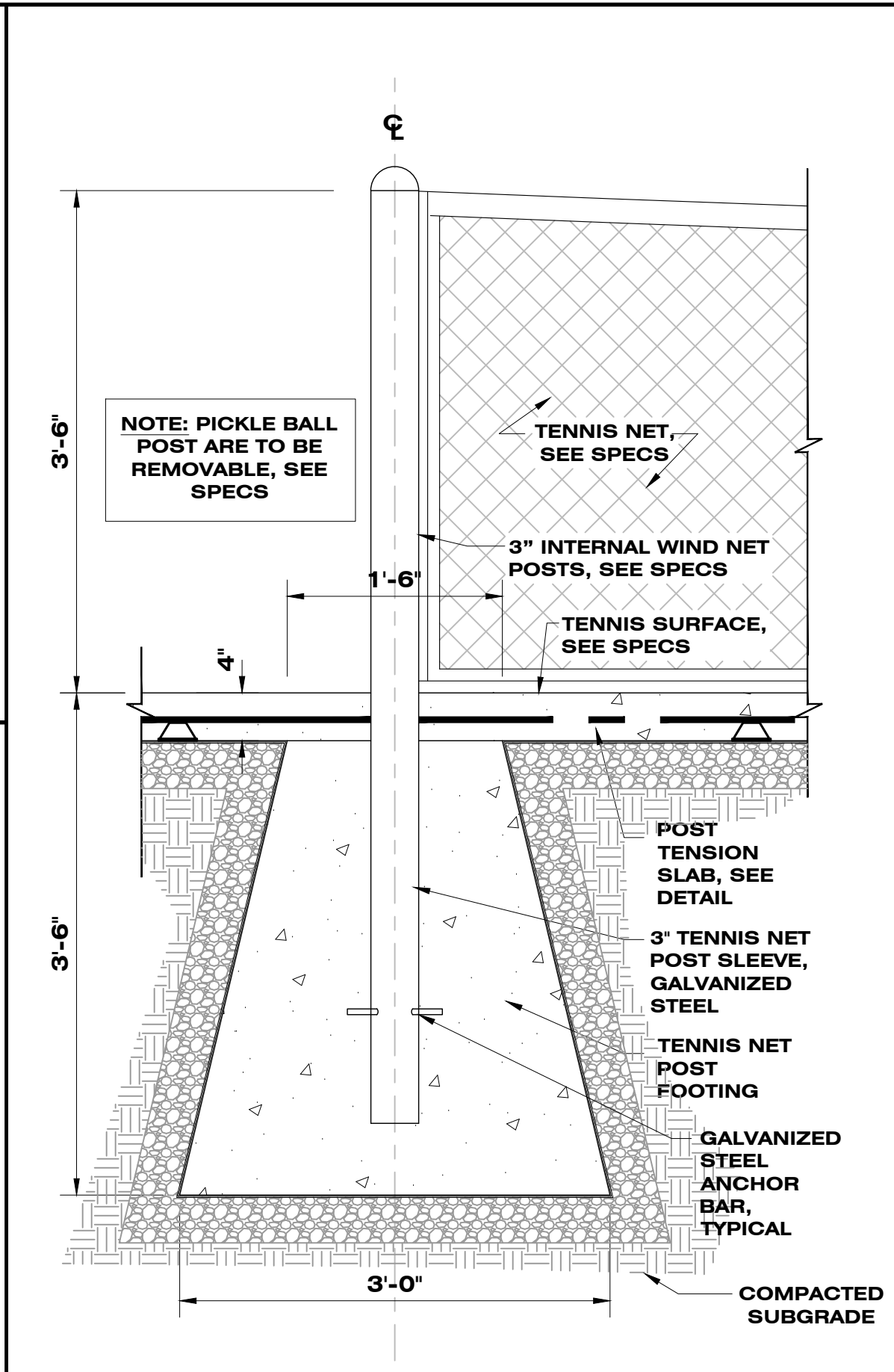
C1 POST TENSION SLAB
SCALE: 1" = 1'-0"



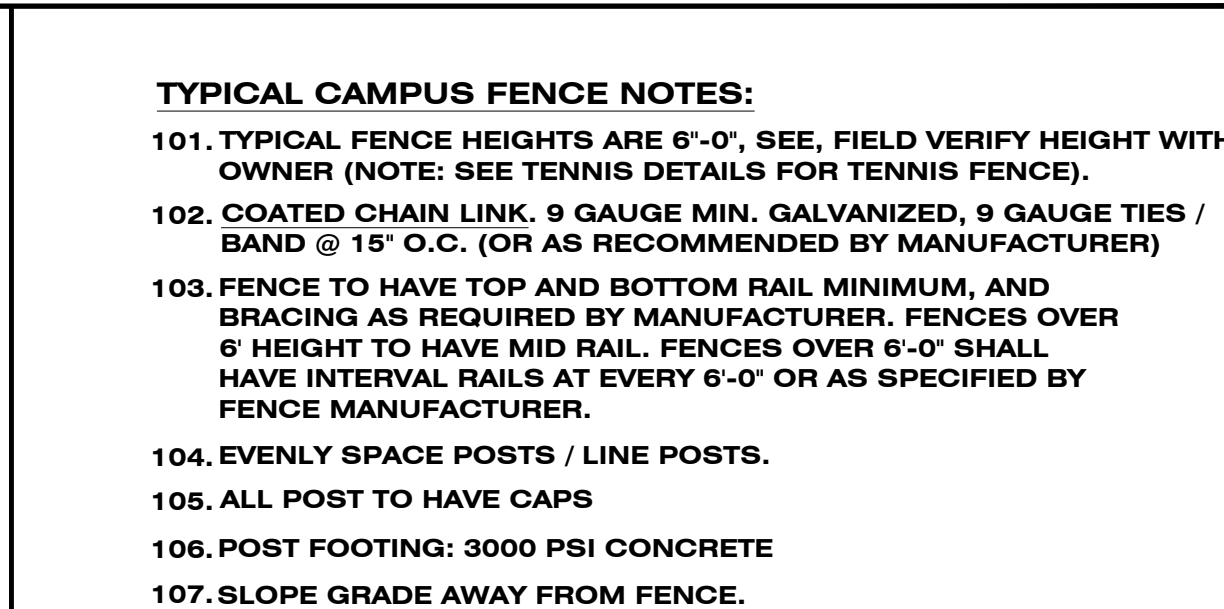
B1 VEHICULAR GATE DETAIL
SCALE: 1/4" = 1'-0"



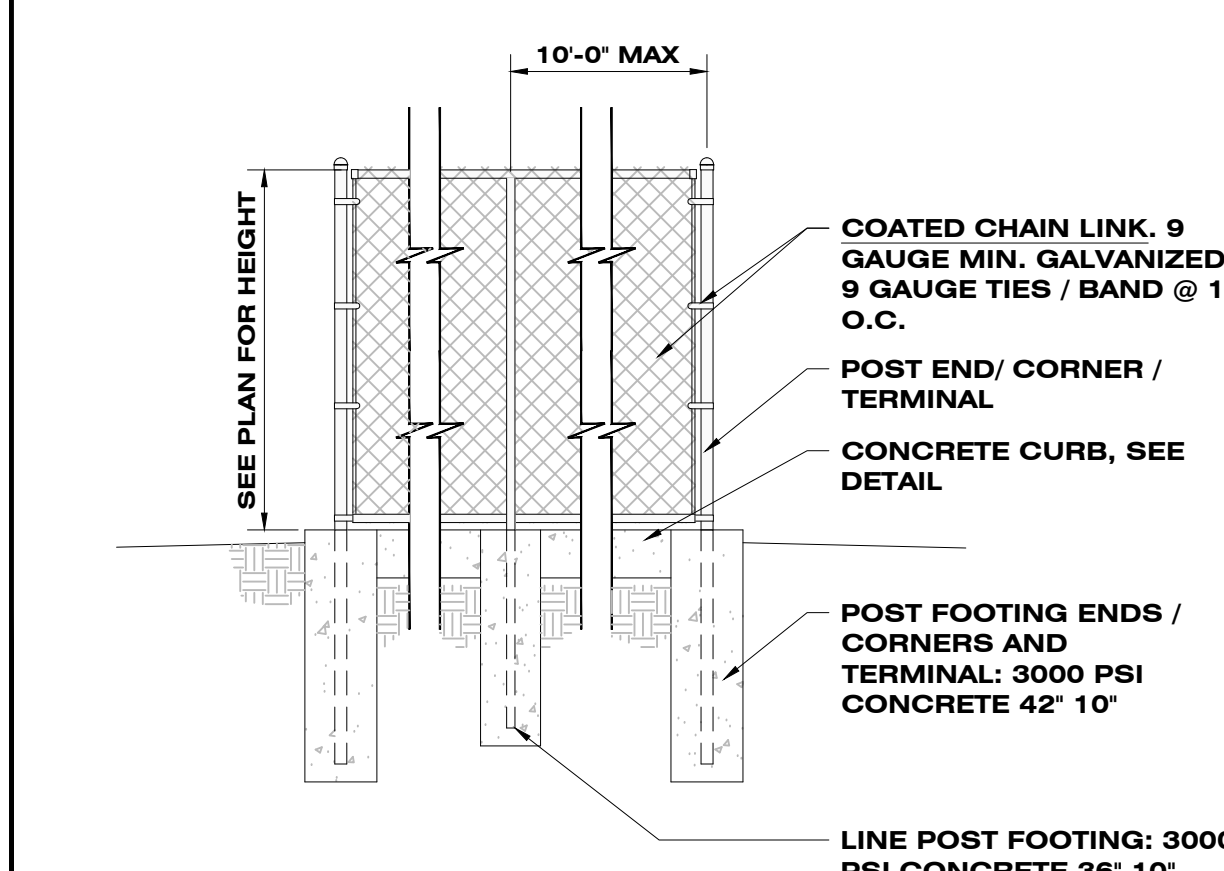
A1 CONCRETE PAVING (SIDEWALK) DETAIL
SCALE: 1" = 1'-0"



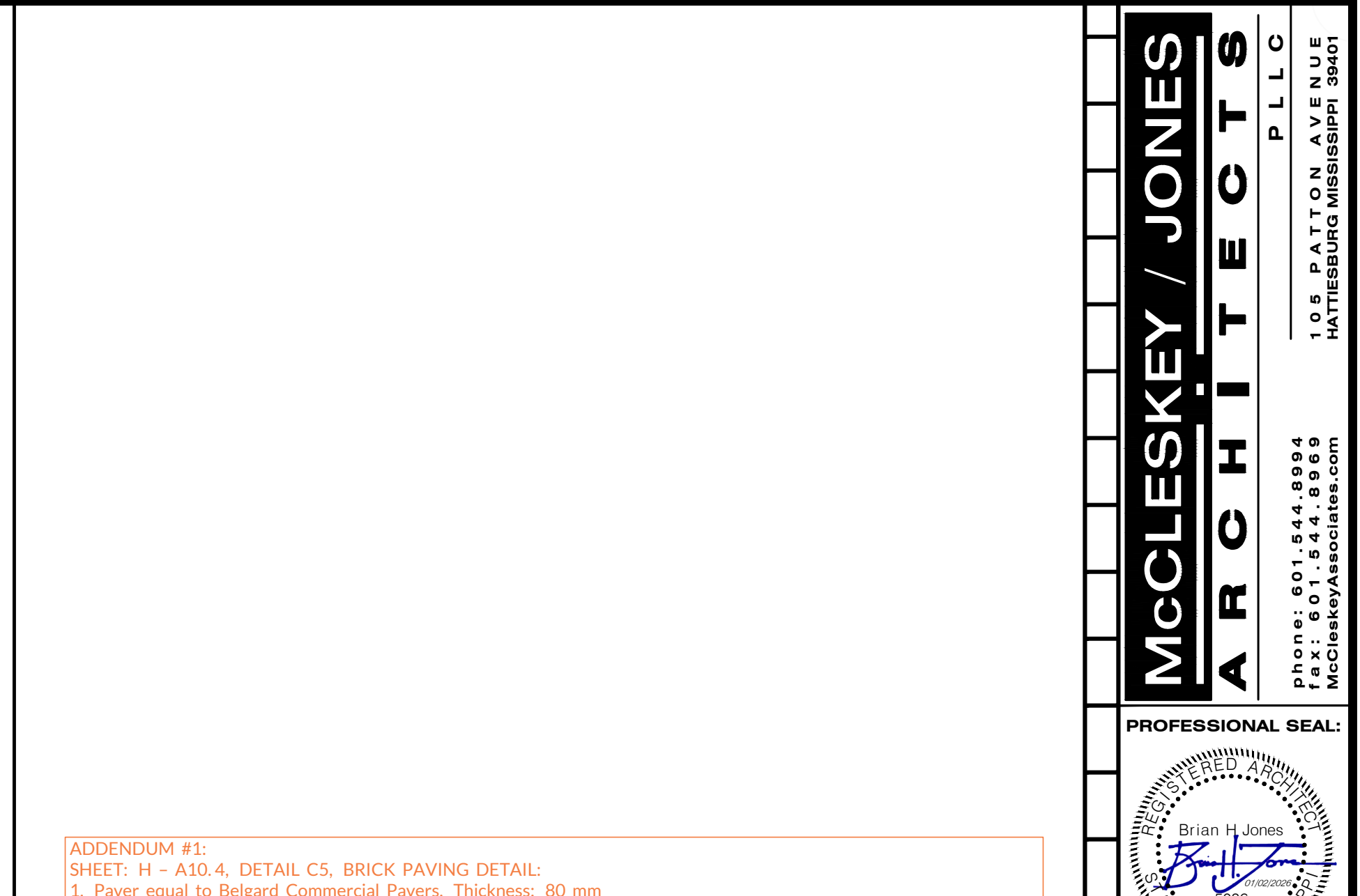
A3 NETTING POST FOOTING DETAIL
SCALE: 1" = 1'-0"



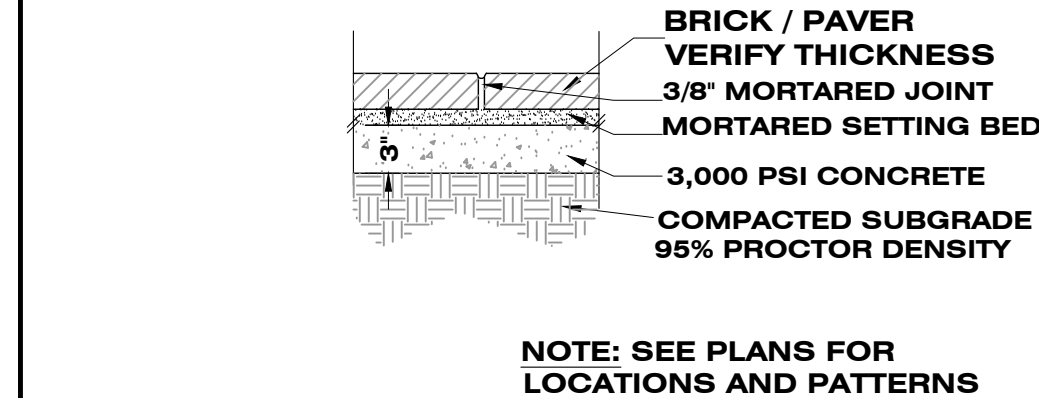
A4 FENCE DETAIL
SCALE: 3/8" = 1'-0"



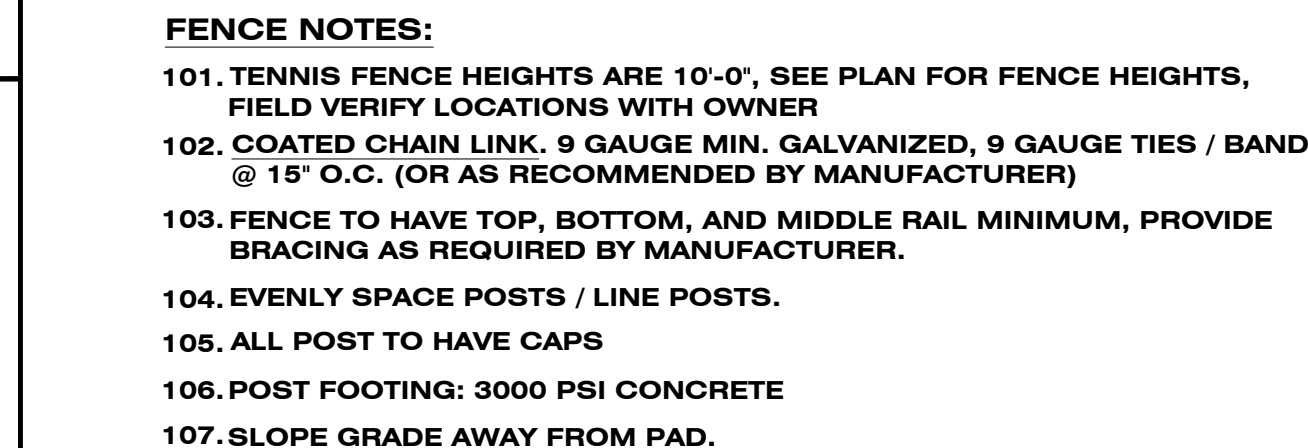
A4 FENCE DETAIL
SCALE: 3/8" = 1'-0"



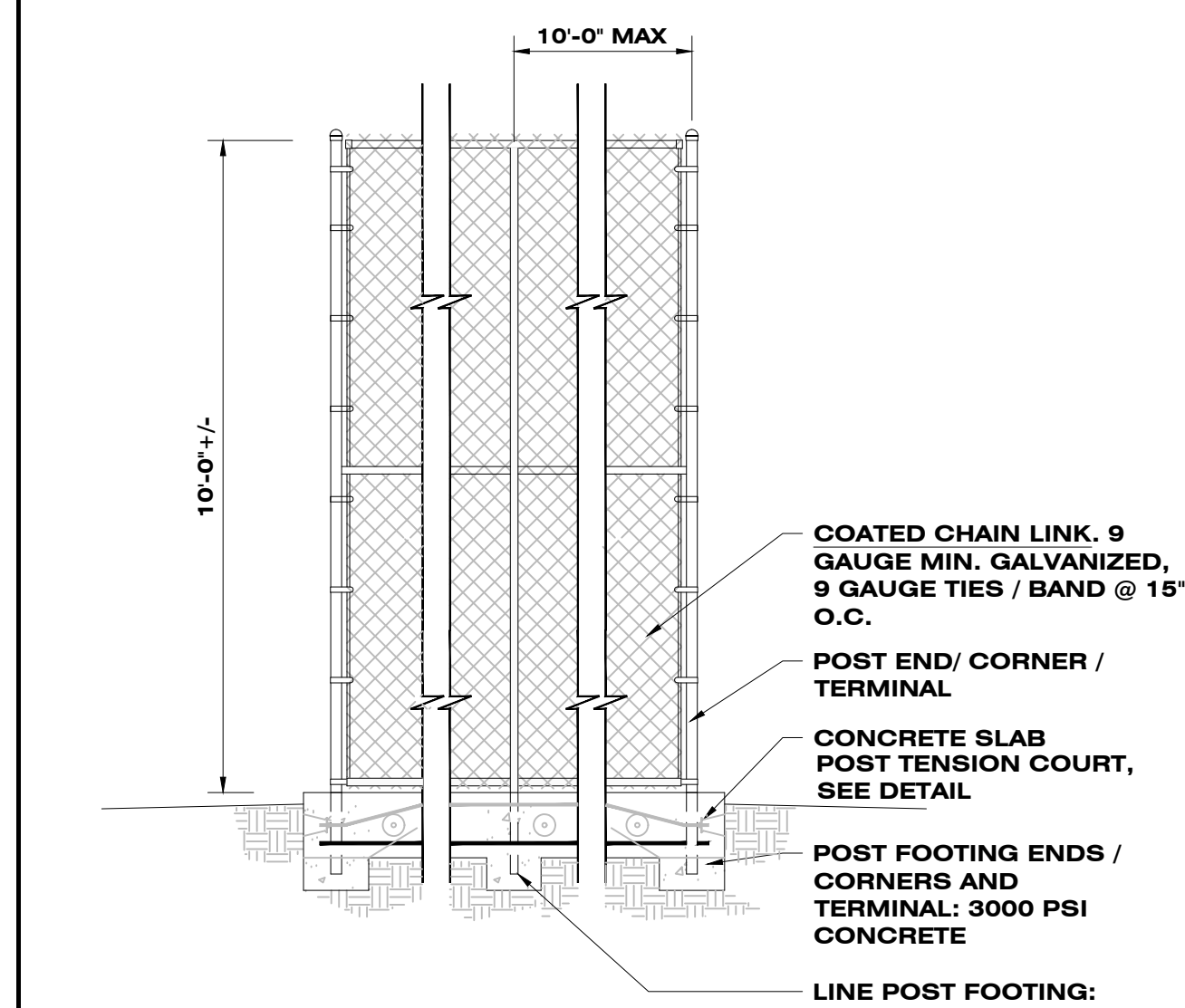
C5 BRICK PAVING
SCALE: 1" = 1'-0"



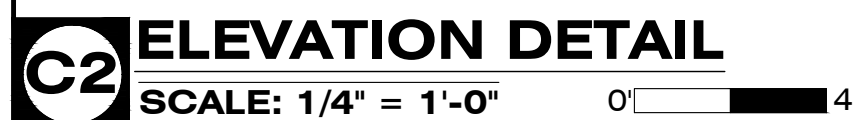
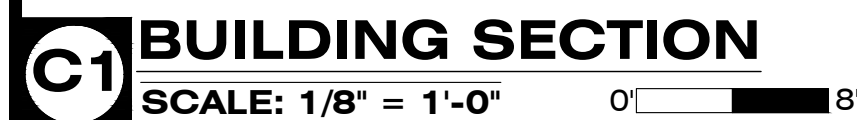
C5 BRICK PAVING
SCALE: 1" = 1'-0"



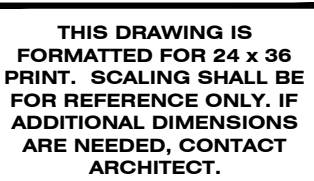
A5 FENCE DETAIL
SCALE: 3/8" = 1'-0"



A5 FENCE DETAIL
SCALE: 3/8" = 1'-0"



**WARRANTY - MANUFACTURER LIMITED WARRANTY FOR 12 YEARS
INSTALLATION SHALL BE COMPLETE WITH ALL COMPONENTS AS
RECOMMENDED BY MANUFACTURER (TO INCLUDE LENNOX PROGRAMMABLE
WIRELESS REMOTE CONTROLLER (MOSTAT60Q-1)**



DISTRICT - WIDE IMPROVEMENT PROJECTS

PHASE II

MULTIPLE CAMPUSES

THE HATTIESBURG PUBLIC SCHOOL DISTRICT
HATTIESBURG, MISSISSIPPI

SHEET KEY

- TITLE PAGE
- MAIN SHEET INDEX
- PROJECT NOTES
- SITE DETAILS
- GUIDELINES/DETAILS
- GUIDELINES/DETAILS

ATTIESBURG HIGH &
 4TH GRADE ACADEMY
 BURGER MIDDLE &
 T.E.A.M. ACADEMY
 COWAN ELEM SCHOOL
 HAWKINS ELEM SCHOOL
 HAMES ELEM SCHOOL
 GRACE CHRISTIAN ELEM
 SCHOOL
 WOODLEY ELEM
 SCHOOL
 ILLIE BURNAY
 LEARNING CENTER
 MARY BETHUNE
 ALTERNATIVE CENTER

ISSUED SET
01.02.2026

CAMPUS
HATTIESBURG
HIGH
SCHOOL (HHS)

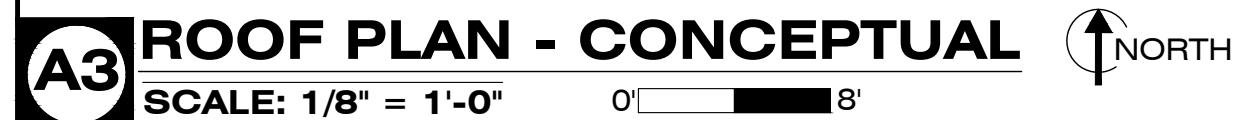
SHEET NUMBER

**HATTIESBURG
HIGH SCHOOL**

A10.5

PROJECT NUMBER
010825

A2 FLOOR PLAN ENLARGEMENT
SCALE: 1/8" = 1'-0" 0' 8'

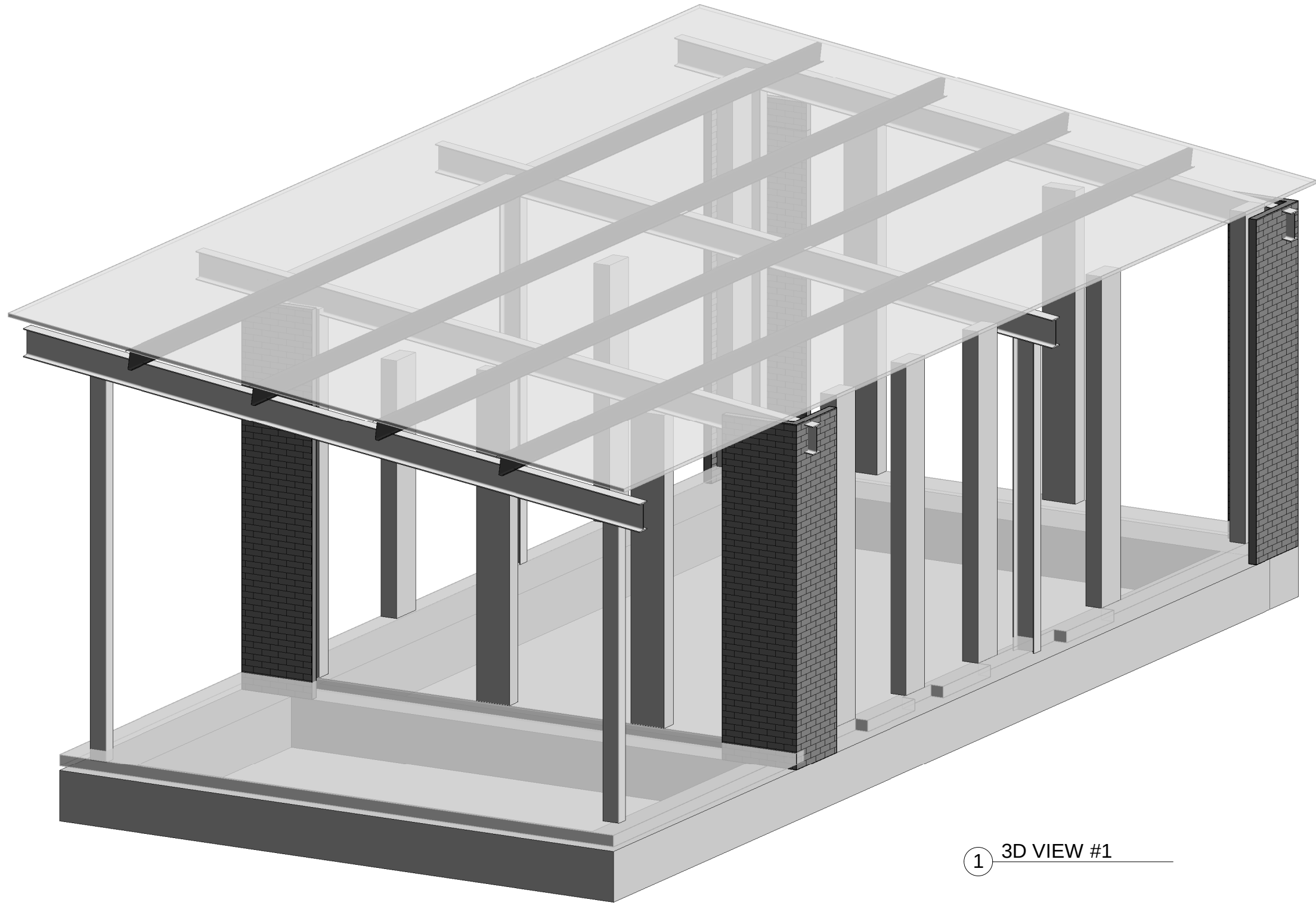


NEW TENNIS FACILITY

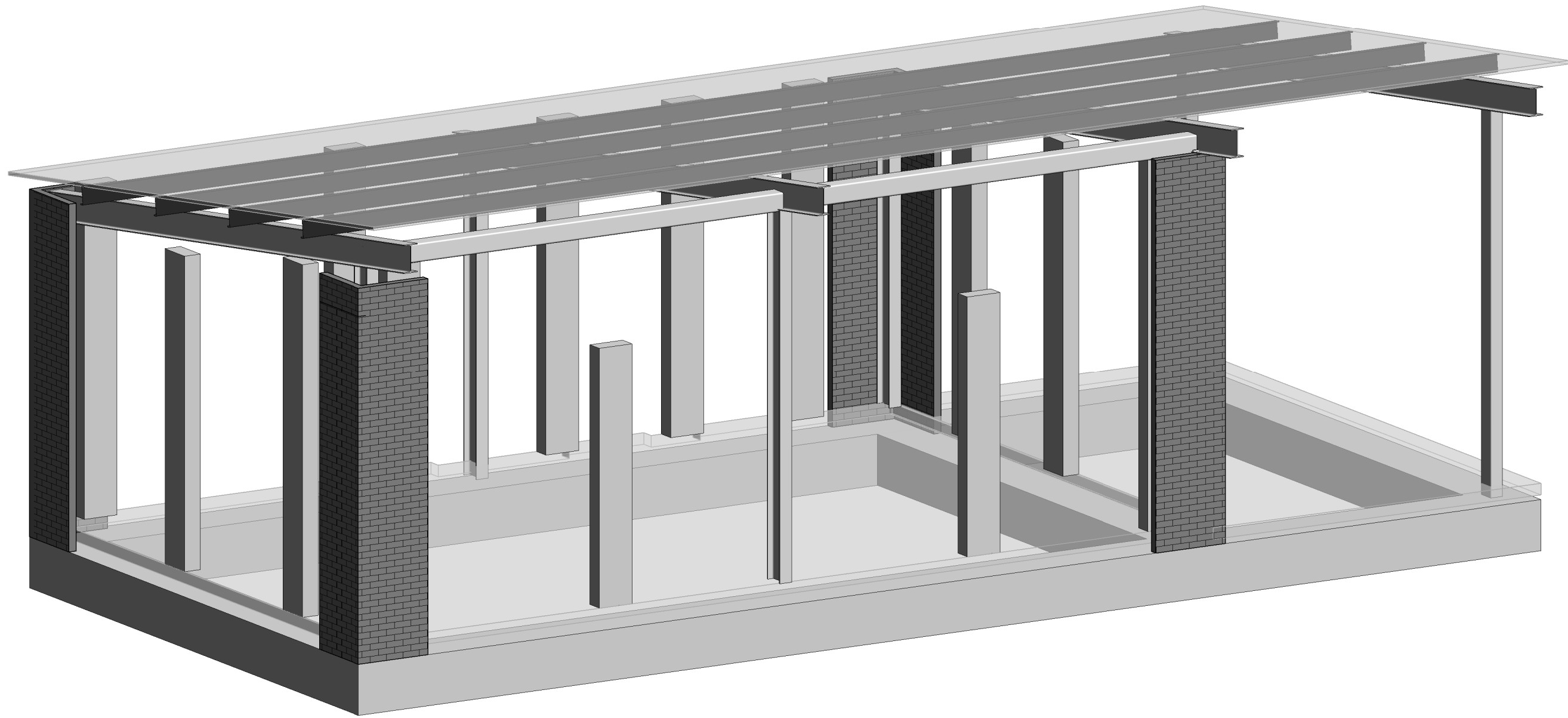
FINISH SCHEDULE										9	0	L	C	DATE	08/01
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ABBREVIATION KEY ACT = ACOUSTICAL TILE CEILING A.F.F. = ABOVE FINISH FLOOR CMU = CONCRETE MASONRY UNIT CONC. = CONCRETE EC = EXPOSED CONSTRUCTION ECP = EXPOSED CONSTRUCTION, PAINT EIFS = EXTERIOR INSULATION FINISHING SYSTEM ELEV. = ELEVATOR GYP = GYPSUM BOARD LVT = LUXURY VINYL TILE MFR. = MANUFACTURER	FLOORING KEY F-1 PAINT FLOORING (HIGH PERFORMANCE FLOORING) 101. SEE SPECIFICATIONS. 102. PAINT SYSTEM EQUAL TO SHERWIN WILLIAMS: PRIMER EQUAL TO GP5531CD1 - GENERAL POLYMERS PRE PRIMER FIRST COAT EQUAL TO B65W00060 - ARMOR SEAL REXTHANE I FLOOR COATING. BROADCAST EQUAL TO 20.105500 - DECO FLAKES - PAINT FLATES. TOPCOAT EQUAL TO B65C00060 - ARMOR SEAL REXTHANE I FLOOR COATING CLEAR. OWNER TO SELECT COLOR(S), APPLY PER MANUFACTURER'S RECOMMENDATIONS, FINISH SHALL BE CONSISTENT, EVEN, AND HOLISTIC. F-1 EXTERIOR CONCRETE FLOORING: 101. PROVIDE BROOM FINISH WITH SCORING / JOINTS AS INDICATED BY DRAWINGS, DETAILS, AND SPECIFICATIONS.	BASE KEY B-5 NO BASE 101. NO BASE SCHEDULED, PAINTED FLOOR FINISH TO MEET WITH WALL FINISH IN A CONSISTENT STRAIGHT LINE.	WALL KEY W-1 MASONRY & CMU (CONCRETE MASONRY UNIT) 101. REPAIR, PREPARE AND CLEAN SURFACE(S) AS PER MANUFACTURER'S RECOMMENDATIONS TO RECEIVE SPECIFIED FINISH. 102. MOISTURE, CMU SHALL BE DRY, MOISTURE CONTENT SHALL BE AS REQUIRED BY PAINT MANUFACTURER BEFORE APPLYING FINISH. 103. INTERIOR CMU WALLS: PAINT EQUAL TO SHERWIN-WILLIAMS PRO INDUSTRIAL PRE-CATALYZED WATERBASED EPOXY, APPLY PER MANUFACTURER'S RECOMMENDATIONS. 104. PAINT, APPLY PER MANUFACTURER'S RECOMMENDATIONS. COLOR TO BE SELECTED / APPROVED BY OWNER. 105. PAINTING: ALL SURFACES TO RECEIVE PAINT SHALL HAVE A PRIME SEALER COAT PLUS TWO (2) FINISH COATS. REPAIR/SEAL ALL SURFACES ON INTERIOR WHERE IMPERFECTIONS OCCUR BEFORE PAINTING. OWNER TO HAVE UNLIMITED CHOICE OF COLORS IN ALL AREAS REQUIRING PAINTING OR STAINING. 106. REMOVE / REINSTALL ALL WALL MOUNTED COMPONENTS AS REQUIRED FOR NEW EXHIBIT DO NOT PAINT AGAIN UNLESS ALLOWED	CEILING KEY C-7 ECP 101. EXPOSED CONSTRUCTION PAINT: PAINT "BLACK-OUT" CEILING COMPONENTS, INCLUDING EXPOSED STRUCTURE, CONDUIT, INSULATION, DUCTS ... (NOTE: "BLACK-OUT" TO START ON WALLS AS INDICATED ON DRAWINGS (FIELD VERIFY WITH OWNER)) PAINT PER MANUFACTURER'S RECOMMENDATIONS. ALL PAINTED COMPONENTS SHALL BY COMPATIBLE WITH PAINT. C-8 FABRIC INSULATION SYSTEM 101. FABRIC INSULATION SYSTEM: PROVIDE AND INSTALL FABRIC INSULATION SYSTEM EQUAL TO SIMPLE SAVER, SEE SPECIFICATIONS. 102. COLOR TO BE SELECTED / APPROVED BY OWNER.	McCLESKEY ARCH phone: 601.544.8894 fax: 601.544.8869 McCleskeyArchitecture.com PROFESSIONAL SEAL: Brian H. Jones Architect
--	---	--	---	--	--

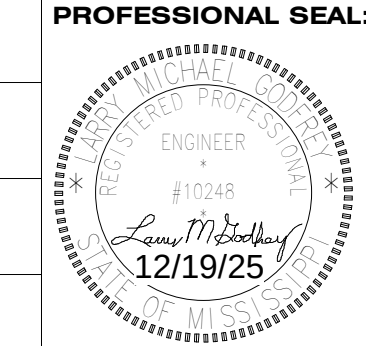
[illegible]



① 3D VIEW #1



② 3D VIEW #2



NOTE
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ADDITIONAL DIMENSIONS
ARE NEEDED, CONTACT
ARCHITECT.

PROJECT

NEW TENNIS FACILITY
HATTIESBURG HIGH SCHOOL
101 HIGHWAY 11 NORTH
HATTIESBURG, MISSISSIPPI 39470

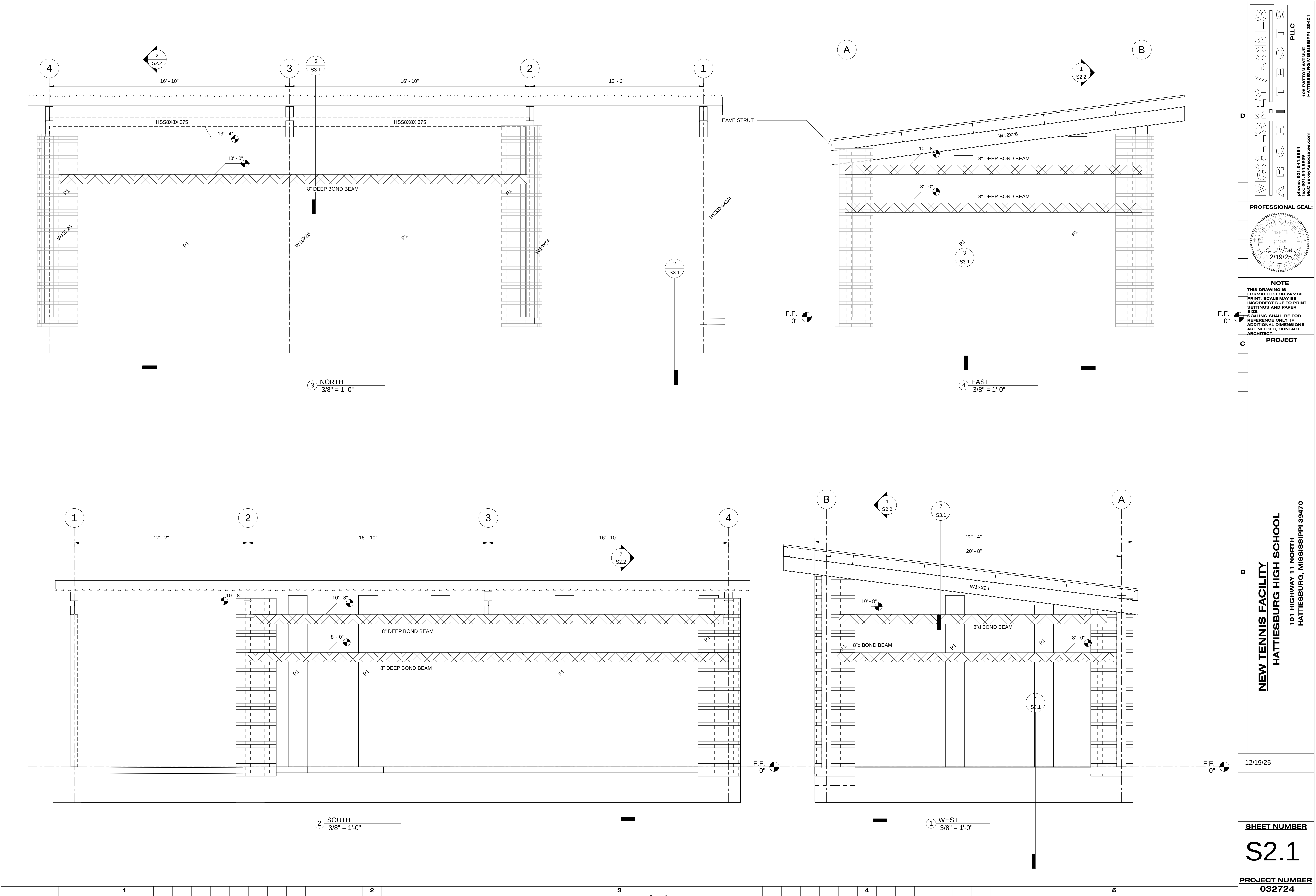
12/19/25

SHEET NUMBER

S0.1

PROJECT NUMBER

032724



McLESKEY / JONES

ARCHITECTS

PLLC

108 PATTON AVENUE
HATTIESBURG, MISSISSIPPI 39401

phone: 601.544.8994
fax: 601.544.8989
McLeskeyAssociates.com

PROFESSIONAL SEAL:

REGISTERED PROFESSIONAL ENGINEER
#10095
12/19/25
MISSISSIPPI

NOTE

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PROJECT

NEW TENNIS FACILITY
HATTIESBURG HIGH SCHOOL
101 HIGHWAY 11 NORTH
HATTIESBURG, MISSISSIPPI 39470

12/19/25

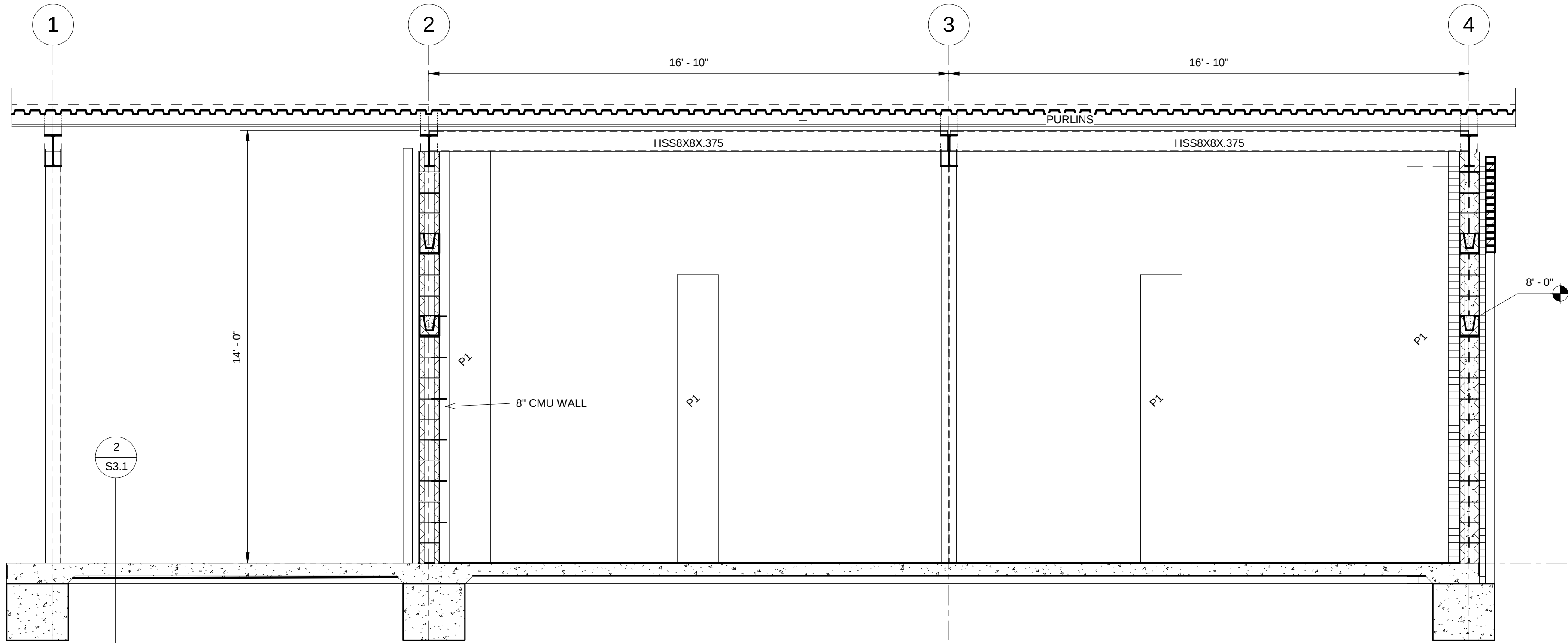
SHEET NUMBER

S2.1

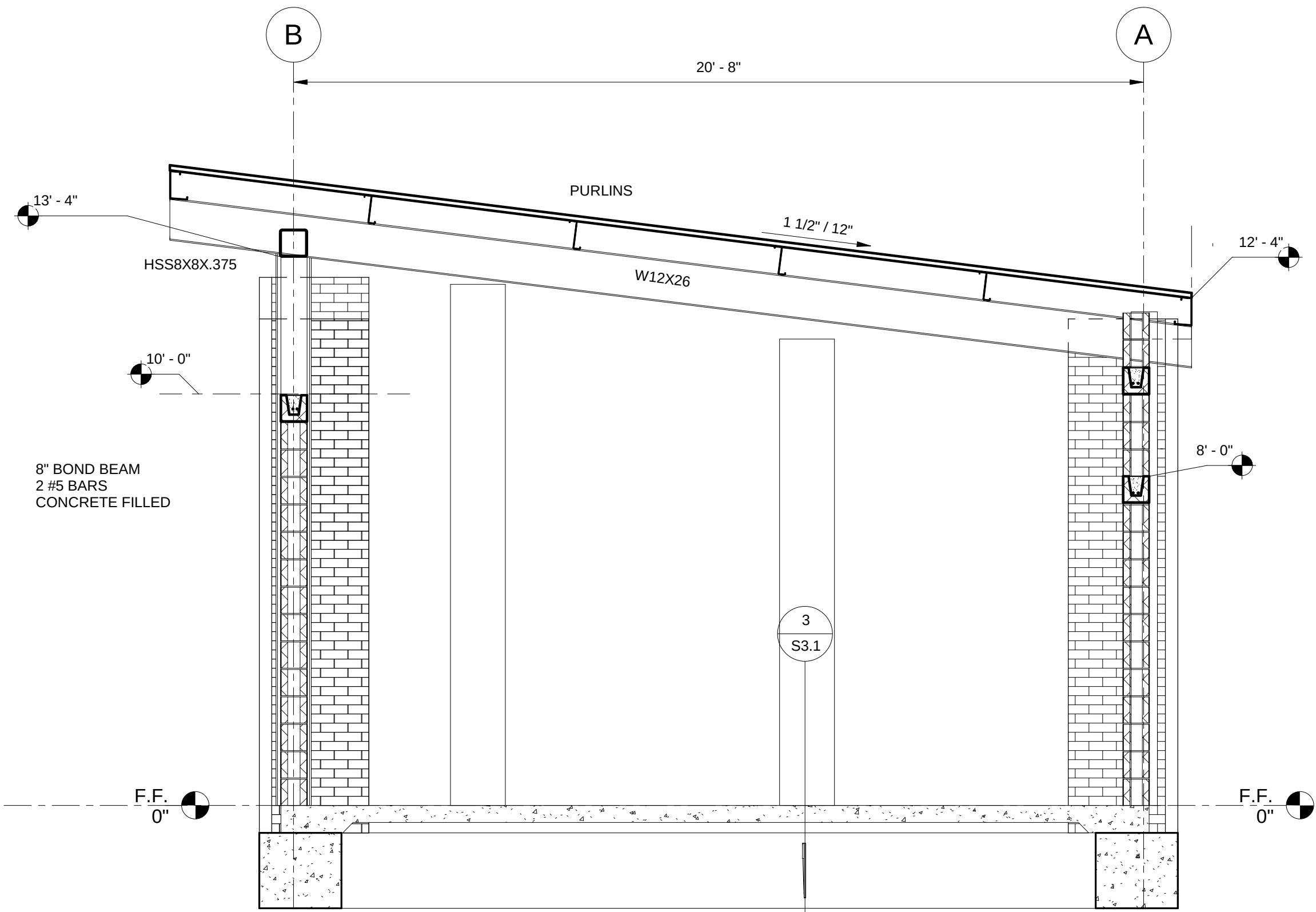
PROJECT NUMBER

032724

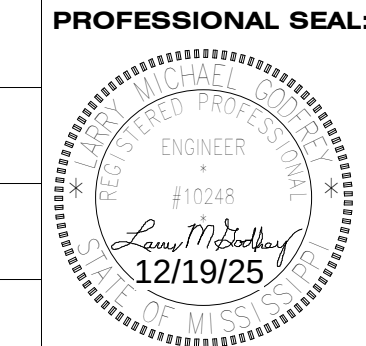
Page 41



① BUILDING SECTION 1/S2.2
3/8" = 1'-0"



② BUILDING SECTION 2/S2.2
3/8" = 1'-0"



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PROJECT

NEW TENNIS FACILITY
HATTIESBURG HIGH SCHOOL
101 HIGHWAY 11 NORTH
HATTIESBURG, MISSISSIPPI 39470

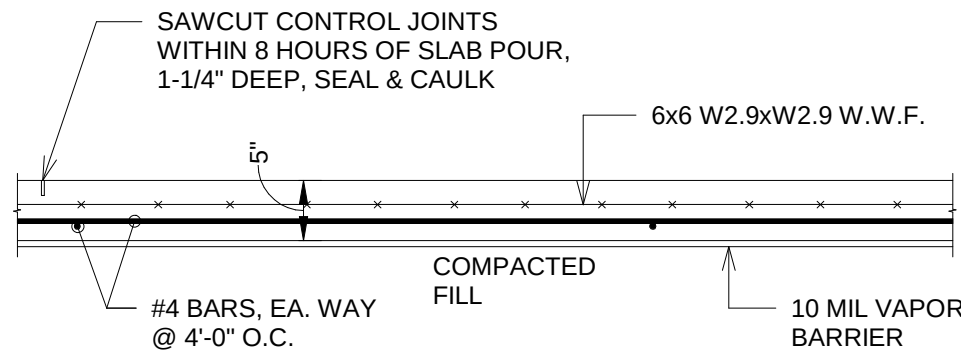
12/19/25

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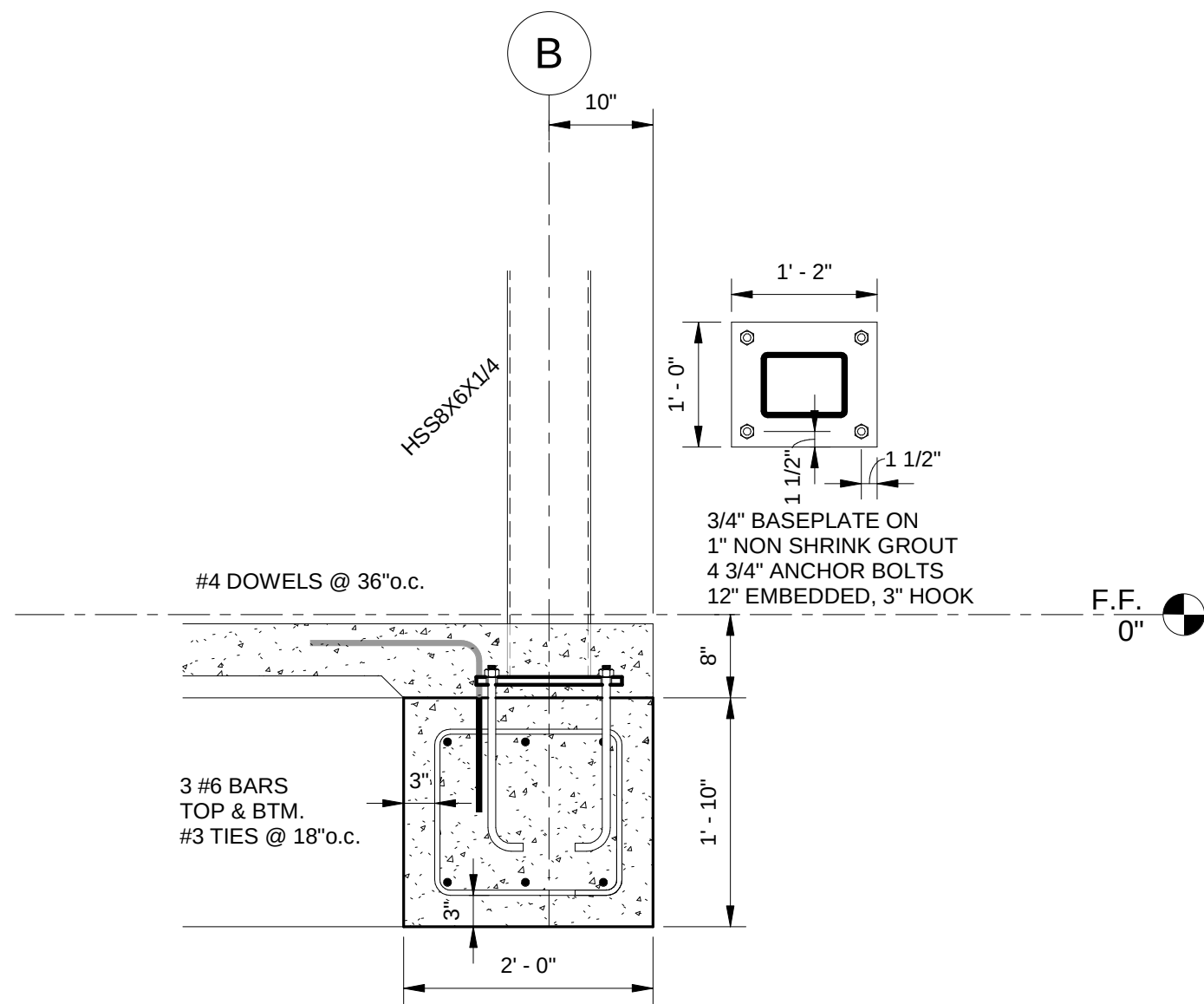
S2.2

PROJECT NUMBER

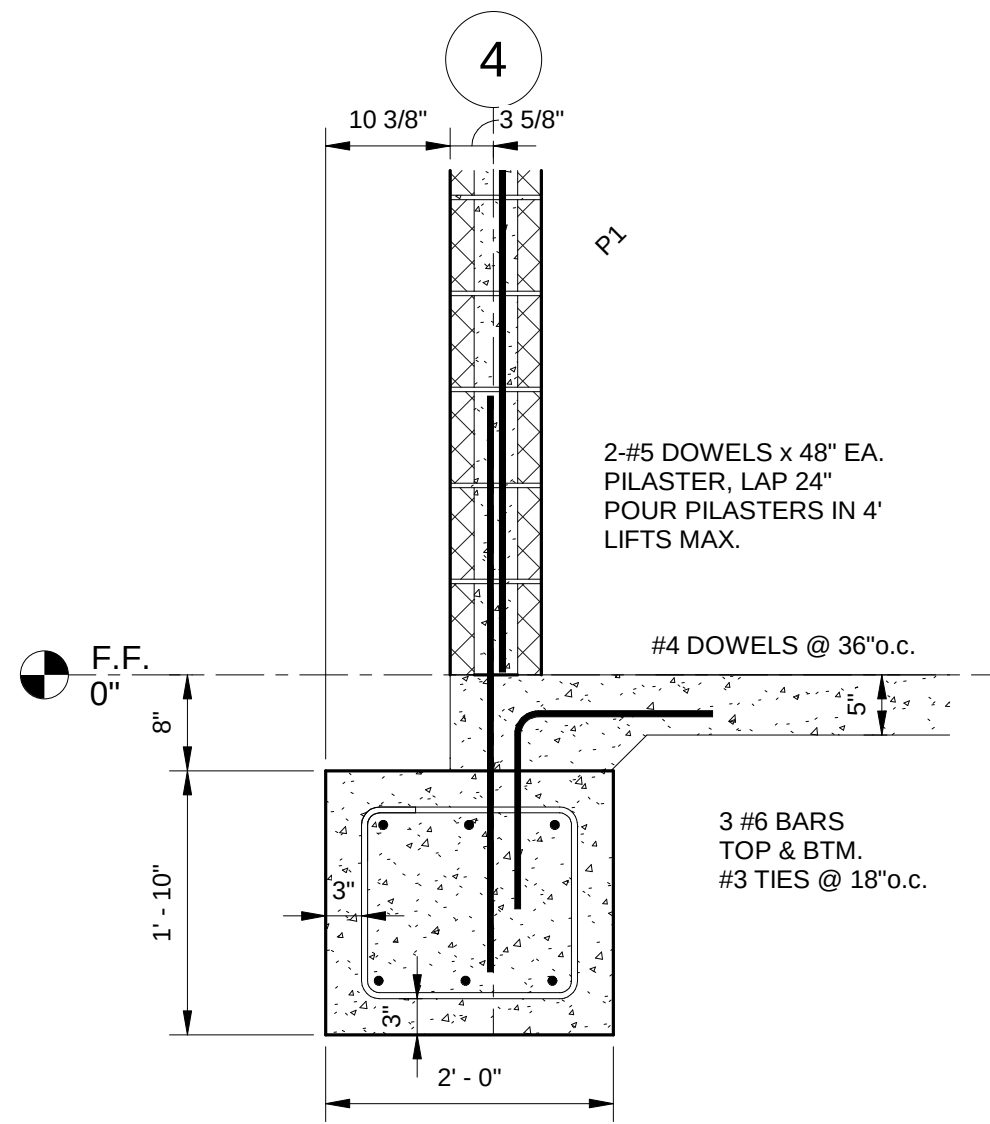
032724



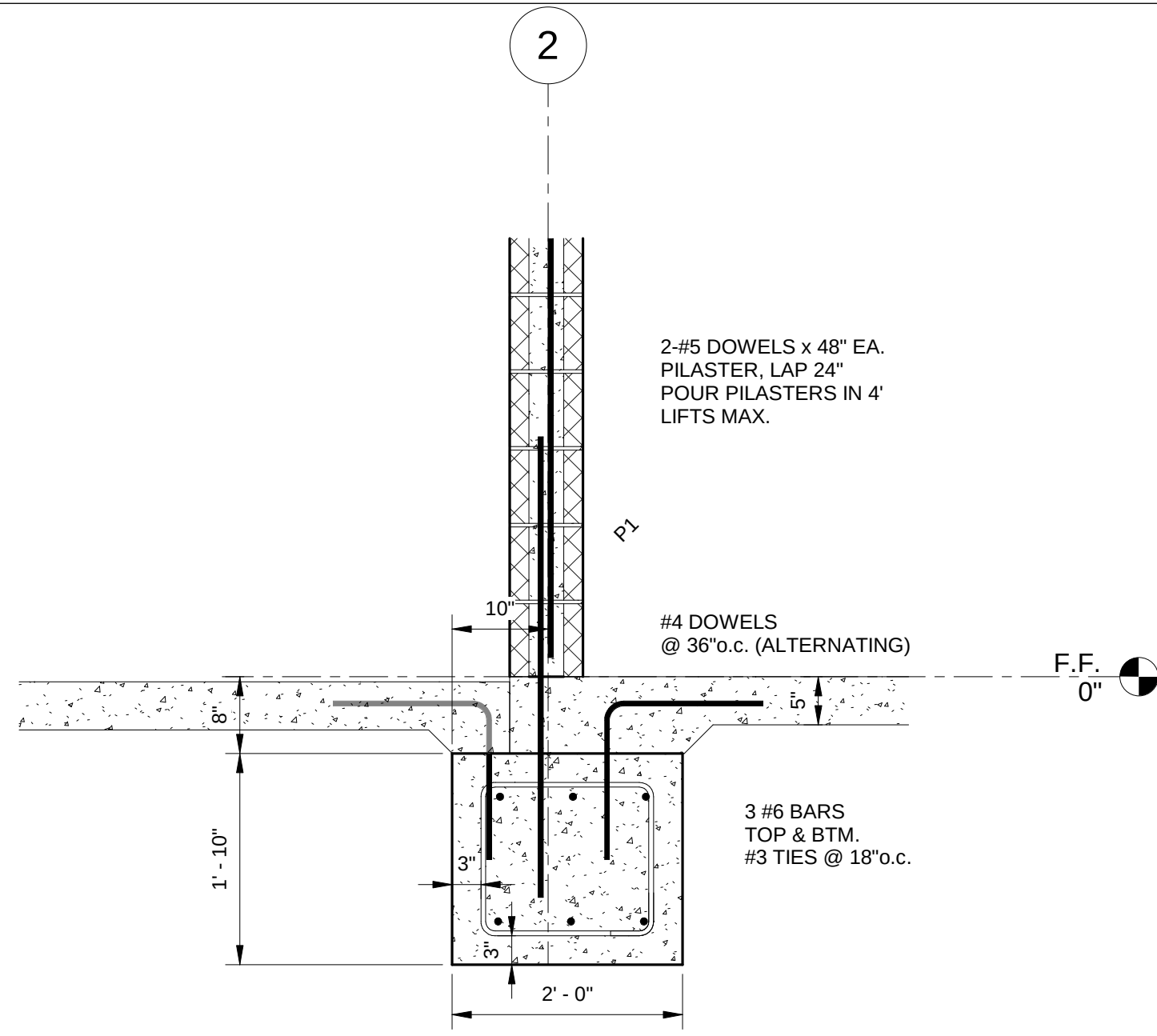
1 SLAB ON GRADE DETAIL
3/4" = 1'-0"



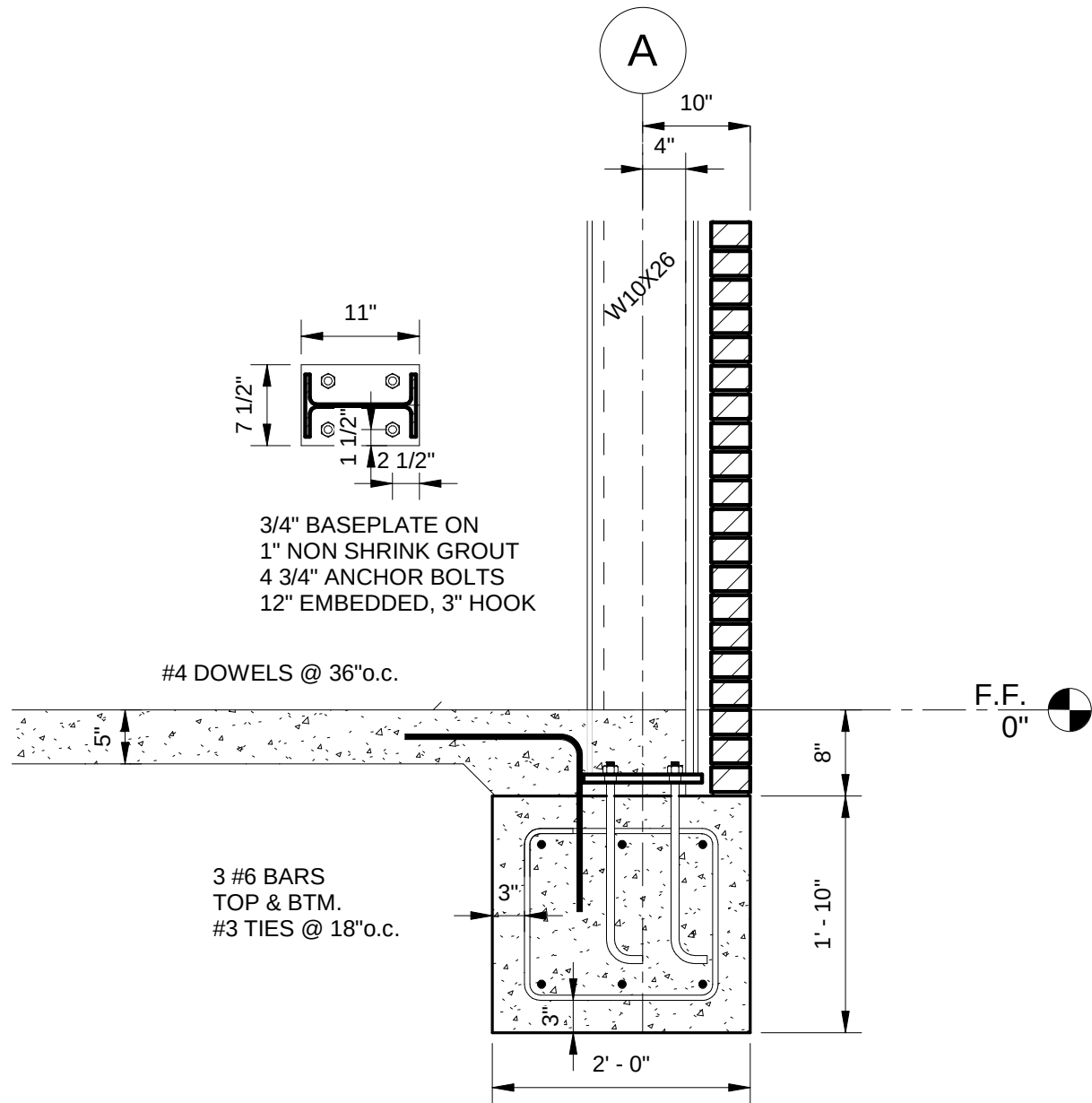
2 Detail 2/S3.1
3/4" = 1'-0"



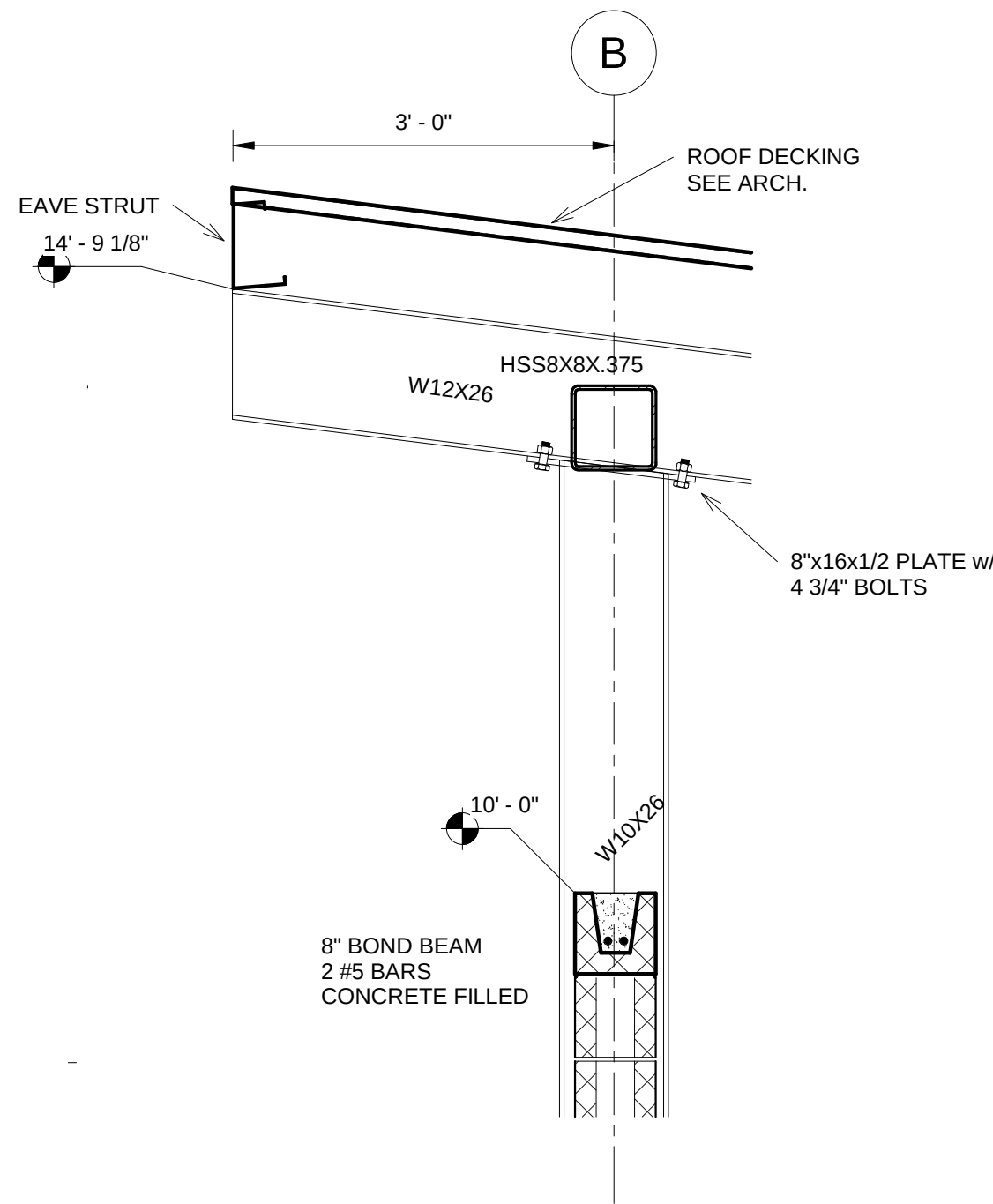
3 FOUNDATION SECTION 3/S3.1
3/4" = 1'-0"



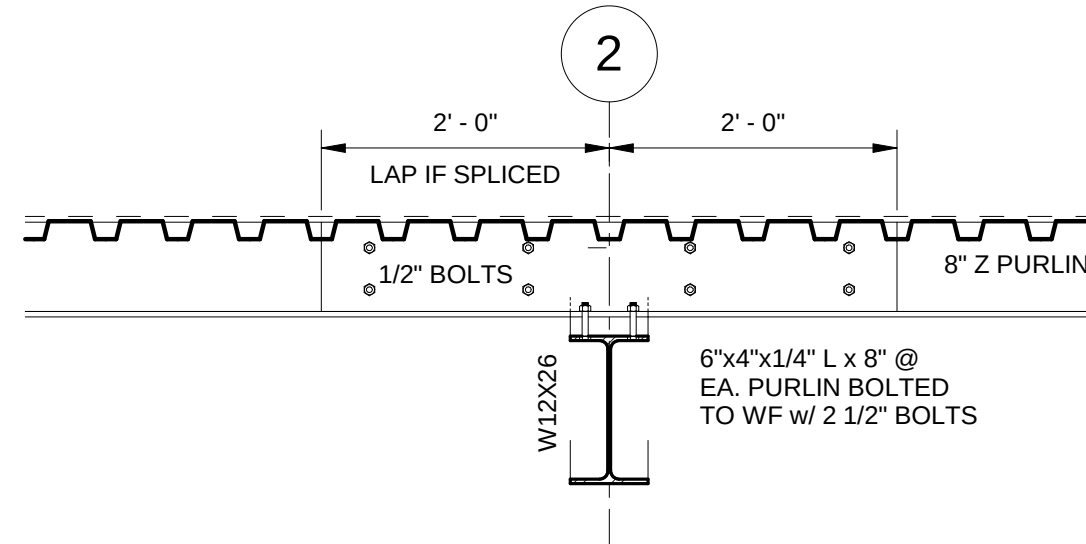
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3/4" = 1'-0"



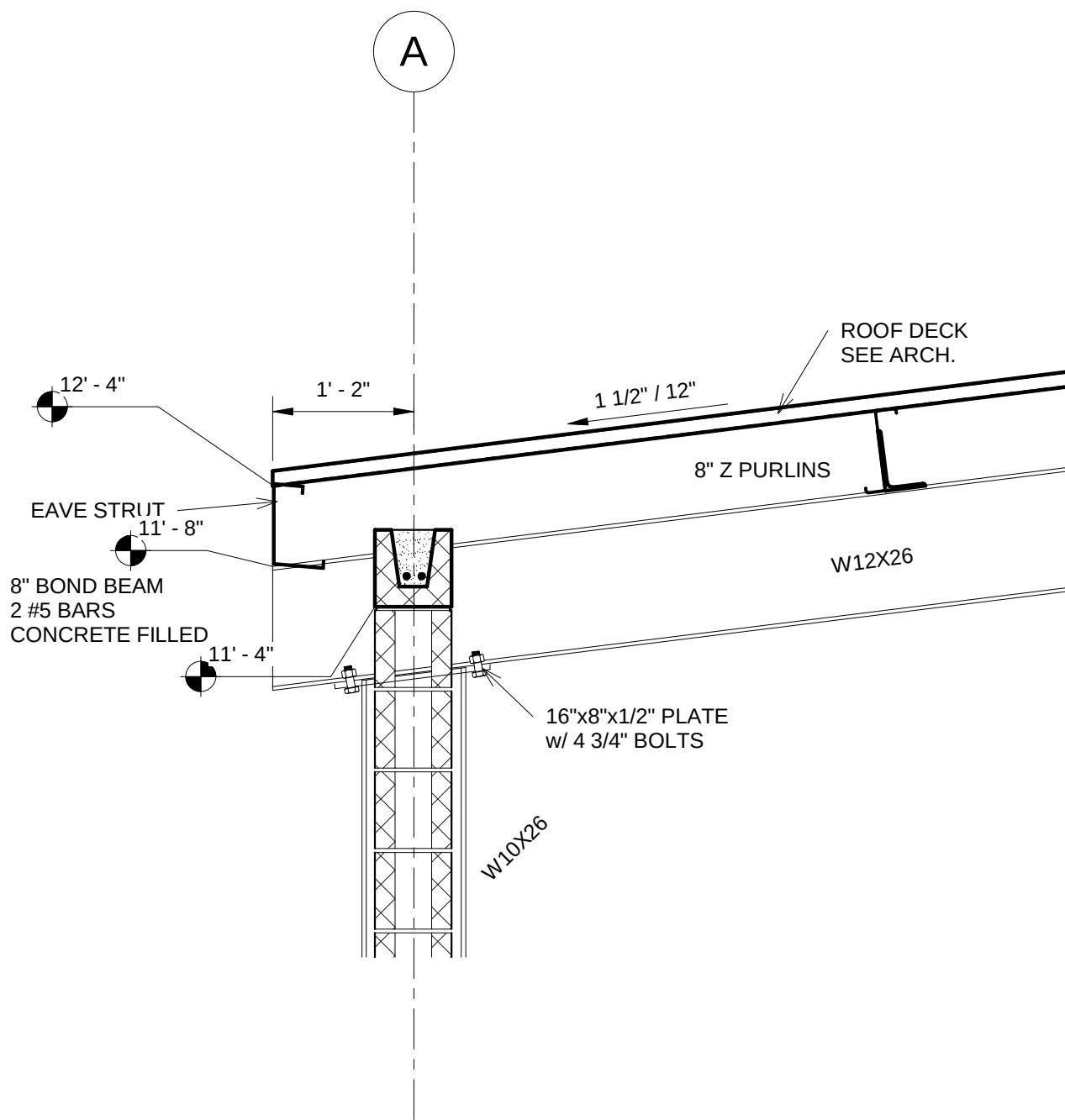
5 FOUNDATION SECTION 5/S3.1
3/4" = 1'-0"



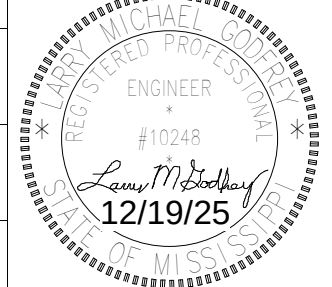
6 ROOF SECTION 6/S3.1
3/4" = 1'-0"



7 ROOF SECTION 7/S3.1
3/4" = 1'-0"



8 ROOF SECTION 8/S3.1
3/4" = 1'-0"



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PROJECT

NEW TENNIS FACILITY
HATTIESBURG HIGH SCHOOL
101 HIGHWAY 11 NORTH
HATTIESBURG, MISSISSIPPI 39470

12/19/25

SHEET NUMBER

S3.1

PROJECT NUMBER

032724



Quick Facts:

Applicant:

Mississippi Power Company

Address:

5012 Old Hwy 42

Zoning:

B-5 (Pending rezoning to I-1)

Future Land Use:

Regional Business Corridor A
and B

Historic District:

N/A

Overlay District(s):

N/A

Flood Zone:

X

Ward:

2

County:

Forrest

PPIN Number(s):

27551 & 47653

Parcel Number(s):

2-024O-32-010.03 & 2-024O-
32-010.00

Hattiesburg Board of Adjustment Planning Division

Item C - Staff Report

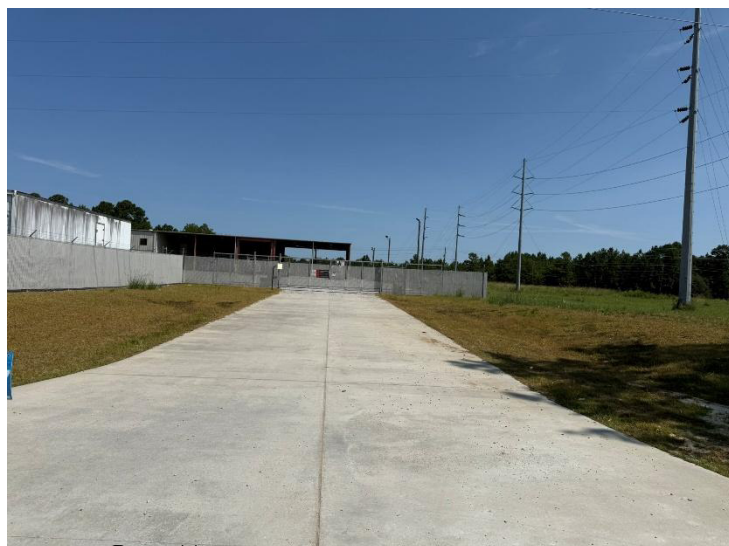
September 2nd, 2026



Property Image

Applicant's Requests:

Item C: Mississippi Power Company, Applicant, requests variances from the front yard maximum of 4ft for a fence to allow for an 8ft fence; from the front I-1 setback requirement of 40ft to allow for 240ft for a property located in a B-5 zoning district near 5012 Old Hwy 42 (PPIN 27551 & 47653, Forrest County, Ward 2)



Background and History

The applicant met with staff on July 30, 2026, for a pre-application meeting to discuss the development of a new Mississippi Power Vehicle Maintenance Center. The proposed facility would serve as a regional vehicle maintenance facility for Mississippi Power's bucket trucks and would include a new maintenance building and secured outdoor areas, enclosed by an approximately eight-foot-tall chain-link fence with a security kicker. The subject property is located along Highway 42 in Ward 2 and is currently zoned B-5, Regional Business District. A Utility Operation Center is an allowed use within the B-5 zoning district.



Surrounding Area Image

During the pre-application review, staff identified several issues that needed to be addressed before the proposed development could proceed. Staff determined that the property appeared to have previously been subdivided without City approval and advised the applicant that the property would need to proceed through the minor subdivision process to correct the existing lot configuration. The property had previously been rezoned from I-1 to B-5 by REI Group, as they were developing a multi-family housing complex. The project never moved past its first phase, and REI Group eventually sold a portion of the property to Mississippi Power.

Staff also discussed dimensional and design requirements associated with the property's B-5 zoning, including building setbacks, façade standards, fencing, landscaping, parking lot landscaping, pedestrian improvements, and the required sidewalk along the Highway 42 frontage. Variances are needed for the proposed building setback and fencing, as well as for subdivision-related dimensional requirements. Mississippi Power has applied for variances for the front setback and for the fence height, while REI Group has applied separately to handle the variance request for the lot width at setback for the retroactive minor subdivision approval process.

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 6: Dimensional Standards and Measurements

District	Minimum Lot Size in SF/ Width at Setback	Max. Dwelling Units	Max. Floor Area Ratio	Min. Front	Setbacks in feet			Max. Height*	Max. Imperious Surface Lot Coverage	Buffer in Feet
					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%	-
R-2	4,000/ 40	2 per lot	-	20	-	10	20	35 feet or 3 stories	50%	-
R-3	7,500/ 40	17 per acre	-	20	-	5	20	35 feet or 3 stories	50%	-
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
I-1	No minimum/ 100	-	0.75	40	40	0 or 10	0	75 feet	60%	60
I-2	No minimum/ 100	-	0.75	40	40	0 or 10	0	75 feet	60%	60

SECTION 7: Dimensional Standards

7.9.1.7 The maximum height of fences and walls shall be four feet above grade when located in a front yard. Otherwise, the maximum height of a fence is eight feet.

Considerations and Basis for Approval

Option:

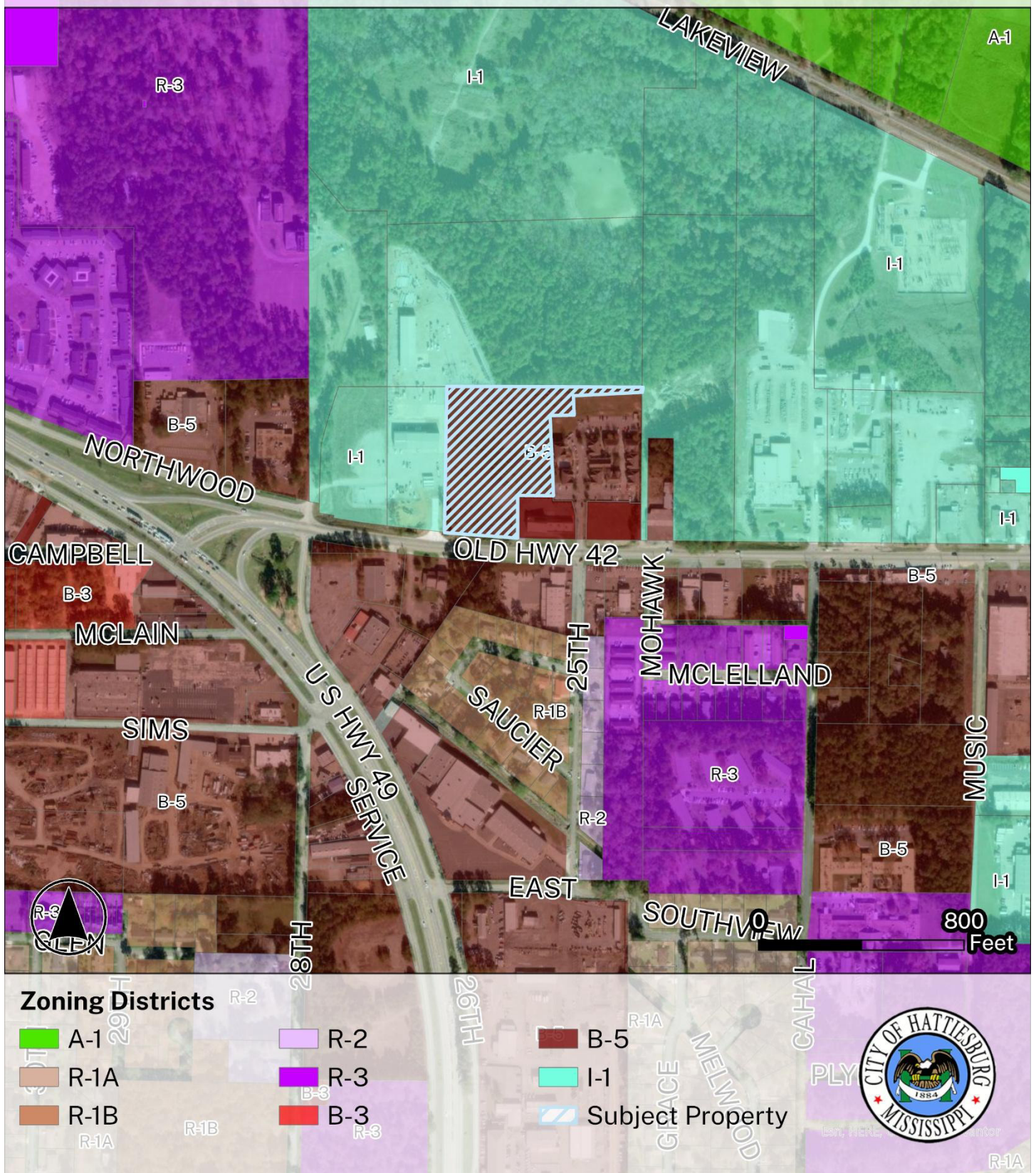
Recommend approval or denial of the requests for variances from the front yard maximum of 4ft for a fence to allow for an 8ft fence; from the front I-1 setback requirement of 40ft to allow for 240ft for a property located in a B-5 zoning district near 5012 Old Hwy 42 (PPIN 27551 & 47653, Forrest County, Ward 2).

Basis for Approval:

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

Fence Height and Setback Variance Requests

5052 Old Hwy 42
Forrest County, Ward 2 (PPIN 27751 & 47653)

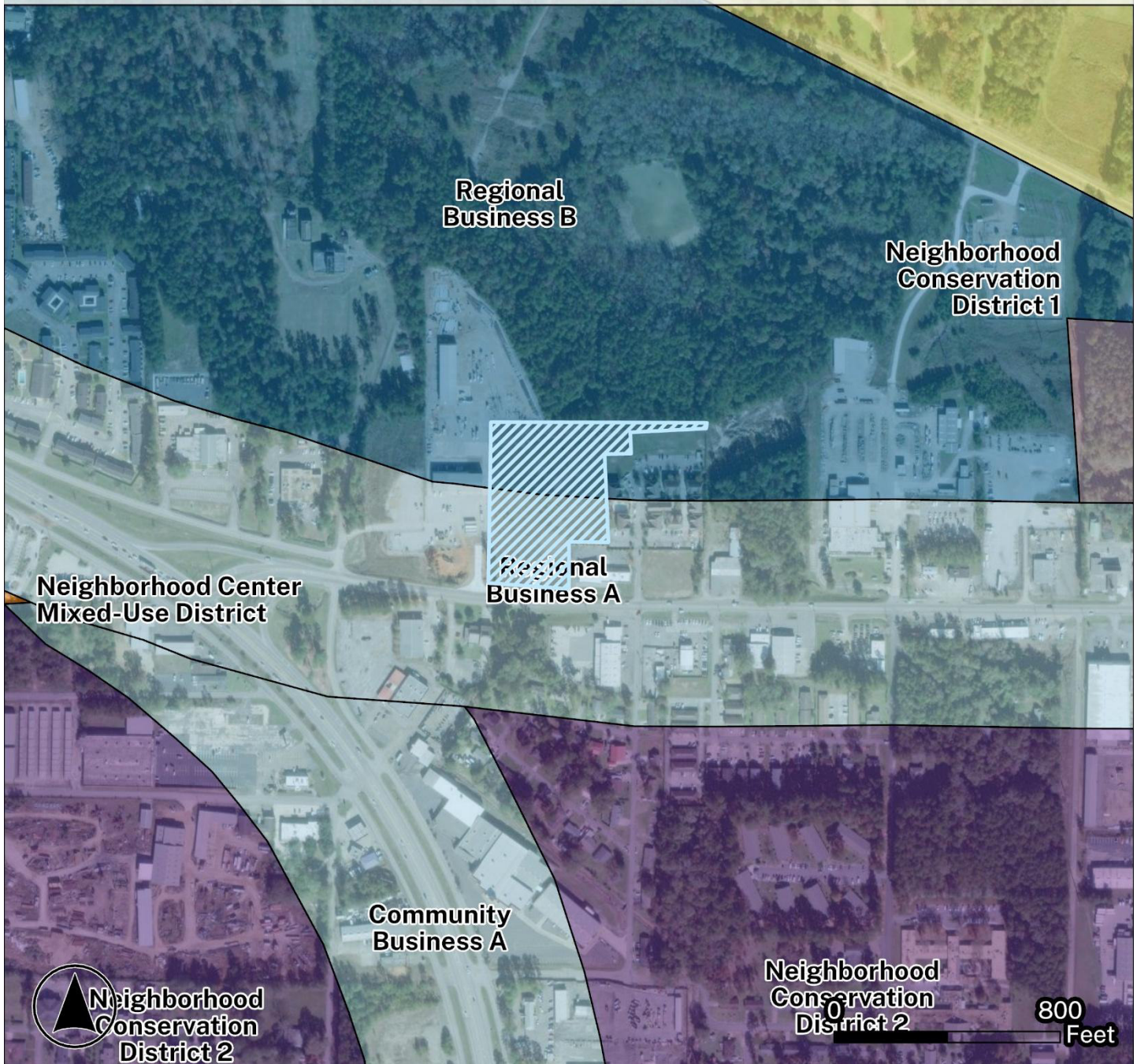


Fence Height and Setback Variance Requests

5052 Old Hwy 42

Forrest County, Ward 2 (PPIN 27751 & 47653)

Open Space



Future Land Use

- | | |
|--|---------------------|
| Community Business A | Open Space |
| Neighborhood Center Mixed-Use District | Regional Business A |
| Neighborhood Conservation District 1 | Regional Business B |
| 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 for Land Development Code and GIS map. Access via link or QR code



Applicant Information

Name Applicant: Mississippi Power Company Project Name: Vehicle Maintenance Center

Municipal Address of Site: East of 5012 Old Highway 42, Hattiesburg, MS 39401 PPIN #: 47653

Parcel Number(s): 2-0240-32-010.03

Type of Public Hearing	Additional Information Needed:
☒ Variance (fill out pages 7 & 8)	☐ Use Regulations (LDC Section 5) ☐ Dimensional Requirements (LDC Section 6) ☐ Design Standards (LDC Section 7) ☐ Sign Regulations (LDC Section 10) ☒ Other: <u>Can't Setback & Lot Width at Setback</u>
☐ Conditional Use (fill out pages 9 & 10)	☐ Automotive Filling Station ☐ Digital Billboard, New ☐ Digital Billboard, Replacement ☐ Telecommunications ☐ Restaurant ☐ Solar Farm ☐ Other: _____
☒ Rezoning (fill out page 11)	Existing Zoning: <u>B-5</u> Proposed Zoning: <u>I-1</u>
☐ Major Subdivision (fill out page 12)	☐ Major Subdivision (fill out page 12) ☐ Minor Subdivision (fill out page 12) ☐ Plat Alteration (fill out pages 12-14)

Other Application types:

- | | |
|--|--|
| ☐ Street or Alley Vacation (fill out pages 15 & 16) | ☐ Street or Alley Renaming (fill out pages 15 & 16) |
| ☐ Overlay District | ☐ Text Amendment |
| ☐ Planned Mixed-Use District (PMU) | |

For Staff Only:				
Zoning:	Historic District:	Flood Zone:	Ward:	
			☐ 1	☐ 2 ☐ 3 ☐ 4 ☐ 5
Project Number: <u>51410 Zone: 000802-2026</u>		Received:		
PPIN # or Parcel #:				

Updated Version 04/01/26



Application for Public Hearing

City of Hattiesburg – Planning Division

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

Public Hearing Dates and Deadlines:

Deadline for applicant to file petition: 8/4/26

Hattiesburg Planning Commission Meeting Date: September 2, 2026

Hattiesburg Board of Adjustment Meeting Date: September 2, 2026

City Council Agenda Review Date – (you or your representative should attend): TBD September 2026

City Council Meeting (Vote) Date – (you or your representative may attend): TBD September 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 _____ 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 (Digital Copy preferred, submit to planning@hattiesburgms.com):
Drawing to scale prepared by a 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 Meeting, if needed
- ☒ Proof of Property Ownership: Such as a copy of a Warranty Deed, Quit Claim Deed, etc...
- ☒ 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).
- ☒ **Rezoning/PMU applications only:** Electronic/Digital copy of legal description **REQUIRED** for all public notices, saved as Word or text document OR emailed to planning@hattiesburgms.com
- ☐ **Variance application only:** A letter of approval/denial from all adjoining property owners is recommended.
 - ☐ 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 \$ 400.00

Updated Version 04/01/26



Application for Public Hearing

City of Hattiesburg -- Planning Division

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

Public Hearing Fee Information:

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

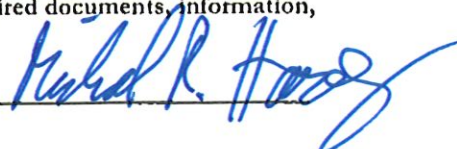
Public Hearing Fees	
Public Hearing Type	Fees Associated
Variance Variance applications include one Concept Site Plan Review and one Variance request	\$175.00 per application. \$50.00 for each additional variance.
Street / Alley Naming or Re-Naming	\$300.00 per application. \$100.00 per required street name sign if approved* (*Fees for replacement street signs shall be paid after City Council approval but prior to the effective date.)
Street / Alley Closing	\$300.00 per application.
Conditional Use	\$200.00 per application.
Zoning Change	\$400.00 per application.
Subdivision of Land (Preliminary Plats) Note: Final Plats should be submitted to the governing body for approval within 12 months of approval of preliminary plats.	\$225.00 per application. \$10.00 per lot created (including the parent parcel)
Change in Land Development Code Text	\$200.00 per application.
Appeal Fees for Proponent or Opponent appeals to City Council *Exempt from fees -- Established Neighborhood Association*	\$50.00 per appeal.
Cancellation/Re-notification fee on any public hearing process (Planning Commission or City Council) that is tabled or canceled at the owner/developer's Request	\$50.00 (per each 100 mailing labels)

OTHER PROCESSES MAY HAVE ADDITIONAL FEES

Make all checks payable to the City of Hattiesburg

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

Print Name: Michael R. Harvey

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
East of 5012 Old Highway 42 Hattiesburg MS

Street Address City State

on this the **4th** day of **August**, 20____.

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

Michael R. Harvey, Adam P. Speights, John Stolarski and Mark Alexander

on this the **4th** day of **August**, 20**26**.

Mississippi Power Company

Property Owner (Print)

Property Owner (Signature)

STATE OF **Mississippi**

COUNTY OF **FORREST**

Personally came and appeared before me, the within named
MICHAEL R. HARVEY

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 **4th** day of
August, 20**26**.

April R. Freeman

NOTARY PUBLIC

My Commission Expires:



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
East of 5012 Old Highway 42 Hattiesburg Mississippi

Street Address City State

on this the 4th day of August, 20 .

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

Michael R. Harvey, Adam P. Speights, John Stolarski and Mark Alexander

on this the 4th day of August, 2026.

Mississippi Power Company

Applicant (Print)

Applicant (Signature)

STATE OF Mississippi

COUNTY OF FORREST

Personally came and appeared before me, the within named

MICHAEL R. HARVEY,
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 4th day of
August, 2026.

April R. Freeman
NOTARY PUBLIC

My Commission Expires:



RE-ZONING APPLICATION:

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:

Property was originally zoned I-1 and was rezoned in 2006 to accommodate an an apartment complex development that never was fully completed. Applicant owns the adjacent property to the west (currently zoned I-1). New project will also be of an industrial nature as a vehicle maintenance facility in keeping with their existing property. The property requested to be rezoned already has 85' tall metal distribution power line poles across the property for the utility. We respectfully request that the property be reverted back to its previous zoning.



DEED
BK:1408 PAGE:127-132
RCD:11/3/2022 @ 2:37:11 PM
Forrest County, MS
Lance C. Reid Chancery Clerk

STATE OF MISSISSIPPI
COUNTY OF FORREST

WARRANTY DEED

GRANTORS: R.E.I. Group, LLC,
a Mississippi limited liability company
6760 US Highway 98, Suite 2
Hattiesburg, MS 39402
Telephone: 601-271-9044

GRANTEE: MISSISSIPPI POWER COMPANY,
a Mississippi corporation
2992 West Beach Blvd.
Gulfport, MS 39502
Telephone: (228) 539-7630

INDEXING SEC. 32 T5N, R13W
INSTRUCTIONS: Pt. SW 1/4 SW 1/4

INSTRUMENT MARK E. BOND
PREPARED BY MS STATE BAR #103992
AND RETURN TO: BALCH & BINGHAM LLP
1310 25th Avenue
Gulfport, MS 39501
(228) 864-9900

**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, R.E.I. GROUP, LLC, a Mississippi limited liability company ("**Grantor**"), does hereby sell, convey and warrant unto MISSISSIPPI POWER COMPANY, a Mississippi corporation ("**Grantee**"), a fee simple title in and to that certain land described below, situated and being located in the County of Forrest, State of Mississippi, together with all improvements thereon and any land lying in the bed of any highway, street, road, opened or proposed, in front of or abutting or adjoining such tract of land and all rights, licenses, privileges and any easements and appurtenances thereunto belonging, which land being more particularly described as follows (the "**Property**"), to-wit:

A parcel of land located in the Southwest 1/4 of the Southwest 1/4 of Section 32, Township 5 North, Range 13 West, Forrest County, Mississippi, being more particularly described as:

COMMENCING at a 4 inch square concrete monument found on the north margin of HIGHWAY 42. Said monument reputed to be, per previous surveys and deeds, 50 feet north of the Southeast corner of the Southwest 1/4 of the Southwest 1/4, Section 32, Township 5 North, Range 13 West, Forrest County, Mississippi. Said quarter corner being under asphalt paving of Highway 42. Thence along state plane bearings North 00 degrees 19 minutes 04 seconds East 145.21 feet to a 1/2 inch rod found; thence North 00 degrees 31 minutes 57 seconds East 433.54 feet to a 1/2 inch rod set and the POINT OF BEGINNING; Thence North 00 degrees 31 minutes 57 seconds East 22.13 feet to a 1/2 inch rod found; thence North 89 degrees 32 minutes 45 seconds West 760.46 feet to a 1/2 inch rod found; thence South 00 degrees 30 minutes 50 seconds West 571.26 feet to a 1/2 inch rod found on the north margin of HIGHWAY 42; thence along said north margin and the arc of a curve to the left easterly for 276.86 feet to a 1/2 inch rod found. Said arc having a Radius of 8,962.93 feet and a delta angle of 01 degrees 46 minutes 11 seconds and a chord bearing and distance of South 85 degrees 30 minutes 25 seconds East 276.84 feet. Thence North 00 degrees 16 minutes 28 seconds East 161.60 feet to a 1/2 inch rod found; thence South 89 degrees 41 minutes 41 seconds East 107.48 feet to a 1/2 inch rod set; thence North 02 degrees 50 minutes 24 seconds West 229.26 feet to a 1/2 inch rod set on the south line of a 200 foot wide Mississippi

Power Company transmission easement or right-of-way; thence South 89 degrees 32 minutes 45 seconds East 35.06 feet, along said south line to a 1/2 inch rod set; thence North 02 degrees 50 minutes 24 seconds West 81.52 feet to a 1/2 inch rod set; thence North 89 degrees 33 minutes 29 seconds East 94.77 feet to a 1/2 inch rod set; thence North 00 degrees 51 minutes 53 seconds West 84.73 feet to a 1/2 inch rod set; thence North 87 degrees 55 minutes 18 seconds East 195.44 feet to a 1/2 inch rod set; thence North 89 degrees 09 minutes 04 seconds East 72.67 feet to the POINT OF BEGINNING.

Parcel contains 5.203 acres, more or less.

The above-described real property being that same as depicted and described on that certain survey prepared by John D. Fluharty, PS, Southern Surveyors Group, LLC, dated June 10, 2022 (the "Survey") attached hereto as Exhibit "A" and fully incorporated herein by this reference.

This conveyance is subject to any and all recorded restrictive covenants and conditions, easements, rights-of-way, and prior reservations of oil, gas and other minerals of record pertaining to the above subject property.

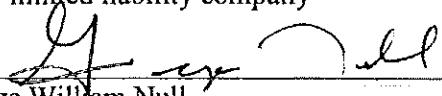
Taxes for the 2022 tax year have been prorated in accordance with a separate Tax Proration Agreement between the Grantor and Grantee and are assumed by the Grantor in accordance with the terms and conditions therein. All subsequent tax years for the Property are assumed by the Grantee.

[This space left blank intentionally. Signatures and acknowledgments on the following page.]

WITNESS THE SIGNATURE of the duly authorized signatory of the Grantor of this
Warranty Deed on this the 1 day of ~~October~~ ^{November}, 2022.

GRANTOR:

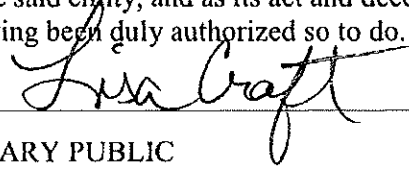
R.E.I. Group, LLC,
a Mississippi limited liability company

By: 
George William Null
Member-Manager

STATE OF MISSISSIPPI

COUNTY OF Lamar

Personally appeared before me, the undersigned authority in and for the said county and state, on this 1st day of ~~October~~ ^{November}, 2022, within my jurisdiction, the within named George William Null, who acknowledged that he is Member-Manager of R.E.I. Group, LLC, a Mississippi limited liability company, and that for and on behalf of the said entity, and as its act and deed he executed the above and foregoing instrument, after first having been duly authorized so to do.


NOTARY PUBLIC

My Commission Expires



EXHIBIT "A"

Survey prepared by John D. Fluharty, PS, Southern Surveyors Group, LLC, dated June 10, 2022

[attached]



VARIANCE APPLICATION:

FILL THIS PAGE OUT FOR EACH INDIVIDUAL VARIANCE REQUEST

1. Requested Variance: (include LDC section): LDC section 7.9.1.7
2. Amount being requested instead of code requirement: 8 foot tall front yard fence

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

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

Approval Criteria.

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

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

The property's front yard exposure results in reduced privacy, increased trespassing concerns, and security issues. The requested variance would allow us to address these concerns while maintaining compatibility with our adjacent property.

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

Special privilege would not be conferred by granting the variance as the fencing is requested for security concerns.

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.

Nearby and neighboring properties contain front yard fencing that allows for security issues to be addressed.

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

The property will contain equipment, vehicles, materials, and infrastructure that require protection and security. The variance allows for front yard fencing that will be necessary for the site to be secured.

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

Yes, 8 feet above grade is the minimum to match the fencing on our adjacent property.

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.

No, granting the variance still allows for the fencing to be functional, economically productive, and aesthetically pleasing.

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.

VARIANCE APPLICATION:

FILL THIS PAGE OUT FOR EACH INDIVIDUAL VARIANCE REQUEST

1. Requested Variance: (include LDC section): Table 6.1
2. Amount being requested instead of code requirement: 238'5"

The Board of Adjustment has the responsibility to hear and make recommendations 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 site has 12' of elevation change. The proposed building location is needed
to utilize the flattest area of the site to minimize the amount of structural fill
needed to create a large, flat slab for maintenance of vehicles. Existing infrastructure
located on the site also reduce the usable area.

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

N/A

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.

None

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

The topography leading to the Hwy 42 frontage (south property line) is not conducive to construction of a vehicle maintenance facility and does not allow for the required apron access for large vehicle ingress and egress.

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

the Requested set is 238'5"

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.

No, this variance will not conflict with the purpose and intent of the Land Develeopment Code. The granting of the variace will aid in being able to utilize the property for it's intended 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.



Staff Present:

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

STATUS: RESUBMIT, APPLY FOR PUBLIC HEARINGS

Project: MS Power VMC

Address: 7344 Hwy 42

Presented by: John Stolarski and Maddies Pettry

Use Designation: Utility Operation Center

PPIN: 47653

Flood Zone: X

Historic District: N/A

Elevation Certificate Required: No

County: Forrest

Ward: 2

Construction type: New Construction

Zoning: B-5

Estimated Cost: TBD

These notes are not exhaustive. All Land Development Codes and City Ordinances apply, even if not listed during a pre-application meeting.

Follow the link below for the Hattiesburg Land Development Code (LDC):

[Hattiesburg, MS, Land Development Code, Ord. No. 3209](#)

Project Summary:

- Applicant Summary
 - Mississippi Power wants a new vehicle maintenance facility to service all the bucket trucks in the region.
 - Galvanized chain link fencing around the whole property, 8ft with security kicker.
 - Potential other projects to come later, but they will be separate from now.
- Planning
 - Subdivision of Land
 - Looks to have been subdivided without the city's approval. Will need to retroactively go through the minor subdivision process
 - The subdivision process that occurred creates a violation on the lots or the original parent parcel.
 - Minor subdivision process can happen at the staff level and will not need a public hearing.
 - Provide a draft of the subdivision plat
 - All lots do not have a 100 ft setback
 - The one lot for the apartment complex would need a variance for the subdivision to be a legal lot.
 - Use:
 - B-5 zoning district allows a "utility operation center"
 - Dimensional Standards
 - B-5
 - Front setback- Minimum 30ft, maximum 150ft
 - Show the building setback from the ROW line on the site plan

- If the building exceeds the 150ft setback, a variance would need to be requested.
- Discussion of potentially needing to rezone to an industrial zoning, potentially I-1
 - Building façade proposed will not meet the B-5 standards and I-1 has lesser façade requirements
 - Front Setback- Minimum and maximum of 40ft
 - If the building exceeds the 40ft setback, a variance would need to be requested.
 - Staff recommendation to rezone to an industrial zoning.
- Standards of Design
 - Driveway
 - Using the existing on the other site is fine; will need to file cross-access easements (if there is not already one) with Forrest County
 - Parking Lot
 - Landscape islands needed in end caps
 - 1 large tree per island, 120sqft
 - Large tree requirements, See LDC 7.11 Plant Standards and Buffers
 - At Initial Planting: “Large” trees shall be a minimum of two and one half inches in caliper or 30 gallon container. “Medium” and “Small” trees shall be two inches in caliper or 15 gallon container. Caliper shall be measured six inches above ground level at the time of planting.
 - At Mature Growth: “Large” trees shall be a minimum of 40 feet tall at mature growth height. “Medium” trees shall be a minimum of 20 to 35 feet tall at mature growth height. “Small” trees shall be a minimum of 8 to 10 feet tall at mature growth height.
 - Sidewalk along street frontage required (LDC 7.6)
 - 5 ft sidewalk, 5ft green strip between curb and sidewalk, 10ft green strip on property side of sidewalk
 - 1 large tree for every 60 lineal feet of frontage
 - Connection from ROW sidewalk to site
 - Could connect pedestrian connectivity onto the already existing driveway (would still need to add a specific sidewalk area for pedestrian connectivity)
 - Options:
 - Build sidewalk as a part of this plan
 - Request a Conditional Use Approval to participate in the Sidewalk Bank Program
 - Sidewalk Fee in Lieu- sidewalk
 - Requires a public hearing with the Planning Commission
 - If adding any site lighting, a site lighting plan will be required
 - Photometric plan
 - Building Form
 - Architectural elevations required
 - Facades must meet the requirements of LDC 7.8
 - Industrial zoning does not require a majority of these standards.
 - Fencing
 - B-5 requires black or green vinyl coating; I-1 would not require coating
 - 4ft fence max in front yard. An 8 ft proposed fence with a security kicker (9ft total) would need a variance.
 - Variance requires a public hearing with the Board of Adjustment
 - Landscaping (LDC 7.10)

- Every parking space requires 20 sqft of landscaped area
 - Landscaped area means more than just grass; must include trees, shrubs, flowers, etc...
 - Large island looks like it will meet per in-meeting discussion about landscaping
 - Put the planned landscaping areas on the plan
- Building
 - EOC Letter from Forrest County needed- addressing number
- Engineering
 - If more than 0.5 acres of disturbed area, stormwater calculations and other requirements will be required
 - Oil and sand separator
- Fire
 - No comments at this meeting

NEXT STEPS:

- Additional information
 - Potential Paths Forward and Public Hearings that would be required:
 - Remain zoned B-5
 - Board of Adjustment- Variances:
 - Front setback
 - Building façade (multiple)
 - Fencing
 - Lot size/width at setback (for the subdivision)
 - Planning Commission
 - Potential conditional use if electing to request the sidewalk bank
 - Request rezoning to an industrial zoning
 - Board of Adjustment- Variances:
 - Front setback
 - Fencing
 - Planning Commission
 - Rezoning Request- to an industrial zoning, I-1 or I-2
 - Potential conditional use if electing to request the sidewalk bank
 - Public Hearing Information
 - Planning Commission (1:00 pm) and Board of Adjustment (3:30 pm) meet on the same day at separate times
 - Important Dates
 - October 7th Public Hearing
 - Application due August 31st at 5:00pm
 - November 4th Public Hearing
 - Application due September 28th at 5:00pm
 - Online Portal Link: <https://cityofhattiesburgms-energovweb.tylerhost.net/apps/selfservice#/home>
 - Staff will attach PDF forms as well to these notes
- Permits
 - Apply for applications/permits indicated below

APPLICATIONS REQUIRED:

- | | |
|--|--|
| ☒ Site Plan Review Checklist and Application | ☐ Conditional Use Application |
| ☒ Public Hearing Application | ☐ Street/Alley Closing |
| ☒ Variance Application | ☐ Major Subdivision |

- | | | | |
|-------------------------------------|---|-------------------------------------|-----------------------------|
| ☒ | Rezone Application | ☐ | Minor Subdivision |
| ☐ | Certificate of Appropriateness (Historic) | ☒ | Building Permit Application |
| ☐ | Privilege Tax License | ☐ | Sign Permit |



Quick Facts:

Applicant:

REI Group

Address:

5012 Old Hwy 42

Zoning:

B-5

Future Land Use:

Regional Business Corridor

Historic District:

N/A

Overlay District(s):

N/A

Flood Zone:

X

Ward:

2

County:

Forrest

PPIN Number(s):

27551 & 47653

Parcel Number(s):

2-024O-32-010.03 & 2-024O-32-010.00

Hattiesburg Board of Adjustment

Planning Division

Item D - Staff Report

September 2nd, 2026



Property Image

Applicant's Request:

Item D: R.E.I. Group, LLC, Applicants, request a variance from the lot width at setback requirement of 100 ft to allow for 35ft for a property located in a B-5 zoning district near 5012 Old Hwy 42 (PPIN 27551 & 47653, Forrest County, Ward 2)



Background and History

The applicants, REI Group, request retroactive approval of a subdivision involving property along Highway 42. The subject property was previously part of a larger parcel owned by REI Group, who had rezoned the property from I-1, Light Industrial District, to B-5, Regional Business District, in connection with a proposed multi-family development. The development did not proceed beyond its initial phase, and REI Group subsequently conveyed a portion of the property to Mississippi Power.



Surrounding Area Image

During staff review of Mississippi Power's proposed development of its portion of the property for a new Vehicle Maintenance Center, staff determined that the sale of land from REI Group to Mississippi Power created a separate parcel without receiving the required subdivision approval from the City. Because the property was divided and conveyed without completing the City's subdivision process, REI Group must obtain retroactive minor subdivision approval to formally establish the resulting lot configuration.

Approval of the retroactive subdivision is also necessary for Mississippi Power to proceed with development of the adjacent parcel it purchased from REI Group. The existing unapproved lot configuration must therefore be resolved before Mississippi Power can move forward with the required development approvals for its site. As part of the retroactive subdivision process, REI Group is requesting a variance from the applicable lot-width-at-setback requirement to address the dimensional conditions created by the previous division of the property.

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.



Surrounding Area Image

Codes and Regulations

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			
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%	-
R-2	4,000/ 40	2 per lot	-	20	-	10	20	35 feet or 3 stories	50%	-
R-3	7,500/ 40	17 per acre	-	20	-	5	20	35 feet or 3 stories	50%	-
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
I-1	No minimum/ 100	-	0.75	40	40	0 or 10	0	75 feet	60%	60
I-2	No minimum/ 100	-	0.75	40	40	0 or 10	0	75 feet	60%	60

Considerations and Basis for Approval

Option:

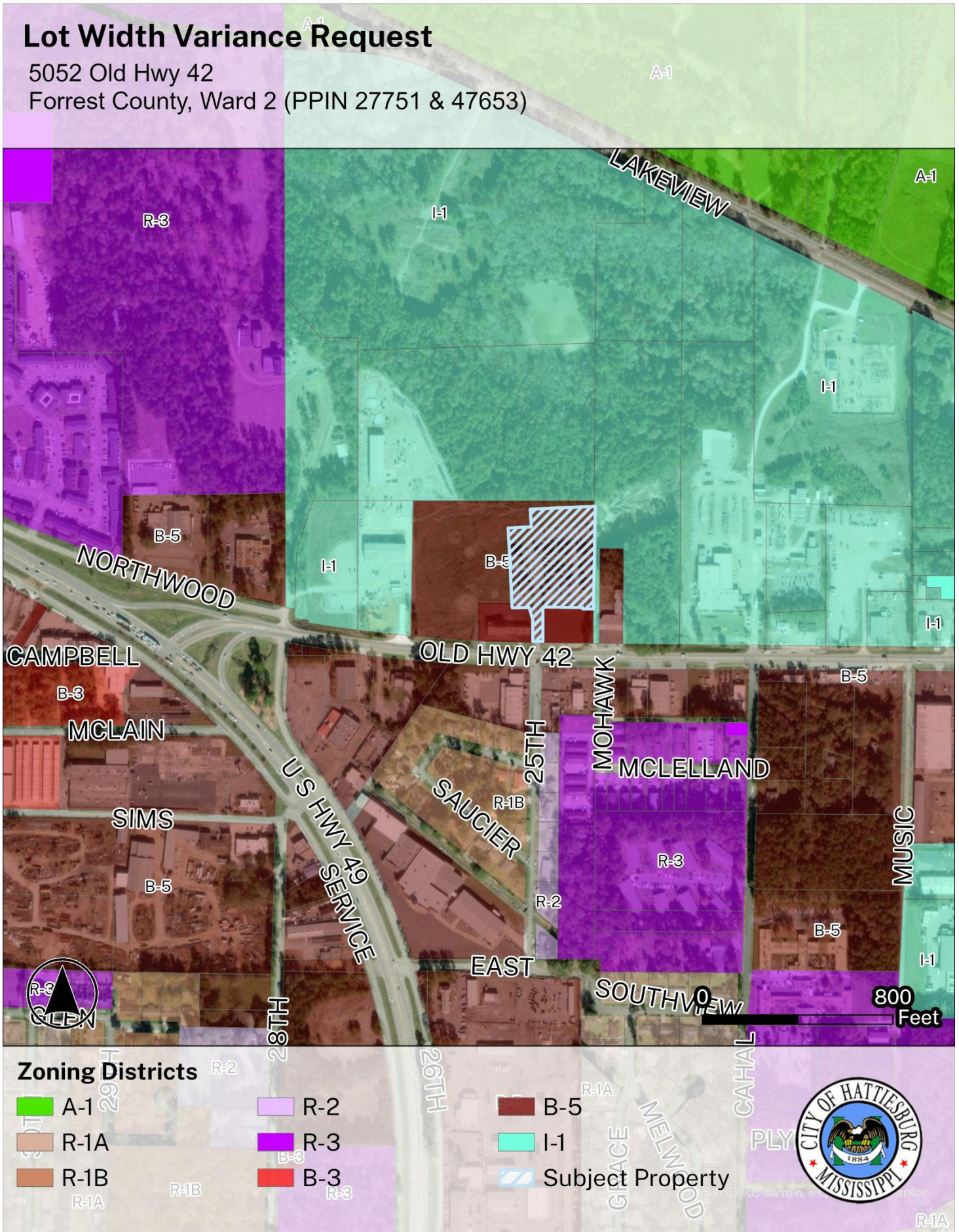
Recommend approval or denial of the request for a variance from the lot width at setback requirement of 100 ft to allow for 35ft for a property located in a B-5 zoning district near 5012 Old Hwy 42 (PPIN 27551 & 47653, Forrest County, Ward 2).

Basis for Approval:

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

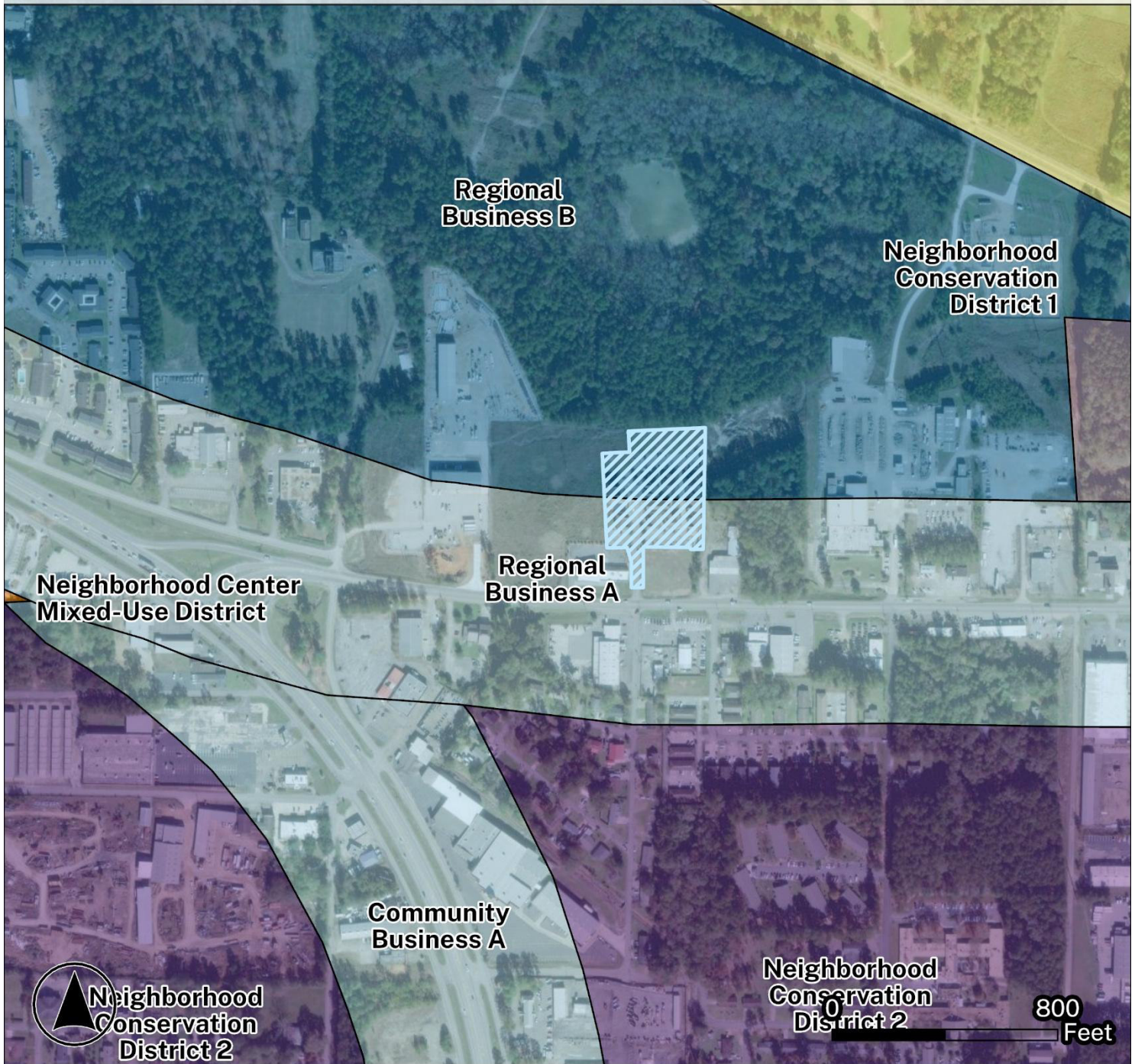
Lot Width Variance Request

5052 Old Hwy 42
Forrest County, Ward 2 (PPIN 27751 & 47653)



Lot Width Variance Request

5052 Old Hwy 42
Forrest County, Ward 2 (PPIN 27751 & 47653)



Future Land Use

- | | |
|--|---------------------|
| Community Business A | Open Space |
| Neighborhood Center Mixed-Use District | Regional Business A |
| Neighborhood Conservation District 1 | Regional Business B |
| Neighborhood Conservation District 2 | Subject Property |





550003



Application for Public Hearing

City of Hattiesburg – Planning Division

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

NOTE:

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



Applicant Information

Name Applicant: REI GROUP c/o GEORGE NUNEZ Project Name: REI GROUP APARTMENTS

Municipal Address of Site: 5052 Old Hwy 42 PPIN #: 27551

Parcel Number(s): 2-0240-32-010.00

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

Other Application types:

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

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

Updated Version 05/22/25



Application for Site Plan Review

City of Hattiesburg – Planning Division

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

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

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

OTHER PROCESSES MAY HAVE ADDITIONAL FEES

Make all checks payable to the City of Hattiesburg

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

Print Name: GEORGE NULL

Signature: _____

Updated Version 05/22/2025

FOR VARIANCE APPLICANTS:

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

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

Approval Criteria.

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

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

WE ONLY HAVE 35' to 40' of ROAD frontage
I have NO WAY to INCREASE that Amount.

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

We sold a parcel to MS Power Company and only
have 40' of frontage remaining
35' to

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.

WE have AN existing access ROAD I
NEED A VARIANCE to comply.

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

There is +/- 35' to 40' which
allows REASONABLE ACCESS. We have NO WAY
to INCREASE this frontage.

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

A variance with a ~~40~~ minimum of 35' of lot width at the road is requested. Once you get to the gate on the access road the width increases to about +/- 300'.

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

The existing width is adequate for the use of the property; I don't think this will conflict with the purpose or intent expressed in the LAND DEVELT. code.

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

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

5056 Old Hwy 42, Hattiesburg, MS
Street Address City State

on this the 10 day of AUGUST, 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____.

GEORGE NULL
Property Owner (Print)
[Signature]
Property Owner (Signature)

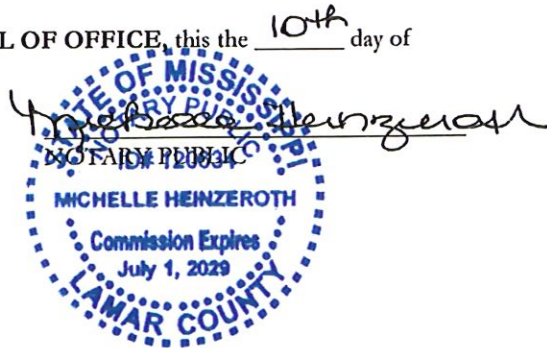
STATE OF MS

COUNTY OF Lamar

Personally came and appeared before me, the within named

George Null
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 10th day of
August, 2026.



My Commission Expires:

7-1-2029

APPLICANT AFFIDAVIT PAGE

THIS PAGE MUST BE SIGNED IN FRONT OF A NOTARY, BY THE APPLICANT(S) OF THE PETITION, ONLY IF DIFFERENT FROM THE OWNER(S) OF THE SUBJECT PROPERTY.

WITNESS THE SIGNATURES of the APPLICANT(S) of the subject property located at

6760 US HWY 98 HATTIESBURG MS
Street Address City State

on this the 10 day of AUGUST, 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____.

THOMAS NULL
Applicant (Print)
Thomas Null
Applicant (Signature)

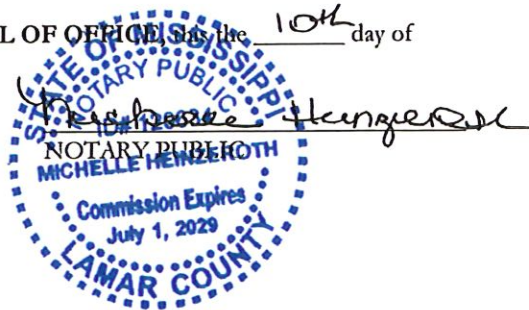
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Thomas Null,
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GIVEN UNDER MY HAND AND OFFICIAL SEAL OF OFFICE this 10th day of August, 2026.

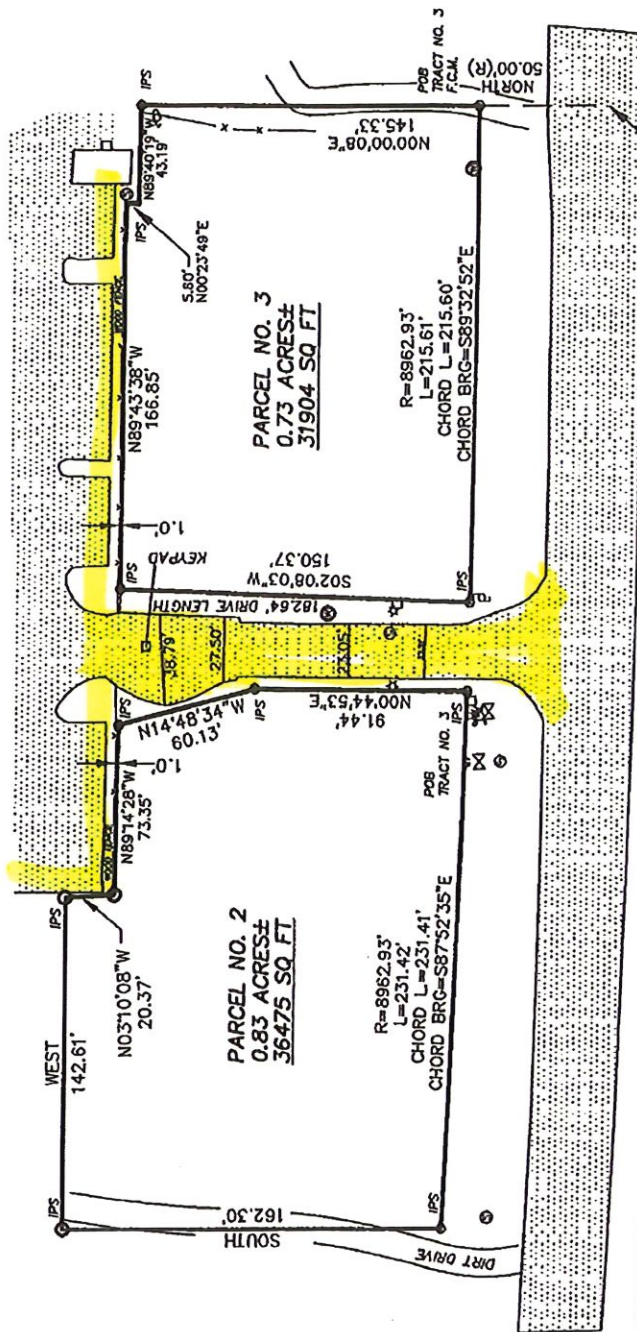


My Commission Expires:

7-1-2029



A PLAT OF SURVEY FOR: REI GROUP



VINCE L. HAVARD
PROFESSIONAL LAND SURVEYOR
6632 U.S. HIGHWAY 98
Hattiesburg, Mississippi 39402
Ph. (601) 261-0784 • Fax (601) 460-2821

REI GROUP
SW 1/4 OF SW 1/4
SECTION 32, T 5N, R 13 W
GEORGE COUNTY, MISSISSIPPI



SCALE: 1" = 60'

DATE OF SURVEY: 9-09-09

CLASS OF SURVEY: C

BEARINGS DETERMINED BY: GEODETIC

SURVEYED BY: VLH

DRAWN BY: VLH REVIEWED BY: X



Staff Present:

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

STATUS: RESUBMIT, APPLY FOR PUBLIC HEARINGS

Project: MS Power VMC

Address: 7344 Hwy 42

Presented by: John Stolarski and Maddies Pettry

Use Designation: Utility Operation Center

PPIN: 47653

Flood Zone: X

Historic District: N/A

Elevation Certificate Required: No

County: Forrest

Ward: 2

Construction type: New Construction

Zoning: B-5

Estimated Cost: TBD

These notes are not exhaustive. All Land Development Codes and City Ordinances apply, even if not listed during a pre-application meeting.

Follow the link below for the Hattiesburg Land Development Code (LDC):

[Hattiesburg, MS, Land Development Code, Ord. No. 3209](#)

Project Summary:

- Applicant Summary
 - Mississippi Power wants a new vehicle maintenance facility to service all the bucket trucks in the region.
 - Galvanized chain link fencing around the whole property, 8ft with security kicker.
 - Potential other projects to come later, but they will be separate from now.
- Planning
 - Subdivision of Land
 - Looks to have been subdivided without the city's approval. Will need to retroactively go through the minor subdivision process
 - The subdivision process that occurred creates a violation on the lots or the original parent parcel.
 - Minor subdivision process can happen at the staff level and will not need a public hearing.
 - Provide a draft of the subdivision plat
 - All lots do not have a 100 ft setback
 - The one lot for the apartment complex would need a variance for the subdivision to be a legal lot.
 - Use:
 - B-5 zoning district allows a "utility operation center"
 - Dimensional Standards
 - B-5
 - Front setback- Minimum 30ft, maximum 150ft
 - Show the building setback from the ROW line on the site plan

- If the building exceeds the 150ft setback, a variance would need to be requested.
- Discussion of potentially needing to rezone to an industrial zoning, potentially I-1
 - Building façade proposed will not meet the B-5 standards and I-1 has lesser façade requirements
 - Front Setback- Minimum and maximum of 40ft
 - If the building exceeds the 40ft setback, a variance would need to be requested.
 - Staff recommendation to rezone to an industrial zoning.
- Standards of Design
 - Driveway
 - Using the existing on the other site is fine; will need to file cross-access easements (if there is not already one) with Forrest County
 - Parking Lot
 - Landscape islands needed in end caps
 - 1 large tree per island, 120sqft
 - Large tree requirements, See LDC 7.11 Plant Standards and Buffers
 - At Initial Planting: “Large” trees shall be a minimum of two and one half inches in caliper or 30 gallon container. “Medium” and “Small” trees shall be two inches in caliper or 15 gallon container. Caliper shall be measured six inches above ground level at the time of planting.
 - At Mature Growth: “Large” trees shall be a minimum of 40 feet tall at mature growth height. “Medium” trees shall be a minimum of 20 to 35 feet tall at mature growth height. “Small” trees shall be a minimum of 8 to 10 feet tall at mature growth height.
 - Sidewalk along street frontage required (LDC 7.6)
 - 5 ft sidewalk, 5ft green strip between curb and sidewalk, 10ft green strip on property side of sidewalk
 - 1 large tree for every 60 lineal feet of frontage
 - Connection from ROW sidewalk to site
 - Could connect pedestrian connectivity onto the already existing driveway (would still need to add a specific sidewalk area for pedestrian connectivity)
 - Options:
 - Build sidewalk as a part of this plan
 - Request a Conditional Use Approval to participate in the Sidewalk Bank Program
 - Sidewalk Fee in Lieu- sidewalk
 - Requires a public hearing with the Planning Commission
 - If adding any site lighting, a site lighting plan will be required
 - Photometric plan
 - Building Form
 - Architectural elevations required
 - Facades must meet the requirements of LDC 7.8
 - Industrial zoning does not require a majority of these standards.
 - Fencing
 - B-5 requires black or green vinyl coating; I-1 would not require coating
 - 4ft fence max in front yard. An 8 ft proposed fence with a security kicker (9ft total) would need a variance.
 - Variance requires a public hearing with the Board of Adjustment
 - Landscaping (LDC 7.10)

- Every parking space requires 20 sqft of landscaped area
 - Landscaped area means more than just grass; must include trees, shrubs, flowers, etc...
 - Large island looks like it will meet per in-meeting discussion about landscaping
 - Put the planned landscaping areas on the plan
- Building
 - EOC Letter from Forrest County needed- addressing number
- Engineering
 - If more than 0.5 acres of disturbed area, stormwater calculations and other requirements will be required
 - Oil and sand separator
- Fire
 - No comments at this meeting

NEXT STEPS:

- Additional information
 - Potential Paths Forward and Public Hearings that would be required:
 - Remain zoned B-5
 - Board of Adjustment- Variances:
 - Front setback
 - Building façade (multiple)
 - Fencing
 - Lot size/width at setback (for the subdivision)
 - Planning Commission
 - Potential conditional use if electing to request the sidewalk bank
 - Request rezoning to an industrial zoning
 - Board of Adjustment- Variances:
 - Front setback
 - Fencing
 - Planning Commission
 - Rezoning Request- to an industrial zoning, I-1 or I-2
 - Potential conditional use if electing to request the sidewalk bank
 - Public Hearing Information
 - Planning Commission (1:00 pm) and Board of Adjustment (3:30 pm) meet on the same day at separate times
 - Important Dates
 - October 7th Public Hearing
 - Application due August 31st at 5:00pm
 - November 4th Public Hearing
 - Application due September 28th at 5:00pm
 - Online Portal Link: <https://cityofhattiesburgms-energovweb.tylerhost.net/apps/selfservice#/home>
 - Staff will attach PDF forms as well to these notes
- Permits
 - Apply for applications/permits indicated below

APPLICATIONS REQUIRED:

- | | |
|--|--|
| ☒ Site Plan Review Checklist and Application | ☐ Conditional Use Application |
| ☒ Public Hearing Application | ☐ Street/Alley Closing |
| ☒ Variance Application | ☐ Major Subdivision |

- | | | | |
|-------------------------------------|---|-------------------------------------|-----------------------------|
| ☒ | Rezone Application | ☐ | Minor Subdivision |
| ☐ | Certificate of Appropriateness (Historic) | ☒ | Building Permit Application |
| ☐ | Privilege Tax License | ☐ | Sign Permit |