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**JANUARY 6, 2011**

**GAUTIER, MISSISSIPPI**

**BE IT REMEMBERED THAT** a regular meeting of the Gautier Planning Commission of the City of Gautier, Mississippi, was held on January 6, 2011, at 6:00 P.M. in the Council chambers of the Gautier Municipal Building at 3330 Highway 90, Gautier, Mississippi.

Commission members present: David Wooten, Chairman, Jerry Akins, Larry Dailey, Jim Dodson, James Torrey and Richard Johnson. Also present were Samantha Abell, Economic Development Director; Bob Ramsay, City Attorney; Babs Logan, Planning Technician; and Melissa Burdine, Court Reporter.

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David Wooten, Chairman, called the meeting to order and presented the minutes from the November 18, 2010 and December 2, 2010 meetings for approval. The minutes were approved as submitted.

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**APPROVAL OF AGENDA**

There were no changes to the agenda.

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**AGENDA**

**GAUTIER PLANNING COMMISSION**

**JANUARY 6, 2011**

**6:00 P.M.**

- I. CALL TO ORDER**
- II. PLEDGE OF ALLEGIANCE (VOLUNTEER)**
- III. APPROVAL OF MINUTES – (NOVEMBER 18, and DECEMBER 2, 2010)**
- IV. APPROVAL OF AGENDA**
- V. PUBLIC COMMENTS (MATTERS OF THE PLANNING COMMISSION NOT LISTED ON THE AGENDA)**

**VI. OLD BUSINESS**

NONE

**VII. NEW BUSINESS**

**A. QUASI-JUDICIAL**

1. REQUEST FOR HOME OCCUPATION PERMIT, PLUMBING CONTRACTOR HOME OFFICE, 8917 FERRY POINT ROAD (JERE J. SHUSTER, OWNER)

**VIII. DIRECTOR'S REPORT**

**IX. ADJOURN**

**PUBLIC COMMENTS (MATTERS OF THE PLANNING COMMISSION NOT LISTED ON AGENDA)**

There were no public comments.

**OLD BUSINESS:**

Commissioner Johnson asked the Commissioners if they wanted to wait until the end of the meeting to discuss and vote on the recipient of the 2010 Larry Moran Award. The other Commissioners agreed to discuss the award at the end of the meeting.

**NEW BUSINESS**

**A. QUASI-JUDICIAL**

1. REQUEST FOR HOME OCCUPATION PERMIT, PLUMBING CONTRACTOR HOME OFFICE, 8917 FERRY POINT ROAD (JERE J. SHUSTER, OWNER) GPC 10-044

There came before the Planning Commission a request on the part of Jere J. Shuster for a home office for a plumbing contractor business to be allowed as a Home Occupation at 8917 Ferry Point Road, PID #81920005.000. The subject property is located in a R-1 Single-Family Residential zoning district.

Ms. Abell stated that the applicant had received approval for a home office for his plumbing contractor business at his previous residence on Grandview Drive. He has recently built a new house and must receive approval for the home office at the new location. No complaints were received concerning his home office at the new location.

home occupation at the old location and upon a site visit by the Neighborhood Services Division no code violations were noted at the Ferry Point property.

Commissioner Wooten stated that there were several objection letters received. He noted that one of the objection letters referenced the size and setbacks of Mr. Shuster's shop. Commissioner Wooten asked Ms. Abell if the shop met codes. Ms. Abell replied that it did.

Mr. Shuster explained that he had one work truck and one employee and the employee took the work truck to his home. He stated that he would not be storing plumbing supplies or equipment at his home. Any plumbing supplies currently at his home were due to the current construction at his home and any equipment he needed he rented.

Commissioner Dailey stated one of the regulations for a home occupation was that there shall be no employment of help other than members of the resident family. The City Attorney stated that it meant no one other than resident family working at the residence, such as a secretary.

Commissioner Akins asked Ms. Abell if an objector brought proof of non-compliance to the home occupation regulations would Staff review the home occupation. Ms. Abell told him if a complaint was received the Code Enforcement Officer would check into the complaint. If there was a violation a warning would be given to Mr. Shuster and if violations continued his privilege license would be revoked.

William Davis, who had sent Staff a written objection, spoke about his concern that the business would be operated in the accessory building on the property and that there might be loud equipment being used. Commissioners assured Mr. Davis that the home occupation could not be conducted in the accessory building and that regulations concerning home occupations would handle all his concerns.

On a motion by Commissioner Torrey to approve the request for the home office for a plumbing contractor business at 8917 Ferry Point Road and a second by Commissioner Dodson, the following vote was recorded:

**AYES**                      **NAYS**                      **ABSENT**                      **ABSTAINED**

David Wooten

Richard Johnson

Jerry Akins

Jim Dodson

James Torrey

Larry Dailey

Commissioner Dailey stated that he would like Staff to move forward with the comprehensive rezoning of the north end of Ferry Point Road to very low density residential, such as RE – Residential Estate, which meets the criteria for the area. Because of other comprehensive rezoning recently approved in order to comply with the City's Comprehensive Plan, Commissioner Dailey felt this would be the time to address this area also. He stated that he would like to have a public meeting on this at the regular March 2011 meeting.

Commissioner Wooten asked about the other areas shown in the Comprehensive Plan for this type density. Commissioner Dailey stated that he was not familiar with the other areas, and that his home was not in the area he is asking to be rezoned.

Commissioner Wooten requested that the study for the rezoning brought to the Commission in March include number of homes, vacant lots, etc. in area.

Commissioner Dailey made a motion to have Ms. Abell initiate comprehensive rezoning of the area to the north end of the Hickory Hill along Ferry Point Road as identified in the Future Land Use of the Comprehensive Plan as very low density residential area and would like the public hearing to be conducted at the March regular meeting. Commissioner Wooten seconded the motion and the following vote was recorded:

**AYES**                      **NAYS**                      **ABSENT**                      **ABSTAINED**

Larry Dailey

Richard Johnson

Jerry Akins

David Wooten

Jim Dodson

James Torrey

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**DIRECTOR'S REPORT**

Ms. Abell advised the Commissioners that Council had approved the Conditional Use Permit for the tattoo and art gallery at 1521 Highway 90. She also told them that Council had approved the amendment to the Unified Development Ordinance concerning the repair and replacement of nonconforming mobile homes in the Hastings Road area, but had changed the sunset date from November 1, 2015 to November 1, 2011 and the time a nonconforming structure could be vacant from 180 days to 120 days.

Ms. Abell also advised the Commission that B & D Plastics located at the end of Allen Road had recently merged with another company and had tripled their number of employees.

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Commissioner Wooten explained how the Larry Moran Award was started. Larry Moran was on the Planning Commission for over thirteen years and at the time of his death, from cancer, he had been Chairman of the Commission for several years. Former Commissioner Wayne Swauncy suggested that the memory of Commissioner Moran be honored by having an award presented each year to the business that had done as the Planning Commission had requested of them, had contributed to the Community, had increased the quality of life for Gautier citizens, etc. and to call it the Larry Moran Excellence Award.

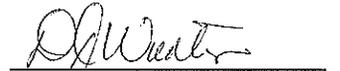
The initial nominees for the 2010 award were Foster's Heat and Air, Mallette Brothers, Gulf Breeze Landscaping, Handilock Storage and Walgreen's. The winner was Foster's Heating and Air. The award will be presented at the regular meeting of the Planning Commission in February 2011. Former Commissioner Wayne Swauncy, Mr. Moran's family members, the press and other dignitaries will be invited for the presentation.

**SUBMITTED BY:**

  
Samantha Abell  
Economic Development Director

DATE: 4/14/11

**APPROVED:**

  
David Wooten, Chairman  
Gautier Planning Commission

DATE: 4-7-11