

**CITY OF GAUTIER  
MEMORANDUM**

**To:** Samantha Abell, City Manager

**From:** Babs Logan, Planning Technician

**Thru:** Eric Meyer, Economic Development Director

**Date:** April 20, 2012

**Subject:** Conditional Use-Major Permit for Sandra Todd for placement of a mobile home at 5408 C Byrd Road (GPC Case No. 12-05-CU)

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**REQUEST:**

The Economic Development/Planning Department has received a request from Ms. Sandra Todd for a Conditional Use-Major permit to allow her to replace an existing mobile home with a newer mobile home in an AG Agricultural zoning district at 5408 C Byrd Road, PID #82420200.050. The application fee of \$250 was paid on March 19, 2012. The application was approved for legal sufficiency by the City Attorney on March 19, 2012. All public notice requirements have been met.

**DISCUSSION:**

Staff has attached a Staff Report with detailed project analysis. The Planning Commission held a public hearing on April 19, 2012 to consider the request and found that replacement of the mobile home is compatible and harmonious with the AG district. The GPC recommends the approval of the Conditional Use-Major Development Permit and orders as follows:

1. This proposed Conditional Use-Major is consistent with the goals, objectives and policies of the City's Comprehensive Plan.
2. This proposed Conditional Use-Major is consistent with the character of the immediate vicinity of the proposed use.
3. The proposed use is permitted as a Conditional Use-Major in the AG District.
4. Therefore, the City Council accepts the recommendation of the Planning Commission and approves the application submitted on March 19, 2012 for a Conditional Use-Major Development Permit.

5. The following additional conditions will ensure that the operation of the proposed Conditional Use-Major will minimize any detrimental effects on neighboring properties and shall apply to the project:

1. All property corners shall be clearly marked for setback inspection.
2. There shall be only one dwelling unit on the lot.
3. The mobile home shall meet all City code requirements for placement of mobile homes as stated in Section 4.23.6 of the Unified Development Ordinance including, but not limited to, hard surface drive and parking, skirting, and landings.

**RECOMMENDATION:**

The City Council may:

1. Approve the Conditional Use-Major Permit as recommended by the Planning Commission; or
2. Approve the Conditional Use-Major Permit with changes; or
3. Deny the Conditional Use-Major Permit.

**ATTACHMENTS:**

Conditional Use-Major Permit Development Order

Staff Report with Back Up

**CITY OF GAUTIER  
CONDITIONAL USE-MAJOR DEVELOPMENT PERMIT  
GPC CASE NO. 12-05-CU**

**SANDRA TODD**

**REGARDING PARCEL ID NO: 82420200.050**

The City of Gautier, at its regular meeting held on May 1, 2012, considered the application for a Conditional Use-Major Development Permit for placement of a mobile home as submitted by Sandra Todd. The parcel subject to this Permit is located at 5408 C Byrd Road, Gautier, Mississippi, 39553. After due public notice, the City Council, having considered the favorable recommendation by the Planning Commission, application, testimony and exhibits presented by the applicant, the report of the City Staff and all other relevant testimony, exhibits and other evidence, pursuant to applicable provisions of the City's Unified Development Ordinance, hereby approves the Conditional Use-Major Development Permit and orders as follows:

1. This proposed Conditional Use-Major is consistent with the goals, objectives and policies of the City's Comprehensive Plan.
2. This proposed Conditional Use-Major is consistent with the character of the immediate vicinity of the proposed use.
3. The proposed use, classified as a mobile home, is permitted as a Conditional Use-Major in the AG District.
4. Therefore, the City Council accepts the recommendation of the Planning Commission and approves the application submitted on March 19, 2012 for a Conditional Use-Major Development Permit.
5. The following additional conditions will ensure that the operation of the proposed conditional use will minimize any detrimental effects on neighboring properties and shall apply to the project:
  - a. All property corners shall be clearly marked for setback inspection.
  - b. There shall be only one dwelling unit on the lot.
  - c. The mobile home shall meet all City code requirements for placement of mobile homes as stated in Section 4.23.6 of the Unified Development Ordinance including, but not limited to, hard surface drive and parking, skirting, and landings.
6. The City Clerk shall have this permit recorded in the public records of Jackson County, at the expense of the applicant, and provide the applicant a copy of the permit

with the recording information affixed.

7. The Gautier Planning Commission recommended approval of this Conditional Use-Major Development Permit on April 19, 2012.

8. The City Council adopted this Conditional Use-Major Development Permit on a recorded vote of \_\_\_\_\_ ayes to \_\_\_\_\_ nays to approve the application of Sandra Todd located at 5408 C Byrd Road in Gautier, Mississippi, and identified as Jackson County Parcel No. 82420200.050.

May 1, 2012  
Date of Issuance

Attest:

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Tommy Fortenberry, Mayor  
City of Gautier, Mississippi  
3330 Highway 90  
Gautier, MS 39553

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Wendy McClain  
City Clerk

**Gautier Planning Commission**

**Regular Meeting Agenda**

**April 5, 2012**

**VII. NEW BUSINESS**

A. QUASI-JUDICIAL

4. REQUEST FOR A CONDITIONAL USE-MAJOR PERMIT FOR PLACEMENT OF A MOBILE HOME IN AN AG-AGRICULTURAL DISTRICT, 5408 C BYRD ROAD (SANDRA TODD, OWNER) ( GPC CASE #12-05-CU)

## **CITY OF GAUTIER STAFF REPORT**

**To:** Chairman and Members, Planning Commission

**From:** Babs Logan, Planning Technician

**Through:** Eric Meyer, Planning/Economic Development Director

**Date:** March 26, 2012

**Subject:** Conditional Use-Major Permit for Sandra Todd at 5408 C Byrd Road, PID #82420200.050 (GPC Case No. 12-05-CU)

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### **REQUEST:**

The Economic Development/Planning Department has received a request from Sandra Todd for a Conditional Use-Major permit to allow her to replace an existing mobile home with a newer mobile home in an AG Agricultural zoning district at 5408 C Byrd Road. The application fee of \$250 was paid on March 19, 2012. The application was approved for legal sufficiency by the City Attorney on March 19, 2012. All public notice requirements have been met.

### **BACKGROUND:**

The request property is zoned Agricultural which only allows mobile homes as a Major Conditional Use.

1. Location (See Exhibit A): 5408 C Byrd Road  
Arterial Street: Highway 57
2. General features of the proposed project:  
Total Floor Area: approximately 2 acres.  
Potable Water and Wastewater Services: Existing from City
3. Current Zoning: AG Agricultural
4. Current Surrounding Zoning (See Exhibit B): AG Agricultural
5. Current Surrounding Existing Land Use (See Exhibit C): Mobile homes to the east and west; Very Low to Low Density Residential to the south; and Industrial to the north
6. Comprehensive Plan Future Land Use Designation (See Exhibit D): Mixed Use Residential

## **DISCUSSION:**

The following addresses the review criteria for a Major Conditional Use outlined in Section 4.17.5 of the UDO.

1. Is the proposed use listed in the list of possible Conditional Uses in the particular Zoning District?

*Staff Finding: Yes, the proposed use is in the list of Conditional Uses in a AG zoning district.*

2. Describe how the project is compatible with the character of development in the vicinity relative to (a) density, bulk and intensity of structures, (b) parking, and (c) other uses. Please attach parking plan, site plan, architectural rendering or other plans.

*Applicant Response: There is no change. We are replacing an existing mobile home with a newer one.*

*Staff Finding: The proposed use will be the same as the existing use. The applicant will be replacing an existing mobile home with another mobile home and will not further impact the density, bulk and intensity of the structures in the vicinity.*

3. Will your project negatively affect neighboring property values or pose a real or perceived threat to citizens? Explain.

*Applicant Response: No. This mobile home replacement will improve and enhance all aspects within the area.*

*Staff Finding: Replacing the older mobile home with a newer one will not negatively affect neighboring property values.*

4. Will your project adversely affect vehicular or pedestrian traffic in the vicinity? Explain.

*Applicant Response: No. Pedestrian and vehicular traffic will not be affected.*

*Staff Finding: The proposed use is the same as the existing use and should not change the vehicular or pedestrian traffic in the vicinity in any way.*

5. Can the proposed use be accommodated by existing or proposed public services and facilities including, but not limited to, water, sanitary sewer, streets, drainage, police and fire protection, and schools?

*Applicant Response: Yes.*

*Staff Finding: The proposed use is the same as the existing use that is already serviced by water, sanitary sewer, streets, etc. The proposed use will be served by existing police and fire protection and will not affect the schools.*

6. Is the proposed use in harmony with the Comprehensive Plan? Explain how.

*Staff Response: Yes. One of the suggested land uses for Mixed Use Residential areas listed in the Comprehensive Plan are all types of residential.*

7. Does the proposed use pose a hazardous, detrimental, or disturbing affect, either real or perceived, to present surrounding land uses due to noises, glare, smoke, dust, odor, fumes, water pollution, vibration, electrical interference, or other nuisances? Explain.

*Applicant Response: No.*

*Staff Finding: The proposed use is the same as the existing use and does not pose a hazardous, detrimental or disturbing affect to present surrounding uses.*

8. Does the use conform to all district regulations for the applicable district in which it is located, or have other provisions been provided for? Explain.

*Applicant Response: Yes.*

*Staff Finding: The proposed use does conform to all district regulations for a AG district.*

#### **DETERMINATION OF APPLICABLE LAW:**

1. The UDO defines conditional uses as specific uses which are enumerated in each zoning district and which because of their nature are not allowed by right but may be allowed after the required review process. The City may specify certain conditions as necessary to make the use compatible with other uses in the same district. Conditional uses are issued for uses of land and uses designated "Conditional Uses-Major" are transferable from one (1) owner of land to another.

The UDO further defines Conditional Uses-Major as uses that are not allowed by right but require a recommendation by the Planning Commission and the approval of the City Council. Additionally, if the conditional use is transferred to a new owner, the new owner must submit a letter to the Economic Development Director agreeing to the current terms and conditions before a business license may be issued.

2. Conditional Uses-Major require a public hearing before the Planning Commission and approval by the City Council (Section 4.14 of the UDO).

**RECOMMENDATION:**

Staff finds that the proposed use will be compatible and harmonious with the Agricultural district and recommends approval with the following condition:

1. All property corners shall be clearly marked for setback inspection.
2. There shall be only one dwelling unit on the lot.
3. The mobile home shall meet all City code requirements for placement of mobile homes as stated in Section 4.23.6 of the Unified Development Ordinance including, but not limited to, hard surface drive and parking, skirting, and landings.

**ATTACHMENTS:**

1. Applicant's Exhibit 1 – Application
2. City's Exhibit A – Location Map
3. City's Exhibit B – Existing Zoning Map
4. City's Exhibit C – Existing Land Use Map
5. City's Exhibit D – Future Land Use Map
6. City's Exhibit E – Draft Conditional Use-Major Development Order

## PROCEDURE FOR PUBLIC HEARING APPLICATION MAJOR CONDITIONAL USE

- A. Complete application form.
  - (1) Applicant must be owner of property or agent of the owner.
  - (2) Include any required attachments.
- B. Submit fee to cover administration/advertisement costs as follows:
  - (a) Conditional Use - Major.....\$250.00
- C. Sufficient applications submitted by the third Tuesday of one month will be placed on the Planning Commissions agenda for the second month after submittal.
- D. Public Notice will be published in a local paper of general circulation not less than fifteen (15) days prior to the date for the public meeting before the Planning Commission. All property owners within 250 feet from the property under consideration will be notified by first class mail. Such notices will be mailed not less than fifteen (15) days prior to the public hearing. If action is needed before the City Council, the Economic Development/Planning Director will submit the findings of fact and the recommendations of the Planning Commission to the City Clerk not later than one (1) week prior to the next available Council meeting.
- E. The Gautier City Council will act on the application at the next available time on their agenda before final approval or rejection of application.
- F. If approved, application for the proper permit for the use intended shall be made through the City of Gautier Economic Development/Planning Department.

ECONOMIC DEVELOPMENT/PLANNING DEPARTMENT  
GAUTIER, MISSISSIPPI

CONDITIONAL USE HEARING APPLICATION

Hearing Number

APC 12-05-CM

<u>TYPE OF REQUEST:</u>	<u>FEE:</u>
Conditional Use - Major	\$250.00
Conditional Use - Minor	\$250.00

**Minor Conditional Use** - These uses are not allowed by right. The Economic Development/Planning Director may approve or deny a Minor Conditional Use upon review or he/she may choose to forward the request to the Planning Commission and City Council.

**Major Conditional Use** - These uses are not allowed by right, and require a recommendation by the Planning Commission and approval of the City Council.

Name of Applicant: Sandra Todd

*Johnny*  
239-1001

Name of Business: \_\_\_\_\_

Address: 5408 C Byrd Rd.

Mailing Address (if different): SAME

Email Address: jad881974@yahoo.com

Phone: (228) 239-8977

Cell Phone: (228) 239-8958

Reason for request, location and intended use of Property: Place a new mobile home, in the replacement of old mobile home at current address

ATTACHMENTS REQUIRED AS APPLICABLE:

1. Diagram of intended use, showing dimensions and distances of property, building with setbacks, parking spaces, entrances and exits.
2. Legal descriptions and street address.
3. A detailed project narrative that also addresses the questions on the "Criteria for Approval" page of this application.
4. Copy of protective covenants or deed restrictions, if any.
5. Copies of approvals, or requests for approval, from other agencies, such as, but not limited to, the Mississippi State Department of Health, U.S. Army Corp of Engineers, Mississippi Department of Environmental Quality and Department of Marine Resources.
6. Any other information requested by the Economic Development/Planning Director and/or members of the Technical Review Committee.
7. Owner's Consent form, if anyone other than 100% sole owner makes application (see attached).

Signature of Applicant: Sandra Todd

Date of Application: 3-16-2012

FOR OFFICE USE ONLY

Date Received 3/19/12 Verify as Complete BT

Fee Amount Received \$250.00

Initials of Employee Receiving Application BT

OWNERS CONSENT AND DESIGNATION OF AGENCY – CONDITIONAL USE

I, Sandra Todd, the fee simple owner of the following described property (give legal description):

5408 C Byrd Rd.

hereby petition to the City of Gautier to Grant a Conditional Use of placing a New mobile home in Gautier at 5408 C Byrd Rd. and affirm that Barry Todd + Kathryn Todd is hereby designated to act as agent on my behalf to accomplish the above.

I certify that I have examined the application and that all statements and diagrams submitted are true and accurate to the best of my knowledge. Further, I understand this application; attachments and fees become part of the official records of the City of Gautier, MS, and are not returnable.

Sandra Todd  
(Owner's Signature)

The foregoing instrument was acknowledged before me this 10 day of Mar h 20 12 by Sandra Todd, who is personally known to me or has produced \_\_\_\_\_ as identification and who did take an oath.

Stephanie L. Stafford  
(Printed Name of Notary Public)

Stephanie L. Stafford  
(Signature of Notary Public)

Commission # 92090. My commission expires 1-14-2013

(Notary's Seal)



## MAJOR CONDITIONAL USE

### Criteria for Approval Major Conditional Use

1. Is the proposed use listed in the list of possible Conditional Uses in the particular Zoning District? Yes
2. Please describe how the project is compatible with the character of development in the vicinity relative to (a) density, bulk and intensity of structures, (b) parking, and (c) other uses. Please attach parking plan, site plan, architectural rendering or other plans.  
No change, replacing old mobile with new mobile home.
3. Will your project negatively affect neighboring property values or pose a real or perceived threat to citizens? Explain. NO, this mobile home replacement will improve and enhance all aspects within the area
4. Will your project adversely affect vehicular or pedestrian traffic in the vicinity? Explain. NO  
~~Will your project adversely affect vehicular or pedestrian traffic in the vicinity? Explain.~~
5. Can the proposed use be accommodated by existing or proposed public services and facilities including, but not limited to, water, sanitary sewer, streets, drainage, police and fire protection, and schools? Yes  
vehicular traffic will be affected

6. Is the proposed use in harmony with the Comprehensive Plan? Explain how.

7. Does the proposed use pose a hazardous, detrimental, or disturbing affect, either real or perceived, to present surrounding land uses due to noises, glare, smoke, dust, odor, fumes, water pollution, vibration, electrical interference, or other nuisances? Explain.  
NO
8. Does the use conform to all district regulations for the applicable district in which it is located, or have other provisions been provided for? Explain. YES

Current mobile home is over 30 yrs old and completely following apart, The current mobile home has roof damage, windows + window seals are coming in. This mobile home is cooled by several window units and heated by one propane heater. Replacing this mobile home with a new mobile home will improve neighborhood and personal area of living, and improve quality of life and ~~personal~~ safety.

## **EXCERPT FROM GAUTIER'S UNIFIED DEVELOPMENT ORDINANCE CONCERNING CONDITIONAL USES**

### **SECTION 4.17: Conditional Uses Both Minor and Major**

The development and execution of this Ordinance is based upon the division of the community into districts, within which districts the use of land and building and the bulk and location of buildings and structures in relation to the land are substantially uniform. It is recognized, however, that there are certain uses which are generally compatible with the land uses permitted in a zoning district, but due to their unique characteristics, require individual review to ensure the appropriateness and compatibility of the use on any particular site. Certain uses may be allowed as enumerated in each of the zoning districts established in *Article V* in accordance with the standards and procedures of this Article and the standards enumerated for each Conditional Use in the district regulations.

A hearing for a Conditional Use-Major may be conducted under two separate circumstances: (a) in conjunction with the rezoning of the property, or (b) if the property is already zoned correctly, but the use is not permitted by right. In the case of a rezoning, the Conditional Use must meet the legal threshold required for any rezoning action.

#### **4.17.1 Who may initiate**

A request for a conditional use may be initiated by the property owner of agent of the owner provided:

- A. The proposed use is listed as a Conditional Use in the specific district requirements of the existing or proposed zoning district of the property, **and**
- B. Said property has not been denied a previous request for the same property or portion of the property within the past twelve (12) months; **and**
- C. All procedures and provisions for a public hearing have been met.

#### **4.17.2 Application for Conditional Use-Minor**

A Conditional Use-Minor requires a Finding of Compatibility by the Economic Development Director. Upon application review and after consideration of the surrounding properties and nature of the proposed use, the Director may approve, approve with conditions, elect to hold a public hearing under the procedures of 4.7.3, or deny the application. These uses do not "run with the land" and may not be transferred from one owner to the next without application for a FOC by the Director.

#### **4.17.3 Criteria for Approval of a Conditional Use-Minor**

A Minor Conditional Use Permit is required when projects possess location, use, building or traffic characteristics of such unique and special form as to make impractical or undesirable, their automatic inclusion as permitted uses. Minor Conditional Use Permits may be granted, in whole or in part, from the facts available in the application and determined by investigation, all of the following written findings can be made:

5. The proposed use is substantially compatible with other uses in the area, including factors relating to the nature of its location, operation, building design, site design, traffic characteristics, and environmental impacts.
6. The proposed use will not be materially detrimental to the health, safety, and general welfare of the public or otherwise injurious to the environment or to the property or improvements within the area.
7. The proposed use will be consistent with the Comprehensive Plan.
8. The proposed use is in conformance with specific site location, development, and operation standards as required by this Ordinance.

#### **4.17.4 Application for Conditional Use**

Applications for a Conditional Use-Minor and Major may be filed on applications available from the Economic Development Department and shall contain or have attached to it the following information:

- A. Diagram of intended use, showing dimensions and distances of property, building with setbacks, parking spaces, entrances and exits
- B. Legal descriptions and street address
- C. Copy of Protective covenants or deed restrictions, if any
- D. Copies of approval, or requests for approval, from other agencies such as, but not limited to, the Mississippi State Department of Health, U. S. Army Corp of Engineers, Mississippi Department of Environmental Quality and Department of Marine Resources
- E. A Detailed Project Narrative

- F. Any other information requested by the Economic Development Director and/or members of the Technical Review Committee

#### **4.17.5 Criteria for Approval of a Conditional Use-Major**

A Conditional Use-Major is not allowed "by right" but requires a recommendation by the Planning Commission and the approval of the City Council. Additionally, if the conditional use is transferred to a new owner, the new owner must submit a letter to the Economic Development Director agreeing to the current terms and conditions before a business license may be issued.

When considering application for a Conditional Use-Major, the Planning Commission and the City Council shall consider the extent to which:

- A. The proposed use is compatible with the character of development in the vicinity relative to density, bulk and intensity of structures, parking, and other uses;
- B. Any possible detrimental effects might occur as a result of the Conditional Use to the continued use, value, or development of properties in the vicinity;
- C. Whether or not the proposed use will adversely affect vehicular or pedestrian traffic in the vicinity;
- D. If the proposed use can be accommodated by existing or proposed public services and facilities including, but not limited to, water, sanitary sewer, streets, drainage, police and fire protection, and schools;
- E. If the proposed use is in harmony with the Comprehensive Plan;
- F. If the proposed use is listed in the list of possible Conditional Uses in that particular Zoning District;
- G. Whether the proposed use will not be hazardous, detrimental, or disturbing to present surrounding land uses due to noises, glare, smoke, dust, odor, fumes, water pollution, vibration, electrical interference, or other nuisances; and
- H. Whether the use conforms to all district regulations for the applicable district in which it is located unless other provisions are specifically set forth in the application.

#### **4.17.6 Authority for Conditions**

A Conditional Use-Major may be issued subject to such conditions as are necessary to carry out the purpose of this Ordinance and to prevent or minimize adverse effects upon other property in the neighborhood, including, but not limited to:

- A. Adequate ingress and egress to property and proposed structures with particular reference to vehicular and pedestrian safety and convenience, traffic flow and control and access in case of fire or other disaster
- B. Off-street parking and loading areas with particular attention to item (1) above and the economy of the city, and to noise or glare effects of the conditional use on adjoining properties generally in the district
- C. Refuse and service areas, with particular reference to item (1) and (2) above
- D. Utilities with reference to location availability and compatibility
- E. Screening and buffering with reference to type, dimensions, and character
- F. Control of any proposed exterior lighting with reference to glare, traffic safety economic effect and compatibility and harmony with properties in the district
- G. Required yards and open spaces

Sunplex

Highway 57

Sandra Todd Residence

Glynd Rd.

Drive way

Drive way

5408 Glynd  
New Trailer

King  
Parking

Old Trailer  
→

House  
Sandra Todd Residence  
C Byrd Rd

Pond

house

house

C Byrd Rd

Driveway

5408 C Byrd Rd

New Trailer

Parking

concrete porch

slab

shed

Trailer

Trailer

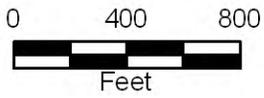
Driveway

# Location Map

## 5408 C BYRD ROAD

### CONDITIONAL USE

City Of Gautier  
Economic Development/Planning

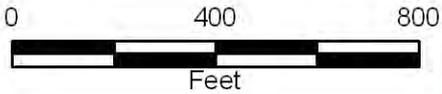


Prepared by the  
City of Gautier  
GIS Division



# Existing Zoning Map

City Of Gautier  
Economic Development/Planning



Prepared by the  
City of Gautier  
GIS Division

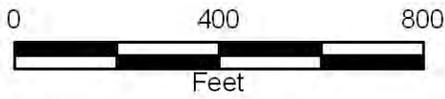
## Legend

- AG Agricultural
- PL Public/Semi-Public
- PUD Planned Unit Development
- R-1 Low Density Residential
- R-2 Multi-Family Residential
- R-3 Mobile Home District
- MUM
- TC
- MURC-1
- MURC-2
- MURC-MW
- C-1 Neighborhood Commercial
- C-2 Community Commercial
- C-3 Highway Commercial
- I-2 Industrial



# Existing Land Use Map

City Of Gautier  
Economic Development/Planning

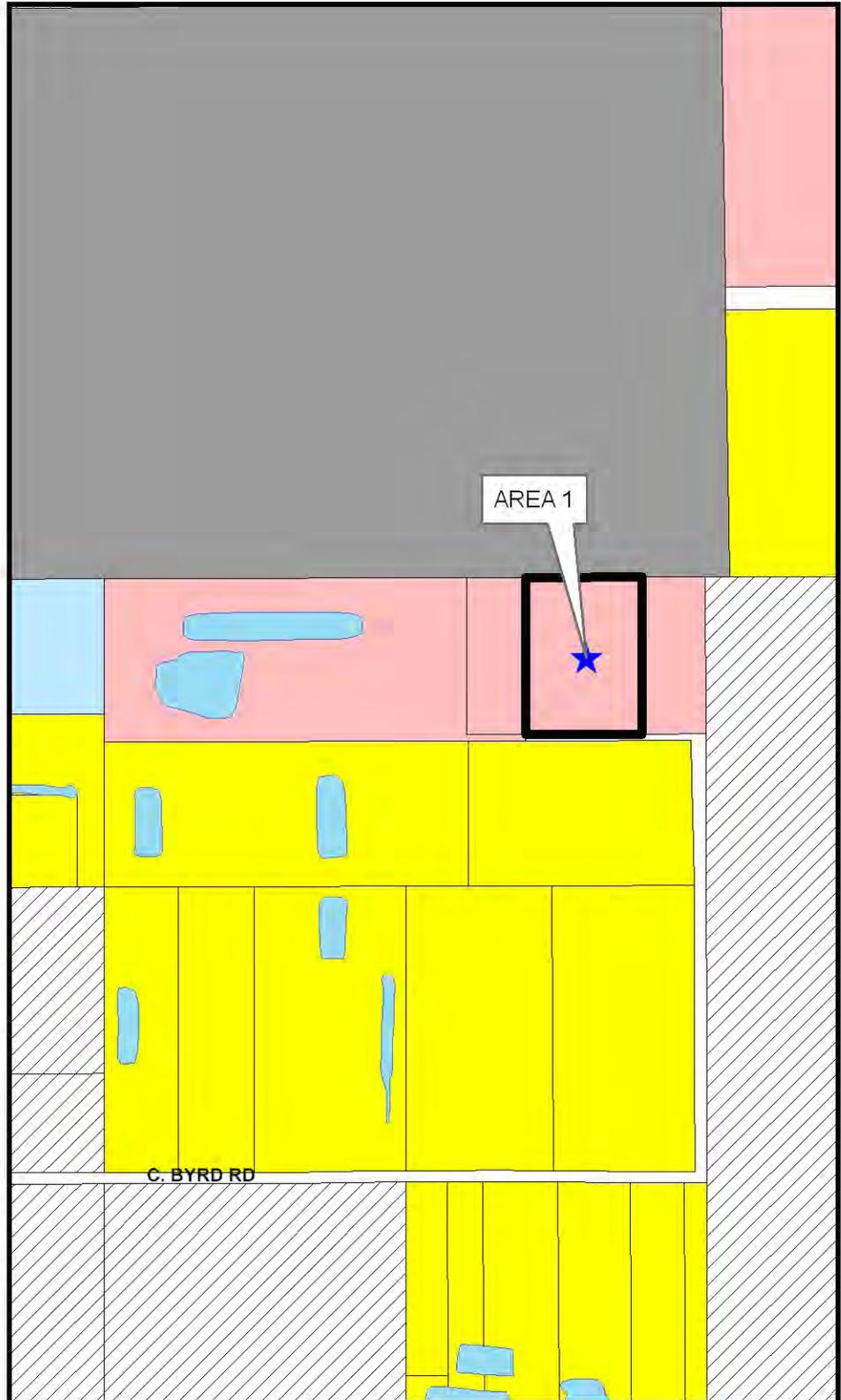


Prepared by the  
City of Gautier  
GIS Division

## Legend

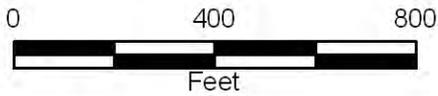
### EXISTING LAND USE

- Commercial-Retail
- Conservation
- Civic
- Industrial
- Marina/Fish Camps
- High Density Residential
- Mobile Home
- Mobile Home Park
- Medium Density Residential
- Office
- Recreation
- Very Low to Low Density Residential
- Utility
- Vacant



# Future Land Use Map

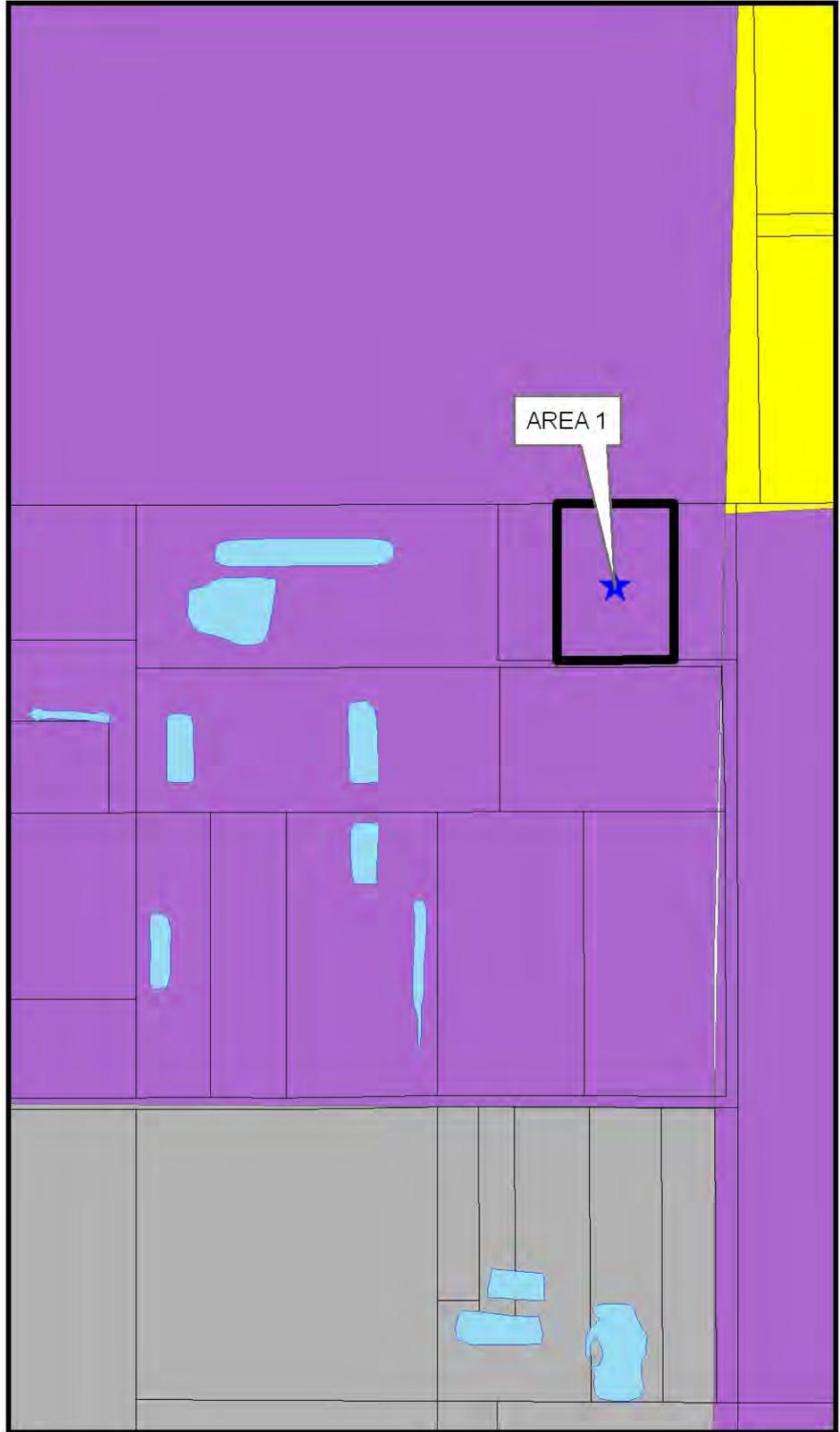
City Of Gautier  
Economic Development/Planning



Prepared by the  
City of Gautier  
GIS Division

## Legend

-  Civic
-  High Impact Commercial
-  Conservation
-  High Density Residential
-  Industrial
-  Low Density Residential
-  Medium Density Residential
-  Mobile Home Residential
-  Low Impact Commercial
-  Recreational
-  Recreational Commercial
-  Regional Scale Commercial
-  Mixed Use Residential
-  Town Center
-  Very Low Density Residential



**CITY OF GAUTIER  
CONDITIONAL USE-MAJOR DEVELOPMENT PERMIT  
GPC CASE NO. 12-05-CU**

**SANDRA TODD**

**REGARDING PARCEL ID NO: 82420200.050**

The City of Gautier, at its regular meeting held on April 17, 2012, considered the application for a Conditional Use-Major Development Permit for placement of a mobile home as submitted by Sandra Todd. The parcel subject to this Permit is located at 5408 C Byrd Road, Gautier, Mississippi, 39553. After due public notice, the City Council, having considered the favorable recommendation by the Planning Commission, application, testimony and exhibits presented by the applicant, the report of the City Staff and all other relevant testimony, exhibits and other evidence, pursuant to applicable provisions of the City's Unified Development Ordinance, hereby approves the Conditional Use-Major Development Permit and orders as follows:

1. This proposed Conditional Use-Major is consistent with the goals, objectives and policies of the City's Comprehensive Plan.
2. This proposed Conditional Use-Major is consistent with the character of the immediate vicinity of the proposed use.
3. The proposed use, classified as a mobile home, is permitted as a Conditional Use-Major in the AG District.
4. Therefore, the City Council accepts the recommendation of the Planning Commission and approves the application submitted on March 19, 2012 for a Conditional Use-Major Development Permit.
5. The following additional conditions will ensure that the operation of the proposed conditional use will minimize any detrimental effects on neighboring properties and shall apply to the project:
  - a. All property corners shall be clearly marked for setback inspection.
  - b. There shall be only one dwelling unit on the lot.
  - c. The mobile home shall meet all City code requirements for placement of mobile homes as stated in Section 4.23.6 of the Unified Development Ordinance including, but not limited to, hard surface drive and parking, skirting, and landings.
6. The City Clerk shall have this permit recorded in the public records of Jackson County, at the expense of the applicant, and provide the applicant a copy of the permit

with the recording information affixed.

7. The Gautier Planning Commission recommended approval of this Conditional Use-Major Development Permit on April 5, 2012.

8. The City Council adopted this Conditional Use-Major Development Permit on a recorded vote of \_\_\_\_\_ ayes to \_\_\_\_\_ nays to approve the application of Sandra Todd located at 5408 C Byrd Road in Gautier, Mississippi, and identified as Jackson County Parcel No. 82420200.050.

April 17, 2012  
Date of Issuance

Attest:

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Tommy Fortenberry, Mayor  
City of Gautier, Mississippi  
3330 Highway 90  
Gautier, MS 39553

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Wendy McClain  
City Clerk