

**MINUTES**  
**WAVELAND PLANNING & ZONING COMMISSION**  
**REGULAR MEETING**  
**FEBRUARY 27, 2023**

A regular meeting of the Waveland Planning & Zoning Commission was held at 6:00 pm on Monday, February 27, 2023 at Waveland City Hall in the Board Room located at 301 Coleman Ave, Waveland, MS 39576.

Chairman Bryan Frater called the meeting to order at 6:01pm. Present at the meeting were Commissioners Mary Beth Cooper, Greg Poindexter, Chad Whitney and Matt Touart. Also present was Zoning Official, Jeanne Conrad. City Attorney, Ronnie Artigues Jr., was not present.

Chairman Frater called for a motion to approve the minutes from the Planning & Zoning Regular Meeting held on Monday, January 23, 2023. Commissioner Whitney made the motion, seconded by Commissioner Touart, to approve the minutes as written.

After a unanimous vote of yes by all Commissioners present, Chairman Frater declared the motion passed.

Brent Morreale, owner of the property commonly known as 1801 Arnold St., parcel #137N-0-35-063.001, has made an application for a variance to split his lot into two (2) lots. This property is currently zoned R-2, Single & Multi-Family Use. Parcel 1, to be addressed as 1801 Arnold St., and Parcel 2, to be addressed as 1803 Arnold St., will both need a 5,000 square feet area variance in order to build a duplex on each parcel. The area required is 8,500 square feet per unit as stated in Zoning Ord. #349. (Tabled from Regular Meeting held 1/23/23.)

Mr. Morreale came forward to explain his request. Applicant noted that setback variances are not needed as they will be within the requirements. Only the 5,000 sq. ft. variance is needed.

Chairman Frater called for anyone from the audience that would like to comment. Glenn Hood, owner of 1815 Nicholson Ave, came forward in opposition to the request. Mr. Hood stated that he is not in objection to a duplex being put on the property, as is, but is in objection to the creation of 2 non-conforming lots and then requesting a variance for 2 duplexes. Mr. Hood also provided a letter of objection from Mr. Jonathan and Mrs. Sarah Burns, owners of 621 New York St. (from 1.23.23 meeting.) Chairman Frater read the letter for the record.

After all discussion between the Commission and the applicant, Chairman Frater called for a motion. Commissioner Whitney made a motion to accept the variance request with the conditions that the applicant limit the size of the duplex to a maximum of 2,000 sq. ft (1,000 sq. ft. per unit), the erection of a privacy fence, and that all parking come off of Arnold St. Motion was seconded by Commissioner Poindexter.

After a unanimous vote of yes by all Commissioners present, Chairman Frater declared the motion passed in accordance with section 906.1 of the Zoning Ordinance.

Nick Mortenson, owner of the property commonly known as 709 St. Joseph St., parcel #162A- 0-03-138.000, has made an application for a Conditional Use to have an accessory structure over 500 square feet. The proposed accessory structure will be 864 square feet. The structure will be fifteen (15) feet from the rear property line and ten (10) feet from the side property line which does not require any variances as stated in Zoning Ord. #349 section 716.2.

Mr. Mortenson was not able to attend the meeting. After brief discussion between the Commission, Chairman Frater called for anyone from the audience to come forward for comment. Walter Perez, representing the

property owned by the Life Estate of Kathleen Perez on Art St, came forward for clarification on the request. After discussions with the Commission, Mr. Perez stated that he and his family do not have any objections to the Conditional Use request.

After all discussions, Chairman Frater called for a motion. Commissioner Whitney made a motion, seconded by Commissioner Touart to accept the Conditional Use Request.

After a vote of yes by Commissioners Cooper, Whitney, and Touart with Commissioner Poindexter recusing himself, Chairman Frater declared the motion passed in accordance with section 906.3 of the Zoning Ordinance.

The City of Waveland Building & Zoning Department is making a request for the consideration of revising the current Zoning Ordinance #349. The revision will be to change the side-yard setbacks for non-conforming lots in Section 713.3, Side Yard, as stated in Ordinance #349. The revision will be in section 713.3C and the new wording will state “For a lot of record, which qualifies pursuant to Section 402.3 as legally non-conforming and which measures sixty (60) feet or less in width, the Zoning Official is authorized to grant a variance of side yard minimum footage to allow a side yard setback of ten (10) feet. Said action may be taken without notice to or action by the Planning and Zoning Commission or the Board of Mayor and Aldermen.”

Jeanne Conrad, Zoning Official for the City of Waveland, came forward to explain the Building & Zoning Department request.  
(See audio for discussions.)

Commissioner Whitney made a motion to approve the amendment to the Zoning Ordinance, seconded by Commissioner Poindexter.

After a unanimous vote of yes by all Commissioners present, Chairman Frater declared the motion passed.

Chairman Frater called for any comments from Commissioners and staff. Chairman Frater opened discussion about the Zoning Ordinance requirement for the maximum size of Accessory Structures. Chairman Frater made a request to amend the Zoning Ordinance for the maximum size of Accessory Structures to be based on the size of the property.

The sizes would be as follows:

500 sq. ft. for all properties up to 8,500 sq. ft. in lot size,

750 sq. ft. for properties 8,501 sq. ft. to 12,500 sq. ft. lot size,

1,000 sq. ft. for properties 12,501 sq. ft. to 15,000 sq. ft.

15,001 sq. ft. properties will be allowed up to 1,500 sq. ft. accessory structure.

Any request for accessory structure over 1,500 sq. ft. will be required to submit a Conditional Use request.

After all discussion between the Commission, Chairman Frater called for a motion. Commissioner Whitney made a motion to Amend the Zoning Ordinance as suggested by Chairman Frater, seconded by Commissioner Cooper.

After a unanimous vote of yes by all Commissioners present, Chairman Frater declared the motion passed.

Chairman Frater opened a discussion concerning Short-Term Rentals for the City of Waveland. Mayor Trapani was in the Audience and gave comments throughout the discussion.

After all discussions between the Commission, Mayor Trapani, and Zoning Official, Chairman Frater called for a motion. Commissioner Touart made a motion to charge Short-Term Rentals/AirBnB/VRBO properties with the required Privilege License in addition to an initial permit fee of \$200.00, a \$100.00 annual renewal fee and \$500.00 violation fee for each violation occurrence. Commissioner Poindexter seconded the motion.

After additional discussions, Chairman Frater called for the vote. With a vote of yes by Commissioners Cooper, Poindexter, and Touart, a vote of no by Commissioner Whitney, Chairman Frater declared the motion passed.

Chairman Frater then opened a discussion for a proposed Amendment to the Protected Tree Ordinance. His suggested amendment is in section 5 paragraph D; "At the time the applicant applies for an approved removal permit to cut down a protected tree, said applicant will place on deposit to the City of Waveland an amount equal to the sum of \$250.00 per the number of trees determined in Section 5 paragraph C. Said deposit or any part therein shall be refunded to the applicant upon proof of any replacement determined by the Building Official. The applicant shall have 1 year from the date of the removal permit to request reimbursement or forfeit said right."

After discussions with the Commission and Zoning Official, Jeanne Conrad, Commissioner Whitney made a motion to accept the change to the Protected Tree Ordinance with the clarification that the City replant the trees. The applicant will pay the fee for each tree to be replanted and negate the refund process. Commissioner Poindexter seconded the motion.

Chairman Frater called for a vote. After a unanimous vote of yes by all Commissioners present, Chairman Frater declared the motion passed.

With no other comments and no one left in the audience for comments, Chairman Frater called for a motion to adjourn the meeting. Commissioner Whitney made the motion, seconded by Commissioner Cooper.

After a unanimous vote of yes by all commissioners present to adjourn the meeting, Chairman Frater declared the motion passed and the meeting adjourned at 7:46 pm.

Respectfully submitted,

Jeanne Conrad, Zoning Official