
JUNE 6, 2013

GAUTIER, MISSISSIPPI

BE IT REMEMBERED THAT a regular meeting of the Gautier Planning Commission of the City of Gautier, Mississippi, was held on June 6, 2013, 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, Larry Dailey, James Torrey, Marilyn Minor, and Greg Spanier. Absent was Jimmy Green. Also present were Eric Meyer, Economic Development Director; Bob Ramsay, City Attorney; Babs Logan, Planning Technician; and Michele Keenlance, Court Reporter.

David Wooten, Chairman, called the meeting to order and presented the minutes from the April 4, 2013 meeting for approval. The minutes were approved as submitted.

APPROVAL OF AGENDA

There were no changes to the agenda.

AGENDA

GAUTIER PLANNING COMMISSION

JUNE 6, 2013

6:00 P.M.

- I. CALL TO ORDER**
- II. PLEDGE OF ALLEGIANCE (VOLUNTEER)**
- III. APPROVAL OF MINUTES – (APRIL 4, 2013)**
- 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 A CONDITIONAL USE-MAJOR PERMIT FOR A MEMA COTTAGE IN AN R-3 SUBDIVISION; 7700 NARCISSUS (MARTIN ACEVEDO, OWNER) (GPC 13-15-CU) POSTPONED PER APPLICANT'S REQUEST
2. REQUEST FOR KEEPING OF FOWL IN AN R-3 SUBDIVISION; 7204 PINEVIEW (FRANCISCO MARTINEZ, OWNER) (GPC 13-14-MISC)

VIII. DIRECTOR'S REPORT

IX. ADJOURN

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

There were no public comments.

OLD BUSINESS:

There was no old business to discuss.

NEW BUSINESS:

A. QUASI-JUDICIAL

1. REQUEST FOR A CONDITIONAL USE-MAJOR PERMIT FOR A MEMA COTTAGE IN AN R-3 SUBDIVISION; 7700 NARCISSUS (MARTIN ACEVEDO, OWNER) (GPC 13-15-CU)

The applicant asked that this request be postponed. He will get in touch with Staff when he returns to Gautier.

2. REQUEST FOR KEEPING OF FOWL IN AN R-3 SUBDIVISION; 7204 PINEVIEW (FRANCISCO MARTINEZ, OWNER) (GPC 13-14-MISC)

There came before the Planning Commission a request on the part of Francisco Martinez to be allowed to keep a rooster at his home located in an R-3

Mobile/Manufactured Home Residential subdivision at 7204 Pineview, PID #87116091.000.

Mr. Meyer explained that a request for keeping of fowl is usually handled at Staff level, however, a complaint was received on the applicant a couple of years ago when he had several chickens. At that time the applicant was notified about the complaint and he got rid of the chickens. He has recently requested to keep one rooster at his residence and because a complaint had been received previously Staff notified adjoining property owners to see if they had any objections. An objection was received so Staff forwarded the request to the Planning Commission for a final decision.

Mr. Meyer also explained that Staff had verified that the applicant has the required twenty thousand (20,000) square feet of property required to keep up to ten (10) fowl and that the fowl can be kept at least thirty-five (35) feet from the nearest door, window, or other opening of a neighbor's dwelling. Mr. Meyer stated that the fowl must be kept from running at large, be kept in a safe and sanitary environment and cannot create a nuisance to the immediate neighborhood in which they are kept. The fowl can only be used as pets or for personal use of the family residing on the premises.

Commissioner Dailey asked what the complaint was the last time the applicant had chickens. Commissioner Spanier stated that the person he spoke with said it was the smell from the droppings and the flies it attracted. Commissioner Dailey then asked the applicant how old the rooster was and how he was going to keep the rooster from crowing and causing a nuisance. The applicant said the rooster was about eight months old, was kept in a cage and was not crowing. Commissioner Dailey stated that the rooster would eventually start crowing and would probably cause a noise nuisance.

Commissioner Minor asked the applicant if any of his neighbors had complained to him about the rooster. The applicant said no and that the rooster was kept in a cage and did not roam. Commissioner Torrey stated that the neighbor that he spoke to that lives about two doors down did not have a

problem with the rooster being there. Commissioner Torrey also noted that the complaint letter received was from the owner of the property not the person who actually lived on the property. Commissioner Spanier stated that the neighbor that he spoke with that lives next to the applicant did not have a problem either.

Commissioner Dailey again expressed his concern about the crowing eventually being a nuisance. Commissioner Wooten noted that if it did become a nuisance the City has an ordinance to deal with it. Commissioner Torrey noted that the applicant was following all the guidelines.

On a motion by Commissioner Wooten to approve the request and a second by Commissioner Torrey, the following vote was recorded:

<u>AYES</u>	<u>NAYS</u>	<u>ABSENT</u>	<u>ABSTAINED</u>
Marilyn Minor	Larry Dailey	Jimmy Green	
Greg Spanier			
David Wooten			
James Torrey			

After the vote, Commissioner Dailey passed out copies to the other Commissioners regarding ideas for an ordinance amendment concerning the keeping of fowl. Some of the changes were: 1) a maximum of six hens, if the premises were at least twenty thousand square feet; and 2) fowl must be kept in a coop or run enclosure at all times.

Commissioner Dailey suggested excluding roosters because their crowing could easily become a nuisance, changing the maximum number that can be kept to six because six should be able to supply a family with what they need, and being more specific about how the fowl should be kept and maintained.

Commissioner Wooten asked Staff to check with neighboring cities and see what their regulations are for keeping of fowl, compare with the City of Gautier regulations and present the findings and make recommendations for amendments to the Commissioners.

DIRECTOR'S REPORT

Mr. Meyer advised Commissioners that he would be leaving in a few weeks to start a job in Atlanta and that he was updating Staff on the status of the projects he was working on. Mr. Meyer gave the Commissioners the following project updates: 1) the demolition of the mall is a little behind schedule because asbestos has been found in the building, but demolition should begin soon; 2) the engineer and the owner's representative for the Bienville Medical Complex says the plans are ready, and they should be ready to pull a permit in about three months; 3) the Building and Zoning Administrator is waiting on a set of engineer stamped plans from Kenny Borries in order to permit his new gym; 4) Keesler Federal Credit Union is continuing with their plans to build on one of Lowe's outparcels, but we have not heard anything lately from the carwash that was proposing to build on one of the other outparcels; 5) the City has closed on the property they were acquiring for the Town Green behind the mall; and 6) the 2% tax on hotels and prepared foods may have some active opposition when it comes up for a vote.

SUBMITTED BY:


Eric Meyer
City Manager
Economic Development Director

DATE: 1/22/14

APPROVED:


David Wooten, Chairman
Gautier Planning Commission

DATE: 12-5-13