

Harrison County Planning Commission Minutes

August 18, 2022

The Harrison County Planning Commission met on August 18, 2022 at 5:00 p.m. in the Board of Supervisors' meeting room at the First Judicial District Courthouse of Harrison County, in the City of Gulfport, Mississippi.

Present and in attendance were:

Members

Rondell W. Young, District 1 Commissioner
Claudia Keyes, District 2 Commissioner
Kendra Simpson, District 3 Commissioner – Vice Chairman
Rev. Eddie Hartwell Jr., District 4 Commissioner – Chairman
Mendon Weidner, District 5 Commissioner

Staff

Patrick Bonck, Zoning Administrator
Valerie Hill, Administrative Assistant
Stacy Burney, Secretary
April Thomas, Planner I
Michelle Clifford, Planner I
Christine Duggan, Planner I
Virgil Gillespie, Legal Council

Court Reporter

Melissa Burdine

Visitors

As per list on file with the Recording Secretary (**Exhibit 2208PC- 1**)

Commissioner Hartwell called the meeting to order at 5:10 PM.

The minutes of the last meeting on Thursday July 21, 2022 were approved by Commissioner Keyes and Commissioner Young seconded the motion.

Commissioner Claudia Keyes voted	Aye
Commissioner Rondell W. Young voted	Aye
Commissioner Kendra Simpson voted	Aye
Commissioner Eddie Hartwell, Jr. voted	Aye
Commissioner Mendon Weidner voted	Aye

The motion having received a favorable vote of the majority of the Commission, the Chairman declared the motion adopted this the 18th Day of August 2022.

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The chairman read into the record proceedings for the hearings and the Public declaration of appeal process.

Commissioner Hartwell ensured all applicants from each group of cases read and understood the appeal process. The applicants acknowledged this before the meeting continued.

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Public Agenda

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Old Business

Case File 2107HC148 – Extension of a Conditional Use Permit to allow for the placement of a manufactured home – XXXXX Tetons Rd – tax parcel 0107O-01-028.000 – Anthony & Catherine Hood – Supervisor District 3

Said petition was filed by Anthony & Catherine Hood requesting an extension of a Conditional Use Permit to allow for the placement of a manufactured home on a 3-acre parcel of land as identified on the site plan. The E-1 (Very Low Density Residential) District requires a conditional use permit from the Planning Commission for the placement of a manufactured home. The subject property is located at XXXXX Tetons Rd. The ad valorem tax parcel number is 0107O-01-028.000

The applicants were present.

Commissioner Young made a motion to approve the request as petitioned and based upon the facts set forth in the Application, the entire record before the Planning Commission, and the hearing hereon, all of which are incorporated herein as the findings of fact of the Planning Commission. The basis for the motion is that the proposed development is compatible with the neighborhood as described in the application. Commissioner Weidner seconded the motion.

Commissioner Claudia Keyes voted	Aye
Commissioner Rondell W. Young voted	Aye
Commissioner Kendra Simpson voted	Aye
Commissioner Eddie Hartwell, Jr. voted	Aye
Commissioner Mendon Weidner voted	Aye

The motion having received a favorable vote of the majority of the Commission, the Chairman declared the motion adopted this the 18th Day of August 2022.

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Case File 2207HC124 – Zoning Map Amendment to subdivide & rezone from E-1 to R-1 – 7382 Red Creek Rd – tax parcel 0510K-01-019.000 – Andrew & Stacey Levens – Supervisor District 3

Said petition was filed by Andrew & Stacey Levens requesting approval to change the zoning district classification of a 2.8-acre parcel of land. The property is currently zoned as an E-1 (Very Low Density Residential) District. The request is to change the zoning district classification to the R-1 (Low Density Residential) District for the purpose of subdividing property for the existing home as shown on site plan. The subject property is located at 7382 Red Creek Rd. The ad valorem tax parcel number is 0510K-01-019-000.

The applicants were present.

Commissioner Young made a motion to recommend to the Board of Supervisors to approve the rezoning request as petitioned and based upon the facts set forth in the Application, the entire record before the Planning Commission, and the hearing hereon, all of which are incorporated herein as the findings of fact of the Planning Commission. The basis for the recommendation is change in conditions as demonstrated in the application. Commissioner Weidner seconded the motion.

Commissioner Claudia Keyes voted	Aye
Commissioner Rondell W. Young voted	Aye
Commissioner Kendra Simpson voted	Aye
Commissioner Eddie Hartwell, Jr. voted	Aye
Commissioner Mendon Weidner voted	Aye

The motion having received a favorable vote of the majority of the Commission, the Chairman declared the motion adopted this the 18th Day of August 2022.

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New Business

Case File 2208HC147 – Zoning Map Amendment & Conditional Use Permit to rezone from A-1 & E-1 to R-1 to allow for a 171-lot single family residential subdivision – XXXXX Cunningham Rd – tax parcel 0310-26-002.001 & 0310-26-002.000 – Donovan Scruggs for Charlie Gant – Supervisor District 3

Said petition was filed by Donovan Scruggs for Charlie Gant requesting approval to change the zoning district classification of two parcels of land totaling 61-acres. The properties are currently zoned as A-1 (General Agriculture), E-1 (Very Low Density Residential) District. The request is to change the zoning district classifications to the R-1 (Low Density Residential) District for the purpose of developing a single-family residential subdivision with approximately 171 lots as shown on the site plan. Residential subdivisions require a conditional use permit from Planning Commission. The subject property is located at XXXXX Cunningham Rd. The ad valorem tax parcel numbers are 0310-26-002.000 and 0310-26-002.001.

Prior to the meeting the applicant requested this case be tabled to the following month's agenda.

Mr. Schwartz said he is unaware how many people are here for his case, but he wants some extra time to try to reconcile differences outside of our meeting. He was just informed of a petition late yesterday afternoon and wants time to look at the public's concerns.

It was determined that Old Business needs to be heard and then we will get all people present involved to make sure there is not strong opposition to this request.

Commissioner Young made a motion to table the request. Commissioner Weidner seconded the motion.

Commissioner Claudia Keyes voted	Aye
Commissioner Rondell W. Young voted	Aye
Commissioner Kendra Simpson voted	Aye
Commissioner Eddie Hartwell, Jr. voted	Aye
Commissioner Mendon Weidner voted	Aye

The motion having received a favorable vote of the majority of the Commission, the Chairman declared the motion adopted this the 18th Day of August 2022.

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**Case File 2208HC128 – Zoning Map Amendment to rezone from the A-1 to E-1
for the purpose of building a house – XXXXX M Broadus Rd – tax parcel
0903-24-001.002 – Michael & Mary Fitts – Supervisor District 5**

Said petition was filed by Michael & Mary Beth Fitts requesting approval to change the zoning district classification of a 3-acre parcel of land. The property is currently zoned as a A-1 (General Agriculture) District. The request is to change the zoning district classification to an E-1 (Very Low Density Residential) District for the purpose of building a house shown on site plan. The subject property is located at XXXXX M Broadus Rd. The ad valorem tax parcel number is 0903-24-001.002.

The applicant was present.

Commissioner Weidner made a motion to recommend to the Board of Supervisors to approve the rezoning request as petitioned and based upon the facts set forth in the Application, the entire record before the Planning Commission, and the hearing hereon, all of which are incorporated herein as the findings of fact of the Planning Commission. The basis for the recommendation is change in conditions as demonstrated in the application. Commissioner Young seconded the motion.

Commissioner Claudia Keyes voted	Aye
Commissioner Rondell W. Young voted	Aye
Commissioner Kendra Simpson voted	Aye
Commissioner Eddie Hartwell, Jr. voted	Aye
Commissioner Mendon Weidner voted	Aye

The motion having received a favorable vote of the majority of the Commission, the Chairman declared the motion adopted this the 18th Day of August 2022.

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Case File 2208HC129 – Conditional Use Permit to allow for the placement of a manufactured home – XXXXX Saucier Lizana Rd – tax parcel 0603-14-039.009 – Connor & Briana Barron for Parker Bourque – Supervisor District 2

Said petition was filed by Connor & Briana Barron for Parker Bourque requesting a Conditional Use Permit to allow for the placement of a manufactured home on a 2.15-acre parcel of land as shown on site plan. The R-2 (Medium Density Residential) District requires a conditional use permit for the placement of a manufactured home. The subject property is located at XXXXX Saucier Lizana Rd. The ad valorem tax parcel number is 0603-14-039.009.

The applicants were present.

Commissioner Simpson asked about manufactured home to traditional house ratio to which Mr. Bonck said it was an even mix.

Commissioner Young made a motion to approve the request as petitioned and based upon the facts set forth in the Application, the entire record before the Planning Commission, and the hearing hereon, all of which are incorporated herein as the findings of fact of the Planning Commission. The basis for the motion is that the proposed development is compatible with the neighborhood as described in the application. Commissioner Keyes seconded the motion.

Commissioner Claudia Keyes voted	Aye
Commissioner Rondell W. Young voted	Aye
Commissioner Kendra Simpson voted	Aye
Commissioner Eddie Hartwell, Jr. voted	Aye
Commissioner Mendon Weidner voted	Aye

The motion having received a favorable vote of the majority of the Commission, the Chairman declared the motion adopted this the 18th Day of August 2022.

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Case File 2208HC130 – Conditional Use Permit to allow for occasional use of an RV on water front property – Lot 6, Yacht Club Dr – tax parcel 0312G-01-007.000 – Patrick Necaise – Supervisor District 3

Said petition was filed by Patrick Necaise requesting a Conditional Use Permit to allow for the occasional use of a one Recreational Vehicle (RV) on waterfront property on a .25-acre parcel of land. The E-1 (Very Low Density Residential) District requires a conditional use permit for the occasional use of a RV on Waterfront property. Water and sewer must be self-contained, a power pole is possible. The subject property is located at XXXXX Yacht Club Dr. The ad valorem tax parcel number is 0312G-01-007.000.

The applicant was present.

Vicki O'Brien spoke in opposition. She is from LA but was told that MS has a "Squatter's Rights" law and wanted to make sure that these empty lots will not fill up with squatters taking advantage of lawful loopholes. She added that she is not in opposition to this application.

Mr. Gillespie spoke quoting "Adverse Possession." He said there are very rigid circumstances for someone to be able to obtain title to a property. He advised that property owners lay eyes on their property annually if possible to alert the proper authorities if someone is on their property.

Mr. Gillespie said someone would have to be maintaining the property for a min of 10 years to try and invoke this law.

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Commissioner Weidner a motion to approve the request subject to the Harrison County Flood Control Ordinance and Section 816.19.02-06 which includes one RV, no renting of the lot or RV, one power pole, no water well or septic tank, the RV must have a current title and can stay for no more than 17 days at a time. The basis for the motion is that the proposed development is compatible with the neighborhood as described in the application. Commissioner Simpson seconded the motion.

Commissioner Claudia Keyes voted	Aye
Commissioner Rondell W. Young voted	Aye
Commissioner Kendra Simpson voted	Aye
Commissioner Eddie Hartwell, Jr. voted	Aye
Commissioner Mendon Weidner voted	Aye

The motion having received a favorable vote of the majority of the Commission, the Chairman declared the motion adopted this the 18th Day of August 2022.

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**Case File 2208HC131 – Zoning Map Amendment & Conditional Use Permit
to rezone from R-1 to R-2 to allow for the placement of a manufactured
home – XXXXX Success Rd – tax parcel 0903-24-002.004 – Wallace &
Patricia Buchholz – Supervisor District 5**

Said petition was filed by Wallace & Patricia Buchholz requesting approval to change the zoning district classification of a 1.7-acre parcel of land. The property is currently zoned as an R-1 (Low Density Residential) District. The request is to change the zoning district classification to an R-2 (Medium Density Residential) District for the purpose of placing a manufactured home as shown on site plan. The placement of a manufactured home in the R-2 district requires a Conditional Use Permit from the Planning Commission. The subject property is located at XXXXX Success Rd. The ad valorem tax parcel number is 0903-24-002.004.

The applicant was present.

Commissioner Weidner made a motion to recommend to the Board of Supervisors to approve the rezoning and conditional use permit request as petitioned and based upon the facts set forth in the Application, the entire record before the Planning Commission, and the hearing hereon, all of which are incorporated herein as the findings of fact of the Planning Commission. The basis for the recommendation is change in conditions and that the proposed development is compatible with the neighborhood as demonstrated in the application. Commissioner Young seconded the motion.

Commissioner Claudia Keyes voted	Aye
Commissioner Rondell W. Young voted	Aye
Commissioner Kendra Simpson voted	Aye
Commissioner Eddie Hartwell, Jr. voted	Aye
Commissioner Mendon Weidner voted	Aye

The motion having received a favorable vote of the majority of the Commission, the Chairman declared the motion adopted this the 18th Day of August 2022.

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**Case File 2208HC132 – Conditional Use Permit to establish a family cemetery –
16548 Bell Creek Rd – tax parcel 0106-18-004.001 – Kyle, Terrance & Chad Ladner
for Life Estate of Terry Ladner – Supervisor District 3**

Said petition was filed by Kyle, Terrance & Chad Ladner for Life Estate of Terry Ladner requesting a Conditional Use Permit to allow for a family cemetery on a 1-acre parcel of land as shown on site plan. The A-1 (General Agriculture) District requires a conditional use permit for the placement of a manufactured home. The subject property is located at 16548 Bell Creek Rd. The ad valorem tax parcel number is 0106-18-004.001.

The applicant was present.

Commissioner Keyes asked about the total size of the parcel. The applicant said a little over 9.5 acres.

Commissioner Young made a motion to approve the request as petitioned and based upon the facts set forth in the Application, the entire record before the Planning Commission, and the hearing hereon, all of which are incorporated herein as the findings of fact of the Planning Commission. The basis for the motion is that the proposed development is compatible with the neighborhood as described in the application. Commissioner Weidner seconded the motion.

Commissioner Claudia Keyes voted	Aye
Commissioner Rondell W. Young voted	Aye
Commissioner Kendra Simpson voted	Aye
Commissioner Eddie Hartwell, Jr. voted	Aye
Commissioner Mendon Weidner voted	Aye

The motion having received a favorable vote of the majority of the Commission, the Chairman declared the motion adopted this the 18th Day of August 2022.

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Case File 2208HC133 – Conditional Use Permit to allow for the replacement of a manufactured home – 11615 Pinehurst PI W – tax parcel 0508I-01-006.000 – Reuben Thompson – Supervisor District 3

Said petition was filed by Reuben Thompson requesting a Conditional Use Permit to allow for the placement of a manufactured home on a 1.7-acre parcel of land as shown on site plan. The R-2 (Medium Density Residential) District requires a conditional use permit for the replacement of a manufactured home. The subject property is located at 11615 W. Pinehurst RL. The ad valorem tax parcel number is 0508I-01-006.000.

The applicant was present.

Commissioner Weidner made a motion to approve the request as petitioned and based upon the facts set forth in the Application, the entire record before the Planning Commission, and the hearing hereon, all of which are incorporated herein as the findings of fact of the Planning Commission. The basis for the motion is that the proposed development is compatible with the neighborhood as described in the application. Commissioner Simpson seconded the motion.

Commissioner Claudia Keyes voted	Aye
Commissioner Rondell W. Young voted	Aye
Commissioner Kendra Simpson voted	Aye
Commissioner Eddie Hartwell, Jr. voted	Aye
Commissioner Mendon Weidner voted	Aye

The motion having received a favorable vote of the majority of the Commission, the Chairman declared the motion adopted this the 18th Day of August 2022.

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Case File 2208HC134 – Conditional Use Permit to allow for the use of a camper while building a house – 12488 Yet Rd – tax parcel 0902-12-007.006 – Melonie Craft – Supervisor District 1

Said petition was filed by Melonie Craft requesting a Conditional Use Permit to allow for the temporary placement of a RV during the construction of their home on a 4.8-acre parcel of land. The E-1 (Very Low Density Residential) District requires a conditional use permit for the placement of an RV. The subject property is located at 12488 Yet Rd. The ad valorem tax parcel number is 0902 -12-007.006.

The applicant was present.

Commissioner Weidner made a motion to approve the request subject to disconnecting the RV from water and sewer utilities and ceasing all camping on the lot after the Certificate of Occupancy is granted for your new home, and based upon the facts set forth in the Application, the entire record before the Planning Commission, and the hearing hereon, all of which are incorporated herein as the findings of fact of the Planning Commission. The basis for the motion is that the proposed development is compatible with the neighborhood as described in the application. Commissioner Young seconded the motion.

Commissioner Claudia Keyes voted	Aye
Commissioner Rondell W. Young voted	Aye
Commissioner Kendra Simpson voted	Aye
Commissioner Eddie Hartwell, Jr. voted	Aye
Commissioner Mendon Weidner voted	Aye

The motion having received a favorable vote of the majority of the Commission, the Chairman declared the motion adopted this the 18th Day of August 2022.

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Case File 2208HC135 – Zoning Map Amendment to rezone from A-1 & R-1 to E-1 to correct zoning – 18203 Hwy 53 – tax parcel 0606P-02-002.000 – John & Valerie Crane – Supervisor District 2

Said petition was filed by John & Valerie Crane requesting approval to change the zoning district classification of a 10.5-acre parcel of land. The property is currently zoned as an A-1 (General Agriculture), R-1 (Low Density Residential), E-1 (Very Low Density Residential) District. The request is to change the zoning district classification to the E-1 (Very Low Density Residential) District for the purpose of correcting zoning as shown on site plan. The subject property is located at 18203 Hwy 53. The ad valorem tax parcel number 0606P-02-002.000.

The applicant was not present, but made the staff aware ahead of time.

Darlene Brooks spoke in opposition. She asked if this is affecting the property behind her, and Mr. Bonck said it does not. Her concerns were addressed.

Commissioner Young made a motion to recommend to the Board of Supervisors to approve the rezoning request as petitioned and based upon the facts set forth in the Application, the entire record before the Planning Commission, and the hearing hereon, all of which are incorporated herein as the findings of fact of the Planning Commission. The basis for the recommendation is change in conditions as demonstrated in the application. Commissioner Simpson seconded the motion.

Commissioner Claudia Keyes voted	Aye
Commissioner Rondell W. Young voted	Aye
Commissioner Kendra Simpson voted	Aye
Commissioner Eddie Hartwell, Jr. voted	Aye
Commissioner Mendon Weidner voted	Aye

The motion having received a favorable vote of the majority of the Commission, the Chairman declared the motion adopted this the 18th Day of August 2022.

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**Case File 2208HC136 – Conditional Use Permit to allow for firearm, suppressor
engraving & online sales as a home employment business – 11810 Bell Ave – tax
parcel 0906-13-004.037 – Theodore Parsons II – Supervisor District 5**

Said petition was filed by Theodore G. Parsons II requesting a Conditional Use Permit to allow for a firearm, suppressor engraving and online sales as a Home Employment Business on a 4.2-acre parcel of land as identified on the site plan. The R-2 (Medium Density Residential) District requires a conditional use permit for a Home Employment Business. The subject property is located at 11810 Bell Ave. The ad valorem tax parcel number is 0906-13-004.037.

The applicant was present.

He said “engraving” requires “0702” licensing and is under the “manufacturing” umbrella. That wording will be required to get his licenses. He said he is direct with some military suppliers and outfits a lot of local law enforcements’ personal carry weapons.

Commissioner Young made a motion to approve the request as petitioned and based upon the facts set forth in the Application, the entire record before the Planning Commission, and the hearing hereon, all of which are incorporated herein as the findings of fact of the Planning Commission. The basis for the motion is that the proposed development is compatible with the neighborhood as described in the application. Commissioner Weidner seconded the motion.

Commissioner Claudia Keyes voted	Aye
Commissioner Rondell W. Young voted	Aye
Commissioner Kendra Simpson voted	Aye
Commissioner Eddie Hartwell, Jr. voted	Aye
Commissioner Mendon Weidner voted	Aye

The motion having received a favorable vote of the majority of the Commission, the Chairman declared the motion adopted this the 18th Day of August 2022.

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Case File 2208HC137 – Zoning Map Amendment to rezone property from A-1 to R-2 to combine property – 15020 Barber Rd – tax parcel 0802-09-005.002 – Edward & Paula Berlin – Supervisor District 5

Said petition was filed by Edward & Paula Berlin requesting approval to change the zoning district classification of a .46 parcel of land. The property is currently zoned as a A-1 (General Agriculture) District. The request is to change the zoning district classification to an R-2 (Medium Density Residential) District for the purpose of combining with homesite as shown on site plan. The subject property is located at 15020 Barber Rd. The ad valorem tax parcel number is 0802-09-005.002.

The applicant was present.

Commissioner Young made a motion to recommend to the Board of Supervisors to approve the rezoning request as petitioned and based upon the facts set forth in the Application, the entire record before the Planning Commission, and the hearing hereon, all of which are incorporated herein as the findings of fact of the Planning Commission. The basis for the recommendation is change in conditions as demonstrated in the application. Commissioner Weidner seconded the motion.

Commissioner Claudia Keyes voted	Aye
Commissioner Rondell W. Young voted	Aye
Commissioner Kendra Simpson voted	Aye
Commissioner Eddie Hartwell, Jr. voted	Aye
Commissioner Mendon Weidner voted	Aye

The motion having received a favorable vote of the majority of the Commission, the Chairman declared the motion adopted this the 18th Day of August 2022.

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Case File 2208HC138 – Zoning Map Amendment to subdivide & rezone
Parcels A, B & C from the A-1 to E-1 to build houses – 24389 E Dubuison Rd
– tax parcel 0309-24-005.002 – John & Kathryn Lankford – Supervisor District
3

Said petition was filed by John & Kathryn Lankford requesting approval to change the zoning district classification of a 26.5-acre parcel of land. The property is currently zoned as a A-1 (General Agriculture) District. The request is to change the zoning district classification to an E-1 (Very Low Density Residential) District for the purpose of subdividing property into 3 lots as shown on site plan. The subject property is located at 24389 East Dubuisson Rd. The subject property is a portion of ad valorem tax parcel number 0309-24-005.002.

The applicant was present.

Williams Collins spoke asking about the lot sizes being proposed.

Mr. Bonck said one is 7, one 8, and one 9 acres. This leaves over 40-acres.

Commissioner Young made a motion to recommend to the Board of Supervisors to approve the rezoning request as petitioned and based upon the facts set forth in the Application, the entire record before the Planning Commission, and the hearing hereon, all of which are incorporated herein as the findings of fact of the Planning Commission. The basis for the recommendation is change in conditions as demonstrated in the application. Commissioner Keyes seconded the motion.

Commissioner Claudia Keyes voted	Aye
Commissioner Rondell W. Young voted	Aye
Commissioner Kendra Simpson voted	Aye
Commissioner Eddie Hartwell, Jr. voted	Aye
Commissioner Mendon Weidner voted	Aye

The motion having received a favorable vote of the majority of the Commission, the Chairman declared the motion adopted this the 18th Day of August 2022.

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Case File 2208HC139 – Zoning Map Amendment to subdivide & rezone from A-1 to E-1 to build a house – XXXXX Saucier Lizana Rd – tax parcel 0404-29-026.000 – Hunter Farve – Supervisor District 2

Said petition was filed by Hunter Farve requesting approval to change the zoning district classification of a 3-acre parcel of land. The property is currently zoned as a A-1 (General Agriculture) District. The request is to change the zoning district classification to an E-1 (Very Low Density Residential) District for the purpose of subdividing property & building a house as shown on site plan. The subject property is located at 20126 Saucier Lizana Rd. The subject property is a portion of ad valorem tax parcel number 0404-29-026.000.

The applicant was present.

Commissioner Weidner made a motion to recommend to the Board of Supervisors to approve the rezoning request as petitioned and based upon the facts set forth in the Application, the entire record before the Planning Commission, and the hearing hereon, all of which are incorporated herein as the findings of fact of the Planning Commission. The basis for the recommendation is change in conditions as demonstrated in the application. Commissioner Young seconded the motion.

Commissioner Claudia Keyes voted	Aye
Commissioner Rondell W. Young voted	Aye
Commissioner Kendra Simpson voted	Aye
Commissioner Eddie Hartwell, Jr. voted	Aye
Commissioner Mendon Weidner voted	Aye

The motion having received a favorable vote of the majority of the Commission, the Chairman declared the motion adopted this the 18th Day of August 2022.

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**Case File 2208HC140 – Zoning Map Amendment & Conditional Use Permit to
rezone from the E-1 to R-2 to allow for the placement of a manufactured home –
XXXXX Espy Ave – tax parcel 0511L-01-004.001 – Jacob Fountain – Supervisor
District 3**

Said petition was filed by Jacob Fountain requesting approval to change the zoning district classification of a 1-acre parcel of land. The property is currently zoned as E-1 (Very Low Density Residential) District. The request is to change the zoning district classification to an R-2 (Medium Density Residential) District for the purpose of placing a manufactured home as shown on site plan. The subject property is located at XXXXX Espy Ave. The ad valorem tax parcel number is 0511L-01-004.001.

The applicant was present by way of his grandfather. He said there are 16 houses, 7 manufactured homes, and a church in the area.

Commissioner Young asked who will live there, and Mr. Fountain said it will be his grandson, the applicant.

Commissioner Simpson made a motion to recommend to the Board of Supervisors to approve the rezoning and conditional use permit request as petitioned and based upon the facts set forth in the Application, the entire record before the Planning Commission, and the hearing hereon, all of which are incorporated herein as the findings of fact of the Planning Commission. The basis for the recommendation is change in conditions and that the proposed development is compatible with the neighborhood as demonstrated in the application. Commissioner Young seconded the motion.

Commissioner Claudia Keyes voted	Aye
Commissioner Rondell W. Young voted	Aye
Commissioner Kendra Simpson voted	Aye
Commissioner Eddie Hartwell, Jr. voted	Aye
Commissioner Mendon Weidner voted	Aye

The motion having received a favorable vote of the majority of the Commission, the Chairman declared the motion adopted this the 18th Day of August 2022.

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Case File 2208HC141 – Zoning Map Amendment to subdivide & rezone Parcel "C" from the A-1 to R-1 to build a house – XXXXX Schanbacher Rd – tax parcel 0607-26-009.000 – Brooke Mitchell – Supervisor District 2

Said petition was filed by Brooke Mitchell requesting approval to change the zoning district classification of a 2.82-acre parcel of land. The property is currently zoned as a A-1 (General Agriculture) District. The request is to change the zoning district classification to an R-1 (Low Density Residential) District for the purpose of building a house as shown on site plan. The subject property is located at 14351 Schanbacher Rd. The ad valorem tax parcel number is 0607-26-009.000.

The applicant was present.

Commissioner Weidner made a motion to recommend to the Board of Supervisors to approve the rezoning request as petitioned and based upon the facts set forth in the Application, the entire record before the Planning Commission, and the hearing hereon, all of which are incorporated herein as the findings of fact of the Planning Commission. The basis for the recommendation is change in conditions as demonstrated in the application. Commissioner Young seconded the motion.

Commissioner Claudia Keyes voted	Aye
Commissioner Rondell W. Young voted	Aye
Commissioner Kendra Simpson voted	Aye
Commissioner Eddie Hartwell, Jr. voted	Aye
Commissioner Mendon Weidner voted	Aye

The motion having received a favorable vote of the majority of the Commission, the Chairman declared the motion adopted this the 18th Day of August 2022.

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Case File 2208HC142 – Zoning Map Amendment to subdivide & rezone Parcel "B" from the A-1 to R-1 to build a house – 14351 Schanbacher Rd – tax parcel 0607-26-009.000 – Tiffany Hodge – Supervisor District 2

Said petition was filed by Tiffany Hodge requesting approval to change the zoning district classification of a 3.46-acre parcel of land. The property is currently zoned as a A-1 (General Agriculture) District. The request is to change the zoning district classification to an R-1 (Low Density Residential) District for the purpose of subdividing property and building a house as shown on site plan. The subject property is located at 14351 Schanbacher Rd. The subject property is a portion of ad valorem tax parcel number is 0607-26-009.000.

The applicant was present.

Commissioner Young made a motion to recommend to the Board of Supervisors to approve the rezoning request as petitioned and based upon the facts set forth in the Application, the entire record before the Planning Commission, and the hearing hereon, all of which are incorporated herein as the findings of fact of the Planning Commission. The basis for the recommendation is change in conditions as demonstrated in the application. Commissioner Weidner seconded the motion.

Commissioner Claudia Keyes voted	Aye
Commissioner Rondell W. Young voted	Aye
Commissioner Kendra Simpson voted	Aye
Commissioner Eddie Hartwell, Jr. voted	Aye
Commissioner Mendon Weidner voted	Aye

The motion having received a favorable vote of the majority of the Commission, the Chairman declared the motion adopted this the 18th Day of August 2022.

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Case File 2208HC143 – Other Application to allow for change in use of a concrete plant into a construction yard – 16708 Hwy 67 – tax parcel 1106-16-002.007 – Joseph Raffeo, Jr. /Sara Fox for Bayou Concrete, LLC – Supervisor District 5

Said petition was filed by Joseph Raffeo Jr./ Sara Fox for Bayou Concrete, LLC requesting a change in use from a concrete plant into a construction yard on a 5.3-acre parcel of land as identified on the site plan. The property is zoned A-1 (General Agriculture) District. The Board of Supervisors, upon favorable recommendation of the Planning Commission, shall at its discretion have the authority to extend said one year limitations for additional period of time upon application of the owner or leaseholder. The subject property is located at 16708 Hwy 67. The ad valorem tax parcel number is 1106-16-002.007.

The applicants were present.

Commissioner Young made a motion to approve the request subject to planting Live Oak and Southern Magnolia trees as required by the Hwy 67 Landscaping zoning requirements. and based upon the facts set forth in the Application, the entire record before the Planning Commission, and the hearing hereon, all of which are incorporated herein as the findings of fact of the Planning Commission. The basis for the motion is that the proposed development is compatible with the neighborhood as described in the application. Commissioner Weidner seconded the motion.

Commissioner Claudia Keyes voted	Aye
Commissioner Rondell W. Young voted	Aye
Commissioner Kendra Simpson voted	Aye
Commissioner Eddie Hartwell, Jr. voted	Aye
Commissioner Mendon Weidner voted	Aye

The motion having received a favorable vote of the majority of the Commission, the Chairman declared the motion adopted this the 18th Day of August 2022.

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Harrison County Planning Commission Minutes

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Case File 2208HC144 – Zoning Map Amendment rezone from E-1 to R-1 to build a house – XXXXX John Clark Rd – tax parcel 0607I-01-008.002 – David Estes for Floyd & Susan Bishop – Supervisor District 2

Said petition was filed by David Estes for Floyd & Susan Bishop requesting approval to change the zoning district classification of a 1-acre parcel of land. The property is currently zoned as E-1 (Very Low Density Residential) District. The request is to change the zoning district classification to an R-1 (Low Density Residential) District for the purpose of building a house as shown on site plan. The subject property is located at XXXXX Wards Ln. The ad valorem tax parcel number is 0607I-01-008.002.

The applicant was present.

Commissioner Young made a motion to recommend to the Board of Supervisors to approve the rezoning request as petitioned and based upon the facts set forth in the Application, the entire record before the Planning Commission, and the hearing hereon, all of which are incorporated herein as the findings of fact of the Planning Commission. The basis for the recommendation is change in conditions as demonstrated in the application. Commissioner Weidner seconded the motion.

Commissioner Claudia Keyes voted	Aye
Commissioner Rondell W. Young voted	Aye
Commissioner Kendra Simpson voted	Aye
Commissioner Eddie Hartwell, Jr. voted	Aye
Commissioner Mendon Weidner voted	Aye

The motion having received a favorable vote of the majority of the Commission, the Chairman declared the motion adopted this the 18th Day of August 2022.

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Case File 2208HC145 – Zoning Map Amendment & Conditional Use Permit to
rezone from E-1 to A-1 to allow for a Medical Cannabis Cultivation facility – 9201
Joy Lane – tax parcel 0309-24-023.000 – Brian Bricker for Bruce Bricker –
Supervisor District 3

Said petition was filed by Brian Bricker for Bruce Bricker requesting approval to change the zoning district classification of a 4.5-acre parcel of land. The property is currently zoned as an E-1(Very Low Density Residential) District. The request is to change the zoning district classification to an A-1 (General Agriculture) District for the purpose of establishing a medical cannabis cultivation facility as show on site plan. The medical cannabis cultivation facility requires a Conditional Use Permit from the Planning Commission. The subject property is located at 9201 Joy Ln. The ad valorem tax parcel number is 0309-24-023.000.

The applicant was present.

Mr. Bricker spoke saying he will continue to do the current use of growing lettuce, producing just under 1 million heads/year. He provided a map showing current uses around the area. He said to the west and south are current landfills that are able to be smelled periodically. He said the property to the west is being farmed as well. He said there is also an industrial use that you can hear their operations as well. He added 1 in 5 houses currently have a home-based business in this area as well. There were several neighbors in attendance who were in support of this application.

Tabitha Williams spoke on behalf of the opposition. She is worried about the security measurements interfering with residential uses. She is also concerned with possible smells. She wanted to know his size restrictions. She was also worried about the unused plants.

Mr. Bricker said disposal will be strenuous. He said they will not be licensed for testing, disposal, or selling. He said the lighting is motion detected and will not go over the fence line. He said there is a berm that has been installed making a natural gulley and along with a fence will block the viewing. He expects trucks to come in to pick up only once monthly. Mr. Bricker explained the tagging system and testing which will be super regulated and restrictive. He said they will have cameras on site too. He added that at any given time there will not be more than around \$10k of product on the property. He said they will be a “Micro Tier 2” operation. He said the goal would be a Tier 2 license, but that would be the biggest. He said their well size is not big enough to expand larger. They are doing an electronic key card and installing a sophisticated locking system. There will only be 1-2 employees initially and at max production up to 7 staff.

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Commissioner Weidner made a motion to recommend to the Board of Supervisors to approve the rezoning and conditional use permit request as petitioned and based upon the facts set forth in the Application, the entire record before the Planning Commission, and the hearing hereon, all of which are incorporated herein as the findings of fact of the Planning Commission. The basis for the recommendation is change in conditions and that the proposed development is compatible with the neighborhood as demonstrated in the application. Commissioner Young seconded the motion.

Commissioner Claudia Keyes voted	Aye
Commissioner Rondell W. Young voted	Aye
Commissioner Kendra Simpson voted	Aye
Commissioner Eddie Hartwell, Jr. voted	Aye
Commissioner Mendon Weidner voted	Aye

The motion having received a favorable vote of the majority of the Commission, the Chairman declared the motion adopted this the 18th Day of August 2022.

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Case File 2208HC148 – Conditional Use Permit to allow for climate controlled self storage facility – XXXXX Hwy 49 – tax parcel 0702M-02-003.003 – Billy Anderson – Supervisor District 5

Said petition was filed by Billy Anderson requesting a Conditional Use Permit to allow for the construction of a 36,000 square ft. climate-controlled storage facility on a 3.5-acre parcel of land as shown on site plan. The C-2 (General Commercial) District requires a conditional use permit for the Warehousing & Storage Facility with no outdoor storage. The subject property is located at XXXXX Hwy 49. The ad valorem tax parcel number is 0702M-02-003.003.

The applicant was present.

Commissioner Weidner made a motion to approve the request as petitioned and based upon the facts set forth in the Application, the entire record before the Planning Commission, and the hearing hereon, all of which are incorporated herein as the findings of fact of the Planning Commission. The basis for the motion is that the proposed development is compatible with the neighborhood as described in the application. Commissioner Simpson seconded the motion.

Commissioner Claudia Keyes voted	Aye
Commissioner Rondell W. Young voted	Aye
Commissioner Kendra Simpson voted	Aye
Commissioner Eddie Hartwell, Jr. voted	Aye
Commissioner Mendon Weidner voted	Aye

The motion having received a favorable vote of the majority of the Commission, the Chairman declared the motion adopted this the 18th Day of August 2022.

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Case File 2208HC149 – Temporary Use Permit to allow for the use of an RV due to a house fire – 18043 Howison Dr – tax parcel 0601-25-002.004 – Steven Stafford – Supervisor District 5

Said petition was filed by Steven Stafford requesting a Temporary Use Permit to allow a Recreational Vehicle (RV) while rebuilding the home due to house fire on a 2.9 acre-parcel of land as shown on site plan. The Board of Supervisors may grant a temporary use permit not to exceed 6-months with a favorable recommendation by the Planning Commission. The subject property is located 18043 Howison Dr. The ad valorem tax parcel number is 0601-25-002.004.

The applicant was present. He said his house was struck by lightning and burned. He said his contractor estimates work to last up to 4 months for the repairs.

Commissioner Young made a motion to recommend to the Board of Supervisors to approve the request for 6 months and based upon the facts set forth in the Application, the entire record before the Planning Commission, and the hearing hereon, all of which are incorporated herein as the findings of fact of the Planning Commission. Failure to request an extension or the use of the RV for a different purpose than applied for will result in the termination of the temporary use permit. Commissioner Weidner seconded the motion.

Commissioner Claudia Keyes voted	Aye
Commissioner Rondell W. Young voted	Aye
Commissioner Kendra Simpson voted	Aye
Commissioner Eddie Hartwell, Jr. voted	Aye
Commissioner Mendon Weidner voted	Aye

The motion having received a favorable vote of the majority of the Commission, the Chairman declared the motion adopted this the 18th Day of August 2022.

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Case File 2207HC126 – Conditional Use Permit to allow for 158-lot single family residential subdivision – XXXXX Morris Pond Rd – tax parcel 0606D-01-024.001 & 0606D-01-024.000 & 0606-14-002.001 – Jacob Huckabee (The Huckabee Co. of South MS, LLC) – Supervisor District 2

Said petition was filed by Jacob Huckabee (The Huckabee CO. Of South MS, LLC) requesting a Conditional Use Permit to allow for a 158-lot, single family residential subdivision on a 91.6-acre parcel of land as identified on the site plan. Residential subdivisions require a conditional use permit from Planning Commission. The property is currently zoned as an R-1 (Low Density Residential) District. The subject property is located at XXXXX Morris Pond Road. The ad valorem tax parcel numbers are 0606D-01-024.001, 0606D-01-024.000, 0606-14-002.001.

Mr. Jones and Mr. Austin Schnitzlein with Heinrich and Associates spoke on behalf of the applicant. Mr. Jones reiterated that this application is not associated with Walker Farm West or Walker Farm South.

They showed the proposed layout with the deceleration lanes as requested. He showed aerial views of the property from 2007 through each approved phase of development.

Mr. Peck spoke in opposition.

Yolanda Magee spoke in opposition.

Mr. Jones spoke rebutting the opposition. He read Mrs. Magee's letter into the record.

Commissioner Weidner make a motion to deny the request.
The motion died for lack of a second.

Commissioner Young made a motion to approve the request subject to having a maximum of 149 lots and based upon the facts set forth in the Application, the entire record before the Planning Commission, and the hearing hereon, all of which are incorporated herein as the findings of fact of the Planning Commission. The basis for the motion is that the proposed development is compatible with the neighborhood as described in the application. Commissioner Keyes seconded the motion.

Commissioner Claudia Keyes voted	Aye
Commissioner Rondell W. Young voted	Aye
Commissioner Kendra Simpson voted	Aye
Commissioner Eddie Hartwell, Jr. voted	Aye
Commissioner Mendon Weidner voted	Nay

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The motion having received a favorable vote of the majority of the Commission, the Chairman declared the motion adopted this the 18th Day of August 2022.

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Case File 2208HC146 – Zoning Map Amendment & Conditional Use Permit to rezone from A-1 to R-1 to allow for a 135-lot single family residential subdivision – XXXXX Firetower Rd – tax parcel 0209-15-010.000 & 0209-15-029.000 – Heinrich & Associates, LLC for Shane & Leah Levenson and James & Mildred Harris – Supervisor District 3

Said petition was filed by Heinrich & Associates, LLC for Shane & Leah Levenson and James & Mildred Harris requesting approval to change the zoning district classification of two parcels of land totaling 67.1-acres. The properties are currently zoned as A-1 (General Agriculture). The request is to change the zoning district classifications to the R-1 (Low Density Residential) District for the purpose of developing a single-family residential subdivision with approximately 135 lots as shown on the site plan. Residential subdivisions require a conditional use permit from Planning Commission. The subject property is located at XXXXX Firetower Rd. The ad valorem tax parcel numbers are 0209-15-010.000 and 0209-15-029.000.

Mr. Jones and Mr. Schnitzlein spoke on behalf of the applicant. Mr. Jones added there is an easement on the south side of the property. They have completed a wetlands delineation and will pursue a mitigation in three areas for road development that combined are less than a half an acre.

Charlene Rowell spoke in opposition.

Darryl Hughes spoke in opposition.

Jeanette Taylor spoke in opposition.

James Necaise spoke in opposition.

Angel Fortenberry spoke in opposition.

Durvis Alvin Parkinson Jr. spoke in opposition.

Luke Tohler spoke in opposition.

Shane Magee on behalf of Waste Management spoke saying that all future residents need to be made aware of the landfill.

It was discussed that a property disclosure form will have this information about the landfill on it.

Craig Necaise spoke in opposition.

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Tommy McCabe spoke in opposition.

William Bragg spoke in opposition.

Mr. Jones spoke rebutting the opposition. He said they are doing a Type 1 Development. There was a wetlands delineation and plans for a mitigation. Emergency services are available in the area and Harrison County has resources surrounding counties do not. He said the school District is the highest ranked school district and will be able to handle their growth needs. All drainage requirements will be met when Engineering has been completed and approved. Density is only 2 units per acre and this is not spot zoning. Tree buffers will be maintained as well to help combat potential impacts from Pecan Grove.

Commissioner Simpson made a motion to deny the request and based upon the facts set forth in the Application, the entire record before the Planning Commission, and the hearing hereon, all of which are incorporated herein as the findings of fact of the Planning Commission. The basis for the recommendation there is no change in conditions and that the proposed development is **not** compatible with the neighborhood as demonstrated in the application. Commissioner Weidner seconded the motion.

Commissioner Claudia Keyes voted	Aye
Commissioner Rondell W. Young voted	Aye
Commissioner Kendra Simpson voted	Aye
Commissioner Eddie Hartwell, Jr. voted	Aye
Commissioner Mendon Weidner voted	Aye

The motion having received a favorable vote of the majority of the Commission, the Chairman declared the motion adopted this the 18th Day of August 2022.

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Report any Cease & Desists issued since last meeting

** Discovery Bay-all sites down to one RV per lot, possible future case for first lot used as commercial**

District 2-Fayard's Gas Station-lack of compliance in commercial landscaping

District 2-Mecom, Soledad-unkept residential property

District 3-Necaise-multiple stop work orders, nonconforming use of barn as guest cottage, follow up being done by Mr. Gillespie

Commissioner Keyes made a motion to move that the Attorney for the Planning Commission be authorized to file the lawsuit against Garrett & Cynthia Necaise as requested by Michelle Clifford as the Zoning Officer and that the Attorney seek additional permission from the Board of Supervisors to file suit against them for injunction, collection of fines, Attorney's fees, expenses, and other remedies provided by the Ordinances of Harrison County, Mississippi. Commissioner Young seconded the motion.

Commissioner Claudia Keyes voted	Aye
Commissioner Rondell W. Young voted	Aye
Commissioner Kendra Simpson voted	Aye
Commissioner Eddie Hartwell, Jr. voted	Aye
Commissioner Mendon Weidner voted	Aye

The motion having received a favorable vote of the majority of the Commission, the Chairman declared the motion adopted this the 18th Day of August 2022.

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Adjournment

Commissioner Simpson made a motion to adjourn the meeting at 10:20 PM.
Commissioner Weidner seconded the motion.

Commissioner Claudia Keyes voted	Aye
Commissioner Rondell W. Young voted	Aye
Commissioner Kendra Simpson voted	Aye
Commissioner Eddie Hartwell, Jr. voted	Aye
Commissioner Mendon Weidner voted	Aye

The motion having received a favorable vote of the majority of the Commission, the
Chairman declared the motion adopted this the 18th Day of August 2022.

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The meeting was adjourned this the 18th Day of August 2022 at 10:20 PM.

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