



Zoning and Adjustments Board
1018 Porter Avenue
Ocean Springs, MS 39564

Tuesday, May 9, 2023 @ 5:00 PM

1. Call Meeting to Order

2. Approval of Minutes

- a. April 11, 2023

3. Old Business

- a. **Deferred from 4/11/23 Agenda:** 2022 Kensington Avenue / PID# 61455076.000 - Chris Clardy - Requesting a variance from the maximum square footage allowed for an accessory structure.

4. New Business

5. Audience Request

6. Adjourn

**The Minutes of the City of Ocean Springs
Zoning and Adjustments Board
Tuesday, April 11, 2023**

1. Call Meeting to Order

A meeting of the City of Ocean Springs Zoning and Adjustments Board was called to order by Vice-Chairman Shannon Pfeiffer at 5:00 on Tuesday, April 11, 2023. Members present were John O'Hara, Michael Smith, and Don Atwell. Chairman Nick Gant was absent. Also present were Wade Morgan, City Planner, and , Planning/Grants Coordinator.

2. Approval of Minutes

- a. March 14, 2023

M. Smith noted the misspelling of tow on page 1. He recommends it be changed to two (2).

A motion was made by D. Atwell seconded by J. O'Hara to recommend approval of the minutes with M. Smith's edit.

3. Old Business

4. New Business

- a. 3401 Bienville Boulevard / PID# 60127492.000 - Singing River Health System Ambulatory Services, Inc. - Requesting a 25% variance to the minimum parking space requirement.

W. Morgan introduced the proposal. The parking request is being requested due to the building not being used at full capacity at all hours.

Marty Hardy, Hardy Architects, representing the applicant, addressed the commission. He confirmed Wade's comments regarding capacity usage.

The power lines on the property were discussed.

Mr. Hardy provided a site plan for the members to review.

A motion was made by D. Atwell to recommend approval of a variance of 25% from the minimum number of off-street parking spaces to allow 130 parking spaces for the Singing River Hospital Workforce Academy building at 3401 Bienville Boulevard.

S. Pfeiffer and M. Smith suggested adding the power lines crossing the property as a

hardship.

J. O'Hara seconded the motion. The motion was unanimously carried.

- b. 2022 Kensington Avenue / PID# 61455076.000 - Chris Clardy - Requesting a 4% variance from the maximum square footage allowed for an accessory structure.

A motion was made by D. Atwell seconded by J. O'Hara to add the email input from Elizabeth Deuel be included in the minutes. The motion was carried unanimously.

W. Morgan introduced the proposal. The proposed storage building is 1,000 sq. ft. According to Mr. Morgan's preliminary measurements using the city's GIS map and aerial images, it exceeds the maximum size of 920 sq. ft. allowed by the Unified Development Code (UDC). He added the setbacks would be 10 ft. from the rear and side property lines due to the property being a corner lot.

Chris Clardy, applicant, addressed the commission. He will gladly adjust the site plan to show 10 ft. from the side and rear property lines.

S. Pfeiffer asked if there was a stop-work order issued due to the form already being up. Mr. Clardy stated no and no digging or work had been done to date, only the frame for vision purposes.

M. Smith asked what hardship there was for the shed being larger than what's allowed. W. Morgan added an inground swimming pool which affects where the shed can sit.

Elizabeth Deuel, 2020 Kensington Avenue, addressed the commission in opposition to the request. She questioned the 2,300 sq. ft. for the principal structure. She determined it was 2,064 sq. ft. including the carport which would only allow 860 sq. ft. to not exceed 40%. She added the house was listed at 1,300 sq. ft. when it was sold to the Clardys.

Michael Buckalew, friend of Ms. Deuel and adjacent property owner on Simon Boulevard, addressed the commission in opposition to the request. He formerly lived at 2022 Kensington Avenue. It was originally rated at 1,250 sq. ft. When his mother sold the property, it was rated at 1,310 sq. ft. and is still listed as such on [Zillow.com](https://www.zillow.com).

How sq. ft. is determined by the UDC was discussed. It was determined that the UDC does not specify if the sq. ft. is determined by heated/cooled space or drip-line, etc.

A motion was made by M. Smith seconded by J. O'Hara to recommend the variance of the maximum size of an accessory structure for the detached garage at 2022 Kensington Avenue be deferred until the May Zoning & Adjustments Board meeting so the size of the principal dwelling can be determined and clarification of the UDC guidelines on principal use can be determined. The motion carried with M. Smith, J. O'Hara, and S. Pfeiffer voting aye and D. Atwell voting nay.

5. Audience Request

6. Adjourn

A motion was made by D. Atwell seconded by J. O'Hara to adjourn the meeting. The motion was unanimously carried.

DRAFT

CITY OF OCEAN SPRINGS
COMMUNITY DEVELOPMENT AND PLANNING
POST OFFICE BOX 1800
OCEAN SPRINGS, MS 39566-1800
228-875-4415

ZONING ADJUSTMENT BOARD REPORT

PUBLIC HEARING DATE: May 9, 2023
Deferred from April 11, 2023

APPLICANT(S): Chris Clardy
CURRENT OWNER? ✓Yes No

LOCATION: 2022 Kensington Ave./ PID# 61455076.000

REQUESTED ACTION: Variance to the maximum permitted size of an accessory building.

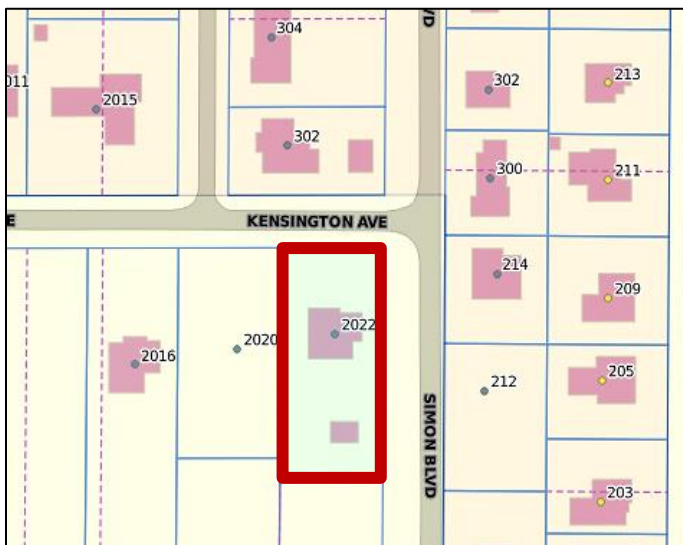
DATE OF APPLICATION: March 10, 2023

ADJACENT ZONING AND LAND USE:

Subject Property: R-1, Single Family Residential District – a single family dwelling.
North: across Kensington Ave., R-D, Two-Family Residential District – single-family dwellings.
South: R-1, Single Family Residential District – undeveloped parcel.
East: across Simon Blvd., R-D District – single family dwelling;
West: R-1 District – a single family dwelling.

CURRENT CONDITIONS:

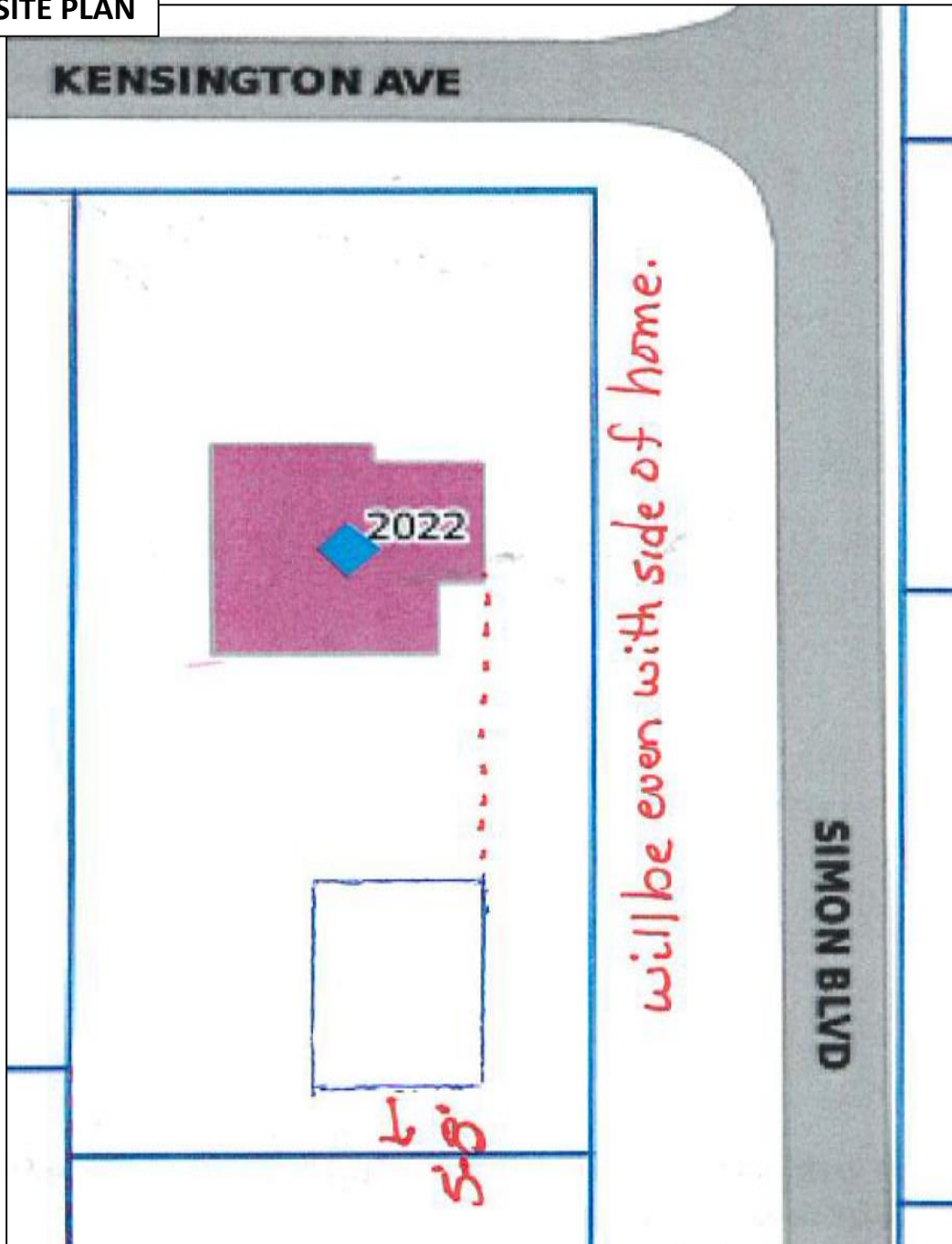
- Property Size: 22,550 sq. ft.



DESCRIPTION OF REQUEST:

- The applicant requests a variance to allow the construction of an accessory building (storage building) that is larger than what the Unified Development Code (UDC) allows for this property. Storage buildings cannot be larger than 40% of the size of the main dwelling (principal building) (UDC section 6.2.1). The main dwelling is approximately 2,300 sq. ft. in size, based on recent air photos. 40% of that amount is 920 sq. ft. The storage building, at 1,000 sq. ft., exceeds the maximum permitted area by 80 sq. ft. A 9% variance from the maximum permitted size of an accessory building is needed to allow the proposed building.
- The applicant states that a new detached garage is proposed to replace an “existing structure that was “L” shaped and in disrepair, so I wanted to maximize the space in the same location.”

SITE PLAN



FINDINGS:

- The limit on the maximum size of an accessory building functions to maintain accessory buildings such as storage building, detached garages, workshops, etc., as secondary in size to the dwelling.
- The existing dwelling has a single car carport.
- In addition, note that this is a corner lot and the storage building must be at least 10 feet from the south lot line.

OTHER FEEDBACK:

- none received.

POTENTIAL MOTION:

To recommend approval of a variance of 9% from the maximum size of an accessory structure in relation to the principal structure to allow a 1,000 sq. ft. detached garage at 2022 Kensington Ave.



City of Ocean Springs Planning Department

1018 Porter Avenue / PO Box 1800 Ocean Springs, MS 39564

(228) 875-4415

VARIANCE REQUEST APPLICATION

Submittal Requirements:

- Application
- Fee of \$50.00 must be paid at the time application is submitted.
 - \$1.00 additional fee (per Ordinance 2022-17 following the requirements of Section 25-60-5 MS Code Annotated)
- Site Plan (or Survey) showing requested variance, with dimensions.

Date: 3/10/2023

Name of Applicant: Chris Clardy

Address: 2022 Kensington Avenue Ocean Springs, MS 39564

Phone No. 228-217-4364

Email Address: cclardy88@gmail.com

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Parcel Identification Number: _____

Property Owner (if different from Applicant): _____

Property Location for the Variance: Back Yard

Type of Variance(s) Requested (setback, height, zoning extension, parking, etc.)

Maximum square footage percentage allowance

The purpose of this variance is to consider an application to allow:

Building new detached garage and need it to be 80 square feet (4 percent) larger than the 40 percent of the home allows.

Provide justification of the variance request. Justification must include exceptional narrowness, shallowness, shape of a specific piece of property, exceptional topographical conditions, or other extraordinary situation or condition for a specific piece of property.

Existing structure was L shaped and in disrepair so I wanted to maximize space in the sa

Applicant Signature: _____

Date: 3/10/2023