



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

Tuesday, November 14, 2023 @ 5:00 PM

1. Call Meeting to Order

2. Approval of Minutes

- a. October 10, 2023

3. Old Business

4. New Business

- a. 921 Ocean Avenue/ PID# 60137394.000 – Barbara Canaga - Certificate of Appropriateness (COA) for signage.
- b. 1108 Magnolia Bayou Blvd/ PID# 61242107.000 - Byron Hudgins - Requesting a variance from the minimum accessory structure setback requirement of 10 feet.
- c. 503 Porter Avenue / PID# 60225050.050 - Requesting a 20% variance from the minimum required setback from the property line to build a covered seating area for the restaurant.

5. Audience Request

6. Adjourn

**The Minutes of the City of Ocean Springs
Zoning and Adjustments Board
Tuesday, October 10, 2023**

1. Call Meeting to Order

A meeting of the City of Ocean Springs Zoning and Adjustments Board was called to order by Chairman Nick Gant at 5:00 p.m. on Tuesday, October 10, 2023. Members present were Shannon Pfeiffer, and Don Atwell. Also present were City Planner Wade Morgan, Planning & Grants Administrator Carolyn Martin, Planning & Grants Coordinator Camille Anderson, and Deputy City Clerk Vicky Hupe. Michael Smith arrived at 5:10 p.m., and John O'Hara was absent.

2. Approval of Minutes

- a. September 12, 2023

S. Pfeiffer mentioned the minutes should be updated to include members absent, and to include the reason for approval of K.C. Consultants application was because of the lot size. A motion was made by S. Pfeiffer seconded by D. Atwell to recommend approval of the minutes with corrections for the September 12, 2023 meeting. The motion was unanimously carried.

3. Old Business

None.

4. New Business

- a. Jason Lapin - CJT, Inc. - 425 Bills Avenue / PID# 61450015.000 - Requesting a 25% side setback variance for an addition to the existing building.

W. Morgan explained the proposed plans. A motion was made by S. Pfeiffer and seconded by D. Atwell to accept the revised Variance application into the record. Wade mentioned a typo on 2nd page, the standard side yard setback is 10 feet, not 5 feet. Applicant discussed plan with ZAB. ZAB discussed the plan with each other and Wade.

A motion was made by D. Atwell and seconded by no one to recommend approval of a 25% side setback variance. The motion died.

A motion was made by M. Smith and seconded by S. Pfeiffer to recommend denial of a 25% side setback variance. The motion passed with one against and one absent.

5. Audience Request

None.

6. Adjourn

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

DRAFT

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

ZONING ADJUSTMENT BOARD REPORT

PUBLIC MEETING DATE: November 14, 2023

APPLICANT(S): Barbara Canaga *Representing First Presbyterian Church of Ocean Springs, property owner*

CURRENT OWNER? Yes✓ No

LOCATION: First Presbyterian Church of Ocean Springs, 921 Ocean Avenue; Parcel ID # 60137410.000, 60137400.100, 60137394.000

REQUESTED ACTION: Approval of exceptions to the historic district sign requirements.

DATE OF APPLICATION: September 6, 2023

ADJACENT ZONING AND LAND USE:

Subject Property: R-1 Single Family Residential District, church.

North, East, South & West: R-1 Residential District – single-family dwellings, Fort Maurepas Park.

CURRENT CONDITIONS:



DESCRIPTION OF REQUEST:

First Presbyterian Church is requesting approval from the ZAB of exceptions to the UDC sign regulations from the maximum sign area permitted for church and school signs. The applicant applied to the Historic Preservation Commission (HPC) for:

- 1) Install one name sign on Washington Ave. containing the names of the church, Treehouse Montessori School, and Children's House Montessori School. The sign will be in the same location as the existing sign;
- 2) Install one name sign on Ocean Ave. containing the name of the church; and
- 3) Install 3 wayfinding signs in the campus interior.

The interior wayfinding signs are consistent with the UDC regulations on historic district signs for churches and schools. However, the two name signs exceed the maximum sign area permitted for those types of signs.

FINDINGS:

- The UDC sign regulations allow schools or churches in historic districts to have one free-standing name sign with a maximum of 12 sq. ft. in area and maximum of 6 feet wide. (UDC section 8.9). The name sign proposed for Washington Ave. is 30 sq. ft. in area (5 ft. by 6 ft.). The name sign proposed for Ocean Ave. is 15 sq. ft. (2.5 ft. by 6 ft.) Both name signs exceed the maximum sign area permitted for church and school signs.
- The UDC gives the HPC the authority to recommend to the zoning and adjustment board exceptions to these requirements where it can be shown that the proposed sign is consistent with the purpose and intent of the historic district and is historically authentic. The HPC voted at its October 12 meeting to recommend approval the signs contingent upon Zoning and Adjustment Board approval of an exception to the regulations. The motion passed 3-2.
- Regarding signs in historic districts, the UDC states "*Within historic districts, the appearance, color, size, position, method of attachment, texture of materials and design of signs shall be in keeping with the collective characteristics of the structures located within the appropriate development zone.*"

POTENTIAL MOTIONS:

To recommend **approval/denial** of an exception to the historic district sign regulations to allow 2 free-standing name signs at Ocean Springs Presbyterian Church to exceed the maximum sign area permitted for church and school signs.

These attachments were provided to the Historic Preservation Commission as a requirement subsequent to consideration of a variance.



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

— CERTIFICATE OF APPROPRIATENESS APPLICATION —

Application Date: 9-6-23

[Applications are due by the 7th of each month for consideration the FOLLOWING month.]

APPLICATION FEE: \$51.00— Cash, Check (Payable to CITY OF OCEAN SPRINGS), C/C — 3% fee
\$1.00 fee is per Ordinance 2022-17 following requirements of Section 25-60-5 MS Code Annotated

***** APPLICANT MUST ATTEND HEARING *****

Property Address: 921 OCEAN AVE. O.S.

Property Owner(s): FIRST PRESBYTERIAN CHURCH OF OS

Parcel ID Number: _____ Approximate Age of Home: 155 yrs
CAMPUS

ACCESS: Upon application submittal, City Officials and HPC Members are authorized to enter property to view proposal unless checked below.

☐ Check here if City Officials and HPC members DO NOT have permission to enter property.

Applicant [Check one]: ☐ Architect ☐ Contractor ☐ Owner ☒ Other MAINTENANCE COORDINATOR

Name: BARBARA CANAGA

Address: 921 OCEAN AVE.

City: OCEAN SPRINGS State: MS Zip: 39564

CEU Phone: 228-217-0078 Email: BARBIECANAGA@GMAIL.COM

Property Owner [if Different]:

Name: FIRST PRESBYTERIAN CHURCH OF OS

Address: 921 OCEAN AVE

City: O.S. State: MS Zip: 39564

Phone: 228-875-5326 Email: MONICA@FPCOSMS.COM
OFFICE MANAGER

DIRECTIONS: Check box which best represents your request (more than one box may be checked), and **ATTACH** the corresponding checklist to help ensure a complete application.

☐ New Construction, Additions, Extensive
Renovation / Repair

☐ Minor Renovation / Repair

☐ Exterior Painting (Contributing Structures Only)

☐ Landscaping and Site
Improvements (i.e. Fencing)

☒ Signage

☐ Demolition

MAIN SIGN (LOWER PARKING LOT ON WASHINGTON AVE. AND ON OCEAN AVE.)



— CERTIFICATE OF APPROPRIATENESS APPLICATION —

DESCRIPTION OF REQUEST ATTACHMENT FOR:

SIGNAGE

NOTE: Architectural plans and rendering are encouraged; if not available, roughly scaled and dimensional drawings will suffice. Documentation must be provided in a format that can be easily copied for the design process. Architectural drawing, construction details, landscape plans, etc., should be printed on paper no larger than 11" X 17". HPC is concerned with exterior features. Interior floor plans and features are not necessary.

Required Attachments:

- a. ☐ Scaled drawings of proposed sign; and
- b. ☐ Site plan showing locations of all structures, protected trees, and proposed sign location.

Description: _____

SEE ATTACHED SITE PHOTOS WITH
DESCRIPTIONS

— Attach Additional Sheets if Needed —

MAIN SIGN LOCATIONS:

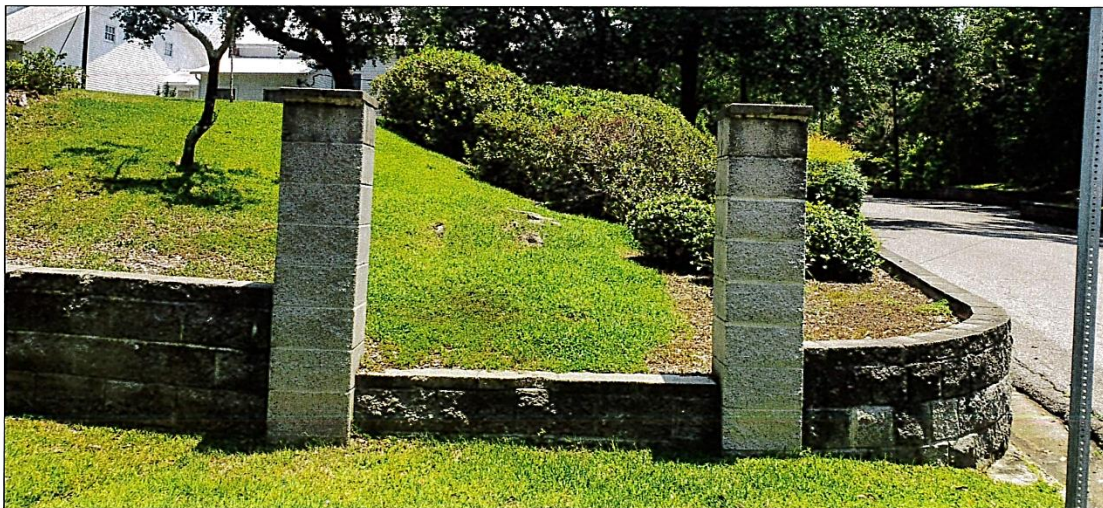
FPCOS MAIN SIGNAGE IN THE LOWER PAVED PARKING LOT ON WASHINGTON AVENUE (DRAWING ATTACHED - includes specs)

This main sign would replace the current sign we have in the lower paved parking lot on Washington Avenue. It would be a similar double-sided sandblasted sign as was previously approved; however, it will be a new design in a bright white and navy blue color scheme. Since we have two schools on our property, we do need to add basic signage so parents know where to drop off their children. We are requesting to add two school signs that will be installed below the main sign and attached to two painted posts. The new signage would be manufactured by Dunaway Signs in Biloxi, MS.



FPCOS MAIN SIGNAGE ON WEST END OF CAMPUS ON OCEAN AVENUE (see MAIN SIGNAGE DRAWING attached)

Currently, we do not have any signage to identify the property for those coming down Ocean Avenue from Jackson Avenue. We do have a space in our landscaping to add a copy of our main sign (minus the school signs requested above). The duplicate of the main sign (this one would be single-sided) would be manufactured by Dunaway Signs in Biloxi, MS.



MAIN SIGN (LOWER PARKING LOT ON WASHINGTON AVE. AND ON OCEAN AVE.)



**FIRST
PRESBYTERIAN
CHURCH**

ESTABLISHED 1886

FPCOSMS.COM

**CHILDREN'S HOUSE
MONTESSORI SCHOOL**

**TREEHOUSE MONTESSORI
CHRISTIAN SCHOOL**

FPCOS Main Signage

Lower Lot on Washington Ave

**Top sign on west end of campus on Ocean Ave*

Main sign - 30" x 72", School signs - 15" x 72"

Mounted to painted posts like current

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

ZONING ADJUSTMENT BOARD REPORT

PUBLIC MEETING DATE: November 14, 2023

APPLICANT(S): Byron S. Hudgins

CURRENT OWNER? ✓Yes No

LOCATION: 1108 Magnolia Bayou Blvd./ PID# 61242107.000

REQUESTED ACTION: Variance to the minimum setback requirement to allow an accessory building to encroach 2.5 feet into the required setback area on the rear (south) side of the property.

DATE OF APPLICATION: September 26, 2023

ADJACENT ZONING AND LAND USE:

Subject Property: R-1, Single Family Dwelling District. One single family dwelling.

North and East: R-1 district, single-family dwellings.

South & West: PUB Public District – open space in the Gulf Islands National Seashore Park.

CURRENT CONDITIONS:

Property Size: 15,218 sq. ft.



DESCRIPTION OF REQUEST: The property owner proposes to build an enclosure for his RV on the south side of his lot. A corner of the enclosure will be 7.5 ft. from his southern lot line, where the UDC requires 10 feet.

The applicant states that “our property boundary is unusually shaped and narrow on the only area available to park our RV/motorhome. In order to expand and build a suitable garage in compliance with neighborhood HOA requirements, the shape of the property has exceptional narrowness on the south portion of this lot and is boundary shared with Gulf Islands National Seashore.”

FINDINGS:

- The standard setback distance for accessory structures over one story in height is 10 feet (section 6.2.1.C.3). The requested 25% variance will allow an encroachment of 2.5 feet and result in a 7.5 ft. setback.
- The proposed structure will also extend into an easement. This lot is Lot 131 in the Magnolia Bayou subdivision phase 3, part 1 and has a 15 ft. Drain, Access and Utility Easement along the southern lot line. That lot line abuts the Gulf Islands National Seashore park.
- Ocean Springs Public Works reviewed the structure as it relates to the encroachment into the easement and concluded that the structure needs approval from the park management. The national park’s maintenance department reviewed the structure’s location and concluded that there is no conflict with their maintenance needs.
- The ZAB may recommend variances that meet the following criteria: 1) exceptional narrowness, shallowness or shape of a specific piece of property at the time of the original adoption of the regulations, or 2) exceptional topographical conditions or other extraordinary or exceptional situation or condition of a specific piece of property, which condition is not generally prevalent in the area, or 3) the strict application of these regulations would result in peculiar and exceptional practical difficulties to or exceptional and undue hardship upon the owner of the property.

POTENTIAL MOTIONS:

To recommend **approval/denial** of a variance of 25% from the minimum accessory structure setback requirement on the south side of 1108 Magnolia Bayou Blvd. to allow an accessory structure to be 7.5 feet from the lot line.

City of Ocean Springs
Planning Department
P.O. Box 1800
Ocean Springs, MS. 39566
Phone 228-875-4415 Fax 228-872-5427

Office Use	
Date Received	_____
Received by	_____
App Fee Paid \$	_____ Chk or CC?
	_____ Chk #
Mail Fee Due \$	_____
Mail Fee Paid \$	_____ Chk or CC?
Date Mail Fee Pd	_____ Chk #

VARIANCE REQUEST APPLICATION

Submittal Requirements:

- Application
- Fee of \$50.00 (Fifty Dollars) must be paid at the time application is submitted
- Drawing showing requested variance, with dimensions

Date: 26 Sep 2023

Name of Applicant: BYRON S. HUNGINS

Address: 1108 MAGNOLIA BAYON BLVD, OCEAN SPRINGS, MS 39564

Phone No. 228-327-7374 Email Address: bsh50@hotmail.com

Parcel Identification Number: 61242107.000

Property Owner (if different from Applicant): Same

Property Location for the Variance: Lot 131 Magnolia Bayon Subdivision

Type of Variance(s) Requested (setback, height, zoning extension, parking, etc.) I am requesting variance from rear property setback requirement of 10 feet.

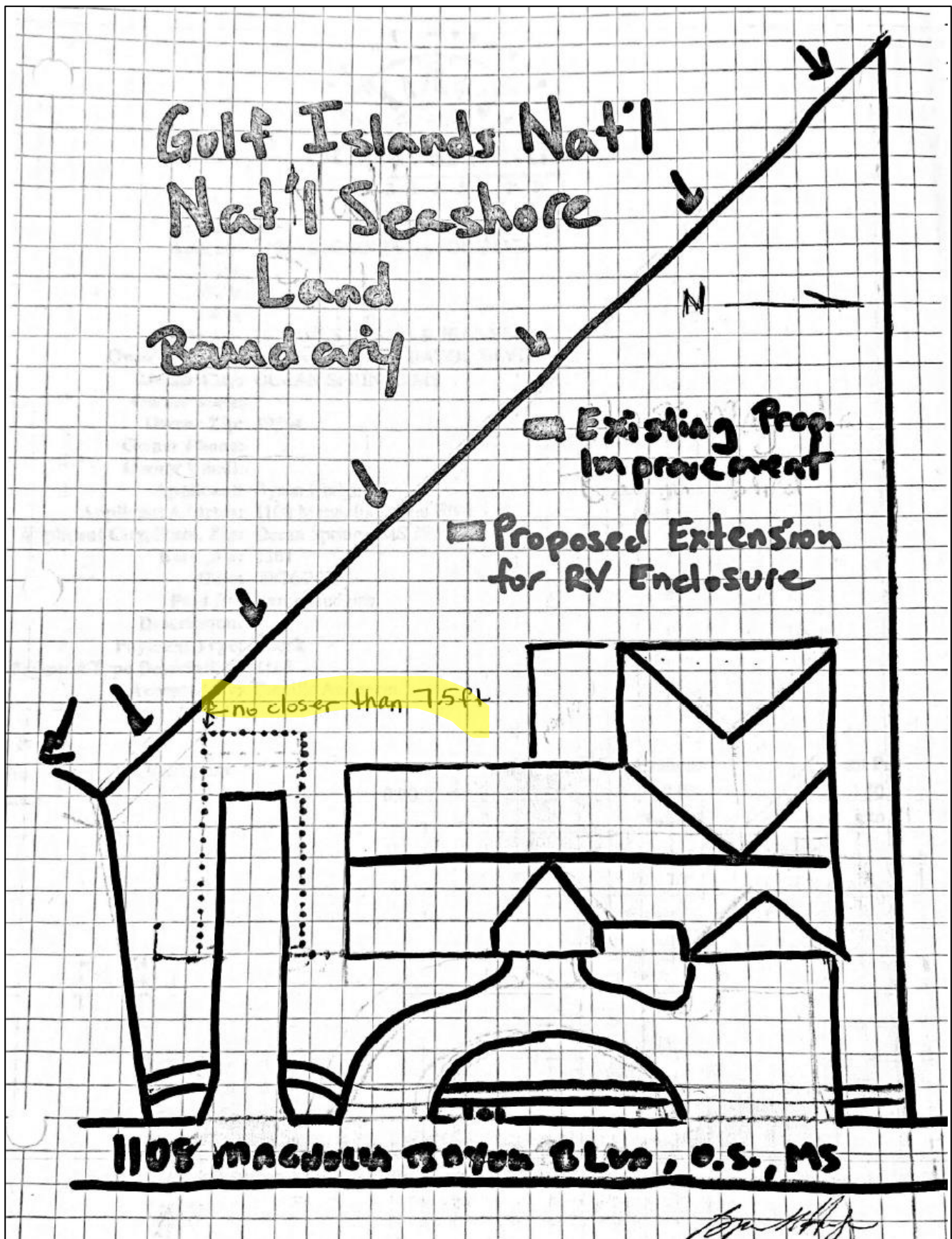
The purpose of this variance is to consider an application to allow: the addition of a larger concrete parking area to eventually be enclosed in order to protect our large RV/motorhome that would be located approximately 6-7 feet from the southwest property line.

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

Our property boundary is unusually shaped and narrow on the only area available to park our RV/motorhome. In order to expand and build a suitable garage in compliance with neighborhood HOA requirements, the shape of the property has exceptional narrowness on the south portion of this lot and is boundary shared with Gulf Islands National Seashore

Applicant Signature: [Signature]

Date 26 Sep 2023



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

ZONING ADJUSTMENT BOARD REPORT

PUBLIC MEETING DATE: November 14, 2023

APPLICANT(S): Marques Thomas/Hank Zuber
CURRENT OWNER? Yes ✓ No (HBC LLC)

LOCATION: 503 Porter Ave./ PID# 60225050.050

REQUESTED ACTION: Variance to the minimum front yard setback requirement to allow a porch to encroach 1 foot, 8 inches into the required front yard.

DATE OF APPLICATION: October 10, 2023

ADJACENT ZONING AND LAND USE:

Subject Property: CMX-1 Neighborhood Commercial Mixed-Use District - Lazy Oak restaurant.

North: RM-2, Multi-family Dwelling District – detached dwellings.

East: Across Azalea Dr., CMX-2 District – detached dwellings

South: across Porter Ave., CMX-2 district – commercial buildings.

West: across First Ave., CMX-1 district – office building.

CURRENT CONDITIONS:
Property Size: 23,950+/- sq. ft.



DESCRIPTION OF REQUEST: the applicant requests a 20% variance from the CMX-1 district's standard 5-foot front yard building setback requirement. The purpose of the variance is to enable the construction of a covered outdoor seating area extension to the existing building. The 12 in. x 12 in. support posts for the roof structure are proposed to encroach into the front yard setback area and the roof overhang will extend out an additional 2.5 feet.

The applicant notes that the "property is an odd shape. This variance will allow us to build covered seating."

FINDINGS:

- The property is in the Porter Ave. Corridor overlay area. The standard building setback distance in the CMX-1 district is 5 feet. The request for a 1 ft. 8 in. variance is a 0.33% variance, which exceeds the maximum variance of 25%. A 25% variance would allow an encroachment of 1 foot.
- The Porter Ave. Corridor overlay regulations call for all primary buildings to have at least one elevated porch, awning, enlarged building overhang or similar treatment to the front façade.
- Roof overhangs may extend up to 42 inches into a setback area (UDC sec. 3.7.17.R) The proposed 2.5 ft. roof overhang is within that allowance.
- The ZAB may recommend variances that meet the following criteria: 1) exceptional narrowness, shallowness or shape of a specific piece of property at the time of the original adoption of the regulations, or 2) exceptional topographical conditions or other extraordinary or exceptional situation or condition of a specific piece of property, which condition is not generally prevalent in the area, or 3) the strict application of these regulations would result in peculiar and exceptional practical difficulties to or exceptional and undue hardship upon the owner of the property.

POTENTIAL MOTIONS:

To recommend **approval/denial** of a variance of 25% from the minimum front setback requirement at 503 Porter Ave. to allow roof structure support columns to encroach 1 foot into the front setback, as shown on the site plan filed with the application.



City of Ocean Springs Planning Department

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

(228) 875-4415

VARIANCE REQUEST APPLICATION

503 Porter Ave.

Submittal Requirements:

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

Date: 10-10-23

Name of Applicant: Morques Thomas / Hank Zuber

Address: 503 Porter Avenue, Ocean Springs MS 39564

Phone No. 228-217-4200 Email Address: Morques4042@gmail.com

Parcel Identification Number: 6-02-25-050.050

Property Owner (if different from Applicant): H B Z LLC

Property Location for the Variance: Front Setback

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

Setback

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

We would ASK for a 1'8" (20%) variance past the property line setback. The post will be 1'8" outside the setback line.

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

The property is an odd shape. This variance will allow us to build covered seating

Applicant Signature: [Signature]

Date: 10-10-23

PORTER AVE. FRONTAGE



SITE PLAN

