



**Planning Board Staff Report**  
**March 10, 2021**  
**Donovan Scruggs / City Planner**

**Applicant:** Patrick Webb for SPA 2, LLC

**Property Location:** 2522 Jefferson Avenue

**Parcel ID Number:** 40336074.000

**Existing Zoning District:** Neighborhood Commercial (NC) District

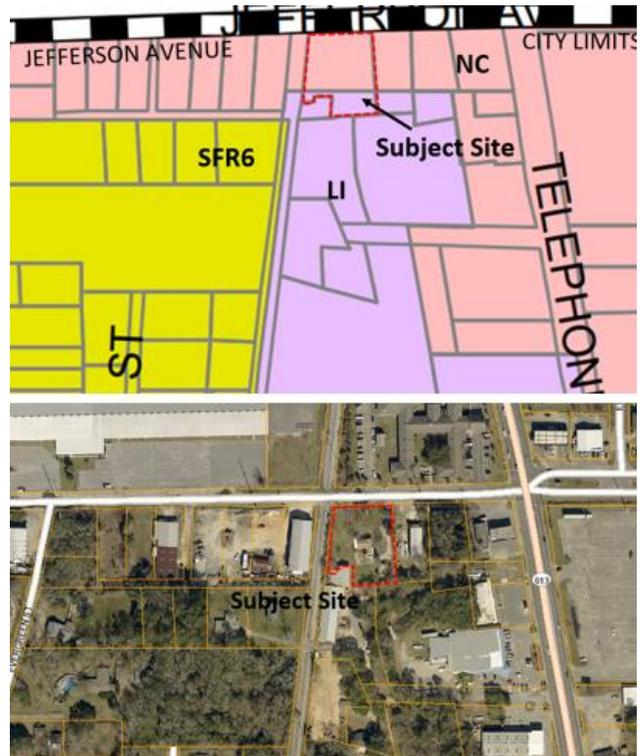
**Requested Action:** Rezone of property from Neighborhood Commercial (NC)/Light Industrial (LI) District to Light Industrial (LI) District; and  
  
Variance of the distance requirements between tow-yard/wrecker service from residentially zoned property.

**Applicable Zoning Ordinance Section(s):** 2.5.B. – Map Amendment (Rezoning)  
2.5.L - Variance

**Facts and Findings:**

- The applicant desires to locate a ‘small tow yard’ at 2522 Jefferson Avenue. The property is located on the south side of Jefferson Avenue. The property is ‘split zoned’ Light Industrial (LI) and Neighborhood Commercial (NC) Districts.
- The applicant is requesting to rezone the parcel from Neighborhood Commercial (NC) and Light Industrial (LI) District to Light Industrial (LI).
- An ‘auto wrecker service’ is a permitted use in the LI District, but it is not permitted in the NC District.
- The property is adjacent to a nonconforming contractor’s storage/lay down yard (west), a nonconforming contractor’s office/yard (east), a contractor’s storage site (south), and commercial businesses (south). To the north is the City of Moss Point. Along the north of Jefferson Avenue are industrial uses (Zachry Industrial - vacant) and a nursing/elderly care home facility.
- The Police Department requires that wrecker services on the accident rotation list maintain an office and storage facility within the city.

**Considerations:**



## Jefferson Ave Rezone and Variance Application

- The subject site is along the south side of Jefferson Avenue at the northernmost area of Pascagoula. The site is located just west of Telephone Road and adjacent to Mississippi Export right of way.
- The property is currently vacant. The residential structure at the site was demolished by the City of Pascagoula in May 2018 as it deteriorated to a state of disrepair.
- While a residential area is present along Jefferson, the area is further to the west of this site and more than 1000 feet from the site.
- To the southwest of the site is an SFR6 District. This is a single family residential district located on the west side of the Mississippi Exports right of way.
- The owner immediately southwest of the site also owns the contractor's storage yard to the west of the proposed site. This site is accessed by Telephone Road and across the Mississippi Export tracks. The owners have indicated that they do not oppose the tow yard.
- The other residential property is located on Evergreen Street. While 'property line to property line', the properties are approximately 200 feet from one another, the residential structure is more than 50 feet away from the proposed tow yard.

### Review Standards:

The requested rezoning is consistent with the Review Standards (Section 2.5.B.2.e.iii.)

- Is required by changed conditions and addresses a demonstrated community need; or
- Is the result of a mistake in the original zoning designation.

The Variance Request shall demonstrate:

- Strict application of requirements results in practical difficulties or unnecessary hardships that would deprive owner of reasonable use;
- Hardships result from circumstances peculiar to land and not to widespread conditions;
- Hardships are not the result of actions by the owner;
- The variance is the minimum necessary to allow reasonable use of the land;
- The variance is in harmony with general purpose and intent of the UDO and preserves its spirit;



**Jefferson Ave Rezone and  
Variance Application**

- The variance would not adversely affect the health or safety of persons within neighborhood or be detrimental to public welfare; and
- The variance does not confer special privileges

**Basis for Rezoning:**

- **Change in Character** - With the removal of the last residential home within the area, the area should not be zoned "Neighborhood Commercial". The uses within the area (Pascagoula and Moss Point) have a greater intensity than permitted within the NC District even though they are nonconforming. The proposed change would represent an extension of the existing LI District to the north. The property is split zoned, and the rezoning would create a consistent and single designation for the parcel.

**Staff Recommendation:**

- Rezoning: Approval - The subject area and uses are likely more suited for Light Industrial than Neighborhood Commercial. The current uses are not consistent with the zoning district. Additionally, sites across Jefferson are also industrial in nature. Based on the continued transitioning from lower intensity neighborhood uses to more intense industrial uses, the rezoning is justified. There is a community need to redevelop underutilized properties, and the current site has been cited for code violations.
- Variance: Approval - The separation between residential structures on Evergreen exceeds the distance requirement between uses. The proposed use is consistent with surrounding properties. The site is consistent with proposed use.