

AGENDA
ZONING BOARD OF ADJUSTMENT AND APPEALS
CITY HALL COUNCIL CHAMBERS
THURSDAY, AUGUST 18, 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 Minutes - July 21, 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 2204ZB050:
(Withdrawn by Administration)

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

2. Variance 2205ZB092:

Variance 2205ZB092, by agent Jesse Vincent, tax parcel 0910N-06-012.000, Variances for backing into the right-of-way & gravel parking, 410 32nd St, Zoned B-2 (General business), Ward 4

3. Variance 2209ZB149:

Variance 2209ZB149, by owners Gregory and Melinda Wyrosdick, tax parcel 1010C-01-001.019, Requests variance for setback, Channelside Drive, Zoned R-2 (Single-family), Ward 5

4. Variance 2209ZB150:
Withdrawn by Administration:

Variance 2209ZB150, by owner Walter A Karnes, tax parcel 1008N-01-076.000, Requests variances for accessory structure quantity and size, 11162 Ellis Dr, Zoned R-1-10 (Single-family), Ward 6

5. Variance 2209ZB152:

Variance 2209ZB152, by owner 605 Holdings, LLC, tax parcel 1010F-02-041.000, Variance for wall sign location, 1423 Magnolia St, Zoned T5 (Urban Center Zone), Ward 4

6. Special Exception 2209SE153:

Special Exception 2209SE153, by owner 605 Holdings, LLC., tax parcel 1010F-02-041.000, Requests liquor store use, 1423 Magnolia Street, Zoned T5 (Urban Center Zone), Ward 4

7. Variance 2207ZB154:

Variance 2207ZB154, by owner Richard & Patricia Rogers, tax parcel 0807G-01-038.000, Requests variances for accessory structure quantity and size, 14451 S. Swan Rd. Zoned R-1-15 (Single-family), Ward 7

8. Special Exception 2209SE156:

Special Exception 2209SE156, by agent Demetra Birch, tax parcel 0811K-04-021.000, Requests liquor store use, 2610 13th St, Zoned T5 (Urban Center Zone), Ward 2

H. Adjournment

MINUTES

ZONING BOARD OF ADJUSTMENT AND APPEALS MEETING

Thursday, July 21, 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 **3:04**.
- D. **Determination of a Quorum**: A Roll Call was conducted and a quorum was determined.

BOARD MEMBERS PRESENT:

MARY ANN WIGINTON
NATHAN BODDIE
LESLIE NORTH
LEE PALERMO
ROBERT PHARR

BOARD MEMBERS ABSENT:

JONATHAN MARSHALL
MICHAEL DANIELS

STAFF MEMBERS PRESENT

CORY LONG
MATILDA WELCH
LESLIE ERVIN
CHRISTINA HIGHSMITH

COURT REPORTER:

NORMA SOROE

E. Confirmation of Agenda:

F. Approval of Minutes:

Motion by **Mrs. North** and seconded by **Mrs. Wiginton** to approve Minutes of the **June 16, 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 2207ZB124:

Variance 2207ZB124, by agent Brown, Mitchell, & Alexander, Inc, tax parcel 0807M-01-016.004, Variance for setback, 13130 Hwy 49, Zoned B-4 (Highway business), Ward 7

Speaking for the Petition: Wyatt Peterson

Speaking against the Petition: None

Motion: Mr. Boddie – To approve the 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 2207ZB134:

Variance 2207ZB134, by owners Patrick and Pamela Floyd, tax parcel 0909J-02-071.000, Variances for accessory building size and height, 5304 Quincy Ave, Zoned R-UE (Urban Residence Estate), Ward 4

Speaking for the Petition: Patrick Floyd, Stephen B. Richer

Speaking against the Petition: None

Motion: Mrs. North – To approve applicant request.

Second: Mr. Boddie

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 2207ZB136:

Variance 2207ZB136, by agent Leah Watters Architecture, tax parcels 0910M-02-002.000, 0910M-02-001.000, 0910M-02-010.000, & 0910M-02-009.000, Variances for reduced parking and accessory structures size, 615 Pass Rd, 601-613 Pass Rd, Zoned B-2 (General business), Ward 3

Speaking for the Petition: Leah Watters, Dave Dennis

Speaking against the Petition: None

Motion: Mrs. Wiginton – To approve applicant request.

Second: Mr. Pharr

Lee Palermo	- Chairman
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- 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 2207ZB137:

Variance 2207ZB137, by agent Ben Sellers, tax parcel 0911A-02-101.000, Variance for parking size and location, parking in front of the structure, 400 Beach Dr, Zoned T5 (Urban Center Zone), Ward 2

Speaking for the Petition: Nick Moody

Speaking against the Petition: None

Motion: Mrs. North – 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.

5. Variance 2206ZB120

Variance 2206ZB120, by agent Landon Parelli, tax parcel 0707P-01-019.000, Variances for accessory structure size, quantity, & setbacks, 13183 John Clark Rd, Zoned R-1-15 (Single-family), Ward 7

Speaking for the Petition: Brenda Anderson, Landon Parelli

Speaking against the Petition: None

Motion: Mrs. Wiginton – To approve applicant request.

Second: Mr. Boddie

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

Adjournment:

Motion by **Mr. Pharr** to adjourn the meeting was seconded by **Mr. Boddie** and carried unanimously. The meeting adjourned **3:46 p.m.**

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: August 18, 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: August 18, 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: August 18, 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: August 18, 2022

Re: Variance 2204ZB050:
(Withdrawn by Administration)

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



 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

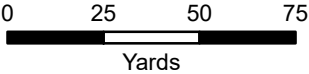
Site Information

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.



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: AGSize: 12,808 sq. ft.

(If necessary, use separate sheet of paper)

TAX PARCEL #

1	0	1	0	0

 -

0	2

 -

0	0	2

 •

0	0	0

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.

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) Kelly Krongard

ADDRESS (STREET, CITY, STATE, ZIP CODE) 1942 Beach Dr.

PHONE # (H) 612 750 6436 (WK/CELL) _____

TAX PARCEL NUMBER(S) OWNED _____

SIGNATURE: Kelly Krongard

NAME OF OWNER (PRINT) JACK KRONGARD

ADDRESS (STREET, CITY, STATE, ZIP CODE) 1942 Beach Dr.

PHONE # (H) 612-750-6436 (WK/CELL) _____

TAX PARCEL NUMBER(S) OWNED _____

SIGN: Jack Krongard

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: _____



Designation of Agent

I, JACK KRONGARD, being owner of the property 1942 BENCH DRIVE G.A.,
which is the subject of this application hereby authorize Freddie Fountain to act as my
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

4/28/22

Date

STATE OF MISSISSIPPI | COUNTY OF HARRISON

Given under my hand and seal of office this the 28th day of April, 20 22

Notary Public



Commission Expiration

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 PROPOSED Fence To Be
48" ABOVE grade
- ④ Pool Deck 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

John B. Bynum
owner

1942 Beach DR, GULFBORT MS



RECORD DESCRIPTION, INST. NO. 2020-1432-D-J1

A parcel of land situated and being located in a part of Lot 89, LA FREDERICKS SURVEY, 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 411 COUNTRY CLUB ESTATES (Plat Book 21, Page 35); thence run North 75 degrees 46 minutes 56 seconds East 95.69 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 of the parcel herein described; thence continue from said POINT OF BEGINNING, North 75 degrees 46 minutes 56 seconds East 17.42 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 west line of said Lot 69; thence run North 00 degrees 08 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 89 degrees 55 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 (2011) M.S.E.

2.) ELEVATIONS SHOWN ARE BASED ON NAVD83, GEOID 2009.

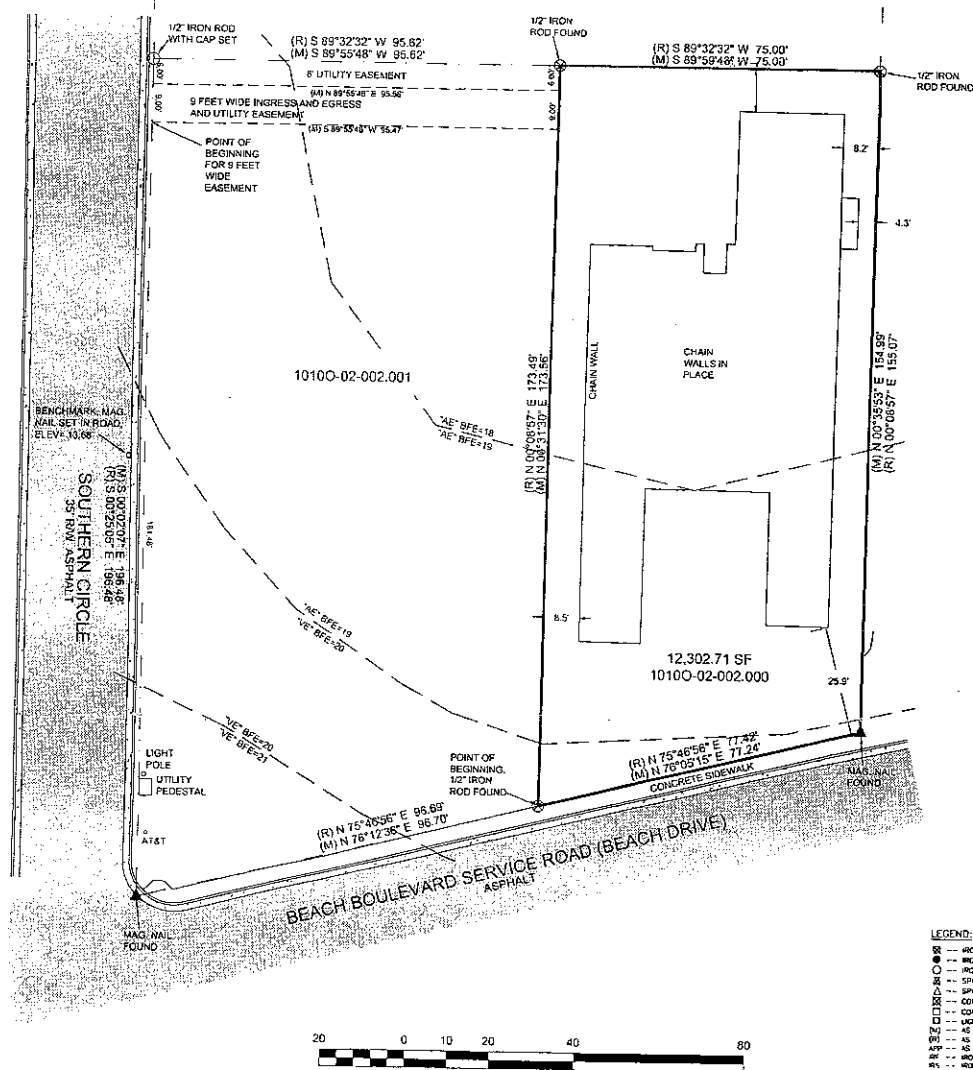
3.) THIS SURVEY HAS BEEN PREPARED BY INFORMATION PROVIDED BY CLIENT AND LIMITED RESEARCH IN COURTHOUSE WITHOUT THE BENEFIT OF A CURRENT TITLE REPORT. THIS SURVEY MAY NOT SHOW ALL EASEMENTS AND OTHER RESTRICTIONS OF RECORD. THIS SURVEYOR WILL BE MADE AVAILABLE TO ADD SUCH FEATURES TO THIS SURVEY IF A 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 @ 1-800-227-6477.

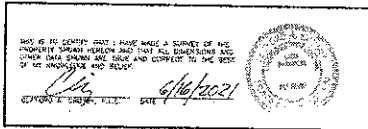
5.) BUILDING SETBACKS, ELEVATIONS, WETLAND DETERMINATION AND ET CETERA TO BE PRESCRIBED BY APPROPRIATE GOVERNING BODIES.

REFERENCE MATERIALS

- 1.) RESUBDIVISION CERTIFICATE IN DEED BOOK 2017-2027-D-J1
- 2.) INST. NO. 2021-1877-D-J1
- 3.) INST. NO. 2020-1432-D-J1



- LEGEND:
- IRON ROD FOUND
 - IRON PIPE FOUND
 - IRON ROD SET
 - SPIKE FOUND
 - SPIKE SET
 - CONCRETE MONUMENT FOUND
 - CONCRETE MONUMENT SET
 - UNDETERMINED MONUMENT FOUND
 - AS MEASURED
 - AS PER RECORD
 - AS PER PLAN
 - IRON ROD FOUND
 - IRON ROD SET



THIS PROPERTY IS LOCATED IN F.L.R.M. ZONE AS SHOWN HEREON ACCORDING TO MAP NUMBER 28056C0269G DATED MARCH 16, 2009	
SURVEY CLASS - "B"	FOR: KRONCARD
SCALE: 1" = 20'	BEARINGS SHOWN HEREON ARE DERIVED BY: GPS OBSERVATION, STATE PLANE COG, MS EAST
CROSBY SURVEYING PROFESSIONAL LAND SURVEYING 716 LIVE OAK DRIVE BILLOWS, MISSISSIPPI 39537 PHONE: 228-234-1645 EMAIL: clliffordcrosby@crosbyinc.net	
DATE OF FIELD WORK: 6/15/2021	PARTY CHIEF: PE
INSTRUMENT MAKE: PE	RODMAN: PE
DRAWN BY: CAC	DRAWING NUMBER: 19235 SLAB SURVEY
REVIEWED:	

SCANNED



[Signature] 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

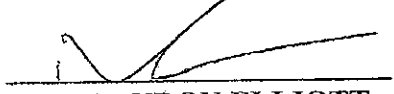
the following described land together with all improvements thereon located in Harrison County,
Mississippi, more particularly described as follows, to-wit:

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:

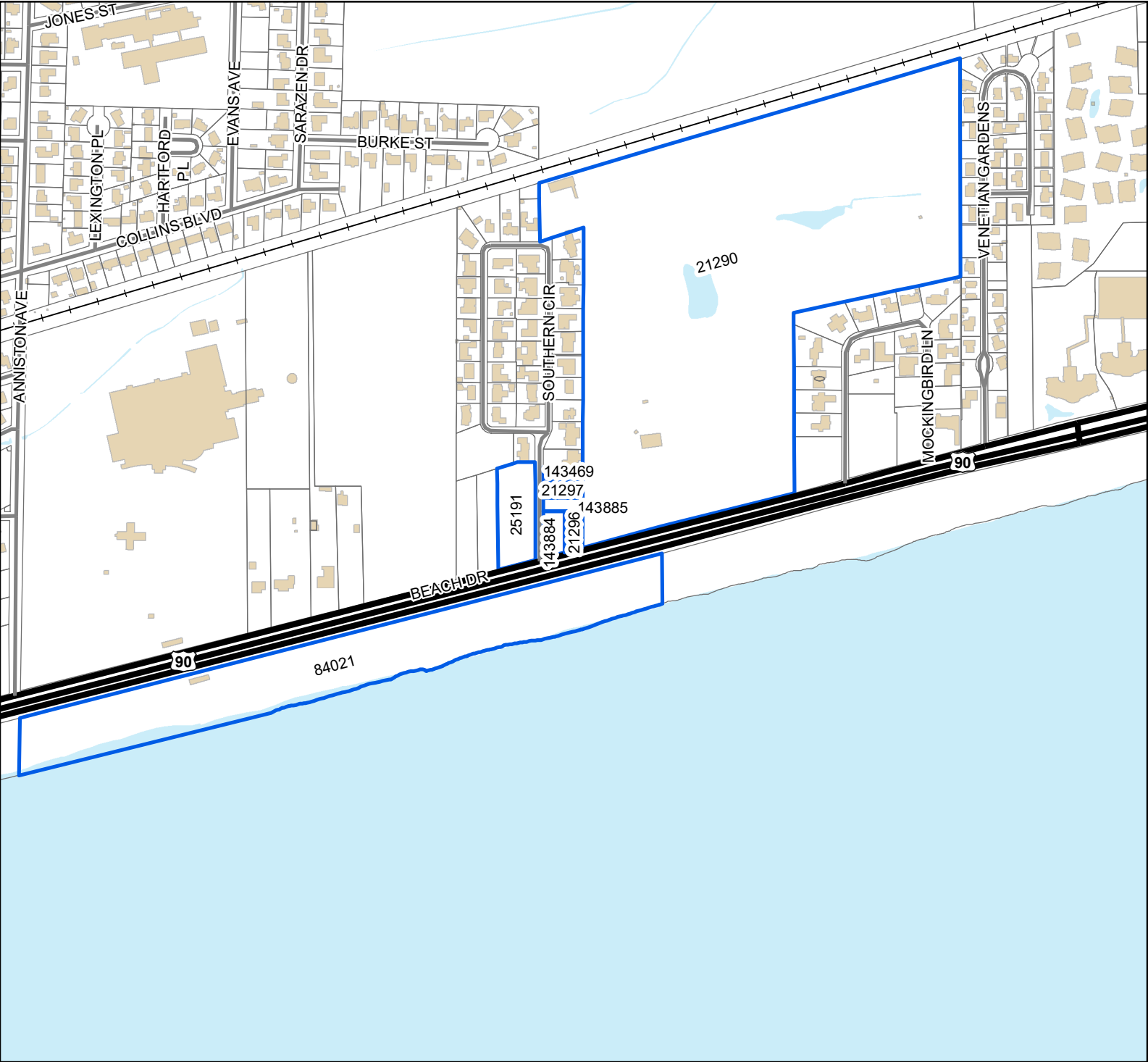
EXHIBIT "A"

LEGAL DESCRIPTION OF PARCEL B: AS PER SURVEY

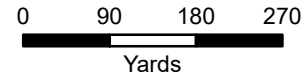
A parcel of land situated and being located in a part of Lot 69, L. A. FREDERICK SURVEY and in a part of Lot 41, COUNTRY CLUB ESTATES (Plat Book 21, Page 35), Section 32, Township 7 South, Range 10 West, City of Gulfport, First Judicial District of Harrison County, Mississippi and being more particularly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

Mail	PPIN	Parcel ID	Name	Address	City	State	ZIP
Y			JOHN AND KELLY KRONGARD (OWNERS)	2124 SW 43RD TERRACE	CAPE CORAL	FL	33914
			Adjacent Property Owners				
	21290	1010P-03-038.000	ARBOR SITES LLC	4910 NORTH MONROE ST	TALLAHASSEE	FL	32303
	84021	1010O-03-001.000	GULFPORT CITY OF	P O BOX 76	JACKSON	MS	39205
	25191	1010O-02-047.000	HERCHENHAHN JERRY T & CHERIE M	45 HARDY CT STE #260	GULFPORT	MS	39507
	21296	1010O-02-002.000	KRONGARD JOHN J & KELLY M	2124 SW 43RD TERRACE	CAPE CORAL	FL	33914
	143884	1010O-02-002.001	PEN TEK DESIGN BUILD LLC	1139 ORETHA CASTLE HALEY	NEW ORLEANS	LA	70113
	21297	1010O-02-004.000	WEATHERLY WALLACE W MD	111 S LEFLORE ST	CLEVELAND	MS	38732
N	143885	1010O-02-002.002	WEATHERLY WALLACE W MD	111 S LEFLORE ST	CLEVELAND	MS	39732
	143469	1010O-02-005.001	WEATHERLY WILLIAM B & CALLEN	140 SOUTHERN CIR	GULFPORT	MS	39507



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



1 inch = 600 feet



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MEMORANDUM

To: City of Gulfport Zoning Board of Adjustment and Appeals

From: Greg Holmes, Planning Administrator
Urban Development Department

Date of Hearing: August 18, 2022

Re: Variance 2205ZB092:

Variance 2205ZB092, by agent Jesse Vincent, tax parcel 0910N-06-012.000, Variances for backing into the right-of-way & gravel parking, 410 32nd St, Zoned B-2 (General business), Ward 4

Technical Report

VARIANCE

GENERAL INFORMATION

Case File Number: 2205ZB092

Hearing Date: August 18, 2022

Current Zoning/Use: B-2 / Vacant commercial building

Legal: Variance 2205ZB092, by agent Jesse Vincent, tax parcel 0910N-06-012.000, Variances for backing into the right-of-way & gravel parking, 410 32nd St, Zoned B-2 (General business), Ward 4

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 variances for parking. More specifically, the applicant request: 1) a variance to allow gravel parking where surfacing of concrete or asphalt is required; 2) a variance to allow vehicles to back into the right-of-way.

- (a) The applicant notes that the building is like many others in the area where parking is just off the road. It is also noted by the applicant that they are only required to provide three parking spaces but that many more can be provided and they are hard gravel, which is almost like asphalt. However, the requirement for this section is how the land is unique compared to the other lands and building in the district. It is not unique as the neighboring properties have hard surface parking as the location of parking.
- (b) In the application, it is mentioned the building has existed for quite some time. The applicant has chosen this non-conforming commercial building for a business. Therefore, the applicant is the cause of the request for variance by converting uses.
- (c) The statement provided by the applicant does not address this section of the variance request. The site could accommodate parallel parking. However, an ordinance change may offer a solution.
- (d) Neighboring commercial business that back out into the right-of-way have hard surface parking of concrete that comply with the ordinance.
- (e) Granting this variance would provide special privileges and set a precedence as other business have hard surface parking.
- (f) This property is zoned B-2, and a contractor's office, which was verbally stated by the applicant but not confirmed in writing, are allowed by right.

EXECUTIVE SUMMARY

Considering the site, its ability to meet parking on site, hard surface parking requirement, and not meeting all 6 criteria for variance this request should not be approved. In addition, the applicant was informed that additional documentation was requested which could have provided a same use to use for the property and remove the requirement for variances parking variances, unfortunately that was not submitted.

Any approval should consider these conditions:

- 1. Approval grants a variance to allow gravel parking where concrete or asphalt is required
- 2. Approval grants a variance to back into the right-of-way
- 3. All driveway / parking within city right-of-way is required to be hard paved
- 4. New site plan required
- 5. New handicap parking must meet ADA regulations
- 6. Need one handicap parking space per City of Gulfport Construction Standards
- 7. ADA van handicap parking shall be met

DEPARTMENTAL CONDITIONS

Engineering:

All driveways within city right-of-way is required to be hard paved. Handicap Parking required. New civil site plan. Memo dated 8/10/2022.

Technical Report

VARIANCE

Public Works: No conditions. Memo dated 8/10/2022.

Traffic and Safety: No comments as of 8/11/2022.

Building Code Services: ADA van handicap parking shall be met. Memo dated 8/4/2022.

GIS: No conditions. Memo dated 8/10/2022.

Police Department: No conditions. Memo dated 8/9/2022.

Fire Department: No conditions. Memo dated 8/4/2022.

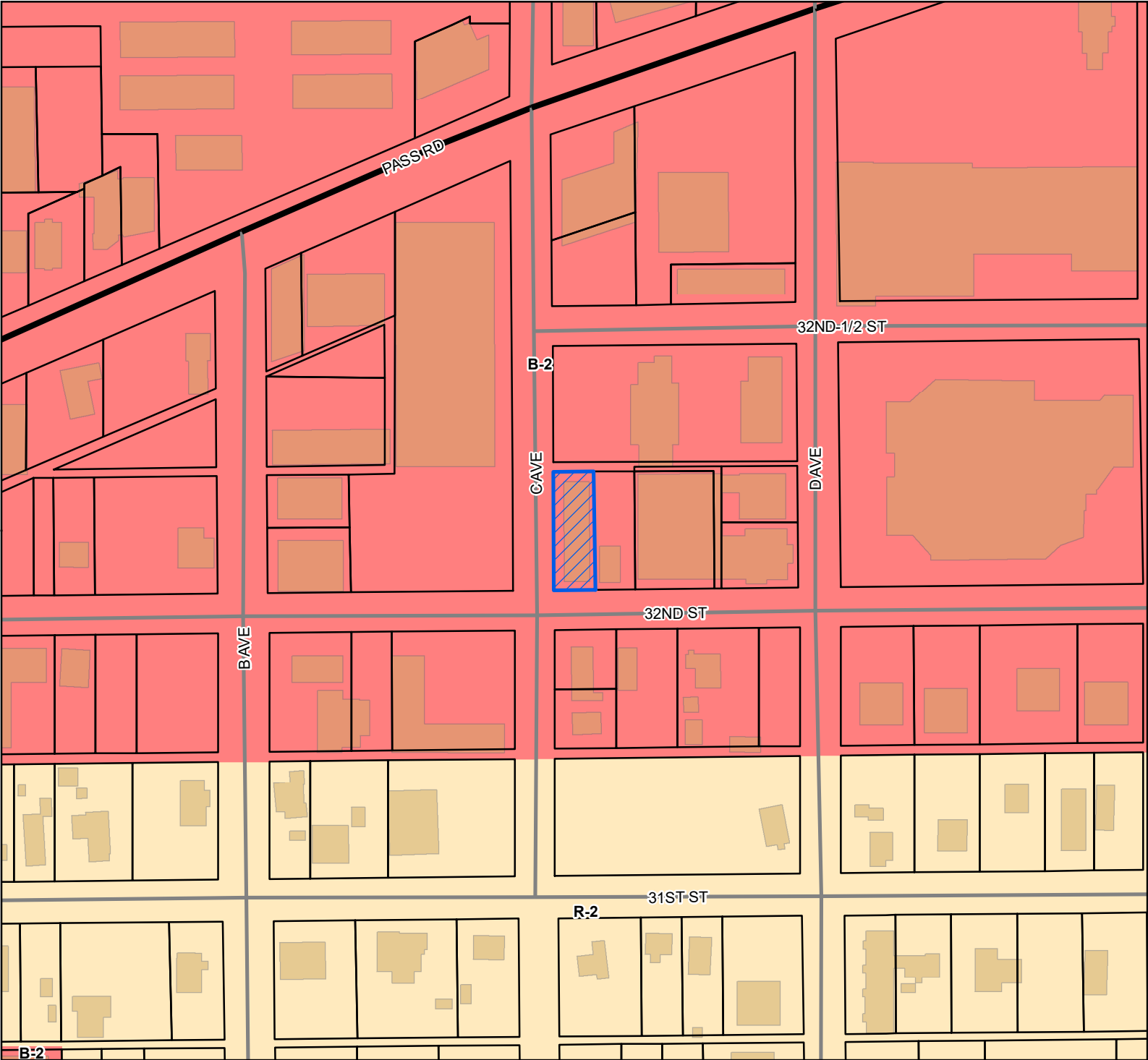
City Arborist: No conditions. Memo dated 8/4/2022.

DIRECTOR APPROVAL

This report has been reviewed and approved by:



Greg Pietrangelo
Director of Urban Development Department



Site

US or State Highway

Street

Parcels

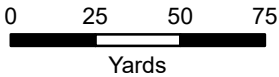
Buildings

Zoning

B-2 - General Business District

R-2 - Single Family Residence District (Medium Density)

Site Information
0910N-06-012.000
Zoning: B-2 (General Business)
Size: 7,242 sqft
Flood: X



1 inch = 170 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 #: 22052B092Date Received: 4/5/22

Receipt #: _____

Received By: MPZoning: B-2Ward: 4 Flood: XSize: ~~B-2~~ 7,242

(If necessary, use separate sheet of paper)

TAX PARCEL #

0	9	1	0	N	-	0	4	-	0	1	2	•	0	0	0
					-			-				•			
					-			-				•			

Address of Property Involved: 410 32nd stLot(s) 12, Block(s) 12, Subdivision Magnolia Grove RevisionGeneral Location: Corner of 32nd st. & C Ave.**GENERAL DESCRIPTION OF REQUEST:**

- Need backing into right of way. (I have 33' in front, 26' on side)
- Gravel parking for all parking spots (gravel is very hard)

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

RAQUEL NICKELSJesse Vincent

Printed Name Of Owner

Printed Name Of Agent

980 COURTHOUSE RD APT 3131540 Midway Ave

Mailing Address

Mailing Address

GULFPORT MS 39507Gulfport MS 39507

City

State

Zip code

City

State

Zip code

228 518-1396 SAME228-297-9897

Home Phone

Work/Cell Phone

Home Phone

Work/Cell Phone

RAQUELN37@AOL.COMJesse Vincent 144 @ yahoo.com

Email

Email

Signature Of Owner

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.

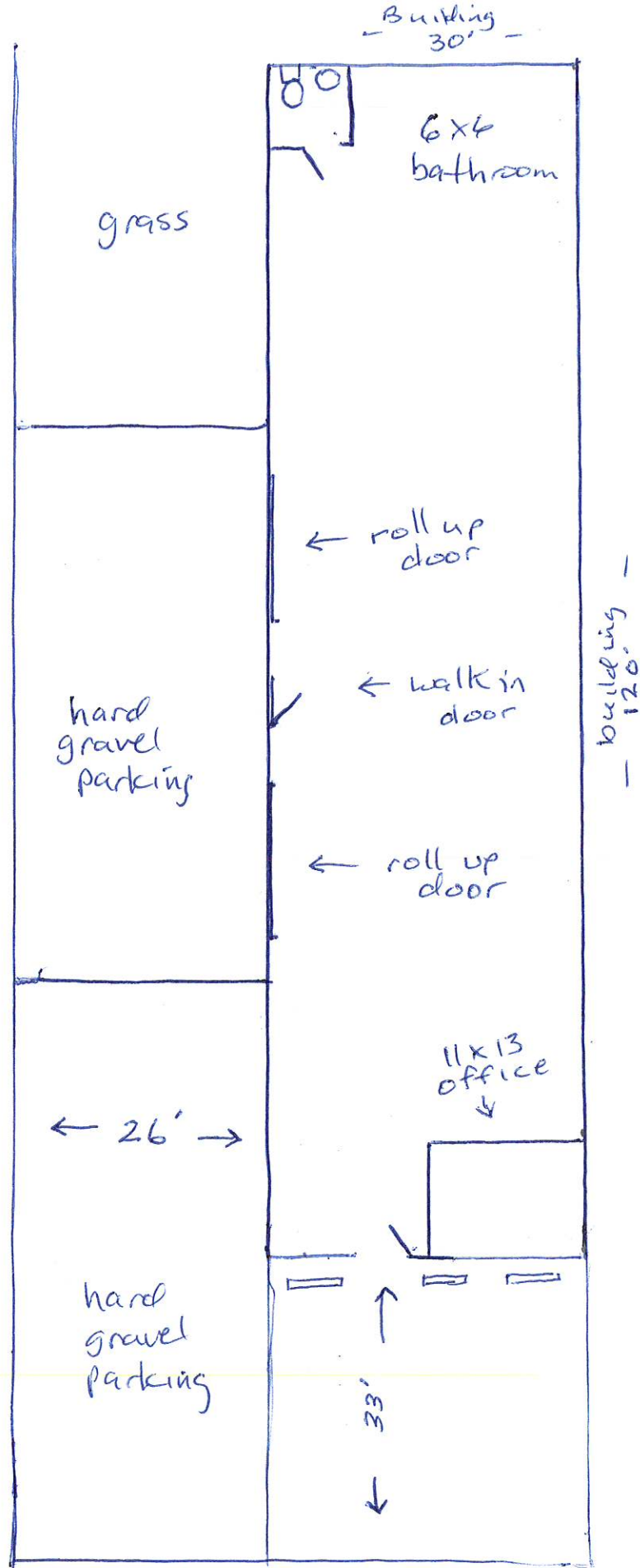


SECTIONS A. THROUGH G. MUST BE SUBMITTED FOR A COMPLETE APPLICATION.

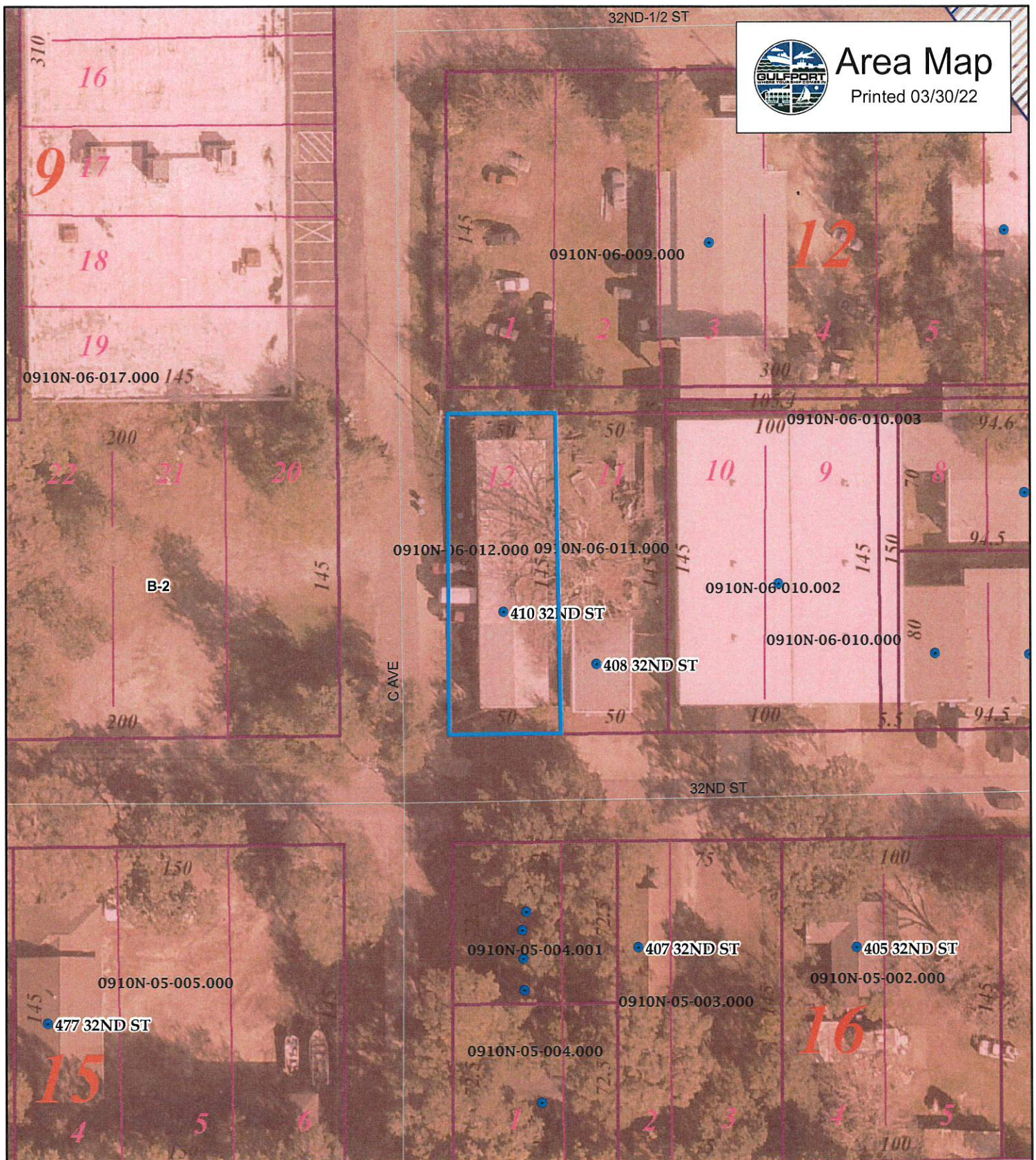
410 32nd St
Gulfport, MS 39507
0910N-06-012.000

City owned
vacant lot

C AVE



32nd st



- Addresspoints
- Parcels



1 inch = 58 feet

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1. It was built, like many others in the area, where the parking is just off the road. (26' $\pm$ 33'). Although only 3 parking spots are needed, there are many more, but they are all gravel (hard gravel almost like asphalt).
2. This building was built way before my time.
3. The building takes up most of the land. This is the only spot for parking. All the buildings in this area pull onto the street (right away).
4. The building and parking is ~~in~~ comparable to all other businesses in the area.
5. There would be no special benefit.
6. This is the only space to park and it's where the parking has been for over 50 years.

STATE OF MISSISSIPPI
COUNTY OF HARRISON



[Signature]
1st Judicial District
Instrument 2008 9841 D -J1
Filed/Recorded 11 25 2008 11 39 A
Total Fees 12.00
3 Pages Recorded



SCANNED

QUIT CLAIM DEED

For and in consideration of the sum of ten (\$10.00) Dollars, cash in hand paid and other good and valuable considerations, the receipt of which is hereby acknowledged. I, JACQUELYN NICKELS, surviving joint tenant of GENE E. NICKELS, do hereby sell, convey, and warrant unto GENE E. NICKELS JR., and RAQUEL NICKELS, as joint tenants with full rights of survivorship, not as tenants in common, the following described properties, lying, being and situated in Harrison County, Mississippi, to wit:

Lot 12, Block 12, Magnolia Grove Addition, also known as Revision of Magnolia Grove to the City of Gulfport, First Judicial District of Harrison County, and Mississippi, as per map or plat thereof on file and of record in the office of the Chancery Clerk of Harrison County, Mississippi.

The above-described property is conveyed subject to any restrictive covenants, mineral reservations and easements of record.

Ad valorem taxes for the current year are prorated as of the date of this deed and are assumed by Grantee herein.

WITNESS my signature this 18 day of August, 2008.

[Signature]
JACQUELYN NICKELS

STATE OF MISSISSIPPI
COUNTY OF HARRISON

Personally appeared before me, the undersigned authority in and for the said county and state, on this 18th day of August, 2008, within my jurisdiction, the within named JACQUELYN NICKELS, who acknowledged that she signed and delivered the above and foregoing instrument on the day and in the year therein mentioned.

MY COMMISSION EXPIRES JAN. 1, 2012

My Commission Expires:

PREPARED BY and RETURN TO:

GRANTOR:
2615 15th Ave
Gulfport, Ms 39501
(228) 864-6141

John McAdams, Secretary Clerk
by: [Signature]
NOTARY PUBLIC

GRANTEE:
25 Oakwood Drive
Gulfport, Ms 39501
(228) 518-1395

STATE OF MISSISSIPPI

MISSISSIPPI STATE DEPARTMENT OF HEALTH VITAL RECORDS

3

OR PRINT
BLACK INK

FILING
DATE

NOV 16 2000

CERTIFICATE OF DEATH

STATE OF MISSISSIPPI

STATE FILE
NUMBER

123-

1. NAME First Middle Last Gene Edward Nickels	2. SEX Male	3a. HOUR OF DEATH 1000 p.m.	3b. DATE OF DEATH (Month, Day, Year) November 6, 2000
		4. RACE (Specify White, Black, American Indian, etc.) White	
		5a. AGE AT LAST BIRTHDAY 72 Years	
		5b. MOS 12	
6. DATE OF BIRTH (Month, Day, Year) July 25, 1928		7a. COUNTY OF DEATH Harrison	
7b. CITY OR TOWN OF DEATH Gulfport	7c. HOSPITAL OR OTHER INSTITUTION NAME AND NUMBER (If not, give street address, route number or other location) Select Specialty Hospital		7d. IF IN HOSP. OR INST. SPECIFY INPT. OUTPT. EMER. RM. OR DOA Inpt
8. STATE OF BIRTH Mississippi			
9. DECEDENT'S EDUCATION (Specify only highest grade completed) Elem/High School (12)	10. MARRIED, NEVER MARRIED, WIDOWED, DIVORCED (Specify) married	11. SURVIVING SPOUSE (If wife, give maiden name) Jacqueline Bell	12. WAS DECEASED EVER IN U.S. ARMED FORCES? (Yes or No) yes
13. ORIGIN OR DESCENT (Specify Cuban, Afro-American, Mexican, etc.) American	14. SOCIAL SECURITY NUMBER 427-36-3881	15a. USUAL OCCUPATION (Kind of work done, most of working life) owner/operator	15b. KIND OF BUSINESS OR INDUSTRY upholstery company
16a. RESIDENCE—STATE Mississippi	16b. COUNTY Harrison	16c. CITY OR TOWN Gulfport	16d. STREET AND NUMBER OR RURAL LOCATION 529 Woodward Avenue
17. FATHER—NAME First Middle Last Robert Nickels	18. MOTHER—NAME First Middle Maiden Eloise Goodman		
19a. INFORMANT—NAME (Type or print) Jacqueline Nickels	19b. MAILING ADDRESS (Street and number or route and box number, City or town, State, ZIP code) 529 Woodward Avenue, Gulfport, Mississippi 39502		
20a. BURIAL, CREMATION, REMOVAL (Specify) burial	20b. CEMETERY, CREMATORY—NAME Long Beach Cemetery	20c. LOCATION (City and State) Long Beach, MS	21a. EMBALMER—SIGNATURE AND NUMBER V. Donny Edwards
21b. FUNERAL HOME—NAME AND MISSISSIPPI ID NUMBER Riemann Funeral Home 24R	21c. MAILING ADDRESS (Street and number or route and box number, City or town, State, ZIP code) P.O. Drawer 1750, Gulfport, Mississippi 39502		
22a. PERSON WHO PRONOUNCED DEATH—NAME AND TITLE (Type or print) Patricia Everett, RN	22b. PRONOUNCED DEAD (Month, Day, Year) November 6, 2000	22c. PRONOUNCED DEAD (Hour) 1000 p.m.	
23a. CERTIFIER—NAME (Type or print) Hugo Nieves, MD	23b. MAILING ADDRESS (Street and number or route and box number, City or town, State, ZIP code) 975-A Cedar Lake Road Biloxi, MS 39532		
24a. To the best of my knowledge, death occurred due to the cause(s) and manner as stated. SIGNATURE MD NOV 10 2000	24b. DATE SIGNED (Month, Day, Year) NOV 10 2000		
24c. STATE LICENSE NUMBER	24d. NAME OF ATTENDING PHYSICIAN IF OTHER THAN CERTIFIER (Type or print)		
24e. On the basis of examination and/or investigation, in my opinion, death occurred due to the cause(s) and manner as stated. SIGNATURE MD	24f. DATE SIGNED (Month, Day, Year)		
25. PART I: IMMEDIATE CAUSE (Enter one cause only) (a) REAL FAILURE (b) CHF (c) ASD	Interval between onset and death		
26. PART II: OTHER SIGNIFICANT CONDITIONS—Conditions contributing to death but not resulting in the underlying cause given in PART I AAA, GANGRENE, CABG, HWD	27. AUTOPSY (Yes or No)		
28. WAS CASE REFERRED TO MEDICAL EXAMINER? (Yes or No)			
29a. ACCIDENT, SUICIDE, HOMICIDE, PENDING INVESTIGATION, OR UNDETERMINED (Specify) No	29b. DATE OF INJURY (Month, Day, Year)	29c. HOUR OF INJURY	29d. DESCRIBE HOW OR BY WHAT MEANS INJURY OCCURRED
29e. INJURY AT WORK (Yes or No)	29f. PLACE OF INJURY (Specify Home, Farm, Street, Factory, Office building, etc.)	29g. LOCATION	Street or route number City or town State

THIS IS TO CERTIFY THAT THE ABOVE IS A TRUE AND CORRECT COPY OF THE CERTIFICATE ON FILE IN THIS OFFICE

F. E. Thompson Jr. MD
F. E. Thompson, Jr., M.D., M.P.H.
STATE HEALTH OFFICER

Nita Cox Gunter
Nita Cox Gunter
STATE REGISTRAR

NOV 16 2000

WARNING: A REPRODUCTION OF THIS DOCUMENT RENDERS IT VOID AND INVALID. DO NOT ACCEPT UNLESS EMBOSSED SEAL OF THE MISSISSIPPI STATE BOARD OF HEALTH IS PRESENT. IT IS ILLEGAL TO ALTER OR COUNTERFEIT THIS DOCUMENT.





Designation of Agent

I, RAQUEL NICKELS, being owner of the property 410 32nd St.
PRINT NAME 0910N-06-012.000
PRIMARY ADDRESS OR PARCEL
which is the subject of this application hereby authorize Jesse Vincent 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.

Raquel Nickels
Signature

31 MARCH 2022
Date

STATE OF MISSISSIPPI | COUNTY OF HARRISON

Given under my hand and seal of office this the 31ST day of MARCH, 20 22

[Signature]

Notary Public



9-13-23

Commission Expiration



Covenant Affidavit

I, RAQUEL NICKELS, being owner or agent of the property 410 32nd st.
PRINT NAME O910N-06-012.000
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.

Raquel Nickels

Signature

31 MARCH 2022

Date

STATE OF MISSISSIPPI | COUNTY OF HARRISON

Given under my hand and seal of office this the 31ST day of MARCH, 20 22

[Signature]

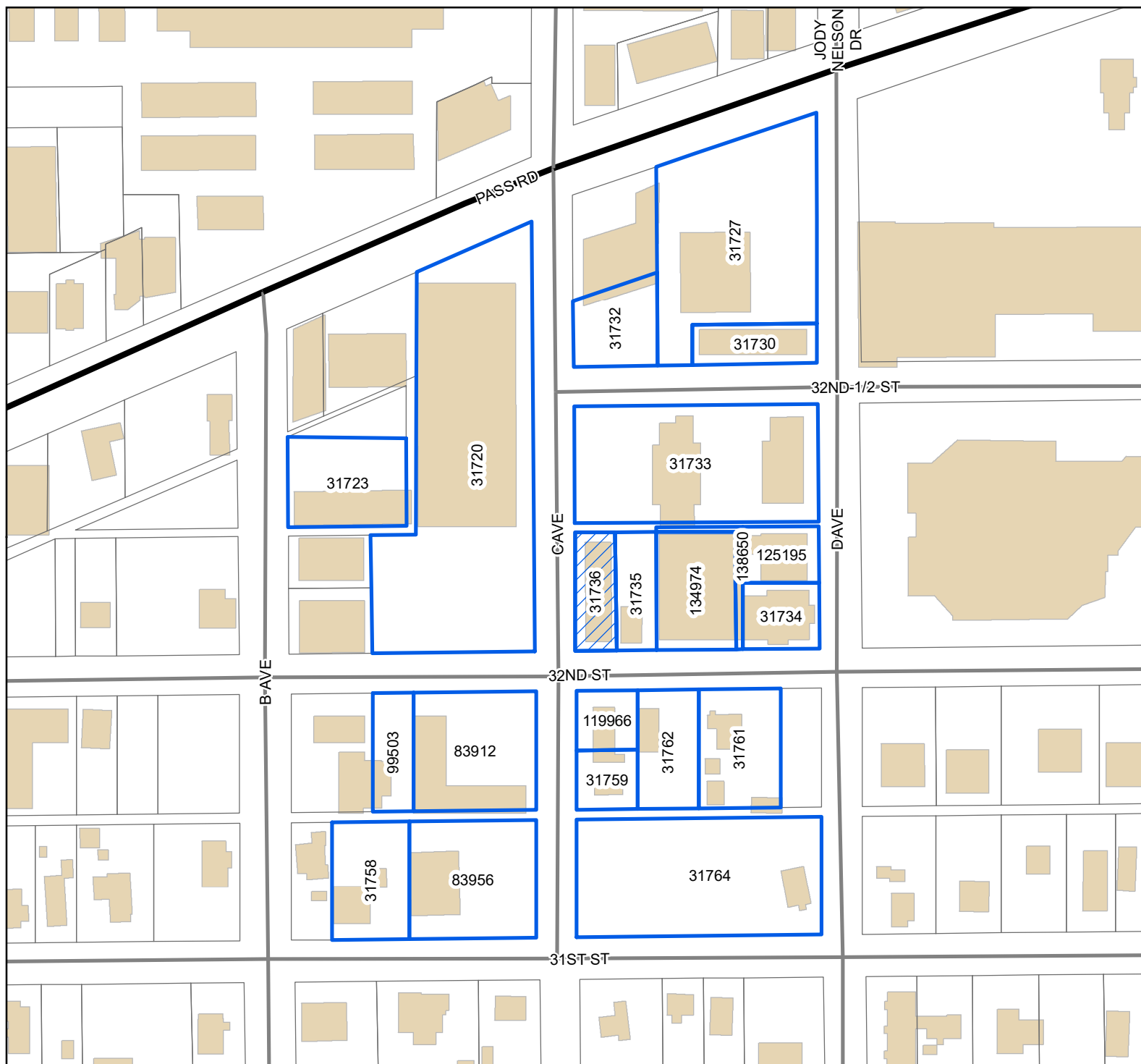
Notary Public



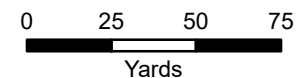
9-13-23

Commission Expiration

Variance



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



1 inch = 170 feet



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Mail	PPIN	Parcel ID	Name	Address	City	State	ZIP
N	31736	0910N-06-012.000	NICKELS GENE E JR & RAQUEL	25 OAKWOOD DRIVE	GULFPORT	MS	39501
	Adjacent Property Owners						
	31733	0910N-06-009.000	32 1/2 STREET LLC	32 GREENBRIER DR	GULFPORT	MS	39507
	31723	0910N-06-015.000	BEATTIES JACK	3206 B AVE	GULFPORT	MS	39501
	31735	0910N-06-011.000	BRAD LLC	601 4TH TERRACE	PLEASANT GROVE	AL	35127
N	119966	0910N-05-004.001	BRUNSON ROBERT JR & LATRESIA	3104 C AVE	GULFPORT	MS	39507
	31759	0910N-05-004.000	BRUNSON ROBERT JR & LATRESIA	3104 C AVE	GULFPORT	MS	39507
	31762	0910N-05-003.000	GARCIA SUSAN K	407 32ND ST	GULFPORT	MS	39507
	138650	0910N-06-010.003	H GORDON MYRICK INC	PO BOX 1479	GULFPORT	MS	39502
	31720	0910N-06-017.000	JOHN C ROBINSON BROWN CONDOR ASSN C	PO BOX 7914	GULFPORT	MS	39506
	83956	0910N-05-022.000	JOHNSON ERICA G	4625 REDSTART DR	GULFPORT	MS	39501
N	134974	0910N-06-010.002	JUNIOR'S HOLDING COMPANY LLC	3206 D AVE	GULFPORT	MS	39507
	125195	0910N-06-010.001	JUNIOR'S HOLDING COMPANY LLC	3206 D AVE	GULFPORT	MS	39507
	31764	0910N-05-023.000	LADNER MYRTLE I -EST-	400 31ST ST	GULFPORT	MS	39501
	31732	0910N-06-004.000	MARBY HOLDINGS LLC	2591 23RD AVE	GULFPORT	MS	39501
	31758	0910N-05-021.000	MICHUA YONI GONZALEZ	422 31ST ST	GULFPORT	MS	39507
	99503	0910N-05-005.001	RICHMOND CONSTRUCTION LLC C/O RICHM	481 32ND ST	GULFPORT	MS	39507
	31727	0910N-06-001.000	SAGAN DISTRIBUTORS LLC	3210 WYNNFIELD DR W	MOBILE	AL	36695
	31734	0910N-06-010.000	SALTGRASS GULFPORT LLC	3201 D AVE	GULFPORT	MS	39507
	31761	0910N-05-002.000	SUMMERS PAUL A & MARY ELAINE	405 32ND ST	GULFPORT	MS	39507
	31730	0910N-06-008.000	UELTSCHHEY REGINA A -TRUSTEE-	13187 N CYPRESS DR	GULFPORT	MS	39503
	83912	0910N-05-005.000	WARREN LARRY	11005 STIGLOR HILL RD	VANCLEAVE	MS	39565

Mail	PPIN	Parcel ID	Name	Address	City	State	ZIP
	31736	0910N-06-012.000	NICKELS GENE E JR & RAQUEL (OWNER)	25 OAKWOOD DRIVE	GULFPORT	MS	39501
			JESSEE VICENT (AGENT)	1540 MIDWAY AVENUE	GULFPORT	MS	39507
N			Adjacent Property Owners				
	31733	0910N-06-009.000	32 1/2 STREET LLC	32 GREENBRIER DR	GULFPORT	MS	39507
	31723	0910N-06-015.000	BEATTIES JACK	3206 B AVE	GULFPORT	MS	39501
	31735	0910N-06-011.000	BRAD LLC	601 4TH TERRACE	PLEASANT GROVE	AL	35127
N	119966	0910N-05-004.001	BRUNSON ROBERT JR & LATRESIA	3104 C AVE	GULFPORT	MS	39507
	31759	0910N-05-004.000	BRUNSON ROBERT JR & LATRESIA	3104 C AVE	GULFPORT	MS	39507
	31762	0910N-05-003.000	GARCIA SUSAN K	407 32ND ST	GULFPORT	MS	39507
	138650	0910N-06-010.003	H GORDON MYRICK INC	PO BOX 1479	GULFPORT	MS	39502
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	31764	0910N-05-023.000	LADNER MYRTLE I -EST-	400 31ST ST	GULFPORT	MS	39501
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	99503	0910N-05-005.001	RICHMOND CONSTRUCTION LLC C/O RICHM	481 32ND ST	GULFPORT	MS	39507
	31727	0910N-06-001.000	SAGAN DISTRIBUTORS LLC	3210 WYNNFIELD DR W	MOBILE	AL	36695
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	31761	0910N-05-002.000	SUMMERS PAUL A & MARY ELAINE	405 32ND ST	GULFPORT	MS	39507
	31730	0910N-06-008.000	UELTSCHHEY REGINA A -TRUSTEE-	13187 N CYPRESS DR	GULFPORT	MS	39503
	83912	0910N-05-005.000	WARREN LARRY	11005 STIGLOR HILL RD	VANCLEAVE	MS	39565

THANK YOU for your legal submission!

Your legal has been submitted for publication. Below is a confirmation of your legal placement. You will also receive an email confirmation.

ORDER DETAILS**Order Number:**

IPL0083647

Order Status:

Submitted

Classification:

Legals & Public Notices

Package:

BLX - Legal Ads

Final Cost:

42.72

Payment Type:

Account Billed

User ID:

IPL0024925

ACCOUNT INFORMATION

GULFPORT URBAN DEVELOPMENT IP

PO BOX 1780

GULFPORT, MS 39502

228-868-5705

AccountsPayable@gulfport-ms.gov

GULFPORT URBAN DEVELOPMENT

TRANSACTION REPORT**Date**

July 29, 2022 9:38:25 AM EDT

Amount:

42.72

SCHEDULE FOR AD NUMBER IPL00836470

August 3, 2022

SunHerald (Biloxi)

PREVIEW FOR AD NUMBER IPL00836470**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, August 18, 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 2204ZB050, by owners Jack & Kelly Krongard, tax parcel 10100-02-002.000, Requests variance for fence height, 1942 Beach Dr, Zoned R-1-7.5 (Single-family), Ward 2

Variance 2205ZB092, by agent Jesse Vincent, tax parcel 0910N-06-012.000, Variances for backing into the right-of-way & gravel parking, 410 32nd St, Zoned B-2 (General business), Ward 4

Variance 2209ZB149, by owners Gregory and Melinda Wyrosdick, tax parcel 1010C-01-001.019, Requests variance for setback, Channelside Drive, Zoned R-2 (Single-family), Ward 5

Variance 2209ZB150, by owner Walter A Karnes, tax parcel 1008N-01-076.000, Requests variances for accessory structure quantity and size, 11162 Ellis Dr, Zoned R-1-10 (Single-family), Ward 6

Variance 2209ZB152, by owner 605 Holdings, LLC, tax parcel 1010F-02-041.000, Variance for wall sign location, 1423 Magnolia St, Zoned T5 (Urban Center Zone), Ward 4

Special Exception 2209SE153, by owner 605 Holdings, LLC., tax parcel 1010F-02-041.000, Requests liquor store use, 1423 Magnolia Street, Zoned T5 (Urban Center Zone), Ward 4

Variance 2207ZB154, by owner Richard & Patricia Rogers, tax parcel 0807G-01-038.000, Requests variances for accessory structure quantity and size, 14451 S. Swan Rd. Zoned R-1-15 (Single-family), Ward 7

Special Exception 2209SE156, by agent Demetra Birch, tax parcel 0811K-04-021.000, Requests liquor store use, 2610 13th St, Zoned T5 (Urban Center Zone), Ward 2

This the 28th day of July 2022
A. Lee Palermo, Chairman
City of Gulfport Zoning Board of Adjustment and Appeals
W000000000
Publication Dates

[<< Click here to print a printer friendly version >>](#)

RE: Variance 2205ZB092, by agent Jesse Vincent, tax parcel 0910N-06-012.000, Variances for backing into the right-of-way & gravel parking, 410 32nd St, Zoned B-2 (General business), Ward 4

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, August 18, 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, August 18, 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.

MEMORANDUM

To: City of Gulfport Zoning Board of Adjustment and Appeals

From: Greg Holmes, Planning Administrator
Urban Development Department

Date of Hearing: August 18, 2022

Re: Variance 2209ZB149:

Variance 2209ZB149, by owners Gregory and Melinda Wyrosdick, tax parcel 1010C-01-001.019, Requests variance for setback, Channelside Drive, Zoned R-2 (Single-family), Ward 5

Technical Report

VARIANCE

GENERAL INFORMATION

Case File-Number: 2209ZB149

Hearing Date: August 18, 2022

Current Zoning/Use: R-2 / Vacant Residential

Legal: Variance 2209ZB149, by owners Gregory and Melinda Wyrosdick, tax parcel 1010C-01-001.019, Requests variance for setback, Channelside Drive, 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 applicant requests a variance due to not meeting setback requirements on their lot for construction of a new home and garage in an R-2 (Single-family) zone. The City of Gulfport Zoning Ordinance states that setbacks in an R-2 zone are 25 feet from the front property line, 8 feet from the side property line, and 8 feet from the rear property line. Typically corner lots require a second 25-foot front setback, and this project meets those conditions. Therefore, the applicant requests a variance of 4 feet on the west side of the lot at proposed garage location.

- (a) The applicant proposes a request of a 4 foot variance on the west side of the lot at the garage location only. Applicant notes that "the main house will sit within the setback limits." The applicant also notes that the property is located on a corner lot, which creates a second frontage on the west side of the lot with a setback of 25 feet in addition to the 25-foot front yard setback. Noting the applicant's comments, there are no special circumstances regarding this property.
- (b) In the application, the applicant indicates that the hardship of the narrowness of the lot size in addition to having two frontage setbacks on a corner lot will cause the garage to not meet the setback requirements by a distance of 4 feet, the garage being the only part of the proposed construction that will impede required setbacks. Considering this a planned new construction, the applicant is responsible for the hardship.
- (c) The applicant states that if the variance is denied, the structural layout of the building plans will need to be modified as the current plans indicate that the garage is at grade level while the house is elevated. Upon staff examination of the site plan, staff determined that if the house were to be moved farther to the east side of the lot, the required side setbacks of 8-feet would no longer be met. Additionally, staff determined that a reconfiguration of the house plan could allow for the applicant to meet the 25-foot setback on the west side of the lot. An ordinance change for lesser setbacks would offer a reasonable solution; therefore, this hardship condition is not met.
- (d) This variance is requested in order to allow the applicant a 21-foot second frontage setback on the west side of the lot at the garage location, where the required setback is 25-feet. There are a few circumstances where this is present in the neighborhood.
- (e) In their written statement, applicant mentions that "no special privileges will be granted" and that their residence will be in harmony with the neighboring residents. Considering that there are a few examples of this in the neighborhood, they would not be wholly granted special privileges.
- (f) The property is zoned R-2, and a residential home is a permitted use.

EXECUTIVE SUMMARY

Because the applicant's house plan does not meet the setback requirements, a variance is required. Considering the conditions required by the ordinance, the applicant does not meet the ordinance requirements.

Any approval should consider these conditions:

1. Approval would grant the applicant to have a reduced second frontage setback of 21 feet instead of the required 25 feet.

Technical Report

VARIANCE

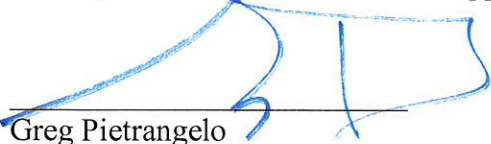
2. Must meet all current Building Codes and City of Gulfport Ordinances.
3. Protected trees outside of the house foot print need to be preserved and protected.

DEPARTMENTAL CONDITIONS

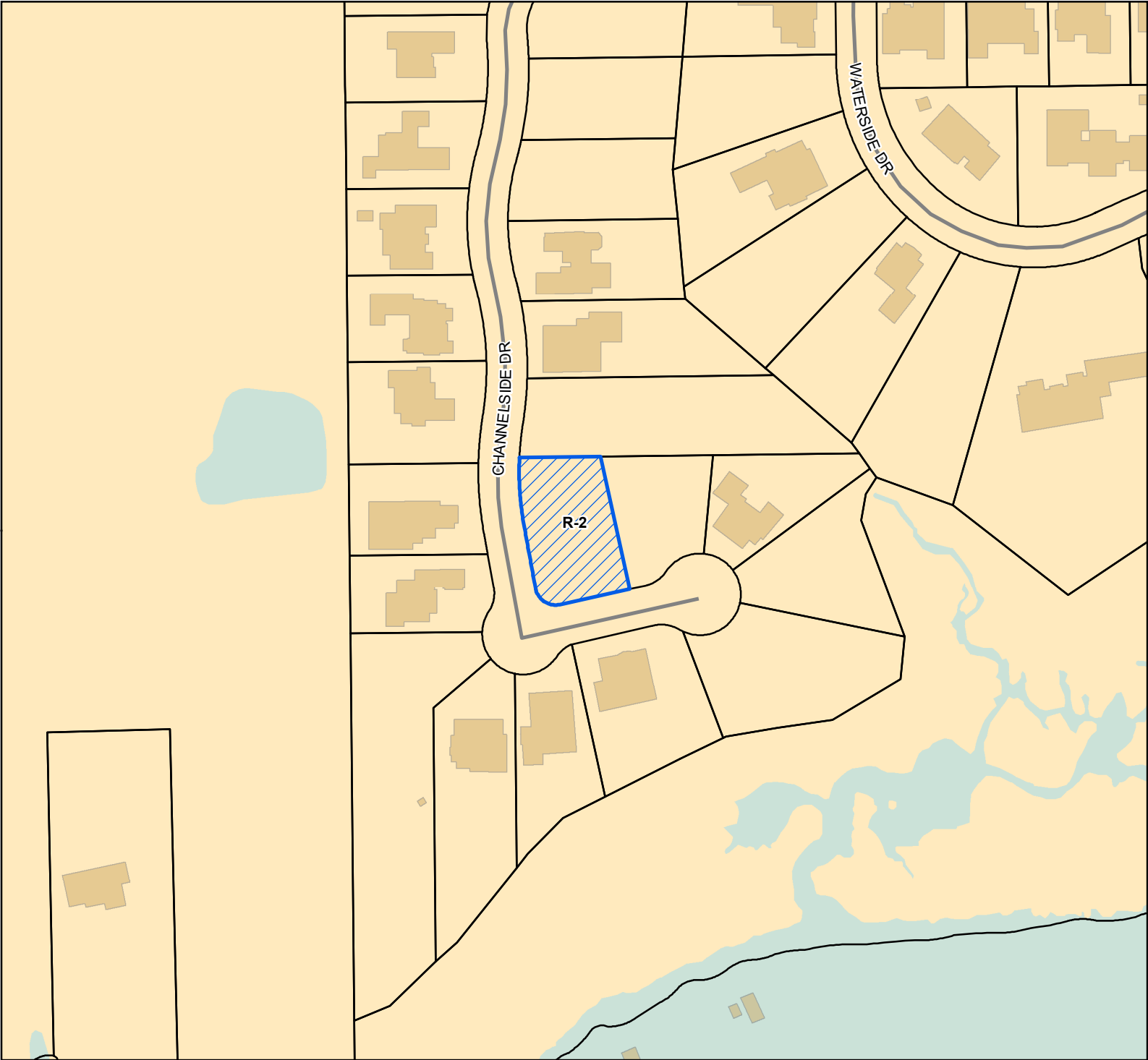
<u>Engineering:</u>	No conditions. Memo dated 8/10/22.
<u>Public Works:</u>	No conditions. Memo dated 8/10/22.
<u>Traffic and Safety:</u>	No comment. Memo dated 8/11/22.
<u>Building Code Services:</u>	Must meet all current Building Codes and City of Gulfport Ordinances. Memo dated 8/4/22.
<u>GIS:</u>	No conditions. Memo dated 8/10/22.
<u>Police Department:</u>	No comment as of 8/9/22.
<u>Fire Department:</u>	No conditions. Memo dated 8/4/22.
<u>City Arborist:</u>	Protected trees outside of the house foot print need to be preserved and protected. Memo dated 8/4/22.

DIRECTOR APPROVAL

This report has been reviewed and approved by:



Greg Pietrangelo
Director of Urban Development Department



 Site

 Street

 Parcels

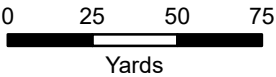
 Buildings

 Water Features

Zoning

R-2 - Single Family
Residence District (Medium Density)

Site Information
1010C-01-001.019
Zoning: R-2 (Single-Family Residence)
Size: 19,072 sqft
Flood: AE



1 inch = 170 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 #: 2209 ZB 149Date Received: 7/6/2022

Receipt #: _____

Received By: _____

Zoning: _____

Ward: _____ Flood: _____

Size: _____

APPLICATION FOR VARIANCE

Property Information

TAX PARCEL #

1	0	1	0	C	-	0	1	-	0	0	1	●	0	1	9
					-			-				●			
					-			-				●			

(If necessary, use separate sheet of paper)

Address of Property Involved: Lot 20, Channelside DriveLot(s) 20, Block(s) _____, Subdivision WatersideGeneral Location: South of East Taylor Road, West side of Waterside Subdivision

GENERAL DESCRIPTION OF REQUEST:

Request 3' - 5' variance on the west side of the lot at the garage location only. The main house will sit within the setback limits. See attached plan

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

Gregory P. Wyrosdick

N/A

Printed Name Of Owner
10011 Shady Place

Printed Name Of Agent

Mailing Address

Mailing Address

Biloxi MS 39532

City State Zip code

City State Zip code
N/A 228-343-8011 (cell)

Home Phone Work/Cell Phone
greg@welconconsultants.com

Home Phone Work/Cell Phone

Email

Email


Signature Of Owner

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) Melinda G. Wyrosdick

ADDRESS (STREET, CITY, STATE, ZIP CODE) 10011 Shady Place, Biloxi, MS 39532

PHONE # (H) N/A (WK/CELL) 228-324-2155

TAX PARCEL NUMBER(S) OWNED 1010C-01-001.019 / 1010C-01-001.018

SIGNATURE: Melinda G. Wyrosdick

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: _____

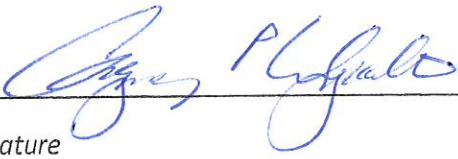
1. LOT IS TOO NARROW FOR GARAGE TO FALL WITHIN SETBACK LIMITS. ONLY GARAGE WILL IMPERE OVER THE SET BACK LIMITS.
2. 1- STORY HOUSE PLAN, AS DESIGNED, EXCEPT LOT WIDTH BY APPROXIMATELY 4'.
3. IF VARIANCE NOT GRANTED, GARAGE WILL SHIFT AND CHANGE STRUCTURAL LAYOUT OF HOUSE. GARAGE IS AT GRADE LEVEL. HOUSE IS ELEVATED.
4. HOUSE IS PLACED ON CORNER LOT. SIDE AND FRONT SETBACKS ARE 25'0". IF GRANTED, HOUSE WILL BE APPROX. 21'0" FROM PROPERTY EDGE AND APPROX 31'0" FROM CURB.
5. NO SPECIAL PRIVILEGEET WILL BE GRANTED.
6. RESIDENCE WILL BE OCCUPIED AS PERMISSABLE WITH AN OTHER NEIGHBORHOOD RESIDENCES.



Covenant Affidavit

I, GREGORY P. WYROSZICK being owner or agent of the property LOT 20 CHANNELSIDE DRIVE
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

7-6-22
Date

STATE OF MISSISSIPPI | COUNTY OF HARRISON

Given under my hand and seal of office this the 6th day of July, 20 22

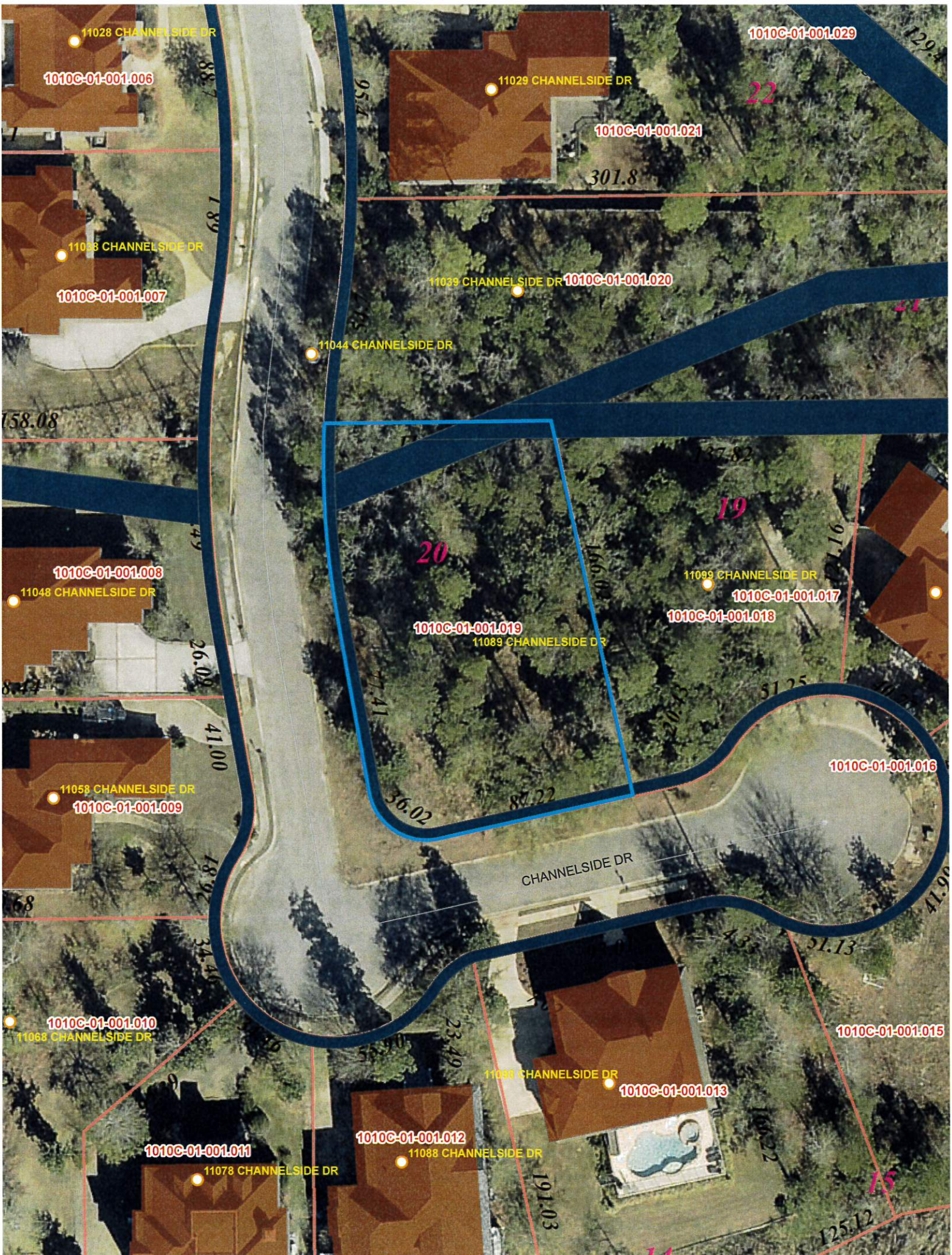


Notary Public



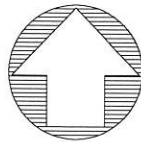
April 19, 2025

Commission Expiration



Note: By Graphic Plotting only, this property is in Zone "AE" (BFE 16) of the Flood Insurance Rate Map 28047C0267G, Community Panel No. 285253-0267-G, revision date June 16, 2009. Check with Building Official for community determined base flood elevation. Exact designation can only be determined by an Elevation Certificate. The above statement is for information only and this surveyor assumes no liability for the correctness of the cited map(s). In addition the above statement does not represent this surveyor's opinion of the probability of flooding.

Note: This survey has been prepared by information provided by the client and 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.
This survey does not warrant present ownership.



NORTH
SCALE: 1" = 30'

SYMBOL LEGEND

- = 1/2" iron rod set
- ⊙ = 1/2" iron rod found
- ⊗ = P.K. nail found
- ⊗ = mag nail found
- ⊗ = mag nail set
- ⊗ = circled X mark set
- = iron pipe found
- = concrete mon. fd.
- ⊙ = lightard knot found
- E— = overhead electric
- ⌒ = utility pole
- (D) = deed
- (P) = plat
- (R) = record
- (M) = measures
- AC. = acres
- N.T.S. = denotes not to scale
- X00.00 = denotes spot elevation

CURVE DATA —
R=359.04
L=83.72
Tan=42.05
☉=13°21'36"
(CH)N03°52'30"W
83.53'

Note: Building setbacks, elevations, wetlands determination and et cetera to be prescribed by appropriate governing bodies.

Note: This survey "CLASS B" was made in accordance with the current "Standards of Practice for Surveying" in the State of Mississippi.

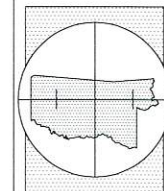
Note: Elevations shown hereon are based on static GPS observation and OPUS solution provided by National Geodetic Survey @ www.ngs.noaa.gov

— SITE BENCHMARK
TOP OF SEWER
MANHOLE
ELEV.=10.08

TIMOTHY L. GLASS, P.L.S.
APRIL 12, 2022
MS. REG. NO. 02584

[illegible]

BOUNDARY SURVEY WITH ELEVATIONS	
TYPE SURVEY: BOUNDARY	JOB NO.: LT19&20WSSD.DWG
DATE OF SURVEY: 04/12/2022	REVISED:
CHECKED BY: TLG	SCALE: 1" = 30'
CREW CHIEF: TLG	SHEET NO. 1 OF 1



GREGORY P. WYDROSDICK
10011 SHADY PLACE, BILOXI MISSISSIPPI 39532
Glass Land Surveying, Inc.
10453 Pin Oak Drive
Biloxi, Mississippi 39532
(228) 392-9004 E-mail: glasyurv@aol.com

SURVEY OF:

Drawn By	TLG
Checked By	TLG
Date	4/12/22
Scale	1"=30'
Job No.	LT19&20WSSD

Sheet 1 of 1

LT19&20WSSD



SCANNED



J1 J1 - GULFPORT DISTRICT
Instrument 2022-0004052-D-J1
Filed/Recorded 02/21/2022 3:10:01 PM
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#212717

Indexing Instructions:
Lot 20, Waterside Subdivision
1st Judicial District, Harrison County, MS

**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,

**Philip Hage, Jr.
P.O. Box 6725
Gulfport, MS 39506
228-697-9464**

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

**Gregory P. Wyrosdick and Melinda G. Wyrosdick,
as joint tenants with full rights of survivorship and not as tenants in common
10011 Shady Place
Biloxi, MS 39532
228-343-8011**

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 Twenty (20), 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.

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.

THE ABOVE described property is no part the homestead of the Grantor herein.

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.

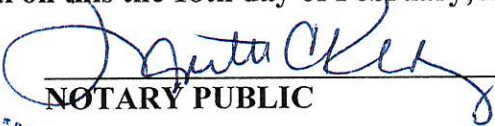
WITNESS THE SIGNATURE of the Grantor on this the 18th day of February, 2022.


Philip Hage, Jr.

STATE OF MISSISSIPPI
COUNTY OF HARRISON

THIS DAY personally appeared before me, the undersigned authority in and for the jurisdiction aforesaid, Philip Hage, 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 18th day of February, 2022.


NOTARY PUBLIC

(S E A L)

My Commission Expires:



PERMITS/INSP PAYMENT RECPT#: 11371477
CITY OF GULFPORT
GULFPORT MS 39501

DATE: 07/06/22 TIME: 13:56
CLERK: mcunningh DEPT:
CUSTOMER#: 0

COMMENT:

CHG: PZD PLANNING AND ZO 75.00

AMOUNT PAID: 75.00

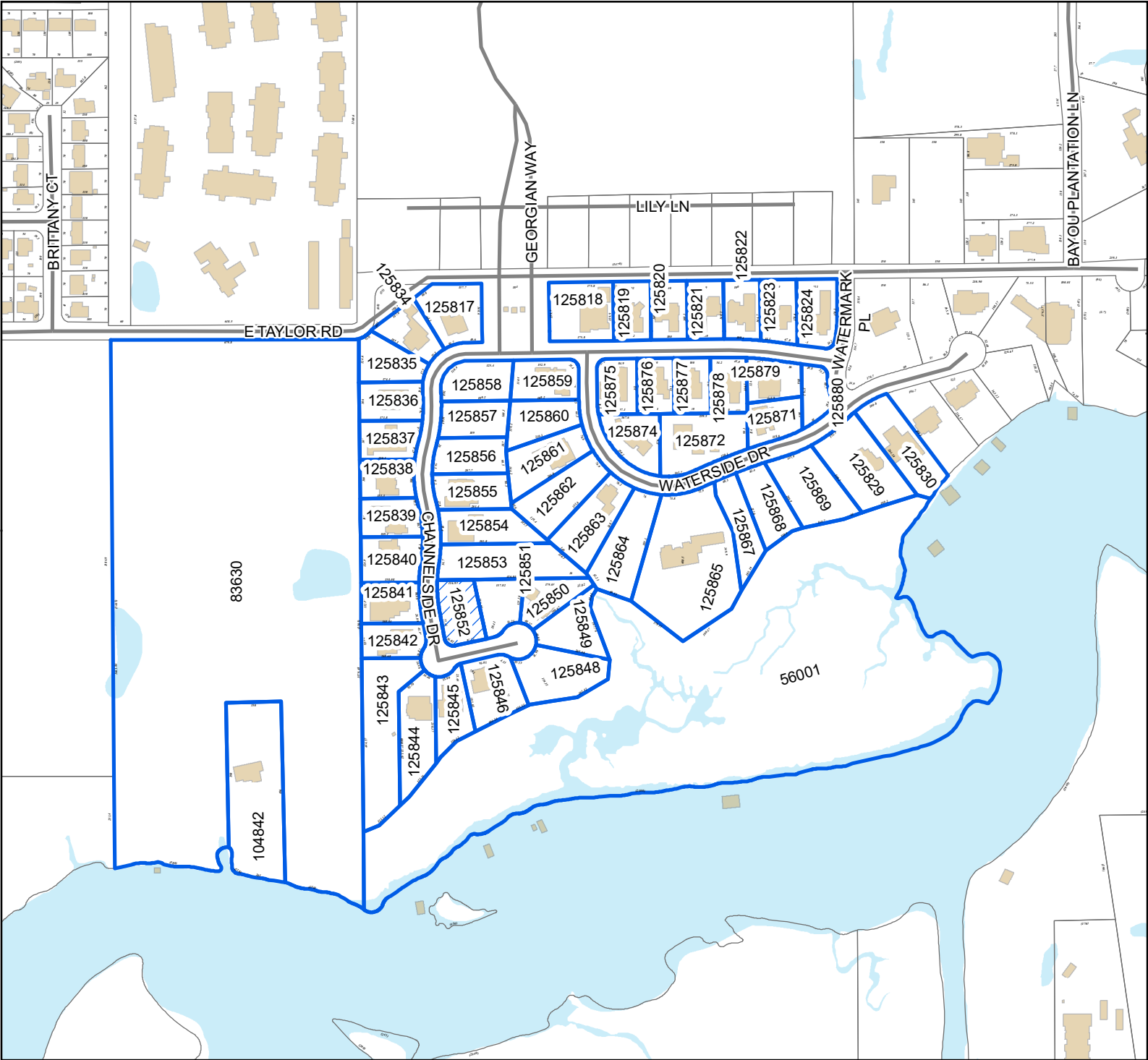
PAID BY:
PAYMENT METH: CHECK
1276

REFERENCE:

AMT TENDERED: 75.00
AMT APPLIED: 75.00
CHANGE: .00

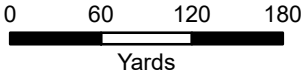
Mail	PPIN	Parcel ID	Name	Address	City	State	ZIP
N	125852	1010C-01-001.019	GREGORY P. WYROSDICK (OWNER)	10011 SHADY PLACE	BILOXI	MS	39532
			Adjacent Property Owners (2209ZB149)				
	125861	1010C-01-001.028	ALLEN KURT & SAM SUN CHEE	10947 WATERSIDE DR	GULFPORT	MS	39503
	125871	1010C-01-001.038	ANDERSON BRANDON C & CAMERON	10866 WATERSIDE DR	GULFPORT	MS	39503
	125840	1010C-01-001.007	BROCK JUSTIN HODDING & KAMI JEAN	11038 CHANNELSIDE DR	GULFPORT	MS	39507
N	83630	1010C-01-002.000	CARTER JONATHAN R & GRAMMAR JENNIE	11029 E TAYLOR RD	GULFPORT	MS	39503
	104842	1010C-01-002.001	CARTER JONATHAN R & GRAMMER JENNIE	11029 EAST TAYLOR RD	GULFPORT	MS	39503
	125842	1010C-01-001.009	CASTANO JUAN DAVID & PAOLA KATERINE	11058 CHANNELSIDE DR	GULFPORT	MS	39503
	125851	1010C-01-001.018	CLARK BRAX K	5515 KENDALL AVE	GULFPORT	MS	39507
	125821	1009N-01-003.005	COURTENAY DANIEL & LAURA	10898 CHANNELSIDE DR	GULFPORT	MS	39503
	125824	1009N-01-003.008	FORE PAT H III	10868 CHANNELSIDE DR	GULFPORT	MS	39503
	125856	1010C-01-001.023	GULF CONSTRUCTION COMPANY INC	225 COWAN RD	GULFPORT	MS	39507
	125876	1010C-01-001.043	HAGE MICHAEL G & ASHLEY H	10909 CHANNELSIDE DRIVE	GULFPORT	MS	39503
	125837	1010C-01-001.004	HALL BRUCE & MARIA	11008 CHANNELSIDE DR	GULFPORT	MS	39503
	125822	1009N-01-003.006	HARPER OSWAGO Y & TAMARA WALKER	10888 CHANNELSIDE 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	10937 WATERSIDE DR	GULFPORT	MS	39503
	125872	1010C-01-001.039	HYDE ERIC L & BRANDY M	10886 WATERSIDE DR	GULFPORT	MS	39503
	125819	1009N-01-003.003	JALAL SHWAN & KURDONYA HAWRAMI	10918 CHANNELSIDE DR	GULFPORT	MS	39503
	125846	1010C-01-001.013	JOHNSON PASCAL G & STACEY R	11098 CHANNELSIDE DR	GULFPORT	MS	39503
	125855	1010C-01-001.022	JONES SUSAN C KREMER & RONALD K	11019 CHANNELSIDE DR	GULFPORT	MS	39503
	125858	1010C-01-001.025	KILLEBREW JOHN A JR & LISA S	10989 CHANNELSIDE DR	GULFPORT	MS	39503
	125839	1010C-01-001.006	KROHN JASON M & JULIE M	11028 CHANNELSIDE DR	GULFPORT	MS	39507
	125823	1009N-01-003.007	LEWAKOWSKI THOMAS J & MELINDA D	10878 CHANNELSIDE DR	GULFPORT	MS	39503
	125830	1010B-04-003.002	MACE T PAUL & JENNIFER H	10837 WATERSIDE DR	GULFPORT	MS	39503
	125859	1010C-01-001.026	MCCABE MATTHEW J & HOLLY A	10967 WATERSIDE DRIVE	GULFPORT	MS	39503
	125877	1010C-01-001.044	MCCABE TYLER A & MAEGEN CALHOUN	10899 CHANNELSIDE DR	GULFPORT	MS	39503
	125854	1010C-01-001.021	MCMURPHY AMANDA T & AUSTIN J	11029 CHANNELSIDE DR	GULFPORT	MS	39503
	125818	1009N-01-003.002	MONAHAN STEPHANIE F & LAWRENCE S SR	10928 CHANNELSIDE DR	GULFPORT	MS	39503
	125875	1010C-01-001.042	PLUMMER MARGARET K	10919 CHANNELSIDE DRIVE	GULFPORT	MS	39503
	125879	1010C-01-001.046	PRINGLE JOSEPH RIVES & MICHELE B	10879 CHANNELSIDE DR	GULFPORT	MS	39503
	125878	1010C-01-001.045	RESTER JOHN K -TRUSTEE-	P O BOX 1662	GULFPORT	MS	39502
	125845	1010C-01-001.012	RICHARDSON COURTNEY B	11088 CHANNELSIDE DR	GULFPORT	MS	39503
	125853	1010C-01-001.020	RUBLE WILLIAM W III	1732 SECOND STREET	GULFPORT	MS	39507
	125880	1010C-01-001.047	RWB SR LLC	P O BOX 6252	GULFPORT	MS	39506
	125835	1010C-01-001.002	SAFLEY AARON D & JESSICA L	9137 HONEYSUCKLE LN	GULFPORT	MS	39503

Mail	PPIN	Parcel ID	Name	Address	City	State	ZIP
	125844	1010C-01-001.011	SAFLEY WILLIAM L & BRENDA LOU R-TRUSTE	11078 CHANNELSIDE DRIVE	GULFPORT	MS	39503
N	125843	1010C-01-001.010	SAFLEY WILLIAM L & BRENDA LOU R-TRUSTE	11078 CHANNELSIDE DRIVE	GULFPORT	MS	39503
	125838	1010C-01-001.005	SALLOUM GEORGIA	P O BOX 1717	GULFPORT	MS	39502
	125836	1010C-01-001.003	SANFORD TIMOTHY HERBERT & TRACY S	2005 CHOCTAW RDG	TALIHINA	OK	74571
	125829	1010B-04-003.001	SEICSHNAYDRE MICHAEL A & AIMEE B	10847 WATERSIDE DR	GULFPORT	MS	39503
	125817	1009N-01-003.001	SELLERS BENNIE JAMES JR & KATHRYN L	10968 CHANNELSIDE DRIVE	GULFPORT	MS	39503
	125834	1010C-01-001.001	SHARP MYLES ETHAN & DARIA OCCHI	10978 CHANNELSIDE DR	GULFPORT	MS	39503
	125857	1010C-01-001.024	SHETH SHAILAV	832 JOLIET CT	BILOXI	MS	39532
	125848	1010C-01-001.015	SMITH CHRISTOPHER E & MABRY LISA M	11048 CHANNELSIDE DR	GULFPORT	MS	39503
	125841	1010C-01-001.008	SMITH CHRISTOPHER EDWARD & MABRY L	11048 CHANNELSIDE DR	GULFPORT	MS	39503
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
	125820	1009N-01-003.004	SYMMES COWLES E & MARY E	10908 CHANNELSIDE DRIVE	GULFPORT	MS	39503
	125869	1010C-01-001.036	TPC HOLDINGS LLC	1611 24TH AVE STE B	GULFPORT	MS	39531
N	125868	1010C-01-001.035	TPC HOLDINGS LLC	1611 24TH AVE STE B	GULFPORT	MS	39501
N	125867	1010C-01-001.034	TPC HOLDINGS LLC	1611 24TH AVE SUITE B	GULFPORT	MS	39501
	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
	125860	1010C-01-001.027	WILLIAMS DONNA HAYNES	18 EAST 52ND ST	GULFPORT	MS	39507



Legend

- Site
- Adjacent Properties
- Street
- Buildings
- Water Features



1 inch = 380 feet



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RE: Variance 2209ZB149, by owners Gregory and Melinda Wyrosdick, tax parcel 1010C-01-001.019, Requests variance for setback, Channelside Drive, 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, August 18, 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, August 18, 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.

THANK YOU for your legal submission!

Your legal has been submitted for publication. Below is a confirmation of your legal placement. You will also receive an email confirmation.

ORDER DETAILS**Order Number:**

IPL0083647

Order Status:

Submitted

Classification:

Legals & Public Notices

Package:

BLX - Legal Ads

Final Cost:

42.72

Payment Type:

Account Billed

User ID:

IPL0024925

ACCOUNT INFORMATION

GULFPORT URBAN DEVELOPMENT IP

PO BOX 1780

GULFPORT, MS 39502

228-868-5705

AccountsPayable@gulfport-ms.gov

GULFPORT URBAN DEVELOPMENT

TRANSACTION REPORT**Date**

July 29, 2022 9:38:25 AM EDT

Amount:

42.72

SCHEDULE FOR AD NUMBER IPL00836470

August 3, 2022

SunHerald (Biloxi)

PREVIEW FOR AD NUMBER IPL00836470**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, August 18, 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 2204ZB050, by owners Jack & Kelly Krongard, tax parcel 10100-02-002.000, Requests variance for fence height, 1942 Beach Dr, Zoned R-1-7.5 (Single-family), Ward 2

Variance 2205ZB092, by agent Jesse Vincent, tax parcel 0910N-06-012.000, Variances for backing into the right-of-way & gravel parking, 410 32nd St, Zoned B-2 (General business), Ward 4

Variance 2209ZB149, by owners Gregory and Melinda Wyrosdick, tax parcel 1010C-01-001.019, Requests variance for setback, Channelside Drive, Zoned R-2 (Single-family), Ward 5

Variance 2209ZB150, by owner Walter A Karnes, tax parcel 1008N-01-076.000, Requests variances for accessory structure quantity and size, 11162 Ellis Dr, Zoned R-1-10 (Single-family), Ward 6

Variance 2209ZB152, by owner 605 Holdings, LLC, tax parcel 1010F-02-041.000, Variance for wall sign location, 1423 Magnolia St, Zoned T5 (Urban Center Zone), Ward 4

Special Exception 2209SE153, by owner 605 Holdings, LLC, tax parcel 1010F-02-041.000, Requests liquor store use, 1423 Magnolia Street, Zoned T5 (Urban Center Zone), Ward 4

Variance 2207ZB154, by owner Richard & Patricia Rogers, tax parcel 0807G-01-038.000, Requests variances for accessory structure quantity and size, 14451 S. Swan Rd, Zoned R-1-15 (Single-family), Ward 7

Special Exception 2209SE156, by agent Demetra Birch, tax parcel 0811K-04-021.000, Requests liquor store use, 2610 13th St, Zoned T5 (Urban Center Zone), Ward 2

This the 28th day of July 2022
A. Lee Palermo, Chairman
City of Gulfport Zoning Board of Adjustment and Appeals
W000000000
Publication Dates

[<< Click here to print a printer friendly version >>](#)

MEMORANDUM

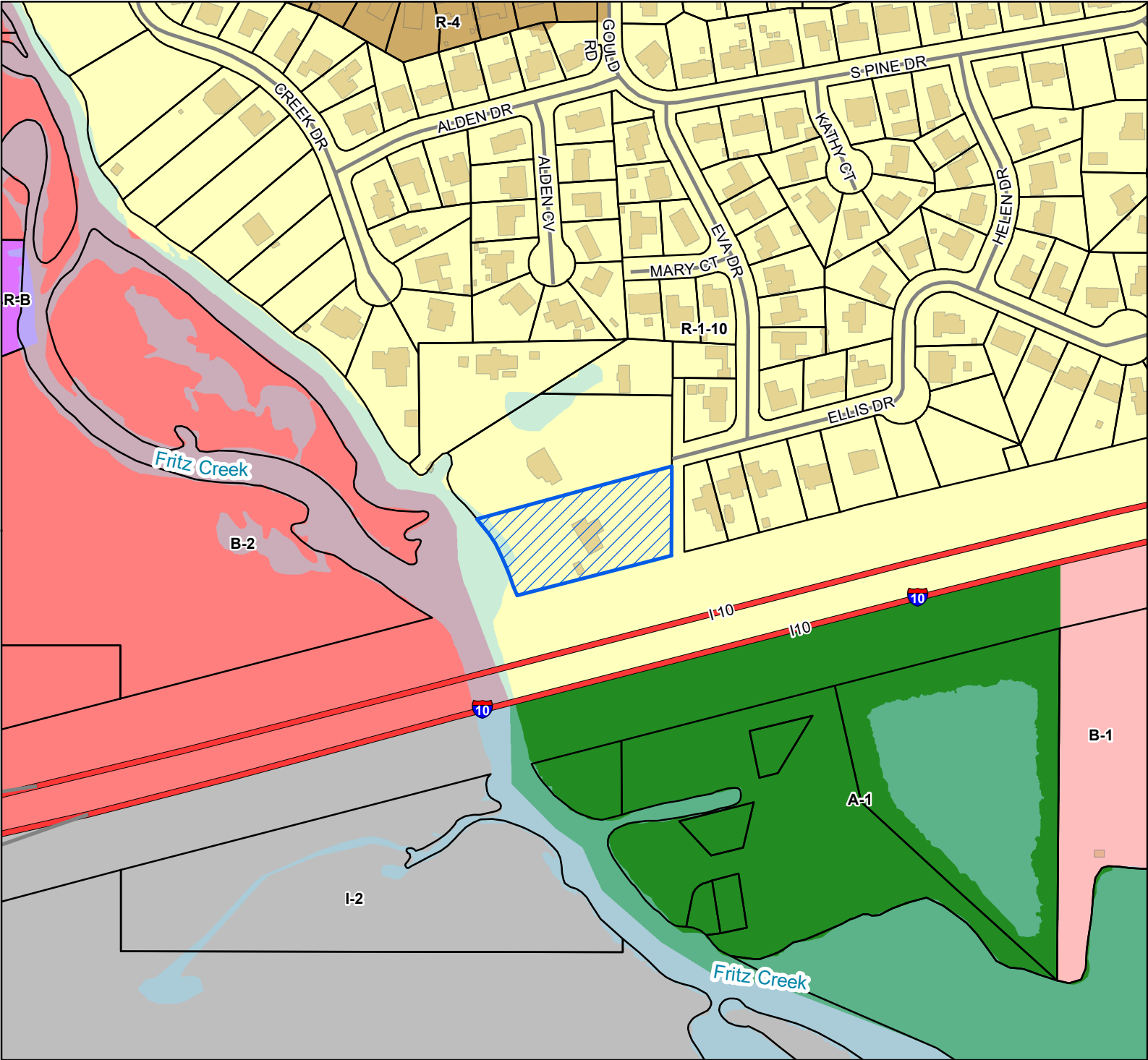
To: City of Gulfport Zoning Board of Adjustment and Appeals

From: Greg Holmes, Planning Administrator
Urban Development Department

Date of Hearing: August 18, 2022

Re: Variance 2209ZB150:
Withdrawn by Administration:

Variance 2209ZB150, by owner Walter A Karnes, tax parcel 1008N-01-076.000, Requests variances for accessory structure quantity and size, 11162 Ellis Dr, Zoned R-1-10 (Single-family), Ward 6



- Site
- Interstate Highway
- Street
- Parcels
- Buildings
- Water Features
- Zoning**
- A-1 - Agricultural District
- B-1 - Neighborhood Business District
- B-2 - General Business District
- I-2 - Heavy Industry District
- R-1-10 - Single Family Residence (Low Density)
- R-4 - General Residence (High Density)
- R-B - Residence-Business District

Site Information

1008N-01-076.000
Zoning: R-1-10 (Single-family Residence)
Size: 1.6 acres
Flood: X

0 40 80 120

Yards
1 inch = 300 feet



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

For Staff Use Only

Case File #: 2209ZB150Date Received: 7-12-22

Receipt #: _____

Received By: CHZoning: R-1-10Ward: 6 Flood: AESize: 30950 Sgft. =1.6 acres
(If necessary, use separate sheet of paper)

TAX PARCEL #

1	0	0	8	N	-	0	1	-	0	7	6	•	0	0	0
					-			-				•			
					-			-				•			

Address of Property Involved: 11162 ELLIS DRLot(s) _____, Block(s) _____, Subdivision NAME OAKLEIGH MANORGeneral Location: SECTION 10-7-7**GENERAL DESCRIPTION OF REQUEST:**Build a 30x50 garage**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

WAHER A. KARNES
Printed Name Of Owner

Printed Name Of Agent

11162 ELLIS DR
Mailing Address

Mailing Address

Gulfport MS 39503
City State Zip code

City State Zip code

228-669-1709
Home Phone Work/Cell Phone

Home Phone Work/Cell Phone

TONY @ MICHAELEMEMORIAL.ORG
Email

Email

[Signature]
Signature Of Owner

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.

1. I NEED A GARAGE LARGE enough to house my boat.
2. OTHER structures in my neighborhood are larger than 1500 sq ft.
3. I NEED to be able to protect my boat from the weather and be able to perform maintenance on it
4. My request will in no way impact any other property owners around me.
5. Other residents in my neighborhood have structures similar to the one I am requesting.
6. Yes, Garage will be for personal use only.

CITY OF GULFPORT
GENERAL PERMIT APPLICATION VER. 3/1/2021
PLEASE PRINT LEGIBLY

PERMIT # _____ DATE: _____
1410 24th Avenue, Gulfport, Mississippi 39501 (228) 868-5715
Please read and fill in ALL information that is requested. Failure to complete this application may result in a delay in issuing the desired permit.
CALL BEFORE YOU DIG 1-800-227-6477

1 **CONTRACTOR INFORMATION**
GULFPORT LICENSE # _____
COMPANY NAME: _____
PHONE: () _____ FAX: () _____
EMAIL: _____
CONTRACTOR NAME: _____
Last First
ADDRESS: _____
Street City State Zip
EL. CONT: _____ PLG CONT: _____ HVAC CONT: _____

4 **STRUCTURE TYPE**
____ WOOD FRAME (V-B)
____ BRICK VENEER/WOOD FRAME (V-B)
____ WOOD FRAME - 1 PROTECTED (V-A)
____ NON-COMBUSTIBLE-EXTERIOR / COMBUSTIBLE-INTERIOR (3-B)
____ NON-COMBUSTIBLE-EXT. (2 HR) COMBUSTIBLE-INT. (1 HR) (3-A)
____ NON-COMBUSTIBLE EXT. /INT. (2-B)
____ NON-COMBUSTIBLE-EXT. (1 HR) INTERIOR (1 HR) (2-A)
____ NON-COMBUSTIBLE-EXTERIOR (2 HR) INTERIOR (2HR) (1-B)
____ NON-COMBUSTIBLE-EXT. (3HR) INT.(3HR) (1-A)
____ HEAVY TIMBER (4)

5 **OCCUPANCY TYPE**
____ SINGLE-FAMILY(R-3) MIXED ____
____ DUPLEX (R-3)
____ MULTIPLE DWELLING (R-2)
____ HOTEL/MOTEL (R-1)
____ ASSISTED LIVING FACILITY (R-4)
____ BUSINESS (B)
____ MERCANTILE (M)
____ ASSEMBLY (A)
____ EDUCATION (E)
____ FACTORY-INDUSTRIAL (F)
____ HIGH HAZARD (H)
____ INSTITUTIONAL (I)
☒ STORAGE (S)
____ UTILITY & MISC (U)

6 **FOUNDATION TYPE**
☒ MONOLITHIC SLAB
____ CHAINWALL SLAB
____ PIERS
____ OTHER

3 **WORK CLASS**
1. NEW CONSTRUCTION
2. ADDITION (ATTACHED)
3. ADDITION (DETACHED)
4. ALTERATIONS
5. REPAIRS
6. FENCE
7. DEMOLITION
8. MOVING BUILDING
9. OTHER
7 **EXT. FINISH & MATERIAL**
metal

2 **PROPERTY INFORMATION**
JOB ADDRESS: 1162 ELLIS DR
TAX PARCEL NUMBER: 008N-01-076.000
* IF METES AND BOUNDS, ATTACH A PHOTOCOPY (REQUIRED FOR ISSUANCE)
OR DEED OR SURVEY WITH LEGAL DESCRIPTION.
PROPERTY OWNER: KARNES WALTER
NAME: Last First
PHONE: (228) 669-1709 FAX: ()
MAILING ADDRESS: 1162 ELLIS DR
Gulfport MS 39503
CITY STATE ZIP

8 **WORK DESCRIPTION**
Shop
Staff Use Only

9 **BUILDING DIMENSIONS**
SQUARE FOOTAGE: 1500 LENGTH: 30 WIDTH: 30 HEIGHT: 14 STORIES: 1 FINISHED FLOOR ELEVATION: _____
PROPERTY DIMENSIONS
LENGTH: _____ WIDTH: _____

10 **SPRINKLER (Y/N) WATER (Y/N) SEWER (Y/N) ANY STRUCTURES EXISTING ON PROPERTY (Y/N)**
TYPE OF HEAT PROVIDED: _____

11 **TREE AFFIDAVIT**
Will you be removing any trees? Yes ____ No ☒ If yes, are any of these "protected trees? Yes ____ No ____
If yes are they inside or outside of the footprint of the structure? (Circle) Inside Outside
If outside a tree permit will be required.
Owner-occupied residential dwellings on sites under one(1) acre are exempt from tree permits.
*Protected Trees: Live Oak, Willow Oak, Swamp Chestnut Oak, Overcup Oak, Nuttall Oak, Southern Magnolia, Sweet Bay, Sweetgum, Red Maple, American Holly and Bald Cypress

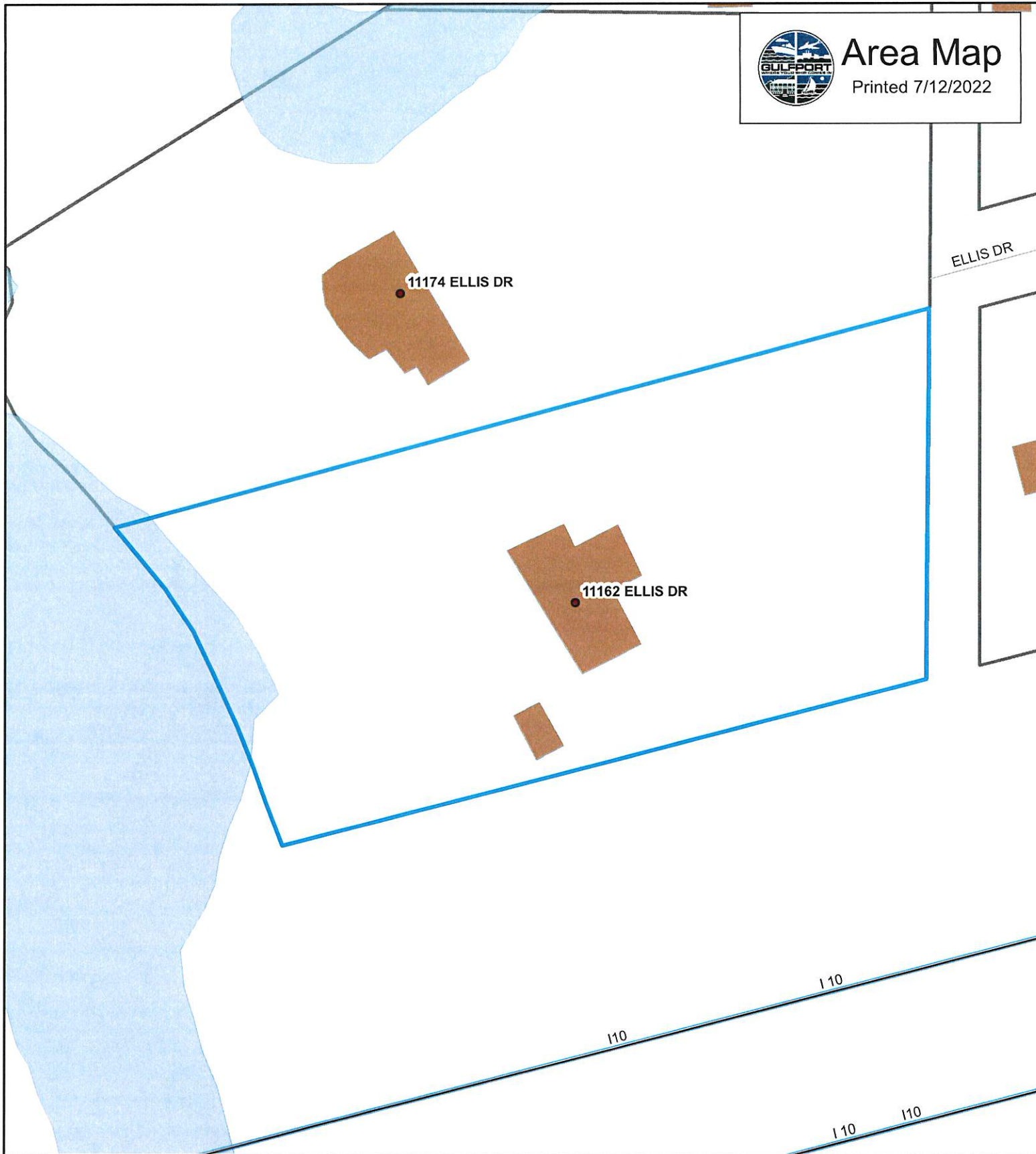
12 **ENGINEER: _____ DESIGNER: _____ ARCHITECT: _____**
NAME: _____ ADDRESS: _____
PHONE: () _____ STATE OF MS REG # _____
I HEREBY CERTIFY THAT I HAVE READ THIS APPLICATION AND THAT ALL INFORMATION CONTAINED HEREIN IS TRUE AND CORRECT, THAT I AGREE TO COMPLY WITH ALL APPLICABLE CODES, ORDINANCES AND STATE LAWS REGULATING BUILDING CONSTRUCTION, THAT I AM THE OWNER OR AUTHORIZED INDIVIDUAL TO ACT AS THE OWNER AGENT FOR THE HEREIN DESCRIBED WORK, AND THAT THE TOTAL CONTRACT OR VALUATION IS:
\$ 35,000 DATE 6-1-22 OWNER Ullman
OR
DATE _____ CONTRACTOR _____

ZONING DISTRICT: R-1-10 AEAZD: _____ WARD: 6 OFFICE USE ONLY SPECIAL FLOOD HAZARD AREA: X FIRE DISTRICT (Y/N) _____
PROPOSED USE: _____ REPORT CODE: _____
APPROVAL DATE: _____ APPROVED BY PLANNING: _____
APPROVAL DATE: _____ APPROVED BY BUILDING: _____
APPROVAL DATE: _____ APPROVED BY CODE ENFORCEMENT: _____
STAFF APPROVAL OF THIS APPLICATION EXPIRES AFTER 180 DAYS IF A PERMIT IS NOT ISSUED
\\UD\USERS\PLANNING\A_Templates\Permit Applications\GeneralPermitApp.pdf



Area Map

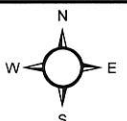
Printed 7/12/2022



● Addresspoints **Edits addresspoints**

STRUCT_CLASS

- Residential
- ~ Interstate Highway
- ~ Minor/Residential
- ~ WaterFeatures
- ▭ Parcels



1 inch = 67 feet

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Area Map

Printed 6/1/2022



1 inch = 69 feet

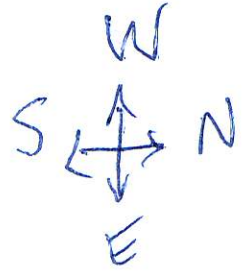
	Addresspoints	Harrison_HughRes_2020.sid
	Interstate Highway	RGB
	Minor/Residential	Red: Band_1
	Parcels	Green: Band_2
		Blue: Band_3

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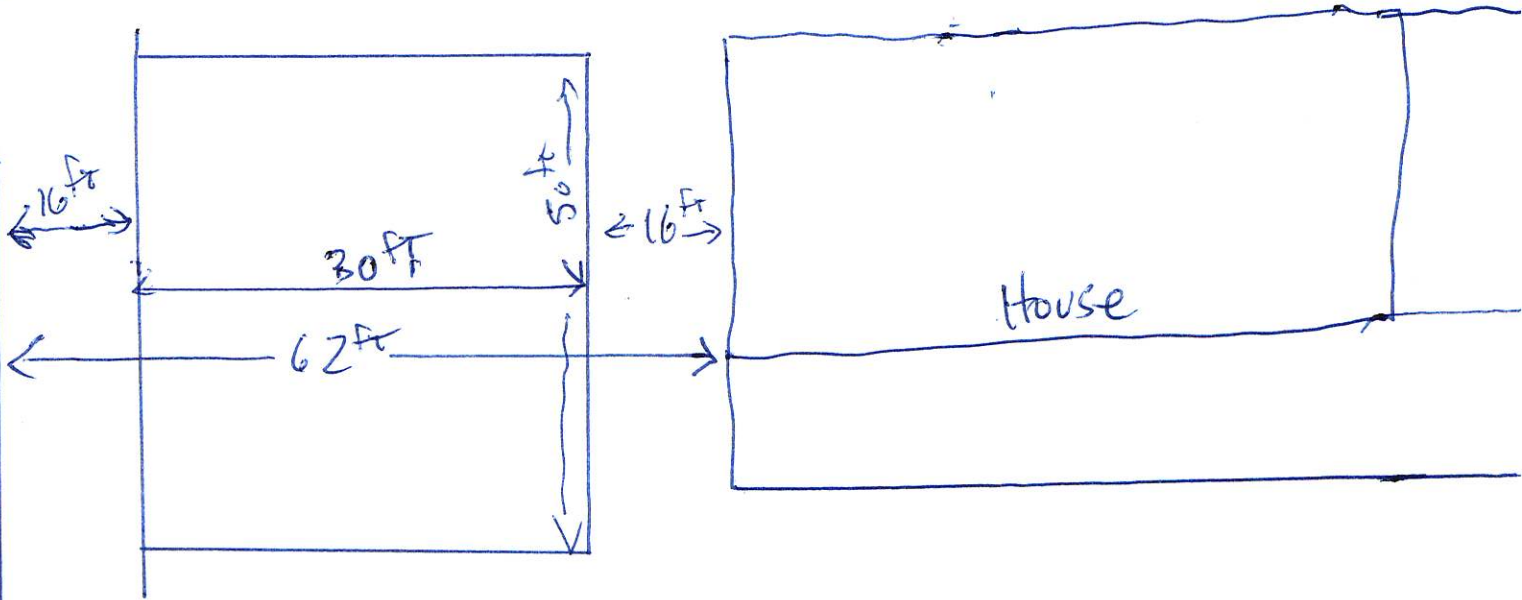
Site PLAN

11162 ELIS DR.

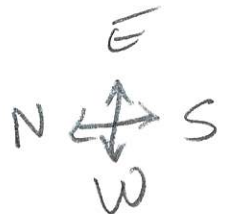
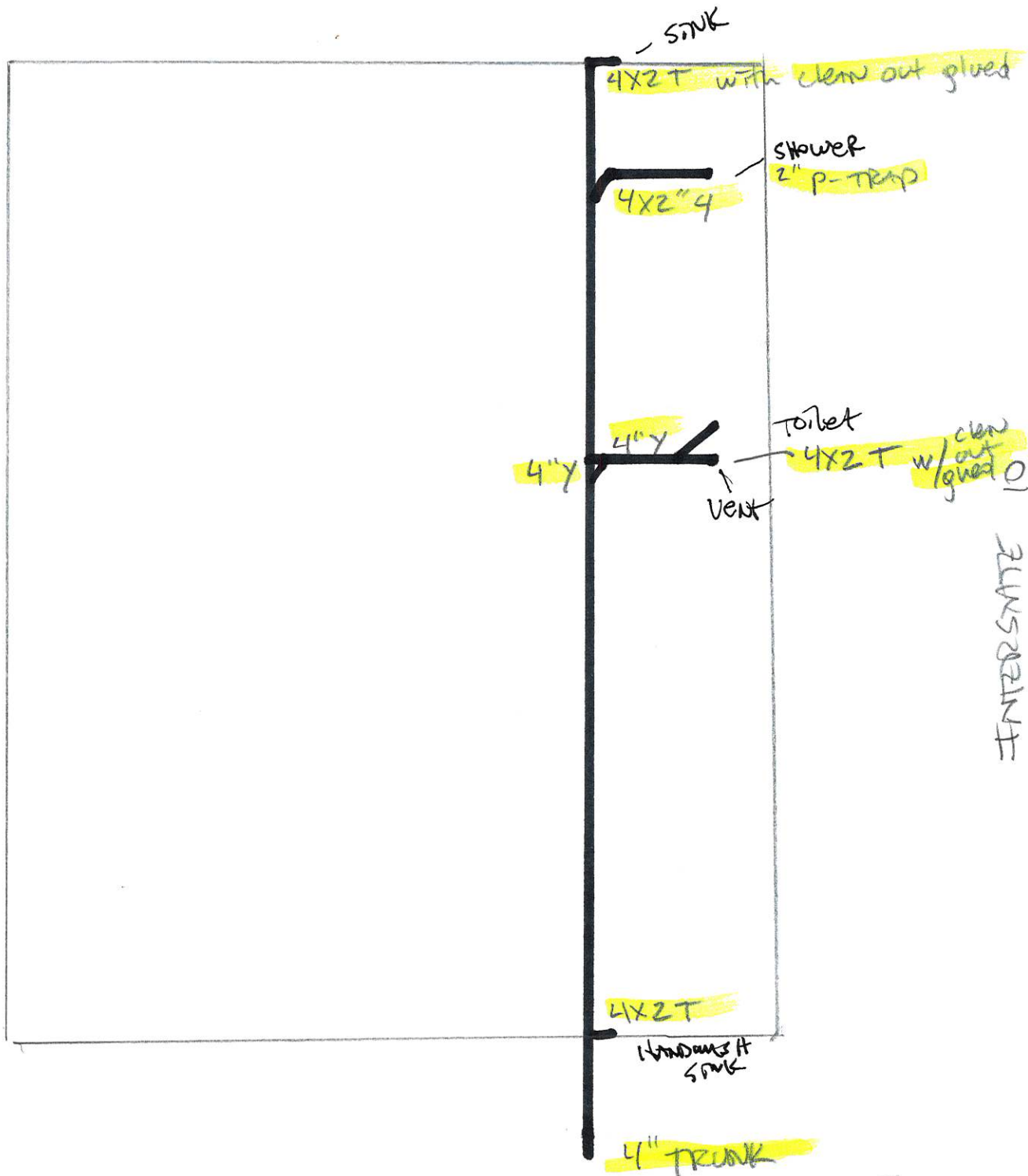


INTERSTATE 10

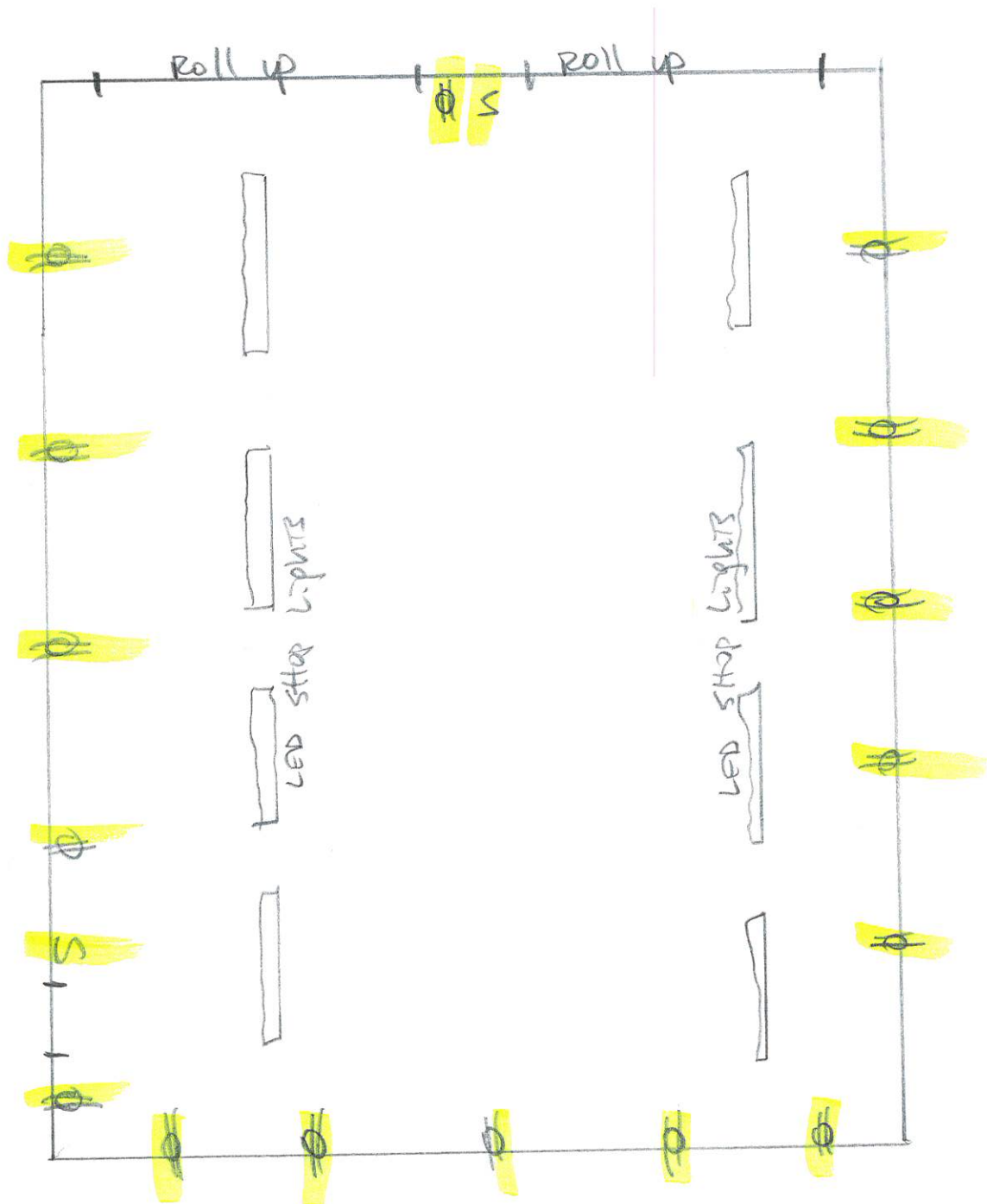
fence property line



PLUMBING



ELECTRICAL



⊙ = PLUG
S = switch



REVIEWED

SCANNED



[Signature] 1st Judicial District
Instrument 2020 2902 B -J1
Filed/Recorded 2/13/2020 12:41 N
Total Fees \$ 26.00
4 Pages Recorded

Prepared by:
David B. Pilger
Attorney at Law
1406 Bienville Blvd., Suite 101
Ocean Springs, MS 39564
(228) 215-0011

Grantor:
William E. Brown
2022 25th Ave
Gulfport, MS 39501
(228) 547-2129

Return To:
David B. Pilger
Attorney at Law
1406 Bienville Blvd., Suite 101
Ocean Springs, MS 39564
(228) 215-0011

Grantee:
Walter Anthony Karnes
Lisa A. Karnes
11162 Ellis Dr.
Gulfport, MS 39503
(228) 223-1256

File No. Z203000N

INDEXING INSTRUCTIONS: Parcels of land situated in Sec 07, T7S, R10W, 1st Judicial District,
Harrison County, MS

STATE OF MISSISSIPPI
COUNTY OF HARRISON
FIRST JUDICIAL DISTRICT

WARRANTY DEED

FOR AND IN CONSIDERATION OF the price and 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, I, **William E. Brown**, do hereby sell, convey and warrant unto **Walter Anthony Karnes and Lisa A. Karnes**, as joint tenants with right of survivorship and not as tenants in common, all of that certain tract, piece or parcel of land situated in Harrison County, Mississippi, together with all improvements, buildings, fixtures, and appurtenances thereunto belonging, and being more particularly described as follows, to-wit:

LEGAL DESCRIPTION ATTACHED HERETO AS EXHIBIT "A"

This being the same property as that conveyed to William E. Brown, by Quitclaim Deed recorded as Instrument No. 2019-10638-DJ1, Land Deed Records of Harrison County, Mississippi.

If this property is bounded by water, this conveyance includes any natural accretion, and is subject to any erosion due to the action of the elements. Such riparian and littoral rights as exist are conveyed herewith but without warranty as to their nature or extent. If any portion of the property is below the mean high tide watermark or is coastal wetlands as defined in the Mississippi Coastal Wetlands Protection Act it is conveyed by quitclaim only.

Grantor quitclaim any and all oil, gas, and other minerals owned, if any, to Grantees. No mineral search was requested or performed by preparer.

This conveyance is subject to any and all covenants, rights of way, easements, restrictions and reservations of record in the office of the Chancery Clerk of the First Judicial District of Harrison County, Mississippi.

It is agreed and understood that the taxes for the current year have been pro-rated as of this date on an estimated basis, and when said taxes are actually determined, if the proration as of this date is incorrect, the Parties hereto agree to make all necessary adjustments on the basis of an actual proration.

This property is not a part of the Grantors homestead.

Please see Land Survey attached hereto as Exhibit "B".

WITNESS MY SIGNATURE, on this the 2nd day of March, 2020.


William E. Brown

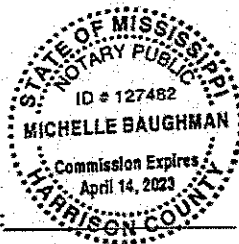
ACKNOWLEDGMENT

STATE OF MISSISSIPPI
COUNTY OF HARRISON

PERSONALLY APPEARED BEFORE ME, the undersigned authority in and for the jurisdiction aforesaid, **William E. Brown**, who acknowledged before me that he signed, executed and delivered the above and foregoing instrument on the day and year thereof, for the use and purposes therein mentioned.

GIVEN UNDER MY HAND AND OFFICIAL SEAL, on this the 2nd day of March, 2020.

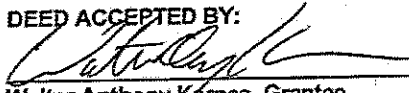
(AFFIX SEAL)



My commission expires: _____


NOTARY PUBLIC

DEED ACCEPTED BY:


Walter Anthony Karnes, Grantee


Lisa A. Karnes, Grantee

PERMITS/INSP PAYMENT RECPT#: 11379484
CITY OF GULFPORT
GULFPORT MS 39501

DATE: 07/12/22 TIME: 10:50
CLERK: crown DEPT:
CUSTOMER#: 0

COMMENT:

CHG: PZD PLANNING AND ZO 75.00

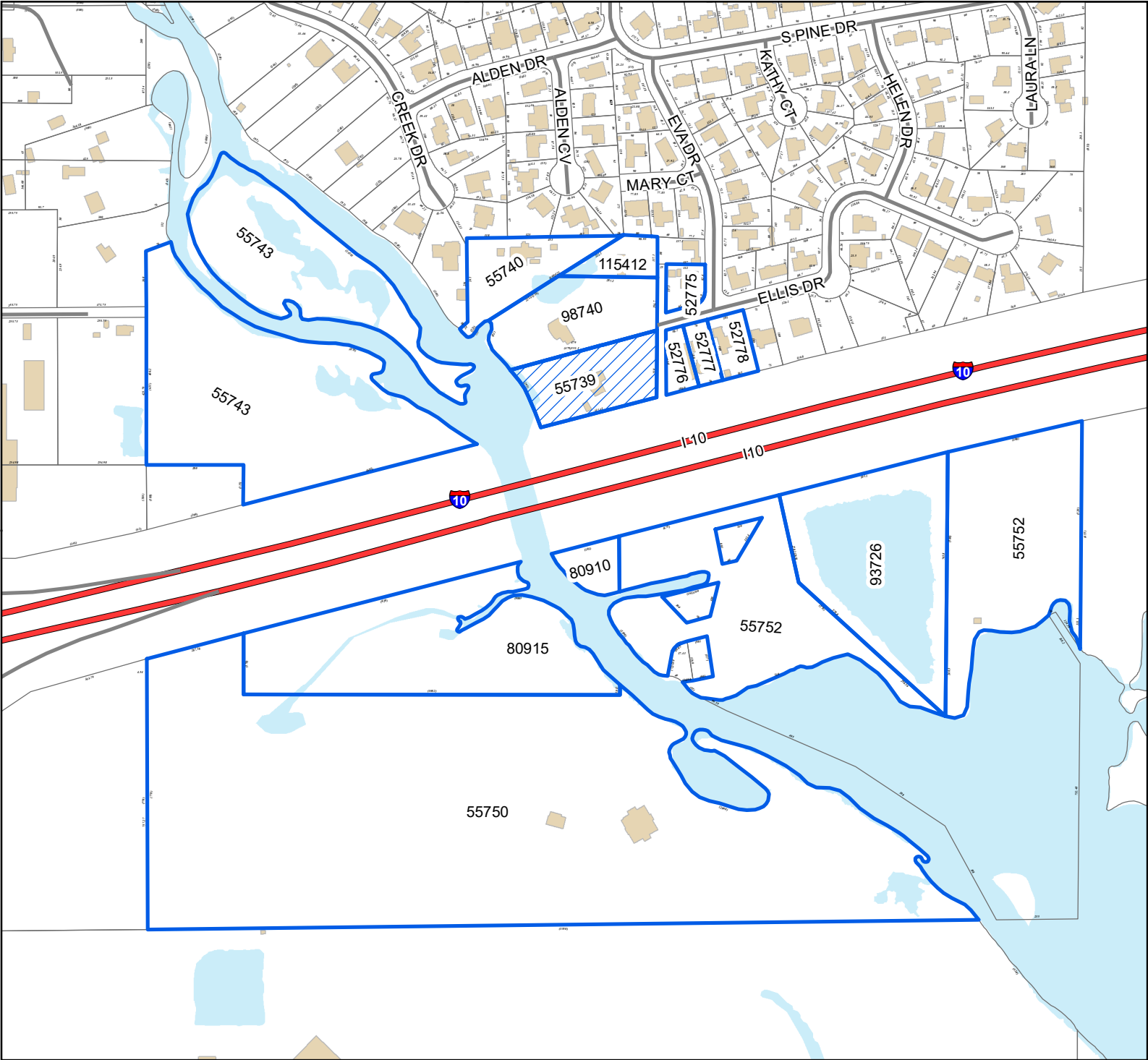
AMOUNT PAID: 75.00

PAID BY:
PAYMENT METH: CREDIT CARD

REFERENCE:

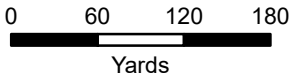
AMT TENDERED: 75.00
AMT APPLIED: 75.00
CHANGE: .00

Mail	PPIN	Parcel ID	Name	Address	City	State	ZIP
	55739	1008N-01-076.000	WALTER A KARNES (OWNER)	11162 ELLIS DR	GULFPORT	MS	39503
			Adjacent Property Owners (2209ZB150)				
	55750	1008N-02-008.000	MISS POWER CO	P O BOX 4079	GULFPORT	MS	39502
	55740	1008N-01-075.000	ALEXANDER WILLIAM BLAKE	11182 ELLIS DR	GULFPORT	MS	39503
	98740	1008N-01-075.001	ANDERSON DEBORAH	P O BOX 117	MCHENRY	MS	39561
	93726	1008N-02-001.001	COAST WATERWORKS INC	2786 PASS RD	BILOXI	MS	39531
	52778	1008N-01-022.000	DORSETT TERRY D & JUDY E	11129 ELLIS DR	GULFPORT	MS	39503
	52777	1008N-01-023.000	SWEETEN JAMIE M	11135 ELLIS DR	GULFPORT	MS	39503
	115412	1008N-01-075.002	ANDERSON DEBORAH	P O BOX 117	MCHENRY	MS	39561
	52775	1008N-01-025.000	INABINETTE MARY M	11189 EVA DR	GULFPORT	MS	39503
	80915	1008N-02-007.000	MISS POWER CO	PO BOX 4079	GULFPORT	MS	39502
	52776	1008N-01-024.000	BRELAND ETHAN B & KATHERINE A MORAN	11141 ELLIS DR	GULFPORT	MS	39503
	80910	1008N-02-006.000	MISS POWER CO	PO BOX 4079	GULFPORT	MS	39502
	55752	1008N-02-001.000	MISS POWER CO	P O BOX 4079	GULFPORT	MS	39502
	55743	1008N-01-077.000	JOHN FAYARD REAL ESTATE LLC	P O BOX 2189	GULFPORT	MS	39505



Legend

- Site
- Adjacent Properties
- Interstate Highway
- Street
- Buildings
- Water Features



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Your legal has been submitted for publication. Below is a confirmation of your legal placement. You will also receive an email confirmation.

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Account Billed

User ID:

IPL0024925

PREVIEW FOR AD NUMBER IPL00836470**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, August 18, 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 2204ZB050, by owners Jack & Kelly Krongard, tax parcel 10100-02-002.000, Requests variance for fence height, 1942 Beach Dr, Zoned R-1-7.5 (Single-family), Ward 2

Variance 2205ZB092, by agent Jesse Vincent, tax parcel 0910N-06-012.000, Variances for backing into the right-of-way & gravel parking, 410 32nd St, Zoned B-2 (General business), Ward 4

Variance 2209ZB149, by owners Gregory and Melinda Wyrosdick, tax parcel 1010C-01-001.019, Requests variance for setback, Channelside Drive, Zoned R-2 (Single-family), Ward 5

ACCOUNT INFORMATION

GULFPORT URBAN DEVELOPMENT IP

PO BOX 1780

GULFPORT, MS 39502

228-868-5705

AccountsPayable@gulfport-ms.gov

GULFPORT URBAN DEVELOPMENT

TRANSACTION REPORT**Date**

July 29, 2022 9:38:25 AM EDT

Amount:

42.72

SCHEDULE FOR AD NUMBER IPL00836470

August 3, 2022

SunHerald (Biloxi)

Variance 2209ZB150, by owner Walter A Karnes, tax parcel 1008N-01-076.000, Requests variances for accessory structure quantity and size, 11162 Ellis Dr, Zoned R-1-10 (Single-family), Ward 6

Variance 2209ZB152, by owner 605 Holdings, LLC, tax parcel 1010F-02-041.000, Variance for wall sign location, 1423 Magnolia St, Zoned T5 (Urban Center Zone), Ward 4

Special Exception 2209SE153, by owner 605 Holdings, LLC., tax parcel 1010F-02-041.000, Requests liquor store use, 1423 Magnolia Street, Zoned T5 (Urban Center Zone), Ward 4

Variance 2207ZB154, by owner Richard & Patricia Rogers, tax parcel 0807G-01-038.000, Requests variances for accessory structure quantity and size, 14451 S. Swan Rd. Zoned R-1-15 (Single-family), Ward 7

Special Exception 2209SE156, by agent Demetra Birch, tax parcel 0811K-04-021.000, Requests liquor store use, 2610 13th St, Zoned T5 (Urban Center Zone), Ward 2

This the 28th day of July 2022
A. Lee Palermo, Chairman
City of Gulfport Zoning Board of Adjustment and Appeals
W00000000
Publication Dates

[<< Click here to print a printer friendly version >>](#)

MEMORANDUM

To: City of Gulfport Planning Commission

From: Greg Holmes, Planning Administrator
Urban Development Department

Date of Hearing: August 18, 2022

Re: Variance 2209ZB152:

Variance 2209ZB152, by owner 605 Holdings, LLC, tax parcel 1010F-02-041.000, Variance for wall sign location, 1423 Magnolia St, Zoned T5 (Urban Center Zone), Ward 4

Technical Report

VARIANCE

GENERAL INFORMATION

Case File Number: 2209ZB152

Hearing Date: August 18, 2022

Current Zoning/Use: T5 / Multi-tenant Commercial building

Legal: Variance 2209ZB152, by owner 605 Holdings, LLC, tax parcel 1010F-02-041.000, Variance for wall sign location, 1423 Magnolia St, Zoned T5 (Urban Center Zone), Ward 4

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))

h. r.

Technical Report

VARIANCE

The applicant requests a variance in order to place an additional wall sign on a commercial building that has only 1 street frontage. The City of Gulfport Sign Ordinance for a wall sign in a T5 zone states that one (1) wall of facia sign shall be permitted for each occupancy within a developed parcel. The applicant's proposed sign would be placed on the west elevation of the building.

- (a) The applicant notes that the 605 Center has a tower feature that has visibility to traffic traveling east and west on Magnolia Street and north and south on Highway 605. Although the tower feature does allow for visibility for the traffic flow on Highway 605, the propose location of the requested sign is not on a street frontage. This is not a corner property so the special condition does not exist.
- (b) In the application, the applicant cites that the need for the variance is due to an error of being issued a sign permit for both elevations and only approved for the north side elevation. Unfortunately, some correction were needed during the permitting process; however, the building was constructed in a matter regardless of consideration of the city's ordinance. Therefore, the applicant created the hardship.
- (c) Ordinance change is necessary to allow a wall sign where there is no street frontage, regardless of the precedents set by the Zoning Board.
- (d) The applicant states adding a sign to the west-facing tower is a reasonable ask for the development and business of the property. Although the ordinance does not allow for the wall/facia sign placement when there is no street frontage, through variances, these signs are permitted.
- (e) The customer will receive special privilege; as there are several business along 605 that have been denied additional signage.
- (f) This property is zoned T5, and a liquor store and signage are permitted uses.

EXECUTIVE SUMMARY

Considering the request, the hardship has been created by the applicant. However, other businesses throughout the city have been granted variances for wall signs on occupancy's that do not have multiple street frontages. The request is similar to other variances issued.

Any approval should consider these conditions:

- 1. Wall/facia sing for the west elevation of the building where the sign is permitted for the business' frontage; this sign will be limited to the 1:3 ratio permitted for the west elevation.
- 2. Must meet 160 mph wind load.

DEPARTMENTAL CONDITIONS

Engineering: No conditions. Memo dated 8/10/2022.

Public Works: No conditions. Memo dated 8/10/2022.

Traffic and Safety: No comments as of 8/11/2022.

12.11

Technical Report

VARIANCE

Building Code Services: Must meet 160mph wind load. Memo dated 8/04/2022.

GIS: No conditions. Memo dated 8/10/2022.

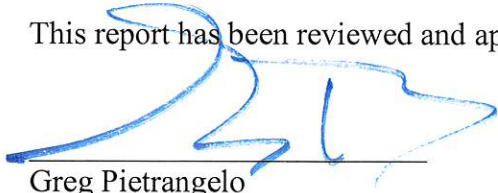
Police Department: No conditions. Memo dated 8/09/2022.

Fire Department: No conditions. Memo dated 8/04/2022.

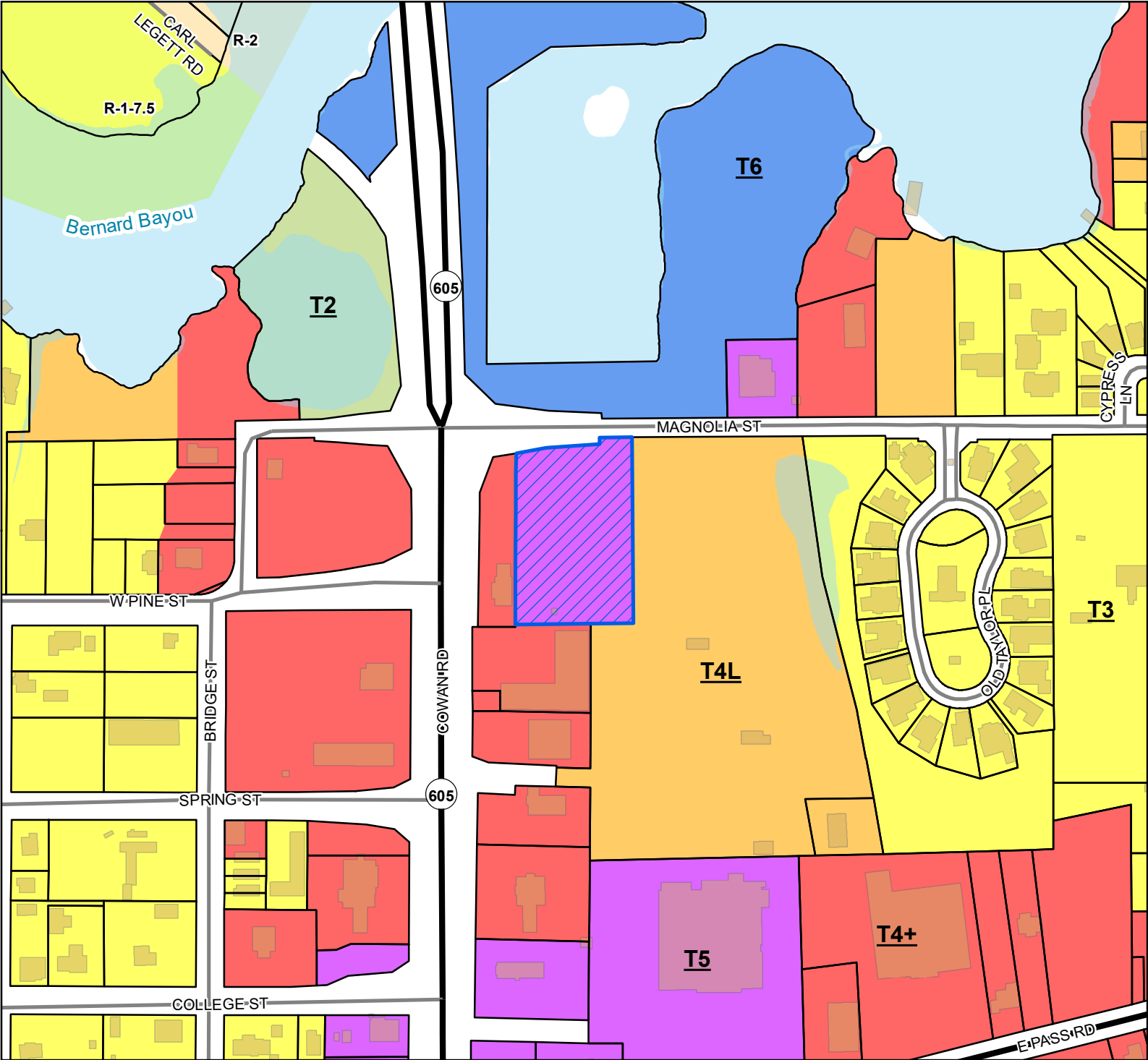
City Arborist: No conditions. Memo dated 8/04/2022.

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
- Water Features

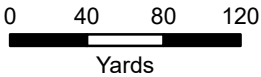
Smart Code

- T6
- T5
- T4+
- T4L
- T3
- T2

Zoning

- R-1-7.5 - Single Family Residence District (Low Density)
- R-2 - Single Family Residence District (Medium Density)

Site Information
1010F-02-041.000
Zoning: T5 (Urban Center Zone)
Size: 2.2 acres
Flood: AE



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

APPLICATION FOR VARIANCE

Property Information

TAX PARCEL #

1	0	1	0	F	-	0	2	-	0	4	1	●	0	0	0
					-			-				●			
					-			-				●			

For Staff Use Only

Case File #: 2209ZB152

Date Received: 7-20-22

Receipt #: _____

Received By: _____

Zoning: T5

Ward: 4 Flood: AE

Size: 2.2 acres

(If necessary, use separate sheet of paper)

Address of Property Involved: 1423 Magnolia Street Gulfport, MS 39507

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

General Location: _____

GENERAL DESCRIPTION OF REQUEST:

Requesting a sign variance for Bin 605 that will be opening a location in the 605 Center in Gulfport at the Tax Parcel listed above. Requesting a variance for the west facing tower to capture traffic traveling north and south on Cowan/Lorraine can see our sign.

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

605 Holdings, LLC

Printed Name Of Owner
Brax Clark - Member

Mailing Address
1116 Cowan Road Ste H

City	State	Zip code
Gulfport	MS	39507

Home Phone	Work/Cell Phone
N/A	228-2237322

Email
bclark@rockingcinc.com

Signature Of Owner

AGENT

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.

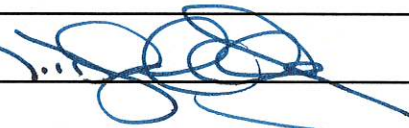
I hereby certify that I have read and understand this application and that all information and attachments are true and correct. I also certify that I agree to comply with all applicable city codes, ordinances and state laws. Finally, I certify that I am the owner of the property involved in this request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

NAME OF OWNER (PRINT) Todd Lafferty - Member

ADDRESS (STREET, CITY, STATE, ZIP CODE) 12568 Village Ave West Biloxi, MS 39532

PHONE # (H) 228-563-5751 (WK/CELL) 228-563-5751

TAX PARCEL NUMBER(S) OWNED 1010F-02-041.000

SIGNATURE: Todd Lafferty - 

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)

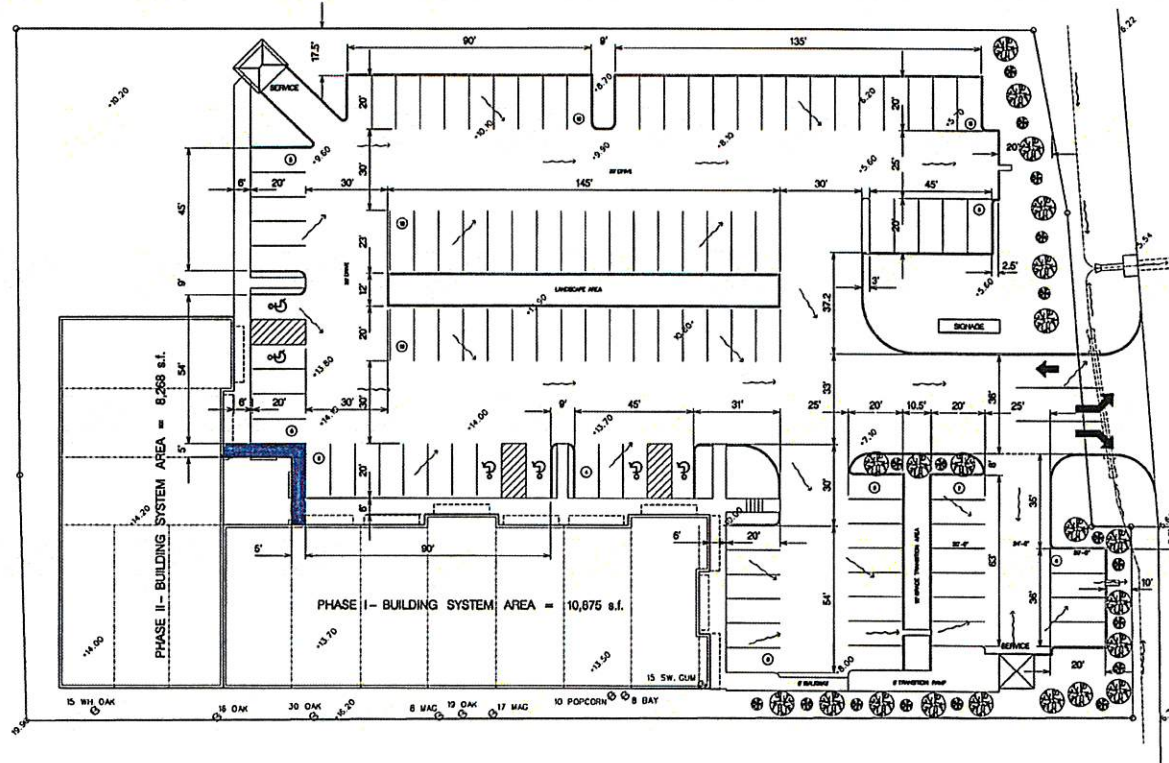
IN CASES OF MULTIPLE APPLICANTS, PLEASE IDENTIFY THE PERSON WHO WILL BE ACTING AS YOUR SPOKES

PERSON/AGENT FOR YOU: N/A



West

89



1 MASTER SITE PLAN
SCALE: 1" = 20'



TOTAL BUILDING AREA
19,143 s.f.
TOTAL PARKING SPACES
110 Spcs.
PARKING RATIO
1 per 174 s.f.

North

REVISED DRAWINGS	
Date	Rev. No.
06-27-21	1
06-16-2021	2
ADDITIONAL PARKING	
DRAIN & DRAIN	

ROBERT J. KESAL, P.E.
JULY 1978
TOM HENRY
JULY 1978

JWP
J. W. PUCKETT
& CO., INC.
CONSTRUCTION
ENGINEERING
12794 Inverness Parkway
228 - 864 - 6201
Gulfport, MS 39503

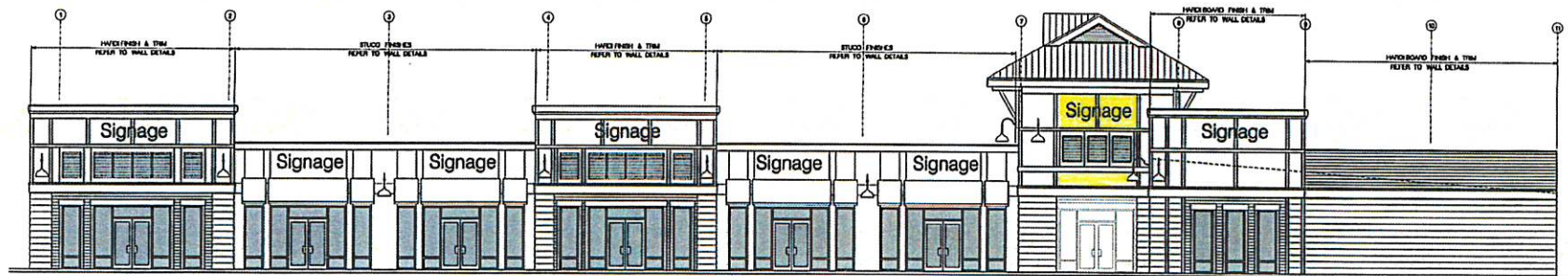
EXTERIOR BUILDING CONSTRUCTION FOR
BIN 605 CENTER
DEVELOPED BY BINAC CLARK
MAGNOLIA GULFPORT, MISSISSIPPI

Sheet Title

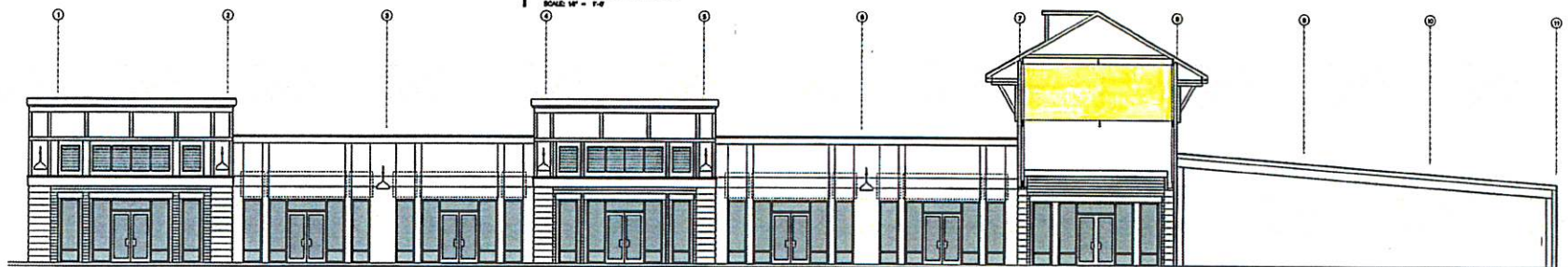
Master
Site Plan

Date:	09-22-2019
Drawn:	T.M.
Chkd:	R.K./C.C.
File:	
Sheet:	

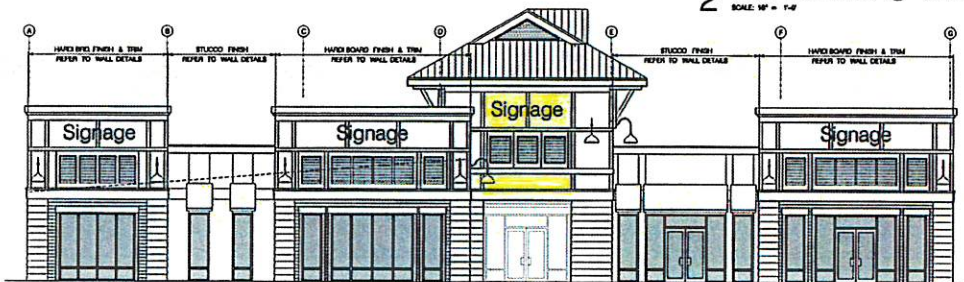
C1.00 of



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



2 WEST ELEVATION @ WALL
SCALE: 1/4" = 1'-0"



3 NORTH ELEVATION
SCALE: 1/4" = 1'-0"



4 NORTH ELEVATION @ WALL
SCALE: 1/4" = 1'-0"



EXTERIOR BUILDING CONSTRUCTION FOR
BIN 605 CENTER
DEVELOPED BY BRAX CLARK
MAGNOLIA STREET AND LORRAINE ROAD
GULFPORT, MISSISSIPPI

Sheet Title
EXTERIOR ELEVATIONS

Date: 04-28-2020
Drawn: T.H.
Check: R.K.-C.C.
File:
Sheet
4.00

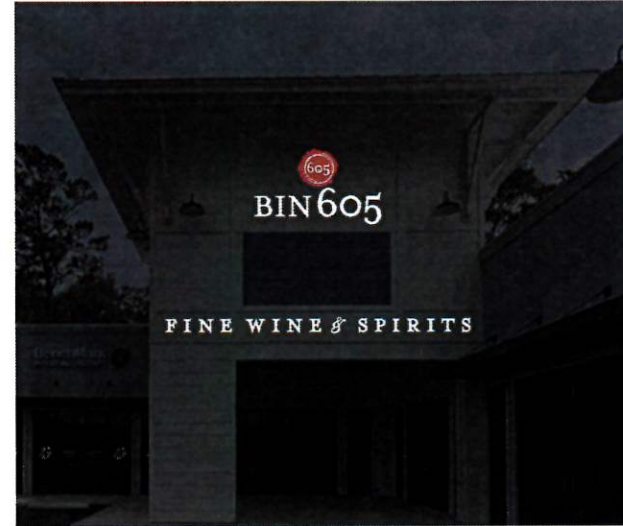
CONCEPT DRAWING

SQ FOOTAGE 76.49 PER SIDE

B4

FINAL
APPROVED
ARTWORK
B.B. / D.S.
05/04/22

West Side Tower



North Side Tower



THIS CONCEPT IS SOLELY THE PROPERTY OF MUNN ENTERPRISES, INC., AND MAY NOT BE USED, REPRODUCED, COPIED, EXHIBITED, ALTERED, OR DISTRIBUTED IN ANY MANNER.

Be Bold in a Visual World

601.264.7446 • MunnEnterprises.com



★ This color sketch is provided as an example of color. There may be some color variation between printed ink and paint. For best color representation, please choose Pantone Matching System ® Colors for paint or print.

CHANNEL LETTERS R2 - SUPERIMPOSITION

CUSTOMER: BIN 605 CENTER	CUSTOMER # XXX123	DATE: 04/26/2022
LOCATION: GULFPORT, MS	PM: B.B. SALES: E.H.M.	PRIMARY DESIGNER: T. Burch
REVISION: MAXIMIZE SIGNAGE IN AVAILABLE SPACE.	CURRENT DESIGNER:	
CUSTOMER APPROVAL:		
	APPROVAL DATE:	

CL

1

SCANNED



John 1st Judicial District
Instrument 2017 9191 D - J1
Filed/Recorded 12/27/2017 03:24 P
Total Fees \$ 12.00
3 Pages Recorded

PREPARED BY AND RETURN TO:

HENRY N. DICK, III, MSB#10113
PAGE, MANNINO, PERESICH &
MCDERMOTT, P.L.L.C.
POST OFFICE DRAWER 289
BILOXI, MS 39533-0289
(228) 374-2100

TITLE NOT EXAMINED

INDEXING INSTRUCTIONS:

PT SE 1/4 of Sec. 30-7-10 Harrison
County, MS

STATE OF MISSISSIPPI
COUNTY OF HARRISON
FIRST JUDICIAL DISTRICT



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,

VERNON A. CLARK and wife, **SANDRA G. CLARK**,
P.O. Box 3327, Gulfport, Mississippi 39507, (228) 323-1451,

does hereby sell, convey and warrant unto

605 HOLDINGS LLC,
a Mississippi limited liability company,
1116 Cowan Road, Suite H, Gulfport, Mississippi 39503, (228) 223-7322,

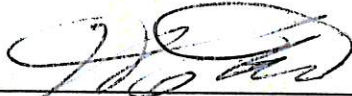
the following described real property, together with all improvements thereon, located in the First Judicial District of Harrison County, State of Mississippi, to-wit:

See Exhibit "A" attached hereto

✓

This conveyance is subject to all restrictions, reservations, easements and right of ways affecting said property on file and of record in the Office of the Chancery Clerk in the First Judicial District of Harrison County, Mississippi.

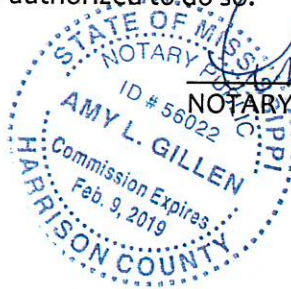
WITNESS our signatures on this the 1st day of December, 2017.


Vernon A. Clark


Sandra G. Clark

**STATE OF MISSISSIPPI
COUNTY OF HARRISON**

PERSONALLY APPEARED BEFORE ME, the undersigned authority, in and for the said county and state, on this 1st day of December, 2017, within my jurisdiction, the within named, **VERNON A. CLARK** and **SANDRA G. CLARK**, who acknowledged that they executed the above and foregoing instrument, after first having been duly authorized to do so.



L:\CASES\50000-55000\53187\Closing docs\drafts\2. Warranty Deed.wpd

23

3

EXHIBIT "A"

1423 Magnolia Street, Gulfport, Mississippi
Parcel Number 1010F-02-041.000

Beginning at a point on the South margin of Magnolia Street in Handsboro, Harrison County, Mississippi, which point is 210 feet, more or less, East of the East margin of Gulf Street in said village, and being in the Northeast corner of the property now or formerly belonging to Cuendet; running thence Easterly along the South margin of Magnolia Street, a distance of 254.18 feet to a point; running thence South and parallel with the East margin of said Gulf Street, a distance of 407 feet to a point; running thence in a Westerly direction and parallel with the South margin of said Magnolia Street, a distance of 254.18 feet to a point; running thence Northerly and parallel with the East margin of said Gulf Street, a distance of 407 feet to the South margin of Magnolia Street, the point of beginning. Said property being situated in and being a part of Southeast Quarter of Section 30, Township 7 South, of Range 10 West in said County.

LESS AND EXCEPT:

Begin at a point that is 10 meters (32.808 feet) Southerly of and perpendicular to the centerline of the relocation of a County road at Station 1 + 110 as shown on the plans for State Project No. 94-9371-00-004-10; from said point of beginning run thence South 85°58' West, a distance of 35.057 meters (115.016 feet) to a point that is 12 meters (39.370 feet) Southerly of and perpendicular to the centerline of the relocation of a County road at Station 1 + 075; thence run South 79°59' West, a distance of 20.341 meters (66.736 feet) to the West line of the Grantors property; thence run North along said West property line, a distance of 10.018 meters (32.867 feet) to the present Southern right-of-way line of Magnolia Street; thence run North 89°36' East along said Southern right-of-way line of Magnolia Street, a distance of 54.943 meters (180.259 feet); thence run South 00°46' East, a distance of 4.397 meters (14.426 feet) to the point of beginning, containing 0.036 hectares (0.089 acres), more or less.

OPERATING AGREEMENT
OF
605 HOLDINGS LLC,
a Mississippi limited liability company

THIS OPERATING AGREEMENT (together with the Exhibits attached hereto, this "Agreement") is made effective by the undersigned as of this 28th day of AUGUST, 2017, by and among 605 HOLDINGS LLC, a Mississippi limited liability company (the "Company"), MICHAEL T. LAFFERTY, JR., an adult resident of Gulfport, Harrison County, Mississippi, and BRAX C. CLARK, an adult resident of Gulfport, Harrison County, Mississippi, as the "Members," and each person and/or entity who shall hereafter be admitted as a Member.

WITNESSETH:

WHEREAS, the Members have formed a Mississippi limited liability company;

WHEREAS, the Members desire to have no liability to third parties to the fullest extent provided under the Revised Mississippi Limited Liability Company Act (currently Mississippi Code Annotated Section 79-29-101 et seq.) (the "Act"); and

WHEREAS, the Members desire that the Company be taxed as a partnership under the Internal Revenue Code of 1986, as amended; and

WHEREAS, the parties desire to set out in this Agreement their mutual understandings and agreements regarding the operations of the Company and certain other matters.

NOW, THEREFORE, in consideration of the mutual covenants herein contained, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereby agree as follows:

ARTICLE I
FORMATION; DEFINITIONS

1.1 **Formation.** The undersigned formed a limited liability company under the laws of the State of Mississippi by the filing of a Certificate of Formation with the Secretary of State of Mississippi on the 24th day of July, 2017 (the "Certificate of Formation").

1.2 **Name.** The name of this Company is "605 HOLDINGS LLC."

1.3 **Purposes.** The purpose for which this Company is formed is to engage in any lawful act, business or activity for which limited liability companies may be formed under the laws of the State of Mississippi and to do any and all other things determined by the Members to be necessary, desirable or incidental to the foregoing purpose.

1.4 **Term.** The term of the Company became effective on the date the Certificate of Formation was filed with the Secretary of State of Mississippi and shall continue in perpetuity, unless the Company is dissolved earlier pursuant to the provisions of this Agreement or the Act.

1.5 **Principal Place of Business.** The location of the principal place of business of the Company is 1116 COWAN ROAD, SUITE H, GULFPORT, MISSISSIPPI 39507. The Members may change the principal place of business and establish additional places of business as they deem necessary or desirable to conduct the business of the Company.

1.6 **Registered Office and Agent.** The Company's agent for service of process shall be MICHAEL T. LAFFERTY, JR., who is located at the following address: 1116 COWAN ROAD, STE. H, GULFPORT, MISSISSIPPI 39507, or such other agent as the Members may designate from time to time.

1.7 **Definitions.** In addition to the terms otherwise defined in this Agreement, the following terms as used in this Agreement shall have the meanings specified below:

"Bankruptcy" shall be deemed to occur when a Member files a petition in bankruptcy or voluntarily takes advantage of any bankruptcy or insolvency laws, or is adjudicated a bankrupt, or when a petition or answer is filed proposing the adjudication of a Member as a bankrupt and such Member either consents to the filing or such complaint or answer is not discharged or denied prior to the expiration of sixty (60) days following the date of filing.

"Control" or "Controlled" shall mean the possession, directly or indirectly, of the voting power to cause the direction of the management and policies of such entities, whether through the ownership of voting securities or by contract or otherwise.

"Majority" shall mean the written consent or affirmative vote of Members owning more than fifty percent (50%) of the ownership interests in the Company who are entitled to vote on such matter.

"Majority Vote" shall mean the written consent or affirmative vote of a Majority of the Members.

"Permitted Transferee" shall mean (i) a revocable living trust, provided the Member is a primary beneficiary and serving as trustee; and (ii) a limited liability company, corporation, partnership or other entity Controlled by the Member.

"Prime Rate" shall mean the rate of interest per annum publicly announced by the Company's primary banking institution as its prime lending rate, as in effect from time to time.

"Representative" shall mean the attorney-in-fact, conservator or authorized representative of a Member authorized to act for and on behalf of such Member.

ARTICLE II **MANAGEMENT**

Management of the Company. The business of the Company shall be managed by its Members. Subject to the minimum voting requirements for approval of actions contained herein, Members shall have full and complete authority, power and discretion to manage and control the business, affairs of the Company, to make all decisions regarding those matters, to execute such documents and instruments necessary for the Company's operations, and to perform any and all other acts and activities customary or incident to the management of the Company's business. Any Member may

certify resolutions setting forth the authority of a Member or other person to act on behalf of the Company. Third parties shall be entitled to rely on such certification without further inquiry.

ARTICLE III

MEMBERS

3.1 Members. The Members' names and addresses are listed on Exhibit "A", which is attached hereto and made a part hereof. Also reflected on Exhibit "A" is the capital contribution of each Member, indicating the amount of cash contributed, the value of property contributed and/or the value of services contributed, and each Member's percentage ownership interest in the Company.

3.2 Member Restrictions. Except as otherwise specifically provided in this Agreement to the contrary, no Member shall have the rights to:

(A) become a Member of the Company without first assenting to and signing this Agreement;

(B) have its capital contribution repaid except to the extent provided in this Agreement;

(C) require partition of the Company's property or to compel any sale or appraisal of the Company's assets;

(D) sell or assign his or her ownership interest in the Company or to constitute the vendee or assignee thereunder, except as provided in this Agreement; or

(E) voluntarily withdraw as a Member from the Company.

3.3 Limited Liability. No Member shall be personally held accountable for any of the debts, losses, claims, judgments or any of the liabilities of the Company beyond the Member's contributions to the capital of the Company, except as provided by law.

3.4 Non-Exclusivity. Except as otherwise expressly stated herein, no Member shall be required to participate in the Company as such Member's sole and exclusive function and any Member shall be entitled to and 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 Operating Agreement, to share or participate in such other investments or activities of any Member or to the income or proceeds derived therefrom. Members shall incur no liability to the Company or to any of the Members as a result of engaging in any other business or venture permitted by this Agreement.

ARTICLE IV

MEETINGS OF MEMBERS

4.1 Meetings of Members. No regular, annual, special or other meetings of Members are required to be held. Any action that may be taken at a meeting of Members may be taken without a meeting by written consent in accordance with the Act. Meetings of the Members, for any purpose or

purposes, may be called at any time by a Majority Vote of the Members. If no designation is made, the place of meeting shall be the principal place of business of the Company.

4.2 Notice of Meetings. In the event that a meeting of the Members is called, written notice stating the place, day and hour of the meeting and the purpose or purposes for which the meeting is called shall be delivered, as directed in Article 10.1, not less than ten (10) nor more than sixty (60) business days before the date of the meeting unless otherwise provided, by or at the direction of the Member(s) calling the meeting, to each Member. Notice of a meeting need not be given to any Member who signs a waiver of notice or a consent to holding the meeting or an approval of the minutes thereof, whether before or after the meeting, or who attends the meeting without protesting, prior thereto or at its commencement, the lack of notice to such Member.

4.3 Quorum; Adjournment. Except as may otherwise be provided by the Act, the Certificate or this Operating Agreement, at any meeting of the Members, a Majority of the Members, either present in person or by proxy, shall constitute a quorum for such meeting.

4.4 Proxies. Members entitled to vote may vote in person or by proxy. The person appointed as proxy need not be a Member. Unless the writing appointing a proxy otherwise provides, the presence at a meeting of the person who appointed a proxy shall not operate to revoke the appointment. Notice to the Company, in writing or in open meeting, of the revocation of the appointment of a proxy shall not affect any vote or action previously taken or authorized.

4.5 Voting. If a quorum is present, a Majority Vote of the Members so represented shall be the act of the Members, unless a higher proportion or number is required by this Agreement, the Certificate or the Act. All votes of Members shall be in accordance with their then ownership interests in the Company.

ARTICLE V

PROFITS, LOSSES AND ACCOUNTING

5.1 Allocation of Profits and Losses:

(A) Except as otherwise provided herein, net profits and losses of the Company (including profits and losses attributable to the sale or other disposition of all or any portion of the Company's property) shall be allocated among or borne by the Members in the percentages listed in **Exhibit "A"**, which is attached hereto and made a part hereof, or in accordance with their capital accounts, as those may change as provided herein.

(B) Notwithstanding any provision of this Agreement to the contrary, to the extent required by law, income, gain, loss and deduction attributable to property contributed to the Company by a Member shall be allocated among the Members so as to take into account any variation between the tax basis of the property and the fair market value thereof at the time of contribution, in accordance with the requirements of Section 704(c) of the Internal Revenue Code of 1986 (the "**Code**"), as amended, or its counterpart in any subsequently enacted Internal Revenue Code, and the applicable Treasury Regulations (the "**Regulations**") thereunder.

(C) Company profits, losses and gains shall be allocated to the Members in accordance with the portion of the year during which the Members have held their respective ownership interests. All items of income and loss shall be considered to have been earned ratably over the fiscal year of the Company, except that gains and losses arising from the disposition of assets shall be taken into account as of the date thereof.

(D) Notwithstanding any provision of this Agreement to the contrary, in the event the Company is entitled to a deduction for imputed ownership interest under any provision of the Code on any loan or advance from a Member, such deduction shall be allocated solely to such Member.

(E) Notwithstanding any provision of this Agreement to the contrary, to the extent the payment of any expenditure by the Company is treated as a distribution to a Member for federal income tax purposes, there shall be a gross income allocation to such Member in the amount of such distribution.

(F) Notwithstanding any provision of this Agreement to the contrary, if items of income or gain to be allocated include income or gain treated as ordinary income for federal income tax purposes because they are attributable to the recapture of depreciation under Section 1245 or 1250 of the Code, then such income or gain, to the extent treated as ordinary income, shall be allocated to, and reported by, the Members in proportion to their then respective cumulative allocations of depreciation.

5.2 Accounting:

(A) The Company books shall be kept in accordance with reasonable accounting principles consistently applied as determined by the Members.

(B) The fiscal year of the Company shall end on December 31.

(C) All tax decisions shall be made by the Members.

(D) The terms "net profits" and "net losses," as used herein, shall mean the net amount of the Company's profits and losses, as determined for federal income tax purposes, and shall also include each Member's share of income described in Section 705(a)(1)(B) of the Code, any expenditures described in Section 705(a)(2)(B) of the Code, any expenditures described in Section 709(a) of the Code which are not deducted or amortized in accordance with Section 709(b) of the Code, basis adjustments required pursuant to former Section 48(q) of the Code, and losses not deductible pursuant to Section 267(a) or 707(b) of the Code.

5.3 Member's Capital Accounts:

(A) There shall be maintained a capital account for each Member in accordance with this Article 5.3. The amount of each Member's contribution of cash, property and/or services to the capital of the Company shall be credited to such Member's capital account. From time to time, but not less often than annually, each Member's share of profits, losses and distributions shall be credited or charged, as the case may be, to such Member's capital account. The determination of a Member's capital account, and any adjustments thereto, shall be made in a manner consistent with tax accounting and other principles set forth in Section 704 of the Code and applicable Regulations thereunder.

(B) If, at any time, the Company shall suffer a loss as a result of which the capital account of any Member shall be a negative amount, such loss shall be carried as a charge against that Member's capital account, and that Member's share of subsequent profits of the Company shall be applied to erase such capital account deficit.

(C) Immediately following the transfer of any ownership interest in the Company, the capital account of the transferee-Member shall be equal to the capital account of the transferor-Member attributable to the transferred ownership interest.

(D) For purposes of computing the amount of any item of income, gain, deduction or loss to be reflected in the Member's capital account, the determination, recognition and classification of any such item shall be the same as its determination, recognition and classification for federal income tax purposes, taking into account any adjustments required pursuant to Section 704 of the Code and the applicable Regulations thereunder.

ARTICLE VI

TRANSFER OF MEMBER'S OWNERSHIP INTEREST

6.1 Each Member agrees that he or she will not, without the prior written consent of the other Member, transfer, assign, sell, give, pledge, hypothecate or otherwise encumber all or any part of his or her ownership interests in the Company to someone other than a Permitted Transferee except as otherwise permitted in this Article VI. Any attempt to transfer all or any part of an ownership interest other than as permitted in this Article VI shall be null and void and have no effect whatsoever. However, following any such permitted transfer, said ownership interest in the hands of the assignee shall continue to be subject to the terms and provisions of this Agreement.

6.2 If a Member desires to sell, assign or exchange all or a portion of his or her ownership interest in the Company ("Assignor") to someone other than a Permitted Transferee, then he or she shall first offer the same, in writing, to the other Member (the "Remaining Member"), who shall have thirty (30) days after receipt of such offer to accept or reject the offer ("Option Period"), and if accepted, sixty (60) days from the expiration of the Option Period to close. If the offer is rejected, in whole or in part, then the Assignor shall be free to sell or assign the rejected ownership interest, on the same terms and conditions, to the aforesaid third party ("Assignee"), provided the sale is consummated within sixty (60) days following the expiration of the Option Period.

6.3 (A) Upon the occurrence of a Triggering Event, the Member or his or her Representative shall promptly sell, and the Remaining Member shall promptly purchase, for the purchase price and in accordance with the terms specified in paragraph (E) of this Article 6.3, such Member's ownership interest which he or she owned as of the date of the Triggering Event if said ownership interest has or may pass to someone other than a Permitted Transferee. For purposes of this Article 6.3, "Triggering Event" shall mean (i) the death or disability of a Member; (ii) the unauthorized transfer of an ownership interest by a Member; or (iii) the Bankruptcy of a Member, or (iv) a Member ceases to be a member of Bin No. 605, LLC.

(B) Upon a Member's death, the Remaining Member and/or Company shall immediately collect the proceeds of any insurance policies acquired to fund obligations under this Agreement and shall apply as much of the proceeds as is necessary to purchase the ownership interest

of the deceased Member (the "Deceased Member"). If the insurance proceeds exceed the Purchase Price as determined in paragraph (D) of this Article 6.3, then the Remaining Member and/or Company may retain the remaining proceeds. If the insurance proceeds are not sufficient to purchase all of the Deceased Member's ownership interest, then the Purchase Price, or the balance thereof, shall be paid in accordance with the terms set forth in paragraph (E) of this Article 6.3.

- (C) A Member shall be deemed disabled for purposes of this Agreement if he or she:
- (a) has been declared legally incompetent by a final court decree (the date of such decree being deemed to be the date on which the disability occurred); or
 - (b) has been found to be disabled pursuant to a Disability Determination.

A "Disability Determination" means a finding that a Member, because of a medically determinable disease, injury, or other mental or physical disability, is unable to perform substantially all of his or her regular duties for the Company and that such disability is determined or reasonably expected to last at least twelve (12) months. The Disability Determination shall be based on the written opinion of the physician regularly attending such Member, who must be board certified in the speciality most closely related to the nature of the disability alleged to exist.

(D) Unless otherwise agreed to by the parties, the purchase price ("Purchase Price") for an ownership interest purchased under this Article 6.3 ("Optioned Interest") shall be based on the fair market value of the Optioned Interest as of the date of the Triggering Event, determined by multiplying the percentage the Optioned Interest bears to the total of all ownership interests by the fair market value of the Company (i) as set out in a Certificate of Value, executed by the Company and a Majority of the Members and attached hereto as Exhibit "B", or (ii) if the date of the Triggering Event is more than two (2) years after the date of the most recently executed Certificate of Value, then as determined by a qualified appraiser selected by the Members, or if the Members cannot agree on an appraiser, then as selected by the accountant for the Company.

(E) The payment for any purchase under this Article 6.3 shall be made in cash unless the Remaining Member elects to pay a portion of the Purchase Price in cash and the balance thereof in installments. If the Remaining Member elects to pay a portion of the Purchase Price in installments, then, unless the parties to the transaction otherwise agree, at least **twenty percent (20%)** of the total Purchase Price shall be paid in the form of cash at the closing date. The balance of the Purchase Price not paid in cash shall be paid, together with interest at the Prime Rate, in equal monthly installments over a period specified by the Remaining Member, but not in excess of **Five (5) years** from the closing date. The balance of the Purchase Price payable in installments shall be represented by an installment note secured by the ownership interest so transferred and an appropriate security agreement relating thereto.

6.4 No assignment of any Member's ownership interest in compliance with this Article VI, even if it results in the substitution of the assigned as a Member herein, shall release the assignor from those liabilities to the Company which survive such assignment.

6.5 Any assignment by a Member of all or any part of his or her ownership interest in the Company shall be subject to the following:

(A) The assignment instrument shall be in form and substance satisfactory to the Remaining Member. Any additional information requested by the Remaining Member, including any information relative to the Assignee, shall be promptly furnished by the requesting Assignor, and, no decision need be reached by the Remaining Member until such information is furnished.

(B) The Assignee shall have submitted his or her written acceptance and adoption of all the terms and provisions of this Agreement, including any and all amendments to this Agreement to be made subsequent to the assignment.

(C) The Assignor shall have paid, or obligated himself or herself to pay, all reasonable expenses connected with such transfer, including, but not limited to, the cost of preparing and filing any amendment to this Agreement necessary to effectuate the transfer or required under the Act.

6.6 No Member's ownership interest in the Company has been registered under the Securities Act of 1933, as amended. Each Member represents that the Member is acquiring his or her ownership interest in the Company for investment purposes only for the account of the Member and has no present intention of selling his or her ownership interest in the Company.

6.7 Notwithstanding the foregoing, it is specifically acknowledged and agreed that a Member (a "Transferring Member") may transfer all or any portion of a Member's ownership interest to a corporation, partnership, association, trust or other legal entity controlled by the Transferring Member (each of the foregoing a "Member Entity"). The Members hereby covenant and agree that any and all ownership interests transferred by a Transferring Member to a Member Entity shall be treated for all purposes under this Agreement as if still owned by the Transferring Member for purposes of determining the Triggering Events under Article 6.3 (e.g., if a Member dies, then the Member's Revocable Trust shall be treated as if it died).

ARTICLE VII **DISSOLUTION AND TERMINATION**

7.1 Events of Dissolution. The Company shall be dissolved upon the occurrence of the following events:

- (A) the unanimous vote of the Members;
- (B) the dissolution of the Company pursuant to the Act, by operation of law or by judicial decree; or
- (C) a single member becoming the owner of all of its ownership interest which are the subject of this Agreement.

7.2 Continuation of Agreement. In the event of the dissolution of the Company, the business and affairs of the Company shall continue to be governed by this Agreement during the winding up of the Company's business and affairs.

ARTICLE VIII
LIQUIDATION

8.1 Winding Up and Liquidation of Company. Upon the dissolution and/or termination of the Company, the Members shall proceed with the liquidation of the Company and sale of its assets. The proceeds of such liquidation shall be applied and distributed in the following order or priority:

(A) to the payment of the debts and liabilities of the Company (other than any loans or advances that may have been made by the Members to the Company) and expenses of liquidation;

(B) to the payment of any loans or advances made to or for the benefit of the Company by a Member, but if the amount available for repayment shall be insufficient, then the amount available shall be distributed among the applicable Members through the use of a fraction whose numerator is the amount owed to a single member and whose denominator is the total amount owed to all members (thus, for example, if Member A were owed \$2,000 and Member B were owed \$1,000, and the amount available to compensate them was \$600, then Member A would receive \$400 (2/3 of \$600) and Member B would receive \$200 (1/3 of \$600));

(C) to the setting up of any reserves which the Members may deem reasonably necessary in order to meet any contingent or unforeseen liabilities or obligations of the Company arising out of, or in connection with, the business of the Company. Said reserves shall be paid over by the Members to any financial institution, as escrow agent, with trust authority in the county in which the principal accounting records of the Company have been maintained in order to be held by it for the purpose of disbursing such reserves in payment of any of the aforementioned contingencies or liabilities; and at the expiration of such period as the Members shall deem advisable, the financial institution shall distribute the balance remaining in the manner provided in this Article 8.1 and in the order named above; and

(D) to the payment of the balance, if any, of the respective capital accounts of the Members, if any.

8.2 Certificate of Dissolution. When all of the acts provided for in Article 8.1 have been accomplished, the Members shall file such Certificate of Dissolution and any other articles required in the State of Mississippi and in any other state that may be required by law.

ARTICLE IX
AMENDMENT OF THE AGREEMENT

Amendments. All amendments to this Agreement shall require the unanimous consent of the Members.

ARTICLE X
MISCELLANEOUS

10.1 Notices. Except as otherwise expressly provided herein, any notice, consent, authorization or other communication to be given hereunder shall be in writing and shall be deemed duly given and received when delivered personally, when transmitted by electronic mail or facsimile if

receipt is acknowledged by the addressee, one (1) business day after being deposited for next-day delivery with a nationally recognized overnight delivery service, or three (3) business days after being mailed by first class mail, charges and postage prepaid, properly addressed to the party to receive such notice at the address set forth in Exhibit "A" attached hereto, unless the Company is notified in writing with regard to a change of address.

10.2 Governing Law. This Agreement shall be governed by, and construed in accordance with, the laws of the State of Mississippi.

10.3 Counterparts. This Agreement may be executed in multiple parts, each of which shall be deemed an original and all of which together shall constitute one agreement, by each of the parties hereto on the dates indicated in the acknowledgment of said parties, notwithstanding that all of the parties are not signatories to the same part or that signature pages from different parts are combined. The signature of any party to any part shall be deemed to be a signature to and may be appended to any other part.

10.4 Constructions. Words of gender used in this Agreement shall be interpreted to include the other gender, and words in the singular number shall be interpreted to include the plural (and vice versa), when the sense so requires. The captions to each Article are inserted only as a matter of convenience and for reference purposes and in no way define, limit or describe the scope or intent of this Agreement, nor in any way affect it.

10.5 Entire Agreement. This Agreement contains the entire understanding between the parties and supersedes any prior understandings and agreements between them concerning the within subject matter. There are no representations, agreements, arrangements or understandings, oral or written, between the parties hereto relating to the subject matter of this Agreement which are not described herein.

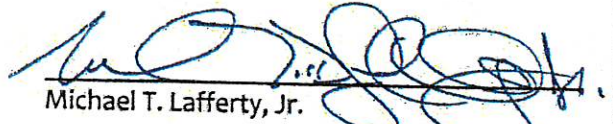
10.6 Severability. This Agreement is intended to be performed in accordance with, and only to the extent permitted by, all applicable laws, ordinances, rules and regulations of the jurisdictions in which the Company does business. If any provision of this Agreement or its application to any person or circumstance shall, for any reason and to any extent, be found to be invalid or unenforceable, the remainder of this Agreement or the application of such provision to other persons or circumstances shall not be affected thereby, but rather shall be enforced to the greatest extent permitted by law.

10.7 Successors and Assigns. This Agreement, and all the terms and provisions hereof, shall be binding upon and shall inure to the benefit of all Members and their Representatives, heirs, permitted successors and permitted assigns.

10.8 Drafting of Agreement. The parties acknowledge that this Agreement was drafted by Page, Mannino, Peresich & McDermott, PLLC, as counsel to the Company, and reviewed and approved by the parties. The parties further acknowledge that they have been advised that a conflict of interest may exist between them and that they have had an opportunity to seek the advice of independent counsel and by execution of this Agreement hereby waive any conflict of interest which may result therefrom.

IN WITNESS WHEREOF, the Members have entered into this Agreement and have hereunto set their hands to multiple copies hereof, as of the effective date first written above.

MEMBERS:


Michael T. Lafferty, Jr.


Brax C. Clark

Janet R. Harbour
7/14/22



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EXHIBIT "A"

1. The names and addresses of the Members are as follows:

TAXPAYER NAME	ADDRESS
Michael T. Lafferty, Jr.	1116 Cowan Road, Suite H Gulfport, Mississippi 39507
Brax C. Clark	1116 Cowan Road, Suite H Gulfport, Mississippi 39507

2. Initial Capital Contribution and Ownership Interest

NAME	INITIAL CONTRIBUTION	AGREED VALUE	INITIAL OWNERSHIP INTEREST
Michael T. Lafferty, Jr.	50% interest in real property more particularly described in <u>Exhibit "A-1"</u> .		50%
Brax C. Clark	50% interest in real property more particularly described in <u>Exhibit "A-1"</u> .		50%
	TOTAL		100%

FIRST AMENDMENT
TO THE OPERATING AGREEMENT
OF
605 HOLDINGS, LLC

THIS FIRST AMENDMENT to the Operating Agreement of 605 HOLDINGS, LLC, a Mississippi limited liability company (the "Company"), is made and entered into effective as of the 11 day of April, 2022, by and between MICHAEL T. LAFFERTY, JR., and BRAX K. CLARK (each a "Member" and together referred to as the "Members") for purposes of amending certain terms and provisions of the Operating Agreement of the Company.

WHEREAS, the Members formed a Mississippi limited liability company by filing the Certificate of Formation of 605 Holdings, LLC, with the Mississippi Secretary of State's Office on July 24, 2017;

WHEREAS, the Members entered into the Operating Agreement of the Company on August 28, 2017, to regulate and establish the affairs of the Company, the conduct of its business and the relations of its Members;

WHEREAS, Brax K. Clark made an additional capital contribution to the Company in the amount of \$300,000.00, in exchange for an additional 15% ownership interest in the Company;

WHEREAS, the Members now wish to amend the terms and provisions of the Operating Agreement by way of a First Amendment to the Company's Operating Agreement to reflect the current ownership interests in the Company.

NOW, THEREFORE, in consideration of the foregoing, of the mutual promises set forth herein, and of other good and valuable considerations, the receipt and sufficiency of which are hereby acknowledged, the parties hereto, intending to be legally bound, hereby amend the Operating Agreement as follows:

ITEM I.

Exhibit "A" of the Operating Agreement is hereby deleted and the following is substituted in lieu thereof as Exhibit "A".

See Exhibit "A" attached hereto.

ITEM II.

In all other respects, the Operating Agreement of the Company, dated August 28, 2017, shall remain in full force and effect.

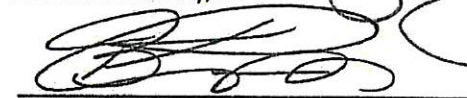
ITEM III.

The Members hereby adopt, ratify and agree to be bound by the provisions of the Operating Agreement of the Company as hereby amended.

IN WITNESS WHEREOF, this First Amendment to the Operating Agreement of 605 HOLDINGS, LLC, is executed as of the day and year first above written.

MEMBERS:


Michael T. Lafferty, Jr.


Brax K. Clark


7/14/22



EXHIBIT "A"

1. The names and addresses of the Members are as follows:

TAXPAYER NAME	ADDRESS
Michael T. Lafferty, Jr.	1116 Cowan Road, Suite H Gulfport, Mississippi 39507
Brax K. Clark	1116 Cowan Road, Suite H Gulfport, Mississippi 39507

2. Ownership Interests:

NAME	OWNERSHIP INTEREST
Michael T. Lafferty, Jr.	35%
Brax K. Clark	65%
TOTAL	100%

Submission Requirements

- A. See attached
- B. See attached – B1, B2, B3, B4
- C. See attached
- D. Not applicable as we own the property. See the Warranty Deed in #C.
- E. Not applicable
- F. Answer the following six questions:
 - 1. The 605 Center has a tower feature that has visibility to traffic traveling east and west on Magnolia Street. The city has approved the sign for the north facing wall of the tower. The west facing wall of the tower would allow vehicles traveling north/south on Highway 605/Lorraine-Cowan Road to see our sign. Although there is no immediate frontage to Highway 605/Lorraine-Cowan Road the tower feature would allow visibility of the proposed sign.
 - 2. The special need for the variance is because we were originally approved for the sign/permit but the permitting office came back after we ordered the sign and said the permit was issued in error and would be placed on hold until we applied for a variance. Was told they are only allowing 1 set of letters on the building not 2 sets like originally permitted.
 - 3. We are currently in compliance with the zoning ordinance and are applying for a variance to add an additional sign to the west facing tower to capture traffic traveling north and south on Highway 605/Lorraine-Cowan Road.
 - 4. Adding a sign to the west facing tower is a reasonable ask for the development of my property and business and in no way hinders to be expected growth in the district or surrounding properties.
 - 5. By granting this variance the tenant will not receive any special privilege/benefit than to other properties in the district.
 - 6. Requesting a variance to place a sign on the west facing tower to capture traffic traveling north and south on Highway 605/Lorraine-Cowan Road. This should be permissible by right with planning approval or by granting the variance.



Covenant Affidavit

I, TODD LAFFERTY

PRINT NAME

, being owner or agent of the property

12568 VILLAGE AVE WEST

PRIMARY ADDRESS OR PARCEL

BILOXI, MS 39532

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

Signature

Date

STATE OF MISSISSIPPI | COUNTY OF HARRISON

Given under my hand and seal of office this the 14th day of July, 2022

Leslie Ervin

Notary Public

April 19, 2023

Commission Expiration





Michael Watson

SECRETARY OF STATE

This is not an official certificate of good standing.

Name History

Name	Name Type
605 Holdings LLC	Legal

Business Information

Business Type:	Limited Liability Company
Business ID:	1123864
Status:	Good Standing
Effective Date:	07/24/2017
State of Incorporation:	Mississippi
Principal Office Address:	1116 Cowan Road Ste. H Gulfport, MS 39507

Registered Agent

Name
Michael T Lafferty Jr 1116 Cowan Road Ste. H Gulfport, MS 39507

Officers & Directors

Name	Title
Brax K Clark 1116 Cowan Road Ste. H Gulfport, MS 39507	Member
Michael T Lafferty Jr 1116 Cowan Road Ste. H Gulfport, MS 39507	Member

V
PERMITS/INSP PAYMENT RECPT#: 11392546
CITY OF GULFPORT
GULFPORT MS 39501

DATE: 07/20/22 TIME: 10:37
CLERK: bboone DEPT:
CUSTOMER#: 0

COMMENT:

CHG: PZD PLANNING AND ZO 75.00

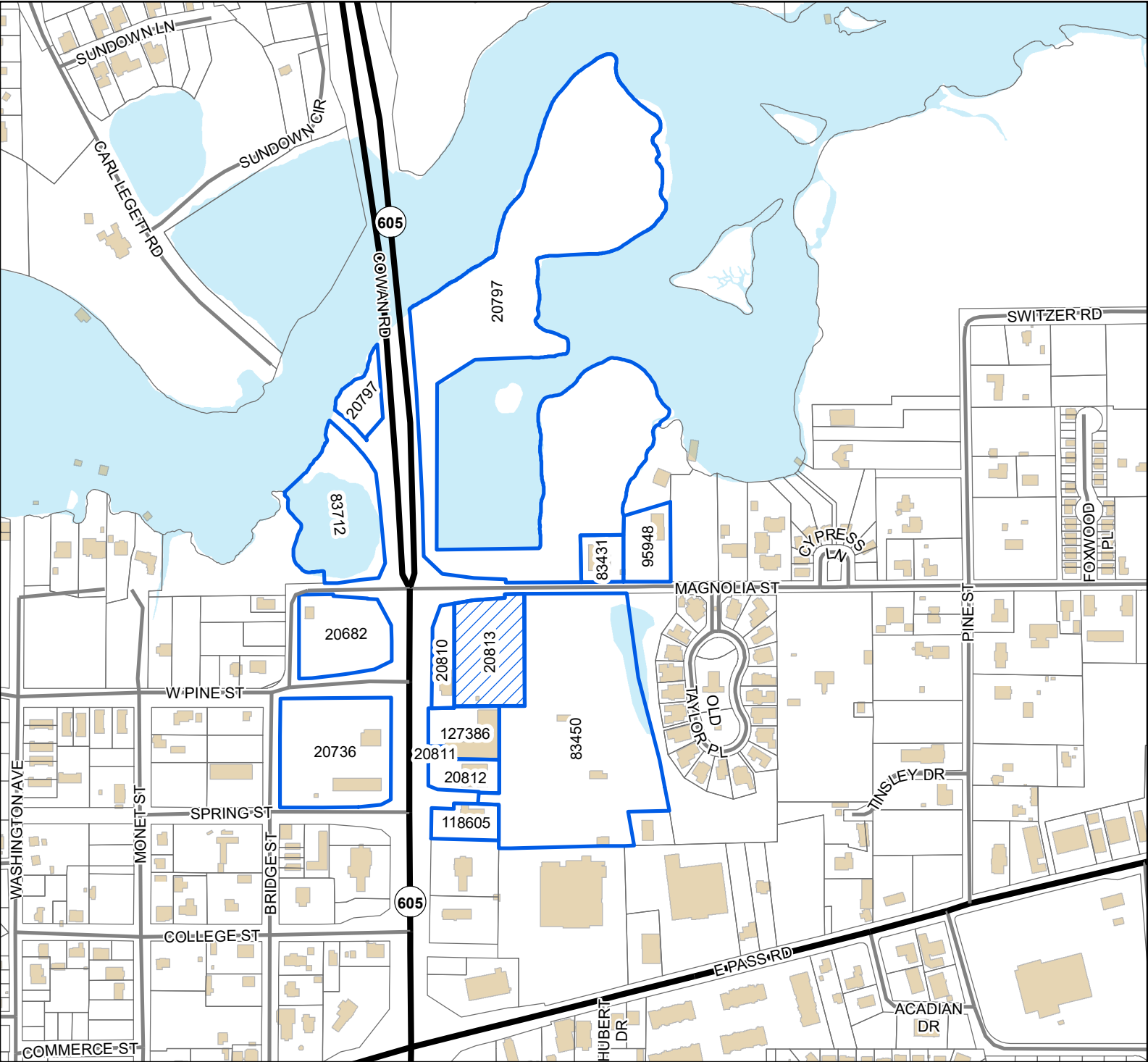
AMOUNT PAID: 75.00

PAID BY:
PAYMENT METH: CHECK
4828

REFERENCE:

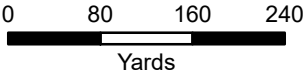
AMT TENDERED: 75.00
AMT APPLIED: 75.00
CHANGE: .00

Mail	PPIN	Parcel ID	Name	Address	City	State	ZIP
	20813	1010F-02-041.000	605 HOLDINGS, LLC, BRAX CLARK - MEMBER (OWNER)	1116 COWAN RD STE H	GULFPORT	MS	39503
	20813	1010F-02-041.000	TODD LAFFERTY (OWNER)	12568 VILLAGE AVE WEST	BILOXI	MS	39532
			Adjacent Property Owners (2209ZB152)				
	20682	1010E-01-006.000	MAGNOLIA PLEX LLC	2208 18TH ST STE B	GULFPORT	MS	39501
	95948	1010F-01-021.001	R A BRAUN CONST INC	P O BOX 171	BILOXI	MS	39533
	83712	1010E-01-002.000	MAGNOLIA PLEX LLC	1414 25TH AVE	GULFPORT	MS	39501
	83431	1010F-01-020.000	WEIN-AIR HOLDINGS LLC	194 N SOUTHLAWN DR	LAFAYETTE	LA	70503
	20811	1010F-02-036.000	WENTWORTH JUDY	1226 W PINE ST	GULFPORT	MS	39507
	83450	1010F-02-042.000	BAYWOOD CAMP GROUNDS INC	12506 LORRAINE RD	BILOXI	MS	39532
	20810	1010F-02-037.000	PLATTS MARY KATE -TRUSTEE-	65 54TH STREET	GULFPORT	MS	39507
	20812	1010F-02-035.000	KROHN PROPERTIES LLC	1110 COWAN ROAD	GULFPORT	MS	39507
	20736	1010E-02-001.000	DEDEAUX UTILITY CO INC	1317 24TH AVE SUITE C	GULFPORT	MS	39501
	118605	1010F-02-034.002	PHYSICIAN SERVICES OF THE GULF COAS	1018 COWAN RD	GULFPORT	MS	39507
	20797	1010F-01-021.000	WEIN-AIR HOLDINGS LLC	315 S COURT ST	OPELOUSAS	LA	70570
	127386	1010F-02-036.001	DAK HOLDINGS LLC	2472 PASS ROAD STE A	BILOXI	MS	39531



Legend

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



1 inch = 500 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 2209ZB152, by owner 605 Holdings, LLC, tax parcel 1010F-02-041.000, Variance for wall sign location, 1423 Magnolia St, Zoned T5 (Urban Center Zone), Ward 4

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, August 18, 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, August 18, 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.

THANK YOU for your legal submission!

Your legal has been submitted for publication. Below is a confirmation of your legal placement. You will also receive an email confirmation.

ORDER DETAILS**Order Number:**

IPL0083647

Order Status:

Submitted

Classification:

Legals & Public Notices

Package:

BLX - Legal Ads

Final Cost:

42.72

Payment Type:

Account Billed

User ID:

IPL0024925

ACCOUNT INFORMATION

GULFPORT URBAN DEVELOPMENT IP

PO BOX 1780

GULFPORT, MS 39502

228-868-5705

AccountsPayable@gulfport-ms.gov

GULFPORT URBAN DEVELOPMENT

TRANSACTION REPORT**Date**

July 29, 2022 9:38:25 AM EDT

Amount:

42.72

SCHEDULE FOR AD NUMBER IPL00836470

August 3, 2022

SunHerald (Biloxi)

PREVIEW FOR AD NUMBER IPL00836470**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, August 18, 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 2204ZB050, by owners Jack & Kelly Krongard, tax parcel 10100-02-002.000, Requests variance for fence height, 1942 Beach Dr, Zoned R-1-7.5 (Single-family), Ward 2

Variance 2205ZB092, by agent Jesse Vincent, tax parcel 0910N-06-012.000, Variances for backing into the right-of-way & gravel parking, 410 32nd St, Zoned B-2 (General business), Ward 4

Variance 2209ZB149, by owners Gregory and Melinda Wyrosdick, tax parcel 1010C-01-001.019, Requests variance for setback, Channelside Drive, Zoned R-2 (Single-family), Ward 5

Variance 2209ZB150, by owner Walter A Karnes, tax parcel 1008N-01-076.000, Requests variances for accessory structure quantity and size, 11162 Ellis Dr, Zoned R-1-10 (Single-family), Ward 6

Variance 2209ZB152, by owner 605 Holdings, LLC, tax parcel 1010F-02-041.000, Variance for wall sign location, 1423 Magnolia St, Zoned T5 (Urban Center Zone), Ward 4

Special Exception 2209SE153, by owner 605 Holdings, LLC., tax parcel 1010F-02-041.000, Requests liquor store use, 1423 Magnolia Street, Zoned T5 (Urban Center Zone), Ward 4

Variance 2207ZB154, by owner Richard & Patricia Rogers, tax parcel 0807G-01-038.000, Requests variances for accessory structure quantity and size, 14451 S. Swan Rd. Zoned R-1-15 (Single-family), Ward 7

Special Exception 2209SE156, by agent Demetra Birch, tax parcel 0811K-04-021.000, Requests liquor store use, 2610 13th St, Zoned T5 (Urban Center Zone), Ward 2

This the 28th day of July 2022
A. Lee Palermo, Chairman
City of Gulfport Zoning Board of Adjustment and Appeals
W000000000
Publication Dates

[<< Click here to print a printer friendly version >>](#)

MEMORANDUM

To: City of Gulfport Zoning Board of Adjustment and Appeals

From: Greg Holmes, Planning Administrator
Urban Development Department

Date of Hearing: August 18, 2022

Re: Special Exception 2209SE153:

Special Exception 2209SE153, by owner 605 Holdings, LLC., tax parcel 1010F-02-041.000,
Requests liquor store use, 1423 Magnolia Street, Zoned T5 (Urban Center Zone), Ward 4

Technical Report

SPECIAL EXCEPTION

GENERAL INFORMATION

Case File Number: 2209SE153

Hearing Date: Zoning Board August 18, 2022
Planning Commission August 25, 2022

Current Zoning/Use: T5 / Vacant commercial building

Legal: Special Exception 2209SE153, by owner 605 Holdings, LLC., tax parcel 1010F-02-041.000, Requests liquor store use, 1423 Magnolia Street, Zoned T5 (Urban Center Zone), Ward 4

TECHNICAL DETAILS

The applicant requests special exception in order to establish a liquor store located 1423 Magnolia Street, Suite G zoned T5 (Urban Center Zone). They have not provided an affidavit that states the location is farther than 1,000 feet away from "any church, school, kindergarten, funeral home, day-care center, museum, or learning center, educational facility, library, night club, dance hall, or similar establishment or use as a liquor store and/or free-standing lounge which is a requirement for this use. However, Ordinance 3143 limited the distance requirement of same or similar establishments. The proposed liquor store use would still be required to go through Special Exception.

Further, a site visit was conducted on August 10, 2022 and found that there other commercial businesses such as Beyond Therapy, Smile Gulf Coast, Bench Mark Physical Therapy and Mangiano Italian Restaurant.

EXECUTIVE SUMMARY

In review of this application and documents submitted by the applicant, the requested Zoning Board approval for the use of a liquor store is consistent with the requirements in the City of Gulfport's Chart of Permitted Uses.

Any approval should consider these conditions:

1. Special exception use of liquor sales must be approved by the Zoning Board and the Planning Commission.

DEPARTMENTAL CONDITIONS

Engineering: No conditions. Memo dated 8/10/2022.

Public Works: No comments as of 8/11/2022.

7/12

Technical Report

SPECIAL EXCEPTION

Public Works: No comments as of 8/11/2022.

Traffic and Safety: No comment as of 8/11/2022.

Building Code Services: Must meet current Building Codes and City of Gulfport Ordinances. Memo dated 8/4/2022.

GIS: No conditions. Memo dated 8/10/2022.

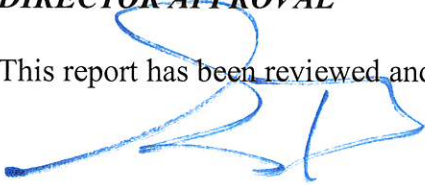
Police Department: No conditions. Memo 8/9/2022.

Fire Department: No conditions. Memo dated 8/4/2022.

City Arborist: No conditions. Memo dated 8/4/2022.

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 #: 2209SE153Date Received: 7-20-22

Receipt #: _____

Received By: _____

Zoning: TSWard: 4 Flood: AESize: 2.2 acres

(If necessary, use separate sheet of paper)

APPLICATION FOR SPECIAL EXCEPTION

Property Information

TAX PARCEL #

1	0	1	0	F	-	0	2	-	0	4	1	●	0	0	0
					-			-				●			
					-			-				●			

Address of Property Involved: 1423 Magnolia Street Gulfport, MS 39507

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

General Location: East of Cowan Rd. / Highway 605 & South of Magnolia Street

GENERAL DESCRIPTION OF REQUEST:

Request Special Exception for use of Wine/Liquor/Spirits package store at this location for tenant use. Tenant is requesting to move his current business to this location and will need special exception granted for state property.

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

605 Holdings, LLC

Printed Name Of Owner
Brax Clark - Member

Mailing Address
P.O. Box 7852

City	State	Zip code
Gulfport	MS	39506

Home Phone	Work/Cell Phone
	228-223-7322

Email
bclark@rockingcinc.com

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 H. 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.

Todd Lafferty - Member
NAME OF OWNER (PRINT) _____

12568 Village Ave West Biloxi, MS 39532
ADDRESS (STREET, CITY, STATE, ZIP CODE) _____

228-563-5751
PHONE # (H) _____ (W) _____

1010F-02-041.000
TAX PARCEL NUMBER(S) OWNED _____

Todd Lafferty
SIGNATURE: _____

NAME OF OWNER (PRINT) _____

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

PHONE # (H) _____ (W) _____

TAX PARCEL NUMBER(S) OWNED _____

SIGNATURE: _____

NAME OF OWNER (PRINT) _____

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

PHONE # (H) _____ (W) _____

TAX PARCEL NUMBER(S) OWNED _____

SIGNATURE: _____

(Use additional forms as needed)

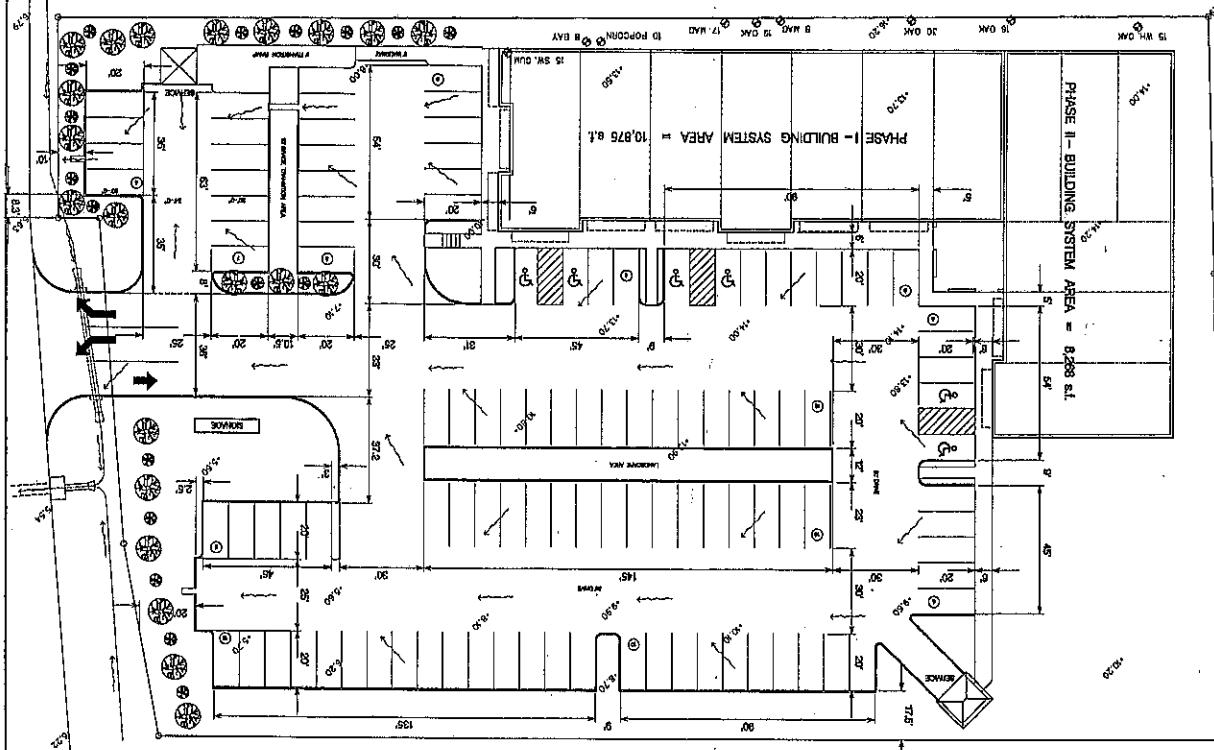
IN CASES OF MULTIPLE APPLICANTS, PLEASE IDENTIFY THE PERSON WHO WILL BE ACTING AS YOUR SPOKES

PERSON/AGENT FOR YOU: Brax Clark

MASTER SITE PLAN



TOTAL BUILDING AREA
10,149 s.f.
TOTAL PARKING SPACES
110 Spcs.
PARKING RATIO
1 per 174 s.f.



Existing Building

Life Station

COWAN / Hwy 605

Magnolia Street

Kremer Bridge

Sheet
F&E
CWD: R.K./D.C.
CWM: T.H.
Date: 08-23-2010

Master
Site Plan

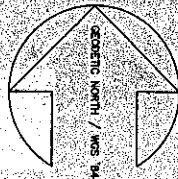
EXTERIOR BUILDING CONSTRUCTION FOR
BN 605 CENTER
DESIGNED BY BAY CLARK
MAGNOLIA STREET AND LORRAINE ROAD
GILBERT, MISSISSIPPI

Project
225 - 001 - 0001
12254 Kremer Parkway
Gilbert, MS 39503
J.W. PUCKETT & CO., INC.
CONSTRUCTION
ENGINEERING

REVISIONS			
DATE	BY	REASON	APPROVED
05-23-21	1	ADDITIONAL PARKING	DNM & PRON
05-16-2021	2		

ROBERT J. KNEAS, P.E.
Professional Engineer
State of Mississippi
License No. 10000
TOM HENRY
Professional Engineer
State of Mississippi
License No. 10000

BM	DESCRIPTION
+	MAGNETIC NAIL FOUND IN E OF
ELEV.	MAGNOLIA STREET NEAR CENTER
5.82	OF SUBJECT PROPERTY



- IPF = IRON PIPE FOUND
- IRF = IRON ROD FOUND
- CMF = CONCRETE MONUMENT FOUND
- +XXX = EXISTING SPOT ELEVATIONS (N.A.V.D. '86/Gauche 126)
- 12" Tree = TREE
- = FENCE LINE
- (R) = RECORD
- (A) = ACTUAL

RECORD DESCRIPTION: PARCEL NUMBER 1010F-02-041.000

Beginning at a point on the South margin of Magnolia Street in Handsboro, Harrison County, Mississippi, which point is 210 feet, more or less, East of the East margin of Gulf Street in said village, and being in the Northeast corner of the property now or formerly belonging to Quendet; running thence Easterly along the South margin of Magnolia Street, a distance of 254.18 feet to a point; running thence South and parallel with the East margin of said Gulf Street, a distance of 407 feet to a point; running thence in a Westerly direction and parallel with the South margin of said Magnolia Street, a distance of 254.18 feet to a point; running thence Northerly and parallel with the East margin of said Gulf Street, a distance of 407 feet to the South margin of Magnolia Street; the point of beginning. Said property being situated in and being a part of Southeast Quarter of Section 30, Township 7 South, of Range 10 West in said County.

LESS AND EXCEPT:

Begin at a point that is 10 meters (32.808 feet) Southerly of and perpendicular to the centerline of the relocation of a County road at Station 1 + 110 as shown on the plans for State Project No. 84-9371-00-004-10; from set point of beginning; run thence South 85° 56' West, a distance of 35.057 meters (115.016 feet) to a point that is 12 meters (39.370 feet) Southerly of and perpendicular to the centerline of the relocation of a County road at Station 1 + 075; thence run South 79° 59' West, a distance of 20.341 meters (66.736 feet) to the West line of the Grantors property; thence run North along said West property line, a distance of 10.018 meters (32.867 feet) to the present Southern right-of-way line of Magnolia Street; thence run North 89° 36' East along said Southern right-of-way line of Magnolia Street, a distance of 54.943 meters (180.259 feet); thence run South 00° 46' East, a distance of 4.397 meters (14.426 feet) to the point of beginning; containing 0.036 hectares (0.089 acres), more or less.

A copy of this plat is valid ONLY if it is complete and intact, has an original signature and date and has the surveyors stamped seal. This survey and plat were prepared only for J. W. Puckett & Co., Inc. and no third-party certification is expressed or implied.

This is to CERTIFY that this map or plat and the survey on which it is based were made in accordance with "Standards of Practice for Surveying in the State of Mississippi".

Previously surveyed by:
ROBERT N. OSBORNE, PS
Dated: June 14, 2017

Michael P. Blanchard
MICHAEL P. BLANCHARD, PS
Dated: March 9, 2018

MISSISSIPPI CLASS "B" SURVEY

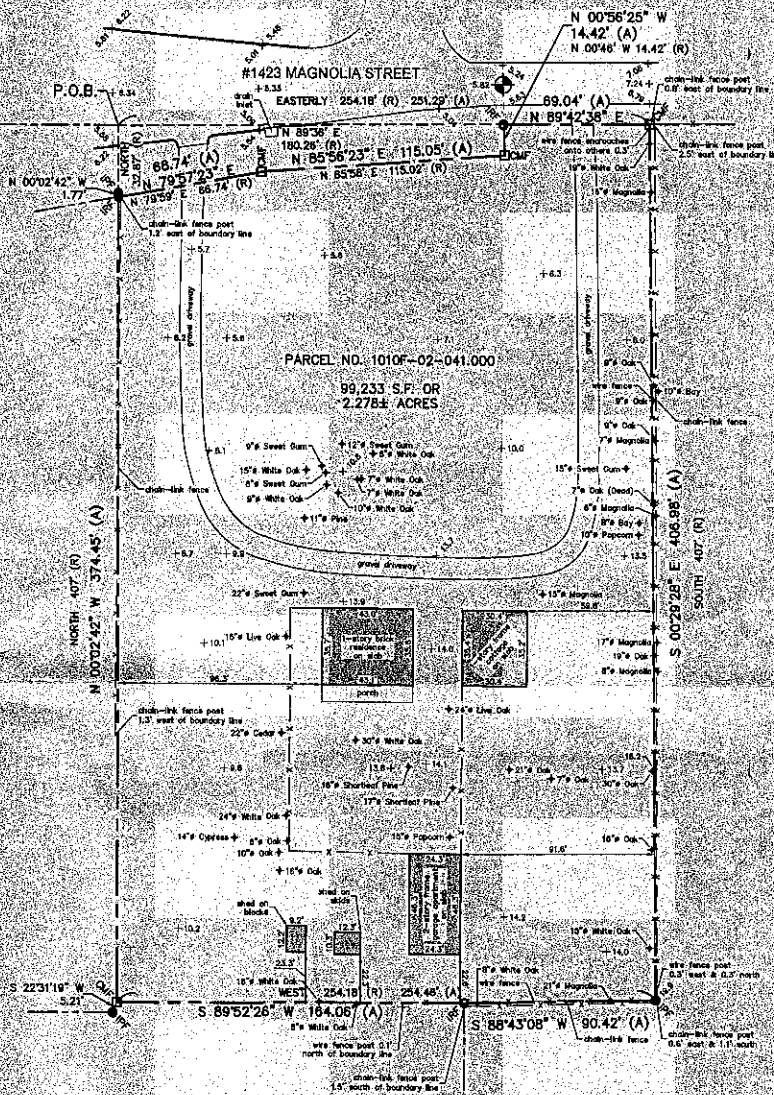


P.O.C.

GULF STREET
(aka COWAN / LOBRAINE ROAD)

EAST 210.00' (R)

P.O.B.



REVISIONS		
Revised	Date	By

CASSADY-ACADIA
LAND SURVEYING, LLC Since 2007
#114 22nd Avenue Gulfport, MS 39501
Ph: (228) 856-7155 Fax: (228) 856-8405
Surveyor: Cassidy-Acadia.com



For J. W. Puckett & Co., Inc.
#1423 Magnolia Street
Gulfport, Mississippi
As-Built/Tree/Topo/Boundary Survey

Drawn By	NET
Checked By	PIPB
Date	03/09/18
Scale	1" = 40'
Job No.	18-02-192
Sheet	1 of 1
Enc 26-10-01	



CL

SCANNED



[Signature] 1st Judicial District
Instrument 2017 9191 D -J1
Filed/Recorded 12/27/2017 08:24 P
Total Fees \$ 12.00
3 Pages Recorded

PREPARED BY AND RETURN TO:

HENRY N. DICK, III, MSB#10113
PAGE, MANNINO, PERESICH &
MCDERMOTT, P.L.L.C.
POST OFFICE DRAWER 289
BILOXI, MS 39533-0289
(228) 374-2100

TITLE NOT EXAMINED

INDEXING INSTRUCTIONS:

PT SE 1/4 of Sec. 30-7-10 Harrison
County, MS

STATE OF MISSISSIPPI
COUNTY OF HARRISON
FIRST JUDICIAL DISTRICT



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,

VERNON A. CLARK and wife, SANDRA G. CLARK,
P.O. Box 3327, Gulfport, Mississippi 39507, (228) 323-1451,

does hereby sell, convey and warrant unto

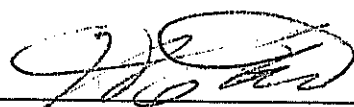
605 HOLDINGS LLC,
a Mississippi limited liability company,
1116 Cowan Road, Suite H, Gulfport, Mississippi 39503, (228) 223-7322,

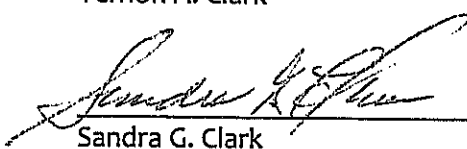
the following described real property, together with all improvements thereon, located in the First Judicial District of Harrison County, State of Mississippi, to-wit:

See Exhibit "A" attached hereto

This conveyance is subject to all restrictions, reservations, easements and right of ways affecting said property on file and of record in the Office of the Chancery Clerk in the First Judicial District of Harrison County, Mississippi.

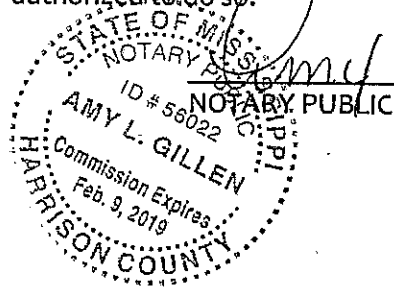
WITNESS our signatures on this the 1st day of December, 2017.


Vernon A. Clark


Sandra G. Clark

STATE OF MISSISSIPPI
COUNTY OF HARRISON

PERSONALLY APPEARED BEFORE ME, the undersigned authority, in and for the said county and state, on this 1st day of December, 2017, within my jurisdiction, the within named, **VERNON A. CLARK** and **SANDRA G. CLARK**, who acknowledged that they executed the above and foregoing instrument, after first having been duly authorized to do so.



L:\CASES\50000-55000\53187\Closing docs\drafts\2. Warranty Deed.wpd

43

3

EXHIBIT "A"

1423 Magnolia Street, Gulfport, Mississippi
Parcel Number 1010F-02-041.000

Beginning at a point on the South margin of Magnolia Street in Handsboro, Harrison County, Mississippi, which point is 210 feet, more or less, East of the East margin of Gulf Street in said village, and being in the Northeast corner of the property now or formerly belonging to Cuendet; running thence Easterly along the South margin of Magnolia Street, a distance of 254.18 feet to a point; running thence South and parallel with the East margin of said Gulf Street, a distance of 407 feet to a point; running thence in a Westerly direction and parallel with the South margin of said Magnolia Street, a distance of 254.18 feet to a point; running thence Northerly and parallel with the East margin of said Gulf Street, a distance of 407 feet to the South margin of Magnolia Street, the point of beginning. Said property being situated in and being a part of Southeast Quarter of Section 30, Township 7 South, of Range 10 West in said County.

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605 Holdings, LLC
Brax Clark
1423 Magnolia Street
Gulfport, MS 39507

City of Gulfport Zoning Board
1410 24th Ave Gulfport, MS

Ladies & Gentlemen of the of the board,
We are requesting special exception for the noted property in the application at 1423 Magnolia Street in Gulfport be granted for the use as a Liquor/Spirits Package store. We humbly request this be granted to move business to said location to operate.

Thank you for your consideration,

A handwritten signature in blue ink, appearing to be 'Brax Clark', written over a horizontal line.

Brax Clark

EXHIBIT "A"

1. The names and addresses of the Members are as follows:

TAXPAYER NAME	ADDRESS
Michael T. Lafferty, Jr.	1116 Cowan Road, Suite H Gulfport, Mississippi 39507
Brax K. Clark	1116 Cowan Road, Suite H Gulfport, Mississippi 39507

2. Ownership Interest:

NAME	OWNERSHIP INTEREST
Michael T. Lafferty, Jr.	50%
Brax K. Clark	50%
Total	100%

I/we, the undersigned, am part owner of the Bin No. 605, LLC and 605 Holdings, LLC both registered as a Mississippi limited liability company:

I/we hereby authorize: Todd Lafferty or Brax Clark

to act and appear for the other as my agent in the matters pertaining to affairs of the Company, to make decisions regarding those matters, to execute such documents and instruments necessary for the Company's operations, and to perform any and all other acts and activities customary or incident to manage the Company.

Name (please print): Brax Clark Name (please print): TODD LAFFERTY
Signature: [Signature] Signature: [Signature]
Date: 7-20-22 Date: 7/20/22

Subscribed and sworn to before me in my
Presence, this 20 day of July
2022, a Notary Public in and for the
County of Harrison State of MS
[Signature] Notary Public
My commission expires 2/9, 2022



**AMENDED AND RESTATED
OPERATING AGREEMENT
OF
BIN NO.605, LLC,
a Mississippi limited liability company**

THIS AMENDED AND RESTATED OPERATING AGREEMENT (together with the Exhibits attached hereto, this "Agreement") is made effective by the undersigned as of this 30th day of June, 2017, by and among BIN NO.605, LLC, a Mississippi limited liability company (the "Company"), MICHAEL T. LAFFERTY, JR., an adult resident of Gulfport, Harrison County, Mississippi, and BRAX K. CLARK, an adult resident of Gulfport, Harrison County, Mississippi, as the "Members," and each person and/or entity who shall hereafter be admitted as a Member.

WITNESSETH:

WHEREAS, the Members formed the Company as a Mississippi limited liability company on the 22nd day of March, 2007; and

WHEREAS, the Members entered into and executed that certain Operating Agreement, dated March 22, 2007 (the "Operating Agreement"), setting out their mutual understandings and agreements regarding the operations of the Company and certain other matters; and

WHEREAS, the Members desire to have no liability to third parties to the fullest extent provided under the laws of the State of Mississippi and the Revised Mississippi Limited Liability Company Act (the "Act"); and

WHEREAS, the Members desire that the Company be taxed as an "S-Corporation" as defined under Internal Revenue Code (the "Code") Section 136(a)(1) and Mississippi Code Annotated Section 27-8-3 for federal and state income tax purposes; and

WHEREAS, the Members desire to amend and restate the Operating Agreement in its entirety as hereinafter set forth.

NOW, THEREFORE, in consideration of the mutual covenants herein contained, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereby agree as follows:

**ARTICLE I
FORMATION; DEFINITIONS**

1.1 **Intent.** The undersigned formed a limited liability company under the laws of the State of Mississippi by the filing of a Certificate of Formation with the Secretary of State of Mississippi (the "Certificate").

1.2 **Name.** The name of this Company is "BIN NO.605, LLC."

1.3 Purposes. The purpose for which this Company is formed is to engage in any lawful act, business or activity for which limited liability companies may be formed under the laws of the State of Mississippi and to do any and all other things determined by the Members to be necessary, desirable or incidental to the foregoing purpose.

1.4 Term. The term of the Company became effective on the date the Certificate of Formation was filed with the Secretary of State of Mississippi and shall continue in perpetuity, unless the Company is dissolved earlier pursuant to the provisions of this Agreement or the Act.

1.5 Principal Place of Business. The location of the principal place of business of the Company is 1116 Cowan Road, Suite H, Gulfport, Mississippi 39507. The Members may change the principal place of business and establish additional places of business as they deem necessary or desirable to conduct the business of the Company.

1.6 Registered Office and Agent. The Company's agent for service of process shall be MICHAEL T. LAFFERTY, JR., who is located at the following address: 1116 Cowan Road, Suite H, Gulfport, Mississippi 39503, or such other agent as the Members may designate from time to time.

1.7 Definitions. In addition to the terms otherwise defined in this Agreement, the following terms as used in this Agreement shall have the meanings specified below:

"Bankruptcy" shall be deemed to occur when a Member files a petition in bankruptcy or voluntarily takes advantage of any bankruptcy or insolvency laws, or is adjudicated a bankrupt, or when a petition or answer is filed proposing the adjudication of a Member as a bankrupt and such Member either consents to the filing or such complaint or answer is not discharged or denied prior to the expiration of sixty (60) days following the date of filing.

"Control" or "Controlled" shall mean the possession, directly or indirectly, of the voting power to cause the direction of the management and policies of such entities, whether through the ownership of voting securities or by contract or otherwise.

"Majority" shall mean the written consent or affirmative vote of Members owning more than fifty percent (50%) of the ownership interests in the Company who are entitled to vote on such matter.

"Majority Vote" shall mean the written consent or affirmative vote of a Majority of the Members.

"Permitted Transferee" shall mean (i) a revocable living trust, provided the Member is a primary beneficiary and serving as trustee; and (ii) a limited liability company, corporation, partnership or other entity Controlled by the Member.

"Prime Rate" shall mean the rate of interest per annum publicly announced by the Company's primary banking institution as its prime lending rate, as in effect from time to time.

"Representative" shall mean the attorney-in-fact, conservator or authorized representative of a Member authorized to act for and on behalf of such Member.

ARTICLE II
MANAGEMENT

Management of the Company. The business of the Company shall be managed by its Members. Subject to the minimum voting requirements for approval of actions contained herein, Members shall have full and complete authority, power and discretion to manage and control the business, affairs of the Company, to make all decisions regarding those matters, to execute such documents and instruments necessary for the Company's operations, and to perform any and all other acts and activities customary or incident to the management of the Company's business. Any Member may certify resolutions setting forth the authority of a Member or other person to act on behalf of the Company. Third parties shall be entitled to rely on such certification without further inquiry.

ARTICLE III
MEMBERS

3.1 Members. The names, addresses and percentage of ownership interests of the Members are listed on **EXHIBIT "A"**, which is attached hereto and made a part hereof. The Members have contributed property to the Company of an agreed value as listed in the books and records of the Company.

3.2 Member Restrictions. Except as otherwise specifically provided in this Agreement to the contrary, no Member shall have the rights to:

- (A) become a Member of the Company without first assenting to and signing this Agreement;
- (B) have its capital contribution repaid except to the extent provided in this Agreement;
- (C) require partition of the Company's property or to compel any sale or appraisal of the Company's assets;
- (D) sell or assign his or her ownership interest in the Company or to constitute the vendee or assignee thereunder, except as provided in this Agreement; or
- (E) voluntarily withdraw as a Member from the Company.

3.3 Limited Liability. No Member shall be personally held accountable for any of the debts, losses, claims, judgments or any of the liabilities of the Company beyond the Member's contributions to the capital of the Company, except as provided by law.

3.4 Non-Exclusivity. Except as otherwise expressly stated herein, no Member shall be required to participate in the Company as such Member's sole and exclusive function and any Member shall be entitled to and 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 Operating Agreement, to share or participate in such other investments or activities of any Member or to the income or proceeds derived therefrom. Members shall incur no liability to the

Company or to any of the Members as a result of engaging in any other business or venture permitted by this Agreement.

ARTICLE IV **MEETINGS OF MEMBERS**

4.1 Meetings of Members. No regular, annual, special or other meetings of Members are required to be held. Any action that may be taken at a meeting of Members may be taken without a meeting by written consent in accordance with the Act. Meetings of the Members, for any purpose or purposes, may be called at any time by a Majority Vote of the Members. If no designation is made, the place of meeting shall be the principal place of business of the Company.

4.2 Notice of Meetings. In the event that a meeting of the Members is called, written notice stating the place, day and hour of the meeting and the purpose or purposes for which the meeting is called shall be delivered, as directed in Article 10.1, not less than ten (10) nor more than sixty (60) business days before the date of the meeting unless otherwise provided, by or at the direction of the Member(s) calling the meeting, to each Member. Notice of a meeting need not be given to any Member who signs a waiver of notice or a consent to holding the meeting or an approval of the minutes thereof, whether before or after the meeting, or who attends the meeting without protesting, prior thereto or at its commencement, the lack of notice to such Member.

4.3 Quorum; Adjournment. Except as may otherwise be provided by the Act, the Certificate or this Operating Agreement, at any meeting of the Members, a Majority of the Members, either present in person or by proxy, shall constitute a quorum for such meeting.

4.4 Proxies. Members entitled to vote may vote in person or by proxy. The person appointed as proxy need not be a Member. Unless the writing appointing a proxy otherwise provides, the presence at a meeting of the person who appointed a proxy shall not operate to revoke the appointment. Notice to the Company, in writing or in open meeting, of the revocation of the appointment of a proxy shall not affect any vote or action previously taken or authorized.

4.5 Voting. If a quorum is present at a meeting of the Members, then a Majority Vote of the Members so represented shall be the act of the Members, unless a higher proportion or number is required by this Agreement. All votes of Members shall be in accordance with their then ownership interests in the Company. Any action requiring the approval of the Members shall be by Majority Vote unless otherwise provided in this Agreement.

ARTICLE V **ALLOCATIONS AND DISTRIBUTIONS; BOOKS AND RECORDS**

5.1 Allocation of Profits and Losses. It is the intention of the Company and the Members that the allocation of profits and losses to the Members pursuant to this Agreement shall be consistent with the provisions of Code Section 1366 dealing with the allocation of profits and losses to S-Corporation shareholders.

5.2 Distributions. Distributions shall be made to the Members at such times and in such amounts as determined by the Members. Notwithstanding any provision to the contrary contained in

this Agreement, the Company shall not be required to make a distribution to a Member on account of his ownership interest in the Company if such distribution would violate any other applicable law.

5.3 Books and Records. The Members shall keep or cause to be kept complete and accurate books of account and records with respect to the Company's business. A Member, or his Representative, shall have the right to examine the Company books and records during normal business hours. The Company's books of account shall be kept using the method of accounting determined by the Members.

5.4 Tax Decisions. All tax decisions shall be made by the Members.

ARTICLE VI

TRANSFER OF MEMBER'S OWNERSHIP INTEREST

6.1 Each Member agrees that he or she will not, without the prior written consent of the other Member, transfer, assign, sell, give, pledge, hypothecate or otherwise encumber all or any part of his or her ownership interests in the Company to someone other than a Permitted Transferee except as otherwise permitted in this Article VI. Any attempt to transfer all or any part of an ownership interest other than as permitted in this Article VI shall be null and void and have no effect whatsoever. However, following any such permitted transfer, said ownership interest in the hands of the assignee shall continue to be subject to the terms and provisions of this Agreement.

6.2 If a Member desires to sell, assign or exchange all or a portion of his or her ownership interest in the Company ("Assignor") to someone other than a Permitted Transferee, then he or she shall first offer the same, in writing, to the other Member (the "Remaining Member"), who shall have thirty (30) days after receipt of such offer to accept or reject the offer ("Option Period"), and if accepted, sixty (60) days from the expiration of the Option Period to close. If the offer is rejected, in whole or in part, then the Assignor shall be free to sell or assign the rejected ownership interest, on the same terms and conditions, to the aforesaid third party ("Assignee"), provided the sale is consummated within sixty (60) days following the expiration of the Option Period.

6.3 (A) Upon the occurrence of a Triggering Event, the Member or his or her Representative shall promptly sell, and the Remaining Member shall promptly purchase, for the purchase price and in accordance with the terms specified in paragraph (E) of this Article 6.3, such Member's ownership interest which he or she owned as of the date of the Triggering Event. For purposes of this Article 6.3, "Triggering Event" shall mean (i) the death or disability of a Member; (ii) the unauthorized transfer of an ownership interest by a Member; or (iii) the Bankruptcy of a Member.

(B) Upon a Member's death, the Remaining Member and/or Company shall immediately collect the proceeds of the insurance policies acquired to fund obligations under this Agreement, which policies are reflected in **EXHIBIT "C"** attached hereto, and shall apply as much of the proceeds as is necessary to purchase the ownership interest of the deceased Member (the "Deceased Member"). If the insurance proceeds exceed the Purchase Price as determined in paragraph (D) of this Article 6.3, then the Remaining Member and/or Company may retain the remaining proceeds. If the insurance proceeds are not sufficient to purchase all of the Deceased Member's ownership interest, then the Purchase Price, or the balance thereof, shall be paid in accordance with the terms set forth in paragraph (E) of this Article 6.3.

(C) A Member shall be deemed disabled for purposes of this Agreement if he or she:

- (a) has been declared legally incompetent by a final court decree (the date of such decree being deemed to be the date on which the disability occurred); or
- (b) has been found to be disabled pursuant to a Disability Determination.

A "Disability Determination" means a finding that a Member, because of a medically determinable disease, injury, or other mental or physical disability, is unable to perform substantially all of his or her regular duties for the Company and that such disability is determined or reasonably expected to last at least twelve (12) months. The Disability Determination shall be based on the written opinion of the physician regularly attending such Member, who must be board certified in the speciality most closely related to the nature of the disability alleged to exist.

(D) Unless otherwise agreed to by the parties, the purchase price ("Purchase Price") for an ownership interest purchased under this Article 6.3 ("Optioned Interest") shall be based on the fair market value of the Optioned Interest as of the date of the Triggering Event, determined by multiplying the percentage the Optioned Interest bears to the total of all ownership interests by the fair market value of the Company (i) as set out in a Certificate of Value, executed by the Company and all of the Members and attached hereto as EXHIBIT "B", or (ii) if the date of the Triggering Event is more than two (2) years after the date of the most recently executed Certificate of Value, then as determined by a qualified appraiser selected by the Members, or if the Members cannot agree on an appraiser, then as selected by the accountant for the Company.

(E) The payment for any purchase under this Article 6.3 shall be made in cash unless the Remaining Member elects to pay a portion of the Purchase Price in cash and the balance thereof in installments. If the Remaining Member elects to pay a portion of the Purchase Price in installments, then, unless the parties to the transaction otherwise agree, at least **twenty percent (20%)** of the total Purchase Price shall be paid in the form of cash at the closing date. The balance of the Purchase Price not paid in cash shall be paid, together with interest at the Prime Rate, in equal monthly installments over a period specified by the Remaining Member, but not in excess of **Five (5) years** from the closing date. The balance of the Purchase Price payable in installments shall be represented by an installment note secured by the ownership interest so transferred and an appropriate security agreement relating thereto.

6.4 No assignment of any Member's ownership interest in compliance with this Article VI, even if it results in the substitution of the assigned as a Member herein, shall release the assignor from those liabilities to the Company which survive such assignment.

6.5 Any assignment by a Member of all or any part of his or her ownership interest in the Company shall be subject to the following:

(A) The assignment instrument shall be in form and substance satisfactory to the Remaining Member. Any additional information requested by the Remaining Member, including any information relative to the Assignee, shall be promptly furnished by the requesting Assignor, and, no decision need be reached by the Remaining Member until such information is furnished.

(B) The Assignee shall have submitted his or her written acceptance and adoption of all the terms and provisions of this Agreement, including any and all amendments to this Agreement to be made subsequent to the assignment.

(C) The Assignor shall have paid, or obligated himself or herself to pay, all reasonable expenses connected with such transfer, including, but not limited to, the cost of preparing and filing any amendment to this Agreement necessary to effectuate the transfer or required under the Act.

6.6 No Member's ownership interest in the Company has been registered under the Securities Act of 1933, as amended. Each Member represents that the Member is acquiring his or her ownership interest in the Company for investment purposes only for the account of the Member and has no present intention of selling his or her ownership interest in the Company.

ARTICLE VII

DISSOLUTION AND TERMINATION

7.1 Events of Dissolution. The Company shall be dissolved upon the occurrence of the following events:

- (A) the unanimous vote of the Members;
- (B) the dissolution of the Company pursuant to the Act, by operation of law or by judicial decree; or
- (C) a single member becoming the owner of all of its ownership interest which are the subject of this Agreement.

7.2 Continuation of Agreement. In the event of the dissolution of the Company, the business and affairs of the Company shall continue to be governed by this Agreement during the winding up of the Company's business and affairs.

ARTICLE VIII

LIQUIDATION

8.1 Winding Up and Liquidation of Company. Upon the dissolution and/or termination of the Company, the Members shall proceed with the liquidation of the Company and sale of its assets. The proceeds of such liquidation shall be applied and distributed in the following order or priority:

- (A) to the payment of the debts and liabilities of the Company (other than any loans or advances that may have been made by the Members to the Company) and expenses of liquidation;
- (B) to the payment of any loans or advances made to or for the benefit of the Company by a Member, but if the amount available for repayment shall be insufficient, then the amount available shall be distributed among the applicable Members through the use of a fraction whose numerator is the amount owed to a single member and whose denominator is the total amount owed to all members (thus, for example, if Member A were owed \$2,000 and Member B were owed \$1,000,

(B) The Assignee shall have submitted his or her written acceptance and adoption of all the terms and provisions of this Agreement, including any and all amendments to this Agreement to be made subsequent to the assignment.

(C) The Assignor shall have paid, or obligated himself or herself to pay, all reasonable expenses connected with such transfer, including, but not limited to, the cost of preparing and filing any amendment to this Agreement necessary to effectuate the transfer or required under the Act.

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and the amount available to compensate them was \$600, then Member A would receive \$400 (2/3 of \$600) and Member B would receive \$200 (1/3 of \$600));

(C) to the setting up of any reserves which the Members may deem reasonably necessary in order to meet any contingent or unforeseen liabilities or obligations of the Company arising out of, or in connection with, the business of the Company. Said reserves shall be paid over by the Members to any financial institution, as escrow agent, with trust authority in the county in which the principal accounting records of the Company have been maintained in order to be held by it for the purpose of disbursing such reserves in payment of any of the aforementioned contingencies or liabilities; and at the expiration of such period as the Members shall deem advisable, the financial institution shall distribute the balance remaining in the manner provided in this Article 8.1 and in the order named above; and

(D) to the payment of the balance, if any, of the respective capital accounts of the Members, if any.

8.2 Certificate of Dissolution. When all of the acts provided for in Article 8.1 have been accomplished, the Members shall file such Certificate of Dissolution and any other articles required in the State of Mississippi and in any other state that may be required by law.

ARTICLE IX AMENDMENT OF THE AGREEMENT

Amendments. All amendments to this Agreement shall require the unanimous consent of the Members.

ARTICLE X MISCELLANEOUS

10.1 Notices. Except as otherwise expressly provided herein, any notice, consent, authorization or other communication to be given hereunder shall be in writing and shall be deemed duly given and received when delivered personally, when transmitted by electronic mail or facsimile if receipt is acknowledged by the addressee, one (1) business day after being deposited for next-day delivery with a nationally recognized overnight delivery service, or three (3) business days after being mailed by first class mail, charges and postage prepaid, properly addressed to the party to receive such notice at the address set forth in Exhibit "A" attached hereto, unless the Company is notified in writing with regard to a change of address.

10.2 Governing Law. This Agreement shall be governed by, and construed in accordance with, the laws of the State of Mississippi.

10.3 Counterparts. This Agreement may be executed in multiple parts, each of which shall be deemed an original and all of which together shall constitute one agreement, by each of the parties hereto on the dates indicated in the acknowledgment of said parties, notwithstanding that all of the parties are not signatories to the same part or that signature pages from different parts are combined. The signature of any party to any part shall be deemed to be a signature to and may be appended to any other part.

10.4 Constructions. Words of gender used in this Agreement shall be interpreted to include the other gender, and words in the singular number shall be interpreted to include the plural (and vice versa), when the sense so requires. The captions to each Article are inserted only as a matter of convenience and for reference purposes and in no way define, limit or describe the scope or intent of this Agreement, nor in any way affect it.

10.5 Entire Agreement. This Agreement contains the entire understanding between the parties and supersedes any prior understandings and agreements between them concerning the within subject matter. There are no representations, agreements, arrangements or understandings, oral or written, between the parties hereto relating to the subject matter of this Agreement which are not described herein.

10.6 Severability. This Agreement is intended to be performed in accordance with, and only to the extent permitted by, all applicable laws, ordinances, rules and regulations of the jurisdictions in which the Company does business. If any provision of this Agreement or its application to any person or circumstance shall, for any reason and to any extent, be found to be invalid or unenforceable, the remainder of this Agreement or the application of such provision to other persons or circumstances shall not be affected thereby, but rather shall be enforced to the greatest extent permitted by law.

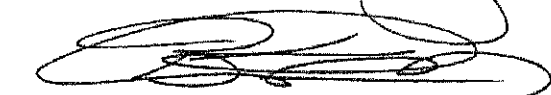
10.7 Successors and Assigns. This Agreement, and all the terms and provisions hereof, shall be binding upon and shall inure to the benefit of all Members and their Representatives, heirs, permitted successors and permitted assigns.

10.8 Drafting of Agreement. The parties acknowledge that this Agreement was drafted by Page, Mannino, Peresich & McDermott, PLLC, as counsel to the Company, and reviewed and approved by the parties. The parties further acknowledge that they have been advised that a conflict of interest may exist between them and that they have had an opportunity to seek the advice of independent counsel and by execution of this Agreement hereby waive any conflict of interest which may result therefrom.

IN WITNESS WHEREOF, the Members have entered into this Agreement and have hereunto set their hands to multiple copies hereof, as of the effective date first written above.

MEMBERS:


Michael T. Lafferty, Jr.


Brax K. Clark

F. THE PROPERTY HAS AMPLE INGRESS AND EGRESS TO AND FROM PROPERTY. THERE ARE SIDEWALKS FOR PEDESTRIAN SAFETY AND CONVENIENCE, TRAFFIC FLOW AND CONTROL AND ACCESS IN CASE OF FIRE OR CATASTROPHE.

THERE IS OFF STREET PARKING FOR LOADING AWAY FROM TRAFFIC FLOW.

UTILITIES TO THE PROPERTY ARE AVAILABLE AND COMPATIBLE TO NORMAL STANDARDS, I.E. POWER, INTERNET, WATER, SEWER, ETC.

SCREENING AND BUFFERING WAS INSTALLED AS DIRECTED BY THE CITY PLANNING COMMISSION.

THE PROPERTY HAS SIGNS, EXTERIOR, INTERIOR LIGHTING THAT ADDS HARMONY WITH THE PROPERTY AND SURROUNDING DISTRICT. THIS WORK WILL BE IN HARMONY WITH THE GENERAL PURPOSE AND INTENT OF THE ZONING ORDINANCE.

G. THE MOVEMENT OF MY BUSINESS WILL NOT CAUSE undue TRAFFIC CONGESTION/HARM TO THE AREA. THERE IS AMPLE PARKING AND ACCESS TO THE PROPERTY

SE

PERMITS/INSP PAYMENT RECPT#: 11392542
CITY OF GULFPORT
GULFPORT MS 39501

DATE: 07/20/22 TIME: 10:36
CLERK: bboone DEPT:
CUSTOMER#: 0

COMMENT:

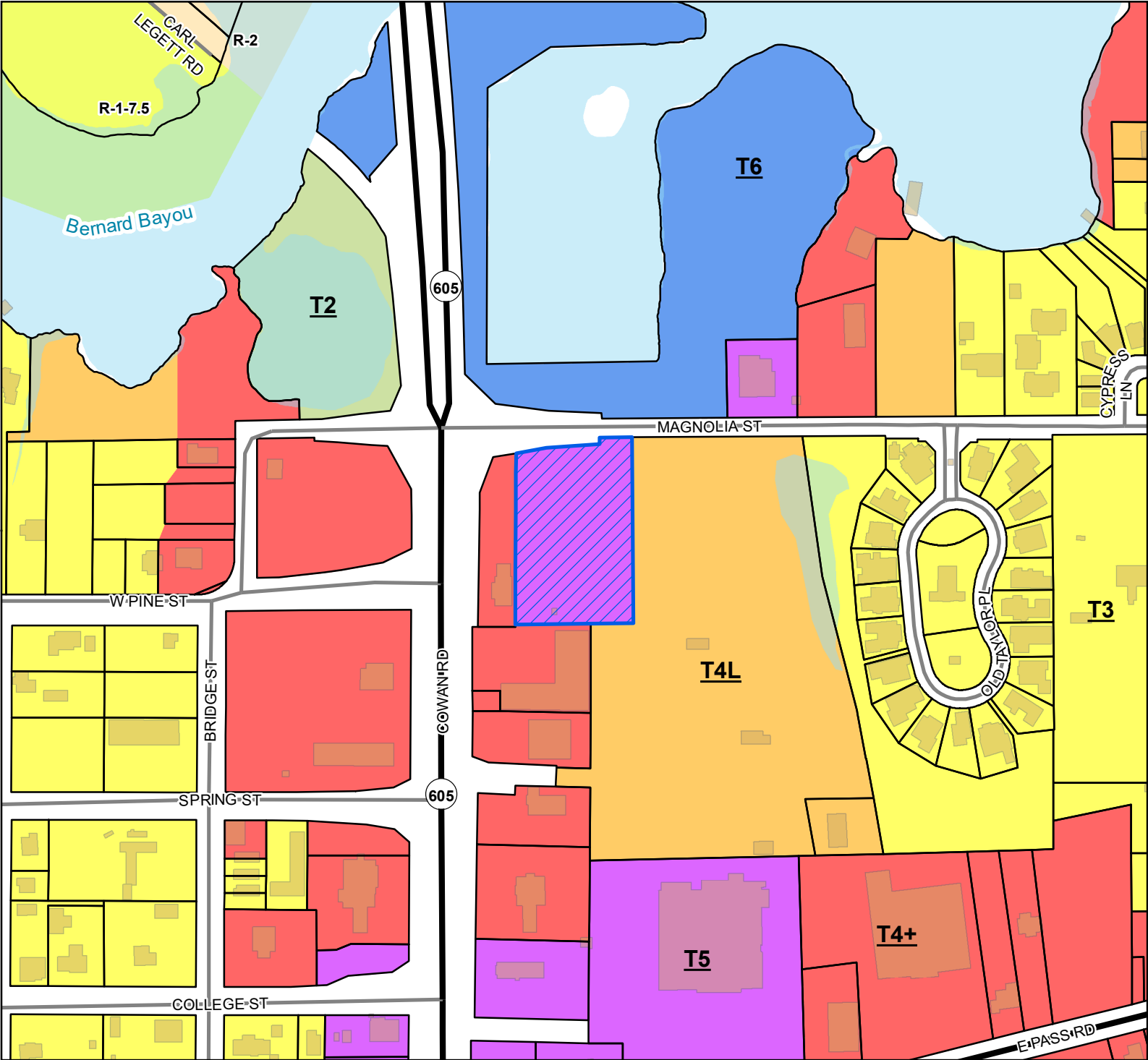
CHG: PZD PLANNING AND ZO 75.00

AMOUNT PAID: 75.00

PAID BY:
PAYMENT METH: CHECK
4828

REFERENCE:

AMT TENDERED: 75.00
AMT APPLIED: 75.00
CHANGE: .00



Legend

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

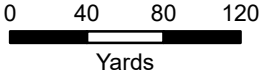
Smart Code

- T6
- T5
- T4+
- T4L
- T3
- T2

Zoning

- R-1-7.5 - Single Family Residence District (Low Density)
- R-2 - Single Family Residence District (Medium Density)

Site Information
1010F-02-041.00
Zoning: T5 (Urban center Zone)
Size: 2.2 acres
Flood: AE

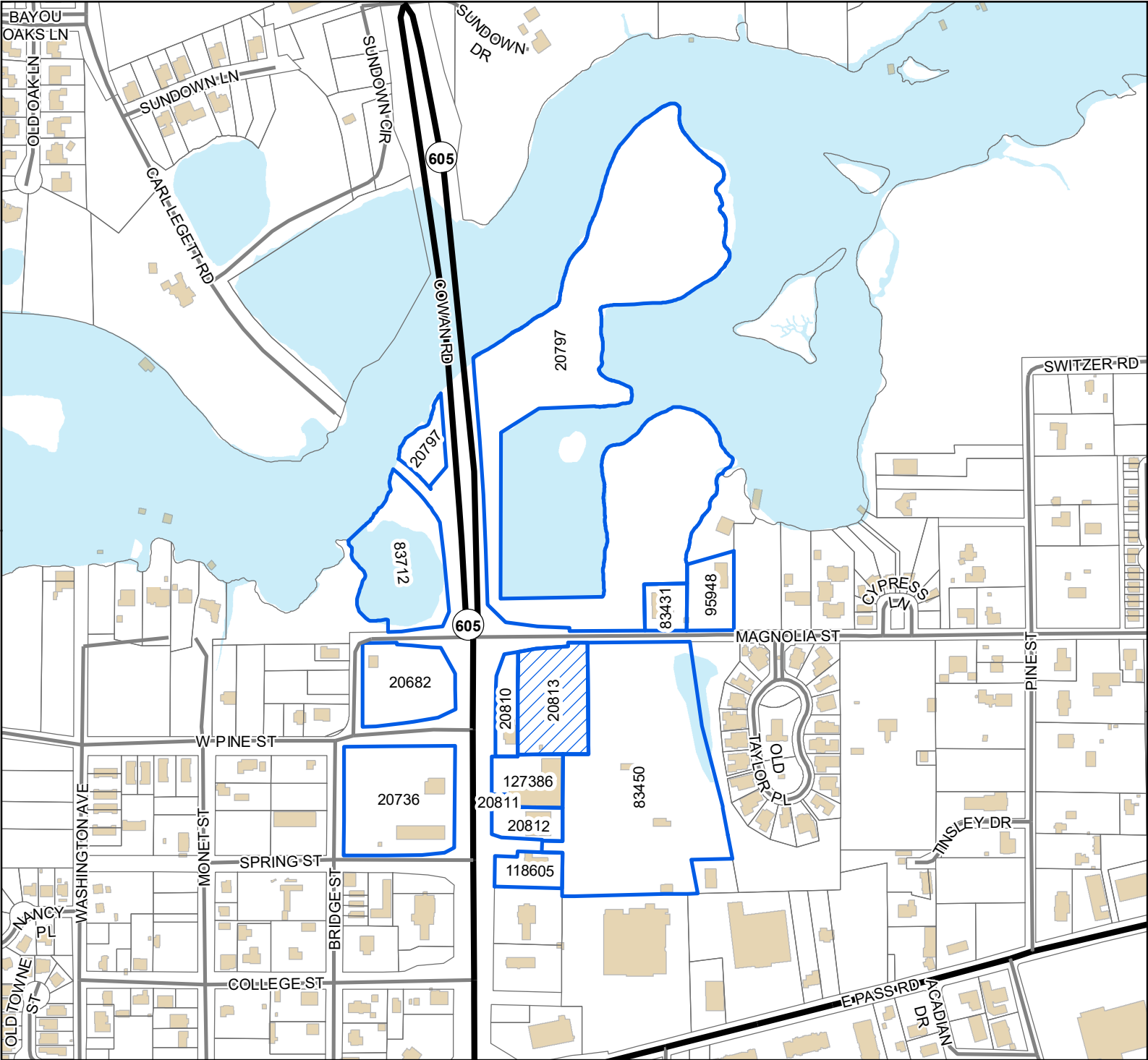


1 inch = 300 feet



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.

Mail	PPIN	Parcel ID	Name	Address	City	State	ZIP
20813	1010F-02-041.000	605 HOLDINGS, LLC, BRAX CLARK - MEMBER (OWNER)	P. O. BOX 7852		GULFPORT	MS	39506
20813	1010F-02-041.000	TODD LAFFERTY (OWNER)	12568 VILLAGE AVE WEST		BILOXI	MS	39532
Adjacent Property Owners (2209SE153)							
20682	1010E-01-006.000	MAGNOLIA PLEX LLC	2208 18TH ST STE B		GULFPORT	MS	39501
95948	1010F-01-021.001	R A BRAUN CONST INC	P O BOX 171		BILOXI	MS	39533
20813	1010F-02-041.000	605 HOLDINGS LLC	1116 COWAN RD STE H		GULFPORT	MS	39503
83712	1010E-01-002.000	MAGNOLIA PLEX LLC	1414 25TH AVE		GULFPORT	MS	39501
83431	1010F-01-020.000	WEIN-AIR HOLDINGS LLC	194 N SOUTHLAWN DR		LAFAYETTE	LA	70503
20811	1010F-02-036.000	WENTWORTH JUDY	1226 W PINE ST		GULFPORT	MS	39507
83450	1010F-02-042.000	BAYWOOD CAMP GROUNDS INC	12506 LORRAINE RD		BILOXI	MS	39532
20810	1010F-02-037.000	PLATTS MARY KATE -TRUSTEE-	65 54TH STREET		GULFPORT	MS	39507
20812	1010F-02-035.000	KROHN PROPERTIES LLC	1110 COWAN ROAD		GULFPORT	MS	39507
20736	1010E-02-001.000	DEDEAUX UTILITY CO INC	1317 24TH AVE SUITE C		GULFPORT	MS	39501
118605	1010F-02-034.002	PHYSICIAN SERVICES OF THE GULF COAS	1018 COWAN RD		GULFPORT	MS	39507
20797	1010F-01-021.000	WEIN-AIR HOLDINGS LLC	315 S COURT ST		OPELOUSAS	LA	70570
127386	1010F-02-036.001	DAK HOLDINGS LLC	2472 PASS ROAD STE A		BILOXI	MS	39531



Legend

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

0 80 160 240
Yards

1 inch = 500 feet



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RE: Special Exception 2209SE153, by owner 605 Holdings, LLC., tax parcel 1010F-02-041.000, Requests liquor store use, 1423 Magnolia Street, Zoned T5 (Urban Center Zone), Ward 4

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, August 18, 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, August 18, 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.

THANK YOU for your legal submission!

Your legal has been submitted for publication. Below is a confirmation of your legal placement. You will also receive an email confirmation.

ORDER DETAILS**Order Number:**

IPL0083647

Order Status:

Submitted

Classification:

Legals & Public Notices

Package:

BLX - Legal Ads

Final Cost:

42.72

Payment Type:

Account Billed

User ID:

IPL0024925

ACCOUNT INFORMATION

GULFPORT URBAN DEVELOPMENT IP

PO BOX 1780

GULFPORT, MS 39502

228-868-5705

AccountsPayable@gulfport-ms.gov

GULFPORT URBAN DEVELOPMENT

TRANSACTION REPORT**Date**

July 29, 2022 9:38:25 AM EDT

Amount:

42.72

SCHEDULE FOR AD NUMBER IPL00836470

August 3, 2022

SunHerald (Biloxi)

PREVIEW FOR AD NUMBER IPL00836470**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, August 18, 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 2204ZB050, by owners Jack & Kelly Krongard, tax parcel 10100-02-002.000, Requests variance for fence height, 1942 Beach Dr, Zoned R-1-7.5 (Single-family), Ward 2

Variance 2205ZB092, by agent Jesse Vincent, tax parcel 0910N-06-012.000, Variances for backing into the right-of-way & gravel parking, 410 32nd St, Zoned B-2 (General business), Ward 4

Variance 2209ZB149, by owners Gregory and Melinda Wyrosdick, tax parcel 1010C-01-001.019, Requests variance for setback, Channelside Drive, Zoned R-2 (Single-family), Ward 5

Variance 2209ZB150, by owner Walter A Karnes, tax parcel 1008N-01-076.000, Requests variances for accessory structure quantity and size, 11162 Ellis Dr, Zoned R-1-10 (Single-family), Ward 6

Variance 2209ZB152, by owner 605 Holdings, LLC, tax parcel 1010F-02-041.000, Variance for wall sign location, 1423 Magnolia St, Zoned T5 (Urban Center Zone), Ward 4

Special Exception 2209SE153, by owner 605 Holdings, LLC., tax parcel 1010F-02-041.000, Requests liquor store use, 1423 Magnolia Street, Zoned T5 (Urban Center Zone), Ward 4

Variance 2207ZB154, by owner Richard & Patricia Rogers, tax parcel 0807G-01-038.000, Requests variances for accessory structure quantity and size, 14451 S. Swan Rd. Zoned R-1-15 (Single-family), Ward 7

Special Exception 2209SE156, by agent Demetra Birch, tax parcel 0811K-04-021.000, Requests liquor store use, 2610 13th St, Zoned T5 (Urban Center Zone), Ward 2

This the 28th day of July 2022
A. Lee Palermo, Chairman
City of Gulfport Zoning Board of Adjustment and Appeals
W000000000
Publication Dates

[<< Click here to print a printer friendly version >>](#)

MEMORANDUM

To: City of Gulfport Zoning Board of Adjustment and Appeals

From: Greg Holmes, Planning Administrator
Urban Development Department

Date of Hearing: August 18, 2022

Re: Variance 2207ZB154:

Variance 2207ZB154, by owner Richard & Patricia Rogers, tax parcel 0807G-01-038.000,
Requests variances for accessory structure quantity and size, 14451 S. Swan Rd. Zoned R-1-15
(Single-family), Ward 7

Technical Report

VARIANCE

GENERAL INFORMATION

Case File Number: 2207ZB154

Hearing Date: August 18, 2022

Current Zoning/Use: R-1-15 / Residential

Legal: Variance 2207ZB154, by owner Richard & Patricia Rogers, tax parcel 0807G-01-038.000, Requests variances for accessory structure quantity and size, 14451 S. Swan Rd. Zoned R-1-15 (Single-family), 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 exceed the allowable quantity and size of accessory structure located at 14451 S. Swan Road, zoned R-1-15 (Single-family). The applicant has an existing detached garage; which is considered as an accessory structure. Therefore, a variance is needed to allow for an additional structure. In addition, the parcel contains approximately 3.1 acres and is allowed an accessory structure of a minimum of one thousand square feet; The proposed storage building will be 12' x 24' with a total square footage of 288 square feet.

- (a) The applicant notes that "he wish to build a 12' x 24' foot shed to house mower, PWC Trailer, Fertilizer spreader, etc., to make room for an additional car in garage.
- (b) In the application, the applicant cites that his existing garage is not large enough to facilitate all equipment and vehicles.
- (c) These variances are requested in order to allow the applicant to exceed the allowable square footage for an accessory building. However, the applicant will meet all required building setbacks.
- (d) The applicant states "sheds are common in the area and would be an asset to the property. Moreover, it would allow me to move into my garage one vehicle that presently sits in my driveway."
- (e) The applicant would not confer any special privileges due to there have been several variance requests similar to the applicant request.
- (f) This property is zoned R-1-15 (Single-family) additional accessory structures are permitted uses with a variance.

EXECUTIVE SUMMARY

Because the applicant has an existing accessory structure and exceed the allowable square footage requirements, a variance is needed for the approval of the required building permit.

Any approval should consider these conditions:

1. Approval would grant the applicant to have an additional accessory structure where one is the maximum.
2. Must meet all Building Codes and City of Gulfport Ordinance.

DEPARTMENTAL CONDITIONS

Engineering: No conditions. Memo dated 8/10/2022.

Public Works: No conditions. Memo dated 8/10/2022.

Traffic and Safety: No comment as of 8/11/2022.

Building Code Services: Must meet all building codes and City of Gulfport Ordinances.
Memo dated 8/4/2022.

GIS: No conditions. Memo dated 8/10/2022.

Police Department: No conditions. Memo dated 8/10/2022.

Technical Report

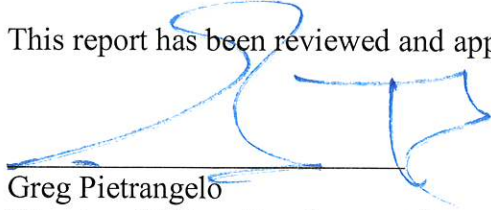
VARIANCE

Fire Department: No conditions. Memo dated 8/4/2022.

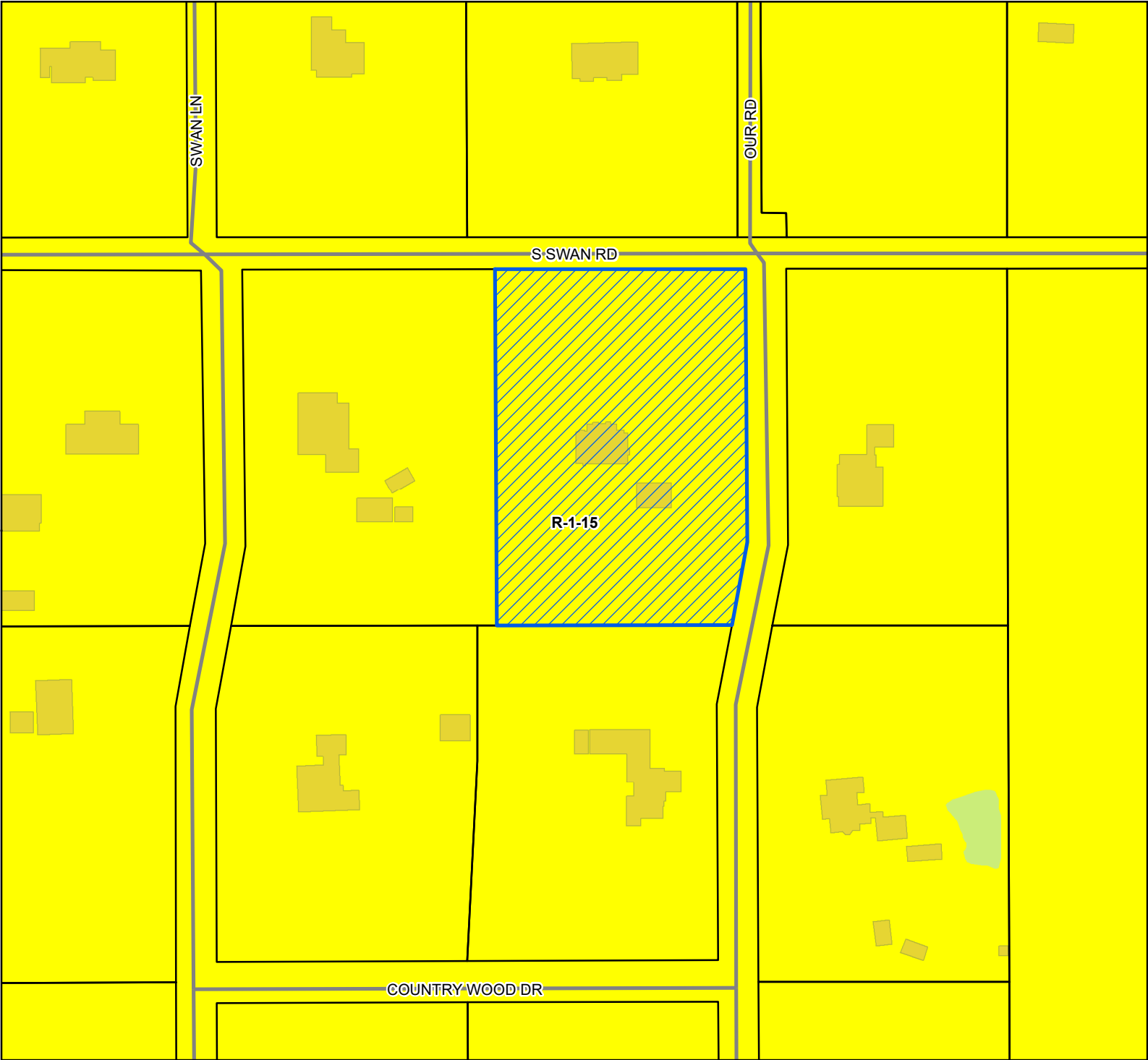
City Arborist: No conditions. Memo dated 8/4/2022.

DIRECTOR APPROVAL

This report has been reviewed and approved by:



Greg Pietrangelo
Director of Urban Development Department



Site

Street

Parcels

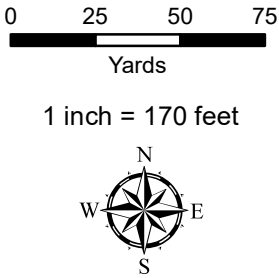
Buildings

Water Features

Zoning

R-1-15 - Single Family Residence District (Low Density)

Site Information
1010N-03-018.000
Zoning: R-1-15 (Single-family Residence)
Size: 3.1 acres
Flood: X



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

For Staff Use Only

Case File #: 22072B154Date Received: 7/24/2022

Receipt #: _____

Received By: _____

Zoning: _____

Ward: _____ Flood: _____

Size: _____

(If necessary, use separate sheet of paper)

TAX PARCEL # 08079 - 01 - 038 . 000

					-			-				.			
					-			-				.			
					-			-				.			

Address of Property Involved: 14451 S. SWAN RD., GULFPORT, 39503Lot(s) 3, Block(s) _____, Subdivision SOUTH SWAN COUNTRYWOOD ESTATESGeneral Location: LYMAN, COUNTRYWOOD, S/W CORNER OF S. SWAN AND E. COUNTRYWOOD**GENERAL DESCRIPTION OF REQUEST:**

LOCATE "COOKS" SHED IN WOODS @ S/W CORNER OF
PROPERTY. DESIRE TO MOVE MOWER, PWCTRAILER,
FERTILIZER SPREADER, ETC. FROM GARAGE, TO MAKE ROOM
FOR CAR.

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

RICHARD W. ROGERS

Printed Name Of Owner

P.O. Box 3562

Mailing Address

GULFPORT MS 39505

City

State

Zip code

(228) 832-4140 (228) 860-6162

Home Phone

Work/Cell Phone

RWRPAR@BELL SOUTH. NET

Email

Richard W. Rogers

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) PATRICIA A. ROGERS
 ADDRESS (STREET, CITY, STATE, ZIP CODE) ~~111~~ 14451 S. SWAN RD. GULFPORT, MS, 39503
 PHONE # (H) (228) 832-4140 (WK/CELL) (228) 860-7522
 TAX PARCEL NUMBER(S) OWNED 0807G-01-038.000
 SIGNATURE: Patricia A. Rogers

NAME OF OWNER (PRINT) RICHARD W. ROGERS
 ADDRESS (STREET, CITY, STATE, ZIP CODE) 14451 S. SWAN RD., GULFPORT MS 39503
 PHONE # (H) (228) 832-4140 (WK/CELL) (228) 860-6162
 TAX PARCEL NUMBER(S) OWNED 0807G-01-038.000
 SIGN: Richard W. Rogers

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: _____



Covenant Affidavit

I, RICHARD W. ROGERS, being owner or agent of the property 14451 S. SWAN 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.

Richard W. Rogers
Signature

7/30/22
Date

STATE OF MISSISSIPPI | COUNTY OF HARRISON

Given under my hand and seal of office this the 20th day of July, 20 22

Leslie Ervin
Notary Public



April 19, 2022
Commission Expiration

Answers to Variance Request Questions

14451 South Swan Rd.

0807G-01-038.000

B. Site Plan

Location and orientation of shed in wooded area is shown by white rectangle pasted on Area Map.

West most corner is 43 ft. from west property line.

South most corner is 92 ft. from south property line

C. Until last Nov. my wife and I were the only registered owners of the property. In Nov. 2021, a trust was created with her and me as trustees. See attached Warranty Deed.

D. N/A

E. None requested.

F1. I am required to apply for a variance only because my garage is detached.

F2. The only action by me to cause this need is that I did not build a large enough garage 25 years ago.

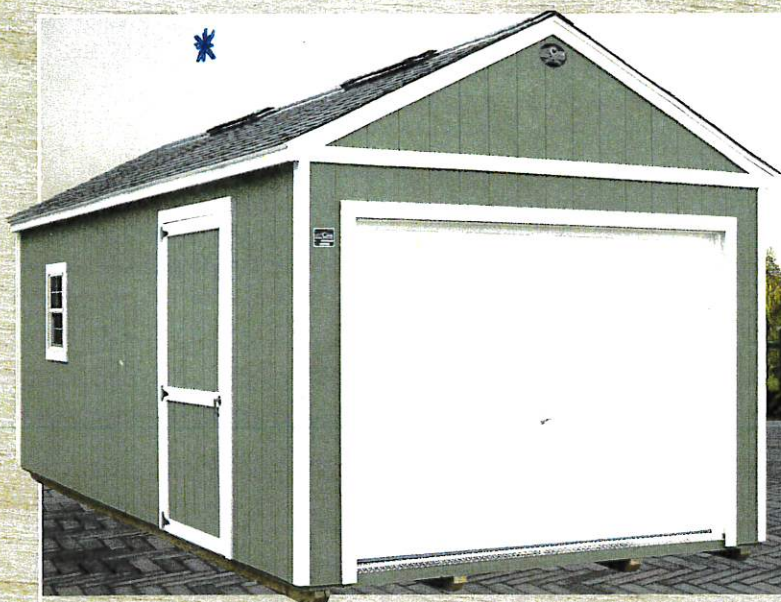
F3. My hardship is that I can't get one of my cars into the garage. Also some equipment is left outside in the yard because so much garage space has to be devoted to storage. I am required to have a variance only because my detached garage is a second structure.

F4. Sheds are common in the area and would be an asset to the property for me as well as for a future owner. Moreover, it would allow me to move into my garage one vehicle that presently sits in my driveway.

F5. Any neighbor who had only one building on his property could have the same benefit without a variance.

F6. Storage is a permissible use. Items to be stored are already stored on property.

G. *I propose to exceed the ^{TOTAL} allowable sq footage for the*
H. *two unattached structures by 616 ft sq.*



GARAGE

The Garage is the most adaptable of our Cook building designs. The adaptability of this shed satisfies a variety of unique storage needs. The heavy duty floor ensures the building can hold anything from large vehicles to boxes of stuff.

Available Sizes: 12x20 • 12x24 • 12x28 • 12x32

Standard Dimensions / Specifications

- The peak of the building is approximately 11' 6".
- The interior sidewall height is 7' 8".
- Includes a heavy duty floor system.
- Includes a single 48" door with a 46" opening.
- Includes a 8' x 6' 6" metal garage door.
- Includes one 24" x 36" insulated vinyl window.
- Only available in a 12' wide building (measured eave to eave).

HANDYMAN

The Handyman provides enough room for anyone to convert this building into a work space. With two separate doors and a partition wall, you can use this adaptable shed for two different purposes. It also comes with two workbenches, so this serious building is the place to get work done.



Available Sizes: 12x24 • 12x28 • 12x32

Standard Dimensions / Specifications

- Includes 68" double doors and a 36" single door.
- Includes two 24"x36" insulated vinyl windows with shutters.
- Includes a partition wall and two workbenches.
- The peak of the building is about 11' 6".
- This building is available in two styles: the Lofted Barn style Handyman and the Lofted Utility style Handyman.
- The interior sidewall height of a Lofted Barn style Handyman is 6'3".
- The interior sidewall height of a Lofted Utility style Handyman is 7'8".



Area Map

Printed 7/18/2022

S SWAN RD

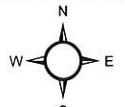
COUNTRY WOOD DR

14451 S SWAN RD

Sited

92'

43'



1 inch = 67 feet

Addresspoints

Edits addresspoints

sde.DBO.Resubdivisions

Harrison_HughRes_2020.sid

STRUCT_CLASS

Residential

Collector

Minor/Residential

WaterFeatures

Parcels

RGB

Red: Band_1

Green: Band_2

Blue: Band_3

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Prepared by and return to:
Kaleel "Teal" Salloum, Jr.
Salloum Law Firm, PLLC
Post Office Box 1717
Gulfport, Mississippi 39502
Tel: (228) 863-6727



J1 - GULFPORT DISTRICT
INSTRUMENT 2021-0034209-D-J1
FILED/RECORDED 12/14/2021 2:16:01 PM
TOTAL FEES \$26.00
5 PAGES RECORDED

STATE OF MISSISSIPPI
COUNTY OF HARRISON
FIRST JUDICIAL DISTRICT

Indexing Instructions: Lot 3, SOUTH SWAN COUNTRY ESTATES, 1st Judicial District, Harrison County, MS

WARRANTY DEED AND MEMORANDUM OF TRUST

FOR AND IN CONSIDERATION 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

RICHARD W. ROGERS AND PATRICIA A. ROGERS,
HUSBAND AND WIFE, GRANTORS
POST OFFICE BOX 3562
GULFPORT, MISSISSIPPI 39505
(228) 860-6162

do hereby sell, convey and warrant unto

RICHARD WADE ROGERS, IV AND PATRICIA ANN ROGERS, TRUSTEES
OF THE RICHARD AND PATRICIA ROGERS REVOCABLE TRUST
DATED NOVEMBER 15, 2021, AND ANY AMENDMENTS THERETO, GRANTEE
POST OFFICE BOX 3562
GULFPORT, MISSISSIPPI 39505
(228) 860-6162

PERMITS/INSP PAYMENT RECPT#: 11395183
CITY OF GULFPORT
GULFPORT MS 39501

DATE: 07/20/22 TIME: 14:36
CLERK: bboone DEPT:
CUSTOMER#: 0

COMMENT:

CHG: PZD PLANNING AND ZO 75.00

AMOUNT PAID: 75.00

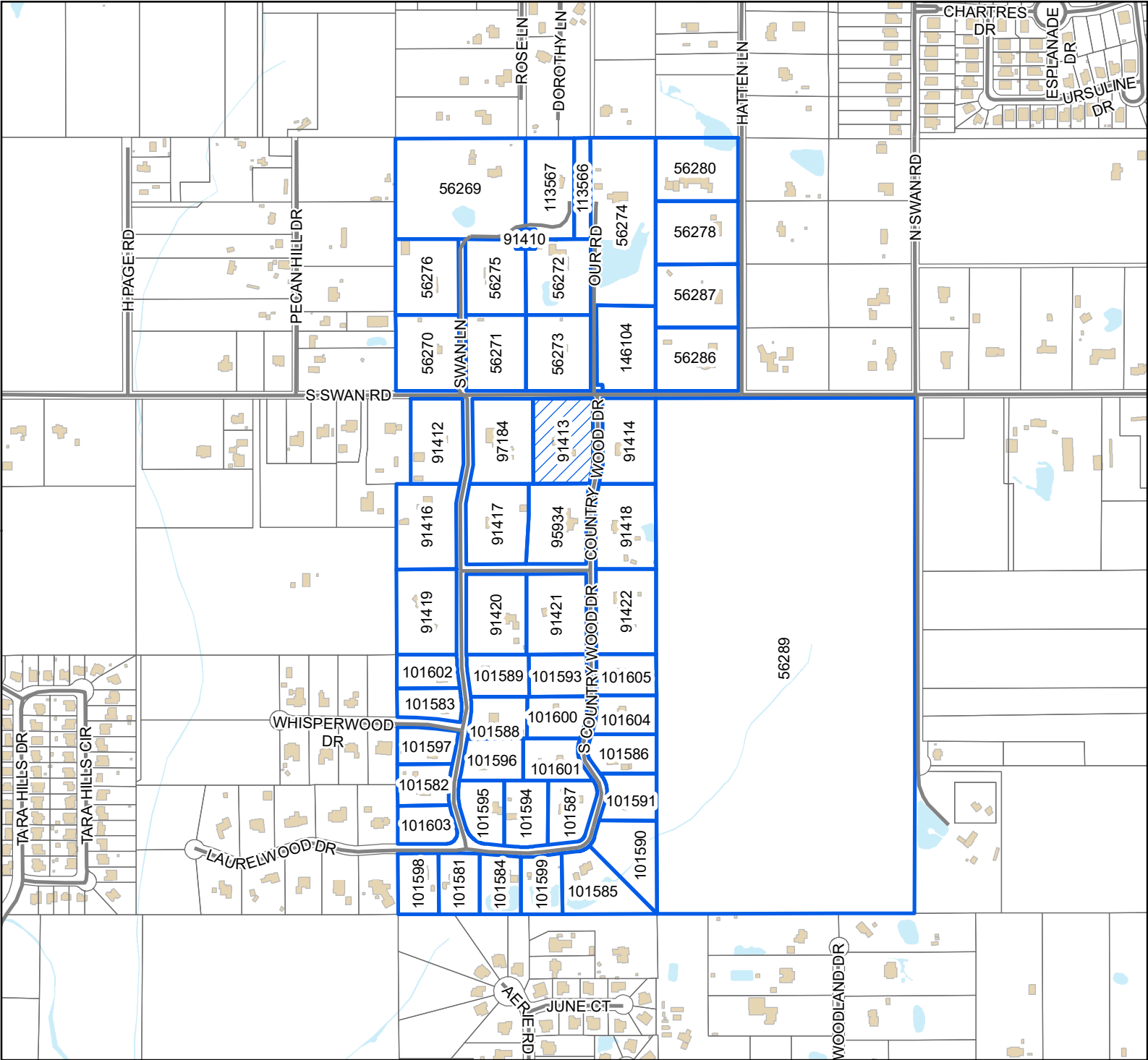
PAID BY:
PAYMENT METH: CHECK
7528

REFERENCE:

AMT TENDERED: 75.00
AMT APPLIED: 75.00
CHANGE: .00

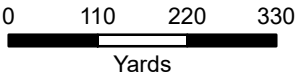
Mail	PPIN	Parcel ID	Name	Address	City	State	ZIP
N	91413	0807G-01-038.000	ROGERS RICHARD & PATRICIA-TRUSTEES	P O BOX 3562	GULFPORT	MS	39505
			Adjacent Property Owners (2207ZB154)				
	91421	0807G-01-036.000	AINSWORTH DONALD W & JOY	14297 COUNTRYWOOD DR	GULFPORT	MS	39503
	101583	0807G-01-018.000	ALBERT BRIAN M & LISA C	14749 S COUNTRYWOOD DR	GULFPORT	MS	39503
	113566	0807B-01-023.002	BELLON RONALD G & LEA O	14420 SWAN LANE	GULFPORT	MS	39503
	113567	0807B-01-023.003	BELLON RONALD G & LEA O	14420 SWAN LANE	GULFPORT	MS	39503
	101602	0807G-01-019.000	BENEFIELD PATRICIA A DEDEAUX	14771 S COUNTRYWOOD DR	GULFPORT	MS	39503
	101586	0807G-01-007.000	BEY RASHAWN	14575 S COUNTRYWOOD DR	GULFPORT	MS	39503
	56269	0807B-01-023.000	BLACKLIDGE SHIRLEY M -TRUSTEE-	14392 SWAN LN	GULFPORT	MS	39503
	56273	0807B-01-019.000	CHAPPELL GRADY EUGENE & LENORA RUTH	14301 OUR RD	GULFPORT	MS	39503
	101589	0807G-01-027.000	CRAFT NELLIE BATTE	14760 COUNTRY WOOD DR	GULFPORT	MS	39503
	101600	0807G-01-034.000	CROWE JUSTIN	14552 S COUNTRY WOOD DR	GULFPORT	MS	39503
	91412	0807G-01-023.000	DEDEAUX RONNIE K & SHARON A	14408 COUNTRYWOOD DR	GULFPORT	MS	39503
	101581	0807G-01-013.000	DOMBROWSKI MELISA J & RICHARD E	14511 LAURELWOOD DR	GULFPORT	MS	39503
	101603	0807G-01-015.000	EATON JOHN WILSON III	14524 LAURELWOOD DR	GULFPORT	MS	39503
	56271	0807B-01-020.000	ESTES GEO E III & DEBORAH S-TRUSTEE	14304 SWAN LN	GULFPORT	MS	39503
	56289	0807G-01-001.000	FLAIR FAMILY LLC THE	225 GULF DR	WAVELAND	MS	39576
	97184	0807G-01-024.000	FOULON TRACY E & DAWN	14409 COUNTRY WOOD DR	GULFPORT	MS	39503
	101593	0807G-01-035.000	GARCIA FRISLY	713 FOURNIER AVE	GULFPORT	MS	39501
	101596	0807G-01-029.000	GIBBONS STEVEN M & JUDITH F	14730 S COUNTRYWOOD DR	GULFPORT	MS	39503
	101591	0807G-01-008.000	GILMORE MARK S & KARLA G	14593 COUNTRYWOOD DR	GULFPORT	MS	39503
	101585	0807G-01-010.000	GOFORTH JERRY & LINDA	14661 COUNTRY WOOD DR	GULFPORT	MS	39503
	91417	0807G-01-025.000	GONZALEZ RAFAEL & STELLA L	14364 COUNTRYWOOD DR	GULFPORT	MS	39503
	91422	0807G-01-004.000	GRAY LAMAR S & SUSAN A	14501 S COUNTRYWOOD DR	GULFPORT	MS	39503
	101584	0807G-01-012.000	HALL REAGAN	14679 S COUNTRYWOOD DR	GULFPORT	MS	39503
	56287	0807B-01-016.000	HELTON KEITH LYNN JR & LADALYN A	19783 RED OAK RD	SAUCIER	MS	39574
	101590	0807G-01-009.000	HICKEY CHRIS & ANITA ETAL	2002 STONEBRIDGE CT	MANSFEILD	TX	76063
	101604	0807G-01-006.000	HOWZE LYNDA RUTH & KIP DUDLEY	14553 S COUNTRY WOOD DR	GULFPORT	MS	39503
	56270	0807B-01-025.000	HUMPHREYS JAMES LEONARD & TRACEY VI	14301 S SWAN LANE	GULFPORT	MS	39503
	91414	0807G-01-002.000	LADNIER PASANDRA A & JEFFREY ETAL	14221 COUNTRY WOOD DR	GULFPORT	MS	39503
	91420	0807G-01-026.000	LAMM WERNER R -TRUSTEE-	14333 COUNTRY WOOD DRIVE	GULFPORT	MS	39503
	91416	0807G-01-021.000	LAYTON GUY ANTHONY -L/E-	14365 COUNTRYWOOD DR	GULFPORT	MS	39503
	101601	0807G-01-033.000	LIVINGSTON ALICE S -L/E-	14574 COUNTRYWIDE DR S	GULFPORT	MS	39503
	101605	0807G-01-005.000	LUCKETT CLEOTHA JR & CONNIE R	14525 S COUNTRY WOOD DR	GULFPORT	MS	39503
	56280	0807B-01-014.000	MCBRIDE JANE NEWMAN	14391 HATEN LANE	GULFPORT	MS	39503
	146104	0807B-01-018.001	MIXON JAMES ADAM & ASHLEY	14363 HATTEN LN	GULFPORT	MS	39503

Mail	PPIN	Parcel ID	Name	Address	City	State	ZIP
	56278	0807B-01-015.000	MOFFETT JOE R & MARGUERITE W	14363 HATTEN LN	GULFPORT	MS	39503
	101588	0807G-01-028.000	PACE JONATHAN	14746 COUNTRY WOOD DR	GULFPORT	MS	39503
	56286	0807B-01-017.000	PALMORE CARROLL A JR	14386 S SWAN RD	GULFPORT	MS	39503
	91419	0807G-01-020.000	PAYNE KENNETH LEE & CAROL LYNN	14801 S COUNTY WOOD DR	GULFPORT	MS	39503
	101587	0807G-01-032.000	PORTER GARY S & MICKELL CHRISTOPHER	14600 S COUNTRY WOOD DR	GULFPORT	MS	39503
	101598	0807G-01-014.000	ROBINSON JOHN R & DOROTHY ANNE	14525 LAURELWOOD DRVE	GULFPORT	MS	39503
	56276	0807B-01-024.000	ROLLINS HENRY M & LINDA B	14341 SWAN LANE	GULFPORT	MS	39503
	101599	0807G-01-011.000	ROODS LAURIE LYNN	14665 COUNTRY WOOD DR	GULFPORT	MS	39503
	91418	0807G-01-003.000	SELLERS WILLIAM R & SANDRA N	14263 COUNTRY WOOD DRIVE	GULFPORT	MS	39503
	56275	0807B-01-021.000	SIMPSON LINDA M	14340 SWAN LN	GULFPORT	MS	39503
	91410	0807B-01-023.001	SOUTH SWAN RACQUET & SWIM CLUB	P O BOX 88 C/O GEORGE ESTES III	GULFPORT	MS	39502
	101595	0807G-01-030.000	STANBRO FRANCES MARIE	14672 COUNTRY WOOD DR S	GULFPORT	MS	39503
N	101594	0807G-01-031.000	STANBRO FRANCES MARIE	14672 COUNTRYWOOD DR S	GULFPORT	MS	39503
	56272	0807B-01-022.000	STERLING DAVID W & DEBORAH A	14361 OUR RD	GULFPORT	MS	39503
	56274	0807B-01-018.000	THOMAS JACK & AMANDA	14380 OUR ROAD	GULFPORT	MS	39503
	95934	0807G-01-037.000	THOMAS JAMES E & JUDITH H	14300 COUNTRYWOOD DR	GULFPORT	MS	39503
	101597	0807G-01-017.000	WALLER THURMAN C JR & SUE-TRUSTEES-	14733 S COUNTRYWOOD DRIVE	GULFPORT	MS	39503
	101582	0807G-01-016.000	WHITE G GREGORY & SHELIA	14709 S COUNTRYWOOD DR	GULFPORT	MS	39503



Legend

- Site
- Adjacent Properties
- Street
- Buildings
- Water Features



1 inch = 710 feet



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RE: Variance 2207ZB154, by owner Richard & Patricia Rogers, tax parcel 0807G-01-038.000, Requests variances for accessory structure quantity and size, 14451 S. Swan Rd. Zoned R-1-15 (Single-family), 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, August 18, 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, August 18, 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.

THANK YOU for your legal submission!

Your legal has been submitted for publication. Below is a confirmation of your legal placement. You will also receive an email confirmation.

ORDER DETAILS**Order Number:**

IPL0083647

Order Status:

Submitted

Classification:

Legals & Public Notices

Package:

BLX - Legal Ads

Final Cost:

42.72

Payment Type:

Account Billed

User ID:

IPL0024925

ACCOUNT INFORMATION

GULFPORT URBAN DEVELOPMENT IP

PO BOX 1780

GULFPORT, MS 39502

228-868-5705

AccountsPayable@gulfport-ms.gov

GULFPORT URBAN DEVELOPMENT

TRANSACTION REPORT**Date**

July 29, 2022 9:38:25 AM EDT

Amount:

42.72

SCHEDULE FOR AD NUMBER IPL00836470

August 3, 2022

SunHerald (Biloxi)

PREVIEW FOR AD NUMBER IPL00836470**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, August 18, 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 2204ZB050, by owners Jack & Kelly Krongard, tax parcel 10100-02-002.000, Requests variance for fence height, 1942 Beach Dr, Zoned R-1-7.5 (Single-family), Ward 2

Variance 2205ZB092, by agent Jesse Vincent, tax parcel 0910N-06-012.000, Variances for backing into the right-of-way & gravel parking, 410 32nd St, Zoned B-2 (General business), Ward 4

Variance 2209ZB149, by owners Gregory and Melinda Wyrosdick, tax parcel 1010C-01-001.019, Requests variance for setback, Channelside Drive, Zoned R-2 (Single-family), Ward 5

Variance 2209ZB150, by owner Walter A Karnes, tax parcel 1008N-01-076.000, Requests variances for accessory structure quantity and size, 11162 Ellis Dr, Zoned R-1-10 (Single-family), Ward 6

Variance 2209ZB152, by owner 605 Holdings, LLC, tax parcel 1010F-02-041.000, Variance for wall sign location, 1423 Magnolia St, Zoned T5 (Urban Center Zone), Ward 4

Special Exception 2209SE153, by owner 605 Holdings, LLC., tax parcel 1010F-02-041.000, Requests liquor store use, 1423 Magnolia Street, Zoned T5 (Urban Center Zone), Ward 4

Variance 2207ZB154, by owner Richard & Patricia Rogers, tax parcel 0807G-01-038.000, Requests variances for accessory structure quantity and size, 14451 S. Swan Rd. Zoned R-1-15 (Single-family), Ward 7

Special Exception 2209SE156, by agent Demetra Birch, tax parcel 0811K-04-021.000, Requests liquor store use, 2610 13th St, Zoned T5 (Urban Center Zone), Ward 2

This the 28th day of July 2022
A. Lee Palermo, Chairman
City of Gulfport Zoning Board of Adjustment and Appeals
W000000000
Publication Dates

[<< Click here to print a printer friendly version >>](#)

MEMORANDUM

To: City of Gulfport Zoning Board of Adjustment and Appeals

From: Greg Holmes, Planning Administrator
Urban Development Department

Date of Hearing: August 18, 2022

Re: Special Exception 2209SE156:

Special Exception 2209SE156, by agent Demetra Birch, tax parcel 0811K-04-021.000, Requests liquor store use, 2610 13th St, Zoned T5 (Urban Center Zone), Ward 2

Technical Report

SPECIAL EXCEPTION

GENERAL INFORMATION

Case File Number: 2209SE156

Hearing Date: Zoning Board August 18, 2022
Planning Commission August 25, 2022

Current Zoning/Use: T5 / Vacant commercial building

Legal: Special Exception 2209SE156, by agent Demetra Birch, tax parcel 0811K-04-021.000, Requests liquor store use, 2610 13th St, Zoned T5 (Urban Center Zone), Ward 2

TECHNICAL DETAILS

The applicant requests special exception in order to establish a liquor store in a T5 zone. They have not provided an affidavit that states the location is farther than 1,000 feet away from “any church, school, kindergarten, funeral home, day-care center, museum, or learning center, educational facility, library, night club, dance hall, or other same or similar establishment or use as a liquor store and/or free-standing lounge or tavern”, which is a requirement for this use. However, a new ordinance eliminated the distance requirements required in the chart of uses for these establishments. The proposed liquor store use is still required to go through Special Exception. There are no active business licenses at this location. The property formerly held the “Jazz Bistro” restaurant.

There is an established commercial building at this location, and the applicant states that there are no issues with utilities, access, or parking. Parking is not required in this part of the city, as this is the Central Business District Overlay. While the applicant states it will be harmony, staff urges the boards to exercise caution when considering if this is in harmony with orderly development of downtown.

EXECUTIVE SUMMARY

While a liquor store is allowed with special exception, the boards should consider special exceptions by ordinance are intended to find “that the special exception will be in harmony with the general purpose and intent of this ordinance.” Specifically, in a pedestrian focused downtown environment, does a liquor store fit in its pattern of ideal development.

Any approval should consider these conditions:

1. Special exception use of liquor sales must be approved by the Zoning Board and the Planning Commission.
2. Must meet all current Building Codes and City of Gulfport Ordinances.

DEPARTMENTAL CONDITIONS

Engineering: No conditions. Memo dated 8/10/2022.

Technical Report

SPECIAL EXCEPTION

Public Works: No conditions. Memo dated 8/10/2022.

Traffic and Safety: No comments as of 8/04/22.

Building Code Services: Conditions: Must meet all current Building Codes and City of Gulfport Ordinances. Memo dated 8/04/2022.

GIS: No conditions. Memo dated 8/10/2022.

Police Department: No conditions. Memo dated 8/09/2022.

Fire Department: No conditions. Memo dated 8/10/2022.

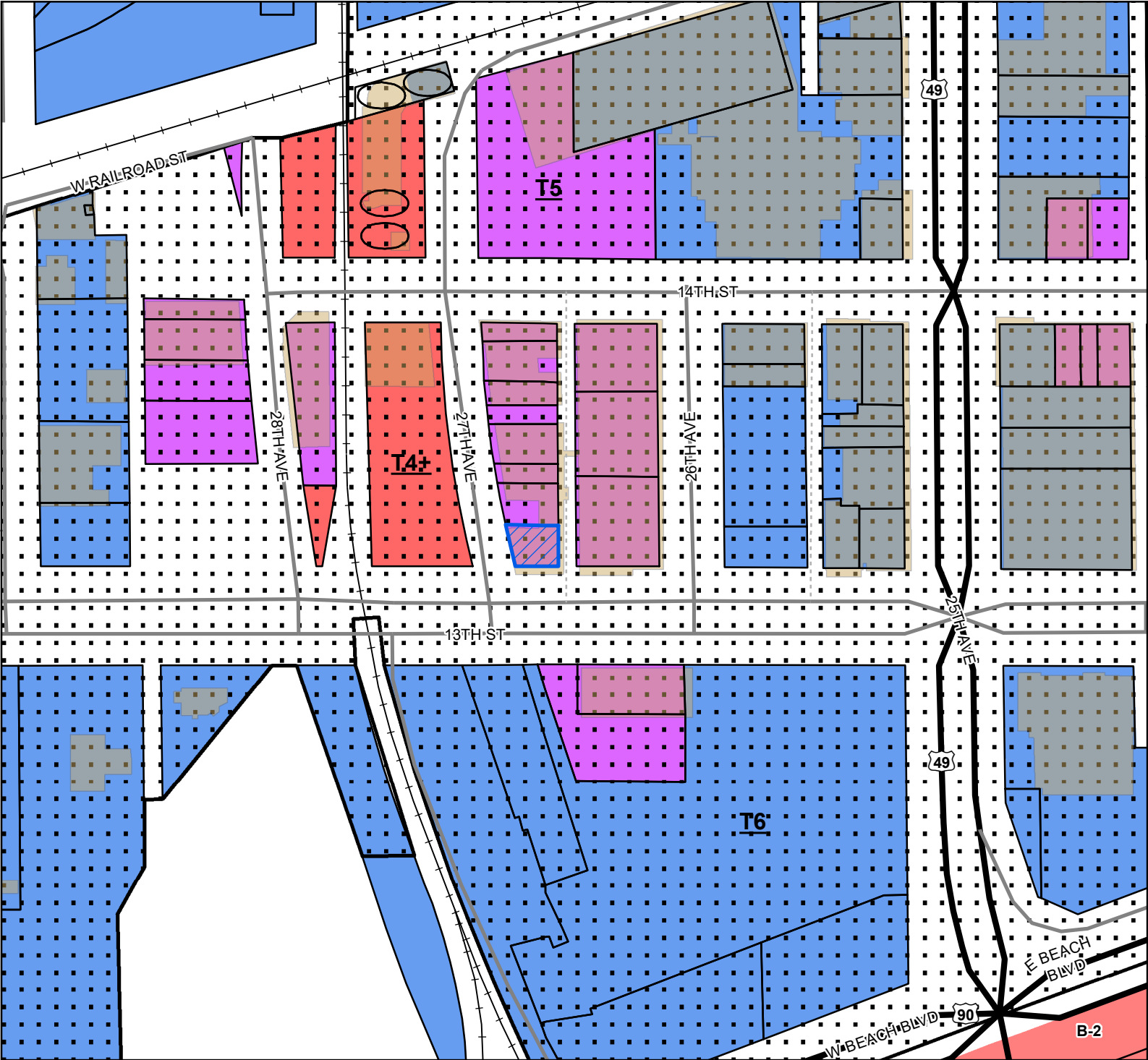
City Arborist: No conditions. Memo dated 8/10/2022.

DIRECTOR APPROVAL

This report has been reviewed and approved by:



Greg Pietrangelo
Director of Urban Development Department



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

Smart Code

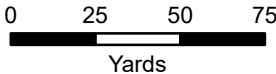
- T6
- T5
- T4+

Zoning

- B-2 - General Business District

Site Information

0811K-04-021.000
 Zoning: T-5 (Urban Center Zone)
 Size: 2961.79 sqft
 Flood: X



1 inch = 170 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 #: 2209 SE 156

Date Received: 7/20/2022

Receipt #: _____

Received By: _____

Zoning: _____

Ward: _____ Flood: _____

Size: _____

(If necessary, use separate sheet of paper)

TAX PARCEL #

0	8	1	1	K	-	0	4	-	0	2	1	.	0	0	0
					-			-				.			
					-			-				.			

Address of Property Involved: 2610 13th St. Gulfport, MS 39501

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

General Location: Down-town. Packaged Gulfport

GENERAL DESCRIPTION OF REQUEST:

Operate a Package Liquor Store - Request

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

2610 13th St. LLC

Printed Name Of Owner

1317 26th Ave, Suite 101

Mailing Address

GULFPORT, MS 39501

City State Zip code

228 363 2819 228 363 2819

Home Phone Work/Cell Phone

jourdan@nicaudfoods.com

Email

Signature Of Owner

AGENT

Demetra Birch

Printed Name Of Agent

P.O. Box 1995

Mailing Address

Gulfport MS 39502

City State Zip code

228-697-5807

Home Phone Work/Cell Phone

brachwater11c@gmail.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 H. 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) 2610 13th St., LLC

ADDRESS (STREET, CITY, STATE, ZIP CODE) 1317 26th Ave, Ste 101, Gulfport, MS 39501

PHONE # (H) 228 363 2819 (W) 228 363 2819

TAX PARCEL NUMBER(S) OWNED 0811K-04-021.000

SIGNATURE: 

NAME OF OWNER (PRINT) _____

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

PHONE # (H) _____ (W) _____

TAX PARCEL NUMBER(S) OWNED _____

SIGNATURE: _____

NAME OF OWNER (PRINT) _____

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

PHONE # (H) _____ (W) _____

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: _____

11 July 2022

City of Gulfport Planning & Zoning
Greg Holmes, Planning Administrator
1410 24th Ave., Gulfport, MS 39501
228-868-5710

To Whom It May Concern:

I, Jourdan Nicaud on behalf of 2610 13th St., LLC as owner of 2610 13th St., Gulfport, MS 39501 give
permission to Demetra Birch to act as Agent for this property.



Jourdan Nicaud
2610 13th St., LLC

7-13-22

Date

Subscribed and sworn to before me in my
presence, this 13 day of JULY
2022, a Notary Public in and for the
County of Hancock State of MS



Notary Public

My Commission Expires 4/6 20 26



- **Transportation and access:**

General transportation and public access.

- **Water supply and waste disposal:**

Water supply and waste disposal services are with the City of Gulfport.

- **Fire, Police protection and other public facilities:**

Fire and Police protection provided by the City of Gulfport. Public Facilities utilized are with the City of Gulfport.

- **Traffic:**

This business will not cause undue traffic congestion or create a traffic hazard, and will continue to be in harmony with the orderly and appropriate development of the district in which the use is located on:

2610 13th Street
Gulfport, MS 39501

Best Regards,
Demetra Birch
Owner/Operator
brackwaterllc@gmail.com
228-697-5807

11 July 2022

City of Gulfport Planning & Zoning
Greg Holmes, Planning Administrator
1410 24th Ave., Gulfport, MS 39501
228-868-5710

To Whom It May Concern:

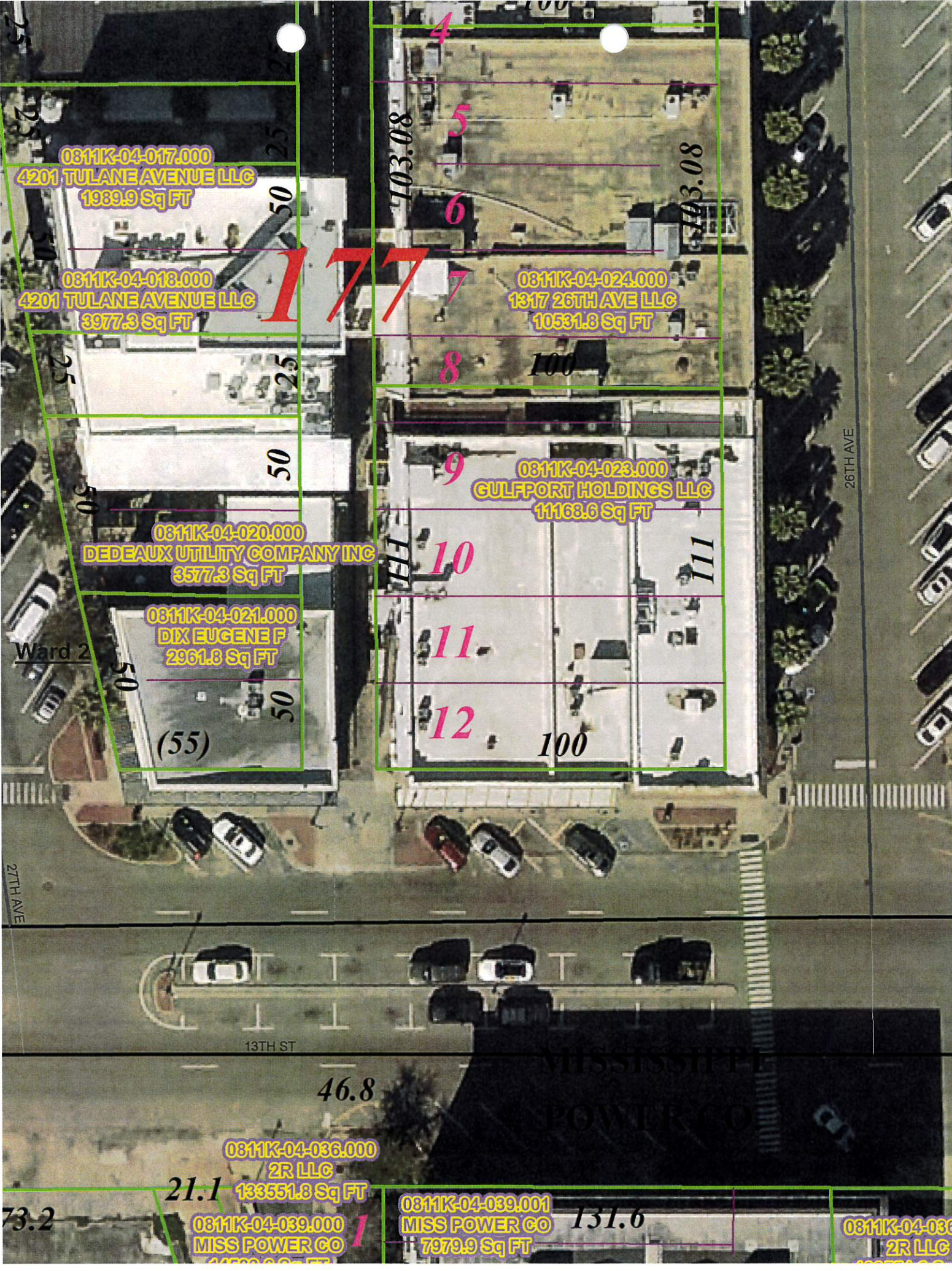
I, Jourdan Nicaud on behalf of 2610 13th St., LLC as owner of 2610 13th St., Gulfport, MS 39501 give permission to Demetra Birch to act as Agent for this property.



Jourdan Nicaud
2610 13th St., LLC

7-13-22

Date



0811K-04-017.000
4201 TULANE AVENUE LLC
1989.9 Sq FT

0811K-04-018.000
4201 TULANE AVENUE LLC
3977.3 Sq FT

0811K-04-020.000
DEDEAUX UTILITY COMPANY INC
3577.3 Sq FT

0811K-04-021.000
DIX EUGENE F
2961.8 Sq FT

0811K-04-024.000
1317 26TH AVE LLC
10531.8 Sq FT

0811K-04-023.000
GULFPORT HOLDINGS LLC
11168.6 Sq FT

0811K-04-036.000
2R LLC
133551.8 Sq FT

0811K-04-039.000
MISS POWER CO
14582.8 Sq FT

0811K-04-039.001
MISS POWER CO
7979.9 Sq FT

0811K-04-036
2R LLC







SCANNED



J. J. J. J1 - GULFPORT DISTRICT
Instrument 2022-0002396-D-J1
Filed/Recorded 01/31/2022 2:50:01 PM
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#212766

Indexing Instructions:
Lots 13 & 14, Blk 177, Original
Gulfport 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,

**EUGENE F. DIX
P.O. BOX 120
GULFPORT, MS 39502
(228) 731-8630**

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

**2610 13TH ST, LLC
A MS Limited Liability Company
11633 BLUFF LANE
GULFPORT, MS 39503
(228) 363-2819**

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:

Lots Thirteen (13) and Fourteen (14), Block One Hundred Seventy-Seven (177), ORIGINAL GULFPORT 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 11 at

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 31st day of January, 2022.


EUGENE F. DIX

STATE OF MISSISSIPPI
COUNTY OF HARRISON

THIS DAY personally appeared before me, the undersigned authority in and for the jurisdiction aforesaid, **EUGENE F. DIX**, who acknowledged that he signed, executed and delivered the above and foregoing instrument as his voluntary act and deed on the day and year therein mentioned.

GIVEN under my hand and official seal on this the 31st day of January, 2022.


NOTARY PUBLIC

(SEAL)

My Commission Expires:



PERMITS/INSP PAYMENT RECPT#: 11396058
CITY OF GULFPORT
GULFPORT MS 39501

DATE: 07/21/22 TIME: 08:23
CLERK: bboone DEPT:
CUSTOMER#: 0

COMMENT:

CHG: PZD PLANNING AND ZO 75.00

AMOUNT PAID: 75.00

PAID BY:
PAYMENT METH: CHECK
1013

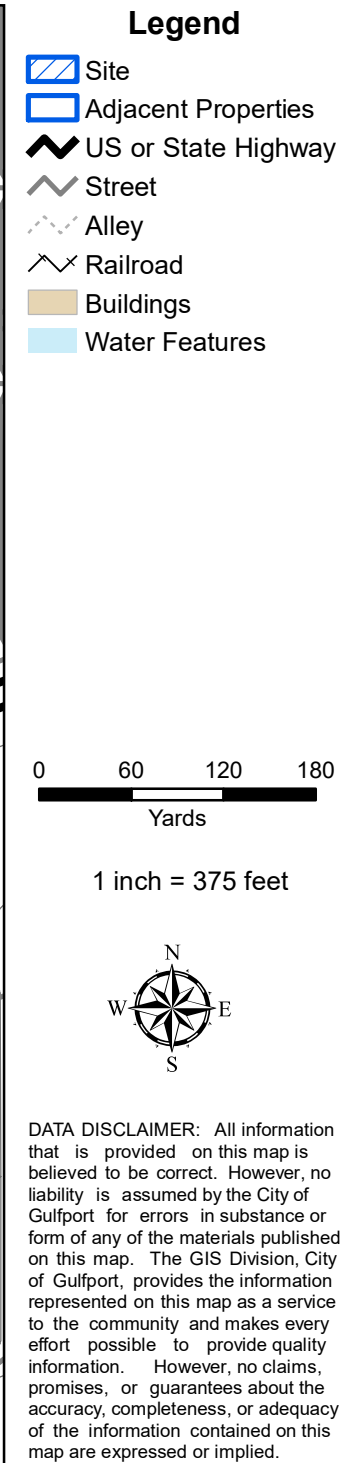
REFERENCE:

AMT TENDERED: 75.00
AMT APPLIED: 75.00
CHANGE: .00

Mail	PPIN	Parcel ID	Name	Address	City	State	ZIP
	20277	0811K-04-021.000	2610 13TH ST, LLC (OWNER)	1377 26TH AVE, SUITE 101	GULFPORT	MS	39501
			DEMETRA BIRCH (AGENT)	P.O. BOX 1975	GULFPORT	MS	39502
			Adjacent Property Owners (2209SE156)				
	20274	0811K-04-024.000	1317 26TH AVE LLC	111 W SCENIC DRIVE	PASS CHRISTIAN	MS	39571
	20252	0811L-01-010.000	13TH & 30TH LLC	43 FARNHAM PLACE	METAIRIE	LA	70005
N	20253	0811L-01-008.000	13TH & 30TH LLC	43 FARNHAM PLACE	METAIRIE	LA	70005
N	20250	0811L-01-011.000	13TH & 30TH LLC	43 FARNHAM PLACE	METAIRIE	LA	70005
N	89878	0811L-01-007.000	13TH & 30TH LLC	43 FARNHAM PLACE	METAIRIE	LA	70005
	20273	0811K-04-025.000	14TH STREET PROPERTIES LLC	P O DRAWER 6829	GULFPORT	MS	39506
	89712	0811K-04-036.000	2R LLC	P O BOX 520	GULFPORT	MS	39502
N	20388	0811K-04-037.000	2R LLC	4900 COURTHOUSE RD	GULFPORT	MS	39507
N	20396	0811K-04-038.000	2R LLC	P O BOX 520	GULFPORT	MS	39502
	20280	0811K-04-018.000	4201 TULANE AVENUE LLC	1025 BIENVILLE ST	NEW ORLEANS	LA	70112
N	20281	0811K-04-017.000	4201 TULANE AVENUE LLC	1025 BIENVILLE ST	NEW ORLEANS	LA	70112
	20261	0811L-01-021.000	BANK OF MISSISSIPPI	P O BOX 70	BILOXI	MS	39533
N	20511	0811L-01-040.000	BANK OF MISSISSIPPI	760 RUE MARCHE	BILOXI	MS	39530
	20288	0811K-04-032.000	BARBER DENNIS N	PO BOX 803	GULFPORT	MS	39502
N	99981	0811K-04-032.001	BARBER DENNIS N	P O BOX 803	GULFPORT	MS	39502
	20248	0811L-01-006.000	CSX TRANSPORTATION INC TAX DEPARTMEN	500 WATER ST (C910)	JACKSONVILLE	FL	32202
	20278	0811K-04-020.000	DEDEAUX UTILITY COMPANY INC	P O BOX 962	GULFPORT	MS	39502
N	20279	0811K-04-019.000	DEDEAUX UTILITY COMPANY INC	P O BOX 926	GULFPORT	MS	39502
	20290	0811K-04-030.000	GRD PROPERTIES LLC	P O BOX 387	BILOXI	MS	39553
	120802	0811K-04-035.001	GSO HOLDINGS LLC	12206 HWY 49	GULFPORT	MS	39503
N	20286	0811K-04-035.000	GSO HOLDINGS LLC	12206 HWY 49	GULFPORT	MS	39503
N	20268	0811L-01-015.000	GULFPORT CITY OF	2309 15TH ST	GULFPORT	MS	39501
	20275	0811K-04-023.000	GULFPORT HOLDINGS LLC	34851 EMERALD COAST PKWY STE 150	DESTIN	FL	32541
	20259	0811L-01-023.000	H & G INVESTMENTS LLC	1323 28TH AVE SUITE A	GULFPORT	MS	39501
	20258	0811L-01-024.000	HARTFIELD DON & LINDA E	1325 28TH AVE	GULFPORT	MS	39501
	20284	0811K-04-014.000	HAYDEL PROPERTIES LP	P O BOX 1891	GULFPORT	MS	39502
	20251	0811L-01-009.000	HOLT WILLIE E	2912 13TH ST	GULFPORT	MS	39501
	20289	0811K-04-031.000	JAYMARK PROPERTIES LLC	1301 25TH AVE SUITE 3	GULFPORT	MS	39501
	20285	0811K-04-034.000	KEESLER FEDERAL CREDIT UNION	2602 PASS RD	BILOXI	MS	39531
N	20292	0811K-04-028.000	KEESLER FEDERAL CREDIT UNION	2602 PASS RD	BILOXI	MS	39531
	20282	0811K-04-016.000	KEYES ROBERT BRUCE JR & CLAUDIA	1319 2ND ST	GULFPORT	MS	39501
	82095	0811L-01-033.000	MISS DEPT OF TRANSPORTATION C/O RIGHT P	O BOX 1850	JENININGS	LA	70546
	20515	0811L-01-032.000	MISS DEPT OF TRANSPORTATION C/O RIGHT P	O BOX 1850	JACKSON	MS	39215

Mail	PPIN	Parcel ID	Name	Address	City	State	ZIP
N	20393	0811K-04-039.001	MISS POWER CO				0
N	89887	0811L-01-038.000	MISS POWER CO				0
N	20392	0811K-04-039.000	MISS POWER CO				0
	20283	0811K-04-015.000	MURKY PROPERTIES LLC	528 KLONDYKE RD STE D	LONG BEACH	MS	39560
	20293	0811K-04-027.000	NICAUDP C LLC	1380 26TH AVE	GULFPORT	MS	39501
	20260	0811L-01-022.000	RICE SUZANNE E	5210 QUINCY AVE	GULFPORT	MS	39507
	22430	0811L-01-029.000	ROBERDS BROS LLC	15506 LEMOYNE BLVD	BILOXI	MS	39532
	20294	0811K-04-026.000	SALLOUM JOE ETAL	P O BOX 1176	GULFPORT	MS	39502
	22431	0811L-01-029.001	SALLOUM JOSEPH N ETAL	P O BOX 1176	GULFPORT	MS	39502
	89882	0811L-01-016.000	TRIPLE R REAL ESTATE LLC	4 TARA PLACE	METAIRIE	LA	70002
N	20265	0811L-01-017.000	TRIPLE R REAL ESTATE LLC	4 TARA PLACE	METAIRIE	LA	70002
	20287	0811K-04-033.000	TRULLENDER SHERRY L	1313 25TH AVE	GULFPORT	MS	39501
	22429	0811L-01-030.000	VINCENZO PROPERTIES LLC	1025 BIENVILLE ST STE 5	NEW ORLEANS	LA	70122
	20389	0811K-04-036.002	VML PROPERTIES LLC	5 BAYOU OAK LANE	GULFPORT	MS	39503
N	20390	0811K-04-036.001	VML PROPERTIES LLC	5 BAYOU OAK LANE	GULFPORT	MS	39503
	89880	0811L-01-012.000	WAREHOUSE 1928 LLC	1517 29TH AVE	GULFPORT	MS	39507
	20512	0811L-01-035.000	Z COAST PROPERTIES LLC	720 BELLANDE AVE	OCEAN SPRINGS	MS	39564

Special Exception



THANK YOU for your legal submission!

Your legal has been submitted for publication. Below is a confirmation of your legal placement. You will also receive an email confirmation.

ORDER DETAILS**Order Number:**

IPL0083647

Order Status:

Submitted

Classification:

Legals & Public Notices

Package:

BLX - Legal Ads

Final Cost:

42.72

Payment Type:

Account Billed

User ID:

IPL0024925

ACCOUNT INFORMATION

GULFPORT URBAN DEVELOPMENT IP

PO BOX 1780

GULFPORT, MS 39502

228-868-5705

AccountsPayable@gulfport-ms.gov

GULFPORT URBAN DEVELOPMENT

TRANSACTION REPORT**Date**

July 29, 2022 9:38:25 AM EDT

Amount:

42.72

SCHEDULE FOR AD NUMBER IPL00836470

August 3, 2022

SunHerald (Biloxi)

PREVIEW FOR AD NUMBER IPL00836470**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, August 18, 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 2204ZB050, by owners Jack & Kelly Krongard, tax parcel 10100-02-002.000, Requests variance for fence height, 1942 Beach Dr, Zoned R-1-7.5 (Single-family), Ward 2

Variance 2205ZB092, by agent Jesse Vincent, tax parcel 0910N-06-012.000, Variances for backing into the right-of-way & gravel parking, 410 32nd St, Zoned B-2 (General business), Ward 4

Variance 2209ZB149, by owners Gregory and Melinda Wyrosdick, tax parcel 1010C-01-001.019, Requests variance for setback, Channelside Drive, Zoned R-2 (Single-family), Ward 5

Variance 2209ZB150, by owner Walter A Karnes, tax parcel 1008N-01-076.000, Requests variances for accessory structure quantity and size, 11162 Ellis Dr, Zoned R-1-10 (Single-family), Ward 6

Variance 2209ZB152, by owner 605 Holdings, LLC, tax parcel 1010F-02-041.000, Variance for wall sign location, 1423 Magnolia St, Zoned T5 (Urban Center Zone), Ward 4

Special Exception 2209SE153, by owner 605 Holdings, LLC., tax parcel 1010F-02-041.000, Requests liquor store use, 1423 Magnolia Street, Zoned T5 (Urban Center Zone), Ward 4

Variance 2207ZB154, by owner Richard & Patricia Rogers, tax parcel 0807G-01-038.000, Requests variances for accessory structure quantity and size, 14451 S. Swan Rd. Zoned R-1-15 (Single-family), Ward 7

Special Exception 2209SE156, by agent Demetra Birch, tax parcel 0811K-04-021.000, Requests liquor store use, 2610 13th St, Zoned T5 (Urban Center Zone), Ward 2

This the 28th day of July 2022
A. Lee Palermo, Chairman
City of Gulfport Zoning Board of Adjustment and Appeals
W000000000
Publication Dates

[<< Click here to print a printer friendly version >>](#)

THANK YOU for your legal submission!

Your legal has been submitted for publication. Below is a confirmation of your legal placement. You will also receive an email confirmation.

ORDER DETAILS**Order Number:**

IPL0084333

Order Status:

Submitted

Classification:

Legals & Public Notices

Package:

BLX - Legal Ads

Final Cost:

57.84

Payment Type:

Account Billed

User ID:

IPL0024925

ACCOUNT INFORMATION

GULFPORT URBAN DEVELOPMENT IP

PO BOX 1780

GULFPORT, MS 39502

228-868-5705

AccountsPayable@gulfport-ms.gov

GULFPORT URBAN DEVELOPMENT

TRANSACTION REPORT**Date**

August 3, 2022 3:23:29 PM EDT

Amount:

57.84

SCHEDULE FOR AD NUMBER IPL00843330

August 10, 2022

SunHerald (Biloxi)

PREVIEW FOR AD NUMBER IPL00843330**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 Gulfport City Planning Commission will hold a public hearing in the City of Gulfport, Mississippi at 4:30 P.M., Thursday, August 25, 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.

Planning Commission Approval 2208PC139, by owner Leslie North, tax parcel 0911E-04-029.001, Request home occupation for real estate office, 896 2nd St, Zoned R-1-7.5 (Single-family), Ward 2

Planning Commission Approval 2208PC140, by owner South MS Holding, LLC, tax parcel 0808K-03-113.001, Request for a CBD oil sales use, 15142 Dedeaux Rd, Zoned R-B (Residence-business), Ward 7

Planning Commission Approval 2208PC142, by agent David Chadwick Riemann, tax parcel 0808P-01-010.003, Request for funeral home, mortuary or undertaking establishment use, Three Rivers Road, Zoned B-2 (General business), Ward 5

Planning Commission Approval 2208PC143, by owner Ted Miller, tax parcels 0810N-04-050.000 & 0810N-04-051.000, Request for collision repair use, 2311 29th St., Zoned B-2 (General business), Ward 3

Zoning Map Amendment 2208PC144, by agent Gulf Coast Development & Design, LLC, tax parcel 0809A-01-010.000 & 0808P-01-012.000, Requests to rezone from R-1-10 (Single-family) to RB (Residence-business), o Three Rivers Road, Ward 5

Zoning Map Amendment 2208PC145, by agent M & P Development, LLC., tax parcels 1011C-01-010.000, 1010N-04-029.000, Request to rezone from T4L (General Urban Zone Limited) and T4+ (General Urban Zone "Plus"), to T5 (Urban Center Zone), Ward 2

Final Plat 2208PC147, by agent Heinrich & Associates, LLC, tax parcel 0711N-02-102.000 & 0711N-02-103.000, Approval of Final Plat for 7-lot subdivision (Finley Subdivision), W Beach Blvd, Finley St, & Maria Ave, Zoned T4L (General Urban Zone "Limited"), Ward 2

General Plan 2208PC148, by agent Brown, Mitchell, & Alexander, Inc., tax parcels 0908C-01-001.000 & 0908E-01-001.001, Approval of a General Plan for a 46 lot subdivision (Florence Gardens Phase X), Zoned T4+ (General Urban Zone "Plus"), Ward 6

Zoning Map Amendment 2209PC151, by owners Kenneth & Sherry Simmons, tax parcels 0910N-01-006.000, 0910N-01-016.000, & 0910N-01-015.000, request to rezone from B-2 (General business) to R-B (Residence business) ward 4

Special Exception 2209SE153, by owner 605 Holdings, LLC., tax parcel 1010F-02-041.000, Requests liquor store use, 1423 Magnolia Street, Zoned T5 (Urban Center Zone), Ward 4

Special Exception 2209SE156, by agent Demetra Birch, tax parcel 0811K-04-021.000, Requests liquor store use, 2610 13th St, Zoned T5 (Urban Center Zone), Ward 2

This the 3rd day of August 2022
Keith Williams, Chairman
City of Gulfport Planning Commission
W00000000
Publication Dates

[<< Click here to print a printer friendly version >>](#)

RE: Special Exception 2209SE156, by agent Demetra Birch, tax parcel 0811K-04-021.000, Requests liquor store use, 2610 13th St, Zoned T5 (Urban Center Zone), 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, August 18, 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, August 18, 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.

RE: Special Exception 2209SE156, by agent Demetra Birch, tax parcel 0811K-04-021.000, Requests liquor store use, 2610 13th St, Zoned T5 (Urban Center Zone), Ward 2

To Applicants and Adjacent Property Owners:

The City of Gulfport Planning Commission will hold a public hearing to consider the above application at 4:30 P.M. on **Thursday, August 25, 2022**, in the Council Chambers at the Gulfport City Hall located at 2309 15th Street.

For more information, visit <http://www.gulfport-ms.gov/agenda/> then click the City of Gulfport Planning Commission for **Thursday, August 25, 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.