Ordinance No. 2615

ORDINANCE TO APPROVE A COMPREHENSIVE ZONING MAP AMENDMENT WITHIN A SECTION OF BILOXI, TO FOSTER DEVELOPMENT SINCE HURRICANE KATRINA

WHEREAS, on Thursday, August 6, 2026, 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. 26-040-PC, City of Biloxi, a request for a Comprehensive Zoning Map Amendment; and

WHEREAS, the Planning Commission members were apprised of the particulars of the case and were made cognizant that the City of Biloxi Administration had submitted an application for a Comprehensive Zoning Map Amendment concerning certain parcels of property currently zoned RS-5, RM-30, LB, NB, CB, and I; and that the proposed amendment would rezone the identified parcels to RM-30 High-Density Multi-Family, WF-Waterfront, and CB-Community Business zoning classifications, with the intent of spurring development and encouraging reinvestment within an area of the City of Biloxi that has not fully recovered from the effects of Hurricane Katrina, Case No. 26-040-PC; and

WHEREAS, on Thursday, August 6, 2026, the Planning Commission voted 14-0 to hold a workshop on this matter to get a better understanding of the proposal; and

WHEREAS, on Thursday, August 13, 2026, the Biloxi Planning Commission held a public workshop in the Auditorium of the Dr. Martin Luther King, Jr. Municipal Building, located at 676 Dr. Martin Luther King, Jr. Boulevard, Biloxi, Mississippi, for the purpose of further reviewing and considering each section and map associated with the proposed zoning changes; and the Planning Commission members agreed to review each map individually, with each section of the proposed zoning changes being thoroughly discussed and renumbered, to allow for an individual discussion without confusion in order to vote on each proposed zoning change at the next meeting; and

Ord. No. 2615

WHEREAS, on Thursday, August 20, 2026, the Biloxi Planning Commission reheard and discussed the renumbered case, Case No. 26-040.6-PC, concerning the exhibit "A" identified as Map 6, which includes 4 parcels South of and fronting Water Street, North of Beach Blvd., East and adjacent to Maycock Street, and West of Dukate Street and, after consideration, voted 12-0, to recommend approval of this zoning change from their present zoning classification of NB Neighborhood Business to CB Community Business; and

WHEREAS, the Biloxi City Council, after consideration of all facts presented, hereby adopts the report and findings of the Biloxi Planning Commission, and in so doing, grants approval of this Comprehensive Zoning Map Amendment to authorize a change of 4 parcels from their current zoning of NB Neighborhood Business to CB Community Business.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF BILOXI, MISSISSIPPI, THAT AS PER THE FINDINGS OF THE PLANNING COMMISSION, AND BASED UPON SAID DETERMINATIONS, THAT THE FOLLOWING SHALL BE AUTHORIZED:

SECTION ONE: That the boundaries of the Geographical Information System Format Zoning District Map of the City of Biloxi, Mississippi, as previously amended, are hereby further amended to designate the new zoning district classification for 4 specific parcels fronting Water Street (*Tax Parcel Nos. are as follows:* 1410K-01-067.000, 1410K-01-068.000, 1410K-01-069.000 & 1410K-01-070.000.

SECTION TWO: Upon unanimous vote of the members of the City Council, this ordinance shall be in full force and effect from and after passage, because it serves the public peace, health and safety of the citizens of Biloxi, and good cause exists for same. If not a

unanimous vote this Ordinance shall become effective as soon thereafter as is signed, certified, and as is otherwise provided by law.

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

YEAS:	Gray	Tisdale	NAYS:	None
	Marshall	Glavan		
	Nail	Shoemaker		
	Creel			

The President then declared the Ordinance adopted this the 20th day of October, 2026.

STATE OF MISSISSIPPI ★ CITY OF BILOXI ★ HARRISON COUNTY

ATTEST: APPROVED:

Keri Campbell — Paul L. Tisdale

CLERK OF THE COUNCIL PRESIDENT OF THE COUNCIL

Submitted to and approved by the Mayor, this the 21st day of October, 2026.

APPROVED:

MAYOR



Map 6
Exhibit "A"

Scheduled for:
August 6, 2026
PC Meeting
Amendment

City of Biloxi
Case No. 26-040-PC
Comprehensive Rezoning Map

Biloxi
established 1699

Planning Commission
Case Fact Sheet

Case No.:	26-040-PC
Name of Applicant:	City of Biloxi
Address of Properties:	594 specific parcels located within sections of East Biloxi.
Tax Parcels/Ward:	594 Parcels (see maps) Ward 1
Request:	**Comprehensive Zoning Map Amendment**
Purpose of Request:	An application to consider a **Comprehensive Zoning Map Amendment** to sections of East Biloxi, to encourage development since Hurricane Katrina.
Size of Property:	N/A
Present Zoning:	RS-5, RS-7.5, RM-10, RM-20, RM-30, LB, I & NB
Present Use:	N/A
Most Nearly Bounded By (streets):	Ward 1
Adverse Influences:	None apparent
Positive Influences:	This rezoning should significantly promote development in this area of the City of Biloxi.
Letters or Concerns stated:	The Planning Division Office has not received any communication related to this case as of July 30, 2026.
Comments/ Recommendations:	The City of Biloxi Administration has requested a **Comprehensive Zoning Map Amendment** to encourage development in this section of East Biloxi. These 594 parcels are currently zoned **RS-5, RS-7.5, RM-10,**

RM-20, RM-30, LB, NB, CB, and **I,** and they will be changing to **RM-30, CB-Community Business & WF-Waterfront.** This change is intended to encourage new development in an area of Biloxi that has not fully recovered since Hurricane Katrina. This portion of the city is also located in a flood zone, which presents additional development challenges.

It should be noted that this proposed change will not affect the amount of property taxes owed. Property taxes are assessed based on the actual use of the property rather than its zoning designation. Additionally, affected property owners will have the opportunity to opt out of the rezoning by submitting written notification to the City if they choose not to participate.

Options:

1. Recommend approval of this **Comprehensive Zoning Map Amendment**, having determined that the proposed change in zoning district classification would appropriately serve the best interests of the neighborhood and enhance efforts to promote development in this area of East Biloxi.

2. Recommend denial of the **Comprehensive Zoning Map Amendment** proposal, as submitted, having determined that no plausible argument for zoning has been offered.

Planning Commission Application

City of Biloxi Planning Division

Mailing Address: P.O. Box 508, Biloxi, MS 39533

Office Location: 676 Dr. MLK Blvd.,

Building (228) 435-6270 Planning (228) 435-6266 Fax (228) 435-6188

Case No. 26-040-PC

To Be Completed by Owner/Applicant	**Date:**
Name of Rightful Owner(s): City of Biloxi	Name of Applicant: (if different than Owner)
Property Address: Ward 1 Comprehensive Rezoning	Ward Number 1
Tax Parcel Identification Number(s): ☐☐☐☐☐-☐☐-☐☐☐.☐☐☐ ☐☐☐☐☐-☐☐-☐☐☐.☐☐☐ ☐☐☐☐☐-☐☐-☐☐☐.☐☐☐ ☐☐☐☐☐-☐☐-☐☐☐.☐☐☐ ☐☐☐☐☐-☐☐-☐☐☐.☐☐☐ ☐☐☐☐☐-☐☐-☐☐☐.☐☐☐	
Mailing Address of Property Owner: 140 Lameuse St	Mailing Address of Applicant (if different than Owner):
City: Biloxi	City:
State: MS	State:
Zip: 39530	Zip:
County	County
Telephone:( )	Telephone:( )
Property Size (please give in acres or by dimension):	
Present Zoning Classification: RM-30, RS-5, LB, NB	
Is the property located within an AHRC District? Yes __ No ___ If so, which District? Is this property a Historic Landmark? Yes __ No ___	

Flood Zone(s) of Property:	North	South	East	West
Property is most nearly bounded by what streets?				
If property directly fronts or is adjacent one of the streets above, please indicate with a ✓.				

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

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

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.

The Planning Commission (PC) is a recommendation board, all cases will go to the Biloxi City Council for a final determination. If any case is denied by the Biloxi City Council, you will have ten (10) days to appeal their decision.

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

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

NOTES:

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

Community Development Department

Planning Division
676 Dr. Martin Luther King Jr.
Biloxi, MS 39530-3975
Post Office Box 508
Biloxi, MS 39533-0508

Felicia Serpas, Senior Planner
Telephone: 228-435-6266
Facsimile: 228-435-6188

July 23, 2026

TO WHOM IT MAY CONCERN:

The Biloxi Planning Commission will conduct a public hearing on Thursday, August 6, 2026, at 2:00 p.m. in the Auditorium of the Dr. Martin Luther King, Jr., Municipal Building located at 676 Dr. Martin Luther King, Jr. Boulevard, Biloxi, Mississippi, to hear the application of the City of Biloxi (applicant), Case No. **26-040-PC**.

The purpose of this hearing is to consider an application for a **Comprehensive Zoning Map Amendment**, to authorize a change in the zoning classifications of 593 parcels of land in East Biloxi from their present zoning district classifications of **RS-5 Single Family High Density** to **RM-30 Multi Family High Density** & **CB Community Business**, and also certain **RM-30 Multi Family High Density; LB Limited Business; NB Neighborhood Business;** & **I Industrial** to **CB-Community Business** & **WF-Waterfront.** These specific parcels are located throughout Ward 1. To view the maps of these specific parcels, please come to the Community Development Municipal Building at the above-listed address. The affected properties' parcel numbers are as follows:

1210G-02-020.000	1410A-01-023.000	1410G-02-022.001	1410G-02-049.000	1410H-01-039.000
1210G-02-021.000	1410A-01-024.000	1410G-02-023.000	1410G-02-050.000	1410H-01-039.001
1210G-02-022.000	1410A-01-050.000	1410G-02-024.000	1410G-02-051.000	1410H-01-040.000
1210G-02-024.000	1410A-01-050.001	1410G-02-025.000	1410G-02-052.000	1410H-01-041.000
1210G-02-024.001	1410A-01-051.000	1410G-02-026.000	1410G-02-053.000	1410H-01-042.000
1210G-02-027.000	1410A-01-052.000	1410G-02-027.000	1410G-02-053.001	1410H-01-043.000
1210G-02-028.000	1410A-01-053.000	1410G-02-028.000	1410G-02-054.000	1410H-01-044.000
1210G-02-029.000	1410A-01-054.000	1410G-02-029.000	1410G-02-055.000	1410H-01-045.000
1210G-02-030.000	1410G-02-001.000	1410G-02-030.000	1410G-02-056.000	1410H-01-047.000
1210G-02-031.000	1410G-02-002.000	1410G-02-031.000	1410G-02-057.000	1410H-01-048.000
1210G-02-032.000	1410G-02-003.000	1410G-02-032.000	1410G-02-058.000	1410H-01-049.000
1210G-02-033.000	1410G-02-004.000	1410G-02-033.000	1410G-02-059.000	1410H-01-050.000
1210G-02-034.000	1410G-02-005.000	1410G-02-034.000	1410G-02-060.000	1410H-01-056.000
1210G-02-035.000	1410G-02-006.000	1410G-02-034.001	1410G-02-061.000	1410H-01-057.000
1210G-02-036.000	1410G-02-007.000	1410G-02-035.000	1410G-02-062.000	1410H-01-059.000
1210G-02-037.000	1410G-02-008.000	1410G-02-036.000	1410G-02-063.000	1410H-01-060.000
1210J-01-004.000	1410G-02-009.000	1410G-02-037.000	1410G-02-064.000	1410H-01-061.000
1210J-01-006.000	1410G-02-009.001	1410G-02-037.001	1410G-02-065.000	1410H-01-063.000
1210J-01-007.000	1410G-02-010.000	1410G-02-038.000	1410G-02-066.000	1410H-01-064.000
1210J-01-007.001	1410G-02-011.000	1410G-02-039.001	1410G-02-075.001	1410H-01-065.000
1310I-01-023.000	1410G-02-012.000	1410G-02-040.000	1410H-01-001.000	1410H-01-067.000
1310I-01-030.000	1410G-02-013.000	1410G-02-041.000	1410H-01-002.000	1410H-02-002.000
1310I-01-032.000	1410G-02-015.000	1410G-02-042.000	1410H-01-003.000	1410H-02-002.001
1310I-01-035.002	1410G-02-016.000	1410G-02-043.000	1410H-01-004.000	1410H-02-004.000
1310I-03-017.000	1410G-02-017.000	1410G-02-044.000	1410H-01-005.000	1410H-02-005.000
1310I-03-018.000	1410G-02-018.000	1410G-02-045.000	1410H-01-006.000	1410H-02-006.000
1310I-03-019.000	1410G-02-019.000	1410G-02-046.000	1410H-01-007.000	1410H-02-007.000
1410A-01-021.000	1410G-02-020.000	1410G-02-047.000	1410H-01-008.000	1410H-02-008.000
1410A-01-022.000	1410G-02-022.000	1410G-02-048.000	1410H-01-009.000	1410H-02-009.000

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If your parcel is affected and you would like to be excluded from this zoning change, please submit a written request to the planning department located within the Community Development building. All individuals having any potential interest in this request are encouraged to attend the public hearing to ensure a complete understanding of the proposal. At this public hearing, any person is invited to comment on the particular matters and requests presented by the application. Written comments can be mailed to the address above, faxed to the facsimile number above, or emailed to planning@biloxi.ms.us any time before the scheduled hearing.

Sincerely,

Felicia Serpas

Felicia Serpas
Senior Planner – fds: cdl

I Angela Desporte wants to Keep my properties Heavy Industry.

Parcel # 151OE-01-040.000
317 Pine ST Biloxi ms. 39530

Parcel # 151OE-01-035.000
williams ST. Biloxi ms. 39530

Parcel # 151OE.01-036.000
306 williams ST. Biloxi MS 39530

Parcel # 151OE-01-041.000
315 Pine ST. Biloxi ms. 39530

Parcel # 151OE-01-037.000
308 williams ST. Biloxi ms. 39530

Thank you.
Angela Desporte
228.215.9460
8-18-2026

RECEIVED
AUG 18 2026
BY: C Long

Remove Parcels from Rezoning Case 21-040-PC

Caryle Lena

From: Felicia Serpas
Sent: Friday, August 14, 2026 9:13 AM
To: Caryle Lena
Subject: FW: Zoning exclusions

Take out these properties and print this please

Biloxi
established 1699

Felicia Serpas
Senior Planner
911 Address Coordinator
Ph: 228-435-6266
Fax: 228-435-6188
fserpas@biloxi.ms.us

From: Russell Evans <evanscompany@bellsouth.net>
Sent: Friday, August 14, 2026 9:12 AM
To: Planning <planning@biloxi.ms.us>
Cc: Steve Luben <steveluben@yahoo.com>; Durrett <durrettevans@gmail.com>; samantha revansrealty. com <samantha@revansrealty.com>
Subject: Zoning exclusions

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

Dear Biloxi Planning Commission

As stated in the letter delivered to the planning commission office previously, we would like to be excluded from the proposed zoning change.

Parcel # 1410L-05-054.000

The physical address is 1002 Beach Blvd.

My residence is at 119 Suter Place and joins this lot, owned by Stephen Luben, Raymon Evans, and myself.

Thank you, Edward Russell Evans Jr.

RECEIVED
AUG 14 2026
BY: Clara

Felicia Serpas

From: Robert Gonzalez <RGonzalez@wmcarey.edu>
Sent: Wednesday, August 12, 2026 12:16 PM
To: Wayne Gray; Planning
Subject: RS-7.5 Zoned to CB Zone | Morrison Ave.

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

Wayne and Jerry, et al.

I am emailing regarding the proposed zoning change. I was at the meeting last week and listened to the voices. However, inside that chamber was not full of people against the proposal. I live at 123 Morrison Ave. in the historical neighborhood. It is absolutely not a consensus of us against this change - I myself am 100% supportive of the initiative and would like to share why with some context of where I am coming from. I am not asking for discussion or an email thread, but I would appreciate a simple "email received" response to assure it made it to the right people.

1. My family moved to Columbus, MS when I was three years old in 1990. At that time, it was per capita the wealthiest city in the state and had per capita the most millionaires of any city in the US. They have and still have some of the most majestic antebellum and historical homes in the country. However, these amazing homes hold little value. The city blocked development in the 1980s around them. What happened? Most homeowners are happy for the moment thinking this will help property values. It failed. The lack of city development destroyed the community, and it is a shell of itself from what it once was. And due lack of development, there is no desire now to purchase the homes in the first place that they were trying to protect.
2. Prior to moving to the coast, I lived in Oxford. This town also has many great historical homes. Curiously, many of them are right in a thriving business downtown area or just off the UM campus. There is absolutely no reason that with appropriate planning you cannot maintain the historical feel while developing around it. Oxford has boomed over the past 30 years. I have had multiple properties of mine double in value in just the past several years.
3. Fundamentally, there is no reason for this not to push forward. It is nonsense to suggest this will hurt anything or anyone. I believe the homeowners who voiced out against last week are an unfair representation of the population. Because meetings occur during the workday, the attendees were much older than the general population and not representative as a whole. If left unchanged, what happened to Columbus in the 1980s-1990s, leading to what it is now will occur to some extent. While the casino revenue allows the city of Biloxi to skirt against major disaster, it can still be better. I don't like the fact that I have to go to Ocean Springs to do a lot of things like nice shopping, dining, etc. downtown: I want that here. When I was a kid, coming to Biloxi was the crown jewel of the coast. I had never heard of Ocean Springs and now see it has surpassed Biloxi in a lot of ways - this proposal can change that, and I urge the committee to vote YES to rezoning.

Robert P. Gonzalez

Head Men's & Women's Swim Coach
SUN Conference 2025 Men's Coach of the Year
Phone: 662-574-9010 | Office: Gym Annex
William Carey University | 710 William Carey Pkwy, Hattiesburg, MS 39401

RECEIVED
AUG 12 2026
BY: F Serpas

in favor of

Felicia Serpas

From: Perkes, David <dperkes@gccds.msstate.edu>
Sent: Wednesday, August 5, 2026 5:50 PM
To: Planning
Subject: zoning change Case No. 26-040-PC

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

To Biloxi City Planning,

This is David Perkes. I live at 133 Morrison Ave in Biloxi. It is not clear to me whether or not my property is included in the proposed zoning change Case No. 26-040-PC. My parcel number is 1310J-02-039.000.

If my lot is included in the proposed zoning change, I would like my lot to be excluded from the zoning change.

Thank you,
David Perkes

Exclude from Zoning changes

RECEIVED
AUG 05 2026
BY: F Serpas

Felicia Serpas

From: Donna Stokes <donwarsto@gmail.com>
Sent: Wednesday, August 5, 2026 8:05 AM
To: Planning
Subject: Rezoning

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

Stop with the rezoning of Biloxi Ward1 !!
Think about something besides more tax dollars to throw away with all that's been thrown away already. Let Biloxi be beautiful Biloxi without money hungry investors who could care LESS about the residents. We need to preserve!!!

Donna Ward
1327 Father Ryan Avenue.
Sent from my iPhone

OPPOSITION

RECEIVED
AUG 05 2026
BY:

Felicia Serpas

RECEIVED
AUG 06 2026
BY: F Serpas

Subject: FW: Request for Review Prior to Planning Commission Hearing – Case No. 26-040-PC

From: Tom Jones <Tom.Jones@busopsconsulting.com>
Sent: Wednesday, August 5, 2026 5:09 PM
To: Jerry Creel <jcreel@biloxi.ms.us>; Wayne Gray <wgray@biloxi.ms.us>; planning@biloxi.ms.us <IMCEAMAILTO-planning+40biloxi+2Ems+2Eus@namprd11.prod.outlook.com>; jgill@biloxi.ms.us <IMCEAMAILTO-jgill+40biloxi+2Ems+2Eus@namprd11.prod.outlook.com>; clena@biloxi.ms.us <IMCEAMAILTO-clena+40biloxi+2Ems+2Eus@namprd11.prod.outlook.com>
Cc: burke49dj@gmail.com; Ph.D. <mary.graham@mgccc.edu>; Wayne Graham <wayne.graham@mgccc.edu>; dsunderwood63@gmail.com; Rhonda jones <blessedyogi63@gmail.com>; dukesutherland@startmail.com; betty.obrian@gmail.com; sarahprider25@gmail.com; linda.welter135@yahoo.com; misscoastrealator@gmail.com; tomharperrealty@gmail.com
Subject: Request for Review Prior to Planning Commission Hearing – Case No. 26-040-PC

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

Good afternoon,

Attached is a formal position paper submitted by concerned residents and property owners of the West Central Historic District regarding **Case No. 26-040-PC**, the proposed Comprehensive Zoning Map Amendment currently before the Biloxi Planning Commission.

This document is respectfully submitted for your review before the Planning Commission hearing and for inclusion in the official record.

Our request is both specific and limited.

We are not asking the City to reject the Comprehensive Zoning Map Amendment. We respectfully request only that the West Central Historic District be excluded from the proposed zoning changes before the recommendation is forwarded to the Biloxi City Council.

For decades, the City of Biloxi has encouraged the preservation and restoration of the West Central Historic District. Following Hurricane Katrina, residents accepted historic preservation requirements and invested substantial private resources to rebuild homes, restore neighborhood character, and help fulfill the City's vision of preserving Historic Biloxi.

Today, the West Central Historic District stands as one of the City's most successful examples of neighborhood revitalization, historic preservation, and private investment. We believe that success should be protected through thoughtful planning and that the district deserves consideration separate from the broader 593-parcel Comprehensive Zoning Map Amendment.

The attached position paper presents our planning concerns and explains why excluding the Historic District is consistent with sound land-use planning, historic preservation, neighborhood stability, and the long-term public interest of the City of Biloxi.

Felicia Serpas, Sr. Planner
Planning Division, City of Biloxi
676 Dr. Martin Luther King Blvd.
Biloxi, MS 39530-3975

TO BE HAND DELIVERED
TO:
PLANNING DEPT. in the
COMMUNITY DEVLPMNT BLDG.

July 30, 2026

Dear Ms. Serpas and/or Planning Division / Planning Commission:

This letter serves as official notice that **we wish to be EXCLUDED from the zoning change** as proposed in your July 23, 2026 letter, in reference to City of Biloxi's case #26-040-PC.

The property we own is **1410L-05-054.000, located at 117 Suter Place.**

Sincerely,

Stephen C. Luben

Raymon S. Durrett Evans

Edward Rusell Evans

RECEIVED
AUG 03 2026
BY:

Vita G. Christophe
176 Dorries Street
228-860-3725 | vgchristop@gmail.com

August 4, 2026

City of Biloxi Planning Division
676 Dr. Martin Luther King Jr. (P.O.Box 508)
Biloxi, MS 39530-3975

RE: Formal Objection/Request for Exclusion from Proposed Zoning Change, Case No. 26-040-PC

Dear Planning Commissioners and Planning Staff,

I am the owner of record for the property located at 176 Dorries Street, parcel number 1410I-06-150.000. I am writing to formally express my strong opposition to the proposed zoning changes currently under consideration for the area affected in East Biloxi Ward 1 residential zones, as outlined in Case No. 26-040-PC.

Specifically, I request that my property be excluded from this rezoning action, or the proposed amendment be denied due to the following impacts: The new zoning rules will cause severe traffic congestion, loss of privacy, inadequate parking, or storm-water/drainage burdens that negatively affect my parcel and immediate neighbors. My property has been a single-family residence, coexisting successfully in this area for many years, for me about 30 years now.

Therefore, I respectfully request that the Planning Department remove my property from the scope of this amendment or recommend denial of the proposed change during the upcoming public meeting on August 6, 2026.

Sincerely,

Vita G. Christophe

Vita G.Christophe
Property Owner, 176 Dorries Street Biloxi, MS39530

Remove Parcel

RECEIVED
AUG 04 2026
BY:

Hand delivery

Felicia Serpas Parcels not Part of Rezoning

From: Robert Clisby <gcpmms@gmail.com>
Sent: Friday, August 7, 2026 11:30 AM
To: Planning
Cc: krause@law-dog.com; Mary Ann Clisby
Subject: Request to have properties removed from new projected zoning change

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

To the members of the Biloxi Planning commission.

Good morning, my name is Robert Clisby / Live Oak Holdings LLC and I own the below properties which seem to have been singled out in the new zoning map for this neighborhood. I am not sure why this was done to change only my properties located in a R30/LB neighborhood to the CB zoning. This would be a detriment to the values to the properties as there would be no reason to come to a business in this neighborhood so deep into the subdivision.

PPIN	Parcell #	Address	
6712	1210H-03-026.000	298 Dewey Circle	Biloxi
6728	1210G-02-096.000	1756, 1758,1760 Garden. Pk.	Biloxi

I am sure this must have been a mistake, at the meeting yesterday Mr. Creal stated that I just needed to email in a request to be removed from the new map and it would be taken care of, so I am now requesting that the above listed properties be removed from the new zoning map and that they continue to remain at the current zoning designation of R30/LB as all of the other properties in the neighborhood where these properties reside.

Thank you for your help with this and if you have any questions please contact me.

Sincerely,

Robert Clisby

Live Oak Holdings LLC

228-860-9696

RECEIVED
AUG 07 2026
BY: Email

Felicia Serpas

From: Perkes, David <dperkes@gccds.msstate.edu>
Sent: Wednesday, August 5, 2026 5:50 PM
To: Planning
Subject: zoning change Case No. 26-040-PC

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

To Biloxi City Planning,

This is David Perkes. I live at 133 Morrison Ave in Biloxi. It is not clear to me whether or not my property is included in the proposed zoning change Case No. 26-040-PC. My parcel number is 1310J-02-039.000.

If my lot is included in the proposed zoning change, I would like my lot to be excluded from the zoning change.

Thank you,
David Perkes

RECEIVED
AUG 0 6 2026
BY: Email

Anita T. Ferrill
268 Strangi Ave.
Biloxi, MS 39530
Date: July 29, 2026

City of Biloxi Planning Commission
676 Dr. Martin Luther King, Jr.
Biloxi, MS 39530-3975

Attention: Felicia Serpas

Re: Case No. 26-040-PC

Dear Ms. Serpas:

Reference is made to your "To Whom It May Concern" letter dated July 23, 2026 regarding Case No. 26-040-PC and Parcel No. 1410-06-089.000.
H

This is to advise the members of the Biloxi Planning Commission, Mayor Andrew "FoFo" Gilich and Ward 1 Councilman Wayne Gray, that I am totally against the re-zoning of my property.

I am an eighty-five year-old widow who has lived on my property for sixty-five years. I am unable to attend the Planning Commission meeting scheduled for August 6, 2026 because of my physical medical condition.

Thank you for your attention in this matter.

Sincerely,

Anita T. Ferrill

ANITA T. FERRILL

Exclude Parcel from Rezoning

RECEIVED
JUL 30 2026
BY: JGill

hand delivered

Caryle Lena

From: Janet Strangi <jstrangimd@yahoo.com>
Sent: Wednesday, August 12, 2026 9:41 AM
To: Planning
Cc: Caryle Lena
Subject: Request to Remove Parcel #1410L-05-020.000 from the Comprehensive Zoning Map Amendment.

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

Good Morning, I am requesting that my property at 996 Beach Blvd. in Biloxi, MS be removed from the proposed Comprehensive Zoning Map Amendment authorizing a change in the zoning classifications. Parcel #1410L-05-020.000 is located in the West Central Historic District of Biloxi. I thank you in advance for this consideration of removal from the list of the 593 properties, letter dated July 23, 2026, and following advisement to request removal via the Planning Commission at the August 6, 2026 meeting. Respectfully submitted, Janet Strangi MD

Remove Parcel from Rezoning

RECEIVED
AUG 12 2026
BY: C Lena

Felicia Serpas

From: Robert Gonzalez <RGonzalez@wmcarey.edu>
Sent: Wednesday, August 12, 2026 12:16 PM
To: Wayne Gray; Planning
Subject: RS-7.5 Zoned to CB Zone | Morrison Ave.

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

Wayne and Jerry, et al.

I am emailing regarding the proposed zoning change. I was at the meeting last week and listened to the voices. However, inside that chamber was not full of people against the proposal. I live at 123 Morrison Ave. in the historical neighborhood. It is absolutely not a consensus of us against this change - I myself am 100% supportive of the initiative and would like to share why with some context of where I am coming from. I am not asking for discussion or an email thread, but I would appreciate a simple "email received" response to assure it made it to the right people.

1. My family moved to Columbus, MS when I was three years old in 1990. At that time, it was per capita the wealthiest city in the state and had per capita the most millionaires of any city in the US. They have and still have some of the most majestic antebellum and historical homes in the country. However, these amazing homes hold little value. The city blocked development in the 1980s around them. What happened? Most homeowners are happy for the moment thinking this will help property values. It failed. The lack of city development destroyed the community, and it is a shell of itself from what it once was. And due lack of development, there is no desire now to purchase the homes in the first place that they were trying to protect.
2. Prior to moving to the coast, I lived in Oxford. This town also has many great historical homes. Curiously, many of them are right in a thriving business downtown area or just off the UM campus. There is absolutely no reason that with appropriate planning you cannot maintain the historical feel while developing around it. Oxford has boomed over the past 30 years. I have had multiple properties of mine double in value in just the past several years.
3. Fundamentally, there is no reason for this not to push forward. It is nonsense to suggest this will hurt anything or anyone. I believe the homeowners who voiced out against last week are an unfair representation of the population. Because meetings occur during the workday, the attendees were much older than the general population and not representative as a whole. If left unchanged, what happened to Columbus in the 1980s-1990s, leading to what it is now will occur to some extent. While the casino revenue allows the city of Biloxi to skirt against major disaster, it can still be better. I don't like the fact that I have to go to Ocean Springs to do a lot of things like nice shopping, dining, etc. downtown: I want that here. When I was a kid, coming to Biloxi was the crown jewel of the coast. I had never heard of Ocean Springs and now see it has surpassed Biloxi in a lot of ways - this proposal can change that, and I urge the committee to vote YES to rezoning.

Robert P. Gonzalez

Head Men's & Women's Swim Coach
SUN Conference 2025 Men's Coach of the Year
Phone: 662-574-9010 | Office: Gym Annex
William Carey University | 710 William Carey Pkwy, Hattiesburg, MS 39401

RECEIVED
AUG 12 2026
BY: F Serpas

in favor of

Felicia Serpas

RECEIVED
SEP 14 2026
BY: Email

From: Anh Campbell <anhng17@earthlink.net>
Sent: Monday, September 14, 2026 8:44 AM
To: Planning
Subject: RE: Request to Exclude Property from Proposed Zoning Change

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

Anh Campbell
2803 Garcitas Creek
Richmond, TX 77406
Email: anhng17@earthlink.net
Mobile: 832-646-4419

September 14, 2026

Biloxi Zoning Department
Community Development Building. 676 Dr Martin Luther King Jr. Biloxi, MS 39530

RE: Request to Exclude Property from Proposed Zoning Change

Property Address: 304 Oak Street, Biloxi, MS 39530
Parcel Number: 1410H-01-057.000

Dear Zoning Department,

I am the property owner of the parcel located at **304 Oak Street, Biloxi, MS 39530**, Parcel Number **1410H-01-057.000**.

I am writing to formally request that my property be **excluded from the proposed zoning change** affecting this area. I do not wish for the zoning designation of my parcel to be changed as part of the proposed rezoning.

Please consider this letter my written request to opt out of the proposed zoning change and to maintain the current zoning designation for my property.

I respectfully ask that you confirm receipt of this request and that my property will be excluded from the zoning change. Please contact me by email or phone if any additional information or documentation is required.

Thank you for your time and consideration.

Sincerely,

Anh Campbell
Property Owner
304 Oak Street
Biloxi, MS 39530

Felicia Serpas

RECEIVED
AUG 1 3 2026
F. Serpas
Opposition

From: Dewey Mason <dbmason0@gmail.com>
Sent: Thursday, August 13, 2026 3:32 PM
To: Planning
Cc: Wayne Gray; Jerry Creel
Subject: Fwd: Opposition to Proposed Rezoning to Community Business Case No. 26-040-PC

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

During today's workshop a statement was made that the city has not heard from resident's whose properties are impacted by the rezoning. Please see my email below addressing opposition and concerns.
Sent from my iPhone

Begin forwarded message:

From: Dewey Mason <dbmason0@gmail.com>
Date: August 4, 2026 at 3:35:51 PM CDT
To: jcreel@biloxi.ms.us, wgray@biloxi.ms.us
Subject: Opposition to Proposed Rezoning to Community Business Case No. 26-040-PC

I am writing to oppose the proposed rezoning of residential properties in Ward One from RS-5 and RM-10 to CB Community Business.

My family lives in this historic residential area. We have two small children, ages 3 and 5, and the proposed rezoning is located near our Catholic elementary school. We support responsible economic development, but this particular rezoning is too broad and too incompatible with the existing neighborhood.

Community Business zoning could allow uses such as convenience stores with gas pumps, liquor stores, tattoo shops, auto sales, auto parts, auto repair, check cashing or title loan businesses, and other commercial uses that do not belong next to homes and/or near an elementary school. These uses would bring increased traffic, noise, fumes, lighting, late-hour activity, pedestrian safety risks, and environmental impacts into one of the few remaining historic residential neighborhoods in this area.

Even if some property owners can exempt their own property, they cannot protect their families from incompatible uses on neighboring parcels. A homeowner could still end up living next to a gas station, liquor store, auto-related business, or other high-intensity commercial use. That is not compatible with a stable residential neighborhood or a school environment.

Finally, this proposal threatens the historic residential character of the area. Historic neighborhoods are difficult to rebuild once they are eroded. Rezoning residential

homes to a broad commercial category risks disinvestment in surrounding residential properties, encourages speculative acquisition, and sends the message that the city no longer intends to preserve this neighborhood as a place for families to live. That outcome is inconsistent with the purpose of protecting residential areas, preserving community character, and avoiding incompatible nonresidential development.

I respectfully ask the City to deny the proposed rezoning in Case No. 26-040-PC. Please preserve the residential zoning, protect nearby children and families, and maintain the historic character of this neighborhood

Dewey Mason

Email: anhng17@earthlink.net
Mobile: 832-646-4419

Sent from my iPhone

BILOXI PLANNING COMMISSION MEETING

AUGUST 20, 2026

COMMUNITY DEVELOPMENT,

DR. MARTIN LUTHER KING JR. MUNICIPAL BUILDING,

676 DR. MARTIN LUTHER KING JR. BOULEVARD,

BILOXI, MISSISSIPPI,

BEGINNING AT 2:05 P.M.

PLANNING COMMISSION MEMBERS PRESENT:

Charlie Dellenger, Chairman
Kyle Carron
Dr. Larry Drawdy
Harry Joachim
Joe King
Gary Lechner
Debora Magee
August Parker
Jimmy Poulos
John Snow
David Stanovich
Michael Todaro

ALSO PRESENT:

Jerry Creel, Director of Community Development
Caryle Lena, Planner I
Wayne Gray, Councilman Ward 1
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:**
26-040-PC	5
NEW PUBLIC HEARING(S):	
26-043-PC	96
TREE HEARINGS:	
(None)	--

CHAIRMAN DELLENGER:

It's a little bit after 2:00, so we'll go ahead and get the meeting started for the Planning Commission.

We'll record the members present: Mr. Lechner, Mr. Parker, Mr. Todaro, Ms. Magee, Mr. Stanovich, Mr. Joachim, Dr. Drawdy, Mr. Carron, Mr. King, Mr. Snow, Mr. Poulos and myself, Mr. Dellenger.

And we have Caryle Lena, Planner; Jerry Creel, Director of Community Development. We have Wayne Gray, Councilman for Ward 1, and Dr. Paul Tisdale, Councilman for Ward 5. And we have Melissa, court reporter today, Rodolfich.

Mr. Parker, would you mind leading us in a prayer today, please?

(Moment of prayer.)

CHAIRMAN DELLENGER:

Please stand for the Pledge. Mr. Poulos, would you lead us in the Pledge?

(Pledge of Allegiance.)

CHAIRMAN DELLENGER:

I'd like to welcome everyone here today to the Planning Commission. I'd like to note, if you could, please silence your cell phones. And

if you come to the podium to speak, please state your name and address for the record and sign in the book.

And if we could -- if everyone has had a moment to review the Planning Commission minutes from the last meeting, if we could have a motion to approve.

MR. POULOS:

So moved.

MS. MAGEE:

Second.

CHAIRMAN DELLENGER:

Moved by Mr. Poulos; second by Ms. Magee.

All those in favor, please state by saying "aye."

(Unanimous vote.)

CHAIRMAN DELLENGER:

Any opposed?

(None opposed.)

CHAIRMAN DELLENGER:

Motion carries.

Committee reports, do we have any committee reports, Jerry?

MR. CREEL:

Yes, sir. Mr. Chairman and members of the Commission, if it's all right with you all, I will hold the department report until the next meeting right after this one.

CHAIRMAN DELLENGER:

Okay.

We have one continued public hearing, which is Number 2026-40-PC, City of Biloxi, a comprehensive zoning map amendment charged by the City of Biloxi Administration to the Planning Commission to consider changing 594 parcels currently zoned RS-5, RS-7.5, RM-10, RM-20, RM-30 and LB, NB, CB and I.

If approved, these parcels will be rezoned to RM-30, CB, Community Business, and WF, Waterfront. These specific parcels are located throughout Ward 1. And there is a lot of parcels to be listed. I won't read them all, obviously, and we've actually broken those into 10 maps to go over today. These were advertised on July 17th, July 24th and July 31st.

I guess we don't have a video on this.

MR. JOACHIM:

Mr. Chairman, as we have this broken down by maps, in other words, sections of the

city, I will recuse myself from discussion and voting on Map 7.

CHAIRMAN DELLENGER:

Thank you.

MR. JOACHIM:

Thank you.

CHAIRMAN DELLENGER:

Since we've had this and have gone over these before the last meeting, this is a continued hearing, I would like to ask if there is anyone in the audience that wants to speak in favor of any of the maps that are in front of us to go over?

Anyone in favor of these zoning changes?

(No response.)

CHAIRMAN DELLENGER:

Okay. Is there anyone in opposition of any of the maps going before us today?

Please come up and state your name and address for the record.

MS. MASON:

All right. My name is Dewey Mason, and I live at 1022 Beach Boulevard between Hopkins Boulevard and Porter Avenue.

My family and I respectfully oppose the proposed rezoning from RM-10 to RM-20 or as

Community Business for Map 7.

When our family built our home, we made a significant investment based on the understanding that this area would remain primarily residential. RM-20 or Community Business could allow much greater density on nearby lots and fundamentally change the character of this neighborhood. The expectations of families who rebuilt and reinvested here should matter in the planning decision.

My greatest concern is the two-acre parcel beside our home and that's adjacent to the elementary school my children attend. Under Community Business or RM-20, that parcel could potentially support up to 40 units. What effect would that have on traffic and student safety? What protections have you provided for children? Has the City completed a safety assessment for high-density development next to an elementary school? Currently, the school closes their gates because pedestrians use that property as a cut-through.

Another point that I wanted to bring up is traffic is already difficult for drivers coming from the I-110 loop. Before increasing density,

has the City completed a traffic impact study? What controls, turn lanes, signals or pedestrian improvements would be required? Could an existing home or yard later be affected by a deceleration lane or road expansion? These questions should be answered before the zoning is changed.

Also, I would like to note removing one property is not a solution. I did not ask to remove only my property from the rezoning area because the issue is the neighborhood as a whole. Keeping one parcel RM-10 does not protect a family if the surrounding properties become high-density, multi-family developments or community business.

The traffic, noise, safety concerns and change in neighborhood character do not stop at a property line. If those impacts eventually make my family feel, well, we must sell, who would buy a single-family residential home in between that? This is why the decision should be evaluated from the perspective of the neighborhood as a whole, not on whether individual homeowners are willing to carve themselves out of the rezoning map.

Also, I would like to suggest a better alternative to this area for Map 7. I have heard the days of homes along Highway 90 is over, but if

you go to Gulfport -- but Gulfport has beachfront homes that have been rebuilt. Biloxi already considers incentives for commercial investment. I ask the City to consider similar incentives for single-family and residential redevelopment instead of assuming community business, higher density is the only path forward.

I respectfully ask the Planning Commission to consider not just the development potential of these properties but the families who already call this area home.

We rebuilt, reinvested and committed to Biloxi because we believed in this neighborhood and its future as a residential community.

Please deny the rezoning request for Map 7 or, at a minimum, delay it until comprehensive reviews of school safety, traffic, infrastructure and neighborhood compatibility are completed.

Once high-density development or community business occurs, the decision cannot easily be undone. Please protect the families who already live, invest and raise their children here.

CHAIRMAN DELLENGER:

Thank you, Ms. Mason.

Is there anyone else to speak in opposition?

MR. BRASHIER:

Good afternoon. My name is Jim Brashier. I own property at 1302 Beach Boulevard.

My property is not directly affected by the zoning change, but, regardless, to Map 7, I'm in opposition to the change to CB or RM-20.

I would ask the Commission to consider what the Comprehensive Plan for Biloxi states, is that the neighborhood, residential area is supposed to be a transition period -- between high-density and commercial property.

I think zoning to RM-20 would allow too high of a density and apartment complexes in a residential neighborhood. And I would ask y'all to reconsider this proposal or put it back to do the proper studies before y'all make the decision. And I'll leave it at that. Thank you.

CHAIRMAN DELLENGER:

Thank you, Mr. Brashier.

Is there anyone else to speak in opposition?

MR. BURKE:

My name is Dennis Burke, and I live on Seal -- 139 Seal Avenue.

And last Thursday, y'all were schooled on all of the reasons why that property should stay or should not be commercialized from -- specifically, he said, between Porter and Hopkins.

The -- right, we don't own the beachfront properties, and we don't ever claim that we've owned the beachfront, but there are residents that do. There are residents that are opposed to it and you're going to have -- you have housing, housing, whatever, housing, you know.

To keep -- what I don't understand is even though you might look at the interstate that's coming off on the beach, that is the front porch of the City of Biloxi. And if we keep -- and people like to ride down that beach to see the homes that would be developed.

And like Dewey was saying, I don't understand why we don't give some incentives to the beachfront properties to create housing to -- individual housing.

Again, referencing Gulfport, there is lots of new housing going up on the beach in Gulfport. You say, well, the property is higher.

Maybe not in every spot.

So -- and as far as the neighborhoods, we can't keep -- the speed limit on Seal Avenue is 15 miles an hour, and the cars fly constantly. And then when you have something on -- you know, they'll turn up Benachi and Seal thinking they can get to wherever, and so traffic is an issue.

The school in the neighborhood, all those things need to be considered, I think, before you just carte blanche cover the beachfront with commercial and/or RM-20. It's entirely too many -- those lots might be -- they're narrow, so what are you going to have? Where are they going to park? They're going to have to be up.

Then you've got the oak trees. Then you've got the Historical Architectural Committee.

I just hope y'all do the right thing and leave it alone actually. Thank you.

CHAIRMAN DELLENGER:

Thank you, Mr. Burke.

Is there anyone else to speak in opposition?

MR. GRAHAM:

My name is Wayne Graham. I also own property on Seal Avenue.

CB, the orange color, and there was some -- like some LB lots, Limited Business, which is two steps lower than CB. So, basically, what we're doing is just squaring those areas off to bring that CB up to those areas there.

Here's -- this is LB. It's being proposed to go to CB. Over here, you can see how deep this CB goes and we're proposing that that RS-5 and that LB be changed. They're both vacant lots. Same thing across here.

So a lot of what you're looking at here is just cleaning up Howard Avenue on -- mainly on the north side to square off that area so that the lots that are a certain distance from Howard would be CB as well. That's what we're voting on.

MR. LECHNER:

I make a motion to approve.

MR. TODARO:

Second.

CHAIRMAN DELLENGER:

All right. Motion by Mr. Lechner; second by Mr. Todaro to approve as presented.

Any discussion?

Okay. There being no further discussion, please vote by raising your hand.

Mr. Lechner, Mr. Parker, Mr. Todaro, Ms. Magee, Mr. Stanovich, Mr. Joachim, Dr. Drawdy, Mr. Carron, Mr. King, Mr. Snow, Mr. Poulos and myself, Mr. Dellenger.

Map 6.

MR. CREEL:

Map 6 is going to be an easy one to read.

CHAIRMAN DELLENGER:

If this one takes 20 minutes, I'm leaving.

MR. CREEL:

Let me just go ahead and tell you what it is. Where the Legends Hotel is, the Legends Hotel, that entire block of property is zoned CB, except for the four lots that face Water Street. There are four lots that are vacant right now.

You can see that on this, it's Waterfront. This side, it's CB. This is where the Legends Hotel is located. These four vacant lots here are zoned Neighborhood Business, so, basically, what we're doing is recommending that that be squared off to CB.

And that's the only thing on this map that you're voting on.

MS. LENA:

Correct.

CHAIRMAN DELLENGER:

So do we have a motion to approve Map 6 as presented?

MS. MAGEE:

Motion to approve.

MR. PARKER:

Second.

CHAIRMAN DELLENGER:

Motion by Ms. Magee; second by Mr. Parker.

Any discussion?

There being no discussion, please vote by raising your hand.

Mr. Lechner, Mr. Parker, Mr. Todaro, Ms. Magee, Mr. Stanovich, Mr. Joachim, Dr. Drawdy, Mr. Carron, Mr. King, Mr. Snow, Mr. Poulos and myself, Mr. Dellenger.

Next, on to Map 7. Mr. Joachim is wanting to recuse himself and step out of the room for this discussion.

MR. CREEL:

Okay. This is the property that we have had most of the concerns about from the neighbors.

And what it is, is that you'll recall several years ago we had a proposed hotel going in here. The zoning went through and was changed to CB, and then the Visitors Center down on the other end, that property is zoned CB.

MS. LENA:

NB.

MR. CREEL:

I'm sorry. It's zoned NB. The park on the other side over there is already zoned CB. So the recommendation, the proposal was, is that only those lots that were facing Highway 90, including the Visitors Center, would be changed to CB, which is our hospitality and entertainment district.

We've had some concerns. You actually have some lots here where the neighbors have contacted us and wanted their property removed, so we're not proposing that those be changed.

The property right now, the light blue or gray color that's through here is already zoned multi-family. It's RM-10, which means that the owners could build 10 units per acre if they decided to do apartments on there. It's already zoned for apartments.

What we had suggested at the workshop

last week is that maybe what we need to do instead of recommending CB zoning on this property is reduce that CB down to RM-20. We've had some of the property owners contact us that are interested in doing some things on that property, but RM-10 just doesn't give them the numbers in order to meet their financial requirements for that. We haven't gone into it. We haven't looked at anything. We've had no application submitted. We haven't had anybody provide us with financial information other than comments that are in there.

So this is recommended as CB. Again, Planning Commission, the City Council have the right to reduce that down to whatever. RM-20 is one step up from RM-10, so -- and y'all have the right to reduce it to -- from CB to NB to LB or to RM-30 or RM-20. Those are the zonings below CB and above RM-10 so that --

CHAIRMAN DELLENGER:

Or to leave it as is?

MR. CREEL:

Or to leave it as is, yes.

DR. DRAWDY:

Jerry, question, if we were not to bother any of these particular properties that

these individuals have said that -- they were talking about it that they said that they might want to change to RM-20 or 30, if they did not do that, could they come in and individually do theirs separately and for us just to deal with separately?

MR. CREEL:

Ask for a zoning change?

DR. DRAWDY:

Yes.

MR. CREEL:

Yes, sir. They can do that.

DR. DRAWDY:

So in other words, if we don't do anything at all and those individuals want to change it --

MR. CREEL:

Yes, sir. Anybody who owns property has a right to come in and request a zoning change.

Now, there is a challenge there. If you -- let's say you owned a piece of property here and you came in to ask for a zoning change. The question of spot zoning could come up, that whoa, wait a minute. Everything else around here is zoned RM-10 and I'm asking for RM-20. Well, is

there any RM-20 around there? No, not right now, so that would be a consideration.

In a previous ordinance, the previous Land Development Ordinance, there was a requirement that you had to have a minimum of two acres in order to request a zoning change. That's not in our current Land Development Ordinance now, so you could ask for one and then it would be up to the applicant to make that argument to the Planning Commission and Council about why it needed to be changed to RM-20 or above.

DR. DRAWDY:

Since we've had some opposition outside to any change at all in this particular area, wouldn't it behoove us to just kind of leave it alone and let each one of them take care of theirselves?

MR. CREEL:

That's up to the Planning Commission. This is your decision.

CHAIRMAN DELLENGER:

Is that a motion?

MR. STANOVICH:

Jerry, would you tell the Planning

Commissioners that weren't here when the corner of Hopkins and 90 was rezoned what happened with that?

MR. CREEL:

Okay. What happened is that we had a LaQuinta hotel that came in that asked for a zoning change on this piece of property. They went through the process and it was, you know -- there was opposition to it and -- but, ultimately, those two properties on this end got changed.

Then the design of the structure had to go to the Architectural Historical Review Commission. Now, just like any other developer, they're going to come in with a design. You know, here's what we want to do. Well, it doesn't meet AHRC guidelines. Well, let's try and let's get some input from the AHRC about what they would like to see.

So we got input from AHRC. We got input from the neighbors about what they wanted to see. The design of that structure ultimately changed from a stucco structure to a Hardie plank structure that had more residential features on it and ultimately it got approved.

What happened is, is that the partners

that were involved in that, the main partner that was involved -- there were three of them -- got cancer. And he was a young guy. He had some real health issues and he came back in and said, I have decided that we're just going to focus on the hotels we already have and maintain those and I'm going to spend more time with my kids. I think it kind of scared him, but that's how that evolved over here.

CHAIRMAN DELLENGER:

All right. So we have Map 7.

Do we have a motion?

MR. CARRON:

I make a motion that we leave it like it is.

MS. MAGEE:

Second.

CHAIRMAN DELLENGER:

Okay. We have a motion to leave the current zoning map as it sits and not to make any changes as proposed; second by Ms. Magee.

Any discussion?

(No response.)

CHAIRMAN DELLENGER:

Okay. There being no discussion, please

vote by raising your hand.

Mr. Lechner, Mr. Parker, Mr. Todaro, Ms. Magee, Mr. Stanovich, Dr. Drawdy, Mr. Carron, Mr. King, Mr. Snow, Mr. Delahousey, Mr. Poulos and myself, Mr. Dellenger. And Mr. Joachim has recused himself from this.

So on to Map 8.

MR. CREEL:

This is Map Number 8. We'll wait till Mr. Joachim comes back in.

Okay. On this map, this one is going to be an easy one to consider. This is Beach Boulevard, Gill Avenue, Azalea Drive. The property on the west side of Azalea is already CB. The property on the east side of Azalea is already CB, and you've got three lots in between there zoned RM-20. So we're recommending that the RM-20 be changed to CB, so you've got some consistency right there.

MR. TODARO:

I move we approve the recommendation.

CHAIRMAN DELLENGER:

Motion by Mr. Todaro to approve.

MR. PARKER:

Second.

CHAIRMAN DELLENGER:

Second by Mr. Parker.

Any discussion?

MR. STANOVICH:

Yeah. I know I'm going to be fighting an uphill battle on this one.

Okay. I spoke today with the gentleman that lives on the corner of Azalea and 90.

MR. CREEL:

Yes, sir.

MR. STANOVICH:

That's a historic home. I said, do you know what is going to happen here if this is approved? He said, well, I called the City and my taxes aren't going to go up. And I said, well, no your taxes are your least problems.

Folks, we go to CB zoning right there, okay, you've got that one historic home. On the corner of Gill, that's another historic home. I think those are over 100-year homes. If that gentleman, I think, wanted to sell that house -- I mean, wanted to sell that property, he couldn't tear it down.

So I told him this is what you could possibly have there in that historic district.

This is what would be permitted. It can happen. We don't have any say so on it. It can happen the next day after it changes to CB zoning.

MR. CREEL:

Well, no. Let me correct that. The use could happen. Anything proposed in here is going to have to go through AHRC if they come in and make a change to anything through here or if they propose to build something.

MR. STANOVICH:

I'm talking about on the two lots adjacent to him. Those two lots.

MR. CREEL:

Here and here?

MR. STANOVICH:

Yes.

MR. CREEL:

That would still have to go to AHRC because it's --

MR. STANOVICH:

Okay. Before we jump to that, let me just tell you what they could consider. They could consider -- a night club is permitted. They can consider a gas station, convenience store, convenience store with gas station. They can