

Harrison County Planning Commission Minutes

July 21, 2022

The Harrison County Planning Commission met on July 21, 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-Absent and Excused
Claudia Keyes, District 2 Commissioner
Kendra Simpson, District 3 Commissioner-Absent and Excused
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 2207PC- 1**)

Commissioner Hartwell called the meeting to order at 5:20 PM.

The minutes of the last meeting on Thursday June 16, 2022 were approved by Commissioner Weidner and Commissioner Keyes seconded the motion.

Commissioner Claudia Keyes voted	Aye
Commissioner Rondell W. Young voted	Absent & Excused
Commissioner Kendra Simpson voted	Absent & Excused
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 21st Day of July 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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Site Plan Review Committee

In an effort to assist and facilitate interested parties, members of the public, applicants, and objectors regarding applications and/or other matters of concern, a workshop is held every Tuesday at 1:00 at the Zoning Department on Community Road. These workshops are open to the public.

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E.–Other Business

Consider Resolution Recommending Approval of Proposed Tax Increment Financing Redevelopment Plan, Harrison County, Mississippi, 1997, as amended and Restated July 2022. The Tax Increment Financing Act authorizes counties to provide financial assistance for projects through the issuance of tax increment financing bonds. In order to provide the assistance, however, the Act requires counties to adopt a redevelopment plan. Harrison County adopted its redevelopment plan in 1997, but the plan does not include the entire County as most county redevelopment plans do. New development in the County that is occurring outside cities requires that the County's plan be amended to include the entire County.

Mr. Holliman spoke in reference to this plan. He said this is regarding the Buc-ee's development. He explained bonds will be created for creating this infrastructure (and other

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limited applications) and when they are paid off then the county will get the tax benefits. He said this does not just apply to this development but the entirety of the county.

Mr. Bonck made a staff recommendation to approve this request as petitioned.

Commissioner Weidner made a motion to accept the staff recommendation.
Commissioner Keyes seconded the motion.

Commissioner Claudia Keyes voted	Aye
Commissioner Rondell W. Young voted	Absent & Excused
Commissioner Kendra Simpson voted	Absent & Excused
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 21st Day of July 2022.

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Old Business

Case File 2203HC037 – Zoning Text Amendment to Section 203 Meaning of Words and Terms, 402 A-1 General Agricultural District and 415 Table of Uses of the Harrison County, Mississippi Unified Development Code 2000. (New language is in italics.)–Patrick Bonck, Harrison County

Said petition was filed by Patrick Bonck, Harrison County Zoning Administrator requesting approval of an amendment to Section 203 Meaning of Words and Terms, 402 A-1 General Agricultural District and 415 Table of Uses of the Harrison County, Mississippi Unified Development Code 2000. (New language is in *italics*.)

Section 203 Meaning of Words and Terms

MEDICAL CANNABIS CULTIVATION FACILITIES

“Cannabis cultivation facility” means a business entity licensed and registered by the Mississippi Department of Health that acquires, grows, cultivates and harvests medical cannabis in an indoor, enclosed, locked and secure area.

MEDICAL CANNABIS DISPENSARIES

“Medical cannabis dispensary” or “dispensary” means an entity licensed and registered with the Mississippi Dept of Revenue (MDOR) that acquires, possesses, stores, transfers, sells, supplies or dispenses medical cannabis, equipment used for medical cannabis, or related supplies and educational materials to cardholders.

MEDICAL CANNABIS DISPOSAL ENTITIES

“Cannabis disposal entity” means a business licensed and registered by the Mississippi Department of Health that is involved in the commercial disposal or destruction of medical cannabis.

MEDICAL CANNABIS ESTABLISHMENT

“Medical cannabis establishment” means a cannabis cultivation facility, cannabis processing facility, cannabis testing facility, cannabis dispensary, cannabis transportation entity, cannabis disposal entity or cannabis research facility licensed and registered by the appropriate agency.

The main point of entry of a Medical Cannabis Establishment shall not be located within one thousand (1000) of the nearest property boundary line of any School, Church or Day-Care facility or 500 feet if a waiver is granted by the School, Church or Day-Care.

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Text of the Mississippi Medical Cannabis Act can be found at the following website:

<http://billstatus.ls.state.ms.us/documents/2022/pdf/SB/2001-2099/SB2095SG.pdf>

MEDICAL CANNABIS PROCESSING FACILITIES

“Cannabis processing facility” means a business entity that is licensed and registered by the Mississippi Department of Health that:

*Acquires or intends to acquire cannabis from a cannabis cultivation facility;
Possesses cannabis with the intent to manufacture a cannabis product;
Manufactures or intends to manufacture a cannabis product from unprocessed cannabis or a cannabis extract; and Sells or intends to sell a cannabis product to a medical cannabis dispensary, cannabis testing facility or cannabis research facility.*

MEDICAL CANNABIS RESEARCH FACILITIES

“Cannabis research facility” or “research facility” means a research facility at any university or college in this state or an independent entity licensed and registered by the Mississippi Department of Health pursuant to this chapter that acquires cannabis from cannabis cultivation facilities and cannabis processing facilities in order to research cannabis, develop best practices for specific medical conditions, develop medicines and provide commercial access for medical use.

MEDICAL CANNABIS TESTING FACILITIES

“Cannabis testing facility” or “testing facility” means an independent entity licensed and registered by the Mississippi Department of Health that analyzes the safety and potency of cannabis.

MEDICAL CANNABIS TRANSPORTATION ENTITIES

“Cannabis transportation entity” means an independent entity licensed and registered by the Mississippi Department of Health that is involved in the commercial transportation of medical cannabis.

MEDICAL CANOPY

“Canopy” means the total surface area within a cultivation area that is dedicated to the cultivation of flowering cannabis plants. The surface area of the plant canopy must be calculated in square feet and measured and must include all of the area within the boundaries where the cultivation of the flowering cannabis plants occurs. If the surface area of the plant canopy consists of noncontiguous areas, each component area must be separated by identifiable boundaries. If a tiered or shelving system is used in the cultivation area the surface area of each tier or shelf must be included in calculating the area of the plant canopy. Calculation of the area of the plant canopy may not cultivate immature cannabis

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plants and seedlings, prior to flowering, and that are not used at any time to cultivate mature cannabis plants.

Section 402 General Agriculture District

General Agriculture zoning is the holding district classification for large tracts (15-acres or more) of land currently undeveloped or in agricultural /forestry use and away from public or franchised water and wastewater facilities.

Section 415 Table of Uses

SECTION 415 - TABLE OF USES R = Uses permitted by right C = Uses requiring conditional approval S = Uses requiring establishment of a Special Use District B = Uses requiring Board of Supervisors Approval	A-1	E-1	R-1	R-2	R-3	O-1	C-1	C-2	C-3	C-4	I-1	I-2
<i>Cannabis Cultivation Facility Tiers 1-6. Minimum site size in the A-1 District is 2 acres</i>	C										C	C
<i>Cannabis Processing Facility</i>	C							C			C	C
<i>Cannabis Transportation Entity</i>	C							C			C	C
<i>Cannabis Disposal Facility</i>	C							C			C	C
<i>Cannabis Research Facility</i>	C							C			C	C
<i>Cannabis Research Facility on a College or University property</i>	C							C			C	C
<i>Cannabis Dispensaries: must be 1500 feet from another dispensary. All Medical Cannabis Establishments must be 1000 feet away from a School, Church or Day-Care or 500 feet if a waiver is granted by the School, Church or Day-Care</i>								C			C	C

Section 416 Table of Area and Dimensional Requirements

A-1 Minimum Lot area is 15-acres

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Mr. Brian Bricker spoke in opposition of this amendment. He said he has a hydroponic farm on an E-1 lot and wants the ability to be able to use his existing farm to do the medical cannabis. Mr. Bricker provided a handout and said he is just asking permission to do this operation on this property.

Mr. Bonck added this is in a subdivision and the staff would not be in favor.

Bianca McCabe spoke in opposition. She does not agree with the minimum property size requirements of 15 acres. She believes this is a barrier and discriminatory against smaller farms. She questioned Section 19 stating the local government cannot act against this allowance. She said their property is in an A-1 district although only being A-1.

Justin Strayham spoke in opposition with Myles Quave asking for this be amended to allow their property to be able to have this use as well. They rezoned from A-1 to E-1 to do a growing operation for a different product. Mr. Strayham asked if he could rezone back to the A-1 and then get a Variance.

Mr. Bonck said rezoning shouldn't be hard to obtain but the staff would not be supportive of a variance.

Cynthia Bricker spoke in opposition. She said surrounding counties are not doing these large acreage requirements.

Mr. Bonck responded that unlike surrounding counties each parcel within our county is zoned accordingly and not vast areas of a specific district. Mr. Bonck said there is a smell produced from these as well. He added there are other districts that allow growing operations on much smaller properties.

Mr. Gillespie said under this amendment, someone could request a CUP on a smaller property along with a Variance for smaller properties. He added there needs to be a move tonight.

Mr. Bricker said the state regulations requires the smell has to be dealt with using sophisticated filtration systems. He said the state rules are strict stating that if you violate you lose your ability to be in the industry and lose the ability to obtain a medical card. He said these buildings will also have to be equipped with a negative air pressure system.

Judith Word spoke in opposition about the amendment with the same objections.

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Commissioner Weidner made a motion to approve the request as amended with the minimum lot size being 2-acres, 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 that the applicant has demonstrated a need for an ordinance change. Commissioner Hartwell seconded the motion.

Commissioner Claudia Keyes voted	Nay
Commissioner Rondell W. Young voted	Absent & Excused
Commissioner Kendra Simpson voted	Absent & Excused
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 21st Day of July 2022.

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Case File 2206HC106 – Zoning Text Amendment to Section 415 Table of Uses and Section 416 Table of Dimensional Requirements of the Harrison County, Mississippi Unified Development Code 2000. (New language is in italics. Language to be removed is marked out.)– Patrick Bonck, Harrison County

Said petition was filed by Patrick Bonck, Harrison County Zoning Administrator requesting approval of an amendment to Section 415 Table of Uses and Section 416 Table of Dimensional Requirements of the Harrison County, Mississippi Unified Development Code 2000. (New language is in italics. Language to be removed is marked out.)

Section 415 Table of Uses

SECTION 415 - TABLE OF USES R = Uses permitted by right C = Uses requiring conditional approval S = Uses requiring establishment of a Special Use District B = Uses requiring Board of Supervisors Approval	A-1	E-1	R-1	R-2	R-3	O-1	C-1	C-2	C-3	C-4	I-1	I-2
Subdivisions, <i>Single family</i> 6 lots or more and new construction on vacant lots in a Platted Subdivision recorded more than 5 years from the date of building permit request; requires a conditional use permit *1010HC169 11/09/10 *2009HC162 10/05/20		C	C	C	C							

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SECTION 415 - TABLE OF USES R = Uses permitted by right C = Uses requiring conditional approval S = Uses requiring establishment of a Special Use District B = Uses requiring Board of Supervisors Approval	A-1	E-1	R-1	R-2	R-3	O-1	C-1	C-2	C-3	C-4	I-1	I-2
<p><i>Subdivisions, Conservation Single family</i></p> <p><i>a. A conservation subdivision shall permanently preserve by easement a minimum of ten (10) percent of the land area of the development or phase of the development with Type 1 development standards</i></p> <p><i>b. Land to be permanently preserved may consist of wetlands excluded from lots and property conserved for no development by easement such as wetlands, parks, stormwater ponds, significant trees or tree stands.</i></p> <p><i>c. The maximum number of single-family residential lots is three units per acre for the total number of acres in areas that will be served by a franchised water and sewer system</i></p> <p><i>d. Conservation subdivisions or phases thereof may be allowed to have 50% of the total lots that are smaller than 10,000 square feet but no smaller than 6,000 feet. For example, if the size of the subdivision is 100 acres then 300 lots is the maximum number of lots and 150 lots shall be 10,000 square feet and 150 lots may be smaller than 10,000 square feet, but no smaller than 6,000 square feet.</i></p>			C	C	C							

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Section 416 Table of Dimensional Requirements

TABLE OF AREA AND DIMENSIONAL REQUIREMENTS DISTRICT	MINIMUM LOT AREA IN SQUARE FEET	MAXIMUM SITE DENSITY (DWELLING UNITS PER ACRE)	MINIMUM LOT WIDTH AT FRONT BUILDING LINE	YARD REQUIREMENTS - MINIMUM DISTANCE FROM PROPERTY LINE, EXCEPT MEAN HIGH TIDE LINE TO ANY BUILDING OR ACCESSORY STRUCTURE. RESIDENTIAL FRONT AND SIDE YARD SETBACKS MAY BE REQUIRED TO BE UP TO 40' ON A FUNCTIONALLY CLASSIFIED ROAD.			MAXIMUM STRUCTURE HEIGHT	MAXIMUM LOT COVERAGE
				FRONT	REAR	EACH SIDE		
R-1 Type I <i>Type I</i> Conservation	10,000 6,000 6000	3	75' 50' 60'	25'	15'	8'	*40'	50%
Type II	20,000		75'	25'	15'	8'		
Type III	43,560		100'	40'	15'	15'		
R-2 Single Household Dwelling Type I <i>Type I</i> Conservation	10,000 6,000 6000'	3	75' 50' 60'	25'	10'	8'	*40'	50%
Type II	20,000		75'	25'	10'	8'		
Type III	43,560		100'	40'	10'	15'		

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 recommendation is that the applicant has demonstrated a need for an ordinance change. Commissioner Keyes seconded the motion.

Commissioner Claudia Keyes voted	Aye
Commissioner Rondell W. Young voted	Absent & Excused
Commissioner Kendra Simpson voted	Absent & Excused
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 21st Day of July 2022.

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New Business

Case File 2207HC114 – Zoning Text Amendment to Section 203 Meaning of Words and Terms and Section 415 Table of Uses to add Swimming Pool to the Harrison County, Mississippi Unified Development Code, 2000. (New language is in italics, language to be removed is crossed out)– Patrick Bonck, Harrison County

Said petition was filed by Patrick Bonck, Harrison County Zoning Administrator requesting approval of an amendment to Section 203 Meaning of Words and Terms and Section 415 Table of Uses to add Swimming Pool to the Harrison County, Mississippi Unified Development Code, 2000. (New language is in *italics*, language to be removed is crossed out)

Section 203 Meaning of Words and Terms

Structure, Swimming Pool/hot tub-a structure, whether above or below grade, designed to hold water, connected to a circulation system, and it's intended use is swimming, wading, or bathing. Pools or hot tubs located in FEMA flood zones may be further regulated by Harrison County's Flood Control Ordinance.

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Section 415 Table of Uses

SECTION 415 - TABLE OF USES R = Uses permitted by right C = Uses requiring conditional approval S = Uses requiring establishment of a Special Use District B = Uses requiring Board of Supervisors Approval	A-1	E-1	R-1	R-2	R-3	O-1	C-1	C-2	C-3	C-4	I-1	I-2
<i>Swimming pool/hot tub may occupy a portion of the yard as an accessory structure. In no case shall the outer walls of an above ground pool be less than required setbacks per the district's regulations to a property line. An inground swimming pool or hot tubs minimum setback is equal to the maximum depth from the coping of the pool to the nearest property line, except those areas bound by the Steam Corridor Buffer. Any support structures and/or decks must meet traditional setbacks as required by the zoning and/or plat. All mechanical equipment needs to be screened from public view. Fencing will be necessary as required by building codes.</i>	R	R	R	R	R	R	R	R	R	R		

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 recommendation is that the applicant has demonstrated a need for an ordinance change. Commissioner Keyes seconded the motion.

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| Commissioner Claudia Keyes voted | Aye |
| Commissioner Rondell W. Young voted | Absent & Excused |
| Commissioner Kendra Simpson voted | Absent & Excused |
| 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 21st Day of July 2022.

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Case File 2207HC115 – Zoning Text Amendment to Section 203 Meaning of Words and Terms, and 415 Table of Uses of the Harrison County, Mississippi Unified Development Code 2000. (New language is in italics.) – Patrick Bonck, Harrison County

Said petition was filed by Patrick Bonck, Harrison County Zoning Administrator requesting approval of an amendment to Section 203 Meaning of Words and Terms, and 415 Table of Uses of the Harrison County, Mississippi Unified Development Code 2000. (New language is in *italics*.)

Section 203 Meaning of Words and Terms

Outdoor music- Live or recorded music performed and/or broadcast outside of a fully enclosed structure. Outside music also includes music performed and/or broadcast inside a fully enclosed structure which music can be heard for a distance of more than 300 feet from the outside walls of said structure.

Structure, fully enclosed-” a structure fully enclosed by walls and roof which has no openings to the outside other than regular entrance and service doors.

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Section 415 Table of Uses

SECTION 415 - TABLE OF USES R = Uses permitted by right C = Uses requiring conditional approval S = Uses requiring establishment of a Special Use District B = Uses requiring Board of Supervisors' Approval	A-1	E-1	R-1	R-2	R-3	O-1	C-1	C-2	C-3	C-4	I-1	I-2
<p>Drinking establishment -</p> <p>a. When not accessory to a principal use, a drinking establishment must be located further than 1000 feet from a church, school, kindergarten, or non-profit daycare center. The distance shall be measured between buildings.</p> <p>b. Liquor, wine or beer sales not to be consumed on premises and meeting local and state requirements.</p> <p>c. <i>Outdoor music, with a residence within 300 feet of the establishment shall only be allowed on Fridays, Saturdays, Sundays, and on National land/or Harrison County holidays (both actual and observed) during the hours of 2:00 p.m. and 8:00 p.m.</i></p> <p>d. <i>Outdoor recorded background music played outside of a fully enclosed structure is allowed during all days and business hours, but when played other than during the hours permitted for Outdoor Music, shall not be heard continuously from a distance more than 100 feet from the property line from which it is emanating.</i></p> <p>e. <i>Outdoor music shall be performed and broadcast in such a manner and within sound levels so as not to constitute an unreasonable nuisance and with reasonable consideration of its impact upon neighboring properties. In the event such music causes complaints, given the purpose of this ordinance is to allow regulated outdoor music, and/or this if this paragraph is violated, such outdoor music may be terminated or regulated by law enforcement officers.</i></p> <p>*0607HC242 07/20/06, *0902HC055 02/02/09, *0901HC016 02/02/09</p>							C	C	R			

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SECTION 415 - TABLE OF USES R = Uses permitted by right C = Uses requiring conditional approval S = Uses requiring establishment of a Special Use District B = Uses requiring Board of Supervisors' Approval	A-1	E-1	R-1	R-2	R-3	O-1	C-1	C-2	C-3	C-4	I-1	I-2
Marina including service and repair, wet and dry; boat sales, accessories and service, <i>boat rentals, charter boat facilities, bait and concessions related to boating and outdoor activities.</i>								R	R		R	R

SECTION 415 - TABLE OF USES R = Uses permitted by right C = Uses requiring conditional approval S = Uses requiring establishment of a Special Use District B = Uses requiring Board of Supervisors' Approval	A-1	E-1	R-1	R-2	R-3	O-1	C-1	C-2	C-3	C-4	I-1	I-2
Restaurant, excluding drive-in restaurant							R	R	R		R	R
Restaurant; drive-in							C	R	R		R	R
<i>Restaurant, Outdoor Music</i>												
<i>a. Outdoor music, with a residence within 300 feet of the establishment shall only be allowed on Fridays, Saturdays, Sundays, and on National land/or Harrison County holidays (both actual and observed) during the hours of 2:00 p.m. and 8:00 p.m</i>												
<i>b. Outdoor recorded background music played outside of a fully enclosed structure is allowed during all days and business hours, but when played other than during the hours permitted for Outdoor Music, shall not be heard continuously from a distance more than 100 feet from the property line from which it is emanating.</i>								R				
<i>c. Outdoor music shall be performed and broadcast in such a manner and within sound levels so as not to constitute an unreasonable nuisance and with reasonable consideration of its impact upon neighboring properties. In the event such music causes complaints, given the purpose of this ordinance is to allow regulated outdoor music, and/or this if this paragraph is violated, such outdoor music may be terminated or regulated by law enforcement officers.</i>												

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Commissioner Hartwell made a motion to approve the request as amended to say when a residence is within 300' on both items within the table of uses, and music is continuous, 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 that the applicant has demonstrated a need for an ordinance change. Commissioner Weidner seconded the motion.

Commissioner Claudia Keyes voted	Aye
Commissioner Rondell W. Young voted	Absent & Excused
Commissioner Kendra Simpson voted	Absent & Excused
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 21st Day of July 2022.

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Case File 2207HC116 – Conditional Use Permit to allow for the placement of a manufactured home – XXXXX Basch Rd – tax parcel 0510J-03-010.002 – Michael Arceneaux – Supervisor District 3

Said petition was filed by Michael Arceneaux requesting a Conditional Use Permit to allow for the placement of a manufactured home on a 2-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 Basch Rd & Thompson Rd. The ad valorem tax parcel number is 0510J-03-010.002.

The applicants were present. This property will go to the son for his primary residence.

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 Keyes seconded the motion.

Commissioner Claudia Keyes voted	Aye
Commissioner Rondell W. Young voted	Absent & Excused
Commissioner Kendra Simpson voted	Absent & Excused
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 21st Day of July 2022.

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Case File 2207HC117 – Conditional Use Permit to allow for an RV while building a house – 14191 Lumpkin Rd – tax parcel 0707E-01-007.000 – Calvin & Misty Stevenson – Supervisor District 2

Said petition was filed by Calvin & Misty Stevenson requesting a Conditional Use Permit to allow for the temporary placement of a RV during the construction of their home on a 2.9-acre parcel of land. The R-2 (Medium Density Residential) District requires a conditional use permit for the temporary use of an RV. The subject property is located at 14191 Lumpkin Rd. The ad valorem tax parcel number is 0707E-01-007.000.

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 Keyes seconded the motion.

Commissioner Claudia Keyes voted	Aye
Commissioner Rondell W. Young voted	Absent & Excused
Commissioner Kendra Simpson voted	Absent & Excused
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 21st Day of July 2022.

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**Case File 2207HC118 – Conditional Use Permit to allow for an a guest cottage –
14191 Lumpkin Rd – tax parcel 0707E-01-007.000 – Calvin & Misty Stevenson –
Supervisor District 2**

Said petition was filed by Calvin & Misty Stevenson requesting a Conditional Use permit to allow for the construction of a guest cottage on a 2.90-acre parcel of land. The R-2 (Medium Density Residential) District requires a conditional use permit for the construction of a guest cottage. The subject property is located at 14191 Lumpkin Rd. The ad valorem tax parcel number is 0707E-01-007.000.

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 Keyes seconded the motion.

Commissioner Claudia Keyes voted	Aye
Commissioner Rondell W. Young voted	Absent & Excused
Commissioner Kendra Simpson voted	Absent & Excused
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 21st Day of July 2022.

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Case File 2207HC119 – Zoning Map Amendment to subdivide & rezone from E-1 to R-1 for a house – 24450 Cunningham Rd – tax parcel 0309O-01-055.000 – Kelvin McInnis & Donna Dedeaux – Supervisor District 3

Said petition was filed by Kelvin McInnis & Donna Dedeaux requesting approval to change the zoning district classification of a 2.50-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 building as house as shown on site plan. The subject property is located at 24450 Cunningham Rd. The subject property is a portion of ad valorem tax parcel number 0309O-01-055.000.

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. Keyes seconded the motion.

Commissioner Claudia Keyes voted	Aye
Commissioner Rondell W. Young voted	Absent & Excused
Commissioner Kendra Simpson voted	Absent & Excused
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 21st Day of July 2022.

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Case File 2207HC120 – Zoning Map Amendment & Conditional Use Permit to subdivide & rezone Parcel A from A-1 to R-1, Parcel B from A-1 to E-1, Parcel D from R-1 & A-1 to E-1 & Parcel C from A-1 to E-1 as does change in lot dimensions of existing manufactured home – 14348 & 14374 Wallace Rd & 15036 John Clark Rd – tax parcel 0607-25-018.000, 0607-25-019.000 & 0607-25-021.000 – Daniel & Cindy Smith, Homer R. Smith Sr., Homer Jr. & Rebecca Smith – Supervisor District 2

Said petition was filed by Daniel & Cindy Smith, Homer Smith Sr. and Homer Jr. & Rebecca Smith requesting approval to change the zoning district classifications of approximately 24.46-acres land. The properties are currently zoned as an A-1 (General Agriculture) & R-1 (Low Density Residential) Districts. The request is to change the zoning district classification of Parcel “A” to the R-1 (Low Density Residential) for the purpose of subdividing & combining property for an existing house, Parcel “B” to the E-1 (Very Low Density Residential) for an existing house, Parcel “C” to the E-1 for existing manufactured home and Parcel “D” to the E-1 to for an existing house as shown on the site plan. The change in lot dimensions of an existing manufactured home in the E-1 district requires a Conditional Use Permit from the Planning Commission. The subject properties are located at 14348 & 14374 Wallace Rd & 15036 John Clark Rd. The ad valorem tax parcel numbers are 0607-25-018.000, 0607-25-019.000 & 0607-25-021.000.

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 Keyes seconded the motion.

Commissioner Claudia Keyes voted	Aye
Commissioner Rondell W. Young voted	Absent & Excused
Commissioner Kendra Simpson voted	Absent & Excused
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 21st Day of July 2022.

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Harrison County Planning Commission Minutes

July 21, 2022

Case File 2207HC121 – Zoning Map Amendment to subdivide & rezone from A-1 to E-1 for Parcel 2 and A-1 to R-1 for Parcel 1 – XXXXX M. Broadus Rd – tax parcel 0903-24-001.000 – Tyler Abell & Savannah McLeod – Supervisor District 5

Said petition was filed by Tyler Abell & Savannah McLeod requesting approval to change the zoning district classification of a 4.4-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) and R-1 (Low Density Residential) District for the purpose of subdividing and building a house as shown on site plan. The subject property is located at XXXXX M. Broadus Rd. The ad valorem tax parcel number is 0903-24-001.003.

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 Keyes seconded the motion.

Commissioner Claudia Keyes voted	Aye
Commissioner Rondell W. Young voted	Absent & Excused
Commissioner Kendra Simpson voted	Absent & Excused
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 21st Day of July 2022.

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Case File 2207HC122 – Zoning Map Amendment & Conditional Use Permit to rezone from A-1 to E-1 & allow for a guest cottage – 13459 Road 513 – tax parcel 0904-26-025.004 – Ray Jr & Lori Anderson – Supervisor District 2

Postponed by Staff

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Case File 2207HC123 – Zoning Map Amendment to rezone from E-1 to R-1 to build a house – XXXXX Bethel Rd – tax parcel 0902-02-004.002 – Jay Morgan – Supervisor District 1

Said petition was filed by Jay Morgan requesting approval to change the zoning district classification of a 2.5-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 the R-1 (Low Density Residential) District for the purpose of building a house as shown on site plan. The subject property is located at Bethel Rd. The ad valorem tax parcel number is 0902-02-004.002.

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 Keyes seconded the motion.

Commissioner Claudia Keyes voted	Aye
Commissioner Rondell W. Young voted	Absent & Excused
Commissioner Kendra Simpson voted	Absent & Excused
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 21st Day of July 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 applicant was not present.

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

Commissioner Claudia Keyes voted	Aye
Commissioner Rondell W. Young voted	Absent & Excused
Commissioner Kendra Simpson voted	Absent & Excused
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 21st Day of July 2022.

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Harrison County Planning Commission Minutes

July 21, 2022

Case File 2207HC127 – Variance to allow for 7-foot south side yard setback instead of the required 8-foot – 419 Sandy Hook Dr – tax parcel 0213C-01-029.000 – Timothy & Estelle Norton – Supervisor District 3

Said petition was filed by Timothy & Estelle Norton requesting a variance to allow for a 7-foot south side yard setback instead of the required 8-foot setback for the purpose of building a house. The subject property is located at 419 Sandy Hook Drive in a R-1 (Low Density Residential) District. The ad valorem tax parcel number is 0213C-01-029.000.

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 Keyes seconded the motion.

Commissioner Claudia Keyes voted	Aye
Commissioner Rondell W. Young voted	Absent & Excused
Commissioner Kendra Simpson voted	Absent & Excused
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 21st Day of July 2022.

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Harrison County Planning Commission Minutes

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Case File 2206HC112 – Conditional Use Permit to allow for 71 duplexes (142 units) – XXXXX Three Rivers Rd – tax parcel 0907F-01-001.000 – Construction Equity, LLC for Green Bridge Company – Supervisor District 5

Said petition was filed by Construction Equity, LLC for Green Bridge Company requesting a Conditional Use Permit to allow for 71 duplexes with 142 units on 38.3-acres of land as shown on site plan (East side). The R-2 (Medium Density Residential) District requires a conditional use permit for subdivisions. The subject property is located at XXXXX Three Rivers Rd. The ad valorem tax parcel number is 0907F-01-001.000.

The applicant was present by way of their Engineer, Aaron Harris.

Mr. Bonck made a staff recommendation to approve the request as petitioned.

Commissioner Weidner made a motion to accept the staff recommendation.
Commissioner Keyes seconded the motion.

Commissioner Claudia Keyes voted	Aye
Commissioner Rondell W. Young voted	Absent & Excused
Commissioner Kendra Simpson voted	Absent & Excused
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 21st Day of July 2022.

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July 21, 2022

Case File 2207HC125 – Conditional Use Permit to allow for 58-lot single family residential subdivision – XXXXX Old Hwy 49 – tax parcel 0705-06-013.000 – Elliott Land Developments, LLC for TCB Construction Co Inc. – Supervisor District 2

Said petition was filed by Elliot Land Developments, LLC for TCB Construction CO Inc. requesting a Conditional Use Permit to allow for a 58 lot, single family residential subdivision on a 58-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 Old Hwy 49. The ad valorem tax parcel number is 0705-06-013.000.

The applicant was present by way of their Engineer, Cara Wagner.

Not wetlands are part of any of the platted lots.

Ian Walker was here to ask a couple questions on behalf of his parents. They wanted to know the proposed square footage of the new houses and if they will have the option to tap into the sewer line.

Mr. Bonck said they would have to get with Robinwood Utilities on utilizing the services in that area.

Mrs. Wagner said she does not have model house info with her this evening but assured him they will be very nice Elliott Homes.

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 Keyes seconded the motion.

Commissioner Claudia Keyes voted	Aye
Commissioner Rondell W. Young voted	Absent & Excused
Commissioner Kendra Simpson voted	Absent & Excused
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 21st Day of July 2022.

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Case File 2207HC126 – Conditional Use Permit to allow for 155-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 155 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.

The applicant was present.

Mr. Heinrich distributed the new site plan showing two access points from Shaw Rd and Hwy 53. The new plan has a right turn and left turn out for traffic purposes on Shaw Rd. He said they will add a turn lane and striping also to promote safety. He added they are in negotiations about acquiring another property that will be additional access. He said they are now under 150 lots in this phase and this meets all minimum requirements. The density is 2 lots per acre as 41% of the property is wetlands. They range in width from 90' to 70'.

Chris Peck spoke on behalf of the opposition. They want a minimum of 87' wide lots. He said this is a rural area and that's why the roads are substandard. He added this does not conform with the new amendment for lots sizes heard earlier this evening.

Yolanda Magee spoke in opposition. She said their lift station failed and it was down for over a week. She said if the utility companies cannot support what they are already servicing how can more be added.

Mr. Heinrich spoke saying south MS is not in a housing recession. Utilities will be handled by RiverBend utilities.

Mr. Bonck said the staff recommendation is to table the request in an attempt to reach an agreement before being voted on to avoid ANOTHER appeal.

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Commissioner Weidner made a motion to accept the staff recommendation to table this request. 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 21st Day of July 2022.

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Report any Cease & Desists issued since last meeting

Michelle spoke about a new issuance for Monday. It is an older one that received multiple stop work orders and a previous Cease and Desist. Now they are living in a barn on the property.

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Adjournment

Commissioner Keyes made a motion to adjourn the meeting at 7:50 PM.
Commissioner Weidner seconded the motion.

Commissioner Rondell W. Young voted	Absent and Excused
Commissioner Claudia Keyes voted	Aye
Commissioner Kendra Simpson voted	Absent & Excused
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 21st Day of July 2022.

The meeting was adjourned this the 21st Day of July 2022 at 7:50 PM.

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