


**CITY OF BILOXI
AGENDA ITEM
FACT SHEET**

Item No.: 4A

Council Meeting Date: April 21, 2026

ITEM TITLE: ORDINANCE (1st Reading) 

INTRODUCED BY: Mayor Andrew "FoFo" Gilich

CONTACT PERSON: Rick Weaver, CAO
Jerry Creel *JW* Director of Community Development

SUMMARY EXPLANATION:

An Ordinance to approve a Zoning Map Amendment, to authorize a change in zoning district classification for four parcels of land from their present zoning district classification of RM-30 High-Density Multi-Family to DT Downtown, identified as 0, 166, & 170 Nixon Street & 640 Copp Street.

Case No. 26-018-PC, Ward 2, Dreaux Seghers

Resolution _____ Ordinance Public Hearing _____ Routine Agenda _____

Exhibits for Review

Contract _____ Minutes Plans/Maps _____ Deed _____ Lease _____

Other (Specify): application, case facts sheet

Submittal Authorization: Council President _____ Mayor

STAFF RECOMMENDATION: Staff recommends approval

COUNCIL ACTION: Motion By: _____ Second By: _____

Vote:	Councilmember	Yes	No	AFR	ABST	Councilmember	Yes	No	AFR	ABST
	Gray	_____	_____	_____	_____	Tisdale	_____	_____	_____	_____
	Marshall	_____	_____	_____	_____	Glavan	_____	_____	_____	_____
	Nail	_____	_____	_____	_____	Shoemaker	_____	_____	_____	_____
	Creel	_____	_____	_____	_____					

ACTION TAKEN:

ORDINANCE NO. _____

AN ORDINANCE TO APPROVE A **ZONING MAP AMENDMENT** TO AUTHORIZE A CHANGE IN ZONING DISTRICT CLASSIFICATION FOR FOUR PARCELS OF LAND FROM THEIR PRESENT ZONING DISTRICT CLASSIFICATION OF **RM-30 HIGH-DENSITY MULTI-FAMILY** TO **DT DOWNTOWN**, IDENTIFIED AS 0, 166, & 170 NIXON STREET & 640 COPP STREET

WHEREAS, on Thursday, April 2, 2026, the Biloxi Planning Commission held a public hearing in the Auditorium of the Dr. Martin Luther King, Jr., Municipal Building, 676 Dr. Martin Luther King, Jr. Boulevard, Biloxi, Mississippi, to hear Case No. 26-018-PC, Dreaux Seghers, a request for a **Zoning Map Amendment**; and

WHEREAS, the Planning Commission members were apprised of the particulars of this case, being made cognizant of the fact that Dreaux Seghers had submitted the request for a **Zoning Map Amendment**, to authorize a change in zoning district classification for four parcels of land measuring approximately .26 of an acre (more or less) in size, from their present zoning district classification of **RM-30 High-Density Multi-Family** to **DT Downtown**, identified as 0, 166, & 170 Nixon Street & 640 Copp Street (re: Tax Parcel Nos. 1410K-01-028.000, 1410K-01-028.001, 1410K-01-025.000, & 1410K-01-029.000); and

WHEREAS, April 2, 2026, the Biloxi Planning Commission, after some discussion, voted 12-0-0, to recommend approval for this **Zoning Map Amendment**, to authorize a change in zoning district classification for a four parcels of land measuring approximately .26 of an acre (more or less) in size, from their present zoning district classification of **RM-30 High-Density Multi-Family** to **DT Downtown**, identified as 0, 166, & 170 Nixon Street & 640 Copp Street, having determined that a Change in the Character of the Neighborhood is of notice in this area of the City of Biloxi; and

WHEREAS, the Biloxi City Council, after consideration of all facts presented, hereby adopts the report and findings of the Biloxi Planning Commission, and in so doing, determines that

approval of the **Zoning Map Amendment**, is appropriate for the properties as related in Case No. 26-018-PC, and identified as 0, 166, & 170 Nixon Street & 640 Copp Street.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF BILOXI, MISSISSIPPI THAT AS PER THE FINDINGS OF THE PLANNING COMMISSION, BASED UPON A DETERMINATION THAT A CHANGE IN THE CHARACTER OF THE NEIGHBORHOOD IN THIS AREA OF THE CITY OF BILOXI IS OF NOTICE, THAT THE FOLLOWING SHALL BE AUTHORIZED:

Section 1. That the boundaries of the Geographical Information System Format Zoning District Map of the City of Biloxi, Mississippi, be hereby further amended by a change in zoning district classification from **RM-30 High-Density Multi-Family** to **DT Downtown**, for the properties identified as 0, 166, & 170 Nixon Street & 640 Copp Street (re: Tax Parcel Nos. 1410K-01-028.000, 1410K-01-028.001, 1410K-01-025.000, & 1410K-01-029.000), more fully described as follows:

four parcels of land situated in Sec Block 81 beginning at the southwest corner of the intersection of Nixon Street and Copp Street, running North 216 feet to northwest corner of Nixon Street and Peyton Street, then running east 51 feet to the northeast corner of 170 Nixon Street, then running south 220 feet to the southeast corner of 640 Copp Street, and then 51 feet to the point of beginning.

Further described as land most nearly bounded by the following streets: situated North of and adjacent to Copp Street, South of and adjacent to Peyton Street, East of and fronting upon Nixon Street, and West of Bellman Street.

Section 2. Upon unanimous vote of the members of the City Council, this ordinance shall be in full force and effect from and after passage, because it serves the public peace, health and safety of the citizens of Biloxi, and good cause exists for same. If not a unanimous vote this Ordinance shall become effective as soon thereafter as is signed, certified, and as is otherwise provided by law.

.....A

RESOLUTION NO. _____

RESOLUTION CALLING FOR A PUBLIC HEARING WITH RESPECT TO AN APPLICATION FOR **ZONING MAP AMENDMENT** TO AUTHORIZE A CHANGE IN ZONING DISTRICT CLASSIFICATION FOR FOUR PARCELS OF LAND FROM THEIR PRESENT ZONING DISTRICT CLASSIFICATION OF **RM-30 HIGH-DENSITY MULTI-FAMILY** TO **DT DOWNTOWN**, IDENTIFIED AS 0, 166, & 170 NIXON STREET & 640 COPP STREET

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WHEREAS, the Planning Commission members were apprised of the particulars of this case, being made cognizant of the fact that Dreaux Seghers had submitted the request for a **Zoning Map Amendment**, to authorize a change in zoning district classification for four parcels of land measuring approximately .26 of an acre (more or less) in size, from their present zoning district classification of **RM-30 High-Density Multi-Family** to **DT Downtown**, identified as 0, 166, & 170 Nixon Street & 640 Copp Street (re: Tax Parcel Nos. 1410K-01-028.000, 1410K-01-028.001, 1410K-01-025.000, & 1410K-01-029.000); and

WHEREAS, April 2, 2026, the Biloxi Planning Commission, after some discussion, voted 12-0-0, to recommend approval for this **Zoning Map Amendment**, to authorize a change in zoning district classification for a four parcels of land measuring approximately .26 of an acre (more or less) in size, from their present zoning district classification of **RM-30 High-Density Multi-Family** to **DT Downtown**, for four parcels of land identified as 0, 166, & 170 Nixon Street & 640 Copp Street, having determined that a Change in the Character of the Neighborhood is of notice in this area of the City of Biloxi; and

WHEREAS, the City Council of the City of Biloxi, Mississippi, having given the Planning Commission's recommendation full consideration, has determined that this is a matter of public

concern, and being so, it is in the best interest of the community to hold a public hearing on this matter before the City Council.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF BILOXI, MISSISSIPPI, will conduct a public hearing in reference to Case No. 26-018-PC, Dreaux Seghers, on a date to be set and in accordance with all requirements, as prescribed by the City of Biloxi Land Development Ordinance governing the conduct of public hearings.

..... B

RESOLUTION NO. _____

RESOLUTION DENYING A REQUEST FOR **ZONING MAP AMENDMENT** TO AUTHORIZE A CHANGE IN ZONING DISTRICT CLASSIFICATION FOR FOUR PARCELS OF LAND FROM THEIR PRESENT ZONING DISTRICT CLASSIFICATION OF **RM-30 HIGH-DENSITY MULTI-FAMILY** TO **DT DOWNTOWN**, IDENTIFIED AS 0, 166, & 170 NIXON STREET & 640 COPP STREET

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WHEREAS, the Planning Commission members were apprised of the particulars of this case, being made cognizant of the fact that Dreaux Seghers had submitted the request for a **Zoning Map Amendment**, to authorize a change in zoning district classification for four parcels of land measuring approximately .26 of an acre (more or less) in size, from their present zoning district classification of **RM-30 High-Density Multi-Family** to **DT Downtown**, identified as 0, 166, & 170 Nixon Street & 640 Copp Street (re: Tax Parcel Nos. 1410K-01-028.000, 1410K-01-028.001, 1410K-01-025.000, & 1410K-01-029.000); and

WHEREAS, April 2, 2026, the Biloxi Planning Commission, after some discussion, voted 12-0-0, to recommend approval for this **Zoning Map Amendment**, to authorize a change in zoning district classification for a four parcels of land measuring approximately .26 of an acre (more or less) in size, from their present zoning district classification of **RM-30 High-Density Multi-Family** to **DT Downtown**, for four parcels of land identified as 0, 166, & 170 Nixon Street & 640 Copp Street, having determined that a Change in the Character of the Neighborhood is of notice in this area of the City of Biloxi; and

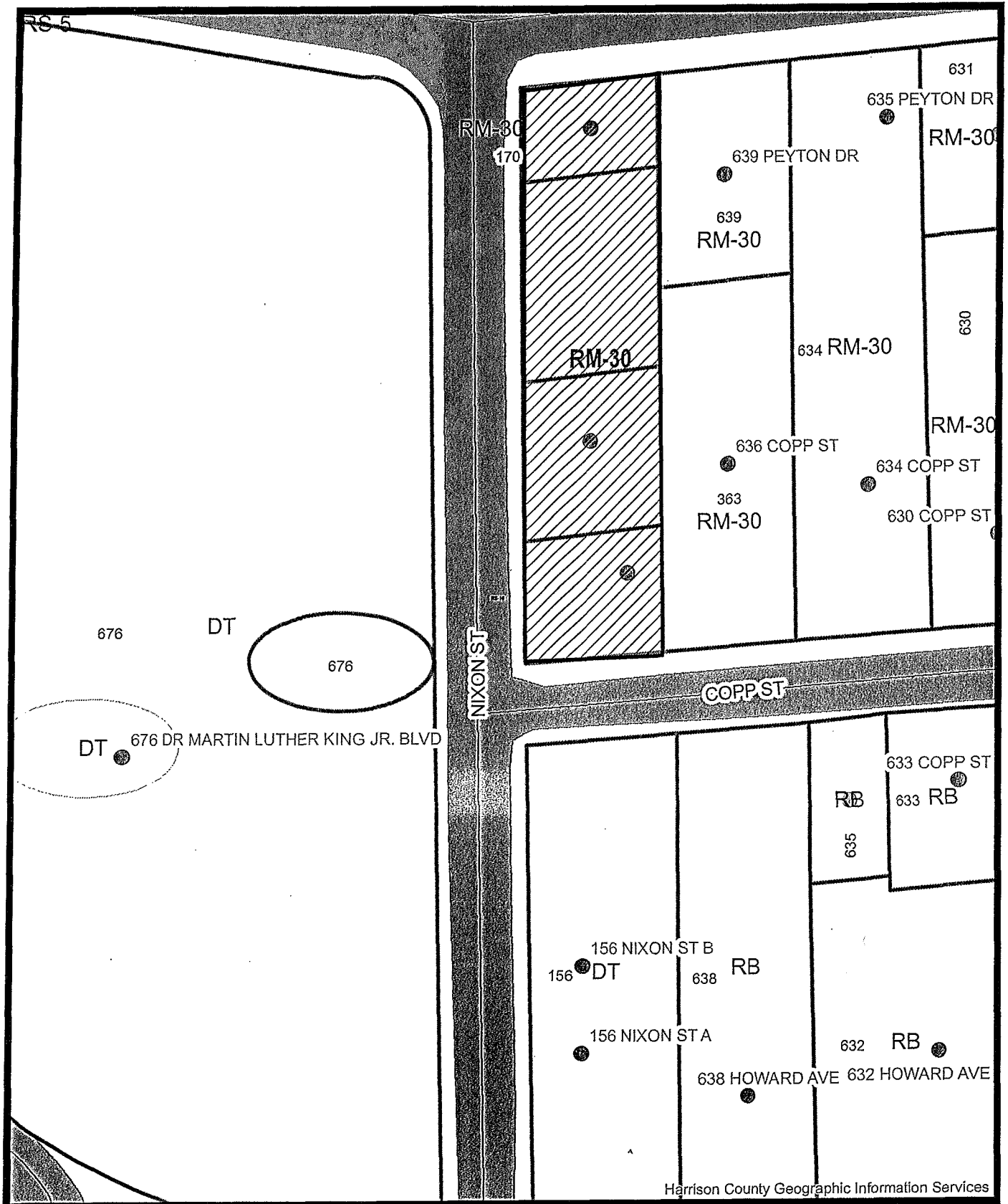
WHEREAS, the Biloxi City Council, after consideration of all facts presented, hereby rejects the report and findings of the Biloxi Planning Commission and, in so doing, determines that

denial of this **Zoning Map Amendment** is appropriate; said amendment seeks to authorize a change in zoning district classification for four parcels of land measuring approximately 0.26 acres (more or less) in total, from their present zoning classification of **RM-30 High-Density Multi-Family** to **DT Downtown**, identified as 0, 166, and 170 Nixon Street and 640 Copp Street (re: Tax Parcel Nos. 1410K-01-028.000, 1410K-01-028.001, 1410K-01-025.000, and 1410K-01-029.000).

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF BILOXI, MISSISSIPPI, THAT, having given the Planning Commission's recommendation full consideration, hereby rejects said recommendation and hereby denies the requested **Zoning Map Amendment**, to authorize a change in zoning district classification for four parcels of land measuring approximately .26 of an acre (more or less) in size, from their present zoning district classification of **RM-30 High-Density Multi-Family** to **DT Downtown**, identified as 0, 166, & 170 Nixon Street & 640 Copp Street (re: Tax Parcel Nos. 1410K-01-028.000, 1410K-01-028.001, 1410K-01-025.000, & 1410K-01-029.000), as related in Case No. 26-018-PC, Dreaux Seghers, based upon a determination that the rezoning requested is not warranted, as submitted, due to a finding that no Mistake in Original Zoning is apparent, and that no Change in the Character of the Neighborhood with an established community need is of notice at this location.

..... C

Case No. 26-018-PC
Dreux Seghers
0, 166, & 170 Nixon Street & 640 Copp Street
Map Amendment RM-30 to DT



Scheduled for
April 2, 2026
PC Meeting

Dreaux Seghers
Case No. 26-018-PC
Zoning Map Amendment
RM-30 to DT



**Planning Commission
Case Fact Sheet**

Case No.:	26-018-PC
Name of Owner:	Dreaux Seghers
Address of Properties:	0, 166, & 170 Nixon Street & 640 Copp Street
Tax Parcels/Ward:	1410K-01-028.000, 1410K-01-028.001, 1410K-01-025.000, & 1410K-01-029.000/Ward 2

Request:	Zoning Map Amendment
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Purpose of Request:	To consider an application for a Zoning Map Amendment , to authorize a change in zoning district classification for four parcels of land measuring approximately .26 of an acre (more or less) in size, from their present zoning district classification of RM-30 High-Density Multi-Family to DT Downtown .
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Size of Property:	.26 of an acre (More or Less)
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Present Zoning:	RM-30 High-Density Multi-Family
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Flood Zone:	X
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Present Use:	Vacant land, Commercial Building, Single-Family Residence
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Most Nearly Bounded By (streets):	To the North of and adjacent to Copp Street, South of and adjacent to Peyton Street, East of and fronting upon Nixon Street, and West of Bellman Street.
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Adverse Influences:	A Zoning Map Amendment should only be authorized when conditions clearly suggest that a change in zoning is warranted, that a change in the character of the neighborhood is evident, coupled with a community need to address this change, and that the change proposed is consistent with uses found upon adjacent or nearby properties.
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Positive Influences:	This rezoning, if approved, would represent a continuation of
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1. Recommend approval of this request for **Zoning Map Amendment**, for several parcels of land from their present zoning district classification of **RM-30 High-Density Multi-Family** to **DT Downtown**, having determined that a Change in the Character of the Neighborhood is of evidence and that this zoning change will authorize a consistent development pattern.
2. Recommend denial of this **Zoning Map Amendment**, having determined that insufficient evidence has been provided to establish that a mistake in original zoning is of evidence, or a Change in the Character of the Neighborhood, coupled with no valid Community need to warrant the level of zoning change, as proposed for the parcels of land under consideration for zoning change.



Planning Commission Application
 City of Biloxi Planning Division
 Mailing Address: P.O. Box 508, Biloxi, MS 39533
 Office Location: 676 Dr. MLK Blvd.,
 Building (228) 435-6270 Planning (228) 435-6266 Fax (228) 435-6188
 Case No. 26-018-PC

To Be Completed by Owner/Applicant Date: 2-18-2026

Name of Rightful Owner(s): DREW A. SEGHERS Name of Applicant: (if different than Owner)

Property Address: 166 NIXON ST, BILOXI, MS 39530 Ward Number 2

Tax Parcel Identification Number(s):	
<u>1410K-01-025.000</u>	<u>1410K-01-029.000</u>
<u>1410K-01-028.001</u>	
<u>1410K-01-028.000</u>	

Mailing Address of Property Owner: DREW A. SEGHERS Mailing Address of Applicant (if different than Owner)

City: 166 NIXON ST, BILOXI City:

State: MS State:

Zip: 39530 Zip:

County: HARRISON County:

Telephone: (228) 324-5771 Telephone: ()

Property Size (please give in acres or by dimension): 0.26

Present Zoning Classification: RM30

Is the property located within an AHRC District? Yes No If so, which District?

Is this property a Historic Landmark? Yes No

Flood Zone(s) of Property: North South East West

Property is most nearly bounded by what streets? PEYTON DR, COLL ST, BELMONT ST, NIXON ST.

If property directly fronts or is adjacent one of the streets above, please indicate with a

REQUESTED ACTION BY THE PLANNING COMMISSION (A separate supplement form is required for each):

<input checked="" type="checkbox"/>	Text Amendment
<input checked="" type="checkbox"/>	Zoning Map Amendment – must include zone classification change in narrative
<input type="checkbox"/>	Planned Development
<input type="checkbox"/>	Master Plan/Update
<input type="checkbox"/>	Preliminary Subdivision Review
<input type="checkbox"/>	Conditional Use
<input type="checkbox"/>	Public ROW Vacation
<input type="checkbox"/>	Street Name Change
<input type="checkbox"/>	Variance
<input type="checkbox"/>	Appeal
<input type="checkbox"/>	Tree Removal

GENERAL INFORMATION, READ BEFORE EXECUTING. Attendance by the applicant(s) at the public hearing is mandatory; however, the applicant may designate a representative to attend the public hearing on his/her behalf, provided said representative has been properly designated to speak on the applicant's behalf either by written permission or oral designation by the applicant at the Public Hearing. If a continuance is to be granted, the applicant must request same in writing a minimum of seven (7) days in advance of the scheduled public hearing. The applicant acknowledges that, in signing this application, all conditions and requirements inherent in the application process have been fully explained and understood, including the timetable for processing of the application; the applicant has further received the following appropriate handouts: Application Processing Timetable; Instructions for Application Completion, Procedures for a Conditional Use or Community Unit Plan; and Variance Procedures. The completed application must be returned to the Planning Office not later than the first or third Thursday of any month in order that a public hearing may be held on the first or third Thursday of the following month. Receipt of fee(s) does not constitute receipt of a completed application.

The Planning Commission (PC) is a recommendation board, all cases will go to the Biloxi City Council for a final determination. If any case is denied by the Biloxi City Council, you will have ten (10) days to appeal their decision.

<u>Drew A. Seghers</u>		_____ Signature of Rightful Owner	
<u>Caryle D. Lena</u>		_____ Signature of Rightful Owner	
<u>2/18/26</u>	_____ Date	_____ Notary Signature (Seal)	_____ Date
<u>CARYLE D. LENA</u>		_____ Signature of Applicant	
<u>Commission Expires</u>	_____ Date	_____ Notary Signature (Seal)	_____ Date

If someone other than the applicant needs to be notified concerning this case, please note name(s) and address(es) below:

<p>NOTES:</p> <p><u>MARK TROCHESSET</u></p> <p><u>16375 ASPEN LANE</u></p> <p><u>BILLOXI, MS 39532</u></p> <p><u>(228) 297-7885</u></p>
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NOTE: Please see attached instructions for details on documents required for a complete application.



PLANNING COMMISSION SUPPLEMENT

Map Amendment

(Master Plan update)

City of Biloxi Planning Division

Mailing Address: P.O. Box 508, Biloxi, MS 39533

Office Location: 676 Dr. MLK Blvd.,

Planning (228) 435-6266 Fax (228) 435-6188

TO BE COMPLETED BY APPLICANT

DATE: 2-18-2026

Shaded Areas for Staff Only

MAP AMENDMENT – When the public necessity, convenience, general welfare or appropriate land use practices justify such action, and after the required review, public notice and report by the Planning Commission, the City Council may undertake the necessary steps to amend the Zoning District Map.

Please note that no application for the same parcel(s) requesting the same change may be made more often than once every 24 months.

PLEASE ATTACH A SEPARATE STATEMENT OF SUPPORT - This *narrative* must set forth proposed use and justification for the change, utilizing criteria set forth in Section 23-2-4(B)(3) of the Biloxi Code of Ordinances and including all proposed and existing structures as well as the uses planned for the site in question. Be specific as to development proposals, sale of property, or other transactions/plans proposed or scheduled for preparation subject to this rezoning request being granted approval.

Existing New

I am requesting a zoning change from this zone to this zone: RM30 DT

If zoning change request includes more than one parcel, you must provide a wraparound legal description.

Detailed Site Plan Attached (If no site plan is attached, this application is considered incomplete and will not be accepted.)

Criteria:

Yes No

1. Is the proposed map amendment consistent with the Comprehensive Plan?

Please explain:

2. Is the proposed map amendment compatible with present zoning and conforming uses of nearby property and with the character of the neighborhood?

Yes No

Please explain:

PROPOSED ZONING CHANGE WILL ENABLE CURRENT PROPERTIES TO MATCH ADJACENT DT ZONING TO THE SOUTH AND ALSO MATCH EXISTING ADJACENT DT ZONING OF CITY PROPERTY. THIS WILL MAKE CURRENT NON-CONFORMING PROPERTIES COMPLIANT W/ DT ZONING.



PLANNING COMMISSION SUPPLEMENT

Map Amendment

City of Biloxi Planning Division
Mailing Address: P.O. Box 508, Blvd., Biloxi, MS 39533
 Office Location: 676 Dr. MLK Blvd.
 Planning (228) 435-6266 Fax (228) 435-6188

Criteria (continued)		✓
	Yes	No
3. Is the property suitable for uses permitted in the present zoning district?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Please explain:		
YES BUT ONLY WITH A CONDITIONAL USE. ALL BUILDINGS ARE NON-CONFORMING AND DO NOT MEET REQUIREMENTS OF RM-30		
4. Is the property suitable for uses permitted in the proposed zoning district?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Please explain:		
5. Has there been a change in the character of the neighborhood?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Please explain:		
HOWEVER RECENT ZONING CHANGE HAS OCCURED TO THE SOUTH OF THE AREA. THIS WOULD CONTINUE DT ZONING & BE CONSISTENT W/ CITY DEPART		
6. Is there an established community need for uses permitted in the proposed zoning district?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Please explain: YES. CHANGE WOULD ALLOW COMPLIANCE W/ EXISTING DEVELOPMENTS AND KNOW FUTURE DEVELOPMENT THAT CAN COMPLY W/ ZONING REQUIREMENTS.		
7. Was there a mistake in the original zoning of the property?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Please explain:		
NO BUT NONE OF THE PROPERTIES CONFORM TO THE CURRENT ZONING		
8. Are utilities and infrastructure sufficient to address the impacts associated with allowed uses in the proposed district?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Please explain:		
Site Plan attached: (please circle): Yes	Case No. <input type="checkbox"/> <input type="checkbox"/> - <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> - <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	
No		

Dreux A Seghers
166 Nixon Street
Biloxi, MS 39530
(228) 324-5771

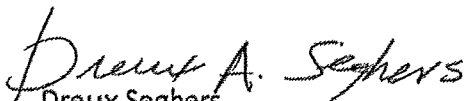
Narrative of Proposed Area of Map Amendment

I have owned the property at 166 Nixon Street and the vacant lot to the north for over 13 years. This is where I operate my consulting engineering office. It is located in RM-30 and was allowed through a conditional use that I requested and was granted. The other parcels in this request are also in RM-30. All current improvements in the proposed map amendment area are currently non-conforming uses as they don't meet the requirements of RM-30.

The proposed map amendment area is adjacent to the City of Biloxi Planning Department parking lot which is zoned DT. It is also just north of a property which was recently amended to DT zoning. I am asking for your consideration to amend the zoning for the four lots along Nixon Street so that the area will all be consistent in the DT zoning. This will make a consistent DT zone along Nixon Street and also bring the current buildings from non-conforming uses into conforming uses.

The current lots have a depth of approximately 50' from Nixon Street. The current RM-30 zoning will not allow development on my vacant lot without variances or additional conditional uses primarily due to the setback requirements rendering it essentially an unusable building pad. And the existing buildings will benefit by becoming conforming uses and without placing any additional burdens upon the properties. Therefore, I respectfully request that you consider my request.

Sincerely,


Dreux Seghers

1

BILOXI PLANNING COMMISSION MEETING
 APRIL 2ND, 2026
 COMMUNITY DEVELOPMENT,
 DR. MARTIN LUTHER KING JR. MUNICIPAL BUILDING,
 676 DR. MARTIN LUTHER KING JR. BOULEVARD,
 BILOXI, MISSISSIPPI,
 BEGINNING AT 2:00 P.M.

PLANNING COMMISSION MEMBERS PRESENT:

Charlie Dellenger, Chairman
 Ronnie Bogard
 Kyle Carron
 Robert Collier
 Steve Delahousey
 Dr. Larry Drawdy
 Joe King
 Debora Magee
 Jimmy Poulos
 John Snow
 David Stanovich
 Michael Todaro

ALSO PRESENT:

Jerry Creel, Director of Community Development
 Felicia Serpas, Senior Planner
 Caryle Lena, Planner I
 Wayne Gray, Councilman Ward 1
 Mike Nail, Councilman Ward 3
 Jamie Creel, Councilman Ward 4
 Dr. Paul Tisdale, Councilman Ward 5
 David Shoemaker, Councilman Ward 7

REPORTED BY:

Melissa Burdine-Rodolfich
 Simpson Burdine & Miguez

Simpson Burdine & Miguez 228.388.3130

3

CHAIRMAN DELLENGER:
 We're going to call the Planning
 Commission meeting to order.
 We'll record the members present:
 Mr. Todaro, Ms. Magee, Mr. Stanovich, Mr. Bogard,
 Mr. Collier, Mr. Delahousey, Dr. Drawdy,
 Mr. Carron, Mr. King, Mr. Snow, Mr. Poulos; and
 myself, Mr. Dellenger.
 We also have Councilman Nail, Councilman
 Tisdale, Councilman Creel and Councilman Shoemaker
 in the audience, as well as Felicia Serpas, Senior
 Planner; Jerry Creel, Director of Community
 Development; Caryle Lena, Planner; and Melissa
 Rodolfich, our court reporter. Theresa Shelton is
 here from Keesler as well.
 MS. LENA:
 She's right here.
 CHAIRMAN DELLENGER:
 Mr. Delahousey, would you lead us in a
 moment of prayer, please?
 (Moment of prayer.)
 CHAIRMAN DELLENGER:
 Please stand for the Pledge.
 Mr. Poulos, if you'd lead us in the
 Pledge.

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2

C-O-N-T-E-N-T-S

CONTINUED PUBLIC HEARING(S) :	PAGE:
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NEW PUBLIC HEARING(S) :	
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26-020-PC	20
26-021-PC	20
26-022-PC	32
TREE HEARING(S) :	
TR-26-001	106

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4

(Pledge of Allegiance.)
 CHAIRMAN DELLENGER:
 I would like to welcome everybody here
 to the Planning Commission meeting. It looks like
 we have a full house, so, you know, if we can,
 please turn the cell phones off, put them on
 silent. And when you come to the podium, you will
 have four minutes to speak. And please state your
 name and address for the record when you come up
 to the podium and sign in to the podium when you
 come up.
 Has everyone had a chance to review the
 Planning Commission minutes from the last meeting?
 MR. DELAHOUSEY:
 Motion to approve.
 MR. BOGARD:
 Second.
 CHAIRMAN DELLENGER:
 Motion by Mr. Delahousey to approve;
 second by Mr. Bogard.
 All those in favor, please state by
 saying "aye."
 (Unanimous vote.)
 CHAIRMAN DELLENGER:
 Motion carries.

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1 MR. CARRON:
 2 Okay. Is the old road going to remain
 3 or is that eventually going to disappear?
 4 MR. CARTER:
 5 It's going to go away. And these --
 6 we're going to fence it off. It needs to go away.
 7 That's what we want to do, is vacate that
 8 entire -- that section of the road from Holly
 9 Street to our property line.
 10 MR. CARRON:
 11 And how long are -- the campers that
 12 stay there, are they limited on a time frame?
 13 MR. CARTER:
 14 The campers?
 15 MR. CARRON:
 16 Is it going to be an RV park?
 17 MR. CARTER:
 18 Yes. Yes, we're planning to put a RV
 19 park in here.
 20 MR. CARRON:
 21 Okay. Do you have a limit as to how
 22 long they can stay on grounds?
 23 MR. CARTER:
 24 It's going to be short-term. It's not
 25 going to be long-term. It's going to be a nightly

Simpson Burdine & Miguez 228.388.3130

1 proposing a large RV park for this area that
 2 requires him to have contiguous property there.
 3 The power company and the City of Biloxi
 4 both submitted letters that said they have no
 5 opposition to it, provided they can maintain
 6 access to their utilities across there. And the
 7 staff has not received any letters of opposition,
 8 so the staff has no objection and would recommend
 9 approval.
 10 MR. DELAHOUSEY:
 11 I move that we approve the applicant's
 12 request.
 13 MR. COLLIER:
 14 Second.
 15 CHAIRMAN DELLENGER:
 16 Move to approve by Mr. Delahousey;
 17 second by Mr. Collier.
 18 Is there any discussion? There being no
 19 discussion, all in favor, please vote by raising
 20 your hand. Mr. Todaro, Ms. Magee, Mr. Stanovich,
 21 Mr. Bogard, Mr. Collier, Mr. Delahousey,
 22 Dr. Drawdy, Mr. Carron, Mr. King, Mr. Snow,
 23 Mr. Foulos; and myself, Mr. Dellenger. Let the
 24 record show that's unanimous.
 25 I want to please let the record reflect

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1 deal. We're not going to let anybody stay for
 2 months at a time.
 3 MR. CARRON:
 4 Okay. Thank you.
 5 CHAIRMAN DELLENGER:
 6 Is there any other questions for
 7 Mr. Carter? Any other questions?
 8 Okay. There being no further questions,
 9 thank you, Mr. Carter.
 10 Is there anyone in the audience to speak
 11 in favor of the applicant's request? Anyone to
 12 speak in favor?
 13 (No response.)
 14 CHAIRMAN DELLENGER:
 15 Is there anyone to speak in opposition?
 16 Is there anyone in the audience to speak in
 17 opposition of the request?
 18 There being nobody in opposition, we
 19 will consider that hearing closed. Mr. Creel.
 20 MR. CREEL:
 21 This is a request to vacate this
 22 600-foot section of the old Back Bay access. It's
 23 really not used for anything anymore, maybe for
 24 fishing.
 25 But Mr. Carter owns both sides and is

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1 that Councilman Wayne Gray is now in the audience.
 2 New public hearing, first case is Case
 3 Number 26-018-PC, Dreux Seghers, which is a
 4 request for a zoning map amendment to authorize a
 5 change in zoning classification for four parcels
 6 of land measuring approximately .26 of an acre,
 7 more or less, in size from their present zoning
 8 classification of RM-30, high-density multi-family
 9 to Downtown identified as 0, 166 and 170 Nixon
 10 Street and 640 Copp Street, Tax Parcel Numbers
 11 1410K-01-028.000, 1410K-01-028.001,
 12 1410K-01-025.000 and 1401K-01.029.000. These were
 13 advertised on 3/13, 3/20 and 3/27.
 14 If you can show the video, please.
 15 MS. SERPAS:
 16 (Video played.)
 17 Okay.
 18 CHAIRMAN DELLENGER:
 19 Thank you.
 20 If you can, please, let us know what
 21 you're trying to do here.
 22 MR. TROCHESSET:
 23 Yes, sir. My name is Mark Trochesset.
 24 My address is 16375 Aspen Lane, Biloxi.
 25 And what we would like to do is change

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1 Jerry, do we have any committee reports
2 this week?

3 MR. CREEL:

4 We do. Mr. Chairman and members of the
5 Commission, over the past two weeks the department
6 has issued 35 building permits, with a total
7 construction valuation of \$5.5 million. We have
8 collected a little over \$30,000 in permit fees,
9 issued licenses for nine new businesses -- one of
10 those is for a peddler -- and six renewals.

11 We have also issued 13 certificates of
12 occupancy. Of the permits issued one was for a
13 renovation project at the Beau Rivage, and there
14 are five new single-family houses.

15 CHAIRMAN DELLENGER:

16 Thank you, Jerry.

17 We have one continued public hearing
18 which is Case Number 26-015-PC, Steven Carter,
19 which is a request for a vacation of an improved
20 public right-of-way measuring 41 feet by 512 feet,
21 more or less, located between several parcels
22 fronting to Bayview Avenue. There is a list of a
23 bunch of tax parcels here that I won't read. This
24 was advertised on March 6th and March 13th.

25 Can we have the video, please?

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1 The road is effectively terminated by a
2 condemned and barricaded bridge, which prevents
3 any through-access. As it stands today, it does
4 not provide any connective traffic flow or access
5 to any third-party property. There is no impact
6 to any neighbors. No one relies on this as a
7 right-of-way to get into their property.

8 In its current condition, the segment
9 represents a liability rather than an asset for
10 the City, given the presence of a condemned
11 structure and the lack of maintenance and
12 usability.

13 Vacating this right-of-way would
14 eliminate that liability, allow the property to be
15 consolidated, maintained and improved in a
16 productive fashion.

17 I'm willing to accommodate any easements
18 or drainage easements that needed to happen in
19 order to -- that the City already has. And that's
20 all I have got.

21 CHAIRMAN DELLENGER:

22 Mr. Carter, do you own all the parcels
23 on either side of that?

24 MR. CARTER:

25 I own that one right there, that one

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1 MS. SERPAS:

2 Uh-huh.

3 (Video played.)

4 MS. SERPAS:

5 I have one more video.

6 (Second video played.)

7 Okay.

8 CHAIRMAN DELLENGER:

9 Thank you.

10 Is Mr. Carter here or his
11 representative?

12 MR. CARTER:

13 Steven Carter, 109 Surgeres Place in
14 Ocean Springs.

15 Thanks for having me this afternoon.
16 Sorry I tabled it for last week, but one of the
17 property owners hadn't had a chance to review
18 everything, so I wanted them to have a chance to
19 take a look at it before I came up here.

20 But anyway, I'm the property owner for
21 both sides of the majority of these parcels that
22 I've already worked out agreements with everybody
23 else that's part of it, and I'm requesting to
24 vacate the segment of this non-functioning roadway
25 that no longer serves as a public purpose.

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1 right there, that one right there, not that one,
2 that one, and I have options on the other parcels
3 to buy them --

4 CHAIRMAN DELLENGER:

5 Okay.

6 MR. CARTER:

7 -- which would be --

8 MS. SERPAS:

9 You can point if you want to.

10 MR. CARTER:

11 -- the two big ones as well. It would
12 be this one, that one, that one, that one and that
13 one. And I own this one and all of these and this
14 one. And this is the Boys and Girls Club.

15 MR. CARRON:

16 Mr. Carter, while you're up there, could
17 you show us where the City of Biloxi's easements
18 are right now?

19 MR. CARTER:

20 There is a sewer line that runs through
21 that bridge, that runs through here. And we
22 would -- y'all could keep your easements. We're
23 not trying to get into any easements. There is
24 also utility. We've worked with all of them and
25 everybody is good with it.

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1 the zoning to Downtown from RM-30. This is
 2 cohesive with the zoning that's just south of Copp
 3 Street there, and it would allow all these
 4 properties in that area that was highlighted there
 5 to be compliant with the present zoning. They are
 6 non-compliant right now, so we cannot develop the
 7 piece of property that's just north of our office
 8 because it would not meet the Downtown zoning
 9 setbacks -- excuse me, the RM-30 setbacks. We
 10 would like to change it to Downtown.
 11 CHAIRMAN DELLENGER:
 12 Okay. What are you planning to put on
 13 that?
 14 MR. TROCHESSET:
 15 We would like to put a small home there
 16 on the property just north of the office at 166.
 17 It's a vacant piece of property.
 18 CHAIRMAN DELLENGER:
 19 You mean a small home like for a rental
 20 or for an office building?
 21 MR. TROCHESSET:
 22 Possibly a rental, yes.
 23 CHAIRMAN DELLENGER:
 24 And would that be a long-term or
 25 short-term rental?

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1 Does anybody have any other questions?
 2 No other questions.
 3 Thank you.
 4 MR. TROCHESSET:
 5 Thank you.
 6 CHAIRMAN DELLENGER:
 7 Is there anyone in the audience that
 8 would like to speak in favor of the applicant's
 9 request? Anyone in the audience to speak in
 10 favor?
 11 (No response.)
 12 CHAIRMAN DELLENGER:
 13 Is there anyone in the audience to speak
 14 in opposition?
 15 UNIDENTIFIED SPEAKER:
 16 I would like to ask a question.
 17 CHAIRMAN DELLENGER:
 18 Yes, ma'am, come forward.
 19 Please state your name and address for
 20 the record.
 21 MS. JEFFERSON:
 22 My name is Joyce Jefferson, and I live
 23 right across the street there from that house.
 24 And we have been there over 40 and 50
 25 years. For him to bring his stuff in there, why

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1 MR. TROCHESSET:
 2 I believe -- I'm not exactly sure. I'm
 3 speaking on Dreaux's behalf as his agent.
 4 CHAIRMAN DELLENGER:
 5 Okay.
 6 MR. CARRON:
 7 Question. Since most of these houses
 8 are non-conforming, as far as setbacks, Jerry, if
 9 he were to build a new building there, is he going
 10 to require a variance to meet the setback
 11 requirements?
 12 MR. CREEL:
 13 No. In East Biloxi, there is a
 14 provision in there that understands or accepts the
 15 fact that we've got lots down there where there's
 16 no way to meet the front setbacks. So what it
 17 says is that if there are other houses located on
 18 the property or other structures and you align
 19 with those, you can do that without having to ask
 20 for the variance.
 21 MR. CARRON:
 22 Thank you.
 23 MR. TROCHESSET:
 24 You're welcome.
 25 CHAIRMAN DELLENGER:

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1 do we have to be rezoned? Why?
 2 CHAIRMAN DELLENGER:
 3 I'm not sure that you're being rezoned.
 4 MR. CREEL:
 5 You said you live across the street,
 6 ma'am?
 7 MS. JEFFERSON:
 8 Yeah. I live on Peyton.
 9 MR. CREEL:
 10 You live on Peyton?
 11 MS. JEFFERSON:
 12 Yeah, I live on Peyton.
 13 MR. CREEL:
 14 Well, the property on the corner, the
 15 property right on the corner of Nixon and Peyton
 16 is included in this, but if you own that property
 17 on the corner and you would like to opt out, the
 18 Planning Commission can consider that and remove
 19 your piece of property from the request.
 20 MS. JEFFERSON:
 21 Well, we will be removed from
 22 residential to commercial?
 23 MR. CREEL:
 24 Yes, ma'am.
 25 MS. JEFFERSON:

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1 No, we don't need that. You can opt
2 out, you say?
3 MR. CREEL:
4 Yes, ma'am. Let me just tell you one
5 thing -- and I'm not trying to sway you either
6 way, but sometimes people think that if their
7 property is rezoned from residential to commercial
8 that their taxes are going to go up and that's not
9 true. The taxes are based on the use of the
10 property, not on the zoning of the property. So
11 as long as there is a house on that property and
12 it's used for residential purposes, it would be
13 taxed at the residential level.
14 MS. JEFFERSON:
15 So we have the option to opt out?
16 CHAIRMAN DELLENGER:
17 Yes, ma'am.
18 MR. DELAHOUSEY:
19 Is that your property on the corner?
20 MR. COLLIER:
21 You're across the street there?
22 MS. JEFFERSON:
23 No. I'm right on Peyton.
24 MR. COLLIER:
25 Yeah. But you're across from the

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1 But you're not included. There would be
2 no change. Your zoning would remain the same.
3 CHAIRMAN DELLENGER:
4 Is there anyone else to speak in
5 opposition? Anyone to speak in opposition?
6 There being no one else to speak in
7 opposition, we will consider that hearing closed.
8 MR. CREEL:
9 Okay. This is a request that came from
10 Mr. Seghers concerning this property, and
11 Mr. Trochesset is correct. Even if they proposed
12 to build something on this property with the
13 setbacks and the parking requirements and
14 everything, they would not be able to do anything
15 RM-30 on the property.
16 So the property that this building is on
17 is zoned Downtown and this is the property right
18 across the street on the east side of Nixon. It
19 does align with the property that faces Howard
20 Avenue and Nixon that is already zoned Downtown,
21 so this would basically be a continuation of the
22 zoning that already exists and would not encroach
23 over into the neighborhood, so the staff has no
24 objection and would recommend approval.
25 CHAIRMAN DELLENGER:

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1 property that he's talking about, you said?
2 MS. JEFFERSON:
3 Not straight across, but down further.
4 CHAIRMAN DELLENGER:
5 So what's your address, ma'am?
6 MS. JEFFERSON:
7 656 Peyton, P-e-y-t-o-n.
8 MR. DELAHOUSEY:
9 So is her -- is that parcel even
10 included in there?
11 CHAIRMAN DELLENGER:
12 No, I don't believe.
13 MR. CREEL:
14 No.
15 MR. DELAHOUSEY:
16 So your property is not included in this
17 property.
18 MS. JEFFERSON:
19 On the letter we got, it is.
20 MR. CREEL:
21 Well, we have to notify everybody within
22 250 feet of the property to let them know that
23 there is going to be a public hearing, so that's
24 why you got the letter.
25 MR. DELAHOUSEY:

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1 Do we have a motion for approval?
2 MR. DELAHOUSEY:
3 Move to approve.
4 MS. MAGEE:
5 Second.
6 CHAIRMAN DELLENGER:
7 Moved by Mr. Delahousey; second by
8 Ms. Magee.
9 Any discussion?
10 MR. DELAHOUSEY:
11 Yeah, on discussion.
12 Mr. Chairman, you know, we could have
13 taken a field trip and just walked outside and
14 looked at this. It would have been easier.
15 CHAIRMAN DELLENGER:
16 We could have, but getting all these
17 people back in here would have been a hassle.
18 We have a motion and a second for
19 approval.
20 All those in favor, please state by
21 raising your hand. Mr. Todaro, Ms. Magee,
22 Mr. Stanovich, Mr. Bogard, Mr. Collier,
23 Mr. Delahousey, Dr. Drawdy, Mr. Carron, Mr. King,
24 Mr. Snow, Mr. Poulos; and myself, Mr. Dellenger.
25 That's unanimous.

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