



Planning Commission Meeting

Tuesday, February 13, 2024 @ 6:00 PM

1. Call Meeting to Order

2. Approval of Minutes

- a. January 9, 2024
- b. January 23, 2024 - SPECIAL CALL

3. Old Business

- a. *DEFERRED FROM JANUARY* - 100 Winchester Drive/ PID: 61087028.000 - Marisol Buckley -Request for a residential short-term rental permit

4. New Business

- a. **PUBLIC HEARING:** 1222 Londonderry Lane / PID# 61098230.000 - Merethe Skaug Arneser - Request for a residential short-term rental permit.
- b. **PUBLIC HEARING:** 296 McCool Street / PID# 61305177.000 - Rhonda Richmond - Request for a residential short-term rental permit.
- c. **PUBLIC HEARING:** 305 Teringo Circle / PID# 61375060.000 - Valerie Lewis - Request for a residential short-term rental permit.
- d. **PUBLIC HEARING:** 104 Blue Heron Boulevard / PID# 60127080.050 - Lucas Beebe - Request for a residential short-term rental permit.
- e. **PUBLIC HEARING:** 108 Hickory Avenue / PID# 61605204.000 - Beth Holland - Request for a residential short-term rental permit.

5. General Public Comment

6. Commissioner's Forum

7. Adjourn

The Minutes of the City of Ocean Springs

Planning Commission

January 9, 2024

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, January 9, 2024. Members present were Matthew Hinton, Michael Davis, Joey Conwill, and Joseph McCormick. Also present were City Planner Wade Morgan, Planning & Grants Administrator Carolyn Martin, Planning & Grants Coordinator Camille Anderson, and City Attorney Will Norman and Anthony Liberato. Marshall Johnson arrived at 6:03. Kevin O'Connell was absent.

2. Approval of Minutes

a. December 12, 2023

A motion was made by M. Davis and seconded by J. Conwill to accept the minutes as submitted. The motion passed 6-0 with K. O'Connell absent.

3. New Business

a. 9200 Ocean Springs Road / PID# 60123450.000 - Sandy Cox - Request approval of a Lot Split

W. Morgan presented the application. A. Phelan asked the Planning Commission if they had any questions. They didn't. Discussion between A. Phelan and W. Morgan. A. Phelan asked the applicant to speak. She explained her application and plans. A. Phelan asked the Planning Commission if they had any questions. They didn't. A. Phelan asked if anyone present wanted to speak. David Fellows, 9208 Ocean Springs Rd., spoke about potential flood problems. Doug Travis, 3220 Redbluff Cir., questioned the lot size and had concerns about flooding and drainage and the need for a road. A motion was made by J. Conwill and seconded by M. Hinton to recommend approval of the lot split. The motion passed 6-0 with K. O'Connell absent.

b. PUBLIC HEARING: Groveland Road / PID# 60127330.100 - Freddie Fountain - Request approval of a Conditional Use Permit

A motion was made by M. Hinton and seconded by M. Johnson to go into public hearing. The motion passed 6-0 with K. O'Connell absent. W. Morgan presented the application. A. Phelan asked the Planning Commission if they had any questions. They didn't. Discussion between A. Phelan and W. Morgan. A. Phelan asked the applicant to speak. They did. A. Phelan asked the Planning Commission if they had any questions. They didn't. A. Phelan asked if anyone present wanted to speak. No one did. A motion was made by M. Johnson and seconded by M. Davis to come out of public hearing. The motion passed 6-0 with K. O'Connell absent. Discussion between Planning

Commission, W. Morgan, and applicant regarding townhomes. A motion was made by M. Hinton and seconded by J. McCormick to recommend approval of a Conditional Use Permit subject to the City attorney's review of the apartment moratorium related to townhomes. The motion passed 6-0 with K. O'Connell absent.

c. **PUBLIC HEARING:** Groveland Road / PID# 60127330.100 - Freddie Fountain - Request approval of a Sketch Plat

A motion was made by M. Davis and seconded by M. Johnson to go into public hearing. The motion passed 6-0 with K. O'Connell absent. W. Morgan presented the application. A. Phelan asked the Planning Commission if they had any questions. They didn't. Discussion between A. Phelan and W. Morgan. A. Phelan asked the applicant to speak. They did. A. Phelan asked the Planning Commission if they had any questions. They didn't. A. Phelan asked if anyone present wanted to speak. No one did. A motion was made by M. Johnson and seconded by J. Conwill to come out of public hearing. The motion passed 6-0 with K. O'Connell absent. Discussion between W. Morgan, A. Phelan, and W. Norman. A motion was made by M. Hinton and seconded by M. Johnson to recommend approval of a Sketch Plat subject to the City attorney's review of the apartment moratorium related to townhomes. The motion passed 6-0 with K. O'Connell absent.

d. **PUBLIC HEARING:** 208 White Boulevard / PID# 61135017.000 - Tony & Katherine Archuleta - Request for a residential short-term rental permit.

A motion was made by M. Davis, seconded by J. Conwill to go into public hearing. The motion passed 6-0 with K. O'Connell absent. C. Martin presented the application. A. Phelan asked the Planning Commission if they had any questions. They didn't. A. Phelan asked the applicant if they wanted to speak. They didn't. A. Phelan asked if anyone present wanted to speak. Christine Trigg, 215 White Blvd., spoke about her concern with change in character of the neighborhood. A. Phelan asked if anyone else present wanted to speak. No one did. A motion was made by M. Davis, seconded by J. McCormick to come out of public hearing. The motion passed 6-0 with K. O'Connell absent. A. Phelan asked the Planning Commission if they had any questions. They didn't. A motion was made by M. Davis, seconded by J. Conwill to recommend approval of a Short-Term Rental Permit. The motion passed 6-0 with K. O'Connell absent.

e. **PUBLIC HEARING:** 501 Rayburn Avenue / PID# 60137584.000 - Julian Rankin - Request for a residential short-term rental permit.

A motion was made by M. Hinton, seconded by J. Conwill to go into public hearing. The motion passed 6-0 with K. O'Connell absent. C. Martin presented the application. A. Phelan asked the Planning Commission if they had any questions. They didn't. A. Phelan asked the applicant if they wanted to speak. They didn't. A. Phelan asked if anyone present wanted to speak. No one did. A motion was made by M. Hinton, seconded by J. McCormick to come out of public hearing. The motion passed 6-0 with K. O'Connell absent. A. Phelan asked the Planning Commission if they had any questions. They didn't. A motion was made by J. Conwill, seconded by M. Hinton to recommend approval of a Short-Term Rental Permit. The motion passed 6-0 with K.

O'Connell absent.

- f. **PUBLIC HEARING:** 225 Halstead Road / PID# 61004005.000 - Derek Norsworthy - Request for a residential short-term rental permit.

A motion was made by M. Hinton, seconded by J. McCormick to go into public hearing. The motion passed 6-0 with K. O'Connell absent. C. Martin presented the application. A. Phelan asked the Planning Commission if they had any questions. They didn't. A. Phelan asked the applicant if they wanted to speak. They didn't. A. Phelan asked if anyone present wanted to speak. Kathleen Gay, 2703 Walton, had concerns that there are too many Short-Term Rental permits in Ocean Springs. The applicant spoke. A motion was made by M. Hinton, seconded by M. Johnson to come out of public hearing. The motion passed 6-0 with K. O'Connell absent. A. Phelan asked the Planning Commission if they had any questions. They didn't. A motion was made by J. Conwill, seconded by M. Davis to recommend approval of a Short-Term Rental Permit. The motion passed 6-0 with K. O'Connell absent.

- g. **PUBLIC HEARING:** UDC Amendments to the following Sections and Chapters: Chapter 2 (Process), Section 2.22 (Final Plat), Chapter 3 (Zoning Districts, Building Types And Uses), Table 3.2b (Dimensional Standards For Mixed Use And Non-Residential Districts), Section 3.6.3g (Historically Platted Non-Conforming Lots), Table 3.6 (Land Use Matrix), Chapter 4 (Development And Design Standards) Table 4.2 (Landscape Standards), And Section 4.7 (Parking Standards)

A motion was made by M. Hinton, seconded by J. McCormick to defer. The motion passed 6-0 with K. O'Connell absent.

4. Old Business

- a. Executive Session - Litigation

A motion was made by M. Hinton, seconded by J. McCormick to go into closed session to determine the need to go into executive session. The motion passed 6-0 with K. O'Connell absent. The Planning Commission members left the Boardroom to discuss. A motion was made by M. Hinton, seconded by J. McCormick to go into executive session to discuss litigation. The motion passed 6-0 with K. O'Connell absent. The Planning Commission returned to the Boardroom. A. Phelan said no formal action was taken in the executive session.

- b. **PUBLIC HEARING:** 100 Winchester Drive / PID: 61087028.000 - Marisol Buckley - Request for a residential short-term rental permit

A motion was made by M. Hinton, seconded by M. Johnson to go into public hearing. The motion passed 6-0 with K. O'Connell absent. A. Phelan said the applicant was not present, and there was some question about proper noticing. A motion was made by M. Hinton, seconded by M. Davis to come out of public hearing. The motion passed 6-0 with K. O'Connell absent. A motion was made by M. Hinton, seconded by J. McCormick to table agenda item 4.b. so the City can ensure proper notification is given. The motion passed 6-0 with K. O'Connell absent.

5. General Public Comment

Fran Freeman 2702 Walton Dr., spoke about the number of Short-Term Rentals in Ocean Springs. A. Phelan and C. Martin explained that there are caps to the number of Short-Term Rental permits in Ocean Springs.

6. Commissioner's Forum

M. Hinton asked if the Planning Commission should meet to have a work session before the Special Call meeting on January 23. Discussion between the Planning Commission, C. Martin, and W. Norman.

7. Adjourn

A motion was made by M. Johnson, seconded by M. Hinton to adjourn the meeting. The motion passed 6-0 with K. O'Connell absent.

The Minutes of the City of Ocean Springs Planning Commission – SPECIAL CALL January 23, 2024

1. Call Meeting to Order

A Special Call meeting of the City of Ocean Springs Planning Commission was called to order by Chairman Andy Phelan at 6:00 p.m. on Tuesday, January 23, 2024.

Members present were Matthew Hinton, Kevin O'Connell, Marshall Johnson, Michael Davis, Joey Conwill, and Joseph McCormick. Also present were City Planner Wade Morgan, Planning & Grants Coordinator Camille Anderson, City Clerk Patty Gaston, and City Attorney Will Norman and Anthony Liberato.

2. Old Business

- a. Recommendation Regarding Conformance of the Proposed Urban Renewal Plan with the Comprehensive Plan

Discussion between Planning Commission, W. Morgan, and W. Norman. A. Phelan invited the public to speak, 3 minutes per person for a total of 30 minutes. The following people spoke: Ellie Bush Hall, 1217 Sunset; Robert Zelner, 411 Oakwood Dr.; W. Norman advised the Planning Commission not to speak to him as he is a litigant with the City; Julie Illane, 303 Front Beach; Steve Tillis, 3211 Cumberland Rd.; Sarah Godsey, 808 Desoto St.; Haven Hale, 1217 Iberville Dr. A. Phelan asked if anyone else would like to speak. No one did. He closed public comment. Discussion among Planning Commission members. A motion was made by K. O'Connell, seconded by J. McCormick to recommend that the Planning Commission Chairman write a letter to the Aldermen stating that the Urban Renewal Plan conforms with the 2010 Comprehensive Plan in addition to the following written recommendations to update the Urban Renewal Plan before approval: 1. Strengthen the landscaping/recreation areas to 35%. 2. Remove the duplicate in the Plan. 3. Ensure that bids are available for public to view. 4. If Ryan Youth Center is demolished, that it will be rebuilt in the same size and quality as it currently is. The motion was unanimously carried.

3. Adjourn

A motion was made by M. Hinton, seconded by K. O'Connell 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
— Old Business / Previous Public Hearing —

PUBLIC HEARING DATE: **Tuesday, February 13, 2024**
Tabled from: August 8, 2023, September 12, 2023, October 10, 2023, & January 9, 2024

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:

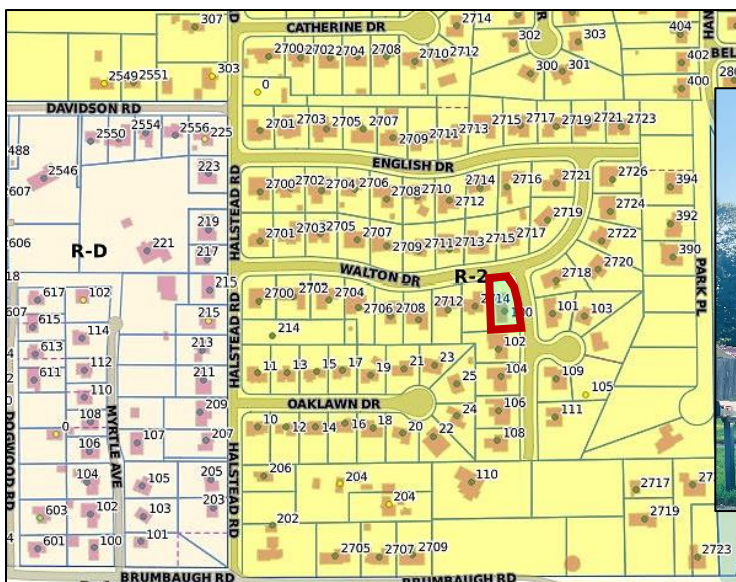
Subject Property: **R2, Single-Family Residential District**

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 – 2/13/24:

- This item was deferred from the 1/09/24 agenda to allow for additional notification.
- Additional input from the applicant is attached.
- On February 2, 2024 the Airbnb listing for this property indicated a minimum 25 night stay as reflected in the screenshot below.

Golfcart District/Wi-Fi/Pool/ Beach/Lots of Space - Houses for Rent in... https://www.airbnb.com/rooms/730374181615239927?source_impressi...

Entire home in Ocean Springs, Mississippi
8 guests · 4 bedrooms · 5 beds · 3.5 baths
★ 5.0 · [4 reviews](#)

 **Hosted by Marisol**
1 year hosting

 **Dedicated workspace**
A common area with wifi that's well-suited for working.

 **Self check-in**
Check yourself in with the keypad.

 **Free cancellation for 48 hours**

Everything you need is all right here!

"Poseidon's Place" is situated within the coveted Golf Cart District with quick access to East Beach, Front Beach, Ocean Springs Harbor, Downtown Ocean Springs & the Gulf Islands National Seashore. This pristine home featur... four bedrooms (two with en suite baths), two comfortable living areas & an in ground saltwater pool with poolside chaises. Located in a quiet hamlet. Just 10 minutes to the Biloxi casinos

The space
Welcome to Poseidon's Place!

Our spacious and luxurious 4 bedroom home has 2 master suites - one upstairs & one downstairs, each with its own private full bath & patio access (one suite exits directly to the pool area & the other exits to the upstairs deck). This versatile home has 3-1/2 baths, 2 living areas & a coffee & wine bar & wine fridge. While many Ocean Springs listings

\$332 night

CHECK-IN	CHECKOUT
2/18/2024	3/14/2024

GUESTS
1 guest

Reserve

You won't be charged yet

\$342 x 25 nights **\$8,545**

Special offer **-\$243**

Cleaning fee **\$495**

Airbnb service fee **\$1,242**

Total before taxes **\$10,039**

 **This is a rare find**
Marisol's place is usually fully booked.

 [Report this listing](#)

2 of 12 2/2/2024, 9:40 AM

SUMMARY: Based on documentation of continued listing of the property with the ability to book for less than 30 days, as well as the previous discussion of restrictive covenants and subsequent legal activity, the recommendation of this request remains to deny the permit.

UPDATE – 1/09/24:

- During the initial public hearing on August 8, 2023, a question of existing use and advertisement on Airbnb.com was raised. Review of the website confirmed that it was listed and had been rented previously for a reported 30+ days per visitor. At that time, the applicant indicated that they would take down the listing until the issue was resolved.
- Advertisement for this property allowing rentals of less than 30 days was documented on the following dates:
 - November 1, 2023
 - November 7, 2023
 - November 16, 2023
 - November 28, 2023
 - January 4, 2024
- A review was posted in December 2023 with no length of stay indicated, only that it was through Thanksgiving.
- Prior to the October 2023 Planning Commission meeting, Ms. Buckley requested that her pending STR application be removed from the Commission's agenda so that she could pursue legal action regarding interpretation of the covenants. Ms. Buckley filed a Complaint for Preliminary Injunction, Permanent Injunction, and Declaratory Relief in Jackson County Chancery Court on October 12, 2023. After briefing was filed by both Ms. Buckley and the City, a hearing was held before the Court, and Ms. Buckley's Complaint was dismissed.

February 5, 2024

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

RE: STR Application for 100 Winchester

Dear Planning Commission:

I am the STR permit applicant for 100 Winchester Drive in Ocean Springs. I write in protest of the latest Planning Commission Report ("Report") that recommends denying me an STR permit. In summary, I dispute the Report's recommendations because they rely on the following:

1. Misinformation that I've previously violated the STR ordinance, including the false allegation that I previously rented the property for any period less than 30 days, and the false allegation that I violated the STR Ordinance in the way I listed the property online; and
2. A clearly erroneous application of Mississippi law governing the interpretation of restrictive covenants.

I will address these individually as follows:

1. Misinformation regarding alleged violations of the STR Ordinance.

The most recent Planning Commission Report ("Report") claims that I previously operated 100 Winchester as an STR without a permit. This is false. I have never rented 100 Winchester to any guest for a rental period of less than 30 days. Attached as **Exhibit 1** are the records of every renter.

The Report also alleges, in effect, that I violated the STR Ordinance by improperly listing 100 Winchester as an STR on Airbnb and VRBO. My online listings did not violate the STR Ordinance. The Ordinance prohibits property owners from making their property available for guests to rent by "paying a fee or the compensation for a period of less than

thirty (30) consecutive days.” See STR Ordinance, definition of “Short Term Rental.” I did not do that.

The Report’s conclusions reflect a fundamental misunderstanding of how online rental platforms such as Airbnb and VRBO work. A property owner (“host”) seeking to rent their property on one of these platforms can tweak the parameters of the listing to attract attention to their listing. Such parameters could include promotions, weekly discounts, and length of stay. However, unless the host activates the platform’s “instant booking” feature, the host retains control over whether a prospective renter’s booking request is approved, and if it is, the final terms of the rental (including the rental period). I have never activated the “instant booking” feature. All booking requests must go through me to be approved, and all rentals must be for at least 30 days.¹

I am selective about who I approve. On December 9, 2023, I declined a request via Airbnb for a 5-month rental that would have netted me substantial rental income; I was not comfortable with the fact that the guests would be a group of commercial HVAC contractors working in Biloxi, rather than vacationing tourists interested in visiting Ocean Springs.

2. Misapplication of Mississippi Law governing covenants.

As the Report indicates, I previously filed an injunctive lawsuit in the Jackson County Chancery Court to attempt to enjoin the City from misinterpreting the English Village Covenants to prohibit me from operating 100 Winchester as an STR.² The Court dismissed my suit on procedural grounds without reaching the merits of my claim.

As I have repeatedly pointed out to the City, the English Village Covenants (“Covenants”) only require that houses in English Village be *constructed* as single family dwellings. See **Exhibit 2**, English Village Covenants (yellow highlight applied to relevant section). The Covenants do not address “single-family” limitations in the context of *use* or *occupancy*. To the extent the Covenants are being invoked to prohibit STRs, the language of the Covenants is ambiguous at best.

It has been the clear law of the State of Mississippi for over half a century that restrictive or protective covenants, where ambiguous, are construed strongly against the person seeking enforcement. *Kinchen v. Layton*, 457 So. 2d 343, 345 (Miss. 1984)(*relying*

¹ As the Planning Commission is aware from previous correspondence, on one occasion I previously agreed to rent 100 Winchester to a guest for a period of less than 30 days – believing that I would have an STR permit by the beginning of the rental. Once the Planning Commission informed me that I would not receive a permit by the anticipated date, I immediately cancelled the booking well in advance of the scheduled check-in date.

² The suit did not seek damages or fees of any kind against the City.

on *Kemp v. Lake Serene Property Owners Association, Inc.*, 256 So. 2d 924 (Miss. 1971).³ Thus, under long-established Mississippi law, the Covenants cannot be invoked against me to prohibit me from operating 100 Winchester as a properly permitted STR.

I am disappointed that the City continues to signal a deliberate indifference to well-settled Mississippi Law as it pertains to the interpretation of the Covenants. I am an Ocean Springs property owner and taxpayer, and I am entitled to fair and honest treatment by the City. From my perspective, it appears that the City is simply taking the path of least resistance by bending to a hostile group of senior citizen neighbors who continue to expend a substantial portion of their idle time trying to sabotage my STR application.

3. Final Comments

My STR application has been pending since June 2, 2023. I simply ask to be treated fairly and in accordance with the terms of the Ocean Springs STR Ordinance and long-established Mississippi law regarding the interpretation of ambiguous covenants.

Respectfully,

/s/ Marisol Buckley
Marisol Buckley

³ To the extent the City has previously argued that *Bostick v. Desoto County, Mississippi*, 225 So. 3d 20 (Miss. Ct. App. 2017) applies to the contrary, that case is clearly inapplicable because the covenants at issue in *Bostick* – unlike the English Village Covenants – explicitly regulate *use* and *occupancy*.

EXHIBIT 1

**Rental Records for 100 Winchester Drive
(All Renters Who Have Rented the Property)**

Currently hosting

Jo [REDACTED]

Golfcart District/Wi-Fi /Pool/ Beach/
Lots of Space
Jan 6 – Feb 17 (42 nights)
2 guests · \$ [REDACTED]

Past guest

Le [REDACTED]

Golfcart District/Wi-Fi /Pool/ Beach/
Lots of Space
Nov 1 – Dec 1, 2023 (30 nights)
8 guests · \$ [REDACTED]

Past guest

An [REDACTED]

Golfcart District/Wi-Fi /Pool/ Beach/
Lots of Space
Oct 1 – 31, 2023 (30 nights)
4 guests · \$ [REDACTED]

Past guest

Ta [REDACTED]

Golfcart District/Wi-Fi /Pool/ Beach/
Lots of Space
Dec 23, 2022 – Feb 2, 2023 (41 nights)
3 guests · \$ [REDACTED]

Past guest

Ma [REDACTED]

Golfcart District/Wi-Fi /Pool/ Beach/
Lots of Space
Nov 23 – Dec 23, 2022 (30 nights)
2 guests · \$ [REDACTED]

Past guest

He [REDACTED]

Golfcart District/Wi-Fi /Pool/ Beach/
Lots of Space
Oct 21 – Nov 20, 2022 (30 nights)
4 guests · \$ [REDACTED]

EXHIBIT 2

English Village Covenants

PROTECTIVE COVENANTS
THE ENGLISH VILLAGE

KNOW ALL MEN BY THESE PRESENTS, that B. T. Mortgage Co., Inc. is the owner of that certain property situated in Jackson County, Mississippi, and known as The English Village Subdivision, shown by map or plat thereof, which has been filed of record and is duly recorded in the Records of Plats in the office of the Chancery Clerk of Jackson County, Mississippi, and the same owner does hereby agree and covenant with the purchasers and future owners of all of the lots in said subdivision, according to said map or plat, that the following protective covenants shall apply to the property in said subdivision, to-wit:

1. All lots in subdivision shall be known and described as residential lots. No structure shall be erected, altered, placed or permitted to remain on any of said lots herein designated as residential lots other than one residential building constructed for the purpose of housing not to exceed one family, not to exceed two stories in height and private garage for not more than two cars.

2. Dwelling Cost, Quality and Size: No dwelling shall be permitted on any lot at a cost of less than \$25,000.00 based upon cost levels prevailing on the date these covenants are recorded, it being the intention and purpose of the covenants to assure that all dwellings shall be of a quality of workmanship and materials substantially the same or better than that which can be produced on the date these covenants are recorded at the minimum cost stated therein for the minimum permitted dwelling size. The ground floor area of the main structure, exclusive of one-story open porches and garages, shall be not less than 1,400 square feet for a one-story dwelling, nor less than 1,100 square feet for a dwelling of more than one-story. All houses shall have at least a double attached carport or garage. All houses shall have a minimum of two full baths.

3. Building Location: No building shall be located on any lot nearer than 25 feet to the front lot line, or nearer than 10 feet to the side street line. No building shall be located nearer than 10 feet to an interior lot line. For the purpose of this covenant, eaves, steps and open porches shall not be considered as a part of the building, provided, however, that this shall not be construed to permit any portion of a building on a lot to encroach upon another lot.

4. Lot Area: No dwelling shall be erected or placed on any lot having an area of less than 11,500 square feet.

5. Easements: Easements for installation and maintenance of utilities and drainage facilities are reserved as shown of the recorded plat.

6. Nuisances: No noxious or offensive activity shall be carried on upon any lot nor shall anything be done thereon which may be or may become an annoyance or nuisance to the neighborhood. There shall be no automobiles, boats or other vehicles placed on or allowed to remain on any lot or street, except that they be in running condition and actually used regularly by such lot owner, and any automobiles or boats in excess of two automobiles and one boat per residence shall be in violation of this provision (but a greater number of cars may be kept if there are qualified drivers at such residence for each such car and using each car regularly).

7. Temporary Structures: No structure of a temporary character, trailer, tent, basement, shack, garage, barn or other outbuilding shall be used on any lot at any time as a residence either temporarily or permanently. No building may be put on any of the above described lots other than one dwelling house and any additions made to the dwelling house will be attached to and conform to the general design of the existing dwelling.

8. Signs: No signs of any kind shall be displayed to the public view

on any lot except one sign of not more than five square feet advertising the property for sale or rent, or signs used by a builder to advertise the property during the construction and sales period.

9. Livestock and Poultry: No animals, livestock or poultry, or other fowl of any kind shall be raised, bred, or kept on any lot, except that dogs or cats or other household pets may be kept provided that they are not kept, bred or maintained for any commercial purposes and provided further, there shall not be kept more than two such pets at any one dwelling.

10. Garbage and Refuse Disposal: No lot shall be used or maintained as a dumping ground for rubbish or trash. Garbage or other waste shall not be kept except in sanitary conditions.

11. Water Supply: No individual water supply system shall be permitted on any lot unless such system is designed, located and constructed in accordance with the requirements, standards and recommendations of Jackson County Health Department. Approval of such system as installed shall be obtained from such authority.

12. Sewage: No individual sewage-disposal system shall be permitted on any lot unless such system is designed, located and constructed in accordance with the requirements, standards and recommendations of Jackson County Health Department. Approval of such system as installed shall be obtained from such authority.

13. Fences: No fence of any kind shall be erected on any portion of the premises from the front lot line to the front sill line of the main building on any lot.

14. Sidewalks: Each lot shall have installed a sidewalk. It shall be the obligation of the builder to install said sidewalk when residence is constructed. Sidewalk shall be 3 feet in width commencing 5 feet behind the curb, shall extend the entire width of the lot and shall be uniform with and connect to sidewalk on adjoining lots.

15. Terms: These covenants are to run with the land and shall be binding on all parties and all persons claiming under them for a period of twenty-five years from the date these covenants are recorded, after which time said covenants shall be automatically extended for successive periods of 10 years unless an instrument, signed by a majority of the then owners of the lots has been recorded, agreeing to change said covenants in whole or in part.

16. Enforcements: Enforcement shall be by proceedings at law or in equity against any person or persons violating or attempting to violate any covenant either to restrain or to recover damages.

17. Severability: Invalidity of any one of these covenants by judgment or court order shall in no wise effect any of the other provisions which shall remain in full force and effect.

WITNESS our signature on this the 25th day of JULY, 1973.

STATE OF MISSISSIPPI
COUNTY OF JACKSON

William M. Faust
WILLIAM M. FAUST, VICE PRESIDENT
B-T MORTGAGE COMPANY, INC.

PERSONALLY appeared before me the undersigned authority in and for the above mentioned County and State, who acknowledged that he signed and delivered the above and foregoing instrument on the date and year herein mentioned.

WITNESS my signature and official seal this the 25th day of JULY, 1973.

J. R. Chastain, Jr.
Notary Public

My Commission Expires April 12, 1977

My Commission expires: _____



STATE OF MISSISSIPPI, JACKSON COUNTY

I, Wilbur G. Dees, Clerk of the Chancery Court of said County, certify that the within Instrument was filed in my office for record on the 25th day of July, 1973 at 10:35 o'clock A. M. and was duly recorded on the 26th day of July, 1973 in Land Deed Book No. 470 Pages 15-16 in my office.

GIVEN under my hand and seal of office this 26th day of July, A.D., 1973.

Wilbur G. Dees

STATE OF MISSISSIPPI, JACKSON COUNTY

Filing 5¢
Recording 5¢
Notary 5¢
Total 15¢

Input: The following input was received on January 3, 2024 – prior to the January 9, 2024 agenda.

From: [Billy Young](#)
To: [Carolyn Martin](#)
Subject: Short-Term Rental, 100 Winchester Drive/PID 61087028.000_Marisol Buckley
Date: Wednesday, January 03, 2024 4:38:01 PM

As a property owner within 500 feet of the above property, the request for a short term rental permit should be denied.

1. Previous meetings about this were conducted and it was stated that there was no POA or covenants affecting this property. WRONG. I provided other neighbors with copies of the covenants showing that they were in effect and they stated these were single family residential dwellings.
2. This information was forwarded to the city attorney for review. He responded to the planning commission that the covenants precluded the issuance of the permit and in essence should be denied.
3. Now the planning commission is readdressing the same things again. For what purpose? The commission already has it on legal advice from the city attorney that the permit should be denied.
4. When I purchased my property in 1974 it was understood that these properties in English Village S/D were residential homes. Now someone wants to turn a property into a Short-Term rental,(ie. MOTEL). This is wrong and I am 100% against it.
5. In addition I suspect that the property has been used as a Short-Term rental within the last couple of months or so. I say this because unknown vehicles were seen parked there for 1-3 weeks or so on at least 2 occasions. These vehicles were seen coming and going and then left without returning again. Is this being done without a permit? This may need to be investigated. I know this subject was brought up before and investigated but I am speaking of more instances of this type since the initial investigation. ARE THE OWNERS CONTINUING TO RENT IT OUT SHORT TERM without the required permit

As for the legal input from the city attorney: Is the Planning Commission trying to put the city of Ocean Springs in a position that could possibly lead to law suits? If so, this matter would be affecting all the citizens of Ocean Springs.

There are many other reasons to deny the permit that have been presented by other neighbors. I suggest the Planning Commission take in consideration ALL factors in their decision on this matter.

REMEMBER: A MANS HOME IS HIS CASTLE AND HE WILL PROTECT IT.

DENY THE PERMIT.

Billy and Mildred Young
2719 Walton Drive
Ocean Springs, MS 39564

UPDATE – 10/05/23: This item was tabled from the September 12th agenda following receipt of the English Village SD Covenants so that the document could be reviewed by the City Attorney. Following review, the City Attorney has advised that the covenants – filed at Book 470, Page 15 – should be considered as not allowing short-term rentals.

Based on this input, the recommendation for this request has changed to denial due to the existing of appropriate restrictive covenants.

UPDATE – 9/12/23: 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 were included in the 9/12/23 Planning Commission packet and are available upon request.**

.....

Updated 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: The MS Secretary of State’s Office does not have an active HOA listed on their website. On the application form, the applicant indicated that this is not a covenant-restricted neighborhood and also that there was no HOA. However, a search of Jackson County Land Records discovered filed covenants for this subdivision.
- 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. Taxes are also current. However, a search of Jackson County Land Records discovered filed covenants for this subdivision.
- 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. However, a search of Jackson County Land Records discovered filed covenants for this subdivision.
- 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 the physical inspection passed. However, a search of Jackson County Land Records discovered filed covenants for this subdivision which were considered and do not allow for short term rentals. The recommendation is for denial of a Residential Short-Term Rental permit.

ATTACHMENTS as listed above were included in the 9/12/23 Planning Commission packet and are available upon request.

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, February 13, 2024

APPLICANT: Merethe Skaug Arneser / Skaug, LLC

LOCATION: 1222 Londonderry Lane / PID: 61098230.000

REQUESTED ACTION: Residential Short Term Rental Permit

DATE OF APPLICATION: June 25, 2023

ADJACENT ZONING/LAND USE:

Subject Property:	R-2, Single-Family Residential District
North, South, West:	R-2, Single-Family Residential District
East:	R-2, Single-Family Residential District / R1-A, Special Apartment Use 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 located in the CITY Zone Area, on the east side of Londonderry Lane midway between Parliament Drive and Cumberland Road.



FINDINGS:

- **Local Property Manager:** The local property manager resides on Maginnis Avenue, satisfying the requirement for residency within 2-miles of the city limit.
- **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 verified that this is not a covenant-restricted neighborhood and no covenants have been provided. The applicant has not made the Planning Department aware of any Homeowner's Association.
- **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 63 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 12/19/23 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 6 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: 06/25/2023

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: 1222 Londonderry Lane, Ocean Springs, MS 39564
- Parcel Identification Number: 61098230.000 Number of bedrooms: 3
- Proposed maximum # guests: 6 Number of existing off-street parking spaces: 6
- 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>Skaug LLC</u>
Address:	<u>7600 Tapp Rd, Ocean Springs</u>
Phone No. <u>2282737344</u>	Email: <u>Meretheskaug@hotmail.com</u>
OWNER SIGNATURE: <u>Merethe Skaug Arniser</u>	
LOCAL PROPERTY MANAGER – [Must RESIDE within two (2) miles of the OS City Limits]	
Name:	<u>Karen Stennis</u>
Address:	<u>399 Maginnis Ave. Ocean Springs, MS</u>
Phone No. <u>2283242676</u>	Email: <u>stennisk1@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: MA (initials) Copy of Ordinance 2019-19 Received: MA
Copy of Ordinance 2018-02 Received: MA (initials) Copy of Ordinance 2021-25 Received: MA
Copy of Ordinance 2023-07 Received: MA (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) Merethe Skaug, 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: Skaug LLC

Parcel ID(s): 61098230.000

Date Property Acquired: 3.30.2023

Owner's Signature Merethe Skaug Date 06/25/2023

.....
Office Use Only

Date of Inspection: <u>12/19/23</u>	Result of Occupancy Inspection: <u>PASSED</u>
Maximum Occupancy Determination: <u>6</u>	<u>(attached)</u>
Maximum Parking Spaces: <u>6</u>	Permit Renewal Date: _____
PC Public Hearing Date: <u>2/13/24</u>	BOA Approval Date: _____

Revised 06/16/2023

2 | Page

ADDRESS: 1222 Londonderry Lane iWorQ Permit#: 3746



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: 6

- ☒ Proposed # of vehicles: 6

Approved # of vehicles per OSFD: 6

Property Owner: Merethe Skaug Arneser
Contact Name: Karen Stennis

Phone #: 228-273-7344
Phone #: 228-324-2676

.....
Date of Inspection: 12-19-23

COMMENTS: _____

☒ **PASSED**

Building Official: [Signature] Fire Marshall: [Signature]
Property Owner: Merethe Skaug Arneser

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: 1222 Londonderry Lane

Public Hearing Date/Time: Tuesday, February 13, 2024 - 6:00pm

Applicant Merethe Skaug Arneser

Local Contact Karen Stennis

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 **MUST** reside or have their business physically located 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

has been inspected to ensure that all life safety elements are in place and a maximum occupancy/vehicle allowance has been set.

- 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.

Complaint Contact Information:

- 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 filed covenants indicate that there are covenants in place. If there is an active Homeowner's Association (HOA), they 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 or if the covenants do not allow short-term rental.
 - 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

Vacation Rental Agreement

This Vacation Rental Agreement is made by and between (Homeowner) and (Guest) as of the date last set forth on the signature page of this Agreement. For good and valuable consideration, the sufficiency of which is acknowledged, the parties hereby agree as follows:

Property

The vacation rental property is located at: **1222 Londonderry Lane, Ocean Springs, MS 39564**

(e.g. appliances, amenities and other provided items such as towels, linens, sports equipment, etc.)

Maximum occupancy

The maximum number of guests is limited to 6 persons, including children. An additional charge or per person per night for guests in addition to assessed.

Term of the lease

The vacation rental lease begins at on ("Check-in Date") and ends at unless on (the "Check-out Date"). Failure to adhere to the check-out time may result in an additional late fee set at discussed in advance of the stay.

Minimum stay

This property requires a 3 night minimum stay. Longer minimum stays may be required during holiday periods. If a rental is taken for less than days, the guest will be charged the night rate.

Rental rules

Guest agrees to abide by the Rental Rules (**attached to this agreement**) at all times while at the property, and shall cause all members of the rental party and anyone else Guest permits on the property to abide by the following rules at all times while residing at the property.

Access

Guest shall allow Homeowner access to the property for purposes of repair, inspection or emergency. Homeowner shall exercise this right of access in a reasonable manner by giving at least hours notice (unless in case of emergency).

Vehicles and Parking

A maximum of six vehicles will be allowed on the property. All vehicles must be parked in the driveway of the property. Parking on the street or grass is not permitted. Any illegally parked cars are subject to fines, as well as towing fees which are the sole responsibility of the vehicle owner.

Rental rate and fees

A. Deposit: A deposit of is due at least __30__ days prior to the Check-in Date.

OPTION A. The deposit is for security purposes and will be refunded within _7__ days of check out provided no deductions are made due to:

- i. damage caused to the property or furnishings;
- ii. dirt or other mess requiring excessive cleaning; or
- iii. any other cost incurred by Homeowner due to Guest's stay

OPTION B. The deposit is non-refundable and applied toward the rental fees. **If the premises appear dirty or damaged upon Check-in, Guest shall inform Homeowner immediately.**

Rental Rate: Payment in full of the following fees shall be due within __30__ days of Check-in Date.

Nights	_____
Price per night	_____
Cleaning Fee	_____
Additional Fees	_____
Taxes and Fees	_____
Deposit	_____
Total Due	_____

Cancellation policy

If Guest wishes to cancel the reservation, the deposit will be refunded as follows:

% if canceled days prior to the Check-in Date.

% if canceled days prior to the Check-in Date.

The Homeowner may also be entitled to cancel the Guest stay if house rules are broken during rental period.

Trash Management

The trash is picked up every Thursday mornings. Receptacles are located in the garage and should be placed by the road on Wednesday evening and replaced in garage after pick up. All garbage and trash should be placed in the receptacles located in the garage with the lids closed.

Noise

This property is located in a residential area that is subject to the city's noise ordinance #2012-04. Please keep noise levels down out of respect to the surrounding residents.

Insurance

We encourage all renters to purchase traveler insurance in case of unforeseen circumstances, accidents or other issues that may prohibit Guest from traveling or fulfilling rental terms.

Payment

Acceptable payment methods are: credit card/PayPal/bank transfer

All payments, unless otherwise specified, will be processed on my vacation rental website at the

URL: _____

Manual PayPal requests will be made from the account with email address:

For other manual payments, please contact us directly to administer these.

Email address:

Phone number:

By my signature below, I hereby give permission to charge my credit card/PayPal account for the amounts above. I agree that all rental monies are non-refundable per cancellation policy above. I have read my rights to purchase travel insurance.

Tenant Name _____

Tenant Signature _____ Date _____

Phone number during the stay _____

Homeowner Name _____

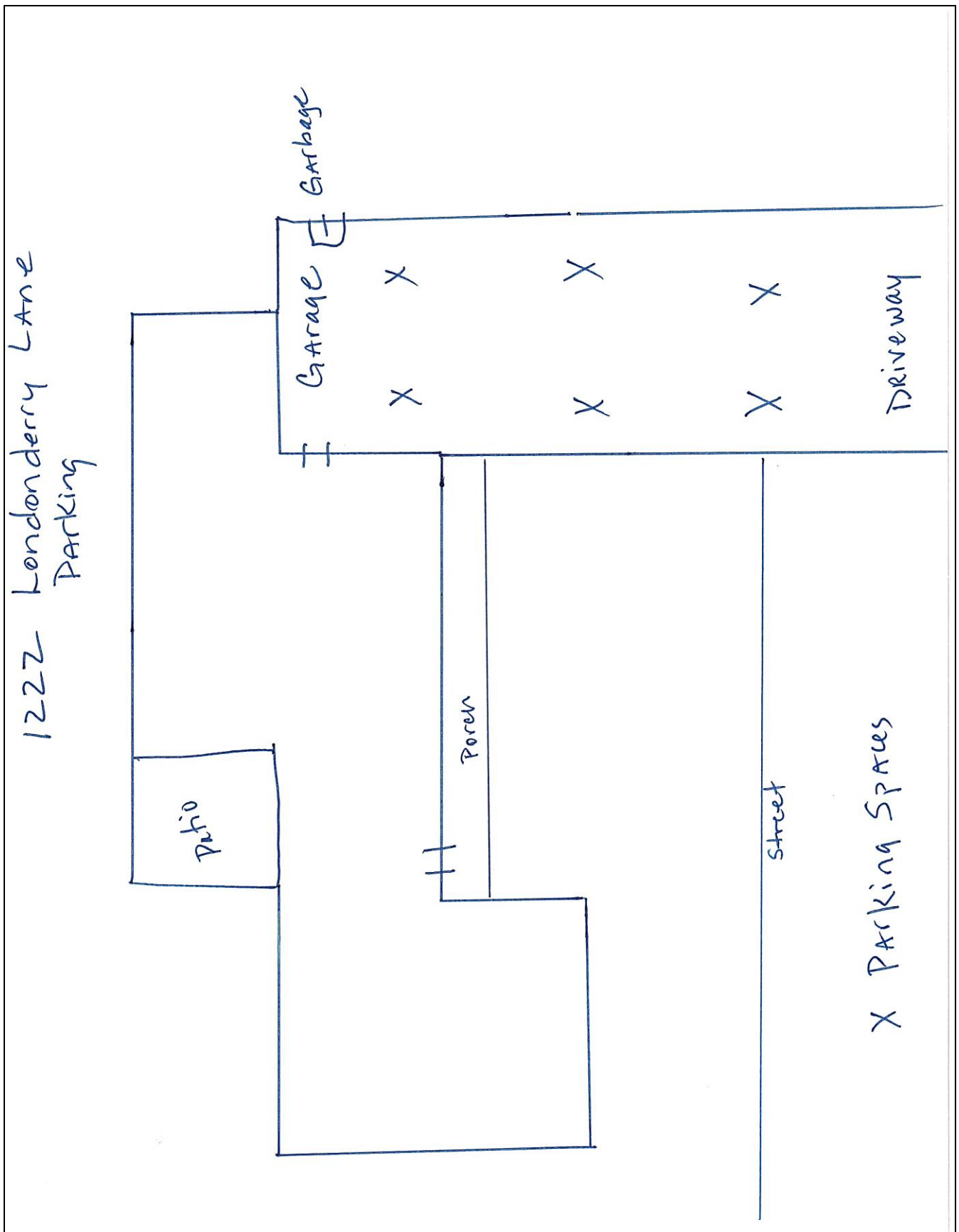
Homeowner Signature _____ Date _____

Phone number during the stay _____

Skaugum House
1222 Londonderry Lane
Rental Rules

1. **Check In@ 4:00 PM Check Out @ 11:00**
2. **Maximum Occupancy** for 1222 Londonderry is 8 persons.
3. **Parking/Vehicles** - Is limited to 6 vehicles. Vehicles are to be parked in the driveway of the home. Parking on the street or grass is not permitted. Any illegally parked cars are subject to fines and well as applicable towing fees which are the sole responsibility of the vehicle owner.
4. **Smoking** allowed outside of the house only.
5. People other than listed on the rental agreement are not allowed to stay overnight in the property. Any other person on the property is the sole responsibility of the registered guest.
6. This property is privately owned: the homeowners are not responsible for any accidents, injuries, or illnesses that may occur while on the premises or its facilities.
7. 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 assuming the risk of any harm arising from the use of the premises or others whom they invite to use the premises.
8. Keep the property and all furnishings in good order.
9. Only use appliances for their intended use.
10. **Pets** are not permitted .(Exception : Service Animals with a \$75.00 Non- refundable deposit and with prior approval and a pet addendum must be included)
11. **Noise** - The property is located in a residential area that is subject to the noise ordinance #2012-04 of the city of Ocean Springs. Please keep noise levels down out of respect to surrounding residents.

12. **Trash Management:** The trash is picked up on Thursday mornings. Receptacles are located in the garage and should be placed by the road on Wednesday evening and replaced in garage after pick up. All garbage and trash should be placed in the receptacles located in the garage with Lids closed.
13. **Housekeeping** There is no daily housekeeping service. While linens and bath towels are included in the unit, daily maid service is not included in the rental rate.
14. **Water and Sewage** **DO NOT FLUSH** anything other than toilet paper. No feminine products or sanitary wipes should be flushed at any time. If it is found that feminine products have been flushed and causes a clogged system, you could be charged damages for the repair.



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, February 13, 2024

APPLICANT: Rhonda Richmond

LOCATION: 296 McCool Street / PID: 61305177.000

REQUESTED ACTION: Residential Short Term Rental Permit

DATE OF APPLICATION: October 23, 2023

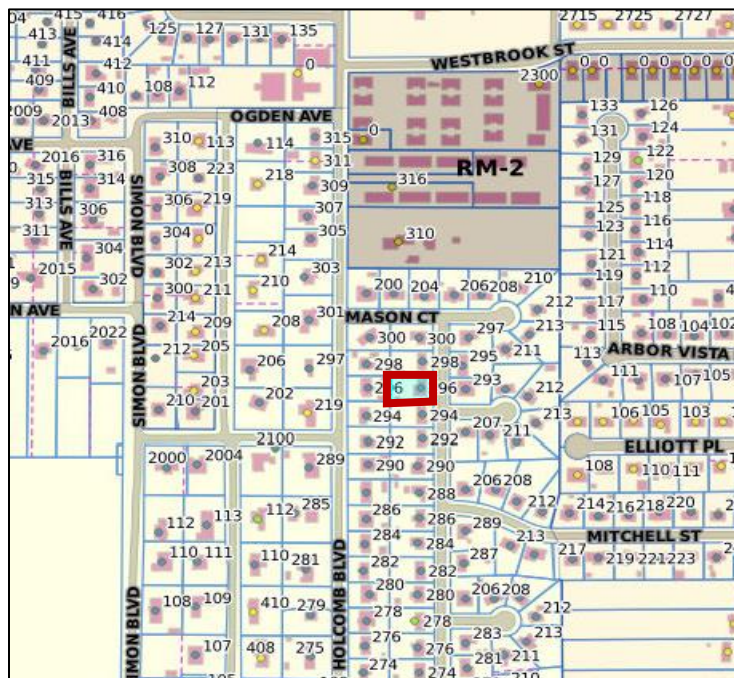
ADJACENT ZONING/LAND USE:

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

North, South, East, West: R-1, 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 located in the CITY Zone Area, on the west side of McCool south of Mason Court.



FINDINGS:

- **Local Property Manager:** The local property manager resides on Magnolia Bayou, satisfying the requirement for residency within 2-miles of the city limit.
- **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 verified that this is not a covenant-restricted neighborhood and no covenants have been provided. The applicant has not made the Planning Department aware of any Homeowner's Association.
- **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 66 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 12/19/23 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: 10-22-23

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: 296 McCool Street Ocean Springs, MS 39564
- Parcel Identification Number: 62324-00 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.

PROPERTY OWNER – Name:	Dr.Rhonda Iris Richmond
Address:	<u>13275 Riverwalk Circle Diberville, MS 39540</u>
Phone No. <u>228-218-1888</u>	Email: <u>rhondairis@hotmail.com</u>
OWNER SIGNATURE: <u>[Signature]</u>	
LOCAL PROPERTY MANAGER – [Must RESIDE within two (2) miles of the OS City Limits]	
Name:	Chris Dearman
Address:	<u>805 Magnolia Bayou Blve. Ocean Springs, MS 39564</u>
Phone No. <u>847-307-1491</u>	Email: <u>christopherdearmand@gmail.com</u>
Is the Property Manager OR the Owner the best contact for scheduling inspections? <u>Choose One...</u>	

Revised 06/16/2023

1 | Page

Owner – initial by each ordinance to indicate receipt:

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

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

Copy of Ordinance 2023-07 Received: RIR (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) RHONDA RICHMOND, 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: RHONDA RICHMOND

Parcel ID(s): 62324-00 - Parcel # 61305172.000

Date Property Acquired: 05/2014

Owner's Signature Rhonda Richmond Date 11/15/2023

Office Use Only

Date of Inspection: 12/19/23 Result of Occupancy Inspection: PASSED

Maximum Occupancy Determination: 6 (attached)

Maximum Parking Spaces: 4 Permit Renewal Date: _____

PC Public Hearing Date: 2/13/24 BOA Approval Date: _____

ADDRESS: 296 McCool Street iWorQ Permit#: 3857



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>3</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>6</u> |
| ☒ Adequate emergency egress | ☒ Proposed # of vehicles: <u>4</u> |
| ☒ Operable windows in sleeping areas | Approved # of vehicles per OSFD: <u>4</u> |
| ☒ Guest rules (noise, garbage, etc.) must be
visibly posted. | |

Property Owner: Rhonda Richmond Phone #: 228-218-1888
Contact Name: Rhonda Richmond Phone #: 228-218-1888

.....
Date of Inspection: 12-19-23

COMMENTS: _____

☒ **PASSED**

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

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: 296 McCool Street

Public Hearing Date/Time: Tuesday, February 13, 2024 - 6:00pm

Applicant Rhonda Richmond

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 **MUST** reside or have their business physically located 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

has been inspected to ensure that all life safety elements are in place and a maximum occupancy/vehicle allowance has been set.

- 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.
- Complaint Contact Information:**
- 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 filed covenants indicate that there are covenants in place. If there is an active Homeowner's Association (HOA), they 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 or if the covenants do not allow short-term rental.
 - 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

Coastal Paradise Lodging Policies & Rental Agreement

Coastal Paradise is an exclusive property where every guest reservation is both important and special to us. If your travel plans change and you must cancel your reservation, please contact us at least two weeks prior to your arrival date to receive a full refund. A 50% refund will be given if the cancellation is made at least one week prior. If canceling less than week, we will try to re-book the dates for you, and if so, will offer you a credit for whatever amount we get for a future stay.

Check-in begins at 4PM. Check-out 10AM. Unfortunately, due to the need of getting the home ready for the next guest visit, we usually cannot offer early check-ins or late check-outs.

All use of Coastal Paradise amenities is at the guests own risk. Please be responsible and act safely. All disposable items in the home are for guest use, but please clean any dishes & appliances if used. Please make sure the dishwasher is emptied, and that the microwave, refrigerator, and oven are left clean and empty for the next guest use as well.

Occupancy: There is to be a maximum of six (6) guests allowed to stay overnight on the property.

Trash: Please use the garbage bins outside on the side of the house for your trash upon leaving. The property manager or housekeeping will bring them to the curb on Mondays, for Tuesday morning pickups.

Smoking: Absolutely no smoking is allowed inside the home, but feel free to smoke on the back porch or anywhere outdoors. Please dispose of your butts safely and in an environmentally sensitive manner

Parking: Up to four cars can park on the driveway in front of the home. There is no on-street parking in Ocean Springs unless explicitly stated.

Quiet Hours: We ask that out guests observe quiet hours beginning at 10pm and continuing through 9am. No loud noises or music is permitted during quiet hours. Please be considerate to our neighbors at all times. Ocean Springs has a noise ordinance (2012-4) between the hours of 11pm-8am Sunday night through Thursday night, and 11:59pm-8am Friday night through Sunday morning. Please call the city at 228-875-4415 for any further information.

Check-Out: Please leave any used towels in the tub, the linens on the bed, and lock the door upon leaving. Have safe travels, and please leave us a favorable review if you enjoyed your stay.

Thank you for staying at Coastal Paradise! We would love to have you return for years to come, so please contact me directly for any future visits. If things have gone smoothly for both parties during your initial stay, we most likely can offer you a discounted rate for you, friends & family for future visits.

Sincerely,

Chris Dearman
Property Manager

Booking Confirmation

Thank you for choosing Coastal Paradise for your vacation! We hope that you have a pleasant stay.

Our home is located at:

296 McCool St.
Ocean Springs, MS 39564

Rental Rules

CHECK-IN TIME is AFTER 4 P.M. CST AND CHECKOUT is 10:00 A.M. CST.

SMOKING - This is a NO SMOKING unit.

PETS - Dogs are permitted in rental units only with prior approval. \$150 non-refundable pet fee applies covering two dogs. All pets must be leashed at all times. Pet owners are responsible for cleaning up any/all pet refuse. Pets are not allowed on furniture at any time. Any evidence of pets on furniture may incur extra cleaning fees. All pets must be up to date on rabies vaccinations and all other vaccinations. Heartworm prevention is highly recommended. All pets are to be treated with Advantage or similar topical flea and tick repellent three (3) days prior to arrival. Fleas and ticks are very rampant in this area and can cause harmful/fatal illness to humans and pets. All items above are the sole responsibility of the pet owner. The cabin owners assume no responsibility for illness or injury that humans or pets may incur while on the premises.

CANCELLATIONS - please contact us at least two weeks prior to your arrival date to receive a full refund. A 50% refund will be given if the cancellation is made at least one week prior. If canceling less than week, we will try to re-book the dates for you, and if so, will offer you a credit for whatever amount we get for a future stay.

MAXIMUM OCCUPANCY - The maximum number of guests is limited to six (6) persons.

MINIMUM STAY - Minimum stays may be required during weekends, holidays, or festival weekends.

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. However, it is available at an additional rate. We suggest you bring beach towels. We do not permit towels or linens to be taken from the units.

RATE CHANGES - Rates subject to change without notice.

FALSIFIED RESERVATIONS - Any reservation obtained under false pretense will be subject to forfeiture of advance payment, deposit and/or rental money, and the party will not be permitted to check in.

WRITTEN EXCEPTIONS – Any exceptions to the above-mentioned policies must be approved in writing in advance.

PARKING – Parking is limited to four (4) vehicles. Vehicles are to be parked in designated parking areas only. 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.

TRASH – Please use the garbage bins outside on the side of the house for your trash upon leaving. The property manager or housekeeping will bring them to the curb on Mondays, for Tuesday morning pickups.

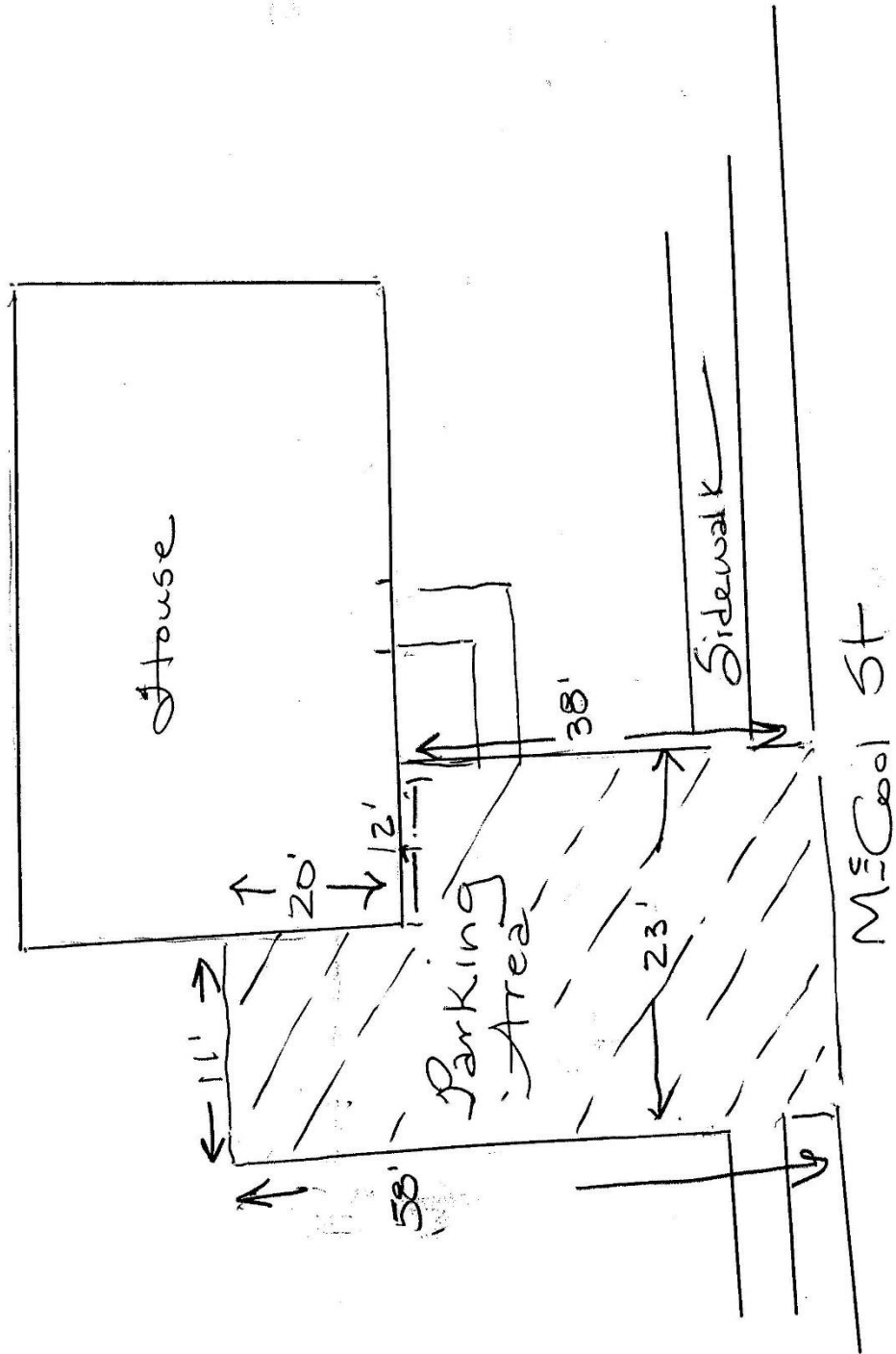
HURRICANE OR STORM POLICY – No refunds will be given unless: The state or local authorities order mandatory evacuations in a "Tropical Storm/Hurricane Warning area" and/or A "mandatory evacuation order has been given for the Tropical Storm/Hurricane Warning" area of residence of a vacationing guest. The day that the authorities order a mandatory evacuation order in a "Tropical Storm/Hurricane Warning," area, we will refund:

Any unused portion of rent from a guest currently registered; Any unused portion of rent from a guest that is scheduled to arrive, and wants to shorten the stay, to come in after the Hurricane Warning is lifted; and Any advance rents collected or deposited for a reservation that is scheduled to arrive during the "Hurricane Warning" period.

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.

Quiet Hours: – We ask that out guests observe quiet hours beginning at 10pm and continuing through 9am. No loud noises or music is permitted during quiet hours. Please be considerate to our neighbors at all times. Ocean Springs has a noise ordinance (2012-4) between the hours of 11pm-8am Sunday night through Thursday night, and 11:59pm-8am Friday night through Sunday morning. Please call the city at 228-875-4415 for any further information.

DR. Rhonda Iris Richmond
296 McCool St
OS - 39564
Proposed
Parking



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, February 13, 2024

APPLICANT: Valerie Lewis

LOCATION: 305 Teringo Circle / PID: 61375060.000

REQUESTED ACTION: Residential Short Term Rental Permit

DATE OF APPLICATION: October 4, 2023

ADJACENT ZONING/LAND USE:

Subject Property: R-D, Two-Family Residential District
North, South, East, West: R-D, 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 located in the CITY Zone Area, on the east side of Londonderry Lane midway between Parliament Drive and Cumberland Road.



FINDINGS:

- Local Property Manager: The local property manager resides on Legion Lane, satisfying the requirement for residency within 2-miles of the city limit.
- 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 verified that this is not a covenant-restricted neighborhood and no covenants have been provided. The applicant has not made the Planning Department aware of any Homeowner's Association.
- 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 74 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 12/28/23 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 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: 10-04-23

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: 305 Teringo Cir. Ocean Springs
- Parcel Identification Number: 01375060.000 Number of bedrooms: _____
- Proposed maximum # guests: 6 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: Lewis Investments (Brent + Valerie Lewis)
Address: P.O. Box 68 Ocean Springs, MS 39566
Phone No. 228-217-2634 Email: valclewis@yahoo.com
OWNER SIGNATURE: [Signature]

LOCAL PROPERTY MANAGER – [Must RESIDE within two (2) miles of the OS City Limits]

Name: Chris Dearman
Address: 1010 Legion Ln.
Phone No. 847-307-1491 Email: christopherDearman@gmail.com

Is the Property Manager OR the Owner the best contact for scheduling inspections? Choose One...

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) Valene Lewis, 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: Lewis Investments (Brent + Valene Lewis)

Parcel ID(s): 613750100.000

Date Property Acquired: July 3, 2023

Owner's Signature Valene Lewis Date _____

.....
Office Use Only

Date of Inspection: 12/28/23

Result of Occupancy Inspection: PASSED

Maximum Occupancy Determination: 6

(attached)

Maximum Parking Spaces: 3

Permit Renewal Date: _____

PC Public Hearing Date: 2/13/24

BOA Approval Date: _____

Revised 06/16/2023

2 | Page

ADDRESS: 305 Teringo Circle iWorQ Permit#: 3745



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: 6

- ☒ Proposed # of vehicles: 3

Approved # of vehicles per OSFD: 3

Property Owner: Brent & Valerie Lewis
Contact Name: Valerie Lewis

Phone #: 228-217-8524
Phone #: 228-217-2634

.....
Date of Inspection: 28-DEC-2023

COMMENTS: _____

☒ **PASSED**

Building Official: Ret. H. B. B. **Fire Marshall:** David Wilson
Property Owner: Brent & Valerie Lewis

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: 305 Teringo Circle

Public Hearing Date/Time: Tuesday, February 13, 2024 - 6:00pm

Applicant Valerie Lewis

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 **MUST** reside or have their business physically located 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

has been inspected to ensure that all life safety elements are in place and a maximum occupancy/vehicle allowance has been set.

- 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.

Complaint Contact Information:

- 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 filed covenants indicate that there are covenants in place. If there is an active Homeowner's Association (HOA), they 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 or if the covenants do not allow short-term rental.
 - 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

Teringo Coastal Cottage Lodging Policies & Rental Agreement

Teringo Coastal Cottage is an exclusive property where every guest reservation is both important and special to us. If your travel plans change and you must cancel your reservation, please contact us at least two weeks prior to your arrival date to receive a full refund. A 50% refund will be given if cancellation is made at least one week prior. If canceling less than week, we will try to re-book the dates for you, and if so, will offer you a credit for whatever amount we get for a future stay.

Check-in begins at 4PM. Check-out 10AM. Unfortunately, due to the need of getting the home ready for the next guest visit, we usually cannot offer early check-ins or late check-outs.

All use of Teringo Coastal Cottage amenities are at the guests own risk. Please be responsible and act safely. All disposable items in the home are for guest use, but please clean any dishes & appliances if used. Please make sure the dishwasher is emptied, and that the microwave, refrigerator, and oven are left clean and empty for next guest use as well.

Occupancy: There is to be a maximum of six (6) guests allowed to stay overnight on the property.

Trash: Please use the garbage bins outside on the side of the house for your trash upon leaving. The property manager or housekeeping will bring them to the curb on Mondays, for Tuesday morning pickups.

Smoking: Absolutely no smoking is allowed inside the home, but feel free to smoke on the back porch or anywhere outdoors. Please dispose of your butts safely and in an environmentally sensitive manner

Parking: Up to three cars can park on the driveway in front of the home. There is no on-street parking in Ocean Springs unless explicitly stated.

Quiet Hours: We ask that out guests observe quiet hours beginning at 10pm and continuing through 9am. No loud noises or music is permitted during quiet hours. Please be considerate to our neighbors at all times. Ocean Springs has a noise ordinance (2012-4) between the hours of 11pm-8am Sunday night through Thursday night, and 11:59pm-8am Friday night through Sunday morning. Please call the city at 228-875-4415 for any further information.

Check-Out: Please leave any used towels in the tub, the linens on the bed, and lock the door upon leaving. Have safe travels, and please leave us a favorable review if you enjoyed your stay.

Thank you for staying at Teringo Coastal Cottage! We would love to have you return for years to come, so please contact me directly for any future visits. If things have gone smoothly for both parties during your initial stay, we most likely can offer you a discounted rate for you, friends & family for future visits.

Sincerely,

Chris Dearman
Property Manager

Booking Confirmation

Thank you for choosing Teringo Coastal Cottage for your vacation! We hope that you have a pleasant stay.

Our home is located at:

**305 Teringo Cr
Ocean Springs, MS 39564**

Rental Rules

CHECK-IN TIME is AFTER 4 P.M. CST AND **CHECKOUT** is 10:00 A.M. CST. NO Early Check-in or late checkout. This is ON SMOKING unit.

PETS - Dogs are permitted in rental units only with prior approval. \$150 non-refundable pet fee applies covering two dogs. All pets must be leashed at all times. Pet owners are responsible for cleaning up any/all pet refuse. Pets are not allowed on furniture at any time. Any evidence of pets on furniture may incur extra cleaning fees. All pets must be up to date on rabies vaccinations and all other vaccinations. Heartworm prevention is highly recommended. All pets are to be treated with Advantage or similar topical flea and tick repellent three (3) days prior to arrival. Fleas and ticks are very rampant in this area and can cause harmful/fatal illness to humans and pets. All items above are the sole responsibility of the pet owner. The cabin owners assume no responsibility for illness or injury that humans or pets may incur while on the premises.

CANCELLATIONS – please contact us at least two weeks prior to your arrival date to receive a full refund. A 50% refund will be given if the cancellation is made at least one week prior. If canceling less than week, we will try to re-book the dates for you, and if so, will offer you a credit for whatever amount we get for a future stay.

MAXIMUM OCCUPANCY – The maximum number of guests is limited to six (6) persons.

MINIMUM STAY – Minimum stays may be required during weekends, holidays, or festival weekends.

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. However, it is available at an additional rate. We suggest you bring beach towels. We do not permit towels or linens to be taken from the units.

RATE CHANGES – Rates subject to change without notice.

FALSIFIED RESERVATIONS – Any reservation obtained under false pretense will be subject to forfeiture of advance payment, deposit and/or rental money, and the party will not be permitted to check in.

WRITTEN EXCEPTIONS – Any exceptions to the above-mentioned policies must be approved in writing in advance.

PARKING – Parking is limited to three (3) vehicles. Vehicles are to be parked in designated parking areas only. 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.

TRASH – Please use the garbage bins outside on the side of the house for your trash upon leaving. The property manager or housekeeping will bring them to the curb on Mondays, for Tuesday morning pickups.

HURRICANE OR STORM POLICY – No refunds will be given unless: The state or local authorities order mandatory evacuations in a "Tropical Storm/Hurricane Warning area" and/or A "mandatory evacuation order has been given for the Tropical Storm/Hurricane Warning" area of residence of a vacationing guest. The day that the authorities order a mandatory evacuation order in a "Tropical Storm/Hurricane Warning," area, we will refund:

Any unused portion of rent from a guest currently registered; Any unused portion of rent from a guest that is scheduled to arrive, and wants to shorten the stay, to come in after the Hurricane Warning is lifted; and Any advance rents collected or deposited for a reservation that is scheduled to arrive during the "Hurricane Warning" period.

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.

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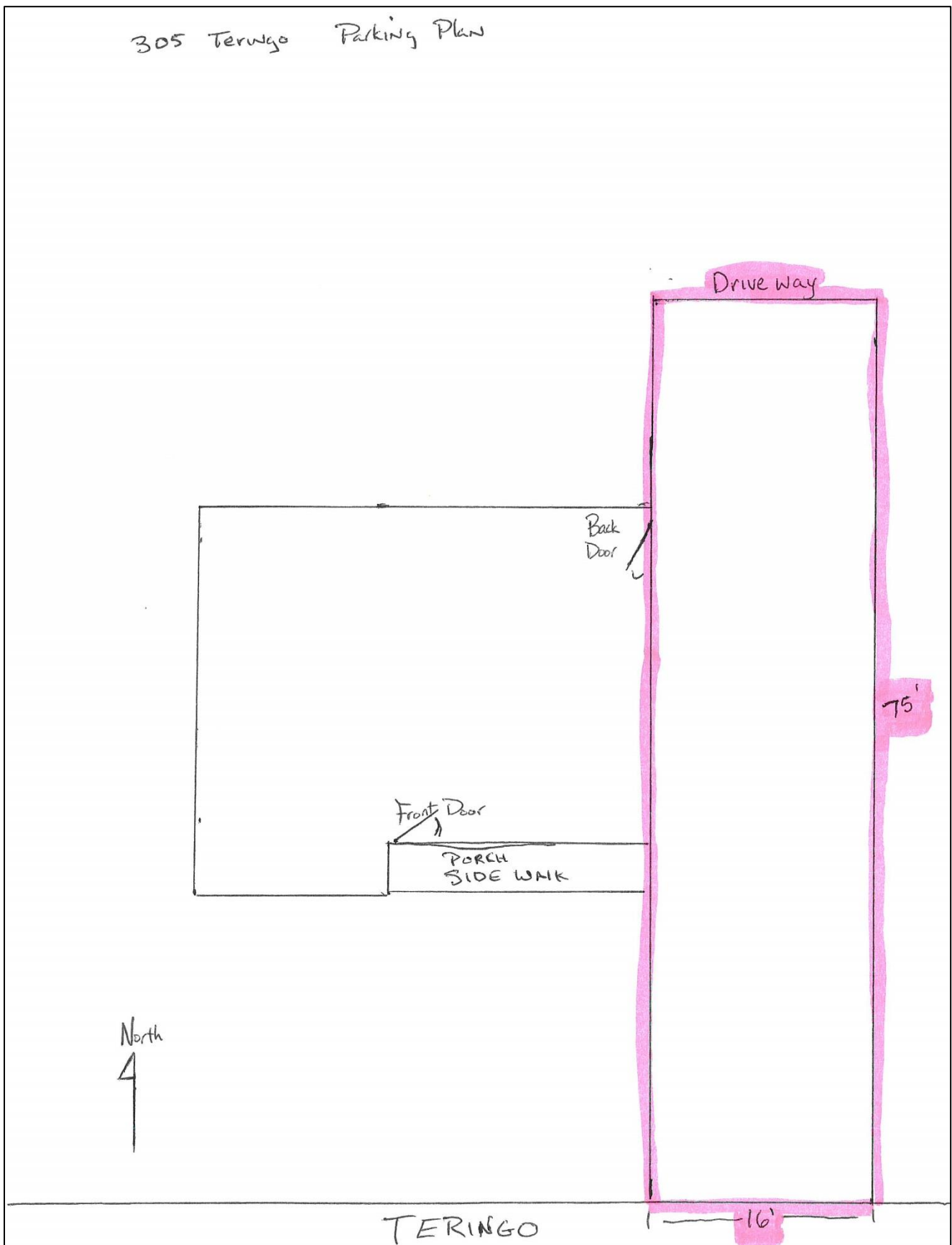
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305 Terungo Parking Plan



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, February 13, 2024

APPLICANT: Lucas Beebe

LOCATION: 104 Blue Heron Boulevard / PID: 60127080.050

REQUESTED ACTION: Residential Short Term Rental Permit

DATE OF APPLICATION: October 6, 2023

ADJACENT ZONING/LAND USE:

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

North, South, East, West: R-1, 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 located in the CITY Zone Area, on the east side of Blue Heron Blvd. just north of Government Street.



FINDINGS:

- **Local Property Manager:** The local property manager resides on the property, satisfying the requirement for residency within 2-miles of the city limit.
- **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 verified that this is not a covenant-restricted neighborhood and no covenants have been provided. The applicant has not made the Planning Department aware of any Homeowner's Association.
- **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 52 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 1/02/24 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 5 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 SEP 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: 104 Blue Heron Blvd., Ocean Springs, MS 39564
- Parcel Identification Number: _____ Number of bedrooms: 3-4 (4 bedrooms)
- Proposed maximum # guests: 6-8 adults (7 max) Number of existing off-street parking spaces: 5
- 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>LUCAS BEESE</u>	
Address: <u>104 BLUE HERON BLVD OCEAN SPRINGS, MS 39564</u>	
Phone No. <u>714-331-9985</u>	Email: <u>LUKEBESE@GMAIL.COM</u>
OWNER SIGNATURE: <u>[Signature]</u>	
LOCAL PROPERTY MANAGER – [Must RESIDE within two (2) miles of the OS City Limits]	
Name: <u>JANE BEESE</u>	
Address: <u>104 BLUE HERON BLVD. OCEAN SPRINGS MS 39564</u>	
Phone No. <u>504-250-8787</u>	Email: _____
Is the ☒ Property Manager OR the Owner the best contact for scheduling inspections? Choose One: <u>PROPERTY MANAGER</u>	

Revised 06/16/2023

1 | Page

Owner – initial by each ordinance to indicate receipt:

Copy of Ordinance 2015-11 Received: *JB* (initials) Copy of Ordinance 2019-19 Received: *JB*
Copy of Ordinance 2018-02 Received: *JB* (initials) Copy of Ordinance 2021-25 Received: *JB*
Copy of Ordinance 2023-07 Received: *JB* (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) Lucas Beebe , 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: Lucas Beebe

Parcel ID(s): _____

Date Property Acquired: 3 SEP 2022

Owner's Signature *JB* Date 605 2023

.....
Office Use Only

Date of Inspection: 1/02/24 Result of Occupancy Inspection: PASSED

Maximum Occupancy Determination: 8 (attached)

Maximum Parking Spaces: 5 Permit Renewal Date: _____

PC Public Hearing Date: 2/13/24 BOA Approval Date: _____

Revised 06/16/2023

2 | Page

ADDRESS: 104 Blue Heron Boulevard iWorQ Permit#: 3768



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: 8

Approved # of Guests per OSFD: 8

- ☒ Proposed # of vehicles: 5

Approved # of vehicles per OSFD: 5

Property Owner: Lucas Beebe

Phone #: 714-931-9985

Contact Name: Jane Beebe

Phone #: 504-250-8787

.....
Date of Inspection: 1-2-24

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: 104 Blue Heron Boulevard

Public Hearing Date/Time: Tuesday, February 13, 2024 - 6:00pm

Applicant Lucas Beebe

Local Contact Jane Beebe

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:

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 - 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 filed covenants indicate that there are covenants in place. If there is an active Homeowner's Association (HOA), they 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 or if the covenants do not allow short-term rental.
 - 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

Booking Confirmation

Dear Guest(s), Thanks for booking our vacation rental. We hope you enjoy your stay!



Guests

Adults	Children	Pets
TBD	TBD	None



Check-in

TBD



Check-out

TBD



Address

104 Blue Heron Blvd.

City

Ocean Springs

State

MS

Zip code

39564

Phone number

7149319985



Payment info

Nights

Price per night

Cleaning fee

Additional fee(s)

Taxes & fees

Deposit



Next steps

Please sign and return the attached rental agreement as soon as possible. Once we receive your payment in full, we will provide further instructions.

Thank you, we hope you have a fantastic stay!

Total due

Template made by  LODGIFY

Disclaimer

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Please note: Lodgify does not accept any responsibility for the accuracy, content, completeness, legality or reliability of the information contained in this template. As such, Lodgify shall not be held liable for any loss or damage which may arise as a result of the use of this template.

Vacation Rental Agreement

This Vacation Rental Agreement is made by and between Lucas Beebe (Homeowner) and AirBnB Guest (Guest) as of the date last set forth on the signature page of this Agreement. For good and valuable consideration, the sufficiency of which is acknowledged, the parties hereby agree as follows:

1. Property

The vacation rental property is located at:

104 Blue Heron Blvd. Ocean Springs, MS 39564

(e.g. appliances, amenities and other provided items such as towels, linens, sports equipment, etc.)

Full kitchen, 3-4 full bedrooms, 3 full bathrooms with towels. Inventories of kitchen, living area, bedrooms, & pool, and outdoor items are on site.

2. Maximum occupancy

The maximum number of guests is limited to 6 persons, including 6 children. An additional charge or \$50 per person per night for guests in addition to 2 per BR will be assessed.

3. Term of the lease

The vacation rental lease begins at 3 PM on TBD ("Check-in Date") and ends at 10 AM on TBD (the "Check-out Date").

Failure to adhere to the check-out time may result in an additional late fee set at One night unless discussed in advance of the stay.

4. Minimum stay

This property requires a 4 night minimum stay. Longer minimum stays may be required during holiday periods. If a rental is taken for less than 4 days, the guest will be charged the additional night rate.

5. Rental rules

Guest agrees to abide by the Rental Rules (attached to this agreement) at all times while at the property, and shall cause all members of the rental party and anyone else Guest permits on the property to abide by the following rules at all times while residing at the property.

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6. Access

Guest shall allow Homeowner access to the property for purposes of repair, inspection or emergency. Homeowner shall exercise this right of access in a reasonable manner by giving at least _____ hours notice (unless in case of emergency).

7. Rental rate and fees

A. Deposit: A deposit of \$500 is due at least 7 days prior to the Check-in Date.

OPTION A.

The deposit is for security purposes and will be refunded within 14 days of the Check-out Date, provided no deductions are made due to:

- i. damage caused to the property or furnishings;
- ii. dirt or other mess requiring excessive cleaning; or
- iii. any other cost incurred by Homeowner due to Guest's stay

OPTION B.

The deposit is non-refundable and applied toward the rental fees.

If the premises appear dirty or damaged upon Check-in, Guest shall inform Homeowner immediately.

B. Rental Rate: Payment in full of the following fees shall be due within 1 days of the Check-in Date:

Nights	Variable
Price per night	Variable
Cleaning fee	\$100
Additional fee(s)	TBD
Taxes & fees	TBD
Deposit	Variable

Total due TBD

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8. Cancellation policy

If Guest wishes to cancel the reservation, the deposit will be refunded as follows:

10 % if canceled 7 days prior to the Check-in Date. TBD

50 % if canceled 30 days prior to the Check-in Date. TBD

The Homeowner may also be entitled to cancel the Guest stay if house rules are broken during rental period.

9. Insurance

We encourage all renters to purchase traveler insurance in case of unforeseen circumstances, accidents or other issues that may prohibit Guest from traveling or fulfilling rental terms.

10. Payment

Acceptable payment methods are: **credit card/PayPal/bank transfer**

All payments, unless otherwise specified, will be processed on my vacation rental website at the URL: AIRBNB.com

Manual PayPal requests will be made from the account with email address: N/A

For other manual payments, please contact us directly to administer these.

Email address: N/A

Phone number: N/A

By my signature below, I hereby give permission to charge my credit card/PayPal account for the amounts above. I agree that all rental monies are non-refundable per cancellation policy above. I have read my rights to purchase travel insurance.

Insert your signature

Template made by  **LODGIFY**

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The parties agree to the terms of this Vacation Rental Agreement, as evidenced by the signatures set forth below.



Homeowner

(Electronic or manual signature)

Name: Lucas Beebe

Date: TBD

Phone Number: +1-504-250-8787
(during the stay)



Guest

(Electronic or manual signature)

Name: TBD

Date: TBD

Phone Number: TBD
(during the stay)

Insert your signature

Insert your signature

Template made by  LODGIFY

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House Rules for Short Term Rental

STR Address: 104 Blue Heron Blvd., Ocean Springs, MS 39564

Property Manager: Jane Beebe, 504-250-8787

Property Manager Address: 104 Blue Heron Blvd., Ocean Springs, MS 39564

Property Owner: Lucas Beebe

Bedrooms: Four Bedrooms, two and a half bathrooms, rented. The home has one bedroom with en-suite bathroom, and this room will be locked and not rented. The property manager will stay in this room which has a separate entrance, bathroom, and living space, allowing for complete autonomy of renters, while also allowing access should the property manager need to address any issues.

Persons: The STR will accommodate eight adults, plus children. There are four large bedrooms located within the center of the home. Guests will have full and sole access to the full kitchen, large yard, pool, living rooms, dining rooms, etc.

Trash Management: Two large trash bins are located off the driveway, one for trash and one for recycling. Trash is picked up on Monday mornings and is the responsibility of the property owner. Guests are allowed to assist taking the trash to the sidewalk curb if they so choose.

Respect: Guests are expected to enjoy themselves and have fun, while respecting the neighborhood of Blue Heron. Noise should be kept down, but guests are allowed to make normal family noises, such as loud laughter, children at play, and music kept at a reasonable and respectful level [Note: please refer to Ocean Springs Noise Ordinance #2012-04]. Guests should respect neighbors if they communicate any requests. Guests should always remember they are a guest of the neighborhood, as well as a guest of the property.

Power: Guests should turn off lights when not in use, both indoor and outdoor.

Parking: Guests should only park in the driveway, and not on the street. There is ample parking for five cars in the driveway.

Maintenance: Lawn and pool maintenance is the responsibility of the property manager. These are regularly cleaned, checked, and maintained by professionals. There is regular pest control to ensure pests (termites, beetles, cockroaches) don't ever become a problem. If there is a maintenance issue in the home such as a problem with plumbing, pests, or the pool, this will be communicated and handled by the property manager through the professional relationships we have with contracted professionals.

Communication: It is expected that both guest and property manager be available via phone and or email/SMS/text/WhatsApp. We commit to communicate promptly and thoroughly and expect respectful and accurate communication in response.

Damages: We all know that occasional damage sometimes happens. If there is damage to furniture, walls, structure, or of any other kind, the guest should communicate this promptly to the property manager. The property manager will address promptly and will determine if the damage affects the security deposit provided for such property damage. This damage includes all forms of smoking, to include vaping, and it includes stained floor and furniture (juice, wine, children's mess, etc).

Permit: ASTR permit is required to operate a short-term rental within Ocean Springs.

Fire: There are fire extinguishers throughout the home. A schematic of these locations is posted in the home. There are several smoke alarms and carbon monoxide detectors located throughout the home, in accordance with Ocean Springs municipal code and local fire Marshall directives.

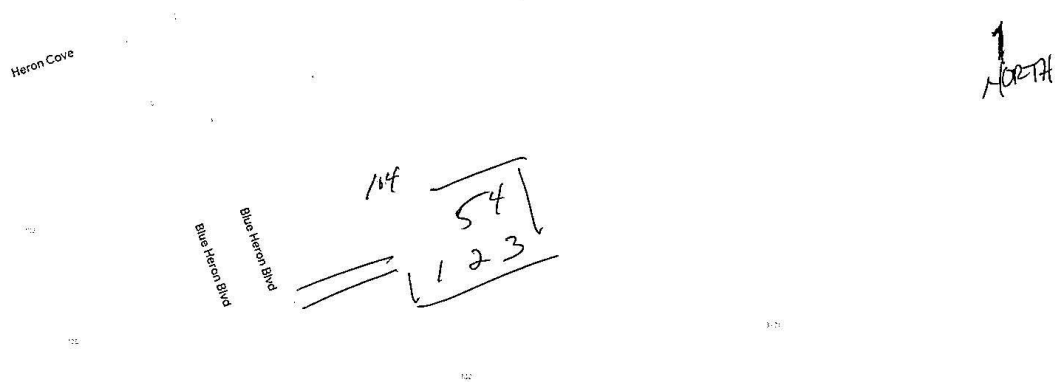
Evacuation: There are numerous redundant evacuation routes should there be a fire. These routes are posted in the home.

City Ordinances: The guest should be aware that Ordinance No. 2015-11 governs short term rentals in Ocean Springs. A written copy of this ordinance will be posted in the home, readily visible and available for guests) to review.

Parking Plan – 104 Blue Heron Blvd., Ocean Springs, MS 39564

There is parking for five cars next to the home. Additional cars could park for a short time in the driveway if the intent is to unpack, offload, drop-off and/or pick-up.

Blue Heron Blvd, north-south Home Parking Pool, backyard



5 CARS w/ DRIVEWAY FREE FOR
ADDITIONAL CARS / VISITORS.

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, February 13, 2024

APPLICANT: Beth Holland

LOCATION: 108 Hickory Avenue / PID: 61605204.000

REQUESTED ACTION: Residential Short Term Rental Permit

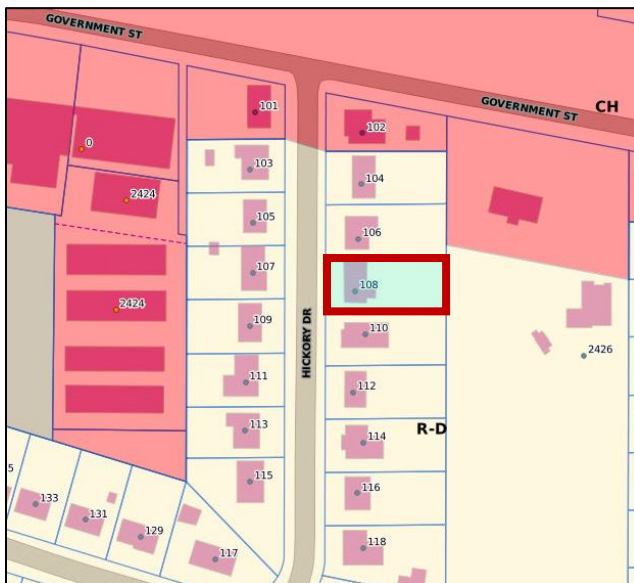
DATE OF APPLICATION: November 6, 2023

ADJACENT ZONING/LAND USE:

Subject Property: R-D, Two-Family Residential District
North, South, East, West: R-D, 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 located in the CITY Zone Area, on the east side of Hickory Drive just south of Government Street.



FINDINGS:

- **Local Property Manager:** The local property manager resides on Legion Lane, satisfying the requirement for residency within 2-miles of the city limit.
- **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 verified that this is not a covenant-restricted neighborhood and no covenants have been provided. The applicant has not made the Planning Department aware of any Homeowner's Association.
- **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 52 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 1/09/24 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: 11/6/2023

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)

- X Completed Application
- X Copy of Proposed Rental Agreement
- X Proposed Parking Plan – Sketch
- X Copy of rules, including trash management and reference of the city's noise ordinance (available upon request), to be posted inside unit
- X Affirmation of Code Compliance – Ord. 2015-11 (Section 401.3(10)) – Attached.
- X ~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 TRANSFERABLE.

REQUIRED: RENTAL PROPERTY INFORMATION:

- 108 Hickory Drive Ocean Springs, MS 39564
 - Parcel Identification Number: 61605204.000 Number of bedrooms: 3
 - Proposed maximum # guests: 6 Number of existing off-street parking spaces: 2
- Is this property located in a covenant-restricted subdivision? ☐ Yes x No
~ If yes, a copy of the covenants must be included.

PROPERTY OWNER – Name: Elizabeth (Beth) Holland

Address: 125 Hartswick Ave State College, PA 39564

Phone No. 228-990-0134 **Email:** Bethanglinholland@gmail.com

OWNER SIGNATURE: Elizabeth Holland *Elizabeth Anglin Holland*

LOCAL PROPERTY MANAGER – *[Must RESIDE within two (2) miles of the OS City Limits]*

Name: Chris Dearman

Address: 101 Legion Lane Ocean Springs, MS 39564

Phone No. 847-307-1491

Email: ChristopherrDearman@gmail.com

Is the Property Manager OR the Owner the best contact for scheduling Inspections? **Property Manager**

Revised 06/16/2023 1 | Page

Owner – initial by each ordinance to indicate receipt:

Copy of Ordinance 2015-11 Received: EH

Copy of Ordinance 2019-19 Received:

Copy of Ordinance 2018-02 Received:

Copy of Ordinance 2021-25 Received:

Copy of Ordinance 2023-07 Received:

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:

Affirmation of Codes/Regulations

I, BETH HOLLAND, 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: Beth Holland

Parcel ID(s): 61605204.000

Date Property Acquired: April 2023

Owner's Signature: Elizabeth Holland

Date: 11/05/2023

Elizabeth Anglin Holland

Office Use Only

1/09/24

Date of Inspection: Result of Occupancy Inspection: Maximum Occupancy 6

Determination: *(attached)* PASSED

Maximum Parking Spaces: Permit Renewal Date: 2

PC Public Hearing Date: 2/13/24

BOA Approval Date:

Revised 06/16/2023 2 | Page

ADDRESS: 108 Hickory Avenue iWorQ Permit#: 3989



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>3</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>6</u> |
| ☒ Adequate emergency egress | |
| ☒ Operable windows in sleeping areas | ☒ Proposed # of vehicles: <u>2</u> |
| ☒ Guest rules (noise, garbage, etc.) must be
visibly posted. | Approved # of vehicles per OSFD: <u>2</u> |

Property Owner: Beth Holland Phone #: 228-990-0134
Contact Name: Chris Dearman Phone #: 847-307-1491

.....
Date of Inspection: 1-9-24

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: 108 Hickory Avenue

Public Hearing Date/Time: Tuesday, February 13, 2024 - 6:00pm

Applicant Beth Holland

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 **MUST** reside or have their business physically located 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

has been inspected to ensure that all life safety elements are in place and a maximum occupancy/vehicle allowance has been set.

- 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.
- Complaint Contact Information:**
- 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 filed covenants indicate that there are covenants in place. If there is an active Homeowner's Association (HOA), they 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 or if the covenants do not allow short-term rental.
 - 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

Coastal Charm Lodging Policies & Rental Agreement

Coastal Charm is an exclusive property where every guest reservation is both important and special to us. If your travel plans change and you must cancel your reservation, please contact us at least two weeks prior to your arrival date to receive a full refund. A 50% refund will be given if the cancellation is made at least one week prior. If canceling less than week, we will try to re-book the dates for you, and if so, will offer you a credit for whatever amount we get for a future stay.

Check-in begins at 4PM. Check-out 10AM. Unfortunately, due to the need of getting the home ready for the next guest visit, we usually cannot offer early check-ins or late check-outs.

All use of Coastal Charm amenities is at the guests own risk. Please be responsible and act safely. All disposable items in the home are for guest use, but please clean any dishes & appliances if used. Please make sure the dishwasher is emptied, and that the microwave, refrigerator, and oven are left clean and empty for the next guest use as well.

Occupancy: There is to be a maximum of six (6) guests allowed to stay overnight on the property.

Trash: Please use the garbage bins outside on the side of the house for your trash upon leaving. The property manager or housekeeping will bring them to the curb on Mondays, for Tuesday morning pickups.

Smoking: Absolutely no smoking is allowed inside the home, but feel free to smoke on the back porch or anywhere outdoors. Please dispose of your butts safely and in an environmentally sensitive manner

Parking: Up to two cars can park on the driveway in front of the home. There is no on-street parking in Ocean Springs unless explicitly stated.

Quiet Hours: We ask that our guests observe quiet hours beginning at 10pm and continuing through 9am. No loud noises or music is permitted during quiet hours. Please be considerate to our neighbors at all times. Ocean Springs has a noise ordinance (2012-4) between the hours of 11pm-8am Sunday night through Thursday night, and 11:59pm-8am Friday night through Sunday morning. Please call the city at 228-875-4415 for any further information.

Check-Out: Please leave any used towels in the tub, the linens on the bed, and lock the door upon leaving. Have safe travels, and please leave us a favorable review if you enjoyed your stay.

Thank you for staying at Coastal Charm! We would love to have you return for years to come, so please contact me directly for any future visits. If things have gone smoothly for both parties during your initial stay, we most likely can offer you a discounted rate for you, friends & family for future visits.

Sincerely,

Chris Dearman
Property Manager

Booking Confirmation

Thank you for choosing Coastal Chaem for your vacation! We hope that you have a pleasant stay.

Our home is located at:

**108 Hickory Dr
Ocean Springs, MS 39564**

Rental Rules

CHECK-IN TIME is AFTER 4 P.M. CST AND CHECKOUT is 10:00 A.M. CST.

SMOKING - This is a NO SMOKING unit.

PETS - Dogs are permitted in rental units only with prior approval. \$150 non-refundable pet fee applies covering two dogs. All pets must be leashed at all times. Pet owners are responsible for cleaning up any/all pet refuse. Pets are not allowed on furniture at any time. Any evidence of pets on furniture may incur extra cleaning fees. All pets must be up to date on rabies vaccinations and all other vaccinations. Heartworm prevention is highly recommended. All pets are to be treated with Advantage or similar topical flea and tick repellent three (3) days prior to arrival. Fleas and ticks are very rampant in this area and can cause harmful/fatal illness to humans and pets. All items above are the sole responsibility of the pet owner. The cabin owners assume no responsibility for illness or injury that humans or pets may incur while on the premises.

CANCELLATIONS – please contact us at least two weeks prior to your arrival date to receive a full refund. A 50% refund will be given if the cancellation is made at least one week prior. If canceling less than week, we will try to re-book the dates for you, and if so, will offer you a credit for whatever amount we get for a future stay.

MAXIMUM OCCUPANCY – The maximum number of guests is limited to six (6) persons.

MINIMUM STAY – Minimum stays may be required during weekends, holidays, or festival weekends.

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. However, it is available at an additional rate. We suggest you bring beach towels. We do not permit towels or linens to be taken from the units.

RATE CHANGES – Rates subject to change without notice.

FALSIFIED RESERVATIONS – Any reservation obtained under false pretense will be subject to forfeiture of advance payment, deposit and/or rental money, and the party will not be permitted to check in.

WRITTEN EXCEPTIONS – Any exceptions to the above-mentioned policies must be approved in writing in advance.

PARKING – Parking is limited to two (2) vehicles. Vehicles are to be parked in designated parking areas only. 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.

TRASH – Please use the garbage bins outside on the side of the house for your trash upon leaving. The property manager or housekeeping will bring them to the curb on Mondays, for Tuesday morning pickups.

HURRICANE OR STORM POLICY – No refunds will be given unless: The state or local authorities order mandatory evacuations in a "Tropical Storm/Hurricane Warning area" and/or A "mandatory evacuation order has been given for the Tropical Storm/Hurricane Warning" area of residence of a vacationing guest. The day that the authorities order a mandatory evacuation order in a "Tropical Storm/Hurricane Warning," area, we will refund:

Any unused portion of rent from a guest currently registered; Any unused portion of rent from a guest that is scheduled to arrive, and wants to shorten the stay, to come in after the Hurricane Warning is lifted; and Any advance rents collected or deposited for a reservation that is scheduled to arrive during the "Hurricane Warning" period.

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.

Quiet Hours: – We ask that our guests observe quiet hours beginning at 10pm and continuing through 9am. No loud noises or music is permitted during quiet hours. Please be considerate to our neighbors at all times. Ocean Springs has a noise ordinance (2012-4) between the hours of 11pm-8am Sunday night through Thursday night, and 11:59pm-8am Friday night through Sunday morning. Please call the city at 228-875-4415 for any further information.

