Zoning and Adjustments Board
Zoning and Adjustment Board Meeting

Tuesday, April 9, 2024 @ 5:00 PM

1. **Call Meeting to Order**
2. **Approval of Minutes**
   a. March 12, 2024
3. **Old Business**
4. **New Business**
   a. Anthony Portera - 1301 Government Street/PID 60119568.000 - Requesting Variances from the Side and Rear Building Setback Requirements
   b. Elliott Homes/Amanda Crose - 211 Savannah Gardens Road/PID 61264006.000 - Requesting a Variance from the Side Yard Setback Requirement
   c. Elliott Homes/Amanda Crose - 213 Savannah Gardens Road/PID 61264007.000 - Requesting a Variance from the Side Yard Setback Requirement
   d. Elliott Homes/Amanda Crose - 215 Savannah Gardens Road/PID 61264008.000 - Requesting a Variance from the Side Yard Setback Requirement
   e. Elliott Homes/Amanda Crose - 217 Savannah Gardens Road/PID 61264009.000 - Requesting a Variance from the Side Yard Setback Requirement
5. **Audience Request**
6. **Adjourn**

The Minutes of the City of Ocean Springs
Zoning and Adjustments Board
Tuesday, March 12, 2024

1. Call Meeting to Order

A meeting of the City of Ocean Springs Zoning and Adjustments Board (ZAB) was called to order by Vice-Chair Shannon Pfeiffer at 5:00 on Tuesday, March 12, 2024. ZAB members present were John O'Hara, and Don Atwell. City staff members present were Wade Morgan, City Planner, and Camille Anderson, Planning/Grants Coordinator. ZAB member Michael Smith arrived at 5:01. Chairman Nick Gant was absent.

2. Approval of Minutes

a. February 13, 2024

A motion was made by John O'Hara, seconded by Don Atwell to approve the minutes as presented. The motion passed 3-0, with Michael Smith not yet present.

3. Old Business

a. None

4. New Business

a. Justin Sward - 2118 Whitney Oaks Drive/PID 61596215.000 - Requesting a 10-foot setback variance for a two-story detached garage.

Wade Morgan presented the application and discussed the issues with ZAB. Shannon Pfeiffer asked if the applicant, Justin Sward, was present or wanted to speak. The applicant was not present. Shannon Pfeiffer asked if anyone present wanted to speak. Debra Gilley, 2120 Whitney Oaks Dr, spoke against the variance, providing photos and their subdivision covenants and describing to ZAB how the proposed garage did not comply with the covenants. A motion was made by Don Atwell, seconded by Michael Smith, to accept the photos and covenants into the minutes. The motion passed 4-0 with Nick Gant absent. Shannon Pfeiffer asked if anyone else wanted to speak. No one did. The ZAB members questioned Wade Morgan about the location of the door to the proposed door. A motion was made by Michael Smith, seconded by John O'Hara, to recommend denial based on nonconformance to UDC criteria for height and minimum setback. The motion passed 4-0.

5. Audience Request

None.

6. Adjourn

A motion was made by D. Atwell, seconded by J. O'Hara to adjourn. The motion passed 4-0.

DRAFT

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

ZONING ADJUSTMENT BOARD REPORT

MEETING DATE: April 9, 2024

APPLICANT(S): Anthony Portera
CURRENT OWNER? Yes No✓
If No, - List Current Owner: Helena G. and Marshall Grant Oliver

LOCATION: 1301 Government Street, northeast corner of Government Street and State Avenue / PID# 60119568.000

REQUESTED ACTION: Approval of Variances from the Minimum Building Setback Requirements from the East and North Property Lines.

DATE OF APPLICATION: February 9, 2024

ADJACENT ZONING AND LAND USE:

Subject Property: **CMX-2 Community Commercial (Downtown Overlay) District– Single story retail building (The District Coffee shop);**
North and East: CMX-2 District – vacant parcels;
South: across Government Street, CMX-2 District – one and two story retail buildings;
West: across State Avenue, CMX-2 District – restaurant (Phoenicias);

CURRENT ZONING:

DESCRIPTION OF REQUEST:

- The applicant is requesting variances from the minimum building setback distances on the north and east sides of the parcel. The applicant has plans to add a second floor to the existing building.

The second floor will include a bar area, restrooms and open and covered seating areas. The second floor is to be accessed by stairs on the east and west (State Ave.) sides and an elevator on the Government St. frontage.

FINDINGS:

- The property's Downtown Overlay zoning calls for building setback distances of 0 to 5 feet.
- Those minimum setback requirements allow flexibility in the siting of new construction in the Downtown Overlay district. The review of new construction has consistently required adequate separation between buildings (typically 10 feet) to provide room for maneuvering trash carts, accessing utilities, etc. The site plan as proposed places a stairway on the east side property line and supports for the second floor addition on the north property line.
- The new construction requires 4 additional off-street parking spaces. The applicant has leased 4 spaces in the parking lot that is 50 feet away on State Ave.

PUBLIC FEEDBACK:

- None received.

POTENTIAL MOTION: To recommend approval of an variances from the minimum building setback requirements to allow new construction to extend to the north and east property lines at 1301 Government Street as described in the application and on the site plan.

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

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

VARIANCE REQUEST APPLICATION

Submittal Requirements:

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

Date: ~~OCT 18, 2023~~ Feb ~~JAN~~. 9, '24

Name of Applicant: ANTHONY PORTERA

Address: 1301 GOVERNMENT ST. OCEAN SPRINGS, MS.

Phone No. 662-809-1900 Email Address: anthonyportera@hotmail.com

Parcel Identification Number: PART OF LOT 1, BLOCK A, AMES TRACK, O.S.

Property Owner *(if different from Applicant)*: ~~MARSHALL~~ G. OLIVER

Property Location for the Variance: 1301 GOVERNMENT ST. OCEAN SPRINGS, MS

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

PARKING, SETBACK

The purpose of this variance is to consider an application to allow: CONSTRUCTION OF EXTERIOR WALLS (NOT ON THE STREET FRONTS) ALONG THE PROPERTY LINES AT THE EAST & NORTH SIDES AT THE 2ND. FLOOR EXTENDING ± 2'-0" FROM EXIST. WALLS. CONSTRUCTION OF 2ND. EXIT STAIRS ON WEST PROPERTY LINE

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

AN EXISTING, 1-STORY BUILDING SITS ON THE PROPERTY ABOUT ± 2'-0" FROM PROPERTY LINES. NEED TO BUILD SUPPORTS & INTERIOR STAIRCASE TO PROPOSED OPEN DECK ON 2ND. LEVEL FOR COFFEE CUSTOMERS. EXISTING BUILDING WILL REMAIN IN-SITU. NEED FOR 2ND. EXIT PATH VIA EXTERIOR STAIRCASE ALONG STATE STREET

Applicant Signature: _____ Date JAN 9, 2024

Affidavit of Ownership

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

I, (print name) Marshall G. Oliver, hereby certify that:

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

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

Owner(s) Name: Helena G. + Marshall Grant Oliver

Parcel ID(s): 6011956 8.000

Date Property Acquired Date: _____

Book and Page of Each Conveyance: _____

Owner's Signature Marshall G Oliver Date 8-22-2023

Helena G Oliver, By Marshall G Oliver under POA Marshall G Oliver

STATE OF Miss

COUNTY OF JACKSON

I MARSHALL OLIVER, hereby depose and say that all the above statements and the statements contained in the papers submitted herewith are true.

Mailing Address 10528 SUGARBARY ST
WALDORF MD 20603

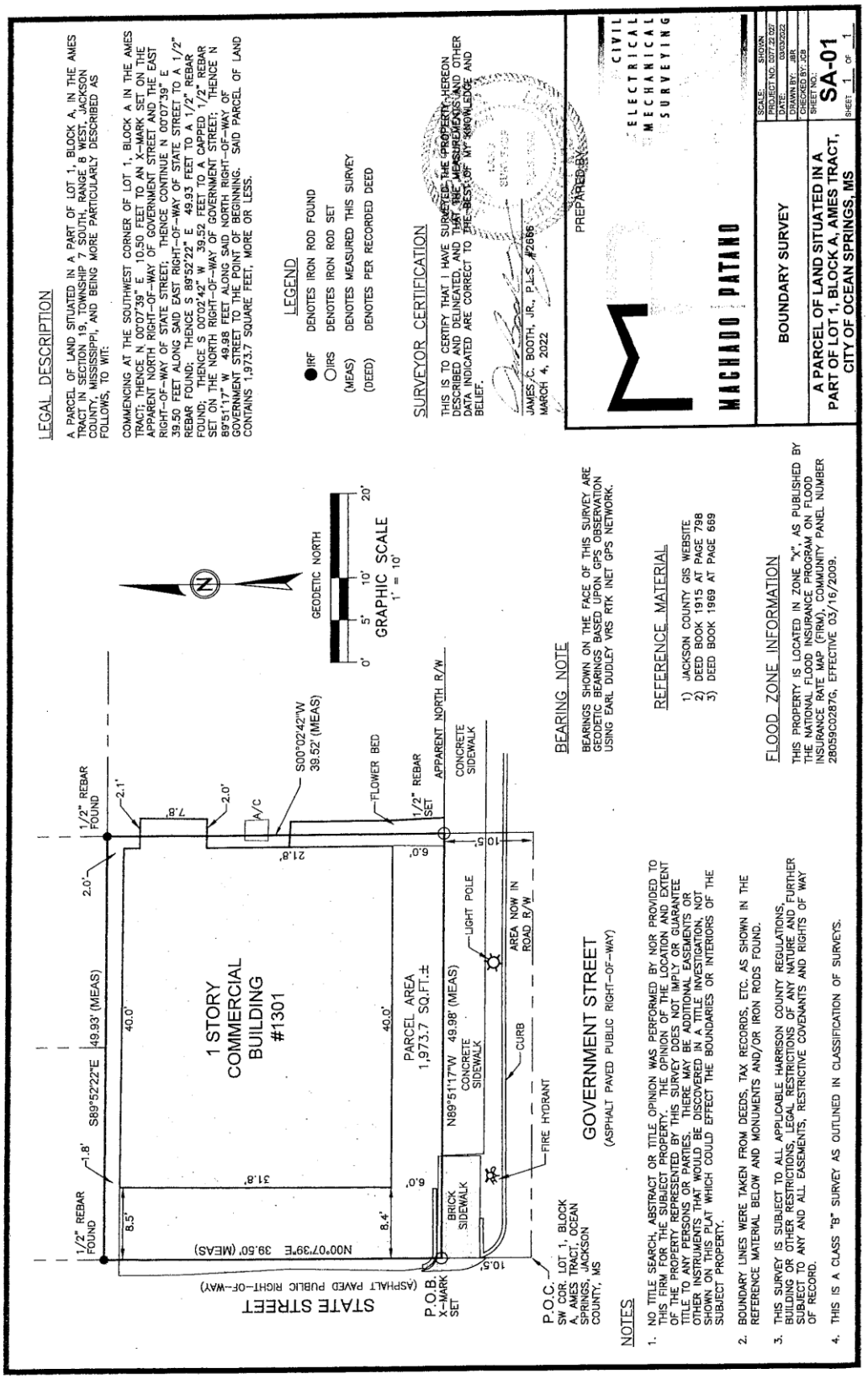
Subscribed and sworn before me this 27th day of September.

My commission expires:
6/12/2024.

Notary Signature

STATE OF MISSISSIPPI NOTARY PUBLIC ID # 116658 ASHLEY ROBERSON Commission Expires June 12, 2024 JACKSON COUNTY

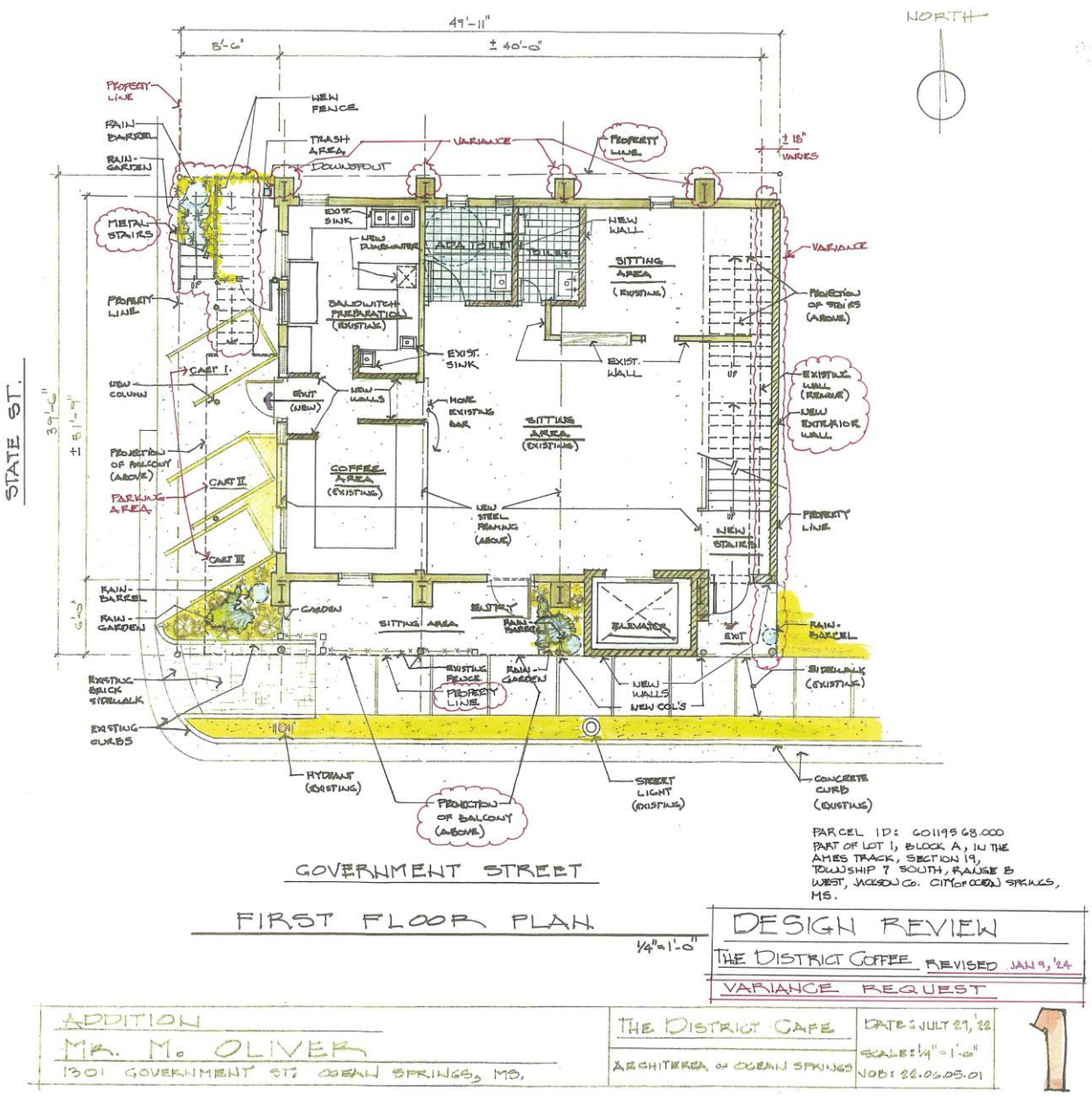
SURVEY


LEGAL DESCRIPTION
A PARCEL OF LAND SITUATED IN A PART OF LOT 1, BLOCK A, IN THE AMES TRACT IN SECTION 19, TOWNSHIP 7 SOUTH, RANGE 8 WEST, JACKSON COUNTY, MISSISSIPPI, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO WIT:
COMMENCING AT THE SOUTHWEST CORNER OF LOT 1, BLOCK A IN THE AMES TRACT; THENCE N 00°07'39" E 10.50 FEET TO AN X-MARK SET ON THE APPARENT NORTH RIGHT-OF-WAY OF GOVERNMENT STREET AND THE EAST RIGHT-OF-WAY OF STATE STREET; THENCE CONTINUE N 00°07'39" E 39.50 FEET ALONG SAID EAST RIGHT-OF-WAY OF STATE STREET TO A 1/2" REBAR FOUND; THENCE S 89°52'22" E 49.93 FEET TO A 1/2" REBAR FOUND; THENCE S 00°02'42" W 39.52 FEET TO A CAPPED 1/2" REBAR SET ON THE NORTH RIGHT-OF-WAY OF GOVERNMENT STREET; THENCE N 89°51'17" W 49.98 FEET ALONG SAID NORTH RIGHT-OF-WAY OF GOVERNMENT STREET TO THE POINT OF BEGINNING. SAID PARCEL OF LAND CONTAINS 1,973.7 SQUARE FEET, MORE OR LESS.
LEGEND
IRF DENOTES IRON ROD FOUND
IRS DENOTES IRON ROD SET
(MEAS) DENOTES MEASURED THIS SURVEY
(DEED) DENOTES PER RECORDED DEED
SURVEYOR CERTIFICATION
THIS IS TO CERTIFY THAT I HAVE SURVEYED THE PROPERTY HEREON DESCRIBED AND DELINEATED, AND THAT THE MEASUREMENTS AND OTHER DATA INDICATED ARE CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.
JAMES C. BOOTH, JR. P.L.S. #2666
MARCH 4, 2022
PREPARED BY:
MACHADO PATANO
CIVIL
ELECTRICAL
MECHANICAL
SURVEYING
BOUNDARY SURVEY
A PARCEL OF LAND SITUATED IN A PART OF LOT 1, BLOCK A, AMES TRACT, CITY OF OCEAN SPRINGS, MS
SCALE: SHOWN
PROJECT NO. 2017.22.107
DATE: 03/03/2022
DRAWN BY: JDB
CHECKED BY: JDB
SHEET NO.: SA-01
SHEET 1 OF 1
1 STORY COMMERCIAL BUILDING #1301
PARCEL AREA 1,973.7 SQ.FT.±
STATE STREET
(ASPHALT PAVED PUBLIC RIGHT-OF-WAY)
GOVERNMENT STREET
(ASPHALT PAVED PUBLIC RIGHT-OF-WAY)
P.O.B. X-MARK SET
P.O.C. SW COR. LOT 1, BLOCK A, AMES TRACT, OCEAN SPRINGS, JACKSON COUNTY, MS
1/2" REBAR FOUND
1/2" REBAR SET
APPARENT NORTH R/W
CONCRETE SIDEWALK
BRICK SIDEWALK
CURB
FIRE HYDRANT
LIGHT POLE
AREA NOW IN ROAD R/W
FLOWER BED
A/C
N00°07'39"E 39.50' (MEAS)
S89°52'22"E 49.93' (MEAS)
N89°51'17"W 49.98' (MEAS)
S00°02'42"W 38.52' (MEAS)
GEODETIC NORTH
GRAPHIC SCALE
1" = 10'
BEARING NOTE
BEARINGS SHOWN ON THE FACE OF THIS SURVEY ARE GEODETIC BEARINGS BASED UPON GPS OBSERVATION USING EARL DUDLEY VRS RTK INET GPS NETWORK.
REFERENCE MATERIAL
1) JACKSON COUNTY GIS WEBSITE.
2) DEED BOOK 1915 AT PAGE 798
3) DEED BOOK 1969 AT PAGE 699
FLOOD ZONE INFORMATION
THIS PROPERTY IS LOCATED IN ZONE "X", AS PUBLISHED BY THE NATIONAL FLOOD INSURANCE PROGRAM ON FLOOD INSURANCE RATE MAP (FIRM), COMMUNITY PANEL NUMBER 28059C0287G, EFFECTIVE 03/16/2009.
NOTES
1. NO TITLE SEARCH, ABSTRACT OR TITLE OPINION WAS PERFORMED BY NOR PROVIDED TO THIS FIRM FOR THE SUBJECT PROPERTY. THE OPINION OF THE LOCATION AND EXTENT OF THE PROPERTY REPRESENTED BY THIS SURVEY DOES NOT IMPLY OR GUARANTEE TITLE TO ANY PERSONS OR PARTIES. THERE MAY BE ADDITIONAL EASEMENTS OR OTHER INSTRUMENTS THAT WOULD BE DISCOVERED IN A TITLE INVESTIGATION NOT SHOWN ON THIS PLAT WHICH COULD EFFECT THE BOUNDARIES OR INTERIORS OF THE SUBJECT PROPERTY.
2. BOUNDARY LINES WERE TAKEN FROM DEEDS, TAX RECORDS, ETC. AS SHOWN IN THE REFERENCE MATERIAL BELOW AND MONUMENTS AND/OR IRON RODS FOUND.
3. THIS SURVEY IS SUBJECT TO ALL APPLICABLE HARRISON COUNTY REGULATIONS, BUILDING OR OTHER RESTRICTIONS, LEGAL RESTRICTIONS OF ANY NATURE AND FURTHER SUBJECT TO ANY AND ALL EASEMENTS, RESTRICTIVE COVENANTS AND RIGHTS OF WAY OF RECORD.
4. THIS IS A CLASS "B" SURVEY AS OUTLINED IN CLASSIFICATION OF SURVEYS.

VARIANCES –

LEGAL DESCRIPTION
A PARCEL OF LAND SITUATED IN A PART OF LOT 1, BLOCK A, IN THE AMES TRACT IN SECTION 19, TOWNSHIP 7 SOUTH, RANGE 8 WEST, JACKSON COUNTY, MISSISSIPPI, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO WIT:
COMMENCING AT THE SOUTHWEST CORNER OF LOT 1, BLOCK A IN THE AMES TRACT; THENCE N 00°07'39" E 10.50 FEET TO AN X-MARK SET ON THE APPARENT NORTH RIGHT-OF-WAY OF GOVERNMENT STREET AND THE EAST RIGHT-OF-WAY OF STATE STREET; THENCE CONTINUE N 00°07'39" E 39.50 FEET ALONG SAID EAST RIGHT-OF-WAY OF STATE STREET TO A 1/2" REBAR FOUND; THENCE S 89°52'22" E 49.93 FEET TO A 1/2" REBAR FOUND; THENCE S 00°02'42" W 39.52 FEET TO A CAPPED 1/2" REBAR SET ON THE NORTH RIGHT-OF-WAY OF GOVERNMENT STREET; THENCE N 89°51'17" W 49.98 FEET ALONG SAID NORTH RIGHT-OF-WAY OF GOVERNMENT STREET TO THE POINT OF BEGINNING. SAID PARCEL OF LAND CONTAINS 1,973.7 SQUARE FEET, MORE OR LESS.
LEGEND
IRF DENOTES IRON ROD FOUND
IRS DENOTES IRON ROD SET
(MEAS) DENOTES MEASURED THIS SURVEY
(DEED) DENOTES PER RECORDED DEED
SURVEYOR CERTIFICATION
THIS IS TO CERTIFY THAT I HAVE SURVEYED THE PROPERTY HEREON DESCRIBED AND DELINEATED, AND THAT THE MEASUREMENTS AND OTHER DATA INDICATED ARE CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.
JAMES C. BOOTH, JR., P.L.S. #2666
MARCH 4, 2022
PREPARED BY:
MACHADO PATAND
CIVIL
ELECTRICAL
MECHANICAL
SURVEYING
BOUNDARY SURVEY
A PARCEL OF LAND SITUATED IN A PART OF LOT 1, BLOCK A, AMES TRACT, CITY OF OCEAN SPRINGS, MS
SA-01
SCALE: 1"=10'
PROJECT NO: 0617 22 027
DATE: 03/02/2022
DRAWN BY: JMR
CHECKED BY: JCB
SHEET NO: 1 OF 1
OUTDOOR STAIRS
2nd. FLOOR ONLY
1st. & 2nd. Floors
1 STORY COMMERCIAL BUILDING #1301
PARCEL AREA 1,973.7 SQ.FT.±
STATE STREET
(ASPHALT PAVED PUBLIC RIGHT-OF-WAY)
GOVERNMENT STREET
(ASPHALT PAVED PUBLIC RIGHT-OF-WAY)
P.O.B. X-MARK SET
P.O.C. SW COR. LOT 1, BLOCK A, AMES TRACT, OCEAN SPRINGS, JACKSON COUNTY, MS
N89°51'17"W 49.98' (MEAS)
N00°07'39"E 39.50' (MEAS)
S00°02'42"W 39.52' (MEAS)
S89°52'22"E 49.93' (MEAS)
1/2" REBAR FOUND
1/2" REBAR SET
APPARENT NORTH R/W
CONCRETE SIDEWALK
BRICK SIDEWALK
CURB
FIRE HYDRANT
LIGHT POLE
AREA NOW IN ROAD R/W
FLOWER BED
A/C
ELEVATOR
GEODETIC NORTH
GRAPHIC SCALE
1" = 10'
BEARING NOTE
BEARINGS SHOWN ON THE FACE OF THIS SURVEY ARE GEODETIC BEARINGS BASED UPON GPS OBSERVATION USING EARL DUDLEY VRS RTK INET GPS NETWORK.
REFERENCE MATERIAL
1) JACKSON COUNTY GIS WEBSITE
2) DEED BOOK 1915 AT PAGE 798
3) DEED BOOK 1969 AT PAGE 669
FLOOD ZONE INFORMATION
THIS PROPERTY IS LOCATED IN ZONE "X", AS PUBLISHED BY THE NATIONAL FLOOD INSURANCE PROGRAM ON FLOOD INSURANCE RATE MAP (FIRM), COMMUNITY PANEL NUMBER 28059C0297G, EFFECTIVE 03/16/2009.
NOTES
1. NO TITLE SEARCH, ABSTRACT OR TITLE OPINION WAS PERFORMED BY NOR PROVIDED TO THIS FIRM FOR THE SUBJECT PROPERTY. THE OPINION OF THE LOCATION AND EXTENT OF THE PROPERTY REPRESENTED BY THIS SURVEY DOES NOT IMPLY OR GUARANTEE TITLE TO ANY PERSONS OR PARTIES. THERE MAY BE ADDITIONAL EASEMENTS OR OTHER INSTRUMENTS THAT WOULD BE DISCOVERED IN A TITLE INVESTIGATION, NOT SHOWN ON THIS PLAT WHICH COULD EFFECT THE BOUNDARIES OR INTERIORS OF THE SUBJECT PROPERTY.
2. BOUNDARY LINES WERE TAKEN FROM DEEDS, TAX RECORDS, ETC. AS SHOWN IN THE REFERENCE MATERIAL BELOW AND MONUMENTS AND/OR IRON RODS FOUND.
3. THIS SURVEY IS SUBJECT TO ALL APPLICABLE HARRISON COUNTY REGULATIONS, BUILDING OR OTHER RESTRICTIONS OF ANY NATURE AND FURTHER SUBJECT TO ANY AND ALL EASEMENTS, RESTRICTIVE COVENANTS AND RIGHTS OF WAY OF RECORD.
4. THIS IS A CLASS "B" SURVEY AS OUTLINED IN CLASSIFICATION OF SURVEYS.
VARIANCE
Jan 9, '24

APPLICANTS' SITE PLAN



PHOTOS (Google Streetview):

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

ZONING ADJUSTMENT BOARD REPORT

MEETING DATE: April 9, 2024

APPLICANT(S): Amanda Crose, with Elliott Homes
CURRENT OWNER? Yes No✓
If No, - List Current Owner: Elliott Land Developments, LLC

LOCATION: 211 Savannah Gardens Rd./PID# 61264006.000 (Lot 6 Savannah Estates subdivision, phase 1)
213 Savannah Gardens Rd./PID# 61264007.000 (Lot 7 Savannah Estates subdivision, phase 1)
215 Savannah Gardens Rd./PID# 61264008.000 (Lot 8 Savannah Estates subdivision, phase 1)
217 Savannah Gardens Rd./PID# 61264009.000 (Lot 9 Savannah Estates subdivision, phase 1)

REQUESTED ACTION: Approval of Variances from the Minimum Side Yard Building Setback Requirements

DATE OF APPLICATION: March 7, 2024

ADJACENT ZONING AND LAND USE:

Subject Property: **R-3 Single Family Residential Dwelling District- undeveloped residential lot.**
North and East: R-3 district – lots within Savannah Estates subdivision;
South: R-3 district – open space within the Savannah Estates subdivision;
West: R-3 district – single family dwelling;

CURRENT ZONING:

DESCRIPTION OF REQUEST:

- The applicant is requesting a 20% variance from the minimum building setback distances on both the north and east sides of each of these 4 lots (Lots 6, 7, 8 and 9).
- An 8 foot side yard setback is requested instead of the standard 10 foot side yard. The applicant states that they are requesting the setback reduction in order to provide a variety of house plans.
- The consultant's report notes that the 4 lots are the smallest in the subdivision. These lots are approximately 53 feet wide, while all other lots are 55 feet or more in width. The 4 feet of additional building width will provide the opportunity to design houses that are slightly wider and can then be located a greater distance from the drainage swale to the west. The report is attached on the following pages.

FINDINGS:

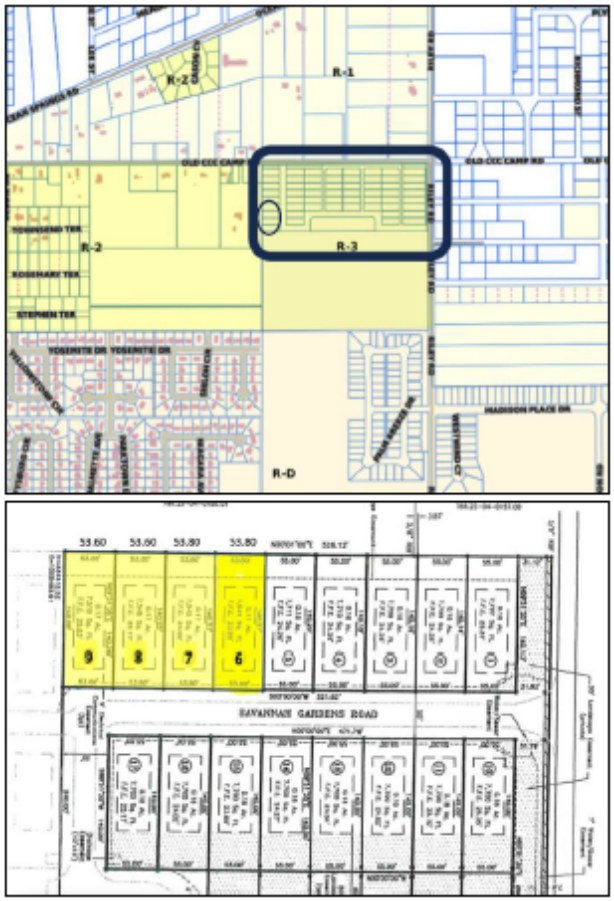
- The 4 lots for which variances are requested are in the southwest corner of the subdivision. They abut a drainage easement to the west.
- The lots are slightly narrower (by 1.2 feet) than the typical lot in Savannah Estates subdivision.

PUBLIC FEEDBACK:

- None received.

POTENTIAL MOTION: To recommend approval of 20% variances from the minimum side yard building setback distances on both sides of Lots 6, 7, 8 and 9 of Savannah Estates Phase 1 subdivision.

APPLICANT'S CONSULTANT'S REPORT –



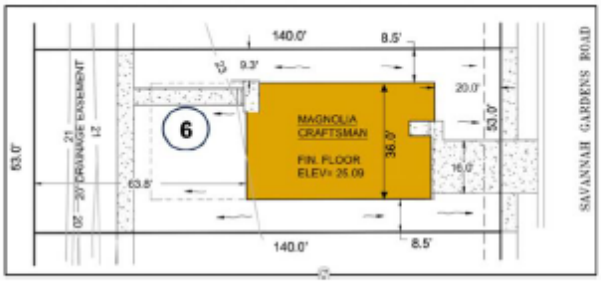
Savannah Estates Phase 1
Variances Requests
Overview

Elliott Homes has developed Savannah Estates and homes are under construction. The subdivision is located at the corner of Riley Road and CCC Camp. The property is within a R-3 District that includes minimum lot widths of 50 feet and side yard setbacks of 10 feet. This is considered an exterior lot because it is adjacent to a property to the west that is not within the subdivision. Options exist for a deeper building but the preferred approach would be to maintain as much separation as feasible from external property owners due to change is zoning designations and parcel sizes. The adjacent properties are much longer and situated in an R-2 District. The area along the west property line of the lots and the west boundary of the subdivision is also a common drainway that leads into the "Parktown Ditch". Keeping the structures away from this drainway will provide more room for access and maintenance, as needed.

While no buffer areas are required between the R-2 and R-3 Districts, the reduced side yard setback will only impact owners who have purchase these lots or the adjacent structures. As these unit have not been completed or sold, the reduced variances will be obvious at the time of purchase. This differs from permitting variances that allow new units or structures to encroach on established properties. Elliott Homes is the owner of the all the subject lots and adjacent parcels (except for those to the west and outside of the development).

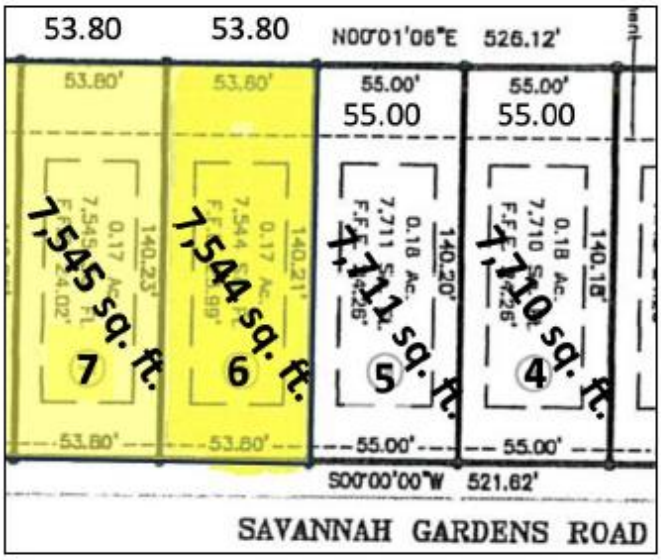
The owner is requesting side yard setback variances on lot 6 through 9 to reduce the side yard on each side of the structures to 8 feet. For these four lots, the side yard setback is proposed to be eight feet. This will allow greater flexibility with the footprint and layout. Additionally, the extra buildable area will permit brick facades.

Lots 6 through 9 are the smallest lots within the subdivision. Of the 57 lots within this phase, 53 lots have widths of 55 feet. The four subject lots are the only ones that are less than 55 feet. In an effort to maintain consistency with structure sizes and appearances, the variances are needed. The four lots have widths of 53.8 and



Lots 6, 7, 8, and 9 have widths of approximately 53.0 (rounded down). The propose building width is 36 feet to allow a brick veneer. The necessary setback is 8.5 feet. The requested 20 percent variance establishes as 8 foot setback to accommodate a slight shift of structure, if necessary.

53.6 feet. The lot widths are rounded down for the purpose of this report and sample site plan to 53 feet. The relief for the setback of 2 feet on both sides represents a 20 percent variance which is less than the 25 percent variance that is permitted. This reduces the side yard setback from 10 feet to 8 feet.



Greenway View Lots

Savannah Estates is not a traditional subdivision. Located within a R-3 District, the lots are narrower than most other subdivisions of Ocean Springs. A unique characteristic of Savannah Estates is that the majority of lots have a rear yard along a common landscaped areas or greenways. These areas function slightly as a rear yard and provides usable area for recreation and relaxation. The subject lots have rear yards along a drainage easement. This limits the usable area of the rear yard. Pushing the house farther back (westward) on the lot will further diminish the rear yard. For this reason, making the structures wider rather than deeper will help to address the topographical or physical obstacle along the lots associated with the drainway.

It should be noted that Savannah Gardens Road is a primary entrance to the subdivision. This is an important corridor to the development and deviations from the requirements to enhance the appearance is important. This will also be a primary entrance to Phase. The decreased setbacks will permit wider units allowing the structures to maximize the lot area west of drainage area.

LOT 6

City of Ocean Springs Planning Department

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

(228) 875-4415

VARIANCE REQUEST APPLICATION

Submittal Requirements:

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

Date: 3/7/24

Name of Applicant: Amanda Crose, Elliott Homes

Address: 1402 Pass Road Gulfport, MS 39501

Phone No. 228.213.0783 Email Address: acrose@myelliotthome.com

Parcel Identification Number: 612.64006.000

Property Owner *(if different from Applicant)*: Elliott Land Developments, LLC

Property Location for the Variance: Lot 6 Savannah Estates ph. 1

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

Setback variance

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

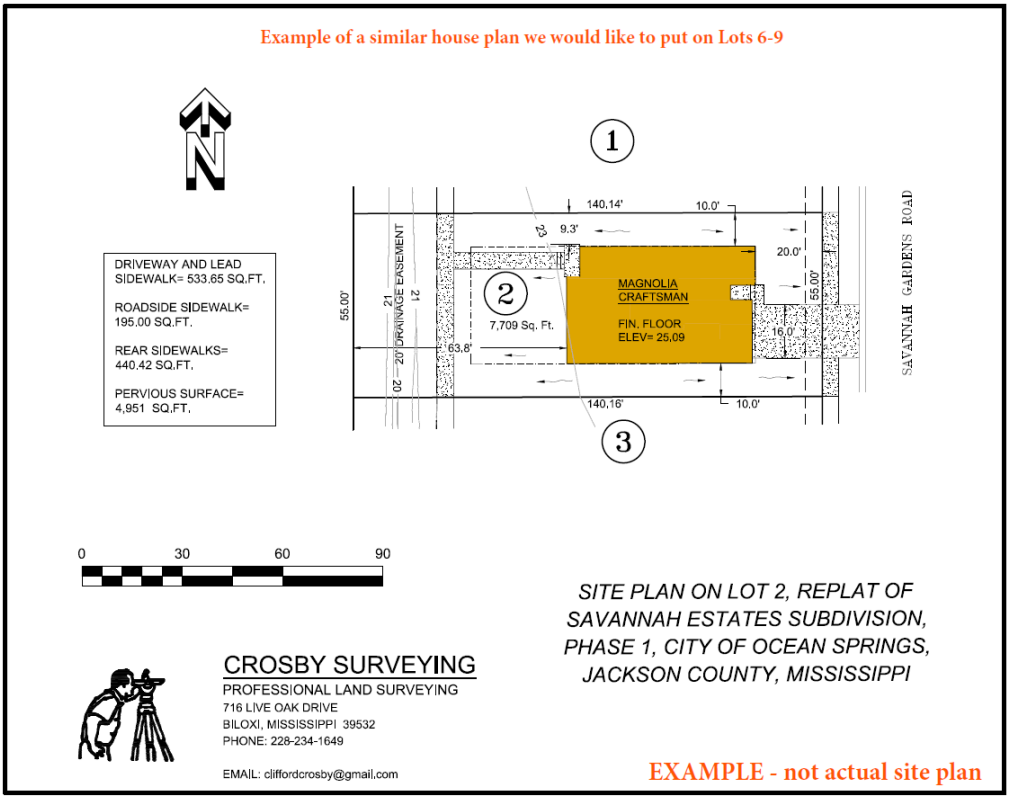
To allow for a 8' side yard setback instead of the required 10'

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

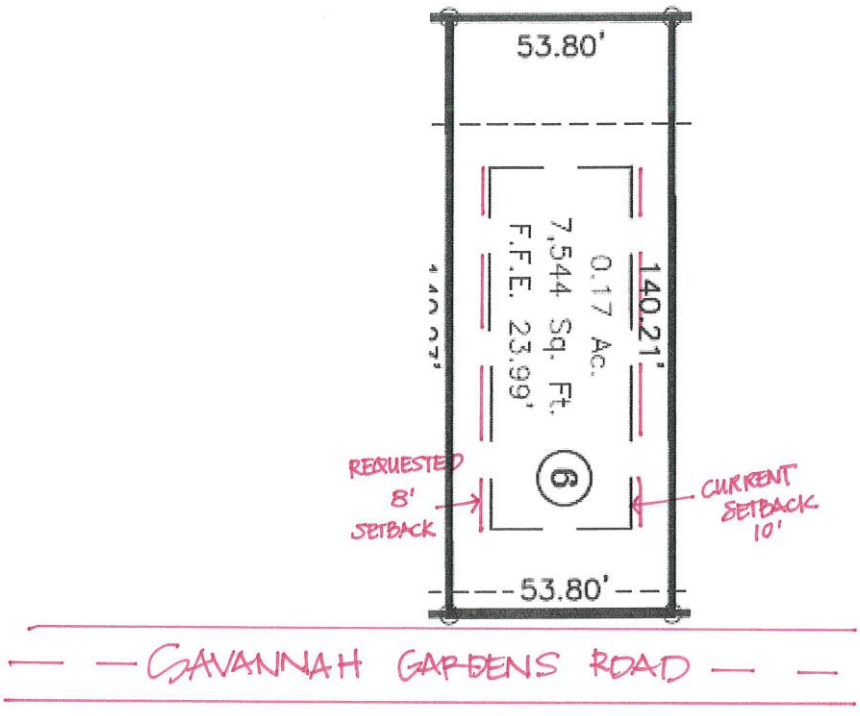
This property was platted above the required 50' minimum lot width for R-3 zoning at 53' wide. The required setbacks for this lot are approximately 40% of the width of the lot. We would like the opportunity to provide a variety of house plans for the community. By having an 8' side yard setback would allow for this variety.

Applicant Signature: Amanda Crose Date: 3/7/24

Example of a similar house plan we would like to put on Lots 6-9



EXAMPLE - not actual site plan



LOT 7

City of Ocean Springs Planning Department

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

(228) 875-4415

VARIANCE REQUEST APPLICATION

Submittal Requirements:

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

Date: 3/7/24

Name of Applicant: Amanda Crose, Elliott Homes

Address: 1402 Pass Road Gulfport, MS 39501

Phone No. 228.213.0783 Email Address: acrose@myelliotthome.com

Parcel Identification Number: 612.64007.000

Property Owner *(if different from Applicant)*: Elliott Land Developments, LLC

Property Location for the Variance: Lot 7 Savannah Estates ph. 1

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

Setback variance

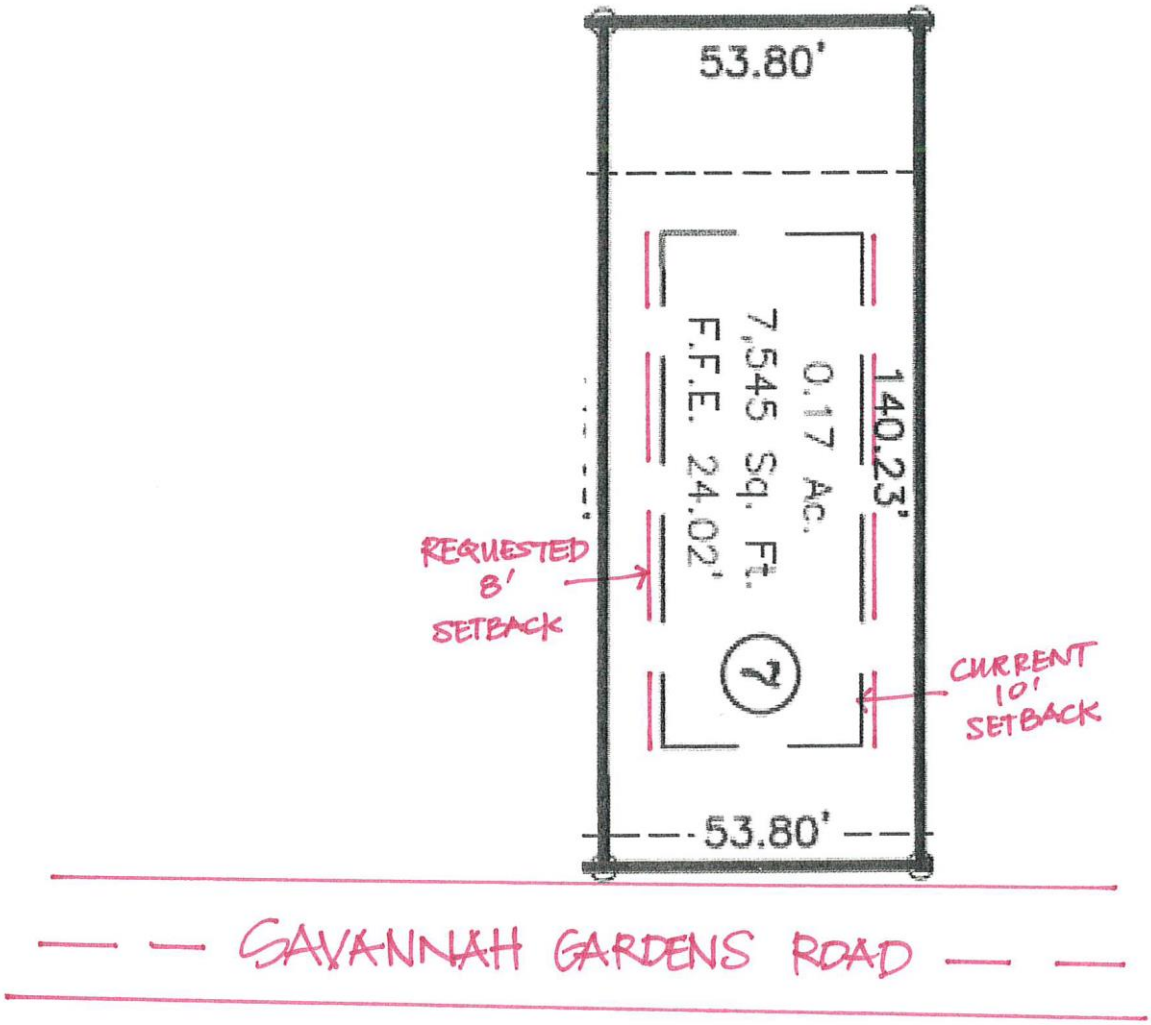
The purpose of this variance is to consider an application to allow:

To allow for a 8' side yard setback instead of the required 10'

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

This property was platted above the required 50' minimum lot width for R-3 zoning at 53' wide. The required setbacks for this lot are approximately 40% of the width of the lot. We would like the opportunity to provide a variety of house plans for the community. By having an 8' side yard setback would allow for this variety.

Applicant Signature: Amanda Crose Date: 3/7/24


53.80'
0.17 Ac.
7,545 Sq. Ft.
F.F.E. 24.02'
140.23'
REQUESTED
8'
SETBACK
CURRENT
10'
SETBACK
53.80'
SAVANNAH GARDENS ROAD

LOT 8

City of Ocean Springs Planning Department

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

(228) 875-4415

VARIANCE REQUEST APPLICATION

Submittal Requirements:

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

Date: 7/7/24

Name of Applicant: Amanda Crose, Elliott Homes

Address: 1402 Pass Road Gulfport, MS 39501

Phone No. 228.213.0783 Email Address: acrose@myelliotthome.com

Parcel Identification Number: 61264.008.000

Property Owner *(if different from Applicant)*: Elliott Land Developments, LLC

Property Location for the Variance: Lot 8 Savannah Estates ph. 1

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

Setback variance

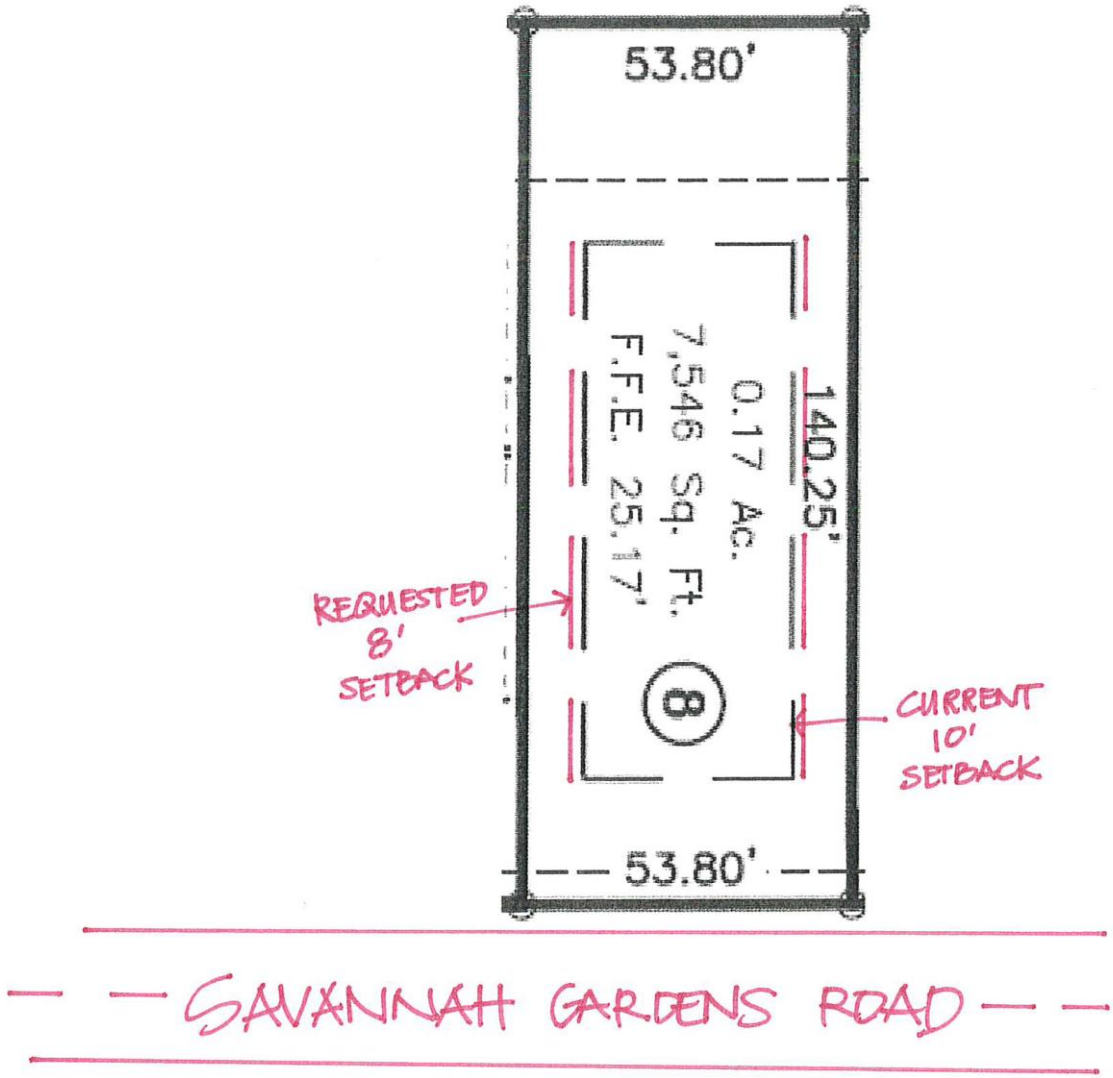
The purpose of this variance is to consider an application to allow:

To allow for a 8' side yard setback instead of the required 10'

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

This property was platted above the required 50' minimum lot width for R-3 zoning at 53' wide. The required setbacks for this lot are approximately 40% of the width of the lot. We would like the opportunity to provide a variety of house plans for the community. By having an 8' side yard setback would allow for this variety.

Applicant Signature: Amanda Crose Date: 7/7/24


53.80'
140.25'
0.17 Ac.
7,546 Sq. Ft.
F.F.E. 25.17'
8
53.80'
REQUESTED 8' SETBACK
CURRENT 10' SETBACK
SAVANNAH GARDENS ROAD

LOT 9

City of Ocean Springs Planning Department

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

(228) 875-4415

VARIANCE REQUEST APPLICATION

Submittal Requirements:

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

Date: 7/7/24

Name of Applicant: Amanda Crose, Elliott Homes

Address: 1402 Pass Road Gulfport, MS 39501

Phone No. 228.243.0783 Email Address: acrose@myelliotthome.com

Parcel Identification Number: 612.64009.000

Property Owner *(if different from Applicant)*: Elliott Land Developments, LLC

Property Location for the Variance: Lot 9 Savannah Estates ph. 1

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

Setback variance

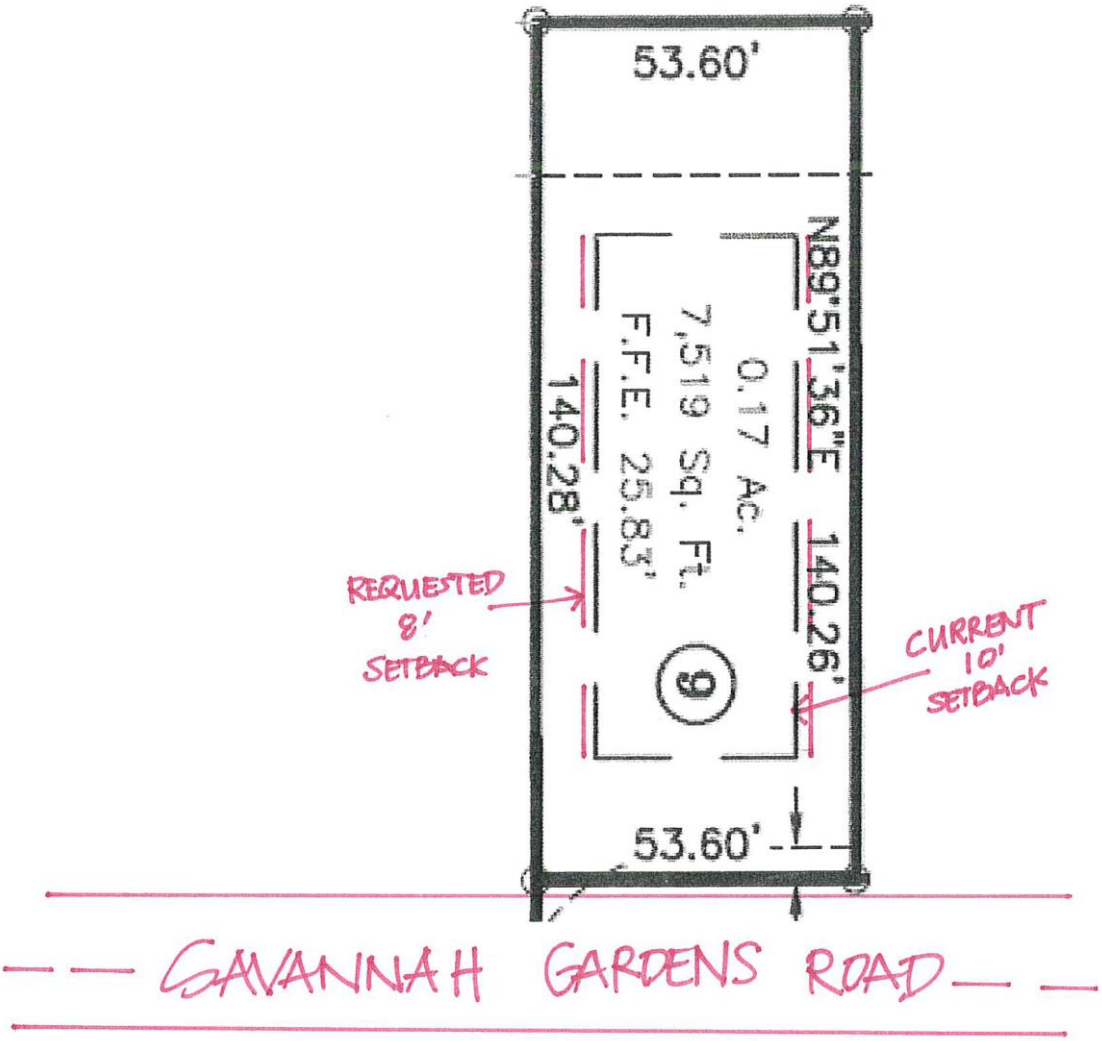
The purpose of this variance is to consider an application to allow:

To allow for a 8' side yard setback instead of the required 10'

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

This property was platted above the required 50' minimum lot width for R-3 zoning at 53' wide. The required setbacks for this lot are approximately 40% of the width of the lot. We would like the opportunity to provide a variety of house plans for the community. By having an 8' side yard setback would allow for this variety.

Applicant Signature: Amanda Crose Date: 7/7/24

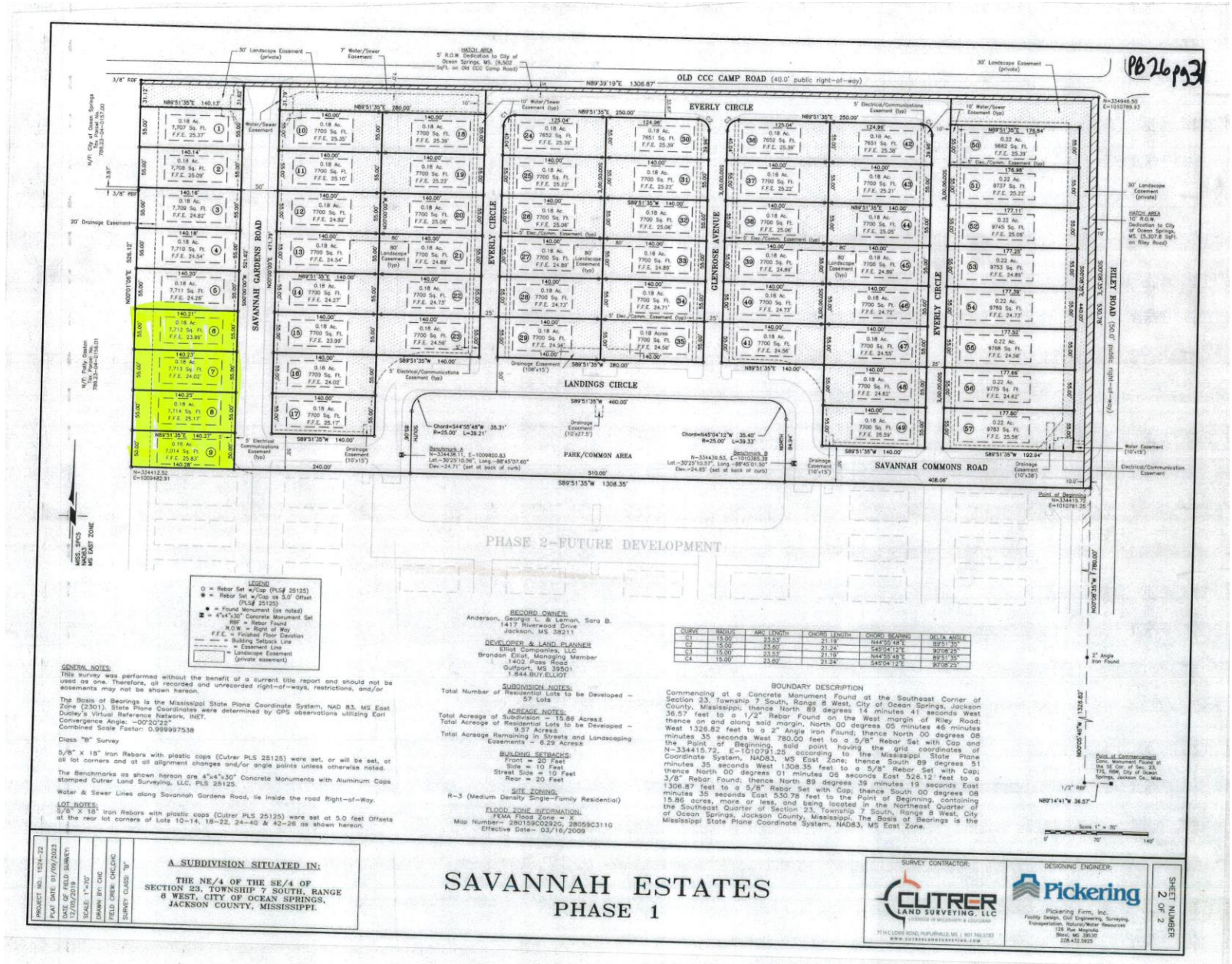

53.60'
N89°51'36"E
140.26'
53.60'
140.28'
0.17 Ac.
7,519 Sq. Ft.
F.F.E. 25.83'
8
REQUESTED
8'
SETBACK
CURRENT
10'
SETBACK
GAVANNAH GARDENS ROAD

Savannah Estates
Drainage and Lot Orientation

Lots 1-9 are oriented to a street while other lots within Savannah Estates 'front' an open space and are rear loaded (image 5).

Lots 6-9 are slightly narrower than other lots within the development. These lots have rear yards along a deep swale that becomes the Parktown ditch (image 2 and 3). By reducing the sideyard setback, the four structures on these lots can have widths similar to others in the development. More importantly, by maintaining the width and not increasing the depth of the structures, the rear yards will provide sufficient separation from the drainage swale for maintenance and safety.

Additionally, surface water from the streets drain between lots 6 and 7 and behind lots 7, 8, and 9 southward. This increases the volume of stormwater when compared to the five lots to the north and along the swale.


PB 26 p93
OLD CCC CAMP ROAD (40.0' public right-of-way)
EVERLY CIRCLE
SAVANNAH GARDENS ROAD
GLENROSE AVENUE
LANDINGS CIRCLE
PARK/COMMON AREA
SAVANNAH COMMONS ROAD
RILEY ROAD (100' public right-of-way)
PHASE 2-FUTURE DEVELOPMENT
Point of Beginning
N=334415.72
E=1010791.25
Point of Commencement
LEGEND
GENERAL NOTES:
RECORD OWNER:
Anderson, Georgia L. & Lemon, Sara B.
1417 Riverwood Drive
Jackson, MS 38211
DEVELOPER & LAND PLANNER
Elliot Companies, LLC
Brandon Elliot, Managing Member
1402 Pass Road
Gulfport, MS 39501
1.844.BUY.ELLIOT
SUBDIVISION NOTES:
Total Number of Residential Lots to be Developed – 57 Lots
ACREAGE NOTES:
Total Acreage of Subdivision – 15.86 Acres±
Total Acreage of Residential Lots to be Developed – 9.57 Acres±
Total Acreage Remaining in Streets and Landscaping Easements – 6.29 Acres±
BUILDING SETBACKS:
Front = 20 Feet
Side = 10 Feet
Street Side = 10 Feet
Rear = 20 Feet
SITE ZONING:
R-3 (Medium Density Single-Family Residential)
FLOOD ZONE INFORMATION:
FEMA Flood Zone = X
Map Number- 28015C0292G, 28059C311G
Effective Date- 03/16/2009
BOUNDARY DESCRIPTION
A SUBDIVISION SITUATED IN:
THE NE/4 OF THE SE/4 OF SECTION 23, TOWNSHIP 7 SOUTH, RANGE 8 WEST, CITY OF OCEAN SPRINGS, JACKSON COUNTY, MISSISSIPPI.
SAVANNAH ESTATES
PHASE 1
SURVEY CONTRACTOR:
CUTRER LAND SURVEYING, LLC
DESIGNING ENGINEER:
Pickering
Pickering Firm, Inc.
SHEET NUMBER 2 OF 2