

Ordinance No. 2529

AN ORDINANCE TO APPROVE A ZONING MAP AMENDMENT SUBMITTED TO AUTHORIZE A CHANGE IN ZONING DISTRICT CLASSIFICATION FOR A SINGLE PARCEL OF LAND FROM ITS PRESENT ZONING DISTRICT CLASSIFICATION OF RS-7.5 MEDIUM-DENSITY SINGLE-FAMILY RESIDENTIAL TO RM-10 LOW-DENSITY MULTI-FAMILY RESIDENTIAL, FOR LAND IDENTIFIED AS 1611 GLENN SWETMAN STREET

WHEREAS, on Thursday, September 7, 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. 23-074-PC, Heidi & Dan Hoye, a request for Zoning Map Amendment, for a single parcel of land identified as 1611 Glenn Swetman Street; and

WHEREAS, the Planning Commission members were apprised of the particulars of this case, being made cognizant of the fact that Heidi & Dan Hoye, have submitted this request for a Zoning Map Amendment to authorize a change in zoning district classification for a parcel of land measuring eighty-seven one-hundredths (.87) of an acre (more or less) in size, from its present zoning district classification of RS-7.5 Medium-Density Single-Family Residential to RM-10 Low-Density Multi-Family Residential, for land identified as 1611 Glenn Swetman Street (re: Tax Parcel No. 1310L-04-154.006); and

WHEREAS, it was stated that the owners have requested this Zoning Map Amendment to allow their 6-bedroom, 7-bathroom home to be used as a Bed and Breakfast – which has been submitted for consideration for Conditional Use approval for that Bed and Breakfast facility via separate application (re: companion Case No. 23-076-PC); and

WHEREAS, on September 7, 2023, the Biloxi Planning Commission, after much discussion, input from neighbors, and careful reflection upon the particulars of this case, voted (14-0-0) to recommend approval of this request for Zoning Map Amendment, stating that a

Ord. No. 2529

significant change in the character of the neighborhood had been established with an established Community Need for the Bed and Breakfast use at this location; 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 to RM-10 Low-Density Multi-Family Residential is appropriate for land presently identified as 1611 Glenn Swetman Street, Case No. 23-074-PC, Heidi & Dan Hoyer.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF BILOXI, MISSISSIPPI, AS PER THE FINDINGS OF THE PLANNING COMMISSION, AND BASED UPON A DETERMINATION THAT A CHANGE IN THE CHARACTER OF THE NEIGHBORHOOD IN THIS AREA OF THE CITY OF BILOXI, COUPLED WITH A VALID COMMUNITY NEED FOR CONSIDERATION OF ADDITIONAL USES AT THIS LOCATION HAS BEEN ESTABLISHED, 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 district classification from RS-7.5 Medium-Density Single-Family Residential to RM-10 Low-Density Multi-Family Residential for land presently identified as 1611 Glenn Swetman Street, and described as follows:

*Lots 8 thru 11 Inc. Cayman Brac North Subd Secs 31-7-9 & 36-7-10,*

and further described as land most nearly bounded by the following streets: to the North of Cayman Cove; to the South of and fronting upon Glen Swetman Street; to the East of and adjacent to Iberville Drive; and to the West Miramar Avenue.

Ord. No. 2529

SECTION ONE: 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 Lawrence, seconded by Councilmember Gines, and was adopted by the following vote:

YEAS:	Gines Newman	Deming	NAYS:	Lawrence Tisdale
ABSTAIN:	Barrett Glavan			

The President then declared the Ordinance adopted this the 17<sup>th</sup> day of October, 2023.



ATTEST:

Keis Campbell  
CLERK OF THE COUNCIL

APPROVED:

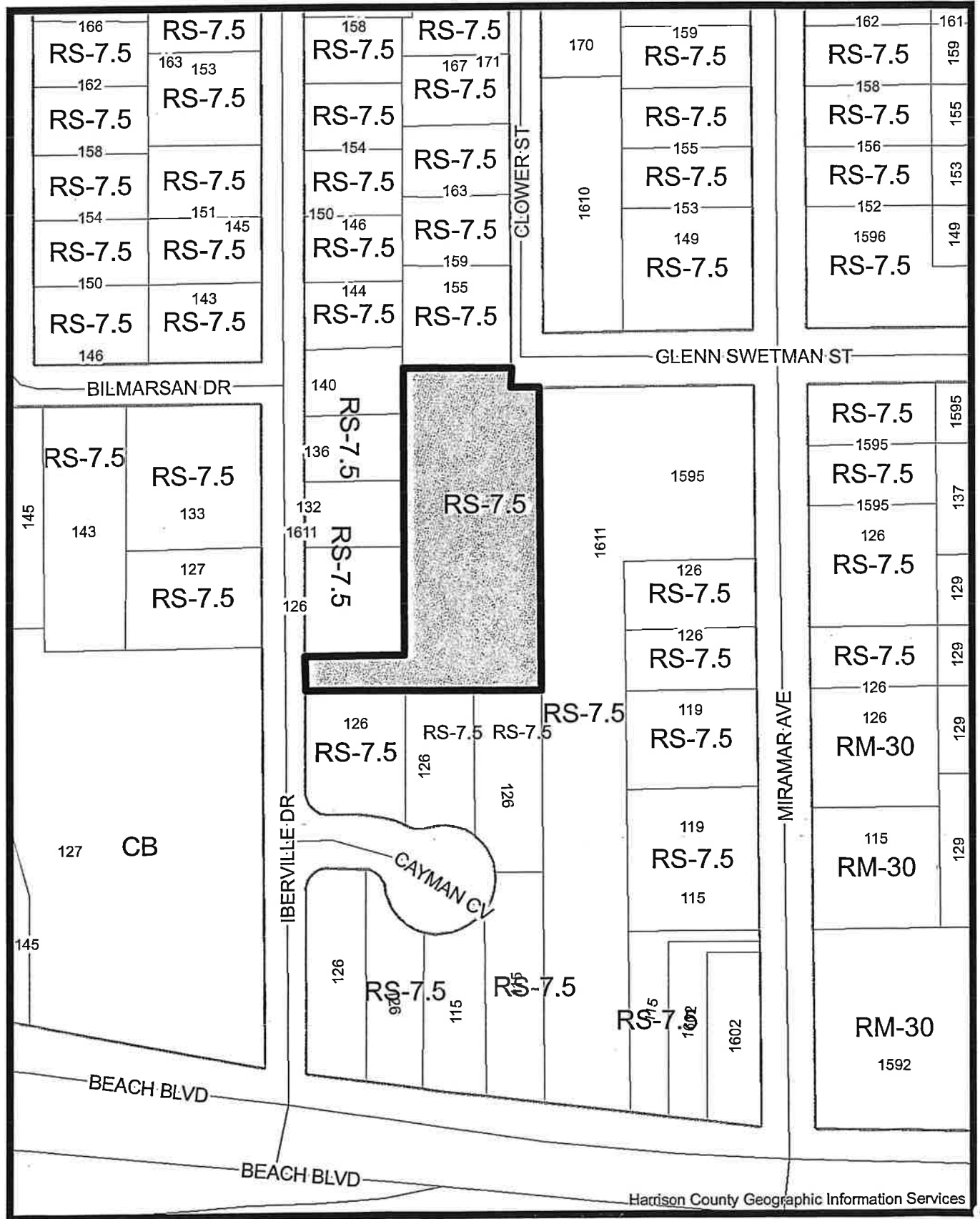
Nathan Barrett  
PRESIDENT OF THE COUNCIL

Submitted to and approved by the Mayor, this the 20<sup>th</sup> day of October, 2023.

APPROVED:

[Signature]  
MAYOR

Case No. 23-074-PC  
Daniel and Heidi Hoyo  
1611 Glenn Swetman Street  
Map Amendment - RS-7.5 to RM-10



Scheduled for:  
September 07, 2023  
PC Meeting

Daniel and Heidi Hoye  
Case No. 23-074-PC  
**Zoning Map Amendment RS-7.5 to RM-10**



**Planning Commission  
Case Fact Sheet**

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**Case No.:** 23-074-PC  
**Applicant/Owner:** Daniel T. and Heidi F. Hoye  
**Address of Property:** 1611 Glenn Swetman Street  
**Tax Parcel/Ward:** 1310L-04-154.006/ Ward 1

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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 a parcel of land measuring eighty-seven hundredths (.87) of an acre (more or less) in size, from its present zoning district classification of **RS-7.5 Medium-Density Single-Family Residential** to **RM-10 Low-Density Multi-Family Residential**, for a parcel of land identified as 1611 Glenn Swetman Street (re: Tax Parcel No. 1310L-04-154.006).

**Size of Property:** .87 acres (More or Less)

**Present Zoning:** **RS-7.5 Medium-Density Single-Family Residential**

**Present Use:** Single Family Residential

**Most Nearly Bounded By (streets):** To the North of Cayman Cove; to the South of and fronting upon Glen Swetman Street; to the East of and adjacent to Iberville Drive; and to the West Miramar Avenue.

**Adverse Influences:** A **Zoning Map Amendment** should only be authorized when conditions clearly suggest there is a mistake in the original zoning or a change in the character of the neighborhood is apparent.

**Positive Influences:** The zoning change proposed is consistent and in harmony with uses found upon adjacent or nearby properties, and

Daniel and Heidi Hoyer  
Case No. 23-074-PC  
**Zoning Map Amendment RS-7.5 to RM-10**

represents the least zoning change needed to accommodate the community.

**Letters or  
Concerns stated:**

The Planning Division Office has not received any letters or other written communications relative to this case, as of September 01, 2023.

**Comments/  
Recommendations:**

Daniel T. and Heidi F. Hoyer have requested a **Zoning Map Amendment**, to authorize a change in zoning district classification for a parcel of land measuring eighty-seven hundredths (.87) of an acre (more or less) in size, from its present zoning district classification of **RS-7.5 Medium-Density Single-Family Residential** to **RM-10 Low-Density Multi-Family Residential**, for a parcel of land identified as 1611 Glenn Swetman Street (re: Tax Parcel No. 1310L-04-154.006).

The applicants previously requested a **Zoning Map Amendment** in May of 2022, i.e., **Case No. 22-038-PC**, that was denied by the commission. They are now reapplying for the same request to allow their six-bedroom, seven-bath residence to operate as a Bed and Breakfast.

Daniel and Heidi Hoyer stated after being denied last year, they have decided to file an application due to their desire to use their home to serve guests and veterans of Biloxi. They stated they have become involved and volunteered in the surrounding communities, have invested in historically preserving their home, and would like to share the beauty of their property with others.

As with all requests for **Zoning Map Amendment**, discussion points should focus on the merits or demerits of the Zoning Map change proposed, considering the following criteria:

**Zoning Map Amendment RS-7.5 to RM-10**

- 1) Consistency (or lack thereof) with the Comprehensive Plan;
- 2) Compatibility with the present zoning and conforming uses of nearby property and to 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 **Zoning Map Amendment**, to authorize a change in zoning district classification for a parcel of land measuring eighty-seven one-hundredths (.87) of an acre (more or less) in size, from its present zoning district classification **RS-7.5 Medium-Density Single-Family Residential** to **RM-10 Low-Density Multi-Family Residential**, having determined that a Change in the Character of the Neighborhood is of evidence, and that this zoning change will allow the owners to apply by separate application for **Conditional Use** approval to operate a **Bed and Breakfast** at this location.
2. Recommend denial of this **Zoning Map Amendment**, having determined that insufficient evidence has been provided to establish that a mistake in original zoning is of evidence, or a Change in the Character of the Neighborhood, coupled with no valid Community need to warrant the level of zoning change, herein proposed for the parcels of land under consideration for zoning change.



**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. 23-074-PC

To Be Completed by Owner/Applicant

Date: August 3, 2023

Name of Rightful Owner(s):

Daniel T. Hoyer and Heidi F. Hoyer

Name of Applicant: (if different than Owner)

Same

Property Address:

1611 Glenn Swetman Street

Ward Number

1

Tax Parcel Identification Number(s):

1	3	1	0	L	-	0	4	-	1	5	4	.	0	0	6															

Mailing Address of Property Owner:

1611 Glenn Swetman Street

Mailing Address of Applicant (if different than Owner):

Same

City: Biloxi

City:

State: Mississippi

State:

Zip: 39530

Zip:

County Harrison

County

Telephone: (262) 397-7740

Telephone: ( )

Property Size (please give in acres or by dimension): .87 acres (4 lots) est. 38,446 sq.ft.

Present Zoning Classification: RS-7.5 Medium Density

Is the property located within an AHRG District? Yes \_\_\_ No    
 If so, which District?

Flood Zone(s) of Property:

SX

Property is most nearly bounded by what streets?

North	South	East	West
Glenn Swetman St.	Caymen Cove & US Hwy 90	Miramar Avenue	Iberville Drive

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

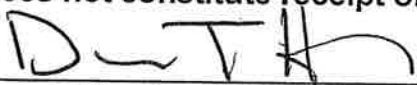
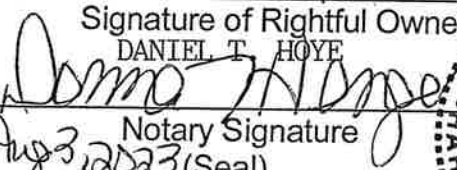
X

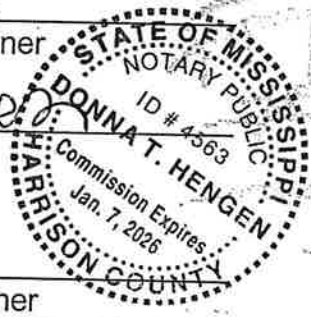
**REQUESTED ACTION BY THE PLANNING COMMISSION (A separate supplement form is required for each):**


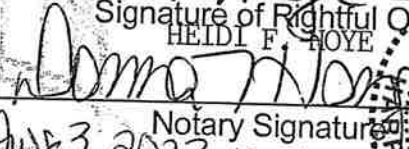
<input type="checkbox"/>	Text Amendment
<input checked="" type="checkbox"/>	Zoning Map Amendment – must include zone classification change in narrative
<input type="checkbox"/>	Planned Unit Development
<input type="checkbox"/>	Conditional Use
<input type="checkbox"/>	Preliminary Subdivision Review
<input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

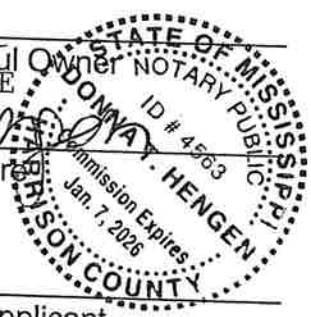


**GENERAL INFORMATION, READ BEFORE EXECUTING.** Attendance by the applicant(s) at the public hearing is mandatory; however, the applicant may designate a representative to attend the public hearing on his/her behalf, provided said representative has been properly designated to speak on the applicant's 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  
 DANIEL T. HOYE  
  
 Notary Signature  
 Aug 3, 2023 (Seal)  
 N/A  
 Signature of Rightful Owner  
 N/A  
 Notary Signature  
 (Seal)



  
 Signature of Rightful Owner  
 HEIDI F. HOYE  
  
 Notary Signature  
 Aug 3, 2023 (Seal)  
 N/A  
 Signature of Applicant  
 N/A  
 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:**

Wayne L. Hengen, Attorney for Applicants  
 Hengen & Hengen, Attorneys at Law  
 979 Howard Avenue  
 Biloxi, MS 39530  
 (228) 374-7844

**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: August 3, 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.

	<b>Existing</b>	<b>New</b>
I am requesting a zoning change from this zone to this zone:	RS-7.5	RM-10

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:** ✓

	<b>Yes</b>	<b>No</b>
1. Is the proposed map amendment consistent with the Comprehensive Plan?	X	

Please explain: It is consistent by maintaining the residential and owner-occupied character of the neighborhood.

	<b>Yes</b>	<b>No</b>
2. Is the proposed map amendment compatible with present zoning and conforming uses of nearby property and with the character of the neighborhood?	X	

Please explain: It is compatible with the existing residential zone and conforming uses of nearby residential property, and with the character of the neighborhood as it has been since it was built in 2004. Preserving this history by allowing for the maintenance of a 7,500 sq.ft. home could only be done by permitting it as a bed and breakfast.



## 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

<b>Criteria (continued)</b>	✓	
	Yes	No
3. <i>Is the property suitable for uses permitted in the present zoning district?</i>		X
<i>Please explain:</i> The present zone is too restrictive to allow the home to reach its full potential. If it falls into a state of disrepair, it would be a blight on the neighborhood.		
4. <i>Is the property suitable for uses permitted in the proposed zoning district?</i>	X	
<i>Please explain:</i> A bed and breakfast is allowed in zone RM-10.		
5. <i>Has there been a change in the character of the neighborhood?</i>	X	
<i>Please explain:</i> The properties along Highway 90 have been vacant since Katrina in 2005 until the zoning was changed. This demonstrates a change in the character. Homes are now being built.		
6. <i>Is there an established community need for uses permitted in the proposed zoning district?</i>	X	
<i>Please explain:</i> There is only one bed and breakfast in the entire City which is insufficient for our tourist-destination character. A bed and breakfast is a great alternative to a hotel, motel, or STR because the owner resides in the home.		
7. <i>Was there a mistake in the original zoning of the property?</i>		X
<i>Please explain:</i> There appears to be no mistake in the original zoning of the property, but it does appear that zoning changes give significant incentive for development of vacant lots, renovation of existing structures, and enhancement of adjacent neighborhoods.		
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> The property has had sufficient utilities and infrastructure since construction in 2004.		
Site Plan attached: (please circle): Yes <input type="checkbox"/> No <input type="checkbox"/>		
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"/>		

## PURPOSE, REASON, AND OBJECTIVE

We moved to Biloxi and purchased our home at 1611 Glenn Swetman Street in 2021. Before we found Biloxi and our beautiful home, we traveled to other locations and looked at other homes from South Carolina to Texas. Biloxi was the best fit for us and for the purpose of spending our retirement years inviting family and entertaining guests to stay with us at our bed and breakfast.

Our home contains 7,500 sq. ft. It has six (6) bedrooms and seven (7) bathrooms, in addition to our resident quarters. Each suite has its own private bath consisting of a sink, toilet, and bath/shower.

It sits on two lots. We also purchased the two lots immediately to the south which would allow for private parking and access from Iberville Drive.

There is only one other bed and breakfast in Biloxi. It is located just up from Mary Mahoney's.

The above sets out the purpose for our Application.

The home had been mostly vacant since Katrina and required considerable cost in repair and ongoing expense for maintenance. We repaired the roof, the stucco, the gutters, the shower leaks, the pool, and the hot tub, all of which are big-ticket items and are in addition to the essential maintenance that is carried out every day. Our home is quite worthy of being preserved and used, and more than suitable for a bed and breakfast in order to assist in its preservation, upkeep and enhancement not only of the home itself, but also the neighborhood in which it is located. It is a beautiful home that should be shared by others.

-- In addition to maintenance and repairs, insurance for the property has more than doubled in just one year's time. Considering our location, we know that residing where we do, we will have to deal with hurricanes which will require more repair and expense including even higher insurance premiums. These are our reasons for filing the Application for a permit to operate a bed and breakfast.

Both of us have made a career in food service. Dan served as an Executive Chief in restaurants, and I was in the catering business and among other things, taught culinary classes to children. In 2019-20, we enrolled in small-business courses.

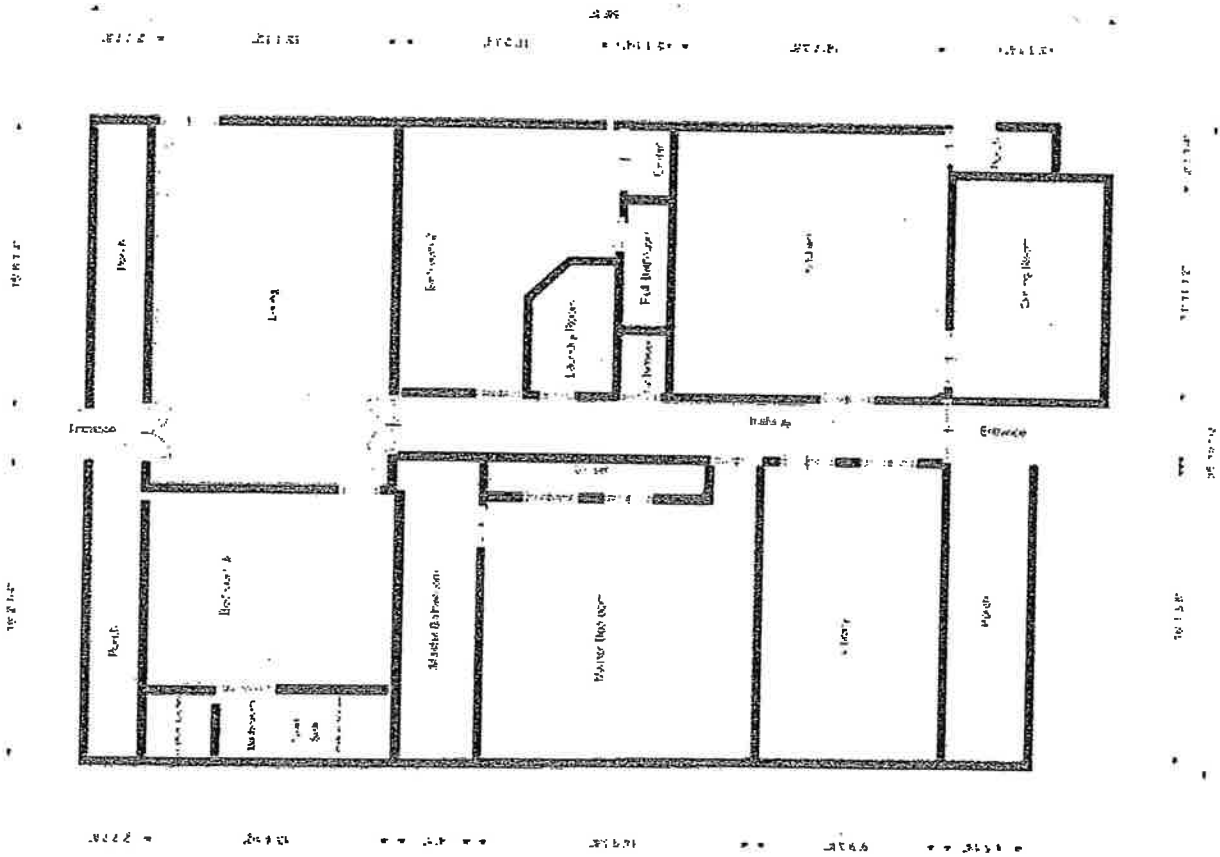
We were mentored through SCORE (Service Corps of Retired Executives) Milwaukee and Savannah.

We filed our Application in the spring of last year. We were denied, but we added another year to our experience with our home and confirmed even more that this is what we want to do, and this is where we want to do it.

We are quite involved in Biloxi and the surrounding communities. We are becoming more involved as time goes on volunteering our time with Back Bay Mission, the Red Cross, the Biloxi Bay Area Chamber of Commerce, and the Humane Society. Dan served in the Marine Corps and is looking forward to working with veterans groups. Dan's wife passed eight years ago after a battle with cancer. He was her primary caregiver so it was a true blessing that before her passing, they were given a trip to celebrate their life together. It gave him a chance to relax and recharge, and to know that such kindness can be provided by him to others in need with a program that we have developed that would give those in need an invitation to stay for a week free of charge which we could do a few times each year. We have created a healing garden sitting area on the property in memory of Heather that would provide a peaceful outdoor retreat.

The above should satisfy the objective portion of this narrative, but the overall objective is in keeping with the Declaration of Policy set out in Biloxi's Ordinance regarding a bed and breakfast. Being granted a permit would allow for a more efficient use of this property and will allow it to be preserved, maintained and enhanced. It is most assuredly over-built for the surrounding neighborhood, but it more than enhances the neighborhood itself by its appearance and by its value which enhances the value of the other properties in our neighborhood.

1. The home is the only historically significant dwelling in the area suitable for a bed and breakfast; it will discourage commercial exploitation, encourage owner-occupied uses, and protect the neighborhood.
2. The home has been owner-occupied by us since November, 2021, when we bought it and moved in; it will continue to be owner-occupied as a bed and breakfast and will be operated to protect the health, safety and welfare of all concerned just as we have occupied it since our purchase.
3. Actually, a substantial number of nearby residents have no objection and would prefer seeing it operated as a bed and breakfast so that it can be preserved, maintained and enhanced because it enhances their property.
4. The property's use as a bed and breakfast conforms to all district regulations of RM-10. The only thing missing are visitors to our City looking for an elegant home on the Gulf in which to enjoy their stay.

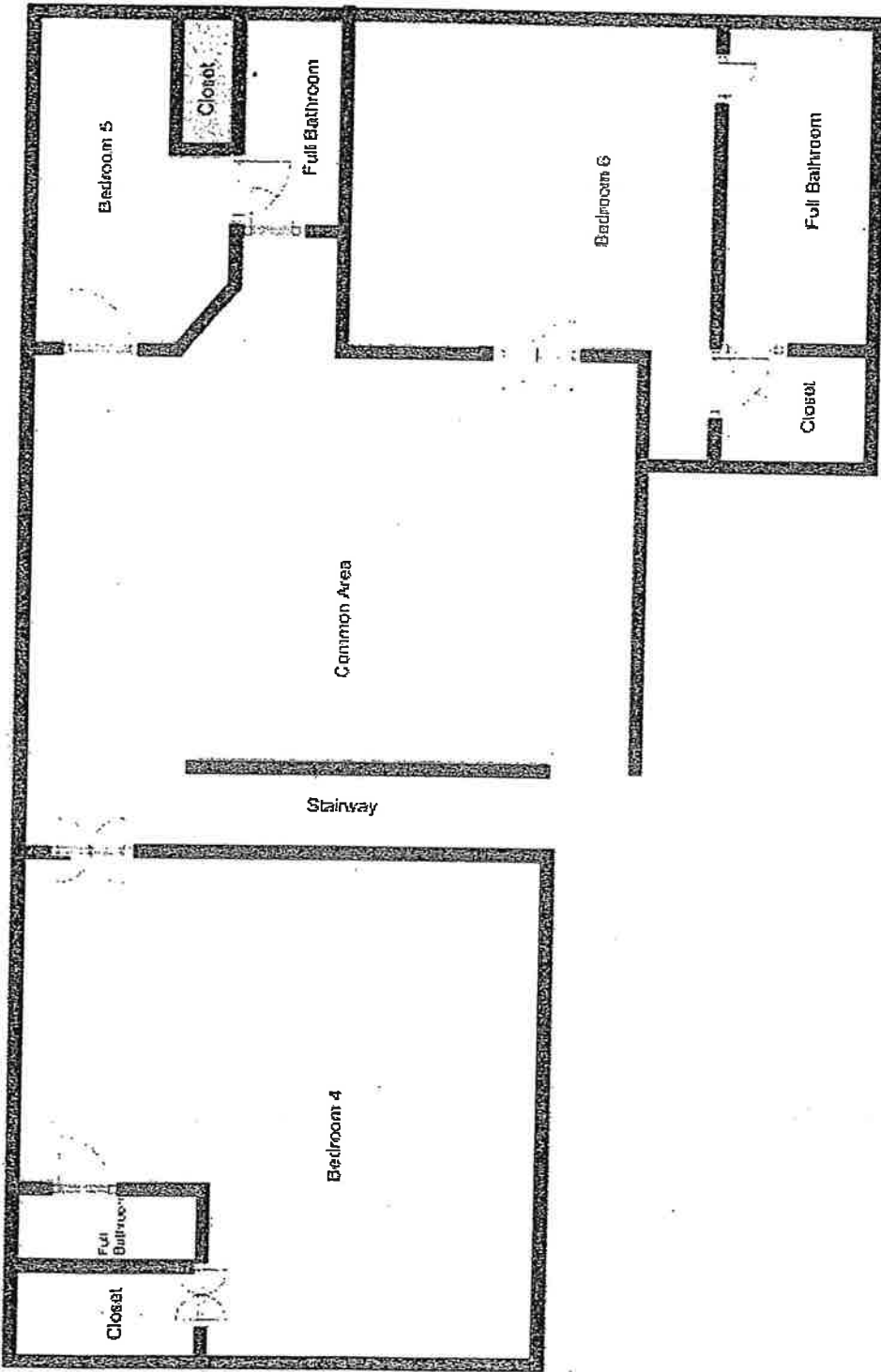


1st floor (not to scale)

2' 10 1/2" 2' 2 3/4" 11' 5 5/8"

17' 6 3/8"

11' 6"



5' 2 1/2" 7' 11" 4' 11 7/8" 3' 5 1/8" 1' 8 3/8" 4' 7" 30' 9 3/8"

5' 2 1/2" 2' 5/8" 3' 3 1/4" 11' 8 1/4" 6' 4 1/8"

17' 7 3/4"

3' 8 7/8"

11' 2 1/8"

48' 7 5/8"

*2nd floor (not to scale)*



PETITION SUPPORTING ZONING MAP AMENDMENT AND CONDITIONAL USE APPROVAL

By my signature hereinbelow, I support to the Applications of Dan and Heidi Hoyer for a Zoning Map Amendment and a Conditional Use Approval to authorize the establishment of a Bed and Breakfast at 1611 Glenn Sweetman Street, Biloxi, Mississippi.

Signature	Print Name	Address	Telephone
	Melinda Schlosser	155 Clower St. Biloxi MS	330-500-2082
	Brian Schlosser	155 Clower St	536-500-2028
	Linda Gardell	162 Miramar Ave.	228-229-5605
	MARY PHILLIPS	181 MIRAMAR AV	228-324-5335
	M. K. LOWATO-TUSA	1610 G. Sweetman	228-860-7284
	DOMINIC G. TUSA	1610 Glenn Sweetman St	228-233-5034
	NED DAUZAT	1595 Glenn Sweetman	318-229-8607
	ANGELO D'ANGELO	1395 Glenn Sweetman	318-496-1657
	Budget Hickock	170 Acacia Ave.	228-223-2863
	Dianne Blythe	174 Clower St	601-527-7031
	BILL JOHNSON	174 Clower St	601-527-0688
	MARK GABEYS	171 Miramar Ave	309-361-2191
	JOSEPH HASHAGEN	161 MIRAMAR AVE	228-313-8429
	Nancy R Wohlge	152 Miramar Avenue	970-402-9521
	Gerald L. Wohlge	152 Miramar Avenue	970-986515
	Roy Terry	156 Acacia Ave	850-939-1567
	Vicki Terry	156 Acacia Ave	850-939-1567
	Yvonne M Harmon	149 Acacia Ave	602-318-6563
	CINDY PALMER	161 MIRAMAR AVE	228-209-2305
	PATRICIA HARMON	153 MIRAMAR AVE	317-409-0030
	DANIEL HARMON	153 MIRAMAR AVE	317-710-7347
	TKORACENIC	155 MIRAMAR AVE	228-383-1291

## Felicia Serpas

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**From:** Nancy Wohlge <nwohlge@gmail.com>  
**Sent:** Thursday, September 07, 2023 12:31 PM  
**To:** Planning  
**Subject:** Case: 23-074-PC

The e-mail below is from an external source. Please do not open attachments or click links from an unknown or suspicious origin.

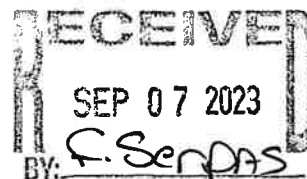
I am writing to support the Zoning Map Adjustment and in support for Conditional Use of this property to be used as a Bed and Breakfast.

We live at 152 Miramar Avenue and can see this property from our home. We have gotten to know the owners, Dan and Heidi Hoyle, and have gotten to tour this beautiful property which begs to be used as a Bed and Breakfast. Heidi and Dan are not only good stewards of the property, they are good neighbors and significant assets to our community. Since Dan and Heidi's request for zoning change was denied last year, they were restricted to renting to a single entity. That happened to be the Beau Rivage, which housed 12 workers in pickup trucks, who were repairing the casino roof. Those 12 individuals stayed in that home for almost a year, with no impact to the neighborhood. The clientele that will be attracted to stay at the Bed and Breakfast at a much higher nightly price will be much quieter and have even less impact on the neighborhood.

In my opinion, this neighborhood would be better off with this beautiful large home being occupied by well-paying overnight guests and enjoying the beauty of Biloxi, than sitting vacant and blighted.

Please approve the zoning changes and Conditional Use permits to allow for this property to be used as a Bed and Breakfast. I want to stay there!

Nancy and Gerald Wohlge  
152 Miramar Avenue  
Biloxi, MS







Dan Hoye <ahoye01@gmail.com>

**Fw: 1611 Glen Swetman Street, Biloxi, MS**

Alicia Smith <aliciad.smith@yahoo.com>

Tue, May 3, 2022 at 7:40 AM

To: "ahoye01@gmail.com" <ahoye01@gmail.com>, heidibug70@gmail.com

Heidi and Dan Hoye, and to whom others it may concern:

My name is Alicia Smith. I own the property at 126 Iberville Drive in Biloxi. I am addressing the property at 1611 Glen Swetman Street in Biloxi owed by Heidi and Dan who wish to open their home as a bed and breakfast. At this time, I have no issues with the home of Heidi and Dan Hoye being utilized as a bed and breakfast and wish them the best of luck in their endeavor.

Best Regards,

Alicia Smith  
126 Iberville Drive  
Biloxi, MS

May 17<sup>th</sup>

My name is Mary K. L. T. I have lived at 1610 Glenn Swetman since 2000. Our home is a historic landmark so I take great interest in the neighborhood and area. *including the Sweet Home*

The home at 1611 as a B & B would add to the neighborhood and The six bedrooms would be available to an upscale clientel at \$300 per night. This clientel would not be noisy but rather mature guests wishing to visit the Coast and its history. The owners Dan & Heidi would live on the premises.

There is ample parking in the front for guests without blocking any driveways or homes that would be built in the future. 1611 would be the private entrance for the owners and any delivers Clower St is narrow and a very busy street this home's parking and the previous owners never interfere with traffic.

The owners are dedicating the Garden in the back yard in memory to Dan's late wife Heather who passed with terminal cancer. In Dan's words we would like to donate a stay to those in need of a peaceful, relaxing place to stay. Those going through life-changing events, such as cancer or other terminal illnesses.

Allowing the care giver to have a break during a very stressful time.

In my opinion this couple is an asset to the Community and their love for Biloxi now called home.

Mr. Mayor and the Council your consideration is deeply appreciated.

*Mary K. L. T.*  
*228-860-7284*

I support the Applications of Dan and Heidi Hoye for a Zoning Map Amendment and a Conditional Use Approval to authorize the establishment of a Bed and Breakfast at 1611 Glenn Swetman Street, Biloxi, Mississippi.

Nancy Baker  
(985) 320-1199

1 BILOXI PLANNING COMMISSION MEETING 1  
2 SEPTEMBER 7, 2023  
3 COMMUNITY DEVELOPMENT,  
4 DR. MARTIN LUTHER KING JR. MUNICIPAL BUILDING,  
5 676 DR. MARTIN LUTHER KING JR. BOULEVARD,  
6 BILOXI, MISSISSIPPI,  
7 BEGINNING AT 2:00 P.M.

8  
9 PLANNING COMMISSION MEMBERS PRESENT:

10 David Washer, Chairman  
11 Ronnie Bogard  
12 Kyle Carron  
13 Steve Delahousey  
14 Charlie Dellenger  
15 Dr. Larry Drawdy  
16 Joe King  
17 Gary Lechner  
18 Debora Magee  
19 August Parker  
20 Jimmy Poulos  
21 John Snow  
22 David Stanovich  
23 Michael Todaro

24 ALSO PRESENT:

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

REPORTED BY:

Melissa Burdine-Rodolfich  
Simpson Burdine & Migues

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

CONTINUED PUBLIC HEARING(S):	PAGE:
(None)	--
NEW PUBLIC HEARING(S):	
23-074-PC	3
23-075-PC	71
23-076-PC	3
23-077-PC	87
23-078-PC	110
TREE HEARING(S):	
(None)	--

1 CHAIRMAN WASHER:  
2 Let us call the Planning Commission  
3 meeting to order, please.  
4 We'll record the members present.  
5 Mr. Lechner, Mr. Parker, Mr. Todaro, Ms. Magee.  
6 Mr. Stanovich, Mr. Bogard, Mr. Dellenger,  
7 Mr. Poulos, Dr. Drawdy, Mr. Carron, Mr. King,  
8 Mr. Snow; myself, David Washer; Jerry Creel,  
9 Director of Community Development; Felicia Serpas,  
10 Senior Planner; Caryle Lena, Planner. At the  
11 front table there is Jon Lambert, City Inspector,  
12 and Melissa Rodolfich, our court reporter today.  
13 I would also like to recognize Dr. Paul Tisdale in  
14 the audience, Councilman Ward 5.  
15 Mr. Parker, can I call on you today,  
16 please, sir, to open it up with a prayer?  
17 (Moment of prayer.)  
18 CHAIRMAN WASHER:  
19 Mr. Stanovich, the pledge, please, sir.  
20 (Pledge of allegiance.)  
21 CHAIRMAN WASHER:  
22 We welcome everyone here with us today.  
23 We would ask that anyone that desires to speak,  
24 please come to the podium when your case is  
25 called, give us your name and addresses for the

1 record. Please sign in at the pad provided, if  
2 you haven't already done so.  
3 Just to remind everyone, we're going to  
4 have four minutes for your presentation or  
5 comments, so be mindful of the clock at the end of  
6 the table when you speak.  
7 Ask if all members of the Commission  
8 received a copy of the minutes from the last  
9 meeting and if there is any additions or  
10 corrections? If not, we will entertain a motion  
11 to accept the minutes as presented.  
12 MR. SNOW:  
13 Motion.  
14 MR. POULOS:  
15 Second.  
16 CHAIRMAN WASHER:  
17 Motion by Mr. Snow; seconded by  
18 Mr. Poulos.  
19 All those in favor, say "aye."  
20 (All in favor.)  
21 CHAIRMAN WASHER:  
22 Any opposed?  
23 (None opposed.)  
24 CHAIRMAN WASHER:  
25 Thank you.

5

1 Committee reports, Mr. Creel?  
2 MR. CREEL:  
3 Yes, sir. Mr. Chairman and members of  
4 the Commission, over the past two weeks the  
5 department has issued 283 building permits with a  
6 construction valuation of \$3.8 million. We have  
7 collected almost \$31,000 in permit fees, issued 49  
8 certificates of occupancy. Three of those were  
9 for short-term rental. Of the permits issued, one  
10 was for GCRG, 110 Lameuse Street, a remodel, also  
11 the Wendy's on Beach Boulevard, that was a  
12 remodeled, five new single-family houses.  
13 CHAIRMAN WASHER:  
14 Thank you.  
15 There are no continued public hearings.  
16 New public hearing today, Case Number  
17 23-074-PC, Daniel T. and Heidi F. Hoye, a request  
18 for zoning map amendment to authorize a change in  
19 zoning district classification for a parcel of  
20 land measuring .87 of an acre more or less in size  
21 from its present zoning district classification of  
22 RS-7.5 medium density, single-family residential  
23 to RM-10, low-density multi-family residential for  
24 a parcel of land identified as 1611 Glenn Swetman  
25 Street, being Municipal Tax Parcel

7

1 here. That's it, yes sir.  
2 CHAIRMAN WASHER:  
3 Mr. Hengen, are you presenting this  
4 case?  
5 MR. HENGEN:  
6 Yes. Thank you.  
7 You mentioned a four-minute rule. I  
8 probably --  
9 CHAIRMAN WASHER:  
10 That's not for you.  
11 MR. CREEL:  
12 Not for the presentations.  
13 MR. HENGEN:  
14 There was also a video that was made of  
15 inside of the house because that's the only way  
16 you can really appreciate this. Heidi came  
17 prepared to do it, if it's okay. And I think,  
18 Jerry, she had arranged for you -- if we can do  
19 that now if it's ready to go that would be great.  
20 CHAIRMAN WASHER:  
21 That's fine. If we can make it work.  
22 MR. HENGEN:  
23 Okay. Thank you.  
24 CHAIRMAN WASHER:  
25 The four-minute rule is only for the

6

1 Number 1310L-04-154.006. This case was advertised  
2 on August 10th, 17th and 23rd.  
3 Also in conjunction with this hearing,  
4 we're going to hear Case Number 23-076-PC, Daniel  
5 and Heidi Hoye. It's a request for a conditional  
6 use to authorize an existing residence to be  
7 situated -- to be utilized as a bed and breakfast  
8 for property presently situated within an RS-7.5,  
9 medium-density single-family residential zone,  
10 which property has been submitted for a zoning map  
11 amendment requesting RM-10, low-density  
12 multi-family residential zoning, reference Case  
13 Number 23-074-PC. This is identified again at as  
14 1611 Glenn Swetman Street, Tax Parcel Number  
15 1310L-04-154.006. This was also advertised on  
16 August 10th, 17th and 23rd.  
17 We will hear these cases together, that  
18 they pretty well relate, and we will vote on them  
19 separately.  
20 Mr. Lambert, if you have got the video  
21 please, sir.  
22 MR. LAMBERT:  
23 Yes, sir.  
24 Highway 90 here and Miramar Avenue  
25 coming up here, looking back down Glenn Swetman

8

1 folks speaking for or against the applicant.  
2 (Video played.)  
3 MR. HENGEN:  
4 All right. If I can go forward, I'm  
5 Wayne Hengen. I'm an attorney here in Biloxi. My  
6 offices are at 979 Howard Avenue, and I represent  
7 Dan and Heidi Hoye.  
8 So they appeared before you last year.  
9 It was in May. They were seeking approval of this  
10 very property as a bed and breakfast. They did  
11 not receive that approval. They then found that  
12 there was a lot of confusion about what the issue  
13 was and what the application was for among their  
14 neighbors.  
15 During the last 16 months, Dan and Heidi  
16 became immersed in our city, in their neighborhood  
17 and really, the surrounding communities. So that  
18 helped them understand a little bit more about  
19 what they needed to do in order to have this dream  
20 of theirs come true because they have been working  
21 on it for -- well, how would it be -- five years,  
22 2018.  
23 They continued, during the time that  
24 they last appeared before you, with the repair  
25 work that they had to do on the home because of



9

1 the storms and, well, it's vacancy for a long  
 2 period of time. They also continued with the  
 3 renovation in order to be suitable for the time  
 4 when they can get the permit to operate as a bed  
 5 and breakfast.

6 They even rented rooms out. Most don't  
 7 know that they did that, but they did it under the  
 8 provision that every neighbor in that neighborhood  
 9 could do the same thing, provided their rent was  
 10 for a 30-day period or more, not less.

11 They actually had, I believe it was,  
 12 nine gentlemen.

13 MR. HOYE:  
 14 Between nine and 12, yes.

15 MR. HENGEN:  
 16 Nine and 12 that stayed there for  
 17 approximately a 10-month stretch. They were  
 18 working at the Beau Rivage doing repair on the  
 19 roof. And not many people even knew those people  
 20 were there. So they really kind of proven their  
 21 medal and set out a track record and how they can  
 22 operate a bed and breakfast.

23 Dan and Heidi currently are not any  
 24 different than the rest of the neighborhood, the  
 25 affected area, the few streets that are north and

10

1 south of them. They have a home and they can rent  
 2 out a room or they can rent out the whole house,  
 3 but that's not their dream. There is no zoning  
 4 change required for that. But for their dream,  
 5 there does need to be a zoning change and that is  
 6 for a bed and breakfast because they would like to  
 7 be able to rent to those special visitors that  
 8 come to our city and only want a night or a  
 9 weekend or a week or even a 10-day period. But  
 10 they don't want to rent something that they have  
 11 to stay at or commit to for 30 days. They don't  
 12 want to stay in a casino with a hotel. They don't  
 13 want to stay in a hotel. These visitors don't  
 14 even want to go to an RV park. They want to  
 15 immerse themselves in our city, and they can best  
 16 do that by renting something close to a  
 17 neighborhood and get the feel of what this  
 18 community is all about. So those that do call and  
 19 ask, well, can we have 10 days, they say, I'm  
 20 sorry, I'm not allowed to do that.

21 Biloxi has substantially changed since  
 22 Katrina. Everybody uses that as the benchmark.  
 23 It's not the strongest one because it's outside  
 24 parameters or more recent legislation from the  
 25 City Council. Before that, it was substantially

11

1 changed by Camille. Zoning has tried to keep up.  
 2 Can't fault the City. Nobody has a crystal ball  
 3 as to what's going to happen and how the  
 4 development is going to occur, but they guess and  
 5 they guess pretty good most of the time, but  
 6 sometimes they miss the mark. It's a tough job.

7 I know this neighborhood. I grew up on  
 8 Miramar. Across the street was Tommy Munro and  
 9 his family. Across the other street was Glenn  
 10 Swetman and his family. And then cater-corner  
 11 from where I grew up is this property. I  
 12 witnessed both storms from the second floor of my  
 13 house. In fact, Katrina was just weeks before I  
 14 was taken off to Ole Miss, so I was an Ole Miss  
 15 freshman to be.

16 During Katrina, I watched the Gulf  
 17 surround this property. It stood while others in  
 18 the path of Katrina either were totally destroyed  
 19 or were so bad off they could not be repaired  
 20 under the rule that existed at that time. So that  
 21 kind of left the neighborhood in pretty bad shape.

22 And then I began watching in this  
 23 neighborhood, the non-development instead of the  
 24 development, but I also watched that property, the  
 25 subject property stand empty for almost 16 years.

12

1 There were -- the original owner who built the  
 2 place, he left a year or two after the storm, two  
 3 and a half years maybe. He sold the property to a  
 4 gentleman from, I forget, maybe Tennessee. He  
 5 came down about twice a year. So it's a fact that  
 6 this property just stood pretty much vacant until  
 7 Dan and Heidi brought it back to life, as their  
 8 home and for their hope of having a bed and  
 9 breakfast there.

10 This neighborhood will continue to  
 11 change. And by "neighborhood," I'm talking about  
 12 the immediate affected area. They're called  
 13 cross-through streets. Miramar is one. It goes  
 14 from Highway 90 and it goes to Irish Hill and, you  
 15 know, the traffic that's going to travel on that  
 16 to get to Pass Road or to get to Highway 90 or get  
 17 to Gate 7 or get to Irish Hill and go downtown the  
 18 back way. In fact, it's probably the longest  
 19 alternate route along the Gulf Coast to go from  
 20 Point A to Point B.

21 Developers are even now working up plans  
 22 for development, commercial development of the  
 23 property directly across Iberville. That property  
 24 is zoned for the projects. They don't need a  
 25 zoning change. They just are building them. They

13

1 have got to talk to Jerry, of course, and come see  
2 y'all a few times. But nonetheless, it is zoned  
3 CB. That goes from Rodenberg to Iberville Drive,  
4 and I know every one of you have been past it a  
5 million times.

6 Dan and Heidi's property is directly  
7 across the street. They bought the two lots in  
8 order to have a second entrance from the  
9 neighborhood that people can drive up or down from  
10 Iberville Drive and come directly into their  
11 property. The northeast corner of the property  
12 that will be developed across the street where the  
13 Comfort Inn was or Comfort Suites was, that  
14 property is directly across from their drive,  
15 directly. Not cater-cornered, not up the street.  
16 Right there, so they are directly affected as  
17 well.

18 We are now 18 years past Katrina and the  
19 effects are still felt. It is one of the reasons  
20 that this portion of the neighborhood from Swetman  
21 south to Highway 90 has not been rebuilt very much  
22 during that entire time, almost two decades. It's  
23 low in that area. Y'all know that. We have had  
24 just tremendously high water from a semi-tropical  
25 storm that comes across Highway 90 there.

15

1 Acacia, Iberville? It just was not fathomable by  
2 anybody at all. And then it is many, many times  
3 the value, the quality and the workmanship -- you  
4 have just seen that -- and decades past the full  
5 development of that subdivision. It's actually a  
6 platted subdivision. It's called Miramar  
7 Subdivision.

8 I would suggest that Dan and Heidi bless  
9 this neighborhood with their purchase of the  
10 property. So I'm going to say this rather slowly.  
11 The neighbors now have an occupied, repaired and  
12 well-maintained home that is in harmony with them  
13 instead of the deteriorating structure that they  
14 lived with for 16 years, give or take six  
15 months -- I don't know exactly -- subject to  
16 vagrants, this property has had them; break-ins,  
17 it had one, even to the extent that the Tennessee  
18 couple that bought it had to hire security to  
19 sleep in the room over the garage for a period of  
20 time, it wasn't that long; storms and the risk of  
21 them; and the continuing deterioration  
22 substantially impacting the neighborhood  
23 negatively, nothing positively.

24 And you've heard of white elements --  
25 elephants and these occur everywhere. There was a

14

1 There are also other matters that  
2 include building requirements if you're down there  
3 on the southern end, elevation inconveniences,  
4 storms and flooding, the zone, CB, that I referred  
5 to to the west of this property, zone RM-30 to the  
6 east and expenses for general maintenance and  
7 insurance. In fact, their insurance doubled in  
8 the last year. Y'all's probably did too.

9 Some never rebuilt. There's a lot of  
10 vacant lots. Katrina caused that and that period  
11 of time was the reason, so we carry it over.

12 Let me read some law from the Supreme  
13 Court. A change in zoning involving a single  
14 property should be made where facts and  
15 considerations materially affecting the merits  
16 have intervened since the adoption of the Land  
17 Development Ordinance. The character of this  
18 neighborhood has changed, and it's going to  
19 continue to change because, again, we don't have a  
20 crystal ball.

21 In the years prior to the construction  
22 of Dan and Heidi's home who would have thought --  
23 not me, and I was there -- who would have thought  
24 that in 2004 someone would have built a home many,  
25 many times the size of anyone along Miramar,

16

1 big matter in Tennessee that I wasn't involved in  
2 necessarily, but I knew about. And it's the worst  
3 thing to cause -- well, it's Number 1 in causing  
4 the deterioration in the neighborhood. The  
5 reverse happened here. When the Court was talking  
6 about facts and circumstances, that's got to be at  
7 the top of the list. A little more law.

8 Dan and Heidi have ensured the  
9 preservation of their neighborhood, and the  
10 neighbors are saying welcome, we appreciate it,  
11 thank you very much because deterioration doesn't  
12 stop unless mankind gets in there and fixes it.  
13 And this house it huge, and it's really a  
14 testament to the kind of attraction that visitors  
15 and homeowners along -- down here love the Gulf of  
16 Mexico and being able to see it when they wake up  
17 in the morning.

18 The home now raises the value of the  
19 neighboring homes and provides stability where  
20 they don't have to now think, well, I have got to  
21 go and rebuild or I have got to move or I have got  
22 to tear this house down and start all over again.  
23 They have got the biggest house in the  
24 neighborhood. And many times, the rule was you  
25 don't want the biggest and you don't want to be

17

1 the smallest. You want to be one right in the  
2 middle, unless you're this family, this couple.  
3 They bought something that they could utilize and  
4 they're asking to let them have that permission to  
5 do it.

6 I know two functioning bed and  
7 breakfasts now exist. They are the bed and  
8 breakfast establishments -- one known as the  
9 Blessey Home. I don't know if that's the name  
10 that stayed there, but I know it. I have been in  
11 there and I saw it being renovated.

12 And the one cater-cornered to Mary  
13 Mahoney's, that is stellar. It's like this one,  
14 not as big, but it's unbelievable. If you haven't  
15 been in, you have got to go. The workmanship is  
16 spectacular. They can cut a line with paint like  
17 no one I have ever seen. It's perfect. And the  
18 relative had that done with a professional -- and  
19 I don't know if I have all that story correct, but  
20 I understand it is -- and that's probably the  
21 reason. If you have a vested interest in it,  
22 you're going to make it perfect.

23 They both show that some visitors come  
24 to Biloxi and they don't want to stay in these  
25 other places. They want the experience that a bed

19

1 got here. They went to a number of states and a  
2 number of places. And guess what? They chose us.

3 That's how many people, who have been  
4 stationed at Keesler or the Seabee base or came  
5 down here to work after a storm decided to move  
6 here and live and raise a family here. That's  
7 visitors who we count on. That's our lifeblood  
8 because we are a tourist town.

9 Biloxi has expanded the Biloxi  
10 experience by recognizing with their ordinance a  
11 bed and breakfast and set of rules and regulations  
12 that's got to be followed. And it's for visitors  
13 who don't want to be in any other place, but to  
14 have the feel of sitting down in a neighborhood  
15 and breaking bread with the owner of the home.

16 The Hoyes meet every requirement set out  
17 and the neighbors support them, so the need is  
18 there, because we're growing in that direction.

19 These are the facts and some law showing  
20 a change in the character of the neighborhood and  
21 a public need. So with regard to the ordinance  
22 and being able to accomplish those things listed  
23 in that ordinance that you have to do, Dan and  
24 Heidi's home fits the policy better than probably  
25 any so far. The policy and its intent, that's how

18

1 and breakfast can offer them. You're invited into  
2 someone's home. You actually sit down to the  
3 dinner table with them with a meal prepared by the  
4 owner. Y'all have discussions about local things,  
5 whatever they might be. And the owners have a  
6 passion for that. Some people want privacy. Some  
7 people want everybody, you know, and they love to  
8 talk and share stuff. And Dan and Heidi had a  
9 dream of doing this formally for five years.

10 Biloxi is tourist town. We all know  
11 that, and it was and still is a second home for  
12 New Orleanians in particular. There are four or  
13 five New Orleans people who own property in this  
14 area, in the affected area. It appears that being  
15 a tourist town has a transitioning effect, if it's  
16 a good place. Biloxi is a good place, and it  
17 appears to be transitioning into a destination  
18 city. Well, we're really proud and we're kind  
19 of -- you know, we have got the inside track so  
20 it's easy for us to take for granted, but look at  
21 the people that have moved here to build this city  
22 better.

23 Many people who visit Biloxi love Biloxi  
24 enough to sell their home wherever they're from  
25 and come and live here. That's how Dan and Heidi

20

1 that's read. I'm sure all of y'all have read this  
2 policy statement. Its intent is to allow more  
3 efficient use of historically significant  
4 development -- dwellings and other related  
5 residential buildings and assist in their  
6 preservation, upkeep and enhancement with this  
7 ordinance and discourage commercial exploitation  
8 and to promote bed and breakfast establishments  
9 that are compatible with the neighborhood. What  
10 doesn't fit?

11 Dan and Heidi will maintain a guest  
12 register. They will or already have all the  
13 permits, except for certain special ones that are  
14 required by the City, the County and the State.  
15 They are not located within 500 feet of any other  
16 bed and breakfast. Will, do and right now reside  
17 on the property and will continue to reside on the  
18 property because it's their home.

19 They have six bedrooms for rent. All  
20 are located in the home and within regulations.  
21 None of which have individual kitchens or  
22 kitchenettes, all of which have full baths.

23 And I am reading directly out of what  
24 y'all's rules and regulations say and they need  
25 them, but I have abbreviated them. Will only

21

1 serve meals to guests/renters, have no gift shop  
2 and will not have any, understand and will abide  
3 by use restrictions, including those for events  
4 and abide by the signage and lighting restrictions  
5 parking restrictions, and alteration restrictions,  
6 when I read that one, I was a little surprised; if  
7 you do this, you cannot alter your home; and abide  
8 by the restrictions, prohibitions, regarding odor  
9 and noise and glare and vibration, maintain  
10 screens and buffers to minimize visual impacts and  
11 ingress and egress and traffic flow through the  
12 property -- that's properly established already --  
13 avoid deterioration of water and air resources,  
14 wildlife habitat, scenic resources and the like --  
15 I am almost finished, but I need to make the  
16 record with my own voice and not hand you a sheet  
17 of paper or the application and say this is it --  
18 comply with all city, state and federal laws,  
19 protect property values and development abilities  
20 within the zone itself.

21           Importantly, many neighbors now support  
22 Dan and Heidi, been in their home, sat on the back  
23 porch and had a glass of wine or a cup of coffee.  
24 I have got a petition. What I would like to do is  
25 I will just hand one down on that end and one on

23

1 that the proud owners of this property have made  
2 on their own, just like that video. This is the  
3 home and these are the people that you want to  
4 assist and promote. Those are key words in your  
5 ordinance and covers the intent. It is why we  
6 have that ordinance in the first place with those  
7 kind of restrictions.

8           The Hoyes chose Biloxi out of all the  
9 places they could go. Biloxi should choose them  
10 right on back, and invite them into Biloxi. They  
11 are great investors.

12 CHAIRMAN WASHER:  
13           Mr. and Ms. Hoye, is there anything you  
14 want to add?  
15 MS. HOYE:  
16           Hi, I'm Heidi Hoye, 1611 Glenn Swetman  
17 Street. My husband, Dan.  
18           As Wayne said -- and he covered so much  
19 and I thank him for his thorough presentation --  
20 we started this process in 2018. We did travel  
21 the country, around the Coast to find the right  
22 spot for us. We originally settled down here off  
23 of St. Charles Street and met some lifelong  
24 friends there that we have over quite often to our  
25 home now that we're on 1611 Glenn Swetman.

22

1 that end. I have got another copy here in  
2 substitute of the original, if I may hold on to  
3 that. There are 39 signatures with printed names  
4 and addresses and phone numbers. Those people  
5 live on Miramar, Acacia, I'berville. I think one  
6 of them might even have --  
7 UNIDENTIFIED SPEAKER:  
8           Clower.  
9 MR. HENGEN:  
10           -- Clower, Swetman. They have those  
11 addresses. They live there. They are the most  
12 immediate people to be affected and there is 39  
13 signatures, plus there is a letter. That makes  
14 40. And I think there is another letter that I  
15 didn't know about until Caryle pointed out that's  
16 in the package over here from another person  
17 that's on there. There may be two duplicate  
18 letters I did not add to that number. Best I can  
19 tell, there's 41 people in those, what, five  
20 streets that support this and want that to be the  
21 structure that helps them maintain that  
22 neighborhood.

23           I have photos. I mean, you have seen a  
24 lot of the property, but maybe holding a picture  
25 would help out. Those are a handful of pictures

24

1           In the almost two years that we have  
2 lived in this home, we have done extensive work  
3 that Dan will go over, but we have also created a  
4 space where people can come as a respite to enjoy  
5 our home, our hospitality. And hopefully some of  
6 the neighbors will be able to introduce them to  
7 different groups of people in the area.

8           We have gotten involved with things like  
9 the Chamber of Commerce. We're members at the  
10 O'Keefe Museum. We've been involved with some  
11 things at the Back Bay Mission. We assist our  
12 neighbors whenever we can because we want to be  
13 good neighbors, and they have been such good  
14 neighbors to us and we really appreciate that.

15           We visited the town hall for the  
16 homeless recently and that's something that we  
17 feel very passionate about also, to be able to  
18 give back in that way. We try to donate blood  
19 frequently through the Red Cross because that's  
20 such a big need down here that we've noticed.  
21 Back in Wisconsin, it seemed like more people did  
22 those sort of things, but we're trying to get  
23 friends and neighbors to go along with us that way  
24 too.  
25           As the child of six children, my parents

25

1 were always bringing in more kids into our home,  
 2 and we always fed like the whole neighborhood and  
 3 so that's kind of how I was raised. And  
 4 eventually, I got into catering. My husband is a  
 5 trained chef. And I was in catering for years,  
 6 over 20 years, and it just brings me joy to feed  
 7 people and to welcome them into our home.  
 8 I don't want to take too much time up,  
 9 but I also want to thank everyone that came out  
 10 for us today. People have wrote letters. People  
 11 have jobs. People have to pick up kids from  
 12 school and what have you. But I have got a great  
 13 group of people here that supported us, and if you  
 14 want to raise your hand or stand up and let them  
 15 know. They're here for us and I really appreciate  
 16 that.  
 17 Thank you for your time. My husband,  
 18 Dan.  
 19 MR. CARRON:  
 20 Ms. Hoye, if this passes, would you  
 21 consider restricting the parking or going more  
 22 towards coming off of I'berville?  
 23 MS. HOYE:  
 24 Oh, absolutely, yes.  
 25 MR. CARRON:

27

1 Thank you.  
 2 MR. HOYE:  
 3 And just a little -- just touch on -- I  
 4 won't take up too much more of your time because I  
 5 know that there a lot of people to speak. But  
 6 Wayne had talked about some of the maintenance  
 7 issues that have gone on.  
 8 When you have a house that sits vacant  
 9 or semi-vacant for many years, you know, the  
 10 maintenance on that -- you know, people look at it  
 11 from the outside and it looks like a beautiful  
 12 home. But when you don't turn on a faucet for  
 13 15 years, you can imagine what happens. All of  
 14 sudden, you have leaks. You have -- you know, we  
 15 have had to repair our pool. If you don't -- if  
 16 anyone has a pool, you know, the upkeep on a pool  
 17 is pretty extensive.  
 18 We've had many -- we probably have put  
 19 in about between 30- and \$40,000 of our own money  
 20 just to renovate this house to get it back up to  
 21 where we could have people come in. We have had  
 22 to replace gutters. Gutters were filled with  
 23 leaves. Leaves were wet. The steel gutters  
 24 rusted out, and then that creates another problem  
 25 with the stucco below it. It rots out the stucco.

26

1 Okay. Instead of having to go through  
 2 the neighborhood?  
 3 MR. HOYE:  
 4 Right. And we realize that the GPS is  
 5 going to take them to 1611. It's going to take  
 6 them to the cross-streets of Clower and Glenn  
 7 Swetman. But like any large hotel, you park under  
 8 the valet thing, you go in, you check in and then  
 9 they tell you where to go.  
 10 That's our intention. We don't plan to  
 11 use any off-street parking in front of our  
 12 property, but we do realize that there will be  
 13 people that will come in because that's where GPS  
 14 is going to take them.  
 15 MR. CARRON:  
 16 Is there any plans to hold any types of  
 17 venues there?  
 18 MR. HOYE:  
 19 No venues. We plan not to host any  
 20 large-scale weddings. They may rent out the house  
 21 for a wedding, a bridal party or family of the  
 22 bridal party might rent it out, but we will not  
 23 use those two lots directly in front of us to host  
 24 any large-scale parties or weddings.  
 25 MR. CARRON:

28

1 We had to have stucco repaired. And then once you  
 2 have the stucco repaired, then you have to paint  
 3 it. So all these other issues that one -- you  
 4 know, water damage does a lot of work -- or does a  
 5 lot of damage.  
 6 So we have had a lot of the wood rot,  
 7 things not being painted or maintained or caulked.  
 8 Tree trimming, we had huge branches over the house  
 9 and over the garage area. To maintain the house,  
 10 there is four AC units, so you can imagine if you  
 11 don't clean those drain lines -- and I'm sure  
 12 everyone here -- you run AC down here, what, 10  
 13 months out of the year. Those drain lines get  
 14 clogged and if no one is taking care of it, it  
 15 doesn't take long. Pest control, we've had  
 16 termite damage up in the attic. That's been  
 17 corrected.  
 18 And just a little bit about myself, I  
 19 know Heidi had talked about working in catering  
 20 and whatnot. When we talk about permits and  
 21 things like that, I spent the last -- since I was  
 22 18, I was -- four years in the Marine Corps and I  
 23 spent the rest of that time running restaurants  
 24 and contract management with food service.  
 25 I am a ServSafe certified, which means I

29

1 am licensed to handle food in any state. It's a  
 2 national certification. So when it comes to  
 3 breakfast and the health and safety of food, we  
 4 are well versed in what has to happen.  
 5 So again, I don't want to take up too  
 6 much more of your time, but anybody have any  
 7 questions?  
 8 CHAIRMAN WASHER:  
 9 Any questions members of the Commission,  
 10 of Mr. Hoyer or Mrs. Hoyer or Mr. Hengen?  
 11 (No response.)  
 12 MR. HOYE:  
 13 Thank You.  
 14 CHAIRMAN WASHER:  
 15 All right. We, of course, as --  
 16 presented to us was the petition supporting the  
 17 change of zoning map and conditional use approval.  
 18 We also have an e-mail here that I  
 19 didn't see the name on there. I may have  
 20 overlooked it. I'm writing to support the zoning  
 21 map amendment and support a conditional use for  
 22 this property used as a bed and breakfast. We  
 23 live at 152 Miramar and can see the property from  
 24 our home. This is signed by Nancy and Gerald  
 25 Wohlge.

31

1 of the zoning change or the conditional use permit  
 2 for the bed and breakfast.  
 3 MR. SMITH:  
 4 Good afternoon, and thank you. My name  
 5 is Wayne LaRue Smith. I'm currently temporarily  
 6 residing at 1623 Cayman Cove here in Biloxi. I  
 7 literally look out from the balcony of the house  
 8 at the subject property.  
 9 Why I'm here in Biloxi, temporarily  
 10 right now -- but although, I may be like some of  
 11 the folks that the applicants' representative  
 12 described. I'm probably going to buy a postcard  
 13 and write, send my things and send it home.  
 14 I was stationed here at Keesler Air  
 15 Force Base 1973 and 1974. I was 18 years old.  
 16 And when I wasn't in training, I was involved with  
 17 Biloxi Little Theatre. I directed the production  
 18 of Bus Stop at their theatre on Lee Street  
 19 50 years ago next month. It was the very first  
 20 production that Biloxi Little Theatre had in that  
 21 building, and they have been there ever since,  
 22 thanks to the generosity of the City of Biloxi in  
 23 giving them that building.  
 24 They have been a vital cultural force,  
 25 and I came back voluntarily and at my expense to

30

1 MS. WOHLGE:  
 2 Close. Wohlge.  
 3 CHAIRMAN WASHER:  
 4 Okay. Thank you, ma'am.  
 5 We will go ahead and open the floor for  
 6 anyone that would like --  
 7 MR. CREEL:  
 8 Just a word of warning, there is a large  
 9 storm passing through here and someone noticed  
 10 that there is some windows out in the parking lot  
 11 that are cracked. If you do, you might want to  
 12 roll them up before this rain comes through. It  
 13 looks like it's going to be pretty intense.  
 14 CHAIRMAN WASHER:  
 15 Anybody want to comply with that, we'll  
 16 give you a couple of minutes and then open it back  
 17 up, say three minutes.  
 18 (Off the record.)  
 19 CHAIRMAN WASHER:  
 20 We're going to go ahead and proceed.  
 21 Let me also recognize Mr. Delahousey who was a  
 22 little late getting here. But we have got  
 23 everybody back in attendance right now.  
 24 We're going to go ahead and open the  
 25 floor for anyone that would like speak in support

32

1 direct a 50th anniversary revival of the show and  
 2 hopefully raise a bunch of money for their  
 3 building fund to ensure that they will be there  
 4 for the next 50 years.  
 5 In short, I love this city. This use  
 6 will be a valued addition to this neighborhood  
 7 that I'm currently staying in, and it will not in  
 8 any way detract from the character of the  
 9 neighborhood.  
 10 I have toured the property. I have  
 11 spoken with the applicants about their plans. I  
 12 have spoken with other neighbors about it, and I'm  
 13 persuaded that both the City and the neighbors  
 14 will be delighted with this project.  
 15 A bed and breakfast is very different  
 16 from our tourists accommodations. It's not a  
 17 vacation rental, and most folks who like bed and  
 18 breakfasts would prefer not to go to a vacation  
 19 rental or a hotel because patrons want a home-like  
 20 environment in a home-like setting, which is  
 21 exactly what these applicants have here. They  
 22 don't want a motel. They want folks who are on  
 23 site.  
 24 It only has six guest rooms, and I  
 25 expect that their guests are going to be

33

1 exclusively folks who want to have that experience  
 2 of staying with friends and families. It will not  
 3 present the kind of problems that I know you have  
 4 had with vacation rentals. By the way, I've lived  
 5 for 30 years in Key West, Florida, so I'm very  
 6 familiar with those. You're not going to have the  
 7 overcrowding, the all-night partying and the  
 8 problems that go along with absentee owners.  
 9 I'm aware that there were only two bed  
 10 and breakfasts in Biloxi, and I think that the  
 11 City may be missing out in some ways on this  
 12 distinct segment of the traveling public.  
 13 In conclusion, I would just like to say  
 14 that I think this will likely be a welcome  
 15 addition to the neighborhood. Daniel and Heidi  
 16 have shown that they are committed to this  
 17 community, in every way that the community should  
 18 welcome and encourage, so I encourage you to  
 19 approve both applications. Thank you.  
 20 CHAIRMAN WASHER:  
 21 Thank you, sir.  
 22 Let me let this other lady -- she's been  
 23 waiting in the back.  
 24 MS. HARRISON:  
 25 Hi. My name is Yvonne Harrison, 149

35

1 diligently to improve its condition and the  
 2 neighborhood.  
 3 In addition to being neighbors, I have  
 4 become friends with the Hoyes. Dan is a veteran,  
 5 having served the Marines from 1986 to 1990. He  
 6 not only served his country, he served thousands  
 7 of service people as a chef. After leaving the  
 8 service, he continued to develop his skills,  
 9 eventually becoming executive chef.  
 10 In 2015, he lost his wife Heather to  
 11 breast cancer. Three years later, he met and  
 12 married Heidi, who worked as a chef, caterer and  
 13 baker. Her maternal grandmother operated a  
 14 boarding house. Her parental grandfather operated  
 15 a bar and restaurant. Heidi is one of six  
 16 children. There was always extra guests at the  
 17 table. Frequently, her mother would provide much  
 18 needed space for someone in need of a place to  
 19 sleep.  
 20 They have the necessary skills and  
 21 pedigrees to own and operate a successful bed and  
 22 breakfast. They did consider several locations  
 23 but fell in love with the Mississippi Gulf Coast.  
 24 Is there any wonder to that?  
 25 In the past year, I have dined at their

34

1 Acacia Avenue, Biloxi, speaking in support of 1611  
 2 Glenn Swetman being spot rezoned to -- that  
 3 becoming an owner-occupied bed and breakfast if  
 4 possible.  
 5 I live three houses away from this  
 6 property. Real estate records show that the house  
 7 built by Roy Shannon was completed in 2004, just  
 8 prior to Hurricane Katrina. I do not know his  
 9 intended use for this grandiose property, over  
 10 7,500 square feet, with six bedrooms suites and 13  
 11 fireplaces. Certainly, it was out of keeping with  
 12 the residential homes in the neighborhood.  
 13 Whatever those plans might have been, they surely  
 14 were disrupted by Hurricane Katrina and his legal  
 15 troubles.  
 16 Since being built almost 20 years ago,  
 17 it has frequently been listed for sale. The  
 18 second owners' main residence was out of state.  
 19 They occupied the house a few times and only for  
 20 brief periods. They owned the property for less  
 21 than three years.  
 22 The third owners, the Hoyes, bought the  
 23 house in November of 2021, with the stated purpose  
 24 of being their owner-occupied bed and breakfast.  
 25 Since purchasing this property, they have worked

36

1 table, swam in their pool, swapped plants and  
 2 seeds, enjoyed fresh baked goods, and been  
 3 comforted by having an extra hand for household  
 4 projects or a place to stay when my air  
 5 conditioner went out. They are good people. They  
 6 are good neighbors.  
 7 They are also citizens, voting in  
 8 elections, volunteering at Back Bay, enjoying  
 9 First Fridays and becoming members of the  
 10 Ohr-O'Keefe, just to name a few. They are a  
 11 blessing to our neighborhood and to Biloxi.  
 12 We all know that life can change on a  
 13 dime. The devastation of Katrina, a life-changing  
 14 diagnosis, the COVID pandemic, which in some way  
 15 impacted everyone here in this room, it serves to  
 16 remind us that life is short. We must seize the  
 17 day.  
 18 In addition to their life savings, they  
 19 have invested much time and energy into this  
 20 dream. All that is standing in the way is the  
 21 necessary approvals. You have the power to make  
 22 or break their dream. The future rests in your  
 23 capable hands. I strongly urge you to approve  
 24 their applications. It's a win-win, making Biloxi  
 25 an even more desirable location to visit and a

37

1 place to call home. I thank you for your time,  
2 consideration and service.  
3 CHAIRMAN WASHER:  
4 Thank you.  
5 MS. WOHLGE:  
6 Okay. Very short because I did already  
7 write a letter. But I wanted to say I do sit at a  
8 proximity on that -- I'm Nancy Wohlge at 152  
9 Miramar.  
10 I literally look out my window and can  
11 see this property and it is spectacular. And it  
12 was vacant when I moved in, and I'm so delighted  
13 to have wonderful people like Dan and Heidi taking  
14 care of it being good stewards.  
15 The City Council of Biloxi actually a  
16 long time ago stated that although residential  
17 zones are traditionally created to systematically  
18 and unilaterally exclude commercial uses normally  
19 allowed exclusively within a commercial or  
20 higher-end district classification, a possible  
21 exception to such prohibition is presented by a  
22 bed and breakfast. The City further states that a  
23 bed and breakfast is allowed only on a conditional  
24 use basis and must comply with all the stated  
25 requirements. So you guys have the power to

39

1 that Best Western was only there about three years  
2 prior to Katrina. So they literally have their  
3 own entrance and they are very isolated because  
4 Mr. Shannon, he bought those two lots right in  
5 front of the property. So if you're going to have  
6 an insulated property, this is it, just as far as  
7 other bed and breakfasts go and the history and  
8 all that.  
9 So again, we're all here, most of the  
10 neighbors around the property. But if you have  
11 your entire -- so the address might be Glenn  
12 Swetman, which is the neighborhood, but the owner,  
13 the owner that bought the lots in front and that  
14 access road so -- you know, then they can  
15 landscape all of that for even more privacy. So I  
16 just wanted to reiterate to you that it is  
17 completely insulated, and I think that's a big  
18 deal.  
19 So I grew up in the resort industry. My  
20 dad was a consecutive resort manager of the year  
21 by the Resort Developers of America. I'm  
22 pro-development in terms of -- I moved to the  
23 Coast 40 years ago and I wouldn't go anywhere  
24 else. I love it. So congratulations, good luck.  
25 And we're all in it together.

38

1 rescind that at any time.  
2 I did want to say that there was zero  
3 impact when Dan and Heidi had their guests there.  
4 I could only tell when I would go down the street  
5 and say, hey, honey, I'm home for lunch because  
6 the trucks would pull up in from doing the roof on  
7 the Beau Rivage. Zero noise, zero -- we didn't  
8 see the people. We didn't even know they were  
9 there. So the clientele that they're going to  
10 have there is going to be much higher.  
11 So I'm looking forward to them having a  
12 wonderful bed and breakfast at the site. I hope  
13 that you see that the neighbors are not impacted  
14 and, in fact, are welcoming that change. Thank  
15 you.  
16 UNIDENTIFIED SPEAKER:  
17 I just want to keep this short and  
18 sweet, most of the neighbors surrounding the  
19 property in question -- surround the property and  
20 we're all here. To those neighbors that might be  
21 here that aren't for it, I love you.  
22 But I just want to clarify that the  
23 entrance that they showed on there was the  
24 entrance to Iberville. And that hotel that he was  
25 talking about was the Best Western, and I believe

40

1 MR. WOHLGE:  
2 I'm Jerry Wohlge. I live at 152  
3 Miramar.  
4 And my wife is right. I agree with her.  
5 And at the time that all those workers were there,  
6 the impact was zero from us. We can see and hear  
7 their house, and it was no problem whatsoever. I  
8 believe the clientele they are going to have are  
9 going to be much more serene than I imagine this  
10 crowd was for them.  
11 I will add, though, I am going to pursue  
12 charges of murder against Heidi because she keeps  
13 dropping these fat pills off at my house, and I  
14 swear I'm going to die from those.  
15 My wife and I, we raise and show Field  
16 Trials championship dogs all over the country.  
17 And as you know, COVID struck and the world is  
18 changing. And because of all these changes that  
19 happened, partly due to COVID, I could afford to  
20 stay at any five star hotel in the country. We  
21 choose not to.  
22 We seek out bed and breakfasts just like  
23 what they're proposing because we're in a very  
24 small environment. We are with like-minded  
25 people. We don't worry about theft. We don't



41

1 worry about interactions with negative people in  
 2 the middle of the night when you have to go out  
 3 and walk your dog. So we choose to seek these  
 4 kind of places out. And as we have stayed at  
 5 these places over the years, we have met the most  
 6 amazing people.

7       So as you consider -- one of the  
 8 criterion for a change in zoning is, has something  
 9 changed since the original zoning was set. I  
 10 submit that, yeah, a lot of things have changed.  
 11 Biloxi certainly changed. The world has changed.

12       And if you don't pursue this request, I  
 13 believe you're going to deprive a lot of people of  
 14 the opportunity to come and see what an amazing  
 15 place Biloxi is, what an amazing establishment  
 16 that is and they won't get those fat pills. Thank  
 17 you very much for your time.

18 MS. GIARDELLI:  
 19       Y'all have seen me here before. I'm  
 20 Linda Giardelli at 169 Miramar Avenue.

21       Last year, I stood here in complete  
 22 opposition of the bed and breakfast. It's taken  
 23 me probably a good year to reconcile myself and do  
 24 a lot of thought process because I can remember  
 25 when they had Miramar apartments in the first

43

1 sure to come, but I believe that is, you know,  
 2 case to case. And let me say, I'm still in  
 3 opposition for short-term rentals. These people  
 4 are on property. It's a completely different  
 5 scenario. I'm still opposed to short-term  
 6 rentals. But I ask this Planning Commission to  
 7 please approve -- we have had that property there  
 8 for years as it's -- just vacant.

9       And I'm glad to see the City finally  
 10 sold the Swetman house because that's been a  
 11 blighted property we have had to look at for  
 12 years. So I would like to move forward this  
 13 development. Thank you.

14 CHAIRMAN WASHER:  
 15       Anyone else want to speak in favor?  
 16 MR. ORMAN:  
 17       Hello, everybody. My name is Grayson  
 18 Orman, and I'm 125 Miramar.

19       And every day I wash dishes and look out  
 20 my back window which overlooks what would be the  
 21 parking area for the bed and breakfast, so I have  
 22 a unique vantage point across that property. And  
 23 I can tell you that as the individuals that were  
 24 staying there stayed there -- many of you also  
 25 indicated that there was absolutely no problems.

42

1 block of Miramar Avenue, and I really don't  
 2 remember -- even though it was a rental, I don't  
 3 remember extra traffic. I don't remember any  
 4 aggravation having those apartments.

5       This is five or six rooms that they  
 6 intend to rent, and I'm one of those people also  
 7 that seek out bed and breakfasts because it's  
 8 delightful to share and meet other people from  
 9 around the world. And I agree with Jerry; that is  
 10 what I like.

11       And what I did -- I knew this was coming  
 12 up -- I corralled as many members on Miramar and  
 13 told people, spread the word. Heidi and Dan  
 14 opened their home up -- because I told all my  
 15 neighbors, if you want to find out, get your  
 16 questions answered, we're going to go, and that's  
 17 exactly what we did. We had probably 25 people  
 18 there. And they were able to ask questions,  
 19 resolve their curiosities, whatever they wanted to  
 20 know, they were on site to answer. So I left that  
 21 with a great feeling that the neighborhood  
 22 supported them.

23       Of course, not everyone does support the  
 24 bed and breakfast because there is a fear that if  
 25 they get approval, then short-term rentals are

44

1 I can, without a shadow of a doubt, say that there  
 2 were zero problems. And those individuals that  
 3 were staying in that house, from eight to 12  
 4 individuals, there was never a problem and they  
 5 were there for 10 months. So I just wanted to  
 6 make sure that today -- that I was here.

7       And I want you to know that it wasn't  
 8 easy for me to be here. I was in Newfoundland  
 9 last night and got in this morning at 2:00. And  
 10 so I am super tired, but I wasn't going to miss  
 11 this because I think it's important for you all to  
 12 know that these neighbors are some of the best  
 13 neighbors that I have ever had.

14       I am one of those transplants that moved  
 15 here from New Orleans. I did build a house that  
 16 is not typical in the neighborhood. I built on  
 17 Chip Donovan's old property, and I have loved  
 18 every moment that I have been on Miramar. And I  
 19 got to live out my dream, and I would love to see  
 20 guys be able to live out their dream. And you get  
 21 to make that decision. Thank you very much.

22 CHAIRMAN WASHER:  
 23       If there is no one else to speak in  
 24 support, is there anyone to speak in opposition?  
 25 Anyone with any questions?

45

1 MS. THOMPSON:  
2 I'm Teresa Thompson, I live on 1506  
3 Avalon Street which is three blocks east of this  
4 location or maybe three or four.  
5 It's all part of the West End  
6 Neighborhood group, so I particularly am  
7 interested in anything that happens within our  
8 group because it has an impact on anybody else and  
9 all the rest of us that are in that same  
10 neighborhood.  
11 I'm here to ask for denial of the RM-10  
12 zone change and the B&B because -- I'm going to go  
13 through my discussion. The residential zoning  
14 descriptions in the Biloxi ordinances are for the  
15 protection and the character of the neighborhood  
16 and the protection of the rights of the citizens  
17 that live in that neighborhood.  
18 Nothing has really changed on the  
19 property, except they have done a lot of repair  
20 work, which all of us has done on our homes. I  
21 mean, after Katrina, I had to rebuild mine. So  
22 it's not unusual to have to do that, so that's  
23 part of living on the Coast and living on the  
24 beach.  
25 The house is still a large -- grant you

47

1 This change, you say it doesn't change  
2 the neighborhood, the neighborhood character is  
3 not changed by a hurricane. Character is built by  
4 the people that live in these houses. And the  
5 character of these neighborhood is one of  
6 single-family residential housing. That's what  
7 it's always been. That's what has been done since  
8 it was started, and it is -- pretty much, as you  
9 can still see, it's RS-7.5.  
10 I have a couple of questions. Doesn't  
11 multi-family zones -- if you're looking at RM-10  
12 alone, and you're going to make residential  
13 apartments, normally you would do that for  
14 long-term rent. So I'm having a hard time with  
15 the coding changing from -- going from 7.5 to  
16 RM-10 and you're making six bed and breakfast  
17 rooms -- so you're making a little mini-motel or  
18 hotel. It's like short-term rental, just nicer  
19 than some of these -- inside of the house. Is  
20 there a limitation on how many you can have? I  
21 don't know.  
22 And the apartments, I thought, have to  
23 be stand-alone. If you were going to build this  
24 as an actual long-term rental, you would have to  
25 have a stand-alone apartment. That apartment

46

1 that -- single-family, RS-7.5 house in an RS-7.5  
2 neighborhood. In fact, all the houses in this  
3 neighborhood are RS-7.5 and you have a copy of  
4 that in your hand or in your booklet. All of it's  
5 7.5. The majority of the houses in the West End  
6 neighborhoods are 7.5, except for those that are  
7 closer to the beach that they have changed the  
8 zoning on.  
9 For that reason, you, the Planning  
10 Commission voted 10/0 and one abstained to deny  
11 the same request a year ago, as well as the  
12 Council denied it also. There is really no need  
13 for the change. It does not enhance the  
14 neighborhood.  
15 It may bring -- I'm glad that Heidi and  
16 them decided to live here and be part of our  
17 neighborhood. I have no problem with that. Y'all  
18 are very welcome.  
19 I have problems with what -- the impact  
20 of what you're going to do with the  
21 neighborhood -- what a commercial business is  
22 going to do to the rest of us in these  
23 neighborhoods. I don't want commercial business  
24 in our neighborhood. That's why I fight  
25 short-term rentals.

48

1 would have to have a kitchen and whatever else,  
2 doors separating from everybody. It would not be  
3 what the environment is that they have now.  
4 As far as I know, the last thing I  
5 remember when we talked about this last year, B&B  
6 units do not even allow for microwaves in the  
7 rooms. And I noticed every one of those have  
8 microwaves, so has that actually been changed in  
9 the coding?  
10 The plans also that I have heard have  
11 come around from factors of all these glorious  
12 things that are supposed to be also done in this  
13 house. Most of what I have heard about serving  
14 the veterans and having art classes and doing all  
15 this other stuff is like another whole series of  
16 commercial businesses taking place. Because that  
17 B&B is a commercial business. So I'm not sure  
18 exactly what all of that is. I never heard that  
19 discussion today, but I have heard it through the  
20 mill so I don't know what that means.  
21 Since this is leading to a zoning change  
22 and a conditional use, I have a question for  
23 Mr. Creel and the Planning Commissioners. At the  
24 Planning Commission meeting in May 2022 on  
25 St. George short-term rental discussion,

49

1 Mr. Short, made the comment that if you make the  
2 property in question next to the RS-7 properties,  
3 you open the door to running short-term into the  
4 rest of the neighbor like in his case to  
5 St. Charles.  
6 Mr. Creel specifically told us that that  
7 could not happen because it was a two-step change.  
8 You had to make a zone change and a conditional  
9 use to change that.  
10 CHAIRMAN WASHER:  
11 You're down to one minute.  
12 MS. THOMPSON:  
13 Okay. The Planning Commission has  
14 voiced their agreement to this also. Then, I ask  
15 why is this different? You're asking for an  
16 RS-7.5 to be changed to an RM-10 and then you're  
17 requesting a conditional use for a B&B. So if you  
18 can stop and you're not going to allow short-term  
19 rentals to run, what is going to keep this from  
20 happening and running into something else?  
21 So y'all have got to make up your mind  
22 how we're following these rules because we're  
23 having a hard time trying to keep up with y'all,  
24 and it's very disheartening. If this is correct,  
25 we should have never voted on it the first time

51

1 MR. CREEL:  
2 We were talking about short-term rental,  
3 and this is not short-term rental.  
4 MS. THOMPSON:  
5 It's still a zone change and a  
6 conditional use. It's the same thing.  
7 MR. CREEL:  
8 What I said was, is that Planning  
9 Commission had taken the position -- previously  
10 there were statements made by some Planning  
11 Commission members that if someone came with a  
12 short-term rental application, that they did not  
13 believe in changing the zoning and then doing a  
14 conditional use for short-term rental.  
15 However, when somebody comes in with  
16 a -- with a zoning that allows it as a conditional  
17 use, then they would move forward. We were  
18 talking about short-term rentals specifically, not  
19 about a bed and breakfast.  
20 MS. THOMPSON:  
21 But the question is, why is it  
22 different?  
23 CHAIRMAN WASHER:  
24 We're done.  
25 MR. CREEL:

50

1 last year and it shouldn't be back.  
2 So conditional use means you're asking  
3 for something that doesn't belong there. That's  
4 the only reason you do a conditional use, is it  
5 doesn't belong in the zone. If ours is 7.5, that  
6 house is a 7.5. It's a big 7.5. I don't know why  
7 that is, but that's the way it is.  
8 Based on the Community Development  
9 rules, this request is not allowed and should not  
10 even come to the table. All this does is add more  
11 hardship and stress for the citizens who are  
12 fighting to keep their safe, peaceful  
13 family-oriented neighborhoods. And we have been  
14 fighting for like five years, probably longer  
15 than --  
16 CHAIRMAN WASHER:  
17 All right. Time is up for your  
18 comments.  
19 I would ask Mr. Creel if he wants to  
20 address your questions.  
21 MR. CREEL:  
22 Not really.  
23 MS. THOMPSON:  
24 Well, did you not say that in the  
25 meeting?

52

1 Because the regulations are different.  
2 CHAIRMAN WASHER:  
3 Anyone else to speak in opposition?  
4 Anyone else with any questions?  
5 MR. BIRDROW:  
6 Good afternoon. Thank you for your  
7 time. My name is George Birdrow. I live at 175  
8 Miramar Avenue. It's a home that's been in our  
9 family since the 1940s, and I live there now.  
10 The City Council rejected this last  
11 year. Absolutely nothing has changed that would  
12 point towards a reversal, either here or at the  
13 City Council.  
14 Now, rather than a bunch of emotions,  
15 we'll talk about a few facts. Nice people, nice  
16 house and all that. If you cut Glenn Swetman  
17 Street across to Iberville, we would have a tract  
18 of property that already has approximately 10  
19 single-family homes. They are asking you to cut  
20 into the heart of that neighborhood for this  
21 endeavor.  
22 If somebody came here and asked for this  
23 sort of thing in the Enclave or in River Place or  
24 in Bent Oaks or in Goose Pointe, the answer is no.  
25 You're not going to do it.

53

1 We live on a through-street that goes  
 2 from Highway 90 to Irish Hill Drive. There are  
 3 actually very few through streets that would merit  
 4 any sort of conditional use short-term, bed and  
 5 breakfast, whatever you would like to call it.  
 6 There are very few streets that go through there.  
 7 Our protection is zoning and rules and  
 8 regulations, and I ask you to abide by those.  
 9 Some people have indicated that at some  
 10 point someone is going to hang their hat on Judge  
 11 Schmidt's decision on St. George and Avalon.  
 12 Well, Judge Schmidt did not bless that in terms of  
 13 I think this is a good place for a bed and  
 14 breakfast or short-term rental. Judge Schmidt  
 15 reversal was based on the fact that the City  
 16 Council, in his opinion, did not give a good  
 17 enough reason for the denial.  
 18 If this is approved, it sets a bad  
 19 precedent. You're coming into the heart of the  
 20 neighborhood with a zoning change and a  
 21 conditional use. There are additional lots for  
 22 sale on the same tract that I outlined that would  
 23 be bound by Miramar, Highway 90, Iberville and  
 24 Glenn Swetman. Those lots are available. You can  
 25 buy them for \$250,000 if you like.

55

1 opposition.  
 2 Mr. Hengen, any final comments you may  
 3 have?  
 4 MR. HENGEN:  
 5 Maybe some clarification. Talking about  
 6 a microwave, I have studied the ordinance. It  
 7 does not have a prohibition of you using a  
 8 microwave or a coffeepot in these rooms. You just  
 9 can't have a separate kitchen in each room or a  
 10 separate kitchenette in each room. They're trying  
 11 to prohibit things that could create problems.  
 12 That's their restriction.  
 13 They don't even have to provide that,  
 14 but it shows you the kind of people they are.  
 15 When they come in there, they don't want to  
 16 come -- wake up the owner if they wake up at  
 17 6:00 in the morning -- of course, they'll probably  
 18 be up -- but -- and try to have coffee made for  
 19 them. They want to do things on their own. Maybe  
 20 they don't want to get dressed to come down. They  
 21 have the right to do that, and I don't think the  
 22 ordinance prohibits it at all.  
 23 With regard to trying to characterize  
 24 this property as commercial if y'all grant  
 25 them the permit -- or make the recommendation to

54

1 I actually looked at this house when Roy  
 2 and Mary Shannon owned it and it's a nice house.  
 3 It doesn't fit what I need or want. It's got 13  
 4 fireplaces. I don't even want one fireplace. So  
 5 that being said, I just think it sets a bad  
 6 precedent. These people have had these lots for  
 7 sale.  
 8 CHAIRMAN WASHER:  
 9 One minute.  
 10 MR. BIRDROW:  
 11 That's fine. Thank you.  
 12 These people that have these lots for  
 13 sale, what's to keep them from saying, well, hey,  
 14 you know, we have got a precedent over here, we're  
 15 going to ask for a zoning change on our property  
 16 at the intersection of Miramar and Glenn Swetman?  
 17 So while there is a lot of emotion here,  
 18 the facts just do not support making this change,  
 19 and it was voted down by the City Council a year  
 20 ago. There has been no material change in the  
 21 neighborhood in the information available, so I  
 22 encourage you to vote against it. Thank you.  
 23 CHAIRMAN WASHER:  
 24 Thank you. Anyone else to speak in  
 25 opposition? No one else to speaking in

56

1 the Council that it should be granted, the permit  
 2 should be granted, then again you have got to read  
 3 the ordinance. They can't even have a gift shop  
 4 in the house for their guests. That's the answer  
 5 to that comment.  
 6 The rule is -- and even before I filed,  
 7 I checked with Jerry and others with regard to  
 8 refileing. It used to be, I thought, years ago,  
 9 two years before you could refile. They waited 16  
 10 months. In other, word, it's filed properly, and  
 11 y'all can rule on it.  
 12 Some of the comments, not George -- he  
 13 lives up the street. And I don't remember the  
 14 address of some of the others. They're not really  
 15 in an affected area. Avalon Street is further  
 16 than two or three blocks away. Y'all know that.  
 17 You can see the map. The people that would be  
 18 affected, are affected positively and there's 41  
 19 of them and probably more.  
 20 You know, Iberville must be loaded with  
 21 rentals because as many times as this couple went  
 22 up and down Iberville trying to find more than the  
 23 two or three that they had sign up, they couldn't  
 24 find anybody home. That's the neighborhood to  
 25 this neighborhood.

57

1           You want to -- support of a blockade for  
2 some kind of conversion to short-term rental.  
3 Well, it's already there. Let's close in and get  
4 the bed and breakfast going so that somebody else  
5 coming into the neighborhood between, say,  
6 Iberville and Miramar, don't wind up putting  
7 something else in there that y'all struggle with  
8 because maybe they had some facts and  
9 circumstances. Well, I gave you some facts and  
10 circumstances. They are straight from the law and  
11 y'all can make a choice and follow the law but not  
12 some artificial comment that really has no bearing  
13 on passing this.  
14           It is back before you because the last  
15 time, the evidence wasn't fully developed. I gave  
16 you that. I handwrite my notes. I gave you seven  
17 pages of it, handwritten. And that's the law that  
18 you can follow and pass it.  
19           If y'all have any questions, I will be  
20 glad to answer them, but otherwise, that's all I  
21 have.  
22 CHAIRMAN WASHER:  
23           Thank you, Mr. Hengen. We will consider  
24 those hearings closed.  
25           I'm going to defer to Mr. Creel in

59

1 come to the Planning Commission or the City  
2 Council, and an apartment complex can be built on  
3 the right in that property without --  
4 UNIDENTIFIED SPEAKER:  
5           Could you use the arrow to point out --  
6 MR. CREEL:  
7           The dark green, the dark green area --  
8 UNIDENTIFIED SPEAKER:  
9           I thought you said gray.  
10 MR. CREEL:  
11           -- an apartment complex could be built  
12 right there without requiring Planning Commission  
13 or City Council Approval. And on the other side  
14 where the orange is, the CB property, a hotel,  
15 which was a hotel there before the storm could be  
16 built.  
17           I don't know, Jon, if you have the  
18 ability to pull up the overhead on this, the  
19 satellite view of what we're talking about.  
20 MR. LAMBERT:  
21           Yeah.  
22 MR. CREEL:  
23           But the property there in the middle of  
24 the gold was single-family zoning.  
25 MR. BIRDROW:

58

1 regarding the zoning map amendment case only, 074.  
2 MR. CREEL:  
3           Well, anytime that you're asking for a  
4 zoning change, you have to ask for the lowest  
5 intensity zoning necessary to accomplish the  
6 purpose that you're trying to achieve. RM-10 is  
7 the lowest zoning that they can ask for that would  
8 allow a bed and breakfast. Again, we are not  
9 talking about short-term rental here.  
10           You know, we have been through this many  
11 times and there are people that love short-term  
12 rental and people that hate short-term rental, and  
13 we find very few in the middle. You know, it's a  
14 very divisive issue. But there's a big difference  
15 between a bed and breakfast and short-term rental,  
16 in that, the owner lives there on the property and  
17 is there to make sure. And I think we can tell  
18 from the look of the house on the inside that  
19 these people immaculately maintain this house.  
20           If you look at the map that's on the  
21 wall over here, you will see that on the east side  
22 of Miramar that property is zoned multi-family  
23 residential, the dark green color. On the west  
24 side, it's zoned CB. A hotel could be built right  
25 there on the CB property without even having to

60

1           Well, Jerry, just to qualify --  
2 MR. CREEL:  
3           Excuse me. Excuse me. The talk period  
4 is over and they are asking for my advice.  
5 MR. BIRDROW:  
6           That's fine.  
7 CHAIRMAN WASHER:  
8           If you can zoom in just a little bit  
9 more.  
10 MR. LAMBERT:  
11           Yes, sir.  
12 MR. CREEL:  
13           If you look here on this piece of  
14 property between Miramar and the other street  
15 that -- past Iberville, look at how few houses  
16 have been rebuilt in this block that we're talking  
17 about. There are three that face Highway 90, and  
18 I'm convinced that those people, other than one --  
19 other than one that I talked to, built those with  
20 the intention of turning those into rentals and  
21 then found out later that short-term would not be  
22 allowed in here.  
23           The gentleman who built the long house  
24 there that faces -- has already sold and moved.  
25 So it's not here. There's one, two houses over

61

1 there that face Miramar. So if you don't go back  
 2 to the zoning map, but if you consider what's  
 3 happening here with this, I think, a strong  
 4 argument could be made, is that there was a  
 5 mistake in the zoning when we did the Land  
 6 Development Ordinance in 2010 because with  
 7 commercial on -- essentially commercial on both  
 8 sides, this property should have probably been  
 9 zoned -- I think one of the reasons it was not was  
 10 because of that little Cayman Cove cul-de-sac that  
 11 was in there.

12 The -- now, let me point out that just  
 13 to the -- I'm sorry. Just to the west of the  
 14 property that we talked about where the hotel is  
 15 going, there is about to be a 38-unit rental  
 16 development to go in there. It's already been  
 17 approved and we expect to issue permits on that  
 18 very soon, so it's just to the west of the hotel  
 19 location that we're talking about.

20 These zonings that we showed -- I don't  
 21 know if you could tell from the zoning map a while  
 22 ago, but the CB zoning, when you come a little bit  
 23 to the west, go up all the way up to Irish Hill.  
 24 And then just to the west of that, you've got  
 25 waterfront zoning which is next to industrial.

63

1 call a transitional zone district that would  
 2 protect some of the single-family, which would be  
 3 to the north of this, from the more commercial  
 4 development that would be south of this. Again,  
 5 we have said this many times, that Highway 90 is a  
 6 major commercial corridor.

7 And as Mr. Birdrow brought up, you know,  
 8 if this is Goose Pointe or somewhere else, it  
 9 would probably be denied. I would agree with that  
 10 because Goose Pointe, River Place, Bent Oaks,  
 11 places like that are subdivisions where you have  
 12 one way in and one way out, so there is an  
 13 expectation when you live in one of those places  
 14 that you're going to be insulated or have  
 15 sanctuary from anything commercial happening.

16 But we -- these are cut-through roads.  
 17 These are roads that run all the way from Irish  
 18 Hill, all the way to Highway 90 and are used all  
 19 the time for people just cutting through, so you  
 20 can't expect that same type of sanctuary that you  
 21 get.

22 We're not talking about individual  
 23 apartments here in the house. Everyone in this  
 24 place would live together as a family, so it falls  
 25 kind of into that category that we were talking

62

1 It's the most intensive zoning that we have.  
 2 RM-10 zoning that they're requesting  
 3 allows a bed and breakfast, but does not allow a  
 4 short-term rental. You have to get RM-20 or RM-30  
 5 to get to short-term.

6 The intent of the bed and breakfast  
 7 ordinance is to -- this is the language right out  
 8 of the book -- is to accommodate historic and  
 9 other residential structures. Structures that  
 10 require -- this is my words, but if you read the  
 11 actual language, the intent behind a bed and  
 12 breakfast ordinance was to help people who have  
 13 these houses that require an elevated level of  
 14 maintenance to have some type of a revenue stream  
 15 to help maintain that level of maintenance. And I  
 16 think we can all -- most of us can all agree that  
 17 this is one of those houses that requires a lot of  
 18 maintenance to keep it in pristine condition.

19 One other thing I would point out, too,  
 20 is that even in single-family zoning, you're  
 21 allowed to have up to five unrelated people living  
 22 in a single-family house without having to have a  
 23 zoning change at all, and that was a decision of  
 24 the Supreme Court from several years ago.  
 25 RM-10 is traditionally used in what we

64

1 about.

2 We simply believe that the Hoyes are  
 3 trying to bring the zoning into compliance with  
 4 the use that this structure was built to  
 5 accommodate. And we go through this a good bit  
 6 where sometimes we will have an apartment complex  
 7 that's located in single-family zoning that's kind  
 8 of grandfathered in and you can't get loans. You  
 9 can't get financing for it until the zoning is  
 10 correct, so the applicant will come in and say,  
 11 you know, these were built as apartments, but the  
 12 zoning is single-family. We need to bring the  
 13 zoning into compliance with the apartment  
 14 complexions or the bank won't loan us some money  
 15 to do it.

16 We support this application. We believe  
 17 that this is one of those houses that the sole  
 18 intent of the bed and breakfast ordinance was  
 19 designed to accommodate, and we would  
 20 wholeheartedly support this application.

21 CHAIRMAN WASHER:  
 22 All right. Do we have any comments from  
 23 members of the Commission?  
 24 MR. TODARO:  
 25 Jerry, if 40 of the neighbors immediate

65

1 and some not as immediate since last year or since  
2 the last application have agreed that there has  
3 been a change in the character and they're  
4 supportive of this, is that considered a change in  
5 the character of the neighborhood if 40 of the  
6 neighbors have agreed that something has changed?  
7 MR. CREEL:  
8 Well, certainly it helps if you have got  
9 other people that are directly affected by it.  
10 You know, one of the things that we run  
11 into with the short-term rental -- and I'm  
12 bringing that up because this is a constant  
13 argument that we're having, disagreement that  
14 we're having, is that you will have people from  
15 five to 10 blocks away that come in and talk about  
16 that if this short-term rental is passed it's  
17 going to destroy the character of the neighborhood  
18 when they don't really live in what's considered  
19 the neighborhood.  
20 "Neighborhood" is kind of a subjective  
21 term. Where does the neighborhood begin and where  
22 does it end? And certainly, when you have people  
23 that live right around there that say that we  
24 don't object to this zoning change, I think that  
25 carries a lot of weight.

67

1 used commercially.  
2 MR. DELAHOUSEY:  
3 Jerry, I would add to that, Mr. Todaro's  
4 question, has anything changed. When we denied  
5 the last request, we did not have all this support  
6 that we have here today.  
7 I move that we approve the zoning.  
8 CHAIRMAN WASHER:  
9 Let's see. Mr. Parker had a -- did you  
10 have a question?  
11 MR. PARKER:  
12 No. I wanted to recommend approval, but  
13 I'll second Mr. Delahousey.  
14 CHAIRMAN WASHER:  
15 Mr. Delahousey moves that the request be  
16 approved; seconded by Mr. Parker.  
17 We'll ask that those in favor approval  
18 of the rezoning --  
19 MR. DELLENGER:  
20 I had a quick question of Mr. Hengen, if  
21 that's appropriate.  
22 Could you tell me, are the owners going  
23 to live on property? I mean like, I know on  
24 property, but are they going to live in the house  
25 or are they going to live in the garage apartment

66

1 MR. TODARO:  
2 From a planner's point a view, if the  
3 neighbors decide there has been a change,  
4 that's -- because it is subjective. You know,  
5 sometimes it's obvious and sometimes it's not as  
6 obvious.  
7 MR. CREEL:  
8 That's true. And I think the fact that  
9 you have not had single-family development run  
10 back in on this single-family zoned property and  
11 rebuild at the level that some other places are  
12 building shows that there has probably been a  
13 change in the character of the neighborhood.  
14 It just maybe should have been zoned --  
15 when we redid the ordinance in 2010, and it  
16 wasn't.  
17 MS. THOMPSON:  
18 Has anything changed since the  
19 application 18 or 16 months ago?  
20 MR. CREEL:  
21 There's nothing specific that I can  
22 point to, except that a couple of those houses  
23 have been built down on Highway 90. But again, I  
24 would point to that. I actually think that two of  
25 those houses were built with the intent of being

68

1 when they're --  
2 MR. HENGEN:  
3 Technically, it's a garage apartment,  
4 but it's all under one roof. It's adjoining.  
5 MR. DELLENGER:  
6 The garage is attached to the house?  
7 MR. HENGEN:  
8 Not the walls, but there --  
9 MS. HOYE:  
10 It's attached. It's one dwelling.  
11 MR. HOYE:  
12 It's attached.  
13 MR. HENGEN:  
14 It's attached.  
15 UNIDENTIFIED SPEAKER:  
16 It's not attached.  
17 MS. HOYE:  
18 It is attached. It's one -- you can  
19 look at --  
20 CHAIRMAN WASHER:  
21 There's been a second --  
22 THE COURT REPORTER:  
23 Wait. Sorry.  
24 MS. MAGEE:  
25 Too many people are talking.

69

1 THE COURT REPORTER:  
2 There was talking in the audience and I  
3 didn't hear anything you said.  
4 MR. CREEL:  
5 Start over, David.  
6 CHAIRMAN WASHER:  
7 If everyone will be quiet, we'll proceed  
8 and get everybody heard.  
9 Currently, we have a motion by  
10 Mr. Delahousey, seconded by Mr. Parker,  
11 recommending approval.  
12 All those in favor of approval of the  
13 zoning RM-10, raise your hand. Mr. Lechner,  
14 Mr. Parker, Mr. Todaro, Ms. Magee. Mr. Stanovich,  
15 Mr. Bogard, Mr. Dellenger, Mr. Poulos, Dr. Drawdy,  
16 Mr. Carron, Mr. King, Mr. Snow, Mr. Delahousey;  
17 myself, David Washer. We will let the record show  
18 that's unanimous.  
19 Now, we'll go back and now that we've  
20 got that approved, of course, it's still subject  
21 to City Council approval, we can hear the case --  
22 or vote on the case, 23-076-PC, for the  
23 conditional use for the bed and breakfast.  
24 MR. DELAHOUSEY:  
25 Move to approve.

71

1 All right. We're going to go ahead and  
2 proceed. Our next case today is 23-075-PC, Windy  
3 Swetman on behalf of Secure Properties, LLC. This  
4 is a request for a zoning map amendment to  
5 authorize a change in zoning district  
6 classification on a parcel of land measuring .47  
7 of an acre more or less in size from its present  
8 zoning district classification of RS-5  
9 high-density, single-family residential to RM-10,  
10 low-density multifamily residential for a parcel  
11 of land identified as 321 Nelson Road, being  
12 Municipal Tax Parcel Number 110H-02-004.000. This  
13 case also advertised on August 10th, August 17th,  
14 August 23rd.  
15 Jon.  
16 MR. LAMBERT:  
17 Yes, sir. This is looking up north  
18 towards Nelson, towards Popp's Ferry Elementary  
19 and back south towards Pass Road.  
20 That's it.  
21 CHAIRMAN WASHER:  
22 Mr. Gipson or Mr. Swetman.  
23 MR. GIPSON:  
24 Howdy.  
25 CHAIRMAN WASHER:

70

1 MS. MAGEE:  
2 Second.  
3 CHAIRMAN WASHER:  
4 Motion by Mr. Delahousey recommending  
5 approval; seconded by Ms. Magee.  
6 Any discussion on that?  
7 (No response.)  
8 CHAIRMAN WASHER:  
9 We'd ask that all those in favor of  
10 approval of the bed and breakfast conditional  
11 use -- Mr. Lechner, Mr. Parker, Mr. Todaro,  
12 Ms. Magee. Mr. Stanovich, Mr. Bogard,  
13 Mr. Dellenger, Mr. Poulos, Dr. Drawdy, Mr. Carron,  
14 Mr. King, Mr. Snow, Mr. Delahousey; myself, David  
15 Washer. We will let the record show that's  
16 unanimous.  
17 Anyone that wants to stay as we continue  
18 the other cases, you're welcome to. If not, if  
19 you want to leave, please do so quietly, and we're  
20 going to proceed.  
21 MR. HOYE:  
22 Thank you, ladies and gentlemen.  
23 MS. HOYE:  
24 Thank you.  
25 CHAIRMAN WASHER:

72

1 Name and address.  
2 MR. GIPSON:  
3 Oh, sorry. Jason Gipson, 1979 Bayside  
4 Drive. I apologize.  
5 CHAIRMAN WASHER:  
6 If you will kindly tell us why you're  
7 here and what you need.  
8 MR. GIPSON:  
9 My client wants to build two duplexes on  
10 the property and it's going to require a zoning  
11 change to do that, so we're here to request that  
12 change.  
13 CHAIRMAN WASHER:  
14 Can you give us a little description of  
15 the surrounding properties?  
16 MR. GIPSON:  
17 It's mainly single-family residential.  
18 There is multi-family, I think, just north of  
19 there, and there is the school. Just to the west  
20 of it, it's commercial, the old Winn Dixie parking  
21 lot and Subway and all that.  
22 Really, the type of structures that  
23 we're building, you're not going to see that --  
24 really any difference between what we're building  
25 and what's there, except it's just a newer look