

Ordinance No. 2511

ORDINANCE TO APPROVE A ZONING MAP AMENDMENT,  
TO AUTHORIZE A CHANGE IN ZONING DISTRICT CLASSIFICATION  
FOR SEVERAL PARCELS OF LAND FROM THEIR PRESENT ZONING DISTRICT  
CLASSIFICATION OF RS-10 LOW-DENSITY SINGLE FAMILY RESIDENTIAL  
TO CB-COMMUNITY BUSINESS, FOR PARCELS PRESENTLY IDENTIFIED AS 129, 130,  
131, 134, 135, 136, 137, 140, 141, 142, 145, 148, 149, 150, 153, 154, 157, 160, 161, 170, 173, 174  
& 175 OAKMONT PLACE

WHEREAS, on Thursday, March 16, 2023, 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. 23-026-PC, Floyd & Janet Phillips, Debbie & Kurt Kelner, Charles Shows, Telly Luke, Sharon Sumners, Wilburn & Margaret Maddox, Phoung T, Trinh, Robert D. Feathers, Judene C. Cook & Tara C. Morgan, William & Ann Parysz, Hung Nguyen & Dao T. Hanh, (owners/applicants), a request for Zoning Map Amendment for several parcels of land from their current zoning of RS-10 Low-Density Single-Family Residential to CB Community Business; and

WHEREAS, the Planning Commission members were apprised of the particulars of this case, being made cognizant of the fact that Floyd & Janet Phillips, Debbie & Kurt Kelner, Charles Shows, Telly Luke, Sharon Sumners, Wilburn & Margaret Maddox, Phoung T, Trinh, Robert D. Feathers, Judene C. Cook & Tara C. Morgan, William & Ann Parysz, Hung Nguyen & Dao T. Hanh have submitted this application for Zoning Map Amendment to authorize a change in zoning for several parcels of land measuring approximately 4.4 acres (more or less) in overall size, from their current zoning district classification of RS-10 Low-Density Single-Family Residential to CB Community Business, for properties identified as 129, 130, 131, 134, 135, 136, 137, 140, 141, 142, 145, 148, 149, 150, 153, 154, 157, 160, 161, 170, 173, 174 & 175 Oakmont Place (i.e., Tax Parcel Nos. 1110J-02-002.000, 1110J-02-003.000, 1110J-02-033.000, 1110J-02-014.000, 1110J-

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02-018.000, 1110J-02-013.000, 1110J-02-019.000, 1110J-02-012.000, 1110J-02-020.000, 1110J-02-011.000, 1110J-02-021.000, 1110J-02-010.000, 1110J-02-022.000, 1110J-02-009.000, 1110J-02-023.000, 1110J-02-008.000, 1110J-02-024.000, 1110J-02-007.000, 1110J-02-025.000, 1110J-02-006.000, 1110J-02-026.000, 1110J-02-029.000, and 1110J-02-030.000); and

WHEREAS, on March 16, 2023, the Biloxi Planning Commission, after some discussion, and upon careful reflection of the particulars of this case, voted 13-0, to recommend approval for the Zoning Map Amendment, to authorize a change in zoning district classification for several parcels of land measuring approximately four and four-tenths (4.4) acres (more or less) in size, from their present zoning district classification of RS-10 Low-Density Single-Family Residential to CB Community Business, for parcels presently identified as 129, 130, 131, 134, 135, 136, 137, 140, 141, 142, 145, 148, 149, 150, 153, 154, 157, 160, 161, 170, 173, 174 & 175 Oakmont Place, having determined that a Change in the Character of the Neighborhood was of evidence in this area of the City of Biloxi; and

WHEREAS, the Biloxi City Council, after consideration of all facts presented, hereby approves the report and findings of the Biloxi Planning Commission, and in so doing, determines that approval of this Zoning Map Amendment, as submitted, is appropriate for parcels presently identified as 129, 130, 131, 134, 135, 136, 137, 140, 141, 142, 145, 148, 149, 150, 153, 154, 157, 160, 161, 170, 173, 174 & 175 Oakmont Place (i.e., Tax Parcel Nos. 1110J-02-002.000, 1110J-02-003.000, 1110J-02-033.000, 1110J-02-014.000, 1110J-02-018.000, 1110J-02-013.000, 1110J-02-019.000, 1110J-02-012.000, 1110J-02-020.000, 1110J-02-011.000, 1110J-02-021.000, 1110J-02-010.000, 1110J-02-022.000, 1110J-02-009.000, 1110J-02-023.000, 1110J-02-008.000, 1110J-02-024.000, 1110J-02-007.000, 1110J-02-025.000, 1110J-02-006.000, 1110J-02-026.000, 1110J-02-

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029.000, and 1110J-02-030.000); and

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BILOXI, MISSISSIPPI, THAT THE FOLLOWING SHALL BE AUTHORIZED:

SECTION ONE: That the boundaries of the Geographical Information System Format Zoning District Map of the City of Biloxi, Mississippi, as previously amended, are hereby further amended to designate a new zoning district classification for parcels presently identified as 129, 130, 131, 134, 135, 136, 137, 140, 141, 142, 145, 148, 149, 150, 153, 154, 157, 160, 161, 170, 173, 174 & 175 Oakmont Place (i.e., Tax Parcel Nos. 1110J-02-002.000, 1110J-02-003.000, 1110J-02-033.000, 1110J-02-014.000, 1110J-02-018.000, 1110J-02-013.000, 1110J-02-019.000, 1110J-02-012.000, 1110J-02-020.000, 1110J-02-011.000, 1110J-02-021.000, 1110J-02-010.000, 1110J-02-022.000, 1110J-02-009.000, 1110J-02-023.000, 1110J-02-008.000, 1110J-02-024.000, 1110J-02-007.000, 1110J-02-025.000, 1110J-02-006.000, 1110J-02-026.000, 1110J-02-029.000, and 1110J-02-030.000) to be re-zoned from RS-10 Low-Density Single-Family Residential to CB Community Business, for land area more fully described as follows:

*Lots 1, 2, 5, 6, 7, 8, 9, 10, 15, 16, 19, 20, 21, 22, 23, 24, 25 and remaining portions of lots 11, 12, 13, 14, 26, and 27 of Oakmont Place Subdivision,*

having determined that a Change in the Character of the Neighborhood is of notice, coupled with an established Community Need for additional CB Zoning in this area of the City of Biloxi.

SECTION TWO: This ordinance shall become effective thirty days from and after its passage and publication with law.

The foregoing Ordinance having first been reduced to writing, was read by the Clerk and moved by Councilmember Glavan, seconded by Councilmember Barrett, and was adopted by the following vote:

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YEAS:	Lawrence	Tisdale	NAYS:	None
	Gines	Glavan		
	Newman	Barrett		
	Deming			

The President then declared the Ordinance adopted this the 18<sup>th</sup> day of April, 2023.



ATTEST:

APPROVED:

*Kei Campbell*  
 \_\_\_\_\_  
 CLERK OF THE COUNCIL

*[Signature]*  
 \_\_\_\_\_  
 PRESIDENT OF THE COUNCIL

Submitted to and approved by the Mayor, this the 21<sup>st</sup> day of April, 2023.

APPROVED:

*[Signature]*  
 \_\_\_\_\_  
 MAYOR

Scheduled for:  
March 16, 2023  
Meeting

**Case No. 23-026-PC**  
**Zoning Map Amendment**  
**RS-10 to CB Community Business**



**Planning Commission**  
**Case Fact Sheet**

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**Case No.:** 23-026-PC  
**Names of Applicants:** Floyd & Janet Phillips, Debbie & Kurt Kelner, Charles Shows, Telly Luke, Sharon Sumners, Wilburn & Margaret Maddox, Phoung T, Trinh, Robert D. Feathers, Judene C. Cook & Tara C. Morgan, William & Ann Parysz, Hung Nguyen & Dao T. Hanh, (owners/applicants)  
**Addresses of Properties:** 129, 130, 131, 134, 135, 136, 137, 140, 141, 142, 145, 148, 149, 150, 153, 154, 157, 160, 161, 170, 173, 174 & 175 Oakmont Place  
**Tax Parcels/Ward:** 1110J-02-002.000, 1110J-02-003.000, 1110J-02-033.000, 1110J-02-014.000, 1110J-02-018.000, 1110J-02-013.000, 1110J-02-019.000, 1110J-02-012.000, 1110J-02-020.000, 1110J-02-011.000, 1110J-02-021.000, 1110J-02-010.000, 1110J-02-022.000, 1110J-02-009.000, 1110J-02-023.000, 1110J-02-008.000, 1110J-02-024.000, 1110J-02-007.000, 1110J-02-025.000, 1110J-02-006.000, 1110J-02-026.000, 1110J-02-029.000, and 1110J-02-030.000/Ward 5

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**Request:** **Zoning Map Amendment**

**Purpose of Request:** An application for a **Zoning Map Amendment**, to authorize a change in zoning district classification for several parcels of land to allow the affected properties to be available for possible (but unspecified) commercial uses, from their present zoning district classification of **RS-10 Low-Density Single Family Residential** to **CB-Community Business**, for parcels presently identified as 129, 130, 131, 134, 135, 136, 137, 140, 141, 142, 145, 148, 149, 150, 153, 154, 157, 160, 161, 170, 173, 174 & 175 Oakmont Place (i.e., Tax Parcel Nos. 1110J-02-002.000, 1110J-02-003.000, 1110J-02-033.000, 1110J-02-014.000, 1110J-02-018.000, 1110J-02-013.000, 1110J-02-019.000, 1110J-02-012.000, 1110J-02-020.000, 1110J-02-011.000, 1110J-02-021.000, 1110J-02-010.000, 1110J-02-022.000, 1110J-02-009.000, 1110J-02-023.000, 1110J-02-008.000, 1110J-02-024.000, 1110J-02-

007.000, 1110J-02-025.000, 1110J-02-006.000, 1110J-02-026.000, 1110J-02-029.000, and 1110J-02-030.000

**Size of Property:** 4.4 acres (More or Less)

**Present Zoning:** **RS-10 Low-Density Single Family Residential**

**Present Use:** Single-Family Residences/Vacant lots

**Most Nearly Bounded By (streets):** To the North of Beach Boulevard; to the South of the CSX Railroad Right-of-Way; to the East of Beach View Avenue; and to the West of Beauvoir Road.

**Adverse Influences:** A Zoning Map Amendment should only be authorized when conditions clearly suggest that a change in zoning is warranted, that a change of the character of the neighborhood is of evidence, coupled with a community need to address this change, and that the change proposed is consistent with uses found upon adjacent or nearby properties.

**Positive Influences:** This rezoning, if approved, would allow the applicants the opportunity to offer their properties for potential (but unspecified) commercial uses.

**Letters or Concerns stated:** The Planning Division Office has not received any letters or other written communications relative to this case, as of March 9, 2023.

**Comments/ Recommendations:** Floyd & Janet Phillips, Debbie & Kurt Kelner, Charles Shows, Telly Luke, Sharon Sumners, Wilburn & Margaret Maddox, Phoung T, Trinh, Robert D. Feathers, Judene C. Cook & Tara C. Morgan, William & Ann Parysz, Hung Nguyen & Dao T. Hanhhave collectively requested a **Zoning Map Amendment**, to authorize a change in zoning district classification for several parcels of land to allow the affected properties to be available for possible (but unspecified) commercial uses, from their present zoning district classification of **RS-10 Low-Density Single Family Residential** to **CB-Community Business**, for parcels presently identified as 129, 130, 131, 134, 135, 136, 137, 140, 141, 142, 145, 148, 149, 150, 153, 154, 157, 160, 161,

170, 173, 174 & 175 Oakmont Place (i.e., Tax Parcel Nos. 1110J-02-002.000, 1110J-02-003.000, 1110J-02-033.000, 1110J-02-014.000, 1110J-02-018.000, 1110J-02-013.000, 1110J-02-019.000, 1110J-02-012.000, 1110J-02-020.000, 1110J-02-011.000, 1110J-02-021.000, 1110J-02-010.000, 1110J-02-022.000, 1110J-02-009.000, 1110J-02-023.000, 1110J-02-008.000, 1110J-02-024.000, 1110J-02-007.000, 1110J-02-025.000, 1110J-02-006.000, 1110J-02-026.000, 1110J-02-029.000, and 1110J-02-030.000.

The applicants have stated there is a change in the character of the neighbor, and noted also that properties situated to the North, South and East are currently zoned commercial. They further noted that after the final acquisition of all properties needed to provide for the extension of Popp's Ferry Road from Pass Road to Beach Boulevard are obtained, of the twenty-eight lots presently and previously situated along Oakmont Place, (one of which is presently zoned CB Commercial) only sixteen properties will remain in private ownership.

It should be explained that this request is for Zoning Map Amendment, and as such, discussion points should be focused upon the merits or demerits of this Zoning Change, as follows:

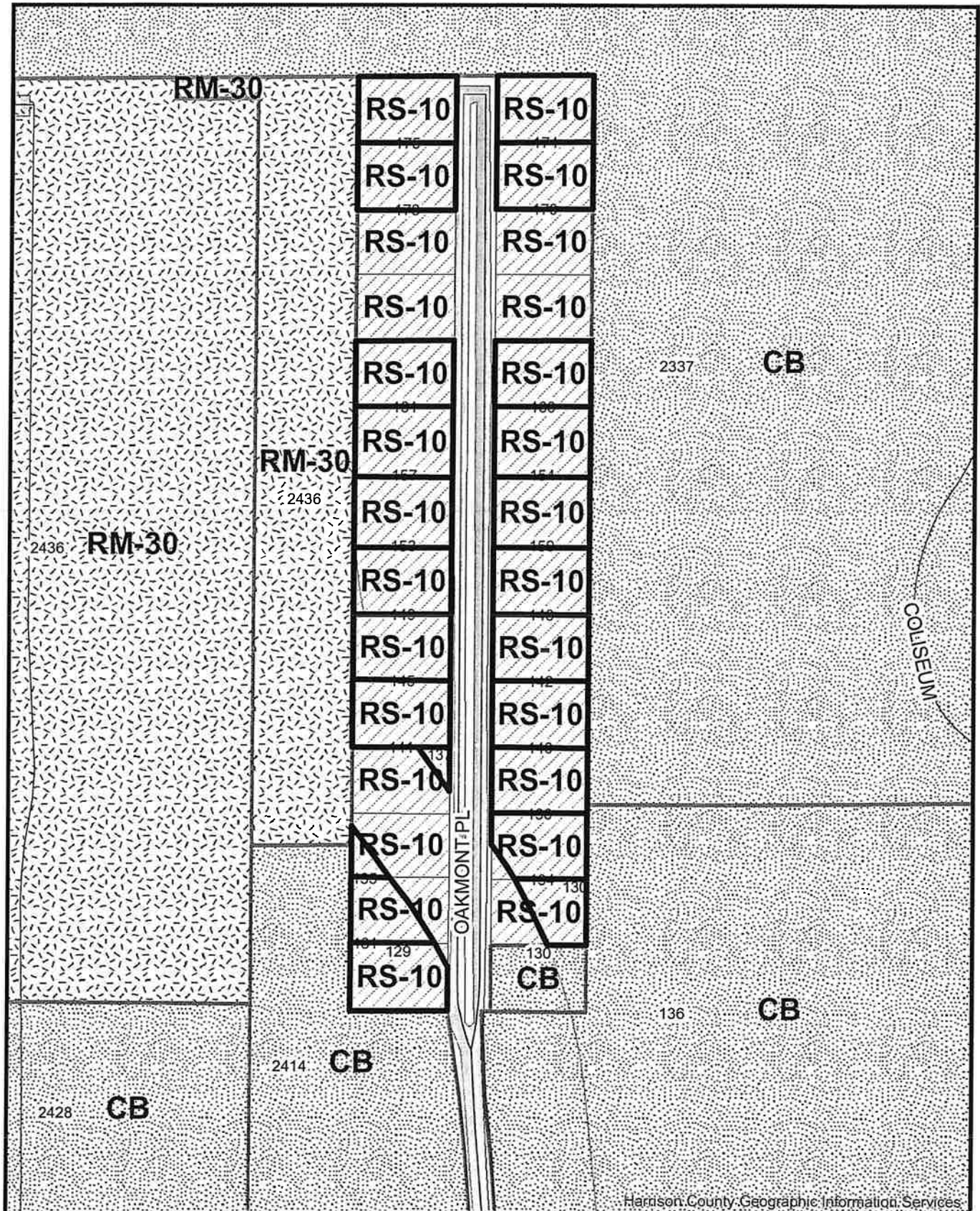
- 1) Consistency (or lack thereof) with the Comprehensive Plan;
- 2) Compatibility with the present zoning and conforming uses of nearby property and with the character of the neighborhood;
- 3) Suitability of the property affected by the amendment for uses permitted by the present district;
- 4) Suitability of the property affected by the amendment for uses permitted by the proposed amendment;
- 5) Change in the character of the neighborhood and established community need for uses permitted by the district applicable to the property at the time of the proposed amendment;
- 6) Availability of utilities and infrastructure sufficient to address the impacts associated with the allowed uses in the proposed district; and
- 7) Mistake in the original zoning.

**Options:**

1. Recommend approval of this request for a **Zoning Map Amendment**, to authorize a change in zoning district classification for twenty-three parcels of land, collectively totaling approximately 4.4 acres in size (more or less), from their present zoning district classification of **RS-10 Low-Density Single-Family Residential** to **CB Community Business**, having determined that a change in the character of the neighborhood is of evidence and that a community need for additional CB Commercial Zoning is warranted.
  
2. Recommend denial of this requested **Zoning Map Amendment**, having determined that insufficient evidence has been provided to warrant that a mistake in original zoning is of notice, or that a change of the character of the neighborhood coupled with an established Community need for this level of Zoning has been documented.



Case No. 23-026-PC  
Janet Phillips  
Oakmont Place  
Map Amendment - RS-10 to CB





**Planning Commission Application**  
 City of Biloxi Planning Division  
 676 Martin Luther King Jr., Boulevard Biloxi, MS 39530  
 (228)435-6266 Fax (228)435-6188

Case No. \_\_\_\_\_

**TO BE COMPLETED BY APPLICANT** Date: 01/11/2023 -

Name of Rightful Owner(s): JANET HILLIPS Name of Applicant: (if different than Owner)

Property Address: 154 Oakmont PL Ward Number 5

Tax Parcel Identification Number(s):  

111103-02-007.000			

Mailing Address of Property Owner 174 Oakmont PL Mailing Address of Applicant (if different than Owner):

City: <u>Biloxi</u>	City:
State: <u>MS</u>	State:
Zip: <u>39531</u>	Zip:
County: <u>HARRISON</u>	County:
Telephone: <u>(228) 224-0513</u>	Telephone: ( )

Property Size (please give in acres or by dimension):

Present Zoning Classification: RS10

Is the property located within an AHRC District? Yes  No   
 If so, which District?

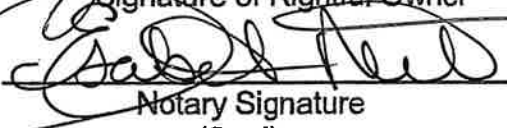
	Flood Zone(s) of Property:			
	North	South	East	West
Property is most nearly bounded by what streets?	<u>Railroad</u>	<u>Beach Blvd</u>	<u>Beavoir</u>	
If property directly fronts or is adjacent one of the streets above please indicate with a ✓.				

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

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

**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 of Rightful Owner

  
\_\_\_\_\_  
Notary Signature  
(Seal)



\_\_\_\_\_  
Signature of Rightful Owner

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Notary Signature  
(Seal)

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Signature of Rightful Owner

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Notary Signature  
(Seal)

\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
Notary Signature  
(Seal)

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

**NOTES:**

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

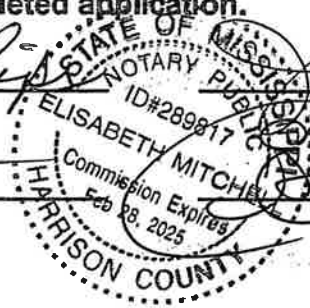
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*Floyd Phillips*  
 \_\_\_\_\_  
 Signature of Rightful Owner

*Janet Phillips*  
 \_\_\_\_\_  
 Signature of Rightful Owner

*Elisabeth Mitchell*  
 \_\_\_\_\_  
 Notary Signature  
 (Seal)

*Elisabeth Mitchell*  
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 Notary Signature  
 (Seal)



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 Signature of Rightful Owner

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 Notary Signature  
 (Seal)

\_\_\_\_\_  
 Signature of Applicant

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 Notary Signature  
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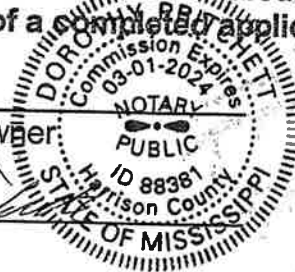
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 Signature of Rightful Owner

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 Notary Signature



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*[Handwritten Signature]*  
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 Signature of Rightful Owner

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 Notary Signature



(Seal)

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 Signature of Rightful Owner

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 Notary Signature

(Seal)

\_\_\_\_\_  
 Signature of Applicant

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 Notary Signature

(Seal)

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**NOTES:**

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

Zoning district in which the property is situated. The placement or size of any structure or infrastructure which triggers a Variance or Waiver must be clearly identified upon the Site Plan. All site plans for commercial projects must be submitted through the development review committee (DRC).

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*[Handwritten Signature]*  
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 Signature of Rightful Owner

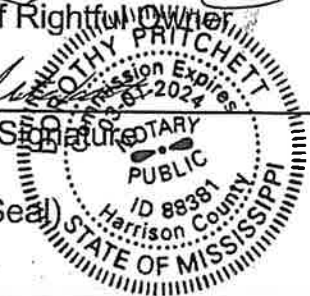
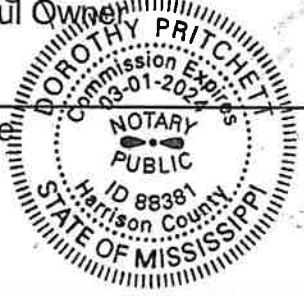
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 Signature of Rightful Owner

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 Notary Signature

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 Notary Signature

(Seal)

(Seal)



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 Signature of Rightful Owner

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 Signature of Applicant

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 Notary Signature

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 Notary Signature

(Seal)

(Seal)

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**NOTES:**

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*[Handwritten Signature]*  
 \_\_\_\_\_  
 Signature of Rightful Owner

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 Signature of Rightful Owner

*[Handwritten Signature]*  
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 Notary Signature  
 (Seal)

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 Notary Signature  
 (Seal)

\_\_\_\_\_  
 Signature of Rightful Owner

\_\_\_\_\_  
 Signature of Applicant

\_\_\_\_\_  
 Notary Signature  
 (Seal)

\_\_\_\_\_  
 Notary Signature  
 (Seal)

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

**NOTES:**

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*Sharon L. Sumner*  
 \_\_\_\_\_  
 Signature of Rightful Owner

\_\_\_\_\_  
 Signature of Rightful Owner

*Miriam Renee Bolton*  
 \_\_\_\_\_

\_\_\_\_\_  
 Notary Signature



(Seal)

\_\_\_\_\_  
 Signature of Rightful Owner

\_\_\_\_\_  
 Signature of Applicant

\_\_\_\_\_  
 Notary Signature

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 Notary Signature

(Seal)

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

**NOTES:**

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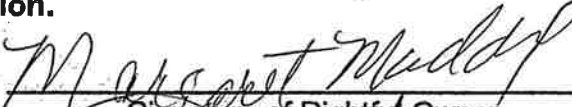
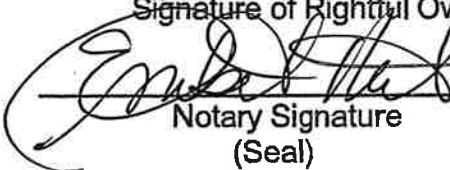
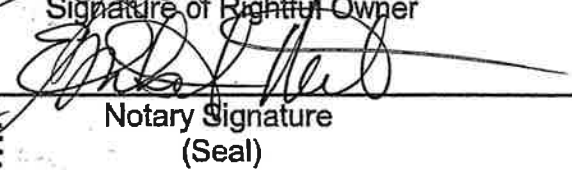
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**NOTE:** Please see attached instructions for details on documents required for a complete application.

Zoning district in which the property is situated. The placement or size of any structure or infrastructure which triggers a Variance or Waiver must be clearly identified upon the Site Plan. All site plans for commercial projects must be submitted through the development review committee (DRC).



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 _____ Signature of Rightful Owner	 _____ Signature of Rightful Owner
 _____ Notary Signature (Seal)	 _____ Notary Signature (Seal)
_____ Signature of Rightful Owner	_____ Signature of Applicant
_____ Notary Signature (Seal)	_____ Notary Signature (Seal)

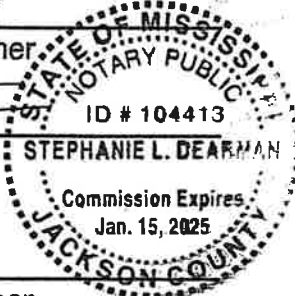


If someone other than the applicant needs to be notified concerning this case, please note name(s) and address(es) below:

<b>NOTES:</b> _____ _____ _____ _____
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<p>_____ Signature of Rightful Owner</p> <p>_____ Notary Signature (Seal)</p> <p>_____ Signature of Rightful Owner</p> <p>_____ Notary Signature (Seal)</p>		<p>_____ Signature of Rightful Owner</p> <p>_____ Notary Signature (Seal)</p> <p>_____ Signature of Applicant</p> <p>_____ Notary Signature (Seal)</p>
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*R. Dale Foote*  
 \_\_\_\_\_  
 Signature of Rightful Owner

*n/a*  
 \_\_\_\_\_  
 Signature of Rightful Owner

*[Signature]*  
 \_\_\_\_\_  
 Notary Signature

\_\_\_\_\_  
 Notary Signature



(Seal)

*n/a*  
 \_\_\_\_\_  
 Signature of Rightful Owner

*n/a*  
 \_\_\_\_\_  
 Signature of Applicant

\_\_\_\_\_  
 Notary Signature

\_\_\_\_\_  
 Notary Signature

(Seal)

(Seal)

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**NOTES:**

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**All site plans for commercial projects must be submitted through the development review committee (DRC).**

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*Jana C. Morgan*  
 \_\_\_\_\_  
 Signature of Rightful Owner

*Pat B*  
 \_\_\_\_\_  
 Notary Signature  
 (Seal)

STATE OF MISSISSIPPI  
 NOTARY PUBLIC  
 ID # 158309  
 PATRICIA BONDS  
 Commission Expires  
 Sept. 25, 2023  
 HARRISON COUNTY

*[Signature]*  
 \_\_\_\_\_  
 Signature of Rightful Owner

*Pat B*  
 \_\_\_\_\_  
 Notary Signature  
 (Seal)

STATE OF MISSISSIPPI  
 NOTARY PUBLIC  
 ID # 158309  
 PATRICIA BONDS  
 Commission Expires  
 Sept. 25, 2023  
 HARRISON COUNTY

*Judene Cook*  
 \_\_\_\_\_  
 Signature of Rightful Owner

*Pat B*  
 \_\_\_\_\_  
 Notary Signature  
 (Seal)

STATE OF MISSISSIPPI  
 NOTARY PUBLIC  
 ID # 158309  
 PATRICIA BONDS  
 Commission Expires  
 Sept. 25, 2023  
 HARRISON COUNTY

\_\_\_\_\_  
 Signature of Applicant

\_\_\_\_\_  
 Notary Signature  
 (Seal)

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**NOTES:**

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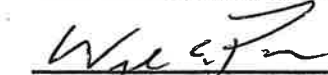
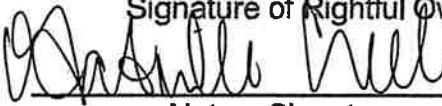
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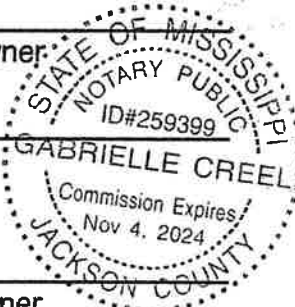


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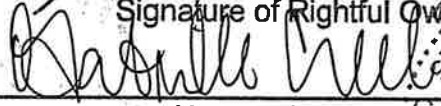
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 \_\_\_\_\_  
 Signature of Rightful Owner  
  
 \_\_\_\_\_  
 Notary Signature  
 (Seal)



\_\_\_\_\_  
 Signature of Rightful Owner  
 \_\_\_\_\_  
 Notary Signature  
 (Seal)

  
 \_\_\_\_\_  
 Signature of Rightful Owner  
  
 \_\_\_\_\_  
 Notary Signature  
 (Seal)



\_\_\_\_\_  
 Signature of Applicant  
 \_\_\_\_\_  
 Notary Signature  
 (Seal)

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*[Handwritten Signature]*  
 \_\_\_\_\_  
 Signature of Rightful Owner

*[Handwritten Signature]*  
 \_\_\_\_\_  
 Signature of Rightful Owner

*[Handwritten Signature]*  
 \_\_\_\_\_  
 Notary Signature



*[Handwritten Signature]*  
 \_\_\_\_\_  
 Notary Signature



\_\_\_\_\_  
 Signature of Rightful Owner

\_\_\_\_\_  
 Signature of Applicant

\_\_\_\_\_  
 Notary Signature

\_\_\_\_\_  
 Notary Signature

(Seal)

(Seal)

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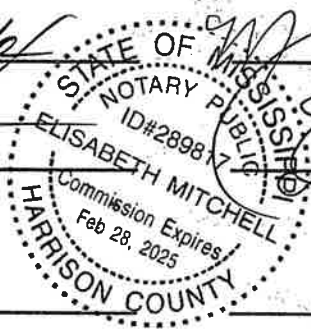


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<p><i>[Handwritten Signature]</i>          _____          Signature of Rightful Owner</p>	<p><i>[Handwritten Signature]</i>          _____          Signature of Rightful Owner</p>
<p><i>[Handwritten Signature]</i>          _____          Notary Signature          (Seal)</p>	<p><i>[Handwritten Signature]</i>          _____          Notary Signature          (Seal)</p>
<p>_____</p> <p>Signature of Rightful Owner</p>	<p>_____</p> <p>Signature of Applicant</p>
<p>_____</p> <p>Notary Signature          (Seal)</p>	<p>_____</p> <p>Notary Signature          (Seal)</p>



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**NOTES:**

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



# PLANNING COMMISSION SUPPLEMENT

## Map Amendment

City of Biloxi Planning Division  
 676 Martin Luther King Jr., Boulevard  
 Biloxi, MS 39530 (228)435-6266 Fax(228)435-6188

TO BE COMPLETED BY APPLICANT | DATE: 02-05-2023

Shaded Areas for Staff Only

**MAP AMENDMENT** – When the public necessity, convenience, general welfare or appropriate land use practices justify such action, and after the required review, public notice and report by the Planning Commission, the City Council may undertake the necessary steps to amend the Zoning District Map.

*Please note that no application for the same parcel(s) requesting the same change may be made more often than once every 24 months. Must submit a full*

**Statement of Support** - This narrative must set forth proposed use and justification for the change, utilizing criteria set forth in Section 23-2-4(B)(3) 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.

*See attached*

I am requesting a zoning change from this zone to this zone: Existing    New  
RS10    CB

**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 proposed map amendment consistent with the Comprehensive Plan? Please explain:	<input checked="" type="checkbox"/>	<input type="checkbox"/>

2. Is the proposed map amendment compatible with present zoning and conforming uses of nearby property and with the character of the neighborhood? Please explain:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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# Map Amendment

City of Biloxi Planning Division  
676 Martin Luther King Jr., Boulevard Biloxi, MS 39530  
(228)435-6266 Fax(228)435-6188

**Criteria (continued)**

	✓	
	Yes	No
3. Is the property suitable for uses permitted in the present zoning district? Please explain:		<input checked="" type="checkbox"/>
4. Is the property suitable for uses permitted in the proposed zoning district? Please explain: <i>CHANGE IN CHARACTER OF NEIGHBORHOOD</i>	<input checked="" type="checkbox"/>	
5. Has there been a change in the character of the neighborhood? Please explain:	<input checked="" type="checkbox"/>	
6. Is there an established community need for uses permitted in the proposed zoning district? Please explain:	<input checked="" type="checkbox"/>	
7. Was there a mistake in the original zoning of the property? Please explain:		<input checked="" type="checkbox"/>
8. Are utilities and infrastructure sufficient to address the impacts associated with allowed uses in the proposed district? Please explain:	<input checked="" type="checkbox"/>	

Site Plan attached: (please circle):	Yes	Case No. <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> - <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> - <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
	No	

## REASON FOR RE-ZOING:

A change in the character of the neighborhood.

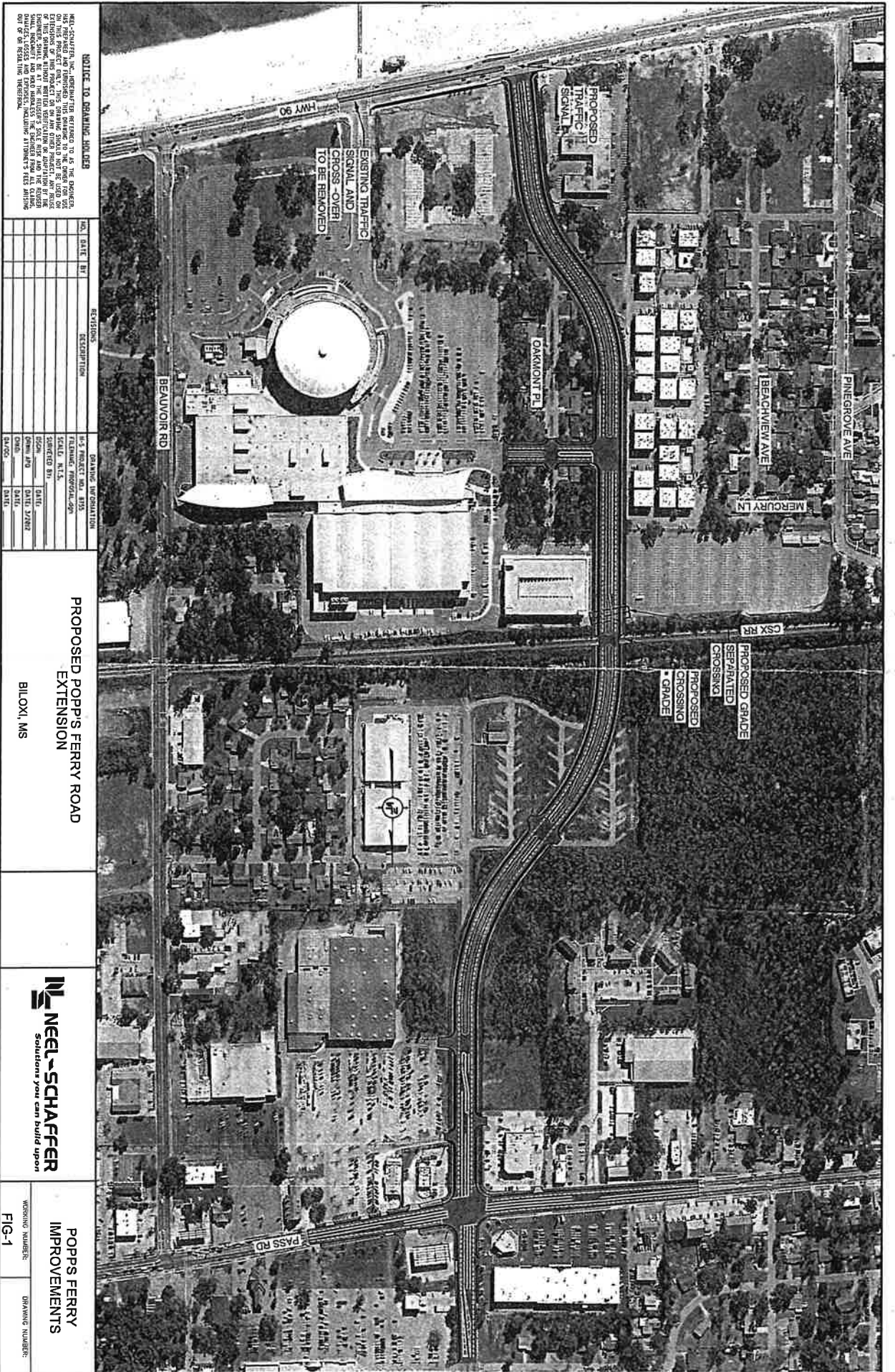
We are asking for a wrap around Zoning change of the entire addition of Oakmont Place. Appicates fully recognize that the extension will change the value of the existing property.

Our concern is, based on historical information, that we will be offered market value. Fair market will not apply, as there are no properties currently on the market which reflect the value of our property upon completion of the extension.

We feel approval of the zoning changes to CB will help to reflect the true value of our property upon completion of the extension. This will also be an advantage with the CB zoning for any commercial interest when the time comes, that the zoning process is already complete.

17 parcels remain on Oakmont Place after the City of Biloxi has acquired the ones that are needed for the Popps Ferry Extension. This includes the proposed road entrance to the coliseum off of the extension. This location has separated the Oakmont Place neighborhood into 2 seperate areas.

Properties to the north, east, and south to Hwy 90 are all zoned Community Business(CB) at the present time.



**NOTICE TO DRAWING HOLDERS**

NEEL-SCHAFER, INC. HEREBY REFERS TO AS THE ENGINEER, ON THIS PROJECT ONLY. THIS DRAWING SHOULD NOT BE USED OR REPRODUCED IN ANY MANNER WITHOUT THE WRITTEN CONSENT OF NEEL-SCHAFER, INC. THE USER OF THIS DRAWING SHALL BE AT THE USER'S SOLE RISK AND THE ENGINEER, NEEL-SCHAFER, INC. AND ITS EMPLOYEES, AGENTS, CONTRACTORS, SUBCONTRACTORS, AND VENDORS, INCLUDING ARCHITECTS, ARE NOT RESPONSIBLE FOR ANY ERRORS, OMISSIONS, OR INADEQUACIES IN THIS DRAWING.

NO. DATE BY		DESCRIPTION	NO. PROJECT	NO. SHEET

**PROPOSED POPP'S FERRY ROAD EXTENSION**  
 BILOXI, MS



**POPP'S FERRY IMPROVEMENTS**  
 WORKING NUMBER: FIG-1  
 DRAWING NUMBER:

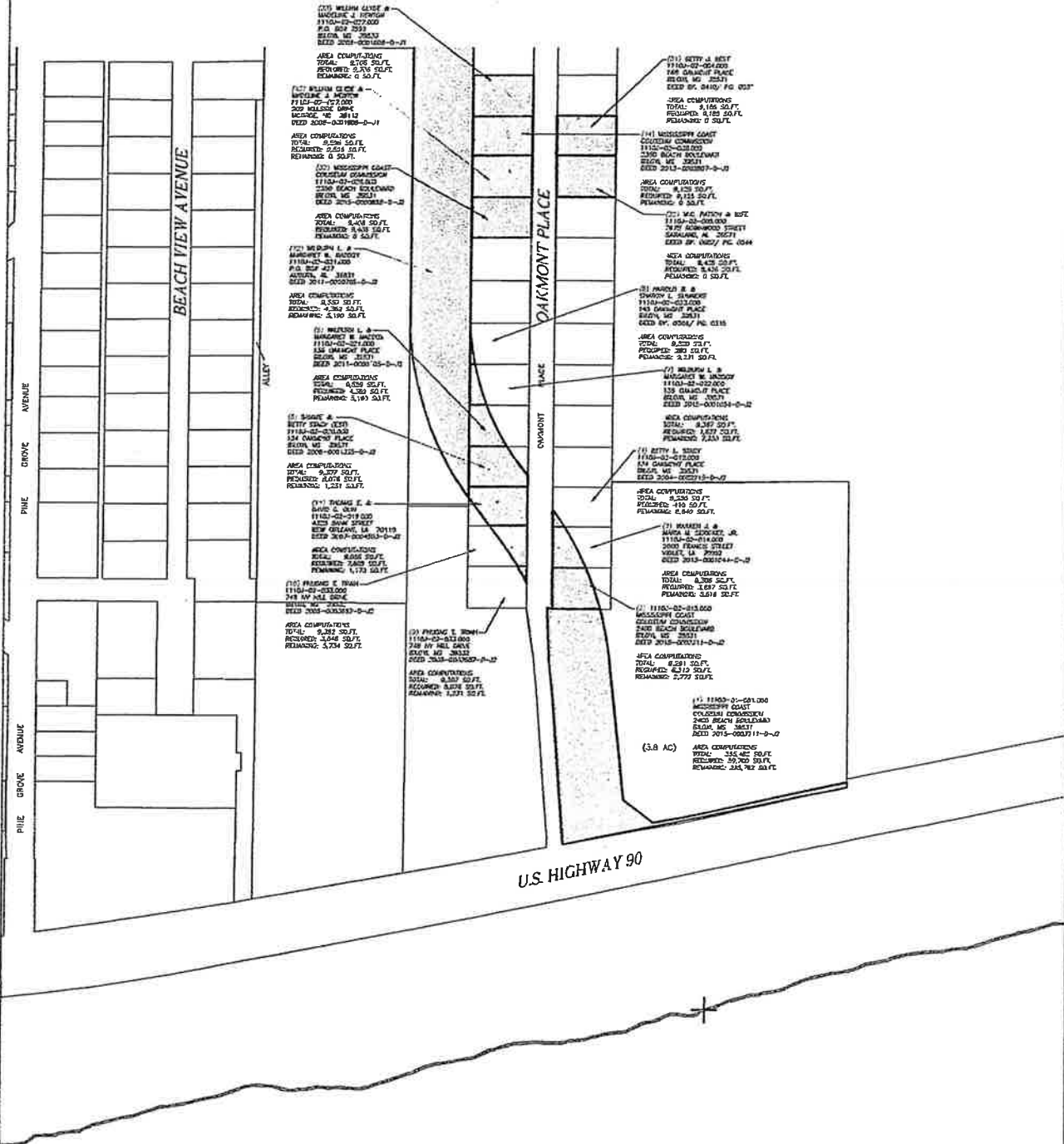
POPPS FERRY ROAD EXTENSION  
for the CITY OF BILOXI



**LEGEND:**  
 --- IRON ROD FOUND  
 --- IRON PIPE FOUND  
 --- 1/2" REBAR SET  
 --- 6" CONCRETE ADJACENT FOUND  
 A.P.A. --- AS PER SURVEY  
 A.P.A. --- AS PER RECORD

**ACQUISITION STATUS LEGEND**

- SURVEY PENDING
- PARCEL SURVEYED
- PARCEL APPRAISED
- REVIEW APPRAISAL PERFORMED
- OFFER PENDING
- EMINENT DOMAIN FILED
- PARCEL ACQUIRED



RIGHT OF WAY APPRAISAL MAP  
POPPS FERRY ROAD EXTENSION

CITY OF BILOXI

- ACQUISITION STATUS -

SHEET 2 OF 4

**BYRD & WISER**

ATTORNEYS AT LAW

145 MAIN STREET (39530)  
P.O. BOX 1939

**BILOXI, MISSISSIPPI 39533**

TELEPHONE (228) 432-8123

FAX (228) 432-7029

www.byrdwiser.com

NICHOLAS VAN WISER  
(1953-2018)

JAMES R. LOCKARD  
(Retired)

ROBERT ALAN BYRD\*  
rab@byrdwiser.com

RUSSELL S. MANNING\*\*  
rsm@byrdwiser.com

JOEL C. REYNOLDS, JR.  
jcr@byrdwiser.com

\*ALSO ADMITTED IN MICHIGAN  
\*\*ALSO ADMITTED IN ALABAMA

March 14, 2023

OUR FILE NUMBER

1.00888

Biloxi Planning Division  
**ATTN: DAVID WASHER, CHAIRMAN**  
676 Dr. Martin Luther King Jr.  
Biloxi, MS 39530-3975

RE: Case No. 23-026-PC

**Dear Mr. Washer:**

I am writing in regards to the February 16, 2023, notification of a proposed zoning map amendment from single family residential to community business for certain property located in the Oakmont Place Subdivision.

I am writing in my capacity as General Counsel for the Mississippi Coast Coliseum Commission ("Commission"), and at their request. The Commission is a political subdivision of the State of Mississippi. Pursuant to its enabling legislation Sections 55-24-1 *et seq*, Miss Code Ann. (1972), the Commission has the power of Eminent Domain but does not have the authority to levy taxes.

Several years ago, the City of Biloxi, Mississippi, announced plans for an expansion and extension of Popp's Ferry Road from Pass Road to Highway 90. Some of the Pass Road extension will consist of properties in the Oakmont Place Subdivision. The City of Biloxi has acquired property owned by the Commission. The Commission had announced its plan to acquire the remaining parcels on Oakmont Subdivision to replace its parking footprint which was lost to the new Popp's Ferry roadway. Letters expressing the Commission's desire to acquire their property were previously sent to all Oakmont property owners. The Commission has already purchased 140, 148 and 161 Oakmont and is presently in negotiations to purchase 160 Oakmont.

It appears the neighborhood effort to re-zone the Oakmont Place Subdivision to community business is based upon a profit motive with the owners believing commercial property carries more value than residential real property. However, any such re-zoning could potentially impact not only the Coliseum, but the City of Biloxi, that still needs to acquire additional parcels to conclude acquisition of the footprint for the expanded Popp's Ferry Road extension project.

Page 2

Finally, it would appear that any re-zoning at this time would not produce the results the property owners seek in light of Section 43-37-3(c)(I), Miss Code Ann. (1972).

I must also advise that I will be unavailable March 16, 2023 as will Matt McDonnell, Executive Director. We wanted to take this opportunity to express our concerns to the Planning Commission. I welcome any questions you may have.

Sincerely yours,

BYRD & WISER

A handwritten signature in black ink that reads "Bob Byrd". The signature is written in a cursive, slightly stylized font.

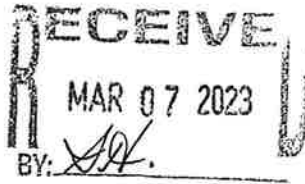
ROBERT ALAN BYRD

RAB:wrs

cc: Mr. Matt McDonnell, Executive Director MCCC

Mr. Jerry Creel

Mr. Peter Abide, Esq.



To: Community Development Department

From: Sharon L. Sumners

Subject: Rezoning of Oakmont Place

I am Sharon L. Sumners the owner/resident of 149 Oakmont Place, Biloxi, MS.

I will not be able to attend the meeting scheduled for 16 March 2023.

I do want to let the planning commission know that as a resident of Oakmont Place that I am in favor of the re-zoning of our street.

I can be contacted at (Home) (228) 388-8343 (Cell/Text) (228) 424-2958 if needed.

*Sharon L. Sumners*

Sharon L. Sumners

1

**BILOXI PLANNING COMMISSION MEETING**  
**MARCH 16, 2023**  
**COMMUNITY DEVELOPMENT,**  
**DR. MARTIN LUTHER KING JR. MUNICIPAL BUILDING,**  
**676 DR. MARTIN LUTHER KING JR. BOULEVARD,**  
**BILOXI, MISSISSIPPI,**  
**BEGINNING AT 2:00 P.M.**

---

**PLANNING COMMISSION MEMBERS PRESENT:**  
 David Washer, Chairman  
 Steve Delahousey, Vice Chairman  
 Ronnie Bogard  
 Kyle Carron  
 Charlie Dellenger  
 Dr. Larry Drawdy  
 Joe King  
 Gary Lechner  
 August Parker  
 Jimmy Poulos  
 John Snow  
 David Stanovich  
 Michael Todaro

**ALSO PRESENT:**  
 Jerry Creel, Director of Community Development  
 Caryle Lena, Planner I  
 Tim Cipolla, Code Inspector  
 Nathan Barrett, Councilman Ward 7  
 Dr. Paul Tisdale, Councilman Ward 5

**REPORTED BY**  
 Melissa Burdine-Rodolfich  
 Simpson Burdine & Migues

2

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

CONTINUED PUBLIC HEARING(S):	PAGE:
(None)	--
NEW PUBLIC HEARING(S):	
23-020-PC (Continued to 4/6/23)	
23-024-PC	7
23-025-PC	24
23-026-PC	74
TREE HEARINGS. (None)	--

3

**CHAIRMAN WASHER:**  
 Let us call the Planning Commission meeting to order, please. We'll record the members present.  
 Mr. Lechner, Mr. Parker, Mr. Todaro, Mr. Stanovich, Mr. Bogard, Mr. Dellenger, Mr. Poulos, Dr. Larry Drawdy, Mr. Carron, Mr. King, Mr. Snow, Mr. Delahousey; myself, David Washer; Jerry Creel, Director of Community Development; Caryle Lena, Planner. At the table in the front there is going to be Mr. Tim Cipolla, Planning Inspector, and our court reporter today is Melissa Burdine-Rodolfich.  
 Ask Mr. Delahousey to, please, open the meeting with a moment of prayer.  
 (Moment of prayer.)  
 Mr. Stanovich, the pledge, please, sir.  
**CHAIRMAN WASHER:**  
 Let me also recognize Dr. Paul Tisdale, in the audience, Councilman Ward 5, and Councilman Nathan Barrett, Ward 7.  
 I'd like to welcome you all with us here today. We would ask that anyone that desires to speak, please come to the podium when your case is called, give us your name and address for the record and also, please sign in at the pad provided

4

unless you have already signed in. We'd ask for any cell phones in the audience, if you'd kindly mute them or turn them off.  
 Ask if all members of the Commission received a copy of the minutes of the last meeting and if there's any additions or corrections?  
**MR. DELAHOUSEY:**  
 Move to approve.  
**MR. KING:**  
 Second.  
**CHAIRMAN WASHER:**  
 Motion by Mr. Delahousey recommending approval; seconded by Mr. Snow.  
 All those in favor, say "aye."  
 (All in favor.)  
**CHAIRMAN WASHER:**  
 Any opposers?  
 (None opposed.)  
**CHAIRMAN WASHER:**  
 Thank you.  
 Mr. Creel, committee reports?  
**MR. CREEL:**  
 Yes, sir. Mr. Chairman and members of the Commission, over the past two weeks, the department has issued 157 building permits, with a



5

1 construction valuation of a little over  
2 \$10 million. We have collected \$37,200 in permit  
3 fees, issued 51 certificates of occupancy, one of  
4 which was for a short-term rental. Of the COs  
5 issued, we have issued all the COs for the Arbor  
6 Landing Apartments on Popp's Ferry Road. We also  
7 issued permits for a renovation of the restrooms  
8 at Beau Rivage, a major remodel at 210 Main  
9 Street, also a remodel for D.R. Horton at 1641  
10 Popp's Ferry Road and a renovation of Beauvoir  
11 Manor at 264 Stennis Drive, also two new  
12 single-family houses.  
13 **CHAIRMAN WASHER:**  
14 Thank you.  
15 We have no continued public hearings.  
16 New public hearing today, first case:  
17 23-020-PC, Greg Knapp and Deborah Bolin. This is  
18 to consider an application requesting a  
19 conditional use approval to authorize an existing  
20 single-family residence, situated upon a parcel of  
21 land measuring approximately 60 foot by 53 foot,  
22 more or less, to be utilized as a short-term  
23 rental for property located in an NB, neighborhood  
24 business zone, and identified as municipal  
25 address, 143 Keller Avenue, being Municipal Tax

7

1 favor of that and no one here to speak in  
2 opposition to it, I'm going to go ahead and ask  
3 for a motion to continue this until our next  
4 meeting, which I believe is April 6th.  
5 **MR. DELAHOUSEY:**  
6 So moved.  
7 **MR. CARRON:**  
8 Second.  
9 **CHAIRMAN WASHER:**  
10 Motion by Mr. Delahousey; seconded by  
11 Mr. Carron.  
12 All those in favor, say "aye."  
13 (All in favor.)  
14 **CHAIRMAN WASHER:**  
15 Any opposed?  
16 (None opposed.)  
17 **CHAIRMAN WASHER:**  
18 Our next case today: City of Biloxi,  
19 2023-024-PC. It's to consider an application  
20 requesting a map text amendment to the Land  
21 Development Ordinance to establish a short-term  
22 rental overlay district, Phase 1, south of Howard  
23 Avenue from Point Cadet Street to Myrtle Street,  
24 Block 1, and property fronting Beach Boulevard  
25 south of 1st Street, from Myrtle Street to Cedar

6

1 Parcel Number 1410J-04-028.000. This case was  
2 advertised on March 1st and March 9th.  
3 Is there anyone here in regard to that  
4 case? There's no one here. We're going to go  
5 ahead and open it, and then we'll continue it  
6 until next meeting. We have a request from  
7 Mr. Knapp advising that he will not be able to  
8 attend and asked us to reschedule, but if you were  
9 here, we were going to give you the opportunity to  
10 get on record with anything you want to say.  
11 In regard to that case, I do have a  
12 letter. Dear Planning Commission, unfortunately,  
13 I will not be able to attend the meeting on  
14 March 16, 2023. My name is Deborah House, and my  
15 husband and I live at 551 Howard Avenue. I fully  
16 support Greg Knapp and Deborah Bolin regarding  
17 their application for conditional use at 143  
18 Keller.  
19 This will be the third home in our  
20 neighborhood that they have restored. They have  
21 taken neighborhood eyesores and restored them. We  
22 are proud of how we all are restoring the  
23 beautiful neighborhood and greatly appreciate what  
24 they have done in that endeavor.  
25 So if there is no one here to speak in

8

1 Street, Block 2. This case was advertised on  
2 February 24th, March 2nd and March 9th.  
3 Do you have the video on that,  
4 Mr. Cipolla?  
5 **MR. CIPOLLA:**  
6 I do.  
7 All right. This is looking down 1st  
8 Street from Myrtle, and I do a 360 there because  
9 the pieces come together. This is looking back  
10 towards the Golden Nugget and Beach Boulevard.  
11 And then I drive the whole property and the second  
12 property also.  
13 This is the second property that goes  
14 down 1st to Cadet, back around to Howard and back  
15 up Myrtle. And the only section that was not  
16 needing to be rezoned was on that corner.  
17 Bear with me. I'm dodging traffic.  
18 As I said, this is Myrtle here. This is  
19 1st Street. This is Cedar, which comes out  
20 directly in front of Margaritaville on the beach.  
21 As you will remember, this is where they  
22 were already going to build the little short-term  
23 rental. This is turning down the access road.  
24 This will complete that loop because I  
25 was parked right here. That's the corner of 1st

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1 Second.  
2 CHAIRMAN WASHER:  
3 Motion by Mr. Parker recommending  
4 approval; seconded by Mr. Delahousey.  
5 Any other discussion, members of the  
6 Commission?  
7 MR. DELAHOUSEY:  
8 I have said this many times before and I  
9 think it bears repeating again. Biloxi, where  
10 we've sitting now is a peninsula. It was founded  
11 in 1699. At the time, this was rural area. There  
12 was wildlife running around and trees and  
13 everything. Biloxi is experiencing growing pains.  
14 We have no place to grow.  
15 In 1999, Biloxi annexed the Woolmarket  
16 area because we have no place to grow. We've  
17 heard today, we are finally developing some areas  
18 of East Biloxi that were devastated. Other than  
19 that, you look around on the peninsula and there's  
20 not much place to grow.  
21 So we're hearing this -- a lot of people  
22 that years ago moved to Woolmarket, moved north of  
23 I-10, moved north of the Bay because they liked  
24 the area because it was rural and there was  
25 wildlife there. But that's the only place Biloxi

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1 allow the affected properties to be available for  
2 possible, but unspecified, commercial uses, from  
3 their present zoning district classification of  
4 RS-10 low-density single-family residential to CB,  
5 community business, for parcels presently  
6 identified as 129, 130, 131, 134, 135, 136, 137,  
7 140, 141, 142, 145, 148, 149, 150, 153, 154, 157,  
8 160, 161, 170, 173, 174 and 175 Oakmont Place.  
9 I'm not going read the legal parcel numbers.  
10 There's a handout in the back that has all of  
11 those on it. This case was advertised  
12 February 23rd and March 2nd and March 9th.  
13 Mr. Cipolla.  
14 MR. CIPOLLA:  
15 All right. This is Highway 90.  
16 Coliseum is over here. This is Oakmont, the  
17 hotel, RV park. This is looking up the street and  
18 now further up the street.  
19 I have a second. I'm now further up the  
20 street. That's looking down toward the end still,  
21 still at the Coliseum and looking back towards the  
22 beach. Goes all the way up to the fence line and  
23 the Coliseum parking lot. That's pretty much  
24 about it. I drive it.  
25 CHAIRMAN WASHER:

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1 has to grow, and I would just like to make that  
2 comment.  
3 CHAIRMAN WASHER:  
4 Thank you, Steve.  
5 Any other comments?  
6 (No response.)  
7 CHAIRMAN WASHER:  
8 All right. We have a motion and second  
9 on the floor recommending approval.  
10 All those in favor, raise your hand,  
11 please. Mr. Lechner, Mr. Parker, Mr. Todaro,  
12 Mr. Stanovich, Mr. Bogard, Mr. Dellenger,  
13 Mr. Poulos, Dr. Drawdy, Mr. Carron, Mr. King,  
14 Mr. Snow, Mr. Delahousey; myself, David Washer.  
15 Let the record show that's unanimous.  
16 Our next case today is Case Number  
17 23-026-PC, Floyd and Janet Phillips, Debbie and  
18 Kurt Kelner, Charles Shows, Telly Luke, Sharon  
19 Sumners, Wilburn and Margaret Maddox, Phoung T.  
20 Trinh, Robert D. Feathers, Judene C. Cook, Tara C.  
21 Morgan, William and Ann Parysz, Hung Nguyen and  
22 Dao T. Hanh, owners/applicants. This is to  
23 consider an application requesting zoning map  
24 amendment to authorize a change in zoning district  
25 classification for several parcels of land to

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1 All right. Thank you.  
2 Is there anyone that's speaking for the  
3 group on this? All right. Yes, ma'am.  
4 MS. KELNER:  
5 Hi. I'm Debbie Kelner, and I'm here to  
6 speak on behalf of the property owners. And  
7 property owners raise your hands so everybody can  
8 see who are all here.  
9 (Property owners indicating.)  
10 MS. KELNER:  
11 I'm going to have to change a little bit  
12 of what I had already planned out to say in light  
13 of some of the opposition that we found out about  
14 when we got here today.  
15 But anyway, I will just start out with  
16 what I was going to say, and basically what we're  
17 trying to do is request a change in zoning. We  
18 are currently RS-10, low-density, single-family  
19 residential and we're requesting to change to CB,  
20 community business.  
21 We made this request once before in  
22 2019, about four years ago, and we were denied at  
23 that time because the Planning Commission said we  
24 did not have plausible changes to the character of  
25 the neighborhood, and I will address that. And

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1 then also, there was a little bit of opposition.  
2 We had two property owners at the time that were  
3 opposed and then Mr. Matt McDonnell from the  
4 Coliseum was opposed as well.  
5 Since that time, those two property  
6 owners have since sold their houses and moved on.  
7 They're not a part of this anymore. And in this  
8 effort, when we went and contacted everybody, we  
9 received no opposition from anybody that we  
10 contacted.  
11 I do want to respond in a little bit,  
12 after I've had a chance, to Mr. McDonnell, the  
13 Coliseum's opposition this time.  
14 But basically let me speak first to the  
15 character of the neighborhood. It has changed  
16 drastically since we were here four years ago.  
17 When we were here previously, there was 27 houses,  
18 single-family homes. Today, there are 16 and  
19 that's because 10 have already been acquired and  
20 demolished due to the Popp's Ferry Road extension.  
21 And we also found out that just this  
22 past month, the Coliseum has acquired two more  
23 houses that were for sale. And matter of fact, I  
24 was on the street yesterday and noticed that one  
25 of the ones they acquired is in the process of

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1 was a wonderful place to live. At the time we  
2 built that house, we were surrounded by woods on  
3 all three sides. There was no Coliseum, no  
4 Coliseum parking lot, no giant Coliseum high-rise  
5 garage and no Maison D'Orleans.  
6 So it was once, like I said, a great  
7 place to live, but obviously things have changed.  
8 I do remember even before Hurricane Katrina came  
9 along, we had been hearing about the potential  
10 expansion of Popp's Ferry all the way to the  
11 highway. And even before Hurricane Katrina, we  
12 were already organized as neighbors. We went to  
13 the meetings at the Don Snyder center and places  
14 like that in an effort to try to save our  
15 neighborhood.  
16 But inevitably, the hurricane came.  
17 Shortly after that, Mayor Holloway sent a  
18 representative to our street to inquire about  
19 buying our properties there and, of course, we  
20 didn't want to sell because our houses made it  
21 through the storm so we didn't want to leave.  
22 But inevitably, it has come to the time  
23 where Oakmont is really no longer a neighborhood.  
24 With the changes and acquisition of the houses and  
25 all the splits here and there, we are requesting

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1 being demolished. It's probably gone by now, and  
2 I'm pretty sure the second one is going to be  
3 coming down soon.  
4 So it's no longer a neighborhood, so  
5 obviously the change has been very drastic. If  
6 you were able to drive all the way down today --  
7 we just saw the very first part of the street.  
8 But if you drove down there today, you'd see one  
9 house and then some vacant lots and then a few  
10 more houses and then a few more vacant lots.  
11 And then you get to the north end and  
12 there's just four houses there. And right now,  
13 those four houses have people living in all of  
14 them. My husband and I have -- own two of them  
15 and we have renters in two of them. And we have  
16 other neighbors that are here. But those will  
17 soon be sandwiched in between the high-rise  
18 parking lot that was built post-Katrina and what  
19 will be the exit coming off of Popp's Ferry  
20 extension going into the Coliseum parking lot.  
21 So I would like to tell you a little bit  
22 about our neighborhoods prior to that. My history  
23 dates all the way back to 1965 when my parents,  
24 Charles and Charlene Shows, built a brand new  
25 house there. And I grew up on that street and it

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1 that we have this zoning change so that we can  
2 make the most of our property. We have accepted  
3 the fact that this is inevitably a neighborhood of  
4 the past. Its fate is definitely sealed, if you  
5 ever take the chance to ride down there. So we  
6 are going to ask y'all or we are requesting that  
7 y'all consider our change.  
8 Basically, we want to do that because we  
9 believe -- and I noticed in the letter from  
10 Mr. McDonnell, his lawyer, that -- let me grab  
11 that letter. Will you hand me that letter? I did  
12 not have a chance to read this until I got here  
13 today.  
14 But basically, we -- I find it kind of  
15 interesting that what he said when we were here  
16 before, when we were turned down in 2019, is quite  
17 different from what the opposition is for them  
18 today. Back then -- and I actually have the  
19 quotes that he said. He said, we're not here to  
20 advocate buying your property. We don't have the  
21 money to do it. He said -- these are his  
22 quotes -- now, there could be a developer that  
23 might come along and work a deal to build a hotel  
24 and may want to buy your property and therefore it  
25 would be appropriate for the zoning change and you

1 might get more money for your property. I don't  
2 want the neighbors to think that we are trying to  
3 be against them making money off of their  
4 property, which I find is kind of interesting  
5 since in here today this letter is talking about  
6 eminent domain and it's talking about how we are  
7 motivated by profit and things like that. We're  
8 not motivated by profit. We're just trying to  
9 make the best deal for ourselves.  
10 My association, like I said, goes back  
11 50 years to 1965. And we have cared for these  
12 properties and taken care of them for a long time.  
13 And I don't think it's right for the leader of the  
14 Coliseum to come in and make those points. And  
15 then once we've done what they expected -- he also  
16 mentioned in his comments that it was all about  
17 timing. And when we were here in 2019, he said it  
18 wasn't the right time for a zoning change.  
19 Although he did say two times during that time  
20 that he inevitably believed we would be zoned  
21 commercially, too, just not at that time.  
22 So in the meantime, the Coliseum has --  
23 well, they have bought two houses and one of them  
24 they only paid \$32,000, which obviously has  
25 lowered our property values. Now, in the recent

1 Yesterday in the middle of my yoga class, I got a  
2 text on my phone asking to buy my property on  
3 Oakmont.  
4 So we just want the opportunity to make  
5 the most of what we can because we know the  
6 Coliseum is going to be fine. We have a lot of  
7 people who their livelihood is tied up in Oakmont.  
8 They're going to have to go somewhere else. The  
9 price value has been lowered, and we all know that  
10 housing is not getting any cheaper.  
11 And we just want to have the opportunity  
12 to get a fair market value, maybe a little bit  
13 more, for our properties. And we don't want to  
14 have to settle and have them taken over by eminent  
15 domain or bought for some crazy price like  
16 \$32,000.  
17 And so, therefore, that's what our  
18 request is, that you would approve this zoning  
19 change. We know that it's going to go commercial.  
20 It's not a mystery anymore, and we just want the  
21 opportunity to get our best dollar out of it.  
22 I know the other houses are already  
23 gone. Many of those were taken through eminent  
24 domain and that's all we're asking for, not  
25 through eminent domain, but a chance to rezone

1 times, they acquired a few others and I know they  
2 are negotiating on one. Well, some of these  
3 properties are properties that were left to people  
4 and their parents lived there and they have passed  
5 and so they are in need to sell because they  
6 don't -- they just need to have closure there.  
7 But what we are requesting is that we  
8 just get the same opportunity that we asked for  
9 before, that Mr. McDonnell even said we should  
10 have. We should have the chance to make a profit  
11 off of our property.  
12 And matter of fact, I hate that he's not  
13 here because if he was, I would ask him to work  
14 with us. He's talking about -- and I have his  
15 quote where he was talking about he ultimately  
16 wants to have things zoned there that would be  
17 compatible with being the Coliseum's neighbor.  
18 Well, we're all for that. We just want him to  
19 help us find the developer instead of saying that  
20 they want to buy our property.  
21 And we have gotten the letters, you  
22 know. I think it was back in the fall when we all  
23 got letters from the Coliseum, and we got offers.  
24 We weren't happy with the offers, and that's why  
25 we're here today. But we get lots of offers.

1 commercially because there is never going to be  
2 any more houses on Oakmont. It's over with.  
3 I respectfully request that and -- on  
4 behalf of the neighbors, and there may be some  
5 that want to speak as well. Thank you for  
6 listening.  
7 CHAIRMAN WASHER:  
8 Thank you, Ms. Kelner.  
9 Did anyone else have anything to add or  
10 did she just pretty well --  
11 MS. PHILLIPS:  
12 We all support everything she said. I'm  
13 Janet Phillips, and I'm a homeowner.  
14 And the main thing is why should we just  
15 give it to the Coliseum? There might be a  
16 developer that wants to come in and do something  
17 with that. The hotel the Coliseum keeps talking  
18 about, they could buy that property, but the  
19 Coliseum wants to get it for -- not what it's  
20 worth and it's -- you know, we have all got to  
21 replace it, and we appreciate your ballots.  
22 And I don't know if y'all remember us  
23 before, but we were here four years ago. And we  
24 took it and we made the changes.  
25 The road's there. There is not going to

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1 be any more construction. You can see on the  
2 notes that I handed out, we got a letter from the  
3 engineer, the city engineer. She updated us on  
4 it, so it's going to happen. We're going to have  
5 all that dirt and all that stuff.

6 And another thing, the Coliseum doesn't  
7 realize that -- what we have put up with, myself  
8 and my husband for 22 years, the noise, the  
9 traffic. It's inevitable, so we would like to be  
10 able to get exactly what we think our property is  
11 worth. It's not going to happen -- nobody can  
12 replace that land, as we all know. Just think  
13 about, if that was your property, what would you  
14 want? Thank you.

15 CHAIRMAN WASHER:  
16 Ms. Kelner, there was originally 28 lots  
17 there. Of course, one of them is already zoned  
18 CB, so that's 27 lots that's zoned RS-10.

19 MS. KELNER:  
20 That CB, that's the Coliseum's. They  
21 acquired that whenever they bought the hotel.

22 CHAIRMAN WASHER:  
23 So there's 27 RS-10 lots and there's 23  
24 represented today and I believe you said,  
25 Ms. Kelner, that there was four that was owned by

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1 request it if they wanted to, but everything  
2 around it is CB. See, CB, CB, CB. Even if the  
3 Coliseum does take them, they have got to rezone  
4 it to CB.

5 So then the other houses that are not in  
6 that number are where the road -- see, where the  
7 road has taken houses. The City of Biloxi bought  
8 up to 10 houses and that's where the -- Popp's  
9 Ferry is going to go. And that big blank spot up  
10 there, those are where the exit off is going to go  
11 from the road into the Coliseum parking lot.

12 Right here, these four at the top, this  
13 is the four I was talking about north. I own  
14 those two. And Jan and Phil own that one. So  
15 we're going to be stuck right there, these four.  
16 Coliseum parking lot, garage is there, and this is  
17 all taken already because that's going to the road  
18 coming off and going into the parking lot.

19 CHAIRMAN WASHER:  
20 Have you seen any preliminary drawings  
21 as to what they propose to do roadwise? How do  
22 you get to and from those houses?

23 MS. PHILLIPS:  
24 Go ahead, Debbie. You're over there.

25 MS. KELNER:

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1 the Coliseum?  
2 MS. KELNER:  
3 Yeah.  
4 CHAIRMAN WASHER:  
5 Where are they located in here? Are  
6 they going to be -- this is going to be CB. This  
7 is going to be RS-10.

8 MS. KELNER:  
9 I don't know what their zoning is  
10 because our entire street was RS-10, but they  
11 bought two in just the last month and they  
12 demolished them. I don't know if the rezoning is  
13 applied to them. If the Coliseum, when it tears  
14 one down, can just automatically make the zoning  
15 change. I don't think so.

16 CHAIRMAN WASHER:  
17 No. That's what I was trying to get at.  
18 Where are those going to be located with the RS-10  
19 zoning?

20 MS. PHILLIPS:  
21 Well, this is the whole neighborhood.

22 MS. KELNER:  
23 That's what we're asking for. We did  
24 not include any of the -- it's the whole -- the  
25 whole neighborhood. So they could come back and

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1 I'm going just going to say we don't  
2 really know. What they told us finally is we  
3 can't -- we will not be able to go down and get to  
4 the highway. We will have to get on Popp's Ferry  
5 to get on the highway. Whereas currently, the way  
6 out of this street -- it's a dead-end -- is into  
7 90. But that's going to go away, too, because  
8 this -- we're going to have to, like, come to  
9 here, get on Popp's Ferry to come to 90.

10 And this will be closed up here, so all  
11 of this property is going to have to go up here.  
12 There will be a light there, we have been told.  
13 See, that goes straight into the Coliseum. So  
14 then this road comes down here, and if you come on  
15 out -- see, that's the drawing of it. It's taken  
16 these two houses, one, two, three here, the  
17 backyard of one of those and then those houses.  
18 And then which one -- like, one right here is the  
19 one that was being demolished yesterday, and then  
20 they also just bought that one or that one.

21 CHAIRMAN WASHER:  
22 Thank you.  
23 Do we have any questions from other  
24 members of the Commission?  
25 No questions from the members of the

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1 Commission.

2 All right. Obviously, as you said, you

3 desire to have it rezoned.

4 I think I have got a letter here from

5 Sharon Summers, owner/resident of 149. I will not

6 be able to attend the meeting scheduled for 16

7 March '23. I do want to let the Planning

8 Commission know that as a resident of Oakmont

9 Place I'm in favor of rezoning of our street. I

10 can be contacted at home and cell numbers.

11 MS. KELNER:

12 Yeah. We didn't have any property

13 owners from the street opposed at all. It's only

14 the Coliseum that's opposing us now, as they did

15 before.

16 CHAIRMAN WASHER:

17 All right. If there is no one else

18 speaking in favor, is there anyone speaking in

19 opposition? Yes, sir?

20 MR. SAWYER:

21 Lenny Sawyer. I'm one of the

22 commissioners. I have already sent it in.

23 I want to make sure that Mr. Byrd's

24 letter is read into the minutes.

25 CHAIRMAN WASHER:

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1 properties in the Oakmont Place Subdivision. The

2 City of Biloxi has acquired property owned by the

3 Commission. The Commission has announced its plan

4 to acquire the remaining parcels on Oakmont

5 subdivision to replace the parking footprint which

6 was lost to the new Popp's Ferry roadway.

7 Letters expressing the Commission's

8 desire to acquire their property were previously

9 sent to all Oakmont property owners. The

10 Commission has already purchased 140, 148 and 161

11 Oakmont and is presently in negotiations to

12 purchase 160 Oakmont.

13 It appears that the neighborhood efforts

14 to rezone Oakmont Place Subdivision to community

15 business are based upon a profit motive with the

16 owners believing that commercial property carries

17 more value than residential, real property.

18 However, any such rezoning could

19 potentially impact not only the Coliseum, but the

20 City of Biloxi that still needs to acquire

21 additional parcels to conclude acquisition of the

22 footprint to the expanded Popp's Ferry extension

23 project.

24 Finally, it would appear that any

25 rezoning at this time would not produce the

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1 I do have it and I will read it in, yes,

2 sir.

3 MR. SAWYER:

4 Thank you very much.

5 CHAIRMAN WASHER:

6 Pursuant to Mr. Sawyer's request, letter

7 dated March 14th to the Biloxi Planning

8 Commission. I'm writing in regards to the

9 February 16th, 2023 notification of a proposed

10 zoning map amendment from single-family

11 residential to community business for certain

12 property located in the Oakmont Place Subdivision.

13 I'm writing in my capacity as general

14 counsel for the Mississippi Coast Coliseum

15 Commission and at their request. The Commission

16 is a political subdivision of the State of

17 Mississippi. Pursuant to its enabling

18 legislation, Section 55-24-1, et seq, Mississippi

19 Code Annotated 1972, the Commission has the power

20 of eminent domain, but does not have the authority

21 to levy taxes.

22 Several years ago, the City of Biloxi

23 announced plans for an expansion and extension of

24 Popp's Ferry Road from Pass Road to Highway 90.

25 Some of the Pass Road extension will consist of

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1 results that property owners seek in light of

2 Section 43-37-3(c)(I) Mississippi Code Annotated

3 1972. I must also advise that I will be

4 unavailable March 16th, 2023, as will Matt

5 McDonnell, executive director.

6 We wanted to take this opportunity to

7 express our concerns to the Planning Commission.

8 I welcome any questions that you may have.

9 Sincerely yours, Byrd and Wisner, Robert Allen

10 Byrd.

11 No other letters.

12 MS. KELNER:

13 Can I say anything about that? Can I

14 respond to his letter?

15 CHAIRMAN WASHER:

16 Yeah. I'll give you an opportunity.

17 No other letters of opposition have been

18 received other than that. Of course, no one here

19 is speaking in opposition.

20 So with that being said, then, we will

21 give the applicant a few minutes for any other

22 comments that you want to make.

23 MS. KELNER:

24 I just don't understand where they're

25 saying that we're motivated by a profit motive and

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1 then it says -- goes on to say, we believe that  
2 commercial property carries more value. Well,  
3 isn't that the point? I mean, that's why they  
4 want to buy it when it's zoned as it is now  
5 because the value that he's putting on property is  
6 far less than it would be commercially. We just  
7 want to have the opportunity to negotiate our  
8 property commercially as they are going to do.  
9 And then also, I don't understand why it  
10 is that our neighborhood that's already being  
11 sacrificed, already has been sacrificed for the  
12 Popp's Ferry Road extension should also have to be  
13 sacrificed for the compensation of the Coliseum's  
14 parking lot, you know. They can build more  
15 parking garages. They already put one after  
16 Hurricane Katrina that's right at the end of  
17 Oakmont, you know. They're going to build them up  
18 higher like they have already done, and I don't  
19 understand why they need to buy our property.  
20 And that's relatively new. We didn't  
21 hear about that until, like, last fall, that they  
22 wanted to buy our property. The last time we were  
23 here, they were told -- we were told that they  
24 were not interested in buying our property and not  
25 advocating for it and didn't have the money for

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1 MR. STANOVICH:  
2 I think I might have asked you this  
3 question four years ago. Does everybody there  
4 realize -- are there anybody that intends to stay  
5 in their homes?  
6 MS. KELNER:  
7 No, not really. I mean, anybody think  
8 they're going to get to stay forever and ever?  
9 MR. STANOVICH:  
10 So everybody realizes if we rezone this  
11 commercial, you can have your residences and  
12 somebody comes along and opens up a business next  
13 door -- and it's a broad range of businesses --  
14 everybody is aware of that, correct?  
15 MS. KELNER:  
16 Yes, we're aware of that. We're  
17 completely unified this time. Last time we did  
18 have a little opposition from a few owners and  
19 they have since left.  
20 Yes, sir?  
21 MR. TODARO:  
22 Am I correct to understand you all are  
23 down to 16 occupied residences?  
24 MS. KELNER:  
25 Correct.

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1 it.  
2 So we just want to have the chance for a  
3 fair ability to negotiate for our benefit and not  
4 just -- in other words, it looks to me like  
5 everything is going the way of the Coliseum, and I  
6 understand that. We appreciate that. That's why  
7 the road is coming. That's why the road has that  
8 part coming into that parking lot. That's why  
9 they have been buying houses at lower prices.  
10 And that's all fine, but give us the  
11 chance to see what we can do with our property, to  
12 see it. And like he mentioned before, a  
13 developer, we would love to work with  
14 Mr. McDonnell to find a developer because he even  
15 has the connections and we would love to do that.  
16 And he could have anybody he wants to build  
17 whatever hotel, but just give us a chance to get  
18 something out of the property after we have had to  
19 give it up for all of this.  
20 CHAIRMAN WASHER:  
21 Thank you.  
22 MR. STANOVICH:  
23 Quick question.  
24 MS. KELNER:  
25 Yes.

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1 MR. TODARO:  
2 And at a high point, four or five years  
3 ago --  
4 MS. KELNER:  
5 Twenty-seven.  
6 MR. TODARO:  
7 Twenty-seven. You're down to 16?  
8 MS. KELNER:  
9 Yes.  
10 MR. TODARO:  
11 Thank you. So that -- your appeal,  
12 then, the change in the character of the  
13 neighborhood, based on that alone, is clear.  
14 MS. KELNER:  
15 Exactly.  
16 MR. TODARO:  
17 That's my understanding; is that  
18 correct?  
19 MS. KELNER:  
20 Right. Right. Drastic changes from  
21 last time. No doubt.  
22 MR. TODARO:  
23 Thank you.  
24 CHAIRMAN WASHER:  
25 Dr. Drawdy?

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1 DR. DRAWDY:  
2 Am I correct that if we were to change  
3 this to, you know, commercial, just like they're  
4 asking, wouldn't the City still have the  
5 opportunity, Jerry, to come back and eminent  
6 domain if they needed any property?  
7 MR. CREEL:  
8 Yes, sir. But I'm looking at the letter  
9 from Christy LeBatard, the city engineer, that  
10 seems to indicate that we have all the properties  
11 that we need for the road to go in. She actually,  
12 in this letter, says the project design still has  
13 to go before the Mississippi Department of  
14 Transportation before they can bid. And,  
15 typically they wouldn't do that unless we already  
16 had the property we needed for what we're trying  
17 to do.  
18 DR. DRAWDY:  
19 Okay. But they would have the  
20 opportunity, though, if they needed property,  
21 right?  
22 CHAIRMAN WASHER:  
23 To do the roads.  
24 DR. DRAWDY:  
25 Okay. Yeah. Understand. Thank you.

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1 redeveloping as RS-10? And the answer to that  
2 question is no, we do not see this property --  
3 anyone coming in to rebuild single-family houses  
4 on the property.  
5 With the proposed Popp's Ferry  
6 connector, there has clearly been a change in the  
7 character of the neighborhood from what it was.  
8 The Coliseum has also just expanded their parking  
9 lot to come right up to the back of this, so we  
10 can look at that as a change in the character of  
11 the neighborhood as well.  
12 With the character change that is  
13 mentioned here, the question now becomes, okay, if  
14 there is a change in the character, then what  
15 zoning is appropriate for the property to move  
16 toward? And when you look at, it's surrounded on  
17 the north by CB, on the east by CB and on the  
18 south by CB, which would clearly indicate that the  
19 property does need to be CB zoning. So with that,  
20 the staff recommends approval.  
21 MR. TODARO:  
22 I move that we accept the staff's  
23 recommendation based on the change in the  
24 character of the neighborhood, that it's been  
25 changed.

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1 That's all.  
2 MS. KELNER:  
3 Sure.  
4 CHAIRMAN WASHER:  
5 Any other comments from the members of  
6 the Commission? Any other questions for  
7 Ms. Kelner from the Commission?  
8 (No response.)  
9 CHAIRMAN WASHER:  
10 Thank you.  
11 MS. KELNER:  
12 Thank you.  
13 CHAIRMAN WASHER:  
14 We will consider that hearing closed.  
15 MR. CREEL:  
16 Okay. The application before us today  
17 is really for a simple zoning change. And, you  
18 know, monetary consideration is not a part of the  
19 decision-making by the Planning Commission about  
20 whether or not the request is appropriate or not  
21 appropriate. We don't get in the middle of that.  
22 That's between the property owners and the person  
23 trying to acquire the property.  
24 So the question is: Do we see this  
25 property that's currently RS-10 and do we see it

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1 MR. STANOVICH:  
2 Second.  
3 CHAIRMAN WASHER:  
4 Motion by Mr. Todaro recommending  
5 approval of the requested zoning change of CB;  
6 seconded by Mr. Stanovich.  
7 I had a question as to how this lays  
8 out. The proposed roadway that -- I understand  
9 the City has already got what they need to do the  
10 road. Oakmont is -- enter off that new roadway,  
11 here at the south end and Highway 90?  
12 MR. CREEL:  
13 Yes, sir.  
14 CHAIRMAN WASHER:  
15 And then the roadway will be along the  
16 back or the west and backyards of the houses on  
17 Oakmont?  
18 MR. CREEL:  
19 Yes, sir.  
20 CHAIRMAN WASHER:  
21 And the Coliseum will be on the east  
22 backyard of Oakmont?  
23 MR. CREEL:  
24 This is where the new parking lot is.  
25 It's not reflected on this new drawing.



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1 CHAIRMAN WASHER:  
 2 So they will still have access to get in  
 3 and out of there?  
 4 MR. CREEL:  
 5 Yes, sir.  
 6 CHAIRMAN WASHER:  
 7 Any other questions?  
 8 MR. DELLENGER:  
 9 I just want to say through no fault of  
 10 theirs, I mean, essentially they're putting a  
 11 boulevard down through their neighborhood, you  
 12 know, on the backside of. And again, it's just  
 13 progress. I mean, you know, it's one of those  
 14 things where you don't ask them. You just do it.  
 15 Kind of like some of these other people who show  
 16 up and say, well, we don't want progress next door  
 17 to us, but sometimes it just happens.  
 18 Well, unfortunately for them that has  
 19 just happened. They don't have a say in it. But  
 20 it's not inequitable anymore, I mean, for us to  
 21 say that -- you know, we can deny them the fact  
 22 that -- to zone it CB when everything around them  
 23 is CB and you don't afford them that right, now  
 24 that you're going to take everything from them,  
 25 essentially is -- that, to me, is not fair.

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1 All those in favor, raise your hand.  
 2 Mr. Lechner, Mr. Parker, Mr. Todaro,  
 3 Mr. Stanovich, Mr. Bogard, Mr. Dellenger,  
 4 Mr. Poulos, Dr. Larry Drawdy, Mr. Carron,  
 5 Mr. King, Mr. Snow, Mr. Delahousey; myself, David  
 6 Washer. Let the record reflect that's unanimous.  
 7 Moving on. No Tree Hearings today.  
 8 City Council action, Mr. Creel?  
 9 MR. CREEL:  
 10 No.  
 11 CHAIRMAN WASHER:  
 12 Old business? Any old business? Any  
 13 old business to come before us today?  
 14 (No response.)  
 15 CHAIRMAN WASHER:  
 16 Any new business to come before us  
 17 today?  
 18 (No response.)  
 19 Citizens' comments? Any comments?  
 20 None.  
 21 CHAIRMAN WASHER:  
 22 Communications, of course, the next  
 23 meeting will be here at 2:00 on Thursday,  
 24 April 6th.  
 25 MR. CARRON:

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1 Develop all you want to around them and  
 2 make the progress, but at least give them a shot  
 3 to progress with it instead of saying, we're going  
 4 to hold you back and we're going to progress  
 5 everything around you. That's not fair.  
 6 MR. TODARO:  
 7 To me, this is a textbook example of  
 8 change in the character of the neighborhood. I  
 9 mean, not over 10 or 15 years, just over the past  
 10 five years. This neighborhood has just -- you  
 11 don't even recognize it. So by definition, it  
 12 wasn't a mistake in the zoning. It was a change  
 13 in the character of the neighborhood.  
 14 MR. CREEL:  
 15 That is correct.  
 16 MR. TODARO:  
 17 I mean, I can't even imagine how  
 18 anything can be more changed than this.  
 19 CHAIRMAN WASHER:  
 20 Any other comments?  
 21 (No response.)  
 22 CHAIRMAN WASHER:  
 23 All right. We have got a motion and  
 24 second on the floor recommending approval of the  
 25 CB zoning.

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1 Old business.  
 2 MS. LENA:  
 3 He didn't hear you.  
 4 MR. CARRON:  
 5 Just an update on the parking lot down  
 6 that wall across from IP. I think there might be  
 7 update on that, Jerry?  
 8 MR. CREEL:  
 9 We're trying to schedule a meeting with  
 10 Mr. Schwartz right now. You know, you've probably  
 11 seen the home display that's going on down there.  
 12 That was a deal that was worked out between the  
 13 people of IP and the home salespeople. This is  
 14 one of those shows where people come from all over  
 15 the world and come in and order based on this.  
 16 They used to meet in another city, and it got  
 17 recruited to Biloxi. But we're trying to schedule  
 18 a meeting right now with Mr. Schwartz to talk  
 19 about what he found out in Las Vegas.  
 20 MR. CARRON:  
 21 All right. Thank you.  
 22 CHAIRMAN WASHER:  
 23 All right. New business. We passed a  
 24 card around. I don't know if everybody had an  
 25 opportunity to sign it. Ms. Judy Broussard, who

1 had been in the Community Development department  
 2 for many, many, many years -- of course, she is  
 3 retired now -- she passed away. Her daughter,  
 4 Julie Suarez, works out at the front desk as  
 5 you're coming in the double doors. If you hadn't  
 6 had the opportunity to sign the card, Caryle has  
 7 got that. Also, we're going to go ahead and send  
 8 a plant and all on behalf of the Planning  
 9 Commission. If you would like to donate to that,  
 10 she will take the money after Board of Zoning  
 11 Adjustments meeting.

12 MR. DELAHOUSEY:

13 David, I would just like to say, for the  
 14 record, that last meeting I will let everybody  
 15 know that Melissa was in charge, not me.

16 MR. CREEL:

17 Let the record reflect...

18 CHAIRMAN WASHER:

19 All right. So we stand adjourned on the  
 20 Planning Commission.

21 (Adjourned at 4:03 p.m.)  
 22  
 23  
 24  
 25

**CERTIFICATE OF COURT REPORTER**

1  
 2 I, MELISSA BURDINE-RODOLFICH, Court Reporter  
 3 and Notary Public, in and for the County of  
 4 Harrison, State of Mississippi, hereby certify that  
 5 the foregoing pages, and including this page,  
 6 contain a true and correct copy of my stenotype  
 7 notes and/or electronic tape recording of the  
 8 testimony of the witness, as taken by me at the  
 9 time and place heretofore stated, to the best of my  
 10 skill and ability.

11 I further certify that I am not in the employ  
 12 of, or related to, any counsel or party in this  
 13 matter, and have no interest, monetary or  
 14 otherwise, in the final outcome of the proceedings.

15 Witness my signature and seal, this the  
 16 \_\_\_\_\_ day of \_\_\_\_\_, 2023.

17  
 18 \_\_\_\_\_

19  
 20 Melissa Burdine-Rodolfich  
 My Commission Expires 4/28/24

21  
 22  
 23  
 24  
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