



Planning Commission

Tuesday, May 13, 2025 @ 6:00 PM

1. Call Meeting to Order

2. Approval of Minutes

- a. April 8, 2025

3. Old Business

- a. **DEFERRED: Public Hearing:** 901 Bienville Blvd. northwest corner of Bienville Blvd. and Washington Ave.- Requesting the Vacation of Alley; abutting PIDN: 60119054.000, 60119056.000, 60119058.000, 60119046.000, 60119042.000, 60119048.000, 60119050.000 - Tom Davies

4. New Business -The public is invited to address the Planning Commission for up to 3 minutes for each item, for each speaker, for a maximum period of 30 minutes. The Planning Commission will take all comments under advisement. Please identify yourself before speaking.

- a. **Public Hearing:** Spring Plaza Subdivision – 1515 Bienville Blvd – PIDN: 61265011.000 – Request approval for a Minor Subdivision of a 3-lot subdivision – Zoning: C-H Regional Commercial – Abe Karmel
- b. **Public Hearing:** Theresa Mohler – 1208 Harbor Road – PIDN: 61124900.015 – Request for a Conditional Use Permit (CUP) to build a single-family residence – Zoning: C-M Commercial Marina – Richard Schmidt
- c. **Public Hearing:** Lima Properties, LLC – Martin Luther King Drive – PIDN: 60119334.000, 60119332.000, 60119330.000, 60119340.000, 60119328.000, and 60119328.050 – Requesting a zoning change from R-D Two Family Residential to CMX-1 Neighborhood Commercial/Mixed Use – Heinrich and Associates
- d. **Public Hearing:** 1212 Bowen Ave - PIDN: 61190011.000 – Scott Bradford Lemon - Approval of a Short-Term Rental Permit.
- e. **Public Hearing:** 215 Halstead Unit A – PIDN: 60129390.000 – Aaron Goetsch – Approval of a Short-Term Rental Permit.
- f. **Public Hearing:** 215 Halstead Unit B – PIDN: 60129390.000 – Aaron Goetsch – Approval of a Short-Term Rental Permit.
- g. **Public Hearing:** 1405 Porter Ave – PIDN: 60137154.000 – William & Dolores McClendon – Approval of a Short-Term Rental Permit.

5. General Public Comment- The public is invited to address the Planning Commission for up to 3 minutes for each item, for each speaker, for a maximum period of 30 minutes. The Planning Commission will take all comments under advisement. Please identify yourself before speaking.

6. Commissioner's Forum

a. Discussion of Short Term Rentals

7. Adjourn

The Minutes of the City of Ocean Springs
Planning Commission
Tuesday April 8, 2025

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 April 8, 2025. The members present were Matthew Hinton, Kevin O'Connell, Joey Conwill and Joseph McCormick. Absent was Marshall Johnson and Nicholas Geiser. Also present was Wade Morgan Planning Director, Planner Elizabeth Dill, Planning Administrator Hannah Sullivan, and City Attorney Will Norman.

2. Approval of Minutes:

- a) March 11, 2025

A motion was made by Matthew Hinton, seconded by Joey Conwill to accept the minutes from March 11, 2025, as submitted. The motion carried unanimously.

3. Old Business:

- a) None.

4. New Business:

- a. **Public Hearing: 901 Bienville Blvd. northwest corner of Bienville Blvd. and Washington Ave.– Requesting the Vacation of Alley; abutting PIDN: 60119054.000, 60119056.000, 60119058.000, 60119046.000, 60119042.000, 60119048.000, 60119050.000 – Tom Davies - Managing Partner with Cardiff Development Partners**

A motion was made by Matthew Hinton and seconded by Kevin O'Connell to open public hearing. The motion was carried unanimously. A motion was made by Kevin O'Connell and seconded by Joey Conwill to close public hearing.

A motion was made by Matthew Hinton and seconded by Joey Conwill to table the vacation of the alley until the access easement and the sewer line are agreeable by the city and both parties. This will be reviewed at the next planning commission May 13, 2025.

- b. **Public Hearing: 241 Lovers Lane – PIDN: 61465013.100– Katherine Vidrine – Approval of a Short-Term Rental Permit**

A motion was made by Kevin O'Connell and seconded by Joseph McCormick to open public hearing. The motion was carried unanimously. Tom Sematook, Ray wise, Paul Broussard, Renne Mitchel, Bil Yockey, Jenny Boskovich, Karen Stennis, George Thamer spoke against the short term rental permit. A motion was made by Matthew Hinton and

Joseph McCormick to close public hearing. The motion carried unanimously. A motion was made by Kevin O'Connell and seconded by Joseph McCormick to recommend approval of the short term rental permit. The motion carried unanimously.

5. General Public Comment

6. Commissioners Forum –

Matthew Hinton discussed wanting to freeze any additional new permits from being issued and would like to discuss the short-term rental ordinance with the board and redraft the ordinance. It was suggested that we add an item for the next Planning Commission meeting to discuss ideas for the short-term rental ordinance before presenting it to the board.

7. Adjourn

A motion was made by Kevin O'Connell seconded by Joseph McCormick to adjourn the meeting. The motion carried unanimously.

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 DATE: May 13, 2025

APPLICANT: Abe Karmel

PROPERTY OWNERS: BDA Spring Plaza, LLC
Sky Sylvester, LLC

REQUESTED ACTION: Minor Subdivision Sketch & Preliminary Plat Approval

DATE OF REQUEST: March 26, 2025

LOCATION: 1515 Bienville Blvd

PARCEL NUMBERS: 61265011.000

DESCRIPTION OF REQUEST:

The applicant proposes to subdivide the existing building and parking lot into 3 lots.

ADJACENT ZONING AND LAND USE:

Subject Property: C-H Regional Commercial/Spring Plaza Shopping Center

North: R-1 Low Density Single Family

South: C-H Regional Commercial

East: C-H Regional Commercial

West: C-H Regional Commercial,
CMX-1 Neighborhood Commercial/Mixed Use,
& R-1 Low Density Single Family



FINDINGS:

- The property is currently zoned C-H Regional Commercial and does not have a required minimum lot area.
- The property is the Spring Plaza shopping center. The current tenants include (provided by applicant):
 - Goodyear
 - Petsense
 - Aldi
 - Stretch Zone
 - Hallmark
 - Pizza Hut
 - We're Better Than Blessed
 - The Lewelling Agency
 - Firehouse Subs
 - Marble Slab Creamery/Great American Cookie
- The current property is approximately 283,751 sq ft and one lot. The applicant would like to subdivide the property into three lots.
 - Lot one: 84,349 sq ft
 - Lot two: 110,987 sq ft
 - Lot three: 88,415 sq ft
- C-H zoning does have a minimum lot width of 25 ft. The current parcel and the three proposed parcels will meet this requirement.
- The current parcel meets all the requirements of C-H zoning setbacks.
 - Front: 5 ft
 - Side: 5 ft
 - Street Side: 10ft
 - Rear: 10 ft
- If the parcel is subdivided all three parcels will not meet the side setbacks of 5 ft that the C-H zone requires.
 - Parcel one: East side will have a zero (0) side set back
 - Parcel two: Both sides will have a zero (0) side set back
 - Parcel three: West side will have a zero (0) side set back
- There is a 7 ft utility easement along the Northern and Eastern Property lines.
- A minor subdivision involves the creation of four (4) or fewer lots that:
 - 1) front on an existing improved street,
 - 2) do not involve the creation of a new street,
 - 3) do not involve the extension of municipal utilities, and
 - 4) do not involve the creation of public improvements.
- A shopping center already exists on property, along with parking lot and landscape.
 - Shopping center, major: A group of commercial establishments planned and designed with common parking or using a common name, or both, and the total building square footage is greater than one hundred thousand (100,000) square feet.

- The shopping center currently has a shared parking lot and access drives. Staff recommends that the subdivision plat designate the parking lot and drive aisles as common areas.

PUBLIC FEEDBACK:

None received as of May 9, 2025.

POTENTIAL MOTIONS:

To recommend **approval** of Minor Sketch and Preliminary Plat to subdivide the existing building and parking lot into 3 lots located at 1515 Bienville Blvd.

– OR –

To recommend **denial** of Minor Sketch and Preliminary Plat to subdivide the existing building and parking lot into 3 lots located at 1515 Bienville Blvd.



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

APPLICATION: SUBDIVISION DEVELOPMENT

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

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

Phase of Development: Sketch Plat Preliminary Plat Final Plat

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

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

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

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

Application Date: 3/26/25 (*Applications are due by the 7th of each month.*)

Name of Subdivision: <small>Spring Plaza Subdivision</small> _____ Address of Original Parcel(s): <u>1515 Bienville Boulevard, Ocean Springs, MS 39564</u> Parcel ID(s): <u>61265011.00</u>

- | | | | |
|---------------------|--|--|--|
| 1. Applicant: | <u>Abe Karmel</u> | Phone <u>732-278-0776</u> | |
| Address | <u>10101 Fondren Rd, Suite 545 Houston, TX</u> | Email <u>abe@fourpointspropertyman</u> | |
| 2. Local Agent: | <u>Tim Shelton</u> | Phone <u>1-888-933-2111</u> | |
| Address | <u>3825 N Shiloh Drive, Fayetteville, AR</u> | Email <u>tim@blewinc.com</u> | |
| 3. Owner of Record: | <u>BDA Spring Plaza, LLC</u> | Phone <u>713-936-2906</u> | |
| Address | <u>10101 Fondren Rd, Suite 545 Houston, TX</u> | Email <u>abe@fourpointspropertyman</u> | |
| 4. Engineer: | _____ | Phone _____ | |
| Address | _____ | Email _____ | |
| 5. Land Surveyor: | <u>Heath Myers</u> | Phone <u>1-888-933-2111</u> | |
| Address | <u>3825 N Shiloh Drive, Fayetteville, AR</u> | Email <u>heath@blewinc.com</u> | |
| 6. Attorney: | _____ | Phone _____ | |
| Address | _____ | Email _____ | |

Attach Appropriate Checklist for Requested Phase of Review

Property Information

- 1. Tax Map Designation: Section 19 Township: 7 South Range: 8 West
- 2. Proposed Subdivision Location: On the East side of Vermont Ave (street)
100' (distance in feet) North (relative direction) of U.S. Highway 90 (street)
- 3. List all contiguous holdings in the same ownership:
 Section _____ Lot(s) _____
- 4. Zoning of Parcel(s): N/A 5. Total Acreage: 283,751 SQ. FEET +/-6.514 Acres
- 6. Smallest Lot Size: 84,349 SQ Feet +/-1.936 7. Proposed # of Lots: 3
- 9. Is the property located within a special district? (historic district, waterview preservation, or other designated overlay district, etc.) No
- 11. Does the property include any wetlands? If so, include professional wetland delineation. No
- 12. Has any lot included in this request been previously split or reconfigured, to your knowledge? No
- 13. Are there any easements or other legal restrictions on the property? If so, please explain. 7' Utility Easement along the Northern and Eastern Property Lines
- 14. Are there any existing structures on the property? If so, will they be kept or demolished? Kept

Proposed Subdivision Information

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

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

Affidavit of Ownership

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

I, (print name) Avichai Mechtel, 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: BDA Spring Plaza, LLC Parcel ID(s): 61265011.00

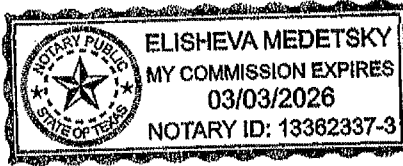
Date Property Acquired Date: 8/28/24 Book and Page of Each Conveyance: _____

Owner's Signature [Signature] Date: 4/29/2025

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

STATE OF Texas

COUNTY OF Harris



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

Mailing Address 10101 Fardner Rd Suite 545
Houston TX 77096

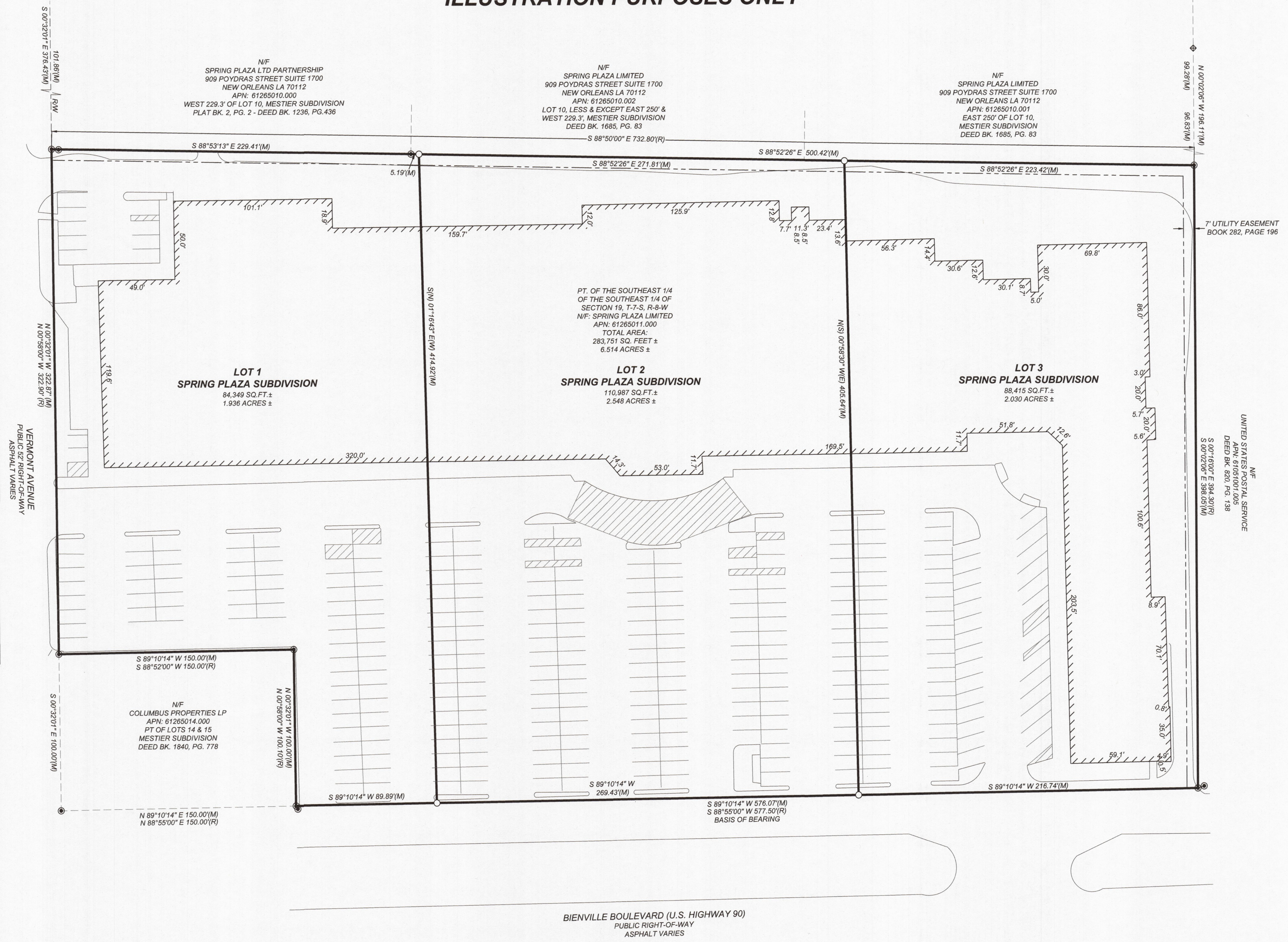
Subscribed and sworn before me this 29th day of April, 2025.

My Commission expires: 3/3/26

Notary Signature: [Signature]

SKETCH

ILLUSTRATION PURPOSES ONLY



N/F
SPRING PLAZA LTD PARTNERSHIP
909 POYDRAS STREET SUITE 1700
NEW ORLEANS LA 70112
APN: 61265010.000
WEST 229.3' OF LOT 10, MESTIER SUBDIVISION
PLAT BK. 2, PG. 2 - DEED BK. 1236, PG. 436

N/F
SPRING PLAZA LIMITED
909 POYDRAS STREET SUITE 1700
NEW ORLEANS LA 70112
APN: 61265010.002
LOT 10, LESS & EXCEPT EAST 250' &
WEST 229.3', MESTIER SUBDIVISION
DEED BK. 1685, PG. 83

N/F
SPRING PLAZA LIMITED
909 POYDRAS STREET SUITE 1700
NEW ORLEANS LA 70112
APN: 61265010.001
EAST 250' OF LOT 10,
MESTIER SUBDIVISION
DEED BK. 1685, PG. 83

PT. OF THE SOUTHEAST 1/4
OF THE SOUTHEAST 1/4 OF
SECTION 19, T-7-S, R-8-W
N/F: SPRING PLAZA LIMITED
APN: 61265011.000
TOTAL AREA:
283,751 SQ. FEET ±
6.514 ACRES ±

**LOT 1
SPRING PLAZA SUBDIVISION**
84,349 SQ. FT. ±
1.936 ACRES ±

**LOT 2
SPRING PLAZA SUBDIVISION**
110,987 SQ. FT. ±
2.548 ACRES ±

**LOT 3
SPRING PLAZA SUBDIVISION**
88,415 SQ. FT. ±
2.030 ACRES ±

N/F
COLUMBUS PROPERTIES LP
APN: 61265014.000
PT OF LOTS 14 & 15
MESTIER SUBDIVISION
DEED BK. 1840, PG. 778

7' UTILITY EASEMENT
BOOK 282, PAGE 196

N/F
UNITED STATES POSTAL SERVICE
APN: 610631001.005
DEED BK. 820, PG. 138
S 00°16'00" E 304.30'(R)
S 00°02'00" E 388.05'(M)

BIENVILLE BOULEVARD (U.S. HIGHWAY 90)
PUBLIC RIGHT-OF-WAY
ASPHALT VARIES

This notice is being mailed to you as an owner of property adjacent to the project described below. Copies are sent via standard mail at the cost of the applicant of this project.

City of Ocean Springs Community Development
P. O. Box 1800
Ocean Springs, MS 39566-1800
228-875-4415

PUBLIC NOTICE

PUBLIC NOTICE is hereby given that the City of Ocean Springs *Planning Commission* will hold a public hearing in the regular meeting place of the Board of Aldermen located in City Hall at 1018 Porter Avenue Ocean Springs, MS, 39564 on

Tuesday, May 13, 2025 @ 6:00 p.m.

Regarding the following:

- Spring Plaza Subdivision – Abel Karmel (Applicant) – 1515 Bienville Blvd – PIDN: 61265011.000 – Request approval for a Minor Subdivision Plat of a 3-lot subdivision – Zoning: C-H Regional Commercial

Written comments related to the above request will be accepted and may be mailed to the City of Ocean Springs Planning Department, Post Office Box 1800, Ocean Springs, MS 39566-1800 or emailed to wmorgan@oceansprings-ms.gov.

At the aforementioned time and place, all parties of interest shall have an opportunity to be heard.

Wade Morgan,
City of Ocean Springs
Community Development Director

THIS INSTRUMENT PREPARED BY:

Ann Taylor, Esq.
JONES WALKER LLP
3100 North State Street
Suite 300
Jackson, MS 39216
(601) 949-4900
Mississippi Bar No. 6534

RETURN TO:

Ann Taylor, Esq.
JONES WALKER LLP
3100 North State Street
Suite 300
Jackson, MS 39216
(601) 949-4900

INDEXING INSTRUCTION:

SE ¼ of the SE ¼ of Section 19, Township 7 South, Range 8 West, Ocean Springs, Jackson County, Mississippi

SPECIAL WARRANTY DEED

NAME, ADDRESS AND PHONE NUMBER OF GRANTOR:

SPRING PLAZA LIMITED PARTNERSHIP
240 Metairie Road
Metairie, Louisiana, 70005
Residence Phone No.: N/A
Business Phone No.: 504-584-5000

NAME, ADDRESS AND PHONE NUMBER OF GRANTEE:

SKY SYLVESTER, LLC and BDA SPRING PLAZA, LLC, as tenants in common
10101 Fondren Rd, Suite 545
Houston, Texas 77096
Residence Phone No.: N/A
Business Phone No.: 713-939-2906

SPECIAL WARRANTY DEED

FOR AND IN CONSIDERATION of the sum of TEN and NO/100 DOLLARS (\$10.00), cash in hand paid, and other good and valuable considerations, the receipt and sufficiency of which are hereby acknowledged, **SPRING PLAZA LIMITED PARTNERSHIP**, a Mississippi limited partnership, (“Grantor”) does hereby grant, bargain, sell, convey and warrant specially to **SKY SYLVESTER, LLC**, a Texas limited liability company, and **BDA SPRING PLAZA, LLC**, a Texas limited liability company (collectively as tenants in common, “Grantee”) and the heirs, legal representatives, successors and assigns of Grantee, all of Grantor's right, title and interest in and to the real property situated in the City of Ocean Springs, Jackson County, Mississippi, to-wit , as described on Exhibit A attached hereto and incorporated by this reference, together with: (i) any fixtures, buildings, structures and other improvements constituting real property of every kind located thereon, (ii) all oil, gas and mineral interests of Grantor pertaining to the real property, (iii) all timber, wood, and forest products of every kind located thereon, and, (iv) any and all rights-of-way, easement rights, access rights, privileges, hereditaments and appurtenant rights and interests of any kind pertaining thereto (collectively, the "Property").

This conveyance is made subject to, and there is excepted from the special warranty hereof, the matters set forth on Exhibit B attached hereto and made a part hereof.

THE INTEREST CONVEYED HEREBY IS SUBJECT TO AN ENVIRONMENTAL COVENANT, DATED JUNE 23, 2016, RECORDED IN THE DEED OR OFFICIAL RECORDS OF JACKSON COUNTY CHANCERY CLERK ON JULY 11, 2016 IN BOOK 1821, PAGE 886. THE ENVIRONMENTAL COVENANT CONTAINS THE FOLLOWING ACTIVITY AND USE LIMITATIONS:

Activity and Use Limitations. As part of the remediation of the Property, Owner imposes and agrees to comply with the following activity and use limitations that run with the land:

- (a) There shall be no excavating, drilling or other activities that could create exposure to contaminated media without prior approval from MDEQ.
- (b) The groundwater at the site shall not be used without prior approval from MDEQ.
- (c) No wells shall be installed without prior approval from MEDQ.
- (d) A sign of a size, shape, construction, and layout approved by MDEQ shall be erected and maintained at the physical location of the site that reads as follows:

STOP – CALL BEFORE YOU DIG
(601) 961-5171
Regarding Village Cleaners
(AI-35858)

- (e) All monitoring wells and the sign listed in subparagraph (d) shall be protected and maintained.

TO HAVE AND TO HOLD the Property, together with all improvements thereon and therein, any and all of the rights, members and appurtenances thereof, to the same being, belonging or in anywise appertaining to, and its successors and assigns forever. Grantor will warrant and forever defend the right

and title to the above described property unto the said Grantee against the claims of all persons owning, holding or claiming by, through and under the Grantor and none other.

Real property and ad valorem taxes for the current year have been prorated between Grantor and Grantee on an estimated basis, and shall be paid by Grantee when due. When said taxes are actually determined, if the proration as of this date is incorrect, then Grantor agrees to pay Grantee any additional amounts due, and Grantee agrees to pay Grantor any amounts overpaid. Grantee assumes and agrees to pay real property and ad valorem taxes for all subsequent years.

[SIGNATURE ON FOLLOWING PAGE]

IN WITNESS WHEREOF, this instrument has been executed by Grantor as of this the 28TH day of August, 2024, though actually executed on the date set forth in the acknowledgment below.

GRANTOR:

SPRING PLAZA LIMITED PARTNERSHIP,
a Mississippi limited partnership

By: Spring Plaza Corporation,
a Mississippi limited liability company, its
General Partner

By: *Tricia Perez*
Tricia Perez, Secretary/Treasurer

STATE OF LOUISIANA
PARISH OF JEFFERSON

Personally appeared before me, the undersigned authority in and for the said state and parish, on this 28th day of August, 2024, within my jurisdiction, the within named Tricia Perez, who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed in the above and foregoing instrument and acknowledged that she executed the same in her representative capacity, and that by her signature on the instrument, and as the act and deed of the person or entity upon behalf of which she acted, executed the above and foregoing instrument, after first having been duly authorized so to do.

Sandra A. Hayden
NOTARY PUBLIC

My Commission Expires:

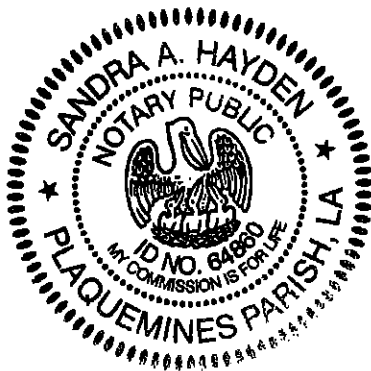


EXHIBIT A
LEGAL DESCRIPTION

All that certain lot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the City of Ocean Springs, County of Jackson, State of Mississippi.

That certain parcel of land situated in the SE 1/4 of the SE 1/4 of Section 19, Township 7 South, Range 8 West, Ocean Springs, Jackson County, Mississippi, and being described more in particularly as follows, to-wit:

Commencing at the intersection of the North right-of-way line of U. S. Highway No. 90 with the East line of Vermont Avenue and run thence North 88 degrees 55 minutes East along the North line of U. S. Highway No. 90 a distance of 150.0 feet to an iron pin and the point-of-beginning of the herein described parcel.

From said point-of-beginning run thence North 0 degrees 58 minutes West a distance of 100.1 feet to an X in a concrete wall; thence South 88 degrees 52 minutes West a distance of 150.0 feet to a cross cut in concrete on the East right of way line of Vermont Avenue; thence North 0 degrees 58 minutes West along the East line of Vermont Avenue a distance of 322.9 feet to an iron pipe; thence South 88 degrees 50 minutes East a distance of 732.8 feet to an iron pin; thence South 0 degrees 16 minutes East a distance of 394.3 feet to a concrete monument on the North right of way line of U.S. Highway No. 90; thence South 88 degrees 55 minutes West along the North line of U. S. Highway No. 90 a distance of 577.5 feet to the point-of beginning.

NOTE FOR INFORMATION: Being Parcel No(s). 61265011.000, of the City of Ocean Springs, County of Jackson.

EXHIBIT B
PERMITTED EXCEPTIONS

1. Taxes for the year 2024 and subsequent years, a lien not yet due or payable.
2. Minerals of whatsoever kind, subsurface and surface substances, including but not limited to coal, lignite, oil, gas, uranium, clay, rock, sand and gravel in, on, under and that may be produced from the Land, together with all rights, privileges, and immunities relating thereto.
3. Terms, Conditions, Reservations and Restrictions contained in Warranty Deed to State Highway Commission of Mississippi recorded on August 16, 1951 in Book 119 Page 128.
4. Terms, Conditions, Reservations and Restrictions contained in Warranty Deed to State Highway Commission of Mississippi recorded on August 16, 1951 in Book 119 Page 131.
5. Terms, Conditions, Reservations and Restrictions contained in Warranty Deed to State Highway Commission of Mississippi recorded on August 16, 1951 in Book 119 Page 132.
6. Terms, Conditions, Reservations and Restrictions contained in Warranty Deed to State Highway Commission of Mississippi recorded on August 16, 1951 in Book 119 Page 133.
7. Terms, Conditions, Reservations and Restrictions contained in Warranty Deed to State Highway Commission of Mississippi recorded on August 16, 1951 in Book 119 Page 135.
8. Terms and provisions of the Collateral Lease Agreement by and between William M. Lyon and Patricia Macon Lyon, his wife, and Liddell White and Shirley A. White, his wife, and Gulfport Winn-Dixie, Inc. as evidenced by Short Form Lease dated January 6, 1964 and recorded February 7, 1964 in Book 252 Page 310, as further amended.
9. Easement granted to City of Ocean Springs recorded on October 21, 1965 in Book 282 Page 196, and as shown the Survey.
10. Agreement by and between First Federal Savings and Loan Association of Mobile, William M. Lyon and Lamar Liddell White, and the Southern Farm Bureau Life Insurance Company recorded on October 1, 1968 in Book 341 Page 89.
11. Agreement by and between William M. Lyon and Lamar Liddell White, and the Southern Farm Bureau Life Insurance Company recorded on June 23, 1969 in Book 358 Page 61.
12. Party Wall Agreement by and between William M. Lyon and Lamar Liddell White and First Federal Savings and Loan Association of Biloxi recorded on May 11, 1971 in Book 389 Page 417.
13. Environmental Covenant between Spring Plaza Limited Partnership and Mississippi Commission on Environmental Quality recorded on July 11, 2016 in Book 1821 Page 886, and any amendments thereto, and as noted on the Survey.
14. All conditions, matters, easements and setback lines as set forth on Plat of the Mestier Property recorded in Plat Book 2 Page 2

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 DATE: May 13, 2025

APPLICANT: Richard Schmidt

PROPERTY OWNERS: Theresa Mohler

REQUESTED ACTION: Conditional Use Permit

DATE OF REQUEST: March 3, 2025

LOCATION: 1208 Harbor Road

PARCEL NUMBERS: 61124900.015

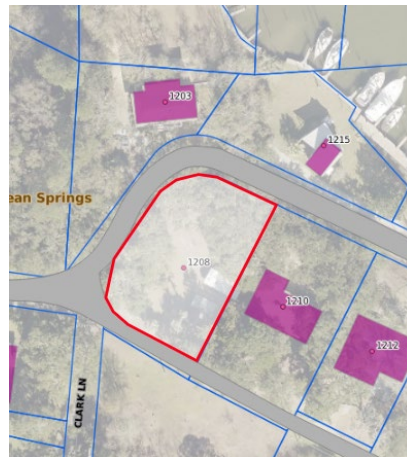
DESCRIPTION OF REQUEST:

The applicant requests approval of a Conditional Use Permit (CUP) to build a single-family residence on a lot within the C-M Commercial Marina zoning district.

ADJACENT ZONING AND LAND USE:

**Subject Property: C-M Commercial Marina (front/most) &
R-1 Low Density Single Family (back)
Small storage building**

North: C-M Commercial Marina
South: R-1 Low Density Single Family
East: C-M Commercial Marina
West: R-1 Low Density Single Family



FINDINGS:

- The front of the property is zoned C-M Commercial Marina, and the back of the property is zoned R-1 Low Density Single Family. The proposed house would be located on the property that is zoned C-M. Single Family dwellings are permitted in the C-M district with the approval of a CUP.
- C-M Commercial Marina does not have a min lot area or lot width as well as there are no setback requirements for this zone.
- Property was part of the Harbor Oaks Subdivision that was presented to the PC on May 10, 2022, and was presented to the BOA on May 17, 2022. Both PC and BOA approved Harbor Oaks Subdivision final plat.
- There are four (4) single family homes along Harbor Road that include 1210, 1212, 1215, and 1218.
- The applicant has provided what the proposed house plans will be: see attachments.

CONDITIONAL USE PERMITS:

CUPs are designed to allow land uses with unique characteristics or potential impacts on adjacent land uses provided that a site plan for the property is adopted by the Planning Commission (PC) and Board of Aldermen (BOA). The CUP must conform to the city's Comprehensive Plan and be constructed and operated in a manner that is compatible with the surrounding land uses and overall character of the community.

PUBLIC FEEDBACK:

1. Mike & Maureen De Jonge – May 9, 2025 – email attached

POTENTIAL MOTIONS:

To recommend **approval** of a Conditional Use Permit to build a single-family residential home at 1208 Harbor Road as described in the application and building plans.

– OR –

To recommend **denial** of a Conditional Use Permit to build a single-family residential home at 1208 Harbor Road as described in the application and building plans.



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

CONDITIONAL USE PERMIT APPLICATION

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

Application Fee Required*: **\$ 250.00 (NON REFUNDABLE)**

\$ 1.00 (Per Ordinance 2022-17 following the requirements of Section 25-60-5 MS Code Annotated)

* Does not include mail fee, to be determined by City.

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

AND MUST BE PAID FOR BY THE APPLICANT BEFORE MAILING.

Application Date: 3/22/2025
(Applications are due by the 7th of each month for the meeting scheduled for the subsequent month.)

Indicate Request: Change In Zoning District _____ Use Permit _____ Conditional Use Permit

Applicant Information

Address of Lot(s): 1208 Harbor Rd Ocean Springs, MS 39564
Parcel ID(s): 61124900.015

- 1. Applicant: Richard Schmidt Phone: ~~228 875-0008~~ 228 697-7873
Address: 107 Surgeres Pl Ocean Springs, MS Email: Richardschmidt99@gmail.com
- 2. Owner of Record: Theresa Mohler Phone: 228 348-0915
Address: 107 Surgeres Pl Ocean Springs, MS Email: Tmohler@tatonut.com

COMPLETE THE FOLLOWING:

- 1. Current Zoning classification of property: CM Commercial Marina
- 2. Explain the present use of the property and condition of any existing structures: _____
Vacant Lot with small storage building in
Poor condition
- 3. Describe the intended use of property: Single Family residence

4. Reason for request: *Must include 1) A description of the change/changes in the neighborhood that justify the change (when/where) OR the mistake made in the zoning map if applicable; AND 2) The public need for the new zoning district type.* Currently there are five single family residences located in the Commercial Marina zone. The neighborhood has transformed into a residential area and a commercial property could disrupt the neighborhood. (in my opinion) Also, 23% of the lot in question is zoned R-1

ATTACHMENTS REQUIRED:

- X 1. Application Fee. Amount \$ 250.00
- X 2. Map of the property and the surrounding neighborhood.
- 3. Diagram of intended use, showing dimensions and distances of property, building and their setbacks; parking spaces, entrances and exits.
- X 4. Legal description; street address.
- N/A 5. Copy of protective covenants or deed restrictions, if any.
- N/A 6. Copies of approvals or requests of approval from other agencies such as: Health Department, Miss. Air and Water Pollution Control Commission, Corps of Engineers, Department of Marine Resources Council, etc.

***** If applicant is authorized to represent property owner, applicant must provide documentation signed by the property owner.**

Signature of Property Owner

Theresa Mohler

Theresa Mohler

Print name

3/22/25

Date

Signature of Applicant

Richard Schmidt

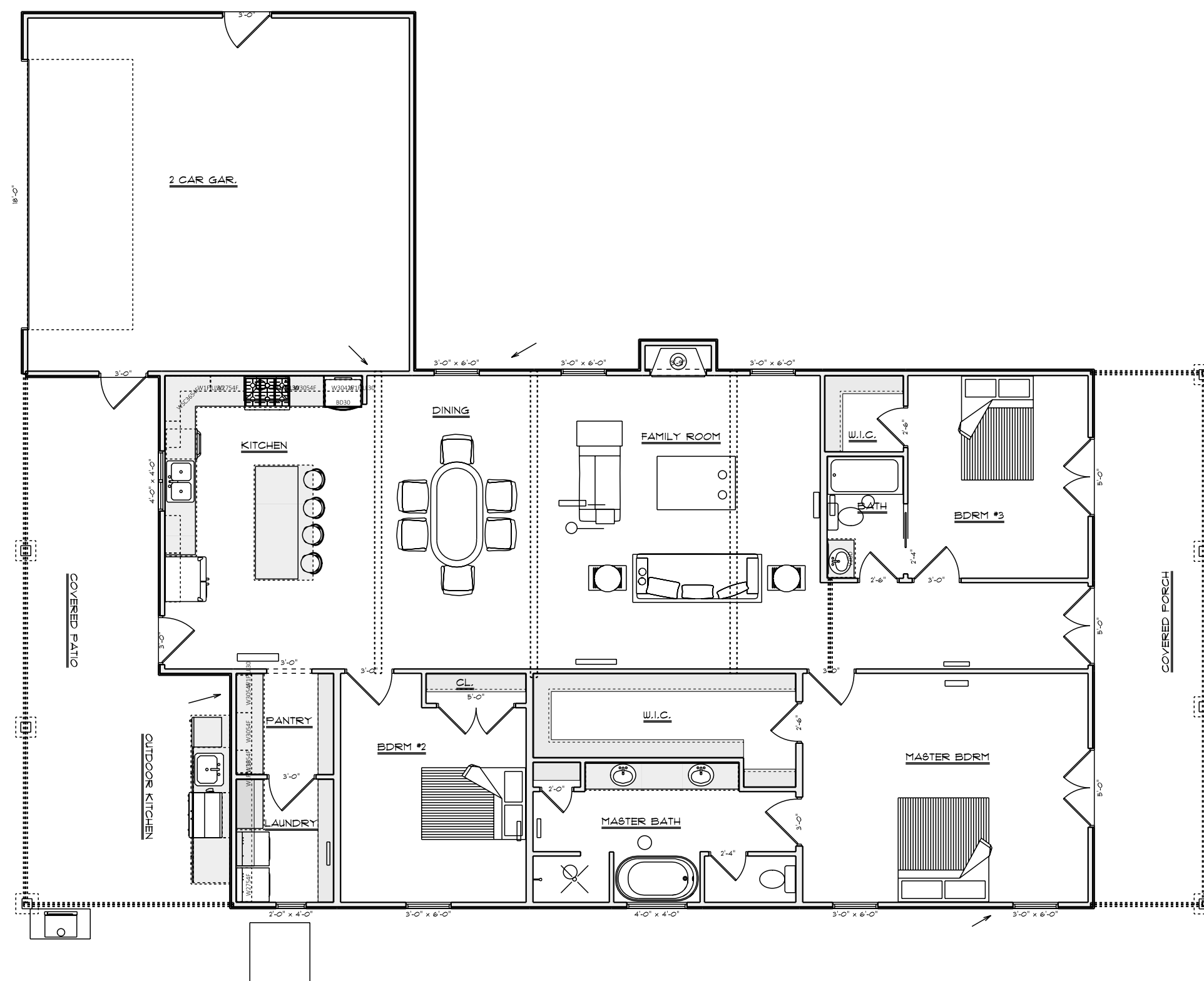
Richard Schmidt

Print name

3/22/25

Date

SCHIMDT RESIDENCE



AREA SCHEDULE	
NAME	AREA
DECKS/LANDINGS	16 SQ FT.
GARAGE	630 SQ FT.
GARAGE LOFT	296 sq ft.
HEATED AND COOLED	2174 sq ft.
PORCHES AND PATIOS	723 SQ FT.
TOTAL UNDER ROOF	3839 SQ FT.

DRAWING SCHEDULE	
COVER	1
NOTES	2
TYP. SECTION DETAIL	3
TYP. SECT DETAIL CONT.	4
FOUNDATION	5
FLOORPLAN	6
GARAGE LOFT	7
CABINET DETAIL	8
ELEVATIONS	9
ROOF PLAN	10
ROOF FRAMING	11
ROOF FRAMING SCHEDULE	12
CEILING	13
SECTIONS	14
ELECTRICAL	15
PLUMBING	16

PAGE: **1/16**
COVER

APPROVED: _____ CHECKED BY: _____

SECTION LETTER: **A** PAGE NUMBERS: **11**

SCALE: 1/8" = 1'-0"
DRAWN BY: R.W. Tuisku III
DATE: Thursday, March 6, 2025

BWARTISAN
H O M E S

RT3
DESIGN LLC

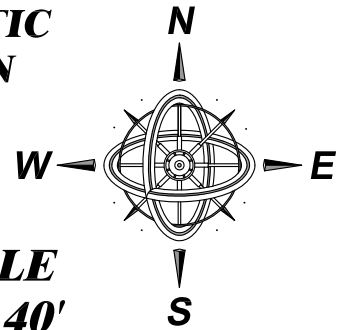
BW1015- Schmidt Residence
PHONE: _____ FAX: _____
MOBILE: _____



RT3
DESIGN LLC



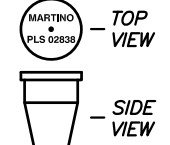
**BEARING REFERENCE: GEODETIC
NORTH BY GPS OBSERVATION
(NAD83; CORS96)**



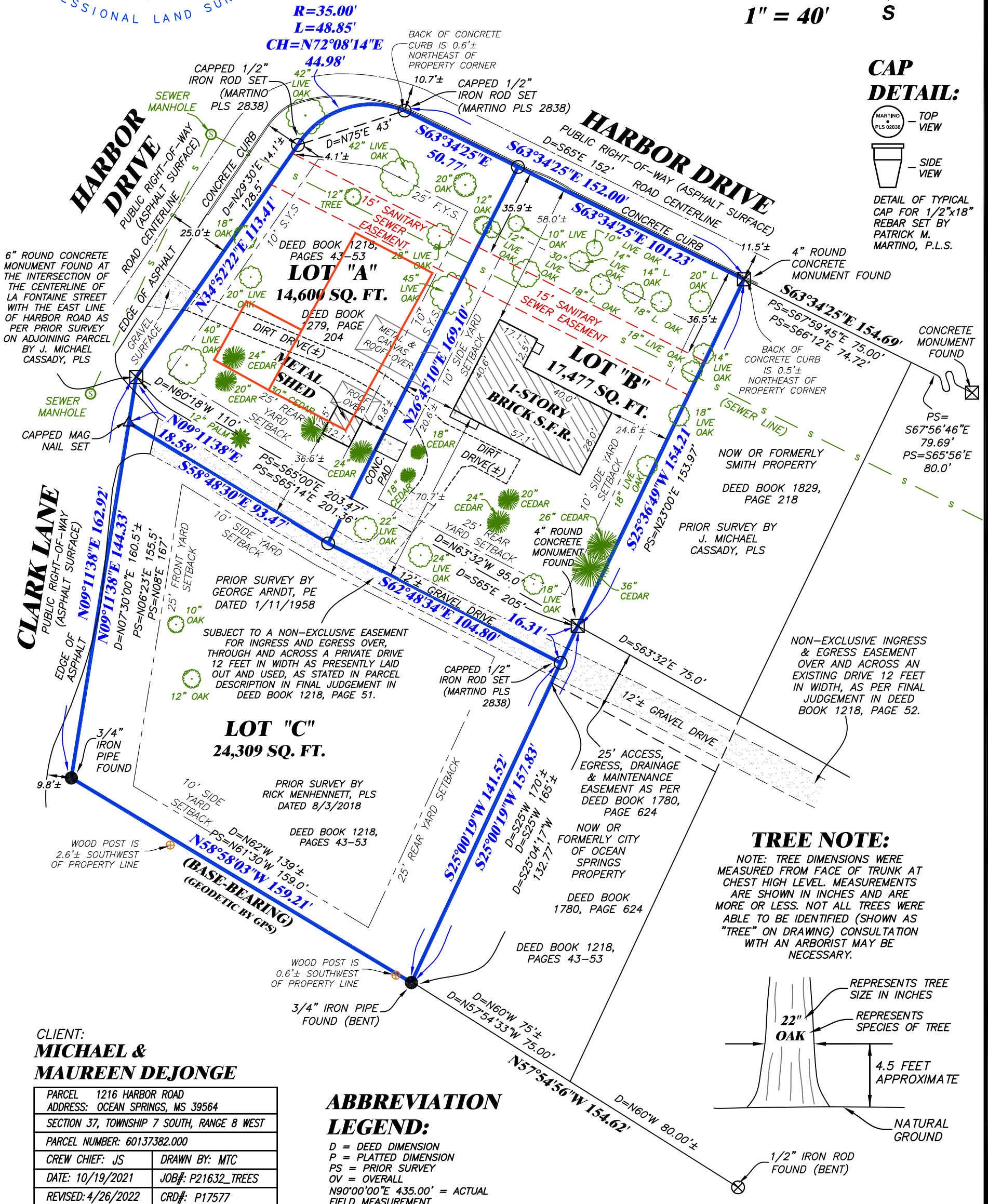
**SCALE
1" = 40'**

- LEGEND:**
- ⊗ -- (IRF) IRON ROD FOUND
 - -- (IPF) IRON PIPE FOUND
 - -- (IRS) IRON ROD SET
 - ⊠ -- CONCRETE MONUMENT FOUND

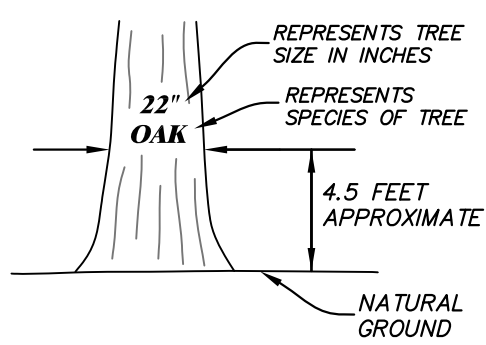
**CAP
DETAIL:**



DETAIL OF TYPICAL
CAP FOR 1/2"x18"
REBAR SET BY
PATRICK M.
MARTINO, P.L.S.



TREE NOTE:
NOTE: TREE DIMENSIONS WERE
MEASURED FROM FACE OF TRUNK AT
CHEST HIGH LEVEL. MEASUREMENTS
ARE SHOWN IN INCHES AND ARE
MORE OR LESS. NOT ALL TREES WERE
ABLE TO BE IDENTIFIED (SHOWN AS
"TREE" ON DRAWING) CONSULTATION
WITH AN ARBORIST MAY BE
NECESSARY.



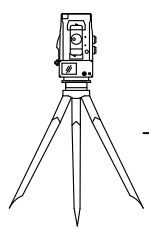
CLIENT:
**MICHAEL &
MAUREEN DEJONGE**

PARCEL	1216 HARBOR ROAD
ADDRESS:	OCEAN SPRINGS, MS 39564
SECTION	37, TOWNSHIP 7 SOUTH, RANGE 8 WEST
PARCEL NUMBER:	60137382.000
CREW CHIEF:	JS
DRAWN BY:	MTC
DATE:	10/19/2021
JOB#:	P21632_TREES
REVISED:	4/26/2022
CRD#:	P17577

**ABBREVIATION
LEGEND:**

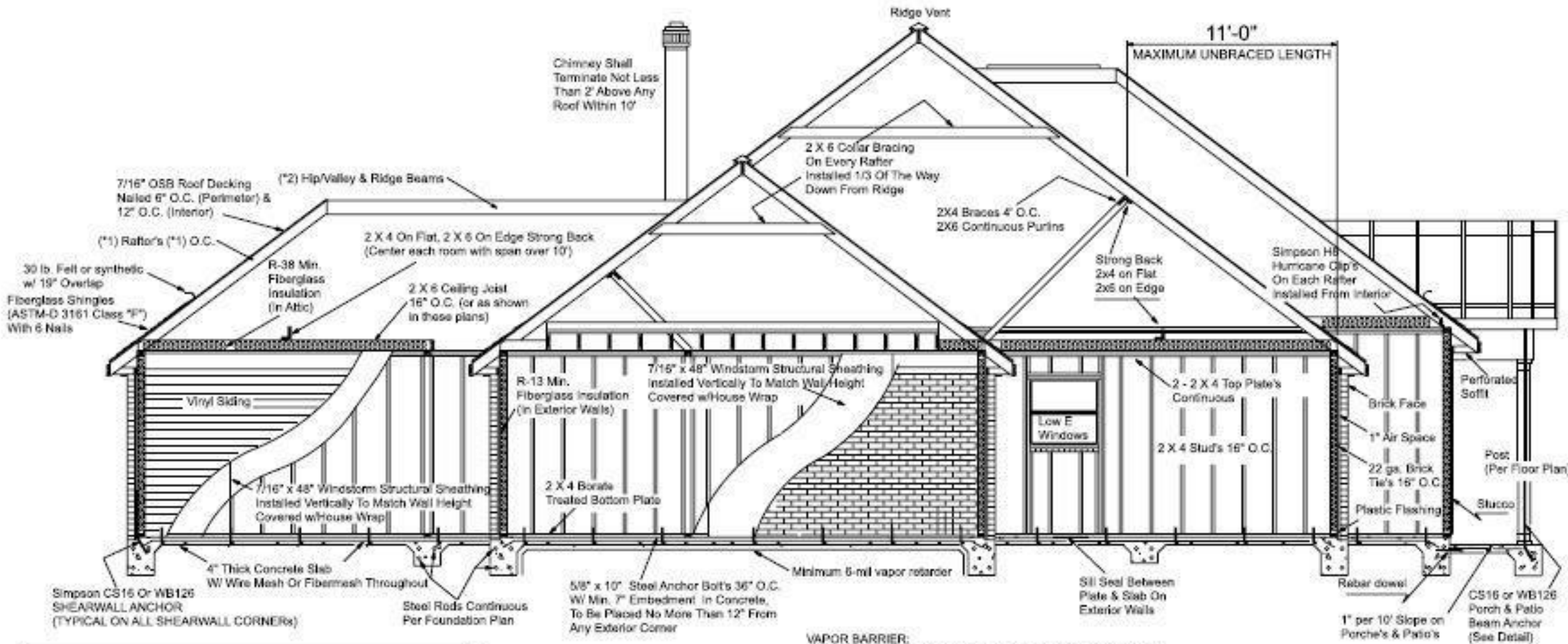
- D = DEED DIMENSION
- P = PLATTED DIMENSION
- PS = PRIOR SURVEY
- OV = OVERALL
- N90°00'00"E 435.00' = ACTUAL
FIELD MEASUREMENT

**AN EXHIBIT OF "PROPOSED" HARBOR
OAKS SUBDIVISION OF #1216 HARBOR
ROAD, BEING PARCEL #60137382.000,
JACKSON COUNTY, MISSISSIPPI**

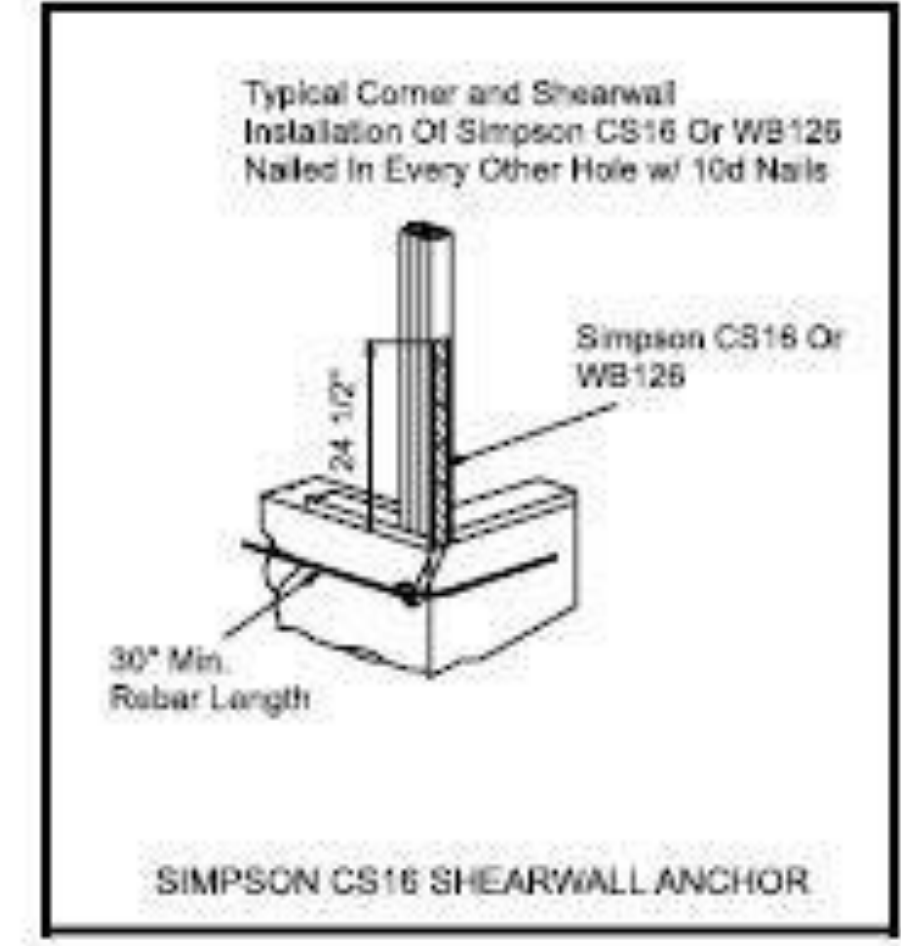
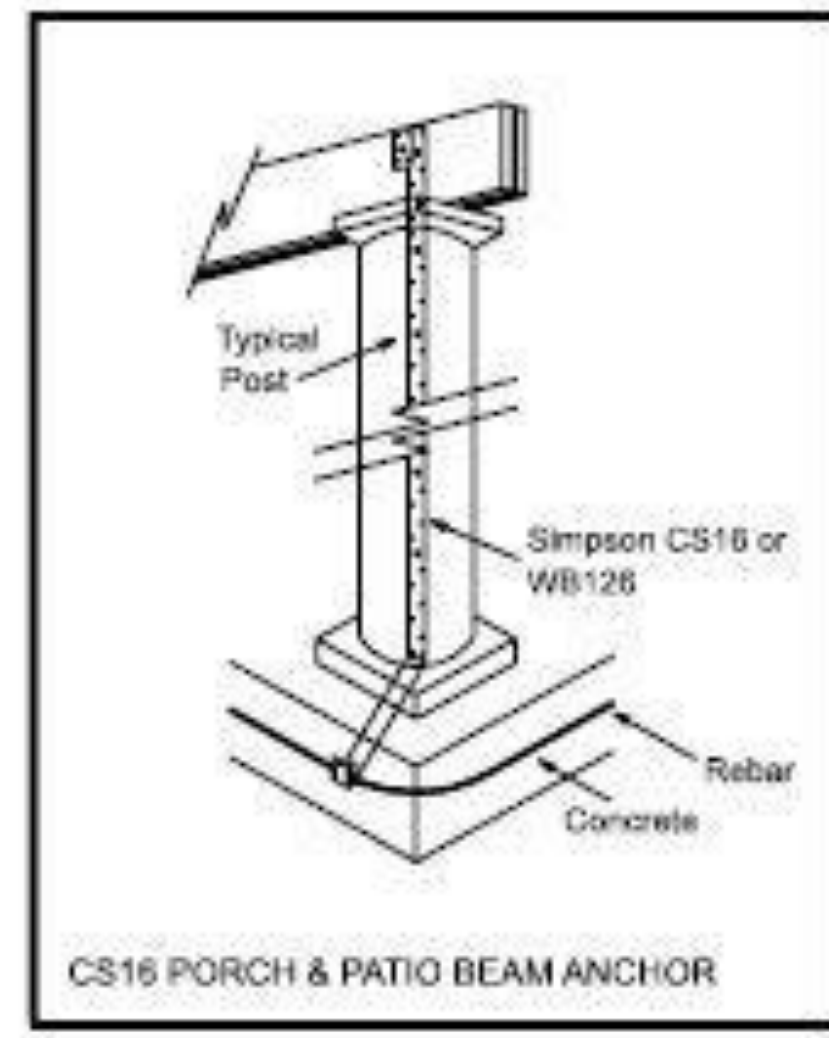
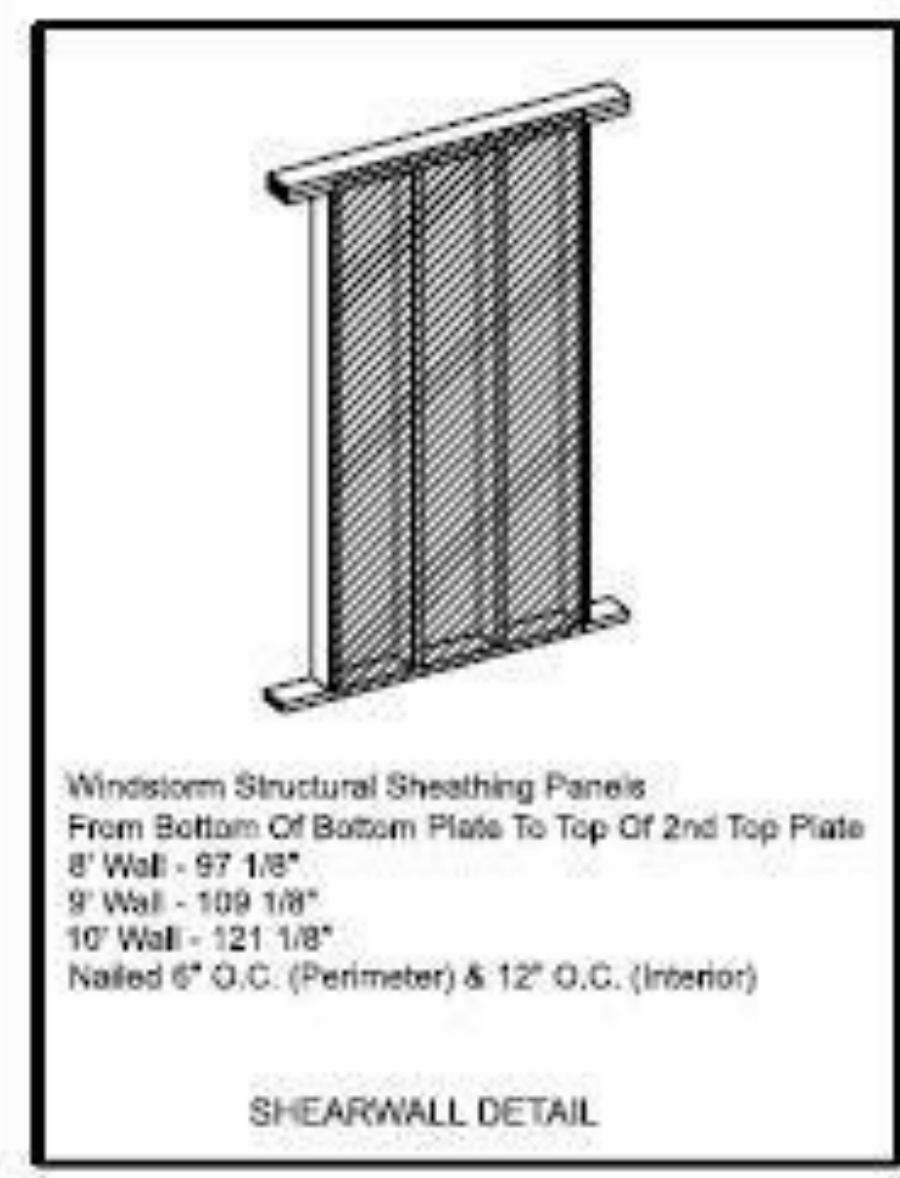
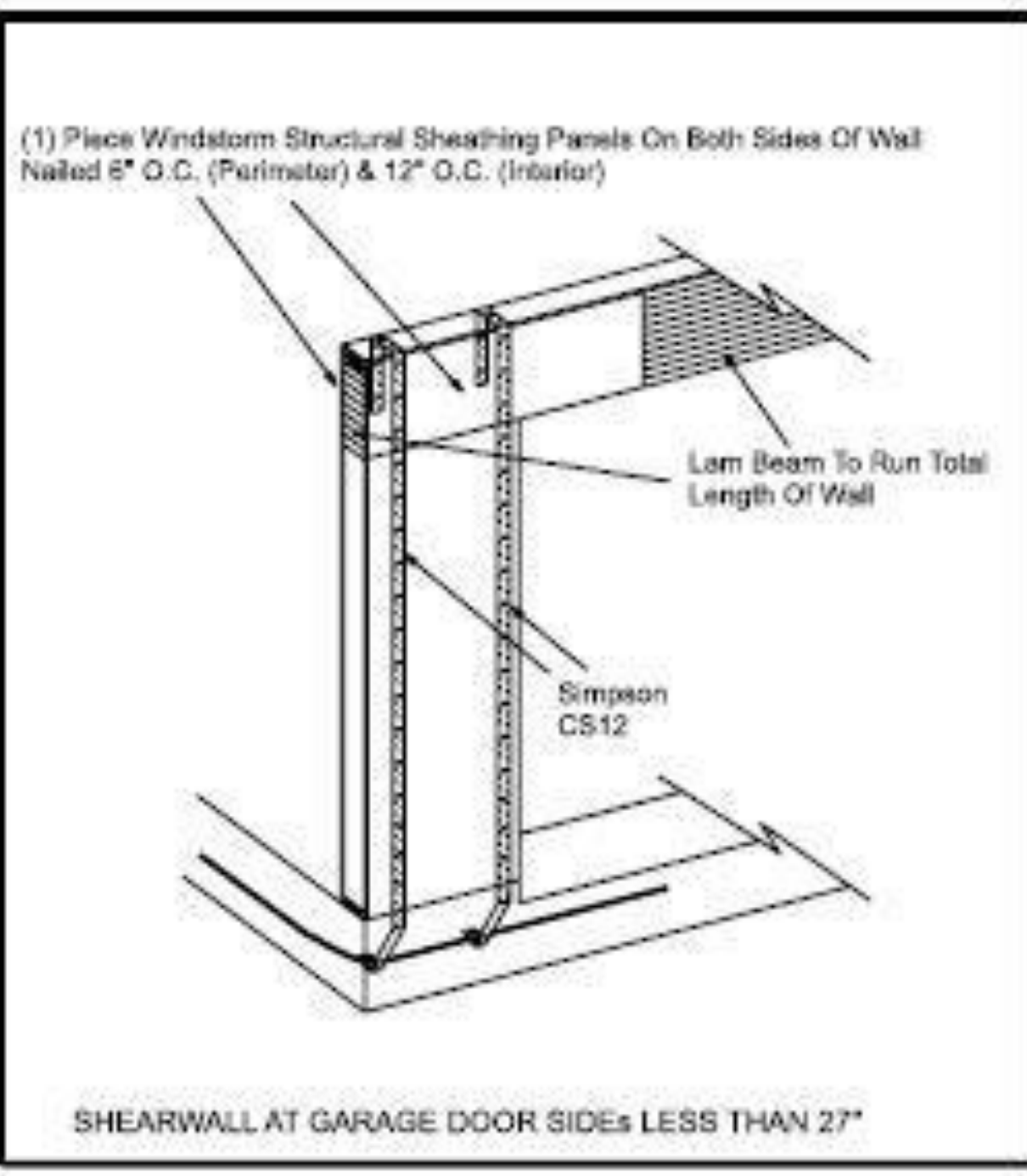


PATRICK M. MARTINO, PLS
13010 KAYLEIGH COVE
BILOXI, MISSISSIPPI 39532
PHONE: 228-396-2283
EMAIL: PATRICK@MARTINOSURVEYING.COM
PROFESSIONAL LAND SURVEYOR

"TYPICAL" SECTIONAL DETAIL 160 MPH V(ult) - 124 MPH V(asd)



VAPOR BARRIER:
A minimum 6-mil vapor retarder conforming to ASTM E1745 Class A requirements with joints lapped not less than 6 inches (152mm) shall be placed between the concrete floor slab and the base course or the prepared sub-grade where a base course does not exist [SUCCC Amendment IRC 508.2.3]



NOTES: AREA 3

- All work shall meet applicable requirements of the International Residential Code 2018. The Design criteria used is per "Wood Frame Construction Manual" 2018 Edition (WFCM)
- Design to meet 124 MPH V(asd) and 160 MPH V(ult)
- Gable end construction built similar to and connected with wall studs below
- Brace "gable end" against lateral loads with blocking at 4' (four feet) on center
- Shingle Class: ASTM-D 3161 Class "F"

- All sheathing to be nailed 6" on Exterior and 12" in the Field
- Roof Decking to be 7/16"

*1 Rafters shall meet the requirements found in the 2018 WFCM Table 3.26A

*2 Ridge + Hip/Valley Beams shall meet the requirements found in the 2018 WFCM tables 3.28 + 3.29, respectively

Rafter maximum unbraced length to be 11'-0"

NOTE: Ridge and Hip/Valley Beams may be braced to ensure that effective lengths meet tables 3.28 and 3.29 in the 2018 WFCM.

UNDERLAYMENT: (R905.1.1 (2) UNDERLAYMENT APPLICATION)

AREAS WHERE WIND DESIGN IS NOT REQUIRED IN ACCORDANCE WITH FIGURE R301.2.1.1

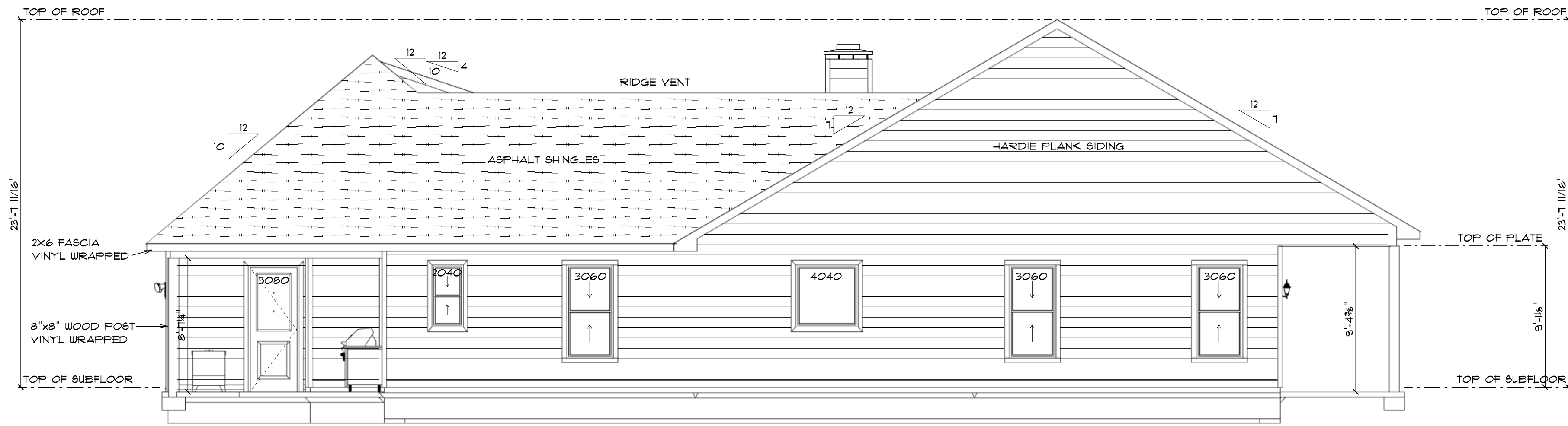
For roof slopes from 2 units vertical in 12 units horizontal (2:12), up to 4 units vertical in 12 units horizontal (4:12), underlayment shall be two layers applied in the following manner: apply a 19" strip of underlayment felt parallel to and starting at the eaves. Starting at the eave, apply 36-inch-wide sheets of underlayment, overlapping successive sheets 19 inches. Distortions in the underlayment shall not interfere with the ability of the shingles to seal. End laps shall be 4 inches and shall be offset by 6 feet. For roof slopes of 4 units vertical in 12 units horizontal (4:12) or greater, underlayment shall be one layer applied in the following manner: underlayment shall be applied shingle fashion, parallel to and starting from the eave and lapped 2 inches. Distortions in the underlayment shall not interfere with the ability of the shingles to seal. End laps shall be 4 inches and shall be offset by 6 feet.

AREAS WHERE WIND DESIGN IS REQUIRED IN ACCORDANCE WITH FIGURE R301.2.1.1

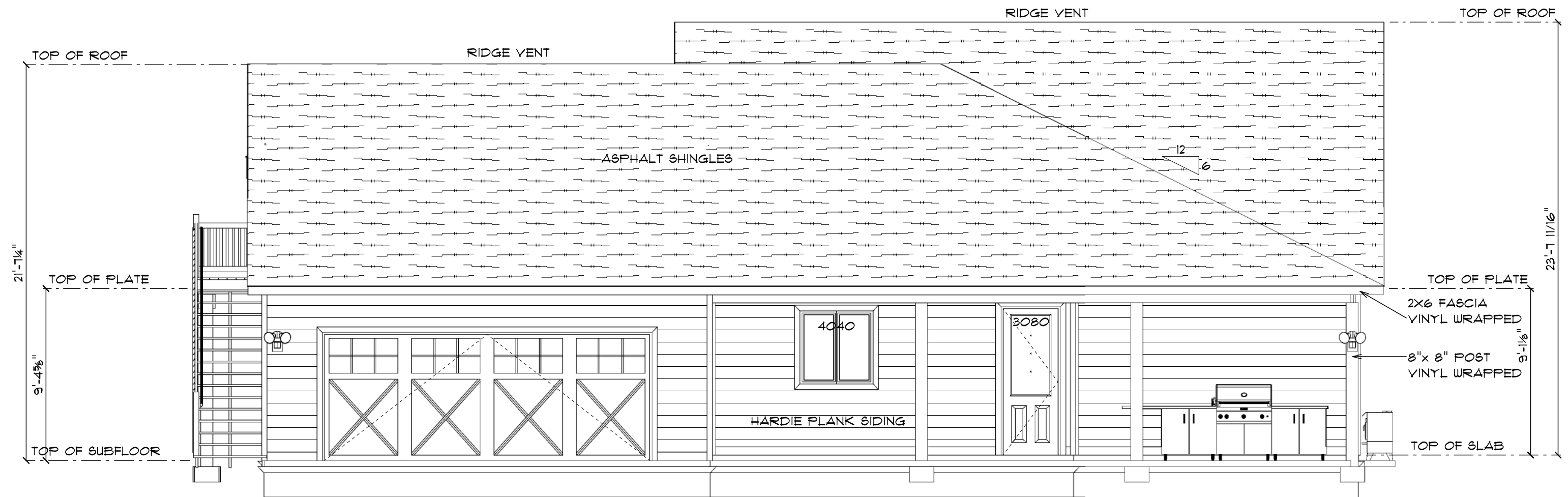
Underlayment shall be two layers applied in the following manner: apply a 19-inch strip of underlayment felt parallel to and starting at the eaves. Starting at the eave, apply 36-inch wide sheets of underlayment, overlapping successive sheets 19 inches. Distortions in the underlayment shall not interfere with the ability of the shingles to seal. End laps shall be 4 inches and shall be offset by 6 feet.

Opening Protection (R302.5.1). Openings from a private garage directly into a room used for sleeping purposes shall not be permitted. Other openings between the garage and residence shall be equipped with a solid wood doors not less than 1-3/8 inches in thickness, solid or honeycomb-core steel doors not less than 1-3/8 inches thick, or 20-minute fire-rated doors. Doors shall be self-latching and equipped with a self-closing or automatic-closing device.

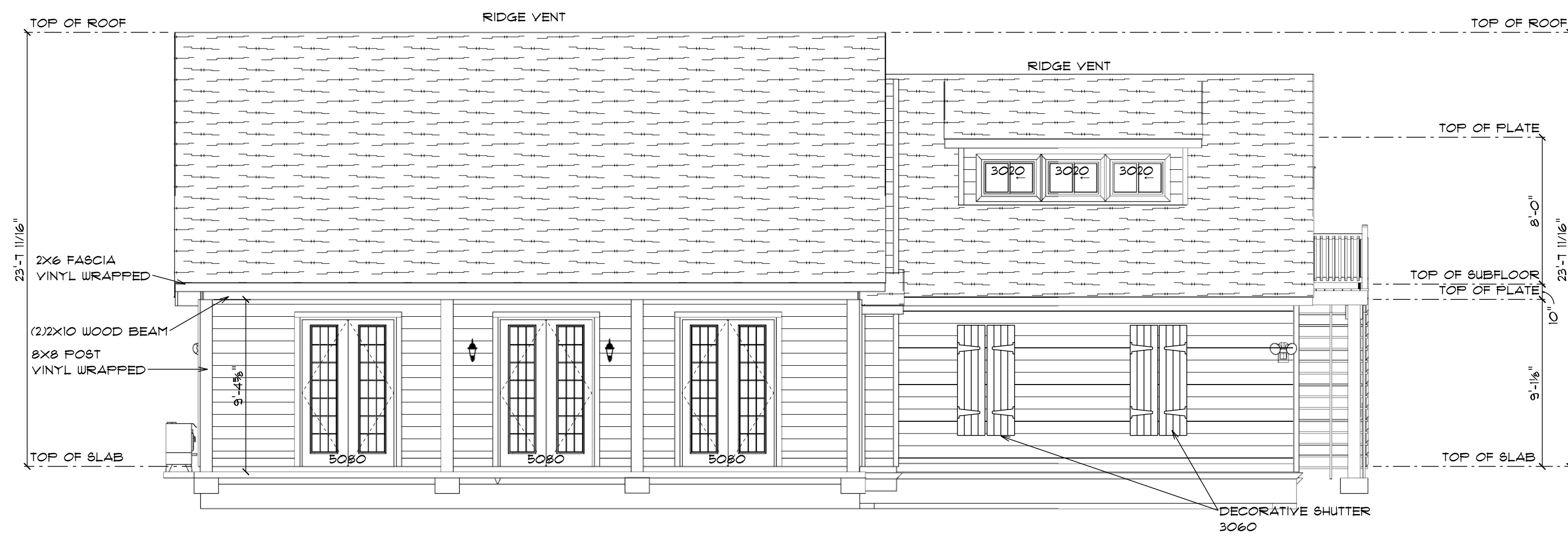
SPECIAL NOTE:
ANYTHING WITH AN OVERHANG GREATER THAN 18" (PORCHES, PATIOS, CARPORTS, etc.) IS REQUIRED TO HAVE 7/16" OSB BACKING TO PREVENT UPLIFT IN THE ATTIC SPACING.



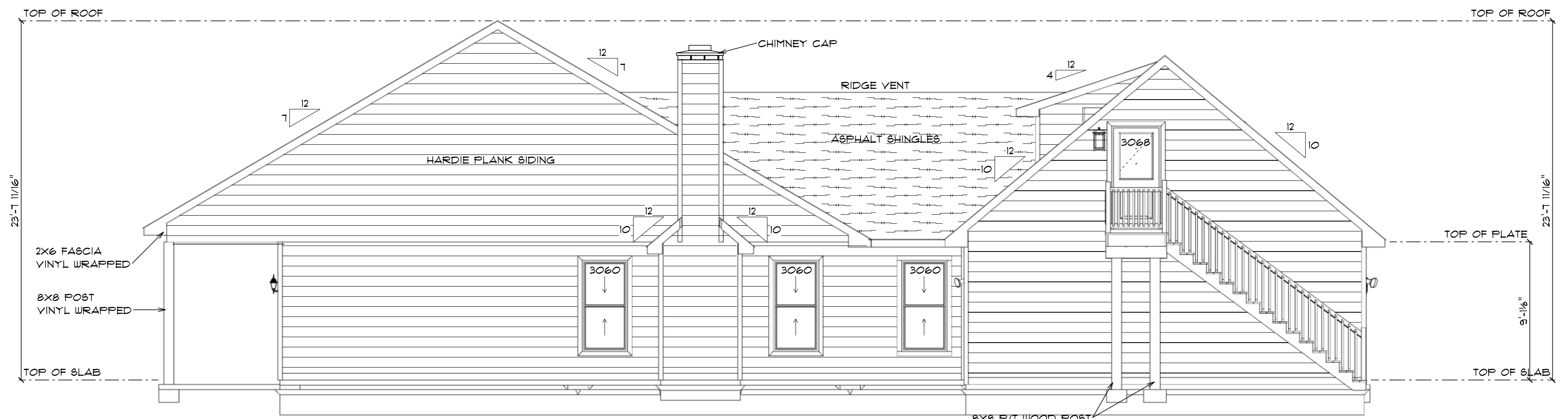
LEFT ELEV.
SCALE: 3/16" = 1'-0"



REAR ELEV.
SCALE: 3/16" = 1'-0"



FRONT ELEV.
SCALE: 3/16" = 1'-0"



RIGHT ELEV.
SCALE: 3/16" = 1'-0"

This notice is being mailed to you as an adjacent property to the project described below. Copies are sent via standard mail at the cost of the applicant of this project.

City of Ocean Springs Community Development
P. O. Box 1800
Ocean Springs, MS 39566-1800
228-875-4415

PUBLIC NOTICE

PUBLIC NOTICE is hereby given that the City of Ocean Springs *Planning Commission* will hold a public hearing in the regular meeting place of the Board of Aldermen located in City Hall at 1018 Porter Avenue Ocean Springs, MS, 39564 on

Tuesday, May 13, 2025 @ 6:00 p.m.

Regarding the following:

- Richard Schmidt – 1208 Harbor Road – PIDN: 61124900.015– Request for a Conditional Use Permit (CUP) to build a single family residence – Zoning: C-M Commercial Marina

Written comments related to the above request will be accepted and may be mailed to the City of Ocean Springs Planning Department, Post Office Box 1800, Ocean Springs, MS 39566-1800 or emailed to wmorgan@oceansprings-ms.gov.

At the aforementioned time and place, all parties of interest shall have an opportunity to be heard.

Wade Morgan,
City of Ocean Springs
Community Development Director

Theresa Mohler
107 Surgeres Pl
Ocean Springs, MS 39564

228-348-0915
tmohler@tatonut.com

03/22/2025

City of Ocean Springs
Planning Department
1018 Porter Ave
Ocean Springs, MS 39564

Re: Conditional Use Permit for 1208 Harbor Rd

To Whom it may concern:

This letter is to authorize Richard Schmidt to represent me as the applicant for the attached Conditional Use Permit Application

Sincerely,



Theresa Mohler

Property Owner
1208 Harbor Rd



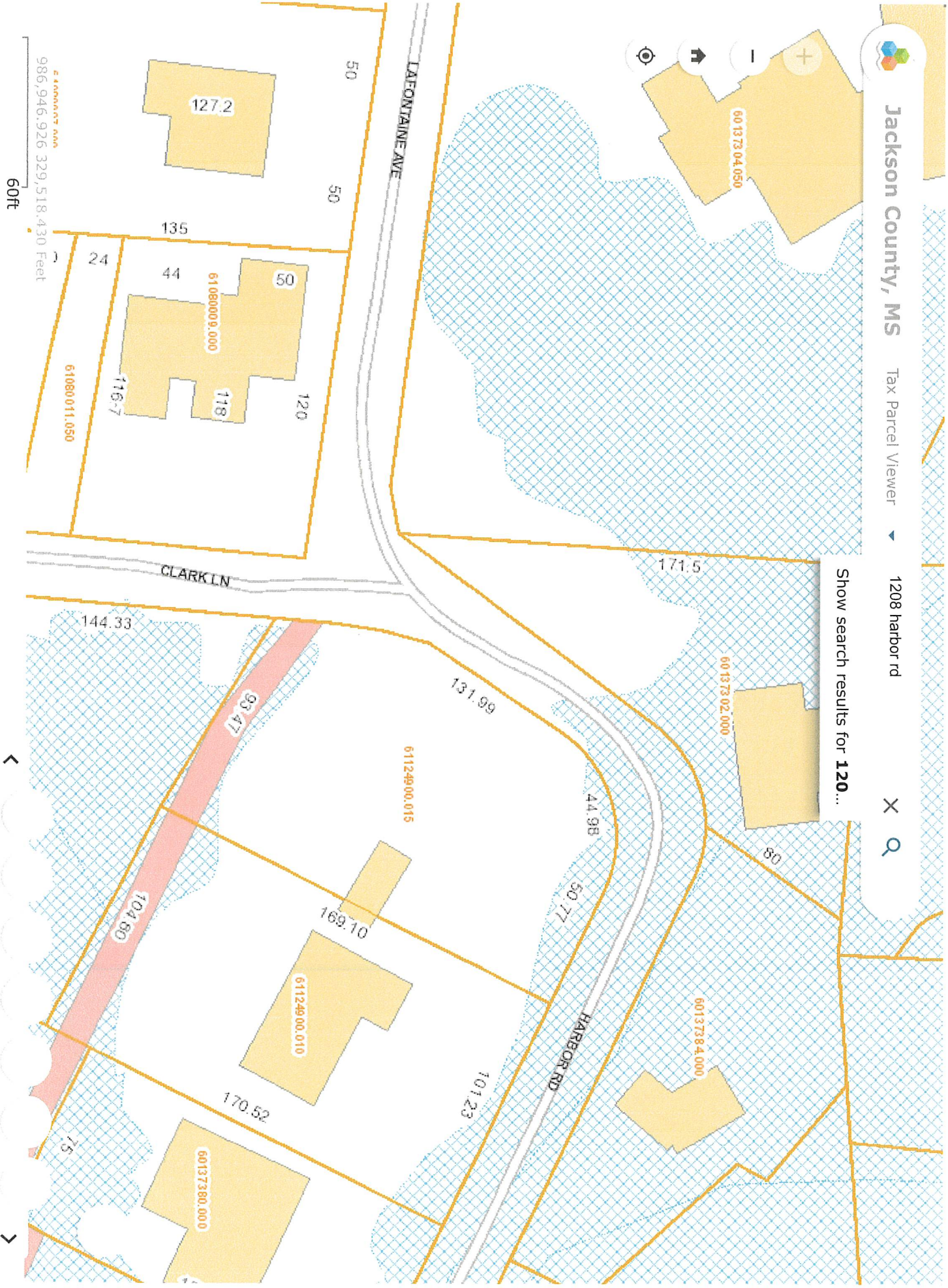
Jackson County, MS

Tax Parcel Viewer

1208 harbor rd



Show search results for 120 ...



986,946,926 329,518,430 Feet
60ft

Geoportal Map



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

Section 2.18.6 is the Approval Criteria for Conditional Use Permits. The permit requires two public hearings with Planning Commission and the Board of Alderman. Please demonstrate how your project is compatible with the criteria set below.

A conditional use is permitted only if the Applicant demonstrates that:

- A. The proposed conditional use shall comply with all regulations of the applicable zoning district and any applicable supplemental use regulations.
- B. The proposed conditional use shall conform to the character of the neighborhood within the same zoning district in which it is located. The proposal as submitted or modified shall have no more adverse effects on health, safety, or comfort of persons living or working in the neighborhood, or shall be no more injurious to property or improvements in the neighborhood than would any other use generally permitted in the same district. In making such a determination, consideration shall be given to:
 - 1. The location, type, and height of buildings or structures;
 - 2. The type and extent of landscaping and screening on the site; and
 - 3. Whether the proposed use is consistent with any policy of the comprehensive plan that encourages mixed uses and/or densities.
- C. Adequate utilities shall be provided as set forth herein.
- D. Adequate measures shall be taken to provide ingress and egress so designed as to minimize traffic hazards and to minimize traffic congestion on the public roads.
- E. The proposed use shall not be noxious or offensive by reason of vibration, noise, odor, dust, smoke, or gas.
- F. The proposed use shall not injure the use and enjoyment of the property in the immediate vicinity for the purposes already permitted nor substantially diminish or impair the property values within the neighborhood.
- G. The proposed use shall not impede the orderly development and improvement of surrounding property for uses permitted within the zoning district.
- H. The establishment, maintenance, or operation of the proposed use shall not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare.
- I. The public interest and welfare supporting the proposed use shall be sufficient to outweigh the individual interests that are adversely affected by the establishment of the proposed use.
- J. The proposed uses and structures comply with the sustainability requirements of the UDC.

Planner

From: Planner
Sent: Friday, May 9, 2025 9:19 AM
To: Planner
Subject: FW: Public hearing on Schmidt request for CUP for 1208 Harbor Road

From: realhopecounseling@yahoo.com <realhopecounseling@yahoo.com>
Sent: Thursday, May 8, 2025 8:57 PM
To: Wade Morgan <wmorgan@oceansprings-ms.gov>
Cc: Teresa Mohler <tmohler@tatonut.com>; richardschmidt99@gmail.com <richardschmidt99@gmail.com>
Subject: Public hearing on Schmidt request for CUP for 1208 Harbor Road

To the Ocean Springs Planning Commission-

We wish to go on record as heartily endorsing this request for a CUP, to build a single family residence at 1208 Harbor Road. As both owners and current residents of an adjacent property, we believe approval of a single family residence would best serve our neighborhood. Any other use would detract from the appearance and quality of life that currently exists.

We are impressed by the intentional concern for existing trees shown by Mr. Schmidt, as well as the care that's been shown in choosing an appropriate architectural design for the proposed residence. Mr. Schmidt has displayed great appreciation for the natural beauty of the area surrounding 1208 Harbor Road and appears dedicated to preserving the enjoyment of it for all in our neighborhood.

It is our opinion that approval of this request would be both reasonable and logical for all concerned.

With thanks,

Mike and Maureen De Jonge
1218 Harbor Road, OS
478.213.0256

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 DATE: May 13, 2025

APPLICANT: Heinrich and Associates

PROPERTY OWNERS: Lima properties LLC

REQUESTED ACTION: Zone change from R-D to CMX-1

DATE OF REQUEST: April 7, 2025

LOCATION: East side of Martin Luther King Jr Ave
Between Government St and Railroad St

PARCEL NUMBERS: 60119334.000, 60119332.000, 60119330.000, 60119340.000,
60119328.000, & 60119328.050

DESCRIPTION OF REQUEST:

The applicant requests approval for a zoning change from R-D Two Family Residential to CMX-1 Neighborhood Commercial/Mixed Use District. The applicant's intent is to develop a thirteen lot detached single family residential subdivision.

ADJACENT ZONING AND LAND USE:

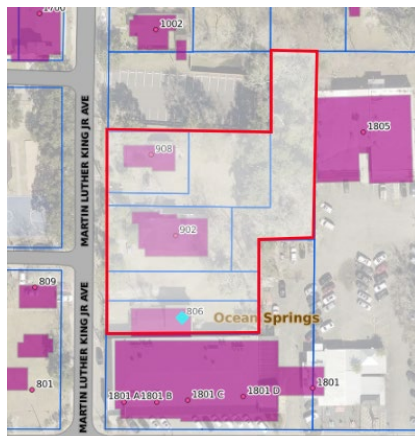
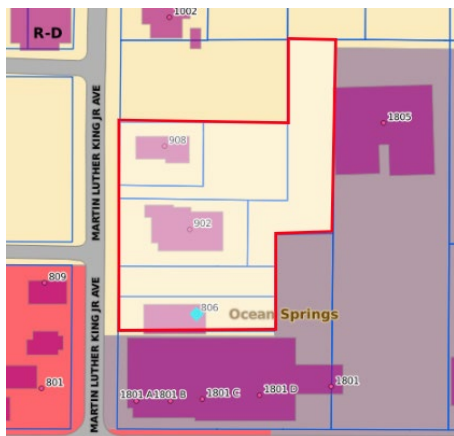
Subject Property: R-D Two Family Residential/Single Family Dwelling & Vacant Lots

North: R-D Two Family Residential

South: CMX-2 Community Commercial/Mixed Use

East: CMX-2 Community Commercial/Mixed Use

West: R-D Two Family Residential & C-H Regional Commercial



FINDINGS:

- The property is currently zoned R-D Two Family Residential. There are three homes located on three parcels and the other three parcels are vacant.
- The six parcels total approximately 1.14+/- acres.
- The applicant is proposing to demolish the existing three houses on the properties in order to allow for thirteen lots for detached single family residential subdivision that will be comparable to the Cottages at Oak Park.
- R-D is a low density single-family detached dwellings that allows 1-3 du/acre that are consistent with traditional suburban development patterns.
- CMX-1 is the least-intense commercial mixed-use district with a maximum two-story height building that applies to neighborhood corridor areas with smaller scale commercial uses and a variety of surrounding residential uses. Residential uses are allowed by right, including detached, attached and live/work units, only if scale, form and design requirements are met.
- R-D has a minimum lot area of 7,500 sq ft; CMX-1 does not have a minimum lot area requirement.
- R-D has a minimum lot width of 70 feet; CMX-1 has a minimum lot width of 25 feet.
- Setbacks requirements for R-D & CMX-1:
 - R-D:
 - Front & Rear: 25 feet
 - Side & Side Street: 10 feet
 - CMX-1:
 - Front: 5 feet
 - Rear: 10 feet
 - Side: 5 feet
 - Street Side: 10 feet

REZONE CRITERIA: UDC (Pages 43-44)

1. The UDC Section 2.15.5 provides the following criteria. In its review of an application, the Hearing Bodies shall consider the following criteria as applicable to the UDC text or Zoning Map amendment. No single factor is controlling; instead, each must be weighed in relation to the other standards.
 - A. Consistency. Rezoning shall be consistent with the adopted Comprehensive Plan;
 - B. Mississippi law requirements. There must have been either an error in the initial zoning or a change in the character of the neighborhood to such an extent as to justify reclassification of the property and some demonstrated compelling need before existing zoning may be changed;
 - C. Adverse Impacts on Neighboring Lands. The Hearing Body shall consider the nature and degree of an adverse impact upon neighboring lands. Lots shall not be rezoned in a way that is substantially inconsistent with the uses of the surrounding area, whether more or less restrictive. Further, the City finds and determines that vast acreages of single-use zoning produces uniformity with adverse consequences, such as traffic congestion and air pollution. Accordingly, rezonings may promote mixed uses subject to a high degree of design control;
 - D. Suitability as Presently Zoned. The Hearing Body shall consider the suitability or unsuitability of the tract for its use as presently zoned. This factor, like the others, must often be weighed in relation to the other standards, and instances can exist in which the use for which land is zoned may be rezoned upon proof of a real public need, substantially changed conditions in the

neighborhood, or to effectuate important goals, objectives, policies, and strategies of the Comprehensive Plan, specification, or UDC;

- E. Health, Safety, and Welfare. The amendatory ordinance must bear a substantial relationship to the public health, safety or general welfare, or protect and preserve historical and cultural places and areas. The rezoning ordinance may be justified, however, if a substantial public need or purpose exists, and this is so even if the private owner of the tract will also benefit;
 - F. Public Policy. Certain public policies in favor of the rezoning may be considered. Examples include a need for affordable housing, economic Development, mixed-use Development, or sustainable environmental features, which are consistent with neighborhood, area, or specific plans;
 - G. Size of Tract. The Hearing Body shall consider the size, shape, and characteristics of the tract in relation to the affected neighboring lands. Amendatory ordinances shall not rezone a single lot when there have been no intervening changes or other saving characteristics. Proof that a small tract is unsuitable for use as zoned, or that there have been substantial changes in the immediate area, may justify an amendatory ordinance;
 - H. Other Factors. The Hearing Body must consider any other factors relevant to a rezoning application under state law; and
 - I. The council shall not regard as controlling any advantages or disadvantages to the individual requesting the change but shall consider the impact of the proposed change on the public at large.
- 2. The applicant addressed the criteria as part of their application.
 - 3. The draft Comprehensive Plan designates this area as “Low Density Commercial Center.”
 - 4. The applicant has provided a proposed site plan: See attachments.

PUBLIC FEEDBACK:

None received as of May 9, 2025.

POTENTIAL MOTIONS:

To recommend **approval** of the rezoning of parcels 60119334.000, 60119332.000, 60119330.000, 60119340.000, 60119328.000, & 60119328.050 from R-D Two Family Residential to CMX-1 Neighborhood Commercial/Mixed Use.

– OR –

To recommend **denial** of the rezoning of parcels 60119334.000, 60119332.000, 60119330.000, 60119340.000, 60119328.000, & 60119328.050 from R-D Two Family Residential to CMX-1 Neighborhood Commercial/Mixed Use.



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

CHANGE IN ZONING / USE PERMIT APPLICATION

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

Application Fee Required*: **\$ 250.00 (NON REFUNDABLE)**

\$ 1.00 (Per Ordinance 2022-17 following the requirements of Section 25-60-5 MS Code Annotated)

* Does not include mail fee, to be determined by City.

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

AND MUST BE PAID FOR BY THE APPLICANT BEFORE MAILING.

Application Date: 4/7/2025

(Applications are due by the 7th of each month for the meeting scheduled for the subsequent month.)

Indicate Request: Change In Zoning District Use Permit Conditional Use Permit

Applicant Information

Address of Lot(s): 806-908 Martin Luther King Jr. Blvd, Ocean Springs
Parcel ID(s): 60119334.000,60119332.000,60119330.000,60119340.000,60119328.000, 60119328.050

- 1. Applicant: Heinrich and Associates Phone: 2288966768
Address: 1806 23rd Ave., Suite B, Gulfport, MS, 39501 Email: bobby.h@heinrichassociates.net
- 2. Owner of Record: Lima Properties LLC Phone: 2283690757
Address: 124 Saltmeadow Cir, Ocean Springs MS Email: drjwesley@gmail.com

COMPLETE THE FOLLOWING:

- 1. Current Zoning classification of property: R-D
New Zoning District Requested (if applicable): CMX-1

2. Explain the present use of the property and condition of any existing structures:

The property currently consists of 6 lots: 3 vacant lots, 2 single family homes, and a 3-plex. One is vacant and used as storage for several years; two have been used as long term tenant rentals. All buildings are currently in states of disrepair.

3. Describe the intended use of property:

The intended use of the property is to construct 13 single family homes in place of the existing structures and unimproved land which will become available for sale.

4. Reason for request: *Must include 1) A description of the change/changes in the neighborhood that justify the change (when/where) OR the mistake made in the zoning map if applicable; AND 2) The public need for the new zoning district type.*

The applicant is requesting this zoning map amendment due to a change in the character or the neighborhood and a public need for housing. The development trend has increased in the recent years due to the area being a highly desirable location for residential and commercial growth. The applicant intends to construct a single family residential subdivision consisting of approximately 13 lots on 1.14 +/- acres, which will be allowed in the CMX-1 zoning.

ATTACHMENTS REQUIRED:

- 1. Application Fee. Amount \$ 251.00
- 2. Map of the property and the surrounding neighborhood.
- 3. Diagram of intended use, showing dimensions and distances of property, building and their setbacks; parking spaces, entrances and exits.
- 4. Legal description; street address.
- NA 5. Copy of protective covenants or deed restrictions, if any.
- NA 6. Copies of approvals or requests of approval from other agencies such as: Health Department, Miss. Air and Water Pollution Control Commission, Corps of Engineers, Department of Marine Resources Council, etc.

***** If applicant is authorized to represent property owner, applicant must provide documentation signed by the property owner.**

Signature of Property Owner



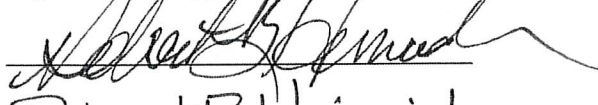
JOHN WESLEY WAGGONER

Print name

4-7-25

Date

Signature of Applicant



Robert B. Heinrich

Print name

4-7-25

Date

**Supplemental Information
For
Change in Zoning Application
The City of Ocean Springs Planning Department**

Tax Parcel No: 60119334.000, 60119332.000, 60119330.000, 60119328.000, 60119328.050, &
60119340.000

1. Introduction:

The applicant, Lima Properties, LLC a Mississippi Limited Liability Company, currently owns the above tax parcels. The official name and address of the applicant is as follows:

Lima Properties, LLC
124 Salt Meadow Circle
Ocean Springs, MS 39564
228-369-0757

The official name and address of the applicant's agent for this application is as follows:

Robert Heinrich
Heinrich & Associates, LLC
1806 23rd Ave. Suite B
Gulfport, MS 39501
228-896-6768

The subject property is currently zoned R-D per the Official Zoning Map of the City of Ocean Springs. This request is to rezone the subject parcel from R-D (medium density single family detached, single family attached, and two-family dwelling district) to CMX-1 (Least intense commercial mixed-use district) to allow for 13 lot detached single family residential subdivision. The parcel is generally located across the intersection of Martin Luther King Jr. Blvd. and Davis St near Government Street.

The applicant wishes to develop a single-family subdivision into approximately 13 lots on approximately 1.14 +/- acres. Comparable to the Cottages at Oak Park; however, these homes will be detached single family homes.

A. Consistency. Rezoning shall be consistent with the adopted Comprehensive Plan;

Existing properties around the subject property are currently zoned as CMX-1, CH, and RD. The proposed zoning map amendment would be consistent with existing non-confirmative lots in the general area.

- B. Mississippi law requirements. There must have been either an error in the initial zoning or a change in the character of the neighborhood to such an extent as to justify reclassification of the property and some demonstrated compelling need before existing zoning may be changed;**

The applicant is requesting this zoning map amendment due to a change in the character or the neighborhood and a public need for housing. The development trend has increased in recent years due to the area being a highly desirable location for residential homes near the downtown area and commercial growth that has escalated.

The applicant intends to construct a low density, single family residential subdivision consisting of approximately 13 lots on approximately 0.80 +/- acres. The lot size will average 25' wide x 95' deep min., or 2,375 sq. ft. min. The rezone amendment will allow for smaller lots sizes therefore promoting development and the City's tax base and population growth.

- C. Adverse Impacts on Neighboring Lands. The Hearing Body shall consider the nature and degree of an adverse impact upon neighboring lands. Lots shall not be rezoned in a way that is substantially inconsistent with the uses of the surrounding area, whether more or less restrictive. Further, the City finds and determines that vast acreages of single-use zoning produces uniformity with adverse consequences, such as traffic congestion and air pollution. Accordingly, rezonings may promote mixed uses subject to a high degree of design control;**

The proposed rezone of the subject property will not cause adverse health, safety, or comfort issues to the surrounding areas. The proposed zoning is consistent with nearby properties and will not be substantially inconsistent with the uses of the surrounding area. The development will be comparable with The Cottages At Oak Park.

The proposed zoning will not have an adverse effect on traffic congestion. The subject property is located on Martin Luther Jr Blvd. which is bound to the south by Government Street and to the north by Bienville Blvd. Bienville Blvd is classified as a principal arterial road and Government Street is classified as a minor arterial road. These higher classifications of streets permit more efficient access for residents, commuters, and emergency services.

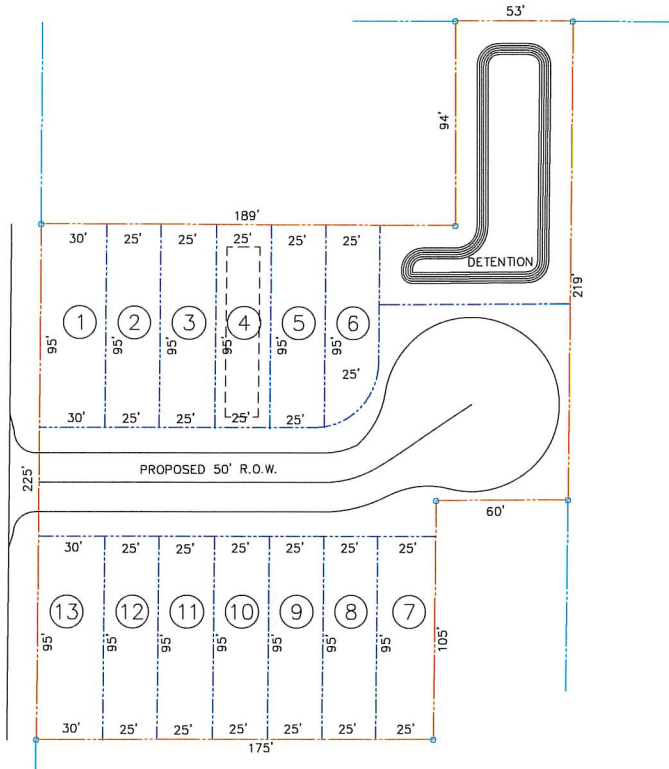
The proposed zoning would not have an adverse effect on air pollution, the rezone would allow for more houses to be developed on the land and ultimately develop a small subdivision. With the limited size of this subdivision, the impact on air pollution would be negligible compared to larger sources like industrial areas, or heavily trafficked roadways. Additionally, residential homes generate relatively low levels of emissions when compared to production facilities or commercial establishments.

- D. Suitability as Presently Zoned. The Hearing Body shall consider the suitability or unsuitability of the tract for its use as presently zoned. This factor, like the others, must often be weighed in relation to the other standards, and instances can exist in which the use for which land is zoned may be rezoned upon proof of a real public need, substantially changed conditions in the neighborhood, or to effectuate important goals, objectives, policies, and strategies of the Comprehensive Plan, specification, or UDC;**

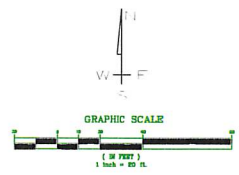
DR. JESSE L. TROTTER SR. ST.

DAVIS ST.

MARTIN LUTHER KING AVE.



VICINITY MAP



SITE DATA TABLE	
CURRENT ZONING	R-D
PROPOSED ZONING	CM-2
TOTAL ACREAGE	1.14 AC +/-

BUILDING SETBACKS	
FRONT YARD	5'
SIDE YARD	5' - 10' ON CORNER LOT
REAR YARD	10'
SEE LOT 4 FOR TYPICAL SETBACK LINES	

NOTE:
THIS PRELIMINARY LAYOUT WAS BASED OFF THE CITY OF OCEAN SPRINGS GIS MAP AND DOES NOT CONSTITUTE AS A SURVEY.

NOTE:
NO ON SITE SUPERVISION OR INSPECTIONS ARE PROVIDED WITH THE USE OF THESE PLANS BY THE DESIGNER. BUILDER/CONTRACTOR SHALL CHECK AND VERIFY ALL DIMENSIONS, CONDITIONS, AND SIZES OF COMPANIES ALONG WITH SITE CONDITIONS BEFORE STARTING CONSTRUCTION. BUILDER/CONTRACTOR SHALL SEE THAT CONSTRUCTION IS IN CONFORMANCE WITH THE LATEST EDITION OF THE INTERNATIONAL BUILDING CODE (IBC) AND WITH THE COUNTY/CITY BUILDING INSPECTOR. THE USE OF THESE PLANS FOR CONSTRUCTION SHALL BE EVIDENCE THAT THE REQUIREMENTS STATED ARE ACCEPTED BY THE BUILDER/CONTRACTOR.

BEFORE UNDERTAKING EACH PART OF THE WORK, THE CONTRACTOR SHALL CAREFULLY STUDY AND COMPARE THE PLANS & SPECIFICATIONS AND CHECK AND VERIFY PERTINENT APPLICABLE FEDERAL, STATE AND ALL APPLICABLE FIELD REGULATIONS. IF ANY CONFLICTS, ERRORS, OMISSIONS, OR OTHER DISCREPANCY CONDITIONS ARE DISCOVERED EITHER ON THE CONSTRUCTION DOCUMENTS OR IN THE FIELD, THE CONTRACTOR SHALL PROMPTLY REPORT IN WRITING TO THE ENGINEER OR HIS REPRESENTATIVE BEFORE PROCEEDING WITH ANY WORK AFFECTED THEREBY.

PRELIMINARY LOT AND STREET LAYOUT

SCALE: 1" = 20'-0"

TEARY MORAN, P.E., P.L.S.
108
P.O. Box 402 Ocean Springs, MS 38855
Phone: (662) 894-0033
FAX: (662) 894-0033



HEINRICH & ASSOCIATES
1800 21st Avenue, Ocean Springs, MS 38861
Phone: (662) 894-0033
Fax: (662) 894-0033

PROJECT: PRELIMINARY LOT AND STREET LAYOUT
Client: J. L. LILL
Project: PROPOSED SUBDIVISION
MARTIN LUTHER KING AVE.
OCEAN SPRINGS, MISSISSIPPI

DATE: 11/11/2021
DRAWN BY: J. L. LILL
CHECKED BY: J. L. LILL
DATE: 11/11/2021
PROJECT NO: 21-007

This notice is being mailed to you as an owner of property adjacent to the project described below. Copies are sent via standard mail at the cost of the applicant of this project.

City of Ocean Springs Community Development
P. O. Box 1800
Ocean Springs, MS 39566-1800
228-875-4415

PUBLIC NOTICE

PUBLIC NOTICE is hereby given that the City of Ocean Springs *Planning Commission* will hold a public hearing in the regular meeting place of the Board of Aldermen located in City Hall at 1018 Porter Avenue Ocean Springs, MS, 39564 on

Tuesday, May 13, 2025 @ 6:00 p.m.

Regarding the following:

- Lima Properties, LLC – Martin Luther King Drive – PIDN: 60119334.000, 60119332.000, 60119330.000, 60119340.000, 60119328.000, and 60119328.050 – Requesting a zoning change from R-D Two Family Residential to CMX-1 Neighborhood Commercial/Mixed Use – Heinrich and Associates

Written comments related to the above request will be accepted and may be mailed to the City of Ocean Springs Planning Department, Post Office Box 1800, Ocean Springs, MS 39566-1800 or emailed to wmorgan@oceansprings-ms.gov.

At the aforementioned time and place, all parties of interest shall have an opportunity to be heard.

Wade Morgan,
City of Ocean Springs
Community Development Director

OFFICIAL RECORDS JACKSON COUNTY
Josh Eldridge
CHANCERY CLERK
RECORDING FEE: \$31.00
#202503553 BK:2200 PG:816-820
03/04/2025 11:36:39 AM 5 PGS
LHICKMAN,DC Ropt#4547



202503553 5 PGS

Prepared By:
David B. Pilger
Attorney at Law
1406 Bienville Blvd.
Ocean Springs, MS 39564
(228) 215-0011

Grantors:
George E. Ray
Belvelyn D. Ray
2800 Saw Grass Point
Gautier, MS 39563
(228) 623-0161

Return To:
Pilger Title Co.
1406 Bienville Blvd.
Ocean Springs, MS 39564
(228) 215-0011

Grantee:
Lima Properties, LLC
a Mississippi Limited Liability Company
124 Salt Meadow Circle
Ocean Springs, MS 39564
(228) 369-0757

File No. O-24-49B

INDEXING INSTRUCTIONS: A parcel of land in Sec 19, T7S, R8W, Jackson County, MS

STATE OF MISSISSIPPI
COUNTY OF JACKSON

WARRANTY DEED

FOR AND IN CONSIDERATION OF the price and sum of TEN AND NO/100 DOLLARS (\$10.00), cash in hand paid, and other good and valuable consideration, the receipt and sufficiency of all of which is hereby acknowledged, we, **George E. Ray and Belvelyn D. Ray**, do hereby sell, convey and warrant unto **Lima Properties, LLC, a Mississippi Limited Liability Company**, all of that certain tract, piece or parcel of land situated in Jackson County, Mississippi, together with all improvements, buildings, fixtures, and appurtenances thereunto belonging, and being more particularly described as follows, to-wit:

Legal Description attached hereto as Exhibit "A"

If this property is bounded by water, this conveyance includes any natural accretion, and is subject to any erosion due to the action of the elements. Such riparian and littoral rights as exist are conveyed herewith but without warranty as to their nature or extent. If any portion of the property is below the mean high tide watermark, or is coastal wetlands as defined in the Mississippi Coastal Wetlands Protection Act it is conveyed by quitclaim only.

Grantor(s) quitclaim any and all oil, gas, and other minerals owned, if any, to Grantee(s). No mineral search was requested or performed by preparer.

This conveyance is subject to any and all covenants, rights of way, easements, restrictions and reservations of record in the office of the Chancery Clerk of Jackson County, Mississippi.

It is agreed and understood that the taxes for the current year have been pro-rated as of this date on an estimated basis, and when said taxes are actually determined, if the proration as of this date is incorrect, the Parties hereto agree to make all necessary adjustments on the basis of an actual proration.

The survey is attached hereto as Exhibit "B".

WITNESS OUR SIGNATURES, on this the 28 day of February, 2025.

George E. Ray
George E. Ray
Belvelyn D. Ray
Belvelyn D. Ray

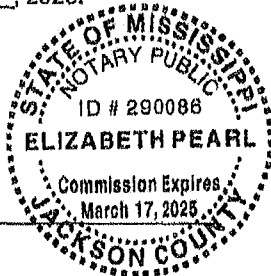
ACKNOWLEDGMENT

STATE OF MISSISSIPPI
COUNTY OF JACKSON

PERSONALLY APPEARED BEFORE ME, the undersigned authority in and for the jurisdiction aforesaid, the within named, **George E. Ray and Belvelyn D. Ray**, who acknowledged before me that they signed, executed and delivered the above and foregoing instrument on the day and year thereof, for the use and purposes therein mentioned.

GIVEN UNDER MY HAND AND OFFICIAL SEAL, on this the 28 day of February, 2025.

(AFFIX SEAL)



Elizabeth Pearl
NOTARY PUBLIC

My commission expires: _____

DEED ACCEPTED BY:

Lima Properties, LLC,
a Mississippi Limited Liability Company

By: John Wesley Waggoner
John Wesley Waggoner, Managing Member

EXHIBIT "A"

LEGAL DESCRIPTION

That certain real property located in Section 19, Township 7 South, Range 8 West, Jackson County, Mississippi, more particularly described as follows:

Beginning at a point on the East line of Vermont Avenue 250 feet North of the North line of Government Street; thence in a Northerly direction along the East line of Vermont Avenue 14 feet; thence in an Easterly direction along a line parallel to the North line of Government Street 90 feet; thence North parallel with the East line of Vermont Street 61 feet; thence East parallel with the North line of Government Street 75 feet; thence South parallel with the East line of Vermont Street 75 feet and to the North line of the property belonging to grantors herein; and thence West along the North line of grantors' property 165 feet to the Point of Beginning.

AND ALSO

Beginning at a point on the East line of Vermont Avenue 250 feet North of the North line of Government Street; thence in a Northerly direction along the East line of Vermont Avenue 75 feet; thence in an Easterly direction along a line parallel to the North line of Government Street 165 feet; thence in a Southerly direction along a line parallel to the East line of Vermont Avenue 75 feet; thence in a Westerly direction along a line parallel to the North line of Government Street 165 feet to the Place of Beginning.

AND ALSO

Beginning at a point on the East line of Vermont Avenue 175 feet North of the North line of Government Street; thence in a Northerly direction along the East line of Vermont Avenue 75 feet; thence in an Easterly direction along a line parallel to the North line of Government Street 135 feet; thence in a Southerly direction along a line parallel to the East line of Vermont Avenue 75 feet; thence in a Westerly direction along a line parallel to the North line of Government Street 135 feet and to the Place of Beginning.

AND ALSO

Beginning at an iron pipe set in the North margin of Government Street, which is 490.5 feet West of the line dividing Sections 19 and 20, Township 7 South, Range 8 West; thence running north 211 feet to the Point of Beginning; thence from said Point of Beginning continuing North 200 feet, thence West 63.5 feet, thence South along an old fence line 200 feet, thence East 63.5 feet to the Point of Beginning.

AND ALSO

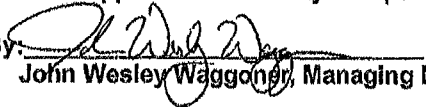
Beginning at a point on the East line of Vermont Avenue 175 feet North of the North line of Government Street; thence in a Northerly direction along the East line of Vermont Avenue 75 feet; thence in an Easterly direction along a line parallel to the North line of Government Street 135 feet, which is the Point of Beginning of the property herein conveyed; thence run in an Easterly direction in a line parallel to the North line of Government Street 30 feet; thence in a Southerly direction along a line parallel to the East line of Vermont Avenue 75 feet; thence in a Westerly direction along a line parallel to the North line of Government Street 30 feet; thence North in a line parallel to the East line of Vermont Avenue a distance of 75 feet to the Point of Beginning. This property being further described as the East 30 feet of the land conveyed by deed recorded in Deed Book 89, Pages 556-57 of the land deed records of Jackson County, Mississippi.

AND ALSO

Beginning at a point on the East line of Vermont Avenue 137.5 feet North of the North line of Government

Street; thence in a Northerly direction along the East line of Vermont Avenue 37.5 feet; thence in an Easterly direction along a line parallel to the North line of Government Street 165 feet; thence in a Southerly direction along a line parallel to the East line of Vermont Avenue 37.5 feet; thence in a Westerly direction along a line parallel to the North line of Government Street 165 feet to the Place of Beginning.

**Lima Properties, LLC,
a Mississippi Limited Liability Company**

By: 
John Wesley Waggoner, Managing Member

2/28/25
Date

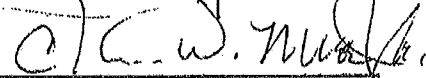
If this property is bounded by water, this conveyance includes any natural accretion, and is subject to any erosion due to the action of the elements. Such riparian and littoral rights as exist are conveyed herewith but without warranty as to their nature or extent. If any portion of the property is below the mean high tide watermark, or is coastal wetlands as defined in the Mississippi Coastal Wetlands Protection Act it is conveyed by quitclaim only.

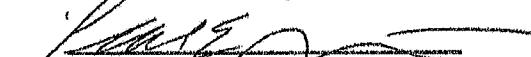
Grantor(s) quitclaim any and all oil, gas, and other minerals owned, if any, to Grantee(s). No mineral search was requested or performed by preparer.

This conveyance is subject to any and all covenants, rights of way, easements, restrictions and reservations of record in the office of the Chancery Clerk of Jackson County, Mississippi.

It is agreed and understood that the taxes for the current year have been pro-rated as of this date on an estimated basis, and when said taxes are actually determined, if the proration as of this date is incorrect, the Parties hereto agree to make all necessary adjustments on the basis of an actual proration.

WITNESS OUR SIGNATURES, on this the 31 day of January, 2025.


Clarence W. Mercer, Jr.


Pearl E. Mercer

ACKNOWLEDGMENT

STATE OF MISSISSIPPI
COUNTY OF JACKSON

PERSONALLY APPEARED BEFORE ME, the undersigned authority in and for the jurisdiction aforesaid, the within named **Clarence W. Mercer, Jr. and Pearl E. Mercer**, who acknowledged before me that they signed, executed and delivered the above and foregoing instrument on the day and year thereof, for the use and purposes therein mentioned.

GIVEN UNDER MY HAND AND OFFICIAL SEAL, on this the 31 day of January, 2025.

(AFFIX SEAL)


NOTARY PUBLIC

My commission expires: 8/9/27

DEED ACCEPTED BY:

Lima Properties, LLC,
a Mississippi Limited Liability Company

By: 
James A. Salas, Member

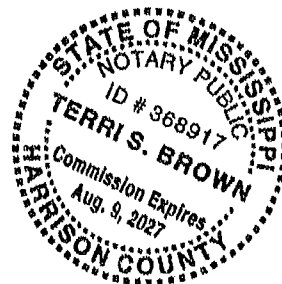


EXHIBIT "A"

LEGAL DESCRIPTION

A parcel of land situated in Section 19, Township 7 South, Range 8 West, Ocean Springs, Jackson County, Mississippi, and being more particularly described as follows:

Beginning at a point on the East line of Vermont Avenue 100 feet North of the North line of Government Street; thence in a Northerly direction along the East line of Vermont Avenue 37.5 feet; thence in an Easterly direction along a line parallel to the North line of Government Street 165 feet; thence in a Southerly direction along a line parallel to the East line of Vermont Avenue 37.5 feet; thence in a Westerly direction along a line parallel to the North line of Government Street 165 feet to the Place of Beginning.

Lima Properties, LLC,
a Mississippi Limited Liability Company

By: 
James A. Salas, Member

Date 1/31/25

OFFICIAL RECORDS JACKSON COUNTY
JOHN E. DODGE
CHANCERY CLERK
RECORDING FEE: \$26.00
#202501855 BK: 2197 PG: 821-823
02/05/2025 01:08:11 PM 3 PGS
KHODGE, DC Rpt#2981



202501855 3 PGS

Prepared By:
David B. Pilger
Attorney at Law
1406 Bienville Blvd.
Ocean Springs, MS 39564
(228) 215-0011

Grantors:
Clarence W. Mercer Jr.
Pearl E. Mercer
818 Graveline Road
Gautier, MS 39553
(228) 990-0249

Return To:
Pilger Title Co.
1406 Bienville Blvd.
Ocean Springs, MS 39564
(228) 215-0011

Grantee:
Lima Properties, LLC
a Mississippi Limited Liability Company
124 Saltmeadow Circle
Ocean Springs, MS 39564
(228) 369-0757

File No. O-24-672

INDEXING INSTRUCTIONS: A parcel of land in Sec 19, T7S, R8W, Jackson County, MS

STATE OF MISSISSIPPI
COUNTY OF JACKSON

WARRANTY DEED

FOR AND IN CONSIDERATION OF the price and sum of TEN AND NO/100 DOLLARS (\$10.00), cash in hand paid, and other good and valuable consideration, the receipt and sufficiency of all of which is hereby acknowledged, we, **Clarence W. Mercer, Jr. and Pearl E. Mercer**, do hereby sell, convey and warrant unto **Lima Properties, LLC, a Mississippi Limited Liability Company**, all of that certain tract, piece or parcel of land situated in Jackson County, Mississippi, together with all improvements, buildings, fixtures, and appurtenances thereunto belonging, and being more particularly described as follows, to-wit:

Legal Description attached hereto as Exhibit "A"

This being the same property as that conveyed to Clarence W. Mercer, Jr. and Pearl E. Mercer, by instrument recorded in Deed Book 1272, at Page 719, Land Deed Records of Jackson County, Mississippi.

**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 DATE: May 13, 2025

APPLICANT: Scott Bradford Lemon

LOCATION: 1212 Bowen Ave

PARCEL NUMBER: 61190011.000

REQUESTED ACTION: Residential Short Term Rental Permit

DATE OF APPLICATION: March 18, 2025

DESCRIPTION OF REQUEST:

A permit to operate a short-term rental that allows rental usage for less than (30) thirty consecutive days.

ADJACENT ZONING/LAND USE:

Subject Property: R-2 Low-Medium Density/Single Family Dwelling

North: R-2 Low-Medium Density

South: R-2 Low-Medium Density

East: R-2 Low-Medium Density

West: R-2 Low-Medium Density

Short-Term Rental District: Density Zone

This property is 53 out of 55 available permits in the Density Zone for short-term rentals.



FINDINGS:

- **Local Property Manager:** The local property manager, Christine Lemon Woods, has the address of 126 Holcomb Blvd Ocean Springs, MS. This satisfies the requirement to be located within 2 miles of the city limits.
- **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 property is not located in a covenant-restricted 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. 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 85 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. All advertising requirements have been met.
- **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. All advertising requirements have been met.
- **Inspection:** The property was inspected for all required elements on April 7, 2025, and was approved. The inspection form is attached for review.
- **Maximum Occupancy:** The requested maximum occupancy of (8) eight was approved by the Fire Marshall during the above referenced inspection.
- **Maximum Number of Vehicles:** The request for a maximum number of (4) four 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 Violations:** No code violations.

PUBLIC FEEDBACK:

None received as of May 9, 2025.

PROPOSED MOTION:

To recommend **approval** of the short-term rental located at 1212 Bowen Ave with an annual renewal and compliance with the City of Ocean Springs STR Ordinance.

– OR –

To recommend **denial** of the short-term rental located at 1212 Bowen Ave with an annual renewal and compliance with the City of Ocean Springs STR Ordinance.



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: March 18, 2025 A \$25.00 reinspection will be charged if the inspection is missed.

REQUIRED ATTACHMENTS:

FEES: \$501 ~ **Application Fee Effective 10/1/2024**– \$25 must be paid at the time application is submitted, Remaining \$475 is due when permit is approved ~ **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 are renewed annually and are not transferable to new ownership.

REQUIRED: RENTAL PROPERTY INFORMATION:

- Address of Rental Property: 1212 Bowen Ave. Ocean Springs, MS 39564
- Parcel Identification Number: 61190011.000 Number of bedrooms: 3
- Proposed maximum # guests: 8 Number of existing off-street parking spaces: 4
- Is this property located in a covenant-restricted subdivision? Yes No ~ **If yes, a copy of the covenants must be included.**

PROPERTY OWNER – Name: SBKL33, LLC **Scott Bradford Lemon**

Address: 126 Holcomb Blvd. Ocean Springs, MS 39564

Phone No. 228-355-1600 Email: sblemon@lemonmohler.com

OWNER SIGNATURE:

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

Name: Christine Lemon Woods

Address: 309 Halstead Rd. Ocean Springs, MS 39564

Phone No. 228-623-9085 Email: Christinelemon3@gmail.com

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

Owner – initial by each ordinance to indicate receipt:

Copy of Ordinance 2015-11 Received: SL (initials) Copy of Ordinance 2019-19 Received: SL
Copy of Ordinance 2018-02 Received: SL (initials) Copy of Ordinance 2021-25 Received: SL
Copy of Ordinance 2023-07 Received: SL (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) Scott Lemon (SARL33), 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: Scott Bradford Lemon

Parcel ID(s): 61190011.000

Date Property Acquired: Sept 23

Owner’s Signature SL **Date** 3/18/25

Office Use Only

Date of Inspection: _____ Result of Occupancy Inspection: _____
Maximum Occupancy Determination: _____ (attached)
Maximum Parking Spaces: _____ Permit Renewal Date: _____
PC Public Hearing Date: _____ BOA Approval Date: _____

ADDRESS: 1212 Bowen Ave iWorQ Permit#: 8037



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 hardwired 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: 2
 - Approved # of Guests per OSFD:** 8
 - Proposed # of vehicles: 4
 - Approved # of vehicles per OSFD:** 4
- Property Owner: Scott Lemon Phone #: 228-355-1600
Contact Name: Christine Lemon Phone #: 228-623-9085

Date of Inspection: 7 APR 2025

COMMENTS: _____

PASSED

Building Official: [Signature]

Fire Marshall: [Signature]

Property Owner: [Signature]

Short-Term Vacation Rental Agreement

This Rental Agreement ("Agreement") is made and entered into on [Date] by and between:

Owner: [Your Name/LLC] ("Owner")

Guest: [Guest Name] ("Guest")

Property:

[Rental Property Address]

1. Rental Term

Check-in: [Date & Time]

Check-out: [Date & Time]

2. Payment & Deposit

- Total Rent: \$[Amount]
- Security Deposit: \$[Amount] (Refundable upon inspection)
- Payment Due: [Payment Schedule]

3. Cancellation Policy

- Free cancellation up to [X] days before check-in.
- Cancellations within [X] days will result in a [Percentage]% refund.

4. House Rules & Guest Responsibilities

- No smoking or pets unless otherwise approved.
- Maximum occupancy: [Number] guests.
- Noise restrictions apply between [Quiet Hours].
- No parties or events.
- The guest is responsible for damages beyond normal wear and tear.

5. Liability & Indemnification

The owner is not responsible for injuries, loss, or theft during the stay. The guest agrees to indemnify and hold harmless the owner from any claims or liabilities arising from the rental period.

6. Check-out Procedures

- Return keys to designated location.
- Dispose of trash in proper bins.
- Leave used linens in [Designated Area].
- Ensure doors and windows are locked.

7. Governing Law

This Agreement shall be governed by the laws of [Your State].

By signing below, both parties agree to the terms outlined above.

Guest Signature: _____

Date: _____

Owner Signature: _____

Date: _____

WELCOME TO THE BRADFORD HOUSE!

Hello, and welcome to our home! We're so happy you've chosen our property for your stay. To ensure a great experience for you and future guests, please take a moment to review our house rules. Understanding and following these guidelines will help keep the space enjoyable for everyone.

OCCUPANCY:

- This home comfortably accommodates **8 guests**. No additional overnight visitors unless approved in advance.

PARKING:

- You may park up to **4 vehicles** in the designated spots. Be mindful not to block driveways or sidewalks.
- Our driveway is suitable for sedans or smaller SUVs. Parking on the lawn is not permitted.

NOISE:

- Quiet hours are **10:00 PM - 7:00 AM**, in accordance with the City of Ocean Springs' noise ordinance (available upon request). Please be respectful of our neighbors at all times.

GARBAGE & CLEANLINESS:

- Please bag and dispose of all trash in the designated bins located **on the west side of the home**.
- Trash pickup is on **Wednesday at 5 AM**—kindly place bins by the curb on **Tuesday evening** and return them afterward.
- Keep the space tidy and treat it as you would your own home.
- Please wash all dishes after use to avoid additional cleaning fees.

ADDITIONAL HOUSE RULES:

- **No smoking inside.** Smoking is allowed outside only—please dispose of cigarette butts properly. Extra cleaning fees may apply for odor or stains.
- **No parties or large gatherings without prior approval.** Small get-togethers must comply with occupancy, noise, and parking rules. If unauthorized parties occur, guests may be asked to leave immediately.
- **Guests are responsible for ensuring that any visitors also follow these house rules.**
- **Children must always be supervised.**
- **No food or drinks in the bedrooms.** Please keep dining to the kitchen and designated areas.
- **No pets allowed.**
- **Do not rearrange furniture.**
- **If you are considering hosting a special event (wedding, graduation, etc.), please speak with us first.**
- **If guests are suspected of using illegal drugs, authorities will be contacted, and guests will be asked to vacate immediately.**

CHECK-IN & CHECKOUT GUIDELINES:

- **Check-in:** 4:00 PM
- **Checkout:** 10:00 AM
- Dispose of all trash properly.
- Collect all used towels and leave them on the bathroom floor.
- Remove all personal items and any food from the refrigerator.

CONFIRMATION OF HOUSE RULES:

To ensure a smooth stay, we kindly ask that you review these house rules within **48 hours of booking**. If you are

unable to comply with any of the rules, you may cancel penalty-free within this time frame due to our Strict Cancellation Policy.

If you have read this far, THANK YOU for being a SUPER GUEST! Please reply back with our favorite quote: **"Love people. Use things. The opposite never works"** so we know you have reviewed the house rules.

We've created these house rules to ensure every guest has a safe, comfortable, and enjoyable stay. If you have any questions or need assistance, please don't hesitate to reach out. We hope you have a wonderful time at The Bradford House!

Need anything? Reach out anytime: [Phone/Email]

RUSSEL

BOWEN AVE

NO PARKING PERMITTED ON LAWN

1212 BOWEN AVENUE

Spot #2

Spot #1

Spot #4

Spot #3

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 Coastal Breeze Newspaper and copies are sent via Standard mail at the cost of the applicant.

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

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

Short-Term Rental Applied for: 1212 BOWEN AVE

Public Hearing Date/Time: MAY 13, 2025 @ 6pm

Applicant SCOTT BRADFORD LEMON

Local Contact CHRISTINE LEMON WOODS

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, and again on December 17, 2019. This document addresses what the ordinance requires of an applicant, the process, and contact information for questions or concerns. For more details, please call the Planning Department at 228-875-4415.

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

Frequently Asked Questions regarding Residential Short-Term Rental permits:

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

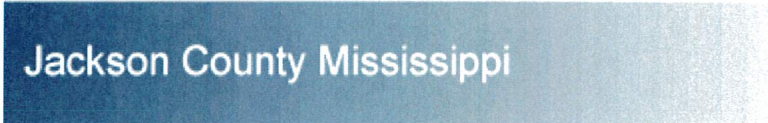
Complaint Contact Information:

- 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 an active Homeowner’s Association (HOA) must provide a letter from that HOA supporting the activity. If you are aware of such a restriction in your neighborhood, please notify the Planning Department at 228-875-4415. The permit will not be approved unless supported by an ACTIVE HOA where applicable.
 - 14) **Will the property owner be required to maintain renter information?** Yes, the property owner must maintain a guest registry and provide to the city for review upon request.
 - 15) **Will the renters be informed of the rules and regulations that are included in the permit?** Yes, part of the application and inspection includes provision of the rental agreement for review and posting of the house rules in a visible location within the home.



Questions and/or written comments can be sent to the Planning Department up to the day of the hearing and will be provided to the Planning Commission for consideration. Comments can be sent to:
1018 Porter Avenue, Ocean Springs, MS 39564.





Property Link

JACKSON COUNTY, MS

Current Date **3/18/2025** Tax Year **2023**
Records Last Updated **3/17/2025**

PROPERTY DETAIL

OWNER SBKL33 LLC **ACRES** : .31
806 WASHINGTON AVE **LAND VALUE** : 109993
IMPROVEMENTS : 119480
OCEAN SPRINGS MS 39564 **TOTAL VALUE**: 229473
ASSESSED : 34421

PARCEL 61190011.000
ADDRESS 1212 BOWEN

TAX INFORMATION

YEAR 2023	TAX DUE	PAID	BALANCE
COUNTY	1733.44	1733.44	0.00
CITY	995.46	995.46	0.00
SCHOOL	2283.83	2283.83	0.00
TOTAL	5012.73	5012.73	0.00

LAST PAYMENT DATE 12 / 20 / 2023

MISCELLANEOUS INFORMATION

EXEMPT CODE		LEGAL N 139' LOT 1 & E 15' OF N 139'
HOMESTEAD CODE None		L
TAX DISTRICT 4660		OT 2 KOTZUM S/D BLK 2 DB 2093-
PPIN 061250		42
SECTION 30		0 DB 2093-425 (129M Map789.30-
TOWNSHIP 7		02
RANGE 8)

Book **Page**

[PURCHASE COUNTY TAX SALE FILES](#)

TAX SALES HISTORY, FOR UNPAID TAXES

Year Sold To Redeemed Date/By

****NO TAX SALES FOUND****

[Back](#)

**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 DATE: May 13, 2025

APPLICANT: Aaron Goetsch; AJG Ventures, LLC

LOCATION: 215 Halstead Road Unit A

PARCEL NUMBER: 60129390.000

REQUESTED ACTION: Residential Short Term Rental Permit

DATE OF APPLICATION: February 27, 2025

DESCRIPTION OF REQUEST:
A permit to operate a short-term rental that allows rental usage for less than (30) thirty consecutive days.

ADJACENT ZONING/LAND USE:
Subject Property: R-D Two Family Residential/Two Family Dwelling

North: R-D Two Family Residential
South: R-D Two Family Residential
East: R-2 Low-Medium Density
West: R-D Two Family Residential

Short-Term Rental District: City Wide
This property is 59 out of 60 available permits in the City Wide Zone for short-term rentals.



FINDINGS:

- **Local Property Manager:** The local property manager, Chris Dearman, has the address of 805 Magnolia Bayou Blvd Ocean Springs, MS. This satisfies the requirement to be located within 2 miles of the city limits.
- **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 property is not located in a covenant-restricted 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. There are no deed restrictions and taxes are current.
- **Fee:** The application fee was provided with the application. The mail-out fee was paid prior to distribution.
- **Notice via Standard Mail:** The notice of public hearing was sent to 69 property owners within 500 feet of the subject property. The distribution included the name of the applicant, notice of the hearing date, time and location, and a summary of Frequently Asked Questions regarding short-term rentals. All advertising requirements have been met.
- **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. All advertising requirements have been met.
- **Inspection:** The property was inspected for all required elements on April 16, 2025, and was approved. The inspection form is attached for review.
- **Maximum Occupancy:** The requested maximum occupancy of (4) four was approved by the Fire Marshall during the above referenced inspection.
- **Maximum Number of Vehicles:** The request for a maximum number of (2) two 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:** No code violations.

FEEDBACK:

None received as of May 9, 2025.

PROPOSED MOTION:

To recommend **approval** of the short-term rental located at 215 Halstead Road Unit B with an annual renewal and compliance with the City of Ocean Springs STR Ordinance.

– OR –

To recommend **denial** of the short-term rental located at 215 Halstead Road Unit B with an annual renewal and compliance with the City of Ocean Springs STR Ordinance.



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: _____ A \$25.00 reinspection will be charged if the inspection is missed.

REQUIRED ATTACHMENTS:

FEES: \$501 ~ Application Fee Effective 10/1/2024- \$25 must be paid at the time application is submitted, Remaining \$475 is due when permit is approved ~ **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 are renewed annually and are not transferable to new ownership.

REQUIRED: RENTAL PROPERTY INFORMATION:

- * Address of Rental Property: 215A HALSTEAD OCEAN SPRINGS, MS 39564
- * Parcel Identification Number: 60129390.000 Number of bedrooms: 2
- * Proposed maximum # guests: 4 Number of existing off-street parking spaces: 2
- * Is this property located in a covenant-restricted subdivision? Yes No ~ If yes, a copy of the covenants must be included.

PROPERTY OWNER – Name: AARON GOETSCH DBA AJG VENTURES LLC
 Address: 139 WATERSEDGE DR. OCEAN SPRINGS, MS 39564
 Phone No. (586) 212-4434 Email: aarongoe@gmail.com
 OWNER SIGNATURE:

LOCAL PROPERTY MANAGER – [Must RESIDE within two (2) miles of the OS City Limits]
 Name: CHRIS DEARMAN
 Address: 805 MAGNOLIA BAYOU BLVD. OCEAN SPRINGS, MS 39564
 Phone No. 847.307.1491 Email: ChristopherDearman@gmail.com

Is the Property Manager OR the Owner the best contact for scheduling Inspections? OWNER PROP. Mgr.

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) AARON GOETSCH DBA AJG VENTURES LLC, hereby certify that:

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

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

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

Parcel ID(s): 60129390.000

Date Property Acquired: 2/26/24

Owner’s Signature [Signature] Date 2/24/25

.....
Office Use Only

Date of Inspection: _____ Result of Occupancy Inspection: _____

Maximum Occupancy Determination: _____ (attached)

Maximum Parking Spaces: _____ Permit Renewal Date: _____

PC Public Hearing Date: _____ BOA Approval Date: _____

ADDRESS: 215 Halstead Unit A iWorQ Permit#: 7860



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.)
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- 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
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- 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:** 2
- Proposed # of Guests: 4
- Approved # of Guests per OSFD:** 4
- Proposed # of vehicles: 2
- Approved # of vehicles per OSFD:** 2

Property Owner: Aaron Geotsch Phone #: 586-212-4434
Contact Name: Chris Dearman Phone #: 847-3074-1491



Date of Inspection: 16-APR-2025

COMMENTS: CONTINGENT UPON CONFIRMATION OF FIRE WALL THICKNESS

PASSED

Building Official: *[Signature]*

Fire Marshall: *[Signature]*

Property Owner: *[Signature]*

215A Halstead Ocean Springs, MS. 39564 Rental Agreement

Dear _____:

Thank you for inquiring about Vacation Rental at 215A Halstead. Below you'll find our property's policies—please review them prior to booking. We look forward to having you!

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

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

PARKING – Parking is limited to two (2) vehicles in the driveway. Parking on the road or lawn is not permitted. Any illegally parked cars are subject to towing; applicable fines/towing fees are the sole responsibility of the vehicle owner.

MAXIMUM OCCUPANCY – The maximum number of guests is limited to four (4) persons.

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

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

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

215A Halstead is privately owned and run; the owners are not responsible for any accidents, injuries or illness that occurs while on the premises or its facilities. The Homeowners are not responsible for the loss of personal belongings or valuables of the guest. By accepting this reservation, it is agreed that all guests are expressly assuming the risk of any harm arising from their use of the premises or others whom they invite to use the premise.

I will submit payment in full via PayPal, Venmo, CashApp, personal/business check or other agreed upon arrangement. I agree that all rental monies are non-refundable per cancellation policy above. I have read my rights to purchase travel insurance.

Located at 215A Halstead, Ocean Springs, MS 39564

Check In: _____ after 3pm

Check Out: _____ before 10am

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

Signature: _____

Date: _____

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

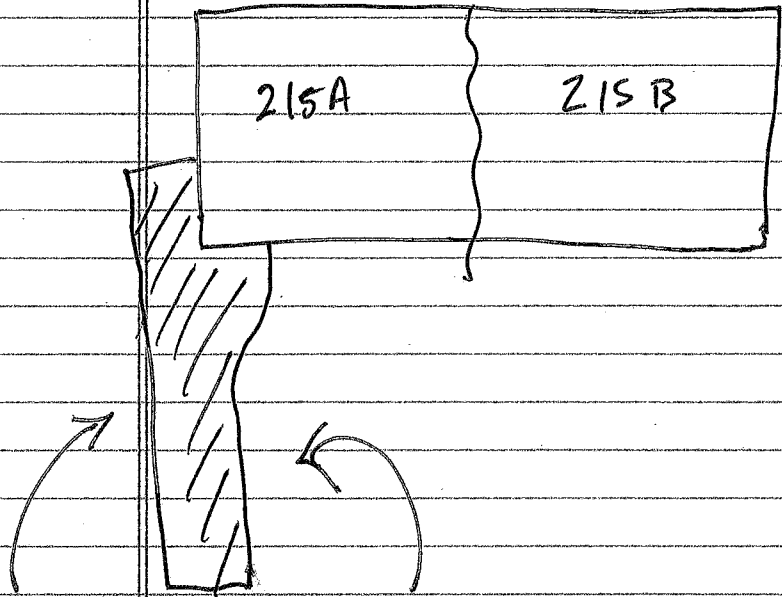
Aaron Goetsch

586.212.4434

215A Halstead—Ocean Springs, MS—Rental Rules

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

215A HALSTEAD PARKING



TWO VEHICLE MAX

PUBLIC HEARING NOTICE
Residential Short-Term Rental



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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: 215 HALSTEAD UNIT A

Public Hearing Date/Time: MAY 13, 2025 at 6 p.m.

Applicant Aaron Goetsch, AJG Ventures LLC

Local Contact Chris Dearman

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

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

Frequently Asked Questions regarding Residential Short-Term Rental permits:

- 1) **Why am I receiving this information?** All property owners within 500 feet of the property requesting a permit are required to receive notification via standard mail. Additionally, the hearing was advertised in the local newspaper and a yard sign placed on the property. This notice was mailed to your address of record with the Jackson County Tax Assessor’s office.
- 2) **What is allowed under a Short-Term Rental Permit?** Approval of the permit will allow the property owner to rent the residence for periods of less than 30 days at a time, governed by restrictions listed in the ordinance. The permit does not allow any other non-permitted activity.
- 3) **Who will be responsible for management of the property?** The property owner is ultimately responsible for all activity on the property. The Local Property Manager, if one is assigned, MUST reside within 2 miles of the city limits and be available 24/7 to address issues related to the property. The Planning Department will have a contact number in case of emergencies.
- 4) **Do the property owners pay sales tax for this activity?** Yes – the property owner will be issued a city privilege license that will allow them to register with the state for payment of sales tax, including the additional “bed tax” required for all hotel activity.
- 5) **What review has been done by the City?** The application, a \$200 application fee, and payment for mailing was received. All information was reviewed to ensure all administrative requirements have been met. The home 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.
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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
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- 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.
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 - 12) **Is the approval process the same for properties in commercially zoned districts?** The application itself is similar, but commercial properties do not require notice or public hearing.
 - 13) **What if the property has covenants that do not allow for short-term rentals?** The ordinance requires that any application for a property with an active Homeowner’s Association (HOA) must provide a letter from that HOA supporting the activity. If you are aware of such a restriction in your neighborhood, please notify the Planning Department at 228-875-4415. The permit will not be approved unless supported by an ACTIVE HOA where applicable.
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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:
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OFFICIAL RECORDS JACKSON COUNTY
Josh Eldridge
CHANCERY CLERK
RECORDING FEE: \$26.00
#202404293 BK:2157 PG:697-699
03/12/2024 04:41:45 PM 3 PGS
AC0BB,DC Ropt#5323



202404293 3 PGS

PREPARED BY:
Michael J. Yentzen
Esplanade Land & Title Co., LLC
1914 24th Avenue
Gulfport, MS 39501
(228) 594-8860
MS Bar # 100866

RETURN TO:
Michael J. Yentzen
Esplanade Land & Title Co., LLC
1914 24th Avenue
Gulfport, MS 39507
(228) 594-8860

**STATE OF MISSISSIPPI
COUNTY OF JACKSON**

WARRANTY DEED

For and in consideration of the sum of TEN AND NO/100THS DOLLARS (\$10.00), cash in hand paid, and other good and valuable consideration, the receipt and sufficiency of all which is hereby acknowledged,

CYNTHIA LYNN BRITTON
245 DYKE ROAD, PIER A SLIP 1
RIDGELAND, MS 39157
601.497.0398

does hereby sell, convey, and warrant unto

AJG VENTURES, LLC
A MISSISSIPPI LIMITED LIABILITY COMPANY
139 WATSEEDGE DRIVE
OCEAN SPRINGS, MS 39564
586.212.4434

The following described land and property, lying and being situated in Jackson County, Mississippi, and more particularly and certainly described as follows:

(See Exhibit A attached)(Page 3)

Indexing instructions: A PARCEL OF LAND SITUATED IN THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 29, TOWNSHIP 7 SOUTH, RANGE 8 WEST, JACKSON COUNTY, MISSISSIPPI.

This conveyance is subject to all covenants, restrictions, easements, rights of way and other matters of record. It is agreed and understood that the taxes for the current year have been prorated as of this date on an estimated basis, and when said taxes are actually determined, if the proration as of this date is incorrect, the Grantor agrees to pay said Grantee or its assigns any deficit on the actual proration.

WITNESS the signature of the Grantor on this the 26th day of February, 2024.



CYNTHIA LYNN BRITTON = GRANTOR

STATE OF MISSISSIPPI
COUNTY OF Madison

PERSONALLY appeared before me, the undersigned authority in and for the said county and state, on this 26th day of February, 2024, within my jurisdiction, the within named **CYNTHIA LYNN BRITTON** who acknowledged that she signed, executed, and delivered the above and foregoing instrument.

GIVEN under my hand and official seal in my office.

My Commission Expires:

9/19/27

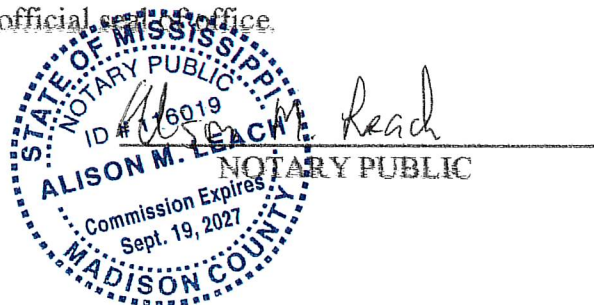


Exhibit "A"

Legal Description: THAT CERTAIN TRACT OR PARCEL OF LAND SITUATED IN THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER (SE ¼ OF THE SE ¼) OF SECTION 29, TOWNSHIP 7 SOUTH, RANGE 8 WEST, IN THE CITY OF OCEAN SPRINGS, JACKSON COUNTY, MISSISSIPPI, AND ALSO BEING PART OF CITY BLOCK 19, CITY OF OCEAN SPRINGS, MISSISSIPPI, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT:

BEGINNING AT A POINT ON THE WEST SIDE OF HALSTEAD ROAD 771 FEET NORTH OF THE SOUTHEAST CORNER OF SECTION 29, TOWNSHIP 7 SOUTH, RANGE 8 WEST, JACKSON COUNTY, MISSISSIPPI; THENCE RUN NORTH A DISTANCE OF 87 FEET; THENCE RUN WEST A DISTANCE OF 110 FEET; THENCE RUN SOUTH A DISTANCE OF 87 FEET; THENCE RUN EAST A DISTANCE OF 110 FEET BACK TO THE POINT OF BEGINNING. THIS BEING PART OF THE SAME LAND AS CONVEYED IN DEED DATED MAY 10, 1985, RECORDED IN DEED BOOK 825, PAGE 183, LAND DEED RECORDS OF JACKSON COUNTY, MISSISSIPPI, AND FURTHER SHOWN AS AN ADJOINING PARCEL NORTH OF THE REPLAT OF ROMAR SUBDIVISION IN PLAT BOOK 18, PAGE 51, RECORDS OF PLATS OF JACKSON COUNTY, MISSISSIPPI. (TAX PARCEL # 60129390.000).

**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 DATE: May 13, 2025

APPLICANT: Aaron Goetsch; AJG Ventures, LLC

LOCATION: 215 Halstead Road Unit B

PARCEL NUMBER: 60129390.000

REQUESTED ACTION: Residential Short Term Rental Permit

DATE OF APPLICATION: February 27, 2025

DESCRIPTION OF REQUEST:

A permit to operate a short-term rental that allows rental usage for less than (30) thirty consecutive days.

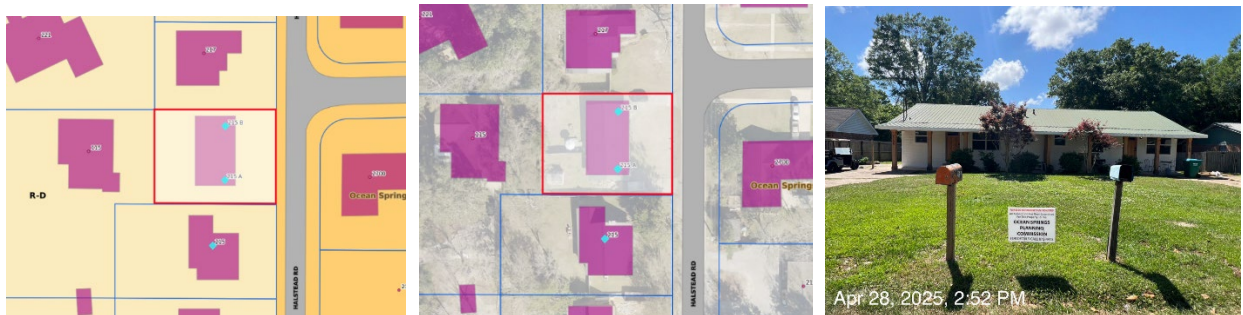
ADJACENT ZONING/LAND USE:

Subject Property: R-D Two Family Residential/Two Family Dwelling

North: R-D Two Family Residential
South: R-D Two Family Residential
East: R-2 Low-Medium Density
West: R-D Two Family Residential

Short-Term Rental District: City Wide

This property is 60 out of 60 available permits in the density zone for short-term rentals.



FINDINGS:

- **Local Property Manager:** The local property manager, Chris Dearman, has the address of 805 Magnolia Bayou Blvd Ocean Springs, MS. This satisfies the requirement to be located within 2 miles of the city limits.
- **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 property is not located in a covenant-restricted 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. There are no deed restrictions and taxes are current.
- **Fee:** The application fee was provided with the application. The mail-out fee was paid prior to distribution.
- **Notice via Standard Mail:** The notice of public hearing was sent to 69 property owners within 500 feet of the subject property. The distribution included the name of the applicant, notice of the hearing date, time and location, and a summary of Frequently Asked Questions regarding short-term rentals. All advertising requirements have been met.
- **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. All advertising requirements have been met.
- **Inspection:** The property was inspected for all required elements on April 16, 2025, and was approved. The inspection form is attached for review.
- **Maximum Occupancy:** The requested maximum occupancy of (4) four was approved by the Fire Marshall during the above referenced inspection.
- **Maximum Number of Vehicles:** The request for a maximum number of (2) two 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:** No code violations.

FEEDBACK:

None received as of May 9, 2025.

PROPOSED MOTION:

To recommend **approval** of the short-term rental located at 215 Halstead Road Unit B with an annual renewal and compliance with the City of Ocean Springs STR Ordinance.

– OR –

To recommend **denial** of the short-term rental located at 215 Halstead Road Unit B with an annual renewal and compliance with the City of Ocean Springs STR Ordinance.



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: _____ A \$25.00 reinspection will be charged if the inspection is missed.

REQUIRED ATTACHMENTS:

FEES: \$501 ~ Application Fee Effective 10/1/2024- \$25 must be paid at the time application is submitted, Remaining \$475 is due when permit is approved ~ 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
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 are renewed annually and are not transferable to new ownership.

REQUIRED: RENTAL PROPERTY INFORMATION:

- Address of Rental Property: 215 B HALSTEAD OCEAN SPRINGS, MS 39564
Parcel Identification Number: 60129390.000 Number of bedrooms: 2
Proposed maximum # guests: 4 Number of existing off-street parking spaces: 2
Is this property located in a covenant-restricted subdivision? No

PROPERTY OWNER - Name: AARON GOETSCH DBA ATG VENTURES LLC
Address: 139 WATERSEDGE DR. OCEAN SPRINGS, MS 39564
Phone No. (586) 212-4434 Email: aarongoe@gmail.com
OWNER SIGNATURE: [Signature]

LOCAL PROPERTY MANAGER - [Must RESIDE within two (2) miles of the OS City Limits]
Name: CHRIS DEARMAN
Address: 805 MAGNOLIA BAYOU BLVD. OCEAN SPRINGS, MS 39564
Phone No. (847) 307-1491 Email: Christopher R Dearman@gmail.com

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

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) ARON GOETSCH DBA ATG VENTURES LLC, 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: ARON GOETSCH DBA ATG VENTURES LLC

Parcel ID(s): 60129390.000

Date Property Acquired: 2/26/24

Owner’s Signature  Date 2/21/25

.....
Office Use Only

Date of Inspection: _____ Result of Occupancy Inspection: _____

Maximum Occupancy Determination: _____ (attached)

Maximum Parking Spaces: _____ Permit Renewal Date: _____

PC Public Hearing Date: _____ BOA Approval Date: _____

ADDRESS: 215 Halstead Unit B iWorQ Permit#: 7862



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: 2
- Proposed # of Guests: 4

Approved # of Guests per OSFD: 4

- Proposed # of vehicles: 2

Approved # of vehicles per OSFD: 2

Property Owner: Aaron Geotsch
Contact Name: Chris Dearman

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



Date of Inspection: 16 APR 2025

COMMENTS: CONTINGENT UPON CONFIRMATION OF FIREWALL THICKNESS

PASSED

Building Official: *[Signature]*

Fire Marshall: *[Signature]*

Property Owner: *[Signature]*

215B Halstead Ocean Springs, MS. 39564 Rental Agreement

Dear _____:

Thank you for inquiring about Vacation Rental at 215B Halstead. Below you'll find our property's policies—please review them prior to booking. We look forward to having you!

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

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

PARKING – Parking is limited to two (2) vehicles in the driveway. Parking on the road or lawn is not permitted. Any illegally parked cars are subject to towing; applicable fines/towing fees are the sole responsibility of the vehicle owner.

MAXIMUM OCCUPANCY – The maximum number of guests is limited to four (4) persons.

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

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

}

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

215B Halstead is privately owned and run; the owners are not responsible for any accidents, injuries or illness that occurs while on the premises or its facilities. The Homeowners are not responsible for the loss of personal belongings or valuables of the guest. By accepting this reservation, it is agreed that all guests are expressly assuming the risk of any harm arising from their use of the premises or others whom they invite to use the premise.

I will submit payment in full via PayPal, Venmo, CashApp, personal/business check or other agreed upon arrangement. I agree that all rental monies are non-refundable per cancellation policy above. I have read my rights to purchase travel insurance.

Located at 215B Halstead, Ocean Springs, MS 39564

Check In: _____ after 3pm

Check Out: _____ before 10am

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

Signature: _____

Date: _____

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

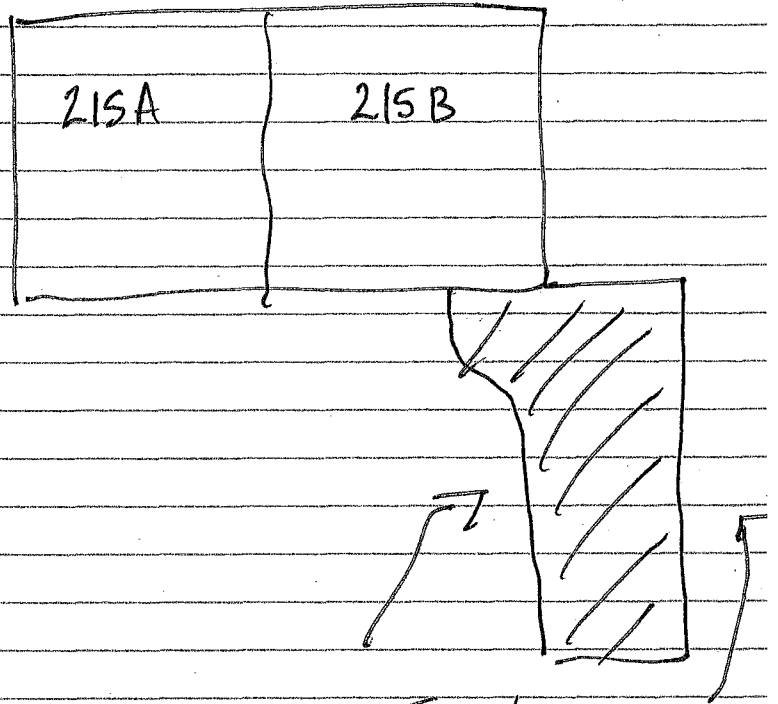
Aaron Goetsch

586.212.4434

215B Halstead—Ocean Springs, MS—Rental Rules

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

215 B HALSTEAD PARKING



TWO VEHICLE
MAXIMUM

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 Coastal Breeze Newspaper and copies are sent via Standard mail at the cost of the applicant.

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

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

Short-Term Rental Applied for: 215 HALSTEAD UNIT B

Public Hearing Date/Time: MAY 13, 2025 at 6 p.m.

Applicant Aaron Goetsch, AJG Ventures LLC

Local Contact Chris Dearman

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PREPARED BY:
Michael J. Yentzen
Esplanade Land & Title Co., LLC
1914 24th Avenue
Gulfport, MS 39501
(228) 594-8860
MS Bar # 100866

RETURN TO:
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**STATE OF MISSISSIPPI
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139 WATSEEDGE DRIVE
OCEAN SPRINGS, MS 39564
586.212.4434

The following described land and property, lying and being situated in Jackson County, Mississippi, and more particularly and certainly described as follows:

(See Exhibit A attached)(Page 3)

Indexing instructions: A PARCEL OF LAND SITUATED IN THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 29, TOWNSHIP 7 SOUTH, RANGE 8 WEST, JACKSON COUNTY, MISSISSIPPI.

This conveyance is subject to all covenants, restrictions, easements, rights of way and other matters of record. It is agreed and understood that the taxes for the current year have been prorated as of this date on an estimated basis, and when said taxes are actually determined, if the proration as of this date is incorrect, the Grantor agrees to pay said Grantee or its assigns any deficit on the actual proration.

WITNESS the signature of the Grantor on this the 26th day of February, 2024.

Cynthia Lynn Britton
CYNTHIA LYNN BRITTON - GRANTOR

STATE OF MISSISSIPPI
COUNTY OF Madison

PERSONALLY appeared before me, the undersigned authority in and for the said county and state, on this 26th day of February, 2024, within my jurisdiction, the within named **CYNTHIA LYNN BRITTON** who acknowledged that she signed, executed, and delivered the above and foregoing instrument.

GIVEN under my hand and official seal of office.

My Commission Expires:
9/19/27



NOTARY PUBLIC

Exhibit "A"

Legal Description: THAT CERTAIN TRACT OR PARCEL OF LAND SITUATED IN THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER (SE ¼ OF THE SE ¼) OF SECTION 29, TOWNSHIP 7 SOUTH, RANGE 8 WEST, IN THE CITY OF OCEAN SPRINGS, JACKSON COUNTY, MISSISSIPPI, AND ALSO BEING PART OF CITY BLOCK 19, CITY OF OCEAN SPRINGS, MISSISSIPPI, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT:

BEGINNING AT A POINT ON THE WEST SIDE OF HALSTEAD ROAD 771 FEET NORTH OF THE SOUTHEAST CORNER OF SECTION 29, TOWNSHIP 7 SOUTH, RANGE 8 WEST, JACKSON COUNTY, MISSISSIPPI; THENCE RUN NORTH A DISTANCE OF 87 FEET; THENCE RUN WEST A DISTANCE OF 110 FEET; THENCE RUN SOUTH A DISTANCE OF 87 FEET; THENCE RUN EAST A DISTANCE OF 110 FEET BACK TO THE POINT OF BEGINNING. THIS BEING PART OF THE SAME LAND AS CONVEYED IN DEED DATED MAY 10, 1985, RECORDED IN DEED BOOK 825, PAGE 183, LAND DEED RECORDS OF JACKSON COUNTY, MISSISSIPPI, AND FURTHER SHOWN AS AN ADJOINING PARCEL NORTH OF THE REPLAT OF ROMAR SUBDIVISION IN PLAT BOOK 18, PAGE 51, RECORDS OF PLATS OF JACKSON COUNTY, MISSISSIPPI. (TAX PARCEL # 60129390.000).

**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 DATE: May 13, 2025

APPLICANT: William & Dolores McClendon

LOCATION: 1405 Porter Ave

PARCEL NUMBER: 60137154.000

REQUESTED ACTION: Residential Short Term Rental Permit

DATE OF APPLICATION: February 20, 2025

DESCRIPTION OF REQUEST:

A permit to operate a short-term rental that allows rental usage for less than (30) thirty consecutive days.

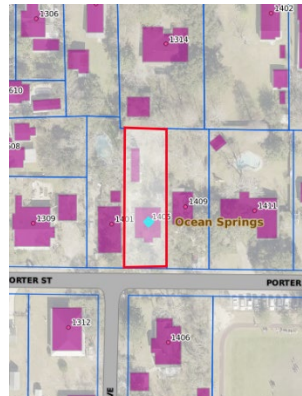
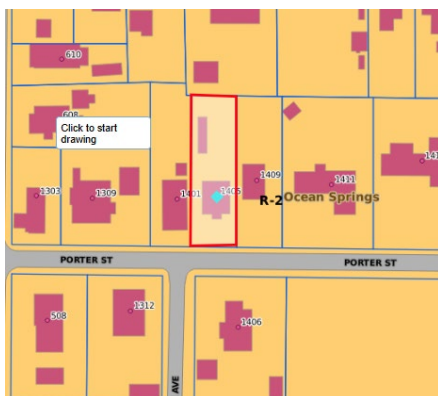
ADJACENT ZONING/LAND USE:

Subject Property: R-2 Low-Medium Density/Single Family Dwelling

North: R-2 Low-Medium Density
South: R-2 Low-Medium Density
East: R-2 Low-Medium Density
West: R-2 Low-Medium Density

Short-Term Rental District: Density Zone

This property is 54 out of 55 available permits in the Density Zone for short-term rentals.



FINDINGS:

- **Local Property Manager:** The local property manager/owner, Dolores McClendon, has the address of 116 Halstead Road Ocean Springs, MS. This satisfies the requirement to be located within 2 miles of the city limits.
- **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 property is not located in a covenant-restricted 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. 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 85 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. All advertising requirements have been met.
- **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. All advertising requirements have been met.
- **Inspection:** The property was inspected for all required elements on April 21, 2025, and was approved. The inspection form is attached for review.
- **Maximum Occupancy:** The requested maximum occupancy of (4) four was approved by the Fire Marshall during the above referenced inspection.
- **Maximum Number of Vehicles:** The request for a maximum number of (4) four 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:** No code violations.

PUBLIC FEEDBACK:

None received as of May 9, 2025.

PROPOSED MOTION:

To recommend **approval** of the short-term rental located at 1405 Porter Ave with an annual renewal and compliance with the City of Ocean Springs STR Ordinance.

– OR –

To recommend **denial** of the short-term rental located at 1405 Porter Ave with an annual renewal and compliance with the City of Ocean Springs STR Ordinance.



6372

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: 8/22/24

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:** 1405 Porter St, Ocean Springs, Ms 39564
- **Parcel Identification Number:** 40137154.000 **Number of bedrooms:** 3
- **Proposed maximum # guests:** 7 **Number of existing off-street parking spaces:** 2
- **Is this property located in a covenant-restricted subdivision?** Yes No ~ **If yes, a copy of the covenants must be included.**

PROPERTY OWNER – Name: Nicole & David McClendon
Address: 1116 Halstead Rd. Ocean Springs, MS 39564
Phone No. (228) 282-0383 **Email:** Nicole@mccclendonmedical.com
OWNER SIGNATURE:

LOCAL PROPERTY MANAGER – [Must RESIDE within two (2) miles of the OS City Limits]
Name: (owner)
Address: _____
Phone No. _____ **Email:** _____

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

Owner – initial by each ordinance to indicate receipt:

Copy of Ordinance 2015-11 Received: NM (initials) Copy of Ordinance 2019-19 Received: NM
Copy of Ordinance 2018-02 Received: NM (initials) Copy of Ordinance 2021-25 Received: MM
Copy of Ordinance 2023-07 Received: NM (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) Nicole McClendon, 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: Nicole McClendon

Parcel ID(s): 60137154.000

Date Property Acquired: 5/21/24

Owner’s Signature [Signature] Date 8/22/24

Office Use Only

Date of Inspection: _____ Result of Occupancy Inspection: _____
 Maximum Occupancy Determination: _____ (attached)
 Maximum Parking Spaces: _____ Permit Renewal Date: _____
 PC Public Hearing Date: _____ BOA Approval Date: _____

ADDRESS: 1405 Porter iWorQ Permit#: 7873



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: 2

Proposed # of Guests: ~~2~~ 4

Approved # of Guests per OSFD: 2 (4) (2)

Proposed # of vehicles: 4

Approved # of vehicles per OSFD: 4

Property Owner: Nicole McClendon Phone #: 228-282-0383
 Contact Name: same Phone #: Same



Date of Inspection: 21-APR-2025

COMMENTS: DETECTORS MUST BE INTER-CONNECTED

PASSED

Building Official: [Signature]

Fire Marshall: [Signature]

Property Owner: [Signature]

1405 Porter Street AIRBNB RENTAL AGREEMENT

This lease, entered into this _____ day of _____ 20____, by and between Nicole McClendon (“Owner”) and _____, “Renter” for the property located 1405 Porter Street, Ocean Springs, MS 39564 (“Property”).

1. **TERM:** The term of the lease shall begin on the arrival date of: _____ and end on the departure date of _____ for ____ number of nights. The property will be ready for occupancy no earlier than CHECK IN TIME on the arrival date and must be vacated no later than CHECK OUT TIME on the departure date.

1. **RENT:** The rent is \$ _____ plus a housekeeping fee and a security deposit payable as follows:

1. **PAYMENTS:** The following payments are due at time of reservation:

- 100% of rental fee _____ to secure reservation.
- Security Deposit .
- Housekeeping fee This is to prepare house for next renter; linens and towels provided; no daily housekeeping service.

1. **LIMITED OCCUPANCY:** Occupancy is limited to a maximum of 7. If Owner concludes that this policy has been breached, the Owner reserves the right to expel the entire party with no refund.

1. **NON-DISTURBANCE CLAUSE:** Renter and their guests shall not disturb, annoy, endanger (fireworks) or inconvenience neighbours nor use the premises for any unlawful purposes. NOISE ORDINANCE POSTED

1. **CARE OF PREMISES/DAMAGES: NO PETS ALLOWED. NO SMOKING PERMITTED IN HOUSE.**
Automatic eviction plus forfeit of deposit and rent if violated. Renter agrees to pay Owner for any damages to furnishings, household items that occur as a result of Renter’s occupancy. This will include payment of any additional cleaning charges over \$100.00 incurred due to Renter’s occupancy.

1. **OWNERS RIGHTS:** Renter agrees that if the conditions and limitations set forth herein are not met, Owner shall have the right to cancel this agreement and may enter the Property, either by statutory proceedings or by force, to inspect the Property and ensure that Renter has vacated the Property. All monies paid by Renter shall be forfeited as liquidated damages.

1. **INDEMNITY CLAUSE:** Renter hereby agrees to Indemnify and hold Owner harmless from any and all claims including those of third parties, arising out of or in any way related to Renter's use of Property or the items of personal property provided therein. Renter assumes all risk of injury or other losses relating to any recreational activities including use of the private swimming pool on the Property and will hold Owner harmless with respect thereto.

1. **NO SUBLETTING:** Renter may not sublet or assign this lease for all or any part of the premises without prior written consent of the Owner.

1. **REPAIRS AND MAINTENANCE:** The Property is rented with the Owner's furniture and household furnishings. Owner shall not be responsible for providing additional furnishings or equipment not presently available in Property. Renter will report any maintenance issues immediately to the Owner. Owner will make every effort to repair and/or replace any equipment that is not working properly, but cannot guarantee that all equipment is in good operating order at all times and no rate adjustments or refund will be made for equipment or appliance failures.

1. **CANCELLATIONS** Guests can cancel up to five days before check-in for a full refund, and after that, they may receive a partial refund.

1. **PARKING:** ABSOLUTELY NO PARKING ON THE STREET. Designated two parking spots will be outlined on the property

Renter and Owner, by signing this Rental Agreement, acknowledge that they will comply with the terms of this agreement and each assumes the responsibility for the obligations set forth herein.

Renter acknowledges receipt of the House Rules.

Renter acknowledges that they have read, accept, and agree to the terms set forth.

Owner Signature

Sec. 15-13. - Unreasonable noise or vibration.

(1) *Generally prohibited.*

- (a) It shall be unlawful for any person to make, cause, or, on premises under his or her legal control, permit to be made any unreasonable noise or vibration audible or perceptible within the corporate limits or police jurisdiction of the city, including the waters lying within such areas.
- (b) For purposes of this section, "unreasonable noise or vibration" is defined to mean any unreasonably loud, raucous, or jarring sound or vibration which is not constitutionally protected speech in form and scope of audibility and which, under the circumstances of time, place, and manner in which it is produced and audible or perceptible, annoys, disturbs, injures, or endangers the comfort, repose, health, peace, or safety of a reasonable person of normal sensitivities within the area of the audibility or perceptibility of the noise or vibration without the consent of such person.

(2) *Unreasonable use of sound reproduction devices in public areas.*

- (a) It shall be unlawful for any person or persons to play, use, operate, or permit to be played, used or operated any radio, tape recorder, cassette player, or other machine or devices for reproducing sound (i) if the machine or device is located in or on any public property, including any public street, highway, building, beach, parking lot, building, sidewalk, park, or thoroughfare or located in or on any motor vehicle or watercraft on a public street, highway, or public space, including but not limited to the water lying within the city limits and (ii) if the sound generated by such machine or device is audible at a distance of one hundred (100) feet from the machine or device producing the sound.
- (b) This section shall not be construed to regulate the initial production or amplification of sound, and the direct amplification of the human voice or music through the use of bullhorns or amplifiers is not regulated under this section. Note: This is to account for live music or demonstrations.

- (3) *Penalties for violations.* Any person violating any provision of subsection (1) or (2) of this section shall be guilty of an offense against the city and shall upon conviction be subject to punishment for each such offense as a misdemeanor subject to up to a five hundred dollar (\$500.00) fine or up to ninety (90) days imprisonment, or both. Where discrete conduct by a person separately and simultaneously violates both subsections (1) and (2), the conduct may be charged as a violation in the alternative under both sections, but such conduct shall be punishable only as an offense under subsection (1) or (2) and not as an offense under both sections simultaneously.

Sec. 20-10. - Maximum amount, size, etc. that city will collect generally.

- (a) On any one collection day the city will pick up the contents of not to exceed five (5), thirty (30) gallon refuse containers from any one commercial establishment.
- (b) Except as otherwise provided, the city will collect securely tied bundles of refuse which do not exceed one cubic yard in capacity, and bundles or containers of refuse the total weight of which does not exceed seventy-five (75) pounds.

(Ord. No. 4-1969, § 6, 11-7-69)

Sec. 20-11. - Collection of tree trimmings, hedge cuttings, etc.

The city will collect tree trimmings or hedge cuttings or shrubbery placed for removal if the same are securely tied in bundles which are not heavier than seventy-five (75) pounds or more than five (5) feet in length or more than eighteen (18) inches in diameter but no more than two (2) of such bundles may be placed for removal by the city by any one person on any one collection day. Such bundles may be set out twenty-four (24) hours in advance of the time of collection.

(Ord. No. 4-1969, § 8(a), 11-7-69)

Cross reference— Tree preservation and protection, § 22³/₄-21 et seq.

Sec. 20-12. - Materials not to be collected by city.

Any debris such as plaster, roofing, concrete, bricks, and other such substances resulting from construction, repairs or remodeling of any building or appurtenances on private property, or any materials produced by a tree surgeon/contractor, pulp wood cutter, landscaper, or other contractor, will not be collected by the city and shall be the responsibility of the property owner or contractor to remove and dispose of such material in accordance with the state and local solid waste regulations. Items that do not conform to the requirements of this chapter will not be collected by the city and shall be the responsibility of the property owner or contractor to remove and dispose of such material in accordance with the state and local solid waste regulations.

(Ord. No. 4-1969, § 9(a), 11-7-69; Ord. No. 2012-03, § 1, 4-17-12)

Sec. 20-13. - Placement of refuse city will not collect.

Any person who shall place any refuse out for collection which the city will not collect shall not place same in a container or bundle located on any street.

(Ord. No. 4-1969, § 9, 11-7-69)

Sec. 20-14. - Picking up overloaded container.

The contents of any refuse container which is so overloaded that the lid will not fit securely on the container will not be picked up by the city.

(Ord. No. 4-1969, § 4, 11-7-69)

Sec. 20-14.1. - Business and commercial property generally; boxes, cartons, etc.

All rubbish which accumulates from commercial establishments such as boxes, cartons and crates, shall be collapsed before storing in rubbish containers and all boxes, cartons and crates which have not been so collapsed prior to the arrival of the removal trucks, shall be left by said trucks.

The time and manner of billing, and the enforcement of payment of the solid waste collection rates as herein set forth for commercial establishments shall be under the direction and control of the Utility Department of the City of Ocean Springs as set forth in section 20-25 hereof. Failure to pay such commercial solid waste collection rates shall result in the same penalty and require the same procedure for reinstatement as that indicated by section 20-26 of this chapter.

(Ord. of 9-22-81, § 1-D; Ord. No. 5-1988, § 1, 3-1-88; Ord. No. 2-1991, § 1(D), 2-5-91)

Editor's note— At the discretion of the editor, a portion of § 1-D of an ordinance adopted Sept. 22, 1981, has been codified as § 20-14.1.

Sec. 20-15. - Placing, pickup hours and removal of containers.

After the garbage has been collected by the collector, the owners of the containers shall remove them from the streets, sidewalks and public rights-of-way within twenty-four (24) hours after collection by the collector.

(Ord. No. 4-1969, § 5(c), 11-7-69; Ord. No. 19-1998, § 1, 6-16-98)

Sec. 20-16. - Use of streets by sanitation vehicles.

All employees and vehicles of the city's sanitation department when engaged or used in performance of the services rendered by such department, shall have the right-of-way in the use of the streets, and may use any part thereof in the operation of such vehicles in collecting refuse from the streets.

(Ord. No. 4-1969, § 10, 11-7-69)

Cross reference— Parking certain uncovered vehicles, § 11-1.

Sec. 20-17. - Conveying swill, slop, etc. along streets.

All persons hauling or conveying swill, slop and similar refuse through the streets of the city, shall carry same in closed metal containers, securely covered, so that the contents thereof may not be spilled and no odors emitted therefrom.

(Ord. No. 4-1969, § 13, 11-7-69)

Sec. 20-18. - Containers; handling without authority.

(a) It shall be unlawful for any person without authority to remove, handle or to otherwise disturb the garbage containers or recyclable containers or the contents thereof which have been placed on city property for servicing by the collectors.

(b) The city, or its duly authorized agent, shall provide one pickup of garbage and one pickup of recyclable materials per week.

(Ord. No. 4-1969, § 7, 11-7-69; Ord. No. 2-1991, § 1(G), 2-5-91)

Sec. 20-19. - Dumping on another's property without consent.

It shall be unlawful for any person to dump, or cause to be dumped, any refuse upon any property other than his own without the written consent of the owner of such property.

(Ord. No. 4-1969, § 17, 11-7-69)

Sec. 20-20. - Placement of wet garbage.

No person shall place any wet garbage on any property.

(Ord. No. 4-1969, § 17, 11-7-69)

Sec. 20-21. - Use of city dumping grounds; scavenging prohibited.

It shall be unlawful for any person to perform scavenging operations on the city dumping grounds, or to scavenge from garbage containers or recyclable containers placed for pickup by the collectors.

(Ord. No. 4-1969, § 11, 11-7-69; Ord. No. 2-1991, § 1(H), 2-5-91)

Sec. 20-22. - Private collection and transportation permit required.

It shall be unlawful for any person to engage in the collection or transportation of refuse for hire without a written permit from the city engineer. Such a permit may be revoked upon the recommendation of said engineer, whether favorable or otherwise by the mayor and board of aldermen after a hearing at which the permittee has the right to appear, be represented by an attorney and present evidence in his own behalf for any violation of the applicable rules of the sanitation department.

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

HOUSE RULES

CHECK OUT PROCEDURES:

- a. **CHECK-OUT NO LATER THAN 11:00 AM**
- b. All furniture should be returned to its original location.
- c. Empty all trash in garbage containers located in the designated area (right of the house).
- d. Remove and dispose of all food items from refrigerator and pantry
- e. Place dishes, utensils, etc. in dishwasher and turn it on when you depart.
- f. Remove sheets and all dirty towels and place in laundry area.

Thank you for agreeing to the terms of this rental agreement, and I hope you have a great stay.

Thanks, Nicole McClendon

Renter

Date



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 Coastal Breeze Newspaper and copies are sent via Standard mail at the cost of the applicant.

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

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

Short-Term Rental Applied for: 1405 PORTER AVE

Public Hearing Date/Time: MAY 13, 2025 at 6 p.m.

Applicant Nicole & David McClendon

Local Contact SAME AS OWNER

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, and again on December 17, 2019. This document addresses what the ordinance requires of an applicant, the process, and contact information for questions or concerns. For more details, please call the Planning Department at 228-875-4415.

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

Frequently Asked Questions regarding Residential Short-Term Rental permits:

- 1) **Why am I receiving this information?** All property owners within 500 feet of the property requesting a permit are required to receive notification via standard mail. Additionally, the hearing was advertised in the local newspaper and a yard sign placed on the property. This notice was mailed to your address of record with the Jackson County Tax Assessor's office.
- 2) **What is allowed under a Short-Term Rental Permit?** Approval of the permit will allow the property owner to rent the residence for periods of less than 30 days at a time, governed by restrictions listed in the ordinance. The permit does not allow any other non-permitted activity.
- 3) **Who will be responsible for management of the property?** The property owner is ultimately responsible for all activity on the property. The Local Property Manager, if one is assigned, MUST reside within 2 miles of the city limits and be available 24/7 to address issues related to the property. The Planning Department will have a contact number in case of emergencies.
- 4) **Do the property owners pay sales tax for this activity?** Yes – the property owner will be issued a city privilege license that will allow them to register with the state for payment of sales tax, including the additional "bed tax" required for all hotel activity.
- 5) **What review has been done by the City?** The application, a \$200 application fee, and payment for mailing was received. All information was reviewed to ensure all administrative requirements have been met. The home 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 an active Homeowner’s Association (HOA) must provide a letter from that HOA supporting the activity. If you are aware of such a restriction in your neighborhood, please notify the Planning Department at 228-875-4415. The permit will not be approved unless supported by an ACTIVE HOA where applicable.
 - 14) **Will the property owner be required to maintain renter information?** Yes, the property owner must maintain a guest registry and provide to the city for review upon request.
 - 15) **Will the renters be informed of the rules and regulations that are included in the permit?** Yes, part of the application and inspection includes provision of the rental agreement for review and posting of the house rules in a visible location within the home.



Questions and/or written comments can be sent to the Planning Department up to the day of the hearing and will be provided to the Planning Commission for consideration. Comments can be sent to:
1018 Porter Avenue, Ocean Springs, MS 39564.



Prepared by and after recording return to:

Erich N. Nichols, MBN 102588
Nichols Wrigley, PLLC
929 Washington Avenue
Ocean Springs, MS 39564
Telephone No.: (228) 206-2990
Facsimile No.: (601) 476-4951

Grantors' Names, Address and Telephone Number:

Lynn Sheryl Read Brune Revocable Trust, dated July 27, 2020
308 Pine Drive, as Amended
Ocean Springs, MS 39564
Phone: (228) 875-0685

Grantees' Names, Address and Telephone Number:

David McClendon and Nicole McClendon
116 Halstead Road
Ocean Springs, MS 39564
Phone: (601) 906-2701

Indexing Instructions:

W ½ Lot 12 Blk 32, Culmsieg Map, Jackson County, MS

**STATE OF MISSISSIPPI
COUNTY OF JACKSON**

WARRANTY DEED

FOR AND IN CONSIDERATION of the sum of Ten Dollars (\$10.00), cash in hand paid, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the undersigned E. Foley Ranson, Trustee of the Lynn Sheryl Read Brune Revocable Trust, dated July 17, 2020, as amended (the "**Grantor**"), does sell, grant, convey, and warrant unto David McClendon and Nicole McClendon, as joint tenants with rights of survivorship and not as tenants-in-common ("**Grantees**"), the real property, together with all improvements thereon, situated in Jackson County, Mississippi, and more particularly described on **Exhibit "A,"** which is hereby incorporated by reference.

The property does not constitute any part of the homestead of the Grantor.


The conveyance is made subject to all protective covenants, rights of way, easements, and oil, gas or mineral reservations or conveyances of record pertaining to the subject property.

Taxes for the current year are assumed by the Grantee.

WITNESS, the Grantor has caused this instrument to be executed, this the 21st day of May, 2024.

GRANTOR:

LYNN SHERYL READ BRUNE REVOCABLE TRUST, dated July 27, 2020


E. Foley Ranson, Trustee

**STATE OF MISSISSIPPI
COUNTY OF JACKSON**

PERSONALLY APPEARED BEFORE ME, the undersigned authority in and for the said county and state, within my jurisdiction, the within named E. Foley Ranson, who acknowledges that he executed the above and foregoing instrument.

SWORN TO AND SUBSCRIBED before me this, the 21st day of May, 2024.

My Commission Expires



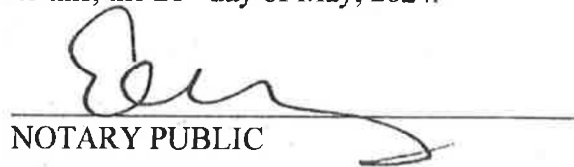

NOTARY PUBLIC

EXHIBIT "A"

Legal Description

The West one-half (1/2) of Lot Twelve (12) in Block Thirty-two (32) of the Culmsieg Map of Ocean Springs, claim section 37, Township 7 South, Range 8 West, and more particularly described as commencing at a point on the North side of East Porter Avenue, 225 feet East of the Northeast corner of the said East Porter Avenue and VanCleave Avenue, thence along a North line of East Porter Avenue East 56 feet, more or less; thence North 205 feet more or less, thence West 56 feet, more or less, thence South 205 feet, more or less to the point of beginning. Jackson Co. Tax Parcel No. 60137154.000