

AGENDA
ZONING BOARD OF ADJUSTMENT AND APPEALS
CITY HALL COUNCIL CHAMBERS
THURSDAY, SEPTEMBER 15, 2022 AT 3:00 PM

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

F1. Zoning Board Meeting - August 18, 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 2209ZB164

Variance 2209ZB164, by owner City of Gulfport, tax parcel 0811K-03-042.000,
Request variance for sign setbacks, 1300 24th Ave, Zoned T6 (Urban Core Zone), Ward
2

2. Variance 2209ZB165:
Withdrawn

Variance 2209ZB165, by agent Timothy White, tax parcel 1010I-01-059.002, Variance
for setback, 2609 Palmer Dr, Zoned R-1-7.5 (Single-family), Ward 2

H. Adjournment

MINUTES

ZONING BOARD OF ADJUSTMENT AND APPEALS MEETING

Thursday, August 18, 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 **3:01pm**.
- 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
JONATHAN MARSHALL
MICHAEL DANIELS

BOARD MEMBERS ABSENT:

NONE

STAFF MEMBERS PRESENT

GREG HOLMES
CORY LONG
MATILDA WELCH
CHRISTINA HIGHSMITH

COURT REPORTER:

NORMA SOROE - ABSENT

E. Confirmation of Agenda:

F. Approval of Minutes:

Motion by **Mr. Pharr** and seconded by **Mrs. Wigington** to approve Minutes of the **July 21, 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 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

Speaking for the Petition: Jesse Vincent

Speaking against the Petition: None

Motion: Mr. Boddie – To approve applicant request.

Second: Mrs. North

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

Action: Motion carried unanimously.

2. 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

Speaking for the Petition: Greg Wyrosdick

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	- Yea
Robert Pharr	- Yea
Nathan Boddie	- Yea
Jonathan Marshall	- Yea

Action: Motion carried unanimously.

3. 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

Speaking for the Petition: Todd Lafferty

Speaking against the Petition: None

Motion: Mrs. Leslie North – To approve applicant request.

Second: Mr. Pharr

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

Action: Motion carried unanimously.

4. 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

Speaking for the Petition: Todd Lafferty

Speaking against the Petition: None

Motion: Mrs. North – To approve applicant request.

Second: Mrs. Wigington

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

Action: Motion carried unanimously.

5. 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

Speaking for the Petition: Richard Rogers

Speaking against the Petition: None

Motion: Mrs. Wigington – To approve applicant request.

Second: Mr. Pharr

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

Action: Motion carried unanimously.

6. 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

Speaking for the Petition: Demetra Birch

Speaking against the Petition: None

Motion: Mrs. North – To approve applicant request.

Second: Mr. Marshall

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

Action: Motion carried unanimously.

Adjournment:

Motion by **Mrs. Wigington** to adjourn the meeting was seconded by **Mr. Pharr** and carried unanimously. The meeting adjourned **3:20p.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: September 15, 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: September 15, 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: September 15, 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: September 15, 2022

Re: Variance 2209ZB164

Variance 2209ZB164, by owner City of Gulfport, tax parcel 0811K-03-042.000, Request variance for sign setbacks, 1300 24th Ave, Zoned T6 (Urban Core Zone), Ward 2

Technical Report

VARIANCE

GENERAL INFORMATION

Case File Number: 2209ZB164

Hearing Date: September 15, 2022

Current Zoning/Use: T6 / Commercial Structure

Legal: Variance 2209ZB164, by owner City of Gulfport, tax parcel 0811K-03-042.000, Request variance for sign setbacks, 1300 24th Ave, Zoned T6 (Urban Core Zone), Ward 2

TECHNICAL DETAILS

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

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

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

D.12

Technical Report

VARIANCE

The applicant requests a variance to allow a 3-foot front yard setback where 10-feet is required for a free standing sign located at 1300 24th Avenue zoned T-6 (Urban Core Zone). The City of Gulfport Sign Ordinance requires a sign to have the following front, side, and rear setbacks. 10-Foot front yard setback, 5-foot side yard setback, and a 5-foot rear setback from the existing building. Thus, the applicant requires a variance of 7-feet for the sign to remain. In addition, the applicant did not consult with the city about the permitting process nor setback requirements and built the sign without a sign permit; therefore, the variance must be approved to remain.

- (a) The applicant notes that the National Register designation comes restrictions dealing with placing signs on the building; therefore, the applicant is asking for variance for the front setback.
- (b) The ordinance states that special conditions and circumstances do not result from the actions of the applicant. The distance from the front property line to the existing building is approximately 10-feet. Therefore, a variance would be inevitable because of the existing conditions of the land. Further, the applicant meet all other required setbacks.
- (c) The applicant feel the hardship is created by the physical character of the property.
- (d) The ordinance states that the 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. Thus, several approvals for wall signs has been granted in this particular area.
- (e) Further, the ordinance states 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) This property is zoned T6 and a free standing sign is an allowable use with the approved setback requirements.

EXECUTIVE SUMMARY

The existing front yard-building setback is approximately 10-feet. Therefore, a variance is needed to allow the freestanding sign to be placed in the front due to the existing conditions.

Any approval should consider these conditions:

1. Approval would allow for a 3-foot front yard setback for a freestanding sign where 10-feet is required.

DEPARTMENTAL CONDITIONS

Engineering: No conditions. Memo dated 9/1/2022.

Public Works: No conditions. Memo dated 9/1/2022.

Traffic and Safety: No conditions. Memo dated 9/1/2022.

12.12

Technical Report

VARIANCE

Building Code Services: No conditions. Memo dated 9/9/2022.

GIS: No conditions. Memo dated 9/6/2022.

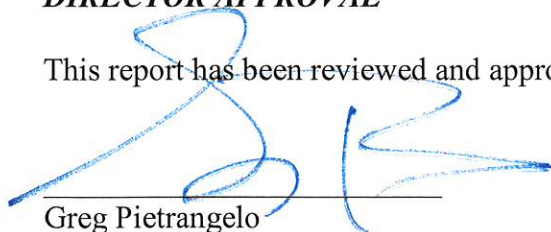
Police Department: No conditions. Memo dated 9/2/2022.

Fire Department: No conditions. Memo dated 8/30/2022.

City Arborist: No conditions. Memo dated 8/31/2022.

DIRECTOR APPROVAL

This report has been reviewed and approved by:



Greg Pietrangelo
Director of Urban Development Department

24TH AVE

Ward 2

13TH ST

0811K-03-041.000
CHERS PATIO GULFPORT PROPERTIES LLC
47716.8 Sq FT

0811K-03-042.000
GULFPORT CITY OF
4296.6 Sq FT

1300 24TH AVE

CITY OF
GULFPORT

0811K-03-043.000
CHERS PATIO GULFPORT PROPERTIES LLC
5705.9 Sq FT

0811K-03-044.000
DIXON FINANCIAL SERVICES LTD
25321.8 Sq FT

21

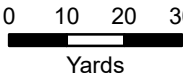
20

19



- Site
- US or State Highway
- Street
- Parcels
- Buildings
- Smart Code**
 - T6
 - T5
- Zoning**
 - B-2 - General Business District

Site Information
 0811K-03-042.000
 Zoning: T6 (Urban Core Zone)
 Size: 4,296 Sq.ft.
 Flood: AE



1 inch = 100 feet

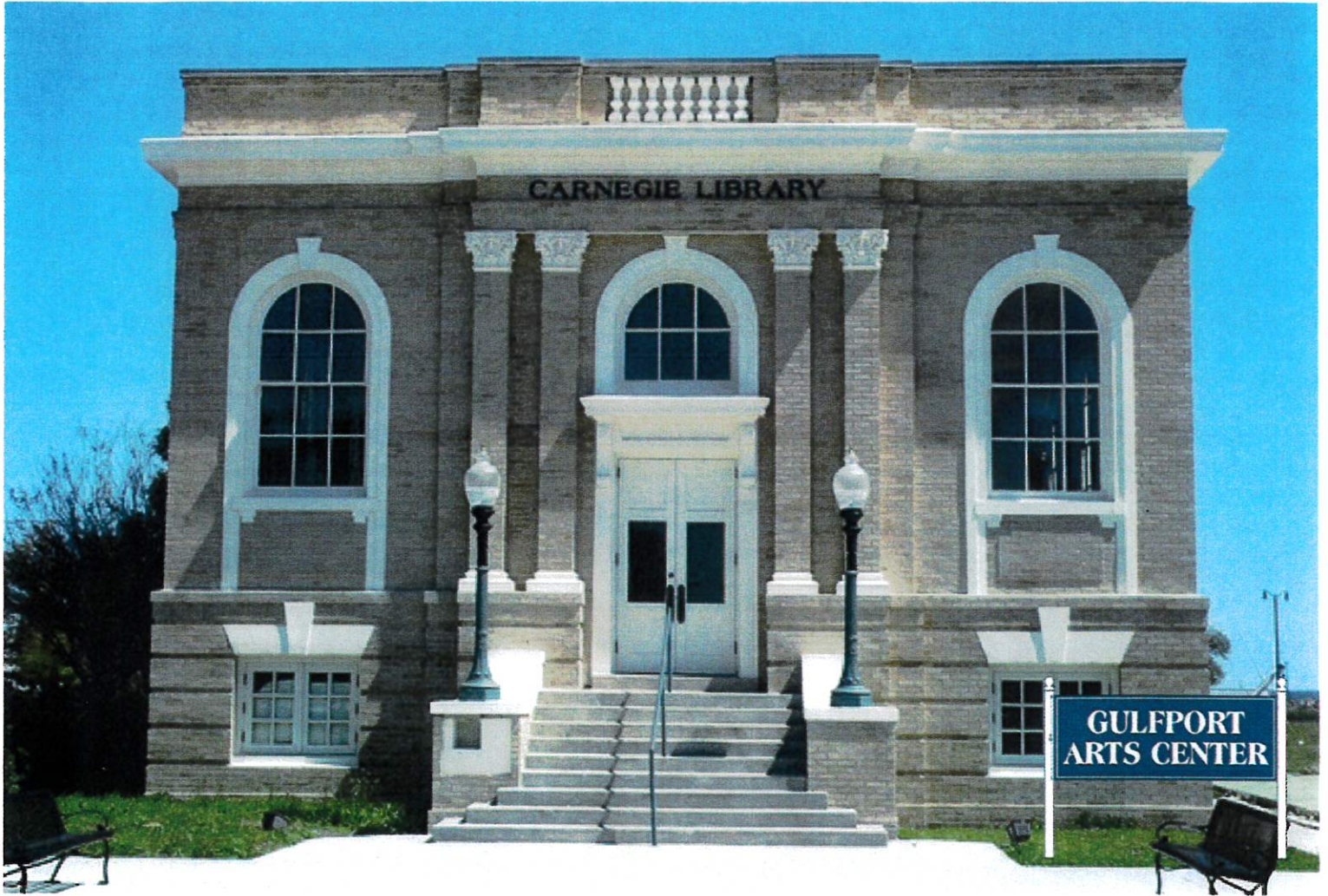


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Size: _____

Page 1 of 5



36 in

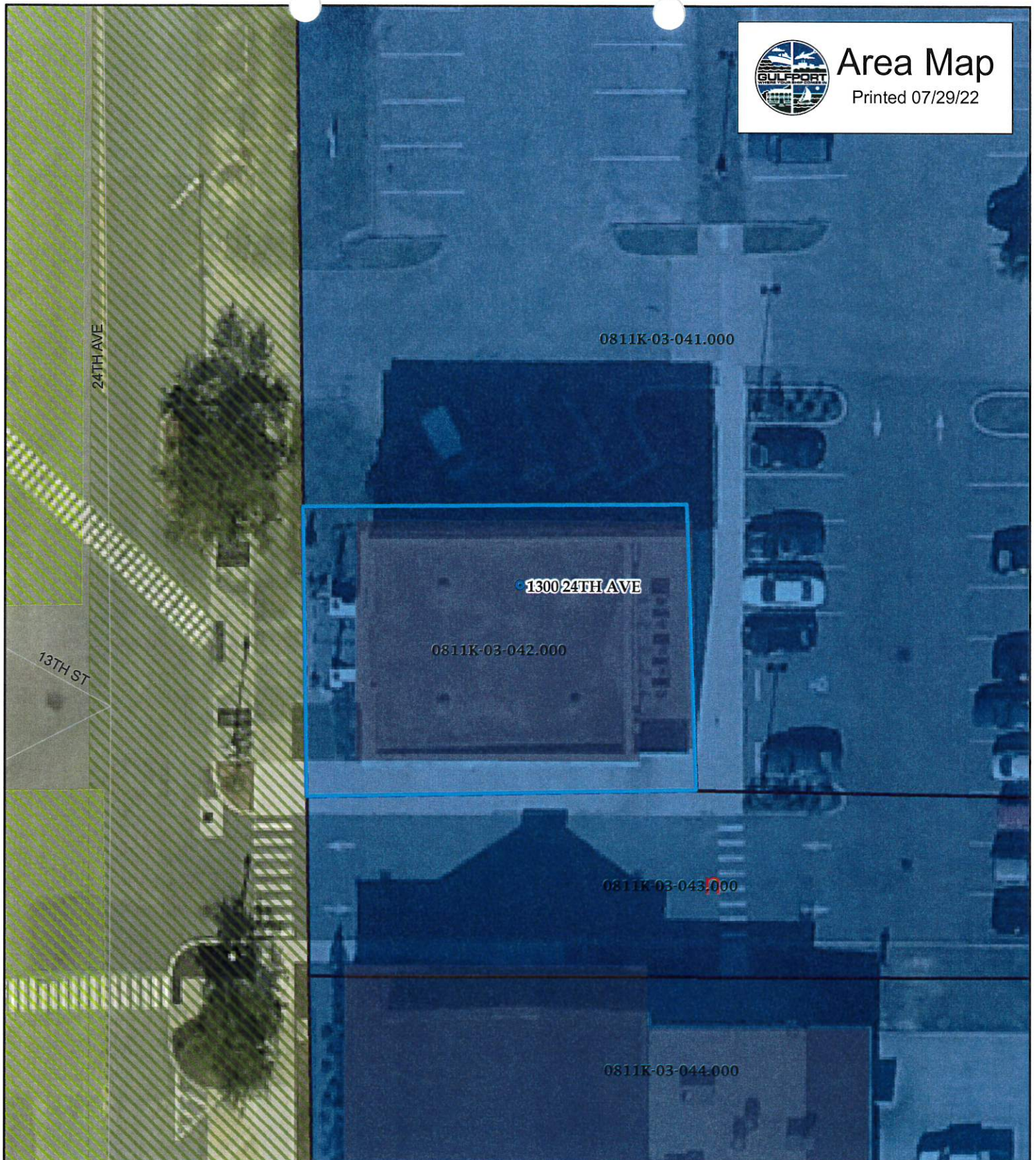
**GULFPORT
ARTS CENTER**

96 in



Area Map

Printed 07/29/22



- Addresspoints
- ▭ Parcels



1 inch = 25 feet

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Business Development

P.O. Box 1780
Gulfport, MS 39502
Phone: 228-868-3414
Fax: 228-868-5800

July 29, 2022

City of Gulfport
Urban Development
Planning Division

City Hall
2309 15th St.
Gulfport, MS 39501

RE: Application for a Sign Variance

The Carnegie Library located at 1300 24th Avenue is owned by the City of Gulfport. It is listed on the National Register for Historic Buildings. The building was acquired by the City in 2012 following its restoration utilizing funds from, among other sources, the Mississippi Department of Archives and History. The City leases the building to the Gulfport Arts Center for the purpose of establishing a public art gallery and place for public arts education, teaching and arts related programming.

With the National Register designation comes restrictions dealing with placing signs on the building. We are requesting a variance for a set-back for the signage, as depicted in the attached rendering. A sign will not be able to be installed without the variance for the set-back, hindering the progress and success of the public art gallery.

Please let me know if you have any questions or concerns.

Thank you,

A handwritten signature in blue ink, reading "Laurie Toups".

Laurie Toups
Business Development Manager
City of Gulfport



Covenant Affidavit

I, Laurie Toups

PRINT NAME

being owner or agent of the property

1300 24th Avenue

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.

Laurie Toups

Signature

7/28/22

Date

STATE OF MISSISSIPPI | COUNTY OF HARRISON

Given under my hand and seal of office this the 29th day of July, 2022

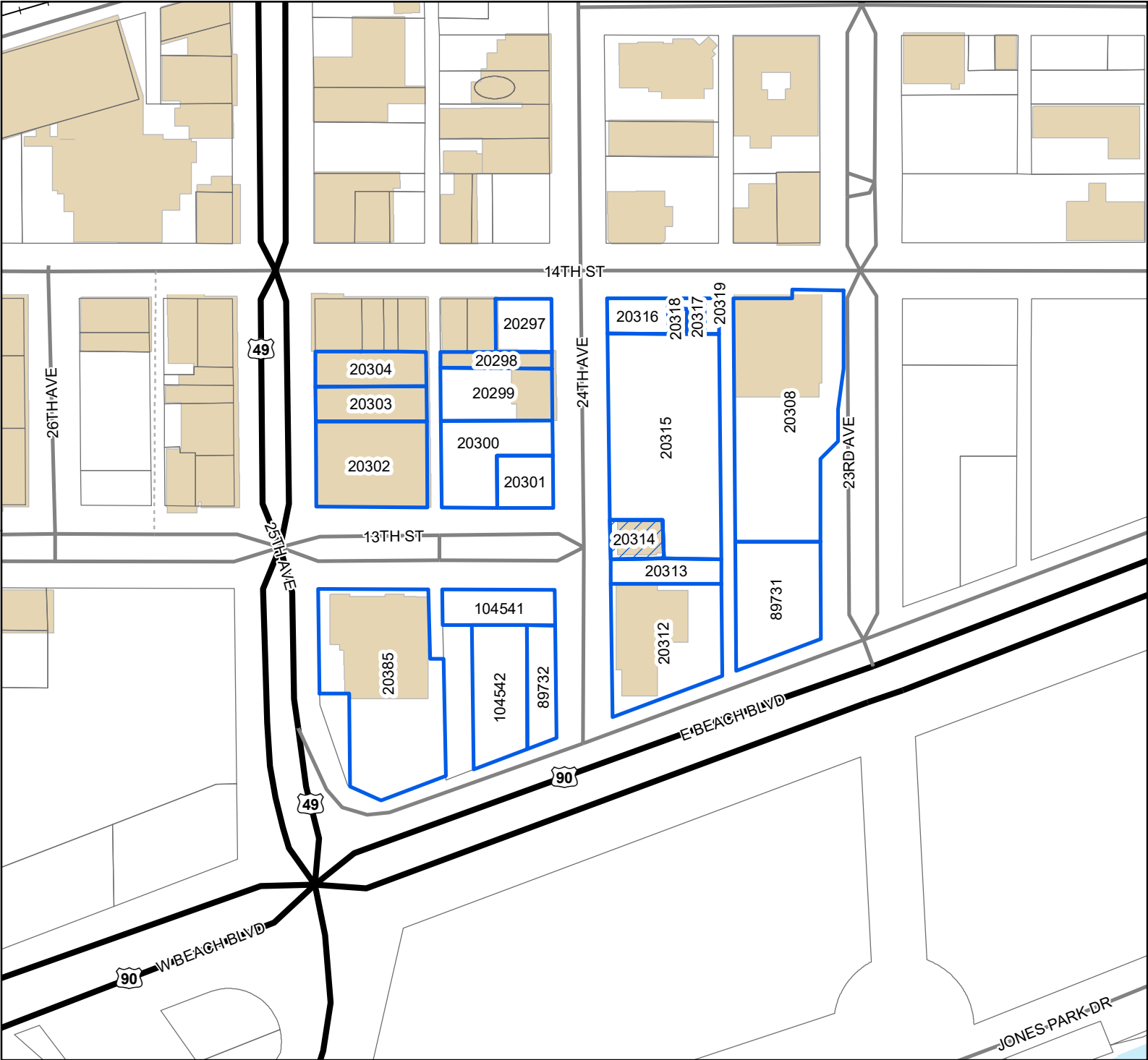
Ruth E. Rock

Notary Public



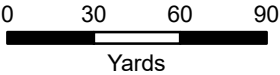
3/9/2025

Commission Expiration



Legend

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



1 inch = 200 feet



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Mail	PPIN	Parcel ID	Name	Address	City	State	ZIP
	20314	0811K-03-042.000	CITY OF GULFPORT (OWNER)	P O BOX 1780	GULFPORT	MS	39502
			Adjacent Property Owners (2209ZB164)				
	20308	0811K-03-047.000	MARKHAM HOTEL LLC	195 E BEACH BLVD STE 900	BILOXI	MS	39530
	20316	0811K-03-037.000	MUTHS SHERMAN JR ETAL C/O SAWYER REAP	O DRAWER 490	GULFPORT	MS	39502
	20318	0811K-03-038.000	BORSI DAVID	9053 BREWER CREEK PLACE	MAMASSAS	VA	20109
	20297	0811K-03-036.000	TOMOHAWK PROPERTIES LLC	P O BOX 2009	GULFPORT	MS	39505
	20314	0811K-03-042.000	GULFPORT CITY OF	P O BOX 1780	GULFPORT	MS	39502
	20385	0811K-03-050.000	U S GOVT	MAJOR FACILITIES OFFICE	MEMPHIS	TN	38166
	104541	0811K-03-048.001	UNITED STATES POSTAL SERVICE	475 L'ENFANT PLAZA SW	WASHINGTON	DC	20260
N	104542	0811K-03-048.002	UNITED STATES POSTAL SERVICE	475 L'ENFANT PLAZA SW	WASHINGTON	DC	20260
N	89732	0811K-03-048.000	UNITED STATES POSTAL SERVICE	475 L'ENFANT PLAZA SW	WASHINGTON	DC	20260
	20303	0811K-03-028.000	THIRTEEN TEN BLDG PARTNERSHIP	1310 25TH AVE	GULFPORT	MS	39501
	20298	0811K-03-033.000	MT PLEASANT PROPERTIES LLC	1319 24TH AVE	GULFPORT	MS	39502
	89731	0811K-03-045.000	MARKHAM HOTEL LLC	195 E BEACH BLVD STE 900	BILOXI	MS	39530
	20312	0811K-03-044.000	DIXON FINANCIAL SERVICES LTD	1825 UPLAND DR	HOUSTON	TX	77043
	20315	0811K-03-041.000	CHERS PATIO GULFPORT PROPERTIES LLC	100 TITUS BLVD	HATTIESBURG	MS	39402
	20299	0811K-03-032.000	WETZEL JAMES K & GARNETTE ANN	P O DRAWER I	GULFPORT	MS	39502
	20301	0811K-03-030.000	FIRST THE	6480 HWY 98 W	HATTIESBURG	MS	39404
	20304	0811K-03-027.000	BALCH GULFPORT HOLDINGS LLC	1310 25TH AVE	GULFPORT	MS	39501
	20300	0811K-03-031.000	FIRST THE	6480 HWY 98 W	HATTIESBURG	MS	39404
	20313	0811K-03-043.000	CHERS PATIO GULFPORT PROPERTIES LLC	100 TITUS BLVD	HATTIESBURG	MS	39402
	20317	0811K-03-039.000	BORSI DAVID	9053 BREWER CREEK PLACE	MAMASSAS	VA	20109
	20319	0811K-03-040.000	MARKHAM HOTEL LLC	195 BEACH BLVD	BILOXI	MS	39530
	20302	0811K-03-029.000	SALLOUM YVONNE K ETAL	P O BOX 1176	GULFPORT	MS	39502

MW

Variance 2209ZB164, by owner City of Gulfport, tax parcel 0811K-03-042.000, Request variance for sign setbacks, 1300 24th Ave, Zoned T6 (Urban Core 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, September 15, 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, September 15, 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.

A
8/26/22**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:**

IPL0087538

Order Status:

Submitted

Classification:

Legals & Public Notices

Package:

BLX - Legal Ads

Final Cost:

24.00

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 25, 2022 12:24:39 PM EDT

Amount:

24.00

SCHEDULE FOR AD NUMBER IPL00875380

August 31, 2022

SunHerald (Biloxi)

PREVIEW FOR AD NUMBER IPL00875380**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, September 15, 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 2209ZB164, by owner City of Gulfport, tax parcel 0811K-03-042.000, Request variance for sign setbacks, 1300 24th Ave, Zoned T6 (Urban Core Zone), Ward 2

Variance 2209ZB165, by agent Timothy White, tax parcel 1010I-01-059.002, Variance for setback, 2609 Palmer Dr.; Zoned R-1-7.5 (Single-family), Ward 2

This the 24th day of August 2022
A. Lee Palermo, Chairman
City of Gulfport Zoning Board of Adjustment and Appeals
W00000000
Publication Dates

MEMORANDUM

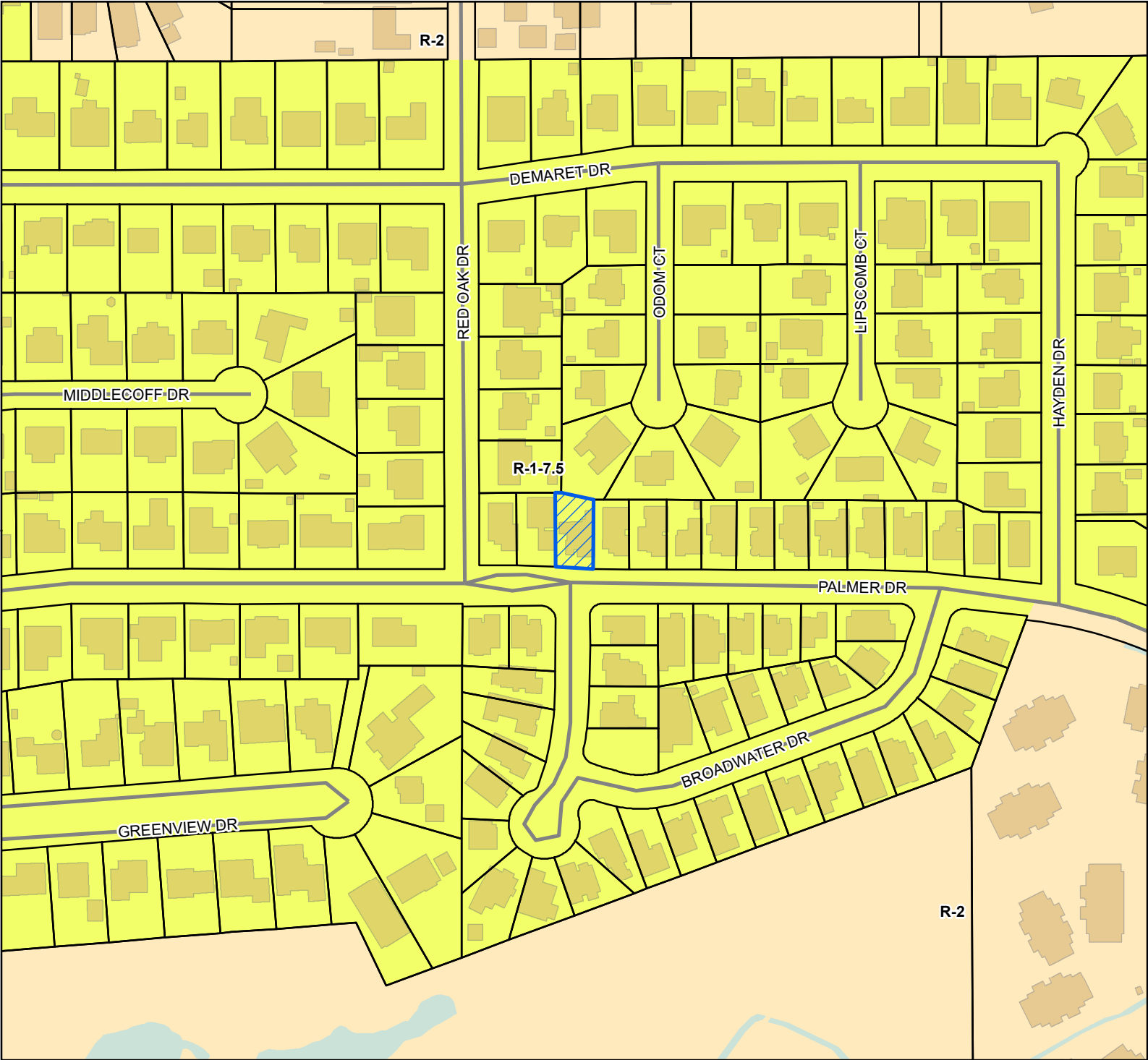
To: City of Gulfport Zoning Board of Adjustment and Appeals

From: Greg Holmes, Planning Administrator
Urban Development Department

Date of Hearing: September 15, 2022

Re: Variance 2209ZB165:
Withdrawn

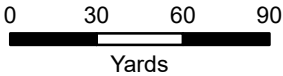
Variance 2209ZB165, by agent Timothy White, tax parcel 1010I-01-059.002, Variance for setback, 2609 Palmer Dr, Zoned R-1-7.5 (Single-family), Ward 2



- Site
- Street
- Parcels
- Buildings
- Water Features

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

Site Information
1010I-01-059.002
Zoning: R-1-7.5 (Single-family residence)
Size: 5,706 Sq.ft.
Flood: X



1 inch = 200 feet



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\$75.00 Fee



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

For Staff Use Only

Case File # 2209 ZB165Date Received: 8/11/2022

Receipt #: _____

Received By: _____

Zoning: R-1-7.5Ward: 2 Flood: XSize: 5,706 sqft.

(If necessary, use separate sheet of paper)

APPLICATION FOR VARIANCE

Property Information

TAX PARCEL #	1	0	1	0	1	-	0	1	-	0	5	9	●	0	0	2
						-			-				●			
						-			-				●			

Address of Property Involved: 2609 Palmer Drive, Gulfport MS 39507Lot(s) _____, Block(s) _____, Subdivision Broadwater Place SubdivisionGeneral Location: Broadwater Place Subdivision, between Cowan and Dubuys Road N/S, and Pass Road/Highway 90 E/W

GENERAL DESCRIPTION OF REQUEST:

Requesting a setback variance of approximately 2 feet in order to comply with zoning ordinance, for the purpose of
demolishing and rebuilding an existing sunroom addition that was damaged during zeta and Ida.

We intend to rebuild the sunroom in the existing footprint of the home.

OWNERSHIP AND CERTIFICATION:

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

OWNER

Whitney Harris

Printed Name Of Owner
2609 Palmer Drive

Mailing Address

Gulfport MS 39507

City State Zip code
228-235-6916 919-519-5919

Home Phone Work/Cell Phone
harris.whitney605@gmail.com

Email

Signature Of Owner

AGENT

Timothy White for Mississippi Roofing & Construction Co

Printed Name Of Agent
3270 Bay Shore Drive

Mailing Address

D'Iberville MS 39540

City State Zip code
228-346-8598 228-447-3320

Home Phone Work/Cell Phone
tim@msroofconstruction.com

Email

Signature Of Agent

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

☐

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



Designation of Agent

I, Whitney Harris, being owner of the property 2609 Palmer Drive
PRINT NAME PRIMARY ADDRESS OF PARCEL
which is the subject of this application hereby authorize Timothy White to act as my
PRINT NAME
representative with the City of Gulfport's Zoning Board of Adjustment and Appeals, and/or Planning
Commission, and/or City Council, and/or permitting and licensing, as required by the City.

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

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

Signature

29 July 2022

Date

STATE OF MISSISSIPPI | COUNTY OF HARRISON

Given under my hand and seal of office this the 29th day of July, 2022

Notary Public

05/06/2024

Commission Expiration





Covenant Affidavit

I, Whitney Harris, being owner or agent of the property 2609 Palmer Drive, Gulfport Ms 39507
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

29 July 2022

Date

STATE OF MISSISSIPPI | COUNTY OF HARRISON

Given under my hand and seal of office this the 29th day of July, 2022

Notary Public



05/06/2024

Commission Expiration

Zoning Variance Questions for 2609 Palmer Drive

Q1. Demonstrate that special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same district. (i.e., What is special about your property that you need to request a variance?)

A1. There is a sunroom addition to the house on my property that is two feet short from the zoning code for setbacks on a side yard. The code calls for an 8ft setback, but there is only 6 ft from the west wall of the sunroom to my property line. Storms Zeta and Ida irreparably damaged that structure, and my insurance company is paying to have it demolished and rebuilt.

Q2. Demonstrate that the special conditions and circumstances do not result from the actions of the applicant. (i.e., Show that you did not cause the need for the variance.)

A2. The sunroom addition was built by a previous homeowner, prior to my purchase of the property in 2017. I wasn't aware of the zoning ordinance when I purchased this property.

Q3. Demonstrate that an unnecessary hardship is created by the physical character of the property and is peculiar and unusual to such an extent that it is evidence that amendment of the zoning ordinance does not offer a reasonable solution. (i.e., Explain what your hardship is and why the property cannot comply with the zoning ordinance. Further, explain why this hardship is not commonly found on other properties?)

A3. My property had extensive damages after hurricanes Zeta and Ida, including the sunroom. I am just trying to restore my home to its previous livable condition. In order to comply with the zoning ordinance as written, I would have to remove the sunroom addition completely, decreasing my home's value.

Q4. Demonstrate how the literal interpretation of the provisions of the zoning ordinance would deprive the applicant of rights commonly enjoyed by properties in the same district under the terms of the zoning ordinance. (i.e., Explain how the request meets the right of reasonable economic return and/or the right to reasonable development of your property which might generally be expected in your district.)

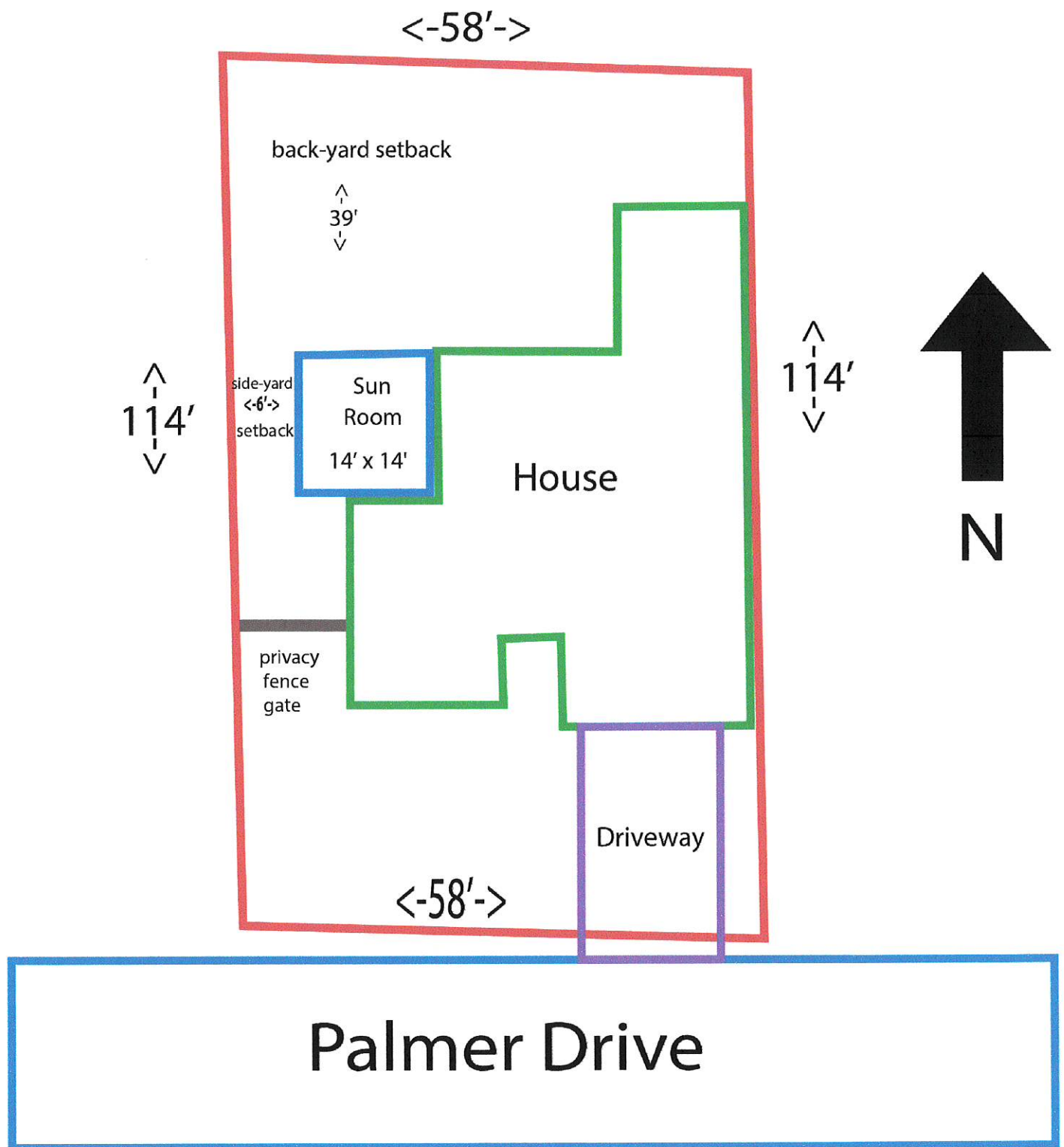
A4. Since I am only attempting to restore my property to its previous condition, I only want what is reasonable - to not have my property decrease in value in order to comply with this ordinance, which would cause me economic harm.

Q5. Demonstrate that the granting of the variance will not confer on the applicant any special privilege that is denied by this ordinance to other lands, structures, or buildings in the same district, other than to permit the applicant to use their property in a manner as nearly equivalent to uses generally permitted in the district considering the conditions and circumstances involved and hardship. (i.e., Will you receive any special benefit that others who follow the Zoning Ordinance cannot receive?)

A5. Since the property had been modified several years ago, as far as I am aware of, there has never been a neighbor complaint. The addition is in my back yard behind a privacy fence and is not visible from the street, therefore it is not an eyesore. I cannot imagine any possible way how granting this variance would infringe on any of my neighbor's property rights or affect the value of their property.

Q6. State whether the use proposed is permissible by right, with planning approval or by special exception with respect to uses of land or structures.

A6. I would hope that since the addition was on the property for many years prior to my purchase, and since I am not altering the current footprint to my home, that this board would see fit to grant this variance in order to restore the property back to the good, livable condition it was in when I purchased it.



Address: 2609 Palmer Ave
Zoning: R-1-7.5
Parcel #: 10101-01-059.002



J. Jordan 1st Judicial District
Instrument 2017 7481 D - J1
Filed/Recorded 10/12/2017 03:37 P
Total Fees \$ 12.00
2 Pages Recorded

Prepared By & Return To:
Schwartz, Orgler & Jordan, PLLC
12206 Hwy 49
Gulfport, MS 39503
(228) 832-8550
Our File: 171426

Index As:
Lot 3, Broadwater Place S/D, 1st JD,
Harrison Co., MS

STATE OF MISSISSIPPI
COUNTY OF HARRISON
FIRST JUDICIAL DISTRICT

WARRANTY DEED

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

**LEANSMITH II, LLC, a Mississippi limited liability company,
1000 E. BEACH BLVD
GULFPORT, MS 39501
903-517-0288**

does hereby sell, convey and warrant unto

**WHITNEY M. HARRIS, a married person,
2609 PALMER DRIVE
GULFPORT, MS 39507
(919) 519-5919**

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

Lot Three (3), BROADWATER PLACE 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 36 at Page 41 thereof, reference to which is hereby made in aid of and as a part of this description.

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

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

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

IN WITNESS WHEREOF, LEANSMITH II, LLC has caused this conveyance to be executed by its duly authorized officer, having first been duly authorized to do so, on this the 6th day of October, 2017.

LEANSMITH II, LLC

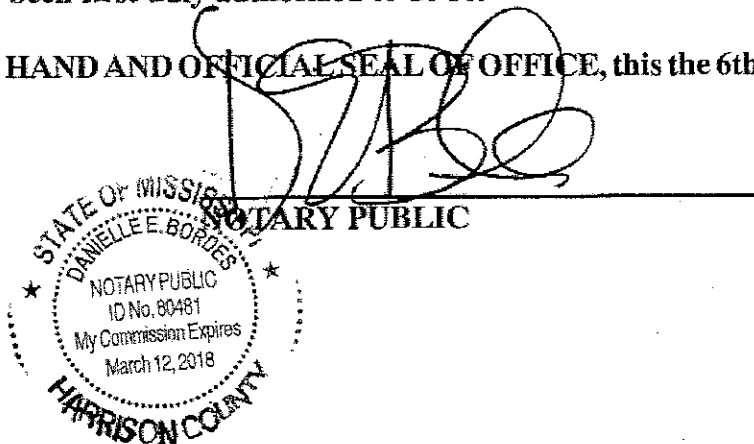
BY: 
DANNY M. SMITH, SOLE MEMBER

STATE OF MISSISSIPPI
COUNTY OF HARRISON

THIS DAY PERSONALLY CAME AND APPEARED BEFORE ME, the undersigned authority in and for the jurisdiction aforesaid, DANNY M. SMITH, who acknowledged that he is SOLE MEMBER of LEANSMITH II, LLC, and as its act and deed, signed, sealed and delivered the above and foregoing instrument of writing on the day and in the year therein mentioned, for and on behalf of said entity, having been first duly authorized to do so.

GIVEN UNDER MY HAND AND OFFICIAL SEAL OF OFFICE, this the 6th day of October, 2017.

My Commission Expires:



PERMITS/INSP PAYMENT RECPT#: 11410349
CITY OF GULFPORT
GULFPORT MS 39501

DATE: 08/01/22 TIME: 12:23
CLERK: mcunningh DEPT:
CUSTOMER#: 0

COMMENT:

CHG: PZD PLANNING AND ZO 75.00

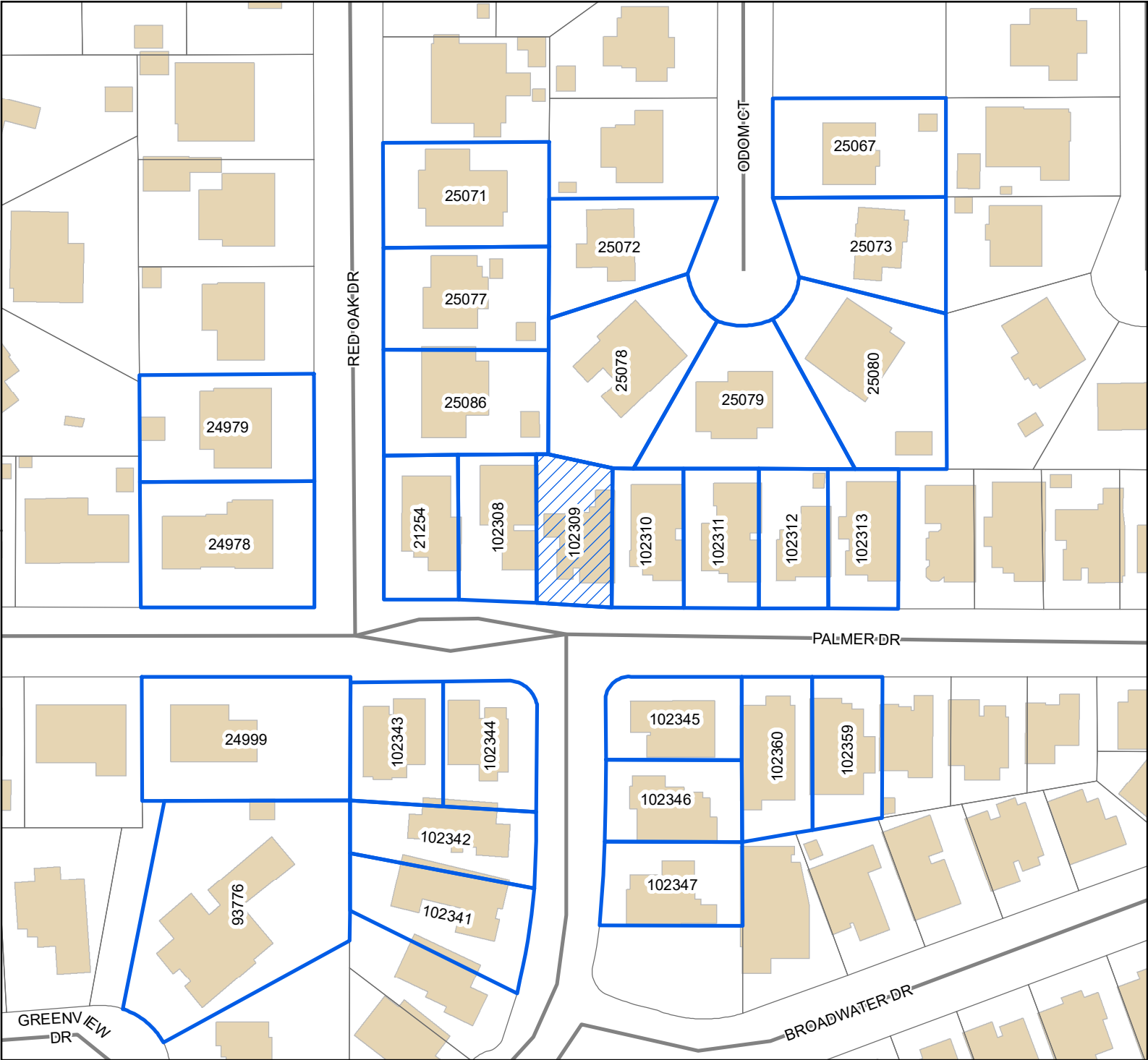
AMOUNT PAID: 75.00

PAID BY:
PAYMENT METH: CHECK
1145

REFERENCE:

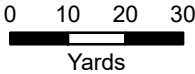
AMT TENDERED: 75.00
AMT APPLIED: 75.00
CHANGE: .00

Mail	PPIN	Parcel ID	Name	Address	City	State	ZIP
	102309	1010I-01-059.002	WHITNEY HARRIS (OWNER)	2609 PALMER DR	GULFPORT	MS	39507
	102309	1010I-01-059.002	TIMOTHY WHITE FOR MISSISSIPPI ROOFING & CONSTRUCTIO	3270 BAY SHORE DRIVE	D'IBERVILLE	MS	39540
			Adjacent Property Owners (2209ZB165)				
	25071	1010I-01-062.000	PAGANO ANTHONY R & SUSAN S	20555 SAUCIER FAIRLEY RD	SAUCIER	MS	39574
	102344	1010I-01-059.037	LIANG FANGTING & XIURONG LI	4240 LAKE SHERWOOD AVE EAST	BATON ROUGE	LA	70816
	102343	1010I-01-059.036	PATTON JULIE E	2602 PALMER DR	GULFPORT	MS	39507
	102308	1010I-01-059.001	HERRICK KATHLEEN A	2605 PALMER DR	GULFPORT	MS	39507
	102310	1010I-01-059.003	PATANO SUSAN R	2613 PALMER DRIVE	GULFPORT	MS	39507
	24978	1010I-01-068.000	DICKERSON DONALD H	2515 PALMER DRIVE	GULFPORT	MS	39507
	102360	1010I-01-059.053	BROWN PAUL WILLIAM	2618 PALMER DRIVE	GULFPORT	MS	39507
	25086	1010I-01-060.000	WEBB CHARLES R	504 RED OAK DRIVE	GULFPORT	MS	39507
	24979	1010I-01-067.000	WALLACE ANN NORTHINGTON	505 RED OAK DR	GULFPORT	MS	39507
	102346	1010I-01-059.039	DELLENGER MARY H	2615 BROADWATER DR	GULFPORT	MS	39507
	102345	1010I-01-059.038	MCINNIS HOLLYE S	2611 BROADWATER DR	GULFPORT	MS	39507
	24999	1010I-01-076.000	SANDERS CARLISA M & ARIEL K	1914 N THUNDERWOOD CIR	FRESNO	TX	77545
	102313	1010I-01-059.006	GOODELL SHEILA FAYE	2625 PALMER DR	GULFPORT	MS	39507
	25067	1010I-01-037.000	COX SHERRY D	508 ODOM CT	GULFPORT	MS	39501
	102312	1010I-01-059.005	DICKERSON PHYLLIS L	2621 PALMER DRIVE	GULFPORT	MS	39507
	25072	1010I-01-032.000	NERES NORMAN & NANCY SAGER	507 ODOM COURT	GULFPORT	MS	39507
	25078	1010I-01-033.000	BETHEA-DAVIS SKYLAR E -ETAL-	505 ODOM COURT	GULFPORT	MS	39507
	25079	1010I-01-034.000	CAMPBELL ISOLINA L	503 ODOM CT	GULFPORT	MS	39507
	93776	1010I-01-098.000	BARNES MICHAEL S & ALICIA Q	2529 GREENVIEW DR	GULFPORT	MS	39507
	102311	1010I-01-059.004	FAJARDO TERESA BOHORQUEZ	12475 CRYSTAL WELL CT	GULFPORT	MS	39503
	102359	1010I-01-059.052	BRANDMEIER ASHLEY BROOKE	2622 PALMER DR	GULFPORT	MS	39507
	25073	1010I-01-036.000	BOUDREAUX LOUIS P JR -ESTATE-	506 ODOM CT	GULFPORT	MS	39501
	102347	1010I-01-059.040	DAVIS THOMAS & RACHEL	2619 BROADWATER DR	GULFPORT	MS	39507
	102341	1010I-01-059.034	SCHULTZ GARY M & STACEY A	2618 BROADWATER DRIVE	GULFPORT	MS	39507
	21254	1010I-01-059.000	ROBINSON MARLENE & DERRON	2601 PALMER DR	GULFPORT	MS	39507
	25077	1010I-01-061.000	FORBUSH ROBERT G & MARGARET A	506 RED OAK DR	GULFPORT	MS	39507
	25080	1010I-01-035.000	CHRISTIE JASON P & AMIEE H	504 ODOM CT	GULFPORT	MS	39507
	102342	1010I-01-059.035	HANNEN MARGARET	2614 BROADWATER DR	GULFPORT	MS	39507



Legend

- Site
- Adjacent Properties
- Street
- Buildings



1 inch = 100 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.

A
8/26/22**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:**

IPL0087538

Order Status:

Submitted

Classification:

Legals & Public Notices

Package:

BLX - Legal Ads

Final Cost:

24.00

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 25, 2022 12:24:39 PM EDT

Amount:

24.00

SCHEDULE FOR AD NUMBER IPL00875380

August 31, 2022

SunHerald (Biloxi)

PREVIEW FOR AD NUMBER IPL00875380**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, September 15, 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 2209ZB164, by owner City of Gulfport, tax parcel 0811K-03-042.000, Request variance for sign setbacks, 1300 24th Ave, Zoned T6 (Urban Core Zone), Ward 2

Variance 2209ZB165, by agent Timothy White, tax parcel 1010I-01-059.002, Variance for setback, 2609 Palmer Dr.; Zoned R-1-7.5 (Single-family), Ward 2

This the 24th day of August 2022
A. Lee Palermo, Chairman
City of Gulfport Zoning Board of Adjustment and Appeals
W00000000
Publication Dates