

AGENDA
ZONING BOARD OF ADJUSTMENT AND APPEALS
CITY HALL COUNCIL CHAMBERS
THURSDAY, APRIL 21, 2022 AT 3:00 PM

- A. Prayer**
- B. Pledge of Allegiance**
- C. Call to Order**
- D. Determination of a Quorum**
- E. Confirmation of Agenda**
- F. Adoption of Minutes**

F1. Zoning Board Meeting - March 17, 2022

- G. Hearing of Cases**

G1. Public Declaration of Appeal Process of Chairman

Any person or any officer, department or agency of the City aggrieved by any decision of the Zoning Board of Adjustment and Appeals may, within fifteen (15) days thereafter appeal there from to the mayor and City Council by filing with the Planning Division a written notice of appeal specifying the decision from which the appeal is taken. In case of such appeal, the Zoning Board shall cause a transcript of the proceedings in the case to be certified to the mayor and City Council, and the matter will be heard on said transcripts. The filing fee for an appeal, is based on the actual cost of the required official transcript and any related miscellaneous charges. Any appeal shall be in writing and submitted to the Department of Urban Development-Planning Division stating what decision is being appealed and detailing how you are aggrieved.

G2. Anyone speaking today is asked to complete a "Speaker's Card".

Please provide the completed card at the time you speak to the Zoning Board. City staff personnel can assist in any questions you may have or in completing the card. This public meeting is open to all for comment.

G3. Routine Agenda

1. Variance 2204ZB046:

Variance 2204ZB046, by agent Frank Magee, tax parcel 0810P-02-024.000, Request variance parking space reduction, backing into the right-of-way, 1220 Pass Rd, Zoned B-2 (General Business), Ward 3

2. Variance 2204ZB050:
Tabled to May 19, 2022 Meeting

Variance 2204ZB050, by owners Jack and Kelly Krongard, tax parcel 1010O-02-002.000, Variance for fence height, 1942 Beach Dr, Zoned R-1-7.5 (Single-family), Ward 2

3. Variance 2204ZB053:

Variance 2204ZB053, by owner Kyle Fitzpatrick, tax parcel 0708A-01-016.001, Variance for fence material, 12503 Old Hwy 49, Zoned R-O (Residence-office), Ward 7

4. Variance 2204ZB055:

Variance 2204ZB055, by agent Dwane J Babin, tax parcel 0911F-01-026.000, Variance for setbacks, 1532 Hewes Ave, Zoned R-1-7.5 (Single-family), Ward 2

5. Variance 2204ZB063:

Variance 2204ZB063, by agent Travis Construction, tax parcel 1009J-01-001.003, Request variance for accessory structure quantity, max area allowed, 10480 Reichold Rd, Zoned I-2 (Heavy industry district), Ward 5

6. Variance 2204ZB065:

Variance 2204ZB065, by agent Kenneth Jones II, tax parcel 1008F-01-001.000, Variances for parking reduction, setback, Highland Way, Zoned R-B (Residence-business), Ward 6

7. Variance 2204ZB067:

Variance 2204ZB067, by owners Jason and Leena Ulku, tax parcel 1010C-01-001.031, Variance for fence height, 10917 Waterside Dr, Zoned R-2 (Single-family), Ward 5

8. Variance 2204ZB068:

Variance 2204ZB068, by owner Julia Nieto - Gomez, tax parcel 1008D-01-011.000, Request variance for setback, ArrowHead Dr, Zoned R-E (Residential estates), Ward 6

9. Variance 2204ZB071:
Withdrawn by Administration:

Variance 2204ZB071, by agent Heinrich & Associates, LLC, tax parcel 0807E-01-001.000, Variance for lot depth, 15361 S Swan Rd, Zoned R-1-15 (Single-family), Ward 7

10. Special Exception 2204SE074:
Withdrawn by Administration:

Special Exception 2204SE074, by agent Bridget Hutchinson, tax parcel 0811B-01-045.000, Request Assisted living facility use, 2614 16th Ave, Zoned B-2 (General-business), Ward 3

11. Special Exception 2201SE076:

Special Exception 2204SE076, by agent Bridget Hutchinson, tax parcel 0711H-01-007.000, Request Special Exception for assisted living facility use, 13085 Andy St, Ward 1

12. Excessive Height 2204ZB044:
Tabled to April 21,2022 Meeting

Excessive Height 2204ZB044, by agent George Denmark, tax parcel 1010A-01-001.000, Requests a variance for excessive dwelling height, 2230 Runnymede Dr, Zoned R-2 (Single-family), Ward 5

H. Adjournment

MINUTES

ZONING BOARD OF ADJUSTMENT AND APPEALS MEETING

Thursday, March 17, 2022 3:00 P.M.

GULFPORT CITY COUNCIL CHAMBERS

- A. **Prayer**: The Zoning Board led a prayer.
- B. **Pledge of Allegiance**: The Pledge of Allegiance was recited.
- C. **Call to Order**: The meeting of the Planning Commission was called to order at **3:09 pm**.
- D. **Determination of a Quorum**: A Roll Call was conducted and a quorum was determined.

BOARD MEMBERS PRESENT:

LEE PALERMO
LESLIE NORTH
MARY ANN WIGINTON
ROBERT PHARR
NATHAN BODDIE

BOARD MEMBERS ABSENT:

JONATHAN MARSHALL
MICHAEL DANIELS

STAFF MEMBERS PRESENT

GREG HOLMES
CORY LONG
MATILDA WELCH

COURT REPORTER:

NORMA SOROE

E. Confirmation of Agenda:

F. Approval of Minutes:

Motion by **Mrs. North** and seconded by **Mr. Pharr** to approve Minutes of the **February 17, 2022**, Zoning Board meeting was carried unanimously.

G. Hearing of cases:

G1. The declaration of appeal process was read by the Chairman of the Zoning Board: Any person or any officer, department, or agency of the city aggrieved by any decision of the Board of Adjustment and appeals may within fifteen (15) days thereafter appeal there from to the mayor and city council by filing with the Planning Division a written notice of appeal specifying the decision from which the appeal is taken. In case of such appeal, the Planning Division shall cause a transcript of the proceedings in the case to be certified to the mayor and city council, and the matter will be heard on said transcript. The filing fee for an appeal is based on the actual cost of the required official transcript and any related miscellaneous charges. Any appeal shall be in writing and submitted to the Department of Urban Development – Planning Division stating what decision is being appealed and detailing how you are aggrieved.

G2. The Chairman asked all individuals speaking at today's meeting to complete a speaker's card.

G3. Routine Agenda:

1. Variance 2203ZB030:

Variance 2203ZB030, by owner Juan D Castano, tax parcel 0911C-02-003.007, Variance for setback, 1803 Burton Ave, Zoned R-1-7.5 (Single-family), Ward 2

Speaking for the Petition: Juan D. Castano

Speaking against the Petition: None

Motion: Mrs. North – To approve applicant request.

Second: Mrs. Wiginton

Lee Palermo	- Chairman
Leslie North	- Yea
Mary Ann Wiginton	- Yea
Michael Daniels	- Absent
Robert Pharr	- Yea
Nathan Boddie	- Yea
Jonathan Marshall	- Absent

Action: Motion carried unanimously.

2. Variance 2203ZB032:

Variance 2203ZB032, by agent All Signs, Inc, tax parcel 0809D-02-002.000, Variance for wall sign location, 15520 Daniel Blvd D, Zoned B-4 (Highway Business), Ward 7

Speaking for the Petition: Michael G. Hage

Speaking against the Petition: None

Motion: Mr. Boddie – To approve applicant request.

Second: Mrs. North

Lee Palermo	- Chairman
Leslie North	- Yea
Mary Ann Wiginton	- Yea
Michael Daniels	- Absent
Robert Pharr	- Yea
Nathan Boddie	- Yea
Jonathan Marshall	- Absent

Action: Motion carried unanimously.

3. Variance 2203ZB035:

Variance 2203ZB035, by owner Henry J Marcel, tax parcel 0811G-06-010.000, variance for setback, 1801 2nd St, Zoned T4+ (General Urban Zone "Plus"), Ward 2

Speaking for the Petition: Henry J. Marcel

Speaking against the Petition: None

Motion: Mr. Boddie – To approve applicant request.

Second: Mrs. North

Lee Palermo	- Chairman
Leslie North	- Yea
Mary Ann Wiginton	- Yea

Michael Daniels - Absent
Robert Pharr - Yea
Nathan Boddie - Yea
Jonathan Marshall - Absent

Action: Motion carried unanimously.

4. Variance 2203ZB037:

Variance 2203PC037, by agent Olen Anderson, tax parcel 1010G-03-004.000, Variance for barbed wire fence abutting residential zone, 2019 E Pass Rd, Zoned B-2 (General Business), Ward 2

Speaking for the Petition: Olen Anderson

Speaking against the Petition: None

Motion: Mr. Pharr – To approve applicant request.

Second: Mrs. Wiginton

Lee Palermo - **Chairman**
Leslie North - Yea
Mary Ann Wiginton - Yea
Michael Daniels - Absent
Robert Pharr - Yea
Nathan Boddie - Yea
Jonathan Marshall - Absent

Action: Motion carried unanimously.

5. Special Exception 2203SE038:

Variance 2203ZB038, by owner Fitzroy Hunter, tax parcel 0911C-01-178.000, Variance for setback, 2214 Hewes Ave, Zoned R-B (Residence-Business), Ward 3

Speaking for the Petition: Fitzroy Hunter

Speaking against the Petition: None

Motion: Mr. Pharr – To approve applicant request.

Second: Mrs. Wiginton

Lee Palermo - **Chairman**
Leslie North - Yea
Mary Ann Wiginton - Yea
Michael Daniels - Absent
Robert Pharr - Yea
Nathan Boddie - Yea
Jonathan Marshall - Absent

Action: Motion carried unanimously.

6. Variance 2203ZB040:

Variance 2203ZB040, by owner Joseph McCormick Jr, tax parcel 1010N-02-001.000, Variance for fence height, 2331 Curcor Dr., Zoned T4L (General Urban Zone "Limited"), Ward 2

Speaking for the Petition: Janie McCormick

Speaking against the Petition: None

Motion: Mrs. Wiginton – To approve applicant request.

Second: Mr. Pharr

Lee Palermo	- Chairman
Leslie North	- Yea
Mary Ann Wiginton	- Yea
Michael Daniels	- Absent
Robert Pharr	- Yea
Nathan Boddie	- Yea
Jonathan Marshall	- Yea

Action: Motion carried unanimously.

7. Variance 2203ZB041:

Variance 2203ZB041, by agent Jonathan Marshall, tax parcel 0910I-03-025.000, Variances for accessory structure height & size, 621 W Oak Dr, Zoned R-2 (Single-family), Ward 2

Speaking for the Petition: Jonathan Marshall

Speaking against the Petition: None

Motion: Mrs. Wiginton- To approve applicant amended request to allow a 40'x 50' accessory building with a total of 2000 square feet where the maximum square footage is 600 feet. In addition, to approve a height limit of 16 feet where 14 feet is the maximum height.

Second: Mr. Pharr

Lee Palermo	- Chairman
Leslie North	- Yea
Mary Ann Wiginton	- Yea
Michael Daniels	- Absent
Robert Pharr	- Yea
Nathan Boddie	- Yea
Jonathan Marshall	- Absent

Action: Motion carried unanimously.

8. Variance 2203ZB042:

Variance 2203ZB042, by agent Wilson Hunt, tax parcel 0811L-03-016.000, Variance for fence height, 1111 31st Ave, Zoned T4+ (General Urban Zone "Plus"), Ward 2

Speaking for the Petition: Wilson Hunt

Speaking against the Petition: None

Motion: Mr. Boddie – To approve applicant request.

Second: Mr. Pharr

Lee Palermo	- Chairman
Leslie North	- Yea
Mary Ann Wiginton	- Yea
Michael Daniels	- Absent
Robert Pharr	- Yea
Nathan Boddie	- Yea
Jonathan Marshall	- Absent

Action: Motion carried unanimously.

9. **Excessive Height 2203ZB044:**

Excessive Height 2204ZB044, by agent George Denmark, tax parcel 1010A-01-001.000, Requests a variance for excessive dwelling height, 2230 Runnymede Dr., Zoned R-2 (Single-family), Ward 5

Speaking for the Petition: None

Speaking against the Petition:

Motion: Mr. Boddie – To table case to the April 21, 2022 meeting due to the applicant not present at meeting.

Second: Mrs. Wiginton

- | | |
|-------------------|-------------------|
| Lee Palermo | - Chairman |
| Leslie North | - Yea |
| Mary Ann Wiginton | - Yea |
| Michael Daniels | - Absent |
| Robert Pharr | - Yea |
| Nathan Boddie | - Yea |
| Jonathan Marshall | - Absent |

Action: Motion carried unanimously.

Adjournment:

Motion by **Mrs. North** to adjourn the meeting was seconded by **Mrs. Wiginton** and carried unanimously. The meeting adjourned **3:55 pm**.

THESE MINUTES WERE APPROVED BY A VOTE OF THE ZONING BOARD OF ADJUSTMENT AND APPEALS.

Nathan Boddie, Secretary

Date: _____

MEMORANDUM

To: City of Gulfport Zoning Board of Adjustment and Appeals

From: Greg Holmes, Planning Administrator
Urban Development Department

Date of Hearing: April 21, 2022

Re: Public Declaration of Appeal Process of Chairman

MEMORANDUM

To: City of Gulfport Zoning Board of Adjustment and Appeals

From: Greg Holmes, Planning Administrator
Urban Development Department

Date of Hearing: April 21, 2022

Re: Anyone speaking today is asked to complete a "Speaker's Card".

MEMORANDUM

To: City of Gulfport Zoning Board of Adjustment and Appeals

From: Greg Holmes, Planning Administrator
Urban Development Department

Date of Hearing: April 21, 2022

Re: Routine Agenda

MEMORANDUM

To: City of Gulfport Zoning Board of Adjustment and Appeals

From: Greg Holmes, Planning Administrator
Urban Development Department

Date of Hearing: April 21, 2022

Re: Variance 2204ZB046:

Variance 2204ZB046, by agent Frank Magee, tax parcel 0810P-02-024.000, Request variance parking space reduction, backing into the right-of-way, 1220 Pass Rd, Zoned B-2 (General Business), Ward 3

Technical Report

VARIANCE

GENERAL INFORMATION

Case File Number: 2204ZB046

Hearing Date: April 21, 2022

Current Zoning/Use: B-2 / Commercial Structures

Legal: Variance 2204ZB046, by agent Frank Magee, tax parcel 0810P-02-024.000, Request variance parking space reduction, backing into the right-of-way, 1220 Pass Rd, Zoned B-2 (General Business), Ward 3

TECHNICAL DETAILS

Variances involve special cases where unique factors contribute to justify a use of property that does not conform to the City's enforced ordinances. Therefore, variances should not be granted unless they are able to adequately meet the following conditions:

- (a) That special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same district;
- (b) The special conditions and circumstances do not result from the actions of the applicant;
- (c) That an unnecessary hardship is created by the physical character of the property and is peculiar and unusual to such an extent that it is evidence that amendment of the zoning ordinance does not offer a reasonable solution;
- (d) That literal interpretation of the provisions of this ordinance would deprive the applicant of rights commonly enjoyed by properties in the same district under the terms of this ordinance;
- (e) That the granting of the variance will not confer on the applicant any special privilege that is denied by this ordinance to other lands, structures, or buildings in the same district, other than to permit the applicant to use their property in a manner as nearly equivalent to uses generally permitted in the district considering the conditions and circumstances involved and the hardship;
- (f) That the use proposed is permissible by right or with planning approval or by special exception.

(Ord. App. A Sec. VIII (B)(2)(c)(1))

Technical Report

VARIANCE

The applicant requests two variances; (1) Variance to allow seven parking spaces where 14 spaces are required,. (2) Variance to back out into city right-of-way. The applicant requested Planning Commission Approval to allow for a car wash use, located at 1220 Pass Road on March 17, 2022 and was approved by the Planning Commission.

Thus, the existing building was used as a mechanical shop and has been vacant for several years. Therefore, the car wash will be a change of use and will need to meet all current parking requirements. However, the applicant does not meet the current parking requirement and requires a variance. Also, the applicant must provide (1) handi-cap parking space and unloading zone in addition to standard parking.

- (a) The ordinance states that special conditions and circumstances must exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same district; The lot is a pie shaped lot and because of the peculiar shape of the land the cars will be backing out into city right-of-way even though it appears that all parking isles are located on the applicant's property. The irregular shape lot also makes it difficult to the meet required parking. The use requires the applicant to have 14 parking spaces and the applicant is only able to provide seven spaces.
- (b) Further, it is also stated in the ordinance that the special conditions and circumstances do not result from the actions of the applicant. Because the building have been vacant for many years and the last use was a mechanical shop; the change of use requires that the applicant must meet all parking requirements and any other rules and regulations that is set forth by the ordinance at this time.
- (c) These variances are requested in order to allow the applicant to allow seven parking spaces where 14 is required.
- (d) The applicant states, "The property is zoned for a carwash and detailing shop and are much needed in the community.
- (e) The granting of this variance would not grant the applicant special privileges that are denied by this ordinance to other land, structures, or building.
- (f) This property is zoned B-2 (General Business) and this business is a permitted use by planning commission approval.

EXECUTIVE SUMMARY

The approval of this variance would not grant the applicant any special privileges that are denied to other applicants. Pass Road has had several parking variances throughout the city. However, the applicant must provide oil and water separator and must meet all current building codes, ordinances and 2010 ADA Standards.

Any approval should consider these conditions:

- 1. Oil and water separator required.
- 2. Must meet all current building codes, Ordinances and 2010 ADA Standards.
- 3. Approval grants a variance for seven parking spaces where 14 are required.
- 4. Approval grants a variance to back out into the right-of-way.

Technical Report

VARIANCE

DEPARTMENTAL CONDITIONS

Engineering: No comment as of 4/14/2022.

Public Works: No comment as of 4/14/2022.

Traffic and Safety: No conditions. Memo dated 4/8/2022.

Building Code Services: Conditions. Oil and water separator required. Must meet all current building codes, Ordinances and 2010 ADA Standards. Memo dated 4/6/2022.

GIS: No conditions. Memo dated 4/7/2022.

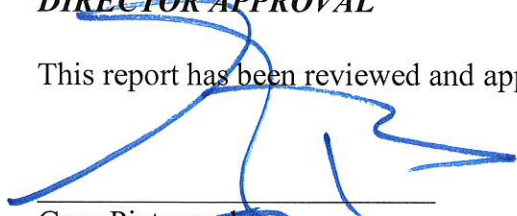
Police Department: No comment as of 4/6/2022.

Fire Department: No conditions. Memo dated 4/11/2022.

City Arborist: No conditions. Memo dated 4/6/2022.

DIRECTOR APPROVAL

This report has been reviewed and approved by:



Greg Pietrangelo
Director of Urban Development Department



CITY OF GULFPORT
Urban Development - Planning Division
1410 24th Avenue
Gulfport, MS 39501
(228) 868-5710

For Staff Use Only

Case File #: 22042B0410Date Received: 2/19/22

Receipt #: _____

Received By: D²Zoning: B-2Ward: 3 Flood: XSize: 10,670 Sq. Ft.

(If necessary, use separate sheet of paper)

TAX PARCEL #

0	8	1	0	P

 -

0	2

 -

0	2	4	.	0	0	6

Address of Property Involved: 1220 Pass Rd, Gulfport, MS 39501Lot(s) 15/A, Block(s) 4, Subdivision _____

General Location: _____

GENERAL DESCRIPTION OF REQUEST:

1. Request - a Variance to 'allow' for 'seven parking spaces where 14 is Required.'
2. Variance to back into City Right of Way

OWNERSHIP AND CERTIFICATION:

I hereby certify that I have read and understand this application and that all information and attachments are true and correct. I also certify that I agree to comply with all applicable city codes, ordinances and state laws. Finally, I certify that I am the owner of the property involved in this request or have authorization to act as the owner's agent for the herein described request.

OWNER

AGENT

Metro Plaza MS LLC.

Printed Name Of Owner

P.O. Box 290315

Mailing Address

Tampa FL 33687

City State Zip code

813-308-0000

Home Phone Work/Cell Phone

MetroPlazaLLC@gmail.com

Email



Signature Of Owner

Printed Name Of Agent

Frank Magee

Mailing Address

14434 Duckworth Cv.

City State Zip code

Gulfport MS 39503

Home Phone Work/Cell Phone

228-669-3131

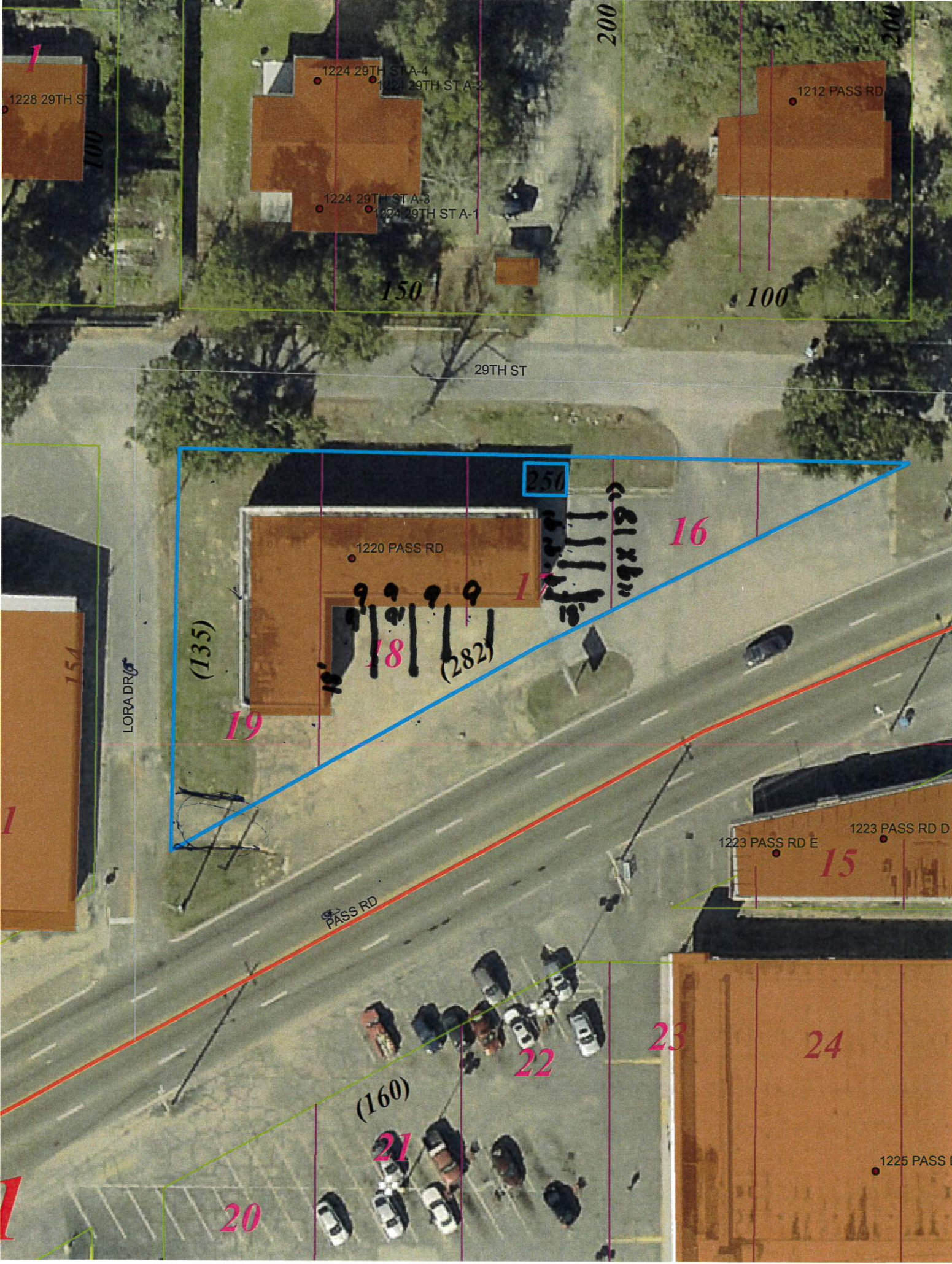
Email

MrFrank.magee65@yahoo.com

Signature Of Agent

If the property or properties listed above have more than one owner, please check this box. In the case of multiple owners, reverse side must be completed. Each additional owner will need to complete and sign the reverse side of this application. We can only accept applications with original signatures.

**SECTIONS A. THROUGH G. MUST BE SUBMITTED FOR A COMPLETE APPLICATION.**



1228 29TH ST

1224 29TH ST A-4
1224 29TH ST A-2
1224 29TH ST A-3
1224 29TH ST A-1

1212 PASS RD

29TH ST

154

LORA DR

(135)

1220 PASS RD

250

16

18 (282)

19

1223 PASS RD E 1223 PASS RD D

15

PASS RD

23

24

22

(160)

21

20

1225 PASS RD

1. The property is located on Pass Rd. Planning department stated that I need a variance; the property location is in the right away, it has to be approved by planning.

2. ~~Measurements are shown below to show that a variance is not needed. (view planning site for measurements)~~

(2.) Request a Variance to Back out in the Right of Way and Reduce number of parking spaces

3. ~~Property does not provide an unnecessary hardship.~~

(3) The Request for 14 parking space only can get 7

4. The property is zoned for a carwash and detail and is much needed in the district.

5. No, I will not receive any special benefits that others who follow the zoning ordinance can not receive

6. The location will only be used as a carwash and detail shop upon planning approval.



Metro Plaza MS LLC.

P.O Box 290315, Tampa FL 33687
Tel: 813-308-0000

To whom it May concerns

Re: 1220 Pass Road, Gulfport, Mississippi, 39501.

I Fadi Mubarak, the President of Metro Plaza LLC.

As per the City of Gulfport permitting and zoning department's request. I am signing the letter to inform that I am president of the company, and I am the person who makes decision for any changes affiliated with the property address listed above, such as permits, zoning or property structuring that might be required in the near future.

For more questions or concerns. Feel free to reach out to me at my direct number or email listed below.

Thank you,

Fadi Mubarak. President of,
Metro Plaza MS, LLC.
10730 N. 56th Street. #200
Temple Terrace FL 33617.
Tel: 813-900-0000
E: MetroPlazaLLC@gmail.com.

Signature: _____

2/9/2022

ACKNOWLEDGMENT OF NOTARY PUBLIC

State of Florida County of Hillsborough, ss.
On this 9th day of February, 2021, before me appeared Fadi Mubarak, as the
LESSOR, and _____, as **LESSEES** of this letter of intent (offer) who proved to me through
government issued photo identification to be the above-named person, in my presence executed foregoing
instrument and acknowledged that they executed the same as their free act and deed.

Notary Public Signature: _____

Print Name: Mutasim Elsheikh

My commission expires: 11/3/2025

(Seal),



MUTASIM ELSHEIKH
Notary Public
State of Florida
Comm# HH194448
Expires 11/3/2025



Covenant Affidavit

I, Fadi Mubarak being owner or agent of the property 1220 Pass Road, Gulfport, ms
PRINT NAME PRIMARY ADDRESS OR PARCEL

which is the subject of this application, hereby state that this variance request is not in violation of any restrictive or protective covenants.

Signature

2/8/2022

Date

STATE OF MISSISSIPPI | COUNTY OF HARRISON

Given under my hand and seal of office this the 8th day of February, 2022

Notary Public

Mutasim Elsheimh



MUTASIM ELSHEIKH
Notary Public
State of Florida
Comm# HH194448
Expires 11/3/2025

11/3/2025

Commission Expiration



Covenant Affidavit

I, Fadel Mubarak being owner or agent of the property 1220 Pass Rd, Gulfport MS
PRINT NAME PRIMARY ADDRESS OR PARCEL

which is the subject of this application, hereby state that this variance request is not in violation of any restrictive or protective covenants.

Signature

2/8/2022

Date

STATE OF MISSISSIPPI | COUNTY OF HARRISON

Given under my hand and seal of office this the 8th day of February, 2022

Notary Public

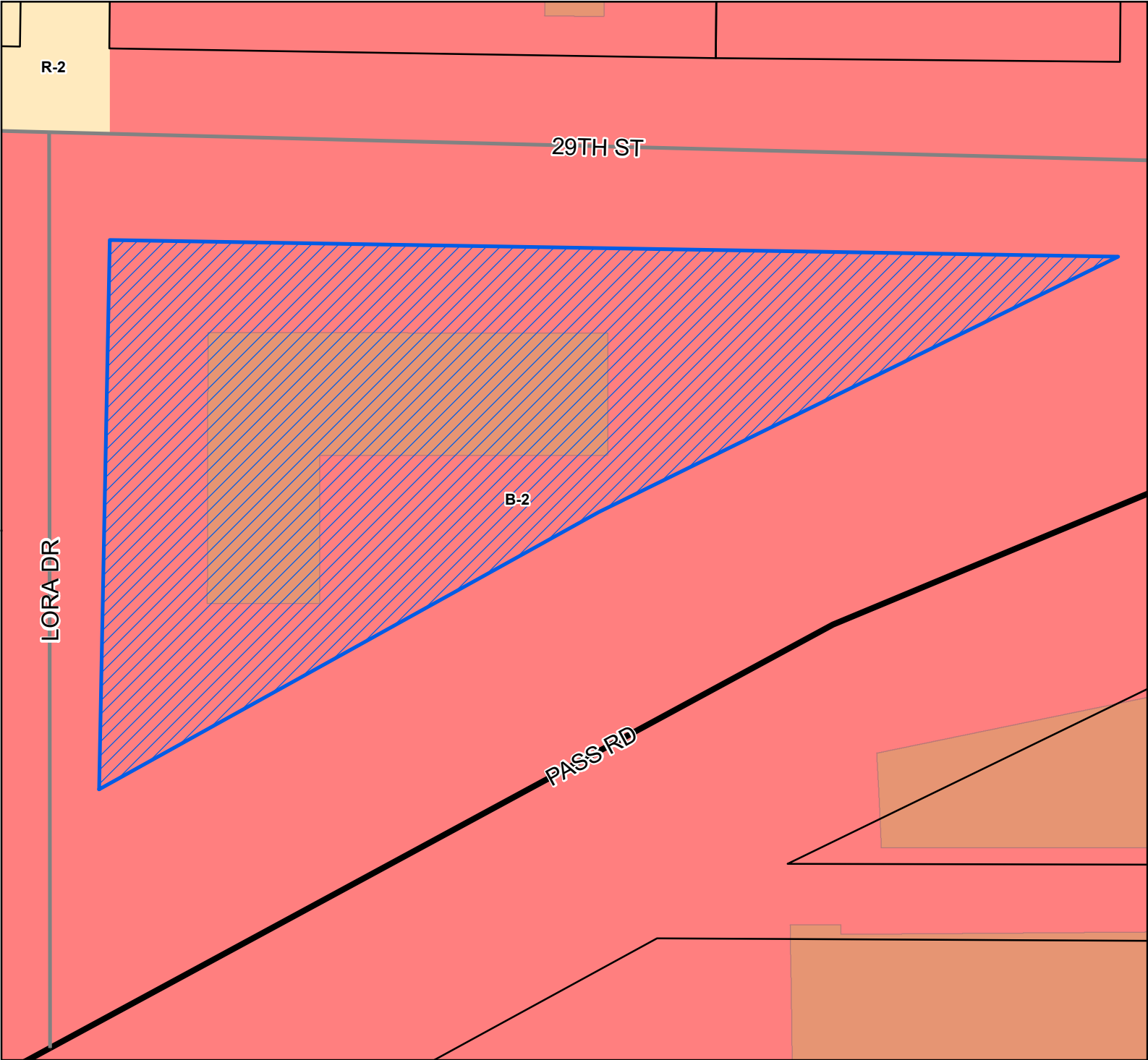
Mutasim Elsheikh



MUTASIM ELSHEIKH
Notary Public
State of Florida
Comm# HH194448
Expires 11/3/2025

11/3/2025

Commission Expiration



Legend

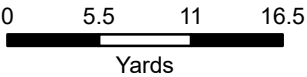
- Site
- US or State Highway
- Street
- Parcels
- Buildings

Zoning

- B-2 - General Business District
- R-2 - Single Family Residence District (Medium Density)

Site Information

0810P-02-024.000
Zoning: B-2 (General Business District)
Size: 16,670 Square Feet
Flood: X

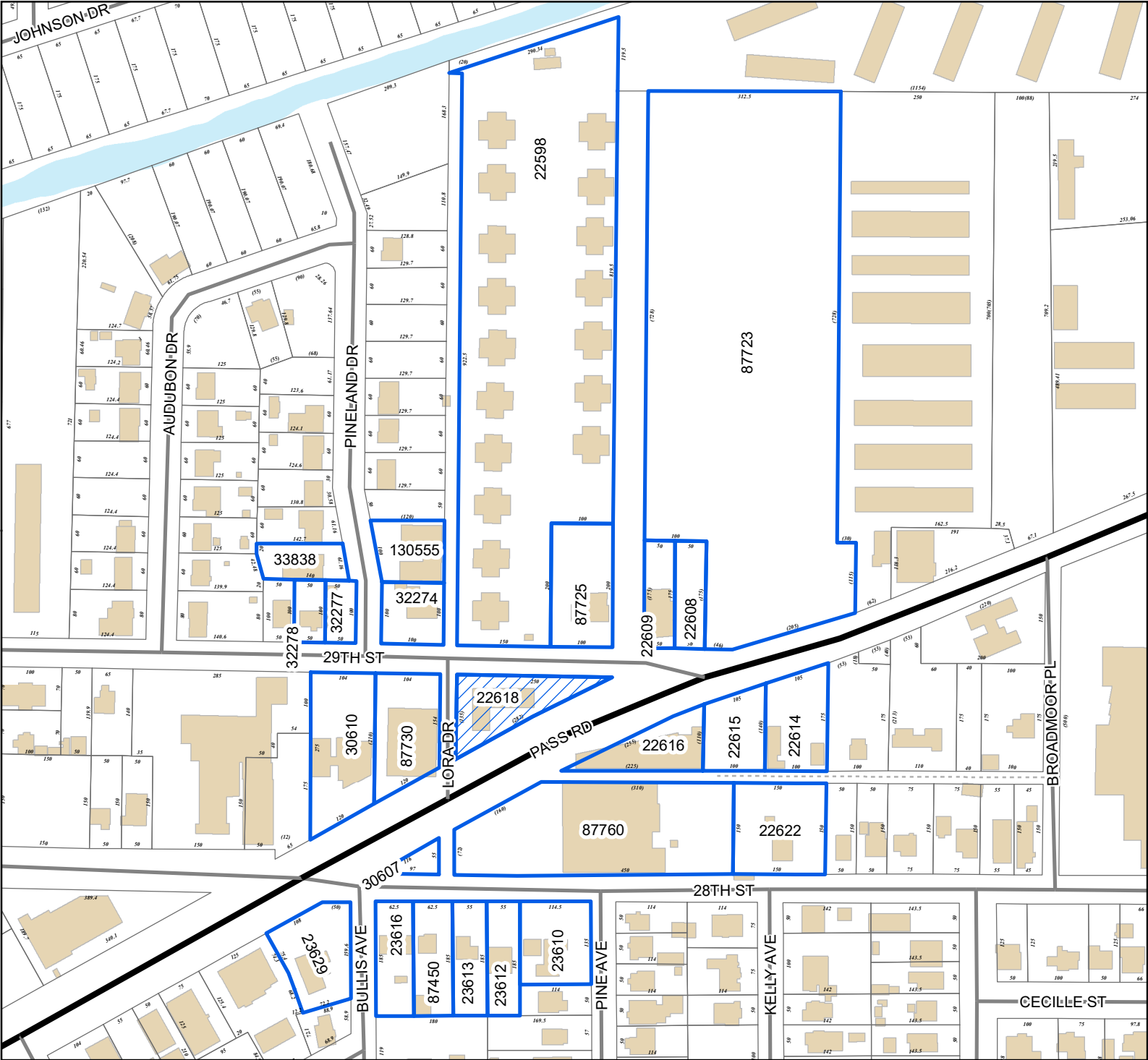


1 inch = 35 feet



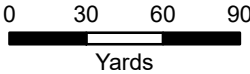
DATA DISCLAIMER: All information that is provided on this map is believed to be correct. However, no liability is assumed by the City of Gulfport for errors in substance or form of any of the materials published on this map. The GIS Division, City of Gulfport, provides the information represented on this map as a service to the community and makes every effort possible to provide quality information. However, no claims, promises, or guarantees about the accuracy, completeness, or adequacy of the information contained on this map are expressed or implied.

Mail	PPIN	Parcel ID	Name	Address	City	State	ZIP
	22618	0810P-02-024.000	METRO PLAZA MS LLC (OWNER)	P O BOX 290315	TAMPA	FL	33687
	22618	0810P-02-024.000	FRANK MAGEE (AGENT)	14434 DUCKWORTH COVE	GULFPORT	MS	39503
N			Adjacent Property Owners				
	23629	0811A-05-001.000	3970 OLD MILTON LLC	10945 STATE BRIDGE RD #401-460	ALPHARETTA	GA	30022
	32274	0810P-02-023.000	AMENTA ROBERT R & BRIDGETTE	P O BOX 6563	GULFPORT	MS	39506
	87723	0810P-02-008.000	BARRETT HOSHALL S JR ET AL	3 CEDARWOOD LANE	GULFPORT	MS	39503
	30607	0810P-03-010.000	BLACKWELL ANDY & CAROL MARGARET	1261 NORTH MCGREGOR DR	WIGGINS	MS	39574
	22622	0810P-03-012.000	BROADUS CARLA D	1200 28TH ST	GULFPORT	MS	39501
	33838	0810P-02-028.000	COHEN JAMES M	12027 SWEETWATER CIR	EAGLE RIVER	AK	99577
	32278	0810P-02-027.001	CRAFTSMAN CONSTRUCTION CO INC	256 BRELAND ROAD	PERKINSTON	MS	39573
	87725	0810P-02-011.000	DAJON CORPORATION OF MISSISSIPPI	4100 MAGAZINE STREET	NEW ORLEANS	LA	70155
	87730	0810P-02-025.000	GKB PROPERTIES LLC	4165 BAYOU CASTINE DR	KENNER	LA	70065
	23610			2148 BAYWOOD DR	C/O		
		0811A-04-033.000	GLASS CAROLINE K REVOCABLE TRUST	RHONDA CRUMPLER	BILOXI	MS	39532
	22598			4100 MAGAZINE ST	ATTN:		
		0810P-02-012.000	GN CYPRESS LLC ETAL	DAVID R FINE	NEW ORLEANS	LA	70115
	23613	0811A-04-067.000	GOLD SEAL LLC	2205 JOHN HILL BLVD	GULFPORT	MS	39501
N	23612	0811A-04-034.000	GOLD SEAL LLC	2205 JOHN HILL BLVD	GULFPORT	MS	39501
	30610	0810P-02-026.000	IGLESIA MISIONERA PENTECOSTES	CENTRAL PAN DE VIDA INC	BILOXI	MS	39531
	87450	0811A-04-068.000	JEFFERSON ALICIA ANN	2599 AUDUBON PLACE	BILOXI	MS	39531
	22615	0810P-03-008.000	KESSEN CORY & VICTORIA	508 BRANDI LANE	GULFPORT	MS	39507
N	22614	0810P-03-007.000	KESSEN CORY W & VICTORIA L	508 BRANDI LANE	GULFPORT	MS	39507
	22608	0810P-02-009.000	MIAZZA ELLEN KENNEDY	1525 HILLS PL	GULFPORT	MS	39507
N	22609	0810P-02-010.000	MIAZZA M F -ESTATE-	1525 HILLS PL	GULFPORT	MS	39507
	23616	0811A-04-069.000	MILES CLAIBORNE E	15010 SWAN LAKE BLVD	GULFPORT	MS	39503
	87760			400 NORTHWEST PLAZA DR	ATTN:		
		0810P-03-011.000	MORAN FOODS LLC	PROPERTY TAX	ST ANN	MO	63074
	22616	0810P-03-009.000	SKAGGS REAL ESTATE HOLDINGS LLC	78 MEADOWS RD	PERKINSTON	MS	39573
	130555	0810P-02-023.001	SMITH HAYDEN T	2906 PINELAND DR	GULFPORT	MS	39501
	32277	0810P-02-027.000	WILLIAMS PAULINE F	1232 29TH ST	GULFPORT	MS	39501



Legend

- Site
- Adjacent Properties
- US or State Highway
- Street
- Alley
- Buildings
- Water Features



1 inch = 225 feet



DATA DISCLAIMER: All information that is provided on this map is believed to be correct. However, no liability is assumed by the City of Gulfport for errors in substance or form of any of the materials published on this map. The GIS Division, City of Gulfport, provides the information represented on this map as a service to the community and makes every effort possible to provide quality information. However, no claims, promises, or guarantees about the accuracy, completeness, or adequacy of the information contained on this map are expressed or implied.

RE: Variance 2204ZB046, by agent Frank Magee, tax parcel 0810P-02-024.000, Request variance parking space reduction, backing into the right-of-way, 1220 Pass Rd, Zoned B-2 (General Business), Ward 3

To Applicants and Adjacent Property Owners:

The City of Gulfport Zoning Board of Adjustments and Appeals will hold a public hearing to consider the above application at 3:00 P.M. on **Thursday, April 21, 2022**, in the Council Chambers at the Gulfport City Hall located at 2309 15th Street.

For more information, visit <http://www.gulfport-ms.gov/agendas/> then click the City of Gulfport Zoning Board for **Thursday, April 21, 2022**. A map showing the location of the property involved is located at this website. If you have any questions or comments, please contact this office at the phone number 228-868-5710 or email planners@gulfport-ms.gov. The application is available for viewing in the Planning Division office at 1410 24th Avenue.



Beaufort Gazette
Belleville News-Democrat
Bellingham Herald
Bradenton Herald
Centre Daily Times
Charlotte Observer
Columbus Ledger-Enquirer
Fresno Bee

The Herald - Rock Hill
Herald Sun - Durham
Idaho Statesman
Island Packet
Kansas City Star
Lexington Herald-Leader
Merced Sun-Star
Miami Herald

el Nuevo Herald - Miami
Modesto Bee
Raleigh News & Observer
The Olympian
Sacramento Bee
Fort Worth Star-Telegram
The State - Columbia
Sun Herald - Biloxi

Sun News - Myrtle Beach
The News Tribune Tacoma
The Telegraph - Macon
San Luis Obispo Tribune
Tri-City Herald
Wichita Eagle

AFFIDAVIT OF PUBLICATION

Account #	Order Number	Identification	Order PO	Amount	Cols	Depth
36845	241637	Print Legal Ad - IPL0067173	210200	\$41.64	1	69 L

Attention: Matilda Welch
PO BOX 1780
GULFPORT, MS 39502

LEGAL NOTICE PUBLIC HEARING

In conformance with Section VIII of the Comprehensive Zoning Ordinance of the City of Gulfport, Mississippi, 1979, as amended, notice is hereby given advising that the Zoning Board of Adjustment and Appeals will hold a public hearing in the City of Gulfport, Mississippi at 3:00 P.M., Thursday, April 21, 2022, in the Council Chambers of the Gulfport City Hall located at 2309 15th Street to consider the following requests. A copy of the requests will be available for public review at the office of the Department of Urban Development-Planning Division located on first floor of the William H. Hardy Building, 1410 24th Avenue.

Variance 2204ZB046, by agent Frank Magee, tax parcel 0810P-02-024.000, Request variance parking space reduction, backing into the right-of-way, 1220 Pass Rd, Zoned B-2 (General Business), Ward 3

Variance 2204ZB053, by owner Kyle Fitzpatrick, tax parcel 0708A-01-016.001, Variance for fence material, 12503 Old Hwy 49, Zoned R-O (Residence-office), Ward 7

Variance 2204ZB055, by agent Dwane J Babin, tax parcel 0911F-01-026.000, Variance for setbacks, 1532 Hewes Ave, Zoned R-1-7.5 (Single-family), Ward 2

Variance 2204ZB063, by agent Travis Construction, tax parcel 1009J-01-001.003, Request variance for accessory structure quantity, max area allowed, 10480 Reichold Rd, Zoned I-2 (Heavy industry district), Ward 5

Variance 2204ZB065, by agent Kenneth Jones II, tax parcel 1008F-01-001.000, Variances for parking reduction, setback, Highland Way, Zoned R-B (Residence-business), Ward 6

Variance 2204ZB067, by owners Jason and Leena Ulku, tax parcel 1010C-01-001.031, Variance for fence height, 10917 Waterside Dr, Zoned R-2 (Single-family), Ward 5

Variance 2204ZB068, by owner Julia Nieto - Gomez, tax parcel 1008D-01-011.000, Request variance for setback, Arrowhead Dr, Zoned R-E (Residential estates), Ward 6

Special Exception 2204SE076, by agent Bridget Hutchinson, tax parcel 0711H-01-007.000, Request Special Exception for assisted living facility use, 13085 Andy St, Zoned R-2 (Single-family), Ward 1

This the 30th day of March 2022
A. Lee Palermo, Chairman
City of Gulfport Zoning Board of Adjustment and Appeals
IPL0067173
Apr 6 2022

STATE OF MISSISSIPPI COUNTY OF HARRISON

Before me, the undersigned Notary of Dallas County, Texas personally appeared Keriann Leenerts, who, being by me first duly sworn, did depose and say that she is a clerk of The Sun Herald, a daily newspaper published in the city of Gulfport, in Harrison County, Mississippi and the publication of the notice, a copy of which is hereto attached, has been made in said paper in the issue (s) of:

No. of Insertions: 1

Beginning Issue of: 04/06/2022

Ending Issue of: 04/06/2022

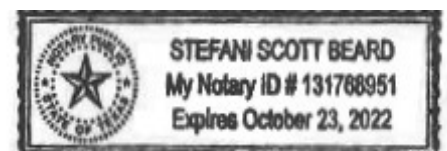
Affidavit further states on oath that said newspaper has been established and published continuously in said county for a period of more than twelve months next prior to the first publication of said notice.

Sworn to and subscribed before me this 6th day of April in the year of 2022

Stefani Beard

Notary Public

* The Sun Herald has been deemed eligible for publishing legal notices in Jackson County to meet the requirements of Miss. Code 1972 Section 13-3-31 and 13-3-32.



Extra charge for lost or duplicate affidavits.
Legal document please do not destroy!

MEMORANDUM

To: City of Gulfport Zoning Board of Adjustment and Appeals

From: Greg Holmes, Planning Administrator
Urban Development Department

Date of Hearing: April 21, 2022

Re: Variance 2204ZB050:
Tabled to May 19, 2022 Meeting

Variance 2204ZB050, by owners Jack and Kelly Krongard, tax parcel 1010O-02-002.000,
Variance for fence height, 1942 Beach Dr, Zoned R-1-7.5 (Single-family), Ward 2



CITY OF GULFPORT
Urban Development - Planning Division
1410 24th Avenue
Gulfport, MS 39501
(228) 868-5710

For Staff Use Only

Case File #: 220428050Date Received: 2/25/22

Receipt #: _____

Received By: D²Zoning: R-1-7.5Ward: 2 Flood: AESize: 12,808 Sq. Ft.

(If necessary, use separate sheet of paper)

TAX PARCEL # 10100-02-002.000
000000-000000-000000.000000
000000-000000-000000.000000

Address of Property Involved: 1942 BEACH DRIVE GULFPORT MS

Lot(s) _____, Block(s) _____, Subdivision _____

General Location: SEC 32 TWN 07 Rng 10**GENERAL DESCRIPTION OF REQUEST:**

CORNER OF SOUTHERN CIRCLE + BEACH DRIVE
4' HIGH FENCE VARIANCE - YARD - POOL

OWNERSHIP AND CERTIFICATION:

I hereby certify that I have read and understand this application and that all information and attachments are true and correct. I also certify that I agree to comply with all applicable city codes, ordinances and state laws. Finally, I certify that I am the owner of the property involved in this request or have authorization to act as the owner's agent for the herein described request.

OWNER

612-750-6436JACK KRONGARD@

AGENT

GMAIL.COM

Printed Name Of Owner

2124 SW 43RD TERR

Mailing Address

CAPE CORAL FL 33914

City

State

Zip code

612-750-6436

Home Phone

Work/Cell Phone

JACK KRONGARD@GMAIL.COM

Email

Jack Krongard

Signature Of Owner

Printed Name Of Agent

Mailing Address

City

State

Zip code

Home Phone

Work/Cell Phone

Email

Signature Of Agent

If the property or properties listed above have more than one owner, please check this box. In the case of multiple owners, reverse side must be completed. Each additional owner will need to complete and sign the reverse side of this application. We can only accept applications with original signatures.



SECTIONS A. THROUGH G. MUST BE SUBMITTED FOR A COMPLETE APPLICATION.

AFFIDAVIT

STATE OF MISSISSIPPI

COUNTY OF HARRISON

I hereby certify that the fence as shown on the attached site plan is/or will be located at:

1942 Beach Drive Gulfport MS 39507

On tax parcel number: _____

Property owner: Jack Krongard

I understand that, on a drainage or irrigation easement, an owner may fence their property; but the water flow cannot be interrupted and must allow full access to the holder of the easement for the purpose of the easement. This may require gates to access the property with both foot traffic and equipment required to maintain the ditch or pipe. It is the responsibility of the property owner to contact those who own the easements and get approval of the fence, gate, design, etc.

I also understand that if the location of the fence, as built, is found to be improper or incorrect that I hold the City harmless for the location and I am responsible for any civil matters that may result. If I build, intentionally or unintentionally, a fence within an easement owned by the City of Gulfport, then I will be responsible for the cost to remove /replace and/or relocate the fence at my own expense within (30) days after being notified to do so and agree to hold the City harmless with respect to any and all costs and expenses associated with said removal/replacement and/or relocation. Where I construct a fence within a City easement, I understand that I do so at my own risk.

[Signature]
Affiant's Signature

2/14/2022
Date

Affiant: Ricky Hooty 411 Coast Road & More LLC

Address: 21955 Woodside Dr. Ocean MS 39574

City, State, Zip: _____

Sworn to and subscribed before me this
14 day of FEBRUARY, 2022.

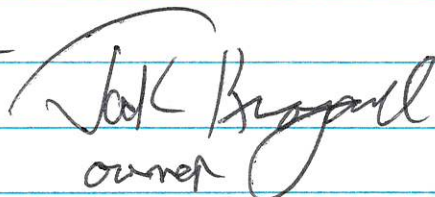
[Signature]
Notary Public



ZONING BOARD RESPONSE

- ① FEMA Fence location, Floor Elevation
Per FEMA, 5 FT ABOVE grade
- ② EXISTING Elevation was From EXISTING
Home site, DESTROYED BY KATRINA
- ③ VARIANCE FOR PROHIBITED Fence to Be
48" ABOVE grade
- ④ Pool Dock must HAVE 48" Protection
ABOVE Deck
- ⑤ This VARIANCE HAS BEEN GRANTED
TO OTHER PROPERTIES WITH SIMILAR
PROPERTIES
- ⑥ USE IS By Right, There is NO
Restrictive covenants on This Property

2-22-22


owner

1942 Beech DR, GULFPORT MS

My husband has requested that he be permitted to build a 20 x 20 structure on our property, in our backyard, and has gone to great lengths to get the city's approval. It is my understanding that he now needs a letter stating that since I am the owner of record, he has my permission to do so.

Thank you,
Kristin Dierball
~~Kristin Dierball~~
15166 Parkwood Dr N.
Gulfport MS 39503



SCANNED



John 1st Judicial District
Instrument 2020 1432 D -J1
Filed/Recorded 2/ 5/2020 02:16 P
Total Fees \$ 26.00
3 Pages Recorded

Prepared by and return to:
David B. Estes
MS Bar No. 101404
Integrity Land Title, LLC
2200 25th Avenue
Gulfport, MS 39501
(228) 896-8962

Indexing: Part of Lot 69, L.A. Frederick
Survey and in Part of Lot 41, Country
Club Estates, Section 32, T7S, R10W,
1st JD, Harrison County, MS.

Our File No. 2835

**STATE OF MISSISSIPPI
COUNTY OF HARRISON**

WARRANTY DEED

FOR AND IN CONSIDERATION of the sum of Ten Dollars (\$10.00) cash in hand paid,
and other good and valuable considerations, the receipt and sufficiency of all of which is hereby
acknowledged, the undersigned,

REVIEWED

ELLIOTT HOMES, LLC,
a Mississippi limited liability company
1402 Pass Road
Gulfport, MS 39503
(228) 369-2201

does hereby **SELL, CONVEY and WARRANT** unto

JOHN J. KRONGARD and KELLY M. KRONGARD,
husband and wife
2124 SW 43rd Terrace
Cape Coral, FL 33914
(612) 750-6436

the following described land together with all improvements thereon located in Harrison County,
Mississippi, more particularly described as follows, to-wit:

SEE EXHIBIT "A" ATTACHED HERETO

as of this date on an estimated basis, and that when said taxes are actually determined, if the proration as of this date is incorrect, the parties herein agree to pay on a basis of an actual proration. All subsequent years' taxes are specifically assumed by Grantee herein.

WITNESS my signature on this the 22 day of January, 2020.

ELLIOTT HOMES, LLC


BY: BRANDON ELLIOTT
ITS: PRESIDENT

STATE OF MISSISSIPPI
COUNTY OF HARRISON

Personally appeared before me, the undersigned authority in and for the said county and state, on this 22 day of January, 2020, within my jurisdiction, the within named BRANDON ELLIOTT, who acknowledged that he is President of Elliott Homes, LLC, a Mississippi Limited Liability Company, and that for and on behalf of said limited liability company, and as its act and deed he executed and delivered the above and foregoing instrument, after first having been duly authorized by said limited liability company so to do.


NOTARY PUBLIC

(SEAL)



My Commission Expires:

EXHIBIT "A"

LEGAL DESCRIPTION OF PARCEL B: AS PER SURVEY

A parcel of land situated and being located in a part of Lot 69, L. A. FREDERICK SURVEY and in a part of Lot 41, COUNTRY CLUB ESTATES (Plat Book 21, Page 35), Section 32, Township 7 South, Range 10 West, City of Gulfport, First Judicial District of Harrison County, Mississippi and being more particularly described as follows, to-wit:

BEGINNING at a chiseled cross in concrete at the intersection of the easterly margin of Southern Circle with the northerly margin of the Service Road to U. S. Highway 90/Beach Boulevard and said POINT OF BEGINNING being on the west line of said Lot 41; thence run from said POINT OF BEGINNING, North 75 degrees 46 minutes 56 seconds East 96.69 feet along the northerly margin of the Service Road to U. S. Highway 90/Beach Boulevard to an iron rod; thence run North 00 degrees 08 minutes 57 seconds East 173.49 feet to an iron rod; thence run South 89 degrees 32 minutes 32 seconds West 95.62 feet to an iron rod on the easterly margin of Southern Circle and the west line of said Lot 41; thence run South 00 degrees 25 minutes 05 seconds East 196.48 feet along the easterly margin of Southern Circle and the west line of said Lot 41 to the POINT OF BEGINNING.

RECORD DESCRIPTION, INST. NO. 2020-1432-D-11

A parcel of land situated and being located in a part of Lot 69, LAFREDERICKSURVEY, Section 32, Township 7 South, Range 10 West, City of Gulfport, First Judicial District of Harrison County, Mississippi and being more particularly described as follows, to-wit:

Commencing at a chiseled cross in concrete at the intersection of the easterly margin of Southern Circle with the northerly margin of the Service Road to U. S. Highway 90/Beach Boulevard and said commencing point being on the west line of (Lot 41) COUNTRY CLUB ESTATES (Plat Book 21, Page 35); thence run North 75 degrees 45 minutes 56 seconds East 56.66 feet along the northerly margin of the Service Road to U. S. Highway 90/Beach Boulevard to an iron rod for the POINT OF BEGINNING, North 75 degrees 46 minutes 56 seconds East 77.42 feet along the northerly margin of the Service Road to U. S. Highway 90/Beach Boulevard to a mag nail on the west line of Great Southern Golf Course and the east line of said Lot 69; thence run North 00 degrees 00 minutes 57 seconds East 155.07 feet along the west line of Great Southern Golf Course and the east line of said Lot 69 to an iron rod thence run South 88 degrees 32 minutes 32 seconds West 75.00 feet to an iron rod; thence run South 00 degrees 08 minutes 57 seconds West 173.49 feet to the POINT OF BEGINNING.

NOTES:

1.) STATE PLANE COORDINATES AND BEARINGS SHOWN HEREON ARE DERIVED BY COMBINATION OF GPS STATIC OBSERVATION AND EARL DUDLEY, INC. RTK NETWORK, AND ARE BASED ON SPC (2301) MGS.

2.) ELEVATIONS SHOWN ARE BASED ON NAVD83, GEOD 2005.

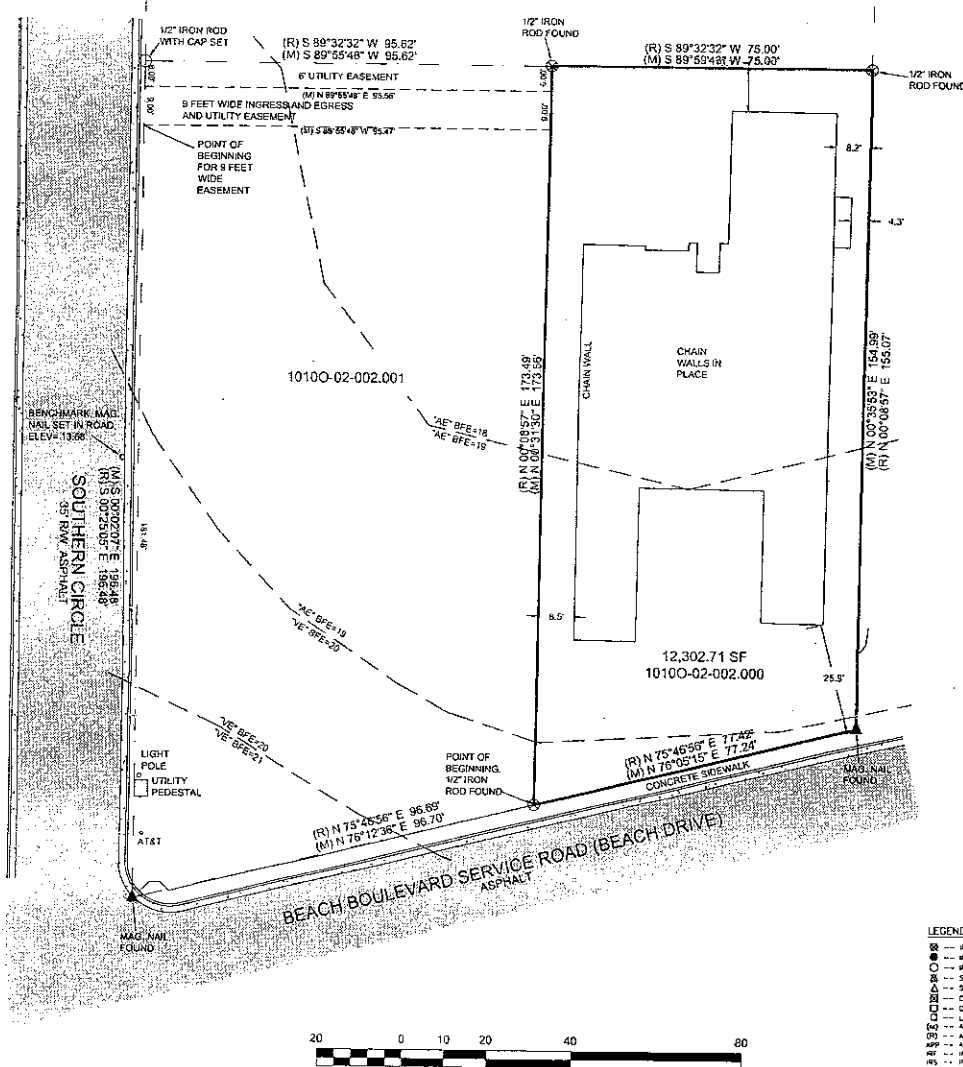
3.) THIS SURVEY HAS BEEN PREPARED BY INFORMATION PROVIDED BY CLIENT AND LIMITED RESEARCH IN COURTHOUSE WITHOUT THE BENEFIT OF A CURRENT TITLE REPORT. THIS SURVEY MAY NOT SHOW ALL EASEMENTS AND OTHER RESTRICTIONS OF RECORD. SURVEYOR WILL BE MADE AVAILABLE TO ADD SUCH FEATURES TO THIS SURVEY IF A CURRENT TITLE REPORT OR ABSTRACT OF TITLE IS PROVIDED TO HIM BY PROPER AUTHORITY.

4.) UNLESS OTHERWISE NOTED THIS SURVEY IS LIMITED TO ABOVE GROUND AND VISIBLE UTILITIES. A MISSISSIPPI ONE CALL SHOULD BE MADE BEFORE ANY DIGGING @ 1-800-227-8477.

5.) BUILDING SETBACKS, ELEVATIONS, WETLAND DETERMINATION AND ET CETERA TO BE PRESCRIBED BY APPROPRIATE GOVERNING BODIES.

REFERENCE MATERIALS

- 1.) RESUBDIVISION CERTIFICATE IN DEED BOOK 2017-2027-D-11
- 2.) INST. NO. 2021-1677-D-11
- 3.) INST. NO. 2020-1432-D-11



LEGEND:

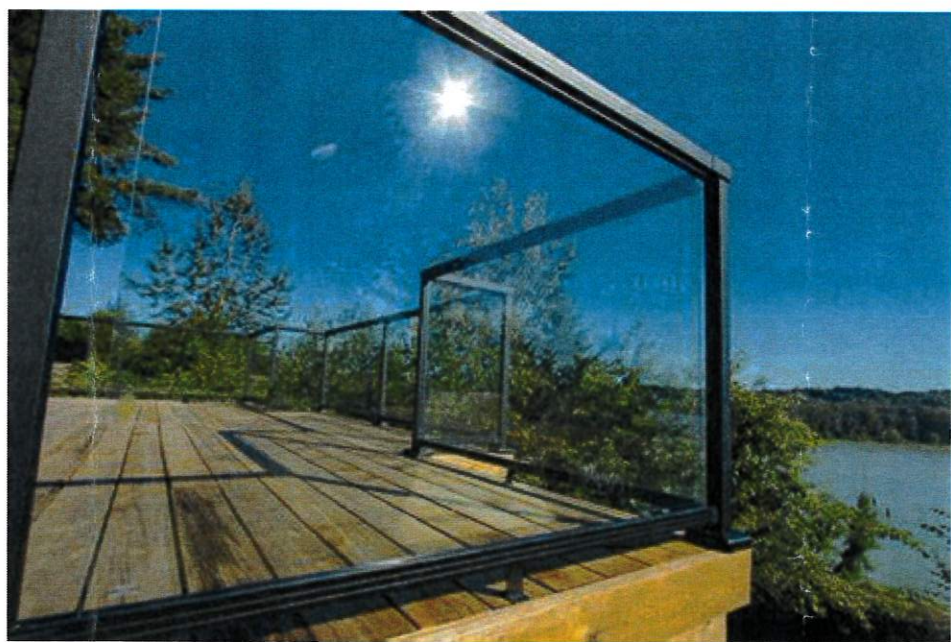
- IRON ROD FOUND
- IRON PIPE FOUND
- IRON ROD SET
- SPIKE FOUND
- SPIKE SET
- CONCRETE MONUMENT FOUND
- CONCRETE MONUMENT SET
- LIGHTED SPIKE FOUND
- AS REQUIRED
- AS PER RECORD
- IRON ROD FOUND
- IRON ROD SET

NOT BE USED FOR ANY OTHER PURPOSES. THIS SURVEY IS FOR THE PROPERTY SHOWN HEREON AND THAT ALL DIMENSIONS AND CORNER DATA SHOWN ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

[Signature] 6/16/2021

CROSBY SURVEYING, P.C.

THIS PROPERTY IS LOCATED IN FIRM ZONE AS SHOWN HEREON ACCORDING TO MAP NUMBER 28059C0269G DATED MARCH 16, 2009	
SURVEY CLASS - "B"	FOR: KRONCARD
SCALE: 1" = 20'	BEARINGS SHOWN HEREON ARE DERIVED BY: GPS OBSERVATION, STATE PLANE GRID, NAD 83
CROSBY SURVEYING PROFESSIONAL LAND SURVEYING 716 ONE OAK DRIVE BLOOMINGVILLE, MISSISSIPPI 39317 PHONE: 226-234-6449 EMAIL: info@crosbysurveying.com	
DATE OF FIELD WORK: 6/15/2021	PARTY CHIEF: PE
INSTRUMENT MAN: PE	RODMAN: PE
DRAWN BY: CAC	DRAWING NUMBER: 19295 SLAB SURVEY
REVISED:	





Site

US or State Highway

Street

Parcels

Buildings

Water Features

Zoning

R-1-7.5 - Single Family Residence District (Low Density)

SB - Sand Beach

WF - Water Front

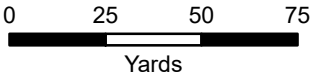
Site Information

10100-02-002.000

Zoning: R-1-7.5 (Single-family)

Size: 12,808 sq ft

Flood: AE



1 inch = 150 feet



DATA DISCLAIMER: All information that is provided on this map is believed to be correct. However, no liability is assumed by the City of Gulfport for errors in substance or form of any of the materials published on this map. The GIS Division, City of Gulfport, provides the information represented on this map as a service to the community and makes every effort possible to provide quality information. However, no claims, promises, or guarantees about the accuracy, completeness, or adequacy of the information contained on this map are expressed or implied.

MEMORANDUM

To: City of Gulfport Zoning Board of Adjustment and Appeals

From: Greg Holmes, Planning Administrator
Urban Development Department

Date of Hearing: April 21, 2022

Re: Variance 2204ZB053:

Variance 2204ZB053, by owner Kyle Fitzpatrick, tax parcel 0708A-01-016.001, Variance for fence material, 12503 Old Hwy 49, Zoned R-O (Residence-office), Ward 7

Technical Report

VARIANCE

GENERAL INFORMATION

Case File Number: 2204ZB053

Hearing Date: April 21, 2022

Current Zoning/Use: R-O/School or Daycare

Legal: Variance 2204ZB053, by owner Kyle Fitzpatrick, tax parcel 0708A-01-016.001, Variance for fence material, 12503 Old Hwy 49, Zoned R-O (Residence-office), Ward 7

TECHNICAL DETAILS

Variances involve special cases where unique factors contribute to justify a use of property that does not conform to the City's enforced ordinances. Therefore, variances should not be granted unless they are able to adequately meet the following conditions:

- (a) That special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same district;
- (b) The special conditions and circumstances do not result from the actions of the applicant;
- (c) That an unnecessary hardship is created by the physical character of the property and is peculiar and unusual to such an extent that it is evidence that amendment of the zoning ordinance does not offer a reasonable solution;
- (d) That literal interpretation of the provisions of this ordinance would deprive the applicant of rights commonly enjoyed by properties in the same district under the terms of this ordinance;
- (e) That the granting of the variance will not confer on the applicant any special privilege that is denied by this ordinance to other lands, structures, or buildings in the same district, other than to permit the applicant to use their property in a manner as nearly equivalent to uses generally permitted in the district considering the conditions and circumstances involved and the hardship;
- (f) That the use proposed is permissible by right or with planning approval or by special exception.

(Ord. App. A Sec. VIII (B)(2)(c)(1))

Technical Report

VARIANCE

The applicant requests a variance in order to build a fence in their rear yard. Specifically, the applicant requests; 1) the fence material to consist of mesh steel where fences with wire material are prohibited.

- (a) The applicant states the reasoning for the type of materials they are requesting is to stay consistent with the surrounding community; Agricultural Zoning does not allow the subject parcel. There are no special conditions or circumstances specific to this piece of property warranting prohibited fence material; other properties would be allowed to install a 4-foot fence with materials that adhere to the City of Gulfport's Ordinances. An alternative to this variance would be to construct a wrought-iron style fence.
- (b) The applicant negates to mention special conditions and circumstances resulting from the action of the applicant; only of surrounding appeal and compliance with State guidelines for Kindergarten's. Regardless of aesthetic surroundings, other dwellings in the area must comply to the City of Gulfport's Fence Ordinance. Appealing to the surrounding area does not constitute a hardship and the special conditions or circumstances were caused by the applicant.
- (c) The applicant mentions they are "being forced to adhere to the approved list of fencing for the City of Gulfport..." and that an approved fence type would not be aesthetic to the surrounding area. The City of Gulfport's Fence Ordinance fence types and surrounding natural area does not constitute a hardship being caused by the physical character of the property. An amendment to the fence ordinance and allowed fence materials would offer a reasonable solution.
- (d) Other neighboring properties have not been "forced to adhere to the list of approved fencing..." Any fence type permitted by the City of Gulfport's Fence Ordinance can be used by all neighboring properties through permit. Asking for a fencing material that is prohibited by Ordinance would not be allowed to be used by any other neighboring property. The City of Gulfport's Fence Ordinance was revised in 2017; some fences in the immediate neighborhood may have already been preexisting.
- (e) Regardless of surrounding natural areas or State compliance concerns, granting the applicant this variance would confer special privileges.
- (f) This property is zoned R-O; a fence is a permitted use and structure in this zoning district.

EXECUTIVE SUMMARY

The ordinance clearly states that no mesh or wire material may be used to construct a fence on any subject property. An alternative to this variance would be to construct a wrought-iron style fence. With the applicant not providing the 6 hardships required by the City of Gulfport, this request should be denied.

Any approval should consider these conditions:

1. A variance grants fence material to consist of mesh steel where fences with wire material are prohibited.

Technical Report

VARIANCE

DEPARTMENTAL CONDITIONS

Engineering: No conditions. Memo dated 04/12/2022.

Public Works: No comments as of 04/11/2022.

Traffic and Safety: No conditions. Memo dated 04/08/2022.

Building Code Services: No conditions. Memo dated 04/06/2022.

GIS: No conditions. Memo dated 04/07/2022.

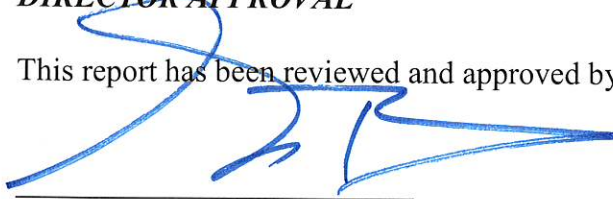
Police Department: No conditions. Memo dated 04/06/2022.

Fire Department: No conditions. Memo dated 04/11/2022.

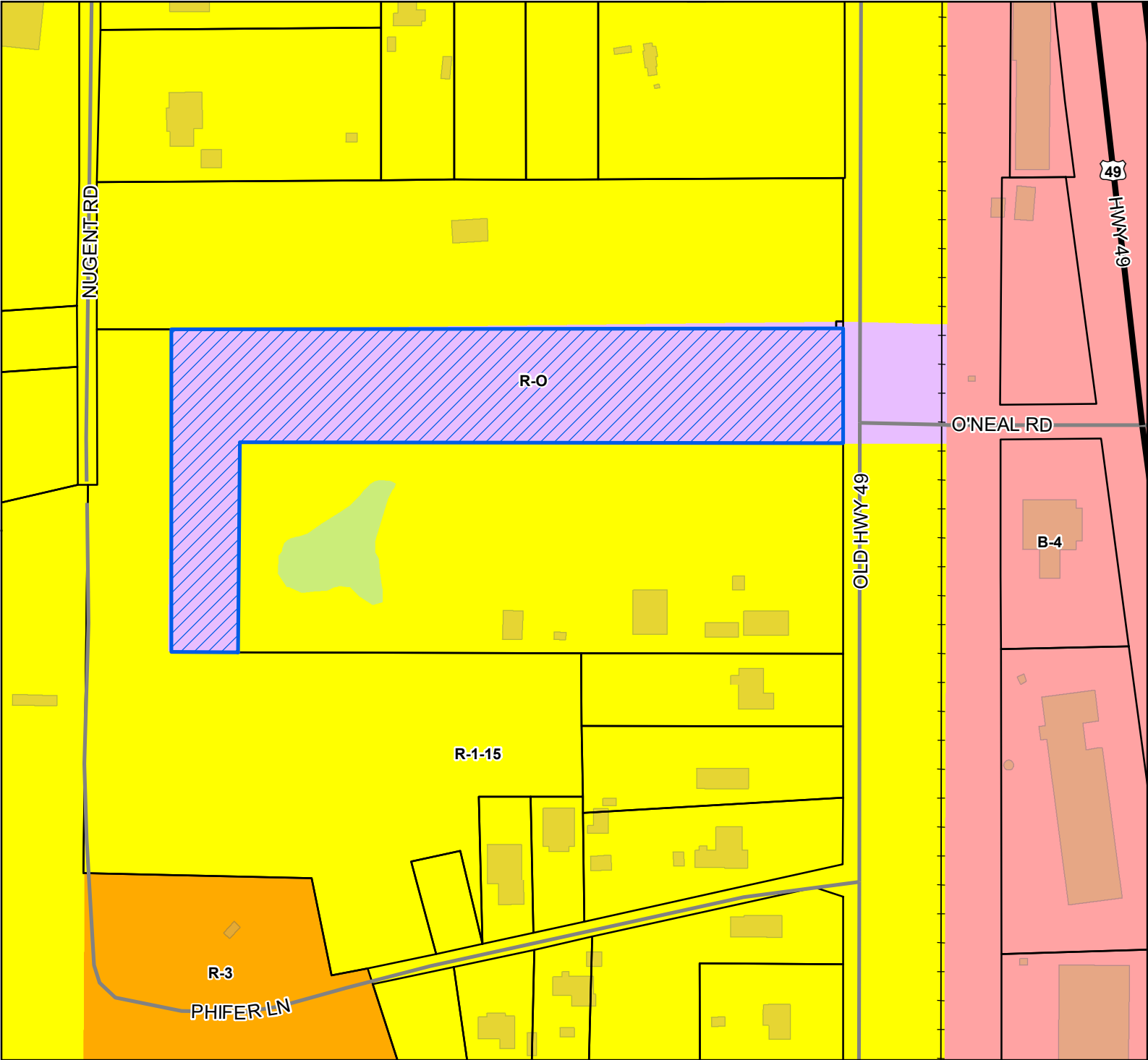
City Arborist: No conditions. Memo dated 04/06/2022.

DIRECTOR APPROVAL

This report has been reviewed and approved by:



Greg Pietrangelo
Director of Urban Development Department



Legend

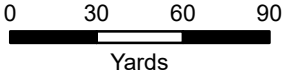
- Site
- US or State Highway
- Street
- Railroad
- Parcels
- Buildings
- Water Features

Zoning

- B-4 - Highway Business District
- R-1-15 - Single Family
- Residence District (Low Density)
- R-3 - General Residence (High Density)
- R-O - Residence-Office

Site Information

0708A-01-016.001
 Zoning: R-O (Residence-Office)
 Size: 4.3 Acrest
 Flood: X



1 inch = 200 feet



DATA DISCLAIMER: All information that is provided on this map is believed to be correct. However, no liability is assumed by the City of Gulfport for errors in substance or form of any of the materials published on this map. The GIS Division, City of Gulfport, provides the information represented on this map as a service to the community and makes every effort possible to provide quality information. However, no claims, promises, or guarantees about the accuracy, completeness, or adequacy of the information contained on this map are expressed or implied.

APPLICATION FOR VARIANCE

TAX PARCEL #

0	7	0	8	A

 -

0	1

 -

0	1	6

 .

0	0	1

Address of Property Involved: 12503 Old Hwy 49

Lot(s) _____, Block(s) _____, Subdivision _____

General Location: Intersection of Old Hwy 49 and Oneal Rd.

GENERAL DESCRIPTION OF REQUEST:
We would like to request a variance in the type of fence we can install in the back yard of our kindergarten school

I hereby certify that I have read and understand this application and that all information and attachments are true and correct. I also certify that I agree to comply with all applicable city codes, ordinances and state laws. Finally, I certify that I am the owner of the property involved in this request or have authorization to act as the owner's agent for the herein described request.

OWNER
Kyle Fitzpatrick
Printed Name Of Owner

Printed Name Of Owner

16125 Sylvan Dr.

Mailing Address

Gustport MS 39503

City

State

Zip code

(228) 213-0109

Home Phone

Work/Cell Phone

Kyle n emily @ gmail . com

Email

Signature Of Owner

Printed Name Of Agent

Mailing Address

City

State

Zip code

Home Phone

Work/Cell Phone

Email

Signature Of Agent

If the property or properties listed above have more than one owner, please check this box. In the case of multiple owners, reverse side must be completed. Each additional owner will need to complete and sign the reverse side of this application. We can only accept applications with original signatures.

SECTIONS A. THROUGH G. MUST BE SUBMITTED FOR A COMPLETE APPLICATION.

This page must be completed if the property or properties involved have more than one owner. All persons listed as owners to the property or properties listed on page one must complete and sign this part of the application.

I hereby certify that I have read and understand this application and that all information and attachments are true and correct. I also certify that I agree to comply with all applicable city codes, ordinances and state laws. Finally, I certify that I am the owner of the property involved in this request or authorized to act as the owner's agent for herein described request.

NAME OF OWNER (PRINT) Emily Fitzpatrick
ADDRESS (STREET, CITY, STATE, ZIP CODE) 16125 Sylvan Dr. Gulfport, MS 39503
PHONE # (H) _____ (WK/CELL) (662) 255-6864
TAX PARCEL NUMBER(S) OWNED 0708A-01-016.001
SIGNATURE: Emily Fitzpatrick

NAME OF OWNER (PRINT) _____
ADDRESS (STREET, CITY, STATE, ZIP CODE) _____
PHONE # (H) _____ (WK/CELL) _____
TAX PARCEL NUMBER(S) OWNED _____
SIGN: _____

NAME OF OWNER (PRINT) _____
ADDRESS (STREET, CITY, STATE, ZIP CODE) _____
PHONE # (H) _____ (WK/CELL) _____
TAX PARCEL NUMBER(S) OWNED _____
SIGNATURE: _____

(Use additional forms as needed)

IN CASES OF MULTIPLE APPLICANTS, PLEASE IDENTIFY THE PERSON WHO WILL BE ACTING AS YOUR SPOKES
PERSON/AGENT FOR YOU: _____

SCANNED



REVIEWED
[Signature] 1st Judicial District
Instrument 2019 287 D -J1
Filed/Recorded 1/15/2019 04:05 P
Total Fees \$ 12.00
15 Pages Recorded

Indexing: Pt of NE ¼ of NE ¼, Sec. 5-7-11
Harrison County, MS

STATE OF MISSISSIPPI

COUNTY OF HARRISON

FIRST JUDICIAL DISTRICT

Prepared by and return to:
David B. Estes
MS Bar No. 101404
Integrity Land Title, LLC
2200 25th Avenue
Gulfport, MS 39501
(228)896-8962

WARRANTY DEED

FOR AND IN CONSIDERATION of the sum of Ten Dollars (\$10.00) cash in hand paid,
and other good and valuable considerations, the receipt and sufficiency of all of which is hereby
acknowledged, the undersigned,

LOIS RUTH MCGRAW, PATRICIA O'FALLIN MCGILL, MIKE WARE, STACY
WARE, CLINTON WARE AND CASSIE WARE
5801 Jackson Road
Mobile, AL 36619
(251)661-1317

does hereby SELL, CONVEY and WARRANT unto

KYLE FITZPATRICK and wife, EMILY FITZPATRICK
As joint tenants with full rights of survivorship and not as tenants in common
16125 Sylvan Drive
Gulfport, MS 39503
(228)832-1069

2

the following described land together with all improvements thereon located in the First
Judicial District of Harrison County, Mississippi, more particularly described as follows, to-wit:

SEE ATTACHED EXHIBIT "A"

THIS CONVEYANCE is subject to any and all easements, restrictive or protective
covenants, rights-of-way, zoning ordinances and reservations affecting said property of record.

Eleanor Sue Roberts, joins in this conveyance for the purpose of releasing any life estate
interest she may have or claim.

TAXES for the year 2019 are hereby prorated and the same are hereby assumed by the
Grantee herein. It is agreed and understood that the taxes for the current year have been
prorated as of this date on an estimated basis, and that when said taxes are actually determined, if
the proration as of this date is incorrect, the parties herein agree to pay on a basis of an actual
proration. All subsequent years' taxes are specifically assumed by Grantee herein.

WITNESS our signatures on this the 14th day of January, 2019.

Lois Ruth McGraw
LOIS RUTH MCGRAW

PATRICIA O'FALLIN MCGILL

MIKE WARE

STACY WARE

CLINTON WARE

CASSIE WARE

ELEANOR SUE ROBERTS by Patricia O'Fallin
McGill, Conservator

the following described land together with all improvements thereon located in the First
Judicial District of Harrison County, Mississippi, more particularly described as follows, to-wit:

SEE ATTACHED EXHIBIT "A"

THIS CONVEYANCE is subject to any and all easements, restrictive or protective
covenants, rights-of-way, zoning ordinances and reservations affecting said property of record.

Eleanor Sue Roberts, joins in this conveyance for the purpose of releasing any life estate
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Grantee herein. It is agreed and understood that the taxes for the current year have been
prorated as of this date on an estimated basis, and that when said taxes are actually determined, if
the proration as of this date is incorrect, the parties herein agree to pay on a basis of an actual
proration. All subsequent years' taxes are specifically assumed by Grantee herein.

WITNESS our signatures on this the 11th day of January, 2019.

LOIS RUTH MCGRAW

Patricia O'Fallin McGill
PATRICIA O'FALLIN MCGILL

MIKE WARE

STACY WARE

CLINTON WARE

CASSIE WARE

Eleanor Sue Roberts by Patricia
ELEANOR SUE ROBERTS by Patricia O'Fallin
McGill, Conservator O'Fallin McGill

the following described land together with all improvements thereon located in the First
Judicial District of Harrison County, Mississippi, more particularly described as follows, to-wit:

SEE ATTACHED EXHIBIT "A"

THIS CONVEYANCE is subject to any and all easements, restrictive or protective
covenants, rights-of-way, zoning ordinances and reservations affecting said property of record.

Eleanor Sue Roberts, joins in this conveyance for the purpose of releasing any life estate
interest she may have or claim.

TAXES for the year 2019 are hereby prorated and the same are hereby assumed by the
Grantee herein. It is agreed and understood that the taxes for the current year have been
prorated as of this date on an estimated basis, and that when said taxes are actually determined, if
the proration as of this date is incorrect, the parties herein agree to pay on a basis of an actual
proration. All subsequent years' taxes are specifically assumed by Grantee herein.

WITNESS our signatures on this the 11th day of January, 2019.

LOIS RUTH MCGRAW

PATRICIA O'FALLIN MCGILL

Mike Ware
MIKE WARE

Stacy Ware
STACY WARE

Clinton Ware
CLINTON WARE

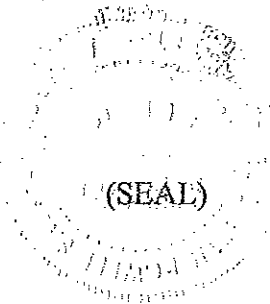
Cassie Ware
CASSIE WARE

ELEANOR SUE ROBERTS

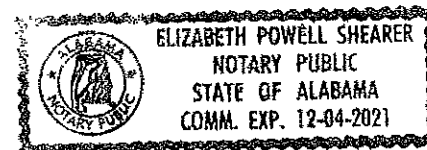
STATE OF Alabama

COUNTY OF Mobile

Personally appeared before me, the undersigned authority in and for the said county and state on this 14th day of January, 2019, within my jurisdiction, the within named **LOIS RUTH MCGRAW**, who acknowledged that she executed the above and foregoing instrument.



Elizabeth Shearer
NOTARY PUBLIC



My Commission Expires:

STATE OF _____

COUNTY OF _____

Personally appeared before me, the undersigned authority in and for the said county and state on this _____ day of _____, 2019, within my jurisdiction, the within named **PATRICIA O'FALLIN MCGILL**, who acknowledged that she executed the above and foregoing instrument.

NOTARY PUBLIC

(SEAL)

My Commission Expires:

STATE OF _____

COUNTY OF _____

Personally appeared before me, the undersigned authority in and for the said county and state on this _____ day of _____, 2019, within my jurisdiction, the within named **LOIS RUTH MCGRAW**, who acknowledged that she executed the above and foregoing instrument.

NOTARY PUBLIC

(SEAL)

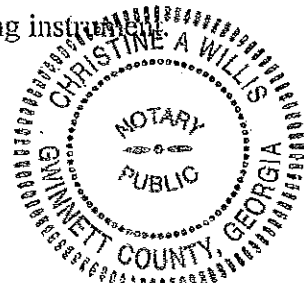
My Commission Expires:

STATE OF Georgia

COUNTY OF Cobb

Personally appeared before me, the undersigned authority in and for the said county and state on this 11th day of January, 2019, within my jurisdiction, the within named **PATRICIA O'FALLIN MCGILL**, who acknowledged that she executed the above and foregoing instrument.

(SEAL)



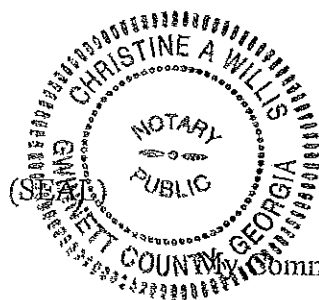
Christine A. Willis
NOTARY PUBLIC

My Commission Expires: July 15, 2022

STATE OF Georgia

COUNTY OF Fulton

Personally appeared before me, the undersigned authority in and for the said county and state on this 11th day of January, 2019, within my jurisdiction, the within named **PATRICIA O'FALLIN MCGILL**, who is the Conservator of **ELEANOR SUE ROBERTS**, who acknowledged that she executed the above and foregoing instrument.



Christine A. Willis
NOTARY PUBLIC

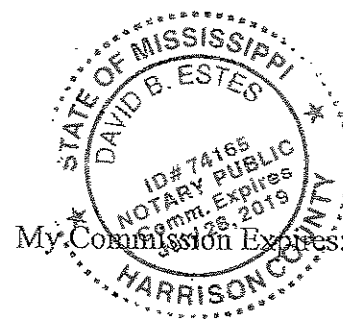
Commission Expires: July 15, 2022

STATE OF Mississippi

COUNTY OF Harrison

Personally appeared before me, the undersigned authority in and for the said county and state on this 10 day of January, 2019, within my jurisdiction, the within named **MIKE WARE**, who acknowledged that he executed the above and foregoing instrument.

(SEAL)



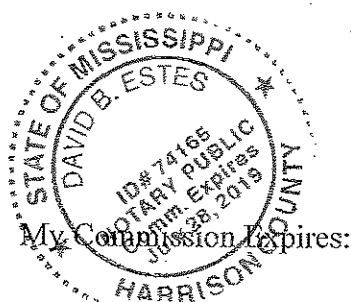

NOTARY PUBLIC

STATE OF Mississippi

COUNTY OF Harrison

Personally appeared before me, the undersigned authority in and for the said county and state on this 10th day of January, 2019, within my jurisdiction, the within named **STACY WARE**, who acknowledged that she executed the above and foregoing instrument.

(SEAL)



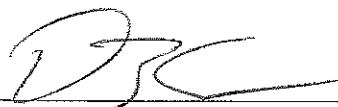

NOTARY PUBLIC

STATE OF Mississippi
COUNTY OF Harrison

Personally appeared before me, the undersigned authority in and for the said county and state on this 10th day of January, 2019, within my jurisdiction, the within named **CLINTON WARE**, who acknowledged that he executed the above and foregoing instrument.

(SEAL)




NOTARY PUBLIC

STATE OF Mississippi
COUNTY OF Harrison

Personally appeared before me, the undersigned authority in and for the said county and state on this 10 day of January, 2019, within my jurisdiction, the within named **CASSIE WARE**, who acknowledged that she executed the above and foregoing instrument.

(SEAL)




NOTARY PUBLIC

EXHIBIT "A"

10

A lot described as beginning at a point 208.5 feet South of the Northwest corner of the NE 1/4 of the NE 1/4 of Section 5, Township 7 South, Range 11 West, from thence run South 786.5 feet along a boundary this day marked as a true boundary of the property herein conveyed by C.E. Cruthirds, to a stake set for the SW corner of said property from thence East 708 feet to a stake marking the SE corner of said property which said point is 81 feet South of an iron stake marking the SW corner of the property of Dr. Fahnestock; thence from said SE corner run North 835 feet to a fence line marking the Southern boundary of the property of Lloyd; thence West 459 feet to a stake, thence North 451.5 feet to a stake on a fence line; thence West 249 feet to the point of beginning, containing 8 acres, more or less. This conveyance also includes a right-of-way or easement for road purposes, thirty feet wide, extending due South from the Highway leading from the residence of C. E. Cruthirds and wife to

the Magnolia Highway, the east boundary of said thirty foot right-of-way is to run South from the Southeast corner of said property. All of said property herein conveyed being situated in and a part of the Northeast Quarter of the Northeast Quarter of Section 5, township 7 South, Range 11 West, in Harrison County, Mississippi, and being the same property conveyed by C. E. Cruthirds and wife by Deed dated October 15, 1927, and recorded in Book 171, page 431 of the Deed Records of Harrison County, Mississippi.

Also, starting at a stake thirty feet west of the Southeast corner of land owned by Oscar Elder, as above described, thence running in a westerly direction three hundred and eighteen feet to a stake, thence in a southerly direction, one hundred thirty-six feet to a stake, thence in an easterly direction three hundred thirty-five feet to a stake, thence in a northerly direction sixty feet to the point of beginning, containing a fraction less than three quarters of an acre, being in a southern part of the Northeast quarter of the Northeast quarter of Section 5, Township 7, Range 11 West.

Also, that certain lot or parcel of land, described as beginning at a point 208 feet West and 209 feet South of the Northeast corner of Section 5, Township 7 South, Range 11 West, as a point of beginning; and from thence run West 871 feet to a stake; thence South 150 feet, more or less, to the Northwest corner of the property now or formerly of J. C. Williamson; thence due East along the North line of said Williamson's property to a point due South at the point of beginning; on the West margin of Magnolia Highway; thence North 150 feet, more or less, to the point of beginning. Being located in and a part of the NE 1/4 of the NE 1/4 of Section 5, Township 7 South, Range 11 West, in Harrison County, Mississippi.

LESS AND EXCEPT, that parcel conveyed to Mrs. Cecil Rowe Ball on March 10, 1948, by Warranty Deed recorded in Book 308 at pages 204-205 of the Land Deed Records of Harrison County, Mississippi, more fully described as follows, to-wit:

11

A lot or parcel of land beginning at the Southeast corner of the property of the Pittmans, which point is 995 feet South on the Quarter Section line from the NW corner of the NE 1/4 of the NE 1/4 of Section 5, Township 7 South, Range 11 West, and from said point run East 708 feet for a point of beginning; from said point of beginning run North 180 feet to a stake; thence run West 150 feet to a stake placed 216 feet north of the south side of this lot; from thence run South 216 feet to the South line of the property now or formerly of Pittman; thence run East 150 feet to the place of beginning; said lot being situated in the Northeast corner of the property now or formerly of Pittman, and situated and being in and a part of the NE 1/4 of the NE 1/4 of Section 5, Township 7 South, Range 11 West, together with all improvements therein and all rights and appurtenances thereunto belonging.

10
FILED THIS 13th DAY OF
December 20 18
GERALD W. BOND
Chancery Clerk
D.C.

IN THE CHANCERY COURT OF STONE COUNTY, MISSISSIPPI
IN THE MATTER OF THE CONSERVATORSHIP
OF ELEANOR SUE ROBERTS

CASE NO. 66CH1:18-252 (CB)

PATRICIA MCGILL

PETITIONER

**JUDGMENT FOR APPOINTMENT OF CONSERVATOR,
AND FOR LETTERS OF CONSERVATORSHIP**

This cause came on for consideration on December 11, 2018 on the Amended Petition (hereinafter the "Petition") filed by Patricia McGill, the sister of the proposed ward, Eleanor Sue Roberts, requesting that this Court appoint Patricia McGill as the conservator over the estate of Eleanor Sue Roberts for the sole and limited purpose of conveying the ward's interest in certain real estate described herein, and for letters of conservatorship, and the Court, being fully advised in the premises, finds that it has jurisdiction over the parties and of the subject matter in this action and FINDS, ORDERS AND ADJUDGES as follows:

1. Patricia McGill is the sister of Eleanor Sue Roberts. Patricia McGill is an adult resident of the State of Georgia. She filed the petition herein requesting that the Court appoint her as the Conservator over the ward's estate for the purposes described herein.

2. The proposed ward, Eleanor Sue Roberts, is an adult resident of Stone County, Mississippi, and therefore, this Court has jurisdiction over the parties and of the subject matter herein. She was personally served with the summons and petition on November 21, 2018.

3. The Court finds that Stacy Evans, the niece of the ward, is an adult resident of Stone County, Mississippi, and is the ward's closest relative residing in this state. She was also personally served with the summons and petition on November 21, 2018.

4. The Court finds that no objection has been made in open court or in the Court file objecting to the relief as requested by the Petitioner in the Petition. The Court further finds that Eleanor Sue Roberts is incapable of caring for her person or managing her estate as evidenced by the statements of two treating physicians, attached to the Petition as Exhibits "A" and "B" respectively, and which are fully incorporated herein by reference. Eleanor Sue Roberts has been diagnosed with Dementia among other medical conditions that render her mentally incompetent. Both physicians agree that she is unable to handle her business affairs or to make decisions in her best interests.

5. The Court finds that Patricia McGill is a fit and proper person to be appointed as the Conservator over the estate of Eleanor Sue Roberts for the limited purposes described herein, and that she is otherwise qualified under the statutes of the State of Mississippi to serve in this capacity. The purpose of the conservatorship is as set out below.

6. On June 1, 1973, William L. Stewart conveyed certain real property located in the First Judicial District of Harrison County, Mississippi to James O'Fallin, Patricia O'Fallin McGill, and Glatha Nell O'Fallin Ware as tenants in common, subject to a life estate in said property being granted to James O'Fallin, Eleanor Sue Roberts, and Charles Roberts. A copy of the Special Warranty Deed is attached to the Petition on file in this action as Exhibit "C" and is fully incorporated herein by reference.

7. The Court finds that two of the three life estate grantees in the deed referenced herein are now deceased. James O'Fallin died on May 2, 1994, and Charles Roberts, who was the spouse of Eleanor Sue Roberts, died on November 1, 1998. The Court finds that said real property is unoccupied, and further that Eleanor Sue Roberts does not reside on said property, and further that Eleanor Sue Roberts will never reside on said property due to her medical condition and the fact that there are no habitable structures on the property. The ward does not have any other interest in said property other than the referenced life estate. Therefore, the Court finds that the ward will not be prejudiced if the Court should grant the relief as requested by the Petitioner herein.

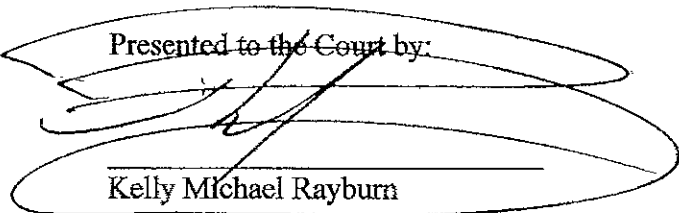
8. The Court finds that the owners of said property, including the Petitioner, Patricia McGill, are desirous of selling the subject real property, but due to the ward's illness, the ward is incapable of providing consent for the property to be sold. As such, the Court hereby appoints Patricia McGill as the ward's conservator for the sole purpose of executing any and all documents necessary at closing to convey the ward's interest in the real property to the proposed buyers, and further to execute any and all documents on behalf of the ward that are necessary at closing to convey title to the proposed buyer and to terminate the ward's life estate in said property. The Court finds that the contract for sale and purchase of the referenced property, a copy of which is attached hereto, is approved in all respects, as the ward will not be prejudiced by the sale for the reasons cited herein.

IT IS THEREFORE, ORDERED AND ADJUDGED that Patricia McGill be appointed as the Conservator over the estate of Eleanor Sue Roberts for the sole and limited purpose of having the authority to convey the ward's interest in the real property

described on Exhibit "C" to the Petition, and further that the conservator shall serve without bond, as it is discretionary with the Court. The Court finds that upon the filing of the oath of Conservator, that Letters of Conservatorship shall be issued to Patty McGill and that formal accountings be waived, as it is not anticipated that any funds will come into the ward's estate as a result of the sale of the above referenced real property. The Court further finds that following the sale of the subject property, that this matter shall stand fully and finally closed and the conservator discharged.

SO ORDERED AND ADJUDGED on this the 11 day of December 2018.


CHANCELLOR


Presented to the Court by:

Kelly Michael Rayburn
Attorney at Law
P.O. Box 2566
Gulfport, MS 39505
(228) 539-2400 (ofc)
(228) 539-3130 (fax)
MSB# 8604

Request for Variance Questionnaire

12503 Old Hwy 49

Gulfport, MS 39503

1. Because the property we are developing is both a kindergarten and located closely to agricultural property we would like to build a fence that has both form and function. We would like the fence to compliment the surrounding community and provide safety for the students and visibility to the beautiful landscape that surrounds the school.
2. The surrounding area has long had an agricultural appeal and we would like to maintain that appeal while adhering to the state guidelines required for a kindergarten facility.
3. By being forced to adhere to the standardized choices of approved fencing provided by the City of Gulfport, we fear that a chain link fence would diminish the natural agricultural look of the school and surrounding community.
4. By being forced to adhere to the list of approved fencing for the city of Gulfport, while maintaining a safe controlled environment for the children, we would be unable to create the atmosphere of agriculture that we plan to promote for the families attending our kindergarten.
5. By making small changes to the allowances already set in place by the city of Gulfport, we will be able to incorporate the natural look of wood and mesh fencing commonly seen on farm land, while maintaining the safety and well being of the children. This will be a benefit to both the school and neighboring homes with no added special benefit not afforded to other structures in the community.
6. This proposed fence system is permissible by right, with planning approval or by special exception with respect to uses of land or structures.

Request for Variance -- Additional Standards

12503 Old Hwy 49

Gulfport, MS 39503

1. This fence design is completely safe for the subject property, adjacent properties, ingress and egress, streets, alleyways, or bodies of water in the vicinity of the proposed fence.
2. The variance request for our fence will have a very positive visual impact on the adjacent properties, streets, alleyways, and water bodies. It will actually compliment the surrounding community rather than diminishing it visually.
3. The main purpose of this request for a variance is to enhance the visual appeal of the local structures, adjacent properties, and community surrounding the school.
4. There will be no ingress and egress impact.
5. There will be no nuisance or hazardous features in the school yard tat require screening, buffering, or separation. The school yard will be lush with vegetable gardens, fruit trees, butterfly gardens, and natural outdoor playscapes. The proposed fence design will allow the surrounding community to enjoy the beautiful features being created in the school yard.
6. This request for variance of the proposed fence will make the school more compatible with the adjacent properties.

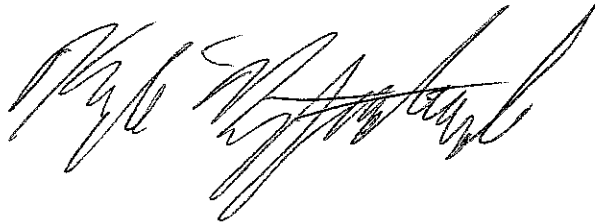
Request for Variance Affidavit

12503 Od Hwy 49

Gulfport, MS 39503

This request for a variance to the fence is not in violation with any restrictive or protective covenants.

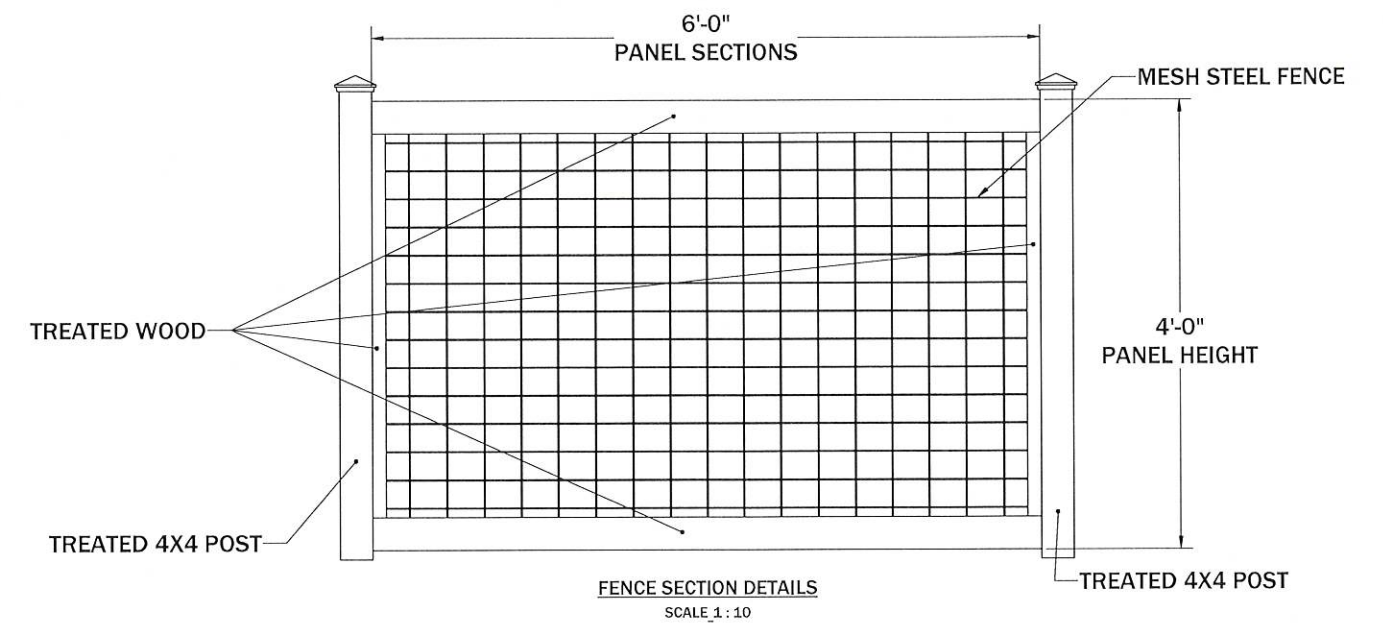
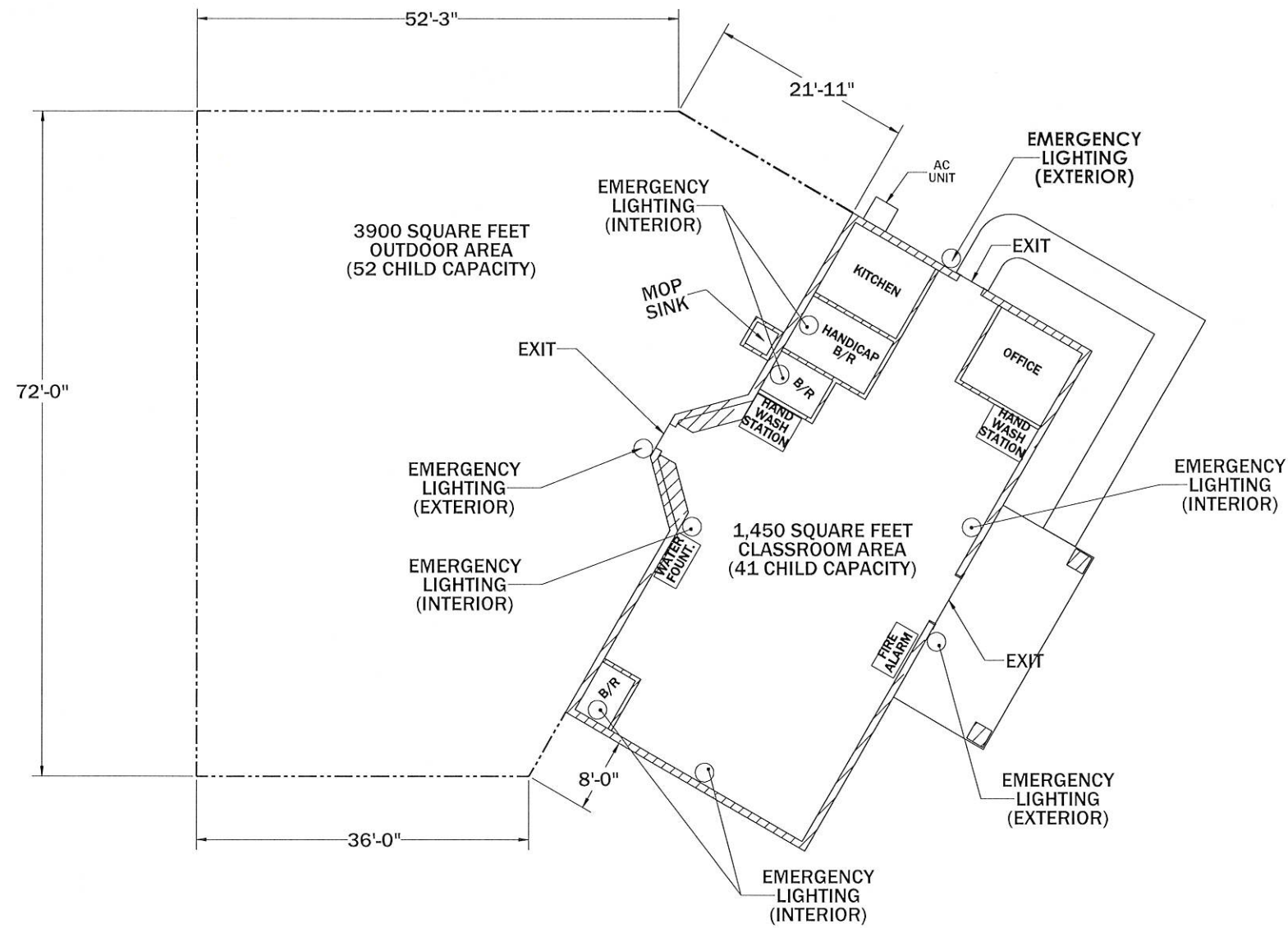
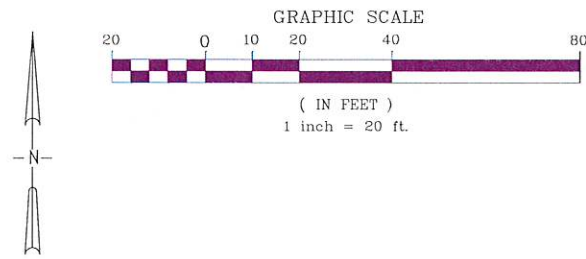
Kyle Fitzpatrick

A handwritten signature in black ink, appearing to read 'Kyle Fitzpatrick', with a stylized, cursive script.

03-02-22

Emily Fitzpatrick

A handwritten signature in black ink, appearing to read 'Emily Fitzpatrick', with a stylized, cursive script.



BUSY BEE MONTESSORI SCHOOL – 12501 OLD HIGHWAY 49

PREPARED BY

Robert K. Riemann, P.E.

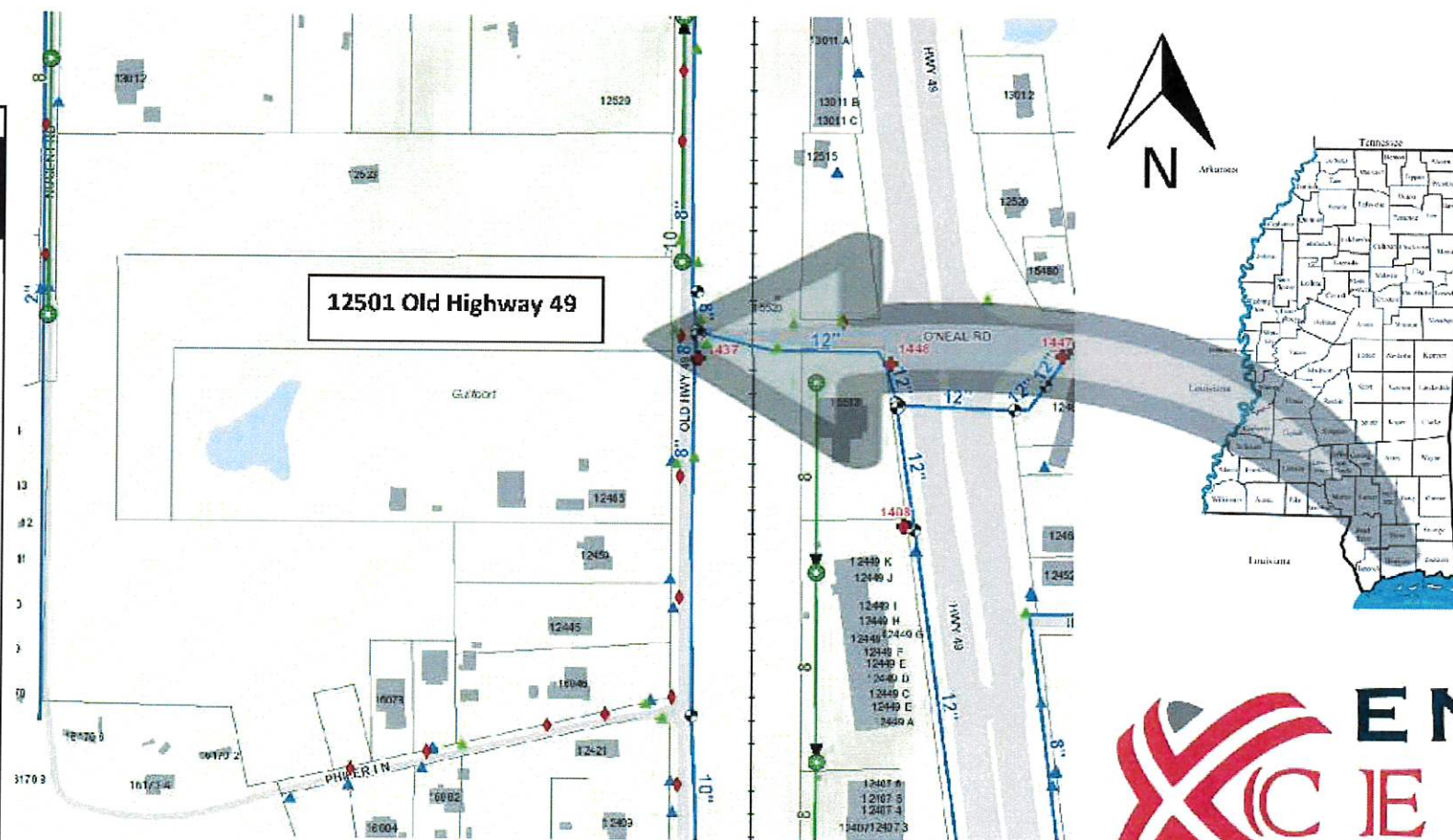
OWNER

Kyle Fitzpatrick –

Mobile – (228) 213-0109

Email –
kylenemily@gmail.com

CITY OF GULFPORT HARRISON COUNTY, MISSISSIPPI PROJECT No. 04-2021-03



VICINITY MAP - PROJECT LOCATION

ENGR STAGE	DATE
20% REVIEW	4/19/21
60% REVIEW	5/5/21
FINAL APPROVAL	5/12/21
READY FOR CONSTRUCTION	

PERMITS	DATE
WETLANDS	1/20/2021
MDEQ	
MDOH	
MDOT	

UTILITIES

City of Gulfport – Water, Sewer, and
Drainage – 228-868-5740

Harrison County Development
Commission – 896-5020

Harrison County Utility Authority –
Sewer - 228-868-8752

Coast Electric Power Association –
Power – 228-832-1761

AT & T – Telephone – 1-877-737-2478

Mississippi Power – Power - 1-800-
532-1502

C-Spire – Fiber - 1-855-277-4732

Cable One – Cable – 228-374-5900

ENGINEERING
CELLENCE
WITH KRIS RIEMANN & ASSOCIATES

ENGINEERING
CELLENCE
WITH KRIS RIEMANN & ASSOCIATES

BUSY BEE MONTESSORI SCHOOL -
12501 OLD HIGHWAY 49 - 4/19/21

GENERAL NOTES

UTILITIES

1.
- THE LOCATIONS OF EXISTING UNDERGROUND UTILITIES ARE SHOWN ON THE PLANS BASED UPON THE BEST INFORMATION AVAILABLE TO THE ENGINEER, AND HAVE NOT BEEN INDEPENDENTLY VERIFIED BY THE OWNER OR HIS REPRESENTATIVE. THE ENGINEER CANNOT AND DOES NOT WARRANT THAT THE INFORMATION IS COMPLETE OR ACCURATE. THE CONTRACTOR SHALL PERFORM A PRELIMINARY INVESTIGATION TO DETERMINE EXACT LOCATION OF UTILITY LINES BEFORE EXCAVATION OPERATION AND AGREES TO BE FULLY RESPONSIBLE FOR ANY AND ALL DAMAGES, WHICH MIGHT BE OCCASIONED BY THE CONTACTORS FAILURE TO EXACTLY LOCATE AND PRESERVE ANY AND ALL UNDERGROUND UTILITIES.
2.
- BEFORE UNDERTAKING EACH PART OF THE WORK, THE CONTRACTOR SHALL CAREFULLY STUDY AND COMPARE THE PLANS AND SPECIFICATIONS AND CHECK AND VERIFY PERTINENT FIGURES SHOWN THEREON AND ALL APPLICABLE FIELD MEASUREMENTS. IF ANY CONFLICTS, ERRORS, DISCREPANCIES, OR OTHER UNSATISFACTORY CONDITIONS ARE DISCOVERED EITHER ON THE CONSTRUCTION DOCUMENTS OR IN THE FIELD CONDITIONS, THE CONTRACTOR SHALL PROMPTLY REPORT IN WRITING TO THE ENGINEER OR HIS AUTHORIZED REPRESENTATIVE, AND SHALL OBTAIN A WRITTEN INTERPRETATION OR CLARIFICATION FROM THE ENGINEER OR HIS AUTHORIZED REPRESENTATIVE BEFORE PROCEEDING WITH ANY WORK AFFECTED THEREBY.
3.
- NEW WATER METERS WILL NOT BE INSTALLED AS PART OF THIS PROJECT. THE CONTRACTOR IS TO INSTALL A NEW WATER SERVICE AND CURB STOP AS PART OF THIS PROJECT. ANY EXISTING METER ASSEMBLIES DAMAGES BY THE CONTRACTOR SHALL BE REPLACED IN KIND AT NO ADDITIONAL COST.
4.
- ALL WATER SERVICES SHALL BE REPLACED FROM THE MAIN TO THE EXISTING METER AND ANY FITTINGS NECESSARY FOR INSTALLATION OF THE NEW SERVICE AND/OR RECONNECTION TO THE EXISTING SERVICE. THE CONTRACTOR SHALL COORDINATE METER CONNECTIONS AND LOCATIONS WITH THE CITY, THE ENGINEER, AND THE CUSTOMER. THE CONTRACTOR SHALL BE AWARE THAT THERE MAY BE INSTANCES WHERE THE EXISTING METER/METER BOX IS LOCATED OUTSIDE OF THE RIGHT-OF-WAY NEAR A HOUSE, BUILDING, ETC. ANY NECESSARY RIGHTS OF ENTRY REQUIRED FOR THIS WORK SHALL BE COORDINATED WITH AND OBTAINED BY THE CITY DURING CONSTRUCTION.
5.
- QUANTITIES ESTIMATED FOR WATER SERVICES ARE BASED ON LIMITED EXISTING INFORMATION. THE QUANTITIES SHOWN ARE FOR BIDDING PURPOSES ONLY. FINAL QUANTITIES FOR PAYMENT SHALL BE BASED ON THE ACTUAL QUANTITIES INSTALLED DURING CONSTRUCTION.
6.
- ALL EXISTING CITY WATER SAMPLING STATIONS MUST BE RECONNECTED TO THE NEW WATER MAIN WITH NEW WATER SERVICE TUBING THAT HAS BEEN CHLORINATED/TESTED. A NEW CURB STOP AND METER BOX SHALL ALSO BE PROVIDED NEAR THE CONNECTION TO THE SAMPLING STATION. THE RECONNECTION OF ANY SAMPLING STATIONS SHALL BE TREATED AND PAID FOR AS A TYPICAL HOUSE SERVICE.
7.
- CONTRACTOR SHALL BE RESPONSIBLE FOR IMMEDIATELY REPLACING OR REPAIRING, AT HIS OWN EXPENSE, ANY DAMAGED SANITARY SEWER LINES AND APPURTENANCES; STORM DRAIN LINES AND APPURTENANCES; WATER MAIN AND APPURTENANCES, DRAIN STRUCTURES, OR ANY OTHER EXISTING STRUCTURES, SERVICES OR OBSTRUCTIONS WHICH, IN THE OPINION OF THE CITY OR THE ENGINEER, WAS DAMAGED BY THE CONTRACTOR. THE CONTRACTOR SHALL HAVE ON HAND AT ALL TIMES THE NECESSARY FITTINGS AND ACCESSORIES NEEDED TO PERFORM AN EMERGENCY REPAIR ON ANY EXISTING SANITARY SEWER LINE, WATER MAIN, STORM DRAIN, FORCE MAIN, SERVICE, ETC. SHOULD THE MAIN(S) OR SERVICE(S) BE DAMAGED DURING THE CONSTRUCTION OF THIS PROJECT.
8.
- CONTRACTOR MUST KEEP THE WATER, SEWER, AND DRAINAGE SYSTEMS FUNCTIONAL AND ALL HOUSES IN SERVICE AT ALL TIMES UNLESS MINIMAL UTILITY OUTAGES ARE APPROVED BY THE CITY OR THE ENGINEER WITH A MINIMUM OF THREE (3) CITY WORKING DAYS NOTICE. NO SERVICE SHALL BE LEFT OFF TO ANY PROPERTY OVERNIGHT.

EROSION CONTROL

1.
- THE CONTRACTOR SHALL BE REQUIRED TO FURNISH ALL MATERIALS AND PERFORM ALL WORK FOR THE PROPER INSTALLATION, MAINTENANCE, AND REMOVAL OF ANY TEMPORARY EROSION CONTROL MEASURE(S) NECESSARY TO CONTROL SILTATION.
2.
- CONTRACTOR SHALL INSTALL AND MAINTAIN SILT FENCES AROUND THE PERIMETER OF ALL VEGETATED AREAS WHICH ARE DISTURBED AND SHALL PREVENT SILTATION OF ADJACENT DRAINAGE SYSTEMS AND CHANNELS WITH SILT FENCING. THE USE OF HAY BALES IS PROHIBITED. CONTRACTOR SHALL BE RESPONSIBLE FOR MAINTAINING EROSION CONTROLS DURING THE ENTIRE COURSE OF THIS PROJECT PER ACCEPTABLE/APPROVED STORMWATER BEST MANAGEMENT PRACTICES. THE PLACEMENT OF THE EROSION AND SEDIMENT CONTROL BEST MANAGEMENT PRACTICES (BMPs) SHALL BE IN ACCORDANCE WITH THE MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY'S *PLANNING AND DESIGN MANUAL FOR THE CONTROL OF EROSION, SEDIMENT, AND STORMWATER*.
3.
- SILT FENCES SHALL BE INSTALLED AND PROPERLY MAINTAINED AROUND ALL STOCKPILED MATERIALS.
4.
- ALL DISTURBED AREAS WITHIN THE RIGHT OF WAY AND/OR EASEMENTS SHALL BE GRASSED PER THE SPECIFICATIONS. ACCEPTANCE SHALL BE BASED ON SATISFACTORY GROWTH AND COVERAGE OF SEED(S) PLANTED.
5.
- EXISTING VEGETATION SHALL BE MAINTAINED AND PROTECTED WHEREVER POSSIBLE.
6.
- WHERE APPLICABLE, ALL CONSTRUCTION TRAFFIC SHALL ENTER/EXIT THE SITE THROUGH THE CONSTRUCTION ENTRANCE. A CONSTRUCTION ENTRANCE IS REQUIRED AT ALL ACCESS POINTS ON THE SITE.
7.
- TEMPORARY OR PERMANENT VEGETATIVE PRACTICES SHALL BE IMPLEMENTED WITHIN SEVEN CALENDAR DAYS WHEN A DISTURBED AREA WILL BE LEFT UNDISTURBED FOR THIRTY CALENDAR DAYS OR MORE.
8.
- TEMPORARY EROSION AND SEDIMENT CONTROLS SHALL NOT BE REMOVED UNTIL PERMANENT EROSION CONTROLS ARE ESTABLISHED ON ALL DISTURBED AREAS. FINAL APPROVAL ON THE PROJECT WILL NOT BE MADE UNTIL ALL TEMPORARY EROSION CONTROLS ARE REMOVED AND PERMANENT EROSION CONTROLS ARE EFFECTIVELY ESTABLISHED.
9.
- ALL EQUIPMENT REPAIR AND MAINTENANCE SHALL BE DONE OFF-SITE.
10.
- RECEPTACLES SHALL BE PROVIDED TO PROPERLY DISPOSE OF ALL TRASH AND WASTE. ALL CONSTRUCTION DEBRIS SHALL BE PICKED UP AT THE END OF EACH DAY AND SHALL BE REMOVED COMPLETELY FROM THE SITE AT THE END OF THE PROJECT.
11.
- SANITARY FACILITIES SHALL BE PROVIDED ON-SITE FOR ALL EMPLOYEES.
12.
- TEMPORARY EROSION AND SEDIMENT CONTROLS SHALL BE INSTALLED PRIOR TO THE START OF ANY WORK. IF IT WILL BE REQUIRED TO REMOVE THEM TEMPORARILY DUE TO CONSTRUCTION ACTIVITIES, ONCE THOSE ACTIVITIES ARE COMPLETED OR AT THE END OF THE WORK DAY, THE TEMPORARY CONTROLS SHALL BE REINSTALLED IMMEDIATELY.
13.
- ALL EROSION CONTROLS SHALL BE INSTALLED IN ACCORDANCE WITH THE DETAILS.
14.
- ADDITIONAL EROSION AND SEDIMENT CONTROLS MAY BE DEEMED NECESSARY IF THE CONTROLS FOUND IN THE STORMWATER MANAGEMENT PLAN ARE FOUND TO BE INEFFECTIVE.
15.
- ACCUMULATED SEDIMENT SHALL BE REMOVED FROM CONTROLS WHEN IT REACHES ONE-HALF (½) THE HEIGHT OF THE CONTROL. THE SEDIMENT SHALL BE PROPERLY DISPOSED OF SO AS NOT TO CAUSE SEDIMENTATION IN ANOTHER LOCATION.
16.
- EROSION AND SEDIMENT CONTROLS SHALL BE INSPECTED WEEKLY AND FOLLOWING ANY RAIN EVENT. NON-FUNCTIONING, INEFFECTIVE, OR DAMAGED CONTROLS SHALL BE REPAIRED, REPLACED, OR SUPPLEMENTED WITH FUNCTIONAL CONTROLS WITHIN 24 HOURS OF DISCOVERY.

17.
- THE CONTRACTOR IS RESPONSIBLE FOR THE REMOVAL OF ANY SEDIMENT THAT MIGRATES INTO THE STORM DRAIN SYSTEM.
18.
- THE CONTRACTOR IS RESPONSIBLE FOR THE REMOVAL OF ANY SEDIMENT OR CONSTRUCTION DEBRIS THAT IS TRACKED ONTO ADJACENT PAVED AREAS. ADJACENT STREETS SHALL BE KEPT CLEAN THROUGHOUT CONSTRUCTION AND SHALL BE CLEANED WITH A STREET-SWEEPER OR SIMILAR TECHNIQUE IMMEDIATELY UPON DISCOVERY OF SEDIMENT. WASHING DOWN OF THE STREET OR ANY PAVED AREAS IS NOT ALLOWED.
19.
- ANY SEDIMENT THAT HAS MIGRATED OFF-SITE WHETHER ONTO PUBLIC OR PRIVATE PROPERTY SHALL BE REMOVED IMMEDIATELY UPON DISCOVERY.

TRAFFIC/SIGN

1.
- MAINTENANCE OF TRAFFIC SHALL INCLUDE ALL SIGNS, BARRICADES, PAVEMENT MARKINGS, WARNING LIGHTS, PERSONNEL, TRAFFIC CONTROL DEVICES, SUPERVISION, AND OTHER ITEMS CONCERNING TRAFFIC CONTROL. THERE SHALL BE NO OTHER PAYMENTS MADE FOR THIS WORK, ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE LATEST EDITION OF THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES FOR STREETS AND HIGHWAYS (MUTCD) AND THE ATTACHED TRAFFIC CONTROL PLAN.
2.
- CONTRACTOR SHALL INVENTORY ALL EXISTING SIGNS AND LOCATION WITHIN THE PROJECT LIMITS. CONTRACTOR SHALL REMOVE, SAFELY STORE TO PREVENT DAMAGE, AND REINSTALL ANY STREET SIGNS IMPACTED BY THE PROJECT. ONLY SIGNS DISTURBED DURING CONSTRUCTION SHALL BE REMOVED. ANY SIGNS DAMAGED BY THE CONTRACTOR SHALL BE REPLACED AT THE CONTRACTOR'S EXPENSE. ALL SIGNS REPLACED MUST CONFORM TO CITY SPECIFICATIONS. NO SEPARATE PAYMENT SHALL BE MADE FOR THE REMOVAL AND INSTALLATION OF EXISTING SIGNS.
3.
- IF CONTRACTOR FAILS TO MAINTAIN TRAFFIC CONTROL AS PRESCRIBED FOR TYPE OF CONSTRUCTION, THE CITY MAY WITHHOLD PAYMENT OF ALL OR ANY RECENT PAY REQUESTS UNTIL TRAFFIC CONTROL IS IN COMPLIANCE WITH PLANS.
4.
- ALL CONSTRUCTION SIGNS SHALL BE IN PLACE BEFORE THE START OF ANY CONSTRUCTION AND SHALL BE PROPERLY MAINTAINED AND REMAIN IN PLACE FOR THE LIFE OF THE PROJECT.
5.
- REPLACEMENT OF LOST OR DAMAGED CONSTRUCTION SIGNS OR DEVICES SHALL BE THE SOLE RESPONSIBILITY OF THE CONTRACTOR. LOST OR DAMAGED SIGNS SHALL BE REPLACED IMMEDIATELY. NO PAYMENT SHALL BE MADE FOR SUCH REPLACEMENT OR REPAIR.

MISCELLANEOUS

1.
- CONCRETE FOR INSTALLATION OF FENCE POSTS ON PRIVACY FENCES SHALL BE AN ABSORBED COST.
2.
- SPRINKLER SYSTEM REMOVAL AND REPLACEMENT SHALL BE AN ABSORBED COST.
3.
- THE CONTRACTOR SHALL RELOCATE ANY MAILBOXES AND SIGNS NECESSARY TO COMPLETE THIS WORK. THIS INCLUDES ALL DECORATIVE (E.G. BRICK, STONE, WOOD, ETC) MAILBOXES, REMOVAL, STORAGE, AND REPLACEMENT OF MAILBOXES AND SIGNS ARE NOT SEPARATE PAY ITEMS AND SHALL BE INCLUDED IN THE COST OF THE PROJECT. ANY MAILBOXES OR SIGNS DAMAGED BY THE CONTRACTOR SHALL BE REPLACED IN KIND AT THE CONTRACTOR'S EXPENSE.
4.
- THE CONTRACTOR SHALL BE AWARE THAT THERE MAY BE EXISTING RETAINING WALLS LOCATED THROUGHOUT THE PROJECT AREA THAT ARE TO REMAIN AS THEY CURRENTLY EXIST. IT IS THE CONTRACTOR'S RESPONSIBILITY TO PROTECT AND/OR REPAIR/REPLACE ANY PORTION OF THESE EXISTING RETAINING WALL(S) THAT ARE DAMAGED DURING CONSTRUCTION OPERATIONS. THE WALLS SHALL BE REPLACED IN KIND TO MATCH EXISTING AS CLOSELY AS POSSIBLE. NO SEPARATE PAYMENT SHALL BE PROVIDED FOR THIS WORK. IT SHOULD BE NOTED THAT THERE MAY BE INSTANCES WHERE AN EXISTING RETAINING WALL MUST BE DISTURBED DURING CONSTRUCTION. THE LIMIT(S) OF THIS DISTURBANCE WILL BE CLEARLY DELINEATED ON THE DRAWINGS AND NECESSARY PAY ITEMS WILL BE PROVIDED. AS NOTED ABOVE, THESE WALLS SHALL BE REPLACED IN KIND TO MATCH ITS PREVIOUS CONSTRUCTION TO THE EXTENT REASONABLE. IF NO SEPARATE PAY ITEM IS PROVIDED IN THE PLANS FOR RETAINING WALL REPLACEMENT/REPAIR THEN THE WORK IS CONSIDERED TO BE INCLUDED IN THE COST OF THE PROJECT.
5.
- CONTRACTOR SHALL DISPOSE OFF-SITE ALL MISCELLANEOUS TRASH, DEBRIS, AND DAMAGED VEGETATION FROM ALL AREAS WITHIN THE LIMITS OF WORK. ALL SUCH WORK SHALL BE IN ACCORDANCE WITH ALL LOCAL, STATE, AND FEDERAL REQUIREMENTS.
6.
- STREET SWEEPING BY THE CONTRACTOR SHALL BE COMPLETED AS NECESSARY OR AS DIRECTED BY THE CITY OR THE ENGINEER. NO SEPARATE PAYMENT SHALL BE MADE FOR THIS WORK. IT SHALL BE INCLUDED IN THE COST OF THE PROJECT.
7.
- CONTRACTOR SHALL BE RESPONSIBLE FOR REPLACING OR REPAIRING AT HIS OWN EXPENSE ANY DAMAGES DONE TO PUBLIC RIGHT-OF-WAYS OR PRIVATE PROPERTY, WHICH WAS DAMAGED, IN THE OPINION OF THE CITY OR THE ENGINEER, DUE TO THE NEGLIGENCE OF THE CONTRACTOR.
8.
- THE OWNER AND THE ENGINEER SHALL BE CONTACTED A MINIMUM OF 72 HOURS IN ADVANCE OF ANY WORK WITHIN THE CITY'S RIGHT-OF-WAY. ONE LANE OF TRAFFIC WITHIN CITY OF RIGHT-OF-WAYS SHALL REMAIN OPEN AT ALL TIMES FOR EMERGENCY VEHICLES.
9.
- DRAINAGE DITCHES DISTURBED DURING CONSTRUCTION ACTIVITY SHALL BE RESTORED TO EXISTING CONDITIONS. COST ABSORBED.
10.
- A FIRE ALARM WILL BE INSTALLED IN THE BUILDING PER CODE 907.2.3/907.2.6



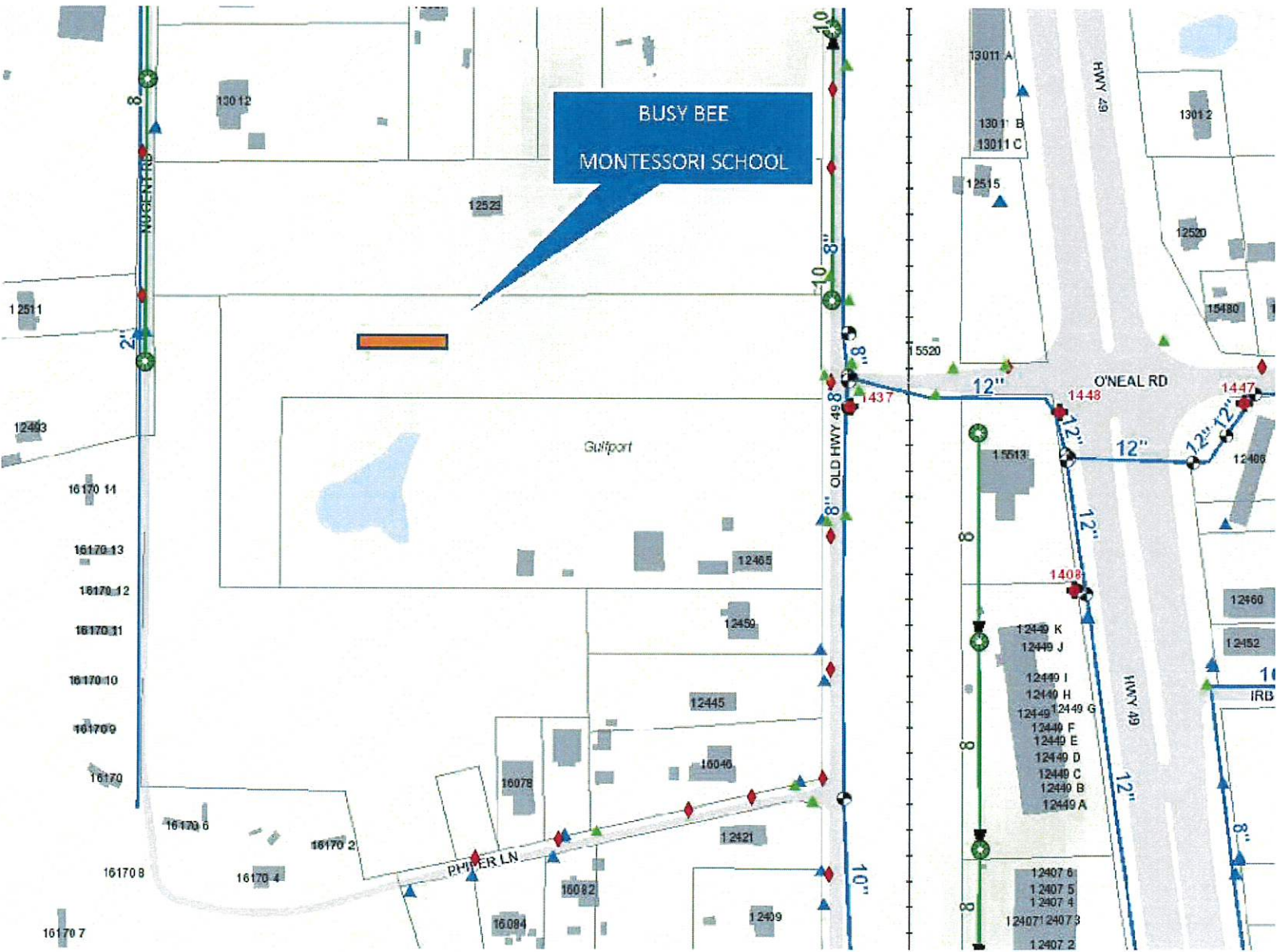
BUSY BEE MONTESSORI SCHOOL
PROJECT

DRAWING INFO	
PROJECT NO.	04-2021-003
FILE NAME	
DRAWN BY	RKR
CHECKED BY	RKR
QA/QC	

REVISIONS			
NO.	DATE	BY	DESCRIPTION

GENERAL NOTES	
DRAWING NUMBER	3

LOCATION OF BUSY BEE MONTESSORI SCHOOL – 12501 OLD HIGHWAY 49



IMAGERY OF SCHOOL PROPERTY

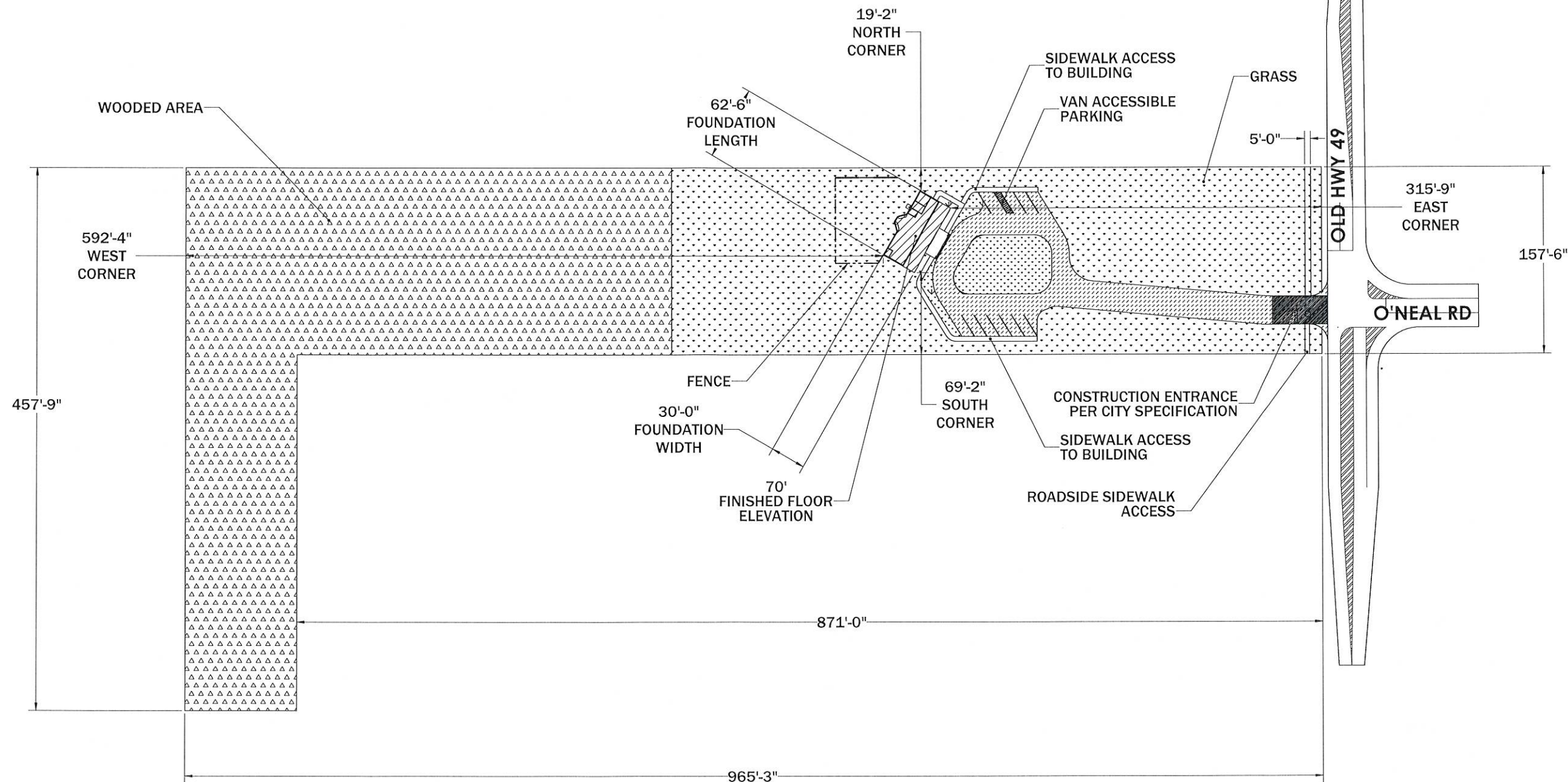
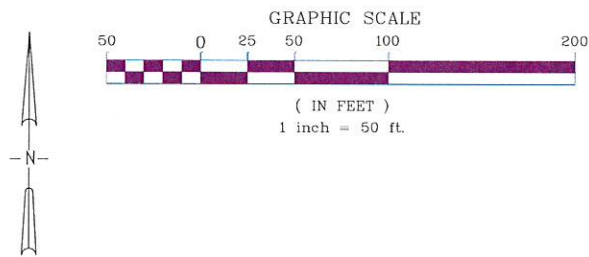


BUSY BEE MONTESSORI SCHOOL PROJECT

DRAWING INFO	
PROJECT NO.	04-2021-03
FILE NAME	
DRAWN BY	RKR
CHECKED BY	RKR
QA/QC	

REV SIONS			
NO.	DATE	BY	DESCRIPTION

LOCATION OF THE SCHOOL - IMAGERY	
DRAWING NUMBER	4



- DRAINAGE NOTE:
- OVERALL SITE 4.11 AC
 - PROPOSED IMPERVIOUS AREA 0.35 AC
 - INCREASE IN RUNOFF IS INSIGNIFICANT COMPARED TO THE OVERALL SITE.



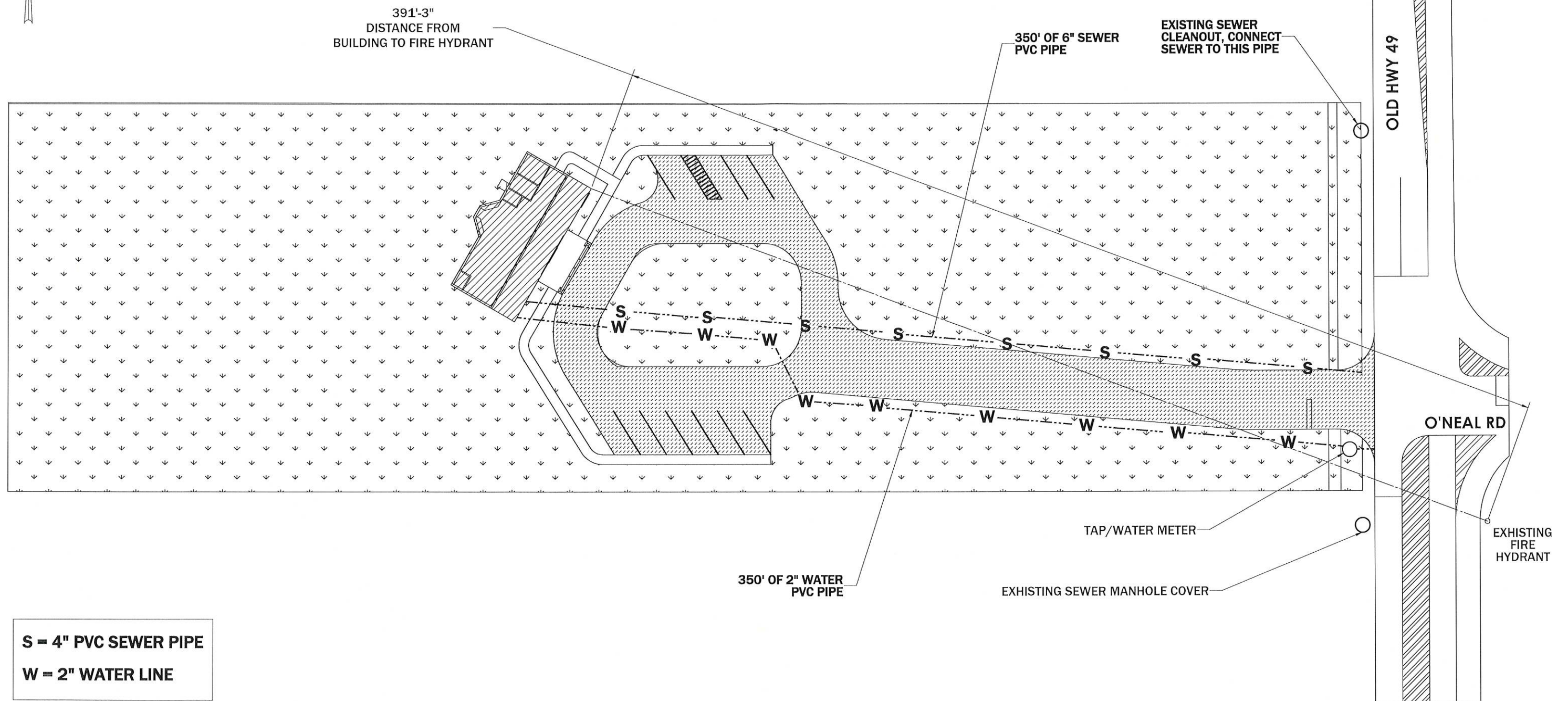
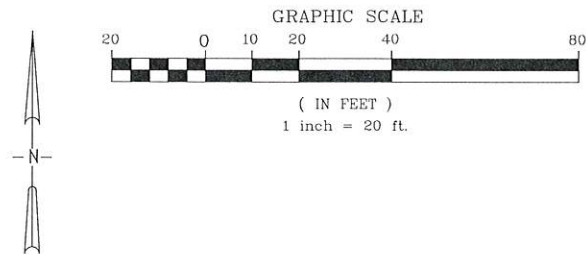
BUSY BEE MONTESSORI SCHOOL PROJECT

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PROJECT NO.	04-2021-03
FILE NAME	
DRAWN BY	
CHECKED BY	RKR
QA/QC	

REVISIONS			
NO.	DATE	BY	DESCRIPTION

SITE PLAN

DRAWING NUMBER	5
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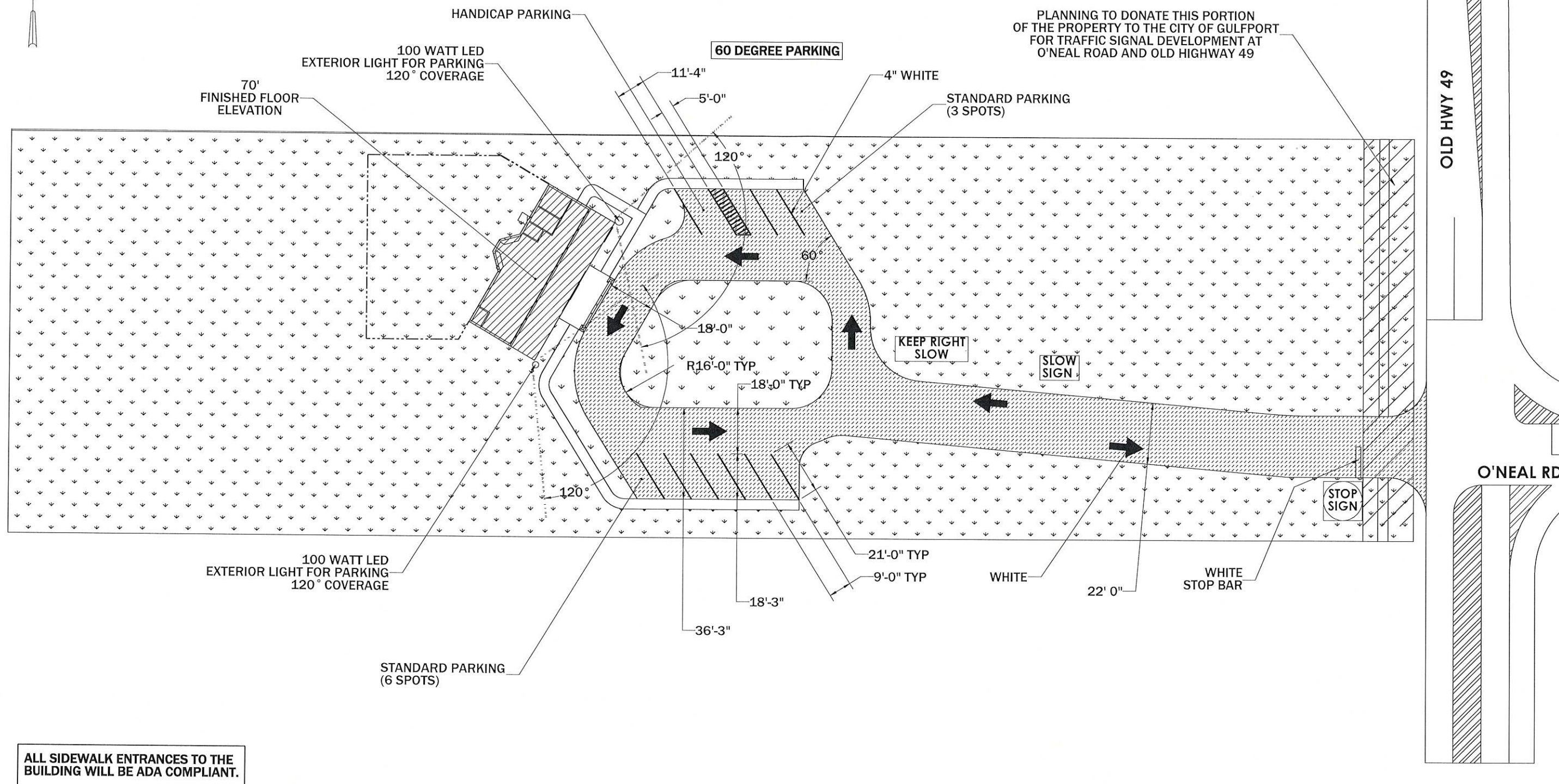
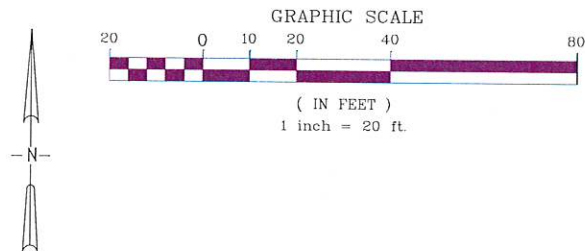


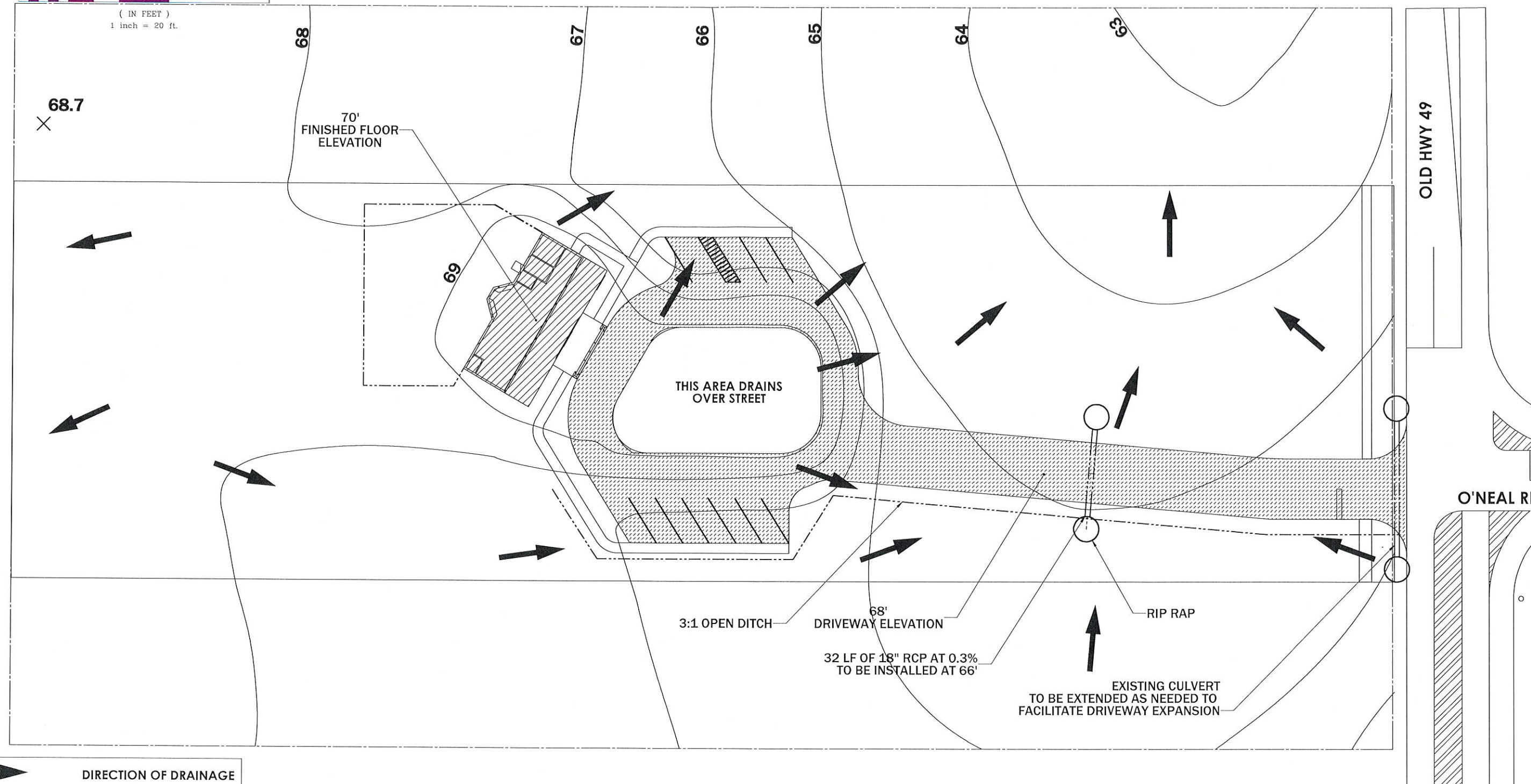
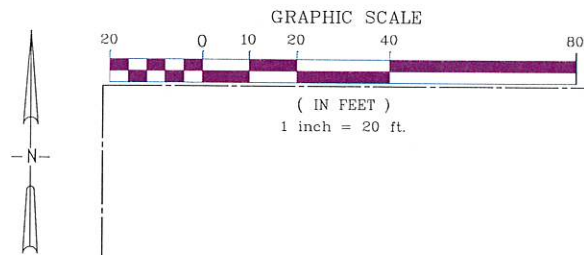
BUSY BEE MONTESSORI SCHOOL PROJECT

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PROJECT NO.	04-2021-03
FILE NAME	
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QA/QC	

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NO.	DATE	BY	DESCRIPTION

WATER & SEWER	
DRAWING NUMBER	6





**DIRECTION OF DRAINAGE**

**OPEN DITCH**

**RIP RAP**

**ENGINEERING
CELLENCE**
WITH KRIS RIEMANN & ASSOCIATES



BUSY BEE MONTESSORI SCHOOL PROJECT

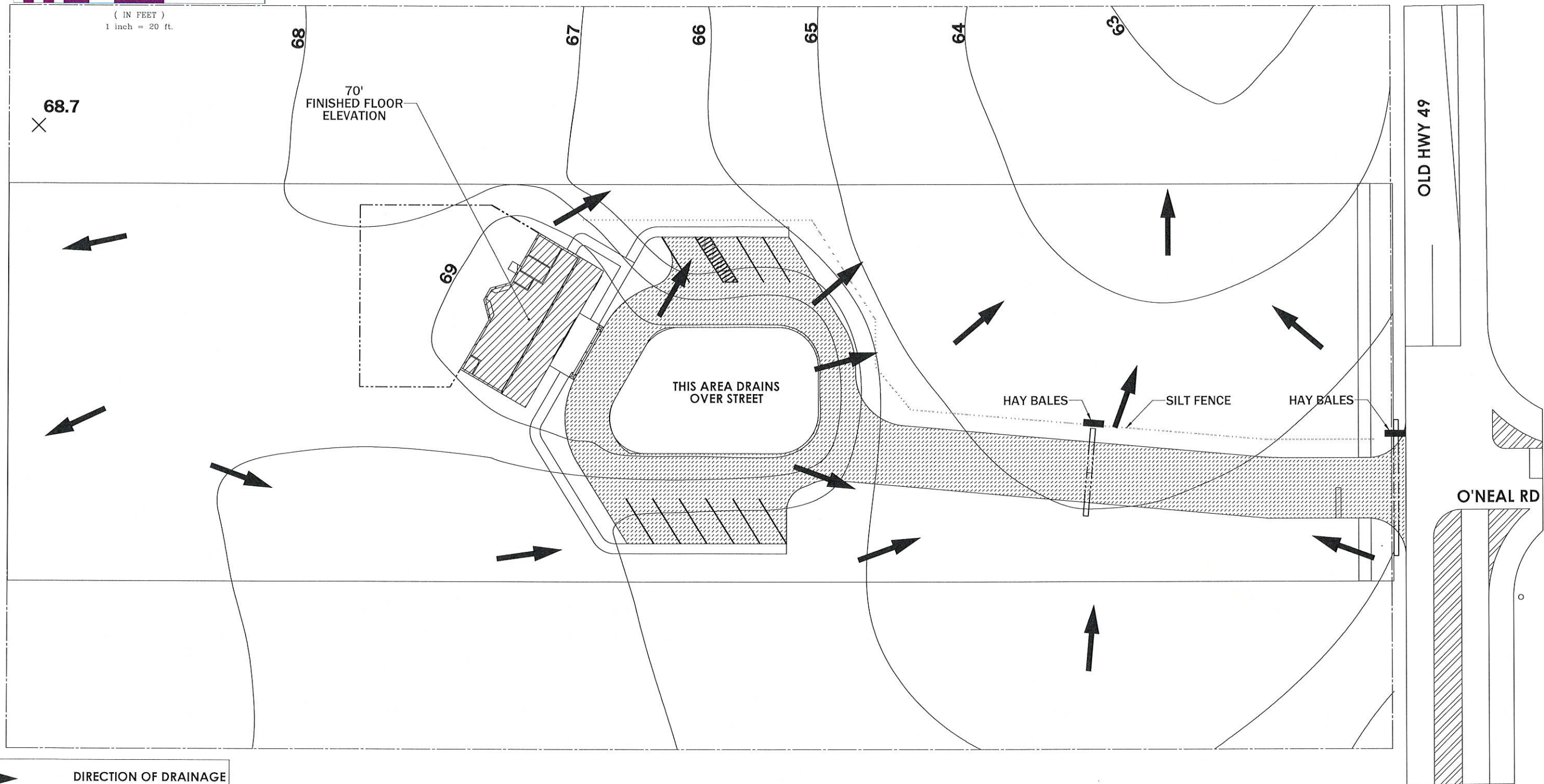
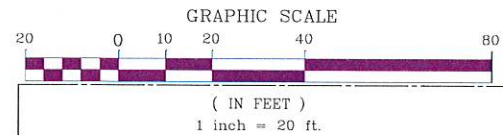
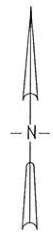
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PROJECT NO.	04-2021-03
FILE NAME	
DRAWN BY	
CHECKED BY	RKR
QA/QC	

REVISIONS			
NO.	DATE	BY	DESCRIPTION

DRAINAGE

DRAWING
NUMBER

8



- DIRECTION OF DRAINAGE
- SILT FENCE
- HAY BALE

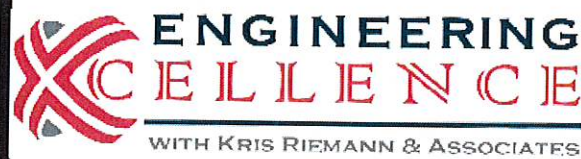
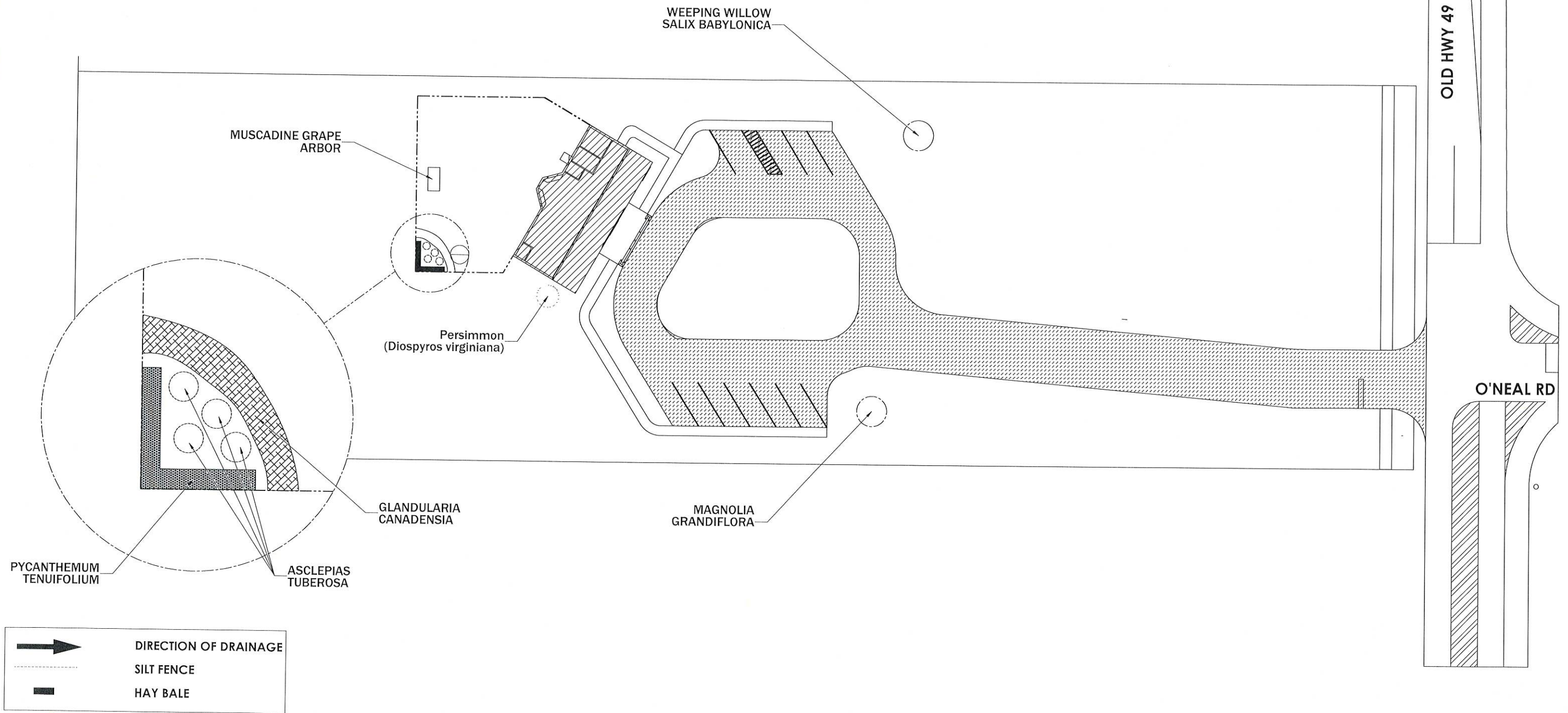
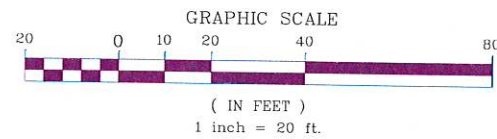
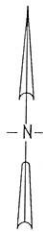


BUSY BEE MONTESSORI SCHOOL PROJECT

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NO.	DATE	BY	DESCRIPTION

SWPPP	
DRAWING NUMBER	9



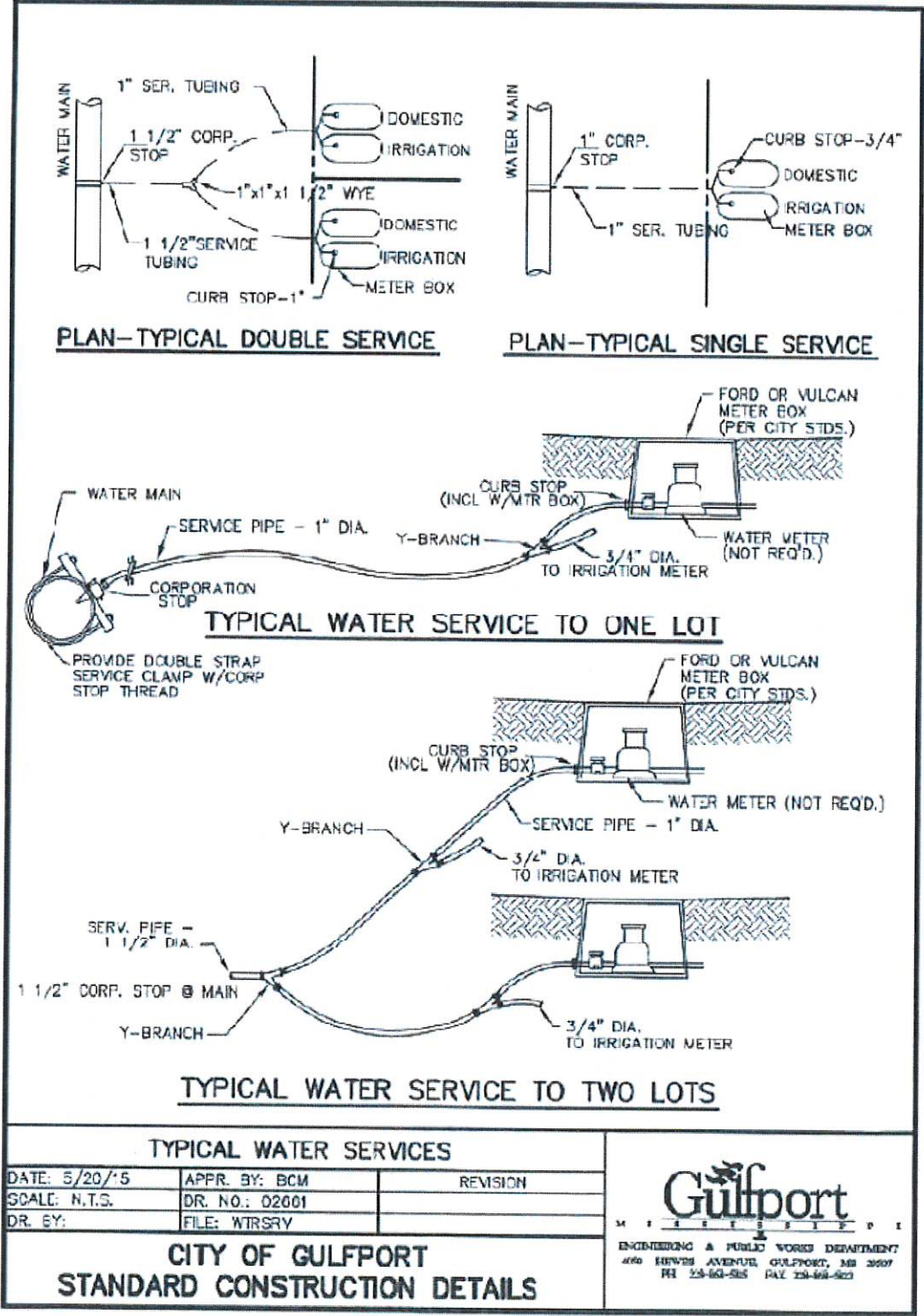
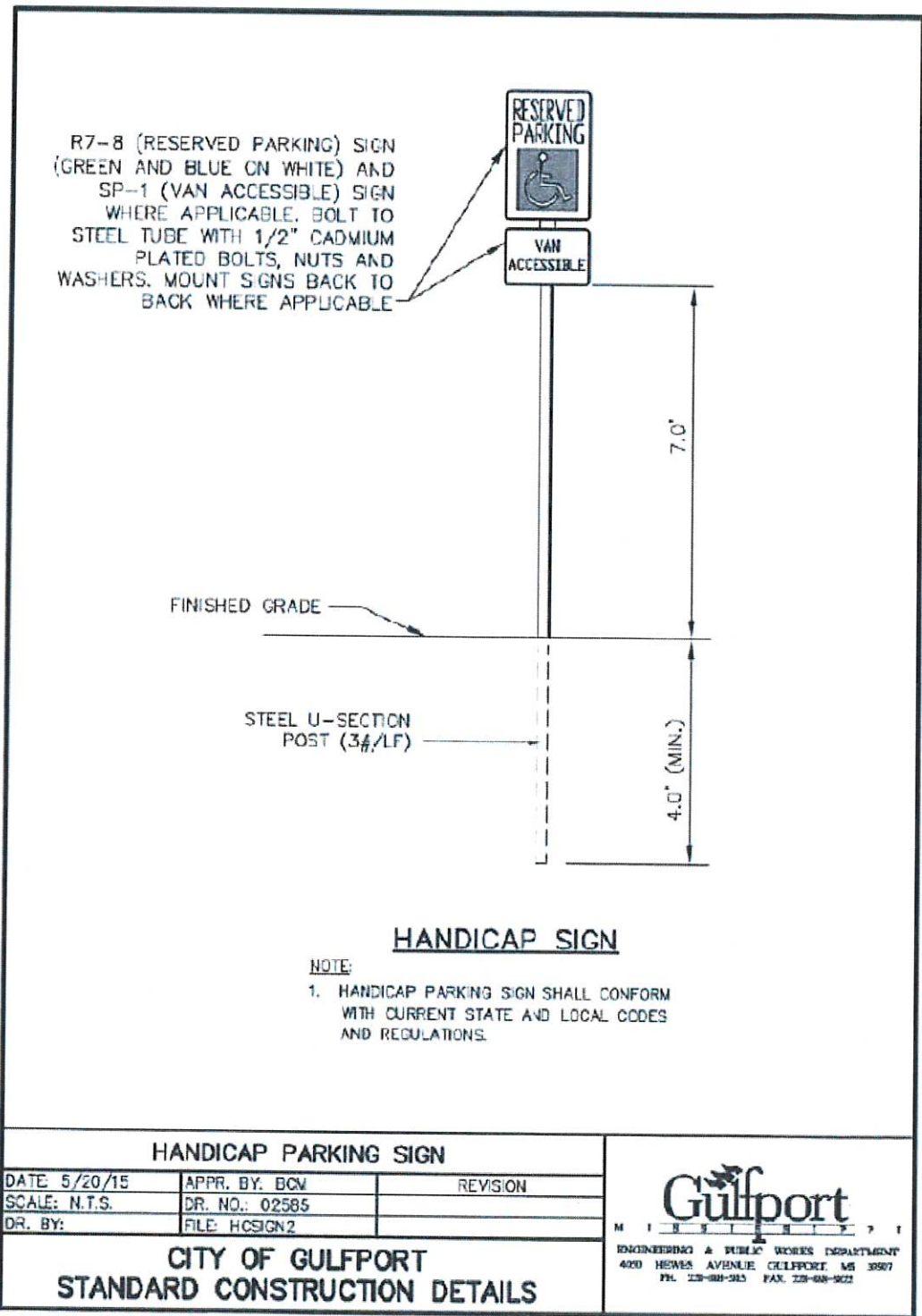
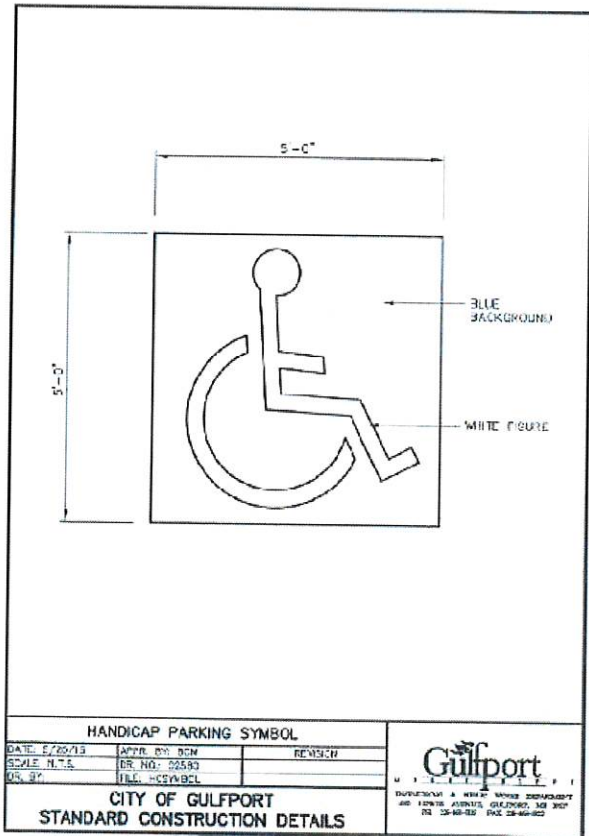
BUSY BEE MONTESSORI SCHOOL PROJECT

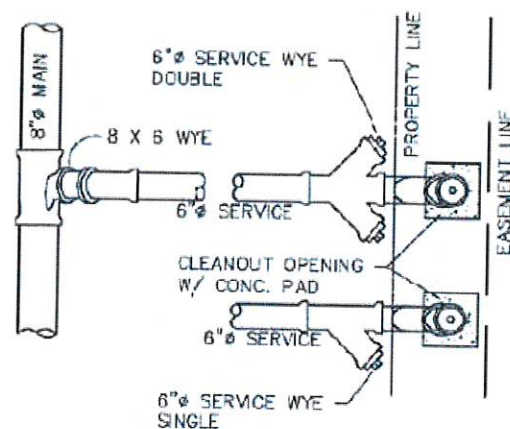
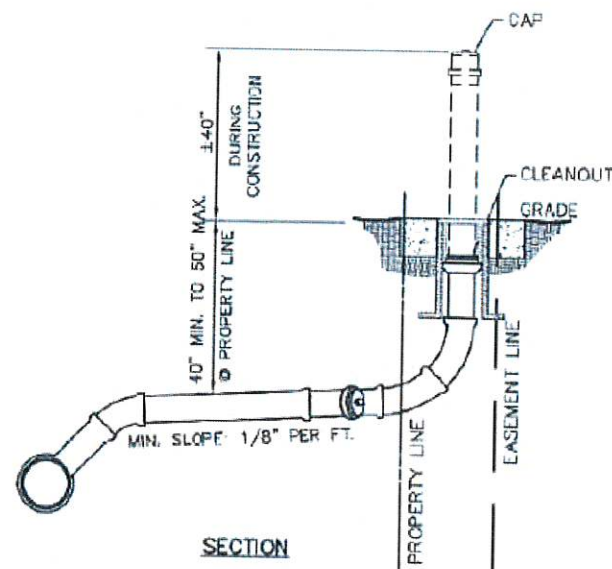
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PROJECT NO.	04-2021-03
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DRAWN BY	
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NO.	DATE	BY	DESCRIPTION

LANDSCAPING

DRAWING NUMBER 10



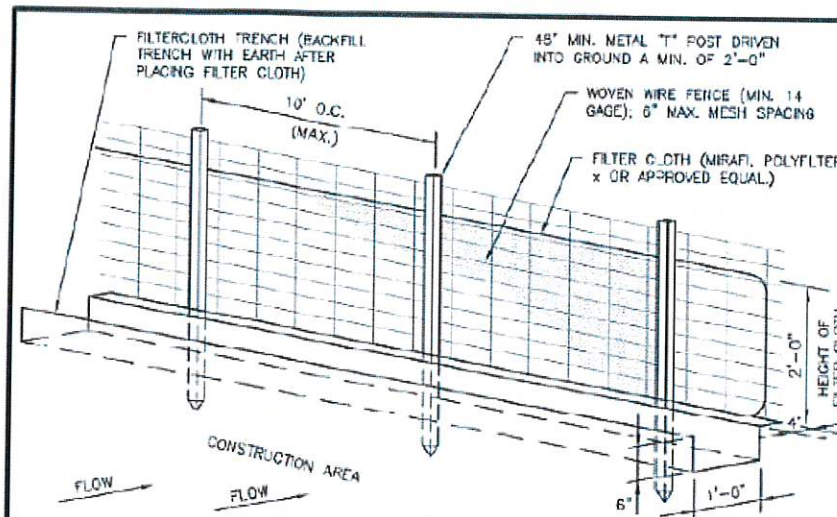


PLAN

TYPICAL SEWER SERVICE

DATE: 5/20/15	APPR. BY: BCM	REVISION
SCALE: N.T.S.	DR. NO.: 02730 DWG 3	
DR. BY:	FILE: SWRSRV	

CITY OF GULFPORT
STANDARD CONSTRUCTION DETAILS



INSTALLATION:

1. USE STEEL "T" POSTS THAT ARE 5 FEET IN LENGTH.
2. INSTALL POSTS STARTING AT THE CENTER OF THE LOWEST POINT OF THE FENCE LINE. DRIVE POSTS 12 INCHES INTO THE GROUND.
3. INSTALL POSTS ON 10-FOOT CENTERS IF METAL MESH FENCING IS TO BE USED AS ADDITIONAL SUPPORT. IF NO METAL FENCING SUPPORT IS USED, THEN INSTALL POSTS ON 6-FOOT CENTER OR LESS.
4. EXCAVATE A TRENCH 4 INCHES DEEP BY 4 INCHES WIDE ON THE UPHILL SIDE OF THE FENCE POSTS.
5. STAPLE OR TIE SILT FENCE FABRIC TO POSTS ON UPHILL SIDE, LEAVING 8 INCHES ON THE BOTTOM TO EXTEND DOWN AND ACROSS THE BOTTOM OF THE TRENCH.
6. BACKFILL TRENCH AND TAMP DOWN OVER FABRIC.
7. ALLOW 6-INCH OVERLAP AT JOINTS.
8. MULCH BARE GROUND UPHILL OF SILT FENCE OR PROVIDE OTHER EROSION CONTROL MEASURES.

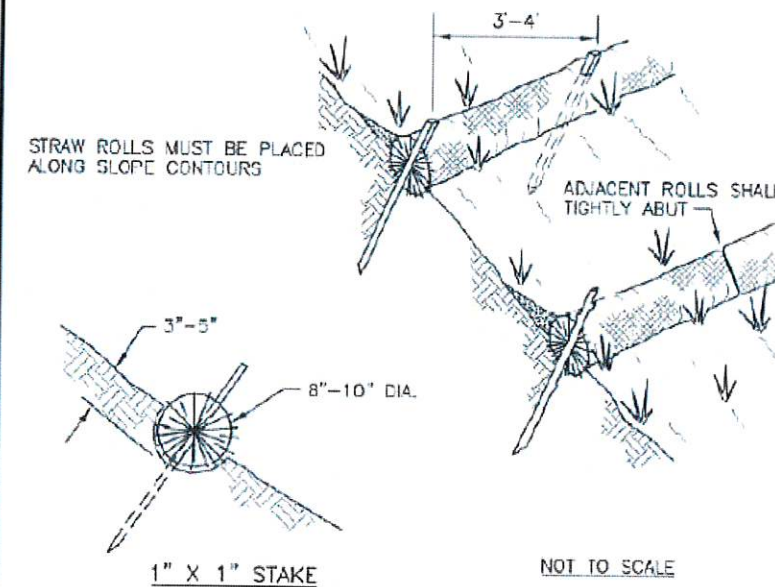
MAINTENANCE:

1. REMOVE ACCUMULATED SEDIMENT ALONG THE FENCE WHEN IT HAS REACHED A THIRD TO A HALF OF THE FENCE HEIGHT. DO NOT PLACE SEDIMENT ON THE DOWNHILL SIDE.
2. INSPECT WEEKLY AND AFTER EACH SIGNIFICANT STORM EVENT (GREATER THAN 1/2 INCH OF RAIN).
3. REMOVE FENCE WHEN AREA ABOVE THE FENCE HAS BEEN STABILIZED.
4. IF FABRIC IS TORN, THEN REPLACE WITH A NEW PIECE THAT STRETCHES TO POST ON EITHER SIDE OF THE TEAR.

SILT FENCE DETAIL

DATE: 5/20/15	APPR. BY: BCM	REVISION
SCALE: N.T.S.	DR. NO.: 02295 DWG -1	
DR. BY:	FILE: SILTING	

CITY OF GULFPORT
STANDARD CONSTRUCTION DETAILS



NOTE:

1. STRAW ROLL INSTALLATION REQUIRES THE PLACEMENT AND SECURE STAKING OF THE ROLL IN A TRENCH, 3"-5" DEEP, DUG ON CONTOUR. RUNOFF MUST NOT BE ALLOWED TO RUN UNDER OR AROUND ROLL.

STRAW ROLL WATTLE DETAIL

DATE: 5/20/15	APPR. BY: BCM	REVISION
SCALE: N.T.S.	DR. NO.: 02295-B	
DR. BY:	FILE: STRAWWATTLE	

CITY OF GULFPORT
STANDARD CONSTRUCTION DETAILS



BUSY BEE MONTESSORI SCHOOL PROJECT

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PROJECT NO.	04-2021-03
FILE NAME	
DRAWN BY	
CHECKED BY	RKR
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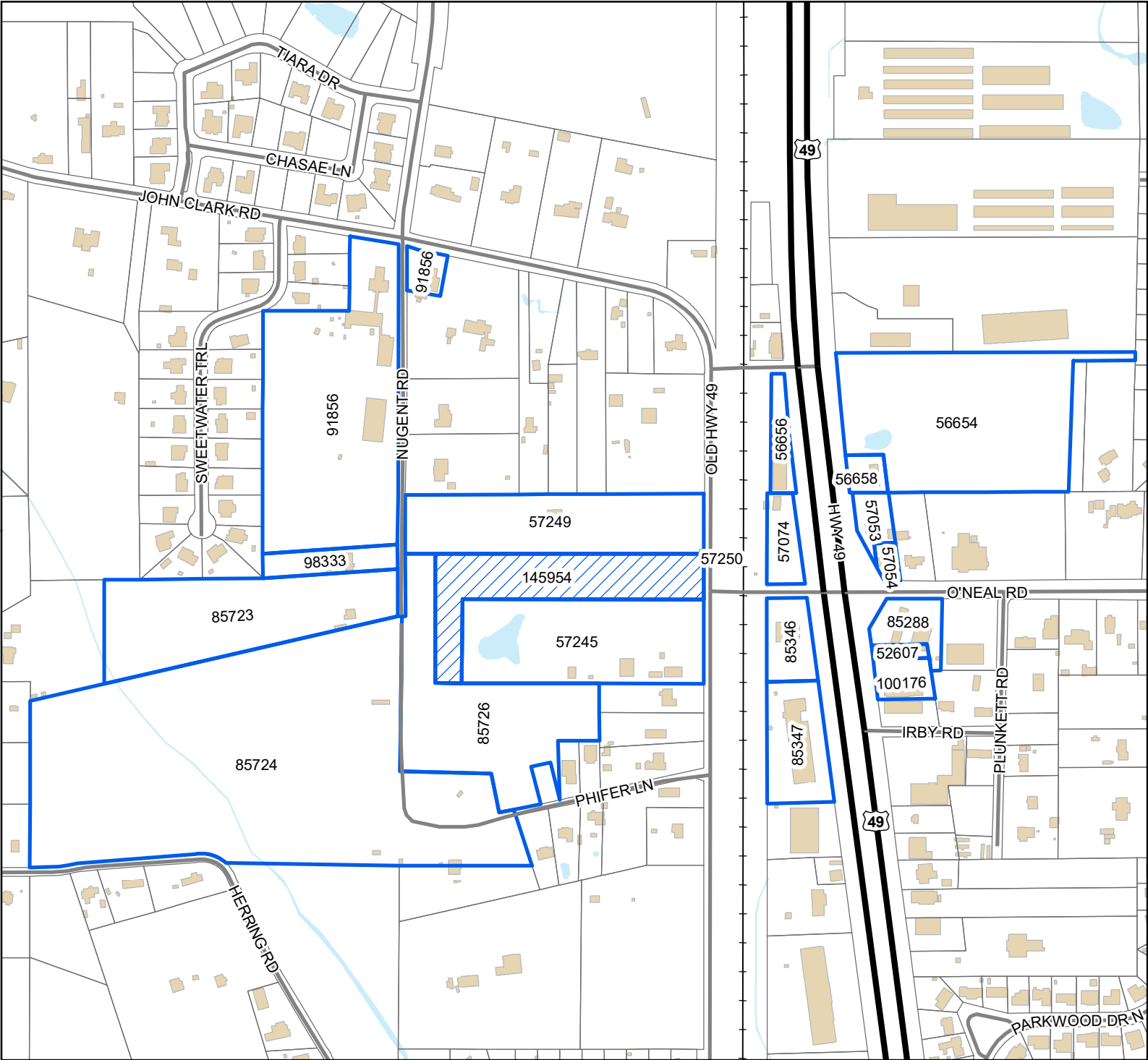
REVISIONS			
NO.	DATE	BY	DESCRIPTION

Details

DRAWING NUMBER 13

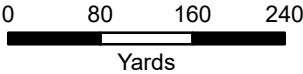


AIM
Cedar Works
LTD



Legend

- Site
- Adjacent Properties
- US or State Highway
- Street
- Railroad
- Buildings
- Water Features



1 inch = 500 feet



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Mail	PPIN	Parcel ID	Name	Address	City	State	ZIP
	85726	0708A-01-016.000	KYLE FITZPATRICK (OWNER)	16125 SYLVAN DR	GULFPORT	MS	39503
N			Adjacent Property Owners				
	85347	0808D-04-003.000	EXCELLENT VENTURE LLC	PO BOX 1125 C/O VILAI MARINO	DAPHNE	AL	36526
	85346	0808D-04-002.000	FIRST THE	P O BOX 15549	HATTIESBURG	MS	39404
	145954	0708A-01-016.001	FITZ ESTATES LLC	16125 SYLVAN DR	GULFPORT	MS	39503
	57245	0708A-01-015.000	FRANKLIN HELEN C -L/E-	12465 OLD HWY 49	GULFPORT	MS	39503
	85723	0708A-01-003.000	FRANKLIN WALTER E & SALLIE A	12511 NUGENT RD	GULFPORT	MS	39503
N	98333	0708A-01-003.001	FRANKLIN WALTER E & SALLY M	12511 NUGENT RD	GULFPORT	MS	39503
	57250	0708A-01-001.000	GULF SOUTH PIPELINE COMPANY LP	PO BOX 20008 ATTN: DAVID HARDEST	OWENSBORO	KY	42304
	91856	0707P-01-019.000	NUGENT UNITED METHODIST CHURCH	13080 JOHN CLARK ROAD	GULFPORT	MS	39503
	56656	0807M-01-020.000	PM PROPERTIES LLC	P O BOX 292	MERIDIAN	MS	39302
	56658	0807M-01-021.000	PUCHEU E J & HATTIE	12520 HWY 49	GULFPORT	MS	39503
N	57054	0808D-01-026.000	PUCHEU EDDIE JOHN -EST-	12520 HWY 49	GULFPORT	MS	39503
N	57053	0808D-01-026.001	PUCHEU ELDER J	12520 HWY 49	GULFPORT	MS	39503
	57249	0708A-01-002.000	REORGANIZED CHURCH OF JESUS CHRIST	204 N ISLAND VIEW C/O PAM CRESS	LONG BEACH	MS	39560
	57074	0808D-04-001.000	SEAL BOBBI	409 HWY 90	GAUTIER	MS	39553
	85724	0708A-01-004.000	SMALLWOOD JOY R & JOHN M	1600 HASKELL AVE UNIT 2	DALLAS	TX	75204
	52607	0808D-02-014.000	STEGALL CHARLES R	P O BOX 6458	DIAMONDHEAD	MS	39525
N	85288	0808D-02-013.000	STEGALL CHARLES R	P O BOX 6458	DIAMONDHEAD	MS	39525
	56654	0807M-01-016.000	SUMRALL PROPERTIES LLC	12083 HWY 49	GULFPORT	MS	39503
	100176	0808D-02-014.001	TOMOHAWK PROPERTIES LLC	P O BOX 2009	GULFPORT	MS	39505

RE: Variance 2204ZB053, by owner Kyle Fitzpatrick, tax parcel 0708A-01-016.001, Variance for fence material, 12503 Old Hwy 49, Zoned R-O (Residence-office), Ward 7

To Applicants and Adjacent Property Owners:

The City of Gulfport Zoning Board of Adjustments and Appeals will hold a public hearing to consider the above application at 3:00 P.M. on **Thursday, April 21, 2022**, in the Council Chambers at the Gulfport City Hall located at 2309 15th Street.

For more information, visit <http://www.gulfport-ms.gov/agendas/> then click the City of Gulfport Zoning Board for **Thursday, April 21, 2022**. A map showing the location of the property involved is located at this website. If you have any questions or comments, please contact this office at the phone number 228-868-5710 or email planners@gulfport-ms.gov. The application is available for viewing in the Planning Division office at 1410 24th Avenue.



Beaufort Gazette
Belleville News-Democrat
Bellingham Herald
Bradenton Herald
Centre Daily Times
Charlotte Observer
Columbus Ledger-Enquirer
Fresno Bee

The Herald - Rock Hill
Herald Sun - Durham
Idaho Statesman
Island Packet
Kansas City Star
Lexington Herald-Leader
Merced Sun-Star
Miami Herald

el Nuevo Herald - Miami
Modesto Bee
Raleigh News & Observer
The Olympian
Sacramento Bee
Fort Worth Star-Telegram
The State - Columbia
Sun Herald - Biloxi

Sun News - Myrtle Beach
The News Tribune Tacoma
The Telegraph - Macon
San Luis Obispo Tribune
Tri-City Herald
Wichita Eagle

AFFIDAVIT OF PUBLICATION

Account #	Order Number	Identification	Order PO	Amount	Cols	Depth
36845	241637	Print Legal Ad - IPL0067173	210200	\$41.64	1	69 L

Attention: Matilda Welch
PO BOX 1780
GULFPORT, MS 39502

LEGAL NOTICE PUBLIC HEARING

In conformance with Section VIII of the Comprehensive Zoning Ordinance of the City of Gulfport, Mississippi, 1979, as amended, notice is hereby given advising that the Zoning Board of Adjustment and Appeals will hold a public hearing in the City of Gulfport, Mississippi at 3:00 P.M., Thursday, April 21, 2022, in the Council Chambers of the Gulfport City Hall located at 2309 15th Street to consider the following requests. A copy of the requests will be available for public review at the office of the Department of Urban Development-Planning Division located on first floor of the William H. Hardy Building, 1410 24th Avenue.

Variance 2204ZB046, by agent Frank Magee, tax parcel 0810P-02-024.000, Request variance parking space reduction, backing into the right-of-way, 1220 Pass Rd, Zoned B-2 (General Business), Ward 3

Variance 2204ZB053, by owner Kyle Fitzpatrick, tax parcel 0708A-01-016.001, Variance for fence material, 12503 Old Hwy 49, Zoned R-O (Residence-office), Ward 7

Variance 2204ZB055, by agent Dwane J Babin, tax parcel 0911F-01-026.000, Variance for setbacks, 1532 Hewes Ave, Zoned R-1-7.5 (Single-family), Ward 2

Variance 2204ZB063, by agent Travis Construction, tax parcel 1009J-01-001.003, Request variance for accessory structure quantity, max area allowed, 10480 Reichold Rd, Zoned I-2 (Heavy industry district), Ward 5

Variance 2204ZB065, by agent Kenneth Jones II, tax parcel 1008F-01-001.000, Variances for parking reduction, setback, Highland Way, Zoned R-B (Residence-business), Ward 6

Variance 2204ZB067, by owners Jason and Leena Ulku, tax parcel 1010C-01-001.031, Variance for fence height, 10917 Waterside Dr, Zoned R-2 (Single-family), Ward 5

Variance 2204ZB068, by owner Julia Nieto - Gomez, tax parcel 1008D-01-011.000, Request variance for setback, Arrowhead Dr, Zoned R-E (Residential estates), Ward 6

Special Exception 2204SE076, by agent Bridget Hutchinson, tax parcel 0711H-01-007.000, Request Special Exception for assisted living facility use, 13085 Andy St, Zoned R-2 (Single-family), Ward 1

This the 30th day of March 2022
A. Lee Palermo, Chairman
City of Gulfport Zoning Board of Adjustment and Appeals
IPL0067173
Apr 6 2022

STATE OF MISSISSIPPI COUNTY OF HARRISON

Before me, the undersigned Notary of Dallas County, Texas personally appeared Keriann Leenerts, who, being by me first duly sworn, did depose and say that she is a clerk of The Sun Herald, a daily newspaper published in the city of Gulfport, in Harrison County, Mississippi and the publication of the notice, a copy of which is hereto attached, has been made in said paper in the issue (s) of:

No. of Insertions: 1

Beginning Issue of: 04/06/2022

Ending Issue of: 04/06/2022

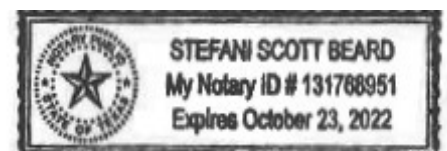
Affidavit further states on oath that said newspaper has been established and published continuously in said county for a period of more than twelve months next prior to the first publication of said notice.

Sworn to and subscribed before me this 6th day of April in the year of 2022

Stefani Beard

Notary Public

* The Sun Herald has been deemed eligible for publishing legal notices in Jackson County to meet the requirements of Miss. Code 1972 Section 13-3-31 and 13-3-32.



Extra charge for lost or duplicate affidavits.
Legal document please do not destroy!

MEMORANDUM

To: City of Gulfport Zoning Board of Adjustment and Appeals

From: Greg Holmes, Planning Administrator
Urban Development Department

Date of Hearing: April 21, 2022

Re: Variance 2204ZB055:

Variance 2204ZB055, by agent Dwane J Babin, tax parcel 0911F-01-026.000, Variance for setbacks, 1532 Hewes Ave, Zoned R-1-7.5 (Single-family), Ward 2

Technical Report

VARIANCE

GENERAL INFORMATION

Case File Number: 2204ZB055

Hearing Date: April 21, 2022

Current Zoning/Use: R-1-7.5/Vacant Lot

Legal: Variance 2204ZB055, by agent Dwane J Babin, tax parcel 0911F-01-026.000, Variance for setbacks, 1532 Hewes Ave, Zoned R-1-7.5 (Single-family), Ward 2

TECHNICAL DETAILS

Variances involve special cases where unique factors contribute to justify a use of property that does not conform to the City's enforced ordinances. Therefore, variances should not be granted unless they are able to adequately meet the following conditions:

- (a) That special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same district;
- (b) The special conditions and circumstances do not result from the actions of the applicant;
- (c) That an unnecessary hardship is created by the physical character of the property and is peculiar and unusual to such an extent that it is evidence that amendment of the zoning ordinance does not offer a reasonable solution;
- (d) That literal interpretation of the provisions of this ordinance would deprive the applicant of rights commonly enjoyed by properties in the same district under the terms of this ordinance;
- (e) That the granting of the variance will not confer on the applicant any special privilege that is denied by this ordinance to other lands, structures, or buildings in the same district, other than to permit the applicant to use their property in a manner as nearly equivalent to uses generally permitted in the district considering the conditions and circumstances involved and the hardship;
- (f) That the use proposed is permissible by right or with planning approval or by special exception.

(Ord. App. A Sec. VIII (B)(2)(c)(1))

Technical Report

VARIANCE

The applicant requests a variance in order to build a dwelling on their vacant lot. Specifically, the applicant request; 1) a 10-foot 9-inch North side street setback where 25 feet is required.

- (a) The applicant states that the size of the lot, with the current setback requirements would not be plausible enough to build a single-family home. The required lot size for a single-family dwelling in an R-1-7.5 zoning district is 7,500 square feet, the size of this lot of record is 5,316 square feet which can be considered a hardship that is peculiar to the land. Per Ord. App. A Sec. IV (D)(3): *Corner building site*. In any district, a corner building site having to its rear a building site facing toward the intersecting or side street shall have provided on the intersecting or side street side of the corner building site a side yard having a width equal at least to the depth of the front yard required for a structure on the building site to the rear of the corner building site; provided, however, that this regulation shall not be applied to reduce the buildable width of the corner building site to less than thirty (30) feet.
- (b) The applicant does not address the special conditions or circumstances resulting directly from the applicant; the lot is currently vacant; the applicant was aware of the size of the lot upon buying the subject property. Again, a hardship can be considered for the applicant due to the size of the lot. An alternative to this variance would be to build a dwelling with a smaller footprint, and multiple floors to allow the same building square footage.
- (c) The applicant again mentions the lot size being smaller than the ordinance requires for an R-1-7.5 zoning district. Further, due to the lot being grandfathered in to the neighborhood and being a lot of record, there is consideration for hardship involving setbacks to build a single-family home. An alternative to this variance would be to build a dwelling with a smaller footprint of 30 feet which would be allowed by right.
- (d) The applicant is able to construct a single-family home on the subject parcel; there are other lots of record in the immediate area with smaller than required lot sizes for an R-1-7.5 zoning district with houses built on them while exceeding the required setbacks. An ordinance revision requiring smaller lot sizes or setbacks for an R-1-7.5 zoning district would offer a reasonable solution to this ordinance. In the immediate neighborhood, there are other dwellings with lot sizes that are smaller than required which are built on. Granting of a variance, would not confer any special privileges for the applicant or set any precedent in the neighborhood as there is a neighboring parcel with a similar lot of size and setback scenario.
- (e) This property is zoned R-1-7.5, a single-family dwelling is allowed in this zoning district.

EXECUTIVE SUMMARY

Considering the request, the request for variance is caused by the lot of record being smaller than the required lot size for an R-1-7.5 zoning district. Further, there are other parcels of land having similar lot sizes which have already been built on in the neighborhood, and the lot is considered a 'lot of record' there is consideration for hardships being met by the applicant. An alternate scenario for the applicant would be to build a smaller dwelling on the lot to meet requirements without variance. This variance should be approved for the aforementioned special conditions and circumstances above.

Technical Report

VARIANCE

Any approval should consider these conditions:

1. A variance grants a 10-foot 9-inch North side street setback where 25 feet is required.
2. The two live oaks on the property need to stay, be preserved and protected.
3. Must comply with current edition of the International codes and all City of Gulfport Ordinances.
4. Drainage to not adversely impact adjacent parcels.

DEPARTMENTAL CONDITIONS

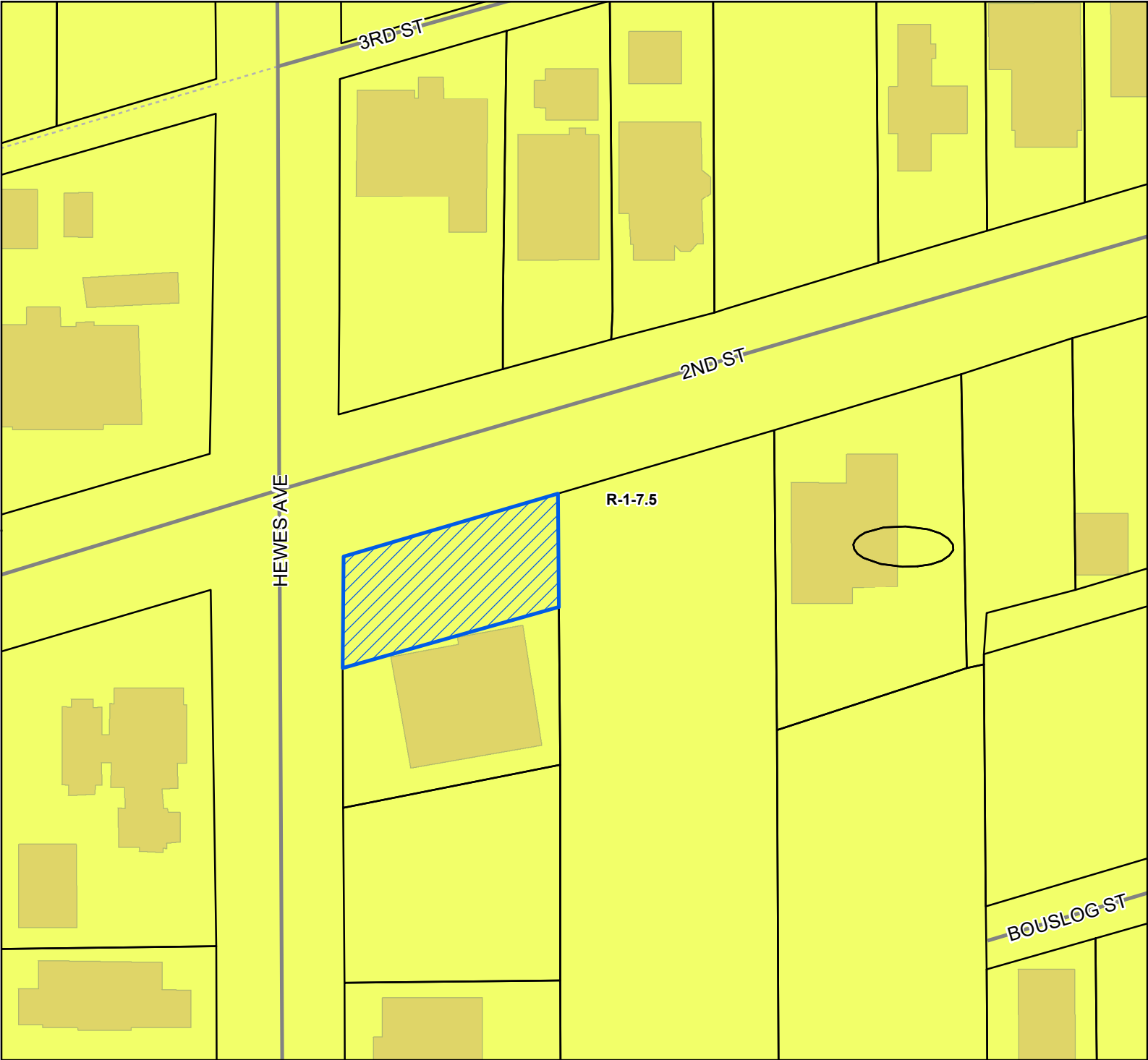
<u>Engineering:</u>	Drainage to not adversely impact adjacent parcels. Memo dated 04/12/2022.
<u>Public Works:</u>	No comments as of 04/11/2022.
<u>Traffic and Safety:</u>	No conditions. Memo dated 04/08/2022.
<u>Building Code Services:</u>	Must comply with current edition of the International codes and all City of Gulfport Ordinances. Memo dated 04/06/2022.
<u>GIS:</u>	No conditions. Memo dated 04/07/2022.
<u>Police Department:</u>	No conditions. Memo dated 04/06/2022.
<u>Fire Department:</u>	No conditions. Memo dated 04/11/2022.
<u>City Arborist:</u>	The two live oaks on the property need to stay, be preserved and protected. Memo dated 04/06/2022.

DIRECTOR APPROVAL

This report has been reviewed and approved by:



Greg Pietrangelo
Director of Urban Development Department



Legend

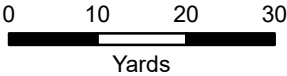
- Site
- Street
- Alley
- Parcels
- Buildings

Zoning

- R-1-7.5 - Single Family
- Residence District (Low Density)

Site Information

0911f-01-026.000
Zoning: R-1-7.5 (Single-family Residence District)
Size: 5,316 square feet
Flood: AE



1 inch = 65 feet



DATA DISCLAIMER: All information that is provided on this map is believed to be correct. However, no liability is assumed by the City of Gulfport for errors in substance or form of any of the materials published on this map. The GIS Division, City of Gulfport, provides the information represented on this map as a service to the community and makes every effort possible to provide quality information. However, no claims, promises, or guarantees about the accuracy, completeness, or adequacy of the information contained on this map are expressed or implied.

\$75.00



CITY OF GULFPORT
Urban Development - Planning Division
1410 24th Avenue
Gulfport, MS 39501
(228) 868-5710

For Staff Use Only

Case File #: 220428085Date Received: 3/3/2022

Receipt #: _____

Received By: mwZoning: R-1.7.5Ward: 2 Flood: _____

Size: _____

(If necessary, use separate sheet of paper)

TAX PARCEL #	0	9	1	1	F	-	0	1	-	0	2	6	•	0	0	0
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Address of Property Involved: 1532 Hewes Ave., Gulfport, Mississippi 39507Lot(s) 1 & 2, Block(s) 3, Subdivision Hewes SubdivisionGeneral Location: S E Corner of 2nd Street and Hewes Avenue Gulfport Mississippi- 1 block north of beach**GENERAL DESCRIPTION OF REQUEST:**

A variance is requested so a residence 31' wide and 61' long can be constructed on the 53' by 105' corner. A 25' set back from Hewes Ave. and 10'9" on each side is requested and 8' on the rear of the property is requested.

REQUEST A VARIANCE TO ALLOW A SIX FOOT SIDE SET BACK WHERE 25 FEET IS REQUIRED.

OWNERSHIP AND CERTIFICATION:

I hereby certify that I have read and understand this application and that all information and attachments are true and correct. I also certify that I agree to comply with all applicable city codes, ordinances and state laws. Finally, I certify that I am the owner of the property involved in this request or have authorization to act as the owner's agent for the herein described request.

OWNER

Oak Place LLC

Printed Name Of Owner

1124 2nd Street

Mailing Address

Gulfport MS 39501

City

State

Zip code

228 380 1201

Home Phone

Work/Cell Phone

boddicappraiser@gmail.com

Email

Signature Of Owner

AGENT

Dwane John Babin

Printed Name Of Agent

200 Ciravola lane

Mailing Address

Boutte Louisisna 70039

City

State

Zip code

504-583-9423504-583-9423

Home Phone

Work/Cell Phone

dwanebabin@yahoo.com

Email

Signature Of Agent

If the property or properties listed above have more than one owner, please check this box. In the case of multiple owners, reverse side must be completed. Each additional owner will need to complete and sign the reverse side of this application. We can only accept applications with original signatures.

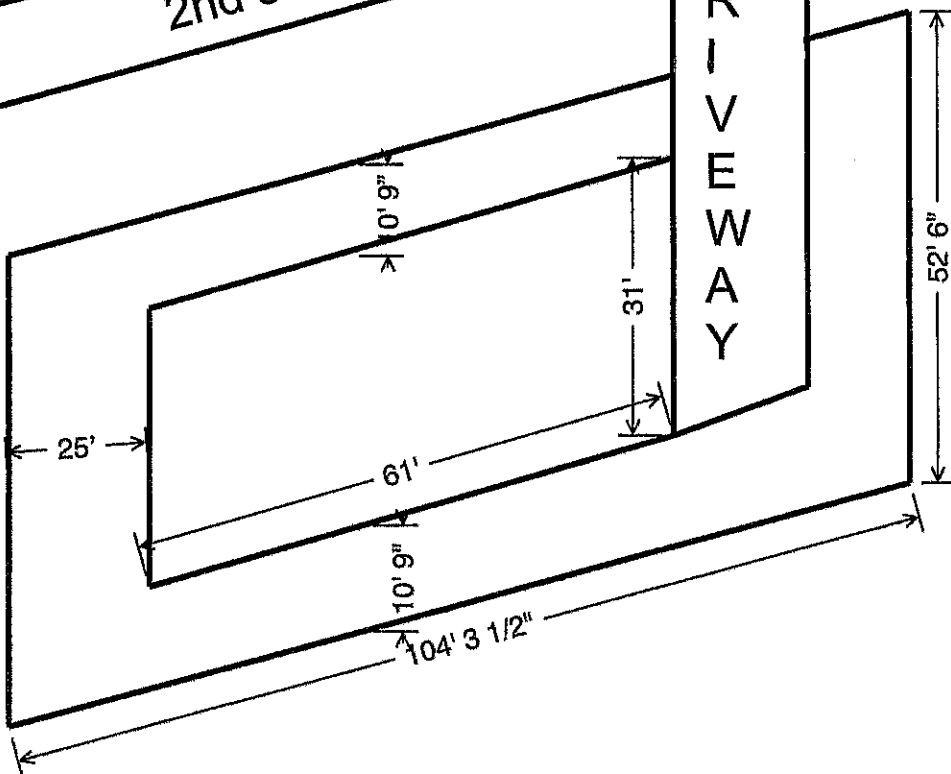


SECTIONS A. THROUGH G. MUST BE SUBMITTED FOR A COMPLETE APPLICATION.

H
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2nd street

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02-28-2022

Oak Place LLC
1124 2nd Street
Gulfport, MS 39501
boddieappraise@gmail.com
228-380-1201

City of Gulfport
Urban Development – Planning Division
1410 24th Avenue
Gulfport, MS 39501
228-868-5710

RE: Variance request for 1532 Hewes Avenue

Mr. Holmes,

Please consider this letter my request to make Mr. Dwane John Babin an agent for Oak Place LLC solely for the purpose of obtaining this variance. Mr. Babin is purchasing the property and will best represent the request being made. If any further detail is needed, please let me know.

Sincerely,



Nathan V. Boddie,
Manager
Oak Place LLC





1st Judicial District
Instrument 2014 1627 D -J1
Filed/Recorded 3/ 7/2014 04:15 P
Total Fees \$ 13.00
2 Pages Recorded

Prepared By and Return To:
Schwartz, Orgler & Jordan, PLLC
12206 Hwy 49
Gulfport, MS 39503
(228) 832-8550
Our File No. 140265

Indexing Instructions: EXEMPT

STATE OF MISSISSIPPI
COUNTY OF HARRISON
FIRST JUDICIAL DISTRICT

WARRANTY DEED

THAT FOR AND IN CONSIDERATION of the sum of Ten and no/100 Dollars (\$10.00),
cash in hand paid, and other good and valuable consideration, the receipt and sufficiency of all of
which is hereby acknowledged,

VERNONA L. MURPHY, AN UNMARRIED PERSON
915 LATIL STREET
LONG BEACH, MS 39560
(228) 313-3407

does hereby grant, bargain, sell, convey and warrant, unto

OAK PLACE, LLC,
A MISSISSIPPI LIMITED LIABILITY COMPANY
4443 GARLAND LANE
PASS CHRISTIAN, MS 39571
(228) 380-1201

the following described property, together with the improvements, hereditaments and appurtenances
thereunto situated and located in the County of Harrison, State of Mississippi, and more particularly
described as follows, to-wit:

**North 52.5 feet of Lots One and Two (1 & 2), Block Three (3), HEWES
ADDITION, according to the official map or plat thereof and on file in the office
of the Chancery Clerk of the First Judicial District of Harrison County,
Mississippi.**

THIS CONVEYANCE is subject to any and all recorded restrictive covenants, rights-of-way
and easements applicable to subject property, and any prior recorded reservations, conveyances and
leases of oil, gas and minerals by previous owners of subject property.

Estimated county ad valorem taxes have been prorated between the parties as a part of the
consideration for this conveyance. In the event the estimates upon which such proration is based
prove to be inaccurate for any reason, the Grantee agrees to refund any excess, and the Grantor

agrees to pay any deficiency, upon receipt of a copy of the tax statement for the current year and a computation of the true amount due, based on a 365 day year.

THIS CONVEYANCE is also subject to Zoning and/or other land use regulations promulgated by federal, state or local governments affecting the use or occupancy of the subject property.

WITNESS THE SIGNATURE of the Grantor on this the 7th day of March, 2014.

Vernona L. Murphy
VERNONA L. MURPHY

**STATE OF MISSISSIPPI
COUNTY OF HARRISON**

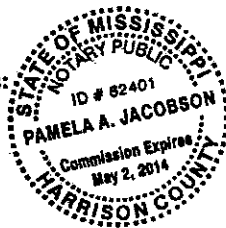
THIS DAY personally appeared before me, the undersigned authority in and for the jurisdiction aforesaid, **VERNONA L. MURPHY**, who acknowledged that she signed, executed and delivered the above and foregoing instrument as her voluntary act and deed on the day and year therein mentioned.

GIVEN under my hand and official seal on this the 7th day of March, 2014.

[Signature]
NOTARY PUBLIC

(SEAL)

My Commission Expires:





Covenant Affidavit

I, Dwaine J. Babin, being owner or agent of the property 1532 Herndon Ave. Gulfport MS.
PRINT NAME PRIMARY ADDRESS OR PARCEL

which is the subject of this application, hereby state that this variance request is not in violation of any restrictive or protective covenants.

[Signature]
Signature

3/3/2022
Date

STATE OF MISSISSIPPI | COUNTY OF HARRISON

Given under my hand and seal of office this the 3rd day of March, 20 22

Matilda Welch
Notary Public



Commission Expiration

City of Gulfport, Zoning Board, Variance Questionnaire:

- 1) At the present time the setbacks for the property are: 25 feet from Hewes Ave., 25 feet from 2nd Street, 8 feet from other side and rear of the property. The lot size is 53 feet by 104 feet. Based on the present requirements, as stated, it would be very difficult to build a family residence in the set requirements, so a variance change is requested to: 25 ft set back from Hewes Ave., 10.9 ft from 2nd Street, 10.9 feet from the other side of property and 8 ft from the rear of the property. See attached site plan.
- 2) Since we are in the process of purchasing the property, which is an empty lot, no special conditions or circumstances occurred as a result of the applicant's actions that requires the need of the variance being requested.
- 3) As explained in section # 1 of these answers, the setbacks cause a problem to build within the present requirements. Also, if the variance change is approved it would be helpful to us and our neighbor, located at 1530 Hewes Ave. The reason it would help us both is because it appeared that the neighbor has already gotten some type of variance and built their residence near the property line that separates us. If the variance change is approved, it would give more distance between our houses and opens the area near the property line. We believe this hardship is not commonly found on other properties.
- 4) If the setbacks remain the same, it would be difficult for anyone to reasonably develop the said property. A minor variance adjustment would greatly assist with the development of the property.
- 5) If the variance is granted, we nor anyone else who may own the property in the future will receive any special benefit that others who follow the Zoning Ordinance cannot receive.
- 6) We believe that the use proposed is permissible by right, with planning approval or by special exception with respect to uses of land or structures.

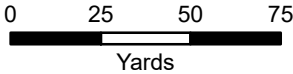
Respectfully;

Dwane and Lisa Babin



Legend

- Site
- Adjacent Properties
- US or State Highway
- Street
- Alley
- Railroad
- Buildings



1 inch = 160 feet



DATA DISCLAIMER: All information that is provided on this map is believed to be correct. However, no liability is assumed by the City of Gulfport for errors in substance or form of any of the materials published on this map. The GIS Division, City of Gulfport, provides the information represented on this map as a service to the community and makes every effort possible to provide quality information. However, no claims, promises, or guarantees about the accuracy, completeness, or adequacy of the information contained on this map are expressed or implied.

Mail	PPIN	Parcel ID	Name	Address	City	State	ZIP
	30104	0911F-01-026.000	OAK PLACE LLC (OWNER)	1124 2ND STREET	GULFPORT	MS	39501
	30104	0911F-01-026.000	DWANE JOHN BABIN (AGENT)	200 CIRAVOLA LANE	BOUTTE	LA	70039
N			Adjacent Property Owners				
	30098	0911F-01-020.000	BISHOP KENNETH O & BETTY	1515 HEWES AVE	GULFPORT	MS	39507
	50475	0911F-01-027.000	BRUNET HEIDI	10 PEPPERVINE TRAIL	BALD HEAD	NC	28416
	30107	0911F-01-028.000	BRYANT H LEE & DOLORES G	508 E BEACH BLVD	GULFPORT	MS	39507
	30138	0911C-02-024.000	COTTRELL BARRY W & CATHERINE M	534 2ND ST	GULFPORT	MS	39501
	30108	0911F-01-017.000	DANIELS VALENCIA YOLANDA -TRUSTEE-	521 2ND ST	GULFPORT	MS	39501
N	144176	0911F-01-017.001	DANIELS VALENCIA YOLANDA -TRUSTEE-	521 2ND ST	GULFPORT	MS	39507
	30136	0911C-02-023.000	DIX MERRI JO	540 52ND STREET	GULFPORT	MS	39503
	30101	0911F-01-023.000	HANS JOHN C	1520 HEWES AVE	GULFPORT	MS	39507
	30121	0911E-01-001.000	HASSIN PATRICIA & KELEAL -TRUSTEES	614 2ND ST	GULFPORT	MS	39501
	30140	0911C-02-026.000	HATHCOCK TERESA L	526 2ND ST	GULFPORT	MS	39507
	30102	0911F-01-024.000	HEWES JULIA S	1180 PEACHTREE STREET C/O LEM HE'	ATLANTA	GA	30309
	96301	0911F-01-021.000	HEWES WILLIAM G III & PAULA M	P O BOX 2867	GULFPORT	MS	39505
	30099	0911F-01-019.000	MEDLIN RICKEY DALE	601 2ND ST	GULFPORT	MS	39501
	30122	0911F-01-018.000	MOORE S GEORGE & JUDITH K	606 2ND ST	GULFPORT	MS	39501
	32218	0911E-01-055.000	MURDOCK MARGARET ESTELLE	612 EAST BEACH BLVD	GULFPORT	MS	39501
	30135	0911C-02-022.000	PILGRIM DORIS & MICHAEL	2103 20TH AVE	GULFPORT	MS	39507
	32220	0911E-01-053.000	POLOVICH KEITH & MICHELLE R	1703 PASS RD	BILOXI	MS	39531
	30103	0911F-01-025.000	ROOTS DAVID W & MARY B	1530 HEWES AVE	GULFPORT	MS	39507
	30139	0911C-02-025.000	ZIRBEL MARK & SHARON	23780 ST JOHN RD	ATHENS	AL	35613

RE: Variance 2204ZB055, by agent Dwane J Babin, tax parcel 0911F-01-026.000, Variance for setbacks, 1532 Hewes Ave, Zoned R-1-7.5 (Single-family), Ward 2

To Applicants and Adjacent Property Owners:

The City of Gulfport Zoning Board of Adjustments and Appeals will hold a public hearing to consider the above application at 3:00 P.M. on **Thursday, April 21, 2022**, in the Council Chambers at the Gulfport City Hall located at 2309 15th Street.

For more information, visit <http://www.gulfport-ms.gov/agendas/> then click the City of Gulfport Zoning Board for **Thursday, April 21, 2022**. A map showing the location of the property involved is located at this website. If you have any questions or comments, please contact this office at the phone number 228-868-5710 or email planners@gulfport-ms.gov. The application is available for viewing in the Planning Division office at 1410 24th Avenue.



Beaufort Gazette
Belleville News-Democrat
Bellingham Herald
Bradenton Herald
Centre Daily Times
Charlotte Observer
Columbus Ledger-Enquirer
Fresno Bee

The Herald - Rock Hill
Herald Sun - Durham
Idaho Statesman
Island Packet
Kansas City Star
Lexington Herald-Leader
Merced Sun-Star
Miami Herald

el Nuevo Herald - Miami
Modesto Bee
Raleigh News & Observer
The Olympian
Sacramento Bee
Fort Worth Star-Telegram
The State - Columbia
Sun Herald - Biloxi

Sun News - Myrtle Beach
The News Tribune Tacoma
The Telegraph - Macon
San Luis Obispo Tribune
Tri-City Herald
Wichita Eagle

AFFIDAVIT OF PUBLICATION

Account #	Order Number	Identification	Order PO	Amount	Cols	Depth
36845	241637	Print Legal Ad - IPL0067173	210200	\$41.64	1	69 L

Attention: Matilda Welch
PO BOX 1780
GULFPORT, MS 39502

LEGAL NOTICE PUBLIC HEARING

In conformance with Section VIII of the Comprehensive Zoning Ordinance of the City of Gulfport, Mississippi, 1979, as amended, notice is hereby given advising that the Zoning Board of Adjustment and Appeals will hold a public hearing in the City of Gulfport, Mississippi at 3:00 P.M., Thursday, April 21, 2022, in the Council Chambers of the Gulfport City Hall located at 2309 15th Street to consider the following requests. A copy of the requests will be available for public review at the office of the Department of Urban Development-Planning Division located on first floor of the William H. Hardy Building, 1410 24th Avenue.

Variance 2204ZB046, by agent Frank Magee, tax parcel 0810P-02-024.000, Request variance parking space reduction, backing into the right-of-way, 1220 Pass Rd, Zoned B-2 (General Business), Ward 3

Variance 2204ZB053, by owner Kyle Fitzpatrick, tax parcel 0708A-01-016.001, Variance for fence material, 12503 Old Hwy 49, Zoned R-O (Residence-office), Ward 7

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Variance 2204ZB063, by agent Travis Construction, tax parcel 1009J-01-001.003, Request variance for accessory structure quantity, max area allowed, 10480 Reichold Rd, Zoned I-2 (Heavy industry district), Ward 5

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Variance 2204ZB068, by owner Julia Nieto - Gomez, tax parcel 1008D-01-011.000, Request variance for setback, Arrowhead Dr, Zoned R-E (Residential estates), Ward 6

Special Exception 2204SE076, by agent Bridget Hutchinson, tax parcel 0711H-01-007.000, Request Special Exception for assisted living facility use, 13085 Andy St, Zoned R-2 (Single-family), Ward 1

This the 30th day of March 2022
A. Lee Palermo, Chairman
City of Gulfport Zoning Board of Adjustment and Appeals
IPL0067173
Apr 6 2022

STATE OF MISSISSIPPI COUNTY OF HARRISON

Before me, the undersigned Notary of Dallas County, Texas personally appeared Keriann Leenerts, who, being by me first duly sworn, did depose and say that she is a clerk of The Sun Herald, a daily newspaper published in the city of Gulfport, in Harrison County, Mississippi and the publication of the notice, a copy of which is hereto attached, has been made in said paper in the issue (s) of:

No. of Insertions: 1

Beginning Issue of: 04/06/2022

Ending Issue of: 04/06/2022

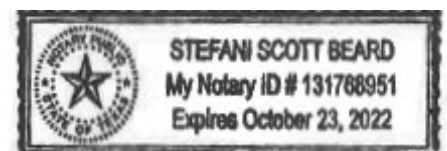
Affidavit further states on oath that said newspaper has been established and published continuously in said county for a period of more than twelve months next prior to the first publication of said notice.

Sworn to and subscribed before me this 6th day of April in the year of 2022

Stefani Beard

Notary Public

* The Sun Herald has been deemed eligible for publishing legal notices in Jackson County to meet the requirements of Miss. Code 1972 Section 13-3-31 and 13-3-32.



Extra charge for lost or duplicate affidavits.
Legal document please do not destroy!

MEMORANDUM

To: City of Gulfport Zoning Board of Adjustment and Appeals

From: Greg Holmes, Planning Administrator
Urban Development Department

Date of Hearing: April 21, 2022

Re: Variance 2204ZB063:

Variance 2204ZB063, by agent Travis Construction, tax parcel 1009J-01-001.003, Request variance for accessory structure quantity, max area allowed, 10480 Reichold Rd, Zoned I-2 (Heavy industry district), Ward 5

Technical Report

VARIANCE

GENERAL INFORMATION

Case File Number: 2204ZB063

Hearing Date: April 21, 2022

Current Zoning/Use: I-2 / Commercial Structures

Legal: Variance 2204ZB063, by agent Travis Construction, tax parcel 1009J-01-001.003, Request variance for accessory structure quantity, max area allowed, 10480 Reichold Rd, Zoned I-2 (Heavy industry district), Ward 5

TECHNICAL DETAILS

Variances involve special cases where unique factors contribute to justify a use of property that does not conform to the City's enforced ordinances. Therefore, variances should not be granted unless they are able to adequately meet the following conditions:

- (a) That special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same district;
- (b) The special conditions and circumstances do not result from the actions of the applicant;
- (c) That an unnecessary hardship is created by the physical character of the property and is peculiar and unusual to such an extent that it is evidence that amendment of the zoning ordinance does not offer a reasonable solution;
- (d) That literal interpretation of the provisions of this ordinance would deprive the applicant of rights commonly enjoyed by properties in the same district under the terms of this ordinance;
- (e) That the granting of the variance will not confer on the applicant any special privilege that is denied by this ordinance to other lands, structures, or buildings in the same district, other than to permit the applicant to use their property in a manner as nearly equivalent to uses generally permitted in the district considering the conditions and circumstances involved and the hardship;
- (f) That the use proposed is permissible by right or with planning approval or by special exception.

(Ord. App. A Sec. VIII (B)(2)(c)(1))

15.11.2

Technical Report

VARIANCE

The applicant requests a variance to allow the applicant to build a 1600 square foot storage building for the storage of insulation and other testing products used in their trade where the maximum is 1000 square feet.

Upon a site visit, the existing site has several structures on one parcel. The accessory building can never be used as an office of any kind without a Planned Building Group. The building can only be used for storage only. The accessory building meet all required setbacks. Please note that the storage shed cannot be over 14 feet in height.

- (a) The applicant notes that the proposed building is 600 square feet larger than is currently allowed as a storage building. Blacklidge Emulsions, Inc. is asking for this variance to build a 1600 square foot building for storage of insulation and other testing products used in their trade.
- (b) In the application, the applicant cites that the applicant purchased this property and were not aware of the storage building restrictions. However, the applicant with in the city must obtain a building permit.
- (c) The applicant further states the "building is need to keep materials out of the weather.
- (d) With the business currently growing, due to an increased demand, Blacklidge Emulsions, Inc. has a need for more storage space to meet the demand needs.
- (e) The applicant state they will not receive special benefits because others have been approved for similar variance.
- (f) The proposed use is permissible through a variance.

EXECUTIVE SUMMARY:

The applicant would like to build a 1600 square foot storage building for the storage of insulation and other testing products used in their trade. The ordinance only allows a total square footage of 1000 square feet for an accessory building.

Any approval should consider these conditions:

- 1. Must meet all current building codes.
- 2. Storage building can never be used as an office without Plan Building Group. Approval is for storage building only.

DEPARTMENTAL CONDITIONS

Engineering: No conditions. Memo dated 4/6/2022.

Public Works: No comment as of 4/11/2022.

Traffic and Safety: No conditions. Memo dated 4/6/2022.

Building Code Services: Must meet all current building codes. Memo dated 4/6/2022.

GIS: No conditions. Memo dated 4/7/2022.

Technical Report

VARIANCE

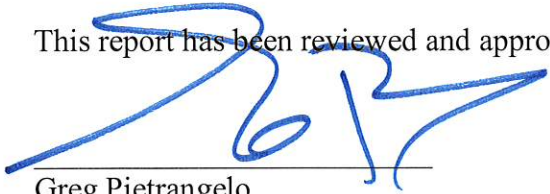
Police Department: No conditions. 4/6/2022.

Fire Department: No conditions. Memo dated 4/11/2022.

City Arborist: No conditions. Memo dated 4/6/2022.

DIRECTOR APPROVAL

This report has been reviewed and approved by:



Greg Pietrangelo
Director of Urban Development Department

Google Maps 10480 Reichold Rd



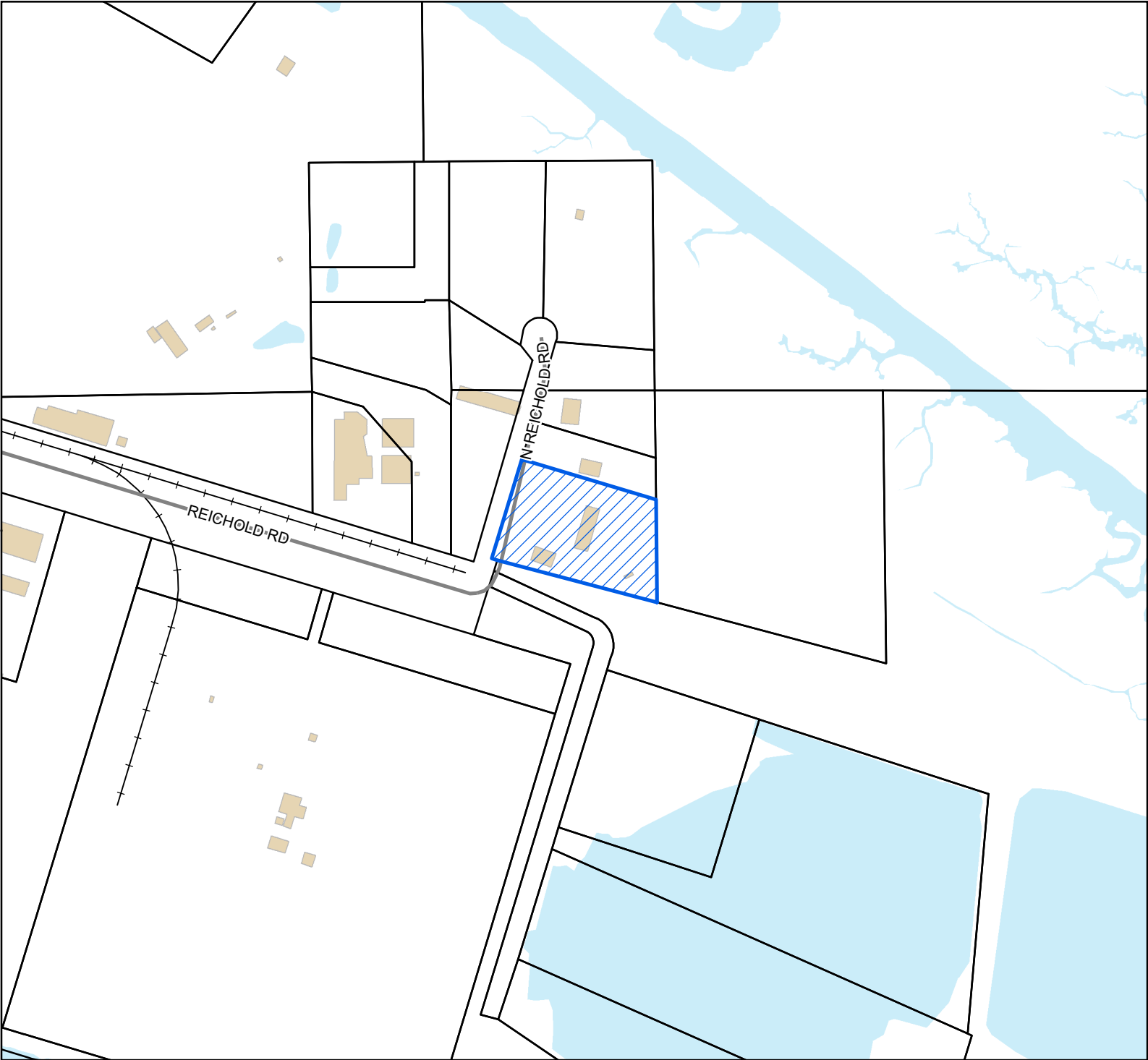
Image capture: Apr 2013 © 2022 Google

Gulfport, Mississippi

Google

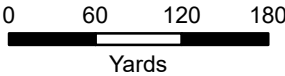
Street View - Apr 2013





- Site
- Street
- Railroad
- Parcels
- Buildings
- Water Features

Site Information
1010N-03-018.000
Zoning: I-2 (Heavy Industrial district)
Size: 3.0 acres
Flood: AE



1 inch = 400 feet



DATA DISCLAIMER: All information that is provided on this map is believed to be correct. However, no liability is assumed by the City of Gulfport for errors in substance or form of any of the materials published on this map. The GIS Division, City of Gulfport, provides the information represented on this map as a service to the community and makes every effort possible to provide quality information. However, no claims, promises, or guarantees about the accuracy, completeness, or adequacy of the information contained on this map are expressed or implied.



CITY OF GULFPORT
Urban Development - Planning Division
1410 24th Avenue
Gulfport, MS 39501
(228) 868-5710

For Staff Use Only

Case File #: 2204ZB063Date Received: 3/7/2022Receipt #: 11172828Received By: MrZoning: I-2Ward: 5 Flood: AESize: 3 acres

(If necessary, use separate sheet of paper)

TAX PARCEL # 1009J-01-001.003

Address of Property Involved: 10480 Reichold Rd Gulfport, MS 39503Lot(s) _____, Block(s) _____, Subdivision nullGeneral Location: Judicial Dist. - 1 Township - 07 Section 20 Range 10**GENERAL DESCRIPTION OF REQUEST:**

An additional 600 sqft to the allowed storage for a 1600 sqft
Building with the max allowance is 1000 sqft.

OWNERSHIP AND CERTIFICATION:

I hereby certify that I have read and understand this application and that all information and attachments are true and correct. I also certify that I agree to comply with all applicable city codes, ordinances and state laws. Finally, I certify that I am the owner of the property involved in this request or have authorization to act as the owner's agent for the herein described request.

OWNER

AGENT

BLACKIDGE Emulsions Inc
Printed Name Of Owner

12251 Bernard Parkway Suite 200
Mailing Address

Gulfport MS 39503
City State Zip code

228-692-6027
Home Phone Work/Cell Phone

MRENICK@BLACKIDGE.COM

Email

[Signature]

Signature Of Owner

Travis Construction
Printed Name Of Agent

11258 Bayou Bernard Rd
Mailing Address

Gulfport MS 39503
City State Zip code

228 5394849 205 835 0409
Home Phone Work/Cell Phone

travisconstructionllc@gmail.com

Email

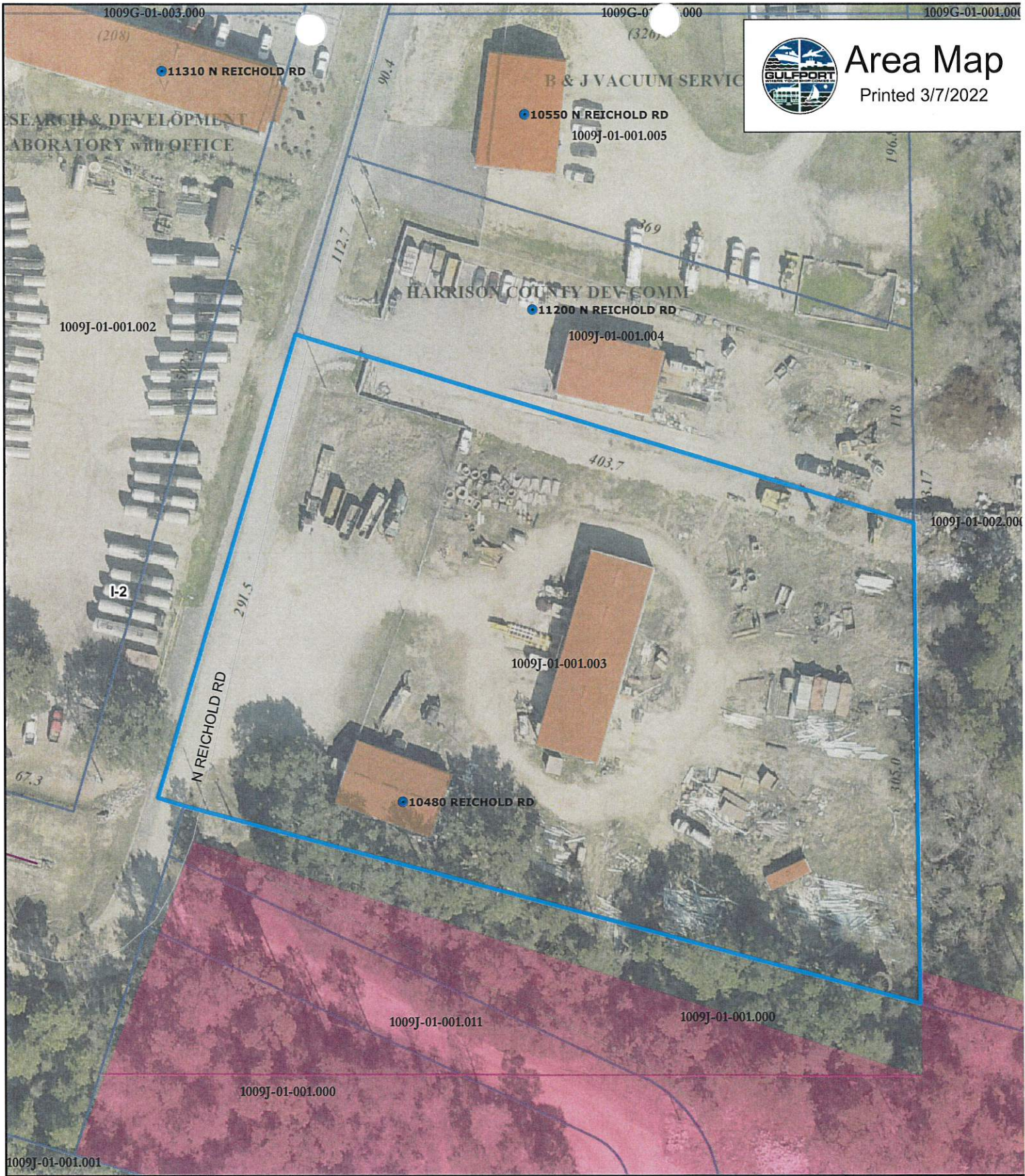
[Signature]

Signature Of Agent

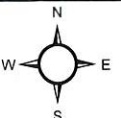
If the property or properties listed above have more than one owner, please check this box. In the case of multiple owners, reverse side must be completed. Each additional owner will need to complete and sign the reverse side of this application. We can only accept applications with original signatures.



SECTIONS A. THROUGH G. MUST BE SUBMITTED FOR A COMPLETE APPLICATION.



- Addresspoints
- ▭ Parcels



1 inch = 80 feet

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11258 Bayou Bernard Road Gulfport, MS 39503

228-539-4849

travisconstructionllc@gmail.com

www.travisconstructionms.com

VARIANCE QUESTIONS

1. Proposed building is 600 sq. ft. larger than is currently allowed as a storage building. Blacklidge Emulsions, Inc is asking for this variance to build a 1600 sq. ft. instead of 1000 sq. ft. for the storage of insulation and other testing products used in their trade.
2. Blacklidge Emulsions, Inc. purchased this property and were not aware of the storage building restrictions.
3. Blacklidge Emulsions, Inc needs the building size increase for storage of trade materials to keep them out of the weather.
4. With the business currently growing, due to an increased demand, Blacklidge Emulsions, Inc. has a need for more storage space to meet the demand needs.
5. Blacklidge Emulsions, Inc. certifies that no special benefits will be received from the approval of this variance except the ability to store trade materials in a safe, weatherproof environment in order to attempt to meet the demand needs.
6. Blacklidge Emulsions, Inc. certifies that the proposed is permissible with planning approval with respect to the use of the land.



Designation of Agent

I, MATT RENTICK, being owner of the property 10480 REICHARD RD
PRINT NAME PRIMARY ADDRESS OR PARCEL
which is the subject of this application hereby authorize TRAUTS CONSTRUCTION to act as my
PRINT NAME
representative with the City of Gulfport's Zoning Board of Adjustment and Appeals, and/or Planning Commission, and/or City Council, and/or permitting and licensing, as required by the City.

Such representation shall be for all purposes concerning any manner, right, or obligation relating to this petition. This designation authorizes my agent to make verbal or written representations and/or declarations on my behalf, and I shall be legally bound by said verbal or written representations and/or declarations relating to this petition.

The petitioner understands and acknowledges that the City will rely upon the agent's representations in approval or denial of said petition.

[Signature]
Signature

3/1/22
Date

STATE OF MISSISSIPPI | COUNTY OF HARRISON

Given under my hand and seal of office this the 1st day of March, 20 22

Rebecca J. Moore

Notary Public



June 20, 2022

Commission Expiration



Covenant Affidavit

I, MATT RENICK, being owner or agent of the property 10480 REITCHMAN RD
PRINT NAME PRIMARY ADDRESS OR PARCEL

which is the subject of this application, hereby state that this variance request is not in violation of any restrictive or protective covenants.

[Signature]
Signature

3/1/22
Date

STATE OF MISSISSIPPI | COUNTY OF HARRISON

Given under my hand and seal of office this the 1st day of March, 20 22

Rebecca J. Moore
Notary Public

June 20, 2022
Commission Expiration



SCANNED



1st Judicial District
Instrument 2020 5191 D - J1
Filed/Recorded 5/19/2020 01:40 P
Total Fees \$ 26.00
5 Pages Recorded

Our File: B200438
Prepared by & Return To:
Schwartz, Orgler & Jordan, PLLC
P O Box 4682
Biloxi, MS. 39535
228-388-7441

INDEX: NW1/4 of NW1/4 Sec. 20-7-10

STATE OF MISSISSIPPI
COUNTY OF HARRISON

REVIEWED

WARRANTY DEED

FOR AND IN CONSIDERATION of the sum of Ten Dollars (\$10.00), cash in hand paid, and other good and valuable consideration, the receipt and sufficiency of all of which is hereby acknowledged, the undersigned,

KAPPA DEVELOPMENT & GENERAL CONTRACTING, INC.,

11374 Bayou View Drive, Bay St. Louis, MS 39520, (228) 297-1116,

does hereby sell, convey and warrant unto

BLACKLIDGE EMULSIONS, INC.,

12251 Bernard Parkway, Ste 200, Gulfport, MS 39503, (228) 863-3878,

the following described land and property being located in the First Judicial District of Harrison County, Mississippi, being more particularly described as follows, to-wit:

A parcel of land being located in the Northwest quarter of the Northwest quarter of Section 20, Township 7 South, Range 10 West, Harrison County, Mississippi and being more particularly described as follows:

Commencing at the section corner common to Sections 17, 18, 19 and 20, Township 7 South, Range 10 West, Harrison County, Mississippi; thence S 89 30' 00" W 331.90 feet; thence S 00 15' 00" E 327.85 feet to the north margin of Reichold Road; thence S 73 13' 02" E 542.31 feet to the POINT OF BEGINNING; thence along said north margin N 16 46' 58" E 291.52 feet; thence S 73 13' 02" E 403.69 feet; thence S 00 18' 25" E 304.99 feet to the north margin of Reichold Road; thence N 73 13' 02" W along said north margin 493.32 feet to the POINT OF BEGINNING.

TOGETHER WITH THE FOLLOWING EASEMENT: A twenty-five foot easement for ingress and egress purposes in the Northwest Quarter of the Northwest Quarter of Section 20, Township 7 South, Range 10 West, Harrison County, Mississippi, more particularly described as follows:

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SCANNED



1st Judicial District
Instrument 2020 5191 D - J1
Filed/Recorded 5/19/2020 01:40 P
Total Fees \$ 26.00
5 Pages Recorded

Our File: B200438
Prepared by & Return To:
Schwartz, Orgler & Jordan, PLLC
P O Box 4682
Biloxi, MS. 39535
228-388-7441

INDEX: NW1/4 of NW1/4 Sec. 20-7-10

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end of Reichold Road right-of-way; thence continue S 73 13' 02" E along north margin of Reichold Road 25.00 feet; thence S 16 46' 58" W 120.00 feet; thence N 73 13' 02" W 25.00 feet to the east end of Reichold Road right-of-way; thence N 16 46' 58" E along said right-of-way 120.00 feet to the POINT OF BEGINNING.

TOGETHER WITH THE FOLLOWING EASEMENT FOR INGRESS AND EGRESS:

A twenty-five foot easement for ingress and egress purposes being situated in the Northwest Quarter of the Northwest Quarter of Section 20, Township 7 South, Range 10 West, Harrison County, Mississippi, and being more particularly described as follows:

Commencing at the section corner common to Sections 17, 18, 19 and 20, Township 7 South, Range 10 West, Harrison County, Mississippi; thence S 89 30' W 331.90 feet; thence S 00 15' 00" E 327.85 feet to the north margin of Reichold Road; thence S 73 13' 02" E along said north margin 517.31 feet to the POINT OF BEGINNING; thence N 16 46' 58" E 291.52 feet; thence S 73 13' 02" E 25.00 feet; thence S 16 46' 58" W 291.52 feet to the north margin of Reichold Road; thence N 73 13' 02" W 25.00 feet along Reichold Road to the POINT OF BEGINNING.

Index: Pel in NW1/4 of NW1/4 of Sec 20-7-10, Harrison County 1st JD

THIS CONVEYANCE is subject to any and all recorded restrictive covenants, rights-of-way and easements applicable to subject property, and subject to any and all prior recorded reservations, conveyances and leases of oil, gas and minerals by previous owners.

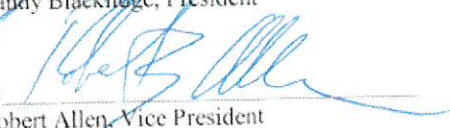
TAXES for the current year have been pro-rated as of this date and are hereby assumed by the Grantee herein.

IN WITNESS WHEREOF, Kappa Development & General Contracting, Inc., has caused this conveyance to be executed by its duly authorized officer, after having first been duly authorized to do so, on this the 18th day of May, 2020.

Kappa Development & General Contracting, Inc.

BY: 

Randy Blackledge, President

BY: 

Robert Allen, Vice President

Mail	PPIN	Parcel ID	Name	Address	City	State	ZIP
	116369	1009J-01-001.003	BLACKLIDGE EMULSIONS INC (Owner)	12251 BERNARD PKWY STE 200	GULFPORT	MS	39503
			TRAVIS CONSTRUCTION	11258 BAYOU BERNARD RD	GULFPORT	MS	39503
			Adjacent Property Owners				
	106461	1009K-01-001.001	BEI RP LLC	12251 BERNARD PARKWAY SUITE 200	GULFPORT	MS	39503
N	103430	1009J-01-001.002	BLACKLIDGE EMULSIONS	12251 BERNARD PARKWAY SUITE 200	GULFPORT	MS	39503
N	55839	1009K-01-001.000	BLACKLIDGE EMULSIONS INC	12251 BERNARD PARKWAY	GULFPORT	MS	39503
	133062	1009J-01-001.004	C W MOBILE SERVICE LLC	708 SARASEN DR	GULFPORT	MS	39507
	97369	1009K-02-001.001	ENVIRONMENTAL RESPONSE TRUST	ONE POINT DR	BREA	CA	92821
	55936	1009J-01-001.000	HARRISON CO DEV COMM	P O BOX 1870	GULFPORT	MS	39502
N	146285	1009J-01-001.011	HARRISON CO DEV COMM	P O BOX 1870	GULFPORT	MS	39502
	133063	1009J-01-001.005	LNJ SERVICES INC	10550 REICHOLD RD	GULFPORT	MS	39503
	55935	1009J-01-002.000	OASIS REAL ESTATE INVESTMENTS INC	2205 JOHN HILL BLVD	GULFPORT	MS	39507

2204ZB063

Variance

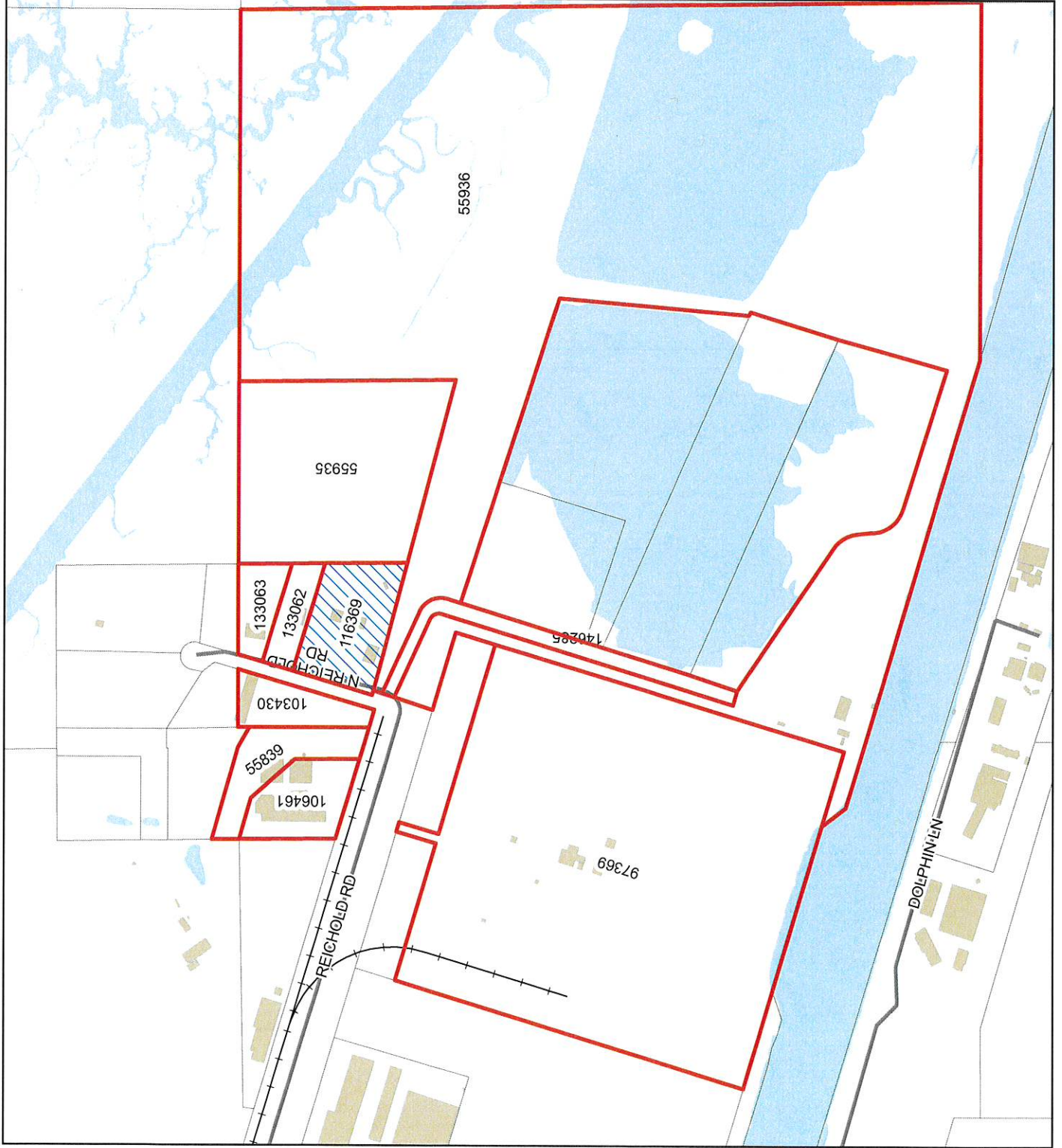
- Legend**
- Site
 - Adjacent Properties
 - Street
 - Railroad
 - Buildings
 - Water Features



1 inch = 500 feet



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MW

RE: Variance 2204ZB063, by agent Travis Construction, tax parcel 1009J-01-001.003, Request variance for accessory structure quantity, max area allowed, 10480 Reichold Rd, Zoned I-2 (Heavy industry district), Ward 5

To Applicants and Adjacent Property Owners:

The City of Gulfport Zoning Board of Adjustments and Appeals will hold a public hearing to consider the above application at 3:00 P.M. on **Thursday, April 21, 2022**, in the Council Chambers at the Gulfport City Hall located at 2309 15th Street.

For more information, visit <https://www.gulfport-ms.gov/agendas/> then click the City of Gulfport Zoning Board for **Thursday, April 21, 2022**. A map showing the location of the property involved is located at this website. If you have any questions or comments, please contact this office at the phone number 228-868-5710 or email planners@gulfport-ms.gov. The application is available for viewing in the Planning Division office at 1410 24th Avenue.



Beaufort Gazette
Belleville News-Democrat
Bellingham Herald
Bradenton Herald
Centre Daily Times
Charlotte Observer
Columbus Ledger-Enquirer
Fresno Bee

The Herald - Rock Hill
Herald Sun - Durham
Idaho Statesman
Island Packet
Kansas City Star
Lexington Herald-Leader
Merced Sun-Star
Miami Herald

el Nuevo Herald - Miami
Modesto Bee
Raleigh News & Observer
The Olympian
Sacramento Bee
Fort Worth Star-Telegram
The State - Columbia
Sun Herald - Biloxi

Sun News - Myrtle Beach
The News Tribune Tacoma
The Telegraph - Macon
San Luis Obispo Tribune
Tri-City Herald
Wichita Eagle

AFFIDAVIT OF PUBLICATION

Account #	Order Number	Identification	Order PO	Amount	Cols	Depth
36845	241637	Print Legal Ad - IPL0067173	210200	\$41.64	1	69 L

Attention: Matilda Welch
PO BOX 1780
GULFPORT, MS 39502

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A. Lee Palermo, Chairman
City of Gulfport Zoning Board of Adjustment and Appeals
IPL0067173
Apr 6 2022

STATE OF MISSISSIPPI COUNTY OF HARRISON

Before me, the undersigned Notary of Dallas County, Texas personally appeared Keriann Leenerts, who, being by me first duly sworn, did depose and say that she is a clerk of The Sun Herald, a daily newspaper published in the city of Gulfport, in Harrison County, Mississippi and the publication of the notice, a copy of which is hereto attached, has been made in said paper in the issue (s) of:

No. of Insertions: 1

Beginning Issue of: 04/06/2022

Ending Issue of: 04/06/2022

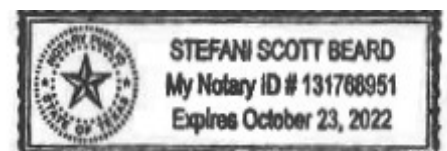
Affidavit further states on oath that said newspaper has been established and published continuously in said county for a period of more than twelve months next prior to the first publication of said notice.

Sworn to and subscribed before me this 6th day of April in the year of 2022

Stefani Beard

Notary Public

* The Sun Herald has been deemed eligible for publishing legal notices in Jackson County to meet the requirements of Miss. Code 1972 Section 13-3-31 and 13-3-32.



Extra charge for lost or duplicate affidavits.
Legal document please do not destroy!

MEMORANDUM

To: City of Gulfport Zoning Board of Adjustment and Appeals

From: Greg Holmes, Planning Administrator
Urban Development Department

Date of Hearing: April 21, 2022

Re: Variance 2204ZB065:

Variance 2204ZB065, by agent Kenneth Jones II, tax parcel 1008F-01-001.000, Variances for parking reduction, setback, Highland Way, Zoned R-B (Residence-business), Ward 6

Technical Report

VARIANCE

GENERAL INFORMATION

Case File Number: 2204ZB065

Hearing Date: April 21, 2022

Current Zoning/Use: R-B/Vacant Lot

Legal: Variance 2204ZB065, by agent Kenneth Jones II, tax parcel 1008F-01-001.000, Variances for parking reduction, setback, Highland Way, Zoned R-B (Residence-business), Ward 6

TECHNICAL DETAILS

Variances involve special cases where unique factors contribute to justify a use of property that does not conform to the City's enforced ordinances. Therefore, variances should not be granted unless they are able to adequately meet the following conditions:

- (a) That special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same district;
- (b) The special conditions and circumstances do not result from the actions of the applicant;
- (c) That an unnecessary hardship is created by the physical character of the property and is peculiar and unusual to such an extent that it is evidence that amendment of the zoning ordinance does not offer a reasonable solution;
- (d) That literal interpretation of the provisions of this ordinance would deprive the applicant of rights commonly enjoyed by properties in the same district under the terms of this ordinance;
- (e) That the granting of the variance will not confer on the applicant any special privilege that is denied by this ordinance to other lands, structures, or buildings in the same district, other than to permit the applicant to use their property in a manner as nearly equivalent to uses generally permitted in the district considering the conditions and circumstances involved and the hardship;
- (f) That the use proposed is permissible by right or with planning approval or by special exception.

(Ord. App. A Sec. VIII (B)(2)(c)(1))

Technical Report

VARIANCE

The applicant requests a variance in order to have a clubhouse use. Specifically, the applicant requests; 1) a variance for 0 parking spaces where 7 plus 1 handicap spaces are required for a total of 8; 2) a 15-foot variance to allow for a 10-foot front yard setback where 25 feet is required.

- (a) The applicant states the land in question is “common area for the subdivision...” The applicant argues that the townhomes are allowed a 10-foot front yard setback in the same subdivision. There are no special conditions or circumstances specific to the subject parcel. Other properties in an R-B zoning district would be allowed to build a clubhouse through Planning Commission approval, but they would be required to adhere to the 25-foot front yard setback. Additionally, restaurants, offices, and other uses would be required to meet setbacks.
- (b) In the application, the applicant mentions the location of the Clubhouse and wetlands in the immediate area impeding the Clubhouse’s required setbacks. The applicant makes no mention of circumstances resulting from the actions of the applicant. Further, in the past, the applicant has built several structures or dwellings in accordance with the City of Gulfport’s Ordinance; upon purchasing the property, the applicant was aware of the wetlands in the immediate area, thus, causing the applicant to be responsible for the special conditions and circumstances along with undeveloped land.
- (c) The applicant makes no mention about unnecessary hardship created by the physical character of the property; the applicant mentions this clubhouse being a “subdivision amenity” and not a stand-alone private club, along with unfavorable setbacks being imposed on the Clubhouse that is not being imposed on the townhomes. Further, A “subdivision amenity” and “imposing additional regulations...” does not constitute a hardship that is peculiar to the land and would be subject to ordinance changes.
- (d) This is a new subdivision being built; there are no clubhouses or other dwellings in the immediate district; any applicant who is building a clubhouse in an R-B zoning district would have to adhere to setback requirements; approving this variance would set precedence for the rest of the neighborhood.
- (e) The applicant states “will not confer on the applicant any special privilege...” stating, this is a unique situation. Granting this variance would confer special privileges for the applicant and it would set precedence for the rest of the neighborhood to build in such a manner.
- (f) This property is zoned R-B; a clubhouse is allowed in this zoning district.

EXECUTIVE SUMMARY

Considering the request, the hardship has been created by the applicant. Although the clubhouse coincides with the new townhome subdivision being built, the clubhouse is not attached to the townhomes and on an individual parcel of land; thus, causing the Clubhouse to adhere to the setback requirements set forth by the City of Gulfport’s Ordinance, coupled with the parking ordinance as well. The applicant has failed to meet any of the 6 hardships required for variance, this request should be denied.

Technical Report

VARIANCE

Any approval should consider these conditions:

1. A variance for 0 parking spaces where 7 plus 1 handicap spaces are required for a total of 8.
2. A 15-foot variance to allow for a 10-foot front yard setback where 25 feet is required.
3. Parking bays to be 20 feet deep.

DEPARTMENTAL CONDITIONS

Engineering: Parking bays to be 20 feet deep. Memo dated 04/12/2022.

Public Works: No comments as of 04/12/2022.

Traffic and Safety: No conditions. Memo dated 04/08/2022.

Building Code Services: No conditions. Memo dated 04/06/2022.

GIS: No conditions. Memo dated 04/07/2022.

Police Department: No conditions. Memo dated 04/06/2022.

Fire Department: No conditions. Memo dated 04/11/2022.

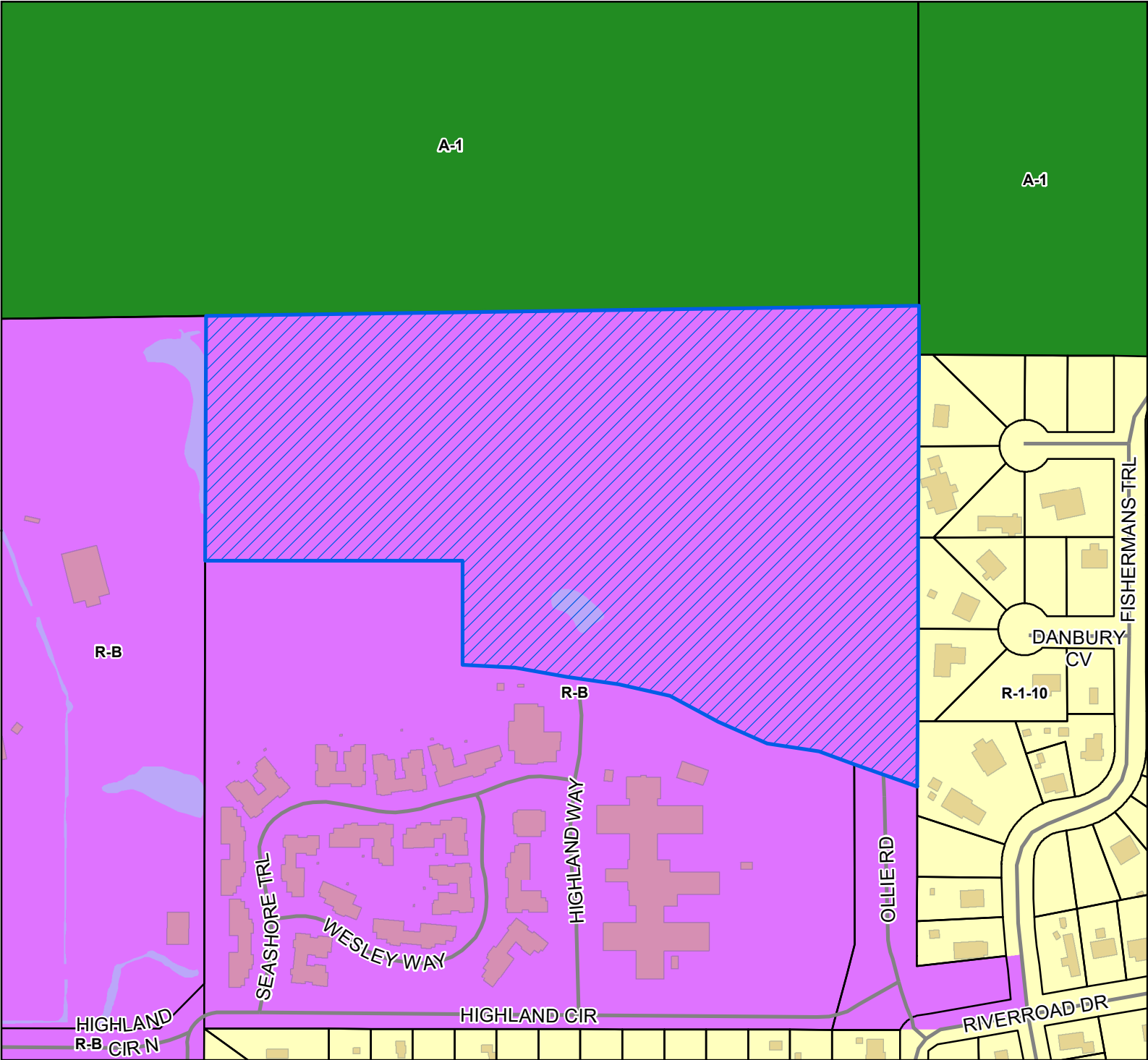
City Arborist: No conditions. Memo dated 04/06/2022.

DIRECTOR APPROVAL

This report has been reviewed and approved by:



Greg Pietrangelo
Director of Urban Development Department



Legend

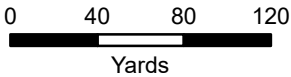
- Site
- Street
- Parcels
- Buildings
- Water Features

Zoning

- A-1 - Agricultural District
- R-1-10 - Single Family Residence (Low Density)
- R-B - Residence-Business District

Site Information

1008F-01-001.000
Zoning: R-B (Residence-Business)
Size: 20.7 Acres
Flood: X



1 inch = 265 feet



DATA DISCLAIMER: All information that is provided on this map is believed to be correct. However, no liability is assumed by the City of Gulfport for errors in substance or form of any of the materials published on this map. The GIS Division, City of Gulfport, provides the information represented on this map as a service to the community and makes every effort possible to provide quality information. However, no claims, promises, or guarantees about the accuracy, completeness, or adequacy of the information contained on this map are expressed or implied.



CITY OF GULFPORT
Urban Development - Planning Division
1410 24th Avenue
Gulfport, MS 39501
(228) 868-5710

For Staff Use Only

Case File #: 2204ZB065Date Received: 3/7/2022

Receipt #: _____

Received By: VM

Zoning: _____

Ward: _____ Flood: _____

Size: _____

(If necessary, use separate sheet of paper)

TAX PARCEL #

1	0	0	8	F	-	0	1	-	0	0	1	●	0	0	0
					-			-				●			
					-			-				●			

Address of Property Involved: NORTH OF OLLIE ROAD AT ITS INTERSECTION WITH HIGHLAND CR.Lot(s)⁴ _____, Block(s) _____, Subdivision GULFPORT HIGHLANDS RESUBDIVISIONGeneral Location: NORTH OF METHODIST SENIOR SERVICE'S SEASHORE HIGHLANDS FACILITY**GENERAL DESCRIPTION OF REQUEST:**

1) REQUEST TO ALLOW OFF-SITE PARKING (ALONG RIGHT-OF-WAY) FOR CLUBHOUSE BEING USED AS A SUBDIVISION AMENITY AND LEASING/SALES/PROPERTY MANAGEMENT OFFICE.

2) ALLOW FOR A 10' FRONT SETBACK VARIANCE TO 15 FEET INSTEAD OF THE REQUIRED 25 FEET

OWNERSHIP AND CERTIFICATION:

I hereby certify that I have read and understand this application and that all information and attachments are true and correct. I also certify that I agree to comply with all applicable city codes, ordinances and state laws. Finally, I certify that I am the owner of the property involved in this request or have authorization to act as the owner's agent for the herein described request.

OWNER

GH VILLAGE, LLC (NOEL SIMMS)

Printed Name Of Owner
4680 HICKORY RIDGE

Mailing Address

JACKSON MS 39211

City State Zip code
601.260.6390

Home Phone Work/Cell Phone
NOELSIMMS@GMAIL.COM

Email

Signature Of Owner

AGENT

KENNETH JONES II

Printed Name Of Agent
919 2ND STREET

Mailing Address

GULFPORT MS 39501

City State Zip code
228.596.4471

Home Phone Work/Cell Phone
KENNETH@GCDEVELOPMENTDESIGN.COM

Email

Signature Of Agent

If the property or properties listed above have more than one owner, please check this box. In the case of multiple owners, reverse side must be completed. Each additional owner will need to complete and sign the reverse side of this application. We can only accept applications with original signatures.

☐

SECTIONS A. THROUGH G. MUST BE SUBMITTED FOR A COMPLETE APPLICATION.



Michael Watson

SECRETARY OF STATE

This is not an official certificate of good standing.

Name History

Name	Name Type
GH Village, LLC	Legal

Business Information

Business Type:	Limited Liability Company
Business ID:	1106538
Status:	Good Standing
Effective Date:	12/06/2016
State of Incorporation:	Mississippi
Principal Office Address:	4680 Hickory Ridge Jackson, MS 39211

Registered Agent

Name
Jay Norris 1076 Highland Colony Pkwy., Ste 100 Ridgeland, MS 39157

Officers & Directors

Name	Title
James A. Norris III 1076 Highland Colony Pkwy., Ste 100 Ridgeland, MS 39157	Organizer
Noel Simms 4680 Hickory Ridge Jackson, MS 39211	Member
John Simms 4680 Hickory Ridge Jackson, MS 39211	Member

March 3, 2022

City of Gulfport
Urban Development – Planning Division
1410 24th Avenue
Gulfport, MS 39501

To Whom It May Concern:

Acting on behalf of GH Village LLC, please accept this letter authorizing Kenneth Jones of Gulf Coast Development and Design, LLC to act as agent regarding the proposed "Highland Lake Townhomes" project on Parcel ID 1008F-01-001.000.

Sincerely,



Noel Simms
GH Village LLC

State of Mississippi
County of Hinds

Personally appeared before me, the undersigned authority in and for the said county and state, on this 04 day of MAR, 2022, within my jurisdiction, the within named Noel Simms [name(s) of person(s) acknowledged], who acknowledged that (he)(she)(they) executed the above and foregoing instrument.

Name: Andrea D. Thorn
My Commission Expires: Feb 27, 2026



Written Statement

Variance Request

Off-Site Parking

We are requesting a variance to allow for off street parking inside the right of way instead of on-site parking which is required for a clubhouse with pool and a mailbox kiosk to be constructed in the common area of the subdivision known as Highland Lake Townhomes. The clubhouse will also have an office that will be used for leasing, sales, and property management of the development. These areas will be subdivision amenities for the development and will help increase the value and long-term sustainability and the quality of life of the residents.

1. Special conditions exist because this land is common area for the subdivision. The clubhouse and pool are not a separate club or lodge that would exist as a stand-alone building or business. This building and pool need to be at the entrance of the subdivision and because of wetlands on the property and where the road must be placed, there is inadequate room for on-site parking. Furthermore, because the clubhouse and pool are subdivision amenities, and the right of way is 60 feet wide on-site parking is not needed as it would be for a stand-alone club.
2. The location of the road and the location of the wetlands were determined by the application and approval of the Corp of Engineers.
3. This variance is unique because it is a subdivision amenity and not a stand alone private club. Having on-site parking is not needed and the location of the road and wetlands at the entrance create a hardship that will not allow for on-site parking to exist.
4. The literal interpretation of the zoning ordinance requires "clubs" to have off street parking because most buildings/businesses that would fall under this would be stand-alone buildings and businesses. This clubhouse and pool are part of the subdivision amenities of the subdivision and therefore do not need on-site parking as is normally required.
5. There will be 7 dedicated parking spaces as required for per the zoning ordinance. The code requires that there be 1 space per 300 SF for "clubs". The proposed building is 2,025 SF under roof which equates to 6.75 parking spaces. These parking spaces will be located inside the 60 foot right-of-way instead of inside the common area because of the placement of the road and the wetlands that exist on the property.
6. The proposed use is allowed with planning commission approval in the R-B zoning district.

Written Statement

Variance Request

Front Yard Setback Variance

We are requesting a variance to allow for a 10-foot variance to a 15-foot front yard setback where 25-foot is normally required to allow the construction of a clubhouse with pool and a mailbox kiosk in the common area of the subdivision known as Highland Lake Townhomes. The clubhouse will also have an office that will be used for leasing, sales, and property management of the development. These areas will be subdivision amenities for the development and will help increase the value and long-term sustainability and the quality of life of the residents.

1. Special conditions exist because this land is common area for the subdivision of townhomes. Townhomes are allowed to have a 10 foot front yard setback when a 60-foot right-of-way exists. The clubhouse and pool are not a separate club or lodge that would exist as a stand-alone building or business. This building and pool need to be at the entrance of the subdivision and because of wetlands on the property and where the road must be placed, there is inadequate room the additional setback. Furthermore, because the clubhouse and pool are subdivision amenities in a townhome development, the setbacks should be more similar to the other buildings.
2. The location of the road and the location of the wetlands were determined by the application and approval of the Corp of Engineers. The townhome setbacks of 10 feet are allowed by the City of Gulfport.
3. This variance is unique because it is a subdivision amenity and not a stand alone private club. Having a much larger setback than is required of the other buildings inside the subdivision creates a hardship by imposing additional regulations not required by the other buildings
4. The literal interpretation of the zoning ordinance allows townhomes to have a minimum front yard setback of 10 feet, but requires other buildings to have a 25-foot setback. Because of the limited area in this location due to the location of the road and wetlands and because differing setbacks allowed, this would deprive the neighborhood of this subdivision amenity.
5. This request for a setback variance will not confer on the applicant any special privilege that is denied by the ordinance for other buildings because this circumstance is unique. This variance request will more closely match the minimum front yard setbacks of the remaining buildings inside of the development.
6. The proposed use is allowed with planning commission approval in the R-B zoning district.

Variance Affidavit

March 7, 2022

To Whom It May Concern:

The requested variance of off-street parking for the clubhouse and pool and the variance for the 10 foot variance of a front yard setback to 15 feet where 25 feet is normally required will not be in violation of any restrictive or protective covenants for the subdivision.

If you have any further questions, you may reach me at 228-596-4471.

Sincerely,

A handwritten signature in blue ink, appearing to be 'Kenneth Jones', with a large, sweeping loop at the end.

Kenneth Jones



John H. Geary, Jr. 1st Judicial District
Instrument 2017 896 D - J1
Filed/Recorded 2/14/2017 09:26 A
Total Fees \$ 13.00
6 Pages Recorded

Indexing instructions

T7S, R10W, Section 6: SE 1/4 of SE 1/4
T7S, R10W, Section 5: NW 1/4 of SW 1/4

Prepared by

John H. Geary, Jr. (MS Bar No. 101540)
Copeland, Cook, Taylor & Bush, P.A.
P.O. Box 6020
Ridgeland, MS 39158
601-856-7200

Grantor

Gulfport Highlands Development, L.P.
4680 Hickory Ridge Road
Jackson, MS 39211
601-260-6390

Grantee

GH Village, LLC
4680 Hickory Ridge Road
Jackson, MS 39211
601-260-6390

WARRANTY DEED

STATE OF MISSISSIPPI

COUNTY OF HARRISON

WHEREAS, Gulfport Highlands Development, L.P., a Delaware limited partnership ("**Grantor**"), owns fee simple title to a parcel of real property in the Southeast 1/4 of Section 6, Township 7 South, Range 10 West, Harrison County, Mississippi, described more particularly in Exhibit A attached to and made part of this agreement, and referred to herein as the "GH Village Parcel."

WHEREAS, Grantor also owns fee simple title to a parcel of real property located in the Southeast 1/4 of Section 6 and the Northwest 1/4 of Section 5, Township 7 South, Range 10 West, Harrison County, Mississippi, lying adjacent to the GH Village Parcel, described more

2

particularly in Exhibit B attached to and made part of this agreement, and referred to herein as the "Common Area Parcel."

WHEREAS, Grantor wishes to convey to GH Village, LLC ("Grantee") the GH Village Parcel and to grant and convey to Grantee an access easement on and across the Common Area Parcel. For reference only, a plat is attached hereto as Exhibit C. On Exhibit C, the GH Village Parcel is shown as "Lot 4," and the Common Area Parcel is shown in an orange color.

THEREFORE, FOR AND IN CONSIDERATION of the sum of Ten Dollars (\$10.00) cash in hand paid and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Grantor does hereby grant, convey and warrant to Grantee the GH Village Parcel, together with all improvements situated thereon, all appurtenances thereto belonging and all licenses, contracts, easements and other agreements associated therewith.

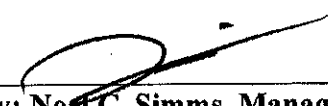
Grantor does hereby grant, convey and warrant to Grantee a perpetual, non-exclusive easement, on, across and over the Common Area Parcel for access to the GH Village Parcel to and from Ollie Road or other public road. The easement granted hereby shall be appurtenant to and for the benefit of the GH Village Parcel. The easement granted hereby includes access to and the right to use any road now existing or in the future constructed on the Common Area Parcel. Grantor reserves the right to dedicate any part or all of the Common Area Parcel as a public road, and Grantee acknowledges that the perpetual easement in favor of the GH Village is subject to Grantor's right to dedicate a public road.

This conveyance is made subject to any and all applicable building restrictions, protective and restrictive covenants, rights of way, easements, and previous reservations and conveyances of oil, gas and mineral rights and interests applicable to the property conveyed hereby.

WITNESS the signature of the Grantor on December 29, 2016.

**GULFPORT HIGHLANDS DEVELOPMENT,
L.P., a Delaware limited partnership**

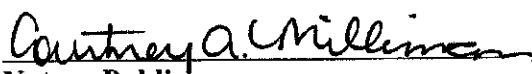
**By: Its General Partner, GULFPORT
HIGHLANDS MANAGEMENT, LLC, a manager
managed Delaware limited liability company**


By: Noel C. Simms, Manager of Gulfport Highlands
Management, LLC

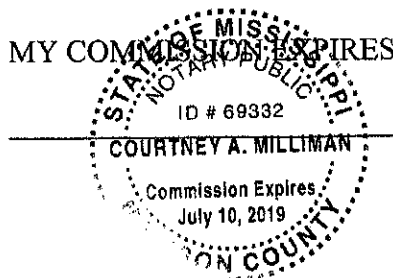
STATE OF MISSISSIPPI

COUNTY OF MADISON

PERSONALLY APPEARED BEFORE ME, the undersigned authority in and for the said county and state, on this 27th day of January, 2017, within my jurisdiction, the within named **Noel C. Simms**, who acknowledged to me that he is **Manager of Gulfport Highlands Management, LLC**, a manager managed Delaware limited liability company, which is the **General Partner of Gulfport Highlands Development, L.P.**, a Delaware limited partnership, and that for and on behalf of the said limited liability company, and as its act and deed, he executed the above and foregoing instrument, after first having been duly authorized by said limited liability company so to do.


Notary Public

MY COMMISSION EXPIRES:



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EXHIBIT A

Attached to and made part of that certain warranty deed dated December 29, 2016
from Gulfport Highlands Development, L.P. as Grantor
to GH Village, LLC as Grantee

LEGAL DESCRIPTION OF THE GH VILLAGE PARCEL

LOT 4

The following description is based on the Mississippi State Plane Coordinate System, East Zone, NAD 83, grid values, using a combined factor of 0.999957410 and a convergence angle of -00°05'45.73468".

A 20.13 acre, more or less, parcel of land lying in the NE 1/4 of the SE 1/4 of Section 6, Township 7 South, Range 10 West, Harrison County, MS and being more particularly described by metes and bounds as follows:

Commence at a 2" pipe found at the northwest corner of the SE 1/4 of the SE 1/4 of Section 6, Township 7 South, Range 10 West, Harrison County, MS, run South 89°56'13" East along the south line of the NE 1/4 of the SE 1/4 of said Section 6 for 1,196.75 feet; thence, leave said south line and run North 15°36'25" East for 166.13 feet; thence run North 01°57'38" West for 346.09 feet to the POINT OF BEGINNING of the herein described parcel.

From said POINT OF BEGINNING, thence run North 70°16'33" West for 72.13 feet; thence run North 81°42'14" West for 100.40 feet; thence run North 66°48'47" West for 101.63 feet; thence run North 62°39'52" West for 104.74 feet; thence run North 77°13'18" West for 100.48 feet; thence run North 82°28'03" West for 100.03 feet; thence run North 80°49'23" West for 100.37 feet; thence run North 87°47'04" West for 100.00 feet; thence run North 00°05'14" East for 198.48 feet; thence run South 89°56'28" West for 478.68 feet to the west line of said NE 1/4 of the SE 1/4; thence run North 00°05'14" East along said west line for 455.00 feet to the north line of said NE 1/4 of the SE 1/4; thence run North 89°56'28" East along said north line for 1362.81 feet to the east line of said NE 1/4 of the SE 1/4; thence run South 00°07'30" West along said east line for 884.33 feet; thence, leaving said east line, run North 70°16'33" West for 141.62 feet back to the POINT OF BEGINNING.

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EXHIBIT B

Attached to and made part of that certain warranty deed dated December 29, 2016
from Gulfport Highlands Development, L.P. as Grantor
to GH Village, LLC as Grantee

LEGAL DESCRIPTION OF THE COMMON AREA PARCEL

The following description is based on the Mississippi State Plane Coordinate System, East Zone, NAD 83, grid values, using a combined factor of 0.999957410 and a convergence angle of -00°05'45.73468".

A parcel of land containing 1.81 acres, more or less, and being situated in the Northeast Quarter of the Southeast Quarter of Section 6 and also in the Northwest Quarter of the Southwest Quarter of Section 5, both in Township 7 South, Range 10 West, Harrison County, MS and also containing all of Lot 119 of Retreat Village (a subdivision plat on file in the office of the Harrison County Chancery Clerk in Plat Book 27 at Page 12A). Said 1.81 acre parcel being all of Common Areas A, B, and C as well as the Proposed Future Public Road ROW To Be Publicly Dedicated as shown on the plat of Gulfport Highlands (a resubdivision plat on file in the office of the Harrison County Chancery Clerk as Instrument 2008 6052D J1) and being more particularly described as follows:

BEGIN at a found 1/2" rebar at the southeast corner of Lot 4 of Gulfport Highlands, and thence run N 70°16'33" W along the south line of said Lot 4 for a distance of 141.62 feet to a found 1/2" rebar at the northeast corner of Lot 3 of Gulfport Highlands; thence run S 01°57'38" E along the east line of said Lot 3 for a distance of 346.09 feet to a found 1/2" rebar at an angle point on said east line; thence run S 15°36'25" W along said east line for a distance of 166.13 feet to a found 1/2" rebar on the south line of the Northeast Quarter of the Southeast Quarter of Section 6; thence run S 89°56'13" E along said south line for a distance of 165.17 feet to a PK nail set on the east line of said Northeast Quarter of the Southeast Quarter of Section 6; thence run N 00°07'30" E along said east line for a distance of 27.80 feet to a PK nail set on the south line of Lot 119 of Retreat Village Subdivision and also on the north right of way line of Riverroad Drive; thence run N 80°07'30" E along said north right of way line for a distance of 180.64 feet to a found 1/2" rebar on the west right of way line of Fisherman's Trail; thence run N 09°52'30" W along said west right of way line for a distance of 58.00 feet to a found 1/2" rebar; thence, continuing along said west right of way line, run northerly on and along the arc of a curve to the right to a found 1" pipe on the north line of the aforesaid Lot 119, said curve having a radius of 1174.34 feet, an arc length of 26.99 feet, a chord bearing of N 09°12'32" W, a chord length of 26.99 feet, and a delta angle of 01°19'01"; thence, leaving said right of way line, run S 81°26'30" W along the north line of said Lot 119 for a distance of 165.34 feet to a found 1/2" rebar on the east line of the aforesaid Northeast Quarter of the Southeast Quarter of Section 6; thence run N 00°07'30" E along said east line for a distance of 340.32 feet back to the **POINT OF BEGINNING**, and containing 1.81 acres, more or less.

EXHIBIT

C



Pickering Incorporated

Planning · Engineering · Management

180 Country Place Parkway Pearl, MS 39208 601 932 7878 FAX 601 932 6789

FLOOD NOTE:

This is to certify that by graphic determination the above plotted property is in a "Zone X" no shading (area determined to be outside the 500-year flood plain) and "Zone X" shaded (areas of 500-year flood, areas of 100-yr flood with average depths of less than 1 foot or with drainage areas less than 1 square mile, and areas protected by levees from 100-yr flood) according to the FEMA/FIRM map number 28525300350 with an effective date of October 4, 2002.

All bearings on this plot are referenced to and based on Mississippi State Plane Grid North (East Zone - NAD 83) as derived from GPS observations using OPUS solutions computed from Stennis Space Ctr Cors ARP, Stennis Cors Arp, and Mobile Point 1 Cors ARP (Convergence -0705'45.73468", Combined Factor 0.9999574110).

Class "B" Survey

Reference Materials

- Tax and Chancery Records
- Subdivision Plats
- Retreat Village (Plat Book 27 Page 12A)
- Oddeigh Manor North Subdivision (Plat Book 36 Page 58A)
- Right of Way Plans for SR 605 [Proj. # STP-SOP-9371-00(002)]
- First American Title Insurance Company Title Insurance Commitment (File No. JH-121-06 Dated 5/23/07)

Date of Field Survey - November 7-14, 2006

LINE TABLE		
LINE	BEARING	LENGTH
L6	N00°07'30"E	27.80'
L7	N80°07'30"E	180.64'
L8	N09°52'30"W	58.00'
L9	S81°26'30"W	165.34'
L13	N74°23'35"W	28.00'
L14	N74°23'35"W	31.33'

CURVE TABLE				
CURVE	RADIUS	LENGTH	CHORD BEARING	CHORD LENGTH
C6	1174.34'	28.99'	N09°12'32"W	26.98'
C7	100.00'	130.35'	N37°03'01"W	121.32'
C8	150.00'	105.29'	N30°02'58"W	103.40'
				DELTA
				1°19'01"
				74°41'09"
				37°42'21"

RESUBDIVISION OF THE SE 1/4 OF SECTION 6, T7S, R10W AND ALSO THE NW 1/4 OF SECTION 7, T7S, R10W AND ALSO LOT 119 OF RETREAT VILLAGE CITY OF GULFPORT, HARRISON COUNTY, MISSISSIPPI INTO

GULFPORT HIGHLANDS

PAGE 3 of 5

Encroachment Table

- Telephone cabinets encroach without any known permissible rights
- Gravel drive encroaches onto subject property

○ Indicates set 1/2" rebar unless noted otherwise

S00°09'50"W 1308.23'

LOT 2
38.79 acres

POB - 2" iron pipe found at the NW corner of the SE 1/4 of the SE 1/4 of Section 6, T-7-S, R-10-W, Harrison County, MS (N=348418.91, E=924562.88) (NAD 83, East Zone)

First Baptist Church of Gulfport, Inc.
Instrument 2006 62520-11
Tax Parcel # 1008F-1-7

LOT 4
21.13 acres

LOT 3
20.35 acres

Detail Inset
Not to Scale

GRAPHIC SCALE



(IN FEET)
1 inch = 200 ft.

**LIMITED LIABILITY COMPANY AGREEMENT
FOR
GH VILLAGE, LLC**

This Limited Liability Company Agreement (this "Agreement") is made and entered into as of the 6th day of December, 2016, by and between Noel Simms and John Simms (the "Members").

STATEMENT OF BACKGROUND INFORMATION

On December 6, 2016, the Members (through their attorney) formed GH Village, LLC (the "Company") as a limited liability company pursuant to the Mississippi Revised Limited Liability Company Act, Miss. Code Ann. § 79-29-101 et seq., as amended from time to time and including any successor statute of similar import (the "Act"), by having filed with the Mississippi Secretary of State the Certificate of Formation as described in § 79-29-201 of the Act (the "Certificate").

The Members desire, by execution of this Agreement, to organize the Company, and to regulate and establish the affairs of the Company, the conduct of its business and the relations of its members.

STATEMENT OF AGREEMENT

NOW, THEREFORE, in consideration of the mutual covenants herein contained and other valuable consideration, the receipt and adequacy of which are hereby acknowledged, the Members do hereby agree as follows:

I. GENERAL PROVISIONS

1.01 Name. The name of the Limited Liability Company shall be "GH Village, LLC" (the "Company"), and all business of the Company shall be conducted in such name. The Company shall hold all of its property in the name of the Company and not in the name of any Member.

1.02 Purpose. The Company may engage in any lawful business permitted by the Act or the laws of any jurisdiction in which the Company may do business. The Company shall have the authority to do all things necessary or convenient to accomplish its purpose and operate its business as described herein.

1.03 Term. The Company shall commence on the date the Certificate was filed with the Secretary of State in accordance with the Act and shall continue perpetually unless earlier terminated as provided in paragraph 8.01 herein.

II. CAPITAL ACCOUNTS

2.01 Capital Contributions. The initial capital contributions made by the Members to the Company shall be set forth opposite each Member's name on Exhibit "A" attached hereto and incorporated herein by reference.

2.01 Capital Accounts. The Company shall maintain a separate capital account for each Member, which shall consist of the agreed value of the initial capital contribution to the Company and shall be increased by (1) the amount of cash and the net fair market value of any additional property contributed to the Company by the Member, and (2) the Member's share of the income, gains and other receipts of the Company. The capital account of each Member shall be decreased by (1) the amount of cash and the net fair market value of any property distributed to such Member and (2) the Member's share of the deductions and losses and other expenditures of the Company. Such adjustments to the capital accounts of the Members shall be made in accordance with the method of accounting adopted by the Company for federal income tax purposes and in compliance with Treasury Regulation Section 1.704-1(b)(2)(iv).

2.02 Withdrawals From Capital Accounts. No Member may withdraw all or any portion of his or her capital contribution to the Company except (1) upon termination of the Company, or (2) upon the prior written consent of all Members.

2.03 Membership Interest. "Membership Interest" means the interest in the Company acquired by a Member, which shall entitle the Member to (i) an interest in the items of the Company's income, deductions, gains, losses and credits; (ii) an interest in the Company's distributions of cash or other property; (iii) an interest in the Company's capital; and (iv) management and voting rights in the Company. Each Member's respective Membership Interest shall be set forth opposite each Member's name on Exhibit "A" attached hereto and incorporated herein by reference and as may be amended from time to time.

2.04 Transfers of Membership Interest. In the event any Membership Interest in the Company is transferred in accordance with the terms of this Agreement, the transferee shall succeed to the capital account of the transferor to the extent it relates to the transferred interest.

2.05 Revaluation of Capital Accounts. On each Valuation Date, as defined in this Subarticle, the properties of the Company (including, in the case of a distribution, any property being distributed) shall be considered to have been sold at fair market value, as determined by the Manager. The deemed gain or loss resulting from such deemed sale shall be allocated to the capital accounts of the Members in accordance with Subarticle 3.01 herein. The amount of any distribution in kind shall be considered to be the fair market value of the property, as so determined. The "Valuation Dates" of the Company shall be the date of dissolution of the Company and each other date on which there is a distribution in kind of property of the Company, a contribution of money or other property (other than a de minimis amount) to the Company by a new or existing Member as consideration for a Membership Interest in the Company, or a distribution of money (other than a de minimis amount) by the Company to a retiring or continuing Member as consideration for a Membership Interest in the Company.

III. ALLOCATIONS OF PROFITS AND LOSSES; DISTRIBUTIONS

3.01 General Allocation. After giving effect to the special allocations set forth in Subarticles 3.02 and 3.03 or elsewhere in this Agreement, each item of income, deduction, gain, loss and credit of the Company, and each other item required to be separately allocated for federal and/or state income tax purposes ("Profits" and "Losses"), determined in accordance with the method of accounting adopted by the Company, shall be allocated to and among the Members in accordance with their Membership Interests.

3.02 Special Allocations. The following special allocations shall be made in the following order:

(a) Minimum Gain Chargeback. Except as otherwise provided in Section 1.704-2(f) of the Regulations, notwithstanding any other provision of this Article III, if there is a net decrease in Company Minimum Gain (same meaning as set forth for "partnership minimum gain" in Sections 1.704-2(b)(2) and 1.704-2(d) of the Regulations) during any fiscal year, each Member shall be specially allocated items of Company income and gain for such fiscal year (and, if necessary, subsequent fiscal years) in an amount equal to such Member's share of the net decrease in Company Minimum Gain, determined in accordance with Regulations Section 1.704-2(g). Allocations pursuant to the previous sentence shall be made in proportion to the respective amounts required to be allocated to each Member pursuant thereto. The items to be so allocated shall be determined in accordance with Sections 1.704-2(f)(6) and 1.704-2(j)(2) of the Regulations. This Paragraph (a) is intended to comply with the minimum gain chargeback requirement in Section 1.704-2(f) of the Regulations and shall be interpreted consistently therewith.

(b) Member Minimum Gain Chargeback. Except as otherwise provided in Section 1.704-2(i)(4) of the Regulations, notwithstanding any other provision of this Article III, if there is a net decrease in Member Nonrecourse Debt Minimum Gain (same meaning as set forth for "partner nonrecourse debt minimum gain" in Section 1.704-2(i)(3) of the Regulations) attributable to a Member Nonrecourse Debt (same meaning as set forth for "partner nonrecourse debt" in Section 1.704-2(b)(4) of the Regulations) during any Company fiscal year, each Member who has a share of the Member Nonrecourse Debt Minimum Gain attributable to such Member Nonrecourse Debt, determined in accordance with Section 1.704-2(i)(5) of the Regulations, shall be specially allocated items of Company income and gain for such fiscal year (and, if necessary, subsequent fiscal years) in an amount equal to such Member's share of the net decrease in Member Nonrecourse Debt Minimum Gain attributable to such Member Nonrecourse Debt, determined in accordance with Regulations Section 1.704-2(i)(4). Allocations pursuant to the previous sentence shall be made in proportion to the respective amounts required to be allocated to each Member pursuant thereto. The items to be so allocated shall be determined in accordance with Sections 1.704-2(i)(4) and 1.704-2(j)(2) of the Regulations. This Paragraph (b) is intended to comply with the minimum gain chargeback requirement in Section 1.704-2(i)(4) of the Regulations and shall be interpreted consistently therewith.

(c) Qualified Income Offset. In the event any Member unexpectedly receives any adjustments, allocations, or distributions described in Section 1.704-1(b)(2)(ii)(d)(4), Section 1.704-1(b)(2)(ii)(d)(5) or Section 1.704-1(b)(2)(ii)(d)(6) of the Regulations, items of Company income and gain shall be specially allocated to each such Member in an

amount and manner sufficient to eliminate, to the extent required by the Regulations, the capital account deficit of such Member as quickly as possible, provided that an allocation pursuant to this Paragraph (c) shall be made only if and to the extent that such Member would have a capital account deficit after all other allocations provided for in this Article III have been tentatively made as if this Paragraph (c) were not in the Agreement.

(d) Gross Income Allocation. In the event any Member has a deficit capital account at the end of any Company fiscal year which is in excess of the sum of (i) the amount such Member is obligated to restore pursuant to any provision of this Agreement, and (ii) the amount such Member is deemed to be obligated to restore pursuant to the penultimate sentences of Regulations Sections 1.704-2(g)(1) and 1.704-2(i)(5), each such Member shall be specially allocated items of Company income and gain in the amount of such excess as quickly as possible, provided that an allocation pursuant to this Paragraph (d) shall be made only if and to the extent that such Member would have a deficit capital account in excess of such sum after all other allocations provided for in this Article III have been made as if Paragraph (c) hereof and this Paragraph (d) were not in the Agreement.

(e) Nonrecourse Deductions. Nonrecourse Deductions (same meaning as set forth in Section 1.704-2(b)(1) of the Regulations) for any fiscal year shall be allocated to the Members according to each Member's Membership Interest.

(f) Member Nonrecourse Deductions. Any Member Nonrecourse Deductions (same meaning as set forth in Sections 1.704-2(i)(1) and 1.704-2(i)(2)) for any fiscal year shall be specially allocated to the Member who bears the economic risk of loss with respect to the Member Nonrecourse Debt to which such Member Nonrecourse Deductions are attributable in accordance with Regulations Section 1.704-2(i)(1).

(g) Section 754 Adjustments. To the extent an adjustment to the adjusted tax basis of any Company asset pursuant to Code Section 734(b) or Code Section 743(b) is required, pursuant to Regulations Section 1.704-1(b)(2)(iv)(m)(2) or Regulations Section 1.704-1(b)(2)(iv)(m)(4), to be taken into account in determining Capital Accounts as the result of a distribution to a Member in complete liquidation of his interest in the Company, the amount of such adjustment to Capital Accounts shall be treated as an item of gain (if the adjustment increases the basis of the asset) or loss (if the adjustment decreases such basis) and such gain or loss shall be specially allocated to the Members in accordance with their interests in the Company in the event that Regulations Section 1.704-1(b)(2)(iv)(m)(2) applies, or to the Member to whom such distribution was made in the event that Regulations Section 1.704-1(b)(2)(iv)(m)(4) applies.

(h) Allocations Relating to Taxable Issuance of Company Interests. Any income, gain, loss or deduction realized as a direct or indirect result of the issuance of an interest by the Company to a Member (the "Issuance Items") shall be allocated among the Members so that, to the extent possible, the net amount of such Issuance Items, together with all other allocations under this Agreement to each Member, shall be equal to the net amount that would have been allocated to each such Member if the Issuance Items had not been realized.

3.03 Curative Allocations. The allocations set forth in Paragraphs (a), (b), (c), (d), (e), (f), and (g) of Subarticle 3.02 (the "Regulatory Allocations") are intended to comply with certain requirements of the Regulations. It is the intent of the Members that, to the extent possible, all Regulatory Allocations shall be offset either with other Regulatory Allocations or with special allocations of other items of Company income, gain, loss or deduction pursuant to this Subarticle 3.03. Therefore, notwithstanding any other provision of this Article 3 (other than the Regulatory Allocations), the Managers shall make such offsetting special allocations of Company income, gain, loss or deduction in whatever manner the Managers determine appropriate so that, after such offsetting allocations are made, each Member's Capital Account balance is, to the extent possible, equal to the Capital Account balance such Member would have had if the Regulatory Allocations were not part of the Agreement and all Company items were allocated pursuant to Subarticles 3.02 and 3.03(h). In exercising their discretion under this Subarticle 3.03, the Managers shall take into account future Regulatory Allocations under Paragraphs (a) and (b) of Subarticle 3.02 that, although not yet made, are likely to offset other Regulatory Allocations previously made under Paragraphs (e) and (f) of Subarticle 3.02.

3.04 Other Allocation Rules.

(a) For purposes of determining the Profits, Losses, or any other items allocable to any period, Profits, Losses, and any such other items shall be determined on a daily, monthly, or other basis, as determined by the Managers using any permissible method under Code Section 706 and the Regulations thereunder.

(b) The Members are aware of the income tax consequences of the allocations made by this Article III and hereby agree to be bound by the provisions of this Article III in reporting their shares of Company income and loss for income tax purposes.

(c) Solely for purposes of determining a Member's proportionate share of the "excess nonrecourse liabilities" of the Company within the meaning of Regulations Section 1.752-3(a)(3), the Members' interests in Company profits are equal to their respective Membership Interest in the Company.

(d) To the extent permitted by Section 1.704-2(h)(3) of the Regulations, the Managers shall endeavor to treat distributions as having been made from the proceeds of a Nonrecourse Liability or a Member Nonrecourse Debt only to the extent that such distributions would cause or increase an Adjusted Capital Account Deficit for any Member.

3.05 Section 704 (c) Allocation. In accordance with Internal Revenue Code (the "Code") Section 704 (c) and the Treasury Regulations thereunder, income, gain, loss, and deduction with respect to any property contributed to the capital of the Company shall, solely for tax purposes, be allocated among the Members so as to take account of any variation between the adjusted basis of such property to the Company for income tax purposes and the agreed fair market value of such asset at the time it was contributed to the Company.

3.06 Distributions. The Company may, from time to time, make distributions of cash or property from time to time as determined by the Managers based on the cash proceeds from Company operations and gains from the sale of Company assets.

IV. MEMBERS

4.01 Powers of Members. The Members shall have the power to exercise any and all rights or powers granted to the Members pursuant to the express terms of this Agreement. The Members shall also have the power to exercise any and all other rights or powers of the Company and do all lawful acts and things not precluded by the Act or this Agreement. Notwithstanding the preceding, any Member who is not a Manager shall not have the power to exercise the rights and powers of the Manager as described in Article V herein.

4.02 Voting by Members. Any vote taken by the Members shall be based upon their Membership Interest in the Company. Each Member shall be entitled to vote their Membership Interest on any matter requiring a vote of the Members. Unless otherwise provided in this Agreement, a vote of a majority of the Membership Interests outstanding shall govern.

4.03 Partition. Each Member waives, until termination of the Company, any and all rights that it may have to maintain an action for partition of the Company's property.

4.04 Withdrawal of Members. A Member may not withdraw from the Company without the prior written approval of all of the other Members.

4.05 Members Have No Exclusive Duty to Company. Except as may be limited in a separate agreement between a Member and the Company, Members may have other business interests and may engage in other activities in addition to those relating to the Company. Neither the Company nor any Member shall have any right, by virtue of this Agreement, to share or participate in such other investments or activities of any other Member or to the income or proceeds derived therefrom. No Member shall incur any liability to the Company or to any other Members as a result of engaging in any other business or venture.

4.06 No Liability for Company's Debts and Obligations. Notwithstanding any provision to the contrary in this Agreement:

(a) As provided in the Act, the Members shall not be liable for the debts, liabilities, contracts, or any other obligations of the Company. The failure of the Company to observe any formalities or requirements relating to the exercise of its powers or management of its business, purposes, activity, or affairs under this Agreement, the Certificate, or the Act shall not be grounds for imposing personal liability on the Members for the debts, liabilities, contracts, or any other obligations of the Company.

(b) The Members may, but shall not be obligated to, make a capital contribution or contributions to the Company in addition to the initial capital contribution as set forth in Subarticle 2.01. Neither this Agreement nor the Certificate shall be construed or interpreted as creating any obligation on the Member to make any additional capital contribution to the Company.

(c) The Member may, but shall not be obligated to, lend any funds to the Company or act as surety for the Company.

4.07 Transactions Between Member and Company. A Member or any Affiliate of a Member (as defined in this Subarticle 4.07) may, but shall not be obligated to, transact other business with the Company, and shall have the same rights and obligations when transacting business with the Company as a person that is not a Member. A Member or any Affiliate (as so defined) of the Member may also be an employee of the Company or be retained as an agent of the Company. The existence of these relationships and the action in such capacities will not affect the limited liability of a Member. "Affiliate" means, with respect to any Member, (i) any Person directly or indirectly controlling, controlled by or under common control with such Member, (ii) any Person owning or controlling ten percent (10%) or more of the outstanding voting interests of such Member, (iii) any officer, director, or general partner of such Member, or (iv) any Person who is an officer, director, general partner, trustee, or holder of ten percent (10%) or more of the voting interests of any Person described in clauses (i) through (iii) of this sentence. For purposes of this definition, the term "controls," "is controlled by," or "is under common control with" shall mean the possession, whether direct or indirect, of the power to direct or cause the direction of the management and policies of a person or entity, whether through the ownership of voting securities, by contract, or otherwise. "Person" means any individual, general or limited partnership, limited liability partnership, limited liability company, corporation, trust, estate, association, custodian, nominee, or other entity.

4.09 Limitations on Liability to Company and Indemnification.

(a) Except for the following, the Member shall have no liability to the Company for money damages for any action taken or failed to be taken as the Member:

(i) The amount of a financial benefit received by the Member to which the Member is not entitled;

(ii) An intentional infliction of harm on the Company or the Members;

(iii) An intentional violation of criminal law;

(iv) A violation of Section 79-29-611 of the Act regarding wrongful distributions;

(v) The amount of a distribution in violation of Section 79-29-813(1) of the Act; or

(vi) Any act or omission that constitutes a bad faith violation of the implied contractual covenant of good faith and fair dealing.

(b) The Company shall indemnify and hold harmless the Member and may in advance pay for or reimburse reasonable expenses incurred by the Member, in each case to the fullest extent allowed under Section 79-29-123(5) of the Act.

4.10 Rights and Powers of Members.

(a) The Members shall not have any right or power to take part in the management or control of the Company or its business, purposes, activity, and affairs or to act for or bind the Company in any way. However, the Members shall have (i) all the voting rights and other rights and powers specifically set forth for the Members in this Agreement and the Certificate and (ii), to the extent not inconsistent with this Agreement and the Certificate, all the voting rights and other rights and powers set forth in the Act.

(b) Notwithstanding any other provision of this Agreement or the Certificate, no action may be taken by the Company (whether by the Managers or otherwise) in connection with any of the following matters unless approved by a vote of a majority of the Membership Interests:

(i) the dissolution or liquidation, in whole or in part, of the Company or the institution of proceedings to have the Company adjudicated bankrupt or insolvent;

(ii) the filing of a petition seeking or consenting to reorganization or relief under any applicable federal or state bankruptcy law;

(iii) the consenting to the appointment of a receiver, liquidator, assignee, trustee, sequestrator, or other similar official of the Company or a substantial part of its assets;

(iv) the merger of the Company with any other entity;

(v) the sale of substantially all of the Company's assets;

(vi) the amendment of this Agreement; or

(v) borrowing funds in the name of the Company.

V. MANAGEMENT

5.01 Management. The Company shall be managed by one or more Managers (each a "Manager" and collectively, the "Managers"), who need not be Members of the Company. The initial Managers shall be Noel Simms and John Simms. The Managers shall have the power to exercise any and all rights or powers of the Company and do all lawful acts and things not precluded by the Act or this Agreement.

5.02 Term of Manager. No Manager shall have any contractual right to such position. The Managers shall serve until the earlier of:

(a) The death of such Manager;

(b) The resignation of such Manager; or

(c) The removal of such Manager. A Manager may be removed by the affirmative vote of Members holding a majority of the Membership Interests of the Company.

5.03 Authority of Members to Bind the Company. Only the Managers and agents of the Company authorized by the Managers shall have the authority to bind the Company. No Member, unless the Managers or otherwise authorized as an agent shall take, shall take any action to bind the Company, and a Member shall indemnify the Company for any costs or damages incurred by the Company as a result of the unauthorized action of that Member. Except as otherwise provided in this Agreement, the Managers have the power and authority prescribed by the Act to do all things necessary or convenient to carry out the business and affairs of the Company.

5.04 Compensation of the Managers. The Managers shall be reimbursed for all reasonable expenses incurred in managing the Company and shall be entitled to compensation in such amounts as determined from time to time by the affirmative vote of the Members holding a majority of the Membership Interests of the Company.

5.05 Manager Succession. Upon the death, resignation, removal, or cessation to serve for other reasons of a Manager as provided in Subarticle 5.02, a successor Manager may be by the affirmative vote of Members holding a majority of the Membership Interests of the Company. The successor must be an individual but need not be a Member.

5.06 Indemnification. A Manager shall not be liable to the Company for any action or refusal to act with respect to Company matters, except for fraud. The Company shall indemnify a Manager for all costs, lawsuits, liabilities and damages paid or incurred by such Manager in connection with the business of the Company to the fullest extent provided by the Act.

5.07 Limitations on Liabilities of a Manager.

(a) A Manager shall discharge his duties in good faith (including, without limitation, the fiduciary duties of care and loyalty), with the care an ordinarily prudent person in a like position would exercise under similar circumstances, in a manner he reasonably believes to be in the best interests of the Company, and otherwise in accordance with the general standards of Section 79-29-123(6) of the Act. If a Manager so performs his duties, he shall not have any liability to the Company, the Members or another Manager for any action taken or any failure to take any action as a Manager. Moreover, except for the following, a Manager shall have no liability to the Company or the Members for money damages for any action taken or failed to be taken as the Manager:

(i) The amount of a financial benefit received by a Manager to which a Manager is not entitled;

(ii) An intentional infliction of harm on the Company or the Members;

(iii) An intentional violation of criminal law;

(iv) A violation of Section 79-29-611 of the Act regarding wrongful distributions;

(v) The amount of any distribution in violation of Section 79-29-813(1) of the Act;

(vi) Any act of omission that constitutes a bad faith violation of the implied contractual covenant of good faith and fair dealing.

(b) A Manager shall not be liable under a judgment, decree, or order of court or in any other manner for the debts, liabilities, contracts, or any other obligations of the Company.

VI. ACCOUNTING AND RECORDS

6.01 Books and Records. The Company shall maintain at its principal place of business separate books of account for the Company which shall show a true and accurate record of all assets and liabilities, all costs and expenses incurred, all charges made, all credits made and received, and all income derived in connection with the operation of the Company business in accordance with generally accepted accounting principles consistently applied. The records of the Company shall be maintained using the method of accounting required for federal income tax purposes. If no specific method of accounting is required for federal income tax purposes, the records of the Company shall be maintained on the cash receipts and disbursements method of accounting.

6.02 Reports. Upon request by a Member, the Managers shall furnish the Member with a copy of the balance sheet of the Company as of the last day of the prior fiscal year, and a statement of income or loss for the Company for such period. Annual statements shall also include a statement showing any Profits and Losses allocable for federal income tax purposes pursuant to the terms of this Agreement. Annual statements shall be prepared or reviewed by the Company's accountants.

6.03 Tax Returns. The Managers shall furnish each Member with a copy of any income and other tax returns, together with any schedules or other information which each Member may require in connection with such Member's own tax affairs.

6.04 Section 754 Election. The Managers may make or revoke, on behalf of the Company, an election in accordance with Section 754 of the Code, so as to adjust the basis of Company property in the case of a distribution of property within the meaning of Section 734 of the Code, and in the case of a transfer of a Company interest within the meaning of Section 743 of the Code. Each of the Members shall supply the information necessary to give effect to such an election.

6.05 Tax Classification. It is the intention of the Members that the Company be classified as a partnership, and not as an association taxable as a corporation, for federal income tax purposes. However, the Members may make an election for the Company to be taxed as a Subchapter S Corporation in accordance with Section 1362 et seq. of the Code. In that regard and notwithstanding any contrary provision in this Agreement, all Tax Items shall be allocated in accordance with such election, and all provisions of this Agreement that apply to entities taxed as

partnerships shall not apply or shall be construed consistently with the entity being taxed as a Subchapter S Corporation under Section 1362 et seq. of the Code.

6.06 Tax Matters Member. The Managers shall designate a Member to receive all notices from the Internal Revenue Service pertaining to the tax affairs of the Company and shall be designated as the Company's "tax matters partner" as defined in Internal Revenue Code Section 6231. It shall have such duties, rights, and obligations as are assigned to or imposed upon the tax matters partner by or under the Code.

6.07 Bank Accounts. All funds of the Company shall be deposited in a bank account or accounts opened in the Company's name. The Managers shall determine the institution or institutions at which the accounts will be opened and maintained, the types of accounts, and the persons who will have authority with respect to the accounts and the funds therein.

6.08 Fiscal Year. The fiscal year and taxable year of the Company shall be the calendar year or such other period as determined by the Board in accordance with the provisions of this Agreement.

VII. TRANSFER OF MEMBERSHIP INTEREST

7.01 Assignability of Membership Interest. Except as provided in Subarticle 7.04 herein, no Member may assign the whole or any part of his or her Membership Interest in the Company without unanimous Member approval. If Member approval is obtained for any such assignment, such assignment shall, nevertheless, not entitle the assignee to become a Member of the Company or to be entitled to exercise or receive any of the rights, powers, or benefits of a Member other than the right to receive distributions or allocations of Profits and Losses to which the assigning Member would be entitled, unless the assigning Member designates, in a written instrument delivered to the other Members, his or her intention that the assignee become a Member, and the Members unanimously consent to the admission of such assignee as a Member; and provided further, that such assignee shall not become a Member without having first executed an instrument reasonably satisfactory to the Members accepting and agreeing to the terms and conditions of this Agreement, including a counterpart signature page to this Agreement, and without having paid to the Company a fee sufficient to pay all reasonable expenses of the Company in connection with such assignee's admission as a Member. If a Member assigns all of his or her interest in the Company and the assignee of such interest is entitled to become a Member pursuant to this Subarticle 7.01, such assignee shall be admitted to the Company effective as of the effective date of the assignment, and, immediately following such admission, the assigning Member shall cease to be a member of the Company.

7.02 Recognition of Assignment by Company. No assignment of a Membership Interest by a Member, or any part thereof, that is in violation of Subarticle 7.01 herein shall be valid or effective, and neither the Company nor the Members shall recognize the same for the purpose of making distributions or allocations of Profits and Losses with respect to such Membership Interest or part thereof. Neither the Company nor the nonassigning Members shall incur any liability as a result of refusing to make any such distributions to the assignee of any such invalid assignment.

7.03 Indemnification. In the case of an assignment or attempted assignment of an interest in the Company that has not received the consent required by Subarticle 7.01 herein, the parties engaging or attempting to engage in such assignment shall be liable to indemnify and hold harmless the Company and the other Members from all costs, liabilities, and damages that the Company and the other Members may incur (including, without limitation, incremental tax liability and attorneys' fees and expenses) as a result of such assignment or attempted assignment and efforts to enforce the indemnity granted hereby.

7.04 Permitted Transfers.

(a) Notwithstanding the provisions of Subarticle 7.01, each Member shall have the right, at any time during life or at death, to transfer all or any portion of his or her Membership Interest to (i) any other Member or (ii) any Family Member (either a "Permitted Assignee").

(b) Any assignment under Subarticle 7.04(a) shall, nevertheless, not entitle the Permitted Assignee to become a Member of the Company or to be entitled to exercise or receive any of the rights, powers, or benefits of a Member, other than the right to receive distributions or allocations of the Tax Items to which the assigning Member would be entitled, unless the following conditions are satisfied:

(i) for any transfer made during the lifetime of the assigning Member, such Member shall designate in a written instrument delivered to the Manager his or her intention that the Permitted Assignee become a Member;

(ii) the Permitted Assignee shall execute an instrument reasonably satisfactory to the Manager accepting and agreeing to the terms and conditions of this Agreement, including a counterpart signature page to this Agreement; and

(iii) the Permitted Assignee shall pay to the Company a fee sufficient to pay all reasonable expenses of the Company in connection with such assignee's admission as a Member.

(c) For purposes of Subarticle 7.04(a)(ii), "Family Member" of a Member means any one of the following:

(i) any descendant of the Member or the duly appointed legal representative of the estate of any such descendant who is deceased;

(ii) any trust in which all of the income and principal interests, other than any remote, contingent remainder interests, are held for the Member or his or her estate, for his or her descendants or their estates, or for any of the foregoing; and

(iii) any trust in which all of the income and principal interests are held, during the lifetime of the Member's spouse or during a shorter period, for that spouse, for the Member or his or her estate, for his or her descendants or their estates, or for any of the foregoing and in which all of the income and principal

interests, other than any remote, or contingent remainder interests, are held, after the death of that spouse or the end of the shorter term, for the Member or his or her estate, for his or her descendants or their estates, or for any of the foregoing.

(d) For purposes of Subarticle 7.04(c)(iii), a Member's spouse is the individual who was the spouse of the Member at the time of the transfer to the trust pursuant to Subarticle 7.04(a)(ii) and Subarticle 7.04(c)(iii) .

(e) If any Membership Interest has been transferred by a Member to a trust pursuant to Subarticle 7.04(a)(ii) and Subarticle 7.04(c)(ii) or (iii), the "Family Members" of the trust, for purposes of the application of this Subarticle 7.04 to the trust, shall be determined as if the trust were then that transferring Member.

7.05 Effective Date of Assignment. Any valid assignment of a Member's Membership Interest in the Company, or part thereof, pursuant to the provisions of Subarticles 7.01 or 7.04 hereof shall be effective as of the close of business on the last day of the calendar month in which:

(a) all the Members give their written consent for any assignment pursuant to Subarticle 7.01 (or the last day of the calendar month in which such assignment occurs, if later) ; or

(b) the assignment occurs for any assignment to a Permitted Assignee.

The Company shall, from the effective date of such assignment, thereafter pay all further distributions on account of the Membership Interest of the Company, or part thereof, so assigned, to the assignee of such interest. As between any Member and his or her assignee, any Profits and Losses of the Company for the fiscal year in which such assignment occurs shall be apportioned for federal income tax purposes in accordance with any convention permitted by Section 706(d) of the Code and selected by affirmative vote of Members holding a majority of the Membership Interests.

VIII. DISSOLUTION AND LIQUIDATION

8.01 Events of Dissolution. The Company shall dissolve and commence winding up and liquidating upon the first to occur of any of the following ("Events of Dissolution"):

(a) the written consent of all Members; or

(b) the entry of a decree of judicial dissolution under Section 79-29-803 of the Act.

8.02 Liquidation. Upon the occurrence of an Event of Dissolution the Company shall (i) cease to engage in further business operations except to the extent necessary to perform existing contracts and preserve the value of its assets; and (ii) begin the process of expeditiously dissolving and liquidating the Company. The Company shall promptly proceed to wind up the affairs of the Company, and shall cause the net assets to be distributed as provided in paragraph 9.04 herein.

8.03 Distribution in Kind. The Company may distribute the assets owned by the Company in kind. Unless a majority of the Membership Interests agree otherwise, each Member shall receive an undivided interest in the assets, subject to his share of any liability secured by the distributed property determined by reference to each Member's undivided interest in the distributed assets, with the Member's undivided interest to be determined in accordance with the provisions of Subarticle 9.04 herein. Each Company asset shall be distributed at its net fair market value as determined by one or more competent appraisers selected by the Manager, unless the Members agree to another method of valuation. Prior to any such distribution, the capital accounts of the Members shall be adjusted, pursuant to the provisions of Subarticle 3.01, to reflect any difference between the Company's book value of the distributed assets and the fair market value of such assets.

8.04 Priority of Distribution. For the fiscal year in which the Company terminates, the net assets of the Company shall be distributed as follows:

- (a) To the creditors of the Company (including a Member as a creditor), with such distributions to be in the order of priority as provided by law; and
- (b) To each Member in repayment of and in proportion to his or her capital account.

IX. MISCELLANEOUS

9.01 Binding Effect. This Agreement shall be binding upon the Members, their legal representatives, successors, and assigns.

9.02 Amendment. No change in, modification to, or amendment of this Agreement shall be valid or binding upon the Members unless it is in writing and signed by all Members.

9.03 Captions. Articles, titles, or captions contained in this Agreement are inserted only as a matter of convenience and for reference and in no way define, limit, extend, or describe the scope of this Agreement or the intent of any of its provisions.

9.04 Applicable Law. This Agreement is made and delivered in the State of Mississippi and shall be governed by the laws thereof, including, but not limited to, its statutes of limitations, notwithstanding the fact that one or more of the Members may be or become a resident or citizen of another state. The invalidity, illegality, or unenforceability of any particular provision of this Agreement shall not affect the other provisions, and this Agreement shall be construed in all respects as if such invalid, illegal, or unenforceable provision had been omitted.

9.05 Pronouns. All pronouns and any variations thereof shall be deemed to refer to the masculine, feminine, neuter, singular, or plural as the identity of the person or entity may require.

9.06 Counterpart Execution. This Agreement may be executed in any number of counterparts with the same effect as if all of the Members had signed the same document. All counterparts shall be construed together and shall constitute one agreement.

9.07 Dispute Resolution.

(a) Mediation. If a dispute arises out of or relates to this Agreement, the parties agree first to try in good faith to settle the dispute by mediation before resorting to arbitration or litigation. The parties agree that the mediator shall be chosen no later than 30 days after the submission of a claim by either party, and that the mediation process shall be concluded no later than 60 days after selection of the mediator. If the parties cannot agree on the selection of a mediator, one shall be selected by American Arbitration Association. The fees and expenses of the mediator shall be borne equally by the parties.

(b) Binding Arbitration. If the controversy is not resolved through mediation pursuant to Paragraph (a) above, the parties agree that any controversy or claim arising out of or relating to this Agreement shall be determined by binding arbitration. This transaction involved commerce, and the arbitration is subject to and shall be conducted by a single arbitration in accordance with the United States Arbitration Act notwithstanding any choice of law provision in this Agreement, and under the Commercial Arbitration Rules of the American Arbitration Association ("AAA"). The arbitrator shall have authority to award damages and grant other relief he deems appropriate. The arbitrator shall give effect to statutes of limitation in determining any claim. Any controversy concerning whether an issue is arbitrable, shall be determined by the arbitrator. Judgment upon the arbitration award may be entered in any court having jurisdiction. The fees and expenses of the arbitrator and AAA shall be borne equally by the parties.

(c) Provisional Remedies, Self-Help and Foreclosure. No provision of Paragraphs (a) or (b) shall limit the right of any party to this Agreement to exercise self-help remedies, such as setoff, to foreclose against or sell any real or personal property, collateral or security, or obtain provisional or ancillary remedies from a court of competent jurisdiction before, after or during pendency of any mediation or arbitration. The exercise of a remedy does not waive the right of any to resort to mediation or arbitration.

[Signature Page Follows]

IN WITNESS WHEREOF, the Members have executed this Agreement on the date specified above.

Noel Simms 12-8-16
John Simms 12-8-2016

[Signature Page to LLC Agreement]

EXHIBIT "A"
TO
LIMITED LIABILITY COMPANY AGREEMENT
FOR
GH VILLAGE, LLC

<u>MEMBERS</u>	<u>MEMBERSHIP INTEREST</u>
Noel Simms	50%
John Simms	50%

LOCATED IN SECTION 6, TOWNSHIP 7 SOUTH, RANGE 10 WEST, CITY OF GULFPORT, 1ST JUDICIAL DISTRICT OF HARRISON COUNTY, MISSISSIPPI

LOCATED IN SECTION 6, TOWNSHIP 7 SOUTH, RANGE 10 WEST, CITY OF GULFPORT, 1ST JUDICIAL DISTRICT OF HARRISON COUNTY, MISSISSIPPI



- 1) PARKING FOR CLUBHOUSE TO BE LOCATED WITHIN CITY R.O.W. IN LIEU OF ON SAME PROPERTY AS PRINCIPAL STRUCTURE. THIS WILL ALLOW FOR BETTER USE OF THE CLUBHOUSE PROPERTY, WILL PROMOTE THE DESIRED COMMUNITY FEEL (IN LIEU OF LARGE OFF-STREET PARKING AREA), ELIMINATE NEEDLESS ADDITION OF IMPERVIOUS AREA, AND SERVE AS A TRAFFIC CALMING MEASURE.
- 2) 15' FRONT SETBACK IN LIEU OF 25' AS REQUIRED BY CODE (10' REDUCTION). THIS WILL ELIMINATE AN UNDESIRABLE BUILDING SIGHT LINE ALLOWING FOR THE CLUBHOUSE TO BE MORE IN LINE WITH THE TOWNHOMES (WHICH ONLY REQUIRE ONLY A 10' FRONT SETBACK PER CITY CODE).



PHILAN
ENGINEERING LLC

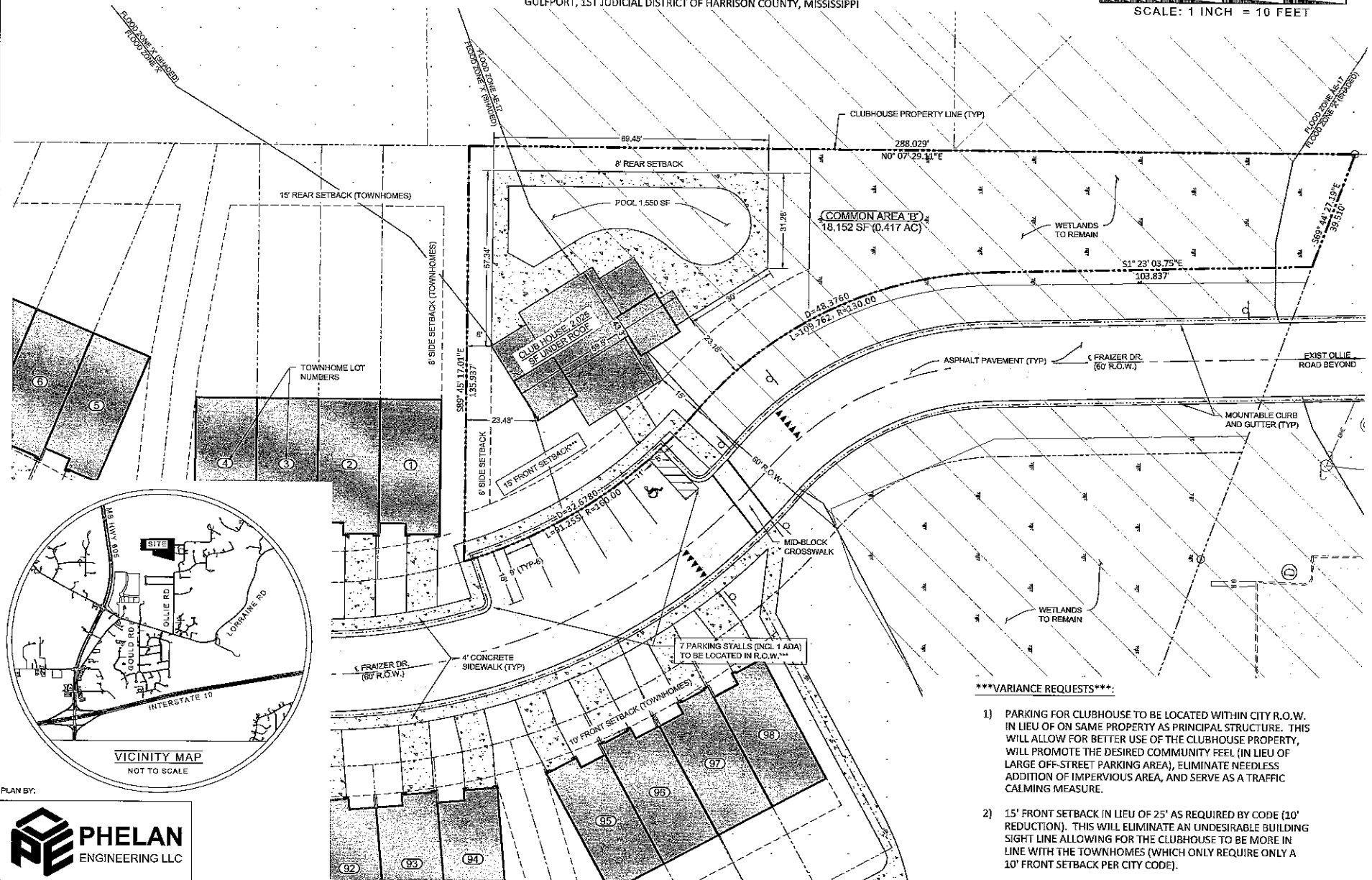
THE CLUB HOUSE

AT HIGHLAND LAKE TOWNHOMES

LOCATED IN SECTION 6, TOWNSHIP 7 SOUTH, RANGE 10 WEST, CITY OF GULFPORT, 1ST JUDICIAL DISTRICT OF HARRISON COUNTY, MISSISSIPPI



-10 0 10 20 30
SCALE: 1 INCH = 10 FEET



PLAN BY:

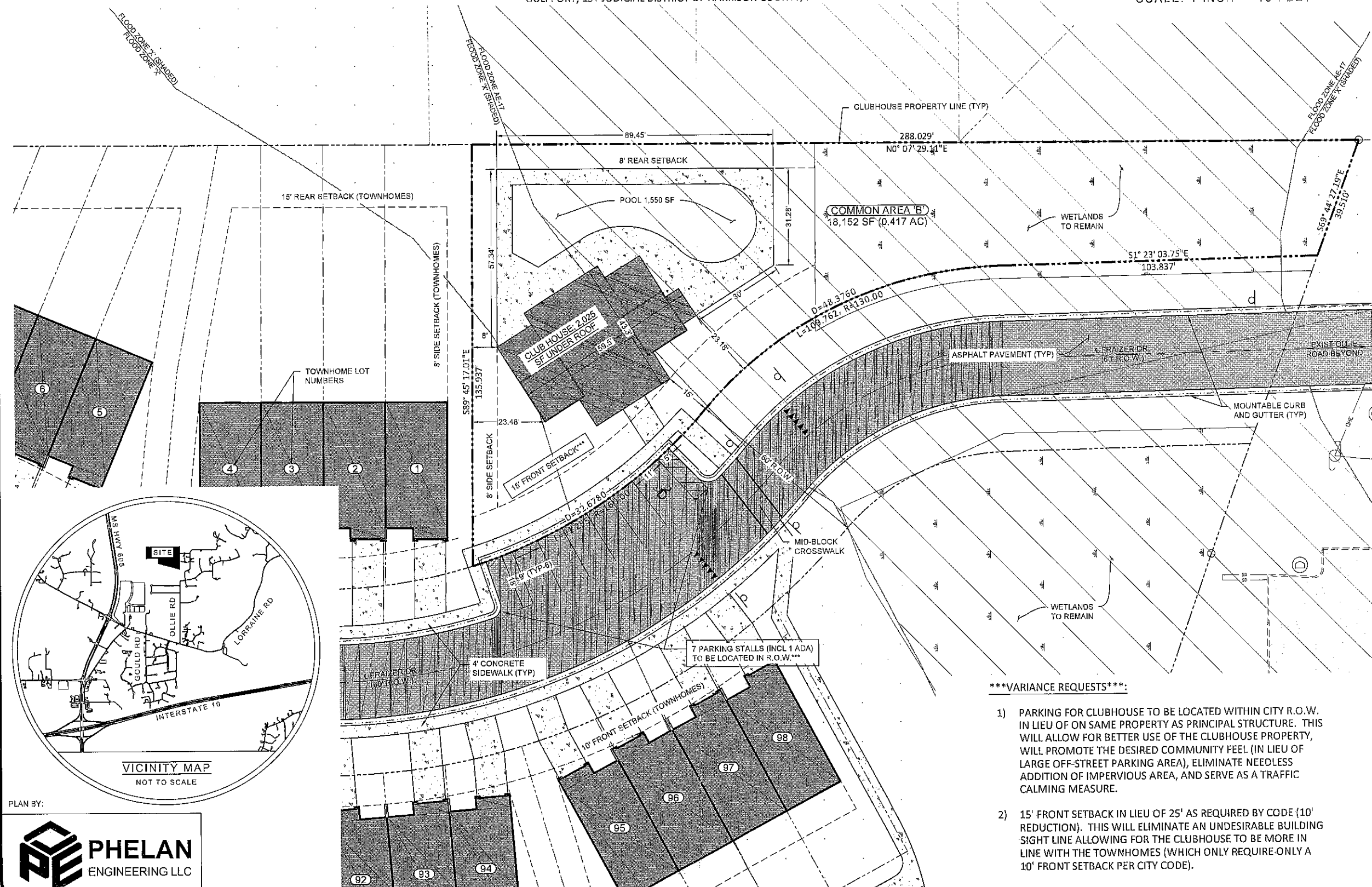
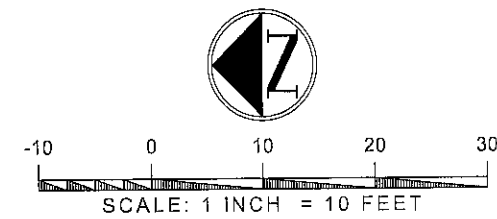


SHEET 1 OF 1

THE CLUB HOUSE

AT HIGHLAND LAKE TOWNHOMES

LOCATED IN SECTION 6, TOWNSHIP 7 SOUTH, RANGE 10 WEST, CITY OF GULFPORT, 1ST JUDICIAL DISTRICT OF HARRISON COUNTY, MISSISSIPPI



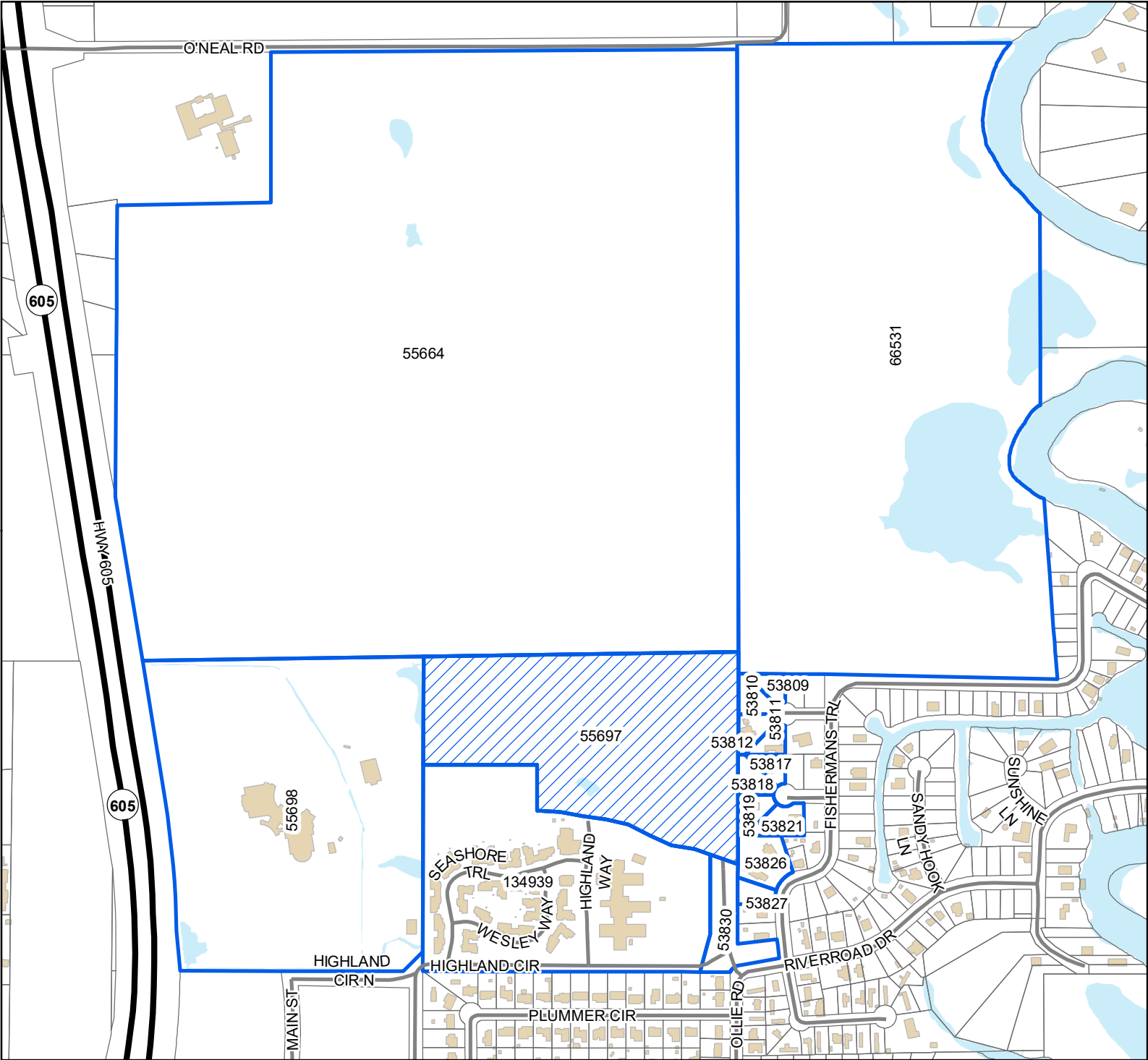
VARIANCE REQUESTS:

- 1) PARKING FOR CLUBHOUSE TO BE LOCATED WITHIN CITY R.O.W. IN LIEU OF ON SAME PROPERTY AS PRINCIPAL STRUCTURE. THIS WILL ALLOW FOR BETTER USE OF THE CLUBHOUSE PROPERTY, WILL PROMOTE THE DESIRED COMMUNITY FEEL (IN LIEU OF LARGE OFF-STREET PARKING AREA), ELIMINATE NEEDLESS ADDITION OF IMPERVIOUS AREA, AND SERVE AS A TRAFFIC CALMING MEASURE.
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PLAN BY:

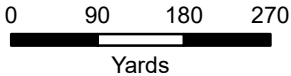


SHEET 1 OF 1



Legend

- Site
- Adjacent Properties
- US or State Highway
- Street
- Buildings
- Water Features



1 inch = 600 feet



DATA DISCLAIMER: All information that is provided on this map is believed to be correct. However, no liability is assumed by the City of Gulfport for errors in substance or form of any of the materials published on this map. The GIS Division, City of Gulfport, provides the information represented on this map as a service to the community and makes every effort possible to provide quality information. However, no claims, promises, or guarantees about the accuracy, completeness, or adequacy of the information contained on this map are expressed or implied.

Mail	PPIN	Parcel ID	Name	Address	City	State	ZIP
	55697	1008F-01-001.000	GH VILLAGE LLC C/O NOEL SIMMS (OWNER)	4680 HICKORY RIDGE RD	JACKSON	MS	39211
	55697	1008F-01-001.001	KENNETH JONES II (AGENT)	919 2ND ST	GULFPORT	MS	39501
N			Adjacent Property Owners				
	66531	1008B-01-003.000	BEN A RICHARDS LAND COMPANY LLC	P O BOX 6073	GULFPORT	MS	39506
N	55664	1008C-01-001.000	BEN A RICHARDS LAND COMPANY LLC	P O BOX 6073	GULFPORT	MS	39506
	53811	1008G-02-049.000	BRIGHT JEROMY	10517 HUCKLEBERRY CV	GULFPORT	MS	39503
	53812	1008G-02-050.000	CHILDS KAREN F	P O BOX 1074	LA CANADA	CA	91012
	53810	1008G-02-048.000	DEFELIPPO DEANNA	10518 HUCKLEBERRY COVE	GULFPORT	MS	39503
	55698	1008F-01-007.000	FIRST BAPTIST CHURCH GULFPORT	12190 HWY 605	GULFPORT	MS	39503
	53809	1008G-02-047.000	GULFPORT HIGHLANDS DEVELOPMENT LP	4680 HICKORY RIDGE RD	JACKSON	MS	39211
N	53830	1008G-02-070.000	GULFPORT HIGHLANDS DEVELOPMENT LP	4680 HICKORY RIDGE RD	JACKSON	MS	39211
	53827	1008G-02-067.000	HAY JOHN C & CARRIE A	12209 FISHERMAN TRAIL	GULFPORT	MS	39503
N	53826	1008G-02-062.001	HAY JOHN C & CARRIE A	12209 FISHERMANS TRAIL	GULFPORT	MS	39503
	53817	1008G-02-049.001	JOHNSON THOMAS E & DAWN M	10514 DANBURY CV	GULFPORT	MS	39503
	53821	1008G-02-053.000	KEENEY DAVE & SHARON	10509 DANBURY COVE	GULFPORT	MS	39503
	53819	1008G-02-049.003	MCCLELLAN RYAN S	10513 DANBERRY COVE	GULFPORT	MS	39503
	134939	1008F-01-002.000	SEASHORE CAMPGROUNDS RETIREMENT	12170 HIGHLAND WAY	GULFPORT	MS	39503
	53818	1008G-02-049.005	WALLEY KAREN & JEREMY	10516 DANBURY COVE	GULFPORT	MS	39503

RE: Variance 2204ZB065, by agent Kenneth Jones II, tax parcel 1008F-01-001.000, Variances for parking reduction, setback, Highland Way, Zoned R-B (Residence-business), Ward 6

To Applicants and Adjacent Property Owners:

The City of Gulfport Zoning Board of Adjustments and Appeals will hold a public hearing to consider the above application at 3:00 P.M. on **Thursday, April 21, 2022**, in the Council Chambers at the Gulfport City Hall located at 2309 15th Street.

For more information, visit <https://www.gulfport-ms.gov/agendas/> then click the City of Gulfport Zoning Board for **Thursday, April 21, 2022**. A map showing the location of the property involved is located at this website. If you have any questions or comments, please contact this office at the phone number 228-868-5710 or email planners@gulfport-ms.gov. The application is available for viewing in the Planning Division office at 1410 24th Avenue.



Beaufort Gazette
Belleville News-Democrat
Bellingham Herald
Bradenton Herald
Centre Daily Times
Charlotte Observer
Columbus Ledger-Enquirer
Fresno Bee

The Herald - Rock Hill
Herald Sun - Durham
Idaho Statesman
Island Packet
Kansas City Star
Lexington Herald-Leader
Merced Sun-Star
Miami Herald

el Nuevo Herald - Miami
Modesto Bee
Raleigh News & Observer
The Olympian
Sacramento Bee
Fort Worth Star-Telegram
The State - Columbia
Sun Herald - Biloxi

Sun News - Myrtle Beach
The News Tribune Tacoma
The Telegraph - Macon
San Luis Obispo Tribune
Tri-City Herald
Wichita Eagle

AFFIDAVIT OF PUBLICATION

Account #	Order Number	Identification	Order PO	Amount	Cols	Depth
36845	241637	Print Legal Ad - IPL0067173	210200	\$41.64	1	69 L

Attention: Matilda Welch
PO BOX 1780
GULFPORT, MS 39502

LEGAL NOTICE PUBLIC HEARING

In conformance with Section VIII of the Comprehensive Zoning Ordinance of the City of Gulfport, Mississippi, 1979, as amended, notice is hereby given advising that the Zoning Board of Adjustment and Appeals will hold a public hearing in the City of Gulfport, Mississippi at 3:00 P.M., Thursday, April 21, 2022, in the Council Chambers of the Gulfport City Hall located at 2309 15th Street to consider the following requests. A copy of the requests will be available for public review at the office of the Department of Urban Development-Planning Division located on first floor of the William H. Hardy Building, 1410 24th Avenue.

Variance 2204ZB046, by agent Frank Magee, tax parcel 0810P-02-024.000, Request variance parking space reduction, backing into the right-of-way, 1220 Pass Rd, Zoned B-2 (General Business), Ward 3

Variance 2204ZB053, by owner Kyle Fitzpatrick, tax parcel 0708A-01-016.001, Variance for fence material, 12503 Old Hwy 49, Zoned R-O (Residence-office), Ward 7

Variance 2204ZB055, by agent Dwane J Babin, tax parcel 0911F-01-026.000, Variance for setbacks, 1532 Hewes Ave, Zoned R-1-7.5 (Single-family), Ward 2

Variance 2204ZB063, by agent Travis Construction, tax parcel 1009J-01-001.003, Request variance for accessory structure quantity, max area allowed, 10480 Reichold Rd, Zoned I-2 (Heavy industry district), Ward 5

Variance 2204ZB065, by agent Kenneth Jones II, tax parcel 1008F-01-001.000, Variances for parking reduction, setback, Highland Way, Zoned R-B (Residence-business), Ward 6

Variance 2204ZB067, by owners Jason and Leena Ulku, tax parcel 1010C-01-001.031, Variance for fence height, 10917 Waterside Dr, Zoned R-2 (Single-family), Ward 5

Variance 2204ZB068, by owner Julia Nieto - Gomez, tax parcel 1008D-01-011.000, Request variance for setback, Arrowhead Dr, Zoned R-E (Residential estates), Ward 6

Special Exception 2204SE076, by agent Bridget Hutchinson, tax parcel 0711H-01-007.000, Request Special Exception for assisted living facility use, 13085 Andy St, Zoned R-2 (Single-family), Ward 1

This the 30th day of March 2022
A. Lee Palermo, Chairman
City of Gulfport Zoning Board of Adjustment and Appeals
IPL0067173
Apr 6 2022

STATE OF MISSISSIPPI COUNTY OF HARRISON

Before me, the undersigned Notary of Dallas County, Texas personally appeared Keriann Leenerts, who, being by me first duly sworn, did depose and say that she is a clerk of The Sun Herald, a daily newspaper published in the city of Gulfport, in Harrison County, Mississippi and the publication of the notice, a copy of which is hereto attached, has been made in said paper in the issue (s) of:

No. of Insertions: 1

Beginning Issue of: 04/06/2022

Ending Issue of: 04/06/2022

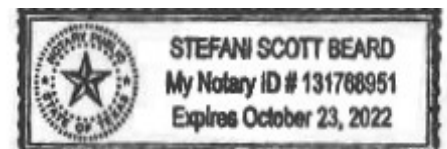
Affidavit further states on oath that said newspaper has been established and published continuously in said county for a period of more than twelve months next prior to the first publication of said notice.

Sworn to and subscribed before me this 6th day of April in the year of 2022

Stefani Beard

Notary Public

* The Sun Herald has been deemed eligible for publishing legal notices in Jackson County to meet the requirements of Miss. Code 1972 Section 13-3-31 and 13-3-32.



Extra charge for lost or duplicate affidavits.
Legal document please do not destroy!

MEMORANDUM

To: City of Gulfport Zoning Board of Adjustment and Appeals

From: Greg Holmes, Planning Administrator
Urban Development Department

Date of Hearing: April 21, 2022

Re: Variance 2204ZB067:

Variance 2204ZB067, by owners Jason and Leena Ulku, tax parcel 1010C-01-001.031, Variance for fence height, 10917 Waterside Dr, Zoned R-2 (Single-family), Ward 5

Technical Report

VARIANCE

GENERAL INFORMATION

Case File Number: 2204ZB067

Hearing Date: April 21, 2022

Current Zoning/Use: R-2 / Vacant lot

Legal: Variance 2204ZB067, by owners Jason and Leena Ulku, tax parcel 1010C-01-001.031, Variance for fence height, 10917 Waterside Dr, Zoned R-2 (Single-family), Ward 5

TECHNICAL DETAILS

Variances involve special cases where unique factors contribute to justify a use of property that does not conform to the City's enforced ordinances. Therefore, variances should not be granted unless they are able to adequately meet the following conditions:

- (a) That special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same district;
- (b) The special conditions and circumstances do not result from the actions of the applicant;
- (c) That an unnecessary hardship is created by the physical character of the property and is peculiar and unusual to such an extent that it is evidence that amendment of the zoning ordinance does not offer a reasonable solution;
- (d) That literal interpretation of the provisions of this ordinance would deprive the applicant of rights commonly enjoyed by properties in the same district under the terms of this ordinance;
- (e) That the granting of the variance will not confer on the applicant any special privilege that is denied by this ordinance to other lands, structures, or buildings in the same district, other than to permit the applicant to use their property in a manner as nearly equivalent to uses generally permitted in the district considering the conditions and circumstances involved and the hardship;
- (f) That the use proposed is permissible by right or with planning approval or by special exception.

(Ord. App. A Sec. VIII (B)(2)(c)(1))

Technical Report

VARIANCE

The applicants request variances to exceed the allowable fence height in a residential zone. More specifically, 1) a variance of 5 feet for a 9-foot fence where 4 feet is the maximum height in the primary and continuous front façade line and the front property line and 2) a variance of 4 feet for a 10-foot fence where 6 feet is the maximum height past the continuous front façade continuing to the rear of the property.

- (a) The applicant notes that because of the house having a higher base flood elevation (BFE) post hurricane Katrina and that the subdivision does not allow the garage door to face the street, a long elevated driveway was necessary to accommodate both. However, the owner chose to elevate the property and not the house resulting in the retaining wall that requires a guardrail and fence.
- (b) In the application, the applicant cites that the subdivision requirements for a side-loading garage and minimum build height were not due to the actions of the applicant. It should be noted that the property owner chose to elevate the property, which resulted in needing a retaining wall that now has to meet the requirement, of building code to have a guardrail because of the fall distance. Therefore, the applicant is the cause of the request for a variance.
- (c) Unnecessary hardship is implied by the applicant in that the combination of the lot sloping from the street down to Bayou Bernard and the subdivision side loading garage requirement is the result of a retaining wall. Upon staff review of the aerial imagery, the other neighboring homes that also have lots that slope toward Bayou Bernard whose homes are elevated. The physical character of the land does not justify the need to exceed the allowable fence height. The applicant could go with a fifty (50) percent transparency on top of the guardrail that does not exceed the above grade height limit or an ordinance change is needed, as it would be more appropriate in this circumstance.
- (d) Upon a staff review of the aerial imagery, here are no examples of other houses in the neighborhood with elevated properties and retaining walls. Consequently, they are not being deprived rights commonly enjoyed in the neighborhood.
- (e) Granting this variance would set precedence in the neighborhood, as they are the first to elevate the property to the extent of needing a barrier. There are many examples of single-family homes with the required side loading garages that comply with the neighborhood's covenant.
- (f) This property is zoned R-2, and a fence is a permitted use and structure.

EXECUTIVE SUMMARY

No legitimate hardships were provided by the applicant in the written request. City ordinance requires 6 hardship conditions to be met in order to justify a variance. Approval of this variance would set a precedence of allowing non-conforming fences in the front and side yard.

Any approval should consider these conditions:

- 1. Approval grants a variance of 5 feet for a 9-foot fence where 4 feet is the maximum height in the primary and continuous front façade line and the front property line
- 2. Approval grants a variance of 4 feet for a 10-foot fence where 6 feet is the maximum height past the continuous front façade continuing to the rear of the property.

Technical Report

VARIANCE

DEPARTMENTAL CONDITIONS

Engineering: No conditions. Memo dated 4/12/2022.

Public Works: No comment as of 4/14/2022.

Traffic and Safety: No conditions. Memo dated 4/8/2022.

Building Code Services: No conditions. Memo dated 4/6/2022.

GIS: No conditions. Memo dated 4/7/2022.

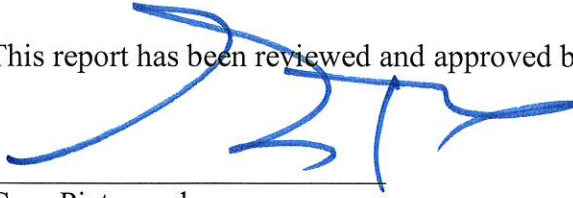
Police Department: No conditions. Memo dated 4/6/2022.

Fire Department: No conditions. Memo dated 4/11/2022.

City Arborist: No conditions. Memo dated 4/6/2022.

DIRECTOR APPROVAL

This report has been reviewed and approved by:



Greg Pietrangelo
Director of Urban Development Department



CITY OF GULFPORT
Urban Development - Planning Division
1410 24th Avenue
Gulfport, MS 39501
(228) 868-5710

For Staff Use Only

Case File #: 2204ZB0067Date Received: 3/8/22

Receipt #: _____

Received By: D2/MWZoning: R-2Ward: 5 Flood: AESize: 32,331 sq ft

(If necessary, use separate sheet of paper)

TAX PARCEL #

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Address of Property Involved: 10917 Waterside DriveLot(s) ³² _____, Block(s) _____, Subdivision WatersideGeneral Location: Lot 32 Waterside SEC 30-7-10. Off E Taylor Rd on Bayou Bernard**GENERAL DESCRIPTION OF REQUEST:**

Elevated driveway for access to elevated garage with Gulfport construction permit number 202101320

Variance is to exceed the city's allowable fence height in the front and side yards with a retaining wall for the elevated

driveway. 5' VARIANCE TO BE 9' IN FRONT, INCLUDING A 3' GUARD RAIL AND 4' VARIANCE TO BEON THE SIDE, INCLUDING A 3' RAIL OWNERSHIP AND CERTIFICATION:

I hereby certify that I have read and understand this application and that all information and attachments are true and correct. I also certify that I agree to comply with all applicable city codes, ordinances and state laws. Finally, I certify that I am the owner of the property involved in this request or have authorization to act as the owner's agent for the herein described request.

OWNER

Jason Caleb Ulku

Printed Name Of Owner
9155 Copperwood Ln

Mailing Address

Gulfport MS 39503

City State Zip code

917.209.7192 917.209.7192

Home Phone Work/Cell Phone

caleb.ulku@ulkulogistics.com

Email

Signature Of Owner

AGENT

Jason Caleb Ulku

Printed Name Of Agent
9155 Copperwood Ln

Mailing Address

Gulfport MS 39503

City State Zip code

917.209.7192 917.209.7192

Home Phone Work/Cell Phone

caleb.ulku@ulkulogistics.com

Email

Signature Of Agent

If the property or properties listed above have more than one owner, please check this box. In the case of multiple owners, reverse side must be completed. Each additional owner will need to complete and sign the reverse side of this application. We can only accept applications with original signatures.

**SECTIONS A. THROUGH G. MUST BE SUBMITTED FOR A COMPLETE APPLICATION.**

This page must be completed if the property or properties involved have more than one owner. All persons listed as owners to the property or properties listed on page one must complete and sign this part of the application.

I hereby certify that I have read and understand this application and that all information and attachments are true and correct. I also certify that I agree to comply with all applicable city codes, ordinances and state laws. Finally, I certify that I am the owner of the property involved in this request or authorized to act as the owner's agent for herein described request.

NAME OF OWNER (PRINT) LEENA P PANDE

ADDRESS (STREET, CITY, STATE, ZIP CODE) 9155 COPPERWOOD DR

PHONE # (H) 228.424.9589 (WK/CELL)

TAX PARCEL NUMBER(S) OWNED 1010 C - 01 - 001.031

SIGNATURE: 

NAME OF OWNER (PRINT) _____

ADDRESS (STREET, CITY, STATE, ZIP CODE) _____

PHONE # (H) _____ (WK/CELL)

TAX PARCEL NUMBER(S) OWNED _____

SIGN: _____

NAME OF OWNER (PRINT) _____

ADDRESS (STREET, CITY, STATE, ZIP CODE) _____

PHONE # (H) _____ (WK/CELL)

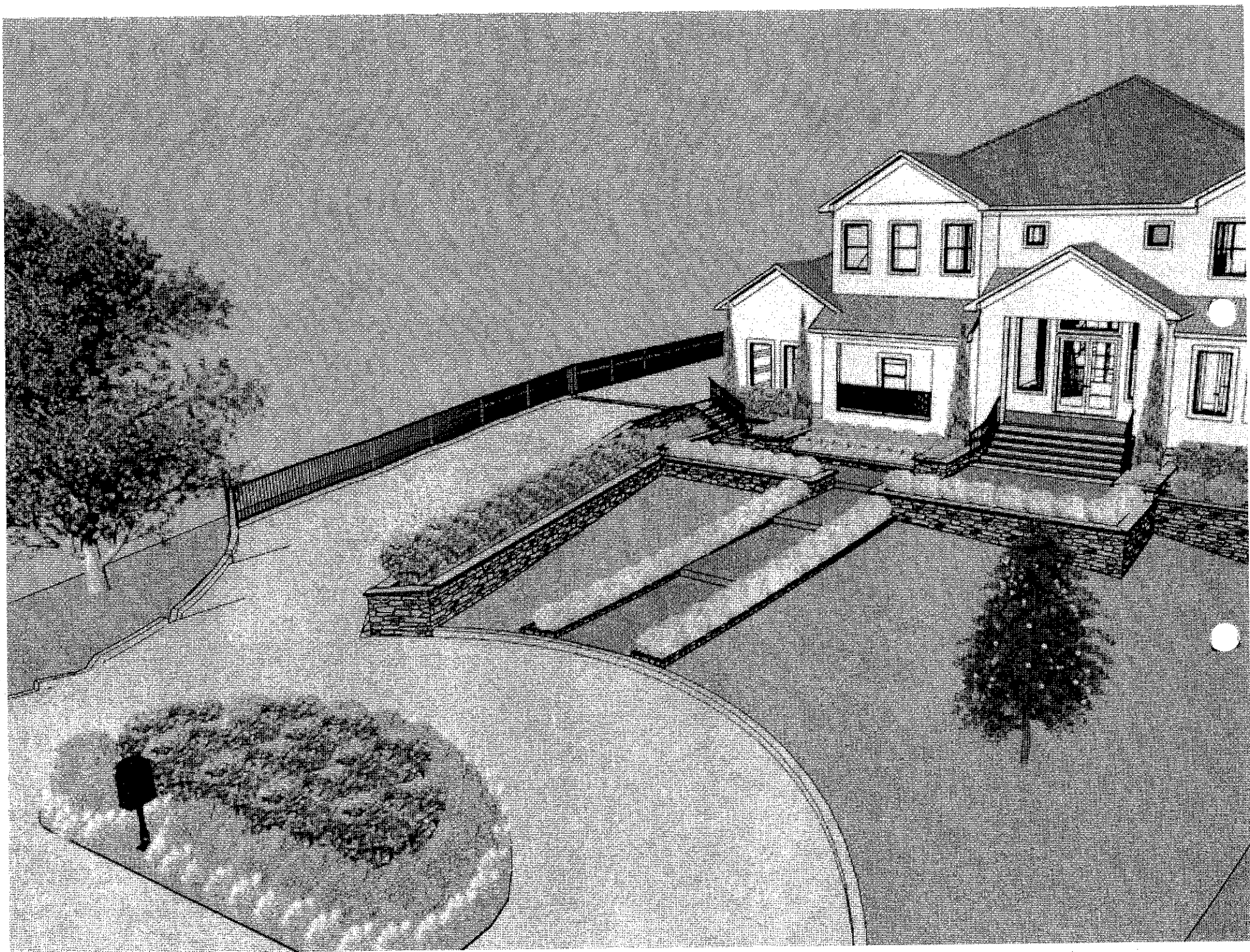
TAX PARCEL NUMBER(S) OWNED _____

SIGNATURE: _____

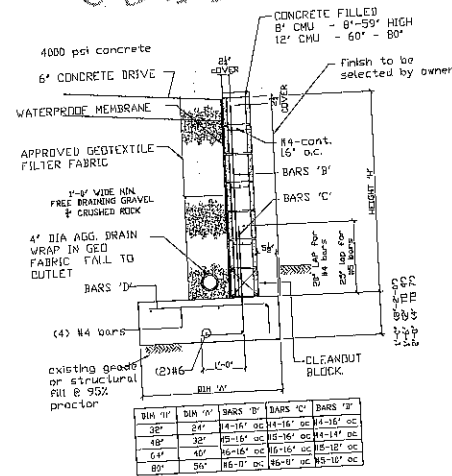
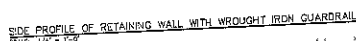
(Use additional forms as needed)

IN CASES OF MULTIPLE APPLICANTS, PLEASE IDENTIFY THE PERSON WHO WILL BE ACTING AS YOUR SPOKES

PERSON/AGENT FOR YOU: _____







RETAINING WALL DETAIL
SCALE: NOT TO SCALE

P.O. BOX 4075
DULUX, MO 39535
PII 228.890.4733
FAX 228.895.8789
TERRY MORAN,
R.F. P.I.S.

10917 Waterside Drive, Gulfport MS

RW-1

1. Demonstrate that special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same district. (i.e., What is special about your property that you need to request a variance?)

The home at 10917 Waterside Drive needs to be higher than existing houses in the area because we are building with a higher BFE post Hurricane Katrina. Many of the waterfront homes in the neighborhood predate the BFE increase. The minimum build height is 17' and we were approved to build slightly higher to be at the actual Hurricane Katrina storm surge level.

The Waterside subdivision requires that the garage does not face the street. A side loading garage door means the driveway needs to run along the property line to provide garage access. If the garage door were facing the street as a front-loading garage, we would not need an elevated driveway along the property line.

Finally, construction for this property was approved in March, 2021 and began shortly after with stairs to grade not included in the garage.

2. Demonstrate that the special conditions and circumstances do not result from the actions of the applicant. (i.e., Show that you did not cause the need for the variance.)

The subdivision requirement for side loading garage and minimum build height were not due to actions from the applicant.

3. Demonstrate that an unnecessary hardship is created by the physical character of the property and is peculiar and unusual to such an extent that it is evidence that amendment of the zoning ordinance does not offer a reasonable solution. (i.e., Explain what your hardship is and why the property cannot comply with the zoning ordinance. Further, explain why this hardship is not commonly found on other properties?)

Lot 32, the lot in question, slopes from the street down toward Bayou Bernard. This combined with the minimum build height and the subdivision requirement of a side loading garage results in the need to build a retaining wall along the property line for garage access.

4. Demonstrate how the literal interpretation of the provisions of the zoning ordinance would deprive the applicant of rights commonly enjoyed by properties in the same district under the terms of the zoning ordinance. (i.e., Explain how the request meets the right of reasonable economic return and/or the right to reasonable development of your property which might generally be expected in your district.)

This is an issue specific to the side-loading garages, the low natural grade in this subdivision, and the lot in question slopes away from the street toward Bayou Bernard.

Additionally, construction is well underway for the subject property and adding stairs in the garage to

lower the garage floor would be a significant change to the scope of work for the approved construction drawings.

5. Demonstrate that the granting of the variance will not confer on the applicant any special privilege that is denied by this ordinance to other lands, structures, or buildings in the same district, other than to permit the applicant to use their property in a manner as nearly equivalent to uses generally permitted in the district considering the conditions and circumstances involved and hardship. (i.e., Will you receive any special benefit that others who follow the Zoning Ordinance cannot receive?)

We will have a garage above BFE with a means to access the garage with vehicles if this variance is approved.

6. State whether the use proposed is permissible by right, with planning approval or by special exception with respect to uses of land or structures

Please clarify this.

1. Safety in regard to the subject property, adjacent properties, ingress and egress, streets, alleyways, and water bodies

A railing and curb will be provided on top of the retaining wall in question to ensure safety and proper drainage. Ingress and egress will be unaffected to adjacent properties, streets, alleyways, or water bodies.

2. Visual impact on adjacent properties, streets, alleyways, and water bodies

Visual impact will be minimized by finishing the surface of the retaining wall following the Waterside subdivision retaining wall requirements.

A 3-d image of the completed property is included to demonstrate the final appearance of the proposal.

3. Design in relation to other structures on the same lot, adjacent properties, and the neighborhood

The house is designed to appear as if it is not an elevated home to fit in with the quality of the homes in the neighborhood. The retaining wall will be finished in a similar style as to the home itself based on the requirements of the Waterside subdivision.

4. Impact on ingress and egress, if applicable

No impact on ingress or egress.

5. Screening, buffering or separation of any nuisance or hazardous feature.

There are no adjacent structures near the proposed retaining wall because the neighboring property is set back far from the street.

6. Compatibility with adjacent properties

There are no adjacent structures near the proposed retaining wall because the neighboring property is set back far from the street.



Covenant Affidavit

I, JASON CALEG UUKU, being owner or agent of the property 10917 WATERSIDE DR
PRINT NAME PRIMARY ADDRESS OR PARCEL

which is the subject of this application, hereby state that this variance request is not in violation of any restrictive or protective covenants.

[Signature]
Signature

3/8 /2022
Date

STATE OF MISSISSIPPI | COUNTY OF HARRISON

Given under my hand and seal of office this the 8th day of March, 2022

[Signature]
Notary Public

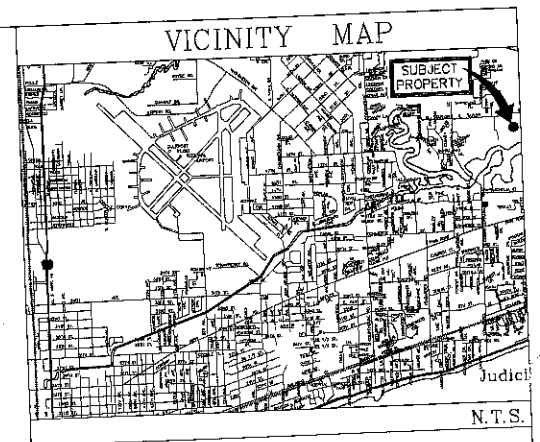


Residential Building Plans

for

Ulku Residence

10917 Channelside Dr
Gulfport, MS 39507



March 02, 2021

INTERNATIONAL BUILDING CODE 2018 INFO & GENERAL DATA

Zoning: R-1
Classification of Occupancy: R
Minimum Type of Construction: Type VB
Design Wind Speed: 160 mph (V-cult)
Number of stories: 2
Square footage: 8,649
F.F.E.: 24.0'
Flood Zone (FIRM): "AE-16"
FEMA Map# 28059C0286G (June 16, 2009)

	SETBACKS REQUIRED	PROVIDED	FIRE RATINGS HR. PROV.	% OPEN.	ALLOWED
Front	25.0' MIN.	65.40'	n/a	n/a	n/a
Rear	10' MIN.	136.1'	n/a	n/a	n/a
Right	8.0' MIN.	9.50'	n/a	n/a	n/a
Left	8.0' MIN.	16.20'	n/a	n/a	n/a

*Building shall meet requirements of the 2018 IBC and Local Commercial Building Codes and 2018 Fire Codes.

TME
TERRY MORAN
ENGINEERING

TERRY MORAN, P.E., P.L.S.
P.O. Box 4073 Gulfport, MS 39503
905 628-8366



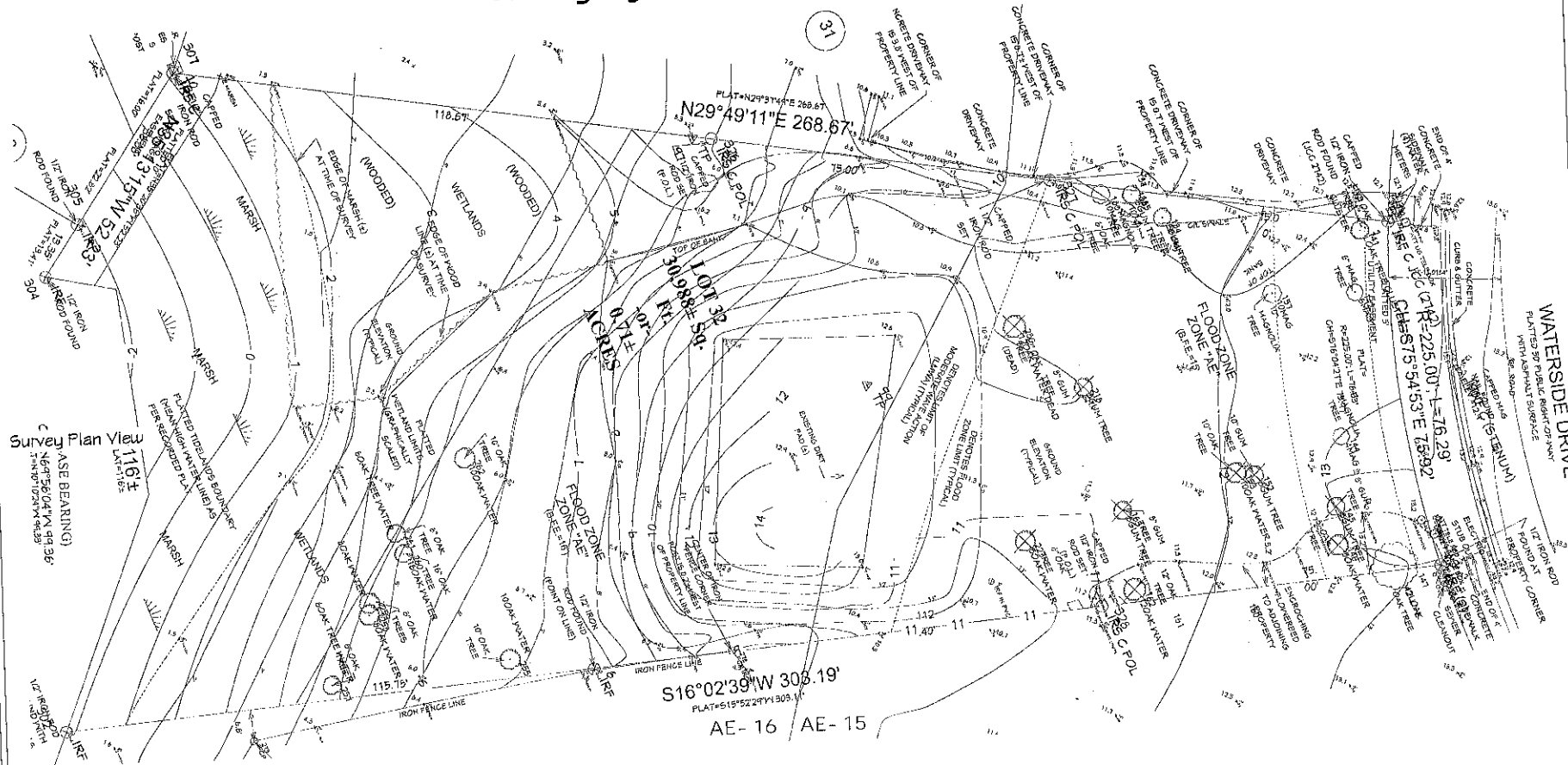
SHEET INDEX

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SURVEY	C1
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20-179

ATTENTION: NO CONSTRUCTION IS TO COMMENCE ON THIS PROJECT BEFORE THE APPROPRIATE PERMITS HAVE BEEN OBTAINED.

This is COPY of the original survey and is for reference only.
Not to be used for measurements. NOT TO SCALE. Use original
survey signed by a registered engineer.



FINISH FLOOR OF MAIN HOUSE=24.0' MIN
FINISH FLOOR OF CABANA- 12.0'

CONTRACTOR SHALL VERIFY ELEVATION W/
CURRENT ELEVATION CERTIFICATE.

THIS HOME IS TO BE BUILT USING IRC 2018 BUILDING CODE
IN THE EVENT THERE IS A CONFLICT BETWEEN THE PLANS
AND THE CODE, THE CODE SHALL PREVAIL.

FIRST FLOOR	3386
SECOND FLOOR	2004
TOTAL CONDITIONED	5390
PORCHES	324
GARAGE	880
TOTAL FRAMING SQFT	6544
CABANA	935
FOUNDATION (EST)	4683
(FOUNDATION INCL CABANA)	

Copy of
Survey

PROJECT:
10417 Waterside Dr
Gulfport, MS 393

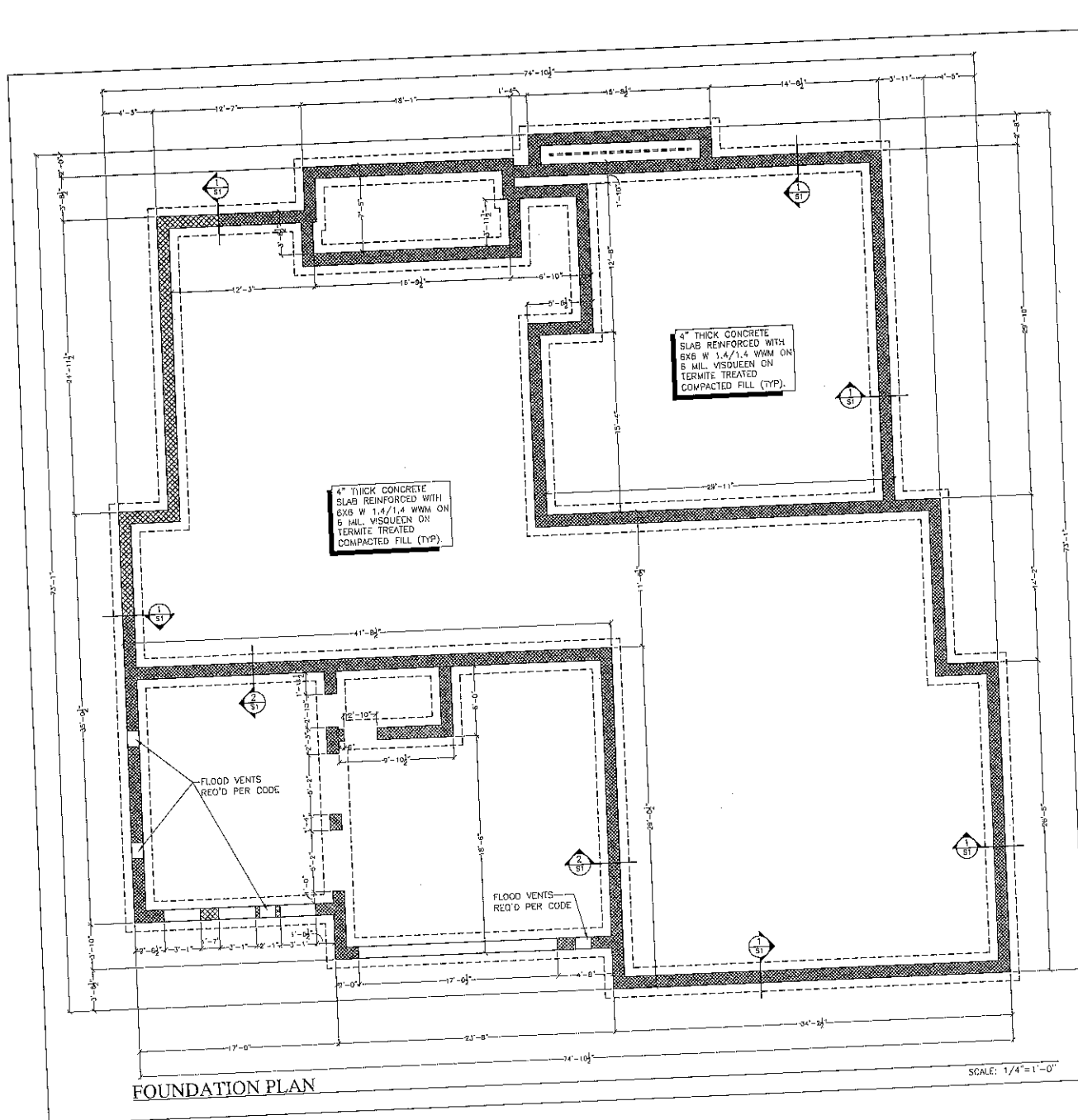
Caleb Ulku & Leena Pande
NEW HOME

DESIGNED BY
James Allen Design Group
512-630-0000

DATE:
11/16/20

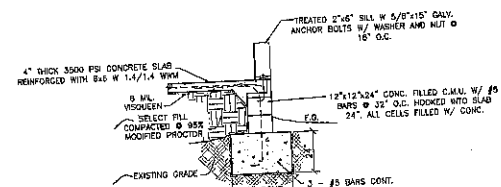
SCALE:
1/4" = 1'
HON

SHEET:

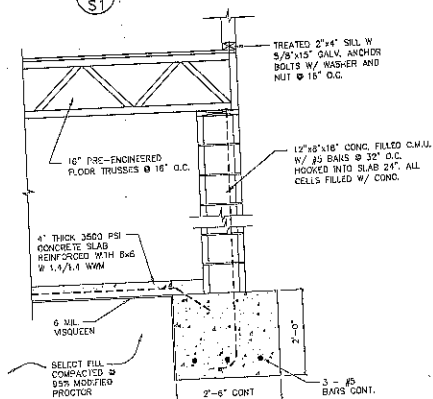


FOUNDATION PLAN

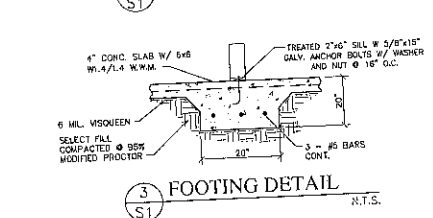
SCALE: 1/4"=1'-0"



CHAINWALL DETAIL N.T.S.



FOOTING DETAIL N.T.S.



FOOTING DETAIL N.T.S.

- NOTES:
1. CONCRETE SHALL BE 3500 PSI MIN.
 2. ALL STEEL REINFORCEMENT SHALL BE 40,000 PSI MIN.
 3. ALL FOOTINGS SHALL BE CONSTRUCTED ON UNDISTURBED GROUND AND ALL INTERIOR FOOTING SHALL BE CONSTRUCTED ON EITHER UNDISTURBED GROUND OR FILL WHICH HAS BEEN COMPACTED TO NOT LESS THAN 95% MODIFIED PROCTOR.
 4. FILL SHALL BE SUFFICIENT HIGH QUALITY MATERIAL AND SHALL BE PLACED IN 12" LIFTS. EACH LIFT TO BE COMPACTED TO NOT LESS THAN 95% MODIFIED PROCTOR.
 5. IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO HAVE ALL LOTS, PRE-FAB FLOOR AND CEILING JOISTS SIZED PRIOR TO CONSTRUCTION.
 6. REINFORCEMENT SHALL INSURE AT ALL TIMES THAT RE-USE AND FORM BOWERS ARE STRAIGHT, TRUE, AND SECURE DURING CONCRETE PLACEMENT AND CURE.
 7. MINIMUM FRESH FLOOR (FLOORING) TO BE VERIFIED BY CONTRACTOR WITH CITY/COUNTY.
 8. ALL FOUNDATION ELEMENTS PLACED BELOW GRADE SHALL HAVE A WATERPROOF BARRIER APPLIED TO EACH SIDE.
 9. ELEVATION SHALL BE RESPONSIBLE FOR HAVING ALL LOTS AND ROOF TRUSSES SIZED BY THE MANUFACTURER.
 10. CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THAT THE FRESH FLOOR ELEVATION MEETS OR EXCEEDS THE REQUIRED MIN. FLOOR ELEVATION SHOWN ON THE ELEVATION CERTIFICATE.
 11. ALL PILES ARE TO BE FIELD FABRICATED AND INSTALLED TO INSURE THAT (U/L/REQ/46) ARE PLACED VERTICAL AND LEVEL AT ALL CONNECTIONS.

NOTE: NO ON SITE SUPERVISION OR INSPECTIONS ARE PROVIDED WITH THE USE OF THESE PLANS BY THE DESIGNER. BUILDER/CONTRACTOR SHALL CHECK AND VERIFY ALL DIMENSIONS, CONDITIONS, AND SIZES OF COMPONENTS ALONG WITH SITE CONDITIONS BEFORE STARTING CONSTRUCTION. BUILDER/CONTRACTOR SHALL SEE THAT CONSTRUCTION IS IN CONFORMANCE WITH THE 2018 EDITION OF THE INTERNATIONAL BUILDING CODE (I.B.C.) AND WITH THE COUNTY/CITY BUILDING INSPECTOR. THE USE OF THESE PLANS FOR CONSTRUCTION SHALL BE EVIDENCE THAT THE REQUIREMENTS STATED ARE ACCEPTED BY THE BUILDER/CONTRACTOR.

BEFORE UNDERTAKING EACH PART OF THE WORK, THE CONTRACTOR SHALL CAREFULLY STUDY AND COMPARE THE PLANS & SPECIFICATIONS AND CHECKS AND VERIFY PERTINENT FIGURES SHOWN THEREON AND ALL APPLICABLE FIELD MEASUREMENTS. IF ANY CONFLICTS, ERRORS, DISCREPANCIES, OR OTHER UNSATISFACTORY CONDITIONS ARE DISCOVERED OTHER THAN THE CONSTRUCTION DOCUMENTS OR IN THE FIELD, THE CONTRACTOR SHALL IMMEDIATELY REPORT IN WRITING TO THE ENGINEER OR HIS REPRESENTATIVE BEFORE PROCEEDING WITH ANY WORK AFFECTED THEREBY.

TERRY MORAN, P.E.
P.O. BOX 1000
N. HARRIS, MISSISSIPPI

TME
TERRY MORAN
ENGINEERING



RESIDENTIAL BUILDING PLANS FOR
ULUKU RESIDENCE DR
10917 WATERBURY DR
GULFPORT, MISSISSIPPI

Project Title

FOUNDATION PLAN

Sheet Title

10/20/21

Drawn By: C.A.B.

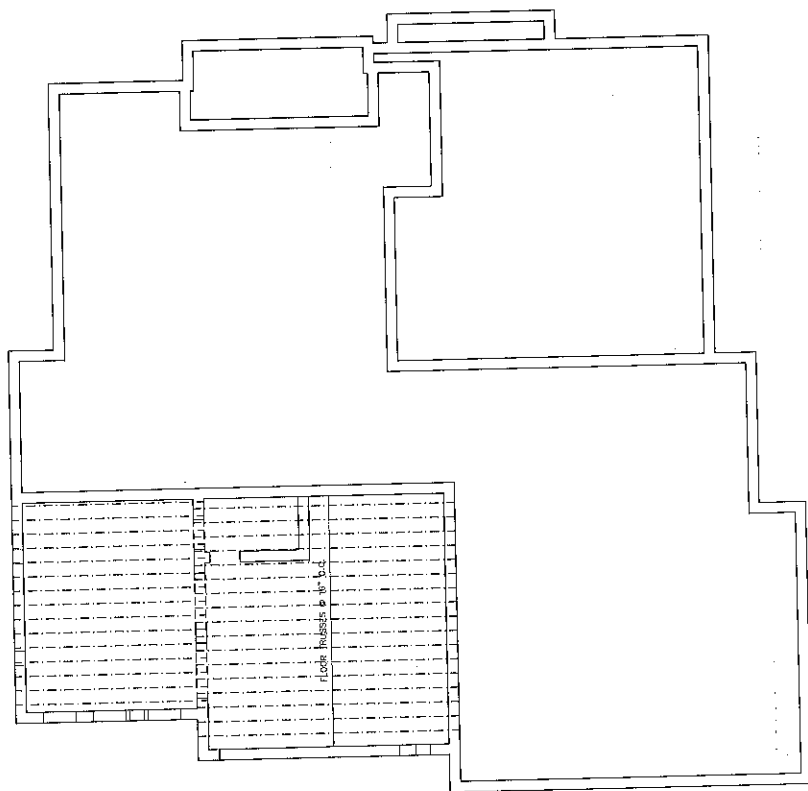
Check By: B.A.H.

REV

1

Project No

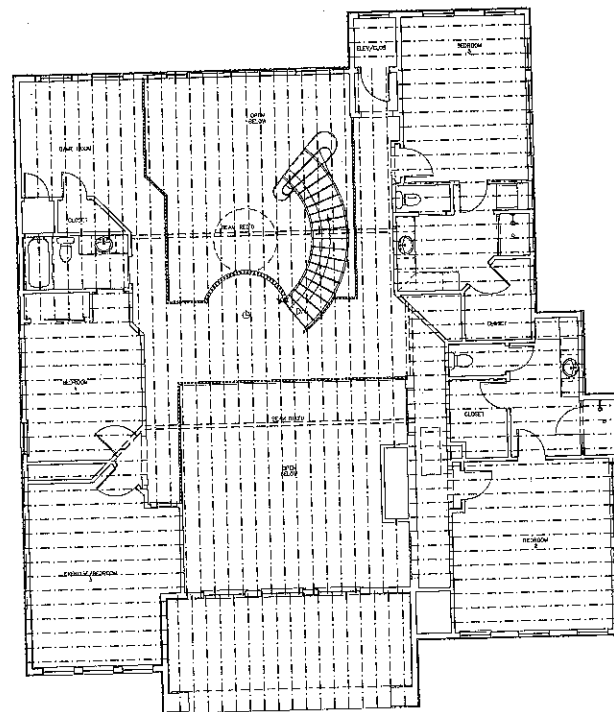
20-179



FIRST FLOOR FRAMING PLAN

SCALE: 3/16"=1'-0"

JOIST	TYPE	SPAN	SPACING	DEPTH	WIDTH	LENGTH	THICKNESS	WEIGHT	STRENGTH
1. 2x10 S.P. Joist	2x10	12'-0"	16"	10"	10"	12'-0"	10"	10"	10"
2. 2x12 S.P. Joist	2x12	12'-0"	16"	12"	12"	12'-0"	12"	12"	12"
3. 2x14 S.P. Joist	2x14	12'-0"	16"	14"	14"	12'-0"	14"	14"	14"
4. 2x16 S.P. Joist	2x16	12'-0"	16"	16"	16"	12'-0"	16"	16"	16"
5. 2x18 S.P. Joist	2x18	12'-0"	16"	18"	18"	12'-0"	18"	18"	18"
6. 2x20 S.P. Joist	2x20	12'-0"	16"	20"	20"	12'-0"	20"	20"	20"
7. 2x22 S.P. Joist	2x22	12'-0"	16"	22"	22"	12'-0"	22"	22"	22"
8. 2x24 S.P. Joist	2x24	12'-0"	16"	24"	24"	12'-0"	24"	24"	24"
9. 2x26 S.P. Joist	2x26	12'-0"	16"	26"	26"	12'-0"	26"	26"	26"
10. 2x28 S.P. Joist	2x28	12'-0"	16"	28"	28"	12'-0"	28"	28"	28"



SECOND FLOOR FRAMING PLAN

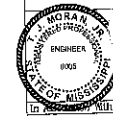
SCALE: 3/16"=1'-0"

NOTES:
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TERRY MORAN, P.E., ELS
P.O. Box 4767
Terry Moran Engineering
Biloxi, MS 39203

TME
TERRY MORAN
ENGINEERING



RESIDENTIAL BUILDING PLANS FOR
ULAU RESIDENCE
10817 WATERSIDE DR
GULFPORT, MISSISSIPPI

Project Title

FRAMING PLANS

Sheet Title

20-173

Date: 10/20/21

Drawn By: C.A.B.

Check By: R.H.L.

REV

Project No.

20-173

1st Floor Dimensions

PROJECT:
10417 Waterside Dr
Gulfport, MS 39233

Caleb Utku & Leena Parde
NEW HOME

DESIGNED BY
James Allen Design Group
512-630-7777

DATE:

11/16/20

SCALE:

1/4" = 1'

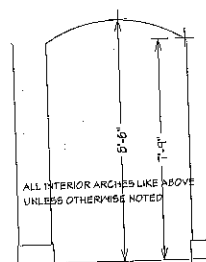
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SHEET:

4683

UNLESS OTHERWISE NOTED:

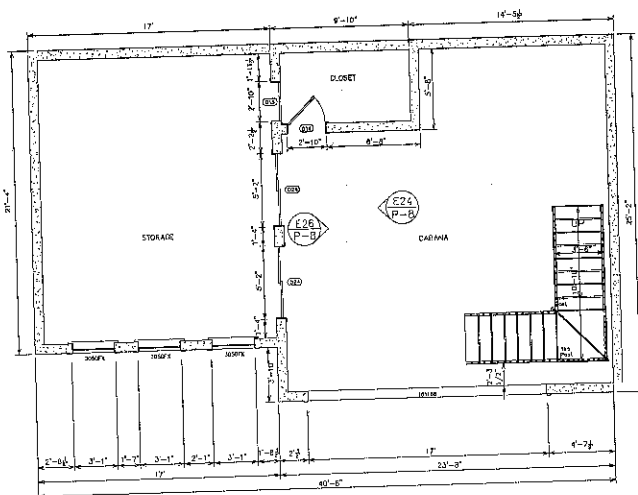
- CARPET/STYLING FLOORS
- GYP. BOARD WALLS AND CEILING
- 10'0" CLS. HT. AT FIRST FLOOR
- 10'0" CLS. HT. AT SECOND FLOOR
- ALL WINDOWS TO BE 48" WIDE
- 1 3/4" H.C. INTERIOR DOORS
- 1 3/4" S.C. EXTERIOR FIRE RATED DOORS
- 8'0" WINDOWN HL. AT FIRST FLR.
- 8'0" WINDOWN HL. AT SECOND FLR.
- BEDROOM WINDOWS TO BE 18"24" A.F.F. IRC 510.2.10
- 24" HIGH x 20" WIDE (MIN.) OPENING WITH
- 5'1" H.C. FT. (MIN.) NET CLEAR OPENING
- ALL GLAZING WITHIN HAZARDOUS LOCATIONS SHALL HAVE
- SAFETY GLASS IN COMPLIANCE WITH R308
- SMOKE DETECTORS REQUIRE 110V CONNECTION TO HOUSE
- PERMITS AND BATTERY BACKUP LOCATIONS TO COMPLY
- ALL INTERCONNECTED RSH (IRC 2018)
- LOCATE ELECTRIC WATER HEATER IN GARAGE
- PROVIDE VENTILATION AT ALL BATHS AND UTILITY ROOMS
- THROUGH NATURAL OR MECH. MEANS AND COMPLY WITH
- R303 (IRC 2018)
- GIMMEYS TO BE 9'0" MIN. ANY THE HIGHEST POINT
- WHERE THEY PASS THROUGH THE ROOF AND AT LEAST
- 2'0" MIN. HIGHER THAN ANY PORTION OF THE ROOF
- WITHIN A 10'0" RADIUS
- ALL PREPARED FIREPLACES TO BE U.L. & IRC 2018 APPROVED
- & A COPY OF THE MANUFACTURER'S MANUAL SHALL
- BE AVAILABLE @ JOBSITE FOR INSPECTOR'S REVIEW
- STAIRWAYS SHALL COMPLY WITH R311.3 (IRC 2018)
- HANDRAILS TO BE 34" TO 38" ANY JOSE OF TREAD
- ALL GUARDRAILS AND HANDRAILS SHALL COMPLY WITH
- R312 (IRC 2018)
- ALL GUARDRAILS AND HANDRAILS SHALL BE DESIGNED
- FOR 200 LBS/50 FT. LIVE LOAD PER R301 (IRC 2018)
- GUARDRAILS TO BE 42" A.F.F. (MIN.) WITH BALLUSTERS
- AT 4'0" MAX. PER R312.2 (IRC 2018)
- HANDRAILS PORTION OF HANDRAILS SHALL BE NOT
- LESS THAN 1 1/4" HIGHER THAN 2'0" IN CROSS
- SECTIONAL DIMENSION OR THE SHAPE SHALL PROVIDE
- AND EQUIV. DRIFTING SURFACE PER R311 (IRC 2018)
- ENCLOSE UNDERBELT OF STAIRWELL WITH 5/8" TYPE 'X'
- FIRE CODE GYP. BOARD
- SIZE AND NUMBER OF NAILS CONNECTING MOOD MEMBERS
- SHALL COMPLY WITH IRC 2018 R802
- DISAPPEARING STAIRS TO BE 44" x 30" CLEAR OPENING
- (50" x 30" SHALL COMPLY WITH R301 (IRC 2018)
- INDIVIDUAL STAIR TREADS SHALL BE DESIGNED FOR
- UNIFORM DISTRIBUTED LIVE LOAD OR A 325 LB
- CONCENTRATED LOAD ACTING OVER AN AREA OF 4 SQ.
- INCHES, WHICHEVER PRODUCES THE GREATEST STRESS
- CONTRACTOR/OWNER TO VERIFY ALL FLOOR FINISHES
- PRIOR TO BID AND CONSTRUCTION
- PROVIDE FLOORING SYSTEM DRAFT STOPS AS REQ'D.
- PROVIDE ATTIC AREA DRAFT STOPS AS REQ'D. PER CODE
- PROVIDE ROUND SHEET ROCK CONINGS TYPICAL
- FRAME INTERIOR WALLS AT 18" AND 2ND LEVEL 2X4 STUDS @ 16" O.C. UN
- FRAME EXTERIOR 2 STORY WALLS 2X6 STUDS @ 16" O.C. UN
- FRAME ALL EXTERIOR WALLS 2X6 STUDS @ 16" O.C. UN



FIRST FLOOR	3346
SECOND FLOOR	2004
TOTAL CONDITIONED	5350
PORCHES	324
GARAGE	830
TOTAL FRAMING SQFT	6549
CABANA	495
FOUNDATION (EST)	4683
(FOUNDATION INCL. CABANA)	

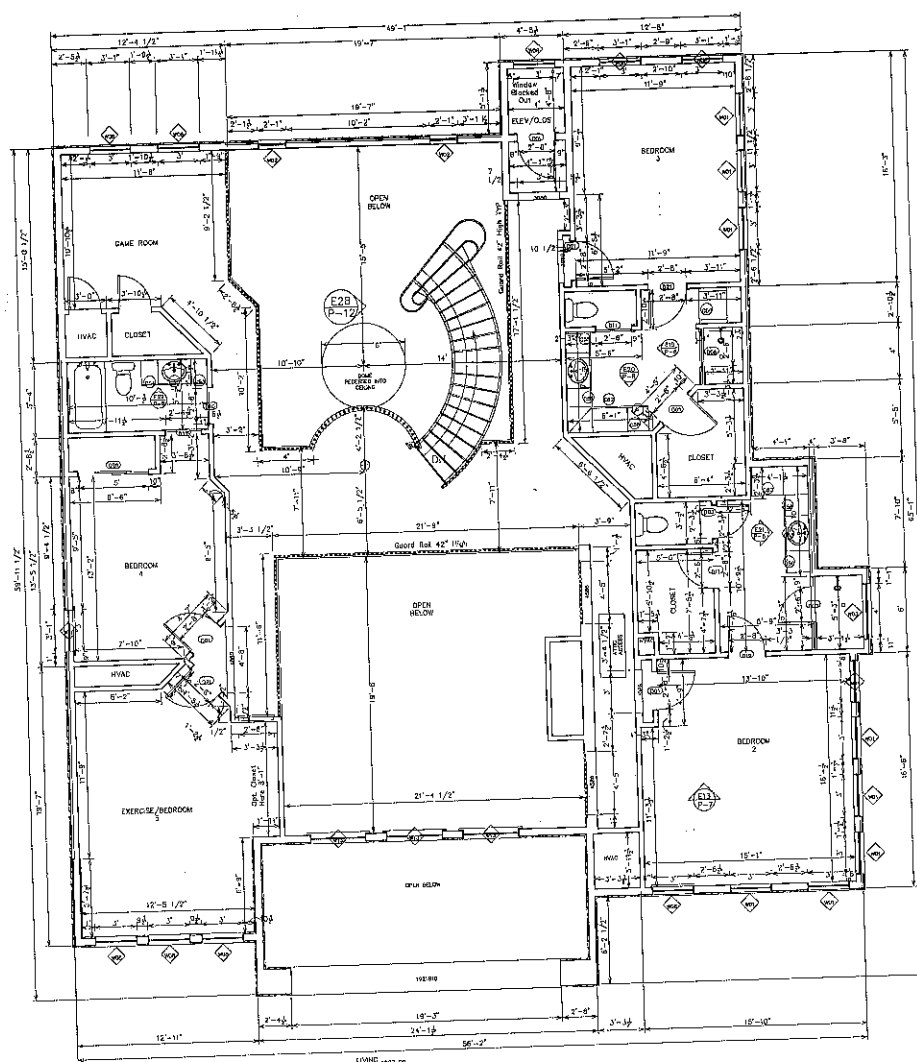
ALL DRAWINGS ARE COPYWRITTEN BY JAMES ALLEN DESIGN GROUP. NO PERMISSION IS GIVEN TO REPRODUCE THESE DRAWINGS IN ANY FORM TO ANY PERSON.

THIS HOME IS TO BE BUILT USING IRC 2018 BUILDING CODE IN THE EVENT THERE IS A CONFLICT BETWEEN THE PLANS AND THE CODE, THE CODE SHALL PREVAIL.



CABANA FLOOR PLAN

SCALE: 1/4"=1'-0"



1ST FLOOR PLAN

SCALE: 1/4"=1'-0"

TERRY MORAN, P.E., P.L.S.
P.O. Box 6072
Denton, MS 38835

TME
TERRY MORAN
ENGINEERING



DESIGNED BY:
JAMES ALLEN DESIGN GROUP
512-630-6010

Sheet Title: FLOORS PLANS

Project Title: RESIDENTIAL BUILDING PLANS FOR
CALIBER BLVD C/O THE MAJORE
COMMUNITIES, INC.
COLUMBIANA, MISSISSIPPI

Date: 03/01/21

Drawn By: C.A.B.

Check By: B.B.H.

Rev:

Sheet No:

B2

Project No:

20-179



Elevation 15 Front



Elevation 17 Rear

THIS HOME IS TO BE BUILT USING IRC 2018 BUILDING CODE
 IN THE EVENT THEIR IS A CONFLICT BETWEEN THE PLANS
 AND THE CODE, THE CODE SHALL PREVAIL.

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 FORM TO ANY PERSON.

FIRST FLOOR	3386
SECOND FLOOR	2009
TOTAL CONDITIONED	5395
PORCHES	324
GARAGE	830
TOTAL FRAMING SQFT	6549
CABANA	495
FOUNDATION (EST)	4683
(FOUNDATION INCL CABANA)	

3/16=1"
 Scale

Elev Front &
 Rear

PROJECT:
 10917 Waterside Dr
 Gulfport, MS 393

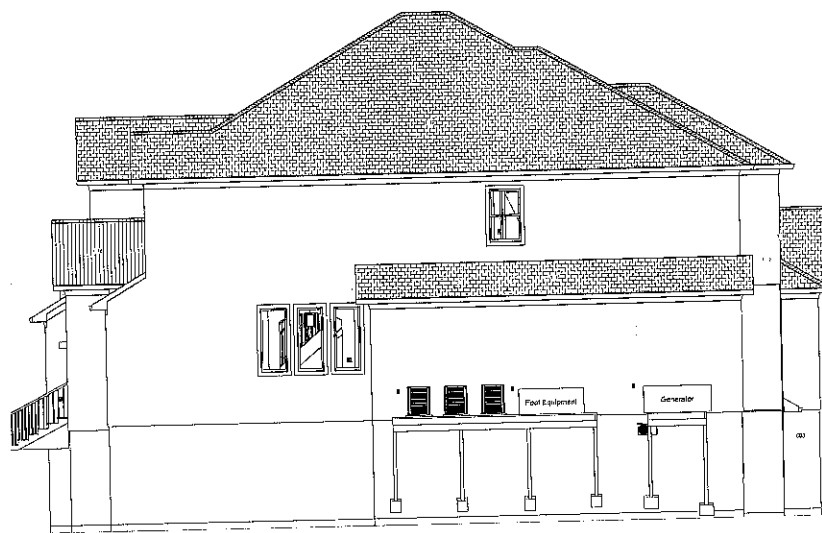
Caleb Uiku & Leena Pande
 NEW HOME

DESIGNED BY
 James Allen Design Group
 512-630-6010

DATE:
 11/16/20

SCALE:
 1/4" = 1'
 UNO

SHEET:



Elevation 16 Right



Elevation 16 Left

THIS HOME IS TO BE BUILT USING IRC 2018 BUILDING CODE
IN THE EVENT THERE IS A CONFLICT BETWEEN THE PLANS
AND THE CODE, THE CODE SHALL PREVAIL.

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PERMISSION IS GIVEN TO REPRODUCE THESE DRAWINGS IN ANY
FORM TO ANY PERSON.

FIRST FLOOR	9366
SECOND FLOOR	2009
TOTAL CONDITIONED	5375
PORCHES	324
GARAGE	930
TOTAL FRAMING SQFT	6545
CABANA	485
FOUNDATION (EST)	4683
(FOUNDATION INCL CABANA)	

Elevations
Sides

PROJECT:
10417 Waterside Dr
Gulfport, MS 395

Caleb Ulku & Leena Pande
NEW HOME

DESIGNED BY
James Allen Design Group
512-630-6000

DATE:

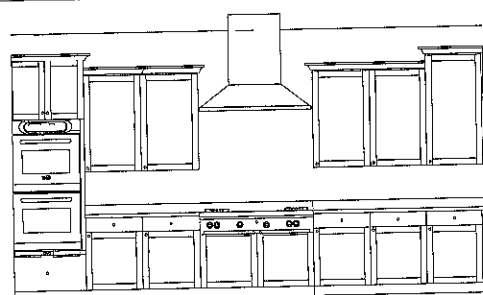
11/16/20

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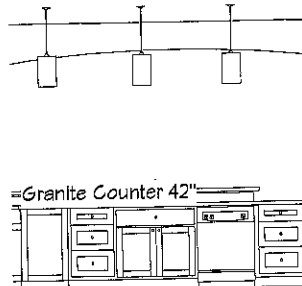
1/4" = 1'

UN

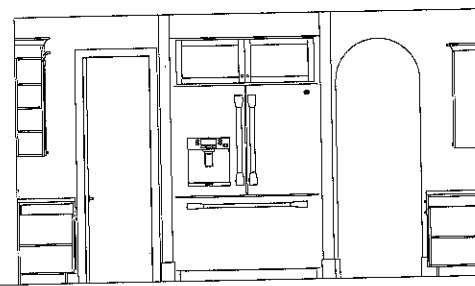
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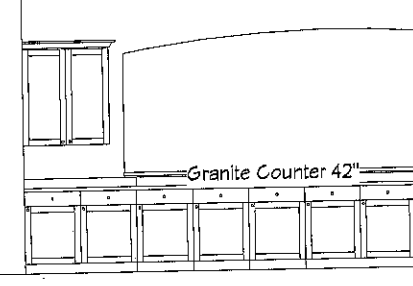
Elevation 1 Cooktop Wall



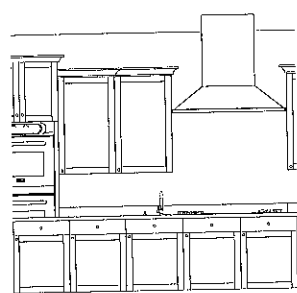
Elevation 2 Island Sink



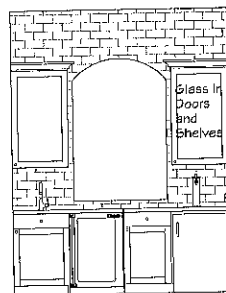
Elevation 3 Frig Wall



Elevation 4 Buffet Wall



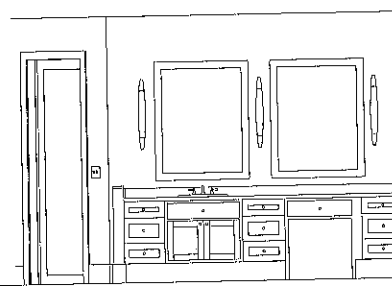
Elevation 5 Back of Island



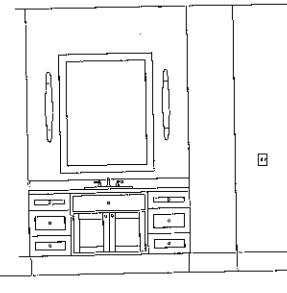
Elevation 6 Wet Bar



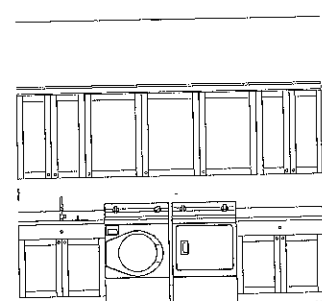
Elevation 7 Wine Frig Wall



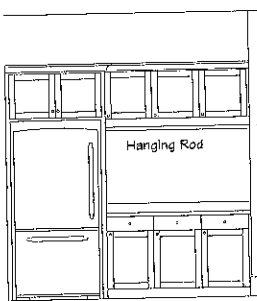
Elevation 8 Leenas' Vanity



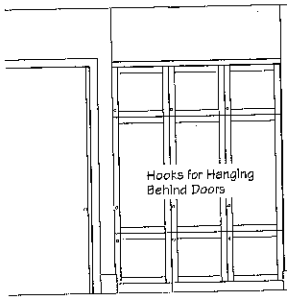
Elevation 9 Caleb's Vanity



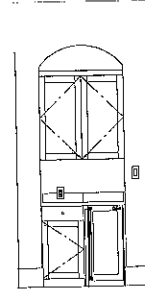
Elevation 10 Utility W/D



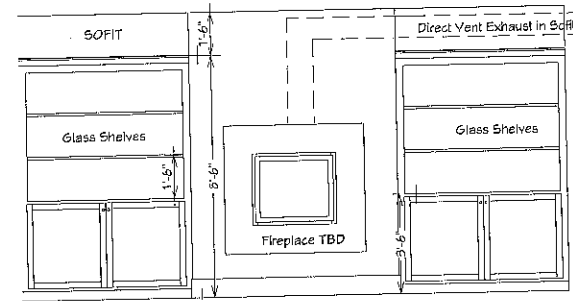
Elevation 11 Utility Hanging



Elevation 12 Lockers



Elevation 13 Coffee Bar Master



Elevation 14 Family Room

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AND THE CODE, THE CODE SHALL PREVAIL.

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FIRST FLOOR	3306
SECOND FLOOR	2004
TOTAL CONDITIONED	5310
PORCHES	324
GARAGE	830
TOTAL FRAMING SQFT	6544
CABANA	935
FOUNDATION (EST)	4688
(FOUNDATION INCL CABANA)	

1/2"=1'
Scale

Interior
Elevations

PROJECT:
10417 Waterside Dr
Gulfport, MS

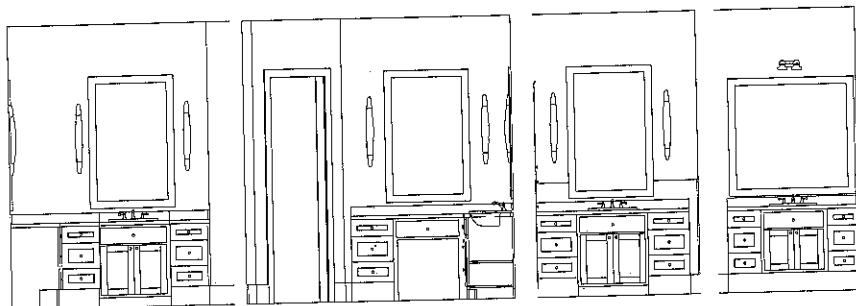
Caleb Ulku & Leena Pande
NEW HOME

DESIGNED BY
James Allen Design Group
512-650-6010

DATE:
11/16/20

SCALE:
1/4" = 1'
UN

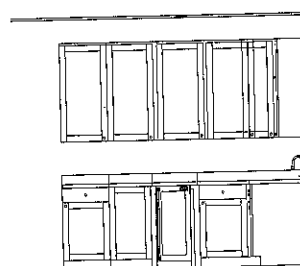
SHEET:



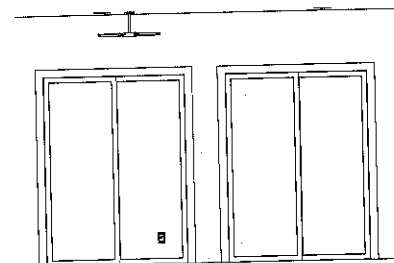
Elevation 19 Bath 3

Elevation 20 Bath 3 KS

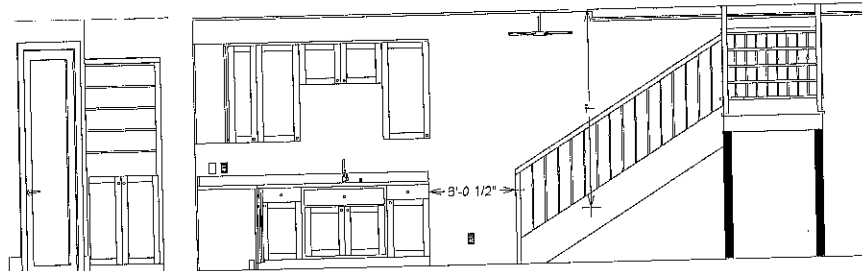
Elevation 21 Bath 2 Elevation 22 Bath 4



Elevation 23 Cabana Kitchenette

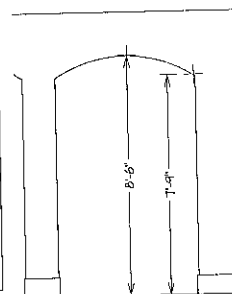


Elevation 24 Cabana Guest Room



Elevation 25 Master Hamper

Elevation 26 Cabana Stairs



Elevation 27

NUMBER	LABEL	QTY	FLOOR	WIDTH	DEPTH	HEIGHT
C01	B18	1	0	18"	24"	36"
C03	B18R	1	0	18"	24"	36"
C07	B20R	2	0	20"	24"	36"
C13	BCB18R	1	0	18"	24"	36"
C14	BCW1442L	1	0	14 7/16"	12"	42"
C15	BCW1542L	1	0	15 1/16"	12"	42"
C19	SB2820	1	0	27 3/4"	20"	36"
C23	SB36	1	0	36"	24"	36"
C36	W1842L	1	0	18"	12"	42"
C40	W2042L	1	0	20"	12"	42"
C46	W3510	1	0	35 1/16"	12"	18"
C49	3 DRAINER	1	0	14"	20"	36"
C64	TRASH	1	0	18"	24"	36"

NUMBER	LABEL	QTY	FLOOR	WIDTH	DEPTH	HEIGHT
C20	SB2820	1	2	28"	20"	36"
C21	SB3020	1	2	30"	20"	36"
C53	3 DRAINER	1	2	18 3/4"	20"	36"
C54	3 DRAINER	1	2	14"	20"	36"
C55	3 DRAINER	2	2	16"	20"	36"
C56	3 DRAINER	3	2	18"	20"	36"
C59	HAMPER	1	2	24"	24"	40"
C60	HAMPER	1	2	26 15/16"	24"	40"
C62	KNEE SPACE	1	2	30"	20"	36"
C63	SINK 30	1	2	30"	20"	36"

NUMBER	LABEL	QTY	FLOOR	WIDTH	DEPTH	HEIGHT
C02	B18	1	1	17 3/4"	24"	36"
C04	B18R	1	1	18"	24"	36"
C05	B2020R	3	1	20"	20"	36"
C06	B20L	1	1	20"	24"	36"
C08	B20R	2	1	20"	24"	36"
C09	B24	1	1	24"	24"	36"
C10	B24R	1	1	24"	24"	36"
C11	B25	1	1	24 5/8"	24"	36"
C12	B3720	1	1	36 3/4"	20"	36"
C16	OTC3324102	1	1	33"	24"	102"
C17	RB48	1	1	48"	24"	36"
C18	SB24R	1	1	24"	24"	36"
C22	SB3220	2	1	32"	20"	36"
C24	SB36	1	1	36"	24"	36"
C25	SB3120	1	1	36 3/4"	20"	36"
C26	SB3820	1	1	37 5/8"	20"	36"
C27	U2424104R	1	1	24"	24"	104"
C28	U2824104L	1	1	27 15/16"	24"	104"
C29	U322340	1	1	32 3/16"	23 1/4"	90"
C30	U423446	1	1	42 7/16"	34"	96"
C31	U472390	1	1	46 1/2"	23 1/4"	90"
C32	U6421103	1	1	64"	21"	103"
C33	U7320102	2	1	72 7/8"	20"	102"
C34	W1836L	1	1	18"	12"	36"
C35	W1836R	1	1	18"	12"	36"
C37	W2021R	3	1	20"	12"	21"
C38	W202418L	1	1	20"	18"	24"
C39	W202418R	1	1	20"	18"	24"
C41	W2436R	3	1	24"	12"	36"
C42	W2442R	6	1	24"	12"	42"
C43	W2448R	1	1	24"	12"	48"
C44	W2836	1	1	28 1/8"	12"	36"
C45	W2936	1	1	29 1/16"	12"	36"
C47	W3742	1	1	37 1/8"	12"	42"
C48	BENCH	1	1	39"	18"	18"
C50	3 DRAINER	5	1	18"	20"	36"
C51	3 DRAINER	1	1	18"	24"	36"
C52	3 DRAINER	1	1	19 5/16"	24"	36"
C57	CAB/SHelves	3	1	24"	20"	46"
C58	CAB/SHelves	1	1	24 3/4"	10 13/16"	90"
C61	KNEE SPACE	1	1	30"	20"	36"
C65	TRASH	1	1	19 3/4"	24"	36"

CABINET SCHEDULES ARE TO BE USED FOR REFERENCE ONLY. PRIOR TO CONSTRUCTION OF CABINETS ALL LOCATIONS AND DIMENSIONS SHOULD BE FIELD VERIFIED AND APPROVED BY THE OWNERS.

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FIRST FLOOR 3306
SECOND FLOOR 2004
TOTAL CONDITIONED 5396
PORCHES 324
GARAGE 830
TOTAL FRAMING SQFT 6544
CABANA 495
FOUNDATION (EST) 4683
(FOUNDATION INCL CABANA)

1/2"=1'
Scale

CABINET
SCHEDULE

PROJECT:
10917 Waterside Dr
Gulfport, MS 39203

Caleb Ulku & Leena Pande
NEW HOME

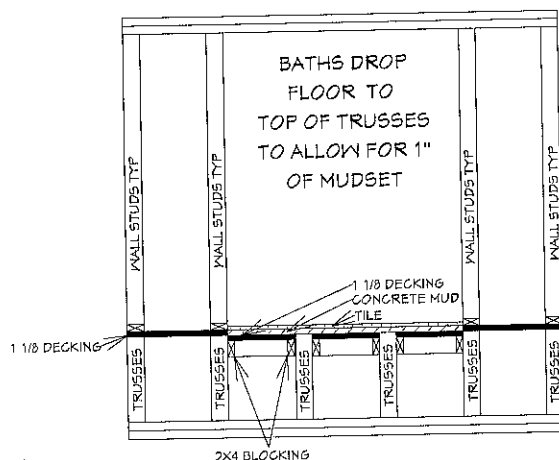
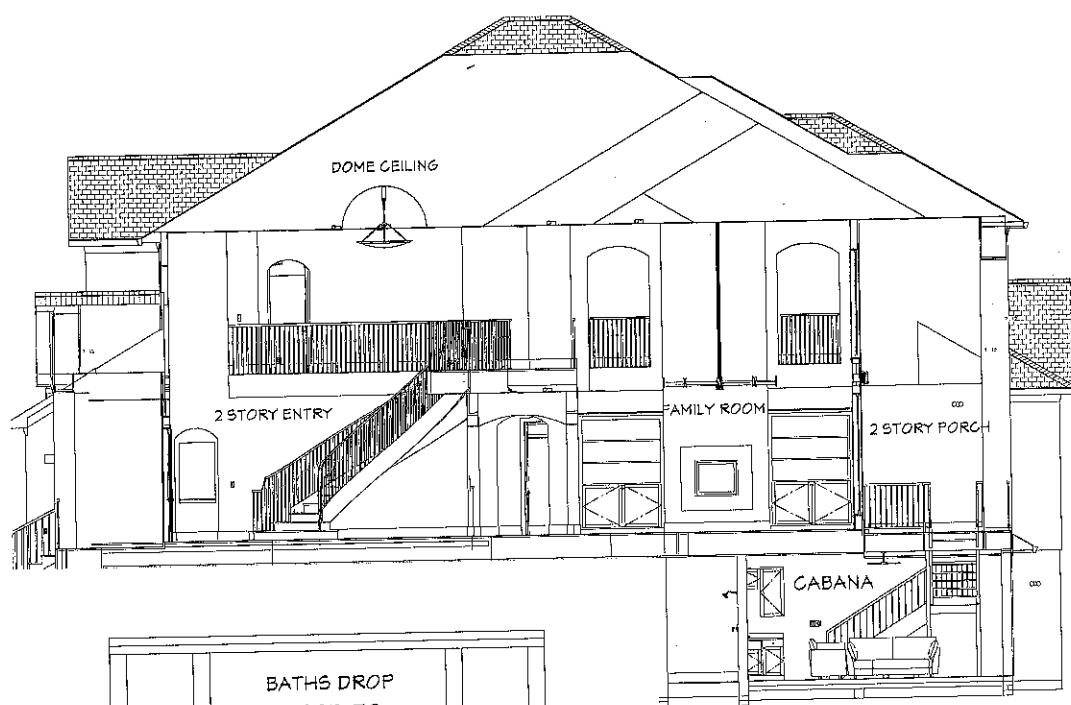
DESIGNED BY
James Allen Design Group
512-630-4444

DATE:

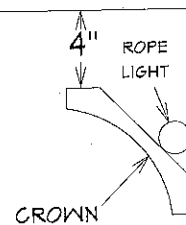
11/16/20

SCALE:
1/4" = 1'
1/8" = 1/2'

SHEET:

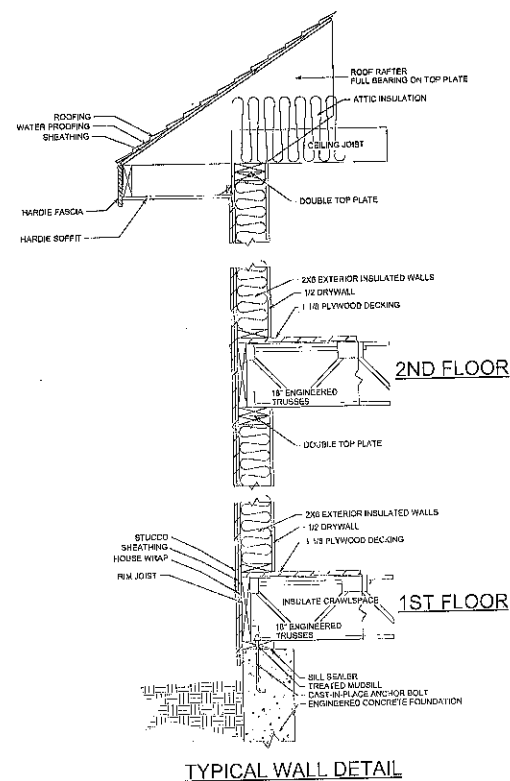


RAISED CEILING



ROPE LIGHT DETAIL

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TYPICAL WALL DETAIL

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Details

PROJECT:
10917 Waterside Dr
Gulfport, MS 3

Caleb Uku & Leena Pande
NEW HOME

DESIGNED BY
James Allen Design Group
512-630-4444

DATE:

11/16/20

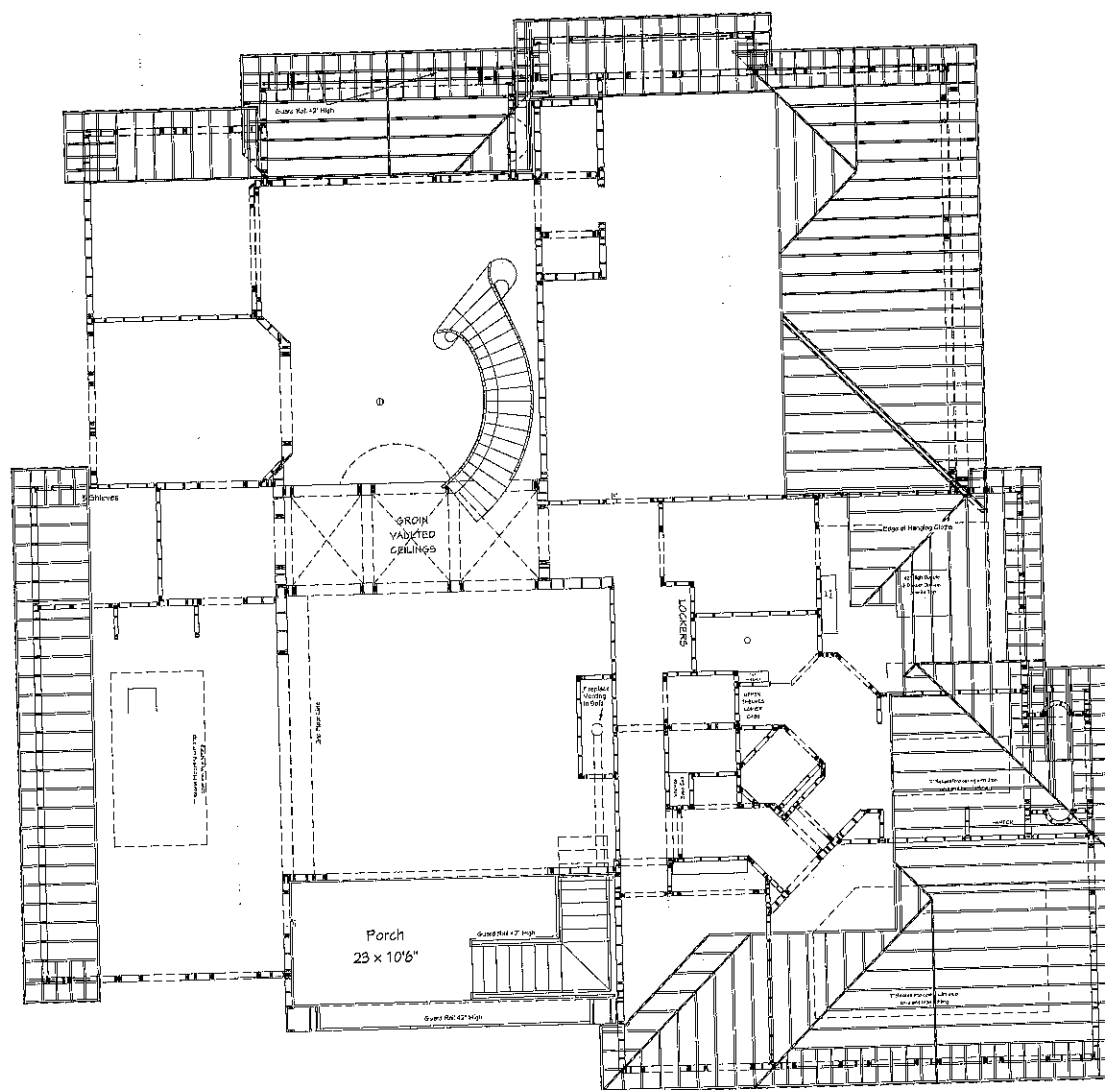
SCALE:

1/4" = 1'

UNION

SHEET:

FIRST FLOOR	3386
SECOND FLOOR	2009
TOTAL CONDITIONED	5395
PORCHES	324
GARAGE	830
TOTAL FRAMING SQFT	6243
CABANA	495
FOUNDATION (EST)	4689
(FOUNDATION INCL CABANA)	



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FIRST FLOOR	9986
SECOND FLOOR	2009
TOTAL CONDITIONED	5395
PORCHES	324
GARAGE	630
TOTAL FRAMING SQFT	6549
CABANA	935
FOUNDATION (EST)	4683
(FOUNDATION INCL CABANA)	

1st Floor
Roof

PROJECT:
10917 Waterside Dr
Gulfport, MS 395

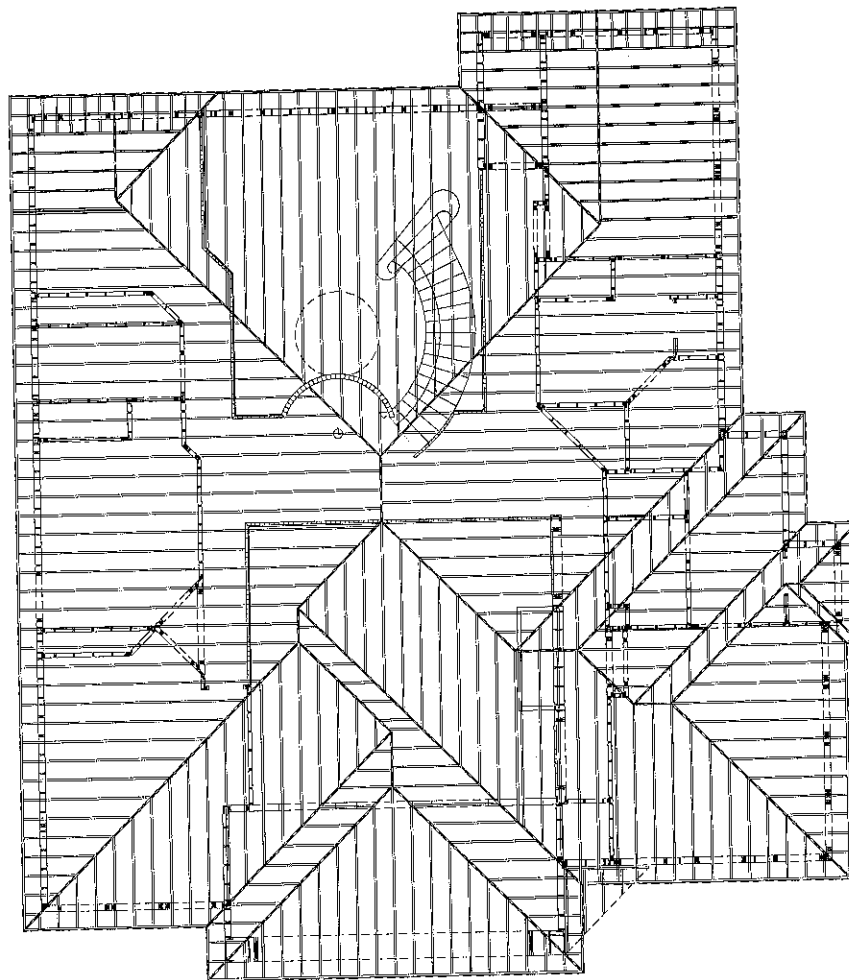
Caleb Ulku & Leena Pande
NEW HOME

DESIGNED BY
James Allen Design Group
512-630-4410

DATE:
11/16/20

SCALE:
1/4" = 1'
UN

SHEET:



Framing, Roof Plan View

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FIRST FLOOR	3336
SECOND FLOOR	2009
TOTAL CONDITIONED	5345
PORCHES	324
GARAGE	880
TOTAL FRAMING SQFT	6549
CABANA	485
FOUNDATION (EST)	4683
(FOUNDATION INCL CABANA)	

DATE:

11/16/20

SCALE:

1/4" = 1'

UN

SHEET:

3

DESIGNED BY
 James Allen Design Group
 512-630-4444

Caleb Juku & Leena Pande
 NEW HOME

PROJECT:
 10911 Waterside Dr
 Gulfport, MS

2nd Floor
 Roof

1st FLOOR DOORS

DOOR ELEVATION	DOOR NUMBER	DOOR LABEL	DOOR QTY	FLOOR	DOOR	DESCRIPTION
	D01	2400	1	1	2400 L IN	HINGED PANEL
	D02	2400	1	1	2400 L IN	HINGED PANEL
	D03	2400	1	1	2400 L IN	HINGED PANEL
	D04	2400	1	1	2400 L IN	HINGED PANEL
	D05	2400	1	1	2400 L IN	HINGED PANEL
	D06	2400	1	1	2400 L IN	HINGED PANEL
	D07	2400	1	1	2400 L IN	HINGED PANEL
	D08	2400	1	1	2400 L IN	HINGED PANEL
	D09	2400	1	1	2400 L IN	HINGED PANEL
	D10	2400	1	1	2400 L IN	HINGED PANEL
	D11	2400	1	1	2400 L IN	HINGED PANEL
	D12	2400	1	1	2400 L IN	HINGED PANEL
	D13	2400	1	1	2400 L IN	HINGED PANEL
	D14	2400	1	1	2400 L IN	HINGED PANEL
	D15	2400	1	1	2400 L IN	HINGED PANEL
	D16	2400	1	1	2400 L IN	HINGED PANEL
	D17	2400	1	1	2400 L IN	HINGED PANEL
	D18	2400	1	1	2400 L IN	HINGED PANEL
	D19	2400	1	1	2400 L IN	HINGED PANEL
	D20	2400	1	1	2400 L IN	HINGED PANEL

2nd FLOOR DOORS

DOOR ELEVATION	DOOR NUMBER	DOOR LABEL	DOOR QTY	FLOOR	DOOR	DESCRIPTION
	D21	2400	1	2	2400 L IN	HINGED PANEL
	D22	2400	1	2	2400 L IN	HINGED PANEL
	D23	2400	1	2	2400 L IN	HINGED PANEL
	D24	2400	1	2	2400 L IN	HINGED PANEL
	D25	2400	1	2	2400 L IN	HINGED PANEL
	D26	2400	1	2	2400 L IN	HINGED PANEL
	D27	2400	1	2	2400 L IN	HINGED PANEL
	D28	2400	1	2	2400 L IN	HINGED PANEL
	D29	2400	1	2	2400 L IN	HINGED PANEL
	D30	2400	1	2	2400 L IN	HINGED PANEL
	D31	2400	1	2	2400 L IN	HINGED PANEL
	D32	2400	1	2	2400 L IN	HINGED PANEL
	D33	2400	1	2	2400 L IN	HINGED PANEL
	D34	2400	1	2	2400 L IN	HINGED PANEL
	D35	2400	1	2	2400 L IN	HINGED PANEL
	D36	2400	1	2	2400 L IN	HINGED PANEL
	D37	2400	1	2	2400 L IN	HINGED PANEL
	D38	2400	1	2	2400 L IN	HINGED PANEL
	D39	2400	1	2	2400 L IN	HINGED PANEL
	D40	2400	1	2	2400 L IN	HINGED PANEL

1st FLOOR WINDOWS

WINDOW ELEVATION	WINDOW NUMBER	WINDOW LABEL	WINDOW QTY	FLOOR	WINDOW	DESCRIPTION
	W01	1500FX	1	1	1500FX	FIXED GLASS
	W02	1500FX	1	1	1500FX	FIXED GLASS
	W03	1500FX	1	1	1500FX	FIXED GLASS
	W04	1500FX	1	1	1500FX	FIXED GLASS
	W05	1500FX	1	1	1500FX	FIXED GLASS
	W06	1500FX	1	1	1500FX	FIXED GLASS
	W07	1500FX	1	1	1500FX	FIXED GLASS
	W08	1500FX	1	1	1500FX	FIXED GLASS
	W09	1500FX	1	1	1500FX	FIXED GLASS
	W10	1500FX	1	1	1500FX	FIXED GLASS
	W11	1500FX	1	1	1500FX	FIXED GLASS
	W12	1500FX	1	1	1500FX	FIXED GLASS
	W13	1500FX	1	1	1500FX	FIXED GLASS
	W14	1500FX	1	1	1500FX	FIXED GLASS
	W15	1500FX	1	1	1500FX	FIXED GLASS
	W16	1500FX	1	1	1500FX	FIXED GLASS
	W17	1500FX	1	1	1500FX	FIXED GLASS
	W18	1500FX	1	1	1500FX	FIXED GLASS
	W19	1500FX	1	1	1500FX	FIXED GLASS
	W20	1500FX	1	1	1500FX	FIXED GLASS

2nd FLOOR WINDOWS

WINDOW ELEVATION	WINDOW NUMBER	WINDOW LABEL	WINDOW QTY	FLOOR	WINDOW	DESCRIPTION
	W21	1500FX	1	2	1500FX	FIXED GLASS
	W22	1500FX	1	2	1500FX	FIXED GLASS
	W23	1500FX	1	2	1500FX	FIXED GLASS
	W24	1500FX	1	2	1500FX	FIXED GLASS
	W25	1500FX	1	2	1500FX	FIXED GLASS
	W26	1500FX	1	2	1500FX	FIXED GLASS
	W27	1500FX	1	2	1500FX	FIXED GLASS
	W28	1500FX	1	2	1500FX	FIXED GLASS
	W29	1500FX	1	2	1500FX	FIXED GLASS
	W30	1500FX	1	2	1500FX	FIXED GLASS
	W31	1500FX	1	2	1500FX	FIXED GLASS
	W32	1500FX	1	2	1500FX	FIXED GLASS
	W33	1500FX	1	2	1500FX	FIXED GLASS
	W34	1500FX	1	2	1500FX	FIXED GLASS
	W35	1500FX	1	2	1500FX	FIXED GLASS
	W36	1500FX	1	2	1500FX	FIXED GLASS
	W37	1500FX	1	2	1500FX	FIXED GLASS
	W38	1500FX	1	2	1500FX	FIXED GLASS
	W39	1500FX	1	2	1500FX	FIXED GLASS
	W40	1500FX	1	2	1500FX	FIXED GLASS

CABANA DOORS

DOOR ELEVATION	DOOR NUMBER	DOOR LABEL	DOOR QTY	FLOOR	DOOR	DESCRIPTION
	D41	2400	1	0	2400 L IN	HINGED PANEL
	D42	2400	1	0	2400 L IN	HINGED PANEL
	D43	2400	1	0	2400 L IN	HINGED PANEL
	D44	2400	1	0	2400 L IN	HINGED PANEL
	D45	2400	1	0	2400 L IN	HINGED PANEL
	D46	2400	1	0	2400 L IN	HINGED PANEL
	D47	2400	1	0	2400 L IN	HINGED PANEL
	D48	2400	1	0	2400 L IN	HINGED PANEL
	D49	2400	1	0	2400 L IN	HINGED PANEL
	D50	2400	1	0	2400 L IN	HINGED PANEL
	D51	2400	1	0	2400 L IN	HINGED PANEL
	D52	2400	1	0	2400 L IN	HINGED PANEL
	D53	2400	1	0	2400 L IN	HINGED PANEL
	D54	2400	1	0	2400 L IN	HINGED PANEL
	D55	2400	1	0	2400 L IN	HINGED PANEL
	D56	2400	1	0	2400 L IN	HINGED PANEL
	D57	2400	1	0	2400 L IN	HINGED PANEL
	D58	2400	1	0	2400 L IN	HINGED PANEL
	D59	2400	1	0	2400 L IN	HINGED PANEL
	D60	2400	1	0	2400 L IN	HINGED PANEL

DOOR AND WINDOW SCHEDULES ARE TO BE USED FOR REFERENCE ONLY. PRIOR TO CONSTRUCTION OF DOORS OR ORDERING OF WINDOWS, ALL LOCATIONS, COUNTS, AND DIMENSINS SHOULD BE FIELD VERIFIED AND APPROVED BY THE OWNERS.

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FIRST FLOOR	3306
SECOND FLOOR	2009
TOTAL CONDITIONED	5315
PORCHES	324
GARAGE	830
TOTAL FRAMING SQFT	6549
CABANA	495
FOUNDATION (EST)	4685
(FOUNDATION INCL CABANA)	

Door Win
Schedules

PROJECT:
10911 Waterside Dr
Gulport, MS 39063

Caleb Ulku & Leena Pande
NEW HOME

DESIGNED BY
James Allen Design Group
512-630-6000

DATE:

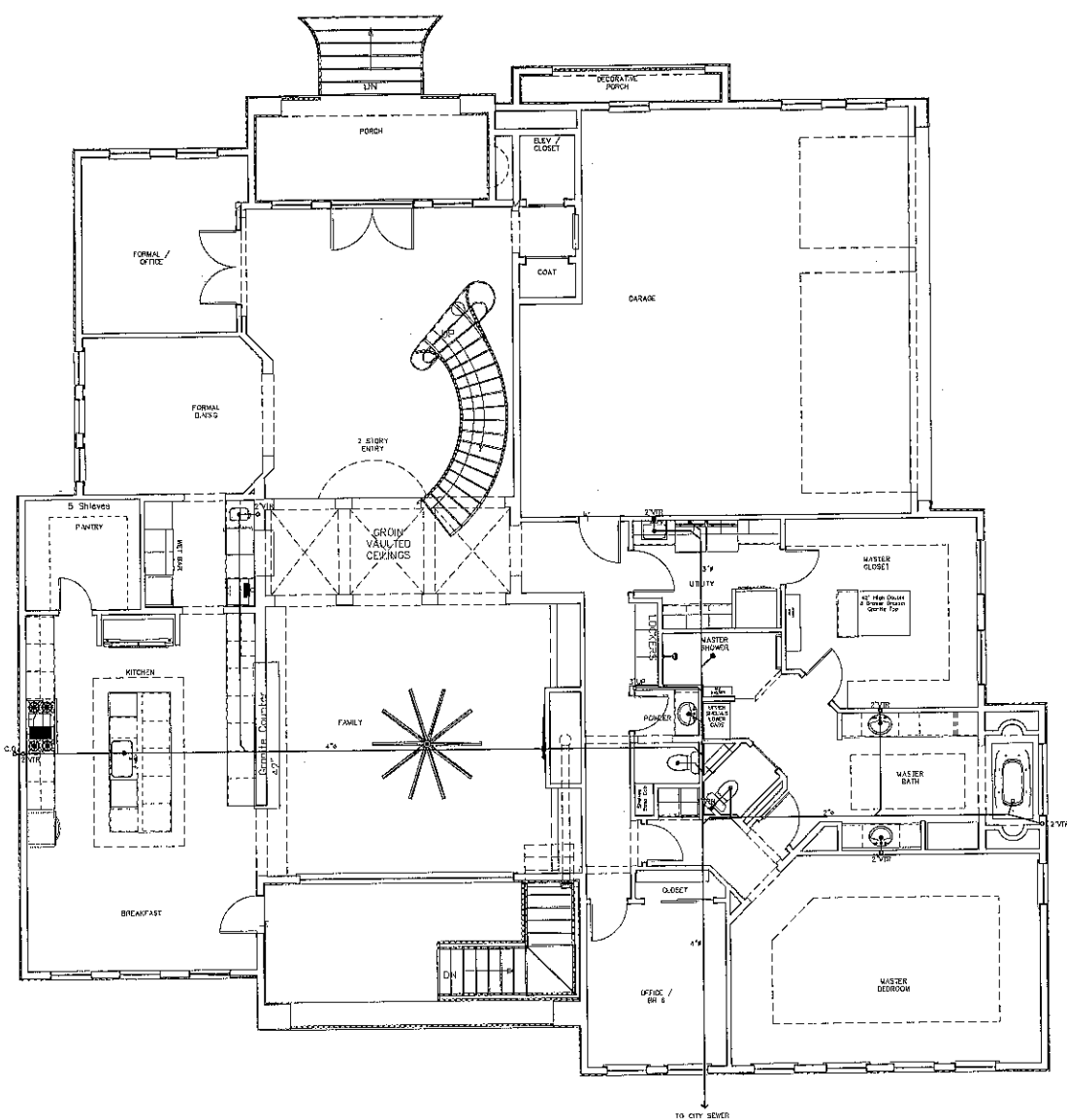
11/16/20

SCALE:

1/4" = 1'

UQON

SHEET:



1ST FLOOR PLUMBING PLAN

SCALE: 1/4"=1'-0"

PLUMBING NOTES

1. CONTRACTOR SHALL LOCATE & VERIFY ALL EXISTING UTILITIES AND UTILITY TIE-INS PRIOR TO CONSTRUCTION.
2. CONTRACTOR SHALL SUPPLY AND INSTALL PLUMBING IN ACCORDANCE WITH LIFE SAFETY CODE, 2016 EDITION AND INTERNATIONAL PLUMBING CODE, 2018 EDITION.
3. CONTRACTOR SHALL CONSULT WITH OWNER AND PROVIDE EQUIPMENT AND MATERIALS ACCORDING TO OWNER'S REQUIREMENTS.
4. CONTRACTOR SHALL TIE INTO EXISTING SEWER & WATER SERVICES.
5. CONTRACTOR SHALL COORDINATE WITH SPRINKLER SYSTEM DESIGNER TO ENSURE PROPER LOCATION AND SIZE OF RISER AND SPRINKLER HEADS, (IF REQUIRED).
6. ALL SEWER PIPING SHALL MAINTAIN A MIN. DOWNWARD SLOPE OF 1/4" PER FOOT.
7. CONTRACTOR SHALL INSTALL AUTOMATIC TRAP PRIMERS ON ANY FLOOR DRAINS SHOWN ON PLANS.
8. CONTRACTOR SHALL ENSURE THE BATHROOM EXHAUST DUCT FAN IS SIMULTANEOUSLY SWITCHED ON & OFF W/ EACH BATHROOM EXHAUST FAN.
9. EXTERIOR WATER VALVES AND PLANTER IRRIGATION SHALL BE CONNECTED TO IRRIGATION SERVICE VALVE.

NOTE:
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BEFORE UNDERTAKING EACH PART OF THE WORK, THE CONTRACTOR SHALL CAREFULLY STUDY AND COMPARE THE PLANS & SPECIFICATIONS AND CHECK AND VERIFY PERTINENT FIGURES SHOWN THEREON AND ALL APPLICABLE FIELD MEASUREMENTS. IF ANY CONFLICTS, ERRORS, DISCREPANCIES, OR OTHER UNSATISFACTORY CONDITIONS ARE DISCOVERED OTHER THAN THE CONSTRUCTION DOCUMENTS OR IN THE FIELD, THE CONTRACTOR SHALL PROMPTLY REPORT IN WRITING TO THE ENGINEER OR HIS REPRESENTATIVE BEFORE PROCEEDING WITH ANY WORK AFFECTED THEREON.

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REG. NO. 855-728

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RESIDENTIAL BUILDING PLANS FOR
TULSA RESIDENCE
10917 WATERFIRE DR
GULFPORT, MISSISSIPPI

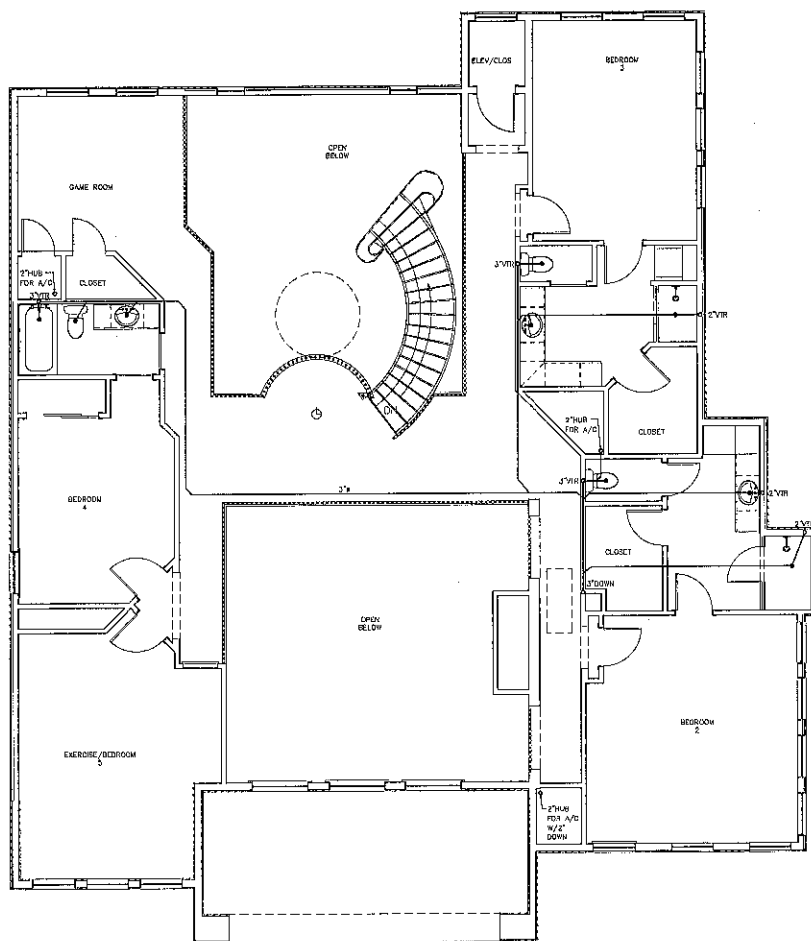
Project Title

PLUMBING PLAN

Sheet Title

Date: 06/20/21
Drawn By: C.A.B.
Checked By: R.A.E.
REV.

Sheet: **PI**
Project No: 20-173



2ND FLOOR PLUMBING PLAN

SCALE: 1/4"=1'-0"

PLUMBING NOTES

1. CONTRACTOR SHALL LOCATE & VERIFY ALL EXISTING UTILITIES AND UTILITY TIE-INS PRIOR TO CONSTRUCTION.
2. CONTRACTOR SHALL SUPPLY AND INSTALL PLUMBING IN ACCORDANCE WITH LIFE SAFETY CODE, 2018 EDITION AND INTERNATIONAL PLUMBING CODE, 2018 EDITION.
3. CONTRACTOR SHALL CONSULT WITH OWNER AND PROVIDE EQUIPMENT AND MATERIALS ACCORDING TO OWNER'S REQUIREMENTS.
4. CONTRACTOR SHALL TIE INTO EXISTING SEWER & WATER SERVICES.
5. CONTRACTOR SHALL COORDINATE WITH SPRINKLER SYSTEM DESIGNER TO ENSURE PROPER LOCATION AND SIZE OF RISER AND SPRINKLER HEADS. (IF REQUIRED)
6. ALL SEWER PIPING SHALL MAINTAIN A MIN. DOWNWARD SLOPE OF 1/4" PER FOOT.
7. CONTRACTOR SHALL INSTALL AUTOMATIC TRAP PRIMERS ON ANY FLOOR DRAINS SHOWN ON PLANS.
8. CONTRACTOR SHALL ENSURE THE BATHROOM EXHAUST DUCT FAN IS MANUALLY SWITCHED ON & OFF 1/2" EACH BATHROOM EXHAUST FAN.
9. EXTERIOR WATER VALVES AND PLANTER IRRIGATION SHALL BE CONNECTED TO IRRIGATION SERVICE VALVE.

NOTE:
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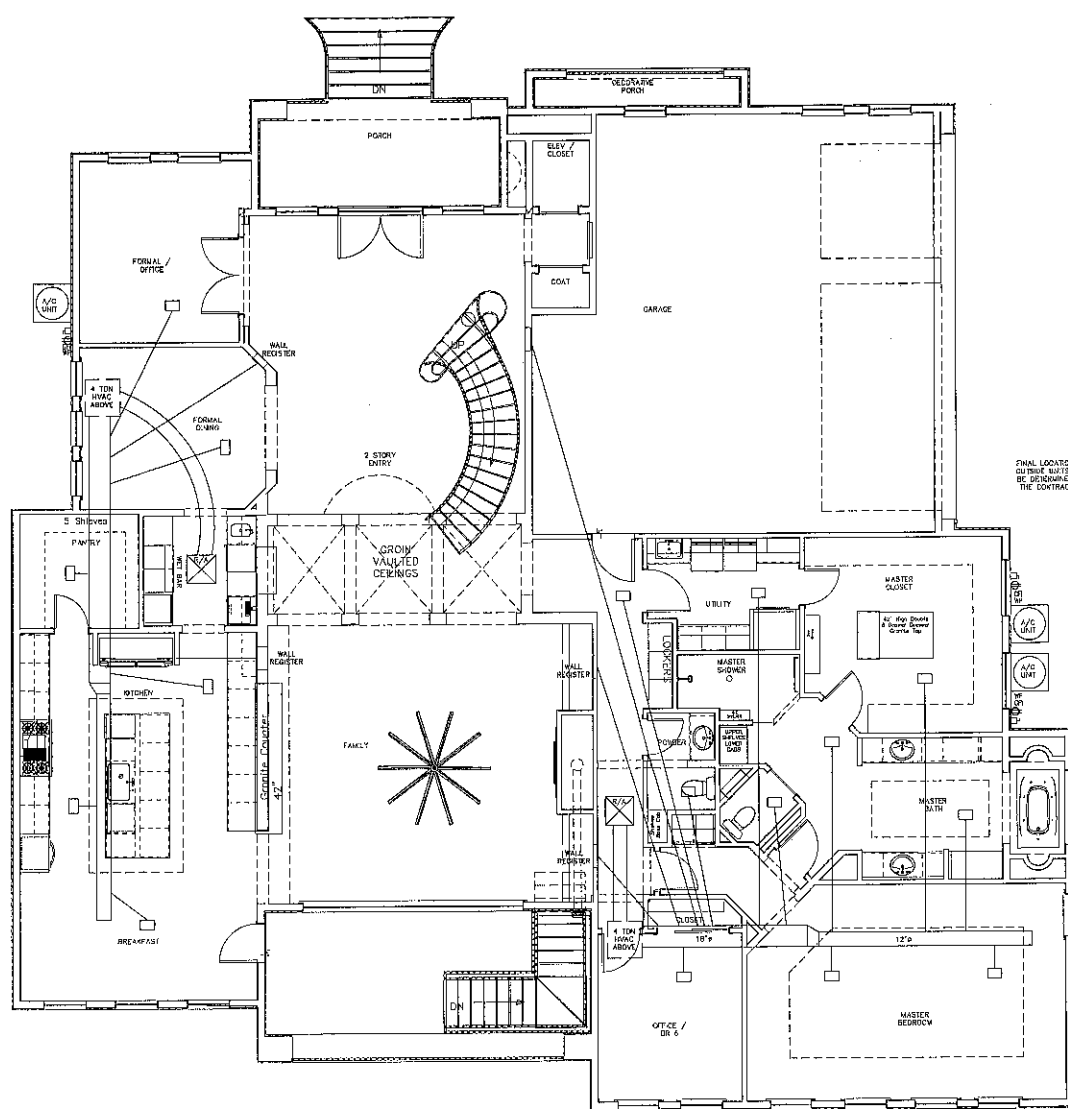
RESIDENTIAL BUILDING PLANS FOR
ULUKU RESIDENCE
10917 WATERBURY DR
GULFPORT, MISSISSIPPI

Project Title

2ND FLOOR PLUMBING PLAN

Sheet Title

Date: 03/02/21
Drawn By: C.A.R.
Check By: E.B.H.
Rev: _____
Sheet: **P2**
Project No: 20-179



1ST FLOOR MECHANICAL PLAN

SCALE: 1/4"=1'-0"

MECHANICAL NOTES

1. HVAC DESIGN AND INSTALLATION TO BE BY A MISSISSIPPI LICENSED MECHANICAL CONTRACTOR AND TO BE IN ACCORDANCE WITH THE 2018 EDITION OF THE INTERNATIONAL MECHANICAL CODE, AND ALL REFERENCED APPLICABLE CODES THEREIN, PER LOCAL MUNICIPALITY'S ORDINANCE.
2. CONTRACTOR SHALL CONSULT WITH OWNER AND PROVIDE EQUIPMENT AND MATERIALS ACCORDING TO OWNER'S REQUIREMENTS.
3. CONTRACTOR SHALL VERIFY ALL UNIT AND DUCT SIZES BEFORE CONSTRUCTION. PREFAB FITTINGS SHALL BE REQUIRED.
4. A/C UNITS(A) SHALL HAVE A FAN SHUT DOWN AS PER SECTION 408 OF THE STANDARD MECHANICAL CODE 2018.
5. CONTRACTOR SHALL VERIFY THE SIZE & LOCATION OF ALL AIR HANDLER UNITS & CONDENSING UNITS PRIOR TO CONSTRUCTION.
6. CONTRACTOR SHALL ENSURE THAT A SMOKE SHUTOFF SWITCH IS INSTALLED AT ALL AIR CONDITIONER HANDLER LOCATIONS.
7. CONTRACTOR SHALL PROVIDE DUCT WORK INSULATION (INSIDE, OUTSIDE, OR BOTH) ACCORDING TO OWNER'S REQUIREMENTS.
8. CONTRACTOR SHALL SUPPLY SMOKE/FIRE DAMPERS AT ALL LOCATIONS WHERE DUCTWORK PENETRATES F-RE WALLS AND RATED CEILING.
9. WHERE APPLIANCE PLACEMENT IN ATTIC IS REQUIRED, A CONTINUOUS FLOORING NOT LESS THAN A 24" WIDE WALK WAY AND 30" WORK AREA SHALL BE PRESENT ALONG ALL EQUIPMENT ACCESS LOCATIONS.
10. CONTRACTOR SHALL VERIFY LOCATION OF CONDENSING UNITS BEFORE CONSTRUCTION.

NOTE:
NO ON SITE SUPERVISION OR INSPECTIONS ARE PROVIDED WITH THE USE OF THESE PLANS BY THE DESIGNER. BUILDER/CONTRACTOR SHALL CHECK AND VERIFY ALL DIMENSIONS, CONDITIONS, AND SIZES OF COMPONENTS ALONG WITH SITE CONDITIONS BEFORE STARTING CONSTRUCTION. BUILDER/CONTRACTOR SHALL SEE THAT CONSTRUCTION IS IN CONFORMANCE WITH THE 2018 EDITION OF THE INTERNATIONAL BUILDING CODE (I.B.C.) AND WITH THE COUNTY/CITY BUILDING INSPECTOR. THE USE OF THESE PLANS FOR CONSTRUCTION SHALL BE EVIDENCE THAT THE REQUIREMENTS STATED ARE ACCEPTED BY THE BUILDER/CONTRACTOR.

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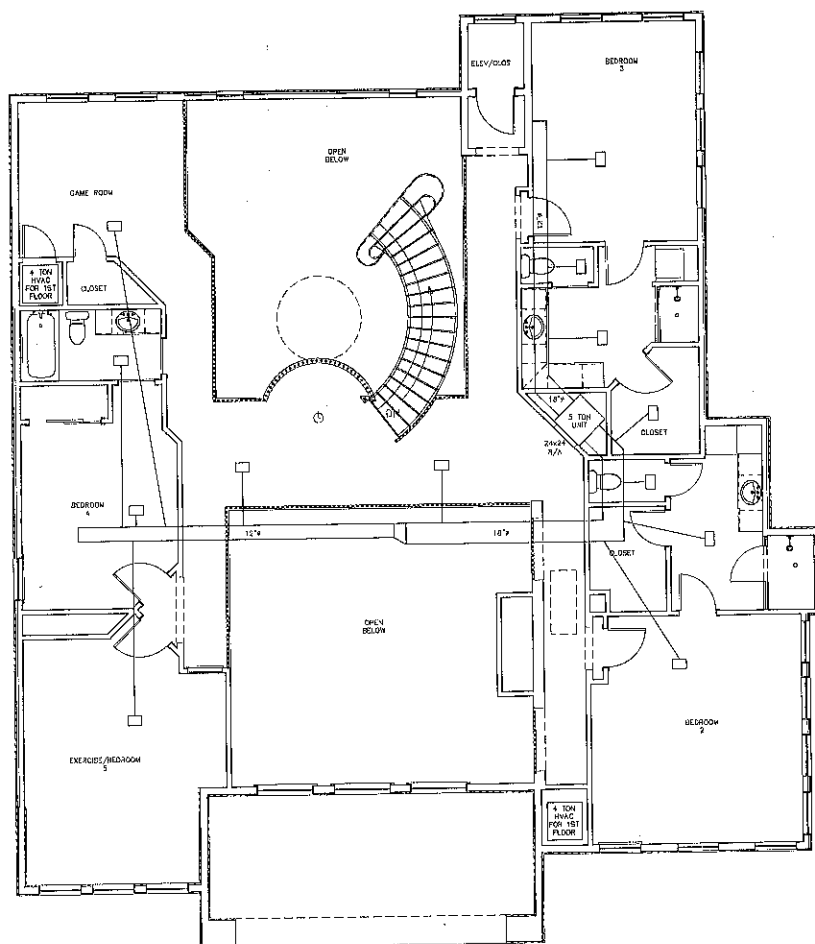


Project Title
RESIDENTIAL BUILDING PLANS FOR
ULRU RESIDENCE
10917 WATERSIDE DR
GULFPORT, MISSISSIPPI

Sheet Title
MECHANICAL PLAN

Date: 03/22/21
Drawn By: C.A.B.
Check By: R.B.H.
Rev:

MI
Project No:
20-1179



2ND FLOOR MECHANICAL PLAN

SCALE: 1/4"=1'-0"

MECHANICAL NOTES

1. HVAC DESIGN AND INSTALLATION TO BE BY A MISSISSIPPI LICENSED MECHANICAL CONTRACTOR AND TO BE IN ACCORDANCE WITH THE 2018 EDITION OF THE INTERNATIONAL MECHANICAL CODE, AND ALL REFERENCED APPLICABLE CODES THEREIN, PER LOCAL JURISDICTION'S ORDINANCE.
2. CONTRACTOR SHALL CONSULT WITH OWNER AND PROVIDE EQUIPMENT AND MATERIALS ACCORDING TO OWNER'S REQUIREMENTS.
3. CONTRACTOR SHALL VERIFY ALL UNIT AND DUCT SIZES BEFORE CONSTRUCTION. PREFAB FITTINGS SHALL BE REQUIRED.
4. A/C UNITS(S) WILL HAVE A FAN SHUT DOWN AS PER SECTION 405 OF THE STANDARD MECHANICAL CODE 2018.
5. CONTRACTOR SHALL VERIFY THE SIZE & LOCATION OF ALL AIR HANDLER UNITS & CONDENSING UNITS PRIOR TO CONSTRUCTION.
6. CONTRACTOR SHALL ENSURE THAT A SMOKE SHUTOFF SWITCH IS INSTALLED AT ALL AIR CONDITIONER HANDLER LOCATIONS.
7. CONTRACTOR SHALL PROVIDE DUCT WORK INSULATION (INSIDE, OUTSIDE, OR BOTH) ACCORDING TO OWNER'S REQUIREMENTS.
8. CONTRACTOR SHALL SUPPLY SMOKE/FIRE DAMPERS AT ALL LOCATIONS WHERE DUCTWORK PENETRATES FIRE WALLS AND RATED CEILINGS.
9. WHERE APPLIANCE PLACEMENT IN ATTIC IS REQUIRED, A CONTINUOUS FLOORING NOT LESS THAN A 2" WIDE WALK WAY AND 30" WORK AREA SHALL BE PRESENT ALONG ALL EQUIPMENT ACCESS LOCATIONS.
10. CONTRACTOR SHALL VERIFY LOCATION OF CONDENSING UNITS BEFORE CONSTRUCTION.

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RESIDENTIAL BUILDING PLANS FOR
OLIVY RESIDENCE
10917 WATERSIDE DR
GULFPORT, MISSISSIPPI

Project Title

2ND FLOOR MECHANICAL PLAN

Sheet Title

Date: 03-02-21

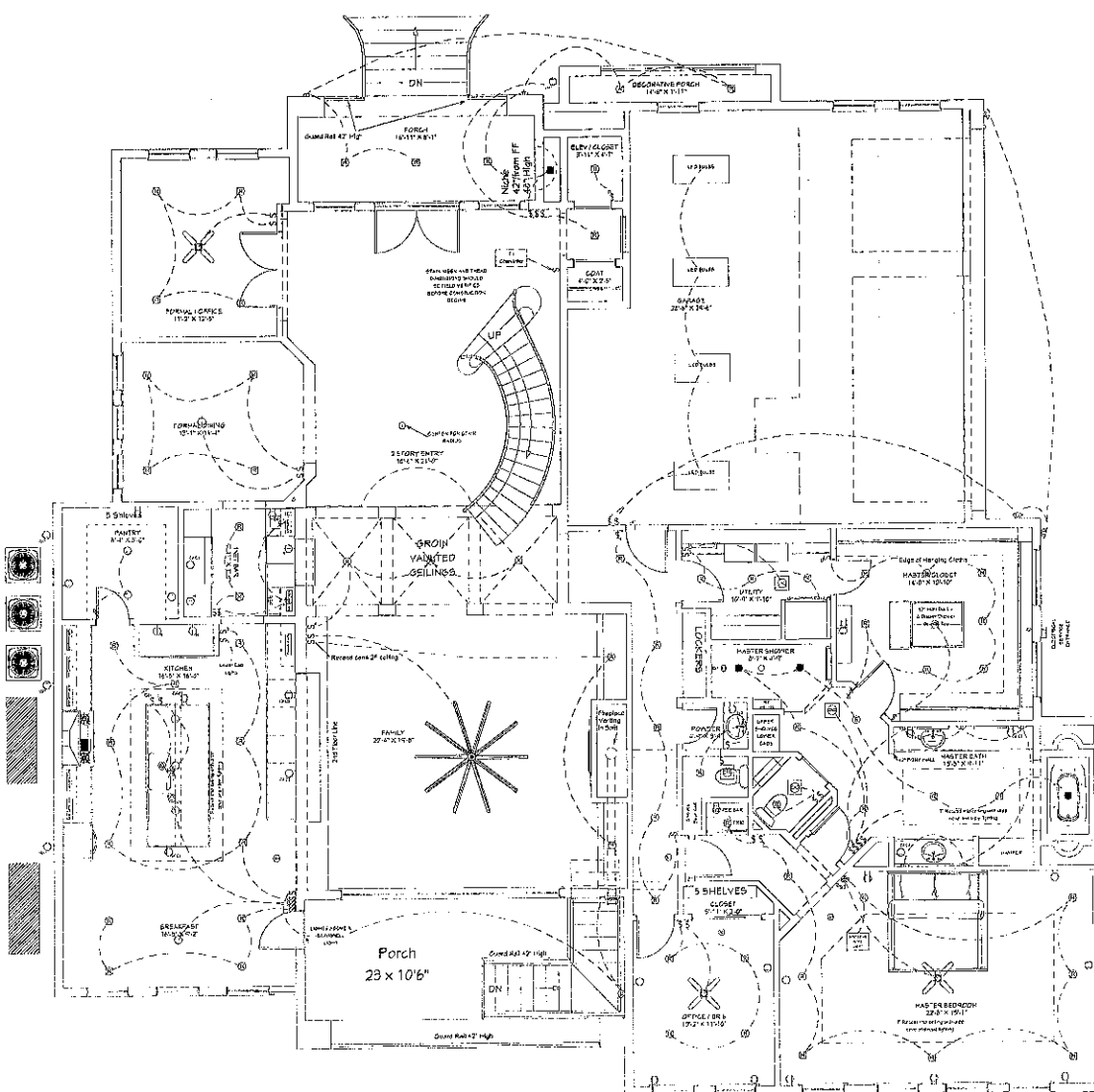
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Check By: R.B.H.

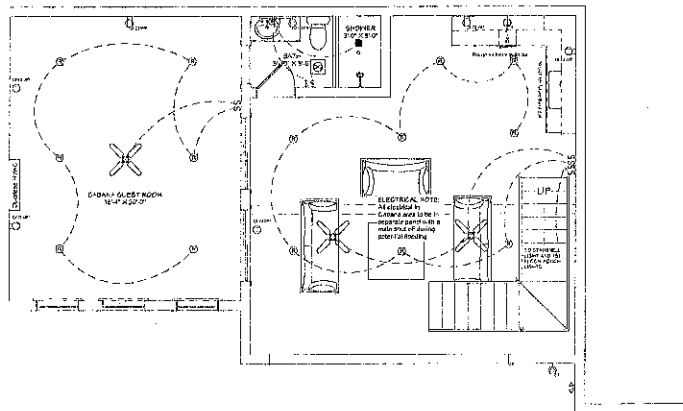
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Project No

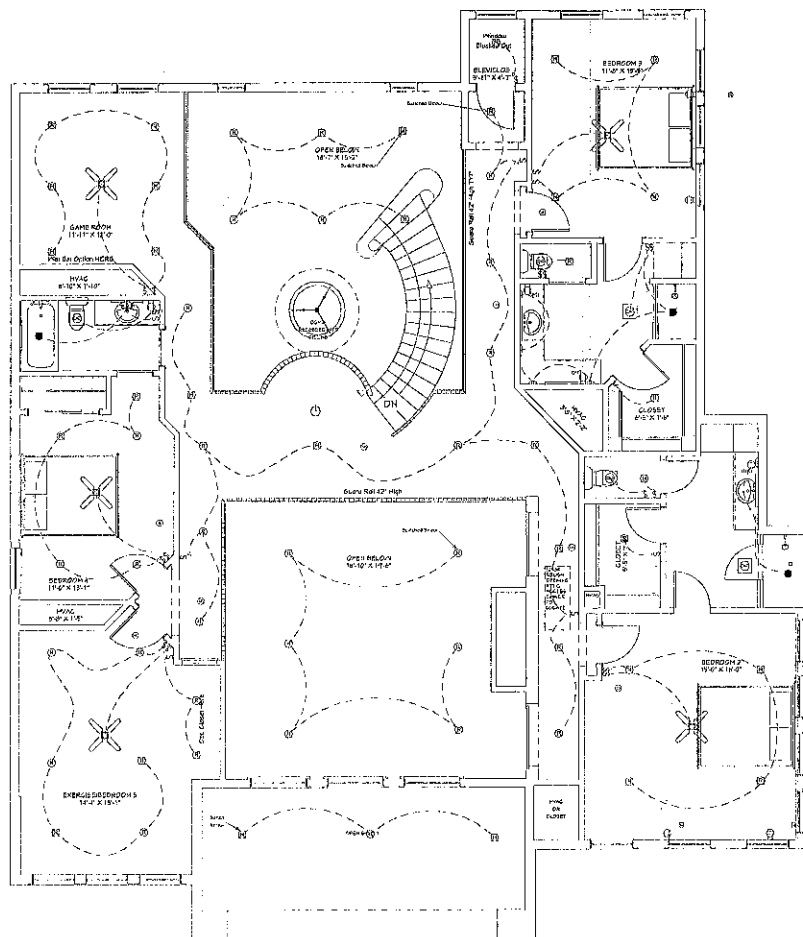
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Electrical Plan View



Electrical Plan View

THIS HOME IS TO BE BUILT USING IRC 2018 BUILDING CODE
IN THE EVENT THERE IS A CONFLICT BETWEEN THE PLANS
AND THE CODE, THE CODE SHALL PREVAIL.

ALL DRAWINGS ARE COPYRIGHTED BY JAMES ALLEN DESIGN GROUP. NO
PERMISSION IS GIVEN TO REPRODUCE THESE DRAWINGS IN ANY
FORM TO ANY PERSON.

FIRST FLOOR	3386
SECOND FLOOR	2009
TOTAL CONDITIONED	5395
PORCHES	324
GARAGE	830
TOTAL FRAMING SQFT	6544
CABANA	485
FOUNDATION (EST)	4685
(FOUNDATION INCL CABANA)	

2FL+Caban
a Electrical

PROJECT:
10911 Waterside Dr
Gulfport, MS 3

Caleb Ulku & Leena Pande
NEW HOME

DESIGNED BY
James Allen Design Group
512-630-6010

DATE:
11/16/20

SCALE:
1/4" = 1'
UDN

SHEET:
E2

Prepared By and Return To:
Schwartz, Orgler & Jordan, PLLC
12206 Hwy 49
Gulfport, MS 39503
(228) 832-8550

Indexing Instructions:

File#201473

STATE OF MISSISSIPPI
COUNTY OF HARRISON

WARRANTY DEED

THAT FOR AND IN CONSIDERATION of the sum of Ten and no/100 Dollars (\$10.00), cash in hand paid, and other good and valuable consideration, the receipt and sufficiency of all of which is hereby acknowledged,

DALE STEVEN LADNER JR.
P. O. BOX 6546
GULFPORT, MS 39506
228-669-3720

does hereby grant, bargain, sell, convey and warrant, unto

JASON C. ULKU and wife, LEENA P. ULKU,
a/k/a LENNA PANDE
as tenants by the entirety with full rights
of survivorship and not as tenants in common,
11029 CHANNELSIDE DRIVE
GULFPORT, MS 39503
917-209-7192

the following described property, together with the improvements, hereditaments and appurtenances thereunto situated and located in the County of Harrison, State of Mississippi, and more particularly described as follows, to-wit:

Lot Thirty Two (32), WATERSIDE SUBDIVISION, a subdivision according to the official map or plat thereof on file and of record in the Office of the Chancery Clerk of the First Judicial District of Harrison County, Mississippi, in Plat Book 46, at Page 1, thereof, reference to which is hereby made in aid of and as a part of this description.

The above described property is not a part of the Homestead of the grantor herein.

THIS CONVEYANCE is subject to any and all recorded restrictive covenants, rights-of-way and easements applicable to subject property, and any prior recorded reservations, conveyances and leases of oil, gas and minerals by previous owners of subject property.

Estimated county ad valorem taxes have been prorated between the parties as a part of the consideration for this conveyance. In the event the estimates upon which such proration is based prove to be inaccurate for any reason, the Grantee agrees to refund any excess, and the Grantor agrees to pay any deficiency, upon receipt of a copy of the tax statement for the current year and a computation of the true amount due, based on a 365 day year.

THIS CONVEYANCE is also subject to Zoning and/or other land use regulations promulgated by federal, state or local governments affecting the use or occupancy of the subject property.

WITNESS THE SIGNATURE of the Grantor on this the 30th day of July, 2020.

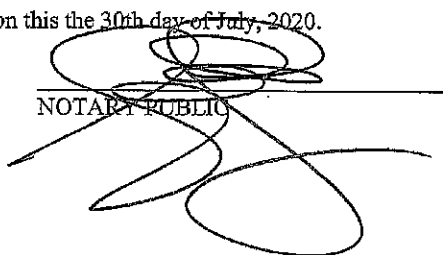

DALE STEVEN LADNER JR.

STATE OF MISSISSIPPI

COUNTY OF HARRISON

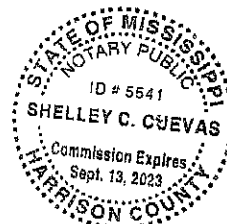
THIS DAY personally appeared before me, the undersigned authority in and for the jurisdiction aforesaid, DALE STEVEN LADNER JR., who acknowledged that he signed, executed and delivered the above and foregoing instrument as a voluntary act and deed on the day and year therein mentioned.

GIVEN under my hand and official seal on this the 30th day of July, 2020.


NOTARY PUBLIC

(SEAL)

My Commission Expires:





Site

Street

Parcels

Buildings

Water Features

Zoning

R-2 - Single Family

Residence District (Medium Density)

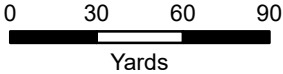
Site Information

1010C-01-001.031

Zoning: R-2 (Single-family)

Size: 32,331 sq ft

Flood: AE

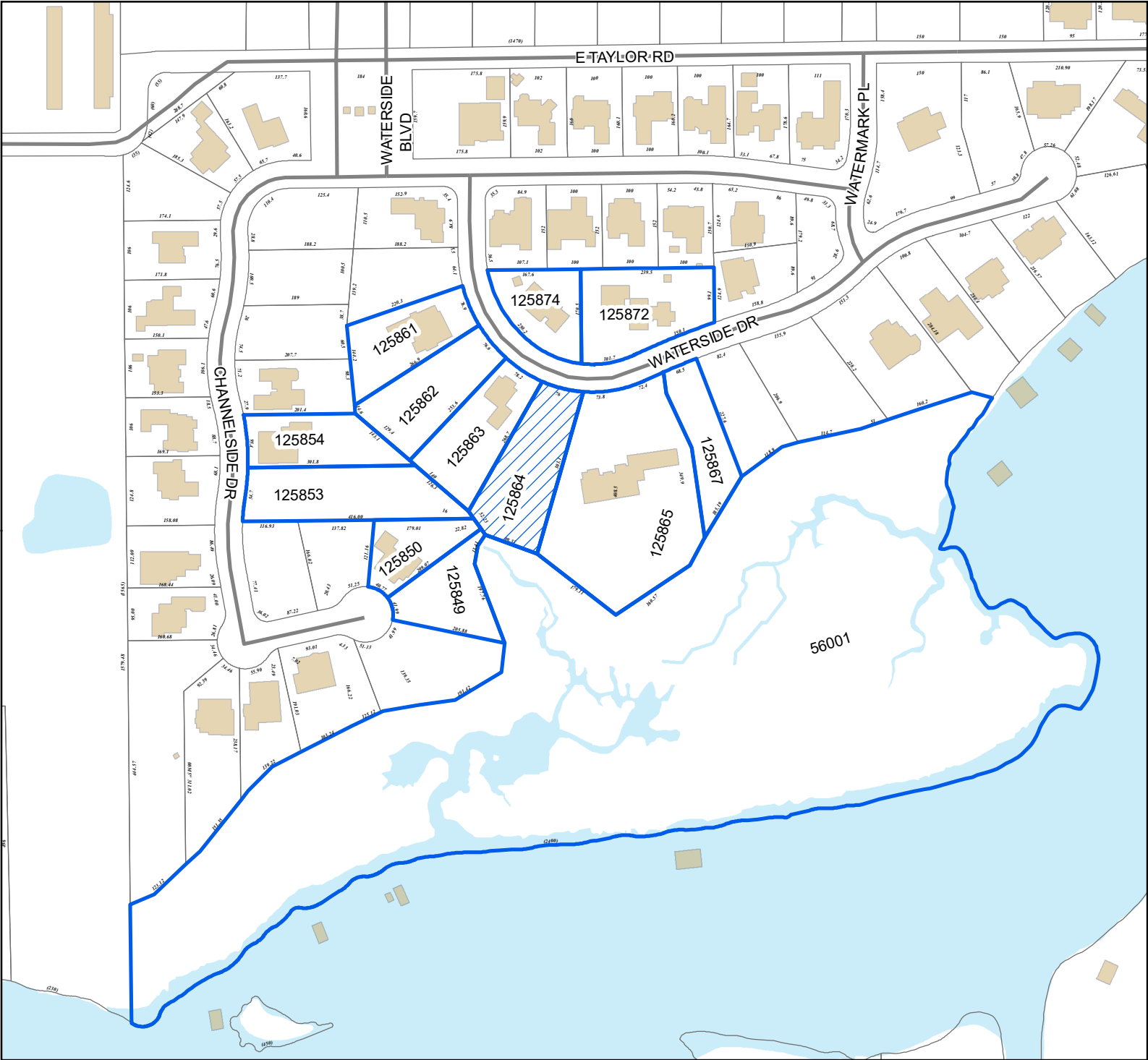


1 inch = 200 feet

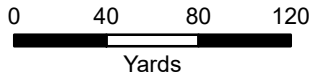


DATA DISCLAIMER: All information that is provided on this map is believed to be correct. However, no liability is assumed by the City of Gulfport for errors in substance or form of any of the materials published on this map. The GIS Division, City of Gulfport, provides the information represented on this map as a service to the community and makes every effort possible to provide quality information. However, no claims, promises, or guarantees about the accuracy, completeness, or adequacy of the information contained on this map are expressed or implied.

Mail	PPIN	Parcel ID	Name	Address	City	State	ZIP
Y			JASON AND LEENA ULKU (OWNERS)	9155 COPPERWOOD LN	GULFPORT	MS	39503
			Adjacent Property Owners				
	125861	1010C-01-001.028	ALLEN KURT & SAM SUN CHEE	10947 WATERSIDE DR	GULFPORT	MS	39503
	125849	1010C-01-001.016	HEBERT CHRISTOPHER & JANNA	11502 STANTON CIR	GULFPORT	MS	39503
	125862	1010C-01-001.029	HOWARD MARK DAVID & AMANDA	34 55TH ST	GULFPORT	MS	39507
	125872	1010C-01-001.039	HYDE ERIC L & BRANDY M	10886 WATERSIDE DR	GULFPORT	MS	39503
	125854	1010C-01-001.021	MCMURPHY AMANDA T & AUSTIN J	11029 CHANNELSIDE DR	GULFPORT	MS	39503
	125853	1010C-01-001.020	RUBLE WILLIAM W III	1732 SECOND STREET	GULFPORT	MS	39507
N	56001	1010C-01-001.000	STATE OF MISS				0
	125874	1010C-01-001.041	STEWART DAVID W & STEPHANIE DENISE	10916 WATERSIDE DR	GULFPORT	MS	39503
	125850	1010C-01-001.017	SUIT LESLIE A & ACHIM J	11109 CHANNELSIDE DR	GULFPORT	MS	39507
	125867	1010C-01-001.034	TPC HOLDINGS LLC	1611 24TH AVE SUITE B	GULFPORT	MS	39501
N	125864	1010C-01-001.031	ULKU JASON C & LEENA PANDE	11029 CHANNELSIDE DR	GULFPORT	MS	39503
	125863	1010C-01-001.030	WARREN G MARTIN JR & ANNE S	10927 WATERSIDE DR	GULFPORT	MS	39503
	125865	1010C-01-001.032	WARREN STEVEN M & JAMIE	10907 WATERSIDE DR	GULFPORT	MS	39503



- Site
- Adjacent Properties
- Street
- Buildings
- Water Features



1 inch = 250 feet



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RE: Variance 2204ZB067, by owners Jason and Leena Ulku, tax parcel 1010C-01-001.031, Variance for fence height, 10917 Waterside Dr, Zoned R-2 (Single-family), Ward 5

To Applicants and Adjacent Property Owners:

The City of Gulfport Zoning Board of Adjustments and Appeals will hold a public hearing to consider the above application at 3:00 P.M. on **Thursday, April 21, 2022**, in the Council Chambers at the Gulfport City Hall located at 2309 15th Street.

For more information, visit <https://www.gulfport-ms.gov/agendas/> then click the City of Gulfport Zoning Board for **Thursday, April 21, 2022**. A map showing the location of the property involved is located at this website. If you have any questions or comments, please contact this office at the phone number 228-868-5710 or email planners@gulfport-ms.gov. The application is available for viewing in the Planning Division office at 1410 24th Avenue.



Beaufort Gazette
Belleville News-Democrat
Bellingham Herald
Bradenton Herald
Centre Daily Times
Charlotte Observer
Columbus Ledger-Enquirer
Fresno Bee

The Herald - Rock Hill
Herald Sun - Durham
Idaho Statesman
Island Packet
Kansas City Star
Lexington Herald-Leader
Merced Sun-Star
Miami Herald

el Nuevo Herald - Miami
Modesto Bee
Raleigh News & Observer
The Olympian
Sacramento Bee
Fort Worth Star-Telegram
The State - Columbia
Sun Herald - Biloxi

Sun News - Myrtle Beach
The News Tribune Tacoma
The Telegraph - Macon
San Luis Obispo Tribune
Tri-City Herald
Wichita Eagle

AFFIDAVIT OF PUBLICATION

Account #	Order Number	Identification	Order PO	Amount	Cols	Depth
36845	241637	Print Legal Ad - IPL0067173	210200	\$41.64	1	69 L

Attention: Matilda Welch
PO BOX 1780
GULFPORT, MS 39502

LEGAL NOTICE PUBLIC HEARING

In conformance with Section VIII of the Comprehensive Zoning Ordinance of the City of Gulfport, Mississippi, 1979, as amended, notice is hereby given advising that the Zoning Board of Adjustment and Appeals will hold a public hearing in the City of Gulfport, Mississippi at 3:00 P.M., Thursday, April 21, 2022, in the Council Chambers of the Gulfport City Hall located at 2309 15th Street to consider the following requests. A copy of the requests will be available for public review at the office of the Department of Urban Development-Planning Division located on first floor of the William H. Hardy Building, 1410 24th Avenue.

Variance 2204ZB046, by agent Frank Magee, tax parcel 0810P-02-024.000, Request variance parking space reduction, backing into the right-of-way, 1220 Pass Rd, Zoned B-2 (General Business), Ward 3

Variance 2204ZB053, by owner Kyle Fitzpatrick, tax parcel 0708A-01-016.001, Variance for fence material, 12503 Old Hwy 49, Zoned R-O (Residence-office), Ward 7

Variance 2204ZB055, by agent Dwane J Babin, tax parcel 0911F-01-026.000, Variance for setbacks, 1532 Hewes Ave, Zoned R-1-7.5 (Single-family), Ward 2

Variance 2204ZB063, by agent Travis Construction, tax parcel 1009J-01-001.003, Request variance for accessory structure quantity, max area allowed, 10480 Reichold Rd, Zoned I-2 (Heavy industry district), Ward 5

Variance 2204ZB065, by agent Kenneth Jones II, tax parcel 1008F-01-001.000, Variances for parking reduction, setback, Highland Way, Zoned R-B (Residence-business), Ward 6

Variance 2204ZB067, by owners Jason and Leena Ulku, tax parcel 1010C-01-001.031, Variance for fence height, 10917 Waterside Dr, Zoned R-2 (Single-family), Ward 5

Variance 2204ZB068, by owner Julia Nieto - Gomez, tax parcel 1008D-01-011.000, Request variance for setback, Arrowhead Dr, Zoned R-E (Residential estates), Ward 6

Special Exception 2204SE076, by agent Bridget Hutchinson, tax parcel 0711H-01-007.000, Request Special Exception for assisted living facility use, 13085 Andy St, Zoned R-2 (Single-family), Ward 1

This the 30th day of March 2022
A. Lee Palermo, Chairman
City of Gulfport Zoning Board of Adjustment and Appeals
IPL0067173
Apr 6 2022

STATE OF MISSISSIPPI COUNTY OF HARRISON

Before me, the undersigned Notary of Dallas County, Texas personally appeared Keriann Leenerts, who, being by me first duly sworn, did depose and say that she is a clerk of The Sun Herald, a daily newspaper published in the city of Gulfport, in Harrison County, Mississippi and the publication of the notice, a copy of which is hereto attached, has been made in said paper in the issue (s) of:

No. of Insertions: 1

Beginning Issue of: 04/06/2022

Ending Issue of: 04/06/2022

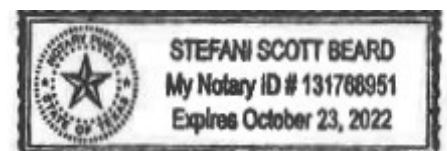
Affidavit further states on oath that said newspaper has been established and published continuously in said county for a period of more than twelve months next prior to the first publication of said notice.

Sworn to and subscribed before me this 6th day of April in the year of 2022

Stefani Beard

Notary Public

* The Sun Herald has been deemed eligible for publishing legal notices in Jackson County to meet the requirements of Miss. Code 1972 Section 13-3-31 and 13-3-32.



Extra charge for lost or duplicate affidavits.
Legal document please do not destroy!

MEMORANDUM

To: City of Gulfport Zoning Board of Adjustment and Appeals

From: Greg Holmes, Planning Administrator
Urban Development Department

Date of Hearing: April 21, 2022

Re: Variance 2204ZB068:

Variance 2204ZB068, by owner Julia Nieto - Gomez, tax parcel 1008D-01-011.000, Request variance for setback, ArrowHead Dr, Zoned R-E (Residential estates), Ward 6

Technical Report

VARIANCE

GENERAL INFORMATION

Case File Number: 2204ZB068

Hearing Date: April 21, 2022

Current Zoning/Use: R-E / Residential

Legal: Variance 2204ZB068, by owner Julia Nieto - Gomez, tax parcel 1008D-01-011.000, Request variance for setback, Arrowhead Dr, Zoned R-E (Residential estates), Ward 6

TECHNICAL DETAILS

Variances involve special cases where unique factors contribute to justify a use of property that does not conform to the City's enforced ordinances. Therefore, variances should not be granted unless they are able to adequately meet the following conditions:

- (a) That special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same district;
- (b) The special conditions and circumstances do not result from the actions of the applicant;
- (c) That an unnecessary hardship is created by the physical character of the property and is peculiar and unusual to such an extent that it is evidence that amendment of the zoning ordinance does not offer a reasonable solution;
- (d) That literal interpretation of the provisions of this ordinance would deprive the applicant of rights commonly enjoyed by properties in the same district under the terms of this ordinance;
- (e) That the granting of the variance will not confer on the applicant any special privilege that is denied by this ordinance to other lands, structures, or buildings in the same district, other than to permit the applicant to use their property in a manner as nearly equivalent to uses generally permitted in the district considering the conditions and circumstances involved and the hardship;
- (f) That the use proposed is permissible by right or with planning approval or by special exception.

(Ord. App. A Sec. VIII.(B)(2)(c)(1))

Technical Report

VARIANCE

The applicant requests two variances (1) Variance of 2.5 feet to allow for a 42.5 feet front yard where 45-feet is required. (2) Variance of 5-feet to allow a front yard setback to allow a 44.5-foot setback where 45 feet is required new construction of a residential home. However, the applicant has a shown on the survey that they can meet all setbacks effortlessly; the applicant has a west rear yard setback of 50.5 feet and a south side yard setback of 257.5 feet. The applicant can meet the required setbacks. Further, to consider an approval of a variance application the applicant must show a hardship of some kind; in this case, there have been no proof of a hardship of any kind.

- (a) The applicant notes that the structure was accidentally placed within the setback at the right rear corner of the structure as well as the front yard setback. When the applicant first submitted the application for review the survey showed 60-feet off the right side and 45-feet from the front yard setback, the applicant changed the plans in the field and did not build by the footprint of the approved construction plans.
- (b) In the application, the applicant cites that the placement of the structure was an error. However, all contractors are aware that if there are any changes in construction plans, the applicant must resubmit the changes to the building department. Thus, the applicant did not do so.
- (c) The applicant further states the “that the hardship would be if the house would have to be demolished for it would be a significant cost to the applicant. However, this board would set a precedence if this case were approved because applicant can meet the required setbacks, the applicant did not follow the original construction plans submitted; the approval would allow others to receive a variance for this very nature again in which would give the applicant an unfair advantage to others.
- (d) Again, the applicant state the removal of the structure would cost a significantly amount.
- (e) The applicant state they will not receive special benefits because others have been approved for similar variance. In fact, the applicant would receive special privileges that others would not have. The approval of this variance would make a statement that the applicant does not have to meet the same rules and regulations that others have to adhere to on a daily bases.
- (f) A residential home is an allowable use in an R-E (Residential Estate) zoning district.

EXECUTIVE SUMMARY:

The applicant states the “that the hardship would be if the house would have to be demolished for it would be a significant cost to the applicant. However, this board would set a precedence if this case were approved because applicant can meet the required setbacks, the applicant did not follow the original construction plans submitted; the approval would allow others to receive a variance for this very nature again in which would give the applicant an unfair advantage to others. The approval of this variance would make a statement that the applicant does not have to meet the same rules and regulations that others have to adhere to on a daily bases.

Any approval should consider these conditions:

1. Must meet all current building codes.

Technical Report

VARIANCE

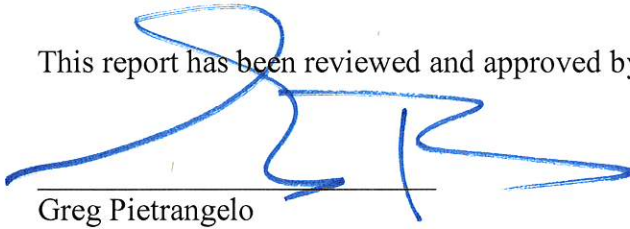
2. The approval of this variance would allow a front yard setback of 44.5 feet and a side yard of 42.5 feet where 45-feet are required.

DEPARTMENTAL CONDITIONS

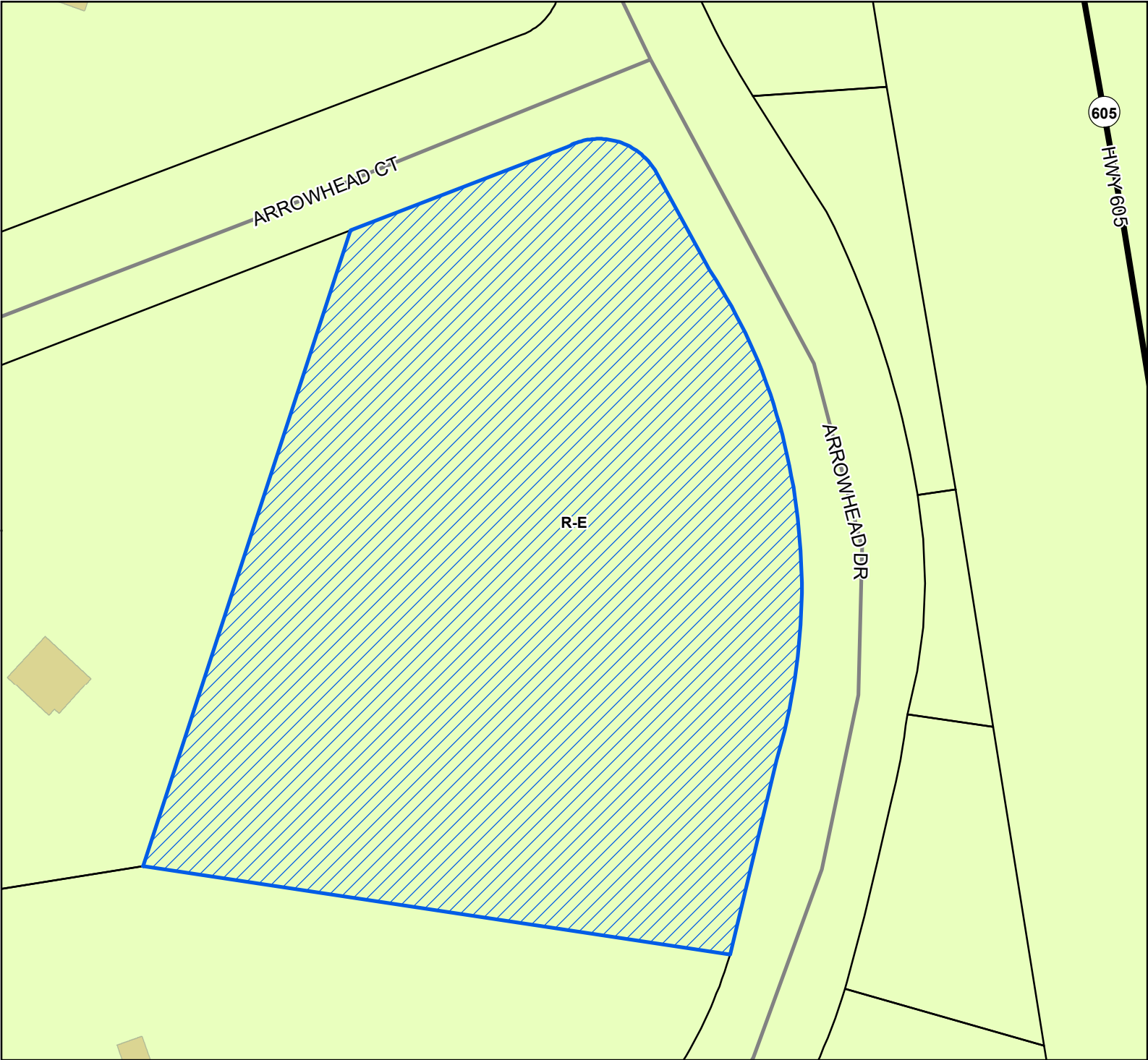
<u>Engineering:</u>	No conditions. Memo dated 4/6/2022.
<u>Public Works:</u>	No comment as of 4/11/2022.
<u>Traffic and Safety:</u>	No conditions. Memo dated 4/6/2022.
<u>Building Code Services:</u>	Must meet all current building codes. Memo dated 4/6/2022.
<u>GIS:</u>	No conditions. Memo dated 4/7/2022.
<u>Police Department:</u>	No conditions. 4/6/2022.
<u>Fire Department:</u>	No conditions. Memo dated 4/11/2022.
<u>City Arborist:</u>	No conditions. Memo dated 4/6/2022.

DIRECTOR APPROVAL

This report has been reviewed and approved by:



Greg Pietrangelo
Director of Urban Development Department



Legend

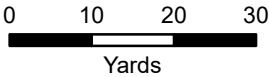
- Site
- US or State Highway
- Street
- Parcels
- Buildings

Zoning

- R-E - Residence-Estate

Site Information

0911C-02-003.007
Zoning: R-1-7.5 (Single-family Residence District)
Size: 8,051 square feet
Flood: AE



1 inch = 70 feet



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CITY OF GULFPORT
Urban Development - Planning Division
1410 24th Avenue
Gulfport, MS 39501
(228) 868-5710

APPLICATION FOR VARIANCE

Property Information

TAX PARCEL #

1	0	0	8	D

 -

0	1

 -

0	1	1

 •

0	0	0

(If necessary, use separate sheet of paper)

For Staff Use Only

Case File #: 22042B008

Date Received: 3/8/22

Receipt #: _____

Received By: D²

Zoning: R-E

Ward: 6 Flood: X

Size: 2.21 ACRES

Address of Property Involved: _____

Lot(s) _____, Block(s) _____, Subdivision _____

General Location: _____

GENERAL DESCRIPTION OF REQUEST:

3 Ft Front Yard to By 42.5 ft From the front st Back
where 45 ft is required.

OWNERSHIP AND CERTIFICATION:

I hereby certify that I have read and understand this application and that all information and attachments are true and correct. I also certify that I agree to comply with all applicable city codes, ordinances and state laws. Finally, I certify that I am the owner of the property involved in this request or have authorization to act as the owner's agent for the herein described request.

OWNER

AGENT

Julia Nieto - Gomez

Printed Name Of Owner

16057 Bill Bond Rd

Mailing Address

Saucier MS 39574

City

State

Zip code

601-7167147

Home Phone

Work/Cell Phone

Email

Julia Nieto Gomez

Signature Of Owner

Printed Name Of Agent

Mailing Address

City

State

Zip code

Home Phone

Work/Cell Phone

Email

Signature Of Agent

If the property or properties listed above have more than one owner, please check this box. In the case of multiple owners, reverse side must be completed. Each additional owner will need to complete and sign the reverse side of this application. We can only accept applications with original signatures.

☐

SECTIONS A. THROUGH G. MUST BE SUBMITTED FOR A COMPLETE APPLICATION.

Section F questions:

1. The property is located on a very lightly traveled road with some elevation change. The structure was accidentally placed within the setback at the right rear corner of the structure.
2. The placement of the structure within the setback at the back right corner of structure is the result of an error. While ultimately the error was my responsibility, it was not made in an arbitrary and capricious manner.
3. To meet the setback requirement at the back corner of the structure would present an exceptional hardship. There is no available method to correct the error other than demolition of the complete structure. Doing so would come at significant cost for demolition and re-building the structure. I do not have funding available to do so.
4. Requiring the structure to be moved to meet the setback requirements would significantly impact me. I do not have the funds or credit available to cover the cost of demolition and construction of a new structure.
5. Granting this variance would have no impact on neighboring properties in the area or any utility providers.
6. The proposed variance is permissible by special exception approved by the City of Gulfport Urban Development-Planning Division.

AFFIDAVIT OF: JULIA M. NIETO-GOMEZ:

Julia M. Nieto-Gomez, is the property owner of 12225 Arrowhead Drive, City of Gulfport, MS. Said parcel is 2.20 acres located south of Arrowhead Court and west of Arrowhead Drive, situated within Indian Oaks Subdivision, which is situated within 1008D-01-011.000.

Property owner, Julia M. Nieto-Gomez, states that there are no restrictive covenants on said parcel of land described hereon, and that the matters stated hereon are true to the best of his knowledge and belief.

Julia M. Nieto-Gomez

Julia Nieto
PRINT

Julia Nieto
SIGN

WITNESSED

Linnette M. Sánchez
PRINT

Linnette M. Sánchez
SIGN

State of MS County of Harrison
Subscribed and sworn to (or affirmed) before me on this
3rd day of November, 2021 by
DL# 0805327191 proved to me on the basis
of satisfactory evidence to be the person(s) who appeared before me.
Notary Signature [Signature]



**EXISTING CONFIGURATION
OF LOT 11, INDIAN OAKS
SUBDIVISION, CITY OF GULFPORT,
HARRISON COUNTY, MISSISSIPPI**

**BEARING REFERENCE: GEODETIC
NORTH BY GPS OBSERVATION**
(NAD83; CORS96)

**FLOOD
ZONE NOTE:**
THIS PROPERTY IS LOCATED IN
F.I.R.M. ZONE "X" ACCORDING TO
MAP NUMBER 2804703260H,
DATED DECEMBER 21, 2017.

**ABBREVIATION
LEGEND:**
P = PLATTED DIMENSION
PS = PRIOR SURVEY
S.F.R. = SINGLE FAMILY RESIDENCE
N90°00'00"E 435.00' = ACTUAL
FIELD MEASUREMENT

LEGEND:
● IRON ROD FOUND
○ IRON PIPE FOUND
○ IRON ROD SET

SCALE
1" = 80'

**REFERENCE
MATERIALS:**

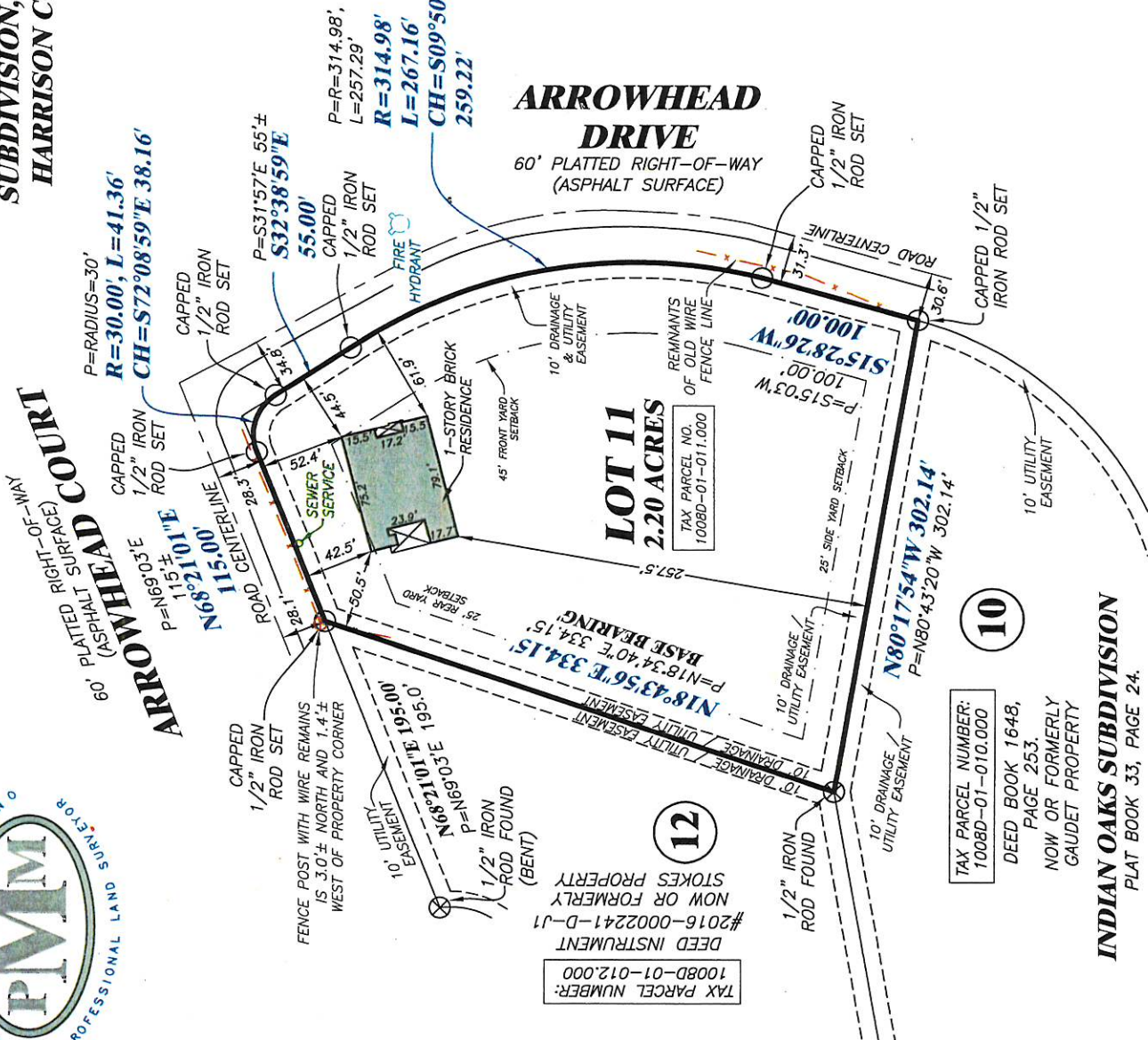
- 1.) HARRISON COUNTY TAX AND GIS MAPS.
- 2.) RECORDED SUBDIVISION PLAT OF INDIAN OAKS
SUBDIVISION, PLAT BOOK 33, PAGE 24.
- 3.) DEED INSTRUMENT 2008-3062-D-1
- 4.) DEED INSTRUMENT 2016-2241-D-1
- 5.) DEED INSTRUMENT 2003-8565-D-1
- 6.) CITY OF GULFPORT ONLINE ATLAS.



**CAP
DETAIL:**



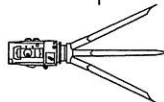
DETAIL OF TYPICAL
CAP FOR 1/2"x18"
REBAR SET BY
PATRICK M.
MARTINO, P.L.S.



CLIENT:

**JULIA M.
NIETO-GOMEZ**

FIELD WORK BY: JS, WMG
DRAWN BY: JAG
DRAWING #P21766
DATE: 10/15/2021



SHEET 1 OF 4

PATRICK M. MARTINO, PLS
13010 KAYLEIGH COVE
BILOXI, MISSISSIPPI 39532
PHONE/FAX: 228-396-2283
EMAIL: PATRICK@MARTINOSURVEYING.COM
PROFESSIONAL LAND SURVEYOR

INDIAN OAKS SUBDIVISION
PLAT BOOK 33, PAGE 24.

TAX PARCEL NUMBER:
1008D-01-010.000

DEED BOOK 1648,
PAGE 253.
NOW OR FORMERLY
GAUDET PROPERTY

TAX PARCEL NUMBER:
1008D-01-012.000
#2016-0002241-D-1
DEED INSTRUMENT
NOW OR FORMERLY
STOKES PROPERTY



[Signature] 1st Judicial District
Instrument 2020 4530 D - J1
Filed/Recorded 5/4/2020 03:00 P
Total Fees \$ 26.00
2 Pages Recorded

Prepared By and Return To:
Schwartz, Orgler & Jordan, PLLC
12206 Hwy 49
Gulfport, MS 39503
(228) 832-8550

File#200879

Indexing Instructions:
Lot 11, Indian Oaks S/D, Harrison
County, 1st JD, MS

**STATE OF MISSISSIPPI
COUNTY OF HARRISON
FIRST JUDICIAL DISTRICT**

WARRANTY DEED

THAT FOR AND IN CONSIDERATION of the sum of Ten and no/100 Dollars (\$10.00), cash in hand paid, and other good and valuable consideration, the receipt and sufficiency of all of which is hereby acknowledged,

**SHARON F. AGREGAARD, an unmarried woman
51 TAMCHELLE ROAD
LUMBERTON, MS 39455
(228) 697-4027**

does hereby grant, bargain, sell, convey and warrant, unto

**JULIA M. NIETO-GOMEZ, an unmarried woman
16057 BILL BOND ROAD
SAUCIER, MS 39574
(601) 716-7147**

the following described property, together with the improvements, hereditaments and appurtenances thereunto situated and located in the County of Harrison, State of Mississippi, and more particularly described as follows, to-wit:

Lot Eleven (11), INDIAN OAKS SUBDIVISION, a subdivision according to the official map or plat thereof on file and of record in the Office of the Chancery Clerk of the First Judicial District of Harrison County, Mississippi, in Plat Book 33 at Page 24 thereof, reference to which is hereby made in aid of and as a part of this description.

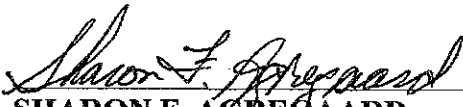
THIS CONVEYANCE is subject to any and all recorded restrictive covenants, rights-of-way and easements applicable to subject property, and any prior recorded reservations, conveyances and leases of oil, gas and minerals by previous owners of subject property.

Estimated county ad valorem taxes have been prorated between the parties as a part of the consideration for this conveyance. In the event the estimates upon which such proration is based prove to

be inaccurate for any reason, the Grantee agrees to refund any excess, and the Grantor agrees to pay any deficiency, upon receipt of a copy of the tax statement for the current year and a computation of the true amount due, based on a 365 day year.

THIS CONVEYANCE is also subject to Zoning and/or other land use regulations promulgated by federal, state or local governments affecting the use or occupancy of the subject property.

WITNESS THE SIGNATURE of the Grantor on this the 4th day of May, 2020.


SHARON F. AGREGGAARD

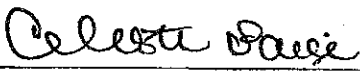
STATE OF MISSISSIPPI
COUNTY OF HARRISON

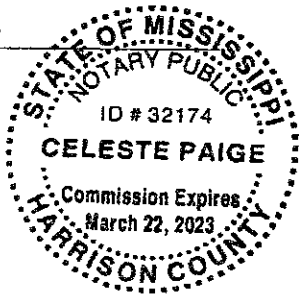
THIS DAY personally appeared before me, the undersigned authority in and for the jurisdiction aforesaid, **SHARON F. AGREGGAARD, an unmarried woman**, who acknowledged that she signed, executed and delivered the above and foregoing instrument as a voluntary act and deed on the day and year therein mentioned.

GIVEN under my hand and official seal on this the 4th day of May, 2020.

(SEAL)

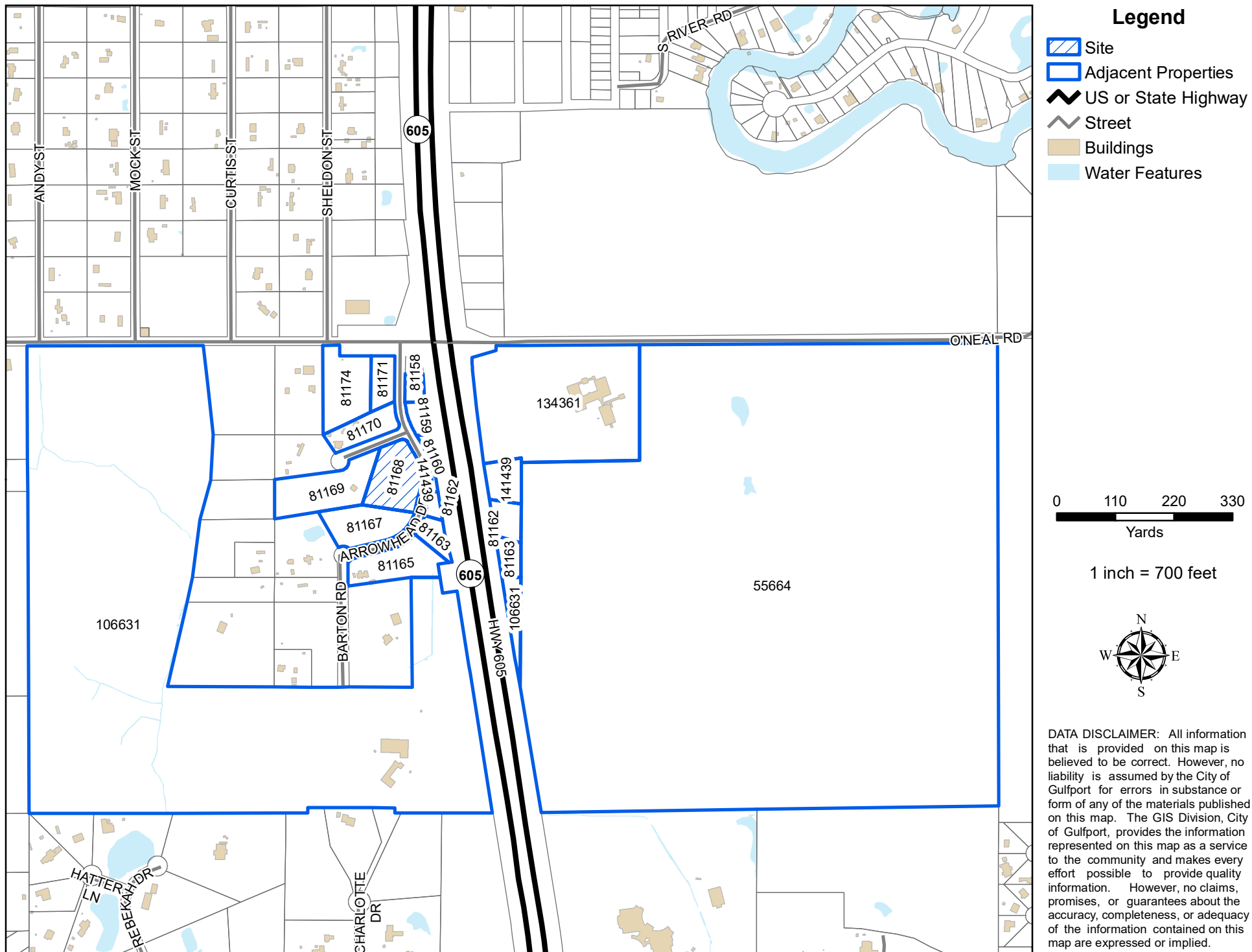
My Commission Expires:


NOTARY PUBLIC



Mail	PPIN	Parcel ID	Name	Address	City	State	ZIP
N	81168	1008D-01-011.000	JULIA M NIETO GOMEZ (OWNER)	16057 BILL BOND ROAD	SAUCIER	MS	39574
	Adjacent Property Owners						
	55664	1008C-01-001.000	BEN A RICHARDS LAND COMPANY LLC	P O BOX 6073	GULFPORT	MS	39506
	106631	1008D-01-020.009	CLARK V A	P O BOX 3327	GULFPORT	MS	39505
	81174	1008D-01-017.000	CURTIS WANDA L	PO BOX 10600	GULFPORT	MS	39505
				11360 ARROWHEAD CT OZENGHAR			
	81170	1008D-01-014.000	CWENAR MICHELE T &	VICTORIA JO	GULFPORT	MS	39503
	134361	1008C-01-001.001	FIRST PRESBYTERIAN CHURCH OF GPT	PO BOX 6012	GULFPORT	MS	39506
	81167	1008D-01-010.000	GAUDET RON	14125 ONEAL RD	GULFPORT	MS	39503
				PO BOX 1850 C/O RIGHT OF WAY			
N	81163	1008D-01-007.000	MISS TRANSPORTATION COMMISSION	(TITLE SECTION)	JACKSON	MS	39215
				PO BOX 1850 C/O RIGHT OF WAY			
	141439	1008D-01-007.001	MISS TRANSPORTATION COMMISSION	(TITLE SECTION)	JACKSON	MS	39215
	81162	1008D-01-006.000	PARISH SHANNON	111 1/2 SOUTH 4TH STREET	KINGMAN	AZ	86401
	81165	1008D-01-008.000	RODOLFICH NICHOLAS K	12160 ARROWHEAD DR	GULFPORT	MS	39503
	81169	1008D-01-012.000	STOKES JAMES M	140 BAYOU CIRCLE	GULFPORT	MS	39507
	81171	1008D-01-015.000	TORJUSSEN JONATHAN TOBIAS & WANDA	21538 D'HERDE RD	GULFPORT	MS	39503
	81158	1008D-01-002.000	VERTUDAZO ANTONIO S & VIRGINIA M H	PO BOX 4463	BILOXI	MS	39535
	N 81159	1008D-01-003.000	VERTUDAZO ANTONIO S & VIRGINIA M H	PO BOX 4463	BILOXI	MS	39535
	N 81160	1008D-01-004.000	VERTUDAZO ANTONIO S & VIRGINIA M H	PO BOX 4463	BILOXI	MS	39535

Variance



RE: Variance 2204ZB068, by owner Julia Nieto - Gomez, tax parcel 1008D-01-011.000, Request variance for setback, Arrowhead Dr, Zoned R-E (Residential estates), Ward 6

To Applicants and Adjacent Property Owners:

The City of Gulfport Zoning Board of Adjustments and Appeals will hold a public hearing to consider the above application at 3:00 P.M. on **Thursday, April 21, 2022**, in the Council Chambers at the Gulfport City Hall located at 2309 15th Street.

For more information, visit <https://www.gulfport-ms.gov/agendas/> then click the City of Gulfport Zoning Board for **Thursday, April 21, 2022**. A map showing the location of the property involved is located at this website. If you have any questions or comments, please contact this office at the phone number 228-868-5710 or email planners@gulfport-ms.gov. The application is available for viewing in the Planning Division office at 1410 24th Avenue.



Beaufort Gazette
Belleville News-Democrat
Bellingham Herald
Bradenton Herald
Centre Daily Times
Charlotte Observer
Columbus Ledger-Enquirer
Fresno Bee

The Herald - Rock Hill
Herald Sun - Durham
Idaho Statesman
Island Packet
Kansas City Star
Lexington Herald-Leader
Merced Sun-Star
Miami Herald

el Nuevo Herald - Miami
Modesto Bee
Raleigh News & Observer
The Olympian
Sacramento Bee
Fort Worth Star-Telegram
The State - Columbia
Sun Herald - Biloxi

Sun News - Myrtle Beach
The News Tribune Tacoma
The Telegraph - Macon
San Luis Obispo Tribune
Tri-City Herald
Wichita Eagle

AFFIDAVIT OF PUBLICATION

Account #	Order Number	Identification	Order PO	Amount	Cols	Depth
36845	241637	Print Legal Ad - IPL0067173	210200	\$41.64	1	69 L

Attention: Matilda Welch
PO BOX 1780
GULFPORT, MS 39502

LEGAL NOTICE PUBLIC HEARING

In conformance with Section VIII of the Comprehensive Zoning Ordinance of the City of Gulfport, Mississippi, 1979, as amended, notice is hereby given advising that the Zoning Board of Adjustment and Appeals will hold a public hearing in the City of Gulfport, Mississippi at 3:00 P.M., Thursday, April 21, 2022, in the Council Chambers of the Gulfport City Hall located at 2309 15th Street to consider the following requests. A copy of the requests will be available for public review at the office of the Department of Urban Development-Planning Division located on first floor of the William H. Hardy Building, 1410 24th Avenue.

Variance 2204ZB046, by agent Frank Magee, tax parcel 0810P-02-024.000, Request variance parking space reduction, backing into the right-of-way, 1220 Pass Rd, Zoned B-2 (General Business), Ward 3

Variance 2204ZB053, by owner Kyle Fitzpatrick, tax parcel 0708A-01-016.001, Variance for fence material, 12503 Old Hwy 49, Zoned R-O (Residence-office), Ward 7

Variance 2204ZB055, by agent Dwane J Babin, tax parcel 0911F-01-026.000, Variance for setbacks, 1532 Hewes Ave, Zoned R-1-7.5 (Single-family), Ward 2

Variance 2204ZB063, by agent Travis Construction, tax parcel 1009J-01-001.003, Request variance for accessory structure quantity, max area allowed, 10480 Reichold Rd, Zoned I-2 (Heavy industry district), Ward 5

Variance 2204ZB065, by agent Kenneth Jones II, tax parcel 1008F-01-001.000, Variances for parking reduction, setback, Highland Way, Zoned R-B (Residence-business), Ward 6

Variance 2204ZB067, by owners Jason and Leena Ulku, tax parcel 1010C-01-001.031, Variance for fence height, 10917 Waterside Dr, Zoned R-2 (Single-family), Ward 5

Variance 2204ZB068, by owner Julia Nieto - Gomez, tax parcel 1008D-01-011.000, Request variance for setback, Arrowhead Dr, Zoned R-E (Residential estates), Ward 6

Special Exception 2204SE076, by agent Bridget Hutchinson, tax parcel 0711H-01-007.000, Request Special Exception for assisted living facility use, 13085 Andy St, Zoned R-2 (Single-family), Ward 1

This the 30th day of March 2022
A. Lee Palermo, Chairman
City of Gulfport Zoning Board of Adjustment and Appeals
IPL0067173
Apr 6 2022

STATE OF MISSISSIPPI COUNTY OF HARRISON

Before me, the undersigned Notary of Dallas County, Texas personally appeared Keriann Leenerts, who, being by me first duly sworn, did depose and say that she is a clerk of The Sun Herald, a daily newspaper published in the city of Gulfport, in Harrison County, Mississippi and the publication of the notice, a copy of which is hereto attached, has been made in said paper in the issue (s) of:

No. of Insertions: 1

Beginning Issue of: 04/06/2022

Ending Issue of: 04/06/2022

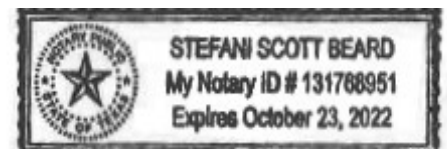
Affidavit further states on oath that said newspaper has been established and published continuously in said county for a period of more than twelve months next prior to the first publication of said notice.

Sworn to and subscribed before me this 6th day of April in the year of 2022

Stefani Beard

Notary Public

* The Sun Herald has been deemed eligible for publishing legal notices in Jackson County to meet the requirements of Miss. Code 1972 Section 13-3-31 and 13-3-32.



Extra charge for lost or duplicate affidavits.
Legal document please do not destroy!

MEMORANDUM

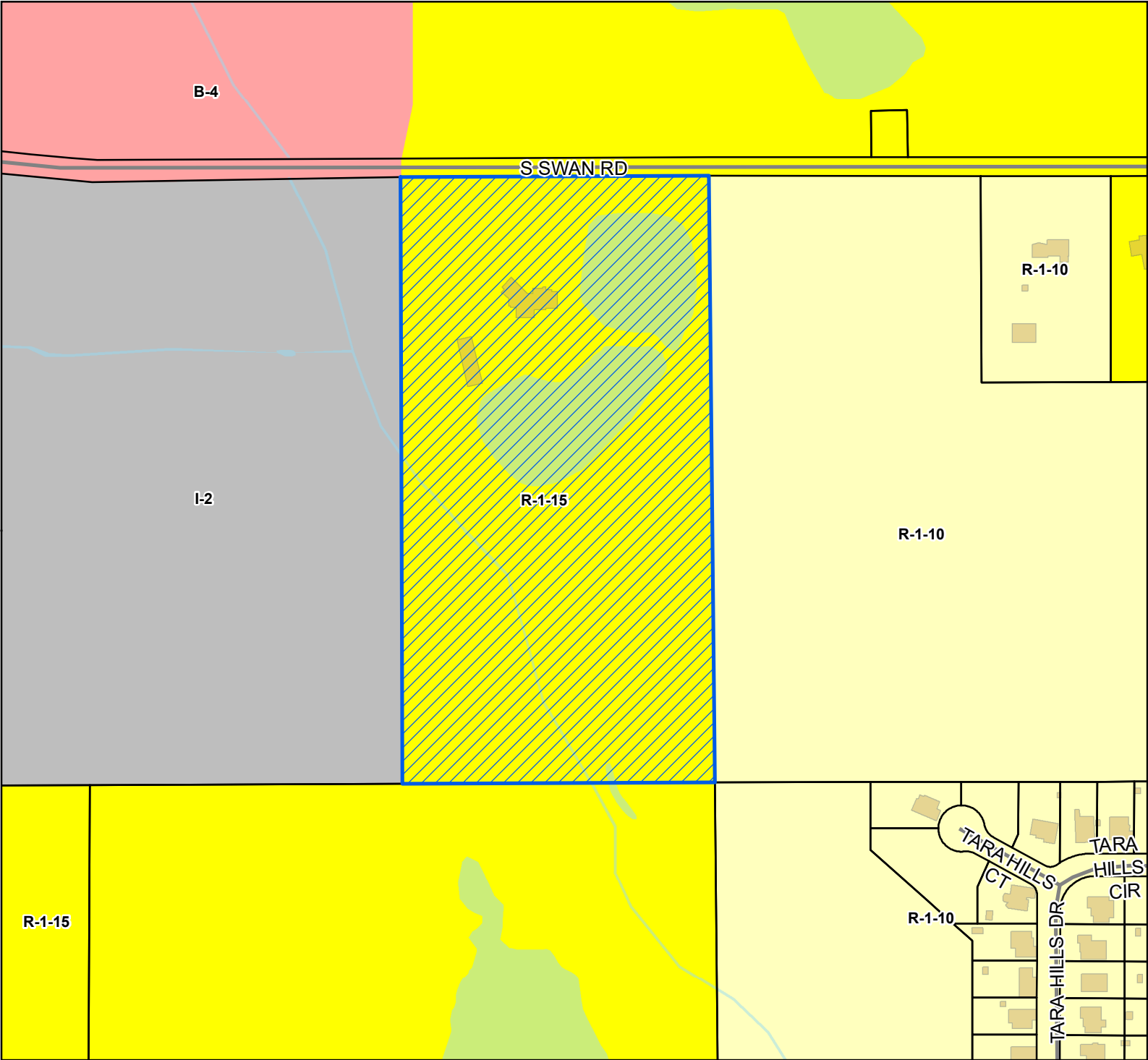
To: City of Gulfport Zoning Board of Adjustment and Appeals

From: Greg Holmes, Planning Administrator
Urban Development Department

Date of Hearing: April 21, 2022

Re: Variance 2204ZB071:
Withdrawn by Administration:

Variance 2204ZB071, by agent Heinrich & Associates, LLC, tax parcel 0807E-01-001.000,
Variance for lot depth, 15361 S Swan Rd, Zoned R-1-15 (Single-family), Ward 7



Legend

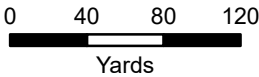
- Site
- Street
- Parcels
- Buildings
- Water Features

Zoning

- B-4 - Highway Business District
- I-2 - Heavy Industry District
- R-1-10 - Single Family Residence (Low Density)
- R-1-15 - Single Family Residence District (Low Density)

Site Information

0807E-01-001.000
Zoning: R-1-15 (Single-family Residence District)
Size: 20.19 Acres
Flood: X



1 inch = 300 feet



DATA DISCLAIMER: All information that is provided on this map is believed to be correct. However, no liability is assumed by the City of Gulfport for errors in substance or form of any of the materials published on this map. The GIS Division, City of Gulfport, provides the information represented on this map as a service to the community and makes every effort possible to provide quality information. However, no claims, promises, or guarantees about the accuracy, completeness, or adequacy of the information contained on this map are expressed or implied.



CITY OF GULFPORT
Urban Development - Planning Division
1410 24th Avenue
Gulfport, MS 39501
(228) 868-5710

For Staff Use Only

Case File #: 22042B071Date Received: 3/8/22

Receipt #: _____

Received By: D²Zoning: R-1-15Ward: 7 Flood: XSize: 20.19 ACRES

(If necessary, use separate sheet of paper)

APPLICATION FOR VARIANCE

Property Information

TAX PARCEL #

0	8	0	7	E

 -

0	1

 -

0	0	1

 •

0	0	0

Address of Property Involved: 15361 S. Swan Rd.

Lot(s) _____, Block(s) _____, Subdivision _____

General Location: 2,500+/- Ft. East of Highway No. 49

GENERAL DESCRIPTION OF REQUEST:

Request is to allow proposed lot to exceed the length of 3 1/2 times the depth of the width. The proposed lot will be located at the rear of the property with a 50' wide access to S. Swan Rd.

OWNERSHIP AND CERTIFICATION:

I hereby certify that I have read and understand this application and that all information and attachments are true and correct. I also certify that I agree to comply with all applicable city codes, ordinances and state laws. Finally, I certify that I am the owner of the property involved in this request or have authorization to act as the owner's agent for the herein described request.

OWNER

Timothy James Daigle, Jr.

Printed Name Of Owner

15361 S. Swan Rd.

Mailing Address

Gulfport MS 39503

City State Zip code

228-216-8075

Home Phone Work/Cell Phone

timd02@yahoo.com

Email

Signature Of Owner

AGENT

Heinrich & Associates, LLC

Printed Name Of Agent

1806 23rd Ave.

Mailing Address

Gulfport MS 39501

City State Zip code

228-896-6768

Home Phone Work/Cell Phone

bobby.h@heinrichassociates.net

Email

Signature Of Agent

If the property or properties listed above have more than one owner, please check this box. In the case of multiple owners, reverse side must be completed. Each additional owner will need to complete and sign the reverse side of this application. We can only accept applications with original signatures.



SECTIONS A. THROUGH G. MUST BE SUBMITTED FOR A COMPLETE APPLICATION.

This page must be completed if the property or properties involved have more than one owner. All persons listed as owners to the property or properties listed on page one must complete and sign this part of the application.

I hereby certify that I have read and understand this application and that all information and attachments are true and correct. I also certify that I agree to comply with all applicable city codes, ordinances and state laws. Finally, I certify that I am the owner of the property involved in this request or authorized to act as the owner's agent for herein described request.

NAME OF OWNER (PRINT) Jenee Michelle Daigle

ADDRESS (STREET, CITY, STATE, ZIP CODE) 15361 S. Swan Rd., Gulfport, MS, 39503

PHONE # (H) 228-216-8075 (WK/CELL) _____

TAX PARCEL NUMBER(S) OWNED 0807E-01-001.000

SIGNATURE: _____

NAME OF OWNER (PRINT) _____

ADDRESS (STREET, CITY, STATE, ZIP CODE) _____

PHONE # (H) _____ (WK/CELL) _____

TAX PARCEL NUMBER(S) OWNED _____

SIGN: _____

NAME OF OWNER (PRINT) _____

ADDRESS (STREET, CITY, STATE, ZIP CODE) _____

PHONE # (H) _____ (WK/CELL) _____

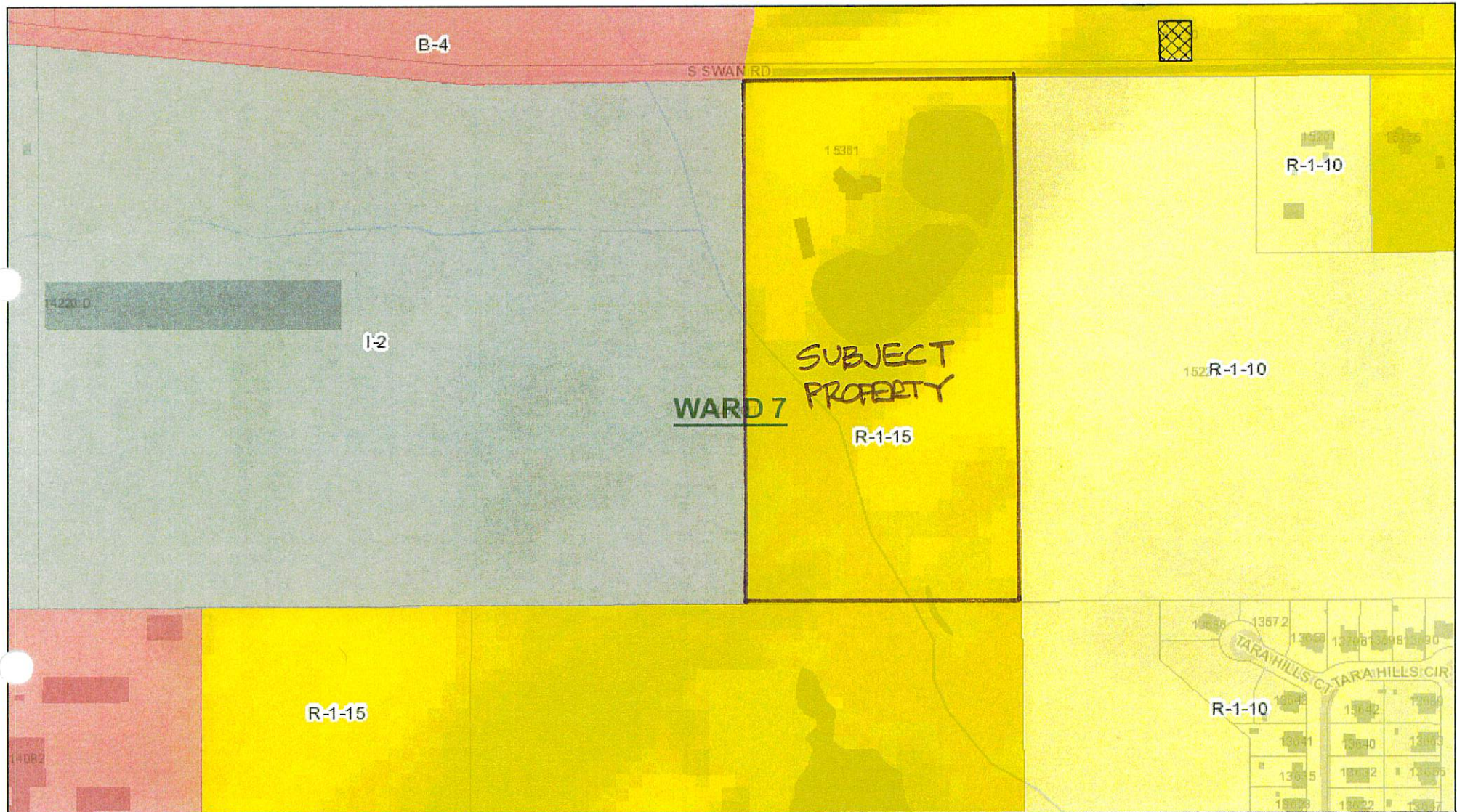
TAX PARCEL NUMBER(S) OWNED _____

SIGNATURE: _____

(Use additional forms as needed)

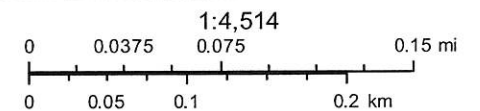
IN CASES OF MULTIPLE APPLICANTS, PLEASE IDENTIFY THE PERSON WHO WILL BE ACTING AS YOUR SPOKES PERSON/AGENT FOR YOU: _____

Gulfport Online Atlas



March 8, 2022

-  Hybrid Zones
-  Government Property
-  Hybrid
-  Wards





J. Jordan 1st Judicial District
Instrument 2016 5179 D - J1
Filed/Recorded 7/27/2016 09:36 A
Total Fees \$ 12.00
2 Pages Recorded

Prepared by & Return To:
Schwartz, Orgler & Jordan, PLLC
P O Box 4682 Biloxi MS 39535
228-388-7441

INDEX: Parcel in the E1/2 of the NE1/4 of the
SW1/4 of Sec. 28-6-11

STATE OF MISSISSIPPI
COUNTY OF HARRISON

WARRANTY DEED

FOR AND IN CONSIDERATION of the sum of Ten Dollars (\$10.00), cash in hand paid, and
other good and valuable consideration, the receipt and sufficiency of all of which is hereby
acknowledged, the undersigned,

Suzanne M. Huber,

1 Povenir Place, Gulfport, MS 39507, (228) 861-0992

does hereby sell, convey and warrant unto

Timothy James Daigle, Jr. and wife, Jeneé Michelle Daigle,

15605 S. Swan Road, Gulfport, MS 39503, (830) 734-2115,

as joint tenants with full rights of survivorship and not as tenants in common the following described
land and property being located in the First Judicial District of Harrison County, Mississippi, being
more particularly described as follows, to-wit:

The East One-Half (1/2) of the Northeast One-Fourth of the Southwest One-Fourth (NE1/4 of the SW1/4) of Section 28, Township 6 South, Range 11 West, City of Gulfport, First Judicial District of Harrison County, Mississippi. LESS AND EXCEPT that part now lying within South Swan Road.

Being the same property conveyed by Deed of Executor recorded as Instrument Number 2009 5275-D-J1, in the office of the Chancery Clerk of Harrison County, MS.

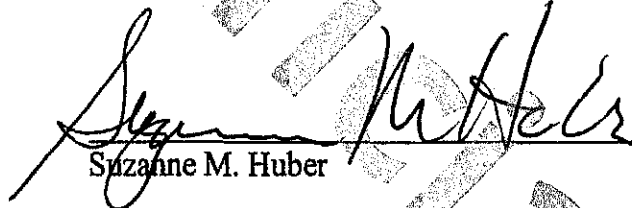
THE ABOVE DESCRIBED property is no part of the homestead of the grantor herein.

THIS CONVEYANCE is subject to any and all recorded restrictive covenants, rights-of-way and easements applicable to subject property, and subject to any and all prior recorded reservations, conveyances and leases of oil, gas and minerals by previous owners.

TAXES for the current year have been pro-rated as of this date and are hereby assumed by the Grantees herein.

WITNESS MY SIGNATURE, on this the 21st day of July, 2016.

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document, to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

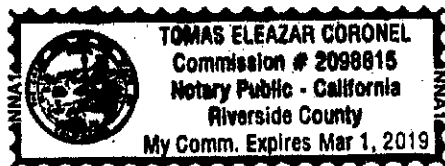

Suzanne M. Huber

STATE OF CA
COUNTY OF RIVERSIDE

THIS DAY PERSONALLY CAME AND APPEARED BEFORE ME, the undersigned authority in and for the jurisdiction aforesaid, Suzanne M. Huber, who acknowledged that the above and foregoing instrument was signed and delivered as the free and voluntary act and deed of the Grantor on the day and in the year therein mentioned.

GIVEN UNDER MY HAND AND OFFICIAL SEAL OF OFFICE, this the 21st day of July, 2016.

My Commission Expires: MARCH 1, 2019




NOTARY PUBLIC
State of California
County of Riverside

On July 16, 2016, before me, Tomas E. Coronel (Notary Public) personally appeared Suzanne M. Huber who proved to me to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed. I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.
WITNESS my hand and official seal.
Tomas E. Coronel - Notary Public

**VARIANCE SUPPLEMENTAL APPLICATION for
Timothy James Daigle, Jr. and Jene Michelle Daigle
Tax Parcel #0807E-01-001.000
15361 S. Swan Rd., Gulfport, MS 39503**

- 1. Demonstrate that special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same district. (i.e., What is special about your property that you need to request a variance?)**

The subject parcel is situated on the south side of S. Swan Rd. The property is 621.47' along S. Swan Rd. and 1312.8'+/- deep containing 20.3+/- acres. The property is currently zoned R-1-15 and if granted, the back parcel, consisting of 13.72 acres, will be rezoned to I-2 for a business. The applicant has provided a 50' wide access off S. Swan Rd. to enter the rear parcel. The property to be used for the proposed business will be located in the back of the property where the property is higher in elevation between an existing pond and a drainage basin.

- 2. Demonstrate that the special conditions and circumstances do not result from the actions of the applicant. (i.e., Show that you did not cause the need for the variance.)**

The existing property is approximately 621' wide by 1312' deep with an existing pond and drainage basin. There is a small area or existing road between the pond and basin to access the rear of the property. Granting this variance for the proposed lot will still allow a connection to S. Swan Rd. with water and sewer services and separate addresses.

- 3. Demonstrate that an unnecessary hardship is created by the physical character of the property and is peculiar and unusual to such an extent that it is evidence that amendment of the zoning ordinance does not offer a reasonable solution. (i.e., Explain what your hardship is and why the property cannot comply with the zoning ordinance. Further, explain why this hardship is not commonly found on other properties?)**

The proposed parcel will need access from S. Swan Rd. and the business will be in the rear of the property behind the residence and adjacent to an existing I-2 zoning. The proposed 50' access will be the only way into the property.

Timothy James Daigle, Jr. and Jene Michelle Daigle

15361 S. Swan Rd.
Gulfport, MS 39503

March 7, 2022

City of Gulfport
Planning Department
1410 24th Ave.
Gulfport, MS 39501

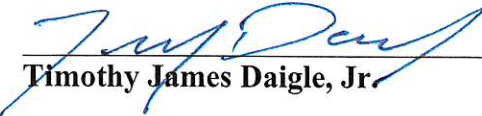
RE: **Agent Letter for Timothy James Daigle, Jr. and Jene Michelle Daigle**
Tax Parcel No.: 0807E-01-001-000
15361 S. Swan Rd., Gulfport, Mississippi 39503

To Whom It May Concern:

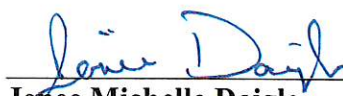
Please allow this letter to serve as official notice that *Heinrich & Associates, LLC*, is authorized to act as agent on behalf of **Timothy James Daigle, Jr. and Jene Michelle Daigle** in any Planning Commission or City Council matters.

If you have any questions, please do not hesitate to contact me.

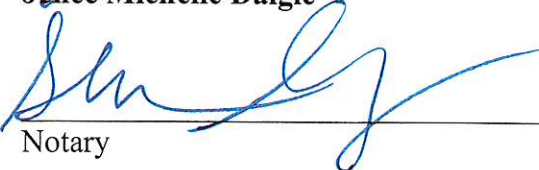
Sincerely,



Timothy James Daigle, Jr.



Jene Michelle Daigle



Notary

My Commission Expires:

7/26/25



Timothy James Daigle, Jr. and Jeneé Michelle Daigle
15361 S. Swan Rd.
Gulfport, MS 39503

AFFIDAVIT

STATE OF MISSISSIPPI

COUNTY OF HARRISON

PERONALLY CAME AND APPEARED before me, the undersigned authority in and for the jurisdiction afroresaid, the within named Timothy James Daigle, Jr. and Jeneé Michelle Daiglewho, after being by me forst duly sworn, stated the following:

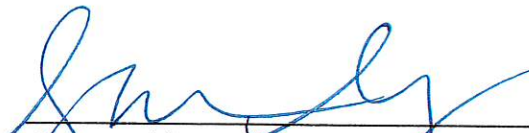
1. That there are no restrictive covenants prohibiting the resubidivision of the property located on Parcel No. 0807E-01-001.000.

Respectfully submitted:

By: 
Timothy James Daigle, Jr.

By: 
Jeneé Michelle Daigle

SWORN AND SUBSCRIBED before me, this the 8th day of March 2022.


Notary Public

My Commission Expires:



4. **Demonstrate how the literal interpretation of the provisions of the zoning ordinance would deprive the applicant of rights commonly enjoyed by properties in the same district under the terms of the zoning ordinance. (i.e., Explain how the request meets the right of reasonable economic return and/or the right to reasonable development of your property which might generally be expected in your district.)**

The proposed parcel will be adjacent to an existing I-2 zoning. The variance is needed to access the rear of the property.

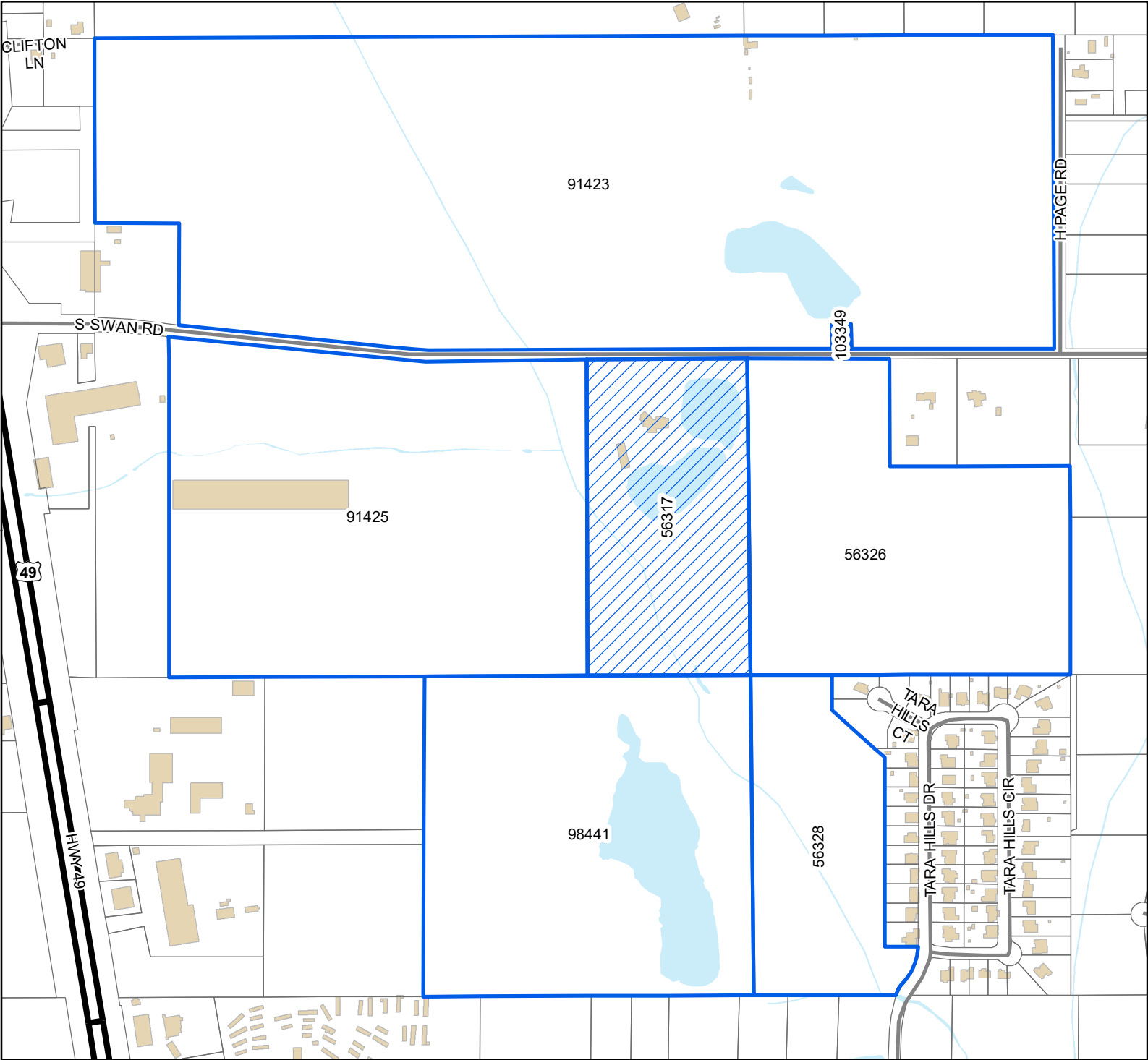
5. **Demonstrate that the granting of the variance will not confer on the applicant any special privilege that is denied by this ordinance to other lands, structures, or buildings in the same district, other than to permit the applicant to use their property in a manner as nearly equivalent to uses generally permitted in the district considering the conditions and circumstances involved and hardship. (i.e., Will you receive any special benefit that others who follow the Zoning Ordinance cannot receive?)**

The applicant will not receive any special benefit requesting this variance. The request is to access the rear of the property for a business that requires I-2 zoning.

6. **Demonstrate how the use proposed is permissible by right, with planning approval or by special exception with respect to uses of land or structures.**

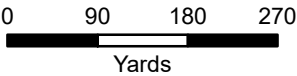
The applicant wishes to subdivide the 20.3+/- acre parcel into 2 large parcels. Parcel B will remain R-1-15 and Parcel A will be rezoned to I-2 that will be contiguous with the adjacent property.

NOTE: No use of neighboring lands, structures or buildings in the same district (conforming or non-conforming) and no permitted or non-conforming uses of lands, structures, or buildings in other districts shall be considered grounds for the issuance of a variance.



Legend

- Site
- Adjacent Properties
- US or State Highway
- Street
- Buildings
- Water Features



1 inch = 575 feet



DATA DISCLAIMER: All information that is provided on this map is believed to be correct. However, no liability is assumed by the City of Gulfport for errors in substance or form of any of the materials published on this map. The GIS Division, City of Gulfport, provides the information represented on this map as a service to the community and makes every effort possible to provide quality information. However, no claims, promises, or guarantees about the accuracy, completeness, or adequacy of the information contained on this map are expressed or implied.

Mail	PPIN	Parcel ID	Name	Address	City	State	ZIP
	56317	0807E-01-001.000	TIMOTHY AND JENEE DAIGLE (OWNER)	15361 S SWAN RD	GULFPORT	MS	39503
	56317	0807E-01-001.001	HEINRICH & ASSOCIATES (AGENT)	1806 23RD AVE	GULFPORT	MS	39501
	Adjacent Property Owners						
	56326	0807F-01-004.000	LADNER KIRK L	18226 HIGHWAY 53	GULFPORT	MS	39503
	98441	0807E-01-011.000	GILCHRIST ROBERT A ETAL	PO BOX 1260 C/O T L JAMES & CO INC	RUSTON	LA	71273
	91425	0807E-01-002.000	CBH PROPERTIES LLC	PO BOX 3368 C/O KEITH HUBER CORP	GULFPORT	MS	39505
	103349	0807C-01-009.000	GULFPORT CITY OF	P O BOX 1780	GULFPORT	MS	39502
	91423	0807D-01-001.000	DAY DRUG CO INC	P O BOX 247	GULFPORT	MS	39502
	56328	0807F-01-005.000	BENEFIELD JONATHAN BLAKE	11080 BAYOU BERNARD	GULFPORT	MS	39503

MEMORANDUM

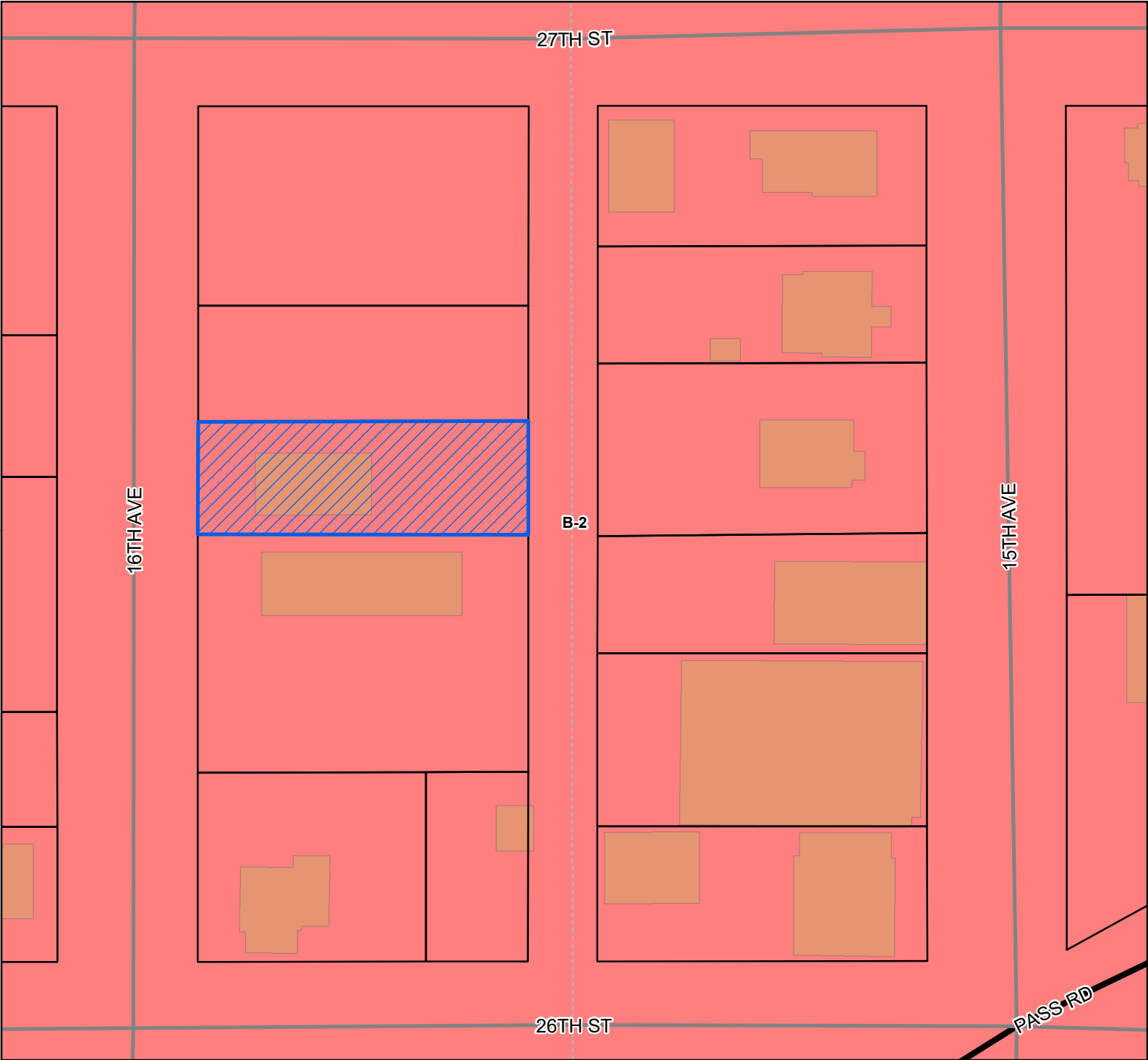
To: City of Gulfport Zoning Board of Adjustment and Appeals

From: Greg Holmes, Planning Administrator
Urban Development Department

Date of Hearing: April 21, 2022

Re: Special Exception 2204SE074:
Withdrawn by Administration:

Special Exception 2204SE074, by agent Bridget Hutchinson, tax parcel 0811B-01-045.000,
Request Assisted living facility use, 2614 16th Ave, Zoned B-2 (General-business), Ward 3



Legend

- Site
- US or State Highway
- Street
- Alley
- Parcels
- Buildings

Zoning

- B-2 - General Business District

Site Information

0811B-01-045.000
Zoning: B-2 (General Business District)
Size: 6,976 square feet
Flood: X

0 10 20 30
Yards

1 inch = 60 feet

DATA DISCLAIMER: All information that is provided on this map is believed to be correct. However, no liability is assumed by the City of Gulfport for errors in substance or form of any of the materials published on this map. The GIS Division, City of Gulfport, provides the information represented on this map as a service to the community and makes every effort possible to provide quality information. However, no claims, promises, or guarantees about the accuracy, completeness, or adequacy of the information contained on this map are expressed or implied.



CITY OF GULFPORT
Urban Development - Planning Division
1410 24th Avenue
Gulfport, MS 39501
(228) 868-5710

For Staff Use Only

Case File #: 2204 SE 074

Date Received: 3/8/22

Receipt #: _____

Received By: _____

Zoning: _____

Ward: _____ Flood: _____

Size: _____

(If necessary, use separate sheet of paper)

TAX PARCEL # 0811B-01-045.000

Address of Property Involved: 2614 16th Ave, Gulfport, MS 39501

Lot(s) 22+23, Block(s) 12, Subdivision Arlington Heights Addition

General Location: 16th Ave

GENERAL DESCRIPTION OF REQUEST:

Assisted Living Home

OWNERSHIP AND CERTIFICATION:

I hereby certify that I have read and understand this application and that all information and attachments are true and correct. I also certify that I agree to comply with all applicable city codes, ordinances and state laws. Finally, I certify that I am the owner of the property involved in this request or have authorization to act as the owner's agent for the herein described request.

OWNER

Matthew Hutchinson
Printed Name Of Owner
13085 Andy St
Mailing Address
Gulfport MS 39503
City State Zip code
228-297-5070
Home Phone Work/Cell Phone
vacarents7@gmail.com
Email
Matthew Hutchinson
Signature Of Owner

AGENT

Bridget Hutchinson
Printed Name Of Agent
18353 Sky Lane
Mailing Address
Saucier MS 39574
City State Zip code
228-669-9788
Home Phone Work/Cell Phone
vacarents7@gmail.com
Email
[Signature]
Signature Of Agent

If the property or properties listed above have more than one owner, please check this box. In the case of multiple owners, reverse side must be completed. Each additional owner will need to complete and sign the reverse side of this application. We can only accept applications with original signatures.

☐

SECTIONS A. THROUGH H. MUST BE SUBMITTED FOR A COMPLETE APPLICATION.



Joseph L. Hutchinson 1st Judicial District
Instrument 2017 2764 D -J1
Filed/Recorded 5/4/2017 03:26 P
Total Fees \$ 13.00
2 Pages Recorded

Quit Claim Deed

Prepared by and return to:
Joseph Hutchinson
18353 Sky Lane
Saucier, MS 39574
225-304-1119

Grantor:
Joseph L Hutchinson
18353 Sky Lane
Saucier, MS 39574
(225) 304-1119

Grantee:
Mathew Hutchinson
13085 Andy St
Gulfport, MS 39503
(228) 297-5070

2

Quit Claim Deed

Prepared by and return to:
Joseph Hutchinson
18353 Sky Lane
Saucier, MS 39574

Grantor:
Joseph L Hutchinson
18353 Sky Lane
Saucier, MS 39574
(225) 304-1119

Grantee:
Mathew Hutchinson
13085 Andy St
Gulfport, MS 39503
(228) 297-5070

For and in consideration of the sum of ten dollars (\$10.00) cash in hand paid and other good and valuable consideration, the receipt and sufficiency of all which is hereby acknowledged, the undersigned, Joseph L Hutchinson, does hereby sale and convey and quit claim unto Mathew Hutchinson, all his/her right title and interest in the following described land and property located and being situated in the county of Harrison, first judicial district, State of Mississippi and being described as:

LOTS 22 & 23 BLK 12 ARLINGTON HEIGHTS ADD
ARLINGTON HEIGHTS ADD S/T/R 03-08-11 BLOCK 012
PARCEL 0811B-01-045.000
HARRISON COUNTY, MISSISSIPPI

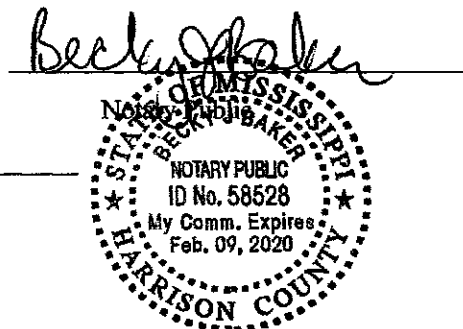
Joseph L. Hutchinson



STATE OF MISSISSIPPI
COUNTY OF HARRISON

PERSONALLY appeared before me, the undersigned authority in and for the said county and state, on this 15 day of April 2017, the within my jurisdiction, the within named Joseph L. Hutchinson, who acknowledged that he executed and delivered the above and forgoing instrument.

My Commission Expires: Feb 9, 2020



BUSINESS PLAN

For

Mathew Hutchinson dba Divine Assisted Living Facilities 2614 16th Ave, Gulfport, MS

We are seeking Zoning Permit for the property located at 2614 16th Ave, Gulfport, MS

; propose use of the address is Personal Care Home - Residential Living facility operating 24 hours a day, seven (7) days a week, accepting individuals who require personal care services or individuals, who due to functional impairments, may require mental health services to compensate for activities of daily living.

SOURCE: Miss. Code Ann. §43-11-13

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Rule 48.13.1 Meals. The licensed facility shall provide residents with well-planned, attractive, and satisfying meals at least three (3) times daily, seven (7) days a week, which will meet their nutritional, social, emotional and therapeutic needs. The daily food allowance shall meet the current recommended dietary allowances.

PHYSICAL FACILITIES.

Our licensed facility with six (6) or fewer residents shall meet the requirements as set forth in the Facility Inspection Report that will be issued by the Mississippi State Department of Health.

Staffing: facilities shall have an employee dedicated to meal preparation and food service.

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Psalm Twenty Three Assisted Living Facility will abide by Rule 48.15.1 Restrictions in the quantity and classes of drugs allowed in the licensed facility.

1. No Schedule I drugs shall be allowed in the licensed facility. Residents requiring administration of Schedule II Narcotics as defined in the Uniform Controlled Substances Law may be admitted to a personal care home. Schedule drugs may only be allowed in a personal care home if they are administered or stored

utilizing proper procedures under the direct supervision of a licensed physician or nurse.

2. The facility may keep on hand a limited amount of non-prescription, over-the-counter medications.

26

3. No intramuscular, subcutaneous, intravenous injectable, except for insulin and vitamin B-12, shall be allowed.

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PHYSICAL ENVIRONMENT

The following areas/rooms are to be provided in facility:

1. 3 Bedrooms with 2 twin size beds in each room, 2 Chest, 2 Nightstands and 2 side chairs
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3. Kitchen and combined Dining Area to accommodate Residents
4. This Home has 2 Toilets and bathing facilities;
5. Laundry Room is located on site indoors

Communications. There will be one telephone in the licensed facility and such additional telephones as are necessary to summon help in the event of fire or other emergency. The telephone will be listed under the official licensed name of Divine Assisted Living Facilities

No part of the licensed facility may be rented, leased, or used for any purpose not related to the operation of the licensed facility.

GENERAL BUILDING REQUIREMENTS

The building shall be structurally sound, free from leaks and excessive moisture, in good repair, and painted at sufficient

reasonably attractive inside and out. Walls and ceilings of hazardous areas shall be one (1) hour fire resistance rating.

Heating and Cooling Systems. Adequate heating and cooling systems shall be provided to maintain inside temperature between 68 degrees Fahrenheit and 78 degrees Fahrenheit depending on the season.

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Floors. All floors shall be smooth and free from defects such as cracks, and shall be finished so that they can be easily cleaned.

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Ramps and Inclines. Ramps and inclines, are currently installed for the use of residents, do not exceed one (1) foot of rise in ten (10) feet of run, will be furnished with a non-slip floor, and are provided with handrails on both sides.

Fire Extinguishers. Fire extinguishers of number, type, and capacity appropriate to the need will be provided for each floor and for special fire hazard areas such as kitchen, laundry, and mechanical room. All extinguishers will be of a type approved by the licensing agency.

RESIDENT ACTIVITIES

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1. Adequate and activity-appropriate space shall be provided for the various resident activities.
2. Activities shall be provided on daily basis.
3. Available community resources shall be utilized in the activities program.
4. Supplies shall be available to implement an adequate activities program.
5. A non-resident employee shall be responsible for the activities program.

Bridget Hutchinson **Director**

Mathew Hutchinson **Co-Director**

 228-669-9788
Mathew Hutchinson 228-297-5070

G

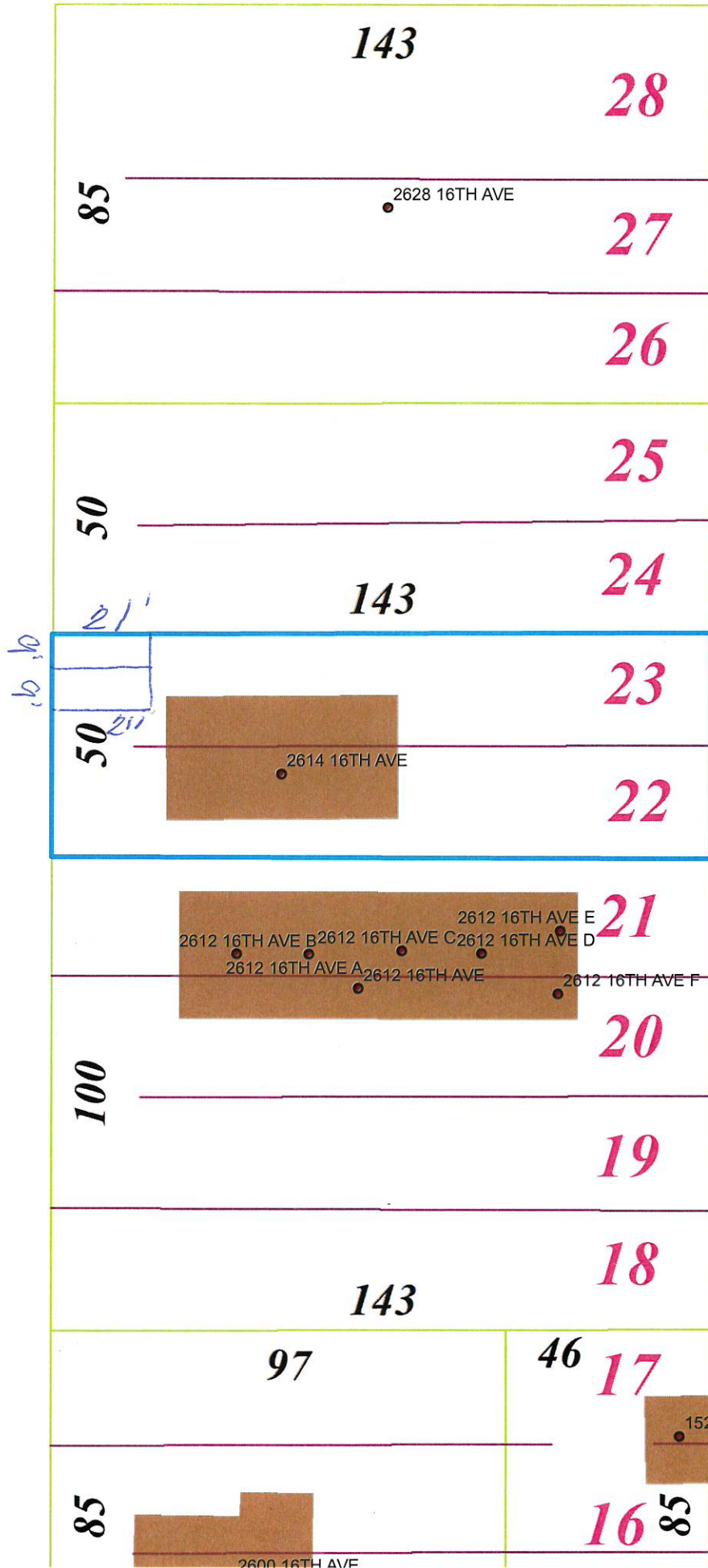
We are located in a Gulfport City location & will not create any undue traffic hazard or congestion. We will be in harmony with the District. We will utilize existing city transportation, access, water, and waste disposal. We will be within 3 miles of the city police & we are only blocks from the fire department.

note * - As to the harmony of the
Neighborhood.

We will have assisted
tenants living in this home,
there will be no excessive
traffie, there will not be
but one full time employee
at a time and there will
be no more than ____ tenants
in this home. These tenants
will not own vehicles & this
Should not create undue
traffic. Visits From outside
guests will be scheduled to
control the traffic (limited to
no more than two vehicles at



16TH AVE



12

March 9, 2022

To Whom It May Concern:

I, Matthew Hutchinson, do give permission and full authority to act on my behalf for the properties that I own, to Bridget Hutchinson. If you have any questions, feel free to contact her or myself at the numbers listed below.

Matthew Hutchinson 228-669-9788

Bridget Hutchinson 228-297-5070

Matthew Hutchinson

Matthew Hutchinson

[Signature]

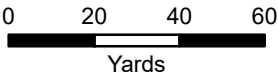
Samantha Belsome, Notary





Legend

- Site
- Adjacent Properties
- US or State Highway
- Street
- Alley
- Buildings



1 inch = 135 feet



DATA DISCLAIMER: All information that is provided on this map is believed to be correct. However, no liability is assumed by the City of Gulfport for errors in substance or form of any of the materials published on this map. The GIS Division, City of Gulfport, provides the information represented on this map as a service to the community and makes every effort possible to provide quality information. However, no claims, promises, or guarantees about the accuracy, completeness, or adequacy of the information contained on this map are expressed or implied.

Mail	PPIN	Parcel ID	Name	Address	City	State	ZIP
	22913	0811B-01-045.000	MATHEW HUTCHINSON (OWNER)	13085 ANDY ST	GULFPORT	MS	39503
	22913	0811B-01-045.001	BRIDGET HUTCHINSON (AGENT)	18353 SKY LANE	SAUCIER	MS	39574
			Adjacent Property Owners				
	22829	0811B-01-023.000	BUI HIEN D & MAI VY D Q	19365 WINDWARD COVE	GULFPORT	MS	39503
	22902	0811B-05-021.000	CHILDREN'S WORLD LEARNING ACADEMY	18129 AUTRY DR	GULFPORT	MS	39503
	87641	0811B-01-035.000	CHILDRESS TERRICE C	2617 15TH AVE	GULFPORT	MS	39501
	22910	0811B-01-043.000	CRAIG KYLE & DROZ AMARILYS MACHADO	630 MAGNOLIA DR	BAY ST LOUIS	MS	39520
N	22912	0811B-01-044.000	CRAIG KYLE & DROZ AMARILYS MACHADO	630 MAGNOLIA DR	BAY ST LOUIS	MS	39520
	22841	0811B-01-031.000	CULOTTA SUSAN G	2713 15TH AVE	GULFPORT	MS	39501
	22853	0811B-05-005.000	D'ANGELO DAVID A	436 JORDAN DR	BILOXI	MS	39531
	87815	0811B-05-007.000	D'ANGELO DAVID A	1608 27TH ST	GULFPORT	MS	39501
	22903	0811B-05-022.000	FISH GEAN	413 ROSS CIRCLE	BILOXI	MS	39531
	22898	0811B-05-018.000	FOUR ACES PROPERTIES LLC	16215 ORAL RD	BILOXI	MS	39532
	22909	0811B-01-037.000	HEBERT CHRISTOPHER S	440 E PASS RD	GULFPORT	MS	39507
	22842	0811B-01-048.000	HOSKINS FRED & KEVIN	542 FM 713	LOCKHART	TX	78644
	22896	0811B-05-011.000	HUXLEY LEMOIN	15138 MILLS RD	GULFPORT	MS	39503
	87818	0811B-05-019.000	KINSEY IRENE	2604 17TH AVE	GULFPORT	MS	39501
	22905	0811B-01-034.000	MCCLAIN TRAVIS L SR	8424 WEST ST	OCEAN SPRINGS	MS	39564
	22897	0811B-05-012.000	O M T LLC & F T O LLC	P O BOX 6976	GULFPORT	MS	39506
N	22895	0811B-05-010.000	OMT LLC	P O BOX 6976	GULFPORT	MS	39506
	22915	0811B-01-047.000	REFUGE TEMPLE CHURCH	P O BOX 3392	GULFPORT	MS	39505
N	22914	0811B-01-046.000	REFUGE TEMPLE CHURCH	P O BOX 3392	GULFPORT	MS	39505
	22908	0811B-01-036.000	ROSSKOPF JEFFREY LEE -ETAL-	199 LOCUST ST	GULFPORT	MS	39507
	22904	0811B-01-033.000	SCOFIELD CARLIE D & MARTHA T -L/E-	31 40TH ST	GULFPORT	MS	39501
	22920	0811B-01-021.000	SCOFIELD MARTHA & STEPHEN S	59 54TH ST	GULFPORT	MS	39507
	22911	0811B-01-042.000	SHIVLEY LINDA	1522 26TH ST	GULFPORT	MS	39501
	141174	0811B-01-035.001	SIGNATURE GULF COAST PROPERTIES LLC	1715 21ST AVE	GULFPORT	MS	39501
	22919	0811B-01-020.000	SIMMONS D H PROPERTIES NO 1 LLC	33 OLD OAK LANE	GULFPORT	MS	39503
	22901	0811B-05-020.000	SMITH CONTRACTING CO LLC	2606 17TH AVE	GULFPORT	MS	39501
	22840	0811B-01-032.000	TRAN SANG VAN & BICH NGOC N	1200 2ND ST	GULFPORT	MS	39501
	22893	0811B-05-008.000	WITRAGO MARIVEL M & AGUILAR MARIA C	2625 16TH AVE	GULFPORT	MS	39501
N	22894	0811B-05-009.000	WITRAGO MARIVEL MERCEDES	2625 16TH AVE	GULFPORT	MS	39501

MEMORANDUM

To: City of Gulfport Zoning Board of Adjustment and Appeals

From: Greg Holmes, Planning Administrator
Urban Development Department

Date of Hearing: April 21, 2022

Re: Special Exception 2201SE076:

Special Exception 2204SE076, by agent Bridget Hutchinson, tax parcel 0711H-01-007.000,
Request Special Exception for assisted living facility use, 13085 Andy St, Ward 1

Technical Report

SPECIAL EXCEPTION

GENERAL INFORMATION

Case File Number: 2204SE076

Hearing Date: Zoning Board April 21, 2022
Planning Commission April 28, 2022

Current Zoning/Use: R-2 / Vacant Structure

Legal: Special Exception 2204SE076, by agent Bridget Hutchinson, tax parcel 0711H-01-007.000, Request Special Exception for assisted living facility use, 3509 22nd St, Zoned R-2 (Single-family), Ward 1

TECHNICAL DETAILS

The applicant requests a Special Exception to allow for an assisted living facility use located at 3509 22nd Street zoned R-2 (Single-family). The applicant states, "that the personal care home will operate 24 hours a day, seven days a week, accepting individuals who require personal care services or individuals, who due to functional impairments, may require mental health services to compensate for activities of daily living. Facility shall provide residents with meals three times daily seven days a week." Further, it is implied that the facility will have six or fewer residents and shall have an employee dedicated to meal preparation and food service.

Upon a site visit on 4/12/2022, staff found that the structure is deemed uninhabitable (See attached pictures). It has been established by an inspection that the home has foundation failure, black mold, holes in roof and floor. Boards covering over damages as well as a tree has fallen on the roof. The applicant states that there are currently ramps and inclines are installed, however, a tree limb has grown through the floorboard of the porch. Therefore, porch, ramps and inclines are deemed unsafe. Thus, this case should not be approved until the applicant has provided safe and habitable conditions for the residence.

EXECUTIVE SUMMARY:

Staff found that the structure is deemed uninhabitable. Thus, this case should not be approved until the applicant has provided safe and habitable conditions for the residence. This type of use does not require a business license; therefore, if approved, the city would not be able to make sure that the living conditions for these individuals would be up to standard living requirements if approved at this time.

Any approval should consider these conditions:

1. Staff found that the structure is deemed uninhabitable.
2. Sprinkler required. As a condition 1 2 13Dsystem would be required and 2 2 13R sprinkler would be required.
3. Parking is inadequate.

12.12

Technical Report
SPECIAL EXCEPTION

DEPARTMENTAL CONDITIONS

Engineering: No conditions. Memo dated 4/12/2022.

Public Works: No comment as of 4/14/2022.

Traffic and Safety: Conditions. Parking inadequate. Memo dated 4/8/2022.

Building Code Services: Staff found that the structure is deemed uninhabitable. Sprinkler required. As a condition 1 2 13Dsystem would be required and 2 2 13R sprinkler would be required. Memo dated 4/6/2022 and 4/12/2022.

GIS: No conditions. Memo dated 4/7/2022.

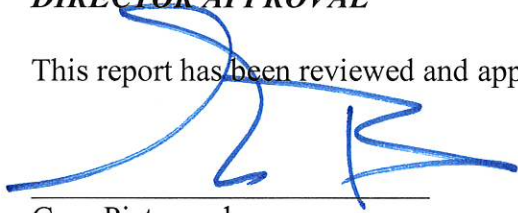
Police Department: No conditions. Memo dated 4/06/2022.

Fire Department: Conditions. Sprinklers/Alarm required. Memo dated 4/11/2022.

City Arborist: No conditions. Memo dated 4/6/2022.

DIRECTOR APPROVAL

This report has been reviewed and approved by:



Greg Pietrangelo
Director of Urban Development Department



















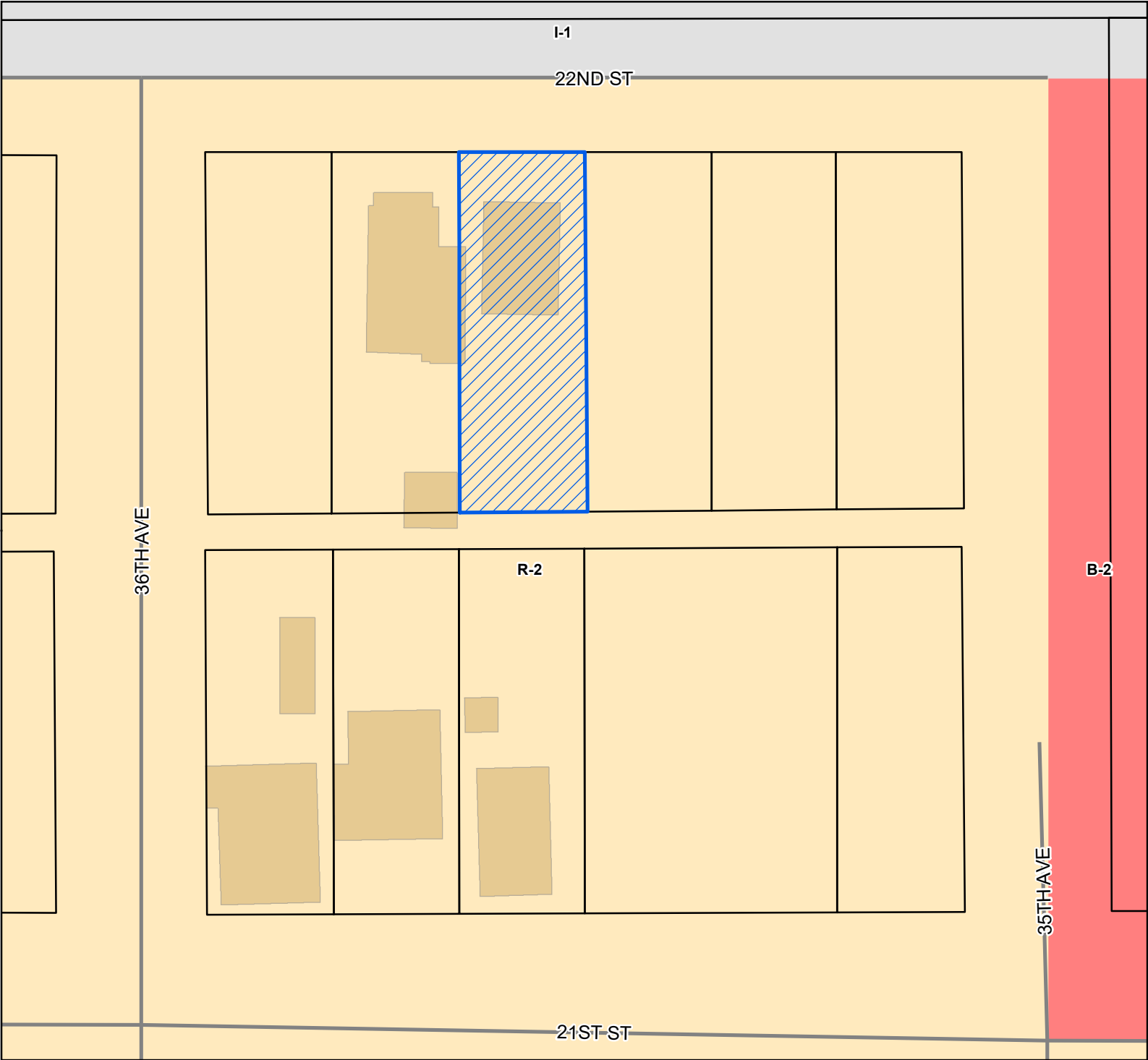








Sent from my iPhone



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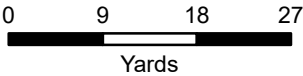
- Site
- Street
- Parcels
- Buildings

Zoning

- B-2 - General Business District
- I-1 - Light Industry District
- R-2 - Single Family Residence District (Medium Density)

Site Information

0711H-01-007.000
Zoning: R-2 (Single-family residence)
Size: 7,156 square feet
Flood: AE



1 inch = 55 feet



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CITY OF GULFPORT
Urban Development - Planning Division
1410 24th Avenue
Gulfport, MS 39501
(228) 868-5710

APPLICATION FOR SPECIAL EXCEPTION

Property Information

TAX PARCEL # 0711H - 01 - 007 • 000

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					-			-						•					
					-			-						•					

For Staff Use Only
Case File #: 2204SE 076
Date Received: 3/8/22
Receipt #: _____
Received By: _____
Zoning: R-2
Ward: 1 Flood: AE
Size: 7,156

(If necessary, use separate sheet of paper)

Address of Property Involved: 3509 22nd Street, Gulfport

Lot(s) _____, Block(s) _____, Subdivision _____

General Location: see Address

GENERAL DESCRIPTION OF REQUEST:

Assisted living facility

OWNERSHIP AND CERTIFICATION:

I hereby certify that I have read and understand this application and that all information and attachments are true and correct. I also certify that I agree to comply with all applicable city codes, ordinances and state laws. Finally, I certify that I am the owner of the property involved in this request or have authorization to act as the owner's agent for the herein described request.

OWNER
Mathew Hutchinson
Printed Name Of Owner
13085 Andy St
Mailing Address
Gpt ms 39503
City _____ State _____ Zip code _____
228-669-9788
Home Phone _____ Work/Cell Phone _____
Mathew Hutchinson
Email
vaca rents 7@gmail.com
Signature Of Owner

AGENT
Bridget Hutchinson
Printed Name Of Agent
18353 Sky Lane
Mailing Address
Saucier ms 39574
City _____ State _____ Zip code _____
228-669-9788
Home Phone _____ Work/Cell Phone _____
Bridget Hutchinson
Email
vaca rents 7@gmail.com
Signature Of Agent

If the property or properties listed above have more than one owner, please check this box. In the case of multiple owners, reverse side must be completed. Each additional owner will need to complete and sign the reverse side of this application. We can only accept applications with original signatures.

☐

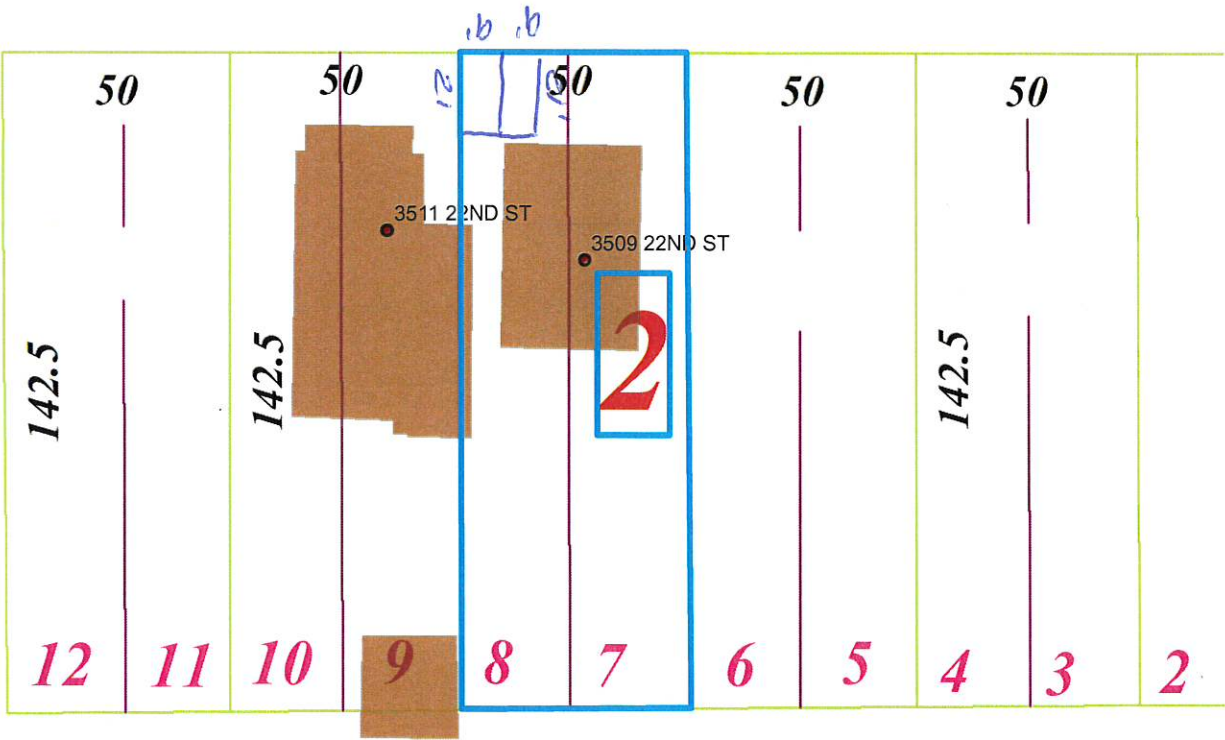
SECTIONS A. THROUGH H. MUST BE SUBMITTED FOR A COMPLETE APPLICATION.



22ND ST

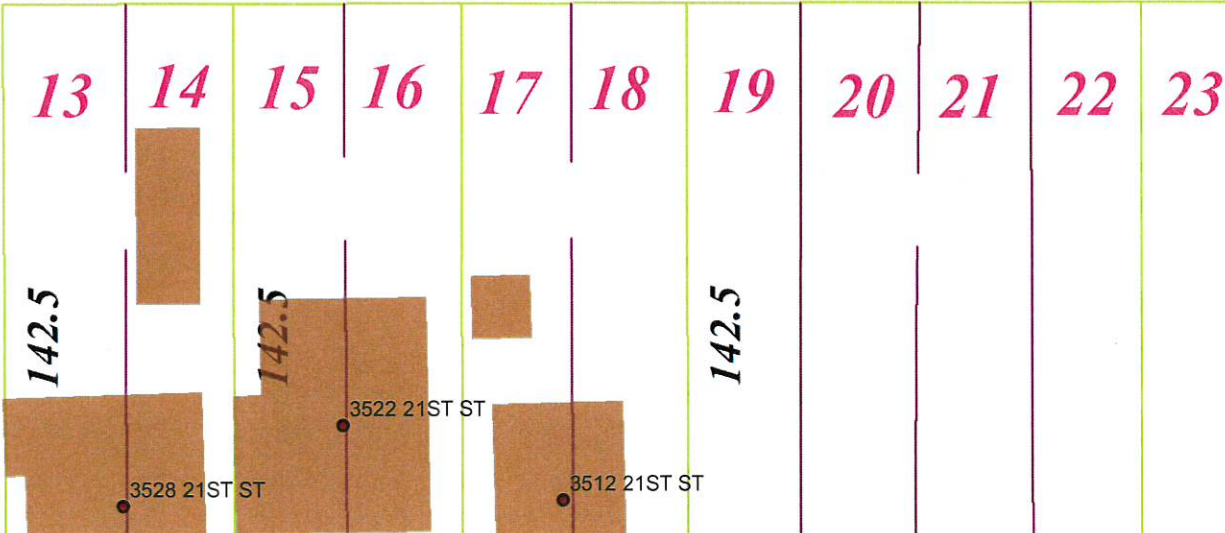
142.5

36TH AVE



4

142.5



BUSINESS PLAN

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Bridget Hutchinson **Director**

Mathew Hutchinson **Co-Director**



228-669-9788

Mathew Hutchinson 228-297-5070

#6

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note * - As to the harmony of the
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March 9, 2022

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Matthew Hutchinson 228-669-9788

Bridget Hutchinson 228-297-5070

Matthew Hutchinson

Matthew Hutchinson

[Signature]

Samantha Belsome, Notary





Joseph L. Hutchinson 1st Judicial District
Instrument 2017 2768 D - J1
Filed/Recorded 6/ 4/2017 03:20 P
Total Fees \$ 13.00
2 Pages Recorded

Quit Claim Deed

Prepared by and return to:

Joseph Hutchinson

18353 Sky Lane

Saucier, MS 39574

225-304-1119

Grantor:

Joseph L Hutchinson

18353 Sky Lane

Saucier, MS 39574

(225) 304-1119

Grantee:

Mathew Hutchinson

13085 Andy St

Gulfport, MS 39503

(228) 297-5070

Quit Claim Deed

Prepared by and return to:
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18353 Sky Lane
Saucier, MS 39574

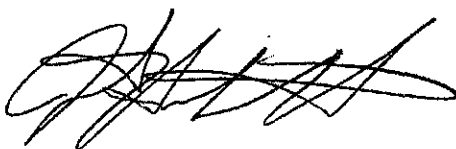
Grantor:
Joseph L Hutchinson
18353 Sky Lane
Saucier, MS 39574
(225) 304-1119

Grantee:
Mathew Hutchinson
13085 Andy St
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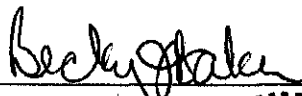
LOTS 7 & 8 BLK 2 SEA VIEW ADD PART OF NE ¼ OF SE ¼ OF
SEC 5-8-11 SEA VIEW ADD S/T/R 05-08-11 BLOCK 002
PARCEL 0711H-01-007.000
HARRISON COUNTY, MISSISSIPPI

Joseph L. Hutchinson



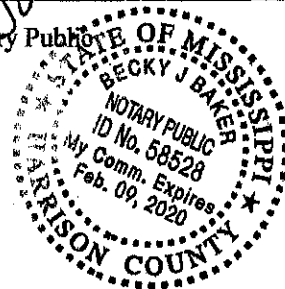
STATE OF MISSISSIPPI
COUNTY OF HARRISON

PERSONALLY appeared before me, the undersigned authority in and for the said county and state, on this 15 day of April 2017, the within my jurisdiction, the within named Joseph L. Hutchinson, who acknowledged that he executed and delivered the above and forgoing instrument.

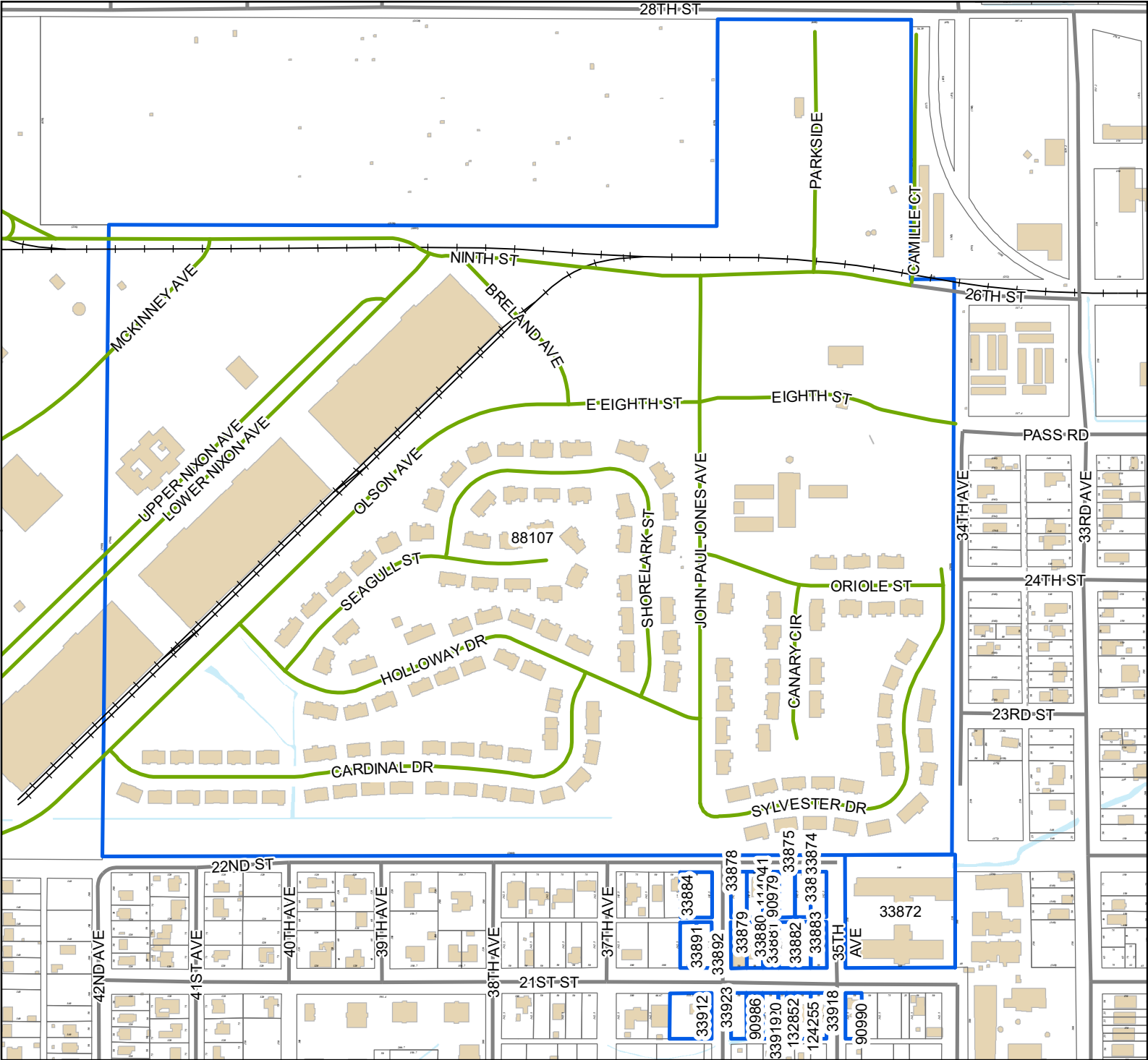


Notary Public

My Commission Expires: Feb 9, 2020

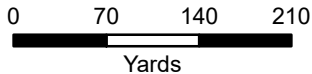


Mail	PPIN	Parcel ID	Name	Address	City	State	ZIP
	90979	0711H-01-007.000	MATHEW HUTCHINSON (OWNER)	13085 ANDY ST	GULFPORT	MS	39503
	90979	0711H-01-007.000	BRIDGET HUTCHINSON (AGENT)	18353 SKY LANE	SAUCIER	MS	39574
N			Adjacent Property Owners				
	33882	0711H-01-004.000	BROWN SYLVIA L ETAL	P O BOX 2440 10521 S WALLACE ST C/O DR FREDNA	GULFPORT	MS	39503
	33883	0711H-01-003.000	BUTLER IVORY ETAL	D BUTLER MCNEAL	CHICAGO	IL	60628
	33918	0711H-01-054.000	COLE CAROLYN	3501 21ST ST	GULFPORT	MS	39501
	33874	0711H-01-005.000	CRAFT EARNIE MAE	606 E 5TH ST	GULFPORT	MS	39501
	114041	0711H-01-007.001	DAY LETITIA R	11334 FAIRFIELD LN	GULFPORT	MS	39503
	33923	0711H-01-043.000	EVANS MARIE DORIS	3527 21ST ST	GULFPORT	MS	39501
	90986	0711H-01-047.000	GATES ARTHUR	3611 21ST STREET	GULFPORT	MS	39501
	33884	0711H-01-011.000	GATES BETTY	3528 21ST ST	GULFPORT	MS	39501
N	33879	0711H-01-010.000	GATES BETTY JEAN ETAL	3528 21ST ST	GULFPORT	MS	39501
N	33878	0711H-01-010.001	GATES ELIZABETH ETAL	3528 21ST ST	GULFPORT	MS	39501
	33891	0711H-01-013.000	HARPER RUBEN CHARLES	2224 30TH ST APT C	GULFPORT	MS	39501
	132852	0711H-01-051.001	HARRIS WELTON	3509 21ST ST	GULFPORT	MS	39501
N	33919	0711H-01-051.000	HARRIS WELTON E	3509 21ST ST	GULFPORT	MS	39501
N	33920	0711H-01-048.000	HARRIS WELTON EUGENE	3509 21ST ST	GULFPORT	MS	39501
	33873	0711H-01-002.000	JACKSON EULIOUN	3701 MEADOWLARK DR	GULFPORT	MS	39501
	33875	0711H-01-006.000	JACKSON PRATHER E	8345 RESEDA BLVD STE 117	NORTHRIDGE	CA	91324
	33892	0711H-01-012.000	JOHNSON KEYSHAUNA	332 W MCHENRY RD	PERKINSTON	MS	39573
	33912	0711H-01-042.000	LENARD RICKY J & WILLIE E	102 MISSOURI ST	GULFPORT	MS	39501
	33881	0711H-01-008.000	MADDOX ROSIE L -EST-	3512 21ST ST	GULFPORT	MS	39501
	124255	0711H-01-054.001	MSL PROPERTIES LLC	20231 CLIFF ALLEN LN	LONG BEACH	MS	39560
	90990	0711H-01-055.000	SILVA PABLO A	2504 HALSEL ST	GULFPORT	MS	39503
	33880	0711H-01-009.000	THOMPSON JAMES	2000 46TH AVE	GULFPORT	MS	39501
	88107	0711A-01-003.000	U S GOVT	28TH ST	GULFPORT	MS	39501
N	33872	0711H-01-001.000	UNITED STATES OF AMERICA				0



Legend

- Site
- Adjacent Properties
- Street
- Military Street
- Alley
- Railroad
- Buildings
- Water Features



1 inch = 435 feet



DATA DISCLAIMER: All information that is provided on this map is believed to be correct. However, no liability is assumed by the City of Gulfport for errors in substance or form of any of the materials published on this map. The GIS Division, City of Gulfport, provides the information represented on this map as a service to the community and makes every effort possible to provide quality information. However, no claims, promises, or guarantees about the accuracy, completeness, or adequacy of the information contained on this map are expressed or implied.

MW

RE: Special Exception 2204SE076, by agent Bridget Hutchinson, tax parcel 0711H-01-007.000, Request Special Exception for assisted living facility use, 13085 Andy St, Zoned R-2 (Single-family), Ward 1

To Applicants and Adjacent Property Owners:

The City of Gulfport Zoning Board of Adjustments and Appeals will hold a public hearing to consider the above application at 3:00 P.M. on **Thursday, April 21, 2022**, in the Council Chambers at the Gulfport City Hall located at 2309 15th Street.

For more information, visit <http://www.gulfport-ms.gov/agendas/> then click the City of Gulfport Zoning Board for **Thursday, April 21, 2022**. A map showing the location of the property involved is located at this website. If you have any questions or comments, please contact this office at the phone number 228-868-5710 or email planners@gulfport-ms.gov. The application is available for viewing in the Planning Division office at 1410 24th Avenue.



Beaufort Gazette
Belleville News-Democrat
Bellingham Herald
Bradenton Herald
Centre Daily Times
Charlotte Observer
Columbus Ledger-Enquirer
Fresno Bee

The Herald - Rock Hill
Herald Sun - Durham
Idaho Statesman
Island Packet
Kansas City Star
Lexington Herald-Leader
Merced Sun-Star
Miami Herald

el Nuevo Herald - Miami
Modesto Bee
Raleigh News & Observer
The Olympian
Sacramento Bee
Fort Worth Star-Telegram
The State - Columbia
Sun Herald - Biloxi

Sun News - Myrtle Beach
The News Tribune Tacoma
The Telegraph - Macon
San Luis Obispo Tribune
Tri-City Herald
Wichita Eagle

AFFIDAVIT OF PUBLICATION

Account #	Order Number	Identification	Order PO	Amount	Cols	Depth
36845	241637	Print Legal Ad - IPL0067173	210200	\$41.64	1	69 L

Attention: Matilda Welch
PO BOX 1780
GULFPORT, MS 39502

LEGAL NOTICE PUBLIC HEARING

In conformance with Section VIII of the Comprehensive Zoning Ordinance of the City of Gulfport, Mississippi, 1979, as amended, notice is hereby given advising that the Zoning Board of Adjustment and Appeals will hold a public hearing in the City of Gulfport, Mississippi at 3:00 P.M., Thursday, April 21, 2022, in the Council Chambers of the Gulfport City Hall located at 2309 15th Street to consider the following requests. A copy of the requests will be available for public review at the office of the Department of Urban Development-Planning Division located on first floor of the William H. Hardy Building, 1410 24th Avenue.

Variance 2204ZB046, by agent Frank Magee, tax parcel 0810P-02-024.000, Request variance parking space reduction, backing into the right-of-way, 1220 Pass Rd, Zoned B-2 (General Business), Ward 3

Variance 2204ZB053, by owner Kyle Fitzpatrick, tax parcel 0708A-01-016.001, Variance for fence material, 12503 Old Hwy 49, Zoned R-O (Residence-office), Ward 7

Variance 2204ZB055, by agent Dwane J Babin, tax parcel 0911F-01-026.000, Variance for setbacks, 1532 Hewes Ave, Zoned R-1-7.5 (Single-family), Ward 2

Variance 2204ZB063, by agent Travis Construction, tax parcel 1009J-01-001.003, Request variance for accessory structure quantity, max area allowed, 10480 Reichold Rd, Zoned I-2 (Heavy industry district), Ward 5

Variance 2204ZB065, by agent Kenneth Jones II, tax parcel 1008F-01-001.000, Variances for parking reduction, setback, Highland Way, Zoned R-B (Residence-business), Ward 6

Variance 2204ZB067, by owners Jason and Leena Ulku, tax parcel 1010C-01-001.031, Variance for fence height, 10917 Waterside Dr, Zoned R-2 (Single-family), Ward 5

Variance 2204ZB068, by owner Julia Nieto - Gomez, tax parcel 1008D-01-011.000, Request variance for setback, Arrowhead Dr, Zoned R-E (Residential estates), Ward 6

Special Exception 2204SE076, by agent Bridget Hutchinson, tax parcel 0711H-01-007.000, Request Special Exception for assisted living facility use, 13085 Andy St, Zoned R-2 (Single-family), Ward 1

This the 30th day of March 2022
A. Lee Palermo, Chairman
City of Gulfport Zoning Board of Adjustment and Appeals
IPL0067173
Apr 6 2022

STATE OF MISSISSIPPI COUNTY OF HARRISON

Before me, the undersigned Notary of Dallas County, Texas personally appeared Keriann Leenerts, who, being by me first duly sworn, did depose and say that she is a clerk of The Sun Herald, a daily newspaper published in the city of Gulfport, in Harrison County, Mississippi and the publication of the notice, a copy of which is hereto attached, has been made in said paper in the issue (s) of:

No. of Insertions: 1

Beginning Issue of: 04/06/2022

Ending Issue of: 04/06/2022

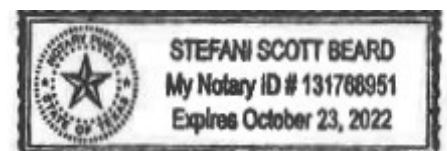
Affidavit further states on oath that said newspaper has been established and published continuously in said county for a period of more than twelve months next prior to the first publication of said notice.

Sworn to and subscribed before me this 6th day of April in the year of 2022

Stefani Beard

Notary Public

* The Sun Herald has been deemed eligible for publishing legal notices in Jackson County to meet the requirements of Miss. Code 1972 Section 13-3-31 and 13-3-32.



Extra charge for lost or duplicate affidavits.
Legal document please do not destroy!

MEMORANDUM

To: City of Gulfport Zoning Board of Adjustment and Appeals

From: Greg Holmes, Planning Administrator
Urban Development Department

Date of Hearing: April 21, 2022

Re: Excessive Height 2204ZB044:
Tabled to April 21,2022 Meeting

Excessive Height 2204ZB044, by agent George Denmark, tax parcel 1010A-01-001.000,
Requests a variance for excessive dwelling height, 2230 Runnymede Dr, Zoned R-2 (Single-family), Ward 5

Technical Report

EXCESSIVE HEIGHT

GENERAL INFORMATION

Case File Number: 2203ZB044

Hearing Date: March 17, 2022

Current Zoning/Use: R-2 / Vacant

Legal: Excessive Height 2204ZB044, by agent George Denmark, tax parcel 1010A-01-001.000, Requests a variance for excessive dwelling height, 2230 Runnymede Dr., Zoned R-2 (Single-family), Ward 5

TECHNICAL DETAILS

The applicant request an excessive height variance of 5 feet to allow for a building height of 40 feet where 35 feet is the maximum height allowed in an R-2 (Single-family) zoning district.

The Comprehensive Zoning Ordinance Sec IV (C) (2) Excess height requires that front, side and rear yard setbacks are increased 1 foot for every 2 feet of excess height; and, further where no yard is required, the part of the structure exceeding the height specified for the district shall be set back from the vertical lane of the adjacent building site line 1 foot for every 2 feet of such excess height. However, building setbacks from property lines are indeterminate on the site plan provided by applicant. Further, the applicant has applied for a final plat for the April 28, 2022 meeting; therefore, property lines have not been established.

In addition, the building exceeds IRC Building Code (Prescriptive Code), Wood Frame Construction Manual, and the ICC 600 Manual for height. Therefore, falls into the requirements of the International Building Code; where a professional design would be required along with a domestic sprinkler system.

EXECUTIVE SUMMARY

Although the height variance itself may not be an issue, the final plat for this property has not been reviewed nor has it been presented or approved by the Planning Commission or City Council. The true property lines has not been established; therefore, we do not know from the site plan presented how far the applicant's setbacks must be from the property line to adhere to the Comprehensive Zoning Ordinance Sec IV (C) (2) regarding excess height.

Therefore, any approvals should be delayed until final plat is approved by both Planning Commission and City Council.

Any approval should consider these conditions:

1. Building exceeds IRC Building Code (Prescriptive Code), Wood Frame Construction Manual, and the ICC 600 Manual for height. Therefore, falls into the requirements of the International Building Code; where a professional design would be required along with a domestic sprinkler system.

Technical Report

EXCESSIVE HEIGHT

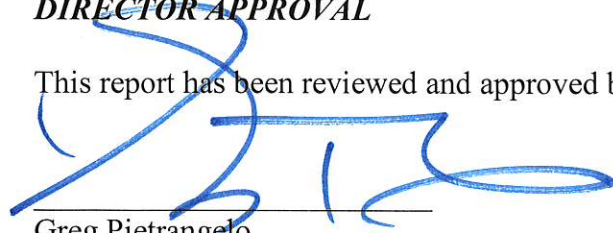
2. Approval of this variance would allow a building height of 40 feet where 35 feet is the maximum height.

DEPARTMENTAL CONDITIONS

<u>Engineering:</u>	No conditions. Memo dated 3/7/22.
<u>Public Works:</u>	No conditions. Memo dated 3/7/22.
<u>Traffic and Safety:</u>	No conditions. Memo dated 2/28/22.
<u>Building Code Services:</u>	Building exceeds IRC Building Code (Prescriptive Code), Wood Frame Construction Manual, and the ICC 600 Manual for height. Therefore, falls into the requirements of the International Building Code; where a professional design would be required and a domestic sprinkler system. Memo dated 2/28/22.
<u>GIS:</u>	No conditions. Memo dated 3/3/22.
<u>Police Department:</u>	No conditions. Memo dated 3/2/22.
<u>Fire Department:</u>	No conditions. Memo dated 2/28/22.
<u>City Arborist:</u>	No conditions. Memo dated 3/1/2022.

DIRECTOR APPROVAL

This report has been reviewed and approved by:



Greg Pietrangelo
Director of Urban Development Department

100

[illegible]

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7. FOUNDATION PLAN	7. FOURTH FLOOR GENERAL
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102. FOUNDATION PLAN	102. NINETY-NINTH FLOOR GENERAL
103. FOUNDATION PLAN	103. HUNDRED FLOOR GENERAL

[illegible]

			
COMMONWEALTH OF MASSACHUSETTS DEPARTMENT OF REVENUE TAXPAYER'S SERVICE CENTER 100 STATE STREET, SUITE 200 BOSTON, MA 02109-1099 TEL: 617-725-6000 FAX: 617-725-6001 WWW.MASS.TAXES.DEP. 1/1/00		COMMONWEALTH OF MASSACHUSETTS DEPARTMENT OF REVENUE TAXPAYER'S SERVICE CENTER 100 STATE STREET, SUITE 200 BOSTON, MA 02109-1099 TEL: 617-725-6000 FAX: 617-725-6001 WWW.MASS.TAXES.DEP. 1/1/00	
TAXPAYER'S SERVICE CENTER 100 STATE STREET, SUITE 200 BOSTON, MA 02109-1099 TEL: 617-725-6000 FAX: 617-725-6001 WWW.MASS.TAXES.DEP. 1/1/00		TAXPAYER'S SERVICE CENTER 100 STATE STREET, SUITE 200 BOSTON, MA 02109-1099 TEL: 617-725-6000 FAX: 617-725-6001 WWW.MASS.TAXES.DEP. 1/1/00	

[illegible]

1. *Journal of the American Medical Association*, 1997; 277: 1039-1043.



MATERIAL KEYING LEGEND

1	CONCRETE
2	ASPHALT
3	GRAVEL
4	SOIL
5	WOOD
6	IRON
7	COPPER
8	BRASS
9	STEEL
10	ALUMINUM
11	GLASS
12	STONE
13	CEMENT
14	PLASTER
15	PAINT
16	ROOFING
17	LANDSCAPE
18	WATER
19	WIND
20	SUN
21	MOON
22	STARS
23	CLOUDS
24	RAIN
25	SNOW
26	ICE
27	FIRE
28	THUNDER
29	LIGHTNING
30	WIND
31	SUN
32	MOON
33	STARS
34	CLOUDS
35	RAIN
36	SNOW
37	ICE
38	FIRE
39	THUNDER
40	LIGHTNING



DONALD DESIGN

ARCHITECTURE

1000 BOUTIQUE DRIVE, SUITE 100, DALLAS, TEXAS 75201

AVAND RESIDENCE

DATE: 10/1/00

SCALE: 1" = 20'-0"



1

Technical Report

EXCESSIVE HEIGHT

GENERAL INFORMATION

Case File Number: 2203ZB044

Hearing Date: March 17, 2022
Tabled to April 21, 2022 Meeting

Current Zoning/Use: R-2 / Vacant

Legal: Excessive Height 2204ZB044, by agent George Denmark, tax parcel 1010A-01-001.000, Requests a variance for excessive dwelling height, 2230 Runnymede Dr., Zoned R-2 (Single-family), Ward 5

TECHNICAL DETAILS

The applicant request an excessive height variance of 5 feet to allow for a building height of 40 feet where 35 feet is the maximum height allowed in an R-2 (Single-family) zoning district.

The Comprehensive Zoning Ordinance Sec IV (C) (2) Excess height requires that front, side and rear yard setbacks are increased 1 foot for every 2 feet of excess height; and, further where no yard is required, the part of the structure exceeding the height specified for the district shall be set back from the vertical lane of the adjacent building site line 1 foot for every 2 feet of such excess height. However, building setbacks from property lines are indeterminate on the site plan provided by applicant. Further, the applicant has applied for a final plat for the April 28, 2022 meeting; therefore, property lines have not been established.

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EXECUTIVE SUMMARY

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Technical Report

EXCESSIVE HEIGHT

2. Approval of this variance would allow a building height of 40 feet where 35 feet is the maximum height.

DEPARTMENTAL CONDITIONS

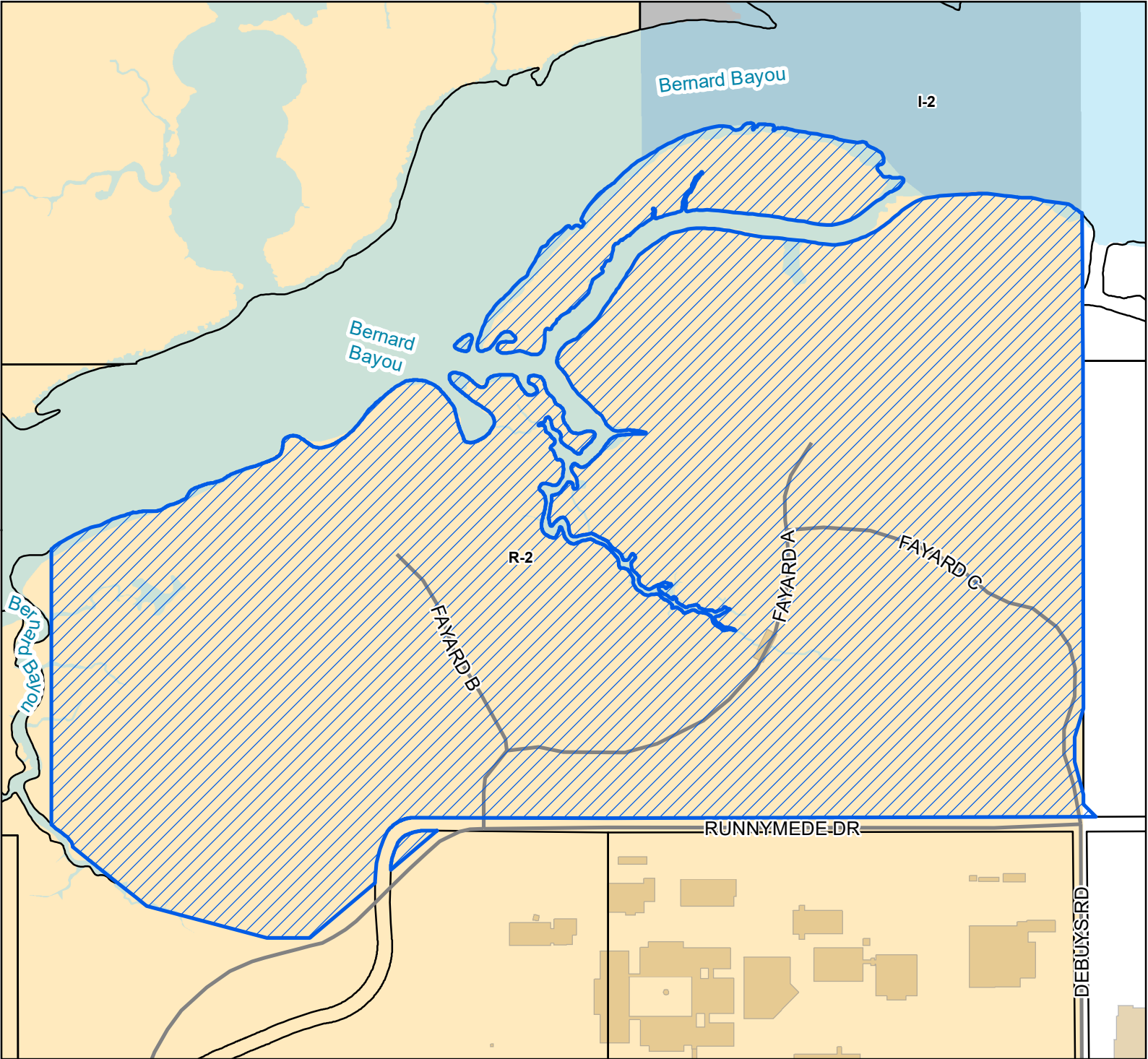
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DIRECTOR APPROVAL

This report has been reviewed and approved by:



Greg Pietrangelo
Director of Urban Development Department



Legend

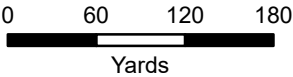
- Site
- Street
- Parcels
- Buildings
- Water Features

Zoning

- I-2 - Heavy Industry District
- R-2 - Single Family Residence District (Medium Density)

Site Information

1010A-01-001.000
Zoning: R-2 (Single-family Residence District)
Size: 99.63 Acres
Flood: AE



1 inch = 390 feet



DATA DISCLAIMER: All information that is provided on this map is believed to be correct. However, no liability is assumed by the City of Gulfport for errors in substance or form of any of the materials published on this map. The GIS Division, City of Gulfport, provides the information represented on this map as a service to the community and makes every effort possible to provide quality information. However, no claims, promises, or guarantees about the accuracy, completeness, or adequacy of the information contained on this map are expressed or implied.



CITY OF GULFPORT
Urban Development - Planning Division
1410 24th Avenue
Gulfport, MS 39501
(228) 868-5710

For Staff Use Only

Case File #: 220428044Date Received: 2/4/22

Receipt #: _____

Received By: D2Zoning: R-2Ward: 5 Flood: AESize: 99.63 ACRES

(If necessary, use separate sheet of paper)

APPLICATION FOR EXCESSIVE HEIGHT

Property Information

TAX PARCEL # 1010A-01-C01-000

Address of Property Involved: Runnymede Dr.

Lot(s) _____, Block(s) _____, Subdivision _____

General Location: North of Jefferson Davis Jr. College.

GENERAL DESCRIPTION OF REQUEST: 5' Hgt. Variance - Average Hgt.
of all ridges on Fayerd Residence is 40' / go to is 35' /

OWNERSHIP AND CERTIFICATION:

I hereby certify that I have read and understand this application and that all information and attachments are true and correct. I also certify that I agree to comply with all applicable city codes, ordinances and state laws. Finally, I certify that I am the owner of the property involved in this request or have authorization to act as the owner's agent for the herein described request.

OWNER

AGENT

Printed Name Of Owner

John Fayerd.

Mailing Address

Lawrence Place

City

Gulfport

State

Ms.

Zip code

39503

Home Phone

Work/Cell Phone

228-864-2262

Email

jfayerd@johnfayerdwarehouse.com

Signature Of Owner

Printed Name Of Agent

George E.E. Denmark

Mailing Address

11455 Holly Bluff Circle

City

Biloxi.

State

Ms.

Zip code

39532

Home Phone

Work/Cell Phone

228-348-2588

Email

gdenmark1@gmail.com

Signature Of Agent

George E.E. Denmark

If the property or properties listed above have more than one owner, please check this box. In the case of multiple owners, reverse side must be completed. Each additional owner will need to complete and sign the reverse side of this application. We can only accept applications with original signatures.



SECTIONS A. THROUGH J. MUST BE SUBMITTED FOR A COMPLETE APPLICATION.

Hd Homes, Llc
13001 Arguellas Rd.
Ocean Springs, Ms 39565
(228)-238-6733
Hdesporte@Builderhd.Com

February, 3rd 2022

City Of Gulfport
Urban Development - Planning Division
1410 24th Avenue Gulfport, Ms 39501
(228) 868-5710

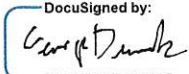
Agent Authorization Letter

To whom it may concern,

I, Janet Fayard, hereby authorize HD homes, LLC and Denmark Design P.A. as agents to submit a *Variance Application* concerning building height on behalf of myself and John Fayard Jr. to *The City of Gulfport Department of Urban Development - Planning Division* for the project specified herein.

Project title:
The Fayard Residence
Gulfport, Mississippi
0 Runnymede
Gulfport, MS. 39507
Parcel#: 101A-01-001.000

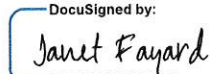
Architect:
Denmark Design P.A.
George Denmark, Architect
1455 Holly Bluff Circle
Biloxi, MS 39532
228.248.2588

Signature:  DocuSigned by:
F62F20E0DC0842C...
George Denmark, Denmark Design P.A.

Date: 2/3/2022

Signature:  DocuSigned by:
39FCC079C2414D4...
Jon Hunter Desporte, HD Homes, LLC

Date: 2/3/2022

Signature:  DocuSigned by:
9EE3F82F44604A4...
Janet Fayard, Property Owner

Date: 2/3/2022

40998



John R. Fayard, Jr. 1st Judicial District.
Instrument 2013 2495 D -J1
Filed/Recorded 4/18/2013 03:07 P
Total Fees \$ 24.00
3 Pages Recorded

Prepared by and Return to after recording:
Michael B. McDermott, MS Bar No. 2379
Page, Mannino, Peresich & McDermott, P.L.L.C.
759 Vieux Marche' Mall
Biloxi, MS 39530
(228) 374-2100

INDEXING: Section 29, T7S, R10W and Section 20, T7S, R10W, City of Gulfport, Harrison County,
MS.

STATE OF MISSISSIPPI
COUNTY OF HARRISON
FIRST JUDICIAL DISTRICT

SPECIAL WARRANTY DEED

FOR AND IN CONSIDERATION of the sum of Ten and no/100 Dollars (\$10.00), cash in hand
paid, and other good and valuable considerations, the receipt and sufficiency of which is hereby
acknowledged, the undersigned, on behalf of

BANCORPSOUTH BANK
P.O. BOX 70
BILOXI, MS 39535
(228) 214-4507

do hereby sell, convey and specially warrant unto

JOHN R. FAYARD, JR.
P.O. Box 2189
Gulfport, MS 39503
(228) 864-2262

the following described real property being located in the First Judicial District of Harrison County,
Mississippi, more particularly and certainly described as follows, to-wit:

See attached Exhibit "A" for Legal Description

This conveyance is subject to all restrictions, reservations and easements affecting said property on file and of record in the Office of the Chancery Clerk of the First Judicial District of Harrison County, Mississippi.

Ad valorem taxes for the year 2013 have been prorated between the parties hereto and the obligation to pay same is assumed by the Grantee herein, who will pay same when due.

WITNESS our signatures on this the 16 day of April, 2013.

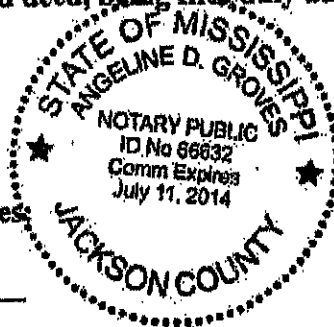
BANCORPSOUTH BANK

By: [Signature]
Title: Senior VP

By: [Signature]
Title: President - Biloxi Community Fed

STATE OF MISSISSIPPI
COUNTY OF HARRISON

Personally appeared before me, the undersigned authority in and for the said county and state, on this 17th day of April, 2013, within my jurisdiction, the within named William B. Briscoe, who acknowledged to me that he is the Senior Vice President of BancorpSouth Bank, and who acknowledged that for and on its behalf, he signed, sealed and delivered the foregoing instrument on the day and year therein mentioned as its act and deed, being first duly authorized so to do.



[Signature]
NOTARY PUBLIC

My Commission Expires:

(SEAL)

STATE OF MISSISSIPPI
COUNTY OF HARRISON

Personally appeared before me, the undersigned authority in and for the said county and state, on this 17th day of April, 2013, within my jurisdiction, the within named Tammy Hunt, who acknowledged to me that he is the President - Biloxi Community Fed of BancorpSouth Bank, and who acknowledged that for and on its behalf, he signed, sealed and delivered the foregoing instrument on the day and year therein mentioned as its act and deed, being first duly authorized so to do.

[Signature]

EXHIBIT "A"

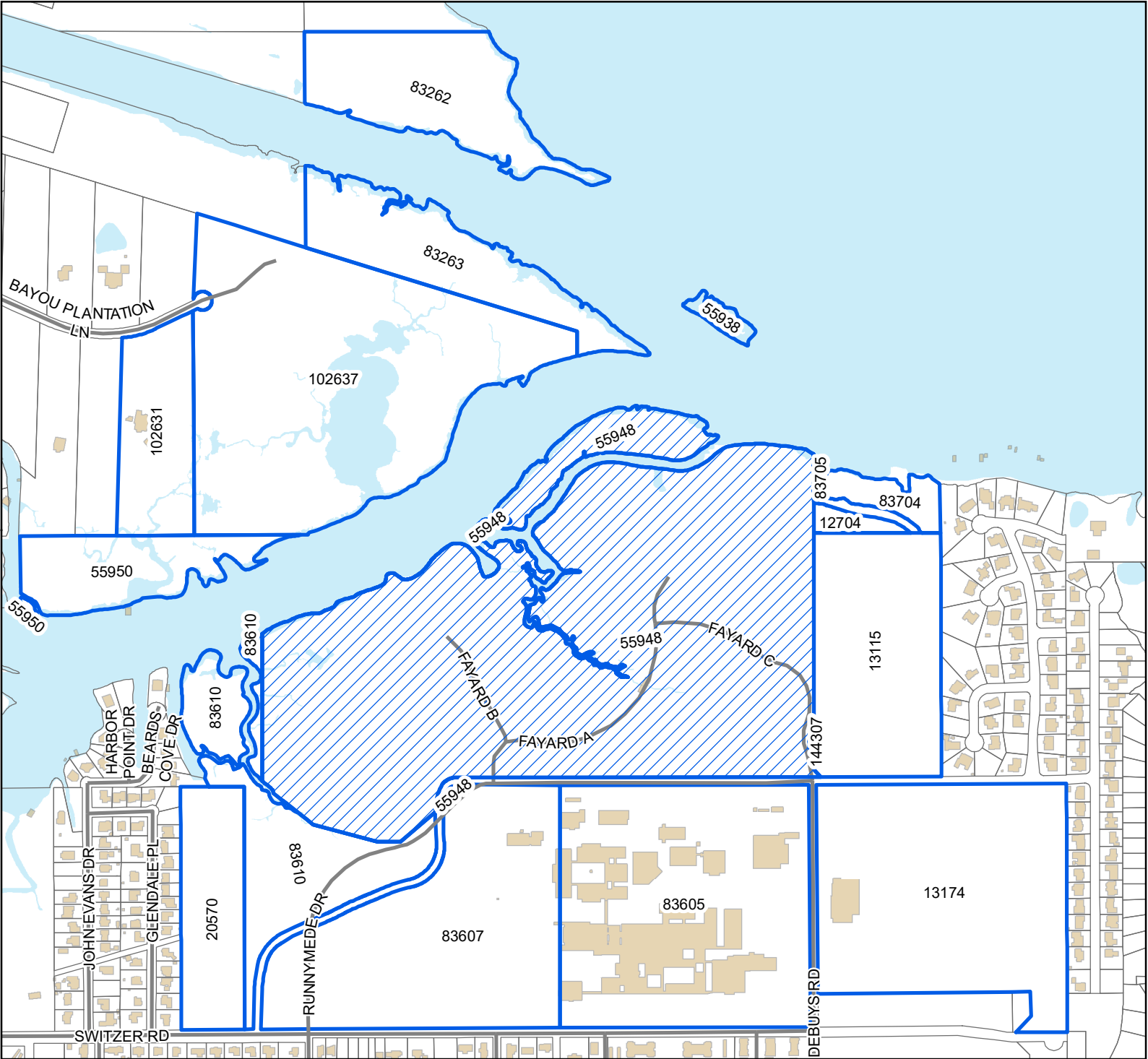
LEGAL DESCRIPTION

A parcel of land situated in Section 29, Township 7 South, Range 10 West and Section 20, Township 7 South, Range 10 West, City of Gulfport, Harrison County, Mississippi, also being known Deed Lots 1 thru 4 as per Deed Book 1509, Pages 218 thru 227, being more particularly described as follows:

Commencing at a concrete monument found as the Northeast corner of Section 29, Township 7 South, Range 10 West, City of Gulfport, Harrison County, Mississippi; thence along the East line of said Section 29, S00 19'16"E 1301.15' to an iron rod set at the intersection of said East line and the present North margin of Runnymede Road; thence along said North margin of Runnymede Road, S89 28'31"W 98.39' to an iron rod set; thence further along said North margin S88 08'22"W 225.84' to an iron rod set; thence further along said North margin N89 42'53"W 175.81' to an iron rod set; thence further along said North margin, S87 25'22"W 100.12' to an iron rod set; thence further along said North margin N89 46'34"W 274.92' to an iron rod set; thence further along said North margin, N89 56'21"W 916.54' to an iron pipe set; thence S50 54'15"W 24.05' to an iron pipe set at the Northeast corner of Orange Grove Utilities property, described in Deed Book 1654, Pages 305 through 307; thence along the East line of said Orange Grove Utilities property, S50 54'15"W 243.18' to an iron rod set at the Northeast corner of Mississippi Gulf Coast Community College District property, described in Deed Book 1654, Pages 302 thru 304; thence along the North line of said Mississippi Gulf Coast Community College District property, S50 57'53"W 253.31' to an iron pipe set at the Southwest corner of said Mississippi Gulf Coast Community College District property; thence S89 55'51"W 118.67' to an iron rod set; thence N75 00'27"W 349.85' to an iron rod set; thence N51 24'13"W 334.89' to a point falling in an existing Bayou; thence N00 22'31"W 770' more or less to the apparent South Shoreline of Bernard Bayou; thence in a Northeasterly direction along the apparent South shoreline of Bernard Bayou to a point being N65 25'05"E 718.75'; thence further along said apparent shoreline N63 58'46"E 400.04' to a point on the apparent West shoreline of an irregular tributary Channel; thence along the apparent South shoreline of said channel, N79 01'29"E 432.94' to a point; thence further along said apparent South shoreline, N43 31'20"E 180.40' to a point; thence further along said apparent South shoreline N32 23'41"E 179.53' to a point; thence further along said apparent South shoreline, N72 49'27"E 219.29' to a point; thence further along said apparent South shoreline, S80 52'42"E 354.45' to a point; thence further along said apparent South shoreline, N58 53'06"E 234.10' to a point on the apparent South margin of the Back Bay of Biloxi; thence further along said apparent South shoreline, N76 51'37"E 215.95' to a point, thence further along said apparent South shoreline, S75 53'41"E 273.44' to a point at the intersection of said South shoreline and the East line of Section 20, Township 7 South, Range 10 West, City of Gulfport, Harrison County, Mississippi, thence along said East line, S00 19'16"E 394.18' to the Point of Beginning, Containing 95.4 acres more or less.

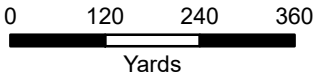
and also:

Including a Quitclaim parcel being 5.7 acres plus/minus marsh island lying predominantly in the South 1/2 of the Southeast 1/4 of Section 20, Township 7 South, Range 10 West, City of Gulfport, Harrison County, Mississippi, as per survey by Eugene P. Sternum, dated November 9, 2004, revised January 24, 2005.



Legend

- Site
- Adjacent Properties
- Street
- Buildings
- Water Features



1 inch = 730 feet



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Mail	PPIN	Parcel ID	Name	Address	City	State	ZIP
	55948	1010A-01-001.000	FAYARD JOHN R JR (OWNER)	PO BOX 2189	GULFPORT	MS	39503
	55948	1010A-01-001.000	GEORGE E.E. DENMARK (AGENT)	11455 HOLLY BLUFF CIR	BILOXI	MS	39532
N			Adjacent Property Owners				
	83262	1009P-01-001.000	HARRISON CO DEV COMM	12281 INTRAPLEX PKWY	GULFPORT	MS	39503
N	83263	1009P-02-001.000	HARRISON CO DEV COMM	12281 INTRAPLEX PKWY	GULFPORT	MS	39503
	102637	1009O-02-002.014	MCCABE MATTHEW JENNINGS	10967 WATERSIDE DR	GULFPORT	MS	39503
N	83605	1010A-02-001.000	MISS GULF COAST JR COLLEGE				0
N	13174	1110D-01-038.000	MISS GULF COAST JR COLLEGE				0
N	83610	1010B-02-001.000	MISS GULF COAST JR COLLEGE				0
N	83607	1010A-02-002.000	MISS GULF COAST JR COLLEGE				0
N	20570	1010B-02-003.000	MISS POWER CO				0
	102631	1009O-02-002.008	MOORE KENNETH E & DIANE L	10737 PLANTATION LANE	GULFPORT	MS	39503
	55938	1009P-01-002.000	ORANGE GROVE UTILITIES	110 S WILSON BLVD	GULFPORT	MS	39503
N	12704	1109M-02-004.000	ORANGE GROVE UTILITIES INC	110 SOUTH WILSON BLVD	GULFPORT	MS	39503
N	83704	1109M-02-003.000	ORANGE GROVE UTILITIES INC	110 SOUTH WILSON BLVD	GULFPORT	MS	39503
N	83705	1109M-02-005.000	ORANGE GROVE UTILITIES INC	110 SOUTH WILSON BLVD	GULFPORT	MS	39503
N	55950	1010B-01-001.000	ORANGE GROVE UTILITIES INC	110 S WILSON BLVD	GULFPORT	MS	39503
N	13115	1110D-01-037.000	ORANGE GROVE UTILITIES INC	110 SOUTH WILSON BLVD	GULFPORT	MS	39503
N	144307	1010A-01-001.001	ORANGE GROVE UTILITIES INC	110 SOUTH WILSON BLVD	GULFPORT	MS	39503

RE: Excessive Height 2204ZB044, by agent George Denmark, tax parcel 1010A-01-001.000, Requests a variance for excessive dwelling height, 2230 Runnymede Dr., Zoned R-2 (Single-family), Ward 5

To Applicants and Adjacent Property Owners:

The City of Gulfport Zoning Board of Adjustments and Appeals will hold a public hearing to consider the above application at 3:00 P.M. on **Thursday, March 17, 2022**, in the Council Chambers at the Gulfport City Hall located at 2309 15th Street.

For more information, visit <https://www.gulfport-ms.gov/agendas/> then click the City of Gulfport Zoning Board for **Thursday, March 17, 2022**. A map showing the location of the property involved is located at this website. If you have any questions or comments, please contact this office at the phone number 228-868-5710 or email planners@gulfport-ms.gov. The application is available for viewing in the Planning Division office at 1410 24th Avenue.



Beaufort Gazette
Belleville News-Democrat
Bellingham Herald
Bradenton Herald
Centre Daily Times
Charlotte Observer
Columbus Ledger-Enquirer
Fresno Bee

The Herald - Rock Hill
Herald Sun - Durham
Idaho Statesman
Island Packet
Kansas City Star
Lexington Herald-Leader
Merced Sun-Star
Miami Herald

el Nuevo Herald - Miami
Modesto Bee
Raleigh News & Observer
The Olympian
Sacramento Bee
Fort Worth Star-Telegram
The State - Columbia
Sun Herald - Biloxi

Sun News - Myrtle Beach
The News Tribune Tacoma
The Telegraph - Macon
San Luis Obispo Tribune
Tri-City Herald
Wichita Eagle

AFFIDAVIT OF PUBLICATION

Account #	Order Number	Identification	Order PO	Amount	Cols	Depth
36845	224006	Print Legal Ad - IPL0062157	210200	\$44.52	1	73 L

Attention: Matilda Welch
PO BOX 1780
GULFPORT, MS 39502

LEGAL NOTICE PUBLIC HEARING

In conformance with Section VIII of the Comprehensive Zoning Ordinance of the City of Gulfport, Mississippi, 1979, as amended, notice is hereby given advising that the Zoning Board of Adjustment and Appeals will hold a public hearing in the City of Gulfport, Mississippi at 3:00 PM., Thursday, March 17, 2022, in the Council Chambers of the Gulfport City Hall located at 2309 15th Street to consider the following requests. A copy of the requests will be available for public review at the office of the Department of Urban Development-Planning Division located on first floor of the William H. Hardy Building, 1410 24th Avenue.

Variance 2203ZB030, by owner Juan D Castano, tax parcel 0911C-02-003.007, Variance for setback, 1803 Burton Ave, Zoned R-1-7.5 (Single-family), Ward 2

Variance 2203ZB032, by agent All Signs, Inc, tax parcel 0809D-02-002.000, Variance for wall sign location, 15520 Daniel Blvd D, Zoned B-4 (Highway Business), Ward 7

Variance 2203ZB035, by owner Henry J Marcel, tax parcel 0811G-06-010.000, variance for setback, 1801 2nd St, Zoned T4+ (General Urban Zone "Plus"), Ward 2

Variance 2203PC037, by agent Olen Anderson, tax parcel 1010G-03-004.000, Variance for barbed wire fence abutting residential zone, 2019 E Pass Rd, Zoned B-2 (General Business), Ward 2

Variance 2203ZB038, by owner Fitzroy Hunter, tax parcel 0911C-01-178.000, Variance for setback, 2214 Hewes Ave, Zoned R-B (Residence-Business), Ward 3

Variance 2203ZB040, by owner Joseph McCormick Jr, tax parcel 1010N-02-001.000, Variance for fence height, 2331 Curcor Dr, Zoned T4L (General Urban Zone "Limited"), Ward 2

Variance 2203ZB041, by agent Jonathan Marshall, tax parcel 0910L-03-025.000, Variances for accessory structure height & size, 621 W Oak Dr, Zoned R-2 (Single-family), Ward 2

Variance 2203ZB042, by agent Wilson Hunt, tax parcel 0811L-03-016.000, Variance for fence height, 1111 31st Ave, Zoned T4+ (General Urban Zone "Plus"), Ward 2

Excessive Height 2204ZB044, by agent George Denmark, tax parcel 1010A-01-001.000, Requests a variance for excessive dwelling height, 2230 Runnymede Dr, Zoned R-2 (Single-family), Ward 5

This the 23th day of February 2022
A. Lee Palermo, Chairman
City of Gulfport Zoning Board of Adjustment and Appeals
IPL0062157
Mar 2 2022

STATE OF MISSISSIPPI COUNTY OF HARRISON

Before me, the undersigned Notary of Dallas County, Texas personally appeared Keriann Leenerts, who, being by me first duly sworn, did depose and say that she is a clerk of The Sun Herald, a daily newspaper published in the city of Gulfport, in Harrison County, Mississippi and the publication of the notice, a copy of which is hereto attached, has been made in said paper in the issue (s) of:

No. of Insertions: 1

Beginning Issue of: 03/02/2022

Ending Issue of: 03/02/2022

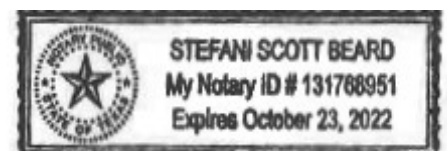
Affidavit further states on oath that said newspaper has been established and published continuously in said county for a period of more than twelve months next prior to the first publication of said notice.

Sworn to and subscribed before me this 2nd day of March in the year of 2022

Stefani Beard

Notary Public

* The Sun Herald has been deemed eligible for publishing legal notices in Jackson County to meet the requirements of Miss. Code 1972 Section 13-3-31 and 13-3-32.



Extra charge for lost or duplicate affidavits.
Legal document please do not destroy!