



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

Tuesday, April 11, 2023 @ 5:00 PM

**1. Call Meeting to Order**

**2. Approval of Minutes**

- a. March 14, 2023

**3. Old Business**

**4. New Business**

- a. 3401 Bienville Boulevard / PID# 60127492.000 - Singing River Health System Ambulatory Services, Inc. - Requesting a 25% variance to the minimum parking space requirement.
- b. 2022 Kensington Avenue / PID# 61455076.000 - Chris Clardy - Requesting a 4% variance from the maximum square footage allowed for an accessory structure.

**5. Audience Request**

**6. Adjourn**

# The Minutes of the City of Ocean Springs Zoning & Adjustment Board Tuesday, March 14, 2023

## 1. Call meeting to order

A meeting of the City of Ocean Springs Zoning and Adjustments Board was called to order by Chairman Nick Gant at 5:00 on Tuesday, March 14, 2023. Members present were John O'Hara, Michael Smith, Shannon Pfeiffer, and Don Atwell. Also present were Wade Morgan, City Planner, and Amanda Moser, Planning/Grants Coordinator.

## 2. Approval of Minutes

### a) February 14, 2022

A motion was made by S. Pfeiffer seconded by J. O'Hara to approve the minutes as presented. The motion was unanimously carried.

## 3. Old Business – None.

## 4. New Business

### a) Desoto Street / PID# 60119468.000 [approximately 150 ft. east of Cash Aly] – Nicole Sullivan / Wall Holdings, LLC – Requesting a height variance, a side-yard setback variance (west property line), and a parking variance.

W. Morgan introduced the proposal. It is an extremely small property zoned R-D, Two-Family Residential. A side-yard setback variance is being requested as well as a height variance to allow a third floor. The shallowness and narrowness provide justification for a variance request.

Nicole Sullivan, applicant, addressed the board. The parking variance mentioned on the application was discussed. It is not needed and therefore omitted. The intent of the property is to construct long and/or short-term rental units. She is ok with a 35 ft. height, but would like some leeway in a sloped roof versus a gabled roof. She will fit four (4) parking spaces in the front and two (2) in the rear. That is the reason for the side setback variance, to allow for a drive aisle.

N. Gant asked of the parking requirements for the R-D zoning district. W. Morgan responded tow (2) are required for each residential unit.

S. Pfeiffer asked if a five (5) foot variance for height would be the max [40 ft.]. N. Sullivan explained that while 35 ft. is doable, the 40 ft. is being requested for higher ceilings in each unit.

A motion was made by S. Pfeiffer seconded by D. Atwell to accept the input received from Mr. Nelson into the minutes. The motion was unanimously carried.

Karen Thurmon, 1105 Desoto Street, addressed the commission in opposition to the request. She has concerns with privacy and wants her concerns on record.

Christian Sabino, 1105 Desoto Street, addressed the commission in opposition to the request. He is concerned with parking and wants his concerns on record.

S. Pfeiffer discussed the size of the lot and the applicant's ability to build. She questioned if short-term rentals would be discussed at the Planning Commission (PC) meeting scheduled for tonight. W. Morgan confirmed yes. He added that the property is zoned R-D, Two-Family Residential, and the three (3) units that Mrs. Sullivan is proposing would not be allowed; two (2) units maximum could be approved. N. Sullivan added the third floor would be used as a shared 'party' space for the two (2) units. S. Pfeiffer is concerned with parking and maximum occupancy for 'parties.'

A motion was made by J. O'Hara seconded by M. Smith to approval of the variance of 2.5 feet from the side yard setback requirement on the west side of the lot to allow a building to be 7.5 feet from the property line.

A motion was made by J. O'Hara seconded by N. Gant to recommend approval of a variance of 5 feet from the maximum building height requirement on the property to allow a building to be three (3) stories in height. The motion failed with J. O'Hara and N. Gant voting aye, and M. Smith, D. Atwell, and S. Pfeiffer voting nay.

A motion was made by S. Pfeiffer seconded by M. Smith to recommend denial of the variance of 5 feet from the maximum building height requirement at this lot and it remain at 35 feet. The motion was carried with S. Pfeiffer, M. Smith, and D. Atwell voting aye, and N. Gant and J. O'Hara voting nay.

## 5. Audience Request

## 6. Adjourn

A motion was made by D. Atwell seconded by J. O'Hara to adjourn the meeting. The motion was unanimously carried.

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

## ZONING ADJUSTMENT BOARD REPORT

**PUBLIC HEARING DATE:** April 11, 2023

**APPLICANT(S):** Marty Hardy, architect

**CURRENT OWNER?** Yes ☒ No (SRHS Ambulatory Services, Inc.)

**LOCATION:** 3401 Bienville Blvd./ PID# 60127492.000

**REQUESTED ACTION:** Variance from the minimum number of off-street parking spaces.

**DATE OF APPLICATION:** Feb. 22, 2023

**ADJACENT ZONING AND LAND USE:**

**Subject Property:** C-H Regional Commercial District – vacant commercial building.

**North:** across Groveland Rd., C-H District – Miss. Power substation.

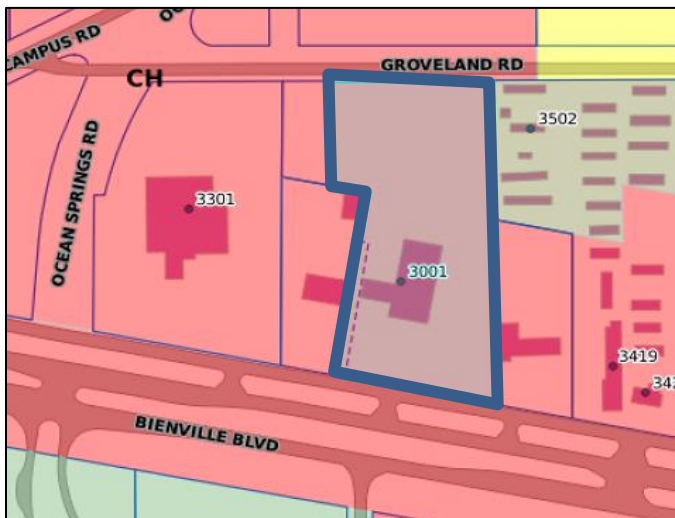
**South:** across Bienville Blvd., C-H District – commercial building.

**East:** C-H District – commercial building and RMH Mobile Home Park district – mobile homes;

**West:** C-H District – commercial building.

**CURRENT CONDITIONS:**

- Property Size: approx. 2.76 acres.



**DESCRIPTION OF REQUEST:**

- The applicant requests a variance to allow a 25% reduction in the required number of off-street parking spaces for a planned Workforce Academy building for the Singing River Health System.
- The applicant provides in the application a detailed explanation for the variance. He notes that the parking spaces will not be 100% occupied at all times due to fluctuations in class times, sizes and schedules.

**FINDINGS:**

- The applicant has provided a detailed inventory of the parking requirements of each floor of the building:

|                                                          |                                                                                                                                                                                               |
|----------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Parking - Ocean Springs Unified Development Code:</b> | <b>Total Calculated: 173</b><br><b>Variance reduction: -43 (24.9%)</b><br><b>Total Required: 130</b><br><b>Total Provided: 130 (6 accessible)</b>                                             |
| <b>1st Floor:</b>                                        | <b>Business Trade School: 1 per 2 seats – 98 seats = 49 spaces</b><br><b>Office: 1 per 300 sf – (12,038 sf – 4,129 Classrooms – 635 Stair/Elev = 7,274 sf) / 300 = 25</b><br><b>Total: 74</b> |
| <b>2nd Floor:</b>                                        | <b>Business Trade School: 1 per 2 seats – 78 seats = 39 spaces</b><br><b>Office: 1 per 300 sf – (11,654 sf – 4,129 Classrooms – 635 Stair/Elev = 6,890 sf) / 300 = 23</b><br><b>Total: 62</b> |
| <b>3rd Floor:</b>                                        | <b>Office: 1 per 300 sf – (11,654 sf – 635 Stair/Elev = 11,019 sf) / 300 = 37</b>                                                                                                             |

- The Unified Development Code parking requirements are based on the anticipated demands of the various functional areas within the building. A total of 173 parking spaces are required for the totality of classroom seats, office floor area and other functions.
- On-street parking is not available on either Bienville Blvd. or Groveland Rd. abutting the site.

**OTHER FEEDBACK:**

- none received.

**POTENTIAL MOTION:**

To recommend approval of a variance of 25% from the minimum number of off-street parking spaces to allow 130 parking spaces for the Singing River Hospital Workforce Academy building at 3401 Bienville Blvd.

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

**VARIANCE REQUEST APPLICATION**

**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 # \_\_\_\_\_

**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: February 22, 2023

Name of Applicant: Marty Hardy in care of Singing River Health System

Address: 2809 Bienville Blvd., Ocean Springs, MS 39564

Phone No. 228-215-1851

Email Address: marty@hardyarchitect.com

Parcel Identification Number: 60127492.000

Property Owner (if different from Applicant): SRHS Ambulatory Services Inc.

Property Location for the Variance: 3401 Bienville Blvd., Ocean Springs, MS 39564

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

Parking

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

Singing River Health System's Workforce Academy a 25% reduction in the required parking spaces.

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

The variance is being requested due to a number of issues. 1. The limitations of the shape of the site has limited the parking layout. 2. The MS Power Main Lines on the east side of the property has created limitations on the number of spaces. 3. The required detention pond has used up a portion of the site that is needed for parking.

In addition, the spaces within the building site will not be 100% occupied at all times due to fluctuation in class times, size and schedules. The amount required will not be needed at any one given time. 4-6 classes of 15-20 students will be held in morning and afternoon sessions. Sessions are for 6 weeks, then taper off as students spend more time in the hospital settings v. classroom. This cycle repeats each "school year". Office space will be occupied daily, but many faculty will follow students to the clinical settings. Other office staff will frequently move between the academy and hospitals. An onsite employee health clinic operates twice a week with a small staff of 3-5 employees.

Applicant Signature: \_\_\_\_\_



Date February 22, 2023

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

## ZONING ADJUSTMENT BOARD REPORT

**PUBLIC HEARING DATE:** April 11, 2023

**APPLICANT(S):** Chris Clardy

**CURRENT OWNER?** ✓ Yes No

**LOCATION:** 2022 Kensington Ave./ PID# 61455076.000

**REQUESTED ACTION:** Variance to the maximum permitted size of an accessory building.

**DATE OF APPLICATION:** March 10, 2023

**ADJACENT ZONING AND LAND USE:**

**Subject Property:** R-1, Single Family Residential District – a single family dwelling.

**North:** across Kensington Ave., R-D, Two-Family Residential District – single-family dwellings.

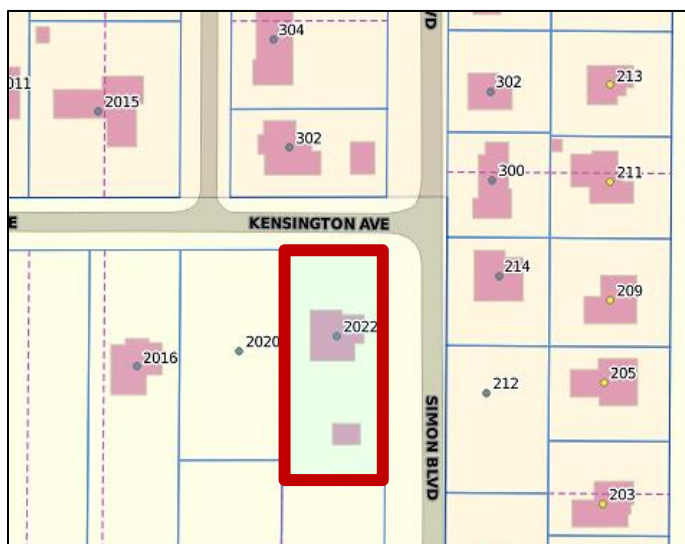
**South:** R-1, Single Family Residential District – undeveloped parcel.

**East:** across Simon Blvd., R-D District – single family dwelling;

**West:** R-1 District – a single family dwelling.

**CURRENT CONDITIONS:**

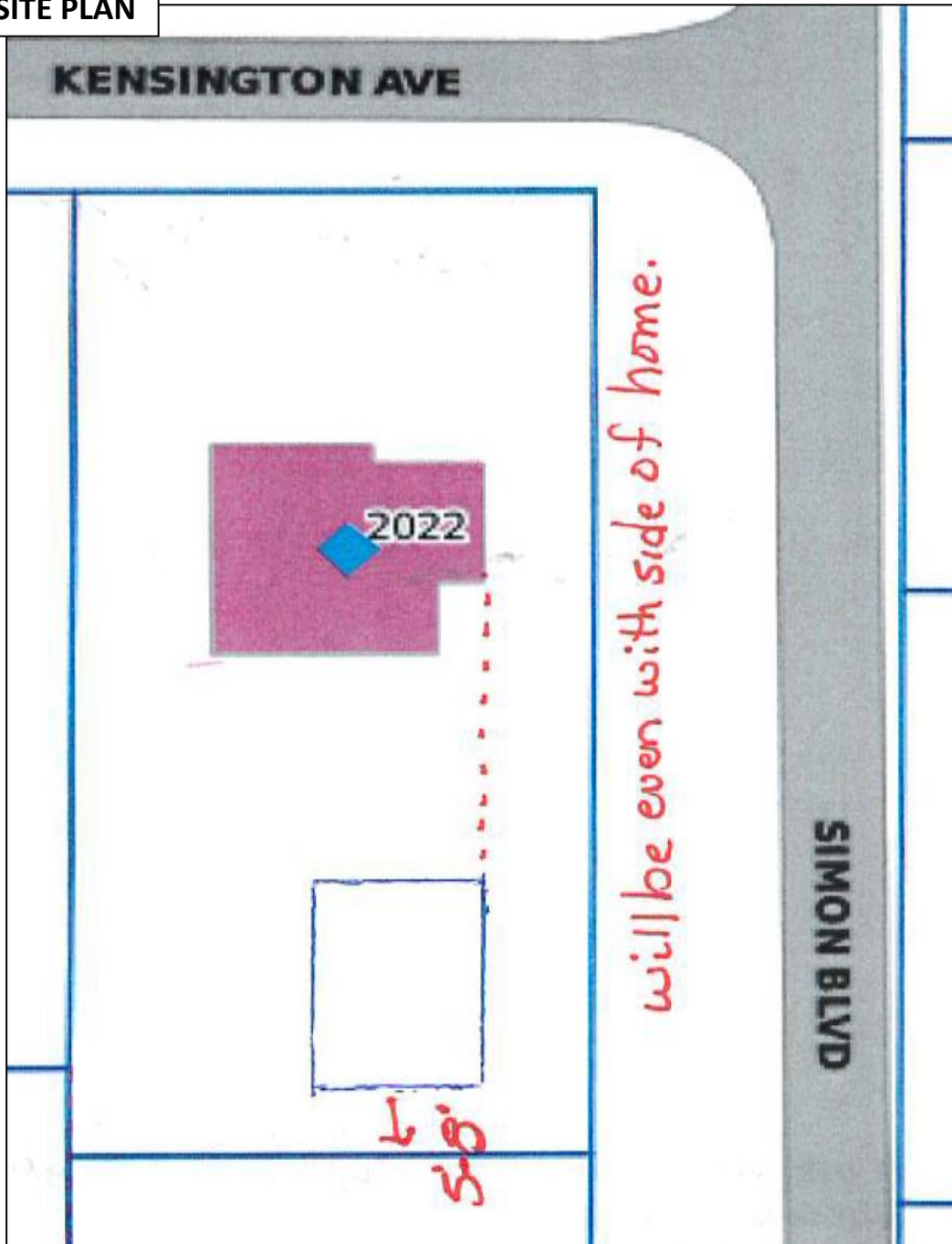
- Property Size: 22,550 sq. ft.



**DESCRIPTION OF REQUEST:**

- The applicant requests a variance to allow the construction of an accessory building (storage building) that is larger than what the Unified Development Code (UDC) allows for this property. Storage buildings cannot be larger than 40% of the size of the main dwelling (principal building) (UDC section 6.21). The main dwelling is approximately 2,300 sq. ft. in size, based on recent air photos. 40% of that amount is 920 sq. ft. The storage building, at 1,000 sq. ft., exceeds the maximum permitted area by 80 sq. ft. A 9% variance from the maximum permitted size of an accessory building is needed to allow the proposed building.
- The applicant states that a new detached garage is proposed to replace an “existing structure that was “L” shaped and in disrepair, so I wanted to maximize the space in the same location.”

**SITE PLAN**



**FINDINGS:**

- The limit on the maximum size of an accessory building functions to maintain accessory buildings such as storage building, detached garages, workshops, etc., as secondary in size to the dwelling.
- The existing dwelling has a single car carport.
- In addition, note that this is a corner lot and the storage building must be at least 10 feet from the south lot line.

**OTHER FEEDBACK:**

- none received.

**POTENTIAL MOTION:**

To recommend approval of a variance of 9% from the maximum size of an accessory structure in relation to the principal structure to allow a 1,000 sq. ft. detached garage at 2022 Kensington Ave.



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: 3/10/2023

Name of Applicant: Chris Clardy

Address: 2022 Kensington Avenue Ocean Springs, MS 39564

Phone No. 228-217-4364 Email Address: cclardy88@gmail.com

.....  
Parcel Identification Number: \_\_\_\_\_

Property Owner (if different from Applicant): \_\_\_\_\_

Property Location for the Variance: Back Yard

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

Maximum square footage percentage allowance

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

Building new detached garage and need it to be 80 square feet (4 percent) larger than the 40 percent of the home allows.

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.

Existing structure was L shaped and in disrepair so I wanted to maximize space in the sa

Applicant Signature: \_\_\_\_\_

Date: 3/10/2023