

**CITY OF GAUTIER  
MEMORANDUM**

**To:** Samantha Abell, City Manager

**From:** Chandra Nicholson, Economic Development & Planning Director

**Date:** October 9, 2015

**Subject:** Home Occupation Permit for the Gulf Commercial Group at 2603 Guillotteville Road (GPC Case No. 15-11-HO)

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**REQUEST:**

The Economic Development and Planning Department has received a request from Teri Gautier, owner of Gulf Commercial Group for a Home Occupation Permit that would allow a Home Office for the export of medical equipment, supplies, and products in a Low Density Single-Family Residential (R-1) Zoning District at 2603 Guillotteville Road, PID #82502100.050. The application fee of \$100 was paid on August 14, 2015 and verified complete August 18, 2015.

**DISCUSSION:**

Staff has attached a Staff Report with detailed project analysis. The Planning Commission held a public hearing on October 1, 2015 to consider the request and through Findings of Facts determined that no Home Occupation Permit is needed for the new proposed business, since an existing business with a Home Office already operates on site.

**RECOMMENDATION:**

The City Council may:

1. Approve that staff draft/issue a Home Occupation Permit; or
2. Deny the Home Occupation Permit; or
3. Adopt the recommendation of the Planning Commission that no Home Occupation Permit is needed.

**ATTACHMENTS:**

1. GPC Minute Excerpt
2. GPC Staff Report with Back Up

**Excerpt from October 1, 2015 Gautier Planning Commission Meeting**

**REQUEST FOR A HOME OCCUPATION PERMIT TO ALLOW A HOME OFFICE FOR PHONE/COMPUTER WORK AND LOCATION FOR COURIER PACKAGES IN A LOW DENSITY SINGLE FAMILY RESIDENTIAL (R-1) ZONING DISTRICT, TO BE HELD AT 2603 GUILLOTTEVILLE ROAD (TERI GAUTIER, OWNER) (GPC CASE #15-11-HO).**

**Chairman Dailey** made the motion that there is no additional Home Occupancy Permit necessary. The Home Office is existing for GPC# 44, that a privilege license has been maintained per the Unified Development Ordinance requirements for the existing Home Office, there is testimony that there will not and has not been any expansion, extension or change to the Home Office function, Staff findings is that this Home Office has not and will not affect traffic and that this existing Home Office should be covered under the existing Home Occupation Permit.

**Vice Chairperson Walters** seconded the motion and the following vote was recorded:

**AYES:**           **Larry Dailey**  
                      **Sandra Walters**  
                      **Kay C. Jamison**  
                      **J. J. Fletcher**  
                      **Phil Torjusen**

**NAYS:**           **None**

**ABSENT:**       **Jimmy Green**  
                      **Anthony York**

**Motion passed.**

**Gautier Planning Commission**

**Regular Meeting Agenda**

**October 1, 2015**

**GPC #15-11-HO**

**2603 Guillotville Road: Home Occupation**

**Gulf Commercial Group**

**VII. NEW BUSINESS**

**A. QUASI-JUDICIAL**

1. REQUEST FOR A HOME OCCUPATION PERMIT TO ALLOW A HOME OFFICE FOR PHONE/COMPUTER WORK AND LOCATION FOR COURIER PACKAGES IN A LOW DENSITY SINGLE FAMILY RESIDENTIAL (R-1) ZONING DISTRICT, TO BE HELD AT 2603 GUILLOTTEVILLE ROAD (TERI GAUTIER, OWNER) (GPC CASE #15-11-HO)

## QUASI-JUDICIAL PROCEDURES

1. Announcement of Matter. Read the matter title to be considered.
2. Swear the Witnesses. All witnesses, parties, citizen participants and City Staff who plan to speak at the hearing shall collectively be sworn at the beginning of the hearing by the City Attorney
3. Ex Parte Disclosure. All members must disclose on the record any ex parte communications, to include any physical inspections of the subject property. The disclosure should include with whom any communication has taken place, a summary of the substance of the communication, and the date of the site visit, if any. If anyone has received written communications, the writing must be presented, read into record or a copy provided to all participants, and made a part of the official record.
4. Applicant Presentation.
5. Questions directed to Applicant. The applicant should answer any questions by the public, the Planning Commission, or others.
6. Staff Presentation. This includes presentation of the staff report into the official record.
7. Objections from Applicant. Confirm whether there are objections from the applicant regarding the staff report or development order.
8. Questions directed to Staff. The staff answers any questions by the public, the Planning Commission, or others.
9. Public Comments. Members of the public should be allowed to make comments regarding the application.
10. Applicant rebuttal/final comments
11. Staff rebuttal/final comments
12. Call for final questions.
13. Close public portion of the hearing.
14. Motion & Deliberation. Planning Commission makes a motion, and debates and deliberates regarding the application and development order.
15. Vote.
16. Close the quasi-judicial proceeding.

## **CITY OF GAUTIER STAFF REPORT**

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

**From:** Chandra Nicholson, Economic Development & Planning Director

**Date:** September 25, 2015

**Subject:** Home Occupation Permit to allow a Home Office in a Low Density Single-Family Residential (R-1) Zoning District to be held at 2603 Guillotteville Road (GPC #15-11-HO)

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### **REQUEST:**

The Economic Development and Planning Department has received a request from Teri Gautier, owner of Gulf Commercial Group for a Home Occupation Permit that would allow a Home Office in a Low Density Single-Family Residential (R-1) Zoning District at 2603 Guillotteville Road, PID #82502100.050. The application fee of \$100 was paid on August 14, 2015 and verified complete August 18, 2015.

### **BACKGROUND:**

The requested property is zoned Low Density Single-Family Residential (R-1).

1. Location: 2601/2603 Guillotteville Road (See Exhibit A)  
Principal Arterial: MS State Highway 90
2. General features of the proposed project:  
Residential Home with multiple accessory structures on site  
Site Size: 6.65 Acres  
Year Building Constructed (Home): 1940
3. Potable Water and Wastewater Services: Existing from City.
4. Current Zoning: R-1 Low Density Single-Family Residential.
6. Current Surrounding Zoning (See Exhibit B): I-2 Industrial to the north; R-1 Low Density Single-Family Residential to the east, west, and south.
7. Current Surrounding Existing Land Use (See Exhibit C): Industrial to the north; Vacant/Very Low to Low Density Residential to the east and west; and Very Low to Low Density Residential to the south.

8. Comprehensive Plan Future Land Use Designation (See Exhibit D): Industrial to the north; Low Density Residential to the south; and Very Low Density Residential to the east and west.

## **DISCUSSION:**

The applicant received a Home Occupation in 2001 by the Gautier City Council to conduct two Home Occupations in an accessory structure adjacent to the primary residence. One of the businesses was a jelly production business and the other was a pharmaceutical export business (See Exhibit 2). The applicant currently desires to operate a business named “Gulf Commercial Group” described by the applicant as “the export of medical equipment, supplies and products”.

### History

According to the applicant, the accessory structure was constructed to house the two original home occupations based on a Special Exception and a Conditional Use. The two commercial businesses were conducted in the accessory structure until 2013. In 2013, the pharmaceutical export business was moved to Sunplex and the Privilege License and Home Occupation Permit lapsed. The jelly production businesses has continued to operate.

It is not typical to have two addresses assigned to one lot, but the primary residence address is 2601 Guillotteville Road and the accessory structure’s address is 2603 Guillotteville Road. The City’s records reflect both of these addresses.

During Staff’s review of the appropriateness of the request, the October 2000 Planning Commission’s meeting minutes were reviewed. The applicant’s original application requested a Special Exception in order to build a commercial accessory structure in an R-1 Single Family Residential Zone, for the stated jelly and pharmaceutical export businesses. The GPC determined that the proposed accessory structure exceeded the dimension regulations of the R-1 District, and so changed the consideration from a Special Exception to a Condition Use Permit, in order to grant the larger accessory structure. The Conditional Use stipulated that the businesses would be allowable under a Conditional Use Permit provided that the businesses continued to operate under the home occupation provisions allowed in an R-1 Zoning District (See October 2000 GPC minutes).

The City Council minutes reflect approval of a Home Occupation. There is no approval in meeting minutes for a Conditional Use Permit or Special Exception (See attached minutes).

### Compatibility

During the in-house hearing for a new Home Occupation permit, one citizen objection was received related to increased traffic. (See Exhibit E)

The property directly across the street (Guillotteville Road) is zoned Industrial. Staff anticipates that the proposed use will not impose any additional traffic from the use as approved in 2001.

Home Occupations are not allowable in accessory structures, pursuant to the 2009 Unified Development Ordinance. Increases in traffic are also not permissible.

**DETERMINATION OF APPLICABLE LAW:**

1. The UDO defines a Home Occupation as an occupation carried on in a residential dwelling unit by the resident thereof; provided that the use is limited, incidental and secondary to the residential use of the building. A Home Occupation Permit is non-transferable to future residents.
2. Home Occupation Permits require an in-house hearing and may be approved at staff level if no objections are received. Should there be objections to any Home Occupation request, the application will then be sent to Planning Commission and City Council for review/public hearing/approval.

**RECOMMENDATION & CONCLUSION:**

The Planning Commission should make a finding-of-fact whether the proposed Home Occupation, described as a commercial export business, is permissible within the R-1 District, and therefore whether the Home Occupation request is appropriate for approval. The GPC should further consider whether the request will be harmonious with surroundings.

The Planning Commission may:

1. Recommend that City Council approve the Home Occupation Permit; or
2. Recommend that City Council deny the Home Occupation Permit.

**ATTACHMENTS:**

1. Applicant's Exhibit 1 – Application
2. Applicant's Exhibit 2 – Previous Conditional Use Approval
3. City's Exhibit A – Location Map
4. City's Exhibit B – Existing Zoning Map
5. City's Exhibit C – Existing Land Use Map
6. City's Exhibit D – Future Land Use Map
7. City's Exhibit E – Written Objections Received
8. City's Exhibit F – Photos
9. City's Exhibit G – Home Occupation Regulation (UDO)

**CITY OF GAUTIER  
HOME OCCUPATION PERMIT  
GPC CASE NO. 15-11-HO**

**Teri Gautier dba (Gulf Commercial Group)**

**REGARDING PARCEL ID NO: 82502100.050**

The City of Gautier City Council, at its regular meeting held on October 20, 2015, considered the application for a Home Occupation Permit for a home offices as submitted by Teri Gautier, representative for Gulf Commercial Group. The parcel subject to this Permit is located at 2603 Guillotteville Road, Gautier, Mississippi, 39553. After due public notice, the City Council, having considered the 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 Home Occupation Permit as follows:

1. This proposed Home Occupation is consistent with the goals, objectives and policies of the City's Comprehensive Plan.
2. This proposed Home Occupation is consistent with the character of the immediate vicinity of the proposed use.
3. The proposed use, classified as a home office, is permitted as a Home Occupation.
4. Therefore, the City Council accepts the recommendation of the Planning Commission and approves the application submitted on August 14, 2015 for a Home Occupation Permit.
7. The Gautier Planning Commission recommended approval of this Home Occupation Permit on October 1, 2015.
8. The City Council adopted this Home Occupation Permit on a recorded vote of \_\_\_\_\_ ayes to \_\_\_\_\_ nays to approve the application of Gulf Commercial Group, located at 2603 Guillotteville Road., in Gautier, Mississippi, and identified as Jackson County Parcel No. 82502100.050.

October 20, 2015  
Date of Issuance

Attest:

\_\_\_\_\_  
Gordon Gollott, Mayor  
City of Gautier, Mississippi  
3330 Highway 90  
Gautier, MS 39553

\_\_\_\_\_  
Cindy Russell  
City Clerk

ECONOMIC DEVELOPMENT/PLANNING DEPARTMENT  
GAUTIER, MISSISSIPPI

HOME OCCUPATION APPLICATION

Hearing Number

GPC 15-11-HO

<b>TYPE OF REQUEST:</b>		<b>FEE:</b>
Home Occupation	✓	\$100.00

Name of Applicant: TERI GAUTIER

Name of Business: GULF COMMERCIAL GROUP

Address: 2603 GUILLOTTEVILLE RD Mailing Address (if different): P.O. Box 145

Email Address: gautier.inc@mindspring.com

Phone: 228-497-6896 Cell Phone: 228-324-1156

Reason for request, location and intended use of Property: Business startup.

Home occupation permit with conditional use on file;

ATTACHMENTS REQUIRED AS APPLICABLE: office for phone/computer work and location for courier packages.

- N/A 1. Diagram showing dimensions of home and dimensions of area to be used for home occupation.
- ✓ 2. Legal description and street address.
- ✓ 3. A detailed project narrative.
- N/A 4. Copy of protective covenants or deed restrictions, if any.
- N/A 5. Any other information requested by the Economic Development/Planning Director.
- N/A 6. Owner's Consent form, if anyone other than 100% sole owner makes application (see attached).

Signature of Applicant: Teri Gautier

**FOR OFFICE USE ONLY**

Date Received 8/14/15 Verify as Complete 8/18/15

Fee Amount Received 100.00

Initials of Employee Receiving Application RM

• To get best quality, follow the steps within this block. • Pour obtenir de meilleurs résultats, suivez l'étape dans ce bloc. • Um optimale Qualität zu erzielen, befolgen Sie die Schritte innerhalb dieses Blockes.

## Parcel Information

PIDN: 82502100.050  
GISP: 871.02-01-0350.00

### Owner Information

Name: GAUTIER TERI Percent of Ownership: 100  
Name2:  
Mailing Address: P O BOX 1680 Physical Address: 2601 GUILLOTTEVILLE RD GAUTIER  
GAUTIER MS 39553

### Land Information

Section, Township, Range: 02 8S 7W Acreage: 6.65  
Street Name: GUILLOTTEVILLE RD

### Value and Tax Information

Total Assessed Value: 20789 Total Appraised Value: 180200  
Improvement Value: 116470 Land Value: 63730  
Tax Amount: 2526 SQ. FT: 0 Year Built: 1940

### Legal Description

Description: COM SEC SECT 35-7-7 W 1423.9' TO NW CORNER OF LOT 1 S 40' TO S/M GUILLOTTEVILLE RD & POB S  
846.63'S 84\* E 338.16' N 872.42' W 337' TO POB DB 1220-270 DB 1263-6 DB 1493-645 (350 MAP871.02-  
01)  
Deed Book / Page: 1263 / 6



Fri Sep 25 2015 08:18:46 AM

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2601 GUILLOTTEVILLE ROAD, GAULTIER, MS

- 2603

PROPERTY DESCRIPTION

Being a tract of land situated in Fractional Section 2, Township 8 South, Range 7 West, Jackson County, Mississippi, and being a portion of that land conveyed to Thomas E. Johnson and Sumi Johnson, as recorded in Deed Book 1220, Page 546, Deed Records, Jackson County, Mississippi; and also all of that tract of land conveyed to Teri Gautier as recorded in Deed Book 1263, Page 6, Deed Records, Jackson County, Mississippi, and being more particularly described as follows:

Commencing at a concrete monument found at the southwest corner of Section 36, the southeast corner of Section 35, Township 7 South, Range 8 West, and being on the north line of Fraction Section 2, Township 8 South, Range 7 West;

Thence, along the north line of said Section 2, North 89 degrees 32 minutes 43 seconds West a distance of 1,423.50 feet, to a point for corner;

Thence, South 00 degrees 02 minutes 20 seconds West a distance of 40.00 feet, to a 3/4 inch iron pipe found for the northwest corner of said Gautier tract, same being on the south right-of-way line of Guilletteville Road and being the Point of Beginning of the herein described tract;

Thence, along said south right-of-way line, South 89 degrees 23 minutes 49 seconds East a distance of 236.96 feet, to a 1/2 inch iron rod found for the corner;

Thence, along said south right-of-way line, south 89 degrees 15 minutes 58 seconds east a distance of 100.00 feet, to a 1/2 inch iron rod found for the northeast corner of said Gautier tract;

Thence, along the east line of said Gautier tract, South 00 degrees 13 minutes 27 seconds West a distance of 872.42 feet, to a 1/2 iron rod set on a north line of College Park West Addition, as recorder in Plat Book 12, Page 37, Plat Records, Jackson County, Mississippi;

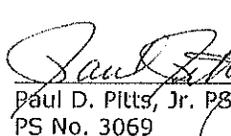
Thence, along said north line, North 84 degrees 57 minutes 23 seconds West a distance of 338.16 feet, to a 1/2 inch iron rod set for the southeast corner of tract of land conveyed to Debra Bush, as recorded in Deed Book 1183, Page 206, Deed Records, Jackson County, Mississippi;

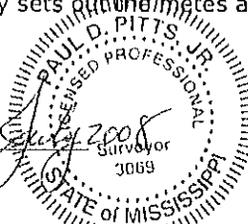
Thence, along the east line of said Bush tract and the east line of a tract conveyed to Valerie G. Morrison, as recorder in Deed Book 1183, Page 202, Deed Records, Jackson County, Mississippi, North 00 degrees 13 minutes 31 seconds East a distance of 846.47 feet, to the Point of Beginning and containing 5.6515 acres of land.

The Basis of Bearings for this survey is the Mississippi state Plane Coordinate System, East Zone (2301), NAD 83, grid values, using a scale factor of 0.999953733 and a convergence angle of 00 degrees 05 minutes 30 seconds.

(A plat of even survey date herewith accompanies this description.)

The undersigned, Professional Licensed Surveyor, hereby certifies that the forgoing description accurately sets out the metes and bounds of the easement tract described.

  
Paul D. Pitts, Jr. PS  
PS No. 3069



Teri Gautier  
Gulf Commercial Group  
2603 Guillotteville Road  
Gautier, MS 39553  
Tel: 228-497-6896  
Cell: 228-324-1156

August 14, 2015

TO: City of Gautier, Economic Development

RE: Business Description

Gulf Commercial Group (GCG) is a sole proprietorship, owned and directed by Teri Gautier.

The office location will be at 2603 Guillotteville Road, Gautier, MS. This location is on the same property as the primary residence, 2601 Guillotteville Road, Gautier, MS. The City of Gautier Planning Commission approved a conditional use to the Home Occupation permit at 2601 Guillotteville Road, which allows the office space to be located in the separate building with the approved and recognized address 2603 Guillotteville Road. [GPC#00044, Minutes dated October 2000; official letter dated 01/04/2001]

The company will provide business services in sales and regulatory matters to manufacturers that require assistance in completing foreign government registration of medical equipment, supplies, and products; and, logistics support to supply the products to countries outside of the United States.

The primary NAICS code is 541611.

GCG is not required to have a wholesale license as products will not be purchased and sold. The services provided by GCG are outsourced by the manufacturers. The manufacturer will maintain ownership of the product and will sell and ship directly to the end user in the foreign country.

GCG is not required to have a MS Sales & Use Tax Certificate as products will not be purchased and sold in the state of MS.

Please contact me with questions or if further information is required.

Thank you and best regards,



Teri Gautier  
Executive Director



# APPLICATION FOR PRIVILEGE LICENSE

(Read Instructions Below Before Completing This Application)  
MUST BE SIGNED AND RETURNED WITH REMITTANCE

City of Gautier  
Attn: Tax Collector  
3330 Highway 90  
Gautier, MS 39553-5124

License Listed  
Hereon is Due \_\_\_\_\_  
and must be paid on or before last day of same  
month to avoid penalty charges.

Application is hereby made for Privilege License, to be issued in the name of:

*Gulf Commercial Group*  
*P.O. Box 145 / 2603 GALLINOTTEVILLE RD.*  
*GAUTIER, MS 39553*  
Telephone No.: *228-497-6896*

Please check whether business is one of the  
following:  
 Individual \_\_\_\_\_ Partnership  
\_\_\_\_\_ Corporation \_\_\_\_\_ Other

If business is a partnership, the names of each partner are:

TO ENGAGE IN BUSINESS UNDER THE TRADE NAME OF

at \_\_\_\_\_

In the following occupation	Code Number	Amount Due
<i>Business Services; exp</i>		\$
<i>CIPC # 00044; OCT 2000</i>		\$

*official letter #104/2001*  
Number of Employees \_\_\_\_\_

True Value of Inventory \$ *0*

Sales Tax Number: \_\_\_\_\_

If home office address is different from that provided above, the full name and address is:

Name: \_\_\_\_\_

Street or Box No.: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

I hereby certify that all information given on this application for the purpose of securing Privilege License, and determining the amount due, is true and correct.

Print Name: *TERI GAUTIER*

Signature: *Teri Gautier*

If partnership or corporation, give official title of person making application.

**THIS SPACE FOR USE BY TAX COLLECTOR**

Renewal \_\_\_\_\_ New \_\_\_\_\_ Name Change \_\_\_\_\_

If new license, or change in name, previous license in name of \_\_\_\_\_

License No.: \_\_\_\_\_

## INSTRUCTIONS TO APPLICANT

May be detached and retained for future reference.

The above application is required under Section 203, Chapter 137, and Privilege License Laws of 1944. Positively no license will be issued without a properly executed application, which the Tax Collector is required to keep on file for three (3) years.

License issued for one (1) year expires on the FIRST DAY of the month issued regardless of the day of original issue, and new license MUST be obtained no later than last day of same month to avoid delinquency. Mailing remittance on the last day of month is not sufficient. It must be mailed in time for license to be issued within month due.

An initial penalty of ten percent (10%), and thereafter a penalty of one percent (1%) per month for each month or part thereof during which the tax remains delinquent.

Application must be accompanied by proper remittance payable to CITY OF GAUTIER. If payment is made by mail, address City Tax Collector, 3330 Hwy. 90, Gautier, MS 39553-5124, and place in mail in time for it to be delivered before the last day of month in which due.

You may call (228) 497-8000 for further assistance.

It is Your Responsibility to See That You Pay The Proper License on Time. A Deputy Collector Will not Make a Personal Call to Collect Unless License is Delinquent.



3330 Highway 90  
Gautier, MS 39559-5124  
Phone (228) 497-1878  
Fax (228) 497-8028

# City of Gautier

## PLANNING DEPARTMENT

PLANNING DIRECTOR  
Ralph Hode

January 24, 2001

Teri Gautier  
2601 Guillotteville Road  
Gautier, MS 39553

Re: GPC Number 00044  
Permit for Home Occupation  
Pharmaceutical Business - Mail Order Only

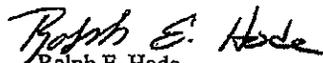
Dear Mrs. Gautier,

We are pleased to advise you that the above referenced permit has been approved by the City of Gautier. A copy of the Planning Commission minutes regarding the conditions by which approval was granted is attached. Please feel free to contact our office in the event you have further questions concerning the permit.

Please be advised also that we have assigned an address of 2603 for the guest house/home business on the existing lot. As you are aware, in the event the businesses outgrow the planned structure it is authorized as a guest house. As such the structure is not to be used as rental property or for any use that would be in conflict with Municipal regulations governing single family residential uses of property.

On behalf of the City we wish you much success in this endeavor. If we may be of other service do not hesitate to contact us.

Sincerely,

  
Ralph E. Hode  
Community Services Director

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D. GPC #00046 TOMMY MARTIN - CONDITIONAL USE

VI. NEW BUSINESS

VII. OLD BUSINESS

VIII. RECESS UNTIL OCTOBER 19, 2000 AT 6:00 PM

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**PUBLIC COMMENTS (OTHER THAN LISTED AGENDA ITEMS)**

There were no public comments.

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**PUBLIC AGENDA:**

A. GPC #00-043 STANLEY WESTLAND - VARIANCE

This request was forwarded to the Jackson County Planning Department due to appeal to annexation proposal.

B. GPC #00044 TERI GAUTIER - HOME OCCUPATION

There came before the Planning Commission a request from Teri Gautier for a Home Occupation permit that would authorize the export sales of pharmaceuticals in association with a previously approved home occupation at 2601 Gulllotteville Road.

It was the finding of the Commission that the applicant proposed to replace an existing 1100 square foot accessory structure that had been approved under GPC #94-040 in January of 1995 for a Mayhaw Jelly home business. The proposal included the construction of a new 950 square foot structure that would be used to house the Mayhaw production facility as well as the requested pharmaceutical export business. Further, the applicant proposed to build the new structure in such a manner that it could be used as a guest house if and when the businesses became too large to remain in a residential environment.

The Commission noted that the proposed was an extension of an existing home occupation; but, that the construction of a building that would/could potentially serve as a guest house would exceed the allowable size of guest houses as defined by the City Zoning Ordinances. As a result, the Commission proposed to consider the case as a conditional use permit that would allow both businesses as well as a future guest house on the condition that neither be used for rental purposes and on the condition that the

businesses remain in compliance with those regulations that governed home businesses in a residential zone.

Commissioners determined that the hearing had been properly advertised, that there were no objections from neighboring residents, that the previously approved business had continued to operate within the guidelines of home occupations as defined in the City Zoning ordinance, and the proposed would not have a negative impact on the character of the neighborhood.

On a motion by Bob Myers for approval and a second by Wayne Swauncy the following vote was recorded:

<u>AYES</u>	<u>NAYS</u>	<u>ABSENT</u>	<u>ABSTAINED</u>
Larry Moran	Kathy Johnson	Al Hammond	
Wayne Swauncy			
Don Johnson			
Lamar Davis			
Bob Myers			

C. GPC #00042 TOMMY & SUZANNE MARTIN - CONDITIONAL USE

There came before the Planning Commission a request from Tommy and Suzanne Martin for a conditional use permit that would authorize the installation of a used car sales lot to be located adjacent to and in association with an existing pawn shop, contractors office and doctors office at 5118 Gautier Vancleave Road.

It was the finding of the Commission that the hearing had been properly advertised, that there were no objections to the request, and that the proposed vehicle sales lot was to be an extension of and integral to the existing pawn shop. It was also the finding of the Commission that the proposed was an extension of an existing facility and that it would neither change the character of the neighborhood nor negatively impact the existing use of adjoining properties.

On a motion by Lamar Davis for approval and a second by Bob Myers the following vote was recorded:

<u>AYES</u>	<u>NAYS</u>	<u>ABSENT</u>	<u>ABSTAINED</u>
Larry Moran		Al Hammond	
Wayne Swauncy			

Commissioners Present:

Larry Moran, Chairman  
Wayne Swauncy  
Kathy Johnson  
Don Johnson  
Lamar Davis  
Bob Myers

Staff Present:

Ralph Hode  
Babs Hackett

FINDINGS:

There came before the Planning Commission a request from Tommy and Suzanne Martin for a conditional use permit that would authorize the installation of a used car sales lot to be located adjacent to and in association with an existing pawn shop, contractors office and doctors office at 5118 Gautier Vandervee Road. It was the finding of the Commission that the hearing had been properly advertised, that there were no objections to the request, and that the proposed vehicle sales lot was to be an extension of and integral to the existing pawn shop. Further, it was the finding of the Commission that the proposed was an extension of an existing facility and that it would neither change the character of neighborhood nor negatively impact the existing use of adjoining properties.

BOARD RECOMMENDATIONS

On a motion by Mr. Davis for approval and a second by Mr. Myers the following vote was recorded.

AYES	NAYS	ABSENT	ABSTAINED
Larry Moran			
Wayne Swauncy			
Kathy Johnson			
Don Johnson			
Lamar Davis			
Bob Myers			

Submitted by: /s/ Ralph E. Hode  
Ralph E. Hode

Date: 10/9/00

file: P:\...Windfact.00\gpc00.042



There came on for consideration of the Mayor and Members of the Council of the City of Gautier, Mississippi, the following:

ORDER NO. 16-2001

IT IS HEREBY ORDERED by the Mayor and Members of the Council of the City of Gautier, Mississippi, that the Planning Commission recommendation to approve GPC00-044/Teri Gautier-Home Occupation permit for expanded home business to include export sales of pharmaceuticals is hereby authorized.

IT IS FURTHER ORDERED that the City Manager is authorized to execute any and all documents necessary.

Motion was made by Taylor, seconded by Phillips, and the following vote was recorded:

AYES: Charles A. Keith

Ken Taylor

Johnny Jones

Hurley Ray Guillotte

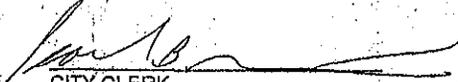
James T. Savage

Bernard Phillips

NAYS: NONE

Charles A. Keith  
MAYOR

ATTEST:

  
CITY CLERK

PASSED AND ADOPTED at the October 17, 2000, Meeting of the Mayor and Council of the City of Gautier, Mississippi.

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FINDINGS OF FACT  
GAUTIER PLANNING COMMISSION

Case Number: GPC - 00-044

Applicant: Teri Gautier

Hearing Description: Home Occupation permit for expanded home business to include export sales of pharmaceuticals.

Hearing Date: October 5, 2000

Commissioners Present:

Larry Moran, Chairman

Wayne Swauncy

Kathy Johnson

Don Johnson

Lamar Davis

Bob Myers

Staff Present:

Ralph Hode

Babs Hackett

FINDINGS:

There came before the Planning Commission a request from Teri Gautier for a Home Occupation permit that would authorize the export sales of pharmaceuticals in association with a previously approved home occupation. It was the finding of the Commission that the applicant proposed to replace an existing 1100 square foot accessory structure that had been approved under GPC #94-040 in January of 1995 for a Mayhaw Jelly home business. The proposal included the construction with a new 950 square foot structure that would be used to house the Mayhaw production facility as well as the requested pharmaceutical export business. Further, the applicant proposed to build the new structure in such a manner that it could be used as a guest house if and when the businesses became too large to remain in a residential environment.

Further, it was the finding of the Commission that the proposed was an extension of an existing home occupation; but, that the construction of a building that would/could potentially serve as a guest house would exceed the allowable size of guest houses as defined by the City Zoning Ordinances. As a result, the Commission proposed to consider the case as a conditional use permit that would allow both businesses as well as a future guest house on the condition that neither be used for rental purposes and on the condition that the businesses remain in compliance with those regulations that governed home businesses in a residential zone.

Commissioners determined that the hearing had been properly advertised; that there was no objection from neighboring residents, that the previously approved business had continued to operate within the guidelines of home occupations as defined in the City Zoning ordinance, and the proposed would not negative impact the character of the neighborhood.

#### BOARD RECOMMENDATIONS

On a motion by Mr. Myers for approval and a second by Mr. Swauncy the following vote was recorded.

AYES	NAYS	ABSENT	ABSTAINED
Larry Moran	Kathy Johnson		
Wayne Swauncy			
Don Johnson			
Lamar Davis			
Bob Myers			

Submitted by: /s/Ralph E. Hode  
Ralph E. Hode

Date: 10-9-00

file: P:\...mindfact.00\gpc00.044

There came on for consideration of the Mayor and Members of the Council of the City of Gautier, Mississippi, the following:

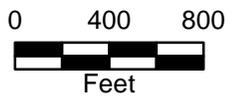
#### ORDER NO. 17-2001

IT IS HEREBY ORDERED by the Mayor and Members of the Council of the City of Gautier, Mississippi, that the purchase of a Minolta Digital Copier/Di620 from Uni-Copy in the amount of \$12,735.00, under state contract number 5-6000-02246, is hereby authorized.

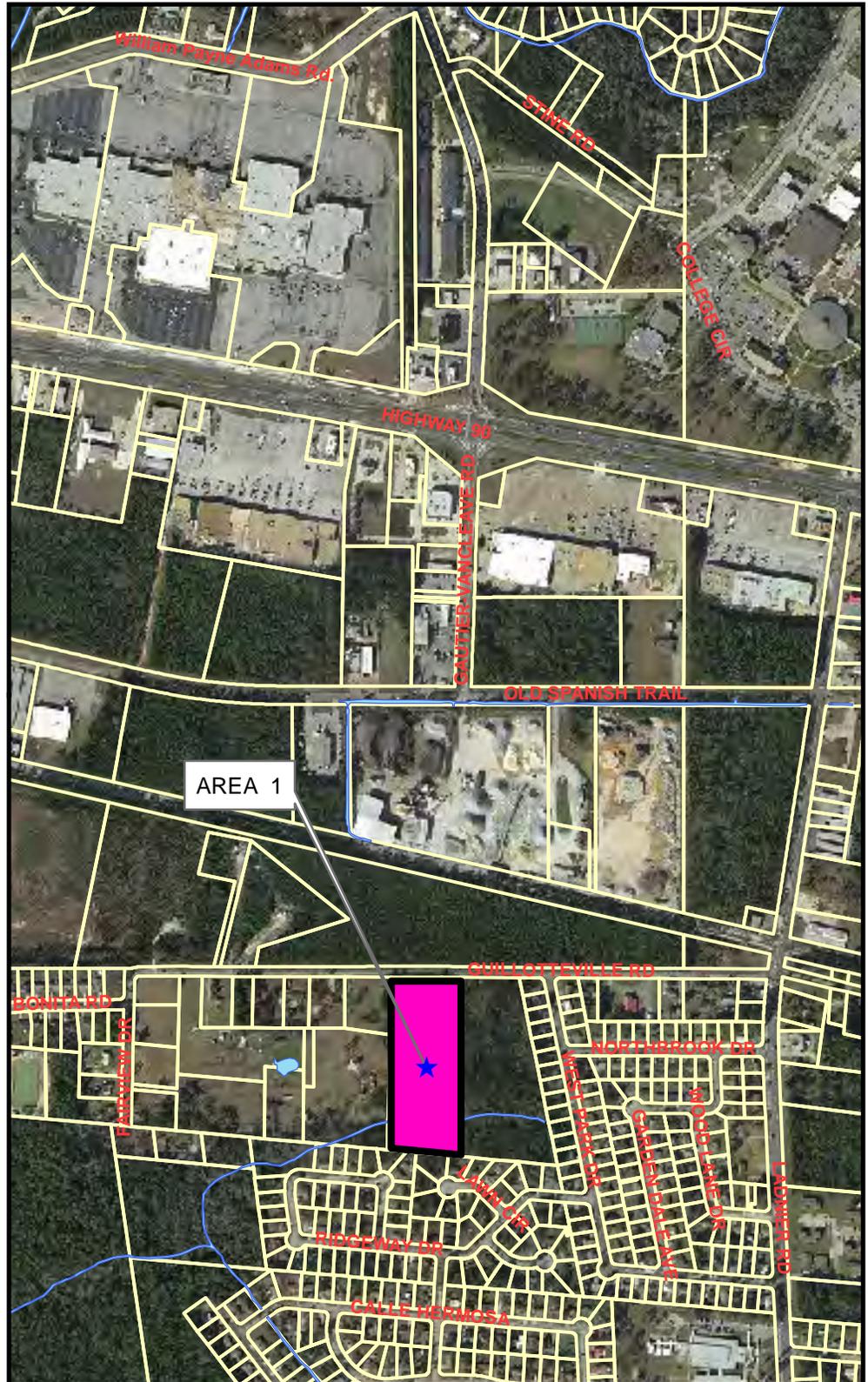
IT IS FURTHER ORDERED that the acquisition be accomplished through lease/purchase from Merchant & Marine Bank at 6.0% during a 36 month period for a monthly note of \$389.12.

**Location Map**  
**2603 Guillotteville Road**  
**Home Occupation**

City Of Gautier  
Economic Development/Planning

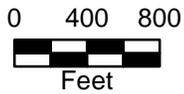


Prepared by the  
City of Gautier  
Planning Division



Existing Zoning Map

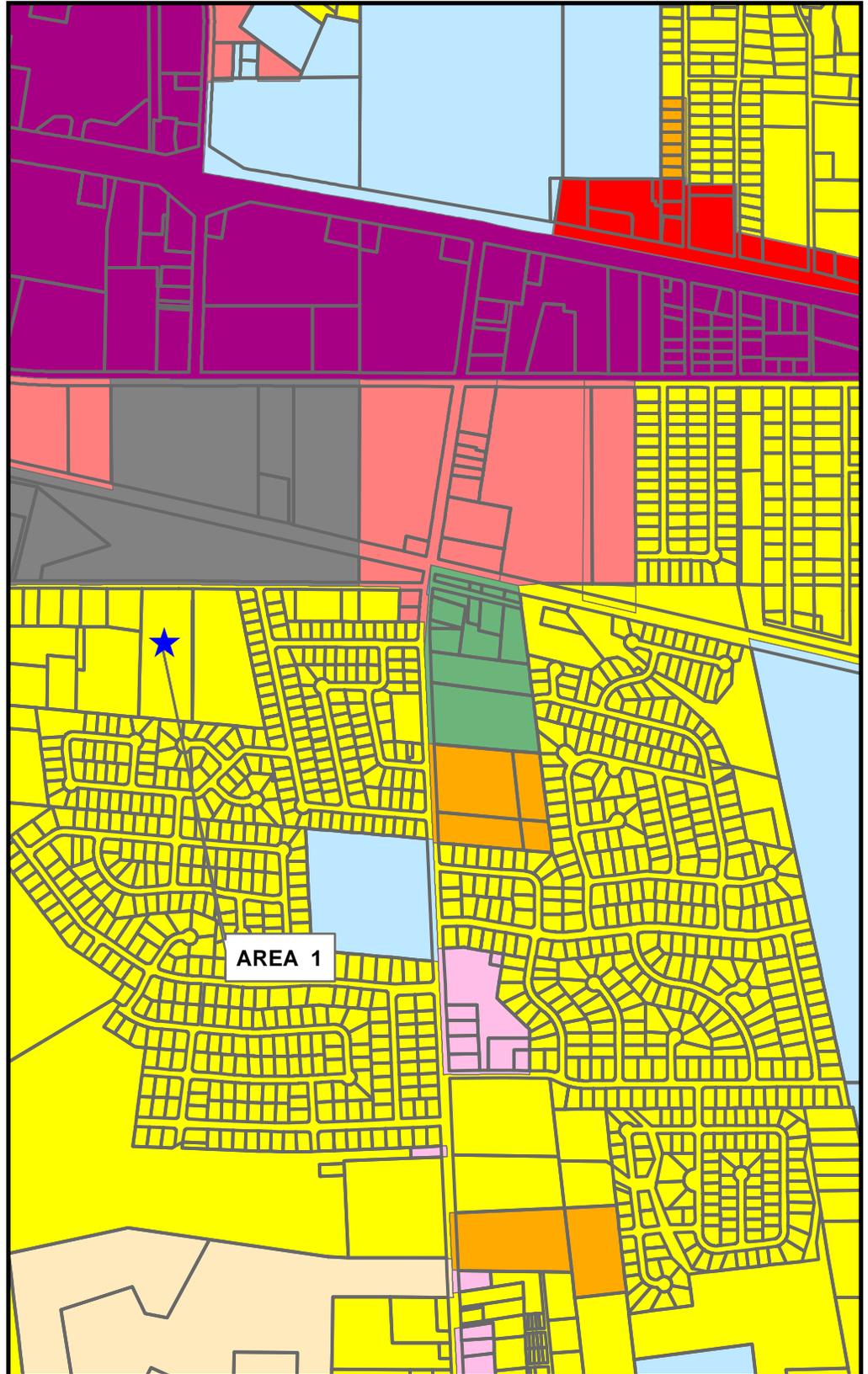
City Of Gautier  
Economic Development/Planning



Prepared by the  
City of Gautier  
Planning Division

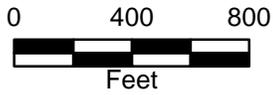
**Legend**

-  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**

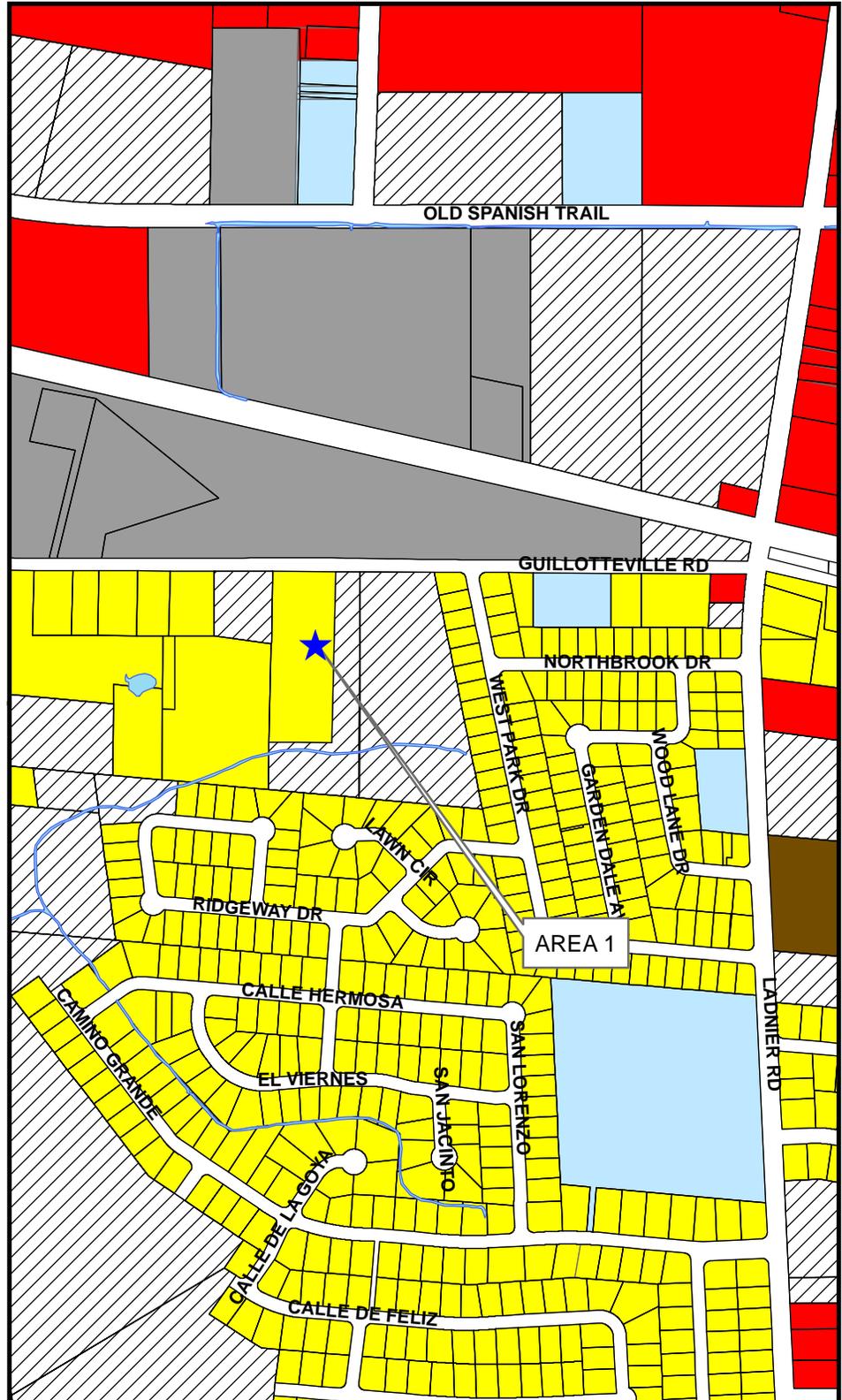


**Prepared by the  
City of Gautier  
Planning Division**

**Legend**

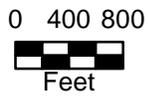
**EXISTING LAND USE**

- 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

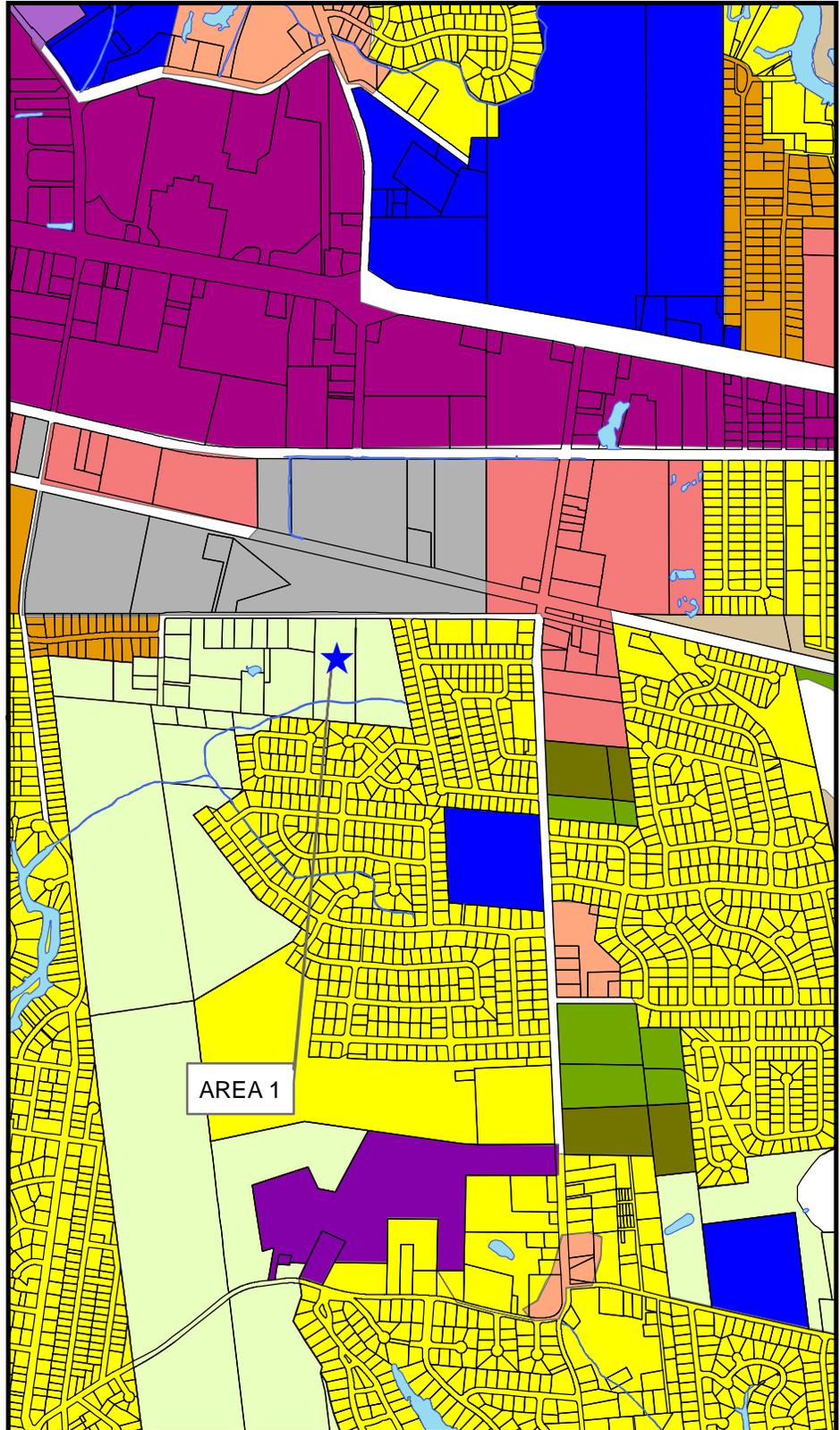
City Of Gautier  
Economic Development/Planning



Prepared by the  
City of Gautier  
Planning 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



**From:** [Chandra Nicholson](#)  
**To:** "Sophia"  
**Subject:** RE: GPC#15-11-HO : REJECT  
**Date:** Friday, September 11, 2015 12:40:00 PM

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Thank you! I just wanted to make sure.

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**From:** Sophia [mailto:[rhodes2423@aol.com](mailto:rhodes2423@aol.com)]  
**Sent:** Friday, September 11, 2015 12:27 PM  
**To:** <[cnicholson@gautier-ms.gov](mailto:cnicholson@gautier-ms.gov)> <[cnicholson@gautier-ms.gov](mailto:cnicholson@gautier-ms.gov)>  
**Subject:** Re: GPC#15-11-HO : REJECT

Chandra that wasn't me. I only object because of the increased traffic and activity in a already congested area.

Sent from my iPhone

On Sep 11, 2015, at 10:24 AM, "Chandra Nicholson" <[cnicholson@gautier-ms.gov](mailto:cnicholson@gautier-ms.gov)> wrote:

Ms. Rhodes,

We received a phone call later in the afternoon the day we received this e-mail. The lady was calling about this case and wanted more information. She ultimately said she did not have an objection to the case. It was a bad connection and I did not get her name. Was that by any chance you that had called.

I'm just trying to see if you still had objections to this case. If we have objections, we send the case to Planning Commission. Thanks for your time, Chandra

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**From:** Chandra Nicholson [mailto:[cnicholson@gautier-ms.gov](mailto:cnicholson@gautier-ms.gov)]  
**Sent:** Friday, August 21, 2015 2:29 PM  
**To:** 'Sophia Rhodes' <[rhodes2423@aol.com](mailto:rhodes2423@aol.com)>  
**Subject:** RE: GPC#15-11-HO : REJECT

Thank you so much for taking the time to give your input. We will take your comments under advisement.

**From:** Sophia Rhodes [mailto:[rhodes2423@aol.com](mailto:rhodes2423@aol.com)]  
**Sent:** Friday, August 21, 2015 2:23 PM  
**To:** [cnicholson@gautier-ms.gov](mailto:cnicholson@gautier-ms.gov)  
**Subject:** GPC#15-11-HO : REJECT

To whom it concerns:

This sounds like a business. This route is used by a large number of people in Gautier and abroad. The increased business activity will create additional traffic, traffic congestion and

more unwanted people in the neighborhood, I vote to reject this permit. Thank you.





## **SECTION 6.7 Regulations for Home Occupations**

### **6.7.1 General Regulations**

A home occupation is a gainful occupation conducted in a dwelling unit, for which an annual privilege license must be issued and that:

- A.** No stock in trade or commodity shall be sold on the premises.
- B.** There shall be no employment of help other than members of the resident family.
- C.** Not more than twenty (20) percent of the heated and cooled square footage area of the dwelling unit not to exceed five hundred (500) square feet shall be used in conducting the home occupation.
- D.** There shall be no change in the outside appearance of the building or premises, no outdoor storage of anything, or any other visible evidence of the conduct of such home occupation other than one sign in accordance with regulations of Article not exceeding one non-illuminated sign no larger than one (1) square foot, mounted flush against the principal building.
- E.** No home occupation shall be conducted in any accessory building.
- F.** No traffic shall be generated by such home occupation in greater volumes than would normally be expected in a residential neighborhood, and any need for parking generated by the conduct of such home occupation shall be off the street and other than in the required front yard.
- G.** No equipment or process shall be used in such home occupation which increases noise, vibration, glare, fumes, odors, or electrical interference to adjoining properties.
- H.** The ED Director of shall periodically examine all businesses operating under a home occupation permit to determine if they are maintained in compliance with regulations set forth herein. The ED Director of is authorized to notify any business found to not be in compliance to cease operations and to revoke said permits.

### **6.7.2 Home Occupations Permitted**

The following occupations, subject to the requirements of the above section, may be permitted as home occupations:

- A.** Artist, sculptor, author
- B.** Catering Service when they are a part of operator's residence
- C.** Computer programming and word processing
- D.** Cooking and preserving
- E.** Dressmaker, seamstress, tailor, interior decorator
- F.** Home office
- G.** Instructional Studio, Private. Teaching, including tutoring, musical instruction or dancing, but limited to one pupil per teacher at any given time
- H.** Private Professional Office
- I.** Telephone answering service

- J. Any other similar use which the ED Director determines is compatible. The ED Director may elect to take any Home Occupation request to the Planning Commission for consideration.

### **6.7.3 Prohibited Home Occupations**

The following are not permitted as home occupations:

- A. Animal hospitals or animal rescue operations
- B. Child Care Facilities including kindergartens
- C. Convalescent homes
- D. Repair Shops requiring outside or major repair to equipment and/or vehicles
- E. Coffee Shops, restaurants or any facility serving beverages or food to the public.
- F. Boarding House