



Planning Commission
1018 Porter Avenue
Ocean Springs, MS 39564

Tuesday, September 12, 2023 @ 6:00 PM

1. Call Meeting to Order

2. Approval of Minutes

- a. August 8, 2023

3. Old Business

- a. 100 Winchester Drive / PID# 61087028.000 – Marisol Buckley – Request for a residential short-term permit - *Deferred from August 10, 2023 Agenda*

4. New Business

- a. **PUBLIC HEARING:** 608 Azalea / PID# 61090012.010 – Chad Wade – Request for a residential short-term rental permit
- b. **PUBLIC HEARING:** 206 Audrey Circle / PID# 61375055.000 – Patrick Toomey – Request for a residential short-term rental permit.
- c. **PUBLIC HEARING:** 504 Dewey Avenue / PID# 60137338.000 – Bryan & Melissa Blaker – Request for a residential short-term permit.
- d. **PUBLIC HEARING:** 712 Forest Hill Drive / PID# 61095109.000 – Brett Orrell – Request for a residential short-term permit.
- e. **PUBLIC HEARING:** 1015 Lafontaine Ave. A / PID# 60137482.000 – Frederick Pattison Mannino – Request for a residential short-term permit.
- f. **PUBLIC HEARING:** 1015 Lafontaine Ave. B / PID# 60137482.000 – Frederick Pattison Mannino – Request for a residential short-term permit.
- g. **PUBLIC HEARING:** 103 Myrtle Avenue / PID# 61035043.000 – Stephen Johnston – Request for a residential short-term permit.
- h. **PUBLIC HEARING:** 1502 Porter Ave. / PID# 61011006.000 – Michelle Hodges – Request for a residential short-term permit.

- i. **PUBLIC HEARING:** 516 Shadowlawn Circle / PID# 61105403.000 - Aaron Goetsch – Request for a residential short-term permit.
- j. **PUBLIC HEARING:** 3072 Pabst Road / PID# 60127630.025 – Request approval of the Sketch Plat of a 4-lot subdivision.
- k. **DEFERRED: PUBLIC HEARING:** PID# 61473000.000, Northwest Corner of Front Beach Dr. and Martin Ave., The Sands at Front Beach. Request to rezone from R-1A Special Apartment District to the R-6 Residential District
- l. **DEFERRED: PUBLIC HEARING:** PID# 61473000.000, Northwest Corner of Front Beach Dr. and Martin Ave., The Sands at Front Beach. Request Outline Plan approval of a Planned Unit Development (PUD) consisting of 31 detached dwelling units and common open space.

5. General Public Comment

6. Commissioner's Forum

7. Adjourn

The Minutes of the City of Ocean Springs Planning Commission Tuesday, August 8, 2023

1. Call Meeting to Order

A meeting of the City of Ocean Springs Planning Commission was called to order by Chairman Andy Phelan at 6:00 p.m. on Tuesday, August 8, 2023. Members present were Matthew Hinton, Marshall Johnson, Michael Davis, and Joseph McCormick. Kevin O'Connell and Joey Conwill were absent. Also present were Deputy City Clerk Vicky Hupe, City Planner Wade Morgan, Planning & Grants Administrator Carolyn Martin, and City Attorney Will Norman.

The Chairman called the meeting to order.

2. Approval of Minutes

a. Planning Commission Minutes July 11, 2023

A motion was made by M. Davis seconded by M. Johnson to approve the Minutes of July 11, 2023 Planning Commission Meeting. The motion was unanimously carried.

3. Old Business

a. 1303 Porter/ PID# 60137148.000- Dempsey Levi – Request permission to build on an historically-platted, legal, non-conforming lot.

The request was described by Planner, W. Morgan. Sandra Levi spoke on behalf of the request as the applicant.

Maria Martinez of Rushing & Guice spoke in opposition of the request on behalf of the adjacent property owner, stating concerns related to drainage and impact on the surrounding area. She pointed out ordinances that need to be followed in this review. It was clarified that no construction plans had been submitted to date and that this review would take place at that time.

A motion was made by M. Davis seconded by M. Hinton to recommend approval for construction on a historically platted, non-conforming lot at 1303 Porter St.

The motion carried with five members voting aye and two members absent.

4. New Business

a. PUBLIC HEARING: 605 Kotzum Avenue / PID# 61190014.025 – Tina Sullivan – Request for a residential short- term permit.

A motion was made by M. Hinton seconded by J. McCormick to go into public hearing. The motion was carried unanimously.

C. Martin presented the application, noting that this property had started the process prior to meeting the cap and was still being considered under prior regulations. M. Johnson asked for a recap of the requirements as a refresher. No input was received from the audience.

A motion was made by M. Davis seconded by M. Johnson to close public hearing. The motion was carried unanimously.

A motion was made by M. Davis seconded by M. Johnson to recommend approval of a Residential Short-Term Rental permit subject to annual renewal for 605 Kotzum Avenue. The motion was unanimously carried with two

members absent.

b. PUBLIC HEARING: 122 Booth Circle / PID#61133174.000 – Francisco Ferreiro-Sarduy - Request for a residential short-term rental permit

A letter of objection was received from Mr. Boone. A motion was made by M. Hinton seconded by M. Johnson to accept the letter into the minutes.

A motion was made by M. Davis seconded by M. Hinton to go into public hearing. The motion was carried unanimously.

The application was presented by C. Martin. Discussion took place related to the reported incidences listed in Mr. Boone's letter. The request to the Police Department includes reports or incidents within the last 12 months. The domestic disturbance found in the notes did not result in a report. Mr. Ferreiro clarified that the domestic was a long-term renter who is no longer on the property.

T.J. Falgo - 117 Booth Circle spoke in opposition referencing complaints filed on previous STR for excess vehicles. Amanda Goodwin - 125 Booth Circle spoke in opposition referencing complaints with previous STR for noise. Stacy Falgo - 117 Booth Circle spoke in opposition referencing late night noise with previous STR.

A motion was made by M. Hinton seconded by M. Johnson to close public hearing. The motion was carried unanimously.

A motion was made by M. Hinton seconded by J. McCormick to recommend approval of a Residential Short-Term Rental permit for 122 Booth Circle subject to annual renewal. The motion was unanimously carried with two members absent.

c. PUBLIC HEARING: 401 Maginnis Avenue / PID# 61330016.000 – Jacqueline Locke – Request for a residential short-term rental permit.

A letter of opposition was received from A Wythe. A motion was made by J. McCormick seconded by M. Davis to accept into the minutes. The motion was carried unanimously.

A motion was made by M. Davis seconded by M. Hinton to go into public hearing. The motion was carried unanimously.

The application was presented by C. Martin noting that the requested occupancy has been reduced from 8 to 6. Jacqueline Locke presented noting that 5 vehicles were approved and the memo stating 3 vehicles was in error. She and her husband travel a great deal for work and will short-term rent when they are away. Chad Johnson also introduced himself as the applicant.

Mary Ballard - 405 Maginnis spoke in opposition requesting clarification on contact information and transferability.

A motion was made by M. Hinton seconded by M. Johnson to close public hearing. The motion was carried unanimously.

A motion was made by M. Hinton seconded by M. Hinton to recommend approval of a Residential Short-Term Rental permit subject to annual renewal for 401 Maginnis Avenue. The motion was unanimously carried with two members absent.

d. PUBLIC HEARING: 100 Winchester Drive / PID# 61087028.000 – Marisol Buckley – Request for a residential short-term permit.

Two letters of opposition - Elizabeth Platt and Robert & Catherine Moroski - were presented A motion was made by M. Hinton seconded by M. Johnson to accept into the minutes. The motion was carried unanimously.

A motion was made by M. Davis seconded by M. Hinton to go into public hearing. The motion was carried unanimously.

The application was presented by C. Martin. Marisol & Sean Buckley presented their request describing the improvements made to the property and its use as a second home.

The following neighbors spoke in opposition citing differences with the Buckleys including complaints, disturbances, and harrassment:

- Heidi - 3510 King George - mother lives behind property
- Gudrun Baker - lives behind property
- Jim Zipperer - 108 Winchester
- Tracy Robinso - Oaklawn
- Kathi Gay - Walton
- Cathy Moroski - 2720 Walton
- Robert Moroski - 2703 Walton
- Dave Gay - Walton
- Fran Freeman - 2702 Walton
- Vonda Moshenrose - 2708 English

During public input, C. Martin stated that it was reported that the property was actively being listed on Airbnb with three rentals shown. No indication was available of the duration of these rentals. Mr. Buckley stated that the three rentals were a minimum of 30 days and fully in compliance. They were unaware that approval wouldn't be determined during this meeting and had made the listing active for shorter stays. They will take this listing down following the meeting. C. Martin stated that they will have to look into documentation of the length of stay of the three renters listed on the site.

A motion was made by M. Davis seconded by M. Hinton to close public hearing. The motion was carried unanimously.

The city attorney reminded the commission that a recommendation to denial that is ultimately approved makes them not eligible for 12 months.

M. Hinton suggested that facts needed to be confirmed and that it should be tabled in the meantime. M. Davis and M. Hinton expressed concerns about neighborhood relations. M. Johnson agreed that this issue should be tabled to sort out the facts.

A motion was made by M. Hinton seconded by J. McCormick to table the request to the next Planning Commission meeting to allow Planning to research prior rentals. The motion was carried unanimously.

5. General Public Comment

Vonda Moshenrose - 2708 English Drive asked if there was a limit of STR permits allowed in a specific area. C. Martin described the cap distribution to regulate the density but there was not a tool to limit by distance from other permitted properties.

6. Commissioner's Forum

No discussion.

7. Adjourn

A motion was made by M. Davis seconded by M. Hinton 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

**PLANNING COMMISSION REPORT
-- PUBLIC HEARING --**

PUBLIC HEARING DATE: Tuesday, September 12, 2023
Tabled from: Tuesday, August 8, 2023

APPLICANT: Marisol Buckley

LOCATION: 100 Winchester Drive / PID: 61087028.000

REQUESTED ACTION: Residential Short Term Rental Permit

DATE OF APPLICATION: June 2, 2023

ADJACENT ZONING/LAND USE:

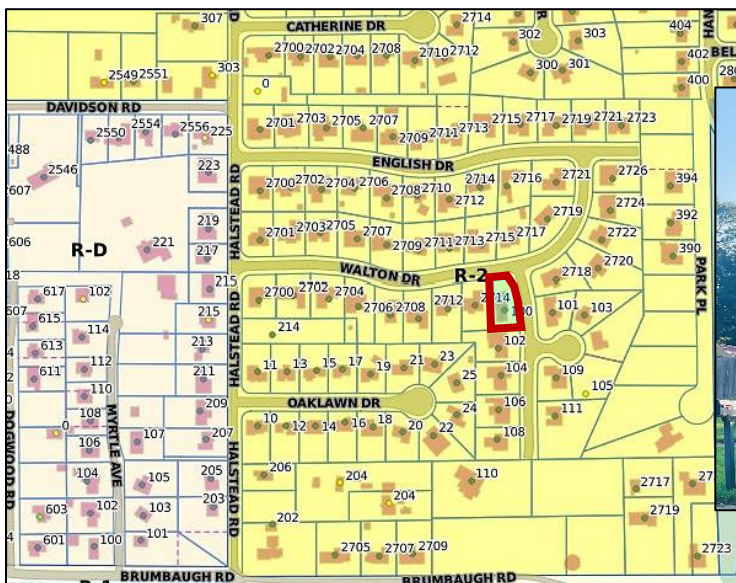
Subject Property: R2, Single-Family Residential District

North, East, West, South: R2, Single-Family Residential District

DESCRIPTION OF REQUEST:

- Per Ordinance 2015-11, 2018-02, 2021-05, 2021-25, and 2023-07, the application is for a short-term rental permit to allow usage for less than 30 days.

Site Location: the property is located in the City Area, on the corner of Winchester and Walton Drive.



UPDATE: Following the input provided during the August 8, 2023 public hearing, the following review was performed:

- Documentation was received from the Buckley's realtor, taken from Airbnb.com, showing the three renters between October 21, 2022 thru February 2, 2023. Each was listed on the site as paying for 30+ days.
- There is no documentation confirming a shorter stay and/or rental. Coming and going during the course of a rental is insufficient evidence. It would have to be documented that a different party occupied the house during that same 30-day period.
- All other claims made by both the Buckleys and the neighbors were reviewed. However, none of the accusations constitute a reasonable cause for denial under the Short-Term Rental code.

Additional Attachments:

- Letters / Emails were received from:
 - o Sean Buckley
 - o Marisol Buckley
 - o Libby Rickley
 - o John Guglick / Elizabeth Platt – *received at the 8/08 public hearing – attached for reference.*
 - o Robert & Catherine Marousky – *received at the 8/08 public hearing - attached for reference.*
- These documents are included on the following pages. However, no statements included constitute reasonable cause for denial under the short-term rental ordinance.

John Guglik and Elizabeth Platt
390 Park Place
Ocean Springs, MS 39564

City of Ocean Springs, Mayor, Planning Commission and
Board of Aldermen
1018 Porter Avenue
Ocean Springs, MS 39564

As owners of lots 5 (residence), 6, and 7 on Park Place IN Park Place Subdivision in Ocean Springs, MS, we **OPPOSE** the approval of a short-term rental permit for the house located at 100 Winchester Drive which is within 500 ft of Park Place lots mentioned above.

This opposition, is based on the following concerns:

- Property values negatively affected
- Increased noise and vehicle traffic in a residential neighborhood
- Introduction of a party atmosphere including illegal use of fireworks which are aimed at the National Park and neighborhood homes including danger of fire.
- Illegal trespassing on private property gain access to the nearby National Park and beaches
- Potential introduction of drug and human trafficking including that involving transportation of illegal immigrants

Please consider the impact to adjacent and neighborhood properties to this invasive short-term rental permit and **DECLINE** this application.

Sincerely,

John Guglik



Elizabeth Platt



390 Park Place, Ocean Springs, MS 39564

228-818-5412

August 7, 1947

To: City of Ocean Springs Planning Commission
1018 Porter Avenue
Ocean Springs, MS 39564

From: Robert and Catherine Marousky
2720 Walton Drive
Ocean Springs, MS 39564-5424

Subj: Residential Short-Term Rental
100 Winchester Dr.
Ocean Springs, MS 39564

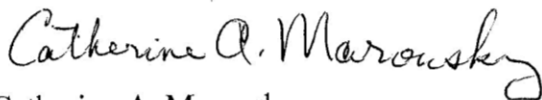
We are not in favor of this property becoming a Short-Term Rental for driver safety issues. The property is at the corner of the "T" intersection where Winchester enters Walton Drive. This house is very spacious and would be attractive to multifamily groups or other larger groups. Then if there were more than two cars (there is only space for two cars in the driveway) other cars would most likely have to be parked on the street. We have attached photographs showing that there is not adequate parking on the street at this property. Parking in front (on Winchester Dr.) or at the side (on Walton Dr.) would cause a hazardous traffic issue on both streets. Also we believe parking there would be a traffic violation for parking within 500 feet of a stop sign.

We ask that you seriously consider this property as a less than good location for an Airbnb.

Thank you for allowing us to voice our concerns. We wanted to submit this to you before the meeting because we expect that there will be little time to talk during the meeting.



Robert T. "Bob" Marousky PhD
MS in Safety (Central Missouri State University)
Major USAF Nurse Corp (Retired)



Catherine A. Marousky

Attached: Three photographs (taken the afternoon of August 6, 2023) pointing out the areas of our safety concerns.

Photographs taken at around 5:30 pm on August 6, 2023



12

Photograph taken from Walton Drive looking down Winchester.

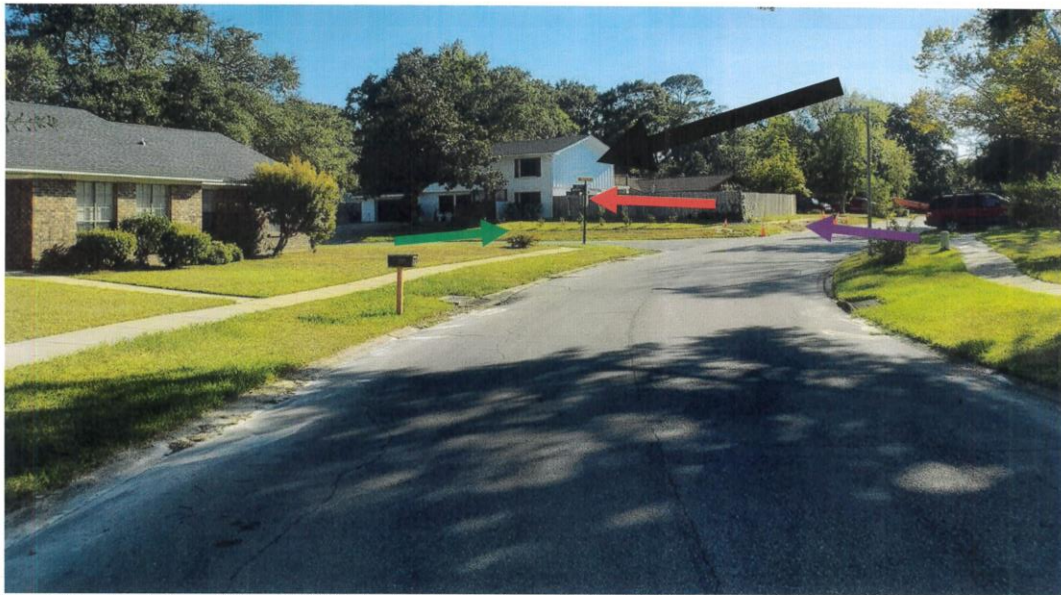
Black Arrow: House at 100 Winchester that is applying for permission to do Residential Short Term Rentals.

Light Blue Arrow: Posted "required sign" Note it can only be seen if you drive down Winchester not from Walton Drive.

Red Arrow: Stop sign at the "T" intersection of Winchester and Walton Drive.

Green Arrows: Denotes the area needed for extra parking (more than 2 cars in driveway) along Winchester: Note it is within 500 feet of the stop sign and also can obstruct traffic turning from Walton Drive to Winchester and would congest traffic at the stop sign if someone was coming up Winchester and turning on to Walton Drive.

Photographs taken at around 5:30 pm on August 6, 2023



Photograph taken from between 2720 and 2718 Walton Drive looking toward Halstead Road.

Black Arrow: House at 100 Winchester that is applying for permission to do Residential Short Term Rentals.

Light Blue Arrow: None – Sign cannot be seen from driving down Walton toward Halstead

Red Arrow: Stop sign at the "T" intersection of Winchester and Walton Drive.

Green Arrows: Denotes the area needed for extra parking (more than 2 cars in driveway) along Winchester.

Purple Arrow: Denotes parking area if more than two cars are parked in the driveway at the house. Note The parking area denote by the Green and Purple. Parking in either area is within 500 feet of stops sign and obstructs the turn from Winchester to Walton or Walton to Winchester.

Photographs taken at around 5:30 pm on August 6, 2023



Photograph taken from between 2714 Walton Drive looking down Walton toward English. Winchester is the street at the "T" intersection..

Black Arrow: Garden fence of the house at 100 Winchester that is applying for permission to do Residential Short Term Rentals.

Light Blue Arrow: **None – Sign cannot be seen from driving down Walton toward English Drive.**

Red Arrow: Stop sign at the "T" intersection of Winchester and Walton Drive.

Purple Arrows: Denotes parking area on Walton Drive if more than two cars are parked in the driveway at the house. Note. Parking is within 500 feet of stops sign and obstructs vision when turning from Winchester onto Walton Drive toward Halstead.

From: [Libby Rickley](#)
To: [Carolyn Martin](#); [Sean Buckley](#); [Marisol Buckley](#)
Subject: 100 Winchester Dr. - Short Term Permit
Date: Thursday, August 10, 2023 4:11:38 PM

Hi Carolyn,

I am Marisol Buckley's realtor and have been along with her during her very long journey (a year now) to obtain a short term permit. I wanted to weigh in on the tabling of her permit. I apologize I missed the meeting on Tuesday, I just watched it in its entirety. I misunderstood how the meeting would unfold. Marisol had known that there would be some pushback from neighbors, which I have heard from watching previous meetings, talking to other realtors, aldermen, previous members of the planning commission, etc is the norm for short term rental permits. But, in my understanding, after hearing any complaints, as long as all the boxes have been checked, the applicants are approved or atleast sent on to the next round. That is what I watched happen with the first 3 applicants on Tuesday. I acknowledge that some of the complaints against the Buckleys were harsh (of course people can say anything they want about other people they aren't fond of) but the point of those hearings is not to judge the owners' character. Correct? I'm not trying to sound heartless, but this talk about speaking from the heart, people growing up there, etc, doesn't matter when it comes to granting someone a long term permit. While I can't speak to any arguments they have had with neighbors, I can say that since I've worked with the Buckleys, they have been by the book, efficient, timely, and professional. Even after waiting months to receive this permit.

There are short term rentals all over Ocean Springs, in many great neighborhoods, not just where this property is located. It is obvious that some residents aren't fans of AirBnb properties, but it hasn't ever been a matter of cherry picking which neighborhoods they can go in. I've had clients opposed to them, but that didn't mean they didn't mean they were able to prohibit owners from getting permits in their area.

Anyway, it sounded like the true reason for tabling was the previous month long or more bookings at 100 Winchester. That very easily could have been verified on Tuesday night. On Airbnb and VRBO accounts, all stays through those sites are documented. Please see their three bookings below. I can think of two properties off the top of my head that only do month long rentals - one on Magnolia and one on Vancleave. That is very common here. Especially when people are waiting for permits... in this case for a year. I have had clients close on their home, move out and then stay a month or two in an airbnb until their kids finish school and they move onto their next destination. We have snowbirds come down here for months at a time. Short term Ingalls and military employees stay at Airbnbs and VRBOs for a couple months all the time. I don't understand why no one at that meeting brought attention to that fact. Instead, the Buckleys were accused of bending the rules. As for the future short term bookings, the Buckleys were under the impression that after the vote on Tuesday night, they would be given their short term rental permit so they opened it up. They didn't know it had to go on to the next alderman meeting. As soon as they heard that gentlemen tell the first 3 applicants that this vote doesn't mean they get their permit right now, they knew they'd have to cancel those stays and they shut down their calendar that night. In their one year of ownership, they have yet to rent it out for less than 30 days.

Please correct me if I am wrong on any of this and also to share with the planning commission or whomever needs to see the dates of those stays. I know you are not necessarily responsible for the tabling of their permit so I apologize for the very long email. I do wish someone would have spoken up for them that is knowledgeable with how airbnb works and spoke to the procedures the city has followed with granting every other short term permit. Thank you for your time!

Libby

Past guest

Mariselle Quijano



Pool/ Wi-Fi/Near Beach/Golfcart
District

Nov 23 – Dec 23, 2022 (30 nights)
2 guests · \$1,548.31

Mariselle's review:

Poseidon's Place was by far the BEST
Airbnb our family of 4 has ever stayed ...

[Show review](#)

×

Past guest

Heather Davis



Pool/ Wi-Fi/Near Beach/Golfcart
District

Oct 21 – Nov 20, 2022 (30 nights)
4 guests · \$1,233.16

Heather's review:

Fabulous! This home was by far the
most luxurious and comfortable Airbn...

[Show review](#)

Past guest

Tanya Bryant



Pool/ Wi-Fi/Near Beach/Golfcart
District

Dec 23, 2022 – Feb 2, 2023 (41 nights)
3 guests · \$417.40

Tanya's review:

Perfect AirBnB in a great location! The
house was spotless and my family and...

[Show review](#)

August 16, 2023

Ocean Springs Planning Commission
c/o Ms. Carolyn Martin
Via email: cmartin@oceansprings-ms.gov

RE: STR Application for 100 Winchester Drive

Dear Ocean Springs Planning Commission:

After much reflection and restraint since the August 8th meeting of the Planning Commission, I'm writing to set the record straight. Since I purchased 100 Winchester, my next-door neighbor, "Gudi," has attempted to bully me directly and indirectly on multiple occasions. I am appalled at her manipulative conduct and deceitful statements to the Commission on August 8th. Evidently she has also manipulated a number of other neighbors into turning against us. Do not be tricked into believing for one minute that she is a victim rather than the instigator.

When I purchased 100 Winchester, Gudi's fence was dilapidated and falling over (see photos). The fence was a liability and needed to be replaced or repaired. I kindly offered to split the cost of the repair / replacement with Gudi; she agreed and I committed to getting a quote. I obtained 3 quotes and showed her the lowest one a few days later. Gudi then changed her mind, told me she no longer wanted to contribute to fixing the fence, and told me that she'd checked with the City and learned that the fence is my problem because my property has a swimming pool. Of course, I felt double-crossed. Little did I know at the time, but that disagreement would be just the beginning of our problems with her. I will spare you the litany of the various issues, except to say: (1) we did not do anything to kill her plants; (2) we did not throw a brick onto her property; and (3) I shut the door in her face after she came to my home and aggressively confronted me demanding that I turn off my lights at night because they were "bothering" her.

Of all the people who spoke out against us on August 8th, we've never met any of them except Gudi and one of her friends, a woman who previously rented the house across the street from us. I witnessed the confrontation between her and my husband that she described in lurid detail. She drastically exaggerated the incident and failed to mention that she inflamed the interaction by telling him that "you don't belong in this neighborhood" after he went over to ask her when she planned to clean up the constant piles of junk in her yard (which had been a regular problem for months) (see photos of typical junk piles on two separate occasions).

My husband and I are upstanding, law abiding citizens. The only place on the planet Earth where we're having conflict with anyone is at the intersection of Winchester and Walton in Ocean Springs, Mississippi. We didn't ask for this conflict and we don't want it. It disrupts our peace. It

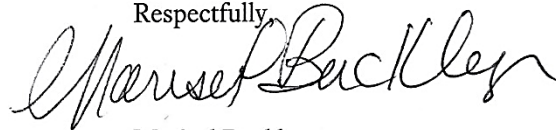
would make no sense whatsoever for us to generate conflict in a place where we're seeking to get a permit to operate an STR. At the same time, we cannot tolerate bullying by anyone. We have the same property rights as any other neighbor, and all neighbors are subject to the same City ordinances no matter how long they've lived there or who their friends are.

As far as my prior online Airbnb listing for 100 Winchester, I believe our realtor Libby Rickley has provided you with proof to refute the incorrect claim that I was operating an STR without a permit. Respectfully, all you had to do was ask me for an explanation at the meeting, and I would have given you one on the record.

I conclude this letter by challenging you to ask anyone who speaks out against us whether they've ever met us, and if not, where they got their negative information. We didn't know anyone except Gudi and the former renter from across the street. We will gladly address any concerns if we are given notice of the concern and either an opportunity to provide a written response or sufficient time to respond orally. Thank you in advance for your fair consideration of my comments.

We'll look forward to seeing you again in September.

Respectfully,

A handwritten signature in black ink that reads "Marisol Buckley". The signature is fluid and cursive, with the first name "Marisol" and last name "Buckley" clearly distinguishable.

Marisol Buckley
100 Winchester Drive
Ocean Springs, MS 39564
(281) 948-9765

August 21, 2023

Ocean Springs Planning Commission
c/o Carolyn Martin
via email: cmartin@oceansprings-ms.gov

Dear Members of the Planning Commission and Ms. Martin:

I write to provide additional information regarding my wife, Marisol Buckley's STR application for 100 Winchester. Marisol and I have worked hard to update and beautify this property, which has in turn benefitted the aesthetic of the neighborhood. For over a year, we've patiently awaited the expansion of the STR cap and a review of Marisol's STR application. We've invested significant efforts and funds into bringing this property up to Ocean Springs' STR safety standards and increasing its amenities as a high-end STR.

In the meantime, we've declined several lucrative offers for long-term rental – including a request to accommodate John Travolta and his assistants during recent filming in Biloxi – to ensure that the property remained vacant as we awaited an inspection. The property has never been operated as an STR and, upon learning a permit would not be granted on August 8th, Marisol removed the listing from Airbnb. Unlike at least one other property recommended for approval, the police have never been called to 100 Winchester. I respectfully encourage you to remain focused on this background, along with the formal criteria for STR approval, as you continue to review Marisol's application.

As you know, during the August 8th Planning Commission meeting, some members of the public assailed our character in lieu of contributing to a meaningful discussion about Marisol's STR application. Of the group of people who spoke out against us, we've only personally met one person who's a current resident of the neighborhood – Ms. Gudi, who lives next door. After much reflection, I've decided that I must respond to Ms. Gudi's and two others' slanderous statements about Marisol and me.

You heard Ms. Gudi claim that we've mistreated and intimidated her. I've never had a cross word with Ms. Gudi. She failed to disclose to you that she was the one who either invited or instigated each disagreement she's had with my wife. Last summer, Ms. Gudi unkindly rebuffed Marisol's offer to share the cost of repairing

Ms. Gudi's decaying fence. Marisol was offended, so I visited Ms. Gudi to try to mend the relationship. We had a warm conversation, sharing personal stories about our families and backgrounds. I assured Ms. Gudi that I was available to help resolve any neighborly concerns and gave her my cell number. She shook my hand, thanked me for visiting, and assured me she'd call with any concerns. But several weeks later Ms. Gudi angrily came to our home and confronted Marisol, demanding that we turn off our exterior lights because they bothered her. I don't know why Ms. Gudi didn't try calling me first, why she felt it was appropriate to antagonize Marisol, or why she would be surprised that her actions were offensive. As for her claims that we killed her plants by power washing our fence and that we threw a brick into her yard, we did not and would not do either.

You heard another neighbor (a man we've never met and whose name we do not know) state that he called Code Enforcement because we left roofing shingles in the street in front of our home. In context, we had a new roof installed and we placed a small stack of old shingles at the curb for several days awaiting heavy trash pickup. I can't help but wonder whether this neighbor has ever called Code Enforcement on the three properties that flank our home on the North side of Walton that are constantly plagued by junked cars, a junked boat, old cars parked on the lawn and street, and a general state of disrepair.

The same neighbor berated me for calling Animal Control to address a "friendly and lovable" dog that was regularly entering our property to bark and growl at us and defecate on our lawn. In truth, according to responding Animal Control Officer Adam Wilson, the animal had been a nuisance for at least a year and the owner had previously been cited. Furthermore, contrary to the man's false claim, the animal was not euthanized.

Finally, you heard from a former tenant who previously lived across the street but no longer lives in the neighborhood. She described an occasion where I complained to her about constant trash on and around her rental property. In truth, after months of seeing hoarded junk on her rental property and piled at the curb in front of our home, I walked across the street and told her that her house looked like "Sanford and Son" and that she needed to show some respect for her neighbors. We exchanged words and she stated, "You don't belong in this neighborhood." Shortly thereafter, the tenants moved out and the property owner sent in contractors to remediate the neglected and damaged property before re-renting it. Everyone's property values improved when those tenants left.

As I said at the opening of this letter, I respectfully hope that your review of Marisol's STR application will remain focused on the fitness of her property for use as an STR in the context of Ocean Springs' formal criteria for approval. We are hands-on with this project and intend to operate it properly under our close

supervision, with consideration for our neighbors, and with benefit to the City of Ocean Springs. Thank you for taking the time to review this correspondence.

Respectfully,

A handwritten signature in blue ink, appearing to read 'S. Buckley', with a stylized flourish at the end.

Sean Buckley
6101 Olde Oakview
Ocean Springs, MS 39564
(228) 933-4400

SUMMARY:

While we understand the concerns from both sides of this issue regarding disputes, none of the stated concerns are directly related to the issuance of a short-term rental permit.

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FINDINGS:

- Local Property Manager: The owner will serve as the property manager. With an address of 6101 Olde Oakview, the requirement for residency within 2-miles of the city limit is satisfied.
- Application: Submittal is complete and was received prior to the deadline. A copy of the rental agreement is attached for consideration.
- Homeowner's Association: On the application form, the applicant indicated that this is not a covenant-restricted neighborhood with an active HOA. A search of Jackson County Land Records did not discover filed covenants for this subdivision. The MS Secretary of State's Office does not have an active HOA listed on their website.
- Liability Insurance: The signed application states that the liability insurance for the property does not exclude short term rentals from coverage, as well as conformance with building code, zoning requirements. There are no deed restrictions and taxes are current.
- Fee: The application fee was provided with the application. The mail-out fee was paid prior to distribution.
- Notice via Standard Mail: The notice of public hearing was sent to 72 property owners within 500 feet of the subject property. The distribution included the name of the applicant, notice of the hearing date, time and location, and a summary of Frequently Asked Questions regarding short-term rentals.
- Publication: Notice of the public hearing was advertised at least 15 days prior to the date of the hearing per ordinance. Additionally, the required yard sign was placed in the yard.
- Inspection: The property was inspected for all required elements on 7/05/23 and was approved. Inspection form is attached for review.
- Maximum Occupancy: The requested maximum occupancy of 8 was approved by the Fire Marshall during the above referenced inspection.
- Maximum Number of Vehicles: The request for a maximum number of 4 vehicles was approved by the Building Official during the above referenced inspection.
- Guest Rules: The rules were posted and visible during the property inspection.
- Code Violation Complaints: No code violations or police reports were documented for this address in the past 12 months.

FEEDBACK:

One email in opposition was received from Gudrun Baker – attached for reference.

SUMMARY:

The application for this property is complete and compliant with the adopted code, and the physical inspection passed. The recommendation is for approval of a Residential Short-Term Rental permit, subject to annual renewal.

ATTACHMENTS as listed above:



City of Ocean Springs Planning Department
1018 Porter Avenue / PO Box 1800 Ocean Springs, MS 39564 / (228) 875-4415

RESIDENTIALLY ZONED SHORT TERM RENTAL ANNUAL PERMIT APPLICATION

Application Date: June 2, 2023

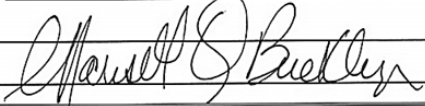
Submittal Requirements:

FEES: \$501 ~ **Application Fee Effective 4/4/23** – \$500 must be paid at the time application is submitted [includes occupancy inspection fee]. ~ **Administrative Fee: \$1.00** (per Ordinance 2022-17 following the requirements of Section 25-60-5 MS code Annotated)

- ☒ Completed Application
- ☒ Copy of Proposed Rental Agreement
- ☒ Proposed Parking Plan
- ☒ Copy of rules, including trash management and reference of the city's noise ordinance (available upon request), to be posted inside unit
- ☒ Affirmation of Code Compliance – Ord.2015-11 (Section 401.3(10)) – Attached.
- ☒ ~Standard mailout fee will be calculated during the review process and must be paid prior to scheduling of the public hearing~
- ☒ Properties will be reviewed and inspected prior to scheduling the public hearing date and sending the required notices.
- ☒ PERMITS MUST BE RENEWED ANNUALLY (\$500 renewal fee) AND ARE NOT TRANSFERRABLE.

REQUIRED INFORMATION:

- Address of Rental Property: 100 Winchester Drive, Ocean Springs, MS 39564
- Parcel Identification Number: 61087028.000 Number of bedrooms: 4
- Proposed maximum # guests: 8 Number of existing off-street parking spaces: 4
- ☐ Is this property located in a covenant-restricted subdivision? ☐ Yes ☒ No ~ If yes, a copy of the covenants must be included.

Name of Property Owner Marisol Q. Buckley
Address of Property Owner 6101 Olde Oakview, Ocean Springs, MS 39564
Phone No. 281-948-9765
Name of Local Property Manager Marisol Q. Buckley (property owner)
[Must RESIDE within two (2) miles of the OS City Limits] Address 6101 Olde Oakview, Ocean Springs, MS
Phone No. 281-948-9765 Signature: 

Copy of Ordinance 2015-11 Received: ☒ (initials) Copy of Ordinance 2019-19 Received: ☒
Copy of Ordinance 2018-02 Received: ☒ (initials) Copy of Ordinance 2021-25 Received: ☒
Copy of Ordinance 2023-07 Received: ☒ (initials)

Revised 05/23/2023

1 | Page

Physical Inspection of Property:

- All applicable fire and health codes as would apply to a commercially zoned structure must be compliant.
- As part of the review process, an inspection will be scheduled to determine that all physical requirements are met per the ordinance
- Inspection will also include but are not limited to: adequate parking, proposed occupancy, number of vehicles allowed, location of garbage storage, posting of rules, etc. (per *most current* Inspection Checklist dated: 2/08/18)

.....

Affirmation of Codes/Regulations

I, (print name) Marisol Q. Buckley, hereby certify that:

1. I am the owner of the property that is the subject of this application and that I have read and understand the requirements as outlined in the application.
2. There are no outstanding City of Ocean Springs property taxes or special assessments on the parcel(s).
3. Per Section 2.C.5 of Ordinance No. 2015-11, I will obtain a Mississippi State Sales Tax License through the MS Dept. of Revenue to pay all city, county, and state taxes required by law.
4. The property included in this application is in compliance with all applicable building codes, zoning requirements, and deed restrictions and/or covenants.
5. The Homeowner's liability insurance does not exclude short term rentals from coverage.
6. Any existing mortgage or deed does NOT prohibit use of property as a short term rental.
7. Proper documentation of covenants that may restrict use of the property as a short rental and/or a letter of support from the HOA has been provided.

I further acknowledge that the information provided herein is true and correct to the best of my knowledge.

Owner(s) Name: Marisol Q. Buckley

Parcel ID(s): 61087028.000

Date Property Acquired: 8/22/2022

Owner's Signature [Signature] Date 6/3/23

.....

Office Use Only

Date of Inspection: 7/05/23 Result of Occupancy Inspection: PASSED

Maximum Occupancy Determination: 8 (attached)

Maximum Parking Spaces: 4 Permit Renewal Date: _____

PC Public Hearing Date: 8/08/23 BOA Approval Date: _____

Revised 05/23/2023

2 | Page

ADDRESS: 100 Winchester Drive iWorQ Permit#: 2648



PLANNING DEPARTMENT
P.O. Box 1800 / Ocean Springs, MS. 39566
Phone 228-875-4415 Fax 228-872-5427

RESIDENTIALLY-ZONED SHORT TERM RENTAL – OCCUPANCY INSPECTION FORM

Before requesting an occupancy inspection from the Building Official and the Fire Marshall, please make sure the following items have been completed. Someone must be present at the time of inspection.

All Occupancy Inspections are done at 10am

The following items must be complete prior to inspection:

- | | |
|--|--|
| ☐ Type 2A 10BC Fire Extinguishers
(Maximum travel distance 75 ft.) | ☐ Adequate garbage receptacles |
| ☐ Emergency Lighting with battery backup | ☐ Smoke detectors in all bedrooms
and hallways. |
| ☐ Address on Building | ☐ Carbon monoxide detectors if there
is gas service. |
| ☐ Breaker Box needs to be labeled | ☐ Identified # of Bedrooms: <u>4</u> |
| ☐ Outlet and switch plate covers need to be
installed. (GFCI Circuits within 6 ft. of
water source) | ☐ Proposed # of Guests: <u>8</u> |
| ☐ No exposed wiring | Approved # of Guests per OSFD: <u>8</u> |
| ☐ Adequate emergency egress | |
| ☐ Operable windows in sleeping areas | ☐ Proposed # of vehicles: <u>4</u> |
| ☐ Guest rules (noise, garbage, etc.) must be
visibly posted. | Approved # of vehicles per OSFD: <u>4</u> |

Property Owner: Marisol Buckley Phone #: 281-948-9765
Contact Name: Marisol Buckley Phone #: 281-948-9765

.....
Date of Inspection: 7/5/23

COMMENTS: _____

☒ **PASSED**

Building Official: *Daniel D. Smith* Fire Marshall: *David Cotton*
Property Owner: *Marisol Buckley*

PUBLIC HEARING NOTICE

Residential Short-Term Rental



THIS INFORMATION IS BEING SENT TO YOU AS PART OF THE PERMITTING PROCESS FOR A NEARBY PROPERTY.

Per adopted Code for the City of Ocean Springs, notice has been advertised in the MS Press Newspaper and copies are sent via Standard mail at the cost of the applicant.

PUBLIC NOTICE is hereby given that the City of Ocean Springs **PLANNING COMMISSION** will hold a **public hearing** on the date listed below to consider an application for a Short-Term Rental Permit per Ordinance no. 2015-11 governing the provision of Short Term Rentals of dwellings in residential zones after application, hearing, and approval.

Application for the address listed below will be considered in the regular meeting place of the Board of Aldermen at the City Hall located at 1018 Porter Avenue Ocean Springs, MS 39564.

Short-Term Rental Applied for: 100 Winchester Dr.

Public Hearing Date/Time: August 8, 2023 at 6:00 p.m.

Applicant Marisol Buckley

Local Contact Marisol Buckley

The Residential Short-Term Rental Ordinance (2015-11) was approved on July 7, 2015. The ordinance was researched, modified, and re-approved on February 20, 2018, again on December 17, 2019, and again on December 7, 2021. This document addresses what the ordinance requires of an applicant, the process, and contact information for questions or concerns. For more details, please call the Planning Department at 228-875-4415.

Short-Term Rentals: Considered as less than 30 days. Conditions for permitting include an approval process, occupancy/vehicle requirements, guest registry, noise/garbage management, posting of rules, local management, and a process for complaints, basis for denial or revocation, and violations.

Frequently Asked Questions regarding Residential Short-Term Rental permits:

- 1) ***Why am I receiving this information?*** All property owners within 500 feet of the property requesting a permit are required to receive notification via standard mail. Additionally, the hearing was advertised in the local newspaper and a yard sign placed on the property. This notice was mailed to your address of record with the Jackson County Tax Assessor's office.
- 2) ***What is allowed under a Short-Term Rental Permit?*** Approval of the permit will allow the property owner to rent the residence for periods of less than 30 days at a time, governed by restrictions listed in the ordinance. The permit does not allow any other non-permitted activity.
- 3) ***Who will be responsible for management of the property?*** The property owner is ultimately responsible for all activity on the property. The Local Property Manager, if one is assigned, **MUST** reside within 2 miles of the city limits and be available 24/7 to address issues related to the property. The Planning Department will have a contact number in case of emergencies.
- 4) ***Do the property owners pay sales tax for this activity?*** Yes – the property owner will be issued a city privilege license that will allow them to register with the state for payment of sales tax, including the additional "bed tax" required for all hotel activity.
- 5) ***What review has been done by the City?*** The application, a \$200 application fee, and payment for mailing was received. All information was reviewed to ensure all administrative requirements have been met. The home

Short Term Rental Agreement

1. This agreement is between Marisol Q. Buckley ("Owner") and _____ ("Guest") for the short-term rental of the residential property located at 100 Winchester Drive, Ocean Springs, MS 39564 ("Property"). The Property is described as a four bedroom, three and one-half bath residential property located approximately 0.7 miles from East Beach in Ocean Springs, MS. The Property sits on approximately ½ acre with a fenced backyard and a private swimming pool, and is fully furnished including bed and bath linens, kitchenware, and basic toiletries. Wireless internet service is provided.
2. Owner will give Guest and up to 7 additional Registered Guests (collectively "Registered Guests") designated by Guest the full use and enjoyment of the Property in consideration of rent in the amount of \$_____ per day. Rental terms are as agreed by Guest using the Airbnb website to book the rental.
3. All Registered Guests must be identified to Owner in writing prior to check-in and are subject to the following restrictions:
 - a. Registered Guests will include:
 - i. (Renting Guest)
 - ii. _____
 - iii. _____
 - iv. _____
 - v. _____
 - vi. _____
 - vii. _____
 - viii. _____
 - b. No Registered Guest may be a person required by the laws of any U.S. state to register as a sex offender.

4. Rental of the Property is only for the use and enjoyment of Registered Guests, and any additional persons are not permitted on the property without the written consent of Owner.
5. The term of this rental agreement is ____ days. Requests for extension of the rental term must be made in writing to Owner and are not guaranteed unless approved by Owner. The total term of this rental agreement, including any extensions approved by Owner, may not exceed 30 days.
6. Use of the Property is subject to all rules and regulations provided in advance by Airbnb, as well as all House Rules, Pool Rules, and other rules posted by Owner inside the property including the City of Ocean Springs Noise Ordinance, §15-13 (collectively "Rules"). Violation of the Rules by any Registered Guest(s) may result in additional charges as explicitly noticed in the Rules.
7. No pets are allowed on the Property except certified canine service animals.
8. The Property is not wheelchair or handicapped accessible.

Agreed as to all terms:

Marisol Q. Buckley
Owner

Signature of Guest

Guest's Printed Name

Date

Welcome

House Rules

The following House Rules are in place to keep our property in great condition for our guests and to respect our neighbors. Violations of the House Rules may result in additional charges and fees and early termination of the rental agreement.

- ⇒ No parties or events allowed.
- ⇒ No pets.
- ⇒ No smoking or vaping on the property (\$300 cleaning charge).
- ⇒ No eating or drinking in the living room or bedrooms.
- ⇒ No wet or sandy clothing to be worn inside.
- ⇒ No shoes to be worn inside.
- ⇒ Do not rearrange furniture.
- ⇒ Do not leave young children unattended. Child safety gates are available upon request.
- ⇒ No unregistered guests allowed on the property.
- ⇒ Observe all Pool Rules. No glass containers in pool area.
- ⇒ Comply at all times with the Ocean Springs Noise Ordinance, §15-13.
- ⇒ MANDATORY QUIET TIME outdoors from 9 p.m. – 9 a.m. Please be considerate of the neighbors.
- ⇒ No unlawful or illegal activities.

Wifi

Network: Poseidon

Password: octopus!

Parking

- ⇒ Park only in the driveway. Engage your parking brake.
- ⇒ The garage is not available.

Noise Ordinance

The City of Ocean Springs strictly enforces a Noise Ordinance, §15-13. The Noise Ordinance is included in this binder and posted inside the property.

Camera Notice

This property has exterior security cameras. The pool area is your private space and is not covered, except for the narrow section around the fence gate.

Contacts

Host: Marisol

Contact: (281) 948-9765

Emergency: Dial 911

Your Address: 100 Winchester Drive

Pool Rules

The following Pool Rules are in place to keep our guests safe, to keep our property in great condition for future guests, and to respect our neighbors. Violations of the Pool Rules are taken seriously and may result in additional charges, fees, and early termination of the rental agreement.

- ⇒ **IF A CHILD IS MISSING, CHECK THE WATER FIRST.**
- ⇒ **NEVER** leave children unattended in the pool area or anywhere on the property. Stay within arm's reach of children at all times.
- ⇒ **NEVER** leave toys or floats in the pool if children are anywhere on the property.
- ⇒ **NEVER** enter the pool if you cannot swim.
- ⇒ **NEVER** swim alone.
- ⇒ **NO LIFEGUARD ON DUTY.** Orient yourself to the pool and all pool safety equipment before using the pool. No life jackets provided.
- ⇒ NO running or horseplay in the pool area.
- ⇒ NO unregistered guests in the pool area.
- ⇒ ABSOLUTELY NO parties or events.
- ⇒ NO glass containers in the pool area.
- ⇒ **MANDATORY QUIET TIME** outdoors from 9 p.m. – 9 a.m. Please be considerate of the neighbors. Comply at all times with the Ocean Springs Noise Ordinance, §15-13 (included in this binder and posted inside the property).

POLICE, FIRE, AND MEDICAL

Police, Fire & Medical Emergencies: Dial 911

Your Address: 100 Winchester Drive, Ocean Springs

Trash Management Rules

Trash management rules are in place to ensure a clean guest experience and to avoid attracting pests. Delegating these duties to you also allows us to give you increased privacy and autonomy during your stay. Thank you for your cooperation!

Trash Disposal

- ⇒ Bag all trash in the provided white trash bags and tie bags closed.
- ⇒ Place closed trash bags in the large trash can aside the garage.
- ⇒ Do not dispose of hazardous materials in the trash or recycling.

Trash Pickup

- ⇒ Trash Pickup Day is on Tuesday mornings.
- ⇒ If you are occupying the property on Monday night, please roll the large outside trash can to the street curb in front of the house.
- ⇒ If you are still occupying the property after the trash is picked up, please roll the trash can back to its place aside the garage.

Farewell

Check Out @11am

- Take out all trash and place it in the large trash can aside the garage (see Trash Management Rules in this binder). Trash pickup is on Tuesday mornings.
- Rinse all dishes. Load and start the dishwasher. Please do not put pots and pans in the dishwasher.
- Leave used towels on the floor in bathrooms or the laundry room. Please leave bed linens on the beds.
- Check all closets and drawers for personal items.
- Turn off all lights and TVs.
- Lock all doors.
- Please leave the house in the same condition you found it.

In Case of Damage or Breakage

- Report any damages and/or breakages to the host in a timely manner.
- Damages exceeding the security deposit amount must be paid by guests and will be reported to Airbnb.

Safe Travels! And Please Leave Us a Review!

Thank you for visiting Ocean Springs! We hope you had a great time. If you enjoyed your experience, please consider leaving us a 5-star review. Please come back again in the near future! – Marisol



Parking Plan
100 Winchester DR.

Dwelling

Front Entrance

1

2

3

4

Sidewalk

Winchester Drive

From: Gudrun Baker
To: Dawn Underwood
Date: Thursday, August 03, 2023 4:48:00 PM

Short term rental for 100 Winchester Drive, Ocean Springs.

I oppose this property turning into a short term rental. I do not want a hotel next to my home. Not knowing who's coming and going is unsettling. I am a widow and live by myself. The pool and upper deck are right next to my bedroom. I do not want to lose the quality of life I enjoy now.

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

PLANNING COMMISSION REPORT
— PUBLIC HEARING —

PUBLIC HEARING DATE: Tuesday, September 12, 2023

APPLICANT: Chad Wade

LOCATION: 608 Azalea / PID: 61090012.010

REQUESTED ACTION: Residential Short Term Rental Permit

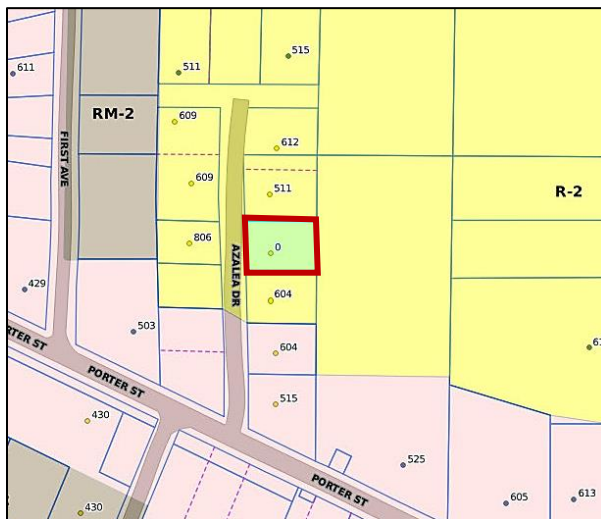
DATE OF APPLICATION: July 6, 2023

ADJACENT ZONING/LAND USE:

Subject Property: R2, Single-Family Residential District
North, East, West, South: R2, Single-Family Residential District

DESCRIPTION OF REQUEST:

- Per Ordinance 2015-11, 2018-02, 2021-05, 2021-25, and 2023-07, the application is for a short-term rental permit to allow usage for less than 30 days.
- Site Location: the property is located in the STR City Zone Area, on the east side of Azalea Drive midway between Porter Avenue and the end of the road to the north.



FINDINGS:

- **Local Property Manager:** The property owner will serve as the property manager. With an address of 818 Canebrake Dr., the requirement for residency within 2-miles of the city limit is satisfied.
- **Application:** Submittal is complete and was received prior to the deadline. A copy of the rental agreement is attached for consideration.
- **Homeowner's Association:** On the application form, the applicant indicated that this is not a covenant-restricted neighborhood with an active HOA. A search of Jackson County Land Records did not discover filed covenants for this subdivision. The MS Secretary of State's Office does not have an active HOA listed on their website.
- **Liability Insurance:** The signed application states that the liability insurance for the property does not exclude short term rentals from coverage, as well as conformance with building code, zoning requirements. There are no deed restrictions and taxes are current.
- **Fee:** The application fee was provided with the application. The mail-out fee was paid prior to distribution.
- **Notice via Standard Mail:** The notice of public hearing was sent to 37 property owners within 500 feet of the subject property. The distribution included the name of the applicant, notice of the hearing date, time and location, and a summary of Frequently Asked Questions regarding short-term rentals.
- **Publication:** Notice of the public hearing was advertised at least 15 days prior to the date of the hearing per ordinance. Additionally, the required yard sign was placed in the yard.
- **Inspection:** The property was inspected for all required elements on 7/20/23 and was approved. Inspection form is attached for review.
- **Maximum Occupancy:** The requested maximum occupancy of 6 was approved by the Fire Marshall during the above referenced inspection.
- **Maximum Number of Vehicles:** The request for a maximum number of 2 vehicles was approved by the Building Official during the above referenced inspection.
- **Guest Rules:** The rules were posted and visible during the property inspection.
- **Code Violation Complaints:** No code violations or police reports were documented for this address in the past 12 months.

FEEDBACK:

None.

SUMMARY:

The application for this property is complete and compliant with the adopted code, and the physical inspection passed. The recommendation is for approval of a Residential Short-Term Rental permit, subject to annual renewal.

ATTACHMENTS as listed above:



City of Ocean Springs Planning Department
1018 Porter Avenue / PO Box 1800 Ocean Springs, MS 39564 / (228) 875-4415

RESIDENTIALLY ZONED SHORT TERM RENTAL ANNUAL PERMIT APPLICATION

Application Date: 07/06/2023

REQUIRED ATTACHMENTS:

FEES: **\$501** ~ **Application Fee Effective 4/4/23** – \$500 must be paid at the time application is submitted [includes occupancy inspection fee]. ~ **Administrative Fee:** \$1.00 (per Ordinance 2022-17 following the requirements of Section 25-60-5 MS code Annotated)

- ☒ Completed Application
 - ☒ Copy of Proposed Rental Agreement
 - ☒ Proposed Parking Plan – Sketch
 - ☐ Copy of rules, including trash management and reference of the city's noise ordinance (available upon request), to be posted inside unit
 - ☒ Affirmation of Code Compliance – Ord.2015-11 (Section 401.3(10)) – Attached.
 - ☒ ~Standard mailout fee will be calculated during the review process and must be paid prior to scheduling of the public hearing~~
- **Properties will be reviewed and inspected prior to scheduling the public hearing date and sending the required notices.**
- **PERMITS MUST BE RENEWED ANNUALLY (\$500 renewal fee) AND ARE NOT TRANSFERRABLE.**

REQUIRED: RENTAL PROPRTY INFORMATION:

- **Address of Rental Property:** 608 Azalea Lane Ocean Springs, MS 39564
- **Parcel Identification Number:** 61090012.010 **Number of bedrooms:** 2
- **Proposed maximum # guests:** 6 **Number of existing off-street parking spaces:** 2
- **Is this property located in a covenant-restricted subdivision?** ☐ Yes ☒ No ~ **If yes, a copy of the covenants must be included.**

PROPERTY OWNER – Name: <u>608 Turtle Cove, LLC</u>	
Address: <u>1706 Kensington St. Ocean Springs, MS 39564</u>	
Phone No. <u>228-243-2388</u>	Email: <u>cwwade_11@yahoo.com</u>
OWNER SIGNATURE: <u>Chad W Wade</u> Digitally signed by Chad W Wade Date: 2023.07.06 14:40:23 -0500	
LOCAL PROPERTY MANAGER – [Must RESIDE within two (2) miles of the OS City Limits]	
Name: <u>Chad W Wade</u>	
Address: <u>818 Canebrake Dr Ocean Springs, MS 39564</u>	
Phone No. <u>228-243-2388</u>	Email: <u>cwwade_11@yahoo.com</u>
Is the Property Manager OR the Owner the best contact for scheduling Inspections? <u>Property Manager</u>	

Owner – initial by each ordinance to indicate receipt:

Copy of Ordinance 2015-11 Received: CW (initials) Copy of Ordinance 2019-19 Received: CW

Copy of Ordinance 2018-02 Received: CW (initials) Copy of Ordinance 2021-25 Received: CW

Copy of Ordinance 2023-07 Received: CW (initials)

Physical Inspection of Property:

- All applicable fire and health codes as would apply to a commercially zoned structure must be compliant.
- As part of the review process, an inspection will be scheduled to determine that all physical requirements are met per the ordinance
- Inspection will also include but are not limited to: adequate parking, proposed occupancy, number of vehicles allowed, location of garbage storage, posting of rules, etc. (per *most current* Inspection Checklist dated: 2/08/18)

.....
Affirmation of Codes/Regulations

I, (print name) Chad W Wade, hereby certify that:

1. I am the owner of the property that is the subject of this application and that I have read and understand the requirements as outlined in the application.
2. There are no outstanding City of Ocean Springs property taxes or special assessments on the parcel(s).
3. Per Section 2.C.5 of Ordinance No. 2015-11, I will obtain a Mississippi State Sales Tax License through the MS Dept. of Revenue to pay all city, county, and state taxes required by law.
4. The property included in this application is in compliance with all applicable building codes, zoning requirements, and deed restrictions and/or covenants.
5. The Homeowner's liability insurance does not exclude short term rentals from coverage.
6. Any existing mortgage or deed does NOT prohibit use of property as a short term rental.
7. Proper documentation of covenants that may restrict use of the property as a short rental and/or a letter of support from the HOA has been provided.

I further acknowledge that the information provided herein is true and correct to the best of my knowledge.

Owner(s) Name: 608 Turtle Cove, LLC

Parcel ID(s): 61090012.010

Date Property Acquired: 05/19/2023

Owner's Signature Chad W Wade Digitally signed by Chad W Wade
Date: 2023.07.06 14:40:37 -0500 Date 07/06/2023

.....
Office Use Only

Date of Inspection: 7/20/23 Result of Occupancy Inspection: PASSED

Maximum Occupancy Determination: 6 (attached)

Maximum Parking Spaces: 2 Permit Renewal Date: _____

PC Public Hearing Date: 9/12/23 BOA Approval Date: _____

ADDRESS: 608 Azalea iWorQ Permit#: 2956



PLANNING DEPARTMENT
P.O. Box 1800 / Ocean Springs, MS. 39566
Phone 228-875-4415 Fax 228-872-5427

RESIDENTIALLY-ZONED SHORT TERM RENTAL – OCCUPANCY INSPECTION FORM

Before requesting an occupancy inspection from the Building Official and the Fire Marshall, please make sure the following items have been completed. Someone must be present at the time of inspection.

All Occupancy Inspections are done at 10am

The following items must be complete prior to inspection:

- | | |
|---|---|
| ☒ Type 2A 10BC Fire Extinguishers
(Maximum travel distance 75 ft.) | ☒ Adequate garbage receptacles |
| ☒ Emergency Lighting with battery backup | ☒ Smoke detectors in all bedrooms
and hallways. |
| ☒ Address on Building | ☒ Carbon monoxide detectors if there
is gas service. |
| ☒ Breaker Box needs to be labeled | ☒ Identified # of Bedrooms: <u>2</u> |
| ☒ Outlet and switch plate covers need to be
installed. (GFCI Circuits within 6 ft. of
water source) | ☒ Proposed # of Guests: <u>6</u> |
| ☒ No exposed wiring | Approved # of Guests per OSFD: <u>8</u> |
| ☒ Adequate emergency egress | ☒ Proposed # of vehicles: <u>2</u> |
| ☒ Operable windows in sleeping areas | Approved # of vehicles per OSFD: <u>2</u> |
| ☒ Guest rules (noise, garbage, etc.) must be
visibly posted. | |

Property Owner: Chad Wade
Contact Name: Chad Wade

Phone #: 228-243-2388
Phone #: 228-243-2388

Dell Cochran

228-324-7396

.....
Date of Inspection: 7-20-23

COMMENTS: _____

☒ **PASSED**

Building Official: [Signature]

Fire Marshall: [Signature]

Property Owner: Chad Wade

Dell Cochran

PUBLIC HEARING NOTICE

Residential Short-Term Rental



THIS INFORMATION IS BEING SENT TO YOU AS PART OF THE PERMITTING PROCESS FOR A NEARBY PROPERTY.

Per adopted Code for the City of Ocean Springs, notice has been advertised in the MS Press Newspaper and copies are sent via Standard mail at the cost of the applicant.

PUBLIC NOTICE is hereby given that the City of Ocean Springs **PLANNING COMMISSION** will hold a public hearing on the date listed below to consider an application for a Short-Term Rental Permit per Ordinance governing the provision of Short Term Rentals of dwellings in residential zones after application, hearing, and approval.

Application for the address listed below will be considered in the regular meeting place of the Board of Aldermen at the City Hall located at 1018 Porter Avenue Ocean Springs, MS 39564.

Short-Term Rental Applied for: 608 Azalea

Public Hearing Date/Time: September 12, 2023 at 6:00 p.m.

Applicant Chad Wade

Local Contact Chad Wade

The Residential Short-Term Rental Ordinance (2015-11) was approved on July 7, 2015. The ordinance was researched, modified, and re-approved on February 20, 2018, December 17, 2019, December 7, 2021, and May 16, 2023. This document addresses what the ordinance requires of an applicant, the process, and contact information for questions or concerns. For more details, please call the Planning Department at 228-875-4415.

Short-Term Rentals: Considered as less than 30 days. Conditions for permitting include an approval process, occupancy/vehicle requirements, guest registry, noise/garbage management, posting of rules, local management, and a process for complaints, basis for denial or revocation, and violations.

Frequently Asked Questions regarding Residential Short-Term Rental permits:

- 1) ***Why am I receiving this information?*** All property owners within 500 feet of the property requesting a permit are required to receive notification via standard mail. Additionally, the hearing was advertised in the local newspaper and a yard sign placed on the property. This notice was mailed to your address of record with the Jackson County Tax Assessor's office.
- 2) ***What is allowed under a Short-Term Rental Permit?*** Approval of the permit will allow the property owner to rent the residence for periods of less than 30 days at a time, governed by restrictions listed in the ordinance. The permit does not allow any other non-permitted activity.
- 3) ***Who will be responsible for management of the property?*** The property owner is ultimately responsible for all activity on the property. The Local Property Manager, if one is assigned, **MUST** reside within 2 miles of the city limits and be available 24/7 to address issues related to the property. The Planning Department will have a contact number in case of emergencies.
- 4) ***Do the property owners pay sales tax for this activity?*** Yes – the property owner will be issued a city privilege license that will allow them to register with the state for payment of sales tax, including the additional "bed tax" required for all hotel activity.
- 5) ***What review has been done by the City?*** The application, a \$500 application fee, and payment for mailing was received. All information was reviewed to ensure all administrative requirements have been met. The home

- 6) ***What physical modifications were required for the home?*** Required life safety improvements include, but are not limited to, hard-wired smoke detectors (carbon monoxide if served by gas), emergency lighting for exits during power outages, properly functioning exits, current fire extinguishers, labeled fuse box, etc.
- 7) ***How will the maximum occupancy and number of vehicles be established?*** During the physical inspection, the Building Official and Fire Inspector assess the availability of space including sleeping areas and space for off-street parking. These maximums will be established prior to the public hearing and can be enforced during operation of the rental.
- 8) ***Where can I report code violations, disturbances, etc.?*** Just as you would with any residential occupant, if there are problems with noise, excessive vehicles, trash, or other intrusive behavior, the proper city officials should be notified. For life-threatening emergencies, dial 9-1-1 as you would with any type of residential occupancy. Documented complaints will be considered during the renewal process. The ordinance provides guidelines for the basis of revocation or denial or permit issuance and/or renewal.

- a. Police: 228-875-2211 – noise, trespassing, other criminal activity
- b. Code Enforcement: 228-875-6712 – improper vehicle parking, improper trash storage
- c. Any other complaints can be forwarded to the Planning Department at **228-875-4415** or mailed to Attn: Planning Department, City of Ocean Springs, 1018 Porter Avenue, Ocean Springs, MS 39564

- 9) ***What is the process if the rules are not followed?*** If the City receives documentation that the property owners and/or tenants have violated the provisions set forth in the ordinance, or have met any other criteria that allows for revocation, written notice will be given to the property owner of the violation(s). If corrective action is not taken in the allotted time period, the permit can be revoked and citations issued.
- 10) ***How long is the permit valid?*** The Residential Short-Term Rental permit is an annual renewal. Once the initial permit is approved, the property will be inspected annually and complaint records reviewed prior to renewal. The ordinance provides guidelines for the basis of revocation or denial or permit issuance and/or renewal.
- 11) ***Is the permit transferable to new owners?*** No. The permit is issued to the owner for that specific address. Permits are not transferrable to other owners or properties without the full approval process, including an advertised public hearing.
- 12) ***Is the approval process the same for properties in commercially zoned districts?*** The application itself is similar, but commercial properties do not require notice or public hearing.
- 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 that 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 an ACTIVE HOA where applicable.
- 14) ***Will the property owner be required to maintain renter information?*** Yes, the property owner must maintain a guest registry and provide to the city for review upon request.
- 15) ***Will the renters be informed of the rules and regulations that are included in the permit?*** Yes, part of the application and inspection includes provision of the rental agreement for review and posting of the house rules in a visible location within the home.

1018 Porter Avenue, Ocean Springs, MS 39564.
Email Address: planningadmin@oceansprings-ms.gov

LEASE AGREEMENT 608 Azalea Lane

THIS AGREEMENT, made on the ____ day of **June, 2023**,
between **608 Turtle Cove, LLC** as **LANDLORD**,
and **as TENANT**
Witnesseth that the **LANDLORD** agrees to rent to the
LESSEE and **TENANTS** agrees to rent from the **LANDLORD**, premises known
as **608 Azalea Lane, Ocean Springs, MS 39564**
for the term commencing on the 1st day of **July, 2023**
and ending on the 30th day of **September 2023**,
at the rate of per month, payable monthly in advance
on or before the **1st** day of each month for the term of this agreement.

THE LESSEE HEREBY AGREES AS FOLLOWS TO WIT:

1. **RENT:** Rent is due and payable in advance on the **first (1)** day of each month. If the rent is not received within **THREE (3)** days of this due date a **\$10.00 PER DAY** late charge will be due until the rent is brought current (including late fees and eviction charges). Also on the third day after the rent is due, an eviction notice will be posted on the front door of the above premises and the **TENANT** herein agrees that this lease agreement is terminated on the aforesaid date and will vacate the premises in accordance with the eviction notice. **"ABSOLUTELY NO EXCEPTIONS"**
2. Rent shall be made payable to **608 Turtle Cove, LLC** mailed and/or delivered to **1706 Kensington St, Ocean Springs, MS 39564**. When sending by mail **LESSEE** or **TENANT** must allow **THREE (3)** days for postal handling in order to prevent a late charge. If **LESSEE** or **TENANT** chooses to pay by cash a call to the **LANDLORD** for payment is required.

"DO NOT SEND CASH THROUGH MAIL"
3. **CHECKS:** Checks will be accepted from **LESSEE** or **TENANT** for rent. There will be a \$35.00 charge to the **LESSEE** or **TENANT** for a returned check in addition to any late charge as a result thereof. The late charge as described in paragraph 1 will be assessed from the 3rd day after the rent is due until the entire account is brought current as stated in paragraph 1. Following one returned check the **TENANT** will be required to pay all future rental payments by cashiers check or money order.
4. **WAIVER:** No failure of the **LANDLORD** to enforce any term hereof shall be deemed a waiver nor shall any acceptance of a partial payment of rent be deemed a waiver of **LANDLORD'S** right to the full amount thereof.
5. **DEFAULT:** If the **LESSEE** or **TENANT** shall fail to pay rent when due, or perform any term hereof, after written or verbal notice of such default given in the manner required by law, the **LANDLORD**, at his option, may terminate all rights of the **LESSEE** or **TENANT** hereunder. If **TENANT** abandons or vacates the property, while in default of the payment of rent, **LANDLORD** may consider any property left on the premises to be abandoned and may dispose of the same in any manner allowed by law. In the event the **LANDLORD** reasonably believes that such abandoned property has no value, it may be discarded. All property on the premises is here by subject to a lien in the favor of the **LANDLORD** for the payment of all sums due hereunder, to the maximum extent allowed by law.
6. **ATTORNEY'S FEES:** In the event the **LANDLORD** shall prevail in any legal action brought by either party to enforce the terms hereof or relating to the demised premises, **LANDLORD** shall be entitled to all costs incurred in connection with such action, including a reasonable attorney's fees.
7. **LEASE:** This lease shall remain in force until **September 30, 2023**, however, if the **LESSEE** or **TENANT**, **WITH PERMISSION OF THE LANDLORD**, vacates the premises during the life of the lease, the following rules will apply. (A) The **TENANT** will pay one (1) full month rent in advance from the date the property is vacated, of which no portion will be refunded. (B) The entire cleaning and damage deposit will be forfeited to the **LANDLORD**.
8. **MILITARY CLAUSE:** In the event of a military transfer, the **TENANT** must present a copy of the transfer orders to the **LANDLORD**, in order to terminate this agreement.
9. **VACATING:** Upon termination of said lease the **LESSEE** or **TENANT** is required to give the **LANDLORD** a 30 day **WRITTEN NOTICE** upon vacating or damage deposit is forfeited. **"NO EXCEPTIONS"**
10. **DEPOSIT:** The **LESSEE** or **TENANT**, by execution of this lease, acknowledges that the premises are in good order and repair and are in a clean and tenantable condition, unless otherwise indicated herein, and agrees upon vacating premises to deliver up and surrender said premises to the **LANDLORD**, in as cleaned and suitable condition as when received, reasonable wear and tear thereof excepted. A cleaning and damage deposit of **\$500.00(Five Hundred)** is made to insure that the yard and house, including all appliances, cabinets, blinds, windows, walls and floors are cleaned. If the premises are cleaned to the **LANDLORD'S** satisfaction and no damage has been caused to the premises, then upon vacating the said premises, the **LANDLORD** will return said deposit to the **LESSEE** or **TENANT** within seven (7) days following the vacating date or apply the deposit to the last months rent. If damage has occurred to the property the cost of repair will be deducted from the deposit. **"IN NO CASE SHALL THE TENANT HAVE THE RIGHT TO APPLY THE CLEANING AND DAMAGE DEPOSIT AS RENT"** ____initial
11. **USE:** (A) **LESSEE** or **TENANT** covenants not to make or permit to be made any unlawful, immoral, or offensive use on the premises. **LESSEE** or **TENANT** should not cause or allow any disturbances, noise or annoyance detrimental to the premises and comfort of the neighbors. It is the **TENANT'S** responsibility to keep peace with neighbors in or around the vicinity of the premises. If after two (2) written notices from **LANDLORD** a particular problem is not solved the **LANDLORD** has the right to give notice of immediate eviction. (B) The premises are to be occupied by no more than **two (2) adults**. If **TENANT** allows occupancy of more than what is stated herein for a time period of more than (2) nights, this shall be a breach of agreement and the **LANDLORD** has the right for an immediate eviction.

Page 1 of 2

12. **MAINTENANCE, REPAIRS, OR ALTERATIONS:** The **TENANT** shall at all times, maintain the premises in a clean and sanitary manner. It is the **TENANT'S** responsibility to take care of garbage and recyclable items. The trash containers must be placed on the curbside the day the trash is picked up. This is a situation, which must be handled promptly. The **TENANT** is responsible for maintenance cost caused by negligence. NOTE: 1. Appliances must be kept clean in order to function properly. 2. A/C units must have filters changed or cleaned properly every three (3) months. 3. A dripping faucet or running toilet must be reported to **LANDLORD** immediately. The **LESSEE** or **TENANT** is responsible for the cost of all damages including those caused by his/her family or invitees or guests or acquaintances. **TENANT** shall not paint, paper or otherwise redecorate or make alterations to the premises without the prior written consent of the **LANDLORD**. In the event of freezing weather, the **TENANT** shall allow **all** of the faucets (indoor and outdoor) to drip (both hot and cold water) in order to prevent freezing. In the event of broken pipes as a result of freezing weather, the **TENANT** shall be responsible for repair costs.

13. **YARD:** The grounds, shrubs and trees shall be maintained by the **LANDLORD**. **"NO JUNK CARS WILL BE KEPT ON PREMISES OR ON THE STREET IN FRONT OF THE PREMISES."**

14. **ASSIGNMENT AND SUBLETTING:** The **LESSEE** or **TENANT** shall not assign this agreement or sublet any portion of the premises.

15. **PETS:** No pet shall be brought on the premises. If **TENANT** brings a pet on the premises or boards a pet for more than 2 days without the **PRIOR** written consent of the **LANDLORD**, be advised the **LANDLORD** has the right for immediate eviction. **"NO EXCEPTIONS"** initial

16. **INDEMNIFICATION:** **LANDLORD AND/OR OWNER** shall not be liable for any damage or injury to **TENANT**, or any other person, or to any property occurring on the premises, or any part thereof, or in common areas thereof, and **TENANT** agrees to hold **LANDLORD AND/OR OWNER** harmless from any claims for damages, no matter how caused.

17. **NOTICES:** Any notice which either party may decide to give can be sent to the addresses stated hereon. Allow 2 to 3 days for mailing.

18. **INSURANCE:** All goods placed or stored in or about the premises are at the risk of the **TENANT**. **TENANT** is now being advised that it is their responsibility to secure **TENANT** insurance on their belongs and liability insurance.

19. **APPLIANCES:** All appliances are owned by the **LANDLORD**.

20. **UTILITIES:** All utilities are the responsibility of the **LANDLORD**.

21. **OCCUPANTS:** The premises shall be occupied only by the following persons:

LESSEE/TENANT:

NAME: _____
Social Security Number Phone number

TENANT(Spouse or Roommate):

NAME: _____
Social Security Number Phone number

Rent from **July 1st, 2023** to **September 30th, 2023** in the amount of per month.
A deposit of **\$500.00**, plus a non-refundable pet fee in the amount of **\$0**.

TOTAL OWED \$ plus \$500.00 deposit **Total of \$500 received on June 16, 2023.**

The **LANDLORD** and **LESEE** and all **TENANTS** have read and discussed all of the above agreement and here sign and make this agreement as of this **16th day of June, 2023.**

(TENANT) 608 Turtle Cove, LLC (Member) 608 Turtle Cove, LLC (Member)

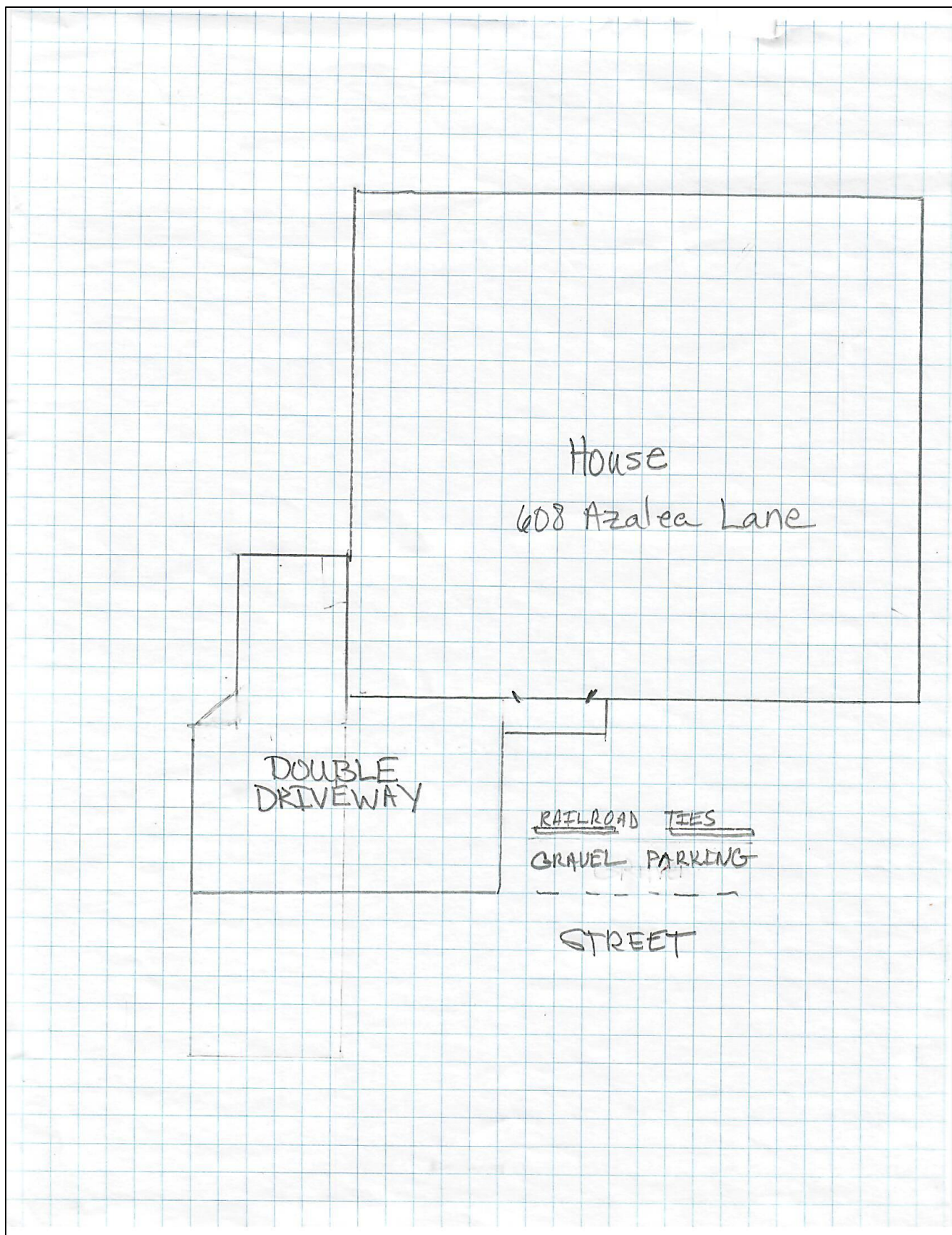
(TENANT) 608 Turtle Cove, LLC (Member) 608 Turtle Cove, LLC (Member)

House Rules 608 Azalea Lane

BEFORE YOU LEAVE

1. Load dishwasher and turn it on.
2. Turn off lamps, lights, fans and TV.
3. Return fan remote controls to wall mounts.
4. Turn AC to 80 in warm weather or Heat to 65 in cold weather.
5. Empty refrigerator and take all food items with you.
6. Empty all trash. The trash receptacle is on the side of the house. If you are staying at the house on Tuesday night you are responsible for bringing the trash to the road by 6:00 am Wednesday morning.
7. Noise must be kept to a reasonable level. Please see attached noise ordinances no. 2012-04 and 14-2007.
8. Check and recheck for all your personal items. The door code will be changed within hours of departure.
9. The maximum occupancy of the unit is 6.
10. The maximum parking spaces available are 3.

If you have any issues with the cleaning or maintenance of this house please call Steve at (228) 872-0223.



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

PLANNING COMMISSION REPORT
— PUBLIC HEARING —

PUBLIC HEARING DATE: Tuesday, September 12, 2023

APPLICANT: Patrick Toomey

LOCATION: 206 Audrey Circle / PID: 61375055.000

REQUESTED ACTION: Residential Short Term Rental Permit

DATE OF APPLICATION: June 1, 2023

ADJACENT ZONING/LAND USE:

Subject Property:	RD, Two-Family Residential District
North, East, West, South:	RD, Two-Family Residential District

DESCRIPTION OF REQUEST:

- Per Ordinance 2015-11, 2018-02, 2021-05, 2021-25, and 2023-07, the application is for a short-term rental permit to allow usage for less than 30 days.
- Site Location:** the property is located in the STR City Zone Area, on the south of the northern side of the Audrey Circle loop, 4 properties east of Bechtel Blvd.



FINDINGS:

- **Local Property Manager:** Shane Toomey will serve as the property manager. With an address of 706 Hidden Oaks Dr., the requirement for residency within 2-miles of the city limit is satisfied.
- **Application:** Submittal is complete and was received prior to the deadline. A copy of the rental agreement is attached for consideration.
- **Homeowner's Association:** On the application form, the applicant indicated that this is not a covenant-restricted neighborhood with an active HOA. A search of Jackson County Land Records did not discover filed covenants for this subdivision. The MS Secretary of State's Office does not have an active HOA listed on their website.
- **Liability Insurance:** The signed application states that the liability insurance for the property does not exclude short term rentals from coverage, as well as conformance with building code, zoning requirements. There are no deed restrictions and taxes are current.
- **Fee:** The application fee was provided with the application. The mail-out fee was paid prior to distribution.
- **Notice via Standard Mail:** The notice of public hearing was sent to 69 property owners within 500 feet of the subject property. The distribution included the name of the applicant, notice of the hearing date, time and location, and a summary of Frequently Asked Questions regarding short-term rentals.
- **Publication:** Notice of the public hearing was advertised at least 15 days prior to the date of the hearing per ordinance. Additionally, the required yard sign was placed in the yard.
- **Inspection:** The property was inspected for all required elements on 8/07/23 and was approved. Inspection form is attached for review.
- **Maximum Occupancy:** The requested maximum occupancy of 6 was approved by the Fire Marshall during the above referenced inspection.
- **Maximum Number of Vehicles:** The request for a maximum number of 4 vehicles was approved by the Building Official during the above referenced inspection.
- **Guest Rules:** The rules were posted and visible during the property inspection.
- **Code Violation Complaints:** No code violations or police reports were documented for this address in the past 12 months.

FEEDBACK:

None.

SUMMARY:

The application for this property is complete and compliant with the adopted code, and the physical inspection passed. The recommendation is for approval of a Residential Short-Term Rental permit, subject to annual renewal.

ATTACHMENTS as listed above:



City of Ocean Springs Planning Department

1018 Porter Avenue / PO Box 1800 Ocean Springs, MS 39564 / (228) 875-4415

RESIDENTIALLY ZONED SHORT TERM RENTAL ANNUAL PERMIT APPLICATION

Application Date: 6/1/2023

Submittal Requirements:

FEES: \$501 ~ Application Fee Effective 4/4/23 – \$500 must be paid at the time application is submitted [includes occupancy inspection fee]. ~ Administrative Fee: \$1.00 (per Ordinance 2022-17 following the requirements of Section 25-60-5 MS code Annotated)

- ☐ Completed Application
- ☐ Copy of Proposed Rental Agreement
- ☐ Proposed Parking Plan
- ☐ Copy of rules, including trash management and reference of the city's noise ordinance (available upon request), to be posted inside unit
- ☐ Affirmation of Code Compliance – Ord.2015-11 (Section 401.3(10)) – Attached.
- ☐ ~Standard mailout fee will be calculated during the review process and must be paid prior to scheduling of the public hearing~
- ☐ Properties will be reviewed and inspected prior to scheduling the public hearing date and sending the required notices.
- ☐ PERMITS MUST BE RENEWED ANNUALLY (\$500 renewal fee) AND ARE NOT TRANSFERRABLE.

REQUIRED INFORMATION:

- Address of Rental Property: 206 ADJUREY CIRCLE
- Parcel Identification Number: 61375055.000 Number of bedrooms: 3
- Proposed maximum # guests: 6 Number of existing off-street parking spaces: 4
- Is this property located in a covenant-restricted subdivision? ☐ Yes ☒ No ~ If yes, a copy of the covenants must be included.

Name of Property Owner 206 ADJUREY CIRCLE, LLC
Address of Property Owner 121 RED ROBIN TRAIL, LAFAYETTE, LA 70508
Phone No. (337) 354-9902
Name of Local Property Manager SHANE TOOMEY
[Must RESIDE within two (2) miles of the OS City Limits] Address 706 HIDDEN OAKS DR.,
OCEAN SPRINGS, MS 39564
Phone No. (337) 354-5175 Signature: [Signature]

Copy of Ordinance 2015-11 Received: [initials] Copy of Ordinance 2019-19 Received: [initials]
Copy of Ordinance 2018-02 Received: [initials] Copy of Ordinance 2021-25 Received: [initials]
Copy of Ordinance 2023-07 Received: [initials]

Revised 05/23/2023

1 | Page

Physical Inspection of Property:

- All applicable fire and health codes as would apply to a commercially zoned structure must be compliant.
- As part of the review process, an inspection will be scheduled to determine that all physical requirements are met per the ordinance
- Inspection will also include but are not limited to: adequate parking, proposed occupancy, number of vehicles allowed, location of garbage storage, posting of rules, etc. (per *most current* Inspection Checklist dated: 2/08/18)

.....
Affirmation of Codes/Regulations

I, (print name) PATRICK & KENDRA TOOMEY, hereby certify that:

1. I am the owner of the property that is the subject of this application and that I have read and understand the requirements as outlined in the application.
2. There are no outstanding City of Ocean Springs property taxes or special assessments on the parcel(s).
3. Per Section 2.C.5 of Ordinance No. 2015-11, I will obtain a Mississippi State Sales Tax License through the MS Dept. of Revenue to pay all city, county, and state taxes required by law.
4. The property included in this application is in compliance with all applicable building codes, zoning requirements, and deed restrictions and/or covenants.
5. The Homeowner's liability insurance does not exclude short term rentals from coverage.
6. Any existing mortgage or deed does NOT prohibit use of property as a short term rental.
7. Proper documentation of covenants that may restrict use of the property as a short rental and/or a letter of support from the HOA has been provided.

I further acknowledge that the information provided herein is true and correct to the best of my knowledge.

Owner(s) Name: 206 AUDREY CIRCLE, LLC (PATRICK & KENDRA TOOMEY)
Parcel ID(s): 61375055.000
Date Property Acquired: 8/19/2022
Owner's Signature *Patrick J Toomey* Date 6/1/2023

.....
Office Use Only

Date of Inspection: <u>8/07/23</u>	Result of Occupancy Inspection: <u>PASSED</u>
Maximum Occupancy Determination: <u>6</u>	<u>(attached)</u>
Maximum Parking Spaces: <u>4</u>	Permit Renewal Date: _____
PC Public Hearing Date: <u>9/12/23</u>	BOA Approval Date: _____

Revised 05/23/2023

2 | Page

ADDRESS: 206 Audrey Circle iWorQ Permit#: 2776



PLANNING DEPARTMENT
P.O. Box 1800 / Ocean Springs, MS. 39566
Phone 228-875-4415 Fax 228-872-5427

RESIDENTIALLY-ZONED SHORT TERM RENTAL – OCCUPANCY INSPECTION FORM

Before requesting an occupancy inspection from the Building Official and the Fire Marshall, please make sure the following items have been completed. Someone must be present at the time of inspection.

All Occupancy Inspections are done at 10am

The following items must be complete prior to inspection:

- ☒ Type 2A 10BC Fire Extinguishers
(Maximum travel distance 75 ft.)
- ☒ Emergency Lighting with battery backup
- ☒ Address on Building
- ☒ Breaker Box needs to be labeled
- ☒ Outlet and switch plate covers need to be installed. (GFCI Circuits within 6 ft. of water source)
- ☒ No exposed wiring
- ☒ Adequate emergency egress
- ☒ Operable windows in sleeping areas
- ☒ Guest rules (noise, garbage, etc.) must be visibly posted.

- ☒ Adequate garbage receptacles
- ☒ Smoke detectors in all bedrooms and hallways.
- ☒ Carbon monoxide detectors if there is gas service.
- ☒ Identified # of Bedrooms: 3
- ☒ Proposed # of Guests: 6

Approved # of Guests per OSFD: 8

- ☒ Proposed # of vehicles: 4

Approved # of vehicles per OSFD: 4

Property Owner: Patrick Toomey / 206 Audrey Circle, LLC
Contact Name: Shane Toomey

Phone #: 337-354-9902
Phone #: 337-354-5485

.....
Date of Inspection: 8-7-23

COMMENTS: _____

☒ **PASSED**

Building Official: [Signature]
Property Owner: [Signature]

Fire Marshall: [Signature]

PUBLIC HEARING NOTICE

Residential Short-Term Rental



THIS INFORMATION IS BEING SENT TO YOU AS PART OF THE PERMITTING PROCESS FOR A NEARBY PROPERTY.

Per adopted Code for the City of Ocean Springs, notice has been advertised in the MS Press Newspaper and copies are sent via Standard mail at the cost of the applicant.

PUBLIC NOTICE is hereby given that the City of Ocean Springs **PLANNING COMMISSION** will hold a public hearing on the date listed below to consider an application for a Short-Term Rental Permit per Ordinance governing the provision of Short Term Rentals of dwellings in residential zones after application, hearing, and approval.

Application for the address listed below will be considered in the regular meeting place of the Board of Aldermen at the City Hall located at 1018 Porter Avenue Ocean Springs, MS 39564.

Short-Term Rental Applied for: 206 Audrey Circle

Public Hearing Date/Time: September 12, 2023 at 6:00 p.m.

Applicant Patrick Toomey

Local Contact Shane Toomey

The Residential Short-Term Rental Ordinance (2015-11) was approved on July 7, 2015. The ordinance was researched, modified, and re-approved on February 20, 2018, December 17, 2019, December 7, 2021, and May 16, 2023. This document addresses what the ordinance requires of an applicant, the process, and contact information for questions or concerns. For more details, please call the Planning Department at 228-875-4415.

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Complaint Contact Information:

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 - 11) ***Is the permit transferable to new owners?*** No. The permit is issued to the owner for that specific address. Permits are not transferrable to other owners or properties without the full approval process, including an advertised public hearing.
 - 12) ***Is the approval process the same for properties in commercially zoned districts?*** The application itself is similar, but commercial properties do not require notice or public hearing.
 - 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 that 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 an ACTIVE HOA where applicable.
 - 14) ***Will the property owner be required to maintain renter information?*** Yes, the property owner must maintain a guest registry and provide to the city for review upon request.
 - 15) ***Will the renters be informed of the rules and regulations that are included in the permit?*** Yes, part of the application and inspection includes provision of the rental agreement for review and posting of the house rules in a visible location within the home.

Questions and/or written comments can be sent to the Planning Department up to the day of the hearing and will be provided to the Planning Commission for consideration. Comments can be sent to:

1018 Porter Avenue, Ocean Springs, MS 39564.

Email Address: planningadmin@oceansprings-ms.gov

The Audrey

Rental Agreement and Regulations

Check In Time: 4:00 PM
Check Out Time: 11:00 AM

- No Smoking inside property
- The City of Ocean Springs "Quiet Hours" run between 10:00 PM and 8:00 AM and must be respected during your stay.
- No parties to be held at the property.
- No overnight guests outside of those listed on the registration when registration was made.
- No moving furniture. Inside furniture is to remain inside and outside furniture is to remain outside.
- Only 3 vehicles may be on the property at one time.
- No trailers, boats, or RV's are allowed without prior approval.
- If using Golf cart, follow City Ordinances, maintain battery charge and drive at your own risk.
- Clean up after your dog.
- No wet towels or clothes to be placed on furniture, rugs, or beds.
- Any loss or damage to the property needs to be reported to the property manager immediately.
- Be courteous to the neighbors.
- Do not leave the grill unattended while in use.

The property owner and its agents are not liable for any damages caused by this agreement not being followed, nor are they responsible for any injury to you, your guests, or loss of personal property due to theft, fire, or other natural disaster/cause.

I _____, hereby I agree that I, the person making this reservation, will be the responsible guest staying at the property and will assure all guests follow the rules of this agreement.

Responsible Guest

Property Manager

The Audrey

General Rules & Guidelines

Check In Time: 4:00 PM

Check Out Time: 11:00 AM

Hospitals

Ocean Springs	228-818-1111
Biloxi Regional	228-432-1571
Singing River	228-9385000
Gulfport Memorial	228-863-1441
Med. Search Physician-Biloxi	228-435-2400
Poison Control	601-354-7660
OceanSprings Doctor's Dir	228-4977470

Emergency Service 911

MS Highway Patrol	228-864-1314
Ocean Springs Police	228-875-2211
Ambulance	228-7624848

- Quiet hours begin at 10 PM each night and continue until 8 AM sunrise. Quiet hours consist of no music and keeping all audio at a minimum level out of respect for the surrounding residents.
- Absolutely no smoking inside the property.
- Do not move the furniture in the home or the exterior furniture into the home.
- Please report any damages to the property manager immediately.
- Trash day is Tuesday, please place can by the side of the road Monday evening and retrieve can if you are staying additional nights.
- You are responsible for loss or damage to items that are not considered normal wear and tear.
- You are responsible for following the Golf Cart Use Agreement and OS City ordinances. Only those who have signed the agreement may drive the golf cart.
- Damages and missing items could result in the loss of your deposit.

PARKING PLAN



Front View: 206 Audrey Circle, Ocean Springs, MS 39564

Parking Plan – 2 cars on concrete driveway and/or under carport; 2 cars on gravel driveway

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

**PLANNING COMMISSION REPORT
— PUBLIC HEARING —**

PUBLIC HEARING DATE: Tuesday, September 12, 2023

APPLICANT: Bryan & Melissa Blaker

LOCATION: 504 Dewey Avenue / PID: 60137338.000

REQUESTED ACTION: Residential Short Term Rental Permit

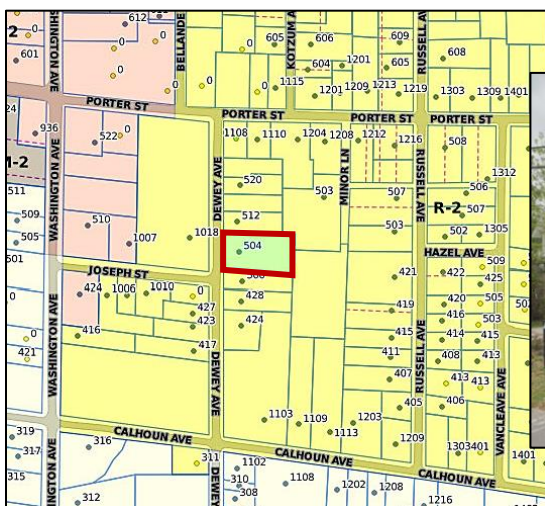
DATE OF APPLICATION: July 4, 2023

ADJACENT ZONING/LAND USE:

Subject Property: R2, Low, Medium Density Single-Family Residential District
North, East, West, South: R2, Low, Medium Density Single-Family Residential District

DESCRIPTION OF REQUEST:

- Per Ordinance 2015-11, 2018-02, 2021-05, 2021-25, and 2023-07, the application is for a short-term rental permit to allow usage for less than 30 days.
- Site Location:** the property is located in the STR Density Zone Area, on the east side of Dewey Avenue, midway between Porter Avenue to the north and Calhoun Avenue to the south.



FINDINGS:

- **Local Property Manager:** The property owner will serve as the property manager. With an address of 504 Dewey, the requirement for residency within 2-miles of the city limit is satisfied. If the owner moves following receipt of a STR permit and address will be updated and/or a suitable alternate manager appointed.
- **Application:** Submittal is complete and was received prior to the deadline. A copy of the rental agreement is attached for consideration.
- **Homeowner's Association:** On the application form, the applicant indicated that this is not a covenant-restricted neighborhood with an active HOA. A search of Jackson County Land Records did not discover filed covenants for this subdivision. The MS Secretary of State's Office does not have an active HOA listed on their website.
- **Liability Insurance:** The signed application states that the liability insurance for the property does not exclude short term rentals from coverage, as well as conformance with building code, zoning requirements. There are no deed restrictions and taxes are current.
- **Fee:** The application fee was provided with the application. The mail-out fee was paid prior to distribution.
- **Notice via Standard Mail:** The notice of public hearing was sent to 69 property owners within 500 feet of the subject property. The distribution included the name of the applicant, notice of the hearing date, time and location, and a summary of Frequently Asked Questions regarding short-term rentals.
- **Publication:** Notice of the public hearing was advertised at least 15 days prior to the date of the hearing per ordinance. Additionally, the required yard sign was placed in the yard.
- **Inspection:** The property was inspected for all required elements on 8/10/23 and was approved. Inspection form is attached for review.
- **Maximum Occupancy:** The requested maximum occupancy of 10 was approved by the Fire Marshall during the above referenced inspection.
- **Maximum Number of Vehicles:** The request for a maximum number of 4 vehicles was approved by the Building Official during the above referenced inspection.
- **Guest Rules:** The rules were posted and visible during the property inspection.
- **Code Violation Complaints:** No code violations or police reports were documented for this address in the past 12 months.

FEEDBACK:

None.

SUMMARY:

The application for this property is complete and compliant with the adopted code, and the physical inspection passed. The recommendation is for approval of a Residential Short-Term Rental permit, subject to annual renewal.

ATTACHMENTS as listed above:



City of Ocean Springs Planning Department
1018 Porter Avenue / PO Box 1800 Ocean Springs, MS 39564 / (228) 875-4415

RESIDENTIALLY ZONED SHORT TERM RENTAL ANNUAL PERMIT APPLICATION

Application Date: July 4, 2023

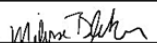
REQUIRED ATTACHMENTS:

FEES: \$501 ~ **Application Fee Effective 4/4/23** – \$500 must be paid at the time application is submitted [includes occupancy inspection fee]. ~ **Administrative Fee:** \$1.00 (per Ordinance 2022-17 following the requirements of Section 25-60-5 MS code Annotated)

- ☐ Completed Application
- ☐ Copy of Proposed Rental Agreement
- ☐ Proposed Parking Plan – Sketch
- ☐ Copy of rules, including trash management and reference of the city's noise ordinance (available upon request), to be posted inside unit
- ☐ Affirmation of Code Compliance – Ord.2015-11 (Section 401.3(10)) – Attached.
- ☐ ~Standard mailout fee will be calculated during the review process and must be paid prior to scheduling of the public hearing~
- Properties will be reviewed and inspected prior to scheduling the public hearing date and sending the required notices.
- PERMITS MUST BE RENEWED ANNUALLY (\$500 renewal fee) AND ARE NOT TRANSFERRABLE.

REQUIRED: RENTAL PROPTY INFORMATION:

- **Address of Rental Property:** 504 Dewey Ave
- **Parcel Identification Number:** 60137338 **Number of bedrooms:** 4
- **Proposed maximum # guests:** 10 **Number of existing off-street parking spaces:** 4
- **Is this property located in a covenant-restricted subdivision?** ☐ Yes ☒ No ~ *If yes, a copy of the covenants must be included.*

PROPERTY OWNER – Name: <u>Bryan and Melissa Blaker</u>	
Address: <u>504 Dewey Ave, Ocean Springs, MS 39564</u>	
Phone No. <u>916-690-9950</u>	Email: <u>wyomumbrellallc@gmail.com</u>
OWNER SIGNATURE: <u> Bryan Blaker</u>	
.....	
LOCAL PROPERTY MANAGER – [Must RESIDE within two (2) miles of the OS City Limits]	
Name: <u>Bryan Blaker</u>	
Address: <u>504 Dewey Ave, Ocean Springs, MS</u>	
Phone No. <u>916-690-9950</u>	Email: <u>wyomumbrellallc@gmail.com</u>
Is the Property Manager OR the Owner the best contact for scheduling Inspections? <u>Choose One...</u>	

Owner – initial by each ordinance to indicate receipt:

Copy of Ordinance 2015-11 Received: MB (initials) Copy of Ordinance 2019-19 Received: MB

Copy of Ordinance 2018-02 Received: MB (initials) Copy of Ordinance 2021-25 Received: MB

Copy of Ordinance 2023-07 Received: MB (initials)

Physical Inspection of Property:

- All applicable fire and health codes as would apply to a commercially zoned structure must be compliant.
- As part of the review process, an inspection will be scheduled to determine that all physical requirements are met per the ordinance
- Inspection will also include but are not limited to: adequate parking, proposed occupancy, number of vehicles allowed, location of garbage storage, posting of rules, etc. (per *most current* Inspection Checklist dated: 2/08/18)

.....
Affirmation of Codes/Regulations

I, (print name) Bryan and Melissa Blaker, hereby certify that:

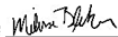
1. I am the owner of the property that is the subject of this application and that I have read and understand the requirements as outlined in the application.
2. There are no outstanding City of Ocean Springs property taxes or special assessments on the parcel(s).
3. Per Section 2.C.5 of Ordinance No. 2015-11, I will obtain a Mississippi State Sales Tax License through the MS Dept. of Revenue to pay all city, county, and state taxes required by law.
4. The property included in this application is in compliance with all applicable building codes, zoning requirements, and deed restrictions and/or covenants.
5. The Homeowner's liability insurance does not exclude short term rentals from coverage.
6. Any existing mortgage or deed does NOT prohibit use of property as a short term rental.
7. Proper documentation of covenants that may restrict use of the property as a short rental and/or a letter of support from the HOA has been provided.

I further acknowledge that the information provided herein is true and correct to the best of my knowledge.

Owner(s) Name: Bryan and Melissa Blaker

Parcel ID(s): 60137338

Date Property Acquired: Oct 2021

Owner's Signature  Bryan Blaker Date July 4, 2023

.....
Office Use Only

Date of Inspection: 8/10/23 Result of Occupancy Inspection: PASSED

Maximum Occupancy Determination: 10 (attached)

Maximum Parking Spaces: 4 Permit Renewal Date: _____

PC Public Hearing Date: 9/12/23 BOA Approval Date: _____

ADDRESS: 504 Dewey Avenue iWorQ Permit#: 2926



PLANNING DEPARTMENT
P.O. Box 1800 / Ocean Springs, MS. 39566
Phone 228-875-4415 Fax 228-872-5427

RESIDENTIALLY-ZONED SHORT TERM RENTAL – OCCUPANCY INSPECTION FORM

Before requesting an occupancy inspection from the Building Official and the Fire Marshall, please make sure the following items have been completed. Someone must be present at the time of inspection.

All Occupancy Inspections are done at 10am

The following items must be complete prior to inspection:

- ☒ Type 2A 10BC Fire Extinguishers (Maximum travel distance 75 ft.)
- ☒ Emergency Lighting with battery backup
- ☒ Address on Building
- ☒ Breaker Box needs to be labeled
- ☒ Outlet and switch plate covers need to be installed. (GFCI Circuits within 6 ft. of water source)
- ☒ No exposed wiring
- ☒ Adequate emergency egress
- ☒ Operable windows in sleeping areas
- ☒ Guest rules (noise, garbage, etc.) must be visibly posted.

- ☒ Adequate garbage receptacles
- ☒ Smoke detectors in all bedrooms and hallways.
- ☒ Carbon monoxide detectors if there is gas service.
- ☒ Identified # of Bedrooms: 4
- ☒ Proposed # of Guests: 10

Approved # of Guests per OSFD: 10

- ☒ Proposed # of vehicles: 4

Approved # of vehicles per OSFD: 4

Property Owner: **Bryan & Melissa Blaker**

Phone #: **916-690-9950**

Contact Name: **Bryan Blaker**

Phone #: **916-690-9950**

Tonya

.....
Date of Inspection: 8-10-23

COMMENTS: _____

☒ **PASSED**

Building Official: *[Signature]*

Fire Marshall: *[Signature]*

Property Owner: *[Signature]*

PUBLIC HEARING NOTICE

Residential Short-Term Rental



THIS INFORMATION IS BEING SENT TO YOU AS PART OF THE PERMITTING PROCESS FOR A NEARBY PROPERTY.

Per adopted Code for the City of Ocean Springs, notice has been advertised in the MS Press Newspaper and copies are sent via Standard mail at the cost of the applicant.

PUBLIC NOTICE is hereby given that the City of Ocean Springs **PLANNING COMMISSION** will hold a **public hearing** on the date listed below to consider an application for a Short-Term Rental Permit per Ordinance governing the provision of Short Term Rentals of dwellings in residential zones after application, hearing, and approval.

Application for the address listed below will be considered in the regular meeting place of the Board of Aldermen at the City Hall located at 1018 Porter Avenue Ocean Springs, MS 39564.

Short-Term Rental Applied for: 504 Dewey Avenue

Public Hearing Date/Time: September 12, 2023 at 6:00 p.m.

Applicant Bryan & Melissa Blaker

Local Contact Tanya Darrow

The Residential Short-Term Rental Ordinance (2015-11) was approved on July 7, 2015. The ordinance was researched, modified, and re-approved on February 20, 2018, December 17, 2019, December 7, 2021, and May 16, 2023. This document addresses what the ordinance requires of an applicant, the process, and contact information for questions or concerns. For more details, please call the Planning Department at 228-875-4415.

Short-Term Rentals: Considered as less than 30 days. Conditions for permitting include an approval process, occupancy/vehicle requirements, guest registry, noise/garbage management, posting of rules, local management, and a process for complaints, basis for denial or revocation, and violations.

Frequently Asked Questions regarding Residential Short-Term Rental permits:

- 1) ***Why am I receiving this information?*** All property owners within 500 feet of the property requesting a permit are required to receive notification via standard mail. Additionally, the hearing was advertised in the local newspaper and a yard sign placed on the property. This notice was mailed to your address of record with the Jackson County Tax Assessor's office.
- 2) ***What is allowed under a Short-Term Rental Permit?*** Approval of the permit will allow the property owner to rent the residence for periods of less than 30 days at a time, governed by restrictions listed in the ordinance. The permit does not allow any other non-permitted activity.
- 3) ***Who will be responsible for management of the property?*** The property owner is ultimately responsible for all activity on the property. The Local Property Manager, if one is assigned, **MUST** reside within 2 miles of the city limits and be available 24/7 to address issues related to the property. The Planning Department will have a contact number in case of emergencies.
- 4) ***Do the property owners pay sales tax for this activity?*** Yes – the property owner will be issued a city privilege license that will allow them to register with the state for payment of sales tax, including the additional "bed tax" required for all hotel activity.
- 5) ***What review has been done by the City?*** The application, a \$500 application fee, and payment for mailing was received. All information was reviewed to ensure all administrative requirements have been met. The home

- 6) ***What physical modifications were required for the home?*** Required life safety improvements include, but are not limited to, hard-wired smoke detectors (carbon monoxide if served by gas), emergency lighting for exits during power outages, properly functioning exits, current fire extinguishers, labeled fuse box, etc.
- 7) ***How will the maximum occupancy and number of vehicles be established?*** During the physical inspection, the Building Official and Fire Inspector assess the availability of space including sleeping areas and space for off-street parking. These maximums will be established prior to the public hearing and can be enforced during operation of the rental.
- 8) ***Where can I report code violations, disturbances, etc.?*** Just as you would with any residential occupant, if there are problems with noise, excessive vehicles, trash, or other intrusive behavior, the proper city officials should be notified. For life-threatening emergencies, dial 9-1-1 as you would with any type of residential occupancy. Documented complaints will be considered during the renewal process. The ordinance provides guidelines for the basis of revocation or denial or permit issuance and/or renewal.

- a. Police: 228-875-2211 – noise, trespassing, other criminal activity
- b. Code Enforcement: 228-875-6712 – improper vehicle parking, improper trash storage
- c. Any other complaints can be forwarded to the Planning Department at **228-875-4415** or mailed to Attn: Planning Department, City of Ocean Springs, 1018 Porter Avenue, Ocean Springs, MS 39564

- 9) ***What is the process if the rules are not followed?*** If the City receives documentation that the property owners and/or tenants have violated the provisions set forth in the ordinance, or have met any other criteria that allows for revocation, written notice will be given to the property owner of the violation(s). If corrective action is not taken in the allotted time period, the permit can be revoked and citations issued.
- 10) ***How long is the permit valid?*** The Residential Short-Term Rental permit is an annual renewal. Once the initial permit is approved, the property will be inspected annually and complaint records reviewed prior to renewal. The ordinance provides guidelines for the basis of revocation or denial or permit issuance and/or renewal.
- 11) ***Is the permit transferable to new owners?*** No. The permit is issued to the owner for that specific address. Permits are not transferrable to other owners or properties without the full approval process, including an advertised public hearing.
- 12) ***Is the approval process the same for properties in commercially zoned districts?*** The application itself is similar, but commercial properties do not require notice or public hearing.
- 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 that 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 an ACTIVE HOA where applicable.
- 14) ***Will the property owner be required to maintain renter information?*** Yes, the property owner must maintain a guest registry and provide to the city for review upon request.
- 15) ***Will the renters be informed of the rules and regulations that are included in the permit?*** Yes, part of the application and inspection includes provision of the rental agreement for review and posting of the house rules in a visible location within the home.

1018 Porter Avenue, Ocean Springs, MS 39564.
Email Address: planningadmin@oceansprings-ms.gov

Short Term Rental Contract

This Lease Agreement (this "Lease") is dated _____, by and between _____ ("Landlord"), and _____ ("Tenant"). The parties agree as follows:

PREMISES. Landlord, in consideration of the lease payments provided in this Lease, leases to Tenant _____ (the "Premises") located at _____.

TERM. The Tenant will have full control and use of the Premises beginning on _____ and will terminate at 11:00 a, pm _____.

PAYMENTS. The total rental payment owed for this rental is _____ payable in advance. A nonrefundable deposit of _____ shall be paid on or before _____ in order to reserve the Tenants reservation. Said deposit will be applied to the total rental payment. The balance of _____ is due and must be delivered to the Landlord on _____. Rental payments shall be made to Landlord via _____.

SECURITY DEPOSIT. At the time of the signing of this Lease, Tenant shall pay to Landlord, in trust, a security deposit of _____ to be held and disbursed for Tenant damages to the Premises or other defaults under this Agreement (if any) as provided by law. Security deposit will protect owner against damage or theft to the property and timely return of the door key. Deposit will be returned after Renter vacates property if the Property is not damaged, no theft occurred, and key has been returned (if applicable). Deposit may be applied by Landlord to satisfy damage repairs caused by Renter or to replace stolen items and such act shall not prevent Landlord from claiming damages in excess of the deposit. The Tenant is held financially responsible for damages to the Rental Property, whether made by themselves, their family, and another guest in their group or invitee.

POSSESSION. Tenant shall be entitled to possession on the first day of the term of this Lease, and shall yield possession to Landlord on the last day of the term of this Lease, unless otherwise agreed by both parties in writing. At the expiration of the term, Tenant shall remove its goods and effects and peaceably yield up the Premises to Landlord in as good a condition as when delivery to Tenant, ordinary wear and tear expected.

MINIMUM STAY. The property requires a minimum stay of _____ nights. Longer minimum stays may be required during holiday periods.

USE OF PREMISES/ABSENCES. Tenant shall occupy and use the Premises as a dwelling unit. Tenant shall notify Landlord of any anticipated extended absence from the Premises not later than the first day of the extended absence. Tenant will maintain the premises in good order and appearance including keeping the premises free of trash and garbage. Reasonable wear and tear are the only exceptions to damage the premises.

OCCUPANTS. No more than **10** persons may occupy the Premises at any one time unless the prior written consent of the Landlord is obtained. All guests over the age of 0 are counted towards the maximum. Any party falsely representing the number of people or exceeding the maximum may be subject to immediate evictions without refund.

FURNISHINGS. The home is fully furnished. Tenant shall return all items at the end of the lease term in a condition as good as existed at the beginning of the lease term, normal wear and tear expected.

PROPERTY INSURANCE. Landlord and Tenant shall each be responsible to maintain appropriate insurance for their respective interests in the Premises and property located on the Premises. Tenant shall also maintain any the insurance which Landlord may reasonably require for the protection of Landlord's interest in the Premises. Tenant is responsible for maintaining casualty insurance on its own property. It is recommended that travel or vacation insurance is obtained by the Tenant.

NON-DISTURBANCE CLAUSE. Tenant and their guests shall not disturb, annoy, endanger (fireworks) or inconvenience neighbors nor use the premises for any unlawful process.

CANCELLATIONS. (A) If the Property become unavailable to the Tenant prior to occupancy, for any reason. Landlord agrees to refund the full amount paid to the date of cancellation, and Tenant agrees to release any claims against Landlord. (B) If, for any reason, the Tenant cancels this Agreement more than 30 days from Arrival Date, Tenant will receive a refund of amounts paid, less a \$150 cancellation fee. For Tenant cancellations Between 14 and 30 days, all monies are forfeited unless Tenant is able to re-rent the Property under the same (or better) terms and conditions of this Agreement, for the full term received. If the Property is re-rented under the same (or better) terms and conditions than this Agreement, Landlord will refund amounts paid, less a Cancellation Fee of \$50. (C) There are no cancellations permitted within 14 days of Tenant Arrival Date. All amounts paid (Reservation Deposit and Final Payment) will be forfeited. Failure to pay the Final Payment in a timely manner will be considered a cancellation under this subparagraph and will result in forfeiture of the Reservation deposit.

SMOKING. Smoking is strictly forbidden inside, outside, or within 500 feet of the property. Evidence of smoking inside the Property will result in immediate eviction and forfeiture of all amounts paid and will result in additional Cleaning Fee charges to Tenant as Excess Damage Cost will be charged against the credit card on file or Tenant's security deposit at Landlord's election.

COOKING. Tenant may cook only in the specific areas set aside by Landlord for cooking. No open fires are allowed other than in the grill, outdoor fireplace, or in the stone hearth. The grill must remain in open area away from trees, house, etc. All fires must be thoroughly extinguished before leaving unattended.

CLEANING. The property will be inspected and cleaned after departure. Due cleaning fee of \$225 includes laundry service for the towels and linens. Tenant is required to leave the property in the same general condition that it was received in by making sure that the dishes are washed and put away, and the house is generally picked up and ready to be vacuumed, dusted, disinfected and laundered.

HOLDOVER. If Tenant maintains possession of the Premises for any period after the termination of this Lease ("Holdover Period"), Tenant shall pay to Landlord lease payment(s) during the Holdover Period at a rate equal to the most recent rate preceding the Holdover Period. Such holdover shall constitute a month-to-month extension of the Lease.

CUMULATIVE RIGHTS. The rights of the parties under this Lease are cumulative, and shall not be construed as exclusive unless otherwise required by law.

CASUALTY OR DESTRUCTION. (A) Should the Property be destroyed or rendered uninhabitable by an Act of God (including, but not limited to, hurricanes, storms, floods, or fires), or by environmental disaster, or loss of utilities prior to occupancy by Tenant, this Agreement shall become null and void, and all payments made hereunder shall be refunded to Tenant. (B) Should the Property be destroyed or rendered uninhabitable as above during occupancy, reimbursement on a pro-rated basis will be negotiated between Tenant and Landlord based on the following: No refund is due (or will be made) for inclement weather.

NOTICE. Notices under this Lease shall not be deemed valid unless given or served in writing with a read receipt confirmation.

GOVERNING LAW. This lease shall be construed in accordance with the laws of the State of Mississippi.

ENTIRE AGREEMENT/AMENDMENT. This lease contains the entire agreement of the parties and there are no other promises, conditions, understandings or other agreements, whether oral or written, relating to the subject matter of this Lease. This Lease may be modified or amended in writing, if the writing is signed by the party obligated under the amendment.

SEVERABILITY. If any portion of this Lease shall be held to be invalid or unenforceable for any reason, the remaining provisions shall continue to be valid and enforceable. If a court finds that any provisions of this Lease is invalid or unenforceable, but that by limiting such provision it would become valid and enforceable, then such provisions shall be deemed to be written, construed, and enforced as so limited.

WAIVER. The failure of either party to enforce any provisions of this Lease shall not be construed as a waiver or limitation of that party's right to subsequently enforce and compel strict compliance with every provision of this Lease.

BINDING EFFECT. The provision of this Lease shall be binding upon and inure to the benefit of both parties and their respective legal representatives, successors and assigns.

DISPUTE RESOLUTION. The parties will attempt to resolve any dispute arising out of or relating to this Agreement through friendly negotiations amongst the parties. If the matter is not resolved by negotiation, the parties will resolve the dispute using the below Alternative Dispute Resolution (ADR) procedure.

Any controversies or dispute arising out of or relating to this Agreement will be submitted to mediation in accordance with any statutory rules of mediation. If mediation does to

successfully resolve the dispute, then the parties may proceed to seek an alternative form of resolution in accordance with any other rights and remedies afforded to them by law.

CAUSE FOR EVICTION. The Tenant and all parties with the Tenant will be subject to immediate eviction from the Property if the Tenant or parties of the Tenant violate any terms of this Agreement, including but not limited to, violation of the occupancy limits, pet provisions, smoking, noise ordinance or parking. In the event of eviction from the Property, the Tenant shall forfeit all amounts paid and there will be no refund of money.

ATTORNEY'S FEES AND COSTS. In Landlord employs the services of an attorney to enforce any conditions of this Agreement, to collect any amounts due, the eviction of the Tenant, or because Tenant takes any action to recover deposits not due, Tenant shall be liable to Landlord for reasonable attorney's fees and costs incurred by Landlord.

ACKNOWLEDGMENT. The Parties hereby understand and accept the term and conditions on all pages of this Agreement.

LANDLORD:

By: _____

Date: _____

TENANT:

By: _____

Date: _____

Porch Paradise House Rules:

CHECK-IN is at 4p and CHECK-OUT is 11a. Please do not enter the premise if the cleaning team is still working.

Please note in writing any observed damage the property and/or furnishings upon arrival. Otherwise, it will be assumed that everything is in working order and you will be held responsible for any damages discovered thereafter.

Only those guests on the on-line agreement may stay overnight. Any additional guest identified will be charged \$75/night. Any other person in the property not on the agreement is the sole responsibility of the Guest. Guests are not allowed to exceed the occupancy limit. No more than 10 guests (including infants) are allowed at any time. If this is exceeded you may be evicted with all payments and deposits forfeited.

Smoking is NOT allowed on the premise due to fire hazard. This includes all porched and yarded areas. Smoking on premise is grounds for immediate removal without a refund.

Guest should not create excessive noise that disturbs neighbors. Neighborhood quiet hours between 8p and 6a are strictly enforced.

No parties are allowed. This is our home. Please treat it with respect and dignity. If this rule is violated and additional cleaning is needed, the added expense will be removed from your deposit or otherwise charged to you.

Keep the property and all furnishings in good order. Please do not remove kitchen, bathroom, decorative items, or anything else from the premise without permission. Fixing/replacement charges will be charged to guest as indicated.

Only use appliances for their intended purpose.

Pets are not allowed under any circumstances.

Do not flush anything other than toilet paper down the toilets. If items such as feminine hygiene products or the like are found clogging a drain, all charges related to removing and fixing subsequent damage will be charged to guest.

There is no daily housekeeping service. Please keep the house picked up and tidy during your stay.

Owners are not responsible for any accidents, injuries, or illness that occurs while on the premises.

Homeowners are not responsible for the loss of personal belongings or valuables of the guest. Guests assume the risk of harm arising from their use of the premises or others whom they may invite to use said premises.

Drugs or other illegal substances are strictly prohibited.

Firearms are not allowed on premise.

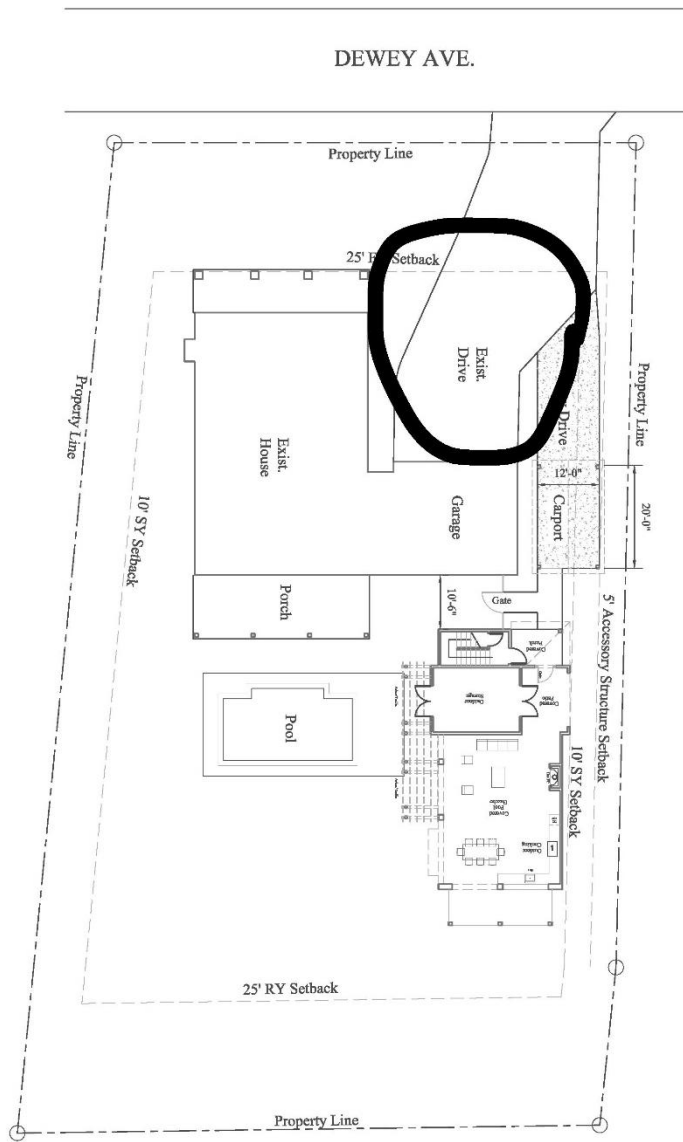
Minimum age to rent is 21.

Please leave windows closed at all times and only open doors to enter and exit. This will avoid small little critters from entering and residing with our guests.

Before you leave, please:

1. Load the dishes into the dishwasher and run it on normal cycle
2. Remove and dispose of all items in the refrigerator
3. Place all towels in the washer and run a normal cycle
4. Lock all windows and doors. The door code will expire at 11a on the day of check-out
5. Place all garbage in the proper receptacle outdoors

1 SITE PLAN
[A1] 1/16" = 1'-0"



Additions and Renovations To
BLAKER RESIDENCE
504 Dewey Ave. Ocean Springs, MS

REVISIONS:

COWART ARCHITECTS, PC

710 PORTER AVE.
OCEAN SPRINGS, MS 39564
(228) 872-1801 (228) 872-1843

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

PLANNING COMMISSION REPORT
— PUBLIC HEARING —

PUBLIC HEARING DATE: Tuesday, September 12, 2023

APPLICANT: Brett Orrell

LOCATION: 712 Forest Hill Drive / PID: 61095109.000

REQUESTED ACTION: Residential Short Term Rental Permit

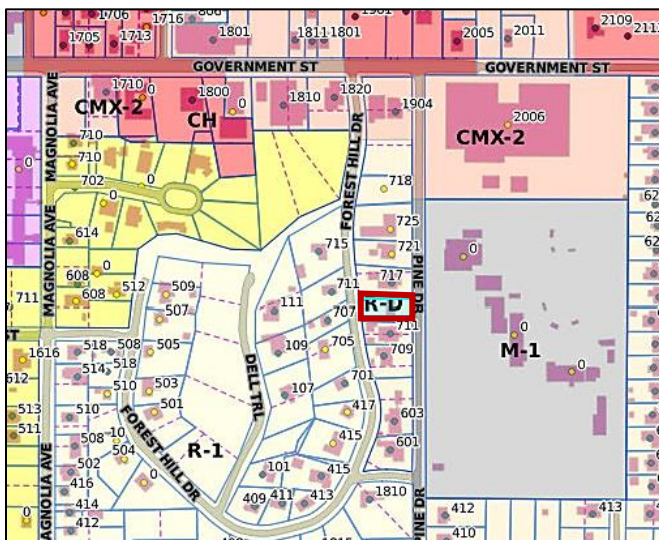
DATE OF APPLICATION: May 31, 2023

ADJACENT ZONING/LAND USE:

Subject Property: RD, Two-Family Residential District
North, East, West, South: RD, Two-Family Residential District

DESCRIPTION OF REQUEST:

- Per Ordinance 2015-11, 2018-02, 2021-05, 2021-25, and 2023-07, the application is for a short-term rental permit to allow usage for less than 30 days.
- Site Location:** the property is located in the STR Density Zone Area, on the east side of Forest Hill Drive, midway between Government Street and Sweatman with dual frontage on Pine Drive.



FINDINGS:

- **Local Property Manager:** Kristen Orrell will serve as the property manager. With an address of 137 Seaside Drive, the requirement for residency within 2-miles of the city limit is satisfied.
- **Application:** Submittal is complete and was received prior to the deadline. A copy of the rental agreement is attached for consideration.
- **Homeowner's Association:** On the application form, the applicant indicated that this is not a covenant-restricted neighborhood with an active HOA. A search of Jackson County Land Records did not discover filed covenants for this subdivision. The MS Secretary of State's Office does not have an active HOA listed on their website.
- **Liability Insurance:** The signed application states that the liability insurance for the property does not exclude short term rentals from coverage, as well as conformance with building code, zoning requirements. There are no deed restrictions and taxes are current.
- **Fee:** The application fee was provided with the application. The mail-out fee was paid prior to distribution.
- **Notice via Standard Mail:** The notice of public hearing was sent to 29 property owners within 500 feet of the subject property. The distribution included the name of the applicant, notice of the hearing date, time and location, and a summary of Frequently Asked Questions regarding short-term rentals.
- **Publication:** Notice of the public hearing was advertised at least 15 days prior to the date of the hearing per ordinance. Additionally, the required yard sign was placed in the yard.
- **Inspection:** The property was inspected for all required elements on 7/06/23 and was approved. Inspection form is attached for review.
- **Maximum Occupancy:** The requested maximum occupancy of 8 was reduced to 6 by the Fire Marshall during the above referenced inspection.
- **Maximum Number of Vehicles:** The request for a maximum number of 4 vehicles was approved by the Building Official during the above referenced inspection.
- **Guest Rules:** The rules were posted and visible during the property inspection.
- **Code Violation Complaints:** No code violations or police reports were documented for this address in the past 12 months.

FEEDBACK:

None.

SUMMARY:

The application for this property is complete and compliant with the adopted code, and the physical inspection passed. The recommendation is for approval of a Residential Short-Term Rental permit, subject to annual renewal.

ATTACHMENTS as listed above:



City of Ocean Springs Planning Department

1018 Porter Avenue / PO Box 1800 Ocean Springs, MS 39564 / (228) 875-4415

RESIDENTIALLY ZONED SHORT TERM RENTAL ANNUAL PERMIT APPLICATION

Application Date: 05/31/2023

Submittal Requirements:

FEES: \$501 ~ Application Fee Effective 4/4/23 – \$500 must be paid at the time application is submitted [includes occupancy inspection fee]. ~ Administrative Fee: \$1.00 (per Ordinance 2022-17 following the requirements of Section 25-60-5 MS code Annotated)

- ☒ Completed Application
- ☒ Copy of Proposed Rental Agreement
- ☒ Proposed Parking Plan
- ☒ Copy of rules, including trash management and reference of the city's noise ordinance (available upon request), to be posted inside unit
- ☒ Affirmation of Code Compliance – Ord.2015-11 (Section 401.3(10)) – Attached.
- ☒ ~Standard mailout fee will be calculated during the review process and must be paid prior to scheduling of the public hearing~
- ☒ Properties will be reviewed and inspected prior to scheduling the public hearing date and sending the required notices.
- ☒ PERMITS MUST BE RENEWED ANNUALLY (\$500 renewal fee) AND ARE NOT TRANSFERRABLE.

REQUIRED INFORMATION:

- Address of Rental Property: 712 Forest Hill Drive
- Parcel Identification Number: 61095108 + 110 Number of bedrooms: 3
- Proposed maximum # guests: 8 Number of existing off-street parking spaces: 4
- Is this property located in a covenant-restricted subdivision? ☐ Yes ☒ No ~ If yes, a copy of the covenants must be included.

Name of Property Owner Brett & Kristen Orrell
Address of Property Owner 137 Seaside Drive Ocean Springs, MS 39564
Phone No. 228-265-2343 (Brett) 251-689-7676 (Kristen)
Name of Local Property Manager Kristen Orrell
[Must RESIDE within two (2) miles of the OS City Limits] Address 137 Seaside Drive
Phone No. 251-689-7676 Signature: K

Copy of Ordinance 2015-11 Received: ☒ (initials) Copy of Ordinance 2019-19 Received: ☒
Copy of Ordinance 2018-02 Received: ☒ (initials) Copy of Ordinance 2021-25 Received: ☒
Copy of Ordinance 2023-07 Received: ☒ (initials)

Revised 05/23/2023

1 | Page

Physical Inspection of Property:

- All applicable fire and health codes as would apply to a commercially zoned structure must be compliant.
- As part of the review process, an inspection will be scheduled to determine that all physical requirements are met per the ordinance
- Inspection will also include but are not limited to: adequate parking, proposed occupancy, number of vehicles allowed, location of garbage storage, posting of rules, etc. (per *most current* Inspection Checklist dated: 2/08/18)

.....

Affirmation of Codes/Regulations

I, (print name) Kristen Orrell, hereby certify that:

1. I am the owner of the property that is the subject of this application and that I have read and understand the requirements as outlined in the application.
2. There are no outstanding City of Ocean Springs property taxes or special assessments on the parcel(s).
3. Per Section 2.C.5 of Ordinance No. 2015-11, I will obtain a Mississippi State Sales Tax License through the MS Dept. of Revenue to pay all city, county, and state taxes required by law.
4. The property included in this application is in compliance with all applicable building codes, zoning requirements, and deed restrictions and/or covenants.
5. The Homeowner's liability insurance does not exclude short term rentals from coverage.
6. Any existing mortgage or deed does NOT prohibit use of property as a short term rental.
7. Proper documentation of covenants that may restrict use of the property as a short rental and/or a letter of support from the HOA has been provided.

I further acknowledge that the information provided herein is true and correct to the best of my knowledge.

Owner(s) Name: Brett & Kristen Orrell
Parcel ID(s): 61095108.00 + 610
Date Property Acquired: May 2020 95/10.000
Owner's Signature: [Signature] Date 05/31/2023

.....

Office Use Only

Date of Inspection: <u>7/06/23</u>	Result of Occupancy Inspection: <u>PASSED</u>
Maximum Occupancy Determination: <u>6</u>	<u>(attached)</u>
Maximum Parking Spaces: <u>4</u>	Permit Renewal Date: _____
PC Public Hearing Date: <u>9/12/23</u>	BOA Approval Date: _____

Revised 05/23/2023

2 | Page

ADDRESS: 712 Forest Hill Drive iWorQ Permit#: 2626



PLANNING DEPARTMENT
P.O. Box 1800 / Ocean Springs, MS. 39566
Phone 228-875-4415 Fax 228-872-5427

RESIDENTIALLY-ZONED SHORT TERM RENTAL – OCCUPANCY INSPECTION FORM

Before requesting an occupancy inspection from the Building Official and the Fire Marshall, please make sure the following items have been completed. Someone must be present at the time of inspection.

All Occupancy Inspections are done at 10am

The following items must be complete prior to inspection:

- | | |
|---|--|
| <ul style="list-style-type: none">☒ Type 2A 10BC Fire Extinguishers (Maximum travel distance 75 ft.)☒ Emergency Lighting with battery backup☒ Address on Building☒ Breaker Box needs to be labeled☒ Outlet and switch plate covers need to be installed. (GFCI Circuits within 6 ft. of water source)☒ No exposed wiring☒ Adequate emergency egress☒ Operable windows in sleeping areas☒ Guest rules (noise, garbage, etc.) must be visibly posted. | <ul style="list-style-type: none">☒ Adequate garbage receptacles☒ Smoke detectors in all bedrooms and hallways.☒ Carbon monoxide detectors if there is gas service.☒ Identified # of Bedrooms: <u>3</u>☒ Proposed # of Guests: <u>8</u>Approved # of Guests per OSFD: <u>6</u>☒ Proposed # of vehicles: <u>4</u>Approved # of vehicles per OSFD: <u>4</u> |
|---|--|

Property Owner: Brett Orrell Phone #: 228-265-2343
Contact Name: Kristen Orrell Phone #: 251-689-7676

.....
Date of Inspection: 7-6-23

COMMENTS: _____

☒ **PASSED**

Building Official: [Signature] Fire Marshall: [Signature]
Property Owner: K

PUBLIC HEARING NOTICE

Residential Short-Term Rental



THIS INFORMATION IS BEING SENT TO YOU AS PART OF THE PERMITTING PROCESS FOR A NEARBY PROPERTY.

Per adopted Code for the City of Ocean Springs, notice has been advertised in the MS Press Newspaper and copies are sent via Standard mail at the cost of the applicant.

PUBLIC NOTICE is hereby given that the City of Ocean Springs **PLANNING COMMISSION** will hold a **public hearing** on the date listed below to consider an application for a Short-Term Rental Permit per Ordinance governing the provision of Short Term Rentals of dwellings in residential zones after application, hearing, and approval.

Application for the address listed below will be considered in the regular meeting place of the Board of Aldermen at the City Hall located at 1018 Porter Avenue Ocean Springs, MS 39564.

Short-Term Rental Applied for: 712 Forest Hill Drive

Public Hearing Date/Time: September 12, 2023 at 6:00 p.m.

Applicant Brett Orrell

Local Contact Kristen Orrell

The Residential Short-Term Rental Ordinance (2015-11) was approved on July 7, 2015. The ordinance was researched, modified, and re-approved on February 20, 2018, December 17, 2019, December 7, 2021, and May 16, 2023. This document addresses what the ordinance requires of an applicant, the process, and contact information for questions or concerns. For more details, please call the Planning Department at 228-875-4415.

Short-Term Rentals: Considered as less than 30 days. Conditions for permitting include an approval process, occupancy/vehicle requirements, guest registry, noise/garbage management, posting of rules, local management, and a process for complaints, basis for denial or revocation, and violations.

Frequently Asked Questions regarding Residential Short-Term Rental permits:

- 1) ***Why am I receiving this information?*** All property owners within 500 feet of the property requesting a permit are required to receive notification via standard mail. Additionally, the hearing was advertised in the local newspaper and a yard sign placed on the property. This notice was mailed to your address of record with the Jackson County Tax Assessor's office.
- 2) ***What is allowed under a Short-Term Rental Permit?*** Approval of the permit will allow the property owner to rent the residence for periods of less than 30 days at a time, governed by restrictions listed in the ordinance. The permit does not allow any other non-permitted activity.
- 3) ***Who will be responsible for management of the property?*** The property owner is ultimately responsible for all activity on the property. The Local Property Manager, if one is assigned, **MUST** reside within 2 miles of the city limits and be available 24/7 to address issues related to the property. The Planning Department will have a contact number in case of emergencies.
- 4) ***Do the property owners pay sales tax for this activity?*** Yes – the property owner will be issued a city privilege license that will allow them to register with the state for payment of sales tax, including the additional "bed tax" required for all hotel activity.
- 5) ***What review has been done by the City?*** The application, a \$500 application fee, and payment for mailing was received. All information was reviewed to ensure all administrative requirements have been met. The home

- 6) ***What physical modifications were required for the home?*** Required life safety improvements include, but are not limited to, hard-wired smoke detectors (carbon monoxide if served by gas), emergency lighting for exits during power outages, properly functioning exits, current fire extinguishers, labeled fuse box, etc.
- 7) ***How will the maximum occupancy and number of vehicles be established?*** During the physical inspection, the Building Official and Fire Inspector assess the availability of space including sleeping areas and space for off-street parking. These maximums will be established prior to the public hearing and can be enforced during operation of the rental.
- 8) ***Where can I report code violations, disturbances, etc.?*** Just as you would with any residential occupant, if there are problems with noise, excessive vehicles, trash, or other intrusive behavior, the proper city officials should be notified. For life-threatening emergencies, dial 9-1-1 as you would with any type of residential occupancy. Documented complaints will be considered during the renewal process. The ordinance provides guidelines for the basis of revocation or denial or permit issuance and/or renewal.

- a. Police: 228-875-2211 – noise, trespassing, other criminal activity
- b. Code Enforcement: 228-875-6712 – improper vehicle parking, improper trash storage
- c. Any other complaints can be forwarded to the Planning Department at **228-875-4415** or mailed to Attn: Planning Department, City of Ocean Springs, 1018 Porter Avenue, Ocean Springs, MS 39564

- 9) ***What is the process if the rules are not followed?*** If the City receives documentation that the property owners and/or tenants have violated the provisions set forth in the ordinance, or have met any other criteria that allows for revocation, written notice will be given to the property owner of the violation(s). If corrective action is not taken in the allotted time period, the permit can be revoked and citations issued.
- 10) ***How long is the permit valid?*** The Residential Short-Term Rental permit is an annual renewal. Once the initial permit is approved, the property will be inspected annually and complaint records reviewed prior to renewal. The ordinance provides guidelines for the basis of revocation or denial or permit issuance and/or renewal.
- 11) ***Is the permit transferable to new owners?*** No. The permit is issued to the owner for that specific address. Permits are not transferrable to other owners or properties without the full approval process, including an advertised public hearing.
- 12) ***Is the approval process the same for properties in commercially zoned districts?*** The application itself is similar, but commercial properties do not require notice or public hearing.
- 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 that 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 an ACTIVE HOA where applicable.
- 14) ***Will the property owner be required to maintain renter information?*** Yes, the property owner must maintain a guest registry and provide to the city for review upon request.
- 15) ***Will the renters be informed of the rules and regulations that are included in the permit?*** Yes, part of the application and inspection includes provision of the rental agreement for review and posting of the house rules in a visible location within the home.

1018 Porter Avenue, Ocean Springs, MS 39564.
Email Address: planningadmin@oceansprings-ms.gov

Short Term / Vacation Property Rental Agreement

This lease, entered into this _____ day of _____ 20____, by and between _____, Owner ("Owner") and _____, "Renter" for the property located at _____ ("Property").

1. **TERM:** The term of the lease shall begin on the arrival date of: _____ and end on the departure date of _____ for _____ number of nights. The property will be ready for occupancy no earlier than _____ pm/am EST on the arrival date and must be vacated no later than _____ am/pm EST on the departure date.
2. **RENT:** The rent is \$_____ plus a housekeeping fee and a security deposit payable as follows:
- 3.
4. **PAYMENTS:** The following payments are due at time of reservation:
 - 50% of rental fee _____ to secure reservation.
 - Security Deposit \$200.00 (see paragraph #6).
 - Housekeeping fee \$100.00. This is to prepare house for next renter; linens and towels provided; no daily housekeeping service.
 - Note: payments can be made in the form of credit card and/or personal check
 -
5. **Rental Balance** of \$_____ due 30 days in advance of arrival. No refunds will be given for early departures.
6. **LIMITED OCCUPANCY:** Occupancy is limited to a maximum of _____ persons. The condo will not be rented to anyone under _____ years of age. If Owner concludes that this policy has been breached, the Owner reserves the right to expel the entire party with no refund.
7. **SECURITY DEPOSIT:** The \$_____ shall be paid as a separate payment and will be returned in not less than two weeks by check, if no damage to the premises is found after your departure. Renter may pay by check, however, Owner requires MasterCard, Visa, Discover or AMEX information on file for security purposes.
8. **NON-DISTURBANCE CLAUSE:** Renter and their guests shall not disturb, annoy, endanger (fireworks) or inconvenience neighbors nor use the premises for any unlawful purposes.
9. **CARE OF PREMISES/DAMAGES: NO PETS ALLOWED. NO SMOKING PERMITTED IN HOUSE.** Automatic eviction plus forfeit of deposit and rent if violated. Renter agrees to pay Owner for any damages to furnishings, household items or pool that occur as a result of Renter's occupancy. This will include payment of any additional cleaning charges over \$_____ incurred due to Renter's occupancy.
10. **OWNERS RIGHTS:** Renter agrees that if the conditions and limitations set forth herein are not met, Owner shall have the right to cancel this agreement and may enter the Property, either by statutory proceedings or by force, to inspect the Property and ensure that Renter has vacated the Property. All monies paid by Renter shall be forfeited as liquidated damages.

Short Term / Vacation Property Rental Agreement

11. **INDEMNITY CLAUSE:** Renter hereby agrees to Indemnify and hold Owner harmless from any and all claims including those of third parties, arising out of or in any way related to Renter's use of Property or the items of personal property provided therein. Renter assumes all risk of injury or other losses relating to any recreational activities including use of the private swimming pool on the Property and will hold Owner harmless with respect thereto.
12. **NO SUBLETTING:** Renter may not sublet or assign this lease for all or any part of the premises without prior written consent of the Owner.
13. **REPAIRS AND MAINTENANCE:** The Property is rented with the Owner's furniture and household furnishings. Owner shall not be responsible for providing additional furnishings or equipment not presently available in Property. Renter will report any maintenance issues immediately to the Owner. Owner will make every effort to repair and/or replace any equipment that is not working properly, but cannot guarantee that all equipment is in good operating order at all times and no rate adjustments or refund will be made for equipment or appliance failures.
14. **CANCELLATIONS** made ___ days prior to your arrival date incur a cancellation fee of \$__. Cancellations made ___ days before your arrival date forfeit the ___% deposit. If a reservation is cancelled less than ___ days before your scheduled arrival, you are responsible for the entire rental rate. Cancellations must be received in writing.
15. **PARKING:** Is limited to ___ cars in the garage.

Renter and Owner, by signing this Rental Agreement, acknowledge that they will comply with the terms of this agreement and each assumes the responsibility for the obligations set forth herein. Renter acknowledges receipt of the House Rules. Renter acknowledges that they have read, accept, and agree to the terms set forth.

_____	_____
Owner Signature	_____
Date _____	Renter Signature(s) Date _____
Renter Name(s) _____	
Billing Address (for credit card) _____	
Mailing Address(if different) _____	
Email Address _____	
Telephone: cell/home _____ work: _____	

Short Term / Vacation Property Rental Agreement

Emergency Contact _____

MasterCard, Visa, Discover or AMEX (please circle) Credit Card Number _____

Credit Card Security Code _____ Expiration date _____

Checks to: _____

EMAIL the signed Rental Agreement to: _____ OR FAX to _____

Renters are also Required to abide by following house rules while they are staying in the property:

- **NO SMOKING INSIDE THE PROPERTY** –This is a smoke-free property. Smoking is only permitted outside and cigarette butts should be disposed of properly and not thrown on the ground.
- **NO PETS ALLOWED –AUTOMATIC EVICTION AND FORFEIT OF DEPOSIT AND RENT IF VIOLATED.**
- **NO HOUSE PARTIES** – Home is for use by the number of people authorized in your Property Rental Agreement only.
- **NO FIREWORKS ALLOWED** – Any evidence of fireworks may result in immediate eviction with no refund.
- **GAS GRILL USE** – Do not put charcoal in the gas grill.
- **POOL USE** – Pools and Hot Tub are for use by the number of people authorized in your Property Rental Agreement only. The Pools and Hot Tub are private – swim at your own risk .NO DIVING ALLOWED.
- **MAINTENANCE AND REPAIRS** – Report immediately to _____
- **GARBAGE PICK-UP** – Place all trash in the dumpster
- **CHECK OUT PROCEDURES -**
 - a. **CHECK-OUT NO LATER THAN 10:00 AM**
 - b. All furniture should be returned to its original location.
 - c. Empty all trash in garbage dumpster
 - d. Remove and dispose of all food items from refrigerator and pantry/cabinets.
 - e. Place dishes, utensils, etc. in dishwasher and turn it on when you depart.
 - f. Remove sheets and all dirty towels and place in laundry area.

Short Term / Vacation Property Rental Agreement

- g. Put key(s) back in the lock box, leaving both doorknob and deadbolts locked.
Leave extra set of keys on the kitchen counter.

Thank you for vacationing in our home. We love it here! Please help us keep our property well maintained so others can enjoy it too.

Renter Signature

HOUSE RULES

- 1.No smoking in the home.
- 2.No pets allowed
- 3.Check-out is at 10:00am
- 4.No loud noise, music, or parties
- 5.Please report damages immediately
- 6.Take out trash upon departure day, excess trash will be subject to fees
- 7.Please place all lines in laundry room and start the dishwasher upon checkout

POC S.W. R/W INTERSECTION OF
GOVERNMENT STREET AND
THE WEST R/W LINE OF PINE DRIVE

Lot 6

LOT 7

(RIGHT OF WAY UNKNOWN)

CHEROKEE STREET (PER DEED)
CHEROKEE GLENN (PER DEED)
2016 DPMF

LEGEND

CR = 1/2" CAPPED REBAR IRON FOUND (CROSSBY)

(CIRCULAR)
RBR = 1/2" REBAR IRON FOUND
ON - CAS METHOD

GM = GAS MILLER
PP = POWER POLE
MBCI = MINIMUM BILLING SETBACK INFEED

MBL = MINIMUM BUILDING SETBACK LINE
FC = FENCE CORNER

---X---X--- = FENCE LINE
(R) = RECORD

(A) = ACTUAL
SE = SWALE EASEMENT

 = OAKTREE

 $\{$

STATE OF MISSISSIPPI
COUNTY OF JACKSON

I, J. BRETT ORRER, A REGISTERED LAND SURVEYOR IN THE STATE OF MISSISSIPPI, HEREBY STATE THAT ALL PARTS OF THIS SURVEY AND DRAWING HAVE BEEN COMPLETED IN ACCORDANCE WITH THE CURRENT REQUIREMENTS OF THE STANDARDS OF PRACTICE FOR SURVEYING IN THE STATE OF MISSISSIPPI TO THE BEST OF MY KNOWLEDGE, INFORMATION, AND BELIEF.

A PORTION OF LOT 7 AND A BLOCK 5, FOREST HILL SUBDIVISION, AS RECORDED IN THE CHANCERY CLERK'S OFFICE, JACKSON COUNTY, MISSISSIPPI, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
RANGING N 8 WEST, JACKSON COUNTY, MISSISSIPPI, IN SECTION 30, TOWNSHIP 7 SOUTH,
EAST 1/2 OF -WAY LINE OF PINE DRIVE, THENCE RUN SOUTH ALONG THE WEST RIGHT-OF-WAY LINE
WEST RIGHT-OF-WAY LINE OF PINE DRIVE, THENCE RUN SOUTH ALONG THE WEST RIGHT-OF-WAY LINE
OF PINE DRIVE, 673.00 FEET TO THE POINT OF BEGINNING; SADD POINT BEING A CAPPED REBAR IRON
THENCE RUN N69°50'23"W, 16213 FEET TO A CAPPED REBAR IRON ON THE EAST RIGHT-OF-WAY LINE
LINE OF FOREST HILL DRIVE, THENCE RUN S32°07'E ALONG SAID EAST RIGHT-OF-WAY LINE OF FOREST
HILL DRIVE, THENCE RUN S89°00'W ALONG THE WEST RIGHT-OF-WAY LINE OF PINE DRIVE, THENCE
CAPPED REBAR IRON LINES ON THE WEST RIGHT-OF-WAY LINE OF PINE DRIVE, THENCE RUN N03°52'47"
ALONG SAID WEST RIGHT-OF-WAY OF PINE DRIVE, 69.89 FEET TO THE POINT OF BEGINNING, CONTAINING
0.26 ACRES.

I, FURTHER, STATE THAT THE BUILDINGS NOW ERECTED ON SAID LOT ARE WITHIN THE BOUNDARIES OF SAID TRACT, THERE ARE NO ENCROACHMENTS BY ADJOINING PROPERTY, EXCEPT AS SHOWN; THERE ARE NO SURFACES, OR WAY EASEMENTS OR JOINT DRIVEWAYS OVER OR ACROSS SAID LAND VISIBLE ON THE SURFACE, OR AS SHOWN, THERE ARE NO ELECTRIC OR TELEPHONE WIRES (INCLUDING WIRES WHICH SERVE THE PREMISES ONLY) OR STRUCTURES OR SUPPORTS THEREOF INCLUDING POLES, ANCHORS AND PIPES, OR ANY OTHER OBJECTS OR STRUCTURES, OR ANY OTHER OBJECTS OR STRUCTURES, OR ANY TITLE OR EASEMENT RESEARCHED OTHER THAN WHAT IS VISIBLE ON THE GROUND OR PROVIDED BY THE COUNCIL CONVEYANCE; AND THAT THE SCALE OF DRIVES, WALLS, FENCES AND ETC. ARE IN SOME INSTANCE ENLARGED FOR THE PURPOSE OF DETAIL.

ACCORDING TO MY SURVEY THIS, THE 17th DAY OF APRIL, 2020.

J. BRETT ORRELL, P.L.S., MS. LICENSE NO: PS-29503

A circular professional seal for J. Brett Orrell, a Professional Engineer in the State of Mississippi. The seal features the text "STATE OF MISSISSIPPI" around the top inner edge and "REGISTERED PROFESSIONAL ENGINEER" around the bottom inner edge. In the center, the name "J. BRETT ORRELL" is written in a large arc, and the license number "PS-28603" is written in a smaller arc below it. There are four stars positioned between the top and bottom text arcs.

FIELD BK. D02 DATE: 2004-02-27 FILE NAME: 2004-02-27 5-(42)		MOBILE COUNTY 5588 JACKSON RD. MOBILE, AL 36619 PHONE: (251) 666-2010 Internet: www.PolySurveying.com	
BALDWIN COUNTY 7070 STONE DRIVE DAPHNE, AL 36526 PHONE: (251) 676-0905 Email: JAN@PolySurveying.com		POLY 	
SCALE: 1" = 30' 11"x17" PRINT DATE: 4/17/2020 DRAWN BY: N.P.W. DATE SURVEYED: 4/09/2020 CHECKED BY: J.B.O.			

NOTE: ONLY ORIGINAL EMBOSSED DRAWINGS ARE TO SCALE

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

**PLANNING COMMISSION REPORT
— PUBLIC HEARING —**

PUBLIC HEARING DATE: Tuesday, September 12, 2023

APPLICANT: Frederick Pattison Mannino

LOCATION: 1015-A Lafontaine / PID: 60137482.000

REQUESTED ACTION: Residential Short Term Rental Permit

DATE OF APPLICATION: June 14, 2023

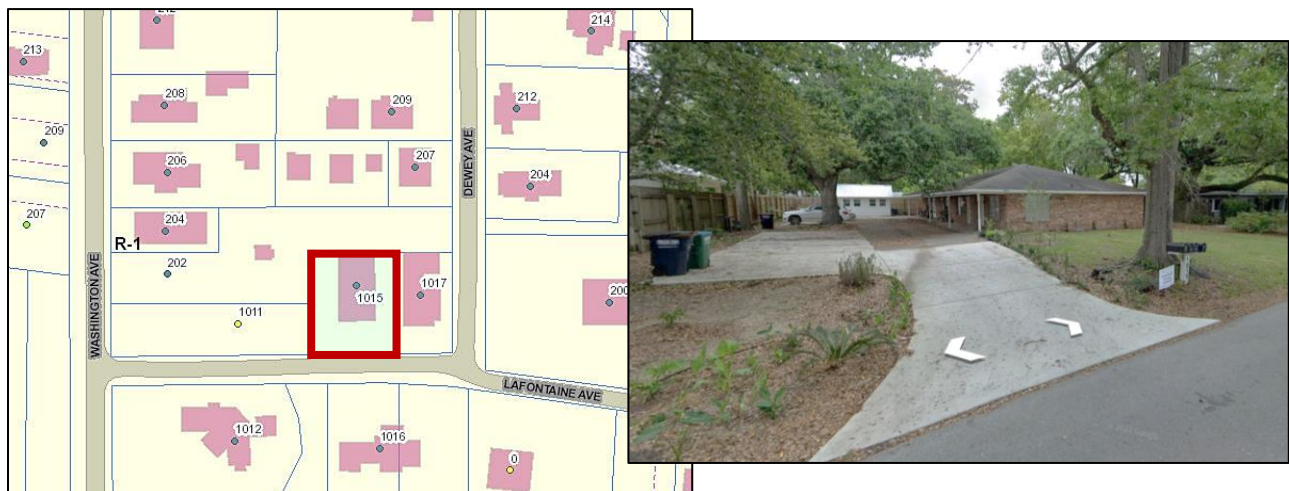
ADJACENT ZONING/LAND USE:

Subject Property: R1, Low Density Single-Family Residential District

North, East, West, South: R1, Low Density Single-Family Residential District

DESCRIPTION OF REQUEST:

- Per Ordinance 2015-11, 2018-02, 2021-05, 2021-25, and 2023-07, the application is for a short-term rental permit to allow usage for less than 30 days.
- Site Location: the property is located in the STR Density Zone Area, on the north side of Lafontaine Avenue, east of Washington Avenue.



FINDINGS:

- **Local Property Manager:** Tony Lawrence will serve as the property manager. With an address of 509 Washington Avenue, the requirement for residency within 2-miles of the city limit is satisfied.
- **Application:** Submittal is complete and was received prior to the deadline. A copy of the rental agreement is attached for consideration.
- **Homeowner's Association:** On the application form, the applicant indicated that this is not a covenant-restricted neighborhood with an active HOA. A search of Jackson County Land Records did not discover filed covenants for this subdivision. The MS Secretary of State's Office does not have an active HOA listed on their website.
- **Liability Insurance:** The signed application states that the liability insurance for the property does not exclude short term rentals from coverage, as well as conformance with building code, zoning requirements. There are no deed restrictions and taxes are current.
- **Fee:** The application fee was provided with the application. The mail-out fee was paid prior to distribution.
- **Notice via Standard Mail:** The notice of public hearing was sent to 40 property owners within 500 feet of the subject property. The distribution included the name of the applicant, notice of the hearing date, time and location, and a summary of Frequently Asked Questions regarding short-term rentals.
- **Publication:** Notice of the public hearing was advertised at least 15 days prior to the date of the hearing per ordinance. Additionally, the required yard sign was placed in the yard.
- **Inspection:** The property was inspected for all required elements on 7/26/23 and was approved. Inspection form is attached for review.
- **Maximum Occupancy:** The requested maximum occupancy of 2 was approved by the Fire Marshall during the above referenced inspection.
- **Maximum Number of Vehicles:** The request for a maximum number of 2 vehicles was approved by the Building Official during the above referenced inspection.
- **Guest Rules:** The rules were posted and visible during the property inspection.
- **Code Violation Complaints:** No code violations or police reports were documented for this address in the past 12 months.

FEEDBACK:

None.

SUMMARY:

The application for this property is complete and compliant with the adopted code, and the physical inspection passed. The recommendation is for approval of a Residential Short-Term Rental permit, subject to annual renewal.

ATTACHMENTS as listed above:



City of Ocean Springs Planning Department
1018 Porter Avenue / PO Box 1800 Ocean Springs, MS 39564 / (228) 875-4415

RESIDENTIALLY ZONED SHORT TERM RENTAL ANNUAL PERMIT APPLICATION

Application Date: 06/14/2023

Submittal Requirements:

FEES: \$501 ~ Application Fee Effective 4/4/23 – \$500 must be paid at the time application is submitted [includes occupancy inspection fee]. ~ Administrative Fee: \$1.00 (per Ordinance 2022-17 following the requirements of Section 25-60-5 MS code Annotated)

- ☒ Completed Application
- ☒ Copy of Proposed Rental Agreement
- ☒ Proposed Parking Plan
- ☒ Copy of rules, including trash management and reference of the city's noise ordinance (available upon request), to be posted inside unit
- ☒ Affirmation of Code Compliance – Ord.2015-11 (Section 401.3(10)) – Attached.
- ☒ ~Standard mailout fee will be calculated during the review process and must be paid prior to scheduling of the public hearing~~
- ☒ Properties will be reviewed and inspected prior to scheduling the public hearing date and sending the required notices.
- ☒ PERMITS MUST BE RENEWED ANNUALLY (\$500 renewal fee) AND ARE NOT TRANSFERRABLE.

REQUIRED INFORMATION:

- Address of Rental Property: 1015 Lafontaine Apt A
- Parcel Identification Number: 60137482.000 Number of bedrooms: 1
- Proposed maximum # guests: 2 Number of existing off-street parking spaces: 2
- ☐ Is this property located in a covenant-restricted subdivision? ☐ Yes ☐ No ~ If yes, a copy of the covenants must be included.

Name of Property Owner Frederick Mannino

Address of Property Owner 2429 Champion Green Gulfport, MS 39507

Phone No. 228-365-5298

Name of Local Property Manager Tony Lawrence

[Must RESIDE within two (2) miles of the OS City Limits] Address 509 Washington Ave Ocean Springs 39564

Phone No. 228-547-4035

Signature: 

Copy of Ordinance 2015-11 Received: ☒ (initials) Copy of Ordinance 2019-19 Received: ☒
Copy of Ordinance 2018-02 Received: ☒ (initials) Copy of Ordinance 2021-25 Received: ☒
Copy of Ordinance 2023-07 Received: ☒ (initials)

Revised 05/23/2023

1 | Page

Physical Inspection of Property:

- All applicable fire and health codes as would apply to a commercially zoned structure must be compliant.
- As part of the review process, an inspection will be scheduled to determine that all physical requirements are met per the ordinance
- Inspection will also include but are not limited to: adequate parking, proposed occupancy, number of vehicles allowed, location of garbage storage, posting of rules, etc. (per *most current* Inspection Checklist dated: 2/08/18)

.....

Affirmation of Codes/Regulations

I, (print name) Frederick Mannino, hereby certify that:

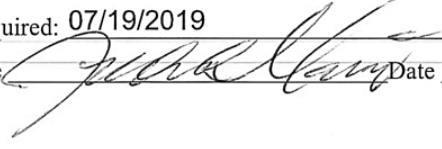
1. I am the owner of the property that is the subject of this application and that I have read and understand the requirements as outlined in the application.
2. There are no outstanding City of Ocean Springs property taxes or special assessments on the parcel(s).
3. Per Section 2.C.5 of Ordinance No. 2015-11, I will obtain a Mississippi State Sales Tax License through the MS Dept. of Revenue to pay all city, county, and state taxes required by law.
4. The property included in this application is in compliance with all applicable building codes, zoning requirements, and deed restrictions and/or covenants.
5. The Homeowner's liability insurance does not exclude short term rentals from coverage.
6. Any existing mortgage or deed does NOT prohibit use of property as a short term rental.
7. Proper documentation of covenants that may restrict use of the property as a short rental and/or a letter of support from the HOA has been provided.

I further acknowledge that the information provided herein is true and correct to the best of my knowledge.

Owner(s) Name: Frederick Mannino

Parcel ID(s): 60137482.000 PPIN 58077

Date Property Acquired: 07/19/2019

Owner's Signature:  Date 06/14/2023

.....

Office Use Only

Date of Inspection: 7/26/23

Result of Occupancy Inspection: PASSED

Maximum Occupancy Determination: 2

(attached)

Maximum Parking Spaces: 2

Permit Renewal Date: _____

PC Public Hearing Date: 9/12/23

BOA Approval Date: _____

Revised 05/23/2023

2 | Page

ADDRESS: 1015 Lafontaine Ave. A iWorQ Permit#: 2796



PLANNING DEPARTMENT
P.O. Box 1800 / Ocean Springs, MS. 39566
Phone 228-875-4415 Fax 228-872-5427

RESIDENTIALLY-ZONED SHORT TERM RENTAL – OCCUPANCY INSPECTION FORM

Before requesting an occupancy inspection from the Building Official and the Fire Marshall, please make sure the following items have been completed. Someone must be present at the time of inspection.

All Occupancy Inspections are done at 10am

The following items must be complete prior to inspection:

- ☒ Type 2A 10BC Fire Extinguishers (Maximum travel distance 75 ft.)
- ☒ Emergency Lighting with battery backup
- ☒ Address on Building
- ☒ Breaker Box needs to be labeled
- ☒ Outlet and switch plate covers need to be installed. (GFCI Circuits within 6 ft. of water source)
- ☒ No exposed wiring
- ☒ Adequate emergency egress
- ☒ Operable windows in sleeping areas
- ☒ Guest rules (noise, garbage, etc.) must be visibly posted.

- ☒ Adequate garbage receptacles
- ☒ Smoke detectors in all bedrooms and hallways.
- ☒ Carbon monoxide detectors if there is gas service.
- ☒ Identified # of Bedrooms: 1
- ☒ Proposed # of Guests: 2

Approved # of Guests per OSFD: 2

- ☒ Proposed # of vehicles: 2

Approved # of vehicles per OSFD: 2

Property Owner: Frederick Mannino Phone #: 228-365-5298
Contact Name: _____ Phone #: _____

.....
Date of Inspection: 2-26-23

COMMENTS: _____

☒ **PASSED**

Building Official: [Signature] Fire Marshall: [Signature]
Property Owner: [Signature]

PUBLIC HEARING NOTICE

Residential Short-Term Rental



THIS INFORMATION IS BEING SENT TO YOU AS PART OF THE PERMITTING PROCESS FOR A NEARBY PROPERTY.

Per adopted Code for the City of Ocean Springs, notice has been advertised in the MS Press Newspaper and copies are sent via Standard mail at the cost of the applicant.

PUBLIC NOTICE is hereby given that the City of Ocean Springs **PLANNING COMMISSION** will hold a **public hearing** on the date listed below to consider an application for a Short-Term Rental Permit per Ordinance governing the provision of Short Term Rentals of dwellings in residential zones after application, hearing, and approval.

Application for the address listed below will be considered in the regular meeting place of the Board of Aldermen at the City Hall located at 1018 Porter Avenue Ocean Springs, MS 39564.

Short-Term Rental Applied for: 1015 Lafontaine Ave. A

Public Hearing Date/Time: September 12, 2023 at 6:00 p.m.

Applicant Frederick Pattison Mannino

Local Contact Tony Lawrence

The Residential Short-Term Rental Ordinance (2015-11) was approved on July 7, 2015. The ordinance was researched, modified, and re-approved on February 20, 2018, December 17, 2019, December 7, 2021, and May 16, 2023. This document addresses what the ordinance requires of an applicant, the process, and contact information for questions or concerns. For more details, please call the Planning Department at 228-875-4415.

Short-Term Rentals: Considered as less than 30 days. Conditions for permitting include an approval process, occupancy/vehicle requirements, guest registry, noise/garbage management, posting of rules, local management, and a process for complaints, basis for denial or revocation, and violations.

Frequently Asked Questions regarding Residential Short-Term Rental permits:

- 1) ***Why am I receiving this information?*** All property owners within 500 feet of the property requesting a permit are required to receive notification via standard mail. Additionally, the hearing was advertised in the local newspaper and a yard sign placed on the property. This notice was mailed to your address of record with the Jackson County Tax Assessor's office.
- 2) ***What is allowed under a Short-Term Rental Permit?*** Approval of the permit will allow the property owner to rent the residence for periods of less than 30 days at a time, governed by restrictions listed in the ordinance. The permit does not allow any other non-permitted activity.
- 3) ***Who will be responsible for management of the property?*** The property owner is ultimately responsible for all activity on the property. The Local Property Manager, if one is assigned, **MUST** reside within 2 miles of the city limits and be available 24/7 to address issues related to the property. The Planning Department will have a contact number in case of emergencies.
- 4) ***Do the property owners pay sales tax for this activity?*** Yes – the property owner will be issued a city privilege license that will allow them to register with the state for payment of sales tax, including the additional "bed tax" required for all hotel activity.
- 5) ***What review has been done by the City?*** The application, a \$500 application fee, and payment for mailing was received. All information was reviewed to ensure all administrative requirements have been met. The home

- 6) ***What physical modifications were required for the home?*** Required life safety improvements include, but are not limited to, hard-wired smoke detectors (carbon monoxide if served by gas), emergency lighting for exits during power outages, properly functioning exits, current fire extinguishers, labeled fuse box, etc.
- 7) ***How will the maximum occupancy and number of vehicles be established?*** During the physical inspection, the Building Official and Fire Inspector assess the availability of space including sleeping areas and space for off-street parking. These maximums will be established prior to the public hearing and can be enforced during operation of the rental.
- 8) ***Where can I report code violations, disturbances, etc.?*** Just as you would with any residential occupant, if there are problems with noise, excessive vehicles, trash, or other intrusive behavior, the proper city officials should be notified. For life-threatening emergencies, dial 9-1-1 as you would with any type of residential occupancy. Documented complaints will be considered during the renewal process. The ordinance provides guidelines for the basis of revocation or denial or permit issuance and/or renewal.

- a. Police: 228-875-2211 – noise, trespassing, other criminal activity
- b. Code Enforcement: 228-875-6712 – improper vehicle parking, improper trash storage
- c. Any other complaints can be forwarded to the Planning Department at **228-875-4415** or mailed to Attn: Planning Department, City of Ocean Springs, 1018 Porter Avenue, Ocean Springs, MS 39564

- 9) ***What is the process if the rules are not followed?*** If the City receives documentation that the property owners and/or tenants have violated the provisions set forth in the ordinance, or have met any other criteria that allows for revocation, written notice will be given to the property owner of the violation(s). If corrective action is not taken in the allotted time period, the permit can be revoked and citations issued.
- 10) ***How long is the permit valid?*** The Residential Short-Term Rental permit is an annual renewal. Once the initial permit is approved, the property will be inspected annually and complaint records reviewed prior to renewal. The ordinance provides guidelines for the basis of revocation or denial or permit issuance and/or renewal.
- 11) ***Is the permit transferable to new owners?*** No. The permit is issued to the owner for that specific address. Permits are not transferrable to other owners or properties without the full approval process, including an advertised public hearing.
- 12) ***Is the approval process the same for properties in commercially zoned districts?*** The application itself is similar, but commercial properties do not require notice or public hearing.
- 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 that 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 an ACTIVE HOA where applicable.
- 14) ***Will the property owner be required to maintain renter information?*** Yes, the property owner must maintain a guest registry and provide to the city for review upon request.
- 15) ***Will the renters be informed of the rules and regulations that are included in the permit?*** Yes, part of the application and inspection includes provision of the rental agreement for review and posting of the house rules in a visible location within the home.

1018 Porter Avenue, Ocean Springs, MS 39564.
Email Address: planningadmin@oceansprings-ms.gov

STATE OF MISSISSIPPI
COUNTY OF JACKSON
Ocean Springs, Mississippi

LA FONTAINE APARTMENTS
RESIDENTIAL LEASE - APT. NO.: ()

This Agreement entered into this day between FREDERICK MANNINO, hereinafter referred to as "Lessor"

and _____, hereinafter referred to as "Tenant",

WITNESSETH:

1. TERM OF LEASE:

Tenant agree(s) to lease said **Apartment A, B, C, or D (CIRCLE)**, from Lessor for the sum of \$ _____ .00 per month, beginning with the _____ day of _____, 20____, and terminating on the _____ day of _____, 20____, being the primary term of this Lease.

A, B, C are one bedroom units limited to 2 guest each and D is a 2 bedroom limited to 4 guest max per City of Ocean Springs ordinance. At the end of the primary term, (6) month term max and no less than 30 days, this Lease shall automatically be renewed, upon the Tenant remaining in the premises, unless the Tenant has given written notice to the Landlord of his/her intention to terminate this Lease at least thirty (30) days in advance of the expiration of its term or the Tenant has executed another lease agreement with the Lessor at least thirty (30) days in advance of the expiration of the primary term, on a month to month basis. Longer terms may be available and determined at the time a new lease is agreed upon and executed by the Lessor and the Tenant.

Off street, unassigned parking space is available for each Tenant(s), 2 vehicles maximum per unit, Tenant will provide a vehicle description and license plate number for their vehicle in section (15) fifteen.

2. USE:

The space rented hereunder is to be used for residential purposes only and shall not be occupied by anyone other than the tenant(s) specified in this agreement unless written consent from the owner or his agents is first obtained.

Further the Tenant shall not be allowed to keep any animals on the premises, unless written consent is authorized from the landlord, lessor or his agents by the signature below.

X _____

LANDLORD/LESSOR/AGENT

DATE

3. HOLD HARMLESS:

Tenant agree to save and hold Lessor and his agents harmless from any claim for damages to His/Her person or persons and to the Tenants' property arising from any cause, whatsoever including the Lessor's negligence.

4. PAYMENT OF RENT:

Each month's rent is due and payable on the first day of each month during the term of this Lease and any renewal thereof, and any rent not paid when due is delinquent. If said rent be delinquent for three (3) calendar days or more after it is due, there will be a late charge of five percent (5%) on all delinquent rents.

5. UTILITIES:

Tenant shall be responsible for the payment of all utilities and services to the apartment, except

water and sewer charges assessed by the City of Ocean Springs and expenses of trash collection.

7. ORDINANCES AND STATUTES:

Tenant shall comply with all statutes, ordinances and requirements of all federal, state, county, and municipal authorities which affect the premises or which may hereafter be enacted pertaining to the subject premises. Tenant(s) will initial here _____ indicating that they were provided with the City of Ocean Springs noise ordinance No. 2012-04 as an addendum to this lease and will comply with same in the section (7) seven, with regards to federal, state, county and municipal authorities statutes, ordinances and requirements.

8. MAINTENANCE AND ALTERATIONS:

Tenant shall be responsible for maintaining the rental unit in a clean and sanitary manner, changing air filters on the air conditioner as needed, and otherwise exercising ordinary and reasonable care of the premises and shall surrender the same at the termination of this Lease in the same condition as when the unit was rented, with normal wear and tear excepted. Tenant shall not keep or allow to be kept any property outside of the unit rented, unless written prior authorization from the landlord is granted. Tenant shall maintain the grounds surrounding the subject unit in a neat and clean condition, free of all litter and rubbish. **It is the Tenant/Guest responsibility take out the trash from the subject unit and placed in the trash receptacles/can, move them to the street on the day of collection and pickup.**

8. DEFAULT:

If Tenant shall fail to pay the rent when due or fail to perform any other provision of this Lease, Tenant will be in default, and Lessor, at his option, may terminate this Lease by giving written

notice to the Tenant of said termination hand delivered or posted to door in Tenants absence or mailing same to the Tenant at the address of the leased unit, postage prepaid. In the event of default, Tenant will immediately surrender possession of the premises, and Tenant hereby consent(s) and confer(s) permission upon Lessor to enter the premises, whether or not Tenant has vacated same, and take possession of the premises and such personal effects of the Tenant until all charges due and owing by the Tenant, including but not limited to, rent, cleaning as may be required, and damages to the premises. Such effects as Tenant has in the premises shall be held by Lessor and he shall have a lien thereon expressly granted by this Lease until such time as all charges are paid.

In the event of default by the Tenant, Lessor may take possession and lease the premises to others for the remainder of Tenant term. Tenant will be allowed credit for any rents received during the remainder of said term, but will remain liable for any deficiencies in the event Lessor suffers a loss arising from this Lease and its breach. Should Lessor relet the premises for a higher rent, Tenant shall not receive credit for rentals under any reletting of the premises until such time as all charges for damages and cleaning have been paid. Credit to Tenant shall not exceed the rent due by Tenant.

9. AGREEMENT

This Lease constitutes the sole agreement between the parties and may not be changed except by written agreement and signed by the parties hereto. Should Lessor incur any expenses in enforcing this Lease, Tenant shall be liable for same.

SV

10. ABANDONMENT:

Should Tenant default in the premises, and Tenants' property be seized by Lessor, same shall be considered abandoned by Lessee and become the property of Lessor, unless the default is cured by correction of breach of this agreement that renders Tenant in default, within thirty (30) days from the date that the default occurred.

72

11. DEPOSIT:

Tenant shall pay a deposit of \$.00 to be kept by the Lessor until the termination of the Lease, the deposit will be returned to Tenant, less costs of cleaning the premises and making any repairs caused by Tenant; reasonable wear and tear excepted.

12. RENT:

Lessor may increase the rent at his sole option by giving Tenant written notice of the new rent not less than thirty (30) days prior to the end of the term of this Lease.

13. WAIVER:

Tenant does hereby waive all statutory rights as provided under the laws of the State of Mississippi. This Lease shall be governed by the laws of the State of Mississippi, and the waiver of statutory rights is not applicable to any rights that may not be lawfully waived.

14. LEAD-BASED PAINT:

Provided to the Tenant included with this lease as an addendum is a Lead-Based Paint Disclosure & Brochure, required by law. Tenant will initial here _____ indicating they were provided and received this lead based paint notice.

15. GUEST(S) VEHICLE(S) INFORMATION:

Provide your vehicle's year, make and model with the license plate number including the county and state where it is registered.

UNIT No.	YEAR	MAKE	MODEL	COLOR
----------	------	------	-------	-------

LICENSE PLATE NUMBER	COUNTY	STATE	EXPIRES
----------------------	--------	-------	---------

UNIT No.	YEAR	MAKE	MODEL	COLOR
----------	------	------	-------	-------

LICENSE PLATE NUMBER	COUNTY	STATE	EXPIRES
----------------------	--------	-------	---------

WITNESS THE SIGNATURE OF THE UNDERSIGNED, on this ____ day of
_____, 20__.

LESSOR

TENANT

WITNESS

NOTARY IS AT THE OPTION OF THE TENANT AND NOT REQUIRED UNDER LAW

STATE OF MISSISSIPPI

COUNTY OF _____

Personally appeared before me, the undersigned authority in and for the said County and State, the within named **FREDERICK MANNINO, Lessor, and** _____, Tenant who, first being duly sworn each acknowledged that they signed and delivered the above and foregoing Residential Lease on the day and year set forth therein.

Given under my hand and seal of office, this the _____ day of _____, 20____.

My Commission Expires:

NOTARY PUBLIC

The Islander Hideaway

House Rules & Regulations

Bienvenue

Welcome to the La Fontaine French House. Welcome aboard, we appreciate your business and we will do our very best to see that you enjoy your stay.

Noise

Noise shouldn't be an issue because we have a noise Ordinance known as Ocean Springs Noise Ordinance 2012-04. It is posted below as an addendum to the House Rules and Regulations. We ask that you please be considerate of others and abide by it. Enjoy the peace and quite like a local. If you don't you are likely to meet an Ocean Springs Police Officer. We offer our thanks to you in advance.

Occupancy

Guest per unit is as follows. All single bedroom units, 3 (THREE) total on the property, may enjoy up to 2 (TWO) guest for each one bedroom unit and up to 4 (FOUR) guest in our 2 bedroom unit, of which we have just 1 (One).

Parking

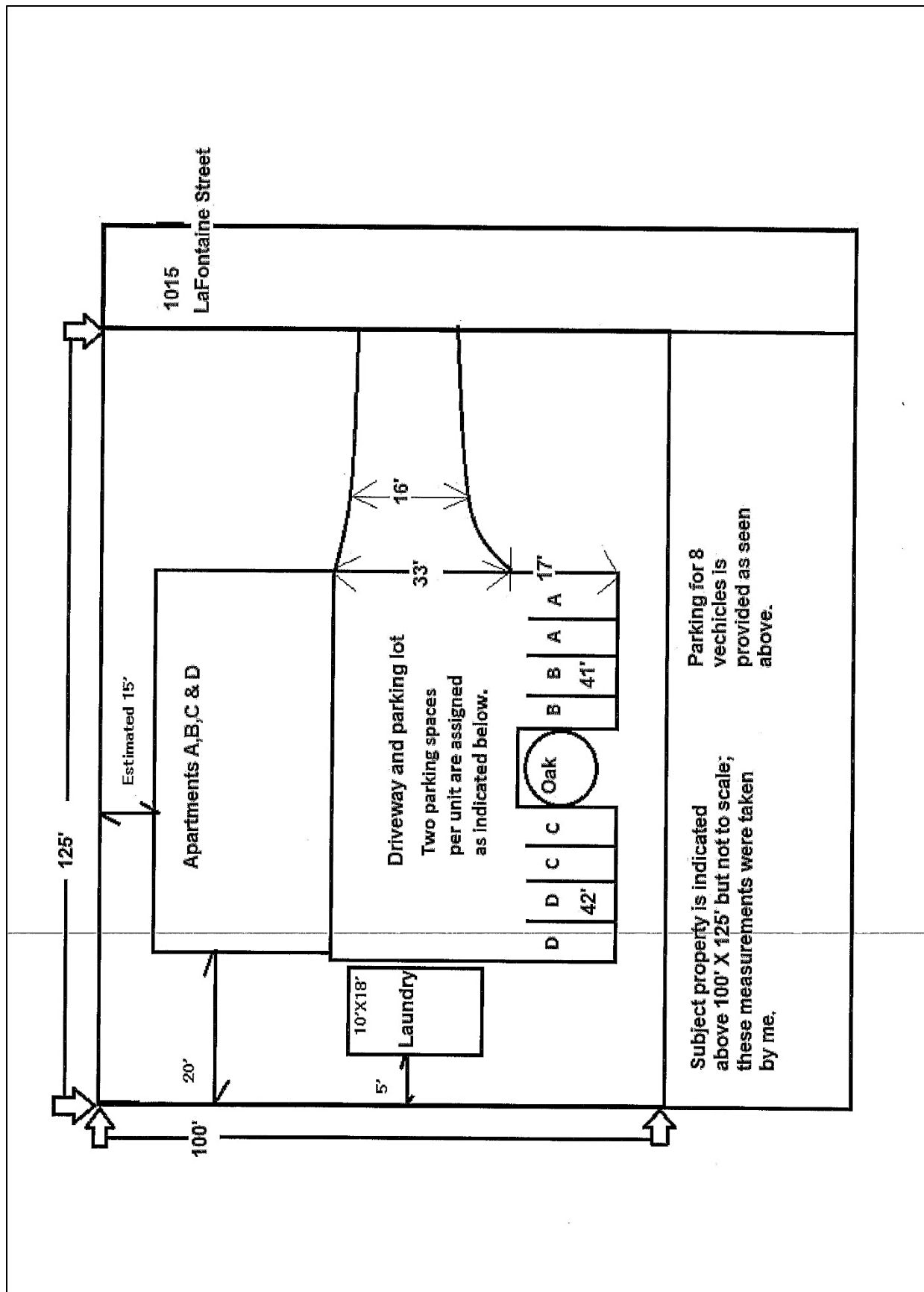
All single bedroom units, we have 3 (THREE) on the property, may enjoy access to 2 (TWO) parking spaces and 2 (TWO) vehicles on site. We are not able to accommodate trailers on the property.

Trash

Guest are responsible to bring the trash from the unit to the trash can assigned to your unit. And next to bring that trash can to the street for collection of the day of pickup.

Smoking

Smoking legal products is allowed but ONLY OUTSIDE the unit, we only ask that our guest keep everything our grounds clean of the smoked cigarettes.



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

**PLANNING COMMISSION REPORT
— PUBLIC HEARING —**

PUBLIC HEARING DATE: Tuesday, September 12, 2023

APPLICANT: Frederick Pattison Mannino

LOCATION: 1015-B Lafontaine / PID: 60137482.000

REQUESTED ACTION: Residential Short Term Rental Permit

DATE OF APPLICATION: June 14, 2023

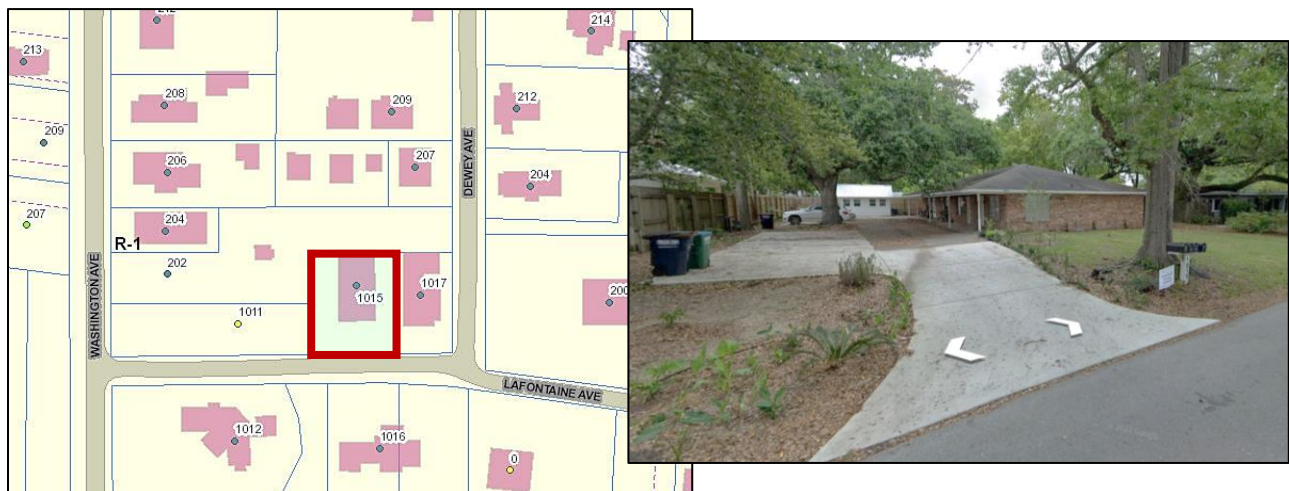
ADJACENT ZONING/LAND USE:

Subject Property: R1, Low Density Single-Family Residential District

North, East, West, South: R1, Low Density Single-Family Residential District

DESCRIPTION OF REQUEST:

- Per Ordinance 2015-11, 2018-02, 2021-05, 2021-25, and 2023-07, the application is for a short-term rental permit to allow usage for less than 30 days.
- Site Location: the property is located in the STR Density Zone Area, on the north side of Lafontaine Avenue, east of Washington Avenue.



FINDINGS:

- **Local Property Manager:** Tony Lawrence will serve as the property manager. With an address of 509 Washington Avenue, the requirement for residency within 2-miles of the city limit is satisfied.
- **Application:** Submittal is complete and was received prior to the deadline. A copy of the rental agreement is attached for consideration.
- **Homeowner's Association:** On the application form, the applicant indicated that this is not a covenant-restricted neighborhood with an active HOA. A search of Jackson County Land Records did not discover filed covenants for this subdivision. The MS Secretary of State's Office does not have an active HOA listed on their website.
- **Liability Insurance:** The signed application states that the liability insurance for the property does not exclude short term rentals from coverage, as well as conformance with building code, zoning requirements. There are no deed restrictions and taxes are current.
- **Fee:** The application fee was provided with the application. The mail-out fee was paid prior to distribution.
- **Notice via Standard Mail:** The notice of public hearing was sent to 40 property owners within 500 feet of the subject property. The distribution included the name of the applicant, notice of the hearing date, time and location, and a summary of Frequently Asked Questions regarding short-term rentals.
- **Publication:** Notice of the public hearing was advertised at least 15 days prior to the date of the hearing per ordinance. Additionally, the required yard sign was placed in the yard.
- **Inspection:** The property was inspected for all required elements on 7/26/23 and was approved. Inspection form is attached for review.
- **Maximum Occupancy:** The requested maximum occupancy of 2 was approved by the Fire Marshall during the above referenced inspection.
- **Maximum Number of Vehicles:** The request for a maximum number of 2 vehicles was approved by the Building Official during the above referenced inspection.
- **Guest Rules:** The rules were posted and visible during the property inspection.
- **Code Violation Complaints:** No code violations or police reports were documented for this address in the past 12 months.

FEEDBACK:

None.

SUMMARY:

The application for this property is complete and compliant with the adopted code, and the physical inspection passed. The recommendation is for approval of a Residential Short-Term Rental permit, subject to annual renewal.

ATTACHMENTS as listed above:



City of Ocean Springs Planning Department
1018 Porter Avenue / PO Box 1800 Ocean Springs, MS 39564 / (228) 875-4415

RESIDENTIALLY ZONED SHORT TERM RENTAL ANNUAL PERMIT APPLICATION

Application Date: 06/14/2023

Submittal Requirements:

FEES: \$501 ~ Application Fee Effective 4/4/23 – \$500 must be paid at the time application is submitted [includes occupancy inspection fee]. ~ Administrative Fee: \$1.00 (per Ordinance 2022-17 following the requirements of Section 25-60-5 MS code Annotated)

- ☐ Completed Application
- ☐ Copy of Proposed Rental Agreement
- ☐ Proposed Parking Plan
- ☐ Copy of rules, including trash management and reference of the city's noise ordinance (available upon request), to be posted inside unit
- ☐ Affirmation of Code Compliance – Ord.2015-11 (Section 401.3(10)) – Attached.
- ☐ ~Standard mailout fee will be calculated during the review process and must be paid prior to scheduling of the public hearing~~
- ☐ Properties will be reviewed and inspected prior to scheduling the public hearing date and sending the required notices.
- ☐ PERMITS MUST BE RENEWED ANNUALLY (\$500 renewal fee) AND ARE NOT TRANSFERRABLE.

REQUIRED INFORMATION:

- Address of Rental Property: 1015 Lafontaine Apt B
- Parcel Identification Number: 60137482.000 Number of bedrooms: 1
- Proposed maximum # guests: 2 Number of existing off-street parking spaces: 2
- ☐ Is this property located in a covenant-restricted subdivision? ☐ Yes ☐ No ~ *If yes, a copy of the covenants must be included.*

Name of Property Owner Frederick Mannino

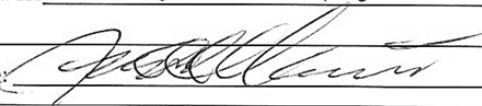
Address of Property Owner 2429 Champion Green Gulfport, MS 39507

Phone No. 228-365-5298

Name of Local Property Manager Tony Lawrence

[Must RESIDE within two (2) miles of the OS City Limits] Address 509 Washington Ave Ocean Springs 39564

Phone No. 228-547-4035

Signature: 

Copy of Ordinance 2015-11 Received: ☒ (initials) Copy of Ordinance 2019-19 Received: ☒
Copy of Ordinance 2018-02 Received: ☒ (initials) Copy of Ordinance 2021-25 Received: ☒
Copy of Ordinance 2023-07 Received: ☒ (initials)

Revised 05/23/2023

1 | Page

Physical Inspection of Property:

- All applicable fire and health codes as would apply to a commercially zoned structure must be compliant.
- As part of the review process, an inspection will be scheduled to determine that all physical requirements are met per the ordinance
- Inspection will also include but are not limited to: adequate parking, proposed occupancy, number of vehicles allowed, location of garbage storage, posting of rules, etc. (per *most current* Inspection Checklist dated: 2/08/18)

.....

Affirmation of Codes/Regulations

I, (print name) Frederick Mannino, hereby certify that:

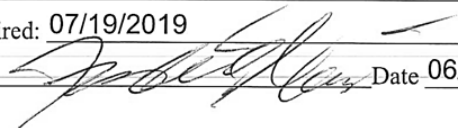
1. I am the owner of the property that is the subject of this application and that I have read and understand the requirements as outlined in the application.
2. There are no outstanding City of Ocean Springs property taxes or special assessments on the parcel(s).
3. Per Section 2.C.5 of Ordinance No. 2015-11, I will obtain a Mississippi State Sales Tax License through the MS Dept. of Revenue to pay all city, county, and state taxes required by law.
4. The property included in this application is in compliance with all applicable building codes, zoning requirements, and deed restrictions and/or covenants.
5. The Homeowner's liability insurance does not exclude short term rentals from coverage.
6. Any existing mortgage or deed does NOT prohibit use of property as a short term rental.
7. Proper documentation of covenants that may restrict use of the property as a short rental and/or a letter of support from the HOA has been provided.

I further acknowledge that the information provided herein is true and correct to the best of my knowledge.

Owner(s) Name: Frederick Mannino

Parcel ID(s): 60137482.000 PPIN 58077

Date Property Acquired: 07/19/2019

Owner's Signature  Date 06/14/2023

.....

Office Use Only

Date of Inspection: <u>7/26/23</u>	Result of Occupancy Inspection: <u>PASSED</u>
Maximum Occupancy Determination: <u>2</u>	<u>(attached)</u>
Maximum Parking Spaces: <u>2</u>	Permit Renewal Date: _____
PC Public Hearing Date: <u>9/12/23</u>	BOA Approval Date: _____

Revised 05/23/2023

2 | Page

ADDRESS: 1015 Lafontaine Ave. B iWorQ Permit#: 2798



PLANNING DEPARTMENT
P.O. Box 1800 / Ocean Springs, MS. 39566
Phone 228-875-4415 Fax 228-872-5427

RESIDENTIALLY-ZONED SHORT TERM RENTAL – OCCUPANCY INSPECTION FORM

Before requesting an occupancy inspection from the Building Official and the Fire Marshall, please make sure the following items have been completed. Someone must be present at the time of inspection.

All Occupancy Inspections are done at 10am

The following items must be complete prior to inspection:

- ☒ Type 2A 10BC Fire Extinguishers (Maximum travel distance 75 ft.)
- ☒ Emergency Lighting with battery backup
- ☒ Address on Building
- ☒ Breaker Box needs to be labeled
- ☒ Outlet and switch plate covers need to be installed. (GFCI Circuits within 6 ft. of water source)
- ☒ No exposed wiring
- ☒ Adequate emergency egress
- ☒ Operable windows in sleeping areas
- ☒ Guest rules (noise, garbage, etc.) must be visibly posted.

- ☒ Adequate garbage receptacles
- ☒ Smoke detectors in all bedrooms and hallways.
- ☒ Carbon monoxide detectors if there is gas service.
- ☒ Identified # of Bedrooms: 1
- ☒ Proposed # of Guests: 2

Approved # of Guests per OSFD: 2

- ☒ Proposed # of vehicles: 2

Approved # of vehicles per OSFD: 2

Property Owner: Frederick Mannino Phone #: 228-365-5298
Contact Name: _____ Phone #: _____

.....
Date of Inspection: 7-26-23

COMMENTS: _____

☒ **PASSED**

Building Official: [Signature]
Property Owner: [Signature]

Fire Marshall: [Signature]

PUBLIC HEARING NOTICE

Residential Short-Term Rental



THIS INFORMATION IS BEING SENT TO YOU AS PART OF THE PERMITTING PROCESS FOR A NEARBY PROPERTY.

Per adopted Code for the City of Ocean Springs, notice has been advertised in the MS Press Newspaper and copies are sent via Standard mail at the cost of the applicant.

PUBLIC NOTICE is hereby given that the City of Ocean Springs **PLANNING COMMISSION** will hold a **public hearing** on the date listed below to consider an application for a Short-Term Rental Permit per Ordinance governing the provision of Short Term Rentals of dwellings in residential zones after application, hearing, and approval.

Application for the address listed below will be considered in the regular meeting place of the Board of Aldermen at the City Hall located at 1018 Porter Avenue Ocean Springs, MS 39564.

Short-Term Rental Applied for: 1015 Lafontaine Ave. B

Public Hearing Date/Time: September 12, 2023 at 6:00 p.m.

Applicant Frederick Pattison Mannino

Local Contact Tony Lawrence

The Residential Short-Term Rental Ordinance (2015-11) was approved on July 7, 2015. The ordinance was researched, modified, and re-approved on February 20, 2018, December 17, 2019, December 7, 2021, and May 16, 2023. This document addresses what the ordinance requires of an applicant, the process, and contact information for questions or concerns. For more details, please call the Planning Department at 228-875-4415.

Short-Term Rentals: Considered as less than 30 days. Conditions for permitting include an approval process, occupancy/vehicle requirements, guest registry, noise/garbage management, posting of rules, local management, and a process for complaints, basis for denial or revocation, and violations.

Frequently Asked Questions regarding Residential Short-Term Rental permits:

- 1) ***Why am I receiving this information?*** All property owners within 500 feet of the property requesting a permit are required to receive notification via standard mail. Additionally, the hearing was advertised in the local newspaper and a yard sign placed on the property. This notice was mailed to your address of record with the Jackson County Tax Assessor's office.
- 2) ***What is allowed under a Short-Term Rental Permit?*** Approval of the permit will allow the property owner to rent the residence for periods of less than 30 days at a time, governed by restrictions listed in the ordinance. The permit does not allow any other non-permitted activity.
- 3) ***Who will be responsible for management of the property?*** The property owner is ultimately responsible for all activity on the property. The Local Property Manager, if one is assigned, **MUST** reside within 2 miles of the city limits and be available 24/7 to address issues related to the property. The Planning Department will have a contact number in case of emergencies.
- 4) ***Do the property owners pay sales tax for this activity?*** Yes – the property owner will be issued a city privilege license that will allow them to register with the state for payment of sales tax, including the additional "bed tax" required for all hotel activity.
- 5) ***What review has been done by the City?*** The application, a \$500 application fee, and payment for mailing was received. All information was reviewed to ensure all administrative requirements have been met. The home

- 6) ***What physical modifications were required for the home?*** Required life safety improvements include, but are not limited to, hard-wired smoke detectors (carbon monoxide if served by gas), emergency lighting for exits during power outages, properly functioning exits, current fire extinguishers, labeled fuse box, etc.
- 7) ***How will the maximum occupancy and number of vehicles be established?*** During the physical inspection, the Building Official and Fire Inspector assess the availability of space including sleeping areas and space for off-street parking. These maximums will be established prior to the public hearing and can be enforced during operation of the rental.
- 8) ***Where can I report code violations, disturbances, etc.?*** Just as you would with any residential occupant, if there are problems with noise, excessive vehicles, trash, or other intrusive behavior, the proper city officials should be notified. For life-threatening emergencies, dial 9-1-1 as you would with any type of residential occupancy. Documented complaints will be considered during the renewal process. The ordinance provides guidelines for the basis of revocation or denial or permit issuance and/or renewal.

- a. Police: 228-875-2211 – noise, trespassing, other criminal activity
- b. Code Enforcement: 228-875-6712 – improper vehicle parking, improper trash storage
- c. Any other complaints can be forwarded to the Planning Department at **228-875-4415** or mailed to Attn: Planning Department, City of Ocean Springs, 1018 Porter Avenue, Ocean Springs, MS 39564

- 9) ***What is the process if the rules are not followed?*** If the City receives documentation that the property owners and/or tenants have violated the provisions set forth in the ordinance, or have met any other criteria that allows for revocation, written notice will be given to the property owner of the violation(s). If corrective action is not taken in the allotted time period, the permit can be revoked and citations issued.
- 10) ***How long is the permit valid?*** The Residential Short-Term Rental permit is an annual renewal. Once the initial permit is approved, the property will be inspected annually and complaint records reviewed prior to renewal. The ordinance provides guidelines for the basis of revocation or denial or permit issuance and/or renewal.
- 11) ***Is the permit transferable to new owners?*** No. The permit is issued to the owner for that specific address. Permits are not transferrable to other owners or properties without the full approval process, including an advertised public hearing.
- 12) ***Is the approval process the same for properties in commercially zoned districts?*** The application itself is similar, but commercial properties do not require notice or public hearing.
- 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 that 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 an ACTIVE HOA where applicable.
- 14) ***Will the property owner be required to maintain renter information?*** Yes, the property owner must maintain a guest registry and provide to the city for review upon request.
- 15) ***Will the renters be informed of the rules and regulations that are included in the permit?*** Yes, part of the application and inspection includes provision of the rental agreement for review and posting of the house rules in a visible location within the home.

1018 Porter Avenue, Ocean Springs, MS 39564.
Email Address: planningadmin@oceansprings-ms.gov

STATE OF MISSISSIPPI
COUNTY OF JACKSON
Ocean Springs, Mississippi

LA FONTAINE APARTMENTS
RESIDENTIAL LEASE - APT. NO.: ()

This Agreement entered into this day between FREDERICK MANNINO, hereinafter referred to as "Lessor"

and _____, hereinafter referred to as "Tenant",

WITNESSETH:

1. TERM OF LEASE:

Tenant agree(s) to lease said **Apartment A, B, C, or D (CIRCLE)**, from Lessor for the sum of \$ _____ .00 per month, beginning with the _____ day of _____, 20____, and terminating on the _____ day of _____, 20____, being the primary term of this Lease.

A, B, C are one bedroom units limited to 2 guest each and D is a 2 bedroom limited to 4 guest max per City of Ocean Springs ordinance. At the end of the primary term, (6) month term max and no less than 30 days, this Lease shall automatically be renewed, upon the Tenant remaining in the premises, unless the Tenant has given written notice to the Landlord of his/her intention to terminate this Lease at least thirty (30) days in advance of the expiration of its term or the Tenant has executed another lease agreement with the Lessor at least thirty (30) days in advance of the expiration of the primary term, on a month to month basis. Longer terms may be available and determined at the time a new lease is agreed upon and executed by the Lessor and the Tenant.

Off street, unassigned parking space is available for each Tenant(s), 2 vehicles maximum per unit, Tenant will provide a vehicle description and license plate number for their vehicle in section (15) fifteen.

2. USE:

The space rented hereunder is to be used for residential purposes only and shall not be occupied by anyone other than the tenant(s) specified in this agreement unless written consent from the owner or his agents is first obtained.

Further the Tenant shall not be allowed to keep any animals on the premises, unless written consent is authorized from the landlord, lessor or his agents by the signature below.

X _____

LANDLORD/LESSOR/AGENT

DATE

3. HOLD HARMLESS:

Tenant agree to save and hold Lessor and his agents harmless from any claim for damages to His/Her person or persons and to the Tenants' property arising from any cause, whatsoever including the Lessor's negligence.

4. PAYMENT OF RENT:

Each month's rent is due and payable on the first day of each month during the term of this Lease and any renewal thereof, and any rent not paid when due is delinquent. If said rent be delinquent for three (3) calendar days or more after it is due, there will be a late charge of five percent (5%) on all delinquent rents.

5. UTILITIES:

Tenant shall be responsible for the payment of all utilities and services to the apartment, except

water and sewer charges assessed by the City of Ocean Springs and expenses of trash collection.

7. ORDINANCES AND STATUTES:

Tenant shall comply with all statutes, ordinances and requirements of all federal, state, county, and municipal authorities which affect the premises or which may hereafter be enacted pertaining to the subject premises. Tenant(s) will initial here _____ indicating that they were provided with the City of Ocean Springs noise ordinance No. 2012-04 as an addendum to this lease and will comply with same in the section (7) seven, with regards to federal, state, county and municipal authorities statutes, ordinances and requirements.

8. MAINTENANCE AND ALTERATIONS:

Tenant shall be responsible for maintaining the rental unit in a clean and sanitary manner, changing air filters on the air conditioner as needed, and otherwise exercising ordinary and reasonable care of the premises and shall surrender the same at the termination of this Lease in the same condition as when the unit was rented, with normal wear and tear excepted. Tenant shall not keep or allow to be kept any property outside of the unit rented, unless written prior authorization from the landlord is granted. Tenant shall maintain the grounds surrounding the subject unit in a neat and clean condition, free of all litter and rubbish. **It is the Tenant/Guest responsibility take out the trash from the subject unit and placed in the trash receptacles/can, move them to the street on the day of collection and pickup.**

8. DEFAULT:

If Tenant shall fail to pay the rent when due or fail to perform any other provision of this Lease, Tenant will be in default, and Lessor, at his option, may terminate this Lease by giving written

SV

notice to the Tenant of said termination hand delivered or posted to door in Tenants absence or mailing same to the Tenant at the address of the leased unit, postage prepaid. In the event of default, Tenant will immediately surrender possession of the premises, and Tenant hereby consent(s) and confer(s) permission upon Lessor to enter the premises, whether or not Tenant has vacated same, and take possession of the premises and such personal effects of the Tenant until all charges due and owing by the Tenant, including but not limited to, rent, cleaning as may be required, and damages to the premises. Such effects as Tenant has in the premises shall be held by Lessor and he shall have a lien thereon expressly granted by this Lease until such time as all charges are paid.

ZV

In the event of default by the Tenant, Lessor may take possession and lease the premises to others for the remainder of Tenant term. Tenant will be allowed credit for any rents received during the remainder of said term, but will remain liable for any deficiencies in the event Lessor suffers a loss arising from this Lease and its breach. Should Lessor relet the premises for a higher rent, Tenant shall not receive credit for rentals under any reletting of the premises until such time as all charges for damages and cleaning have been paid. Credit to Tenant shall not exceed the rent due by Tenant.

21

9. AGREEMENT

This Lease constitutes the sole agreement between the parties and may not be changed except by written agreement and signed by the parties hereto. Should Lessor incur any expenses in enforcing this Lease, Tenant shall be liable for same.

S

SV

10. ABANDONMENT:

Should Tenant default in the premises, and Tenants' property be seized by Lessor, same shall be considered abandoned by Lessee and become the property of Lessor, unless the default is cured by correction of breach of this agreement that renders Tenant in default, within thirty (30) days from the date that the default occurred.

72

11. DEPOSIT:

Tenant shall pay a deposit of \$.00 to be kept by the Lessor until the termination of the Lease, the deposit will be returned to Tenant, less costs of cleaning the premises and making any repairs caused by Tenant; reasonable wear and tear excepted.

12. RENT:

Lessor may increase the rent at his sole option by giving Tenant written notice of the new rent not less than thirty (30) days prior to the end of the term of this Lease.

13. WAIVER:

Tenant does hereby waive all statutory rights as provided under the laws of the State of Mississippi. This Lease shall be governed by the laws of the State of Mississippi, and the waiver of statutory rights is not applicable to any rights that may not be lawfully waived.

27

14. LEAD-BASED PAINT:

Provided to the Tenant included with this lease as an addendum is a Lead-Based Paint Disclosure & Brochure, required by law. Tenant will initial here _____ indicating they were provided and received this lead based paint notice.

15. GUEST(S) VEHICLE(S) INFORMATION:

Provide your vehicle's year, make and model with the license plate number including the county and state where it is registered.

UNIT No. YEAR MAKE MODEL COLOR

LICENSE PLATE NUMBER COUNTY STATE EXPIRES

UNIT No. YEAR MAKE MODEL COLOR

LICENSE PLATE NUMBER COUNTY STATE EXPIRES

WITNESS THE SIGNATURE OF THE UNDERSIGNED, on this ____ day of
_____, 20__.

LESSOR

TENANT

WITNESS

NOTARY IS AT THE OPTION OF THE TENANT AND NOT REQUIRED UNDER LAW

STATE OF MISSISSIPPI

COUNTY OF _____

Personally appeared before me, the undersigned authority in and for the said County and State, the within named **FREDERICK MANNINO, Lessor, and** _____, Tenant who, first being duly sworn each acknowledged that they signed and delivered the above and foregoing Residential Lease on the day and year set forth therein.

Given under my hand and seal of office, this the _____ day of _____, 20____.

My Commission Expires:

NOTARY PUBLIC

The Islander Hideaway

House Rules & Regulations

Bienvenue

Welcome to the La Fontaine French House. Welcome aboard, we appreciate your business and we will do our very best to see that you enjoy your stay.

Noise

Noise shouldn't be an issue because we have a noise Ordinance known as Ocean Springs Noise Ordinance 2012-04. It is posted below as an addendum to the House Rules and Regulations. We ask that you please be considerate of others and abide by it. Enjoy the peace and quite like a local. If you don't you are likely to meet an Ocean Springs Police Officer. We offer our thanks to you in advance.

Occupancy

Guest per unit is as follows. All single bedroom units, 3 (THREE) total on the property, may enjoy up to 2 (TWO) guest for each one bedroom unit and up to 4 (FOUR) guest in our 2 bedroom unit, of which we have just 1 (One).

Parking

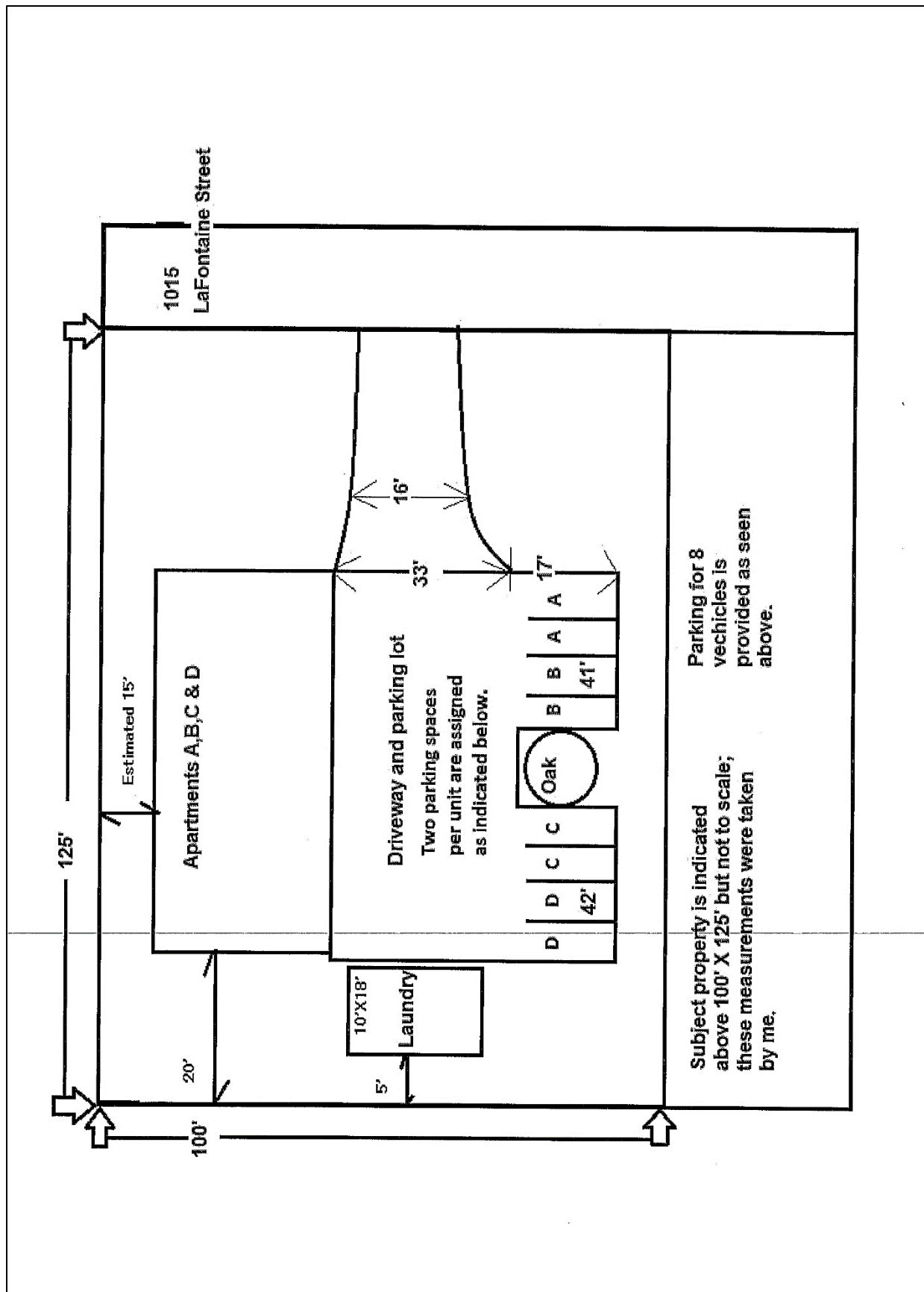
All single bedroom units, we have 3 (THREE) on the property, may enjoy access to 2 (TWO) parking spaces and 2 (TWO) vehicles on site. We are not able to accommodate trailers on the property.

Trash

Guest are responsible to bring the trash from the unit to the trash can assigned to your unit. And next to bring that trash can to the street for collection of the day of pickup.

Smoking

Smoking legal products is allowed but ONLY OUTSIDE the unit, we only ask that our guest keep everything our grounds clean of the smoked cigarettes.



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

PLANNING COMMISSION REPORT
— PUBLIC HEARING —

PUBLIC HEARING DATE: Tuesday, September 12, 2023

APPLICANT: Stephen Johnston

LOCATION: 103 Myrtle / PID: 61035043.000

REQUESTED ACTION: Residential Short Term Rental Permit

DATE OF APPLICATION: June 20, 2023

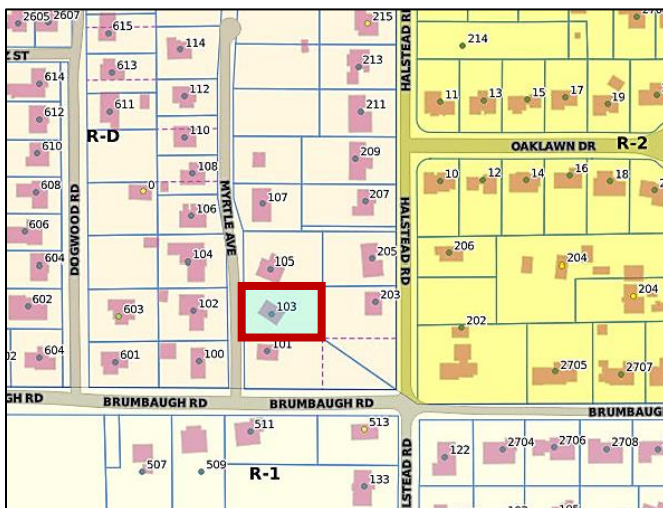
ADJACENT ZONING/LAND USE:

Subject Property: RD, Two-Family Residential District

North, East, West, South: RD, Two-Family Residential District

DESCRIPTION OF REQUEST:

- Per Ordinance 2015-11, 2018-02, 2021-05, 2021-25, and 2023-07, the application is for a short-term rental permit to allow usage for less than 30 days.
- Site Location: the property is located in the STR City Zone Area, on the east side of Myrtle Avenue, just north of Brumbaugh Road.



FINDINGS:

- **Local Property Manager:** Tina Sullivan will serve as the property manager. With an address of 1115 Porter Avenue, the requirement for residency within 2-miles of the city limit is satisfied.
- **Application:** Submittal is complete and was received prior to the deadline. A copy of the rental agreement is attached for consideration.
- **Homeowner's Association:** On the application form, the applicant indicated that this is not a covenant-restricted neighborhood with an active HOA. A search of Jackson County Land Records did not discover filed covenants for this subdivision. The MS Secretary of State's Office does not have an active HOA listed on their website.
- **Liability Insurance:** The signed application states that the liability insurance for the property does not exclude short term rentals from coverage, as well as conformance with building code, zoning requirements. There are no deed restrictions and taxes are current.
- **Fee:** The application fee was provided with the application. The mail-out fee was paid prior to distribution.
- **Notice via Standard Mail:** The notice of public hearing was sent to 40 property owners within 500 feet of the subject property. The distribution included the name of the applicant, notice of the hearing date, time and location, and a summary of Frequently Asked Questions regarding short-term rentals.
- **Publication:** Notice of the public hearing was advertised at least 15 days prior to the date of the hearing per ordinance. Additionally, the required yard sign was placed in the yard.
- **Inspection:** The property was inspected for all required elements on 7/19/23 and was approved. Inspection form is attached for review.
- **Maximum Occupancy:** The requested maximum occupancy of 4 was approved by the Fire Marshall during the above referenced inspection.
- **Maximum Number of Vehicles:** The request for a maximum number of 3 vehicles was approved by the Building Official during the above referenced inspection.
- **Guest Rules:** The rules were posted and visible during the property inspection.
- **Code Violation Complaints:** No code violations or police reports were documented for this address in the past 12 months.

FEEDBACK:

None.

SUMMARY:

The application for this property is complete and compliant with the adopted code, and the physical inspection passed. The recommendation is for approval of a Residential Short-Term Rental permit, subject to annual renewal.

ATTACHMENTS as listed above:



City of Ocean Springs Planning Department
1018 Porter Avenue / PO Box 1800 Ocean Springs, MS 39564 / (228) 875-4415

RESIDENTIALLY ZONED SHORT TERM RENTAL ANNUAL PERMIT APPLICATION

Application Date: 06/20/2023

REQUIRED ATTACHMENTS:

FEES: \$501 ~ Application Fee Effective 4/4/23 – \$500 must be paid at the time application is submitted [includes occupancy inspection fee]. ~ Administrative Fee: \$1.00 (per Ordinance 2022-17 following the requirements of Section 25-60-5 MS code Annotated)

- ☐ Completed Application
- ☐ Copy of Proposed Rental Agreement
- ☐ Proposed Parking Plan – Sketch
- ☐ Copy of rules, including trash management and reference of the city's noise ordinance (available upon request), to be posted inside unit
- ☐ Affirmation of Code Compliance – Ord.2015-11 (Section 401.3(10)) – Attached.
- ☐ ~Standard mailout fee will be calculated during the review process and must be paid prior to scheduling of the public hearing~
- Properties will be reviewed and inspected prior to scheduling the public hearing date and sending the required notices.
- PERMITS MUST BE RENEWED ANNUALLY (\$500 renewal fee) AND ARE NOT TRANSFERRABLE.

REQUIRED: RENTAL PROPERTY INFORMATION:

- Address of Rental Property: 103 Myrtle Ave OS, MS 39564
- Parcel Identification Number: 61035043.000 Number of bedrooms: 1
- Proposed maximum # guests: 4 Number of existing off-street parking spaces: 3
- Is this property located in a covenant-restricted subdivision? ☐ Yes ☒ No ~ If yes, a copy of the covenants must be included.

PROPERTY OWNER – Name:	<u>T. Stephen Johnston</u>
Address:	<u>1801 Shagbark Lane Charlotte, NC 28226</u>
Phone No. <u>662-251-0515</u>	Email: <u>OSMS1699@gmail.com</u>
OWNER SIGNATURE: _____	
LOCAL PROPERTY MANAGER – [Must RESIDE within two (2) miles of the OS City Limits]	
Name:	<u>Tina Sullivan</u>
Address:	<u>1115 Porter Ave</u>
Phone No. <u>662-251-3245</u>	Email: <u>tinajsullivan@yahoo.com</u>
Is the Property Manager OR the Owner the best contact for scheduling Inspections? <u>Owner</u>	

Revised 06/16/2023

1 | Page

Owner – initial by each ordinance to indicate receipt:

Copy of Ordinance 2015-11 Received: _____ (initials) Copy of Ordinance 2019-19 Received: _____

Copy of Ordinance 2018-02 Received: _____ (initials) Copy of Ordinance 2021-25 Received: _____

Copy of Ordinance 2023-07 Received: _____ (initials)

Physical Inspection of Property:

- All applicable fire and health codes as would apply to a commercially zoned structure must be compliant.
- As part of the review process, an inspection will be scheduled to determine that all physical requirements are met per the ordinance
- Inspection will also include but are not limited to: adequate parking, proposed occupancy, number of vehicles allowed, location of garbage storage, posting of rules, etc. (per *most current* inspection Checklist dated: 2/08/18)

.....
Affirmation of Codes/Regulations

I, (print name) Timothy Stephen Johnston, hereby certify that:

1. I am the owner of the property that is the subject of this application and that I have read and understand the requirements as outlined in the application.
2. There are no outstanding City of Ocean Springs property taxes or special assessments on the parcel(s).
3. Per Section 2.C.5 of Ordinance No. 2015-11, I will obtain a Mississippi State Sales Tax License through the MS Dept. of Revenue to pay all city, county, and state taxes required by law.
4. The property included in this application is in compliance with all applicable building codes, zoning requirements, and deed restrictions and/or covenants.
5. The Homeowner's liability insurance does not exclude short term rentals from coverage.
6. Any existing mortgage or deed does NOT prohibit use of property as a short term rental.
7. Proper documentation of covenants that may restrict use of the property as a short rental and/or a letter of support from the HOA has been provided.

I further acknowledge that the information provided herein is true and correct to the best of my knowledge.

Owner(s) Name: Timothy Stephen Johnston

Parcel ID(s): 6103504.000

Date Property Acquired: 06/29/2022

Owner's Signature Timothy Stephen Johnston Date 06/20/2023

.....
Office Use Only

Date of Inspection: 7/19/23 Result of Occupancy Inspection: PASSED

Maximum Occupancy Determination: 4 (attached)

Maximum Parking Spaces: 3 Permit Renewal Date: _____

PC Public Hearing Date: 9/12/23 BOA Approval Date: _____

Revised 06/16/2023

2 | Page

ADDRESS: 103 Myrtle Avenue iWorQ Permit#: 2816



PLANNING DEPARTMENT
P.O. Box 1800 / Ocean Springs, MS. 39566
Phone 228-875-4415 Fax 228-872-5427

RESIDENTIALLY-ZONED SHORT TERM RENTAL – OCCUPANCY INSPECTION FORM

Before requesting an occupancy inspection from the Building Official and the Fire Marshall, please make sure the following items have been completed. Someone must be present at the time of inspection.

All Occupancy Inspections are done at 10am

The following items must be complete prior to inspection:

- | | |
|---|---|
| ☒ Type 2A 10BC Fire Extinguishers
(Maximum travel distance 75 ft.) | ☒ Adequate garbage receptacles |
| ☒ Emergency Lighting with battery backup | ☒ Smoke detectors in all bedrooms
and hallways. |
| ☒ Address on Building | ☒ Carbon monoxide detectors if there
is gas service. |
| ☒ Breaker Box needs to be labeled | ☒ Identified # of Bedrooms: <u>4</u> |
| ☒ Outlet and switch plate covers need to be
installed. (GFCI Circuits within 6 ft. of
water source) | ☒ Proposed # of Guests: <u>4</u> |
| ☒ No exposed wiring | Approved # of Guests per OSFD: <u>4</u> |
| ☒ Adequate emergency egress | |
| ☒ Operable windows in sleeping areas | ☒ Proposed # of vehicles: <u>3</u> |
| ☒ Guest rules (noise, garbage, etc.) must be
visibly posted. | Approved # of vehicles per OSFD: <u>3</u> |

Property Owner: Stephen Johnston

Phone #: 662-251-0515

Contact Name: Stephen Johnston

Phone #: 662-251-0515

.....
Date of Inspection: 7-19-23

COMMENTS: _____

☒ **PASSED**

Building Official: [Signature]

Fire Marshall: [Signature]

Property Owner: [Signature]

PUBLIC HEARING NOTICE

Residential Short-Term Rental



THIS INFORMATION IS BEING SENT TO YOU AS PART OF THE PERMITTING PROCESS FOR A NEARBY PROPERTY.

Per adopted Code for the City of Ocean Springs, notice has been advertised in the MS Press Newspaper and copies are sent via Standard mail at the cost of the applicant.

PUBLIC NOTICE is hereby given that the City of Ocean Springs **PLANNING COMMISSION** will hold a **public hearing** on the date listed below to consider an application for a Short-Term Rental Permit per Ordinance governing the provision of Short Term Rentals of dwellings in residential zones after application, hearing, and approval.

Application for the address listed below will be considered in the regular meeting place of the Board of Aldermen at the City Hall located at 1018 Porter Avenue Ocean Springs, MS 39564.

Short-Term Rental Applied for: 103 Myrtle Avenue

Public Hearing Date/Time: September 12, 2023 at 6:00 p.m.

Applicant Stephen Johnston

Local Contact Tina Sullivan

The Residential Short-Term Rental Ordinance (2015-11) was approved on July 7, 2015. The ordinance was researched, modified, and re-approved on February 20, 2018, December 17, 2019, December 7, 2021, and May 16, 2023. This document addresses what the ordinance requires of an applicant, the process, and contact information for questions or concerns. For more details, please call the Planning Department at 228-875-4415.

Short-Term Rentals: Considered as less than 30 days. Conditions for permitting include an approval process, occupancy/vehicle requirements, guest registry, noise/garbage management, posting of rules, local management, and a process for complaints, basis for denial or revocation, and violations.

Frequently Asked Questions regarding Residential Short-Term Rental permits:

- 1) ***Why am I receiving this information?*** All property owners within 500 feet of the property requesting a permit are required to receive notification via standard mail. Additionally, the hearing was advertised in the local newspaper and a yard sign placed on the property. This notice was mailed to your address of record with the Jackson County Tax Assessor's office.
- 2) ***What is allowed under a Short-Term Rental Permit?*** Approval of the permit will allow the property owner to rent the residence for periods of less than 30 days at a time, governed by restrictions listed in the ordinance. The permit does not allow any other non-permitted activity.
- 3) ***Who will be responsible for management of the property?*** The property owner is ultimately responsible for all activity on the property. The Local Property Manager, if one is assigned, **MUST** reside within 2 miles of the city limits and be available 24/7 to address issues related to the property. The Planning Department will have a contact number in case of emergencies.
- 4) ***Do the property owners pay sales tax for this activity?*** Yes – the property owner will be issued a city privilege license that will allow them to register with the state for payment of sales tax, including the additional "bed tax" required for all hotel activity.
- 5) ***What review has been done by the City?*** The application, a \$500 application fee, and payment for mailing was received. All information was reviewed to ensure all administrative requirements have been met. The home

- 6) ***What physical modifications were required for the home?*** Required life safety improvements include, but are not limited to, hard-wired smoke detectors (carbon monoxide if served by gas), emergency lighting for exits during power outages, properly functioning exits, current fire extinguishers, labeled fuse box, etc.
- 7) ***How will the maximum occupancy and number of vehicles be established?*** During the physical inspection, the Building Official and Fire Inspector assess the availability of space including sleeping areas and space for off-street parking. These maximums will be established prior to the public hearing and can be enforced during operation of the rental.
- 8) ***Where can I report code violations, disturbances, etc.?*** Just as you would with any residential occupant, if there are problems with noise, excessive vehicles, trash, or other intrusive behavior, the proper city officials should be notified. For life-threatening emergencies, dial 9-1-1 as you would with any type of residential occupancy. Documented complaints will be considered during the renewal process. The ordinance provides guidelines for the basis of revocation or denial or permit issuance and/or renewal.

- a. Police: 228-875-2211 – noise, trespassing, other criminal activity
- b. Code Enforcement: 228-875-6712 – improper vehicle parking, improper trash storage
- c. Any other complaints can be forwarded to the Planning Department at **228-875-4415** or mailed to Attn: Planning Department, City of Ocean Springs, 1018 Porter Avenue, Ocean Springs, MS 39564

- 9) ***What is the process if the rules are not followed?*** If the City receives documentation that the property owners and/or tenants have violated the provisions set forth in the ordinance, or have met any other criteria that allows for revocation, written notice will be given to the property owner of the violation(s). If corrective action is not taken in the allotted time period, the permit can be revoked and citations issued.
- 10) ***How long is the permit valid?*** The Residential Short-Term Rental permit is an annual renewal. Once the initial permit is approved, the property will be inspected annually and complaint records reviewed prior to renewal. The ordinance provides guidelines for the basis of revocation or denial or permit issuance and/or renewal.
- 11) ***Is the permit transferable to new owners?*** No. The permit is issued to the owner for that specific address. Permits are not transferrable to other owners or properties without the full approval process, including an advertised public hearing.
- 12) ***Is the approval process the same for properties in commercially zoned districts?*** The application itself is similar, but commercial properties do not require notice or public hearing.
- 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 that 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 an ACTIVE HOA where applicable.
- 14) ***Will the property owner be required to maintain renter information?*** Yes, the property owner must maintain a guest registry and provide to the city for review upon request.
- 15) ***Will the renters be informed of the rules and regulations that are included in the permit?*** Yes, part of the application and inspection includes provision of the rental agreement for review and posting of the house rules in a visible location within the home.

1018 Porter Avenue, Ocean Springs, MS 39564.
Email Address: planningadmin@oceansprings-ms.gov

SHORT-TERM RENTAL AGREEMENT

1. **PARTIES.** This Vacation (Short Term) Rental Agreement (hereinafter the "Agreement") entered on _____ is made between:

Guest Name: _____ (Hereinafter known as the "Guest") with a mailing address of

Guest mailing address: _____ AND

Landlord's name: _____ ("Hereinafter known as the "Landlord") with a mailing

address of Landlords mailing address: _____ collectively referred to in this Agreement as the "Parties", hereby agree as follows:

2. **PREMISES.** The rental property, hereinafter known as the "Premises" is located at:

Property Address: _____.

3. **RENTAL TERM.** This term shall begin on __/__/____, at _____ ☐ AM ☐ PM ("Move-in" date) and end on __/__/____ at _____ ☐ AM ☐ PM ("Move-out" date). Together known as the "Rental Term".

4. **RENTAL RATE, FEES, DEPOSIT, & TOTAL.**

- a. **RENTAL RATE.** The total rent to be paid by the Guest to the Landlord throughout the term of this Agreement is equal to \$_____, equal to ___ days at \$_____ per day.

- b. **FEES & TAXES.** The Guest will be responsible for paying for the following expenses (check all that apply):

☐ - Cleaning fee: \$_____

☐ - Taxes: \$_____

☐ - Other _____ : \$_____

- c. **INITIAL DEPOSIT.** The Guest will be charged a ☐ Non-refundable ☐ Refundable (check one) deposit of \$_____ that is due ___ days prior to the check-in date. If Refundable, the Landlord shall return the deposit (less any damages and/or excessive cleaning) to the Guest within ___ days after the check-out date.

- d. **TOTAL DUE.** The Total Amount the Guest is responsible for paying for is:

eSign

Page 1 of 6

Rental costs: \$ _____

Cleaning fee: \$ _____

Taxes: \$ _____

Deposit: \$ _____

TOTAL: \$ _____

5. PAYMENT. Acceptable payment methods include:

- ☐ - Credit / Debit Card
- ☐ - Check
- ☐ - PayPal / Venmo (Send to: _____)
- ☐ - Other: _____

6. KEYS. All keys are to be picked up at the beginning of the Rental Term at Lockbox on site and shall be returned at the end of the Rental Term at Lockbox on site. It is strongly advised that the Guest test all keys upon Move-in.

7. PETS. The Guest is (check one):

- ☐ - Permitted to have ____ pet(s) on the Premises, ONLY consisting of _____ (write "all" if no pet restrictions").
- ☐ - NOT permitted to have pets of any nature on the Premises.

8. PARKING. The Guest (check one):

- ☐ - Is allotted ____ parking space(s). Location of the space(s): _____.
- ☐ - Is NOT allotted any parking spaces (Guest is limited to street or non-reserved parking).

9. TRASH DISPOSAL. Guest shall dispose of all waste during the rental term by the following means

_____.

10. CONTACT INFORMATION. The Guest can contact the following individual for questions or concerns during the Rental Term:

Landlord / Agent's Name: _____

Address: _____

Telephone: _____

eSign

Page 2 of 6

Email: _____

- 11. WAIVER.** No delay or failure of the Landlord to enforce any part of this Agreement shall be deemed as a waiver thereof, nor shall any acceptance of any partial payment of rent or any other amount due be deemed a waiver of the Landlord's right to the entire amount due.
- 12. CANCELLATION.** If Guest cancels their reservation within ten (10) days of the Move-in date, the Initial Deposit will be forfeited.
- 13. SUBLETTING.** The Guest shall not sublet the Premises without the written consent of the Landlord.
- 14. ENTRY.** The Landlord shall have the right at all reasonable times during the term of this Agreement and any renewal thereof to enter the Premises for the purpose of any repair, modification, alteration, installation, or other reasonable action, so long they provide at least twenty-four (24) hours' notice to the Guest.
- 15. MAINTENANCE.** The Guest shall maintain the premises in a good, clean, and ready to rent condition, and use the premises only in a careful and lawful manner. The Guest shall leave the premises in a ready to rent condition at the expiration of the rental agreement, defined by the Landlord as being immediately habitable by proceeding guests. The Guest shall pay for maintenance and repairs should the premises be left in a lesser condition. The Guest agrees that the Landlord shall deduct costs of said services from the security deposit prior to refund if tenants cause damage to the premises or its furnishings.
- 16. OCCUPANCY LIMIT.** The rental rate is based upon a maximum occupancy of two (2) occupants per bedroom. Occupancy (having more than two persons per bedroom) is a serious violation and breach of Agreement, and the Landlord reserves the right to deny access or to have the premises vacated with no refund of monies.
- 17. NOTICES.** Any and all notices sent by the Landlord or the Guest to each other shall be sent to the addresses as located on the first page of the Agreement.
- 18. POSSESSION & SURRENDER.** Guest shall be entitled to possession of the Premises on the 1st day of the Rental Term. Upon termination of the Agreement, Guest shall peaceably surrender the Premises to the Landlord in good condition, as it was at the commencement of the Agreement, excluding reasonable wear and tear.

eSign

Page 3 of 6

19. JOINT AND SEVERAL. If the Guest is comprised of more than one person, each person shall be jointly and severally liable under this Agreement.

20. ATTORNEY'S FEES. Guest agrees to pay for all reasonable costs, attorney's fees, and expenses that result from the Landlord enforcing this Agreement.

21. REFUNDS. The Guest shall not receive a refund due to a shortened stay and/or poor experience that resulted from unfavorable weather conditions.

22. LIABILITY. The Landlord is not liable for any loss or damage to the personal property of the Guest or their guests, unless the loss is a direct result of the Landlord's action. The Guest is liable for the acts of anyone listed in this Agreement in addition to any guest that they should allow on the Premises. Tenants expressly recognize that any insurance for property damage or loss which the Landlord may maintain on the property does not cover the personal property of Tenants, and that Tenants should purchase their own insurance for Tenants and Guests if such coverage is desired.

23. HAZARDOUS MATERIALS. The Guest agrees to not possess any type of personal property that could be considered a fire hazard such as a substance having flammable or explosive characteristics on the Premises. Items that are prohibited to be brought into the Premises, other than for everyday cooking or the need of an appliance, includes but is not limited to gas (compressed), gasoline, ammunition, fuel, propane, kerosene, motor oil, fireworks, or any other related content in the form of a liquid, solid, or gas.

24. ENTIRE AGREEMENT. This Agreement contains all of the terms agreed to by the Parties and may be modified or amended only by written agreement signed by the Landlord and Guest. This Agreement replaces all previous discussions, understandings, and oral agreements. The Parties agree to the terms and conditions and shall be bound until the termination of the Agreement.

25. GOVERNING LAW. This Agreement shall be governed by the laws of the state of Mississippi.

26. LEAD BASED PAINT. The Premises (check one):

☐ - Was built prior to 1978. An attachment titled "Disclosure of Information on Lead-Based Paint and/or Lead-Based Paint Hazards" has been affixed to the Agreement and must be initialed and signed by the Parties.

☐ - Was not built prior to 1978.

eSign

Page 4 of 6

27. ADDITIONAL PROVISIONS.

* _____.

eSign

Page 5 of 6

IN WITNESS THEREOF, the Parties have caused this Agreement to be executed on the day and year first above written.

Landlord's Signature: _____ Date: __/__/__

Printed Name: _____

Guest's Signature: _____ Date: __/__/__

Printed Name: _____

Guest's Signature: _____ Date: __/__/__

Printed Name: _____

eSign

Page 6 of 6

BOOKING CONFIRMATION

Hi _____,

We appreciate you choosing _____ for your stay. Please sign the attached lease agreement and deliver the required payment below to the listed address.

If you have any questions, don't hesitate to reach out!

Thank you,

PROPERTY INFORMATION

Street: _____ Unit: _____

City: _____ State: _____ ZIP: _____

RESERVATION INFORMATION

Check-in: ____ / ____ / ____ after ____ : ____ ☐ AM ☐ PM

Check-out: ____ / ____ / ____ before ____ : ____ ☐ AM ☐ PM

Number (#) of Adults: ____ Number (#) of Children (under 18): ____ # of Pets: ____

RATE & FEES

UPFRONT DEPOSIT: \$_____ due _____ day(s) prior to Check-in.

Total booking time: _____ days @ \$_____ / day = \$_____

+ Cleaning fee: \$_____

+ Misc. fee: \$_____

+ Sales tax: \$_____

- Upfront deposit: \$_____

= **TOTAL:** \$_____ Due before ____ / ____ / ____

Accepted payment methods: ☐ Cash ☐ Check ☐ Credit ☐ PayPal ☐ Venmo

eSign

Barings-Public

House Address: 103 Myrtle Ave. OS, MS 39564

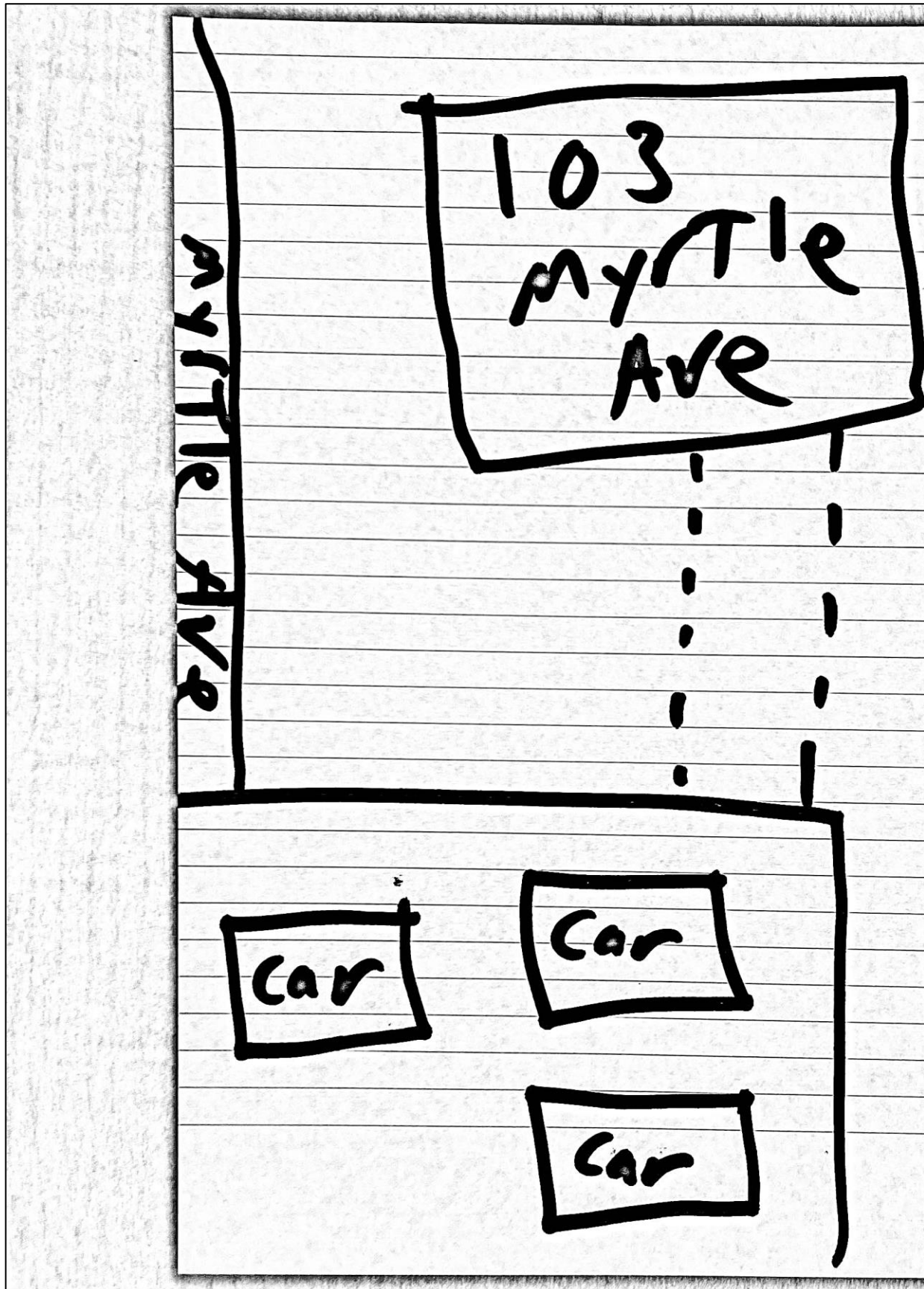
CHECK IN: 3pm

CHECK OUT: 11am

House Rules:

- Parking: driveway in front of house, 2 vehicles max, please no on street parking
- No parties or events
- No smoking inside the house
- No unregistered guests allowed, max occupancy is 3 guests
- Please respect the noise curfew of 10 o'clock and abide the city noise ordinance (noise ordinance posted separately)
- Please take the trash out to the bins before you leave
 - o Bins can be moved to the street Monday night
 - o Trash is picked up early Tuesday morning
- Please report any damages and/or breakages in a timely manner
- Before checkout, please:
 - o Start dishwasher with any dirty dishes
 - o Hang wet towels
 - o Leave bed un-made

Barings-Public



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

PLANNING COMMISSION REPORT
— PUBLIC HEARING —

PUBLIC HEARING DATE: Tuesday, September 12, 2023

APPLICANT: Michelle Hodges

LOCATION: 1502 Porter Avenue / PID: 61011006.000

REQUESTED ACTION: Residential Short Term Rental Permit

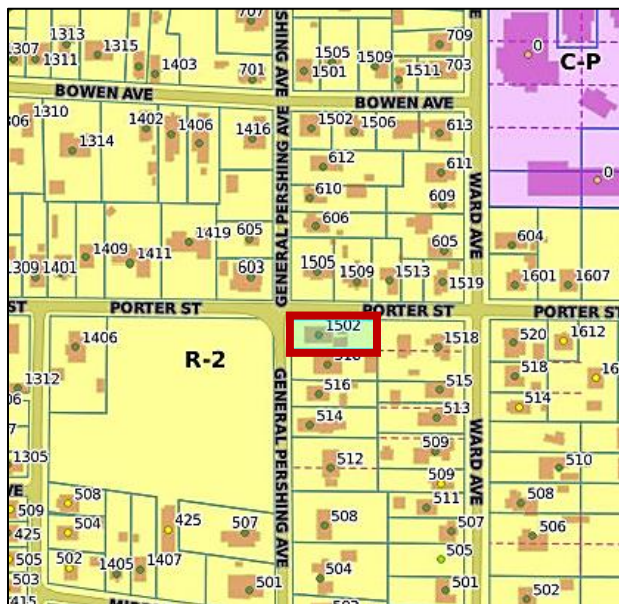
DATE OF APPLICATION: June 9, 2023

ADJACENT ZONING/LAND USE:

Subject Property: R2, Low-Medium Density, Single-Family Residential District
North, East, West, South: R2, Low-Medium Density, Single-Family Residential District

DESCRIPTION OF REQUEST:

- Per Ordinance 2015-11, 2018-02, 2021-05, 2021-25, and 2023-07, the application is for a short-term rental permit to allow usage for less than 30 days.
- **Site Location:** the property is located in the STR Density Zone Area, on the southeast corner of Porter Avenue and General Pershing Avenue.



FINDINGS:

- **Local Property Manager:** The property owner will serve as the property manager. With an address of 207 Washington Avenue, the requirement for residency within 2-miles of the city limit is satisfied.
- **Application:** Submittal is complete and was received prior to the deadline. A copy of the rental agreement is attached for consideration.
- **Homeowner's Association:** On the application form, the applicant indicated that this is not a covenant-restricted neighborhood with an active HOA. A search of Jackson County Land Records did not discover filed covenants for this subdivision. The MS Secretary of State's Office does not have an active HOA listed on their website.
- **Liability Insurance:** The signed application states that the liability insurance for the property does not exclude short term rentals from coverage, as well as conformance with building code, zoning requirements. There are no deed restrictions and taxes are current.
- **Fee:** The application fee was provided with the application. The mail-out fee was paid prior to distribution.
- **Notice via Standard Mail:** The notice of public hearing was sent to 64 property owners within 500 feet of the subject property. The distribution included the name of the applicant, notice of the hearing date, time and location, and a summary of Frequently Asked Questions regarding short-term rentals.
- **Publication:** Notice of the public hearing was advertised at least 15 days prior to the date of the hearing per ordinance. Additionally, the required yard sign was placed in the yard.
- **Inspection:** The property was inspected for all required elements on 7/20/23 and was approved. Inspection form is attached for review.
- **Maximum Occupancy:** The requested maximum occupancy of 6 was reduced to 4 by the Fire Marshall during the above referenced inspection.
- **Maximum Number of Vehicles:** The request for a maximum number of 3 vehicles was approved by the Building Official during the above referenced inspection.
- **Guest Rules:** The rules were posted and visible during the property inspection.
- **Code Violation Complaints:** No code violations or police reports were documented for this address in the past 12 months.

FEEDBACK:

None.

SUMMARY:

The application for this property is complete and compliant with the adopted code, and the physical inspection passed. The recommendation is for approval of a Residential Short-Term Rental permit, subject to annual renewal.

ATTACHMENTS as listed above:



City of Ocean Springs Planning Department
1018 Porter Avenue / PO Box 1800 Ocean Springs, MS 39564 / (228) 875-4415

RESIDENTIALLY ZONED SHORT TERM RENTAL ANNUAL PERMIT APPLICATION

Application Date: 6/9/23

Submittal Requirements:

FEES: \$501 ~ Application Fee Effective 4/4/23 – \$500 must be paid at the time application is submitted [includes occupancy inspection fee]. ~ Administrative Fee: \$1.00 (per Ordinance 2022-17 following the requirements of Section 25-60-5 MS code Annotated)

- ☐ Completed Application
- ☒ Copy of Proposed Rental Agreement
- ☒ Proposed Parking Plan
- ☒ Copy of rules, including trash management and reference of the city's noise ordinance (available upon request), to be posted inside unit
- ☐ Affirmation of Code Compliance – Ord.2015-11 (Section 401.3(10)) – Attached.
- ☒ ~Standard mailout fee will be calculated during the review process and must be paid prior to scheduling of the public hearing~~
- ☒ Properties will be reviewed and inspected prior to scheduling the public hearing date and sending the required notices.
- ☒ PERMITS MUST BE RENEWED ANNUALLY (\$500 renewal fee) AND ARE NOT TRANSFERRABLE.

REQUIRED INFORMATION:

- Address of Rental Property: 1502 Porter Ave
- Parcel Identification Number: 1011006 Number of bedrooms: 3
- Proposed maximum # guests: 8 Number of existing off-street parking spaces: 3
- Is this property located in a covenant-restricted subdivision? ☐ Yes ☒ No ~ If yes, a copy of the covenants must be included.

Name of Property Owner Michelle Hodges
Address of Property Owner 207 Washington Ave
Phone No. 251 978 6784
Name of Local Property Manager self
[Must RESIDE within two (2) miles of the OS City Limits] Address 207 Washington Ave
Phone No. 251 978 6784 Signature: Michelle Hodges

Copy of Ordinance 2015-11 Received: [initials] Copy of Ordinance 2019-19 Received: [initials]
Copy of Ordinance 2018-02 Received: [initials] Copy of Ordinance 2021-25 Received: [initials]
Copy of Ordinance 2023-07 Received: [initials]

Revised 05/23/2023

1 | Page

Physical Inspection of Property:

- All applicable fire and health codes as would apply to a commercially zoned structure must be compliant.
- As part of the review process, an inspection will be scheduled to determine that all physical requirements are met per the ordinance
- Inspection will also include but are not limited to: adequate parking, proposed occupancy, number of vehicles allowed, location of garbage storage, posting of rules, etc. (per most current Inspection Checklist dated: 2/08/18)

.....
Affirmation of Codes/Regulations

I, (print name) Michelle Hodges hereby certify that:

1. I am the owner of the property that is the subject of this application and that I have read and understand the requirements as outlined in the application.
2. There are no outstanding City of Ocean Springs property taxes or special assessments on the parcel(s).
3. Per Section 2.C.5 of Ordinance No. 2015-11, I will obtain a Mississippi State Sales Tax License through the MS Dept. of Revenue to pay all city, county, and state taxes required by law.
4. The property included in this application is in compliance with all applicable building codes, zoning requirements, and deed restrictions and/or covenants.
5. The Homeowner's liability insurance does not exclude short term rentals from coverage.
6. Any existing mortgage or deed does NOT prohibit use of property as a short term rental.
7. Proper documentation of covenants that may restrict use of the property as a short rental and/or a letter of support from the HOA has been provided.

I further acknowledge that the information provided herein is true and correct to the best of my knowledge.

Owner(s) Name: Michelle Hodges

Parcel ID(s): 41011004

Date Property Acquired: 8.4.22

Owner's Signature Michelle Hodges 6/9/23

.....
Office Use Only

Date of Inspection: 7/20/23

Result of Occupancy Inspection: PASSED

Maximum Occupancy Determination: 4

(attached)

Maximum Parking Spaces: 3

Permit Renewal Date: _____

PC Public Hearing Date: 9/12/23

BOA Approval Date: _____

Revised 05/23/2023

2 | Page

ADDRESS: 1502 Porter Ave. iWorQ Permit#: 2748



PLANNING DEPARTMENT
P.O. Box 1800 / Ocean Springs, MS. 39566
Phone 228-875-4415 Fax 228-872-5427

RESIDENTIALLY-ZONED SHORT TERM RENTAL – OCCUPANCY INSPECTION FORM

Before requesting an occupancy inspection from the Building Official and the Fire Marshall, please make sure the following items have been completed. Someone must be present at the time of inspection.

All Occupancy Inspections are done at 10am

The following items must be complete prior to inspection:

- | | |
|---|---|
| ☒ Type 2A 10BC Fire Extinguishers
(Maximum travel distance 75 ft.) | ☒ Adequate garbage receptacles |
| ☒ Emergency Lighting with battery backup | ☒ Smoke detectors in all bedrooms
and hallways. |
| ☒ Address on Building | ☒ Carbon monoxide detectors if there
is gas service. |
| ☒ Breaker Box needs to be labeled | ☒ Identified # of Bedrooms: <u>2</u> |
| ☒ Outlet and switch plate covers need to be
installed. (GFCI Circuits within 6 ft. of
water source) | ☒ Proposed # of Guests: <u>6</u> |
| ☒ No exposed wiring | Approved # of Guests per OSFD: <u>4</u> |
| ☒ Adequate emergency egress | ☒ Proposed # of vehicles: <u>3</u> |
| ☒ Operable windows in sleeping areas | Approved # of vehicles per OSFD: <u>3</u> |
| ☒ Guest rules (noise, garbage, etc.) must be
visibly posted. | |

Property Owner: Michelle Hodges Phone #: 251-978-6784
Contact Name: Michelle Hodges Phone #: 251-978-6784

.....
Date of Inspection: 7-20-23

COMMENTS: _____

☒ **PASSED**

Building Official: [Signature] Fire Marshall: [Signature]
Property Owner: Michelle Hodges

PUBLIC HEARING NOTICE

Residential Short-Term Rental



THIS INFORMATION IS BEING SENT TO YOU AS PART OF THE PERMITTING PROCESS FOR A NEARBY PROPERTY.

Per adopted Code for the City of Ocean Springs, notice has been advertised in the MS Press Newspaper and copies are sent via Standard mail at the cost of the applicant.

PUBLIC NOTICE is hereby given that the City of Ocean Springs **PLANNING COMMISSION** will hold a **public hearing** on the date listed below to consider an application for a Short-Term Rental Permit per Ordinance governing the provision of Short Term Rentals of dwellings in residential zones after application, hearing, and approval.

Application for the address listed below will be considered in the regular meeting place of the Board of Aldermen at the City Hall located at 1018 Porter Avenue Ocean Springs, MS 39564.

Short-Term Rental Applied for: 1502 Porter Ave.

Public Hearing Date/Time: September 12, 2023 at 6:00 p.m.

Applicant Michelle Hodges

Local Contact Michelle Hodges

The Residential Short-Term Rental Ordinance (2015-11) was approved on July 7, 2015. The ordinance was researched, modified, and re-approved on February 20, 2018, December 17, 2019, December 7, 2021, and May 16, 2023. This document addresses what the ordinance requires of an applicant, the process, and contact information for questions or concerns. For more details, please call the Planning Department at 228-875-4415.

Short-Term Rentals: Considered as less than 30 days. Conditions for permitting include an approval process, occupancy/vehicle requirements, guest registry, noise/garbage management, posting of rules, local management, and a process for complaints, basis for denial or revocation, and violations.

Frequently Asked Questions regarding Residential Short-Term Rental permits:

- 1) ***Why am I receiving this information?*** All property owners within 500 feet of the property requesting a permit are required to receive notification via standard mail. Additionally, the hearing was advertised in the local newspaper and a yard sign placed on the property. This notice was mailed to your address of record with the Jackson County Tax Assessor's office.
- 2) ***What is allowed under a Short-Term Rental Permit?*** Approval of the permit will allow the property owner to rent the residence for periods of less than 30 days at a time, governed by restrictions listed in the ordinance. The permit does not allow any other non-permitted activity.
- 3) ***Who will be responsible for management of the property?*** The property owner is ultimately responsible for all activity on the property. The Local Property Manager, if one is assigned, **MUST** reside within 2 miles of the city limits and be available 24/7 to address issues related to the property. The Planning Department will have a contact number in case of emergencies.
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- c. Any other complaints can be forwarded to the Planning Department at **228-875-4415** or mailed to Attn: Planning Department, City of Ocean Springs, 1018 Porter Avenue, Ocean Springs, MS 39564

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1018 Porter Avenue, Ocean Springs, MS 39564.
Email Address: planningadmin@oceansprings-ms.gov

Stay Ocean Springs Rental Policies and Restrictions

CANCELATION: If you must cancel, change dates, or change properties, please call us at (251-978-6784) or email us at info@stayoceansprings.com as soon as possible.

For your deposit to be returned or transferred, we require a minimum 30 days notice. No refunds will be issued inside the cancellation date range for any reason, including illness, hurricanes and similar events. For this reason, we recommend you purchase a travel protection plan.

AMENITIES: Availability of on-site amenities, such as pools, is not guaranteed. No refunds will be issued for changes made by property owner or unavailable amenities.

INITIAL RESERVATION PAYMENT: Your initial reservation payment applies to your rent upon arrival.

Upon processing of your initial reservation payment you will receive written confirmation.

Final payment (balance due after initial reservation payment and non-refundable processing fee has been paid) is due 30 days prior to arrival. We accept most major credit cards, money order or cash. Check in location will be onsite at the property.

Note: The Rental License Agreement is a binding legal document verifying that you are an adult and financially responsible for any damages made by parties present during your occupancy dates. Any reservation made under false pretense will result in eviction with the loss of deposit and rent. If you have not signed the Rental License Agreement prior to arrival, you must sign it upon arrival. By following through with the online reservation process, your agreement to the terms and conditions is both implied and assumed. Contact us immediately if you have questions about any information contained in your confirmation.

RESPONSIBILITIES: Your responsibilities include managing the property in the condition you found it. This includes leaving the property reasonable clean and orderly upon departure, leaving kitchen items (dishes, cookware, etc.) clean, disposing of all trash in property outside containers, locking all windows and doors, and leaving beds unmade with linens on the floor. Additionally, trash must be taken to the road for pick-up on trash collection days (Wednesday) and returned to house after collection. On unoccupied trash pick-up days, Management will deliver trash receptacles for collection and return to house.

RESORT RENTAL CAPACITY: The stated "Limit" is the maximum number of occupants allowed in a property at any given time. This home has a 4-person occupancy limit. Absolutely no house parties allowed.

PET POLICY: A nonrefundable fee will apply to all "Dog-friendly property" reservations. Neither this nonrefundable fee nor the nonrefundable damage waiver cover damages or excessive cleaning. If a pet or evidence of a pet is found in "Non Pet Friendly Properties" eviction and a forfeiture of rent will occur.

PARKING RESTRICTIONS: Guest registration certificates for parking are not required; however, occupancy over the limit stated per property is carefully monitored as evident by the number of parked cars. Boats, trailers, jet skis and motorhomes are prohibited without exception. No more than three (3) vehicles may be parked on premises.

RENTAL POLICIES

LENGTH OF RENTAL

- Some minimum lengths of rental apply and may vary based on seasonality and time of year.
- Weekly only restrictions require a Friday-to-Friday rental
- Monthly reservations may be available upon request October through March

INITIAL RESERVATION PAYMENT

- Initial reservation payment for reservations within 12 months is 30% of base rent, plus a nonrefundable processing fee.
- Initial reservation payment is due at time of reservation booking.
- Pre-paid debit cards (aka, gift cards) are not accepted toward initial reservation payments.
- The initial reservation payment is a portion of your rent and will be applied to your grand total; therefore, it will NOT be refunded following your departure.
- Payment in full at time of reservation is required if arrival occurs within 30 days.
- Multiple initial reservation payments are required for multiple week reservations or multiple month reservations.

TAXES AND FEES

- A non-refundable processing fee, to cover expenses associated with the initial reservation, is due at reservation time and applies to all reservations.
- Lodging tax is specific to property location.
- Departure fees vary by size of property

FINAL PAYMENT

- Final payment (balance due after Initial Reservation Payment has been paid) is required 30 days prior to arrival.
- If a balance remains after 24 hours of final payment being required, final payment will automatically be processed utilizing the same payment method as the initial payment method.
- Personal checks are not accepted.

CONFIRMATION

- A confirmation listing rules, regulations, dates of visit and property information will be emailed to you after your Initial Reservation Payment is processed. Carefully CHECK your confirmation for accuracy and email rentals@stayoceansprings.com immediately if any corrections are necessary; otherwise it will be assumed correct.

CANCELATIONS, DATE CHANGES, AND PROPERTY CHANGES

- For your deposit to be refunded or transferred, we require 30 days minimum notice.
- Cancellations, date and property changes occurring less than stated minimum days required notice will result in forfeiture of Initial Reservation Payment, rent, taxes and fees.
- Refunds do not include non-refundable processing fee.
- NO REFUNDS are issues for cancellations or early departures due to inclement weather or personal circumstances inside the cancellation date range. We recommend the purchase of a travel insurance plan.

MANAGEMENT

- WE RESERVE THE RIGHT to refund Initial Reservation Payments, refuse rental, or to discontinue occupancy if, in our judgement, your occupancy is detrimental to the property.
- WE RESERVE THE RIGHT to enter the premises at any time for the purpose of inspection, repair, management or showing to prospective buyer.
- Property may not be used for any unlawful purposes.
- By renting a property you are assuming all risk of and liability for any damage done to person or property, agents, employees or visitors occasioned by the present or future condition of the premises both latent and manifest. In the event damages occur during your occupancy you agree to authorize Stay Ocean Springs to charge the cost of such damages to the credit card guaranteeing payment. You also agree to be responsible for and reimburse the property owner for any applicable costs and attorney's fees incurred for collection of damage.
- Neither Stay Ocean Springs nor the owner will be responsible for accidents or injury to guest or loss of money or valuables of any kind.

RENTAL OCCUPANCY

- The listed "LIMIT" number indicates the maximum number of occupants allowed in a property at any one time. This home has a 4-person occupancy limit.
- No more than three (3) vehicles are allowed to park at the property.
- Atmosphere conducive to quiet enjoyment of guests and/or occupants in surrounding accommodations must be maintained at all times. PLEASE NOTE the City of Ocean Springs noise ordinance #2012-04. *It shall be unlawful for any person or persons to engage in or continue activities as permitted by the City of Ocean Springs for outdoor special events, parades, outdoor facility uses or public performances past the hour of 10:00 p.m. (22:00) except for athletic contests recognized by the department of parks and leisure.*
- All rules and regulations at each property must be strictly observed.
- There is a minimum booking age of 25 years old. The legal renter named on the rental agreement must occupy the property during the dates listed on the agreement. Identification must be furnished upon request.
- Absolutely NO HOUSE PARTIES ALLOWED.

PLEASE NOTE: Violations of rental occupancy restrictions are grounds for IMMEDIATE EVICTION AND FORFEITURE OF RENT.

OWNER'S CLOSETS

- Locked owner's closets are not included in your rental.

GARAGES

- Garages do not have guaranteed access for guests. Most are for owner's usage only and are not included in your rental.

FIREWORKS

- Fireworks are strictly prohibited in all properties

FIREARMS

- Fire arms are prohibited in all Stay Ocean Springs rental properties.

MAINTENANCE

- **Issues:** Report all maintenance issues promptly by calling 251-978-6784. Just as might occur at your own well-maintained home, mechanical failures and other breakdowns could occur. Every effort will be made to correct the situation; however, no refunds or rate adjustments will be made for mechanical failures.
- **Damage:** Report any damage or breakage upon occurrence by calling 251-978-6784, so the matter can be settled before departure. Damages found by inspection crews upon departure will be billed and full payment for repairs will be collected via credit card.
- **No Guarantees:** Working condition of pools, hot tubs, air conditioners, cable, phones, internet service, TVs, DVDs, appliances, elevators, etc., are NOT guaranteed. No refunds or rate adjustments will be made for mechanical failures and malfunctioning equipment. These amenities are extras provided in addition to the home rental. Although all attempts will be made to correct the situation, some breakdowns cannot be prevented or repaired during your occupancy.
- **Maintenance Visits:** Maintenance technicians and vendors may access the property for purposes of repairing previously reported issues. A form identifying the action taken will be provided at the time of the maintenance visit.

CHECK-IN

- Check in begins at 4pm.
- Early check-in is not possible; therefore, we encourage you to enjoy our local attractions if you arrive in the area early.

CHECK-OUT

- Check out time is at 10am.
- Upon departure, you can complete your check out over the phone by calling or texting 251-978-6784 before 10am.

Departure Responsibilities

- Leave property reasonably clean and in reasonable order (Note: Additional cleaning charges may apply.)
- Leave kitchen items (dishes, cookware, etc.) clean.
- Dispose of all trash in proper outside containers.
- Lock all doors and windows.
- Leave all beds unmade and linens on the floor.

Geoportal Map



August 5, 2022

1 inch = 31 feet
0 10 20 30 40 Feet

DISCLAIMER: Every reasonable effort has been made to assure the accuracy of the data presented. The City of Ocean Springs makes no warranties, express or implied, regarding the completeness, reliability or suitability of the data and assumes no liability associated with the use or misuse of said data. The City retains the right to make changes and update data on this site at anytime, without notification. The parcel data on this base map is used to locate, identify and inventory parcels of land in the City of Ocean Springs for assessment purposes only and is not to be used or interpreted as a legal survey or legal document. Additional data layers not originating in the City's Offices are also presented for informational purposes only. Before proceeding in any legal matter, all data should be verified by contacting the appropriate county or municipal office.

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

PLANNING COMMISSION REPORT
— PUBLIC HEARING —

PUBLIC HEARING DATE: Tuesday, September 12, 2023

APPLICANT: Aaron J. Goetsch

LOCATION: 516 Shadowlawn Circle / PID: 61105403.000

REQUESTED ACTION: Residential Short Term Rental Permit

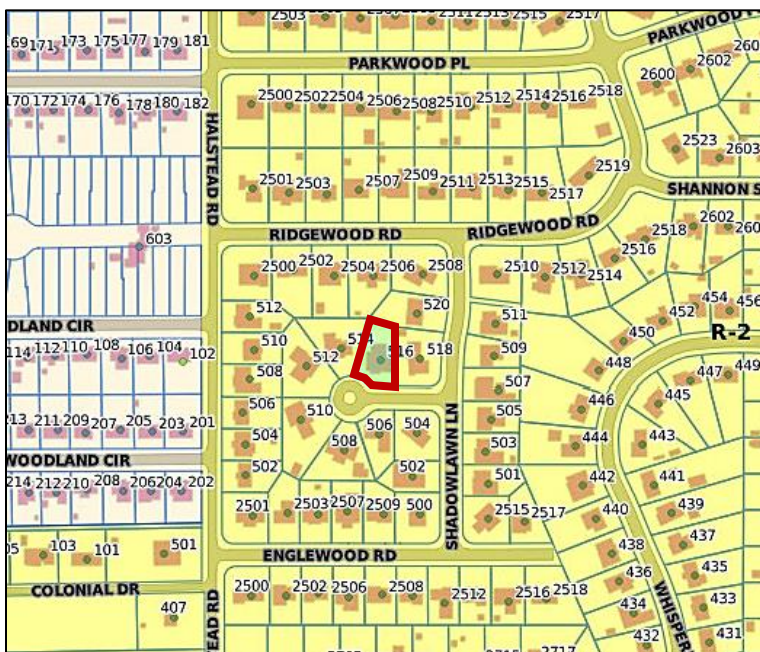
DATE OF APPLICATION: June 15, 2023

ADJACENT ZONING/LAND USE:

Subject Property: R2, Low-Medium Density, Single-Family Residential District
North, East, West, South: R2, Low-Medium Density, Single-Family Residential District

DESCRIPTION OF REQUEST:

- Per Ordinance 2015-11, 2018-02, 2021-05, 2021-25, and 2023-07, the application is for a short-term rental permit to allow usage for less than 30 days.
- **Site Location:** the property is located in the STR City Zone Area, on the north side of Shadowlawn Circle just to the west of Shadowlawn Lane.



FINDINGS:

- **Local Property Manager:** Chris Dearman will serve as the property manager. With an address of 1010 Legion Lane, the requirement for residency within 2-miles of the city limit is satisfied.
- **Application:** Submittal is complete and was received prior to the deadline. A copy of the rental agreement is attached for consideration.
- **Homeowner's Association:** On the application form, the applicant indicated that this is not a covenant-restricted neighborhood with an active HOA. A search of Jackson County Land Records did not discover filed covenants for this subdivision. The MS Secretary of State's Office does not have an active HOA listed on their website.
- **Liability Insurance:** The signed application states that the liability insurance for the property does not exclude short term rentals from coverage, as well as conformance with building code, zoning requirements. There are no deed restrictions and taxes are current.
- **Fee:** The application fee was provided with the application. The mail-out fee was paid prior to distribution.
- **Notice via Standard Mail:** The notice of public hearing was sent to 91 property owners within 500 feet of the subject property. The distribution included the name of the applicant, notice of the hearing date, time and location, and a summary of Frequently Asked Questions regarding short-term rentals.
- **Publication:** Notice of the public hearing was advertised at least 15 days prior to the date of the hearing per ordinance. Additionally, the required yard sign was placed in the yard.
- **Inspection:** The property was inspected for all required elements on 7/19/23 and was approved. Inspection form is attached for review.
- **Maximum Occupancy:** The requested maximum occupancy of 10 was approved by the Fire Marshall during the above referenced inspection.
- **Maximum Number of Vehicles:** The request for a maximum number of 4 vehicles was approved by the Building Official during the above referenced inspection.
- **Guest Rules:** The rules were posted and visible during the property inspection.
- **Code Violation Complaints:** No code violations or police reports were documented for this address in the past 12 months.

FEEDBACK:

None.

SUMMARY:

The application for this property is complete and compliant with the adopted code, and the physical inspection passed. The recommendation is for approval of a Residential Short-Term Rental permit, subject to annual renewal.

ATTACHMENTS as listed above:



City of Ocean Springs Planning Department

1018 Porter Avenue / PO Box 1800 Ocean Springs, MS 39564 / (228) 875-4415

RESIDENTIALLY ZONED SHORT TERM RENTAL ANNUAL PERMIT APPLICATION

Application Date: 6/12/23

Submittal Requirements:

FEES: \$501 ~ Application Fee Effective 4/4/23 – \$500 must be paid at the time application is submitted [includes occupancy inspection fee]. ~ Administrative Fee: \$1.00 (per Ordinance 2022-17 following the requirements of Section 25-60-5 MS code Annotated)

- ☒ Completed Application
- ☒ Copy of Proposed Rental Agreement
- ☒ Proposed Parking Plan
- ☒ Copy of rules, including trash management and reference of the city's noise ordinance (available upon request), to be posted inside unit
- ☒ Affirmation of Code Compliance – Ord.2015-11 (Section 401.3(10)) – Attached.
- ☐ ~Standard mailout fee will be calculated during the review process and must be paid prior to scheduling of the public hearing~
- ☐ Properties will be reviewed and inspected prior to scheduling the public hearing date and sending the required notices.
- ☒ **PERMITS MUST BE RENEWED ANNUALLY (\$500 renewal fee) AND ARE NOT TRANSFERRABLE.**

REQUIRED INFORMATION:

- Address of Rental Property: 516 SHADOWLAWN CIRCLE
- Parcel Identification Number: 61105403.000 Number of bedrooms: 4
- Proposed maximum # guests: 10 Number of existing off-street parking spaces: 4
- ☐ Is this property located in a covenant-restricted subdivision? ☐ Yes ☒ No ~ If yes, a copy of the covenants must be included.

Name of Property Owner	<u>AARON J. GOETZCH DBA AJG VENTURES LLC</u>
Address of Property Owner	<u>139 WATERSEDGE DR.</u>
Phone No.	<u>(586) 212-4434</u>
Name of Local Property Manager	<u>CHARL DEARMAN</u>
[Must RESIDE within two (2) miles of the OS City Limits] Address <u>1010 LEGION LANE</u>	
<u>OCEAN SPRINGS, MS</u>	
Phone No.	<u>(847) 307-1491</u> Signature: <u>[Signature]</u>

Copy of Ordinance 2015-11 Received: [Initials] Copy of Ordinance 2019-19 Received: [Initials]
Copy of Ordinance 2018-02 Received: [Initials] Copy of Ordinance 2021-25 Received: [Initials]
Copy of Ordinance 2023-07 Received: [Initials]

Revised 05/23/2023

1 | Page

Physical Inspection of Property:

- All applicable fire and health codes as would apply to a commercially zoned structure must be compliant.
- As part of the review process, an inspection will be scheduled to determine that all physical requirements are met per the ordinance
- Inspection will also include but are not limited to: adequate parking, proposed occupancy, number of vehicles allowed, location of garbage storage, posting of rules, etc. (per *most current* Inspection Checklist dated: 2/08/18)

.....

Affirmation of Codes/Regulations

I, (print name) AARON J. GOETSCH, hereby certify that:

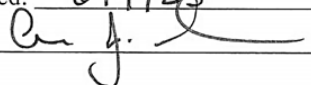
1. I am the owner of the property that is the subject of this application and that I have read and understand the requirements as outlined in the application.
2. There are no outstanding City of Ocean Springs property taxes or special assessments on the parcel(s).
3. Per Section 2.C.5 of Ordinance No. 2015-11, I will obtain a Mississippi State Sales Tax License through the MS Dept. of Revenue to pay all city, county, and state taxes required by law.
4. The property included in this application is in compliance with all applicable building codes, zoning requirements, and deed restrictions and/or covenants.
5. The Homeowner's liability insurance does not exclude short term rentals from coverage.
6. Any existing mortgage or deed does NOT prohibit use of property as a short term rental.
7. Proper documentation of covenants that may restrict use of the property as a short rental and/or a letter of support from the HOA has been provided.

I further acknowledge that the information provided herein is true and correct to the best of my knowledge.

Owner(s) Name: AARON GOETSCH DBA - AJG VENTURES LLC

Parcel ID(s): 61105403.000

Date Property Acquired: 6/9/23

Owner's Signature  Date 6/12/23

.....

Office Use Only

Date of Inspection: <u>7/19/23</u>	Result of Occupancy Inspection: <u>PASSED</u>
Maximum Occupancy Determination: <u>10</u>	(attached)
Maximum Parking Spaces: <u>4</u>	Permit Renewal Date: _____
PC Public Hearing Date: <u>9/12/23</u>	BOA Approval Date: _____

Revised 05/23/2023

2 | Page

ADDRESS: 516 Shadowlawn Circle iWorQ Permit#: 2624



PLANNING DEPARTMENT
P.O. Box 1800 / Ocean Springs, MS. 39566
Phone 228-875-4415 Fax 228-872-5427

RESIDENTIALLY-ZONED SHORT TERM RENTAL – OCCUPANCY INSPECTION FORM

Before requesting an occupancy inspection from the Building Official and the Fire Marshall, please make sure the following items have been completed. Someone must be present at the time of inspection.

All Occupancy Inspections are done at 10am

The following items must be complete prior to inspection:

- ☒ Type 2A 10BC Fire Extinguishers
(Maximum travel distance 75 ft.)
- ☒ Emergency Lighting with battery backup
- ☒ Address on Building
- ☒ Breaker Box needs to be labeled
- ☒ Outlet and switch plate covers need to be installed. (GFCI Circuits within 6 ft. of water source)
- ☒ No exposed wiring
- ☒ Adequate emergency egress
- ☒ Operable windows in sleeping areas
- ☒ Guest rules (noise, garbage, etc.) must be visibly posted.

- ☒ Adequate garbage receptacles
- ☒ Smoke detectors in all bedrooms and hallways.
- ☒ Carbon monoxide detectors if there is gas service.
- ☒ Identified # of Bedrooms: 4
- ☒ Proposed # of Guests: 10

Approved # of Guests per OSFD: 10

- ☒ Proposed # of vehicles: 4

Approved # of vehicles per OSFD: 4

Property Owner: Aaron Goetsch / AJG Ventures LLC
Contact Name: Chris Dearman

Phone #: 586-212-4434
Phone #: 847-307-1491

.....
Date of Inspection: 7-19-23

COMMENTS: _____

☒ **PASSED**

Building Official: [Signature]
Property Owner: [Signature]

Fire Marshall: [Signature]

PUBLIC HEARING NOTICE

Residential Short-Term Rental



THIS INFORMATION IS BEING SENT TO YOU AS PART OF THE PERMITTING PROCESS FOR A NEARBY PROPERTY.

Per adopted Code for the City of Ocean Springs, notice has been advertised in the MS Press Newspaper and copies are sent via Standard mail at the cost of the applicant.

PUBLIC NOTICE is hereby given that the City of Ocean Springs **PLANNING COMMISSION** will hold a **public hearing** on the date listed below to consider an application for a Short-Term Rental Permit per Ordinance governing the provision of Short Term Rentals of dwellings in residential zones after application, hearing, and approval.

Application for the address listed below will be considered in the regular meeting place of the Board of Aldermen at the City Hall located at 1018 Porter Avenue Ocean Springs, MS 39564.

Short-Term Rental Applied for: 516 Shadowlawn Circle

Public Hearing Date/Time: September 12, 2023 at 6:00 p.m.

Applicant Aaron Goetsch / AJG Ventures LLC

Local Contact Chris Dearman

The Residential Short-Term Rental Ordinance (2015-11) was approved on July 7, 2015. The ordinance was researched, modified, and re-approved on February 20, 2018, December 17, 2019, December 7, 2021, and May 16, 2023. This document addresses what the ordinance requires of an applicant, the process, and contact information for questions or concerns. For more details, please call the Planning Department at 228-875-4415.

Short-Term Rentals: Considered as less than 30 days. Conditions for permitting include an approval process, occupancy/vehicle requirements, guest registry, noise/garbage management, posting of rules, local management, and a process for complaints, basis for denial or revocation, and violations.

Frequently Asked Questions regarding Residential Short-Term Rental permits:

- 1) ***Why am I receiving this information?*** All property owners within 500 feet of the property requesting a permit are required to receive notification via standard mail. Additionally, the hearing was advertised in the local newspaper and a yard sign placed on the property. This notice was mailed to your address of record with the Jackson County Tax Assessor's office.
- 2) ***What is allowed under a Short-Term Rental Permit?*** Approval of the permit will allow the property owner to rent the residence for periods of less than 30 days at a time, governed by restrictions listed in the ordinance. The permit does not allow any other non-permitted activity.
- 3) ***Who will be responsible for management of the property?*** The property owner is ultimately responsible for all activity on the property. The Local Property Manager, if one is assigned, **MUST** reside within 2 miles of the city limits and be available 24/7 to address issues related to the property. The Planning Department will have a contact number in case of emergencies.
- 4) ***Do the property owners pay sales tax for this activity?*** Yes – the property owner will be issued a city privilege license that will allow them to register with the state for payment of sales tax, including the additional "bed tax" required for all hotel activity.
- 5) ***What review has been done by the City?*** The application, a \$500 application fee, and payment for mailing was received. All information was reviewed to ensure all administrative requirements have been met. The home

- 6) ***What physical modifications were required for the home?*** Required life safety improvements include, but are not limited to, hard-wired smoke detectors (carbon monoxide if served by gas), emergency lighting for exits during power outages, properly functioning exits, current fire extinguishers, labeled fuse box, etc.
- 7) ***How will the maximum occupancy and number of vehicles be established?*** During the physical inspection, the Building Official and Fire Inspector assess the availability of space including sleeping areas and space for off-street parking. These maximums will be established prior to the public hearing and can be enforced during operation of the rental.
- 8) ***Where can I report code violations, disturbances, etc.?*** Just as you would with any residential occupant, if there are problems with noise, excessive vehicles, trash, or other intrusive behavior, the proper city officials should be notified. For life-threatening emergencies, dial 9-1-1 as you would with any type of residential occupancy. Documented complaints will be considered during the renewal process. The ordinance provides guidelines for the basis of revocation or denial or permit issuance and/or renewal.

- a. Police: 228-875-2211 – noise, trespassing, other criminal activity
- b. Code Enforcement: 228-875-6712 – improper vehicle parking, improper trash storage
- c. Any other complaints can be forwarded to the Planning Department at **228-875-4415** or mailed to Attn: Planning Department, City of Ocean Springs, 1018 Porter Avenue, Ocean Springs, MS 39564

- 9) ***What is the process if the rules are not followed?*** If the City receives documentation that the property owners and/or tenants have violated the provisions set forth in the ordinance, or have met any other criteria that allows for revocation, written notice will be given to the property owner of the violation(s). If corrective action is not taken in the allotted time period, the permit can be revoked and citations issued.
- 10) ***How long is the permit valid?*** The Residential Short-Term Rental permit is an annual renewal. Once the initial permit is approved, the property will be inspected annually and complaint records reviewed prior to renewal. The ordinance provides guidelines for the basis of revocation or denial or permit issuance and/or renewal.
- 11) ***Is the permit transferable to new owners?*** No. The permit is issued to the owner for that specific address. Permits are not transferrable to other owners or properties without the full approval process, including an advertised public hearing.
- 12) ***Is the approval process the same for properties in commercially zoned districts?*** The application itself is similar, but commercial properties do not require notice or public hearing.
- 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 that 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 an ACTIVE HOA where applicable.
- 14) ***Will the property owner be required to maintain renter information?*** Yes, the property owner must maintain a guest registry and provide to the city for review upon request.
- 15) ***Will the renters be informed of the rules and regulations that are included in the permit?*** Yes, part of the application and inspection includes provision of the rental agreement for review and posting of the house rules in a visible location within the home.

1018 Porter Avenue, Ocean Springs, MS 39564.
Email Address: planningadmin@oceansprings-ms.gov

516 Shadowlawn Circle Ocean Springs, MS. 39564
Rental Agreement

Dear _____:

Thank you for inquiring about Vacation Rental at 516 Shadowlawn Circle. Below you'll find our property's policies—please review them prior to booking. We look forward to having you!

CANCELLATIONS - A sixty (60) day notice is required for cancellation. Cancellations that are made more than sixty (60) days prior to the arrival date will incur no penalty. Cancellations or changes that result in a shortened stay, that are made within 60 days of the arrival date, forfeit the full advance payment and reservation deposit. Cancellation or early departure does not warrant any refund of rent.

PETS- Well mannered small pets are welcome provided they are crate trained and do not cause damage to the home or its contents. Please do not leave your pets locked in the bathroom or bedroom. Visitors are responsible for clean-up of their pet's stool outdoors. Visitors are responsible for any damage to the property that their pets may cause.

PARKING – Parking is limited to four (4) vehicles in the driveway. Parking on the road is not permitted. Any illegally parked cars are subject to towing; applicable fines/towing fees are the sole responsibility of the vehicle owner.

MAXIMUM OCCUPANCY – The maximum number of guests is limited to ten (10) persons.

INCLUSIVE FEES – Rates include a one-time linen & towel setup. Amenity fees are included in the rental rate

NO DAILY HOUSEKEEPING SERVICE – While linens and bath towels are included in the unit, daily maid service is not included in the rental rate. There are separate beach towels for guest use in the laundry room. Please do not remove any other linens or towels from the property.

DO NOT FLUSH anything other than toilet paper. No feminine products should be flushed at anytime. If it is found that feminine products have been flushed and clog the septic system, you could be charged damages of up to two hundred dollars (\$200).

516 Shadowlawn Circle is privately owned and run; the owners are not responsible for any accidents, injuries or illness that occurs while on the premises or its facilities. The Homeowners are not responsible for the loss of personal belongings or valuables of the guest. By accepting this reservation, it is agreed that all guests are expressly assuming the risk of any harm arising from their use of the premises or others whom they invite to use the premise.

I will submit payment in full via PayPal. I agree that all rental monies are non-refundable per cancellation policy above. I have read my rights to purchase travel insurance.

Located at 516 Shadowlawn, Ocean Springs, MS 39564

Check In: _____ after 3pm

Check Out: _____ before 10am

By signing you accept, you agree to all terms and conditions of this agreement.

Signature: _____

Date: _____

Thank you for reading and I look forward to your visit to Ocean Springs!

Aaron Goetsch

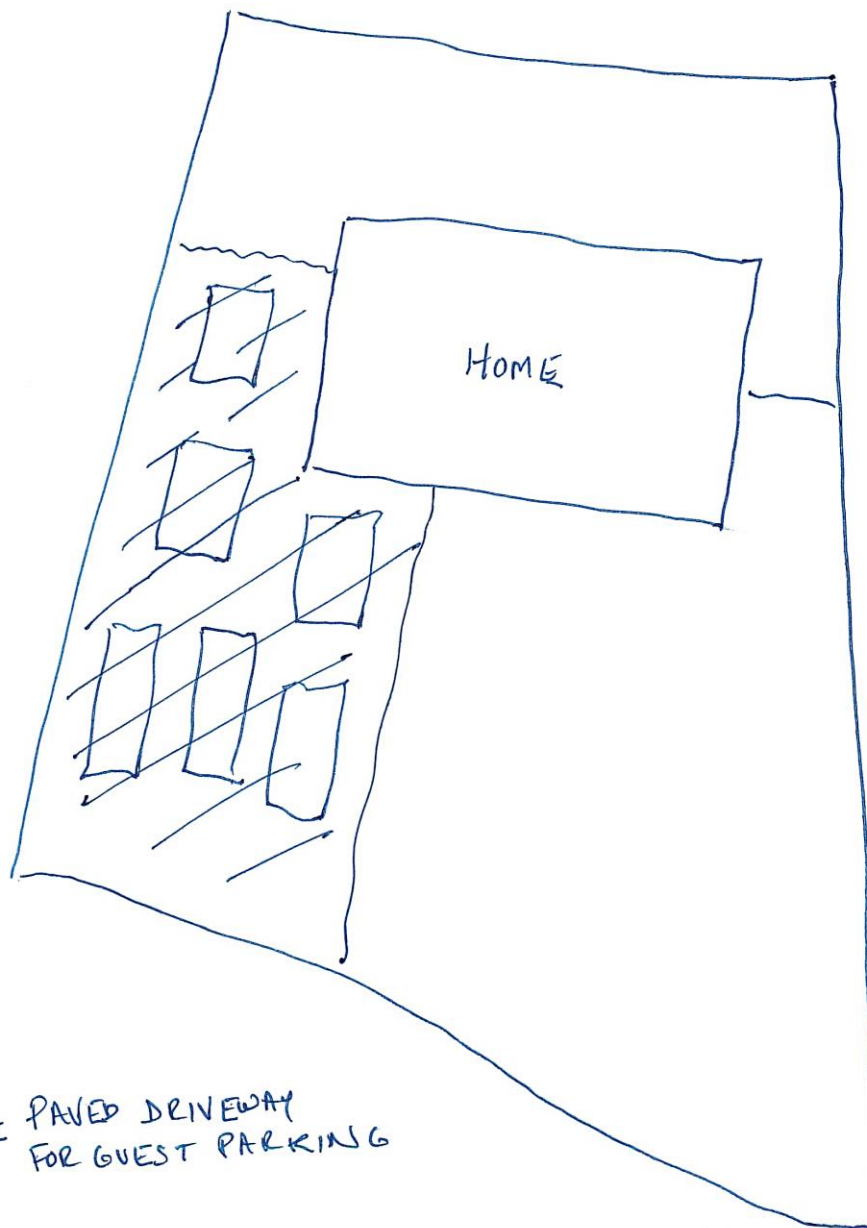
586.212.4434

516 Shadowlawn Circle—Ocean Springs, MS—Rental Rules

1. Absolutely no smoking of any type inside the home including vapes; Smoking is permitted outside—please dispose of cigarette butts properly.
2. Check-in time is 3pm, Check-out time is 10am unless otherwise arranged prior to visit
3. Absolutely no loud noise or music—This home is located in a quiet neighborhood and it is to stay that way. The city of Ocean Springs also restricts loud noise or music by codification in the city ordinance.
4. **Absolutely no parties permitted—this includes large gatherings of any type, including, but not limited to—wedding parties, bachelor/bachelorette parties, family reunions, etc**
5. Trash pick-up is on Tuesday. Trash bins are located outside the property and should be taken to the curb on Monday evening or early Tuesday morning for pick-up on Tuesday.
6. Report any damages immediately
7. Place trash in appropriate receptacles
8. All cars should be parked in the driveway
9. No parking in the yard/grass
10. Lock all windows and doors upon checkout
11. Turn air conditioner thermostat to 75 degrees upon check-out
12. Please keep all doors and windows closed when either heat or air conditioning is in operation
13. Owner lives near property—Contact him immediately with any questions or concerns—Aaron Goetsch—586.212.4434

516 SHADOWLAWN CIRCLE
OCEAN SPRINGS, MS

PARKING



 = PAVED DRIVEWAY
FOR GUEST PARKING

*** ABSOLUTELY NO STREET PARKING *** WILL BE TOWED

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

PLANNING COMMISSION REPORT
— PUBLIC HEARING —

PUBLIC HEARING DATE: September 12, 2023

APPLICANT(S): Shelley Jean Wild **REPRESENTATIVE:** Charles Taylor

CURRENT OWNER? ✓ Yes No

If No, - List Current Owner: NA

LOCATION: 3072 Pabst Road, PID# 60127630.025
South side of Pabst Road, east of Heron Park Place

REQUESTED ACTION: Approval of a sketch plat for a 4-lot subdivision in the R-1 (Low-Density Residential District)

DATE OF APPLICATION: July 10, 2023

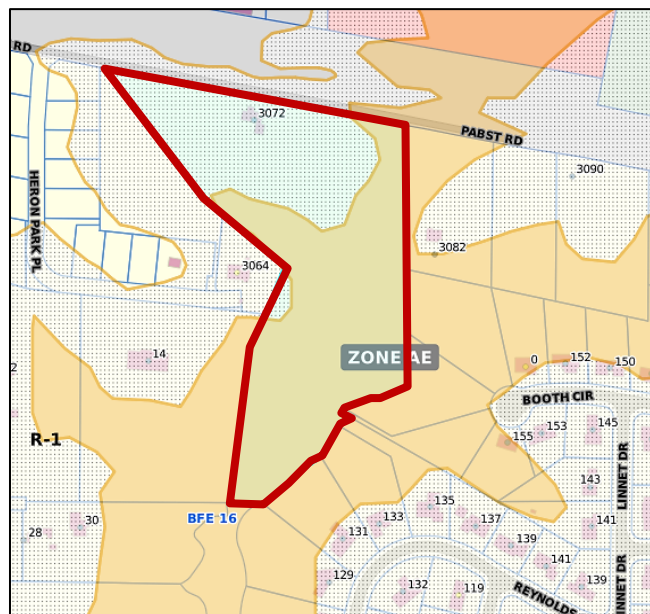
ADJACENT ZONING AND LAND USE:

Subject Property: R-1, Low-Density Residential District –one single-family dwelling;

North: Across Pabst Rd., M-1, Manufacturing and Warehouse District – CSX Railroad

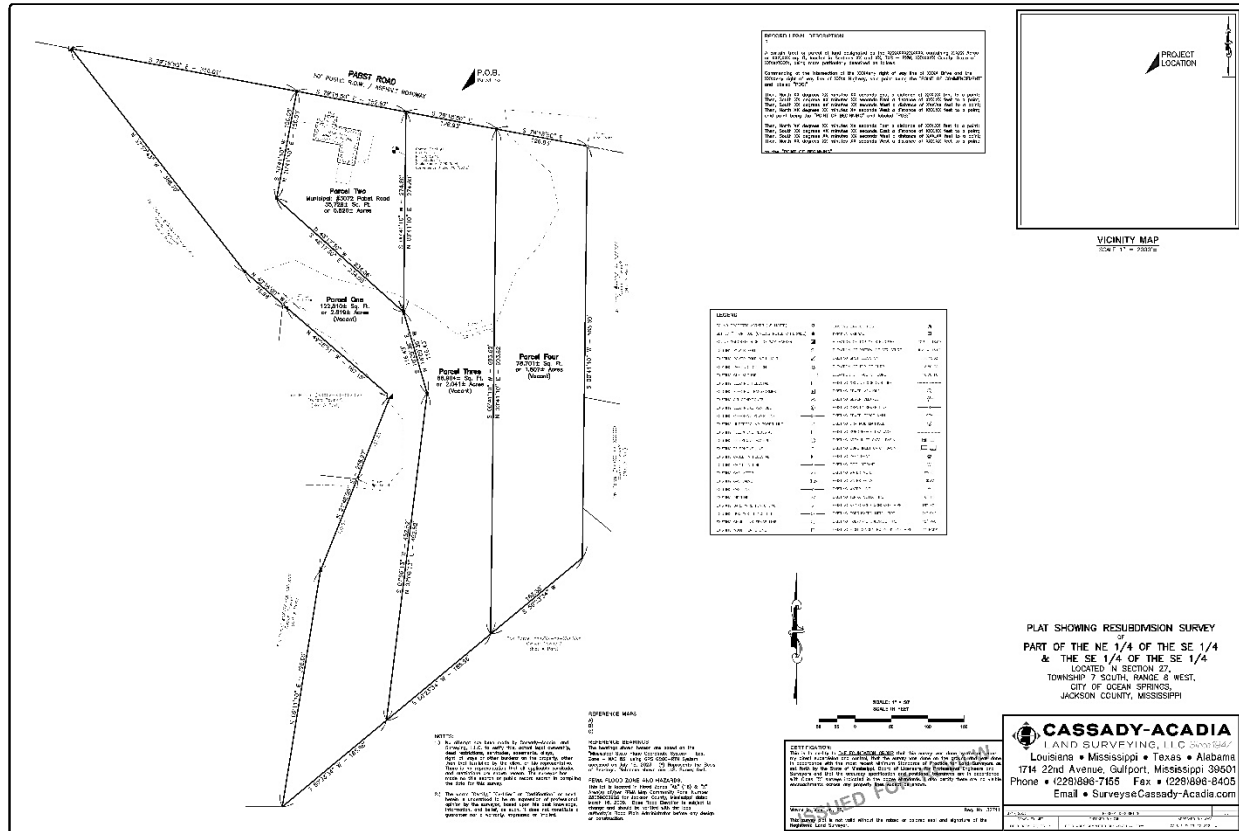
East, South and West: R-1 District – single-family dwellings

CURRENT CONDITIONS: Property Size: 8.31 acres



DESCRIPTION OF REQUEST:

- The sketch plat proposes 4 lots for single family residential dwellings. The lots front on Pabst Rd. which is identified as having 50 feet of right-of-way.
- A Sketch Plat describes the type and intensity of subdivision development and the project phasing plan. It is prepared prior to a Preliminary Plat, which describes more details of a subdivision's lot dimensions, infrastructure, storm-water drainage plan and park provisions.



FINDINGS:

- The existing house on the property is to be kept and become Parcel 2. The parcel boundaries and the house comply with the R-1 district side and rear setback requirements.
- All the proposed lots exceed the R-1 district minimum requirements.
- The majority of proposed Parcels 1, 3 and 4 are within the AE flood zone.

SUMMARY: The proposed subdivision complies with the requirements for a Sketch Plat

POTENTIAL MOTION: To recommend approval of the subdivision sketch plat for 3072 Pabst Road.



City of Ocean Springs Planning Department
1018 Porter Avenue / PO Box 1800 Ocean Springs, MS 39564
(228) 875-4415

APPLICATION: SUBDIVISION DEVELOPMENT

—Specific Requirements Outlined in Chapter 2 of the Unified Development Code—

SUBDIVISION TYPE: ☒ Minor (4 lots or less) ☐ Major (more than 4 lots)

Phase of Development: ☒ Sketch Plat ☐ Preliminary Plat ☐ Final Plat

Effective June 11, 2006, the following application fees apply:

	Minor S/D	Major S/D
Sketch Plat	\$ 250 + \$1	\$ 300 + \$1
Preliminary Plat	\$ 250 + \$ 50/lot	\$ 250 + \$ 50/lot
Final Plat	\$ 250 + \$ 50/lot	\$ 250 + \$ 50/lot

\$1.00 fee per Ordinance 2022-17 following requirements of Section 25-60-5 MS Code Annotated.

Standard mail fee required for notification of property owners within 500' of applicant property. Exact fee to be determined by City, based on current postage rates.

Application Date: JULY 10, 2023 (Applications are due by the 7th of each month.)

Name of Subdivision: _____
Address of Original Parcel(s): 3072 PARIST ROAD
Parcel ID(s): 60127630.025

- Applicant: SHELLEY JEAN WILD Phone (720) 616-9347
Address 3072 PARIST ROAD OS, MS Email Shelley.wild@yahoo.com
- Local Agent: CHARLES TAYLOR Phone (228) 365-7774
Address PO Box 8671 BILUXI, MS Email charles@thefoundationgroup.biz
- Owner of Record: SHELLEY JEAN WILD Phone (228) 616-9347
Address 3072 PARIST ROAD OS, MS Email Shelley.wild@yahoo.com
- Engineer: _____ Phone _____
Address _____ Email _____
- Land Surveyor: WAYNE VICE CASADY ACADIA Phone (228) 896-7155
Address 1714 22nd Ave GULFPORT, MS Email WVICE@casady-acadia.com
- Attorney: _____ Phone _____
Address _____ Email _____

☐ **Attach Appropriate Checklist for Requested Phase of Review**

Property Information

1. Tax Map Designation: Section 21 Township: 1 Range: 8
2. Proposed Subdivision Location: On the SOUTH side of PABST ROAD (street)
706 (distance in feet) EAST / WEST (relative direction) of PABST ROAD (street)
3. List all contiguous holdings in the same ownership:
Section _____ Lot(s) _____
4. Zoning of Parcel(s): R-1 5. Total Acreage: 8.5
6. Smallest Lot Size: .75 ACRES 7. Proposed # of Lots: 4
9. Is the property located within a special district? (historic district, waterview preservation, or other designated overlay district, etc.) NO
11. Does the property include any wetlands? If so, include professional wetland delineation. -
12. Has any lot included in this request been previously split or reconfigured, to your knowledge? YES
13. Are there any easements or other legal restrictions on the property? If so, please explain. NO
14. Are there any existing structures on the property? If so, will they be kept or demolished? YES, THE HOME WILL BE KEPT.

Proposed Subdivision Information

15. Is the subdivision infrastructure proposed to be: ☐ PUBLIC or ☒ PRIVATE?
16. Are any commercial or multi-use activities proposed? ☐ Yes ☒ No
If so, please describe: _____
17. Are any variances being requested for the proposed subdivision? If so, please explain.
NO
18. Have there been any variances, exceptions, appeals or special uses granted for any properties in this request?
☐ Yes ☒ No If yes, please explain and state the date(s) of approval: _____
19. Is any open space or common area included in this subdivision? (Include any bus stops.) ☐ Yes ☒ No
If yes, please describe: _____
20. Is the subdivision ingress/egress onto a "major" road, as classified by the City? ☐ Yes ☒ No
21. **Complete where applicable:**
For Preliminary Plat: Date SKETCH PLAT was approved by Board of Aldermen: _____
For Final Plat: Date PRELIMINARY PLAT was approved by Board of Aldermen: _____
 - Were any changes made subsequent to preliminary plat approval? ☐ Yes ☐ No
If yes, please describe: _____
 - Does this final plat request include the entire area approved in the preliminary plat? ☐ Yes ☐ No

Notes and Next Steps for each phase are provided on the REQUIRED checklists.

Affidavit of Ownership

Attached hereto is an affidavit of ownership indicating the dates the respective holdings of land were acquired, together with the book and page of each conveyance into the present owner as recorded in the County Records of Deeds (Chancery Clerk) office. This affidavit shall indicate the legal ownership of the property, the contract owner of the property, and the date the contract of sale was executed.

I, (print name) Shelley J Wild, hereby certify that:

1. I am the owner of the property that is the subject of this application and that I have read and understand the requirements as outlined in the application.
2. There are no outstanding City of Ocean Springs property taxes or special assessments on the original parcel(s).

I further acknowledge that the information provided herein is true and correct to the best of my knowledge.

Owner(s) Name: Shelley J Wild Parcel ID(s): 60127630.025
Date Property Acquired Date: 5/14/2020 Book and Page of Each Conveyance:

Owner's Signature: Shelley J Wild Date: 11 July 2023

NOTE: If corporate ownership, attach a list of all directors, officers, stockholders of each corporation owning more than 5% of any class of stock.

STATE OF Mississippi

COUNTY OF Harrison

I Shelley J. Wild, hereby depose and say that all the above statements and the statements contained in the papers submitted herewith are true.

Mailing Address 3072 Pabst Rd Ocean Springs Ms 39564

Subscribed and sworn before me this 11 day of July, 2023.

My Commission expires: 8 Dec 2026

Notary Signature: L Denise Landry



