

CITY OF WAVELAND
PLANNING & ZONING COMMISSION
REGULAR MEETING AGENDA
MAY 15TH, 2023 6:00 PM

1. Call to Order / Roll Call.
2. Motion to approve the minutes from the Planning & Zoning Special Meeting held Monday, May 8, 2023.
3. The adoption of recommended amendments to the City of Waveland Zoning Ord. #349;
 - Section 401.4 Use will include new wording for temporary structures: “Temporary structures, including but not limited to shipping containers, storage containers, and the like, are prohibited as permanent residential dwelling but may be used as temporary storage during new construction of a permanent primary structure with a building permit.
 - Section 401.5 Approved Water Supply and Sewage Disposal for Building change the word “building” to permanent habitable dwelling. The new wording will be “It shall be unlawful to construct any permanent habitable dwelling or occupy any mobile home or manufactured home without water supply and sewer disposal...etc.”
 - Section 401.6: reference the definition of a “nuisance” in the description. The new wording will be “No nuisance as defined in Section 302.7, shall be allowed as a permitted, conditional, or non-conforming use.”
 - Section 401.8 Residential Planned Development Projects: Subsection C.2 “Wherever there is an abrupt change in use (i.e. residential to commercial), it is desirable that a buffer area of open space, protective planting, or solid fence be placed between the land uses which will protect each use from the undesirable effects of each other.
 - Section 404. Regulations for Auto Oriented Commercial Establishments: This type of business will only be allowed in the C-3 Highway Commercial District.
 - Section 701.8 Accessory Buildings (in R-1 Single Family Residential District): Increase the allowable sizes for accessory structures contingent upon the size of the lots. 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.
 - The implementation of a 3% sales tax on all Short-Term Rentals & Hotels/Motels within the City.

4. Scott Shaw, owner of the property commonly known as 207 Music St. parcel #162A-0-03-137.000, has made an application for a conditional use to construct an accessory structure over 500 square feet. The proposed accessory structure will be 900 square feet and will meet all setback requirements.
5. Chad Rhodes, owner of the property commonly known as 645 N. Beach Blvd, parcel #161B-2-01-127.000, has made an application for a conditional use to construct an accessory structure over 500 square feet. The proposed accessory structure will be 901 square feet and will meet all setback requirements.
6. Joel Lee, owner of the property commonly known as 9881 Hwy 603, parcel #138G-0-46-147.000, has made an application to rezone this property from R-1: Single Family Residential to C-3: Highway Commercial in order to continue the district use with his commercial property next door at 9919 Hwy 603.
7. Perry Nixon Jr, owner of the property commonly known as 712 Villere St, parcel #162G-0-03-265.000, has made an application for multiple variances in order to split the property into 3 new parcels. All 3 new parcels will need a frontage variance of 6.61 feet from the required 100 feet street frontage and 3,106 square feet variance from the required 12,000 square feet area.
8. Comments from Chair, Commissioners, & Staff
9. Public Comments to the Commissioners
10. Adjourn: AT _____ P.M.

MINUTES
WAVELAND PLANNING & ZONING COMMISSION
SPECIAL MEETING
MAY 8, 2023

A special meeting of the Waveland Planning & Zoning Commission was held at 6:00 pm on Monday, May 8, 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 6:00pm. Present at the meeting were Commissioners Barbara Coatney, Greg Poindexter, Chad Whitney and Matt Touart. Also present was Zoning Official, Jeanne Willie. City Attorney, Ronnie Artigues Jr., was not present.

Chairman Frater called for a motion to adopt the minutes from the Planning and Zoning Regular Meeting held Monday, April 17, 2023. Commissioner Touart made the motion, seconded by Commissioner Coatney, to approve the minutes as written.

After a unanimous vote of yes by Commissioners Coatney and Touart, Commissioners Poindexter and Whitney abstained since they were not present for the meeting on April 17, 2023, Chairman Frater, declared the motion passed.

Tabled from April 17, 2023 - Scott Harris, owner of the property commonly known as 241 Gulf Dr., parcel #162Q-1-10-046.000, has made an application of a Conditional Use in order to construction an accessory structure over 500 sq. ft. and to build the structure before the primary structure. The proposed accessory structure will be 840 sq. ft. and will meet all minimum setbacks per Zoning Ordinance #349.

Chairman Frater called for Mr. Harris to come forward but Mr. Harris was not present. Commissioner Whitney made a motion to open a discussion on the case, seconded by Commissioner Coatney.

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

After discussions between the Commissioners, Chairman Frater called for anyone to come forward to comment on the case. Beatrice Blaire, owner of 225 Gulf Dr, came forward to oppose the application. Her reasoning being that she is afraid the applicant will build the accessory structure and then never build a primary dwelling.

Chairman Frater then called for any others to come forward to comment. No one came forward.

Chairman Frater called for a motion to approve or deny the application. Commissioner Whitney made a motion to deny the request as submitted, seconded by Commissioner Coatney.

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

Motion to continue tabled items from the Planning & Zoning Special Meeting Workshop 1 held Monday, April 10, 2023 and tabled at the Regular Meeting held Monday, April 17, 2023; Article IV: General Regulations Sections 405-409.

Chairman Frater called for a motion to open a discussion on the tabled items. Commissioner Whitney made the motion, seconded by Commissioner Touart to open discussions.

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

Chairman Frater noted that the proposed change to the Tree Ordinance Verbiage will be going before the Board of Mayor and Alderman on the next regularly scheduled meeting. The new verbiage of Section V paragraph D will read "At the time the applicant applies for an approved removal permit to cut down a protected tree, said applicant will place on deposit with the City of Waveland an amount equal to the sum of \$250.00 per the number of trees determined in Section V paragraph C or the number adjusted by the Planning and Zoning Committee or Tree subcommittee. Said funds will be

used by the City of Waveland to plant trees at their discretion. If a Protected Tree Removal Application is needed after a project has begun, the Final C/O will not be issued until the application is completed and fees paid.”

Chairman Frater called for a motion to submit the new verbiage to the Board of Mayor and Alderman at the next meeting on Wednesday, May 17, 2023. Commissioner Poindexter made the motion, seconded by Commissioner Whitney to change the verbiage as written.

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

Commissioner Whitney then made a suggestion to the Commissioners that they all table any more amendments to the Zoning Ordinance #349 until each member has a chance to review the Comprehensive Plan of 2009 and possibly look into having a new/updated Comprehensive Plan written. After discussion between all of the Planning and Zoning Commission members, they all agreed to table the rest of the agenda.

Chairman Frater called for a motion, made by Commissioner Whitney, seconded by Commissioner Touart to table any more changes to the Zoning Ordinance #349.

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

Chairman Frater then called for public comments.

With no other comments, Chairman Frater called for a motion to adjourn the meeting. Commissioner Touart moved, seconded by Commissioner Whitney to adjourn the meeting.

After a unanimous vote of yes by all commissioners present, Chairman Frater declared the motion passed and the meeting adjourned at 7:00 pm.

Respectfully submitted,

Jeanne Willie, Zoning Official

Item #4

Scott Shaw

207 Music St.

Conditional Use

Accessory Structure over 500 sq. ft.

Proposed structure will be 900 sq. ft.

No variances needed for setbacks



CITY OF

HOSPITALITY CITY

Building/Zoning Department

301 Coleman Avenue

Waveland, MS 39576

(228)466-2549

(228)467-5177 FAX

Application for Conditional Use

302.16 Conditional Use: A conditional use is a use that would not be appropriate generally or without restriction through the zoning district but which, if controlled as to number, area, location, or relation to the neighborhood, would promote the public health, safety, morals, order, comfort, convenience, appearance, prosperity or general welfare. Such uses may be permitted in such zoning districts as conditional uses, if specific provisions for such conditional use are made in this zoning ordinance.

Name of Applicant: Scott Shaw Date of Application: 4-5-23
Phone#: [REDACTED] E-mail (optional): [REDACTED]
Property Physical Address(s) or Parcel #(s): 207 Music St. Waveland MS. 39576
Mailing Address (if different): Same
Current Zoning District: _____ Flood Zone: X
Conditional Use Request: Garage

(Note: To submit a Conditional Use Application you must provide proof of current ownership or a document from the current owner granting you permission to seek a Conditional Use (specific to use) for this property.)

906.3 Conditional Uses: Subject to the provisions of Sections 901 and 902 of this Article, the Planning and Zoning Commission shall set a hearing and make a recommendation to the Board of Mayor and Aldermen to grant a conditional use for the uses enumerated as conditional uses in any district as herein qualified and may impose appropriate conditions and safeguards including a specified period of time for the use to protect property and property values in the neighborhood.

Applications for conditional use for uses authorized by this Ordinance shall be made to the Planning and Zoning Commission. A public hearing shall be held, after giving at least fifteen (15) days' notice of the hearing in an official paper specifying the time and place for said hearing. The application shall be specified by the governing authority. The Planning and Zoning Commission will investigate all aspects of the application giving particular regard to whether such use will:

1. Substantially increase traffic hazards or congestion.
2. Substantially increase fire hazards.
3. Adversely affect the character of the neighborhood.
4. Adversely affect the general welfare of the city.
5. Overtax public utilities or community facilities.
6. Be in conflict with the Comprehensive Plan.

If the findings by the Planning and Zoning Commission relative to the above subjects are that the City would benefit from the proposed use and the surrounding area would not be adversely affected, then the Commission may recommend the project for approval to the Board of Mayor and Aldermen.

B. Any proposed conditional use shall otherwise comply with all regulations set forth in this Zoning Ordinance for the district in which such use is located.

Please provide a letter providing as much detail as possible regarding the proposed Conditional Use, including but not limited to description of purpose of the conditional Use. Please review the above items regarding what the Planning and Zoning Commission will consider, and if applicable address any of the items in your letter).

Applicant Signature: 

Date: 4-5-23

Zoning Official Sign-Off: 

Date: 5/5/23

If you have any questions regarding submitting your application please contact:

Jeanne ~~Conrad~~ Willie
Zoning Department
(228) 466-2549
jconrad@waveland-ms.gov

Letter of Intent

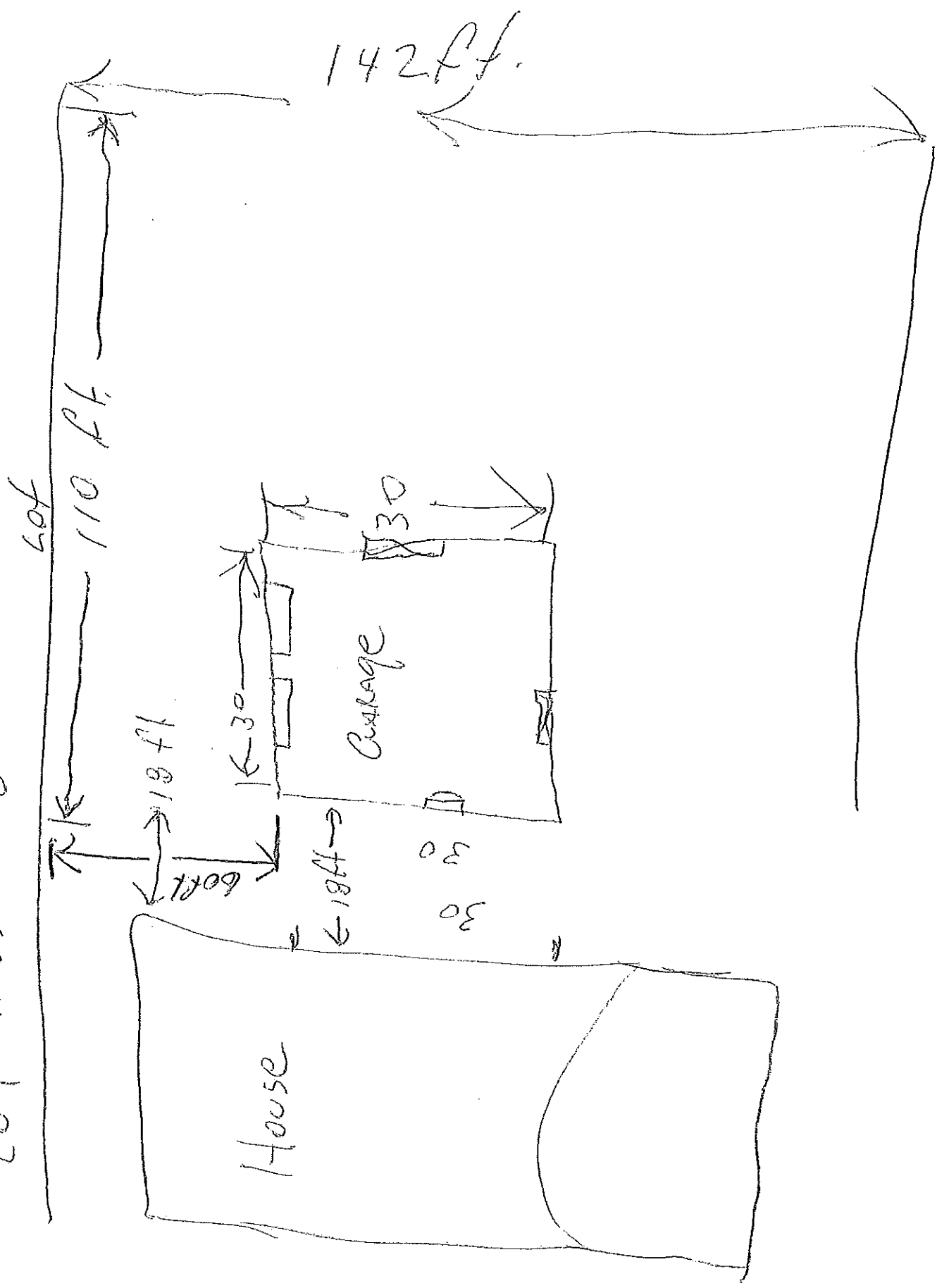
I Scott N. Shaw and my wife Bamby G. Shaw will like to build a 30x30x10 garage on parcel # 162A-0-03-137.00

For the intent of parking our vehicles and gardening equipment.

Scott Shaw Ph.

207 Music St.

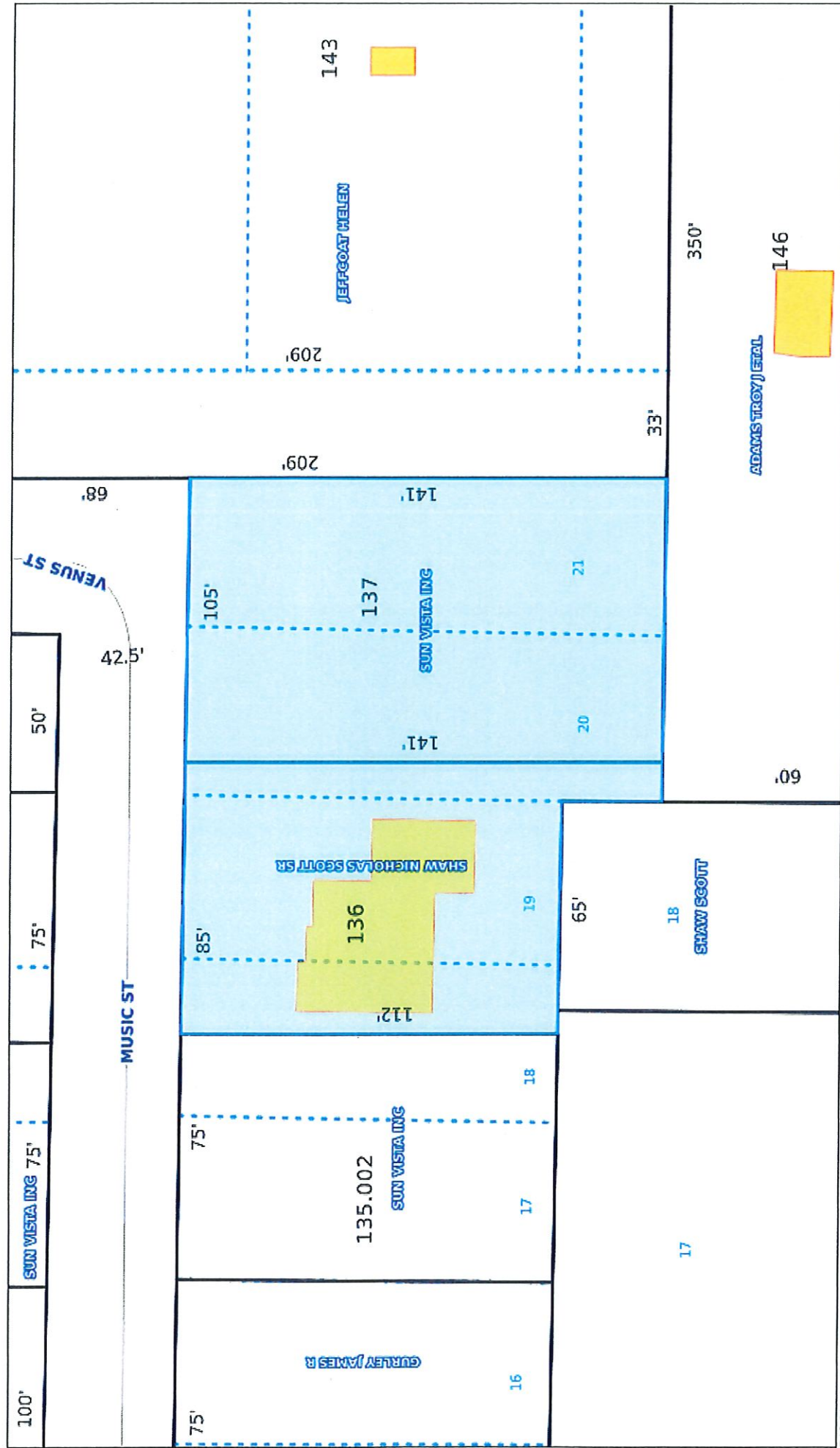
Site Plan



162A-0-03-137.000

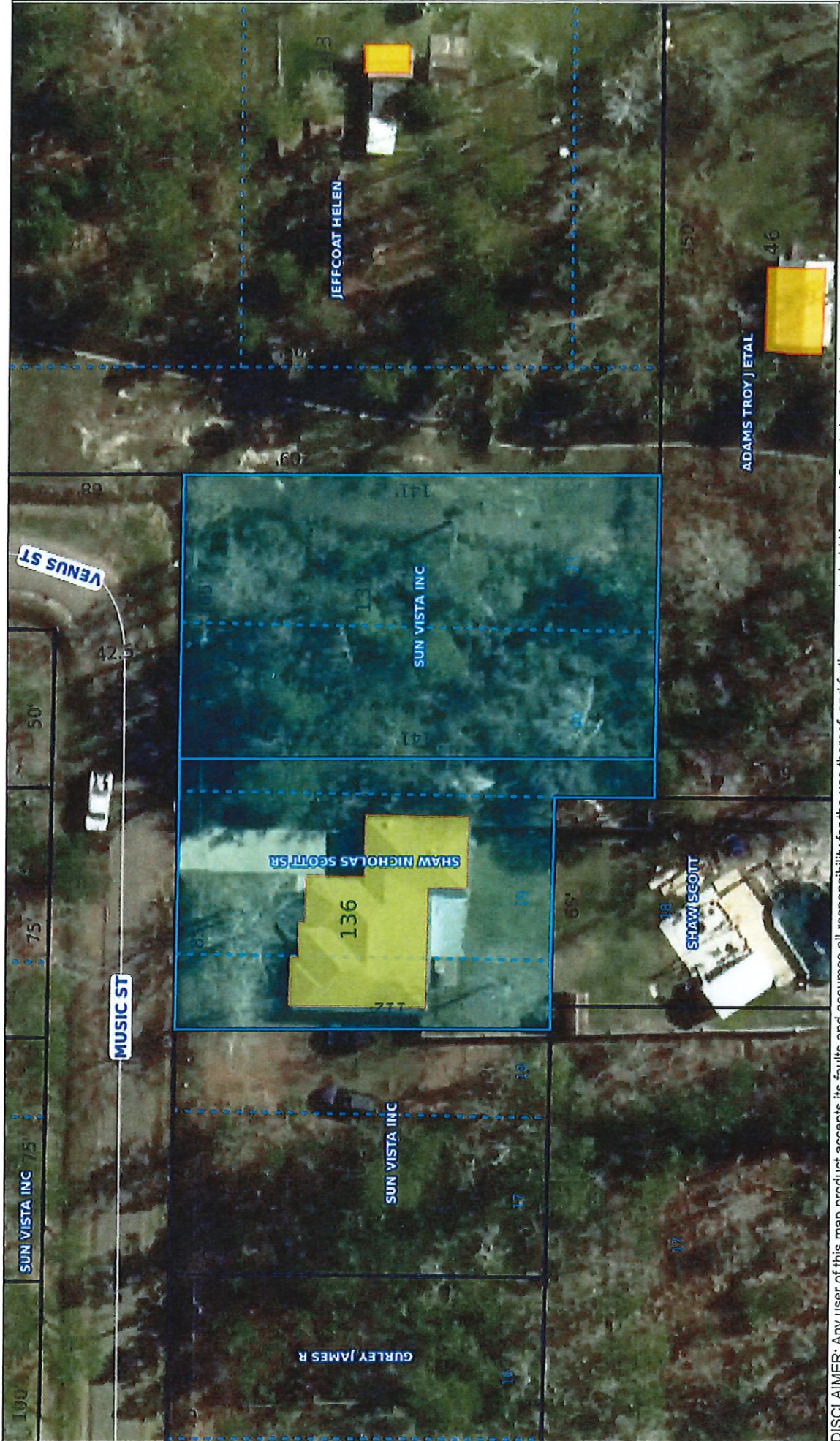
Parcel Number: 162A-0-03-137.000
Owner Name: SHAW SCOTT ETAL
Owner Address: 207 MUSIC ST
Owner City, State ZIP: WAVELAND, MS 39576
Physical Address: 0
Improvement Type:
Year Built: 0
Base Area: 0
Adjusted Area: 0
Actual Total Value: 10290
Taxable Total Value: 0
Estimated Tax: 194.25
Homestead Exemption: No
Deed Book: 2022
Deed Page: 2969
Legal Description 1: PT 20-21 BLK 3 PINE VILLAGE
Legal Description 2:
Legal Description 3:
Legal Description 4:
Legal Description 5:
Legal Description 6:
Longitude: -89
Latitude: 30
Square Footage: 12952.56

Geoportal Map



DISCLAIMER: Any user of this map product accepts its faults and assumes all responsibility for the use thereof, and further agrees to hold Hancock County harmless from and against any damage, loss or liability arising from any use of the map product. Users are cautioned to consider carefully the provisional nature of the maps and data before using it for decisions that concern personal or public safety or the conduct of business that involves monetary or operational consequences. Conclusions drawn from, or actions undertaken, on the basis of such maps and data, are the sole responsibility of the user.

Geoportal Map



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Item #5

Chad Rhodes

645 N Beach Blvd

Conditional Use

Accessory Structure over 500 sq. ft.

Proposed structure will be 901 sq. ft.

No variances needed for setbacks



HOSPITALITY CITY

Building/Zoning Department
301 Coleman Avenue
Waveland, MS 39576
(228)466-2549
(228)467-5177 FAX

Application for Conditional Use

302.16 Conditional Use: A conditional use is a use that would not be appropriate generally or without restriction through the zoning district but which, if controlled as to number, area, location, or relation to the neighborhood, would promote the public health, safety, morals, order, comfort, convenience, appearance, prosperity or general welfare. Such uses may be permitted in such zoning districts as conditional uses, if specific provisions for such conditional use are made in this zoning ordinance.

Name of Applicant: Chad Rhodes (Garret Garcia) Date of Application: 4/10/23

Phone#: [REDACTED] E-mail (optional): _____

Property Physical Address(s) or Parcel #(s) 645 North Beach Blvd

Mailing Address (if different): _____

Current Zoning District: _____ Flood Zone: VE/AE

Conditional Use Request: Wald like to construct 201 ft² open air

carport in rear of the property behind the house.

17'x53' Will match house, columns wrapped, hardie siding gable
(Note: To submit a Conditional Use Application you must provide proof of current ownership or a document from the current owner granting you permission to seek a Conditional Use (specific to use) for this property.) standing seam metal roof

906.3 Conditional Uses: Subject to the provisions of Sections 901 and 902 of this Article, the Planning and Zoning Commission shall set a hearing and make a recommendation to the Board of Mayor and Aldermen to grant a conditional use for the uses enumerated as conditional uses in any district as herein qualified and may impose appropriate conditions and safeguards including a specified period of time for the use to protect property and property values in the neighborhood.

Applications for conditional use for uses authorized by this Ordinance shall be made to the Planning and Zoning Commission. A public hearing shall be held, after giving at least fifteen (15) days' notice of the hearing in an official paper specifying the time and place for said hearing. The application shall be specified by the governing authority. The Planning and Zoning Commission will investigate all aspects of the application giving particular regard to whether such use will:

1. Substantially increase traffic hazards or congestion.
2. Substantially increase fire hazards.
3. Adversely affect the character of the neighborhood.
4. Adversely affect the general welfare of the city.
5. Overtax public utilities or community facilities.
6. Be in conflict with the Comprehensive Plan.

If the findings by the Planning and Zoning Commission relative to the above subjects are that the City would benefit from the proposed use and the surrounding area would not be adversely affected, then the Commission may recommend the project for approval to the Board of Mayor and Aldermen.

B. Any proposed conditional use shall otherwise comply with all regulations set forth in this Zoning Ordinance for the district in which such use is located.

Please provide a letter providing as much detail as possible regarding the proposed Conditional Use, including but not limited to description of purpose of the conditional Use. Please review the above items regarding what the Planning and Zoning Commission will consider, and if applicable address any of the items in your letter).

Applicant Signature: 

Date: 4/10/23

Zoning Official Sign-Off: 

Date: 5/5/23

If you have any questions regarding submitting your application please contact:

Jeanne Conrad 
Zoning Department
(228) 466-2549
jconrad@waveland-ms.gov

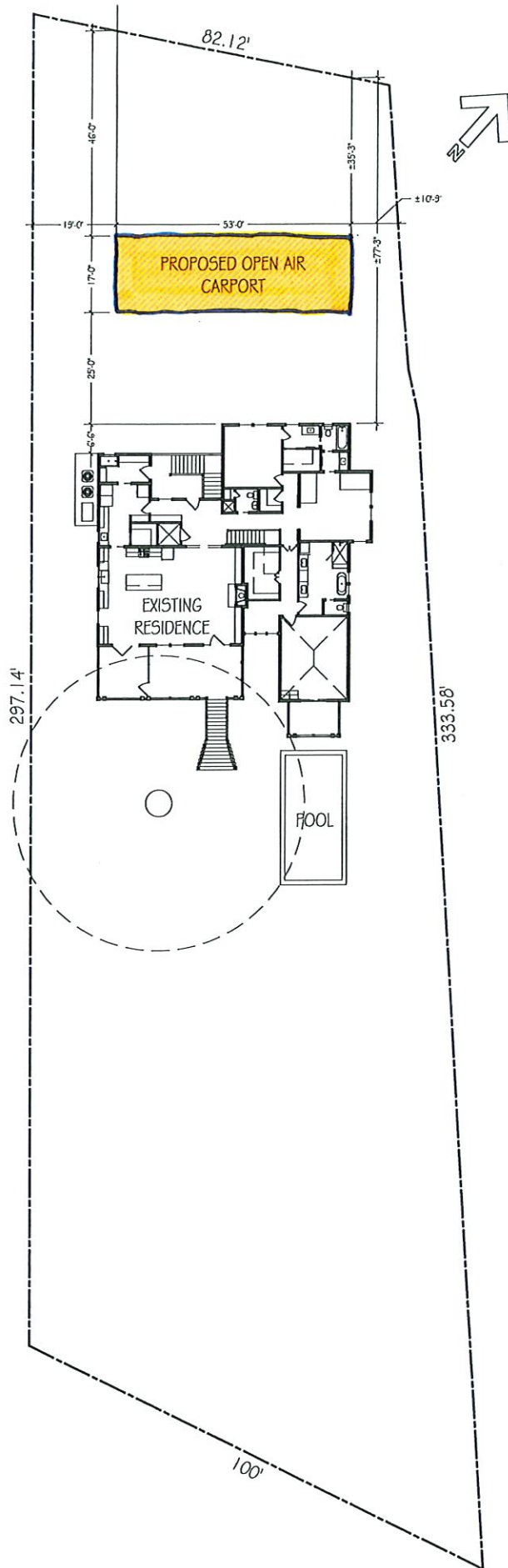
To the City of Waveland,

My name is Chad Rhodes, my family and I live at 645 North Beach Waveland. We have just completed our home and getting settled in as Waveland residents. My wife and I have five young kids, which means plenty of bikes, golf carts, kayaks and sporting equipment. We are wanting to construct a 17'x53' carport in the rear of our house. It will be built to match our homes architecture; standing seam metal roof, hardie lap siding on gable ends, columns wrapped with hardie trim with decorative caps/bases and ceiling to be finished with white beaded like the house. The 500 sq ft city ordinance is a fairly small accessory structure requirement; we would need a 401 sq ft special use approval to construct the structure we feel will fit our family's needs and will be in proportion to our homes size. We are excited about raising our family in Waveland.

Thanks,

Chad Rhodes

A handwritten signature in black ink, appearing to read 'Chad Rhodes', with a stylized, cursive script.



SITE PLAN
Scale: NTS



RHODES RESIDENCE
645 North Beach
Waveland, MS 04.19.23

DAVID L. RHODES, INC. 04.19.23

161B-2-01-127.000

Owner City, State ZIP: PASS CHRISTIAN, MS 39571

Physical Address: 645 N BEACH BLVD

Improvement Type:

Year Built: 0

Base Area: 0

Adjusted Area: 0

Actual Total Value: 281750

Taxable Total Value: 0

Estimated Tax: 5317.11

Homestead Exemption: No

Deed Book: 2019

Deed Page: 13142

Legal Description 1: PT 36 1ST WARD WAVELAND

Legal Description 2:

Legal Description 3:

Legal Description 4:

Legal Description 5:

Legal Description 6:

Longitude: -89

Latitude: 30

Square Footage: 28582.45

Geoportal Map



DISCLAIMER: Any user of this map product accepts its faults and assumes all responsibility for the use thereof, and further agrees to hold Hancock County harmless from and against any damage, loss or liability arising from any use of the map product. Users are cautioned to consider carefully the provisional nature of the maps and data before using it for decisions that concern personal or public safety or the conduct of business that involves monetary or operational consequences. Conclusions drawn from, or actions undertaken, on the basis of such maps and data, are the sole responsibility of the user.

Geoportal Print



Geoportal Print

Item #6

Joel Lee

9881 Hwy 603

Zoning Change

Re-Zone Parcel #138G-0-46-147.000 from

R-1: Single-Family Residential to C-3: Hwy Commercial

To match the rest of the properties that front Hwy 603



Building/Zoning Department
301 Coleman Avenue
Waveland, MS 39576
(228)466-2549
(228)467-5177 FAX

Application for a Zoning Change

Section 905. Applying for a Zoning Change

In applying for a zoning change, the applicant will be required to submit the following information:

1. A three (3) foot by three (3) foot sign must be visibly posted near the street or property being considered for a zoning change. The sign must state current classification and classification being requested.
(Note: The Planning and Zoning Office does this in preparing the case. No need to include this.)
2. Letter stating what the current zoning for property and a request to re-zone the property to the desired zoning. Also include the reason(s) for requesting the re-zoning.
3. Two (2) copies of a survey or detailed plot plan showing existing structure, dimensions of property, location of all streets bordering property.
4. A One Hundred and Forty (\$140.00) Dollar fee to defray the cost of advertising and processing.

Please remember that the Planning and Zoning Commission is a recommending body. The case will go the Board of Alderman at their next regularly scheduled meeting for final action on the zoning change request.

Name of Applicant: Joel Lee Date of Application: 4/10/23
Phone#: [REDACTED] E-mail (optional): [REDACTED]
Property Physical Address or Parcel #: 138G-0-46-147.000
Current Zoning of Property: R-1 Proposed Zoning: C-3
Reason for Re-Zoning: Commercial Building for BrgPro / Lee Swimming Pools
Mailing Address (if different): 9919 Highway 603 Bay St. Louis MS

Applicant Signature: [Signature] Date: 4/10/23
Zoning Official Sign-Off: Jeanne M. Willie Date: 5/5/23

If you have any questions regarding submitting your application please contact:

Jeanne ~~Conrad~~ Willie
Zoning Department
(228) 466-2549
iconrad@waveland-ms.gov

4/12/23

Joel Lee
[REDACTED]
[REDACTED]
[REDACTED]

To Whom It May Concern,

I have intentions to fill and build a commercial building on the property mentioned in this letter. Our plans are to build a building to house Bugpro, LLC., Lee Swimming Pools, LLC., and possibly space to rent to other tenants.

Parcel Number: 138G-0-46-147.000
Exhibit "A" Attached.

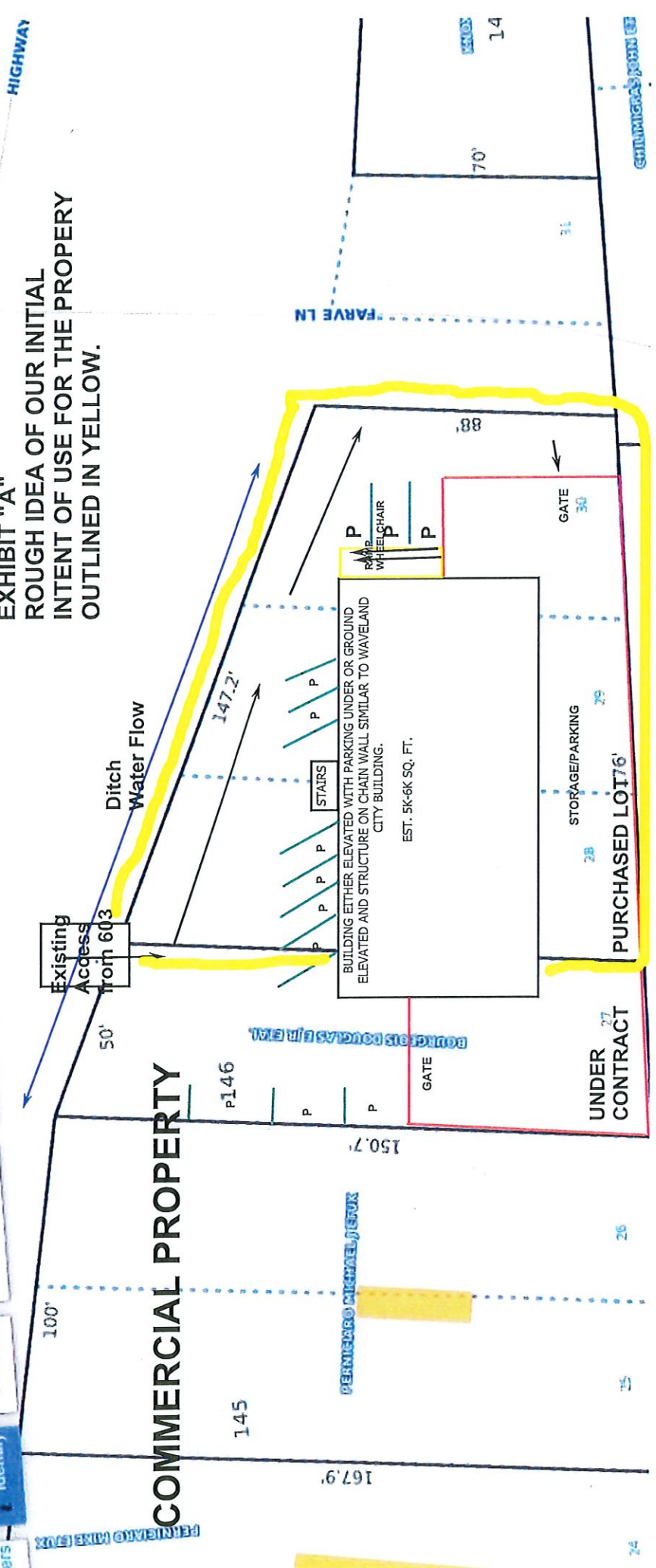
Please contact me if you have any questions.

Thanks, Joel Lee

Joel Lee



EXHIBIT "A"
ROUGH IDEA OF OUR INITIAL
INTENT OF USE FOR THE PROPERTY
OUTLINED IN YELLOW.



Prepared By:
The Casano Law Firm, P.A.
4403 West Aloha Drive
Diamondhead, MS 39525
228-255-0035
File No.: 23-0194

Return To:
The Casano Law Firm, P.A.
4403 West Aloha Drive
Diamondhead, MS 39525
228-255-0035

**STATE OF MISSISSIPPI
COUNTY OF HANCOCK**

WARRANTY DEED

For and in consideration of the sum of Ten And No/100 Dollars (\$10.00), cash in hand, paid, and other good and valuable considerations, the receipt and sufficiency of which are hereby acknowledged, I

Jaqueline Vidrine, Grantor


Does hereby sell, convey, bargain and warrant to

Joel Lee, Grantee


The following described real property situated and located in **Hancock** County, Mississippi, more particularly and certainly described as follows:

See Attached Exhibit "A"

Together with all and singular the rights, privileges, improvements and appurtenances to the same belonging or in any wise appertaining.

This conveyance is made subject to any and all reservations, restrictions, easements, exceptions, covenants and conditions of record, including any mineral, oil or gas reservations and any covenants or restrictions of record.

If bounded by water, the warranty granted herein shall not extend to any part of the above described property which is tideland or coastal wetlands as defined in the Mississippi Coastal Wetlands Protection Act and this conveyance includes any natural accretion and is subject to any erosion due to the action of the elements.

The Grantor herein certify that the property herein above conveyed forms no part of the homestead of said Grantor.

It is agreed and understood that the taxes for the current year have been prorated as of this date on an estimated basis, and that when said taxes are actually determined, if the proration as of this date is incorrect, the parties herein agree to pay on a basis of an actual proration. All subsequent years taxes are specifically assumed by Grantee herein.

WITNESS MY SIGNATURE, this the 27 day of March, 2023.


Jaqueline Vidrine

STATE OF CA
COUNTY/PARRISH OF St. Tammany

Personally came and appeared before me, the undersigned authority in and for the aforesaid County and State on this the 27 of March 2023, Jaqueline Vidrine, who acknowledged that they/he/she signed and delivered the foregoing instrument of writing on the day and year therein mentioned.



Notary Public
My Commission Expires: _____
TRACY A SALVAGGIO
Notary Public #84772
State of Louisiana
My Commission is issued for Life

Exhibit "A"

Lots 28, 29 and 30, Square 105, SHORELINE PARK SUBDIVISION, Unit 7, a subdivision of Hancock County, Mississippi, as per the official map or plat thereof on file and of record in the office of the Chancery Clerk of Hancock County, Mississippi.

Less and Except:

Begin at the Northeast corner of grantor's property and the Northeast corner of Lot 30 of Square 105 of Shoreline Park Subdivision Unit 7; from said point of beginning run thence South $01^{\circ} 40'$ West along the East line of grantor's property and the East line of said Lot 30, a distance of 192.8 feet to the South line of grantor's property and the South line of said Lot 30; thence run South $89^{\circ} 48'$ West along said South property line and along said South line of Lot 30, a distance of 17.7 feet; thence run North $01^{\circ} 12'$ East a distance of 88.8 feet to a point that is 149 feet Southerly of and measured radially to the centerline of survey of the right lane of State Project No. 79-0087-81-003-10 at Station 17 + 15; thence run North $71^{\circ} 32'$ West a distance of 147.2 feet to the Westerly line of grantor's property and the Westerly line of Lot 28; thence run North $09^{\circ} 08'$ East along said Westerly property line and said Westerly line of Lot 28, a distance of 82.3 feet to the Northwest corner of grantor's property and the Northwest corner of said Lot 28; thence run South $80^{\circ} 50'$ East along the present Southerly right-of-way line of Mississippi Highway No. 43, a distance of 150.0 feet to the point of beginning, containing 0.38 acres, more or less, and being situated in and a part of Lots 28, 29 and 30 of Square 105 of shoreline Park Subdivision Unit 7 of the Southwest $1/4$ of the Southwest $1/4$ of Section 27, Township 8 south, Range 14 West, Hancock County, Mississippi.

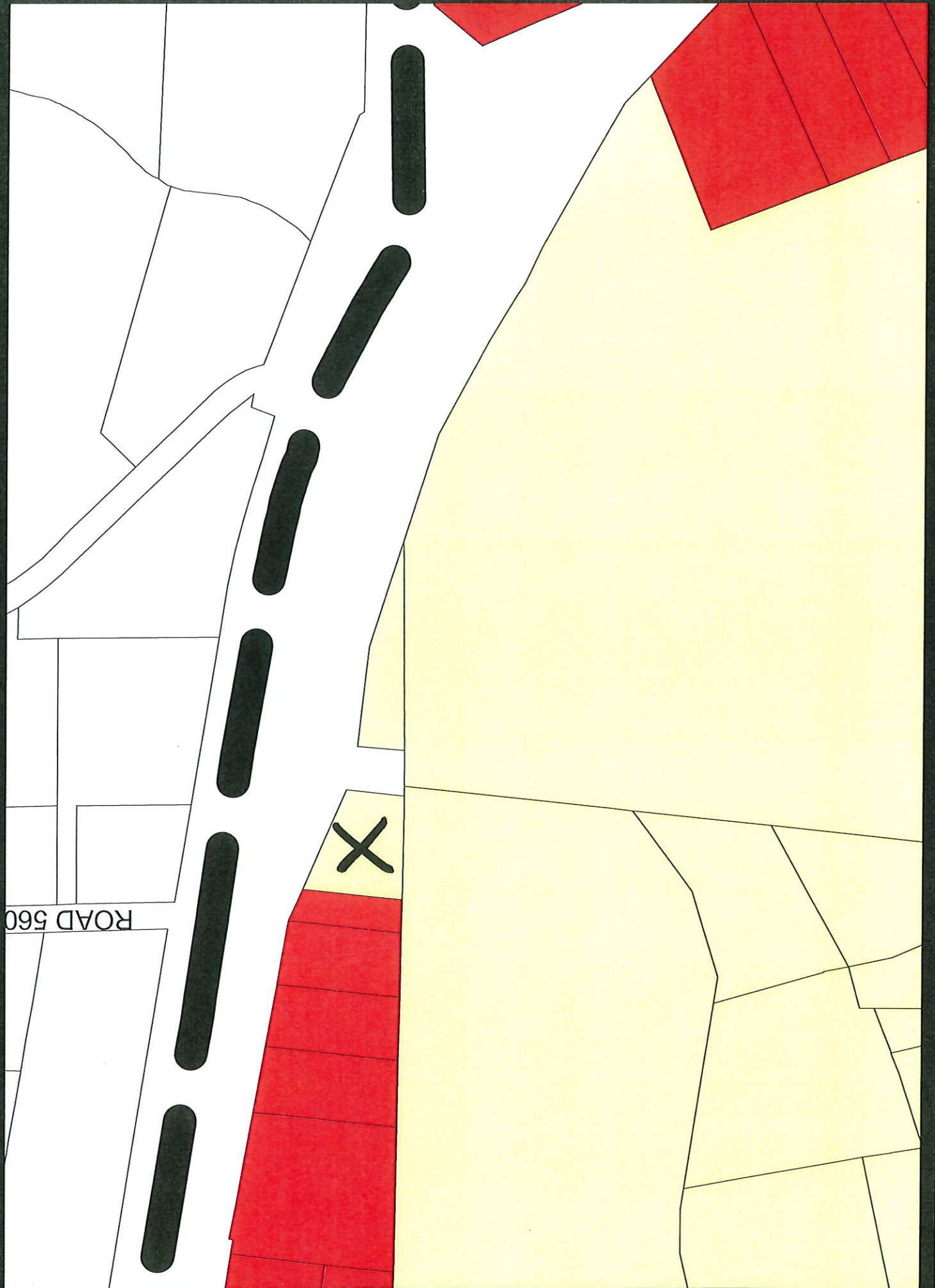
138G-0-46-147.000

Parcel Number: 138G-0-46-147.000
Owner Name: VIDRINE JACQUELINE A
Owner Address: P O BOX 1401
Owner City, State ZIP: MANDEVILLE, LA 70470
Physical Address: 0
Improvement Type:
Year Built: 0
Base Area: 0
Adjusted Area: 0
Actual Total Value: 51040
Taxable Total Value: 0
Estimated Tax: 963.2
Homestead Exemption: No
Deed Book: BB38
Deed Page: 217
Legal Description 1: PT 28-30 BLK 105 UN 7 SHORELIN
Legal Description 2: E PK
Legal Description 3:
Legal Description 4:
Legal Description 5:
Legal Description 6:
Longitude: -89
Latitude: 30
Square Footage: 19533.24

Geoportal Print



Geoportal Print



ROAD 560

Item #6

Perry Nixon Jr.

712 Villere St

Variances for Lot Split

Split property from 1 to 3 lots

Frontage variance on all 3 lots of 7'

(93' frontage)

Square foot variance on all 3 lots of 3,165 sq ft

(8,835 sq ft area on each lot)



Building/Zoning Department
301 Coleman Avenue
Waveland, MS 39576
(228)466-2549
(228)467-5177 FAX

Application for Variance

Section 904. Applying for a Variance

To apply for a variance from the terms of the Zoning Ordinance, the applicant must submit the following:

1. Letter stating what is being requested and what type of development is proposed.
2. Two (2) copies of plot plan detailing existing structure, proposed development and encroachment, dimensions of property, location of all streets bordering property.
3. A fee of Seventy-five (\$75.00) Dollars, payable in advance to help defray the expense of advertising and processing.

Please remember that the Planning and Zoning Commission is a recommending body. The case will go the Board of Alderman at their next regularly scheduled meeting for final action on the variance request.

Name of Applicant: Perry Nixon Jr. Date of Application: 4-12-23
Phone#: [REDACTED] E-mail (optional): [REDACTED]
Property Physical Address or Parcel #: 1626-0-03-265.000
Current Zoning District: R-1 Flood Zone: AE 18
Mailing Address (if different): [REDACTED]
Proposed Variance: Split Lots into 3 - See Survey

Please review the items below regarding what the Planning and Zoning Commission will consider, and if applicable address any of the items in your letter.

Section 906. Power and Duties of the Planning and Zoning Commission

The Planning and Zoning Commission shall have the following powers and duties:

906.1 To recommend in special cases such variances from the terms of this Zoning Ordinance as will not be contrary to public interest where, owing to the special conditions, a literal enforcement of the provisions of this Ordinance would result in unnecessary hardship. A variance from the terms of this Zoning Ordinance shall not be recommended by the Planning and Zoning Commission unless and until:

- A. A written application for a variance is submitted demonstrating:
1. That special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures or buildings in the same district.

2. That literal interpretation of the provisions of this Zoning Ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this Zoning Ordinance.
 3. That special conditions and circumstances do not result from the actions of the applicant.
 4. That granting the variance requested will not confer on the applicant any special privilege that is denied by this Zoning Ordinance to other lands, structures, or buildings in the same district.
- B. A public hearing shall be held after giving at least fifteen (15) days notice of the hearings in an official newspaper specifying the time and place for said hearing.
- C. The Planning and Zoning Commission may find in specific cases such variances from the terms of this Zoning Ordinance may not be contrary to the public interest where, owing to special conditions, literal enforcement of the provisions of this Zoning Ordinance will, in an individual case, result in unnecessary hardship, so that the spirit of this Zoning Ordinance shall be observed, public safety and welfare secured, and substantial justice done. Such variances may be recommended in such case of unnecessary hardship upon a finding by the Planning and Zoning Commission that all of the following conditions exist:
1. There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape or topography that are not applicable to other lands or structures in the same district.
 2. A literal interpretation of the provisions of this Zoning Ordinance would deprive the applicant of rights commonly enjoyed by other residents of the district in which the property is located.
 3. Granting the variance requested will not confer upon the applicant any special privileges that are denied to other residents of the district in which the property is located.
 4. The requested variance will be in harmony with the purpose and intent of this Zoning Ordinance and will not be injurious to the neighborhood or to the general welfare.
 5. The special circumstances are not the result of the actions of the applicant.
 6. The existence of a non-conforming use of neighboring land, buildings or structures in the same district, or non-conforming uses in other districts shall not constitute a reason for the requested variance.
 7. The variance requested is the minimum variance that will make possible the legal use of the land, building or structure.
 8. The variance is not a request to permit a use of land, building or structures which are not permitted by right or by conditional use in the district involved.
 9. Notice of public hearing shall be given as in section 906.1.B.

The Fee for a Variance Application is \$75.00 and is non-refundable regardless of approval or denial.

Applicant Signature: Perry M. J.

Date: 4-12-2023

Zoning Official Sign-Off: Jeanne M. Willie

Date: 5/5/23

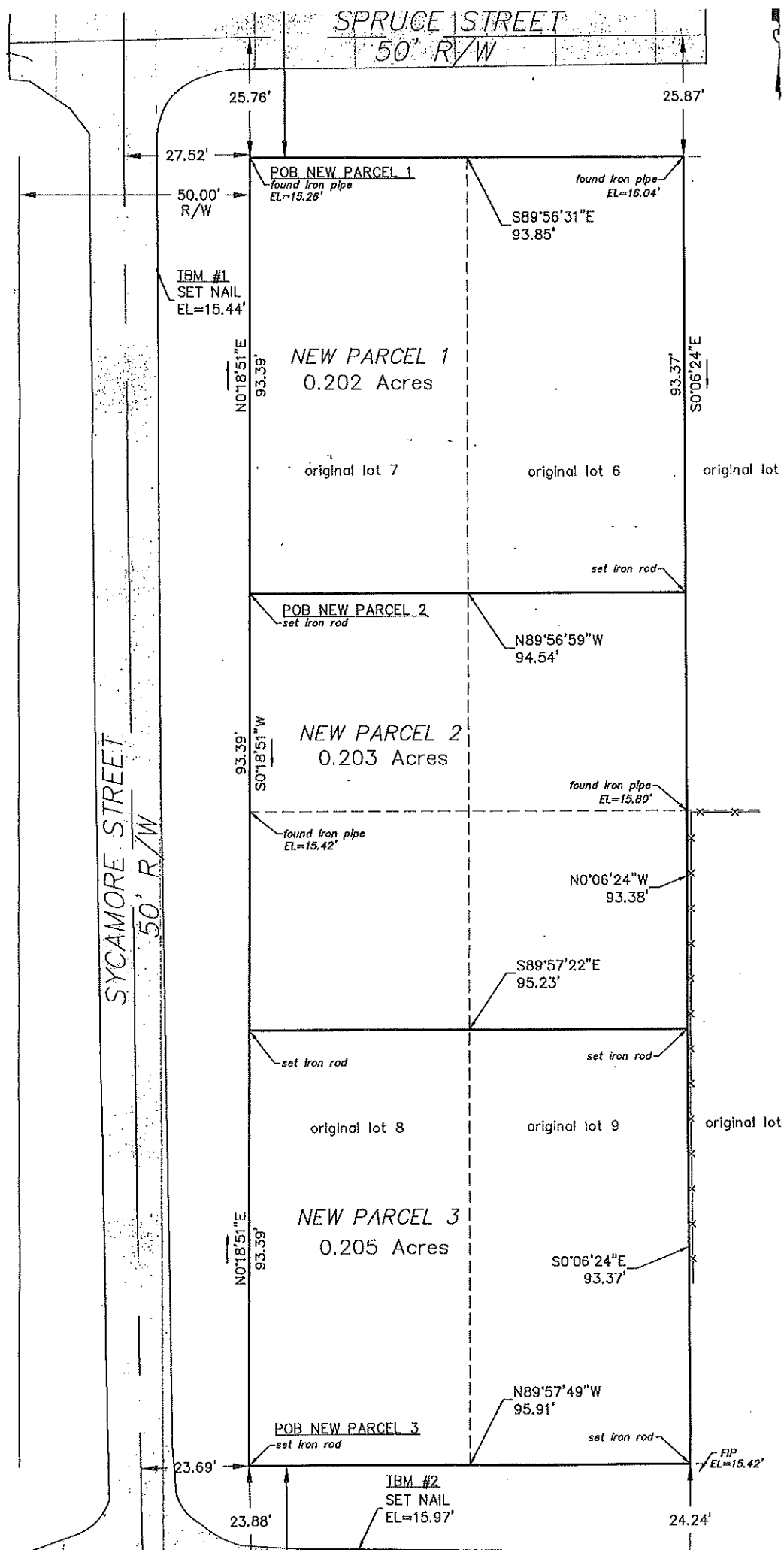
If you have any questions regarding submitting your application please contact:

Jeanne ~~Conrad~~ Willie
Zoning Department
(228) 466-2549
jconrad@waveland-ms.gov

Good Evening Board Member,

I am requesting a variance for property on Sycamore Street that I would like to divide into three separate lots. In order for me to do so I need 3,165 sq. ft(X3) also 7ft of frontage (x3) which would give me the 100 ft. of frontage, in order to build 3 separate single-family homes on each property. With dividing the property into 3 individual lots it places the frontage at 93.5 per lot which brings me short 7ft per lot. With the support of you I would be able to add one more home to the Waveland community...

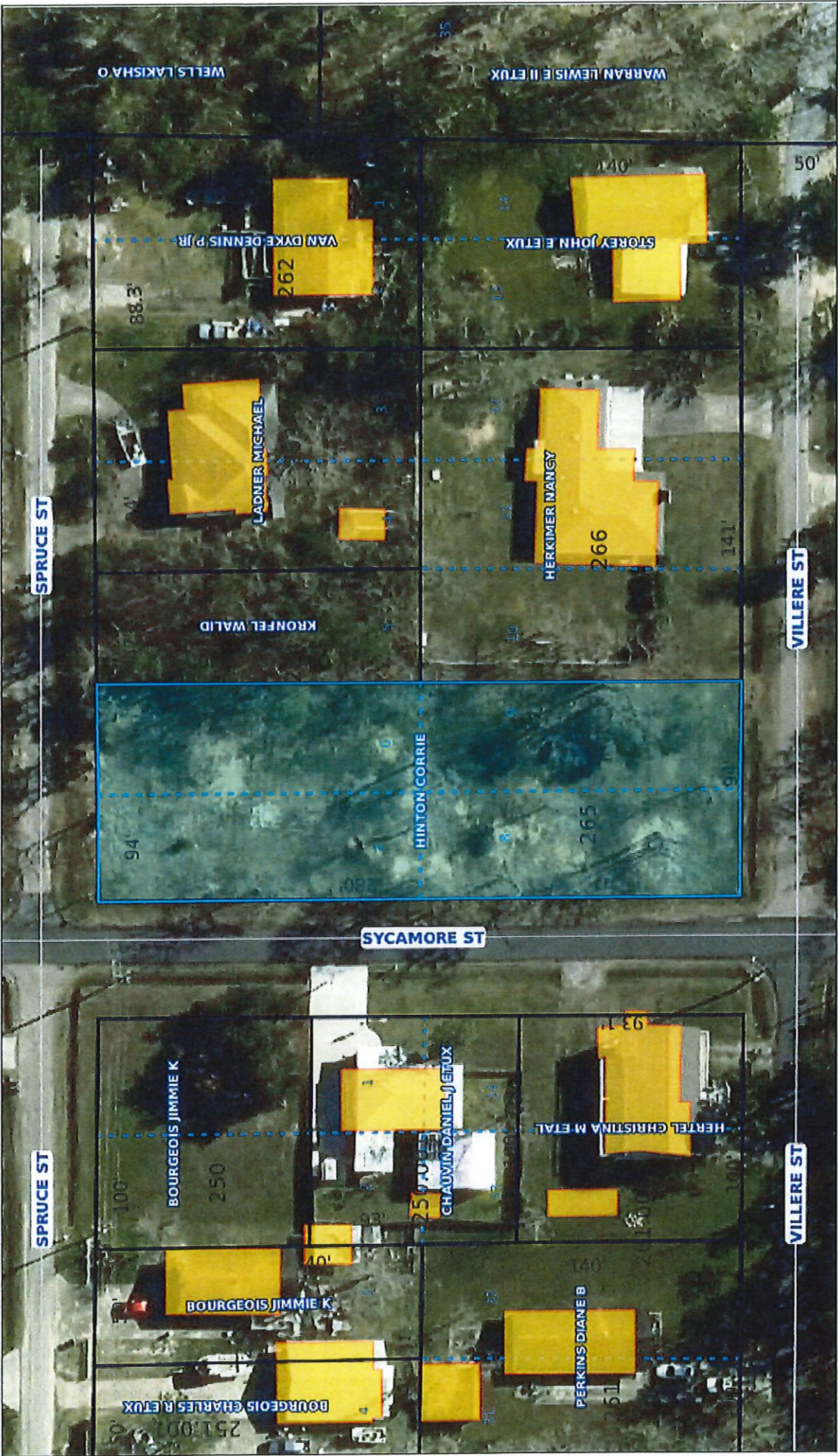
Thanks



162G-0-03-265.000

Parcel Number: 162G-0-03-265.000
Owner Name: HINTON CORRIE
Owner Address: 913 CONGRESS ST
Owner City, State ZIP: NEW ORLEANS, LA 70117
Physical Address: 712 VILLERE ST
Improvement Type:
Year Built: 0
Base Area: 0
Adjusted Area: 0
Actual Total Value: 10528
Taxable Total Value: 0
Estimated Tax: 198.65
Homestead Exemption: No
Deed Book: 2021
Deed Page: 10056
Legal Description 1: 6-9 BLK 6 GREEN ACRES S/D
Legal Description 2:
Legal Description 3:
Legal Description 4:
Legal Description 5:
Legal Description 6:
Longitude: -89
Latitude: 30
Square Footage: 26319.61

Geoportal Map



PLEASE INDEX IN: LOTS 6, 7, 8 AND 9, BLOCK 6, GREEN ACRES ADDITION
TO WAVELAND, HANCOCK COUNTY, MISSISSIPPI

GRANTOR(S): CORRIE HINTON BY AND THROUGH,
MICHAEL STUBBS LAWFUL ATTORNEY IN FACT
[REDACTED]

GRANTEE(S): PERRY BERNARD NIXON JR.
[REDACTED]

Prepared by and return to:

NATHAN S. FARMER, P.A.

Attorney-At-Law
Post Office Box 1608
120 Goodyear Boulevard
Picayune, MS 39466
Phone: 601-749-8745
Fax: 601-749-7045

STATE OF MISSISSIPPI)

COUNTY OF HANCOCK)

QUITCLAIM DEED

FOR AND IN CONSIDERATION of the sum of TEN AND NO/100 DOLLARS (\$10.00),
cash in hand paid, and other good and valuable considerations, the receipt and sufficiency of all
of which is hereby acknowledged and confessed, I/We, the undersigned, **CORRIE HINTON BY
AND THROUGH HIS/HER LAWFUL ATTORNEY IN FACT, MICHAEL STUBBS, AS
REFLECTED BY THAT CERTAIN POWER OF ATTORNEY, DATED OCTOBER 28, 2022, OF
RECORD IN THE OFFICE OF THE CHANCERY CLERK OF HANCOCK COUNTY,
MISSISSIPPI, IN BOOK 2022 AT PAGE 11534**, Grantor(s), have, and do by these presents
hereby grant, bargain, sell, convey and quitclaim all my interest in the herein described real
property unto the Grantee(s), **PERRY BERNARD NIXON JR.**, Grantee(s), individually, the
hereinbefore described real property, together with any and all improvements and
appurtenances thereunto belonging, situated in Hancock County, Mississippi, to-wit:

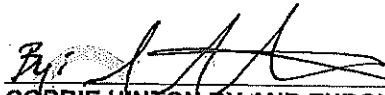
"SEE EXHIBIT "A"

No title exam was performed and no title examination was requested. the description used on this deed was provided by the client. no search was made of public records to determine the accuracy of said description and said attorney, in preparing this deed, has relied, at the request of the Client(s) on the representation of the Warrantor(s) that the description provided is proper and accurate.

SUBJECT to any and all prior reservations or conveyances of oil, gas, or other minerals, as shown of record.

SUBJECT to any and all rights-of-way and/or easements for public roads and/or public utilities located on, over, and across the above described land as shown by the Land Deed Records on file in the office of the Chancery Clerk of Hancock County, Mississippi.

Witness my signature, this the 31st day of January, A.D., 2023.


CORRIE HINTON BY AND THROUGH
HIS/HER LAWFUL ATTORNEY IN FACT,
MICHAEL STUBBS, AS REFLECTED BY
THAT CERTAIN POWER OF ATTORNEY,
DATED OCTOBER 28, 2022, OF RECORD IN
THE OFFICE OF THE CHANCERY CLERK OF
HANCOCK COUNTY, MISSISSIPPI, IN BOOK
2022 AT PAGE 11634

STATE OF MISSISSIPPI)

COUNTY OF Pearl River)

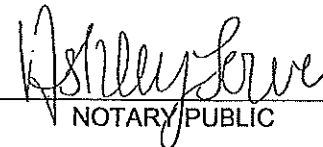
PERSONALLY APPEARED before me, the under signed authority in and for the said County and State, on this, the 31st day of January, A.D., 2023, within my jurisdiction, the within named **MICHAEL STUBBS**, who acknowledged that he/she is the Attorney in Fact for **CORRIE HINTON**, and that in said representative capacity he/she executed the above and foregoing instrument, after having been duly authorized so to do by that certain Power of Attorney dated 11-9-2022, and of record in the Office of the Chancery Clerk of Hancock County, Mississippi, at Book 2022, Page 11634.

GIVEN under my hand and official seal of office, upon this, the 31st day of

January, A.D., 2023.

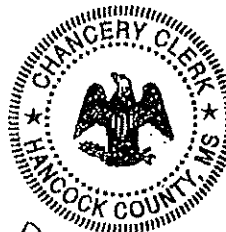
My commission expires:




NOTARY PUBLIC

"EXHIBIT A"

LOTS 6, 7, 8 AND 9, SQUARE 6, GREEN ACRES ADDITION TO WAVELAND,
A SUBDIVISION ACCORDING TO THE MAP OR PLAT THEREOF ON FILE
AND OF RECORD IN THE OFFICE OF THE CHANCERY CLERK OF
HANCOCK COUNTY, MISSISSIPPI, IN PLAT BOOK 1, AT PAGE 72 AND
ALSO MISCELLANEOUS PLAT BOOK, PAGE 14.



Hancock County
I certify this instrument was filed on
02-07-2023 10:52:18 AM
and recorded in Deed Book
2023 at pages 2173 - 2175
Timothy A Kellar

Timothy A Kellar