
**April 4, 2019
Gautier, Mississippi**

BE IT REMEMBERED that a meeting of the Gautier Planning Commission of The City of Gautier, Mississippi, was held on April 4, 2019 at 5:00 PM in the Council Chambers of the Gautier Municipal Building at 3330 Highway 90, Gautier, Mississippi.

Commission Members present were: Chairman David Wooten, Commissioners Jimmy Green, Paul Gainer, Josh Ward, James Lee, Kay C Jamison, and William Davis. Also present were Scott Ankerson, Planning Director, Ramona Morgan, Planning Technician, and Josh Danos, City Attorney.

**AGENDA
GAUTIER PLANNING
COMMISSION April 4, 2019
5:00 PM**

I. CALL TO ORDER

II. PLEDGE OF ALLEGIANCE (Jimmy Green)

III. APPROVAL OF AGENDA

IV. APPROVAL OF MINUTES

**V. PUBLIC COMMENTS
(MATTERS OF THE PLANNING COMMISSION NOT LISTED ON THE**

AGENDA) VI. OLD BUSINESS

VII. NEW BUSINESS

1. Consideration of a rezoning of two parcels comprising approximately 89 acres from R-1 Low Density Single-Family Residential District to a Planned Unit Development (PUD).
2. 1812 Seacliffe – Request for Home Occupation for a private professional home office for Consultant Engineering. (GPC Case 19-06-HO)

VIII. GENERAL DISCUSSION

A. PREVIOUS CASE UPDATES

B. PERMIT & TRC REPORTS

IX. ADJOURN

Commissioner Wooten called the meeting to order.

Commissioner Wooten made the motion to change the agenda order and hear the home occupation case first.

Commissioner Jamison seconded the motion and the following vote was recorded:

AYES: **Jimmy Green**
 Paul Gainer
 Josh Ward
 David Wooten
 Kay C Jamison
 James Lee
 William Davis

Motion Passed

PUBLIC COMMENTS (MATTERS OF THE PLANNING COMMISSION NOT LISTED ON THE AGENDA) - None

OLD BUSINESS – None

NEW BUSINESS

1. Consideration of a rezoning of two parcels comprising approximately 89 acres from R-1 Low Density Single-Family Residential District to a Planned Unit Development (PUD). GPC 19-09-RZ
2. 1812 Seacliffe – Request for Home Occupation for a private professional home office for Consultant Engineering. (GPC Case 19-06-HO)

Scott Ankerson, Planning Director, gave a brief overview of GPC case 19-06-HO.

REQUEST:

The Planning Department has received a request from John B. Strayham, to allow a home occupation for a private professional home office for Consultant Engineering at 1812 Seacliffe Drive PID# 87110204.000. The application fee of \$125 was paid on March 8, 2019. All public notice requirements have been met.

BACKGROUND:

The application/request for a Home Occupation was made by John B. Strayham to operate a private professional home office at 1812 Seacliffe Drive. The application includes a narrative written by the applicant stating that no increased traffic due to the home office will be incurred. The narrative also states that the home office will not affect neighboring properties in any way. Public notice requirements in the form of notification letters to adjoining property owners were mailed on March, 11 2019. The notification letter states; written objections must be received by 5:00 P.M. on Thursday, March 21, 2019. Written objections must reference the above GPC Public Notice Number, and e-mailed to rmorgan@gautier-ms.gov, or be mailed to the Planning Department, P. O. Box 670, Gautier, Mississippi 39553-0670. Objectors will be notified of the results of this review. The Planning Department can be reached at 228-497-1878 should you have any questions.

DETERMINATION OF APPLICABLE LAW:

The Unified Development Ordinance (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

UDO SECTION 6.7: Home Occupation

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 (1) sign in accordance with regulations of Article XII not exceeding one (1) 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 Planning Director 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 Planning Director 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 (1) pupil per teacher at any given time
- H. Private Professional Office
- I. Telephone answering service
- J. Any other similar use which the Planning Director determines is compatible. The Planning 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

RECOMMENDATION & CONCLUSION:

Staff recommends that the request for a home occupation be approved based on section **6.7.2 F** of the UDO stating that a private professional home office is an allowable home occupation.

The Planning Commission may:

1. Recommend that City Council approve the request as presented;
2. Recommend that City Council approve the home occupation with changes; or
3. Recommend that City Council deny home occupation request.

Chairman Wooten asked if applicant was present and wished to speak.

John B Strayham 1812 Seacliffe Drive spoke as to why he needed a professional home office. He stated that his commute is very long and this would be a satellite work office. No traffic and no customers would be coming to the home.

Commissioner Green made the motion to recommend approval of the Home Occupation.

Commissioner Jamison seconded the motion, and the following vote was recorded:

AYES:
Jimmy Green
Paul Gainer
Josh Ward
David Wooten
Kay C Jamison
James Lee
William Davis

Motion Passed

Scott Ankerson presented GPC 19-09-RZ.

REQUEST:

The Planning Department has received a request from Prescott Bailey representative for Southern Lifestyle Development for a Rezoning of two parcels PID #82438100.000 and PID #82438100.125 comprising 89 acres on Old Spanish Trail from R-1 Low Density Single-Family Residential District to a Planned Unit Development (PUD) District. The application fee of \$300 was paid on March 15, 2019. All public notice requirements have been met.

BACKGROUND:

Section 4.15 of the City's Unified Development Ordinance (UDO) establishes the procedure to amend the City's Official Zoning Map. The Gautier Planning Commission (GPC) shall review a proposal for a rezoning and shall make an advisory recommendation to the City Council as to the need and justification for the change when the public welfare justifies such action. The GPC shall include in its recommendation to the City Council findings that the required rezoning criteria have been met.

DISCUSSION:

The existing land use designation for the subject property is Low Density Residential. The Comprehensive

Plan's Future Land Use Element (FLUE) establishes the general land use designation for Very Low Density Residential thus:

Very Low Density Residential—Areas with one acre or larger lots and which contain single family residential uses. Very low-density residential neighborhoods should ideally be located adjacent to low density residential areas. The overall gross density is one (1) dwelling unit per acre.

The PUD district is described in the UDO thus:

5.3.17 PUD, Planned Unit Development

Purpose and intent. The PUD zoning district is applied to specific areas to encourage flexibility in the development of land, in order to promote its most appropriate use; to improve the design, character and quality of new developments; to encourage a harmonious and appropriate mixture of uses; to facilitate the adequate and economic provision of streets, utilities, and city services; to preserve the natural, environmental and scenic features of the site; to encourage and provide a mechanism for arranging improvements on sites so as to preserve desirable features; to mitigate the problems which may be presented by specific site conditions; and to encourage subdivisions which address the affordable housing goals, objectives and policies of the city's comprehensive plan. Uses permitted "by right" are established by the intent of the underlying Comprehensive Plan Future Land Use Map. It is anticipated that PUDs will offer one or more of the following advantages:

- A. Provide substantial buffers and transitions between areas of different land use and development densities;*
- B. Enhance the appearance of neighborhoods by conserving areas of natural beauty, and natural green spaces;*
- C. Counteract urban monotony and congestion on streets;*
- D. Promote architecture that is compatible with the surroundings;*
- E. Buffer differing types of land use and intensities of development from each other so as to minimize any adverse impact which new development may have on existing or zoned development; and*
- F. Promote and protect the environmental integrity of the site and its surroundings and provide suitable design responses to the specific environmental constraints of the site and surrounding area.*

DATA AND ANALYSIS:

Property to be rezoned: PID #82438100.000 and PID #82438100.125

Location: Ward 1

Current Zoning of the Request Property: R-1 Low Density Residential

Current surrounding existing land use and zoning:

	Current Land Use	Zoning District
North	Low Density Residential	R-1
South	Low Density Residential	R-1
East	Low Density Residential, Planned Unit Development	R-1, PUD
West	Low Density Residential	R-1

Comprehensive Plan Land Use Designation: The subject property is designated Low Density Residential.

Surrounding Future Land Use Map (FLUM) designations:

	FLUM Designation
North	Very Low Density Residential, Community Commercial
South	Low Density Residential, Very Low Density Residential
East	Low Density Residential, Recreational
West	Very Low Density Residential

REVIEW CRITERIA:

The Planning Commission, in its report and recommendation to the City Council on the appropriateness of the request, shall study and consider the following criteria and recommend Findings of Facts, if applicable.

- A. There was a mistake in the original zoning; **or**
- B. The character of the surrounding area has changed to such an extent as to justify rezoning **AND** there is a public need for additional property to be zoned in accordance with the request.

The Planning Commission shall not recommend approval of a rezoning unless the applicant has proven by clear and convincing evidence that either of the required criteria items above have been met.

CONCLUSION:

Based on the required Review Criteria established by Section 4.15 of the Unified Development Ordinance and the appropriateness of the request relevant to the criteria, the Commission may:

4. Find that the character of the surrounding area has changed to such an extent as to justify rezoning **AND** there is a public need for additional property to be zoned in accordance with the request **AND THEREFORE** recommend that City Council approve the Ordinance to Rezone the subject area to PUD Planned Unit Development District; or
5. Recommend that City Council deny the Rezoning.

Paul Marcinko Civil Engineer for Jade Consulting on behalf of Southern Lifestyle Development (SLD)

Paul Marcinko stated that SLD does not meet the criteria for a PUD based on a mistake in the original zoning.

Paul Marcinko stated that the character of the surrounding area has changed and includes other PUD's and subdivisions and there is a public need for this PUD based on growth in Gautier.

Speaking in opposition to the rezoning were the following:

Dale Boudreaux 3525 Old Shell Landing

Randy Williams 3522 Old Shell Landing

Tommy Krumland 5821 Perdido Key Lane

William Kerner 5713 Old Spanish Trail

Yvonne Rummery 5709 Old Spanish Trail

Norman Allen 5500 Old Spanish Trail

Kimberly Greenway 5801 Perdido Key Lane

Rhonda Walters 5709 Old Spanish Trail

Chairman Wooten made the motion to recommend that City Council deny the rezoning based on the fact that there was no evidence presented that there was a mistake in the original zoning, and no evidence that the character of the surrounding area has changed to justify rezoning.

Commissioner Davis seconded the motion and the following vote was recorded:

AYES:
Jimmy Green
Paul Gainer
Josh Ward
David Wooten
Kay C Jamison
James Lee
William Davis

Motion Passed

VIII. GENERAL DISCUSSION

- A. PREVIOUS CASE UPDATES
- B. PERMIT & TRC REPORTS

Commissioner Wooten made a motion to move Gautier Planning Commission meetings to 5:30

Commissioner Gainer Seconded the motion

AYES:
Jimmy Green
Paul Gainer
Josh Ward
David Wooten
Kay C Jamison
James Lee
William Davis

Motion Passed

Commissioner Wooten made a motion to appoint Jimmy Green as Vice Chairman
Commissioner Jamison seconded the motion.

AYES:
Jimmy Green
Paul Gainer
Josh Ward
David Wooten
Kay C Jamison
James Lee
William Davis

Motion Passed

IX. ADJOURN

Commissioner Jamison made the motion to adjourn the meeting.

Commissioner Green seconded the motion and the following vote was recorded:

AYES:

- Jimmy Green**
- Paul Gainer**
- Josh Ward**
- David Wooten**
- Kay C Jamison**
- James Lee**
- William Davis**

Motion passed.

APPROVED BY:

Scott Ankerson,
Planning Director/Building Official

DATE: _____

David Wooten, Chairman
Gautier Planning Commission

DATE: _____

BACKUP DOCUMENTATION

**CITY OF GAUTIER
STAFF REPORT**

To: Gautier Planning Commission Chairperson and Members

From: Scott Ankerson, Planning Director/Building Official

Date: March 18, 2019

Subject: Consideration of a rezoning of two (2) parcels comprising approximately 89 acres from R-1 Low Density Single-Family Residential District to a Planned Unit Development (PUD).

REQUEST:

The Planning Department has received a request from Prescott Bailey representative for Southern Lifestyle Development for a Rezoning of two parcels PID #82438100.000 and PID #82438100.125 comprising 89 acres on Old Spanish Trail from R-1 Low Density Single-Family Residential District to a Planned Unit Development (PUD) District. The application fee of \$300 was paid on March 15, 2019. All public notice requirements have been met.

BACKGROUND:

Section 4.15 of the City's Unified Development Ordinance (UDO) establishes the procedure to amend the City's Official Zoning Map. The Gautier Planning Commission (GPC) shall review a proposal for a rezoning and shall make an advisory recommendation to the City Council as to the need and justification for the change when the public welfare justifies such action. The GPC shall include in its recommendation to the City Council findings that the required rezoning criteria have been met.

DISCUSSION:

The existing land use designation for the subject property is Low Density Residential. The Comprehensive Plan's Future Land Use Element (FLUE) establishes the general land use designation for Very Low Density Residential thus:

Very Low Density Residential—Areas with one acre or larger lots and which contain single family residential uses. Very low-density residential neighborhoods should ideally be located adjacent to low density residential areas. The overall gross density is one (1) dwelling unit per acre.

The PUD district is described in the UDO thus:

5.3.17 PUD, Planned Unit Development

Purpose and intent. The PUD zoning district is applied to specific areas to encourage flexibility in the development of land, in order to promote its most appropriate use; to improve the design, character and quality of new developments; to encourage a harmonious and appropriate mixture of uses; to facilitate the adequate and economic provision of streets, utilities, and city services; to preserve the natural, environmental and scenic features of the site; to encourage and provide a mechanism for arranging improvements on sites so as to preserve desirable features; to mitigate the problems which may be presented by specific site conditions; and to encourage subdivisions which address the affordable housing goals, objectives and policies of the city's comprehensive plan. Uses permitted "by right" are established by the intent of the underlying

Comprehensive Plan Future Land Use Map. It is anticipated that PUDs will offer one or more of the following advantages:

- G. Provide substantial buffers and transitions between areas of different land use and development densities;
- H. Enhance the appearance of neighborhoods by conserving areas of natural beauty, and natural green spaces;
- I. Counteract urban monotony and congestion on streets;

Zoning District	Min. Lot Area (sq. ft.)	Min. Lot Width	Maximum Building Height			Setbacks			Maximum Density (units per acre)			Maximum Floor Area Ratio			Max % of area covered on lot		
			Tier 1	Tier 2	Tier 3	Front	Side	Rear	Tier 1	Tier 2	Tier 3	Tier 1	Tier 2	Tier 3	Tier 1	Tier 2	Tier 3
R-1	9,600	80	35	---	---	25/35	10 / 25 / 35	25	---	---	---	---	---	---	25	---	---
PUD	<u>2 acres total</u>	<u>No one</u>	<u>TBD</u>	<u>TBD</u>	<u>TBD</u>	<u>TBD</u>	<u>TBD</u>	<u>TBD</u>	<u>TBD</u>	<u>TBD</u>	<u>TBD</u>	<u>TBD</u>	<u>TBD</u>	<u>TBD</u>	<u>75%</u>	<u>TBD</u>	<u>TBD</u>

- J. Promote architecture that is compatible with the surroundings;
- K. Buffer differing types of land use and intensities of development from each other so as to minimize any adverse impact which new development may have on existing or zoned development; and
- L. Promote and protect the environmental integrity of the site and its surroundings and provide suitable design responses to the specific environmental constraints of the site and surrounding area.

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Unified Development Ordinance Table 7 Intensity and Dimensional Standards (excerpt)

DATA AND ANALYSIS:

Property to be rezoned: PID #82438100.000 and PID #82438100.125

Location: Ward 1

Current Zoning of the Request Property: R-1 Low Density Residential

Current surrounding existing land use and zoning:

	Current Land Use	Zoning District
North	Low Density Residential	R-1
South	Low Density Residential	R-1
East	Low Density Residential, Planned Unit Development	R-1, PUD
West	Low Density Residential	R-1

Comprehensive Plan Land Use Designation: The subject property is designated Low Density Residential.

Surrounding Future Land Use Map (FLUM) designations:

	FLUM Designation
North	Very Low Density Residential, Community Commercial
South	Low Density Residential, Very Low Density Residential
East	Low Density Residential, Recreational
West	Very Low Density Residential

Proposed Zoning: PUD, Planned Unit Development District

REVIEW CRITERIA:

The Planning Commission, in its report and recommendation to the City Council on the appropriateness of the request, shall study and consider the following criteria and recommend Findings of Facts, if applicable.

- C. There was a mistake in the original zoning; **or**
- D. The character of the surrounding area has changed to such an extent as to justify rezoning **AND** there is a public need for additional property to be zoned in accordance with the request.

The Planning Commission shall not recommend approval of a rezoning unless the applicant has proven by clear and convincing evidence that either of the required criteria items above have been met.

CONCLUSION:

Based on the required Review Criteria established by Section 4.15 of the Unified Development Ordinance and the appropriateness of the request relevant to the criteria, the Commission may:

- 6. Find that the character of the surrounding area has changed to such an extent as to justify rezoning **AND** there is a public need for additional property to be zoned in accordance with the request **AND THEREFORE** recommend that City Council approve the Ordinance to Rezone the subject area to PUD Planned Unit Development District; or
- 7. Recommend that City Council deny the Rezoning.

ATTACHMENTS:

- Exhibit 1 – Applicant’s Application
- Exhibit A – Location Map
- Exhibit B – Existing Zoning
- Exhibit C – Existing Land Use
- Exhibit D – Future Land Use

**Exhibit A
Location Map**

City Of Gautier
Planning Department



Prepared by the
City of Gautier
Planning Department

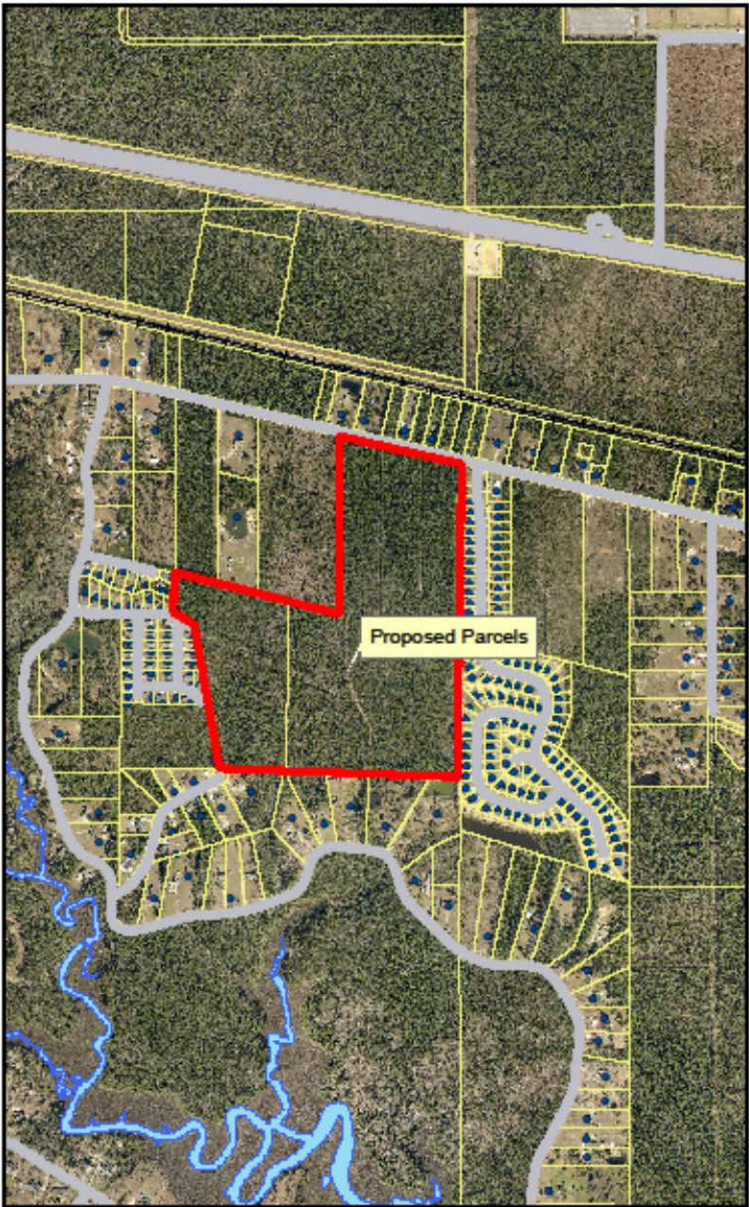


Exhibit B
Existing Zoning Map

City Of Gautier
Planning Department



Prepared by the
City of Gautier
Planning Department

Legend

	<all other values>
ZONECODE	
	AG
	C-1
	C-2
	C-3
	I-2
	MURC-1
	MURC-2
	MURC-MW
	PL
	PUD
	R-1
	R-2
	R-3
	RE
	TC

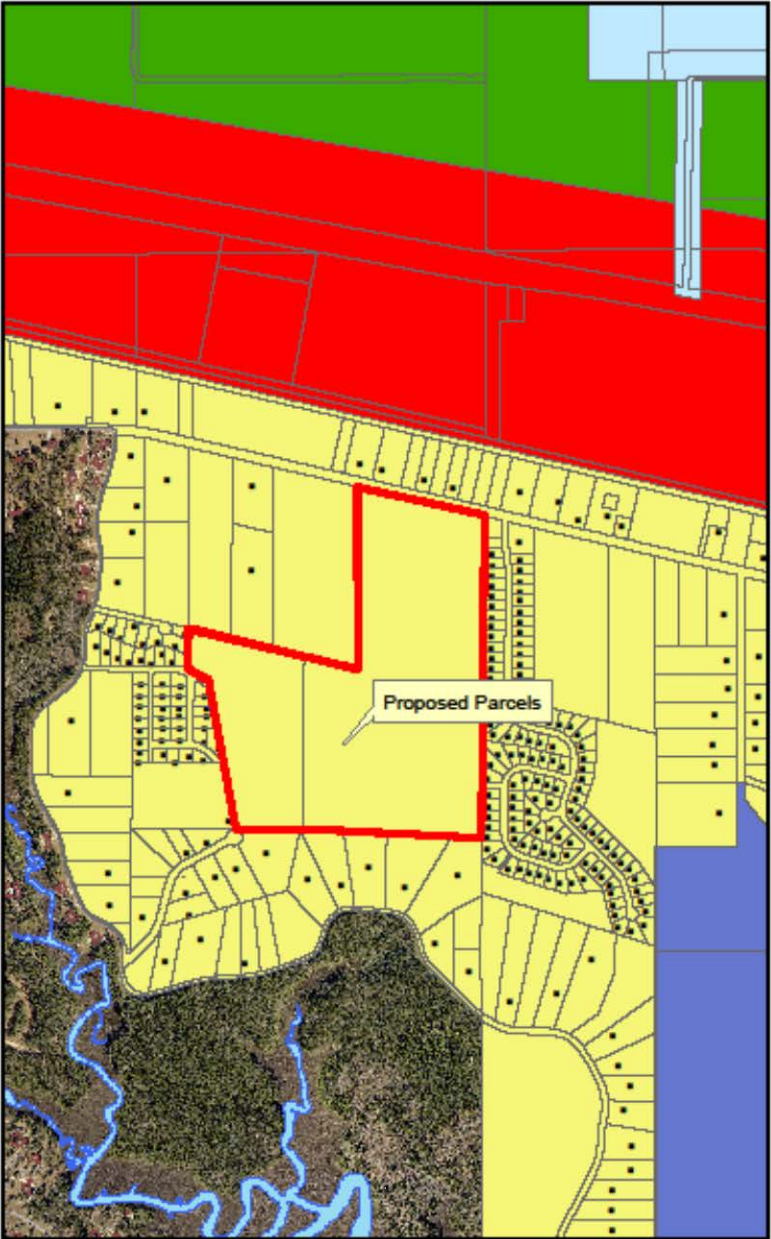


Exhibit C Existing Land Use Map

City Of Gautier
Planning Department



Prepared by the
City of Gautier
Planning Department

Legend

Gautier_Parcel Trmmed_0617

City Limits

CorOverlay

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

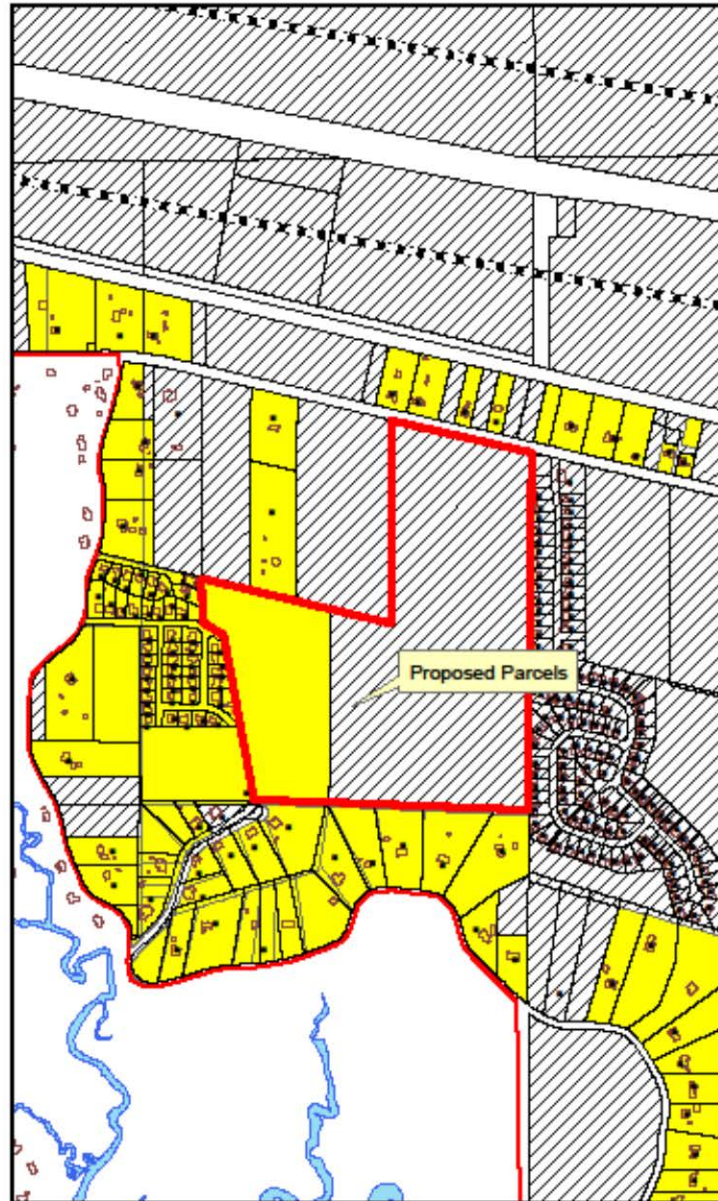


Exhibit D
Future Land Use Map

City Of Gautier
Planning Department



0 400 800
Feet

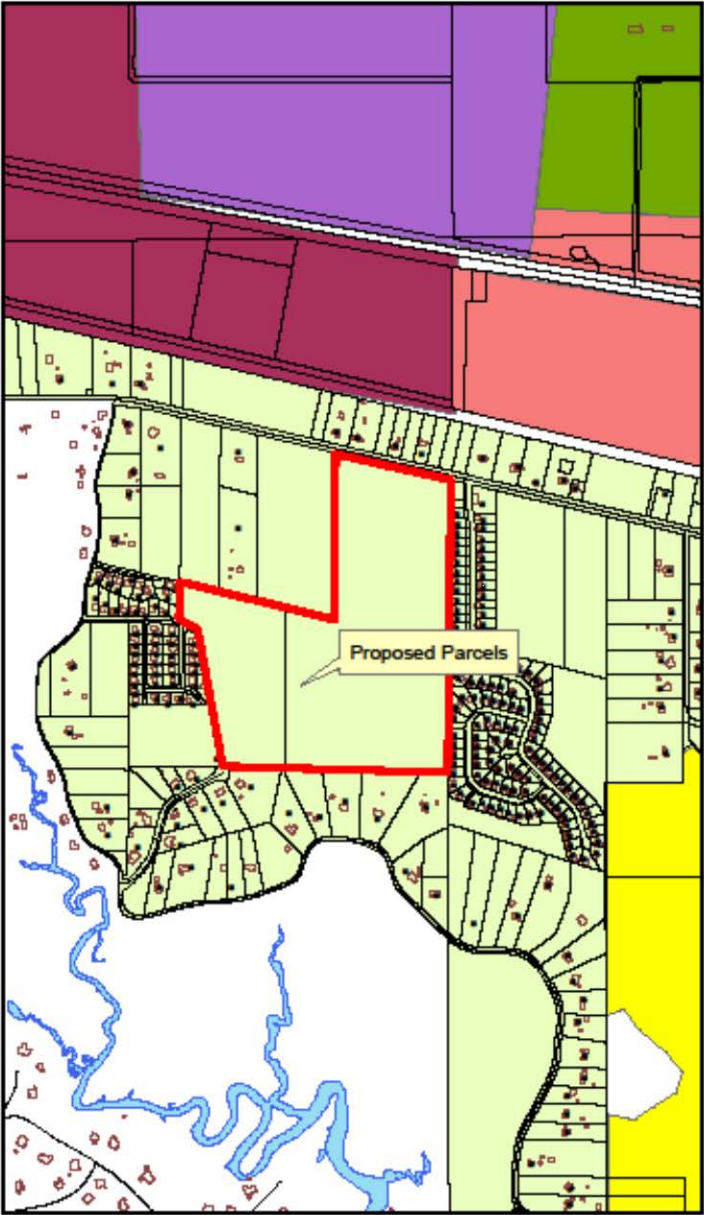
Prepared by the
City of Gautier
Planning Department

Legend

FUTURE LAND USE

FLU_Class

- 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



AFFIDAVIT OF RAMONA MORGAN

STATE OF MISSISSIPPI

COUNTY OF JACKSON

I, **Ramona Morgan**, do hereby certify, swear or affirm, and declare that I am competent to give the following declaration based on my personal knowledge, unless otherwise stated, and that the following facts and things are true and correct to the best of my knowledge:

1. I am a Planning Technician in the Planning Department of the City of Gautier, Mississippi.
2. My responsibilities in that position include mailing and publishing any notice required for public hearings on a variety of matters considered by the Gautier Planning Commission.
3. Our office received an application for REZONING/ SUBDIVISION from Precept Bailey on 2-14-19.
4. Applications of this nature require a public hearing to be conducted by the Planning Commission.
5. The City of Gautier's Unified Development Ordinance requires notice of the public hearing to be provided to properties WINSOFT by MAIL.
6. On or about 3/19/19, I provided notice to such individuals at the addresses attached hereto as "Exhibit A".
7. The notice provided to such individuals is attached as "Exhibit B" to this affidavit.
8. I also provided notice by publication in the MS PRESS on 3/20/19.
9. Proof of publication is attached hereto as "Exhibit C".
10. Such notice was provided in accordance with the provisions of Gautier's Unified Development Ordinance, and satisfies all such requirements.

Page 1 of 2

**CITY OF GAUTIER
STAFF REPORT**

To: Chairman and Members, Planning Commission

From: Ramona Morgan, Planning Technician

Date: April 4, 2019

Subject: 1812 Seacliffe – Request for Home Occupation for a private professional home office for Consultant Engineering. (GPC Case 19-06-HO)

REQUEST:

The Planning Department has received a request from John B. Strayham, to allow a home occupation for a private professional home office for Consultant Engineering at 1812 Seacliffe Drive PID# 87110204.000. The application fee of \$125 was paid on March 8, 2019. All public notice requirements have been met.

BACKGROUND:

The application/request for a Home Occupation was made by John B. Strayham to operate a private professional home office at 1812 Seacliffe Drive. The application includes a narrative written by the applicant stating that no increased traffic due to the home office will be incurred. The narrative also states that the home office will not affect neighboring properties in any way. Public notice requirements in the form of notification letters to adjoining property owners were mailed on March, 11 2019. The notification letter states; written objections must be received by 5:00 P.M. on Thursday, March 21, 2019. Written objections must reference the above GPC Public Notice Number, and e-mailed to rmorgan@gautier-ms.gov, or be mailed to the Planning Department, P. O. Box 670, Gautier, Mississippi 39553-0670. Objectors will be notified of the results of this review. The Planning Department can be reached at 228-497-1878 should you have any questions.

DISCUSSION:

On March 18, 2019 the Planning Department received a written objection from Mrs. Sylvia Hesse of 1808 Seacliffe Drive. Mrs. Hesse’s objection to the home occupation is that the neighborhood is zoned residential R-1. She states in her objection that there are more and more home businesses popping up in residential areas. She is concerned that the private professional home office at 1812 Seacliffe Drive will start small and grow into something much larger.

DETERMINATION OF APPLICABLE LAW:

The Unified Development Ordinance (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

UDO SECTION 6.7: Home Occupation

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:

- I. No stock in trade or commodity shall be sold on the premises.
- J. There shall be no employment of help other than members of the resident family.
- K. 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.
- L. 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 (1) sign in accordance with regulations of Article XII not exceeding one (1) non-illuminated sign no larger than one (1) square foot, mounted flush against the principal building.
- M. No Home Occupation shall be conducted in any accessory building.
- N. 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.
- O. No equipment or process shall be used in such Home Occupation which increases noise, vibration, glare, fumes, odors, or electrical interference to adjoining properties.
- P. The Planning Director 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 Planning Director 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:

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- L. Catering Service when they are a part of operator’s residence
- M. Computer programming and word processing
- N. Cooking and preserving
- O. Dressmaker, seamstress, tailor, interior decorator

- P. Home office
- Q. Instructional Studio, Private. Teaching, including tutoring, musical instruction or dancing, but limited to one (1) pupil per teacher at any given time
- R. Private Professional Office
- S. Telephone answering service
- T. Any other similar use which the Planning Director determines is compatible. The Planning 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:

- G. Animal hospitals or animal rescue operations
- H. Child Care Facilities including kindergartens
- I. Convalescent homes
- J. Repair Shops requiring outside or major repair to equipment and/or vehicles
- K. Coffee Shops, restaurants or any facility serving beverages or food to the public.
- L. Boarding House

RECOMMENDATION & CONCLUSION:

Staff recommends that the request for a home occupation be approved based on section **6.7.2 F** of the UDO stating that a private professional home office is an allowable home occupation.

The Planning Commission may:

- 8. Recommend that City Council approve the request as presented;
- 9. Recommend that City Council approve the home occupation with changes; or
- 10. Recommend that City Council deny home occupation request.

ATTACHMENTS:

- 1. Applicant's Exhibit 1 – Application
- 2. City's Exhibit A – Location Map
- 3. City's Exhibit B – Objection Letter

ECONOMIC DEVELOPMENT/PLANNING DEPARTMENT
GAUTIER, MISSISSIPPI

HOME OCCUPATION APPLICATION

Hearing Number

19-06-H0

TYPE OF REQUEST:

Home Occupation

FEE:

\$100.00

125-

Name of Applicant:

John B. Strayham, JR.

Name of Business:

Consultant Engineering

Address:

1612 Seacrest Dr.

Mailing Address (if different):

PO Box

Email Address:

strayham.j@7ahen.com

Phone:

228-492-6280

Cell Phone:

713-828-3844

Reason for request, location and intended use of Property:

private professional
office / home office.

ATTACHMENTS REQUIRED AS APPLICABLE:

- ☒ 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.
- ☐ 4. Copy of restrictive covenants or deed restrictions, if any.
- ☐ 5. Any other information requested by the Economic Development/Planning Director.
- ☐ 6. Owner's Consent form, if anyone other than 100% sole owner makes application (see attached).

Signature of Applicant:

J. B. Strayham, Jr.

Date of Application:

3/8/19

FOR OFFICE USE ONLY

Date Received: 3/8/19

Verify as Complete:

Fee Amount Received:

125.00 CH 5864

Initials of Employee Receiving Application:

Strayham Bay

**Exhibit A
Location Map**

City Of Gautier
Planning Department



Prepared by the
City of Gautier
Planning Department



