

To: Bay St. Louis Planning and Zoning Commissioners

From: Laura Comiskey Broders, 636 N. Beach Boulevard, Bay St. Louis

Re: Application of L&H Holdings, LLC ("Applicant") for Variance to the Subdivision Regulations of City of Bay St. Louis (re: replat of one existing parcel into two separate parcels located at 717 N. Second Street, one of which will be an interior lot with no frontage on a dedicated public street ("Subject Property"))

Date: October 15, 2025

Honorable Commissioners:

Laura Comiskey Broders, owner of the property, which shares a portion of the Southern boundary of the Subject Property which is a part of several parcels held by Applicant, L&H Holdings, objects to the pending referenced application for variance by L&H.

Article II - Definitions, Section 200.61: "Variance - The granting of permission to use or alter land which requires a variation from the strict application of the requirements of the Subdivision Regulations. Variances are granted only if specific criteria are met. A variance may not be granted to develop land in a manner that is not permitted in the Subdivision Regulations."

The basic principles of zoning variances recognize that variances are not granted for a hardship that the property owner creates. (Section 320.7b. of the Subdivision Regulations). Section 320.7 establishes six criteria that the Commission must find to exist in order to grant a variance.

Here, the variance sought assumes the 717 N. Second Street property will be replatted or divided to create a land-locked parcel, the "Subject Property". However, the Bay St. Louis Subdivision Regulations, Section 314.4, does not permit land to be developed with land-locked parcels. Yet, Section 314.4 is the very regulation that Applicant relies upon to seek permission to develop its land in a way not permitted.

Section 314.4 states: " Every lot shall abut a dedicated street for at least the minimum width of a lot at the building setback line, as set forth in the Bay St. Louis Zoning Ordinance. Variances may be granted to this street frontage upon approval by the Commission and City Council in the case of cul-de-sacs and curves in streets. However, every lot must abut a dedicated street for distance of at least thirty (35) feet."

There is no information that there is a cul-de-sac or curve here; in fact, there are no streets near the proposed land-locked property that Applicant indicates it wants to create. In any event, the last sentence leaves no room for any interpretation that would permit this variance to be granted: "...However, every lot must abut a dedicated street for distance of at least thirty (35) feet." Absent a 35' frontage of a lot on a dedicated street, the variance is not possible and the 717 N. Second Street property should not be replatted or divided to permit a self-created hardship. The hardship for which it is requesting the variance is Applicant's own making.

Respectfully, I urge the Commission and the City of Bay St. Louis to deny this application.