

**APPROVED MINUTES OF THE MEETING OF  
THE BOARD OF ADJUSTMENTS & APPEALS  
CITY OF STARKVILLE, MISSISSIPPI  
JUNE 28, 2023**

Be it remembered that the members of the Board of Adjustments & Appeals of the City of Starkville held their regularly scheduled meeting on June 28, 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, George Ford, Ward 1, and Kurt Gaude, Ward 2. Shawn Sullivan, Ward 7, George Sills, Ward 4, and Bo Richardson, Ward 3 were absent from the meeting. Attending a portion of the meeting virtually through the Google Meets platform was Marco Nicovich, Vice Chairman, Ward 5. Mr. Nicovich physically joined the meeting after the approval of the minutes. Physically present attending the Commissioners were City Planner Daniel Havelin, Assistant City Planner Lyle McCaskey, and City Engineer Cody Burnett.

**OFFICIAL AGENDA  
BOARD OF ADJUSTMENTS & APPEALS  
CITY OF STARKVILLE, MISSISSIPPI  
SPECIAL CALL MEETING OF WEDNESDAY, JUNE 28, 2023  
2<sup>ND</sup> 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 MAY 24, 2023
- V. NEW BUSINESS
  - A. PUBLIC HEARING AND CONSIDERATION OF VA 23-07 A REQUEST FOR A VARIANCE TO DEVIATE FROM SIDEWALK REQUIREMENTS LOCATED AT 606 HIGHWAY 12 EAST IN A COMMERCIAL ZONING DISTRICT.
- VI. PLANNER'S REPORT
- VII. ADJOURN

The Board considered the matter of the approval of the written agenda dated June 28, 2023. Upon the motion of Mr. Ford, seconded by Mr. Gaude, the Board voted unanimously to approve the written agenda.

#### **IV. APPROVAL OF THE MINUTES**

##### **A. APPROVAL OF THE UNAPPROVED MINUTES FOR MAY 24, 2023**

The Board considered approving the minutes of the May 24, 2023, Board of Adjustments and Appeals meeting. Upon the motion of Mr. Nicovich, seconded by Mr. Ford, the Board voted unanimously to approve the minutes.

#### **V. NEW BUSINESS**

##### **A. PUBLIC HEARING AND CONSIDERATION OF VA 23-07 A REQUEST FOR A VARIANCE TO DEVIATE FROM SIDEWALK REQUIREMENTS LOCATED AT 606 HIGHWAY 12 EAST IN A COMMERCIAL ZONING DISTRICT.**

Mr. Nicovich physically joined the meeting.

Mr. McCaskey presented the request by John Granberry, on behalf of Highway 12 East, LLC, to deviate from sidewalk requirements at 606 Highway 12 East. The applicant is requesting to pay a fee in lieu of constructing the required sidewalks at the southwest corner of the intersection of Highway 12 East and Spring Street. That intersection is currently undergoing reconfiguration by the City and MDOT. As part of that reconfiguration, the sidewalk area will change. Any sidewalk built now will need to be removed in the near future. The applicant recently did a modification to an existing building that required site plan approval. As per the site plan, the addition of landscape islands and sidewalks to the site was required. To finish the project, either the sidewalks should be built or a variance should be obtained before the issuance of a Certificate of Occupancy.

The request was noticed in accordance with Section 3.7.3.E of the Unified Development Code. 41 property owners of record within 160 feet of the subject property were notified directly by mail of the request. A legal ad was published in the Starkville Daily News on June 11, 2023. A sign was posted on the property in a conspicuous location. As of this date, the Planning Office has received no response to the notifications.

Chairman Webb opened the public hearing to citizen comments.

John Granberry, attending virtually, spoke in favor of the request and answered questions from the Board.

Joel Reeves, attending virtually, spoke in favor of the request and answered questions from the Board.

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

At the applicant's request, the Board agreed to allow the applicant to include the landscaping in the fee-in-lieu amount in place of recommending a condition for requiring landscaping at a later date.

After a discussion and upon the motion of Mr. Gaude, duly seconded by Mr. Ford, the motion to approve VA 23-07 was unanimously approved.

#### **VI. PLANNER'S REPORT**

Mr. Havelin spoke to the Board about the likely hood of a July meeting.

#### **VII. ADJOURNMENT**

After discussion, Mr. Nicovich moved to adjourn which was seconded by Mr. Ford, and the Board voted unanimously to adjourn until 4:00 p.m. on July 26, 2023, in the second-floor conference room located at 110 West Main Street, Starkville, MS.

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Bill Webb, Chairman

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Daniel Havelin, City Planner