

**CITY OF BILOXI
AGENDA ITEM
FACT SHEET**

Item No.: 4 T

Council Meeting Date: July 16, 2024

ITEM TITLE: RESOLUTION

INTRODUCED BY: Mayor Andrew "FoFo" Gilich

CONTACT PERSON: E. Michael Leonard, CAO

Jerry Creel *JCC* Director of Community Development

SUMMARY EXPLANATION:

Resolution granting Conditional Use Approval, to authorize an existing Single-Family Residence, to be utilized as a Short-Term Rental, for property located within an RM-20 Medium-Density Multi-Family Zone, and identified by municipal address 12105 Cedar Lake Road.

Ward 7, Case 24-031-PC, Eddy Cochran

Resolution Ordinance _____ Public Hearing _____ Routine Agenda _____

Exhibits for Review

Contract _____ Minutes Plans/Maps _____ Deed _____ Lease _____

Other (Specify): application, Case Fact sheet

Submittal Authorization: Council President _____ Mayor

STAFF RECOMMENDATION: Staff recommends approval

COUNCIL ACTION: Motion By: _____ Second By: _____

Vote:	Councilmember	Yes	No	AFR	ABST	Councilmember	Yes	No	AFR	ABST
	Lawrence	___	___	___	___	Tisdale	___	___	___	___
	Gines	___	___	___	___	Glavan	___	___	___	___
	Newman	___	___	___	___	Shoemaker	___	___	___	___

ACTION TAKEN:

RESOLUTION NO. _____

RESOLUTION GRANTING **CONDITIONAL USE APPROVAL**, TO AUTHORIZE AN EXISTING SINGLE-FAMILY RESIDENCE, TO BE UTILIZED AS A **SHORT-TERM RENTAL**, FOR PROPERTY LOCATED WITHIN AN **RM-20 MEDIUM-DENSITY MULTI-FAMILY ZONE**, AND IDENTIFIED BY MUNICIPAL ADDRESS 12105 CEDAR LAKE ROAD

WHEREAS, on Thursday, June 6, 2024, the Biloxi Planning Commission held a public hearing in the Auditorium of the Dr. Martin Luther King, Jr., Municipal Building, 676 Dr. Martin Luther King, Jr. Boulevard, Biloxi, Mississippi, to hear Case No. 24-031-PC, Tchouta 1, LLC (owner) and Eddy Cochran (applicant), a request for **Conditional Use Approval**, for the property identified as 12105 Cedar Lake Road; and

WHEREAS, the Planning Commission members were apprised of the particulars of the case, being made cognizant of the fact that the owner had submitted the request for **Conditional Use Approval**, to authorize an existing Single-Family Residence to be utilized as a **Short-Term Rental**, for property situated within a proposed **RM-20 Medium-Density Multi-Family Residential Zone**, and identified as 12105 Cedar Lake Road (re: Tax Parcel No. 1208H-01-003.001); and

WHEREAS, it was determined that this **Conditional Use** request meets all of the standards, as follows:

- a. The **Conditional Use** complies with all applicable zoning district standards;
- b. The **Conditional Use** complies with all Use-Specific Standards;
- c. The **Conditional Use** is compatible with the character of surrounding lands and the uses permitted in the zoning district(s) of surrounding lands;
- d. The **Conditional Use** avoids significant adverse odor, noise, glare, and vibration impacts on surrounding lands regarding refuse collection, service delivery, parking and loading, signs, lighting, and other site elements;

- e. The **Conditional Use** is configured and designed to screen, buffer, or otherwise minimize adverse visual impacts on adjacent lands;
- f. The **Conditional Use** avoids significant deterioration of water and air resources, wildlife habitat, scenic resources, and other natural resources;
- g. The **Conditional Use** maintains safe and convenient ingress and egress and traffic flow onto and through the site by vehicles and pedestrians, and safe road conditions around the site;
- h. The **Conditional Use** allows for the protection of property values and the ability of neighboring lands to develop uses permitted in the zoning district; and
- i. The **Conditional Use** complies with all other relevant city, state and federal laws and regulations; and

WHEREAS, on June 6, 2024, the Biloxi Planning Commission, upon reflection of the information related by the owner at the public hearing, voted 12-0, to recommend approval of the requested **Conditional Use** approval, to authorize an existing Single-Family Residence, situated upon a parcel of land approximately twenty-nine hundredths (.29) of an acre (more or less) in size, to be utilized as a **Short-Term Rental**, for property located within an **RM-20 Medium-Density Multi-Family Residential Zone**, and identified as 12105 Cedar Lake Road, having determined that the proposed **Conditional Use** had been found to be in compliance with the Land Development Ordinance, and finding also that the use promotes the public interest at this location; that the use has been designed, located and proposed to be operated so that the public health, safety and welfare will be protected; that said use will not cause substantial injury to other properties in the neighborhood in which located; and that the use proposed conforms to all zoning district regulations of the **RM-20 Medium-Density Multi-Family Residential** zoning district; and

WHEREAS, the Biloxi City Council, after consideration of all facts presented,

hereby adopts the report and findings of the Biloxi Planning Commission, and in so doing, determines that approval of the requested **Conditional Use** is appropriate for the property identified as 12105 Cedar Lake Road.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF BILOXI, MISSISSIPPI, THAT the **Conditional Use**, to authorize an existing Single-Family Residence, situated upon a parcel of land approximately twenty-nine hundredths (.29) of an acre (more or less) in size, to be utilized as a **Short-Term Rental**, for property located within an **RM-20 Medium-Density Multi-Family Residential Zone**, and identified as 12105 Cedar Lake Road (re: Tax Parcel No. 1208H-01-003.001), as addressed within Case No. 24-031-PC, Tchouta 1, LLC (owner) and Eddy Cochran (applicant), is appropriate, having determined that the proposed use has been found to be in compliance with the Land Development Ordinance, and finding also that the **Short-Term Rental**, as presented, promotes the public interest at this location; that the use has been designed, located and proposed to be operated so that the public health, safety and welfare will be protected; that said use will not cause substantial injury(ies) to other properties in the neighborhood in which located; and that this **Conditional Use** conforms to all zoning regulations, as required to proceed with the establishment of this use at this location.

..... A

RESOLUTION NO. _____

RESOLUTION CALLING FOR A PUBLIC HEARING WITH RESPECT TO A REQUEST FOR **CONDITIONAL USE APPROVAL**, TO AUTHORIZE AN EXISTING SINGLE-FAMILY RESIDENCE, TO BE UTILIZED AS A **SHORT-TERM RENTAL**, FOR PROPERTY LOCATED WITHIN AN **RM-20 MEDIUM-DENSITY MULTI-FAMILY ZONE**, AND IDENTIFIED BY MUNICIPAL ADDRESS 12105 CEDAR LAKE ROAD

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WHEREAS, the Planning Commission members were apprised of the particulars of the case, being made cognizant of the fact that the owner had submitted the request for **Conditional Use Approval**, to authorize an existing Single-Family Residence to be utilized as a **Short-Term Rental**, for property situated within a proposed **RM-20 Medium-Density Multi-Family Residential Zone**, and identified as 12105 Cedar Lake Road (re: Tax Parcel No. 1208H-01-003.001); and

WHEREAS, it was determined that this **Conditional Use** request meets all of the standards, as follows:

- a. The **Conditional Use** complies with all applicable zoning district standards;
- b. The **Conditional Use** complies with all Use-Specific Standards;
- c. The **Conditional Use** is compatible with the character of surrounding lands and the uses permitted in the zoning district(s) of surrounding lands;
- d. The **Conditional Use** avoids significant adverse odor, noise, glare, and vibration impacts on surrounding lands regarding

- refuse collection, service delivery, parking and loading, signs, lighting, and other site elements;
- e. The **Conditional Use** is configured and designed to screen, buffer, or otherwise minimize adverse visual impacts on adjacent lands;
 - f. The **Conditional Use** avoids significant deterioration of water and air resources, wildlife habitat, scenic resources, and other natural resources;
 - g. The **Conditional Use** maintains safe and convenient ingress and egress and traffic flow onto and through the site by vehicles and pedestrians, and safe road conditions around the site;
 - h. The **Conditional Use** allows for the protection of property values and the ability of neighboring lands to develop uses permitted in the zoning district; and
 - i. The **Conditional Use** complies with all other relevant city, state and federal laws and regulations; and

WHEREAS, on June 6, 2024, the Biloxi Planning Commission, upon reflection of the information related by the owner at the public hearing, voted 12-0, to recommend approval of the requested **Conditional Use** approval, to authorize an existing Single-Family Residence, situated upon a parcel of land approximately twenty-nine hundredths (.29) of an acre (more or less) in size, to be utilized as a **Short-Term Rental**, for property located within an **RM-20 Medium-Density Multi-Family Residential Zone**, and identified as 12105 Cedar Lake Road, having determined that the proposed **Conditional Use** had been found to be in compliance with the Land Development Ordinance, and finding also that the use promotes the public interest at this location; that the use has been designed, located and proposed to be operated so that the public health, safety and welfare will be protected; that said use will not cause substantial injury to other properties in the neighborhood in which located; and that the use proposed conforms to all zoning district regulations of the **RM-20 Medium-Density Multi-Family Residential** zoning district; and

WHEREAS, the City Council of the City of Biloxi, Mississippi, having given the Planning Commission's recommendation full consideration, has determined that this is a matter of general public concern, and being so, it is in the best interest of the community that a second public hearing be conducted on this matter before the City Council.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF BILOXI, MISSISSIPPI, THAT an additional public hearing will be conducted by the City Council in reference to Case No. 24-031-PC, Tchouta 1, LLC (owner) and Eddy Cochran (applicant), on a date to be set and in accordance with all requirements of Section 23-2-3 (F) of the City of Biloxi Land Development Ordinance governing the conduct of public hearings.

..... B

RESOLUTION NO. _____

RESOLUTION TO DENY THIS **CONDITIONAL USE APPROVAL**, TO AUTHORIZE AN EXISTING SINGLE-FAMILY RESIDENCE, TO BE UTILIZED AS A **SHORT-TERM RENTAL**, FOR PROPERTY LOCATED WITHIN AN **RM-20 MEDIUM-DENSITY MULTI-FAMILY ZONE**, AND IDENTIFIED BY MUNICIPAL ADDRESS 12105 CEDAR LAKE ROAD

WHEREAS, on Thursday, June 6, 2024, the Biloxi Planning Commission held a public hearing in the Auditorium of the Dr. Martin Luther King, Jr., Municipal Building, 676 Dr. Martin Luther King, Jr. Boulevard, Biloxi, Mississippi, to hear Case No. 24-031-PC, Tchouta 1, LLC (owner) and Eddy Cochran (applicant), a request for **Conditional Use Approval**, for the property identified as 12105 Cedar Lake Road; and

WHEREAS, the Planning Commission members were apprised of the particulars of the case, being made cognizant of the fact that the owner had submitted the request for **Conditional Use Approval**, to authorize an existing Single-Family Residence to be utilized as a **Short-Term Rental**, for property situated within a proposed **RM-20 Medium-Density Multi-Family Residential Zone**, and identified as 12105 Cedar Lake Road (re: Tax Parcel No. 1208H-01-003.001); and

WHEREAS, it was determined that this **Conditional Use** request meets all of the standards, as follows:

- a. The **Conditional Use** complies with all applicable zoning district standards;
- b. The **Conditional Use** complies with all Use-Specific Standards;
- c. The **Conditional Use** is compatible with the character of surrounding lands and the uses permitted in the zoning district(s) of surrounding lands;
- d. The **Conditional Use** avoids significant adverse odor, noise, glare, and vibration impacts on surrounding lands regarding refuse collection, service delivery, parking and loading, signs, lighting, and other site elements;

- e. The **Conditional Use** is configured and designed to screen, buffer, or otherwise minimize adverse visual impacts on adjacent lands;
- f. The **Conditional Use** avoids significant deterioration of water and air resources, wildlife habitat, scenic resources, and other natural resources;
- g. The **Conditional Use** maintains safe and convenient ingress and egress and traffic flow onto and through the site by vehicles and pedestrians, and safe road conditions around the site;
- h. The **Conditional Use** allows for the protection of property values and the ability of neighboring lands to develop uses permitted in the zoning district; and
- i. The **Conditional Use** complies with all other relevant city, state and federal laws and regulations; and

WHEREAS, on June 6, 2024, the Biloxi Planning Commission, upon reflection of the information related by the owner at the public hearing, voted 12-0, to recommend approval of the requested **Conditional Use** approval, to authorize an existing Single-Family Residence, situated upon a parcel of land approximately twenty-nine hundredths (.29) of an acre (more or less) in size, to be utilized as a **Short-Term Rental**, for property located within an **RM-20 Medium-Density Multi-Family Residential Zone**, and identified as 12105 Cedar Lake Road, having determined that the proposed **Conditional Use** had been found to be in compliance with the Land Development Ordinance, and finding also that the use promotes the public interest at this location; that the use has been designed, located and proposed to be operated so that the public health, safety and welfare will be protected; that said use will not cause substantial injury to other properties in the neighborhood in which located; and that the use proposed conforms to all zoning district regulations of the **RM-20 Medium-Density Multi-Family Residential** zoning district; and

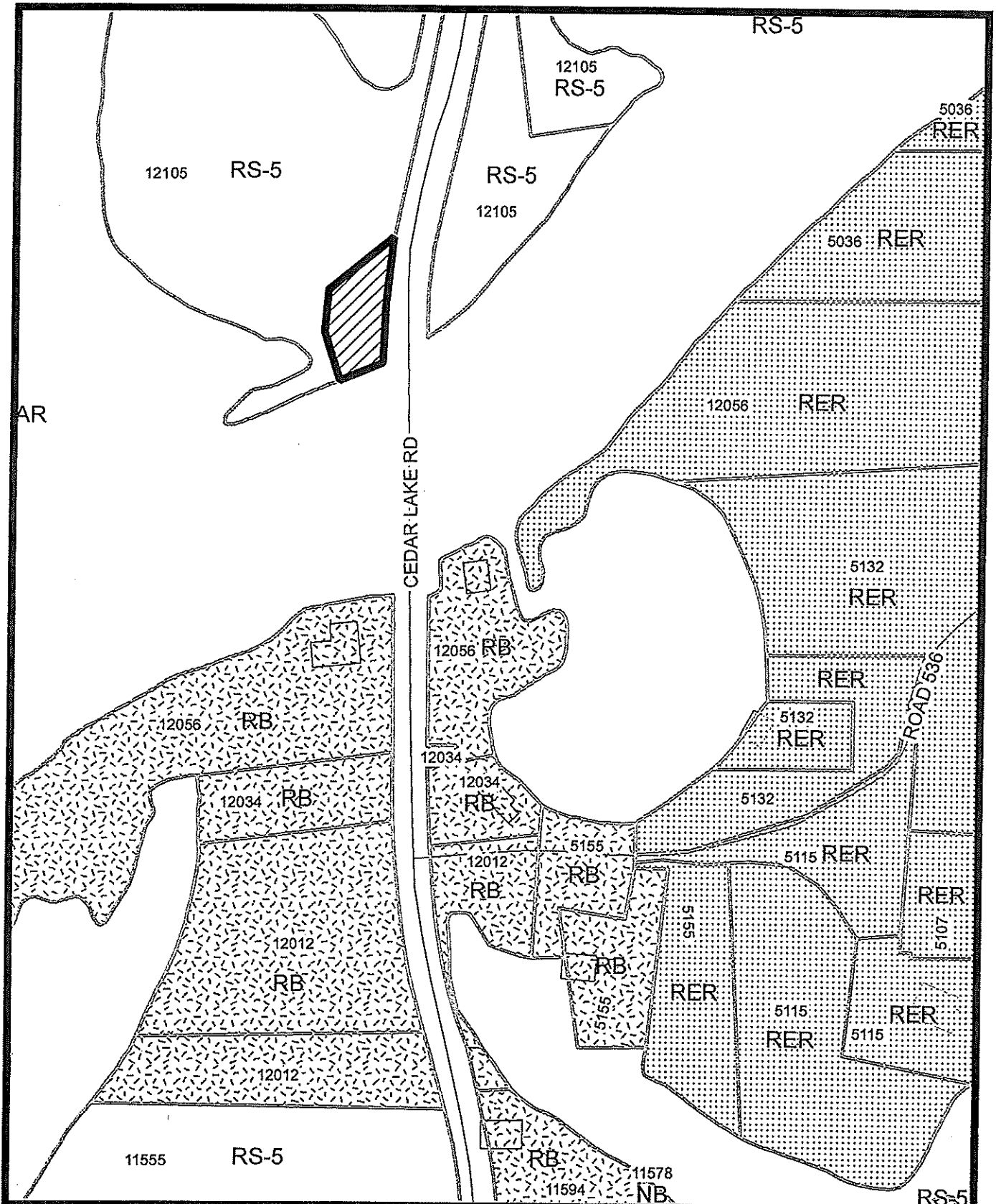
WHEREAS, the City Council, having given the Biloxi Planning Commission's

recommendation serious thought, has determined that this **Conditional Use**, as presented, is not appropriate for the property site suggested.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF BILOXI, MISSISSIPPI, THAT having given the Planning Commission's recommendation full consideration, hereby rejects said recommendation and hereby denies the requested **Conditional Use** for the property identified 12105 Cedar Lake Road, Case No. 24-031-PC, Tchouta 1, LLC (owner) and Eddy Cochran (applicant), based upon a determination that_____

.....C

Case No. 24-031-PC
Tchouta 1, LLC (owner) Eddy Cochran (applicant)
12105 Cedar Lake Rd
Conditional Use- STR in proposed RM-20



Scheduled for:
June 6, 2024
PC Meeting

Tchouta 1, LLC (owner)
Eddy Cochran (applicant)
Case No. 24-031-PC
Conditional Use- STR in RM-20



Planning Commission
Case Fact Sheet

Case No.: 24-031-PC
Name of Owner: Tchouta 1, LLC (owner)
Applicant: Eddy Cochran (applicant)
Address of Property: 12105 Cedar Lake Road
Tax Parcels/Ward: 1208H-01-003.001/Ward 7

Request: **Conditional Use**

Purpose of Request: To consider an application for **Conditional Use** approval, to authorize an existing Single-Family Residence, situated upon a parcel of land approximately twenty-nine hundredths (.29) of an acre (more or less) in size, to be utilized as a **Short-Term Rental**, for property located within a proposed **RM-20 Medium-Density Multi-Family Residential Zone**, and identified as 12105 Cedar Lake Road (re: Tax Parcel No. 1208H-01-003.001).

Size of Property: .29 acres (More or Less)

Present Zoning: **RS-5 High-Density Single Family Residential**

Present Use: Single Family Residence

Most Nearly Bounded By (streets): To the North of Tchoutacabouffa River; South of Old Highway 67; West of and adjacent to Cedar Lake Road; and to the East of Howard Creek/I-10.

Adverse Influences: Care must be exercised before granting **Conditional Use** approval, to ensure that the objectives of the City regulations are fully followed and that adjoining residential properties are protected.

Positive Influences: The requested **Conditional Use** would allow the applicants the right to offer an existing single-family residence for rental periods of less than 30 days in duration.

**Letters or
Concerns stated:**

The Planning Division Office has received one letter of written communication relative to this case, as of May 30, 2024.

**Comments/
Recommendations:**

Tchouta 1, LLC (owner) and Eddy Cochran (applicant) have requested a **Conditional Use** approval, to authorize an existing Single-Family Residence, situated upon a parcel of land approximately twenty-nine hundredths (.29) of an acre (more or less) in size, to be utilized as a **Short-Term Rental**, for property located within a proposed **RM-20 Medium-Density Multi-Family Residential Zone**, and identified as 12105 Cedar Lake Road (re: Tax Parcel No. 1208H-01-003.001).

It should be noted that all **Short-Term Rentals** in the City of Biloxi are subject to specific regulations, as provided by City Ordinance. Should this unit be recommended for approval as a **Short-Term Rental**, all city regulations involved must be fully addressed.

As part of any Conditional Use application review, the Planning Commission must determine that the Conditional Use, as proposed, will provide for the public interest at this location, is compatible with the neighborhood, avoids adverse impacts on neighbors, maintains safe traffic flow, protects property values in the neighborhood and complies with all relevant city, state and federal laws and regulations.

Options:

1. Recommend approval of this request for **Conditional Use**, finding that the use promotes the public interest at this location, that the use has been designed, located and proposed to be operated so that the public health, safety and welfare will be protected, and that said use should not cause substantial injury to other properties in the neighborhood in which located.
2. Recommend denial of this request for **Conditional Use**, as requested, having determined that said use does not promote the public interest at this location, and has not been found to meet all Zoning District Regulations, as outlined in the Land Development Ordinance.



Planning Commission Application
 City of Biloxi - Planning Division
 Mailing Address: P.O. Box 508 Blvd., Biloxi, MS 39530
 Office Location: 676 Dr. MLK Blvd.
 Building (228) 435-6270 Planning (228) 435-6266 Fax (228) 435-6188
 Case No. 24-031-PC

To Be Completed by Owner/Applicant Date: April 17, 2024

Name of Rightful Owner(s): Tchouta I, LLC Name of Applicant: (if different than Owner)
Eddy Cochran (a.k.a. Shane Cochran)

Property Address: 12105 Cedar Lake Road, Biloxi, Mississippi 39532 Ward Number 7

Tax Parcel Identification Number(s):

1208H-01-003.001			

Mailing Address of Property Owner: 11072 Sweetgum Street Mailing Address of Applicant (if different than Owner): 304 Hiller Drive

City: Gulfport City: Biloxi

State: Mississippi State: Mississippi

Zip: 39503 Zip: 39531

County: Harrison County: Harrison

Telephone: (228) 229-7963 Telephone: (228) 669-6577

Property Size (please give in acres or by dimension): (124.9' x 171.4') (185' x 133')

Present Zoning Classification: RS5

Is the property located within an AHRC District? Yes No Flood Zone(s) of Property: AE-1b

If so, which District?

	North	South	East	West
Property is most nearly bounded by what streets?	<u>Old Hwy 67</u>	<u>Road 538</u>	<u>N/A</u>	<u>Cedar Lake Road</u>

If property directly fronts or is adjacent one of the streets above please indicate with a

REQUESTED ACTION BY THE PLANNING COMMISSION (A separate supplement form is required for each):

- Text Amendment
- Zoning Map Amendment – must include zone classification change in narrative
- Planned Unit Development
- Conditional Use
- Preliminary Subdivision Review
- Hospitality
- Gaming
- Master Plan/Update
- Tree Removal
- Public ROW Vacation
- Street Name Change
- Variance
- Appeal
- Administrative Appeal

GENERAL INFORMATION, READ BEFORE EXECUTING. Attendance by the applicant(s) at the public hearing is mandatory; however, the applicant may designate a representative to attend the public hearing on his/her behalf, provided said representative has been properly designated to speak on the applicant's behalf either by written permission or oral designation by the applicant at the Public Hearing. If a continuance is to be granted, the applicant must request same in writing a minimum of seven (7) days in advance of the scheduled public hearing. The applicant acknowledges that, in signing this application, all conditions and requirements inherent in the application process have been fully explained and understood, including the timetable for processing of the application; the applicant has further received the following appropriate handouts: Application Processing Timetable; Instructions for Application Completion, Procedures for a Conditional Use or Community Unit Plan; and Variance Procedures. The completed application must be returned to the Planning Office not later than the first or third Thursday of any month in order that a public hearing may be held on the first or third Thursday of the following month. Receipt of fee(s) does not constitute receipt of a completed application.

[Signature]

 Signature of Rightful Owner

[Signature]

 Signature of Rightful Owner

[Signature]

 Notary Signature
 (Seal)
 STATE OF MISSISSIPPI
 NOTARY PUBLIC
 ID # 24600
 FREIDA V. BELLEW
 Commission Expires
 April 3, 2025
 HARRISON COUNTY

[Signature]

 Notary Signature ID # 24600
 (Seal) FREIDA V. BELLEW
 Commission Expires
 April 3, 2025
 HARRISON COUNTY

Signature of Rightful Owner

Signature of Applicant

Notary Signature
 (Seal)

Notary Signature
 (Seal)
 STATE OF MISSISSIPPI
 NOTARY PUBLIC
 ID # 24600
 FREIDA V. BELLEW
 Commission Expires
 April 3, 2025
 HARRISON COUNTY

If someone other than the applicant needs to be notified concerning this case, please note name(s) and address(es) below:

NOTES:
 Carlee Diamond, Esq. Schwartz, Oglet & Jordan, PLLC
 12206 Highway 49, Gulfport, Mississippi 39503
 carlee@sojlaw.net
 (228) 832-8550

NOTE: Please see attached instructions for details on documents required for a complete application.



PLANNING COMMISSION SUPPLEMENT

Conditional Use

City of Biloxi, Planning Division
Mailing Address: P.O. Box 508, Blvd., Biloxi, MS 39530
 Office Location: 676 Dr. MLK Blvd.,
 Building (228) 435-6270 Planning (228) 435-6266 Fax (228)

TO BE COMPLETED BY APPLICANT	DATE:	April 17, 2024
Shaded Areas for Staff Only		

Conditional Use – The purpose of the Conditional Use is to provide for certain uses that, because of their unique characteristics, can be allowed with special consideration in each case of the impact of those uses upon neighboring land and of the public need for the particular use at the particular location. Because of their unique characteristics, however, each of these requires the exercise of planning judgment on a case-by-case basis.

PLEASE ATTACH A SEPARATE STATEMENT OF SUPPORT - The *narrative* must set forth proposed use and justification for the change, utilizing criteria set forth in Section 23-6-1(e) of the Biloxi Code of Ordinances and including all proposed and existing structures as well as the uses planned for the site in question. Be specific as to development proposals, sale of property, or other transactions/plans proposed or scheduled for preparation subject to this rezoning request being granted approval.

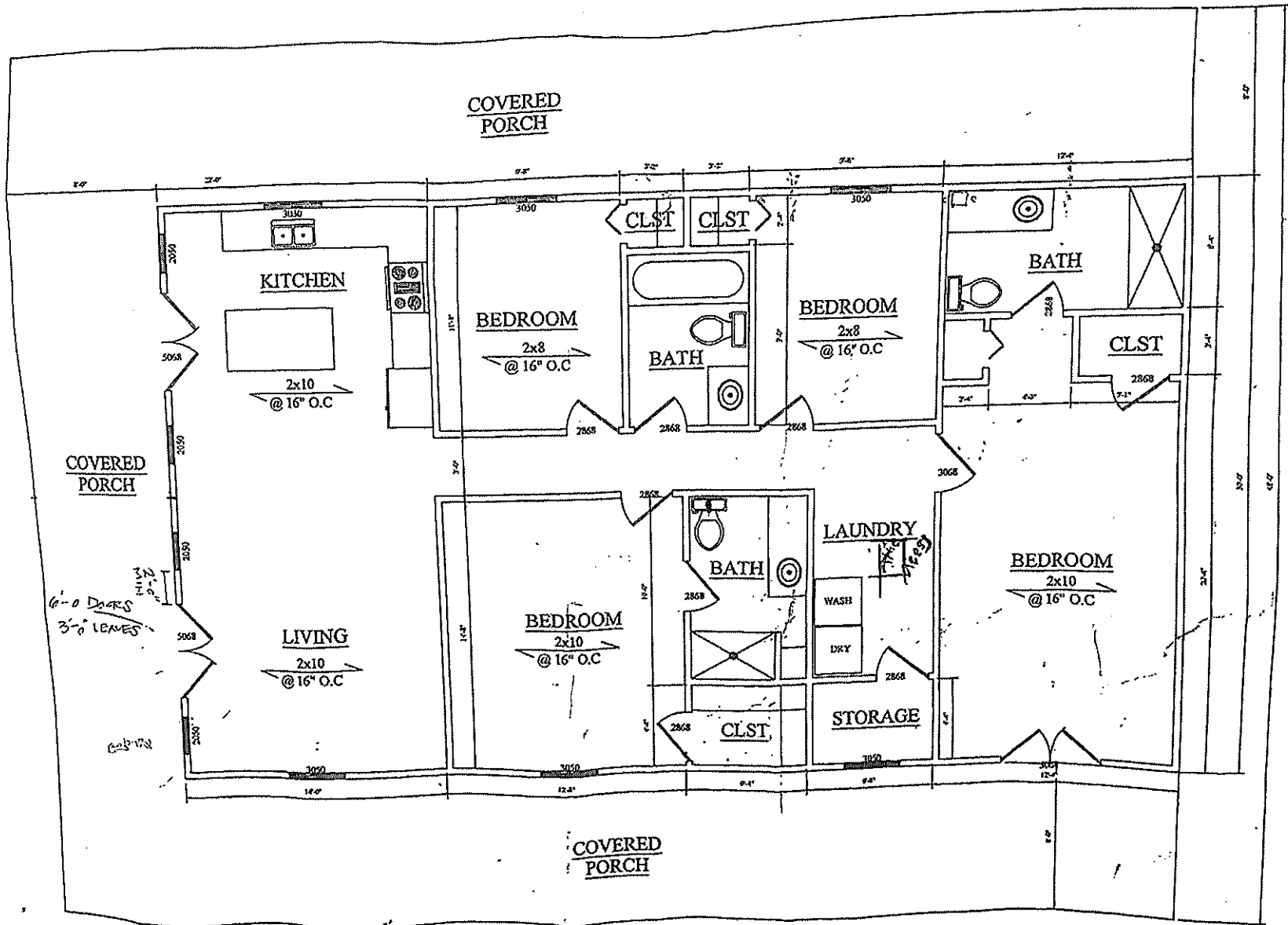
Detailed Site Plan Attached (If no site plan is attached, this application is considered incomplete and will not be accepted.)

Criteria:	Yes	No
1. Is the use necessary to promote the public interest at that location?		✓
Please explain: <i>See Attached supplement for all explanations</i>	✓	
2. Is the use designed, located, and proposed to be operated so that the public health, safety, and welfare will be protected?		✓
Please explain:	✓	
3. Will the use cause substantial injury to other property in the Neighborhood in which it is located?		✓
Please explain:		✓
4. Does the use conform to all district regulations of the applicable zoning district in which it is to be located, unless other provisions are specifically set forth in the requirements governing specific Conditional Uses?	Yes	No
Please explain:	✓	

5. Have satisfactory provisions and arrangements been made concerning the following, where applicable:
Please explain

Conditional Use Supplement

	N/A	Yes	No
1. Ingress and egress?		✓	
2. Off-street parking and loading areas, where required, with particular attention to the economic, noise, glare or odor effects of the Conditional Use on adjoining properties and properties generally in the zoning district?		✓	
3. Refuse and service areas?		✓	
4. Utilities, with reference to location, availability, and compatibility?		✓	
5. Screening and buffering, with reference to type, dimensions, and character?		✓	
6. Signs, if any, and proposed exterior lighting, with reference to glare, traffic safety, economic effect and compatibility and harmony with properties in the zoning district?		✓	
7. Required yards and other open spaces?		✓	
8. General compatibility with adjacent properties and other property in the Zoning district?		✓	
Comments:			



1.1.1.1.1
 1.1.1.1.1
 1.1.1.1.1

6'-0" DOORS
 3'-0" LEAVES
 3'-0" MIN. CLEARANCE

FLOOR PLAN

CHOUJACABUFFA RIVER

S67°45'00"W 67.55'

N17°13'00"W 73.00'

N01°18'00"E 60.08'

N41°18'00"E 124.89'

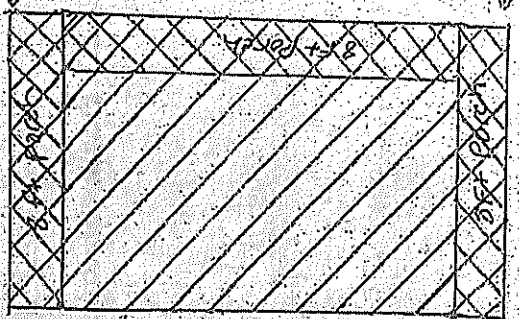
S01°13'00"E 118.00'

S01°13'00"E 118.00'

R.O.W

CIDER LAKE ROAD

36' R.O.W. / PUBLIC ASPHALT ROADWAY



Application
Supplemental Application

Tchouta 1, LLC, a Mississippi limited liability company (hereinafter "Owner"), together with Schwartz, Orgler, Jordan, & Williams, PLLC, as the applicant, hereby request that the real property commonly described as Harrison County Ad Valorem Tax Parcel No. 1208H-01-003.001 (12105 Cedar Lake Road, Biloxi, Mississippi 39532) (hereinafter "subject property"), be re-zoned from its current classification of RS5 to RM-20, with a conditional use approval to allow for a short term rental. Short-term rentals are not allowed under the properties' current RS5 zoning. However, the proposed amendment would be consistent with all city-adopted plans and codes that are applicable.

If approved, all current improvements on the subject property will be utilized as is described on the site plan attached hereto. The owner and applicant includes with this application several documents for your review and consideration. The documents are cumulatively attached as Exhibit "A" to this supplement, and include: the current deed, Harrison County Tax Map Info Sheet, the site plan, floor plan and maps.

There exists public need and a change in the character of the community to support the rezoning. The City of Biloxi's population has increased from an estimated 44,054 in 2010 to 49,118 in 2022.¹ During that 12 year period, the City of Biloxi had a 11.54% increase in population. Further, the population of Harrison County at large is also increasing. According to usafacts.org, "the population of Harrison County, Mississippi in 2021 was 209,396, 11.5% up from the 187,868 who lived there in 2010. For comparison, the US population grew 7.3% and Mississippi's population shrank 0.7% during that period."² Furthermore, the post-pandemic trends suggest that communities like Biloxi, Mississippi could be the beneficiary of a migration away from more expensive, metropolitan areas. "On the whole it is clear that people are moving from more expensive places to less expensive places, which was true before the shock of COVID, but accelerated post-pandemic and became a clearer broad trend."³ "Different sets of factors appear to explain growth in areas that saw faster population growth. One theory is that vacation towns have seen significant growth in demand, as remote work allows year-round living in places with desirable amenities but fewer skilled job opportunities." Id. The increase in overall population leads to increase demand and need for RM-20 zoned properties.

Additionally, the area immediately across the river (approximately 300 feet) is being currently developed as the Camp David RV River Resort. Across the street from the RV Resort is Your Mama's House restaurant and bar. Immediately to the south of the RV resort is Cedar Lake Church and Cedar Lake Christian Academy. This neighborhood is now zoned RB, and the

¹<https://www.census.gov/quickfacts/fact/table/biloxicitymississippi/PST045222>

²<https://usafacts.org/data/topics/people-society/population-and-demographics/our-changing-population/state/mississippi/county/harrison-county/>

³<https://eig.org/how-remote-work-is-shifting-population-growth-across-the-u-s/>

commercial development in this area has resulted in a change in the character of the neighborhood. The change in the character of the neighborhood and the increase in the RB zoned development, leads to an increased need for RM-20 zoned properties in this neighborhood.

Rezoning the subject property to a RM-20 zone would be compatible with existing and proposed uses surrounding the subject land, and is the appropriate zoning district for the land. The subject property is on the Tchoutacabouffa River and is on the West side of cedar lake immediately to the north of the Cedar Lake Road bridge. The property is directly across from the RB district which includes Your Mama'z House and the Camp David RV resort. As you will see from an aerial overview, the subject property is on the peninsula of what is, in essence, an island. Due to the low nature of the subject area, there is very little development. RM-20 is an appropriate zone for the subject property, as RM-20 zones are intended to "accommodate principally multifamily dwellings at moderate urban densities, **as well as a variety of other dwelling types...**, plus limited nonresidential uses that complement and serve urban residential neighborhoods. **RM-20 zoning is appropriate for established medium density multifamily developments and areas near and conveniently accessible to regional business areas...**" (Citing City of Biloxi, Mississippi Development Ordinance Chapter 23). The area directly across the river is zoned RB, and therefore, the subject property is a good fit for the RM-20 zoning classification. The proposed zone is consistent with the City of Biloxi Comprehensive Plan as the subject property is approximately .5 miles from an area identified as a Regional Activity Center on the City's comprehensive plan. The property is currently zoned RS-5. This is not an economically viable zone for this area. With the cost of building structures to code in low lying areas and the rising cost of insurance, development for primary residence occupation in areas such as this is mathematically difficult to justify, which is why this property, and similar properties, have remained undeveloped for some time.

Rezoning in the instant case would not: (1) encourage premature development, (2) result in strip or ribbon commercial development, (3) result in the creation of an isolated zoning district unrelated to adjacent and surrounding lands, (4) result in significant adverse impacts on the property values of surrounding lands, and/or (5) result in adverse impacts on the natural environment in any way. Additionally, rezoning the subject property will not result in any meaningful additional traffic to the surrounding roadways, but it would increase economic value from a tourism perspective to the surrounding businesses.

The Biloxi community was significantly impacted by Hurricane Katrina. Due to longstanding insurance issues (and more recently, rate hikes), among other factors, the area was slow to develop following Hurricane Katrina. In more recent years, there has been a major increase in the commercial development in areas surrounding the subject property. While the property could be used for primary residential purposes (while mathematically impractical), its highest and best use is the proposed RM-20 zoning. This area acts as a major corridor through Cedar Lake Road and is less suitable for primary residence residential development than a RM-20 zoned space. The proposed conditional use as a short term rental is necessary to promote public interest as is described above. The operation of the same will be in a manner that will protect public health safety, and welfare. The proposed use will not cause injury to the other properties in the neighborhood. The proposed use will conform to all district regulations of the applicable zoning district.

1

1 BILOXI PLANNING COMMISSION MEETING
 2 JUNE 6th, 2024
 3 COMMUNITY DEVELOPMENT,
 4 DR. MARTIN LUTHER KING JR. MUNICIPAL BUILDING,
 5 676 DR. MARTIN LUTHER KING JR. BOULEVARD,
 6 BILOXI, MISSISSIPPI,
 7 BEGINNING AT 2:00 P.M.

8
 9 **PLANNING COMMISSION MEMBERS PRESENT:**
 10 David Washer, Chairman
 11 Ronnie Bogard
 12 Kyle Carron
 13 Charlie Dellenger
 14 Dr. Larry Drawdy
 15 Gary Lechner
 16 Debora Magee
 17 August Parker
 18 Jimmy Poulos
 19 Shante Shaw
 20 John Snow
 21 Michael Todaro

22
 23 **ALSO PRESENT:**
 24 Jerry Creel, Director of Community Development
 25 Felicia Serpas, Senior Planner
 Caryle Lena, Planner
 Zach Harris, City Arborist
 Jon Lambert, Code Inspector
 Dr. Paul Tisdale, Councilman Ward 5

26
 27 **REPORTED BY:**
 28 Melissa Burdine-Rodolfich
 29 Simpson Burdine & Miguez

2

C-O-N-T-E-N-T-S

1	CONTINUED PUBLIC HEARING(S):	PAGE:
2	(None)	--
3	NEW PUBLIC HEARING(S):	
4	24-030-PC	5
5	<u>24-031-PC</u>	<u>6</u>
6	24-033-PC	23
7	TREE HEARING(S):	
8	(None)	--

3

1 CHAIRMAN WASHER:
 2 Let us call the Planning Commission
 3 meeting to order, please.
 4 We'll record the members present. Mr.
 5 Lechner, Mr. Parker, Mr. Todaro, Ms. Shaw, Mr.
 6 Bogard, Mr. Dellenger, Mr. Poulos, Dr. Drawdy,
 7 Mr. Carron, Mr. Snow; myself, David Washer; Jerry
 8 Creel, Director of Community Development; Felicia
 9 Serpas, Senior Planner; Zach Harris, Arborist;
 10 Caryle Lena, Planner.
 11 On the front table there is Jon Lambert,
 12 Inspector, and Melissa Burdine, court reporter.
 13 In the audience, we have Dr. Paul
 14 Tisdale with us, Councilman Ward 5.
 15 Mr. Parker, can you open us with a brief
 16 prayer, please, sir?
 17 (Moment of prayer.)
 18 CHAIRMAN WASHER:
 19 Mr. Bogard, the pledge, please, sir.
 20 (Pledge of Allegiance.)
 21 CHAIRMAN WASHER:
 22 We welcome everyone here with us today.
 23 We would ask that anyone that desires to speak,
 24 please come to the podium when your case is
 25 called, sign in at the pad provided and give us

4

1 your name and address for the record.
 2 We'll also note that Ms. Magee is
 3 currently in attendance.
 4 We'll ask if everyone received a copy of
 5 the minutes of the last meeting and if there's any
 6 additions or corrections? If not, we'll entertain
 7 a motion.
 8 MR. SNOW:
 9 Motion.
 10 MR. BOGARD:
 11 Second.
 12 CHAIRMAN WASHER:
 13 Motion by Mr. Snow; seconded by
 14 Mr. Bogard.
 15 All those in favor, say "aye."
 16 (Unanimous vote.)
 17 CHAIRMAN WASHER:
 18 Any opposed?
 19 (None opposed.)
 20 CHAIRMAN WASHER:
 21 Thank you.
 22 Mr. Creel, committee reports.
 23 MR. CREEL:
 24 Yes, sir. Mr. Chairman and members of
 25 the Commission, over the past four weeks, since

5
1 our last meeting, the department has issued 263
2 building permits with a construction valuation of
3 \$6.9 million. We've collected \$41,000 in permit
4 fees, issued licenses for 15 new businesses. We
5 have also issued certificates of occupancy for 27
6 structures. Five of those were for short-term
7 rental. Out of the permits issued, one was issued
8 for the restaurant, Catch 110, which is going in
9 the old Sal and Mookie's location, and also 28 new
10 single-family houses.
11 CHAIRMAN WASHER:
12 We have no continued public hearings.
13 New public hearing today, Case Number
14 24-030-PC, Tchouta 1, LLC, owners, Eddy Cochran,
15 applicant. This is a request for a zoning
16 amendment to authorize a change in zoning district
17 classification for a parcel of land measuring
18 approximately 29 hundredths of an acre, more or
19 less, in size from its present zoning district
20 classification of RS-5, high-density, single
21 family residential, to RM-20, medium-density
22 multi-family residential, identified as 12105
23 Cedar Lake Road, being Municipal Tax Parcel Number
24 1208H-01-003.001. This case was advertised on May
25 15th, May 22nd and May 29th.

7
1 Jordan in Gulfport --
2 CHAIRMAN WASHER:
3 Before you start, let me go ahead and
4 show the video on that, please.
5 MS. DYMOND:
6 Okay. I'll sign -- y'all told me to
7 sign in, right?
8 MR. CREEL:
9 Yes, please sign in.
10 MR. LAMBERT:
11 (Video played.) There you go.
12 CHAIRMAN WASHER:
13 Ms. Dymond.
14 MS. DYMOND:
15 Okay. Ready? Can y'all hear me?
16 CHAIRMAN WASHER:
17 Uh-huh.
18 MS. DYMOND:
19 Okay. So you know the address. You
20 already said it. It's 12105 Cedar Lake Road in
21 Biloxi, Mississippi 39532, and it's currently
22 zoned RS-5. And we are requesting it be changed
23 to RM-20 with a conditional use approval for a
24 short-term rental application, you know, which we
25 believe all the current improvements like you saw

6
1 In conjunction with this case, we're
2 also going to hear Case Number 24-031-PC. We'll
3 hear them together. We'll vote on that
4 separately.
5 Tchouta 1, LLC, owner; Eddy Cochran,
6 applicant. It's a request for conditional use
7 approval to authorize an existing single-family
8 residence situated upon a parcel of land
9 approximately 29 hundredths of an acre, more or
10 less, in size to be utilized as a short-term
11 rental for property located within a proposed
12 RM-20, medium-density, multi-family residential
13 zone, and identified as 12105 Cedar Lake Road,
14 being Municipal Tax Parcel Number
15 1208H-01-003.001. This case was advertised on May
16 22nd and May 29th.
17 Will the applicant or their
18 representative come forward, please?
19 MS. DYMOND:
20 Hey, my name is Carlee Dymond, and I'm
21 here on behalf of Tchouta 1, LLC, which is a
22 limited liability company owned by Eddy and
23 Margaret. They're mother and son duo, and they're
24 going to come up and introduce themselves when I'm
25 finished. But I work for Schwartz Orgler and

8
1 in the video are, you know, of code and he's gone
2 through all of that already. And I think you have
3 an attached site plan, a floor plan for that and
4 he is going to come up here and answer any
5 questions he's related to the actual improvements
6 on the property.
7 But I want to talk about two things
8 mainly, but, one, the public need for the zoning
9 amendment and then the change in character in that
10 community to support the rezoning. First of all,
11 the City of Biloxi, just in 12 years, has had an
12 increase in population of 11.54 percent, and then
13 in Harrison County, you know, there has also been
14 an increase in the population, but I'm not going
15 to read all the statistics to you. Everybody
16 knows that part. That happened before COVID and
17 after COVID.
18 We do, in my office, mainly real estate
19 closings, and the amount of people moving here
20 just from Louisiana alone is wild to me. They do
21 the math on the difference in insurance, and
22 that's enough to justify moving states for them.
23 So the increase in demand and a need for a change,
24 this -- in this property specifically to RM-20
25 would be appropriate.

9

1 This is kind of a unique spot, you know.
2 We know that Biloxi has a lot of amenities to
3 offer, and we don't want anybody taking away from
4 that, but this spot in Cedar Lake right by the
5 bridge -- and it's across from Your Mama's House,
6 the bar and restaurant, and it's right next to a
7 \$3 million commercial property, the Camp David RV
8 Resort. It's right across the river from that.
9 And then south of that is the Cedar Lake Church
10 and the Christian Academy. All that of is RB, and
11 so it's surrounded by a lot of commercial
12 development and that would result in that change
13 of character that I referred to. And so I think
14 everybody could agree on that part, you know.
15 We think the RM-20 would be compatible
16 with everything existing. There are -- pretty far
17 north there is neighbors, and those addresses I'm
18 going to read to you later. And I have got a
19 signed letter that -- if y'all need a copy of
20 it -- Shane's got it. He will bring it up here
21 and read out their names. He's knocked on all the
22 doors and they are good with it. He has got three
23 signatures. There is not many residential houses
24 up there, but there are a couple and they are all
25 in support of it.

11

1 rentals, he's aware of everything, you know, he's
2 got to do for that. I'm going to help him with
3 the guest register and getting all that to you
4 guys. He knows about the annual application fee
5 and the CO and the privilege tax license, the
6 limit card that he would need from the city.
7 There's four bedrooms in the house and
8 he's going to make sure there is four parking
9 spots that match a residential kind of look on the
10 parking. He lives here and Margaret lives here,
11 too, so, you know, any kind of emergency, they
12 would be in town and they're willing to work with
13 everybody on that. And the neighbors are too.
14 And so he has gone through any kind of
15 restrictions or anything that would limit it. The
16 goal is the short-term rental, but, you know, we
17 need to get to that RM-20 zoning, and we do -- you
18 know, we do believe in the public need and the
19 change in characteristic. You know, that zoning
20 is intended -- it says, to accommodate
21 multi-family dwellings to modern urban densities,
22 as well as a variety of other dwelling types, plus
23 limited non-residential uses that complement and
24 serve urban and residential neighborhoods.
25 So, you know, with that being said, we

10

1 I did want to note that rezoning would
2 not do a couple of things, and it would encourage
3 the premature development. It would not result in
4 any ribbon commercial development. It wouldn't
5 result in an isolated zoning district that's
6 unrelated to anything in its surrounding areas.
7 It would not result in adverse impacts on the
8 natural environment in any way, and it wouldn't
9 result in any meaningful additional traffic.
10 Again, it's just kind of in a different spot than
11 what you're used to seeing for, you know,
12 conditional uses as far as the short-term rentals
13 go.
14 It's not walking distance from the
15 casinos, and that's not what we're trying to do,
16 you know. It's far from that. And we're
17 concerned about that area because of all the
18 insurance prices. And post-Katrina, that spot
19 just hasn't been developed and it's been a while.
20 And so we're happy to see some people putting in
21 meaningful things right there, including the RV
22 park and the bar and restaurant, and we just think
23 it makes sense to have something like this right
24 there.
25 So let's see. As far as the short-term

12

1 think it's -- it could go from what it's currently
2 zoned to RM-20 and it would be viable for that
3 area. So if y'all have any questions for the
4 owners, Margaret or Eddy, they would be happy to
5 answer any of them.
6 CHAIRMAN WASHER:
7 Could we get a copy of letter that you
8 got from the neighbors?
9 MS. DYMOND:
10 Yes. And I should have made -- if you
11 would like me to, I will go ahead and read you the
12 addresses. 12269 Cedar Lake Road, Biloxi,
13 Mississippi and 12251 Cedar Lake Road in Biloxi.
14 It's Jason and Katrina Walker and Jeffrey D.
15 Powell.
16 CHAIRMAN WASHER:
17 I believe there is a house under
18 construction just up the road. Is that one of
19 those people that signed?
20 MR. COCHRAN:
21 Jeffrey Powell.
22 MS. DYMOND:
23 Yes, sir. Let's see. I have one with
24 highlight on it, but I will just give you that
25 one.

13

1 CHAIRMAN WASHER:
2 We can make a copy and give it back to
3 you.
4 MS. DYMOND:
5 You want to take that and pass it around
6 for me?
7 MS. LENA:
8 David, it's in your packet. It's the
9 last thing in your packet. We received that.
10 MS. DYMOND:
11 But yeah, he wanted to make sure before
12 he even came to me he had his neighbors on board
13 because there was some residential places. And I
14 told him nobody wants to come in front of y'all
15 and vouch for a short-term rental in Biloxi
16 because we have good amenities that people want to
17 use and we want them to use it for, you know,
18 tourist purposes.
19 But this spot on the river and it's, you
20 know, on Cedar Lake -- I drove by there and saw
21 the RV park and I thought it makes sense. It's
22 just a different spot. And so he has done a good
23 job building it out right there and we just think
24 it would be compatible with that and Your Mama'z
25 House, so...

15

1 MR. COCHRAN:
2 Yes, sir.
3 MS. DYMOND:
4 You want to come up here.
5 MR. COCHRAN:
6 One of the biggest factors --
7 CHAIRMAN WASHER:
8 Give us your name and address, please,
9 sir.
10 MR. COCHRAN:
11 Shane Cochran, Eddy Shane Cochran. I'm
12 the owner of the property in question.
13 I also -- I live in Gulfport at another
14 residence off of Sweetgum Street in Oakleigh
15 Manor, and me and my wife live there.
16 This lot, when I bought it, started off
17 as a dream, a retirement dream, you know. We were
18 going to buy the lot, give it a few years till we
19 could afford to build on it. And after a few
20 years, the taxes, paying on the lot, I decided I
21 need to either build or I need to sell it. And
22 then, of course, there was a bulkhead and a dock
23 that had to be put in.
24 So the cost overran my expectations, for
25 one, which we pulled it off, and we're fine with

14

1 CHAIRMAN WASHER:
2 Any questions from the members of
3 Commission of Ms. Dymond?
4 MR. CARRON:
5 I don't know if I didn't hear. Are they
6 going to manage this themselves or is there going
7 to be --
8 MS. DYMOND:
9 They're going to manage it themselves on
10 the short-term rental. Is that what you're
11 asking?
12 MR. CARRON:
13 Yeah.
14 MS. DYMOND:
15 Yeah. They'll manage it. And I told
16 him I would make sure he was within your
17 guidelines with the registry and making sure there
18 is a contract in place and everything that needs
19 to be done on kind of screening people and keeping
20 up with the application fees and things like that,
21 but they were going to manage it.
22 MR. CARRON:
23 Is there any provisions for -- is
24 this -- flooding an issue there? I know parts of
25 that road go under.

16

1 it. But once the house was complete -- by the
2 time I completed the house, that lot had went
3 under water three times, you know. Nothing major,
4 up to your knees or whatever, but that's still --
5 if you're living there and you've got a bunch of
6 stuff like we have, boats, ATVs, vehicles, you
7 know, that's moving out and moving them back in.
8 So we talked about it and instead of
9 selling our other home and moving here, we decided
10 that we would try to do an Airbnb here because the
11 mortgage with insurance and taxes exceeded what I
12 thought it would be. Of course, we sold our other
13 house. We can swing it, but it doesn't really
14 make sense and then have to leave every time a
15 storm comes.
16 It would just -- and the way it's
17 isolated, if you can -- if you look at it from the
18 air, it's totally isolated by water, except for
19 the road. And then the nearest neighbors are
20 1,000, 1,500 feet up the road.
21 So -- and then, you know, across the
22 river, you've got the bar, which has live music
23 every weekend, which I don't mind, but if you were
24 living there, that might get old. I mean, if
25 you're living there full-time and you've got a

17

1 party across the river, boats, that kind of
2 environment is fine with me, but it may get old.
3 I don't know. There might be a time in my life
4 when I don't want to hear that or deal with that.
5 So that being said -- and then the RV
6 park, it just made sense for us to try to bring it
7 to you guys and get it passed as an Airbnb because
8 the insurance and taxes there are crazy. I mean,
9 you guys know what happened after Katrina. We did
10 expect that from the get-go, but, again, with --
11 when we started building, the materials doubled at
12 that -- you know, if y'all remember, we had that
13 huge spike in material costs. This thing went
14 from what should have been here (indicating) to
15 build to here (indicating), but it was too late.
16 We had already broken ground, went through the
17 permitting process, put in the bulkhead, the dock
18 and developed everything. It was too late, you
19 know. It was, you know, do or die, so we did it.
20 And once it was all done, like I said,
21 we can swing it -- we can sell our other house and
22 move in it, but it just makes way more sense to us
23 to just do a real nice Airbnb, something -- you
24 know, bring some beauty to the community because
25 we did. We went all out on this thing. For --

19

1 Any questions of Mr. Cochran? None
2 Thank you, sir.
3 MR. COCHRAN:
4 You're welcome.
5 CHAIRMAN WASHER:
6 We'll ask if there is anyone in the
7 audience that wants to speak in favor of the
8 applicant's request? Anyone speaking in favor?
9 No one speaking in favor.
10 Is there anyone speaking in opposition?
11 No one speaking in opposition.
12 We'll consider that hearing closed.
13 Mr. Creel.
14 MR. CREEL:
15 The property is zoned RS-5. Whenever
16 you're asking for a zoning change, the rule is you
17 go to the least-intensive zoning necessary to
18 accomplish the purpose and in this case, it would
19 be RM-20 with a conditional use and that's what
20 they've applied for.
21 This property is -- the property to the
22 south and south of the river is all zoned
23 high-intensity commercial, RB. That's the highest
24 intense business zoning that we have. As
25 mentioned already, you have Camp David directly

18

1 you know, for people in our tax bracket, we went
2 all out. And we just feel like it's a beautiful
3 addition to the river, to the city and for anybody
4 coming in from out of town to visit family.
5 And it's also going to be available to
6 the casinos as a spot for their overflow. If they
7 have a player coming in from out of town and they
8 don't have a suite for him, we're going to put it
9 on their -- have it on their list as a viable
10 place to put their customers. We're not trying to
11 pinch or cause anybody in the business any
12 problems. I'm just trying to figure out how to
13 pull this thing off without having to sell my
14 house and move in it.
15 And we just think it would make a great
16 Airbnb and a great spot for people to come to
17 visit their family and I think -- I personally
18 think we added some beauty to the Tchoutacabouffa
19 River. I hope we did anyway. That paint wasn't
20 cheap either.
21 But anyway, that's my case with it. If
22 you guys have any questions, you know, we're an
23 open book. Just let -- you know, feel free to
24 ask.
25 CHAIRMAN WASHER:

20

1 across from this piece of property. You've
2 got Your Mama's House, the bar and night club, on
3 the opposite corner over there with a boat marina
4 there where boats are coming and going all the
5 time, so it's clearly a tourism area.
6 The property north of this up at Old 67
7 and Cedar Lake Road, you know, they're currently
8 building that very large climate-controlled
9 warehouse, also have the Methodist church up there
10 as well. This property is right on the river,
11 clearly a tourism area.
12 The question was asked about flood
13 elevation. It was built to meet the flood
14 elevation requirements, so he is in compliance
15 there.
16 Their nearest neighborhood on the north
17 side is on the other side of that bayou or
18 whatever you want to call it, that pond that comes
19 off the river, so they don't have anyone that's
20 right next door. They're isolated from the
21 others. They have already talked about their --
22 the people who have no opposition have submitted
23 letters.
24 RM-20 would create what we call
25 transitional zoning going from the RB to the RM-20

21

1 to the RS-5 transitional zoning or step-down
2 zoning.

3 The Planning Commission and the Council
4 have already approved a short-term rental on the
5 south side of Cedar Lake Road on that private road
6 called Road 536. This is obviously a perfect
7 location, perfect design for a short-term rental.
8 They have plenty of parking, and the staff has no
9 objection and would recommend approval.

10 CHAIRMAN WASHER:
11 On the zoning change, as well as the
12 conditional use?
13 MR. CREEL:
14 Yes, on both.

15 CHAIRMAN WASHER:
16 All right. We'll open the floor for any
17 discussion on any of those two cases.
18 If no discussion, then we'll entertain a
19 motion.

20 MR. TODARO:
21 I move the application be approved.

22 MR. CARRON:
23 Second.

24 CHAIRMAN WASHER:
25 On the zoning map amendment.

23

1 Ms. Magee, Ms. Shaw, Mr. Bogard, Mr. Dellenger,
2 Mr. Poulos, Dr. Drawdy, Mr. Carron, Mr. Snow;
3 myself, David Washer. We'll let the record show
4 that's unanimous.

5 Our next case today is Number 24-033-PC,
6 BE and JF Enterprises, LLC, owner and Amanda
7 Crose, applicant. It's a request for a PD-1,
8 Planned Development-Infill District master plan,
9 coupled with a preliminary subdivision under the
10 working title, Coral Breeze, upon 2.89 acres, more
11 or less, in size presently zoned CB, Community
12 Business, and identified as 1654 Beach Boulevard,
13 being Municipal Parcel Number 12011-02-064.177.
14 This case was also advertised on May 15th, May
15 22nd and May 29th. Mr. Lambert.

16 Mr. Cochran, y'all are free to go if you
17 want. If you want to stay, you're welcome to.

18 MR. COCHRAN:
19 Thank you.

20 MS. DYMOND:
21 Thank you.

22 MR. COCHRAN:
23 All the horror stories you hear about
24 the city have been denounced.

25 MR. CREEL:

22

1 All right. Motion by Mr. Todaro;
2 seconded by Mr. Carron.

3 We would ask that all those in favor of
4 approval of the zoning change, raise your hand,
5 please.

6 Mr. Lechner, Mr. Parker, Mr. Todaro,
7 Ms. Magee, Ms. Shaw, Mr. Bogard, Mr. Dellenger,
8 Mr. Poulos, Dr. Drawdy, Mr. Carron, Mr. Snow;
9 myself, David Washer. We'll let the record show
10 that's unanimous.

11 All right. In regard to the short-term
12 rental conditional use, any discussion on that?
13 (No response.)

14 CHAIRMAN WASHER:
15 Get a motion on that one, please?

16 DR. DRAWDY:
17 So moved.

18 MS. MAGEE:
19 Second.

20 CHAIRMAN WASHER:
21 Motion by Dr. Drawdy; seconded by
22 Ms. Magee.

23 Ask that all those in favor of approval,
24 raise your hand.
25 Mr. Lechner, Mr. Parker, Mr. Todaro,

24

1 It still has to go through the Council.

2 MR. LAMBERT:
3 (Video played.)
4 You want me to bring up the USB?

5 MR. SCRUGGS:
6 Sure.

7 MR. LAMBERT:
8 First one?

9 MR. SCRUGGS:
10 Yes.

11 MR. LAMBERT:
12 Just let me know as you want me to go
13 through these.

14 CHAIRMAN WASHER:
15 All right. Mr. Scruggs.

16 MR. SCRUGGS:
17 Good afternoon. Good you to see you all
18 again. My name is Donovan Scruggs, 317 Pine Drive
19 in Ocean Springs, Mississippi. I'm here to assist
20 BE and JF Enterprises, Brandon Elliott and John
21 Felsher, with this approval.

22 In case y'all looked at the video and
23 thought it looked familiar, it is. This came
24 before you several months ago and it was approved,
25 I think, unanimously for a Planned Unit