

REGULAR MEETING OF THE PASCAGOULA PLANNING BOARD
TUESDAY, MAY 28, 2019 AT 4:00 PM
CITY OF PASCAGOULA, MISSISSIPPI

The Planning Board of the City of Pascagoula, Mississippi, met at City Hall in a Regular Meeting on Tuesday, May 28, 2019 at 4:00 P. M.

The following official(s) were present:

Linda Tillman (Vice-Chairman)
David Greene (At-large)
Charles Barnes
Craig Summerlin
Stewart Keene

Official(s) not present:

Wesley Smith (Chairman)

Other officials present:

Donovan Scruggs, City Planner
William Dunnam, Building Official
Adam Burks, Code Enforcement Supervisor
Josh Church, Building Inspector
Brett Stevens, Code Enforcement Officer

A. APPEAL HEARING:

1. John Green

1306 Kenneth Avenue: Requested Action: Appeal the condemnation of a structure located at 1306 Kenneth Avenue.

John Green along with his attorney, Marcus Pittman Jr., was present for the Appeal. Mr. Pittman stated their position is that John Green received written notice on May 6, 2018 that his home was condemned for human habitation. Mr. Pittman stated city code requires that Mr. Green receive a hearing prior to the meeting to specify what stipulations needed to be met. Marcus Pittman stated that his client wasn't given the opportunity to address the stipulations prior to the hearing. Mr. Pittman stated the City of Pascagoula did not comply with the law.

After hearing from Attorney Marcus Pittman, Donovan addressed the Planning Board stating the city's position was different. Donovan stated the city has the ability to condemn property for various reasons, and this property was looked upon as having considerable health and safety violations. Donovan stated in August 2018, a Guilty Judgement was filed against the owner for operating a boarding house and other violations. Donovan noted that on April 22, 2019, a letter was sent to the owner requesting an inspection to determine if corrective actions have been taken. The property owner (appellant) did not allow the city inspectors or code officers to enter the site for inspection. He noted that a warrant was provided, and an inspection was done on May 6, 2019.

Upon inspection of the property, a condemnation order was issued. Scruggs indicated (with slides and images) that the house was unfit of habitation noting the amount of clutter, access and fire issues, and lack of use of the kitchen due to clutter and uncleanliness.

Building Inspector Josh Church continued with the images and explained to the Planning Board the pictures. He noted significant failure in the foundation and roof structures. He noted the roof failure led to more problems in the ceiling and walls. He explained images of rot and scabbing of floor supports. He provided images of open plumbing under the house and faulty wiring.

Donovan explained that the house and structure are considered nonconforming, and that this limits the amount of money that can be invested in the structure without bringing it up to code. He stated that a single family residential home is not a permitted use in the RC district. He stated that based on the County's low value placed on the structure, repairs cannot be done without bringing the property into compliance.

After hearing the Staff's recommendation to uphold condemnation as ordered by the Planning and Building Department, and there being no further objections. A motion was made by Craig Summerlin to UPHOLD THE CONDEMNATION. The motion was seconded by Stewart Keene and the vote thereupon was as follows: Craig Summerlin "AYE", Charles Barnes "AYE", David Greene "AYE", Linda Tillman "AYE" Stewart Keene "AYE".

The recommendation to UPHOLD THE CONDEMNATION will go to the City Council for consideration on June 4, 2019.

There being no further business to discuss the meeting was adjourned at 4:24 p.m.