
JUNE 3, 2010

GAUTIER, MISSISSIPPI

BE IT REMEMBERED THAT a regular meeting of the Gautier Planning Commission of the City of Gautier, Mississippi, was held on June 3, 2010, at 6:00 P.M. in the Council chambers of the Gautier Municipal Building at 3330 Highway 90, Gautier, Mississippi.

Commission members present: Richard Johnson, Vice Chairman, James Torrey, Jerry Akins, Larry Dailey and Jim Dodson. Absent was David Wooten, Chairman. Also present were Samantha Abell, Economic Development Director; Paul Fox, Building Official; Bob Ramsay, City Attorney; Babs Logan, Economic Development Administrative Assistant; Rachel Honea, Economic Development Customer Service Representative; and Melissa Burdine, Court Reporter.

Paul Fox introduced the new Economic Development Director Samantha Abell. Ms. Abell gave a brief history of her work experience and expressed her excitement about the work that had already been done on the recent Comprehensive Plan and Unified Development Ordinance and how she was looking forward to working with everyone.

Richard Johnson, Vice Chairman, called the meeting to order and presented the minutes from the May 6, 2010 meeting for approval. The minutes were approved as submitted.

AGENDA ORDER

Commissioner Dailey made a motion to move Item A, GPC #10-019, to be heard right before Item F, GPC #10-013, due to the lengthy discussions at previous meetings on the same request. Commissioner Torrey seconded the motion and the vote was unanimous.

AGENDA
GAUTIER PLANNING COMMISSION

JUNE 3, 2010

6:00 P.M.

- I. CALL TO ORDER**
- II. APPROVAL OF MINUTES – (MAY 6, 2010)**
- III. AGENDA ORDER**
- IV. PUBLIC COMMENTS (OTHER THAN LISTED AGENDA ITEMS)**
- V. PUBLIC AGENDA**
 - A. GPC #10-019 DIEP H. NGUYEN – SUBDIVISION
PRELIMINARY PLAT**
 - B. GPC #10-022 HERCULES FISHING CLUB - VARIANCE**
 - C. GPC #10-025 PAUL & NIKKI HULTS - VARIANCE**
 - D. GPC #10-026 PRISCILLA D. HYDE – CONDITIONAL USE**
 - E. GPC #10-027 REZONING PORTION OF MARY WALKER
MARINA**
 - F. GPC #10-013 REZONING 1600 HIGHWAY 90 AND
ADJACENT PARCEL**
- VII. NEW BUSINESS**
- VIII. OLD BUSINESS**
- IX. ADJOURN**

PUBLIC COMMENTS (OTHER THAN LISTED AGENDA ITEMS)

There were no public comments.

PUBLIC AGENDA:

- A. GPC #10-019 DIEP H. NGUYEN – SUBDIVISION
PRELIMINATY PLAT**

There came before the Planning Commission a request on the part of Diep H. Nguyen for the approval of a modified preliminary plat of a fifty-one lot subdivision on an approximately 11.10 acre site located at 1600 Highway 90, PID

#82436420.000. This request was denied at the May 6, 2010 meeting because the application was lacking items requested under the Unified Development Ordinance (UDO). In accordance with the UDO, the applicant modified the preliminary plat and is requesting a reexamination.

Aaron Harris, the applicant's engineer, stated that they had addressed all concerns presented at the May 6, 2010 meeting and that they had met all technical requirements listed in the UDO for approval of a preliminary plat. Mr. Fox also stated that the applicant had provided sufficient evidence and plans to comply with the UDO.

Commissioner Dodson asked if there were any wetlands on the property. Mr. Harris advised him there were water bottoms but no wetlands.

There was discussion concerning whether or not single-family homes were allowed in a R-3 Mobile/Manufactured Home Residential zoning district. The UDO states that single-family residential dwellings are permitted in a R-3 zoning district in manufactured home subdivisions only. Discussion then led to the definition of a manufactured home subdivision. The UDO defines a manufactured home subdivision as a planned subdivision where lots for mobile/manufactured homes are for sale and in which the purchaser receives fee simple title to the lot.

Commissioner Johnson stated that the request on tonight's agenda was only to decide if the preliminary plat met all requirements set out in the UDO not to determine if the applicant was going to rent or sale the units. Mr. Ramsay agreed but stated that the applicant needed to be advised that the UDO requires the units to be offered for sale.

Rusty Gill, representing himself and several neighboring property owners who objected to the subdivision development, discussed several reasons they felt the preliminary plat should not be approved. One reason being that his research showed sixty-six different deeds for the area in question and that all of the named property owners were not listed as party to the preliminary plat proceedings.

A motion was made by Commissioner Dailey to table the request due to the large amount of new data concerning citizen's objections the Commissioners received just prior to the meeting. Commissioner Dodson seconded the motion and the following vote was recorded:

<u>AYES</u>	<u>NAYS</u>	<u>ABSENT</u>	<u>ABSTAINED</u>
Jim Dodson	James Torrey	David Wooten	
Richard Johnson			
Jerry Akins			
Larry Dailey			

B. GPC #10-022 HERCULES FISHING CLUB - VARIANCE

There came before the Planning Commission a request on the part of Hercules Fishing Club for a 25' variance to the City's setback requirements for construction of an open-air covered boat shed to house ten to twelve boats for member use. The property is in a C-2 Community Commercial zoning district located at 3100 Oak Street, PID #87010006.000

The UDO requires a 25' perimeter of unoccupied open space when a fish camp is located adjacent to single-family residential uses. The representatives of Hercules Fishing Club are asking to place the open boat shed on the south property line. They stated that the extra space was needed to allow room to back the boats into the storage shed and to pull them out.

The land adjacent to the south property line is just a small finger of land that has a small canal running behind it. The home on the adjacent land is further to the east and the Dubuissos, who own the property, have no objections to the request.

Commissioner Akins made a motion to recommend approval of the variance. Commissioner Dailey amended the motion to add the condition that the boat shed only effect the Dubuissos's property. Commissioner Akins agreed to the amendment. Commissioner Torrey seconded the motion and the following vote was recorded:

<u>AYES</u>	<u>NAYS</u>	<u>ABSENT</u>	<u>ABSTAINED</u>
Larry Dailey		David Wooten	
Richard Johnson			
Jerry Akins			
James Torrey			
Jim Dodson			

C. GPC #10-025 PAUL & NIKKI HULTS – VARIANCE

There came before the Planning Commission a request on the part of Paul and Nikki Hults for a 21' front yard variance to the City's setback requirements for construction of a new residence in a R-1 Low Density Single-Family residential zoning district at Lots 5 & 6, Wilkerson Estates, Orrell Street, PID #87390006.000 and #87390005.000.

The applicants stated that a home had been on the property many years ago and they would like to build on the same footprint of the previous home because of the marsh lands to the rear of the property. The house would be located about 12' into the required 25' front yard setback and the stairs would go out approximately another 8'. This would place the end of the stairs approximately 4' to 5' from the property line.

Mr. Fox noted that Orrell Drive was not in a platted location and the applicant's property line is about 40' from the actual paved road.

The applicant also wanted to remove a small oak tree where the stairs are to be located and offered to plant two more to replace it.

On a motion by Commissioner Torrey to recommend approval of the request, and a second by Commissioner Akins, the following vote was recorded:

<u>AYES</u>	<u>NAYS</u>	<u>ABSENT</u>	<u>ABSTAINED</u>
Jerry Akins		David Wooten	
Larry Dailey			
Richard Johnson			
James Torrey			
Jim Dodson			

D. GPC #10-026 PRISCILLA D. HYDE – CONDITIONAL USE

There came before the Planning Commission a request on the part of Priscilla D. Hyde for a conditional use that would allow a MEMA cottage in a R-3 Mobile/Manufactured Home Residential zoning district at 2101 Ladnier Road, Lot 134, PID #82514240.025.

The applicant advised the Commission that she had lived in the MEMA cottage for about two years and had purchased it from MEMA. She had been advised that she must obtain permission from the Planning Commission and City Council to use it as a permanent residence.

Commissioner Johnson noted that she had met all eight criteria listed in the UDO for a conditional use.

On a motion by Commissioner Akins and a second by Commissioner Torrey, the following vote was recorded:

<u>AYES</u>	<u>NAYS</u>	<u>ABSENT</u>	<u>ABSTAINED</u>
Larry Dailey		David Wooten	
Richard Johnson			
James Torrey			
Jim Dodson			
Jerry Akins			

E. GPC #10-027 REZONING PORTION OF MARY WALKER MARINA

There came before the Planning Commission a request, by unanimous vote of the Planning Commissioners at a previous meeting, to hold a public meeting to discuss rezoning PID #85380216.000 and #85380218.000 from R-1 Low Density Single-Family Residential to C-2 Community Commercial. These two parcels are located within the existing Mary Walker Marina. All other Mary Walker Marina property is zoned C-2.

Mr. Fox advised that, per Mr. Ramsay's statement at the last meeting, a survey of use was not done on these parcels and they were zoned incorrectly at

the time the City incorporated. It was noted that the two parcels in questions were approximately an acre.

Several citizens stated that they objected to the proposed restaurant and boat storage that was planned for the west side of the existing Mary Walker Marina property. Mr. Fox reminded them that the restaurant and boat storage had been approved at the last meeting and this GPC was about the rezoning of the above mentioned parcels.

It was noted that the setback for structures on the property, if rezoned to C-2, would be 35' and the outside 10' of the setback would have to be a landscaped buffer area because it is adjacent to residentially zoned property.

Commissioner Dailey noted that the rezoning would be in keeping with the Comprehensive Plan.

On a motion by Commissioner Dailey to recommend approval of the rezoning and a second by Commissioner Akins, the following vote was recorded:

<u>AYES</u>	<u>NAYS</u>	<u>ABSENT</u>	<u>ABSTAINED</u>
Larry Dailey	Jim Dodson	David Wooten	
Richard Johnson			
James Torrey			
Jerry Akins			

F. GPC #10-013 REZONING 1600 HIGHWAY 90 AND ADJACENT PARCEL

There came before the Planning Commission a tabled request for a comprehensive rezoning of 1600 Highway 90, PID #82436420.000 and the remaining portion of the parcel just east of it, known as PID #82436385.000, from R-3 Mobile/Manufactured Home Residential to R-1 Low Density Single-Family Residential. The item was tabled at the last meeting to allow the Planning Commission time to further consider the information that was presented at the meeting.

Mr. Gill, who spoke earlier in the meeting about the property at 1600 Highway 90, noted that the Comprehensive Plan states that R-3 districts which were vacant at the time the Comprehensive Plan was adopted, should be

considered for rezoning to another commercial or residential category to reflect land use trends of the corridors on which they are located.

Mr. Nguyen, representative for his mother who owns the property at 1600 Highway 90, stated that the only reason the mobile home park was vacated was to develop the property into a subdivision and had they known the vacating of the property might lead to rezoning the property they would not have removed the mobile home park prior to approval of the subdivision.

A motion was made by Commissioner Dailey to table the item until the next meeting to give the new director time to review the rezoning issue and report her findings to the Planning Commission. Commissioner Akins seconded the motion and the following vote was recorded:

<u>AYES</u>	<u>NAYS</u>	<u>ABSENT</u>	<u>ABSTAINED</u>
Larry Dailey		David Wooten	
Richard Johnson			
James Torrey			
Jerry Akins			
Jim Dodson			

NEW BUSINESS:

Commissioner Johnson requested a work session prior to the next meeting to discuss the content of the UDO and the Comprehensive Plan as it pertains to the proposed subdivision and rezoning at 1600 Highway 90. Ms. Abell advised the Commissioners that she had planned to give a presentation of changes she would like to discuss with them to further implement the Comprehensive Plan as the City moves forward with the town center and mixed use concept and that the changes might effect this site as well as others. Commissioner Johnson said he would speak with the chairman about a date and would get back with Ms. Abell.

OLD BUSINESS:

There was no old business to discuss.

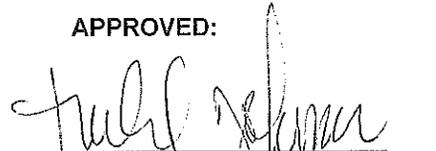
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SUBMITTED BY:


Paul Fox
Building Official

DATE: 10/26/10

APPROVED:


Richard Johnson, Vice-Chairman
Gautier Planning Commission

DATE: 10/19/10