



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

Tuesday, July 11, 2023 @ 5:00 PM

1. Call Meeting to Order

2. Approval of Minutes

- a. June 13, 2023

3. Old Business

- a. William Cameron Troutman – 1160 Iola Rd/ PID# 60224010.035 – Requesting a 5' variance from the waterbody setback and a 5' variance from the northern property (abutting residential property) line for the proposed 15' x 48' building.

4. New Business

5. Audience Request

6. Adjourn

The Minutes of the City of Ocean Springs
Zoning and Adjustments Board
Tuesday, June 13, 2023

1. Call Meeting to Order

A meeting of the City of Ocean Springs Zoning and Adjustments Board was called to order by Chairman Nick Gant at 5:00 on Tuesday, June 13, 2023. Members present were John O'Hara, Michael Smith, Shannon Pfeiffer, and Don Atwell. Also present were Wade Morgan, City Planner, Carolyn Martin, Planning & Grants Administrator, and Dawn Underwood, Planning/Grants Coordinator.

2. Approval of Minutes

a. May 9, 2023

A motion was made by S. Phiffer seconded by D. Atwell to recommend approval of the minutes from May 9, 2023. The motion *carried* with All voting aye and none voting nay.

3. Old Business

4. New Business

- a. William Cameron Troutman – 1160 Iola Rd/ PID# 60224010.035 – Requesting a 5' variance from the waterbody setback and a 5' variance from the northern property (abutting residential property) line for the proposed 15' x 48' building.

W. Morgan presented the proposal. The request is for two variances on the property related to the waterbody buffer requirement and the residential property landscape buffer requirement.

N. Gant clarified that the buffers were in effect when the property was split. S. Pfeiffer asked for clarification on the two parcels. D. Atwell asked for clarification on the intended use. W. Morgan indicated that the property is commercial. Drainage would be addressed during the Design Review process.

The applicant, Cameron Troutman spoke - the drainage easement has made the north part of the property exceptionally narrow creating a hardship. He also stated that the drainage easement was not documented prior to the lot split in 2022. The easement was created during the lot split. This created the narrowness.

Lars Larson, 1109 Iola - concerned with building an office in a residential area.

Breanne Humphries - agrees with Lars Larson.

Patrick Johnson - lives 3 houses down. Commercial activity not consistent with neighborhood.

Cheryl Cooper - agrees with Patrick Johnson.

Randy Wrigley - The drainage is there because it is low point of entire SD. The property is unbuildable in his opinion. He presented a wetland declination for the property.

A. Cop - Agrees with all above.

Stephanie / Joey Barthes - Agree with above.

Melanie Bosarge - Others have backed out of purchase because it wasn't buildable.

Aaron Cop - What happens when they can't move forward?

W. Morgan explained that the city doesn't have privy to a wetland delineation so we are going on the best information available.

C. Troutman - Do not have a proposed structure at this point.

A motion was made by D. Atwell, seconded by S. Pfiffer to accept the report provided by Randy Wrigley into the minutes.

A motion was made by D. Atwell seconded by J. O'Hara to recommend to table proposal to await verification of the wetlands report that was submitted and consider the wetlands criteria. The motion carried with ALL voting aye and none voting nay.

5. Audience Request

None.

6. Adjourn

A motion was made by S. Phiffer seconded by D. Atwell to adjourn the meeting. The motion was unanimously carried.

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 MEETING DATE: July 11, 2023 (*deferred from June 13, 2023 meeting*)

APPLICANT(S): Cameron Troutman

CURRENT OWNER? ✓ Yes No

LOCATION: 1160 Iola Rd./ PID# 60224010.035

REQUESTED ACTION: Variances to 1) the Waterbody buffer requirement and 2) the residential property landscape buffer requirement.

DATE OF APPLICATION: May 7, 2023

ADJACENT ZONING AND LAND USE:

Subject Property: C-H, Regional Commercial District – undeveloped.

North: R-1, Single-Family Residential District – undeveloped lot.

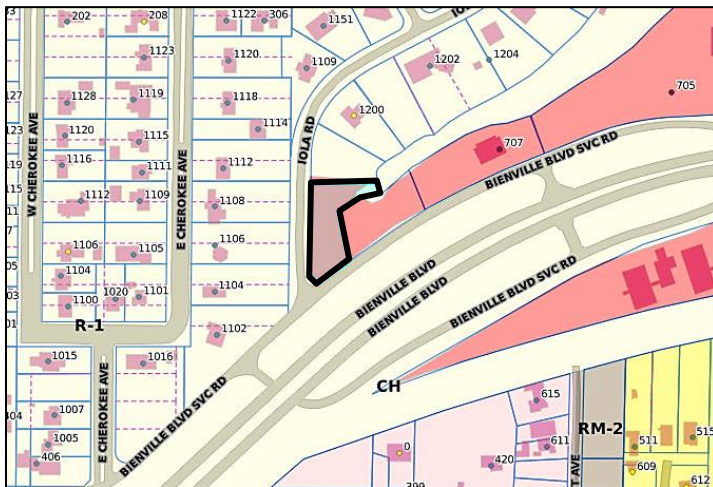
South: R-1 District – Bienville Blvd. frontage road.

East: C-H District – office and residential building;

West: across Iola Rd., R-1 District – rear yards of single family dwellings.

CURRENT CONDITIONS:

- Property Size: 22,550 sq. ft.



DESCRIPTION OF REQUEST:

- The applicant requests variances of 5 feet from the required 30 foot Waterbody buffer area and 5 feet from the required 20 foot buffer area between commercial and residential property. The variances will allow room for a proposed 15 ft. x 48 ft. building. The requested variances are 16.6% from the water body buffer and 25% from the residential property buffer.
- The applicant justifies the variances due to the drainage easement along the stream and arm of the bayou that was provided to the City as part of the lot split that created the parcel in 2022. Additional information is provided by the applicant in the attached Variance Application.

FINDINGS:

- July 11, 2023 Update: At the June meeting, the ZAB voted to defer voting on this application due to information provided by an area property owner about wetlands on 1106 Iola Rd.
 - The wetland evaluation from Sanders Environmental, LLC, dated 12/7/2016, stated that 0.84 ac. of this 0.94 acre property is a wetland, and 0.10 ac. is non-wetland. The report describes the area adjacent to the tidal cut through the property as pine savanna wetland and states the non-wetland area is along the Bienville Blvd. service road. However, the report's map of the wetland is too blurred to determine the wetland area.
 - The UDC (Section 4.10.9) requires the same 30 foot buffer from wetlands as it does for water bodies.
 - The standard process in the development of a property which contains wetlands is to require permits from the US Corps of Engineers and/or MS Dept. of Environmental Quality (MDEQ) for development within or adjacent to protected wetlands prior to issuance of City building permits. "The issuance of a local development order, pursuant to this UDC, may be conditioned upon the receipt of wetlands permits prior to receipt of building or other construction permits from the City." (UDC section 4.15)

- This parcel that is the subject of the variance was created in 2022 through the approval of a lot split. The planning commission recommended approval of the lot split on May 10, 2022, and the Board of Aldermen approved the lot split on May 17, 2022.
- The property is split into 2 areas by a stream that flows into an arm of Old Fort Bayou. The area south of the stream is larger and has more buildable area.
- The property is impacted by a 30 foot-wide buffer along the stream and water body that extends through the parcel (UDC section 4.10.9). In addition, there is a 20 foot-wide buffer on the north property line to separate this commercial property from adjacent residentially zoned property (UDC section 4.10.7). Both buffer areas were in existence when this parcel was created.

OTHER FEEDBACK:

- none received.

POTENTIAL MOTION 1:

To recommend approval of a variance of 16.7% from the required 30 foot buffer from a water body at 1066 Iola Rd.

POTENTIAL MOTION 2:

To recommend approval of a variance of 25% from the required 20 foot buffer from residential property at 1066 Iola Rd.



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: 5/7/2023

Name of Applicant: William Cameron Troutman

Address: 1160 Iola Rd

Phone No. 2289902995

Email Address: camerontroutman@yahoo.com

Parcel Identification Number: 60224010.035

Property Owner (if different from Applicant): William Cameron Troutman and Lauren Elizabeth McDavid

Property Location for the Variance: 1160 Iola Rd

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

We are requesting two separate Variances. We are requesting a 5' variance on the 30' waterbody setback (This is the setback that runs along side the ditch). We are also requesting a variance of 5' from the northern property line abutting the residential property (This is a 20' setback.).

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

We are requesting a 5' variance of the 30' waterbody setback and a variance of 5' from the 20' setback on the northern property line abutting the residential property. This would allow for our proposed building footprint of 15'x 48'.

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.

After giving the city an easement to the ditch on the property in 2022, which was originally built without prior legal record of a drainage easement (This culvert/ditch has exacerbated the 30' waterbody setback making the property exceptionally narrow.), we are asking for these two 5' variances that would allow for the proposed building footprint of 15'x 48' on the attached site plan.

Applicant Signature: [Signature]

Date: 5/7/2023

