

**CITY OF BILOXI
AGENDA ITEM
FACT SHEET**

Item No.: **4B**

Council Meeting Date: November 3, 2026

ITEM TITLE: RESOLUTION

INTRODUCED BY: Mayor Andrew "FoFo" Gilich

CONTACT PERSON: Rick Weaver, CAO

Jerry Creech, Director of Community Development

SUMMARY EXPLANATION:

Resolution granting conditional use approval to authorize an existing single-family residence to be utilized as a short-term rental and identified by municipal address 160 Briarfield Ave.

Case No. 26-053-PC, Ward 5, Carmen Mertzer & Robert Foster

Resolution ☒ Ordinance ☐ Public Hearing ☐ Routine Agenda ☐

Exhibits for Review

Contract ☐ Minutes ☒ Plans/Maps ☐ Deed ☐ Lease ☐

Other (Specify): application, case fact sheet, floor plan

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:

cdl/110326apc

RESOLUTION NO. _____

RESOLUTION GRANTING **CONDITIONAL USE** APPROVAL TO AUTHORIZE AN EXISTING SINGLE-FAMILY RESIDENCE, TO BE UTILIZED AS A SHORT-TERM RENTAL, FOR PROPERTY LOCATED WITHIN AN **RM-30 HIGH-DENSITY MULTI-FAMILY ZONE**, AND IDENTIFIED BY MUNICIPAL ADDRESS 160 BRIARFIELD AVE

WHEREAS, on October 15, 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. 26-053-PC, Carmen Metzger and Robert Foster, a request for **Conditional Use** approval, for the property identified as 160 Briarfield Avenue; and

WHEREAS, the Planning Commission members were apprised of the particulars of the case, being made cognizant of the fact that the owner had submitted the request for **Conditional Use** approval to authorize an existing Single-Family Residence to be utilized as a **Short-Term Rental**, for property located within an **RM-30 High-Density Multi-Family Residential** zone, and identified by municipal address 160 Briarfield Avenue (i.e., Tax Parcel No. 1110J-02-104.000); 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 October 15, 2026, the Biloxi Planning Commission, upon reflection of the information related by the owner at the public hearing, voted 14-0, to recommend approval of the requested **Conditional Use** to authorize an existing Single-Family Residence to be utilized as a **Short-Term Rental**, for property located within an **RM-30 High-Density Multi-Family Residential** zone, and identified by municipal address 160 Briarfield Avenue, 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 **RM-30 High-Density Multi-Family Residential** 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 property identified as 160

Briarfield Avenue.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF BILOXI, MISSISSIPPI, THAT the requested **Conditional Use** to authorize an existing Single-Family Residence to be utilized as a **Short-Term Rental**, for property located within an **RM-30 High-Density Multi-Family Residential** zone, and identified by municipal address 160 Briarfield Avenue (i.e., Tax Parcel No. 1110J-02-104.000), as addressed within Case No. 26-053-PC, Carmen Metzger and Robert Foster, 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 Rental**, 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(ies) 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 this location.

.....A

RESOLUTION NO. _____

RESOLUTION CALLING FOR A PUBLIC HEARING WITH RESPECT TO A REQUEST
FOR **CONDITIONAL USE APPROVAL**, TO AUTHORIZE AN EXISTING SINGLE-FAMILY
RESIDENCE TO BE UTILIZED AS A SHORT-TERM RENTAL AND IDENTIFIED BY
MUNICIPAL ADDRESS 160 BRIARFIELD AVE

WHEREAS, on October 15, 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. 26-053-PC, Carmen Metzger and Robert Foster, a request for **Conditional Use** approval, for the property identified as 160 Briarfield Avenue; and

WHEREAS, the Planning Commission members were apprised of the particulars of the case, being made cognizant of the fact that the owner had submitted the request for **Conditional Use** approval to authorize an existing Single-Family Residence to be utilized as a **Short-Term Rental**, for property located within an **RM-30 High-Density Multi-Family Residential** zone, and identified by municipal address 160 Briarfield Avenue (i.e., Tax Parcel No. 1110J-02-104.000); 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 October 15, 2026, the Biloxi Planning Commission, upon reflection of the information related by the owner at the public hearing, voted 14-0, to recommend approval of the requested **Conditional Use** to authorize an existing Single-Family Residence to be utilized as a **Short-Term Rental**, for property located within an **RM-30 High-Density Multi-Family Residential** zone, and identified by municipal address 160 Briarfield Avenue, 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 **RM-30 High-Density Multi-Family Residential** 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. 26-053-PC, Carmen Metzger and Robert Foster, 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 THIS **CONDITIONAL USE** APPROVAL TO AUTHORIZE AN EXISTING SINGLE-FAMILY RESIDENCE TO BE UTILIZED AS A SHORT-TERM RENTAL AND IDENTIFIED BY MUNICIPAL ADDRESS 160 BRIARFIELD AVE

WHEREAS, on October 15, 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. 26-053-PC, Carmen Metzger and Robert Foster, a request for **Conditional Use** approval, for the property identified as 160 Briarfield Avenue; and

WHEREAS, the Planning Commission members were apprised of the particulars of the case, being made cognizant of the fact that the owner had submitted the request for **Conditional Use** approval to authorize an existing Single-Family Residence to be utilized as a **Short-Term Rental**, for property located within an **RM-30 High-Density Multi-Family Residential** zone, and identified by municipal address 160 Briarfield Avenue (i.e., Tax Parcel No. 1110J-02-104.000); 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

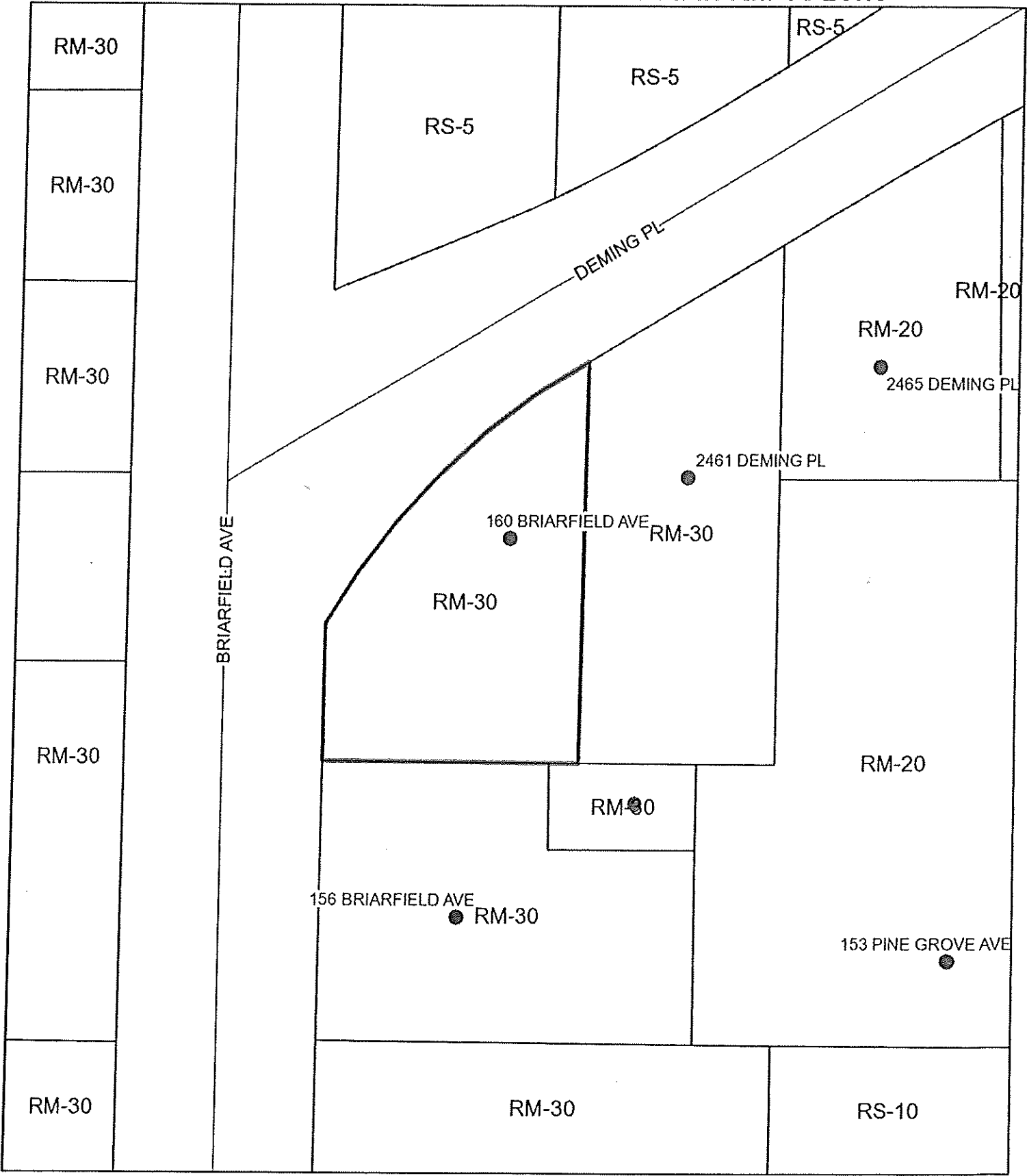
WHEREAS, on October 15, 2026, the Biloxi Planning Commission, upon reflection of the information related by the owner at the public hearing, voted 14-0, to recommend approval of the requested **Conditional Use** to authorize an existing Single-Family Residence to be utilized as a **Short-Term Rental**, for property located within an **RM-30 High-Density Multi-Family Residential** zone, and identified by municipal address 160 Briarfield Avenue, 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 **RM-30 High-Density Multi-Family Residential** zoning district; and

WHEREAS, the City Council, having given the Biloxi Planning Commission's recommendation consideration, has determined that this **Conditional Use**, as presented, is not appropriate for the property site 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 160 Briarfield Avenue, Case No. 26-053-
PC, Carmen Metzger and Robert Foster, based upon a determination that _____

..... C

26-053-PC
Carmen Metzger and Robert Foster
160 Briarfield Ave
Conditional Use-Short-Term Rental in RM-30 zone



Scheduled for
October 15, 2026
PC Meeting

Carmen Metzger & Robert Foster (owners)
Case No. 26-053-PC
Conditional Use
Request for Short-Term Rental



**Planning Commission
Case Fact Sheet**

Case No.:	26-053-PC
Owners:	Carmen Metzger and Robert Foster
Address of Property:	160 Briarfield Avenue
Tax Parcel/Ward:	1110J-02-104.000/Ward 5

Request:	Conditional Use
Purpose of Request:	To consider an application for Conditional Use approval to authorize an existing Single-Family Residence to be utilized as a Short-Term Rental , for property located within an RM-30 High-Density Multi-Family Residential zone, and identified by municipal address 160 Briarfield Avenue (i.e., Tax Parcel No. 1110J-02-104.000).
Size of Property:	.13 acres (More or Less)
Present Zoning:	RM-30 – High-Density Multi-Family Residential
Present Use:	Single-Family Residence
Most Nearly Bounded By (streets):	To the North of Beacon Place; to the South of and adjacent to Deming Place; to the West of Pine Grove Avenue; and to the East of and fronting Briarfield Avenue.
Adverse Influences:	Care must be exercised before granting any Conditional Use to ensure that the objectives of City regulations are fully followed.
Positive Influences:	The requested Conditional Use would allow the applicants the right to offer a single-family residence for rental periods of less than 30 days in duration.
Letters or Concerns stated:	The Planning Division Office has not received any letters or other written communications relative to this case, as of

October 9, 2026.

**Comments/
Recommendations:**

Carmen Metzger and Robert Foster have submitted a request for **Conditional Use** approval to authorize an existing Single-Family Residence to be utilized as a **Short-Term Rental**, for property located within an **RM-30 High-Density Multi-Family Residential** zone, and identified by municipal address 160 Briarfield Avenue (i.e., Tax Parcel No. 1110J-02-104.000).

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 residence be recommended for approval as a **Short-Term Rental**, all city regulations involved must be fully addressed.

It should also be noted that there are several Short-Term Rentals on this street and within this block on Briarfield Ave.

As with all **Conditional Use** applications [as per Section 23-2-4(D)(4) of the Land Development Ordinance], a **Conditional Use** permit shall be approved only upon finding that all of the following standards are met:

- a. The **Conditional Use** complies with all applicable zoning district standards;
- b. The **Conditional Use** complies with all standards in Section 23-4-3, 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 economic, odor, noise, glare, and vibration impact 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 the uses permitted in the zoning district; and
- i. The **Conditional Use** complies with all other relevant city, state and federal laws and regulations.

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 located, noting several Short-Term Rentals are currently being operated in the neighborhood.
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. 26-053-PC

To Be Completed by Owner/Applicant

Date: 8-18-26

Name of Rightful Owner(s):

CARMEN Metzger + Robert Foster

Name of Applicant: (if different than Owner)

Property Address:

160 BRIARFIELD AVE Biloxi MS 39531

Ward Number 5

Tax Parcel Identification Number(s):

111105-02-104.000 00000000 00000000
00000000 00000000 00000000
00000000 00000000 00000000

Mailing Address of Property Owner:

7655 LEXINGTON Dr

Mailing Address of Applicant (if different than Owner):

Same

City: Biloxi

City:

State: Mississippi

State:

Zip: 39532

Zip:

County: JACKSON

County:

Telephone: (228) 806-8334

Telephone: ()

Property Size (please give in acres or by dimension): .13

Present Zoning Classification: RA-30

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

Is this property a Historic Landmark? Yes No X

Flood Zone(s) of Property Zone X 5X North South East West

Property is most nearly bounded by what streets?

Beach Blvd Deming Pl Briarfield Ave Pine Grove Ave

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

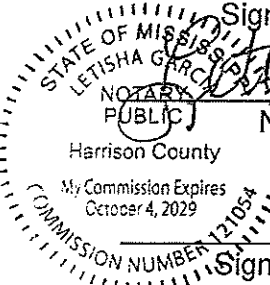
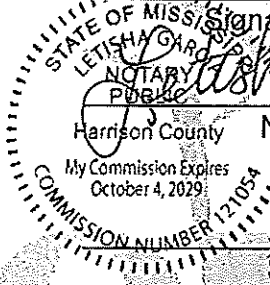
☐ Variance

☐ 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.

<div style="text-align: center;">  </div> <div style="margin-top: 10px;"> <p>_____ Signature of Rightful Owner</p> <p>_____ Notary Signature (Seal)</p> <p>_____ Signature of Rightful Owner</p> <p>_____ Notary Signature (Seal)</p> </div>	<div style="text-align: center;">  </div> <div style="margin-top: 10px;"> <p>_____ Signature of Rightful Owner</p> <p>_____ Notary Signature (Seal)</p> <p>_____ Signature of Applicant</p> <p>_____ Notary Signature (Seal)</p> </div>
<p>_____ Date</p>	<p>_____ Date</p>

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

NOTES:

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



PLANNING COMMISSION SUPPLEMENT

Conditional Use

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)

TO BE COMPLETED BY APPLICANT | DATE: 8-18-24

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.

SEPARATE STATEMENT OF SUPPORT MUST BE ATTACHED - 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: Please respond to all yes answers.

1. Is the use necessary to promote the public interest at that location? Yes ☒ No ☐

Please explain: This place is one block from the beach and is close to the Colosseum. This will allow out of towners to stay close to the beach, mall and Colosseum, allowing more revenue for Biloxi.

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: Vacational use will make the neighborhood's appearance to look nicer and will not impact any public safety and welfare.

3. Will the use cause substantial injury to other property in the Neighborhood in which it is located? Yes ☐ No ☒

Please explain: Most vacation center are good guests. A lot of the renters are seniors and people on business related trips.

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: Many complexes in the area is zoned for permitted use of vacation rental. 2461 Dem. Place is zoned Rm-30 and is permitted along with others in the area.

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: 4 different addresses, 2461 Denney Place, 2465 Denney Place, 153 Pine Grove Ave, and 161 Pinegrove are RM-10. Note: If approved by City Council, a Conditional Use Permit will be issued, if no action is taken within one-year, the Conditional Use Permit will expire.			

①

Request for Approval of short-term Vacation Rental

160 Briarfield Avenue, Biloxi,
Mississippi

To the City of Biloxi Planning
Commission and/or City Council:

I respectfully request that the City of Biloxi approve 160 Briarfield Avenue as a short-term vacation rental. The purpose of this request is to allow this property to be used responsibly as a vacation rental while maintaining the character, safety, appearance, and overall quality of the surrounding neighborhood.

160 Briarfield Avenue is an existing single-family residential property in Biloxi. It sits on approximately a 5,290 square-foot lot. This property is not a newly constructed commercial development being introduced into an established neighborhood. Rather, it is an existing residential structure that can be maintained and utilized in a way that benefits both the property and the community.

(2)

Benefit to Biloxi and the Local Community

Biloxi is a tourism-oriented coastal community, and visitors come to the area for its beaches, casinos, restaurants, fishing, entertainment, events, military-related activities, and many other attractions. Vacation rentals provide visitors with another lodging option and allow families, couples, workers, and other travelers to stay in Biloxi while spending money at local businesses.

Allowing 160 Briarfield Avenue to operate as a vacation rental would contribute to the local economy without requiring the city to approve a large commercial development. Guests staying at the property would have opportunities to patronize Biloxi restaurants, grocery stores, attractions, shops, gas stations, entertainment venues, and other businesses.

The property can also provide accommodation for visitors who prefer the privacy and convenience of a home rather than a traditional hotel. This can be particularly valuable for families,

③

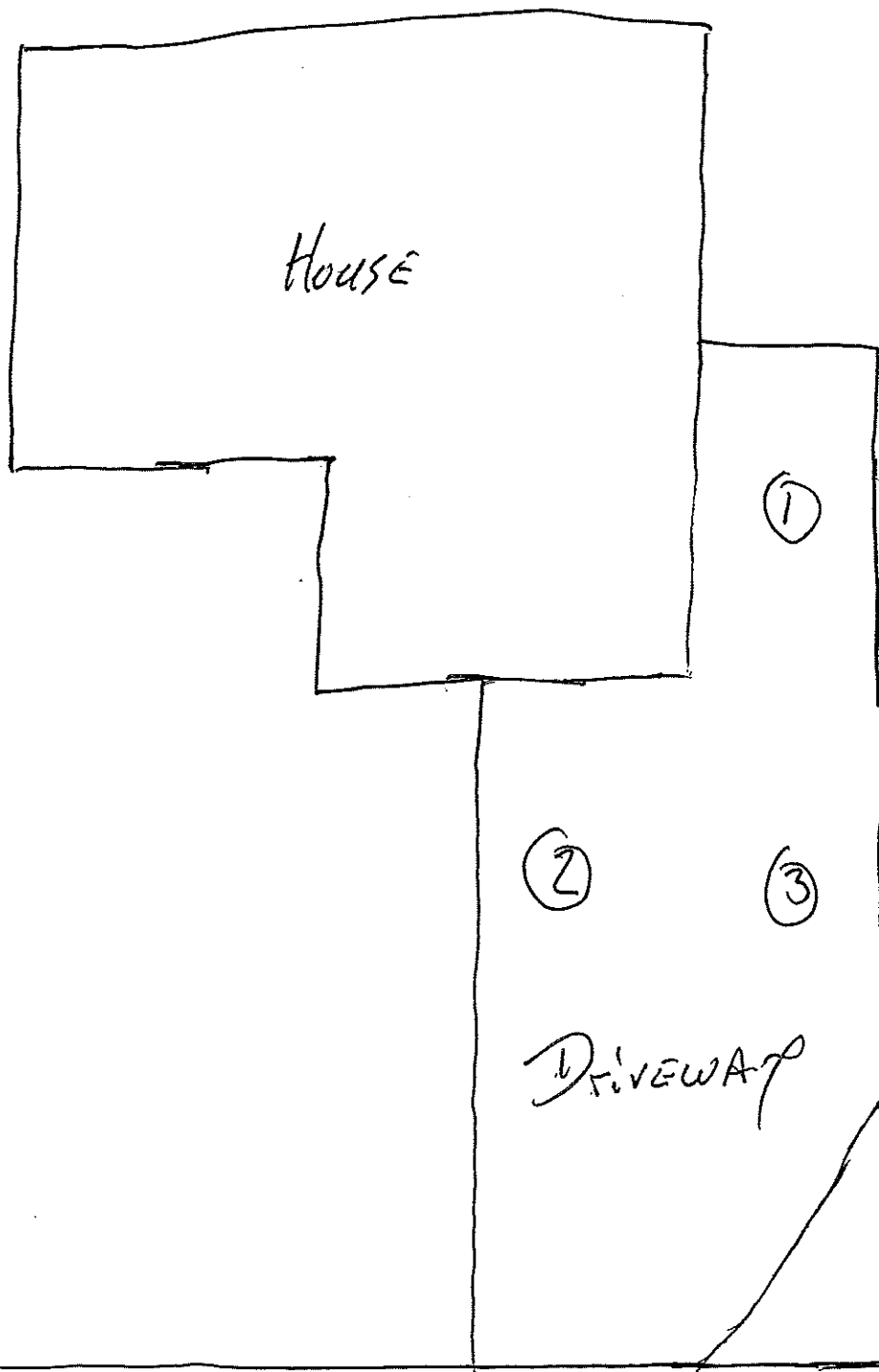
longer stays, and visitor traveling for special events or activities in the Biloxi area.

The proposed use can be operated in a manner that remains compatible with the surrounding residential properties.

The intent is not to operate 160 Briarfield Avenue as a party house, event venue, or large gathering facility. It would function as a guest professionally managed vacation accommodation.

Allowing the property to operate as a vacation rental also creates a strong incentive for the property to remain clean, safe, attractive, and well maintained.

I respectfully ask the Planning Commission and City Council to consider the benefits of allowing 160 Briarfield Avenue to operate as a short-term vacation rental and to approve the request, subject to all applicable City regulations and any reasonable conditions deemed necessary.



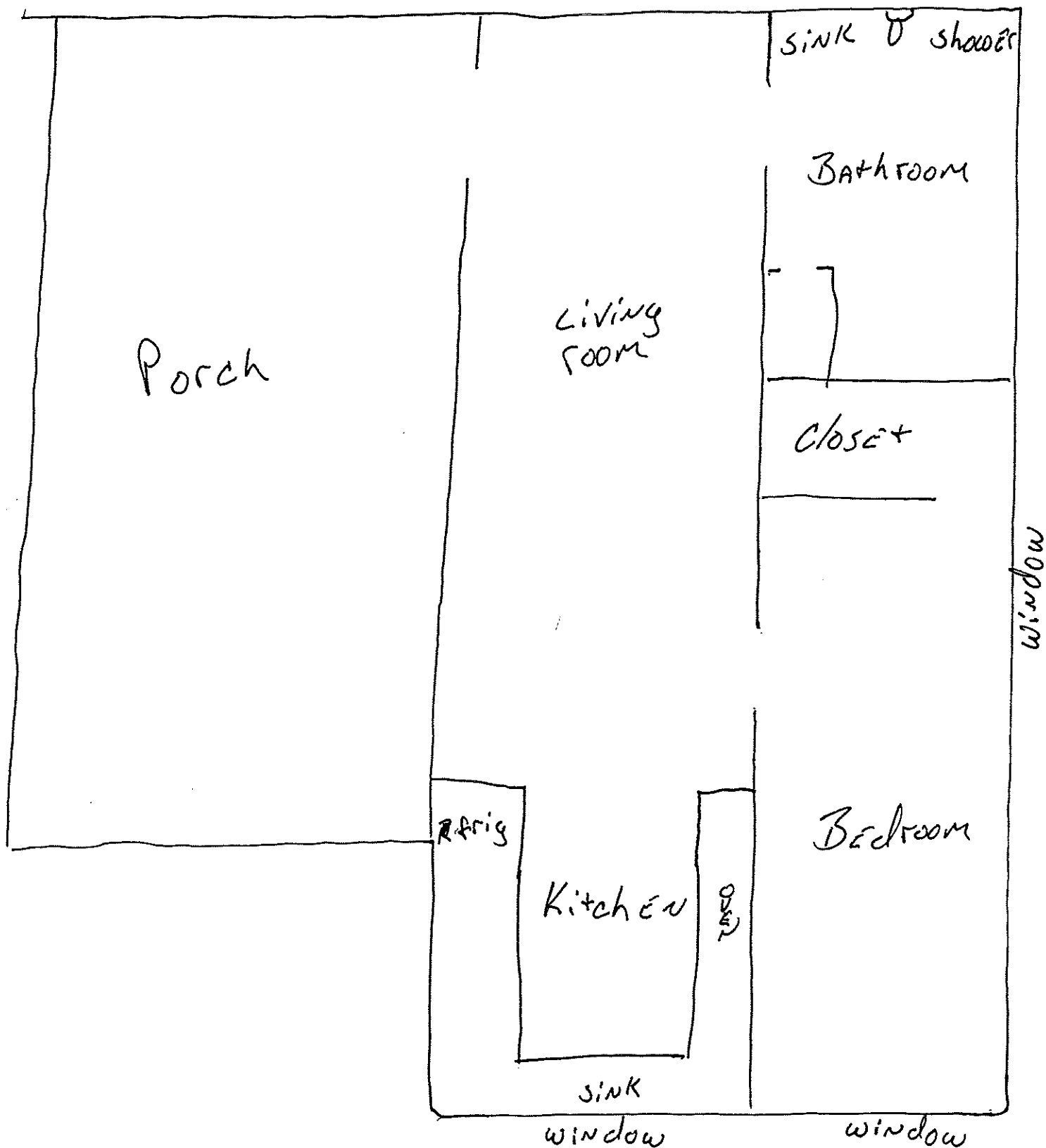
House

(1)

(2)

(3)

Driveway



BILOXI PLANNING COMMISSION MEETING
 OCTOBER 15, 2026
 COMMUNITY DEVELOPMENT,
 DR. MARTIN LUTHER KING JR. MUNICIPAL BUILDING,
 676 DR. MARTIN LUTHER KING JR. BOULEVARD,
 BILOXI, MISSISSIPPI,
 BEGINNING AT 2:02 P.M.

PLANNING COMMISSION MEMBERS PRESENT:

Charlie Dellenger, Chairman
 Ronnie Bogard
 Kyle Carron
 Robert Collier
 Dr. Larry Drawdy
 Harry Joachim
 Joe King
 Gary Lechner
 Debora Magee
 August Parker
 Jimmy Poulos
 Shante' Shaw
 John Snow
 David Stanovich
 Michael Todaro

ALSO PRESENT:

Jerry Creel, Director of Community Development
 Felicia Serpas, Senior Planner
 Caryle Lena, Planner I
 Dr. Paul Tisdale, Councilman Ward 5
 David Shoemaker, Councilman Ward 7

Simpson Burdine & Miguez

Simpson Burdine & Miguez 228.388.3130

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

CONTINUED PUBLIC HEARING(S) :	PAGE:
(None)	--
NEW PUBLIC HEARING(S) :	
26-053-PC	6
26-054-PC	17
26-055-PC	27
26-056-PC	66
TREE HEARINGS:	
(None)	--

Simpson Burdine & Miguez 228.388.3130

CHAIRMAN DELLENGER:

We'll go ahead and call the Planning
 Commission meeting to order today.

We'll record the members present today:
 Mr. Lechner, Mr. Parker, Mr. Todaro, Ms. Magee,
 Mr. Stanovich, Mr. Bogard, Mr. Collier,
 Mr. Joachim, Dr. Drawdy, Mr. Carron, Mr. King,
 Mr. Snow, Mr. Poulos and myself, Mr. Dellenger.

We also have Felicia Serpas, Senior
 Planner; Jerry Creel, Director of Community
 Development; Caryle Lena, Planner; Melissa
 Rodolfich, court reporter, and Paul Tisdale and
 David Shoemaker in the audience, Councilmen.

Mr. Parker, if you would, please, lead
 us in a prayer.

(Moment of prayer.)

CHAIRMAN DELLENGER:

Mr. Collier, if you would lead us in the
 Pledge, please.

(Pledge of Allegiance.)

CHAIRMAN DELLENGER:

We'd like to welcome everybody today to
 the Planning Commission meeting. Just to let you
 know, if you're going to speak to go ahead and
 sign the book. And when you come up to speak,

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state your name and address for the record.

Also, if you would silence all of your
 cell phones, that would be much appreciated.

If everyone has had a minute to
 approve -- or to review the meeting minutes from
 the last Planning Commission meeting, I will take
 a motion to approve.

MR. JOACHIM:

So moved.

MR. BOGARD:

Second.

CHAIRMAN DELLENGER:

Moved by Mr. Joachim; second by
 Mr. Bogard.

All those in favor, state by saying
 "aye."

(Unanimous vote.)

CHAIRMAN DELLENGER:

Any opposed?

(None opposed.)

CHAIRMAN DELLENGER:

Motion carries.

Jerry, do we have any committee reports
 today?

MR. CREEL:

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We do. Mr. Chairman and members of the Commission, over the past three weeks, the department has issued 346 building permits, with a construction valuation of \$6.9 million. We have collected \$86,000 in permit fees. We have issued licenses for 63 new businesses; 30 of those were for peddlers. That had to do with Cruisin' the Coast. We also renewed 570 business licenses.

We issued 25 certificates of occupancy. One of those was for a cannabis dispensary and six were for short-term rentals.

Of the major projects that we issued permits to, we issued the remainder of the Sharkheads project, which is on Beach Boulevard. We issued some renovation projects, a new metal building at 2009 Englewood, some mechanical permits to the Housing Authority, a new renovation for the restaurant -- we issued a permit for the new restaurant going in the Barq's Building at Howard and Reynoir. That was 2.7 million. Some improvements to the Boomtown Casino, Harrah's, renovation to the Double Tree and several to the Memorial Hospital.

We also issued permits for two new single-family houses. That's it.

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this and where everything is?

UNIDENTIFIED SPEAKER:

We would like to use it as a vacation rental and we'll do some improvements and stuff, you know. I think it would improve the neighborhood even more. I mean, it was going downhill. It was going downhill throughout the years, but as they're starting to do more vacation rentals there, everything is growing better and the houses are being kept up more.

CHAIRMAN DELLENGER:

How many bedrooms is the house?

UNIDENTIFIED SPEAKER:

It's only one bedroom, one bath. It's very small.

CHAIRMAN DELLENGER:

Okay. So you have plenty of parking for a one-bedroom, at least one spot off the street for a car?

UNIDENTIFIED SPEAKER:

Yes.

CHAIRMAN DELLENGER:

All right. Does anyone have any questions?

MR. CARRON:

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CHAIRMAN DELLENGER:

Thank you, Jerry.

We don't have any continued public hearings.

New public hearings, first is Case 26-053-PC, Carmen Metzger and Robert Foster, which is a request for a conditional use approval to authorize an existing single-family residence situated upon a parcel of land measuring approximately one-tenth of an acre to be utilized as a short-term rental for property located within an RM-30, high-density multi-family residential zone and identified by municipal address 160 Briarfield Avenue, Tax Parcel Number 1110J-02-104.000. This was advertised on October 2nd and October 9th.

See the video, please.

MS. SERPAS:

(Video played.)

Okay.

CHAIRMAN DELLENGER:

Thank you.

Is Ms. Metzger or Mr. Foster here? Will you please come up and let us know what you're wanting to do and how you're planning on doing

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Are you going to manage it yourself or do you have someone else managing it?

UNIDENTIFIED SPEAKER:

We will probably use the vacation rental sites, but -- to rent them out, but we will probably take care of most of that.

MR. CARRON:

One of our requirements is that if -- I did the same thing you did. One of our requirements is that somebody should be able to respond there within about a 30-minute period, so if it's being managed by somebody locally, that would be something we're looking for or if you're going to do it yourself.

UNIDENTIFIED SPEAKER:

Okay.

MR. CARRON:

Thank you.

CHAIRMAN DELLENGER:

Does anyone else have any questions?

MS. SERPAS:

Ma'am, can you state your name?

MS. METZGER:

Carmen Metzger.

CHAIRMAN DELLENGER:

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And your address?

MS. METZGER:

My address is 7655 Lexington Drive,
Biloxi, Mississippi.

CHAIRMAN DELLENGER:

There being no further questions, thank
you.

MS. METZGER:

Thank you.

CHAIRMAN DELLENGER:

Is there anyone in the audience that
would like to speak in favor of the applicant's
request?

MR. FOSTER:

My name is -- good afternoon. My name
is James Barney Foster. I have been here several
times before in the past about the vacation
rentals.

And Carmen is my niece. And you were
addressing the question about managing it. They
help me with my three properties. Her husband
Robert, which is my nephew, but he helps me a lot.
And a lot of times when I will have problems or
we're really busy, he'll run by and check the
houses, so they have a history of helping me.

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Robert does.

But my history is I came here, I guess,
12, 13 years ago, but, originally, I grew up in
the neighborhood. So I know that neighborhood,
the ins and outs. And I came back and I was going
to raise my family there. 13, 14 years ago, it
started going downhill and it got bad, and I said,
I don't want my boys around this. There was
bullet holes through my fence and we moved.

And that's when, actually, my son, he
said, Dad, you ought to do the vacation rental, so
I started it. And it took a while to get -- that
was about the same time Biloxi was getting
on-board with vacation rentals, so I was doing it
prior to.

And other people started doing it, and
over the next few years -- if you look around when
she showed that, all those houses around there are
vacation rentals. And if you look at them,
they're all well maintained, kept up, white picket
fence, palm trees. The one house is like -- I own
the house next door, and I have been doing it
12 years there.

But the house catercornered to me across
the street -- I think over the last few years

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we've had three, four houses condemned in the
neighborhood, tore down. But if she scrolls back
across the street catercorner, that was probably
the next house that was fixing to get condemned,
and y'all approved it for a vacation rental.

The guy went in there -- it's across the
street there -- and now I would say it's the best
house in the neighborhood. He went in and
completely redid it. The little blue one sitting
over to the left. But he completely redid it and
I think it's probably the best house in the
neighborhood. Has a swimming pool back there.
Great house, great neighborhood for vacation
rentals.

We're right off Highway 90 and tourists
love it.

And when I came in here years ago,
Mr. Creel can remember, I said, if I don't stay on
top of my properties, I will be out of business.
And that's been 12 years ago. I think I've got
500 five star reviews, and most of my business is
repeat customers.

And a lot of our customers -- I also own
some beachfront houses that I do and they're big.
And I don't know if y'all realize this, but we get

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a lot of people here that come from Dallas.
They'll come from Detroit. They'll come from
Atlanta. They meet at our houses. They don't
want to stay in a hotel room. That's the last
thing they want to do, is be separated. They want
to stay in these big houses.

But that's sort of my history with this.
And then Robbie's history and Carmen's is that
they've helped me all these years. But they have
their family. They have four little girls. And
as you can see, the vacant lot next door to it --
the other night, we were all together and they're
all on AI, the little girls, and they're showing
what they're going to do with it. And it's
amazing. And I'm just sitting there like, wow. I
didn't think of that. But they came up with all
of these ideas. That will become a really nice
property in the neighborhood and keep it -- and I
would like to add I moved out of the neighborhood
because it got so bad.

I would move back to the neighborhood
now because of vacation rentals. That's what they
did to that neighborhood and brought it back up.
I wish we would do the whole neighborhood because
there is two other streets that are -- and when

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1 you can see these neighborhoods going down, it's
2 just like a cancer. It's going to spread. And
3 when you see them going down, you bring in the
4 vacation rentals. They have to keep these
5 properties fixed up.

6 And that's about it.

7 CHAIRMAN DELLENGER:

8 Okay. Thank you, Mr. Foster. What is
9 your address for the record?

10 MR. FOSTER:

11 My address is 156 Briarfield.

12 And my home address is Woodlands Drive
13 up in Woolmarket.

14 MR. CARRON:

15 Mr. Foster, I just want to back up what
16 you've said. I've been through that neighborhood
17 several times looking at other ones. And over the
18 past few years, it's amazing the change in the
19 character of that neighborhood.

20 MR. FOSTER:

21 Yeah. I remember Ms. Humphries. She
22 had been in the neighborhood when she was on the
23 Commission and she made the comment when I came in
24 here back then that she thought she was on the
25 wrong street because it turned around so much.

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1 MR. COLLIER:

2 You think that's because you moved out?

3 MR. FOSTER:

4 He used to be my boss.

5 MR. COLLIER:

6 I used to be his boss.

7 CHAIRMAN DELLENGER:

8 Thank you, Mr. Foster.

9 MR. FOSTER:

10 Thank y'all.

11 DR. DRAWDY:

12 What is the average length of stay in a
13 short-term rental for you about, just an average?

14 MR. FOSTER:

15 You know, in the wintertime, we get
16 snowbirds. I've got a guy coming for two months
17 in February, I guess -- mid January to mid March.
18 He's coming -- last year, he stayed in Gulfport,
19 so this year Biloxi gets him, so -- and then --
20 but I would say the average stay, four nights,
21 maybe four to five nights.

22 DR. DRAWDY:

23 On a weekday, you're talking about? You
24 talking about on a weekday?

25 MR. FOSTER:

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1 Basically, they mostly rent -- over the
2 weekend, of course, is your big days. And you try
3 to entice them to stay longer. You cut the rates
4 on Sunday night, Thursday night to try to get them
5 to come in early.

6 Sometimes, we do -- I know like over in
7 Gulf Shores and stuff, they'll -- you have to rent
8 like six, seven nights in a row. And being in
9 Biloxi, we can't do that. You have to work around
10 those schedules.

11 DR. DRAWDY:

12 All right. Thank you very much.

13 MR. FOSTER:

14 All righty.

15 CHAIRMAN DELLENGER:

16 Is there anyone else in the audience to
17 speak in favor? Anyone else to speak in favor?

18 Okay. There being no one, is there
19 anyone to speak in opposition? Is there anyone to
20 speak in opposition of applicant's request?

21 There being no one, we'll consider that
22 hearing closed.

23 MR. CREEL:

24 Okay. The staff has looked at this
25 project. Planning Commission in the past and City

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1 Council have approved a number of short-term
2 rentals on Briarfield. This is just across the
3 street from some of those.

4 Mr. Foster is correct. That house that
5 was eaten up with termite damage and they
6 completely rebuilt it is one of the nicer houses
7 there. And we see this as a means to improve the
8 look of this structure that is being requested
9 today there at the corner.

10 It is in RM-30 zoning, which allows it
11 as a conditional use. And one of the good things
12 about conditional use is if the owner does not
13 maintain the property at a certain standard, then
14 the Planning Commission and the City Council have
15 the right to go back and revoke that conditional
16 use permit.

17 So with that being said, staff has no
18 objection and would recommend approval.

19 MR. FOULOS:

20 Motion to approve the applicant's
21 request.

22 MR. COLLIER:

23 Second.

24 CHAIRMAN DELLENGER:

25 Motion by Mr. Foulos; second by

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1 Mr. Collier.

2 Is there any discussion?

3 Okay. There being no discussion, please
4 vote by raising your hand. Mr. Lechner,
5 Mr. Parker, Mr. Todaro, Ms. Magee, Mr. Stanovich,
6 Mr. Bogard, Mr. Collier, Mr. Joachim, Dr. Drawdy,
7 Mr. Carron, Mr. King, Mr. Snow, Mr. Poulos;
8 myself, Mr. Dellenger. Let the record show that's
9 unanimous.

10 Ms. Shaw, do you want to come in? Let
11 the record show that Ms. Shaw is here in
12 attendance.

13 The next case is Case Number 26-054-PC,
14 Catholic Diocese of Biloxi and Charles Collins,
15 applicant, a request for a conditional use
16 approval to authorize the construction of two
17 mausoleum structures within the Downtown zoning
18 district at a site located behind the existing
19 cathedral at 870 Nativity Drive and 871 Esters
20 Boulevard, Tax Parcel Numbers 1410K-03-035.000 and
21 1410K-03-029.000. These were advertised on
22 October 2nd and October 9th.

23 Felicia, could we see the video, please?

24 MS. SERPAS:

25 (Video played.)

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1 Okay.

2 CHAIRMAN DELLENGER:

3 Mr. Collins, come up and tell us what
4 you're asking and what you want to do there.

5 MR. COLLINS:

6 What's that?

7 CHAIRMAN DELLENGER:

8 Let us know what the Diocese is trying
9 to do there.

10 MR. COLLINS:

11 Charles Collins. I live at 124 St. Paul
12 Street in Biloxi.

13 I'm here today representing Nativity
14 Parish and Catholic Diocese of Biloxi. We're an
15 older parish, both in terms of buildings and we've
16 been requested by some parishioners that we ought
17 to have a mausoleum. We have got vacant property
18 that we're not going to use for any other purpose,
19 and this would be a good use of it.

20 And it's going in the -- it didn't
21 really show good there -- on the Nativity Drive
22 side, the cathedral side, looking back north.
23 It's vacant now, but there was a convent that we
24 tore down about four years ago. And we will do
25 this thing in phases. We've got room for two

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1 mausoleums. We're only building one now,
2 initially, and pre-selling them.

3 And it's, I think, a very desirable
4 project. Across the street, we've got the
5 bishop's cemetery, so we're not breaking precedent
6 in this block and neighborhood. There's two
7 bishops already buried over there. And it would
8 be convenient maybe for the City because when we
9 have a funeral, they will go directly from the
10 church to the mausoleums so there won't be a
11 procession through town.

12 It's a small -- the building is 10 feet
13 tall. It's approximately 29 or 25 -- it will hold
14 96 crypts, and 225 niches for cremations. And
15 it's going to be granite-faced, kind of a reddish
16 granite to make it look sort of like the Sacred
17 Heart Center in color.

18 And that's about all I've got, if y'all
19 got any other questions.

20 CHAIRMAN DELLENGER:

21 So it will be for mostly smaller urn
22 types, not full caskets?

23 MR. COLLINS:

24 There is room for 96 caskets. And you
25 have got doubles and singles. Across the thing,

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1 you can put three caskets, but the doubles are for
2 husband and wife. There is two of them on one
3 side -- it's divided -- and then a single casket
4 on the other side. And that rotates, so
5 that's why we get 64 showing, but there's actually
6 96 caskets there. End walls are where the niches
7 go and they're in small compartments 12-inch a
8 square -- 12 inches. Excuse me.

9 MR. JOACHIM:

10 Chuck, I say as a parishioner, I think
11 it's a great idea. I think it's a great use of
12 the land and it's a good project for the parish.

13 Only my -- my suggestion, however, has
14 always been that you make it look like the old
15 church graveyards in the horror movies, you know,
16 with the tombstones leaning over and the dead
17 trees in the middle.

18 MR. COLLINS:

19 It would be pretty hard.

20 MR. JOACHIM:

21 That's just a thought for your
22 consideration.

23 MR. COLLINS:

24 I will give it some thought. I thought
25 about it.

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