

**APPROVED MINUTES OF THE MEETING OF
THE BOARD OF ADJUSTMENTS & APPEALS
CITY OF STARKVILLE, MISSISSIPPI
DECEMBER 20, 2023**

Be it remembered that the members of the Board of Adjustments & Appeals of the City of Starkville held their regularly scheduled meeting on December 20, 2023, at 4:00 p.m. in the conference room on the 2nd floor of City Hall located at 110 West Main Street, Starkville, MS.

There being physically present were Bill Webb, Chairman, Ward 6; Marco Nicovich, Vice Chairman, Ward 5; George Sills, Ward 4; and Shawn Sullivan, Ward 7. George Ford, Ward 1, and Bo Richardson, Ward 3, were absent from the meeting. Joining the meeting at the start of the discussion of item V.B. was Kurt Gaude Ward 2. City Planner Daniel Havelin and Assistant City Planner Lyle McCaskey were both present at the meeting in person, attending the Commissioners.

**OFFICIAL AGENDA
BOARD OF ADJUSTMENTS & APPEALS
CITY OF STARKVILLE, MISSISSIPPI
MEETING OF WEDNESDAY, DECEMBER 20, 2023
2ND FLOOR CITY HALL – COMMUNITY DEVELOPMENT,
110 WEST MAIN STREET, 4:00 PM**

- I. CALL TO ORDER
- II. ROLL CALL
- III. CONSIDERATION OF THE OFFICIAL AGENDA
- IV. MINUTES
 - A. CONSIDERATION OF THE UNAPPROVED MINUTES FOR AUGUST 23, 2023
- V. NEW BUSINESS
 - A. PUBLIC HEARING AND CONSIDERATION OF VA 23-12 A REQUEST FOR A VARIANCE FROM WALL SIGN SIZE REQUIREMENTS FOR WALMART LOCATED AT 1010 MISSISSIPPI HIGHWAY 12 WEST IN A C ZONING DISTRICT.
 - B. PUBLIC HEARING AND CONSIDERATION OF VA 23-13 A REQUEST FOR A VARIANCE FROM SEVERAL REQUIREMENTS OF THE ACCESS MANAGEMENT POLICY FOR WALMART LOCATED AT 1010 MISSISSIPPI HIGHWAY 12 WEST IN A C ZONING DISTRICT.
 - C. DISCUSSION AND CONSIDERATION OF THE 2024 BOARD OF ADJUSTMENTS AND APPEALS MEETING SCHEDULE AND SUBMISSION DEADLINES.
- VI. PLANNER'S REPORT
- VII. ADJOURN

The Board considered the matter of the approval of the written agenda dated December 20, 2023. Upon the motion of Mr. Nicovich, seconded by Mr. Sills, the Board voted unanimously to approve the written agenda.

IV. APPROVAL OF THE MINUTES

A. APPROVAL OF THE UNAPPROVED MINUTES FOR AUGUST 23, 2023

The Board considered approving the August 23, 2023, Board of Adjustments and Appeals meeting minutes. Upon Mr. Nicovich's motion, seconded by Mr. Sills, the Board voted unanimously to approve the minutes.

V. NEW BUSINESS

A. PUBLIC HEARING AND CONSIDERATION OF VA 23-12 A REQUEST FOR A VARIANCE FROM WALL SIGN SIZE REQUIREMENTS FOR WALMART LOCATED AT 1010 MISSISSIPPI HIGHWAY 12 WEST IN A C ZONING DISTRICT

Mr. Havelin presented a request by Walmart Inc. for a variance from sign requirements at 1010 Highway 12 West. The applicant proposes replacing six existing wall signs on the façades of the building with seven new wall signs. The total area of proposed wall signage for the front façade of the building is 331 square feet for a total of +/- 81 square feet above the permitted amount. The applicant requests relief from the maximum square footage for wall signage to 250 square feet.

The request was noticed in accordance with Section 3.7.3.E. 39 property owners of record were notified directly by mail of the request. A legal ad was published in the Starkville Daily News on November 28, 2023. A sign was posted on the property. As of this date, the Planning Office has 2 phone calls requesting further information on this request.

Chairman Webb opened the public hearing to citizen comments.

Jeff Davis joining the hearing virtually spoke in favor of the request

Calling for and receiving no comments, Chairman Webb closed the public hearing and opened the item up for discussion.

After a discussion and upon the motion of Mr. Nicovich, duly seconded by Mr. Sullivan, the Board voted unanimously to approve.

B. PUBLIC HEARING AND CONSIDERATION OF VA 23-13 A REQUEST FOR A VARIANCE FROM SEVERAL REQUIREMENTS OF THE ACCESS MANAGEMENT POLICY FOR WALMART LOCATED AT 1010 MISSISSIPPI HIGHWAY 12 WEST IN A C ZONING DISTRICT.

Mr. Gaude entered the meeting during the introduction of this item.

Mr. Havelin presented a request by Walmart Inc. for a variance from several requirements of the access management policy at 1010 Highway 12 West. Walmart is proposing several renovations and improvements to the building and site. The proposed renovations and improvements trigger the nonconformity clauses of Section 3.17, requiring the entire site to be updated to current code standards. There are four separate requests. Request 1 is for the number of access points. There are currently two, and the applicant is requested to keep both. Request 2 is for the width of the lanes at the easternmost driveway. The applicant is requesting to keep the width the same. Request 3 is for the width of the westernmost driveway. The existing driveway is 54 feet, which exceeds the maximum width of 36 feet. The applicant is requesting to keep the width the same. Request 4 is for the radius of the westernmost drive. The existing driveway radius is 70 feet which exceeds the maximum width of 25 feet. The applicant is requesting to keep the width the same.

The request was noticed in accordance with Section 3.7.3.E. 39 property owners of record were notified directly by mail of the request. A legal ad was published in the Starkville Daily News on November 28, 2023. A sign was posted on the property. As of this date, the Planning Office has 2 phone calls requesting further information on this request.

Chairman Webb opened the public hearing to citizen comments.

Calling for and receiving no comments, Chairman Webb closed the public hearing and opened the item up for discussion.

After a discussion and upon the motion of Mr. Sullivan, duly seconded by Mr. Gaude, the Board voted unanimously to approve all four requests.

**C. DISCUSSION AND CONSIDERATION OF THE 2024 BOARD OF ADJUSTMENTS
AND APPEALS MEETING SCHEDULE AND SUBMISSION DEADLINES.**

Mr. Havelin presented the 2024 Board of Adjustments and Appeals Schedule and Submission Deadlines.

After a discussion and upon the motion of Mr. Guade, duly seconded by Mr. Sullivan, the Board voted unanimously to approve.

VI. PLANNER'S REPORT

Mr. Havelin and Mr. McCaskey informed the board that there would most likely be a January 2024 meeting for a possible variance request.

VII. ADJOURNMENT

After discussion, Mr. Sullivan moved to adjourn, which was seconded by Mr. Gaude, and the Board voted unanimously to adjourn until 4:00 p.m. on January 24, 2024, in the second-floor conference room located at 110 West Main Street, Starkville, MS.



Bill Webb, Chairman



Daniel Havelin, City Planner