

**The Minutes of the City of Ocean Springs**  
**Planning Commission**  
**Tuesday January 13, 2026**

**1. Call Meeting to Order**

The meeting of the City of Ocean Springs Planning Commission was called to order by Chairman Andy Phelan at 6:00 p.m. on Tuesday, January 13, 2026. The members present were Clay McArdle, Michael Smith, Kevin O'Connell, Marshall Johnson, and Nicolaus Geiser. Absent was Jennifer Dalgo. Also, present were Amanda Crose - Planning Director, Elizabeth Dill - Planning Technician, Sirrae Williams - Planning Office Administrator, and David Harris - City Attorney.

Chairman Phelan started the meeting by announcing that all official correspondence will be sent to official email addresses only. If anyone needs assistance setting up or accessing their email to contact Kat Johnson, HR/IT Specialist.

**2. Approval of Minutes:**

- December 9, 2025

Commissioner Smith stated that his name is spelled incorrectly on item number 7.

Amanda Crose stated she can amend the minutes to reflect the correct name.

A motion was made by Kevin O'Connell, seconded by Marshall Johnson, to amend the minutes from December 9, 2025, with corrections. The motion carried unanimously.

**3. Old Business:**

- None

**4. New Business:**

- a) Public Hearing: 28 Davis Bayou Circle – PIDN: 61066028.000 – Angelo Dalgo – Requesting approval of a Short-Term Rental permit**

A motion was made by Marshall Johnson, seconded by Michael Smith, to open the public hearing. The motion carried unanimously.

Amanda Crose, Planning Director, introduced the case and stated the property is located at 28 Davis Bayou Circle and is zoned R-1 Low Density Single-Family Residential with a single-family dwelling. The property is located within the City-Wide Zone for short-term rentals and would represent 55 of 60 available permits. She stated that the Property Manager/Owner, Angelo Dalgo, lives within two (2) miles of the city limits. A copy of the rental agreement was included with the application.

Public hearing notices were mailed on December 12, 2025, to 18 property owners within 500 feet of the subject property. Notice of the public hearing was advertised at least fifteen (15) days prior to the meeting, published on December 28, 2025, and a yard sign was placed on December 10, 2025.

The short-term rental inspection was conducted on December 4, 2025. A maximum occupancy of eight (8) people was approved by the Fire Marshal, and a maximum of four (4) vehicles was approved by the Building Official. Guest Rules were posted and visible during inspection. No code violations were reported, and no public comments were received by the Planning Office prior to the meeting.

Chairman Phelan inquired whether the reduction in available permits was due to non-renewals.

Sirrae Williams explained that some property owners did not submit renewal documentation.

Commissioner O'Connell asked whether the city notifies owners when permits are not renewed

Ms. Williams stated renewal notices are sent 30 days prior to expiration and that owners have 30 days after expiration to begin renewal. If the process is not initiated, the permit is terminated.

- Angelo Dalgo, applicant, Ward 5, was in attendance but didn't have anything to add to the case at the current time.
- Timothy J. Trepagnier, Ward 5, spoke in opposition and presented subdivision covenants for Davis Bayou Subdivision, identifying two provisions of concern.

Chairman Phelan read the flagged covenant provisions into the record:

- 4. Lots Nos. 1-1-29, both inclusive and Lots Nos. 31-35, both inclusive, in said tract or subdivision shall be known and described as residential lots; and lot 36, together with any part of the land in said tract or subdivision that may be set aside for use by lot owners as park or recreational purposes shall be exempt and are hereby excepted from this Agreement and Protective Covenant; and lot 30 is to be known as a community lot as hereinafter provided for.
- 9. No noxious or offensive trade or activity shall be carried on upon any lot, nor shall anything be done thereon which may become an annoyance to the neighborhood.

Mr. Trepagnier stated that the public notice indicated that the Homeowner's Association (HOA) may be required.

Commissioner McArdle inquired about the public notice, specifically what it must have approval for.

Commissioner O'Connell read item 13 of the public notice regarding properties with active HOAs.

- Public Notice – 13) What if the property has covenants that do not allow for short-term rentals? The ordinance requires that any application for a property with an active Homeowner's Association (HOA must provide a letter from the HOA supporting the activity. If you are aware of such a restriction in your neighborhood, please notify the Planning Department at 228-875-4415. The permit will not be approved unless supported by the ACTIVE HOA where applicable.

Commissioner O'Connell asked if there was an active HOA.

Ms. Crose stated the application indicated proper documentation of any restrictive covenants and/or HOA support had been provided and that no active HOA exists.

Commissioner O'Connell stated the covenants require residential use but does not prohibit rentals.

A motion was made by Kevin O'Connell, seconded by Marshall Johnson, to accept the covenant documents provided by Mr. Trepagnier into the record. The motion carried unanimously.

The covenant documents were provided to David Harris, City Attorney, for review.

Mr. Dalgo stated the previous owner indicated there was no HOA and that he was unaware of any covenants when he purchased the property.

Commissioner McArdle questioned if this is the first time staff was notified about the covenants.

Ms. Crose confirmed this was the first time staff had been made aware of the covenants.

A motion was made by Marshall Johnson, seconded by Kevin O'Connell, to close the public hearing. The motion carried unanimously.

A motion was made by Marshall Johnson, seconded by Michael Smith, to table Agenda Item (a) to allow the City Attorney time to review the covenant. The motion carried unanimously.

**b) Riley Road – PIDN: 60123050.000 – Savannah Estates Phase II – Meritage Homes of Mississippi – Requesting Final Plat approval of a 56-lot subdivision.**

Chairman Phelan recused himself from agenda item at 6:14 pm.

Amanda Crose, Planning Director, presented the request for final plat approval for

Phase II of Savannah Estates, the final step prior to plat recording and issuance of building permits.

Savannah Estates is a two-phase subdivision. Phase I is fully developed. Phase II infrastructure, including streets and drainage, has been completed. The subdivision received sketch plat approval on October 20, 2020, and preliminary plat approval on June 7, 2022. The project was originally approved under Elliott Homes and later acquired by Meritage Homes.

Phase II is zoned R-3 Medium Density Residential, consists of approximately 23.4 acres, and complies with all zoning standards. Lots are approximately 55 feet by 140 feet, with rear-loaded homes and landscaped easements contributing to the required 20% open space.

All departmental reviews were completed. Public Works approved as-built plans and reported no objections. Engineering and Fire Department had no comments. No public comments were received. Required maintenance and infrastructure bonds were submitted.

Commissioner McArdle inquired about DOH and DEQ approvals and City capacity.

Ms. Crose clarified that MSDH approved water service, MDEQ approved sewer service, and Public Works reviewed capacity and completed a site walkthrough.

Commissioner Michael Smith asked whether common areas were public.

Ms. Crose stated the central area is common space with a pavilion, pickleball court, and dog park, approved as part of open space requirements.

Commissioner O'Connell stated that this request represents the final plat approval and that the applicant has met all required conditions and code requirements following prior reviews.

- Bobby Heinrich, Heinrich and Associates stated that he represented the applicant and worked with staff throughout the entire process to ensure that all requirements were met for the final plat approval.
- Jordan Burch, Director of Land for Meritage Homes, clarified that the common area will be owned by the HOA and remain open and ungated.

A motion was made by Marshall Johnson, seconded by Michael Smith, to recommend approval of the Savannah Estates Phase II Final Plat consisting of 56 single-family residential lots based on compliance with the UDC and consistency with prior approvals. The motion carried unanimously.

Commissioner O'Connell advised the applicant the item would be heard by the Board of Aldermen on February 3, 2026.

Chairman Phelan returned at 6:27 p.m.

**Return to Agenda Item (a)**

**28 Davis Bayou Circle – PIDN: 61066028.000 – Angelo Dalgo** – Agenda item a was resumed following the motion of agenda item b.

David Harris, City Attorney, provided legal analysis, stating that short-term rentals are defined under the Unified Development Code (UDC) as residential use. He stated the covenants require residential use but do not prohibit short-term rentals and that no active HOA exists to enforce approvals. He advised the owner to review the recorded covenants carefully.

Chairman Phelan reminded the Commission that it serves as a recommending body, and the item would proceed to the Board of Aldermen on February 3, 2026.

Commissioners discussed covenant intent, residential use, and nuisance protections.

Chairman Phelan noted there have been no police reports or violations associated with the property. Guest rules include quiet hours beginning at 10:00 p.m., prohibition of parties, and no smoking, aligning with City ordinances.

A motion was made by Kevin O’Connell, seconded by Marshall Johnson, to recommend approval of the short-term rental permit at 28 Davis Bayou Circle, subject to annual renewal and compliance with the City of Ocean Springs Short-Term Rental Ordinance. The motion carried unanimously

**5. General Public Comment**

- None

**6. Commissioners Forum**

Commissioner Marshall Johnson initiated discussion regarding the City’s short-term rental ordinance within Ward 6 and other annexed areas of the city. He inquired whether properties located in recently annexed areas are subject to the City’s short-term rental regulations or whether prior county regulations remain in effect.

Amanda Crose, Planning Director, stated that the City has not adopted a new comprehensive plan since the annexation and that, as a result, properties within the annexed areas continue to operate under Jackson County regulations until such time as new zoning or an updated comprehensive plan is adopted by the City. She further noted that Jackson County does not currently have a short-term rental ordinance.

David Harris, City Attorney, provided additional clarification, stating that the Board of Aldermen previously adopted the existing comprehensive plan as an interim measure for annexed areas. He explained that, under standard municipal practice, zoning

classifications and regulations in effect at the time of annexation typically remain applicable until formally amended by the City. He stated that, to his knowledge, no formal action has been taken to extend the City's short-term rental ordinance to annexed areas at this time.

Commissioner Johnson clarified that, under the current framework, the City's short-term rental ordinance does not apply to annexed areas and acknowledged that the issue remains an area of ongoing discussion.

Ms. Crose further stated that the city currently has a moratorium on new residential short-term rental applications, which remain in effect. She advised that a Unified Development Code (UDC) review committee has been established and has begun meeting to review and identify inconsistencies, conflicts, and potential revisions within the UDC. She noted that this process may result in future ordinance amendments, including clarification of short-term rental regulations and annexation-related zoning issues.

Commissioner Johnson inquired about the status of the City's Comprehensive Plan.

Ms. Crose stated that a new Comprehensive Plan has not yet been adopted.

Commissioners requested that staff provide brief status updates at future meetings regarding the progress of the UDC review process, annexation-related zoning matters, and the Comprehensive Plan.

Chairman Andy Phelan encouraged Commissioners to submit any identified inconsistencies, conflicts, or areas of concern within the Unified Development Code to the Planning Director so they may be reviewed by the UDC committee as part of the ongoing evaluation process.

## **7. Adjourn**

A motion was made by Marshall Johnson, seconded by Kevin O'Connell to adjourn the meeting. The motion carried unanimously.

The meeting ended at 6:43 pm.