

Ordinance No. 2515

ORDINANCE TO APPROVE A ZONING MAP AMENDMENT, TO AUTHORIZE
A CHANGE IN ZONING DISTRICT CLASSIFICATION FOR A PORTION
OF A PARCEL OF LAND CURRENTLY SPLIT-ZONED, FROM ITS PRESENT
ZONING DISTRICT CLASSIFICATION OF NB NEIGHBORHOOD BUSINESS
AND RB REGIONAL BUSINESS TO RB REGIONAL BUSINESS,
FOR A PARCEL PRESENTLY IDENTIFIED AS 12900 OLD HIGHWAY 67

WHEREAS, on Thursday, June 01, 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. 23-048-PC, W.S.G. Inc., (owner) and Don Parker (applicant), a request for Zoning Map Amendment, to authorize a change in zoning district classification for a portion of a parcel of land, currently split-zoned from its present zoning district classification of NB Neighborhood Business and RB Regional Business to RB Regional Business, presently identified as 12900 Old Highway 67 (re. Tax Parcel No. 1208A-04-006.002); and

WHEREAS, the Planning Commission members were apprised of the particulars of this case, being made cognizant of the fact that W.S.G. Inc., (owner) and Don Parker (applicant) had submitted this request for Zoning Map Amendment, to authorize a change in zoning district classification for a portion of a parcel of land currently split-zoned, from its present zoning district classification of NB Neighborhood Business and RB Regional Business to RB Regional Business, presently identified as 12900 Old Highway 67 (re. Tax Parcel No. 1208A-04-006.002), to bring the said property into compliance for a future development; and

WHEREAS, it was noted that the Development Review Committee (DRC) had reviewed the above-referenced request for rezoning and had found it to be in conformance with the rules and regulations of the City of Biloxi, and had authorized the applicant to proceed with this

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application to the Planning Commission and City Council to obtain the requested Zoning Map Amendment, as herein requested; and

WHEREAS, on June 01, 2023, the Biloxi Planning Commission, after some discussion, and upon careful reflection of the particulars of this case, voted (11-0) to recommend approval for the Zoning Map Amendment, to authorize a change in zoning district classification for a portion of a parcel of land currently split-zoned, from its present zoning district classification of NB Neighborhood Business and RB Regional Business to RB Regional Business, and identified as 12900 Old Highway 67, having determined that a Change in the Character of the Neighborhood with a community need for the use offered (re: a RV and Boat storage), was of evidence at this location; 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 Zoning Map Amendment, as submitted, is appropriate for a parcel of land currently split-zoned and collectively identified as 12900 Highway 67, in Case No. 23-048-PC.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF BILOXI, MISSISSIPPI, THAT AS PER THE FINDINGS OF THE PLANNING COMMISSION, AND BASED UPON A DETERMINATION THAT A CHANGE IN THE CHARACTER OF THE NEIGHBORHOOD WITH AN ESTABLISHED NEED FOR THE USE OFFERED IS OF EVIDENCE AT THIS LOCATION, 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, be hereby amended by a change in zoning

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district classification from NB Neighborhood Business and RB Regional Business to RB Regional Business, for a portion of a parcel of land currently split-zoned and identified as 12900 Old Highway 67, and described as follows:

A parcel of land situated in the northeast 1/4 of the northwest 1/4 of section 1, township 7 south, range 10 west, city of Biloxi, Harrison County, Mississippi as shown on the plat of survey prepared by Patrick Martino pls Inc. Dated July 9, 2021 (geodetic bearings used during survey based on rtk gps observation) and being more particularly described as follows:

Commencing at a concrete monument found at the northeast corner of the northeast 1/4 of the northwest 1/4 of section 1, township 7 south, range 10 west, city of Biloxi, Harrison County, Mississippi; thence along the line common to section 36, township 6 south, range 10 west and section 1, township 7 south, range 10 west, s89°59'30"w 209.91 feet to a 1/2" iron rod found; thence s00°25'34"e371.43 feet to a 1/2" iron rod found. Lying on the west margin of old highway 67 and being situated at the northwest corner of property now or formerly Pickich, recorded in deed instrument 2016-1640-d-j2, said iron rod also being the point of beginning; thence along the west line of Pickich property, s00°25'35"e953.87 feet to a 1/2" iron rod found; thence continue along said east line, S00° 36'21"e 101.93 feet to a 1/2" iron rod found at the northeast corner of property now or formerly peck, recorded in deed instrument #2019-3343-d-j2; thence along the north line of said peck property, s89°35'08"w 254.41 feet to a capped 1/2" iron rod set (stamped: Martino pls 2838); thence n00°26'20"w 1349.63 feet to a capped 1/2" iron rod set (stamped: Martino pls 2838). Lying on the said west margin of old highway 67; thence along said west margin, along a curve to the left, having a radius of 2972.77 feet, an arc length of 388.96 feet and a chord bearing and distance of s41°18'24"e 388.69 feet to the point of beginning. Containing 6.98 acres.

further described as land most nearly bounded by the following streets: situated to the North of Hattie K. Road; to the South of Woolmarket Road; to the East of and fronting to Old Highway 67; and to the West of Hudson Krohn Road.

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

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

YEAS:	Lawrence	Tisdale	NAYS:	None
	Gines	Glavan		
	Deming	Barrett		

ABSENT: Newman

The President then declared the Ordinance adopted this the 11th day of July, 2023.



ATTEST:

Keeli Campbell

 CLERK OF THE COUNCIL

APPROVED:

[Signature]

 PRESIDENT OF THE COUNCIL

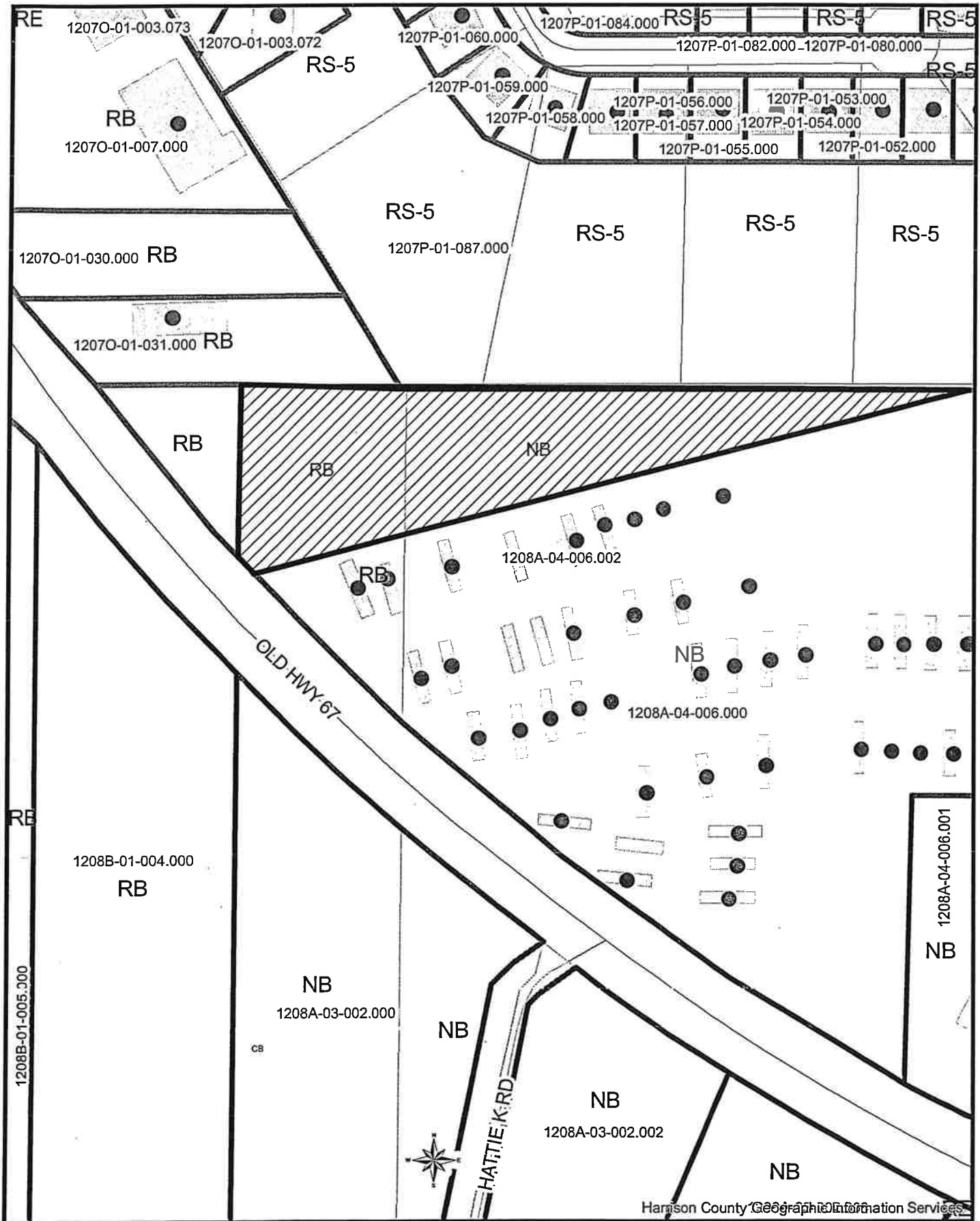
Submitted to and approved by the Mayor, this the 13th day of July, 2023.

APPROVED:

[Signature]

 MAYOR

Case No. 23-048-PC
W.S.G. Inc./Don Parker Design
0 Old Highway 67
Zoning Map Amendment NB to RB



Scheduled for:
June 1, 2023
Meeting

W.S.G. Inc., (owner) and Don Parker (applicant)

Case No. 23-048-PC

Zoning Map Amendment

NB to RB Community Business



**Planning Commission
Case Fact Sheet**

Case No.:	23-048-PC
Names of Applicants:	W.S.G. Inc., (owner) and Don Parker (applicant)
Address of Property:	12900 Old Highway 67
Tax Parcels/Ward:	1208A-04-006.002/Ward 7

Request:	Zoning Map Amendment
Purpose of Request:	An application for a Zoning Map Amendment , to authorize a change in zoning district classification for a portion of a parcel of land currently split-zoned, from its present zoning district classification of NB Neighborhood Business and RB Regional Business to RB Regional Business , for a parcel presently identified as 12900 Old Highway 67 (re. Tax Parcel No. 1208A-04-006.002).
Size of Property:	3.21 acres (More or Less)
Present Zoning:	NB Neighborhood Business/RB Regional Business
Present Use:	Vacant land
Most Nearly Bounded By (streets):	To the North of Hattie K. Road; to the South of Woolmarket Road; to the East of and fronting to Old Highway 67; and to the West of Hudson Krohn 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

ability to construct a new RV and Boat Storage facility.

**Letters or
Concerns stated:**

The Planning Division Office has not received any letters or other written communications relative to this case, as of May 25, 2023.

**Comments/
Recommendations:**

W.S.G. Inc., (owner) and Don Parker (applicant) have requested a **Zoning Map Amendment**, to authorize a change in zoning district classification for a portion of a parcel of land currently split-zoned, from its present zoning district classification of **NB Neighborhood Business** and **RB Regional Business** to **RB Regional Business**, for a parcel presently identified as 12900 Old Highway 67 (re. Tax Parcel No. 1208A-04-006.002).

The owner/applicant has stated this property is currently split zoned, and by making it all one zone, will allow him to construct a new RV and Boat Storage facility.

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 a parcel of land approximately 3.21 acres in size (more or less), from their present zoning district classification of **NB Neighborhood Business** and **RB Regional Business** to **RB Regional Business**, having determined that a mistake in the original zoning is evident.
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.



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. 23-048-PC

To Be Completed by Owner/Applicant Date: 05/03/2023

Name of Rightful Owner(s): W.S.G. Inc. Name of Applicant: (if different than Owner) Don Parker

Property Address: 12900 Old Hwy 67 Ward Number

Tax Parcel Identification Number(s):

1	2	0	8	B	0	1	0	0	4	0	0	0							
1	2	0	8	A	0	4	0	0	6	0	0	2							

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

City: D'Iberville City: Biloxi

State: MS State: MS

Zip: 39540 Zip: 39532

County Harrison County Harrison

Telephone: () Telephone: (228) 396 - 0038

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

Present Zoning Classification: RB and NB

Is the property located within an AHRC District? Yes ___ No ___ Flood Zone(s) of Property: AE - 15

	North	South	East	West
Property is most nearly bounded by what streets? Old Highway 67				X
If property directly fronts or is adjacent one of the streets above please indicate with a ✓.				X

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

	Text Amendment
X	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
X	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 of Rightful Owner

Signature of Rightful Owner

Notary Signature
(Seal)

Notary Signature
(Seal)

[Handwritten Signature]
Signature of Rightful Owner

[Handwritten Signature]
Signature of Applicant

[Handwritten Signature]
Notary Signature
(Seal)
CARYLE D. LENA
Commission Expires
Sept. 12, 2028
HARRISON COUNTY

[Handwritten Signature]
Notary Signature
(Seal)
CARYLE D. LENA
Commission Expires
Sept. 12, 2028
HARRISON COUNTY

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

NOTES:

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



PLANNING COMMISSION SUPPLEMENT
Map Amendment
(Master Plan update)

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:** 05/03/2023

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.

Please attach a separate 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.*

	Existing	New
I am requesting a zoning change from this zone to this zone:	NB	RB

If zoning change request includes more than one parcel, you must provide a wraparound legal description.

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

Criteria:	✓	
	Yes	No

1. <i>Is the proposed map amendment consistent with the Comprehensive Plan?</i>	X	
---	---	--

Please explain:

This property is undeveloped land and there is commercial property to the north.

2. <i>Is the proposed map amendment compatible with present zoning and conforming uses of nearby property and with the character of the neighborhood?</i>	X	
---	---	--

Please explain: Half of this property is already an RB zone, property to the north is RB also.



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

Criteria (continued)	✓	
	Yes	No
3. <i>Is the property suitable for uses permitted in the present zoning district?</i>	X	
<i>Please explain:</i>		
Half of this property is.		
4. <i>Is the property suitable for uses permitted in the proposed zoning district?</i>	X	
<i>Please explain:</i>		
5. <i>Has there been a change in the character of the neighborhood?</i>		X
<i>Please explain:</i>		
6. <i>Is there an established community need for uses permitted in the proposed zoning district?</i>	X	
<i>Please explain:</i>		
Yes, storage.		
7. <i>Was there a mistake in the original zoning of the property?</i>	X	
<i>Please explain:</i>		
Possibly, two zones on one property.		
8. <i>Are utilities and infrastructure sufficient to address the impacts associated with allowed uses in the proposed district?</i>	X	
<i>Please explain:</i>		
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"/>	
No		

RV & BOAT STORAGE

TIMBER CREEK ESTATES, PHASE 1, RECORDED IN PLAT BOOK 11, PAGE 9. LOT 2

SE 1/4, SW 1/4 SECTION 36-6-10

LOT 1

PARCEL #1208B-01-004.000 [P.O.B.]

PARCEL #1208A-04-006.002 [P.O.B.]

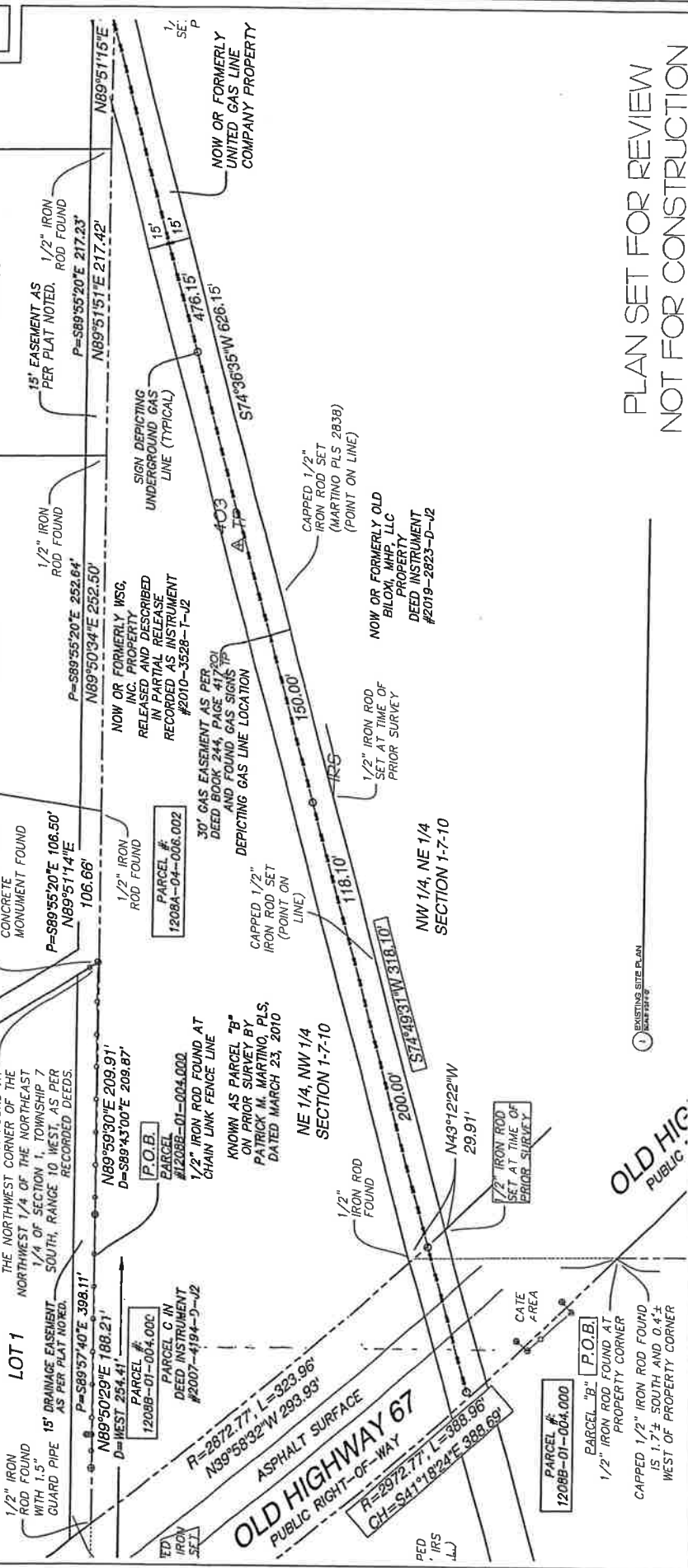
LOT 33

SW 1/4, SE 1/4 SECTION 36-6-10

LOT 34

TIMBER CREEK ESTATES, PHASE 2, RECORDED IN PLAT BOOK 13, PAGE 10.

LOT 35



PLAN SET FOR REVIEW
NOT FOR CONSTRUCTION

SHEET	CI
DRAWN BY:	DBP
CHECKED BY:	
DATE:	04/28/2022
STRUCTURAL DESIGN SOLUTIONS 8196C WOODMARKET ROAD BILOXI MS, 39532 <small>© 2022 S.D.S. - All rights reserved. No part of this publication may be reproduced without the prior written permission of S.D.S.</small>	
EXISTING SITE	

SHEET TITLE

EXISTING SITE

DATE

S.D.S.

DRAWN BY

DBP

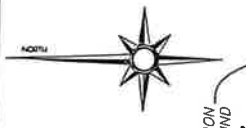
CHECKED BY

RV & BOAT STORAGE

CI

SHEET

RV & BOAT STORAGE

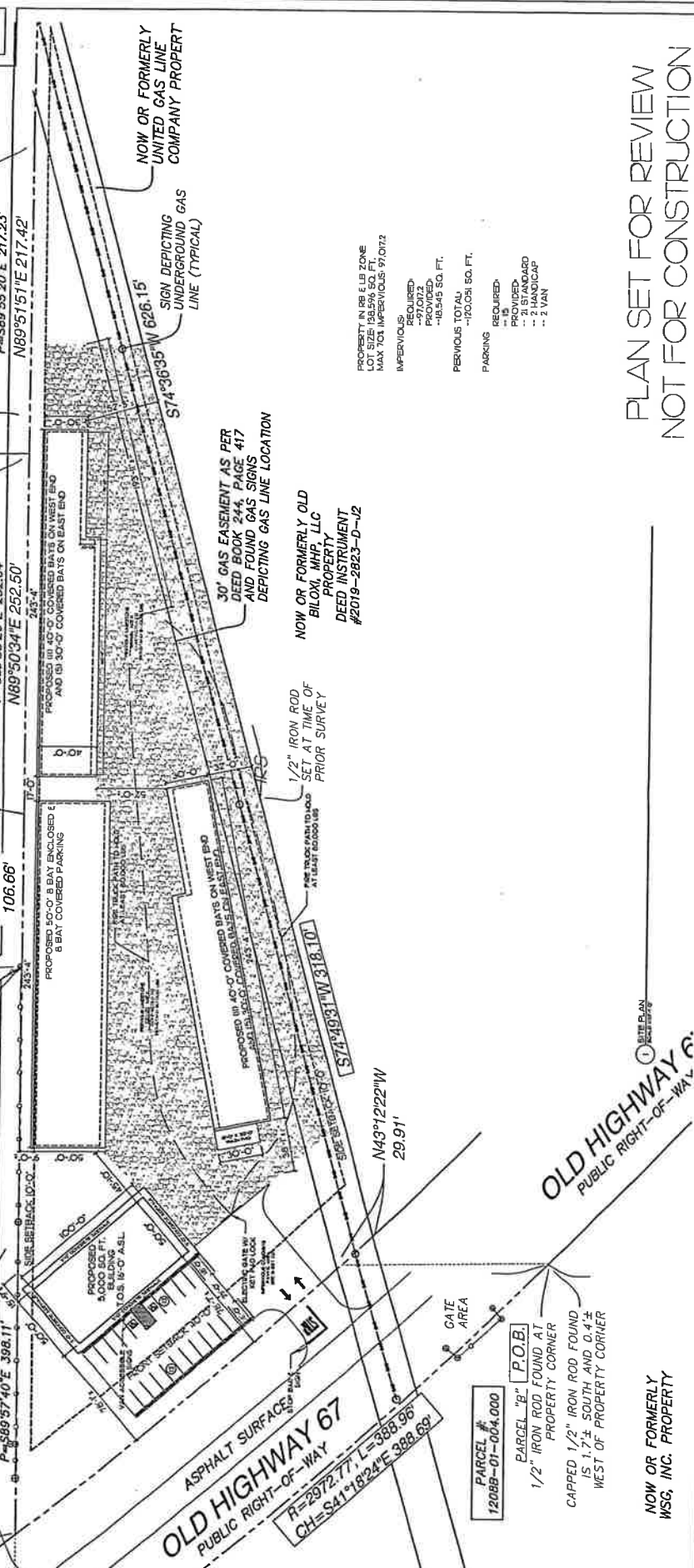


LOT 35
 15' EASEMENT AS PER PLAT NOTED, 1/2" IRON ROD FOUND
 $P=589^{\circ}55'20"E$ 217.23'
 $N89^{\circ}51'51"E$ 217.42'

LOT 34
 1/2" IRON ROD FOUND
 $P=589^{\circ}55'20"E$ 252.64'
 $N89^{\circ}50'34"E$ 252.50'

LOT 33
 2" IRON PIPE FOUND 15.0' NORTH OF CONCRETE MONUMENT FOUND
 $P=589^{\circ}55'20"E$ 106.50'
 $N89^{\circ}51'14"E$ 106.66'

LOT 1
 1/2" IRON ROD FOUND WITH 1.5" GUARD PIPE
 15' DRAINAGE EASEMENT AS PER PLAT NOTED.
 $P=589^{\circ}57'40"E$ 398.11'
 $N89^{\circ}51'14"E$ 106.66'



NOW OR FORMERLY UNITED GAS LINE COMPANY PROPERTY
 SIGN DEPICTING UNDERGROUND GAS LINE (TYPICAL)
 $S14^{\circ}36'35"W$ 626.15'

30' GAS EASEMENT AS PER DEED BOOK 244, PAGE 417 AND FOUND GAS SIGNS DEPICTING GAS LINE LOCATION
 NOW OR FORMERLY OLD BILOXI, MHT, LLC PROPERTY, LLC
 DEED INSTRUMENT #2019-2823-D-12

1/2" IRON ROD SET AT TIME OF PRIOR SURVEY
 $S74^{\circ}49'31"W$ 318.10'

$N49^{\circ}12'22"W$ 29.91'

PARCEL # 12088-01-004.000
 PARCEL "B" P.O.B.
 1/2" IRON ROD FOUND AT PROPERTY CORNER
 CAPPED 1/2" IRON ROD FOUND IS 1.7'± SOUTH AND 0.4'± WEST OF PROPERTY CORNER

PARCEL # 12088-01-004.000
 PARCEL "B" P.O.B.
 1/2" IRON ROD FOUND AT PROPERTY CORNER
 CAPPED 1/2" IRON ROD FOUND IS 1.7'± SOUTH AND 0.4'± WEST OF PROPERTY CORNER

PROPERTY IN DB & LB ZONE
 LOT SIZE 198,594 SQ. FT.
 MAP FOR IMPROVEMENTS 97.0712
 IMPROVEMENTS PROVIDED:
 -- 157023
 -- 18,545 SQ. FT.
 PERVIOUS TOTAL -- 120,051 SQ. FT.
 PARKING REQUIRED:
 -- 15
 PROVIDED:
 -- 2 STANGARO
 -- 2 HANDICAP
 -- 2 VAN

PLAN SET FOR REVIEW
 NOT FOR CONSTRUCTION

SHEET C2	RV & BOAT STORAGE	DRAWN BY: DBP	STRUCTURAL DESIGN SOLUTIONS 8185C WOODMARKET ROAD BILOXI MS, 39532 <small>REGISTERED PROFESSIONAL ENGINEER - CIVIL ENGINEERING LICENSE # 13482</small>	DATE: 04/28/2022
	HWY 67 BILOXI MS, 39532	CHECKED BY:		PROPOSED SITE
SHEET TITLE: PROPOSED SITE				

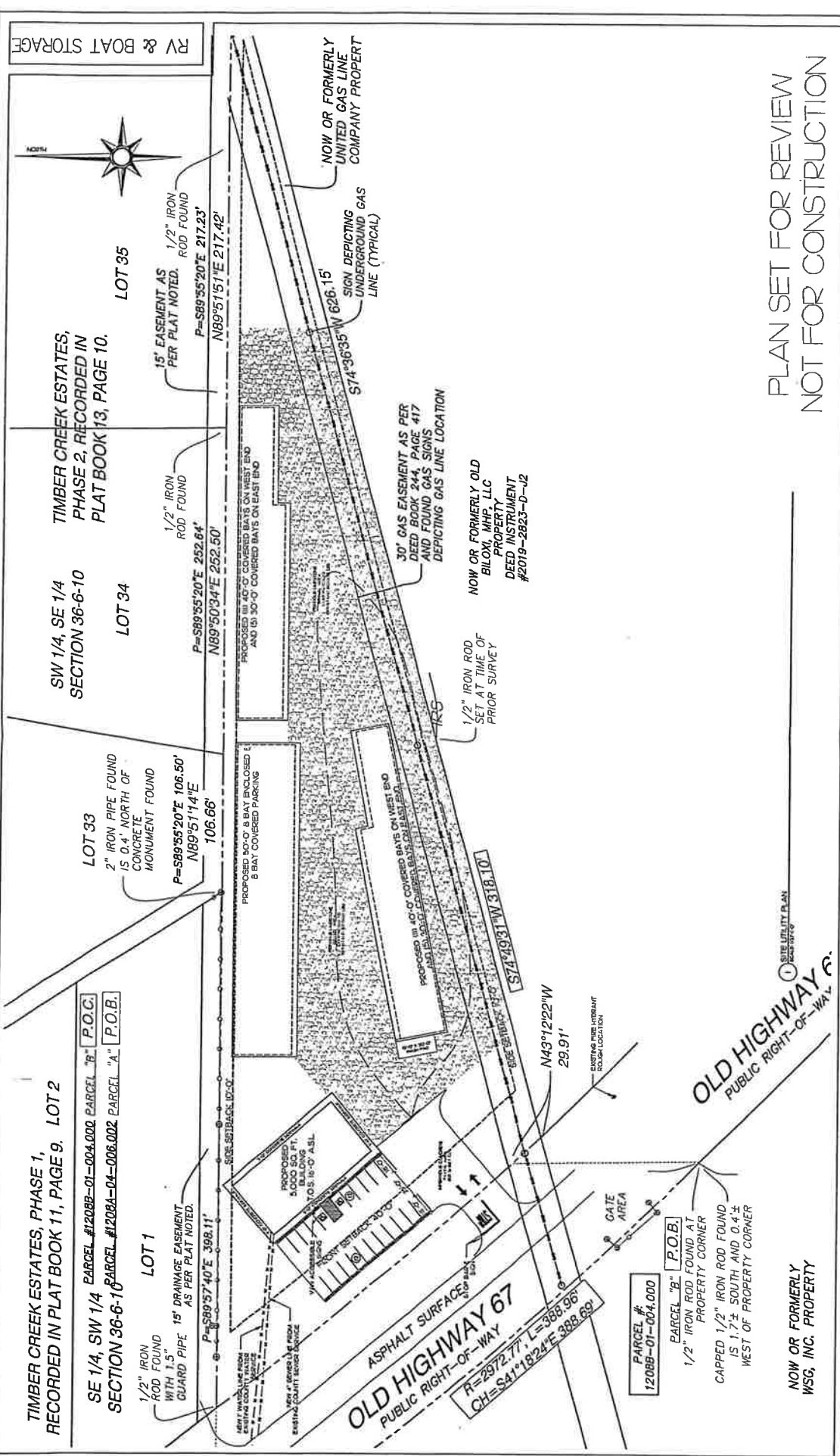
TIMBER CREEK ESTATES, PHASE 1,
 RECORDED IN PLAT BOOK 11, PAGE 9, LOT 2

SE 1/4, SW 1/4 PARCEL #12088-01-004.000 PARCEL "B" P.O.C.
 SECTION 36-6-10 PARCEL #12088-04-006.002 PARCEL "A" P.O.B.

OLD HIGHWAY 67
 PUBLIC RIGHT-OF-WAY

OLD HIGHWAY 67
 PUBLIC RIGHT-OF-WAY





TIMBER CREEK ESTATES, PHASE 1,
RECORDED IN PLAT BOOK 11, PAGE 9. LOT 2

SE 1/4, SW 1/4 PARCEL #12088-01-004.000 PARCEL "B" P.O.C.
SECTION 36-6-10 PARCEL #12088-04-008.002 PARCEL "A" P.O.B.

LOT 1
1/2" IRON ROD FOUND WITH 1.5" GUARD PIPE 15' DRAINAGE EASEMENT AS PER PLAT NOTED.
P=589°57'40"E 308.11'

LOT 33
2" IRON PIPE FOUND IS 0.4' NORTH OF CONCRETE MONUMENT FOUND
P=589°55'20"E 106.60'
N89°5'14"E 106.66'

SW 1/4, SE 1/4 SECTION 36-6-10
LOT 34

1/2" IRON ROD FOUND
P=589°55'20"E 252.64'
N89°50'34"E 262.50'

LOT 35
15' EASEMENT AS PER PLAT NOTED.
P=589°55'20"E 217.23'
N89°51'51"E 217.42'

RV & BOAT STORAGE

ASPHALT SURFACE
OLD HIGHWAY 67
PUBLIC RIGHT-OF-WAY
R=2972.77', L=388.36'
CH=S41°18'24"E 388.69'

PARCEL # 12088-01-004.000
PARCEL "B" P.O.B.
1/2" IRON ROD FOUND AT PROPERTY CORNER
CAPPED 1/2" IRON ROD FOUND IS 1.7'± SOUTH AND 0.4'± WEST OF PROPERTY CORNER

NOW OR FORMERLY WSG, INC. PROPERTY

OLD HIGHWAY 66
PUBLIC RIGHT-OF-WAY

① SITE UTILITY PLAN
DATE 04/25/2022

PLAN SET FOR REVIEW
NOT FOR CONSTRUCTION

SHEET TITLE

SITE UTILITY PLAN

DATE 04/25/2022

\$IDS
STRUCTURAL DESIGN SOLUTIONS
8185C WOODMARKET ROAD
BILOXI MS, 39532

DRAWN BY: DBP
CHECKED BY:

RV & BOAT STORAGE

HWT 67
BILOXI MS, 39532

SHEET

C3

My client is wanting to build a boat and RV storage on this lot, as of now it has two different zones. We went to a DRC meeting in which we found we needed a variance for the parking lot which would be limestone. We also need a map amendment because at the moment there are two different zones on the property.

Community Development Director
Jerry Creel



676 Dr. Martin Luther King Jr. Blvd.
P.O. Box 508
Biloxi, Mississippi 39533
Office: 228.435.6280
Fax: 228.435.6188
www.biloxi.ms.us

To: Biloxi Planning Commission

From: Jerry Creel, Development Review Committee Chair

Date: May 25, 2023

Re: W.S.G. Inc.
12900 Old Hwy 67
1208A-04-006.002
DRC Case No. 2023-036

The Development Review Committee (DRC) has reviewed the above-referenced project and has authorized the applicant to apply to Planning Commission and the Biloxi City Council for a Zoning Map Amendment.

The City will require further review and approval by DRC prior to permitting because of the nature of this project. Building Permits shall be issued when construction documents are approved by the Building Division.

Yours truly,

Jerry Creel

Jerry Creel, Chair

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BILOXI PLANNING COMMISSION MEETING
 JUNE 1, 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
 Kyle Carron
 Steve Delahousey
 Charlie Dellenger
 Gary Lechner
 Debora Magee
 August Parker
 Jimmy Poulos
 John Snow
 David Stanovich
 Michael Todaro

ALSO PRESENT:

Jerry Creel, Director of Community Development
 Felicia Serpas, Senior Planner
 Zach Harris, City Arborist
 Jon Lambert, Code Inspector
 Dr. Paul Tisdale, Councilman Ward 5

REPORTED BY:

Melissa Burdine-Rodolfich
 Simpson Burdine & Miguez

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

CONTINUED PUBLIC HEARING(S):	PAGE:
(None)	--
NEW PUBLIC HEARING(S):	
23-044-PC	6
23-045-PC	16
23-046-PC	33
23-047-PC	42
23-048-PC	47
TREE HEARING(S):	
(None)	--

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CHAIRMAN WASHER:

Let us call the Planning Commission meeting to order, please.

We'll record the members present.

Mr. Lechner, Mr. Parker, Mr. Todaro, Ms. Magee, Mr. Stanovich, Mr. Dellenger, Mr. Poulos, Mr. Carron, Mr. Snow, Mr. Delahousey, myself, David Washer; Jerry Creel, Director of Community Development; Felicia Serpas, Senior Planner; Zach Harris, Arborist. At the table, there is Jon Lambert, Planning Inspector; and Melissa Rodolfich, court reporter. In the audience we have Dr. Paul Tisdale, Councilman Ward 5.

Mr. Delahousey, please open the meeting with a moment of prayer.

MR. DELAHOUSEY:

Certainly.
 (Moment of prayer.)

CHAIRMAN WASHER:

Mr. Poulos, the pledge, please.
 (Pledge of allegiance.)

CHAIRMAN WASHER:

We welcome you all with us today. We would ask that anyone that desires to speak, please come to the podium and give us your name

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and address for the record and also, please sign in at the pad provided. We would ask that if there is any cell phones in the audience, if you would, kindly mute them or turn them off.

Ask if all of the members received a copy of the minutes from the last meeting and if there's any additions or corrections.

MR. DELAHOUSEY:

Move to approve.

MR. SNOW:

Second.

CHAIRMAN WASHER:

Motion by Mr. Delahousey recommending approval; seconded by Mr. Snow.

MR. CARRON:

I have got a correction to make on it. Got to find it. On Page 12, it listed me speaking for someone else.

MR. DELAHOUSEY:

What was it?

MR. CARRON:

I just thought of it. On Page 12. Mr. Lambert was doing his -- talking about the video, but it's listed as me in both places.

MR. DELAHOUSEY:

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1 Any other questions? No other
2 questions.
3 Anything else you want to add?
4 MS. HUA:
5 No.
6 CHAIRMAN WASHER:
7 All right. Thank you.
8 We will ask if there is anyone in the
9 audience that wants to speak in favor of the
10 applicant's request? Anyone speaking in favor?
11 No one speaking in favor.
12 Is there anyone speaking in opposition?
13 No one speaking in opposition. We will consider
14 that hearing closed.
15 MR. CREEL:
16 This is a piece of property that's zoned
17 RM-30 which allows short-term rental as a
18 conditional use. Planning Commission, City
19 Council previously approved the property just
20 north of this as a short-term rental maybe a year
21 or two ago.
22 One of the things about this property,
23 you're within one block of Division Street, like
24 she said, so you're just one lot north of the
25 ditch from being right next to commercial

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1 Mr. Parker, Mr. Todaro, Ms. Magee, Mr. Stanovich,
2 Mr. Dellenger, Mr. Poulos, Mr. Carron, Mr. Snow,
3 Mr. Delahousey, myself, David Washer. We'll let
4 the record show that's unanimous.
5 Our next case, 23-048-PC, W.S.G., Inc.,
6 owner and Don Parker, applicant, a request for a
7 zoning map amendment to authorize a change in
8 zoning district classification for a portion of a
9 parcel of land currently split-zoned from its
10 present zoning district classification of NB,
11 neighborhood business, and RB, regional business,
12 to RB, regional business, for a parcel of land
13 presently identified at 12900 Old Highway 67,
14 being Municipal Tax Parcel Number
15 1208A-04-006.002. This case advertised on
16 May 11th, May 18th and May 25th.
17 MR. LAMBERT:
18 This actually has two videos on it.
19 There's another case for the Board of Zoning
20 Adjustments on this one. It's the same.
21 CHAIRMAN WASHER:
22 Well, let's -- zoning text and map --
23 MR. LAMBERT:
24 Right. I just meant it's all on one
25 video. That's all.

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1 property.
2 But if you'll notice on your zoning map,
3 everything else around this property is zoned
4 single-family residential, so this is the last
5 property on this stretch that can be considered
6 for short-term rental. If any other property came
7 forward they would have to seek a zoning change
8 first in order to get one.
9 So since there is one already approved
10 next door, the staff has no objection to recommend
11 approval.
12 CHAIRMAN WASHER:
13 Thank you.
14 MR. A. PARKER:
15 Recommend approval.
16 MS. MAGEE:
17 Second.
18 CHAIRMAN WASHER:
19 Motion by Mr. Parker recommending
20 approval; seconded Ms. Magee.
21 Any discussion?
22 (No response.)
23 CHAIRMAN WASHER:
24 We'd ask that all those in favor or
25 approval, raise your hand. Mr. Lechner,

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1 CHAIRMAN WASHER:
2 All right. If you want to show them all
3 at one time.
4 MR. LAMBERT:
5 Yes, sir.
6 This is looking north to Old Highway 67
7 and Woolmarket Road here. And looking back
8 southeast, Dollar General down here with Cedar
9 Lake as well.
10 CHAIRMAN WASHER:
11 Mr. Parker.
12 MR. D. PARKER:
13 All right. This lot is kind of unusual,
14 as it's RB on the front and it was -- let me
15 see -- NB on the rear. So the NB is not
16 accessible from the road. It's on the back
17 portion of it. To me, it looks like it was
18 probably a mistake in the map.
19 But anyways, when we presented the
20 project to DRC, they said it all has to be changed
21 to one zone. We can't do that where the building
22 is -- or the lot in the state it is right now,
23 where part of it is compliant, part of it is not.
24 So we're just continuing the zone that's at the
25 road back, to complete the property, so it's all

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1 in one zone, is all we're doing for this one
2 particular thing.

3 There's other RB as well that's
4 adjacent, and it's -- you know, it just makes
5 sense to continue with one zone all the way back
6 to the property and that's why we're trying to
7 change it, so we can comply.

8 CHAIRMAN WASHER:
9 And the intent is to have a boat and
10 trailer storage?
11 MR. D. PARKER:
12 Yeah. They're doing storage units in
13 there, covered storage. Actually the ones closer
14 to the road will be completely enclosed even, so
15 they're doing that, putting fences around there.
16 It's going to be boat storage and RV storage.

17 CHAIRMAN WASHER:
18 All right, sir. Any questions of
19 Mr. Parker, members of the Commission?
20 MR. CARRON:
21 I have got some. And let me ask Jerry.
22 I don't know if now is the time to ask them
23 because I know this is just for a zoning change,
24 but if we have any questions about the storage,
25 should we ask these now or would that come at a

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1 them that way. We'll explore that. It's a
2 good --
3 MR. CARRON:
4 Okay.
5 MR. D. PARKER:
6 Yes, sir. We'll definitely look at that
7 to make sure. You can see on the zoning map. See
8 the RBs in the front and then NB is landlocked in
9 the back.
10 MR. CREEL:
11 Buffer strips will be required -- or
12 buffers will be required anywhere this commercial
13 property were to abut residentially zoned
14 property, so on the north side and on the south
15 side.
16 Now, in the old ordinances, they used to
17 talk about 10-, 20-foot buffer, whatever. It's
18 different now. It has to do with opaque,
19 semi-opaque, so in this case, it's probably going
20 to be an opaque buffer, which would be a Type C.
21 MR. CARRON:
22 All right. Does Jon have a -- the
23 diagram where they have to show where they are
24 going to put the buildings? I just have a site
25 plan here.

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1 later date?
2 MR. CREEL:
3 No. You can ask about it if you want
4 to.
5 MR. CARRON:
6 Okay. I know the north property line
7 there is going to be adjacent to residential
8 property, even though nothing has been built
9 there. Have you got plans to put up a fence
10 around there?
11 MR. D. PARKER:
12 We were planning on chain linking the
13 rear of the area, but it's because -- so you're
14 saying that -- the trees right there is the
15 neighborhood zoning, is what -- the trees that are
16 on the land there? Is that the area you're
17 talking about right there? Do we have a zoning
18 map where you can see the --
19 MR. CARRON:
20 The southern boundary line has an X line
21 going through it, and that also looks like where
22 you're making one of the main drives.
23 MR. D. PARKER:
24 Right. If we need to do some buffers
25 there, when we go to DRC, we'll certainly present

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1 MR. LAMBERT:
2 I just have the site plan, yes, sir.
3 MR. CARRON:
4 That's what you're showing.
5 MR. LAMBERT:
6 Yes, sir.
7 MR. CARRON:
8 And that's what I was kind of alluding
9 to, is that it looks like these are almost --
10 MR. D. PARKER:
11 Right. We're just -- right at the
12 setback is where we have that, which I --
13 MR. CARRON:
14 You know, you're showing -- and I don't
15 know if that will show up -- that being a drive
16 coming in here, coming down that side, which
17 appears to be right over that gas line.
18 MR. D. PARKER:
19 Right. We're going to limestone over
20 that area, if they wanted to -- needed to get in
21 there and use it. It's an easement. We're not
22 going to put any buildings on a gas line.
23 MR. CARRON:
24 And like I said, you still have to deal
25 with DRC as far as the turning radius just for the

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1 fire truck in there.
2 MR. D. PARKER:
3 Right. And we have accommodated for
4 that. It's a pretty big space and -- that's why
5 we put limestone on the gas line area. That
6 allows the truck to make a u-turn back there. We
7 could have put a big hammer in the back, but that
8 would have taken a lot more space up, so we
9 basically made it so you could do a loop around
10 that building with the fire truck.
11 MR. CARRON:
12 All right. Thank you.
13 MR. D. PARKER:
14 And again, we'll have all the radiuses
15 on the plan for the DRC approval.
16 MR. CARRON:
17 Thank you, Mr. Parker.
18 MR. D. PARKER:
19 Thank you.
20 CHAIRMAN WASHER:
21 Any other questions, members of the
22 Commission?
23 Anything else, Mr. Parker?
24 MR. D. PARKER:
25 No. Thank you.

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1 would have no objection to the zoning change
2 request.
3 Remember, that if this zoning is
4 approved, they will have to come back to DRC and
5 that's where we will address drainage and buffers
6 and those things. No objection to the request.
7 CHAIRMAN WASHER:
8 Thank you.
9 MR. LECHNER:
10 I make a motion to approve.
11 CHAIRMAN WASHER:
12 Motion by Mr. Lechner recommending
13 approval.
14 MR. A. PARKER:
15 Second.
16 CHAIRMAN WASHER:
17 Seconded by Mr. Parker.
18 Any discussion?
19 (No response.)
20 CHAIRMAN WASHER:
21 We'll ask that all those in favor of
22 approval, raise your hand, please. Mr. Lechner,
23 Mr. Parker, Mr. Todaro, Ms. Magee, Mr. Stanovich,
24 Mr. Dellenger, Mr. Poulos, Mr. Carron, Mr. Snow,
25 Mr. Delahousey; myself, David Washer. We will let

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1 CHAIRMAN WASHER:
2 Thank you.
3 Ask if there is anyone in the audience
4 that wants to speak in favor of the applicant's
5 request? Anyone speaking in favor? No one
6 speaking in favor.
7 Anyone speaking in opposition? No one
8 speaking in opposition.
9 We will consider that hearing closed.
10 MR. CREEL:
11 This is a request to change the zoning
12 on this property which is actually split-zoned
13 right now. It's part NB and part RB. In order to
14 get the boat and RV storage in there, they're
15 going to need to have the RB zoning. So since one
16 part of the zoning is already RB, it's just an
17 extension of one that already exists which is
18 typically textbook zoning change.
19 We also don't like to have split-zoned
20 property. We like to clean up those and make them
21 all one zoning either one way or the other. So
22 for what they're asking for on that north side up
23 near Old 67, they're kind of next to an industrial
24 use. You have got the mobile home park on the
25 south side and with the proper buffers, the staff

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1 the record show that's unanimous.
2 No Tree Hearings today.
3 City Council action?
4 MR. CREEL:
5 The only case that we had before the
6 City Council was, last week, the application for
7 Loaves and Fishes to move into a vacant building
8 on Judge Sekul Avenue. That request was denied by
9 two votes for and five votes against, so it was
10 five to deny and two to approve.
11 That's all. Thank you.
12 CHAIRMAN WASHER:
13 Thank you.
14 Any other old business to come before us
15 today?
16 (No response.)
17 CHAIRMAN WASHER:
18 Any new business?
19 It's that time of year again. I would
20 like to ask that anyone who's interested in taking
21 part in the nomination of officers for the next
22 year, starting July 1st, if we can maybe meet at
23 1:30 prior to our next meeting on June 15th and
24 everyone is welcome to come. I think in 30
25 minutes we can take care of it and go on and move

1 on from there.
 2 Any citizens' comments? Anyone in the
 3 audience want to speak? No citizens' comments.
 4 Again, the next meeting will be here on
 5 Thursday, June 15th. With that, we will adjourn
 6 the Planning Commission.
 7 (Adjourned at 2:59 p.m.)
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CERTIFICATE OF COURT REPORTER

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 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.

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