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John W. Carroll
Assr. CITY CLERK
CITY OF VICKSBURG, MISS

Date: March 8, 2017

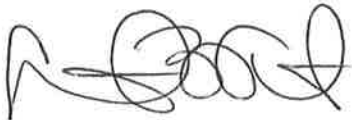
To Whom It May Concern:

I, Chatauqua Watson, am writing this letter of appeal because there was a vote of 3 to 1 during the March 7, 2017 zoning board meeting. I occupied a space at 1419 Washington St. in downtown Vicksburg and was told I couldn't operate the way that I wanted to after one of my neighbors started to complain about our music.

After a meeting with city officials, and speaking with the city attorney, I made the decision to relocate. Not only did this put me in a bind, but it has caused great anxiety. The city attorney explained what a C4 zoning area was and advised me that this was the best decision. So, without further ado, I started on a search for a new building. My hookah lounge is an upscale lounge that people love. It is a friendly environment where groups meet up to socialize and enjoy each other's company. I brought business to the downtown area that was positive.

In closing, I would like for the deciding party to understand that I am simply trying to operate a business doing something I love. I have endured great pressure trying to maintain my business and I have lost a lot of money relocating at the last minute trying to keep my business running. Please find it in your heart to allow me to operate my business in the C4 zoning area as explained to me by the city attorney. Thank you in advance for your cooperation!

Respectfully yours,



Chatauqua Watson

cell# 404-822-1670
405 Phillips St.
Tallulah, La. 71282



Victor Gray-Lewis
Director

CITY OF VICKSBURG
Community Development Division

Zoning / Historic Preservation / Privilege License

819 South Street Vicksburg, MS 39180
(601) 634-4528 Fax (601) 638-4229

February 16, 2017

Mayor and Aldermen
P. O. Box 150
Vicksburg, MS 39181-0150

Dear Mayor and Aldermen:

The purpose of this letter is to advise you that on March 7, 2017 the Zoning Board of Appeals did not approve Chatauqua Watson's request for a special exception to operate a nightclub at 4209 East Clay Street Suite 3 was not granted because the motion was 3-1 and did not pass with a concurring vote of four (4) members.

Should you have any questions, please feel free to contact Dalton McCarty at 634-4528.

Sincerely,

Paula Wright
Zoning Board of Appeals
Secretary



Victor Gray-Lewis
Director

CITY OF VICKSBURG
Community Development Division

Zoning / Historic Preservation / Privilege License

819 South Street Vicksburg, MS 39180
(601) 634-4528 Fax (601) 638-4229

March 16, 2017

Ms. Chatauqua Watson
904 Carroll Street
Tallulah, LA 71282

Dear Ms. Watson:

The purpose of this letter is to respectfully inform you that in the Zoning Board of Appeals meeting held March 7, 2017 your request to operate a nightclub at 4209 East Clay Street Suite 3 was not granted because the motion was 3-1 and did not pass with a concurring vote of four (4) members.

Please be advised that you may appeal to the Mayor and Aldermen within ten (10) days from the date of the decision by the Zoning Board of Appeals by filing with the City Clerk a written appeal specifying the grounds thereof.

Should you have any questions, please feel free to contact Dalton McCarty at 634-4528.

Sincerely,

Paula Wright
Zoning Board of Appeals
Secretary

cc: Mayor and Aldermen
Victor Gray-Lewis, Director of Building Inspections

March 7, 2017
City Hall Annex Building
5:00 p.m.

G.F. _____
M.M. _____
W.T. _____

MAR 20 2017

MINUTES

Zoning Board Members Present:

Anita Collins
Warren Jones
Fred Katzenmeyer
David Sessums

Absent:

Tom Sturgis
Robert Clingan
Warren Jones

Others Present:

Dalton McCarty, Zoning Administrator
Nancy Thomas, City Attorney

The following appeals were presented to the Board:

The meeting was called to order by David Sessums. Mr. Sessums announced that a quorum was present.

Mr. Sessums asked that everyone sign in.

Mr. Sessums stated that cases before the board today were:

1. Porter's Chapel Academy - requesting a special exception to expand the daycare at 3440 Porter's Chapel Road which is zoned R-1 Single-Family Residential, as provided by Section 404.5 Public, semi-public buildings and places of worship or use location of the Zoning Ordinance, Ordinance 71-8 of the Code of Ordinances of the City of Vicksburg, as amended.

Mr. Sessums stated that for the record he would like to state that he as the attorney for Porter's Chapel Academy and would be abstaining from voting.

2. Chatauqua Watson - requesting a special exception to operate a nightclub at 4209 East Clay Street Suite 3, which is zoned C-4 General Commercial, as provided by Section 406.10-2(5) of the Zoning Ordinance, Ordinance 71-8 of the Code of Ordinances of the City of Vicksburg, as amended.

Mr. Sessums called for any concerned or adverse parties present, there were none.

Mr. Sessums stated that the hearing would be video and tape recorded to record all testimony and statements.

Mr. Sessums also stated that if an appeal to The Mayor and Aldermen was desired after a decision by the Zoning Board of Appeals, the person desiring the appeal must notify the City Clerk in writing within ten (10) days after the decision of the Zoning Board of Appeals was rendered.

Mr. Sessums asked that all cell phones to be turned off. Mr. Sessums stated that all proofs of publications had been published and recorded.

Mr. Sessums stated that Mr. McCarty would make the preliminary presentation of the application for Porter's Chapel Academy.

Mr. McCarty stated that Porter's Chapel Academy was requesting a special exception to expand their daycare at 3440 Porter's Chapel Road which is zoned R-1 Single-Family Residential. This is a permitted use per Section 404.5 Public, semi-public buildings and places of worship or use location of the Zoning Ordinance, Ordinance 71-8 of the Code of Ordinances of the City of Vicksburg, as amended.

Mr. Sessums asked Mr. McCarty if he had any objections to this special exception. Mr. McCarty stated he had no objections.

Mr. Sessums asked if there were any adverse parties present, there were none.

Mr. Sessums asked Mrs. Pam Wilbanks, Porter's Chapel Academy Headmaster if she had any comments.

Mrs. Wilbanks stated that this was an opportunity to expand the daycare.

Mrs. Nancy Thomas, City Attorney, asked if a site plan had been submitted.

Mr. McCarty stated that a site plan had been submitted.

Mr. Sessums asked if there were any other comments or questions, there were none.

Mr. Sessums called for a motion.

Mr. Katzenmeyer moved that the Board find that it was empowered under section 404.5 of the Zoning Ordinance of the City of Vicksburg, Mississippi as described in the application submitted by Porter's Chapel Academy to grant the special exception to expand the daycare at 3440 Porter's Chapel Road, and that the granting of the special exception will not adversely affect the public interest. Ms. Collins seconded the motion.

With no further discussion, the following vote was taken:

Anita Collins vote aye
Steven Jones vote aye
Fred Katzenmeyer vote aye
David Sessums abstained

Mr. Katzenmeyer moved that the board give the applicant six (6) months to begin the actions necessary for which the special exception was granted. Failure to begin such action within this time limit shall void the special exception. Mr. Jones seconded the motion.

With no further discussion, the following vote was taken:

Anita Collins vote aye
Steven Jones vote aye
Fred Katzenmeyer vote aye
David Sessums abstained

Mr. Sessums asked Mr. McCarty to present the next case for Chatauqua Watson.

Mr. McCarty stated that Ms. Chatauqua Watson - requesting a special exception to operate a nightclub at 4209 East Clay Street Suite 3, which is zoned C-4 General Commercial, as provided by Section 406.10-2(5) of the Zoning Ordinance, Ordinance 71-8 of the Code of Ordinances of the City of Vicksburg, as amended. Mr. McCarty stated that this area was zoned C-4 General Commercial. He stated that the reason for the special exception was Ms. Watson wanted to operate and serve beer or have BYOB without serving foot which put this under the nightclub definition.

Mr. McCarty stated that the following needed to be addressed by the board: (1) operating hours, (2) can she have BYOB or will she only be allowed to sell beer (she has to have one or the other), (3) can she have private parties.

Nancy Thomas stated that she had discussed with Ms. Watson that if she got a beer permit to sell beer she could not do BYOB, she had to do one or the other. She stated that Ms. Watson had been downtown as the Hookah Bar and she was asking to charge a cover and sell beer and that was not allowed downtown so she was requesting a special exception in a C-4 General Commercial zone where it is allowed.

Mr. Sessums asked Mr. McCarty if he had any recommendations or advisements to the board.

Mr. McCarty stated that one plus was there were no residents that live in the area. He stated that he had received some calls from people that were concerned about the use at this property.

Mr. Sessums asked if there were any opposition.

Jill Grogan, Clinic Administrator for MEA Medical Clinic, 4204 Clay Street, stated that she was here to get more information about what type of business they were wanting. She stated that they did not have a stance at the moment.

Mr. Sessums asked if she was here on behalf of the MEA owners of the clinic. Ms. Grogan stated yes.

Mr. Sessums asked if her company had a position on this application. Ms. Grogan stated this would probably not affect their operating hours but they were concerned about things moving into their parking lot, alcohol sales and how late it would be open.

Mr. Sessums asked what MEA's operating hours were. Ms. Grogan stated in April their operating hours would be 9:00 a.m. to 5:00 p.m. Monday – Friday.

Mr. Sessums asked if they were on the opposite side of the street. Ms. Grogan stated that they were directly across the street.

Ms. Grogan stated that she was just gathering information tonight.

Mr. Sessums asked if there was anyone else in opposition, there were none.

Mr. Sessums asked Ms. Watson to present her case.

Ms. Chatauqua Watson stated that she was the owner of Hookah by the River and it was very similar to the cigar bar that was already in existence. She stated that it was not a nightclub and they did have a DJ every other Friday. Ms. Watson continued that as the City Attorney had said she had been downtown and they had never had any altercations down there. She stated that she would have enough parking so she did not see why anyone would go across the street to park. Ms. Watson stated that she was asking for customer to be able to bring in their own alcohol because she did not really wish to sell alcohol she was more interested in it being a hookah lounge. Ms. Watson stated that the operating hours would be Sunday – Thursday 7:00 p.m. – 12:00 a.m. and Friday and Saturday 7:00 p.m. – 2:00 a.m. She stated that everyone in the complex was pretty much closed by the time they would start operation.

Ms. Collins asked what the operating hours were for Baskin Robbins.

Ms. Watson stated that Baskin Robbins closed at 9:00 p.m., Subway closed at 10:00 p.m., the donut shop closed at 4:00 p.m. and the nail shop closed at 7:00 p.m.

Mr. Sessums asked Ms. Watson if they all had the same landlord and if he was in agreement with this. Ms. Watson stated yes sir.

Ms. Watson stated that they started last week and it went well and they cleaned the parking lot afterwards and didn't have any problems.

Mr. Sessums asked if any board members had any questions.

Mr. Katzenmeyer asked Mr. McCarty if they needed to set the operating hours. Mr. McCarty stated that if they agreed to the hours they needed to put them in the motion.

Mr. Katzenmeyer asked Ms. Watson what the operating hours would be.

Ms. Watson stated that the operating hours would be 7:00 p.m. – 12:00 a.m. Monday – Thursday and 7:00 p.m. to 2:00 a.m. on Friday and Saturday.

Mr. Jones asked if she wanted to sell alcohol. Ms. Watson stated no.

Mr. Jones asked if she wanted to have BYOB. Ms. Watson stated yes.

Mr. Jones asked if she wanted to have private parties. Ms. Watson stated that the private parties would be for birthday parties and things like that.

Mr. Sessums asked if there were any other questions or comments, there were none.

Mr. Sessums called for a motion.

Mr. Katzenmeyer moved that the Board find that it was empowered under section 406.10-2(5) of the Zoning Ordinance of the City of Vicksburg, Mississippi as described in the application submitted by Chatauqua Watson to grant the special exception to operate a nightclub at 4209 East Clay Street Suite 3, and that the granting of the special exception will not adversely affect the public interest, with the following conditions:

- (1) operating hours will be 7:00 p.m. – 12:00 a.m. Monday – Thursday and 7:00 p.m. – 2:00 a.m. on Friday and Saturday;
- (2) BYOB will be allowed;
- (3) private parties will be allowed.

the Board gave the applicant six (6) months to begin the actions necessary for which the special exception was granted. Failure to begin such action within this time limit shall void the special exception. Mr. Jones seconded the motion.

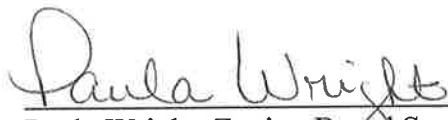
With no further discussion, the following vote was taken:

Anita Collins vote naye
Steven Jones vote aye
Fred Katzenmeyer vote aye
David Sessums aye

The special exception was denied because the motion was 3-1 and did not pass with a concurring vote of four (4) members.

With no further business before the Zoning Board of Appeals, the meeting was adjourned.

I, Paula Wright do hear by certify that the minutes of the hearing held March 7, 2017 are true and correct to the best of my ability.



Paula Wright, Zoning Board Secretary