

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
MEMORANDUM**

To: Samantha Abell, City Manager

From: Chandra Nicholson, Economic Development & Planning Director

Date: February 5, 2016

Subject: Conditional Use-Major Permit for 5401 Road for the Placement of a Mobile Home (GPC Case No. 16-02-CU)

REQUEST:

The Economic Development and Planning Department has received a request from Joshua D. Priddy & Virginia Priddy for a Conditional Use-Major Permit that would allow placement of a mobile home in an AG, Agricultural Zoning District at 5401 Carter Road, PID #85298072.000. The application fee of \$250 was paid on December 17, 2015. 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 February 4, 2016 to consider the request and found that the proposed mobile home placement will be compatible and harmonious with the surrounding agricultural district. The GPC recommends the approval of the Conditional Use-Major Permit with no specific conditions.

RECOMMENDATION:

The Gautier Planning Commission and Staff recommend approval of the proposed Conditional Use-Major Permit with no specific proposed conditions.

The City Council may:

1. Approve the Conditional Use-Major Permit with no specific conditions; or
2. Approve the Conditional Use-Major Permit with changes; or
3. Deny the Conditional Use-Major Permit.

ATTACHMENTS:

1. Draft Conditional Use-Major Permit
2. GPC Minute Excerpt
3. GPC Staff Report with Back Up

**CITY OF GAUTIER
CONDITIONAL USE-MAJOR PERMIT
GPC CASE NO. 16-02-CU**

5401 CARTER ROAD – MOBILE HOME PLACEMENT

REGARDING PARCEL ID NO: 85298072.000

The City of Gautier City Council, at its regular meeting held on February 16, 2016, considered the application for a Conditional Use-Major Permit for a Mobile Home as submitted by Joshua D. Priddy & Virginia Priddy. The parcel subject to this Permit is located at 5401 Carter Road in Gautier, Mississippi. 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 Permit 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/Manufactured Home, is permitted as a Conditional Use-Major in the AG Zoning District.
4. Therefore, the City Council accepts the recommendation of the Planning Commission and approves the application submitted on December 17, 2015 for a Conditional Use-Major Permit.
5. No specific Conditions were required.
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 Permit on February 4, 2016.
8. The City Council adopted this Conditional Use-Major Permit on a recorded vote of _____ ayes to _____ nays to approve the application of Joshua D. Priddy & Virginia Priddy, located at 5401 Carter Road, in Gautier, Mississippi, and identified as Jackson County Parcel No. 85298072.000.

February 17, 2016
Date of Issuance

Attest:

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

Cindy Russell
City Clerk

Excerpt from February 4, 2016 Gautier Planning Commission Meeting:

5401 CARTER ROAD – REQUEST FOR A CONDITIONAL USE-MAJOR PERMIT FOR THE PLACEMENT OF A MOBILE HOME IN AN AG, AGRICULTURAL ZONING DISTRICT (GPC CASE #16-02-CU)

Commissioner York made the motion to approve the Conditional Use-Major request with no special conditions. **Commissioner Jamison** seconded the motion and the following vote was recorded:

AYES: **Larry Dailey**
 Sandra Walters
 Jimmy Green
 K.C. Jamison
 J.J. Fletcher
 Anthony York
 Phil Torjusen

NAYS: **None**

Motion passed.

Gautier Planning Commission

Regular Meeting Agenda

February 4, 2016

GPC #16-02-CU

5401 Carter Road Mobile Home Placement

VII. NEW BUSINESS

A. QUASI-JUDICIAL

2. 5401 CARTER ROAD – REQUEST FOR A CONDITIONAL USE-MAJOR PERMIT FOR THE PLACEMENT OF A MOBILE HOME IN AN AG, AGRICULTURAL ZONING DISTRICT (GPC CASE #16-02-CU)

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15. Vote.
16. Close the quasi-judicial proceeding.

**CITY OF GAUTIER
STAFF REPORT**

To: Chairman and Members, Planning Commission

From: Chandra Nicholson, Director of Economic Development & Planning

Date: January 29, 2016

Subject: Conditional Use-Major Permit for Placement of a Mobile Home at 5401 Carter Road (GPC Case No. 16-02-CU)

REQUEST:

The Economic Development and Planning Department has received a request from Joshua D. Priddy & Virginia Priddy for a Conditional Use-Major Permit that would allow placement of a mobile home in an AG, Agricultural Zoning District at 5401 Carter Road, PID #85298072.000. The application fee of \$250 was paid on December 17, 2015. All public notice requirements have been met.

BACKGROUND:

The request property is zoned AG, Agricultural.

1. Location: 5401 Carter Road (See Exhibit A)
Principal Arterial: Highway 57
2. General features of the proposed project:
Total Building Area: 1904 square feet
Site Size: 4.77 Acres
3. Potable Water and Wastewater Services: Existing from City
4. The property was previously abated by the City to mitigate Code Enforcement violations. The property is now under new ownership.
5. Current Zoning (See Exhibit B): AG, Agricultural.
6. Current Surrounding Zoning (See Exhibit B): AG, Agricultural (and Sandhill Crane Refuge Area)
7. Current Surrounding Existing Land Use (See Exhibit C): Very Low to Low Density Residential, Mobile Home, and Vacant.

8. Comprehensive Plan Future Land Use Designation (See Exhibit D): Low Density 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?

Applicant: Yes, it is a possible Conditional Use in the particular Zoning district in the city of Gautier.

Staff Finding: Yes, Mobile/Manufactured Home is listed as a Conditional Use-Major in an 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: Home site is in residential area at the end of a dead end road. It has a driveway with water and sewer hookups currently.

Staff Finding: The proposed use is residential which will be compatible with the properties 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, there is currently 5 mobile homes in this neighborhood. I have five acres at the end of Carter Road with no neighbors within 100 yards.

Staff Finding: There is no evidence to indicate the proposed use will negatively affect the property values, or cause a detriment to the surrounding properties. There are currently several mobile homes adjacent/near the proposed location.

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

Applicant Response: No, my property is on a residential road and at the end. This property will be used as our place of residence..

Staff Finding: There is no evidence that the proposed residential use will have any adverse affect on vehicular or pedestrian traffic.

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, There are currently residents other than myself residing on Carter Road and receiving all the services available by Gautier.

Staff Finding: The proposed use can be accommodated by existing public services and facilities.

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

Applicant: No, the surrounding property has existing mobile homes so it will fit the harmony.

Staff Response: No, the Comprehensive plan proposes single-family homes in this area, but the lot size would adequately support a single-family dwelling at a future date.

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, this property will be used as our place of residency.

Staff Finding: There is no evidence that the proposed use poses 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, it does conform with the conditional use, which makes it applicable to have a mobile home in the City of Gautier.

Staff Finding: The proposed use will conform to district regulations.

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.....

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

RECOMMENDATION & CONCLUSION:

Staff finds that the proposed use will be compatible and harmonious with the Agricultural District and recommends approval with no specific proposed conditions.

The Planning Commission may:

1. Recommend that City Council approve the Conditional Use-Major with the Conditions listed;
2. Recommend that City Council approve the Conditional Use-Major with changes; or
3. Recommend that City Council deny the Conditional Use-Major.

ATTACHMENTS:

1. Draft Conditional Use-Major Permit
2. Applicant’s Exhibit 1 – Application
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

**CITY OF GAUTIER
CONDITIONAL USE-MAJOR PERMIT
GPC CASE NO. 16-02-CU**

5401 CARTER ROAD – MOBILE HOME PLACEMENT

REGARDING PARCEL ID NO: 85298072.000

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4. Therefore, the City Council accepts the recommendation of the Planning Commission and approves the application submitted on December 17, 2015 for a Conditional Use-Major Permit.
5. No specific Conditions were required.
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 Permit on February 4, 2016.
8. The City Council adopted this Conditional Use-Major Permit on a recorded vote of _____ ayes to _____ nays to approve the application of Joshua D. Priddy & Virginia Priddy, located at 5401 Carter Road, in Gautier, Mississippi, and identified as Jackson County Parcel No. 85298072.000.

February 17, 2016
Date of Issuance

Attest:

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

Cindy Russell
City Clerk

GPRC

ECONOMIC DEVELOPMENT/PLANNING DEPARTMENT
GAUTIER, MISSISSIPPI

CONDITIONAL USE-MAJOR HEARING APPLICATION

Hearing Number

16-02-CU

TYPE OF REQUEST:	FEE:
Conditional Use -- Major <input checked="" type="checkbox"/>	\$250.00

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: Joshua D. Priddy & Virginia Priddy

Name of Business: _____

Address: 5401 Carter Rd. Ocean Springs, MS 39564 Mailing Address (if different): P.O. Box 66 Ocean Springs, MS 39566

Email Address: priddyjosh4@gmail.com

Phone: 228-382-4272 Cell Phone: *228-382-2761*

Reason for request, location and intended use of Property: To place mobile home on property.

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.
- N/A 4. Copy of protective covenants or deed restrictions, if any.
- N/A 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.
- N/A 6. Any other information requested by the Economic Development/Planning Director and/or members of the Technical Review Committee.
- N/A 7. Owner's Consent form, if anyone other than 100% sole owner makes application (see attached).

Signature of Applicant: Josh Priddy/Virginia Priddy

Date of Application: 12-7-15

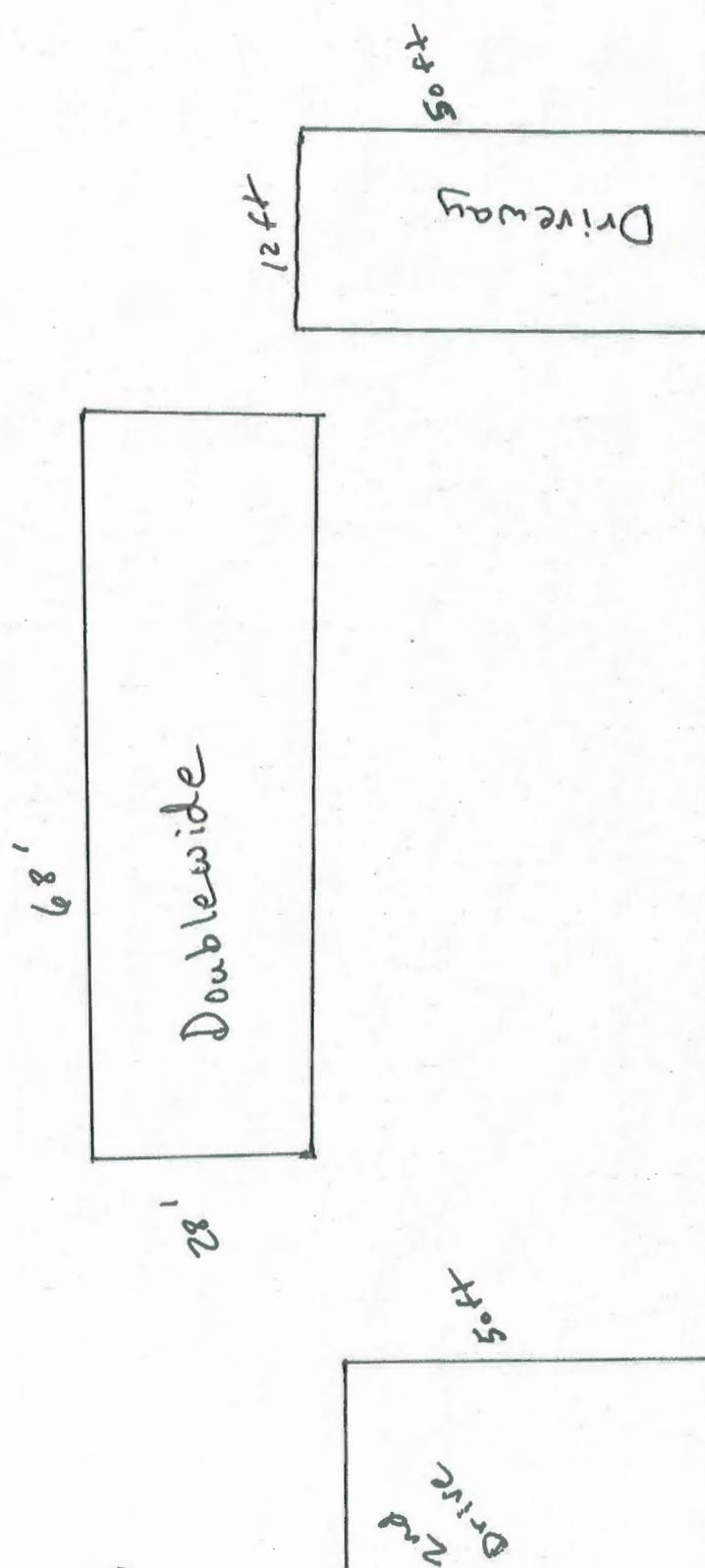
FOR OFFICE USE ONLY

Date Received 12-17-15 Verify as Complete 1/14/16

Fee Amount Received 250.00

Initials of Employee Receiving Application Rm

Plan to clear front 2 acres for yard.
Yard will be fenced in the front by Carter
Road. Remaining 3 acres will remain wooded.



Carter Road

Narrative

(We) Joshua and Virginia Priddy own 5 acres of land on 5401 Carter Road, which is residential/agricultural, in the City of Gautier. Under the Conditional Use, it is possible to put a mobile home in this location. We are planning on putting a double wide with the dimensions of (80' X 29') on the front part of our five acres. The property will have a driveway as seen in the illustration of the property. There are currently five mobile homes that surround the property, which will fit the harmony of this area.

Major Conditional Use Criteria for Approval

1. Yes. it is a possible Conditional Use in the particular Zoning district in the city of Gautier.
2. Home site is in residential area at the end of a dead end road. It has a driveway with water and sewer hookups currently.
3. No, there is currently 5 mobile homes in this neighborhood. I have five acres at the end of Carter Road with no neighbors within 100 yards.
4. No, my property is on a residential road and at the end. This property will be used as our place of residence.
5. Yes, There are currently residents other than myself residing on Carter Road and receiving all the services available by Gautier.
6. No, the surrounding property has existing mobile homes so it will fit the harmony.
7. No, this property will be used as our place of residency.
8. Yes, it does conform with the conditional use, which makes it applicable to have a mobile home in the City of Gautier.

Year: Susp
Card: 1 of 1

Jackson County, Mississippi
** Master Summary Display **

6-JAN-16: 2:12 PM

Reco: 5389 Dist: 5800
Pidn: 85298072.000

* Legal Description *

Town: 7 Rang: 7 Sect: 17 CSec:

1-LOT 55 FOUNTAINBLEAU AC S/D
2-(E1/2 NE1/4 SE1/4 SE1/4)
3-DB 1801-594 (114 MAP774.17)

* Owner/Address *

PRIDY JOSHUA D & VIRGINIA

5400 CAMPBELL RD
OCEAN SPRINGS MS
39564-0000

4-
5-
6-
7-
8-
9-

* Exemptions *

HS Number: HstP: .00%

Xmpt Code: 0

Parcel in Suspended D B

Gisp: 774.17-00-0114.00

Acrt: 5.00 Ascd:

* Prev Values *	* Curr values *	* Undiv Intrst *
PLvl: 10340	Lavl: 0	Undi:
PBvl: 670	Blvl: 0	Undp: .00%
Ptot: 11010	Totv: 0	

Enter Command,Data:

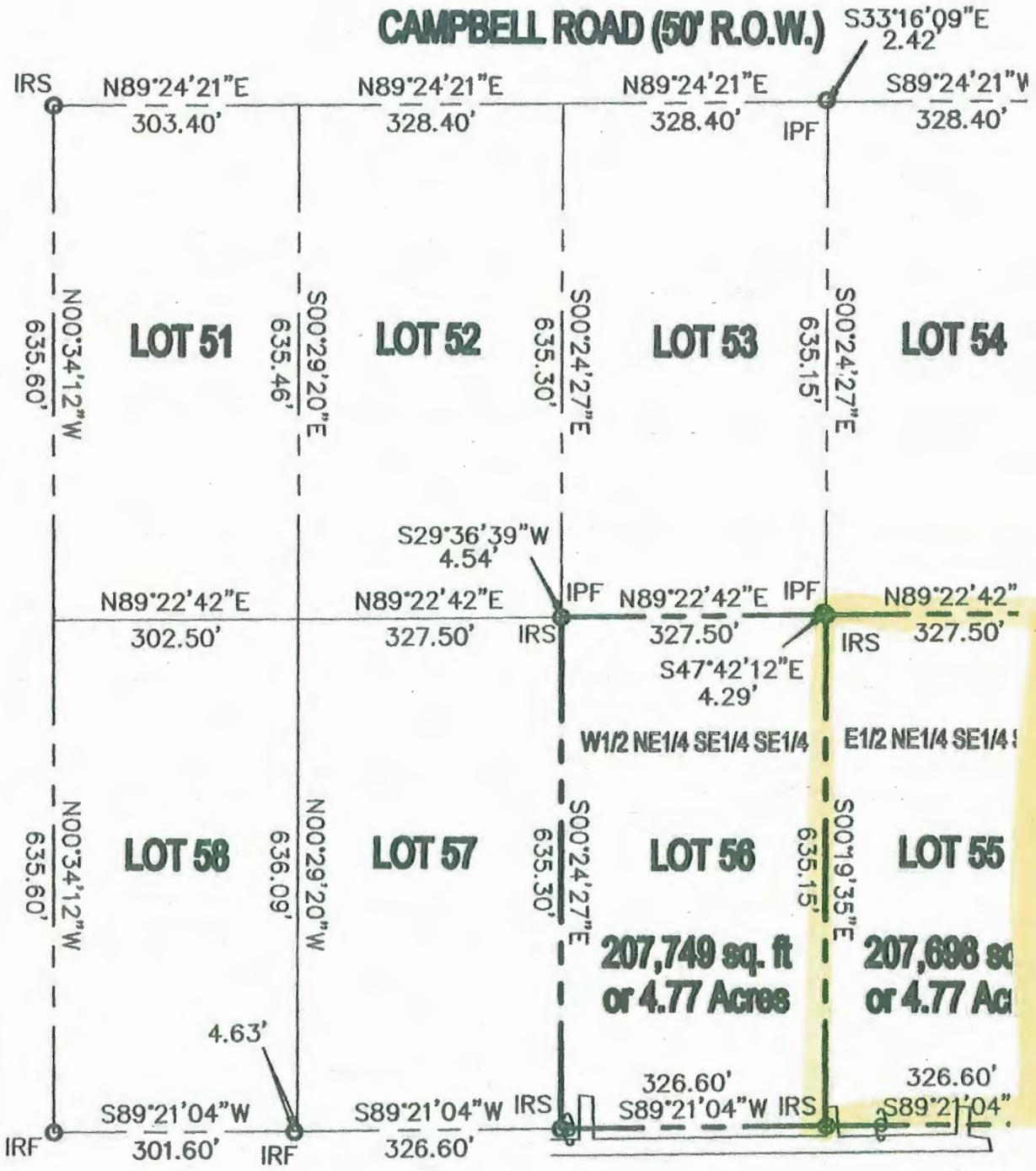


SCALE: 1"=200'

M=MEASURED
D=DEED
P=PLAT

BAKER ROAD (50' R.O.W.)

CAMPBELL ROAD (50' R.O.W.)



CARTER ROAD (50' R.O.W.)

RF 1/2" IRON ROD FOUND
PF 3/4" IRON PIPE FOUND
RS 1/2" IRON ROD SET

2



201518704 2 PGS

OFFICIAL RECORDS JACKSON COUNTY
Terry Miller
CHANCERY CLERK
RECORDING FEE: \$12.00
#201518704 BK:1801 PG:594-595
12/11/2015 09:54:44 AM 2 PGS
DLONNEMAN,DC Rcpt#16139

Prepared by and return to:
E. Foley Ranson, P.A.
P.O. Box 848
Ocean Springs, MS 39566
228-875-8770
File No: 15-R3399

Indexing Instructions: E 1/2 of NE 1/4 of SE 1/4 of SE 1/4 of Section 17-7-7 aka Lot 55,
Fountainebleu Acres Subdivision

Grantor:
Ann Renee & Douglas Allen Priddy
5400 Campbell Road
Ocean Springs, MS 39564
Telephone: 228-365-4216

Grantee:
Joshua D. & Virginia Priddy
5400 Campbell Road
Ocean Springs, MS 39564
Telephone: 228-382-4272

STATE OF MISSISSIPPI

COUNTY OF JACKSON

WARRANTY DEED

For and in consideration of the sum of Ten Dollars, cash in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, We, ANN RENEE PRIDDY and DOUGLAS ALLEN PRIDDY, do hereby sell, convey and warrant unto JOSHUA D. PRIDDY and wife, VIRGINIA PRIDDY, as joint tenants with right of survivorship and not as tenants in common, the following described property, situated in the County of Jackson, State of Mississippi, as follows, to-wit:

The East 1/2 of the Northeast 1/4 of the Southeast 1/4 of the Southeast 1/4 of Section 17, Township 7 South, Range 7 West, Jackson County, Mississippi and same parcel is sometimes referred to Lot 55, Fountainebleu Acres Subdivision, according to an unrecorded plat.

Page Two

The Grantees assume responsibility for all ad valorem taxes.

This conveyance is subject to any and all recorded restrictive covenants, rights-of-way, easements and reservations of any oil, gas minerals and other rights.

WITNESS THE SIGNATURE of the undersigned on this the 10th day of December, 2015.


ANN RENEE PRIDDY


DOUGLAS ALLEN PRIDDY

STATE OF MISSISSIPPI

COUNTY OF JACKSON

PERSONALLY appeared before me, the undersigned authority in and for the aforesaid jurisdiction, the within named ANN RENEE PRIDDY and DOUGLAS ALLEN PRIDDY who acknowledged that they executed the above and foregoing instrument.

GIVEN UNDER MY HAND AND OFFICIAL SEAL OF OFFICE, this the 10th day of December, 2015.

My Commission Expires:
1-22-2019




NOTARY PUBLIC

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

