

**MINUTES OF THE
REGULAR MEETING OF THE
HATTIESBURG BOARD OF ADJUSTMENT
FEBRUARY 6, 2019**

The Hattiesburg Board of Adjustment did meet in a regular session on February 6, 2019 immediately following the Planning Commission agenda at 1:31 PM at the Jackie Dole Community Center, 220 West Front Street, Hattiesburg, Mississippi. Mark Miller, Chair, presided over the meeting. A quorum was indicated and the attendance was as follows:

Board Members Present: Mark Miller, Chair
Amy Hinton, Vice-Chair
James Hughes
Dick Conville
Rebekah Ray
Kenneth Waites

Board Members Absent: Jessie Wilson
Judy Corts
Paul Sims

Also Present: Ginger Maddox Lowrey, AICP, Planning Division Manager
Andrew Ellard, Urban Development Director
Caroline Miles, Planner

Chair Miller declared the meeting of the Hattiesburg Board of Adjustment open and in session at 1:31 PM.

AGENDA REVIEW

There came the matter of the February 2019 Agenda. A request was made by Chair Miller for a motion to approve the February 2019 Agenda. A motion was made to approve the February 2019 Agenda by Kenneth Waites and seconded by Rebekah Ray.

Board Members voting aye: Mark Miller, Chair
Amy Hinton, Vice-Chair
James Hughes
Dick Conville
Rebekah Ray
Kenneth Waites

Board Members voting nay: None

MINUTES REVIEW

There came the matter of the December 5, 2018, minutes. A request was made by Chair Miller for a motion to approve the December 5, 2018 minutes. A motion was made by Rebekah Ray to approve the minutes and seconded by Vice-Chair Hinton.

Board Members voting aye: Mark Miller, Chair
Amy Hinton, Vice-Chair
James Hughes
Dick Conville
Rebekah Ray
Kenneth Waites

Board Members voting nay: None

REPORTS

PLANNING REPORT

There came the matter of the Planning Report by Ginger M. Lowrey, AICP, Planning Division Manager. On December 18, 2018, the City Council reviewed the following Board of Adjustment recommendations and voted as follows: The City Council approved the height and right-of-way landscape variance (BOA approval upheld) for the proposed Hotel at 200 N. 40th Ave.

CHAIRMAN'S REPORT

No report was provided.

Board Members voting aye: Mark Miller, Chair
Amy Hinton, Vice-Chair
James Hughes
Dick Conville
Rebekah Ray
Kenneth Waites

Board Members voting nay: None

PUBLIC HEARING – BOARD OF ADJUSTMENT

Chair Miller declared the Public Hearing for the Board of Adjustment open at 1:36 PM.

There came the matter of Item A (Height variance), filed by Charles Bourland, Representative, Landry, Lewis, Germany Architects, and Bob Blevins, Representative, William Carey University, as required in the Land Development Code, Ord. No. 3209, to request a variance from Section 6 Table 6.1 “Maximum Height” for R-3, “35 feet or 3 stories”, and instead allow a height of “3 stories for a total of 54 feet,” for a variance of nineteen (19) feet for a proposed Student Center located at 710 William Carey Parkway (Parcel 2-038G-15.222.00, PPIN 13708, Ward 2).

	Name	Address	City/State
<u>Presented by:</u>	Charles Bourland	5211 Old Highway 11	Hattiesburg, MS
<u>Proponents:</u>	None		
<u>Opponents:</u>	None		

Chair Miller declared the Public Hearing closed and the Business Meeting open to vote on the request. Vice-Chair Hinton made a motion to approve the request for variance with the following basis: Hardship, there are exceptional conditions creating an undue hardship applicable only to the property involved or intended use which do not generally to the other land areas or uses with in the same zoning district [Specifically: International Building Code “fresh air” requirements]; Special Privilege, a variance shall not confer any special privilege that is denied to other lands or structures in the same zoning district [Specifically: 419 Tuscan Avenue, William Carey Business Building]; Reasonable Use, the applicant cannot make reasonable use of the property without the requested variance; Minimum Required, the granting of a variance is the minimum variance that will make possible the reasonable use of the land or structure; and Conformance with the Purposes of the Code, the granting of a variance will not conflict with the purposes and intent express or implied with the Land Development Code. The motion was seconded by Rebekah Ray.

Board Members voting aye: Mark Miller, Chair
 Amy Hinton, Vice-Chair
 Dick Conville
 Rebekah Ray
 Kenneth Waites

Board Members voting nay: None

Board Members abstaining: James Hughes

BUSINESS MEETING

There being no further business, the meeting was adjourned at 1:40 PM. Rebekah Ray made a motion to adjourn the meeting. The motion was seconded by Dick Conville.

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Mark Miller, Chair

Ginger Maddox Lowrey, AICP, CFM, Planning Division Manager