



Agenda
City of Olive Branch
Board of Zoning Adjustment Meeting
6:00 PM
September 11, 2025

Call to Order:

Roll Call:

The Appeal Process

Approval of Minutes:

1. Minutes of August 14, 2025

Old Business:

New Business:

1. Application for a Conditional Use Permit, submitted by Sam Gassiott, Pan American Engineers, on behalf of Murphy Oil USA, property owner. The request is to establish a convenience store with fuel pumps at this location. The 1.20+/- acre subject property is zoned PUD, Planned Unit Development, but there is an open application requesting a rezoning to C-2, Highway Commercial District. The subject property is located at the northwest corner of Hacks Cross Rd and Hwy 302, Holiday Crossing Section A 1st Rev, Lot 1, known as 7015 Hacks Cross Rd. (File # CU25-0005)
2. Application for a Conditional Use Permit, submitted by Bob Farley, Farley Surveying, LLC, on behalf of Donny Oxner, property owner. The request is to extend the validity timeline and expand the scope of the existing Conditional Use Permit for Sergio's Auto Repair. The expansion involves the creation of a parking area to the northeast of the property. The 2.7+/--acre subject property is zoned M-2, Heavy Industrial District, and is located on the east side of Hwy 178, directly across from Maywood Dr, known as 8220 Hwy 178. (File # CU25-0006)



City of Olive Branch

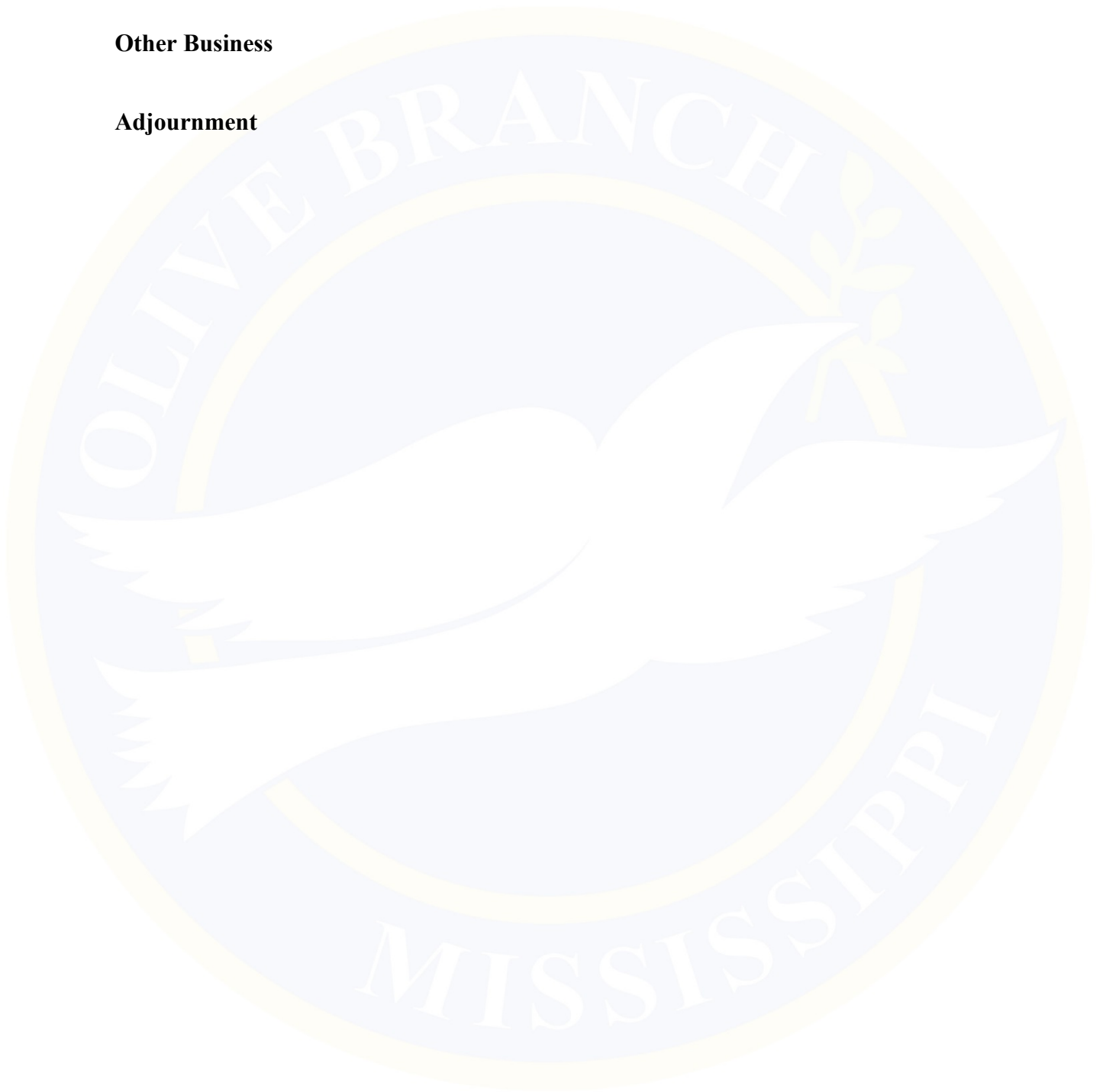
PLANNING & DEVELOPMENT

MISSISSIPPI

9200 Pigeon Roost Road, Olive Branch, MS 38654
Planning 662.892.9334 | Building 662.892.9333
Code Enforcement 662.892.9343
www.obms.us

Other Business

Adjournment



Olive Branch, Mississippi is one of America's most livable cities, where one can live, work, worship, and play without leaving home. The City of Olive Branch municipal government strives to provide efficient and effective public services that promote this quality of life.

**MINUTES FOR THE CITY OF OLIVE BRANCH BOARD OF ZONING ADJUSTMENT
REGULAR MEETING AUGUST 14, 2025**

The Olive Branch Board of Adjustment meeting was held on Thursday, August 14, 2025, in the Municipal Court Room located at 6900 Highland Street, at 6:00 p.m.

CALL TO ORDER

The meeting was called to order by Mr. Roman, Chairman of Board of Zoning Adjustment, at 6:00 p.m.

Mr. Roman announced and welcomed the new member, McKeever Heun.

ROLL CALL

Ted Roman, William Gray, Jackie Butler, McKeever Heun, Aretha Wiseman, Darrel Berkley and Carl Williams were present, and a quorum was established. Jason Gambone, Director, Venard Asongayi, Assistant Director, Jeremiah McCroskey, Associate Planner, and Heather James, Planning Technician were present from the Planning and Development Department.

THE APPEAL PROCESS

Mr. Roman announced the Appeal Process.

APPROVAL OF THE MINUTES OF THE JULY 10, 2025 MEETING

Mr. Roman asked if anyone had any questions, comments or motions regarding the minutes of the July 10, 2025 meeting. **Carl Williams made a motion to approve the minutes. Jackie Butler made the second and the motion was approved as follows:**

**William Gray – Yes McKeever Heun - Yes Aretha Wiseman – Yes
Ted Roman – Yes Jackie Butler – Yes Darrel Berkley – Yes Carl Williams – Yes**

OLD BUSINESS

NEW BUSINESS

1. Application for a Zoning Variance, submitted by David and Ashlyn Lemley, property owners. The request is to permit an eight-foot privacy fence which is proposed to be two feet over the permitted six feet, in the rear yard. The 0.22+/- acre subject property is zoned R-3, Planned Residential District. It is Lot 104 of Alexander Crossing Subdivision, Phase 3, 1st Rev, located at the southwest corner of Crape Myrtle Dr. and Maple Grove Rd, and known as 7279 Maple Grove Rd. (File #VR25-0007).

- **APPLICATION SUMMARY**

David and Ashlyn Lemley, property owners, request a 2' fence height variance to permit an 8'tall fence at 7279 Maple Grove Rd. The property owners intend to add a 2ft fence topper to an existing 6ft high fence at the rear of the lot. The variance is requested on a topography basis.

- **STAFF PRESENTATION**

Associate Planner, Jeremiah McCroskey, presented the staff report, which is included herein by reference (File #VR25-0007). He advised there was an opposition received by email.

- **BOARD OF ZONING ADJUSTMENT INQUIRY AND STAFF RESPONSE**

Mr. Roman asked if staff was sure there was just a 2 foot change in grade. Mr. McCroskey advised it's actually a 3 ½ foot change in elevation. Ms. Wiseman said this is more see through with the lattice work, can they take it down and install a solid 8 foot fence later on? Mr. McCroskey advised no, this is a new fence and will not be taken down. Mrs. Butler asked how far away the lady who opposed lives from the applicant. Mr. McCroskey advised she lives 475 feet away from the applicant.

- **PUBLIC HEARING**

- **Proponents:**

- Ashlyn Lemley, 7279 Maple Grove Rd, Olive Branch, MS – she said she got approval from the neighbor to the west in writing. A copy was provided and will be made a part of the digital record.

- **Opponents:**

- Contrina Hoffman, 9654 Crape Myrtle Dr, Olive Branch, MS – Email opposition - she said that large fences are an eyesore and diminish the appeal of the neighborhood. They disrupt the natural flow and deter future buyers from the neighborhood and shift soil.

- **BOARD OF ZONING ADJUSTMENT DISCUSSION**

None

- **MOTION**

Mr. Williams made a motion, based on finding that a hardship does exist resulting from the sloping topography of the subject property, that the special circumstances are not a result of the applicant, that the variance will permit a fair enjoyment of property and not constitute a privilege to the applicant, and that all of the criteria have been met, to approve the 2' height variance to allow the continuation of an existing 8' high fence at the rear yard lot line of the property at 7279 Maple Grove Rd, subject to the following condition:

- (1) **A fence permit shall be obtained before erection of the fence. It shall be the responsibility of the property owner to ensure that the set back and easement distances as prescribed on the plat are met.**

Mr. Gray made the second and the motion was approved as follows:

**William Gray – Yes McKeever Heun - Yes Aretha Wiseman – Yes
Ted Roman – Yes Jackie Butler – Yes Darrel Berkley – Yes Carl Williams – Yes**

OTHER BUSINESS

ADJOURNMENT

Mr. Williams made a motion to adjourn the meeting at 6:17pm. Mrs. Butler made the second and the motion was approved as follows:

**William Gray – Yes McKeever Heun - Yes Aretha Wiseman – Yes
Ted Roman – Yes Jackie Butler – Yes Darrel Berkley – Yes Carl Williams – Yes**

REPORT TO THE BOARD OF (ZONING) ADJUSTMENT

CAPTION/SUBJECT: Application for a Conditional Use Permit, submitted by Sam Gassiott, Pan American Engineers, on behalf of Murphy Oil USA, property owner. The request is to establish a convenience store with fuel pumps at this location. The 1.20+/- acre subject property is zoned PUD, Planned Unit Development, but there is an open application requesting a rezoning to C-2, Highway Commercial District. The subject property is located at the northwest corner of Hacks Cross Rd and Hwy 302, Holiday Crossing Section A 1st Rev, Lot 1, known as 7015 Hacks Cross Rd. (File # CU25-0005)

EXHIBITS:
 1. Request to table the application to the October 9, 2025 BZA meeting.

EXECUTIVE SUMMARY: The applicant, Sam Gassiot, Pan American Engineers, on behalf of Murphy Oil USA, has submitted for consideration a Conditional Use Permit (CUP) application for a proposed convenience store with fuel pumps on Lot 1, Holiday Crossing, Section A, 1st Rev, known as 7015 Hacks Cross Rd. The applicant has not submitted a site plan and additional information that satisfies all conditions of the CUP request. (File #ZP25-0009).

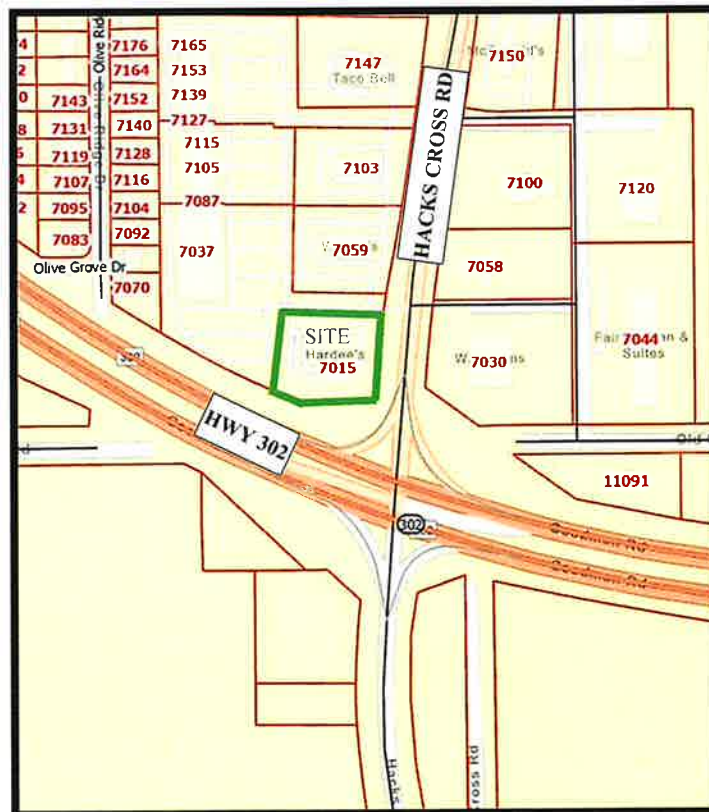


Fig. 1: Vicinity Parcels

The applicant requests that the item be tabled to the October 9, 2025 BZA meeting.

PREPARED BY *[Signature]* DATE: 9/8/2025
 CHECKED FOR SUBMISSION TO THE BOARD BY: *[Signature]* DATE: 9/8/2025
 MOTION BY: _____ SECOND BY: _____

VOTE	BERKLEY	BUTLER	GRAY	HEUN	ROMAN	WILLIAMS	WISEMAN
YES	_____	_____	_____	_____	_____	_____	_____
NO	_____	_____	_____	_____	_____	_____	_____
ABSTAIN	_____	_____	_____	_____	_____	_____	_____

September 8, 2025



**PAN AMERICAN
ENGINEERS, LLC**

Consulting Professional
Engineers and Land Surveyors

City of Olive Branch, Mississippi
Planning Department
9200 Pigeon Roost
Olive Branch, MS 38654

Attention: Kevin D. Norman, PLA

Re: **Conditional Use Permit Application**
Proposed Murphy USA Fueling Station
7015 Hacks Cross Road
Olive Branch, MS 38654
PAE Job No. 13378

Dear Mr. Norman:

On behalf of Murphy Oil USA, Inc., we are requesting the review of our CUP application be tabled until the October 9, 2025 meeting.

We appreciate your consideration of this request.

If you have any questions or require any additional information, please do not hesitate to contact me at (318) 473-2100.

Yours very truly,

PAN AMERICAN ENGINEERS, LLC

Sam D. Gassiot, P.E.

SDG/dll

REPORT TO THE BOARD OF (ZONING) ADJUSTMENT

CAPTION / SUBJECT: Application for a Conditional Use Permit, submitted by Bob Farley, Farley Surveying, LLC, on behalf of Donny Oxner, property owner. The request is to extend the validity timeline and expand the scope of the existing Conditional Use Permit for Sergio's Auto Repair. The expansion involves the creation of a parking area to the northeast of the property. The 2.7+/-acre subject property is zoned M-2, Heavy Industrial District, and is located on the east side of Hwy 178, directly across from Maywood Dr, known as 8220 Hwy 178. Applicant request item to be tabled to October 09, 2025

EXHIBITS:

1. Email from Applicant, request item be tabled.



BACKGROUND:

Bob Farley, Farley Surveying, LLC, on behalf of Donny Oxner, property owner, request is to extend the validity timeline and expand the scope of the existing Conditional Use Permit for Sergio's Auto Repair known as 8220 Hwy 178. The expansion involves the creation of a parking area to the northeast of the property. The 2.7+/-acre subject property is zoned M-2, Heavy Industrial District, which permits the proposed development as a conditional use subject to seven conditions (Art. V, Sec. 12(8)(B) of the Zoning Ordinance of the City of Olive Branch.

APPLICANT REQUEST: Applicant request that the Conditional Use Permit Application (File # CU25-0006) be tabled to the October, 9 2025 Board of Zoning Adjustment meeting to provide time for the business owner to determine a precise scope of expansion.

PREPARED BY: *Quinn McCloskey* DATE: 09/03/25
 MOTION BY: _____ SECOND BY: _____

<u>VOTE</u>	BERKLEY	COOK	HEUN	GRAY	ROMAN	WILLIAMS	WISEMAN
YES	_____	_____	_____	_____	_____	_____	_____
NO	_____	_____	_____	_____	_____	_____	_____
ABSTAIN	_____	_____	_____	_____	_____	_____	_____

McCroskey, Jeremiah

From: Asongayi, Venard
Sent: Monday, August 25, 2025 12:14 PM
To: McCroskey, Jeremiah
Subject: FW: Sergio Auto Repair

Jeremiah,

Per the request below from Sergio, have the Board of Adjustment table the subject application. The plat, however, should move forward.

Thanks

Venard "Asong" Asongayi, AICP, CFM, DPA

Assistant Director of Planning & Development
City of Olive Branch
9200 Pigeon Roost
Olive Branch, MS 38654
Office Ph. (662) 892-9325
Cell Ph. (662) 804-9420

From: Pinky 2017 <pinkyb2017@gmail.com>
Sent: Monday, August 25, 2025 11:12 AM
To: Asongayi, Venard <venard.asongayi@obms.us>
Subject: Sergio Auto Repair

Please, concerning the Sergio's Auto Repair extension and expansion conditional use permit application: we request that you table it to the meeting in October 2025 to give us time to nail down the exact scope of the expansion that we want to do .

Thank you