

CITY OF WAVELAND
PLANNING & ZONING COMMISSION
MINUTES
November 18th, 2019 – 6:00 PM

1. Call to Order / Roll Call.

Commissioner Adams, serving as interim Chairman, opened the meeting at 6:00 PM. Commissioners present; Michael Adams, Judy Boudoin and Charlotte Watson. David Draz, Zoning Official was also present. Chairman Meggett and Commissioner Harris were absent. Commissioner Adams stated that a quorum was present.

2. Michael F. Smith, owner of the property commonly known as 622 S Beach Blvd; Legal Description: Lot 91A, Third Ward, Waveland, MS is requesting #1) a variance from the Minimum Side Yard Setback, fifteen (15) feet as required by the Current Zoning Ordinance, Section 701.4. The variance request is to allow a ten (10) foot side yard resulting in a variance of five (5) feet; and #2) a variance from the Minimum Rear Yard Setback, twenty-five (25), as required by the Zoning Ordinance, Section 701.5. The variance request is to allow a ten (10) foot rear yard resulting in a variance of fifteen (15) feet.

The property owner Michael F. Smith came forward and explained his request for the two variances being requested. Mr. Smith, explained about the effect of the retaining wall along Market Street and the narrowness of Market Street (13' of pavement) on his entrance options. He also provided the Commission with pictures showing the property and the retaining wall. Commissioner Adams requested that the pictures be entered into the record. The Commission asked the applicant questions about the proposed variances and discussion was held. An email received from the property owner at 108 Market Street objecting to the variances was entered into the record at the request of Commissioner Adams.

Commissioner Watson made a motion, seconded by Commissioner Boudoin, to recommend approval of the requested variances as presented. Commissioners Adams, Boudoin and Watson voted in favor of the motion. Commissioner Adams declared the motion approved.

3. Pulin & Natasha Shaw, as represented by Concrete Building Concepts, owners of the property commonly known as 823 N Beach Blvd, Legal Description; Part of Lot 11A, First Ward, Waveland, MS are requesting to remove a Protected Live Oak Tree. Section 408.1, Preservation of Live Oak and Magnolia trees requires that a property owner requesting to remove a protected tree from their property must make application and provide all required documentation. The purpose of the request is to remove a Live Oak Tree because of the poor health or dangerous condition of the tree.

The representatives of the property owners, Concrete Building Concepts, came forward to make a presentation. Kate Gutierrez and Jeremy Pierpoint discussed the two arborist reports that were submitted and stated that both reports substantiated their request to remove the subject Live Oak Tree by describing its poor health and potential danger to the house that the owners are having built. Both reports also stated that the other large trees on the property should be pruned, fertilized and the area under their canopies be protected. The representatives for the property owners explained that they would be following all of the care and protection suggestions from the two arborists.

Commissioner Adams requested that the 2nd Arborist report be entered into the record. He then asked if anyone was present to in favor of or objecting to the application. No one came forward, however two letters were received from area property owners objecting to the proposed removal of the Live Oak. Commissioner Adams requested that the letters be entered into the record.

The Commissioners held discussion with the representatives of the owners.

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Commissioner Watson made a motion, seconded by Commissioner Boudoin, to recommend approval of the requested removal of the subject Live Oak Tree conditioned upon the property owners following the arborists report recommendations regarding the other large trees to be retained on the property (pruning, dead limb removal, protecting the area under the canopy of the trees, etc.) Commissioners Adams, Boudoin and Watson voted in favor of the motion. Commissioner Adams declared the motion approved.

4. Any requests to address the Commission.

No one came forward to address the Commission.

5. Set the dates for the Special Meeting to approve the minutes, Thursday, November 21st, 2019 at 5PM and the next regularly scheduled meeting, Monday, December 16th, 2019 at 6PM.

Zoning Official, David Draz requested the Commissioner's remove the minutes meeting portion of the motion because they would now be approved as part of the agenda at next month's regular meeting and remove any future minute's approval meetings. This is being done after conferring with the City Attorney.

Commissioner Watson made a motion, seconded by Commissioner Boudoin, to approve the date of the next regularly monthly meeting on Monday, December 16th, 2019 at 6:00 PM and to remove the minute's approval meeting portion of this item and on future agendas. All Commissioners present voted in favor.

6. Adjourn.

Commissioner Watson made a motion, seconded by Commissioner Boudoin, to adjourn the meeting at 6:35 PM. All Commissioners present voted in favor of the motion.