

APRIL 5, 2023

TO: MEMBERS OF THE PASCAGOULA PLANNING BOARD
MICHAEL MOORE, CITY ATTORNEY

JOSH CHURCH, CITY PLANNER, BUILDING OFFICAL
ANGELIA KIMBROUGH, SENIOR ADMINISTRATIVE ASSISSTANT

FROM: PLANNING & BUILDING DEPARTMENT

SUBJECT: REGULAR MEETING OF THE PASCAGOULA PLANNING BOARD
WEDNESDAY APRIL 12, 2023 AT 6:00 P.M.

A. PUBLIC HEARINGS:

1. William Byrd II

2PIDN#41840016.000, 41840001.000, Lots 1, 10 feet of Lot 2, 14, 15, and 16: The request is for a Special Use Permit to operate a Towing Service in Community Commercial (CC) District.



**Planning Board Staff Report
April 12, 2023
Josh Church /Planning and Building Director**

Applicant: William Byrd II

Property Location: South East Corner of Market Street and Dr. Reuben P Morris Dr.

Parcel ID Number: 41840016.000 & 41840001.000

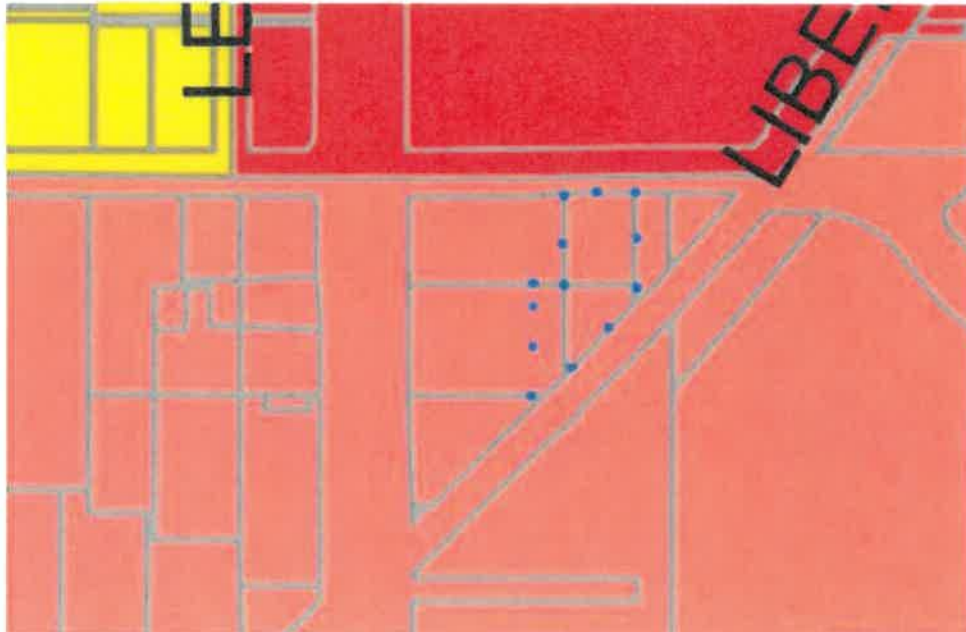
Existing Zoning District: Community Commercial (CC)

Requested Action: Applicant requests a Special Use for a Auto Wrecker Service/ Tow Yard in a Community Commercial zone.

Applicable Zoning Ordinance Section(s): 4.2.B (4.3.D.6.d)

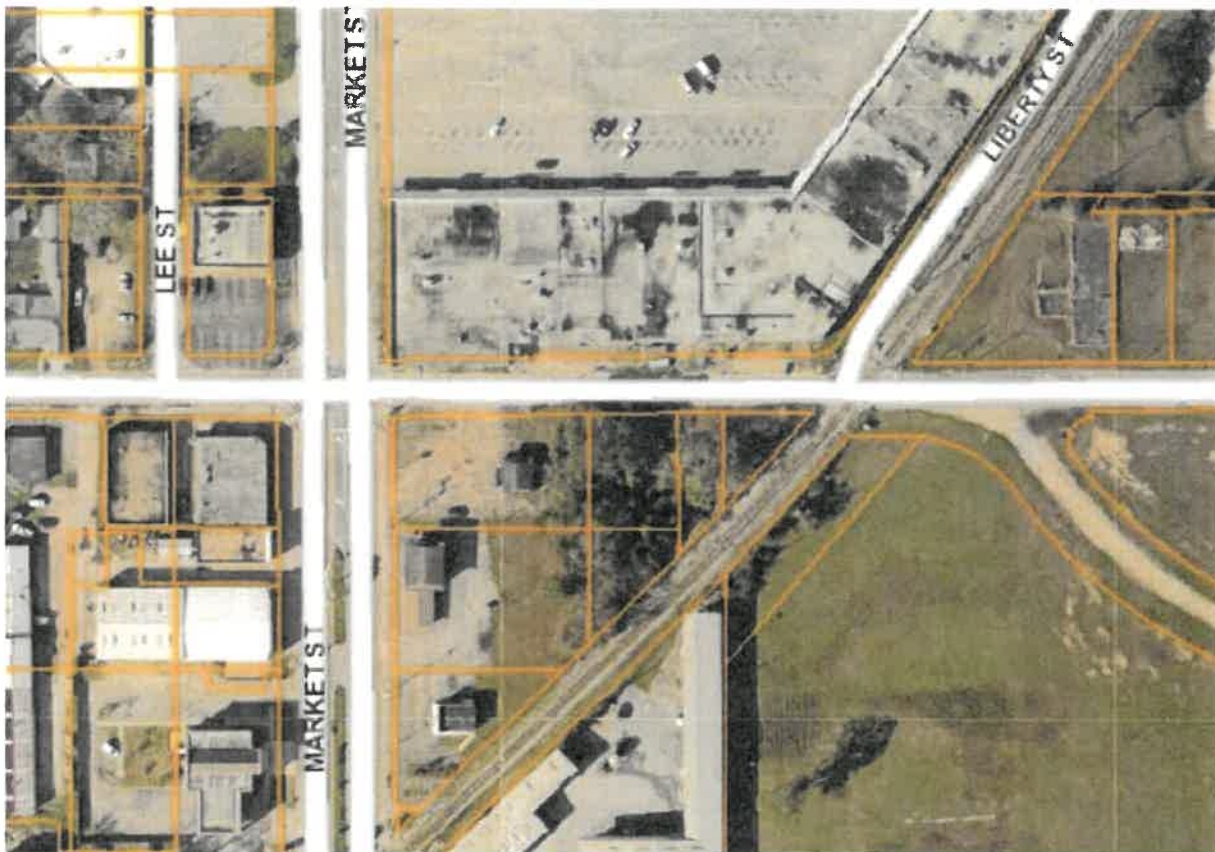
Facts and Findings:

- The applicant, William Byrd, Purchased the subject property, has a bail bonding business there, and wants to operate an Auto Wrecker Service on the rear parcels. The subject property is in a Community Commercial District And has Regional Commercial zoning to the north.



- The Unified Development Ordinance requires a 250' set back from any residential zone and a Special Use Permit for Auto Wrecker Service in a Community Commercial District.

- The UDO only allow Auto Wrecker Services in a CC district with a Special Use.



Public/Community Need:

- The subject property is along Market Street close to Hwy 90 and a Wrecker Service/ Tow yard would not be conducive to this area.

Review Standards:

The requested for a variance and Special use Permit is consistent with the Review Standards (Section 4.2.B (4.3.D.6.d.)

- Is not consistent with city-adopted plans
- Does not demonstrate community need.

Staff Recommendation:

- Staff does not recommend approval of the application for a Special Use.

PASCAGOULA PLANNING BOARD

Notice is hereby given that a Public Hearing will be held by the Planning Board of the City of Pascagoula on April 12, 2023 at 6:00 P.M., in the Council Chambers in the City Hall at 603 Watts Avenue, Pascagoula, MS, to hear the application of:

William Byrd II

For: "The request is for a Special Use permit to operate a towing service in a Community Commercial (CC) District

At: PIDN #'s 41840016.000, 41840001.000: Lots 1, 10 feet of Lot 2, 14, 15 and 16.

The property is zoned Community Commercial (CC), and is located in the City of Pascagoula, Jackson County, Mississippi, and is more particularly described as follows to wit:

Lot 1, Lot 14 and a portion of Lots 2, 15 and 16, and a portion of vacated Terry Avenue, Moore Addition Subdivision, Pascagoula, Jackson County, Mississippi, as recorded in surveyor's record book 1, page 24, in the Office of the Chancery Clerk of Jackson County, Mississippi and being more particularly described with bearings referenced to true or "geodetic" North as:

Commencing at a found ½ iron pin at the intersection of the East right-of-way of Market Street with the South right-of-way of Dr. Rueben P. Morris Drive (formerly Live Oak Avenue), Thence run South 89 Degrees 45 minutes 46 seconds East 177.22 feet to a found ½ iron pin at the Northeast corner of that property described in Deed Book 2070, pages 364-367 as records in the office of the Chancery Clerk of Jackson County Mississippi, Thence run South 00 degrees 03 minutes 19 seconds West 1'03.69 feet along the East line of said property to a found ½ iron pin at the Southeast corner of said property, Thence run North 89 degrees 22 minutes 51 seconds West 89.29 feet along the South line of said property to a set ½ iron pin,, Thence run South 00 degrees 04 minutes 06 seconds East 117.90 feet to a set ½ iron pin in the center of vacated Terry Avenue, Thence run South 89 degrees 30 minutes 02 seconds East 56.85 feet along said center of said vacated Avenue to a found ½ iron pin on the North right-of-way of the Mississippi Export Railroad, Thence run North 45 degrees 03 minutes 02 seconds East 94.76 feet along said right-of-way of said Railroad to a set ½ iron pin on the East line of Lot 16 of Moore Addition, Thence run North 00 degrees 04 minutes 06 seconds West 123.02 feet along the East line of Lot 16 and the East line of Lot 1 of said Moore Addition to a set ½ iron pin on the South right-of-way of Dr. Rueben P. Morris Drive (formerly Live Oak Avenue), Thence run South 89 degrees 50 minutes 35 seconds West 67.14 feet along said righ0of-way of said Road back to the Point of Beginning, Containing 0.47 acres, more or less.

Interested parties may appear at the hearing and speak and submit evidence and written comments on the application. Written comments may be submitted before the hearing, and additional information may be obtained about the application or review process, at the Planning & Building office at 4015 14th Street between the hours of 8:00 a.m. and 5:00 p.m.

After the above hearing, the Planning Board will make a recommendation to the City Council of the City of Pascagoula as to what action should be taken on the above application. The date the application will be presented to the City Council will be announced during the hearing at the Planning Board. The City Council, after receiving the recommendation of the Planning Board and providing an opportunity for new information to be presented, will make the final decision on the application at their public hearing on April 18, 2023 at 6:00 p.m. at Pascagoula City Hall 603 Watts Avenue Pascagoula, Mississippi 39567.

WITNESS MY HAND AND THE OFFICIAL SEAL of the City of Pascagoula,

Mississippi,

This the 22nd day of March, 2023.

A handwritten signature in cursive script that reads "Karen Kennedy".

Karen Kennedy, Asst. City Clerk
By: _____

(SEAL)
(Publication-date March 26, 2023).

IN ORDER TO BE CONSIDERED FOR A VARIANCE OR SPECIAL USE PERMIT, YOU MUST BE ABLE TO SHOW THAT BECAUSE OF SPECIAL CIRCUMSTANCES, A LITERAL INTERPRETATION AND ENFORCEMENT OF THE PROVISIONS OF THE ORDINANCE WOULD CAUSE A HARDSHIP. PLEASE ANSWER THE FOLLOWING QUESTIONS:

1. WHAT SPECIAL CONDITIONS OF THE LAND, STRUCTURE, AND BUILDING THAT CAUSED YOU TO REQUEST A VARIANCE, SPECIAL USE, OR ZONING CHANGE? No zones
2. ARE THE SPECIAL CONDITIONS DESCRIBED A RESULT OF YOUR OWN ACTIONS? No
3. HOW WILL THE LITERAL INTERPRETATION AND ENFORCEMENT OF THE ORDINANCE CAUSE YOU AN UNNECESSARY HARDSHIP? will not be able to operate there

SIGNATURE OF APPLICANT AND PROPERTY OWNER (IF DIFFERENT) _____
SIGNATURE OF APPLICANT [Signature] DATE 2/11/23
SIGNATURE OF PROPERTY OWNER _____ DATE _____

.....
STAFF ONLY
FOR STAFF ONLY* 19+ _____ = _____, this many copies. Letters mailed on _____
DATE RECEIVED _____ TAKEN BY: _____
___ VARIANCE ___ 12 DAY VARIANCE ___ HOME OCCUPATION VARIANCE
___ 13.1 VARIANCE ___ SPECIAL USE PERMIT ___ ZONING CHANGE

SUBJECT PROPERTY AS SHOWN ON TAX RECORDS

NAMES AND ADDRESSES OF THE PROPERTY OWNERS WITHIN 160 FEET OF THE SUBJECT PROPERTY ACCORDING TO THE TAX ROLLS

	NAME	ADDRESS
1.	Deep South Investments Corp	905 Hendy St. Hattiesburg, MS 39401
2.	Gary & Opel Smith	711 St Man / St Parc
3.	Bramfield Properties	P.O. Box 1380 OS 39566
4.	City of Hattiesburg	
5.	Shirley Hopper	P.O. Box 1787 Mendenhall MS 39301
6.	Barber & Stanny Trust	221 Middleton Post
7.	Townsend	W.D. 718367
8.	Cameron LLC	3423 Market St Parc 39567
9.	Community Bank	Coast P.O. Box 1227 Biloxi 39530
10.	Ward Properties LLC	P.O. Box 241525 Montgomery AL 36124
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TO OBTAIN THE LISTING OF PROPERTY OWNERS, GO TO THIS WEBSITE;
<http://mapping.co.jackson.ms.us/jacksoncountywebmap/>

THE TAX DIVISION HAS AIDED IN PREPARING THIS LISTING FOR THE CONVENIENCE OF THE APPLICANT. HOWEVER, THE CITY IS NOT LEGALLY RESPONSIBLE FOR ITS ACCURACY. IT SHALL BE THE RESPONSIBILITY OF THE APPLICANT TO PROVIDE THE CITY NAMES AND ADDRESS OF ALL SUCH ADJACENT AND ADJOINING PROPERTY OWNERS. PLEASE CHECK CAREFULLY THE ABOVE DESCRIPTION IS A TAX DESCRIPTION; THE APPLICANT MUST PROVIDE THE CITY WITH A COMPLETE AND ACCURATE LEGAL DESCRIPTION OF THE PROPERTY IN QUESTION.

41840001.000 BYRD WILLIAM II

