

Gautier Planning Commission

Regular Meeting Agenda

JULY 5, 2018

GPC #18-11-CU

3204 Willis Drive

Placement of RV

VII. NEW BUSINESS

1. KENNETH AND KENLI SIMMONS REQUEST A CONDITIONAL USE-MAJOR PERMIT FOR THE PLACEMENT OF A RECREATIONAL VEHICLE AT 3204 WILLIS ROAD PID# 87420025.000 IN A MURC MW (MIXED USE RECREATIONAL-COMMERCIAL- MARY WALKER) ZONING DISTRICT

GAUTIER PUBLIC HEARING PROCESS (PLANNING COMMISSION)

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

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

CITY OF GAUTIER STAFF REPORT

To: Chairman and Members, Planning Commission

From: Scott Ankerson, Planning Director

Date: July 5, 2018

Subject: Conditional Use-Major Permit for Placement of a Recreational Vehicle at 3204 Willis Drive. PID#87420025.000 (GPC Case No. 18-11-CU)

REQUEST:

The Planning Department has received a request from Kenneth and Kenli Simmons for a Conditional Use-Major Permit that would allow placement of a Recreational Vehicle in a MURC-MW, Mixed Use Recreational Commercial-Mary Walker, on 3204 Willis Drive, PID #87420025.000. The application fee of \$250 was paid on May 14, 2018. All public notice requirements have been met.

BACKGROUND:

The request property is zoned MURC-MW, Mixed Use Recreational Commercial-Mary Walker.

1. Location: 3204 Willis Road (See Exhibit A)
2. General features of the proposed project:
Lots 25, 26, and 27 of Willis Heights
3. Potable Water and Wastewater Services: Available from City
4. Current Zoning (See Exhibit B): MURC-MW Mixed Use Recreational Commercial-Mary Walker.
5. Current Surrounding Zoning (See Exhibit B): MURC-MW Mixed Use Recreational Commercial-Mary Walker.
6. Current Surrounding Existing Land Use (See Exhibit C): Mixed Use Recreational Commercial, RV's Fishing Camps,
7. Comprehensive Plan Future Land Use Designation (See Exhibit D): Mixed Use Recreational Commercial.

DISCUSSION:

The following addresses the review criteria for a Major Conditional Use outlined in Section 4.17.5 of the UDO.

1. Is the proposed use listed in the list of possible Conditional Uses in the particular Zoning District?

Applicant: Yes.

Staff Finding: Yes, RV placement is listed as a Conditional Use-Major in an MURC-MW zoning district.

2. Describe how the project is compatible with the character of development in the vicinity relative to (a) density, bulk and intensity of structures, (b) parking, and (c) other uses. Please attach parking plan, site plan, architectural rendering or other plans.

Applicant Response: There are already RV and Camper sites available in the area.

Staff Finding: The proposed use is recreational which will be compatible with the properties in the vicinity.

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

Applicant Response: No.

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

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

Applicant Response: No.

Staff Finding: There is no evidence that the proposed RV 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: Yes, The lots will be maintained and cleared of any debris/eyesores.

Staff Response: Yes, the Comprehensive plan proposes recreational vehicle parks in this area.

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

Applicant Response: No.

Staff Finding: There is no evidence that the proposed use poses a hazardous, detrimental or disturbing affect to present surrounding uses. .

8. Does the use conform to all district regulations for the applicable district in which it is located, or have other provisions been provided for? Explain.

Applicant Response: Yes, with approval of permit.

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

DETERMINATION OF APPLICABLE LAW:

1. The UDO defines conditional uses as specific uses which are enumerated in each zoning district and which because of their nature are not allowed by right but may be allowed after the required review process. The City may specify certain conditions as necessary to make the use compatible with other uses in the same district. Conditional uses are issued for uses of land and uses designated "Conditional Uses-Major" are transferable from one (1) owner of land to another.

The UDO further defines Conditional Uses-Major as uses that are not allowed by right but require a recommendation by the Planning Commission and the approval of the City Council. Additionally, if the conditional use is transferred to a new owner,

the new owner must submit a letter to the Planning Director agreeing to the current terms and conditions.....

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

RECOMMENDATION & CONCLUSION:

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

The Planning Commission may:

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

ATTACHMENTS:

1. Applicant's Exhibit 1 – Application
2. City's Exhibit A – Location Map
3. City's Exhibit B – Existing Zoning Map
4. City's Exhibit C – Existing Land Use Map
5. City's Exhibit D – Future Land Use Map

GAUTIER, MISSISSIPPI
ECONOMIC DEVELOPMENT/PLANNING DEPARTMENT
CONDITIONAL USE APPLICATION

Public Hearing Number

18-11-CU

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

Name of Applicant: Kenneth S. Simmons and Kenli Jameson Simmons

Name of Business: NA Phone: 601-577-0108

Property Address: 3204 Willis Drive Mailing Address (if Different): 304 CR 17, Stringer, MS 39481

E-Mail Address: kssimmons2008@hotmail.com

Proposed Use Requiring Conditional Use: Recreational Vehicle - Camper (Refer to Article V, UDO)

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

ATTACHMENTS REQUIRED AS APPLICABLE:

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

Signature of Applicant(s): Kenneth S. Simmons
Kenli Jameson Simmons Date of Application: 05/09/2018

FOR OFFICE USE ONLY	
Date Received <u>5/14/18</u>	Verify as Complete <u>(RM)</u>
Fee Amount Received <u>250.00</u>	Initials of Employee Receiving Application <u>(RM)</u>

I, Kenneth S. Simmons & Kenli Jameson Simmons, the fee simple owner(s) of the following described property:

Address:	3204 Willis Drive
Parcel ID No.:	87420025.000

hereby petition to the City of Gautier to *Grant a Conditional Use Major or Minor of* a Recreational Vehicle - Camper (state proposed use from Article V of the Unified Development Ordinance) at the above reference property and affirm that ourselves (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.

Kenneth S. Simmons
(Owner's Signature)

Kenli Jameson Simmons
(Owner's Signature)

Notary Information:

The foregoing instrument was acknowledged before me this 9 day of May, 20 18 by Kenneth Simmons Kenli Simmons who is personally known to me or has produced personally known as identification and who did take an oath.

Teresa Terry
(Printed Name of Notary Public)

Teresa Terry
(Signature of Notary Public)

Commission # 90017. My commission expires June 24, 2020



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

MAJOR CONDITIONAL USE CRITERIA FOR APPROVAL

1. Is the proposed use listed in the list of possible Conditional Uses in the particular Zoning District?
Yes
2. Please describe how the project is compatible with the character of development in the vicinity relative to (a) density, bulk and intensity of structures, (b) parking, and (c) other uses. Please attach parking plan, site plan, architectural rendering or other plans.
There are already RV and camper sites in the 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 - The lots will be maintained and cleared of any debris/eyesores.
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 - with approval of permit.

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

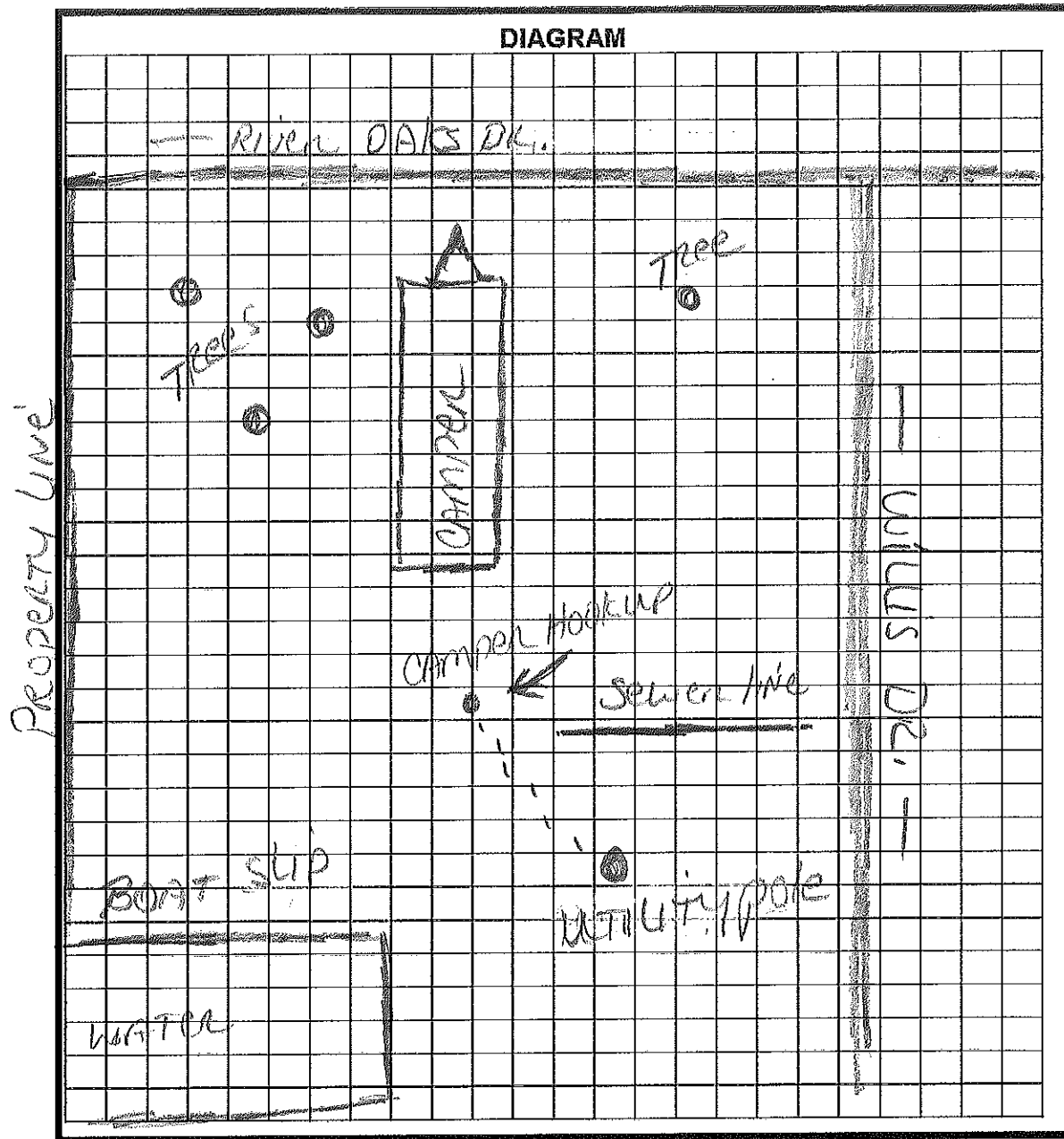
This application is for the temporary use of a camper (RV) on the proposed location.

This location has already been supplied with electricity, water and sewer hook-ups for a camper for the previous owner.

The camper will not be a permanent structure and will not be on location at all times.

The camper can be moved at any time.

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.



12

OFFICIAL RECORDS JACKSON COUNTY
Josh Eldridge
CHANCERY CLERK
RECORDING FEE: \$14.00
#201709573 BK:1854 PG:729-740
06/22/2017 03:35:35 PM 12 PGS
CSHOWS,DC Ropt#10838



201709573 12 PGS

Prepared by:
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(601) 764-4555
MS State Bar #5724

Return to:
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Bay Springs, MS 39422

STATE OF MISSISSIPPI
COUNTY OF JACKSON

WARRANTY DEED

For and in consideration of the sum of Ten Dollars (\$10.00), cash in hand paid, and other good and valuable considerations, the receipt and sufficiency of which are hereby acknowledged, we,

JAMES T. LACY
and wife, **HILDA R. LACY**
309 4th Avenue
Hattiesburg, Mississippi 39401
(601) 582-8916

do hereby convey and warrant unto

KENNETH S. SIMMONS
and **KENLI JAMESON SIMMONS**
304 County Road 17
Stringer, Mississippi 39481
(601) 577-0108

as joint tenants with right of survivorship, the following described real property situated and located Jackson County, Mississippi, more particularly and certainly described as follows:

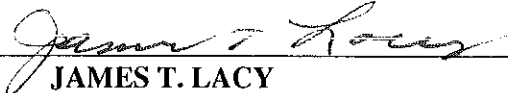
Lots 25, 26 and 27 of Willis Heights #2 Subdivision located in Gautier, Jackson County, Mississippi, as per plat recorded in Plat Book No. 2 at Page 53 in the office of the Chancery Clerk of Jackson County, Mississippi

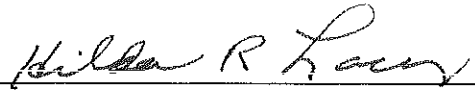
Indexing Instructions: Lots 25, 26, 27, Willis Heights #2 Subdivision

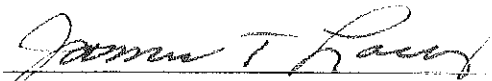
The hereinabove described lands are not a part of the homestead of the Grantors herein.

Taxes for the year 2017 shall be prorated according to ownership of the herein described property.

WITNESS THE SIGNATURES of the Grantors on this the 16th day of June, 2017 .

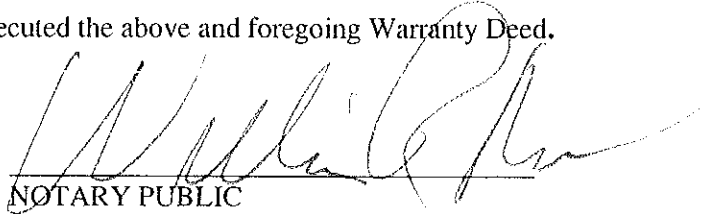

JAMES T. LACY


HILDA R. LACY

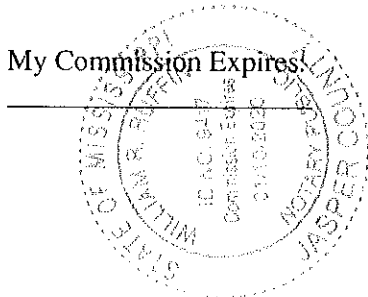
BY: 
JAMES T. LACY, her Agent and Attorney in Fact

STATE OF MISSISSIPPI
COUNTY OF JASPER

PERSONALLY appeared before me, the undersigned authority in and for the said county and state, on this the 16th day of June, 2017, within my jurisdiction, the within named **James T. Lacy**, who acknowledged that he executed the above and foregoing Warranty Deed.

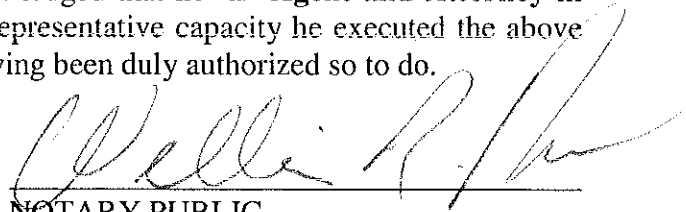

NOTARY PUBLIC

My Commission Expires:



STATE OF MISSISSIPPI
COUNTY OF JASPER

PERSONALLY appeared before me, the undersigned authority in and for the said county and state, on this the 16th day of June, 2017, within my jurisdiction, the within named **James T. Lacy**, who acknowledged that he is **Agent and Attorney in Fact for Hilda R. Lacy**, and that in said representative capacity he executed the above and foregoing Warranty Deed, after first having been duly authorized so to do.


NOTARY PUBLIC

My Commission Expires:

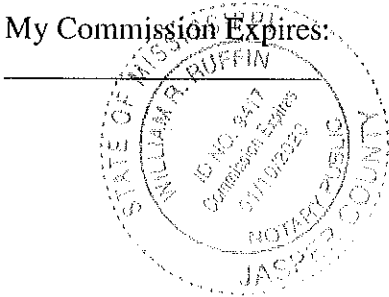
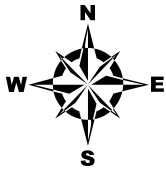


Exhibit A Location Map

City Of Gautier
Planning Department



Prepared by the
City of Gautier
Planning Department



Exhibit B Existing Zoning Map

City Of Gautier
Planning Department



Prepared by the
City of Gautier
Planning Department

Legend

<all other values>

ZONECODE

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

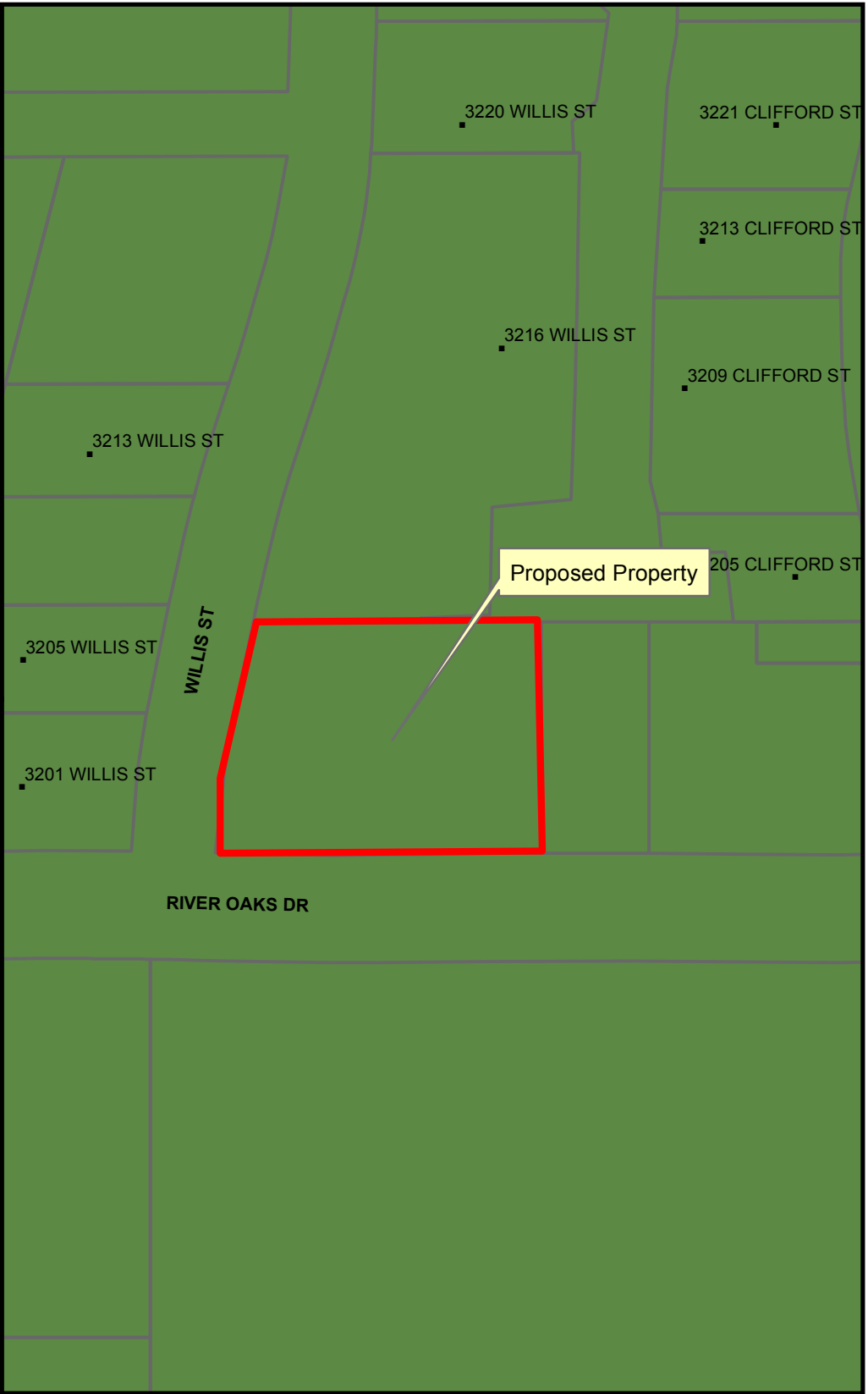


Exhibit C

Existing Land Use Map

City Of Gautier
Planning Department



Prepared by the
City of Gautier
Planning Department

Legend

- Gautier_Parcels_Trimmed_0617
- City_Limits
- CorOverlay

EXISTING LAND USE

- Commercial-Retail
- Conservation
- Civic
- Industrial
- Marina/Fish Camps
- High Density Residential
- Mobile Home
- Mobile Home Park
- Medium Density Residential
- Office
- Recreation
- Very Low to Low Density Residential
- Utility
- Vacant

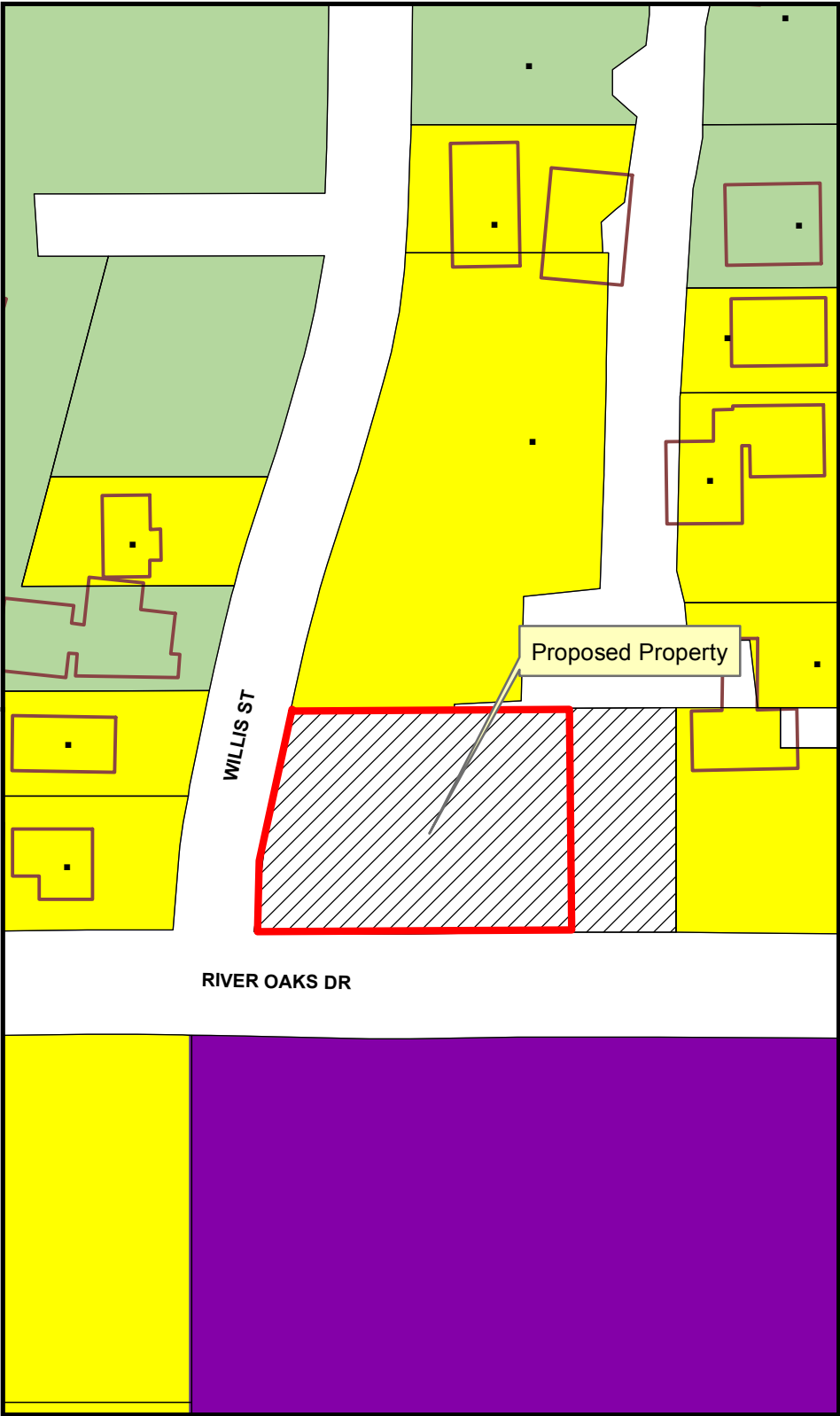
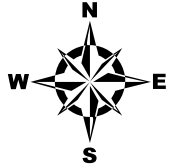


Exhibit D Future Land Use Map

City Of Gautier
Planning Department



Prepared by the

City of Gautier
Planning Department

Legend

FUTURE LAND USE

FLU_Class

-  Civic
-  high impact commercial
-  Conservation
-  High Density Residential
-  Industrial
-  Low Density Residential
-  Medium Density Residential
-  Mobile Home Residential
-  low impact Commercial
-  Recreational
-  recreational commercial
-  Regional Scale Commercial
-  mixed use residential
-  Town Center
-  Very Low Density Residential

