



## November 13, 2024 Planning Commission Meeting Agenda

November 13, 2024 at 5:30 PM

598 Main Street, Bay St. Louis, MS 39520

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### Call to Order

### Minutes Approval

1. Motion to approve the Minutes of October 09, 2024.

### Action Items

2. **\*WITHDRAWN\* PPM Development** - Application for sketch plat approval submitted by PPM Development for the Paradise Estates Subdivision located at 13131 Hwy 603 at the Northwest corner of I-10 West and Highway 603. Parcels 133 -0-07-006.000, PT S ½ 7-8s-14W. Parcel 133 -0-07-004.002, PS SE1/4 7-8-14. Parcel 133Q-0-08-002.000, PT LOTS2&4 W OF BAY-KILN RD. Parcel 133Q-0-08-002.002, PT NW ¼-SW ¼ 8-8S-14W. Parcel 133Q-0-08-002.001, PT LOT4 8-8S-14W. The property is zoned C-3 Highway Commercial District.
3. **GRIFFIN** - Application for Variance to the Zoning Ordinance submitted by John Griffin. The applicant is requesting a variance of 10', resulting in a 15' setback to the front yard to construct an uncovered front porch. The property is located at 3222 Fifteenth Street. Hancock County Tax Parcel 138C-0-47-199.002, 19 BLK 34A UN2 SHORELINE PARK. The property is zoned R-1A Single Family District.
4. **HIGGINS** - Application for Variance to the Zoning Ordinance submitted by Tommy Higgins. The applicant is requesting a variance of 10' to the front yard, resulting in a 15' setback to the front yard to add an addition to the dwelling. The property is located at 334 Gladstone Street, Hancock County Tax Parcel 137P-1-35-006.004, 5-8 BLK 20 BSL LAND & IMP CO. It is zoned R-1 Single Family District.
5. **ROBERTSON**- Application for Special Exception to the Zoning Ordinance submitted by Donald Robertson. The applicant is requesting a special exception to construct a pergola/accessory structure on a lot without a primary dwelling. The property is located

at 214 Thomas Street. Parcel 144N-0-19-040.000; PT 106 1ST WARD; BAY ST LOUIS. The property is zoned R-1 Single Family District.

**Discussion Items**

6. Orion Planning to discuss Bay St Louis Zoning Ordinance update

**Adjourn**

7. Motion to adjourn the meeting of November 13, 2024.

TO: Planning and Zoning Commission  
City of Bay St. Louis

RE: 3222 Fifteenth Street  
Hancock County Tax Parcel 138C-0-47-199.002  
19 BLK 34A UN2 SHORELINE PARK

HEARING DATE: November 13, 2024

I have reviewed John Griffin's application for a Variance to the Zoning Ordinance for the property located at 3222 Fifteenth Street in the R-1A Single Family District. The R-1A district requires a 25-foot front yard setback.

The applicant requests a front yard setback of 15 feet to construct an uncovered front porch.

**Front Yard Setback:**

Required: 25'

Proposed Distance of front yard: 15'

Variance Request: 10'

**The administration recommends approving the variance.**

- The house is already constructed
- The plans have been submitted to the building department for review
- The addition will not have a roof over the porch
- The applicant is requesting more mobility in their older age.

If I can be of any further assistance in this matter, please feel free to call my office at 228-466-5516.

Jeremy L Burke  
Zoning Administrator

### APPLICATION FOR VARIANCE TO THE ZONING ORDINANCE

Please complete this form in its entirety; failure to do so may cause a delay in the submittal of your application to the Planning and Zoning Commission.

The following information is required before this application will be submitted to the Planning and Zoning Commission for consideration.

OWNER: John Griffin

ADDRESS: 3222 Fifteenth Street, MSJ

PHONE: 361-739-1288

#### ADDRESS OF PROPERTY IN QUESTION IF DIFFERENT FROM ADDRESS STATED ABOVE

\_\_\_\_\_

1. Legal description of property to be considered for variance as described in the Hancock County tax rolls:

19 BLK 34A UN2 SHORELINE PARK

2. Parcel number(s) as described in the Hancock County tax rolls:

138C-0-47-199.002

3. Present Zoning: R-1A

4. Present use of building/property: Dwelling

5. Application fee of <sup>250</sup>~~\$100~~ (Residential): ✓

Application fee of <sup>250</sup>~~\$200~~ (Commercial): \_\_\_\_\_

**Article XIII**  
**1303 APPEALS, HEARING AND NOTICE**

Every appeal or application shall refer to the specific provision of the ordinance involved and shall set forth the interpretation that is claimed, the use for which a special exception is sought, or the details of the variance that is applied for and the case may be, and accompanied by a plat or plan, drawn to scale, showing the actual dimensions of the parcel of land to be built upon and used, the size of any building to be erected, and the location of the building upon the lot, the materials to be used and other such information as may be deemed necessary to provide full information regarding intended use. The Municipal Clerk shall forthwith transmit the appeal or application to the Commission together with all papers constituting the record upon which the action appealed from was taken.

**Article XIII**  
**1305.3 VARIANCES**

To recommend such variances from the terms of this Ordinance as will not be contrary to the public interest where, owing to special conditions, literal enforcement of the provisions of this Ordinance will in an individual case result in unnecessary hardship, so that the spirit of the Ordinance shall be observed, public safety and welfare secured, and substantial justice be done. Such variance may be granted in such case of unnecessary hardship upon a finding by the City Council that all of the following conditions exist:

- A. There are extraordinary and exceptional conditions which pertain to the particular piece of property in question because of its size, shape, or topography that are not applicable to other lands or structures in the same district.
- B. The literal interpretation of the provisions of this Ordinance would deprive the applicant of rights commonly enjoyed by other residents of the district in which the property is located.
- C. Granting the variance requested will not confer upon the applicant any special privileges that are denied to other residents of the district in which the property is located.
- D. The requested variance will be in harmony with the purpose and intent of this Ordinance and will not be injurious to the neighborhood or to the general welfare.
- E. The special circumstances are not the result of the actions of the applicant.
- F. The existence of a nonconforming use of neighboring land, buildings, or structures in the same district or of permitted or nonconforming uses in other districts shall not constitute a reason for the requested variance.
- G. The variance requested is the minimum variance that will make possible the legal use of the land, building, or structure.
- H. The variance is not a request to permit a use of land, building, or structure which is not permitted by right or by special exception in the district involved.

I. Notice of public hearing shall be given as in Section 1305.2(A).

J. The variance can't be transferred to a subsequent owner of the property, if the variance is unused.

K. The grant of a variance shall expire if the variance has not been activated within six (6) months of final approval. "Activation" shall mean obtaining a building permit for the required or necessary construction. In addition, the activation shall not be effective unless the construction is completed within six (6) months of obtaining the building permit. On good cause shown, the Bay St. Louis City Council may extend the above stated time limits for up to a maximum of six (6) months.

Please submit the following documentation with your application:

- 1. What is the specific provision of the ordinance involved A-K
- 2. The use for which a variance is sought Construct large uncovered porch

3. If request is for a setback variance, please answer the following:

- 25' Front yard setback requirement
- 15' Proposed distance remaining to the property line
- 10' Total front yard setback variance needed
- \_\_\_\_\_ Side yard setback requirement
- \_\_\_\_\_ Proposed distance remaining to the property line
- \_\_\_\_\_ Total side yard setback variance needed
- \_\_\_\_\_ Rear yard setback requirement
- \_\_\_\_\_ Proposed distance remaining to the property line
- \_\_\_\_\_ Total rear yard setback variance needed

4. If request is for a variance other than setback, please answer the following:

- \_\_\_\_\_ Required total square footage of lot
- \_\_\_\_\_ Proposed square footage of lot
- \_\_\_\_\_ Total square footage needed to lot
- \_\_\_\_\_ Required minimum width of lot
- \_\_\_\_\_ Proposed minimum width of lot
- \_\_\_\_\_ Total variance to minimum lot width needed
- \_\_\_\_\_ Required fence height
- \_\_\_\_\_ Proposed fence height
- \_\_\_\_\_ Total fence height variance needed

5. Other type(s) of variance needed:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

6. A plat or plan, drawn to scale, showing the actual dimensions of the parcel of land to be built upon.

7. Size of any building to be erected, and the location of the building upon the lot.

8. Materials to be used (Exterior Finish) and other such information as may be deemed necessary to provide full information regarding intended use.

9. Is the property in question in a sub-division? \_\_\_\_\_

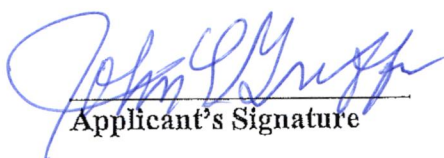
10. If the property in question is within a sub-division, is there an existing covenant running with the land? \_\_\_\_\_

11. If the answer to question 9 is yes, please state the book and page numbers where the stated restrictive covenants are filed in the Chancery Clerks Office of Hancock County.

Book Number \_\_\_\_\_

Page Number \_\_\_\_\_

It is warranted in good faith by the owners whose name is signed hereto that all of the above facts are true and correct.

  
Applicant's Signature

9/27/24  
Date

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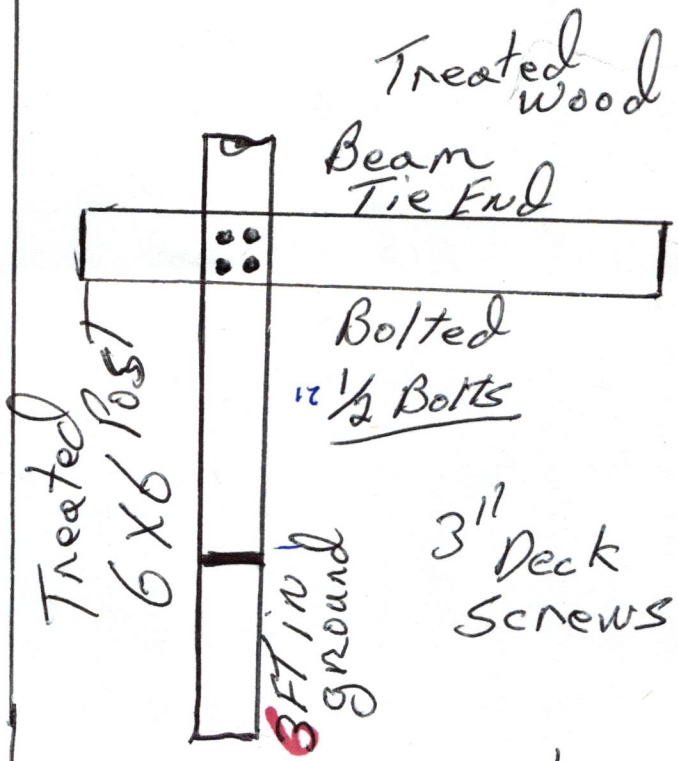
**FOR OFFICE USE ONLY**

Date of Application received: \_\_\_\_\_

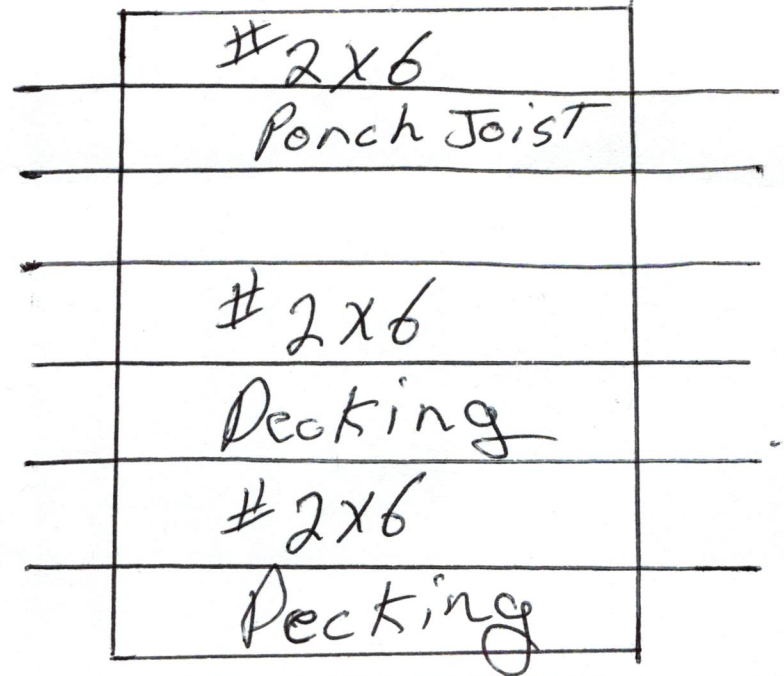
John Griffin  
3222 15th

Phone 361-739-1288  
cell

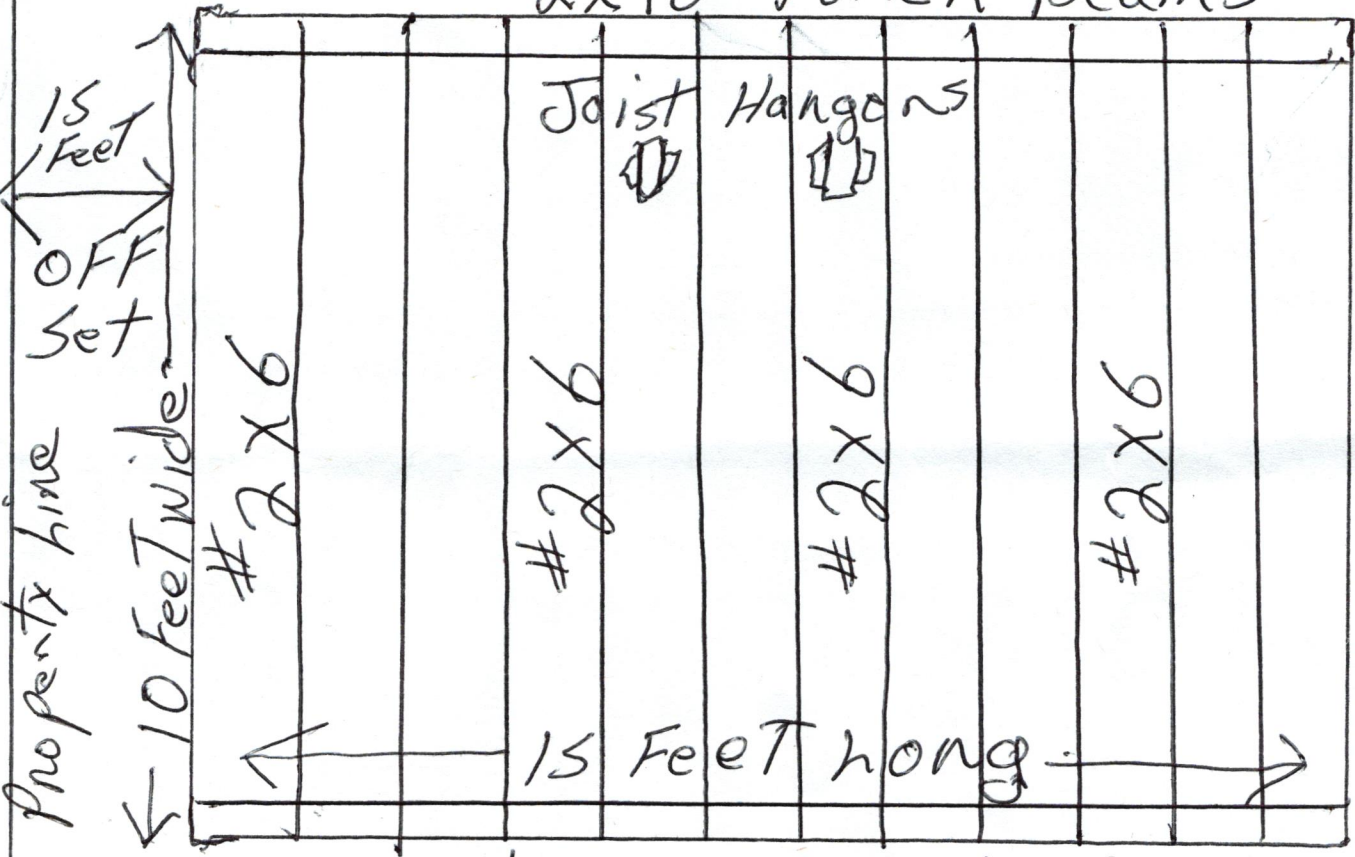
Item # 3.



# Treated wood  
2/6 Floor Joist



# 2x10 Porch Beams

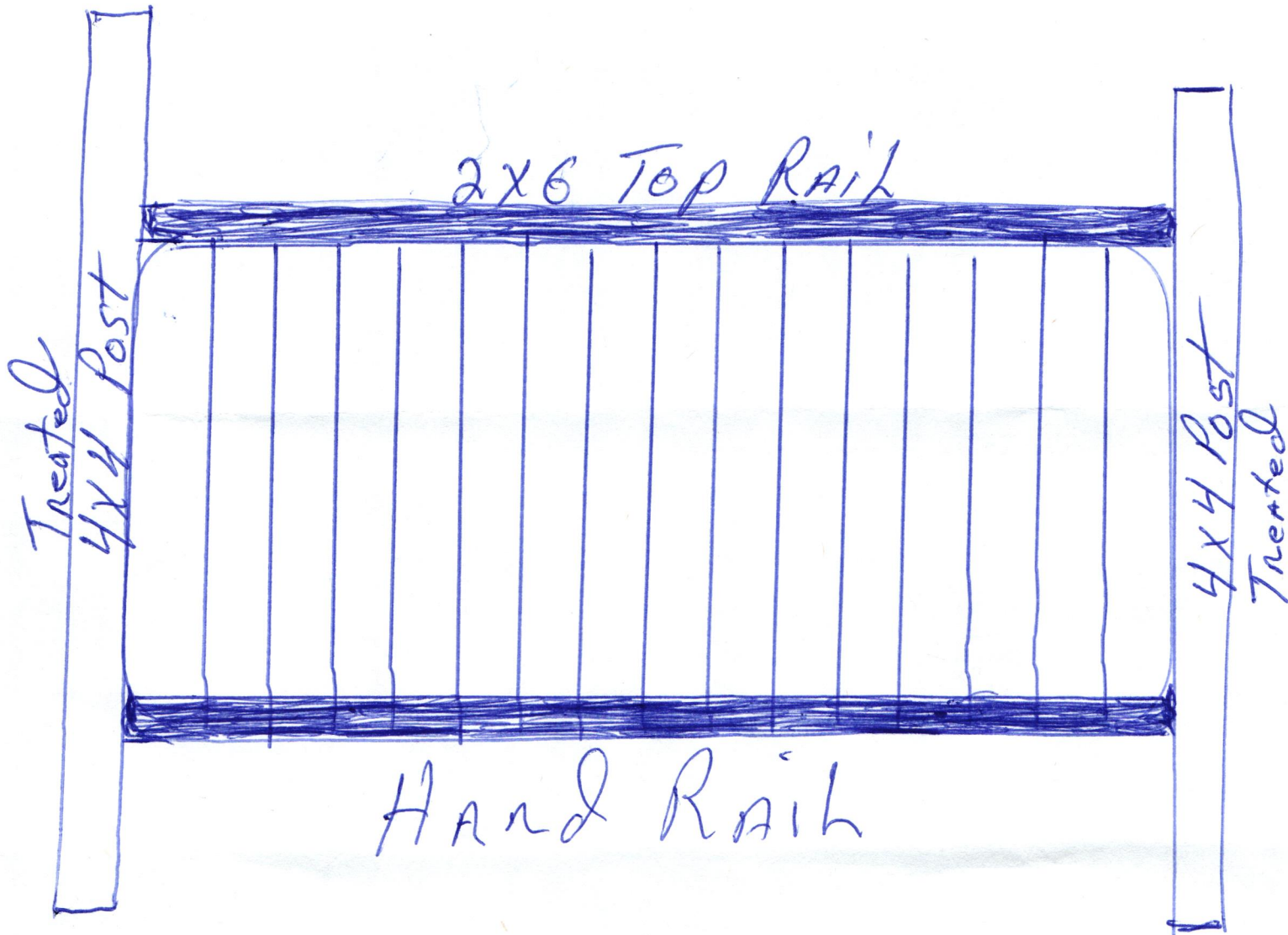


Property line

OFF SET

2#  
x  
6  
Deck  
Boards  
Decking

# 2x10 Porch Beams





**TO:** Planning and Zoning Commission  
City of Bay St. Louis

**RE:** 334 Gladstone Street  
Hancock County Tax Parcel 137P-1-35-006.004  
5-8 BLK 20 BSL LAND & IMP CO.

**HEARING DATE:** November 13, 2024

I have reviewed Tommy Higgins' application for a Variance to the Zoning Ordinance for the property located at 334 Gladstone Street, which is in the R-1 Single Family District. The R-1 district requires a 25-foot front yard setback. The applicant is requesting a 15-foot front yard setback to extent the carport.

**Front Yard Setback:**

- Required: 25'
- Proposed Distance of Front Yard: 15'
- Variance Request: 10'

**The administration recommends approving the variance request.**

- The house is already constructed.
- The plans have been submitted to the building department for review.
- The front yard setback is only for the extension on the carport.

If I can further assist in this matter, please feel free to call my office at 228-466-5516.

Jeremy L. Burke  
Zoning Administrator

APPLICATION FOR VARIANCE TO THE ZONING ORDINANCE

Please complete this form in its entirety; failure to do so may cause a delay in the submittal of your application to the Planning and Zoning Commission.

The following information is required before this application will be submitted to the Planning and Zoning Commission for consideration.

OWNER: Tommy Higgins

ADDRESS: 334 Gladstone St

PHONE: (228) 323-3525

ADDRESS OF PROPERTY IN QUESTION IF DIFFERENT FROM ADDRESS STATED ABOVE

\_\_\_\_\_

1. Legal description of property to be considered for variance as described in the Hancock County tax rolls:

S-8 BLK 20 BSL LAND & IMP CO

2. Parcel number(s) as described in the Hancock County tax rolls:

137P-1-35-006.004

3. Present Zoning: R-1

4. Present use of building/property: Dwelling

5. Application fee of ~~\$100~~ <sup>\$250</sup> (Residential):  # 00517765

Application fee of ~~\$200~~ <sup>\$250</sup> (Commercial): \_\_\_\_\_

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Please submit the following documentation with your application:

- 1. What is the specific provision of the ordinance involved \_\_\_\_\_
- 2. The use for which a variance is sought Front yard variance  
for addition

3. If request is for a setback variance, please answer the following:

- 25' Front yard setback requirement
- 15' Proposed distance remaining to the property line
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\_\_\_\_\_

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Book Number \_\_\_\_\_

Page Number \_\_\_\_\_

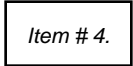
It is warranted in good faith by the owners whose name is signed hereto that all of the above facts are true and correct.

Tomy Hsi  
Applicant's Signature

10-17-24  
Date

**FOR OFFICE USE ONLY**

Date of Application received: \_\_\_\_\_



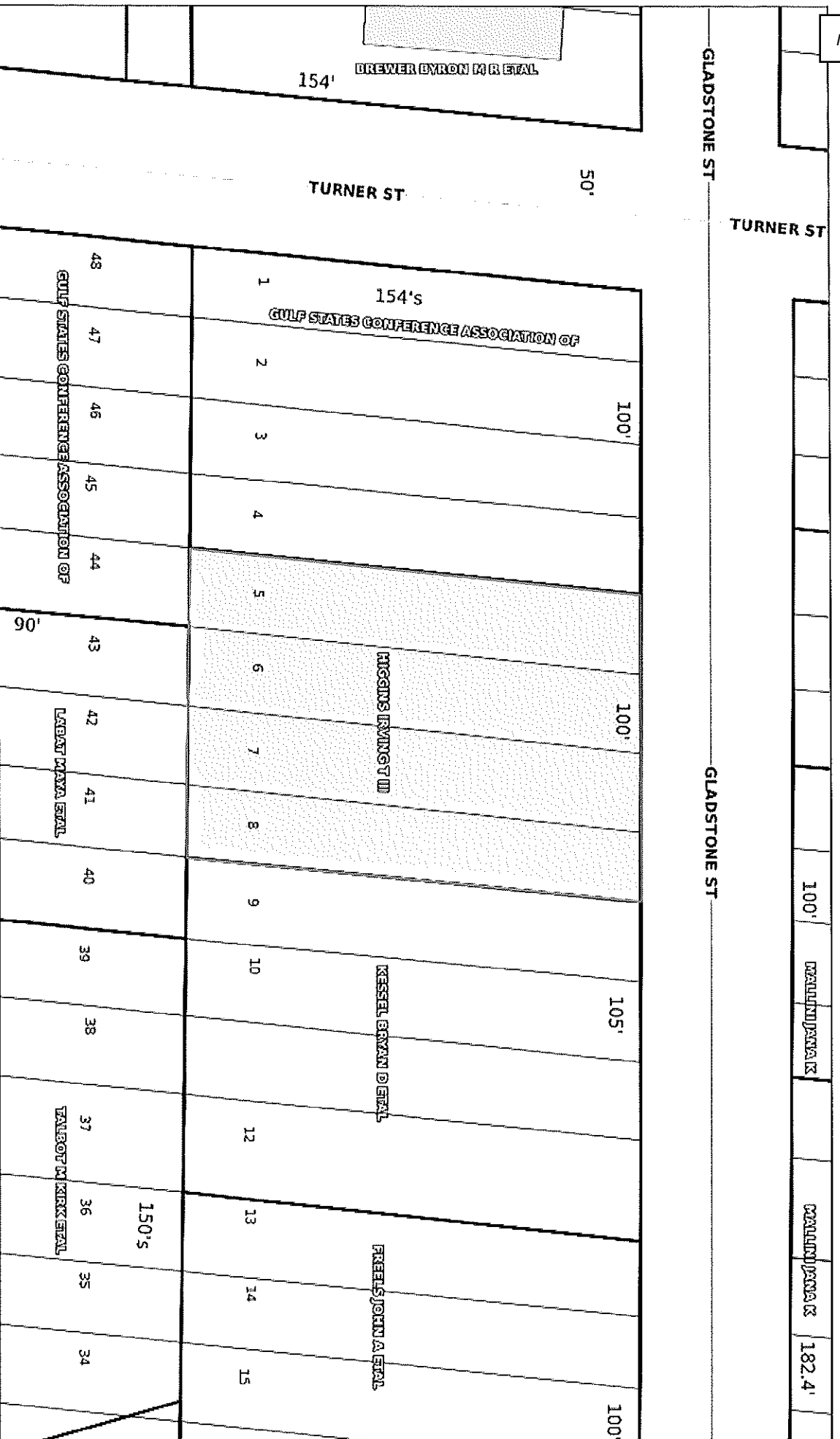
Street View

137P-1-35-006.004

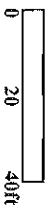
**Parcel Number:** 137P-1-35-006.004  
**Owner Name:** HIGGINS IRVING T III  
**Owner Address:** 334 GLADSTONE ST  
**Owner City, State ZIP:** BAY ST LOUIS,  
 MS 39520  
**Physical Address:** 334 GLADSTONE ST  
**Improvement Type:** RES  
**Year Built:** 2016  
**Base Area:** 1482  
**Adjusted Area:** 1623  
**Actual Total Value:** 116769  
**Taxable Total Value:** 0  
**Estimated Tax:** 1058.5  
**Homestead Exemption:** Yes  
**Deed Book:** 2020  
**Deed Page:** 11930  
**Legal Description 1:** 5-8 BLK 20 BSL  
 LAND & IMP CO  
**Legal Description 2:**  
**Legal Description 3:**  
**Legal Description 4:**  
**Legal Description 5:**  
**Legal Description 6:**  
**Longitude:** 0  
**Latitude:** 0  
**Square Footage:** 14668.47

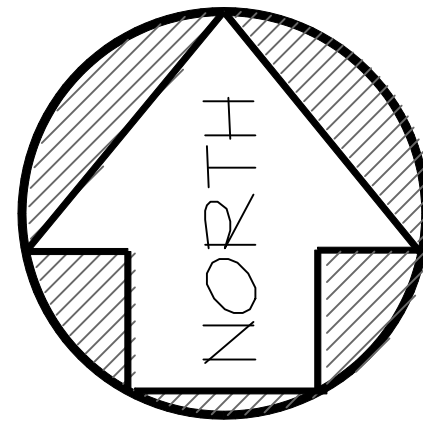
# Geportal Map

Item # 4.

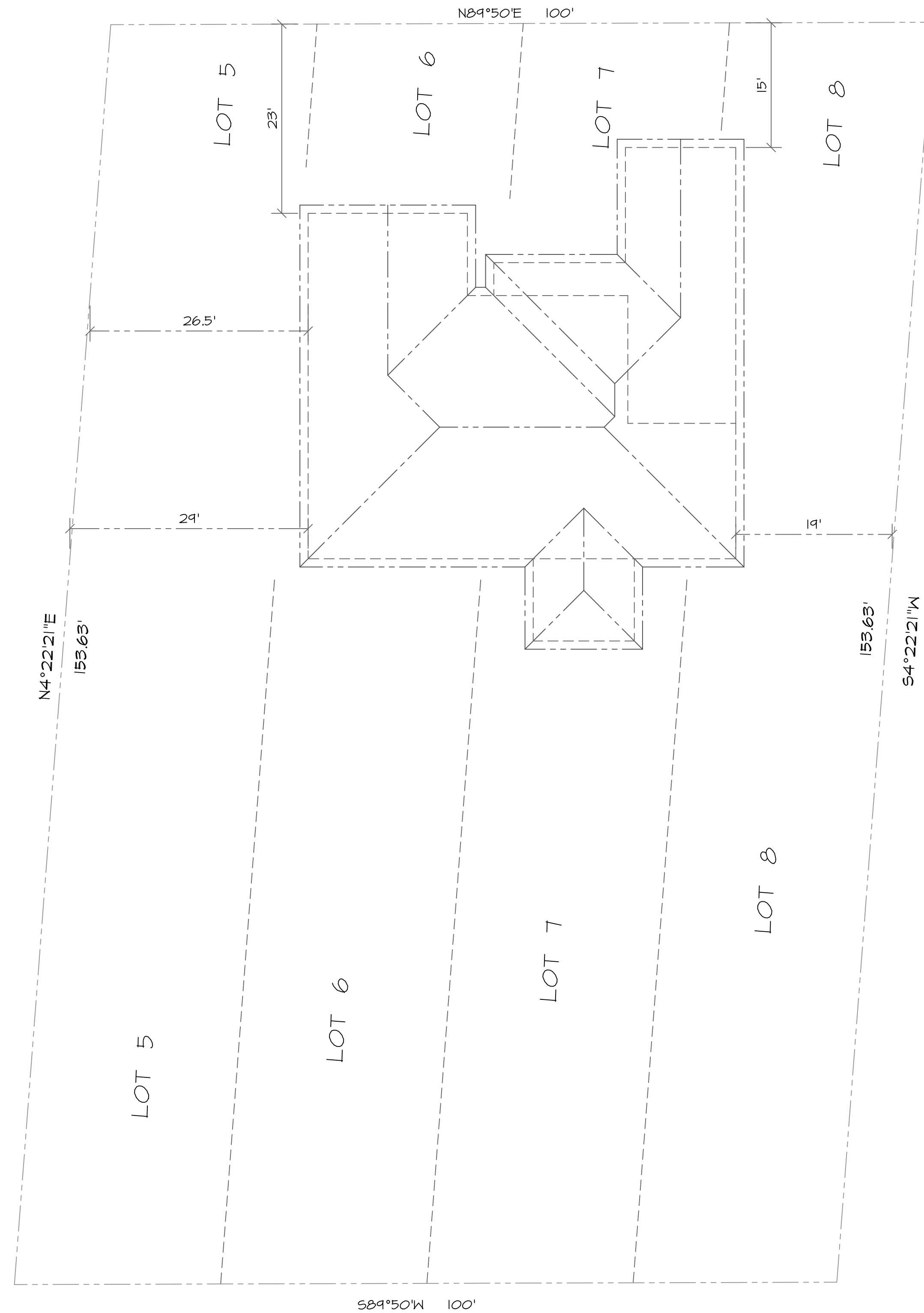


DISCLAIMER: Any user of this map product accepts its faults and assumes all responsibility for the use thereof, and further agrees to hold Hancock County harmless from and against any damage, loss or liability arising from any use of the map product. Users are cautioned to consider carefully the provisional nature of the maps and data before using it for decisions that concern personal or public safety or the conduct of business that involves monetary or operational consequences. Conclusions drawn from, or actions undertaken, on the basis of such maps and data, are the sole responsibility of the user.





# GLADSTONE STREET



## PLOT PLAN

SCALE: 1"=10'

### GEN. NOTES:

1. All work shall be performed in accordance with all applicable national, state and local codes, regulations and FHA/VA MPS.
2. It is the responsibility of the owner and /or general contractor to check all dimensions for the job before construction.
3. Contractor shall insure compatibility of the building with site requirements.
4. The contractor is responsible for adjusting and verifying all structural details and conditions to meet all local codes and to insure a quality and safe structure.
5. All Federal, State and Local codes, Ordinances, Regulations, etc. shall be considered as part of the specifications for this building and shall take preference over anything shown, described or implied where same are variance.
6. If foundation is pile supported and piles do not meet refusal, an independent geotechnical firm will be consulted at the expense of the owner.

Drafting  
Design  
Etc.

Residential/  
Commercial  
Drafting,  
Design  
&  
Consultations

401 Pecan Park Dr.  
Bay St. Louis, MS  
39520

Ph. 228-463-1362  
Cl. 228-332-1568

Drafting Design Etc., not being an Architectural or Engineering firm, is not responsible for the structural or architectural design of this building. Every effort has been made to ensure all dimensions are correct and regulations have been met. If an error or omission does occur, it is the responsibility of the contractor and/or owner to correct the error and/or omission at his own expense.

Item	Date	Revision

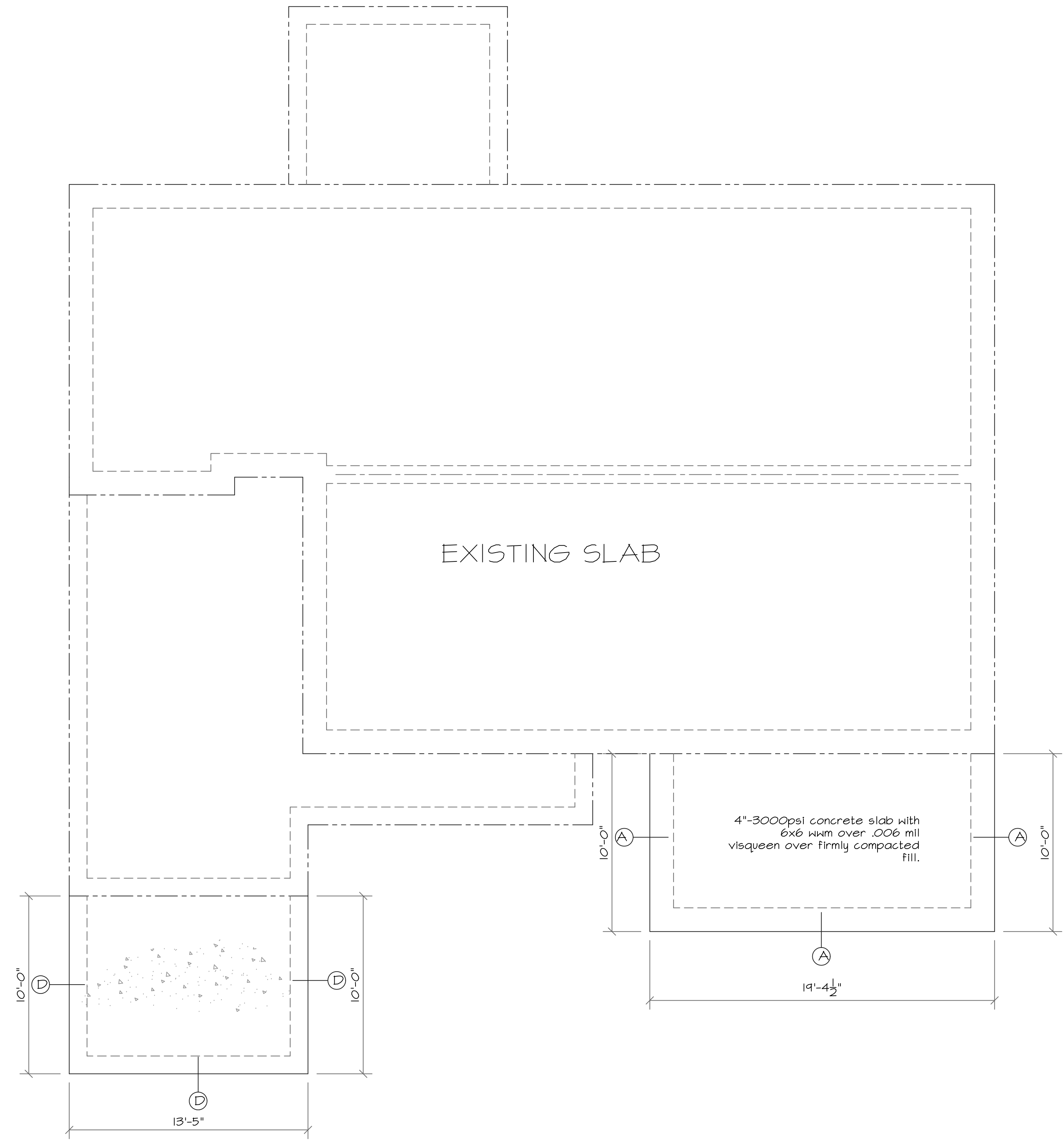
The Residence Of:

Tommy Higgins  
334 Gladstone Street  
Bay St. Louis, MS 39520

### PLOT PLAN

Job Number:	151023
Scale:	1"=10'
Date:	23 Oct 2015
Dsgn. by:	RDL
Drawn by:	RDL
Chkd. by:	RDL

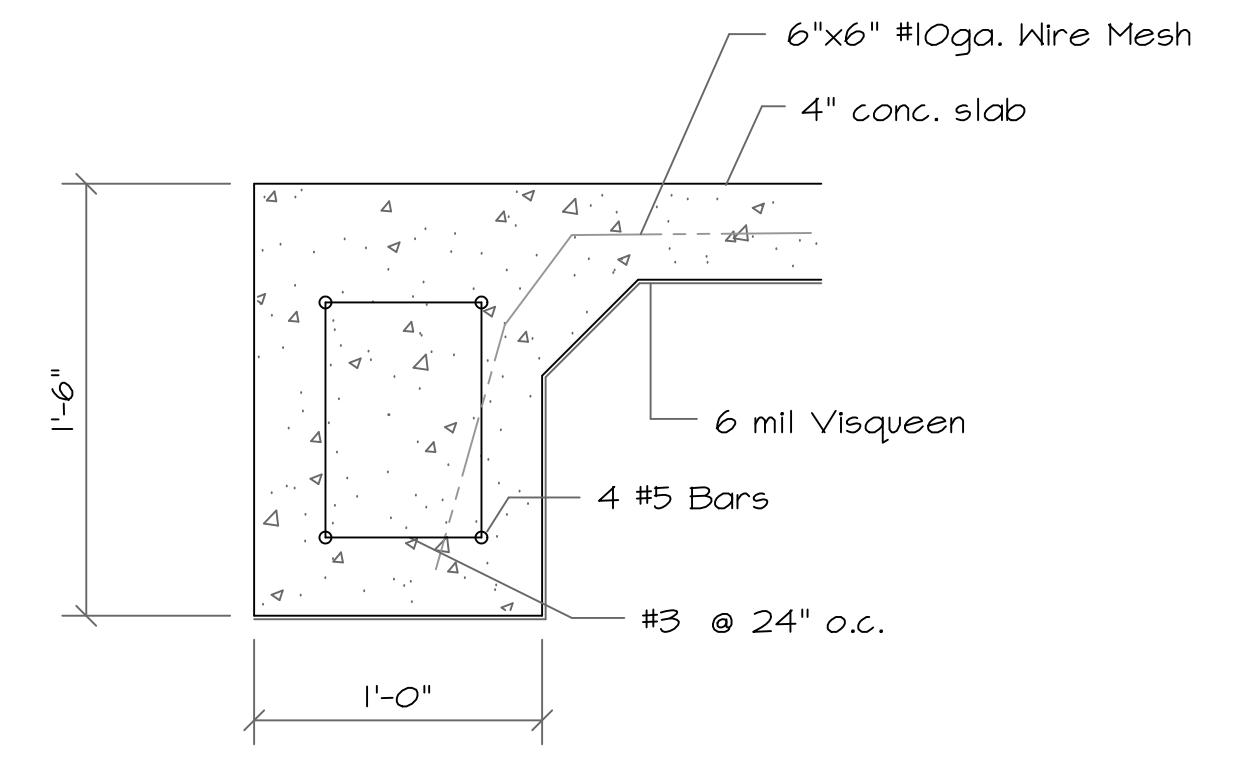
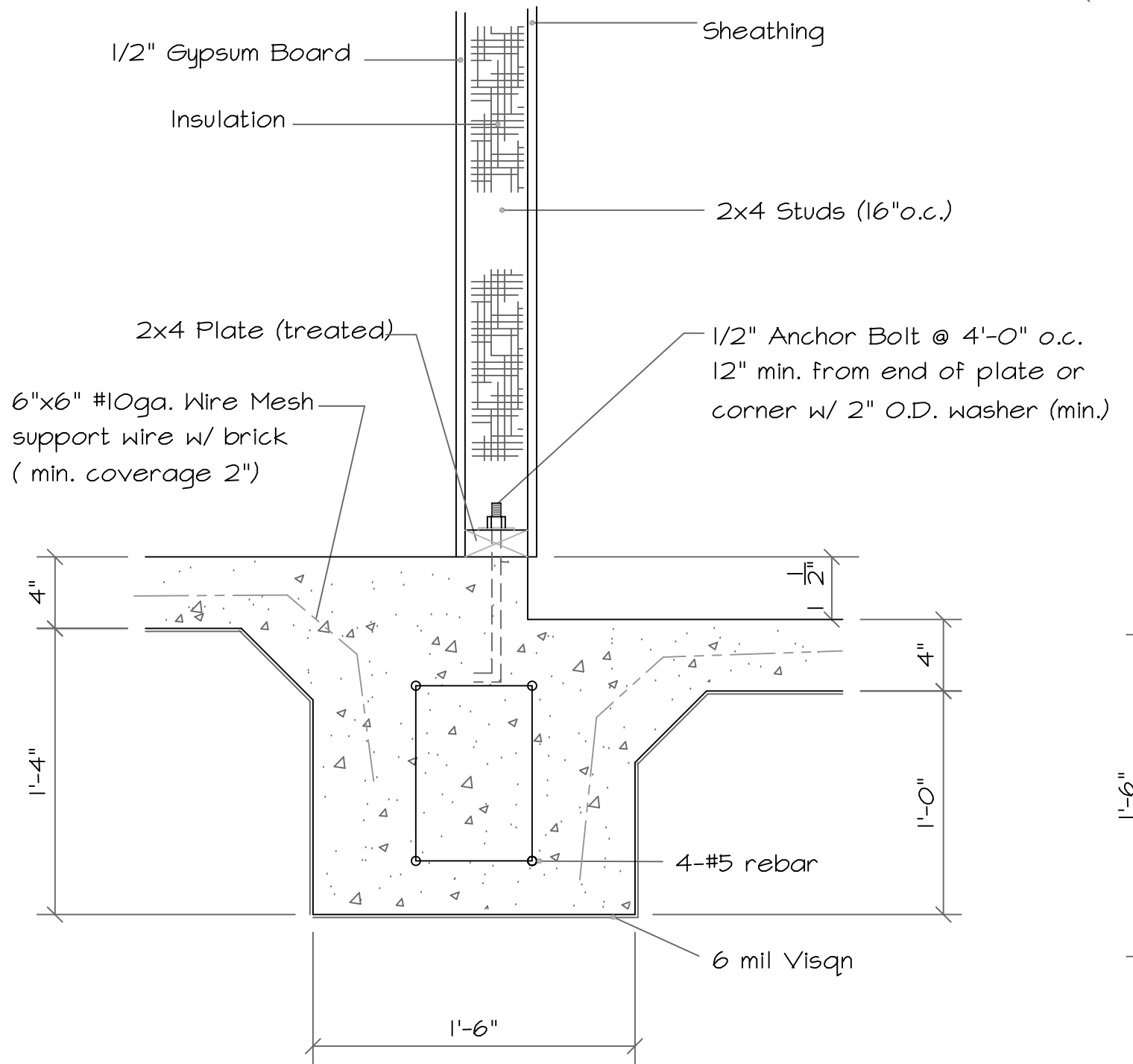
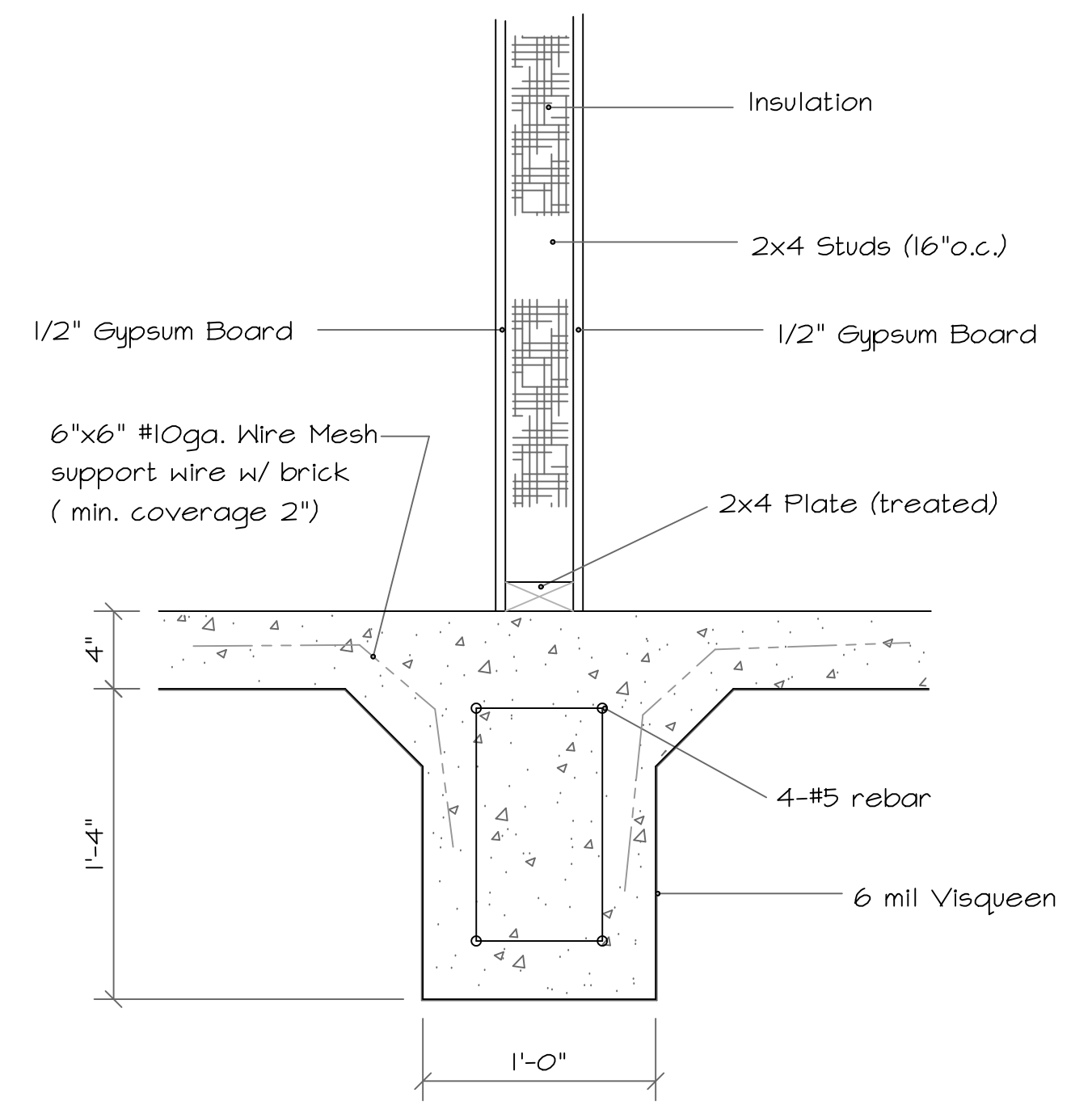
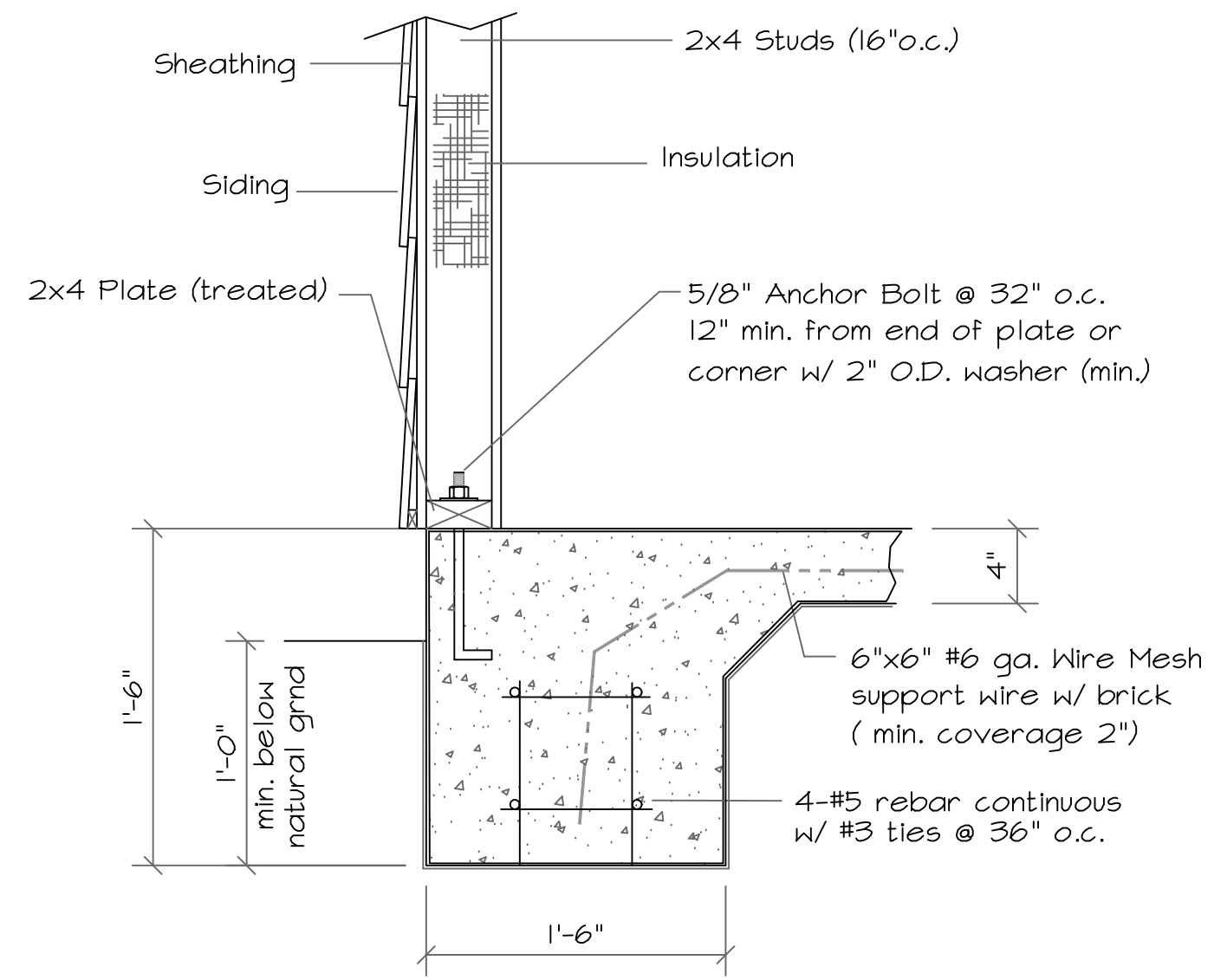
Sheet



# FOUNDATION PLAN

**NOTES:**

1. Anchor bolts shall be embedded at least 7" deep and spaced not further than 12" from plate ends or corners and not more than 24" on center. Bolts shall have washers with a minimum diameter of 3" and minimum 1/8" thick.
2. Footings must be 12" into natural soil.
3. Sleeve all copper lines under ground through out foundation.



**GEN. NOTES:**

1. All work shall be performed in accordance with all applicable national, state and local codes, regulations and FHA/VA MPS.
2. It is the responsibility of the owner and/or general contractor to check all dimensions for the job before construction.
3. Contractor shall insure compatibility of the building with site requirements.
4. The contractor is responsible for adjusting and verifying all structural details and conditions to meet all local codes and to insure a quality and safe structure.
5. All Federal, State and Local codes, Ordinances, Regulations, etc. shall be considered as part of the specifications for this building and shall take preference over anything shown, described or implied where same are variance.
6. If foundation is pile supported and piles do not meet refusal, an independent geotechnical firm will be consulted at the expense of the owner.

**Drafting Design Etc.**

Residential/ Commercial Drafting, Design & Consultations

401 Pecan Park Dr. Bay St. Louis, MS 39520

Ph. 228-463-1362 Cl. 228-332-1568

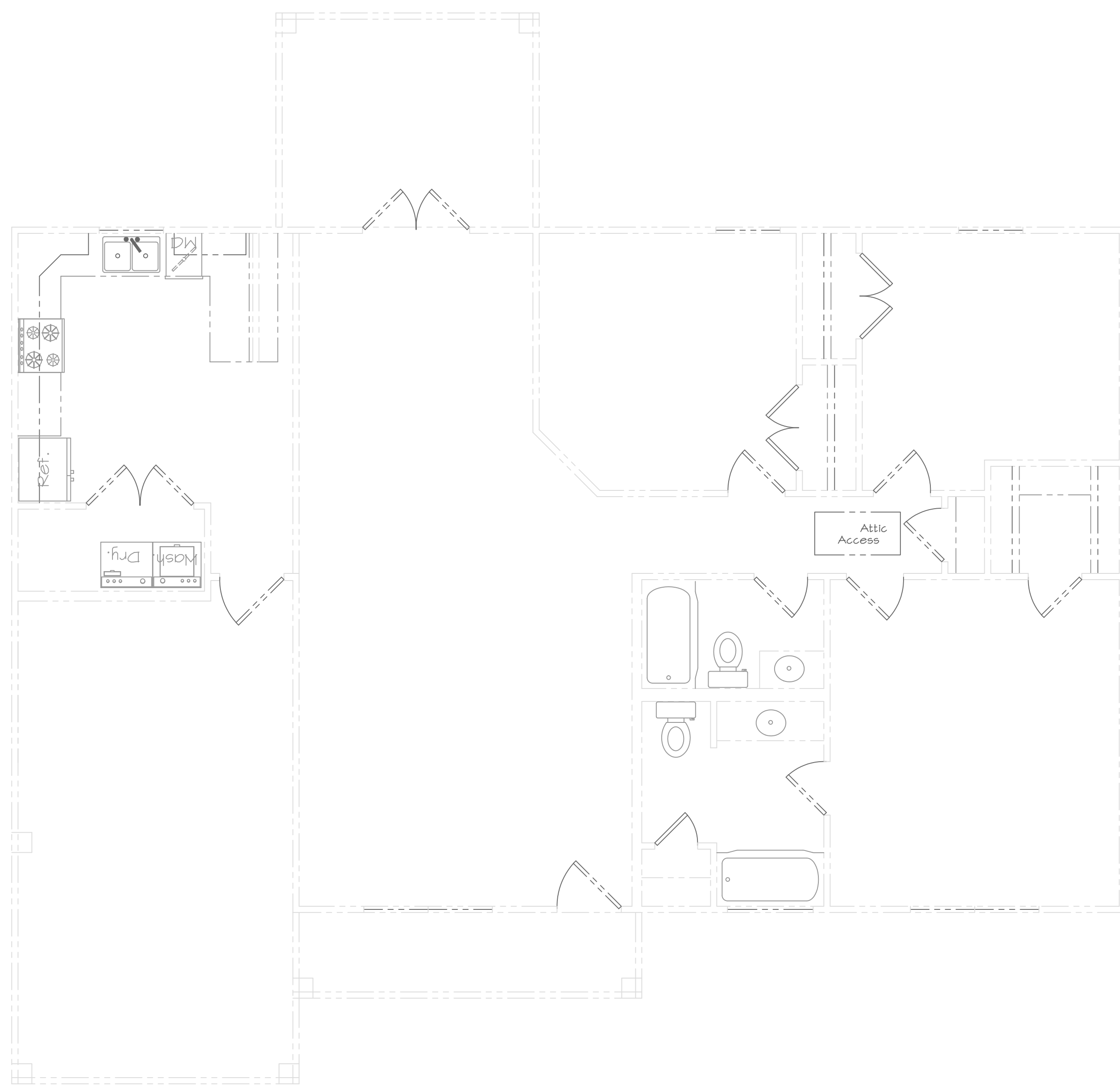
Drafting Design Etc. not being an Architectural or Engineering firm assumes no liability for the structural or architectural design of this building. Every effort has been made to ensure all dimensions are correct. If an error or omission does occur, it is the responsibility of the contractor and/or owner to correct the error and/or omission at his own expense.

Item	Date	Revision

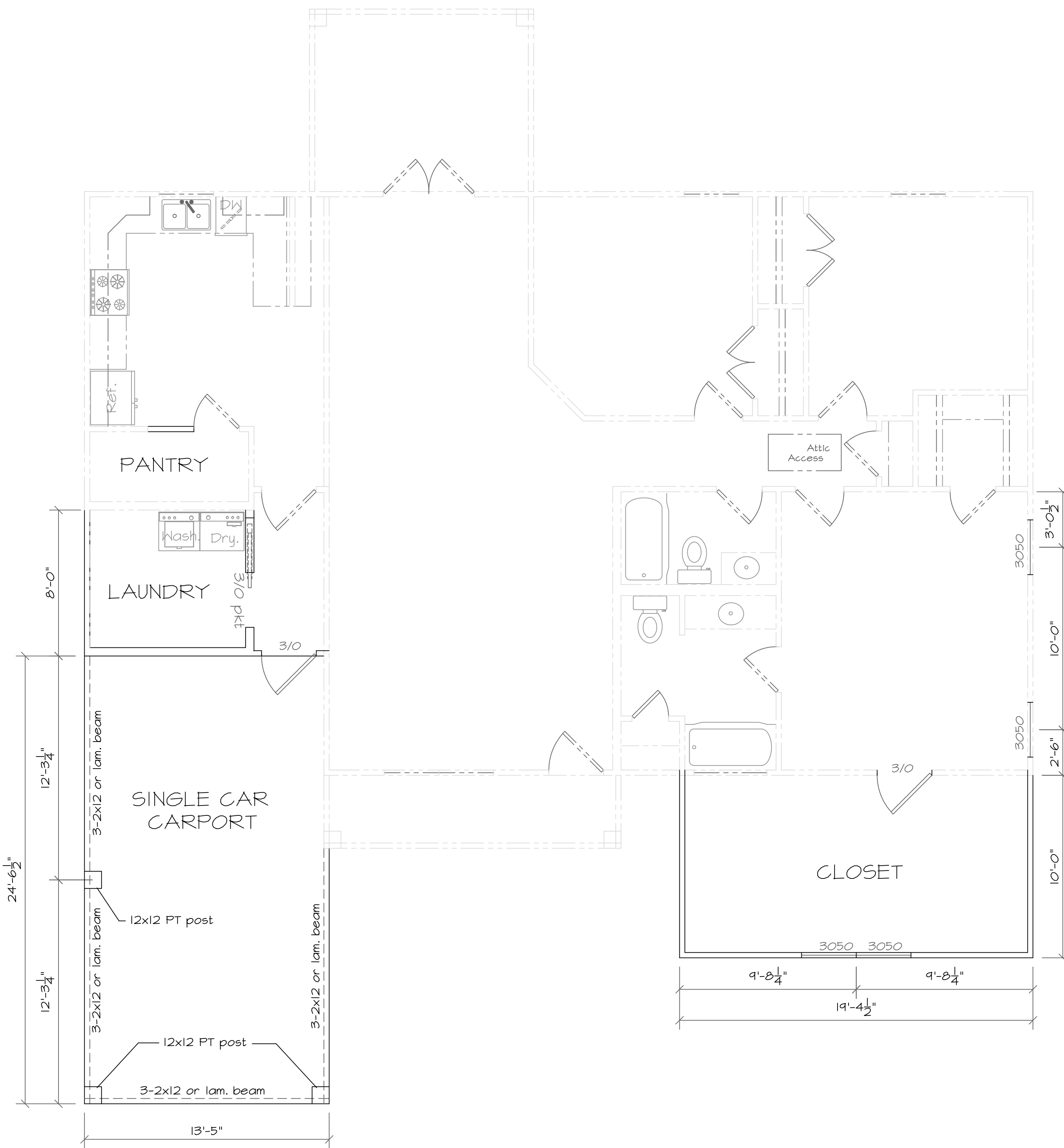
The Residence Of:  
**Tommy Higgins**  
334 Gladstone Street  
Bay St. Louis, MS 39520

**FOUNDATION**

Job Number:	151023
Scale:	1/4"=1'-0"
Date:	23 Oct 2015
Dsgn. by:	RDL
Drawn by:	RDL
Chkd. by:	RDL



FLOOR PLAN  
(EXISTING LAYOUT)



FLOOR PLAN  
(NEW ADDITIONS)

NOTES:

1. All plumbing walls must be sized according to penetrations.
2. All plumbing fixtures shall have access to valves to any slip joints.
3. Rise on steps must not exceed 7 and 3/4 inches.
4. Attic access must be at least 22" by 30" rough opening.
5. Crawl space shall have minimum access of 18" by 24" clear opening.
6. Equipment in attic must be within 20' of access.
7. Must have clear walkway of 24" wide and have 30" on the service of all equipment including hot water heater.
8. Bathrooms with mechanical means of ventilation must be vented to the exterior.
9. Motors to whirlpool tubs must be accessible.
10. Windows and doors must be minimum 27" from corners on an 8' wall and 34" on a 10' wall.
11. Roof bracing must be done to a load bearing wall.
12. A copy of all truss engineering must be submitted to inspectors office, this includes installation instructions.
13. Guardrail required if more than 30" above grade.
14. Treated materials are required below BFE.
15. Unless otherwise approved in advance, all garage door headers with a minimum span of 16' must be 3.5" by 11" laminated beam or its equivalent. Double 2" by 12" will not be accepted.
16. Interior load bearing walls must be properly anchored.
17. Sleeve copper lines under ground through out foundation.
18. Window size requirements for emergency means of egress includes minimum 24" in height and 21" in clear width when in the open position. Minimum 5 sq. ft.. at grade level and 5.7 sq. ft.. above grade.
19. 8% of each habitable room floor space for light and vent required.
20. Plywood roof sheathing must not be less than 2' in width.
21. Ridge vents shall not run within 4' of ridge end unless manufacturer states otherwise.
22. Connectors to meet galvanized requirement as per Code. (Z-max Or equivalent)

Drafting  
Design  
Etc.

Residential/  
Commercial  
Drafting,  
Design  
&  
Consultations

401 Pecan Park Dr.  
Bay St. Louis, MS  
39520

Ph. 228-463-1362  
Cl. 228-332-1568

Drafting Design Etc., not being an Architectural or Engineering firm, does not provide professional services or architectural design of this building. Every effort has been made to ensure all dimensions are correct and regulations have been met. If an error or omission does occur, it is the responsibility of the contractor and/or owner to correct the error and/or omission at his own expense.

Item	Date	Revision

The Residence Of:  
**Tommy Higgins**  
334 Gladstone Street  
Bay St. Louis, MS 39520

FLOOR PLAN

Job Number:	151023
Scale:	1/4" = 1'-0"
Date:	23 Oct 2015
Dsgn. by:	RDL
Drawn by:	RDL
Chkd. by:	RDL

Sheet

3

Drafting  
Design  
Etc.

Residential/  
Commercial  
Drafting,  
Design  
&  
Consultations

401 Pecan Park Dr.  
Bay St. Louis, MS  
39520

Ph. 228-463-1362  
Cl. 228-332-1568

Drafting Design Etc., not being an Architectural or Engineering firm, or architectural design of this building. Every effort has been made to ensure all dimensions are correct and regulations have been met. If an error or omission does occur, contractor and/or owner to correct the error and/or omission at his own expense.

Item	Date	Revision

The Residence Of:  
**Tommy Higgins**  
334 Gladstone Street  
Bay St. Louis, MS 39520

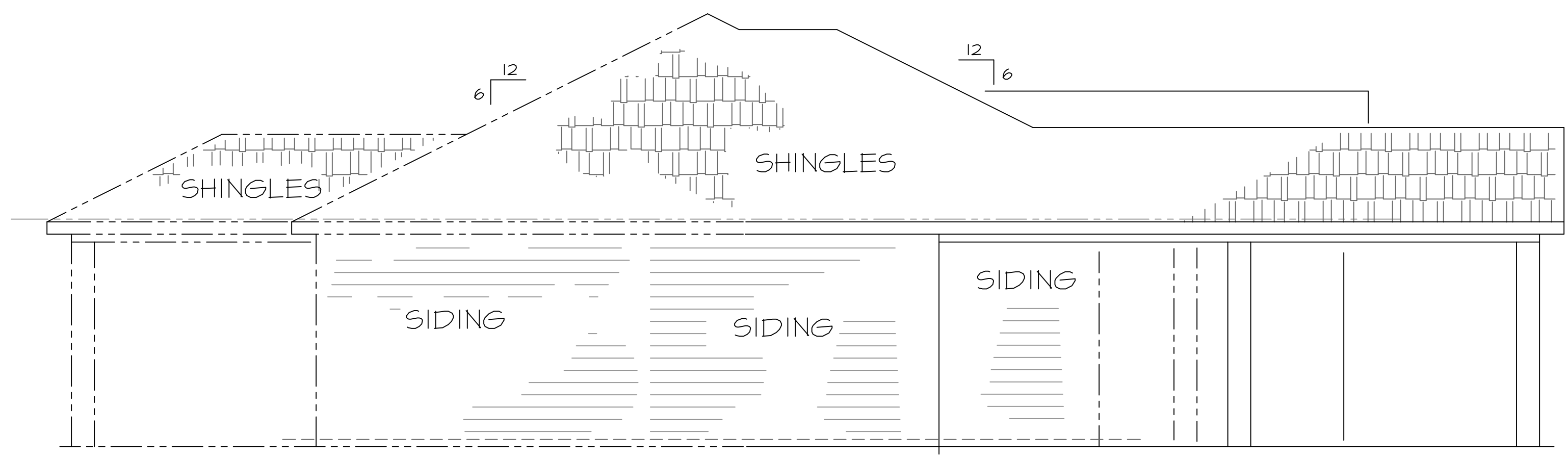
ELEVATIONS

Job Number: 151023  
Scale: 1/4" = 1'-0"  
Date: 23 Oct 2015  
Dsgn. by: RDL  
Drawn by: RDL  
Chkd. by: RDL

Sheet  
4

GEN. NOTES:

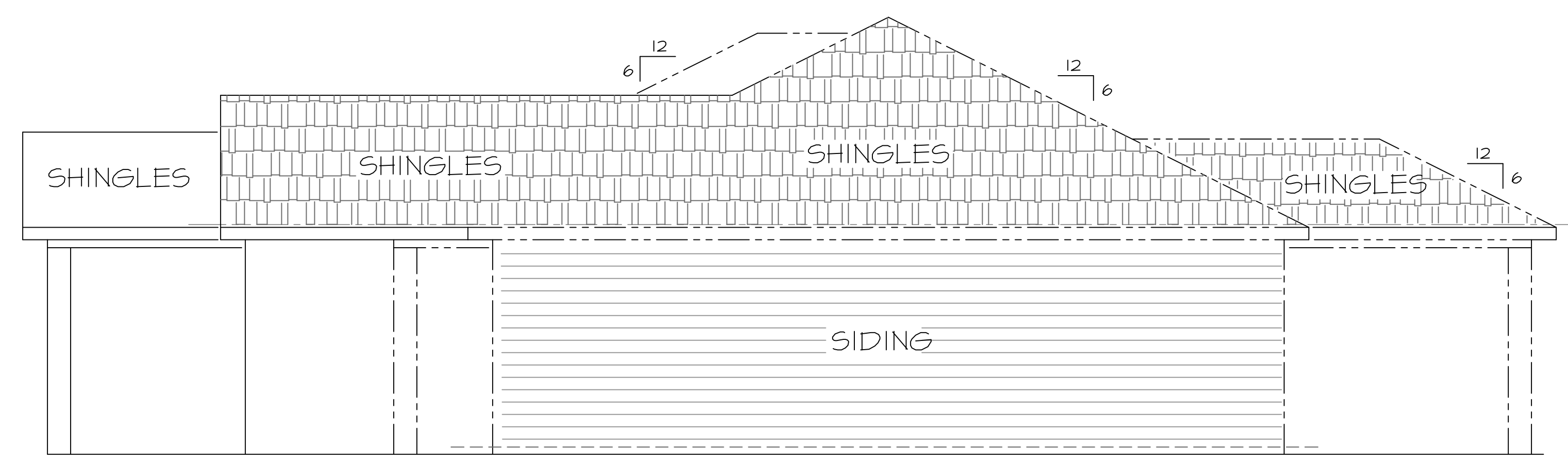
1. All work shall be performed in accordance with all applicable national, state and local codes, regulations and FHA/VA MPS.
2. It is the responsibility of the owner and /or general contractor to check all dimensions for the job before construction.
3. Contractor shall insure compatibility of the building with site requirements.
4. The contractor is responsible for adjusting and verifying all structural details and conditions to meet all local codes and to insure a quality and safe structure.
5. All Federal, State and Local codes, Ordinances, Regulations, etc. shall be considered as part of the specifications for this building and shall take preference over anything shown, described or implied where same are variance.
6. If foundation is pile supported and piles do not meet refusal, an independent geotechnical firm will be consulted at the expense of the owner.



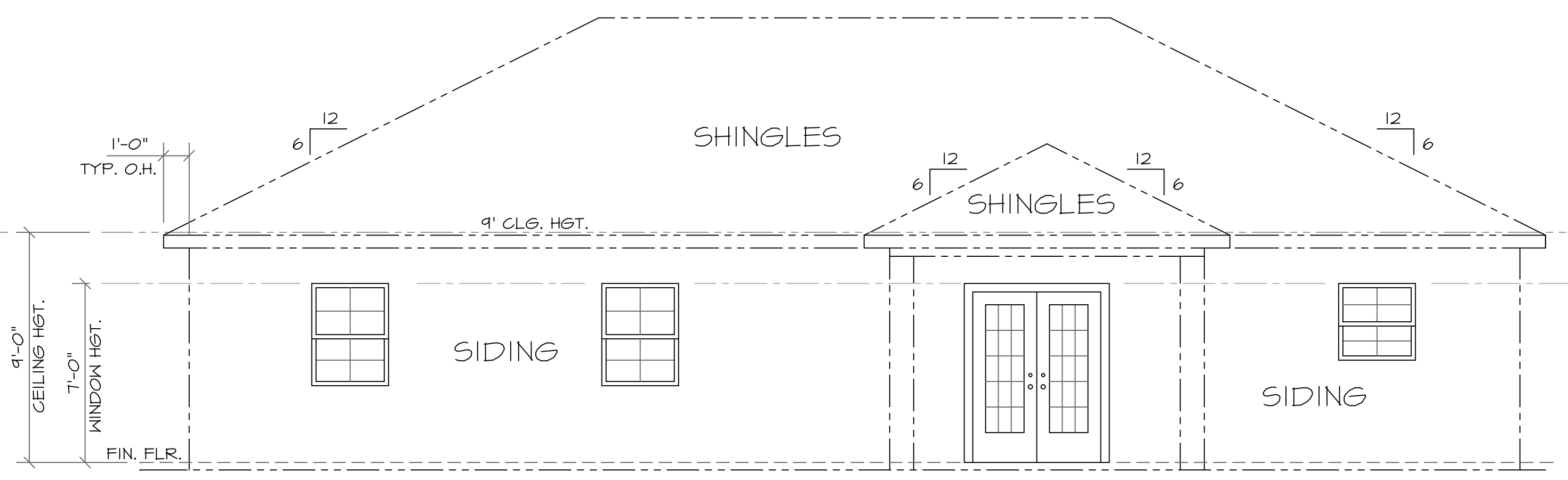
LEFT SIDE ELEVATION



FRONT ELEVATION



RIGHT SIDE ELEVATION



REAR ELEVATION

Drafting  
Design  
Etc.

Residential/  
Commercial  
Drafting,  
Design  
&  
Consultations

401 Pecan Park Dr.  
Bay St. Louis, MS  
39520

Ph. 228-463-1362  
Cl. 228-332-1568

Drafting Design Etc., not being an Architectural or Engineering firm, does not provide a structural or architectural design of this building. Every effort has been made to ensure all dimensions are correct and regulations have been met. If an error or omission does occur, the contractor shall be responsible for the error and/or omission at his own expense.

Item	Date	Revision

The Residence Of:  
**Tommy Higgins**  
334 Gladstone Street  
Bay St. Louis, MS 39520

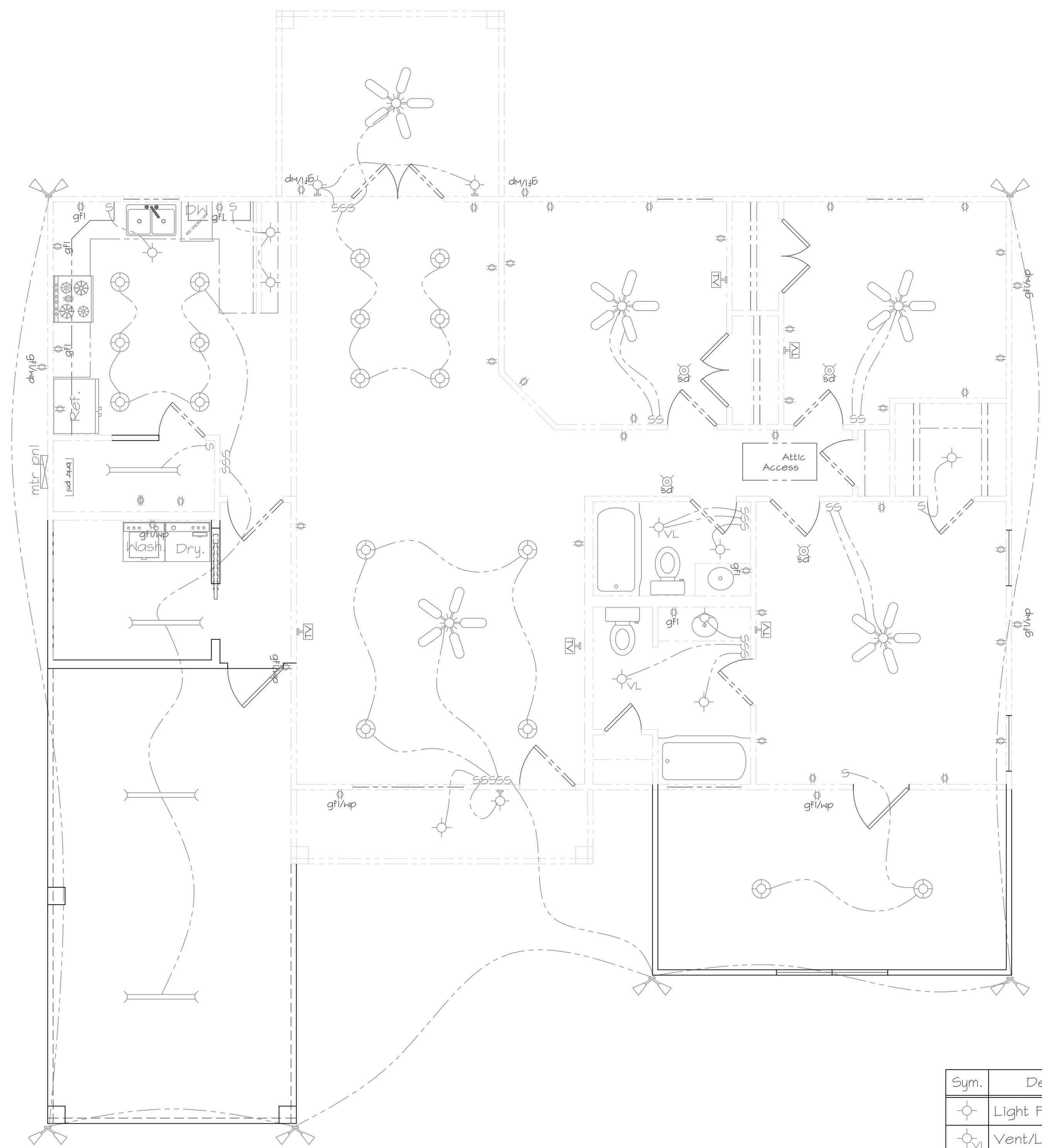
ELEC/ROOF

Job Number: 151023  
Scale: 1/4" = 1'-0"  
Date: 23 Oct 2015  
Dsgn. by: RDL  
Drawn by: RDL  
Chkd. by: RDL

Sheet  
**5**

**GEN. NOTES:**

1. All work shall be performed in accordance with all applicable national, state and local codes, regulations and FHA/VA MPS.
2. It is the responsibility of the owner and /or general contractor to check all dimensions for the job before construction.
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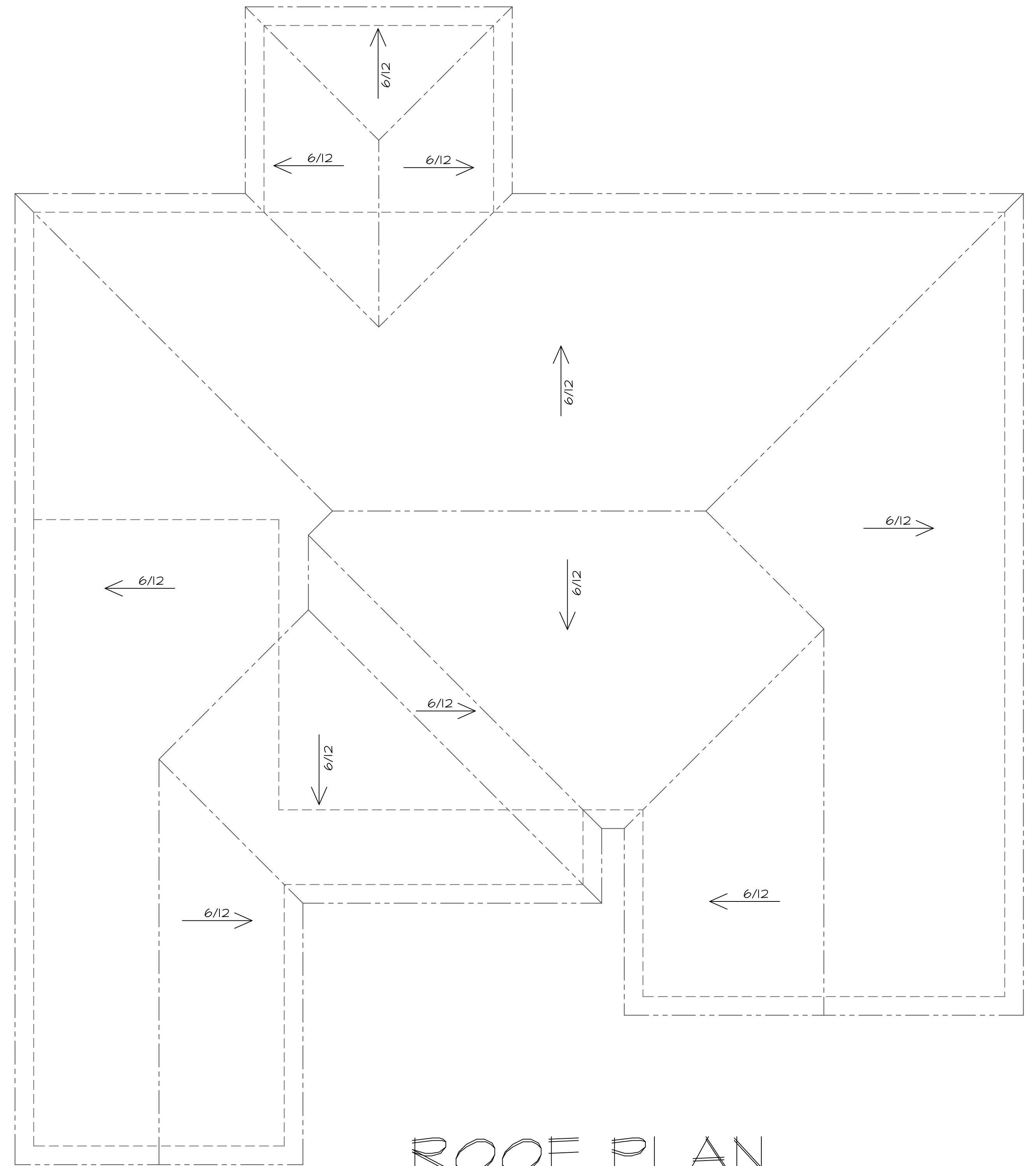


**ELECTRICAL PLAN**

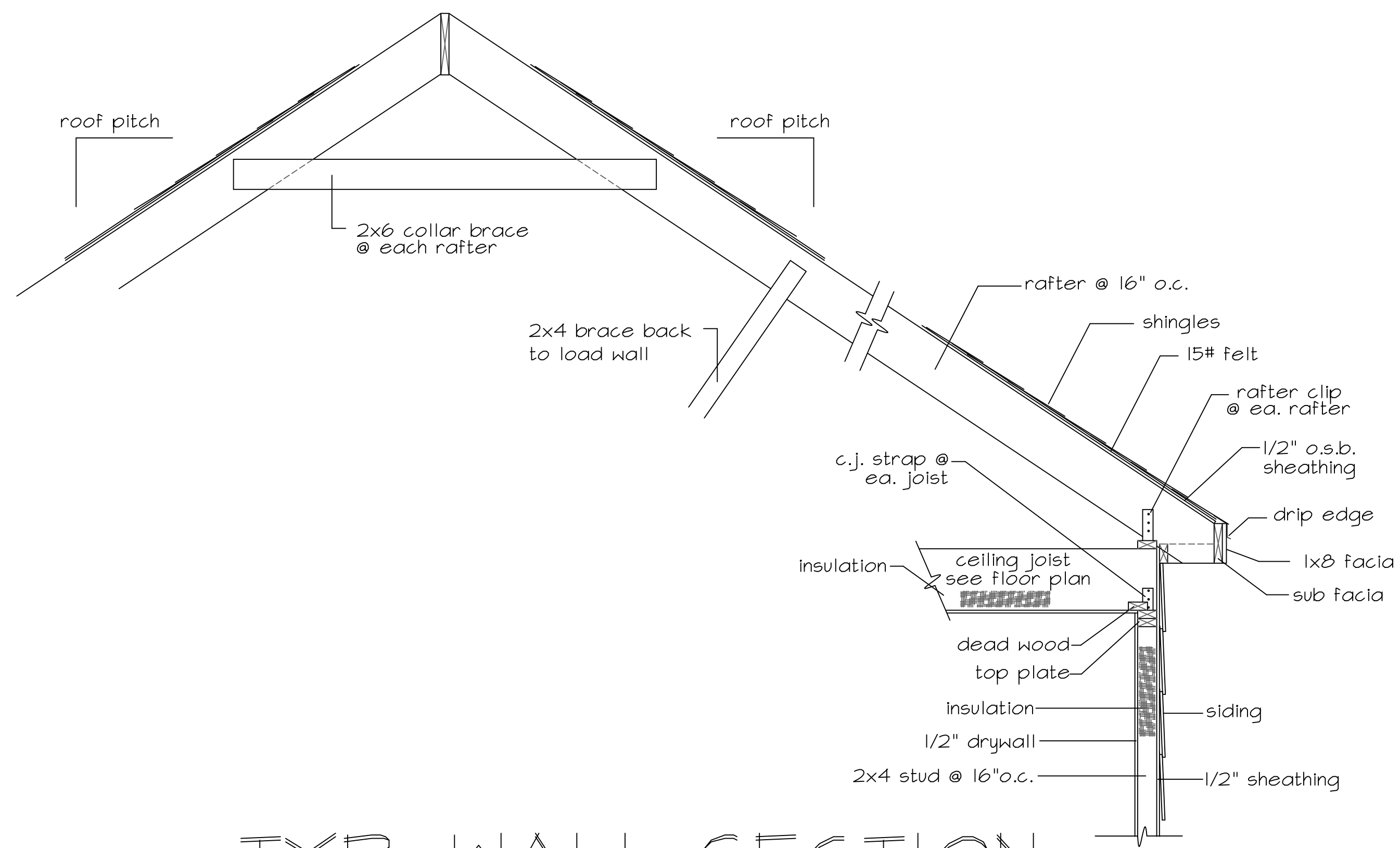
**NOTES:**

1. All receptacles serving kitchen counters must be GFI, and spaced according to Sec. 3802.6.
2. Island or peninsular counters shall have a GFI recpt. Sec 3801.4.3
3. One and two family residences shall have a minimum of two outside GFI receptacles on the front and rear of house. Sec 3801.7
4. Smoke detectors are required in all residences as per Section 317.
5. Motors to whirlpool tubs must be accessible.
6. All bedroom outlets shall be arc-fault protected.
7. Any electrical below the BFE must be for a wet location.

Sym.	Description
	Light Fixture
	Vent/Light
	Recessed Light
	Wall Mount Light
	Flourescent Light
	Exterior Flood Light
	110 outlet
	220 outlet
	110 outlet/ground fault
	110 outlet/gfi/wtrproof
	Switch
	Wiring
	Smoke Detector
	Doorbell
	Television Outlet
	Telephone Outlet
	Ceiling Fan



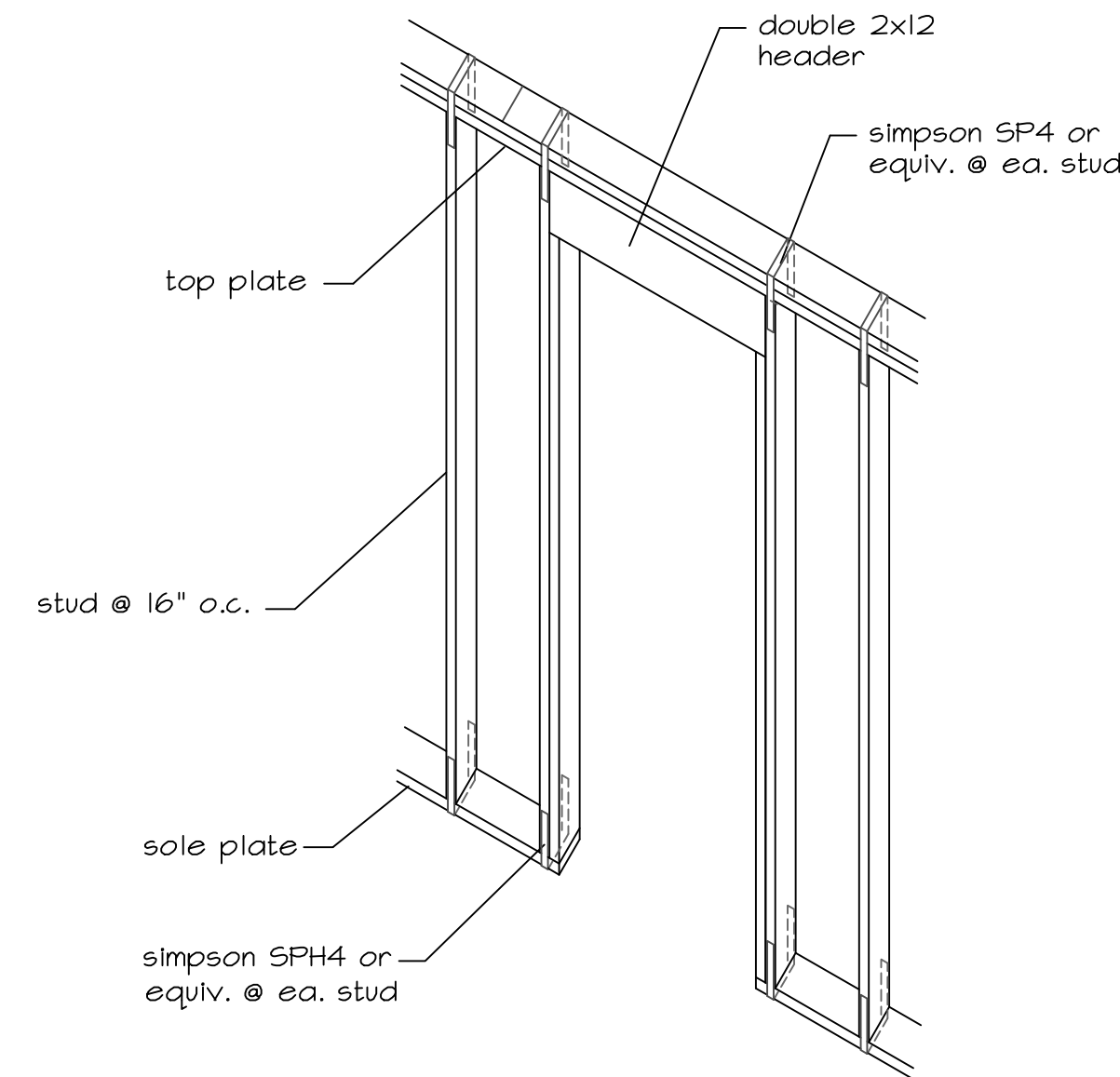
**ROOF PLAN**



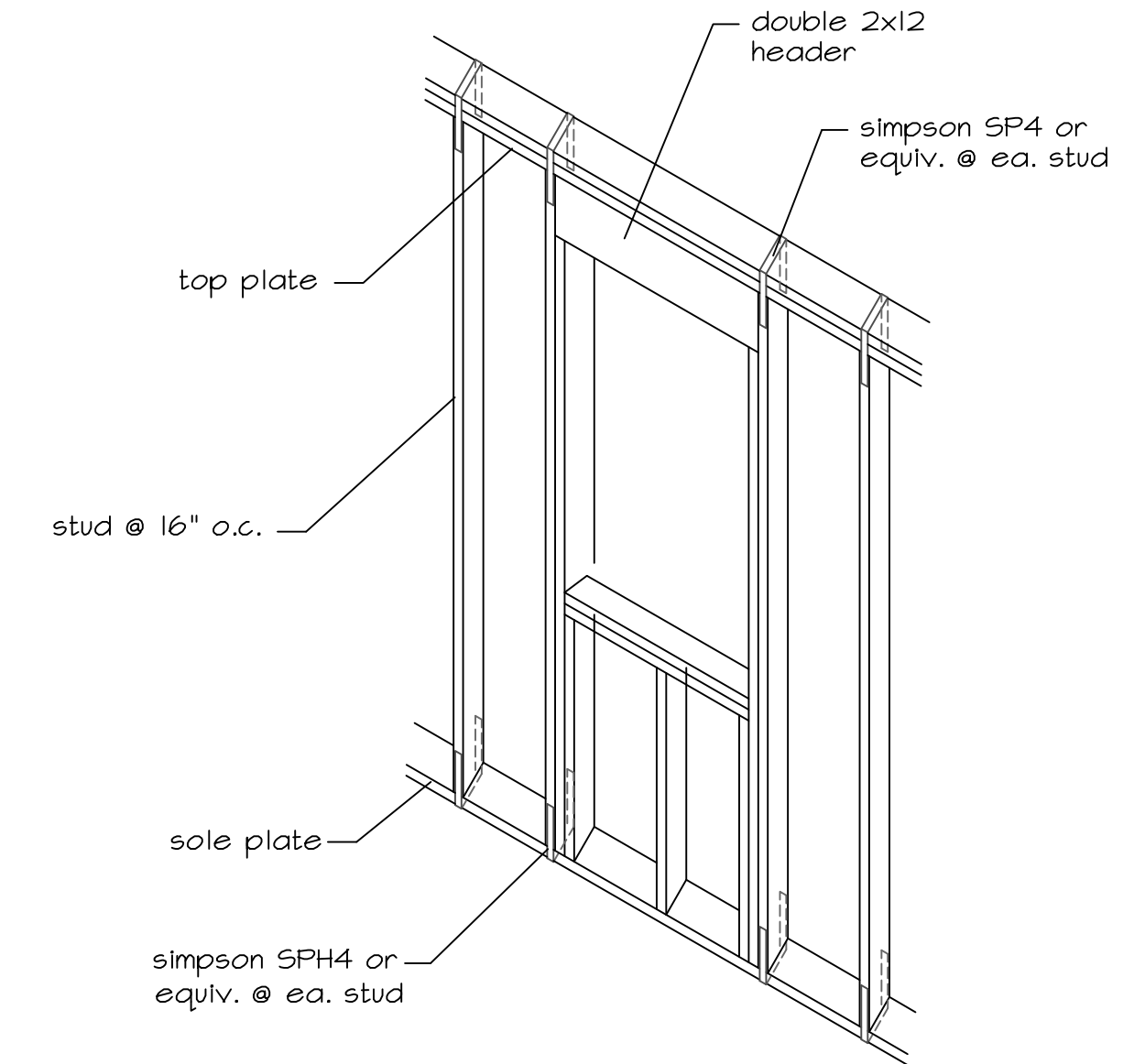
TYP. WALL SECTION

**GEN. NOTES:**

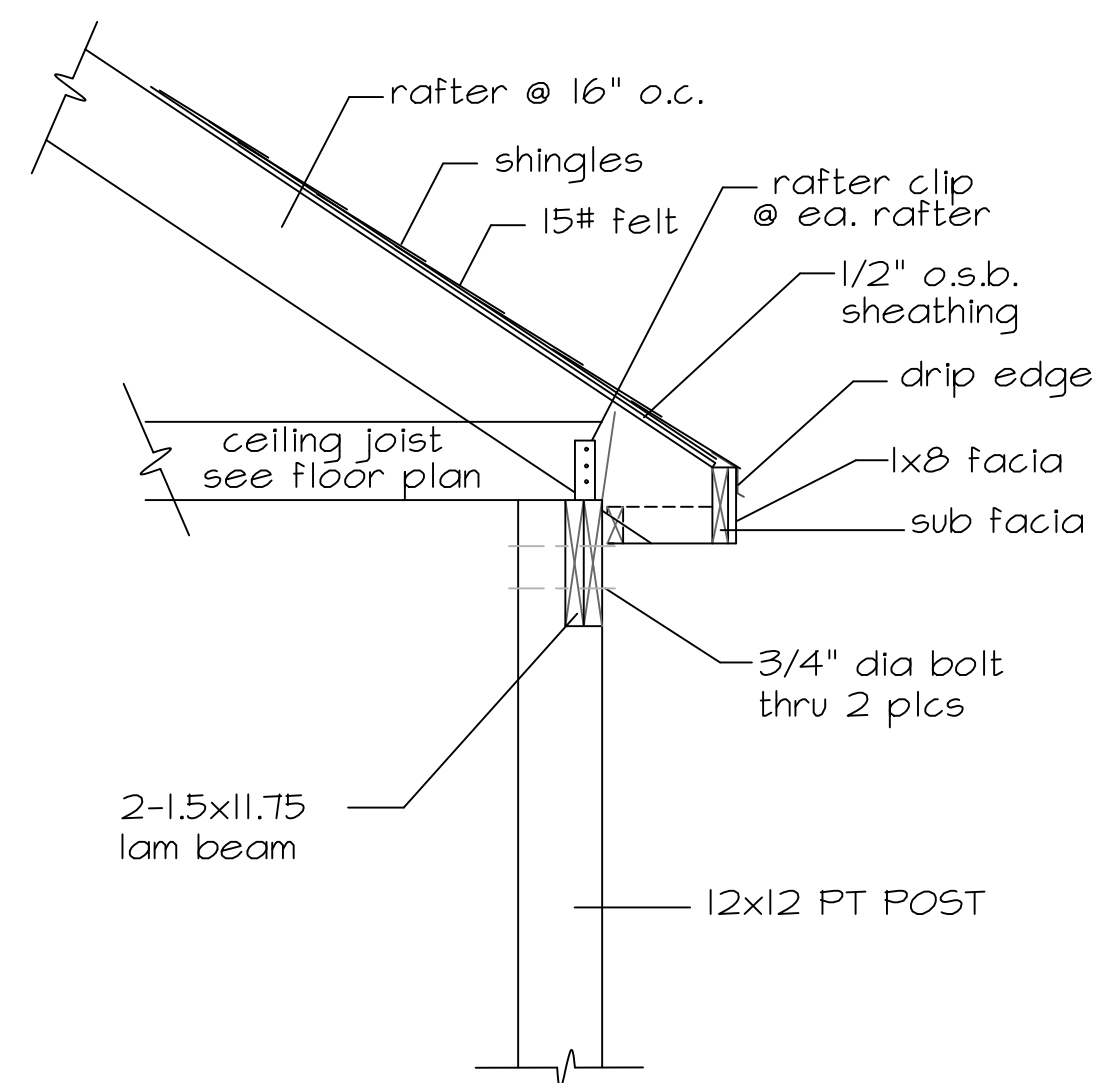
1. All work shall be performed in accordance with all applicable national, state and local codes, regulations and FHA/VA MPS.
2. It is the responsibility of the owner and /or general contractor to check all dimensions for the job before construction.
3. Contractor shall insure compatibility of the building with site requirements.
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Door Opening Detail

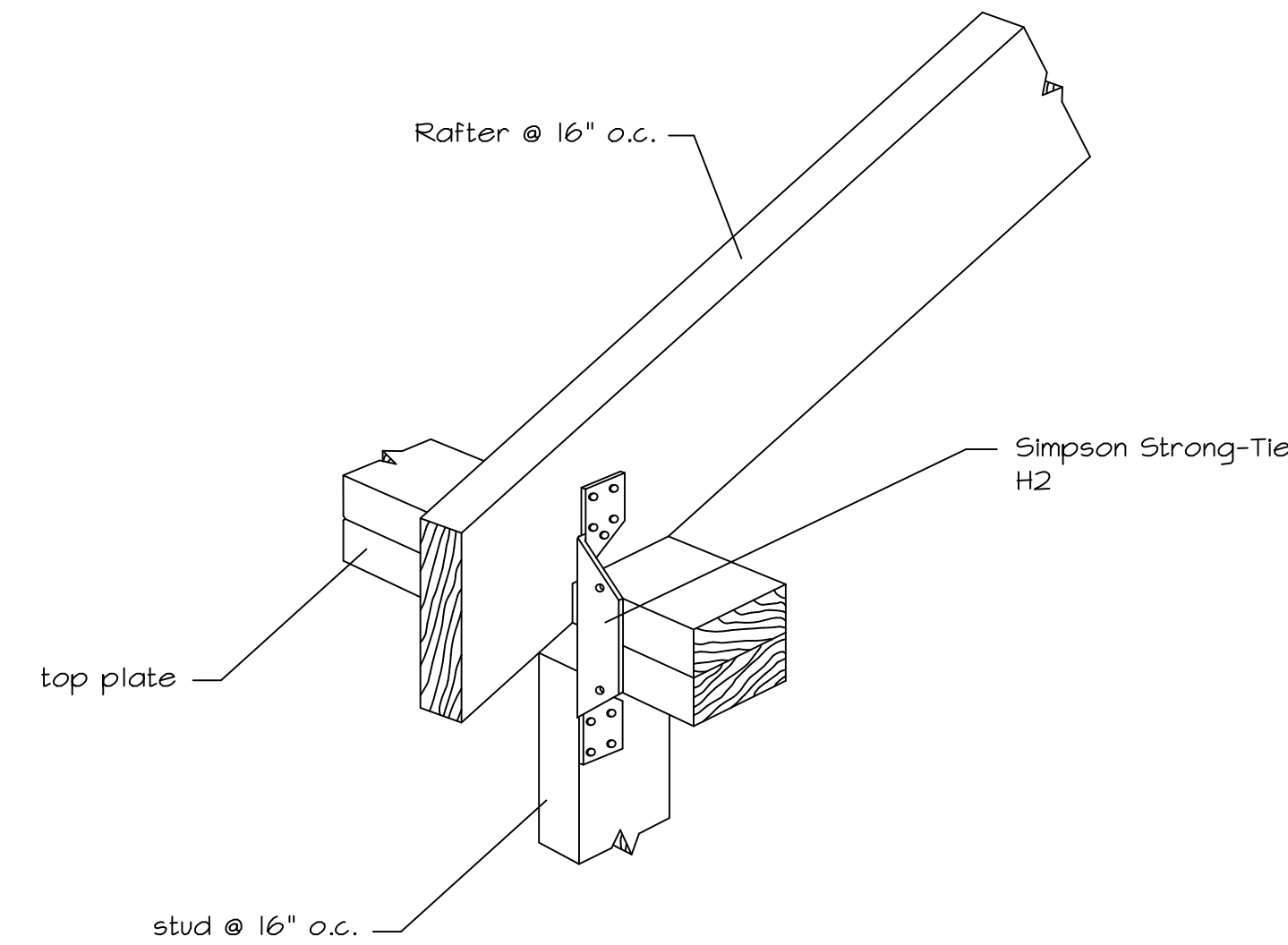


Window Opening Detail

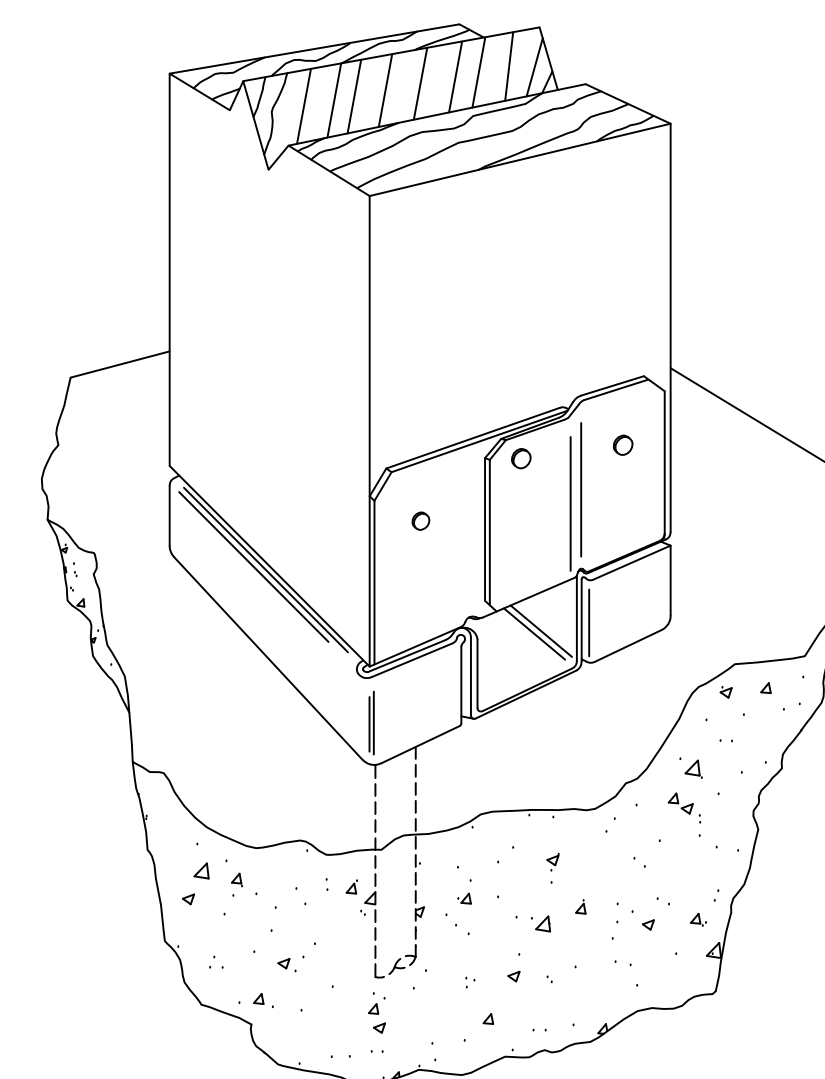


POST/BEAM CONNECTION

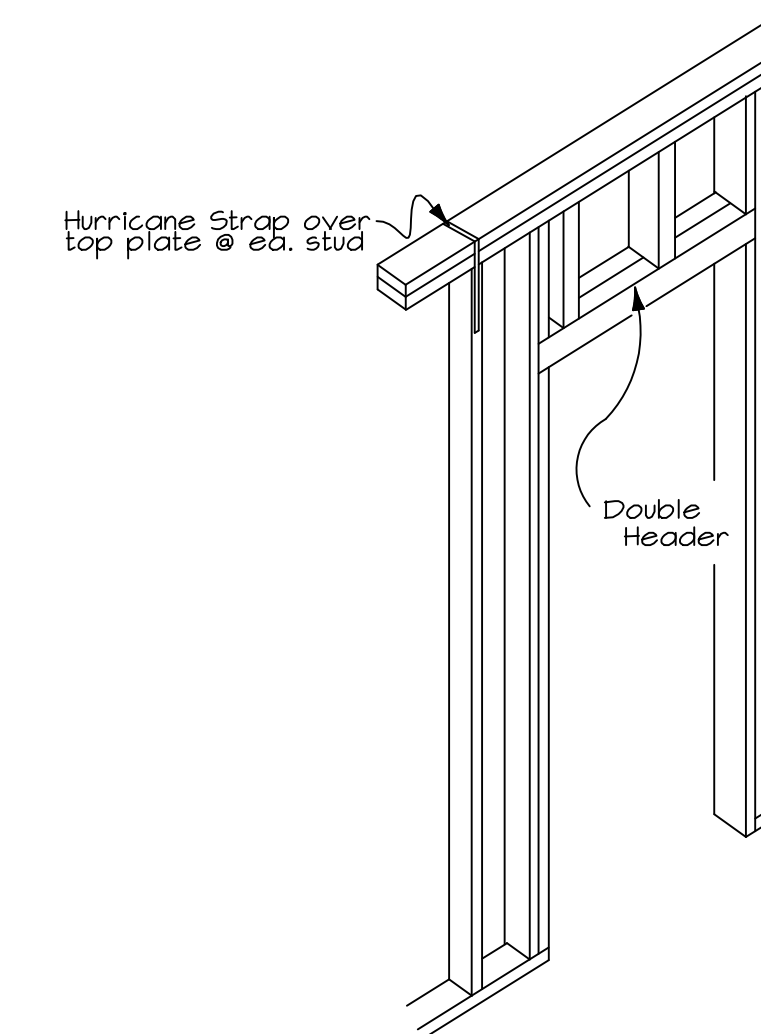
NTS



Rafter Connection Detail



Simpson Strong-Tie ABA44



Door Opening Detail (Interior)

NTS

Drafting  
Design  
Etc.

Residential/  
Commercial  
Drafting,  
Design  
&  
Consultations

401 Pecan Park Dr.  
Bay St. Louis, MS  
39520

Ph. 228-463-1362  
Cl. 228-332-1568

Drafting Design Etc., not being an Architectural or Engineering firm, makes no representation or warranty as to the accuracy or completeness of the information provided in this drawing. Every effort has been made to ensure all dimensions are correct and regulations have been met. If an error or omission does occur, the contractor and/or owner to correct the error and/or omission at his own expense.

Item	Date	Revision

The Residence Of:  
**Tommy Higgins**  
334 Gladstone Street  
Bay St. Louis, MS 39520

**DETAILS**

Job Number:	151023
Scale:	1/4" = 1'-0"
Date:	23 Oct 2015
Dsgn. by:	RDL
Drawn by:	RDL
Chkd. by:	RDL

Sheet

TO: Planning and Zoning Commission  
City of Bay St. Louis

RE: 214 Thomas Street  
Parcel 144N-0-19-040.000  
PT 106 1st Ward, Bay St. Louis

HEARING DATE: November 13, 2024

I have reviewed the application for a Special Exception submitted by Donald Robertson. The property is at 214 Thomas Street, zoned R-1 Single Family District, which requires a primary dwelling on the lot for accessory structures.

The applicant is requesting the following:

1. A special exception to allow the construction of a pergola/accessory structure on a lot that currently lacks a primary dwelling.

The administration recommends that the special exception be approved.

- The Robertson is constructing a house on 223 Leonhard Avenue, which abuts 214 Thomas Street.
- The Hancock County Tax Office can't combine 223 Leonhard Avenue and 214 Thomas Street because 223 Leonhard Avenue is in the Leonhard Subdivision and can be combined with the 214 Thomas Street parcel.

Should further details be required, please don't hesitate to reach out.

Jeremy L Burke  
Zoning Administrator

APPLICATION FOR SPECIAL EXCEPTION TO THE ZONING ORDINANCE

Please complete this form in its entirety; failure to do so may cause a delay in the submittal of your application to the Planning and Zoning Commission.

The following information is required before this application will be submitted to the Planning and Zoning Commission for consideration.

OWNER: Donald Robertson

ADDRESS: 223 Leonhard Ave. & 214 Thomas St.

Bay St. Louis, MS

PHONE: 972-689-3910

ADDRESS OF PROPERTY IN QUESTION IF DIFFERENT FROM ADDRESS STATED ABOVE

1. Legal description of property to be considered for variance as described in the Hancock County tax rolls:

Lots 9 & 10 BLK 4 Leonhard Subdivision and

PT 106 1st Ward

2. Parcel number(s) as described in the Hancock County tax rolls:

144N-0-19-065 & 144N-0-19-040 .000

3. Present Zoning: Residential

4. Present use of building/property: Residential and backyard for 223 Leonhard Ave.

5. Application fee of \$<sup>250</sup>~~100~~ (Residential): \$250 # 00515969

Application fee of \$<sup>250</sup>~~100~~ (Commercial):

Please submit the following documentation with your application:

### Article XIII

#### 1303 APPEALS, HEARING AND NOTICE

Every appeal or application shall refer to the specific provision of the ordinance involved and shall set forth the interpretation that is claimed, the use for which a special exception is sought, or the details of the variance that is applied for and the case may be, and accompanied by a plat or plan, drawn to scale, showing the actual dimensions of the parcel of land to be built upon and used, the size of any building to be erected, and the location of the building upon the lot, the materials to be used and other such information as may be deemed necessary to provide full information regarding intended use. The Municipal Clerk shall forthwith transmit the appeal or application to the Commission together with all papers constituting the record upon which the action appealed from was taken.

#### 1305.2 SPECIAL EXCEPTIONS

A special exception shall not be recommended unless:

1. The special exception shall be oriented and landscaped to produce a harmonious relationship of buildings and grounds to adjacent buildings and properties.
2. The special exception shall produce a total visual impression and environment which is consistent with the environment of the neighborhood.
3. The proposed use will not be detrimental to the use or development of adjacent properties or other neighborhood uses.
4. The proposed use will not be affected adversely by the existing uses.
5. The proposed use will be placed on a lot of sufficient size to satisfy the space requirements of said use.
6. The proposed use will not constitute a nuisance or hazard because of the number of persons who will attend or use such facility, vehicular movement, noise, or fume generation or type of physical activity.
7. Utilities and fire protection services with reference to the location and the use shall be available and adequate.

1. The use for which a Special Exception is sought \_\_\_\_\_

We would like to hire a licenced contractor to build a 15 x 20 pergola on a concrete slab located on our 214 Thomas St. lot. We will add lancaeping and seating for a relaxation area for our family.

2. Grounds upon which it is claimed that the Special Exception shall be granted:

One lot is listed as Leonhard Subdivision and the other is a 1st Ward lot. This is preventing us from moving forward with the building permit.

~~We have recently cleaned up the fence line & remove old vines and growth. This~~ \_\_\_\_\_  
new structure and landscaping will add more improvement and beauty to the lot and street.

3. A plat or plan, drawn to scale, showing the actual dimensions of the parcel of land to be built upon. See Attachments

5. Size of building to be erected, and the location of the building upon the lot.

15x20 Pergola (open area no rooms)

6. Materials to be used (Exterior Finish) and other such information as may be deemed necessary to provide full information regarding intended use.

cedar wood and posts

7. Is the property in question in a sub-division? \_\_\_\_\_

Leonhard is a subdivision - 1st ward is not.

8. If the property in question is within a sub-division, is there an existing covenant running with the land? No

9. If the answer to question 8 is yes, please state the book and page numbers where the stated restrictive covenants are filed in the Chancery Clerks Office of Hancock County. Book Number \_\_\_\_\_ Page Number \_\_\_\_\_

It is warranted in good faith by the owner whose name is signed hereto that all of the above facts are true and correct.

Donald Roberts  
Applicant's Signature

October 2, 2024  
Date

---

FOR OFFICE USE ONLY

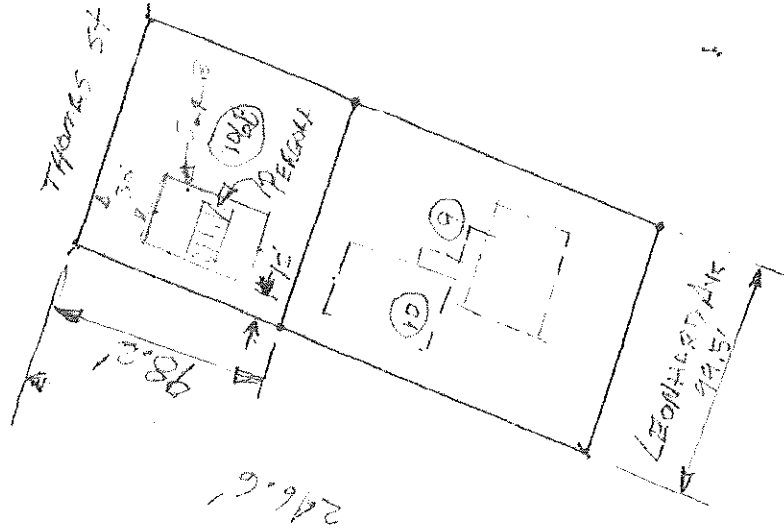
Date of Application received: \_\_\_\_\_

Hancock County  
I certify this instrument was filed on  
07-22-2022 04:51:10 PM  
and recorded in Deed Book  
2022 19960  
Timothy A Keller

Plat of Survey for John & Renee McCarthy  
Lots 9, 10 & 106B, Leonhard Subdivision  
Hancock Co.  
Thomas Street, Bay St Louis, MS 39520

Scale: 1"=145'  
Date of survey: 7-14-22 by Voda & Enriquez  
Drawn by O'Steen: 7-19-22  
Bearings based on GPS, Grid North NAD 83  
Class: B Survey  
Reference Material  
1) Hancock Co. Tax Map  
2) Aerial Photograph  
3) Official Plat of Leonhard Subdivision

- Ø = Diameter
- = set 3" diameter rebar with a plastic cap bearing the name & license number of surveyor
- N/F = New or formerly owned by
- rd = found
- POC = Point of Commencement
- POB = Point of Beginning
- (S) = Measurement as determined by survey
- (M) = Measurement according to Record
- = Powerline
- = Chain Link Fenceline
- = Land book - same owner on both sides
- = Line graphically shortened to fit (not to scale)



Proj. No. 220708  
Sheet 1 of 1

Shawn E. O'Steen, PLS 2851  
78 KP Boiling Rd - Perkinston, MS 39573

AKS SURVEYING, LLC  
Surveying the Gulf Coast since 2001  
(601) 928-0966  
VETERAN



144N-0-19-040.000



Parcel Number: 144N-0-19-040.000  
Owner Name: MCCARTHY JOHN ETUX  
Owner Address: 4422 CLAYCUT RD  
Owner City, State ZIP: BATON ROUGE, LA 70806  
Physical Address: 0  
Improvement Type:  
Year Built:0  
Base Area:0  
Adjusted Area:0  
Actual Total Value:12600  
Taxable Total Value:0  
Estimated Tax:219.88  
Homestead Exemption: No  
Deed Book: 2022  
Deed Page: 19957  
Legal Description 1: PT 106 1ST WARD; BAY ST LOUIS  
Legal Description 2:  
Legal Description 3:  
Legal Description 4:  
Legal Description 5:  
Legal Description 6:  
Longitude:0  
Latitude:0  
Square Footage:9447.26

Parcel Number: 144N-0-19-065.000  
Owner Name: MCCARTHY JOHN ETUX  
Owner Address: 4422 CLAYCUT RD  
Owner City, State ZIP: BATON ROUGE, LA 70806  
Physical Address: 223 LEONHARD AVE  
Improvement Type:  
Year Built:0  
Base Area:0  
Adjusted Area:0  
Actual Total Value:29700  
Taxable Total Value:0  
Estimated Tax:518.29  
Homestead Exemption: No  
Deed Book: 2022  
Deed Page: 19957  
Legal Description 1: 9 & 10 BLK 4 LEONARD SUBD  
Legal Description 2:  
Legal Description 3:  
Legal Description 4:  
Legal Description 5:  
Legal Description 6:  
Longitude:0  
Latitude:0  
Square Footage:14359.62

2024 12250  
Recorded in the Above  
Deed Book & Page  
08-23-2024 11:33:54 AM  
Tiffany Lee Cowman  
Hancock County

**PREPARED BY AND RETURN TO:**

Coastline Title & Escrow, LLC  
5405 Indian Hill Blvd  
Diamondhead, MS 39525  
Phone: 228-220-4349  
Fax: 228-678-2215  
File #: 2024-123

**Indexing Instructions: Lot 106B, Block 4 of the Leonhard Subdivision in Hancock County, Mississippi**

**WARRANTY DEED**

**STATE OF MISSISSIPPI  
COUNTY OF HANCOCK**

FOR AND IN CONSIDERATION of the sum of Ten Dollars (\$10.00) cash in hand paid and other good and valuable consideration, the receipt and sufficiency of all of which is hereby acknowledged, we,

**John McCarthy and wife, Renee McCarthy (Grantors)**  
4422 Claycut Road  
Baton Rouge, LA 70806  
(225) 229-5100

does hereby sell, convey and warrant to

**Donald Robertson and Lesli Robertson (Grantees)**  
2733 Woodson Dr  
McKinney, TX 75072  
(972) 689-3910

As joint tenants with full rights of survivorship and not as tenants in common, the following described real property situated and located in Hancock County, State of Mississippi, more

particularly described as follows, to-wit:

**Commence at a found 1/2-inch diameter rebar capped by Chiniche at the West right of way of B Street and the North right of way of Leonhard Avenue, thence run along the North right of way of Leonhard Avenue North 70 degrees 02 minutes 20 seconds West for 399.64 feet to a set 1/2-inch diameter rebar capped by O'Steen at the Southeast corner of Lot 9, Block 4 of Leonhard Subdivision, thence leaving said right of way, run along the East line of said Lot 9 North 20 Degrees 03 minutes 46 seconds East for 148.11 feet to a set 1/2-inch diameter rebar capped by O'Steen at the Point of Beginning, said point being the Northeast corner of Lot 9 and on the South line of Lot 106;**

**Thence run North 20 degrees 03 minutes 46 seconds East for 98.79 feet to a chain link fence corner on the South right of way of Thomas Street;**

**Thence run along said South right of way North 70 degrees 12 minutes 17 seconds West for 99.84 feet to a chain link fence corner also on the South right of way of Thomas Street;**

**Thence, leaving said right of way, run South 19 degrees 58 minutes 05 seconds West for 98.18 feet to a set 1/2-inch diameter rebar capped by O'Steen;**

**Thence run South 69 degrees 51 minutes 18 seconds East 99.68 feet back to the Point of Beginning;**

**Said parcel containing 0.23 acres more or less and located in Lot 106B, Block 4 of the Leonhard Subdivision in Hancock County, Mississippi;**

**The reference meridian for bearings is based on Grid North by GPS observation.**

**The property is reflected on the survey by AKS Surveying, LLC, dated July 14, 2022, attached hereto.**

**Being the property obtained by Grantors under Warranty Deed filed for record on December 29, 2022, in the office of the Chancery Clerk of Hancock County, in Deed Book 2022 at Page 19957.**

The conveyance herein is subject to all easements, roadways, servitudes, restrictive covenants and oil, gas and other mineral reservations, exceptions, conveyances, and leases of record or obvious on reasonable inspection of the subject property.

If bounded by water, the warranty granted herein shall not extend to any part of the above described property which is tideland or coastal wetland as defined in the Mississippi Coastal

Wetlands Protection Act and this conveyance includes any natural accretion and is subject to erosion due to the action of the elements.

The parties agree that the taxes for the current year have been prorated as of this date based on an estimated basis and are hereby assumed by the Grantees herein.

WITNESS OUR SIGNATURES, on this 13<sup>th</sup> day of August, 2024.

**GRANTORS:**

John McCarthy  
John McCarthy  
Renee McCarthy  
Renee McCarthy

STATE OF Mississippi  
COUNTY OF Hancock

Personally appeared before me, the undersigned authority in and for the said County and State, on this 13<sup>th</sup> day of August, 2024, within my jurisdiction, the within named **John McCarthy and Renee McCarthy** acknowledged that they executed the above foregoing instrument on the day and year herein indicated.

Melissa Nunley Reso  
Notary Public  
My Commission expires: 10/23/24



**TAX NOTICES** to be sent to Grantees.

PREPARED BY:

Law Offices of  
LAURA F. PAULK, PLLC  
16127 Orange Grove Road  
Gulfport, MS 39503  
228-831-1818  
LFP File No.: 2308012  
MS Bar No.: 10733

Return To:

Law Offices of  
LAURA F. PAULK, PLLC  
16127 Orange Grove Road  
Gulfport, MS 39503  
228-831-1818  
LFP File No.: 2308012

STATE OF MISSISSIPPI

COUNTY OF HANCOCK

### WARRANTY DEED

For and in consideration of the sum of Ten Dollars (\$10.00), cash in hand paid this date, and other good and valuable consideration, the receipt and sufficiency of all of which is hereby acknowledged,

Marion C. Toledano, Grantor  
8335 Makiki Dr.  
Diamondhead, MS 39525  
228-342-4595

does hereby sell, convey and warrant unto

Donald Robertson and spouse, Lesli Robertson, Grantees  
223 Leonhard Ave.  
Bay St. Louis, MS 39520  
972-689-3911

as joint tenants with full rights of survivorship and not as tenants in common, the following described land and property being located in HANCOCK County, Mississippi, more particularly described as follows:

(See Exhibit A attached)

INDEXING INSTRUCTIONS: Lots 9 & 10, Block 4, Leonhard S/D  
Hancock Co., MS

Said property is no part of the homestead of the Grantor.

A copy of the Certificate of Death for James E. Toledano, Sr. also known as James Edward Toledano, is attached hereto and incorporated herein.

It is agreed and understood that the taxes for the current year have been prorated as of this date on an estimated basis and are assumed by the Grantees. When said taxes are actually determined,

if the proration as of this date is incorrect, the Parties hereto agree to pay on the basis of an actual proration.

This conveyance is made expressly subject to any and all restrictive covenants, rights-of-way, easements, and mineral reservations and any other rights now of record which effect the above described property.

WITNESS MY SIGNATURE, this the 30th day of March, 2023.

*Marion C. Toledano*  
\_\_\_\_\_  
Marion C. Toledano

STATE OF MISSISSIPPI

COUNTY OF HARRISON

Personally appeared before me, the undersigned Notary Public in and for the above named jurisdiction, the within named, Marion C. Toledano, who (severally) acknowledged that he/she/they signed and delivered the foregoing instrument on the day and year therein stated.

Given under my hand and seal, this the 30th day of March, 2023.

*Jennifer L. Lavender*  
\_\_\_\_\_  
NOTARY PUBLIC


My Commission Expires:

\_\_\_\_\_



**Donnie Robertson**

9:49 AM (4 hours ago)

to Ron, me 

Dear Jeremy,

I hope this message finds you well. I recently reached out to the Tax Office regarding the consolidation of my two adjacent lots at 223 Leonhard and 214 Thomas, as we had discussed. Unfortunately, I was informed that they do not qualify for consolidation due to being in different subdivisions—one is part of the Leonhard Subdivision, and the other is categorized as a Ward lot.

In light of this, I plan to submit a special exemption request and will be preparing the necessary paperwork to complete the process. Our objective is to have a licensed contractor build a 20x15 pergola on a slab at the back of the 214 Thomas St. lot. We envision creating an outdoor sitting area behind our home on Leonhard Ave., complemented by landscaping and flowers to enhance the space's aesthetic.

Once I have the paperwork ready, I will pick up the required forms from your office to move forward with this request. I am copying my father as he is helping me with gathering the necessary paperwork. Thank you in advance for your assistance.

Best regards!

Donald and Lesli Robertson  
2733 Woodson Dr.  
McKinney, TX 75072  
DonnieRobertson@gmail.com  
(972) 689-3910  
September 30, 2024

Planning and Zoning Committee  
688 Highway 90  
Bay St Louis, MS 39520

Dear Members of the Planning and Zoning Committee,

I hope this letter finds you well. I am writing to formally request a Special Variance for the installation of a pergola in our backyard. We are in the process of building our new home at 223 Leonhard Ave. We have also acquired the adjacent lot, which directly connects to our backyard. We would like to construct a 15-foot by 20-foot pergola on a concrete slab on the adjacent lot. However, we have been informed by the Bay St. Louis permit office that to obtain the necessary building permit for the pergola, we must first obtain a variance from the Planning and Zoning Committee.

By incorporating the adjacent lot into our backyard, we will not only enhance our family's living space but also contribute positively to the aesthetics and cohesion of our neighborhood by improving and maintaining this vacant lot. We believe that this consolidation aligns with the goals of the Planning and Zoning Committee to promote thoughtful development in our community.

Attached you will find an application for special exception to the zoning ordinance, a survey plat of the two lots and copies of our ownership deeds.

We kindly ask for your consideration of our request and look forward to your support in this matter. Please let us know if there are any additional forms or information you require to proceed with this consolidation.

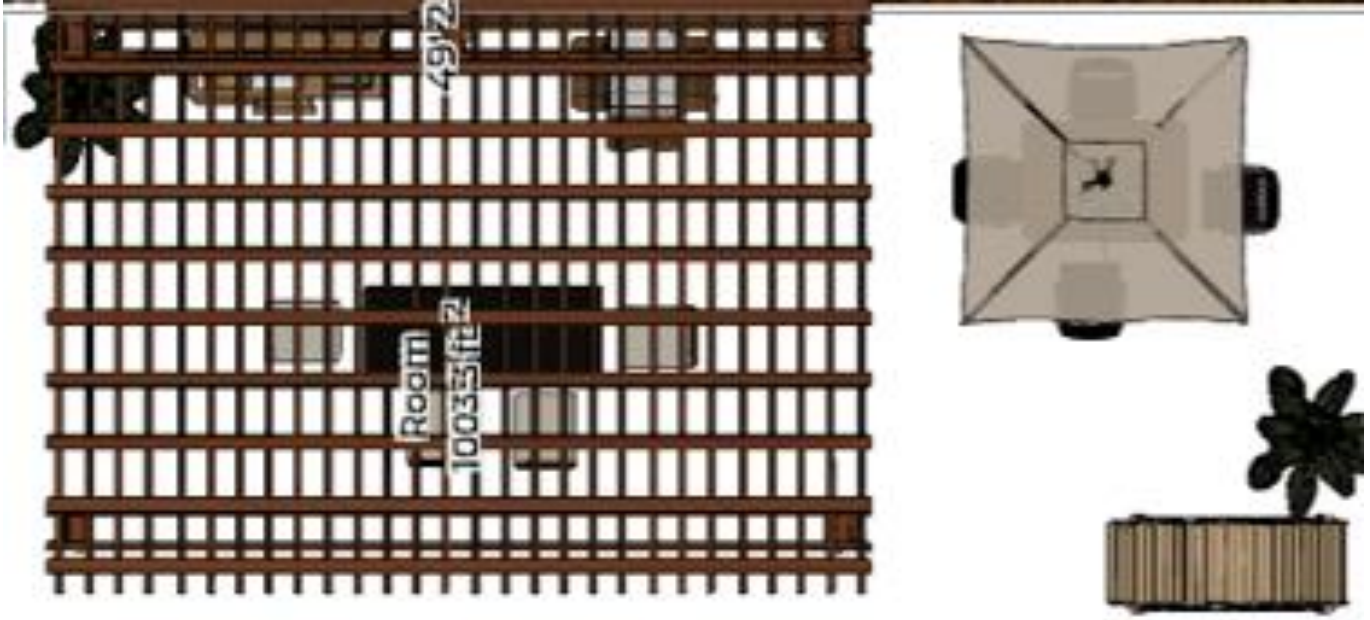
Thank you for your attention to this request. We appreciate your assistance and look forward to your positive response.

Sincerely,



Donald Robertson

attachments



**25 x 50 slab  
(existing)**





Plat of Survey for John & Renee McCarthy  
Lots 9,10 & 106B, Leonhard Subdivision  
Hancock Co.  
Thomas Street, Bay St Louis, MS 39520

Scale 1"=145'  
Date of survey: 7-14-22 by Voda & Enriquez  
Drawn by O'Steen 7-19-22  
Bearings based on GPS, Grid North NAD 83  
Class B Survey  
Reference Material  
1) Hancock Co. Tax Map  
2) Aerial Photograph  
3) Official Plat of Leonhard Subdivision

- Ø = Diameter
- = set 1/2" diameter rebar with a plastic cap bearing the name & license number of surveyor
- N/F = Now or formerly owned by
- Fd = Found
- POC = Point of Commencement
- POB = Point of Beginning
- (S) = Measurement as determined by survey
- (R) = Measurement according to Record
- - - = Powerline
- o-o-o- = Chain Link Fenceline
- Z = Land hook - same owner on both sides
- - - = Line graphically shortened to fit (not to scale)



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**VETERAN**

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Proj.No. 220708  
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