

BE IT REMEMBERED that the Hattiesburg City Council held a public hearing at 4:00 p.m. Monday, October 15, 2018 in Council Chambers at City Hall, for the appeal filed by Robert Green to appeal the Planning Commission’s recommendation for the petition filed by The City of Hattiesburg to change the zoning classification for certain properties located along Dabbs Street from Pauline Avenue to Fredna Avenue from Section 4.5.9, B-2, (Neighborhood Business) District to Section 4.5.10, B-3, (Community Business) District on behalf of the Katie-John-Dabbs Neighborhood Association - Ward 2. The Planning Commission recommended to Deny on September 5, 2018.

Those present included Mayor Toby Barker and members of the City Council Jeffrey George, Ward 1; Deborah Delgado, Ward 2; Carter Carroll, Ward 3; Mary Dryden, Ward 4; and Nicholas Brown, Ward 5. Others in attendance included Director of Administration/City Clerk, Kermas Eaton; City Attorney, Randy Pope; Clerk of Council, Ronda S. Cole; Deputy Clerk of Council, Lisa Luu; City staff members; media; and the public.

Council President Carroll called the Public Hearing to order and explained the procedures.

**II. Appeal Public Hearing**

**II.-1     2018-860**     Hold public hearing for appeal filed by Robert Green to appeal the Planning Commission’s recommendation for the petition filed by The City of Hattiesburg to change the zoning classification for certain properties located along Dabbs Street from Pauline Avenue to Fredna Avenue from Section 4.5.9, B-2, (Neighborhood Business) District to Section 4.5.10, B-3, (Community Business) District on behalf of the Katie-John-Dabbs Neighborhood Association – Ward 2. The Planning Commission recommended to Deny on September 5, 2018.

Attachments:    September HPC Minutes  
                         Letter of appeal - Dabbs Green  
                         Appeal application - Dabbs Green  
                         Item B HPC

Mr. Robert Green, the appellant, appeared before the Council to present his case.

The following citizen addressed the council in favor of the petition:

- Pansy Cephus, President of Katie, John and Dabbs Neighborhood Association.

There were no other citizens present who wished to address the Council.

On behalf of the City's Planning Department, Ms. Lowery presented a PowerPoint overview.

Council President Carroll called on Mr. Green for rebuttal.

**2018-924**            Appeal Public Hearing Sign-In Sheet for Dabbs Street Area, 10-15-18.

Attachments:    10-15-18 APH Dabbs, Pauline and Fredna Sign-In Sheet

Council President Carroll closed the public hearing at 4:28 p.m. and proceeded with the next public hearing listed on the agenda.

BE IT REMEMBERED that the Hattiesburg City Council held a public hearing at 4:29 p.m. Monday, October 15, 2018 in Council Chambers at City Hall, for the appeal filed by John Eye to appeal the Board of Adjustment's recommendation for the petition filed by Ashley Robinson, Owner, vary from Section 6, Table 6.1 which states the minimum side setback for property located in an R-1A Zone is ten (10) feet and instead allow a side setback of five (5) feet for a variance of five (5) feet for the following properties located in the Mandalay Villas at Greystone subdivision (per the attached memorandum) - Ward 1. The Board of Adjustment recommended to Approve on September 5, 2018.

Council President Carroll called the Public Hearing to order and explained the procedures.

**II.-2 2018-857** Hold public hearing for appeal filed by John Eye to appeal the Board of Adjustment's recommendation for the petition filed by Ashley Robinson, Owner, vary from Section 6, Table 6.1 which states the minimum side setback for property located in an R-1A Zone is ten (10) feet and instead allow a side setback of five (5) feet for a variance of five (5) feet for the following properties located in the Mandalay Villas at Greystone subdivision (per the attached memorandum) - Ward 1. The Board of Adjustment recommended to Approve on September 5, 2018.

Attachments: appeal planning commission 9-7-2018 John Eye  
John Eye - Arguments AGAINST variances for Mandalay subdivision  
September BOA Minutes  
Item A BOA  
Mandalay Villas - Additional Docs public hearing  
Revised 2Mandalay Villas Covenants 05 Sept 2018 rev01  
Tim Farris - Board of adjustments letter 9-5-18  
Seth Hunter - Board of adjustments letter 8-1-18

Dr. John Eye, the appellant, appeared before the Council to present his case.

The following citizens addressed the council in opposition to the petition:

- Kathryn Cummings, 111 Lake Shore Dr.
- Eric Weill, 71 J. Ed Turner Dr.
- Krista Eye, 123 J. Ed Turner Dr.

The following citizens addressed the council in favor of the petition:

- Attorney Tim Farris, 76 Classic Dr., Firm is at 6645 US-98 #3
- Donovan Scruggs, 317 Pine Dr., Ocean Springs, MS
- Seth Hunter, 508 Walnut St.
- Jeff Sims, 109 Safari Way
- Ashley Robinson, 15 Murphey Rd.
- Peggy Bullion, 3 Riverside Cir.

There were no other citizens present who wished to address the Council.

On behalf of the City's Planning Department, Ms. Lowery presented a PowerPoint overview.

Council President Carroll called on Mr. Eye for rebuttal.

Council member Brown left the room at 5:31 p.m. and returned at 5:34 p.m.

Council President Carroll stated that he had been advised by the City Attorney that Mr. Eye could apply the discussion and comments from his first appeal hearing to his second appeal hearing.

Council President Carroll closed the public hearing at 5:36 p.m. and proceeded with the next public hearing.

BE IT REMEMBERED that the Hattiesburg City Council held a public hearing at 5:37 p.m. Monday, October 15, 2018 in Council Chambers at City Hall, for the appeal filed by John Eye to appeal the Board of Adjustment's recommendation for the petition filed by Jeff Sims, Owner as required in the Land Development Code, Ord. No. 3209, to vary from Section 6, Table 6.1 which states the minimum side setback for property located in an R-1A Zone is ten (10) feet and instead allow a side setback of five (5) feet for a variance of five (5) feet for properties located in the Mandalay Villas at Greystone subdivision (per the attached memorandum) - Ward 1. The Board of Adjustment recommended to Approve on September 5, 2018.

Council President Carroll called the Public Hearing to order and explained the procedures.

**II.-3 2018-859** Hold public hearing for appeal filed by John Eye to appeal the Board of Adjustment's recommendation for the petition filed by Jeff Sims, Owner as required in the Land Development Code, Ord. No. 3209, to vary from Section 6, Table 6.1 which states the minimum side setback for property located in an R-1A Zone is ten (10) feet and instead allow a side setback of five (5) feet for a variance of five (5) feet for properties located in the Mandalay Villas at Greystone subdivision (per the attached memorandum) - Ward 1. The Board of Adjustment recommended to Approve on September 5, 2018.

Attachments: [appeal planning commission 9-7-2018 John Eye](#)  
[John Eye - Arguments AGAINST variances for Mandalay subdivision](#)  
[September BOA Minutes](#)  
[Item B BOA](#)  
[Tim Farris - Board of adjustments letter.doc](#)  
[Revised 2Mandalay Villas Covenants 05 Sept 2018 rev01](#)  
[Mandalay Villas - Additional Docs public hearing](#)  
[Seth Hunter - Board of adjustments letter 8-1-18](#)

Council President stated that the discussion and comments from the previous hearing will reflect this public hearing; therefore, he closed the public hearing at 5:38 p.m. and proceeded with the next public hearing.

**2018-925** Appeal Public Hearing Sign-In Sheet for Mandalay Villas at Greystone subdivision (Item 2 & 3), 10-15-18.

Attachments: [10-15-18 APH Mandalay Villas Sign-In Sheet](#)

### **III. Public Hearing**

BE IT REMEMBERED that the Hattiesburg City Council held a Public Hearing at 5:39 p.m. Monday, October 15, 2018, in Council Chambers at City Hall to hear public comment on the proposed Motor Vehicle Assessment Schedule for the City of Hattiesburg for the Fiscal Year beginning October 1, 2018 and ending September 30, 2019, pursuant to order adopted September 18, 2018 at File # 2018-787.

Council President Carroll called the Public Hearing to order and explained the procedures.

**III.-4 2018-842** Hold Public Hearing to hear public comment on the proposed Motor Vehicle Assessment Schedule for the City of Hattiesburg for the Fiscal Year beginning October 1, 2018 and ending September 30, 2019, pursuant to order adopted September 18, 2018 at File # 2018-787.

Attachments: [2018-2019 Uniform Assessment Schedule \(1\)](#)

Council President Carroll asked for public comment on the proposed Motor Vehicle Assessment for 2018-2019.

There were no citizens present who wished to comment.

Council President Carroll closed the public hearing at 5:40 p.m. and proceeded with the Agenda Review.

**2018-926**            Public Hearing Sign-In Sheet for FY 2018-2019 COH's Motor Vehicle Assessment Schedule, 10-15-18.

Attachments:    10-15-18 PH FY 18-19 Motor Vehicle Assessment Schedule Sign-In Sheet

**Agenda Adjustments**

The Clerk of Council read aloud amendments to the agenda as follows:

Add Routine Item VI.-8, at the request of the Administration as follows:

**VI.-8      2018-882**    Acknowledge receipt of the monthly budget report for the month ending September 30, 2018.

Attachments:    REV18.0918  
   EXP18.0918  
   Property Tax Collection Memo

**IV. Agenda Review**

Council President Carroll proceeded with the Agenda Review.

Council member George left the room at 5:58 p.m. and returned at 5:59 p.m.

Following discussion of agenda items, Council President Carroll closed the Agenda Review.

**V. Citizen Forum**

Council Vice President Dryden proceeded with the Citizens' Forum.

She stated the procedures and invited members of the public to speak.

The following citizens addressed the Council:

- Linda Walters, President of the Council of Neighborhoods, Rosewood Dr.
- Sheila Smallwood

There were no other citizens present who wished to address the Council.

Council Vice President Dryden closed the Citizen Forum.

**2018-927**            Citizens' Forum Sign-In Sheet, 10-15-18.

Attachments:    10-15-18 Citizens' Forum Sign-In Sheet

By unanimous consent, Council President Carroll declared the meeting recessed at 6:01 p.m., this the 15<sup>th</sup> day of October, 2018.

**ATTEST:**

**APPROVE:**

\_\_\_\_\_  
**Clerk of Council**

\_\_\_\_\_  
**Council President**

**ATTEST AND CERTIFY:**

**APPROVE:**

\_\_\_\_\_  
**City Clerk**

\_\_\_\_\_  
**Mayor**