

AGENDA
GAUTIER PLANNING COMMISSION
June 4, 2026
5:30 PM

I. CALL TO ORDER

II. PLEDGE OF ALLEGIANCE (VOLUNTEER)

III. APPROVAL OF AGENDA

IV. APPROVAL OF MINUTES

1. Approval of Minutes from May 7th 2026

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

VI. OLD BUSINESS

VII. NEW BUSINESS

1.
 1. Consider a request for a **SPECIAL EXCEPTION** that would allow the use of three (3) Conex boxes for temporary storage for a period of one (1) year in a C-3 Highway Commercial Zoning District at 321 Hwy 90. PIDN's #87010075.000, 87010069.000 & 87010076.000 (GPC #26-24-SE)

2.
 2. Consider a request for a Property Owner Initiated Rezoning of Property located at PIDN #85700222.000 Martin Bluff Road from C-2 Community Commercial to R-1 Low Density Single-Family Residential. (GPC #26-25-RZ) **Application withdrawn by applicant.**

3. 3. Consider a request for a Property Owner Initiated Rezoning of Property located at 7305 Martin Bluff Road, PIDN #85432004.000 & 85432005.000 from split zoning C-2 Community Commercial and R-1 Low Density Single-Family Residential to C-2 Community Commercial. (GPC #26-27-RZ)

VIII. GENERAL DISCUSSION

1. PREVIOUS CASE UPDATES

2. PERMIT & TRC REPORTS

IX. ADJOURN

May 7, 2026
GAUTIER, MISSISSIPPI

BE IT REMEMBERED that a meeting of the Gautier Planning Commission of The City of Gautier, Mississippi, was held on May 7, 2026, at 5:30 PM in the Council Chambers of the Gautier Municipal Building at 3330 Highway 90, Gautier, Mississippi.

Commission Members present were: Chairman Josh Ward, Commissioners Maurice Hudson, Robert Williams, Herman Green, Marquitta Buxton, Greg Canada, and Ricky Decoteau. Also present were Scott Ankerson, Planning Director, Perry Kelly, City Attorney, Babs Logan, Planning Technician, and Eric Patterson, Planning Technician.

AGENDA

GAUTIER PLANNING COMMISSION

MAY 7, 2026

5:30 P.M.

- I. CALL TO ORDER**
- II. PRAYER**
- III. PLEDGE OF ALLEGIANCE (VOLUNTEER)**
- IV. APPROVAL OF AGENDA**
- V. APPROVAL OF MINUTES (APRIL 2, 2026)**
- VI. PUBLIC COMMENTS
(MATTERS OF THE PLANNING COMMISSION NOT LISTED ON THE AGENDA)**
- VII. OLD BUSINESS**
- VIII. NEW BUSINESS**
 - 1. Consider a request for a Conditional Use-Major that would allow a tattoo parlor/permanent makeup business in a C-3 Highway Commercial Zoning District. 1625 Highway 90, (GPC #26-19-CU)

2. Consider a request for a Conditional Use-Major that would allow an apartment complex in a TCMU Town Center Mixed Use Zoning District. 3200 Townsend Road, (GPC #26-20-CU)
3. Consider a request for a Special Exception that would allow the outdoor display and sales of portable storage sheds in the C-2 Community Commercial Zoning District at PID #82423510.000 Gautier Vancleave Road (GPC #26-21-SE)
4. Consider a request for a Conditional Use-Minor that would allow placement of a MEMA Cottage in a MURC-2 Mixed Use Recreation Commercial-2 Zoning District. 1221 John Dailey Drive, (GPC #26-22-CU)
5. Consider a request for a Conditional Use-Major that would allow an expansion of the existing skilled nursing facility to allow eight (8) additional private rooms in a C-2 Community Commercial Zoning District. 5090 Gautier Vancleave Road, (GPC #26-23-CU)

IX. GENERAL DISCUSSION

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

X. ADJOURN

Chairman Ward began the meeting with a prayer conducted by Commissioner Buxton.

Chairman Ward announced that there was a change to the agenda for tonight. Item number 2, GPC 26-20-CU has been canceled by the applicant.

Commissioner Buxton made a motion to approve the revised Agenda.

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

AYES: **Josh Ward**
 Maurice Hudson
 Robert Williams
 Herman Green
 Marquitta Buxton
 Greg Canada
 Ricky Decoteau

Motion Passed

Commissioner Canada made a motion to approve April 2, 2026, minutes.

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

AYES: **Josh Ward**
 Maurice Hudson
 Robert Williams
 Herman Green
 Marquitta Buxton
 Greg Canada
 Ricky Decoteau

Motion Passed.

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

Chairman Ward advised that he had a public statement that he would like to make. Chairman Ward stated that tonight was Babs Logan’s last Planning Commission meeting acting as Planning Technician. Chairman Ward also welcomed Eric Patterson, Planning Technician, to his new role as Babs Logan’s replacement. Chairman Ward also advised the public that there was an attempt by someone to collect funds from applicants in a fraudulent manner. If an applicant is to get a phone call or email asking for funds, to please contact the Planning Department as soon as possible. The Planning Commission will try to make that announcement at every meeting to make sure everyone is aware.

Scott Ankerson, Planning Director, stated that to expand on what Chairman Ward had presented, applicants may even get a letter in the mail. Just know that the City will never solicit funds through an email, a letter, or a phone call. The Planning Department takes cash or checks only.

Scott Ankerson advised that the city will be adopting the 2024 Building Code. It will go before the City Council at the May 19th meeting. If approved, it will be adopted. The Planning Department currently uses the 2018 Building Code.

OLD BUSINESS – None

NEW BUSINESS

1. Consider a request for a Conditional Use-Major that would allow a tattoo parlor/permanent makeup business in a C-3 Highway Commercial Zoning District. 1625 Highway 90, (GPC #26-19-CU)

Scott Ankerson, Planning Director, gave a brief overview of the case. Mr. Ankerson also advised that this Conditional Use is only required because of the Micro-Blading. If it were simply a Beauty Salon, a Conditional Use would not be needed.

REQUEST:

The Planning Department has received a request from Maria Garcia, dba La Beauty Vault, for a Conditional Use-Major that would allow a tattoo parlor/permanent makeup business in a C-3 Highway Commercial Zoning District at 1625 Highway 90, Suite D, PID #82436520.100 (GPC #26-19-CU) The application fee of \$250 was paid on March 23, 2026. All public notice requirements have been met.

BACKGROUND:

The request property is zoned C-3 Highway Commercial.

1. Location: 1625 Highway 90, Suite D, PID #82436520.100 (See Exhibit A)
2. General features of the proposed project:
Total Area: Approximately 0.45 Acres
Existing multi-unit building
3. Existing Zoning – C-3 Highway Commercial (See Exhibit B)
4. Existing Land Use – Existing Commercial Building (See Exhibit C)
5. Comprehensive Plan Future Land Use Designation – Low impact Commercial (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 Response: Yes.

Staff Finding: Yes. Tattoo Parlor is listed as a Conditional Use-Major in a C-3 Highway Commercial 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: It's compatible with other businesses in area.

Staff Finding: The proposed use is allowed in a C-3 zoning district with a Major Conditional Use.

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

Applicant Response: No.

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.

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 use 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 Response: Yes.

Staff Finding: The Comprehensive Plan calls out “Low Impact Commercial” for future land use of this property.

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 effect 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 all current 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:

If recommending approval, Planning Commission shall record that the evidence presented meets the “Criteria for Approval” from the UDO as listed above.

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.

Chairman Ward asked the applicant to step forward to the podium, give their name and address, and give a brief explanation.

Maria Garcia, Owner of La Beauty Vault, “Thank you for having me tonight and I am very excited about the new venture.” Maria stated that she believes she will be an asset to the business community and would be happy to answer any questions. Maria passed out folders with information on micro-blading to the commissioners.

Chairman Ward asked Maria Garcia about the folder she had presented, asking if it was examples of what microblading is.

Maria Garcia stated that the information in the folder is examples and information on micro-blading. Permanent Makeup includes eyebrows, lip gloss, eye liner but it’s not permanent, it’s semi-permanent.

Commissioner Hudson: asked if it was some kind of surgery, and what the difference was between tattooing and microblading. What is the time frame of this process, how long will it last.

Maria Garcia advised micro-blading will last about one to five years.

Commissioner Hudson stated “so to protect you and the city, what’s the liability. Do they have to have some kind of anesthesia, deadening?”

Maria Garcia advised, just numbing cream for about 25 minutes. It’s not like a tattoo and very painful.

Commissioner Hudson asked if they will be able to literally walk out with no withdrawals.

Maria Garcia stated yes, they will be able to walk out, it’s not too painful. Maria stated that she has her business in Ocean Springs and has been in business there for two years but has moved to Gautier because her daughter has been sick.

Chairman Ward said there had been confusion about why the request was being treated like a tattoo parlor, but the issue was clarified.

Maria Garcia stated that she also has her tattoo license.

Chairman Ward asked “so its similar but you’re not going to be inking people up.”

Maria Garcia stated that her clientele were professional women, nurses, doctors, accountants.

Rita Jenkins advised she lives in Ocean Springs, she is an accountant, and a client of Maria Garcia. Rita Jenkins advised the Commissioners that she had microblading on her eyebrows and walked up to the bench to show each commissioner what she had done. Ms. Jenkins advised that its not tattooing, its permanent makeup and “it’s the best thing that has come around for us women.” She also advised that there is a process called lamination that can be done making Ms. Garcia’s service a one stop shop for women.

Carrie Thorton, owner of the business right next door to Maria Garcia, advised that Maria has remodeled her salon and when you walk in, you feel like you are in a five-star spa. Carrie advised that Maria has had a steady stream of clientele and is well organized, even though she is only doing eyelashes right now and is not doing the microblading yet. Carrie stated that she believes Ms. Garcia will be a great asset to the city of Gautier and Ms. Garcia lives in Gautier.

ACTION TAKEN:

Commissioner Canada made a motion to recommend that City Council approve the Conditional Use – Major as presented.

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

AYES: **Josh Ward**
 Maurice Hudson
 Robert Williams
 Herman Green
 Marquitta Buxton
 Greg Canada
 Ricky Decoteau

Motion passed.

2. Consider a request for a Special Exception that would allow the outdoor display and sales of portable storage sheds in the C-2 Community Commercial Zoning District at PID #82423510.000 Gautier Vancleave Road (GPC #26-21-SE)

Scott Ankerson, Planning Director, gave a brief overview of the case.

REQUEST:

The Planning Department has received a request from Brian Walters for a Special Exception that would allow the outdoor display and sales of portable storage sheds in a C-2 Community Commercial Zoning District at PID #82423510.000, Gautier Vancleave Road. (GPC #26-21-SE). The application fee of \$250 was paid on March 24, 2026. All public notice requirements have been met.

BACKGROUND:

The request property is zoned C-2 Community Commercial.

1. Location: Gautier Vancleave Road, PID #82423510.000 (See Exhibit A)
2. General features of the proposed project:
Lot Size: approximately 0.56 acres
3. Potable Water and Wastewater Services: Available at current location
4. Current Zoning (See Exhibit B): C-2 Community Commercial.
5. Current Surrounding Zoning (See Exhibit B): C-2 Community Commercial to the north, west, and south. R-1 Low Density Single Family Residential to the east.
6. Current Surrounding Existing Land Use (See Exhibit C): Vacant to the north, south, and west. Residential to the east.
7. Comprehensive Plan Future Land Use Designation (See Exhibit D): Low Density Residential.

DISCUSSION:

The following addresses the review criteria for a Special Exception outlined in Section 4.16.4 of the UDO.

1. Explain how a literal interpretation of the City of Gautier's Unified Development Ordinance would deprive the applicant of rights commonly enjoyed by others of the district in which the property is located, and would work unnecessary hardship upon the applicant?

Applicant Response: See Attached.

Staff Finding: Unsubstantiated

2. Explain how the requested Special Exception will be in harmony with the purpose of the City of Gautier's Unified Development Ordinance and will not be injurious to the neighborhood or the general welfare?

Applicant Response: See Attached

Staff Finding: Unsubstantiated

3. Explain how the special circumstances requiring the proposed Special Exception are not results of actions of the applicant.

Applicant Response: See Attached

Staff Finding: Unsubstantiated

DETERMINATION OF APPLICABLE LAW:

1. The UDO defines a Special Exception as a relaxation of the terms of the Unified Development Ordinance where such an exception will not be contrary to the public interest, and where, owing to conditions peculiar to the property, a literal enforcement of the ordinance would result in undue hardship. Special Exceptions are necessary when an applicant seeks to establish or expand a use not ordinarily permitted in a specific zoning district. "Special Exceptions" are not transferable from one (1) owner of land to another.

2. Special Exception requires a public hearing before the Planning Commission and approval by the City Council (Section 4.14 of the UDO).
3. Once an application for a Special Exception is submitted to the Planning Department, the procedures outlined in UDO Section 4.14.1 will be followed. At the appropriate time, The Planning Commission will conduct a public hearing to determine whether the applicant meets all relevant criteria, and make a recommendation to City Council pursuant to UDO Section 4.14.4. City Council, pursuant to UDO Section 4.14.4(C), will then consider the matter at its next regularly scheduled meeting and approve or deny the Special Exception.
4. A Special Exception is required for uses not ordinarily permitted in a specific zoning district. Special Exceptions are not permitted by right, and may only be granted when certain criteria are established. (4.16.4)
5. Special Exceptions do not run with the land, and may be revoked by the Planning Department if any of the following circumstances are discovered:
 - A. The property changes ownership
 - B. The property is being utilized in a manner not permitted under the zoning regulations or the special exception; or
 - C. The property ceases to be used for the purpose allowed in the Special Exception for a period of one hundred eighty (180) days during the existence of the Special Exception.

The UDO defines **Hardship** as:

Hardship means the unnecessary hardship that would result from a failure to grant the requested variance or special exception. An unnecessary hardship exists if:

- (1) the land in question cannot yield a reasonable return if used only
 - (a) for a purpose allowed in that zone (applicable to special exceptions), or
 - (b) as permitted by the dimensional requirements of this ordinance (applicable to variances);
- (2) that the plight of the owner is due to unique circumstances of the land for which the variance or special exception is sought; and
- (3) that the use to be authorized by the variance will not alter the essential character of the locality.

RECOMMENDATION & CONCLUSION:

If recommending approval, Planning Commission shall record that the evidence presented meets the "Criteria for Approval" from the UDO as listed above.

The Planning Commission may:

1. Recommend that City Council approve the Special Exception;
2. Recommend that City Council approve the Special Exception with changes; or
3. Recommend that City Council deny the Special Exception.

Chairman Ward asked Scott Ankerson if Special Exceptions run with the individual or the land.

Scott Ankerson advised that Special Exceptions do not run with the land.

Chairman Ward asked the applicant to step forward and present their case to the Commissioners.

Brian Walters introduced himself and stated that he is a licensed general contractor, local truck driver, and licensed septic tank installer out of Lucedale, Mississippi. He advised that he does not own the land. He said the property has been sitting vacant and idle for some time. Mr. Walters advised he does know the owner of the land and has worked out an arrangement. He advised that he sees that Gautier is not shrinking at all but expanding. He wants to ask permission to display about a half dozen, up to 10 small storage buildings for sale. This would not be a brick-and-mortar location. There would not be employees on site as sales and marketing would take place online and over the phone. This location would simply be to display the storage buildings for now. If the business was successful and needed to be made into something bigger, he would address that when he needed to.

Chairman Ward stated the Special Exception tonight was just for some buildings to be there, no brick and mortar, so its kind of a temporary set up to see if it's going to work. Chairman Ward asked Scott Ankerson if Brian Walters would have to come back for another Special Exception later if he decided to do anything other than what was in the application being considered tonight.

Scott Ankerson advised that with a Special Exception, the Planning Commission would be approving the use on the lot in question. If the Planning Commission were to set conditions, and the owners wanted to expand the use beyond those conditions, it would require another Special Exception.

Chairman Ward asked if a brick-and-mortar expansion were needed, he would have to come back.

Scott Ankerson advised that if the Planning Commission put that stipulation in place, the owners would have to follow it.

Brian Walters advised that he is a very busy guy and he lives up in Lucedale, he is not looking to build this into a huge project.

Chairman Ward stated that he does want to make a statement about a previous Special Exceptions that was done in 2024 for the sale of storage sheds. There were stipulations that were put on that, especially for hurricanes. In case of a hurricane, the storage buildings could be either moved off the property, or properly anchored. So that could be a stipulation that the commission puts on this special exception as well.

Brian Walters advised that he is personally not building these storage buildings, he has a partner. He stated that these buildings are built to hurricane specifications.

Chairman Ward stated that storage buildings like this are hurricane rated if they are attached in the manner that the engineered drawing says. So, they would have to be fastened in such a way to meet that rating, or they would have to be removed. Chairman Ward also asked if there was no plan to have anyone on site, hours of operation would not really be a thing to consider.

Scott Ankerson stated that with hours of operation, the concern would be trucks coming in to pick up or deliver storage buildings, because there is a residential neighborhood directly to the east.

Chairman Ward stated that deliveries could be limited to a certain time frame.

Commissioner Canada asked how long Brian Walters has been in business.

Brian Walters advised this is a new business idea and he is attempting to start now.

Commissioner Canda asked if these buildings would be models or if they would be the actual buildings for sale.

Brian Walters advised that the storage sheds on the lot would be the actual sheds for sale.

Commissioner Decoteau asked for clarification. Would these storage sheds be more than just a display?

Brian Walters advised that customers would be able to buy the storage buildings right off the lot.

Commissioner Decoteau asked if Brian Walters would be taking care of the delivery of the sheds personally.

Brian Walters advised that he is not getting involved in the delivery, only the sales and marketing. He advised that as far as business hours are concerned, he would not be working weekends. The goal is that this business would be a very low impact business and wants to offer a harmonious atmosphere to the community.

Chairman Ward advised that on the last Special Exception mentioned earlier, the hours of operation were set between 7am and 7pm and asked if it would create a hardship on Brian Walters if the hours were set like that.

Brian Walters advised that he would talk to the drivers doing the delivery or pickup to make sure work could be done at a reasonable time. Brian advised that he would probably set that rule himself for the 7am to 7pm time frame.

Chairman Ward advised that the Commissioners were trying to think about the road its on because Callie Road is a small, narrow road anyway.

Brian Walters advised that he would be respectful of the neighborhood and the neighboring churches schedule, especially on Wednesdays for their scheduled evening services.

Commissioner Hudson asked about Security and Liability. If there are no employees on site, anyone could just come and back a truck up to steal one of the sheds. Commissioner Hudson advised that he wants to protect the city from any liability from possible theft or injury on the property.

Chairman Ward advised that since this is a temporary operation, some of the other storage building sales locations have had fencing requirements put on them. It may be necessary to lock the sheds to keep out squatters.

Brian Walters advised that he has talked to someone about the personal liability insurance needed for something like this. The buildings themselves would be covered under the warranty of the manufacturers.

Chairman Ward asked Scott Ankersen or Perry Kelly, City Attorney, if legally any liability would be on the property owners if something is stolen or if someone is hurt on the property.

Perry Kelly advised that the city would not be liable other than the normal police response.

Chairman Ward asked if there was currently any electricity service on site.

Scott Ankersen advised that there is currently no power service

Chairman Ward asked Brian Walters if he was planning on turning on power service to the lot.

Brian Walters stated that it would depend on how it goes, after a trial basis.

Chairman Ward stated that a Camera System was mentioned but that would either take a power system or some kind of battery system.

Brian Walters advised that he could use a deer camera.

Chairman Ward stated that it sounds like the liability will be on the property owners and business owners so the Commission would leave the matter of cameras up to them.

Commissioner Hudson asked if the grass would be cut, and things would be kept nice and clean. The buildings would be just sitting there on display.

Brian Walters advised that he would have the property maintained and there would be around 6 buildings, depending on how many could be placed there and still have safe passageways.

Commissioner Hudson stated that he hopes everyone understands his concerns and wanted to designate an entrance for this lot.

Chairman Ward advised that the entrance comes off Callie Rd.

Commissioner Decoteau stated that with Commissioner Hudson's concerns about liability, that's why the stipulations were put on the previous Special Exception case for a storage building sales location. Especially the one about anchoring the sheds during a hurricane.

Chairman Ward advised that for the record. A permit is required for a shed in the city of Gautier. There are a lot of people that don't always do that, and we get to hear those cases after the fact.

Commissioner Canada asked the applicant about the advertising sign. Is it going to be big, small.

Brian Walters advised that he does not know yet.

Chairman Ward advised that the city of Gautier has a sign ordinance that Brian Walters will have to comply with.

Collin Cheek, Owner of the nursing facility at 5090 Gautier Vancleave Road, asked if this Special Exception was on the corner of Gautier Vancleave and Callie Rd.

Chairman Ward advised it was at Gautier Vancleave and Callie Rd near the Gautier Baptist Church.

Collin Cheek stated that his main concern is that this plan does not fit with everything else on Gautier Vancleave Road because they are Temporary Structures with a banner sign that was mentioned, and everything else on Gautier Vancleave are permanent structures. If you look up and down Gautier Vancleave Road, everything is either residential or a permanent structure. His concerns would be just from a location standpoint, that type of business is going to devalue his business and the whole area. The hurricane concerns are also a big point because he has 50-60 vulnerable adults living in his facility and an unsecured storage shed can become a missile.

Charles Boone, resident of Gautier, stated that his concerns have all been spoken about. Mr. Boone is concerned that whoever is coming to pickup or deliver a shed may use the church parking lot as a place to turn around and back in.

Chairman Ward advised that there has been concerns pointed out by a resident and a local business owner and agrees that there are some concerns with this type of business at this location. The only thing he can say is that currently it's a vacant lot and has been vacant for a very long time. If there is a plus to this, the property will be taken care of more than it has been in the past.

Commissioner Hudson stated that he believes the concerns are valid and he believes that this may break that harmonious value of that area.

Chairman Ward stated that one of the concerns on the property is that right now there is no power service to the lot which means there is no lighting. It could be quite dark on the lot. In making a recommendation, that's something we may want to consider.

Commissioner Canada stated that it may be nice to have some kind of fence or gate in place.

Chairman Ward stated that would keep people from just driving up to the property.

Commissioner Hudson stated that one thing that he is concerned about is that with the growth that Gautier has made, there are a lot of homeless people as well.

Chairman Ward asked **Eric Patterson**, Planning Technician, if the Planning Department has received any letters in opposition to this from the neighbors.

Eric Patterson advised that no letters have been received.

Commissioner Hudson asked Scott Ankerson what the rules were for the "Face" of a business on our public roadways.

Scott Ankerson advised that if they build a fence, the architectural committee will review that, and if they were to build a permanent structure the architectural committee would review the façade, the paint color and other items to make sure they are harmonious with the area. There will be a required buffer on the east side of the property facing the

residential zone. Mr. Ankerson stated that he believes it would be 10 feet with a 6 ft privacy fence but would have to verify information.

Chairman Ward stated that there are fence stipulations that are already in the ordinance even if the Planning Commission does not add those things to the recommendation.

Scott Ankerson stated that something to keep in mind is that chain link is not an allowed fencing material in commercial districts within the City. The fence would need to be made of material specifically designed for fencing, excluding chain links.

Commissioner Williams advised that with the property sitting there without lights it would be very vulnerable to vagrants and other undesirable activity. It also makes the neighbors vulnerable with how easy the sheds are to get into. The property owner may want to investigate putting in a nice fence along the front area of the property along with some lights.

Chairman Ward advised that in agreement with what is being said, he will read the stipulations that were placed on the previous Special Exception for a storage building business in Gautier. A forward-facing decorative fence that will be aesthetically pleasing to the neighborhood across the street. Chairman Ward also stated that he would like to see some kind of investment into the lot to make it safe and aesthetically pleasing to those passing by and the neighbors.

Commissioner Williams stated that he wanted it to look more professional and like something you would see in a city. Lit up and well maintained.

Commissioner Hudson asked if the application could be denied now and have the applicant reapply once the fencing and lighting situation is taken care of.

Chairman Ward stated that if that happened, the applicant would have to pay another fee to go through the Special Exception process again. However, the commission could place stipulations on the Special Exception to make sure those things are met.

Commissioner Decoteau stated that was exactly what he was going to recommend.

Scott Ankerson advised that he would like to clarify, the ordinance would not allow the building department to permit things like a fence or lighting on the property without an approved use being assigned to the lot. The only permit that the Planning Department would be able to issue would be a land clearing permit.

Chairman Ward stated that in other words, the Planning Commission could not place stipulations on a lot that does not have a use. The Planning Commission would have to give it a use or allow a use before any stipulations could be placed on the lot.

Scott Ankerson advised that the applicant could not put a fence around the property without an approved use on the lot.

Commissioner Williams advised that at the end of the day, the property owner is going to be investing in his own property. That property will in turn be worth more. It may not help the applicant with how much it would cost to lease the property per month; at the end of the day, it would be worth more to the property owner.

Chairman Ward asked if anyone was ready to make a recommendation.

ACTION TAKEN:

Commissioner Buxton made a motion to recommend approval of the Special Exception with the added stipulations including:

1. A front facing fence on both front sides that shall have decorative fencing and be aesthetically pleasing
2. Hours of operation would be Monday & Tuesday 7am-7pm, Wednesday 7am-5pm, Thursday & Friday 7am-7pm
3. Density of the property as a whole, including, parking, sheds, and existing sheds will be 70%
4. Delivery Hours should be the same as the hours of operation.
5. No manufacturing will be done on the property.
6. If a Category 2-5 hurricane were to come to the area, the buildings would need to be anchored properly to meet the wind ratings.
7. There needs to be lighting on the property.

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

AYES: **Robert Williams**
 Herman Green
 Marquitta Buxton
 Greg Canada
 Ricky Decoteau

Nays: **Josh Ward**
 Maurice Hudson

Motion passed.

3. Consider a request for a Conditional Use-Minor that would allow placement of a MEMA Cottage in a MURC-2 Mixed Use Recreation Commercial-2 Zoning District. 1221 John Dailey Drive, (GPC #26-22-CU)

Scott Ankerson, Planning Director, gave a brief overview of the case. Mr. Ankerson also advised that if this was a Single-Family Residential home it would not need a conditional use and would be allowed by right.

REQUEST:

The Planning Department has received a request from Sioux Bayou RV Park for a Conditional Use-Minor that would allow placement of a MEMA Cottage in a MURC-2 Mixed Use Recreation Commercial-2 Zoning District at 1221 John Dailey Drive PID #82424080.200 & PID #82425010.100 (GPC #26-22-CU) The application fee of \$250 was paid on April 13, 2026. All public notice requirements have been met.

BACKGROUND:

The request property is zoned MURC-2 Mixed Use Recreation Commercial-2.

1. Location: 1221 John Dailey Drive, PID #82424080.200 & PID #82425010.100 (See Exhibit A)
2. General features of the proposed project:
Proposed Parcel Area: Approximately 3 Acres
Total Area: Approximately 11.3 Acres
3. Existing Zoning – MURC-2 Mixed Use Recreation Commercial-2 (See Exhibit B)
4. Existing Land Use – RV park. (See Exhibit C)
5. Comprehensive Plan Future Land Use Designation – Conservation (See Exhibit D)

DISCUSSION:

The following addresses the review criteria for a Minor Conditional Use outlined in Section 4.17.3 of the UDO.

1. Is the proposed use substantially compatible with other uses in the area, including factors related to the nature of its location, operation, building design, site design, traffic characteristics, and environmental impacts? Explain.

Applicant Response: Yes, it is located in the RV park

Staff Finding: Yes. This parcel is part of an existing RV Park and a MEMA Cottage is listed as a Conditional Use-Minor in an MURC-2 Mixed Use Recreational Commercial-2 District.

2. Will the proposed use be materially detrimental to health, safety, and general welfare of the public or otherwise injurious to the environment or to the property or improvements within the area? Explain

Applicant Response: Yes

Staff Finding: The proposed use is allowed in a MURC-2 zoning district with a Minor Conditional Use.

3. Is the proposed use consistent with the Comprehensive Plan? Explain how.

Applicant Response: Yes, it fits the RV and cottages.

Staff Finding: The Comprehensive Plan indicates that these parcels are to be used for Marina/Fish Camps in the future. The RV Park is consistent with this plan.

4. Is the proposed use in conformance with specific site location, development, and operation standards as required by this Ordinance? Explain.

Applicant Response: Yes, it will meet all code and elevation requirements.

Staff Finding: The Existing RV Park is permitted by right in a MURC-2 Zoning District and the placement of a MEMA Cottage is allowed with a Conditional Use-Minor in a MURC-2 Zoning District.

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:

If recommending approval, Planning Commission shall record that the evidence presented meets the “Criteria for Approval” from the UDO as listed above.

The Planning Commission may:

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

Chairman Ward asked the applicant to approach the podium and present their case.

Marques Thomas, Owner of Sioux Bayou RV Park, currently Sioux Bayou is an RV Park, and there are currently 5 permanent structures on the property. Two of the structures are block construction, one is a mobile home from the 60s that has been remodeled to look like a cabin. The goal is to upgrade and modernize the property. New electrical breakers are being installed and inspected. What we would like to do is bring in a MEMA Cottage, which is designed for 165 mile per hour hurricane winds, it is a very expensive asset. It will be secured down to MEMA standards to be able to withstand close to 185MPH winds. This will be an Air B&B rental, not a permanent residence.

Chairman Ward advised that he had met with Scott Ankerson earlier and found that since this is a new structure, it would have to meet the new base flood elevation. It would be tall and look a little different from the surrounding structures. There is a section of our ordinance that already mandates certain foundations and building requirements for MEMA Cottages, so that has already been addressed. It will be a rental and it will be a permanent structure. We know that there are other permanent structures there, but as Mr. Ankerson mentioned, there are currently no MEMA Cottages. There is some concern because there are already people living at Sioux Bayou that appear to be failing to maintain their areas. In 2024, this area was rezoned to Mixed-Use to allow for the expansion of the new area of the RV park. In that expansion, there were some questions about a buffer zone. But on the original approval there was no buffer zone mentioned.

Scott Ankerson advised there was no buffer zone required by the previous approval.

Marques Thomas advised that in consideration of the neighbors on the water, some fast-growing Cyprus trees, some Ball Cyprus trees have been ordered and will be installed.

Chairman Ward advised he will make a note of the trees being planted to let the neighbors who contacted him know about the plans. Chairman Ward reiterated that a

concern was that some of the people who live in the RV park are not keeping things as clean as the RV park is trying to.

Marques Thomas advised that one person has recently been removed from the property and most people have an RV there to use as a weekend getaway. There are some people that have been there since before the RV park was put in, however that is a very small percentage. The park even made the effort and took the initiative to pressure wash an RV that had been sitting on site that needed maintenance.

Chairman Ward stated that it sounds like the owners of the RV park are making the effort to clean up the area.

Marques Thomas advised that the RV park cannot discriminate against older RV's and campers, but they do have requirements for how they are maintained. No tarped roofs, no ac's hanging down, and so on.

Chairman Ward stated that one of the concerns was that the previous rezoning was for mobile and transient type structures where this is a permanent structure.

Marques Thomas advised this structure would be tucked in near the other permanent structures.

Chairman Ward asked if this will be owned by Sioux Bayou RV Park?

Marques Thomas advised it would be owned by Sioux Bayou.

Chairman Ward advised that enforcing the rules of maintenance will be a lot easier since it's owned by the RV park.

Marques Thomas said that was right.

Commissioner Hudson asked Mr. Thomas if the flood elevation was taken into consideration.

Marques Thomas advised that the home would have to be elevated to meet the flood zone requirements. Mr. Thomas also advised that even his electrical boxes on the new RV pads had to be elevated to meet the flood requirements.

Commissioner Canada asked if the other pads that have been poured with the electrical boxes be for structures or RV's.

Marques Thomas advised they are for RV's.

Chairman Ward explained that this Conditional Use application is for only one structure, not multiple structures.

Scott Ankerson advised that he wanted to clarify the elevation certificate that was submitted. For instance, if it is an AE flood zone 14, the City of Gautier has a 2-foot free board which would increase it to 16 feet. In an AE district, that would be to the top of the bottom floor of the main living space. That's not to say that this structure would be elevated to 16 feet. That depends on the adjacent grade. If the adjacent grade is 6 or 7 feet, the structure would need to be elevated to meet the difference between those two elevations.

Marques Thomas advised that the space that has been selected for this mobile home would need to be raised between 6 and 8 feet but no higher than 8 feet.

Chairman Ward stated that all the Elevation requirements would all have to go through Scott Ankerson regardless so its not up to the Planning Commission to dictate the elevation. Chairman Ward also stated that square footage requirements would be based on what is says in the Ordinance and are different than if we were talking about a Single-Family Dwelling.

ACTION TAKEN:

Commissioner Canada made a motion to recommend that City Council approve the Conditional Use – Minor as presented.

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

AYES: **Josh Ward**
 Maurice Hudson
 Robert Williams
 Herman Green
 Marquitta Buxton
 Greg Canada
 Ricky Decoteau

Motion passed.

-
4. Consider a request for a Conditional Use-Major that would allow an expansion of the existing skilled nursing facility to allow eight (8) additional private rooms in a C-2 Community Commercial Zoning District. 5090 Gautier Vancleave Road, (GPC #26-23-CU)

Scott Ankerson, Planning Director, gave a brief overview of the case. Mr. Ankerson also advised that the nursing facility was a grandfathered use in this zoning district and would not need a Conditional Use if they were not expanding. However, since the layout of the building is changing, Conditional Use is needed.

REQUEST:

The Planning Department has received a request from Collin Cheek dba River Chase Village, Inc. for a Conditional Use-Major that would allow an expansion of the existing skilled nursing facility for eight (8) additional private rooms in a C-2 Community Commercial Zoning District at 5090 Gautier Vancleave Road, (GPC #26-23-CU) PID #82423380.145 (GPC #26-23-CU) The application fee of \$250 was paid on April 16, 2026. All public notice requirements have been met.

BACKGROUND:

The request property is zoned C-2 Community Commercial.

1. Location: 5090 Gautier Vancleave Road, PID #82423380.145 (See Exhibit A)
2. General features of the proposed project:
Total Area: Approximately 4.34 Acres
Existing skilled nursing facility
3. Existing Zoning – C-2 Community Commercial (See Exhibit B)
4. Existing Land Use – currently part of the established skilled nursing facility. (See Exhibit C)
5. Comprehensive Plan Future Land Use Designation – Low Impact Commercial (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 Response: Yes

Staff Finding: Yes. A Convalescent or Nursing Home is listed as a Conditional Use-Major in a C-2 Community Commercial 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: This project consists of adding 8 private rooms to an existing skilled nursing facility. It will not have any negative effect on development in the surrounding areas nor will any additional parking be needed. We are not adding more beds to the facility, rather adding more private rooms so we can better serve the community. The total bed count will still remain at 60, therefore not increasing capacity and parking.

Staff Finding: The proposed use is allowed in a C-2 zoning district with a Major Conditional Use.

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

Applicant Response: No it will not. The addition of private rooms will enhance senior housing for people in our community.

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.

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

Applicant Response: No, it will not. The addition will be located behind the existing building.

Staff Finding: There is no evidence that the proposed use 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, it can be since our square footage will be increasing, but the number of people living within our building will not be increasing beyond our current capacity.

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 Response: I have not seen the Comprehensive Plan and can therefore not opine on this question.

Staff Finding: The Comprehensive Plan calls out "Low Impact Commercial" for future land use of this property.

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, it does not. The addition consists of 8 rooms for elderly people to reside in a peaceful setting.

Staff Finding: There is no evidence that the proposed use poses a hazardous, detrimental, or disturbing effect 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.

Staff Finding: The proposed use will conform to all current 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:

If recommending approval, Planning Commission shall record that the evidence presented meets the “Criteria for Approval” from the UDO as listed above.

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.

Chairman Ward invited the applicant to come forward and present their case.

Collin Cheek, Owner of 5090 Gautier Vancleave Road. Mr. Cheek thanked the commissioners for listening to his previous comments about the Special Exception and listening to him now. Mr. Cheek stated that his father had built River Chase in 2002, owned and operated it ever since and will continue to do so as long as Mr. Cheek is alive. Mr. Cheek and his family are in the nursing home business and have been for over 30 years. There is another nursing home in D’Iberville and one in Bay Saint Louis. Right now, River Chase is licensed for 60 beds, that is not going to change. The plan is to simply add 8 more private rooms to improve the living conditions for their residents.

Chairman Ward asked if these people are already in the facility or will this bring in more people.

Collin Cheek advised that the hope is that this will increase the census some, right now they are operating anywhere from 52 to 57 people. The hope is that this will allow a few more people to come in, closer to 60, in a more comfortable way. Skilled Census, which is people who are discharged from a hospital or need certain treatments, is currently around 5-10 people and those folks usually prefer a private room. So, we are trying to accommodate.

Commissioner Decoteau asked if there was a rehab facility inside River Chase.

Collin Cheek stated that they do have a rehab facility inside River Chase.

Commissioner Decoteau asked Mr. Cheek if the building addition would be onto the back of the property on the “short leg” of the building.

Collin Cheek advised that was where the addition would be going.

Commissioner Decoteau asked Scott Ankerson if that would infringe on the property line.

Chairman Ward advised that on the first site map that was submitted Mr. Cheek has it drawn out with a distance measurement from the property line.

Collin Cheek advised that the planned addition does cut two feet into the side set back of the north property line, but River Chase owns that property as well.

Scott Ankerson advised that the setback issue has already been reviewed by the Planning Department and would require an administrative variance. That administrative variance is within the 30% variance that the Planning Director is allowed to give.

Commissioner Hudson asked that since the two parcels owned by River Chase are not joined, they are considered two separate entities.

Scott Ankerson advised that as it relates to the ordinance, it's considered one site in this case. The Planning Department would not require them to drop the property line between the two parcels.

Commissioner Buxton stated that her Godmother used to be the D.O.N. (director of nursing) at River Chase, and they have a nice facility, and they take really good care of the people.

Chairman Ward closed the public hearing portion of this matter.

ACTION TAKEN:

Commissioner Decoteau made a motion to recommend that City Council approve the Conditional Use – Major as presented, as it meets all the criteria presented in the UDO.

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

AYES:

- Josh Ward**
- Maurice Hudson**
- Robert Williams**
- Herman Green**
- Marquitta Buxton**
- Greg Canada**
- Ricky Decoteau**

Motion passed.

GENERAL DISCUSSION

A. PREVIOUS CASE UPDATES

Eric Patterson, Planning Technician, advised the Commission that the City Council approved all cases from the April meeting.

B. PERMIT & TRC REPORT

Eric Patterson presented the March 2026 and April 2026 monthly report.

Chairman Ward made a motion to adjourn the meeting.

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

AYES:	Josh Ward
	Maurice Hudson
	Robert Williams
	Herman Green
	Marquitta Buxton
	Greg Canada
	Ricky Decoteau

Motion Passed.

APPROVED BY:

Scott Ankerson
Planning Director/Building Official

DATE: _____

Josh Ward, Chairman
Gautier Planning Commission

DATE: _____

BACKUP DOCUMENTATION

Gautier Planning Commission

Regular Meeting Agenda

May 7, 2026

GPC #26-19-CU

Maria Garcia, dba La Beauty Vault

1625 Highway 90, Suite D

VII. NEW BUSINESS

1. Consider a request for a Conditional Use-Major that would allow a tattoo parlor/permanent makeup business in a C-3 Highway Commercial Zoning District. 1625 Highway 90, (GPC #26-19-CU)

CITY OF GAUTIER
STAFF REPORT

To: Chairman and Members, Planning Commission

From: Scott Ankerson, Planning Director

Date: April 16, 2026

Subject: Consider a request for a Conditional Use-Major that would allow a tattoo parlor/permanent makeup business in a C-3 Highway Commercial Zoning District. 1625 Highway 90, Suite D (GPC #26-19-CU)

REQUEST:

The Planning Department has received a request from Maria Garcia, dba La Beauty Vault, for a Conditional Use-Major that would allow a tattoo parlor/permanent makeup business in a C-3 Highway Commercial Zoning District at 1625 Highway 90, Suite D, PID #82436520.100 (GPC #26-19-CU) The application fee of \$250 was paid on March 23, 2026. All public notice requirements have been met.

BACKGROUND:

The request property is zoned C-3 Highway Commercial.

1. Location: 1625 Highway 90, Suite D, PID #82436520.100 (See Exhibit A)
2. General features of the proposed project:
Total Area: Approximately 0.45 Acres

Existing multi-unit building

3. Existing Zoning – C-3 Highway Commercial (See Exhibit B)
4. Existing Land Use – Existing Commercial Building (See Exhibit C)
5. Comprehensive Plan Future Land Use Designation – Low impact Commercial (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 Response: Yes.

Staff Finding: Yes. Tattoo Parlor is listed as a Conditional Use-Major in a C-3 Highway Commercial 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: It's compatible with other businesses in area.

Staff Finding: The proposed use is allowed in a C-3 zoning district with a Major Conditional Use.

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

Applicant Response: No.

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.

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 use 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 Response: Yes.

Staff Finding: The Comprehensive Plan calls out "Low Impact Commercial" for future land use of this property.

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 effect 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 all current 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:

If recommending approval, Planning Commission shall record that the evidence presented meets the "Criteria for Approval" from the UDO as listed above.

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
PLANNING DEPARTMENT
CONDITIONAL USE APPLICATION

Public Hearing Number

26-19-CU

TO BE HEARD BY GAUTIER PLANNING COMMISSION AND CITY COUNCIL:	
Conditional Use - Major <input checked="" type="checkbox"/>	FEE: \$251.00
TO BE HEARD BY PLANNING DIRECTOR:	
Conditional Use - Minor <input type="checkbox"/>	FEE: \$251.00

*Includes \$1.00 filing fee per MS Code §25-60-5

Name of Applicant: Maria Garcia PID # 82436520.100
Name of Business: La Beauty Vault Phone: 2282359438
Property Address: 1625 Hwy 90 suite D Mailing Address (if Different): 1625 Hwy 90 suite D
E-Mail Address: labeachyvault11@gmail.com Gautier, MS
Proposed Use Requiring Conditional Use: Permanent makeup (Tattoo Parlor) (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).
- _____ 3. 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 Planning Director.
- _____ 7. Owner's Consent form if anyone other than 100% sole owner makes application (see attached).

Signature of Applicant(s): [Signature] Date of Application: 3/23/20

FOR OFFICE USE ONLY	
Date Received <u>3/23/20</u>	Verify as Complete <u>Bals</u>
Fee Amount Received <u>251.00</u>	Initials of Employee Receiving Application <u>Bals</u>

CB

OWNERS CONSENT AND DESIGNATION OF AGENT - CONDITIONAL USE

I, CHERYL MITCHELL, the fee simple owner(s) of the following described property:

Address: 1625 HWY 90 SUITE D, GAUTIER

Parcel ID No.: B2436520.100

hereby petition to the City of Gautier to *Grant a Conditional Use Major or Minor of* LASHES & PERMANENT MAKEUP (state proposed use from Article V of the Unified Development Ordinance) at the above reference property and affirm that MARIA GARCIA (name of agent) is hereby designated to act as agent on my behalf to accomplish the above.

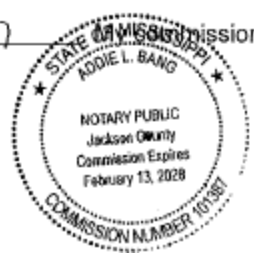
I certify that I have examined the application and that all statements and diagrams submitted are true and accurate to the best of my knowledge. Further, I understand this application; attachments and fees become part of the official records of the City of Gautier, MS, and are not returnable.

Cheryl Mitchell (Owner's Signature) _____ (Owner's Signature)

Notary Information:
The foregoing instrument was acknowledged before me this 20th day of March 20 2020 by Cheryl Mitchell who is personally known to me or has produced MSDL as identification and who did take an oath.

Addie L Bane (Printed Name of Notary Public) Adellee Bane (Signature of Notary Public)

Commission # 101387 Commission expires Feb 13, 2028
(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.

Answer this question

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.
Its compatible with other businesses in area.
3. Will your project negatively affect neighboring property values or pose a real or perceived threat to citizens? Explain. *NO*
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. *Yes*
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

I own a business specializing in eyelash extensions and also provide permanent makeup services specifically microbladed eye brows and lip blush. Currently my business is still located in Ocean Spring, but I reside in Gautier. Due to my daughter's health needs, I have decided to relocate here Gautier. I do not perform permanent makeup every day. Clients typically visit only ~~once~~ once and do not return for a touch up until 1-2 years later. Consequently, I perform this 6 to 12 a year

①

Parcels: MITCHELL LEONARD MARK &

GISP	777.36-04-0040.00
FIRST_ROUT	0040
FIRST_SUFF	00
FIRST_SHAP	18,519.33
OID_	
ID	81,004.00
PIDN	82436520.100
MAPNO	779.36-36-071.00
GISP_1	777.36-04-0040.00
NAME	MITCHELL LEONARD MARK &
NAME2	CHERYL ANN
ADDRESS	P O BOX 515
CITY	GAUTIER MS
ZIP	39553
LOCATION	1625 HWY 90 GAUTIER
DESC1	COM INTERS E/L NW1/4 SE1/4 & N/M
DESC2	OLD HWY 90 N 120.04' TO POB N 9
DESC3	9.69' TO S/M HWY 90 N 75°W 206.9
DESC4	' S 88° S 76°E 207' M/L TO POB D
DESC5	B 1047-915 (40 MAP777.36-04)
DESC6	
DESC7	
DESC8	
DESC9	
DB	1047
DP	915
SECTION	36

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

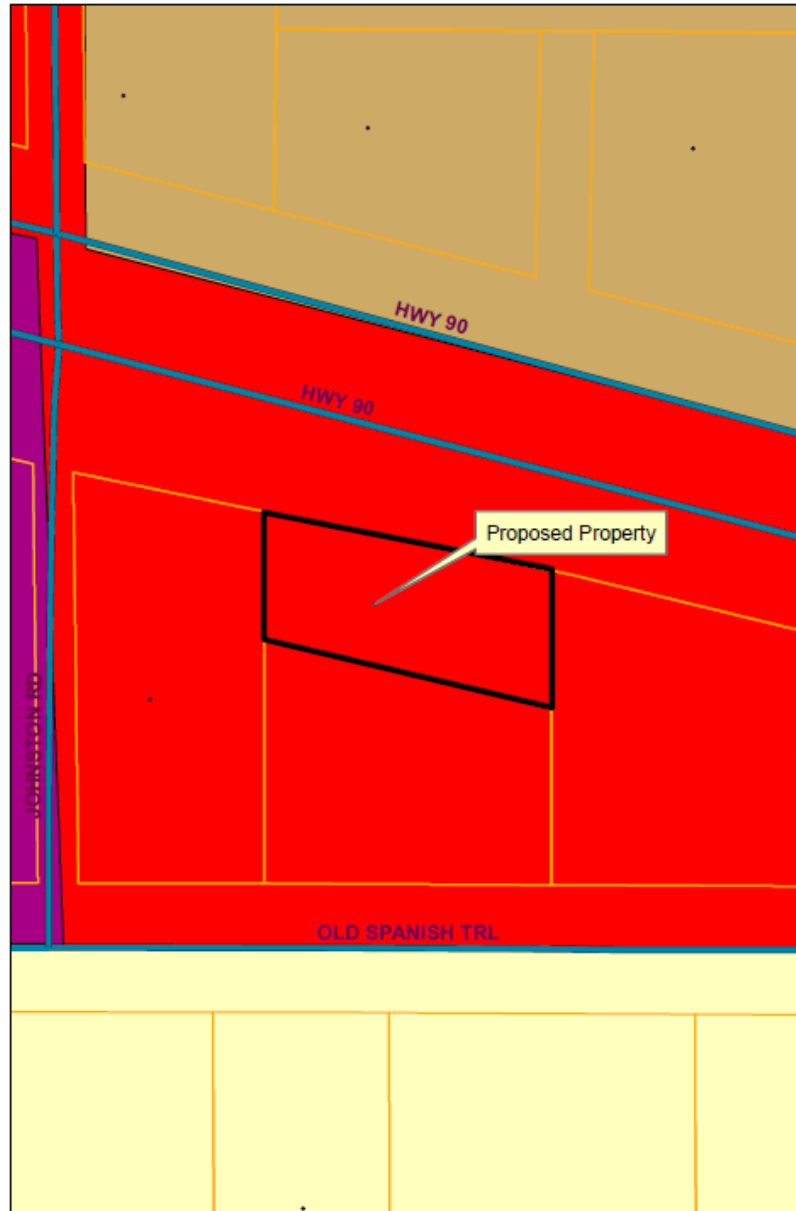


Exhibit C Existing Land-Use

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

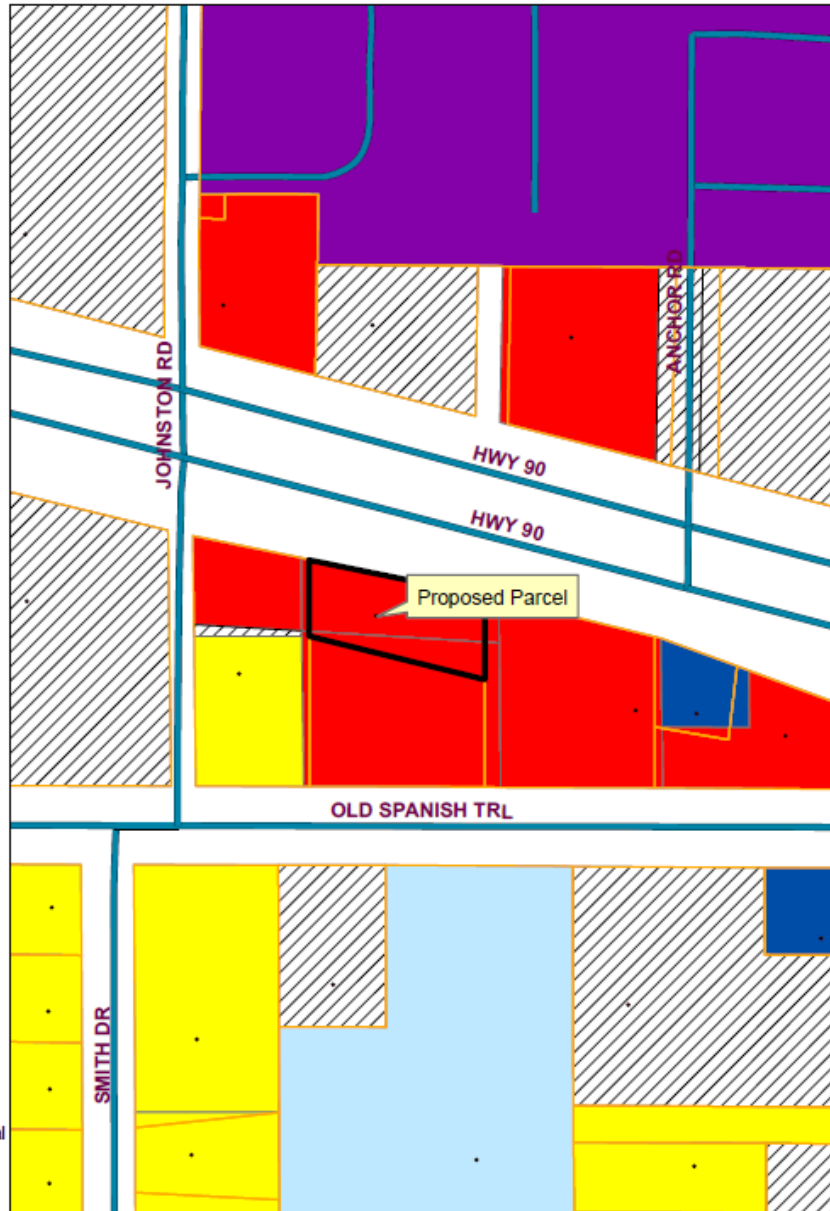


Exhibit D Future Land-Use

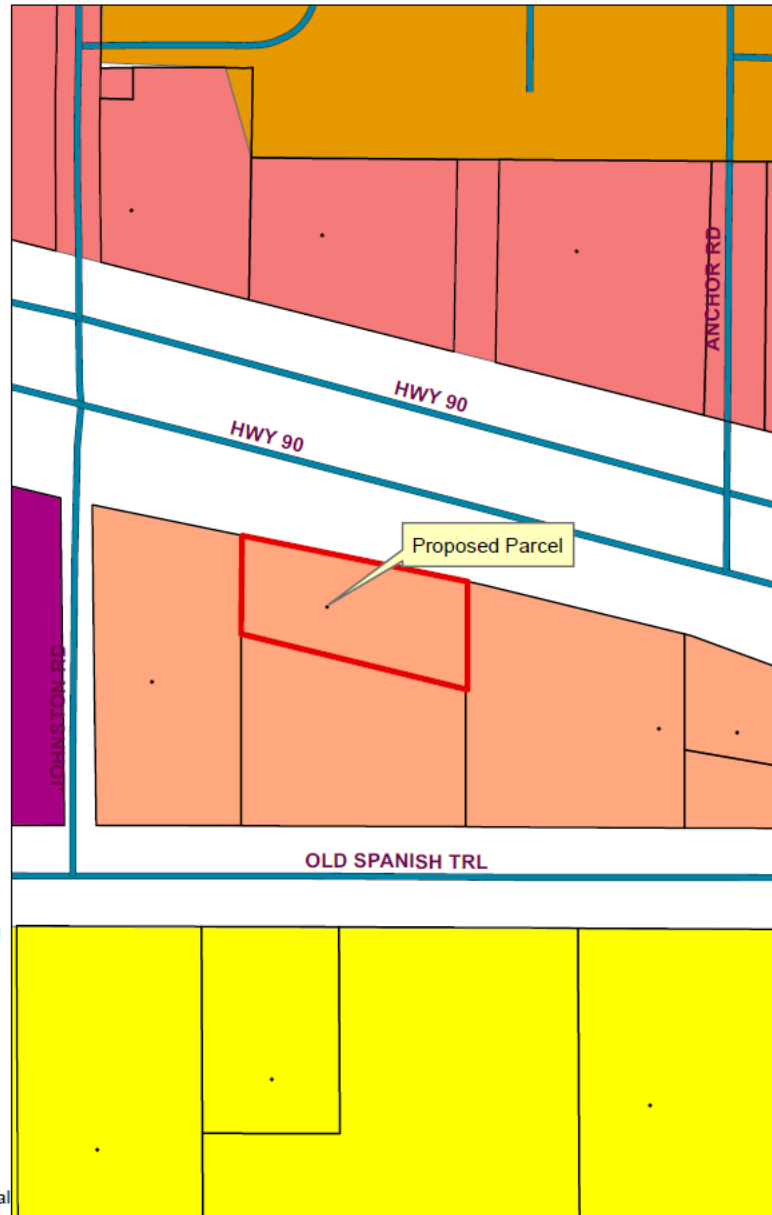
Prepared By:
City of Gautier
Planning Department

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



Gautier Planning Commission

Regular Meeting Agenda

May 7, 2026

GPC #26-21-SE

Brian Walters

PID #82423510.000

Gautier Vancleave Road

VII. NEW BUSINESS

3. Consider a request for a **SPECIAL EXCEPTION** that would allow the outdoor display and sales of portable storage sheds in the C-2 Community Commercial Zoning District at PID #82423510.000 Gautier Vancleave Road (GPC #26-21-SE)

CITY OF GAUTIER STAFF REPORT

To: Chairman and Members, Planning Commission

From: Scott Ankerson, Planning Director

Date: April 16, 2026

Subject: Consider a request for a Special Exception that would allow the outdoor display and sales of portable storage sheds in a C-2 Community Commercial Zoning District. PID #82423510.000, Gautier Vancleave Road. (GPC #26-21-SE)

REQUEST:

The Planning Department has received a request from Brian Walters for a Special Exception that would allow the outdoor display and sales of portable storage sheds in a C-2 Community Commercial Zoning District at PID #82423510.000, Gautier Vancleave Road. (GPC #26-21-SE). The application fee of \$250 was paid on March 24, 2026. All public notice requirements have been met.

BACKGROUND:

The request property is zoned C-2 Community Commercial.

1. Location: Gautier Vancleave Road, PID #82423510.000 (See Exhibit A)
2. General features of the proposed project:
Lot Size: approximately 0.56 acres
3. Potable Water and Wastewater Services: Available at current location
4. Current Zoning (See Exhibit B): C-2 Community Commercial.
5. Current Surrounding Zoning (See Exhibit B): C-2 Community Commercial to the north, west, and south. R-1 Low Density Single Family Residential to the east.
6. Current Surrounding Existing Land Use (See Exhibit C): Vacant to the north, south, and west. Residential to the east.
7. Comprehensive Plan Future Land Use Designation (See Exhibit D): Low Density Residential.

DISCUSSION:

The following addresses the review criteria for a Special Exception outlined in Section 4.16.4 of the UDO.

1. Explain how a literal interpretation of the City of Gautier's Unified Development Ordinance would deprive the applicant of rights commonly enjoyed by others of the district in which the property is located, and would work unnecessary hardship upon the applicant?

Applicant Response: See Attached.

Staff Finding: Unsubstantiated

2. Explain how the requested Special Exception will be in harmony with the purpose of the City of Gautier's Unified Development Ordinance and will not be injurious to the neighborhood or the general welfare?

Applicant Response: See Attached

Staff Finding: Unsubstantiated

3. Explain how the special circumstances requiring the proposed Special Exception are not results of actions of the applicant.

Applicant Response: See Attached

Staff Finding: Unsubstantiated

DETERMINATION OF APPLICABLE LAW:

1. The UDO defines a Special Exception as a relaxation of the terms of the Unified Development Ordinance where such an exception will not be contrary to the public interest, and where, owing to conditions peculiar to the property, a literal enforcement of the ordinance would result in undue hardship. Special Exceptions are necessary when an applicant seeks to establish or expand a use not ordinarily permitted in a specific zoning district. "Special Exceptions" are not transferable from one (1) owner of land to another.
2. Special Exception requires a public hearing before the Planning Commission and approval by the City Council (Section 4.14 of the UDO).

3. Once an application for a Special Exception is submitted to the Planning Department, the procedures outlined in UDO Section 4.14.1 will be followed. At the appropriate time, The Planning Commission will conduct a public hearing to determine whether the applicant meets all relevant criteria, and make a recommendation to City Council pursuant to UDO Section 4.14.4. City Council, pursuant to UDO Section 4.14.4(C), will then consider the matter at its next regularly scheduled meeting and approve or deny the Special Exception.
4. A Special Exception is required for uses not ordinarily permitted in a specific zoning district. Special Exceptions are not permitted by right, and may only be granted when certain criteria are established. (4.16.4)
5. Special Exceptions do not run with the land, and may be revoked by the Planning Department if any of the following circumstances are discovered:
 - D. The property changes ownership
 - E. The property is being utilized in a manner not permitted under the zoning regulations or the special exception; or
 - F. The property ceases to be used for the purpose allowed in the Special Exception for a period of one hundred eighty (180) days during the existence of the Special Exception.

The UDO defines **Hardship** as:

Hardship means the unnecessary hardship that would result from a failure to grant the requested variance or special exception. An unnecessary hardship exists if:

- (1) the land in question cannot yield a reasonable return if used only
 - (a) for a purpose allowed in that zone (applicable to special exceptions), or
 - (b) as permitted by the dimensional requirements of this ordinance (applicable to variances);
- (2) that the plight of the owner is due to unique circumstances of the land for which the variance or special exception is sought; and
- (3) that the use to be authorized by the variance will not alter the essential character of the locality.

RECOMMENDATION & CONCLUSION:

If recommending approval, Planning Commission shall record that the evidence presented meets the "Criteria for Approval" from the UDO as listed above.

The Planning Commission may:

1. Recommend that City Council approve the Special Exception;
2. Recommend that City Council approve the Special Exception with changes; or
3. Recommend that City Council deny the Special Exception.

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

PLANNING DEPARTMENT
GAUTIER, MISSISSIPPI

SPECIAL EXCEPTION HEARING APPLICATION

Public Hearing Number

26-21-5E

TYPE OF REQUEST:

Special Exception

FEE:

\$251.00

*Includes \$1.00 filing fee per MS Code \$25-60-5

Special Exception- These uses are not allowed by right and require a recommendation by the Planning Commission and approval of the City Council.

Name of Applicant: Brion Walters (AKA) BJ

Name of Business: Business Name (Pending)

Address: See Legal Description - No address for property.

Mailing Address (if different): 122 Butterfly Ln, Lucedale MS 39452

Email Address: bjwalters81@gmail.com

Phone: 228-219-4948 Call Phone: 228-992-9299 *

Reason for request, location and intended use of Property: Outdoor Display and Sales of portable storage sheds, No brick and mortar retail store. (unmanned)

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.
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 Planning Director.
7. Owner's Consent form if anyone other than 100% sole owner makes application (see attached).

Signature of Applicant: Brion Walters

FOR OFFICE USE ONLY

Date Received 3/24/26 Verify as Complete Babs

Fee Amount Received 251.00

Initials of Employee Receiving Application Babs

OWNERS CONSENT AND DESIGNATION OF AGENCY - SPECIAL EXCEPTION

Date of Application: 03/24/2026

I, CHERYL MITCHELL, the fee simple owner of the following

described property (give legal description):

PARCELF: 82423510.000 - COM NEC NE1/4 SE1/4 SEC 23 S 849.3' TO N/M RD N 79 DEG W ALG RD 260.8' FOR POB CONT ALG RD 156.3' TO E/M GAULTIER-VANCLE AVE RD NE LY ALG SAID RD 224' S 79 DEG E 87' MIL S 11 DEG W 210' TO POB DB 1021-355 (67 MAP 776.23-D4)

hereby petition to the City of Gautier to Grant a Special Exception of _____

PORTABLE BUILDINGS and affirm that BRIAN WALTERS

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.

Cheryl Mitchell
(Owner's Signature)

The foregoing instrument was acknowledged before me this 24th day of March, 2026 by Cheryl Mitchell, who is personally known to me or has produced MS DL as identification and who did take an oath.

Addie L Bang
(Printed Name of Notary Public)

Addie L Bang
(Signature of Notary Public)

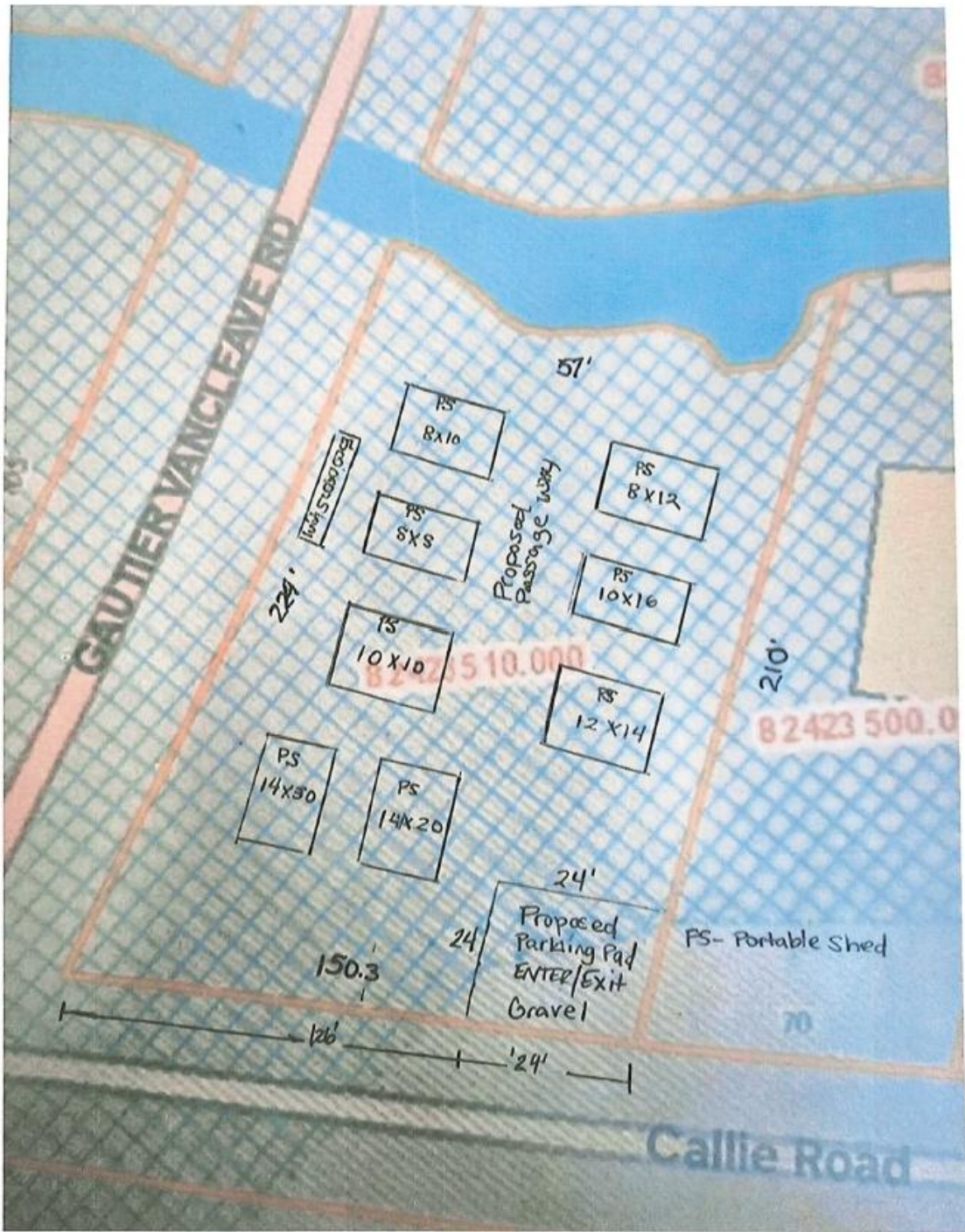
Commission # 101387. My commission expires Feb 13, 2028

(Notary's Seal)



i **Legal Description:** COM NEC NE 1/4 SE 1/4 SEC 23 S 849
3. TO N/M RD N 79 DEG W ALG RD 260.8' FOR POB CONT
ALG RD 156.3' TO E/M GAUTIER-VANCLEAVE RD NE LY 81
ALG SAID RD 224' S 79 DEG E 87 M/L S 11 DEG W 210' TO
POB DB 1021-355 (67 Map 776.23-04)





A. Explain how a literal interpretation of the City of Gautier's Unified Development Ordinance would deprive the applicant of rights commonly enjoyed by others of the district in which the property is located, and would work unnecessary hardship upon the applicant?

A literal interpretation of the City of Gautier's Unified Development Ordinance would prevent me from using my property in a way that is common and reasonable for other owners in this same district. By denying this special exception, I would be unable to make practical use of the land for small-scale storage and display of portable buildings, even though similar low-impact uses already exist nearby and are allowed under comparable circumstances. This would create an unnecessary financial and practical hardship by leaving the property underutilized and limiting my ability to support my family business while still meeting all safety and appearance standards.

B. Explain how the requested Special Exception will be in harmony with the purpose and intent of the City of Gautier's Unified Development Ordinance and will not be injurious to the neighborhood or the general welfare?

The requested special exception is in harmony with the purpose and intent of the Unified Development Ordinance because it supports small-scale local business while maintaining public safety, good appearance, and compatible land use. This will be a quiet, low-impact operation with daytime hours only, minimal employees to zero employees, with low traffic, and I will maintain the property with respect to nearby homes and businesses. I am committed to being a good neighbor by keeping the site clean, providing adequate parking and safe access, and operating in a way that does not create noise, lighting, or congestion problems, while adding tax revenue and services that benefit the City of Gautier.

C. Explain how the special circumstances requiring the proposed Special Exception are not results of actions of the applicant?

The need for this special exception comes from the unique zoning and existing development pattern around this parcel, not from anything I have done as the owner. The property's location, size, and access make it especially suitable for low-impact outdoor display of portable buildings, but the current ordinance does not clearly list this specific type of small-scale sales use as permitted, which creates a technical barrier. I have not subdivided, built, or used the property in a way that created this situation; I am simply asking for a reasonable allowance so the land can be used productively and responsibly within the spirit of the city's development regulations.

FIRST_SUFF	00
FIRST_SHAP	27960.1485738
SHAPE_Leng	745.64976356
ID	80111
PIDN	82423510.000
MAPNO	776.23-23-007.00
GISP_1	776.23-04-0067.00
NAME	MITCHELL LEONARD MARK &
NAME2	CHERYL ANN
ADDRESS	P O BOX 515
CITY	GAUTIER MS
ZIP	39553
LOCATION	GAUTIER VANCLEAVE RD GAUTIER
DESC1	COM NEC NE1/4 SE1/4 SEC 23 S 849
DESC2	.3' TO N/M RD N 79 DEG W ALG RD
DESC3	260.8' FOR POB CONT ALG RD 156.3
DESC4	' TO E/M GAUTIER-VANCLEAVE RD NE
DESC5	LY ALG SAID RD 224' S 79DEG E 87
DESC6	' M/L S 11 DEG W 210' TO POB DB
DESC7	1021-355 (67 Map776.23-04)
DESC8	
DESC9	
DB	1021
DP	355
SECTION	23
TOWN	7
RANGE	7
ACREAGE	0.56
EXEMPT	0

Exhibit A Location Map

Prepared by:
City of Gautier
Planning Department

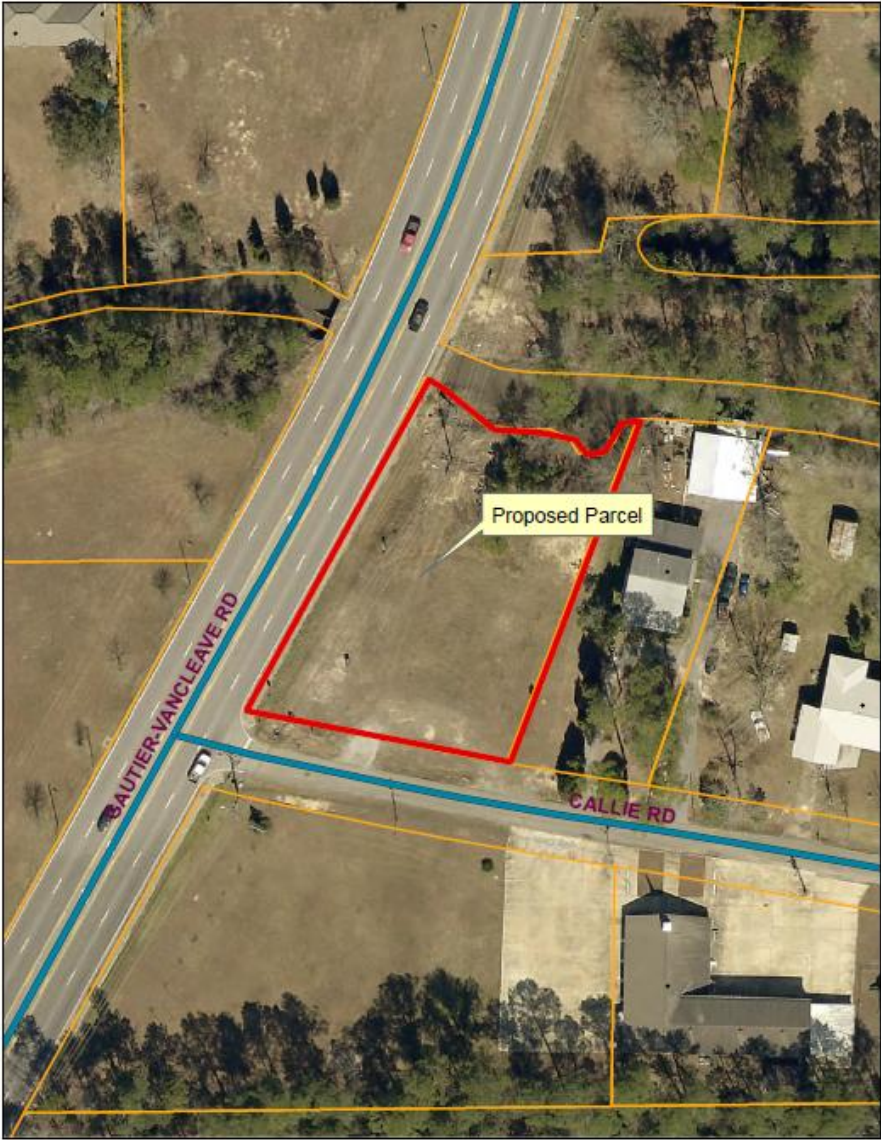


Exhibit B Existing Zoning

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

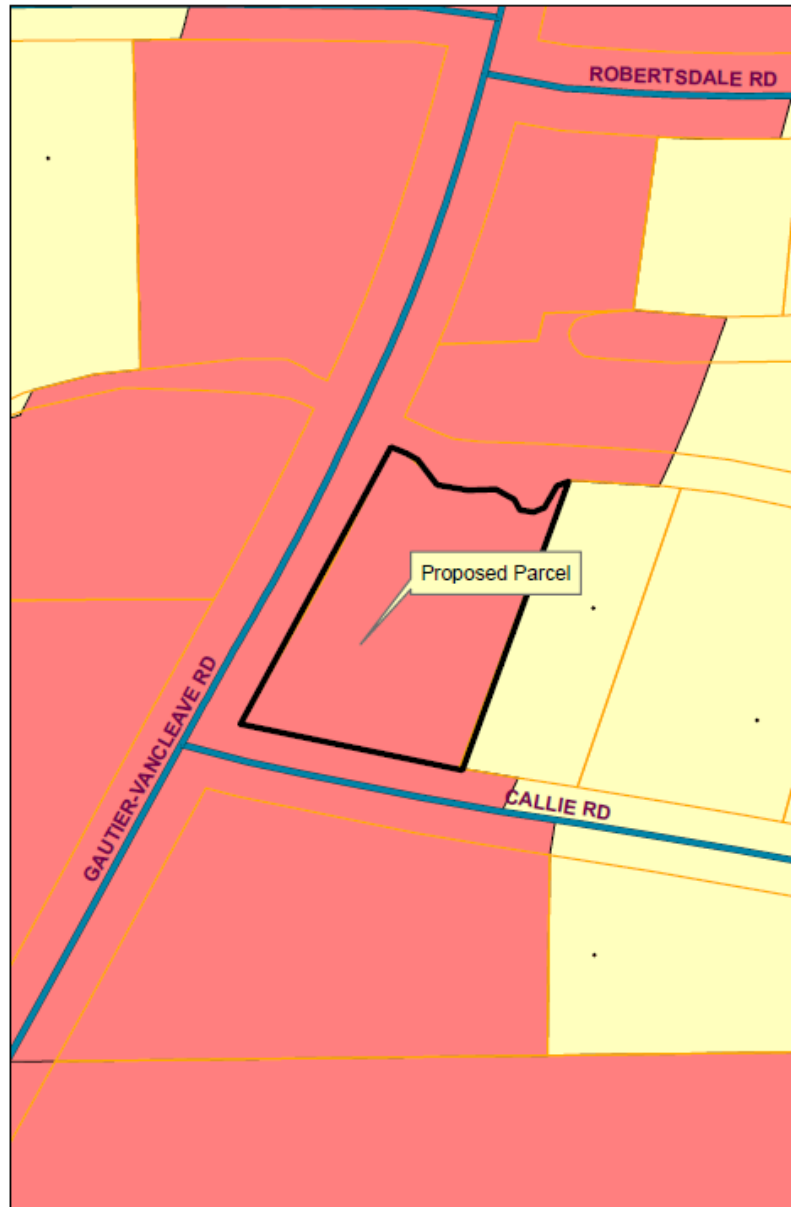
















Exhibit C Existing Land-Use

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

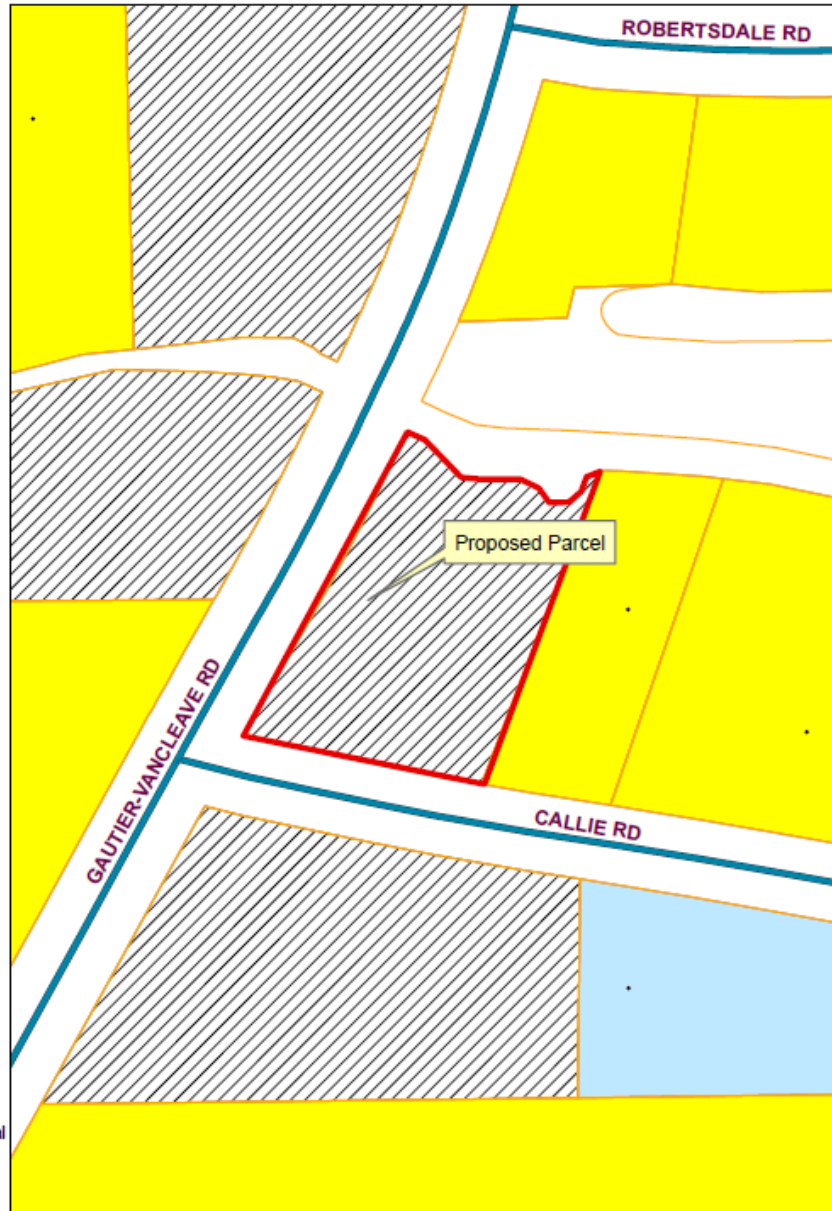

















Exhibit D Future Land-Use

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



Gautier Planning Commission

Regular Meeting Agenda

May 7, 2026

GPC #26-22-CU Minor

Sioux Bayou RV Park

1221 John Dailey Drive

VII. NEW BUSINESS

4. Consider a request for a Conditional Use-Minor that would allow placement of a MEMA Cottage in a MURC-2 Mixed Use Recreation Commercial-2 Zoning District. 1221 John Dailey Drive, (GPC #26-22-CU)

**CITY OF GAUTIER
STAFF REPORT**

To: Chairman and Members, Planning Commission

From: Scott Ankersen, Planning Director

Date: April 16, 2026

Subject: Consider a request Conditional Use-Minor that would allow placement of a MEMA Cottage in a MURC-2 Mixed Use Recreation Commercial-2 Zoning District. 1221 John Dailey Drive, (GPC #26-22-CU)

REQUEST:

The Planning Department has received a request from Sioux Bayou RV Park for a Conditional Use-Minor that would allow placement of a MEMA Cottage in a MURC-2 Mixed Use Recreation Commercial-2 Zoning District at 1221 John Dailey Drive PID #82424080.200 & PID #82425010.100 (GPC #26-22-CU) The application fee of \$250 was paid on April 13, 2026. All public notice requirements have been met.

BACKGROUND:

The request property is zoned MURC-2 Mixed Use Recreation Commercial-2.

1. Location: 1221 John Dailey Drive, PID #82424080.200 & PID #82425010.100 (See Exhibit A)
2. General features of the proposed project:
Proposed Parcel Area: Approximately 3 Acres
Total Area: Approximately 11.3 Acres
3. Existing Zoning – MURC-2 Mixed Use Recreation Commercial-2 (See Exhibit B)
4. Existing Land Use – RV park. (See Exhibit C)
5. Comprehensive Plan Future Land Use Designation – Conservation (See Exhibit D)

DISCUSSION:

The following addresses the review criteria for a Minor Conditional Use outlined in Section 4.17.3 of the UDO.

1. Is the proposed use substantially compatible with other uses in the area, including factors related to the nature of its location, operation, building design, site design, traffic characteristics, and environmental impacts? Explain.

Applicant Response: Yes, it is located in the RV park

Staff Finding: Yes. This parcel is part of an existing RV Park and a MEMA Cottage is listed as a Conditional Use-Minor in an MURC-2 Mixed Use Recreational Commercial-2 District.

2. Will the proposed use be materially detrimental to health, safety, and general welfare of the public or otherwise injurious to the environment or to the property or improvements within the area? Explain

Applicant Response: Yes

Staff Finding: The proposed use is allowed in a MURC-2 zoning district with a Minor Conditional Use.

3. Is the proposed use consistent with the Comprehensive Plan? Explain how.

Applicant Response: Yes, it fits the RV and cottages.

Staff Finding: The Comprehensive Plan indicates that these parcels are to be used for Marina/Fish Camps in the future. The RV Park is consistent with this plan.

4. Is the proposed use in conformance with specific site location, development, and operation standards as required by this Ordinance? Explain.

Applicant Response: Yes, it will meet all code and elevation requirements.

Staff Finding: The Existing RV Park is permitted by right in a MURC-2 Zoning District and the placement of a MEMA Cottage is allowed with a Conditional Use-Minor in a MURC-2 Zoning District.

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:

If recommending approval, Planning Commission shall record that the evidence presented meets the "Criteria for Approval" from the UDO as listed above.

The Planning Commission may:

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

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
PLANNING DEPARTMENT
CONDITIONAL USE APPLICATION

Public Hearing Number

26-22-CU

TO BE HEARD BY GAUTIER PLANNING COMMISSION AND CITY COUNCIL:	
Conditional Use - Major _____	FEE: \$251.00
TO BE HEARD BY PLANNING DIRECTOR:	
Conditional Use - Minor <u>✓</u>	FEE: \$251.00
*Includes \$1.00 filing fee per MS Code §25-60-5	

Name of Applicant: SIBUX BAYOU RV - Marguerite Thomas
Name of Business: Sibux Bayou Phone: 228-217-4200
Property Address: 1221 John Daley Mailing Address (if Different): _____
E-Mail Address: Marguerite4042@gmail.com
Proposed Use Requiring Conditional Use: _____ (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).
- ✓ 3. 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 Planning Director.
- ✓ 7. Owner's Consent form if anyone other than 100% sole owner makes application (see attached).

Signature of Applicant(s): Marguerite Thomas Date of Application: 4-10-26

FOR OFFICE USE ONLY	
Date Received <u>4/13/26</u>	Verify as Complete <u>Babs/Scott - send to Council</u> ^{PCA}
Fee Amount Received <u>251.00</u>	Initials of Employee Receiving Application <u>Babs</u>

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?
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.
3. Will your project negatively affect neighboring property values or pose a real or perceived threat to citizens? Explain.
4. Will your project adversely affect vehicular or pedestrian traffic in the vicinity? Explain.
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?
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.
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.

MINOR CONDITIONAL USE CRITERIA FOR APPROVAL

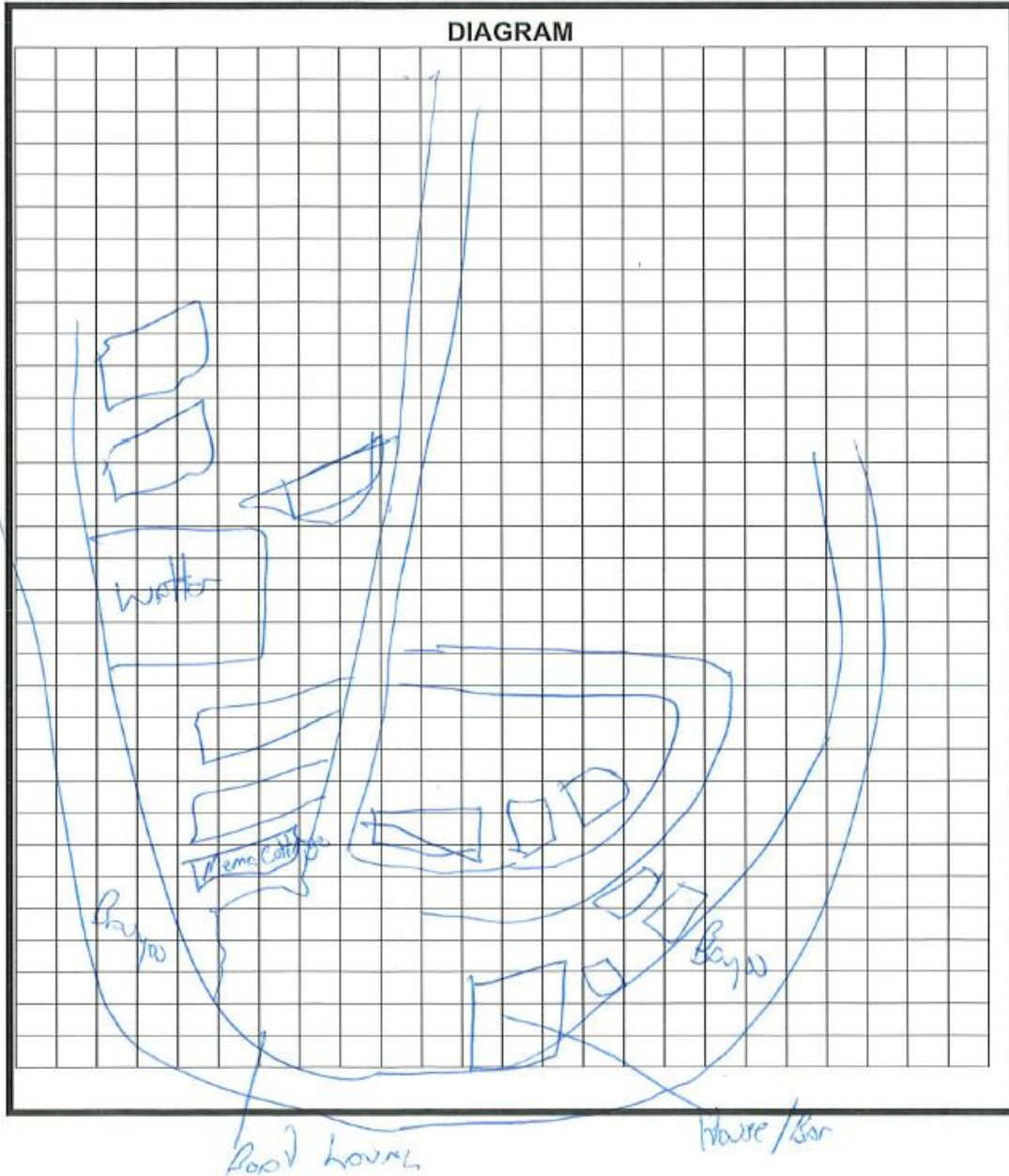
1. Is the proposed use substantially compatible with other uses in the area, including factors relating to the nature of its location, operation, building design, site design, traffic characteristics, and environmental impacts? Explain. *Yes, Its located in the RV park.*
2. Will the proposed use be materially 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. *Yes*
3. Is the proposed use consistent with the Comprehensive Plan? Explain how. *Yes, it fits the RV and cottages*
4. Is the proposed use in conformance with specific site location, development, and operation standards as required by this Ordinance? Explain. *Yes, it will me all codes and development requirements*

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

The location of the MEMA Cottage will not
cause issue with Access. The property is a RV park/
bar so I will fit the theme of the property

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.



Parcels: SIOUX BAYOU LANDING LLC

GISP	776.24-04-0117.00
FIRST_ROUT	0117
FIRST_SUFF	00
FIRST_SHAP	104,272.19
OID_	
ID	80,200.00
PIDN	82424080.200
MAPNO	776.24-24-005.00
GISP_1	776.24-04-0117.00
NAME	SIOUX BAYOU LANDING LLC
NAME2	
ADDRESS	1221 JOHN DAILEY DR
CITY	GAUTIER MS
ZIP	39553
LOCATION	LOUIS ALEXIS TRL GAUTIER
DESC1	3 AC IN SE1/4 SE1/4 DB 2165-22
DESC2	6 (117 MAP776.24-04)
DESC3	
DESC4	
DESC5	
DESC6	
DESC7	
DESC8	
DESC9	
DB	2165
DP	226
SECTION	24

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-3
	I-2
	MURC-1
	MURC-2
	MURC-MW
	PL
	PUD
	R-1
	R-2
	R-3
	RE
	TC

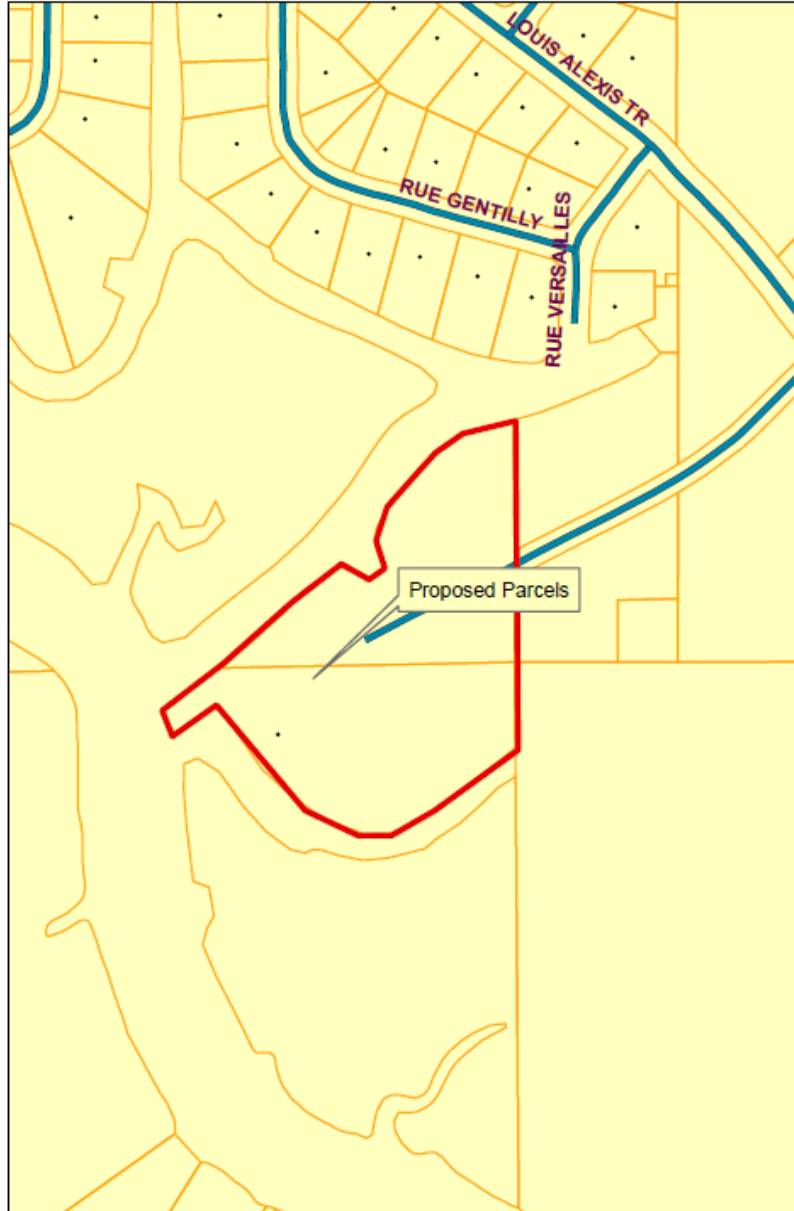


Exhibit C Existing Land-Use

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

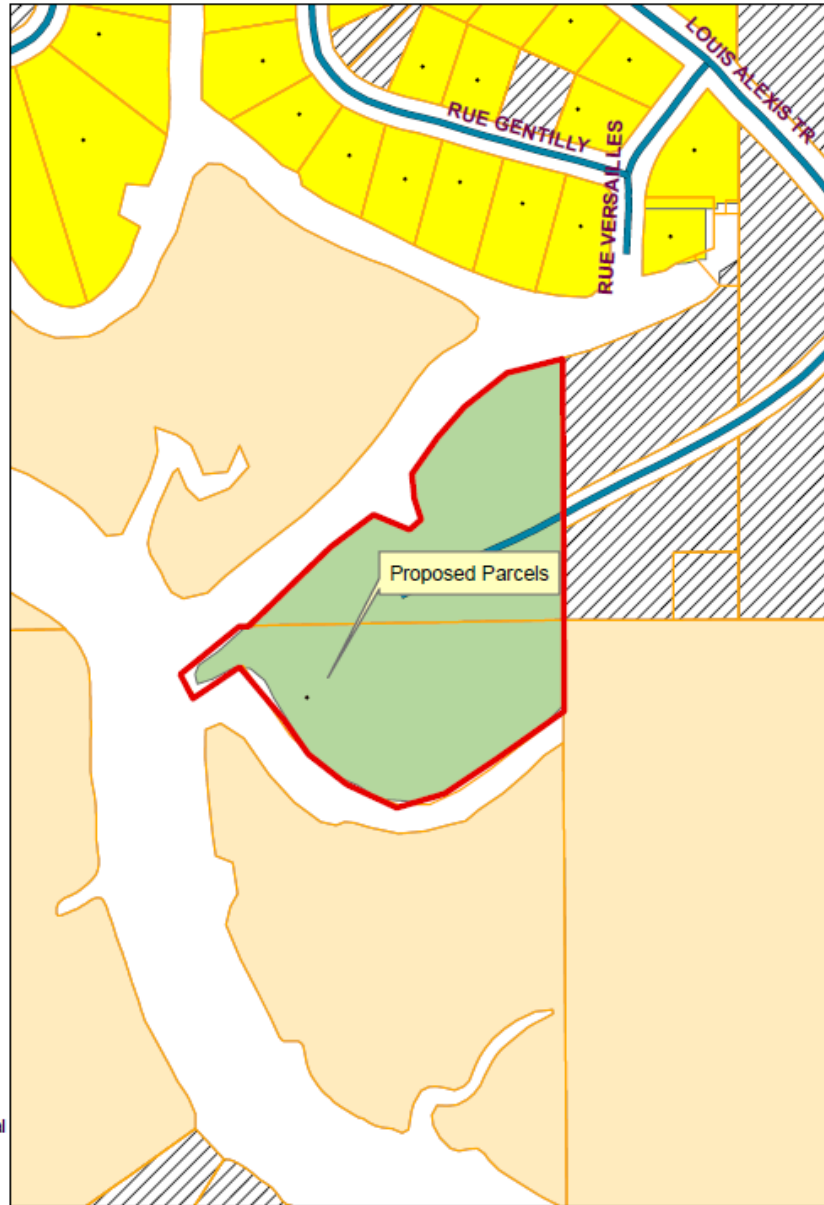

















Exhibit D Future Land-Use

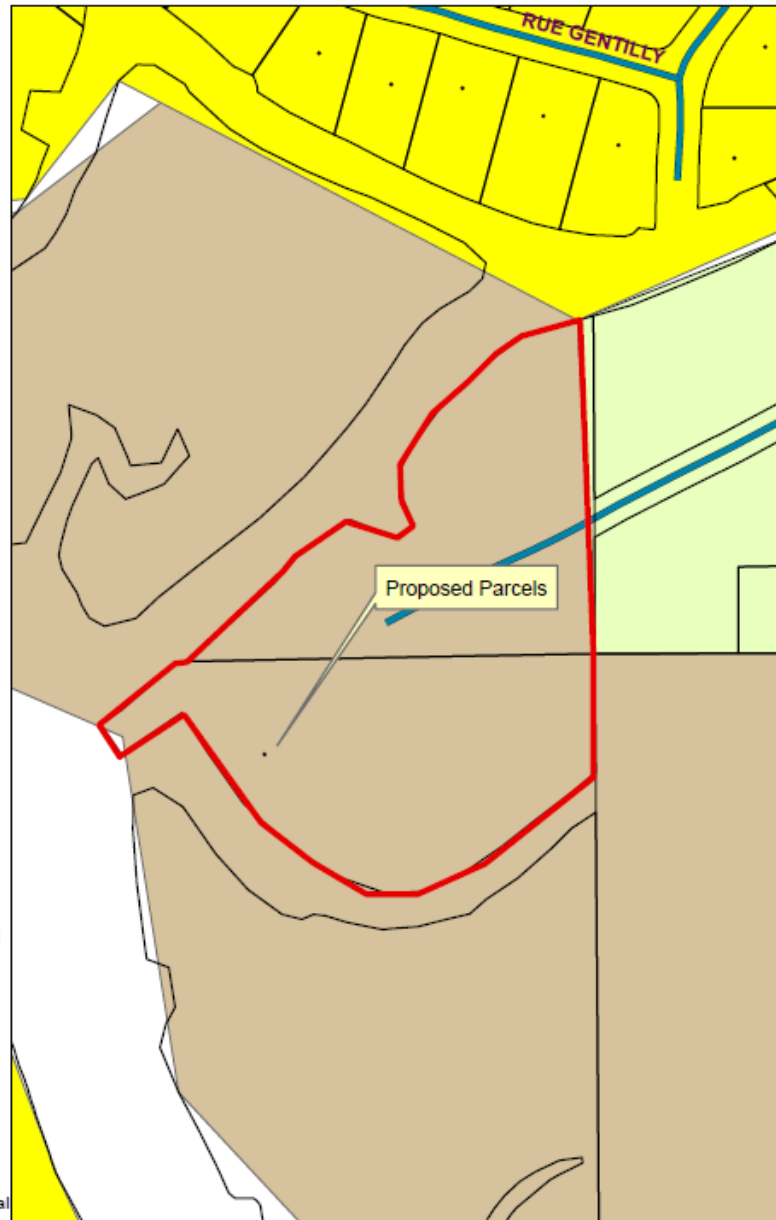
Prepared By:
City of Gautier
Planning Department

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



Gautier Planning Commission

Regular Meeting Agenda

May 7, 2026

GPC #26-23-CU

Collin Cheek dba River Chase Village, Inc.

5090 Gautier Vancleave Road

VII. NEW BUSINESS

5. Consider a request for a Conditional Use-Major that would allow an expansion of the existing skilled nursing facility to allow eight (8) additional private rooms in a C-2 Community Commercial Zoning District. 5090 Gautier Vancleave Road, (GPC #26-23-CU)

**CITY OF GAUTIER
STAFF REPORT**

To: Chairman and Members, Planning Commission

From: Scott Ankersen, Planning Director

Date: April 16, 2026

Subject: Consider a request for a Conditional Use-Major that would allow an expansion of the existing skilled nursing facility for eight (8) additional private rooms in a C-2 Community Commercial Zoning District. 5090 Gautier Vancleave Road, (GPC #26-23-CU)

REQUEST:

The Planning Department has received a request from Collin Cheek dba River Chase Village, Inc. for a Conditional Use-Major that would allow an expansion of the existing skilled nursing facility for eight (8) additional private rooms in a C-2 Community Commercial Zoning District at 5090 Gautier Vancleave Road, (GPC #26-23-CU) PID #82423380.145 (GPC #26-23-CU) The application fee of \$250 was paid on April 16, 2026. All public notice requirements have been met.

BACKGROUND:

The request property is zoned C-2 Community Commercial.

1. Location: 5090 Gautier Vancleave Road, PID #82423380.145 (See Exhibit A)
2. General features of the proposed project:
Total Area: Approximately 4.34 Acres
Existing skilled nursing facility
3. Existing Zoning – C-2 Community Commercial (See Exhibit B)
4. Existing Land Use – currently part of the established skilled nursing facility. (See Exhibit C)
5. Comprehensive Plan Future Land Use Designation – Low Impact Commercial (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 Response: Yes

Staff Finding: Yes. A Convalescent or Nursing Home is listed as a Conditional Use-Major in a C-2 Community Commercial 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: This project consists of adding 8 private rooms to an existing skilled nursing facility. It will not have any negative effect on development in the surrounding areas nor will any additional parking be needed. We are not adding more beds to the facility, rather adding more private rooms so we can better serve the community. The total bed count will still remain at 60, therefore not increasing capacity and parking.

Staff Finding: The proposed use is allowed in a C-2 zoning district with a Major Conditional Use.

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

Applicant Response: No it will not. The addition of private rooms will enhance senior housing for people in our community.

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.

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

Applicant Response: No, it will not. The addition will be located behind the existing building.

Staff Finding: There is no evidence that the proposed use 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, it can be since our square footage will be increasing, but the number of people living within our building will not be increasing beyond our current capacity.

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 Response: I have not seen the Comprehensive Plan and can therefore not opine on this question.

Staff Finding: The Comprehensive Plan calls out "Low Impact Commercial" for future land use of this property.

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, it does not. The addition consists of 8 rooms for elderly people to reside in a peaceful setting.

Staff Finding: There is no evidence that the proposed use poses a hazardous, detrimental, or disturbing effect 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.

Staff Finding: The proposed use will conform to all current 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:

If recommending approval, Planning Commission shall record that the evidence presented meets the "Criteria for Approval" from the UDO as listed above.

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
PLANNING DEPARTMENT
CONDITIONAL USE APPLICATION

Public Hearing Number

26-23-CU

TO BE HEARD BY GAUTIER PLANNING COMMISSION AND CITY COUNCIL:		
Conditional Use - Major	<input checked="" type="checkbox"/>	FEE: \$251.00
TO BE HEARD BY PLANNING DIRECTOR:		
Conditional Use - Minor	<input type="checkbox"/>	FEE: \$251.00
*Includes \$1.00 filing fee per MS Code §25-60-5		

Name of Applicant: Collin Cheek

Name of Business: River Chase Village, Inc Phone: 228-522-6700

Property Address: 5090 Gautier Vandœuvre Rd Mailing Address (if Different): _____

E-Mail Address: Collin@SentryCare.com

Proposed Use Requiring Conditional Use: _____ (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).
 - 3. 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 Planning Director.
 - _____ 7. Owner's Consent form if anyone other than 100% sole owner makes application (see attached).

Signature of Applicant(s): [Signature] Date of Application: 3/31/26

FOR OFFICE USE ONLY	
Date Received <u>4/16/26</u>	Verify as Complete <u>Babs + Eric</u>
Fee Amount Received <u>\$251.00</u>	Initials of Employee Receiving Application <u>Babs + EMP</u>

C-2

Major Conditional Use Criteria for Approval

1. Yes
2. This project consists of adding 8 private rooms to an existing skilled nursing facility. It will not have any negative effect on development in the surrounding areas nor will any additional parking be needed. We are not adding more beds to the facility, rather adding more private rooms so we can better serve the community. The total bed count will still remain 60, therefore not increasing capacity and parking.
3. No, it will not. The addition of private rooms will enhance senior housing for people in our community.
4. No, it will not. The addition will be located behind the existing building.
5. Yes, it can be since our square footage will be increasing, but the number of people living within our building will not be increasing beyond our current capacity.
6. I have not seen the comprehensive plan and can therefore not opine on this question
7. No, it does not. The addition consists of 8 rooms for elderly people to reside in a peaceful setting.
8. Yes it does.

Minor Conditional Use Criteria for Approval

1. Yes; this is an addition to an existing and established business and is compatible
2. No; the addition to the existing building will not be detrimental to health and safety
3. I have not seen the comprehensive plan and can therefore not opine on this question
4. Yes

Narrative

River Chase Village is a 60-bed skilled nursing community that was built around 2001 by SentryCare. Still owned and operated by SentryCare, we are proposing an addition to the existing building of 8 rooms to enhance the living accommodations for those that we serve. We currently have 12 private rooms and 24 semi private rooms. By adding a wing of 8 rooms, our building will have 28 private rooms and 16 semi private. Being able to offer more private rooms gives our residents more options for living arrangements.



MISSISSIPPI STATE DEPARTMENT OF HEALTH

November 19, 2025

Leah McBride Watters, Registered Architect
Watters Architecture
133 Davis Ave APT K,
Pass Christian, MS 39571

**RE: Plan Review for
River Chase Village
5090 Gautier Vancleave Rd
Gautier, MS 39553
Project Number: N/A
Eight (8) Private Rooms Addition at River Chase Village**

Dear Ms. Watters,

Thank you for providing the plan drawings for this project. Based on our review, the submitted Plans, Specifications and Responses are accepted without further comment. Approval for commencement of construction is granted. However, failure by this office to note errors or omissions does not relieve the obligation of the Licensee to meet all regulations, codes and standards governing this facility.

Final construction approval may be achieved by a final inspection upon completion of construction. We also require notification of 50% and 80% completion of construction so that we may make intermediate inspections at those intervals. We ask that inspection requests be submitted in writing a minimum of two to four weeks in advance. Send requests to Derrick McInnis at FireSafetyConstruction@msdh.ms.gov

If I can be of further assistance, please contact the Division of Fire Safety and Construction, Bureau of Health Facilities Licensure and Certification.

Sincerely,

A handwritten signature in black ink that reads "Derrick McInnis".

Derrick McInnis, HFCL Director, Fire Safety & Construction, via email
(601) 364-1111 • FireSafetyConstruction@msdh.ms.gov

cc:

FIRST_SHAP 188,033.15
OID_
ID 80,092.00
PIDN 82423380.145
MAPNO 776.23-23-014.08
GISP_1 776.23-04-0005.00
NAME SENTRY SOUTH LP
NAME2
ADDRESS 106A OFFICE PARK DR
CITY BRANDON MS
ZIP 39042
LOCATION 5090 GAUTIER VANCLEAVE RD GAUTIER
DESC1 COM SEC SECT 23 W 722.72' S 6.15
DESC2 TO POB N 62 DEG W 680.85' TO E/
DESC3 M GAUTIER-VANCLEAVE RD N 30 DEG
DESC4 E ALG E/M RD 281.21' S 61 DEG E
DESC5 669.37' S 27 DEG W 280.06' TO PO
DESC6 B DB 1236-465 'PER SURVEY' (5 MA
DESC7 P776.23-04)
DESC8
DESC9
DB 1236
DP 465
SECTION 23
TOWN 7
RANGE 7
ACREAGE 4.34
EXEMPT 0
DISTRICT 3840

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

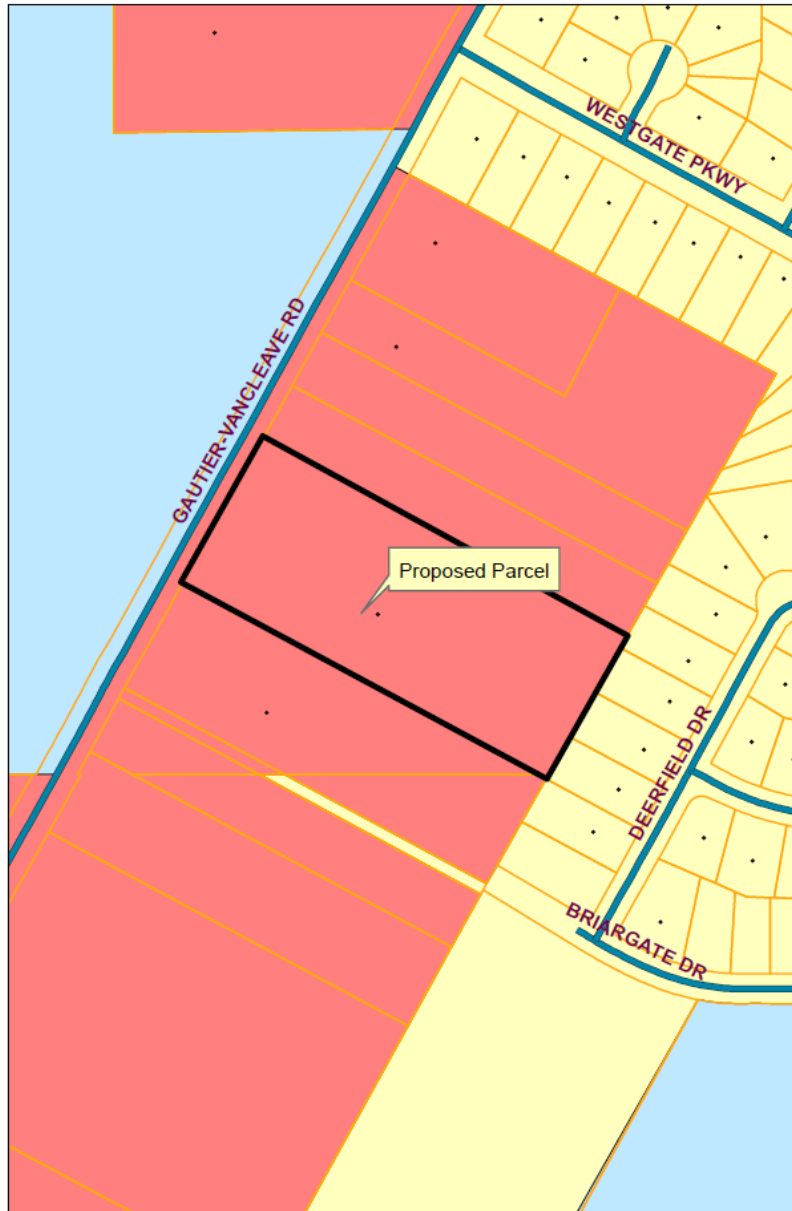


Exhibit C Existing Land-Use

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

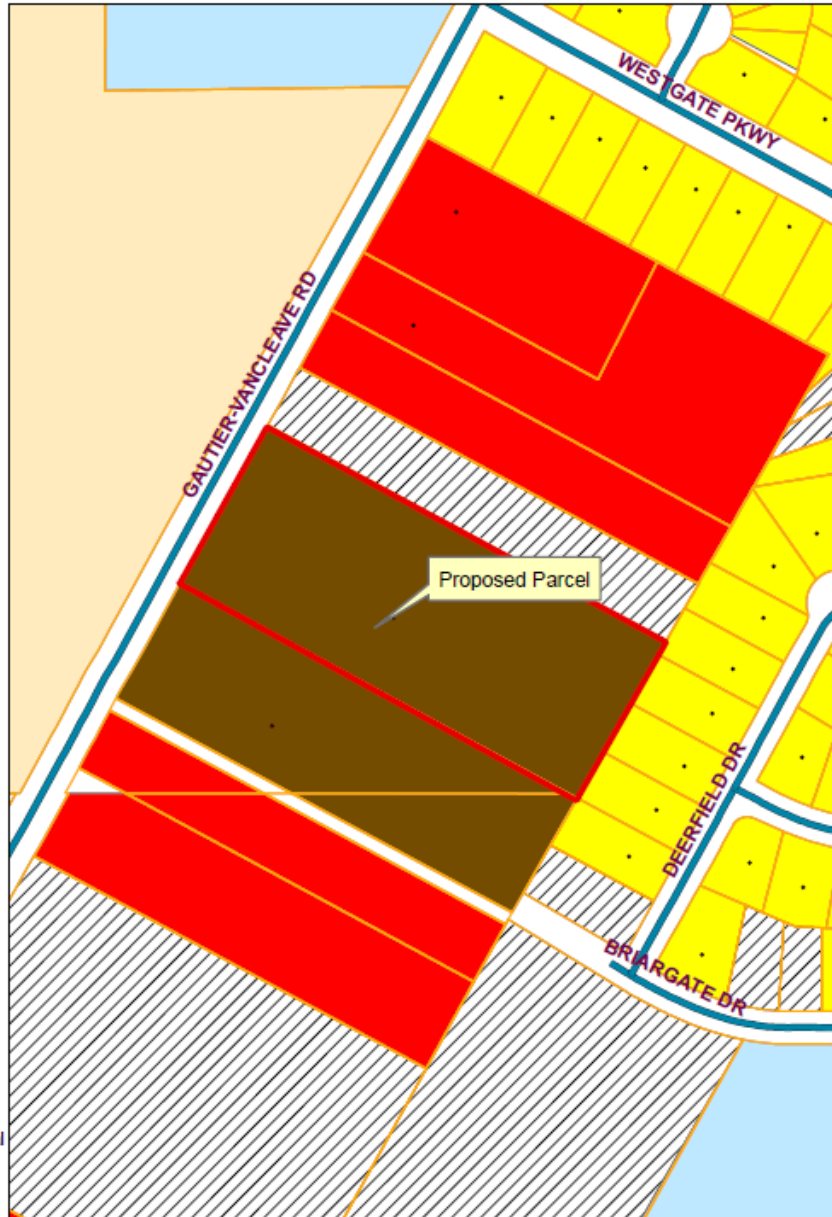


Exhibit D Future Land-Use

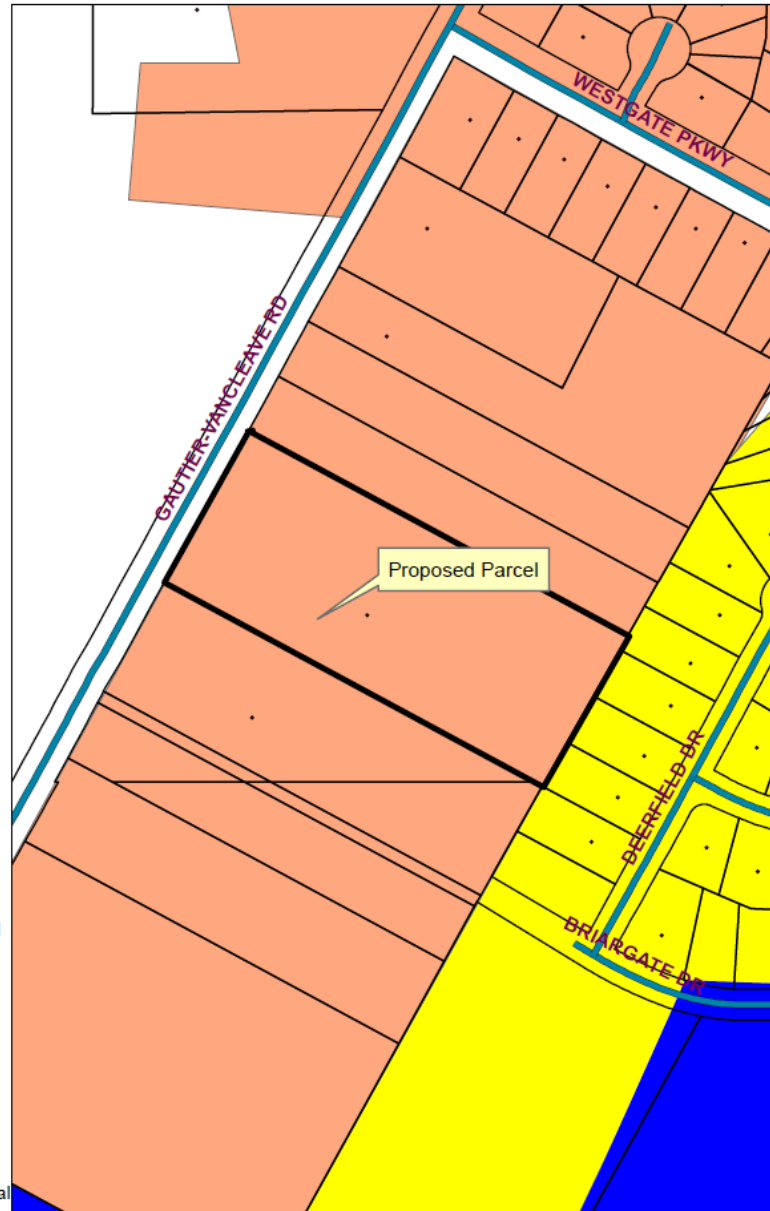
Prepared By:
City of Gautier
Planning Department

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



Gautier Planning Commission

Regular Meeting Agenda

June 4, 2026

GPC #26-24-SE

James W. Lee II

DBA Roughwater Marine & Auto LLC

321 HWY 90

PIDN #87010075.000, 87010069.000 & 87010076.000

VII. NEW BUSINESS

1. Consider a request for a **SPECIAL EXCEPTION** that would allow the use of three (3) Conex boxes for temporary storage for a period of one (1) year in a C-3 Highway Commercial Zoning District at 321 Hwy 90. PIDN's #87010075.000, 87010069.000 & 87010076.000 (GPC #26-24-SE)

CITY OF GAUTIER STAFF REPORT

To: Chairman and Members, Planning Commission

From: Scott Ankerson, Planning Director

Date: April 27, 2026

Subject: Consider a request for a Special Exception that would allow the use of three (3) Conex boxes for temporary storage for a period of one (1) year in a C-3 Highway Commercial Zoning District at 321 Hwy 90. PIDN's #87010075.000, 87010069.000 & 87010076.000 (GPC #26-24-SE)

REQUEST:

The Planning Department has received a request from James W. Lee dba Roughwater Marine & Auto LLC for a Special Exception that would allow the use of three (3) Conex boxes for temporary storage for a period of one (1) year in a C-3 Highway Commercial Zoning District at 321 Hwy 90. PIDN's #87010075.000, 87010069.000 & 87010076.000 (GPC #26-24-SE). The application fee of \$250 was paid on April 23, 2026. All public notice requirements have been met.

BACKGROUND:

The request property is zoned C-3 Highway Commercial.

1. Location: 321 Hwy 90, Gautier, MS 39553. PIDN's #87010075.000, 87010069.000 & 87010076.000 (See Exhibit A)
2. General features of the proposed project:
Lot Size: approximately 3.92 acres
3. Potable Water and Wastewater Services: Available at current location
4. Current Zoning (See Exhibit B): C-3 Highway Commercial.
5. Current Surrounding Zoning (See Exhibit B): C-3 Highway Commercial to the north, east, and Northwest. R-2 High Density Multi-Family Residential to the southwest and south.
6. Current Surrounding Existing Land Use Commercial to the West and North, Residential to the East and South (See Exhibit C): (MAP)

7. Comprehensive Plan Future Land Use Designation (See Exhibit D): Low Impact Commercial.

DISCUSSION:

The following addresses the review criteria for a Special Exception outlined in Section 4.16.4 of the UDO.

1. Explain how a literal interpretation of the City of Gautier's Unified Development Ordinance would deprive the applicant of rights commonly enjoyed by others of the district in which the property is located, and would work unnecessary hardship upon the applicant?

Applicant Response: *Due to the fact that we cannot add the 3 Connex boxes on the property, Roughwater Marine is having to store parts and equipment outdoors and other areas of the business which has become a hinderance.*

Staff Finding: *Unsubstantiated*

2. Explain how the requested Special Exception will be in harmony with the purpose of the City of Gautier's Unified Development Ordinance and will not be injurious to the neighborhood or the general welfare?

Applicant Response: *The connex boxes that we are requesting to add on the property will be in front of a fence and tree line to add a level of concealment from the neighboring homes. The boxes would only need to be used as temporary storage for one year while we build an addition to the property to store the parts and items.*

Staff Finding: *Unsubstantiated*

3. Explain how the special circumstances requiring the proposed Special Exception are not results of actions of the applicant.

Applicant Response: *The need for 3 Connex boxes are due to the rise in customer demand for the products that we offer here at Roughwater Marine. Due to this demand, we have purchased more product to have on hand and therefore need more room on the property for storage. When the business was purchased from its previous owner in October of 2023, there were Connex boxes left on the property that were old and needed to be disposed of. We would like to replace the connex boxes that were on the property to begin with.*

Staff Finding: *Unsubstantiated*

DETERMINATION OF APPLICABLE LAW:

UDO Section 6.8.2 (D) Portable Storage Container (POD)-

“In Industrial and Commercial Districts- One (1) storage container may be permitted per 25,000 square feet of GFA per business or establishment holding a valid business license. Storage containers must be placed in the rear or side yard behind the front building line and shall not be placed on any required designated parking area. Permits for storage containers shall be issued annually, are valid for one hundred eighty (180) days, and may be extended for one (1) additional one hundred eighty (180) day period. Storage containers shall be well kept and free of rust or signs of deterioration. Areas around storage containers shall be kept clear of any overgrown vegetation, debris, and/or any outside storage of materials. If at any time the regulations of this section are not met, permits for storage containers may be revoked by the Planning Director.”

1. The UDO defines a Special Exception as a relaxation of the terms of the Unified Development Ordinance where such an exception will not be contrary to the public interest, and where, owing to conditions peculiar to the property, a literal enforcement of the ordinance would result in undue hardship. Special Exceptions are necessary when an applicant seeks to establish or expand a use not ordinarily permitted in a specific zoning district. “Special Exceptions” are not transferable from one (1) owner of land to another.
2. Special Exception requires a public hearing before the Planning Commission and approval by the City Council (Section 4.14 of the UDO).
3. Once an application for a Special Exception is submitted to the Planning Department, the procedures outlined in UDO Section 4.14.1 will be followed. At the appropriate time, The Planning Commission will conduct a public hearing to determine whether the applicant meets all relevant criteria, and make a recommendation to City Council pursuant to UDO Section 4.14.4. City Council, pursuant to UDO Section 4.14.4(C), will then consider the matter at its next regularly scheduled meeting and approve or deny the Special Exception.
4. A Special Exception is required for uses not ordinarily permitted in a specific zoning district. Special Exceptions are not permitted by right, and may only be granted when certain criteria are established. (4.16.4)
5. Special Exceptions do not run with the land, and may be revoked by the Planning Department if any of the following circumstances are discovered:
 - A. The property changes ownership
 - B. The property is being utilized in a manner not permitted under the zoning regulations or the special exception; or

- C. The property ceases to be used for the purpose allowed in the Special Exception for a period of one hundred eighty (180) days during the existence of the Special Exception.

The UDO defines **Hardship** as:

Hardship means the unnecessary hardship that would result from a failure to grant the requested variance or special exception. An unnecessary hardship exists if:

- (1) the land in question cannot yield a reasonable return if used only
 - (a) for a purpose allowed in that zone (applicable to special exceptions), or
 - (b) as permitted by the dimensional requirements of this ordinance (applicable to variances);
- (2) that the plight of the owner is due to unique circumstances of the land for which the variance or special exception is sought; and
- (3) that the use to be authorized by the variance will not alter the essential character of the locality.

RECOMMENDATION & CONCLUSION:

If recommending approval, Planning Commission shall record that the evidence presented meets the "Criteria for Approval" from the UDO as listed above.

The Planning Commission may:

1. Recommend that City Council approve the Special Exception;
2. Recommend that City Council approve the Special Exception with changes; or
3. Recommend that City Council deny the Special Exception.

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

PLANNING DEPARTMENT
GAUTIER, MISSISSIPPI

SPECIAL EXCEPTION HEARING APPLICATION

Public Hearing Number

26-24-SE

TYPE OF REQUEST:	FEE:
Special Exception <u>✓</u>	\$251.00 <u>✓</u>
*Includes \$1.00 filing fee per MS Code §25-60-5	

Special Exception— These uses are not allowed by right and require a recommendation by the Planning Commission and approval of the City Council.

Name of Applicant: James W. Lee II

Name of Business: Roughwater Marine & Auto LLC

Address: 321 Hwy 90, Gautier MS 39553

Mailing Address (if different): _____

Email Address: _____

Phone: _____ Cell Phone: _____

Reason for request, location and intended use of Property: 3 Connex Boxes
for temporary storage

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.
- 6. Any other information requested by the Planning Director.
- 7. Owner's Consent form if anyone other than 100% sole owner makes application (see attached).

Signature of Applicant: James W Lee II

FOR OFFICE USE ONLY	
Date Received <u>4/23/26</u>	Verify as Complete <u>Scott & Eric</u>
Fee Amount Received <u>4/23/26</u>	
Initials of Employee Receiving Application <u>EMP</u>	

OWNERS CONSENT AND DESIGNATION OF AGENCY - SPECIAL EXCEPTION

Date of Application: 4-22-26

I, Roughwater Marine & Auto LLC, the fee simple owner of the following described property (give legal description):

Exhibit A
Tax Parcel # 870-10-075.000
870-10-069.000
870-10-076.000

hereby petition to the City of Gautier to Grant a Special Exception of Roughwater Marine & Auto and affirm that James W Lee II

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.

James W Lee II
(Owner's Signature)

The foregoing instrument was acknowledged before me this 22 day of April, 20 26 by James W. Lee II, who is personally known to me or has produced _____ as identification and who did take an oath.

Patricia Lynn Lear
(Printed Name of Notary Public)

Patricia Lynn Lear
(Signature of Notary Public)

Commission # 32726. My commission expires May 22, 2027.

(Notary's Seal)

* STATE OF MISSISSIPPI *
PATRICIA LYNN LEAR, NOTARY PUBLIC
JACKSON COUNTY
MY COMMISSION EXPIRES MAY 22, 2027
COMMISSION NUMBER 32726

SPECIAL EXCEPTION

Criteria for Approval Special Exception

- A. Explain how a literal interpretation of the City of Gautier's Unified Development Ordinance would deprive the applicant of rights commonly enjoyed by others of the district in which the property is located, and would work unnecessary hardship upon the applicant?
- B. Explain how the requested Special Exception will be in harmony with the purpose and intent of the City of Gautier's Unified Development Ordinance and will not be injurious to the neighborhood or the general welfare?
- C. Explain how the special circumstances requiring the proposed Special Exception are not results of actions of the applicant?

City of Gautier
Planning and Zoning Department
1000 Highway 90
Gautier, MD 21054
Phone: 410-326-1234
Fax: 410-326-1235



Roughwater Marine Auto & LLC
321 Hwy 90, Gautier MS

Special Exception Hearing

Name of Applicant: James W. Lee II
Name of Business: Roughwater Marine & Auto LLC

Due to business expansion, I am requesting to add three connex boxes for temporary storage on parcel lot # 87010076.00 at 321 Hwy 90, Gautier MS.

A. Explain how a literal interpretation of the City of Gautier's Unified Development Ordinance would deprive the rights of commonly enjoyed by others of the district in which the property is located, and would work unnecessary hardship upon the applicant?

- Due the fact that we cannot add the 3 connex boxes on the property, Roughwater Marine is having to store parts and equipment outdoors and other areas of the business which has become a hinderance.

B. Explain how the requested Special Exception will be in harmony with the purpose and intent of the City of Gautier's Unified Development Ordinance and will be injurious to the neighborhood or the general welfare.

- The connex boxes that we are requesting to add on the property will be in front of a fence and tree line to add a level of concealment from the neighboring homes. The boxes would only need to be used as temporary storage for one year while we build an addition to the property to store the parts and items.

C. Explain how the special circumstances requiring the proposed Special Exception are not results of actions of the applicant.

- The need for 3 connex boxes are due to the rise in consumer demand for the products that we offer here at Roughwater Marine. Due to this demand, we have purchased more product to have on hand and therefore need more room on the property for storage. When the business was purchased from it's previous owner in October of 2023, there were connex boxes left on the property that were old and needed to be disposed of. We would be replacing the connex boxes that were on the property to begin with.

Thank you for your time and consideration,

James W. Lee II

Special Exception Hearing

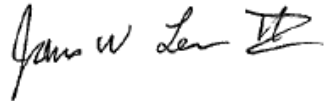
Name of Applicant: James W. Lee II

Name of Business: Roughwater Marine & Auto LLC

Due to business expansion, I am requesting to add three connex boxes for temporary storage on parcel lot # 87010076.00 at 321 Hwy 90, Gautier MS. When the business was purchased, there were three connex boxes on the property. Those have since been removed, and we would like to replace them. I am asking for a one year exception until we can have a building built.

Thank you for your time and consideration,

James W. Lee II

A handwritten signature in black ink that reads "James W. Lee II". The signature is written in a cursive style with a stylized "J" and "L".

State of Mississippi
Jackson County
 Tax Collector Kevin Miller
 2915 Canty Street Suite B, PO Box 998, Pascagoula, MS 39568-0998
 Phone: 228-769-3074 Fax: 228-696-6518

Real Estate

Tax Year: 2024

Account 555407 Legacy # 72680		Receipt # 6658514 Invoice # 7155505		Owner Name LEE JAMES W II HADLER ART	
Tax District 3840		Total Acres 1.03		Forest Acres 0.00	
Parcel Number 87010076.000 PROP ADDR: 304 DE LA POINTE				Sec. Twn. Rng. 05 8 6	
				Legal Description LOT 7 BLK H RIVER OAKS S/D DB 2143-639 (25 Map863.05-01)	
True Assessed		Class 1 1.00		Class 2 66,846.00 10,027.00	
				Total Value 66,847.00 10,027.00	
				01/14/2025 02:06 PM - JS America/Chicago	
Type of Tax		Millage		Gross Tax Amount	
				Exemption	
				Net Tax	
COUNTY		50.3600		\$ 504.96	
CITY		43.0000		\$ 431.16	
SCHOOL		51.9100		\$ 520.50	
TOTAL TAX DUE				TOTAL TAX DUE \$ 1,456.62	
TOTAL DUE				TOTAL DUE \$ 1,456.62	
ACCOUNT PAID IN FULL					
Receipt #: 6658514 Paid by: LEE JAMES W II Paid Date: 01/14/2025 Postmark/Calculation Date: 01/14/2025 Paid: Check - 2194				Tax Amount Paid Total Paid this Receipt * Grand Total Paid *	
				\$ 1,456.62 \$ 1,456.62 \$ 1,456.62	

Received by JMS: _____



LEE JAMES W II
 HADLER ART
 321 HWY 90
 GAUTIER, MS 39553

Exhibit "A"

Legal Description

Lot No. 7, Block H of the River Oaks Subdivision, as per plat recorded in Plat Book 1, Page 138 of the Plats on file in the Office of the Chancery Court of Jackson County, Mississippi, and being the same land conveyed by Gordon Penton to R. W. Fuller by Deed dated February 15, 1946, together with a 1/6 interest in and to an artesian well between the Grantors and others, dated June 29, 1945. This also being the same land devised and bequeathed to Charlotte Hutchins, Vardoman Howard, and Beatrice Hobby, pursuant to the Last Will and Testament of J.C. Howard, deceased, probated in Cause NO. P-3709, Chancery Court of Jackson County, Mississippi.

Together with all buildings and improvements situated thereon and the hereinabove described property constitutes no part for the Grantors' homestead.

AND ALSO:

Parcel 1:

That certain tract, piece or parcel of land situated in part of Lots 4, 5 and 6 of Block H, River Oaks Subdivision, as per plat there of recorded in Plat Book 1, Page 138, Record of Plats of Jackson County, Mississippi, being more particularly described as follows:

Commencing at the Southeast corner of Lot 6, Block H, River Oaks Subdivision, as per plat recorded in Plat Book 1, Page 138, in the Office of the Chancery Clerk of Jackson County, Mississippi; run the 49° 51' West along the North margin of Old U.S. Highway 90 100 feet to the Point of Beginning; thence run North 37° 23' East 371.6 feet to the South margin of U. S. Highway 90; thence run North 75° 16' West along said South margin 210 feet; thence run South 40° 19' West 279.88 feet to the North margin of said Old U.S. Highway 90; thence run South 49° 51' East along said North margin 210 feet to the Point of Beginning, containing 1.499 acres, more or less. And being the same property described in that deed recorded in Deed Book 865, Page 582, Land Deed Records of Jackson County, Mississippi.

Parcel 2:

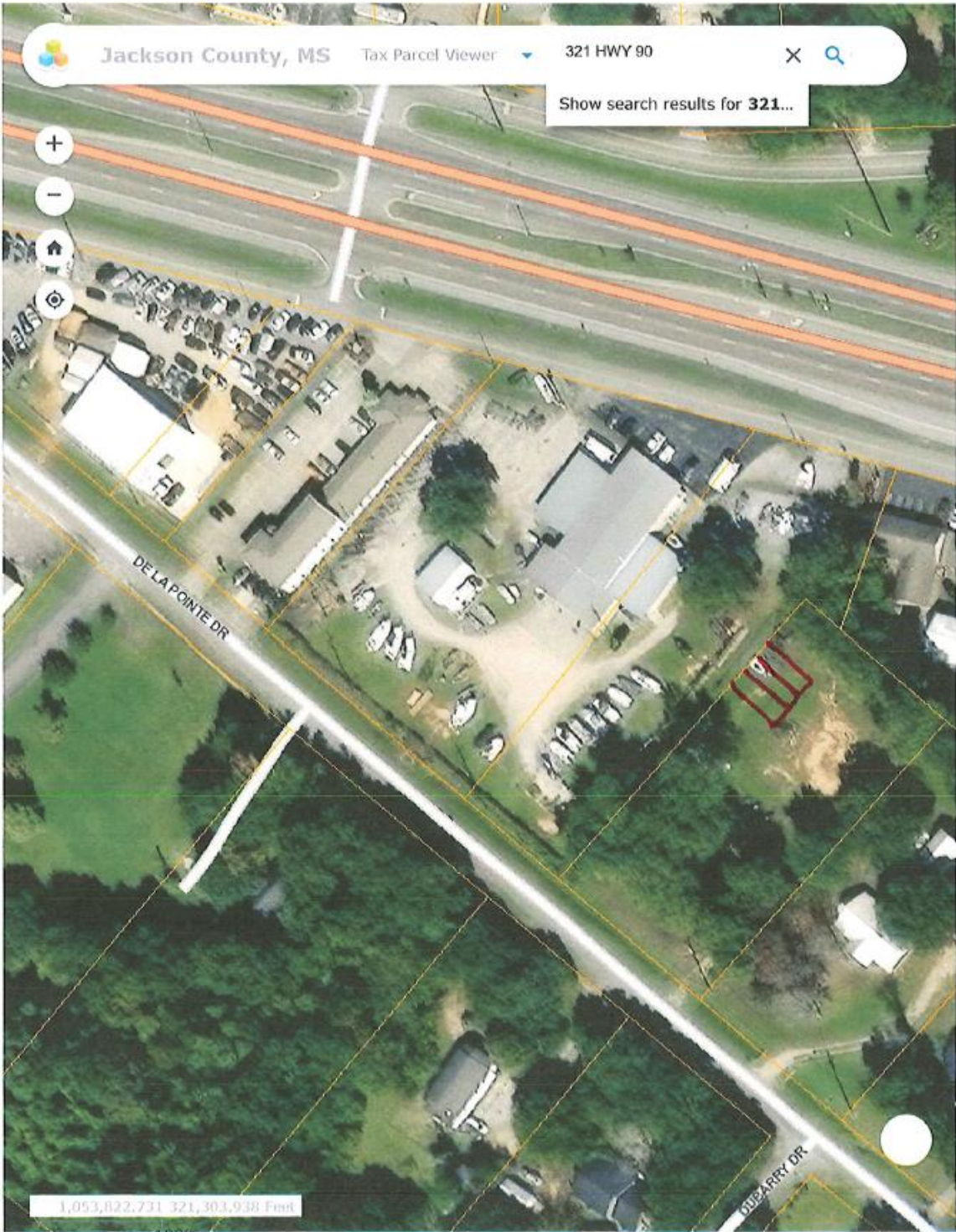
Beginning at the Southeast corner of Lot 6, Block H, River Oaks Subdivision, as per plat recorded in Plat Book 1, Page 138, in the Office of the Chancery Clerk of Jackson County, Mississippi; thence run North 40° 19' East 300.65 feet; thence run South 49° 51' East 45.2 feet; thence run North 75° 16' West along said South margin 118.4 feet; thence run South 37° 23' West 371.6 feet to the North margin of Old U.S. Highway 90; thence run South 49° 51' East along said North margin 100 feet to the Point of Beginning, containing 1.056 acres, more or less. And being the same property described in that deed recorded in Deed Book 889, Page 328, Land Deed Records of Jackson County, Mississippi.

Exhibit "A"

Legal Description

Lot No. 7, Block H of the River Oaks Subdivision, as per plat recorded in Plat Book 1, Page 138 of the Plats on file in the Office of the Chancery Court of Jackson County, Mississippi, and being the same land conveyed by Gordon Penton to R.W. Fuller by Deed dated February 15, 1946, together with a 1/6 interest in and to an artesian well between the Grantors and others, dated June 29, 1945. This also being the same land devised and bequeathed to Charlotte Hutchins, Vardoman Howard and Beatrice Hobby, pursuant to the Last Will and Testament of J.C. Howard, deceased, probated in Cause No. P-3709, Chancery Court of Jackson County, Mississippi.

Together with all buildings and improvements situated thereon and the hereinabove described property constitutes no part for the Grantors' homestead.







Jackson County, MS

Jackson County online map access is provided as a public service, as is, as available and without warranties, expressed or implied. Content published on this website is for informational purposes only, and is not intended to constitute a legal record nor should it be substituted for the advice or services of a licensed professional. Parcel map information is prepared for the inventory of real property found within County jurisdiction and is compiled from recorded deeds, plats, and other public documents in accordance with Land Records Technical Specifications for Base, Cadastral and Digital Mapping Systems. Users are hereby notified that the aforementioned public record sources should be consulted for verification of information. With limited exception, data available on this website originates from Jackson County Land Records GIS and is maintained for the internal use of the County. The County of Jackson and the Website Provider disclaim all responsibility and legal liability for the content published on this website. The user agrees that Jackson County and its Assigns shall be held harmless from all actions, claims, damages or judgments arising out of the use of County data.



Jackson County
2915 Canty St
Pascagoula, MS 39567
(228) 769-3070

Date Printed: 4/22/2026

GISF:	653.05-01-0025.00
PIEN:	67010076.000
NAME:	ROUGH WATER MARINE & AUTO LLC
ADDRESS:	321 HWY 90
CITY:	GAUTIER MS
ZIP:	39553
LOCATION:	304 DE LA POINTE DR GAUTIER
DESC1:	LOT 7 BLK H RIVER OAKS S/D DB 22
DESC2:	07-225 (25 Map#68.05-01)
DESC3:	
DESC4:	
DESC5:	
DESC6:	
DESC7:	
DESC8:	
DESC9:	
DP:	222
DB:	2207
SECTION:	05
TOWN:	8
RANGE:	6
ACREAGE:	1.03
LANDVAL:	9410
IMPROVEVAL:	7732
TOTAL_APPR:	17142
TOTALVAL:	2572
TAXAMOUNT:	872
TOTAL_IMPR:	0
VBLT:	0

Parcels: ROUGH WATER MARINE & AUTO LLC

GISP 863.05-01-0025.00
FIRST_ROUT 0025
FIRST_SUFF 00
FIRST_SHAP 45,146.08
OID_
ID 88,297.00
PIDN 87010076.000
MAPNO 861.05-09-000.00
GISP_1 863.05-01-0025.00
NAME ROUGH WATER MARINE & AUTO LLC
NAME2
ADDRESS 321 HWY 90
CITY GAUTIER MS
ZIP 39553
LOCATION 304 DE LA POINTE DR GAUTIER
DESC1 LOT 7 BLK H RIVER OAKS S/D DB 22
DESC2 07-225 (25 Map863.05-01)
DESC3
DESC4
DESC5
DESC6
DESC7
DESC8
DESC9
DB 2207
DP 222
SECTION 05
TOWN 8
RANGE 6
ACREAGE 1.03
EXEMPT 0
DISTRICT 3840
TYPE VACANT (SUITABLE FOR DEVELOPMENT)
COMMERCIAL
LANDVAL 9,410.00
IMPROVEVAL 7,732.00
TOTALVAL 2,572.00
TAXAMOUNT 372.00

[Zoom to](#) [Print](#)

1,053,469.085 321,158.625 Feet

100ft

Parcels: ROUGH WATER MARINE & AUTO LLC

OBJECTID_1 72546
GISP 863.05-01-0015.00M
FIRST_ROUT 0015
FIRST_SUFF 00M
FIRST_SHAP 67244.4994944
SHAPE_Leng 1090.13046989
ID 88296
PIDN 87010075.000
MAPNO 861.05-09-000.00
GISP_1 863.05-01-0015.00M
NAME ROUGH WATER MARINE & AUTO LLC
NAME2
ADDRESS 321 HWY 90
CITY GAUTIER MS
ZIP 39553
LOCATION 321 HWY 90 GAUTIER
DESC1 COM SEC LOT 6 BLK H RIVER OAKS S
DESC2 /D N 49 DEG W 100' TO POB N 37 D
DESC3 EG E 371.6' TO S/M U S HWY 90 N
DESC4 75 DEG W 210' S 40 DEG W 279.88'
DESC5 TO N/M OLD HWY 90 S 49 DEG E 21
DESC6 0' TO POB PT LOTS 4 5 & 6 BLK H
DESC7 RIVER OAKS S/D DB 2207-225 (15M
DESC8 Map863.05-01)
DESC9
DB 2207
DP 225
SECTION 05
TOWN 8
RANGE 6
ACREAGE 1.49
EXEMPT 0
DISTRICT 3840
COMMERCIAL
LANDVAL 173280
IMPROVEVAL 263114
TOTALVAL 65459
TAXAMOUNT 9468

[Zoom to](#)

1,053,290,950 321,569,042 Feet

60ft

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

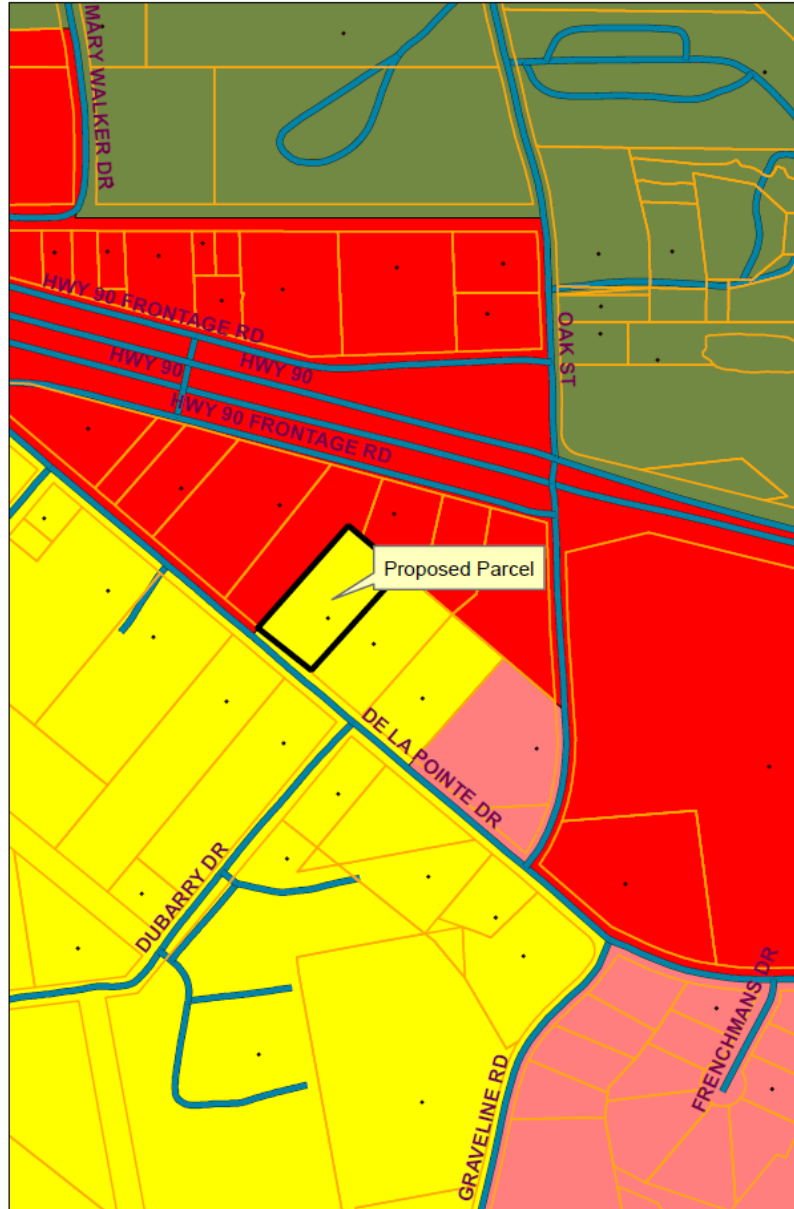


Exhibit C Existing Land-Use

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

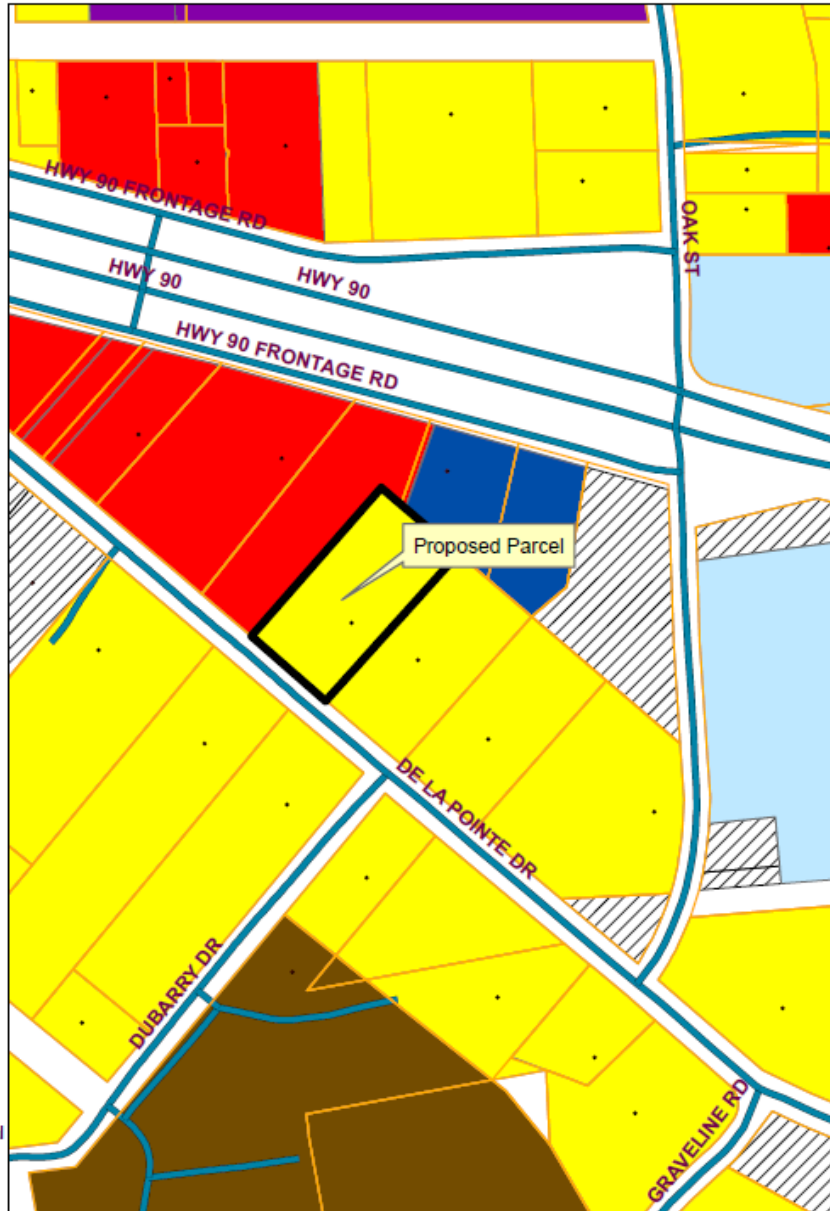


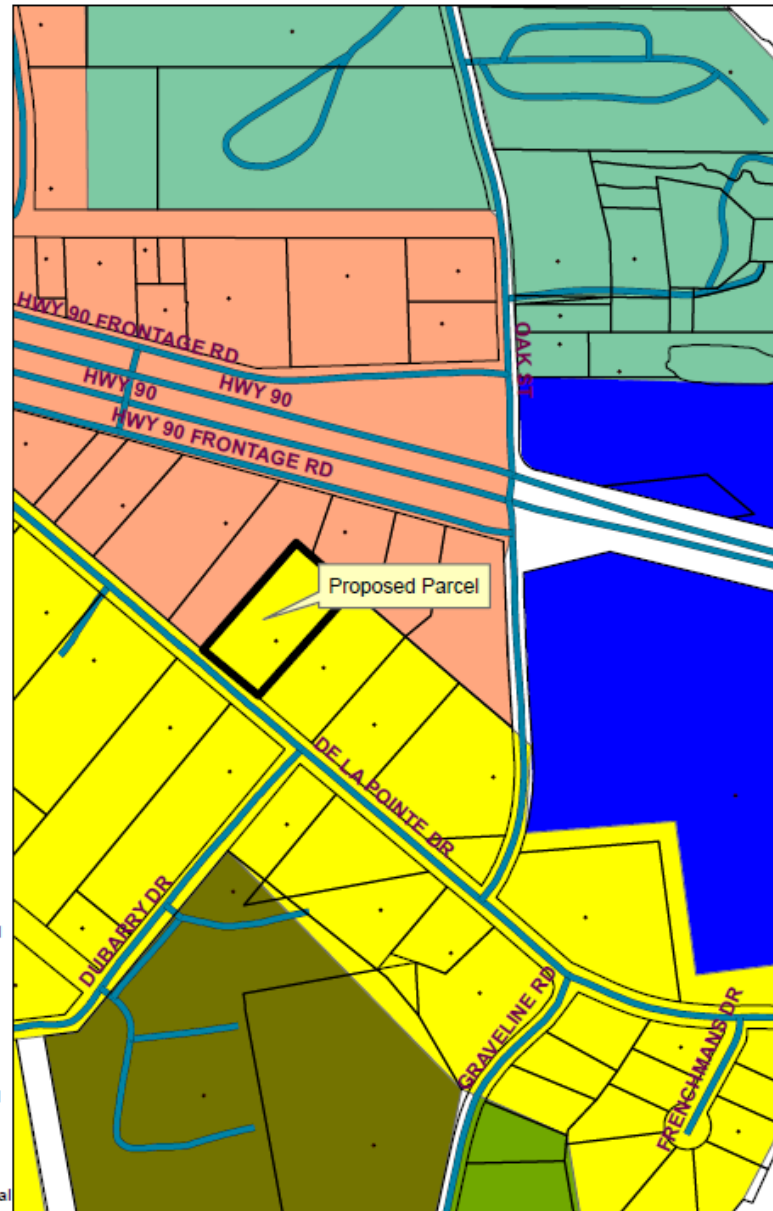
Exhibit D Future Land-Use

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



Gautier Planning Commission

Regular Meeting Agenda

June 4, 2026

GPC 26-27-RZ

Henry Zuber III

7305 Martin Bluff Road

PIDN #85432004.000 & 85432005.000

VII. NEW BUSINESS

2. Consider a request for a Property Owner Initiated Rezoning of Property located at 7305 Martin Bluff Road, PIDN #85432004.000 & 85432005.000 from split zoning C-2 Community Commercial and R-1 Low Density Single-Family Residential to C-2 Community Commercial. (GPC #26-27-RZ)

**CITY OF GAUTIER
STAFF REPORT**

To: Chairman and Members, Planning Commission

From: Scott Ankerson, Planning Director

Date: April 30, 2026

Subject: Consider a request for a Property Owner Initiated Rezoning of Property located at 7305 Martin Bluff Road, PIDN #85432004.000 & 85432005.000 from split zoning C-2 Community Commercial and R-1 Low Density Single-Family Residential to C-2 Community Commercial. (GPC #26-27-RZ)

REQUEST:

The Planning Department has received a request from Henry Zuber III for a proposed Amendment of the Official Zoning Map of the City of Gautier, Mississippi. The request is to rezone 7305 Martin Bluff Road, PIDN #85432004.000 & 85432005.000 from split zoning C-2 Community Commercial and R-1 Low Density Single-Family Residential to C-2 Community Commercial. (GPC #26-27-RZ) The application fee of \$300 was paid on April 29, 2026. 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:

1. Location: 7305 Martin Bluff Road, PIDN #85432004.000 & 85432005.000 (See Exhibit A)
2. Existing Zoning: Split Zoned C-2 Community Commercial & R-1 Low Density Single-Family Residential. (See Exhibit B)

UDO 5.3.8 C-2, Community Commercial - Purpose and intent. The purpose of this district is to provide areas of medium density commercial including a mixture of retail, professional services, and studios which cluster together. Community Commercial Districts are located primarily along transportation collectors such as Gautier-Vancleave. The co-location of professional services and civic uses shall be encouraged to strengthen industry and provide an attractive, pedestrian scale commercial corridor into the City.

UDO 5.3.3 R-1, Low Density Single-Family Residential District - Purpose and intent. The purpose of this district is to provide areas where the principal use of land is for single-family detached dwelling units and related recreational facilities which compliment the area and provide a balanced and attractive residential area. R-1 areas are to be specifically designed to provide for the quiet enjoyment of the uses therein. They should have well defined boundaries and be protected from the encroachment of commercial uses and heavy through traffic.

DATA AND ANALYSIS:

Property requested for Rezoning: 7305 Martin Bluff Road, PIDN's 85432004.000 & 85432005.000.

Location: Ward 5

Current Zoning of the Request Property: Split Zoned C-2 Community Commercial & R-1 Low Density Single-Family Residential.

Existing Land Use: Mobile Home and accessory structures (See Exhibit C)

Future Land Use: Low Density Residential (See Exhibit D)

Surrounding Zoning: C-2 Community Commercial to the north. Split Zoning C-2 Community Commercial & R-1 to the South. R-1 Low Density Single-Family to the east and west.

HISTORY:

Historically, the Planning Commission and City Council have heard rezoning requests from citizens for Split Zoned lots and found that Split Zoning is a mistake. It has been found previously that zoning lines should follow parcel lines. Please see specific case histories listed below starting with the rezoning of the lots immediately north of the lots in question.

- GPC 25-26-RZ (7313 Martin Bluff – split zoned C-2/R-1 – rezoned to C-2)
- GPC 21-14-RZ (PID #82420170.000 & 82420180.000 HWY 57 – split zoned C-3/AG – rezoned to C-3)
- GPC 20-10-RZ (PID #82429240.000 Brown Rd – split zoned C-3/AG – rezoned to AG)

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 record that the evidence presented meets the “Criteria for Approval” from the UDO, 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.

STAFF RECOMMENDATION:

If recommending approval, Planning Commission shall record that the evidence presented meets all “Criteria for Approval” from the UDO as listed above.

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:

1. Recommend that City Council approve to Rezone the entire subject area to C-2 Community Commercial; or
2. Recommend that City Council deny the Rezoning.

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
PLANNING DEPARTMENT
PUBLIC HEARING APPLICATION

Public Hearing Number

26-27-RZ

TO BE HEARD BY GAUTIER PLANNING COMMISSION:		FEE:
Zoning Change	✓	\$301.00
*Includes \$1.00 filing fee per MS Code §25-60-5		

Name of Applicant: Henry "Hank" B. Zuker III

Name of Business: HBZ LLC VII Phone: _____

Property Address: _____ Mailing Address (if Different): 503 Minor Land
Ocean Springs, MS 39564

E-Mail Address: _____

Reason for request, location and intended use of Property: I was contacted to see if I had an interest in buying b/c I purchased + cleaned up the lots: Lot 7 (P5432005.000) and Lot 6 (P5432004.000) + listing S/D. I purchased + cleaned up the lots north and will be the same for these 2 lots. I've had 2 people thank me for cleaning up the lots north and will be the same for these 2 lots. These 2 lots to be zoned C-2.

ATTACHMENTS REQUIRED AS APPLICABLE:

- _____ 1. Diagram of intended use, showing dimensions and distances of property, building with setbacks, parking spaces, entrances and exits. N/A - no project - it is split zone. wish to purchase and clean up now!
- N/A 2. A detailed project narrative.
- N/A 3. Copy of protective covenants or deed restrictions, if any.
- _____ 4. 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.
- _____ 5. Any other information requested by the Planning Director.

Signature of Applicant: [Signature] Date of Application: 4/29/20

FOR OFFICE USE ONLY	
Date Received	<u>4/29/20</u> Verify as Complete _____
Fee Amount Received	<u>301.00</u> Initials of Employee Receiving Application <u>Bals</u>

SECTION 4.15: Zoning Map Change (Rezoning)

A zoning map change involves the rezoning of property from one zoning classification to another or the extension of existing zoning district boundaries on the Official Zoning Map. When the public welfare justifies such action, the City Council may amend the Official Zoning Map.

4.15.1 Who May Initiate

A zoning map change may be initiated by the City Council, the Planning Commission or the property owner or agent of the owner provided that:

- A. Said property has not been denied a previous request for the same property or portion a property within the past twelve (12) months; and
- B. All procedures and provisions for a public hearing have been met.

4.15.2 Requests for Zoning Map Change (rezoning)

Applications for a Zoning Map Change (rezoning) may be filed on the appropriate application available from the Planning Department and shall provide all requested information and provide all requested attachments/submittals.

4.15.3 Criteria for Rezoning of Property

The Planning Commission shall not recommend approval of a rezoning and the City Council shall not rezone property unless the applicant has proven by clear and convincing evidence that either:

- 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.

4.15.4 Three-Fifths Council Vote Needed

In accordance with *Mississippi Code Annotated Section 17-1-17 (1972)*, in case of a protest against such change signed by the owners of twenty (20) percent or more, either of the area of the lots included in such proposed change, or of those immediately adjacent to the rear thereof, extending one hundred sixty (160) feet therefrom or of those directly opposite thereto, extending one hundred sixty (160) feet from the street frontage of such opposite lots, such amendment shall not become effective except by the favorable vote of three-fifths (3/5) of the members of the City Council who are not required by law or ethical considerations to recuse themselves.

4.15.5 Rezoning by Court Order

In the event rezoning is required pursuant to a court order specifically establishing the zoning classification to be applicable to the property which is the subject matter of the suit, the procedural requirements of the Unified Development Ordinance for rezoning property shall not apply. A certified copy of the final court order shall be filed with the Planning Director after all available time for appeal has expired. The Planning Director shall enter the zoning change on the official zoning map and place the certified copy of the court order in the immediate area of the official zoning map, and cause the zoning change to be entered in the minutes of the City Council.

4.15.6 Public Notification

In addition to the required public notices in a newspaper of regular and general circulation in the City at least fifteen (15) days prior to the public hearing, a notice shall be posted at City Hall and the effected property for the benefit of the public prior to a public hearing for a Zoning Map Change (Rezoning).

OWNER'S CONSENT AND DESIGNATION OF AGENT

I, Jackie N. Hill, the fee simple owner of the following described property (address or parcel ID number(s) if no address assigned):

7305 Martin Bluff Rd
Gautier, MS 39553

hereby petition to the City of Gautier to allow Hank Zuber to
take care of the split entry fall C-2 and affirm that (name of person) Hank Zuber
Hank Zuber 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.

X Jackie Hill
(Owner's Signature)

The foregoing instrument was acknowledged before me this 12th day of December
2025 by Jackie Hill, who is personally known to me or has produced _____ as identification and who did take an oath.

Jolynda R. Moorer
(Printed Name of Notary Public)

Jolynda R. Moorer
(Signature of Notary Public)

Commission # 98909. My commission expires 8-30-27.
(Notary's Seal)



Exhibit A Location Map

Prepared by:
City of Gautier
Planning Department

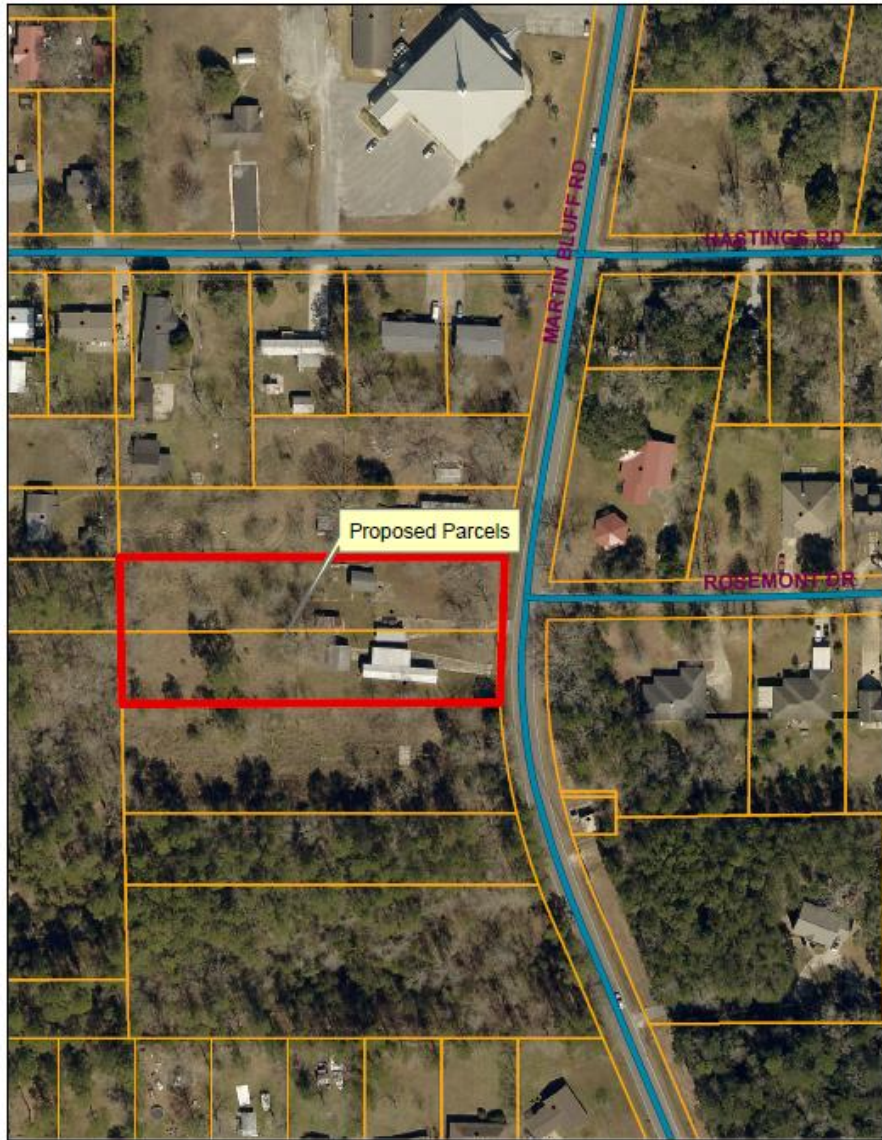


Exhibit B Existing Zoning

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

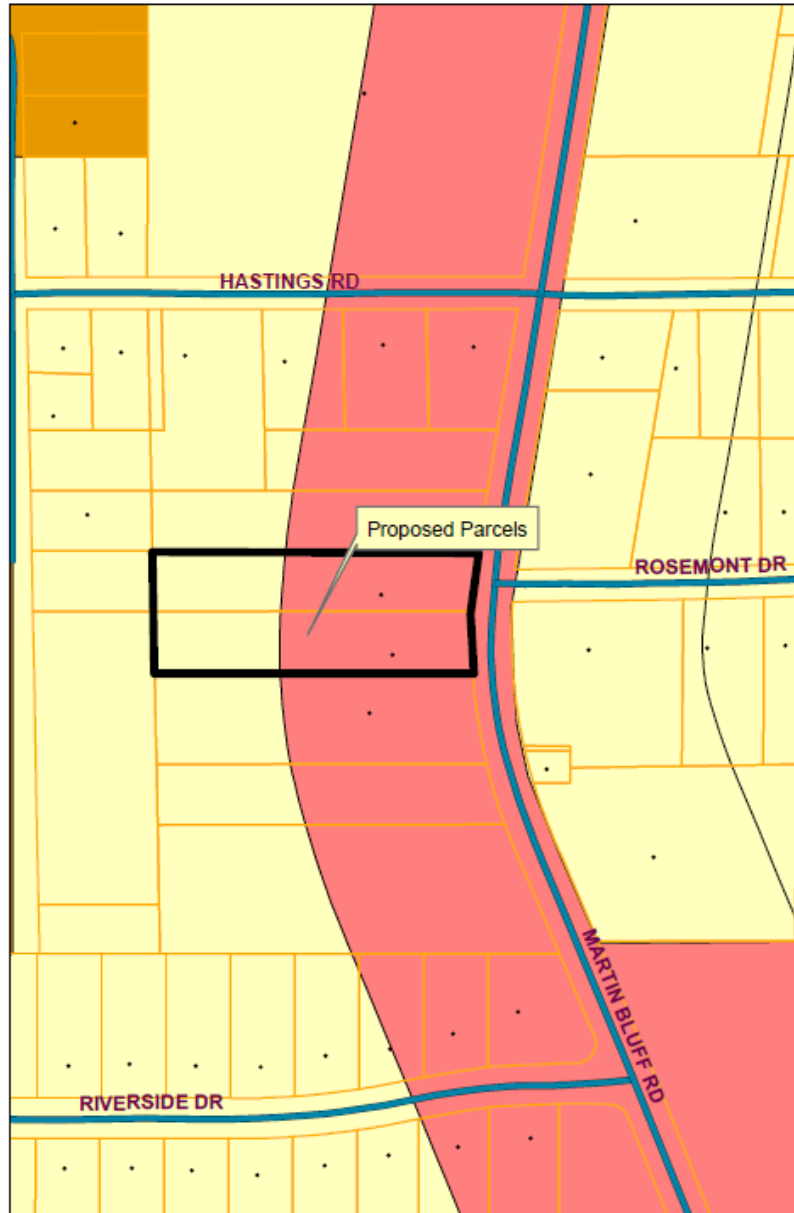


Exhibit C Existing Land-Use

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

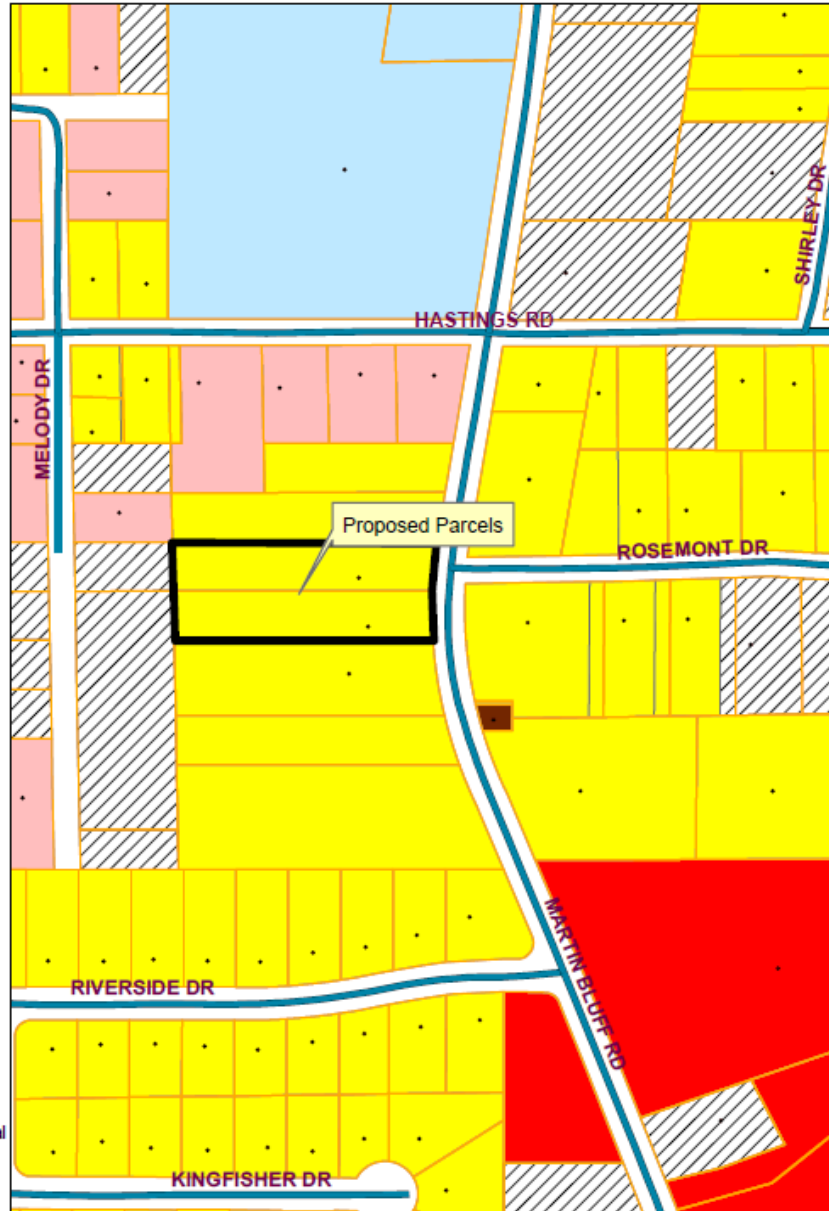


Exhibit D Future Land-Use

Prepared By:
City of Gautier
Planning Department

Legend

FUTURE LAND USE

FLU_Class

- Conservation
- 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

