

CITY OF WAVELAND
PLANNING & ZONING COMMISSION
MINUTES
May 18th, 2020 – 6:00 PM - Via Conference Call

1. Call to Order / Roll Call.

Chairman Meggett opened the meeting at 6:10 PM. Commissioners present; Michael Adams, Clarence Harris, and Charlotte Watson. Commissioner Boudoin was absent. Mickey Lagasse, City Clerk, David Draz, Zoning Official, were also present. Chairman Meggett declared there was a quorum present. Chairman Meggett and Mickey Lagasse made some introductory comments on the conference call format and how the meeting would be handled. The meeting was recorded.

2. Approval of the Minutes for the January 27th, 2020 meeting.

Commissioner Adams made a motion, seconded by Commissioner Harris, to approve the minutes as presented. Commissioners Adams, Harris and Watson voted in favor of the motion. Chairman Meggett declared the minutes approved.

3. Approval of the Conference Call Meeting Minutes for March 23rd, 2020.

Chairman Meggett explained that because a quorum was not present that no action was taken by Commission. He also wanted to note for the record the Board of Alderman did take up Item #4 – 1200 Waveland Ave. – Mikelle Williamson – One (1) foot fence height variance at their meeting on April 7th, 2020. He said that the Board did approve the variance as requested.

4. Gustavo Trespalacios and Doraine P. Barr, owners of the property commonly known as 110 Adrienne Court; Legal Description: Lot 1 & North ½ of Lot 2A, Adrienne Court Subdivision, Waveland, MS, is requesting to split the subject lot into two which requires the following variances;

For proposed Parcel “A” 1) A variance from the Lot Area Requirement of (12,000) square feet as required by the current Zoning Ordinance, Section 701.1. The variance request is to allow a lot area of six thousand, six hundred and eighty-two (6,682) square feet, requiring a variance of 5,318 square feet. 2) A variance from the Lot Width Requirement of (100) feet as required by the current Zoning Ordinance, Section 701.2. The variance request is to allow a lot width of ninety-eight and seven (98.7) feet, requiring a variance of (1’3”) feet.

Chairman Meggett asked the Zoning Official if they should have one motion for the variance requests for both proposed or parcels or to handle each separately. The Zoning Official requested that they be handled separately for each parcel.

Chairman Meggett read the item description and asked the applicant to come forward to explain their requested variances for proposed Parcel A. Doraine P. Barr, co-owner of the property explained their request and the reasons for the request. The Commission asked questions of the applicant and held discussion regarding the requested variance.

Chairman Meggett asked if anyone in the meeting would like to speak for or against the requested variances. Susan and Henry McGee, owners of the parcel directly across Adrienne Court came forward to voice the opposition to the requested variances. The Chairman and the Commissioners discussed the overall development of single-family residences on Adrienne Court and noted that many of the lots that have recently been constructed on where of similar size and that some of them had gone through lot splits with variances approved. The Commission indicated that the request was in line with the development pattern along this street. The McGee’s asked if they could have a driveway onto Central Avenue. The Zoning Official noted that their property currently does have a Central Avenue address and other than spacing a driveway far enough away from the intersection of Central Ave and Adrienne Court that they could have a drive on Central.

Commissioner Adams made a motion, seconded by Commissioner Watson, to recommend approval of the requested variances for proposed Parcel A. Chairman Meggett stated that the conditions and criteria for a Variance as stated in Section 906.1 of the current Zoning Ordinance have been met. Commissioners Adams and Watson voted in favor of the motion. Commissioner Harris voted against the motion. Chairman Meggett declared the motion approved.

For proposed Parcel "B" 1) A variance from the Lot Area Requirement of twelve thousand (12,000) square feet as required by the current Zoning Ordinance, Section 701.1. The variance request is to allow a lot area of seven thousand (7,000) square feet, requiring a variance of (5,000) square feet. 2) A variance from the Lot Width Requirement of one-hundred (100) feet as required by the current Zoning Ordinance, Section 701.2. The variance request is to allow a lot width of (89.08) feet, requiring a variance of 10', 3" feet.

Commissioner Watson made a motion, seconded by Commissioner Adams, to recommend approval of the requested variances for proposed Parcel B. Chairman Meggett stated that the conditions and criteria for a Variance as stated in Section 906.1 of the current Zoning Ordinance have been met. Commissioners Adams and Watson voted in favor of the motion. Commissioner Harris voted against the motion. Chairman Meggett declared the motion approved.

5. Danny Lee and Brandon Shaw, owners of the property not yet addressed; Legal Description from survey and deed being; Part of Lot 40, 42 & 43, First Ward, Town of Waveland, Hancock County, Mississippi (see survey & deed). The owners are requesting to remove one (1) Protected Tree, a Live Oak Tree measuring 40" in diameter. The purpose for the requested removal is based on "Construction cannot be practically located in such a way as the preserve the tree or trees." Section 408.1 – Preservation of Live Oak and Magnolia Trees" of the current Zoning Ordinance contains the requirements and procedures for requesting removal of a Protected Tree.

The owners are also requesting a variance from Section 702.4 of the current Zoning Ordinance – Minimum Side Yard – Fifteen (15) feet. They are requesting a variance of five (5) feet resulting in a ten (10) foot side yard setback. The purpose, as stated in the letter from the applicant is to "... leave ample room for the Live Oak located at the rear left corner of the proposed residence to grow and thrive since it is still quite young."

Chairman Meggett read the item description and asked the applicant to come forward to explain their requested application to remove a Live Oak Tree meeting the criteria of a Protected Tree. Danny Lee, co-owner of the property explained their request and the reasons for the request. He also discussed how the requested five (5) foot side-yard variance was related to saving a Live Oak near the rear left side of the proposed house. The Commission asked questions of the applicant and held discussion regarding the requested Protected Tree removal and the side-yard variance.

The Commissioners held further discussion and asked questions of the applicant. It was stated by several Commissioners that they felt that the request certainly made sense and that the Applicant had done a good job in presenting all of his documentation. Chairman Meggett asked the applicant would be willing to donate three (3) Live Oak trees, eight (8) feet in height to Keep Waveland Beautiful. The applicant indicated preliminarily that he would consider such a condition as acceptable but noted that the replacement was not part of the current requirements for a Protected Tree Removal application.

The Chairman asked if anyone present would like to speak for or against the proposed Protected Tree Removal application. Brian Therolf, 210 Gulfside, stated that he would be prepared to speak on this item at the Board of Alderman meeting.

Commissioner Adams made a motion, seconded by Commissioner Harris, to recommend denial of the requested tree removal and to recommend approval of the five (5) foot side-yard variance. Commissioners Adams and Harris voted yes on the motion. Commissioner Watson voted no. Chairman Meggett declared the motion approved.

6. Alvin Kingston, III, owner of the property to be addressed as 414 Edwards Street, Parcel # 161C-0-02-109.001; Legal Description: Lot 3 & Part of Lot 4, Alba's Subdivision is requesting variances from Section 702.3 – Minimum Front Yard – Twenty-five (25) foot and Section 702.4 – Minimum Side Yard - - Fifteen (15) feet. The applicant is requesting a five (5) foot variance from the front yard requirement resulting in a twenty (20) foot front yard. The applicant is also requesting a six (6) foot variance from the side yard resulting in a nine (9) foot side yard.

Chairman Meggett read the item description and asked the applicant to come forward to explain their requested variances and the reason they were needed. Alvin Kingston, owner of the property, explained their request and the reasons for the request. The Commission asked questions of the applicant and held discussion regarding the requested variance.

Commissioner Adams made a motion, seconded by Commissioner Harris, to recommend approval of the requested variances, and the Commission finds that the conditions and criteria for a Variance as stated in Section 906.1 of the current Zoning Ordinance have been met. All Commissioners present voted in favor of the motion. Chairman Meggett declared the motion approved.

7. Maria Perez and Lisa Johnson, owners of the property commonly known as 1329 Dubuc Lane; Legal Description; Part of Lot 4 and Lot 8, Colly Estate Subdivision, Section 9, Waveland Township, Hancock County, Mississippi; are requesting a Conditional Use as provided for in Section 302.16 and Section 906.3 of the current Zoning Ordinance. An accessory structure over five-hundred (500) square feet is considered a Conditional Use in R-1 Single Family Zoning District. The purpose of the request is to allow the applicants to construction an accessory structure of a twelve-hundred (1,200) square feet. The accessory structure will be used for two purposes. One half for an un-enclosed cover for an RV Camper and one half for an enclosed storage area.

Chairman Meggett read the item description and asked the applicant to come forward to explain their requested Conditional Use variances the reason they were needed. Maria Perez, co-owner of the property, explained their request and the reasons for the request. The Commission asked questions of the applicant and held discussion regarding the requested variance.

Commissioner Harris made a motion, seconded by Commissioner Adams, to recommend approval of the requested Conditional Use for an Accessory Structure of twelve-hundred square feet, and the Commission finds that the conditions and criteria for a Conditional Use as stated in Section 906.3(A) of the current Zoning Ordinance have been met. All Commissioners present voted in favor of the motion. Chairman Meggett declared the motion approved.

8. Any requests to address the Commission.
No one came forward.
9. Reports from Chair, Commissioners and Staff.
Staff told the Commission that he had received the coroplast signs to be placed on the property of each case before the P&Z Commission meeting starting with the June meeting.
10. Set the date for the next regularly scheduled meeting, Monday, June 22nd, 2020 at 6PM.
Commissioner Watson made a motion, seconded by Commissioner Harris to approve the meeting date. All Commissioners present voted in favor of the motion.
11. Adjourn.

Commissioner Adams made a motion, seconded by Commissioner Watson, to adjourn. All Commissioners present voted in favor of the motion. The meeting adjourned at 7:12 PM.