

**The Minutes of the City of Ocean Springs**  
**Planning Commission**  
**Tuesday, April 14, 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, April 14, 2026. The members present were Clay McArdle, Michael Smith, Kevin O’Connell, Nicolaus Geiser, and Jennifer Dalgo. Also, present were Amanda Crose - Planning Director, Elizabeth Dill - Planning Technician, and David Harris - City Attorney.

Commissioner McArdle gave the Invocation and Commissioner Dalgo led the Pledge of Allegiance.

**Pre-Meeting Announcement:**

Prior to calling the meeting to order, Chairman Phelan announced that Item f, the Greyhound Way rezoning request, had been deferred and would not be heard at the April 14, 2026, meeting. He noted the item would likely be rescheduled for a future meeting, anticipated in May, and advised attendees accordingly.

**Approval of Minutes:**

- March 10, 2026

A motion was made by Kevin O’Connell, seconded by Nicolaus Geiser, to approve the minutes from March 10, 2026. The motion carried unanimously.

**2. Old Business:**

**a) Gibson Road – PIDN: 60124060.000 – Madison Place Phase 2A – Meritage Homes of Mississippi, Inc. Requesting Final Plat approval for 8 lots of the 51-lot subdivision**

Planning Director, Amanda Crose presented the request for final plat approval of eight (8) lots, lots 36-43 within a previously approved 51-lot subdivision located along Gibson Road. Ms. Crose confirmed that the property is zoned R-2 (Two-Family Residential) and that all proposed lots meet or exceed the minimum dimensional requirements of the Unified Development Code. The preliminary plat for the full subdivision was approved by the Planning Commission on February 11, 2025, and by the Board of Aldermen on May 4, 2025. The subdivision is being developed in phases identified as Phase 2A, 2B, and 2C, with the current request representing a portion of Phase 2A.

Ms. Crose reported that two written public comments were received expressing concerns regarding infrastructure timelines and stormwater drainage impacts. She further explained that the Building Department previously identified deficiencies in

stormwater pollution prevention measures, including silt fencing and erosion control practices, but corrective actions have since been implemented and the site is now largely compliant, with continued monitoring required.

The project engineer, Terry Moran, confirmed that all required approvals have been obtained and that the project is ready to proceed.

Brandon Ellis, Meritage Homes, stated that Best Management Practices (BMPs) are actively maintained and that a third-party inspection confirmed compliance. He ensured that monitoring would continue throughout construction.

- Steve Parker- Madison Place (Ward 6), expressed support for the project but raised concerns regarding Clean Water Act compliance, over-clearing within conservation easements, and long-term maintenance responsibility for those areas.
- Easy Rider – 4596 Pine Haven Dr (Ward 6), expressed general support but raised concerns about potential stormwater impacts and requested improved communication with nearby residents.
- Dylan Bartlett – 173 Iberville Dr, Biloxi, MS, identified himself as an environmental consultant stated that based on coordination with the project team and the U.S. Army Corps of Engineers, the development is in compliance with federal permitting requirements, including mitigation and conservation easement conditions, and that prior BMP and erosion control issues have been addressed with continued compliance expected.

Commissioners discussed stormwater compliance, phased development, and jurisdictional authority. David Harris, City Attorney, clarified that environmental enforcement falls under federal and state agencies. Commissioners emphasized continued monitoring and compliance with approved plans.

A motion was made by Kevin O'Connell, seconded by Michael Smith, to recommend approval subject to compliance with UDC requirements, prior approvals, environmental regulations, and required conservation signage. The motion carried unanimously.

### **3. New Business:**

#### **a) Public Hearing: 808 Desoto St #1 – PIDN: 60119106.000 – PrePro, LLC - Debbie Steiner – Requesting approval of a Short-Term Rental Permit**

A motion was made by Kevin O'Connell, seconded by Jennifer Dalgo, to open the public hearing. The motion carried unanimously.

Amanda Crose, Planning Director, presented the case and stated the property is zoned RM-2 Multi-Family Dwellings. The property is located within the designated Short-Term Rental Density Zone and would represent 54 of the 55 allowable permits within the district. Ms. Crose further explained that the application was reviewed for compliance with all Short-Term Rental Ordinance requirements, including property management proximity, parking accommodation, and occupancy limits, which were established at a maximum of six (6) persons and two (2) vehicles based on inspection approval. She confirmed that no code violations or prior complaints were associated with the property and that the application was complete.

Applicant's representative was present, but no comments were provided.

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

A motion was made by Kevin O'Connell, seconded by Nicolaus Geiser, to recommend approval of the short-term rental permit subject to annual renewal and continued compliance with the Short-Term Rental Ordinance. The motion carried unanimously.

**b) Public Hearing: 703 Twin Oaks Dr – PIDN: 61105016.000 – Anna Kral – Requesting approval of a Short-Term Rental Permit**

A motion was made by Jennifer Dalgo, seconded by Kevin O'Connell, to open the public hearing. The motion carried unanimously.

Amanda Crose, Planning Director, presented the case and stated the property is zoned R-2 Low- Medium Density Residential. The property is located within the City-Wide Short-Term Rental zone and would represent 54 of the 60 allowable permits within the district. Ms. Crose further explained that the application was reviewed for compliance with all Short-Term Rental Ordinance requirements, including property management proximity, parking accommodation, and occupancy limits, which were established at a maximum of eight (8) persons and four (4) vehicles based on inspection approval. She confirmed that no code violations, prior complaints, or restrictive covenants prohibiting short-term rental use were associated with the property and that the application was complete.

The applicant was present, but no comments were provided.

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

A motion was made by Jennifer Dalgo, seconded by Kevin O'Connell, to recommend approval of the short-term rental permit subject to compliance with the Short-Term Rental Ordinance and annual renewal. The motion carried unanimously.

**c) Public Hearing: 310 Dewey Ave – PIDN: 60137352.000 – Christopher Hotard  
– CPH Holdings LLC – Requesting approval of a Short-Term Rental Permit**

A motion was made by Michael Smith, seconded by Kevin O'Connell, to open the public hearing. The motion carried unanimously.

Amanda Crose, Planning Director, presented the case and stated the property is zoned R-1 Low Density Single Family Residential. The property is located within the designated Short-Term Rental Density Zone and would represent 53 of the 55 allowable permits within the district. Ms. Crose further explained that the application was reviewed for compliance with all Short-Term Rental Ordinance requirements, including property management proximity, parking accommodation, and occupancy limits, which were established at a maximum of four (4) persons and two (2) vehicles based on inspection approval. She confirmed that no code violations or prior complaints were associated with the property and that the application was complete.

Commissioner Jennifer Dalgo raised concerns regarding the on-site parking based on a personal site visit conducted prior to the meeting. She stated that when parking a full-size vehicle within the proposed parking layout, the vehicle extended into the roadway due to the limited depth between the structure and the edge of pavement. She noted that this condition presents a potential safety hazard, particularly given the presence of larger vehicles and trailers traveling along the roadway. Commissioner Dalgo suggested that the site may not accommodate two vehicles as proposed and questioned whether a reduction in allowable parking or occupancy should be considered.

Ms. Crose responded that the parking configuration, occupancy limits, and allowance of two vehicles were reviewed and approved during the inspection process by both the Building Department and Fire Marshal. She explained that determinations regarding parking adequacy and life-safety considerations fall within the authority of those departments. Ms. Crose further noted that the Short-Term Rental Ordinance prohibits parking within the public right-of-way and that, should the permit be approved, any complaints or violations related to parking would be addressed through enforcement procedures, including written notice and coordination with the appropriate departments.

Commissioner O'Connell inquired whether the subject property qualifies as a historic or legacy lot.

Commissioner Dalgo noted that many properties in older areas of the City were developed prior to current dimensional and parking standards and may have site limitations.

Ms. Crose explained that it is considered a legal non-conforming lot, any additions to the property would have to conform to current Unified Development Code (UDC) Standards and that the application was reviewed based on current ordinance requirements and inspection approvals.

- Julia Sarpy –300 Dewey Avenue (Ward 2), spoke in opposition to the request and expressed concerns regarding the increasing number of short-term rental properties within the area. She stated that the amount of STRs is altering the character of the neighborhood and contributing to increased traffic activity along Dewey Avenue. Mrs. Sarpy further noted concerns related to pedestrian safety, particularly given the limited street width and the presence of vehicles parking along or near the roadway. She emphasized that the subject property has limited on-site parking capacity, which could result in overflow parking and vehicles encroaching into the public right-of-way, creating potential safety hazards for both residents and passing vehicles. She urged the Commission to consider the cumulative impact of additional short-term rentals in the area and the potential strain on neighborhood infrastructure and livability.

The applicant, Christopher Hotard, addressed the Commission and stated that the intent of the request is to utilize the property for low-intensity short-term rental use, primarily accommodating small groups such as couples or families. He indicated that efforts would be made to minimize impacts to the surrounding neighborhood, including managing guest behavior and ensuring compliance with parking limitations. He acknowledged the constraints of the site and stated that he would work to ensure that vehicles remain within the designated parking area and do not obstruct the public right-of-way.

A motion was made by Kevin O’Connell, seconded by Nicolaus Geiser, to close the public hearing. The motion carried unanimously.

Commissioner O’Connell led the discussion among commissioners and addressed the issue of short-term rental density within established neighborhoods and the limitations of the Planning Commission’s authority in regulating density, which is governed by caps established by the Board of Aldermen. He emphasized that their role is to determine compliance with the Short-Term Rental Ordinance and applicable regulations, while also considering site-specific impacts such as parking and safety.

A motion was made by Kevin O’Connell, seconded by Michael Smith, to recommend approval of the short-term rental permit subject to annual renewal and compliance with the Short-Term Rental Ordinance, contingent on the rental agreement reflecting an occupancy of four (4) and the restriction of no on-street parking. The motion carried unanimously.

**d) Public Hearing: 2401 Davidson Rd – PIDN: 61420016.050 – Thomas Larry Brown, Jr. – Requesting approval of a Short-Term Rental Permit**

A motion was made by Clay McArdle, seconded by Kevin O’Connell, to open the public hearing. The motion carried unanimously.

Amanda Crose, Planning Director, presented the case and stated the property is zoned R-D Two-Family Residential. The property is located within the citywide Short-Term

Rental zone and would represent 55 of the 60 allowable permits within the district. Ms. Crose further explained that the application was reviewed for compliance with all Short-Term Rental Ordinance requirements, including property management proximity, parking accommodation, and occupancy limits, which were established at a maximum of eight (8) persons and four (4) vehicles based on inspection approval. She confirmed that no code violations or prior complaints were associated with the property and that the application was complete.

The applicant was present, but no comments were provided.

A motion was made by Nicolaus Geiser, seconded by Jennifer Dalgo, to close the public hearing. The motion carried unanimously.

A motion was made by Jennifer Dalgo, seconded by Nicolaus Geiser, to recommend approval of the short-term rental permit subject to annual renewal and continued compliance with the Short-Term Rental Ordinance. The motion carried unanimously.

**e) Public Hearing: 801 Porter Ave – PIDN: 60137010.000 – St. John’s Episcopal Church of Ocean Springs – Julia Weaver – Requesting a Conditional Use Permit (CUP) to allow the use of an existing cottage as an art house and retail space for the Ocean Springs Art Association**

A motion was made by Clay McArdle, seconded by Kevin O’Connell, to open the public hearing. The motion carried unanimously.

Planning Director Amanda Crose presented the staff report and stated that the property is zoned RM-2 Multi-Family Dwellings. She explained the proposed use is low intensity in nature, consisting of art display and limited retail activity with no anticipated impacts related to traffic, parking, or operations. She confirmed that the application was reviewed for compliance with the UDC, the use is compatible with surrounding properties, no variances were requested, and no code violations are associated with the site.

Ms. Crose further summarized staff’s findings, stating that the request meets the criteria for Conditional Use approval, is consistent with the intent of the UDC, and is not expected to adversely impact the surrounding neighborhood if operated as proposed. Additionally, the property is located within the Old Ocean Springs Historic District. She noted that any exterior changes or modifications to the structure would be required to obtain approval from the Historic Preservation Commission (HPC) prior to commencement.

Commissioner Clay McArdle asked for clarification regarding the duration and expiration of the approval, specifically whether the use would remain indefinitely or be subject to renewal.

Ms. Crose explained that Conditional Use approvals remain valid so long as the use continues to operate in accordance with the approved conditions and the UDC. She

noted that while Conditional Use itself does not expire annually, the business must maintain compliance with all applicable City requirements, including any required licenses, and any changes to the use or structure—particularly within the Historic District—would require additional review and approval, including review by the Historic Preservation Commission where applicable.

Commissioner Smith inquired about the tax structure associated with the proposed use, specifically whether the operation would be subject to applicable sales taxes and business licensing requirements.

Ms. Crose explained that while the Planning Commission's role is limited to land use approval, the applicant would be required to obtain the appropriate City Privilege License and comply with all applicable state and local tax requirements associated with any retail operations. She noted that compliance with those requirements is administered through City Hall and the Mississippi Department of Revenue.

Commissioner O'Connell asked the applicant to describe the proposed use in more detail for the record.

The applicant, Julia Weaver, stated the space would function as a small-scale art house and artist co-op, providing a venue for local artists to display and sell artwork. She explained that there would be no late-night activity, no food or alcohol service, and minimal traffic generation, emphasizing that the intent is to operate in a manner consistent with the character of the area.

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

A motion was made by Kevin O'Connell, seconded by Michael Smith, to approve the Conditional Use Permit to allow the use of an existing cottage as an art house and retail space. The motion carried unanimously.

**f) DEFERRED - Public Hearing: Greyhound Way – PIDN: 62431160.100 – Kimley-Horn and Associates, Inc. on behalf of Meritage Homes of Mississippi, Inc. – Requesting a zoning change from A-2 Agricultural – Residential District, A-3 Agricultural – Residential District & C-1 Neighborhood Commercial District to R-1A Single-Family Residential District**

Chairman Phelan announced that Item (f), the Greyhound Way rezoning request, had been deferred to a later date.

**g) 605 Ward Ave – PIDN: 60130250.000 – Mark Garriga – Requesting approval for a lot split**

Planning Director Amanda Crose presented the staff report. She stated that the property is zoned R-2 Low Medium Density Single-Family Residential and explained that the applicant is proposing to divide the property into two parcels identified as Parcel A and Parcel B, with proposed lot sizes of approximately 7,630 square feet (Parcel A) and 5,710 square feet (Parcel B).

Ms. Crose explained that the proposed subdivision does not meet the minimum dimensional requirements of the UDC for the R-2 zoning district, including lot size, lot width, and setback standards. She further noted that Parcel A site plan shows an existing structure, but does not have a building permit on record, and that the proposed lot split would result in a lot containing only an accessory structure without a principal residential structure, which is not permitted.

Commissioners discussed how the proposed lot split wouldn't meet setback requirements and the issues located within the site plan.

David Harris, City Attorney, addressed the Commission regarding the legal status of the property and explained the property is subject to an active court order. He stated the order applies to the property as a whole and advised that the lot cannot simply be subdivided in a manner that would circumvent the court's intent. He noted that attempting to separate the structures through subdivision would not remove the property from the scope of the court order and that such an action could present legal concerns.

Commissioners asked follow-up questions regarding the timing of the court mandate and whether the item should be considered or deferred. Mr. Harris clarified that while the Commission may proceed with consideration, the existence of the court order should be considered in any decision.

The applicant, Mark Garriga, addressed the Commission and stated that the intent of the subdivision is to restore the property to its original configuration of two lots. He explained that the structure identified as a shed is historically the original dwelling on the property and expressed the intent to renovate or rebuild that structure. He further stated that surrounding properties have similar configurations. He also addressed ongoing property concerns and disputes with neighboring properties.

- Frances Wichman spoke in support of the request and provided historical context regarding the property. She stated that the parcel historically consisted of two separate lots and explained that the lot containing the smaller structure extends deeper than the portion containing the primary brick residence. She referenced long-standing neighborhood familiarity with the property and indicated that the original configuration included two dwellings. She expressed that the property should be permitted to return to its original two-lot configuration.

- Daniel Bond spoke in opposition to the request. He stated that he owns the property directly adjacent to the subject site along Porter Avenue and expressed concern regarding increased residential density if the lot split were approved. He noted that he has been aware of ongoing issues related to the property for approximately two and a half years and referenced prior legal proceedings involving the site. Mr. Bond further stated that, in his opinion, the proposed lot sizes are not appropriate for the area and could negatively impact surrounding property values. He emphasized that he has made a significant investment in his property and expressed concern that approval of the request would be detrimental to the character and stability of the neighborhood.
- Carlos Barbosa spoke in opposition to the request and provided detailed comments regarding neighborhood conditions and property maintenance. He stated that he owns the property directly north of the subject site and has also acquired and combined an additional adjacent lot to increase lot size and improve neighborhood consistency. He explained that many properties along the block have been renovated or improved and expressed concern that the subject property has not been maintained to a similar standard. He described existing conditions on the site as creating potential health and safety concerns, including the presence of debris and evidence of vermin activity. He further stated that increasing density through a lot split, combined with the current condition of the property, would be incompatible with ongoing neighborhood improvements and could negatively affect surrounding property values. He also raised concerns regarding setbacks and whether any future reconstruction would meet required building offsets.
- Bobby Schrieber spoke in opposition to the request and provided observations based on prior lot splits within the neighborhood. He stated that he resides several properties away from the subject site and expressed concern that similar subdivisions in the area have resulted in long-term issues. He noted that smaller lot widths, particularly in the range of approximately 40–45 feet, do not provide adequate space for typical residential use and can create functional challenges for property owners. Based on his experience and observations, he stated that the proposed subdivision would not be appropriate for the neighborhood and would likely contribute to similar issues if approved.

The applicant, Mark Garriga, rebutted by stating that the property historically consisted of two separate lots and stated that the intent of the request is to restore the original configuration. He clarified that the structure identified as a shed is believed to be the original dwelling and expressed plans to renovate or rebuild it. He further addressed concerns from neighboring property owners, noting ongoing disputes and site conditions, including drainage issues, that have affected the property. He stated that he continues to maintain utilities and monitor the property and emphasized that the

goal of the subdivision is to improve and utilize the site.

Commissioners discussed the request and determined that it does not comply with multiple provisions of the Unified Development Code, including minimum lot size, lot width, and setback requirements, and would result in nonconforming and non-buildable lots. Additional concerns were raised regarding the presence of an unpermitted structure and the creation of a lot containing only an accessory structure without a principal use. Commissioners further noted that the proposed subdivision is inconsistent with the City's comprehensive plan and acknowledged the legal constraints associated with the active court order.

A motion was made by Kevin O'Connell, seconded by Clay McArdle, to recommend denial of the lot split request to create two parcels with lot areas of 7,630 square feet and 5,710 square feet. The motion carried unanimously.

#### **4. General Public Comment**

- None

#### **5. Commissioners Forum**

Chairman Phelan inquired about the status of upcoming UDC Committee meetings. Planning Director, Ms. Crose, responded that the previously scheduled meeting had been postponed due to a scheduling conflict and has been rescheduled for April 29<sup>th</sup> at 5:30 p.m.

Commissioner McArdle discussed the quality of submitted plans and noted difficulty reading certain plat documents, specifically referencing the Madison Place, Phase 2A materials. Ms. Crose stated she will ensure the plans are clearer before placing them in the packet and not photocopied.

Commissioner Smith requested that copies of public notices be provided in advance. Ms. Crose stated that public hearing notices are issued approximately fifteen (15) days prior to meetings, including publication in the newspaper and mailed notices to surrounding property owners. She further advised that copies of notices can be provided and that application materials are available for review at the Planning Department prior to agenda posting.

#### **6. Adjourn**

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

The meeting ended at 7:35 pm.