

**CITY OF BILOXI  
AGENDA ITEM  
FACT SHEET**

Item No.: 4H

Council Meeting Date: April 21, 2026

**ITEM TITLE:** RESOLUTION

**INTRODUCED BY:** Mayor Andrew "FoFo" Gilich

**CONTACT PERSON:** Rick Weaver, CAO

Jerry Creel *Jerry Creel* Director of Community Development

**SUMMARY EXPLANATION:**

Resolution granting Conditional Use approval, to authorize an existing duplex, to be utilized as Short-Term Rentals upon a property site situated in an LB Limited Business zone, and identified by municipal address 238 Rodenberg Avenue A & B.

Case No. 26-019-PC, Ward 1, Brett Payne

Resolution  Ordinance \_\_\_\_\_ Public Hearing \_\_\_\_\_ Routine Agenda \_\_\_\_\_

Exhibits for Review

Contract \_\_\_\_\_ Minutes  Plans/Maps \_\_\_\_\_ Deed \_\_\_\_\_ Lease \_\_\_\_\_

Other (Specify): applications, case fact 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:**

RESOLUTION NO. \_\_\_\_\_

RESOLUTION GRANTING **CONDITIONAL USE** APPROVAL TO AUTHORIZE AN EXISTING DUPLEX TO BE UTILIZED AS **SHORT-TERM RENTALS** UPON PROPERTY SITUATED IN A **LB LIMITED BUSINESS** ZONING AND IDENTIFIED BY MUNICIPAL ADDRESS 238 RODENBERG AVENUE A & B

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. 26-019-PC, Brett Payne on behalf of Hagos Investment 242, LLC, a request for **Conditional Use** approval, for the property identified as 238 Rodenberg Avenue A & B; and

WHEREAS, the Planning Commission members were apprised of the particulars of this case, being made cognizant of the fact that the owner/applicant had submitted a request for **Conditional Use**, to authorize an existing duplex to be utilized as **Short-Term Rentals**, for property situated within a **LB Limited Business** zone, and identified as 238 Rodenberg Avenue A & B (re: Tax Parcel No. 1210H-02-076.011); and

WHEREAS, it was determined that this **Conditional Use** request meets all of the standards, as follows:

- a. The **Conditional Use** complies with all applicable zoning district standards;
- b. The **Conditional Use** complies with all Use-Specific Standards;
- c. The **Conditional Use** is compatible with the character of surrounding lands and the uses permitted in the zoning district(s) of surrounding lands;
- d. The **Conditional Use** avoids significant adverse odor, noise, glare, and vibration impacts on surrounding lands regarding refuse collection, service delivery, parking and loading, signs, lighting, and other site elements;
- e. The **Conditional Use** is configured and designed to screen, buffer, or otherwise minimize adverse visual impacts on adjacent lands;

- f. The **Conditional Use** avoids significant deterioration of water and air resources, wildlife habitat, scenic resources, and other natural resources;
- g. The **Conditional Use** maintains safe and convenient ingress and egress and traffic flow onto and through the site by vehicles and pedestrians, and safe road conditions around the site;
- h. The **Conditional Use** allows for the protection of property values and the ability of neighboring lands to develop uses permitted in the zoning district; and
- i. The **Conditional Use** complies with all other relevant city, state and federal laws and regulations; and

WHEREAS, on April 2, 2026, the Biloxi Planning Commission, upon reflection of the information related by the applicant at the public hearing, voted (12-0-0) to recommend approval of the requested **Conditional Use**, to authorize an existing duplex, situated upon a parcel of land measuring 71' x 96.47', to be utilized as Short-Term Rentals, for property located within a **LB-Limited Business** zone, and identified by municipal address 238 Rodenberg Avenue A & B (Tax Parcel No.1210H-02-076.011), having determined that the proposed **Conditional Use** had been found to be in compliance with the Land Development Ordinance, and finding also that the use promotes the public interest at this location; that the use has been designed, located and proposed to be operated so that the public health, safety and welfare will be protected; that said use will not cause substantial injury to other properties in the neighborhood in which located; and that the use proposed conforms to all zoning district regulations of the **LB Limited Business** zoning district; 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 requested **Conditional Use** is appropriate for the properties identified as 238 Rodenberg Avenue A & B.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF BILOXI, MISSISSIPPI, THAT this requested **Conditional Use** approval, to authorize an existing duplex, situated upon a parcel of land measuring 71' X 96.47', to be utilized as **Short-Term Rentals**, for property located within a **Limited Business** zone, and identified by municipal addresses 238 Rodenberg Avenue A & B (Tax Parcel No.1210H-02-076.011), as addressed within Case No. 26-019-PC, Brett Payne on behalf of Hagos Investment 242, LLC, is appropriate, having determined that the proposed use has been found to be in compliance with the Land Development Ordinance, and finding also that the **Short-Term Rentals**, as presented, promotes the public interest at this location; that the use has been designed, located and proposed to be operated so that the public health, safety and welfare will be protected; that said use will not cause substantial injury to other properties in the neighborhood in which located; and that this **Conditional Use** conforms to all zoning regulations, as required to proceed with the establishment of this use at these locations.

.....A

RESOLUTION NO. \_\_\_\_\_

RESOLUTION CALLING FOR A PUBLIC HEARING WITH RESPECT TO A REQUEST FOR A **CONDITIONAL USE** APPROVAL TO AUTHORIZE AN EXISTING DUPLEX TO BE UTILIZED AS **SHORT-TERM RENTALS** UPON PROPERTY SITUATED IN A **LB LIMITED BUSINESS ZONING** AND IDENTIFIED BY MUNICIPAL ADDRESS 238 RODENBERG AVENUE A & B

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. 26-019-PC, Brett Payne on behalf of Hagos Investment 242, LLC, a request for **Conditional Use** approval, for the property identified as 238 Rodenberg Avenue A & B; and

WHEREAS, the Planning Commission members were apprised of the particulars of this case, being made cognizant of the fact that the owner/applicant had submitted a request for **Conditional Use**, to authorize an existing duplex to be utilized as **Short-Term Rentals**, for property situated within a **LB Limited Business** zone, and identified as 238 Rodenberg Avenue A & B (re: Tax Parcel No. 1210H-02-076.011); and

WHEREAS, it was determined that this **Conditional Use** request meets all of the standards, as follows:

- a. The **Conditional Use** complies with all applicable zoning district standards;
- b. The **Conditional Use** complies with all Use-Specific Standards;
- c. The **Conditional Use** is compatible with the character of surrounding lands and the uses permitted in the zoning district(s) of surrounding lands;
- d. The **Conditional Use** avoids significant adverse odor, noise, glare, and vibration impacts on surrounding lands regarding refuse collection, service delivery, parking and loading, signs, lighting, and other site elements;
- e. The **Conditional Use** is configured and designed to screen, buffer, or otherwise minimize adverse visual impacts on adjacent lands;

- f. The **Conditional Use** avoids significant deterioration of water and air resources, wildlife habitat, scenic resources, and other natural resources;
- g. The **Conditional Use** maintains safe and convenient ingress and egress and traffic flow onto and through the site by vehicles and pedestrians, and safe road conditions around the site;
- h. The **Conditional Use** allows for the protection of property values and the ability of neighboring lands to develop uses permitted in the zoning district; and
- i. The **Conditional Use** complies with all other relevant city, state and federal laws and regulations; and

WHEREAS, on April 2, 2026, the Biloxi Planning Commission, upon reflection of the information related by the applicant at the public hearing, voted (12-0-0) to recommend approval of the requested **Conditional Use**, to authorize an existing duplex, situated upon a parcel of land measuring 71' x 96.47', to be utilized as Short-Term Rentals, for property located within a **LB-Limited Business** zone, and identified by municipal address 238 Rodenberg Avenue A & B (Tax Parcel No. 1210H-02-076.011), having determined that the proposed **Conditional Use** had been found to be in compliance with the Land Development Ordinance, and finding also that the use promotes the public interest at this location; that the use has been designed, located and proposed to be operated so that the public health, safety and welfare will be protected; that said use will not cause substantial injury to other properties in the neighborhood in which located; and that the use proposed conforms to all zoning district regulations of the **LB Limited Business** zoning district; 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 general public concern, and being so, it is in the best interest of the community that a second public hearing be conducted on this matter before the City Council.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF

THE CITY OF BILOXI, MISSISSIPPI, THAT an additional public hearing will be conducted by the City Council in reference to Case No. 26-019-PC, Brett Payne on behalf of Hagos Investment 242, LLC, on a date to be set and in accordance with all requirements of Section 23-2-3 (F) of the City of Biloxi Land Development Ordinance governing the conduct of public hearings.

..... B

RESOLUTION NO. \_\_\_\_\_

RESOLUTION TO DENY **CONDITIONAL USE** APPROVAL TO AUTHORIZE AN EXISTING DUPLEX TO BE UTILIZED AS **SHORT-TERM RENTALS** UPON PROPERTY SITUATED IN A **LB LIMITED BUSINESS ZONING** AND IDENTIFIED BY MUNICIPAL ADDRESS 238 RODENBERG AVENUE A & B

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. 26-019-PC, Brett Payne on behalf of Hagos Investment 242, LLC, a request for **Conditional Use** approval, for the property identified as 238 Rodenberg Avenue A & B; and

WHEREAS, the Planning Commission members were apprised of the particulars of this case, being made cognizant of the fact that the owner/applicant had submitted a request for **Conditional Use**, to authorize an existing duplex to be utilized as **Short-Term Rentals**, for property situated within a **LB Limited Business** zone, and identified as 238 Rodenberg Avenue A & B (re: Tax Parcel No. 1210H-02-076.011); and

WHEREAS, it was determined that this **Conditional Use** request meets all of the standards, as follows:

- a. The **Conditional Use** complies with all applicable zoning district standards;
- b. The **Conditional Use** complies with all Use-Specific Standards;
- c. The **Conditional Use** is compatible with the character of surrounding lands and the uses permitted in the zoning district(s) of surrounding lands;
- d. The **Conditional Use** avoids significant adverse odor, noise, glare, and vibration impacts on surrounding lands regarding refuse collection, service delivery, parking and loading, signs, lighting, and other site elements;
- e. The **Conditional Use** is configured and designed to screen, buffer, or otherwise minimize adverse visual impacts on adjacent lands;

- f. The **Conditional Use** avoids significant deterioration of water and air resources, wildlife habitat, scenic resources, and other natural resources;
- g. The **Conditional Use** maintains safe and convenient ingress and egress and traffic flow onto and through the site by vehicles and pedestrians, and safe road conditions around the site;
- h. The **Conditional Use** allows for the protection of property values and the ability of neighboring lands to develop uses permitted in the zoning district; and
- i. The **Conditional Use** complies with all other relevant city, state and federal laws and regulations; and

WHEREAS, on April 2, 2026, the Biloxi Planning Commission, upon reflection of the information related by the applicant at the public hearing, voted (12-0-0) to recommend approval of the requested **Conditional Use**, to authorize an existing duplex, situated upon a parcel of land measuring 71' x 96.47', to be utilized as Short-Term Rentals, for property located within a **LB-Limited Business** zone, and identified by municipal address 238 Rodenberg Avenue A & B (Tax Parcel No. 1210H-02-076.011), having determined that the proposed **Conditional Use** had been found to be in compliance with the Land Development Ordinance, and finding also that the use promotes the public interest at this location; that the use has been designed, located and proposed to be operated so that the public health, safety and welfare will be protected; that said use will not cause substantial injury to other properties in the neighborhood in which located; and that the use proposed conforms to all zoning district regulations of the **LB Limited Business** zoning district; and

WHEREAS, the City Council, having given the Biloxi Planning Commission's recommendation serious thought, has determined that this **Conditional Use**, as presented, is not appropriate as submitted for the property suggested.

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 **Conditional Use** for the property identified as 238 Rodenberg Avenue A & B, Case No. 26-019-PC, Brett Payne on behalf of Hagos Investment 242, LLC, based upon a determination that \_\_\_\_\_

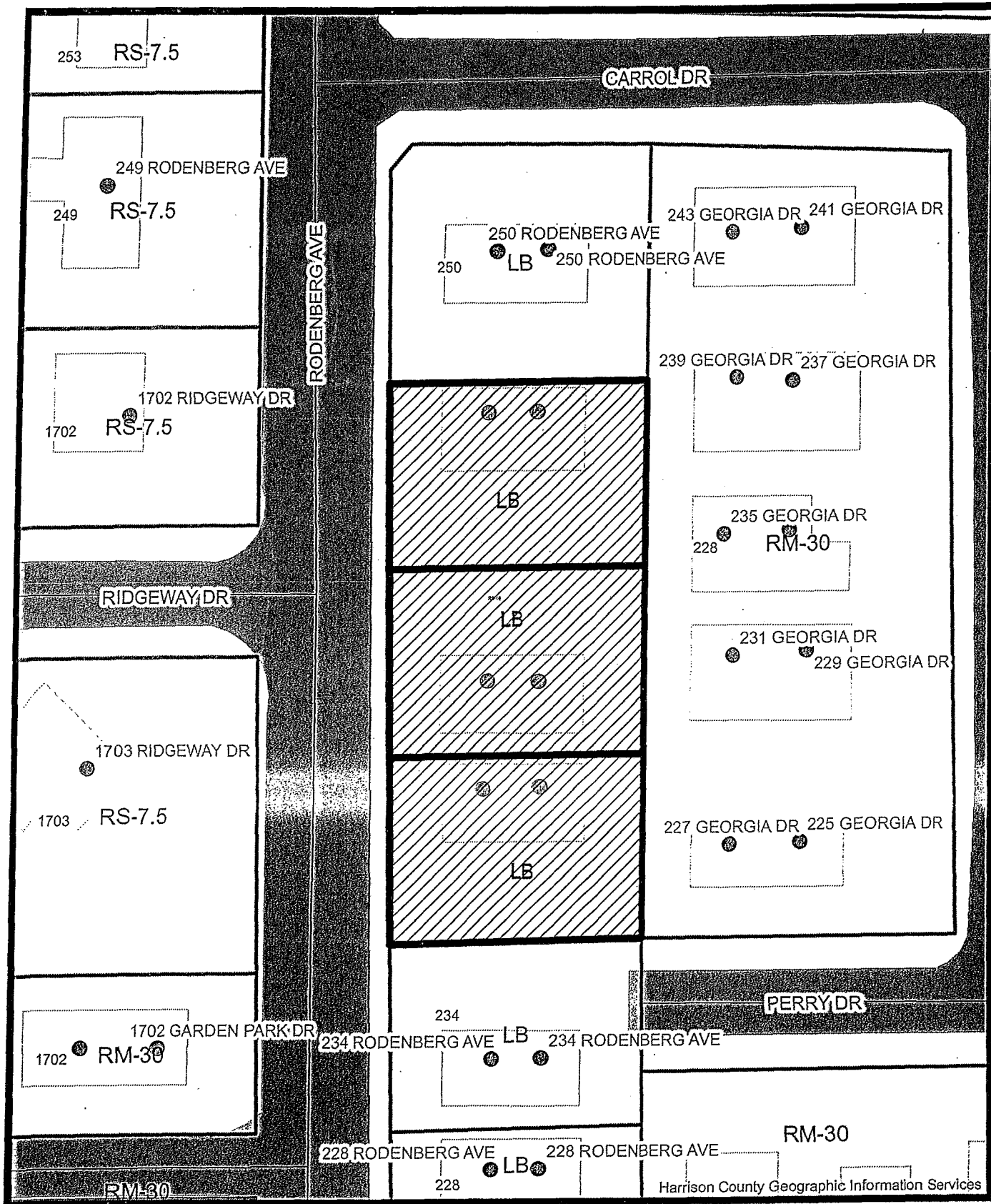
\_\_\_\_\_

\_\_\_\_\_

..... C

Case Nos. 26-019-PC, 26-020-PC & 26-021-PC

Robel Tedros Hagos/Brett Payne  
238, 242, & 246 Rodenberg Ave A & B  
Conditional Use-STR in LB zone



Scheduled for  
April 2, 2026  
PC Meeting

Brett Payne on behalf of Robel Tedros Hagos  
Case No. 26-019-PC  
**Conditional Use**  
**Short-Term Rentals**



**Planning Commission**  
**Case Fact Sheet**

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**Case No.:** 26-019-PC  
**Name of Owner:** Robel Tedros Hagos  
**Applicant:** Brett Payne  
**Address of Property:** 238 Rodenberg Avenue A & B  
**Tax Parcel/Ward:** 1210H-02-076.011/Ward 1

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**Request:** **Conditional Use**

**Purpose of Request:** To consider an application requesting **Conditional Use** approval, to authorize an existing duplex, situated upon a parcel of land measuring 71' X 96.47', to be utilized as **Short-Term Rentals**, for property located within a **Limited Business** zone, and identified by municipal addresses 238 Rodenberg Avenue A & B (Tax Parcel No.1210H-02-076.011).

**Present Zoning:** **LB - Limited Business**

**Size of Property:** 71' X 96.47' (more or less)

**Flood Zone:** X

**Present Use:** Duplex

**Most Nearly Bounded By (streets):** To the North of Irish Hill Drive; to the South of Carrol Drive; to the West of Georgia Drive; and to the East of and fronting Rodenberg Avenue.

**Adverse Influences:** Care must be exercised before granting **Conditional Use** approval, to ensure that the objectives of City regulations are fully followed and that adjoining residential properties are protected.

**Positive Influences:** The requested **Conditional Use** would allow the applicants the right to offer an existing duplex for rental periods of less

than 30 days in duration.

**Letters or  
Concerns stated:**

The Planning Division Office has not received any written communication relative to this case as of March 26, 2026.

**Comments/  
Recommendations:**

Brett Payne on behalf of Robel Tedros Hagos, has submitted an application requesting **Conditional Use** approval, to authorize an existing duplex, situated upon a parcel of land measuring 71' X 96.47', to be utilized as **Short-Term Rentals**, for property located within a **Limited Business** zone, and identified by municipal addresses 238 Rodenberg Avenue A & B (Tax Parcel No.1210H-02-076.011).

It should be noted that all **Short-Term Rentals** in the City of Biloxi are subject to specific regulations, as provided by City Ordinance. Should this duplex be recommended for approval as **Short-Term Rentals**, all city regulations involved must be fully addressed.

As part of any Conditional Use application review, the Planning Commission must determine that the use will provide for the public interest at this location, will be designed, located, and proposed to be operated so that the public health, safety, and welfare will be protected; that the use will not cause substantial injury to other property (ies); and that the use will conform to all district regulations in which located.

**Options:**

1. Recommend approval of this request for **Conditional Use**, finding that the use promotes the public interest at this location, that the use has been designed, located, and proposed to be operated so that the public health, safety and welfare will be protected, and that said use should not cause substantial injury to other properties in the neighborhood in which it is located.
2. Recommend denial of this request for **Conditional Use**, having determined that said use does not promote the public interest at this location, and has not been found to meet all Zoning District Regulations, as outlined in the Land Development Ordinance.



**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. 26-019-PC

To Be Completed by Owner/Applicant Date: 02/16/26

Name of Rightful Owner(s): Robel Tedros Hagos Name of Applicant: (if different than Owner) Brett Payne

Property Address: 238 Rodenberg Ave A+B Biloxi MS Ward Number 1

Tax Parcel Identification Number(s):  

1710A-02-076.011		

Mailing Address of Property Owner: 1300 N. Johnson Ave #103 Mailing Address of Applicant (if different than Owner): 628 Oakleigh Ave #7

City: Carson City: Georgetown

State: CA State: MS

Zip: 92020 Zip: 39507

County: San Diego County:  

Telephone: (619) 278 6142 Telephone: (908) 79 3161

Property Size (please give in acres or by dimension): 1/4 X 9/16

Present Zoning Classification: Limited Business (LB) Zone

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?  

Carroll Dr	Washington Dr	Georgia Dr	Rodenberg Ave
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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):**

- Text Amendment
- Zoning Map Amendment – must include zone classification change in narrative
- Planned Development
- Master Plan/Update
- Preliminary Subdivision Review
- Conditional Use
- Public ROW Vacation
- Street Name Change
- Variance
- Appeal
- 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.**



Signature of Rightful Owner

Signature of Rightful Owner

*See the attachment C. Miller 2-16-26*

Notary Signature  
(Seal)

Date

Notary Signature  
(Seal)

Date

Signature of Rightful Owner

Signature of Applicant

Notary Signature  
(Seal)

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:

<b>NOTES:</b>	

**NOTE: Please see attached instructions for details on documents required for a complete application.**

# CALIFORNIA ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California }

County of San Diego }

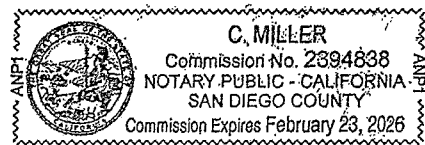
On February 16, 2026 before me, C. Miller, Notary Public  
(Here Insert name and title of the officer)

personally appeared Robel Tedros Hagos,  
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

*C. Miller* (Notary Public Seal)  
Notary Public Signature (Notary Public Seal)



### ADDITIONAL OPTIONAL INFORMATION

DESCRIPTION OF THE ATTACHED DOCUMENT  
Planning Commission Application  
(Title or description of attached document)

(Title or description of attached document continued)

Number of Pages \_\_\_\_\_ Document Date \_\_\_\_\_

### CAPACITY CLAIMED BY THE SIGNER

- Individual (s)
- Corporate Officer
- \_\_\_\_\_ (Title)
- Partner(s)
- Attorney-in-Fact
- Trustee(s)
- Other \_\_\_\_\_

### INSTRUCTIONS FOR COMPLETING THIS FORM

*This form complies with current California statutes regarding notary wording and, if needed, should be completed and attached to the document. Acknowledgments from other states may be completed for documents being sent to that state so long as the wording does not require the California notary to violate California notary law.*

- State and County information must be the State and County where the document signer(s) personally appeared before the notary public for acknowledgment.
- Date of notarization must be the date that the signer(s) personally appeared which must also be the same date the acknowledgment is completed.
- The notary public must print his or her name as it appears within his or her commission followed by a comma and then your title (notary public).
- Print the name(s) of document signer(s) who personally appear at the time of notarization.
- Indicate the correct singular or plural forms by crossing off incorrect forms (i.e. he/she/they, is/are) or circling the correct forms. Failure to correctly indicate this information may lead to rejection of document recording.
- The notary seal impression must be clear and photographically reproducible. Impression must not cover text or lines. If seal impression smudges; re-seal if a sufficient area permits, otherwise complete a different acknowledgment form.
- Signature of the notary public must match the signature on file with the office of the county clerk.
  - ❖ Additional information is not required but could help to ensure this acknowledgment is not misused or attached to a different document.
  - ❖ Indicate title or type of attached document, number of pages and date.
  - ❖ Indicate the capacity claimed by the signer. If the claimed capacity is a corporate officer, indicate the title (i.e. CEO, CFO, Secretary).
- Securely attach this document to the signed document with a staple.



PLANNING COMMISSION SUPPLEMENT

Conditional Use

City of Biloxi, Planning Division  
 Mailing Address: P.O. Box 508, Blvd., Biloxi, MS 39530  
 Office Location: 676 Dr. MLK Blvd.,  
 Building (228) 435-6270 Planning (228) 435-6266 Fax (228)

TO BE COMPLETED BY APPLICANT

DATE: 2/10/2020

Shaded Areas for Staff Only

**Conditional Use** – The purpose of the Conditional Use is to provide for certain uses that, because of their unique characteristics, can be allowed with special consideration in each case of the impact of those uses upon neighboring land and of the public need for the particular use at the particular location. Because of their unique characteristics, however, each of these requires the exercise of planning judgment on a case-by-case basis.

**PLEASE ATTACH A SEPARATE STATEMENT OF SUPPORT** - The *narrative* must set forth proposed use and justification for the change, utilizing criteria set forth in Section 23-6-1(e) 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.

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

Criteria:

1. Is the use necessary to promote the public interest at that location?

Yes No

Please explain: Radon Dwell Needed Spc Support +  
 we wanted to advise to better the area

2. Is the use designed, located, and proposed to be operated so that the public health, safety, and welfare will be protected?

Yes No

Please explain: We have Decors + Manufacture for parties  
 w/ decorations, signet cameras for safety occasions

3. Will the use cause substantial injury to other property in the Neighborhood in which it is located?

Please explain: This is actually to benefit the area  
 & NOT decrease it

4. Does the use conform to all district regulations of the applicable zoning district in which it is to be located, unless other provisions are specifically set forth in the requirements governing specific Conditional Uses?

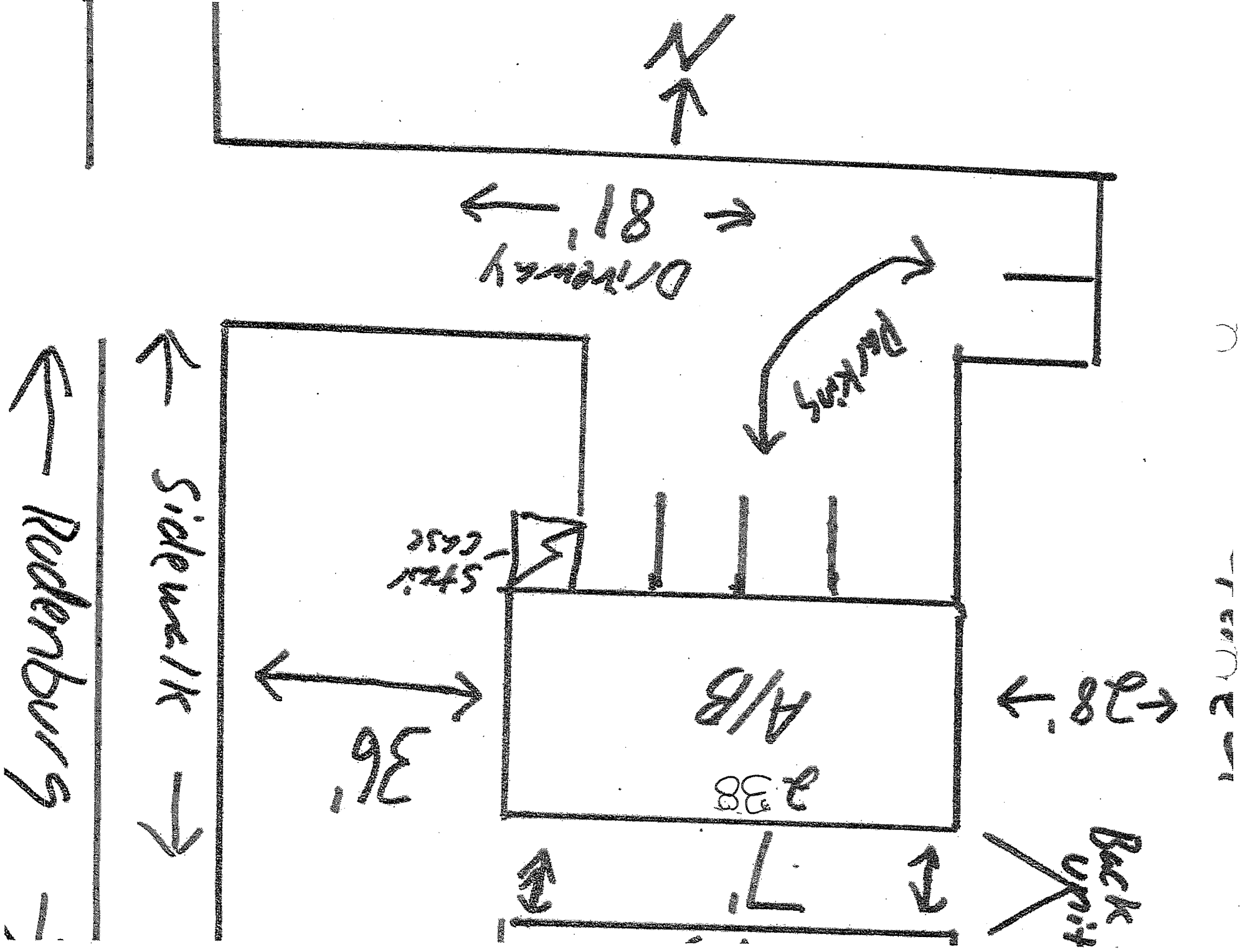
Yes No

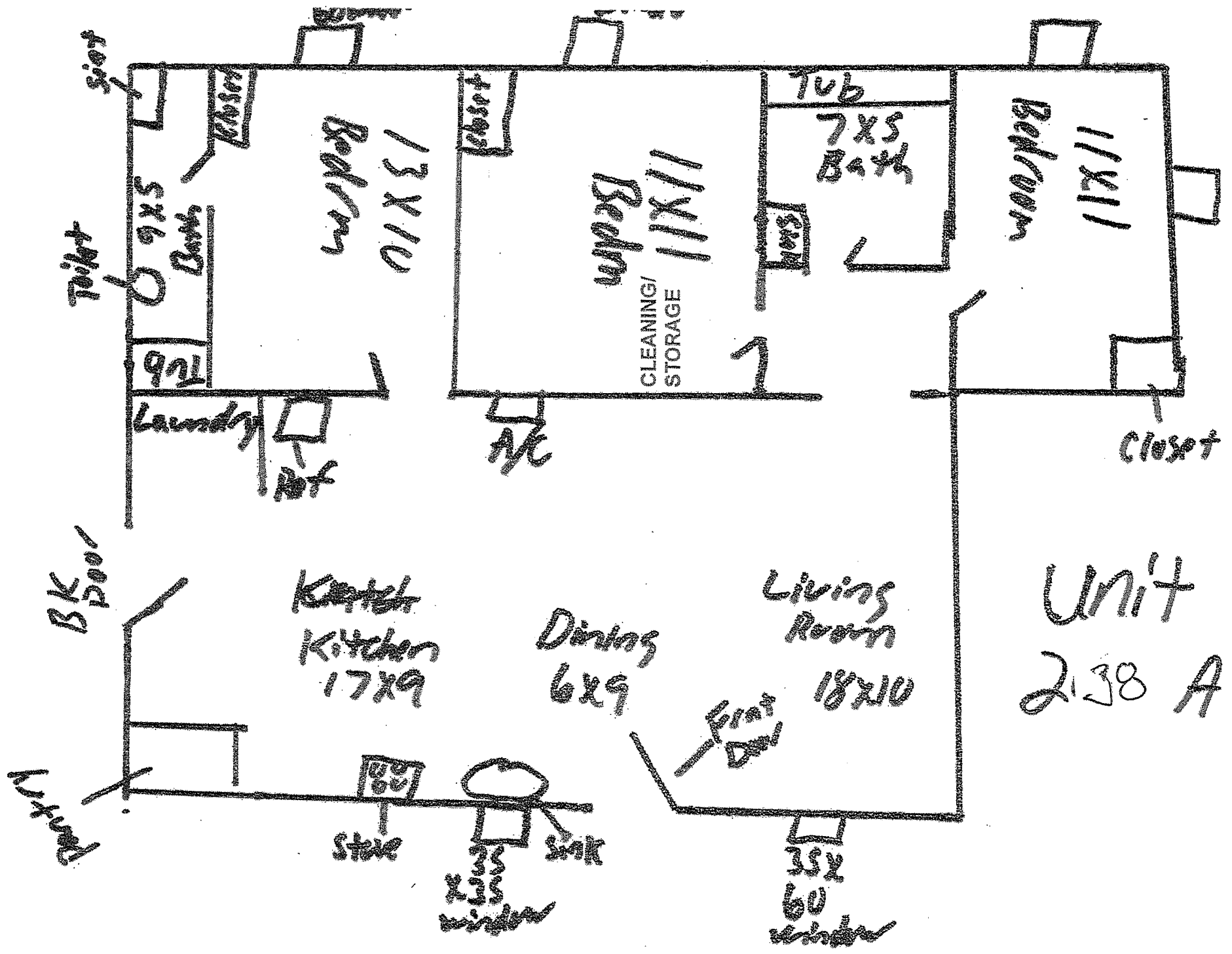
Please explain: Curvet zone is suitable LB + we are  
 seeking a short term verbal permit

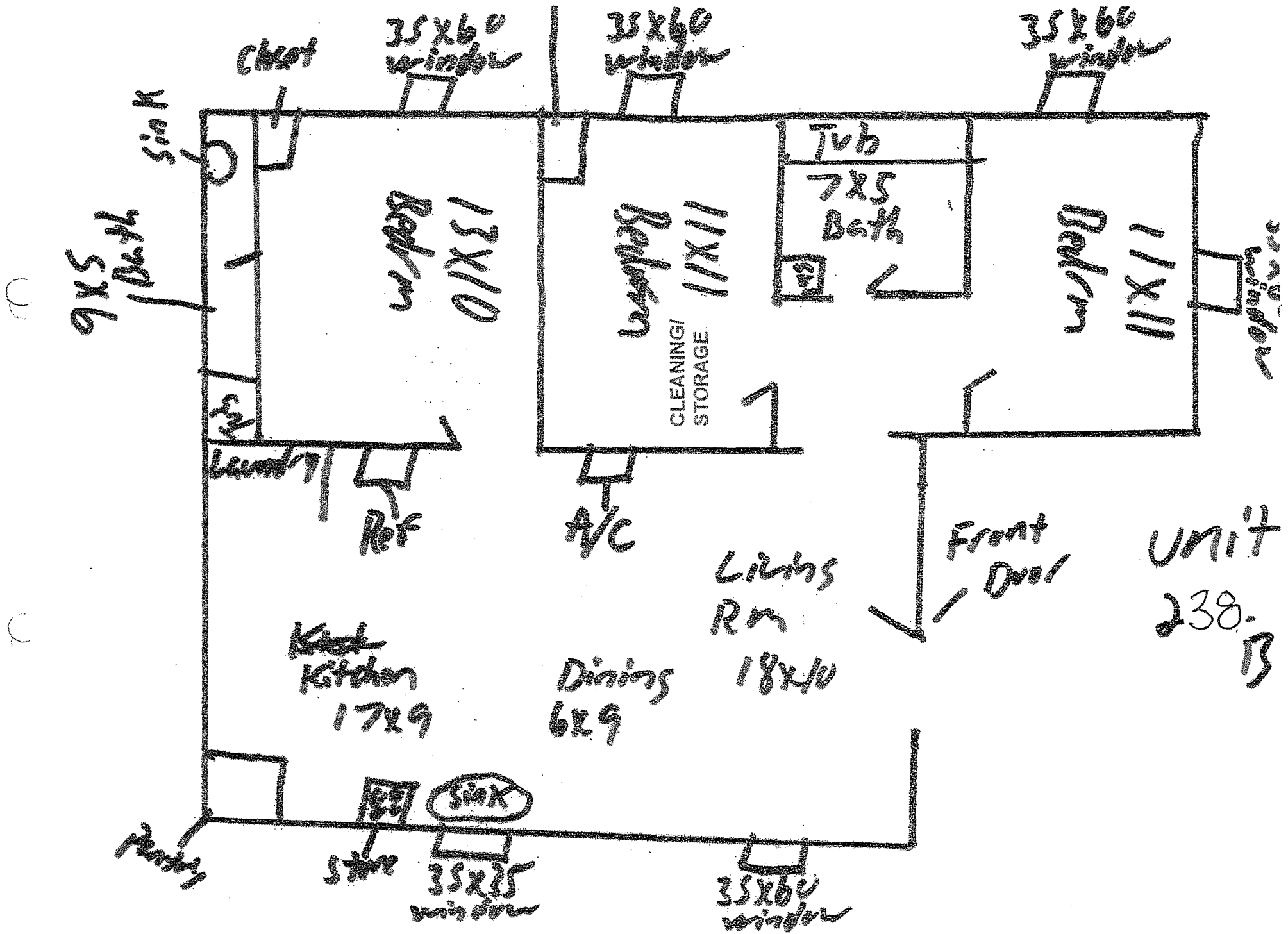
5. Have satisfactory provisions and arrangements been made concerning the following, where applicable:  
Please explain

Conditional Use Supplement	N/A	Yes	No
1. Ingress and egress?	✓		
2. Off-street parking and loading areas, where required, with particular attention to the economic, noise, glare or odor effects of the Conditional Use on adjoining properties and properties generally in the zoning district?		✓	
3. Refuse and service areas?	✓		
4. Utilities, with reference to location, availability, and compatibility?		✓	
5. Screening and buffering, with reference to type, dimensions, and character?	✓		
6. Signs, if any, and proposed exterior lighting, with reference to glare, traffic safety, economic effect and compatibility and harmony with properties in the zoning district?	✓		
7. Required yards and other open spaces?		✓	
8. General compatibility with adjacent properties and other property in the Zoning district?		✓	
Comments:			

*Blue area only seeking short term Rental Permit + plan to provide short term Rental to family on Rodenberug*







#### Property Description - 246 Rodenberg Avenue

246 Rodenberg Ave, Biloxi is a duplex with two levels. Level one is Unit A and level two is Unit B. The floor plans are almost identical except for the placement of the front door and Unit A has a back door on the west side of the building. Only two bedrooms are utilized for living quarters as bedrooms. The third bedroom is turned into a storage and cleaning closet for both Units A and B. The distance from the back side of the building on the north side is 7 feet from the back side of the adjacent building (250 Rodenberg Ave, Biloxi) which we are planning to purchase and renovate next. The parking lot has 6 parking spaces. 4 parking spaces are facing the North (front side) of the building. The additional spaces are in an L shaped concrete space on the East side of the parking lot. This provides 6 parking spaces total for the duplex.

Each Unit has 2 bedrooms and two bathrooms. Each unit also has it's own washer and dryer as well.

#### Property Description - 242 Rodenberg Avenue

242 Rodenberg Ave, Biloxi is a duplex with two levels. Level one is Unit A and level two is Unit B. The floor plans are almost identical except for the placement of the front door and Unit A has a back door on the west side of the building. Only two bedrooms are utilized for living quarters as bedrooms. The third bedroom is turned into a storage and cleaning closet for both Units A and B. The distance from the back side of the building on the south side is 7 feet from the back side of the adjacent building (238 Rodenberg Ave, Biloxi) which we have purchased and renovated already. The parking lot has 6 parking spaces. 4 parking spaces are facing the North (front side) of the building and are noted with signs. The additional spaces are in an L shaped concrete space on the East side of the parking lot. This provides 6 parking spaces total for the duplex.

Each Unit has 2 bedrooms and two bathrooms. Each unit also has it's own washer and dryer as well.

#### Property Description - 238 Rodenberg Avenue

238 Rodenberg Ave, Biloxi is a duplex with two levels. Level one is Unit A and level two is Unit B. The floor plans are almost identical except for the placement of the front door and Unit A has a back door on the west side of the building. Only two bedrooms are utilized for living quarters as bedrooms. The third bedroom is turned into a storage and cleaning closet for both Units A and B. The distance from the back side of the building on the north side is 7 feet from the back side of the adjacent building (242 Rodenberg Ave, Biloxi) which we have already purchased and renovated. The parking lot has 6 parking spaces. 4 parking spaces are facing the North (front side) of the building. The additional spaces are in an L shaped concrete space on the East side of the parking lot. This provides 6 parking spaces total for the duplex.

Each Unit has 2 bedrooms and two bathrooms. Each unit also has it's own washer and dryer as well.

2/9/2026

To the Planning and Zoning and the City Council of Biloxi,

We are Hagos Investments 242 LLC and we thank you for your time.

Our company has purchased 242 Rodenberg Avenue (A and B) and 238 Rodenberg Avenue (A and B) in Biloxi, MS and 246 Rodenberg Avenue (A and B)

Our goal has always been to uplift the environment of Rodenberg Avenue by placing short term/mid term family friendly rentals in the Duplexes lining this section of the city.

Since we have starting purchasing repair and running family friendly rentals in the area up to code the area has become much more presentable. Far less trash and transient activity on the drag. This makes the area more family friendly, resembling the subdivisions and areas around it.

Already we have improved the particularly poor reputation which has lead the surrounding property owners to be frustrated with the amount of legal activity and drug issues along Rodenberg from these duplexes.

That is not the case anymore.

Rodenberg is a wonderful part and area of Biloxi with rich history as a drag. Help to support us in revitalizing it please.

Thank you again for your time,

Robel Hagos,

Hagos Investments 242 LLC

2/9/2026

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

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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:
26-015-PC	5
<b>NEW PUBLIC HEARING(S):</b>	
26-018-PC	11
26-019-PC	20
26-020-PC	20
26-021-PC	20
26-022-PC	32
<b>TREE HEARING(S):</b>	
TR-26-001	106

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(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 Next case would be Case Number  
 2 26-019-PC, Brett Payne on behalf of Robel Tedros  
 3 Hagos, a request for a conditional use approval to  
 4 authorize an existing duplex situated upon a  
 5 parcel of land measuring approximately 71 by 96.47  
 6 feet to be utilized as short-term rentals for  
 7 property located within an LB, Limited Business,  
 8 zone and identified as 238 Rodenberg Avenue  
 9 A and B, Tax Parcel Number 1210H-02-076.011. This  
 10 was advertised on 3/20 and 3/27. If we could see  
 11 the video, please.  
 12 MS. SERPAS:  
 13 Uh-huh.  
 14 (Video played.)  
 15 Okay.  
 16 CHAIRMAN DELLENGER:  
 17 Please state your name and address and  
 18 what you're planning to do here on the property.  
 19 MR. PAYNE:  
 20 Brett Payne. I'm at 828 Oakleigh  
 21 Avenue, Unit 7 in Gulfport, Mississippi.  
 22 And I know that it's on the agenda three  
 23 times because there's three different properties.  
 24 Do you want me to address them all or do you  
 25 want -- because they're all the same other than

1 the duplexes and turning them into Section 8. No  
 2 judgment on Section 8. However, it's created a  
 3 bit of a stir in the neighborhood and that area.  
 4 And we were looking forward to cleaning that up  
 5 and have already done so with these three  
 6 properties.  
 7 We had been here two years when we first  
 8 purchased the first one with our plan on  
 9 purchasing two more. Since then, we have done  
 10 that.  
 11 And it was brought to City Council and  
 12 it was voted no contest because there was only  
 13 four council members that attended and it was a  
 14 two and two vote, so it wasn't even by a majority  
 15 that it was cast down.  
 16 Anyway, that's what we're planning on,  
 17 continuing that effort and getting a conditional  
 18 use permit for short-term rental for these three  
 19 buildings. At the time we were in here last time,  
 20 it was only two. Now it's increased to three.  
 21 CHAIRMAN DELLENGER:  
 22 Let's let the record reflect that since  
 23 we're going to hear these three cases as one,  
 24 we're going to include those as the 238 Rodenberg  
 25 address, 242 Rodenberg and 246 Rodenberg Avenue.

1 the location?  
 2 MR. CREEL:  
 3 You can go ahead and consolidate all  
 4 three of the structures in your presentation.  
 5 MR. PAYNE:  
 6 Okay. So I represent the company that  
 7 has purchased these three individual duplexes that  
 8 have been cleaned up and turned into short-term  
 9 rentals that are not operated as a short-term  
 10 rental currently because we don't have a permit.  
 11 They are operated at 30-day or more rentals for  
 12 military families that are part of the Air Force  
 13 base that come here for training.  
 14 And they are advertised as  
 15 family-friendly. We have decorated them with all  
 16 kinds of different themes. Like, one is a Pokemon  
 17 theme. One is a Super Mario theme. One is a  
 18 Teenage Mutant Ninja Turtles theme, things like  
 19 this to attract families.  
 20 Since we've purchased the duplexes in  
 21 this row, Rodenberg Avenue has been cleaned up  
 22 significantly, and we plan on purchasing more  
 23 because it's a wonderful piece of drive down there  
 24 that used to be the talk of the town until, sounds  
 25 like, around Katrina. Investors had been buying

1 All of those being A and B properties on that.  
 2 Are all these three parcels continuous  
 3 in order --  
 4 MR. PAYNE:  
 5 Yes.  
 6 CHAIRMAN DELLENGER:  
 7 -- or is there anything in between them?  
 8 MR. PAYNE:  
 9 Yes, they're continuous in order. We  
 10 tried to keep it that way so that there is no --  
 11 you know, that we can continue expanding the  
 12 beautification of the area.  
 13 MR. DELAHOUSEY:  
 14 If we approved this request, who would  
 15 manage the property?  
 16 MR. PAYNE:  
 17 So I'm actually the manager.  
 18 MR. DELAHOUSEY:  
 19 And where do you live?  
 20 MR. PAYNE:  
 21 I live in Gulfport.  
 22 MR. DELAHOUSEY:  
 23 Aren't we supposed to -- isn't there  
 24 some time --  
 25 MR. CREEL:

1           Within the 30 minutes.  
 2   MR. DELAHOUSEY:  
 3           Within 30 minutes.  
 4   MR. PAYNE:  
 5           I'm 10 minutes away.  
 6   MR. STANOVICH:  
 7           Did you say you plan on buying the rest  
 8   of them?  
 9   MR. PAYNE:  
 10          Yes, that's our goal, is to complete the  
 11   whole stream of duplexes as family-friendly  
 12   rentals specifically for ---  
 13   MR. STANOVICH:  
 14          Well, buddy, you're the best thing to  
 15   happen to Rodenberg Avenue.  
 16   MR. PAYNE:  
 17          Well, I don't mean to pull on my own  
 18   chain, but I know. I have seen the difference.  
 19   You know, when we first were going down there,  
 20   there was trash everywhere and now people are  
 21   happy with what we have done so far.  
 22   MR. STANOVICH:  
 23          And we approved your last one, what, a  
 24   year or two ago?  
 25   MR. PAYNE:

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1           There is 10 more. So, you know, we've  
 2   got a chip in it, but it would help us if we were  
 3   able to get these permits because, you know, our  
 4   investors would see we're moving forward and we  
 5   don't have a block to keep our plans going. You  
 6   know, they're kind of dipping their toes in the  
 7   water a little bit right now and I need to keep  
 8   showing them that you guys are willing to work  
 9   with us too.  
 10   DR. DRAWDY:  
 11          Do you have plans to try to get the  
 12   additional 10?  
 13   MR. PAYNE:  
 14          Yes. We've already spoken on  
 15   conditionally purchasing two more.  
 16   MR. CARRON:  
 17          And it's actually two units per  
 18   building?  
 19   MR. PAYNE:  
 20          Two units per building, A and B,  
 21   upstairs and downstairs, yes, sir.  
 22          And they all have wonderful themes, like  
 23   I said, Teenage Mutant Ninja Turtles, DreamWorks  
 24   Pictures, you know, Super Mario. We didn't obtain  
 25   the trademarks to those.

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1           It was about two years ago.  
 2   MR. STANOVICH:  
 3           City Council turned it down. Well,  
 4   you've got City Council here today.  
 5   MR. PAYNE:  
 6           I hope that they take it serious. This  
 7   man is a gift for Biloxi.  
 8   MR. CREEL:  
 9           Don't comment. We don't want y'all to  
 10   have to recuse yourself.  
 11   MR. PAYNE:  
 12          I do hope that you guys approve. I  
 13   mean, we've done what we said we were going to do.  
 14          I think the two objections that we  
 15   received and comments that we received from the  
 16   City Council last time we were there was that,  
 17   well, are you going to actually do what you say  
 18   that you're going to do if this is the only two  
 19   you're going to be purchasing? Well, since then,  
 20   we've actually purchased another one and they're  
 21   all renovated and operating correctly.  
 22   CHAIRMAN DELLENGER:  
 23          How many more are there to purchase?  
 24   How many more are there besides these three?  
 25   MR. PAYNE:

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1   MR. CARTER:  
 2           I travel that road frequently and I've  
 3   seen a significant change in the way things look  
 4   there.  
 5   MR. PAYNE:  
 6           Yes, sir. And we -- that's our aim.  
 7   That was our whole entire goal in the first place,  
 8   and we benefit from that too. I'm not saying that  
 9   we're selfish and some sort of activists. I mean,  
 10   we're looking forward to owning that drag and  
 11   being a wonderful -- it's a great location. It  
 12   goes right to the beach and it goes right into  
 13   Pass and you have Sharkheads souvenirs right at  
 14   the end of that and -- as well as a seafood  
 15   restaurant right at the end of that.  
 16          It's a wonderful location. It's just  
 17   been poorly managed for the last few years.  
 18   MR. CARRON:  
 19          I have another question. Are you still  
 20   going to target like the Keesler personnel staying  
 21   there?  
 22   MR. PAYNE:  
 23          They're only for Keesler personnel  
 24   currently, yes, sir, and we're going to continue  
 25   doing that.

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1 MR. CARRON:

2 So all of those will continue being  
3 that?

4 MR. PAYNE:

5 Yes, sir.

6 But right now, we do receive a hardship  
7 in some ways because we only are allowed to do  
8 30-day rentals, so there is spans in our calendar  
9 which we would like to fill with Keesler personnel  
10 to rent for less than 30 days, but we're unable to  
11 allow that to happen currently.

12 MR. CARRON:

13 Thank you.

14 MR. PAYNE:

15 Yep.

16 CHAIRMAN DELLENGER:

17 Adults don't mind renting places that  
18 are themed for apparently kids' stuff? I mean,  
19 that's just a question.

20 MR. PAYNE:

21 Yeah. No. It's a good question. Yes,  
22 we get that a lot. We ask them, you know, what  
23 made you want to purchase this, and they said,  
24 well, the kids said we had to get the Pokemon. So  
25 I guess they're scrolling and looking for places

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1 This is a request for these three units,  
2 which are duplexes, so it would be six units in  
3 total that are being considered. If you'll recall  
4 back when we were discussing short-term rental for  
5 the first time, there was some mixed opinions  
6 about whether or not short-term rental was a good  
7 thing or a bad thing.

8 And we had some people in the audience  
9 who said that they had long-term rentals for a  
10 long time and that they would much rather have  
11 someone in there that was only in there for a  
12 shorter period of time where they could go back  
13 and check the condition rather than have somebody  
14 in there for a long time that left and only then  
15 did they realize that their property had been  
16 destroyed.

17 Rodenberg is a major corridor through  
18 there. It's almost commercial because it goes  
19 from commercial to commercial.

20 One of the things that I remember every  
21 time we discussed this is what Mr. Foster said.  
22 Barney Foster was the first one to apply for a  
23 short-term rental and there was some questions  
24 about, you know, the property is going to go down.  
25 They're not going to maintain it. They won't cut

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1 and then the kids are, sounds like, part of that  
2 discussion.

3 So whatever makes the kid happy on a  
4 traveling trip, I think that anyone that has a  
5 family knows that that's going to win out. So if  
6 the kid is happy, everyone is happy.

7 CHAIRMAN DELLENGER:

8 Any other questions? Any other  
9 questions?

10 (No response.)

11 CHAIRMAN DELLENGER:

12 Thank you.

13 MR. PAYNE:

14 Okay.

15 CHAIRMAN DELLENGER:

16 Is there anyone in the audience to speak  
17 in favor of the applicant's request? Anyone to  
18 speak in favor?

19 (No response.)

20 CHAIRMAN DELLENGER:

21 Anyone to speak in opposition? Anyone  
22 to speak in opposition of the request?

23 With no one speaking in opposition, we  
24 will consider that hearing closed.

25 MR. CREEL:

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1 the grass, so on and so forth.

2 And Mr. Foster said, I have done a lot  
3 of research into this and he said, I can tell you  
4 that when you're in the short-term rental  
5 business, all it takes is one bad review online  
6 and you're out of business, that you have to keep  
7 your standards up here on the short-term rental to  
8 keep people coming back and to make sure that  
9 you're not being discredited online.

10 We think this is a great thing for this  
11 area and the staff has no objection and would  
12 recommend approval.

13 MR. TODARO:

14 I move we approve.

15 DR. DRAWDY:

16 I'll second.

17 CHAIRMAN DELLENGER:

18 Motion by Mr. Todaro for approval;  
19 second by Dr. Drawdy.

20 Is there any discussion?

21 MR. PAYNE:

22 Any chance that his statement can get  
23 into the record so I can bring it to Council?

24 MR. COLLIER:

25 The Council is here.

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1 CHAIRMAN DELLENGER:

2 It's all on record.

3 Any discussion?

4 There being no discussion, please vote  
5 by raising your hand.

6 Mr. Todaro, Ms. Magee, Mr. Stanovich,  
7 Mr. Bogard, Mr. Collier, Mr. Delahousey,  
8 Dr. Drawdy, Mr. Carron, Mr. King, Mr. Snow,  
9 Mr. Parker; and myself, Mr. Dellenger. That  
10 motion carries unanimously.

11 That is going to be for all three cases.  
12 That's going to be for Case Number 26-019-PC, Case  
13 Number 26-020-PC and Case Number 26-021-PC.

14 The next case on the agenda is Case  
15 Number 26-022-PC, Ulhas Sawant, owner, and Bobby  
16 Heinrich, applicant, a request for a conditional  
17 use approval to authorize construction of a  
18 6,700-square-foot plaza including a convenience  
19 store with gas sales with two additional tenant  
20 spaces upon a parcel of land measuring  
21 approximately 1.31 acres, more or less, presently  
22 situated within an LB, Limited Business, zone and  
23 identified as 416 Popp's Ferry Road. Tax Parcel  
24 1110A-01-051.001. And this case was advertised on  
25 March 20th and March 27th.

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1 use from you guys to let us move forward.

2 So I have -- I was able to read some of  
3 the stuff over here, some of the comments that  
4 you've had on this project and I would like to  
5 hold that back and listen and I would like to  
6 address those afterwards, if that's okay.

7 But I've got a -- I'm sure y'all have  
8 seen the site plan, but we've met. We've got  
9 these driveways away from the intersection as far  
10 as we can to make it possible for a truck to come  
11 in from the north to come in early hours of the  
12 day. They do this. This is not during the day.  
13 This is -- no traffic is going to be held up by a  
14 gas truck to put in fuel.

15 We were asked to put this drive out here  
16 onto Bertucci Drive so the truck could go out this  
17 way and come back around and have a smooth way of  
18 coming in and out the property when they do their  
19 delivery.

20 The building is back here in the corner.  
21 We have two lease spaces that we would like to  
22 provide for this. There is ample amount of  
23 parking.

24 We -- all these dark trees right there,  
25 these are all live oak trees, and I've already --

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1 Can we see the video, please?

2 MS. SERPAS:

3 (Video played.)

4 Okay.

5 CHAIRMAN DELLENGER:

6 Thank you.

7 Is Mr. Heinrich here?

8 MR. HEINRICH:

9 Yes.

10 CHAIRMAN DELLENGER:

11 Mr. Heinrich, if you could, please tell  
12 us what your plans are.

13 MR. HEINRICH:

14 Okay. Thank y'all for being here today.

15 My name is Bobby Heinrich at 1806 23rd  
16 Avenue in Gulfport.

17 I'm here to represent Mr. Sawant on this  
18 project here. So we've gone through DRC. We  
19 received comments. We went through DRC twice and  
20 received comments. We've updated the plan to meet  
21 all of the guidelines. We're not asking for  
22 variances. We're not asking for tree cutting.  
23 We're not asking for anything. Everything meets  
24 the ordinance. This property is already zoned  
25 correctly for this project. It needs conditional

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1 me and the tree ladies have already gotten along  
2 with that and we're going to leave those trees  
3 alone.

4 There's some water oaks up in this area  
5 right there. A lot of them are rotten. And if  
6 you know anything about a water oak, they die from  
7 the inside out, so a lot of -- all of those will  
8 be gone. I mean, some of them don't even have, I  
9 mean, they're just stumps.

10 But anyway, all of this will meet  
11 everything that the City of Biloxi requires for  
12 detention. We have utilities there. We're  
13 putting our grease trap and our dumpster back here  
14 in the corner so it's easy access back here to  
15 take care of that.

16 I was asked to do a rendering. This is  
17 just a real quick rendering. This may not be the  
18 final product on the outside, but it will be  
19 either a stone or a brick feature. This is not a  
20 Buc-ees. And this is not -- you know, a big, huge  
21 convenience -- you know, it's a convenience store  
22 with gas. That's what this is.

23 It's not -- I understand there is some  
24 concerns about, you know, more traffic and all  
25 that. This is a convenience for people going home

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