

Gautier Planning Commission

Regular Meeting Agenda

June 6, 2019

GPC #19-12-CU

Lee Family Limited Partnership/ Isle of Pines Mobile Home Village

1417 Highway 90 Conditional Use Major

VII. NEW BUSINESS

1. Lee Family Limited Partnership DBA Isle of Pines Mobile Home Village- Request a CONDITIONAL USE – MAJOR that would allow Recreational Vehicles in the camping area of the Isle of Pines Mobile Home Village that is zoned R-3 Mobile Home Residential District.

GAUTIER PUBLIC HEARING PROCESS (PLANNING COMMISSION)

Planning Commission Chairman to follow procedure below. All questions/comments to be directed to the Council and not to applicant, staff, or other attendees of the meeting.

1. Chairman announces the case.
2. Chairman makes statement, "This is a Public Hearing and all statements to be made need to be true and accurate for the record."
3. Staff gives brief overview of case.
4. Applicant presents their case.
5. Anyone to speak in support of the Request? Please state your name and address for the record.
6. Anyone to speak in opposition of the Request? Please state your name and address for the record.
7. Any final comments from the applicant?
8. Questions from Commission?
9. Chairman closes public hearing – "This closes the Public Hearing portion of this case" bang of gavel
10. Motion/Deliberation/Vote

**CITY OF GAUTIER
STAFF REPORT**

To: Chairman and Members, Planning Commission

From: Ramona Morgan, Planning Technician

Date: June 6, 2019

Subject: Conditional Use-Major Permit to allow recreational vehicle sites in an R-3 Mobile Home Residential District.

REQUEST:

Planning Department has received a request from Lee Family Limited Partnership for a Conditional Use-Major Permit that would allow recreational vehicle sites in an R-3, Mobile Home Residential District at 1417 Highway 90, PID #82436560.100. The application fee of \$250 was paid on April 15, 2019. All public notice requirements have been met.

BACKGROUND:

The request property is zoned R-3, Mobile Home Residential District.

1. Location: 1417 Highway 90 (See Exhibit A)
2. General features of the proposed project:

Total Area: App. 1.34 Acres of Isle of Pines Mobile Home Village
Proposed 34 Recreational Vehicle Lots
3. Existing Zoning – R-3, Mobile Home Residential (See Exhibit B)
4. Existing Land Use – Mobile Home Park (See Exhibit C)
5. Comprehensive Plan Future Land Use Designation – Mobile Home Residential.
(See Exhibit D)

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 this district.

Staff Finding: Yes, Recreational Vehicle Placement is listed as a Conditional Use-Major in a Mobile Home Residential District R-3 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: Yes, because the mobile home park is existing and in full operation.

Staff Finding: The proposed use is allowed in a mobile home park with a Major Conditional Use. The mobile home park is existing and operating in an R-3 zoning district. The proposed RV sites are in an area of the mobile home park that previously housed recreational vehicles.

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

Applicant Response: No, because the addition of the proposed sites is an upgrade to the mobile home park.

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. The surrounding parcels are zoned R-3, MURC-2 and R-1.

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

Applicant Response: No.

Staff Finding: There is no evidence that the proposed RV Sites will have any adverse effect 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

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: Yes.

Staff Response: Yes, the Comprehensive plan proposes Mobile Home Residential in this area.

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

Applicant Response: No.

Staff Finding: 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.

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 Planning Director agreeing to the current terms and condition.

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 Mobile Home Residential Zoning District and recommends approval with no specific proposed conditions.

The Planning Commission may:

1. Recommend that City Council approve the Conditional Use-Major
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. Applicant's Exhibit 1 – Application
2. City's Exhibit A – Location Map
3. City's Exhibit B – Existing Zoning Map
4. City's Exhibit C – Existing Land Use Map
5. City's Exhibit D – Future Land Use Map

GAUTIER, MISSISSIPPI
ECONOMIC DEVELOPMENT/PLANNING DEPARTMENT
CONDITIONAL USE APPLICATION

Public Hearing Number

19-12-CU

<u>TO BE HEARD BY GAUTIER PLANNING COMMISSION:</u>	<u>FEE:</u>
Conditional Use - Major _____	\$250.00
<u>TO BE HEARD BY ECONOMIC DEVELOPMENT/PLANNING DIRECTOR:</u>	<u>FEE:</u>
Conditional Use - Minor _____	\$250.00

Name of Applicant: Lee Family Limited Partnership

Name of Business: Isle of Pines Mobile Home Village Phone: (228) 497-4186

Property Address: 1417 Hwy 90 Gautier MS 39553 Mailing Address (if Different): _____

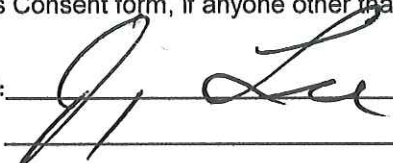
E-Mail Address: jlaccounting@Cableone.net

Proposed Use Requiring Conditional Use: Reopen Camping Area (Refer to Article V, UDO)

Proposed Location is: ☐ New Build ☐ Existing (with no modifications) ☒ Existing (with proposed modifications)

ATTACHMENTS REQUIRED AS APPLICABLE:

- _____ 1. Answers to the Criteria for Approval (see attached).
- _____ 2. Project Narrative (see attached).
- _____ 4. Diagram of intended use (see attached).
- _____ 4. Copy of protective covenants or deed restrictions, if any.
- _____ 5. Copies of approvals, or requests for approval, from other agencies, such as, but not limited to, the Mississippi State Department of Health, U.S. Army Corp of Engineers, Mississippi Department of Environmental Quality and Department of Marine Resources.
- _____ 6. Any other information requested by the Economic Development/Planning Director and/or members of the Technical Review Committee.
- _____ 7. Owner's Consent form, if anyone other than 100% sole owner makes application (see attached).

Signature of Applicant(s):  Date of Application: 4/15/19

FOR OFFICE USE ONLY	
Date Received <u>4/15/19</u>	Verify as Complete <u>RM</u>
Fee Amount Received <u>250-</u>	Initials of Employee Receiving Application <u>SBay</u> <u>CH 5525</u>

I, Jerry Lee, the fee simple owner(s) of the following described property:

Address:	<u>1417 Highway 90, Gautier MS 39553</u>
Parcel ID No.:	

hereby petition to the City of Gautier to *Grant a Conditional Use Major or Minor of*
Reopen Existing RV Spots. (state proposed use from
 Article V of the Unified Development Ordinance) at the above reference property and
 affirm that Jerry Lee (name of agent) is
 hereby designated to act as agent on my behalf to accomplish the above.

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

Jerry Lee
 (Owner's Signature)

 (Owner's Signature)

Notary Information:

The foregoing instrument was acknowledged before me this 15th day of April, 20 19 by Jerry Lee,
 who is personally known to me or has produced Driver Licenses.
 as identification and who did take an oath.

Ronda DeForest
 (Printed Name of Notary Public)

Ronda DeForest
 (Signature of Notary Public)

Commission # 50190 My commission expires Oct. 16, 2021

(Notary's Seal)



CONDITIONAL USE CRITERIA FOR APPROVAL - Complete either the Major Conditional Use section or Minor Conditional Use Section below. If more room is needed, answers can be provided on a separate sheet of paper.



MAJOR CONDITIONAL USE CRITERIA FOR APPROVAL

1. Is the proposed use listed in the list of possible Conditional Uses in the particular Zoning District? *YES*
2. Please describe how the project is compatible with the character of development in the vicinity relative to (a) density, bulk and intensity of structures, (b) parking, and (c) other uses. Please attach parking plan, site plan, architectural rendering or other plans. *Already in existence*
3. Will your project negatively affect neighboring property values or pose a real or perceived threat to citizens? Explain. *NO, because we are upgrading*
4. Will your project adversely affect vehicular or pedestrian traffic in the vicinity? Explain. *NO*
5. Can the proposed use be accommodated by existing or proposed public services and facilities including, but not limited to, water, sanitary sewer, streets, drainage, police and fire protection, and schools? *Yes*
6. Is the proposed use in harmony with the Comprehensive Plan? Explain how.
7. Does the proposed use pose a hazardous, detrimental, or disturbing affect, either real or perceived, to present surrounding land uses due to noises, glare, smoke, dust, odor, fumes, water pollution, vibration, electrical interference, or other nuisances? Explain. *NO*
8. Does the use conform to all district regulations for the applicable district in which it is located, or have other provisions been provided for? Explain. *YES*

MINOR CONDITIONAL USE CRITERIA FOR APPROVAL

1. Is the proposed use substantially compatible with other uses in the area, including factors relating to the nature of its location, operation, building design, site design, traffic characteristics, and environmental impacts? Explain.
2. Will the proposed use be materially detrimental to the health, safety, and general welfare of the public or otherwise injurious to the environment or to the property or improvements within the area? Explain.
3. Is the proposed use consistent with the Comprehensive Plan? Explain how.
4. Is the proposed use in conformance with specific site location, development, and operation standards as required by this Ordinance? Explain.

CONDITIONAL USE NARRATIVE – Describe the proposed project in detail. Include all types of business activities that will be conducted on-site, any out-door storage or seating proposed, anticipated traffic, access for pick-up/delivery vehicles, proposed improvements, etc. Use the space below or provide a separate type written sheet of paper and attach. Staff will provide guidance as needed on additional information needed in the narrative.

NARRATIVE

(See Attached)

Isles of Pines
1417 Highway 90
Gautier MS 39553
228-497-4186

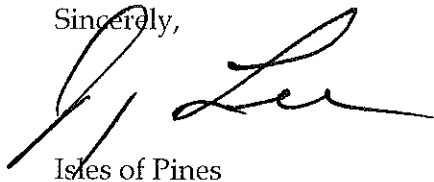
4/12/2019

City of Gautier
Gautier Planning Commission

Dear Gautier Planning Commission ,

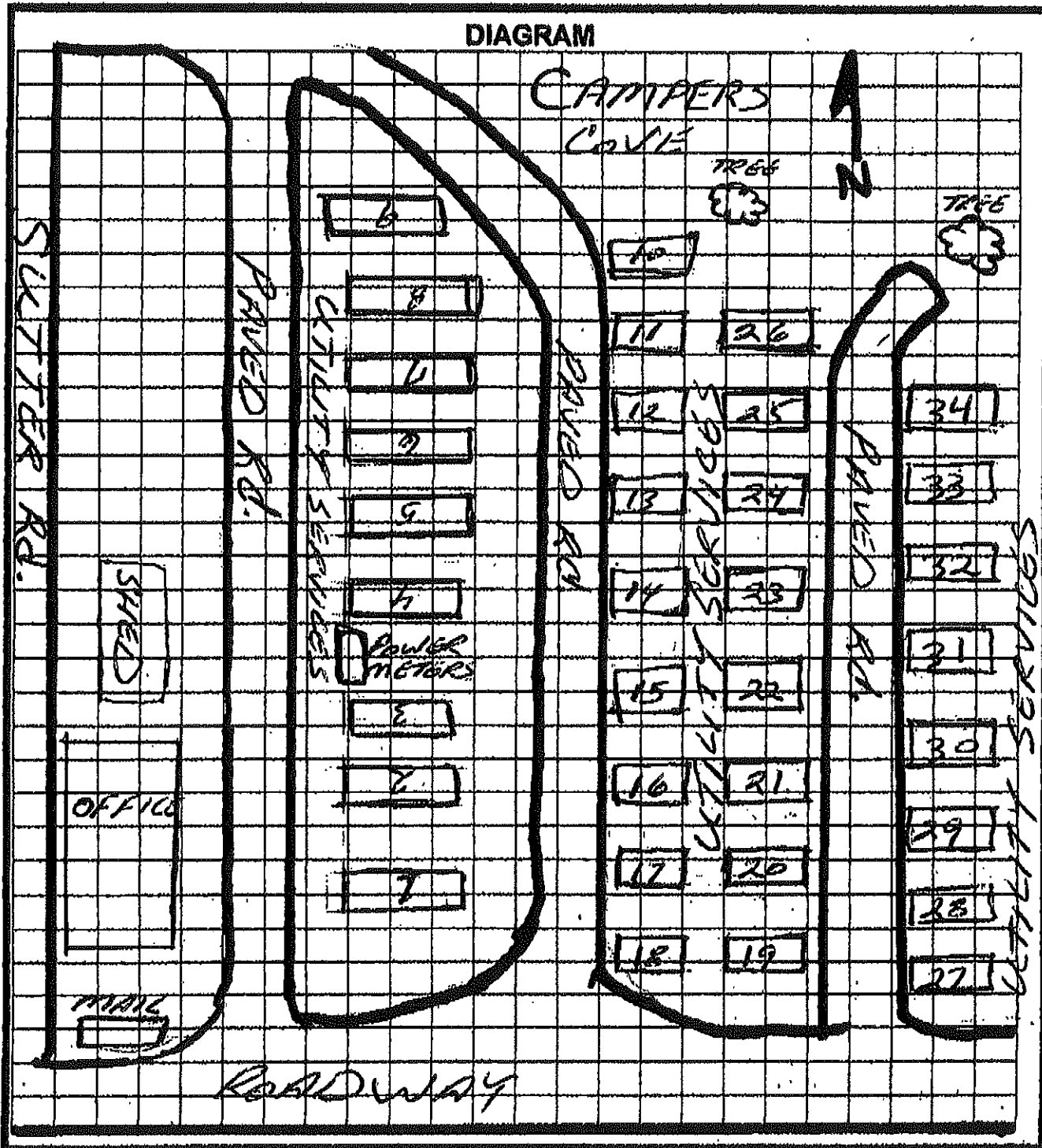
Our proposal to you is to get permission so that we update our short-term living area, Camper's Cove, which is located inside the Isle of Pines mobile home park. The Camper's Cove area was taken out of use several years after Hurricane Katrina. This area was once used as temporary housing for storm victims. Since the storm, the area's utility connections such as electrical, sewer, and potable water has deteriorated over time. We are asking to be allowed to update and renovate the RV & Camper lots. There are 34 lots in Camper's Cove that could be utilized for temporary living. It is our intention to use the area for people looking to stay while working at Industrial plants while in Jackson County. Each lot will be established on their own electrical meter, the sewer & potable water will be regulated through the Isle of Pines mobile home park's meter. Each lot will not have its own meter, the lot user will have a flat rate of average water usage which will be paid through the Isle of Pines monthly sewer & potable water bill.

Sincerely,



Isles of Pines

CONDITIONAL USE DIAGRAM – Provide a diagram of the project site. In cases where certain requirements such as parking are triggered by aspects of the interior of the building, the interior building layout will need to be provided also. Include location and dimensions of property lines, buildings, parking spaces, outdoor storage areas, outdoor seating areas, signage, landscape areas, driveways, loading/unloading areas, limits of paving, exterior elevations (if changes are proposed), entrance/exit locations. Include the whole site. Use the space below or provide separate drawings. Staff will provide guidance as needed on additional information needed on the diagram.



Indexing information attached to each parcel description on each exhibit.

STATE OF MISSISSIPPI
COUNTY OF JACKSON



WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS that, Jerry Lee and Jimmie Faye Lee, hereinafter called the Grantors, for and in consideration of the sum of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration, acknowledged by the said Grantors to have been paid in hand to them by JERRY LEE FAMILY LIMITED PARTNERSHIP, a Mississippi limited partnership, hereinafter called the Grantee, this day bargained and sold and by these presents do subject to the matters herein contained, hereby GRANT, BARGAIN, SELL and CONVEY, unto the said Grantee, all that real property situated and lying in the County of Jackson, State of Mississippi, as described in the attached Exhibits 1-25. (None of the property constitutes homestead of the Grantors. References to Book and Page are to the prior conveyances of the described tract as recorded in the Land Deed Records of Jackson County, Mississippi.)

TOGETHER WITH ALL AND SINGULAR the rights, tenements, hereditaments, members, privileges and appurtenances thereunto belonging or in anywise appertaining.

TO HAVE AND TO HOLD the above described property unto the said Grantee, its successors and assigns forever.

This conveyance is made subject to any and all Covenants, easement, restrictions, and reservations of record.

And, except as provided above, the taxes hereafter falling due, the Grantors hereby covenant with the said Grantee that the Grantors are seized of an indefeasible estate in fee simple in and to the above described property, is in the peaceable possession thereof, and has a perfect right to sell and convey the same, that said property is free from all encumbrances except as otherwise noted, and that

COPIES

IN WITNESS WHEREOF, the said Grantors have hereunto executed this deed on this 27th
day of November, 2002.

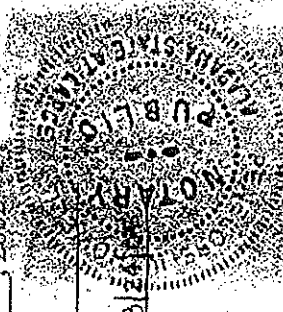
By: JERRY LEE
Grantor
By: Jimie Faye Lee
JIMMIE FAYE LEE
Grantor

STATE OF ALABAMA
COUNTY OF MOBILE

I, the undersigned Notary Public, in and for said County in said State, do hereby certify that JERRY LEE, whose name as Grantor is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of such instrument, he executed the same voluntarily.

Given under my hand and official of office this 27th day of November, 2002.

Penelope W. Howell
Notary Public
My Commission Expires: 8/24/05



STATE OF ALABAMA
COUNTY OF MOBILE

I, the undersigned Notary Public, in and for said County in said State, do hereby certify that JIMMIE FAYE LEE, whose name as Grantor is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of such instrument, she executed the same voluntarily.

Given under my hand and official of office this 27th day of November, 2002.

Penelope W. Howell
Notary Public
My Commission Expires: 8/24/05



The Grantee's address is:
3007 Beach Boulevard
Pascagoula, Mississippi 39567

This instrument prepared without title examination by:
LYONS, PIPES & COOK, P.C.
Allen E. Graham
Post Office Box 2727
Mobile, Alabama 36652

Exhibit A

Location Map

Prepared by:
City of Gautier
Planning Department

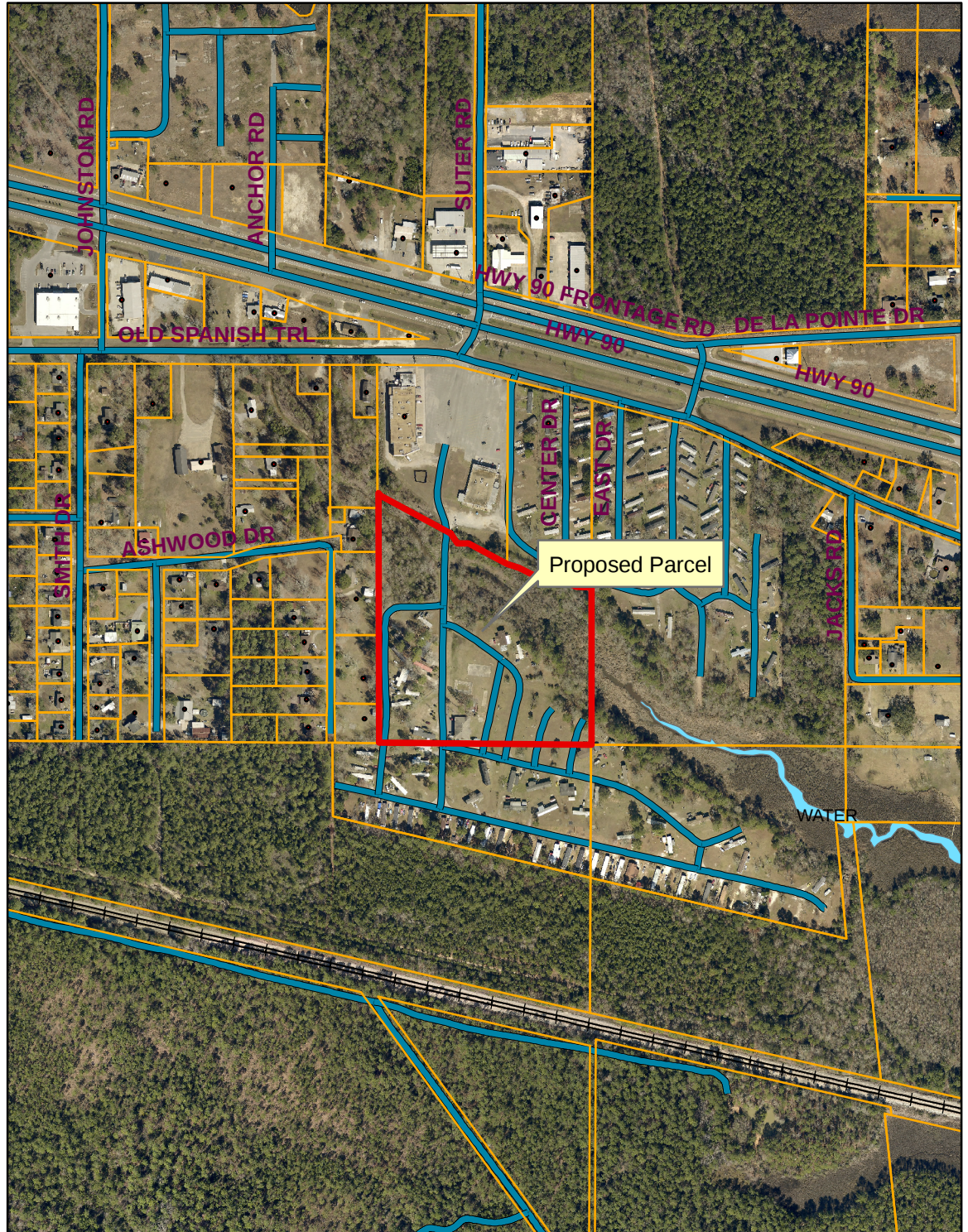


Exhibit B

Existing Zoning

Prepared by:
City of Gautier
Planning Department

Legend

Zoning 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

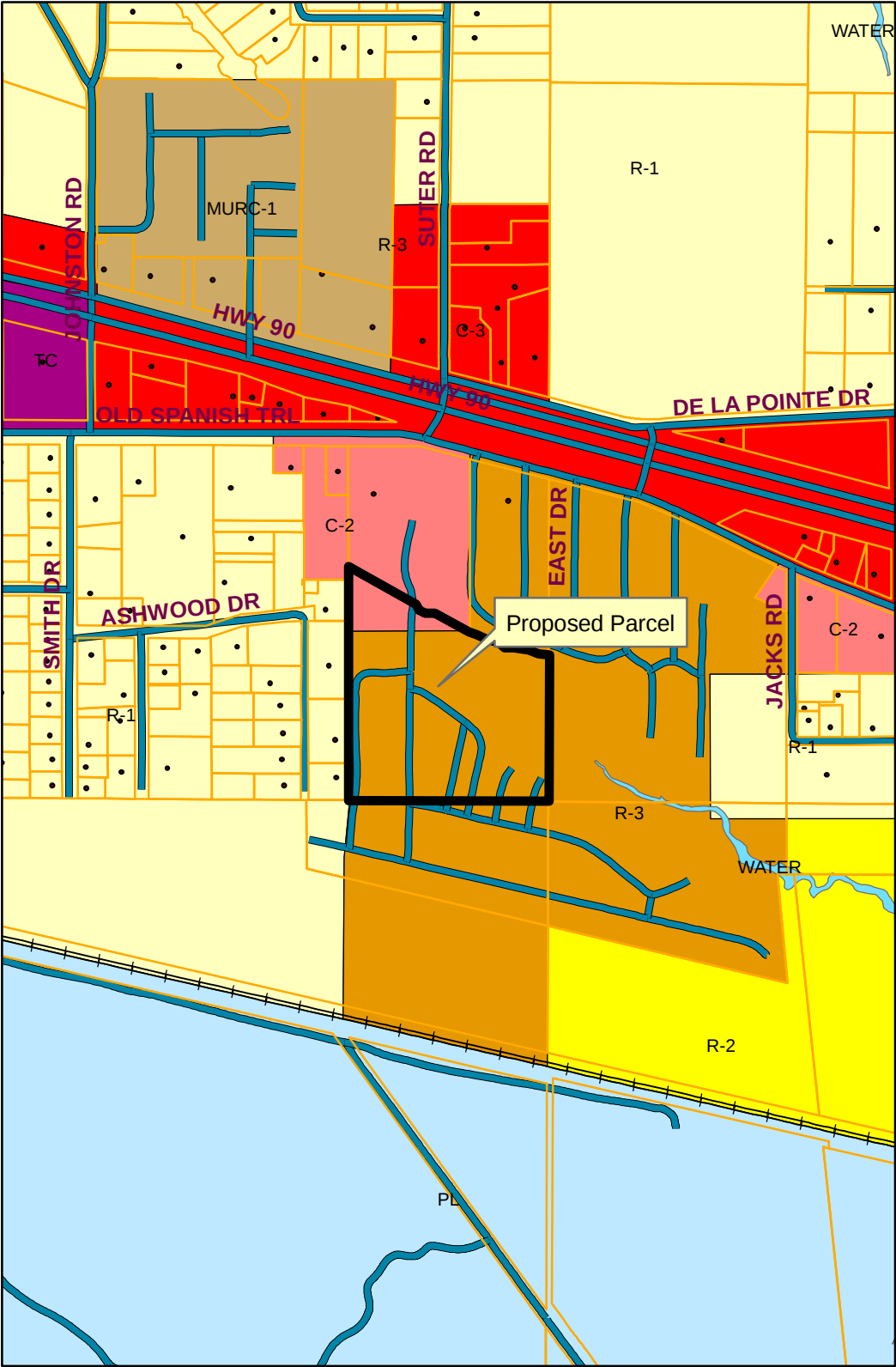


Exhibit C

Existing Land-Use

Prepared by:

City of Gautier
Planning Department

Legend

EXISTING LAND USE

ELU_08

- 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

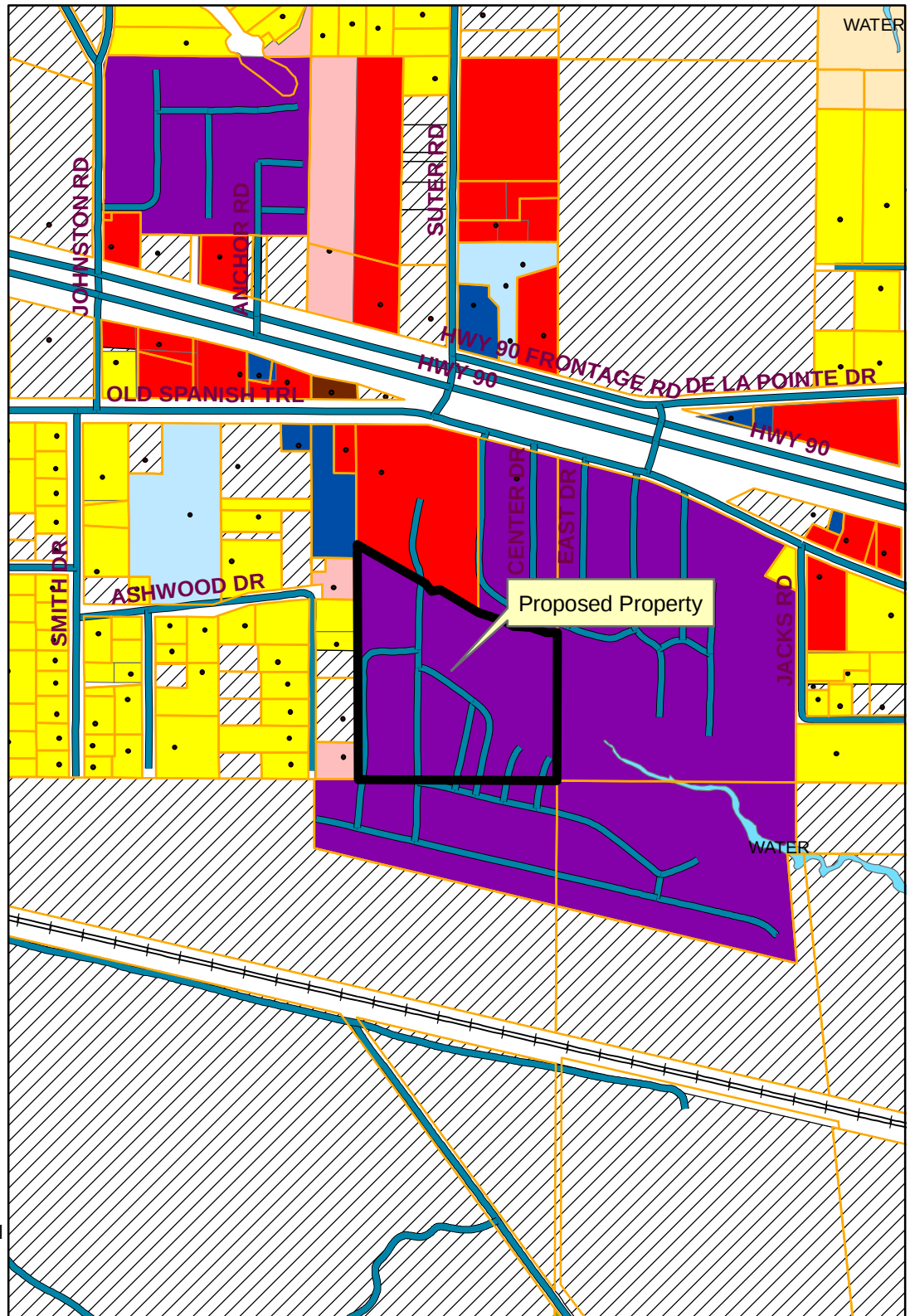


Exhibit D

Future Land-Use

Prepared By:
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

