



City of Ocean Springs Planning Department
1018 Porter Avenue / PO Box 1800 Ocean Springs, MS 39564
(228) 875-4415

CONDITIONAL USE PERMIT APPLICATION

Effective June 11, 2006, the following application fees apply:

Application Fee Required*: **\$ 250.00 (NON REFUNDABLE)**

\$ 1.00 (Per Ordinance 2022-17 following the requirements of Section 25-60-5 MS Code Annotated)

applicant responsible for all public mailer fees

AND MUST BE PAID FOR BY THE APPLICANT BEFORE MAILING.

Application Date: _____

(Applications are due by the 7th of each month for the meeting scheduled for the subsequent month.)

Indicate Request: Change In Zoning District _____ Use Permit _____ Conditional Use Permit _____

Applicant Information

Address of Lot(s): _____

Parcel ID(s): _____

1. Applicant: _____ Phone: _____

Address: _____ Email: _____

2. Owner of Record: _____ Phone: _____

Address: _____ Email: _____

COMPLETE THE FOLLOWING:

1. Current Zoning classification of property: _____

2. Explain the present use of the property and condition of any existing structures: _____

3. Describe the intended use of property: _____

4. Reason for request: *Must include 1) A description of the change/changes in the neighborhood that justify the change (when/where) OR the mistake made in the zoning map if applicable; AND 2) The public need for the new zoning district type.*_____

ATTACHMENTS REQUIRED:

- _____ 1. Application Fee. Amount \$ 250.00
- _____ 2. Map of the property and the surrounding neighborhood.
- _____ 3. Diagram of intended use, showing dimensions and distances of property, building and their setbacks; parking spaces, entrances and exits.
- _____ 4. Legal description; street address.
- _____ 5. Copy of protective covenants or deed restrictions, if any.
- _____ 6. Copies of approvals or requests of approval from other agencies such as: Health Department, Miss. Air and Water Pollution Control Commission, Corps of Engineers, Department of Marine Resources Council, etc.
- _____ 7. Proof of Ownership
*** *If applicant is authorized to represent property owner, applicant must provide documentation signed by the property owner.*

Signature of Property Owner

Signature of Applicant

Print name

Print name

Date

Date

Section 2.18.6 is the Approval Criteria for Conditional Use Permits. The permit requires two public hearings with Planning Commission and the Board of Alderman. Please demonstrate how your project is compatible with the criteria set below.

A conditional use is permitted only if the Applicant demonstrates that:

- A. The proposed conditional use shall comply with all regulations of the applicable zoning district and any applicable supplemental use regulations.
- B. The proposed conditional use shall conform to the character of the neighborhood within the same zoning district in which it is located. The proposal as submitted or modified shall have no more adverse effects on health, safety, or comfort of persons living or working in the neighborhood, or shall be no more injurious to property or improvements in the neighborhood than would any other use generally permitted in the same district. In making such a determination, consideration shall be given to:
 - 1. The location, type, and height of buildings or structures;
 - 2. The type and extent of landscaping and screening on the site; and
 - 3. Whether the proposed use is consistent with any policy of the comprehensive plan that encourages mixed uses and/or densities.
- C. Adequate utilities shall be provided as set forth herein.
- D. Adequate measures shall be taken to provide ingress and egress so designed as to minimize traffic hazards and to minimize traffic congestion on the public roads.
- E. The proposed use shall not be noxious or offensive by reason of vibration, noise, odor, dust, smoke, or gas.
- F. The proposed use shall not injure the use and enjoyment of the property in the immediate vicinity for the purposes already permitted nor substantially diminish or impair the property values within the neighborhood.
- G. The proposed use shall not impede the orderly development and improvement of surrounding property for uses permitted within the zoning district.
- H. The establishment, maintenance, or operation of the proposed use shall not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare.
- I. The public interest and welfare supporting the proposed use shall be sufficient to outweigh the individual interests that are adversely affected by the establishment of the proposed use.
- J. The proposed uses and structures comply with the sustainability requirements of the UDC.