

**AGENDA**  
**GULFPORT CITY PLANNING COMMISSION MEETING**  
**CITY HALL COUNCIL CHAMBERS**  
**THURSDAY, DECEMBER 15, 2022 AT 4:30 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. Planning Commission Meeting - November 17, 2022**

- G. Hearing of Cases**

**G1. Public Declaration of Appeal Process of Chairman**

Any person or any officer, department or agency of the City aggrieved by any decision of the Planning Commission may, within fifteen (15) days thereafter, appeal there from to the Mayor and City Council by filing with the Planning Commission a written notice of appeal specifying the decision from which the appeal is taken. In case of such appeal, the Planning Commission 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 Planning Commission. 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.

- H. Planning Commission Decisions**

**1. Planning Commission Approval 2209PC170:**

### **Remanded Back By City Council**

Planning Commission Approval 2209PC170, by agent Randy Kirby, tax parcel 0809N-03-006.002, Requests a medical cannabis dispensary use, 9113 Hwy 49, Zoned B-4 (Highway business), Ward 3

#### **2. Planning Commission Approval 2211PC194: (Postponed from November 17th Meeting)**

Planning Commission Approval 2211PC194, by owner Daniel Conwill IV, tax parcel 1011D-03-008.000, Requests for outdoor entertainment venue, 942 1/2 Beach Blvd, Zoned T5 (Urban Center Zone), Ward 2

#### **3. Planning Commission Approval 2212PC215:**

Planning Commission Approval 2212PC215, by owner Thomas Lewis, tax parcel 0807J-01-021.003, Requests a home occupation for independent freight dispatch service, 13593 Wind Rose Circle, Zoned R-1-15 (Single-family), Ward 7

#### **4. Planning Commission Approval 2212PC216:**

Planning Commission Approval 2212PC216, by owner William Caleb Boyles, tax parcel 0908J-01-024.008, Requests a home occupation for engraving and cerakoting firearms, 22 Jay Drive, Zoned R-1-10 (Single-family), Ward 6

#### **5. Appeal 2212PC222:**

Appeal 2212PC222, by agent Shaw Design Group, P.A, tax parcel 0809K-01-001.026, to Appeal City of Gulfport Design Standards, 9394 Three river Road, Zoned B-2 (General business), Ward 3

### **I. Planning Commission Recommendations**

#### **1. Zoning Map Amendment 2208PC145: Remanded Back By City Council**

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

#### **2. Zoning Map Amendment 2211PC195:**

Zoning Map Amendment 2211PC195, by owner Daniel Conwill IV, tax parcel 1011D-03-008.000, Requests rezone from T5 (Urban Center Zone) to T6 (Urban Core Zone), 942 1/2 Beach Blvd, Ward 2

#### **3. Zoning Text Amendment 2212PC225:**

Zoning Text Amendment 2212PC225, by CRC Westside, amendments to the SmartCode Zoning Article 6, as amended, Section 5.3.3 a Table 10

**4. Zoning Text Amendment 2212PC224:**

Zoning Text Amendment 2212PC224, by CRC Westside, amendments to the SmartCode Zoning Ordinance, as amended, Section 5.3.3 h

**5. Zoning Text Amendment 2212PC226:**

Zoning Text Amendment 2212PC226, by City of Gulfport, Amendments to the Comprehensive Zoning Ordinance, as amended, District Regulations, (K) Chart of Permitted Uses (2) Schedule of uses - Residential Hotel

**J. Planning Commission Subdivisions**

**1. Resubdivision 2212PC218:**  
**(Postponed to January 26th Meeting)**

Resubdivision 2212PC218, by agent Joyce Unsworth, tax parcel 07100-02-102.002, Divide into two new parcels, 4809 29th Street, Zoned B-1 (Neighborhood business), Ward 1

**2. Resubdivision 2212PC219:**  
**Withdrawn by Administration**

Resubdivision 2212PC219, by agent Jimmy Miles, tax parcel 0810N-05-023.000, Divide into three new parcels, 32nd St, Zoned B-2 (General business), Ward 3

**3. Resubdivision 2212PC220:**  
**Withdrawn by Administration**

Resubdivision 2212PC220, by agent Josh Fleming, tax parcels 0811G-02 -030.000 & 0811G-02-016.000, divide into two new parcels, 1512 E Beach Blvd & Thornton Ave, Zoned R-B (Residence-Business) Ward 2

**4. General Plan 2212PC221:**

General Plan 2212PC221, by agent Freddie Fountain with Fountain & Associates, LLC, tax parcel 0907J-01-001.005, Approval of a General Plan for 17-Lot subdivision (Plantation Oaks Subdivision - Phase III), 0 Three Rivers Road, Zoned R-B (Residence-business), Ward 6

**K. Other Business**

**1. Zoning Text Amendment 2209PC171:**  
**Remanded Back By City Council**

Zoning Text Amendment 2209PC171, by Lauren Illing, City of Gulfport, Amendments to the Comprehensive Zoning Ordinance, as amended, Section I Definitions (B) Words and Phrases Medical cannabis Establishment and Section III District Regulations, (K) Chart of Permitted Uses, (2) Schedule of Uses Medical Cannabis Dispensary

**L. Adjournment**



**MINUTES**  
**GULFPORT CITY PLANNING COMMISSION**  
**Thursday, November 17, 2022, 4:30 P.M.**  
**CITY HALL COUNCIL CHAMBERS**

- A. **Prayer**: The Planning Commission 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 **4:30 p.m.**
- D. **Determination of a Quorum**: A roll call was performed and a quorum was determined.

**BOARD MEMBERS PRESENT:**

WM. PRINCE JONES  
KEITH WILLIAMS  
HAROLD SPANN  
BJ SELLERS  
TIM DAIGLE JR.  
CHARLIE HEWES  
DOUG HANCOCK

**BOARD MEMBERS ABSENT:**

VIRGINIA ADOLPH  
GARLON PEMBERTON  
BRANDON ELLIOTT

**STAFF MEMBERS PRESENT:**

CORY LONG  
MATILDA WELCH  
LORAIN HUGHES  
KEVIN BROWN  
LESLIE ERVIN

**COURT REPORTER:**

NORMA SOROE

E. **Confirmation of Agenda**:

F. **Adoption of Minutes**:

A motion by Mr. Spann to approve Minutes of the **October 27, 2022**, meeting was seconded by Mr. Daigle and carried.

G. **Hearing of Cases**:

**G1.** The PUBLIC DECLARATION OF APPEAL PROCESS was read by the Chairperson: Any person or any officer, department or agency of the City aggrieved by any decision of the Planning Commission may within fifteen (15) days thereafter appeal there from to the mayor and City Council by filing with the Planning Commission a written notice of appeal specifying the decision from which the appeal is taken. In case of such appeal, the Planning Commission 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.** The Chairperson asked for anyone speaking at the meeting to complete a Speaker’s Card.

**G3. Routine Agenda**

**H. Planning Commission Decisions**

**1. Planning Commission Approval 2210PC178:**  
**(Corrections to advertisement)**

Planning Commission Approval 2210PC178, by agent John Dixon, tax parcel 0808L-02-017.000, Request approval to allow a medical cannabis dispensary use, 11370 HWY 49 Suite G, Zoned B-4 (Highway business), Ward 7

**Speaking for the Petition: John Dixon**

**Speaking against the Petition: None**

**Motion: Mr. Jones – To approve applicant request.**

**Second: Mr. Sellers**

KEITH WILLIAMS	– Chairman
HAROLD SPANN	– Yea
VIRGINIA ADOLPH	– Absent
CHARLIE HEWES	– Yea
BJ SELLERS	– Yea
WM. PRINCE JONES	– Yea
DOUG HANCOCK	– Yea
BRANDON ELLIOTT	– Absent
TIM DAIGLE JR	– Yea
GARLON PEMBERTON	– Absent

**Action: Motion carried unanimously.**

**2. Zoning Map Amendment 2210PC190:**  
**(Withdrawn By Applicant)**

Planning Commission Approval 2210PC190, by agent John Ravenscroft, tax parcel 0811B-01-037.000, Requests automotive sales of less than 50 vehicles & automotive laundry use, 2601 15th Ave, Zoned B-2 (General business), Ward 3

**Speaking for the Petition:**

**Speaking against the Petition:**

**Motion:**

**Second:**

KEITH WILLIAMS	– Chairman
HAROLD SPANN	–
VIRGINIA ADOLPH	–
CHARLIE HEWES	–
BJ SELLERS	–
WM. PRINCE JONES	–
DOUG HANCOCK	–
BRANDON ELLIOTT	–
TIM DAIGLE JR	–
GARLON PEMBERTON	–

**Action:**

**3. Planning Commission Approval 2209PC194:**

Planning Commission Approval 2211PC194<sub>2</sub> by owner Daniel Conwill IV, tax parcel 1011D-03-008.000, Requests for outdoor entertainment venue, 942 1/2 Beach Blvd, Zoned T5 (Urban Center Zone), Ward 2

**Speaking for the Petition: None**

**Speaking against the Petition: None**

**Motion: Mr. Daigle – to table/postpone the request to Dec. 15, 2022 due to applicant not being present at the meeting**

**Second: Mr. Spann**

- KEITH WILLIAMS – **Chairman**
- HAROLD SPANN – Yea
- VIRGINIA ADOLPH – Absent
- CHARLIE HEWES – Yea
- BJ SELLERS – Yea
- WM. PRINCE JONES – Yea
- DOUG HANCOCK – Yea
- BRANDON ELLIOTT – Absent
- TIM DAIGLE JR – Yea
- GARLON PEMBERTON – Absent

**Action: Motion carried unanimously.**

**4. Planning Commission Approval 2211PC196:**

Planning Commission Approval 2211PC196, by owner Jermille Johnson, tax parcel 0810B-03-099.000, Requests mobile home use, W Virginia Ave, Zoned R-1-5 (Single-family), Ward 3

**Speaking for the Petition: Jermille Johnson**

**Speaking against the Petition: Greg Thompson**

**Motion: Mr. Hewes – To approve applicant request with conditions.**

**Second: Mr. Hancock**

- KEITH WILLIAMS – **Chairman**
- HAROLD SPANN – Yea
- VIRGINIA ADOLPH – Absent
- CHARLIE HEWES – Yea
- BJ SELLERS – Yea
- WM. PRINCE JONES – Yea
- DOUG HANCOCK – Yea
- BRANDON ELLIOTT – Absent
- TIM DAIGLE JR – Yea
- GARLON PEMBERTON – Absent

**Action: Motion carried unanimously.**

**5. Planning Commission Approval 2211PC199:**

Planning Commission Approval 2211PC199, by agent Terrell Roddy, tax parcel 0808D-04-004.000, Requests to allow a medical cannabis dispensary use, 12407 HWY 49 N, Zoned B-4 (Highway business), Ward 7

**Speaking for the Petition: Terrell Roddy**

**Speaking against the Petition: None**

**Motion: Mr. Sellers – To approve applicant request with conditions.**

**Second: Mr. Hancock**

- KEITH WILLIAMS – **Chairman**
- HAROLD SPANN – Yea
- VIRGINIA ADOLPH – Absent
- CHARLIE HEWES – Yea
- BJ SELLERS – Yea
- WM. PRINCE JONES – Yea
- DOUG HANCOCK – Yea
- BRANDON ELLIOTT – Absent
- TIM DAIGLE JR – Yea
- GARLON PEMBERTON – Absent

**Action: Motion carried unanimously.**

**6. Special Exception 2211SE200:  
(Withdrawn by Administration)**

Special Exception 2211SE200, by agent Adeeb Botros, tax parcel 0810C-03-059.000, Requests liquor store use, 8304 HWY 49 B, Zoned B-4 (Highway business), Ward 3

**Speaking for the Petition:**

**Speaking against the Petition:**

**Motion:**

**Second:**

- KEITH WILLIAMS – **Chairman**
- HAROLD SPANN –
- VIRGINIA ADOLPH –
- CHARLIE HEWES –
- BJ SELLERS –
- WM. PRINCE JONES –
- DOUG HANCOCK –
- BRANDON ELLIOTT –
- TIM DAIGLE JR –
- GARLON PEMBERTON –

**Action:**

**7. Special Exception 2211PC201:**

Planning Commission Approval 2211PC201, by owners Barry & Theresa Weyland, tax parcel 1010E-03-007.015, Request home occupation for real estate office, 927 Old Towne St, Zoned T3 (Sub-Urban Zone ), Ward 4

**Speaking for the Petition: Theresa Weyland**

**Speaking against the Petition: None**

**Motion: Mr. Hewes – To approve applicant request with conditions.**

**Second: Mr. Jones**

- KEITH WILLIAMS – Chairman
- HAROLD SPANN – Yea
- VIRGINIA ADOLPH – Absent
- CHARLIE HEWES – Yea
- BJ SELLERS – Yea
- WM. PRINCE JONES – Yea
- DOUG HANCOCK – Yea
- BRANDON ELLIOTT – Absent
- TIM DAIGLE JR – Yea
- GARLON PEMBERTON – Absent

**Action: Motion carried unanimously.**

**8. Zoning Map Amendment 2211PC203:**

Planning Commission Approval 2211PC203, by agent Doug Hanson, tax parcel 0811G-03-033.000, Request home occupation for mobile windshield repair business, 1632 2nd St, Zoned T4L (General Urban Zone "Limited"), Ward 2

**Speaking for the Petition: Doug Hanson**

**Speaking against the Petition: None**

**Motion: Mr. Daigle – To approve applicant request with conditions.**

**Second: Mr. Hancock**

- KEITH WILLIAMS – Chairman
- HAROLD SPANN – Yea
- VIRGINIA ADOLPH – Absent
- CHARLIE HEWES – Yea
- BJ SELLERS – Yea
- WM. PRINCE JONES – Yea
- DOUG HANCOCK – Yea
- BRANDON ELLIOTT – Absent
- TIM DAIGLE JR – Yea
- GARLON PEMBERTON – Absent

**Action: Motion carried unanimously.**

**9. Appeals 2211PC204:**

Appeals 2211PC204, by owners 3112 Pass Rd LLC & Ronald Fremin II, tax parcel 0811D-04-009.000, Requests metal exterior on facility, 3112 Pass Road, Zoned I-1 (Light Industry), Ward 1

**Speaking for the Petition: Ronald Fremin**

**Speaking against the Petition: None**

**Motion: Mr. Hewes – To approve applicant request.**

**Second: Mr. Spann**

- KEITH WILLIAMS – Chairman
- HAROLD SPANN – Yea
- VIRGINIA ADOLPH – Absent
- CHARLIE HEWES – Yea
- BJ SELLERS – Yea
- WM. PRINCE JONES – Yea
- DOUG HANCOCK – Yea
- BRANDON ELLIOTT – Absent
- TIM DAIGLE JR – Yea
- GARLON PEMBERTON – Absent

**Action: Motion carried unanimously.**

**10. Planning Commission Approval 2211PC205:**

Planning Commission Approval 2211PC205, by owners Yolanda & Marcus Stubbs, tax parcel 0908J-01-036.000, Requests home occupation for mobile notary use, 20 Joanna Lane, R-1-10 (Single-family) Ward 6

**Speaking for the Petition: Yolanda Stubbs**

**Speaking against the Petition: None**

**Motion: Mr. Daigle – To approve applicant request.**

**Second: Mr. Spann**

- KEITH WILLIAMS – Chairman
- HAROLD SPANN – Yea
- VIRGINIA ADOLPH – Absent
- CHARLIE HEWES – Yea
- BJ SELLERS – Yea
- WM. PRINCE JONES – Yea
- DOUG HANCOCK – Yea
- BRANDON ELLIOTT – Absent
- TIM DAIGLE JR – Yea
- GARLON PEMBERTON – Absent

**Action: Motion carried unanimously.**

**11. Planning Commission Approval 2211PC210:**

Planning Commission Approval 2211PC210, by agent Addison Reimann, tax parcel 0809K-02-002.001, Request approval to allow a medical cannabis dispensary use, Creosote Rd, B-4 (Highway business), Ward 3

**Speaking for the Petition: Addison Reimann**

**Speaking against the Petition: None**

**Motion: Mr. Prince – To approve applicant request.**

**Second: Mr. Hancock**

- KEITH WILLIAMS – **Chairman**
- HAROLD SPANN – Yea
- VIRGINIA ADOLPH – Absent
- CHARLIE HEWES – Yea
- BJ SELLERS – Yea
- WM. PRINCE JONES – Yea
- DOUG HANCOCK – Yea
- BRANDON ELLIOTT – Absent
- TIM DAIGLE JR – Yea
- GARLON PEMBERTON – Absent

**Action: Motion carried unanimously.**

**I. Planning Commission Recommendations**

**1. Zoning Map Amendment 2211PC195:**

Zoning Map Amendment 2211PC195, by owner Daniel Conwill IV, tax parcel 1011D-03-008.000, Requests rezone from T5 (Urban Center Zone) to T6 (Urban Core Zone), 942 1/2 Beach Blvd, Ward 2

**Speaking for the Petition: None**

**Speaking against the Petition: None**

**Motion: Mr. Hewes – to table/postpone the request to Dec. 15, 2022 due to applicant not being present at the meeting**

**Second: Mr. Hancock**

- KEITH WILLIAMS – **Chairman**
- HAROLD SPANN – Yea
- VIRGINIA ADOLPH – Absent
- CHARLIE HEWES – Yea
- BJ SELLERS – Yea
- WM. PRINCE JONES – Yea
- DOUG HANCOCK – Yea
- JOHN ANTHONY – Yea
- BRANDON ELLIOTT – Absent
- TIM DAIGLE JR – Yea
- GARLON PEMBERTON – Absent

**Action: Motion carried unanimously.**

**2. Zoning Map Amendment 2211PC197:  
(Withdrawn By Applicant)**

Zoning Map Amendment 2211PC197, by owner Ian Smith, tax parcel 0908L-02-015.032, Requests to rezone from R-1-10 (Single-family) to R-B (Residence-business), 13530 Dedeaux Rd, Zoned R-1-10 (Single-family), Ward 6

**Speaking for the Petition:**

**Speaking against the Petition:**

**Motion:**

**Second:**

KEITH WILLIAMS	– Chairman
HAROLD SPANN	–
VIRGINIA ADOLPH	–
CHARLIE HEWES	–
BJ SELLERS	–
WM. PRINCE JONES	–
DOUG HANCOCK	–
BRANDON ELLIOTT	–
TIM DAIGLE JR	–
GARLON PEMBERTON	–

**Action:**

**3. Zoning Map Amendment 2211PC198:**

Zoning Map Amendment 2211PC198, by agent Jorge Vargas, tax parcel 1007M-01-038.000, Requests to rezone from R-B (Residence-business) to R-E (Residence estate), 13062 Sheldon St, Zoned R-B (Residence-business), Ward 6

**Speaking for the Petition: Jorge Vargas, Dennis Flores**

**Speaking against the Petition: None**

**Motion: Mr. Hewes – To approve applicant request.**

**Second: Mr. Daigle**

KEITH WILLIAMS	– Chairman
HAROLD SPANN	– Yea
VIRGINIA ADOLPH	– Absent
CHARLIE HEWES	– Yea
BJ SELLERS	– Yea
WM. PRINCE JONES	– Yea
DOUG HANCOCK	– Yea
BRANDON ELLIOTT	– Absent
TIM DAIGLE JR	– Yea
GARLON PEMBERTON	– Absent

**Action: Motion carried unanimously.**

**4. Planning Commission Approval 2211PC202:**

Zoning Map Amendment 2211PC202, by agent Joyce Unsworth, tax parcel 07100-02-102.002, Requests to rezone from B-1 (Neighborhood business) to R-B (Residence-business), 4809 29th St, Zoned B-1 (Neighborhood business), Ward 1

**Speaking for the Petition: Joyce Unsworth**

**Speaking against the Petition: None**

**Motion: Mr. Sellers – To approve applicant request with conditions.**

**Second: Mr. Hancock**

- KEITH WILLIAMS – Chairman
- HAROLD SPANN – Yea
- VIRGINIA ADOLPH – Absent
- CHARLIE HEWES – Yea
- BJ SELLERS – Yea
- WM. PRINCE JONES – Yea
- DOUG HANCOCK – Yea
- JOHN ANTHONY – Yea
- BRANDON ELLIOTT – Absent
- TIM DAIGLE JR – Yea
- GARLON PEMBERTON – Absent

**Action: Motion carried unanimously.**

**5. Zoning Map Amendment 2211PC206:**

Zoning Map Amendment 2211PC206, by owners Incia Hernandez & Wilson Martinez, tax parcel 0910N-01-018.001, Request to rezone from B-2 (General Business) to R-B (Residence Business), 3205 F Ave, Zoned B-2 (General Business), Ward 4

**Speaking for the Petition: Incia Hernandez (Carlos her son is speaking as interpreter),  
Kenneth Simmons**

**Speaking against the Petition: None**

**Motion: Mr. Sellers – To approve applicant request with conditions.**

**Second: Mr. Jones**

- KEITH WILLIAMS – Chairman
- HAROLD SPANN – Yea
- VIRGINIA ADOLPH – Absent
- CHARLIE HEWES – Yea
- BJ SELLERS – Yea
- WM. PRINCE JONES – Yea
- DOUG HANCOCK – Yea
- BRANDON ELLIOTT – Absent
- TIM DAIGLE JR – Yea
- GARLON PEMBERTON – Absent

**Action: Motion carried unanimously.**

**6. Zoning Map Amendment 2211PC207:**

Zoning Map Amendment 2211PC207, by agent J. William Williams, tax parcels 0708P-01-004.007 & 0708P-01-006.000, Requests to rezone from R-1-15 (Single-family) to B-2 (General business), 11261 Old Highway 49, Zoned R-1-15 (Single-family), Ward 7

**Speaking for the Petition: Bill Williams, Barbara Ward**

**Speaking against the Petition: None**

**Motion: Mr. Spann – To approve applicant request with conditions.**

**Second: Mr. Sellers**

- KEITH WILLIAMS – **Chairman**
- HAROLD SPANN – Yea
- VIRGINIA ADOLPH – Absent
- CHARLIE HEWES – Yea
- BJ SELLERS – Yea
- WM. PRINCE JONES – Yea
- DOUG HANCOCK – Yea
- BRANDON ELLIOTT – Absent
- TIM DAIGLE JR – Yea
- GARLON PEMBERTON – Absent

**Action: Motion carried unanimously.**

**7. Zoning Map Amendment 2211PC209:**

Zoning Map Amendment 2211PC209, by agent Robert Reimann, tax parcel 0809B-03-017.000, Requests to rezone from I-2 (Heavy Industry) to R-3 (General residence), River Ten Rd & Klein Rd, Zoned I-2 (Heavy Industry), Ward 7

**Speaking for the Petition: Robert Reimann**

**Speaking against the Petition: None**

**Motion: Mr. Hewes – To approve applicant request with conditions.**

**Second: Mr. Spann**

- KEITH WILLIAMS – **Chairman**
- HAROLD SPANN – Yea
- VIRGINIA ADOLPH – Absent
- CHARLIE HEWES – Yea
- BJ SELLERS – Yea
- WM. PRINCE JONES – Yea
- DOUG HANCOCK – Yea
- BRANDON ELLIOTT – Absent
- TIM DAIGLE JR – Yea
- GARLON PEMBERTON – Absent

**Action: Motion carried unanimously.**

# **J. Planning Commission Subdivisions**

## **1. Resubdivision 2211PC208:**

Resubdivision 2211PC208, by agent Heinrich & Associates, LLC, tax parcel 0807E-01-001.000, Divide into two new parcels, 15361 S Swan Rd, Zoned R-1-15 (Single-family), Ward 7

**Speaking for the Petition: Robert Heinrich**

**Speaking against the Petition: None**

**Motion: Mr. Hewes – To approve applicant request.**

**Second: Mr. Hancock**

KEITH WILLIAMS	– Chairman
HAROLD SPANN	– Yea
VIRGINIA ADOLPH	– Absent
CHARLIE HEWES	– Yea
BJ SELLERS	– Yea
WM. PRINCE JONES	– Yea
DOUG HANCOCK	– Yea
BRANDON ELLIOTT	– Absent
TIM DAIGLE JR	– Recused
GARLON PEMBERTON	– Absent

**Action: Motion carried unanimously.**

## **2. Final Plat 2211PC211:**

Final Plat 2211PC211, by agent Robert Reimann, tax parcels 0808O-02-016.000, 0808O-02-019.000, 0808O-02-015.000, Approval of Final Plat for 63-lot subdivision (Southern Breeze Subdivision) with 3 outparcels, Dedeaux Rd & Tanner Rd, Zoned R-1-5 (Single-family) & B-2 (General business), Ward 5

**Speaking for the Petition: Robert Reimann**

**Speaking against the Petition: None**

**Motion: Mr. Hewes – To approve applicant request with conditions.  
(Southern Breeze Estates Subdivision)**

**Second: Mr. Jones**

KEITH WILLIAMS	– Chairman
HAROLD SPANN	– Yea
VIRGINIA ADOLPH	– Absent
CHARLIE HEWES	– Yea
BJ SELLERS	– Yea
WM. PRINCE JONES	– Yea
DOUG HANCOCK	– Yea
BRANDON ELLIOTT	– Absent
TIM DAIGLE JR	– Yea
GARLON PEMBERTON	– Absent

**Action: Motion carried unanimously.**

**K. Other Business**

**I. Adjournment**

There being no further business, a Motion was made by Mr. Jones to adjourn, seconded by Mr. Hewes and carried unanimously. The meeting adjourned at 6:18 p.m.

\_\_\_\_\_  
WILLIAM PRINCE JONES, Secretary

Date: \_\_\_\_\_

# MEMORANDUM

**To:** City of Gulfport Planning Commission

**From:** Greg Holmes, Planning Administrator  
Urban Development Department

**Date of Hearing:** December 15, 2022

**Re:** Public Declaration of Appeal Process of Chairman

# MEMORANDUM

**To:** City of Gulfport Planning Commission

**From:** Greg Holmes, Planning Administrator  
Urban Development Department

**Date of Hearing:** December 15, 2022

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

# MEMORANDUM

**To:** City of Gulfport Planning Commission

**From:** Greg Holmes, Planning Administrator  
Urban Development Department

**Date of Hearing:** December 15, 2022

**Re:** Planning Commission Approval 2209PC170:  
Remanded Back By City Council

Planning Commission Approval 2209PC170, by agent Randy Kirby, tax parcel 0809N-03-006.002, Requests a medical cannabis dispensary use, 9113 Hwy 49, Zoned B-4 (Highway business), Ward 3

**Technical Report**  
*PLANNING COMMISSION APPROVAL*

***GENERAL INFORMATION***

Case File Number: 2209PC170

Hearing Date: December 15, 2022  
Remanded back from City Council 11/8/2022

Current Zoning/Use: B-4 / Commercial building

Legal: Planning Commission Approval 2209PC170, by agent Randy Kirby, tax parcel 0809N-03-006.002, Requests a medical cannabis dispensary use, 9113 Hwy 49, Zoned B-4 (Highway business), Ward 3

***TECHNICAL DETAILS***

The applicant requests planning commission approval for a medical cannabis dispensary use, as is required when this use is within 500 feet of a residential use. A hotel is classified as a residential use in the chart of permitted uses. By definition, this establishment would acquire posses, store, transfer, sell, supply or dispense medical cannabis.

***EXECUTIVE SUMMARY***

As this is the first application submitted for a medical cannabis use, decisions made on it will set a precedence for the rest of the establishments that come through this route of approval.

Ultimately, this use meets all of the base requirements by the state for their distance requirements from schools, churches, and etcetera. Ordinance interest is the residential use nearby and the affect the surrounding neighborhood. The ordinance specifically states, “the planning commission shall approve or disapprove the application as to location and site plan” in regards to the planning commission approval applications. Primary concerns around the project is the hotel use and vehicular access this development will impact.

Any approval should consider these conditions:

1. Shall comply with all City Codes and Ordinances.

***DEPARTMENTAL CONDITIONS***

**Engineering:** No conditions. Memo dated 9/12/2022.

**Public Works:** No conditions. Memo dated 9/12/2022.

**Traffic and Safety:** No comments as of 9/12/2022.

**Building Code Services:** Shall comply with all City Codes and Ordinances. Memo dated 9/12/2022.

M. 12

**Technical Report**  
*PLANNING COMMISSION APPROVAL*

- GIS:** No conditions. Memo dated 9/12/2022.
- Police Department:** This is within 500' of the Comfort Inn, which is considered residential. Memo dated 9/7/2022.
- Fire Department:** No conditions. Memo dated 9/8/2022
- City Arborist:** No conditions. Memo dated 9/7/2022.

***DIRECTOR APPROVAL***

This report has been reviewed and approved by:

\_\_\_\_\_  
Ryan Merrill  
Director of Urban Development Department

**Technical Report**  
*PLANNING COMMISSION APPROVAL*

**GENERAL INFORMATION**

Case File Number: 2209PC170

Hearing Date: September 22, 2022

Current Zoning/Use: B-4 / Commercial building

Legal: Planning Commission Approval 2209PC170, by agent Randy Kirby, tax parcel 0809N-03-006.002, Requests a medical cannabis dispensary use, 9113 Hwy 49, Zoned B-4 (Highway business), Ward 3

**TECHNICAL DETAILS**

The applicant requests planning commission approval for a medical cannabis dispensary use, as is required when this use is within 500 feet of a residential use. A hotel is classified as a residential use in the chart of permitted uses. By definition, this establishment would acquire possess, store, transfer, sell, supply or dispense medical cannabis.

**EXECUTIVE SUMMARY**

As this is the first application submitted for a medical cannabis use, decisions made on it will set a precedence for the rest of the establishments that come through this route of approval.

Ultimately, this use meets all of the base requirements by the state for their distance requirements from schools, churches, and etcetera. Ordinance interest is the residential use nearby and the affect the surrounding neighborhood. The ordinance specifically states, "the planning commission shall approve or disapprove the application as to location and site plan" in regards to the planning commission approval applications. Primary concerns around the project is the hotel use and vehicular access this development will impact.

Any approval should consider these conditions:

1. Shall comply with all City Codes and Ordinances.

**DEPARTMENTAL CONDITIONS**

**Engineering:** No conditions. Memo dated 9/12/2022.

**Public Works:** No conditions. Memo dated 9/12/2022.

**Traffic and Safety:** No comments as of 9/12/2022.

**Building Code Services:** Shall comply with all City Codes and Ordinances. Memo dated 9/12/2022.

**GIS:** No conditions. Memo dated 9/12/2022.

h.12

**Technical Report**  
*PLANNING COMMISSION APPROVAL*

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**City Arborist:** No conditions. Memo dated 9/7/2022.

***DIRECTOR APPROVAL***

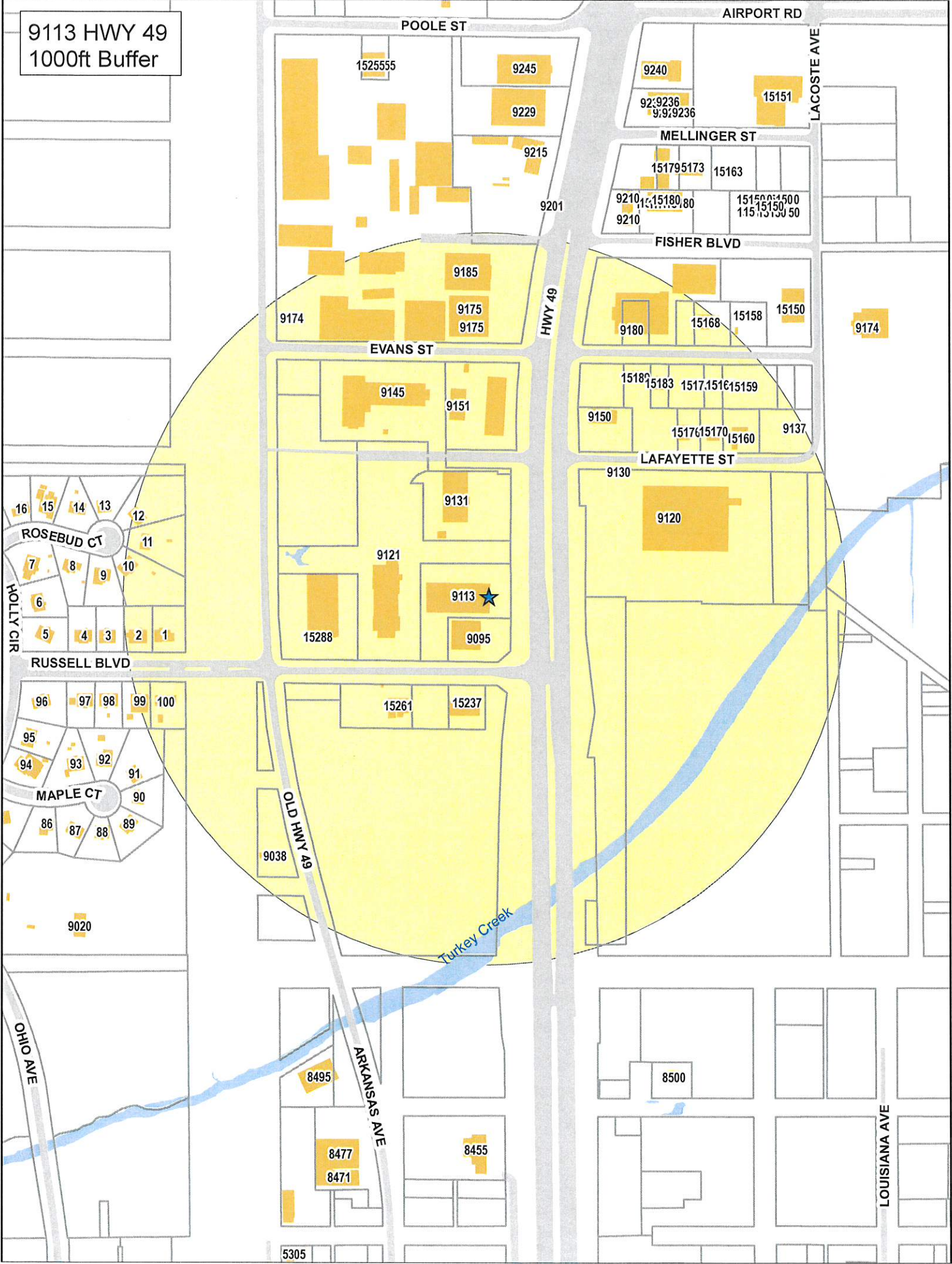
This report has been reviewed and approved by:

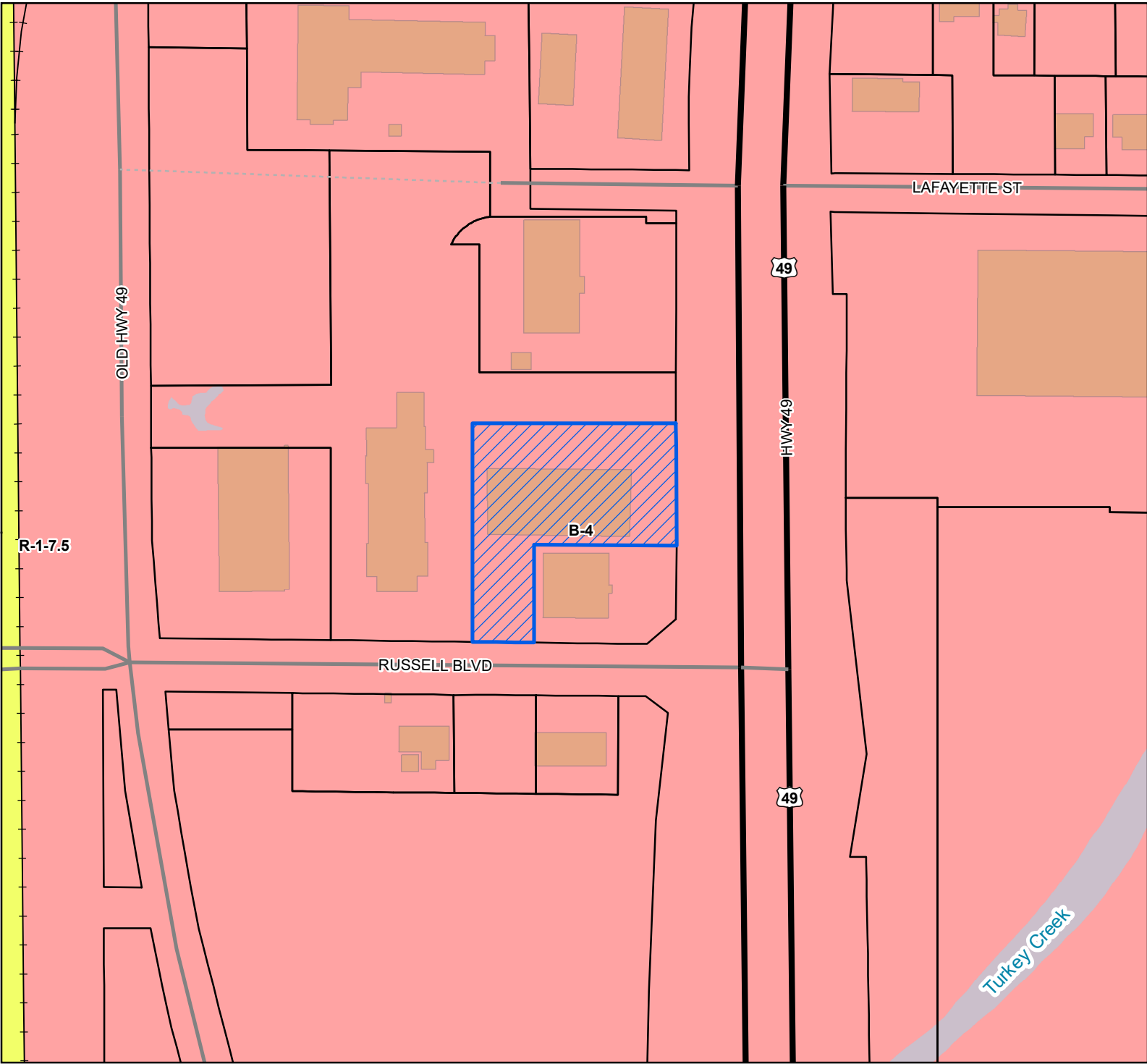
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Greg Pietrangelo  
Director of Urban Development Department

*h. 2*

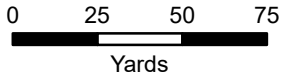
9113 HWY 49  
1000ft Buffer





-  Site
  -  US or State Highway
  -  Street
  -  Alley
  -  Railroad
  -  Parcels
  -  Buildings
  -  Water Features
- Zoning**
-  B-4 - Highway Business District
  -  R-1-7.5 - Single Family Residence District (Low Density)
  - 

**Site Information**  
 0809N-03-006.002  
 Zoning: B-4 (Highway business)  
 Size: 1.1 acres  
 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.

\$75.00



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

For Staff Use Only

Case Number: 2209PC170

Date Received: 8/2/22

Receipt Number: \_\_\_\_\_

Received By: \_\_\_\_\_

Zoning: \_\_\_\_\_

Ward: \_\_\_\_\_ Flood: \_\_\_\_\_

Size: \_\_\_\_\_

(If necessary, use separate sheet of paper)

### APPLICATION FOR PLANNING COMMISSION APPROVAL

#### Property Information

TAX PARCEL #

0	8	0	9	N	-	0	3	-	0	0	6	.	0	0	2
					-			-				.			
					-			-				.			

Address of Property Involved: 9113 Hwy. 49, STE 100 GULFPORT, MS 39503

Lot(s) 12-21# 54-56 Block(s) 19, Subdivision ROOSEVELT STREET OF THE MAGNOLIA HIGHWAY SUBDIVISION

General Location: \_\_\_\_\_

#### GENERAL DESCRIPTION OF REQUEST:

TO ESTABLISH MEDICAL CANNABIS DISPENSARY  
AT THIS LOCATION.

#### 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

OASIS REAL ESTATE INVESTMENTS INC

RANDY KIRBY

Printed Name of Owner

Printed Name of Agent

2205 JOHN HILL BLVD.

305 COBBLESTONE CT.

Mailing Address

Mailing Address

GULFPORT MS 39501

MADISON MS 39110

City State Zip code

City State Zip code

(228) 297-8111 (228) 803-4111

601-668-7463

Home Phone Work/Cell Phone

Home Phone Work/Cell Phone

CLIMATESTORAGE.EMAIL@GMAIL.COM Randy@greenwisems.com

Email

Email

[Signature]  
Signature of Owner

[Signature]  
Signature of Agent

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

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



Designation of Agent

I, CLIFF FRISBEE, being owner of the property 9113 HWY 49, STE 100 which is the subject of this application hereby authorize RANDY KIRBY 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]  
Signature

8-2-22  
Date

STATE OF MISSISSIPPI | COUNTY OF HARRISON

Given under my hand and seal of office this the 2nd day of August 2022

[Signature]  
Notary Public



August 1, 2022

City of Gulfport  
1410 24<sup>th</sup> Avenue  
Gulfport, MS 39501

Re: 9113 Highway 49, Suite 100, Gulfport, MS

To Whom it May Concern:

Please find attached Greenwise, LLC's ("Greenwise's") Gulfport Planning Commission Approval application. Greenwise has applied for a Medical Cannabis Dispensary license at 9113 Highway 49, Suite 100, Gulfport MS, (the "Property") and has received approval from the State of Mississippi Department of Revenue (License No. DSPY004524). Greenwise now seeks Gulfport's Planning Commission Approval in order to be located within 500 feet of residential use, as there is a hotel located within the setback from the Property.

If you have any questions regarding the attached application, please don't hesitate to contact me.

Best,

A handwritten signature in blue ink that reads "Stephanie Gray". The signature is written in a cursive style with a large, looping "S" and "G".

Stephanie Gray

Email: [Stephanie@greenwisems.com](mailto:Stephanie@greenwisems.com)

Phone Number: 601-720-7749

# Application for Gulfport Planning Commission Approval

## **Executive Summary**

Greenwise, LLC (“Greenwise”) has prepared the follow written responses to accompany our site plan and explain how our medical cannabis dispensary’s site plan is appropriate with regard to the following considerations:

- Transportation and access
- Water supply
- Waste disposal
- Fire and Police protection
- Other public facilities
- Why the proposal will not cause undue traffic congestion or create a traffic hazard.
- Why the proposal is in harmony with the orderly and appropriate development of the district in which the use is located

## **Transportation and Access**

Greenwise is driven by the opportunity to significantly increase access to medical cannabis for patients and caregivers in Gulfport and carefully selected our location in order to do so. Greenwise’s proposed medical cannabis dispensary facility (“Facility”) will be located at 9113 Highway 49, Suite 100, in Gulfport. This location ensures ease of access to all qualifying patients, as it is conveniently situated in close proximity to U.S. Route 49, as well as Interstate 10. It is also less than two miles from the Coast Transit station located at 14035 Airport Road in Gulfport.

Greenwise believes that its proposed location will help improve the health and quality of life of the Gulfport community by expanding access to authorized patients and caregivers suffering from any of the qualifying conditions delineated in Mississippi’s medical cannabis program, including but not limited to:

- Cancer
- Parkinson's disease
- Huntington's disease
- muscular dystrophy
- glaucoma
- spastic quadriplegia
- positive status for human immunodeficiency virus (HIV)
- acquired immune deficiency syndrome (AIDS)
- hepatitis
- amyotrophic lateral sclerosis (ALS)
- Crohn's disease
- ulcerative colitis
- sickle-cell anemia
- Alzheimer's disease
- agitation of dementia

Our strategic location at the cross-roads of major highways, and our close proximity to the Coast Transit station will serve to substantially increase access to medical cannabis in the Gulfport community and provide relief for those in need. Greenwise is also proud to offer a total of 44 parking spots at our Facility, including four handicapped accessible parking spots to ensure that once patrons arrive, they will not have to worry about being unable to access the premises. Greenwise looks forward to further developing our relationship with the City of Gulfport to ensure that our operations are consistently optimizing access. Additionally, as current business owners of The UPS Store located at 15520 Daniel Blvd. in Gulfport and members of the Mississippi Gulf Coast Chamber of Commerce, we are eager to continue serving the citizens of Gulfport at our medical cannabis dispensary.

## **Water Supply**

Greenwise is a proud Mississippi organization deeply committed to being a contributing and compliant member of the state's nascent medical cannabis industry. Greenwise has implemented numerous policies and procedures to ensure that the site plan is appropriate for a dispensary facility, including selecting a facility location with an adequate and pre-existing water supply as provided by the City of Gulfport Public Works Department ("Gulfport"). Through our partnership with Gulfport, we plan to provide a safe, potable, and sufficient supply of water to satisfy all the needs and requirements of the facility, while also making strong efforts to reduce water-related waste.

Although Greenwise is aware that water efficiency is a primary concern for cultivation facilities and not necessarily a retail operation where water use is limited, to continue Greenwise's commitment to the environment and sustainable efforts, Greenwise will adopt water efficiency strategies that are both dynamic and forward thinking. Our company cares deeply about the environment and the judicious use of scarce resources, such as water. To achieve these objectives, Greenwise has created a company-wide corporate environmental sustainability plan through four key strategies that focus on 1) minimizing our energy use, 2) harnessing renewable energy, 3) reducing waste, and 4) recycling resources. The Facility Manager will ensure that Greenwise's water management operations are in line with these objectives and comply with all applicable regulations set forth by the Mississippi Department of Health ("DOH"), City of Gulfport, and all other state and local laws, regulations, ordinances, and other requirements.

Greenwise looks forward to conducting a successful Medical Cannabis Dispensary operation and will continue to foster a strong partnership with Gulfport to ensure that there is a safe, potable, and sufficient supply of water to the facility, while remaining water efficient and environmentally conscious.

## **Waste Disposal**

### **Medical Cannabis Waste**

Greenwise's Waste Disposal Plan is designed to protect Gulfport's environment through partnership with a licensed Cannabis Disposal Entity. Greenwise will comply with all applicable rules regarding medical cannabis disposal as detailed in the Mississippi Department of Health ("MSDH") Regulations for the Commercial Disposal or Destruction of Cannabis and/or Cannabis Products.<sup>1</sup> Greenwise will ensure that the final disposition of any cannabis waste is

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<sup>1</sup> MSDH Rules Tit. 15 Part 22 Subpart 7

always recorded in the State seed-to-sale tracking system. Greenwise will document all cannabis disposal, including the following information:

- Greenwise’s license number.
- A complete inventory of the cannabis and/or cannabis products to be disposed, including the batch number.
- The reason for disposal.
- The date of the disposal.<sup>2</sup>

### **Non-Medical Cannabis Waste**

Standard waste and rubbish can be defined as any non-toxic, non-recyclable, and non-cannabis waste produced at the facility. Only non-hazardous, non-cannabis waste may be disposed of in traditional rubbish receptacles or trash bins. It is strictly prohibited to dispose of medical cannabis waste, liquid waste, or hazardous waste in any traditional rubbish receptacle, trash bin or recycling bin. The city of Gulfport utilizes the services of Waste Pro, which Greenwise will partner with to manage our dispensary’s non-cannabis waste collection and recycling needs. A facility manager will maintain written procedures assigning responsibility for waste disposal practices for standard rubbish waste. Such written procedures will be followed, and records of cleaning and sanitation will be maintained in the facility’s records.

### **Fire and Police Protection**

Greenwise will form a partnership with law enforcement, rooted in a shared responsibility for the safety of the community. Our Security Manager will meet periodically with local Gulfport law enforcement to discuss alarm response, criminal activity statistics, patrol frequency, and other pertinent matters. Upon official request, law enforcement will have access to employee records and Greenwise’s Dispensary operations. Greenwise will also engage with first responders such as EMS to establish emergency response protocols.

Greenwise’s efforts to engage with first responders also extends to the local Fire Department. The Security Manager will establish stringent fire safety standards with guidance from the Gulfport Fire Department, including essential fire safety equipment, and emergency procedures. This will minimize the chance of a fire event taking place at the dispensary. If an unlikely fire event occurs, Greenwise’s proposed Dispensary location (9113 Highway 49, Suite 100, Gulfport, Mississippi) is a 7-minute drive from the Gulfport Fire Station, of which 90% of which is on a straight road. This ensures a timely response in the event of an emergency.

### **Other Public Facilities**

Greenwise has implemented numerous policies and procedures to ensure that the site plan is appropriate for a dispensary facility, including selecting a facility location that will have limited impact, if any, on surrounding public facilities. Our professional survey indicates that the main entry of the facility is not within a 1,000-foot radius of any church, school, or childcare center, and thoroughly complies with the Mississippi Medical Cannabis Act (“Act”) and the Mississippi Department of Revenue’s (“DOR”) Medical Cannabis Dispensary Regulations (“DOR Rules”).<sup>3</sup>

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<sup>2</sup> MSDH Rule 6.12.3(1)-(4)

<sup>3</sup> DOR Regulations Chapter 2.101(11).

We have already received our license from the state confirming compliance with the DOR Rules (License number DSPY004524). The operations of our business will occur entirely indoors and as a result, will not impact surrounding businesses and operations, including but not limited to, Comfort Suites. If there is any concern, our Facility Manager will work with the City of Gulfport to navigate a solution that is in the best interest of all parties.

### **Why The Proposal Will Not Cause Undue Traffic Congestion or Create A Traffic Hazard**

Greenwise's proposed medical cannabis dispensary facility ("Facility") will be located at 9113 Highway 49, Suite 100, in Gulfport. Greenwise is deeply committed to being a contributing and compliant member of the state's nascent medical cannabis industry and shares the City of Gulfport's goals in ensuring that our operations will not cause undue traffic congestion or create a traffic hazard. As such, Greenwise's Facility has been designed to optimize local safety, minimize impact to the surrounding neighborhood, and allow Greenwise to operate harmoniously within the larger Gulfport community. Greenwise anticipates opening for business with the hours of 9:00 AM – 6:00 PM Monday-Friday, 9:00 AM -1:00 PM on Saturday, and closed on Sunday.

### **Traffic Plan Management Goals**

In developing the Traffic Management Plan that follows, Greenwise has identified the following specific goals:

1. Ensure the safety of customers, employees, and surrounding abutters.
2. Minimize the impact of traffic flow on adjacent businesses and nearby streets.
3. Facilitate efficient parking lot operations to minimize back up on adjacent streets.
4. Implement efficient appointment systems to reduce initial traffic burdens.
5. Provide information to allow customers to get to/from the facility efficiently and safely.
6. Promote efficient coordination between Greenwise, the Gulfport Police Department, and the city.
7. Establish open lines of communication with abutters and nearby residents and local businesses.

As reflected in the following plan, these goals serve as Greenwise's point of orientation in ensuring that our Facility and our operations serve to improve the Gulfport community as a whole, and to mitigate any potential negative impacts.

### **Site Plan and Parking**

Greenwise has access to 44 exclusive parking spaces including four handicap accessible spaces that are on site at its proposed Facility, as shown on the site plan provided with this application. This will ensure that patients can easily access our facility during our hours of operation without having to park in other nearby business' lots.

## Interior Facility Capacity and Management

### *Floorplan Capacity*

Greenwise's floor plan has been designed to accommodate high volume patient counts while protecting consumer privacy, optimizing patient experience, and preserving the flow throughout the Facility.

Oversight over the number of patients in the Facility at any given time will be the responsibility of staff stationed at the entry and exit points. Staff will utilize a digital tally system for an accurate count of who is in the facility at any given time.

### *Queuing*

Greenwise will encourage the use of online ordering to decrease the amount of time a patient is on-site. We anticipate utilizing an online system such as Qminder to monitor the number of patients in the facility and patients awaiting service, which works utilizing the following protocols:

1. Entry and exit attendees maintain constant Facility counts utilizing cloud- based tally systems to have an accurate accounting of capacity limits at all times;
2. When the facility is within five (5) patients of hitting capacity, Greenwise will begin utilizing the exterior queuing system.
3. When seeking entry, the attendant will notify the patient that they are on the wait list and asked to wait in their vehicle. Patients will be offered an anticipated wait time and notified via cell phone or buzzer when they may enter the Facility. Patients who indicate that they walked or biked will be asked to wait inside the facility.

Greenwise intends to utilize the above-noted queuing system as a part of its normal course of operations beyond the opening day plan.

## Customer Flow

### *Entry Vestibule:*

Access to Greenwise's Facility is limited to authorized patients and caregivers participating in Mississippi's medical cannabis program. **Prior to entry, Greenwise personnel will immediately inspect the individual's proof of identification and determine the individual's age. Any individual under the age of 21 will be prohibited from accessing the premises unless they possess a valid registry identification card and are accompanied by their parent or legal guardian.**<sup>4</sup>

### *Retail Floor:*

Once inside the retail area, patients will view a menu and go directly to a point-of-sale terminal or to the dispensary floor for a personalized discussion with an agent. Upon checkout, customers will be required to confirm their identities and age a second time. In the event an agent determines an individual would place themselves or the public at risk, the agent will refuse to sell any medical cannabis products to the consumer.

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<sup>4</sup> Medical Cannabis Act Section 20(17); DOR Regulations Chapter 15.101.

### **Plan Utilization Following Opening Period**

During any periods of high traffic or higher than expected volume following the opening period, Greenwise will, independently or at the written request of City officials or the Police Department, implement measures of the plan to ensure the facility is operating efficiently, safely, and in harmony with the surrounding community.

### **Why The Proposal is in Harmony With The Orderly and Appropriate Development of The District in Which The Use is Located**

Greenwise intends to operate a medical cannabis dispensary at 9113 Highway 49, Ste 100, Gulfport, MS 39503. This address is located in the **B4 Highway Business District**, which is a commercial zone intended to include high intensity commercial activities requiring high visibility and accessibility. We purposely chose this location as it is commercial area that is not in close proximity to residential neighborhoods. While our location is within 500 feet of the Comfort Suites Hotel, which is zoned as a residential use, we are confident that our operations will have no effect on the patrons or employees of the Comfort Suites, as our dispensary is only accessible to medical cannabis patients. Our proposed use will be in harmony with the City of Gulfport's Comprehensive Plan, and we will ensure the aesthetic of our dispensary fits seamlessly into the surrounding neighborhood.

As stated in Gulfport's Comprehensive Plan, the B4 District is home to a wide range of commercial uses, including businesses specifically catered to the motoring public. Greenwise purposely chose to locate our dispensary off of Highway 49 in order to provide easy vehicular access to patients who may be traveling to our dispensary. Our location also features an ample amount of parking space to accommodate all our patients which will prevent the need for off-site overflow parking. Additionally, there is a pharmacy and a medical supplies store in the same lot, proving this is a synergistic location to reach Gulfport's patient community. Our dispensary will be convenient for any patients that may utilize both our dispensary and the pharmacy next door.

Greenwise will ensure that our dispensary building complies with the requirements outlined in the Gulfport Zoning Code, Section 3(D)(4) regarding the B-4 Highway Business District. The design of our dispensary will fit in with the surrounding businesses and will not attract unnecessary or unwanted attention. As stated in the Gulfport Comprehensive Plan's policies for future land use development, all commercial uses need to be strengthened by improving their visual appearance and providing adequate parking accommodations. Greenwise seeks to fulfill both land development goals by designing a sophisticated, aesthetically pleasing storefront and providing ample patient parking. Further, as a medical cannabis dispensary we have taken particular care to design a secure facility that minimizes the risk of criminal activity occurring on the premises. We have also emphasized odor control policies that will prevent our neighbors in the Gulfport community from *ever* being able to detect odors from the exterior of the premises. Our main goal as a business is to enhance our surrounding area and improve quality of life for Gulfport patients suffering from debilitating medical conditions. The use of this location in Gulfport allows us to operate in accordance with the City's Comprehensive plan as well as maximize patient access. Greenwise is excited at the opportunity to join the Gulfport business community and serve Gulfport's community of medical cannabis patients.



MISSISSIPPI  
CANNABIS PATIENTS  
ALLIANCE

August 1, 2022

Gulfport Planning Commission  
1410 24<sup>th</sup> Avenue  
Gulfport, MS 39501

Re: Letter of Support for Greenwise, LLC's Medical Cannabis Dispensary in Gulfport

Dear Gulfport Planning Commission,

My name is Angie Calhoun, Founder and CEO of the Mississippi Cannabis Patients Alliance. Our mission is to advocate on behalf of Mississippi's medical cannabis patient community and support safe access to affordable medical cannabis. I am writing today on behalf of the Gulfport area's medical cannabis patients who I believe would greatly benefit from an accessible medical cannabis dispensary in the City of Gulfport.

I would like to express my support for Greenwise, LLC's application to operate a medical cannabis dispensary at 9113 US 49, Ste 100, Gulfport, MS, 39503. I am confident that Greenwise will operate a responsible and compliant dispensary that prioritizes their patients. As a testament to their qualifications, they have already been granted a license from the Mississippi Department of Revenue. The location Greenwise has selected provides optimal patient access while remaining in compliance with the State's required setbacks from schools, daycares, and churches. Their location will maximize patient access, as it is in a highly commercial area directly off Highway 49.

I have spoken with the owners of Greenwise and walked away from our conversation confident in both their desire to operate a secure, compliant medical cannabis dispensary that puts the needs of patients and their community first as well as their ability to make these goals a reality. If the Commission were to prohibit Greenwise from operating a dispensary at this location due to its proximity to a hotel, it would severely impede patient access in Gulfport. I urge the Commission to support Greenwise's Application for Planning Commission Approval and ensure patient access to safe, affordable medical cannabis products.

Thank you for your consideration,

*Angie Calhoun*

---

Angie Calhoun  
Founder and CEO  
Mississippi Cannabis Patients Alliance  
[www.msccannapatient.com](http://www.msccannapatient.com)

**STATE OF MISSISSIPPI**  
**MISSISSIPPI DEPARTMENT OF REVENUE**  
**ALCOHOLIC BEVERAGE CONTROL BUREAU OF ENFORCEMENT**  
**MEDICAL CANNABIS LICENSE FOR:**  
**DISPENSARY**

The Mississippi Department of Revenue (MDOR) authorizes the below named establishment to engage in business as a cannabis dispensary where the entity may acquire, possess, store, supply, or dispense medical cannabis products, equipment used for medical cannabis products, or related supplies and educational materials to cardholders, nonresident cardholders and other dispensaries, and/or purchase or otherwise acquire medical cannabis products from licensed cannabis cultivation facilities, cannabis processing facilities, cannabis research facilities or other dispensaries at the location address shown below in accordance with SB 2095 of 2022 Mississippi Medical Cannabis Act.

Alcoholic Beverage Control (ABC) enforcement agents may periodically inspect this business and examine all inventory and records. A renewal application must be filed with ABC at least thirty (30) days before the expiration of this license.

This license must at all times be displayed in a conspicuous location within the point-of-sale area in a manner that may be clearly viewed by cardholders.

**License Number: DSPY004524**

**Location Name: Greenwise, LLC**

**Location Address: 9113 HIGHWAY 49, STE 100, GULFPORT, MS, 39503**

**Location County: HARRISON**

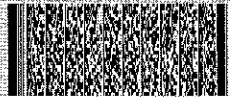
**Issue Date: 07/26/2022**

**EXPIRATION DATE: 07/26/2023**



*Chris Graham*

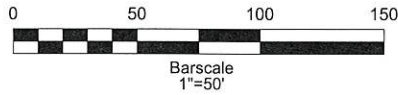
**Chris Graham, Commissioner of Revenue**



1331/4/1658875120826

- Set Rebar
- Found Rebar
- Fire Hydrant
- Drop Inlet
- ⊙ Storm Drain Man Hole
- <sup>PP</sup> Power Pole

- Legend**
- LP Light Pole
  - △ Concrete Monument
  - Adjoining Lot Line
  - Property Line



Line Table (S)

LINE	BEARING	DISTANCE
L1	N 89°10'51" W	74.99'

Line Table (R)

LINE	BEARING	DISTANCE
L1	N 89°20'49" W	75.00'

Choung Pe Hang & Yu Zhu Liu  
PPIN:116915

**General Notes**

Underground utilities were not located for the purposes of this survey and all utility companies should be notified prior to commencement of any digging.

Horizontal datum shown on this drawing is based on the Mississippi State Plane Coordinate System, East Zone (NAD 83)(2011) epoch 2010.00 values derived from the Gulf Coast Geospatial Center virtual network managed by USM - Station Name/ID Saucier/RTCM0072.

The values for the Saucier Station are as follows:

Latitude N 30° 31' 41.60601"  
Longitude W 89° 06' 39.74186"  
Ellipsoid Height -8.335 (m)

Where survey and recorded measurements differ, survey measurements are denoted (S) and recorded measurements are denoted (R).

The Surveyed Property has an assigned street address of 9113 Highway 49, Suite 100, Gulfport, MS.

Materials used in preparation of this plat:  
Warranty Deed- Instrument 2016 2043 D - J1  
Subdivision Plat - MB. 500 P-207 & DB 1071 P-347

**Certification**

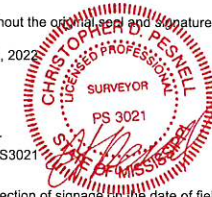
This map or plat and the survey upon which it is based, meets, or exceeds the Standards of Practice for Surveying as defined in Rule 21.0 of the Mississippi Board of Licensure for Professional Engineers and Surveyors Rules and Regulations of Procedure dated August 15, 2017 for a Class B Survey.

This map or plat is not valid without the original seal and signature of the responsible Professional Land Surveyor.

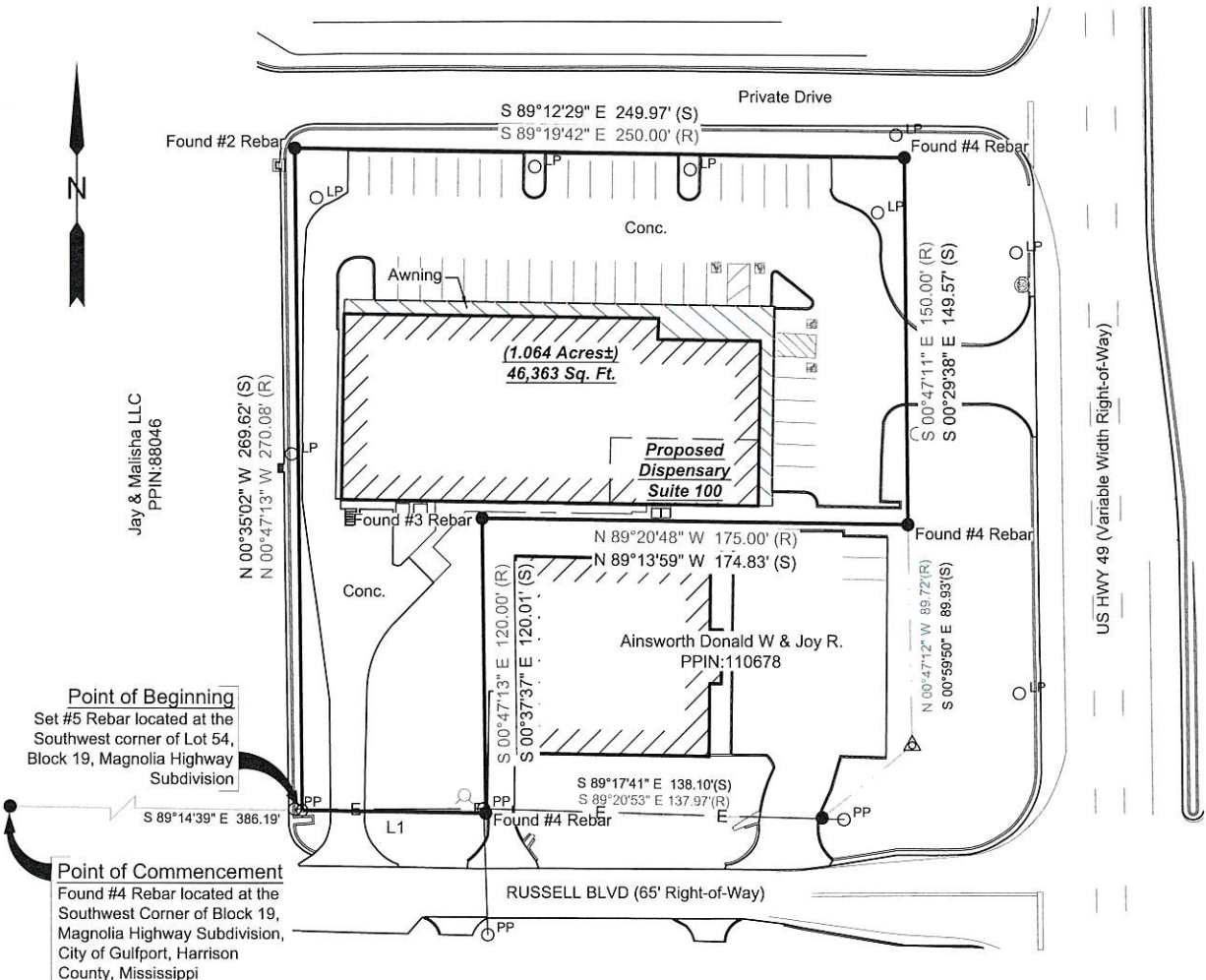
Date of Field Surveys: June 9th, 2022

Date: June 22nd, 2022

Christopher Drew Pesnell, PS  
Licensed Professional Surveyor  
State Of Mississippi Number: PS3021



Based on a visual field inspection of signage on the date of field surveys and review of online tax parcel maps managed by GEO Jobe GIS Consulting for Harrison County on June 9th, 2022, there appears to be no evidence of an existing SCHOOL, CHURCH or CHILD CARE facility within 1,000 feet of the main point of entry to the property shown hereon and captioned in the image to the left, however, Maptech, Inc. makes no representation, warranty, or guaranty with regard thereto, and Maptech, Inc's visual inspection and review is not intended to relieve the Owner and/or Client from any additional required due diligence required by applicable law. This survey recognizes a childcare facility lying Northeast of the entryway to the proposed dispensary and is measured 1048.60 feet to the nearest property line or corner. (see sheet 2)



Jay & Malisha LLC  
PPIN:88046

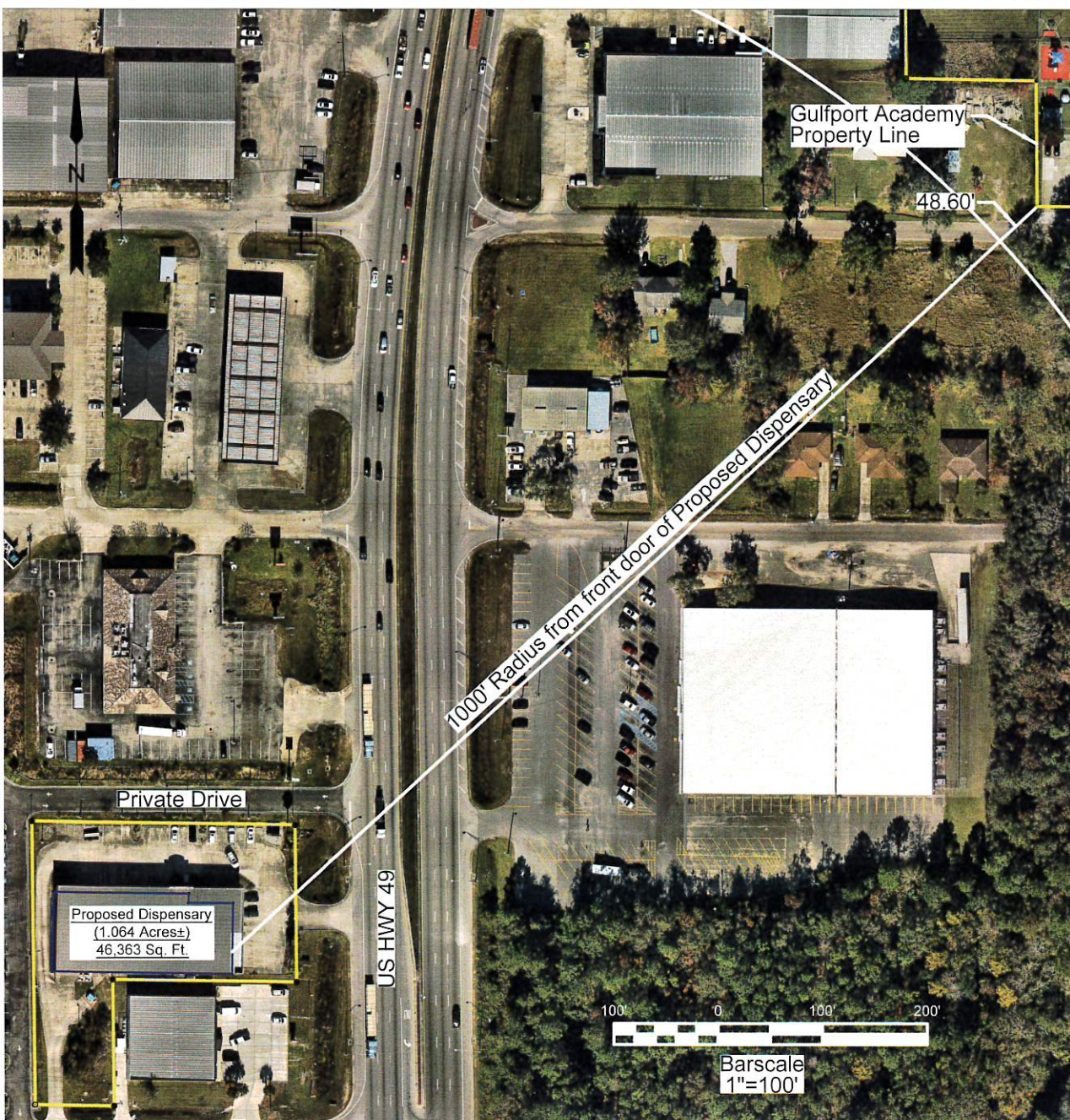
**Point of Beginning**  
Set #5 Rebar located at the Southwest corner of Lot 54, Block 19, Magnolia Highway Subdivision

**Point of Commencement**  
Found #4 Rebar located at the Southwest Corner of Block 19, Magnolia Highway Subdivision, City of Gulfport, Harrison County, Mississippi

**MAPTECH, INC.**  
Surveying Mapping Remote Sensing  
3181 GREENFIELD ROAD JACKSON, MISSISSIPPI 39208-8706  
PHONE (601) 664-1666 MAPTECH-SURVEY.COM

**Boundary Retracement Survey**  
of  
**1.064 Acres±**  
Located in the  
Southwest Quarter of Southeast Quarter, Section 21,  
Township 7 South, Range 11 West,  
Harrison County, Mississippi

DRAWING No.: MT22027_Master.dwg	JOB No.: MT.22027.000
DRAWN BY: J. Byrd	CHECKED BY: C. D. Pesnell
SCALE: 1"=50'	DATE: 22 June 2022
SHEET 1 of 2	



**General Notes**

Underground utilities were not located for the purposes of this survey and all utility companies should be notified prior to commencement of any digging.

Horizontal datum shown on this drawing is based on the Mississippi State Plane Coordinate System, East Zone (NAD 83(2011) epoch 2010.00 values derived from the Gulf Coast Geospatial Center virtual network managed by USM - Station Name/ID Saucier/RTCM0072. The values for the Saucier Station are as follows:  
 Latitude N 30° 31' 41.60601"  
 Longitude W 89° 06' 39.74186"  
 Ellipsoid Height -8.335 (m)

Where survey and recorded measurements differ, survey measurements are denoted (S) and recorded measurements are denoted (R).

The Surveyed Property has an assigned street address of 9113 Highway 49, Suite 100, Gulfport, MS.

Materials used in preparation of this plat:  
 Warranty Deed- Instrument 2016 2043 D - J1  
 Subdivision Plat - MB. 500 P-207 & DB 1071 P-347

**Certification**

This map or plat and the survey upon which it is based, meets, or exceeds the Standards of Practice for Surveying as defined in Rule 21.0 of the Mississippi Board of Licensure for Professional Engineers and Surveyors Rules and Regulations of Procedure dated August 15, 2017 for a Class B Survey.

This map or plat is not valid without the original seal and signature of the responsible Professional Land Surveyor.

Date of Field Surveys: June 9th, 2022

Date: June 22nd, 2022

Christopher Drew Pesnell, PS  
 Licensed Professional Surveyor  
 State Of Mississippi Number: PS3021

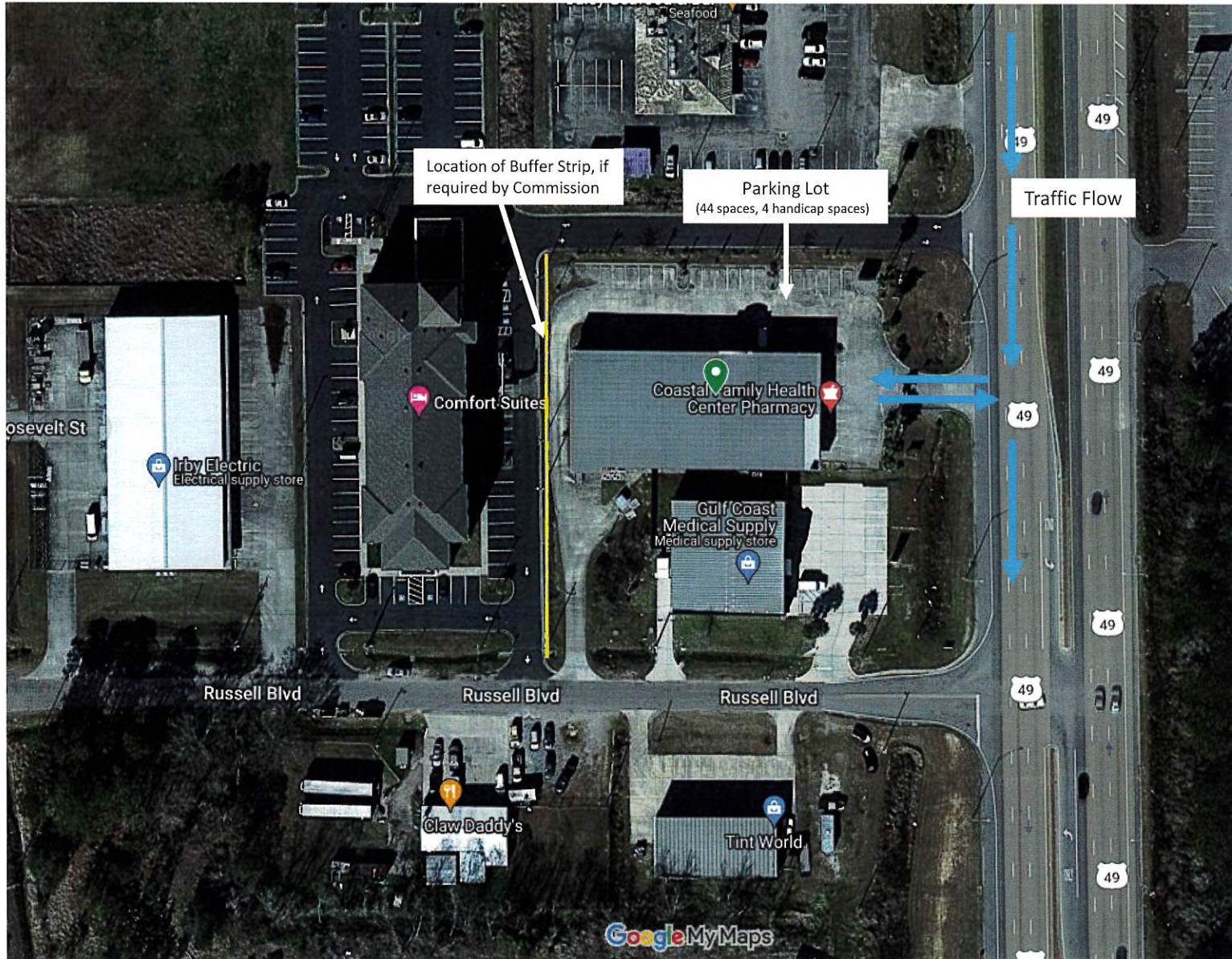


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**MAPTECH, INC.**  
 Surveying Mapping Remote Sensing  
 3181 GREENFIELD ROAD JACKSON, MISSISSIPPI 39208-8706  
 PHONE (601) 654-1666 MAPTECH-SURVEY.COM

**Boundary Retracement Survey**  
 of  
**1.064 Acres±**  
 Located in the  
 Southwest Quarter of Southeast Quarter, Section 21,  
 Township 7 South, Range 11 West,  
 Harrison County, Mississippi

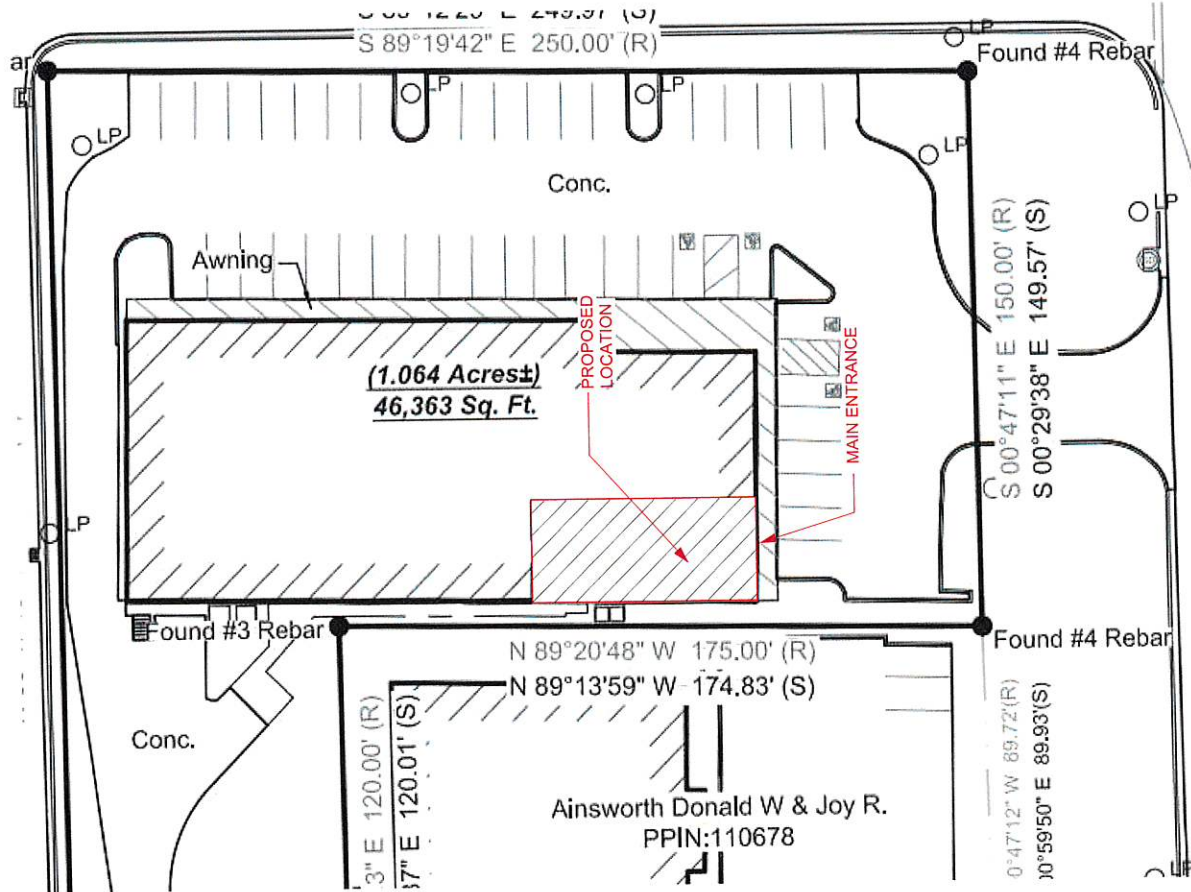
DRAWING No.: MT22027_Master.dwg	JOB No.: MT.22027.000
DRAWN BY: J. Byrd	CHECKED BY: C. D. Pesnell
SCALE: 1"=100'	DATE: 22 June 2022
SHEET <b>2</b> of <b>2</b>	



# AMY TRIM ARCHITECTURE

MISSISSIPPI LICENSE #5565 AMY@AMYTRIMARCHITECTURE.COM

Lorrie Driver Interior Design, LLC  
 Lorrie Driver, IIDA  
 PO Box 372  
 Flora, MS 39071  
 ldriver@ld-intdesign.com  
 601-594-3861



## GREENWISE MISSISSIPPI

PREMISE DIAGRAM  
 ISSUE DATE  
 JUNE 29, 2022  
 REVISED DATE

PROJECT LDID

### GULFPORT PREMISE DIAGRAM

# G1

# AMY TRIM ARCHITECTURE

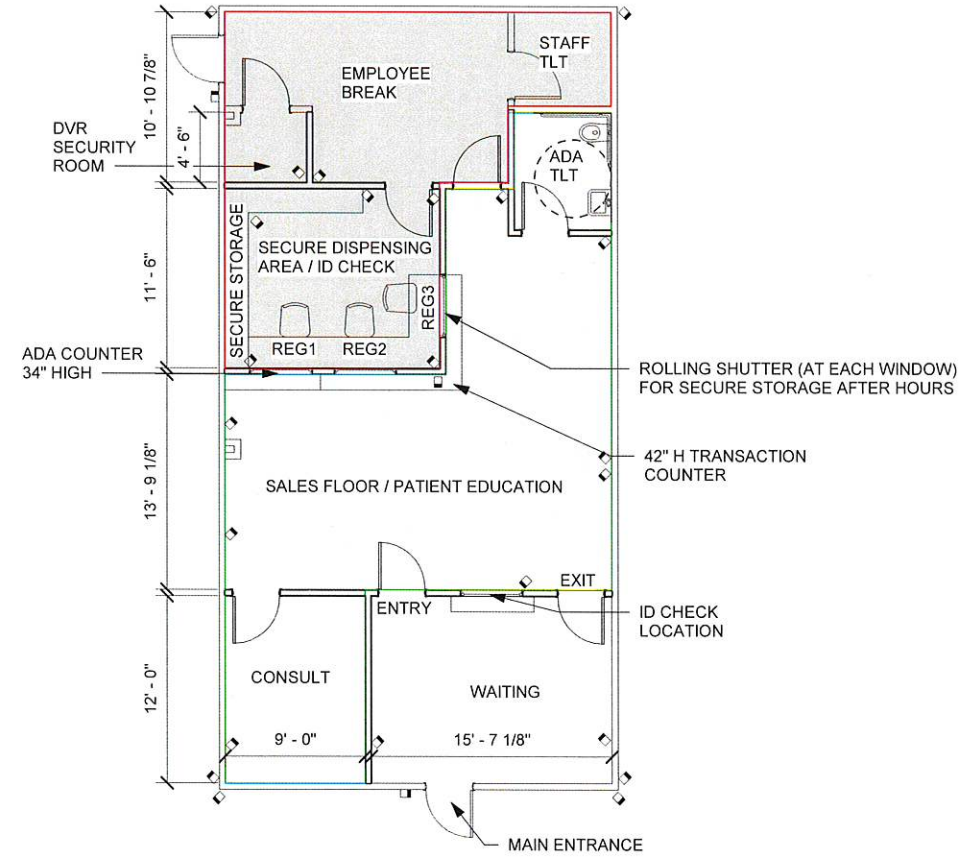
MISSISSIPPI LICENSE #9565 AMY@AMYTRIMARCHITECTURE.COM

Lorrie Driver Interior Design, LLC  
Lorrie Driver, IIDA  
PO Box 372  
Flora, MS 39071

ldriver@id-intdesign.com  
601-594-3861

## GREENWISE MISSISSIPPI

PROJECT LDID



1

### GULFPORT

1/8" = 1'-0"

FLOOR PLAN  
ISSUE DATE  
JUNE 29, 2022  
REVISED DATE

G2

 COPY

PREPARED BY:  
Michael J. Yentzen  
Esplanade Land & Title Co., LLC  
1914 24<sup>th</sup> Avenue  
Gulfport, MS 39501  
(228) 594-8860  
MS Bar # 100866

RETURN TO:  
Michael J. Yentzen  
Esplanade Land & Title Co., LLC  
1914 24<sup>th</sup> Avenue  
Gulfport, MS 39501  
(228) 594-8860

STATE OF MISSISSIPPI  
COUNTY OF HARRISON  
FIRST JUDICIAL DISTRICT

WARRANTY DEED

For and in consideration of the sum of TEN AND NO/100THS DOLLARS (\$10.00), cash in hand paid, and other good and valuable consideration, the receipt and sufficiency of all which is hereby acknowledged,

HOPKINS BLVD., INC.  
A MISSISSIPPI CORPORATION  
13134 TYLER CIRCLE  
GULFPORT, MS 39503  
PHONE: 228.214.0272

does hereby sell, convey, and warrant unto  
OASIS REAL ESTATE INVESTMENTS, INC.  
A MISSISSIPPI CORPORATION  
239 COWAN ROAD  
GULFPORT, MS 39507  
PHONE: 228.297.8111

the following described land and property, lying and being situated in Harrison County,

Mississippi, First Judicial District, more particularly and certainly described as follows:

(See Exhibit A attached)(Page 3)

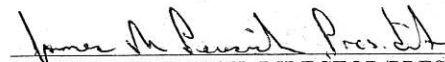
Indexing instructions: Lots 12 thru 21 and Lots 54 thru 56 in Block 19, and a portion of vacated Roosevelt Street of the Magnolia Highway Subdivision in the First Judicial District of Harrison County, Mississippi.

This conveyance is subject to all covenants, restrictions, easements, rights of way and other matters of record.

Ad Valorem taxes for the current year are prorated and assumed by the Grantee. It is agreed and understood that the taxes for the current year have been prorated 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 Grantor agrees to pay said Grantee or its assigns any deficit on actual proration.

WITNESS the signature of the Grantor on this the 1<sup>st</sup> day of April, 2016.

HOPKINS BLVD., INC.



JAMES M. PERESICH, DIRECTOR/PRESIDENT – GRANTOR

**STATE OF MISSISSIPPI  
COUNTY OF HARRISON**

PERSONALLY came and appeared before me, the undersigned authority in and for the above mentioned county and state, JAMES M. PERESICH, who acknowledged that he is the DIRECTOR/PRESIDENT of HOPKINS BLVD., INC. a Mississippi Corporation, and that he signed, executed and delivered the above and foregoing instrument in said capacity as and for the act and deed of HOPKINS BLVD., INC. after having been duly and officially authorized to so act.

GIVEN under my hand and official seal of office this the 1<sup>st</sup> day of April, 2016.

MY COMMISSION EXPIRES:

MAY 26, 2018

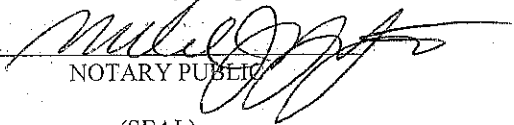
  
NOTARY PUBLIC  
(SEAL)



EXHIBIT "A"

LEGAL DESCRIPTION: A PARCEL OF REAL PROPERTY COMPRISED OF LOTS 12 THRU 21 AND LOTS 54 THRU 56, BLOCK 19, AND A PORTION OF VACATED ROOSEVELT STREET, OF THE MAGNOLIA HIGHWAY SUBDIVISION AS PER THE OFFICIAL MAP OR PLAT THEREOF ON FILE AND OF RECORD IN THE OFFICE OF THE CHANCERY CLERK FOR THE FIRST JUDICIAL DISTRICT OF HARRISON COUNTY, MISSISSIPPI.

ALSO DESCRIBED AS LOT 3A ON THE CERTIFICATE OF RE-SUBDIVISION OF THE PROPERTY OF HARKINS DEVELOPMENT CORPORATION APPROVED BY THE CITY COUNCIL FOR THE CITY OF GULFPORT AT THE MEETING OF THE MAYOR AND CITY COUNCIL ON FEBRUARY 21, 2006, IN CASE FILE NUMBER 0601PC009 AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT AN IRON ROD FOUND AT THE POINT OF INTERSECTION OF THE EAST MARGIN OF OLD HIGHWAY 49 WITH THE NORTH MARGIN OF RUSSELL BOULEVARD ALSO BEING THE SOUTHWEST CORNER OF LOT 42 IN BLOCK 19 OF THE MAGNOLIA HIGHWAY SUBDIVISION IN THE CITY OF GULFPORT, HARRISON COUNTY, MISSISSIPPI; THENCE SOUTH 89 DEGREES 20 MINUTES 49 SECONDS EAST A DISTANCE OF 386.01 FEET ALONG THE NORTH MARGIN OF RUSSELL BOULEVARD TO AN IRON ROD SET AT THE SOUTHWEST CORNER OF LOT 54 IN BLOCK 19 OF SAID MAGNOLIA HIGHWAY SUBDIVISION AS THE POINT OF BEGINNING:

THENCE NORTH 00 DEGREES 47 MINUTES 13 SECONDS WEST FOR A DISTANCE OF 270.08 FEET TO AN IRON ROD SET; THENCE SOUTH 89 DEGREES 19 MINUTES 42 SECONDS EAST FOR A DISTANCE OF 250.00 FEET TO AN IRON ROD SET ON THE WEST MARGIN OF U.S. HIGHWAY 49; THENCE ALONG SAID WEST MARGIN, SOUTH 00 DEGREES 47 MINUTES 11 SECONDS EAST FOR A DISTANCE OF 150.00 FEET TO AN IRON ROD FOUND; THENCE NORTH 89 DEGREES 20 MINUTES 48 SECONDS WEST FOR A DISTANCE OF 175.00 FEET TO AN IRON ROD FOUND; THENCE SOUTH 00 DEGREES 47 MINUTES 13 SECONDS EAST FOR A DISTANCE OF 120.00 FEET TO AN IRON ROD FOUND ON THE NORTH MARGIN OF RUSSELL BOULEVARD; THENCE ALONG SAID NORTH MARGIN NORTH 89 DEGREES 20 MINUTES 49 SECONDS WEST FOR A DISTANCE OF 75.00 FEET TO THE POINT OF BEGINNING, CONTAINING 1.067 ACRES.

BEING THE SAME PROPERTY SURVEYED BY PATRICK M. MARTINO DATED 03/06/06 (SEE ATTACHED COPY OF SAID SURVEY).

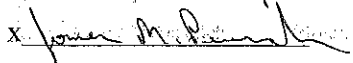
CORPORATE RESOLUTION TO CONVEY REAL PROPERTY

CORPORATION: HOPKINS BLVD., INC.  
9113 HIGHWAY 49, SUITE 300  
GULFPORT, MISSISSIPPI 39503

I, THE UNDERSIGNED, DO HEREBY CERTIFY THAT:

**THE CORPORATION'S EXISTENCE.** The complete and correct name of the Corporation is Hopkins Blvd., Inc. ("Corporation"). The Corporation is a corporation for profit which is, and at all times has been, duly organized, validly existing, and in good standing under and by virtue of the laws of the State of Mississippi. The Corporation is duly authorized to transact business in all states in which the Corporation is doing business, having obtained all necessary filings, governmental licenses and approvals for each state in which the Corporation is doing business. The Corporation has the full power and authority to own its properties and to transact the business in which it is presently engaged. The Corporation maintains an office at 9113 Highway 49, Gulfport, Mississippi, 39503.

**OFFICERS.** The following named person is the sole Director and Officer of Hopkins Blvd., Inc.

<u>NAME</u>	<u>TITLE</u>	<u>AUTHORIZED</u>	<u>ACTUAL SIGNATURE</u>
James M Peresich	Director/President	Y	X 

**RESOLUTIONS ADOPTED.** At a meeting of the sole Director of the Corporation, by duly authorized action in lieu of a meeting, the resolutions set forth in this Resolution were adopted.

**ACTIONS AUTHORIZED.** The authorized person listed above may execute any and all documents necessary or desirable, to grant, sell, bargain and convey the real property and improvements located thereon located at 9113 Highway 49, Gulfport, Mississippi, 39503 to Clifford Frisby or his designee ("Buyer") pursuant to the terms and conditions of that certain Commercial Purchase and Sale Agreement entered into between the Corporation and Clifford Frisby for the sum of \$790,000.00 dated as of January 20, 2016 and may enter into any agreements of any nature with Buyer, and those agreements will bind the Corporation. The authorized person listed above may execute any and all documents necessary or desirable to disburse the sales proceeds to creditors of the Corporation.

**SALE OF SUBSTANTIALLY ALL ASSETS.** To the extent required by the Mississippi Business Corporation Act, the Director and sole Shareholder of the Corporation has authorized and approved the sale of substantially all of the assets of the Corporation.

**CERTIFICATION CONCERNING OFFICERS AND RESOLUTIONS.** The officer named above has been duly elected, appointed, or employed by or for the Corporation, as the case may be, and occupies the position set opposite his name. This Resolution now stands of record on the books of the Corporation, is in full force and effect, and has not been modified or revoked in any manner whatsoever.

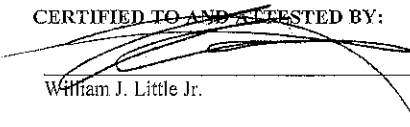
**NO CORPORATE SEAL.** The Corporation has no corporate seal, and therefore, no seal is affixed to this Resolution.

**CONTINUING VALIDITY.** Any and all acts authorized pursuant to this Resolution and performed prior to the passage of this Resolution are hereby ratified and approved. This Resolution shall be continuing, shall remain in full force and effect and Buyer and his agents may rely on same.

**IN TESTIMONY WHEREOF,** I attest that the signatures set opposite the name listed above is his genuine signature.

I have read all the provisions of this Resolution, and certify that all statements and representations made in this Resolution are true and correct.

CERTIFIED TO AND ATTESTED BY:

  
William J. Little Jr.

STATE OF MISSISSIPPI  
COUNTY OF HARRISON

Personally appeared before me, the undersigned authority in and for said county and state, on this 30<sup>th</sup> day of March, 2016, within my jurisdiction, the within named William J. Little, Jr., who acknowledged that he executed the above and foregoing instrument.

*Monica L. Goston*

NOTARY PUBLIC

My commission expires:

September 9, 2018





## MISSISSIPPI COMMERCIAL LEASE

This lease agreement is entered into on this the 1<sup>st</sup> day of June, 2022, by and between:

OASIS REAL ESTATE INVESTMENTS, INC. (hereinafter called "LESSOR"), whether one or more, and GREENWISE LLC / EIN# 88-2414034 (hereinafter called "LESSEE"), whether one or more. For valuable consideration, the receipt and sufficiency of which is hereby acknowledged, LESSOR and LESSEE do hereby covenant, contract and agree as follows:

1. **PREMISES AND TERM:** LESSOR, hereby leases to LESSEE for the term commencing on the 1<sup>st</sup> day of June, 2022 and ending on the 31<sup>st</sup> day of May, 2025, (the "TERM") the following described premises in its present condition, located at 9113 HWY 49 SUITE 100 in Harrison County, Mississippi: The leased property is depicted on the drawings and photographs attached hereto as "EXHIBIT A".

(hereinafter called the "PREMISES or LEASED PREMISES").

2. **RENEWAL:** LESSOR hereby agrees to offer two separate three year extensions on the following terms: a. a minimum of thirty days' prior written notice from LESSEE to LESSOR is required prior to extension of the prior lease term in order to effect each extension, and b. the monthly rent for the first extension shall be \$1,500.00 and the monthly rent for the second extension shall be \$1,700.00.

3. **RENT:** The LESSEE covenants to pay to LESSOR as Rent the sum of One Thousand Two Hundred Dollars (\$1,200.00) per month, (hereinafter "the Rent"), in advance without demand on or before the first day of each month at the office of the LESSOR.

The LESSEE shall pay the Rent when due and payable, without any setoff, deduction or prior demand whatsoever. Any payment by LESSEE or acceptance by LESSOR of a lesser amount than shall be due from LESSEE to LESSOR shall be treated as payment on account. The acceptance by LESSOR of a check for a lesser amount with an endorsement or statement thereon, or upon any letter accompanying such check, that such lesser amount is payment in full, shall be given no effect, and LESSOR may accept such check without prejudice to any other rights or remedies which LESSOR may have against LESSEE.

4. **LATE CHARGES:** LESSEE shall pay a late charge in the amount of \$84.00 (7%) of the outstanding delinquent balance for any payment of the rent not made within 5 days after the due date to cover the extra expense involved in handling late payments. This charge is in addition to any other rights or remedies of the LESSOR.

5. **UTILITIES:** LESSEE shall be responsible for all charges for utilities for the PREMISES on a monthly basis

for the entire term of this lease, including any extensions.

6. **CONDITION OF PREMISES; USE OF PREMISES:** LESSOR agrees that LESSEE, upon paying the rent and on performing all terms of this lease, shall peaceably enjoy the Leased Premises during the term of this lease. By occupying the Leased Premises as a tenant, LESSEE shall be deemed to have accepted the same and to have acknowledged that the Premises are in the condition required by this lease.

LESSEE acknowledges that LESSEE has examined and knows the condition of the Leased Premises, and has received the same in good order and repair, and agrees:

- (a) To use these Leased Premises only for "MEDICAL CANNIBIS DISPENSARY ."
- (b) To surrender the Leased Premises to LESSOR at the end of the Term or any renewal without the necessity of any notice from either LESSOR or LESSEE to terminate the same, and LESSEE hereby expressly waives all right to any notice which may be required under any laws now or hereafter enacted and in force.
- (c) To surrender possession of these Leased Premises at the expiration of this lease without further notice to quit, in as good condition as reasonable use will permit.
- (d) To keep the Premises in good condition and repair at LESSEE's own expense, except repairs which are the duty of LESSOR.
- (e) To perform, fully obey and comply with all ordinances, rules, regulations and laws of all public authorities, boards and officers relating to the use of the Premises.
- (f) Not to make any occupancy of the Leased Premises contrary to law or contrary to any directions, rules, regulations, regulatory bodies, or officials having jurisdiction or which shall be injurious to any person or property.
- (g) Not to permit any waste or nuisance.
- (h) Not to use the Leased Premises for living quarters or residence.

LESSEE shall pay (a) for any expense, damage or repair occasioned by the stopping of waste pipes or overflow from bathtubs, closets, washbasins, basins or sinks, and (b) for any damage to window panes, window shades,

curtain rods, wallpaper, furnishings, or any other damage to the interior of the Leased Premises.

Any signage must be preapproved by LESSOR. Any signs placed upon or about such Leased Premises shall, upon the end of the Term of the lease or upon the earlier termination, be removed by LESSEE, and LESSEE shall repair any damage to the Leased Premises which shall be occasioned by reason of such removal.

At all times, LESSEE shall keep the sidewalks, if any, in front of or adjoining the Leased Premises clean and in a sightly and sanitary condition.

All repairs, except those specific repairs set forth below which are the responsibility of the LESSOR, shall be made by the LESSEE at its own expense. If the LESSOR pays for the same or any part thereof, LESSOR shall be reimbursed by LESSEE for such amount.

The LESSOR shall be responsible for making only the following repairs [check those that apply]:

- sprinkler system
- heating, ventilating or air-conditioning system serving the Premises if, and to the extent, installed by LESSOR in excess of \$500.00 per occurrence, and
- structural repairs to exterior walls, structural columns and structural floors which collectively enclose the Premises (excluding, however, storefronts), and
- the roof over the Premises.
- Other: \_\_\_\_\_
- Other: \_\_\_\_\_
- Other: \_\_\_\_\_

LESSEE shall give LESSOR notice of the necessity for such repairs and that such repairs did not arise from nor were they caused by the negligence or willful acts of LESSEE, its agents, concessionaires, officers, employees, licensees, invitees, or contractors.

**7. FIXTURES AND TRADE FIXTURES.** LESSEE shall make no changes, improvements, alterations, or additions to the Leased Premises unless such changes, improvements, alterations, or additions: (a) are first approved in writing by LESSOR; (b) are not in violation of restrictions placed thereon by the investor financing the construction of the building; and (c) will not materially alter the character of such premises and will not substantially lessen the value of the Leased Premises. LESSOR may not unreasonably withhold approval, and if there is a dispute as to reasonableness, it shall be determined by arbitration.

All improvements made by LESSEE to the Premises which are so attached to the Premises that they cannot be

removed without material injury to the Premises, shall become the property of LESSOR upon installation. Not later than the last day of the Term, LESSEE shall, at LESSEE's expense, remove all of LESSEE's personal property and those improvements made by LESSEE which have not become the property of LESSOR, including trade fixtures, cabinetwork, movable paneling, partitions, and the like; repair all injury done by or in connection with the installation or removal of such property and improvements; and surrender the Premises in as good condition as they were at the beginning of the Term, reasonable wear, and damage by fire, the elements, casualty, or other cause not due to the misuse or neglect by LESSEE or LESSEE's agents, employees, visitors, or licensees, excepted. All property of LESSEE remaining on the Premises after the last day of the Term of this lease shall be conclusively deemed abandoned and may be removed by LESSOR, and LESSEE shall reimburse LESSOR for the cost of such removal.

**8. SECURITY DEPOSIT:** The LESSEE, contemporaneously with the first Rent installment, agrees to deposit with the LESSOR Twelve Hundred Dollars (\$1,200.00) which sum shall be held by the LESSOR as security for the full faith and performance by LESSEE of all of the terms, covenants and conditions of this lease by LESSEE.

The security deposit shall be held, applied to damages or rent and returned to LESSEE all in accordance with the laws of the state where the Leased Premises are located and in force at the time of execution of this lease.

**9. LESSOR'S LIEN:** As additional security, LESSEE acknowledges, to the extent allowed by applicable law, the LESSOR'S right to hold and sell with due legal notice all property on or to be brought on the Premises in order to satisfy unpaid Rent, expenses, and utilities. No property of LESSEE brought onto the Leased Premises shall be removed by LESSEE other than in the ordinary course of business as long as LESSEE is in default in the terms of this lease.

**10. DEFAULT:** Each of the following shall be deemed an Event of Default:

- a. Default in the payment of Rent or other payments hereunder.
- b. Default in the performance or observance of any covenant or condition of this lease by the LESSEE to be performed or observed.
- c. Abandonment of the premises by LESSEE.
- d. The filing or execution or occurrence of:
  - i. Filing a Petition in bankruptcy by or against LESSEE.
  - ii. Filing a petition or answer seeking a reorganization, arrangement, composition,

readjustment, liquidation, dissolution or other relief of the same or different kind under any provision of the Bankruptcy Act.

- iii. Adjudication of LESSEE as a bankrupt or insolvent; or insolvency in the bankruptcy equity sense.
- iv. An assignment for the benefit of creditors whether by trust, mortgage, or otherwise.
- v. A petition or other proceeding by or against LESSEE for, or the appointment of, a trustee, receiver, guardian, conservator or liquidator of LESSEE with respect to all or substantially all its property.
- vi. A petition or other proceeding by or against LESSEE for its dissolution or liquidation, or the taking of possession of the property of the LESSEE by any governmental authority in connection with dissolution or liquidation.

**11. NOTICE OF DEFAULT.** The parties are desirous of giving one another fair notice of any default before termination or other action under this lease requiring such notice. In the event of an act of default with respect to any provision of this lease, neither party can institute legal action with respect to such default without first complying with the following conditions:

- a. Notice of such event of default must be in writing and must either be hand delivered, mailed to the other party by U.S. Certified Mail, return receipt requested, or if unable to provide notice by these methods, if notice is from LESSOR to LESSEE by posting the notice on the front door of the Leased Premises;
- b. Such written notice shall set forth the nature of the alleged default in the performance of the terms of this lease and shall designate the specific paragraph(s) therein which relate to the alleged act of default;
- c. Such notice shall also contain a reasonably understandable description of the action to be taken or performed by the other party in order to cure the alleged default and the date by which the default must be remedied, which date can be not less than 30 business days from the date of mailing the notice of default.

If LESSEE fails to pay rent when due, LESSOR may serve LESSEE with a three (3) day Notice of Default requiring LESSEE to pay in full within three (3) days or surrender the premises.

**12. TERMINATION.** Upon occurrence of any Event of Default, and after proper notice of default has been given,

LESSOR may, at its option, in addition to any other remedy or right given hereunder or by law; Give notice to LESSEE that this lease shall terminate upon the date specified in the notice..

The foregoing provisions for the termination of this lease shall not operate to exclude or suspend any other remedy of the LESSOR for breach, or for the recovery of said Rent for the full term.

If this lease is continued without an express written agreement, then LESSEE's tenancy shall be from month to month only. In this event, LESSEE shall be entitled to possession until LESSOR has given LESSEE seven (7) days notice that such month to month tenancy shall be terminated. (See paragraph 22).

**13. ACCELERATION.** LESSEE expressly agrees and understands that upon LESSOR'S termination of this Lease for cause, the entire remaining balance of unpaid Rent for the remaining term of this Lease shall ACCELERATE, whereby the entire sum shall become immediately due, payable, and collectable. To the extent allowed by law, LESSOR may hold the portion of LESSEE'S security deposit remaining after reasonable cleaning and repairs as a partial offset to satisfaction of the accelerated Rent.

**14. REPOSSESSION.** Upon termination of this lease as provided herein, or pursuant to statute, or by summary proceedings or otherwise, the LESSOR may enter forthwith, without further demand or notice to LESSEE, and resume possession of the Leased Premises. In no event shall such re-entry or resumption of possession or re-letting as hereafter provided be deemed to be acceptance or surrender of this lease or a waiver of the rights or remedies of LESSOR hereunder, unless such resumption of possession be pursuant to LESSOR'S termination without cause.

**15. DEFAULT BY LESSOR.** In the event of any default by LESSOR, LESSEE, before exercising any rights that it may have at law to cancel this lease, must first send notice by registered or certified mail, or hand delivery, to LESSOR, and shall have offered LESSOR thirty (30) days in which to correct and cure the default or commence a good faith effort to cure such default.

**16. RELETTING AFTER TERMINATION.** Upon termination of this lease in any manner above provided, LESSOR shall use reasonable efforts to re-let the Premises.

**17. DAMAGES.** Upon termination of this lease in any manner above provided, or by summary proceedings or otherwise, LESSEE shall pay to LESSOR without demand or notice the following:

- (a) All Rent and other payments accrued to the date of such termination and a proportionate part of the rent otherwise payable for the month in which such termination occurs.
- (b) All future Rent and other payments to be due under the terms of this lease to the extent Landlord has not been able to offset same by re-letting the Premises within 30 days of termination.
- (c) The costs of making all repairs, alterations and improvements required to be made by LESSOR hereunder, and of performing all covenants of LESSEE relating to the condition of the Premises during the Term and upon expiration or sooner termination of this lease, such costs to be deemed prima facie to be the costs estimated by a reputable architect or contractor selected by LESSOR or the amounts actually expended or incurred thereafter by LESSOR.
- (d) The attorneys' fees and other costs incurred by LESSOR as a result of LESSEE's action or inaction.

**18. EXCLUSIVITY OF LESSOR'S REMEDIES:** The receipt of Rent after default, or after judgment or after execution, shall not deprive the LESSOR of other actions against the LESSEE for possession or for Rent or for damages, and all such remedies are non-exclusive and can be exercised concurrently or separately as LESSOR desires.

**19. LESSOR NOT LIABLE FOR INJURY OR DAMAGE TO PERSONS OR PROPERTY:** The LESSOR shall not be liable for any injury or damage to any person or to any property at any time on said Premises or building from any cause whatever that may at any time exist from the use or condition of the Premises or building from any cause, during the Term or any renewal of this lease.

**20. TAXES:** Property taxes on the Leased Premises shall be responsibility of LESSOR. Taxes on the personal property of Lessee shall be the responsibility of LESSEE. All other taxes shall be the responsibility of the party incurring same.

**21. RIGHT OF RE-ENTRY.** LESSOR shall have the right, by itself or agent or with others, to enter the Premises at reasonable hours to examine or exhibit the premises, or to make such repairs and alterations as shall be deemed necessary for the safety and preservation of the building, to inspect and examine, to post such notices as LESSOR may deem necessary to protect LESSOR against loss from liens of laborers, materialmen or others, and for the purpose of permitting or facilitating LESSOR's performance of its obligations hereunder, or for any other

reasonable purpose which does not materially diminish LESSOR's enjoyment or use of the Leased Premises.

**22. HOLDOVER.** If LESSEE shall holdover after the expiration of the Term hereof, with the consent of LESSOR, express or implied, such tenancy shall be from month to month only, and not a renewal hereof; and LESSEE agrees to pay Rent and all other charges as provided herein, and also to comply with all covenants of this lease for the time LESSEE holds over. LESSEE shall be entitled to possession until LESSOR has given LESSEE seven (7) days notice that such month to month tenancy shall be terminated; otherwise, notice is only required as hereinafter provided as notice of default.

If LESSEE shall hold over without the consent of LESSOR, express or implied, then LESSEE shall be construed to be a tenant at sufferance at double the Rent herein provided, prorated by the day until possession is returned to LESSOR.

LESSEE'S holding over beyond the expiration of the notice period of a lawful Notice of Termination constitutes holding over without the consent of the LESSOR, and LESSEE shall be construed to be a tenant at sufferance, at double the Rent herein provided, prorated by the day until possession is returned to LESSOR, without limitation to LESSOR'S remedies and rights of recovery under applicable law.

**23. NATURE OF RELATIONSHIP BETWEEN PARTIES.** The sole relationship between the parties created by this agreement is that of LESSOR and LESSEE. Nothing contained in this lease shall be deemed, held, or construed as creating a joint venture or partnership between the parties.

**24. RIGHT OF LESSOR TO PAY OBLIGATIONS OF LESSEE TO OTHERS.** If LESSEE shall fail or refuse to pay any sums due to be paid by it under the provisions of this lease, or fail or refuse to maintain the Leased Premises or any part thereof as herein provided, then, and in such event, LESSOR, after 10 days notice in writing by LESSOR to LESSEE, shall have the right to pay any such sum or sums due to be paid by LESSEE and to do and perform any work necessary to the proper maintenance of the Leased Premises; and the amount of such sum or sums paid by LESSOR for the account of LESSEE and the cost of any such work, together with interest on such amount at the maximum legal rate from the date of payment by LESSOR until the repayment to LESSOR by LESSEE, shall be paid by LESSEE upon demand in writing. The payment by LESSOR of any such sum or sums or the performance by LESSOR of any such work shall be prima facie evidence of the necessity for such work.

**25. MECHANICS AND OTHER LIENS IMPOSED BY LESSEE.** LESSEE shall keep the Leased Premises and the improvements at all times during the term free of mechanics and materialmen's liens and other liens of like nature, other than liens created and claimed by reason of any work done by or at the instance of LESSOR, and at all times shall fully protect and indemnify LESSOR against all such liens or claims and against all attorneys' fees and other costs and expenses growing out of or incurred by reason or on account of any such liens or claims. Should LESSEE fail to fully discharge any such lien or claim, LESSOR, at its option, may pay the same or any part thereof, and LESSOR shall be the sole judge of the validity of such lien or claim.

All amounts so paid by LESSOR, together with interest the maximum legal rate from the time of payment by LESSOR until repayment by LESSEE, shall be paid by LESSEE upon demand, and if not so paid, shall continue to bear interest at the aforesaid rate, interest payable monthly, as additional rent.

**26. CONDEMNATION CLAUSE:** In the event that all or a part of the Premises is taken by eminent domain or conveyed in lieu of eminent domain, if the Leased Premises cannot reasonably be used by LESSEE for their intended purpose, then this lease will terminate effective as of the date that the condemning authority shall take possession of the same.

**27. FIRE CLAUSE:** The LESSEE agrees to notify LESSOR of any damages to the Leased Premises by fire or other hazard and also of any dangerous or hazardous condition within the Leased Premises immediately upon the occurrence of such fire or other hazard or discovery of such condition.

Upon occurrence of a fire, repairs shall be made by LESSOR as soon as reasonably may be done unless the costs of repairing the Premises exceed 25% of the replacement cost of the building in which case the LESSOR may, at its option, terminate this lease by giving LESSEE written notice of termination within 30 days of the date of the occurrence.

If the LESSOR does not terminate this Lease pursuant to the paragraph above, then LESSOR has 30 days after the date of occurrence to give written notice to LESSEE setting forth its unqualified commitment to make all necessary repairs or replacements, the projected date of commencement of such repairs, and the LESSOR'S best good faith estimate of the date of completion of the same.

If the LESSOR fails to give such notice, or if the date of completion is more than 90 days after the date of the occurrence, then the LESSEE may, at its option, terminate

this lease and the LESSOR will be obliged to refund to the LESSEE any rent allocable to the period subsequent to the date of the fire.

**28. WAIVER OF NONPERFORMANCE:** Failure of the LESSOR to exercise any of its rights under this lease upon nonperformance by the LESSEE of any condition, covenant or provision herein contained shall not be considered a waiver, nor shall any waiver of nonperformance of any such condition, covenant or provision by the LESSOR be construed as a waiver of the rights of the LESSOR as to any subsequent defective performance or nonperformance hereunder.

**29. PAROL EVIDENCE CLAUSE:** This instrument constitutes the final, fully integrated expression of the agreement between the LESSOR and the LESSEE, and it cannot be modified or amended in any way except in writing signed by the LESSOR and LESSEE.

**30. SUBORDINATION:** This lease is subordinate to the lien of all present or future mortgages that affect the Leased Premises and to all renewals, modifications, replacements and extensions of this lease. This clause shall be self-operative but in any event LESSEE agrees to execute promptly and deliver any estoppel certificate or other assurances that LESSOR may request in furtherance of this provision.

**31. INSURANCE:** LESSEE shall, during the entire term of the lease keep in full force and effect a policy of public liability insurance with respect to the property and the business operated by LESSEE in the property and which the limits of general liability shall be in the amount of one Million Dollars (\$1,000,000) combined single limit, naming LESSOR as additional insured. Such coverage shall include a broad form general liability endorsement. The policy shall contain a clause that the LESSEE will not cancel or change the insurance without first giving the LESSOR ten (10) days prior written notice.

**32. NOTICES.** All notices and communications concerning this lease shall be mailed to the parties at the following addresses:

<u>LESSOR</u>	<u>LESSEE</u>
<u>Oasis Real Estate Investments</u>	<u>Greenwise, LLC</u>
<u>Clifford Frisby</u>	<u>Stephanie Gray</u>
<u>2205 John Hill Blvd</u>	<u>505 Cobblestone Court,</u>
<u>Gulfport, MS 39501</u>	<u>Madison, MS 39110</u>

**33. SALE BY LESSOR.** In the event of a sale or conveyance by LESSOR of all or part of the Leased Premises, the same shall operate to release LESSOR from any future liability upon any of the covenants or conditions, express or implied, herein contained in favor

of LESSEE, and in such event LESSEE agrees to look solely to the responsibility of the successor in interest of LESSOR in and to this lease. This lease shall not be affected by any such sale, and LESSEE agrees to attorn to the purchaser or assignee. LESSEE agrees to permit LESSOR, at any time within 60 days prior to the expiration of this lease, to place upon or in the window of the leased premises any usual or ordinary For Rent or similar sign and to allow prospective tenants, applicants or agents of LESSOR to enter and examine the Leased Premises during the last 60 days of the term hereof, and to permit LESSOR or LESSOR's agents, at any time during the term hereof, to conduct prospective purchasers through the Leased Premises during reasonable business hours.

**34. COURT ACTION, ATTORNEY'S FEES AND COSTS.** If, upon failure of either party to comply with any of the covenants, conditions, rules or regulations of and in this lease, and suit should be brought for damages on account, or to enforce the payment of Rent herein stipulated, or to recover possession of the Premises or to enforce any provision hereof, the losing party agrees to pay to the prevailing party reasonable costs and expenses incurred in prosecuting these suits.

**35. ASSIGNMENTS AND SUB-LEASE:** The LESSEE hereby agrees not to assign this lease voluntarily or involuntarily, nor to sub-lease the Premises or any part of the Leased Premises, without the written consent of the LESSOR, under penalty of instant forfeiture of this lease. All rights and liabilities herein given to or imposed upon either of the parties shall extend to the heirs, executors, administrators, successors and assigns of such party.

**36. INTERPRETATION.** Whenever any word is used in this agreement in the masculine gender, it shall also be construed as being used in the feminine and neuter genders, and singular usage shall include the plural and vice versa, all as the context shall require.

**37. MODIFICATION.** Any modification or amendment off this agreement shall be in writing and shall be executed by all parties.

**38. SEVERABILITY CLAUSE:** If any term, covenant, condition, or provision of this lease is held by a court of competent jurisdiction to be invalid, void, or unenforceable, the remainder of the provisions shall remain in full force and effect and shall in no way be affected, impaired, or invalidated.

**39. LAW TO APPLY:** This lease shall be construed under and in accordance with the laws of the State of Mississippi. Those laws shall govern every aspect of the enforcement of this lease.

**40. ADDENDUMS.** The following addendums are attached to this lease and shall be initiated by the parties. (Check all that apply or check none)

- Option to Purchase
- Arbitration Agreement
- Other: \_\_\_\_\_
- None

**41. OTHER PROVISIONS:**

(A) LESSEE shall not be responsible for obtaining insurance or paying utilities until LESSEE obtains a license as a dispensary from the MS Department of Revenue and receives approval from the city of Gulfport and Harrison County to operate a dispensary at the premises. During the pendency of LESSEE's license application and occupancy application, LESSEE shall have the ability to terminate this lease by giving seven days written notice to LESSOR prior to the due date of that month's rent in the event that LESSEE's licensure application is denied by the MS Department of Revenue or LESSEE's certificate of occupancy is denied by the city or county. Upon receipt of said license and certificate of occupancy this provision shall no longer apply.

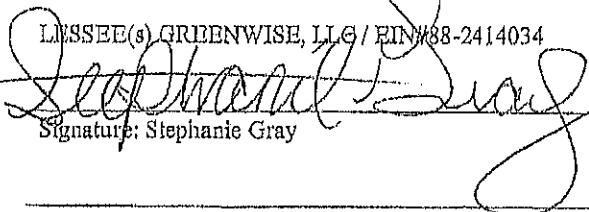
(B) See provisions on the executed LOI to the extent that said provisions are not in conflict with the terms of this agreement. In the even of any conflict, the terms of this agreement will apply.

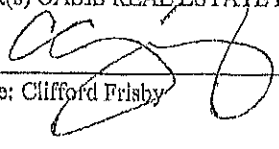
All documents such as schedules, exhibits and like documents are incorporated herein and shall initialed by all parties. If LESSEE is a corporation, each person executing this lease represents and warrants that he is duly authorized to execute and deliver this lease on behalf of the corporation. Those persons further represent that the terms of this lease are binding upon the corporation.

In Witness Whereof, the undersigned LESSOR and LESSEE execute this lease to be effective as of the day and date first above written.

LESSEE(s) GREENWISE, LLC / EIN#88-2414034

LESSOR(s) OASIS REAL ESTATE INVESTMENTS, INC

  
Signature: Stephanie Gray

  
Signature: Clifford Frisby

Signature

Signature

PERMITS/INSP PAYMENT    RECPT#: 11412464  
CITY OF GULFPORT  
GULFPORT MS 39501

DATE: 08/02/22            TIME: 16:52  
CLERK: bbcone            DEPT:  
CUSTOMER#: 0

COMMENT:

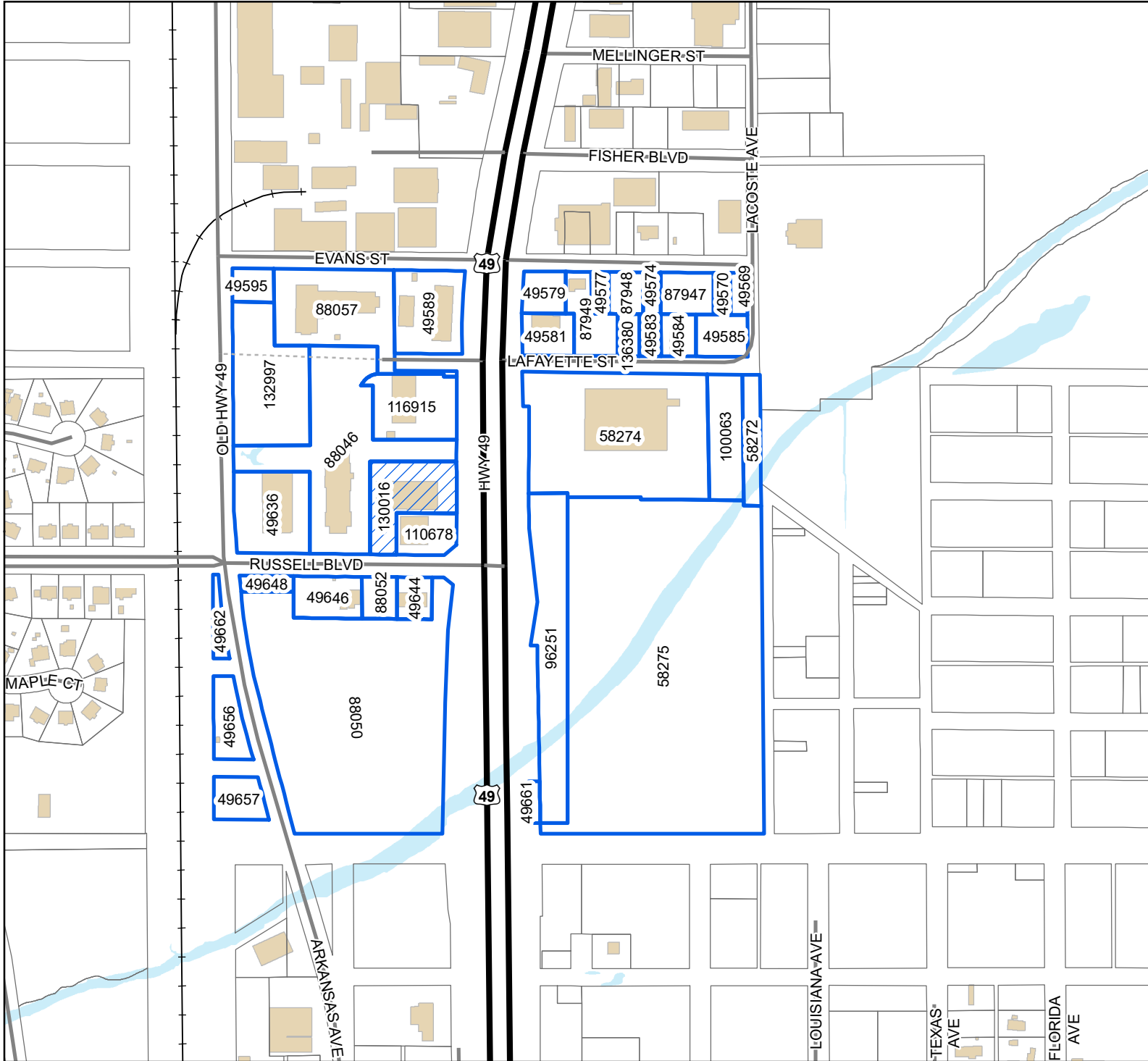
CHG: PZD    PLANNING AND ZO            75.00

AMOUNT PAID:            75.00









PAID BY:  
PAYMENT METH: CHECK  
                 5205

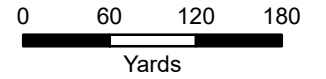
REFERENCE:

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



**Legend**

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



1 inch = 400 feet



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

Mail	PPIN	Parcel ID	Name	Address	City	State	ZIP
	130016	0809N-03-006.002	OASIS REAL ESTATE INVESTMENTS INC (OWNER)	2205 JOHN HILL BLVD	GULFPORT	MS	39501
			CLIFFORD FRISBY (OWNER)	2205 JOHN HILL BLVD	GULFPORT	MS	39501
			RANDY KIRBY (AGENT)	505 COBBLESTONE CT.	MADISON	MS	39110
N			<b>Adjacent Property Owners (2209PC170)</b>				
	96251	0809N-01-041.001	4S ACRES LP	15143 GEIL RD	GULFPORT	MS	39503
	58275	0809N-01-046.000	4S ACRES LP	15143 GIL RD	GULFPORT	MS	39503
	49589	0809N-02-014.000	AGREE RT GULFPORT MS LLC	P.O. BOX 2437	SMYRNA	GA	30081
	49657	0809M-03-003.000	ALLEN TAFFA P ETAL	P O BOX 1648	GULFPORT	MS	39502
	116915	0809N-03-006.001	CHOUNG PE HANG & YU ZHU LIU	11503 MAGNOLIA ESTATES LANE	GULFPORT	MS	39503
	49636	0809M-03-005.000	DAISY PROPERTIES GULFPORT LLC	105 SYCAMORE ST	BAY ST LOUIS	MS	39520
	49662	0809M-03-001.000	DALEY ROBERT M & JEREMIA R	P O BOX 4273	GULFPORT	MS	39502
	87948	0809N-01-028.000	EBICS TECHNOLOGIES LLC	268 AIRPORT RD	RESERVE	LA	70084
N	87947	0809N-01-026.000	EBICS TECHNOLOGIES LLC	268 AIRPORT RD	RESERVE	LA	70084
N	49569	0809N-01-024.000	EBICS TECHNOLOGIES LLC	268 AIRPORT RD	RESERVE	LA	70084
N	49585	0809N-01-035.000	EBICS TECHNOLOGIES LLC	268 AIRPORT RD	RESERVE	LA	70084
N	49574	0809N-01-027.000	EBICS TECHNOLOGIES LLC	268 AIRPORT RD	RESERVE	LA	70084
	136380	0809N-01-033.001	GARRISON LYNN	P O BOX 3356	GULFPORT	MS	39505
	49570	0809N-01-025.000	GENEVAY EUGENE P	9204 TANGLEWILD PL	RIVER RIDGE	LA	70123
N	58272	0809N-01-036.000	HARRISON CO				0
	88052	0809N-03-020.000	HOTARD ENTERPRISES LTD PARTNER	P O BOX 803	MADISONVILLE	LA	70447
	49644	0809N-03-019.000	HOTARD ENTERPRISES LTD PARTNER ATTN: IP	O BOX 803	MADISONVILLE	LA	70447
N	49646	0809N-03-020.001	HOTARD ENTERPRISES LTD PARTNER	P O BOX 803	MADISONVILLE	LA	70447
	132997	0809M-03-013.000	JAY & MALISHA LLC	ONE SOUTH BELTLINE HWY	MOBILE	AL	36606
N	88046	0809N-03-006.000	JAY & MALISHA LLC	ONE SOUTH BELTLINE HWY	MOBILE	AL	36606
	110678	0809N-03-013.002	JOHNSON CLAYTON E	1230 N 6TH AVE	LAUREL	MS	39440
	100063	0809N-01-036.001	LEVY DARLEEN J	823 ST LOUIS ST	NEW ORLEANS	LA	70112
	49595	0809M-03-008.000	LINDSEY JOSEPHINE	1113 COLLAGE ST	GULFPORT	MS	39507
N	49661	0809N-01-045.000	MISS STATE HWY DEPT				0
	88050	0809N-03-018.000	MISS TRANSPORTATION COMMISSION C/O F P	O BOX 1850	JACKSON	MS	39215
	49581	0809N-01-032.000	OAK PROPERTIES LLC	34550 W DUBUISSON RD	SLIDELL	LA	70460
	49584	0809N-01-034.000	PENELTON MALCOLM D	1622 EASTWARD DR	GULFPORT	MS	39501
	49583	0809N-01-033.000	POOLSON FRANCIS G JR & SHEILA K	1235 22ND ST	GULFPORT	MS	39501
	49656	0809M-03-002.000	SBA PROPERTIES INC ATTN: A/P DEPARTMENT	8051 CONGRESS AVE	BOCA RATON	FL	33487
	88057	0809N-02-012.000	SCG LH GULFPORT AIRPORT LP C/O SOF-IX SI	980 HAMMOND DR STE 1400	ATLANTS	GA	30328
	49648	0809M-03-004.000	TDR LLC	14230 CREEKWOOD COVE	GULFPORT	MS	39503
	87949	0809N-01-030.000	WARD STEVEN W & SONIA L	25429 PECAN RD	PASS CHRISTIAN	MS	39571

<b>Mail</b>	<b>PPIN</b>	<b>Parcel ID</b>	<b>Name</b>	<b>Address</b>	<b>City</b>	<b>State</b>	<b>ZIP</b>
N	49577	0809N-01-029.000	WARD STEVEN W & SONIA L	25429 PECAN RD	PASS CHRISTIAN	MS	39571
N	49579	0809N-01-031.000	WARD STEVEN W & SONIA L	25429 PECAN RD	PASS CHRISTIAN	MS	39571
	58274	0809N-01-039.000	WESTBROOK GULFPORT LLC -ETAL-	49 PAPWORTH AVE	METAIRIE	LA	70005

**RE: Planning Commission Approval 2209PC170, by agent Randy Kirby, tax parcel 0809N-03-006.002, Requests a medical cannabis dispensary use, 9113 Hwy 49, Zoned B-4 (Highway business), Ward 3**

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, September 22, 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 Planning Commission for **Thursday, September 22, 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](mailto:planners@gulfport-ms.gov). The application is available for viewing in the Planning Division office at 1410 24<sup>th</sup> 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:**  
IPL0088455

**Order Status:**  
Submitted

**Classification:**  
Legals & Public Notices

**Package:**  
BLX - Legal Ads

**Final Cost:**  
59.04

**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**  
September 1, 2022 10:59:14 AM EDT

**Amount:**  
58.92

**Date**  
September 1, 2022 11:00:32 AM EDT

**Amount:**  
0.12

**SCHEDULE FOR AD NUMBER IPL00884550**

September 5, 2022  
SunHerald (Biloxi)

**PREVIEW FOR AD NUMBER IPL00884550****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 PM., Thursday, September 22, 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.

**Final Plat 2209PC160**, by owners Necaise Land L.P. & Dennis Stieffel, tax parcels 08071-01-001.052 & 08071-01-001.053, Approval of Final Plat for 3-lot subdivision (The Hunington Phase 4), Three Rivers Rd, Zoned R-1-15, (Single-family), Ward 7

**Planning Commission Approval 2209SE161**, by agent Garlon Pemberton, tax parcel 1010H-02-030.000, Request automotive sales use, 2137 E. Pass Road, Zoned B-1 (Neighborhood Business), Ward 2

**Resubdivision 2209PC162**, by owner Michael Morken, Divide into two new parcels, tax parcel 0811E-03-043.000, 1723 31st Ave, Zoned T3 (Sub-Urban Zone), Ward 2

**Zoning Map Amendment 2209PC166**, by agent Donovan Scruggs, tax parcels 08091-01-020-000, 08091-01-021.000, Request to rezone property from B-2 (General Business) to -2 (Heavy industry districts), 9506 and 9524 Creosote Rd. Zoned B-2 (General Business), Ward 3

**Planning Commission Approval 2209PC167**, by owner Danyel Nichols, tax parcel 0710H-04-048.000, Requests a duplex use, Zoned R-1-5 (Single-family), Pear St & Hawthorn St, Ward 3

**General Plan 2209PC168**, by agent Heinrich and Associates, tax parcels 10090-02-002.015 & 10090-02-002.000, Approval of a General Plan for 10-Lot subdivision (Bayou Plantations Subdivision Phase 2), Bayou Plantation Ln, Zoned R-2 (Single-family), Ward 5

**Planning Commission Approval 2209PC169**, by owner Gregory Pittman, tax parcel 0810E-01-041.000, Requests mobile home use, 8250 Indlaria Ave, Zoned R-1-5 (Single-family), Ward 3

**Planning Commission Approval 2209PC170**, by agent Randy Kirby, tax parcel 0809N-03-006.002, Requests a medical cannabis dispensary use, 9113 Hwy 49, Zoned B-4 (Highway business), Ward 3

**Zoning Text Amendment 2209PC171**, by Lauren Illing, City of Gulfport, Amendments to the Comprehensive Zoning Ordinance, as amended, Section I Definitions (B) Words and Phrases Medical cannabis Establishment and Section III District Regulations, (K) Chart of Permitted Uses, (2) Schedule of Uses (Medical Cannabis Dispensary)

**Resubdivision 2209PC172**, by owners Nicholas Shay, Ronald David Brown, Leah Simon, & Carlos Gaultreaux, tax parcel 0811L-04-122.000, Divide into two new parcels, 1301 31st Ave, Zoned T4+ (General Urban Zone "Plus"), Ward 2

**General Plan 2209PC173**, by owner C&G Holdings, LLC, tax parcel 1010M-01-013.001, Requests approval for a 75-lot Zero Lot Line subdivision (Gulf Grove), Cowan Rd, Zoned T4+ (General Urban Zone "Plus") and T4L (General Urban Zone "Limited"), Ward 2

This the 1st day of September, 2022  
Keith Williams, Chairman  
City of Gulfport Planning Commission  
IPL0088455  
Sep 5 2022

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

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CITY OF GULFPORT PLANNING COMMISSION

2209PC170

TRANSCRIPT OF HEARING

September 22, 2022

\*\*\*\*\*

TRANSCRIPT OF HEARING HELD BEFORE THE CITY OF GULFPORT  
PLANNING COMMISSION HELD IN THE CITY COUNCIL CHAMBERS,  
GULFPORT, MISSISSIPPI, ON THE 22ND DAY OF SEPTEMBER 2022  
COMMENCING AT 4:30 P.M. AND REPORTED BY  
NORMA JEAN LADNER SOROE, CERTIFIED SHORTHAND REPORTER.

\*\*\*\*\*

COMMISSION MEMBERS PRESENT:

- KEITH WILLIAMS, President
- VIRGINIA ADOLPH
- WILLIAM "PRINCE" JONES
- VIRGINIA ADOLPH
- B.J. SELLERS
- CHARLIE HEWES
- HAROLD SPANN
- TIMOTHY DAIGLE, JR.
- DOUG HANCOCK

STAFF PRESENT:

- GREG PIETRANGELO
- GREG HOLMES
- SU-LIN FEATHERSTON
- LESLIE ERVIN
- CORY LONG
- LORAIN HUGHES

1 8. Planning Commission Approval 2209PC170

2 MR. LONG: Item Number 8, Planning Commission  
3 Approval 2209PC170, has been duly and timely noticed as  
4 required by law. The applicant requests a medical cannabis  
5 dispensary use at 9113 Highway 49, zoned B-4, Ward 3. A  
6 copy of the packet considered is hereby offered to the  
7 record.

8 MR. WILLIAMS: Thank you.

9 Is someone here to speak for this request?

10 MR. KIRBY: Good afternoon. My name is Randy  
11 Kirby, 505 Cobblestone Court, Madison, Mississippi 39110.

12 We're here to request to locate a medical  
13 cannabis dispensary at 9113 Highway 49 in Gulfport. We've  
14 already been issued a license by the State Department of  
15 Revenue for that use. And we met all the requirements of  
16 the city Planning & Zoning. We received the zoning  
17 determination letter from them pending planning commission  
18 approval due to a 500 foot setback for residential use, in  
19 this case a hotel which is located behind our building but  
20 within that 500 feet. And we would ask that the  
21 commissioners please consider our request for that.

22 I passed around -- did y'all get a copy of  
23 some additional bullet points that I would like to add to  
24 the record which strengthens our application. You know,  
25 we're already current business owners in the area. We own

1 the UPS store in Gulfport off Daniel Road. We're  
2 contributing to the tax base and the overall economy  
3 employing five people there.

4 We're current members in good standing with  
5 the Mississippi Gulf Coast Chamber of Commerce since 2017.

6 We're current members in good standing and  
7 avid supporters of the Mississippi Medical Marijuana  
8 Association since 2022. And there's some additional points  
9 on that.

10 We're current members in good standing and  
11 avid supporters of the Mississippi Cannabis Patients  
12 Alliance since 2022 which is a statewide nonprofit  
13 organization advocating for the rights of Mississippi  
14 patients.

15 We've currently been approved, as I said  
16 earlier, by the Mississippi Department of Revenue, Alcohol &  
17 Beverage Control Bureau of Enforcement, for medical cannabis  
18 dispensary license, not only in Gulfport, but Tupelo and  
19 Starkville, as well.

20 The medical cannabis business is highly  
21 regulated by two state agencies, the Mississippi Department  
22 of Revenue, Alcohol & Beverage Control Bureau of  
23 Enforcement, along with the Mississippi Department of  
24 Health.

25 Dispensaries, there's a lot of requirements

1 placed on them. They're required to be on the Metric, which  
2 is the state seed to sale tracking system, and all the  
3 employees have to be trained and licensed on that.

4           We also are, as a dispensary, we're the same  
5 as a pharmacy. We're required to report our medical  
6 cannabis dispensary information every 24 hours to the  
7 prescription monitoring program which is implemented and  
8 operated by the Mississippi Board of Pharmacy. And that  
9 also requires training and licensing, as well.

10           Additionally, as I mentioned earlier, with  
11 the UPS stores, our dispensary will contribute to the tax  
12 base and overall economy employing up to ten full-time  
13 employees along with buildout and remodel costs to local  
14 construction crews.

15           And just wanted to mention that, you know,  
16 82.7 percent of Harrison County voters voted in favor of an  
17 implementation of a medical cannabis program in the State of  
18 Mississippi during the initiative process a couple of years  
19 ago.

20           And currently there are 18 hotels along  
21 Highway 49. You count four just north of I-10 over by  
22 Sam's, all the way down to Pass Road. And, you know, with  
23 the other state setbacks, a thousand feet from church,  
24 school, or daycare, and 1500 feet from another medical  
25 cannabis dispensary, this additional 500 foot setback, you

1 know, makes it impractical to really find a location to  
2 locate.

3           And we would just ask with all due respect  
4 that you consider our application and waive that 500 foot  
5 setback.

6           MR. WILLIAMS: Thank you, sir.

7           Any questions from the commissioners?

8           MR. HANCOCK: So just a clarification  
9 question. The reason this is before us is because it's  
10 technically the 500 feet of a residential which is -- and  
11 what meets the residential requirements of hotels. Is that  
12 what I'm reading?

13           MR. HOLMES: Correct.

14           MR. HANCOCK: Otherwise it wouldn't have to  
15 come before us.

16           MR. HOLMES: Yes, sir, you're right.

17           MR. HANCOCK: Okay.

18           MR. SELLERS: So continuation of that same  
19 question. Is the hotel considered residential in all  
20 considerations, such as a liquor store, and, you know, the  
21 other requirements or regulations in the codes, is a hotel  
22 always considered a residential use?

23           MR. HOLMES: The way the ordinance is drafted  
24 it says residential uses, and that falls under the  
25 residential section of the Chart of Permitted Uses.

1 MR. SELLERS: A hotel.

2 MR. HOLMES: Yes, sir.

3 MR. SELLERS: In all cases, not just the  
4 dispensary, but in all other considerations.

5 MR. HOLMES: CORrect.

6 MR. KIRBY: If I could just add, if you don't  
7 mind.

8 MR. WILLIAMS: Yes.

9 MR. KIRBY: You know, we're a pharmacy, and  
10 you know, we're right next door to a pharmacy. We're in a  
11 good use area. Right next door to us is a pharmacy/clinic,  
12 and on the other side of us is a medical equipment supply  
13 place, and we fit right in with that.

14 And, you know, we have the 500 foot setback  
15 placed against us, but it's my understanding that other  
16 pharmacies, such as us, don't have that same requirement.  
17 So that's one reason why we would ask you to consider it.

18 MR. WILLIAMS: All right.

19 MR. DAIGLE: You may have just answered it.  
20 But you already have an establishment at this location,  
21 correct? You're already operating and selling or  
22 dispensing --

23 MR. KIRBY: No, sir. We have leased the  
24 building and --

25 MR. DAIGLE: So there's nothing there right

1 now, no business, no operations.

2 MR. KIRBY: Not right now, no, sir. We can't  
3 move forward without approval and licensing.

4 MR. DAIGLE: Well, I just didn't know if you  
5 were there dispensing, it was another drug pharmacy  
6 dispensary already there.

7 MR. KIRBY: No, sir.

8 MR. DAIGLE: The Gulf Coast Medical Supply  
9 there to the south of it, they don't dispense any type of  
10 drugs or medical supply.

11 MR. KIRBY: No, sir. No, sir.

12 MR. WILLIAMS: All right. Any other  
13 questions, comments?

14 MR. HANCOCK: Got one more for the staff, and  
15 that is: So hotels meet the 500 foot buffer. Are there any  
16 what I'll call primary residences within the 500 foot  
17 buffer?

18 MR. HOLMES: No, sir.

19 MR. HANCOCK: Okay. I see a map, and it  
20 looks like within a thousand feet, I'm not sure why the  
21 thousand foot buffer is here. Looks like there's some  
22 residences within the thousand foot buffer but not in the  
23 500 foot buffer.

24 MR. HOLMES: That is correct.

25 MR. WILLIAMS: Other questions?

1                   If something comes up, we'll bring you back  
2 up. Thank you, sir. Appreciate it.

3                   MR. KIRBY: Thank you.

4                   MR. WILLIAMS: Anyone else here to speak for  
5 this request?

6                   Yes.

7                   MS. CALHOUN: I'm Angie Calhoun. I'm the  
8 founder and CEO of the Mississippi Cannabis Patients  
9 Alliance, and my address is 10 Canebreak Boulevard in  
10 Flowood, Mississippi.

11                   And I'm a born and raised Mississippi girl.  
12 I founded my nonprofit association so that our patients  
13 across our state would have a voice to be heard when things  
14 like this come about.

15                   I helped to pass and push forward the Medical  
16 Cannabis Act, and our legislators did a phenomenal job at  
17 passing a wonderful bill. And, you know, in that bill it  
18 does state that no city or municipality should make it  
19 impossible for, really for patient access.

20                   And so, you know, if we're blocking  
21 dispensaries from being accessible for the patients of our  
22 state or for the City of Gulfport, then, you know, it's kind  
23 of like you're blocking them from getting safe access to a  
24 legal medical cannabis that's grown in Mississippi.

25                   This Greenwise, they're doing everything that

1 they're supposed to do. They have gotten their license  
2 through the Mississippi Department of Revenue. They have to  
3 work with the Mississippi Department of Health. And, you  
4 know, they intend to be a really good neighbor to the City  
5 of Gulfport.

6           And by providing really what is considered a  
7 pharmacy, because if there's a pharmacy that's within 500  
8 feet of that hotel, then why can't a medical cannabis  
9 dispensary, you know, fall within that same category.

10           So I would just humbly ask you on behalf of  
11 the patients of this area, y'all had an incredible amount of  
12 support within this county to have a medical cannabis  
13 program. And, you know, and I've found over and over in  
14 talking to patients across the state that they truly believe  
15 that cannabis is medicine because it is.

16           And I know this because my own son at the age  
17 of 17, that was nine years ago, he came down with a horrible  
18 debilitating medical condition, Lyme disease. It ravaged  
19 his autonomic nervous system. Within 18 months, he was on  
20 17 pharmaceutical medications to take every single day  
21 multiple times a day. We had seen 22 doctors. He was  
22 having seizures, chronic pain, and he could not keep food  
23 down. He lost like 40 pounds in an 18 month period, and he  
24 didn't have it to lose. And I recall walking into his  
25 bedroom one morning to give him his medicine, and he looked

1 like a little skeleton laying under that sheet.

2 I don't want that for anybody else to have to  
3 suffer and to go through those horrible times like we've  
4 done. And eventually my 19-year-old son, after we had made  
5 a lot of prayer and careful consideration and research, I  
6 journeyed to Colorado where I could go into a dispensary  
7 because they do have recreational -- this is not  
8 recreational, this is medicine, and our bill clearly states  
9 that.

10 But I was able to get legal medication for my  
11 son, and within no time I saw his quality of life return.  
12 And he was able to keep food down within a matter of minutes  
13 after using medical cannabis. But about another year later,  
14 he made the choice to move to Colorado to regain his quality  
15 of life.

16 And I don't want your citizens to have to  
17 even travel to another county or another city when it is a  
18 legal safe medicine, and they need safe access in your city  
19 and their home city to be able to get their medication.

20 So I just ask you to please consider what  
21 Greenwise is asking of you and to amend and -- because you  
22 have the ability to make the changes necessary because that  
23 is quite a unique little category there for a hotel to be  
24 considered a home.

25 And so I just appreciate your time. And if I

1 can answer any questions, I'm happy to do so.

2 MR. WILLIAMS: Thank you.

3 Any questions?

4 MR. HEWES: I've got a quick question. I've  
5 heard the term pharmacy from both of y'all. Is there a  
6 pharmacist dispensing this there?

7 MS. CALHOUN: That would be a Mr. Kirby  
8 question. There are some dispensaries who do use  
9 pharmacists.

10 MR. HEWES: Is this dispensary going to have  
11 a pharmacist there?

12 MR. KIRBY: We wouldn't have a licensed  
13 pharmacist, but we have to undergo training overseen by the  
14 State to dispense the medication.

15 MR. HEWES: Thank you.

16 MR. WILLIAMS: Thank you. Appreciate it.

17 MS. CALHOUN: You're welcome.

18 MR. WILLIAMS: Anyone else here to speak for  
19 this request?

20 Do we have anybody here tonight to speak  
21 against this request or have questions on this request?

22 All right. Commissioners, you've heard the  
23 applicant and the citizens. So any questions of the staff,  
24 or a motion?

25 MR. HANCOCK: I have one follow-up question

1 to the question that Mr. Hewes just asked about pharmacist.  
2 And I presume that there's not a legal requirement for a  
3 pharmacist to be present in order for the dispense --  
4 dispensation of that.

5 MR. KIRBY: No.

6 MR. DAIGLE: Just I personally feel like it's  
7 a new venture that we're going into, but there's a lot of  
8 good precautions I think with the legal documentation that's  
9 been passed and the bills and all, and I personally don't  
10 see any issue with this in relation to some of the approvals  
11 that we give for liquor stores and so forth, this would be  
12 much more regulated.

13 I'm going to make a motion that we approve  
14 Case Number 2209PC170.

15 MR. WILLIAMS: All right. We've got a motion  
16 to approve the request. Do I have a second?

17 MR. JONES: Second.

18 MR. WILLIAMS: Have a motion and a second to  
19 approve. Any further discussion, Commissioners?

20 MR. HEWES: I think as a commission, I think  
21 that we need to think about our citizens, the ones that may  
22 have a need of this and the ones that don't. And my only  
23 concern with approving this is the fact that this is going  
24 to set the tone for everybody that wants a zone or a code to  
25 be broken. And I think we need to weigh that very heavily

1 because we're going to have a lot of these coming.

2           And I do believe that in the proper manner  
3 that marijuana can be used as a medicine. But right now, I  
4 think y'all are unfortunately the first ones blazing this  
5 trail asking for any special acceptance or request. And I  
6 think if you were here a year from now, it would be a much  
7 easier decision for all of us to make.

8           And so I'm just stating that because I can't  
9 support what you're saying right now, and I can't support  
10 this motion because we just have a lot that's going on and a  
11 lot that can go wrong and a lot that can go right.

12           MR. WILLIAMS: Mr. Hewes, I appreciate your  
13 comments and do agree with you on that. I don't think this  
14 is a medical marijuana dispensing issue tonight. It's about  
15 the zoning and where it's required.

16           I understand that residential with it being a  
17 hotel considered a residential property which, you know, is  
18 so early in the infancy part of all of this, the citizens  
19 overwhelmingly voted to have this approved, but it's just  
20 going to be where it's going to be approved, and to make  
21 changes this early I think is really we're walking a fine  
22 line in approving it this early on and approving changes.

23           There are many properties that would meet the  
24 requirement. I understand that they picked this one, and  
25 there is an issue with the 500 foot of residential.

1                   But I appreciate what you're saying and  
2 certainly agree with your comments.

3                   MR. HEWES: The only thing I would add to  
4 that is three or four months ago we approved the zoning  
5 blocks for this as a body, and we're going against what we  
6 voted for two or three months ago if we vote this in.

7                   MS. ADOLPH: Mr. Chairman?

8                   MR. WILLIAMS: Yes, ma'am.

9                   MS. ADOLPH: You know, I heard the CEO of the  
10 new venture, and it is a time of change, and it is a time of  
11 expansion and growth. Please understand that this  
12 commission is not against the expansion of needed services  
13 for our residents.

14                   Being an old State Department of Health  
15 employee, this is a new area that we want to walk the line  
16 as closely as we can so that we can ensure that all our  
17 citizenry are provided what they need and that those that  
18 are not for it, that they have the equal right to verse.

19                   But I can't support it because of where it is  
20 at this point. I go along with what Mr. Hewes has said, it  
21 is not in terms of going against Greenwise and the venture  
22 itself, but in terms of upholding the residency requirement.

23                   MR. SPANN: Keith, I also agree. I can't  
24 support it mainly because of the location. I'm not against  
25 the use of medical marijuana for people, but the location is

1 just too close for me for what I'm looking at.

2 Thank you.

3 MR. WILLIAMS: Thank you.

4 Any other comments? Any other discussion?

5 MR. SELLERS: I would just like to say I  
6 think the issue of a hotel is going to be hugely a problem,  
7 and to me a hotel is not a house. And, you know, I just  
8 think that's something the city needs to look at as part of  
9 the regulations going forward. Not saying hotel shouldn't  
10 be considered in some form or fashion, but to give the it  
11 same credence as a home, my opinion is that that (voice  
12 trails off).

13 MR. WILLIAMS: Other comments?

14 So I have a motion on the floor to approve  
15 the case and a second. So I'm going to ask all those in  
16 favor of approving the motion to approve this case to raise  
17 your right hand. Raise your right hand if you're in  
18 approval of this.

19 Mr. Daigle, Mr. Sellers. Two. Two for it.

20 Those against raise your right hand.

21 (Adolph, Spann, Hewes, Hancock, Sellers,  
22 Jones.)

23 MR. WILLIAMS: So it's been denied. It's  
24 been denied. Okay? All right.

25 Greg, are you good there?

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MR. HOLMES: Yes, sir.

MR. WILLIAMS: All right. Good deal.

1                   BEFORE THE CITY OF GULFPORT PLANNING COMMISSION

2  
3 2209PC170  
4

5  
6                   COURT REPORTER'S CERTIFICATE  
7

8                   I, Norma Jean Ladner Soroe, Certified Shorthand  
9 Reporter, do hereby certify that to the best of my skill and  
10 ability I have reported the hearing held before the City of  
11 Gulfport Planning Commission and that the foregoing 16 pages  
12 constitute a true and correct transcription of said hearing  
13 held on the 22nd day of September 2022.

14                   I do further certify that my certificate annexed  
15 hereto applies only to the original and certified  
16 transcript. The undersigned assumes no responsibility for  
17 the accuracy of any reproduced copies not made under my  
18 control and direction.

19                   Witness my signature this the 24th day of October  
20 2022.  
21

22  
23 \_\_\_\_\_  
24 NORMA JEAN LADNER SOROE, CSR #1297  
25 Certified Shorthand Reporter

# MEMORANDUM

**To:** City of Gulfport Planning Commission

**From:** Greg Holmes, Planning Administrator  
Urban Development Department

**Date of Hearing:** December 15, 2022

**Re:** Planning Commission Approval 2211PC194:  
(Postponed from November 17th Meeting)

Planning Commission Approval 2211PC194, by owner Daniel Conwill IV, tax parcel 1011D-03-008.000, Requests for outdoor entertainment venue, 942 1/2 Beach Blvd, Zoned T5 (Urban Center Zone), Ward 2

**Technical Report**  
*PLANNING COMMISSION APPROVAL*

***GENERAL INFORMATION***

Case File Number: 2211PC194

Hearing Date: November 17, 2022

Current Zoning/Use: T5 / Vacant

Legal: Planning Commission Approval 2211PC194, by owner Daniel Conwill IV, tax parcel 1011D-03-008.000, Requests for outdoor entertainment venue, 942 1/2 Beach Blvd, Zoned T5 (Urban Center Zone), Ward 2

***TECHNICAL DETAILS***

The applicant requests approval to have an outdoor commercial amusement use. Currently, the site is zoned T5 and outdoor amusement is not allowed on the site. The applicant has applied for a zoning map amendment to move up to a T6 (Case 2211PC195), which would allow the requested use if approved.

As to the idea of outdoor commercial, many of the surrounding properties allow for a mixture of uses. The area consists of a restaurant, parking lot, townhomes, apartments, condos, and single-family houses.

***EXECUTIVE SUMMARY***

At the time of writing this report a proper site plan has not been presented. The planning commission is charged with approving or disapproving the project “as to location and site plan.” While the location has merits, an unviewed site plan could lead to circumstances that could cause issues.

***DEPARTMENTAL CONDITIONS***

**Engineering:** No comments as of 11/9/22.

**Public Works:** No comments as of 11/9/22.

**Traffic and Safety:** No conditions. Memo dated 10/31/2022.

**Building Code Services:** No comments as of 11/9/22.

**GIS:** No comments as of 11/9/22.

**Police Department:** No comments as of 11/9/22.

**Fire Department:** No conditions. Memo dated 10/27/2022.

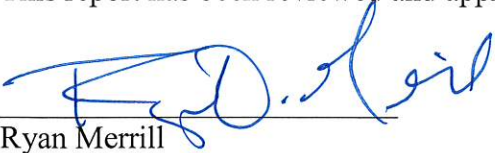
**Technical Report**  
*PLANNING COMMISSION APPROVAL*

**City Arborist:**

No conditions. Memo dated 10/31/2022.

***DIRECTOR APPROVAL***

This report has been reviewed and approved by:

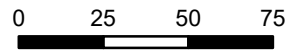


\_\_\_\_\_  
Ryan Merrill  
Director of Urban Development Department



- Site
- US or State Highway
- Street
- Parcels
- Buildings
- Water Features
- Smart Code**
- T6
- T5
- T4+
- T1
- Zoning**
- WF - Water Front

**Site Information**  
 1011D-03-008.000  
 Zoning: T5 (Urban Center Zone)  
 Size: 1.53 acres  
 Flood: VE



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.

#75



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

For Staff Use Only

Case Number: 2211PC194

Date Received: 9/19/22

Receipt Number: \_\_\_\_\_

Received By: \_\_\_\_\_

Zoning: T5

Ward: 2 Flood: VE

Size: 1.53 acres

### APPLICATION FOR PLANNING COMMISSION APPROVAL

#### Property Information

TAX PARCEL # 

1	0	1	1	0	-	0	3	-	0	0	8	.	0	0	0
					-			-				.			
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(If necessary, use separate sheet of paper)

Address of Property Involved: 942 1/2 Beach Blvd

Lot(s) 1, Block(s) \_\_\_\_\_, Subdivision \_\_\_\_\_

General Location: Highway 90 and Markham

#### GENERAL DESCRIPTION OF REQUEST:

Out Door Entertainment Venue

#### 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

Daniel O. Conwill IV  
Printed Name of Owner

\_\_\_\_\_  
Printed Name of Agent

942 Beach Dr  
Mailing Address

\_\_\_\_\_  
Mailing Address

Gulfport MS 39501  
City State Zip code

\_\_\_\_\_  
City State Zip code

504-251-2822  
Home Phone Work/Cell Phone

\_\_\_\_\_  
Home Phone Work/Cell Phone

doc@oconwill.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.

September 16, 2022

The City of Gulfport  
Gulfport Planning and Zoning Commission  
1410 24<sup>th</sup> Avenue  
Gulfport, MS 39501

To Whom It May Concern

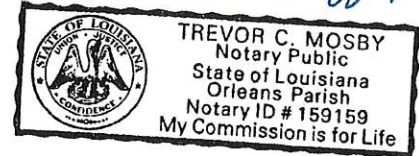
As the sole owner of 942 ½ Beach Blvd., LLC, I, Daniel O Conwill, IV, unanimously consent and resolve to apply to the Gulfport Planning Commission for rezoning of the property at this address.

Sincerely,



Daniel O Conwill, IV  
942 ½ Beach Blvd., LLC  
910 West Beach Blvd.  
Pass Christian, MS 39571

9/16/2022  
*Trevor C. Mosby*





# Michael Watson

## SECRETARY OF STATE

This is not an official certificate of good standing.

### Name History

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Name	Name Type
942 1/2 Beach Blvd., LLC	Legal

### Business Information

---

<b>Business Type:</b>	Limited Liability Company
<b>Business ID:</b>	1318382
<b>Status:</b>	Good Standing
<b>Effective Date:</b>	01/06/2022
<b>State of Incorporation:</b>	Mississippi
<b>Principal Office Address:</b>	NO PRINCIPAL OFFICE ADDRESS FOUND

### Registered Agent

---

**Name**  
Daniel Oza Conwill IV  
910 West Beach Blvd.  
Pass Christian, MS 39571

### Officers & Directors

---

Name	Title
william b. weatherly Esq 1643 East Pass Road, Suite C Gulfport, MS 39507	Organizer

September 14, 2022

Dear city of Gulfport Planning Commission,

This letter is to answer the following areas in section F of the planning application.

Site plan shows a fence with multiple rolling gates for access to the area when needed. Parking will be with the restaurant and on the east side lot we have rented on Phillips. Guest would access this property through Felix's Restaurant and oyster Bar.

Water supply is already on site as well as waste. Both amenities will be through Felix's Restaurant and Oyster bar.

When we do hold an event, we will be hiring outside security.

942 ½ beach Blvd. will not be in use everyday and when it is we will use the same traffic plan as Felix's restaurant.

This area is already approved for the entertainment district for Gulfport, MS

Sincerely,

Daniel O Conwill IV

942 Beach Dr.

Gulfport, MS 39507

EAST BEACH BOULEVARD  
SECTION 6, TOWNSHIP 8 SOUTH, RANGE 10 WEST  
GULFPORT, MISSISSIPPI  
PARCEL #1011D-03-008.000

IRF 1/2" IRON ROD FOUND  
IPF 3/4" IRON PIPE FOUND  
IRS 1/2" IRON ROD SET

LEGAL DESCRIPTION  
(DR 2013-6480-D-J1)

That certain lot of land described as Beginning at an iron stake which is 363 feet North of the center line of U.S. Highway 90 on the property of John Joseph Astorias, et ux and the property owned by Hendrickson, later by Poss and Woodfield and now or recently of Aldredge, and from said Point of Beginning running thence West 60 feet to an iron stake, thence South 77 feet to an iron stake, thence West 44 feet to an iron stake, thence South 82 feet to an iron stake, thence running West 86 feet to an iron stake set in the East margin of Markham Avenue in Gulf Shore Manor Subdivision running thence South along the East margin of said Markham Avenue a distance of 213 feet, more or less, to the center of the U.S. Highway 90, running thence Easterly along the center of said highway a distance of 182.6 feet, more or less, to a point in the center of said highway at the West line of the property now or recently of Aldredge, formerly of Poss and Woodfield, running thence North along the boundary line between the property of Astorias and the property now owned by Aldredge, formerly of Poss and Woodfield and formerly of Hendrickson, a distance of 363 feet, more or less, to the point of Beginning.

The property herein described being a part of Lot 23, Block 1 of Gulf Shore Manor Subdivision as shown by the official map or plat thereof on file and of record in the office of the Chancery Clerk of Harrison County, Mississippi, and the adjoining parcel of land lying immediately east of said Lot 23 in Fractional Section 6, Township 8 South, Range 10 West.

and also including that certain parcel of land having a width east and west of 183.6 feet, more or less, and lying immediately south of the above described parcel of land and extending from the south line of the above described parcel of land south to the seashore of the Gulf of Mexico or Mississippi Sound, being between the east and west lines of the above described parcel extended south to the seashore.

and also Lots 21, 22 and 23 of Block 1, Gulf Shore Manor, and also a parcel of land Beginning at an iron pipe of the northeast corner of Lot 21, Block 1, Gulf Shore Manor, thence East a distance of 39 feet, thence South a distance of 77 feet, thence West 39 feet, thence North 77 feet to the Point of Beginning, located in the City of Mississippi City, Mississippi, as per the map or plat now of record in the office of the Chancery Clerk of said County and State, and being the home of the late Joe Astorias and his wife, Marguerite Desporte Astorias, together with all the buildings and improvements of every kind and character located and situated on the parcels of land hereinabove set forth and described.

This survey does not reflect a title search by Gary A. Durbin, P.L.S., nor should it be considered as such.

This is a Class "B" survey per "The Standards of Practice for Land Surveying in the State of Mississippi".

Bearings based on GPS Observation of the east margin of Markham Avenue, NAD 83, MS East Zone, convergence angle -0.130449, scale factor 0.999960.

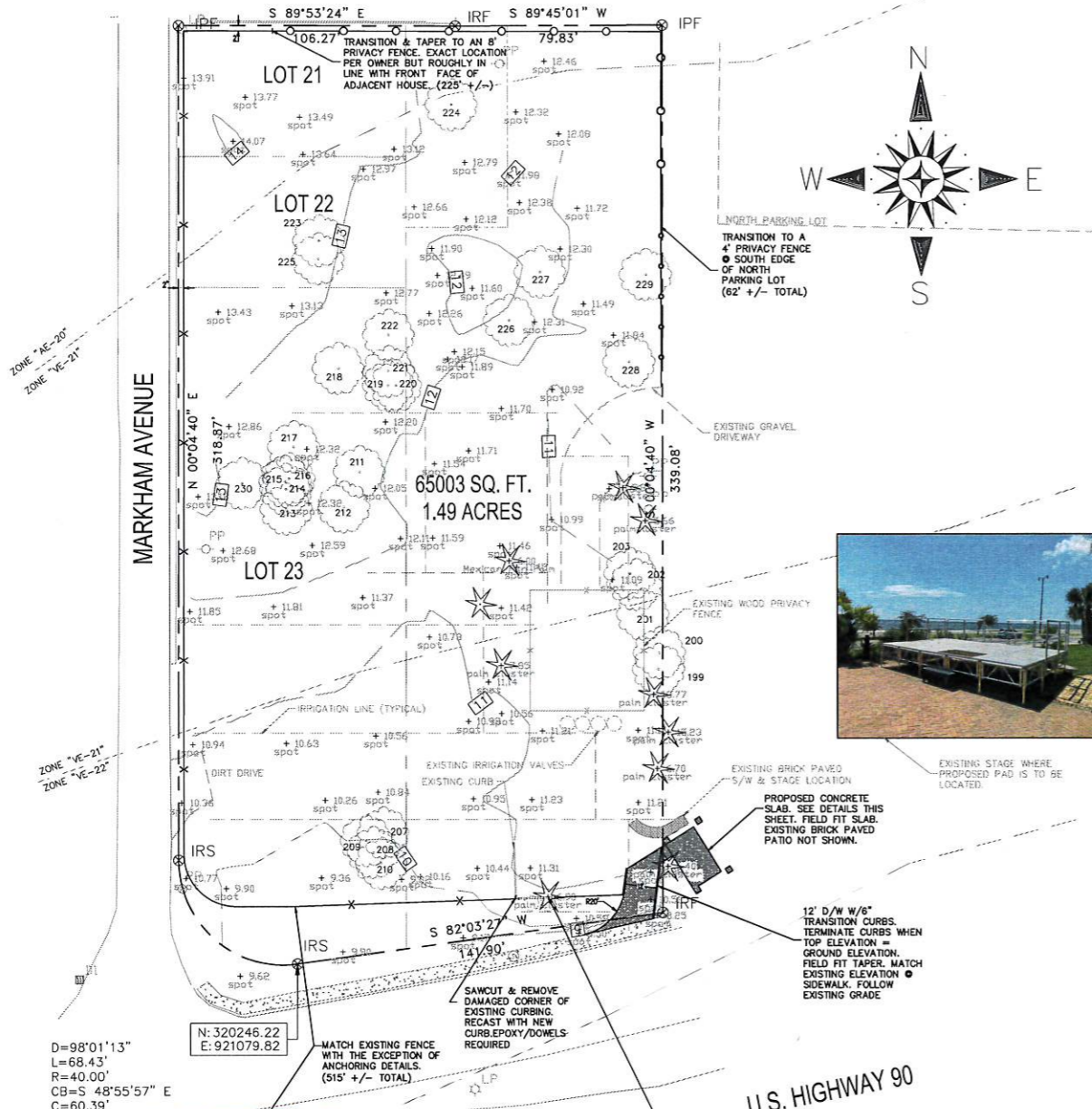
This property is situated in Zone "AE-20" "VE-21-22" per FEMA Flood Insurance Rate Map, City of Gulfport, Harrison County, Mississippi, Community Panel Number 28047C-0268-G, Revised: 6/16/09.

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

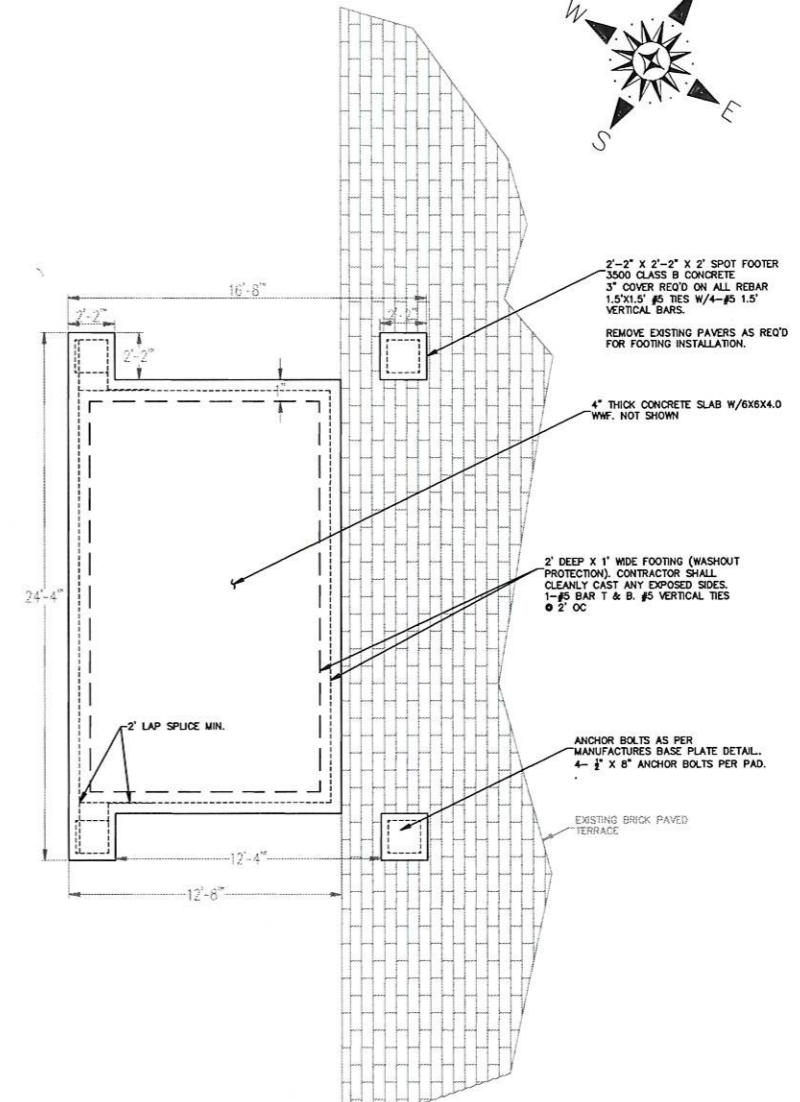
Gary A. Durbin, P.L.S. 2401  
December 2, 2021  
Revised: December 15, 2021

10888B

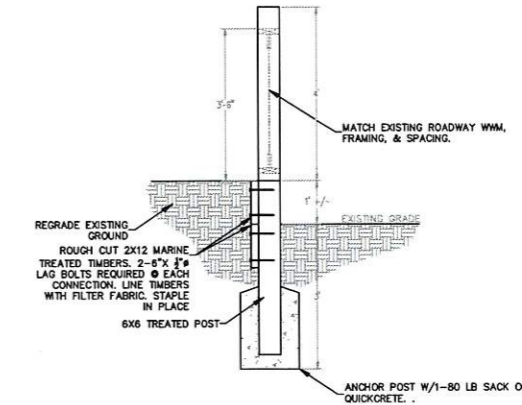
GARY A. DURBIN, P.L.S.  
PROFESSIONAL LAND SURVEYOR  
13048 RIVERWALK CIRCLE, DIBERVILLE, MS. 39540  
PH. (228) 365-3632 Teelokgd@aol.com



EXISTING CONDITIONS & SITE PLAN  
SCALE: 1"=30'



FOUNDATION PLAN  
SCALE: 1"=4'



FENCE DETAIL  
SCALE: N/A

Drawn	JAG
Checked	JAG
Approved	
Date	9/6/22
Sheet Title	EXISTING CONDITIONS, SITE, & FOUNDATION PLAN
Project Name	FELIX'S OYSTER BAR & GRILL GULFPORT, MS 39503
Surveyor Seal	
Address	970 TOMMY MUNRO DR., STE D DIBERVILLE, MS 39532 C: 228-437-7533 JASON.ACAD@GMAIL.COM
Company	ALCAD Advanced Construction & Development
Sheet	C1
Project No.	08-22E

EAST BEACH BOULEVARD  
SECTION 6, TOWNSHIP 8 SOUTH, RANGE 10 WEST  
GULFPORT, MISSISSIPPI  
PARCEL #1011D-03-008.000

IRF 1/2" IRON ROD FOUND  
IPF 3/4" IRON PIPE FOUND  
IRS 1/2" IRON ROD SET

LEGAL DESCRIPTION  
(DR 2013-6480-D-J1)

That certain lot of land described as Beginning at an iron stake which is 363 feet North of the center line of U.S. Highway 90 on the property of John Joseph Astorias, et ux and the property owned by Hendrickson, later by Poss and Woodfield and now or recently of Aldredge, and form said Point of Beginning running thence West 60 feet to an iron stake, thence South 77 feet to an iron stake, thence West 44 feet to an iron stake, thence South 82 feet to an iron stake, thence running West 86 feet to an iron stake set in the East margin of Markham Avenue in Gulf Shore Manor Subdivision running thence South along the East margin of said Markham Avenue a distance of 213 feet, more or less, to the center of the U.S. Highway 90, running thence Easterly along the center of said highway a distance of 182.6 feet, more or less, to a point in the center of said highway at the West line of the property now or recently of Aldredge, formerly of Poss and Woodfield, running thence North along the boundary line between the property of Astorias and the property now owned by Aldredge, formerly of Poss and Woodfield and formerly of Hendrickson, a distance of 363 feet, more or less, to the point of Beginning.

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and also including that certain parcel of land having a width east and west of 183.6 feet, more or less, and lying immediately south of the above described parcel of land and extending from the south line of the above described parcel of land south to the seashore of the Gulf of Mexico or Mississippi Sound, being between the east and west lines of the above described parcel extended south to the seashore.

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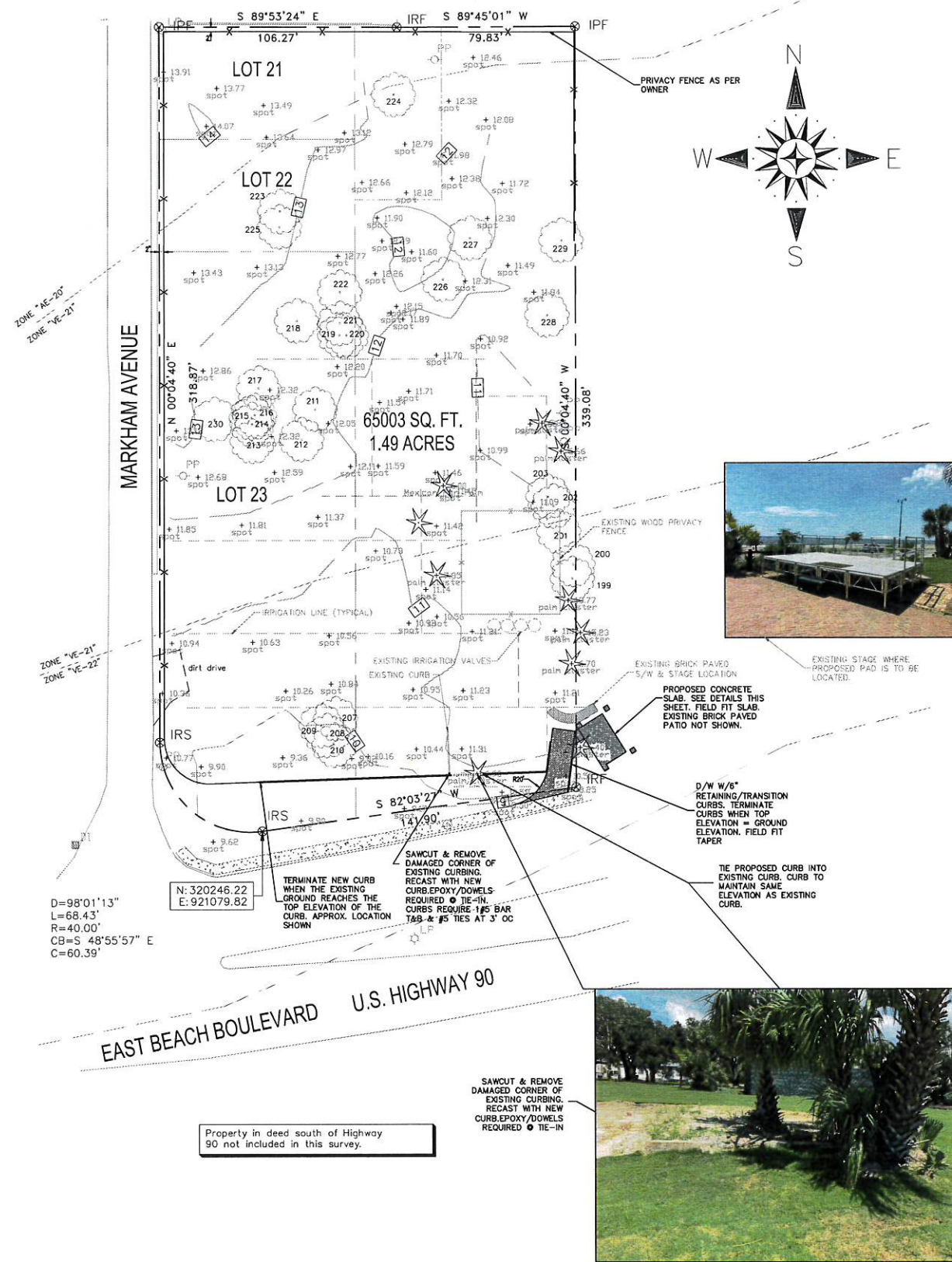
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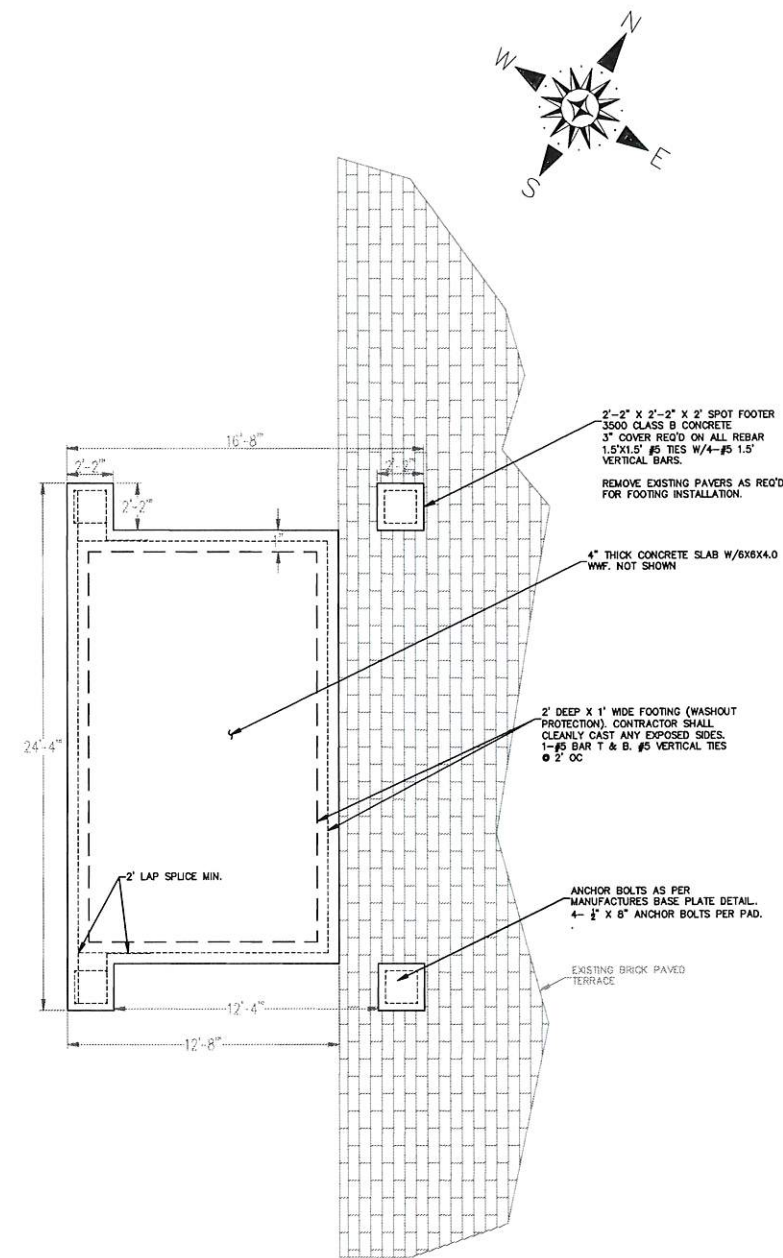
This is to CERTIFY that this plot or map and the survey on which it is based were made in accordance with "The Standards of Practice for Land Surveying in the State of Mississippi".

Gary A. Durbin, P.L.S. 2401  
December 2, 2021  
Revised: December 15, 2021



EXISTING CONDITIONS & SITE PLAN  
SCALE: 1"=30'

10888B  
GARY A. DURBIN, P.L.S.  
PROFESSIONAL LAND SURVEYOR  
13048 RIVERWALK CIRCLE, DIBERVILLE, MS. 39540  
PH. (228) 365-3632 Teelakgd@aol.com



FOUNDATION PLAN  
SCALE: 1"=4'

Drawn	JAG
Checked	JAG
Approved	
Date	9/9/22
Sheet Title	EXISTING CONDITIONS, SITE, & FOUNDATION PLAN
Project Name	FELIX'S OYSTER BAR & GRILL GULFPORT, MS 39503
Professional Seal	
Surveyor Info	970 TOMMY MUNRO DR., STE D DIBERVILLE, MS 39532 C: 228-437-7355 JASON.ACAD@GMAIL.COM
Company	<b>ACAD</b> Advanced Construction & Development
Sheet	C1
Project No.	08-22E



J1 - GULFPORT DISTRICT  
INSTRUMENT 2022-0001533-D-J1  
FILED/RECORDED 1/20/2022 4:32:01 PM  
TOTAL FEES \$26.00  
3 PAGES RECORDED

Prepared By and After Recording Return to:  
Michael B. McDermott, MSB#2379  
Page, Mannino, Peresich & McDermott, P.L.L.C.  
Post Office Drawer 289  
Biloxi, MS 39533-0289  
(228) 374-2100

Indexing Instructions: Lots 21, 22, 23, Block 1, Gulf Shore Manor Subdivision, Fractional Section 6, T8S,  
R10W, First Judicial District, Harrison County, Mississippi

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 consideration, the receipt and sufficiency of which is hereby acknowledged, the undersigned,

**PIEROTICH GPT, LLC,**  
a Mississippi limited liability company  
1703 Beach Blvd, Biloxi, MS 39531  
(228) 388-5501

does hereby sell, convey and warrant unto

**942 ½ BEACH BLVD., LLC,**  
70 Audubon Place, New Orleans, LA 70118  
(504) 319-3350,

all of its right, title and interest, in and to 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

## EXHIBIT "A"

That certain lot of land described as beginning at an iron stake which is 363 feet North of the center line of U. S. Highway 90 on the property of John Joseph Astorias, et ux and the property owned by Hendrickson, later by Poss and Woodfield and now or recently of Aldredge, and from said point of beginning running thence west 60 feet to an iron stake; thence South 77 feet to an iron stake; thence west 44 feet to an iron stake; thence south 82 feet to an iron stake; thence running west 86 feet to an iron stake set in the east margin of Markham Avenue in Gulf Shore Manor Subdivision running thence south along the east margin of said Markham Avenue a distance of 213 feet, more or less, to the center of the U. S. Highway 90; running thence easterly along the center of said highway a distance of: 182.6 feet, more or less, to a point in the center of said highway at the west line of the property now or recently of Aldredge, formerly of Poss and Woodfield; running thence north along the boundary line between the property of Astorias, and the property now owned by Aldredge, formerly of Poss and Woodfield and formerly of Hendrickson, a distance of 363 feet, more or less, to the point of beginning.

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Grantor does likewise convey to grantee the property immediately south of the property herein described immediately just above, and all riparian rights there unto belonging or in anywise appertaining, as per survey by Kenny L. Alston, dated August 24, 1992, a copy of which is attached hereto as Exhibit "A".

Expressly excluded from any warranties contained herein is that portion of the subject property which lies South of the North right of way line of U.S. Highway 90, which property is quitclaimed by the Grantor to the Grantees herein.



J1 - GULFPORT DISTRICT  
INSTRUMENT 2022-0001533-D-J1  
FILED/RECORDED 1/20/2022 4:32:01 PM  
TOTAL FEES \$26.00  
3 PAGES RECORDED

Prepared By and After Recording Return to:  
Michael B. McDermott, MSB#2379  
Page, Mannino, Peresich & McDermott, P.L.L.C.  
Post Office Drawer 289  
Biloxi, MS 39533-0289  
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Indexing Instructions: Lots 21, 22, 23, Block 1, Gulf Shore Manor Subdivision, Fractional Section 6, T8S,  
R10W, First Judicial District, Harrison County, Mississippi

**STATE OF MISSISSIPPI  
COUNTY OF HARRISON  
FIRST JUDICIAL DISTRICT**

**WARRANTY DEED**

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all of its right, title and interest, in and to 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 Harrison County, Mississippi.

Ad valorem taxes for the 2022 have been prorated between the parties hereto and the obligation to pay same when due is assumed by the Grantee herein, who will pay same when due.

WITNESS its signature effective on this the 19<sup>th</sup> day of January, 2022.

**PIEROTICH GPT, LLC,**  
a Mississippi limited liability company

By:   
John J. Pierotich, Manager

STATE OF MISSISSIPPI  
COUNTY OF HARRISON

**PERSONALLY APPEARED BEFORE ME**, the undersigned authority in and for the said county and state, on this 19 day of January, 2022, within my jurisdiction, the within named **JOHN J. PIEROTICH**, who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed in the above and foregoing instrument and acknowledged that he executed the same in his representative capacity, and that by his signature on the instrument, and as the act and deed of the person or entity upon behalf of which he acted, executed the above and foregoing instrument, after first having been duly authorized so to do.



  
NOTARY PUBLIC

## EXHIBIT "A"

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CERTIFIED TRUE COPY  
JOHN McADAMS  
CHANCERY CLERK  
HARRISON COUNTY, MISS.  
First Judicial District  
By Sheila DC

MISCELLANEOUS PAYMENT RECPT#: 11817006  
CITY OF GULFPORT

GULFPORT, MS 39501

DATE: 09/19/22            TIME: 14:48:42  
CLERK: cbrown            DEPT:  
CUSTOMER#:

COMMENT:

CHG: PZD      PLANNING AND ZO            75.00

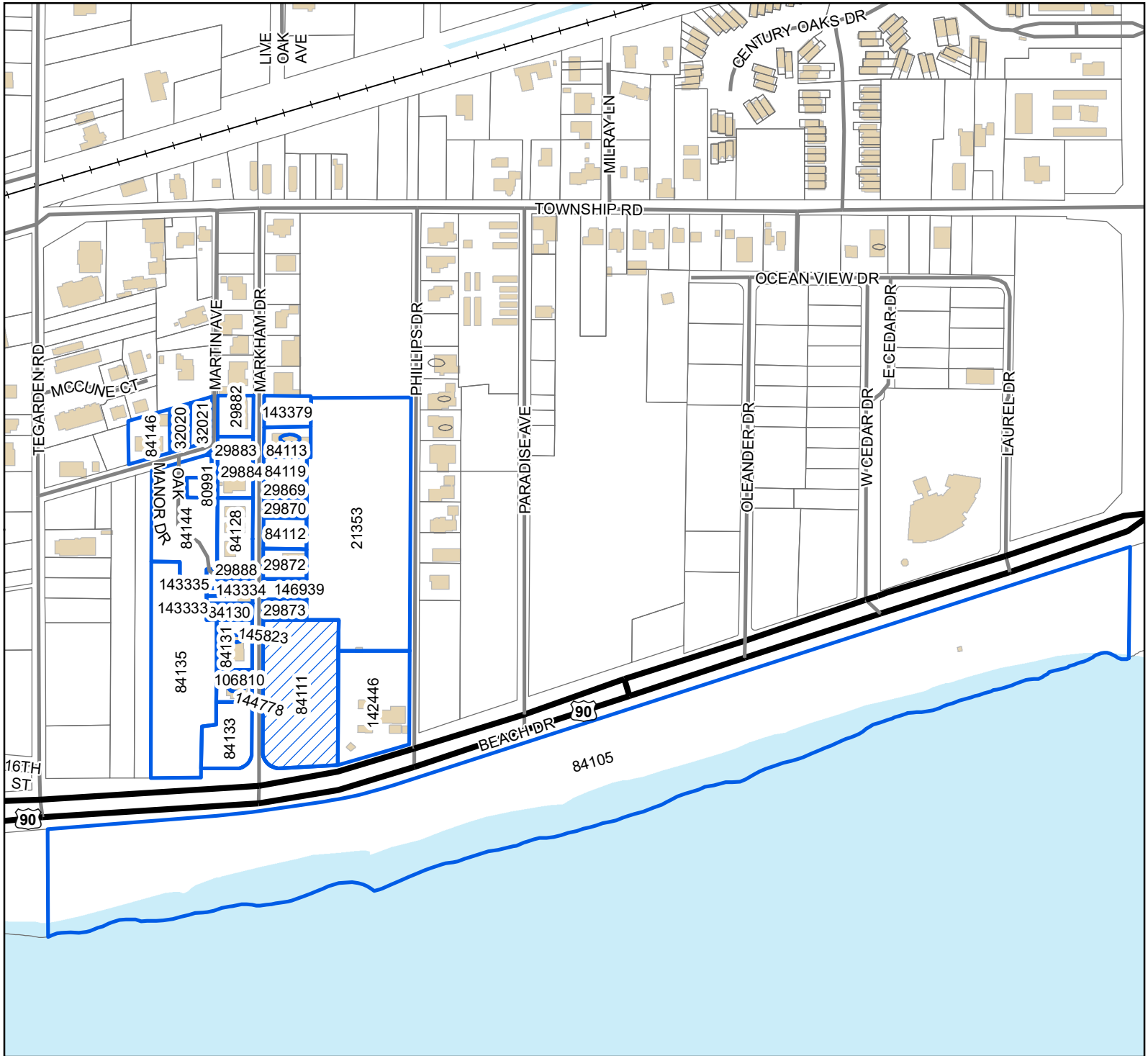
AMOUNT PAID:            75.00

PAID BY:            FELIX'S  
PAYMENT METH: CHECK








REFERENCE:

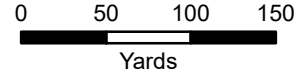
AMT TENDERED:            75.00  
AMT APPLIED:            75.00  
CHANGE:                    .00

Mail	PPIN	Parcel ID	Name	Address	City	State	ZIP
	84111	1011D-03-008.000	DANIEL O. CONWILL, IV (OWNER)	942 BEACH DRIVE	GULFPORT	MS	39507
N			<b>Adjacent Property Owners (2211PC194)</b>				
	142446	1011D-03-006.001	942 BEACH BLVD LLC	400 POYDRAS ST STE 3100	NEW ORLEANS	LA	70130
	29870	1011D-03-012.000	BOURGEOIS NANCY STONE ETAL	1710 E PASS RD	GULFPORT	MS	39507
	84128	1011D-03-030.000	DANIEL KAREN ANN & VISCUGLIA FELIX	2729 FAISS DR	LAS VEGAS	NV	89134
	29872	1011D-03-010.000	EASTERLING DAVID & OCTAVIA SUMRALL	140 MARKHAM DRIVE	GULFPORT	MS	39507
N	84105	1011D-02-001.000	GULFPORT CITY OF				0
	32020	1011D-03-049.000	HARVER PROPERTIES LLC	691 LYNNRAY RD	PETAL	MS	39465
	84144	1011D-03-037.000	JSOCO LLC	PO BOX 673	GULFPORT	MS	39502
N	80991	1011D-03-037.002	JSOCO LLC	P O BOX 673	GULFPORT	MS	39502
N	84133	1011D-03-035.000	JSOCO LLC	P O BOX 673	GULFPORT	MS	39502
N	84135	1011D-03-036.000	JSOCO LLC	P O BOX 673	GULFPORT	MS	39502
	29882	1011D-03-027.000	LANCE DAVID M JR	175 MARKHAM DR	GULFPORT	MS	39507
	32021	1011D-03-050.000	LAYMAN STEPHEN GLENN	835 MARTIN AVE	GULFPORT	MS	39501
	84131	1011D-03-034.000	MCGRAW FRANK ADAM	127 MARKHAM DR	GULFPORT	MS	39501
N	145823	1011D-03-034.004	MCGRAW FRANK ADAM	127 MARKHAM DR	GULFPORT	MS	39501
	29888	1011D-03-032.000	MCSHEA DEVELOPMENT GROUP LLC	45 HARDY COURT #260	GULFPORT	MS	39507
N	84130	1011D-03-033.000	MCSHEA DEVELOPMENT GROUP LLC	45 HARDY COURT #260	GULFPORT	MS	39507
	143335	1011D-03-033.004	MCSHEA DEVELOPMENT GROUP LLC	45 HARDY CT #231	GULFPORT	MS	39507
N	143333	1011D-03-033.002	MCSHEA DEVELOPMENT GROUP LLC	45 HARDY CT #231	GULFPORT	MS	39507
	143334	1011D-03-033.003	OMEN PROPERTIES LLC	2953 BIENVILLE BLVD #309	OCEAN SPRINGS	MS	39564
	106810	1011D-03-034.002	ROGERS BRYAN KIRK & KELLY PATTERSON	121 MARKHAM DR	GULFPORT	MS	39507
N	144778	1011D-03-034.003	ROGERS BRYAN KIRK & KELLY PATTERSON	121 MARKHAM DR	GULFPORT	MS	39507
	84119	1011D-03-014.000	SCHLOSSER BRIAN & MELINDA	155 CLOVER ST	BILOXI	MS	39530
	29884	1011D-03-029.000	SCHLOSSER BRIAN R & MELINDA HALL	466 ANNONDALE PARKWAY	BILOXI	MS	39530
	21353	1011D-03-006.000	SEA OAKS PROFESSIONAL PLAZA LLC	13142 W ECHO DR	GULFPORT	MS	39503
	29873	1011D-03-009.000	SPINNER REAL ESTATE HOLDINGS LLC	440 GREEN TEAL CT	BILOXI	MS	39531
N	84112	1011D-03-011.000	SPINNER REAL ESTATE HOLDINGS LLC	440 GREEN TEAL CT	BILOXI	MS	39531
N	146939	1011D-03-009.001	SPINNER REAL ESTATE HOLDINGS LLC	440 GREEN TEAL CT	BILOXI	MS	39531
	143379	1011D-03-015.001	TIMS KENNETH & CATHERINE	164 MARKHAM DR	GULFPORT	MS	39507
N	84113	1011D-03-015.000	TIMS KENNETH R & CATHERINE B	164 MARKHAM DR	GULFPORT	MS	39507
	29869	1011D-03-013.000	WALKER CORY LAMAR & MEGAN ELAINE	156 MARKHAM DR	GULFPORT	MS	39507
	84146	1011D-03-048.000	WILKIN LOUIS J & CAROL N	825 MARTIN AVE	GULFPORT	MS	39507
	29883	1011D-03-028.000	WILKIN LOUIS J & CAROL N	825 MARTIN AVE 1357	GULFPORT	MS	39507



Legend

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



1 inch = 340 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: Planning Commission Approval 2211PC194, by owner Daniel Conwill IV, tax parcel 1011D-03-008.000, Requests for outdoor entertainment venue, 942 1/2 Beach Blvd, 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, November 17, 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 Planning Commission for **Thursday, November 17, 2022**. A map showing the location of the property involved is located at this website. If you have any questions or comments, please contact this office at the phone number 228-868-5710 or email [planners@gulfport-ms.gov](mailto:planners@gulfport-ms.gov). The application is available for viewing in the Planning Division office at 1410 24<sup>th</sup> 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:**  
IPL0096113

**Order Status:**  
Submitted

**Classification:**  
Legals & Public Notices

**Package:**  
BLX - Legal Ads

**Final Cost:**  
81.72

**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**  
October 27, 2022 11:41:15 AM EDT

**Amount:**  
81.72

**SCHEDULE FOR AD NUMBER IPL00961130**

November 2, 2022  
SunHerald (Biloxi)

**PREVIEW FOR AD NUMBER IPL00961130****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, November 17, 2022 in the Council Chambers of the Gulfport City Hall located at 2309 15th Street to consider the following requests. A copy of the requests will be available for public review at the office of the Department of Urban Development, Planning Division, located on first floor of the William H. Hardy Building, 1410 24th Avenue.

**Planning Commission Approval 2211PC194**, by owner Daniel Conwill IV, tax parcel 1011D-03-008.000, Requests for outdoor entertainment venue, 942 1/2 Beach Blvd, Zoned T5 (Urban Center Zone), Ward 2

**Zoning Map Amendment 2211PC195**, by owner Daniel Conwill IV, tax parcel 1011D-03-008.000, Requests rezone from T5 (Urban Center Zone) to T6 (Urban Core Zone), 942 1/2 Beach Blvd, Ward 2

**Planning Commission Approval 2211PC196**, by owner Jermille Johnson, tax parcel 0810B-03-099.000, Requests mobile home use, W Virginia Ave, Zoned R-1-5 (Single-family), Ward 3

**Zoning Map Amendment 2211PC198**, by agent Jorge Vargas, tax parcel 1007M-01-038.000, Requests to rezone from R-B (Residence-business) to R-E (Residence estate), 13062 Sheldon St, Zoned R-B (Residence-business), Ward 6

**Planning Commission Approval 2211PC199**, by agent Terrell Roddy, tax parcel 0808D-04-004.000, Requests to allow a medical dispensary use, 12407 HWY 49 N, Zoned B-4 (Highway business), Ward 7

**Special Exception 2211SE200**, by agent Adeeb Botros, tax parcel 0810C-03-059.000, Requests liquor store use, 8304 HWY 49 B, Zoned B-4 (Highway business), Ward 3

**Planning Commission Approval 2211PC201**, by owners Barry & Theresa Weyland, tax parcel 1010E-03-007.015, Request home occupation for real estate office, 927 Old Towne St, Zoned T3 (Sub-Urban Zone), Ward 4

**Zoning Map Amendment 2211PC202**, by agent Joyce Unsworth, tax parcel 0710O-02-102.002, Requests to rezone from B-1 (Neighborhood business) to R-B (Residence-business), 4809 29th St, Zoned B-1 (Neighborhood business), Ward 1

**Planning Commission Approval 2211PC203**, by agent Doug Hanson, tax parcel 0811G-03-033.000, Request home occupation for mobile windshield repair business, 1632 2nd St, Zoned T4L (General Urban Zone "Limited"), Ward 2

**Appeals 2211PC204**, by owners 3112 Pass Rd LLC & Ronald Fremin II, tax parcel 0811D-04-009.000, Requests metal exterior on facility, 3112 Pass Road, Zoned I-1 (Light Industry), Ward 1

**Planning Commission Approval 2211PC205**, by owners Yolanda & Marcus Stubbs, tax parcel 0908J-01-036.000, Requests home occupation for mobile notary use, 20 Joanna Lane, R-1-10 (Single-family) Ward 6

**Zoning Map Amendment 2211PC206**, by owners Incia Hernandez & Wilson Martinez, tax parcel 0910N-01-018.001, Request to rezone from B-2 (General Business) to R-B (Residence Business), 3205 F Ave, Zoned B-2 (General Business), Ward 4

**Zoning Map Amendment 2211PC207**, by agent J. William Williams, tax parcels 0708P-01-004.007 & 0708P-01-006.000, Requests to rezone from R-1-15 (Single-family) to B-2 (General business), 11261 Old Highway 49, Zoned R-1-15 (Single-family), Ward 7

**Resubdivision 2211PC208**, by agent Heinrich & Associates, LLC, tax parcel 0807E-01-001.000, Divide into two new parcels, 15361 S Swan Rd, Zoned R-1-15 (Single-family), Ward 7

**Zoning Map Amendment 2211PC209**, by agent Robert Reimann, tax parcel 0809B-03-017.000, Requests to rezone from I-2 (Heavy Industry) to R-3 (General residence), River Ten Rd & Klein Rd, Zoned I-2 (Heavy Industry), Ward 7

**Planning Commission Approval 2211PC210**, by agent Addison Bai...

**Planning Commission Approval 2210PC190**, by agent Addison Reimann, tax parcel 0809K-02-002.001, Request approval to allow a medical dispensary use, Creosote Rd, B-4 (Highway business), Ward 3

**Final Plat 2211PC211**, by agent Robert Reimann, tax parcels 0808O-02-016.000, 0808O-02-019.000, 0808O-02-015.000, Approval of Final Plat for 63-lot subdivision (Southern Breeze Subdivision) with 3 outparcels, Dedeaux Rd & Tanner Rd, Zoned R-1-5 (Single-family) & B-2 (General business), Ward 5

**Planning Commission Approval 2210PC190**, by agent John Ravenscroft, tax parcel 0811B-01-037.000, Requests automotive sales of less than 50 vehicles & automotive laundry use, 2601 15th Ave, Zoned B-2 (General business), Ward 3

This the 26th day of October, 2022  
Keith Williams, Chairman  
City of Gulfport Planning Commission  
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:** December 15, 2022

**Re:** Planning Commission Approval 2212PC215:

Planning Commission Approval 2212PC215, by owner Thomas Lewis, tax parcel 0807J-01-021.003, Requests a home occupation for independent freight dispatch service, 13593 Wind Rose Circle, Zoned R-1-15 (Single-family), Ward 7

**Technical Report**  
*PLANNING COMMISSION APPROVAL*

**GENERAL INFORMATION**

Case File Number: 2212PC215

Hearing Date: December 15, 2022

Current Zoning/Use: R-1-15 / Single-Family Residence

Legal: Planning Commission Approval 2212PC215, by owner Thomas Lewis, tax parcel 0807J-01-021.003, Requests a home occupation for independent freight dispatch service, 13593 Wind Rose Circle, Zoned R-1-15 (Single-family), Ward 7

**TECHNICAL DETAILS**

The applicants request approval for a home occupation business as an independent freight dispatch service. It is stated by the applicant that there will be no visits of customers to the home and there will be no pickup or deliveries.

The applicant further states that rates, pickup, and delivery points route planning for carriers is done by phone, text, or email and that forms of payment will be done online through PayPal, Square, and Cash App.

**EXECUTIVE SUMMARY**

As the application meets the requirements for a home occupation business that requires Planning Commission Approval, and there is very little impact on the neighborhood, the planning commission should consider approval.

Any approval should consider these conditions:

1. Based on no walk-in traffic or customer service in home, no sprinkler system will be required or fire separation. If this changes a sprinkler and separation will be required.
2. Must comply with all planning and zoning rules and regulations.

**DEPARTMENTAL CONDITIONS**

**Engineering:** No comments. Memo dated 11/22/22.

**Public Works:** No conditions. Memo dated 11/22/22.

**Traffic and Safety:** No conditions. Memo dated 11/22/22.

**Building Code Services:** Based on no walk-in traffic or customer service in home, no sprinkler system will be required or fire separation. If this changes a sprinkler and separation will be required. Memo dated 11/22/22.

## **Technical Report**

### *PLANNING COMMISSION APPROVAL*

**GIS:** No conditions. Memo dated 11/22/22.

**Police Department:** No conditions. Memo dated 11/22/22.

**Fire Department:** No conditions. Memo dated 11/28/22.

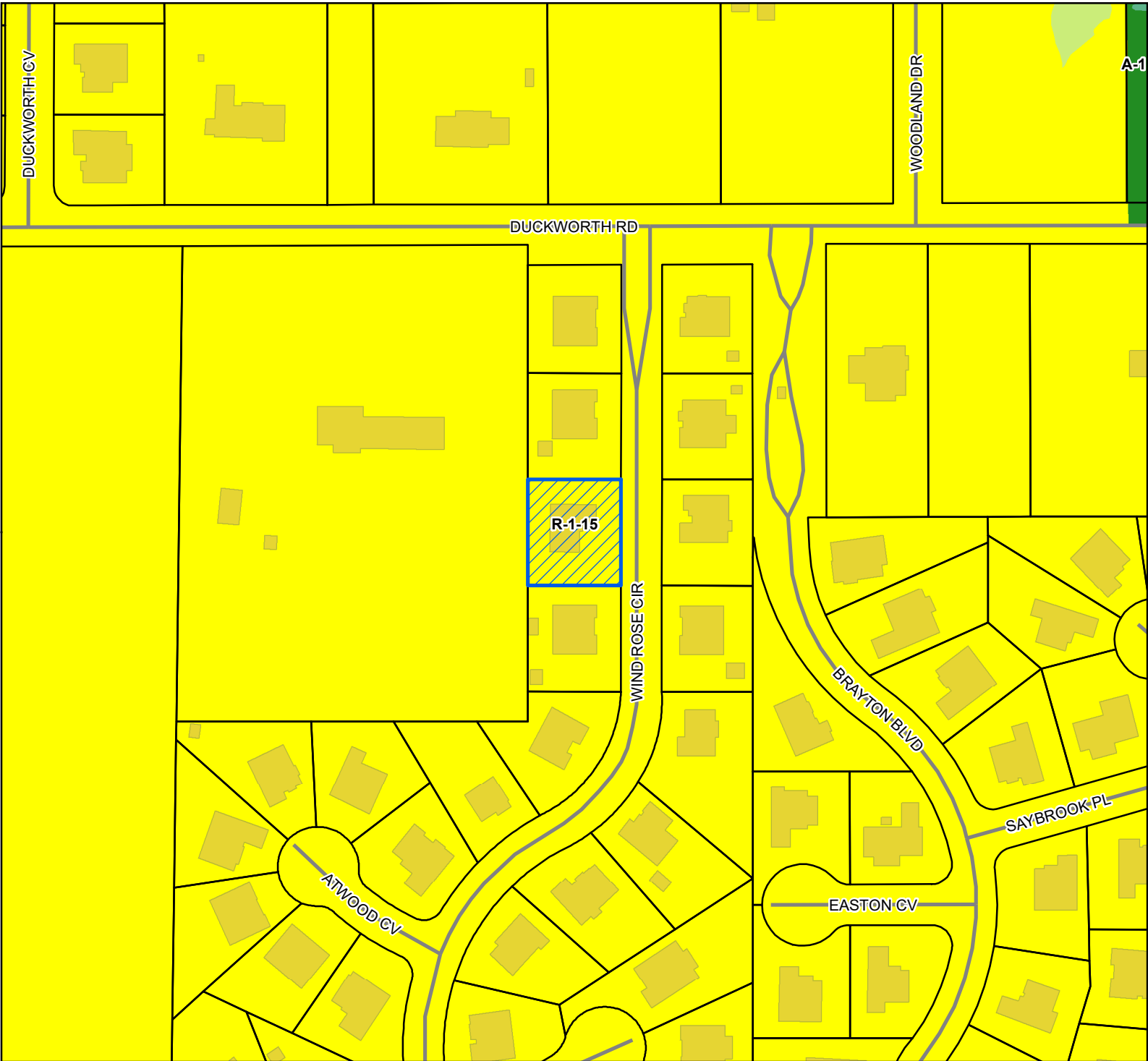
**City Arborist:** No conditions. Memo dated 11/28/22.

### ***DIRECTOR APPROVAL***

This report has been reviewed and approved by:

---

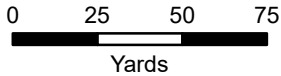
Ryan Merrill  
Director of Urban Development Department



**Site**  
 Site  
 Street  
 Parcels  
 Buildings  
 Water Features

**Zoning**  
 A-1 - Agricultural District  
 R-1-15 - Single Family  
 Residence District (Low Density)

**Site Information**  
 0807J-01-021.003  
 Zoning: R-1-15 ( Single Family)  
 Size: 14,870 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

**APPLICATION FOR  
PLANNING COMMISSION APPROVAL  
FOR A HOME OCCUPATION**

Case Number: 2212PC215  
Date Received: 10/20/22  
Receipt Number: 11872057  
Received By: [Signature]  
Zoning: R-1-15  
Ward: 7 Flood: X  
Size: 14,870 ft<sup>2</sup>

Property Information

TAX PARCEL # 

0	8	0	7	J	-	0	1	-	0	2	1	•	0	0	3
					-			-				•			
					-			-				•			

(If necessary, use separate sheet of paper)

Address of Property Involved: 13593 WIND ROSE CIRCLE GULFPORT

Lot(s) 3, Block(s) \_\_\_\_\_, Subdivision WIND ROSE

General Location: \_\_\_\_\_

**GENERAL DESCRIPTION OF REQUEST:**

HAVE A HOME BASED BUSINESS INDEPENDENT FREIGHT DISPATCH SERVICE

**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**  
THOMAS W. LEWIS  
Printed Name of Owner  
13593 WIND ROSE CIRCLE  
Mailing Address  
GULFPORT MISS 39503  
City State Zip code  
228-547-7680  
Home Phone Work/Cell Phone  
thomaslewis2424@gmail.com  
Email  
Thomas W. Lewis  
Signature of Owner

**AGENT**  
\_\_\_\_\_  
Printed Name of Agent  
\_\_\_\_\_  
Mailing Address  
\_\_\_\_\_  
City State Zip code  
\_\_\_\_\_  
Home Phone Work/Cell Phone  
\_\_\_\_\_  
Email

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.**

CHECKLIST FOR HOME OCCUPATIONS

Owner's Name: THOMAS W. LEWIS

Address: 13593 WINDROSE CIRCLE GULFPORT MS, 39503

Phone: (Home) (228) 547-7680 (Work/Cell) 228-868-6632  
228 867-9925

If rented, then the name of owner or manager is required, along with a letter of approval from same: N/A

Name of business or service to be used as home occupation: T & W Logistic Management LLC

Nature of business: INDEPENDENT FREIGHT DISPATCHING

Please fill in all the appropriate blanks:

Hours of operation: 8:00 a.m. until 5:00 p.m. 8:00 AM

Earlier than 8:00 a.m. \_\_\_\_\_

Give hours: \_\_\_\_\_

Later than 5:00 p.m.: \_\_\_\_\_

Give hours: 8:00 pm

Method of conducting business:

Telephone: ✓

Mail order: \_\_\_\_\_

Personal computer: ✓

Appointment: \_\_\_\_\_

Traffic generation:

Is there any delivery of goods or products to the residence? NO

If so, specify the number and frequency of deliveries: \_\_\_\_\_

Describe size of vehicle making deliveries: \_\_\_\_\_

Is service by appointment only or are there drop-by visits by customers or clientele? NO

Specify number and frequency of visits by clients and customers: \_\_\_\_\_

Is everything made, manufactured, or provided on site? NO

Is special equipment required in production? NO

If so, described it, giving size of motor, etc. NO

Are sales made from the premises? YES

If sales are made from other places, indicate on what basis:

Local stores on consignment: NO

Arts and crafts or flea markets: NO

Trade shows: NO

Other: ONLINE EMAIL phone text

Is there a Protective Covenant that exists that prohibits a home occupation at the proposed located?

Yes \_\_\_\_\_ No X

I certify the above to be true and accurate as it pertains to this application. I recognize that failure to comply with the assurances made in this application may result in the denial or removal of the permit after due notice and public hearing thereon.

Printed Name: THOMAS W. LEWIS

Signature: Thomas W. Lewis

Date: 10/20/22

## ① TRANSPORTATION AND ACCESS

NONE OF MY CARRIERS OR BROKER WILL BE COMING TO MY RESIDENCE YOU CAN ACCESS MY RESIDENCE BY HWY 49 TO DUCKWORTH EAST OF HWY 49 AND TURN ON WINDROSE CIRCLE. AND YOU CAN COME TO MY RESIDENCE BY GOING NORTH ON 3 RIVERS ROAD TO DUCKWORTH TURN THE ROAD AND COME TO WINDROSE CIRCLE THE THIRD HOUSE ON RIGHT. TRANSPORTATION BY CAR OR LIGHT TRUCK.

② THE WATER IS SUPPLIED BY CITY OF GULFPORT NO WELLS.

③ WASTE DISPOSAL IS PICKED UP BY WASTE MANAGEMENT WEDNESDAY AND SATURDAY MORNING

④ FIRE AND POLICE PROTECTION FIRE PROTECTION GFD STATION 11 AND POLICE PROTECTION BY GULFPORT POLICE DEPT.

⑤ OTHER PUBLIC FACILITIES LYMAN COMMUNITY CENTER IS ABOUT 2 MILE FROM RESIDENCE ON HWY 49 ON RIGHT.

⑥ TRAFFIC HAZARD NO CARRIERS OR BROKER ARE COMING TO RESIDENCE ALL WORK IS PERFORMED ONLINE PHONE, EMAIL AND TEXT, CALL.

⑦ IT FOLLOW THE GUIDELINE OF THE HOME ASSOCIATION (HOA) NO PARK ON THE STREET OR A LOT OF INCOMING OR OUT-GOING TRAFFIC

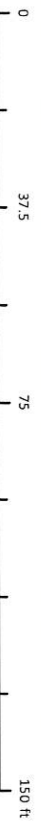
(63765)



Date: 10/20/2022

Time: 3:58:21 PM

DISCLAIMER: THIS MAP IS FOR PROPERTY TAX ASSESSMENT PURPOSES ONLY. IT WAS CONSTRUCTED FROM PROPERTY INFORMATION RECORDED IN THE OFFICE OF THE REGISTER OF DEEDS AND IS NOT CONCLUSIVE AS TO LOCATION OF PROPERTY OR LEGAL OWNERSHIP.



1 inch = 37 feet



Harrison County GIS Dept., Harrison County Tax Assessor

STATE OF MISSISSIPPI

MISSISSIPPI STATE DEPARTMENT OF HEALTH VITAL RECORDS



13313898

Form 311: Certificate of Death. Includes fields for Filing Date (01/14/2019), State File Number (123-2019-000459), Decedent Name (Sandra D Lewis), Sex (Female), Date of Death (01/06/2019), Birth Date (11/27/1967), Cause of Death (End Stage Renal Disease), and Certifying Physician (Gary T. Hargrove).

ANY ALTERATION OR ERASURE VOIDS THIS CERTIFICATE

ANY ALTERATION OR ERASURE VOIDS THIS CERTIFICATE



1/16/2019

Judy Moulder, State Registrar

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.

VERIFY PRESENCE OF WATERMARK HOLD TO LIGHT TO VIEW

THE FACE OF THIS DOCUMENT HAS A COLORED BACKGROUND ON WHITE PAPER. THIS IS WATERMARKED PAPER. DO NOT ACCEPT WITHOUT FIRST HOLDING TO LIGHT TO VERIFY WATERMARK.

# Marriage License

STATE OF MISSISSIPPI



COUNTY OF HARRISON

To any Judge, Minister, or Justice or any other Person Lawfully Authorized to celebrate the Rites of Matrimony.  
You are Hereby Licensed to Celebrate the



Between Mr. THOMAS WAYNE LEWIS and  
MISS SANDRA DENISE DAY  
and for so doing this shall be your warrant.



Given under my hand and official seal, this 16TH  
day of DECEMBER in the year of our Lord  
TWO  
Two Thousand \_\_\_\_\_  
at 04:24 o'clock P. m.

GAYLE PARKER Circuit Clerk  
By Marie Garner D. C.

The State of Mississippi. } By Virtue of A License  
Harrison County

From the Clerk of the Circuit and County Courts of said County of Harrison, I have this day  
celebrated the Rites of Matrimony between Mr. THOMAS WAYNE LEWIS  
and MISS SANDRA DENISE DAY

Given under my hand this the 21st day of December, A.D. 200 2  
Lee B. Holliman, Minister SEAL

**This Instrument Prepared By:**  
Charles B. Griffith  
Attorney at Law  
106 Mission Court, Suite 1002  
Franklin, Tennessee 37067

**Record and Return To:**  
LandCastle Title  
810 Crescent Centre Drive  
Suite 280  
Franklin, Tennessee 37067  
LCT File No.: MSR-081100420A

State of Colorado )  
County of Jefferson )

**SPECIAL 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 which is hereby acknowledged, the undersigned DEUTSCHE BANK TRUST COMPANY AMERICAS FORMERLY KNOWN AS BANKER'S TRUST COMPANY, AS TRUSTEE AND CUSTODIAN FOR MORGAN STANLEY ABS CAPITAL I INC., TRUST 2006-HE8, ("Grantor," hereinafter) does hereby sell, assign, convey, specially warrant, and deliver unto THOMAS LEWIS AND SANDRA LEWIS, ("Grantee," hereinafter), the following described property situated in HARRISON County, Mississippi, and being more particularly described as follows:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE  
FOR LEGAL DESCRIPTION

Commonly known as street address: 13593 WINDROSE CIRCLE, GULFPORT, MS 39503

AND THE SAID Grantor will forever specially warrant and defend the title to the above-described property unto the said Grantee and his heirs, representatives, and assigns, against the claims of all persons claiming by, through, or under the Grantor, but not otherwise.

The Grantee has thoroughly inspected, examined and accepts the parcel along with any existing structures, improvements, and appurtenances thereunto belonging, if any, and is purchasing same in "as is," "where is" condition, without warranty. In addition, Grantee understands that the Grantor, its agents, successors and/or assigns, have made no representation or warranties, other than as specifically set out herein, either expressed or implied regarding this parcel and that Grantee is purchasing same based on the Grantee's sole judgment and diligent inquiry.

By acceptance of this Deed, as evidenced by having same recorded, Grantee affirms the content of this document and expressly agrees to indemnify and hold Grantor, its agents, successors and/or assigns, harmless from any and all claims (whether made by the Grantee, its agents, successors, assigns or any other party) regarding any deficiency as to the condition of the property and/or any existing structures on said parcel.

If bounded by water, the warranty granted herein shall not extend to any part of the above-described property which is tideland or coastal wetlands as defined in the Mississippi Coastal Wetlands Protection Act and this conveyance includes any natural accretion and is subject to any erosion due to the action of the elements.

**Property Commonly Referred to As:**  
13593 Windrose Circle  
Gulfport, MS 39503

It is agreed and understood that taxes for the current year have been or shall be prorated on an estimated basis, effective the date of this instrument and are hereby assumed by the Grantee herein. When such actual taxes have been determined the parties hereto shall adjust the proration accordingly.

This conveyance and the warranty thereof is 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, any and all prior reservations, restrictions, easements, exceptions, sales, covenants, and/or conditions of record, including mineral, oil or gas reservations, and any and all public utility easements, servitudes and rights of way and restrictive covenants which might affect the subject property.

Grantor Name and Address:

4708 Mercantile Dr.  
Ft Worth, TX  
76137-3605

Phone Number: 760-566-8000

Grantee Name and Address:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Phone Number: \_\_\_\_\_

**TITLE NOT EXAMINED**

INDEXING INSTRUCTIONS:

LOT 3, WIND ROSE SUBDIVISION, PHASE ONE, HARRISON COUNTY, MS

Property Commonly Referred to As:  
13593 Windrose Circle  
Gulfport, MS 39503

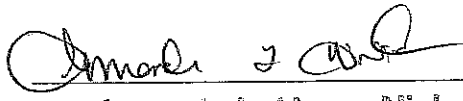
(Special Warranty Deed Continued)

WITNESS THE SIGNATURE of the Grantor on this 11 day of November, 2008.

GRANTOR:  
Deutsche Bank Trust Company Americas formerly known  
as Banker's Trust Company, as Trustee and Custodian for  
Morgan Stanley ABS Capital I Inc., Trust 2006-HE8

BY: Saxon Mortgage Services, Inc. f/k/a Meritech  
Mortgage Services, Inc., Attorney in Fact

BY:

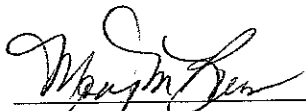
  
\_\_\_\_\_  
Amanda L. Henry-Niebur, AWP  
(Print Signer's Name and Title/Capacity)

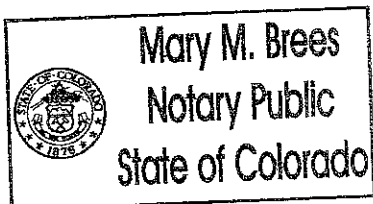
**ACKNOWLEDGEMENT**

STATE OF Colorado )  
COUNTY OF Jefferson )

Personally appeared before me, the undersigned authority in and for the said County and State, on this 11  
day of November, 2008, within my jurisdiction, the within named Amanda L. Henry-Niebur  
who acknowledged to me that s/he is the AWP (title/capacity) of Saxon  
\_\_\_\_\_  
(Signer's company name), the Attorney in Fact for \_\_\_\_\_  
\_\_\_\_\_  
(Grantor) and that in its capacity as Attorney in Fact for Grantor s/he executed, signed  
and delivered the above and foregoing instrument after having been authorized by \_\_\_\_\_  
Saxon (Signer's company name) and Grantor to do so.

Given under my hand and seal this the 11 day of November, 2008.

  
\_\_\_\_\_  
NOTARY PUBLIC  
My Commission Expires: 11-15-12



Property Commonly Referred to As:  
13593 Windrose Circle  
Gulfport, MS 39503

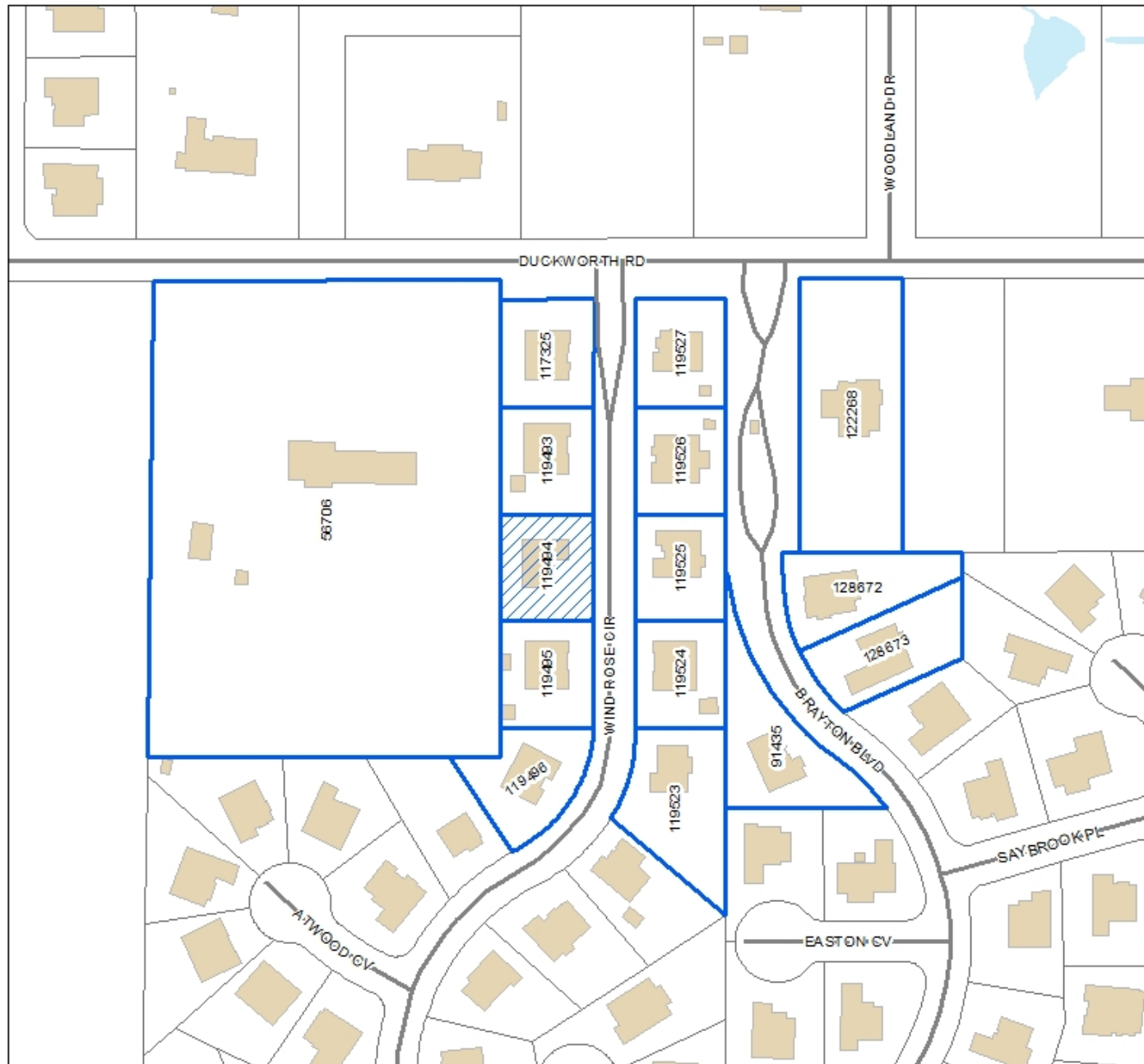
My Comm Exp 11-15-12

**EXHIBIT "A"**  
**(Legal Description)**

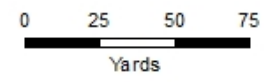
LOT 3, WIND ROSE SUBDIVISION, PHASE ONE, A SUBDIVISION ACCORDING TO THE OFFICIAL MAP THEREOF ON FILE AND OF RECORD IN THE OFFICE OF THE CHANCERY CLERK OF THE FIRST JUDICIAL DISTRICT OF HARRISON COUNTY, MISSISSIPPI IN PLAT BOOK 43 AT PAGE 14.

**Property Commonly Referred to As:**  
13593 Windrose Circle  
Gulfport, MS 39503

Mail	PPIN	Parcel ID	Name	Address	City	State	ZIP
N	119494	0807J-01-021.003	LEWIS THOMAS & SANDRA -ESTATE-(OWNER)	13596 WIND ROSE CIRCLE	GULFPORT	MS	39503
			<b>Adjacent Property Owners (2212PC215)</b>				
	91435	0807J-01-022.000	AUSTIN GREGORY A & LORI	13583 BRAYTON BLVD	GULFPORT	MS	39503
	56706	0807J-01-021.000	CARNES JEREMIAH LB & AMANDA	14379 DUCKWORTH RD	GULFPORT	MS	39503
	119526	0807J-01-021.035	GANZY ALLEN ROSS	13596 WINDROSE CIRCLE 5003	GULFPORT	MS	39503
	128673	0807J-01-022.002	GOACHER JEREMY L & APRIL N	13576 BRAYTON BLVD	GULFPORT	MS	39503
	122268	0807J-01-023.002	GOBBLE TIMOTHY A & SHANNON E	14313 DUCKWORTH RD	GULFPORT	MS	39503
	119496	0807J-01-021.005	HARRIS RODERICK D & KRISTY M	13581 WIND ROSE CIRCLE	GULFPORT	MS	39503
	119524	0807J-01-021.033	HILTON RICHARD & VIRGINA	13588 WIND ROSE CIRCLE	GULFPORT	MS	39503
	128672	0807J-01-022.001	JOHNSON KIMBERLY LYNN & CRAIG O	13580 BRAYTON BLVD	GULFPORT	MS	39503
	119525	0807J-01-021.034	LOTT VERZEALOUS & PETERS CLINTON E	13592 WIND ROSE CIR	GULFPORT	MS	39503
	117325	0807J-01-021.001	MARCELLUS CRYSTAL D & JAMES HARRY J	9200 SW 30TH TER	OKLAHOMA CITY	OK	73179
	119493	0807J-01-021.002	REAVES ANDRE L & ASHLEY N	13597 WIND ROSE CR	GULFPORT	MS	39503
	119527	0807J-01-021.036	SMITH JAY & ANGELA CREAGHE	13600 WIND ROSE CIRCLE	GULFPORT	MS	39503
	119523	0807J-01-021.032	TAYLOR TIFFANI ELISABETH R& MATTHEW	13584 WINDROSE CIRCLE	GULFPORT	MS	39503
	119495	0807J-01-021.004	TRUSSELL DAVID MICHAEL & SHERRY	13589 WINDROSE CR	GULFPORT	MS	39503



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



1 inch = 170 feet



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**RE: Planning Commission Approval 2212PC215, by owner Thomas Lewis, tax parcel 0807J-01-021.003, Requests a home occupation for independent freight dispatch service, 13593 Wind Rose Circle, Zoned R-1-15 (Single-family), Ward 7**

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, December 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 Planning Commission for **Thursday, December 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](mailto:planners@gulfport-ms.gov). The application is available for viewing in the Planning Division office at 1410 24<sup>th</sup> Avenue.



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

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

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

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

## AFFIDAVIT OF PUBLICATION

Account #	Order Number	Identification	Order PO	Amount	Cols	Depth
36845	351542	Print Legal Ad-IPL00996680 - IPL0099668		\$49.92	1	86 L

Attention: Matilda Welch

PO BOX 1780

GULFPORT, MS 39502

**LEGAL NOTICE  
 PUBLIC HEARING**

In conformance with Section VIII of the Comprehensive Zoning Ordinance of the City of Gulfport, Mississippi, 1979 as amended, notice is hereby given advising that the Gulfport City Planning Commission will hold a public hearing in the City of Gulfport, Mississippi at 4:30 P.M., Thursday, December 14, 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 2212PC215**, by owner Thomas Lewis, tax parcel 0907J-01-021.003, Requests a home occupation for independent freight dispatch service, 13593 Wind Rose Circle, Zoned R-1-15 (Single-family), Ward 7

**Planning Commission Approval 2212PC216**, by owner William Caleb Boyles, tax parcel 0908J-01-024.008, Requests a home occupation for engraving and cerakoting firearms, 22 Jay Drive, Zoned R-1-10 (Single-family), Ward 6

**Resubdivision 2212PC218**, by agent Joyce Unsworth, tax parcel 07100-02-102.002, Divide into two new parcels, 4809 29th Street, Zoned B-1 (Neighborhood business), Ward 1

**Resubdivision 2212PC219**, by agent Jimmy Miles, tax parcel 0810N-05-023.000, Divide into three new parcels, 32nd St, Zoned B-2 (General business), Ward 3

**Resubdivision 2212PC220**, by agent Josh Fleming, tax parcels 0811G-02-030.000 & 0811G-02-016.000, divide into two new parcels, 1512 E Beach Blvd & Thornton Ave, Zoned R-B (Residence-Business) Ward 2

**General Plan 2212PC221**, by agent Freddie Fountain with Fountain & Associates, LLC, tax parcel 0907J-01-001.005, Approval of a General Plan for 17-Lot subdivision (Plantation Oaks Subdivision - Phase III), 0 Three Rivers Road, Zoned R-B (Residence-business), Ward 6

**Appeal 2212PC222**, by agent Shaw Design Group, PA, tax parcel 0809K-01-001.026, to Appeal City of Gulfport Design Standards, 9394 Three River Road, Zoned B-2 (General business), Ward 3

**Zoning Text Amendment 2212PC224**, by CRC Westside, amendments to the SmartCode Zoning Ordinance, as amended, Section 5.3.3 h

**Zoning Text Amendment 2212PC225**, by CRC Westside, amendments to the SmartCode Zoning Article 6, as amended, Section 5.3.3 a Table 10

**Zoning Text Amendment 2212PC226**, by City of Gulfport, Amendments to the Comprehensive Zoning Ordinance, as amended, District Regulations, (J) Chart of Permitted Uses (2) Schedule of uses - Residential Hotel

This is the 22th day of November, 2022  
 Keith Williams, Chairman  
 City of Gulfport Planning Commission  
 IPL0099668  
 Nov 30 2022

**STATE OF MISSISSIPPI  
 COUNTY OF HARRISON**

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

1 insertion(s) published on:  
 11/30/22

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

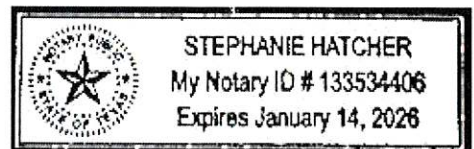
*Stefani Beard*

Sworn to and subscribed before me this 30th day of November in the year of 2022

*Stephanie Hatcher*

Notary Public

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



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

# MEMORANDUM

**To:** City of Gulfport Planning Commission

**From:** Greg Holmes, Planning Administrator  
Urban Development Department

**Date of Hearing:** December 15, 2022

**Re:** Planning Commission Approval 2212PC216:

Planning Commission Approval 2212PC216, by owner William Caleb Boyles, tax parcel 0908J-01-024.008, Requests a home occupation for engraving and cerakoting firearms, 22 Jay Drive, Zoned R-1-10 (Single-family), Ward 6

**Technical Report**  
*PLANNING COMMISSION APPROVAL*

**GENERAL INFORMATION**

Case File Number: 2212PC216

Hearing Date: December 15, 2022

Current Zoning/Use: R-1-10 / Single-family Residence

Legal: Planning Commission Approval 2212PC216, by owner William Boyles, tax parcel 0908J-01-024.008, Requests a home occupation for engraving and cerakoting firearms, 22 Jay Drive, Zoned R-1-10 (Single-family residence), Ward 6

**TECHNICAL DETAILS**

The applicant request Planning Commission Approval to allow cerakoting and engraving firearms and engraving other items such as cups, pens, flashlights, rings, business cards, and name tags, as a home occupation use. The applicant states that, "the customers will drop their items off by appointment only." The applicant estimates that there will approximately 3-10 drop-offs per week.

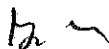
The applicant has a 300 square feet workspace (accessory structure) located in the back of their home and will use 55 gallon drums to dispose of excess cerakote when finished spraying of ceramic paint for metals and polymers. A site plan of the accessory structure was submitted by the applicant (**see attached**) showing the layout and various equipment that will be used to complete the work.

**EXECUTIVE SUMMARY**

Although the applicant states there will be customers coming to the home for drop off only, a concern would be how long this business will be able to function as a home occupation. The business could rapidly advance depending on the size & amount of orders being requested. Thus, the possibility of a larger staff, facility, and more noise in the neighborhood due to use of a sand blaster and longer hours of work. The increase in business, if more customers had to drop their items off, would impede normal day to day neighborhood traffic. It is with these concerns that request should be carefully considered.

Any approval should consider these conditions:

1. Must comply with all planning & zoning rules and regulations.
2. No on-street parking.
3. As a customer service based business, any entry to the office by customer shall cause compliance with the International Building Code. Sprinkler system shall be required once customer enters home-office.



**Technical Report**  
*PLANNING COMMISSION APPROVAL*

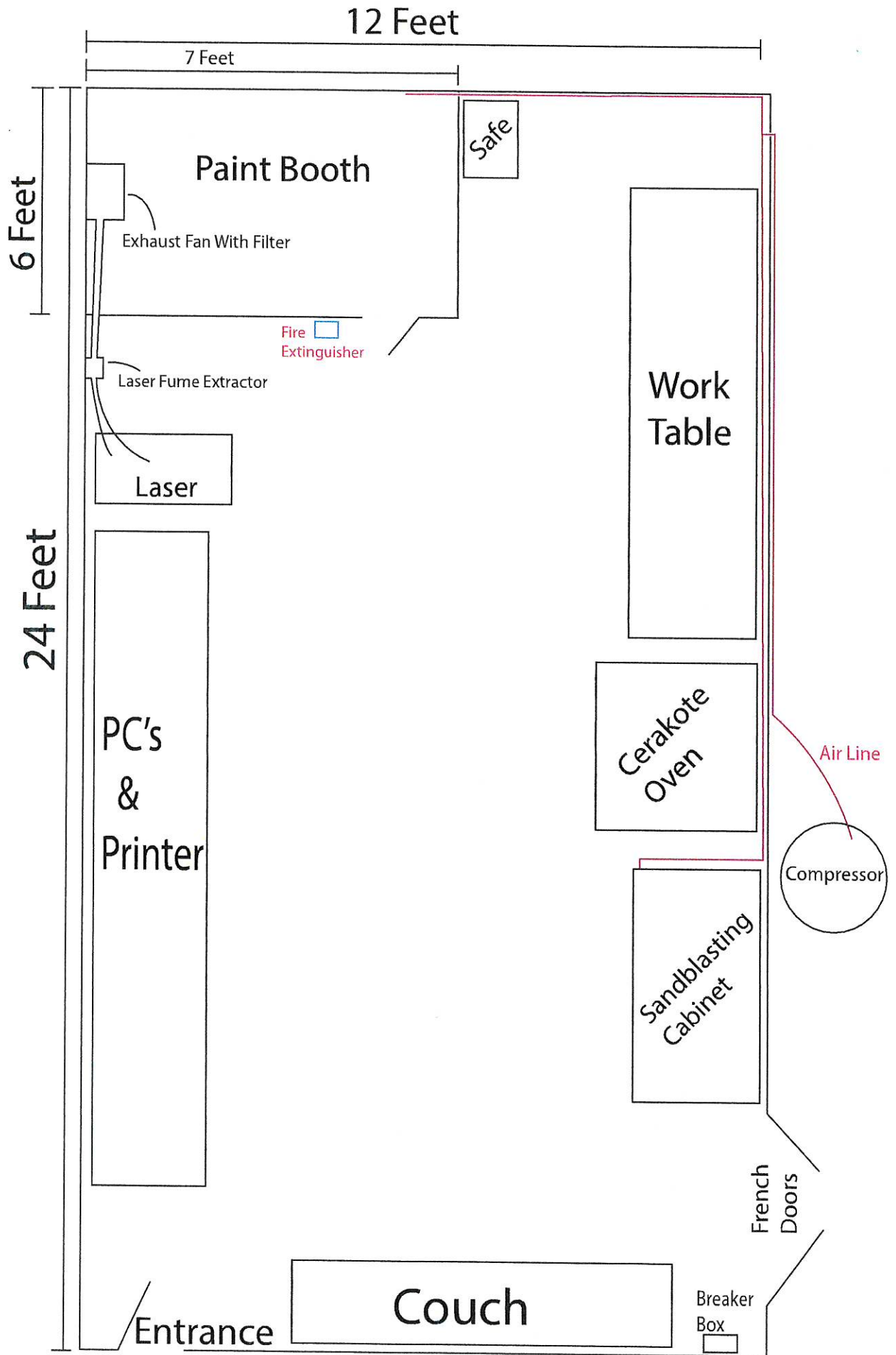
***DEPARTMENTAL CONDITIONS***

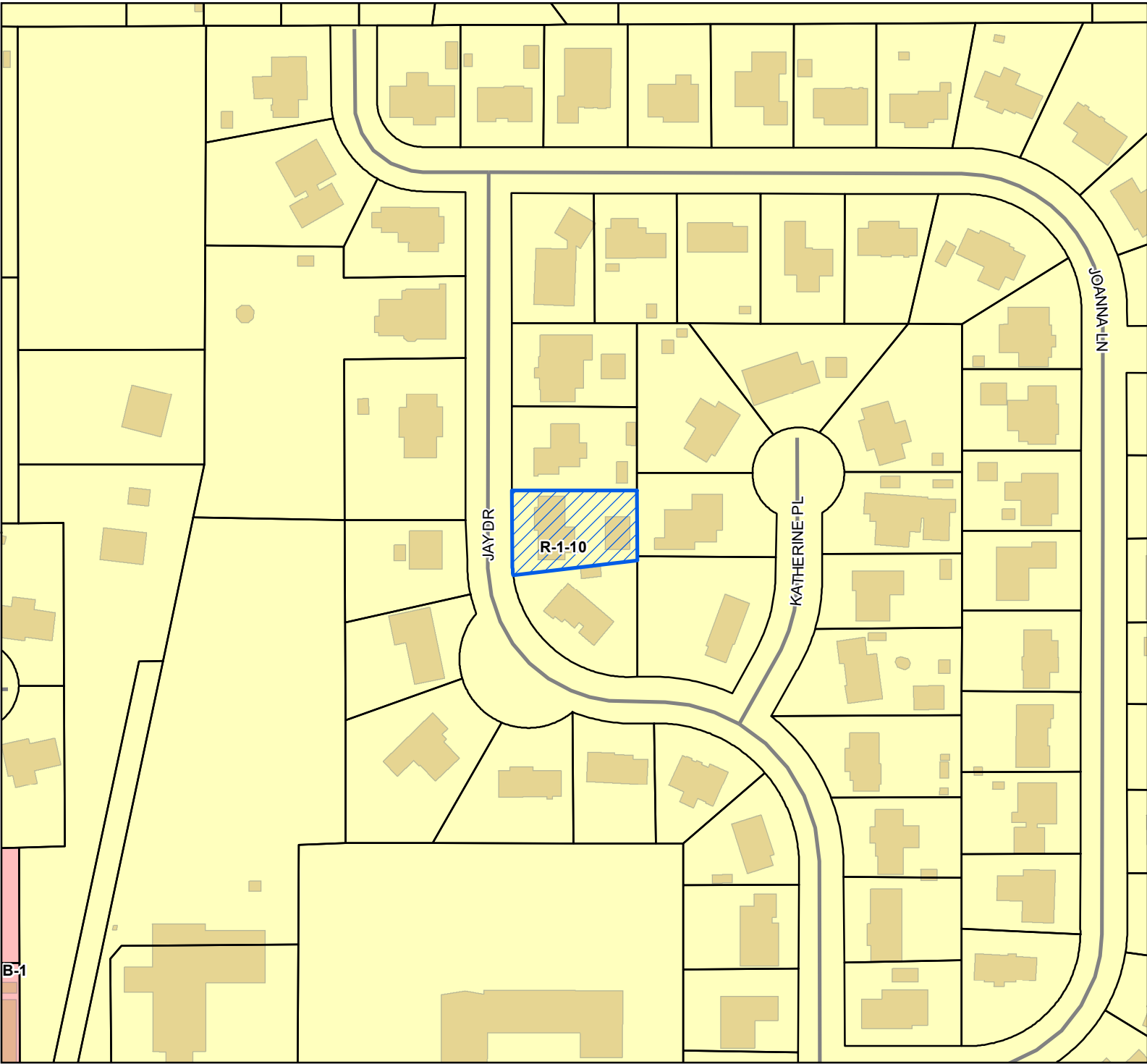
- Engineering:** No on-street parking. Memo dated 12/05/22.
- Public Works:** No on-street parking. Memo dated 12/01/22.
- Traffic and Safety:** No conditions. Memo dated 11/29/22.
- Building Code Services:** As a customer service based business, any entry to the office by customer shall cause compliance with the International Building Code. Sprinkler system shall be required once customer enters home-office. Memo dated 12/05/22.
- GIS:** No conditions. Memo dated 12/05/22.
- Police Department:** No comments as of 12/05/22.
- Fire Department:** No conditions. Memo dated 11/28/22.
- City Arborist:** No conditions. Memo dated 11/28/22.

***DIRECTOR APPROVAL***

This report has been reviewed and approved by:

\_\_\_\_\_  
Ryan Merrill  
Director of Urban Development Department





Site

Street

Parcels

Buildings

**Zoning**

B-1 - Neighborhood Business District

R-1-10 - Single Family Residence (Low Density)

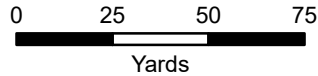
**Site Information**

0908J-01-024.008

Zoning: R-1-10

Size: 11,300 Sqft

Flood: X



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

**APPLICATION FOR  
PLANNING COMMISSION APPROVAL  
FOR A HOME OCCUPATION**

Case Number: 2212 PC216

Date Received: 10/21

Receipt Number: \_\_\_\_\_

Received By: CLB.SF

Zoning: R-1-10

Ward: 6 Flood: X

Size: 11,300 sqft.

Property Information

TAX PARCEL #

0	9	0	8	J	-	0	1	-	0	2	4	●	0	0	8
					-			-				●			
					-			-				●			

(If necessary, use separate sheet of paper)

Address of Property Involved: 22 Jay Drive GULFPORT MS 39503

Lot(s) \_\_\_\_\_, Block(s) \_\_\_\_\_, Subdivision \_\_\_\_\_

General Location: \_\_\_\_\_

**GENERAL DESCRIPTION OF REQUEST:**

ASKING FOR PCA FOR HOME OCCUPATION FOR ENGRAVING & CERAMIC FIRE ARMS.

**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

William Caleb Boyles

Printed Name of Owner

22 Jay Drive

Mailing Address

GULFPORT MS 39503

City State Zip code

662-721-6994

Home Phone Work/Cell Phone

WCB2232@gmail.com

Email

William Boyles

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.**

### CHECKLIST FOR HOME OCCUPATIONS

Owner's Name: William Caleb Boyles

Address: 22 Jay Drive Gulfport MS 39503

Phone: (Home) \_\_\_\_\_ (Work/Cell) 662-721-6994

If rented, then the name of owner or manager is required, along with a letter of approval from same: \_\_\_\_\_

Name of business or service to be used as home occupation: Hemlock Customs

Nature of business: Carvoting & Engraving of Firearms & other items i.e. CUPS, PENS, FLASHLIGHTS, RINGS, BUSINESS CARDS

Please fill in all the appropriate blanks:

Hours of operation: 8:00 a.m. until 5:00 p.m. X

Earlier than 8:00 a.m. \_\_\_\_\_

Give hours: \_\_\_\_\_

Later than 5:00 p.m.: \_\_\_\_\_

Give hours: \_\_\_\_\_

Method of conducting business:

Telephone: X

Mail order: \_\_\_\_\_

Personal computer: \_\_\_\_\_

Appointment: X

Traffic generation:

Is there any delivery of goods or products to the residence? No Yes

If so, specify the number and frequency of deliveries: 3-10 per week

Describe size of vehicle making deliveries: STANDARD VEHICLES, CUSTOMERS WILL ONLY BE ABLE TO DROP THEIR ITEMS OFF BY APPOINTMENT ONLY. DROP OFFS WILL TAKE A MAX OF 10 MINS.

Is service by appointment only or are there drop-by visits by customers or clientele? \_\_\_\_\_

APPOINTMENT ONLY

Specify number and frequency of visits by clients and customers: 3-10 per week

Is everything made, manufactured, or provided on site? Yes

Is special equipment required in production? Yes

If so, described it, giving size of motor, etc. 80 Gallon Compressor, Over sized oven

Are sales made from the premises? NO, A SERVICE IS OFFERED

If sales are made from other places, indicate on what basis:

Local stores on consignment: \_\_\_\_\_

Arts and crafts or flea markets: \_\_\_\_\_

Trade shows: \_\_\_\_\_


Other: \_\_\_\_\_

Is there a Protective Covenant that exists that prohibits a home occupation at the proposed located?

Yes \_\_\_\_\_ No X

I certify the above to be true and accurate as it pertains to this application. I recognize that failure to comply with the assurances made in this application may result in the denial or removal of the permit after due notice and public hearing thereon.

Printed Name: William Caleb Boyles

Signature: 

Date: 10/21/22

William Caleb Boyles

Hemlock Customs

Occupational Permit (Business Details)

Hello,

The primary focus of the business will be Engraving and Cerakoting Firearms for custom work. I will also have to obtain a federal firearms license and meet all ATF requirements in order to conduct such business. This business in no way is like a store, customers will be coming by briefly only to drop items off to be worked on. Most of my dealings with design work or anything pertaining to work will occur over the phone. The work can take anywhere from 3 days to two weeks and I have a limited amount of item storage so traffic will not impede normal day to day neighborhood traffic. I have spoken to the 6 neighbors that surround me and have received nothing but encouraging statements about the future of my business. No one has objected to what I intend to do. I have a completely separate building to conduct my work from. It's a shop in my back yard which I have outfitted to house my equipment. I will never have live ammunition within my workspace.

I use fiber lasers in order to engrave metals. I have dedicated ventilation systems in place to ensure a safe work environment. In no way does the engraving process create any toxic fumes, only dust particles that can be safely vented away from my direct work area. If needed, to satisfy the city, I can install in line carbon filters to my ventilation system. Even though my primary focus will be firearms, I will also be engraving such items as pens, yeti cups, flashlights, name tags, and any other metal material that an individual or company may require me to customize.

The use of a sand blaster will be needed for my work. I currently have a fully sealed and enclosed blasting cabinet. The cabinet has a built-in dust collector that will require me to maintain at all times. This process does not release anything into the atmosphere.

Cerakoting is a sprayed ceramic paint application that can be used on a variety of metals and polymers. I will have a dedicated spray booth in my place of business with adequate ventilation and in line filters. No toxic vapors will be released from this method either. I have dedicated 55 gallon drums to dispose of excess cerakote when finished spraying a part. Upon filling the drum I will take the necessary steps to ensure proper waste disposal of said contents. Upon completion of coating an item, the item will then go into my cerakote oven to bake out and cure.

My entire work process does not involve harmful chemicals or any vapors to be released to the atmosphere.

My wokspace is 300 square feet and is equipped with all the proper outlets, breakers, air lines, ventilation, and precautions to ensure a safe work environment for myself. I also have the proper fire extinguisher within the work space, which is easily accessible. I have a gun safe that is properly mounted to the cement floor for storage of customers firearms or any other item I feel is necessary to keep under lock and key.

I hope you take these details into consideration and let me know if I need to satisfy any other concerns I did not address here. Hopefully this business can and will be mutually beneficial to the city of Gulfport in the future, and grow exponentially. I look forward to meeting the corresponding individuals that will be handling my concerns.

*The closest fire station to my shop is **Station 9.***

15197 Dedeaux Rd

Gulfport, MS 39503

(228) 868-5950 ext. 4909

F. IN REGARDS TO TRANSPORTATION & ACCESS I AM ADJACENT TO  
A PUBLIC RIGHT-OF-WAY AND MY PROPERTY HAS ACCESS WITH A DRIVEWAY,  
IN REGARDS TO WATER SUPPLY MY PROPERTY HAS ACCESS TO EXISTING  
WATER LINES.

MY PROPERTY HAS ACCESS TO EXISTING SEWER LINES.

I AM NOT REQUESTING MORE PROTECTION FROM POLICE & FIRE THAN  
WHAT IS ALREADY OFFERED.

I AM NOT REQUIRING ADDITIONAL PUBLIC FACILITIES.

THE PROPOSAL WILL NOT CAUSE UNDUE TRAFFIC ISSUES BECAUSE  
ANY CUSTOMER COMING TO THE HOME IS BY APPOINTMENT ONLY.

THE PROPOSAL IS IN HARMONY IN THAT I WILL BE USING  
MY EXISTING HOME AND SHOP.



**Covenant Affidavit**

I, William Caleb Boyles, being owner or agent of the property 22 Jay 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.

William Caleb Boyles 12-2-22  
Signature Date

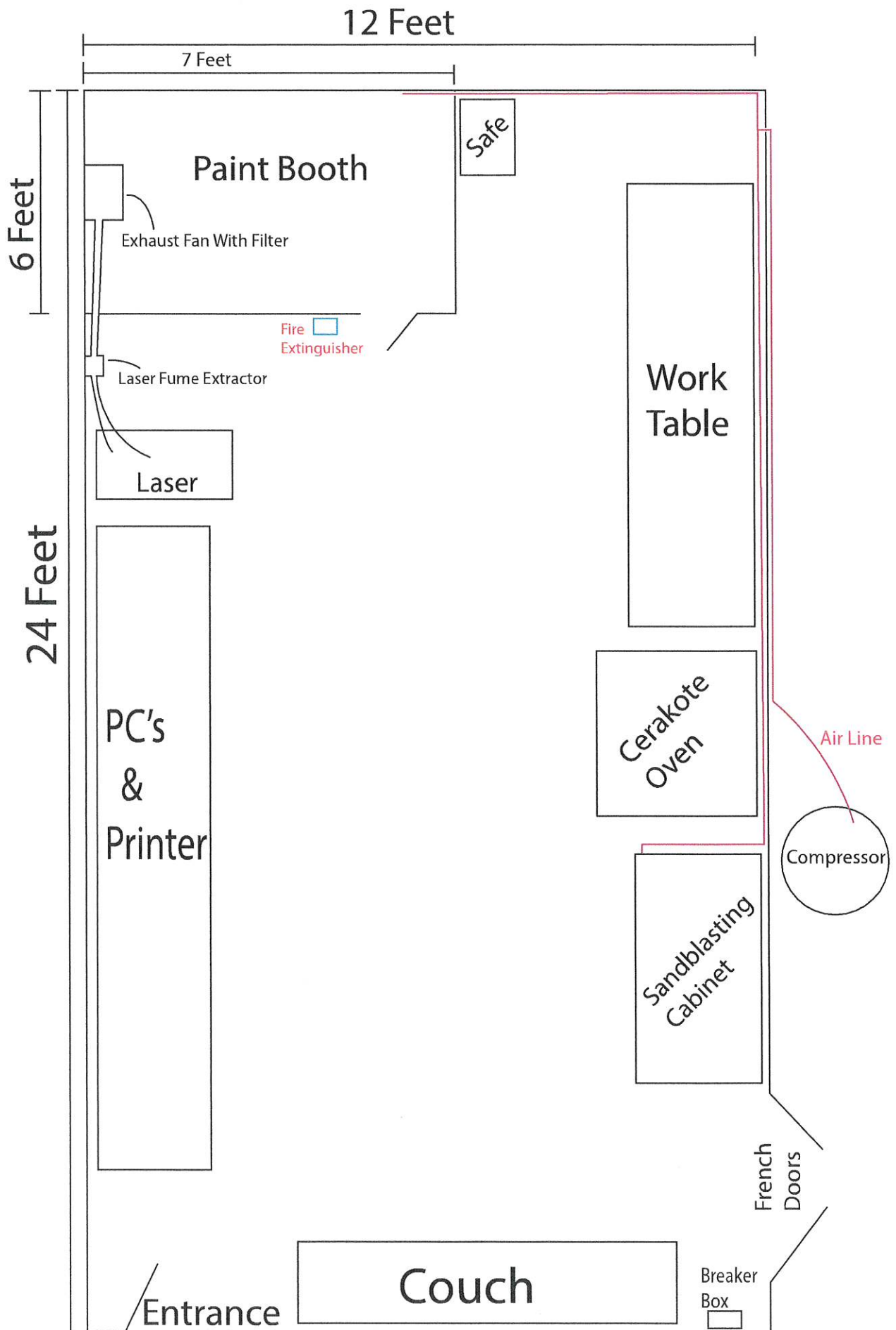
STATE OF MISSISSIPPI | COUNTY OF HARRISON

Given under my hand and seal of office this the 2nd day of December, 20 22

Leslie Ervin  
Notary Public

April 19, 2025  
Commission Expiration







# Area Map

Printed 10/21/2022

90

24 JAY DR

15

90

135

75.71

22 JAY DR

14

74.56

90

14.29

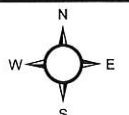
135.07

13




20 JAY DR

126.15

130.71



1 inch = 25 feet

-  Addresspoints
-  WaterFeatures
-  Parcels

**DATA DISCLAIMER:**  
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Prepared By and Return To:  
Schwartz, Orgler & Jordan, PLLC  
12206 Hwy 49  
Gulfport, MS 39503  
(228) 832-8550

Indexing Ins tutions:

File#221404

**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,

**JOSE SAMUEL ALEMAN ACEVEDO**  
**400 BANYAN STREET**  
**COALTOWNSHIP, PA 17866**  
**570-339-9552**

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

**WILLIAM CALEB BOYLES**  
**an unmarried man**  
**22 JAY DRIVE**  
**GULFPORT, MS 39503**  
**662-721-6994**

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 Fourteen (14), COLONIAL ESTATES SUBDIVISION, Block Two (2), 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 29, at Page 4 thereof, reference to which is hereby made in aid of and as a part of this description.**

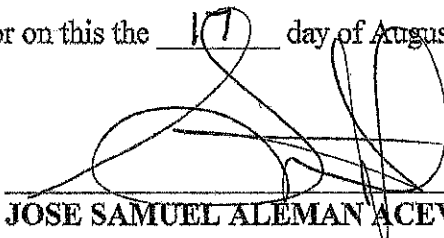
The above described property is not a part of the Homestead of the Grantor herein.

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

Estimated county ad valorem taxes have been prorated between the parties as a part of the consideration for this conveyance. In the event the estimates upon which such proration is based prove to be inaccurate for any reason, the Grantee agrees to refund any excess, and the Grantor agrees to pay any deficiency, upon receipt of a copy of the tax statement for the current year and a computation of the true amount due, based on a 365 day year.

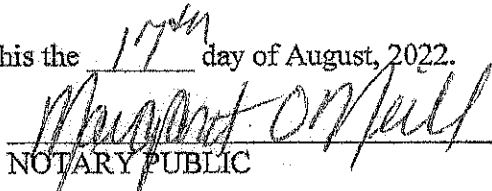
THIS CONVEYANCE is also subject to Zoning and/or other land use regulations promulgated by federal, state or local governments affecting the use or occupancy of the subject property.

WITNESS THE SIGNATURE of the Grantor on this the 17 day of August, 2022.

  
\_\_\_\_\_  
JOSE SAMUEL ALEMAN ACEVEDO

STATE OF Pennsylvania  
COUNTY OF Northumberland

THIS DAY personally appeared before me, the undersigned authority in and for the jurisdiction aforesaid, JOSE SAMUEL ALEMAN ACEVEDO, 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 17<sup>th</sup> day of August, 2022.  
  
\_\_\_\_\_  
NOTARY PUBLIC

(SEAL)

My Commission Expires: December 16, 2025

Commonwealth of Pennsylvania - Notary Seal  
Margaret O'Neill, Notary Public  
Northumberland County  
My commission expires December 16, 2025  
Commission number 1220606  
Member, Pennsylvania Association of Notaries

MISCELLANEOUS PAYMENT RECPT#: 11873158  
CITY OF GULFPORT

GULFPORT, MS 39501

DATE: 10/21/22            TIME: 14:06:06  
CLERK: cbrown            DEPT:  
CUSTOMER#:

COMMENT:

CHG: PZD    PLANNING AND ZO            75.00

AMOUNT PAID:            75.00

PAID BY:            CB  
PAYMENT METH: CASH

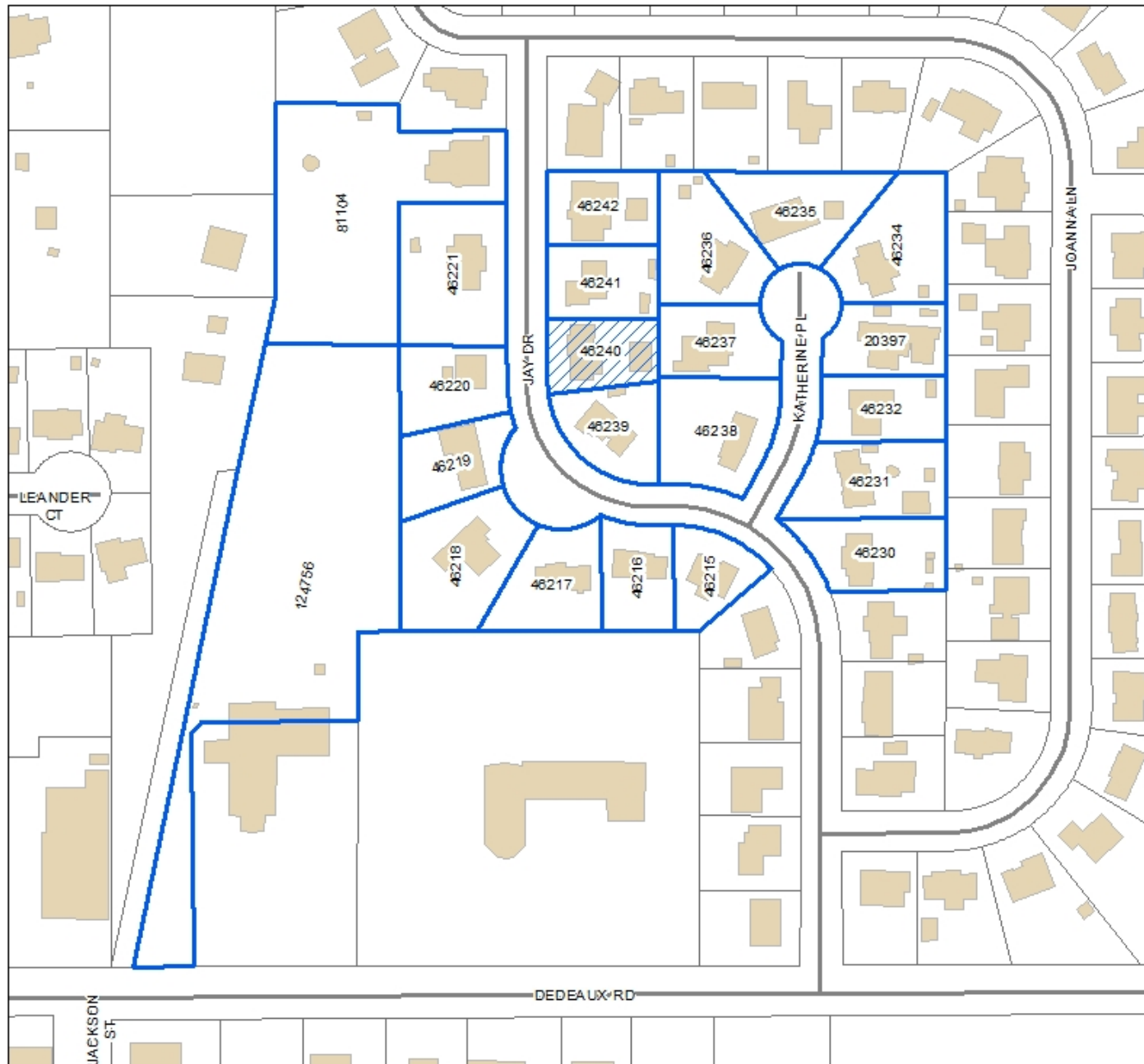
REFERENCE:

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

Mail	PPIN	Parcel ID	Name	Address	City	State	ZIP
N	46240	0908J-01-024.008	WILLIAM CALEB BOYLES (OWNER)	22 JAY DRIVE	GULFPORT	MS	39503
				<b>Adjacent Property Owners (2212PC216)</b>			
	46235	0908J-01-028.000	BAMBA MICHAEL J & CHARLENE M	5 KATHERINE PL	GULFPORT	MS	39507
	46237	0908J-01-024.004	BLACKWELL ANNIE M	7 KATHERINE PL	GULFPORT	MS	39503
	46215	0908J-01-019.000	CARR SHELLEY A	11 JAY DR	GULFPORT	MS	39503
	46232	0908J-01-024.001	COLEMAN BOBBY J & CLARA	2 KATHERINE PLACE	GULFPORT	MS	39503
	46239	0908J-01-024.011	COOPER FRANK G	20 JAY DR	GULFPORT	MS	39503
	46220	0908J-01-020.003	DAVENPORT JASON L	23 JAY DR	GULFPORT	MS	39503
	46219	0908J-01-020.002	FRYER RICHARD RUSSELL II & LINDA M	19 JAY DRIVE	GULFPORT	MS	39503
	46242	0908J-01-026.000	HENNLEIN JUDITH ANN -ESTATE-	26 JAY DR	GULFPORT	MS	39503
	46230	0908J-01-030.002	HOETGER SHERREL M & SONNY C	10 JAY DRIVE	GULFPORT	MS	39503
	46234	0908J-01-024.005	JACKSON NEIDRA R	4 KATHERINE PLACE	GULFPORT	MS	39503
	46231	0908J-01-029.000	KEITH CLAUDIA A	1 KATHERINE PL	GULFPORT	MS	39503
	46216	0908J-01-019.001	KLUBERDANZ PHILIP E	13 JAY ST	GULFPORT	MS	39503
	46238	0908J-01-027.000	LHLE LLC	443 SANLENAY CT	BILOXI	MS	39531
	46236	0908J-01-024.015	MARTIN JOHN T & SHEILA	6 KATHERINE PL	GULFPORT	MS	39503
	81104	0908J-01-020.001	MCMINN GLYNNIS DEANN SCOGGINS	27 JAY DR	GULFPORT	MS	39503
	46217	0908J-01-019.003	PITTMAN BELINDA	15 JAY DR	GULFPORT	MS	39503
	46221	0908J-01-020.000	RECORD SAINT A & ELONZA K	25 JAY DR	GULFPORT	MS	39503
	20397	0908J-01-024.002	ROBERTS GLEN R & BRIDGET G	3 KATHERINE PL	GULFPORT	MS	39503
46241	0908J-01-024.007	RUTLEDGE DENNIS P & ELEANOR M	24 JAY DR	GULFPORT	MS	39503	
124756	0908J-01-012.001	ST JOHN BAPTIST CHURCH	12502 DEDEAUX RD	GULFPORT	MS	39503	
46218	0908J-01-019.004	WILLIAMS JAMES A & ALLIE M	17 JAY DR	GULFPORT	MS	39503	

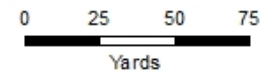
2212PC216

# Planning Commission Approval



## Legend

- Site
- Adjacent Properties
- Street
- Buildings



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.

LE

**RE: Planning Commission Approval 2212PC216, by owner William Caleb Boyles, tax parcel 0908J-01-024.008, Requests a home occupation for engraving and cerakoting firearms, 22 Jay Drive, Zoned R-1-10 (Single-family), Ward 6**

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, December 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 Planning Commission for **Thursday, December 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](mailto:planners@gulfport-ms.gov). The application is available for viewing in the Planning Division office at 1410 24<sup>th</sup> Avenue.



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

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

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

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

## AFFIDAVIT OF PUBLICATION

Account #	Order Number	Identification	Order PO	Amount	Cols	Depth
36845	351542	Print Legal Ad-IPL00996680 - IPL0099668		\$49.92	1	86 L

Attention: Matilda Welch

PO BOX 1780

GULFPORT, MS 39502

**LEGAL NOTICE  
 PUBLIC HEARING**

In conformance with Section VIII of the Comprehensive Zoning Ordinance of the City of Gulfport, Mississippi, 1979 as amended, notice is hereby given advising that the Gulfport City Planning Commission will hold a public hearing in the City of Gulfport, Mississippi at 4:30 P.M., Thursday, December 14, 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 2212PC215**, by owner Thomas Lewis, tax parcel 0907J-01-021.003, Requests a home occupation for independent freight dispatch service, 13593 Wind Rose Circle, Zoned R-1-15 (Single-family), Ward 7

**Planning Commission Approval 2212PC216**, by owner William Caleb Boyles, tax parcel 0908J-01-024.008, Requests a home occupation for engraving and cerakoting firearms, 22 Jay Drive, Zoned R-1-10 (Single-family), Ward 6

**Resubdivision 2212PC218**, by agent Joyce Unsworth, tax parcel 07100-02-102.002, Divide into two new parcels, 4809 29th Street, Zoned B-1 (Neighborhood business), Ward 1

**Resubdivision 2212PC219**, by agent Jimmy Miles, tax parcel 0810N-05-023.000, Divide into three new parcels, 32nd St, Zoned B-2 (General business), Ward 3

**Resubdivision 2212PC220**, by agent Josh Fleming, tax parcels 0811G-02-030.000 & 0811G-02-016.000, divide into two new parcels, 1512 E Beach Blvd & Thornton Ave, Zoned R-B (Residence-Business) Ward 2

**General Plan 2212PC221**, by agent Freddie Fountain with Fountain & Associates, LLC, tax parcel 0907J-01-001.005, Approval of a General Plan for 17-Lot subdivision (Plantation Oaks Subdivision - Phase III), 0 Three Rivers Road, Zoned R-B (Residence-business), Ward 6

**Appeal 2212PC222**, by agent Shaw Design Group, PA, tax parcel 0809K-01-001.026, to Appeal City of Gulfport Design Standards, 9394 Three River Road,

Zoned B-2 (General business), Ward 3  
**Zoning Text Amendment 2212PC224**, by CRC Westside, amendments to the SmartCode Zoning Ordinance, as amended, Section 5.3.3 h

**Zoning Text Amendment 2212PC225**, by CRC Westside, amendments to the SmartCode Zoning Article 6, as amended, Section 5.3.3 a Table 10

**Zoning Text Amendment 2212PC226**, by City of Gulfport, Amendments to the Comprehensive Zoning Ordinance, as amended, District Regulations, (J) Chart of Permitted Uses (2) Schedule of uses - Residential Hotel

This is the 22th day of November, 2022  
 Keith Williams, Chairman  
 City of Gulfport Planning Commission  
 IPL0099668  
 Nov 30 2022

### STATE OF MISSISSIPPI COUNTY OF HARRISON

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

1 insertion(s) published on:  
 11/30/22

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

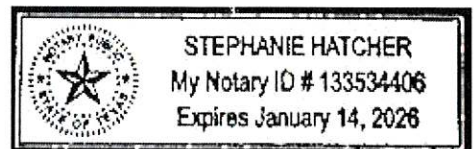
*Stefani Beard*

Sworn to and subscribed before me this 30th day of November in the year of 2022

*Stephanie Hatcher*

Notary Public

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



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

# MEMORANDUM

**To:** City of Gulfport Planning Commission

**From:** Greg Holmes, Planning Administrator  
Urban Development Department

**Date of Hearing:** December 15, 2022

**Re:** Appeal 2212PC222:

Appeal 2212PC222, by agent Shaw Design Group, P.A, tax parcel 0809K-01-001.026, to Appeal City of Gulfport Design Standards, 9394 Three river Road, Zoned B-2 (General business), Ward

3

# Technical Report

## *Appeal*

### **GENERAL INFORMATION**

Case File Number: 2212PC222

Hearing Date: December 15, 2022

Current Zoning/Use: B-2 / Commercial Building

Legal: Appeal 2212PC222, by agent Shaw Design Group, P.A, tax parcel 0809K-01-001.026, to Appeal City of Gulfport Design Standards, 9394 Three River Road, Zoned B-2 (General business), Ward 3

### **TECHNICAL DETAILS**

The applicant requests an appeal of a permit for a commercial structure denied for architectural standards. As presented, the commercial building (Social Security Building) contains several nonconformities and is required to meet the design standards in order for the site to comply with required design standards. The City of Gulfport Design Review standards regarding building materials and finishes found in section (3) Commercial projects (a) Design Standards 1.5 Storage, utilities and mechanical equipment state, iii "Trash enclosures should be located remotely from project access points, building entries, public view corridors, and main circulation paths, but must be accessible to truck traffic for pick up. Enclosures should be constructed of six (6) foot high masonry walls with solid metal gates or wood gates."

3.3 Pedestrian access and walkways. vi. Pedestrian crosswalks should be provided across internal drives and through parking divider islands and planting beds. vii. Pedestrian walks should generally be four (4) feet in width and made of unit pavers or brush finish or sand blasted concrete and meet design standards for public sidewalks, including ADA compliancy. Painting or imprinting walkways or use of asphalt is not recommended.

3.4 Parking location and design. v. Parking rows should contain no more than ten (10) parking spaces uninterrupted by a landscaped island. Landscape islands should measure a minimum of eight (8) feet in width and eight (8) feet in length.

Any review will be subject to the appeals process outlined in Appendix A-Sec IV (E)(1)" elements.

On November 3, 2011, the City Council unanimously approved the Residential and Commercial Design Standards. The City currently lacks an Architectural Review Board; therefore, the appeal is moved straight to Planning Commission to have a hearing and decision.

Any approval should consider these conditions:

1. Approval would allow the applicant to be non-compliant with sections 1.5 Storage, utilities and mechanical equipment, 3.3 Pedestrian access and walkways, and 3.4

# Technical Report

## *Appeal*

Parking location and design, where the design standards strictly call for these design standards to be met.

### ***DEPARTMENTAL CONDITIONS***

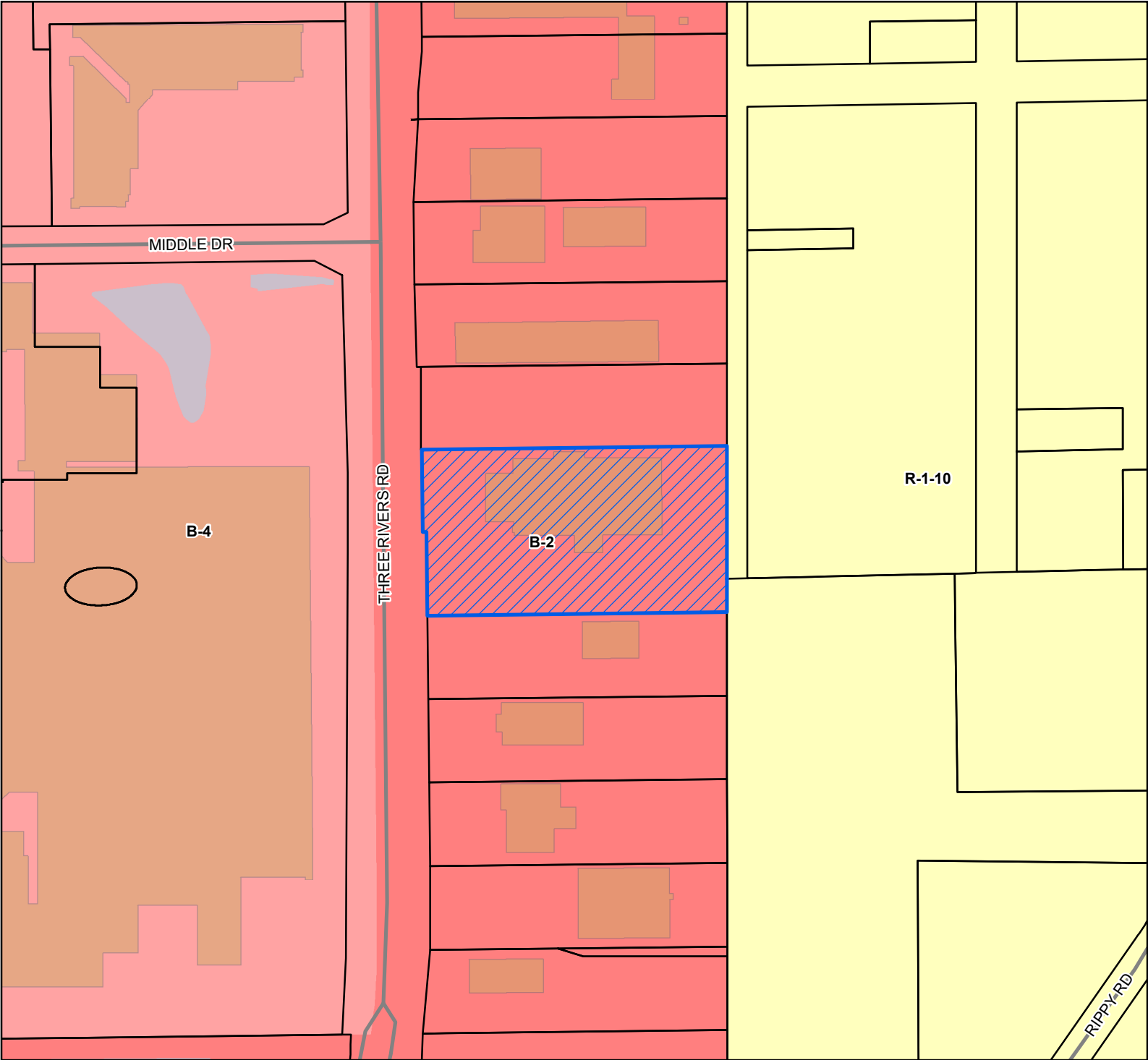
<b><u>Engineering:</u></b>	No conditions. Memo dated 12/5/22.
<b><u>Public Works:</u></b>	No conditions. Memo dated 12/5/22.
<b><u>Traffic and Safety:</u></b>	No conditions. Memo dated 11/29/22.
<b><u>Building Code Services:</u></b>	No comments as of 12/5/22.
<b><u>GIS:</u></b>	No conditions. Memo dated 12/5/22.
<b><u>Police Department:</u></b>	No comments as of 11/5/22.
<b><u>Fire Department:</u></b>	No conditions. Memo dated 11/28/22.









### ***DIRECTOR APPROVAL***

This report has been reviewed and approved by:

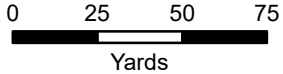
---

Ryan Merrill  
Director of Urban Development Department



-  Site
  -  Street
  -  Parcels
  -  Buildings
  -  Water Features
- Zoning**
-  B-2 - General Business District
  -  B-4 - Highway Business District
  -  R-1-10 - Single Family Residence (Low Density)

**Site Information**  
 0809K-01-001.026  
 Zoning: B-2 (General Business district)  
 Size: 1.729 acres  
 Flood: X



1 inch = 170 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 #: 2212PC222

Date Received: 11/2/22

Receipt #: \_\_\_\_\_

Received By: [Signature]

Zoning: B-2

Ward: 3 Flood: X

Size: 1.729 ACRE

(If necessary, use separate sheet of paper)

# APPLICATION FOR APPEALS

## Property Information

TAX PARCEL # 

0	8	0	9	K	-	0	1	-	0	0	1	•	0	2	6
					-			-				•			
					-			-				•			

Address of Property Involved: 9394 Three Rivers Rd

Lot(s) 7 & 8, Block(s) \_\_\_\_\_, Subdivision Three Rivers Business Park

General Location: \_\_\_\_\_

### GENERAL DESCRIPTION OF APPEAL:

To revert to the zoning ordinance when the building was originally permitted.

### 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

GH Gulfport LLC  
Printed Name Of Owner  
2055 Wood Street, #117  
Mailing Address  
Sarasota FL 34237  
City State Zip code  
303-327-4445  
Home Phone Work/Cell Phone

Shaw Design Group, P.A.  
Printed Name Of Agent  
2404 24th Avenue  
Mailing Address  
Gulfport MS 39501  
City State Zip code  
228-864-1202  
Home Phone Work/Cell Phone

Email ed.stanton@grayharborcapital.com  
[Signature]  
Signature Of Owner

Email info@shawdesigngroup.ppa.com  
[Signature]  
Signature Of Agent

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

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

Items to be considered.

The standards of this section apply to commercial and mixed use building project meeting the following criteria:

*New and Renovated Buildings along Commercial and Mixed Use Corridors.* New construction of a building or major renovation or addition to an existing building valued greater than \$50,00 intended for commercial, office, hotel/motel, or other commercial or mixed use on a property fronting on or visible from a public roadway designated as an Arterial or Major Collector in the City's Comprehensive Plan.

### Section (C) Commercial Project

#### Item 3.4 (v)

The Social Security Building was constructed in 2001. The proposed work is confined to interior modifications. No exterior changes are under consideration. To comply with the current zoning would require significant site changes and would result in a loss of parking spaces which would cause the final project to be noncompliant with the current zoning ordinance.



**URBAN DEVELOPMENT  
BUILDING CODE SERVICES**

P.O. Box 1780  
Gulfport, MS 39502  
Phone: 228-868-5790  
Fax: 228-868-5816

Wm. H. Hardy Building  
1410 24<sup>th</sup> Ave.  
Gulfport, MS 39501

**Building Code Plan Review**

**Note:** The following review is based on the 2018 Edition of the International Building Code, International Plumbing Code, International Mechanical Code, International Fire Code, 2014 ICC 600, 2017 NFPA 70 National Electrical Code and the NFPA 101 Life Safety Code, 2018 Edition, or the International Residential Code 2018 Edition for R3.

This review was conducted by Mike Edwards. I can be reached at 228-868-5790 between the hours of 8:00 am and 5:00 pm Monday through Friday. If our understanding of the project is in error, if you have any questions or if you would like clarification of any comments, please call.

**Project Name & Address:** 9394 Three Rivers Road

**Owner of Building:** Social Security  
**Design Professional:** Shaw Design Group  
Phone: (228)864-1202  
FAX: ()

**Construction Company:** Colon Development  
Phone: 303-327-4445  
FAX: Email: ashley.lemon@colcon-dev.com

**Contact Person:**

**Date of Review:**

**Tax Parcel #:** 0809K-01-001.026  
**Permit#** 202202130  
**Valuation:** \$357,252

Scope of Work: Interior Renovation

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STATUS:

Building: Approved

Planning: Pending

Engineering:

Fire: Approved

SEE CORRECTIONS OR ADDITIONAL INFORMATION NEEDED.

---

Communication History:

◆ Faxed to ◆

---

International Building Code 2012 Information & General Data:

- 1) Classification of Occupancy: B Use Class: B
- 2) Occupation Class: Business
- 3) Group: B
- 4) Occupant Load (load/occ.sf,g or n): 162
- 5) Fire District (App, F)
- 6) Minimum Type of Construction (Type, protection, sprinkler): IIIB  
unprotected and sprinkled.
- 7) Height allowed (maximum/actual): /Existing
- 8) Number of stories (maximum/actual): /1
- 9) Square Footage (maximum/actual): / 16165
- 10) Sprinklers Required?: No
- 11) Alarm System Required? No
- 12) Modifications:
- 13) F.F.E.: Existing
- 14) Flood Zone (FIRM): X
- 15) Separation distance from property line (real or assumed) & Table 602 requirement  
for Bearing/Non Bearing, (distance, hour rate, & % openings) :
  - a) Front (): 66
  - b) Rear (): 9
  - c) Right (): 74
  - d) Left (): 92

---

CORRECTIONS OR ADDITIONAL INFORMATION NEEDED:

BUILDING: Approved

**PLANNING:**

1) iii. Trash enclosures should be located remotely from project access points, building entries, public view corridors, and main circulation paths, but must be accessible to truck traffic for pick up. Enclosures should be constructed of six (6) foot high masonry walls with solid metal gates or wood gates. Enclosure finishes should match the building in color and texture and should include stonework, landscaping, wood and other natural elements.

2) vi. Pedestrian crosswalks should be provided across internal drives and through parking divider islands and planting beds. vii. Pedestrian walks should generally be four (4) feet in width and made of unit pavers or brush finish or sand blasted concrete and meet design standards for public sidewalks, including ADA compliancy. Painting or imprinting walkways or use of asphalt is not recommended.

3) v. Parking rows should contain no more than ten (10) parking spaces uninterrupted by a landscaped island. Landscape islands should measure a minimum of eight (8) feet in width and eight (8) feet in length.

**ENGINEERING:**

**FIRE:**

**AN APPROVED TREE PERMIT MUST BE ON SITE AT ALL TIMES WHILE UNDER CONSTRUCTION!**

In accordance with City of Gulfport Ordinance No. 2536, an Emergency Radio System or by-directional amplifier signal booster may be required throughout this building. Submit a plan sealed and signed by a licensed professional. A separate permit will be required for this system..

**Notice: As of July 1, 2010 all structures, except one and two family dwellings, shall be bear a 6 inch horizontal by 3 inch vertical isosceles triangle (plaque) identifying roof and floor truss construction. Plaque shall be reflective bright color (Such as Orange or Yellow with Black Letters). Letters shall be "F" for Floor Truss, "R" for Roof Truss, and "F/R" if both. Plaque shall be 4 feet 6 inches off of the ground and to the left of the front entrance. Contractor is responsible for Plaque placement. (House Bill No. 1176 10/HR40/ R1485SG)**

**THE CITY OF GULFPORT, PUBLIC WORKS DEPARTMENT MUST BE NOTIFIED PRIOR TO ANY CONNECTIONS MADE TO THE CITY'S WATER SYSTEM. CALL 998-868-5700.**

The City of Gulfport's Public Works Department must be notified prior to any trenching, boring or connections made to the City's Water System. Call (228) 868-5700.

**"ALL CONSTRUCTION AND SYSTEMS SHALL COMPLY WITH ALL TECHNICAL CODES AND STANDARDS REGARDLESS OF ANY ERRORS OR OMISSIONS ON THE PLANS AND/OR SPECIFICATIONS OR MADE BY THE CITY OF GULFPORT. ALL CONSTRUCTION AND SYSTEMS SHALL BE SUBJECT TO FINAL FIELD INSPECTION AND APPROVAL OF ACCEPTANCE TESTS, WHERE REQUIRED."**

**REVIEW OF THIS PROJECT DOES NOT CONSTITUTE APPROVAL FOR OR THE PERMITTING OF SIGNS. ALL SIGNS TO BE INSTALLED ON THIS SITE OR BUILDING SHALL REQUIRE A SEPARATE PERMIT APPLICATION AND PERMIT.**

**All Contractors shall obtain a local license prior to permitting. This pertains to all trades and disciplines.**

This review was conducted by Mike Edwards. I can be reached at 228-868-5790 between the hours of 8:00 am and 5:00 pm Monday through Friday. If our understanding of the project is in error, if you have any questions or if you would like clarification of any comments, please call.

CODE REVIEW ABILITIES (Based on Submittal Packages)									
01/16									
FIRM	CONTACT INFO	QUALIFIER	1&2 Family	Commercial	Electrical	Mechanical	Plumbing	Fire Sup.	Fire Alarm
Hughes Associates, Inc,	845 Eagle Claw Court Lake Mary, FL 32746 Ph: 407-647-3737	Hamid Bahadori		X				X	X
Gulf States Engineering	1816 Pass Road Gulfport MS 39501 Ph: 228-864-5050 Fax 228-864-7744	John T Wade, P.E. F.P.E. Brian Dove, FCO	X	X	X	X	X	X	X

CTI Consultants Inc.	13500 East Boundary Rd. Midlothain, VA 23502 Ph: 804-252-9182	Various employees of the company	X	X	X	X	X	X	X
Wascomb Home Services, LLC	551 Singley Road Columbia, MS 39429 Ph: 601-731-4149	Tim Wascomb	X						
Williams Rodgers	107 Malissa Lane Hattiesburg, MS 39402 Ph: 601-467-3457	William Rodgers	X	X		X	X		
Neel-Schaffer, Inc	107 Howard Ave Biloxi, MS 39530-3822 Ph: 228-374-1211 Fax: 228-374-1216	W. Brian Fulton, P.E.	X	X	X	X	X		
Carrigee Consulting	609 Central Ave. Bay St. Louis, MS 39520 Ph: 228-469-0004	Bill Carrigee, CBO, CCA, CFM	X	X	X	X	X		
Victor Gray-Lewis	P.O. Box 150 Vicksburg, MS 39181 Ph: 601-634-4528	Victor Gray-Lewis	X	X	X	X	X		
FCB Engineering	9470 Dominion Way Alpharetta, GA 30022 Ph: 770-643-1626	Frederick Bradley, PE						X	
E Fire	820 Pass Rd. Gulfport, MS 39501 Ph: 228-575-6275	Michael Maki							X
Reed Fire Protection, Inc.	5168 Mobile South Street Mobile, AL 36582 Ph: 251-653-4711	Douglas Reed						X	

VERITAS, Fire Engineering, Inc.	12364 W Alameda Pkwy. Suite 135 Lakewood CO 80228	Kerry L. Madigan						X	X
Mississippi State Rating Bureau	6455 Wirtz Road Flowood, Mississippi 39232 601-981- 2915	Gary Kettleman						X	

### **Fire Alarm System Requirements**

A design package (Package) for fire alarm systems must be submitted for review and approval for any fire alarm system or devices:

- installed or altered in any commercial building or
- Installed or altered in any residential building containing more than two dwelling places.

Compliance with NFPA 72 – “The National Fire Alarm Code” – 2018 Edition is required. Designers/Installers shall be designated by the Owner in writing and meet criteria established in Section 7-1.2.2 of this Standard. The Package must be reviewed & approved prior to the General Contractor requesting any rough-in inspections and must contain the following as a minimum:

- 1) A floor plan which indicates the use of all rooms.
- 2) Locations of alarm-initiating and notification appliances.
- 3) Alarm control and trouble signaling equipment.
- 4) Annunciation.
- 5) Power connection.
- 6) Battery calculations.
- 7) Conductor type and sizes.
- 8) Voltage drop calculations.
- 9) Manufacturers, model numbers and listing information for equipment, devices and materials.
- 10) Details of ceiling height and construction.
- 11) The interface of fire safety control functions.

**A. Information required on shop drawings includes:**

- 1) Name of owner and occupant.
- 2) Location, including street address.
- 3) Device legend.
- 4) Date.
- 5) Reviewing agency (Third Party)
- 6) Applicable codes and standards identifying edition and year.
- 7) Other criteria used in design.
- 8) Type of construction and occupancy classifications.
- 9) Type of alarm system to be used.
- 10) Identification of any existing alarm system and its components.
- 11) Area of coverage/protection.
- 12) List of fire safety functions.
- 13) List of zones for detection and evacuation signaling.
- 14) Identification of annunciator zones.
- 15) Fire department response points.
- 16) Sequence of operation identifying devices and responses (inputs and outputs).
- 17) Secondary power calculations.
- 18) Voltage drop calculations.

**B. Information required on floor plans includes:**

- 1) Floor identification – configuration to scale.
- 2) Point of compass.
- 3) Graphic indication of scale.
- 4) Room identification (name and/or number).
- 5) Arrangement showing walls and partitions within 18 inches (457mm) of ceiling.
- 6) Doorways and other openings.
- 7) Riser locations.
- 8) Device locations.
- 9) Primary power connection location.
- 10) Monitor interface locations.

**C. Information required on riser diagrams includes:**

- 1) Cross section of building showing general configuration of system.
- 2) Number and location of risers.
- 3) Circuit number and type.
- 4) Alarm component number and type on each circuit.
- 5) Alarm component number and type on each floor.

**D. Information required on control panel diagrams includes:**

- 1) Identification of specific control equipment.
- 2) Control panel location.
- 3) Battery charger location.
- 4) Annunciator location.
- 5) Primary power supply location.
- 6) Secondary power supplies and locations.

- 7) Indicators and manual controls.
- 8) Full text of labels.
- 9) Field wiring terminals and terminal identification(s).
- 10) Identification of circuits connected to field wiring terminals.
- 11) Circuit identification.
- 12) Releasing equipment connections.
- 13) Field connections to supervising station signaling equipment.
- 14) Fire safety control interfaces.
- 15) Identification of LEDs.
- 16) Identification of remote stations, end-of-line and power supervisory devices.

**E. Additional information necessary for complete review includes:**

- 1) Information to be include in the owner's manual.
  - 2) Description of maintenance requirements.
  - 3) Identification of designer with contact information.
  - 4) Identification of installer with contact information.
  - 5) Certifications for designer(s).
  - 6) Certifications for installer(s).
- A "Record of Completion Form" (Figure 1-7.2.1 of NFPA 72 – 2018 Edition) must be submitted with the project clearly identified in the Heading and sections 1, 4, 5, 6, 7, 8, & 9 completed.

*The information must be bound and indexed.*

- ★ All wiring must comply with NFPA 70 & 72.
- ★ Submit a minimum of three sets of the design package. An approved set must be on site during installation. Only one set will be available for pick-up in the Plan Review Office unless additional sets are supplied.
- ★ We reserve the right to require correction of any non-compliant items discovered during review and inspection. Inspection and/or testing of equipment and devices may be required prior to closing any walls or ceilings and prior to tenant occupancy. This must be coordinated through the Building Code Services.

The Installing Contractor is responsible for conducting all compliance inspections, testing and supplying all equipment and materials for same.

**Sprinkler Systems.**

The following information is required:

**A. Information required on shop drawings includes:**

- 1) Name of owner and occupant.
- 2) Location, including street address.
- 3) Point of compass.

- 4) Graphic Indication of scale.
- 5) Ceiling construction.
- 6) Full-height cross section.
- 7) Location of fire walls.
- 8) Location of partitions.
- 9) Occupancy of each area or room.
- 10) Location and size of blind spaces and closets.
- 11) Any questionable small enclosures in which no sprinklers are to be installed.
- 12) Size of city main in street, pressure and whether dead end or circulation and, if dead end, direction and distance to nearest circulating main, city main test results.
- 13) Other source of water supply, with pressure or elevation.
- 14) Make, type and orifice size of sprinkler.
- 15) Temperature rating and location of high-temperature sprinklers.
- 16) Limitations on extended coverage sprinklers or other special sprinkler types.
- 17) Number of sprinklers on each riser and on each system by floors and total area by each system on each floor.
- 18) Make, type, model and size of alarm or dry pipe valve.
- 19) Make, type, model and size of preaction or deluge valve.
- 20) Type and location of alarm bells.
- 21) Backflow prevention method and details.
- 22) Total number of sprinklers on each dry pipe system or preaction deluge system.
- 23) Approximate capacity in gallons or each dry pipe system.
- 24) Setting for pressure-reducing valves.
- 25) Pipe size, type and schedule of wall thickness.
- 26) Cutting lengths of pipe (or center-to-center dimensions)
- 27) Type of fittings, riser nipples and size, and all welds and bends.
- 28) Type and location of hangers, inserts and sleeves.
- 29) Calculations of loads and details for sway bracing.
- 30) All control valves, checks, drain pipes, flushing, and test pipes.
- 31) Size and location of standpipe risers and hose outlets.
- 32) Small hand-hose equipment.
- 33) Underground pipe size, length, location, weight, material, point of connection to city main; the type of valves, meters and valve pits; and the depth that top of the pipe is laid below grade.
- 34) Size and location of hydrants along the hose houses.
- 35) Size and location of fire department connections.
- 36) When the equipment is to be installed as an addition to an old group of sprinklers without additional feed from the yard system, enough of the old system shall be indicated on the plans to show the total number of sprinklers to be supplied and to make all connections clear.
- 37) Information to be provided on the hydraulic nameplate.
- 38) Name, address and phone number of contractor and sprinkler designer.

- 39) Hydraulic reference points shall be shown by a number and/or letter designation and shall correspond with comparable reference points shown on the hydraulic calculation sheets.
- 40) System design criteria showing the minimum rate of water application and the water application (density), the design area of water application and the water required for hose streams both inside and outside.
- 41) Actual calculated requirements showing the total quantity of water and the pressure required at a common reference point for each system.
- 42) Elevation Data showing elevations of sprinklers, junction points and supply or reference points.
- 43) Protected wall openings if room design method is used.

**A. Information required on calculations includes:**

- 1) Location.
- 2) Name of owner and occupant.
- 3) Building identification.
- 4) Description of hazard.
- 5) Name and address of contractor and designer.
- 6) Name of approving agency.

**B. System design requirements include:**

- 1) Design area of water application.
- 2) Minimum rate of water application (density).
- 3) Area of sprinkler coverage.
- 4) Hazard or commodity classification.
- 5) Building height.
- 6) Storage height.
- 7) Storage method.
- 8) Total water requirements, as calculated, including allowance for hose demand water supply information and allowance for in-rack sprinklers.
- 9) Location and elevation static and residual test gauge with relation to the riser reference point.
- 10) Size and location of hydrants used for flow test data.
- 11) Flow location.
- 12) Static pressure, psi.
- 13) Residual pressure, psi.
- 14) Flow, gpm.
- 15) Date
- 16) Time
- 17) Test conducted by whom.
- 18) Sketch to accompany gridded system calculations to indicate flow quantities and directions for lines with sprinklers operated in the remote area.

**C. Additional information necessary for complete review includes:**

- 1) Sprinkler description and discharge constant (K value).
- 2) Hydraulic reference points.
- 3) Flow, gpm.
- 4) Pipe diameter (actual internal diameter).
- 5) Pipe length.
- 6) Equivalent pipe length for fittings and components.
- 7) Friction loss in psi per foot of pipe.
- 8) Total friction loss between reference points.
- 9) Elevation difference between reference points.
- 10) Required pressure in psi at each reference point.
- 11) Velocity pressures and normal pressure if included in calculations.
- 12) Notes to indicate starting points, reference to other sheets or classification of date.
- 13) Information on antifreeze solution (type and quantity).
- 14) Water treatment system information including reason for treatment and program details.

**D. Included with the submittal must be a graph sheet showing water supply curves and system requirements including:**

- 1) Hose demand plotted on semilogarithmic graph paper so as to present a graphic summary of the complete hydraulic calculations.
- 2) Sprinkler system demand including in-rack sprinklers (if applicable).

**Restaurant Hood & Duct Information Sheet**

**LICENSE & PERMIT REQUIRED.**

To alter or install a restaurant hood & duct system a Permit must be obtained. Only Mechanical Contractor's Licensed by the City of Gulfport may obtain these Permits.

To alter or install suppression systems in restaurant hood & duct systems, a Permit must be obtained. Only Suppression System Contractors or contractors who are authorized dealers/installers of the specific suppression system being installed may obtain these Permits. Unlicensed dealers/installers must operate under a Licensed Mechanical Contractor and must have their expressed notarized consent.

**Cooking Equipment**

Cooking Appliances / Equipment located near a combustible wall must comply with Sections 308.3 through 308.6 of the International Mechanical Code 2018 Edition or the wall must be constructed with non-combustible materials.

**SUBMITTAL/REVIEW REQUIRED.**

Compliance with the International Mechanical Code – 2018 Edition and NFPA 96 – “Ventilation Control and Fire Protection of Commercial Cooking Operations” – 1994 Edition is required.

Any cooking equipment that produces smoke or grease laden vapor (typically all those that heat food above 212° F) is required to be provided with a hood & duct system. The information below presents the minimum information required to be included in submittals and this must accompany the application for a permit. Review of the submittal and approval is required prior to permitting and prior to installation or alteration of any component of the system. Components of this system include the cooking equipment, the HVAC or any other ventilation supplying air to the hoods, the hood itself, the duct, the protection of combustible material around the hood or duct, the fans supplying or exhausting air, and the fixed suppression systems protecting them. We may require additional information should review or inspection reveal the need.

#### ***General.***

- Plans and Elevations showing the layout of the equipment under the hood.
- Plans showing the kitchen layout and the location of return air grills for the air conditioning system.
- Plans showing the proposed location of the manual pull stations and extinguishers.
- Roof Plan with the location of exhaust/supply fans and everything within 10 feet of fan discharge.
- Protection methodologies of combustible material adjacent to hood and or duct systems or verification that no combustibles are within 18 inches.

#### ***Equipment.***

- Top dimensions
- Front and internal dimensions for salamanders and similar equipment.
- Fryers – pot, drip and overall sizes.
- Gas or electric.
- Broilers – electric or gas with/without ceramic, lava or other mediums.
- Fryers cannot be placed within 16 inches of broilers, stovetops or other equipment with open surface flames. – what means are used to comply?
- Fryers must be equipped with separate high limit controls to shut off fuel or energy when fat temperature reaches 475° F 1 “ below the cooking surface. Verify this is in place.

#### ***Hood.***

- Unless hoods are designed and certified by either a Design Professional or a Hood Manufacturer to remove the grease and smoke vapor produced of the specific equipment served, they must meet the criteria established in Section 507 of The International Mechanical Code – 2006 Edition.
- Materials of construction in inches.
- Method of suspension.
- Grease collection troughs and size of collection device.
- Length & width.
- Cross-section (front to back)
- V or single bank filters with filter dimensions and type. (Mesh filters are prohibited)
- Exhaust and supply air dimensions, connections and routing of the duct.

### ***Ducts.***

- Materials of construction in inches.
- Length, width and height.
- Elevation of ducts showing routing through ceiling/floor/roof or wall assembly.
- Roof section showing materials of construction and dimensions.

### ***Ventilation.***

- Exhaust and supply fan specs.
- Air balance of the cooking area. (The volume of air supplied to the kitchen must equal the volume removed.). Note that a negative pressure in excess of 0.02 inches water column cannot occur with and without air conditioning systems on or off. Include consideration of other ventilation equipment in the room such as dishwasher and water heater ventilation.
- Show 1,500 feet per minute velocity in the exhaust ducts.

### ***Suppression System.***

- Plans and Elevations showing the layout of the equipment under the hood.
- Plans showing the proposed location of the manual pull stations and extinguishers.
- Equipment dimensions
- Front and internal dimensions for salamanders and similar equipment.
- Fryers – pot, drip and overall sizes.
- Equipment controls and fuel - gas or electric.
- Broilers – electric or gas with/without ceramic, lava or other mediums.
- Fryers must be equipped with separate high limit controls to shut off fuel or energy when fat temperature reaches 475° F 1 “ below the cooking surface. Verify this is in place.
- Hood - V or single bank filters with filter dimensions.
- Duct - Exhaust dimensions.
- Suppression System Manufacturer.
- Tank size.
- Cylinder pressure or expellant cylinder to be used.
- Weight of full cylinder.
- Nozzle summary to include flow points, model numbers, mounting limitations, aiming points, maximum size of equipment they protect...etc.
- Detector summary to include style and temperature and maximum anticipated temperatures in the hood & duct.
- Manual activation provisions and location.
- Pipe summary for discharge line to include actual dimensions used versus manufacturer limitations.
- Detection line summary for detectors and pull stations. (Note – pull station cable cannot pass through the hood.)
- Electrical and gas must be shut down to all appliances under the hood upon actuation.

This review was conducted by . He can be reached at 228-868-5790 between the hours of 8:00 am and 5:00 pm Monday through Friday. If you have any questions or would like clarification of any comments, please don't hesitate to call.

***Mike Edwards, CFM***  
***Inspector / Plan Examiner***

***Our Mission: To provide efficient, effective and openly responsive municipal services to all citizens while promoting responsible economic development, preserving our heritage, and enhancing our quality of life, while restoring our city in order to bring our family and friends back home.***

# ZONING SITE PLAN REVIEW

## Commercial

PermitNum: 202202130

id: 1365 Issuer: Su-Lin Bolin, Planner II

OWNER: SOCIAL SECURITY

PARCEL # 9394 THREE RIVERS ROAD

PARCEL ADDRESS: 0809K-01-001.026

LEGAL DESCRIPTION: N/A

TYPE: Office - Commercial

DATE: 08/18/22

STATUS: Denied

Valuation: \$357,252.00

Visible from Major R-O-W:

Zoning: B-2

Permitted Use: Yes

Accessory Building: NO

Abut Dedicated Street (35'): Yes

Flood Zone: 0.2% Annual

Fire District: N/A

Airport Overlay Zone: N/A

Major Thoroughfare: Yes

City Council Ward: 3

### Landscaping

Standard 10% Landscaping: NEEDS TO BE SHOWN ON THE SITE PLAN

Major thoroughfare or arterial road (10' strip):

EXISTING PARCEL

Tree Survey Submitted:

THE OWNER SHOULD SUBMIT AN APPLICATION FOR TREE REMOVAL OR TRIMMING BEFORE PROCEEDING WITH CONSTRUCTION IF THERE ARE ANY PROTECTED TREES ON THE SITE. THIS IS THE RESPONSIBILITY OF THE OWNER AND CONTRACTOR.

### Site

Square Footage of Site: 75,337.00

Acres

Building Sq. Footage: \_\_\_\_\_

Building Dimensions: \_\_\_\_\_

Dimension of Side Facing Roadway: \_\_\_\_\_

% Building Coverage: \_\_\_\_\_

Height of Building: \_\_\_\_\_

Additional ROW Setback: N/A

Front Setback: 77

Rear Setback: 80

Side Setback: 75

Side Setback: 4

Parking within 3' of Front Property Line:

Zoning Yard Requirements

Buffer Strip Required: N/A

Visibility in Front Yard: Yes

Fences: N/A

Sidewalks: \_\_\_\_\_

**Parking-The parking dimensions are measured from the insides of the white lines, and not on the lines, nor outsides of these lines.**

# of Spaces Provided: \_\_\_\_\_

# of Spaces Required: \_\_\_\_\_

Space Size Provided on Submission: STANDARD

# Handicap Spaces Provided: \_\_\_\_\_

# Required Handicap Spaces: \_\_\_\_\_

Type of Handicap Space Required: STANDARD AND UNLOADING AREAS

Vehicular Access: aisle must be at least 25'

Surface Material: \_\_\_\_\_

Wheel Guards: \_\_\_\_\_

Lighting:

LIGHTING IS REQUIRED IN ALL PARKING LOTS WITH GREATER THAN 10 SPACES. INSTEAD OF REQUIRING THAT YOU SUBMIT A LIGHTING PLAN, WE ARE JUST NOTIFYING YOU THAT IT IS YOUR RESPONSIBILITY AND THAT THIS WILL BE CHECKED AT THE TIME OF FINAL INSPECTION.

Truck Loading Zone:

Truck Access:

Pedestrian Walks: \_\_\_\_\_

Parking Bays: \_\_\_\_\_

Notes:

LOT NUMBER AND ADDRESS SHOULD BE POSTED AND VISIBLE DURING CONSTRUCTION.

Comments:

The maximum allowed height in the zoning district is '. A height variance is required for any height above '.

DESIGN STANDARD REVIEW BY  
PLANNING DIVISION

Commercial Developments

For:

Name of Project Social Security

Location: 9394 THREE RIVERS RO Parcel No 0809K-01-001.026

Date of Review 08/18/22 Reviewer: Su-Lin Bolin, Planner II

Sec. IV (E) (3) (a) *Design Standards*

<b><i>1. Site Design</i></b>	<b>Status</b>	<b>Comments</b>
<i>1.1 General</i>	Approved	
<i>1.2 Site Configuration and Building placement</i>	Approved	
<i>1.3 Building orientation and entries</i>	Approved	
<i>1.4 Fencing and screening</i>	Approved	
<i>1.5 Storage, utilities and mechanical equipment</i>	Denied	iii.Trash enclosures should be located remotely from project access points, building entries, public view corridors, and main circulation paths, but must be accessible to truck traffic for pick up. Enclosures should be constructed of six (6) foot high masonry walls with solid metal gates or wood gates. Enclosure finishes should match the building in color and texture and should include stonework, landscaping, wood and other natural elements.
<i>1.6 Landscaping:</i>	Approved	
<i>1.7 Public spaces</i>	Approved	
<i>1.8 Site and Architectural Lighting:</i>	Approved	
<b><i>2. Building Design</i></b>	<b>Status</b>	<b>Comments</b>
<i>2.1 General</i>	Approved	
<i>2.2 Massing and form</i>	Approved	

DESIGN STANDARD REVIEW BY  
PLANNING DIVISION

Commercial Developments

2.3 <i>Facades and store fronts</i>		
2.4 <i>Porch, awnings, and balconies</i>	Approved	
2.5 <i>Roof and Eaves.:</i>	Approved	
2.6 <i>Windows and doors.:</i>	Approved	
2.7 <i>Materials and finishes</i>	Denied	i. There should be a visual distinction between the base (ground-floor façades), middle (upper-level floors) and top of buildings. This can be accomplished by using different materials and/or colors for storefronts and upper stories.
2.8 <i>Elevated Buildings.:</i>	Approved	
<b>3. Access and Parking</b>	<b>Status</b>	<b>Comments</b>
3.1 <i>General</i>	Approved	
3.2 <i>Vehicular access and circulation</i>	Approved	
3.3 <i>Pedestrian access and walkways</i>	Denied	vi. Pedestrian crosswalks should be provided across internal drives and through parking divider islands and planting beds. vii. Pedestrian walks should generally be four (4) feet in width and made of unit pavers or brush finish or sand blasted concrete and meet design standards for public sidewalks, including ADA compliancy. Painting or imprinting walkways or use of asphalt is not recommended.
3.4 <i>Parking location and design</i>	Denied	v. Parking rows should contain no more than ten (10) parking spaces uninterrupted by a landscaped island. Landscape islands should measure a minimum of eight (8) feet in width and eight (8) feet in length.
3.5 <i>Drive-thru windows and service areas</i>	Approved	

Is this project in compliance with Design Standards?: No

DESIGN STANDARD REVIEW BY  
PLANNING DIVISION

*Commercial Developments*

If no, does applicant require written notification?: No

Does this project require ARC review?: No

(Top 3 inches reserved for recording data)

**This document prepared by:**

Zachary A. Atwood, Esq. (MSB# 104546)  
Attorney at Law  
3249 Monte D'Oro Drive  
Vestavia Hills, Alabama 35216  
(205) 879-2455

**After recording return to:**

Guy Campbell III  
Snellings, Breard, Sartor, Inabnett & Trascher, LLP  
1503 North 19<sup>th</sup> Street  
Monroe, Louisiana 71201  
(318) 387-8000

Indexing Instructions

Lots 7 & 8, Three Rivers Business Park

STATE OF MISSISSIPPI  
COUNTY OF HARRISON  
FIRST JUDICIAL DISTRICT

**WARRANTY DEED**

This Warranty Deed, dated January 29<sup>th</sup>, 2021, is by Welsh Properties Limited Partnership, a Louisiana partnership, having a mailing address and telephone number of 1811 Tower Drive, Suite B, Monroe, Louisiana 71201, (318) 388-2791 ("Grantor") in favor of GH Gulfport, LLC, a Delaware limited liability company, having a mailing address and telephone number of 2055 Wood Street, #116, Sarasota, Florida 34237, (941) 444-4500 ("Grantee").

Grantor, for and in consideration of the sum of TEN DOLLARS AND NO/100 (\$10.00), cash in hand paid, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, does hereby SELL, CONVEY AND WARRANT to said Grantee, all that certain land, situated, lying and being in Hinds County, Mississippi (the "Property"), to-wit:

**SEE EXHIBIT A ATTACHED HERETO AND MADE A PART HEREOF.**

TOGETHER WITH all improvements, tenements, hereditaments, and appurtenances, with every privilege, right, title, interest and estate, reversion, remainder, and easement thereto belonging or in anyway appertaining, to have and to hold the same in fee simple forever.

Grantor hereby covenants with Grantee, that SUBJECT TO and except for (a) ad valorem real property taxes and assessments for the current and subsequent years; and (b) all recorded covenants, conditions, restrictions, reservations (including all oil, gas, and other mineral reservations, royalty reservations, and other mineral conveyances), severances, easements, rights of way, leases and/or any other encumbrances or limitations of record, if any (the "Permitted Exceptions"), the Grantor is lawfully seized of the Property in fee simple; that the Grantor has good right and lawful authority to sell and convey the

Property; that except for the Permitted Exceptions, the Property is free from all encumbrances made by Grantor, and Grantor will warrant and forever defend the same against the lawful claims and demands of all persons and entities.

Current ad valorem taxes on the Property having been prorated, Grantee hereby assumes payment of all ad valorem real property taxes and assessments on the Property for the current year and subsequent years.

Grantor further represents and covenants that no part of the Property, or of any adjacent land, constitutes Grantor's homestead under the constitution and statutes of the State of Mississippi.

The terms "Grantor" and "Grantee" are used for singular or plural, as context requires, and include the respective heirs, personal representatives, successors and assigns of the parties hereto.

IN WITNESS WHEREOF, the Grantor has signed and delivered this Warranty Deed on the date of the acknowledgment below, but made effective for all purposes as of the date first above written.

**[SIGNATURES ON FOLLOWING PAGE]**

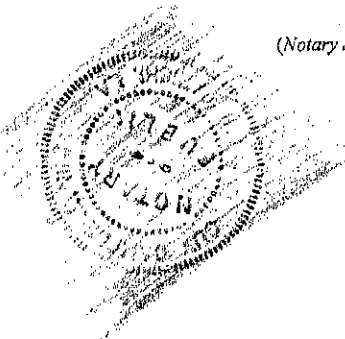
**GRANTOR:**  
Welsh Properties Limited Partnership

*B. L. Bryant*

Printed Name: Bernard L. Bryant  
Its: Managing General Partner

STATE OF LOUISIANA  
PARISH OF OUACHITA

Personally appeared before me, the undersigned authority in and for the said parish and state, on this 29<sup>th</sup> day of January, 2021, within my jurisdiction, the within named Bernard L. Bryant, who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed in the above and foregoing instrument and acknowledged that he executed the same in his representative capacity, and that by his signature on the instrument, and as the act and deed of the entity upon behalf of which he acted, executed the above and foregoing instrument, after first having been duly authorized so to do.



(Notary Stamp)

*Guy Campbell III*  
Notary Public

My Commission Expires: at death

GUY CAMPBELL III  
NOTARY PUBLIC LSBA, NO. 24989  
OUACHITA PARISH, LOUISIANA

**EXHIBIT A**

**LEGAL DESCRIPTION**

**PARCEL 1**

Lots 7 and 8. THREE RIVERS BUSINESS PARK, 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 40 at Page 29.

Less and Except that property described in that certain Warranty Deed recorded as Instrument 2005 12133D-J1 on 02/04/2005.

**PARCEL 1 LESS AND EXCEPT**

A parcel of land located in and being a portion of Lot 8, THREE RIVERS BUSINESS PARK (Plat Book 40, Page 29), City of Gulfport, First Judicial District of Harrison County, Mississippi; and being more particularly described as follows:

For the Point Of Beginning, Commence at the southwest corner of said Lot 8, THREE RIVERS BUSINESS PARK, said point also being located on the existing east right-of-way of Three Rivers Road; thence N 00°42'35" W 102.20 feet along the west boundary of said Lot 8, THREE RIVERS BUSINESS PARK, also along said existing east right-of-way of Three Rivers Road to the northwest corner of said Lot 8, THREE RIVERS BUSINESS PARK; thence N 89°15'00" E 14.92 feet along the north boundary of said Lot 8, THREE RIVERS BUSINESS PARK to a point located on the proposed new east right-of-way of Three Rivers Road; thence S 00°41'38" E 102.21 feet along said proposed new east right-of-way of Three Rivers Road to a point located on the south boundary of said Lot 8, THREE RIVERS BUSINESS PARK; thence S 89°16'01" W 14.89 feet along said south boundary of Lot 8, THREE RIVERS BUSINESS PARK to the said Point Of Beginning.

Said parcel of land contains 1,524 square feet or 0.035 acre, more or less.

**AND ALSO - LESS AND EXCEPT**

A parcel of land located in and being a portion of Lot 7, THREE RIVERS BUSINESS PARK (Plat Book 40, Page 29), City of Gulfport, First Judicial District of Harrison County, Mississippi; and being more particularly described as follows:

For the Point Of Beginning, Commence at the southwest corner of said Lot 7, THREE RIVERS BUSINESS PARK, said point also being located on the existing east right-of-way of Three Rivers Road; thence N 00°41'28" W 101.08 feet along the west boundary of said Lot 7, THREE RIVERS BUSINESS PARK, also along said existing east right-of-way of Three Rivers Road to the northwest corner of said Lot 7, THREE RIVERS BUSINESS PARK; thence N 89°14'33" E 9.92 feet along the north boundary of said Lot 7, THREE RIVERS BUSINESS PARK to a point located on the proposed new east right-of-way of Three Rivers Road; thence S 00°41'38" E 101.09 feet along said proposed new east right-of-way of Three Rivers Road to a point located on the south boundary of said Lot 7, THREE RIVERS BUSINESS PARK; thence S 89°15'00" W 9.92 feet along said south boundary of Lot 7, THREE RIVERS BUSINESS PARK to the said Point Of Beginning.

Said parcel of land contains 1,003 square feet or 0.023 acre, more or less.

**GH Gulfport, LLC**  
2055 Wood Street, Suite 116  
Sarasota, Florida 34247

November 1, 2022

City of Gulfport  
Urban Development – Planning Division  
1410 24<sup>th</sup> Avenue  
Gulfport, MS 39501

To whom it may concern,

GH Gulfport, LLC has retained the Shaw Design Group, P.A. to act as agent with respect to this Application for Appeals. Please work directly with the Shaw Design Group.

Respectfully,

  
Edwin Stanton, President

STATE OF FLORIDA  
COUNTY OF SARASOTA

§  
§  
§

This instrument was ACKNOWLEDGED before me on November 1, 2022, by Edwin M. Stanton, President of GH Gulfport, LLC, a Delaware limited liability company.

Jennifer Alessi  
Notary Public, State of Florida

My Commission Expires:

HH 319907  
1/26/2022

Jennifer Alessi  
Printed Name of Notary Public





**Covenant Affidavit**

I, Philip W. Shaw, being owner or agent of the property 9394 Three Rivers 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.

Philip W. Shaw 11/2/2022  
Signature Date

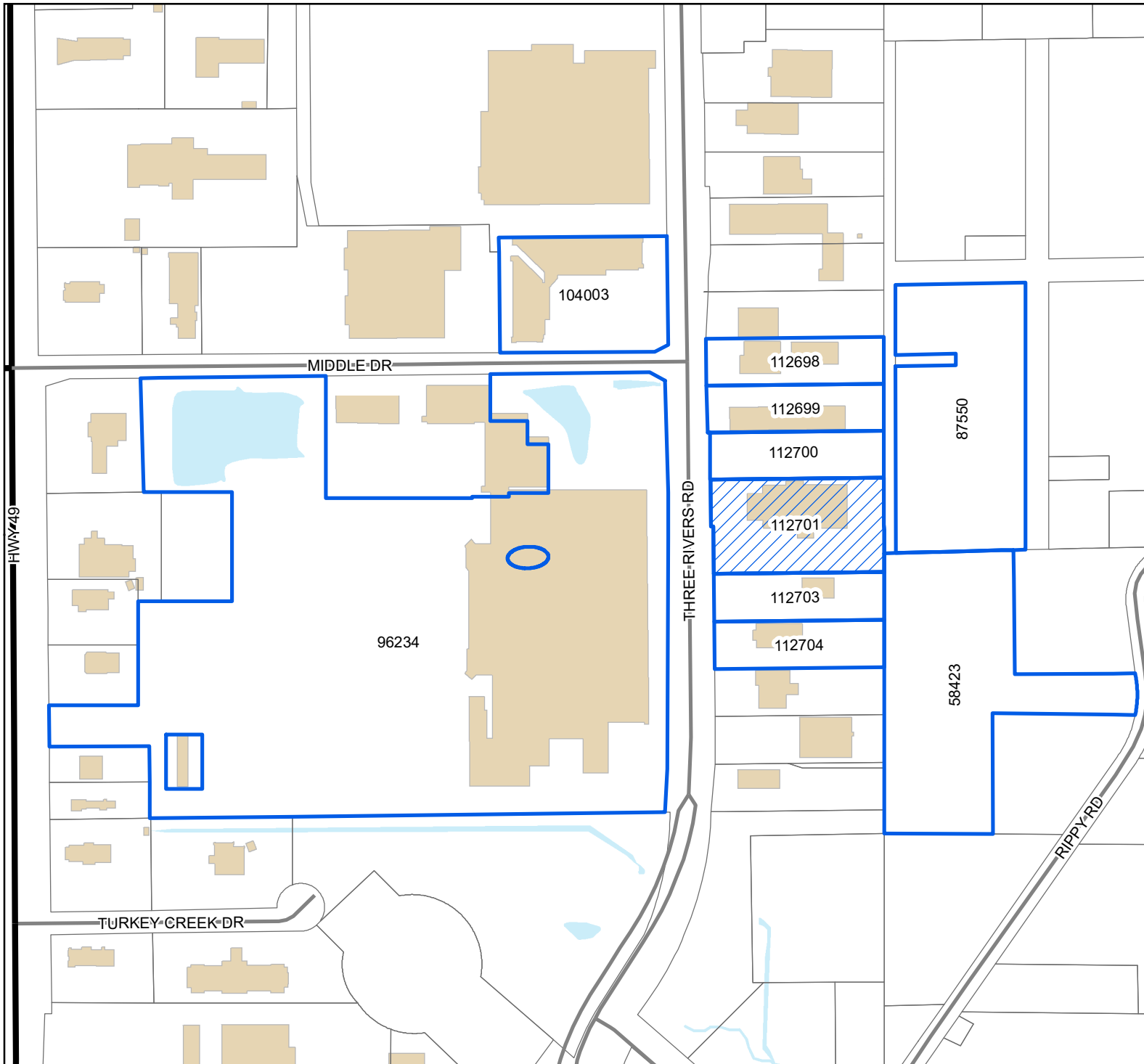
**STATE OF MISSISSIPPI | COUNTY OF HARRISON**

Given under my hand and seal of office this the 2 day of November, 2022







K. Ke  
Notary Public

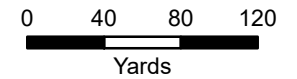
1-21-24  
Commission Expiration

Mail	PPIN	Parcel ID	Name	Address	City	State	ZIP
	112701	0809K-01-001.026	GH GULFPORT LLC (OWNER)	2055 WOOD ST #117	SARASOTA	FL	34237
			SHAW DESIGN GROUP, P.A. (AGENT)	2404 24TH AVENUE	GULFPORT	MS	39501
N			<b>Adjacent Property Owners (2212PC222)</b>				
	112704	0809K-01-001.029	FAIRLEY PROPERTIES 2 LLC	9364 THREE RIVERS RD	GULFPORT	MS	39503
	58423	0809J-01-080.000	GPT-BILOXI REGIONAL AIRPORT AUTH	14035-L AIRPORT RD	GULFPORT	MS	39503
	112700	0809K-01-001.025	GULFPORT LOT 6 LLC	2055 WOOD ST STE 16	SARASOTA	FL	34237
	87550	0809J-01-076.000	GULFPORT PALACE LLC	PO BOX 190429	DALLAS	TX	75219
	112703	0809K-01-001.028	K M PROPERTIES LLC	602 COURTHOUSE ROAD	GULFPORT	MS	39507
	112699	0809K-01-001.024	MATTINA PROPERTIES LLC	1829 PASS RD	BILOXI	MS	39531
	104003	0809K-01-001.009	OAKLAND LAND & DEV LLC	P O BOX 952	NATCHEZ	MS	39121
	112698	0809K-01-001.023	REALTY INTERNATIONAL LLC	ATTN: DR BASSAM BAROUDI	GULFPORT	MS	39502
	96234	0809K-01-001.001	WAL-MART REAL ESTATE BUSINESS TRUST	P O BOX 8050 MS 0555	BENTONVILLE	AR	72716

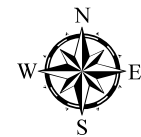


**Legend**

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



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.



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

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

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

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

## AFFIDAVIT OF PUBLICATION

Account #	Order Number	Identification	Order PO	Amount	Cols	Depth
36845	351542	Print Legal Ad-IPL00996680 - IPL0099668		\$49.92	1	86 L

Attention: Matilda Welch

PO BOX 1780

GULFPORT, MS 39502

**LEGAL NOTICE  
 PUBLIC HEARING**

In conformance with Section VIII of the Comprehensive Zoning Ordinance of the City of Gulfport, Mississippi, 1979 as amended, notice is hereby given advising that the Gulfport City Planning Commission will hold a public hearing in the City of Gulfport, Mississippi at 4:30 P.M., Thursday, December 14, 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 2212PC215**, by owner Thomas Lewis, tax parcel 0907J-01-021.003, Requests a home occupation for independent freight dispatch service, 13593 Wind Rose Circle, Zoned R-1-15 (Single-family), Ward 7

**Planning Commission Approval 2212PC216**, by owner William Caleb Boyles, tax parcel 0908J-01-024.008, Requests a home occupation for engraving and cerakoting firearms, 22 Jay Drive, Zoned R-1-10 (Single-family), Ward 6

**Resubdivision 2212PC218**, by agent Joyce Unsworth, tax parcel 07100-02-102.002, Divide into two new parcels, 4809 29th Street, Zoned B-1 (Neighborhood business), Ward 1

**Resubdivision 2212PC219**, by agent Jimmy Miles, tax parcel 0810N-05-023.000, Divide into three new parcels, 32nd St, Zoned B-2 (General business), Ward 3

**Resubdivision 2212PC220**, by agent Josh Fleming, tax parcels 0811G-02-030.000 & 0811G-02-016.000, divide into two new parcels, 1512 E Beach Blvd & Thornton Ave, Zoned R-B (Residence-Business) Ward 2

**General Plan 2212PC221**, by agent Freddie Fountain with Fountain & Associates, LLC, tax parcel 0907J-01-001.005, Approval of a General Plan for 17-Lot subdivision (Plantation Oaks Subdivision - Phase III), 0 Three Rivers Road, Zoned R-B (Residence-business), Ward 6

**Appeal 2212PC222**, by agent Shaw Design Group, PA, tax parcel 0809K-01-001.026, to Appeal City of Gulfport Design Standards, 9394 Three River Road, Zoned B-2 (General business), Ward 3

**Zoning Text Amendment 2212PC224**, by CRC Westside, amendments to the SmartCode Zoning Ordinance, as amended, Section 5.3.3 h

**Zoning Text Amendment 2212PC225**, by CRC Westside, amendments to the SmartCode Zoning Article 6, as amended, Section 5.3.3 a Table 10

**Zoning Text Amendment 2212PC226**, by City of Gulfport, Amendments to the Comprehensive Zoning Ordinance, as amended, District Regulations, (J) Chart of Permitted Uses (2) Schedule of uses - Residential Hotel

This is the 22th day of November, 2022  
 Keith Williams, Chairman  
 City of Gulfport Planning Commission  
 IPL0099668  
 Nov 30 2022

### STATE OF MISSISSIPPI COUNTY OF HARRISON

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

1 insertion(s) published on:  
 11/30/22

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

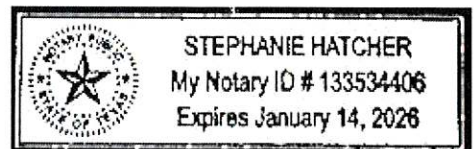
*Stefani Beard*

Sworn to and subscribed before me this 30th day of November in the year of 2022

*Stephanie Hatcher*

Notary Public

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



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

mw

**RE: Appeal 2212PC222, by agent Shaw Design Group, P.A, tax parcel 0809K-01-001.026, to Appeal City of Gulfport Design Standards, 9394 Three river Road, Zoned B-2 (General business), Ward 3**

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, December 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 Planning Commission for **Thursday, December 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](mailto:planners@gulfport-ms.gov). The application is available for viewing in the Planning Division office at 1410 24<sup>th</sup> Avenue.

# MEMORANDUM

**To:** City of Gulfport Planning Commission

**From:** Greg Holmes, Planning Administrator  
Urban Development Department

**Date of Hearing:** December 15, 2022

**Re:** Zoning Map Amendment 2208PC145:  
Remanded Back By City Council

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

# Technical Report

## Zoning Map Amendment

### GENERAL INFORMATION

Case File Number: 2208PC145

Hearing Date: August 25, 2022

Current Zoning/Use: T5, T4L, T4+ / Vacant Land

Legal: 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

### TECHNICAL DETAILS

Amendment of the Zoning Ordinance, including the zoning map, is intended to carry out the objective of a sound, stable, and desirable environment. Casual amendment of the ordinance would be detrimental to the achievement of that objective. Therefore, the ordinance dictates that a property should be considered for rezoning only when one or more of the following conditions prevail according to the Mississippi case law:

When requesting rezoning of real property, **an applicant must prove, by clear and convincing evidence**, one of the following:

1. That there was a mistake in the original zoning, or
2. That the character of the neighborhood has changed to such an extent as to justify reclassification, **and** that there was a public need for rezoning.

The applicant requests to rezone approximately 9.0 acres of property from T5, T4L, and T4+ zoning district to a T5 (Urban Center Zone) zoning district. Currently, the property is vacant land and is split zoned; therefore, the applicant wishes to rezone the property to a T5 zoning district. The purpose of this change of zoning is to construct a luxury RV park owned by POC Holding, Inc. In addition, the current zoning does not allow for this use in a T4+ (General Urban Zone "Plus") nor in a T4L (General Urban Zone "Limited") zoning district. The Recreational Vehicle park is allowable in a T5 (Urban Center Zone) through planning commission approval, hence the reason for the rezoning.

The applicant has chosen public need and change in condition for change of the current zoning district:

1. Mistake or error is not addressed by the applicant.
2. Need is addressed by the applicant as "with new commercial growth and other economic factors show a clear and pressing need for these properties to be zoned for the use requested. Furthermore, there are insufficient accommodations for recreational vehicles in

# Technical Report

## Zoning Map Amendment

this area and in Gulfport and Harrison County in general.” “This will offer a heretofore-unavailable luxury RV park within the city limits of Gulfport, Mississippi at this strategic intersection. Cowan-Lorraine Road is only one of three roads in Gulfport, Mississippi that connects direct to Interstate 10.”

3. The applicant has also used a change in condition as a reason for rezoning. The applicant states, “There has been a very significant change of circumstances and change of use in the neighborhood since the property was last zoned. Cowan-Lorraine Road has now become the second most heavily traveled north-south corridor in the city of Gulfport. The Mississippi Department of Transportation shows that the traffic count of the intersection of Highway 90 and Cowan-Lorraine Road is 28,000 per day on Cowan-Lorraine Road and 12,000 on Highway 90. These roads are heavily traveled, and the use of property and the statistical analysis of the property, shifts in population.”

### EXECUTIVE SUMMARY

Currently, the subject property split-zoned with a T5, T4L, and T4+ zoning district that render the property non-conforming by city standards. Thus by rezoning the property to one initial zoning district would correct the non-conformity.

Any approval should consider these conditions:

1. Approval grants the rezoning of subject property from T5, T4L, and T4+ to T5 (General Urban Zone).

### DIRECTOR APPROVAL

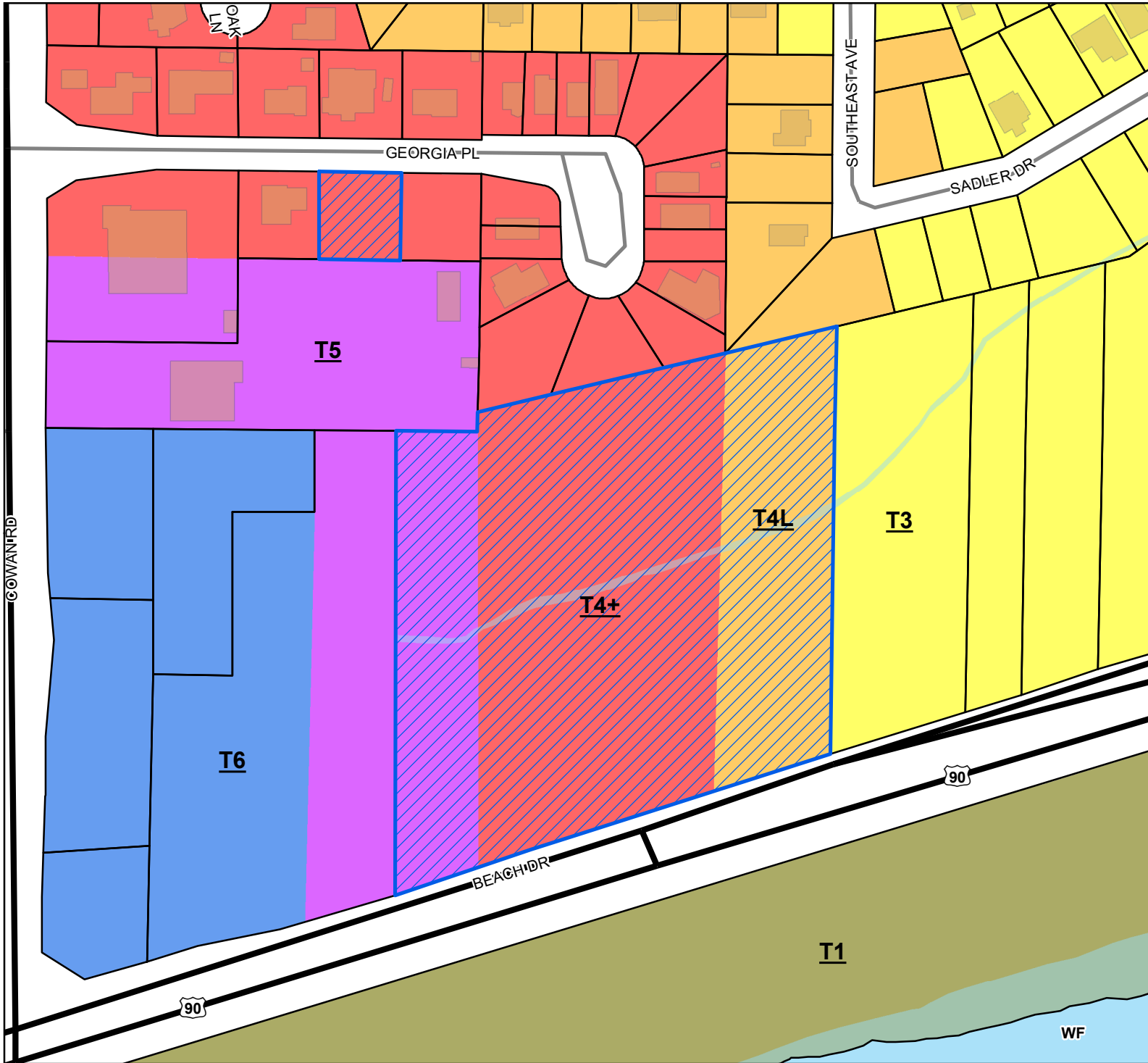
This report has been reviewed and approved by:

---

Greg Pietrangelo  
Director of Urban Development Department



WF



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

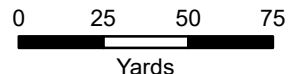
**Smart Code**

- T6
- T5
- T4+
- T4L
- T3
- T1

**Zoning**

- WF - Water Front

**Site Information**  
 1011C-01-010.000  
 1010N-04-029.000  
 Zoning: T4+ (General Urban Zone Plus)  
 T4L (General Urban Zone Limited)  
 Size: 6.8 acres



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 #: 2208PC145

Date Received: 7-5-2022

Receipt #: \_\_\_\_\_

Received By: \_\_\_\_\_

Zoning: \_\_\_\_\_

Ward: \_\_\_\_\_ Flood: \_\_\_\_\_

**APPLICATION FOR ZONING MAP  
AMENDMENT/LAND USE  
RECLASSIFICATION (SMARTCODE)**

**Property Information**

TAX PARCEL #

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

(If necessary, use separate sheet of paper)

Address of Property Involved: The first parcel is on East Beach Blvd. just east of Cowan Lorraine Rd. and the second parcel is

Lot(s) 8, Block(s) \_\_\_\_\_, Subdivision Jim Allen

General Location: North of Highway 90, East of Cowan Lorraine Road.

**GENERAL DESCRIPTION OF REQUEST:**

Rezone both parcels to T5.

**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

POC Holdings, Inc.

M & P Development, LLC

Printed Name Of Owner

Printed Name Of Agent

P.O. Box 516

1900 Destrehan Avenue

Mailing Address

Mailing Address

Magee                      MS                      39111

Harvey                                      LA                                      70058

City                                      State                                      Zip code

City    State    Zip code

(601) 948-6627

(504) 347-1196

Home Phone                      Work/Cell Phone

Home Phone                      Work/Cell Phone

nlewelly@priorityonebank.com

pete@petevicari.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.**



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

For Staff Use Only

**APPLICATION FOR ZONING MAP  
 AMENDMENT/LAND USE  
 RECLASSIFICATION (SMARTCODE)**  
Property Information

Case File #: \_\_\_\_\_  
 Date Received: \_\_\_\_\_  
 Receipt #: \_\_\_\_\_  
 Received By: \_\_\_\_\_  
 Zoning: \_\_\_\_\_  
 Ward: \_\_\_\_\_ Flood: \_\_\_\_\_

TAX PARCEL #

1	0	1	1	C	-	0	1	-	0	1	0	●	0	0	0
1	0	1	0	N	-	0	4	-	0	2	9	●	0	0	0
					-			-				●			

(If necessary, use separate sheet of paper)

Address of Property Involved: The first parcel is on East Beach Blvd. just east of Cowan Lorraine Rd. and the second parcel is

Lot(s) 8, Block(s) \_\_\_\_\_, Subdivision Jim Allen

General Location: North of Highway 90, East of Cowan Lorraine Road.

**GENERAL DESCRIPTION OF REQUEST:**

Rezone both parcels to T5.

**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.*

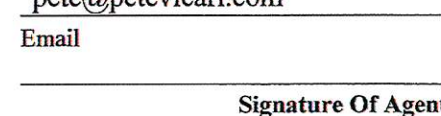
OWNER

AGENT

POC Holdings, Inc.  
 Printed Name Of Owner  
P.O. Box 516  
 Mailing Address  
Magee MS 39111  
 City State Zip code  
(601) 948-6627  
 Home Phone Work/Cell Phone  
nlewelly@priorityonebank.com

M & P Development, LLC  
 Printed Name Of Agent  
1900 Destrehan Avenue  
 Mailing Address  
Harvey LA 70058  
 City State Zip code  
(504) 347-1196  
 Home Phone Work/Cell Phone  
pete@petevicari.com

Email  
  
 Signature Of Owner

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.**

## **SUPPLEMENT NO. 1 TO APPLICATION FOR ZONING MAP AMENDMENT**

### **CHANGE AND NEED**

The two properties sought to be rezoned are both located in the northeast corner of U.S. Highway 90 and Cowan-Lorraine Road. Parcel No. 1 is a larger tract consisting of 9 acres, and it is presently split-zoned as T5, T4+ and TL. The Second Parcel fronts on Georgia Place Road and is presently zoned T4+. These two parcels consist of only part of the ownership of the Applicant's property. The balance of the property being zoned T5. The purpose of this change of zoning is to construct a luxury RV park on 4 parcels of property owned by POC Holdings, Inc. as reflected on the deed attached to the application. In addition to being split-zoned and constituting a jumble of different zoning at this particular location, there has been a very significant change of circumstances and change of use in the neighborhood since the property was last zoned. Cowan-Lorraine Road has now become the second most heavily traveled north-south corridor in the city of Gulfport. The Mississippi Department of Transportation shows that the traffic count of the intersection of Highway 90 and Cowan-Lorraine Road is 28,000 per day on Highway 90 and 12,000 per day on Cowan-Lorraine Road. Highway 90 and Cowan-Lorraine Road are heavily traveled, and the use of property and the statistical analysis of the property, shifts in population, new commercial growth and other economic factors show a clear and pressing need for these properties to be zoned for the use requested. Furthermore, there are insufficient accommodations for recreational vehicles in this area and in Gulfport and Harrison County in general. This will offer a heretofore unavailable luxury RV park within the city limits of Gulfport, Mississippi at this strategic intersection. Cowan-Lorraine Road is only one of three roads in Gulfport, Mississippi that connects directly to Interstate 10.

## **SUPPLEMENT NO. 2 TO APPLICATION FOR ZONING MAP AMENDMENT**

### **INTEREST OF AGENT**

The interest of the agent applying for this zoning map amendment is that it has a contract for the purchase of the property herein sought to be rezoned with the owner, POC Holdings, Inc. which said contract is contingent upon obtaining this zoning request. A copy of that contract will be furnished upon request.

## **SUPPLEMENT NO. 3 FOR ZONING MAP AMENDMENT**

### **DEVELOPMENT SCHEDULE**

Development of the Luxury RV site planned on this property will begin immediately upon final rezoning of all of the two parcels to T5. Construction is expected to take 9 months to 12 months.

## **SUPPLEMENT NO. 4 TO APPLICATION FOR ZONING MAP AMENDMENT**

### **EFFECT OF REZONING**

This rezoning will have a very significant and positive impact upon the City of Gulfport and the property in this area. At the present time, this significant corner on two major thoroughfares is a mix of T5, T4, T4+, and T6. This property needs to be rezoned in order to bring these parcels into compliance with zoning of the other parcels on this strategic and important corner. The development of this property into a luxury RV park is consistent with the comprehensive plan and is needed in this tourist-oriented economy. Recreational Vehicles are attracted to this area because of the climate, beach, casinos, and many other attractions that draw these sophisticated vehicles. This will have an extremely large impact upon tourist income, ad valorem income, sales tax income, employment, and tourist attraction to this area.

## **SUPPLEMENT NO. 5 TO APPLICATION FOR ZONING MAP AMENDMENT**

The property to be rezoned is situated with excellent transportation facilities located on U.S. Highway 90, which is a four-lane highway at that point with turn lanes onto Cowan-Lorraine Road, and Lorraine Road, which is a four-lane highway (Highway 605) with turning bays at that location. The property is served by City water, sewer and garbage collection and is next door to a City fire station so fire protection is immediately at the site. The site is served by the Gulfport Police Department and enjoys all of the City facilities available in Gulfport, Mississippi. There will not be an overabundance of traffic produced by this RV site. Luxury RVs consist of one pulling vehicle and a trailer or one vehicle which is self-contained. They only enter and exit when coming or leaving, and some, but not all, may pull an automobile. Entering and leaving traffic will be at a minimum. The property has access on Cowan-Lorraine Road and U.S. Highway 90, and entrances thereto are more than adequate to handle the small amount of traffic generated. As stated at other parts of this application, this development is in the orderly and appropriate development of the area where it is located and is, as hereto forth stated, the highest and best use for this location.

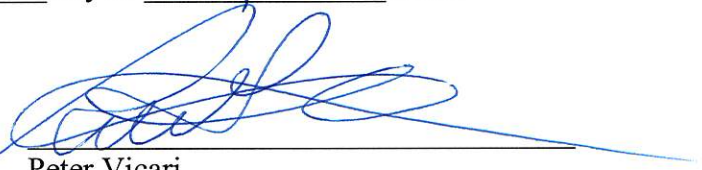
**CONSENT ACTION OF M & P DEVELOPMENT, LLC**

This Consent Action is executed by Peter Vicari as the sole owner, member, manager and interested party of M & P Development, LLC.

I hereby approve and ratify the application for zoning map amendment to be filed with the Gulfport, Mississippi Planning Commission to rezone two tax parcels (1011C-01-010.000 and 1010N-04-029.000) to T5 zoning. These tax parcels are presently owned by POC Holdings, Inc. but are under contract to my LLC, and they are located on the northeast corner of U.S. Highway 90 and Cowan-Lorraine Road in Gulfport, Mississippi.

I fully authorize myself and my Attorney, Virgil G. Gillespie, to file this application and to pursue that application to conclusion.

Witness my signature and seal this the 5<sup>th</sup> day of July 2022.



Peter Vicari

(Seal)

**POC Holdings, Inc.**  
**Special Board Meeting**  
June 30, 2022

A special meeting of the Board of Directors was held today with the following members present: Robert Barnes, Adam Carlson, and Jenny Herrington. The purpose of the meeting was to replace Adam Carlson as Secretary of the Corporation and consider procedures necessary to sell certain real estate owned by the company, particularly 1410 E. Beach Blvd, Gulfport, Mississippi.

Because of the nature of the property located at 1410 E. Beach Blvd and upon motion and second, the Board unanimously approved POC Holdings, Inc., be authorized to apply for a zoning variance with the City of Gulfport, as it relates to certain parcels of land located at 1410 E. Beach Blvd, Gulfport, Mississippi.

Upon further motion and second, the Board unanimously approved the Corporate Secretary be authorized to sign on behalf of POC Holdings, Inc., said Application for Zoning Map Amendment/Land Use Reclassification and/or Application for Variance.

Upon further motion and second, the Board unanimously approved Nicole Lewellyn to replace Adam Carlson as Corporate Secretary and that the Corporate Secretary: further be authorized to execute sales contracts, deeds, closing statements, and any other documents relating to the sale of real estate.

- Nicole Lewellyn, Secretary

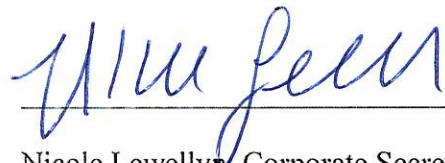
further be authorized to execute sales contracts, deeds, closing statements, and any other documents relating to the sale of real estate.

There being no further business to come before the board, the meeting was adjourned.



---

Adam Carlson, Treasurer



---

Nicole Lewellyn, Corporate Secretary



---

Jenny Herrington, Vice President

AGENT AUTHORIZATION FORM

PROPERTY LEGAL DESCRIPTION:

1432 Georgia Pl, Gulfport, MS  
PARCEL # 1010N-04-029.000  
Lot 8, Jim Allen Subdivision,

1410 E. Beach Blvd, Gulfport, MS  
PARCEL # 1011C-01-010.000  
Lot # not listed on tax detail and is not in a subdivision

Please print:

Property Owner: POC Holdings, Inc.

The undersigned, registered property owners of the above noted property, do hereby authorize

Peter Vicari (M & P Development, LLC)  
(Agent)

to act on my behalf and take all actions necessary with the Gulfport Planning and Zoning Department for the purposes of seeking rezoning approval(s) of said properties.

Property Owner's Address (if different than property above):

P.O. Box 516, Magee, MS 39111

Telephone: 601-721-1995

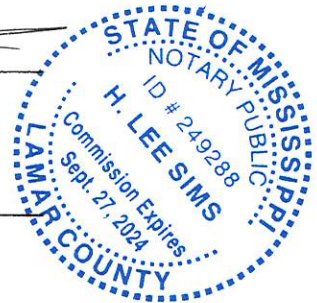
We hereby certify the above information submitted in this application is true and accurate to the best of our knowledge.

*[Handwritten Signature]*  
Authorized Signature (Owner)

*[Handwritten Signature]*  
Notary

Date: 6/30/22

Date: 6/30/22



# GILLESPIE LAW FIRM

---

VIRGIL G. GILLESPIE

July 5, 2022

City of Gulfport Urban Development-Planning Division  
1410 24<sup>th</sup> Ave.  
Gulfport, MS 39501

Re: Application for Zoning Map Amendment

Filed on behalf of POC Holdings Inc. as Owner and M&P Development LLC as Agent

Gentlemen:

I enclose herewith the following:

1. Application for Zoning Map Amendment Page 1 signed in duplicate originals by the Owner and Agent.
2. Deed to all of the property showing it to be owned by POC Holdings Inc, the Owner.
3. Supplement number 1 change and need
4. Supplement number 2 interest of Agent
5. Supplement number 3 development schedule
6. Supplement number 4 effect of rezoning
7. Supplement number 5 statement regarding transportation facilities, water, sewer, etc.
8. Gulfport Zoning Map showing the properties involved
9. Consent action of M&P Development LLC authorizing this filing
10. Board meeting of POC Holdings Inc authorizing this filing
11. Agent authorization form whereby POC Holdings Inc appoints M&P Development LLC as Agent
12. Check for \$175.00 as a filing fee

Thank you for your attention in this matter.

Yours very truly,

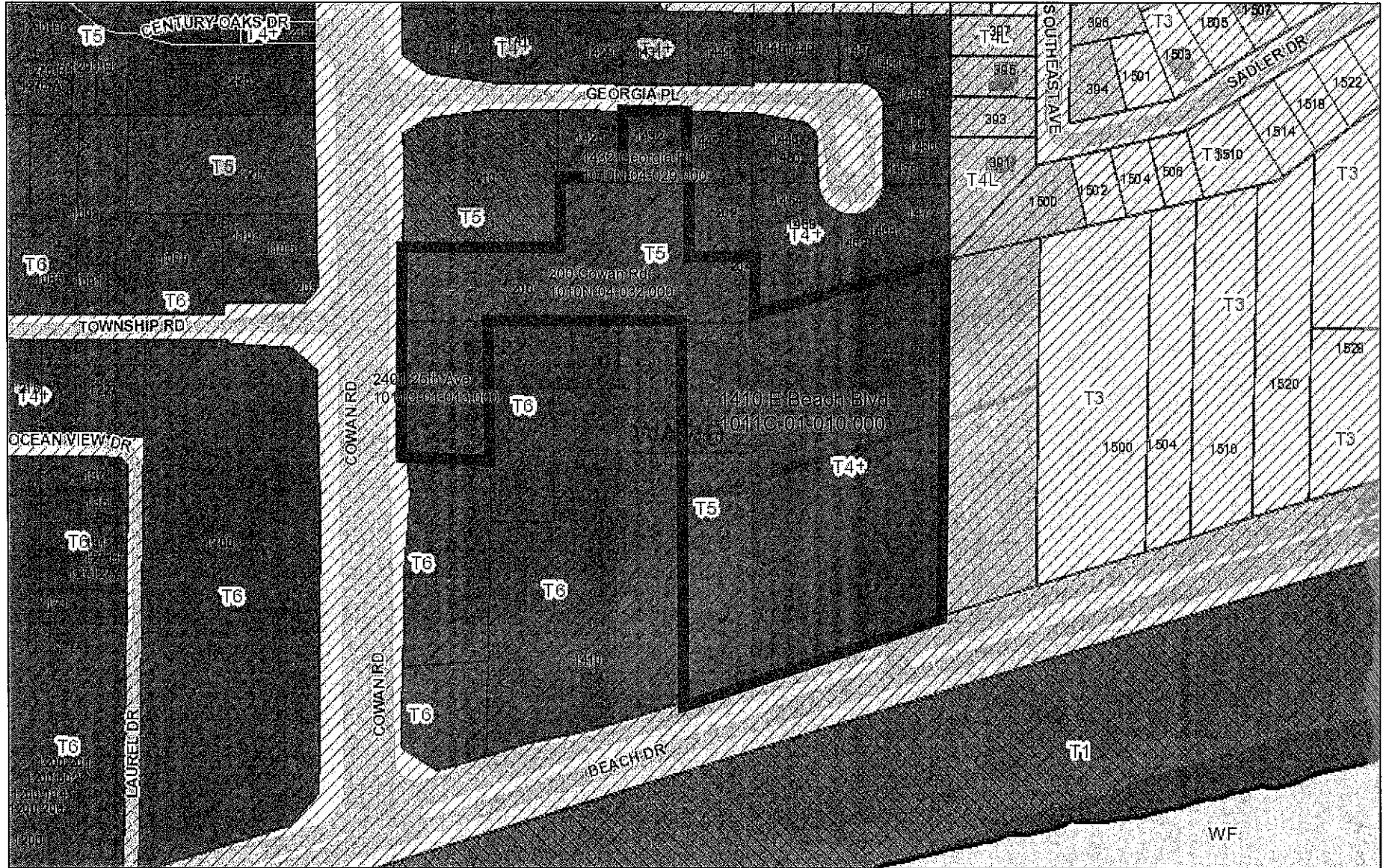


VIRGIL G. GILLESPIE  
Attorney at Law

VGG/tn

Cc: POC Holdings Inc  
M&P Development

# Gulfport Zoning Map



June 29, 2022

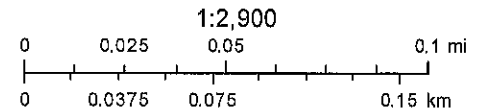
Streets  
**County Streets**  
 <all other values>

Interstate Highway  
 Principal Arterial  
 Collector

Minor Arterial  
 Military  
 Address Points

Parcels  
 Buildings  
 Hybrid Zones

Hybrid  
 Wards





*J. Henderson* 1st Judicial District  
Instrument 2016 4758 D -J1  
Filed/Recorded 7/11/2016 11:05 A  
Total Fees \$ 17.00  
14 Pages Recorded

Prepared by:

Derek A. Henderson, MSB #2260  
1765-A Lelia Drive, Suite 103  
Jackson, MS 39216  
(601) 948-3167

Return to:

Derek A. Henderson, MSB #2260  
1765-A Lelia Drive, Suite 103  
Jackson, MS 39216  
(601) 948-3167

Indexing Instructions:

*Parcel 1: Exempt; Parcel 2: S31-T7S-R10W, Harrison County, First Judicial District, MS; Parcel 3: Parts of Lots 4 & 5 and the Blackman Lot of the Uriel Wright S/D; Parcel 4: S6-T8S-R10W, Harrison County, First Judicial District, MS; Parcel 5: SW 1/4 of SE 1/4 of SE S31-T7S-R10W, Harrison County, First Judicial District, MS*

**SUBSTITUTE TRUSTEE'S DEED**

Name, Address and Phone Number of Grantor

Derek A. Henderson, Trustee  
1765-A Lelia Drive, Suite 103  
Jackson, MS 39216  
(601) 948-3167

Name, Address and Phone Number of Grantee

POC Holdings, Inc.  
PO Box 516  
Magee, MS 39111  
(601) 948-6627

STATE OF MISSISSIPPI  
COUNTY OF HARRISON  
FIRST JUDICIAL DISTRICT

**SUBSTITUTE TRUSTEE'S DEED**

WHEREAS, on the 28<sup>th</sup> day of February, 2013, Cowan Road & Highway 90, LLC executed a Deed of Trust to Robert J. Barnes, Trustee for the benefit of PriorityOne Bank, said Deed of Trust is recorded as Instrument No. 2013-2486T-J1 in the Office of the Chancery Clerk of the First Judicial District, Harrison County, Mississippi and which was modified by a Modification of Deed of Trust dated December 27, 2013 and recorded as Instrument No. 2014-470T-J1 which modified and provided for the final maturity date to July 1, 2014;

WHEREAS, the aforesaid PriorityOne Bank, the holder of said Deed of Trust and the promissory note secured thereby, substituted Derek A. Henderson as Trustee therein as authorized by the terms thereof, by instrument dated October 28, 2015 and recorded November 4, 2015, in the Office of the Chancery Clerk of the First Judicial District, Harrison County, Mississippi, as Instrument No. 2015-9593T-J1;

WHEREAS, default having been made in the terms and conditions of said Deed of Trust recorded and the entire debt secured thereby, having been declared to be due and payable in accordance with the terms of said Deed of Trust, and the legal holder of said indebtedness, PriorityOne Bank, having requested the undersigned Trustee to execute the trust and said Deed of Trust for the purpose of raising the sums due thereunder together with attorney's fees, Trustee's fees and expenses of sale; and

WHEREAS, the undersigned Trustee after posting and publication of Notice of Sale as required by the terms of the Deed of Trust and the laws of the State of Mississippi, within the legal hours (being the hours of 11:00 a.m. and 4:00 p.m.) on the 30<sup>th</sup> day of June, 2016, at the East Front Door of the Harrison County First Judicial District Courthouse at Gulfport, Mississippi;

WHEREAS, at such sale, POC Holdings, Inc. bid the sum of \$1,870,481.00; and

WHEREAS, said bid by POC Holdings, Inc. was the highest bid;

NOW, THEREFORE, I DEREK A. HENDERSON, Trustee, in consideration of the sum of \$1,870,841.00, do hereby sell and convey to POC Holdings, Inc., the following described property located and situated in Harrison County, State of Mississippi, to-wit:

PARCEL 1:

Lot 8, Jim Allen Subdivision, as per 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 20 at Page 4.

AND ALSO:

Lot Ten (10) Jim Allen Subdivision, a subdivision according to the official map or plat thereof on file and of record in the office of the Chancery Clerk of Harrison County, Mississippi, in Plat Book 20 at Page 4 thereof reference to which is hereby made in aid of and as a part of this description.

PARCEL 2:

Lots Eleven (11) and Twelve (12), Jim Allen 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, Harrison County, Mississippi, in Plat Book 20 at Page 4.

LESS AND EXCEPT:

Begin at the point of intersection of the Southern line of grantors property with the centerline of construction of State Project No. 94-9371-00-005-10 at Highway Survey Station 1+317.947; from said point of beginning run thence South 89 degrees 40' 30" West along said Southern property line, a distance of 1.556 meters (5.105 feet) to the present Eastern right-of-way line of Cowan Road; thence run North 00 degrees 03' 57" West along the present Eastern right-of-way line of said Cowan Road, a distance of 33.269 meters (109.150 feet) to the present Southern right-of-way line of Georgia Place; thence run South 89 degrees 50' 03" East along the present Southern right-of-way line of said Georgia Place, a distance of 62.110 meters (203.773 feet) to a point on the present Southern right-of-way line of Georgia Place that is 5.534 meters (18.156 feet) Southerly of and perpendicular to the centerline of survey of Georgia Place relocation at Station 1+094.792 as shown on the plans for said project at Station 1+375.330; thence run South 82 degrees 11' 43" West a distance of 30.125 meters (98.835 feet); thence run South 58 degrees 17' 08" West, a distance of 12.809 meters (42.024 feet) to a point that is 20.000 meters (65.617 feet) Easterly of and perpendicular to the centerline of construction of said project at Station 1+340; thence run South 00 degrees 35' 04" East along a line that is 20.000 meters (65.617 feet) Easterly of and parallel with the centerline of construction of said project, a distance of 22.144 meters (72.651 feet) to the Southern line of grantors property; thence run South 89 degrees 40' 30" West along said Southern property line, a distance of 20.000 meters (65.617 feet) to the point

of beginning, containing 0.085 hectares (0.211 acres), more or less, and being situated in and a part of Lots 11 and 12 of Jim Allen Subdivision in Plat Book 20, Page 4 in the Chancery Clerk's Office, City of Gulfport, First Judicial District, Harrison County, Mississippi, Section 31, Township 7 South, Range 10 West.

**AND ALSO:**

A parcel of land situated in Section 31, 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 the Southwest corner of Lot 12 of JIM ALLEN SUBDIVISION, thence run East along the South line of said subdivision a distance of 595 feet to the Southeast corner of Lot 7 of said subdivision; thence run South and perpendicular in the South line of said subdivision a distance of 104 feet; thence run West and along the North line of the property of the City of Gulfport, a distance of 595 feet to the East margin of Cowan Road; thence run North and along said East margin of Cowan Road a distance of 104 feet to the Point of Beginning.

**LESS AND EXCEPT:**

Begin at the point of intersection of the Northern line of grantors property with the centerline of construction of State Project No. 94-9371-00-005-10 at Highway Survey Station 1+317.947; from said point of beginning run thence North 89 degrees 40' 30" East along said Northern property line, a distance of 20.000 meters (65.617 feet); thence run South 00 degrees 35' 04" East along a line that is 20.000 meters (65.617 feet) Easterly of and parallel with the centerline of construction of said project, a distance of 32.216 meters (105.696 feet) to the Southern line of grantors property thence run North 89 degrees 46' 16" West along said Southern property line, a distance of 21.838 meters (71.647 feet) to the present Eastern right-of-way line of Cowan Road; thence run North 00 degrees 05' 00" West along the present Eastern right-of-way line of said Cowan Road, a distance of 32.005 meters (105.003 feet) to the Northern line of grantors property; thence run North 89 degrees 40' 30" East along said Northern property line, a distance of 1.556 meters (5.105 feet) to the Point of Beginning, containing 0.070 hectares (0.172 acres), more or less and being situated in and a part of the Southwest 1/4 of the Southeast 1/4 of Section 31, Township 7 South, Range 10 West, City of Gulfport, First Judicial District, Harrison County, Mississippi.

LESS AND EXCEPT from Parcels 1 and 2 above that portion of the Parcels 1 and 2 conveyed to the City of Gulfport by Special Warranty Deeds recorded as Instrument No. 2009-8397D-J1 and Instrument No. 2009-8399D-J1, more particularly described as follows:

**PARCEL A:**

That certain parcel of land and property off of the East end of parcel conveyed to Cowan Road and Highway 90, LLC by Land Deed Record Instrument No. 2007-8630D-J1 situated in the Southwest Quarter (SW 1/4) of the Southeast Quarter (SE 1/4) of Section 31, Township 7 South, Range 10 West, in the City of Gulfport, First Judicial District of Harrison

County, Mississippi, more particularly described as follows, to-wit:

Beginning at a 3/4 inch iron pipe being the Southeast corner of Lot 7 of Jim Allen Subdivision on file and of record in Plat Book 20, Page 4, in the Office of the Chancery Clerk in the First Judicial District of Harrison County, Mississippi; thence South 00 degrees 05 minutes 30 seconds West 104.25 feet along the West line of Georgia Place Subdivision on file and of record in Plat Book 37 at Page 20 in the aforesaid Chancery Clerk's office, to the Northeast corner of the property conveyed to the City of Gulfport per Deed Book 574 at Page 499 in the aforesaid Chancery Clerk's office and a 1/2 inch iron rod; thence North 89 degrees 50 minutes 18 seconds West 75.00 feet along the North line of said property now or formerly of Gulfport to a 1/2 inch iron rod; thence North 00 degrees 05 minutes 30 seconds East 104.21 feet to the South line of Lot 7 of said Jim Allen Subdivision and a 1/2 inch iron rod; thence South 89 degrees 52 minutes 19 seconds East 75.00 feet to the Point of Beginning.

Said parcel contains 0.179 acres, more or less, shown and described as "Parcel B Boundary Description" on Plat of Survey prepared by J. Colter Ratcliff, Professional Surveyor, as of September 4, 2009.

**PARCEL B:**

Those certain parcels of land and property that together contain a contiguous parcel, situated and being in Section 31, Township 7 South, Range 10 West, in the City of Gulfport, First Judicial District of Harrison County, Mississippi, and being a part and parcel of the property conveyed to Cowan Road and Highway 90, LLC by Quitclaim Deed dated August 21, 2007, recorded as Instrument No. 2007-8630D-J1 in the Land Deed Records in the Office of the Chancery Clerk in the First Judicial District of Harrison County, Mississippi, particularly identified and described as follows, to-wit:

Commencing at a 3/4 inch iron pipe being the Southeast corner of Lot 7 of JIM ALLEN SUBDIVISION on file and of record in Plat Book 20 at Page 4, First Judicial District of Harrison County, Mississippi; thence South 00 degrees 05 minutes 30 seconds West 104.25 feet along the West line of GEORGIA PLACE SUBDIVISION on file and of record in Plat Book 37, at Page 20, to the Northeast corner of the property conveyed to the City of Gulfport per Deed Book 574 at Page 499, and a 1/2 inch iron rod; thence North 89 degrees 50 minutes 18 seconds West 296.87 feet along the North line of said City of Gulfport property to a 1/2 inch iron rod and the POINT OF BEGINNING; thence continue North 89 degrees 50 minutes 18 seconds West 230.53 feet to the East margin of Cowan Road per conveyance to the Mississippi Transportation Commission (Deed Book 1438 Page 275) and a 3/4 inch pipe; thence North 00 degrees 40 minutes 04 seconds West 103.95 feet along said East margin of Cowan Road to the Southwest margin of Lot 12, Jim Allen Subdivision to the East margin of Cowan Road per conveyance to the Mississippi Transportation Commission (Deed Book 1430 Page 646); thence North 00 degrees 32 minutes 02 seconds West 71.66 feet along said East margin of Cowan Road to a 6 inch square monument; thence North 58 degrees 46 minutes 02 seconds East 42.02 feet along the said margin of the Mississippi Transportation Commission deed for entrance to Georgia Place from Cowan Road; thence North 81 degrees 58 minutes 32 seconds East 98.84 feet, along South margin of Georgia Place; thence South

89 degrees 52 minutes 12 seconds East 98.81 feet along the South line of Georgia Place to a 1-1/2 inch iron pipe being Northeast Corner of Lot 10; thence run South 00 degrees 03 minutes 18 seconds West along the East line of Lot 10 a distance of 107.68 feet, to a mag nail at the Southeast corner of Lot 10; thence continue South 00 degrees 03 minutes 18 seconds West a distance of 103.93 feet, to the Point of Beginning.

Said parcel containing 1.089 acres, more or less and being a portion of the property conveyed to Cowan Road and Highway 90, LLC per instrument number 2007-863D-J1, and as specified in plat of survey of J. Colter Ratliff, Licensed Professional Surveyor, as of November 16, 2009.

PARCEL 3:

That part of Lots 4 and 5 and the "Blackman" Lot of the Uriel Wright Subdivision of the Ludlow Survey per plat recorded in Deed Book 27, Page 384, in the Office of the Chancery Clerk, First Judicial District of Harrison County, Mississippi, which lies North of the North right-of-way line of U.S. Highway 90, and being more particularly described as follows:

Commencing at an iron rod in an iron pipe at the intersection of the east margin of Cowan Road with the line between Section 31, Township 7 South, Range 10 West and Fractional Section 6, Township 8 South, Range 10 West; thence run North 89 degrees 38 minutes 12 seconds East for a distance of 499.07 feet to an iron rod at the Northwest corner of said Lot 4 and the Point of Beginning; thence run South 00 degrees 14 minutes 43 seconds West along the west line of said Lot 4, said line being marked by a chiseled "X" on the seawall, for a distance of 570.27 feet to an iron rod on the north right-of-way line of U.S. Highway 90, thence run North 72 degrees 02 minutes 00 seconds East along said North right-of-way line for a distance of 551.71 feet to a railroad spike on the East line of said "Blackman" Lot, said line being marked by a chiseled "X" on the seawall; thence run North 00 degrees 13 minutes 24 seconds East along said East line for a distance of 517.61 feet to an iron rod at the northeast corner of said "Blackman" Lot, thence run South 76 degrees 53 minutes 22 seconds West along the South line of Cowan Road Homes Subdivision for a distance of 134.49 feet to a concrete monument, thence run South 76 degrees 58 minutes 02 seconds West along the South line of Georgia Place Subdivision and the North line of said Uriel Wright Subdivision for a distance of 394.50 feet to an iron rod on the township line, thence run North 89 degrees 35 minutes 41 seconds West along said township line 14.76 feet to the Point of Beginning. This parcel contains 6.59 acres, more or less.

PARCEL 4:

A parcel of land located in Fractional Section 6, Township 8 South, Range 10 West, Gulfport, Harrison County, Mississippi, more particularly described as: Beginning at the intersection of the East margin of Cowan Road with the North line of Fractional Section 6, and from said Point of Beginning running thence North 89 degrees 58 minutes 30 seconds East along the North line of said Section 6 a distance of 200.1 feet, running thence South 0 degrees 18 minutes 10 seconds West a distance of 209.2 feet, running thence South 89 degrees 49 minutes 30 seconds West a distance of 208.7 feet to the East margin of Cowan Road, running thence North 2 degrees 38 minutes 30 seconds East along said East margin a distance of 210 feet to the point of beginning.

LESS AND EXCEPT THE FOLLOWING TRACT:

Begin at the point of intersection of the Northern line of grantors property with the centerline of construction of State Project No. 94-9371-00-005-10; from said point of beginning run thence South 89 degrees 45 minutes 10 seconds East along said Northern property line, a distance of 20.000 meters (65.617 feet); thence run South 00 degrees 35 minutes 04 seconds East along a line that is 20.000 meters (65.617 feet) Easterly of and parallel with the centerline of construction of said project, a distance of 53.819 meters (176.572 feet) to a point that is 20.000 meters (65.617 feet) Easterly of and perpendicular to the centerline of construction of said project at Station 1+200; thence run South 05 degrees 09 minutes 34 seconds East, a distance of 10.061 meters (33.009 feet) to the Southern line of grantors property; thence run North 89 degrees 45 minutes 13 seconds West along said Southern property line, a distance of 24.009 meters (78.770 feet) to the present Eastern right-of-way line of Cowan Road; thence run North 00 degrees 23 minutes 38 seconds East along the present Eastern right-of-way line of said Cowan Road, a distance of 63.847 meters (209.472 feet) to the Northern line of grantors property; thence run South 89 degrees 45 minutes 10 seconds East along said Northern property line, a distance of 2.116 meters (6.942 feet) to the point of beginning, containing 0.145 hectares (0.358 acres) more or less, and being situated in and a part of Fractional Section 6, Township 8 South, Range 10 West, City of Gulfport, First Judicial District, Harrison County, Mississippi.

AND, ALSO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A parcel of land situated and being located in Fractional Section 6, Township 8 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 the intersection of the new easterly right-of-way of Cowan Road as presently staked by State Project No. 94-9371-00-005-10 with the North line of Fractional Section 6, Township 8 South, Range 10 West, thence run from said Point of Beginning, North 89 degrees 47 minutes 57 seconds East 130.27 feet; thence run South 00 degrees 10 minutes 57 seconds West 210.56 feet; thence run North 89 degrees 38 minutes 05 seconds West 124.85 feet to the new easterly right-of-way of Cowan Road; thence run North 05 degrees 09 minutes 34 seconds West 32.75 feet along the new easterly right-of-way of Cowan Road; thence run North 00 degrees 35 minutes 04 seconds West 176.70 feet along the new easterly right-of-way of Cowan Road to the Point of Beginning.

PARCEL 5:

That certain parcel of land and property situated and being in the Southwest Quarter (SW 1/4) of the Southeast Quarter (SE 1/4) of Section 31, Township 7 South, Range 10 West, in the City of Gulfport, First Judicial District of Harrison County, Mississippi, conveyed to the City of Gulfport, Mississippi, by Warranty Deed dated August 12, 1966 from W.H. Grove, Jr. recorded in Book 574 at Page 499 of the Records of Deeds to Lands in the Office of the Chancery Clerk of Harrison County, Mississippi, LESS AND EXCEPT that part off to the West side thereof conveyed by Deed dated October 28, 1998 from the City of Gulfport to the Mississippi Transportation Commission for the widening of Cowan Road, recorded in

Deed Book 1434 at Pages 602-606 of the aforesaid records; AND SUBJECT TO: perpetual easements in favor of BellSouth Telecommunications, Inc. upon, over and under a portion of said property to construct, operate and maintain communications facilities granted by the City of Gulfport: (1) dated August 19, 1998, recorded in Deed Book 1421 at Page 418-421 of the aforesaid records, (2) filed for record on March 1, 2000, and recorded in Deed Book 1485 at Pages 447-449 of the aforesaid records; and (3) dated August 30, 2007, recorded as Instrument No. 2007-9109D-J1 of the aforesaid land deed records.

AND SAID PROPERTY hereinabove identified is also more particularly described in calls and distance as shown by boundary line survey prepared by J. Colter Ratliff, P.S. dated August 26, 2009, as follows: Commence at an iron rod being the Southeast corner of Lot 7, Jim Allen Subdivision, Plat Book 20 at Page 4, First Judicial District of Harrison County, Mississippi; thence South 00 degrees 05 minutes 30 seconds West 104.25 feet to a ½ inch iron rod; thence South 00 degrees 19 minutes 38 seconds West 30 feet to a ½ inch iron rod and the POINT OF BEGINNING; thence South 00 degrees 19 minutes 38 seconds West 53.04 feet to the North line of the property conveyed to Cowan Road and Highway 90, LLC per instrument #2007-8631D-J1 and a 4 inch square concrete monument, thence South 76 degrees 52 minutes 14 seconds West 86.87 feet along said North line to a ½ inch iron rod; thence North 89 degrees 42 minutes 10 seconds West 14.82 feet along said North line to a 1 inch iron rod; thence South 89 degrees 28 minutes 45 seconds West 296.02 feet to an iron pipe; thence South 89 degrees 41 minutes 35 seconds West 130.37 feet (more or less) to the East margin of Cowan Road and a ½ inch iron rod; thence North 00 degrees 35 minutes 55 seconds West 107.58 feet along said East margin to an iron pipe; thence South 89 degrees 50 minutes 18 seconds East 497.40 feet (more or less) from Cowan Road margin to a ½ inch iron rod; thence continue South 89 degrees 50 minutes 18 seconds East 30.00 feet to a ½ inch iron rod at the West margin of Georgia Place Subdivision as per official map or plat in Plat Book 37 at Page 20; thence South 00 degrees 19 minutes 38 seconds West along said West margin line of Georgia Place Subdivision 30.00 feet to a ½ inch iron rod at the Point of Beginning.

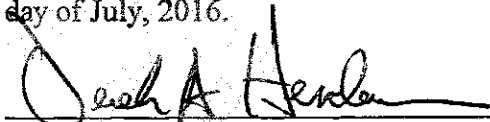
SAID PROPERTY IS SUBJECT TO perpetual easements in favor of BellSouth Telecommunications, Inc., its successors and assigns identified and recorded as stated above and more particularly described, as follows: (1)(a) Commence at an iron rod being the SE corner of Lot 7, Jim Allen Subdivision; thence South 00 degrees 05 minutes 30 seconds West 104.25 feet to the POINT OF BEGINNING of easement, and thence run North 89 degrees 50 minutes 18 seconds West 30.0 feet to an iron rod; thence South 00 degrees 19 minutes 38 seconds West 30.0 feet to an iron rod; thence South 89 degrees 50 minutes 19 seconds East 30 feet; and thence run North 00 degrees 19 minutes 38 seconds East 30 feet to the Point of Beginning; and (b) commence at an iron rod being the Southeast corner of Lot 7, Jim Allen Subdivision, and thence run South 00 degrees 05 minutes 30 seconds West 104.25 feet to an iron rod; and thence run South 00 degrees 19 minutes 38 seconds West 30 feet to the POINT OF BEGINNING of the easement, thence run North 89 degrees 50 minutes 19 seconds West 10 feet; thence run South 00 degrees 19 minutes 38 seconds West to the North line of the property conveyed to Cowan Road and Highway 90, LLC per instrument number 2007- 8631D-J1; and thence run North 76 degrees 52 minutes 14 seconds East along said North line to a 4 inch square concrete monument at the Southwest Corner

of Lot 13, Georgia Place Subdivision, per Plat Book 37 at Page 20; and thence run North 00 degrees 19 minutes, 38 seconds East a distance of 53.04 feet to the Point of Beginning.

And (2) Commence at iron pipe being at the Southeast corner of Lot 7, Jim Allen Subdivision, thence South 00 degrees 05 minutes 30 seconds West 104.25 feet to iron rod; thence South 00 degrees 19 minutes 38 seconds West 83.04 feet to 4 inch square concrete monument; thence South 78 degrees 52 minutes 14 seconds West 86.87 feet to 1/2 inch iron rod at the POINT OF BEGINNING of the easement; and thence North 89 degrees 42 minutes 10 seconds West 14.82 feet to 1 inch iron rod; and thence run South 89 degrees 28 minutes 45 seconds West 281.2 feet (more or less) to the Southwest corner of 5.0 foot easement per Deed Book 1485 at pages 447-449; thence North 00 degrees 22 minutes 06 seconds East 5.0 feet; thence North 89 degrees 28 minutes 45 seconds East and parallel to the South property line now or formerly of City of Gulfport a distance of 296.02 feet to a point; and thence continue North 89 degrees 28 minutes 45 seconds East to North line of property conveyed to Cowan Road and Highway 90, LLC by instrument #2007-8631D-J1; and thence South 76 degrees 52 minutes 14 seconds West along said North line to a 1/2 inch rod at the Point of Beginning;

And (3) A 5 foot square expansion easement (Instrument #2007-9109D-J1) expanding the 5 foot easement described above from its West terminus South 89 degrees 28 minutes 45 seconds West 5 feet along the South line of property now or formerly of City of Gulfport.

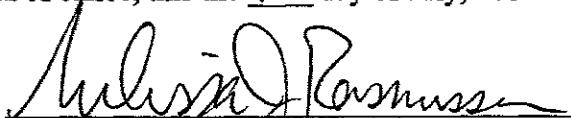
WITNESS MY SIGNATURE, this the 1<sup>st</sup> day of July, 2016.

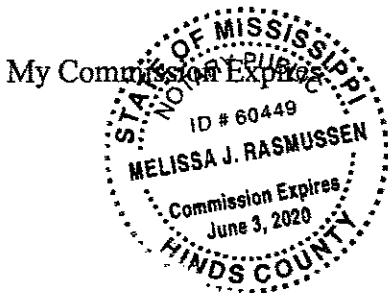
  
Derek A. Henderson, Trustee

STATE OF MISSISSIPPI  
COUNTY OF HINDS

PERSONALLY appeared before me, the undersigned authority in and for the said county and state, Derek A. Henderson, Trustee, who acknowledged that he signed and delivered the above and foregoing Trustee's Deed on the day and year therein mentioned, for the purposes therein stated.

GIVEN UNDER MY HAND and official seal of office, this the 1<sup>st</sup> day of July, 2016.

  
NOTARY PUBLIC



**CERTIFICATE OF POSTING**

I, *John McAdams*, hereby certify that I have this date posted in customary fashion and in accordance with Section 89-1-55 of the Mississippi Code of 1972, as amended, that certain Substitute Trustee's Notice of Sale which pertains to a Deed of Trust executed by Cowan Road & Highway 90, LLC being recorded as Instrument No. 2013-2486T-J1 in the Office of the Chancery Clerk of the First Judicial District, Harrison County, Mississippi.

WITNESS MY SIGNATURE, this the 9 day of *June*, 2016.

John McAdams, Chancery Clerk  
Chancery Clerk

**PREPARED BY THE LAW OFFICE OF:**

**DEREK A. HENDERSON, MSB #2260**  
1765-A Lelia Drive, Suite 103  
Jackson, MS 39216  
(601) 948-3167

**RECEIVED**  
JUN 09 2016  
Chancery Clerk

BY: \_\_\_\_\_ D.G.

# Proof of Publication

STATE OF MISSISSIPPI

COUNTY OF HARRISON

Before me, the undersigned Notary of Harrison County, Mississippi personally appeared Crista Brackett who, being by me first duly sworn, did depose and say that she is a clerk of The Sun Herald, a newspaper published in the city of Gulfport, in Harrison County, Mississippi, and the publication of the notice, a copy of which is hereto attached, has been made in said paper 4 times in the following numbers and on the following dates of such paper, viz:

Vol. 132 No., 249 dated 8 day of June, 2016

Vol. 132 No., 256 dated 15 day of June, 2016

Vol. 132 No., 263 dated 22 day of June, 2016

Vol. 132 No., 270 dated 29 day of June, 2016

Vol. \_\_\_\_\_ No., \_\_\_\_\_ dated \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

Vol. \_\_\_\_\_ No., \_\_\_\_\_ dated \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

Vol. \_\_\_\_\_ No., \_\_\_\_\_ dated \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

Ad on back

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

JUN 30 2016

Crista Brackett

Clerk

PAID

Sworn to and subscribed before me this 29 day of

June, A.D., 2016

Latisha Price

Notary Public

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



W006378 1576500

STATE OF MISSISSIPPI  
COUNTY OF HARRISON  
FIRST JUDICIAL DISTRICT  
SUBSTITUTE TRUSTEE'S  
NOTICE OF SALE

WHEREAS, on the 28th day of February, 2013, Cowan Road & Highway 90, LLC executed a Deed of Trust to Robert J. Barnes, Trustee for the benefit of PriorityOne Bank, said Deed of Trust is recorded as Instrument No. 2013-2486T-J1 in the Office of the Chancery Clerk of the First Judicial District, Harrison County, Mississippi and which was modified by a Modification of Deed of Trust dated December 27, 2013 and recorded as Instrument No. 2014-470T-J1 which modified and provided for the final maturity date to July 1, 2014;

WHEREAS, the aforesaid PriorityOne Bank, the holder of said Deed of Trust and the promissory note secured thereby, substituted Derek A. Henderson as Trustee therein as authorized by the terms thereof, by instrument dated October 28, 2015 and recorded November 4, 2015, in the Office of the Chancery Clerk of the First Judicial District, Harrison County, Mississippi, as Instrument No. 2015-9593T-J1;

WHEREAS, default having been made in the terms and conditions of said Deed of Trust and the entire debt secured thereby, having been declared to be due and payable in accordance with the terms of said Deed of Trust, and the legal holder of said indebtedness, PriorityOne Bank, having requested the undersigned Trustee to execute the trust and said Deed of Trust for the purpose of raising the sums due thereunder together with attorney's fees, Trustee's fees and expenses of sale;

NOW, THEREFORE, I, DEREK A. HENDERSON, TRUSTEE, in said Deed of Trust, will on the 30th day of June, 2016, offer for sale and will sell at public outcry, to the highest bidder for cash, within the legal hours (being the hours of 11:00 a.m. and 4:00 p.m.) at the East Front Door of the Harrison County First Judicial District Courtthouse at Gulfport, Mississippi, the following described property situated and lying in Harrison County, Mississippi, to-wit:

PARCEL 1:  
Lot 8, Jim Allen Subdivision, as per 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 20 at

of the property of the City of Gulfport, a distance of 595 feet to the East margin of Cowan Road; thence run North and along said East margin of Cowan Road a distance of 104 feet to the Point of Beginning.

LESS AND EXCEPT:

Begin at the point of intersection of the Northern line of grantors property with the centerline of construction of State Project No. 94-9371-00-005-10 at Highway Station 1+317.947; from said point of beginning run thence North 89 degrees 40' 30" East along said Northern property line, a distance of 23,600 meters (65,617 feet); thence run South 00 degrees 35' 04" East along a line that is 20,000 meters (65,617 feet) Easterly of and parallel with the centerline of construction of said project, a distance of 32,215 meters (105,696 feet) to the Southern line of grantors property thence run North 89 degrees 46' 16" West along said Southern property line, a distance of 21,633 meters (71,847 feet) to the present Eastern right-of-way line of Cowan Road; thence run North 00 degrees 05' 00" West along the present Eastern right-of-way line of said Cowan Road, a distance of 32,005 meters (105,003 feet) to the Northern line of grantors property; thence run North 89 degrees 40' 30" East along said Northern property line, a distance of 1,556 meters (5,105 feet) to the Point of Beginning, containing 0.070 hectares (0.172 acres), more or less and being situated in and a part of the Southwest 1/4 of the Southeast 1/4 of Section 31, Township 7 South, Range 10 West, City of Gulfport, First Judicial District, Harrison County, Mississippi. LESS AND EXCEPT from Parcels 1 and 2 above that portion of the Parcels 1 and 2 conveyed to the City of Gulfport by Special Warranty Deeds recorded as Instrument No. 2009-8397D-J1 and Instrument No. 2009-8399D-J1, more particularly described as follows:

PARCEL A:

That certain parcel of land and property off of the East end of parcel conveyed to Cowan Road and Highway 90, LLC by Land Deed Record Instrument No. 2007-8630D-J1 situated in the Southwest Quarter (SW 1/4) of the Southeast Quarter (SE 1/4) of Section 31, Township 7 South, Range 10 West, in the City of Gulfport, First Judicial District of Harrison County, Mississippi, more particularly described as follows, to-wit: Beginning at a 3/4 inch iron pipe being the Southeast corner of Lot 7 of Jim Allen Subdivision on file and of record in Plat Book 20, Page 4, in the Office of the Chancery Clerk in the First Judicial District of Harrison County, Mississippi; thence South 00 degrees 05 minutes 30 seconds West 104.25 feet along the West line of Georgia Place Subdivision on file and of record in Plat Book 37 at Page 20 in the aforesaid Chancery Clerk's office, to the Northeast corner of the property conveyed to the City of Gulfport per Deed Book 574 at Page 499 in the aforesaid Chancery Clerk's office and a 1/2 inch iron rod; thence North 89 degrees 50 minutes 18 seconds West 75.00 feet along the North line of said property now or formerly of Gulfport to a 1/2 inch iron rod; thence North 00 degrees 05 minutes 30 seconds East 104.21 feet to the South line of Lot 7 of said Jim Allen Subdivision and a 1/2 inch iron rod; thence South 89 degrees 32 minutes 19 seconds East 75.00 feet to the Point of Beginning. Said parcel contains 0.179 acres, more or less, shown and described as "Parcel B Boundary Description" on Plat of Survey prepared by J. Colter Ratzliff, Professional Surveyor, as of September 4, 2009.

PARCEL B:

Those certain parcels of land

right-of-way line of U.S. Highway 90, and being more particularly described as follows: Commencing at an iron rod in an iron pipe at the intersection of the east margin of Cowan Road with the line between Section 31, Township 7 South, Range 10 West and Fractional Section 6, Township 8 South, Range 10 West; thence run North 89 degrees 38 minutes 12 seconds East for a distance of 459.07 feet to an iron rod at the Northwest corner of said Lot 4 and the Point of Beginning; thence run South 00 degrees 14 minutes 43 seconds West along the west line of said Lot 4, said line being marked by a chiseled "X" on the seawall, for a distance of 570.27 feet to an iron rod on the north right-of-way line of U.S. Highway 90; thence run North 72 degrees 02 minutes 00 seconds East along said North right-of-way line for a distance of 551.71 feet to a railroad spike on the East line of said "Blackman" Lot, said line being marked by a chiseled "X" on the seawall; thence run North 00 degrees 13 minutes 24 seconds East along said East line for a distance of 517.61 feet to an iron rod at the northeast corner of said "Blackman" Lot, thence run South 76 degrees 53 minutes 22 seconds West along the South line of Cowan Road Homes Subdivision for a distance of 134.49 feet to a concrete monument, thence run South 78 degrees 58 minutes 02 seconds West along the South line of Georgia Place Subdivision and the North line of said Uriel Wright Subdivision for a distance of 394.50 feet to an iron rod on the township line, thence run North 89 degrees 35 minutes 41 seconds West along said township line 14.76 feet to the Point of Beginning. This parcel contains 6.69 acres, more or less.

PARCEL 4:

A parcel of land located in Fractional Section 6, Township 8 South, Range 10 West, Gulfport, Harrison County, Mississippi, more particularly described as: Beginning at the intersection of the East margin of Cowan Road with the North line of Fractional Section 6, and from said Point of Beginning running thence North 89 degrees 58 minutes 30 seconds East along the North line of said Section 6 a distance of 200.1 feet, running thence South 0 degrees 18 minutes 10 seconds West a distance of 209.2 feet, running thence South 89 degrees 49 minutes 30 seconds West a distance of 208.7 feet to the East margin of Cowan Road, running thence North 2 degrees 38 minutes 30 seconds East along said East margin a distance of 210 feet to the point of beginning.

LESS AND EXCEPT THE FOLLOWING TRACT:

Begin at the point of intersection of the Northern line of grantors property with the centerline of construction of State Project No. 94-9371-00-005-10; from said point of beginning run thence South 89 degrees 45 minutes 10 seconds East along said Northern property line, a distance of 20,000 meters (65,617 feet); thence run South 00 degrees 35 minutes 04 seconds East along a line that is 20,000 meters (65,617 feet) Easterly of and parallel with the centerline of construction of said project, a distance of 53,819 meters (176,572 feet) to a point that is 20,000 meters (65,617 feet) Easterly of and perpendicular to the centerline of construction of said project at Station 1+200; thence run South 05 degrees 09 minutes 34 seconds East, a distance of 10,061 meters (33,009 feet) to the Southern line of grantors property; thence run North 89 degrees 45 minutes 13 seconds West along said Southern property line, a distance of 24,009 meters (78,770 feet) to the present Eastern right-of-way line of Cowan Road; thence run North 00 degrees 23 minutes 38 seconds East

ner of Lot 7, Jim Allen Subdivision, Plat Book 20 at Page 4, First Judicial District of Harrison County, Mississippi; thence South 00 degrees 05 minutes 30 seconds West 104.25 feet to a 1/2 inch iron rod; thence South 00 degrees 19 minutes 38 seconds West 30 feet to a 1/2 inch iron rod and the POINT OF BEGINNING; thence South 00 degrees 19 minutes 38 seconds West 53.04 feet to the North line of the property conveyed to Cowan Road and Highway 90, LLC per instrument #2007-8631D-J1 and a 4 inch square concrete monument, thence South 76 degrees 52 minutes 14 seconds West 86.87 feet along said North line to a 1/2 inch iron rod; thence North 89 degrees 42 minutes 10 seconds West 14.82 feet along said North line to a 1 inch iron rod; thence South 89 degrees 28 minutes 45 seconds West 296.02 feet to an iron pipe; thence South 89 degrees 41 minutes 35 seconds West 130.37 feet (more or less) to the East margin of Cowan Road and a 1/2 inch iron rod; thence North 00 degrees 35 minutes 55 seconds West 107.58 feet along said East margin to an iron pipe; thence South 89 degrees 50 minutes 18 seconds East 497.40 feet (more or less) from Cowan Road margin to a 1/2 inch iron rod; thence continue South 89 degrees 50 minutes 18 seconds East 30.00 feet to a 1/2 inch iron rod at the West margin of Georgia Place Subdivision as per official map or plat in Plat Book 37 at Page 20; thence South 00 degrees 19 minutes 38 seconds West along said West margin line of Georgia Place Subdivision 30.00 feet to a 1/2 inch iron rod at the Point of Beginning.

SAID PROPERTY IS SUBJECT TO

perpetual easements in favor of BellSouth Telecommunications, Inc., its successors and assigns identified and recorded as stated above and more particularly described, as follows: (1)(a) Commence at an iron rod being the SE corner of Lot 7, Jim Allen Subdivision; thence South 00 degrees 05 minutes 30 seconds West 104.25 feet to the POINT OF BEGINNING of easement, and thence run North 89 degrees 35 minutes 18 seconds West 30.0 feet to an iron rod; thence South 00 degrees 19 seconds 38 minutes West 30.0 feet to an iron rod; thence South 89 degrees 50 minutes 19 seconds East 30 feet; and thence run North 30 degrees 19 minutes 38 seconds East 30 feet to the Point of Beginning; and (b) commence at an iron rod being the Southeast corner of Lot 7, Jim Allen Subdivision, and thence run South 00 degrees 05 minutes 30 seconds West 104.25 feet to an iron rod; and thence run South 00 degrees 19 minutes 38 seconds West 30 feet to the POINT OF BEGINNING of the easement, thence run North 89 degrees 50 minutes 19 seconds West 10 feet; thence run South 00 degrees 19 minutes 38 seconds West to the North line of the property conveyed to Cowan Road and Highway 90, LLC per instrument number 2007-8631D-J1; and thence run North 76 degrees 52 minutes 14 seconds East along said North line to a 4 inch square concrete monument at the Southwest Corner of Lot 13, Georgia Place Subdivision, per Plat Book 37 at Page 20; and thence run North 00 degrees 19 minutes 38 seconds East a distance of 53.04 feet to the Point of Beginning. And (2) Commence at iron pipe being at the Southeast corner of Lot 7, Jim Allen Subdivision; thence South 00 degrees 05 minutes 30 seconds West 104.25 feet to iron rod; thence South 00 degrees 19 minutes 38 seconds West 83.04 feet to 4 inch square concrete monument; thence South 76 degrees 52 minutes 14

following described property situated and lying in Harrison County, Mississippi, to-wit: PARCEL 1: Lot 8, Jim Allen Subdivision, as per 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 20 at Page 4.

AND ALSO: Lot Ten (10) Jim Allen Subdivision, a subdivision according to the official map or plat thereof on file and of record in the office of the Chancery Clerk of Harrison County, Mississippi, in Plat Book 20 at Page 4 thereof reference to which is hereby made in aid of and as a part of this description.

PARCEL 2: Lots Eleven (11) and Twelve (12), Jim Allen 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, Harrison County, Mississippi, in Plat Book 20 at Page 4.

LESS AND EXCEPT: Begin at the point of intersection of the Southern line of grantors property with the centerline of construction of State Project No. 94-9371-00-005-10 at Highway Station 1-317.947; from said point of beginning run thence South 89 degrees 40' 30" West along said Southern property line, a distance of 1.556 meters (5.105 feet) to the present Eastern right-of-way line of Cowan Road; thence run North 00 degrees 03' 57" West along the present Eastern right-of-way line of said Cowan Road, a distance of 33.289 meters (109.150 feet) to the present Southern right-of-way line of Georgia Place; thence run South 89 degrees 50' 03" East along the present Southern right-of-way line of said Georgia Place, a distance of 62.110 meters (203.773 feet) to a point on the present Southern right-of-way line of Georgia Place that is 5.534 meters (18.156 feet) Southerly of and perpendicular to the centerline of survey of Georgia Place relocation at Station 1+094.792 as shown on the plans for said project at Station 1+375.330; thence run South 82 degrees 11' 43" West a distance of 30.125 meters (98.835 feet); thence run South 58 degrees 17' 08" West, a distance of 12.809 meters (42.024 feet) to a point that is 20.000 meters (65.617 feet) Easterly of and perpendicular to the centerline of construction of said project at Station 1+340; thence run South 00 degrees 36' 04" East along a line that is 20.000 meters (65.617 feet) Easterly of and parallel with the centerline of construction of said project, a distance of 22.144 meters (72.651 feet) to the Southern line of grantors property; thence run South 89 degrees 40' 30" West along said Southern property line, a distance of 20.000 meters (65.617 feet) to the point of beginning, containing 0.085 hectares (0.211 acres), more or less, and being situated in and a part of Lots 11 and 12 of Jim Allen Subdivision in Plat Book 20, Page 4 in the Chancery Clerk's Office, City of Gulfport, First Judicial District, Harrison County, Mississippi, Section 31, Township 7 South, Range 10 West.

AND ALSO: A parcel of land situated in Section 31, 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 the Southwest corner of Lot 12 of JIM ALLEN SUBDIVISION, thence run East along the South line of said subdivision a distance of 595 feet to the Southeast corner of Lot 7 of said subdivision; thence run South and perpendicular in the South line of said subdivision a distance of 104 feet; thence run

to the Point of Beginning. Said parcel contains 0.179 acres, more or less, shown and described as "Parcel B Boundary Description" on Plat of Survey prepared by J. Colter Ratliff, Professional Surveyor, as of September 4, 2009.

PARCEL B: Those certain parcels of land and property that together contain a contiguous parcel, situated and being in Section 31, Township 7 South, Range 10 West, in the City of Gulfport, First Judicial District of Harrison County, Mississippi, and being a part and parcel of the property conveyed to Cowan Road and Highway 90, LLC by Quitclaim Deed dated August 21, 2007, recorded as Instrument No. 2007-8630D-J1 in the Land Deed Records in the Office of the Chancery Clerk in the First Judicial District of Harrison County, Mississippi, particularly identified and described as follows, to-wit:

Commencing at a 3/4 inch iron pipe being the Southeast corner of Lot 7 of JIM ALLEN SUBDIVISION on file and of record in Plat Book 20 at Page 4, First Judicial District of Harrison County, Mississippi; thence South 00 degrees 05 minutes 30 seconds West 104.25 feet along the West line of GEORGIA PLACE SUBDIVISION on file and of record in Plat Book 37, at Page 20, to the Northeast corner of the property conveyed to the City of Gulfport per Deed Book 574 at Page 499, and a 1/2 inch iron rod; thence North 89 degrees 50 minutes 18 seconds West 296.87 feet along the North line of said City of Gulfport property to a 1/2 inch iron rod and the POINT OF BEGINNING; thence continue North 89 degrees 50 minutes 18 seconds West 230.53 feet to the East margin of Cowan Road per conveyance to the Mississippi Transportation Commission (Deed Book 1438 Page 275) and a 3/4 inch pipe; thence North 00 degrees 40 minutes 04 seconds West 103.95 feet along said East margin of Cowan Road to the Southwest margin of Lot 12, Jim Allen Subdivision to the East margin of Cowan Road per conveyance to the Mississippi Transportation Commission (Deed Book 1430 Page 846); thence North 00 degrees 32 minutes 02 seconds West 71.66 feet along said East margin of Cowan Road to a 6 inch square monument; thence North 58 degrees 48 minutes 02 seconds East 42.02 feet along the said margin of the Mississippi Transportation Commission deed for entrance to Georgia Place from Cowan Road; thence North 81 degrees 55 minutes 32 seconds East 99.84 feet, along South margin of Georgia Place; thence South 89 degrees 52 minutes 12 seconds East 98.61 feet along the South line of Georgia Place to a 1-1/2 inch iron pipe being Northeast Corner of Lot 10; thence run South 00 degrees 03 minutes 18 seconds West along the East line of Lot 10 a distance of 107.58 feet, to a mag nail at the Southeast corner of Lot 10; thence continue South 00 degrees 03 minutes 18 seconds West a distance of 103.83 feet, to the Point of Beginning.

Said parcel containing 1.089 acres, more or less and being a portion of the property conveyed to Cowan Road and Highway 90, LLC per instrument number 2007-863D-J1, and as specified in plat of survey of J. Colter Ratliff, Licensed Professional Surveyor, as of November 16, 2009.

PARCEL 3: That part of Lots 4 and 5 and the "Blackman" Lot of the Uriel Wright Subdivision of the Ludlow Survey per plat recorded in Deed Book 27, Page 384, in the Office of the Chancery Clerk, First Judicial District of Harrison County, Mississippi,

(33,009 feet) to the Southern line of grantors property; thence run North 83 degrees 45 minutes 13 seconds West along said Southern property line, a distance of 24,009 meters (78,770 feet) to the present Eastern right-of-way line of Cowan Road; thence run North 00 degrees 23 minutes 38 seconds East along the present Eastern right-of-way line of said Cowan Road, a distance of 53,847 meters (209,472 feet) to the Northern line of grantors property; thence run South 89 degrees 45 minutes 10 seconds East along said Northern property line, a distance of 2,118 meters (6,942 feet) to the point of beginning, containing 0.145 hectares (0.358 acres) more or less, and being situated in and a part of Fractional Section 6, Township 8 South, Range 10 West, City of Gulfport, First Judicial District, Harrison County, Mississippi.

AND, ALSO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A parcel of land situated and being located in Fractional Section 6, Township 8 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 the intersection of the new easterly right-of-way of Cowan Road as presently staked by State Project No. 94-9371-00-005-10 with the North line of Fractional Section 6, Township 8 South, Range 10 West, thence run from said Point of Beginning, North 89 degrees 47 minutes 57 seconds East 130.27 feet; thence run South 00 degrees 10 minutes 57 seconds West 210.56 feet; thence run North 88 degrees 38 minutes 05 seconds West 124.85 feet to the new easterly right-of-way of Cowan Road; thence run North 05 degrees 09 minutes 34 seconds West 32.75 feet along the new easterly right-of-way of Cowan Road; thence run North 00 degrees 35 minutes 04 seconds West 176.70 feet along the new easterly right-of-way of Cowan Road to the Point of Beginning.

PARCELS 5: That certain parcel of land and property situated and being in the Southwest Quarter (SW 1/4) of the Southeast Quarter (SE 1/4) of Section 31, Township 7 South, Range 10 West, in the City of Gulfport, First Judicial District of Harrison County, Mississippi, conveyed to the City of Gulfport, Mississippi, by Warranty Deed dated August 12, 1966 from W.H. Grove, Jr. recorded in Book 574 at Page 499 of the Records of Deeds to Lands in the Office of the Chancery Clerk of Harrison County, Mississippi, LESS AND EXCEPT that part of the West side thereof conveyed by Deed dated October 28, 1998 from the City of Gulfport to the Mississippi Transportation Commission for the widening of Cowan Road, recorded in Deed Book 1434 at Pages 602-606 of the aforesaid records; AND SUBJECT TO: perpetual easements in favor of BellSouth Telecommunications, Inc. upon, over and under a portion of said property to construct, operate and maintain communications facilities granted by the City of Gulfport: (1) dated August 18, 1998, recorded in Deed Book 1421 at Page 418-421 of the aforesaid records, (2) filed for record on March 1, 2000, and recorded in Deed Book 1485 at Pages 447-449 of the aforesaid records; and (3) dated August 30, 2007, recorded as Instrument No. 2007-8109D-J1 of the aforesaid land deed records. AND SAID PROPERTY hereinabove identified is also more particularly described in calls and distance as shown by boundary line survey prepared by J. Colter Ratliff, P.S. dated August 26, 2009, as

pipe being at the Southeast corner of Lot 7, Jim Allen Subdivision, thence South 00 degrees 05 minutes 30 seconds West 104.25 feet to iron rod; thence South 00 degrees 19 minutes 38 seconds West 83.04 feet to 4 inch square concrete monument; thence South 78 degrees 52 minutes 14 seconds West 86.87 feet to 1/2 inch iron rod at the POINT OF BEGINNING of the easement; and thence North 89 degrees 42 minutes 10 seconds West 14.82 feet to 1 inch iron rod; and thence run South 89 degrees 28 minutes 45 seconds West 281.2 feet (more or less) to the Southwest corner of 5.0 foot easement per Deed Book 1485 at pages 447-449; thence North 00 degrees 22 minutes 06 seconds East 5.0 feet; thence North 89 degrees 28 minutes 45 seconds East and parallel to the South property line now or formerly of City of Gulfport a distance of 296.02 feet to a point; and thence continue North 89 degrees 28 minutes 45 seconds East to North line of property conveyed to Cowan Road and Highway 90, LLC by instrument #2007-863D-J1; and thence South 78 degrees 52 minutes 14 seconds West along said North line to a 1/2 inch rod at the Point of Beginning;

And (3) A 5 foot square expansion easement (Instrument #2007-8109D-J1) expanding the 5 foot easement described above from its West terminus South 89 degrees 28 minutes 45 seconds West 5 feet along the South line of property now or formerly of City of Gulfport. I WILL CONVEY ONLY such title as is vested in me as Substituted Trustee without warranty whether expressed or implied.

WITNESS MY SIGNATURE, this the 1st day of June, 2018, a/Derek A. Henderson, Trustee

PUBLISH: June 8, June 15, June 22, and June 29, 2018  
SALE DATE: June 30, 2018  
Prepared by:  
DEREK A. HENDERSON,  
MSB #2283  
1735-A Latta Drive, Suite 103  
Jackson, MS 39216  
(601) 946-3167

1578500

STATE OF MISSISSIPPI  
COUNTY OF HARRISON  
FIRST JUDICIAL DISTRICT

**AFFIDAVIT OF FORECLOSURE SALE**

The undersigned, after having been fist duly sworn, states upon oath that they personally witnessed and/or participated in a public foreclosure sale conducted on June 30, 2016, at 12:17 p.m., held at the East Front Door of the Harrison County First Judicial District Courthouse at Gulfport, Mississippi, wherein certain property, more particularly described in a Substitute Trustee's Notice of Sale, which was read at sale, was sold at public outcry by Derek A. Henderson, Trustee, to POC Holdings, Inc, the highest bidder at said sale, for the sum of \$ 1,870,481<sup>00</sup>.

WITNESS OUR SIGNATURES, this the 30<sup>th</sup> day of June, 2016.

\_\_\_\_\_  
WITNESS

Derek A Henderson  
TRUSTEE

\_\_\_\_\_  
WITNESS

Jimmy Cousins, Jr  
HIGHEST BIDDER

SWORN TO AND SUBSCRIBED before me, this the 30<sup>th</sup> day of June, 2016.

Melissa J Rasmussen  
NOTARY PUBLIC

My Commission Expires \_\_\_\_\_



PREPARED BY:

**DEREK A. HENDERSON, MSB #2260**  
1765-A Lelia Drive, Suite 103  
Jackson, MS 39216  
(601) 948-3167

PERMITS/INSP PAYMENT RECPT#: 11368650  
CITY OF GULFPORT  
GULFPORT MS 39501

DATE: 07/05/22 TIME: 14:34  
CLERK: bboone DEPT:  
CUSTOMER#: 0

COMMENT:

CHG: PZD PLANNING AND ZO 175.00

AMOUNT PAID: 175.00

PAID BY:  
PAYMENT METH: CHECK  
9732

REFERENCE:

AMT TENDERED: 175.00  
AMT APPLIED: 175.00  
CHANGE: .00

PERMITS/INSP PAYMENT RECPT#: 11368650  
CITY OF GULFPORT  
GULFPORT MS 39501

DATE: 07/05/22 TIME: 14:34  
CLERK: bboone DEPT:  
CUSTOMER#: 0

COMMENT:

CHG: PZD PLANNING AND ZO 175.00

AMOUNT PAID: 175.00

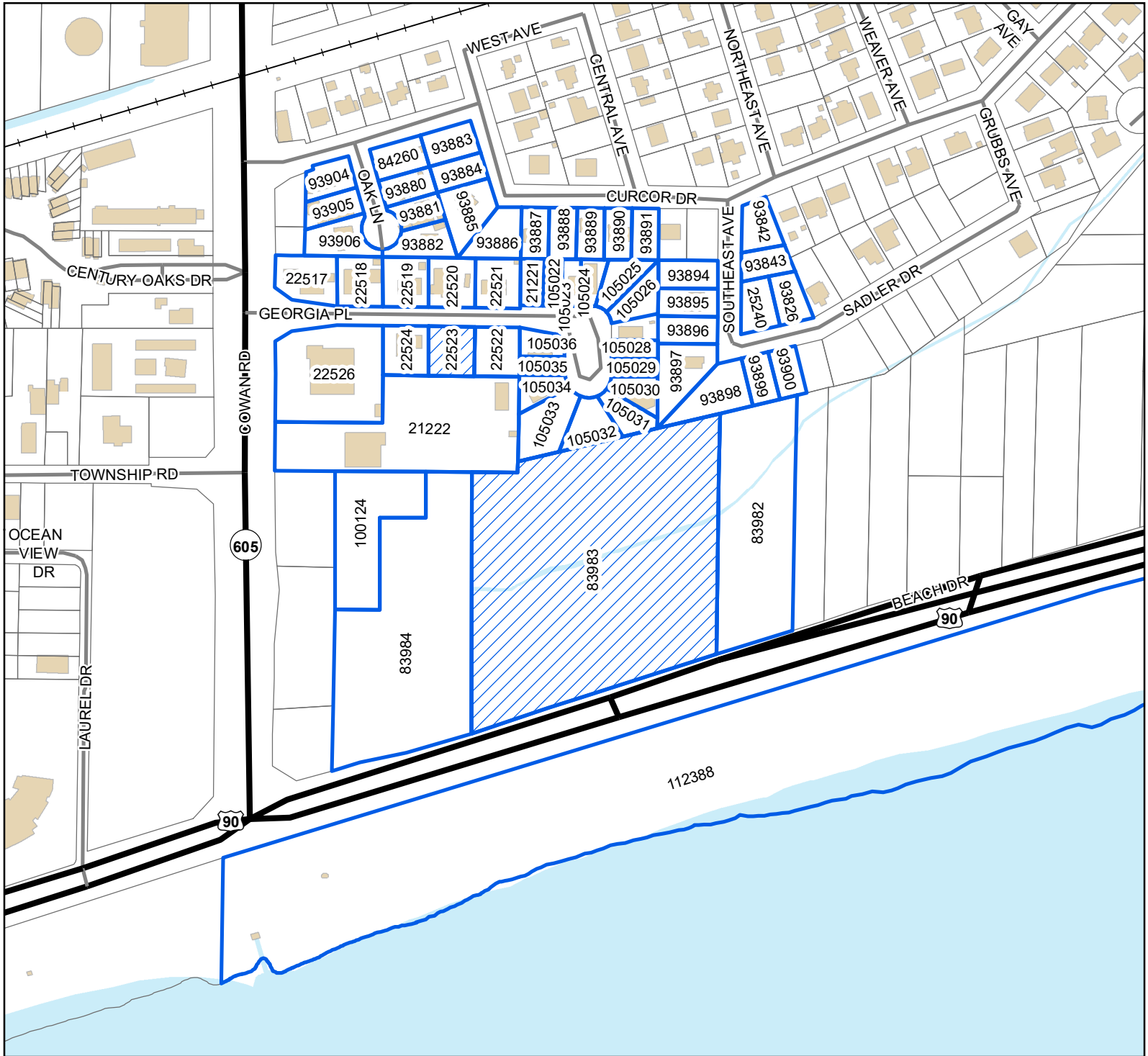
PAID BY:  
PAYMENT METH: CHECK  
9732

REFERENCE:





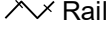


AMT TENDERED: 175.00  
AMT APPLIED: 175.00  
CHANGE: .00

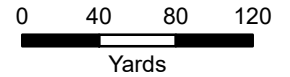
Mail	PPIN	Parcel ID	Name	Address	City	State	ZIP
	83983	1011C-01-010.000	POC HOLDINGS, INC. (OWNER)	P.O. BOX 516	MAGEE	MS	39111
	22523	1010N-04-029.000	POC HOLDINGS, INC. (OWNER)	P.O. BOX 516	MAGEE	MS	39111
		1011C-01-010.000	M & P DEVELOPMENT, LLC (AGENT)	1900 DESTREHAN AVENUE	HARVEY	LA	70058
		1010N-04-029.000	M & P DEVELOPMENT, LLC (AGENT)	1900 DESTREHAN AVENUE	HARVEY	LA	70058
N			<b>Adjacent Property Owners (2208PC145)</b>				
	93886	1010N-04-011.013	BARAHONA OCTAVIO JOSE	1820 CURCOR DR	GULFPORT	MS	39507
	22518	1010N-04-023.000	BELL SYLVIA M -ESTATE-	1419 GEORGIA PL	GULFPORT	MS	39501
	93905	1010N-04-011.004	BLETHEN SHANNAN R & MICHELLE L	493 OAK LANE	GULFPORT	MS	39507
	22522	1010N-04-030.000	BRITT BEVERLY	1115 NEWELL RD NW	BROOKHAVEN	MS	39601
	105023	1010N-04-019.002	CALISCH LESA C/O 928 COURTHOUSE RD	1453 GEORGIA PL	GULFPORT	MS	39507
	105031	1010N-04-019.010	CARSEN SUSAN	10 BANEURY COVE	GULFPORT	MS	39503
	105030	1010N-04-019.009	CERNICKY CAROL & BRUCE	1472 GEORGIA PLACE	GULFPORT	MS	39507
	93883	1010N-04-011.010	CHATHAM PROPERTIES LLC	2003 BENT OAKS BLVD	BILOXI	MS	39531
	105036	1010N-04-019.015	CYRUS BERNIE	75124 HWY 25	COVINGTON	LA	70435
	93826	1010N-04-012.001	DALGLEISH RUSTY LYNN	195 BIG ISLAND LOOP	DEVILLE	LA	71328
	105032	1010N-04-019.011	DAVENPORT PATRICIA	1132 MARIGNY	MANDEVILLE	LA	70448
	22517	1010N-04-024.000	DAVIS GENE CLARK & REBECCA TULLOS	1421 GEORGIA PL	GULFPORT	MS	39507
	93891	1010N-04-011.018	DORA LAND	PO BOX 1405	APPLE VALLEY	CA	92307
	93896	1010N-04-011.023	FLANAGAN ERIC S & ANGELA D MARTIN	696 WILLOW MILL CT	MARIETTA	GA	30068
N	93900	1010N-04-011.027	FLANAGAN ERIC SHEA & ANGELA D MARTI	696 WILLIOW MILL CT	MARIETTA	GA	30068
N	105026	1010N-04-019.005	FLANAGAN ERIC SHEA & MARTIN ANGELA	696 WILLOW MILL COURT	MARIETTA	GA	30068
N	105025	1010N-04-019.004	FLANAGAN ERIC SHEA & MARTIN ANGELA	696 WILLOW MILL COURT	MARIETTA	GA	30068
	105033	1010N-04-019.012	GARVEY MICHAEL & JACLYN	1458 GEORGIA PL	GULFPORT	MS	39507
	25240	1010N-04-012.000	GOZA KEVIN	6334 WIRTZ RD	FLOWOOD	MS	39232
N	93843	1010N-04-012.018	GOZA KEVIN L	6334 WIRTZ RD	FLOWOOD	MS	39232
N	93897	1010N-04-011.024	GOZA KEVIN LEO & TAMMIE DORRIS	6334 WIRTZ RD	FLOWOOD	MS	39232
	93898	1010N-04-011.025	GOZA KEVIN LEO & TAMMIE DORRIS	6334 WIRTZ RD	FLOWOOD	MS	39232
N	112388	1011C-02-001.000	GULFPORT CITY OF				0
N	22526	1010N-04-026.000	GULFPORT CITY OF				0
	93888	1010N-04-011.015	GUY RAY CHRISTOPHER	231 LAKESIDE VILLA	DIAMONDHEAD	MS	39525
	93894	1010N-04-011.021	HABITAT FOR HUMANITY OF MGC	2214 34TH ST	GULFPORT	MS	39501
	93904	1010N-04-011.003	HAPPY VACATIONS LLC	P O BOX 406	BILOXI	MS	39533
	100124	1011C-01-011.145	IB INVESTMENTS LLC	8682 HICKORY COURT	DAPHNE	AL	36527
N	83984	1011C-01-011.000	IB INVESTMENTS LLC	8682 HICKORY COURT	DAPHNE	AL	36527
	93882	1010N-04-011.009	ISOM EDWARD SR & JANET	5317 NATHAN DR	JONESBORO	AR	72401
	93880	1010N-04-011.007	JKA PROPERTIES LLC	1200 COLLEGE ST	GULFPORT	MS	39507

Mail	PPIN	Parcel ID	Name	Address	City	State	ZIP
	105024	1010N-04-019.003	KERSHAW SARA R & ROGER BRUNELL	1457 GEORGIA PL	GULFPORT	MS	39507
	105035	1010N-04-019.014	MARSHALL MICHAEL L & REBECCA B	1450 GEORGIA PL	GULFPORT	MS	39507
	105034	1010N-04-019.013	MARSHALL MICHAEL L & REBECCA B	1454 GEORGIA PL	GULFPORT	MS	39507
	105022	1010N-04-019.001	MAYER MARK SPENCER	1449 GEORGIA PL	GULFPORT	MS	39507
	93899	1010N-04-011.026	MOEINI MOHAMMAD	P O BOX 8833	GULFPORT	MS	39506
	93889	1010N-04-011.016	MYERS KENNETH	P O BOX 7124	GULFPORT	MS	39506
N	93887	1010N-04-011.014	MYERS KENNETH	P O BOX 7124	GULFPORT	MS	39506
	105029	1010N-04-019.008	OWEN SHERRY L	P O BOX 673	GULFPORT	MS	39502
	22519	1010N-04-022.000	PAGITT JIMMY DAN & MARIE	1429 GEORGIA PLACE	GULFPORT	MS	39507
	93906	1010N-04-011.005	PERKINS CHARLES F	401 3RD AVENUE NORTH	COLUMBUS	MS	39701
	21221	1010N-04-019.000	PERKINS CHARLES F	401 3RD AVE NORTH	COLUMBUS	MS	39701
	22523	1010N-04-029.000	POC HOLDINGS INC	PO BOX 516	MAGEE	MS	39111
N	83983	1011C-01-010.000	POC HOLDINGS INC	PO BOX 516	MAGEE	MS	39111
N	21222	1010N-04-032.000	POC HOLDINGS INC	PO BOX 516	MAGEE	MS	39111
	105028	1010N-04-019.007	ROSICK JAMES A	1549 PARSONS BEND CT	O'FALLON	MO	63366
	22524	1010N-04-028.000	ROSS RONALD E & LYDIA J	1426 GEORGIA PL	GULFPORT	MS	39507
	93895	1010N-04-011.022	SACHSEL JAMES ALLEN & KELLY NICOLE	395 SOUTHEAST AVENUE	GULFPORT	MS	39507
	93884	1010N-04-011.011	SCHULTES WILLIAM G	8929 LITTLE RIVER TURNPIKE	FAIRFAX	VA	22031
	93881	1010N-04-011.008	STANLEY DAVID M & PATRICIA	492 OAK LN	GULFPORT	MS	39507
	83982	1011C-01-008.000	TAYLOR MARTHA A HAYS	912 BENT TREE CIRCLE	PASS CHRISTIAN	MS	39571
	93890	1010N-04-011.017	THOMAS KENNETH S	1906 CURCOR DR	GULFPORT	MS	39507
	93842	1010N-04-012.017	TRAVIRCA JUDY SPARKMAN	P O BOX 1001	KILN	MS	39556
	93885	1010N-04-011.012	WHITE KAREN	1818 CURCOR DR	GULFPORT	MS	39507
	22521	1010N-04-020.000	WHITING DAVID -ESTATE-	1441 GEORGIA PL	GULFPORT	MS	39507
	84260	1010N-04-011.006	WINDHAM DANELLE M	1812 CURCOR DR	GULFPORT	MS	39507
	22520	1010N-04-021.000	WOJCIK DONALD & SHAPLEY MARY	1431 GEORGIA PLACE	GULFPORT	MS	39507



**Legend**

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



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.

**RE: 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**

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/agendas/> 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](mailto:planners@gulfport-ms.gov). The application is available for viewing in the Planning Division office at 1410 24<sup>th</sup> 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:**

IPL0084333

**Order Status:**

Submitted

**Classification:**

Legals &amp; 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 >>](#)

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CITY OF GULFPORT PLANNING COMMISSION

2208PC145

TRANSCRIPT OF HEARING

August 25, 2022

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TRANSCRIPT OF HEARING HELD BEFORE THE CITY OF GULFPORT  
PLANNING COMMISSION HELD IN THE CITY COUNCIL CHAMBERS,  
GULFPORT, MISSISSIPPI, ON THE 25TH DAY OF AUGUST 2022  
COMMENCING AT 4:30 P.M. AND REPORTED BY  
NORMA JEAN LADNER SOROE, CERTIFIED SHORTHAND REPORTER.

\*\*\*\*\*

COMMISSION MEMBERS PRESENT:

- KEITH WILLIAMS, President
- WILLIAM "PRINCE" JONES
- VIRGINIA ADOLPH
- BRANDON ELLIOTT
- CHARLIE HEWES
- TIMOTHY DAIGLE, JR.
- GARLON PEMBERTON
- HAROLD SPANN

STAFF PRESENT:

- GREG HOLMES
- SU-LIN FEATHERSTON
- CHRISTINE HIGHSMITH
- LESLIE ERVIN
- CORY LONG

1 6. Zoning Map Amendment 2208PC145

2 MS. FEATHERSTON: Item 6, Zoning Map  
3 Amendment 145 has been duly and timely noticed as required  
4 by law. The applicant requests to rezone from T4L general  
5 urban zone limited and T4+ general urban zone plus to T5  
6 urban center zone, Ward 2. A copy of the packet considered  
7 is hereby offered to the record.

8 MR. WILLIAMS: Thank you.

9 Someone here to speak for this request?

10 Hey, Mr. Gillespie.

11 MR. GILLESPIE: I've got the board here. I  
12 hope I can set it up like that where everybody can see it.  
13 And I want to have one copy of this for the record and then  
14 Garlon, if you would hand that down to everybody just so  
15 where y'all can see the concept here.

16 This is a case, this property here is on the  
17 corner of Cowan-Lorraine and Highway 90 here. It's not  
18 quite on the corner. If y'all will remember, right here is  
19 where they had that Chateau-de-la-Mer and what I called that  
20 was the house trailers stacked on top of each other. If  
21 y'all know, Katrina got every one of them.

22 What we want to do is build a luxury RV park  
23 here. And by luxury, I mean a lot of different things. To  
24 be classified that type of an RV park, you've got to really  
25 do the thing right. All paved pads, water, sewer, all kind

1 of the different types of amps, 30 amp, 60 amp, whatever it  
2 is hookups, the TV, all of that kind of stuff.

3           In addition, back here we're putting in quite  
4 a few amenities. We're going to have a lazy river, a  
5 swimming pool, a splash pad. They're all listed over here  
6 on the side what all we're going to do.

7           This thing is going to be very nice.

8           We want to -- the zoning we're asking for is  
9 T5. Now, I don't know about y'all, but that's Smart Code.  
10 And when it comes to Smart Code, I'm not very smart. I have  
11 to admit I don't understand it real well. I understand the  
12 old R-1, R-2 type stuff.

13           But right now, this is two parcels of  
14 property. All this is one parcel, and right here is another  
15 parcel. This property is zoned a whole bunch of different  
16 ways. It's T4L, T4+, T5, and I thought this was zoned T6.  
17 I may be wrong on that.

18           What we're asking, because, you know, it's  
19 not favored by the law or planners to have one ownership  
20 under three or four different zoning classifications.

21           We want to zone the whole thing T5 in order  
22 to do this.

23           Now, my client, and that's a very important  
24 part of this, my client is Pete Vaccaro and his son P.J.  
25 You may not recognize the name, but he is the man that holds

1 the antique auction at Cruisin' the Coast every year.

2           And I'm saying that to let you know that  
3 we've got a very substantial developer here. We got someone  
4 who is -- he has a residence in Biloxi. He's been with the  
5 Cruisin' all the way along. So this guy's already got a big  
6 investment in this community, and I just want to know we're  
7 going to have a first class developer here.

8           And also, I've got a rather interesting  
9 letter here that I'd like to read to you. Let me get a copy  
10 in the record.

11           This is a letter from Woody Bailey. And he's  
12 writing this letter to y'all and says:

13           (Reading) I'm writing this letter in support  
14 of this application to allow the operation of a luxury RV  
15 park on the corner of Cowan-Lorraine Road and U.S. Highway  
16 90. I am personally acquainted with Pete Vaccaro who, along  
17 with his son P.J., will be principals in the building and  
18 operation of this RV park. Pete is a long-time supporter of  
19 the Mississippi Gulf Coast, having a residence here and  
20 operating the antique car auction at Cruisin' the Coast.  
21 Over the years I have come to value my association with the  
22 Vaccaros, and my past association with them tells me that if  
23 they're going to be involved in this project, you can be  
24 assured it will be successful and will be a valuable asset  
25 to Gulfport and the Mississippi Gulf Coast. I recommend a

1 positive vote in this matter. (End Reading)

2           One other thing I want to show, they're  
3 willing to go to any, you know, length that they need to  
4 make this compatible with the neighborhood. Up there, of  
5 course, is a residential neighborhood off of Georgia Place.  
6 And you can see from the thing over here, they're going to  
7 put a solid vinyl fence along here and also a vegetated  
8 buffer in there along this area right in here.

9           MR. WILLIAMS: Virgil, that's what I was  
10 going to confirm, and I'm sorry to interrupt you, but -- so  
11 that's the only place that it actually borders a  
12 residential?

13           MR. GILLESPIE: Yes. This is right in here,  
14 this is the sewer plant -- I mean, excuse me -- not the  
15 plant, that big lift station that's right there. And this  
16 is the Georgia Place. It goes in here and circles around if  
17 I'm not mistaken.

18           Now, Mr. Vaccaro, Pete and P.J. went around,  
19 they went down here along the beach and talked to these  
20 people. They went back and tried to canvas everybody in  
21 here. And they didn't find anybody opposed to it. But I  
22 don't know. I don't know who might be here in the audience,  
23 so I can't speak to that. But they were doing their best to  
24 go around, talk to the neighbors. If they did find somebody  
25 that had some type of objection, you know, let us know how

1 we can cure that.

2           And another thing, let me address traffic.  
3 This is how you're going to get in. There will be no  
4 entrance to this on Highway 90. That would cause a problem.  
5 We do have a curb cut right down here, but we're not going  
6 to use it. And as you know, at this particular point  
7 Cowan-Lorraine is five lanes. So you have that center lane.  
8 And you're not going to have a lot of traffic. Most of  
9 these will be the one piece, I guess you'd call them, you  
10 know, the coaches that have the motors in them that pull  
11 themselves rather than trailers.

12           And one other point. Anybody knows this  
13 property knows there's a bunch of really gorgeous oak trees  
14 down here. Our mission is to save every one of those oak  
15 trees. If we have to tweak this to get around those oak  
16 trees, if we have to miss a few spots for those oak trees,  
17 we're going to do it because quite frankly that's one of the  
18 big attractions to this.

19           So I just see this as a total win-win  
20 situation for Gulfport. If you all will recall, the last  
21 time somebody came in here on this piece of property, they  
22 wanted to put a Playtime in there. And the neighbors  
23 objected to it. I don't blame them. This is going to be  
24 top of the line RV park.

25           My friend Lenny Sawyer is going to come up

1 here and speak in just a minute tells me that the motor  
2 coach people classify these as a one to ten. This is going  
3 to be a ten. And the only ten that's ever been on the coast  
4 is one that Marlin Torgusen built at Casino Magic about 20,  
5 25 years ago. I don't know if it's still there. The  
6 closest one other than that one is in Destin, Florida.

7           So what we've got here, we're not building  
8 this back on Pass Road where you can't see the Gulf. This  
9 is going to be first class.

10           Do y'all have any questions of me?

11           MR. WILLIAMS: Any questions? Go ahead,  
12 Coach.

13           MR. JONES: The one on Broad Avenue from a  
14 one to ten, what would you grade that?

15           MR. GILLESPIE: I'm going to let Mr. Sawyer  
16 answer that.

17           MR. SAWYER: (From audience) I wouldn't try  
18 to do that.

19           MR. WILLIAMS: No, that's okay.

20           MR. GILLESPIE: I'm not rich enough to afford  
21 one of these.

22           MR. JONES: Okay. The second thing, I know  
23 you're going to have some complaints by building it right  
24 there where you're building. I know that area. My  
25 question: Have you kind of talked with the community?

1 Because I heard you say it, but did you all really get good  
2 response from the neighbors in that area?

3 MR. GILLESPIE: That's what Mr. Pete and P.J.  
4 told me. I think -- didn't y'all go together? They went  
5 together. They tried to talk to everybody.

6 MR. JONES: And if approved, will they join  
7 other -- what's the word I want to use? -- would they join  
8 other clubs across the Nation? I know that they're really  
9 popular. But my question: If this is approved, would you  
10 all join other clubs across the Nation?

11 MR. GILLESPIE: I think that's how they get  
12 their business is being in association with other clubs.  
13 Otherwise, I don't think people would know about it the way  
14 you can if you make that association.

15 MR. WILLIAMS: Thank you, Coach.

16 MR. HEWES: Just a question on that future  
17 commercial parcel. Is that something that they own, also?  
18 Or is that just what is probably going to go there? That  
19 little peach colored thing.

20 MR. GILLESPIE: This is for the future. Or  
21 either if they have to they can probably put some more  
22 trailers in there. But right now, that doesn't fit into the  
23 pattern as good as the rest of it. But the bank owns it.

24 MR. HEWES: Okay. Thank you.

25 MS. ADOLPH: May I ask a question?

1 MR. WILLIAMS: Ms. Virginia.

2 MS. ADOLPH: Mr. Virgil, how many pods are  
3 you talking about, how many area units are you talking about  
4 in there?

5 MR. GILLESPIE: I thought they had the number  
6 of units on there.

7 MR. WILLIAMS: Sixty total RV pads in the  
8 bottom right corner, that's correct, right here. Do you see  
9 it? Right above the north.

10 MR. GILLESPIE: You know I can't -- oh.  
11 Right there, right looking at me in the face, yes, 60 pads.

12 MS. ADOLPH: You're right up on it. I'm glad  
13 I'm way over here. With 63, and you're talking about doing  
14 this on four parcels of the property, of the entire  
15 property, right there, right? Right now we're talking about  
16 strictly that right now.

17 MR. GILLESPIE: The number of parcels is sort  
18 of deceptive if we're talking about parcels.

19 This was the property that this fellow up in  
20 Hattiesburg put together, and you had the big lawsuit with  
21 the city if you'll remember that. Joe Sam Owen was all  
22 involved in it. And he bought these in little pieces.

23 MS. ADOLPH: I'm just reading from our  
24 description that it would just occupy the four parcels right  
25 now.

1 MR. GILLESPIE: I was calling those four  
2 this, this, this, and this.

3 MS. ADOLPH: All of that. Okay.

4 MR. GILLESPIE: I'm sorry if I was confusing  
5 about that.

6 MS. ADOLPH: That's okay. Thank you.

7 MR. WILLIAMS: All right. Other questions?

8 MR. DAIGLE: Yes. I love your plan. I think  
9 it's going to be great, pretty excited about it.

10 I have a question on the northern end you  
11 have an H refers to the secondary amenity area.

12 MR. GILLESPIE: Yes.

13 MR. DAIGLE: Can you tell me what that means?  
14 I'm also just curious. It doesn't really affect rezoning I  
15 don't think.

16 MR. GILLESPIE: And it's this right here?

17 MR. DAIGLE: Yeah, because that's going to  
18 abut to the residential area to the north. And so --

19 MR. GILLESPIE: I'm sorry. I have no idea.

20 MR. DAIGLE: You said that someone else is  
21 coming up?

22 MR. GILLESPIE: Yes. I can have Mr. Vaccaro  
23 come up and address that.

24 Why don't you come up?

25 MR. VACCARO: P.J. Vaccaro, 1900 Destrehan

1 Avenue, Harvey, Louisiana, and 2069 Baywood Drive in Biloxi;  
2 we have a house here, too.

3           The secondary amenity is like bocce ball, a  
4 horseshoe game, or something small that they play, but  
5 nothing loud or crazy. We haven't decided exactly, but just  
6 something small. There's not much room there.

7           MR. DAIGLE: That was my biggest concern  
8 obviously with it being so close to the residential area,  
9 you know, what exactly that meant.

10           MR. VACCARO: Right.

11           MR. DAIGLE: Sounds about right. Thank you.

12           MR. WILLIAMS: Thank you, sir. Anything to  
13 add or any other that you'd like to add to?

14           MR. VACCARO: Would love to do this project.  
15 I love the Gulf Coast. So we're here a lot like Virgil said  
16 with Cruisin' the Coast, and we've got a house up here every  
17 weekend. And we just think that this would be a great  
18 project to do on the coast.

19           We have an RV. We like RV'ing. It's  
20 something we want to do if it's approved.

21           MR. WILLIAMS: Thank you, sir. Appreciate  
22 it.

23           MR. VACCARO: Thank you.

24           MR. WILLIAMS: Anyone else here to speak for  
25 it? Mr. Sawyer?

1 MR. SAWYER: Lenny Sawyer, 1801 24th Avenue,  
2 Gulfport, Mississippi.

3 I'm here to speak for the project, but I want  
4 Coach to know I'm not an expert on appraising the value of  
5 these numbers one to ten. But I can tell you I had Class A  
6 motor coach for ten years, and I loved it. My wife didn't  
7 care for it too much, but I loved it. And we traveled all  
8 over the United States. And when we were members of the  
9 Family Motor Coach Association, they used to rate these  
10 parks one to ten, ten being the nicest. At that time,  
11 Destin and Orange Beach had two parks that were number tens.  
12 Then Marlin Torgusen with Casino Magic built one over to the  
13 west of us.

14 This will be absolutely a great asset to the  
15 Mississippi Gulf Coast to have that quality of a park there  
16 with only sixty something spaces. And being on the beach  
17 and being on Cowan as wide as it is with the turn lane when  
18 you're towing a vehicle behind it you got to have a lot of  
19 room. And they planned that. And being by the fire station  
20 has worked well for the city to have a fire station there.

21 So I wanted to say this is a great time for  
22 us to get a quality RV park here.

23 Than you very much.

24 MR. WILLIAMS: Thank you, sir. Appreciate  
25 it.

1                   Anyone else here to speak for the request?

2                   Anyone here to speak against the request

3 tonight?

4                   All right. Yes, ma'am or who.

5                   MR. BRUNELL: Good afternoon. Thank you for  
6 the opportunity to address the zoning application before the  
7 board.

8                   My name is Roger Brunell. I live at 1457  
9 Georgia Place in Gulfport.

10                   The applicant in this matter it's come out in  
11 some of what is being said now has been shown a lack of  
12 candor in this application.

13                   First off, in the change in need document, he  
14 speaks of a jumble of different zoning at this particular  
15 location.

16                   This is not a jumble of zoning. This is an  
17 orderly from T6 at the corner progressing to T5 north and  
18 east progressing to T4 further north and further east.  
19 There's no jumble there. That's an orderly progression of  
20 zoning as zoning should be.

21                   Georgia Place and further east, those are the  
22 areas that are T4. Georgia Place, the lots that have been  
23 developed were mainly developed after Katrina and have been  
24 developed since Katrina, all consist of single family  
25 dwellings.

1           Likewise as you head east on 90, most of that  
2 land is vacant. That's why he has the application. But  
3 what land is occupied is again single family dwellings.

4           A drive along Highway 90 in Gulfport reveals  
5 several new dwellings being built or under construction all  
6 along the highway. There's no need to undo what  
7 historically has been the nature of Highway 90 and the  
8 dwellings.

9           More specifically, there's a new dwelling has  
10 been completed just east of this tract, and then there's  
11 another dwelling under construction down by Anniston Avenue  
12 and 90.

13           My biggest concern, though, is that the  
14 application includes the rezoning of Lot 2253 as shown on  
15 the zoning map amendment, also identified as 1432 Georgia  
16 Place, Parcel Number 1010N-04-29.000 Lot 8 Jim Allen  
17 subdivision on the agent authorization form.

18           Georgia Place is a quiet dead-end street. It  
19 terminates at the end in a circle with single family  
20 dwellings on it. Except for the fire house on the corner of  
21 Cowan Road, all parcels on Georgia Place are either occupied  
22 by single dwellings or vacant since Hurricane Katrina.

23           Rezoning a parcel at 1432 Georgia Place is  
24 totally out of character for a quiet limited access  
25 residential street and will, in fact, then contribute to the

1 so-called jumble of different zoning at this particular  
2 location. And it exemplifies spot zoning which is something  
3 that should always be discouraged.

4           Most bizarre is the fact that the rezoning of  
5 that lot surrounded by single family dwellings to T5 result  
6 in the prohibition of building another single family  
7 dwelling on that lot because T5 does not allow for single  
8 family dwellings.

9           That makes no sense in the middle of Georgia  
10 Place.

11           Regardless of what specific use the applicant  
12 states is planned for this entire parcel, the fact is that  
13 any rezoning does not limit the use of that parcel to any  
14 specific use now or in the future. The middle of the block  
15 on Georgia Place is not a suitable location for business of  
16 any type. Any suggestion that rezoning the parcel at 1432  
17 Georgia Place should be approved shows utter disregard for  
18 the residents of Georgia Place, some who have enjoyed this  
19 quiet neighborhood for decades.

20           So in conclusion, I object to the granting of  
21 any of this application, and in particular I am adamantly  
22 opposed to any commercial zoning on Georgia Place.

23           MR. WILLIAMS: Thank you, sir. Appreciate  
24 it. Very well said.

25           Anyone else here to speak against this?

1 MR. DAVIS: My name is Gene Davis. I live at  
2 1421 Georgia Place. I've owned that property for over 50  
3 years. Fact is, I'm the one that named it Georgia Place.

4 The people from Louisiana want to build that  
5 park down there, and I think that's good. I'm not against  
6 them building it. I'm not against them changing the zoning  
7 on that property.

8 I am very seriously against changing the  
9 zoning in Georgia Place for this reason. I live at the  
10 corner, on the northeast corner, of Georgia Place and 605.  
11 One of the nicest fire stations on the coast, probably top  
12 ten in the United States, is on the southeast corner. They  
13 are excellent neighbors.

14 However, they have a small problem like the  
15 one I have. When you're on 605 there's a turning lane.  
16 It's five lane now counting the turning lane. Sidewalks,  
17 well lit, beautiful. When you get close to Georgia Place,  
18 it looks like, and you can see it on that, if you look, it  
19 looks like it's going to be another boulevard going east.

20 At least five cars a day just on a normal day  
21 turn in there mistakenly. When Cruisin' the Coast or spring  
22 break is here, there's as many as 25 to 30 cars -- and I can  
23 back this up with my camera on my front door, and the fire  
24 department has that.

25 The problem is they think it's a big road.

1 They go to turn in on there, then they realize all of a  
2 sudden it's not, so they turn around in my driveway or the  
3 fire department.

4           Now, changing the zoning in our subdivision  
5 is going to mess up that. It's just a little bitty small  
6 avenue. It's hard to turn a luxury vehicle -- and when you  
7 say luxury RV park, luxury means they're up to 45 feet long.  
8 And most of them going to be pulling a Jeep Cherokee.  
9 They're four wheels on the ground. You cannot back them up.  
10 You cannot turn sharp. It's hard for me. I have a little  
11 Jeep, and I have a little Jon boat, aluminum Jon boat. It's  
12 hard for me to back in my driveway because it's so narrow on  
13 Georgia Place. It takes me time. The fire department can  
14 tell you. They laugh at me. But I get it in there.

15           If a motor home turns in there, they can't  
16 even make that circle without running on somebody's property  
17 at that circle at the end.

18           Now Jim Allen is a different subdivision than  
19 Georgia Place. Georgia Place is the (       ) lot line at the  
20 east end of -- at Jim Allen subdivision.

21           I don't see why anybody has any want or right  
22 to change our zoning. Now, they're going to build something  
23 nice. I'm not against that. I'm against what they're doing  
24 to our place there.

25           There's been some talk to eliminate problems

1 like this coming up is making it a gated community. That  
2 might what we can do there, you know, if a majority of the  
3 people want it.

4 MR. WILLIAMS: All right. Thank you, sir.  
5 Appreciate it.

6 Next speaker on this.

7 MR. HEWES: While he's coming up, can I get a  
8 clarification. In looking at this, is any of the zoning  
9 going to change except for that one lot in the Georgia Place  
10 subdivision, or is that going to remain I believe it's T4+,  
11 is that correct?

12 MR. HOLMES: It's only that one lot in  
13 Georgia Place that they're proposing to rezone. And then  
14 that to the south you have that property which is T3, T4+,  
15 they're going to change it.

16 MR. HEWES: The Georgia Place subdivision as  
17 it stands is not going to be changed.

18 MR. HOLMES: No, sir.

19 MR. HEWES: Okay. Thank you.

20 MR. PEMBERTON: Just that one little parcel,  
21 is that correct? Now, on his map that shows these  
22 amenities, will T4+ allow those amenities? Because it's not  
23 R-B.

24 MR. HOLMES: One thing I want to say, this is  
25 just a rezoning. Even if this is rezoned, it still needs

1 planning commission approval for this use. So this will be  
2 back before this body.

3 MR. PEMBERTON: Yes. But for clarification  
4 purposes, does -- T4+ will allow that park.

5 MR. HOLMES: If it's part of the development,  
6 it needs to be all together, so that means it's going to  
7 have to get planning approval as part of the actual RV park.  
8 But, no, you can't have an RV park in T4+.

9 MR. PEMBERTON: Not an RV park. But if they  
10 have that separate. So to eliminate spot zoning and to  
11 address the concern just that one little part, you can  
12 change the zoning in the middle of the parcel.

13 MR. HOLMES: Yes, you can.

14 MR. PEMBERTON: And if it meets the intent on  
15 what they want to do, and if it meets the intent of making  
16 everyone else happy, then that's really what we want to do.

17 MR. HOLMES: I think that would be completely  
18 up to the applicant.

19 MR. PEMBERTON: Yeah. But it's feasible. I  
20 mean, because a lazy river would be allowed under T4+.

21 MR. HOLMES: But that (inaudible) would be  
22 something (inaudible) would be an amenity for it.

23 MR. PEMBERTON: It's allowed. So the parking  
24 is down here. It just seems like there's a huge compromise  
25 on this.

1 MR. WILLIAMS: All right. Yes, sir.

2 MR. CYRUS: My name is Bernie Cyrus. I own  
3 the property at 1446 Georgia Place.

4 I'm all for developers that are doing good  
5 things for the community and so forth. But I retired from  
6 government 25 years. I got five beautiful grandchildren. I  
7 bring them out here because I don't get to see them any more  
8 since their dad built a pool. But they love Gulfport. They  
9 love coming out here. They love the Discovery place, they  
10 love the museums, and they love the Aquarium, and they  
11 really like Georgia Place.

12 And the interesting thing here is if you look  
13 at the map and see Georgia Place, it looks like a golf club,  
14 the bottom of a golf club you can see. I'm on the corner.  
15 But the gentleman who spoke before me was correct. If any  
16 cars go down there, heck, we can barely get a bicycle around  
17 there without going up on the sidewalk.

18 That's going to create a lot of problems.  
19 And I don't know, have there been any traffic studies to  
20 show the impact that this is going to have on our community?  
21 I think it's rather ludicrous to take that lot that's facing  
22 Georgia Place and make it have egress to this project  
23 because you're going to have so many cars coming through,  
24 what's the security risk there. Are there going to be more  
25 police that have to come in?

1 I have never seen the rendering that the  
2 gentleman brought up here. As a matter of fact, I asked a  
3 few of my neighbors, and they have never been knocked on  
4 their door talked about this project. And I still haven't  
5 seen it because it's been facing you guys.

6 But I think this is totally unfair. And I  
7 think this is too quick to make a change on something like  
8 this when you've got basically a dead-end street, that  
9 cul-de-sac. And people aren't coming down there now. You  
10 do this, especially if you give them egress, no telling what  
11 kind of vehicles are going to be coming down there.

12 I'd like to say I'm all for splash parks and  
13 I've got grandchildren and all, but this might even compete  
14 with some of the things out there that we're growing tax  
15 monies right now like the aforementioned things like the  
16 museums and the Aquarium and so forth with an attraction.

17 I don't believe that our valuable assets,  
18 which is property and homes, should be thrown aside because  
19 of the valuable assets of a substantial quote unquote  
20 developer. I think our rights are important, too, and  
21 especially the fact that we chose to live here to make our  
22 lives here, not just for profit or anything else.

23 And I believe that there's just a rush here.  
24 They say it's a great RV park. Again, this is all abstract.  
25 We have never seen anything. Today it's a luxury RV park,

1 ten years from now it's a gypsy circus group coming in. We  
2 don't know.

3                   We should adhere to the quality of life and  
4 standard that the people of Gulfport who have resided here  
5 and made investments that they can hold onto for their  
6 future generations.

7                   And again, we haven't seen enough to really  
8 make a logical educational study on what's going on here.  
9 But from the get go, from the emotional standpoint, as you  
10 can see, I'm very concerned and I know my neighbors are.  
11 And again, this is the first time we're getting a chance to  
12 even look at this proposal, and we haven't really looked at  
13 it yet.

14                   So if y'all would just not rush into this,  
15 I'd pray on the wisdom of this body to realize that there  
16 are a lot of things valuable here, and our property rights  
17 are the most important ones because we've been Gulfport  
18 people. I came here, I fell in love with this town. It is  
19 a beautiful city, and I'm involved in community, too, where  
20 I come from. I've done a lot of things at my jobs in the  
21 past to benefit tourism industry, recreational, I'm all for  
22 that.

23                   I just can't see at least right now that lot  
24 on Georgia Place should be taken off the table in good  
25 faith, I believe, because that is not feasible at all.

1                   Now, as far as the properties behind me and  
2 everything where it's, you know, we haven't seen anything.

3                   This is a very profitable business, this RV  
4 trailer park business. They don't have to do much. Put the  
5 pads down. Set in electricity. Set in utilities. Rake it  
6 in. That's not wrong. This is America. You should be able  
7 to do that. But we should be able to do what we have  
8 constitutional rights to protect our property and our assets  
9 that we've invested in as citizens, not as developers.

10                  So again, this is not personal, this is about  
11 family and quality of life issues. And if you want Gulfport  
12 to keep developing, bring in RV trailers on the beach,  
13 hanging in here, I don't think that's the aesthetic quality  
14 that people are going to come here for.

15                  Thank you.

16                  MR. WILLIAMS: All right. Thank you, sir.  
17 Appreciate it.

18                  Next person.

19                  MR. PERKINS: My name is Charlie Perkins. I  
20 live at -- well, I own 1445 Georgia Place which is almost  
21 right across the street from this -- the lot that they're  
22 talking about.

23                  I want to address the park to start off with  
24 though. That piece of property is almost -- I don't know --  
25 90 is one of the most traveled roads into Gulfport, and it's

1 right there on 90. And it's like five or six acres that's  
2 overlooking the Gulf. And I just feel like that would be a  
3 bad misuse for that property as far as the City of Gulfport.

4           And from what my understanding is, it's not  
5 going, as far as your tax base, it's not really going to  
6 bring up your tax base because there won't be any -- you'd  
7 basically be still taxed on the property. It won't be any  
8 amenities on it.

9           There's a lot of things that could go there  
10 that would really be a lot better use on that property. Not  
11 that -- I know I can't tell anybody what they can do with  
12 their property, but I just think that something like that  
13 put down there, that could be there another 10 or 15 years,  
14 and then somebody will end up buying it and do something  
15 real nice on it, and then it's just going to kick the can  
16 down the road as far as what develops the coast back.

17           That's just my thoughts on that.

18           But as far as Georgia Place, it's all zoned  
19 single family residence, and just -- that's one of the  
20 original -- Georgia Place was added onto twice, and that lot  
21 is in the first addition. And it has the covenants where  
22 you can only put a single family house on that property.  
23 But if it's rezoned and it's, you know -- I know that --

24           But my main thing is the future use of it.  
25 If y'all zone all this T5, plus that lot is tying our

1 subdivision into that lot, whatever they do, but somebody is  
2 eventually else going to get that property and do something  
3 with it, and then they would have access to that property  
4 from our road so we'd have three accesses to it, which I'm  
5 sure that's why -- I feel like that's probably why they're  
6 adding that in there is for future use as far as access.

7           But that's my main concern is not rezoning at  
8 least our residential. Thank you.

9           MR. WILLIAMS: Thank you. Appreciate it.

10           Next person to speak.

11           MS. DAVIS: My name is Rebecca Davis, and I  
12 live with Mr. Davis at 1421 Georgia Place. And as you can  
13 tell, we love our neighborhood. I came from eye surgery to  
14 come and speak.

15           The way I understand it is that -- I called  
16 the code office, the zoning office, and was told that once  
17 it's changed to T5 whether they say it's not going to be  
18 egress or ingress, whether they say it's only going to be a  
19 dog park or green space, they can do whatever T5 allows.

20           Now, I've got the covenants here, and the  
21 covenants say the restrictions claimed herein shall apply to  
22 the entire subdivision consisting of the lots. Now this is  
23 Jim Allen subdivision, which those two lots are included  
24 through the 20 houses. And it says single family dwelling  
25 only with a garage.

1 Well, my concern is I heard one of the  
2 gentlemen say, well, we're not sure what we're going to do  
3 right there right now. Okay. But down the road what's  
4 going to happen?

5 Like one of the gentlemen said, it's a nice  
6 quiet subdivision, mostly retired people with their  
7 grandkids visiting. But what happens if they do want to  
8 enter and exit through there?

9 First of all, when you come out of Georgia  
10 Place and you're sitting ready to go south on Cowan Road or  
11 605, sometimes you have to sit there quite a while to wait  
12 for the northbound or southbound traffic to go by. If  
13 there's a 45 foot RV waiting to turn into Georgia Place, you  
14 can't see the cars coming. They can't turn in because it's  
15 a narrow road. I just think that Georgia Place needs to  
16 remain a residential area.

17 I've got a couple of questions here.

18 Are they planning -- we couldn't see the  
19 cardboard thing that he had. We couldn't see that. What is  
20 the plan on those two lots? Is that a driveway to get in  
21 the back?

22 I did understand they're not going to enter  
23 the RV park from Highway 90. So where would the RVs be  
24 entering and exiting --

25 MR. WILLIAMS: We'll get an answer for that

1 after.

2 MS. DAVIS: -- the trailer park.

3 We want to keep our subdivision nice, quiet,  
4 that we can enjoy peacefully. And it's not real peaceful  
5 when, like he said, during Cruisin' and spring break. We  
6 sometimes have 20 cars coming down. I've had them sitting  
7 in my front yard right at the curb revving their engines.

8 And I want to say, also, we're both retired,  
9 and since the pandemic we rarely leave the house. Nobody  
10 has knocked on our door to ask us what we thought, and we're  
11 the first house in the subdivision. So it's not like they  
12 had to go hunt us up. We're right there on the corner, on  
13 the northeast corner of Cowan and Georgia Place.

14 So nobody asked us. Very opposed to anything  
15 but residential on those two lots.

16 Let me see. And I will say I know  
17 developers. I'm with my husband, I agree with developing.  
18 But I can pretty much be sure the developer is not vested in  
19 our comfort. They're not interested like we are. Our house  
20 has been there over 50 years.

21 So I'm very opposed, and I would like it to  
22 say so. Thank you so much.

23 MR. WILLIAMS: Appreciate it.

24 Next person.

25 MR. MAYER: Hi. I live at 1449 Georgia

1 Place, and it's a great place to live.

2 MR. WILLIAMS: Your name.

3 MR. MAYER: Mark Mayer, M-A-Y-E-R.

4 MR. WILLIAMS: All right. Appreciate it.

5 MR. MAYER: So on most days I'll go down to  
6 the beach and walk. But I have a little problem getting  
7 across that intersection. And the City of Gulfport has  
8 demonstrated quite clearly they don't have the ability, they  
9 don't have the wherewithal, they don't have the technology  
10 to have a functioning crosswalk at Cowan-Lorraine.

11 Let me say that again. That's an intentional  
12 disabled crosswalk. If you want to get across that  
13 crosswalk, you play dodge car, you and everybody else.

14 If this proposal is passed, you're going to  
15 increase the number of pedestrians getting across that  
16 Highway 90. How many are going to get killed? How many  
17 have gotten killed this year? I know of about four. How  
18 many will get killed after another 100 people a day are  
19 trying to get across that highway?

20 Why don't we solve that problem first. Why  
21 don't we figure out how to get people across that highway  
22 safely before we add more people.

23 MR. WILLIAMS: All right. Thank you, sir.  
24 Appreciate it.

25 Anyone else wish to speak?

1 MR. ROUSE: I'm going to try and make this  
2 brief. I'm Ronnie Rouse. I have a house at 1426 Georgia  
3 Place which is right next to the fire department.

4 My biggest concern -- I'm not really against  
5 the development. My biggest concern is finding out what's  
6 going to be jutting up against my yard because their  
7 property will be on one side and the back of my house.

8 So I'm really concerned, you know, what I'm  
9 going to have as a neighbor.

10 And that's really all I needed is  
11 clarification on what will be put up there.

12 MR. WILLIAMS: All right. Thank you.

13 Next person.

14 MR. BELLER: Good afternoon. My name is  
15 Steve Beller. I represent all the property that you see up  
16 there on the red side of it, on the east side. We have two  
17 residential single family homes that have been there, were  
18 blown away a couple of times. We rebuilt the first time  
19 after Katrina. We have not rebuilt yet on the two after --  
20 no. We rebuilt after Camille. Excuse me. We did not  
21 rebuild after Katrina.

22 But that whole red section that runs to the  
23 east side of this development is our residential property.  
24 It's two properties. It's been owned by the family since  
25 the early '50s. And we're real uncomfortable with the

1 concept that we went from a single family lot, it was a  
2 single family residence, I pulled up the tax reports of it,  
3 and it shows they're single family residence. They're  
4 listed as single family. You look at the zoning, and all of  
5 a sudden now it's T3, 4, something that we don't know what  
6 it is. But it's not single family resident.

7           And we're very concerned with having that  
8 butting up to next to our property. We go across that --  
9 you can't really see it here, but there's water, there's a  
10 creek that runs through the property. We're on both sides  
11 of that creek.

12           If you look back towards, when you're going  
13 back towards Georgia Place, there's a creek that runs down.  
14 You can't see it very clearly. But it's right there. And  
15 it's about three, four feet deep. People have -- you know,  
16 I even built a bridge from the subdivision up there, and  
17 we've allowed them to come through so they would have access  
18 to the beach so they would not have to go through the  
19 highway and everything else to get down there.

20           We're very concerned with the fact that part  
21 of this is changing us from a single family residence to a  
22 commercial rating, commercial -- what do you call it?

23           Anyway, we're very concerned about that. Our  
24 plans have been, we've been working with an architect to  
25 redevelop our property and build a home on there.

1                   We have families that are all over the  
2 country. We're from here. We live here. But we want to  
3 redevelop that property into private -- I mean, a single  
4 family residence maybe with a couple of little outhouses for  
5 the rest of the family so everybody can come at one time.  
6 There was one of those before. It's now gone past Georgia  
7 Place. Most of the stuff that was where our lot was was  
8 blown up into the railroad tracks in there after.

9                   But we are not -- I'm not against  
10 development, but I'm very concerned with the fact that all  
11 of a sudden we wake up and the zoning has been changed to  
12 put a big commercial something right up to our door on our  
13 property, and, you know, this is a residence. These are  
14 residences that have been there since the '50s. That's over  
15 70 years. And all of a sudden, our nextdoor neighbor, there  
16 was a home on the other side of us, the one you see right to  
17 the left was a home, used to be a home. It got blown away,  
18 and it got changed over to a commercial lot.

19                   But we've got the two in the red right there  
20 are ours, and we really don't want to see that happen. We  
21 don't want to watch it just start galloping down, and all of  
22 a sudden you have another little storm, and somebody comes  
23 back in and builds something else on there because it's  
24 zoned something else, you know, we're now commercial.

25                   I'm very concerned about this. I think it's

1 changing the family neighborhood. And it was mentioned  
2 earlier that everybody was asked about it. Nobody that I  
3 know that owns property along the beach has been asked about  
4 it, not a soul. I've been on the phone talking to people  
5 today, and nobody has been asked. Maybe one person I wasn't  
6 able to get a hold of that's right next to us. But I  
7 guarantee you, he wouldn't want it, either.

8           I just don't understand how, you know, what  
9 has been a neighborhood -- now, the blue down here, that was  
10 a service station and what we called the Flying Trailers up  
11 there, the stacked up trailers that was just brought in and  
12 made a little motel out of it, apartments, and different  
13 things. That was the blue. The purple was residences.

14           Now the purple is becoming part of this  
15 trailer park. And I don't mean to say trailer park, but  
16 luxury camper facility. You know, I understand how it would  
17 fit for Cruisin' the Coast for what an important part of the  
18 coast Cruisin' is, but it doesn't necessarily have to be --  
19 there's enough vacant property on the beach all the way up  
20 and down that's got service stations and stuff on it and all  
21 this other stuff that was commercial and has been commercial  
22 forever, why are we digging in -- I know it's a good road --  
23 but why are we digging into the residences there that have  
24 been there for 70 plus years.

25           That's my concern. I don't want to see the

1 character of our neighborhood -- people next door built a  
2 nice new house. Other people are in the process of doing  
3 the same thing. We're fixing to, we've got plans drawn up  
4 to build a home there, it's two lots. It was the family  
5 lot, and then it was the grandmother's house right next  
6 door. So those two lots are now being zoned commercial, and  
7 I can't understand how that can be done just because we  
8 don't have a house on it right now.

9 MR. WILLIAMS: All right. Thank you, sir.  
10 Appreciate it.

11 Anyone else wish to speak?

12 MS. KERSHAW: Good evening. My name is  
13 Rebecca Kershaw. I live at 1457 Georgia Place.

14 This home that I have now is my second home.  
15 And my husband Roger Brunell spoke earlier.

16 My concern specifically is about the lot on  
17 Georgia Place zoning being changed.

18 That is a horrible concept to think that I  
19 could wake up and have that turn into another roadway. It's  
20 hard enough as it is sometimes to get out of Georgia Place  
21 when you want to go to Rouse's or anywhere else. But if  
22 this passes and the lot on Georgia Place is changed in the  
23 zoning so that it is considered commercial and cannot ever  
24 become residential again, I tell you what, I will sell my  
25 house and move.

1 Georgia Place is a nice little place to live.  
2 I have grandchildren now. When I bought there in 1990, my  
3 son was attending Anniston Elementary. He's 43 now, and I  
4 have three grandchildren, and they love to come and they  
5 visit often when they're not busy.

6 So I want it to be a safe street where  
7 there's no access to heavy traffic. And I would be appalled  
8 if a big motor home ever came down that street and tried to  
9 get under the tree that goes across from Georgia Place from  
10 our friend Mark's house.

11 So thank you for letting me speak.

12 MR. WILLIAMS: Thank you so much. Appreciate  
13 it.

14 Anyone else want to speak?

15 Go ahead.

16 MR. PEMBERTON: I've got a couple of  
17 questions.

18 First and foremost, I never heard anyone  
19 proposing using Georgia Place as a point of entry to get to  
20 this when they just come off of Cowan Road.

21 But just in a usage standpoint, you have the  
22 fire station already zoned T5, and then you have the  
23 majority of the parcels that they have is T5. Then you've  
24 got some T4 to the east.

25 If we were to propose taking where that T4 is

1 that they want to make it to T5 on the east side but left  
2 the T4+ on the Georgia Place which is currently the way it's  
3 zoned, I feel like based on the colored rendering that it  
4 would meet what everybody wants but it would still give that  
5 a little bit of a ( ) going into it because there's not  
6 any proposed RV being there. But it's still going to have  
7 to come back through this board to get the final site plan  
8 approval.

9                   So I feel like we're kind of going down a  
10 rapids river right now and we're not focused on the  
11 immediate need right here. And this is, in essence, we  
12 would have to approve them to have access coming off of  
13 Georgia Place for whatever they want to do, correct?

14                   MR. HOLMES: If this gets approved tonight,  
15 they have to come back and get planning commission approval,  
16 yes, you would have to approve that site plan.

17                   MR. PEMBERTON: Yeah. So we're not focusing  
18 -- I just want to tell you guys. We don't need to be  
19 worried about a site plan right now because that's not the  
20 purpose of this application. That would be the purpose of  
21 the next application.

22                   So I feel like that being said, I think it's  
23 a good project.

24                   MR. WILLIAMS: Again, and Garlon, we've  
25 talked about this the last couple of times, this is a

1 rezoning. And all of this discussion about what's going  
2 there is really a moot point because I've been on this  
3 commission 18, 20 years whatever it is, I can't tell you how  
4 many times we've rezoned property for a particular project,  
5 and what was built on that project was completely different  
6 when it actually got built.

7                   So this is about the rezoning. I agree with  
8 you.

9                   But I do think it was important since they do  
10 have something they want to put on it that they did talk  
11 about it. My biggest issue with this is rezoning that lot  
12 in Georgia Place as T5. If we do that as a commission, I  
13 think it's ridiculous.

14                   I agree with what you're saying. I agree  
15 with what you're saying.

16                   MR. PEMBERTON: And we get rid of all the  
17 spot zoning. We continue the T4+ right there on the Georgia  
18 Place street as it currently is. That would address the  
19 concerns for the people on Georgia Place. And then the T5  
20 on the east side. And you still go from T5 to T4+ to T3.

21                   So I feel like it meets the intent of  
22 everyone.

23                   MR. WILLIAMS: I agree.

24                   So, Virgil, come back up and talk to us a  
25 little bit about what they were discussing. I am a little

1 concerned. I'm not sure too many residents have been told  
2 what was going in here, and I'm not sure too much effort was  
3 made to talk to people because there are a lot of them that  
4 haven't heard anything, so -- which is fine.

5           And so I guess what I'll do first of all is  
6 ask you to turn that around and let the audience see it for  
7 a second. And I'm not going to have you talk to the  
8 audience, but I do want to show where the ingress and egress  
9 off of Cowan-Lorraine Road is that you can see there because  
10 the one lady had the question about where the ingress and  
11 egress was. So it's certainly on Cowan-Lorraine Road.

12           If anybody comes up and looks at it, please  
13 hold your conversations to none. You can certainly take a  
14 look at it if you would.

15           So, Virgil, talk to me a little bit about --  
16 while they're doing that and they can look at it while we're  
17 talking. We've seen it, and we've got it here. So talk to  
18 me a little bit about the importance of having that lot in  
19 Georgia Place as a T5. And you don't have to point to it,  
20 just talk to us about it.

21           MR. GILLESPIE: Okay. Let me emphasize that  
22 the --

23           (Audience having conversations.)

24           MR. GILLESPIE: The lots on Georgia Place --

25           MR. WILLIAMS: Y'all, I'm going to make you sit

1 down if there's conversation. Okay? I'm going to make you  
2 sit down if there's conversation. Thank you.

3 All right. Go ahead, Virgil.

4 MR. GILLESPIE: I really need to turn this  
5 around.

6 MR. WILLIAMS: Okay. Thank y'all. Turn it  
7 around. I disagree with you, but we'll do it. Turn it  
8 around, go ahead. Go ahead, turn it around. Turn it  
9 around, Virgil, please. Thank you.

10 MR. GILLESPIE: All right. I want to make a  
11 point here that this right here, this is the Georgia Place  
12 T4+. Everything from there, all of this is T5. We're not  
13 asking to change any of this.

14 MR. WILLIAMS: And we know that.

15 MR. GILLESPIE: We're asking to change this  
16 and a little bit of this over here that's T4+.

17 MR. WILLIAMS: I understand that.

18 MR. GILLESPIE: This is T5. This is T6.

19 MR. WILLIAMS: So why do you need T5 on a lot  
20 in Georgia Place?

21 MR. GILLESPIE: Okay. For practical  
22 purposes, number one. As part of the property, we have an  
23 option. The bank, they want to sell it to us. What we're  
24 going to do is put the end of the pool here.

25 Sure, we could cut it off right there. Cut

1 it off right there. But that's 107 feet. But everything  
2 they're complaining about is still going to be there.

3 In other words, the pool is still going to be  
4 right in here.

5 All we're asking is give us a little bit more  
6 room to do what -- I mean, I can't see how 107 feet --

7 MR. WILLIAMS: Can your pool not go in T4L?

8 MR. GILLESPIE: Sir?

9 MR. WILLIAMS: Can your pool not go in T4L?

10 MR. PEMBERTON: It's T4+.

11 MR. WILLIAMS: T4+. Thank you for correcting  
12 me.

13 MR. PEMBERTON: What you have proposed,  
14 correct me if I'm wrong, on that north part, if we left it  
15 T4+, it does not affect your development as proposed. It  
16 also addresses the concerns of the neighbors.

17 So if that's really what you're going to want  
18 built, I feel that there's a simple compromise.

19 MR. WILLIAMS: Everybody wins in that.

20 MR. GILLESPIE: Well, we don't want to  
21 disturb the neighbors. What you all are saying is, hey, Mr.  
22 Gillespie, you all might not build this, so do us a favor.  
23 Take it out up on Georgia Place, you can still build it. So  
24 if you don't build it, these people will still have their  
25 T4+.

1 MR. PEMBERTON: That's correct.

2 MR. WILLIAMS: Exactly.

3 MR. GILLESPIE: I don't have a problem with  
4 that.

5 MR. WILLIAMS: Good. Okay. I thought I was  
6 mis-explaining.

7 MR. PEMBERTON: I want one more clarity if  
8 you don't mind.

9 So the subdivision covenants, is that  
10 recorded in the City of Gulfport and enforced by the City of  
11 Gulfport? Or is it just recorded or enforced by the  
12 association?

13 MR. HOLMES: It's recorded in Harrison  
14 County, and the City of Gulfport recognizes covenants, but  
15 we don't enforce them.

16 MR. PEMBERTON: So it doesn't have to be  
17 built as it sits today a single family residence unless  
18 legally the residents of Georgia Place want to not let it  
19 happen, I guess is what I'm saying.

20 MR. GILLESPIE: We recognize we have to obey  
21 covenants.

22 (Comments from audience.)

23 MR. WILLIAMS: That's okay. Shhh. Hang on.  
24 I don't need you. I understand.

25 MR. PEMBERTON: I'm trying to get clarity for

1 myself.

2                   If we left that T4+, by right the T4+ would  
3 allow the pool within those amenities. But the covenants  
4 say it has to be a single family residence. And we have no  
5 right to say anything about those covenants. So where does  
6 that even play a factor I guess is what I'm trying to  
7 understand.

8                   MR. DAIGLE: Aren't we getting a little ahead  
9 of ourselves? Because that's more with the site plan what  
10 they plan to do. What we're talking about now is zoning.

11                   MR. WILLIAMS: I agree with that. I think  
12 this point is important. I totally agree with what you're  
13 saying, but I think this point is important in regards to  
14 the covenants because it was brought up and this whole  
15 discussion has been about what's going there, not about just  
16 rezoning. So I think we're okay, so keep going.

17                   MR. PEMBERTON: I'm definitely not trying --

18                   MR. WILLIAMS: No, certainly not.

19                   MR. PEMBERTON: But I'm trying to get clarity  
20 for them, for you guys and for us.

21                   I think T4+, they can do what they propose, a  
22 T5 do that. Then they're just going to have to figure out  
23 the covenants on their own because that won't come back in  
24 front of us in regards to the covenant matter, correct?

25                   MR. HOLMES: That's correct.

1 MR. WILLIAMS: So what they'd have to do is  
2 take legal action outside of this body.

3 MR. PEMBERTON: Outside of us.

4 MR. WILLIAMS: Correct. Okay.

5 MR. PEMBERTON: I'm sorry.

6 MR. WILLIAMS: No, I think that was  
7 important. So, okay.

8 Go ahead, Charlie.

9 MR. HEWES: Mr. Gillespie, I've got maybe  
10 one, maybe two questions.

11 On that piece of property that is in Georgia  
12 Place proper, other than the fact that the bank wants to  
13 sell it, do you need that to complete this? Because like  
14 what Mr. Williams stated, after 15, 18 years on this  
15 commission we've seen a lot of things go wrong. And one of  
16 the issues that the neighbors have is that turning into an  
17 ingress/egress whether it be emergency, nonemergency, in  
18 their narrow street.

19 And that's very much a concern for me, too,  
20 because they don't need that.

21 So how do we know that down the road, it may  
22 not be Mr. Vaccaro, but someone may purchase it and say,  
23 hey, I've got property that abuts that street, and I'm going  
24 to make that another entrance or exit.

25 So my concern is for the neighbors and to

1 protect the amount of traffic in their neighborhood. And so  
2 do you actually need that to develop this?

3 I personally think it's a wonderful  
4 development, and it's a heck of a lot better than the  
5 trailers on stilts like they talked about. And it's not  
6 going to bring that much traffic on and off. If you have 62  
7 places, you're looking at 60 cars maybe max.

8 So do you need that square, do you need that  
9 piece of property other than cutting the pool down a little  
10 bit?

11 MR. GILLESPIE: I'm not the developer. But  
12 I'm sure they could do the whole project without those  
13 pieces of property. But the bank is going to make us buy  
14 the piece of property whether we use it or not. I mean, you  
15 know that.

16 MR. HEWES: No, I don't. The bank can't make  
17 ( ) you want to spend your money on. They can suggest  
18 it.

19 MR. GILLESPIE: Well, you know, I'm  
20 negotiating with the bank. And if I tell the bank, well,  
21 we're not going to buy that, they're going to say we're not  
22 going to sell it to you because the contract says you got to  
23 buy it all. And why would they want to hold onto that piece  
24 of property?

25 I mean, I'm just --

1 MR. HEWES: Well, the bank is going to --

2 (Speaking over one another.)

3 MR. HEWES: I'm not talking about what you're  
4 going to buy or not. I'm just trying to address the concern  
5 for them that if this becomes a part of this development, it  
6 could easily turn into a street or an alley going into their  
7 neighborhood, and that's a concern for them.

8 And that's part of our duty is to -- I know  
9 we're not talking about a site plan right now, but I think  
10 this needs to be hashed out, and it needs to be answered.

11 MR. GILLESPIE: Okay.

12 We got to purchase the piece of property.  
13 It's in the contract. The bank is going to make us purchase  
14 the piece of property.

15 If we leave it out completely, we're going to  
16 end up owning the piece of property. We'd try to sell it.  
17 But it seems to me that it would be a bigger problem with us  
18 owning it and no restrictions by y'all, seems to me that the  
19 plan would be to say we give you the rezoning of all of it  
20 but -- Charles, I don't know how to answer that.

21 I mean, we're going to end up with the piece  
22 of property but we're not going to build on it, I mean,  
23 unless it's allowed by the covenants in T4+.

24 MR. HEWES: So can I ask Mr. Holmes something  
25 just a point here because when we're looking at what we

1 received in our packet, this piece of property is one square  
2 but it looks like they're developing or buying both of them.  
3 Is that the case, they're trying to zone both of these  
4 pieces?

5 MR. GILLESPIE: One is coming up next month  
6 because we couldn't get the contract with that other lot in  
7 order to get it in to this meeting. So only one of those  
8 lots is on the application tonight.

9 MR. DAIGLE: And then you're going to be  
10 coming back to rezone one next month T5.

11 MR. GILLESPIE: Right. But if we work  
12 something out here tonight about leaving it T4, that won't  
13 come up.

14 MR. ELLIOTT: So this layout that's here,  
15 this can be accomplished the way it's drawn in a T4, right?

16 MR. PEMBERTON: T4+.

17 MR. ELLIOTT: T4+. So the way that's zoned  
18 currently, it doesn't need to be rezoned to T5. With that  
19 zoning, this can happen. You don't have to take it out. We  
20 just do't have to rezone it to accomplish this.

21 So what I think you were saying, Garlon, is  
22 the bottom portion on the beach has to be rezoned to a T5.

23 MR. PEMBERTON: Just a sliver of it. But it  
24 still has a stepdown from a T5 to a T4+ to a T3. So it  
25 still keeps the down zoning like it goes from theirs to the

1 neighbors.

2 MR. ELLIOTT: So that we need to look at  
3 rezoning. But the T4+ up on the top on Georgia Place --

4 MR. PEMBERTON: It just needs to stay T4+.

5 MR. ELLIOTT: If this is, in fact, what you  
6 want to do, nothing needs to change from a zoning  
7 standpoint.

8 MR. GILLESPIE: I'd like to formally withdraw  
9 that part of my application that asks for -- and this one  
10 only asks for T4 -- I mean for T5, and leave everything up  
11 on Georgia Place as T4+ and only ask for this area in here  
12 to be rezoned.

13 MR. PEMBERTON: I think that's a great  
14 compromise.

15 MR. GILLESPIE: Now, we're not going to ever  
16 bring any traffic off of Georgia Place. We don't want  
17 traffic off of Georgia Place. We will probably still do the  
18 buffer up here whether we put anything up there or not  
19 because we want to be -- I know, look, I know how these  
20 people feel, you know. I was here a couple of weeks ago,  
21 and I thought everybody was going to kill me in a  
22 neighborhood I lived in.

23 But I want to be friends with these people up  
24 here. I want to have as good a relationship as possible  
25 with them. And that means no traffic on Georgia Place. You

1 see, we've put a boulevard coming in here because we know,  
2 yeah, those are big machines. No machine is going to come  
3 down Georgia Place.

4 MR. DAIGLE: Can I ask just have one more  
5 question?

6 One of the concerns the gentleman I think who  
7 lives next to the fire department brought up, he was talking  
8 about people mistaking Georgia Place as a turn into this RV  
9 park. Do you have any signage or anything to go out there  
10 on the main road?

11 MR. GILLESPIE: We'd be more than willing to  
12 work with the fire and police in regard to doing that. I  
13 mean, I could see the point there.

14 MR. DAIGLE: It's something to think about.

15 MR. GILLESPIE: We'd be happy to do that.

16 MR. WILLIAMS: All right. Commissioners, any  
17 other questions? And Greg has acknowledged that we can  
18 obviously in our motion say that we're looking at doing this  
19 rezoning except for the parcel that is on Georgia Place and  
20 leave it as T4L -- T4+. Thanks, Garlon, for keeping me  
21 straight.

22 MR. HEWES: And just a point, if we leave it  
23 like that, they won't need to come in the future to a future  
24 meeting about that other lot that they're looking at  
25 purchasing.

1 MR. WILLIAMS: They can purchase it and leave  
2 it as it is, yeah.

3 MR. GILLESPIE: We're going to withdraw that  
4 application, also.

5 MR. WILLIAMS: Great. All right.

6 (To audience) Y'all, I can't have anybody  
7 else come back up on conversation. But I appreciate if you  
8 had the opportunity to talk.

9 So, Commissioners, any other questions?

10 All right. Can we get a motion?

11 MR. HEWES: Mr. Chair, I move that we approve  
12 Case 2208PC145 with the exception of the lot that fronts on  
13 Georgia Place and we leave that in the T4+ that it stands  
14 right now and rezone everything else requested to the T5.

15 MR. WILLIAMS: All right. Do I have a  
16 second?

17 MR. PEMBERTON: Second.

18 MR. WILLIAMS: All right. We've got a motion  
19 and a second as stated to rezone everything else as  
20 requested except for the Georgia Place lot that will remain  
21 a T4+ as it stands.

22 So any discussion, Commissioners, on that?

23 If not, all those in favor signify by saying  
24 aye. Any opposed?

25 (Unanimous vote.)

1 MR. WILLIAMS: All right. It's been approved  
2 on that. Certainly appreciate it.

3 And I understand from the residential part on  
4 the beach down there, you know, in the way that you're  
5 looking at it, and I know that's what you wanted to comment  
6 on, but while it's been zoned for residential, that hasn't  
7 been residential in 17 years. So that's one of the busiest  
8 corners along, you know, Highway 90 and Cowan Road in  
9 Gulfport. So there is going to be a difference in what is  
10 there, and I think this is better than what could have been  
11 there.

12 So, anyway, just my opinion, not that it  
13 matters to anybody.

14

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1                   BEFORE THE CITY OF GULFPORT PLANNING COMMISSION

2  
3 2208PC145  
4

5  
6                   COURT REPORTER'S CERTIFICATE  
7

8                   I, Norma Jean Ladner Soroe, Certified Shorthand  
9 Reporter, do hereby certify that to the best of my skill and  
10 ability I have reported the hearing held before the City of  
11 Gulfport Planning Commission and that the foregoing 49 pages  
12 constitute a true and correct transcription of said hearing  
13 held on the 25th day of August 2022.

14                   I do further certify that my certificate annexed  
15 hereto applies only to the original and certified  
16 transcript. The undersigned assumes no responsibility for  
17 the accuracy of any reproduced copies not made under my  
18 control and direction.

19                   Witness my signature this the 7th day of September  
20 2022.  
21

22  
23 \_\_\_\_\_  
24 NORMA JEAN LADNER SOROE, CSR #1297  
25 Certified Shorthand Reporter

# MEMORANDUM

**To:** City of Gulfport Planning Commission

**From:** Greg Holmes, Planning Administrator  
Urban Development Department

**Date of Hearing:** December 15, 2022

**Re:** Zoning Map Amendment 2211PC195:

Zoning Map Amendment 2211PC195, by owner Daniel Conwill IV, tax parcel 1011D-03-008.000, Requests rezone from T5 (Urban Center Zone) to T6 (Urban Core Zone), 942 1/2 Beach Blvd, Ward 2

# Technical Report

## Zoning Map Amendment

### GENERAL INFORMATION

Case File Number: 2211PC195

Hearing Date: November 17, 2022

Current Zoning/Use: T5 / Vacant

Legal: Zoning Map Amendment 2211PC195, by owner Daniel Conwill IV, tax parcel 1011D-03-008.000, Requests rezone from T5 (Urban Center Zone) to T6 (Urban Core Zone), 942 1/2 Beach Blvd, Ward 2

### TECHNICAL DETAILS

Amendment of the Zoning Ordinance, including the zoning map, is intended to carry out the objective of a sound, stable, and desirable environment. Casual amendment of the ordinance would be detrimental to the achievement of that objective. Therefore, the ordinance dictates that a property should be considered for rezoning only when one or more of the following conditions prevail according to the Mississippi case law:

When requesting rezoning of real property, **an applicant must prove, by clear and convincing evidence**, one of the following:

1. That there was a mistake in the original zoning, or
2. That the character of the neighborhood has changed to such an extent as to justify reclassification, **and** that there was a public need for rezoning.

The applicant requests to rezone approximately 1.53 acres of property from T5 (Urban Center zone) to T6 (Urban Core Zone). Currently, the property is vacant and appears to have been vacant since at least 2001.

According to the City's 2002 Comprehensive Plan, this area was intended to become highway commercial in the future land use plan. The area converted to SmartCode following Hurricane Katrina and actually incorporated some of the future land use elements of the area. It was not encouraged to add low density single-family housing, which ended up being what returned to the area.

The applicant has chosen public need as justification for change of the current zoning district:

1. Mistake or error is not addressed by the applicant.
2. Need is addressed by the applicant as this property has not been in use since Hurricane Camille and would benefit from use.

# Technical Report

## Zoning Map Amendment

### ***EXECUTIVE SUMMARY***

The application has not really met its merits for need or change of character or public need. As for public need, many properties along the beach have been decreased in zoning to allow for single-family houses. Furthermore, the main reason for the zoning request is to expand the outdoor entertainment for the neighboring restaurant, which would not be allowed under the current zoning.

Application merits aside, much of the beach properties in this area are T6. While underdeveloped, the beach zoning would be mostly consistent with the neighboring blocks. With the nearby restaurant, this could be a catalyst for more commercial development between this site and Cowan Road

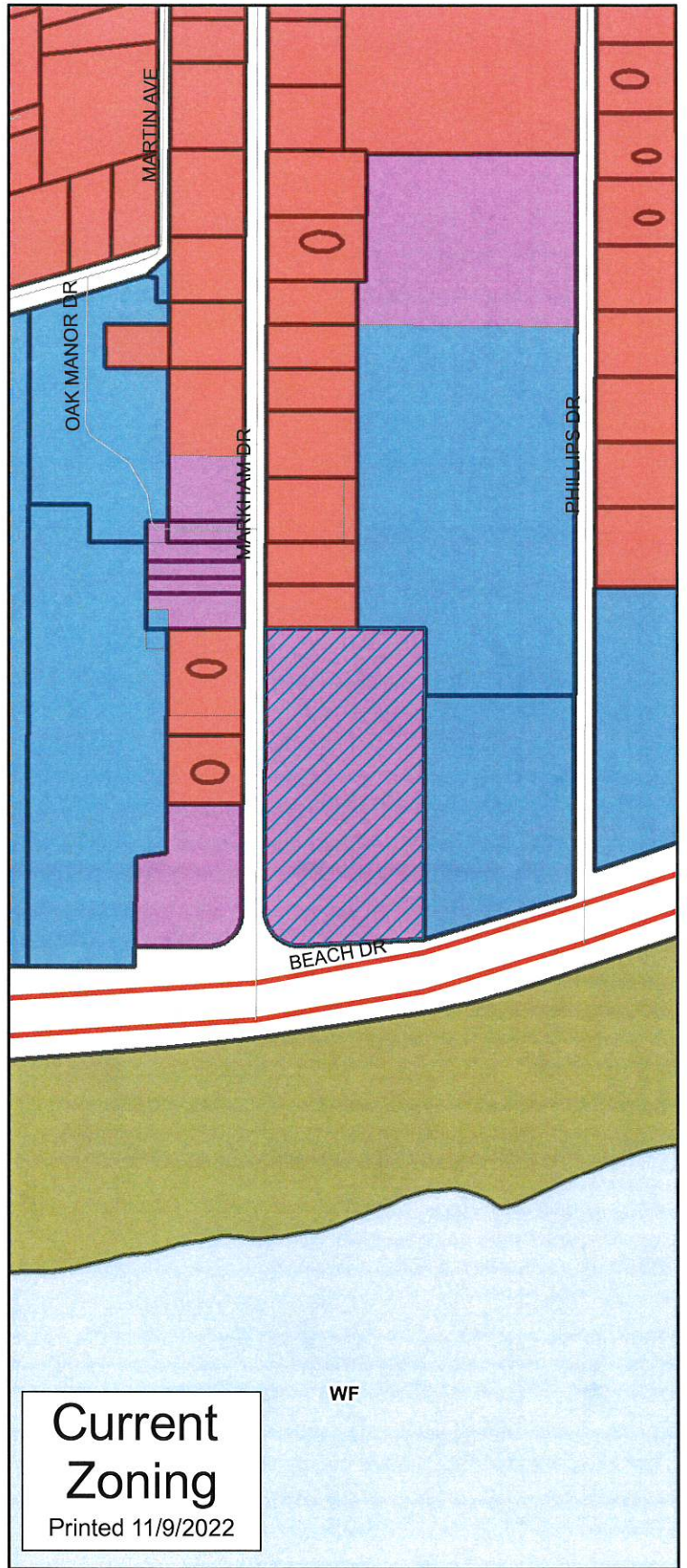
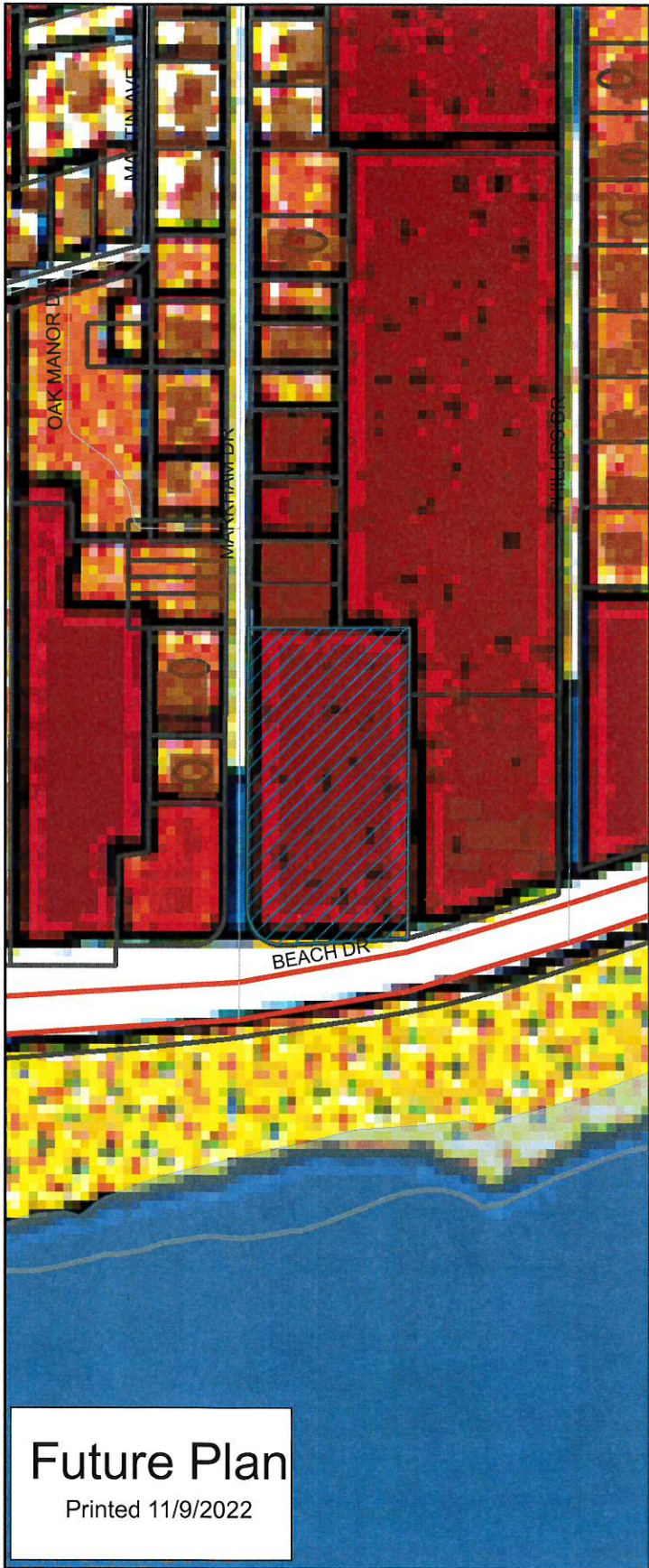
### ***DIRECTOR APPROVAL***






This report has been reviewed and approved by:

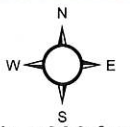


Ryan Merrill

Director of Urban Development Department

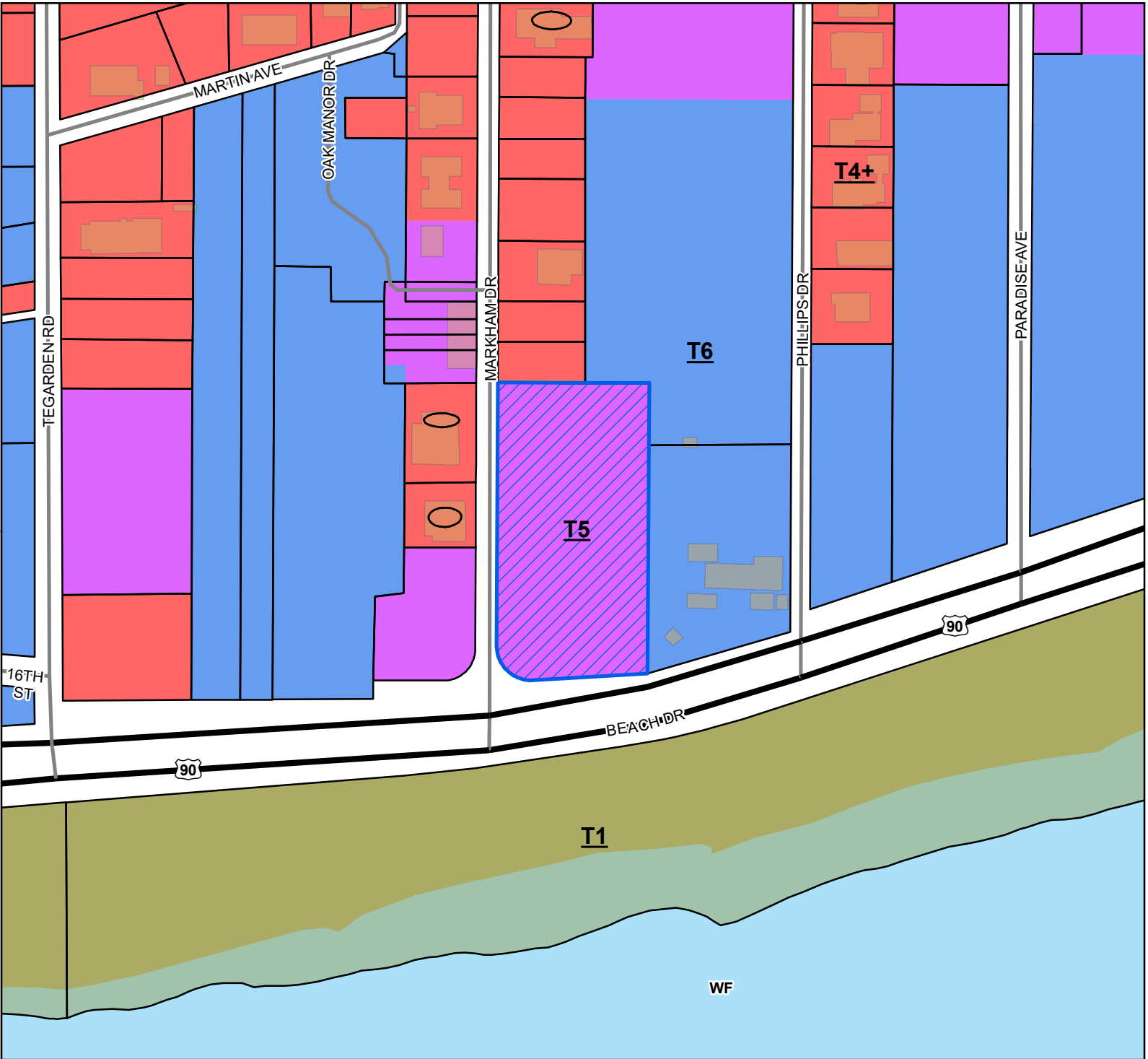


-  Parcels selection
-  Principal Arterial
-  Minor/Residential
-  Water Features
-  Parcels



1 inch = 200 feet

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



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

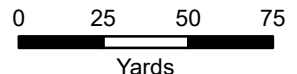
**Smart Code**

- T6
- T5
- T4+
- T1

**Zoning**

- WF - Water Front

**Site Information**  
 1011D-03-008.000  
 Zoning: T5 (Urban center Zone)  
 Size: 1.53 Acres  
 Flood: VE



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.

\$175



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

For Staff Use Only

Case File #: 2211PC195

Date Received: 9/19/22

Receipt #: \_\_\_\_\_

Received By: \_\_\_\_\_

Zoning: T5

Ward: 2 Flood: VE

Size: 1.53 acres

**APPLICATION FOR ZONING MAP  
AMENDMENT/LAND USE  
RECLASSIFICATION (SMARTCODE)**

**Property Information**

TAX PARCEL #

1	0	1	1	0	-	0	3	-	0	0	8	.	0	0	0
					-			-				.			
					-			-				.			

(If necessary, use separate sheet of paper)

Address of Property Involved: 942 1/2 Beach Blvd

Lot(s) 1, Block(s) \_\_\_\_\_, Subdivision \_\_\_\_\_

General Location: Property Between Hwy 90 and Markham

**GENERAL DESCRIPTION OF REQUEST:**  
Re-Zone from T5 to T6

**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**

Daniel O. Conwill II  
Printed Name Of Owner

942 Beach Dr  
Mailing Address

Gulfport MS 39501  
City State Zip code

504-251-2822  
Home Phone Work/Cell Phone

doc@dconwill.com  
Email

[Signature]  
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.**

September 16, 2022

The City of Gulfport  
Gulfport Planning and Zoning Commission  
1410 24<sup>th</sup> Avenue  
Gulfport, MS 39501

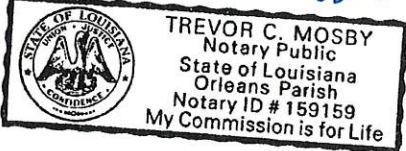
To Whom It May Concern

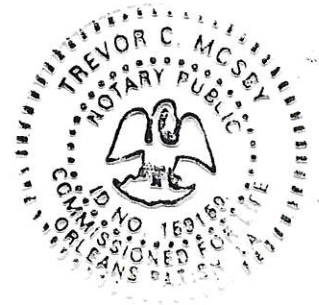
As the sole owner of 942 ½ Beach Blvd., LLC, I, Daniel O Conwill, IV, unanimously consent and resolve to apply to the Gulfport Planning Commission for rezoning of the property at this address.

Sincerely,



Daniel O Conwill, IV  
942 ½ Beach Blvd., LLC  
910 West Beach Blvd.  
Pass Christian, MS 39571

9/16/2022  
*Trevor C. Mosby*  






# Michael Watson

## SECRETARY OF STATE

This is not an official certificate of good standing.

### Name History

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Name	Name Type
942 1/2 Beach Blvd., LLC	Legal

### Business Information

---

<b>Business Type:</b>	Limited Liability Company
<b>Business ID:</b>	1318382
<b>Status:</b>	Good Standing
<b>Effective Date:</b>	01/06/2022
<b>State of Incorporation:</b>	Mississippi
<b>Principal Office Address:</b>	NO PRINCIPAL OFFICE ADDRESS FOUND

### Registered Agent

---

**Name**  
Daniel Oza Conwill IV  
910 West Beach Blvd.  
Pass Christian, MS 39571

### Officers & Directors

---

Name	Title
william b. weatherly Esq 1643 East Pass Road, Suite C Gulfport, MS 39507	Organizer

## Letter of Intent

### Application for Re-zoning

#### City Of Gulfport

Daniel Conwill (the applicant) on behalf of 942 ½ Beach Blvd. LLC (owner) request the rezoning of the property located at 942 ½ Beach Blvd. (parcel identification number 10110-03-008.000) (the Property) from T5 Zone to T6 Zone to modify the conditions of zoning pertaining to an event venue.

The over all property has not been of use since hurricane Camille. Most neighboring properties are zoned as T6 currently and we feel Re- Zoning this property to T6 would be in the best interest of the community as we plan to make beautification improvements to property and provide a service of entertainment.

The property will be in use on scheduled times for events planned. We have further intentions to build a structure like a pavilion to use for many purposes.

Landscaping and fences along property lines. This property will be kept as an open outdoor venue.

Site plan has been submitted previously to show the intentions of the scope of work currently needed.

We are requesting a Re- Zoning to match the sister property of 942 Beach Dr as this will be an extension of 942 Beach Dr. Other neighboring properties are currently and commercial with T6 zoning. Owner of property 134 Markham was once Ivan Spinner and has since sold to an unknown person but is used for VRBO.

Sincerely,  
Daniel Conwill

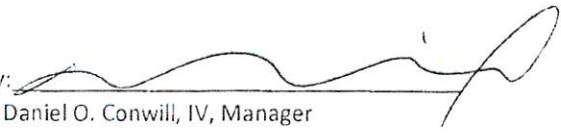
942 Beach Dr  
Gulfport,MS 39507

Felix's restaurant and oyster bar at 942 beach drive has interest in getting 942 ½ beach drive re zoned to a t6 as we would like to expand on what we feel is an untapped market in the city of Gulfport. Daniel is also owner of We want to make the land look beautiful and ensure the function is beneficial to our neighbors and our guest. We would like to have the work started immediately and will be finished within a few weeks' time. We do plan to grow and develop the land to further incorporate a permanent structure for a stage and possibly bathrooms.

IN WITNESS WHEREOF, the Grantor has caused this Deed of Trust to be duly executed as of the date set forth in the acknowledgment, but this Deed of Trust shall be effective as of the Effective Date first set forth above.


GRANTOR:  
942 ½ BEACH BLVD., LLC,  
a Mississippi limited liability company

By: DOC Investments, L.L.C.,  
a Louisiana limited liability company,  
its Sole Member

By:   
Daniel O. Conwill, IV, Manager

STATE OF Louisiana  
COUNTY/PARISH OF Orleans

Personally appeared before me, the undersigned authority in and for the said county and state, on this 18 day of January, 2022, within my jurisdiction, the within named Daniel O. Conwill, IV, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed in the above and foregoing instrument and acknowledged that he/she/they executed the same in his/her/their representative capacity(ies), and that by his/her/their signature(s) on the instrument, and as the act and deed of the person(s) or entity(ies) upon behalf of which he/she/they acted, executed the above and foregoing instrument, after first having been duly authorized so to do.

  
NOTARY PUBLIC  
JOSEPH SCHREMP  
Notary Public  
La. Bar No. 38396  
My Commission Expires at Death

**EXHIBIT A**  
**PROPERTY DESCRIPTION**

That certain lot of land described as beginning at an iron stake which is 363 feet North of the center line of U. S. Highway 90 on the property of John Joseph Astorias, et ux and the property owned by Hendrickson, later by Poss and Woodfield and now or recently of Aldredge, and from said point of beginning running thence west 60 feet to an iron stake; thence South 77 feet to an iron stake; thence west 44 feet to an iron stake; thence south 82 feet to an iron stake; thence running west 86 feet to an iron stake set in the east margin of Markham Avenue in Gulf Shore Manor Subdivision running thence south along the east margin of said Markham Avenue a distance of 213 feet, more or less, to the center of the U. S. Highway 90; running thence easterly along the center of said highway a distance of: 182.6 feet, more or less, to a point in the center of said highway at the west line of the property now or recently of Aldredge, formerly of Poss and Woodfield; running thence north along the boundary line between the property of Astorias, and the property now owned by Aldredge, formerly of Poss and Woodfield and formerly of Hendrickson, a distance of 363 feet, more or less, to the point of beginning.

The property herein described being a part of Lot 23, of Block 1, of Gulf Shore Manor Subdivision as shown by the official map or plat thereof on file and of record in the office of the Chancery Clerk of Harrison County, Mississippi, and the adjoining parcel of land lying immediately east of said Lot 23 in Fractional Section 6, Township B South, Range 10 West;

And also including that certain parcel of land having a width east and west of 183.6 feet, more or less, and lying immediately south of the above described parcel of land and extending from the south line of the above described parcel of land south to the seashore of the Gulf of Mexico or Mississippi Sound, being between the east and west lines of the above described parcel extended south to the seashore.

And also Lots 21, 22, and 23, of Block 1, Gulf Shore Manor, and also a parcel of land beginning at an iron pipe of the northeast corner of Lot 21, Block 1, of Gulf Shore Manor; thence East a distance of 39 feet; thence South a distance of 77 feet; thence West 39 feet; thence North 77 feet to the point of beginning; located in the City of Mississippi City, Mississippi, as per the map or plat now of record in the office of the Chancery Clerk of said County and State, and being the home of the late Joe Astorias and his wife, Marguerite Desporte Astorias, together with all the building and improvements of every kind and character located and situated on the parcels of land hereinabove set forth and described.

Grantor does likewise convey to grantee the property immediately south of the property herein described immediately just above, and all riparian rights there unto belonging or in anywise appertaining, as per survey by Kenny L. Alston, dated August 24, 1992, a copy of which is attached hereto as Exhibit "A".

Expressly excluded from any warranties contained herein is that portion of the subject property which lies South of the North right of way line of U.S. Highway 90, which property is quitclaimed by the Grantor to the Grantees herein.

STATE OF MISSISSIPPI  
COUNTY OF HARRISON  
FIRST JUDICIAL DISTRICT

**DEED OF TRUST**

THIS DEED OF TRUST is dated effective as of January 19, 2022, by and among 942 ½ BEACH BLVD., LLC, a Mississippi limited liability company ("Grantor"), PIEROTICH GPT, LLC, a Mississippi limited liability company (referred to below sometimes as "Lender" and sometimes as "Beneficiary"), and MICHAEL B. MCDERMOTT, ESQ. (referred to below as "Trustee").

**CONVEYANCE AND GRANT.** For valuable consideration, Grantor conveys to Trustee for the benefit of Lender as Beneficiary, with power of sale, all of Grantor's right, title, and interest in and to the following described real property, together with all existing or subsequently erected or affixed buildings, improvements and fixtures: all easements, rights of way, and appurtenances; all water, water rights and ditch rights (including stock in utilities with ditch or irrigation rights); and all other rights, royalties, and profits relating to the, real property, including without limitation all minerals, oil, gas, geothermal and similar matters, (the "Real Property") located in HARRISON County, State of Mississippi:

See Exhibit "A" which is attached to this Deed of Trust and made a part of this Deed of Trust as if fully set forth herein.

The Real Property is located on East Beach Boulevard in the First Judicial District of Harrison County, Mississippi, identified as Tax Parcel No. 1011D-03-008.000.

Grantor presently assigns to Lender (also known as Beneficiary in this Deed of Trust) all of Grantor's right, title, and interest in and to all present and future leases of the Property and all Rents from the Property. In addition, Grantor grants to Lender a Uniform Commercial Code security interest in the Personal Property and Rents.

**THIS DEED OF TRUST, INCLUDING THE ASSIGNMENT OF RENTS AND THE SECURITY INTEREST IN THE RENTS AND PERSONAL PROPERTY, IS GIVEN TO SECURE (A) PAYMENT OF THE INDEBTEDNESS AND (B) PERFORMANCE OF ANY AND ALL OBLIGATIONS UNDER THE NOTE, THE RELATED DOCUMENTS, AND THIS DEED OF TRUST. THIS DEED OF TRUST IS GIVEN AND ACCEPTED ON THE FOLLOWING TERMS:**

**PAYMENT AND PERFORMANCE.** Except as otherwise provided in this Deed of Trust, Grantor shall pay to Lender all amounts secured by this Deed of Trust as they become due, and shall strictly and in a timely manner perform all of Grantor's obligations under the Note, this Deed of Trust, and the Related Documents.

**POSSESSION AND MAINTENANCE OF THE PROPERTY.** Grantor agrees that Grantor's possession and use of the Property shall be governed by the following provisions:

**Possession and Use.** Until Default, Grantor may (1) remain in possession and control of the Property; (2) use, operate or manage the Property; and (3) collect the Rents from the Property.

**Duty to Maintain.** Grantor shall maintain the Property in tenantable condition and promptly perform all repairs, replacements, and maintenance necessary to preserve its value.

EAST BEACH BOULEVARD  
SECTION 6, TOWNSHIP 8 SOUTH, RANGE 10 WEST  
GULFPORT, MISSISSIPPI  
PARCEL #1011D-03-008.000

IRF 1/2" IRON ROD FOUND  
IPF 3/4" IRON PIPE FOUND  
IRS 1/2" IRON ROD SET

LEGAL DESCRIPTION  
(DR 2013-6480-D-J1)

That certain lot of land described as Beginning at an iron stake which is 363 feet North of the center line of U.S. Highway 90 on the property of John Joseph Astorias, et ux and the property owned by Hendrickson, later by Pass and Woodfield and now or recently of Aldredge, and form said Point of Beginning running thence West 60 feet to an iron stake, thence South 77 feet to an iron stake, thence West 44 feet to an iron stake, thence South 82 feet to an iron stake, thence running West 86 feet to an iron stake set in the East margin of Markham Avenue in Gulf Shore Manor Subdivision running thence South along the East margin of said Markham Avenue a distance of 213 feet, more or less, to the center of the U.S. Highway 90, running thence Easterly along the center of said highway a distance of 182.6 feet, more or less, to a point in the center of said highway at the West line of the property now or recently of Aldredge, formerly of Pass and Woodfield, running thence North along the boundary line between the property of Astorias and the property now owned by Aldredge, formerly of Pass and Woodfield and formerly of Hendrickson, a distance of 363 feet, more or less, to the point of Beginning.

The property herein described being a part of Lot 23, Block 1 of Gulf Shore Manor Subdivision as shown by the official map or plat thereof on file and of record in the office of the Chancery Clerk of Harrison County, Mississippi, and the adjoining parcel of land lying immediately east of said Lot 23 in Fractional Section 6, Township 8 South, Range 10 West.

and also including that certain parcel of land having a width east and west of 183.6 feet, more or less, and lying immediately south of the above described parcel of land and extending from the south line of the above described parcel of land south to the seashore of the Gulf of Mexico or Mississippi Sound, being between the east and west lines of the above described parcel extended south to the seashore.

and also Lots 21, 22 and 23 of Block 1, Gulf Shore Manor, and also a parcel of land Beginning at an iron pipe of the northeast corner of Lot 21, Block 1, Gulf Shore Manor, thence East a distance of 39 feet, thence South a distance of 77 feet, thence West 39 feet, thence North 77 feet to the Point of Beginning, located in the City of Mississippi City, Mississippi, as per the map or plat now of record in the office of the Chancery Clerk of said County and State, and being the home of the late Joe Astorias and his wife, Marguerite Desporte Astorias, together with all the buildings and improvements of every kind and character located and situated on the parcels of land hereinabove set forth and described.

This survey does not reflect a title search by Gary A. Durbin, P.L.S., nor should it be considered as such.

This is a Class "B" survey per "The Standards of Practice for Land Surveying in the State of Mississippi".

Bearings based on GPS Observation of the east margin of Markham Avenue, NAD 83, MS East Zone, convergence angle -0.130449, scale factor 0.999960.

This property is situated in Zone "AE-20" "VE-21-22" per FEMA Flood Insurance Rate Map, City of Gulfport, Harrison County, Mississippi, Community Panel Number 28047C-0268-C, Revised: 6/16/09.

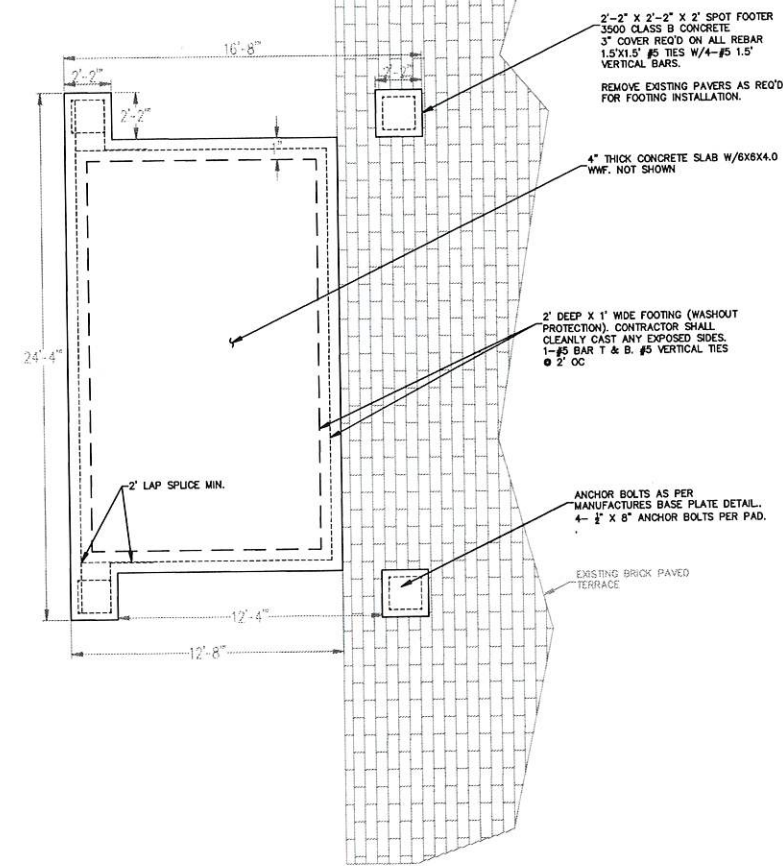
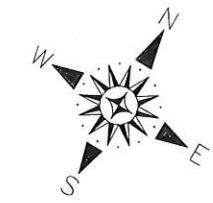
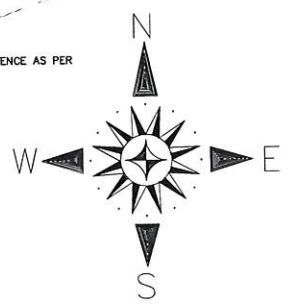
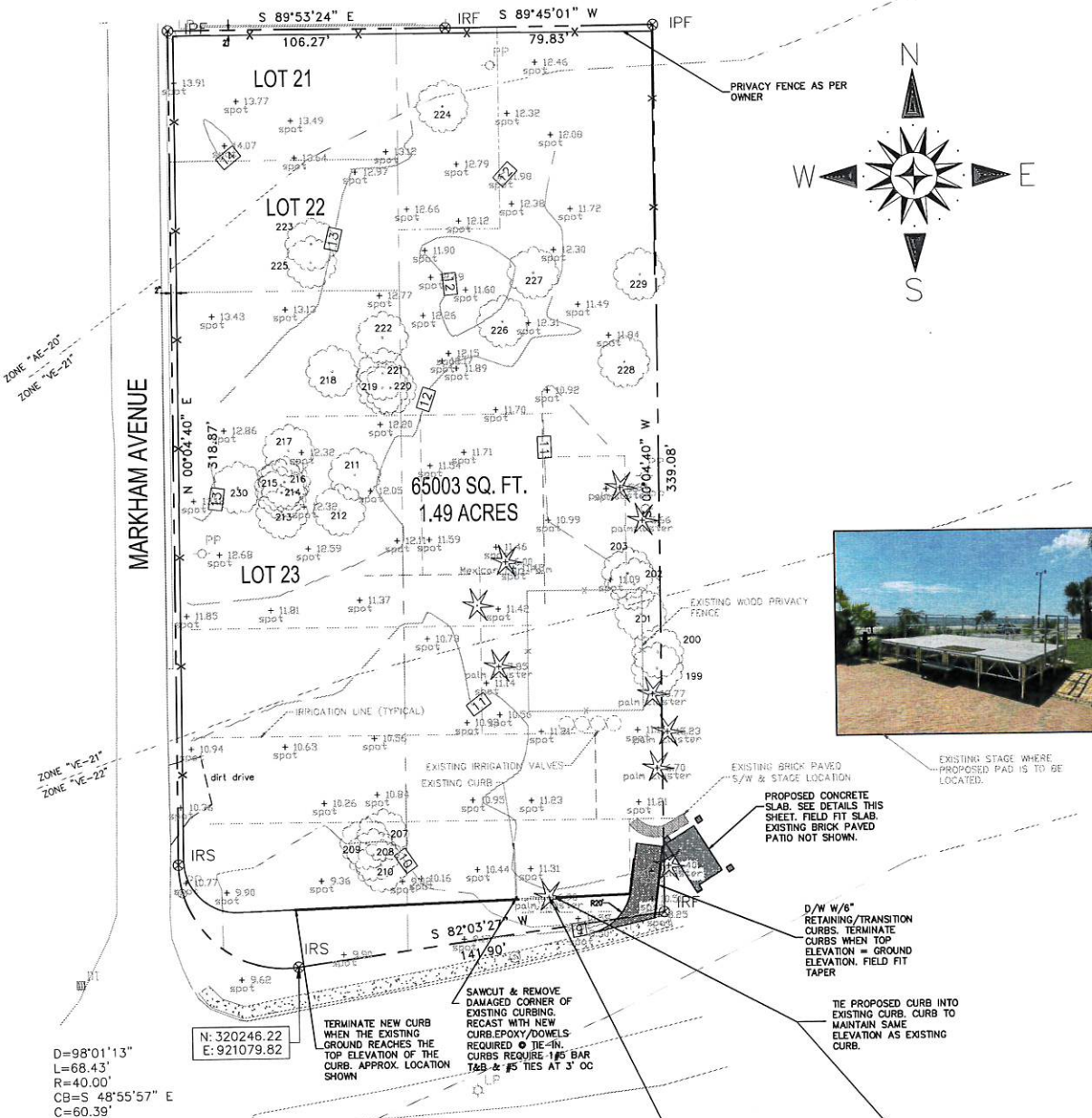
This is to CERTIFY that this plat or map and the survey on which it is based were made in accordance with "The Standards of Practice for Land Surveying in the State of Mississippi".

Gary A. Durbin, P.L.S. 2401  
December 2, 2021  
Revised: December 15, 2021

10888B

GARY A. DURBIN, P.L.S.  
PROFESSIONAL LAND SURVEYOR  
13048 RIVERWALK CIRCLE, DIBERVILLE, MS. 39540  
PH. (228) 365-3632 Teletkgd@aol.com

FOUNDATION PLAN  
SCALE: 1"=4'



EXISTING CONDITIONS & SITE PLAN  
SCALE: 1"=30'

Property in deed south of Highway 90 not included in this survey.

Drawn	JAG
Checked	JAG
Approved	
Date	9/8/22

Sheet Title  
**EXISTING CONDITIONS, SITE, & FOUNDATION PLAN**

Project Name  
**FELIX'S OYSTER BAR & GRILL  
GULFPORT, MS 39503**

Jason Gilbert  
Professional Land Surveyor  
9/16/22

970 TOMMY MUNRO DR., STE D  
DIBERVILLE, MS 39532  
C: 228-437-7533  
JASON.ACAD@GMAIL.COM

**ALCAD**  
Advanced Construction & Development

Sheet  
**C1**

Project No.  
08-22E



J1 - GULFPORT DISTRICT  
INSTRUMENT 2022-0001533-D-J1  
FILED/RECORDED 1/20/2022 4:32:01 PM  
TOTAL FEES \$26.00  
3 PAGES RECORDED

Prepared By and After Recording Return to:  
Michael B. McDermott, MSB#2379  
Page, Mannino, Peresich & McDermott, P.L.L.C.  
Post Office Drawer 289  
Biloxi, MS 39533-0289  
(228) 374-2100

Indexing Instructions: Lots 21, 22, 23, Block 1, Gulf Shore Manor Subdivision, Fractional Section 6, T8S,  
R10W, First Judicial District, Harrison County, Mississippi

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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 consideration, the receipt and sufficiency of which is hereby acknowledged, the undersigned,

**PIEROTICH GPT, LLC,**  
a Mississippi limited liability company  
1703 Beach Blvd, Biloxi, MS 39531  
(228) 388-5501

does hereby sell, convey and warrant unto

**942 ½ BEACH BLVD., LLC,**  
70 Audubon Place, New Orleans, LA 70118  
(504) 319-3350,

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

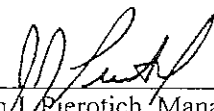
**SEE EXHIBIT "A" ATTACHED HERETO**

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 Harrison County, Mississippi.

Ad valorem taxes for the 2022 have been prorated between the parties hereto and the obligation to pay same when due is assumed by the Grantee herein, who will pay same when due.

WITNESS its signature effective on this the 19<sup>th</sup> day of January, 2022.

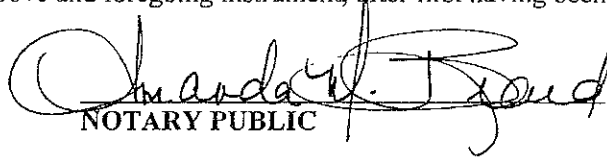
**PIEROTICH GPT, LLC,**  
a Mississippi limited liability company

By:   
John J. Pierotich, Manager

STATE OF MISSISSIPPI  
COUNTY OF HARRISON

PERSONALLY APPEARED BEFORE ME, the undersigned authority in and for the said county and state, on this 19 day of January, 2022, within my jurisdiction, the within named **JOHN J. PIEROTICH**, who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed in the above and foregoing instrument and acknowledged that he executed the same in his representative capacity, and that by his signature on the instrument, and as the act and deed of the person or entity upon behalf of which he acted, executed the above and foregoing instrument, after first having been duly authorized so to do.



  
NOTARY PUBLIC

## EXHIBIT "A"

That certain lot of land described as beginning at an iron stake which is 363 feet North of the center line of U. S. Highway 90 on the property of John Joseph Astorias, et ux and the property owned by Hendrickson, later by Poss and Woodfield and now or recently of Aldredge, and from said point of beginning running thence west 60 feet to an iron stake; thence South 77 feet to an iron stake; thence west 44 feet to an iron stake; thence south 82 feet to an iron stake; thence running west 86 feet to an iron stake set in the east margin of Markham Avenue in Gulf Shore Manor Subdivision running thence south along the east margin of said Markham Avenue a distance of 213 feet, more or less, to the center of the U. S. Highway 90; running thence easterly along the center of said highway a distance of: 182.6 feet, more or less, to a point in the center of said highway at the west line of the property now or recently of Aldredge, formerly of Poss and Woodfield; running thence north along the boundary line between the property of Astorias, and the property now owned by Aldredge, formerly of Poss and Woodfield and formerly of Hendrickson, a distance of 363 feet, more or less, to the point of beginning.

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Expressly excluded from any warranties contained herein is that portion of the subject property which lies South of the North right of way line of U.S. Highway 90, which property is quitclaimed by the Grantor to the Grantees herein.

MISCELLANEOUS PAYMENT RECPT#: 11817003  
CITY OF GULFPORT

GULFPORT, MS 39501

DATE: 09/19/22            TIME: 14:46:40  
CLERK: cbrown            DEPT:  
CUSTOMER#:

COMMENT:

CHG: PZD      PLANNING AND ZO            175.00

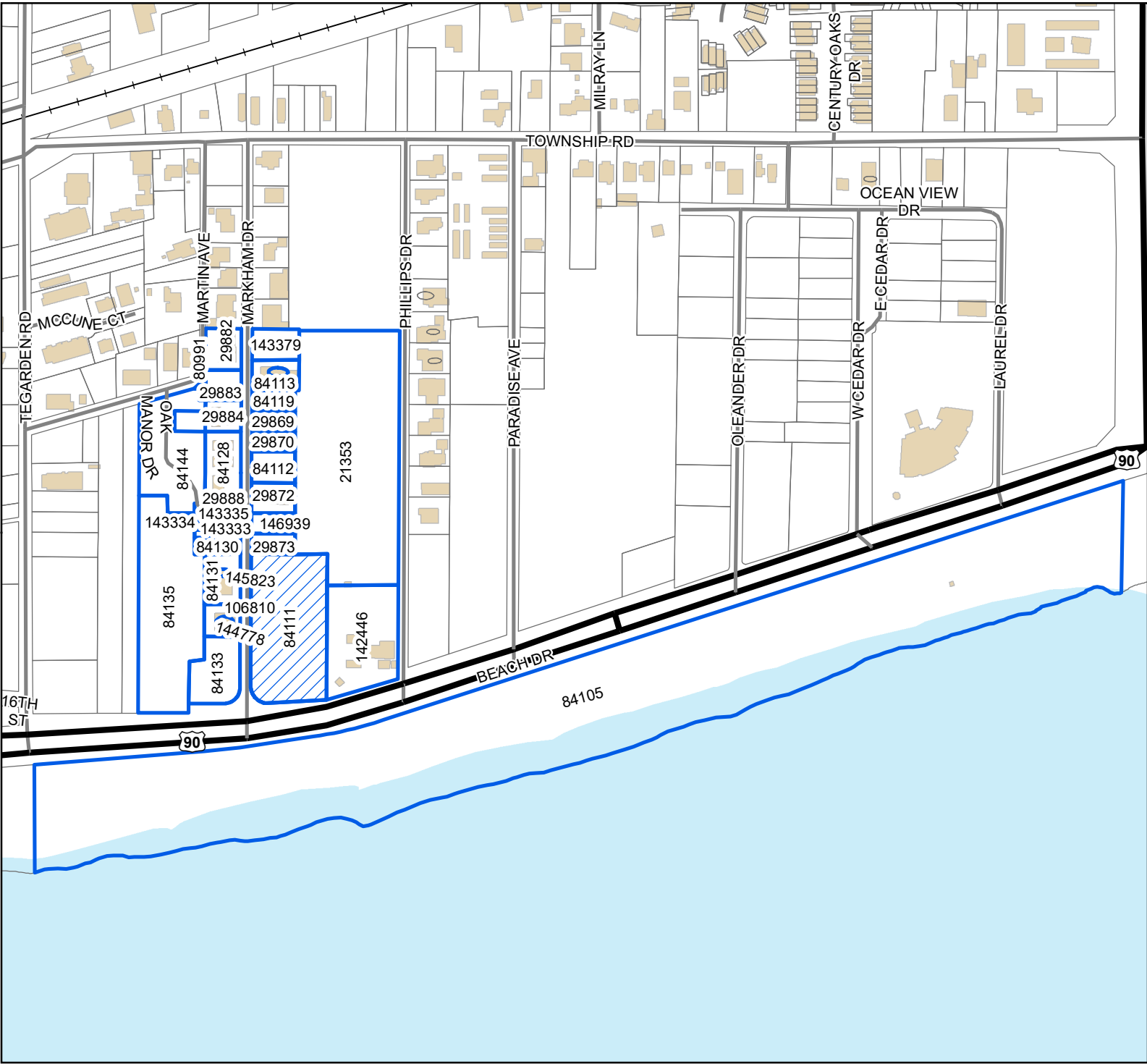
AMOUNT PAID:            175.00

PAID BY:            FELIX'S  
PAYMENT METH: CHECK








REFERENCE:

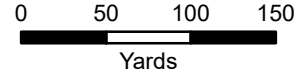
AMT TENDERED:            175.00  
AMT APPLIED:            175.00  
CHANGE:                    .00

Mail	PPIN	Parcel ID	Name	Address	City	State	ZIP
	84111	1011D-03-008.000	DANIEL O. CONWILL IV	942 BEACH DRIVE	GULFPORT	MS	39507
N			<b>Adjacent Property Owners (2211PC195)</b>				
	142446	1011D-03-006.001	942 BEACH BLVD LLC	400 POYDRAS ST STE 3100	NEW ORLEANS	LA	70130
	29870	1011D-03-012.000	BOURGEOUIS NANCY STONE ETAL	1710 E PASS RD	GULFPORT	MS	39507
	84128	1011D-03-030.000	DANIEL KAREN ANN & VISCUGLIA FELIX	2729 FAISS DR	LAS VEGAS	NV	89134
	29872	1011D-03-010.000	EASTERLING DAVID & OCTAVIA SUMRALL	140 MARKHAM DRIVE	GULFPORT	MS	39507
N	84105	1011D-02-001.000	GULFPORT CITY OF				0
	84144	1011D-03-037.000	JSOCO LLC	PO BOX 673	GULFPORT	MS	39502
N	80991	1011D-03-037.002	JSOCO LLC	P O BOX 673	GULFPORT	MS	39502
N	84133	1011D-03-035.000	JSOCO LLC	P O BOX 673	GULFPORT	MS	39502
N	84135	1011D-03-036.000	JSOCO LLC	P O BOX 673	GULFPORT	MS	39502
	29882	1011D-03-027.000	LANCE DAVID M JR	175 MARKHAM DR	GULFPORT	MS	39507
	84131	1011D-03-034.000	MCGRAW FRANK ADAM	127 MARKHAM DR	GULFPORT	MS	39501
N	145823	1011D-03-034.004	MCGRAW FRANK ADAM	127 MARKHAM DR	GULFPORT	MS	39501
	29888	1011D-03-032.000	MCSHEA DEVELOPMENT GROUP LLC	45 HARDY COURT #260	GULFPORT	MS	39507
N	84130	1011D-03-033.000	MCSHEA DEVELOPMENT GROUP LLC	45 HARDY COURT #260	GULFPORT	MS	39507
	143335	1011D-03-033.004	MCSHEA DEVELOPMENT GROUP LLC	45 HARDY CT #231	GULFPORT	MS	39507
N	143333	1011D-03-033.002	MCSHEA DEVELOPMENT GROUP LLC	45 HARDY CT #231	GULFPORT	MS	39507
	143334	1011D-03-033.003	OMEN PROPERTIES LLC	2953 BIENVILLE BLVD #309	OCEAN SPRINGS	MS	39564
	106810	1011D-03-034.002	ROGERS BRYAN KIRK & KELLY PATTERSON	121 MARKHAM DR	GULFPORT	MS	39507
N	144778	1011D-03-034.003	ROGERS BRYAN KIRK & KELLY PATTERSON	121 MARKHAM DR	GULFPORT	MS	39507
	84119	1011D-03-014.000	SCHLOSSER BRIAN & MELINDA	155 CLOVER ST	BILOXI	MS	39530
	29884	1011D-03-029.000	SCHLOSSER BRIAN R & MELINDA HALL	466 ANNONDALE PARKWAY	BILOXI	MS	39530
	21353	1011D-03-006.000	SEA OAKS PROFESSIONAL PLAZA LLC	13142 W ECHO DR	GULFPORT	MS	39503
	29873	1011D-03-009.000	SPINNER REAL ESTATE HOLDINGS LLC	440 GREEN TEAL CT	BILOXI	MS	39531
N	84112	1011D-03-011.000	SPINNER REAL ESTATE HOLDINGS LLC	440 GREEN TEAL CT	BILOXI	MS	39531
N	146939	1011D-03-009.001	SPINNER REAL ESTATE HOLDINGS LLC	440 GREEN TEAL CT	BILOXI	MS	39531
	143379	1011D-03-015.001	TIMS KENNETH & CATHERINE	164 MARKHAM DR	GULFPORT	MS	39507
	84113	1011D-03-015.000	TIMS KENNETH R & CATHERINE B	164 MARKHAM DR	GULFPORT	MS	39507
	29869	1011D-03-013.000	WALKER CORY LAMAR & MEGAN ELAINE	156 MARKHAM DR	GULFPORT	MS	39507
	29883	1011D-03-028.000	WILKIN LOUIS J & CAROL N	825 MARTIN AVE 1357	GULFPORT	MS	39507



Legend

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



1 inch = 340 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: Zoning Map Amendment 2211PC195, by owner Daniel Conwill IV, tax parcel 1011D-03-008.000, Requests rezone from T5 (Urban Center Zone) to T6 (Urban Core Zone), 942 1/2 Beach Blvd, 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, November 17, 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 Planning Commission for **Thursday, November 17, 2022**. A map showing the location of the property involved is located at this website. If you have any questions or comments, please contact this office at the phone number 228-868-5710 or email [planners@gulfport-ms.gov](mailto:planners@gulfport-ms.gov). The application is available for viewing in the Planning Division office at 1410 24<sup>th</sup> 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:**  
IPL0096113

**Order Status:**  
Submitted

**Classification:**  
Legals & Public Notices

**Package:**  
BLX - Legal Ads

**Final Cost:**  
81.72

**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**  
October 27, 2022 11:41:15 AM EDT

**Amount:**  
81.72

**SCHEDULE FOR AD NUMBER IPL00961130**

November 2, 2022  
SunHerald (Biloxi)

**PREVIEW FOR AD NUMBER IPL00961130****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, November 17, 2022 in the Council Chambers of the Gulfport City Hall located at 2309 15th Street to consider the following requests. A copy of the requests will be available for public review at the office of the Department of Urban Development, Planning Division, located on first floor of the William H. Hardy Building, 1410 24th Avenue.

**Planning Commission Approval 2211PC194**, by owner Daniel Conwill IV, tax parcel 1011D-03-008.000, Requests for outdoor entertainment venue, 942 1/2 Beach Blvd, Zoned T5 (Urban Center Zone), Ward 2

**Zoning Map Amendment 2211PC195**, by owner Daniel Conwill IV, tax parcel 1011D-03-008.000, Requests rezone from T5 (Urban Center Zone) to T6 (Urban Core Zone), 942 1/2 Beach Blvd, Ward 2

**Planning Commission Approval 2211PC196**, by owner Jermille Johnson, tax parcel 0810B-03-099.000, Requests mobile home use, W Virginia Ave, Zoned R-1-5 (Single-family), Ward 3

**Zoning Map Amendment 2211PC198**, by agent Jorge Vargas, tax parcel 1007M-01-038.000, Requests to rezone from R-B (Residence-business) to R-E (Residence estate), 13062 Sheldon St, Zoned R-B (Residence-business), Ward 6

**Planning Commission Approval 2211PC199**, by agent Terrell Roddy, tax parcel 0808D-04-004.000, Requests to allow a medical dispensary use, 12407 HWY 49 N, Zoned B-4 (Highway business), Ward 7

**Special Exception 2211SE200**, by agent Adeeb Botros, tax parcel 0810C-03-059.000, Requests liquor store use, 8304 HWY 49 B, Zoned B-4 (Highway business), Ward 3

**Planning Commission Approval 2211PC201**, by owners Barry & Theresa Weyland, tax parcel 1010E-03-007.015, Request home occupation for real estate office, 927 Old Towne St, Zoned T3 (Sub-Urban Zone), Ward 4

**Zoning Map Amendment 2211PC202**, by agent Joyce Unsworth, tax parcel 0710O-02-102.002, Requests to rezone from B-1 (Neighborhood business) to R-B (Residence-business), 4809 29th St, Zoned B-1 (Neighborhood business), Ward 1

**Planning Commission Approval 2211PC203**, by agent Doug Hanson, tax parcel 0811G-03-033.000, Request home occupation for mobile windshield repair business, 1632 2nd St, Zoned T4L (General Urban Zone "Limited"), Ward 2

**Appeals 2211PC204**, by owners 3112 Pass Rd LLC & Ronald Fremin II, tax parcel 0811D-04-009.000, Requests metal exterior on facility, 3112 Pass Road, Zoned I-1 (Light Industry), Ward 1

**Planning Commission Approval 2211PC205**, by owners Yolanda & Marcus Stubbs, tax parcel 0908J-01-036.000, Requests home occupation for mobile notary use, 20 Joanna Lane, R-1-10 (Single-family) Ward 6

**Zoning Map Amendment 2211PC206**, by owners Incia Hernandez & Wilson Martinez, tax parcel 0910N-01-018.001, Request to rezone from B-2 (General Business) to R-B (Residence Business), 3205 F Ave, Zoned B-2 (General Business), Ward 4

**Zoning Map Amendment 2211PC207**, by agent J. William Williams, tax parcels 0708P-01-004.007 & 0708P-01-006.000, Requests to rezone from R-1-15 (Single-family) to B-2 (General business), 11261 Old Highway 49, Zoned R-1-15 (Single-family), Ward 7

**Resubdivision 2211PC208**, by agent Heinrich & Associates, LLC, tax parcel 0807E-01-001.000, Divide into two new parcels, 15361 S Swan Rd, Zoned R-1-15 (Single-family), Ward 7

**Zoning Map Amendment 2211PC209**, by agent Robert Reimann, tax parcel 0809B-03-017.000, Requests to rezone from I-2 (Heavy Industry) to R-3 (General residence), River Ten Rd & Klein Rd, Zoned I-2 (Heavy Industry), Ward 7

**Planning Commission Approval 2211PC210**, by agent Addison Bai...

**Planning Commission Approval 2210PC190**, by agent Addison Reimann, tax parcel 0809K-02-002.001, Request approval to allow a medical dispensary use, Creosote Rd, B-4 (Highway business), Ward 3

**Final Plat 2211PC211**, by agent Robert Reimann, tax parcels 0808O-02-016.000, 0808O-02-019.000, 0808O-02-015.000, Approval of Final Plat for 63-lot subdivision (Southern Breeze Subdivision) with 3 outparcels, Dedeaux Rd & Tanner Rd, Zoned R-1-5 (Single-family) & B-2 (General business), Ward 5

**Planning Commission Approval 2210PC190**, by agent John Ravenscroft, tax parcel 0811B-01-037.000, Requests automotive sales of less than 50 vehicles & automotive laundry use, 2601 15th Ave, Zoned B-2 (General business), Ward 3

This the 26th day of October, 2022  
Keith Williams, Chairman  
City of Gulfport Planning Commission  
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:** December 15, 2022

**Re:** Zoning Text Amendment 2212PC225:

Zoning Text Amendment 2212PC225, by CRC Westside, amendments to the SmartCode Zoning Article 6, as amended, Section 5.3.3 a Table 10



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

APPLICATION FOR
ZONING TEXT AMENDMENT

For Staff Use Only

Case File #: 2212PC225
Date Received:
Receipt #:
Received By:
Zoning:
Ward: Flood:

GENERAL DESCRIPTION OF REQUEST: (If necessary, attach a separate sheet of paper detailing the purpose of the request.)

Changes to the SmartCode Ordinance

Four horizontal lines for describing the 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

AGENT

City of Gulfport

Printed Name Of Owner: P.O. Box 1780
Mailing Address: Gulfport, MS 39501
City, State, Zip code
Home Phone, Work/Cell Phone
Email

Signature Of Owner

Printed Name Of Agent
Mailing Address
City, State, Zip code
Home Phone, Work/Cell Phone
Email

Signature Of Agent

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

Empty square checkbox.

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.

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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: \_\_\_\_\_

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:** \_\_\_\_\_

### IMPORTANT NOTICE

1. Please be advised that failure to submit a complete application, with all supporting documents, could **delay your hearing date**. The Planning Commission will not consider a request until all information is submitted and accurate.
2. Please be advised that the application deadline dates posted are designed to allow the staff time to review the application and receive required comments from coordinating agencies. The application is not considered complete until all required information from the applicant is available for review by the staff and coordinating agencies.
3. Please see reverse of this sheet to determine the deadline dates for filing your application.

### SUBMISSION REQUIREMENTS

- A. **Page one of this application, completed and signed.**
- B. **Proof of ownership** (Copy of deed or affidavit)
- C. If applicable, notarized proof of **authority to act as agent** for owner (board resolution, etc.)
- D. The City of Gulfport Planning Division Staff will notify, by letter, property owners adjacent to the requested action identified in this application using the Land Roll database from the County Tax Office. If you would like to have additional persons or property owners notified, please provide a list of **additional persons to be notified.**
- E. **Site Plan:** Showing proposed development (Optional).
- F. **Provide a written statement addressing the following reasons for your text amendment request:**

The Comprehensive Zoning and SmartCode Ordinances, including the zoning map, are based on comprehensive planning studies and are intended to carry out the object of sound, stable and desirable environment. It is recognized that casual amendment of the ordinance would be detrimental to the achievement of that objective, and it is therefore declared to be the public policy to amend this ordinance only when one or more of the following conditions prevail:

1. **Error** – there is manifest error in the ordinance.
2. **Change in Conditions:** - changed or changing conditions in a particular area, or in the city or metropolitan area generally, make an amendment to the ordinance necessary and desirable.

3. **Increase in need for sites** – increased or increasing needs for business or industrial sites, in addition to sites that are available, make it necessary and desirable to reclassify an area or to extend the boundaries of an existing district.
4. **Annexation** – it is necessary and desirable to classify territory hereafter annexed to the city to a district classification.
5. **Ordinance changes** – amendment of the ordinance not involving a change in classification of land necessary.
6. **Change in governmental property** – it is necessary to reclassify property as a result of acquisition or disposition of such property by the United States of America, the state of Mississippi or Harrison County.

**G. The following items must be submitted when in a written statement you are requesting an amendment to the Comprehensive Zoning Ordinance or SmartCode Ordinance:**

1. **Interest:** The applicant or applicants name(s), address(es) and interest of any individual(s), firm(s) or corporation(s) represented by the applicant(s) in the application.
2. **Condition for Change:** State which one or more condition(s) exists which warrants the change to the zoning amendment. The six conditions defined in the ordinance are above.
3. **Development Schedule:** A development schedule must also be submitted. This should show the time schedule for the beginning and completion of mall development planned by the applicant in the area. The successive stages and the development for each stages should be shown if applicable.
4. **Effects of Amendment:** Provide a report giving the nature, description, and effect of the proposed amendment.
5. **Error:** The error in this ordinance that would be corrected by the proposed amendment; if the intent is to correct an error.

**H. Cash or check payable to the City of Gulfport in the amount of \$175.00.**



Beaufort Gazette  
 Belleville News-Democrat  
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 Centre Daily Times  
 Charlotte Observer  
 Columbus Ledger-Enquirer  
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The Herald - Rock Hill  
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 Raleigh News & Observer  
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 Sacramento Bee  
 Fort Worth Star-Telegram  
 The State - Columbia  
 Sun Herald - Biloxi

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

## AFFIDAVIT OF PUBLICATION

Account #	Order Number	Identification	Order PO	Amount	Cols	Depth
36845	351542	Print Legal Ad-IPL00996680 - IPL0099668		\$49.92	1	86 L

Attention: Matilda Welch

PO BOX 1780  
 GULFPORT, MS 39502

**LEGAL NOTICE  
 PUBLIC HEARING**

In conformance with Section VIII of the Comprehensive Zoning Ordinance of the City of Gulfport, Mississippi, 1979 as amended, notice is hereby given advising that the Gulfport City Planning Commission will hold a public hearing in the City of Gulfport, Mississippi at 4:30 P.M., Thursday, December 14, 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 2212PC215**, by owner Thomas Lewis, tax parcel 0907J-01-021.003, Requests a home occupation for independent freight dispatch service, 13593 Wind Rose Circle, Zoned R-1-15 (Single-family), Ward 7

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**Resubdivision 2212PC218**, by agent Joyce Unsworth, tax parcel 07100-02-102.002, Divide into two new parcels, 4809 29th Street, Zoned B-1 (Neighborhood business), Ward 1

**Resubdivision 2212PC219**, by agent Jimmy Miles, tax parcel 0810N-05-023.000, Divide into three new parcels, 32nd St, Zoned B-2 (General business), Ward 3

**Resubdivision 2212PC220**, by agent Josh Fleming, tax parcels 0811G-02-030.000 & 0811G-02-016.000, divide into two new parcels, 1512 E Beach Blvd & Thornton Ave, Zoned R-B (Residence-Business) Ward 2

**General Plan 2212PC221**, by agent Freddie Fountain with Fountain & Associates, LLC, tax parcel 0907J-01-001.005, Approval of a General Plan for 17-Lot subdivision (Plantation Oaks Subdivision - Phase III), 0 Three Rivers Road, Zoned R-B (Residence-business), Ward 6

**Appeal 2212PC222**, by agent Shaw Design Group, PA, tax parcel 0809K-01-001.026, to Appeal City of Gulfport Design Standards, 9394 Three River Road, Zoned B-2 (General business), Ward 3

**Zoning Text Amendment 2212PC224**, by CRC Westside, amendments to the SmartCode Zoning Ordinance, as amended, Section 5.3.3 h

**Zoning Text Amendment 2212PC225**, by CRC Westside, amendments to the SmartCode Zoning Article 6, as amended, Section 5.3.3 a Table 10

**Zoning Text Amendment 2212PC226**, by City of Gulfport, Amendments to the Comprehensive Zoning Ordinance, as amended, District Regulations, (J) Chart of Permitted Uses (2) Schedule of uses - Residential Hotel

This is the 22th day of November, 2022  
 Keith Williams, Chairman  
 City of Gulfport Planning Commission  
 IPL0099668  
 Nov 30 2022

### STATE OF MISSISSIPPI COUNTY OF HARRISON

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

1 insertion(s) published on:  
 11/30/22

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

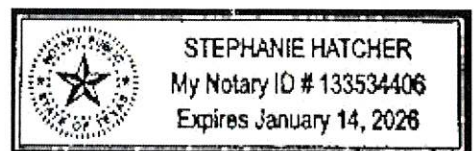
*Stefani Beard*

Sworn to and subscribed before me this 30th day of November in the year of 2022

*Stephanie Hatcher*

Notary Public

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



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

# MEMORANDUM

**To:** City of Gulfport Planning Commission

**From:** Greg Holmes, Planning Administrator  
Urban Development Department

**Date of Hearing:** December 15, 2022

**Re:** Zoning Text Amendment 2212PC224:

Zoning Text Amendment 2212PC224, by CRC Westside, amendments to the SmartCode Zoning Ordinance, as amended, Section 5.3.3 h



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

APPLICATION FOR
ZONING TEXT AMENDMENT

For Staff Use Only

Case File #: 2212PC224
Date Received:
Receipt #:
Received By:
Zoning:
Ward: Flood:

GENERAL DESCRIPTION OF REQUEST: (If necessary, attach a separate sheet of paper detailing the purpose of the request.)

Changes to the SmartCode Ordinance

Four horizontal lines for describing the request.

OWNERSHIP AND CERTIFICATION:

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OWNER

AGENT

City of Gulfport

Printed Name Of Owner: P.O. Box 1780
Mailing Address: Gulfport, MS 39501
City, State, Zip code
Home Phone, Work/Cell Phone
Email

Signature Of Owner

Printed Name Of Agent
Mailing Address
City, State, Zip code
Home Phone, Work/Cell Phone
Email

Signature Of Agent

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Empty square checkbox.

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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) \_\_\_\_\_

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SIGNATURE: \_\_\_\_\_

**(Use additional forms as needed)**

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**PERSON/AGENT FOR YOU:** \_\_\_\_\_

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**H. Cash or check payable to the City of Gulfport in the amount of \$175.00.**



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 Bradenton Herald  
 Centre Daily Times  
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 Columbus Ledger-Enquirer  
 Fresno Bee

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

## AFFIDAVIT OF PUBLICATION

Account #	Order Number	Identification	Order PO	Amount	Cols	Depth
36845	351542	Print Legal Ad-IPL00996680 - IPL0099668		\$49.92	1	86 L

Attention: Matilda Welch

PO BOX 1780

GULFPORT, MS 39502

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 PUBLIC HEARING**

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**Appeal 2212PC222**, by agent Shaw Design Group, PA, tax parcel 0809K-01-001.026, to Appeal City of Gulfport Design Standards, 9394 Three River Road, Zoned B-2 (General business), Ward 3

**Zoning Text Amendment 2212PC224**, by CRC Westside, amendments to the SmartCode Zoning Ordinance, as amended, Section 5.3.3 h

**Zoning Text Amendment 2212PC225**, by CRC Westside, amendments to the SmartCode Zoning Article 6, as amended, Section 5.3.3 a Table 10

**Zoning Text Amendment 2212PC226**, by City of Gulfport, Amendments to the Comprehensive Zoning Ordinance, as amended, District Regulations, (J) Chart of Permitted Uses (2) Schedule of uses - Residential Hotel

This is the 22th day of November, 2022  
 Keith Williams, Chairman  
 City of Gulfport Planning Commission  
 IPL0099668  
 Nov 30 2022

### STATE OF MISSISSIPPI COUNTY OF HARRISON

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

1 insertion(s) published on:  
 11/30/22

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

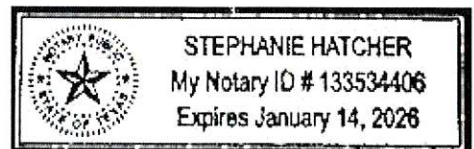
*Stefani Beard*

Sworn to and subscribed before me this 30th day of November in the year of 2022

*Stephanie Hatcher*

Notary Public

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



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

# MEMORANDUM

**To:** City of Gulfport Planning Commission

**From:** Greg Holmes, Planning Administrator  
Urban Development Department

**Date of Hearing:** December 15, 2022

**Re:** Zoning Text Amendment 2212PC226:

Zoning Text Amendment 2212PC226, by City of Gulfport, Amendments to the Comprehensive Zoning Ordinance, as amended, District Regulations, (K) Chart of Permitted Uses (2) Schedule of uses - Residential Hotel



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

### APPLICATION FOR ZONING TEXT AMENDMENT

For Staff Use Only

Case File #: 2212PC226

Date Received: 11/10/22

Receipt #: \_\_\_\_\_

Received By: CL

Zoning: \_\_\_\_\_

Ward: \_\_\_\_\_ Flood: \_\_\_\_\_

**GENERAL DESCRIPTION OF REQUEST:** (If necessary, attach a separate sheet of paper detailing the purpose of the request.)

Modify hotel to not be considered residential for medical cannabis dispensary

#### 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

City of Gulfport

Printed Name Of Owner

1410 24th Ave

Mailing Address

Gulfport MS 39501

City

State

Zip code

228-868-5710

Home Phone

Work/Cell Phone

Email

Signature Of Owner

Printed Name Of Agent

Mailing Address

City

State

Zip code

Home Phone

Work/Cell Phone

Email

Signature Of Agent

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

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

There came on for consideration at a duly constituted meeting of the City Council and Mayor of the City of Gulfport held on the \_\_\_\_\_ day of \_\_\_\_\_, 2022, the following Ordinance:

**ORDINANCE NO. \_\_\_\_\_**

AN ORDINANCE AMENDING THE OFFICIAL TEXT OF THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF GULFPORT, MISSISSIPPI ADOPTED THE 29TH DAY OF JUNE, 1979, SECTION III DISTRICT REGULATIONS, (K) CHART OF PERMITTED USES, (2) SCHEDULE OF USES, RESIDENTIAL CATEGORIES.

WHEREAS, the Mayor and City Council of the City of Gulfport, Mississippi, find and do so determine, based upon the recommendation of the Gulfport City Planning Commission, that the Comprehensive Zoning Ordinance should be amended to allow additions and/or changes to certain uses in the Chart of Permitted Uses as they relates to particular zoning district. The case file number is 2212PC226.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF GULFPORT, MISSISSIPPI, AS FOLLOWS:

SECTION 1: That the official text of the Comprehensive Zoning Ordinance of the City of Gulfport, adopted the 29th day of June, 1979, be and the same is hereby amended to additions and/or changes to certain uses in the Chart of Permitted Uses as they relates to particular zoning district.

In Appendix A – Zoning, Section III District Regulations, (K) Chart of Permitted Uses, (2) Schedule of uses, RESIDENTIAL – Rooming House, as follows:

EXISTING:

* Need not be conducted entirely within a completely enclosed structure.																							
R = Allowed by Right P = Planning Commission approval X = Special Exception — = Not allowed																							
Names of Uses and Conditions	A-1, T1, T2	R-E	P-ITF	R-1-15	R-1-10	R-1-7.5, T3	R-1-5	R-2	R-3	R-4	R-O, T4L	R-B, T4+	B-1, T5	B-2, T6	B-4	E-G	I-1	I-2	I-3	SB	WF	AE	
<b>RESIDENTIAL</b>																							
“Hotel, motel, including restaurant and lounge enclosed within the structure of the main building”													R	R	R	R	R						



WHEREUPON the President declared the motion carried and the Ordinance adopted this the \_\_\_\_\_ day of \_\_\_\_\_, 2022.

(SEAL:)

ATTEST:

ADOPT:

\_\_\_\_\_  
CLERK OF THE COUNCIL

\_\_\_\_\_  
PRESIDENT

The above and foregoing Ordinance, having been submitted and approved by the Mayor, this the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
BILLY HEWES, Mayor



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

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

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

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

## AFFIDAVIT OF PUBLICATION

Account #	Order Number	Identification	Order PO	Amount	Cols	Depth
36845	351542	Print Legal Ad-IPL00996680 - IPL0099668		\$49.92	1	86 L

Attention: Matilda Welch

PO BOX 1780  
 GULFPORT, MS 39502

**LEGAL NOTICE  
 PUBLIC HEARING**

In conformance with Section VIII of the Comprehensive Zoning Ordinance of the City of Gulfport, Mississippi, 1979 as amended, notice is hereby given advising that the Gulfport City Planning Commission will hold a public hearing in the City of Gulfport, Mississippi at 4:30 P.M., Thursday, December 14, 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 2212PC215**, by owner Thomas Lewis, tax parcel 0907J-01-021.003, Requests a home occupation for independent freight dispatch service, 13593 Wind Rose Circle, Zoned R-1-15 (Single-family), Ward 7

**Planning Commission Approval 2212PC216**, by owner William Caleb Boyles, tax parcel 0908J-01-024.008, Requests a home occupation for engraving and cerakoting firearms, 22 Jay Drive, Zoned R-1-10 (Single-family), Ward 6

**Resubdivision 2212PC218**, by agent Joyce Unsworth, tax parcel 07100-02-102.002, Divide into two new parcels, 4809 29th Street, Zoned B-1 (Neighborhood business), Ward 1

**Resubdivision 2212PC219**, by agent Jimmy Miles, tax parcel 0810N-05-023.000, Divide into three new parcels, 32nd St, Zoned B-2 (General business), Ward 3

**Resubdivision 2212PC220**, by agent Josh Fleming, tax parcels 0811G-02-030.000 & 0811G-02-016.000, divide into two new parcels, 1512 E Beach Blvd & Thornton Ave, Zoned R-B (Residence-Business) Ward 2

**General Plan 2212PC221**, by agent Freddie Fountain with Fountain & Associates, LLC, tax parcel 0907J-01-001.005, Approval of a General Plan for 17-Lot subdivision (Plantation Oaks Subdivision - Phase III), 0 Three Rivers Road, Zoned R-B (Residence-business), Ward 6

**Appeal 2212PC222**, by agent Shaw Design Group, PA, tax parcel 0809K-01-001.026, to Appeal City of Gulfport Design Standards, 9394 Three River Road, Zoned B-2 (General business), Ward 3

**Zoning Text Amendment 2212PC224**, by CRC Westside, amendments to the SmartCode Zoning Ordinance, as amended, Section 5.3.3 h

**Zoning Text Amendment 2212PC225**, by CRC Westside, amendments to the SmartCode Zoning Article 6, as amended, Section 5.3.3 a Table 10

**Zoning Text Amendment 2212PC226**, by City of Gulfport, Amendments to the Comprehensive Zoning Ordinance, as amended, District Regulations, (J) Chart of Permitted Uses (2) Schedule of uses - Residential Hotel

This is the 22th day of November, 2022  
 Keith Williams, Chairman  
 City of Gulfport Planning Commission  
 IPL0099668  
 Nov 30 2022

### STATE OF MISSISSIPPI COUNTY OF HARRISON

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

1 insertion(s) published on:  
 11/30/22

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

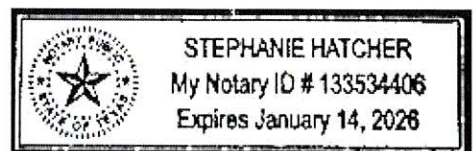
*Stefani Beard*

Sworn to and subscribed before me this 30th day of November in the year of 2022

*Stephanie Hatcher*

Notary Public

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



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

There came on for consideration at a duly constituted meeting of the Mayor and Members of the City Council of the City of Gulfport, Mississippi, held the \_\_\_\_\_ day of \_\_\_\_\_, 2022, the following ordinance.

**ORDINANCE NO.** \_\_\_\_\_

**AN ORDINANCE AMENDING APPENDIX A – COMPREHENSIVE ZONING ORDINANCE OF THE CODE OF ORDINANCES, “CHART OF PERMITTED USES” IN SECTION III (“DISTRICT REGULATIONS”)(K) (“CHART OF PERMITTED USES) IN APPENDIX A WITH RESPECT TO “HOTEL” AND “MOTEL” IN THE “RESIDENTIAL” SECTION, AND FOR RELATED PURPOSES**

WHEREAS, the Mayor and City Council of the City of Gulfport, Mississippi, find and do so determine, based upon the recommendation of the Gulfport City Planning Commission, that the text of the Comprehensive Zoning Ordinance, as codified at Appendix A to the City of Gulfport Code of Ordinances should be amended to declare that, only for the purposes of location of a medical cannabis dispensary, a motel or hotel shall not be considered a “Residential” use.

WHEREAS, the amendment to the motel/hotel provisions in the Chart of Permitted Uses (under “Residential”) as contemplated herein will open additional areas in B-4 to medical cannabis dispensaries.

**NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF GULFPORT, MISSISSIPPI, AS FOLLOWS:**

**SECTION 1:** That SECTION III (“DISTRICT REGULATIONS”)(K) (“CHART OF PERMITTED USES) IN APPENDIX A WITH RESPECT TO “HOTEL” AND “MOTEL” IN THE “RESIDENTIAL” SECTION, be and the same is hereby amended to read as follows:

PRESENTLY READS:

“Hotel, motel, including restaurant and lounge enclosed within the structure of the main building”

BE AMENDED TO READ (WITH CHANGES IN BOLD, ITALICIZED AND UNDERLINED):

“Hotel, motel, including restaurant and lounge enclosed within the structure of the main building *(a “hotel” or “motel” shall not be considered a “residential use” for purposes of location of a medical cannabis dispensary only)*”

AND

PRESENTLY READS:

“Hotel, motel, including automobile filling station as an accessory use only”

BE AMENDED TO READ (WITH CHANGES IN BOLD, ITALICIZED AND UNDERLINED):

“Hotel, motel, including automobile filling station as an accessory use only **(a “hotel” or “motel” shall not be considered a “residential use” for purposes of location of a medical cannabis dispensary only)**”

**SECTION 4:** Upon passage by a unanimous vote of all members of the governing body, this ordinance shall be in full force and effect immediately upon passage in order to provide for the immediate and temporary preservation of the public peace, health and safety by allowing greater areas in Zoning District B-4 to allow medical cannabis dispensaries. For failure to be adopted unanimously, this Ordinance shall otherwise be in full force and effect thirty (30) days after the date of passage. It shall be published according to law and shall be spread upon the minutes of the Gulfport City Council.

**SECTION 5.** The Governing Authority further finds that the following shall serve as an explanatory statement of this Ordinance for purposes of publication: “This Ordinance amends Appendix A to the City’s Code of Ordinances (the Zoning Ordinance) by providing that, only for the purposes of locating a medical cannabis dispensary, a “hotel” or “motel” shall not be considered a “residential” use.” A copy of the full text of this Ordinance is available to municipal residents upon request to the City Clerk.” For the next thirty (30) days, a copy of the full text of this Ordinance shall be posted by the City Clerk: (a) in the first floor lobby at City Hall (2309 15<sup>th</sup> Street, Gulfport, Mississippi 39501); (b) in the first floor lobby of the City’s Hardy Building (1410 24<sup>th</sup> Avenue, Gulfport, Mississippi 39501); and (c) in the first floor lobby of the County Courthouse in Gulfport (1801 23<sup>rd</sup> Avenue, Gulfport, Mississippi 39501). The City Clerk shall further furnish any resident of the City a copy of the full text of this Ordinance upon request.

The above and foregoing Ordinance, after having been first reduced to writing, was introduced by \_\_\_\_\_, seconded by \_\_\_\_\_ and was adopted by the following roll call votes, to-wit:

YEAS:            ABSTENTIONS:            NAYS:

WHEREUPON the President declared the motion carried and the Ordinance adopted this the \_\_\_\_\_ day of \_\_\_\_\_, 2022.

(SEAL:)

ATTEST:

ADOPT:

\_\_\_\_\_  
CLERK OF THE COUNCIL

\_\_\_\_\_  
PRESIDENT

The above and foregoing Ordinance, having been submitted and approved by the Mayor, this the \_\_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
BILLY HEWES, Mayor

# MEMORANDUM

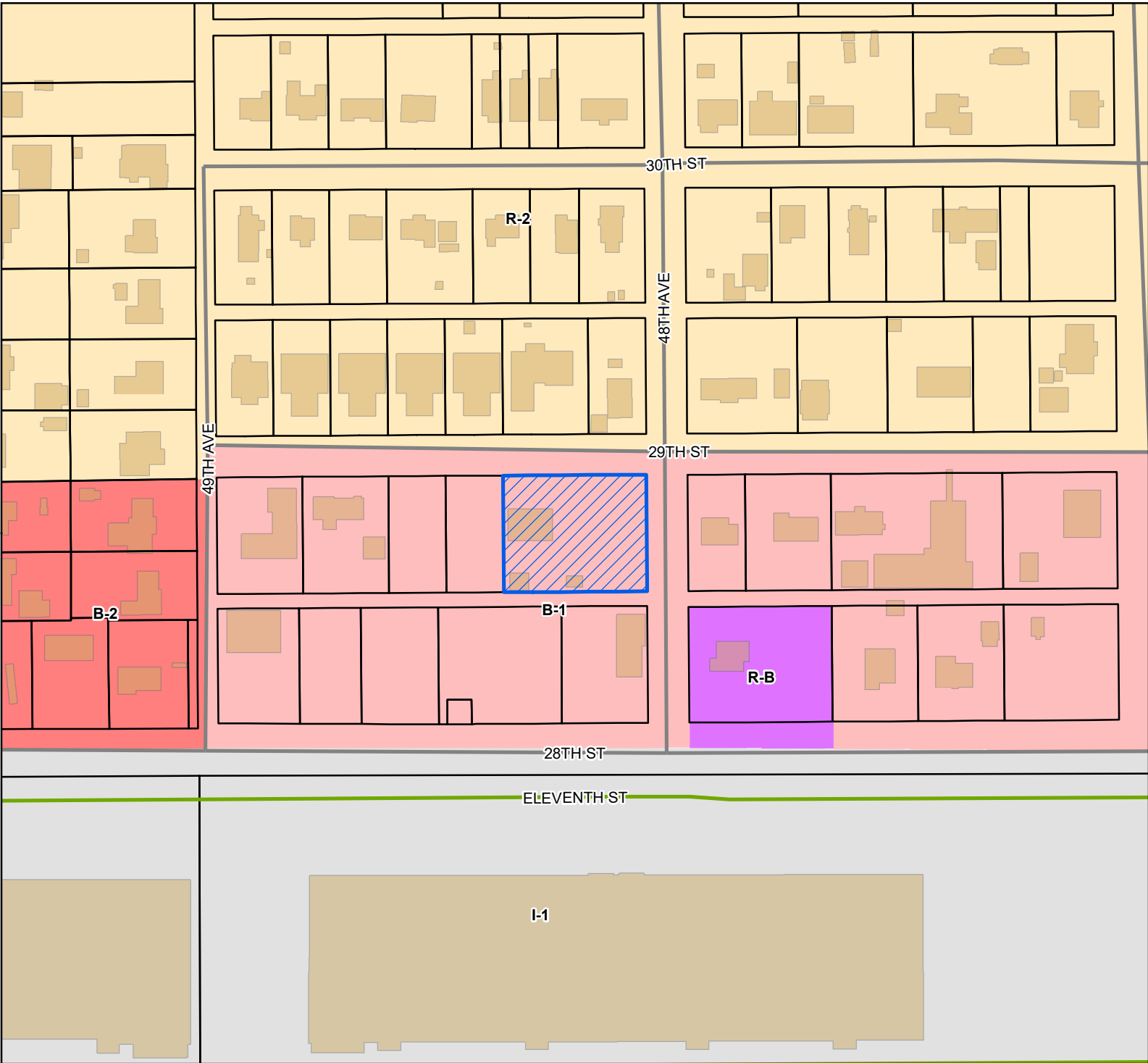
**To:** City of Gulfport Planning Commission

**From:** Greg Holmes, Planning Administrator  
Urban Development Department

**Date of Hearing:** December 15, 2022

**Re:** Resubdivision 2212PC218:  
(Postponed to January 26th Meeting)

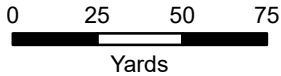
Resubdivision 2212PC218, by agent Joyce Unsworth, tax parcel 0710O-02-102.002, Divide into two new parcels, 4809 29th Street, Zoned B-1 (Neighborhood business), Ward 1



- Site
- Street
- Military Street
- Parcels
- Buildings

- Zoning**
- B-1 - Neighborhood Business District
  - B-2 - General Business District
  - I-1 - Light Industry District
  - R-2 - Single Family Residence District (Medium Density)
  - R-B - Residence-Business District

**Site Information**  
 07100-02-102.002  
 Zoning: B-1 (Neighborhood Business district)  
 Size: 24,993 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 Number: 2212 PC218

Date Received: 10-28-22

Receipt Number: \_\_\_\_\_

Received By: KB

Zoning: B-1

Ward: 1 Flood: X

Size: 24,993 Sqft.

(If necessary, use separate sheet of paper)

# APPLICATION FOR RESUBDIVISION

## Property Information

TAX PARCEL #

0	7	1	0	0	-	0	2	-	1	0	2	•	0	0	2
					-			-				•			
					-			-				•			

Address of Property Involved: 4809 29th ST, Gulfport MS 39501

Lot(s) 11,12,13,14,15, Block(s) 19, Subdivision Gulfport Heights Addition

General Location: South Corner of 29th ST, West side of 48th Ave.

### GENERAL DESCRIPTION OF REQUEST:

Would like to Resubdivide lots 13,14,15, To sell  
I will keep lots 11,12, for my Home. Block 19

### 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

Harvey Young  
Printed Name of Owner

Joyce Unsworth  
Printed Name of Agent

4809 29th ST.  
Mailing Address

4628 28th ST  
Mailing Address

Gulfport MS 39501  
City State Zip code

Gulfport MS 39501  
City State Zip code

228-236-6413  
Home Phone Work/Cell Phone

985-515-9661  
Home Phone Work/Cell Phone

N/A N/A  
Home Phone Work/Cell Phone

1realjoyce@gmail.com  
Home Phone Work/Cell Phone

NONE  
Email

Joyce Unsworth  
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.**



**Covenant Affidavit**

I, Joyce Unsworth, being owner or agent of the property 4809 29<sup>TH</sup> ST. GPT, 39501  
PRINT NAME PRIMARY ADDRESS OR PARCEL  
07100-02-102.002

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

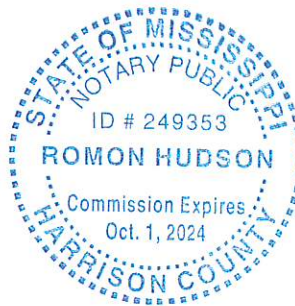
X [Signature]  
Signature Harvey Youngs

9/26/2022  
Date

**STATE OF MISSISSIPPI | COUNTY OF HARRISON**

Given under my hand and seal of office this the 26 day of Sept, 2022

[Signature]  
Notary Public



10/01/2024  
Commission Expiration



Designation of Agent

I, Harvey Young, being owner of the property 4809 29th ST. GPT. 39501 which is the subject of this application hereby authorize Joyce Unsworth 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]  
Signature

14-4  
Sept 26 2022  
Date

STATE OF MISSISSIPPI | COUNTY OF HARRISON

Given under my hand and seal of office this the 26<sup>th</sup> day of SEPT., 20 22

[Signature]  
Notary Public

10/01/2024  
Commission Expiration



October 28, 2022

City of Gulfport Planning Division

I am agent for MR. Harvey Young address  
4809 29th St. Gulfport, MS 39501

Parcel # 07100-02-102-002

LOTS 11, 12, 13, 14, 15 Block 19

My Request is to Resubdivide my property  
I will keep Lots 11, 12, Block 19 with my  
Home.

I want to subdivide Lots 13, 14, 15, Block 19  
to sell.

Thank you for your consideration

Harvey Young

Agent

Joyce Kneworth

07100-02-098.000 07100-02-097.000 07100-02-096.000 07100-02-046.000



# Area Map

Printed 07/01/22

R-2

29TH ST

07100-02-102.001

• 4809 29TH ST

07100-02-102.002

• 2809 48TH AVE

48TH AVE

X

B-1

07100-02-105.000

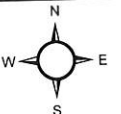
• 4812 28TH ST

07100-02-104.000

• 4800 28TH ST

• Addresspoints

▭ Parcels



1 inch = 33 feet

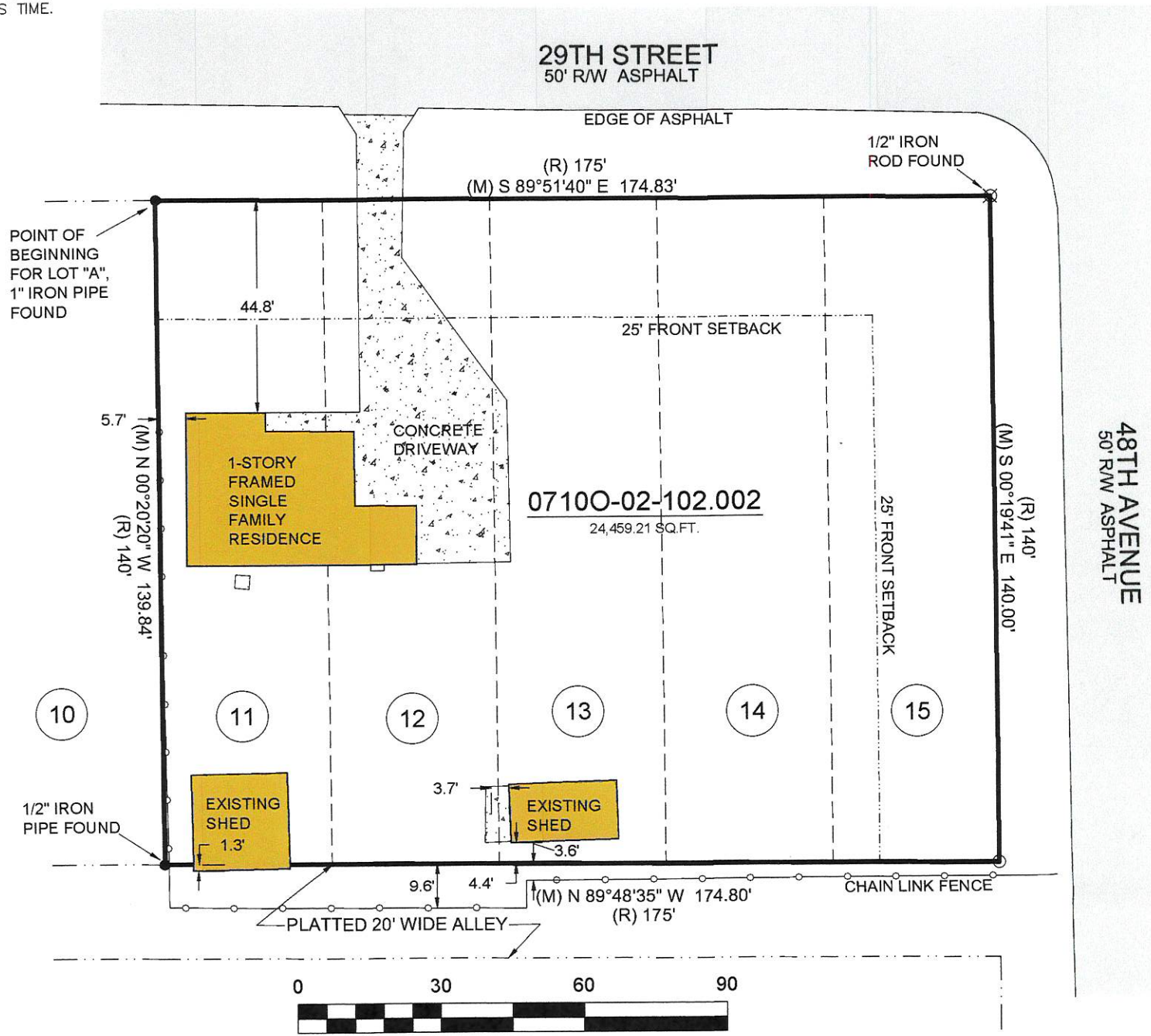
**DATA DISCLAIMER:**

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 RESUBDIVISION OF A ONE PARCEL INTO TWO PARCELS,  
CITY OF GULFPORT, FIRST JUDICIAL DISTRICT OF  
HARRISON COUNTY, MISSISSIPPI, INTO LOTS "A" AND "B".  
SAID PARCEL BEING REFERRED TO AS TAX PARCEL NOS.  
07100-02-102.002, ADDRESS-  
4809 29TH STREET**

**NOTE:**

PROPERTY IS SERVICED BY CITY OF GULFPORT WATER AND SEWER AT THIS TIME.

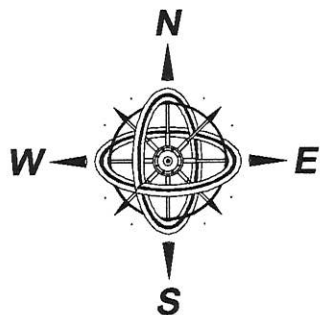


**FLOOD ZONE NOTE:**

BY GRAPHIC PLOTTING ONLY, THIS PROPERTY IS LOCATED IN THE FIRM ZONE "X" ACCORDING TO MAP NUMBER 28047C0263G, DATED JUNE 16, 2009. THE ABOVE STATEMENT IS FOR INFORMATION ONLY AND DOES NOT REPRESENT THIS SURVEYOR'S OPINION OF THE PROBABILITY OF FLOODING. THIS SURVEYOR ASSUMES NO LIABILITY FOR THE CORRECTNESS OF THE CITED MAP.

**NOTES:**

- 1.) FIELD SURVEY PERFORMED WITH A TOPCON HIPER VR GPS RECEIVER.
- 2.) STATE PLANE COORDINATES AND BEARINGS SHOWN HEREON ARE DERIVED BY GPS OBSERVATION UTILIZING THE EARL DUDLEY, INC. RTK NETWORK, AND ARE BASED ON SPC (2301 M5 E).
- 3.) 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.
- 4.) BUILDING SETBACKS, ELEVATIONS, WETLAND DETERMINATION AND ETCETERA TO BE PRESCRIBED BY APPROPRIATE GOVERNING BODIES.



**REFERENCE: GRID NORTH  
BY GPS OBSERVATION  
(DATUM=NAD 83)**

**GPS OBSERVATION  
NOTE**

DATE OF FIELD WORK: 9/22/2022  
TOPCON HIPER VR RECEIVER WAS USED FOR GPS OBSERVATION, UTILIZING THE EARL DUDLEY, INC. REAL-TIME NETWORK

**MINIMUM BUILDING  
SETBACKS:**

THIS PARCEL OF LAND IS LOCATED IN B-1, NEIGHBORHOOD BUSINESS DISTRICT AS PER CITY OF GULFPORT ONLINE ATLAS. REFER TO CITY OF GULFPORT MUNICODER FOR SETBACKS AND OTHER CRITERIA.

**REFERENCE MATERIALS:**

- 1.) GULFPORT ONLINE ATLAS
- 2.) HARRISON COUNTY TAX MAPS
- 3.) INSTRUMENT NO. 2008-10062-D-J1
- 4.) INSTRUMENT NO. 2022-16336-D-J1
- 5.) RECORDED PLAT OF GULFPORT HEIGHTS ADDITION

**LEGEND:**

- ⊗ --- IRON ROD FOUND
- ⊙ --- IRON PIPE FOUND
- --- IRON ROD SET
- ⊕ --- SPIKE FOUND
- ⚡ --- SPIKE SET
- ⊗ --- CONCRETE MONUMENT FOUND
- ⊙ --- CONCRETE MONUMENT SET
- ⊕ --- LIGHTWAD KNOT FOUND
- ⊙ --- AS PER SURVEY
- ⊙ --- AS PER RECORD
- ⊙ --- AS PER PLAT
- ⊙ --- IRON ROD FOUND
- ⊙ --- 1/2" IRON ROD WITH CAP SET
- P.O.B. --- POINT OF BEGINNING

CLIENTS: HARVEY V. YOUNG AND JOYCE UNSWORTH  
DATE OF FIELD SURVEY: 9/22/2022  
DRAWN BY: CAC  
JOB NUMBER: 22276.dwg

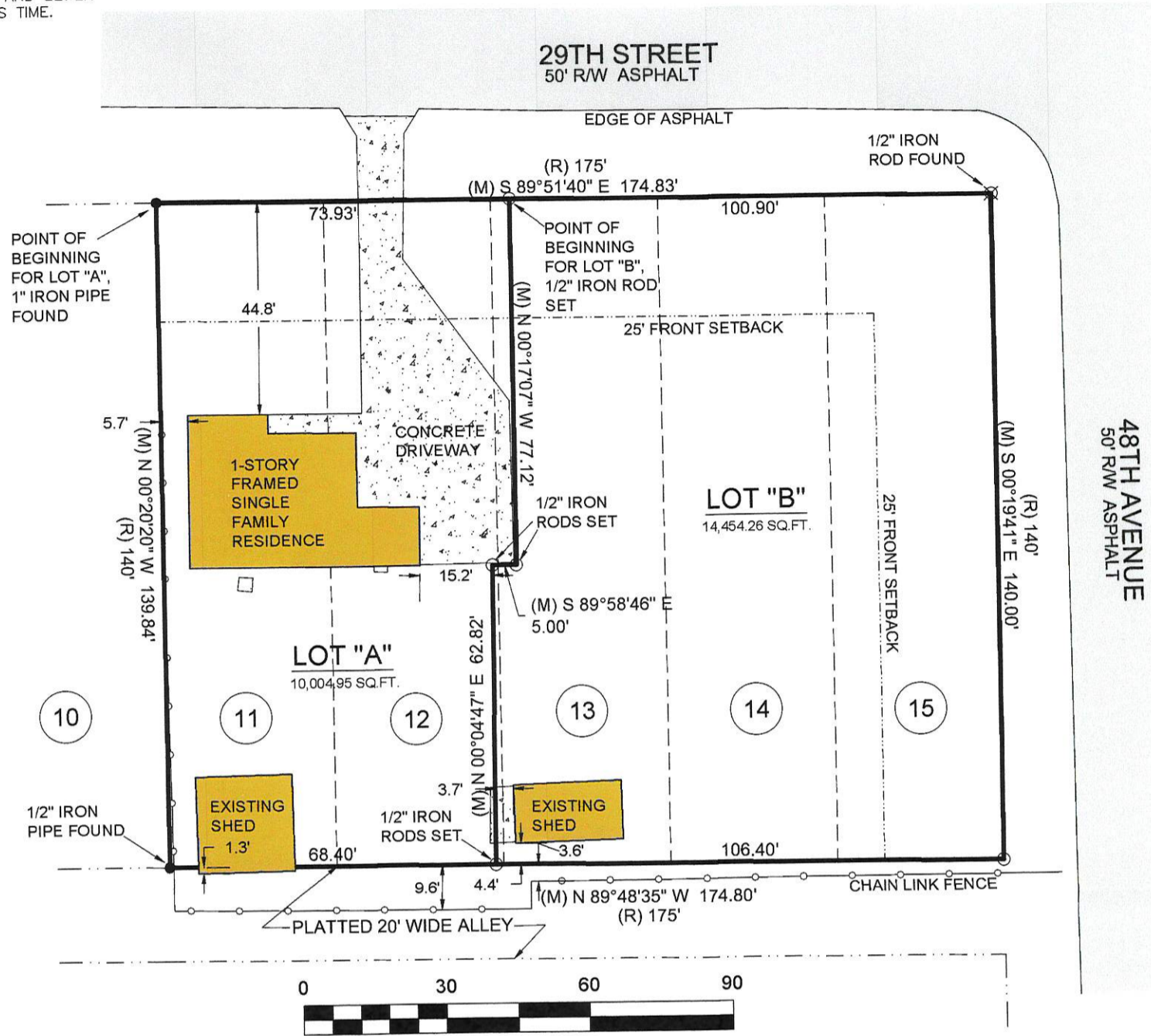
PREPARED BY:

**CLIFFORD A. CROSBY, PLS**  
716 LIVE OAK DRIVE  
BILOXI, MS 39532 PHONE: 228-234-1649

**A RESUBDIVISION OF A ONE PARCEL INTO TWO PARCELS,  
CITY OF GULFPORT, FIRST JUDICIAL DISTRICT OF  
HARRISON COUNTY, MISSISSIPPI, INTO LOTS "A" AND "B".  
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07100-02-102.002, ADDRESS-  
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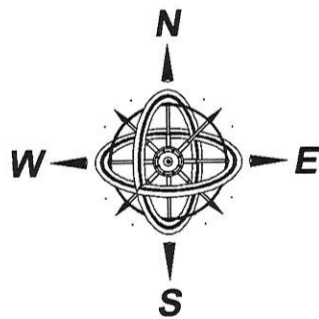


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- 3.) UNLESS OTHERWISE NOTED THIS SURVEY IS LIMITED TO ABOVE GROUND AND VISIBLE UTILITIES. A MISSISSIPPI ONE CALL SHOULD BE MADE BEFORE ANY DIGGING @ 1-800-227-6477.
- 4.) BUILDING SETBACKS, ELEVATIONS, WETLAND DETERMINATION AND ET CETERA TO BE PRESCRIBED BY APPROPRIATE GOVERNING BODIES.



**REFERENCE: GRID NORTH  
BY GPS OBSERVATION  
(DATUM=NAD 83)**

**GPS OBSERVATION  
NOTE**

DATE OF FIELD WORK: 9/22/2022  
TOPCON HIPER VR RECEIVER WAS USED FOR GPS OBSERVATION, UTILIZING THE EARL DUDLEY, INC. REAL-TIME NETWORK

**MINIMUM BUILDING  
SETBACKS:**

THIS PARCEL OF LAND IS LOCATED IN B-1, NEIGHBORHOOD BUSINESS DISTRICT AS PER CITY OF GULFPORT ONLINE ATLAS. REFER TO CITY OF GULFPORT MUNICODER FOR SETBACKS AND OTHER CRITERIA.

**REFERENCE MATERIALS:**

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- 5.) RECORDED PLAT OF GULFPORT HEIGHTS ADDITION

**LEGEND:**

- ⊗ --- IRON ROD FOUND
- --- IRON PIPE FOUND
- --- IRON ROD SET
- ⊗ --- SPIKE FOUND
- ⊗ --- SPIKE SET
- ⊗ --- CONCRETE MONUMENT FOUND
- ⊗ --- CONCRETE MONUMENT SET
- ⊗ --- LIGHTARD KNOT FOUND
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CLIENTS: HARVEY V. YOUNG AND JOYCE UNSWORTH  
DATE OF FIELD SURVEY: 9/22/2022  
DRAWN BY: CAC  
JOB NUMBER: 22276.dwg

PREPARED BY:

**CLIFFORD A. CROSBY, PLS**  
716 LIVE OAK DRIVE  
BILOXI, MS 39532 PHONE: 228-234-1649

A RESUBDIVISION OF A ONE PARCEL INTO TWO PARCELS,  
CITY OF GULFPORT, FIRST JUDICIAL DISTRICT OF  
HARRISON COUNTY, MISSISSIPPI, INTO LOTS "A" AND "B".  
SAID PARCEL BEING REFERRED TO AS TAX PARCEL NOS.  
07100-02-102.002, ADDRESS-  
4809 29TH STREET

07100-02-102.002 RECORD DESCRIPTION, 2008-10062-D-J1

LOTS 11 THROUGH 15, BLOCK 19, GULFPORT HEIGHTS  
ADDITION, CITY OF GULFPORT, FIRST JUDICIAL  
DISTRICT OF HARRISON COUNTY, MISSISSIPPI.

LEGAL DESCRIPTIONS OF LOTS  
CREATED BY THIS SUBDIVISION:

LEGAL DESCRIPTION: LOT "A"

A PORTION OF LOTS 11 THROUGH 13, BLOCK 19, GULFPORT HEIGHTS ADDITION, CITY OF GULFPORT, FIRST JUDICIAL DISTRICT OF HARRISON COUNTY, MISSISSIPPI AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS WITH THE BEARINGS BASED ON STATE PLANE GRID NORTH (MS EAST ZONE 2301):

BEGINNING AT A 1" IRON PIPE FOUND AT THE NORTHWEST CORNER OF LOT 11, BLOCK 19, GULFPORT HEIGHTS ADDITION; THENCE ALONG THE SOUTH MARGIN OF 29TH STREET, S89°51'40"E 73.93' TO A 1/2" IRON ROD SET; THENCE S00°17'07"E 77.12' TO A 1/2" IRON ROD SET; THENCE N89°58'46"W 5.00' TO A 1/2" IRON ROD SET; THENCE S00°04'47"W 62.82' TO A 1/2" IRON ROD SET ON THE NORTH MARGIN OF A 20 FEET WIDE ALLEY; THENCE ALONG SAID NORTH MARGIN, N89°48'35"W 68.40' TO A 1/2" IRON PIPE FOUND AT THE SOUTHWEST CORNER OF SAID LOT 11; THENCE ALONG THE WEST LINE OF SAID LOT 11, N00°20'20"W 139.84' TO THE POINT OF BEGINNING, CONTAINING 10,004.95 SQUARE FEET.

LEGAL DESCRIPTION: LOT "B"


A PORTION OF LOTS 12 THROUGH 15, BLOCK 19, GULFPORT HEIGHTS ADDITION, CITY OF GULFPORT, FIRST JUDICIAL DISTRICT OF HARRISON COUNTY, MISSISSIPPI AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS WITH THE BEARINGS BASED ON STATE PLANE GRID NORTH (MS EAST ZONE 2301):

COMMENCING AT A 1" IRON PIPE FOUND AT THE NORTHWEST CORNER OF LOT 11, BLOCK 19, GULFPORT HEIGHTS ADDITION; THENCE ALONG THE SOUTH MARGIN OF 29TH STREET, S89°51'40"E 73.93' TO A 1/2" IRON ROD SET AT THE POINT OF BEGINNING; THENCE FURTHER ALONG SAID SOUTH MARGIN OF 29TH STREET, S89°51'40"E 100.90' TO A 1/2" IRON ROD FOUND AT THE NORTHEAST CORNER OF LOT 15; THENCE ALONG THE WEST MARGIN OF 48TH AVENUE, S00°19'41"E 140.00' TO A 1/2" IRON ROD SET AT THE SOUTHEAST CORNER OF LOT 15; THENCE ALONG THE NORTH MARGIN OF A 20 FEET WIDE ALLEY, N89°48'35"W 106.40' TO A 1/2" IRON ROD SET; THENCE N00°04'47"E 62.82' TO A 1/2" IRON ROD SET; THENCE S89°58'46"E 5.00' TO A 1/2" IRON ROD SET; THENCE N00°17'07"W 77.12' TO THE POINT OF BEGINNING, CONTAINING 14,454.26 SQUARE FEET.

**OWNER'S DEDICATION**

THIS IS TO CERTIFY THAT HARVEY V. YOUNG IS ONE OF THE OWNERS OF RECORD OF THE LAND SHOWN ON THIS PLAT, DECLARE THIS TO BE A CORRECT PLAT.

WITNESS MY SIGNATURE ON THIS 26<sup>th</sup> DAY OF SEPT., 2022.

  
HARVEY V. YOUNG

THE APPLICANT HEREBY COVENANTS AND AGREES TO INDEMNIFY AND HOLD HARMLESS THE CITY OF GULFPORT, ITS AGENTS, SERVANTS, AND OR EMPLOYEES AGAINST ANY AND ALL CLAIMS, DEMANDS, OR CAUSES OF ACTION OF WHATEVER NATURE WHICH MAY ARISE AS A RESULT OF THE ACTION OF THE PLANNING COMMISSION, ITS AGENTS, AND/OR EMPLOYEES CONCERNING THE PETITION FOR RESUBDIVISION OF THE REAL PROPERTY DESCRIBED HEREIN.

RATIFIED AND APPROVED BY:

  
HARVEY V. YOUNG

THIS 26<sup>th</sup> DAY OF SEPT., 2022.

**ACKNOWLEDGEMENT**

BEFORE ME, THE UNDERSIGNED, AUTHORIZED IN AND FOR THE STATE OF MISSISSIPPI, COUNTY OF HARRISON COUNTY, PERSONALLY APPEARED THE AFORENAMED HARVEY V. YOUNG WHO ACKNOWLEDGED THAT HE ACCEPTED THIS PLAT AND EXECUTED THE FOREGOING CERTIFICATE AND DEDICATION FOR THE PURPOSE THEREIN SET FORTH.

  
NOTARY PUBLIC

MY COMMISSION EXPIRES: 10/01/2024



CLIENTS: HARVEY V. YOUNG AND JOYCE UNSWORTH  
DATE OF FIELD SURVEY: 9/22/2022  
DRAWN BY: CAC  
JOB NUMBER: 22276.dwg

PREPARED BY:

**CLIFFORD A. CROSBY, PLS**  
716 LIVE OAK DRIVE  
BILOXI, MS 39532 PHONE: 228-234-1649

**CERTIFICATE OF RESUBDIVISION**

IN ACCORDANCE WITH SECTION 9-48 OF THE CODE OF ORDINANCE (SUBDIVISION REGULATIONS) OF THE CITY OF GULFPORT AS AMENDED, IT IS HEREBY CERTIFIED THAT THE GULFPORT CITY PLANNING COMMISSION CHAIRMAN AND GULFPORT CITY COUNCIL HAVE REVIEWED AND APPROVED THIS FINAL PLAT FOR THE RESUBDIVISION OF TAX PARCEL # 07100-02-102.002, LOCATED IN THE CITY OF GULFPORT, MS. THE SUBJECT PROPERTY IS GENERALLY DESCRIBED AS BEING LOCATED ON SOUTH SIDE OF 29TH STREET AND ON THE WEST SIDE OF 48TH AVENUE. THE AD VALOREM TAX PARCEL NUMBERS OF THE SUBJECT PROPERTY IS

07100-02-102.002 THE CASE FILE NUMBER IS

**OWNER'S DEDICATION**

THIS IS TO CERTIFY THAT JOYCE UNSWORTH IS ONE OF THE OWNERS OF RECORD OF THE LAND SHOWN ON THIS PLAT, DECLARE THIS TO BE A CORRECT PLAT.

WITNESS MY SIGNATURE ON THIS 26<sup>th</sup> DAY OF SEPT., 2022.

Joyce Unsworth  
JOYCE UNSWORTH

THE APPLICANT HEREBY COVENANTS AND AGREES TO INDEMNIFY AND HOLD HARMLESS THE CITY OF GULFPORT, ITS AGENTS, SERVANTS, AND OR EMPLOYEES AGAINST ANY AND ALL CLAIMS, DEMANDS, OR CAUSES OF ACTION OF WHATEVER NATURE WHICH MAY ARISE AS A RESULT OF THE ACTION OF THE PLANNING COMMISSION, ITS AGENTS, AND/OR EMPLOYEES CONCERNING THE PETITION FOR RESUBDIVISION OF THE REAL PROPERTY DESCRIBED HEREIN.

RATIFIED AND APPROVED BY:

Joyce Unsworth  
JOYCE UNSWORTH

THIS 26<sup>th</sup> DAY OF SEPT., 2022.

**ACKNOWLEDGEMENT**

BEFORE ME, THE UNDERSIGNED, AUTHORIZED IN AND FOR THE STATE OF MISSISSIPPI, COUNTY OF HARRISON COUNTY, PERSONALLY APPEARED THE AFORENAMED JOYCE UNSWORTH WHO ACKNOWLEDGED THAT SHE ACCEPTED THIS PLAT AND EXECUTED THE FOREGOING CERTIFICATE AND DEDICATION FOR THE PURPOSE THEREIN SET FORTH.

[Signature]  
NOTARY PUBLIC

MY COMMISSION EXPIRES: 10/01/2024



**SURVEYOR'S CERTIFICATE**

I, CLIFFORD A. CROSBY, PROFESSIONAL LAND SURVEYOR IN AND FOR THE STATE OF MISSISSIPPI, DO HEREBY CERTIFY THAT THE FOREGOING PLAT AND DESCRIPTIONS ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF, AND THAT ALL MONUMENTS SHOWN ON THIS SURVEY ACTUALLY EXIST AS LOCATED AND THAT ALL DIMENSIONAL AND OTHER DATA SHOWN ARE CORRECT. I ALSO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH "MINIMUM STANDARDS FOR LAND SURVEYING IN THE STATE OF MISSISSIPPI"

WITNESS MY SIGNATURE AND SEAL THIS 26<sup>th</sup> DAY OF SEPTEMBER, 2022.

[Signature]  
CLIFFORD A. CROSBY, MS PLS 2539



**CERTIFICATE OF APPROVAL BY THE PLANNING COMMISSION**

SUBMITTED TO AND APPROVED BY THE CITY OF GULFPORT PLANNING COMMISSION ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2022.

BY: KEITH WILLIAMS  
THE CITY OF GULFPORT'S PLANNING COMMISSION CHAIRMAN

BY: GREG HOLMES  
THE CITY OF GULFPORT'S PLANNING DIVISION ADMINISTRATOR

**CERTIFICATE OF APPROVAL BY THE COUNCIL**

SUBMITTED TO AND APPROVED BY THE CITY OF GULFPORT CITY COUNCIL AT THE REGULAR MEETING OF SAID COUNCIL HELD ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2022.

ATTEST:

BRITTANY RODGERS  
THE CITY OF GULFPORT'S CLERK OF COUNCIL

F.B. "RUSTY" WALKER, IV  
THE CITY OF GULFPORT'S COUNCIL PRESIDENT

**CERTIFICATE OF APPROVAL BY THE MAYOR**

THIS RESUBDIVISION PLAT AND CERTIFICATE OF RESUBDIVISION, HAVING BEEN SUBMITTED AND APPROVED BY THE MAYOR, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2022.

BILLY HEWES  
THE CITY OF GULFPORT'S MAYOR

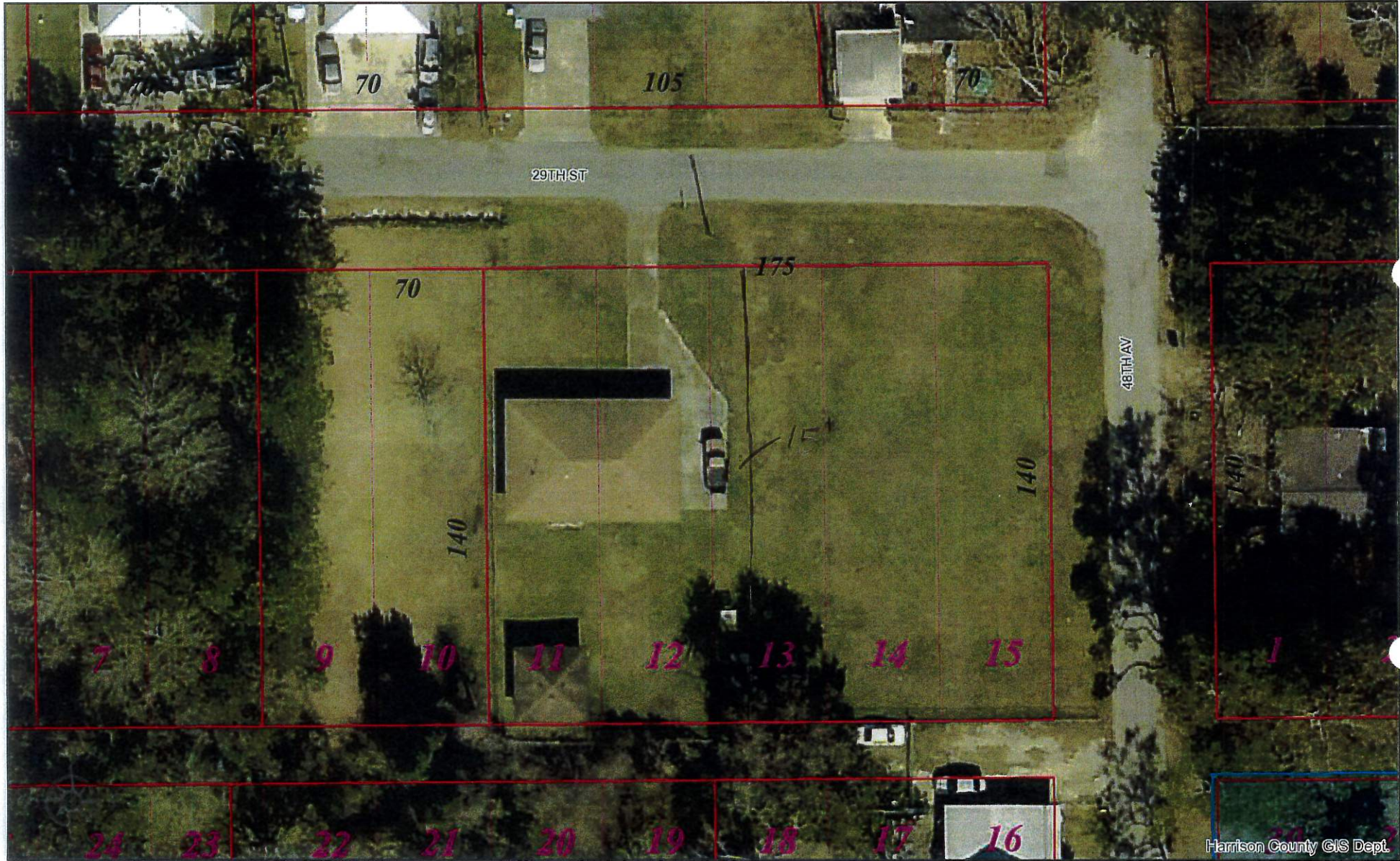
PREPARED BY:

CLIFFORD A. CROSBY, PLS  
716 LIVE OAK DRIVE  
BILOXI, MS 39532 PHONE: 228-234-1649

CLIENTS: HARVEY V. YOUNG AND JOYCE UNSWORTH  
DATE OF FIELD SURVEY: 9/22/2022  
DRAWN BY: CAC  
JOB NUMBER: 22276.dwg

4809 29th St, Gulfport

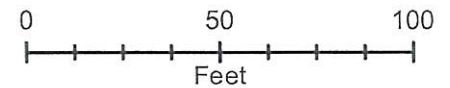
111001



**HARRISON COUNTY, MISSISSIPPI**

DISCLAIMER: THIS MAP IS FOR PROPERTY TAX ASSESSMENT PURPOSES ONLY. IT WAS CONSTRUCTED FROM PROPERTY INFORMATION RECORDED IN THE OFFICE OF THE REGISTER OF DEEDS AND IS NOT CONCLUSIVE AS TO LOCATION OF PROPERTY OR LEGAL OWNERSHIP. TAL FLURRY, TAX ASSESSOR.

MAP DATE: June 29, 2022



SCANNED

STATE OF MISSISSIPPI

COUNTY OF HARRISON



1st Judicial District  
In. ment 2008 10062 D J1  
Filed/Recorded 12 3 2008 4 49 P  
Total Fees 16.00  
2 Pages Recorded



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, HARVEY V. YOUNG also known as HARVEY YOUNG and wife, BERNICE E. YOUNG also known as BERNICE YOUNG, 4809-29th Street, Gulfport, MS 39501, 228-864-9771, do hereby sell, convey and warrant unto HARVEY V. YOUNG and BERNICE E. YOUNG, 4809-29th Street, Gulfport, MS 39501, 228-864-9771, as joint tenants with full rights of survivorship and not as tenants in common, the following described land and property being located in the First Judicial District of Harrison County, Mississippi, being more particularly described as follows, to-wit:

TITLE NOT EXAMINED

Lots Eleven (11), Twelve (12), Thirteen (13), Fourteen (14) and Fifteen (15), Block Nineteen (19), GULFPORT HEIGHTS ADDITION, 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 3 at Page 13 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 subject to any and all prior recorded reservations, conveyances and leases of oil, gas and minerals by previous owners.

TAXES for the current year are hereby assumed by the Grantees herein.

WITNESS OUR SIGNATURES, on this the 3<sup>rd</sup> day of December, 2008.

HARVEY V. YOUNG

BERNICE E. YOUNG

STATE OF MISSISSIPPI

COUNTY OF HARRISON

2

THIS DAY PERSONALLY CAME AND APPEARED BEFORE ME, the undersigned authority in and for the jurisdiction aforesaid, HARVEY V. YOUNG also known as HARVEY YOUNG and wife, BERNICE E. YOUNG also known as BERNICE YOUNG, who acknowledged that the above and foregoing instrument was signed and delivered as the free and voluntary act and deed of the Grantors on the day and in the year therein mentioned.

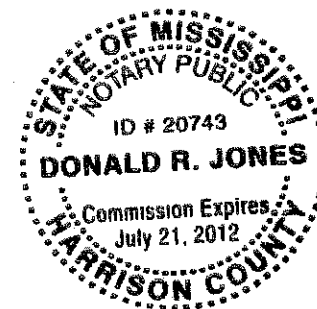
GIVEN UNDER MY HAND AND OFFICIAL SEAL OF OFFICE, this the 3<sup>rd</sup> day of December, 2008.

  
NOTARY PUBLIC

My Commission Expires:

\_\_\_\_\_

Prepared by:  
Gulf Title Company, Inc.  
P. O. Box 280  
Gulfport, MS 39502  
(228) 865-0011  
File #080663



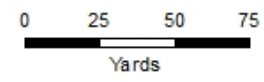
Mail	PPIN	Parcel ID	Name	Address	City	State	ZIP
	29801	07100-02-102.002	YOUNG HARVEY (OWNER)	4809 29TH STREET	GULFPORT	MS	39501
			JOYCE UNSWORTH (AGENT)	4628 28TH ST	GULFPORT	MS	39501
N			<b>Adjacent Property Owners (2212PC218)</b>				
	29779	07100-02-048.000	BRIDGES SAMUEL HOLLAND	12107 GRAND OAKS DR	GULFPORT	MS	39503
	29780	07100-02-049.000	BRIDGES STEFANIE & SAM	12107 GRAND OAKS DR	GULFPORT	MS	39503
	117804	07100-02-095.001	FRYOU VINCENT L	2995 48TH AVE	GULFPORT	MS	39501
	29778	07100-02-047.000	FRYOU VIOLEY L & HELENE J & GRACE P	4627 30TH ST	GULFPORT	MS	39501
	29803	07100-02-104.000	GORDON BOYD W & PAMELA R	6462 SIMMONS DR	LONG BEACH	MS	39560
	29810	07100-02-039.000	HANSON KIRK	11195 WOODLEY CV	GULFPORT	MS	39503
N	29775	07100-02-098.000	JACKSON KIMBERLY HANKS	2408 BROADMOOR PLACE	GULFPORT	MS	39501
N	134900	07100-02-098.001	JACKSON KIMBERLY HANKS	2408 BROADMOOR PLACE	GULFPORT	MS	39501
	134901	07100-02-098.002	JACKSON KIMBERLY HANKS	2408 BROADMOOR PLACE	GULFPORT	MS	39501
	29787	07100-02-045.000	KNIGHT GEORGE K	4616 29TH ST	GULFPORT	MS	39507
	29788	07100-02-046.000	LANIER STEPHEN LEE & PAMELA CULVER	4626 29TH STREET	GULFPORT	MS	39501
	29799	07100-02-102.000	MAGNUSEN BETTY	3774 ROUTE 31 APT 602	LIVERPOOL	NY	13090
	100027	07100-02-105.001	NECAISE KEVIN D ETAL	7490 CAESAR-NECAISE RD	PERKINSTON	MS	39573
	29771	07100-02-094.000	NICHOLS CAROLYN M ETAL	1502 MILL RD	GULFPORT	MS	39507
	29769	07100-02-092.000	PAZ REINA	4817 30TH ST	GULFPORT	MS	39506
N	90781	07100-02-105.000	PETERSON KAREN K & MIRIAM GRAVES	7490 CAESAR-NECAISE RD	PERKINSTON	MS	39573
	29800	07100-02-102.001	PETERSON KAREN K & MIRIAM GRAVES	7490 CAESAR-NECAISE RD	PERKINSTON	MS	39573
	29773	07100-02-096.000	PHELPS MARGIE AUGESTINE -ESTATE-	GULF MIST APTS 15E 26 PASS RD	GULFPORT	MS	39501
	29770	07100-02-093.000	POWELL FRANCIS	4815 30TH ST	GULFPORT	MS	39501
	29798	07100-02-101.000	RAWLINGS STEVE	PO BOX 6633	D'IBERVILLE	MS	39540
	29772	07100-02-095.000	ROWELL IRA I	4807 30TH ST	GULFPORT	MS	39501
	29811	07100-02-040.000	RUSSELL LINDA A & CHUTER RICKEY P	4627 29TH STREET	GULFPORT	MS	39501
	29807	07100-02-106.000	TRAN TONY PHU	307 FERGUSON AVE	LONG BEACH	MS	39560
N	29808	07100-02-107.000	TRAN TONY PHU	307 FERGUSON AVE	LONG BEACH	MS	39560
	90764	07100-02-038.000	UNSWORTH OWEN J	1001 WALLACE CT	SLIDELL	LA	70461
	29774	07100-02-097.000	WEIS JOSEPH SCOTT	4810- 29TH STREET	GULFPORT	MS	39501

# 2212PC218

# RESUBDIVISION



- ### Legend
- Site
  - Adjacent Properties
  - Street
  - Military Street
  - Buildings



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.

LE

**RE: Resubdivision 2212PC218, by agent Joyce Unsworth, tax parcel 07100-02-102.002, Divide into two new parcels, 4809 29th Street, Zoned B-1 (Neighborhood business), Ward 1**

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, December 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 Planning Commission for **Thursday, December 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](mailto:planners@gulfport-ms.gov). The application is available for viewing in the Planning Division office at 1410 24<sup>th</sup> Avenue.



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

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

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

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

## AFFIDAVIT OF PUBLICATION

Account #	Order Number	Identification	Order PO	Amount	Cols	Depth
36845	351542	Print Legal Ad-IPL00996680 - IPL0099668		\$49.92	1	86 L

Attention: Matilda Welch

PO BOX 1780  
 GULFPORT, MS 39502

**LEGAL NOTICE  
 PUBLIC HEARING**

In conformance with Section VIII of the Comprehensive Zoning Ordinance of the City of Gulfport, Mississippi, 1979 as amended, notice is hereby given advising that the Gulfport City Planning Commission will hold a public hearing in the City of Gulfport, Mississippi at 4:30 P.M., Thursday, December 14, 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 2212PC215**, by owner Thomas Lewis, tax parcel 0907J-01-021.003, Requests a home occupation for independent freight dispatch service, 13593 Wind Rose Circle, Zoned R-1-15 (Single-family), Ward 7

**Planning Commission Approval 2212PC216**, by owner William Caleb Boyles, tax parcel 0908J-01-024.008, Requests a home occupation for engraving and cerakoting firearms, 22 Jay Drive, Zoned R-1-10 (Single-family), Ward 6

**Resubdivision 2212PC218**, by agent Joyce Unsworth, tax parcel 07100-02-102.002, Divide into two new parcels, 4809 29th Street, Zoned B-1 (Neighborhood business), Ward 1

**Resubdivision 2212PC219**, by agent Jimmy Miles, tax parcel 0810N-05-023.000, Divide into three new parcels, 32nd St, Zoned B-2 (General business), Ward 3

**Resubdivision 2212PC220**, by agent Josh Fleming, tax parcels 0811G-02-030.000 & 0811G-02-016.000, divide into two new parcels, 1512 E Beach Blvd & Thornton Ave, Zoned R-B (Residence-Business) Ward 2

**General Plan 2212PC221**, by agent Freddie Fountain with Fountain & Associates, LLC, tax parcel 0907J-01-001.005, Approval of a General Plan for 17-Lot subdivision (Plantation Oaks Subdivision - Phase III), 0 Three Rivers Road, Zoned R-B (Residence-business), Ward 6

**Appeal 2212PC222**, by agent Shaw Design Group, PA, tax parcel 0809K-01-001.026, to Appeal City of Gulfport Design Standards, 9394 Three River Road, Zoned B-2 (General business), Ward 3

**Zoning Text Amendment 2212PC224**, by CRC Westside, amendments to the SmartCode Zoning Ordinance, as amended, Section 5.3.3 h

**Zoning Text Amendment 2212PC225**, by CRC Westside, amendments to the SmartCode Zoning Article 6, as amended, Section 5.3.3 a Table 10

**Zoning Text Amendment 2212PC226**, by City of Gulfport, Amendments to the Comprehensive Zoning Ordinance, as amended, District Regulations, (J) Chart of Permitted Uses (2) Schedule of uses - Residential Hotel

This is the 22th day of November, 2022  
 Keith Williams, Chairman  
 City of Gulfport Planning Commission  
 IPL0099668  
 Nov 30 2022

### STATE OF MISSISSIPPI COUNTY OF HARRISON

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

1 insertion(s) published on:  
 11/30/22

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

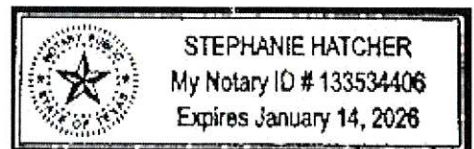
*Stefani Beard*

Sworn to and subscribed before me this 30th day of November in the year of 2022

*Stephanie Hatcher*

Notary Public

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



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

# MEMORANDUM

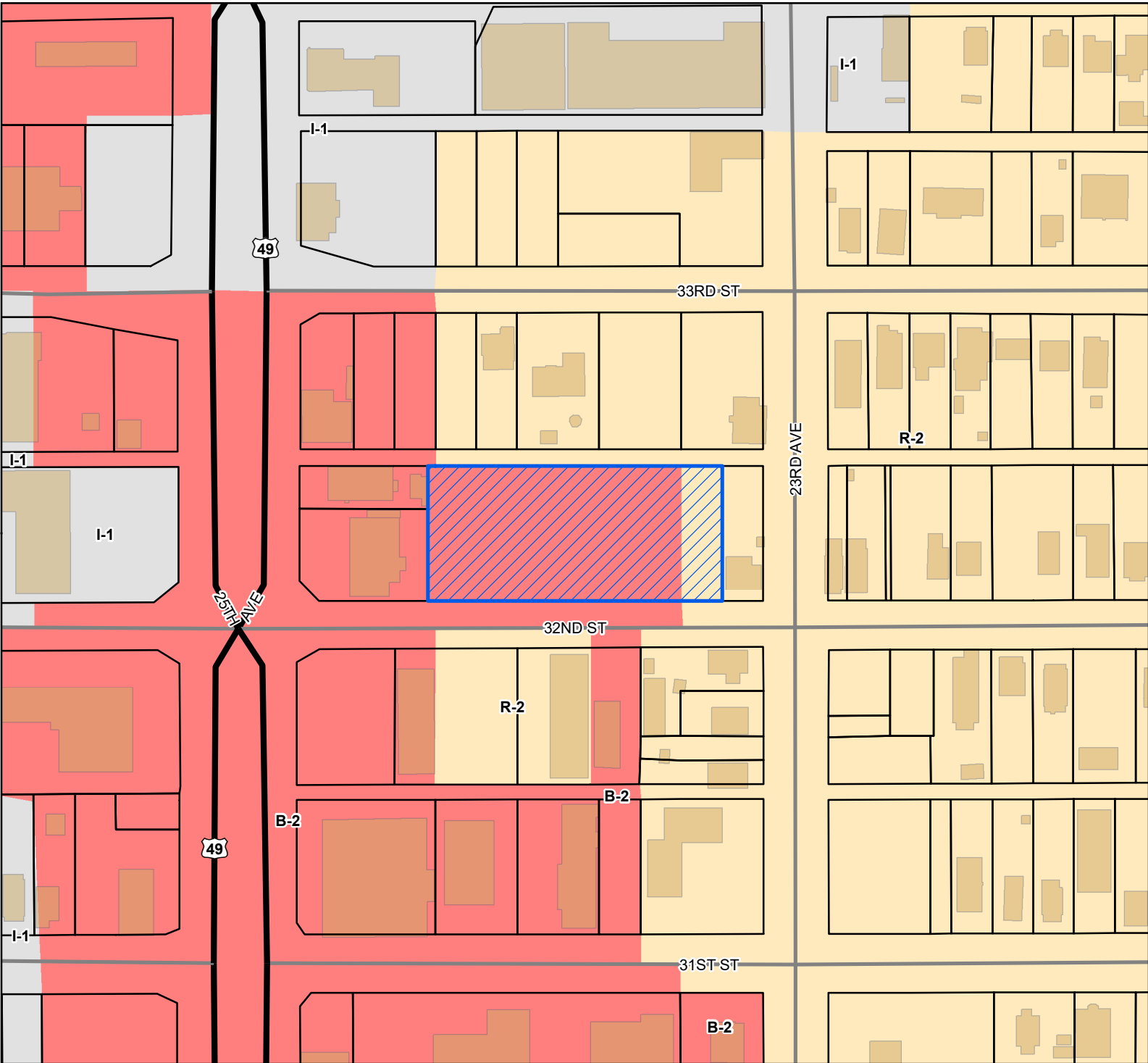
**To:** City of Gulfport Planning Commission

**From:** Greg Holmes, Planning Administrator  
Urban Development Department

**Date of Hearing:** December 15, 2022

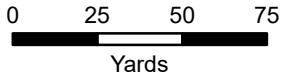
**Re:** Resubdivision 2212PC219:  
Withdrawn by Administration

Resubdivision 2212PC219, by agent Jimmy Miles, tax parcel 0810N-05-023.000, Divide into three new parcels, 32nd St, Zoned B-2 (General business), Ward 3



- Site
- US or State Highway
- Street
- Parcels
- Buildings
- Zoning**
- B-2 - General Business District
- I-1 - Light Industry District
- R-2 - Single Family Residence District (Medium Density)

**Site Information**  
 0810N-05-023.000  
 Zoning: B-2 (General Buisness district)  
 Size: 1.36 acres  
 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

# APPLICATION FOR RESUBDIVISION

## Property Information

TAX PARCEL #

0	8	1	0	N	-	0	5	-	0	2	3	•	0	0	0
					-			-				•			
					-			-				•			

For Staff Use Only

Case Number: 2212PC219

Date Received: 10/31/22

Receipt Number: \_\_\_\_\_

Received By: LAH

Zoning: B-2

Ward: 3 Flood: X

Size: 1.36 ACRE

(If necessary, use separate sheet of paper)

Address of Property Involved: 0 32th Street

Lot(s) 16-23, Block(s) 4, Subdivision Dolan's Addition

General Location: 0 32th Street

### GENERAL DESCRIPTION OF REQUEST:

Subdivide East 8.0 feet of lot 16 and lot 17.

Subdivide East 10.0 feet of lot 23.

### 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

Miles Holdings, LLC  
Printed Name of Owner  
1614 Thornton Ave.

Mailing Address  
Gulfport MS 39501  
City State Zip code  
228-209-0008

Home Phone Work/Cell Phone  
Jomilta@aol.com

Email

Jomilta  
Signature of Owner

Jimmy O. Miles  
Printed Name of Agent  
1614 Thornton Ave.

Mailing Address  
Gulfport MS 39501  
City State Zip code  
228-209-0008

Home Phone Work/Cell Phone  
Jomilta@aol.com

Email

Jomilta  
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.

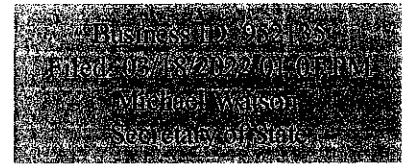
**SECTIONS A. THROUGH G. MUST BE SUBMITTED FOR A COMPLETE APPLICATION.**

**F0108**  
**Fee: \$**



**Michael Watson**  
SECRETARY OF STATE

**2022143497**



P.O. BOX 136  
JACKSON, MS 39205-0136  
TELEPHONE: (601) 359-1633

**2022 LLC Annual Report**

**Business Information**

**Business ID:** 952135

**Business Name:** Miles Holdings, L.L.C.

**State of Incorporation:** MS

**Business Email:** jomilta@aol.com

**Phone:** (\*\*\*)\*\*\*-\*\*\*\*

**FEIN:** \*\*-\*\*\*\*\*

**Principal Address:** 1614 THORNTON AVE.  
GULFPORT, MS 39501

**Registered Agent**

**Name:** Jimmy Miles Sr

**Address:** 1614 Thornton Ave  
Gulfport, MS 39501

**Managers and Members**

**Managers**

**Name:**

Jimmy O Miles  
Manager

**Address:**

1614 THORNTON AVE.  
GULFPORT, MS 39501

**Members**

**Name:**

Jimmy O Miles  
Member

**Address:**

1614 THORNTON AVE.  
GULFPORT, MS 39501

**Officers**

<i>Title/Name:</i>	<i>Address:</i>	<i>Director:</i>
<b>President:</b> Jimmy O Miles	1614 THORNTON AVE. GULFPORT, MS 39501	<input type="checkbox"/>
<b>Vice President:</b>		<input type="checkbox"/>
<b>Secretary:</b>		<input type="checkbox"/>
<b>Treasurer:</b>		<input type="checkbox"/>

This LLC has a written Operating Agreement.

**NAICS Code/Nature of Business**

- 531110 - Lessors of Residential Buildings and Dwellings
- 531110 - Lessors of Residential Buildings and Dwellings
- 531120 - Lessors of Nonresidential Buildings (except Miniwarehouses)

**Signature**

By entering my name in the space provided, I certify that I am authorized to file this document on behalf of this entity, have examined the document and, to the best of my knowledge and belief, it is true, correct and complete as of this day **03/18/2022**.

<i>Name:</i>	<i>Address:</i>
Jimmy O Miles	1614 Thornton Ave.
<i>Other</i>	gulfport, MS 39501

**Officers List**

***Name:***

Jimmy O Miles  
*Manager*

Jimmy O Miles  
*Member*

Jimmy O Miles  
*President*

***Address:***

1614 THORNTON AVE.  
GULFPORT, MS 39501

1614 THORNTON AVE.  
GULFPORT, MS 39501

1614 THORNTON AVE.  
GULFPORT, MS 39501



# Michael Watson

## SECRETARY OF STATE

This is not an official certificate of good standing.

### Name History

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Name	Name Type
Miles Holdings, L.L.C.	Legal

### Business Information

---

<b>Business Type:</b>	Limited Liability Company
<b>Business ID:</b>	952135
<b>Status:</b>	Good Standing
<b>Effective Date:</b>	07/13/2009
<b>State of Incorporation:</b>	Mississippi
<b>Principal Office Address:</b>	1614 THORNTON AVE. GULFPORT, MS 39501

### Registered Agent

---

#### Name

Jimmy Miles Sr  
1614 Thornton Ave  
Gulfport, MS 39501

### Officers & Directors

---

Name	Title
Jimmy O Miles 1614 THORNTON AVE. GULFPORT, MS 39501	Manager
Jimmy O Miles 1614 THORNTON AVE. GULFPORT, MS 39501	Member

Jimmy Miles  
4222 9Th Street PO Box 1175  
(39502)

Gulfport, MS 39501

Jimmy O Miles  
1614 THORNTON AVE.  
GULFPORT, MS 39501

President

SCHWARTZ, ORGLER & JORDAN, P.L.L.C

12206 Highway 49, Gulfport, MS. 39503  
PO Box 2408, Gulfport, MS 39503

MARK C. ORGLER, ATTORNEY  
DUSTIN N. WILLIAMS, ATTORNEY

November 29, 2017

Telephone: 228.832-8550  
Fax: 228.832-8518

MILES HOLDINGS, LLC  
P. O. BOX 1175  
GULFPORT, MS 39502

RE: 72306-212803503  
Our File No. 171966

To whom it may concern:

In connection with the above referenced transaction, we are enclosing herewith the original Warranty Deed dated October 30, 2017, which was filed on October 31, 2017 at 3:21 PM, and recorded in the office of the Chancery Clerk of the First Judicial District Harrison County, Mississippi, as Instrument Number 2017-7892D-J1, thereof. Also enclosed is the original owner's policy of title insurance.

Thank you for your attention to this matter. If you should have any questions, please advise.

Sincerely,

Schwartz, Orgler, & Jordan, PLLC

By: 

\_\_\_\_\_  
For the Firm

MCO:sss

Enclosure(s)

SCANNED



*J. Jordan* 1st Judicial District  
 Instrument 2017 7892 D - J1  
 Filed/Recorded 10/31/2017 03:21 P  
 Total Fees \$ 18.00  
 3 Pages Recorded

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

Indexing Instructions:

File# 171966

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, s and other good and valuable consideration, the receipt and sufficiency of all of which is hereby acknowledged,

**HOPPER RECAPPING COMPANY, INC  
 and LOUIS REID HOPPER  
 12287 WINDANCE DRIVE  
 GULFPORT, MS 39503  
 228-861-7801**

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

**MILES HOLDINGS, LLC,  
 a Mississippi limited liability company  
 P. O. BOX 1175  
 GULFPORT, MS 39502  
 228-209-0008**

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:

**The East 8.0 feet (7.97) more or less, of lot 16, and Lots 17 through 23, (17-23) inclusive, Block 4 of DOLAN'S ADDITION, City of Gulfport, First Judicial District of Harrison County, Mississippi, according to the Official map or plat thereof on file and of record in Plat Copy Book 1, Page 75, in the Office of the Chancery Clerk of Harrison County, Mississippi, Said parcel contains 59,070 square feet or 1.35 acres, more or less**

The above described property is not a part of the Homestead of the Grantor herein.

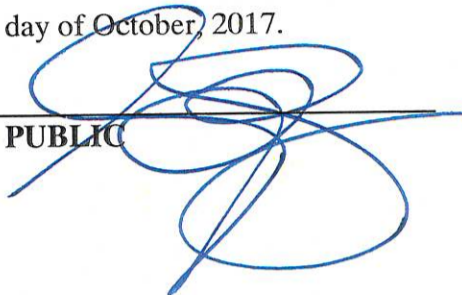
**STATE OF MISSISSIPPI**

**COUNTY OF HARRISON**

PERSONALLY appeared before me, the undersigned authority of law in and for this jurisdiction, the within named **L. REID HOPPER**, who acknowledged to me that he President and Sole Shareholder of **HOPPER RECAPING COMPANY, INC**, and that for and its behalf and as its act and deed he signed and delivered the foregoing instrument of writing on the day and year therein mentioned, he having been first duly authorized to do so.

GIVEN under my hand and official seal on this the 30th day of October, 2017.

\_\_\_\_\_  
NOTARY PUBLIC



( S E A L )

My Commission Expires:



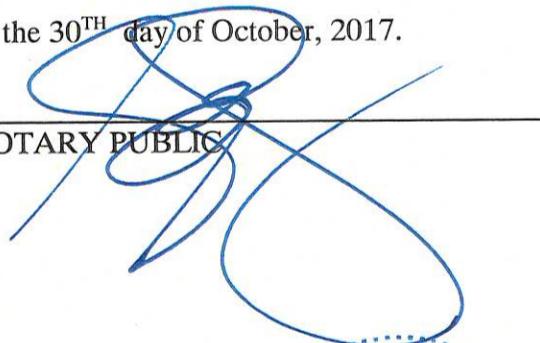
**STATE OF MISSISSIPPI**

**COUNTY OF HARRISON**

THIS DAY personally appeared before me, the undersigned authority in and for the jurisdiction aforesaid, **L. REID HOOPER a/k/a LOUIS REID HOPPER**, 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 30<sup>TH</sup> day of October, 2017.

\_\_\_\_\_  
NOTARY PUBLIC



( S E A L )

My Commission Expires:





**Covenant Affidavit**

I, Jimmy O. Miles, being owner or agent of the property 0810N-05-023.000  
PRINT NAME PRIMARY ADDRESS OR PARCEL

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

[Signature]  
Signature

10/31/22  
Date

**STATE OF MISSISSIPPI | COUNTY OF HARRISON**

Given under my hand and seal of office this the 31<sup>st</sup> day of October, 20 22

[Signature]  
Notary Public



Commission Expiration



SCALE: 1"=50'

REFERENCE:  
SURVEY BY GARY A  
DURBIN, P.L.S.  
DATED 10/11/17

IRF 1/2" IRON ROD FOUND  
IPF 1" IRON PIPE FOUND  
IRS 1/2" IRON ROD SET  
M=MEASURED  
D=DEED  
P=PLAT

**CERTIFICATE OF RESUBDIVISION  
RESUBDIVISION OF PARCEL  
PARCEL #0810N-05-023.000  
32nd STREET  
LOTS 16-23, BLOCK 4, DOLAN'S ADDITION  
GULFPORT, MISSISSIPPI**

OVERALL LEGAL DESCRIPTIONS OF LAND PRIOR  
TO RESUBDIVISION

LEGAL DESCRIPTION  
(DR 2017-7892-D-J1)

The East 8.0 feet of Lot 16, and Lots 17 to 23, inclusive, Block 4 of Dolan's Addition, City of Gulfport, First Judicial District of Harrison County, Mississippi, according to the Official map or plat thereof on file and of record in Plat Copy Book 1, Page 75 in the Office of the Chancery Clerk of Harrison County, Mississippi. Said parcel contains 59,070 square feet or 1.35 acres.

NOW OR FORMERLY  
ZELA WORTHEN  
DR 2004-3616-D-J1  
0811N-05-024.000

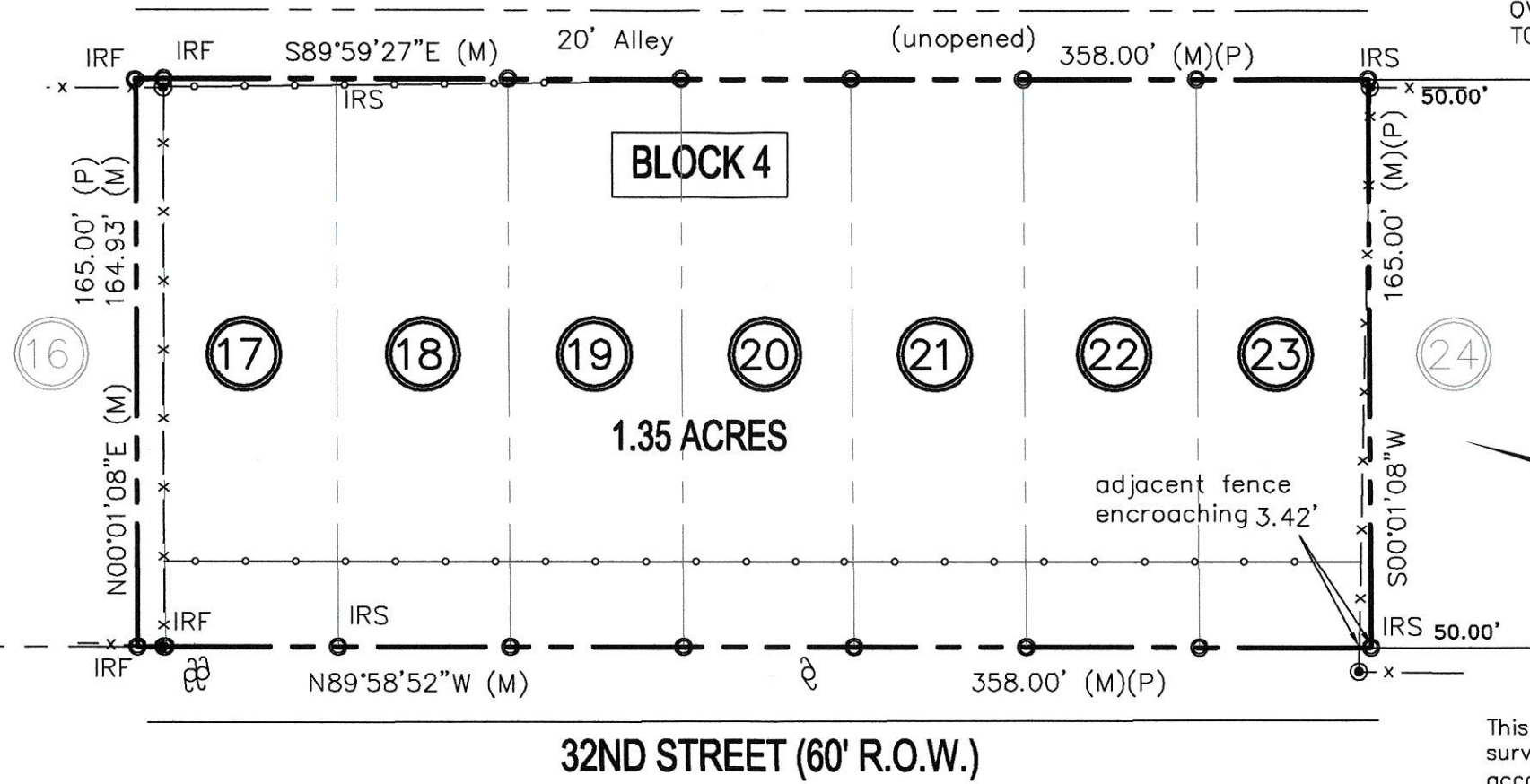
This is to CERTIFY that this plat or map and the survey on which it is based were made by myself in accordance with "The Standards of Practice for Land Surveying in the State of Mississippi", and that monuments shown exist as located and that the dimensional and other data are correct to the best of my knowledge and belief. This survey meets the closure requirements as prescribed by law.

Gary A. Durbin, P.L.S. 2401  
Class "B" Survey  
October 5, 2022  
Revised: October 10, 2022



**SHEET 1 OF 3** 11047

**GARY A. DURBIN, P.L.S.  
PROFESSIONAL LAND SURVEYOR**  
13048 RIVERWALK CIRCLE, DIBERVILLE, MS. 39540  
PH. (228) 365-3632 Teelokgd@aol.com



NOW OR FORMERLY  
W A S PROPERTIES LLC  
DR 2020-2322-D-J1  
0811N-05-022.000

HWY 49  
32.68'  
N45°29'14"W

N89°59'18"W  
133.39'

16

17

18

19

20

21

22

23

24

1.35 ACRES

32ND STREET (60' R.O.W.)

This survey does not reflect a title search by Gary A. Durbin, P.L.S., nor should it be considered as such.

This is a Class "B" survey per The Standards of Practice for Land Surveying in the State of Mississippi.

Bearings based on GPS Observation, NAD-83, Ms-East Zone, convergence angle -0.130449, scale factor 0.999960, north margin of 32nd Street.

This property is situated in Zone "X" per FEMA Flood Insurance Rate Map, City of Gulfport, Harrison County, Mississippi, Community Panel Number 28047C-0264-G, Revised: 6/16/09. By graphic plotting only.

**CERTIFICATE OF RESUBDIVISION  
RESUBDIVISION OF PARCEL  
PARCEL #0810N-05-023.000**

**32nd STREET  
LOTS 16-23, BLOCK 4, DOLAN'S ADDITION  
GULFPORT, MISSISSIPPI**

LEGAL DESCRIPTIONS CREATED BY RESUBDIVISION

REFERENCE:  
SURVEY BY GARY A  
DURBIN, P.L.S.  
DATED 10/11/17

IRF 1/2" IRON ROD FOUND  
IPF 1" IRON PIPE FOUND  
IRS 1/2" IRON ROD SET  
M=MEASURED  
D=DEED  
P=PLAT

LEGAL DESCRIPTION

PARCEL "A"  
(PER SURVEY)

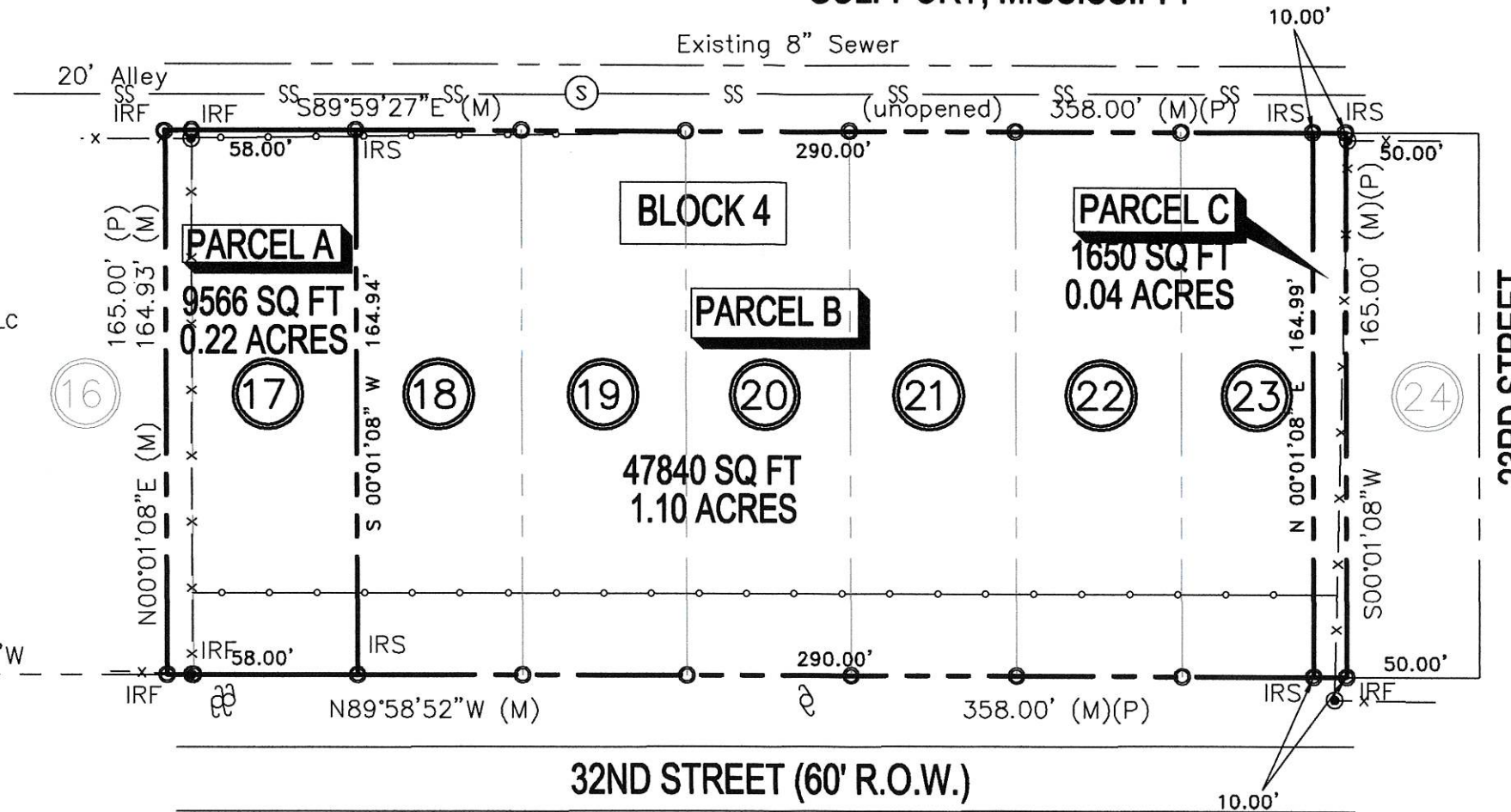
The East 8.0 feet of Lot 16 and asll of Lot 17, Block 4 of Dolan's Addition, City of Gulfport, First Judicial District of Harrison County, Mississippi, according to the Official map or plat thereof on file and of record in Plat Copy Book 1, Page 75 in the Office of the Chancery Clerk of Harrison County, Mississippi. Said parcel contains 9566 square feet or 0.22 acres.

PARCEL "B"  
(PER SURVEY)

Lots 18 through 22, and the West 40 feet of Lot 23, Block 4 of Dolan's Addition, City of Gulfport, First Judicial District of Harrison County, Mississippi, according to the Official map or plat thereof on file and of record in Plat Copy Book 1, Page 75 in the Office of the Chancery Clerk of Harrison County, Mississippi. Said parcel contains 47840 square feet or 1.10 acres.

PARCEL "C"  
(PER SURVEY)

The East 10 feet of Lot 23, Block 4 of Dolan's Addition, City of Gulfport, First Judicial District of Harrison County, Mississippi, according to the Official map or plat thereof on file and of record in Plat Copy Book 1, Page 75 in the Office of the Chancery Clerk of Harrison County, Mississippi. Said parcel contains 1650 square feet or 0.04 acres.



SCALE: 1"=50'

BUILDING SETBACKS

ZONE R-2

FRONT 25'  
SIDE 8'  
REAR 8'  
CORNER 20'

NOW OR FORMERLY  
W A S PROPERTIES LLC  
DR 2020-2322-D-J1  
0811N-05-022.000

HWY 49

EXISTING WATER

This survey does not reflect a title search by Gary A. Durbin, P.L.S., nor should it be considered as such.

This is a Class "B" survey per The Standards of Practice for Land Surveying in the State of Mississippi.

Bearings based on GPS Observation, NAD-83, Ms-East Zone, convergence angle -0.130449, scale factor 0.999960, north margin of 32nd Street.

This property is situated in Zone "X" per FEMA Flood Insurance Rate Map, City of Gulfport, Harrison County, Mississippi, Community Panel Number 28047C-0264-G, Revised: 6/16/09. By graphic plotting only.

This is to CERTIFY that this plat or map and the survey on which it is based were made by myself in accordance with "The Standards of Practice for Land Surveying in the State of Mississippi", and that monuments shown exist as located and that the dimensional and other data are correct to the best of my knowledge and belief. This survey meets the closure requirements as prescribed by law.

Gary A. Durbin, P.L.S. 2401  
Class "B" Survey  
October 5, 2022  
Revised: October 10, 2022



**SHEET 2 OF 3** 11047

**GARY A. DURBIN, P.L.S.**  
PROFESSIONAL LAND SURVEYOR  
13048 RIVERWALK CIRCLE, DIBERVILLE, MS. 39540  
PH. (228) 365-3632 Teelokgd@aol.com

**CERTIFICATE OF RESUBDIVISION  
RESUBDIVISION OF PARCEL  
PARCEL #0810N-05-023.000  
32nd STREET  
LOTS 16-23, BLOCK 4, DOLAN'S ADDITION  
GULFPORT, MISSISSIPPI**

In accordance with Section 9-48 of the Code of Ordinance (Subdivision Regulations) of the City of Gulfport as amended, it is hereby certified that the Gulfport City Planning Commission Chairman and Gulfport City Council have reviewed and approved this Final Plat for the Resubdivision of Parcel #0810N-05-023.000 land in Section 33, Township 7 South, Range 11 West in the City of Gulfport into Parcels A, B, AND C, City of Gulfport, First Judicial District of Harrison County, Mississippi. The subject property is generally described as being located at Lots 16-23, Block 4, Dolan's Addition at 32nd Street. The ad valorem tax parcel number of the subject property is 0810N-05-023.000. The case file number is \_\_\_\_\_.

LEGAL DESCRIPTIONS OF PARCEL PRIOR TO RESUBDIVISION

LEGAL DESCRIPTION  
(DR 2017-7892-D-J1)

The East 8.0 feet of Lot 16, and Lots 17 to 23, inclusive, Block 4 of Dolan's Addition, City of Gulfport, First Judicial District of Harrison County, Mississippi, according to the Official map or plat thereof on file and of record in Plat Copy Book 1, Page 75 in the Office of the Chancery Clerk of Harrison County, Mississippi. Said parcel contains 59,070 square feet or 1.35 acres.

LEGAL DESCRIPTIONS OF PARCEL CREATED BY THIS RESUBDIVISION

**SEE SHEET 2 OF 3**

The applicant hereby covenants and agrees to indemnify and hold harmless the City of Gulfport, its agents, servants, and or employees against any and all claims, demands, or causes of action of whatever nature which may arise as a result of the action of the Planning Commission, its agents, and or employees concerning the petition for resubdivision of the real property described herein.

Ratified and Approved by:

Jimmy Miles  
MILES HOLDINGS LLC, JIMMY MILES, OWNER

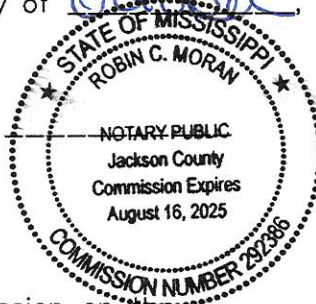
This 6 day of October, 2022.

ACKNOWLEDGE

Before me, the undersigned, authorized in and for the State of Mississippi, County of Harrison, personally appeared the aforementioned JIMMY MILES, who acknowledged that they accepted this plat and executed the foregoing certificate and dedication for the purpose therein set forth. This 6th day of October, 2022.

Robin C. Moran  
Notary Public

My Commission Expires: \_\_\_\_\_



PLANNING COMMISSION

Submitted to and approved by the Gulfport City Planning Commission on the \_\_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
Keith Williams, Chairman  
Gulfport City Planning Commission

\_\_\_\_\_  
Gregory Holmes  
Planning Division Administrator

APPROVAL

Submitted to and approved by the City of Gulfport, City Council, at the regular meeting of said Council held on the \_\_\_\_\_ day of \_\_\_\_\_, 2022.

ATTEST:

ADOPT:

\_\_\_\_\_  
Brittany Rodgers, Clerk of Council

\_\_\_\_\_  
F.B. "Rusty" Walker, IV, President

Clerk of Council

President

This resubdivision plat and certificate of Resubdivision, having been submitted and approved by the Mayor, this \_\_\_\_\_ day of \_\_\_\_\_, 2022

\_\_\_\_\_  
Billy Hewes, Mayor

**SHEET 3 OF 3** 11047

**GARY A. DURBIN, P.L.S.  
PROFESSIONAL LAND SURVEYOR**  
13048 RIVERWALK CIRCLE, DIBERVILLE, MS. 39540  
PH. (228) 365-3632 Teelokgd@aol.com

Mail	PPIN	Parcel ID	Name	Address	City	State	ZIP
	87842	0810N-05-023.000	MILES HOLDINGS LLC (OWNER)	1614 THORNTON AVE.	GULFPORT	MS	39501
			JIMMY O. MILES (AGENT)	1614 THORNTON AVE.	GULFPORT	MS	39501
N			<b>Adjacent Property Owners (2212PC219)</b>				
	25759	0810N-05-015.000	ATWOOD MARK PETTIT JR	13727 CHASE MEADOW WAY	GULFPORT	MS	39503
	25758	0810N-05-014.000	BARNES HERMOLEE THOMAS	2401 33RD ST	GULFPORT	MS	39501
	87835	0810N-05-017.000	BLOSS GEORGE F JR -TRUSTEE	1702 CAHILL DR	GULFPORT	MS	39501
N	108036	0810N-05-016.002	BLOSS GEORGE F JR -TRUSTEE	1702 CAHILL DR	GULFPORT	MS	39501
	25764	0810N-05-022.001	BLOSS GEORGE F JR -TRUSTEE-	3214 25TH AVE	GULFPORT	MS	39501
	35292	0810N-01-068.000	BRADLEY ORENTIAN J & ROLANDA A AKA	2247 33RD STREET	GULFPORT	MS	39501
	35291	0810N-01-069.000	BROWN LANDON	2241 33RD STREET	GULFPORT	MS	39501
	25799	0810N-05-046.000	DONOVAN JOHN D JR & DIANNA L	3105 25TH AVE	GULFPORT	MS	39501
	25757	0810N-05-013.000	DUTTON JAMES & CLETA	14089 N WHITE SWAN DR	GULFPORT	MS	39503
	25777	0810N-05-031.000	ELECTRICAL WORKERS RECREATIONAL	P O DRAWER L	GULFPORT	MS	39502
	25776	0810N-05-030.000	ELECTRICAL WORKERS RECREATIONAL	2417 32ND ST	GULFPORT	MS	39501
	35296	0810N-01-064.000	G & K W LLC	1811 FLINT CREEK CT	SAN JOSE	CA	95148
	35290	0810N-01-070.000	GROVES BETTY L -EST- -ETAL-	15575 PERIDO DR	GULFPORT	MS	39503
	87831	0810N-05-012.000	INGRAM DANI ETAL	2301 33RD ST	GULFPORT	MS	39501
N	25774	0810N-05-027.000	JACKSON DEAN W	3115 23RD AVE	GULFPORT	MS	39501
	25773	0810N-05-028.000	JACKSON DEAN W	3115 23RD AVE	GULFPORT	MS	39501
	87839	0810N-05-021.000	M & R PROPERTIES LLC	1228 W 5TH ST	LAUREL	MS	39441
	25778	0810N-05-032.000	MARLIN LLC	3100 25TH AVE	GULFPORT	MS	39501
N	106895	0810N-01-027.002	MIHALOVICH GREG	1715 21ST AVE	GULFPORT	MS	39501
N	87204	0810N-01-027.000	MIHALOVICH GREG	1715 21ST AVE	GULFPORT	MS	39501
	87203	0810N-01-026.000	MIHALOVICH GREG	1715 21ST AVE	GULFPORT	MS	39501
	35294	0810N-01-066.000	MISSION INVESTMENT LLC	233 OAK LAKE RUN CRESCENT APT A	CHESAPEAKE	VA	23320
	35293	0810N-01-067.000	MONCRIEF BETTY J -L/E-	2246 32ND ST	GULFPORT	MS	39501
	25772	0810N-05-025.000	MONROE MICHAEL & LILLIE	503 MAGNOLIA LANE	GULFPORT	MS	39501
	87834	0810N-05-016.000	REDMOND HERTACINE	134-39 166TH PLACE	JAMAICA	NY	11434
	25771	0810N-05-026.000	REESE TAMMY I	3119 23RD AVE	GULFPORT	MS	39501
	25800	0810N-05-045.000	RILEY VIOLET B REVOCABLE TRUST	C/O 3125 25TH AVE	GULFPORT	MS	39501
	108035	0810N-05-016.001	SEABRON PERCY-EST- & GINGER	2208 33RD ST	GULFPORT	MS	39501
	25787	0810N-05-033.000	VJ PROPERTIES GULFPORT LLC	C/O 3125- 25TH AVENUE	GULFPORT	MS	39501
	87840	0810N-05-022.000	W A S PROPERTIES LLC	20023 MERINDA LANE	LONG BEACH	MS	39560
	25743	0810N-05-018.000	WILLIAMS EMMA GRACE -TRUSTEE-	127 BELLE TERRE COURT	LONG BEACH	MS	39560
	25770	0810N-05-024.000	WORTHEN ZELA	2400 32ND STREET	GULFPORT	MS	39501

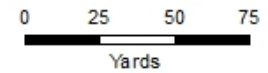
# 2212PC219

# RESUBDIVISION



## Legend

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



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.



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

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

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

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

## AFFIDAVIT OF PUBLICATION

Account #	Order Number	Identification	Order PO	Amount	Cols	Depth
36845	351542	Print Legal Ad-IPL00996680 - IPL0099668		\$49.92	1	86 L

Attention: Matilda Welch

PO BOX 1780  
 GULFPORT, MS 39502

**LEGAL NOTICE  
 PUBLIC HEARING**

In conformance with Section VIII of the Comprehensive Zoning Ordinance of the City of Gulfport, Mississippi, 1979 as amended, notice is hereby given advising that the Gulfport City Planning Commission will hold a public hearing in the City of Gulfport, Mississippi at 4:30 P.M., Thursday, December 14, 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 2212PC215**, by owner Thomas Lewis, tax parcel 0907J-01-021.003, Requests a home occupation for independent freight dispatch service, 13593 Wind Rose Circle, Zoned R-1-15 (Single-family), Ward 7

**Planning Commission Approval 2212PC216**, by owner William Caleb Boyles, tax parcel 0908J-01-024.008, Requests a home occupation for engraving and cerakoting firearms, 22 Jay Drive, Zoned R-1-10 (Single-family), Ward 6

**Resubdivision 2212PC218**, by agent Joyce Unsworth, tax parcel 07100-02-102.002, Divide into two new parcels, 4809 29th Street, Zoned B-1 (Neighborhood business), Ward 1

**Resubdivision 2212PC219**, by agent Jimmy Miles, tax parcel 0810N-05-023.000, Divide into three new parcels, 32nd St, Zoned B-2 (General business), Ward 3

**Resubdivision 2212PC220**, by agent Josh Fleming, tax parcels 0811G-02-030.000 & 0811G-02-016.000, divide into two new parcels, 1512 E Beach Blvd & Thornton Ave, Zoned R-B (Residence-Business) Ward 2

**General Plan 2212PC221**, by agent Freddie Fountain with Fountain & Associates, LLC, tax parcel 0907J-01-001.005, Approval of a General Plan for 17-Lot subdivision (Plantation Oaks Subdivision - Phase III), 0 Three Rivers Road, Zoned R-B (Residence-business), Ward 6

**Appeal 2212PC222**, by agent Shaw Design Group, PA, tax parcel 0809K-01-001.026, to Appeal City of Gulfport Design Standards, 9394 Three River Road, Zoned B-2 (General business), Ward 3

**Zoning Text Amendment 2212PC224**, by CRC Westside, amendments to the SmartCode Zoning Ordinance, as amended, Section 5.3.3 h

**Zoning Text Amendment 2212PC225**, by CRC Westside, amendments to the SmartCode Zoning Article 6, as amended, Section 5.3.3 a Table 10

**Zoning Text Amendment 2212PC226**, by City of Gulfport, Amendments to the Comprehensive Zoning Ordinance, as amended, District Regulations, (J) Chart of Permitted Uses (2) Schedule of uses - Residential Hotel

This is the 22th day of November, 2022  
 Keith Williams, Chairman  
 City of Gulfport Planning Commission  
 IPL0099668  
 Nov 30 2022

### STATE OF MISSISSIPPI COUNTY OF HARRISON

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

1 insertion(s) published on:  
 11/30/22

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

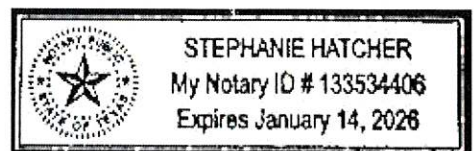
*Stefani Beard*

Sworn to and subscribed before me this 30th day of November in the year of 2022

*Stephanie Hatcher*

Notary Public

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



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

MW

**RE: Resubdivision 2212PC219, by agent Jimmy Miles, tax parcel 0810N-05-023.000, Divide into three new parcels, 32nd St, Zoned B-2 (General business), Ward 3**

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, December 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 Planning Commission for **Thursday, December 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](mailto:planners@gulfport-ms.gov). The application is available for viewing in the Planning Division office at 1410 24<sup>th</sup> Avenue.

# MEMORANDUM

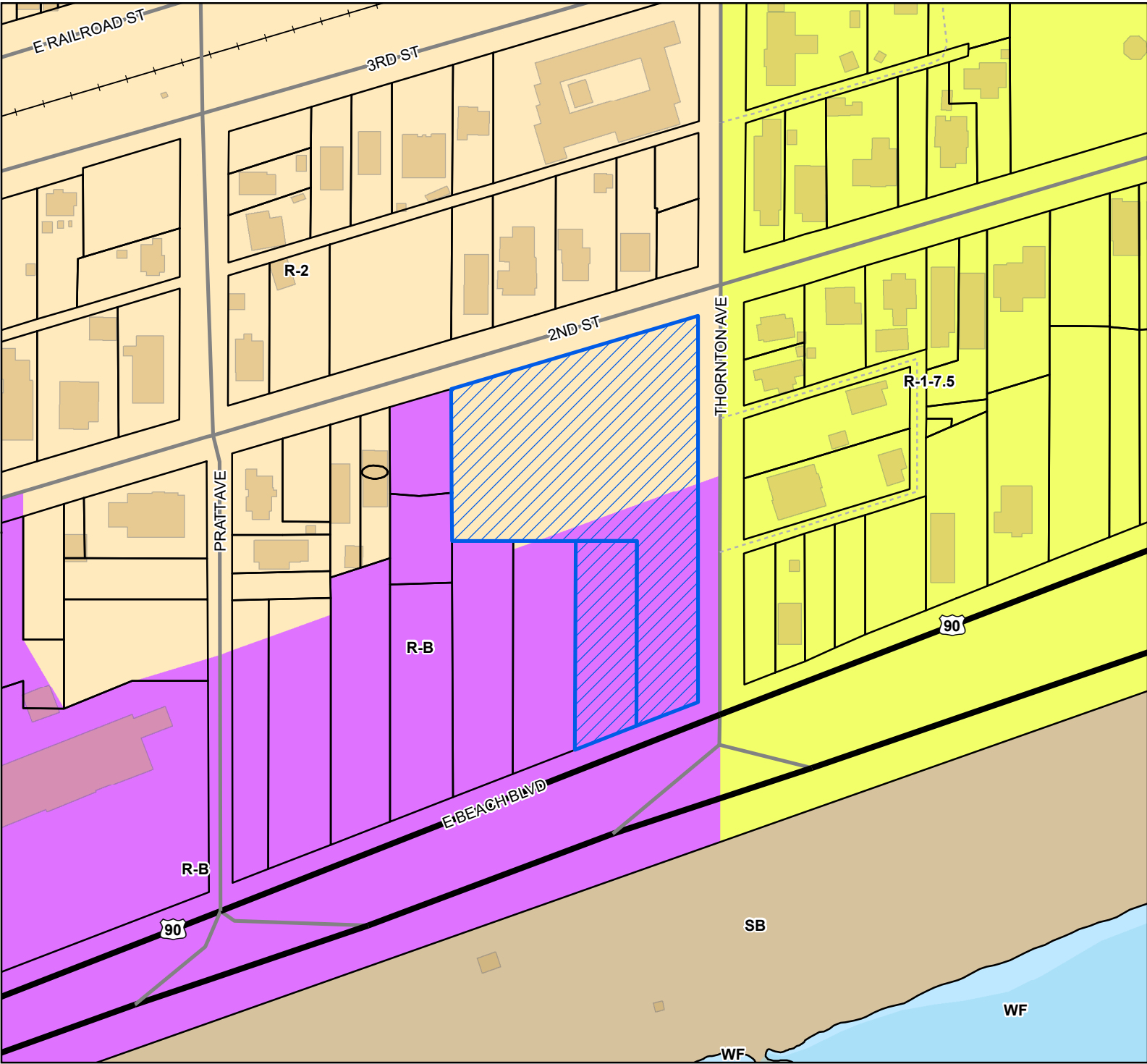
**To:** City of Gulfport Planning Commission

**From:** Greg Holmes, Planning Administrator  
Urban Development Department

**Date of Hearing:** December 15, 2022

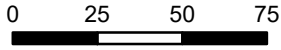
**Re:** Resubdivison 2212PC220:  
Withdrawn by Administration

Resubdivison 2212PC220, by agent Josh Fleming, tax parcels 0811G-02 -030.000 & 0811G-02-016.000, divide into two new parcels, 1512 E Beach Blvd & Thornton Ave, Zoned R-B (Residence-Business) Ward 2



- Site
  - US or State Highway
  - Street
  - Alley
  - Railroad
  - Parcels
  - Buildings
  - Water Features
- Zoning**
- R-1-7.5 - Single Family Residence District (Low Density)
  - R-2 - Single Family Residence District (Medium Density)
  - R-B - Residence-Business District
  - SB - Sand Beach
  - WF - Water Front

**Site Information**  
 0811G-02-030.000  
 0811G-02-016.000  
 Zoning: R-B (Residence-Business district)  
 Size: 2.52 acres  
 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.

#185.00



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

For Staff Use Only

Case Number: 2212PC220

Date Received: 11/1/2022

Receipt Number: \_\_\_\_\_

Received By: \_\_\_\_\_

Zoning: R-B

Ward: 2 Flood: AE

Size: 2.52 acres

# APPLICATION FOR RESUBDIVISION

## Property Information

TAX PARCEL #

0	8	1	1	G	-	0	2	-	0	3	0	•	0	0	0
					-			-				•			
0	8	1	1	G	-	0	2	-	0	1	6	•	0	0	0

(If necessary, use separate sheet of paper)

Address of Property Involved: 1512E Beach Blvd. Gulfport, Ms 39501

Lot(s) 15 1/16, Block(s) 5, Subdivision Soria City

General Location: E. Beach Blvd. (Hwy 90 - Gulfport)

### GENERAL DESCRIPTION OF REQUEST:

Resubdivision of parcels - lot line rearrangement lot 15 1/16

### OWNERSHIP AND CERTIFICATION:

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

#### OWNER

#### AGENT

Printed Name of Owner \_\_\_\_\_

Josh Fleming  
Printed Name of Agent \_\_\_\_\_

Mailing Address \_\_\_\_\_

1402 Pass Road  
Mailing Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip code \_\_\_\_\_

Gulfport \_\_\_\_\_ Ms \_\_\_\_\_ 39501  
City \_\_\_\_\_ State \_\_\_\_\_ Zip code \_\_\_\_\_

Home Phone \_\_\_\_\_ Work/Cell Phone \_\_\_\_\_

Home Phone \_\_\_\_\_ Work/Cell Phone \_\_\_\_\_

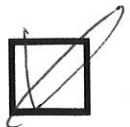
Email \_\_\_\_\_

JFleming@MyElliottHome.com  
Email \_\_\_\_\_

Signature of Owner \_\_\_\_\_

[Signature]  
Signature of Agent \_\_\_\_\_

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



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

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) G.B. Vickery

ADDRESS (STREET, CITY, STATE, ZIP CODE) 7 E. 52<sup>nd</sup> St, Gulfport, MS 39507

PHONE # (H) 228-868-1926 (W) 228-868-1926

TAX PARCEL NUMBER(S) OWNED 08116-02-030.000


SIGNATURE: 

NAME OF OWNER (PRINT) Karen Vickery

ADDRESS (STREET, CITY, STATE, ZIP CODE) 7 E. 52<sup>nd</sup> St, Gulfport, MS 39507

PHONE # (H) \_\_\_\_\_ (W) 228-868-1926

TAX PARCEL NUMBER(S) OWNED 08116-02-030.000

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: Josh Fleming - Elliott Hames



# ELLIOTT HOMES

## Agent Authorization

I, G.B. Vickery and Karen Vickery, owner of the property, here by authorize the person(s) and/or company listed below to act as my agent and speak on my behalf regarding the proposed project listed below during their investigation.

This Agent Authorization form shall only be valid and live along the contract for the sale purchase of realeste. If for any reason the original the contract is voided or canceled, this authorization form will terminate with the contract.

Elliott Homes, Elliott Land Development, LLC

Josh Fleming

1512 Beach Blvd

\_\_\_\_\_  
(Name of Agent)


\_\_\_\_\_  
(Location of project)

941-468-1058

Gulfport, Harrison County, MS

\_\_\_\_\_  
(Agent phone number)

\_\_\_\_\_  
(City, County, State)

  
\_\_\_\_\_  
G.B. Vickery

10/25/22  
\_\_\_\_\_  
(Date)

  
\_\_\_\_\_  
Karen Vickery

10/25/22  
\_\_\_\_\_  
(Date)

  
Diane Whitson  
NOTARY PUBLIC  
ID No. 290704  
Commission Expires  
Apr 26, 2025

*Commission Expires 04/26/2025*



**Covenant Affidavit**

I, Josh Fleming, being owner or agent of the property 1512 Beach Blvd, Gulfport  
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.

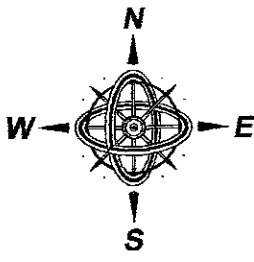
[Signature] 11/1/2022  
Signature Date

**STATE OF MISSISSIPPI | COUNTY OF HARRISON**

Given under my hand and seal of office this the 1ST day of NOVEMBER, 20 22

[Signature]  
Notary Public  
DIANE WHITSON  
NOTARY PUBLIC  
ID No. 290704  
Commission Expires  
Apr 26, 2025  
STATE OF MISSISSIPPI  
HARRISON COUNTY

04/26/2025  
Commission Expiration



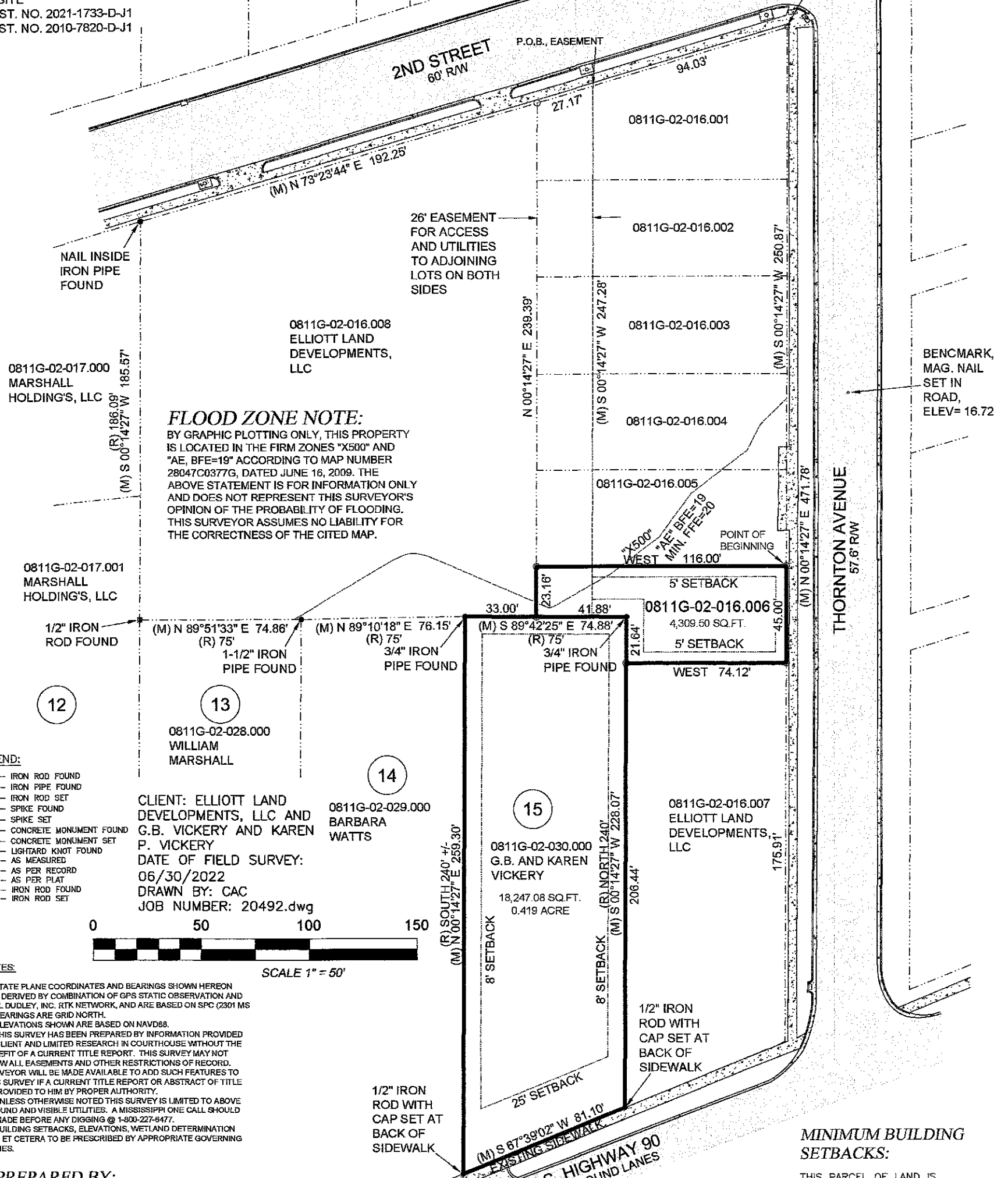
**A RESUBDIVISION OF COUNTY PARCEL  
NUMBERS 0811G-02-016.006 AND  
0811G-02-030.000, CITY OF GULFPORT, FIRST  
JUDICIAL DISTRICT OF HARRISON COUNTY,  
MISSISSIPPI, INTO LOTS "A" AND "B"**

**NOTE:**  
PROPERTY IS  
SERVICED BY CITY  
OF GULFPORT  
WATER AND SEWER  
AT THIS TIME.

**REFERENCE: GRID NORTH  
BY GPS OBSERVATION  
(DATUM=NAD 83)**

- REFERENCE MATERIAL:**
- 1.) GULFPORT ONLINE ATLAS
  - 2.) RECORDED PLAT OF SORIA CITY SUBDIVISION
  - 3.) HARRISON COUNTY GIS WEBSITE
  - 4.) INST. NO. 2021-1733-D-J1
  - 5.) INST. NO. 2010-7820-D-J1

POINT OF BEGINNING FOR LOT 1 AND POINT OF COMMENCEMENT FOR ALL OTHER LOTS, 1/2" IRON ROD WITH CAP SET AT THE NE CORNER OF LOT 16



**FLOOD ZONE NOTE:**  
BY GRAPHIC PLOTTING ONLY, THIS PROPERTY IS LOCATED IN THE FIRM ZONES "X500" AND "AE, BFE=19" ACCORDING TO MAP NUMBER 28047C0377G, DATED JUNE 16, 2009. THE ABOVE STATEMENT IS FOR INFORMATION ONLY AND DOES NOT REPRESENT THIS SURVEYOR'S OPINION OF THE PROBABILITY OF FLOODING. THIS SURVEYOR ASSUMES NO LIABILITY FOR THE CORRECTNESS OF THE CITED MAP.

- LEGEND:**
- ⊗ --- IRON ROD FOUND
  - --- IRON PIPE FOUND
  - --- IRON ROD SET
  - △ --- SPIKE FOUND
  - ▲ --- SPIKE SET
  - ⊠ --- CONCRETE MONUMENT FOUND
  - ⊡ --- CONCRETE MONUMENT SET
  - ⊞ --- LIGHTARD KNOT FOUND
  - (M) --- AS MEASURED
  - (R) --- AS PER RECORD
  - APP --- AS PER PLAT
  - IRF --- IRON ROD FOUND
  - IRS --- IRON ROD SET

CLIENT: ELLIOTT LAND DEVELOPMENTS, LLC AND G.B. VICKERY AND KAREN P. VICKERY  
DATE OF FIELD SURVEY: 06/30/2022  
DRAWN BY: CAC  
JOB NUMBER: 20492.dwg



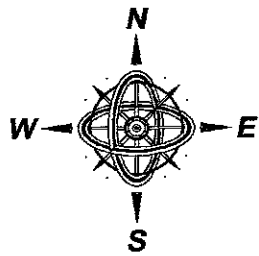
- NOTES:**
- 1.) STATE PLANE COORDINATES AND BEARINGS SHOWN HEREON ARE DERIVED BY COMBINATION OF GPS STATIC OBSERVATION AND EARL DUDLEY, INC. RTK NETWORK, AND ARE BASED ON SPC (2301 MS E). BEARINGS ARE GRID NORTH.
  - 2.) ELEVATIONS SHOWN ARE BASED ON NAVD88.
  - 3.) THIS SURVEY HAS BEEN PREPARED BY INFORMATION PROVIDED BY CLIENT AND LIMITED RESEARCH IN COURTHOUSE WITHOUT THE BENEFIT OF A CURRENT TITLE REPORT. THIS SURVEY MAY NOT SHOW ALL EASEMENTS AND OTHER RESTRICTIONS OF RECORD. SURVEYOR WILL BE MADE AVAILABLE TO ADD SUCH FEATURES TO THIS SURVEY IF A CURRENT TITLE REPORT OR ABSTRACT OF TITLE IS PROVIDED TO HIM BY PROPER AUTHORITY.
  - 4.) UNLESS OTHERWISE NOTED THIS SURVEY IS LIMITED TO ABOVE GROUND AND VISIBLE UTILITIES. A MISSISSIPPI ONE CALL SHOULD BE MADE BEFORE ANY DIGGING @ 1-800-227-8477.
  - 5.) BUILDING SETBACKS, ELEVATIONS, WETLAND DETERMINATION AND ET CETERA TO BE PRESCRIBED BY APPROPRIATE GOVERNING BODIES.

PREPARED BY:

**CLIFFORD A. CROSBY, PLS**  
716 LIVE OAK DRIVE  
BILOXI, MS 39532 PHONE: 228-234-1649

**GPS OBSERVATION NOTE**  
DATE OF FIELD WORK: 06/30/2022  
TOPCON HIPER VR RECEIVER WAS USED FOR GPS OBSERVATION, UTILIZING THE EARL DUDLEY, INC. REAL-TIME NETWORK

**MINIMUM BUILDING SETBACKS:**  
THIS PARCEL OF LAND IS LOCATED IN ZONES R-2 AND R-B AS PER CITY OF GULFPORT ONLINE ATLAS. REFER TO CITY OF GULFPORT MUNICODÉ FOR SETBACKS AND OTHER CRITERIA.



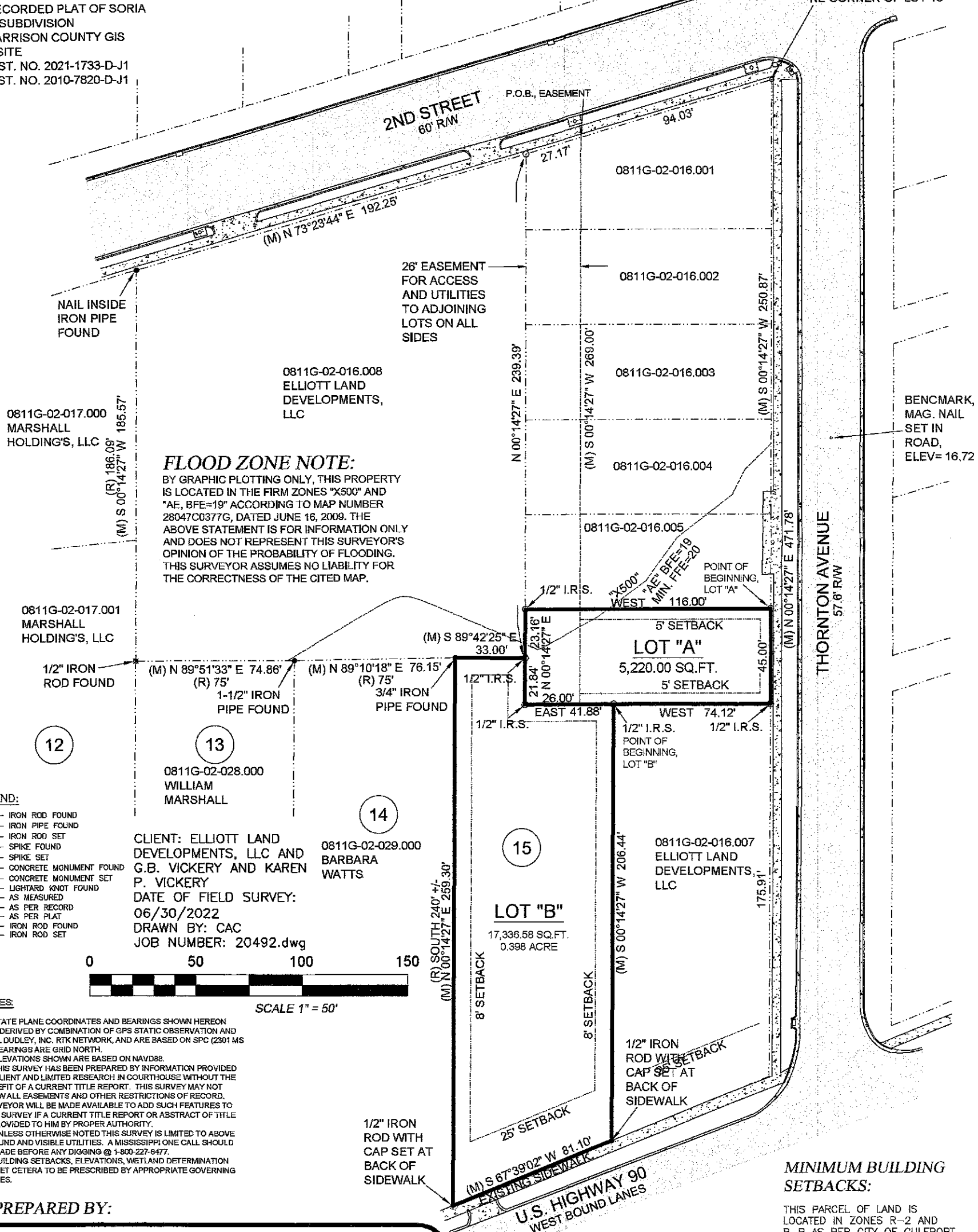
**A RESUBDIVISION OF COUNTY PARCEL  
NUMBERS 0811G-02-016.006 AND  
0811G-02-030.000, CITY OF GULFPORT, FIRST  
JUDICIAL DISTRICT OF HARRISON COUNTY,  
MISSISSIPPI, INTO LOTS "A" AND "B"**

**NOTE:**  
PROPERTY IS  
SERVICED BY CITY  
OF GULFPORT  
WATER AND SEWER  
AT THIS TIME.

**REFERENCE: GRID NORTH  
BY GPS OBSERVATION  
(DATUM=NAD 83)**

- REFERENCE MATERIAL:**
- 1.) GULFPORT ONLINE ATLAS
  - 2.) RECORDED PLAT OF SORIA CITY SUBDIVISION
  - 3.) HARRISON COUNTY GIS WEBSITE
  - 4.) INST. NO. 2021-1733-D-J1
  - 5.) INST. NO. 2010-7820-D-J1

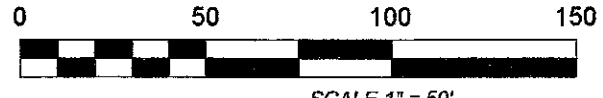
POINT OF BEGINNING FOR LOT 1 AND POINT OF COMMENCEMENT FOR ALL OTHER LOTS, 1/2" IRON ROD WITH CAP SET AT THE NE CORNER OF LOT 16



**FLOOD ZONE NOTE:**  
BY GRAPHIC PLOTTING ONLY, THIS PROPERTY IS LOCATED IN THE FIRM ZONES "X500" AND "AE, BFE=19" ACCORDING TO MAP NUMBER 28047C0377G, DATED JUNE 16, 2009. THE ABOVE STATEMENT IS FOR INFORMATION ONLY AND DOES NOT REPRESENT THIS SURVEYOR'S OPINION OF THE PROBABILITY OF FLOODING. THIS SURVEYOR ASSUMES NO LIABILITY FOR THE CORRECTNESS OF THE CITED MAP.

- LEGEND:**
- ⊗ --- IRON ROD FOUND
  - --- IRON PIPE FOUND
  - --- IRON ROD SET
  - ⊗ --- SPIKE FOUND
  - △ --- SPIKE SET
  - ⊗ --- CONCRETE MONUMENT FOUND
  - --- CONCRETE MONUMENT SET
  - ⊗ --- LIGHTARD KNOT FOUND
  - (S) --- AS MEASURED
  - (R) --- AS PER RECORD
  - APP --- AS PER PLAT
  - IRF --- IRON ROD FOUND
  - IRS --- IRON ROD SET

**CLIENT: ELLIOTT LAND DEVELOPMENTS, LLC AND G.B. VICKERY AND KAREN P. VICKERY**  
DATE OF FIELD SURVEY: 06/30/2022  
DRAWN BY: CAC  
JOB NUMBER: 20492.dwg



- NOTES:**
- 1.) STATE PLANE COORDINATES AND BEARINGS SHOWN HEREON ARE DERIVED BY COMBINATION OF GPS STATIC OBSERVATION AND EARL DUDLEY, INC. RTK NETWORK, AND ARE BASED ON SPC (2301 MS E). BEARINGS ARE GRID NORTH.
  - 2.) ELEVATIONS SHOWN ARE BASED ON NAVD83.
  - 3.) THIS SURVEY HAS BEEN PREPARED BY INFORMATION PROVIDED BY CLIENT AND LIMITED RESEARCH IN COURTHOUSE WITHOUT THE BENEFIT OF A CURRENT TITLE REPORT. THIS SURVEY MAY NOT SHOW ALL EASEMENTS AND OTHER RESTRICTIONS OF RECORD. SURVEYOR WILL BE MADE AVAILABLE TO ADD SUCH FEATURES TO THIS SURVEY IF A CURRENT TITLE REPORT OR ABSTRACT OF TITLE IS PROVIDED TO HIM BY PROPER AUTHORITY.
  - 4.) UNLESS OTHERWISE NOTED THIS SURVEY IS LIMITED TO ABOVE GROUND AND VISIBLE UTILITIES. A MISSISSIPPI ONE CALL SHOULD BE MADE BEFORE ANY DIGGING @ 1-800-227-6477.
  - 5.) BUILDING SETBACKS, ELEVATIONS, WETLAND DETERMINATION AND ET CETERA TO BE PRESCRIBED BY APPROPRIATE GOVERNING BODIES.

**PREPARED BY:**

**CLIFFORD A. CROSBY, PLS**  
716 LIVE OAK DRIVE  
BILOXI, MS 39532 PHONE: 228-234-1649

**GPS OBSERVATION NOTE**  
DATE OF FIELD WORK: 06/30/2022  
TOPCON HIPER VR RECEIVER WAS USED FOR GPS OBSERVATION, UTILIZING THE EARL DUDLEY, INC. REAL-TIME NETWORK

**MINIMUM BUILDING SETBACKS:**  
THIS PARCEL OF LAND IS LOCATED IN ZONES R-2 AND R-B AS PER CITY OF GULFPORT ONLINE ATLAS. REFER TO CITY OF GULFPORT MUNICODER FOR SETBACKS AND OTHER CRITERIA.

**A RESUBDIVISION OF COUNTY PARCEL  
NUMBERS 0811G-02-016.006 AND  
0811G-02-030.000, CITY OF GULFPORT, FIRST  
JUDICIAL DISTRICT OF HARRISON COUNTY,  
MISSISSIPPI, INTO LOTS "A" AND "B"**

**NOTE:**

PROPERTY IS  
SERVICED BY CITY  
OF GULFPORT  
WATER AND SEWER  
AT THIS TIME.

**GPS OBSERVATION  
NOTE**

DATE OF FIELD WORK: 06/30/2022  
TOPCON HIPER VR RECEIVER WAS  
USED FOR GPS OBSERVATION,  
UTILIZING THE EARL DUDLEY, INC.  
REAL-TIME NETWORK

**BOUNDARY NOTE:**

BOUNDARY SURVEYS ARE BASED UPON THE RECORDED SUBDIVISION PLAT IN CASES OF REGULAR SUBDIVISIONS LOTS. BOUNDARY SURVEYS OF PROPERTIES NOT A PART OF A REGULAR SUBDIVISION ARE BASED UPON TITLE INFORMATION PROVIDED BY THE PARTY REQUESTING THE SURVEY. BOUNDARY SURVEY PLATS REFLECT INFORMATION DISCOVERED BY THE SURVEYOR IN THE NORMAL COURSE OF WORK AND DOES NOT NECESSARILY SHOW EVERY POSSIBLE CONDITION AFFECTING THE PROPERTY. EASEMENTS, SERVITUDES, BUILDING ORDINANCES, ZONING, AND OTHER LEGAL ENCUMBERMENTS MAY EXIST. CONSULT A TITLE ATTORNEY IF YOU WISH TO DISCOVER ALL THE LEGAL ENCUMBERMENTS ATTACHED TO ANY PROPERTY.

**GENERAL NOTES:**

- 1.) THIS SURVEY WAS PREPARED FROM INFORMATION PROVIDED BY CLIENT, WITHOUT THE BENEFIT OF A CURRENT TITLE REPORT.
- 2.) THIS PROPERTY IS LOCATED IN F.I.R.M. ZONE "X500" AND "AE,BEE=19" ACCORDING TO MAP NUMBER 28047C0.377G DATED JUNE 16, 2009.
- 3.) BEARINGS SHOWN HEREON ARE DERIVED BY: GRID NORTH BY GPS OBSERVATION, ALL LINES RELATIVE TO.
- 4.) THIS SURVEY MEETS MISSISSIPPI MINIMUM REQUIREMENTS FOR A CLASS "B" SURVEY.
- 5.) THIS SURVEY AND PLAT WERE PREPARED ONLY FOR THE CLIENT NAMED HEREON AND NO THIRD PARTY CERTIFICATION IS EXPRESSED OR IMPLIED.
- 6.) A COPY OF THIS PLAT IS VALID ONLY IF IT IS COMPLETE AND INTACT, HAS AN ORIGINAL SIGNATURE AND DATE, AND HAS THE ORIGINAL EMBOSSED OR COLORED (NOT BLACK) STAMPED SURVEYOR'S SEAL.

CLIENT: ELLIOTT LAND DEVELOPMENTS, LLC AND G.B.  
VICKERY AND KAREN P. VICKERY  
DATE OF FIELD SURVEY: 06/30/2022  
DRAWN BY: CAC  
JOB NUMBER: 20492.dwg

PREPARED BY:

**CLIFFORD A. CROSBY, PLS**  
716 LIVE OAK DRIVE  
BILOXI, MS 39532 PHONE: 228-234-1649

**0811G-02-016.006, RECORD DESCRIPTION**

A PORTION OF LOTS 15 AND 16, BLOCK 5, SORIA CITY ADDITION, CITY OF GULFPORT, FIRST JUDICIAL DISTRICT OF HARRISON COUNTY, MISSISSIPPI AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS WITH THE BEARINGS BEING BASED ON STATE PLANE GRID NORTH (MS EAST ZONE 2301): COMMENCING AT THE NORTHEAST CORNER OF SAID LOT 16, BLOCK 5, SORIA CITY ADDITION; THENCE ALONG THE WEST MARGIN OF THORNTON AVENUE, S00°14'27"W 250.87' TO THE POINT OF BEGINNING; THENCE FURTHER ALONG SAID WEST MARGIN, S00°14'27"W 45.00'; THENCE WEST 74.12' TO THE WEST LINE OF SAID LOT 16; THENCE ALONG SAID WEST LINE, N00°14'27"E 21.64' TO AN IRON PIPE FOUND; THENCE N89°42'25"W 41.88'; THENCE N00°14'27"E 23.16'; THENCE EAST 116.00' TO THE POINT OF BEGINNING, CONTAINING 4,309.50 SQUARE FEET. BEING SUBJECT TO AN ACCESS AND UTILITY EASEMENT ACROSS THE WEST 26 FEET OF HEREIN DESCRIBED PROPERTY.

**0811G-02-016.030, RECORD DESCRIPTION, INST. NO. 2010-7820-D-J1**

A PORTION OF LOTS 15 AND 16, BLOCK 5, SORIA CITY ADDITION, CITY OF GULFPORT, FIRST JUDICIAL DISTRICT OF HARRISON COUNTY, MISSISSIPPI AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS WITH THE BEARINGS BEING BASED ON STATE PLANE GRID NORTH (MS EAST ZONE 2301): COMMENCING AT THE NORTHEAST CORNER OF SAID LOT 16, BLOCK 5, SORIA CITY ADDITION; THENCE ALONG THE WEST MARGIN OF THORNTON AVENUE, S00°14'27"W 250.87' TO THE POINT OF BEGINNING; THENCE FURTHER ALONG SAID WEST MARGIN, S00°14'27"W 45.00'; THENCE WEST 74.12' TO THE WEST LINE OF SAID LOT 16; THENCE ALONG SAID WEST LINE, N00°14'27"E 21.64' TO AN IRON PIPE FOUND; THENCE N89°42'25"W 41.88'; THENCE N00°14'27"E 23.16'; THENCE EAST 116.00' TO THE POINT OF BEGINNING, CONTAINING 4,309.50 SQUARE FEET. BEING SUBJECT TO AN ACCESS AND UTILITY EASEMENT ACROSS THE WEST 26 FEET OF HEREIN DESCRIBED PROPERTY.

**LEGAL DESCRIPTIONS OF LOTS CREATED BY THIS SUBDIVISION:**

**LEGAL DESCRIPTION: LOT "A"**

A PORTION OF LOTS 15 AND 16, BLOCK 5, SORIA CITY ADDITION, CITY OF GULFPORT, FIRST JUDICIAL DISTRICT OF HARRISON COUNTY, MISSISSIPPI AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS WITH THE BEARINGS BEING BASED ON STATE PLANE GRID NORTH (MS EAST ZONE 2301): COMMENCING AT THE NORTHEAST CORNER OF SAID LOT 16, BLOCK 5, SORIA CITY ADDITION; THENCE ALONG THE WEST MARGIN OF THORNTON AVENUE, S00°14'27"W 250.87' TO THE POINT OF BEGINNING; THENCE FURTHER ALONG SAID WEST MARGIN, S00°14'27"W 45.00'; THENCE WEST 116.00'; THENCE N00°14'27"E 45.00'; THENCE EAST 116.00' TO THE POINT OF BEGINNING, CONTAINING 5,220.00 SQUARE FEET. BEING SUBJECT TO AN ACCESS AND UTILITY EASEMENT ACROSS THE WEST 26 FEET OF HEREIN DESCRIBED PROPERTY.

**LEGAL DESCRIPTION: LOT "B"**

A PORTION OF LOT 15, BLOCK 5, SORIA CITY ADDITION, CITY OF GULFPORT, FIRST JUDICIAL DISTRICT OF HARRISON COUNTY, MISSISSIPPI AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS WITH THE BEARINGS BEING BASED ON STATE PLANE GRID NORTH (MS EAST ZONE 2301): COMMENCING AT THE NORTHEAST CORNER OF LOT 16, BLOCK 5, SORIA CITY ADDITION; THENCE ALONG THE WEST MARGIN OF THORNTON AVENUE, S00°14'27"W 295.87'; THENCE WEST 74.12' TO THE POINT OF BEGINNING, LYING ON THE EAST LINE OF SAID LOT 15, BLOCK 5, SORIA CITY ADDITION; THENCE ALONG SAID EAST LINE OF LOT 15, S00°14'27"W 206.44' TO AN IRON ROD SET ON THE BACK OF SIDEWALK ALONG THE NORTH MARGIN OF U.S. HIGHWAY 90, SAID POINT BEING THE SOUTHEAST CORNER OF SAID LOT 15; THENCE ALONG SAID NORTH MARGIN OF U.S. HIGHWAY 90, ALSO BEING THE SOUTH LINE OF SAID LOT 15, S87°39'02"W 81.10' TO THE SOUTHWEST CORNER OF SAID LOT 15; THENCE ALONG THE WEST LINE OF SAID LOT 15, N00°14'27"E 259.30' TO A 3/4" IRON PIPE FOUND; THENCE S89°42'25"E 33.00'; THENCE S00°14'27"W 21.84'; THENCE EAST 41.88' TO THE POINT OF BEGINNING, CONTAINING 17,336.58 SQUARE FEET OR 0.398 ACRE.

**LEGAL DESCRIPTION FOR EASEMENT**

A 26 FEET ACCESS AND UTILITY EASEMENT ACROSS A PORTION OF THE NORTH ONE-HALF OF LOT 15, BLOCK 5, SORIA CITY ADDITION, CITY OF GULFPORT, FIRST JUDICIAL DISTRICT OF HARRISON COUNTY, MISSISSIPPI AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS WITH THE BEARINGS BEING BASED ON STATE PLANE GRID NORTH (MS EAST ZONE 2301): COMMENCING AT THE NORTHEAST CORNER OF LOT 16, BLOCK 5, SORIA CITY ADDITION; THENCE ALONG THE SOUTH MARGIN OF 2ND STREET, S73°23'44"W 94.03' TO THE POINT OF BEGINNING; THENCE S00°14'27"W 269.00'; THENCE WEST 26.00'; THENCE N00°14'27"E 261.23' TO THE SOUTH MARGIN OF 2ND STREET; THENCE ALONG SAID SOUTH MARGIN, N73°23'44"E 27.17' TO THE POINT OF BEGINNING.



*J. K. ...* 1st Judicial District  
Instrument 2010 7820 D -J1  
Filed/Recorded 11/23/2010 02:45 P  
Total Fees \$ 18.00  
3 Pages Recorded

Prepared by:  
Pringle & Roemer PLLC  
P.O. Box 211  
Biloxi, MS 39533  
228-374-1747

Return to:  
G. B. Vickery  
Seven East 52<sup>nd</sup> St.  
Gulfport, MS 39507

Indexing instructions:  
Lot 15, Block 2,  
Soria City Subdivision

STATE OF MISSISSIPPI  
COUNTY OF HARRISON  
FIRST JUDICIAL DISTRICT

**ADMINISTRATRIX DEED**

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

**CHARLIENE ROEMER**, the Administratrix CTA  
of the Estate of Helen G. Vicery, deceased,  
P.O. Box 211  
Biloxi, MS 39533  
228-374-1747,

does hereby sell, convey, set over and deliver unto

**G. B. VICKERY** and wife, **KAREN P. VICKERY**,  
Seven East 52<sup>nd</sup> Street  
Gulfport, MS 39507  
228-868-1926,

as joint tenants with the right of survivorship in either and not as tenants in common, the following described property lying and being situated in the First Judicial District of Harrison County, Mississippi, to-wit:

Lot 15, in Block 2, in Soria City Subdivision and part of Lot 15 in Block 5, in Soria City Subdivision, Gulfport, Mississippi, described as follows:

Beginning at Southeast corner of Lot 15, Block 5 and running thence North along the dividing line between Lots 15 and 16, in Block 5 a distance of 240 feet to the property of Gulfport Separate School District, thence West along the boundary line between the School property and the property conveyed unto grantor by George W. Vickery, Sr., et ux., Helen G. Vickery to the West line of said Lot 15, Block 5, thence South 240 feet more or less to Front Street; thence Easterly along Front Street to the point of beginning, as per map or plat of Soria City on file and of record in the office of the Chancery Clerk of Harrison County, Mississippi, together with all improvements thereon and all appurtenances thereunto appertaining, including riparian rights, subject to easements for Seawall, U.S. Highway No. 90, and for public utilities.

This deed and the conveyance of real property hereby made is pursuant to the terms of a Judgement Authorizing Distribution of Estate Assets and Closing of Estate rendered on November 5, 2010 by the Chancery Court of the First Judicial District of Harrison County, Mississippi, in Cause No. C2401-05-02526(3) in the Estate of Helen G. Vickery, Deceased.

The above described property and this conveyance thereof is subject to any easements, rights-of-way, mineral reservations, restrictions and/or restrictive covenants of record relative thereto.

Ad valorem taxes for the year 2010 are hereby assumed by the Grantees herein.

WITNESS the signature of the Grantor on this the 18 day of November, 2010.



**CHARLIENE ROEMER**  
Administratrix CTA  
of the Estate of Helen G. Vickery, Deceased

STATE OF MISSISSIPPI  
COUNTY OF HARRISON

Personally appeared before me, the undersigned authority in and for the aforesaid jurisdiction, **CHARLIENE ROEMER**, who acknowledged before me that she is the Administratrix CTA of the Estate of Helen G. Vickery, deceased, and that she signed and delivered the above and foregoing instrument on the day and year therein mentioned, in her capacity as Administratrix CTA as aforesaid after being authorized so to do and act.

Given under my hand and seal of office on this 1<sup>st</sup> day of November, 2010.

*Mary Ann Jarman*  
\_\_\_\_\_  
Notary Public

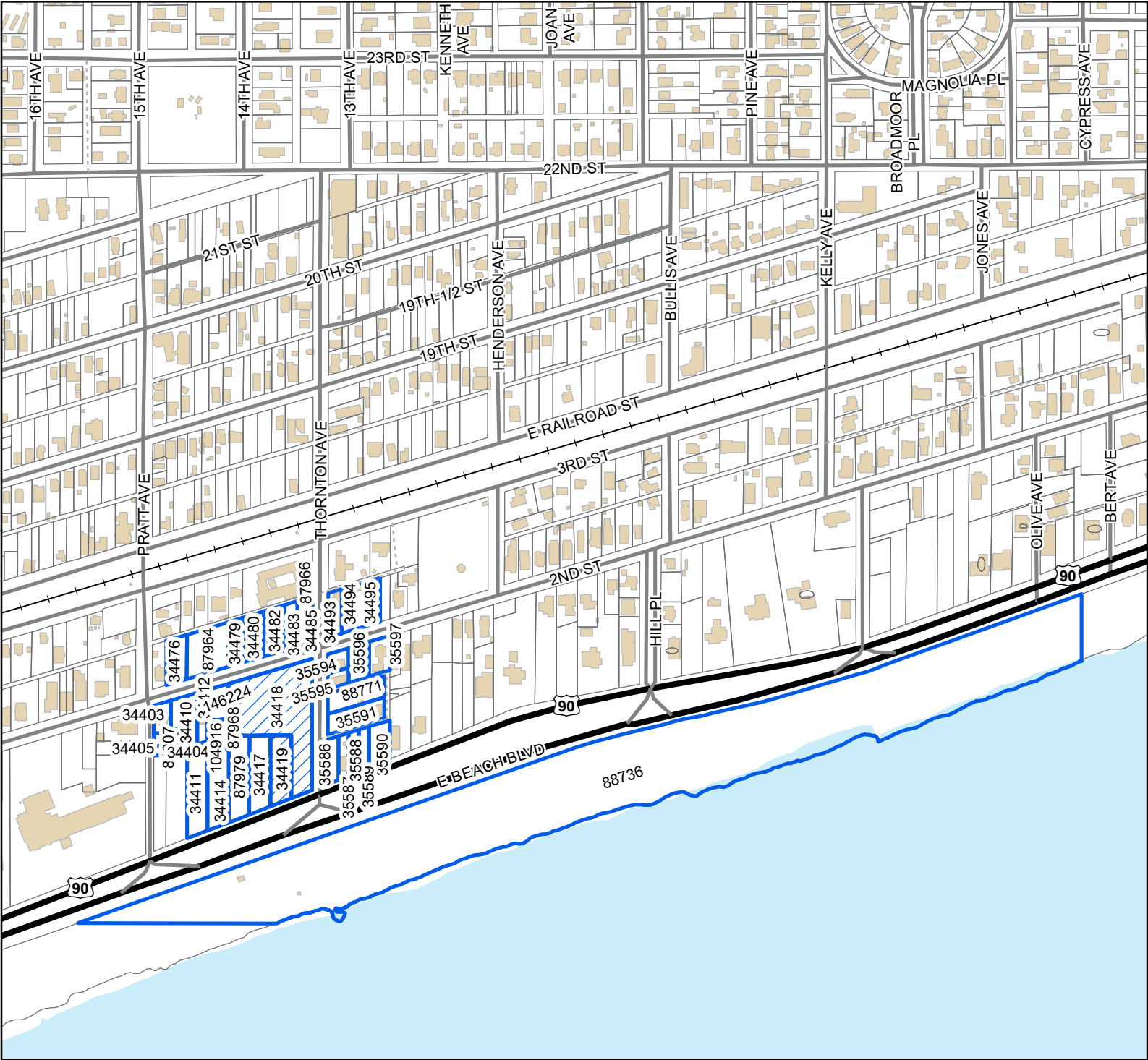
My commission expires: 6/23/13










*Vertical watermark text: MISSISSIPPI*

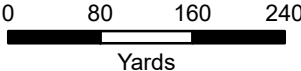
Mail	PPIN	Parcel ID	Name	Address	City	State	ZIP
	34419	0811G-02-030.000	VICKERY G B & KAREN P (OWNER)	7 E 52ND ST	GULFPORT	MS	39507
			JOSH FLEMING (AGENT)	1402 PASS ROAD	GULFPORT	MS	39501
N			<b>Adjacent Property Owners (2212PC220)</b>				
	35588	0811H-04-052.000	BATCHELDER WILLIAM B & HOLLY M	1456 AVONDALE AVE	JACKSONVILLE	FL	32205
	34480	0811G-02-011.000	BOX ADAM C & KRISTEN MERRITT	4901 COURTHOUSE RD	GULFPORT	MS	39507
	35597	0811H-04-045.000	CALLECOD ANGELA CLARICE & MICHAEL T	1417 2ND ST	GULFPORT	MS	39501
N	81007	0811G-02-020.000	CREWS WILLIAM R & KAREN M -TRUSTEES	1540 PRATT AVE	GULFPORT	MS	39501
	34403	0811G-02-021.000	CREWS WILLIAM R & KAREN M -TRUSTEES	1540 PRATT AVE	GULFPORT	MS	39501
	34418	0811G-02-016.000	ELLIOTT LAND DEVELOPMENTS LLC	1402 PASS RD	GULFPORT	MS	39501
	87964	0811G-02-009.000	FINLEY ROSEMARY B	20111 LOVERS LN	LONG BEACH	MS	39560
	34479	0811G-02-010.000	FITE GREGORY J & SHANDRA H	1524 2ND STREET	GULFPORT	MS	39501
	34493	0811G-02-034.000	GULF COAST DEVELOPMENT LLC	22 HONEY LOCUST COURT	LAFAYETTE HILL	PA	19444
N	88736	0811H-03-001.000	GULFPORT CITY OF	1601 33RD AVE	GULFPORT	MS	39501
	35586	0811G-02-031.000	HERCHENHAHN JERRY T & CHERIE	167 BALMORAL AVE	BILOXI	MS	39531
	34410	0811G-02-019.000	HERRINGTON KIMBERLY B	1535 2ND ST	GULFPORT	MS	39501
N	87966	0811G-02-015.000	KITE JOHN & HARRINGTON PERIAN	P O BOX 5382	VANCLEAVE	MS	39565
	34485	0811G-02-015.001	KITE JOHN & HARRINGTON PERIAN	P O BOX 5382	VANCLEAVE	MS	39565
	34483	0811G-02-014.000	KRIMSON INVESTMENTS LLC	8218 RIDGEWOOD DR	KILN	MS	39556
N	34412	0811G-02-018.000	LADNER RICHARD M & JENNY L TATE	1533 2ND ST	GULFPORT	MS	39501
	146224	0811G-02-018.001	LADNER RICHARD M & JENNY L TATE	1533 2ND ST	GULFPORT	MS	39501
	87968	0811G-02-017.000	MARSHALL HOLDING'S LLC	2350 TWIN BAY VIEW	FT WALTON BEACH	FL	32547
N	104916	0811G-02-017.001	MARSHALL HOLDING'S LLC	2350 TWIN BAY VIEW	FT WALTON BEACH	FL	32547
	87979	0811G-02-028.000	MARSHALL WILLIAM R	2350 TWIN BAY DR	FORT WALTON BEACH	FL	32547
	34482	0811G-02-013.000	MENARD ROBERT S & LYNN L TRUST	1512 2ND ST	GULFPORT	MS	39501
	35590	0811H-04-054.000	MORTON DAVID W & SUSAN C	15513 WHITE TAIL CT	BATON ROUGE	LA	70817
	35589	0811H-04-053.000	MORTON DAVID W & SUSAN C	15513 WHITETAIL COURT	BATON ROUGE	LA	70817
N	88771	0811H-04-048.000	NATIONS KELLY M	1510 THORNTON AVE	GULFPORT	MS	39501
	35591	0811H-04-049.000	NATIONS KELLY M	1510 THORNTON AVE	GULFPORT	MS	39501
	35595	0811G-02-033.001	NEW SEAN J & CYNTHIA J	1532 THORNTON AVE	GULFPORT	MS	39501
	34495	0811H-04-016.000	NUGENT DAVID R	1430 2ND ST	GULFPORT	MS	39501
	35587	0811G-02-032.000	PARKER DAVID E & JUDY E	1440 E BEACH BLVD	GULFPORT	MS	39501
	35596	0811H-04-046.000	PETTY CATHERINE C	1423- 2ND STREET	GULFPORT	MS	39501
	34404	0811G-02-022.000	RIEMANN CATHERINE	1530 PRATT AVE	GULFPORT	MS	39501
	34476	0811G-02-008.000	ROBERSON HELEN B	P O BOX 6406	GULFPORT	MS	39506
	35594	0811G-02-033.000	SMITH MICHAEL B & DEROSIER ROXAN	400 PRIVATE RD 31150	PARIS	TX	75460
	34494	0811H-04-015.000	SPARKS JEREMY LEE & DAWN R	1442 2ND STREET	GULFPORT	MS	39507

<b>Mail</b>	<b>PPIN</b>	<b>Parcel ID</b>	<b>Name</b>	<b>Address</b>	<b>City</b>	<b>State</b>	<b>ZIP</b>
	34419	0811G-02-030.000	VICKERY G B & KAREN P	7 E 52ND ST	GULFPORT	MS	39507
N	34414	0811G-02-027.000	VICMAR PROPERTIES INC	2350 TWIN BAY VIEW	FORT WALTON BCI FL		32547
	34411	0811G-02-026.000	VICMAR PROPERTIES INC	2350 TWIN BAY VIEW	FORT WALTON BCI FL		32547
	34417	0811G-02-029.000	WATTS BARBARA F	9355 COUNTY FARM RD	GULFPORT	MS	39503
	34405	0811G-02-023.000	WILLIS RICHARD C	6610 HALE CT	DIAMONDHEAD	MS	39525



Legend

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



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

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

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

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

## AFFIDAVIT OF PUBLICATION

Account #	Order Number	Identification	Order PO	Amount	Cols	Depth
36845	351542	Print Legal Ad-IPL00996680 - IPL0099668		\$49.92	1	86 L

Attention: Matilda Welch

PO BOX 1780  
 GULFPORT, MS 39502

**LEGAL NOTICE  
 PUBLIC HEARING**

In conformance with Section VIII of the Comprehensive Zoning Ordinance of the City of Gulfport, Mississippi, 1979 as amended, notice is hereby given advising that the Gulfport City Planning Commission will hold a public hearing in the City of Gulfport, Mississippi at 4:30 P.M., Thursday, December 14, 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 2212PC215**, by owner Thomas Lewis, tax parcel 0907J-01-021.003, Requests a home occupation for independent freight dispatch service, 13593 Wind Rose Circle, Zoned R-1-15 (Single-family), Ward 7

**Planning Commission Approval 2212PC216**, by owner William Caleb Boyles, tax parcel 0908J-01-024.008, Requests a home occupation for engraving and cerakoting firearms, 22 Jay Drive, Zoned R-1-10 (Single-family), Ward 6

**Resubdivision 2212PC218**, by agent Joyce Unsworth, tax parcel 07100-02-102.002, Divide into two new parcels, 4809 29th Street, Zoned B-1 (Neighborhood business), Ward 1

**Resubdivision 2212PC219**, by agent Jimmy Miles, tax parcel 0810N-05-023.000, Divide into three new parcels, 32nd St, Zoned B-2 (General business), Ward 3

**Resubdivision 2212PC220**, by agent Josh Fleming, tax parcels 0811G-02-030.000 & 0811G-02-016.000, divide into two new parcels, 1512 E Beach Blvd & Thornton Ave, Zoned R-B (Residence-Business) Ward 2

**General Plan 2212PC221**, by agent Freddie Fountain with Fountain & Associates, LLC, tax parcel 0907J-01-001.005, Approval of a General Plan for 17-Lot subdivision (Plantation Oaks Subdivision - Phase III), 0 Three Rivers Road, Zoned R-B (Residence-business), Ward 6

**Appeal 2212PC222**, by agent Shaw Design Group, PA, tax parcel 0809K-01-001.026, to Appeal City of Gulfport Design Standards, 9394 Three River Road, Zoned B-2 (General business), Ward 3

**Zoning Text Amendment 2212PC224**, by CRC Westside, amendments to the SmartCode Zoning Ordinance, as amended, Section 5.3.3 h

**Zoning Text Amendment 2212PC225**, by CRC Westside, amendments to the SmartCode Zoning Article 6, as amended, Section 5.3.3 a Table 10

**Zoning Text Amendment 2212PC226**, by City of Gulfport, Amendments to the Comprehensive Zoning Ordinance, as amended, District Regulations, (J) Chart of Permitted Uses (2) Schedule of uses - Residential Hotel

This is the 22th day of November, 2022  
 Keith Williams, Chairman  
 City of Gulfport Planning Commission  
 IPL0099668  
 Nov 30 2022

### STATE OF MISSISSIPPI COUNTY OF HARRISON

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

1 insertion(s) published on:  
 11/30/22

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

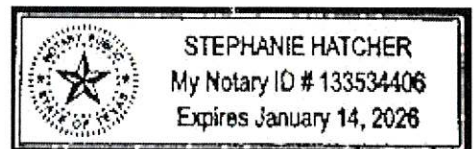
*Stefani Beard*

Sworn to and subscribed before me this 30th day of November in the year of 2022

*Stephanie Hatcher*

Notary Public

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



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

SF

**RE: Resubdivison 2212PC220, by agent Josh Fleming, tax parcels 0811G-02 -030.000 & 0811G-02-016.000, divide into two new parcels, 1512 E Beach Blvd & Thornton Ave, Zoned R-B (Residence-Business) 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, December 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 Planning Commission for **Thursday, December 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](mailto:planners@gulfport-ms.gov). The application is available for viewing in the Planning Division office at 1410 24<sup>th</sup> Avenue.

# MEMORANDUM

**To:** City of Gulfport Planning Commission

**From:** Greg Holmes, Planning Administrator  
Urban Development Department

**Date of Hearing:** December 15, 2022

**Re:** General Plan 2212PC221:

General Plan 2212PC221, by agent Freddie Fountain with Fountain & Associates, LLC, tax parcel 0907J-01-001.005, Approval of a General Plan for 17-Lot subdivision (Plantation Oaks Subdivision - Phase III), 0 Three Rivers Road, Zoned R-B (Residence-business), Ward 6

**Technical Report**  
*General Plan*  
*(Plantation Oaks Phase 3)*

**GENERAL INFORMATION**

Case File Number: 2212PC221

Hearing Date: December 15, 2022

Current Zoning/Use: R-B / Vacant Property

Legal: General Plan 2212PC221, by agent Freddie Fountain with Fountain & Associates, LLC, tax parcel 0907J-01-001.005, Approval of a General Plan for 17-Lot subdivision (Plantation Oaks Subdivision - Phase III), 0 Three Rivers Road, Zoned R-B (Residence-business), Ward 6

**TECHNICAL DETAILS**

The applicant requests approval of a General Plan to create a new 17-lot 8.34-acre residential subdivision, named Plantation Oaks Phase Three, on tax parcel 0907J-01-001.005. This new subdivision is a continuation of Plantation Oaks residential development.

Regulations state that the minimum property size for new single-family home in this zoning district is 7500 square feet with a front yard setback of 25 feet and a side and rear yard setback of 8 feet. However, the applicant applied for a Zoning Map Amendment to rezone the subject property from an R-1-15 zoning district to an R-B (Residential business) zoning district, which would adjust the side setbacks to those shown on the General Plan. The Planning Commission approved the Zoning Map Amendment on November 18, 2021. The case was approved by the City Council on January 4, 2022. Notably, minimum lot requirements for R-B zoning district is 7,500 square feet with front yard setback of 25 feet and side and rear yard of 8 feet with lot width of 60 feet. In review of the General Plan, the applicant meets or exceeds the city's requirements for this zoning district. Street access created for this closed-end street (cul-de-sac) that is connected to existing roadways and provides an ingress and egress off Three Rivers Road.

The proposed parcels are located adjacent to existing city rights-of-way, and are protected by Gulfport Fire and Police. In addition, all lots will have capacity for city water and sewer. However, required copy of the covenants have not been provided and lot 11 and lot 12 exceeds the City of Gulfport's maximum depth requirements, and must be approved by the Planning Commission. The maximum depth of any lot, exclusive of unusable land, shall be three and one-half (3 ½) times the width of the lot at the building setback line. The lot width for lots 11 and 12 is 66.25. Therefore, the maximum depth cannot be greater than 231.87 square feet. Lot 11 has a depth of 248.34 square feet and lot 12 has a depth of 238.02 square feet.

Any approval should consider these conditions:

1. City Council must approve zoning regulations
2. All construction shall comply with all City Building Codes and Ordinances.
3. Please provide street name on all documentation for new development.
4. All signage and striping shall meet the current edition of the MUTLD

**Technical Report**  
*General Plan*  
*(Plantation Oaks Phase 3)*

5. Soils report to be certified by professional engineer.
6. Provide drainage calculations.
7. Tree permit will be required before tree work can be started.
8. Depth of lots 11 and 12 conditions for hardship.

***DEPARTMENTAL CONDITIONS***

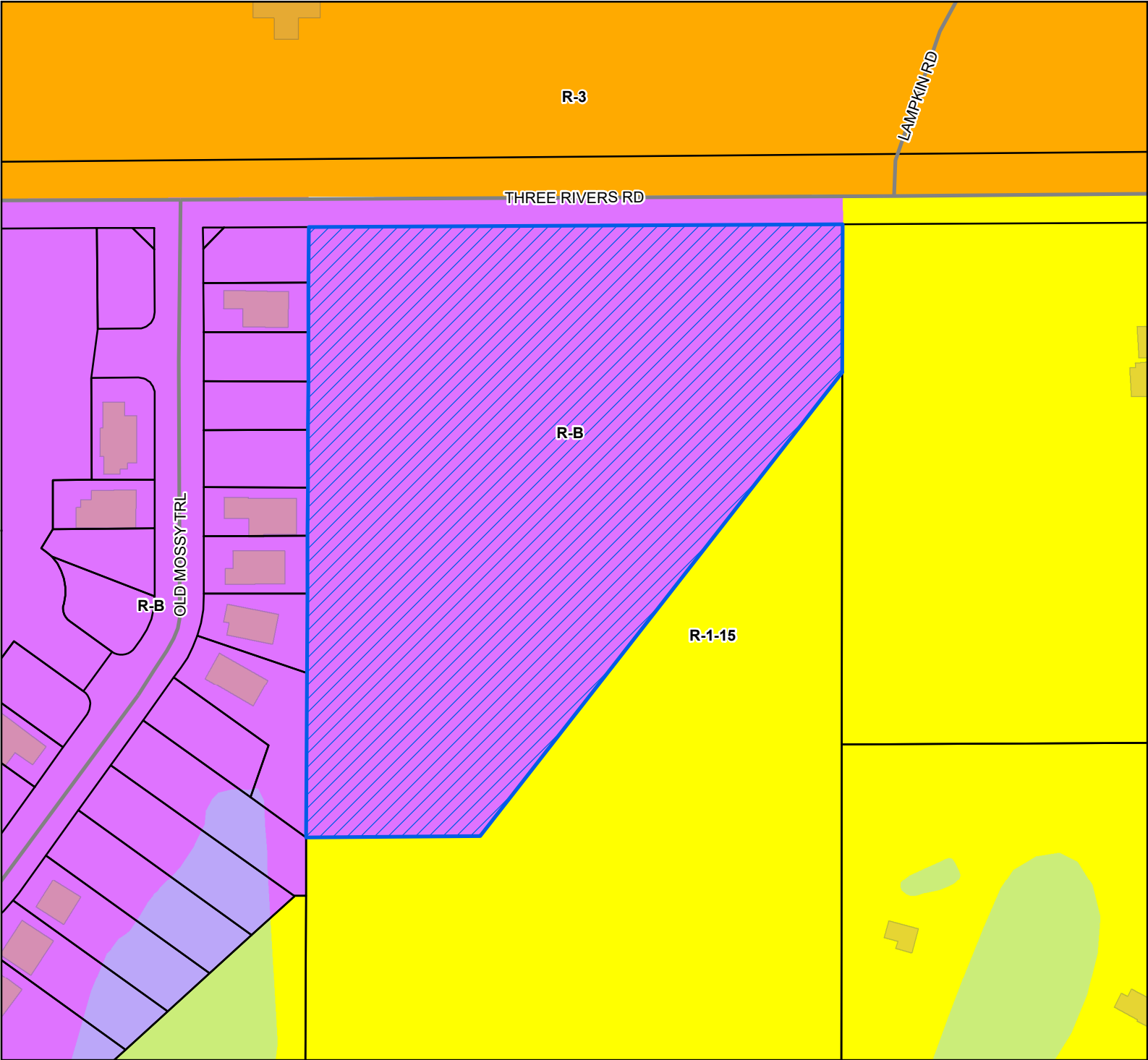
- Engineering:** Conditions. Memo dated 12/5/22.  
1. Soils report to be certified by professional engineer.  
2. Provide drainage calculations.
- Public Works:** See engineering notes. Memo dated 12/5/22.
- Traffic and Safety:** Conditions. All signage and striping shall meet the current edition of the MUTLD Memo dated 12/5/22.
- Building Code Services:** No conditions. Memo dated 11/29/22.
- GIS:** Please provide street name on all documentation for new development. Memo date 12/5/22.
- Police Department:** No conditions. Memo dated 11/29/22.
- Fire Department:** No conditions. Memo dated 11/28/18.
- City Arborist:** Conditions. Tree permit will be required before tree work can be started. Memo dated 11/28/2022.

***DIRECTOR APPROVAL***

This report has been reviewed and approved by:

---

Ryan Merrill  
Director of Urban Development Department



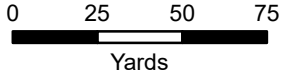
**Legend**

- Site
- Street
- Parcels
- Buildings
- Water Features

**Zoning**

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

**Site Information**  
 0907J-01-001.005  
 Zoning: R-B (Residence Business)  
 Size: 8.34 acres  
 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 #: 2212 PC 221

Date Received: 11/1/2022

Receipt #: \_\_\_\_\_

Received By: \_\_\_\_\_

## APPLICATION FOR GENERAL SUBDIVISION PLAN

### Property Information

Zoning: R-B

Ward: 6 Flood: X

Size: 8.34 ACRE

(If necessary, use separate sheet of paper)

TAX PARCEL #

0	9	0	7	J	-	0	1	-	0	0	1	●	0	0	5
					-			-				●			
					-			-				●			

Address of Property Involved: 0 Three Rivers Road

Lot(s) \_\_\_\_\_, Block(s) \_\_\_\_\_, Subdivision \_\_\_\_\_

General Location: South of Three Rivers Road between Old Mossy Trail and Lampkin Rd.

### GENERAL DESCRIPTION OF REQUEST:


Rezoning of an 8.35 acre parcel of land on Three Rivers Road from R-1-15 to R-B. The grounds for this request is based on a change of character in the neighborhood. The parcel will be divided into seventeen individual lots conforming to all requirements of the R-B zoning district.

### 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

Plantation Oaks, LLC  
 Printed Name Of Owner  
 1460 Beach Blvd  
 Mailing Address  
 Biloxi MS 39530  
 City State Zip code  
 228-218-0040  
 Home Phone Work/Cell Phone  
 Email  
  
 Signature Of Owner

Freddie Fountain w/Fountain & Associates, LLC  
 Printed Name Of Agent  
 1822 15th Street, Ste. 12  
 Mailing Address  
 Gulfport MS 39501  
 City State Zip code  
 228-861-5209  
 Home Phone Work/Cell Phone  
 freddie@fountainllc.com  
 Email  
  
 Signature Of Agent

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

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

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

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

NAME OF OWNER (PRINT) Plantation Oaks, LLC

ADDRESS (STREET, CITY, STATE, ZIP CODE) 1460 Beach Blvd Biloxi, MS 39530

PHONE # (H) \_\_\_\_\_ (W) 228-218-0040

TAX PARCEL NUMBER(S) OWNED 0907J-01-001.005

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: \_\_\_\_\_

**F0108**  
**Fee: \$**



**Michael Watson**  
**SECRETARY OF STATE**

**2022236844**

Business ID: 987391  
Filed: 04/18/2022 09:32 AM  
Michael Watson  
Secretary of State

**2022 LLC Annual Report**

**Business Information**

**Business ID:** 987391

**Business Name:** Plantation Oaks, LLC

**State of Incorporation:** MS

**Business Email:** rbaudry1@gmail.com

**Phone:** (\*\*\*)\*\*\*-\*\*\*\*

**FEIN:** \*\*-\*\*\*\*\*

**Principal Address:** 1460 Beach Blvd.  
Biloxi, MS 39530

**Registered Agent**

**Name:** Richard D. Baudry

**Address:** 1460 Beach Blvd.  
Biloxi, MS 39530

**Managers and Members**

**Managers**

**Name:**  
Richard D Baudry  
*Manager*

**Address:**  
1460 Beach Blvd.  
Biloxi, MS 39530

**Officers**

<b>Title/Name:</b>	<b>Address:</b>	<b>Director:</b>
<b>President:</b>		<input type="checkbox"/>
<b>Vice President:</b>		<input type="checkbox"/>
<b>Secretary:</b>		<input type="checkbox"/>
<b>Treasurer:</b>		<input type="checkbox"/>

This LLC has a written Operating Agreement.  
P.O. BOX 136  
JACKSON, MS 39205-0136

**TELEPHONE: (601) 359-1633**

**NAICS Code/Nature of Business**

237210 - Land Subdivision

237210 - Land Subdivision

237210 - Land Subdivision

**Signature**

By entering my name in the space provided, I certify that I am authorized to file this document on behalf of this entity, have examined the document and, to the best of my knowledge and belief, it is true, correct and complete as of this day **04/18/2022**.

***Name:***

Richard D Baudry

*Manager*

***Address:***

1460 BEACH BLVD

BILOXI, MS 39530

## **Officers List**

***Name:***

Richard D Baudry

*Manager*

***Address:***

1460 Beach Blvd.

Biloxi, MS 39530



# HARRISON COUNTY, MS Property Search Application



- > Welcome
- > Property Search
- ▼ **Property Details**

### Details

**Parcel ID**

0907J-01-001.005

**PPIN**

103927

**Owner**

PLANTATION OAKS LLC

**Mailing Address**

P O BOX 268

**Mailing City/State/ZIP**

BILOXI MS39533

**Judicial District**

1

**Tax District**

2GO

**Subdivision**

null

**Section-Township-Range**

36-06-11

**For more information**

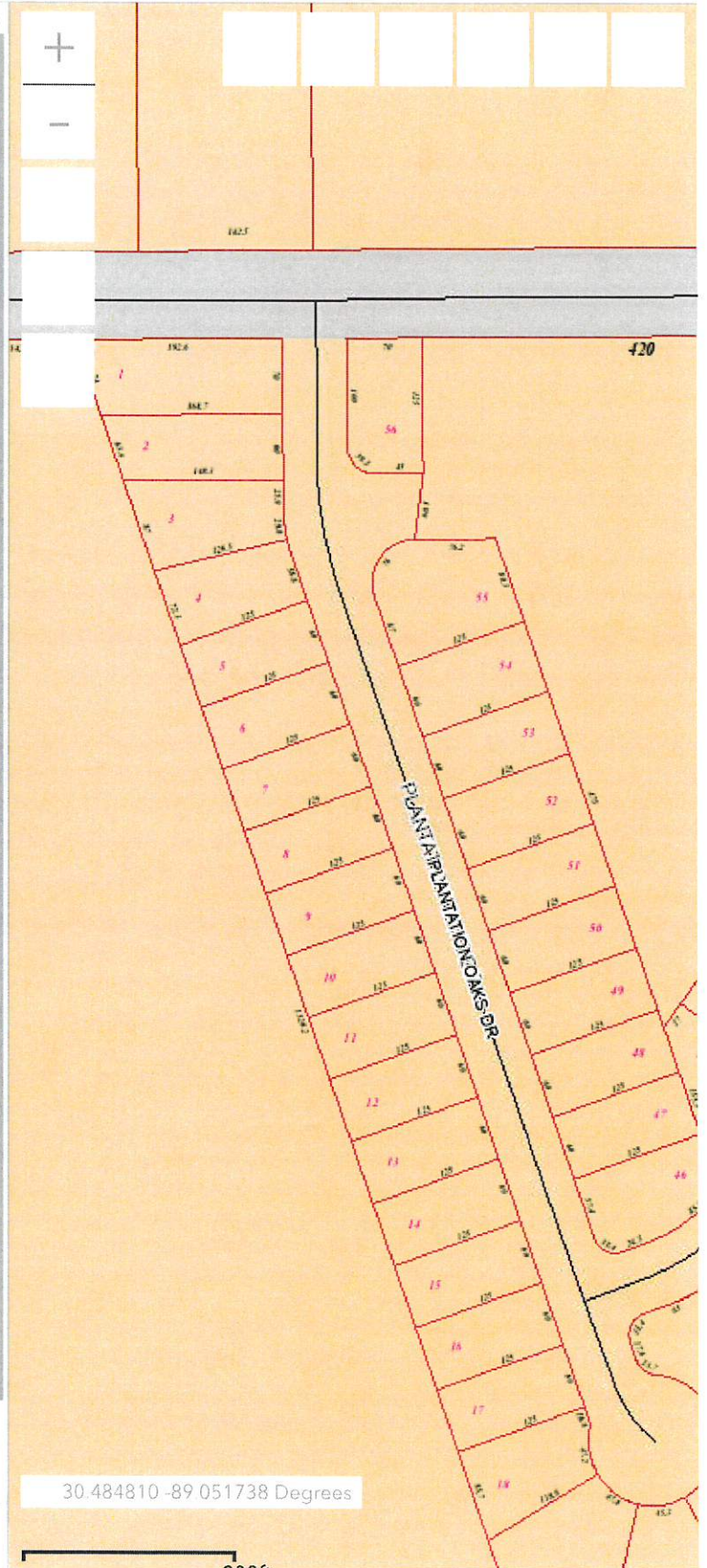
[Click Here](#)

**Useful Links**

- [Web Map Application Guide](#)  
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<https://harrisonms.geopowered.com/propertysearch/>



# Plantation Oaks Phase Three

Three Rivers Road  
Gulfport, Mississippi

CLIENT:

Plantation Oaks, LLC  
1460 Beach Blvd  
Biloxi, MS 39530

June 28, 2022



TERRY MORAN  
ENGINEERING  
P.O. BOX 4075  
BILOXI, MS 39535  
PH 228.896.4733  
FAX 228.896.6766  
TERRY MORAN,  
P.E., P.L.S.



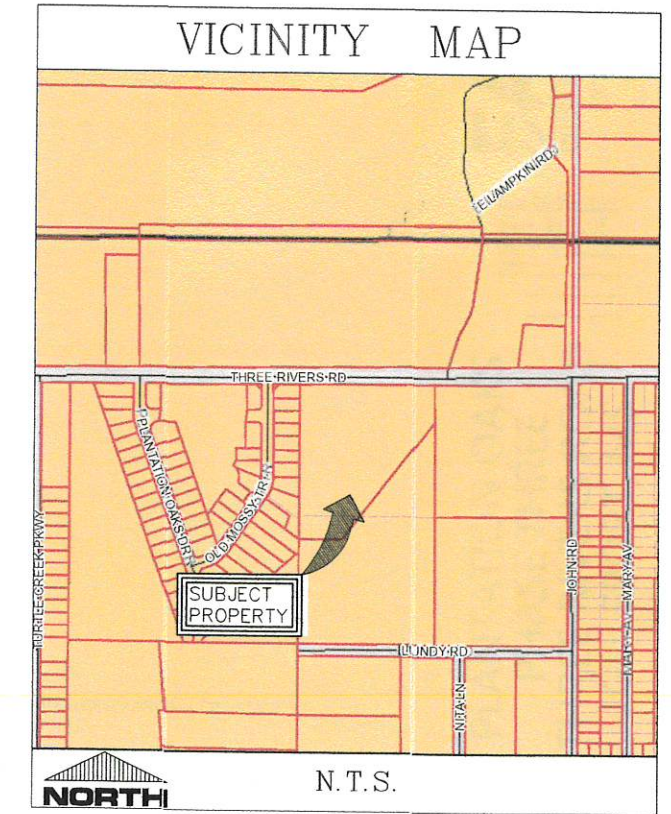
IN ASSOCIATION WITH

**FA** FOUNTAIN &  
ASSOCIATES  
CIVIL AND COMMERCIAL DESIGN  
1822 15th Street, Ste. 12  
Gulfport, MS 39501  
228-861-5209

NOTE: ALL CONSTRUCTION SHALL COMPLY WITH THE  
"MISSISSIPPI STANDARD SPECIFICATIONS FOR STATE  
AID ROAD CONSTRUCTION , 2017 EDITION".

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

SHEET INDEX	
PLAN COVER SHEET	T1
GENERAL NOTES & LEGENDS	C1
EXISTING CONDITIONS & DEMOLITION PLAN	C2
LOT & STREET LAYOUT	C3
GRADING & DRAINAGE PLAN	C4
EROSION CONTROL PLAN	C5
UTILITY PLAN	C6
PLAN & PROFILE SHEET	PP1
PLAN & PROFILE SHEET	PP2
PLAN & PROFILE SHEET	PP3
CONSTRUCTION DETAILS	CD1
CONSTRUCTION DETAILS	CD2





TERRY MORAN ENGINEERING  
P.O. BOX 4075  
BILOXI, MS 39935  
PH 228.896.4733  
FAX 228.896.6768  
TERRY MORAN,  
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CIVIL AND COMMERCIAL DESIGN  
1822 15th Street, Ste. 12  
Gulfport, MS 39501  
228-861-5209

Date 06-28-2022  
Drawn By N.O.F.  
Check By T.J.M.  
REV

PLANTATION OAKS  
PHASE THREE  
THREE RIVERS ROAD  
GULFPORT, MS

C1

**DEMOLITION NOTES:**

- CONTRACTOR SHALL BE RESPONSIBLE FOR REMOVING ANY AND ALL EXISTING STRUCTURES DESIGNATED TO BE REMOVED WITHIN THE PROPERTY LIMITS, INCLUDING BUT NOT LIMITED TO STRUCTURES, FOUNDATIONS, ALL EXISTING PAVEMENTS AND DRIVEWAYS, EXISTING FENCES, UTILITIES, AND DEBRIS.
- CONTRACTOR SHALL BE RESPONSIBLE FOR ANY AND ALL DAMAGES THAT MIGHT OCCUR TO IMPROVEMENTS SHOWN HEREON TO REMAIN.
- CONTRACTOR SHALL REMOVE ALL DEBRIS FROM THE SITE THAT IS FOUND TO EXIST PRIOR TO HIS WORK OR THAT IS GENERATED AS A RESULT OF HIS WORK. DEBRIS SHALL CONSIST OF ANY MATERIAL OTHER THAN SOIL. SOIL DESIGNATED TO BE REMOVED FROM THE SITE SHALL BE AT THE CONTRACTORS EXPENSE.
- CONTRACTOR WILL NOT BE RESPONSIBLE FOR DEMOLISHING, REMOVING, OR RELOCATING ANY EXISTING ABOVE OR BELOW GROUND TELEPHONE OR POWER (UNLESS OTHERWISE SPECIFIED) BUT SHALL BE RESPONSIBLE FOR COORDINATING HIS WORK WITH ALL LOCAL UTILITY COMPANIES.
- CONTRACTOR SHALL CALL THE MISSISSIPPI DAMAGE PREVENTION NUMBER (1-800-227-6477) BY LAW TO LOCATE ALL EXISTING UTILITIES ON SITE PRIOR TO HIS WORK. CONTRACTOR SHALL BE RESPONSIBLE FOR PROTECTING UTILITIES NOT DESIGNATED TO BE REMOVED UNDER THIS CONTRACT AND BE RESPONSIBLE FOR ANY AND ALL DAMAGES TO EXISTING UTILITIES NOT DESIGNATED TO BE DEMOLISHED, REMOVED, OR RELOCATED THAT RESULT FROM CONTRACTOR'S WORK. REMOVAL OF ALL POWER LINES, POLES, AND APPURTENANCES SHALL BE BY LOCAL UTILITY COMPANY.
- LIMITS OF CLEARING AND GRUBBING SHALL BE PROPERTY LINES, UNLESS SPECIFICALLY DESIGNATED OTHERWISE.
- CONTRACTOR SHALL OBTAIN AND PAY FOR ALL CONSTRUCTION PERMITS THAT ARE REQUIRED TO ACCOMPLISH THE WORK SPECIFIED HEREON.

**EROSION CONTROL NOTES:**

- CONTRACTOR SHALL STOCKPILE TOPSOIL ON SITE FOR USE IN LANDSCAPING.
- CONTRACTOR SHALL LINE ALL PROPOSED SWALES AND DETENTION POND SLOPES WITH EROSION AND SEDIMENT CONTROL BLANKETS AS SHOWN.
- CONTRACTOR SHALL ROUGHEN ALL 4:1 CUT SLOPES BY DISKING PRIOR TO SEEDING.
- CONTRACTOR SHALL BE RESPONSIBLE FOR SEEDING WITH TEMPORARY SEED ANY DISTURBED AREAS THAT WILL BE LEFT UNDISTURBED FOR FOURTEEN OR MORE DAYS (SEE MDEQ LIST OF TEMPORARY SEED TYPES).
- CONTRACTOR SHALL BE RESPONSIBLE FOR SEEDING WITH PERMANENT SEED ANY DISTURBED AREAS WITHIN SEVEN DAYS (SEE OWNER FOR TYPE OF LANDSCAPE TO BE USED).
- ALL EQUIPMENT MAINTENANCE AND REPAIR SHALL BE DONE OFFSITE.
- TRASH RECEPTACLES SHALL BE PLACED AT CONVENIENT LOCATIONS THROUGHOUT THE SITE.
- THE MAIN TRASH COLLECTION BIN SHALL BE PLACED NEAR THE CORNER OF THE CONSTRUCTION ENTRANCE. CONTRACTOR SHALL COORDINATE PICKUP WITH THE CITY OR REFUSE DISPOSAL PROVIDERS AND SHALL ENSURE THAT COLLECTION IS DONE A MINIMUM OF ONCE A WEEK.
- CONTRACTOR SHALL CHECK ALL DISTURBED AREAS, EROSION AND SEDIMENT CONTROLS AFTER EACH SIGNIFICANT RAINFALL BUT NOT LESS THAN ONCE PER WEEK AND MAKE ANY NEEDED REPAIRS WITHIN 24 HOURS.
- CONTRACTOR SHALL REMOVE ANY SEDIMENT FROM SILT FENCE, CHECK POINTS, AND INLET PROTECTION DEVICES WHENEVER SEDIMENT HAS ACCUMULATED TO 50 PERCENT CAPACITY. CONTRACTOR SHALL MAINTAIN ALL VEGETATED AREAS TO PROVIDE PROPER GROUND COVER BY RESEEDING, FERTILIZATION, OR MULCHING AS NEEDED.
- A TEMPORARY OFFICE AND PORTABLE TOILET BUILDINGS SHALL BE LOCATED AT THE OR NEAR THE JOB TRAILER OR LAY-DOWN YARD AND AT LOCATIONS SO THAT NO PART OF THE PROJECT IS MORE THAN 1,000 FEET FROM A TOILET FACILITY IF POSSIBLE. THESE STRUCTURES SHALL BE MAINTAINED ON A REGULAR SCHEDULE BY A LICENSED DISPOSAL COMPANY.

**GENERAL NOTES & LEGENDS**

**PAVEMENT AND HARDSCAPE NOTES:**

- SEE SHEET CD1 FOR PAVEMENT DETAILS.
- SHOULD CONTRACTOR FIND ANY DISCREPANCIES IN DIMENSIONS, PROJECT ENGINEER SHALL BE CONSULTED IMMEDIATELY.
- ALL DIMENSIONS ARE FROM BOC TO BOC.
- CONTRACTOR SHALL FORM CURB AT HANDICAP RAMP LOCATIONS TO MEET ADA REQUIREMENTS. ALL FINISH SPOT ELEVATIONS REPRESENT CURB FLANGE (FL) ELEVATIONS, TOP OF CURB (TOC), OR TOP OF SURFACE (TOP).
- CONTRACTOR SHALL ENSURE POSITIVE DRAINAGE AT ALL TIMES.
- OWNER SHALL BE RESPONSIBLE FOR GRADING OF PARCELS TO ENSURE POSITIVE DRAINAGE AS INDICATED.
- ALL FINISH SPOT ELEVATIONS REPRESENT CURB FLANGE (FL) ELEVATIONS, TOP OF CURB (TOC), OR TOP OF SURFACE (TOP).

**UTILITY NOTES:**

- ALL NEW WATER MAIN SHALL BE PVC, C900 AWWA APPROVED.
- ALL SEWER MAIN SHALL BE PVC, ASTM 2-3034 SDR 26.
- WATER AND SEWER SERVICES SHALL CONFORM TO THE DETAIL SHEET.
- ANY ROAD CROSSING REQUIRED SHALL BE DONE IN STRICT CONFORMANCE WITH THE PLAN DETAIL AND SPECIFICATIONS.
- ALL TAPS ONTO EXISTING WATER AND SEWER MAINS SHALL BE COORDINATED WITH THE CITY OF GULFPORT'S PUBLIC WORKS.
- EXISTING UTILITY INFORMATION BASED ON SURVEY.
- ALL PRESSURE AND LEAKAGE TESTS MUST BE IN ACCORDANCE WITH AWWA C-600.
- DISINFECTION AND SAMPLING PROCEDURES SHOULD MEET THE CURRENT AWWA STANDARD (C652).

**LOCAL UTILITY COMPANIES**

- WATER AND SEWER - CITY OF GULFPORT 868-5700
- GAS SERVICE - CENTERPOINT ENERGY 896-7500
- TV CABLE SERVICE - CABLE ONE 864-1506
- ELECTRICAL SERVICE - COAST ELECTRIC 832-1761
- TELEPHONE SERVICE - AT&T 557-6000
- MISS I CALL BEFORE YOU DIG 1-800-227-6477

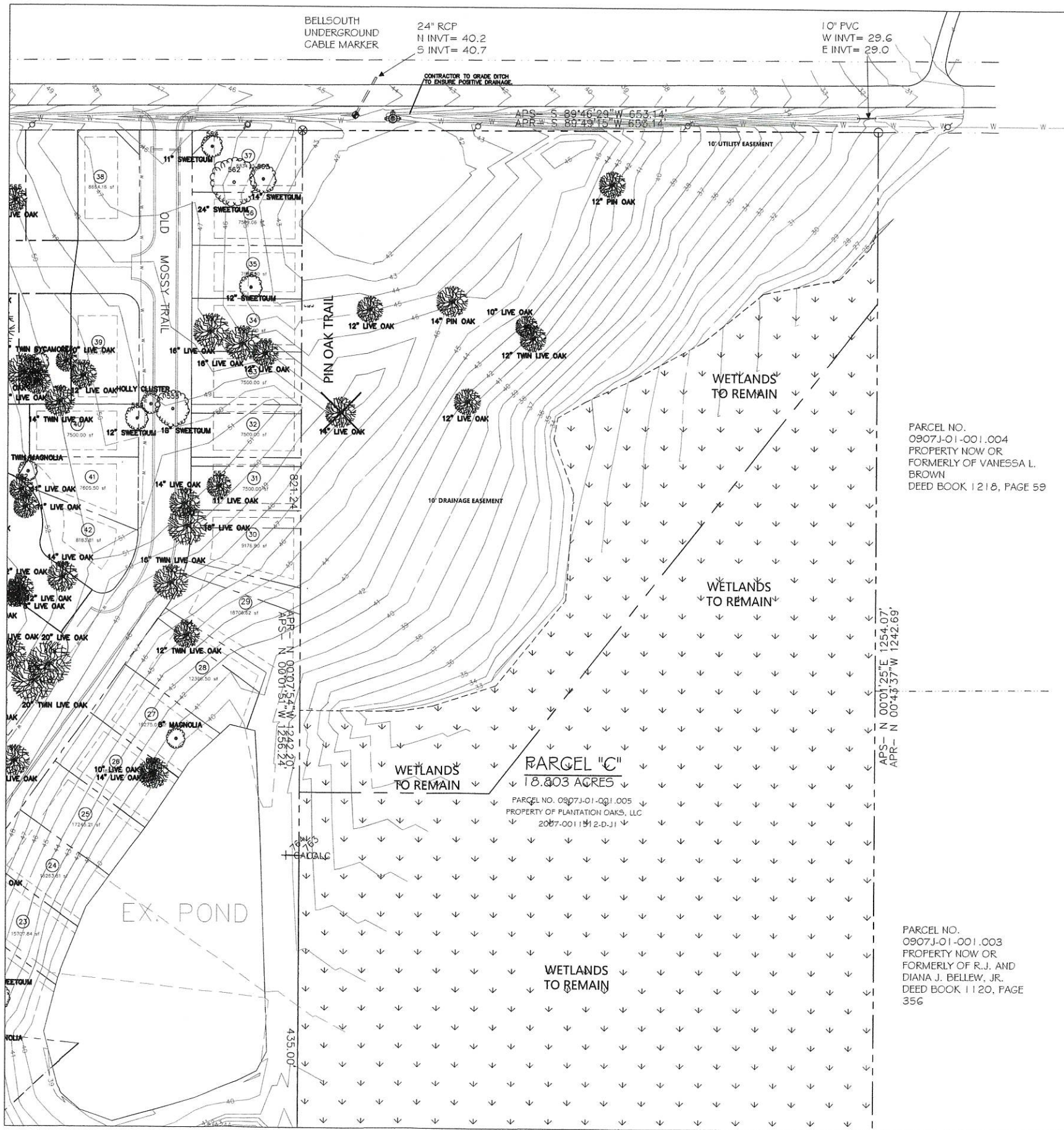
**LEGEND**

PROPOSED		EXISTING
— W —	WATER MAIN	— W —
— S —	SEWER LINE	— S —
— G —	GAS LINE	— G —
— . . . —	ROW/PROP	— . . . —
— . . . —	QTR SECTION	— . . . —
— x —	WIRE FENCE	— x —
⊙	CLEAN-OUT	⊙
⊙	MANHOLE	⊙
⊕	WATER VALVE	⊕
⊕	FIRE HYDRANT	⊕
W	WATER METER	W
21.5	PROP. SPOT EL.	21.5
	EXIST. SPOT EL.	21.5
T	TYP. SIGN	T
T	TYP. STOP BAR	T
—	HEADER CURB	—
—	CURB & GUTTER	—

**PROJECT SCOPE:**

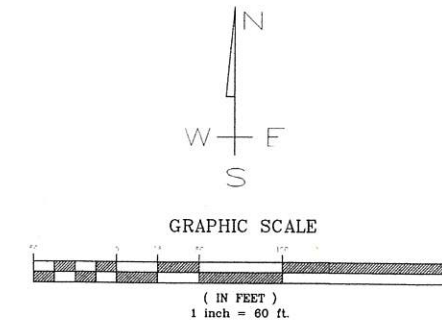
CONSTRUCT PLANTATION OAKS PHASE THREE AS PER DRAWINGS FOUND HEREIN AND ALL CITY/STATE REQ'S & PERMITS.


NON-EXCLUSIVELY, GRADING, ASPHALT PAVING, STORM & UTILITY LINES, CONCRETE FORMING AND FINISHING, PAVEMENT STRIPING, AND GRADING/GRASSING/FINISHING IMPROVEMENTS SHALL BE REQ'D TO COMPLETE THIS PROJECT.



**EXISTING CONDITIONS & DEMOLITION**

SCALE: 1"=60'

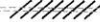





 SOUTH INV. OF 24" RCP EAST OF THE PROPOSED ROAD. ELEV. = 40.67'

BOUNDARY BASED ON SURVEY BY CROSBY SURVEYING; TOPOGRAPHIC INFORMATION BASED ON THE SAME

SUBJECT PROPERTY LIES WITHIN "X" FLOOD ZONE PER FEMA PANEL 28047C0260H DATED JUNE 16, 2009.

**LEGEND**

-  REMOVE UTILITY
-  DENOTES REMOVAL OF ALL EXISTING IMPROVEMENTS AND FILL
-  DENOTES LIMITS OF REMOVAL FOR A STRUCTURE AND ITS APPURTENANCES
-  TREE DEMO

**DEMOLITION NOTES:**


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3. CONTRACTOR SHALL REMOVE ALL DEBRIS FROM THE SITE THAT IS FOUND TO EXIST PRIOR TO HIS WORK OR THAT IS GENERATED AS A RESULT OF HIS WORK. DEBRIS SHALL CONSIST OF ANY MATERIAL OTHER THAN SOIL.
4. CONTRACTOR WILL NOT BE RESPONSIBLE FOR DEMOLISHING OR REMOVING ANY EXISTING ABOVE OR BELOW GROUND TELEPHONE OR POWER BUT SHALL BE RESPONSIBLE FOR COORDINATING NECESSARY WORK WITH LOCAL UTILITY COMPANIES.
5. CONTRACTOR SHALL CALL THE MISSISSIPPI DAMAGE PREVENTION NUMBER (1-800-227-6477) BY LAW TO LOCATE ALL EXISTING UTILITIES ON SITE PRIOR TO HIS WORK. CONTRACTOR SHALL BE RESPONSIBLE FOR PROTECTING UTILITIES NOT DESIGNATED TO BE REMOVED UNDER THIS CONTRACT AND BE RESPONSIBLE FOR ANY AND ALL DAMAGES TO EXISTING UTILITIES NOT DESIGNATED TO BE REMOVED THAT RESULT FROM CONTRACTOR'S WORK.
6. REMOVAL OF ALL POWER LINES, POLES, AND APPURTENANCES SHALL BE BY LOCAL UTILITY COMPANY.
7. LIMITS OF CLEARING AND GRUBBING SHALL BE PROPERTY LINES, UNLESS SPECIFICALLY DESIGNATED OTHERWISE.
8. CONTRACTOR SHALL OBTAIN AND PAY FOR ALL CONSTRUCTION PERMITS THAT ARE REQUIRED.

**TREE NOTE:**

CONTRACTOR TO ONLY REMOVE TREES THAT CONFLICT WITH NEWLY PROPOSED ROADWAY AND/OR INFRASTRUCTURE. HOME BUILDER TO PERMIT AND REMOVE TREES WITHIN PROPOSED LOTS AS THEY SEE FIT.

BEFORE WORK COMMENCES, CONTRACTOR SHALL CAREFULLY EXAMINE AND VERIFY PLANS & SPECIFICATIONS SHOWN HEREIN. IF ANY CONFLICTS, ERRORS, DISCREPANCIES, OR OTHER UNFORESEEN CONDITIONS ARE DISCOVERED IN THE CONSTRUCTION DOCUMENTS OR IN THE FIELD, CONTRACTOR MUST PROMPTLY REPORT IN WRITING TO THE ENGINEER OR HIS REPRESENTATIVE BEFORE PROCEEDING WITH ANY WORK THAT COULD BE AFFECTED BY SAID CONDITION.

21-034



TERRY MORAN ENGINEERING  
 P. O. BOX 4075  
 BILOXI, MS 39535  
 PH 228.896.4733  
 FAX 228.896.6768  
 TERRY MORAN, P.E., P.L.S.



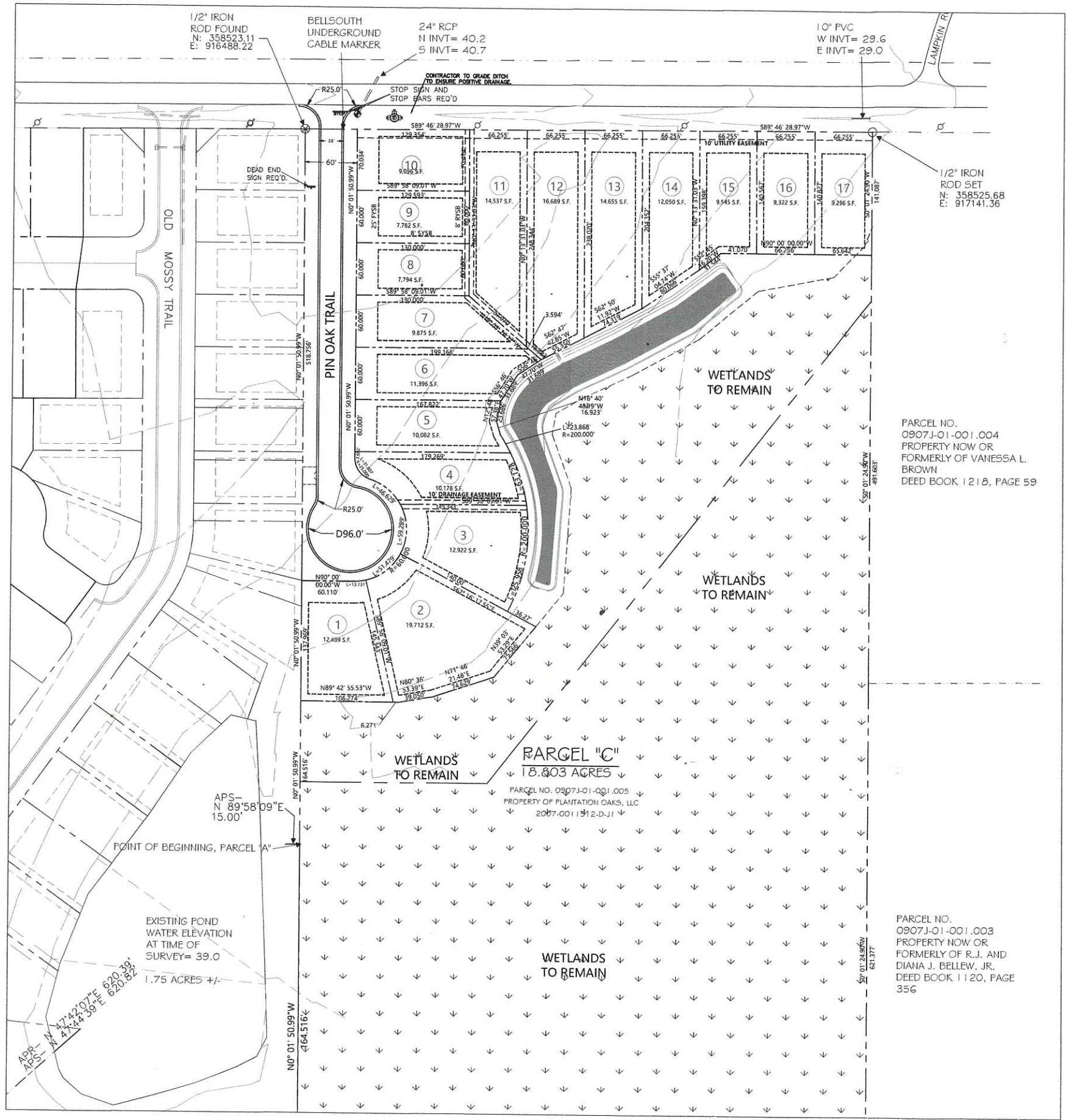
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Date 06-28-2022  
 Drawn By N.O.F.  
 Check By T.J.M.  
 REV \_\_\_\_\_

**PLANTATION OAKS  
 PHASE THREE  
 THREE RIVERS ROAD  
 GULFPORT, MS**





*Tree permit  
check definition of  
Trail definitions  
in address book  
need placement  
of trees  
231.87  
Rivers  
Comp plan  
Fountain  
11. Len  
Measure open*

SOUTH INV. OF 24" RCP EAST OF THE PROPOSED ROAD.  
ELEV. = 40.67'

BOUNDARY BASED ON SURVEY BY CROSBY SURVEYING;  
TOPOGRAPHIC INFORMATION BASED ON THE SAME

SUBJECT PROPERTY LIES WITHIN "X" FLOOD ZONE  
PER FEMA PANEL 28047C0260H DATED JUNE 16, 2009.

**SITE DATA TABLE**

ACREAGE: 8.45 +/- AC

ZONING: R-B

SETBACKS:

- FYSB - 25 FT
- SYSB - 8 FT
- RYSB - 8 FT

PROPOSED # OF LOTS = 17

MIN LOT SIZE: 7,782 SF

TYPICAL LOT SIZE: 60'X130'

**NOTE:**

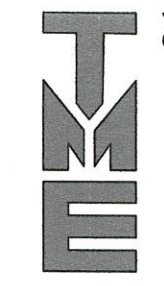
1. ALL CONSTRUCTION SHALL COMPLY WITH THE "MISSISSIPPI STANDARD SPECIFICATIONS FOR STATE AID ROAD CONSTRUCTION, 2017 EDITION".
2. CONTRACTOR SHALL COORDINATE THE LOCATION OF STREET SIGNS WITH THE CITY OF GULFPORT'S TRAFFIC DEPARTMENT.

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

BEFORE BEGINNING WORK, THE CONTRACTOR SHALL CAREFULLY STUDY THE PLANS & SPECIFICATIONS, CHECK, AND VERIFY INFORMATION SHOWN HEREIN. IF ANY CONFLICTS, ERRORS, DISCREPANCIES, OR OTHER UNSATISFACTORY CONDITIONS ARE DISCOVERED EITHER IN THE CONSTRUCTION DOCUMENTS OR IN THE FIELD, THE CONTRACTOR SHALL PROMPTLY REPORT IN WRITING TO THE ENGINEER OR HIS REPRESENTATIVE BEFORE PROCEEDING WITH ANY WORK AFFECTED BY SAID DISCREPANCY.

**LOT & STREET LAYOUT**

SCALE: 1" = 60'



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PH 228.896.4733  
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In Association With

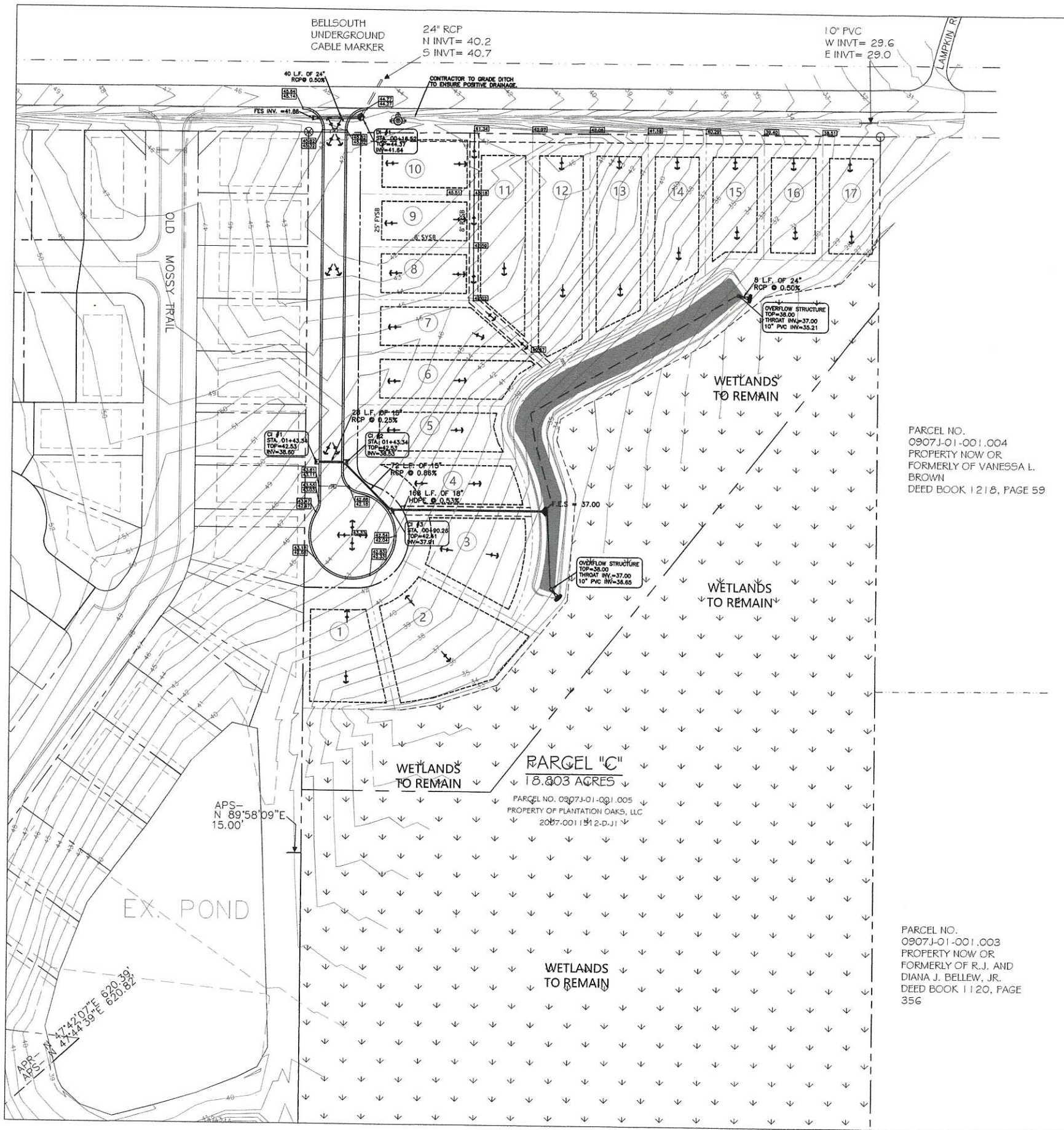
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Drawn By N.O.F.  
Check By T.J.M.  
REV

**PLANTATION OAKS  
PHASE THREE  
THREE RIVERS ROAD  
GULFPORT, MS**

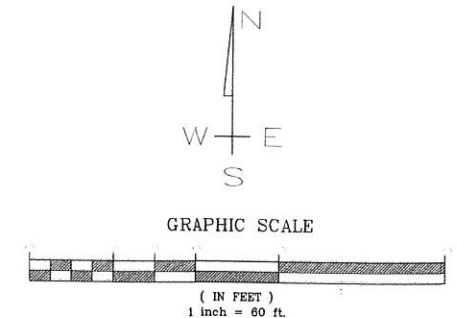


21-034



**GRADING AND DRAINAGE PLAN**

SCALE: 1"=60'



**SOUTH INV. OF 24" RCP EAST OF THE PROPOSED ROAD.**  
ELEV. = 40.67'

BOUNDARY BASED ON SURVEY BY CROSBY SURVEYING;  
TOPOGRAPHIC INFORMATION BASED ON THE SAME

SUBJECT PROPERTY LIES WITHIN "X" FLOOD ZONE  
PER FEMA PANEL 28047C0260H DATED JUNE 16, 2009.

**LEGEND**

- EXISTING CONTOUR
- PROPOSED CONTOUR
- EXISTING SPOT ELEVATION
- PROPOSED SPOT ELEVATION
- FFE = FINISHED FLOOR ELEVATION  
FL = FLOW LINE
- DRAIN INLET AND PIPE
- EXISTING CURB INLET AND PIPE
- MATCH EXISTING GRADE
- FLOW DIRECTION ARROW
- RIDGE LINE

**NOTE:**

1. CONTRACTOR TO ENSURE POSITIVE DRAINAGE AT ALL TIMES THROUGHOUT CONSTRUCTION.
2. ALL CONSTRUCTION SHALL COMPLY WITH THE CITY OF GULFPORT'S LATEST ACCEPTED CONSTRUCTION STANDARDS.
3. CONTRACTOR TO COORDINATE DRIVEWAY SIZE AND LOCATION, FOR LOTS 11-17, WITH THE HOME BUILDER. MINIMUM OF 24' WIDE PER DRIVEWAY.
4. HOME BUILDER TO BUILD HEADWALLS ON DRIVEWAY AT PIPE ENDS.

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

BEFORE BEGINNING WORK, THE CONTRACTOR SHALL CAREFULLY STUDY THE PLANS & SPECIFICATIONS, CHECK, AND VERIFY INFORMATION SHOWN HEREIN. IF ANY CONFLICTS, ERRORS, DISCREPANCIES, OR OTHER UNSATISFACTORY CONDITIONS ARE DISCOVERED EITHER IN THE CONSTRUCTION DOCUMENTS OR IN THE FIELD, THE CONTRACTOR SHALL PROMPTLY REPORT IN WRITING TO THE ENGINEER OR HIS REPRESENTATIVE BEFORE PROCEEDING WITH ANY WORK AFFECTED BY SAID DISCREPANCY.

21-034



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In Association With

**FA FOUNTAIN & ASSOCIATES**  
CIVIL AND COMMERCIAL DESIGN  
1822 15th Street, Ste. 12  
Gulfport, MS 39501  
228-861-5209

Date 06-28-2022  
Drawn By NOF  
Check By TJM  
REV \_\_\_\_\_

**PLANTATION OAKS  
PHASE THREE  
THREE RIVERS ROAD  
GULFPORT, MS**

**C4**



TERRY MORAN ENGINEERING  
P.O. BOX 4075  
BILOXI, MS 39535  
PH 228.896.4733  
FAX 228.896.6768  
TERRY MORAN, P.E., P.L.S.

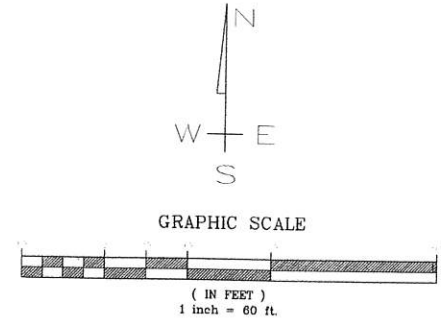
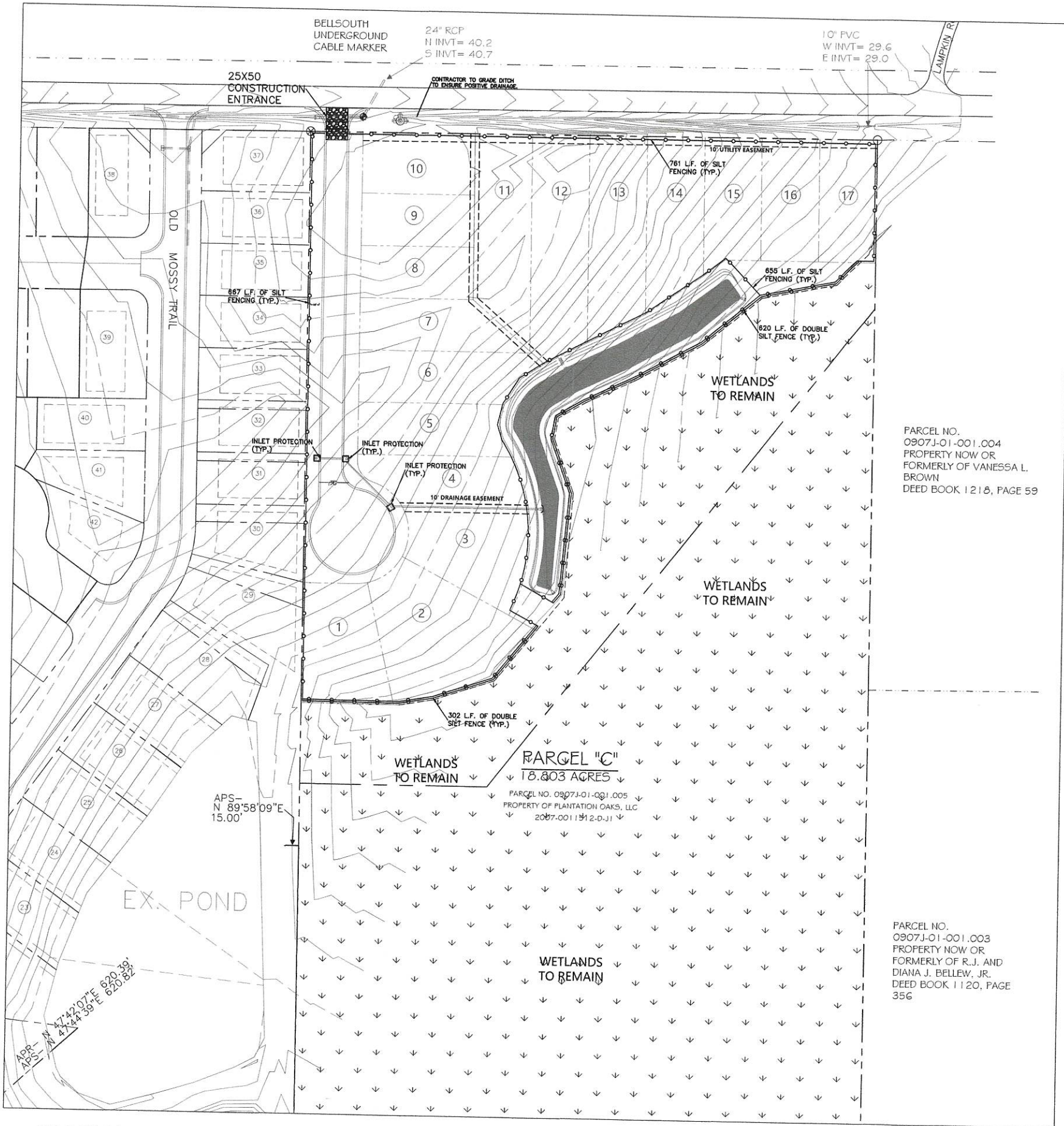


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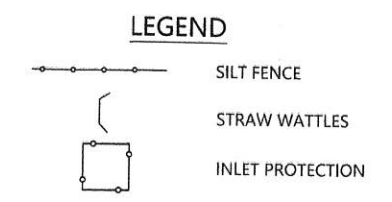
Date 06-28-2022  
Drawn By N.O.F.  
Check By T.J.M.  
REV

PLANTATION OAKS  
PHASE THREE  
THREE RIVERS ROAD  
GULFPORT, MS



SOUTH INV. OF 24" RCP EAST OF THE PROPOSED ROAD.  
ELEV. = 40.67'

BOUNDARY BASED ON SURVEY BY CROSBY SURVEYING; TOPOGRAPHIC INFORMATION BASED ON THE SAME  
SUBJECT PROPERTY LIES WITHIN "X" FLOOD ZONE PER FEMA PANEL 28047C0260G DATED JUNE 16, 2009.



PARCEL NO. 0907J-01-001.004  
PROPERTY NOW OR FORMERLY OF VANESSA L. BROWN  
DEED BOOK 1218, PAGE 59

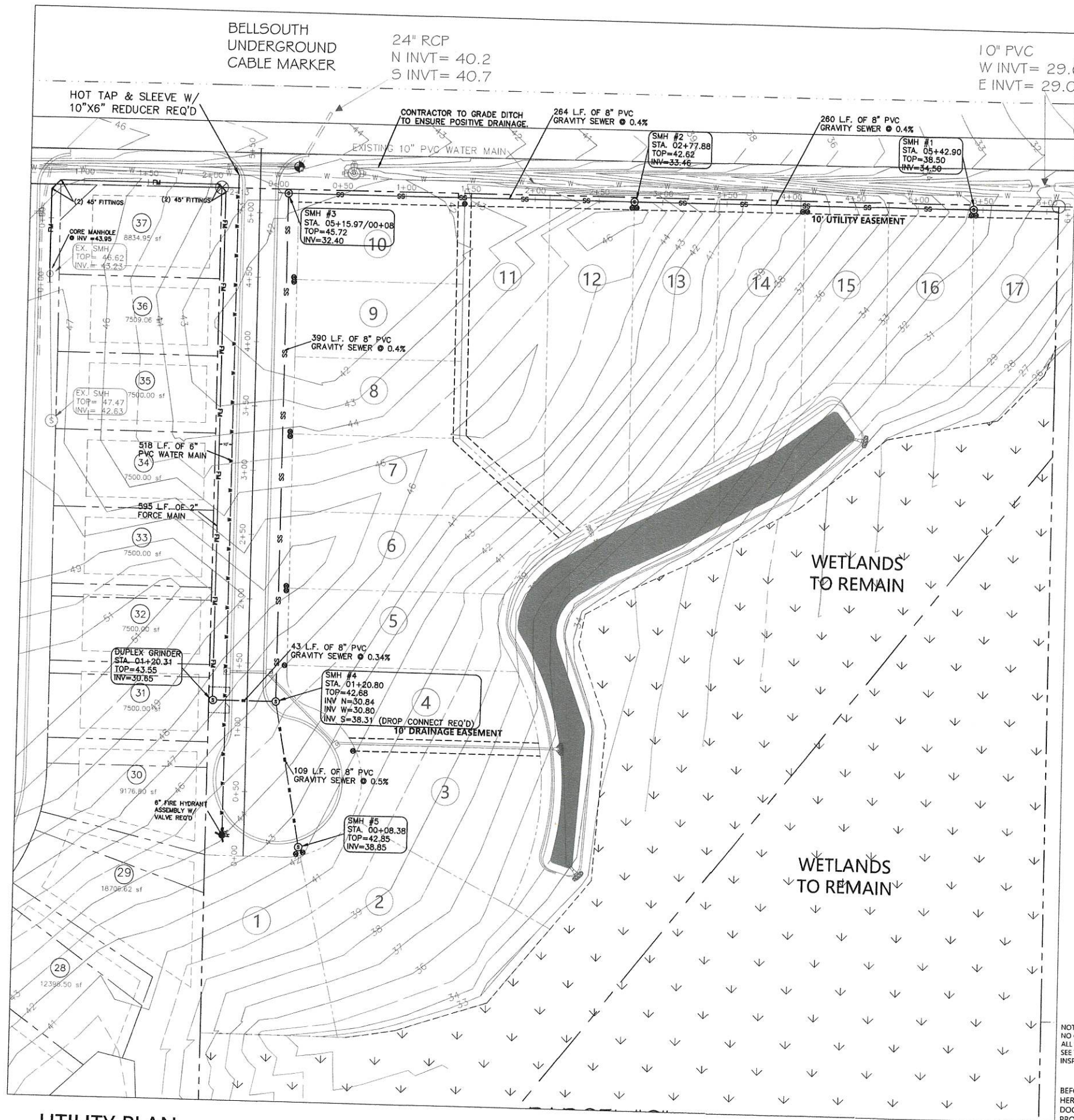
PARCEL NO. 0907J-01-001.003  
PROPERTY NOW OR FORMERLY OF R.J. AND DIANA J. BELLEW, JR.  
DEED BOOK 1120, PAGE 356

NOTE:  
1. CONTRACTOR SHALL SUPPLY, CONSTRUCT, AND MAINTAIN STORM WATER MANAGEMENT DEVICES AND BEST MANAGEMENT PRACTICES SHOWN HEREIN.

NOTE:  
NO ON SITE SUPERVISION OR INSPECTIONS ARE PROVIDED WITH THE USE OF THESE PLANS BY THE DESIGNER. BUILDER/CONTRACTOR SHALL CHECK AND VERIFY ALL DIMENSIONS, CONDITIONS, AND SIZES OF COMPONENTS ALONG WITH SITE CONDITIONS BEFORE STARTING CONSTRUCTION. BUILDER/CONTRACTOR SHALL SEE THAT CONSTRUCTION IS IN CONFORMANCE WITH THE 2018 EDITION OF THE INTERNATIONAL BUILDING CODE (I.B.C.) AND WITH THE COUNTY/CITY BUILDING INSPECTOR. THE USE OF THESE PLANS FOR CONSTRUCTION SHALL BE EVIDENCE THAT THE REQUIREMENTS STATED ARE ACCEPTED BY THE BUILDER/CONTRACTOR.  
BEFORE BEGINNING WORK, THE CONTRACTOR SHALL CAREFULLY STUDY THE PLANS & SPECIFICATIONS, CHECK, AND VERIFY INFORMATION SHOWN HEREIN. IF ANY CONFLICTS, ERRORS, DISCREPANCIES, OR OTHER UNSATISFACTORY CONDITIONS ARE DISCOVERED EITHER IN THE CONSTRUCTION DOCUMENTS OR IN THE FIELD, THE CONTRACTOR SHALL PROMPTLY REPORT IN WRITING TO THE ENGINEER OR HIS REPRESENTATIVE BEFORE PROCEEDING WITH ANY WORK AFFECTED BY SAID DISCREPANCY.

EROSION CONTROL PLAN

SCALE: 1"=60'

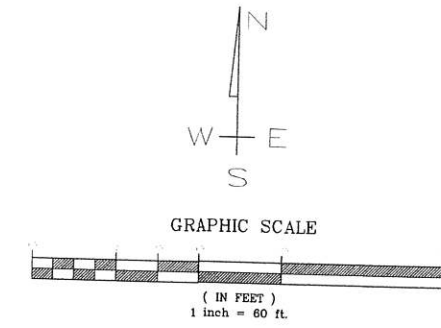


**UTILITY PLAN**

SCALE: 1"=50'

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

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**SOUTH INV. OF 24" RCP EAST OF THE PROPOSED ROAD.**  
 ELEV. = 40.67'

BOUNDARY BASED ON SURVEY BY CROSBY SURVEYING; TOPOGRAPHIC INFORMATION BASED ON THE SAME

SUBJECT PROPERTY LIES WITHIN "X" FLOOD ZONE PER FEMA PANEL 28047C0260G DATED JUNE 16, 2009.

**21-034**

**TERRY MORAN ENGINEERING**  
 P.O. BOX 4075  
 BILOXI, MS 39535  
 PH 228.896.4733  
 FAX 228.896.6768  
 TERRY MORAN, P.E., P.L.S.

In Association With

**FA FOUNTAIN & ASSOCIATES**  
 CIVIL AND COMMERCIAL DESIGN  
 1822 15th Street, Ste. 12  
 Gulfport, MS 39501  
 228-861-5209

Date 06-28-2022  
 Drawn By N.O.F.  
 Check By T.J.M.  
 REV \_\_\_\_\_

**PLANTATION OAKS  
 PHASE THREE  
 THREE RIVERS ROAD  
 GULFPORT, MS**

**C6**



TERRY MORAN  
ENGINEERING  
P.O. BOX 4075  
BILOXI, MS 39535  
PH 228.896.4733  
FAX 228.896.6766  
TERRY MORAN,  
P.E., P.L.S.

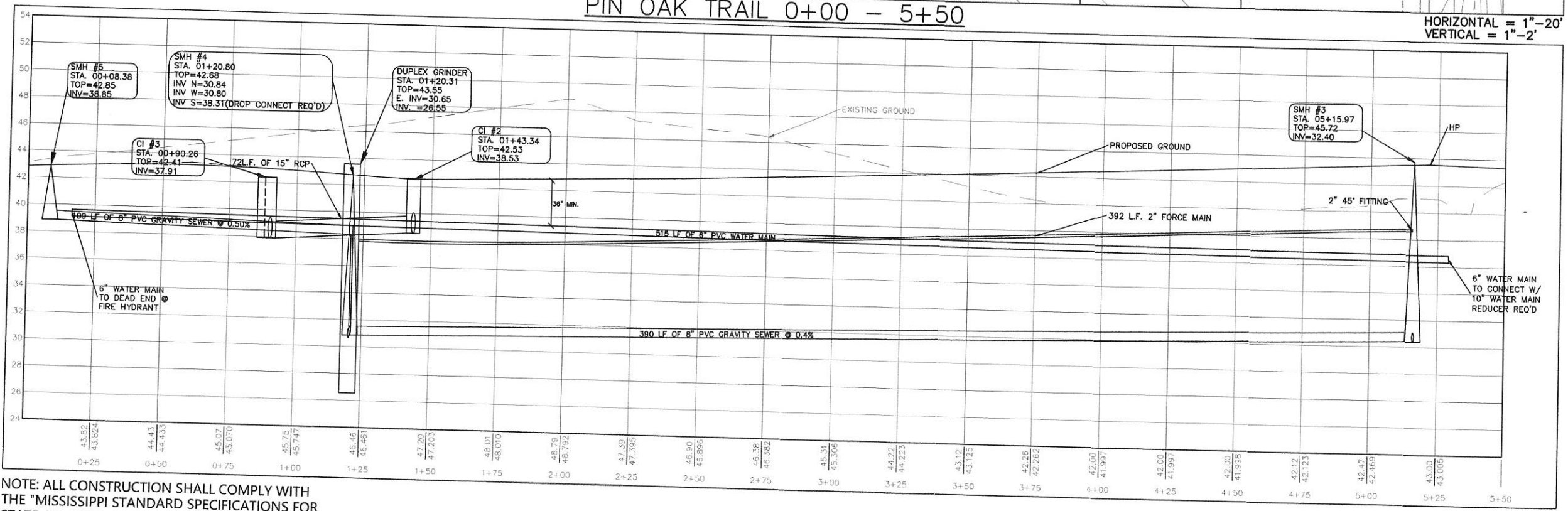


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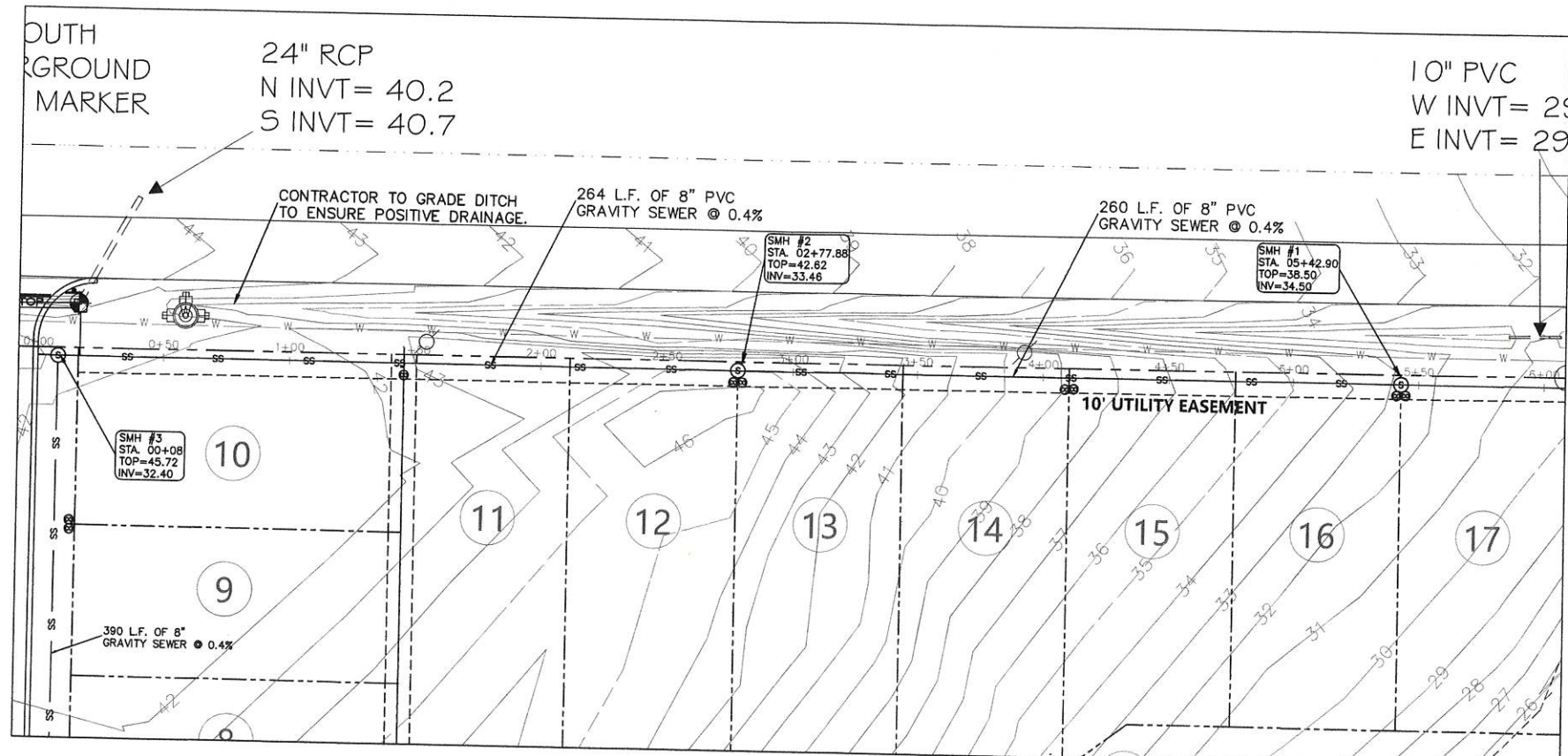
PLANTATION OAKS  
PHASE THREE  
THREE RIVERS ROAD  
GULFPORT, MS



NOTE: ALL CONSTRUCTION SHALL COMPLY WITH THE "MISSISSIPPI STANDARD SPECIFICATIONS FOR STATE AID ROAD CONSTRUCTION, 2017 EDITION".

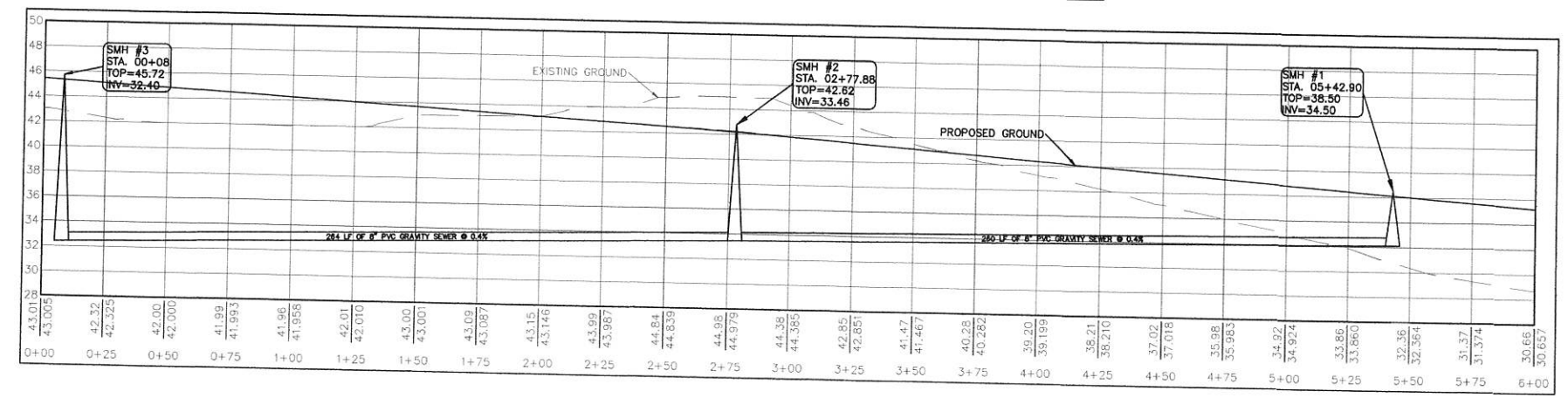
NOTE: NO SHOTS WERE TAKEN ON THE END OF SEWER PIPES AT TIME OF AS-BUILT. CONTRACTOR TO EXPOSE END OF PIPE, VERIFY ELEVATION, AND COORDINATE WITH ENGINEER ANY CHANGES IF NECESSARY.

BEFORE BEGINNING WORK, THE CONTRACTOR SHALL CAREFULLY STUDY THE PLANS & SPECIFICATIONS, CHECK, AND VERIFY INFORMATION SHOWN HEREIN. IF ANY CONFLICTS, ERRORS, DISCREPANCIES, OR OTHER UNSATISFACTORY CONDITIONS ARE DISCOVERED EITHER IN THE CONSTRUCTION DOCUMENTS OR IN THE FIELD, THE CONTRACTOR SHALL PROMPTLY REPORT IN WRITING TO THE ENGINEER OR HIS REPRESENTATIVE BEFORE PROCEEDING WITH ANY WORK AFFECTED BY SAID DISCREPANCY.



THREE RIVERS ROAD 0+00 - 6+00

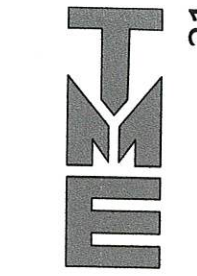
HORIZONTAL = 1"=30'  
VERTICAL = 1"=2'



NOTE: ALL CONSTRUCTION SHALL COMPLY WITH THE "MISSISSIPPI STANDARD SPECIFICATIONS FOR STATE AID ROAD CONSTRUCTION, 2017 EDITION".

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P.O. BOX 4075  
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TERRY MORAN,  
P.E., P.L.S.



In Association With

**FA** FOUNTAIN & ASSOCIATES  
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PLANTATION OAKS  
PHASE THREE  
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GULFPORT, MS





TERRY MORAN ENGINEERING

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FAX 228.896.6768

TERRY MORAN,  
P.E., P.L.S.



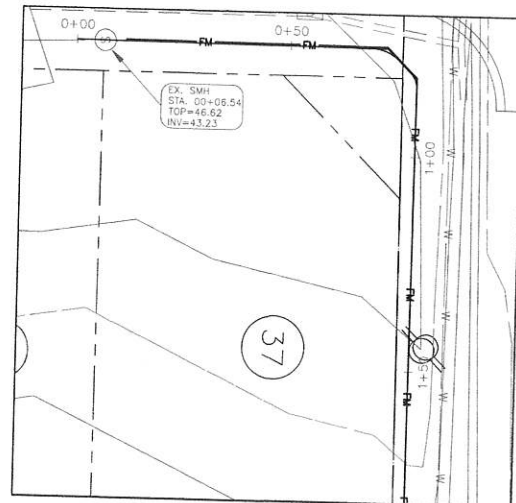
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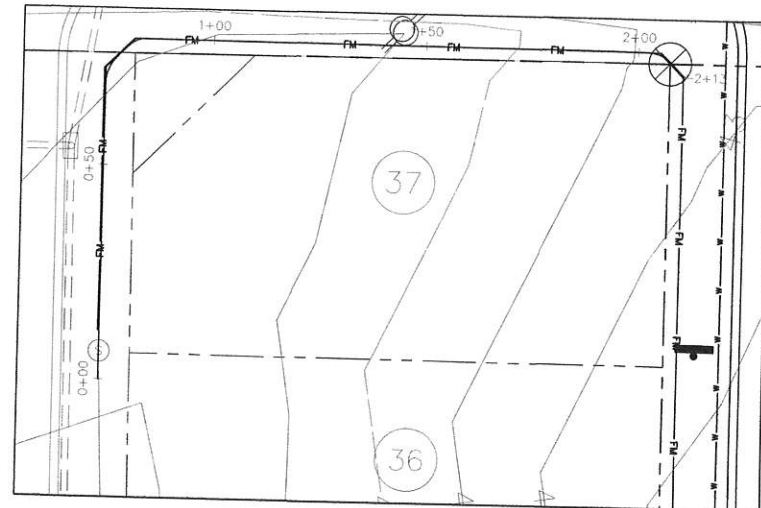
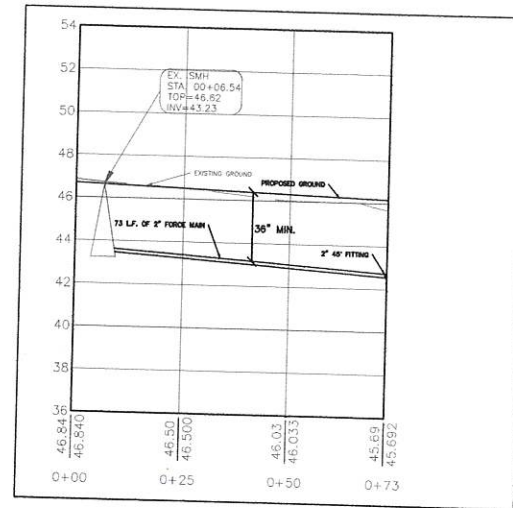
PLANTATION OAKS  
PHASE THREE  
THREE RIVERS ROAD  
GULFPORT, MS

PP3



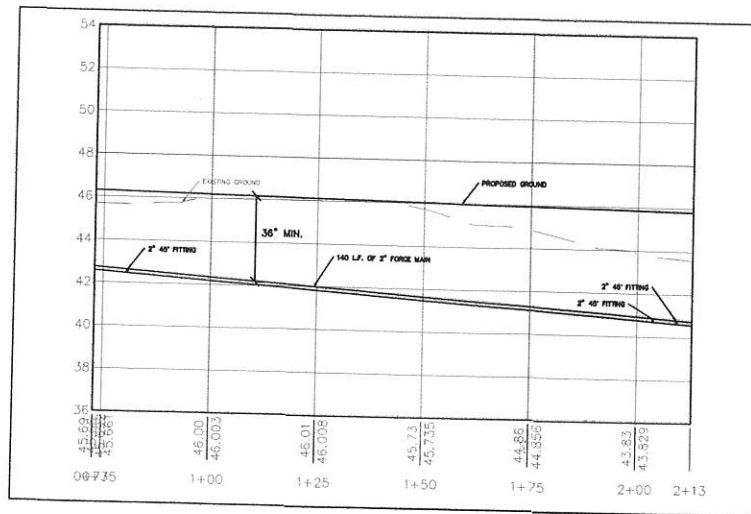
HORIZONTAL = 1"=20'  
VERTICAL = 1"=2'

OFFSITE SEWER 0+00 - 0+73



HORIZONTAL = 1"=20'  
VERTICAL = 1"=2'

OFFSITE SEWER 0+73 - 2+13



NOTE: ALL CONSTRUCTION SHALL COMPLY WITH THE "MISSISSIPPI STANDARD SPECIFICATIONS FOR STATE AID ROAD CONSTRUCTION, 2017 EDITION".

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FAX 228.896.6768  
TERRY MORAN,  
P.E., P.L.S.



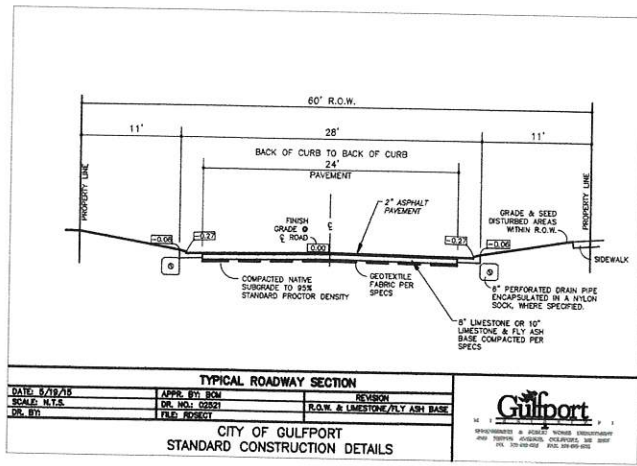
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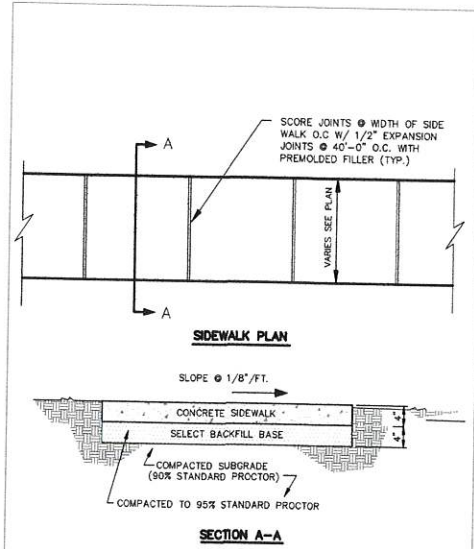
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REV: \_\_\_\_\_

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PHASE THREE  
THREE RIVERS ROAD  
GULFPORT, MS

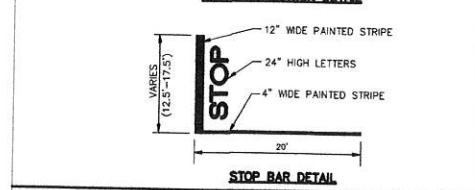
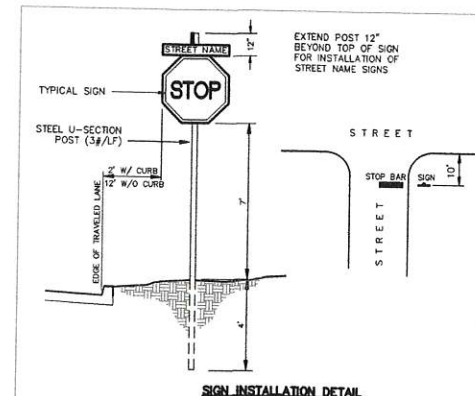
CD1



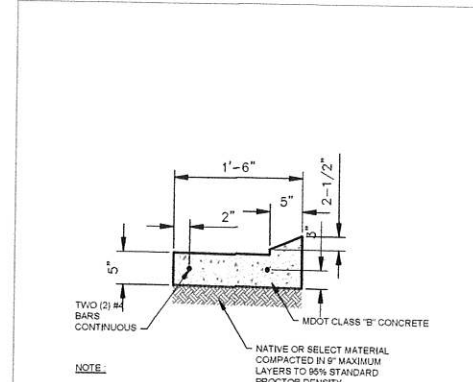
Revision table for TYPICAL ROADWAY SECTION



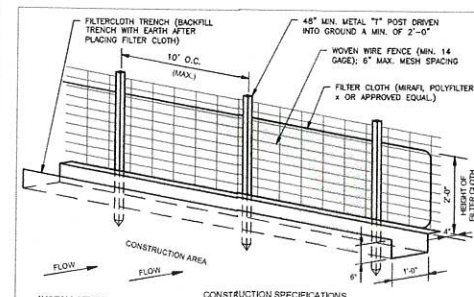
Revision table for SIDEWALK DETAIL



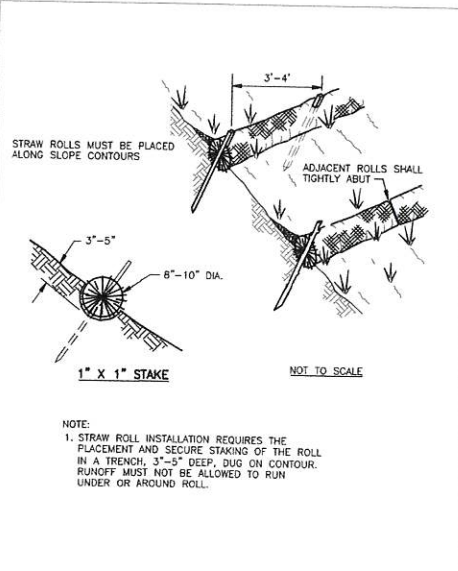
Revision table for STOP SIGN & BAR DETAIL



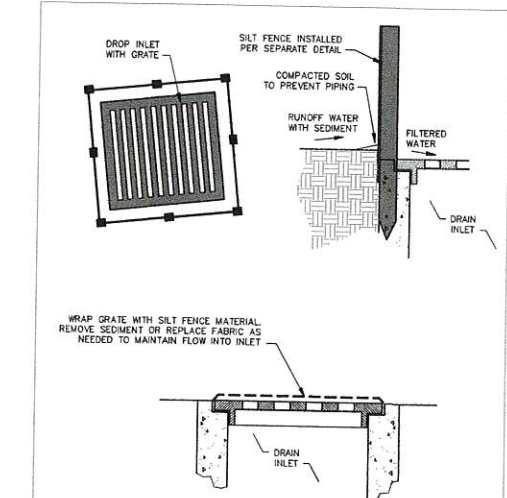
Revision table for MOUNTABLE CURB & GUTTER DETAIL



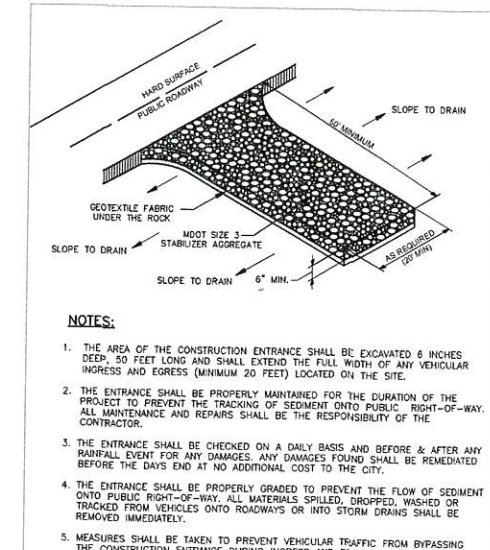
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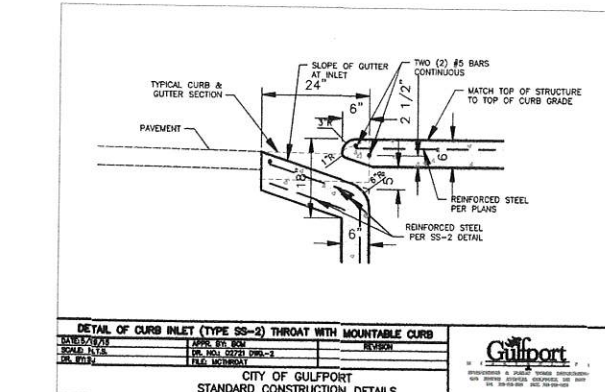
Revision table for STRAW ROLL WATTLE DETAIL



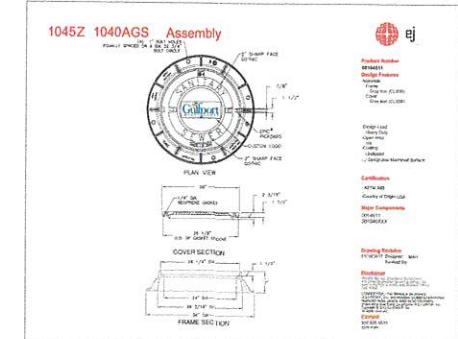
Revision table for STORM DRAIN INLET PROTECTION DETAIL



Revision table for LIMESTONE CONSTRUCTION ENTRY DETAIL

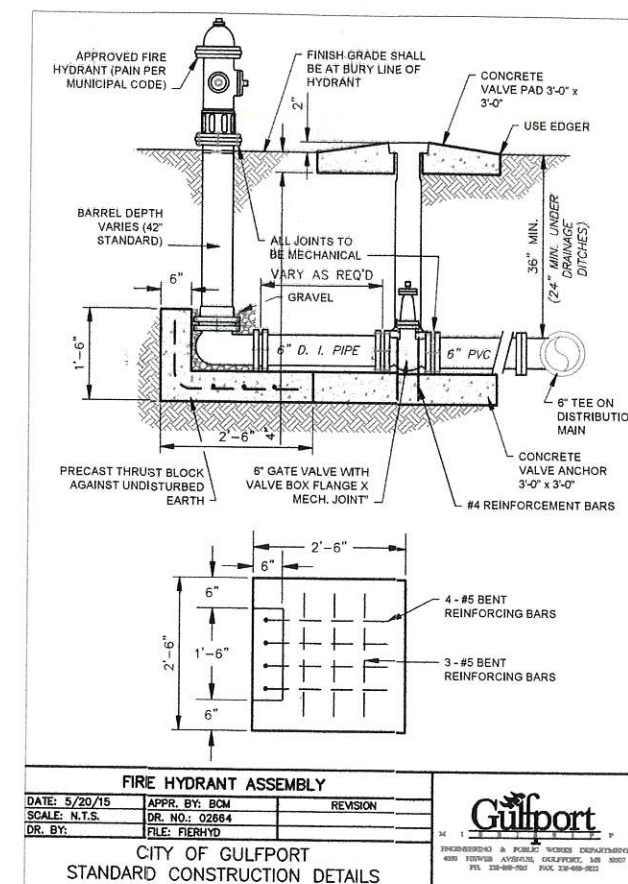
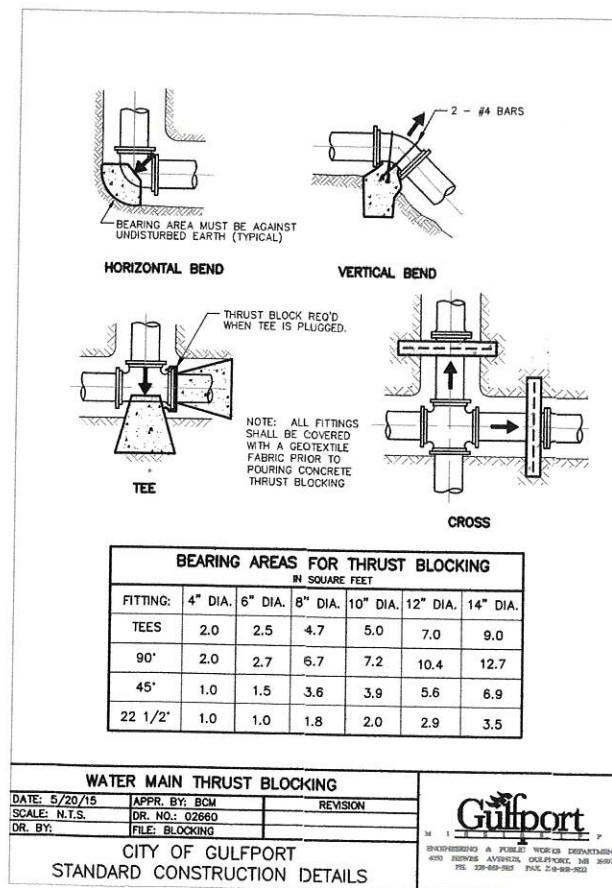
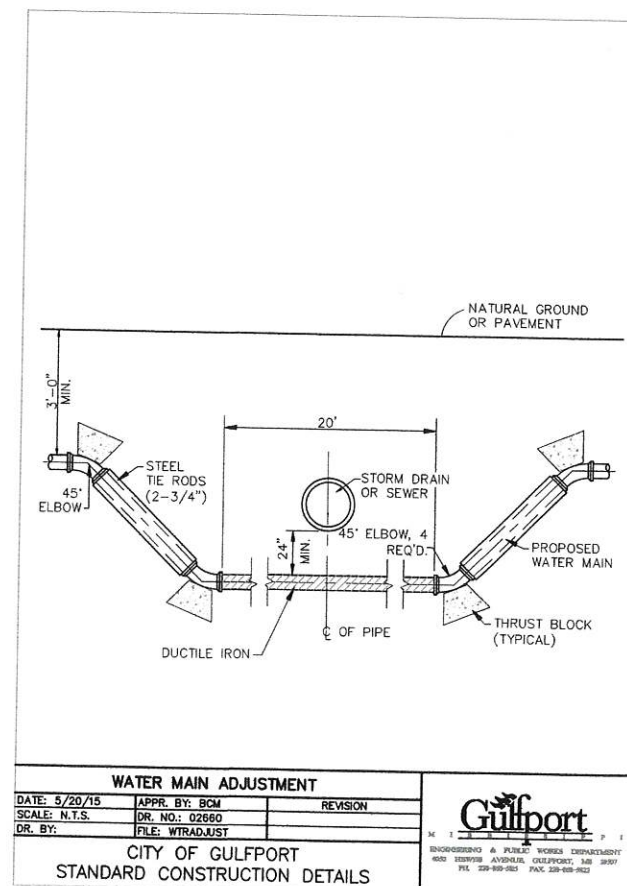
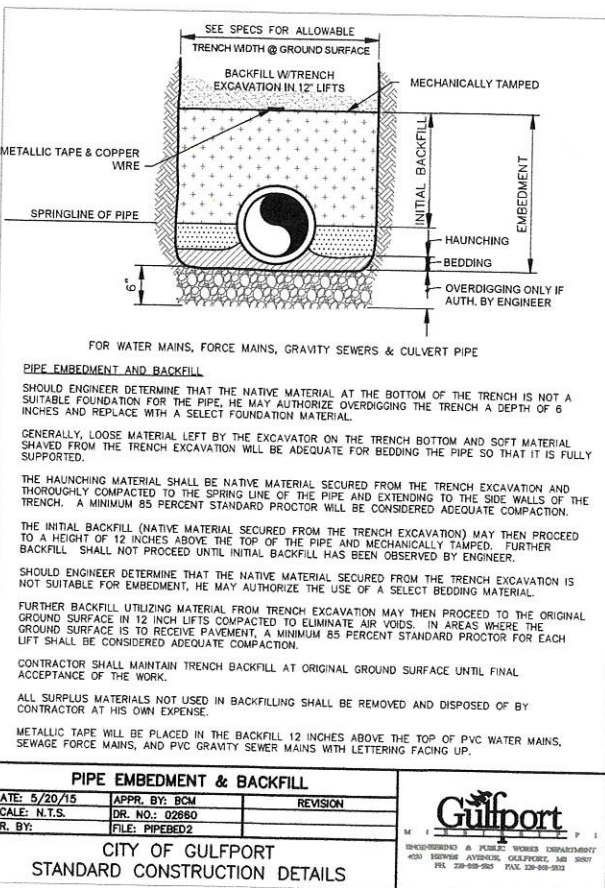
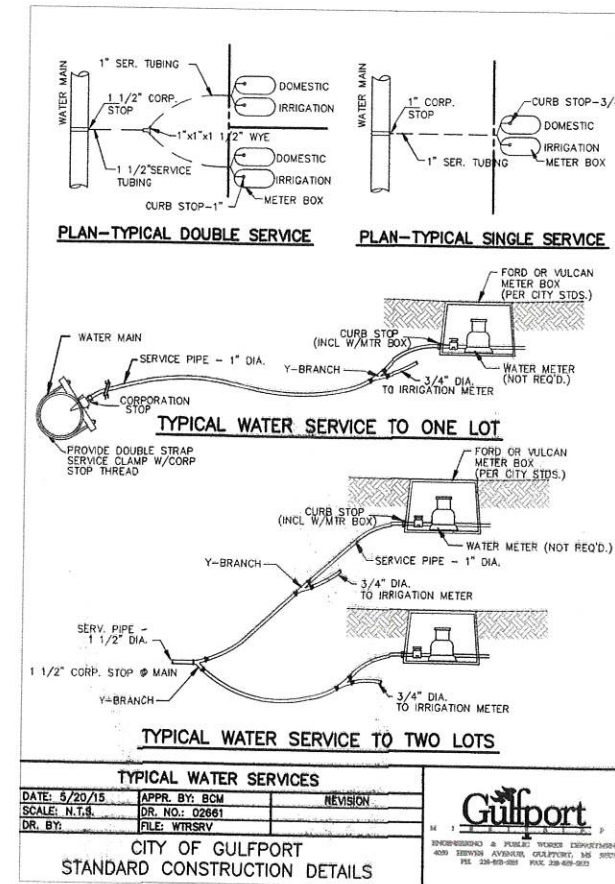
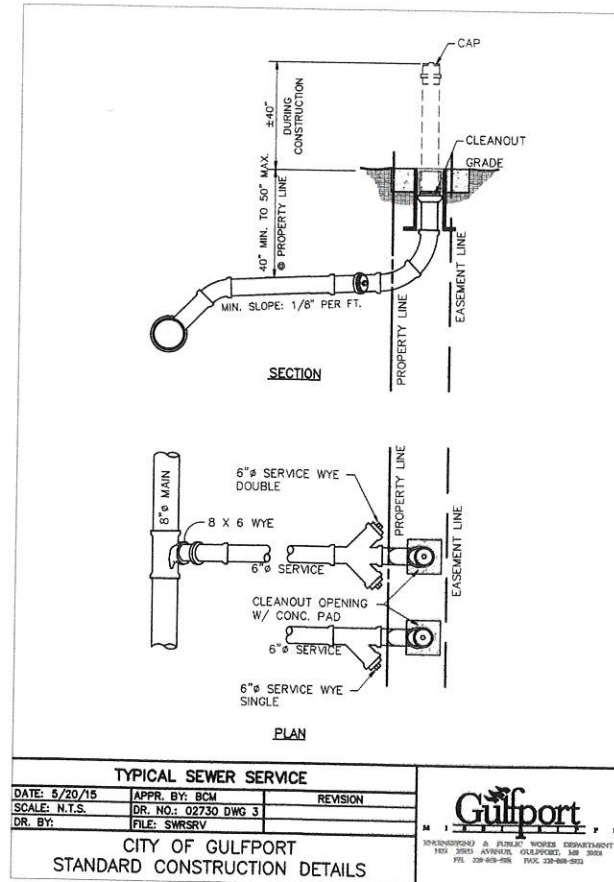
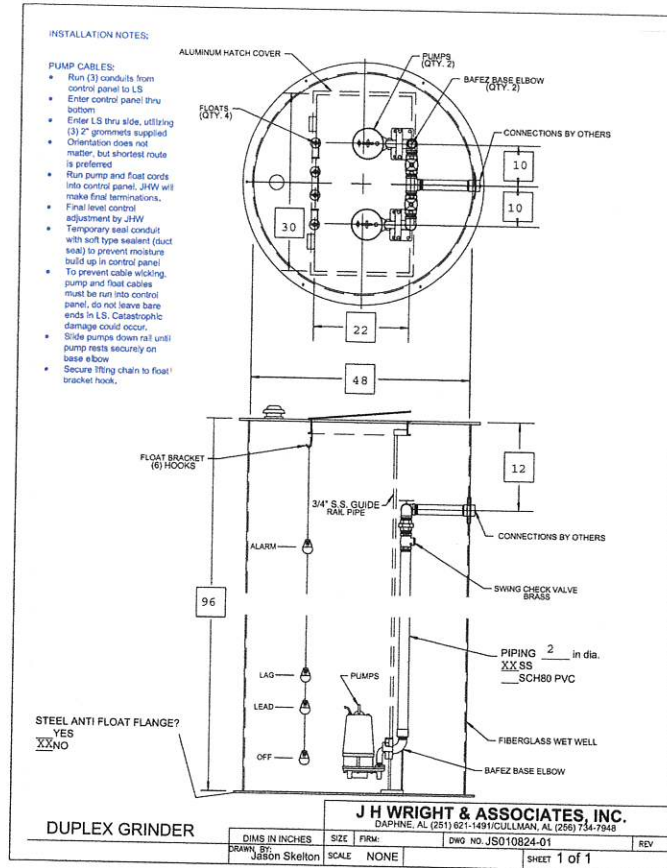
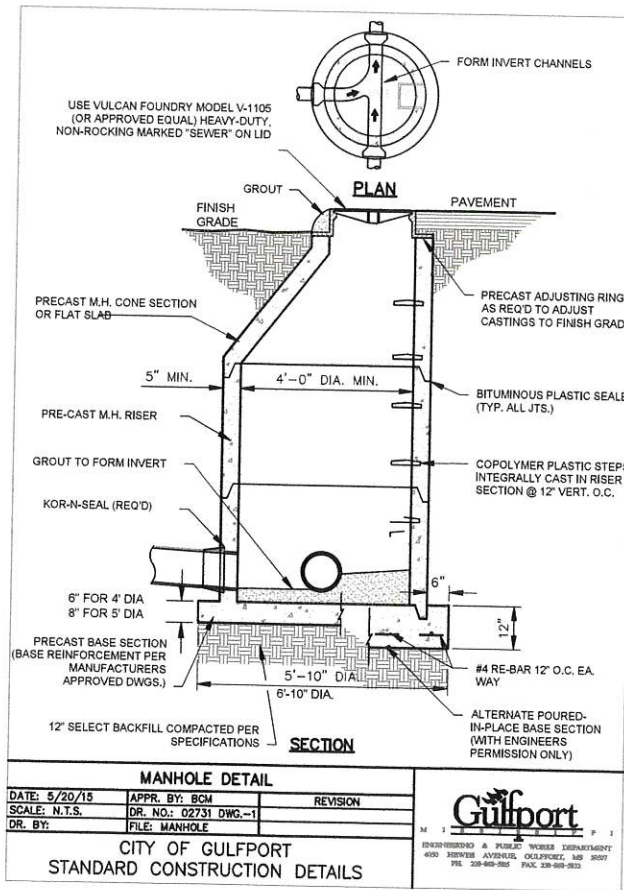


Revision table for CURB INLET DETAIL



Revision table for 1045Z 1040AGS Assembly

- NOTES:
1. THE AREA OF THE CONSTRUCTION ENTRANCE SHALL BE EXCAVATED 6 INCHES DEEP...
2. THE ENTRANCE SHALL BE PROPERLY MAINTAINED FOR THE DURATION OF THE PROJECT...
3. THE ENTRANCE SHALL BE CHECKED ON A DAILY BASIS...
4. THE ENTRANCE SHALL BE PROPERLY GRADED...
5. MEASURES SHALL BE TAKEN TO PREVENT VEHICULAR TRAFFIC FROM BYPASSING...



21-034

**T M E**

TERRY MORAN ENGINEERING  
P.O. BOX 4075  
BILOXI, MS 39535  
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FAX 228.896.6768  
TERRY MORAN, P.E., P.L.S.

**FA ASSOCIATES**  
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Check By: T.J.M.  
REV: \_\_\_\_\_

PLANTATION OAKS  
PHASE THREE  
THREE RIVERS ROAD  
GULFPORT, MS

**CD2**

**Plantation Oaks, LLC  
1460 Beach Blvd  
Biloxi, MS 39530**

June 7, 2022

City of Gulfport  
Planning Department  
1410 24<sup>th</sup> Avenue  
Gulfport, MS 39502

**RE: Agent Letter for Application for  
General Subdivision Plan  
Tax Parcel #s: 0907J-01-001.005  
Gulfport, Mississippi**

To Whom It May Concern:

Please allow this letter to serve as official notice that **Freddie Fountain**, is authorized to act as agent on behalf of **Plantation Oaks, LLC** in any Planning Commission or City Council matters for the above referenced address.

If you have any questions, please call me at 228-218-0040.

Sincerely,

  
Richard Baudry, Owner

  
Notary





*J. H. H.* 1st Judicial District  
Instrument 2011 5988 D - J1  
Filed/Recorded 9/16/2011 02:18 P  
Total Fees \$ 12.00  
3 Pages Recorded

PREPARED BY AND RETURN TO JERRY D. RILEY  
RILEY LAW FIRM / P O BOX 550 GULFPORT MS  
39502 228-864-4511/ #5359

GRANTOR: BCH Properties, LLC  
10600 Derry Lane  
Ocean Springs, MS 39564  
228-218-0040  
GRANTEE: Plantation Oaks, LLC  
10600 Derry Lane  
Ocean Springs, MS 39564  
228-218-0040

STATE OF MISSISSIPPI  
COUNTY OF Harrison

Indexing: NW 1/4 of NW 1/4  
in Section 36, Township 6 South,  
Range 11 West, Harrison co., MS

#### 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 BCH Properties, LLC, a Mississippi Limited Liability Company, does hereby sell, convey and warrant unto Plantation Oaks, LLC, a Mississippi Limited Liability Company, the following described land and property located and being situated in Harrison County, State of Mississippi and being more particularly described as follows, to-wit:

See Attached Exhibit "A"

THIS CONVEYANCE is subject to any and all recorded restrictive covenants, rights of way, easements and the prior reservation of any oil, gas and other minerals.

IT IS AGREED and understood that the taxes for the current year have been pro-rated as of this date on an estimated basis. When said taxes are actually determined, if the proration as of this date is incorrect, then the Grantor agrees to pay to the Grantee, or its assigns, any deficit on an actual proration, and likewise, the Grantee agrees to pay to the Grantor, or its assigns, any amount overpaid by it.

WITNESS THE SIGNATURE of the above company by its Members after being duly authorized so to execute and deliver the same, this the 15<sup>th</sup> day of September, 2011

BCH Properties, LLC

[Signature]  
Ira S. Herrington, Member

[Signature]  
Clifford A. Crosby, Member

Derry Lane, Inc., Member

[Signature]  
By: Richard Baudry, President

STATE OF MISSISSIPPI  
COUNTY OF HARRISON

PERSONALLY appeared before me, the undersigned authority in and for the said county and state, on this the 15<sup>th</sup> day of September, 2011, within my jurisdiction, the within named Richard Baudry, who acknowledged to me that he is President of Derry Lane, Inc, a Mississippi Corporation, a Member of BCH Properties, LLC, a limited liability company, and that for and on behalf of said corporation as member of said limited liability company, and as the act and deed of said corporation as member of said limited liability company, he executed and delivered the above and foregoing instrument, after first having been duly authorized by said corporation and said limited liability company so to do.

[Signature]  
Notary Public

My Commission Expires: \_\_\_\_\_

STATE OF MISSISSIPPI  
COUNTY OF HARRISON

PERSONALLY appeared before me, the undersigned authority in and for the said county and state, on this the 15<sup>th</sup> day of September, 2011, within my jurisdiction, the within named Clifford A. Crosby, a Member of BCH Properties, LLC, a limited liability company, and that for and on behalf of said corporation as member of said limited liability company, and as the act and deed of said corporation as member of said limited liability company, he executed and delivered the above and foregoing instrument, after first having been duly authorized by said corporation and said limited liability company so to do.

[Signature]  
Notary Public

My Commission Expires: \_\_\_\_\_

STATE OF MISSISSIPPI  
COUNTY OF HARRISON

PERSONALLY appeared before me, the undersigned authority in and for the said county and state, on this the 15<sup>th</sup> day of September, 2011, within my jurisdiction, the within named Ira S. Herrington, a Member of BCH Properties, LLC, a limited liability company, and that for and on behalf of said corporation as member of said limited liability company, and as the act and deed of said corporation as member of said limited liability company, he executed and delivered the above and foregoing instrument, after first having been duly authorized by said corporation and said limited liability company so to do.

[Signature]  
Notary Public

My Commission Expires: \_\_\_\_\_

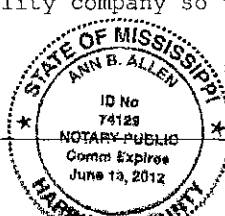
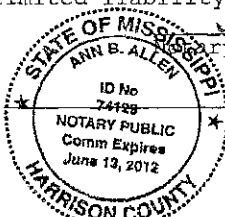


EXHIBIT "A"

Parcel A

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

For a point of beginning, commence at the SE corner of the NW 1/4 of the NW 1/4 of Section 36, Township 6 South, Range 11 West, First Judicial District of Harrison County, Mississippi and thence run North 00 degrees 07' 54" West 1242.20 feet to an iron rod situated on the south margin of Three Rivers Road, thence run South 89 degrees 49' 15" West along the south margin of said road a distance of 1116.58 feet to an iron rod; thence run South 00 degrees 00' 04" East 1241.33 feet to an iron rod; thence run North 89 degrees 51' 56" East 1119.41 feet back to the POINT OF BEGINNING

Less and Except:

A parcel of land situated in the NW 1/4 of the NW 1/4 of Section 36, Township 6 South, Range 11 West, City of Gulfport, First Judicial District of Harrison County, Mississippi, and also being more particularly described as follows:

Commencing at the SE corner of the NW 1/4 of the NW 1/4 of Section 36 Township 6 South, Range 11 West, First Judicial District, Harrison County,

State of Mississippi and using it as the Point of Beginning, run thence N 89 degrees 42' 16" W 475 feet; run thence N 00 degrees 17' 44" E 15 feet; run thence N 47 degrees 42' 07" E 620.39 feet; run thence N 89 degrees 51' 44" E 15.00 feet; run thence S 00 degrees 08' 16" E 435 feet back to the Point of Beginning.

And also described as:

A PARCEL OF LAND SITUATED IN THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 36, TOWNSHIP 6 SOUTH, RANGE 11 WEST, CITY OF GULFPORT, FIRST JUDICIAL DISTRICT OF HARRISON COUNTY, MISSISSIPPI, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT AN IRON ROD AT THE SOUTHEAST CORNER OF SAID NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 36, SAID POINT HAVING COORDINATES OF NORTH-357266.87 AND EAST-916488.90 (M.S.P.C.S.- 2301 EAST ZONE/NAD 83 IN FEET); THENCE ALONG THE EAST LINE OF SAID NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 36, N00°01'51"W 435.00' TO THE POINT OF BEGINNING; THENCE FURTHER ALONG SAID EAST LINE, N00°01'51"W 831.24' TO AN IRON ROD FOUND ON THE SOUTH MARGIN OF THREE RIVERS ROAD; THENCE ALONG SAID SOUTH MARGIN OF THREE RIVERS ROAD, S89°36'33"W 1107.12' TO AN IRON ROD FOUND; THENCE S00°29'29"W 1247.23' TO AN IRON ROD FOUND; THENCE S89°36'33"E 643.37' TO AN IRON ROD FOUND; THENCE N01°17'11"E 15.07' TO AN IRON ROD FOUND; THENCE N47°44'39"E 620.82'; THENCE N89°58'09"E 15.00' TO THE POINT OF BEGINNING, CONTAINING 29.393 ACRES AND BEING THAT SAME PROPERTY DESCRIBED IN INSTRUMENT NO. 2007-0005044-D-11 OF THE LAND RECORDS OF THE FIRST JUDICIAL DISTRICT OF HARRISON COUNTY, MISSISSIPPI.

AND ALSO:

Parcel B

A parcel of land situated in the Northwest 1/4 of the Northwest 1/4 of Section 36, Township 6 South, Range 11 West, City of Gulfport, First Judicial District of Harrison County, Mississippi, and also being more particularly described as follows:

Commencing at the Southeast corner of the NW 1/4 of the NW 1/4 of Section 36, Township 6 South, Range 11 West, First Judicial District, Harrison County, State of Mississippi, and using it as the Point of Beginning run thence North 89 degrees 42 minutes 16 seconds West 475 feet, thence North 00 degrees 17 minutes 44 second East 15 feet, thence North 47 degrees 42 minutes 07 seconds East 620.39 feet, thence North 89 degrees 51 minutes 44 seconds East 15.00 feet, thence South 00 degrees 08 minutes 16 seconds East 435 feet back to the Point of Beginning. Together with access easement as recorded in Instrument No. 2007 2693 D-11.

And also described as:

A PARCEL OF LAND SITUATED IN THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 36, TOWNSHIP 6 SOUTH, RANGE 11 WEST, CITY OF GULFPORT, FIRST JUDICIAL DISTRICT OF HARRISON COUNTY, MISSISSIPPI, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT AN IRON ROD AT THE SOUTHEAST CORNER OF SAID NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 36, SAID POINT HAVING COORDINATES OF NORTH-357266.87 AND EAST-916488.90 (M.S.P.C.S.- 2301 EAST ZONE/NAD 83 IN FEET); THENCE N89°42'10"W 475.07' TO AN IRON ROD FOUND; THENCE N01°17'11"E 15.07' TO AN IRON ROD FOUND; THENCE N47°44'39"E 620.82'; THENCE N89°58'09"E 15.00'; THENCE S00°01'51"E 435.00' TO THE POINT OF BEGINNING, CONTAINING 2.524 ACRES AND BEING THAT SAME PROPERTY DESCRIBED IN INSTRUMENT NO. 2007-0011513-D-11 OF THE LAND RECORDS OF THE FIRST JUDICIAL DISTRICT OF HARRISON COUNTY, MISSISSIPPI. TOGETHER WITH THAT ACCESS EASEMENT RECORDED IN INSTRUMENT NO. 2007-0002693-D-11 OF THE LAND RECORDS OF THE FIRST JUDICIAL DISTRICT OF HARRISON COUNTY, MISSISSIPPI.

*Richard Bondy*

**FA** | **FOUNTAIN &  
ASSOCIATES**  
**CIVIL AND COMMERCIAL DESIGN**

Jeremy Harrison  
City of Gulfport – Engineering Department  
4050 Hewes Avenue  
Gulfport, Mississippi 39507

RE:           Plantation Oaks, LLC  
                Plantation Oaks Subdivision – Phase III  
                City of Gulfport

Jeremy,

This letter is regarding the soils report required for the General Permit Application. Due to the current progress of the project, we would like to request that this letter act as soil borings and the full soils report required by the General Permit Application be disregarded. We visited the site on 10/21/22 to dig test pits for soil sampling. To perform this, we used a CAT 305 mini excavator with a 24-inch-wide bucket. Each testing pit was 5-6 feet deep on average, as shown in pictures attached. The pits stayed exposed for approximately an hour without any groundwater intruding into the pit. This indicates that the ground water table is deeper than that of the pit.

As you can see on the soils map attached, the parcel consists of approximately 68% of Atmore silt, which has hydric soils properties. As you compare the soils map to the project site plan, you can see this area has been delineated as wetlands and the project will not impact that area. The remaining areas are made of various types of fine sandy loam and a mix of Saucier, Smithton, and Susquehanna soils. All the native soils, with the exception of the wetland area, have soil properties of well-draining with a low runoff classification.

At this time, the intent is to strip approximately 12" of topsoil off the entire site, except in the wetland areas shown, and an additional 12" out of the proposed roadway. We determined that the native soil is sufficient to sustain loading of house pads, once the 12" of topsoil is stripped from the site and mechanical compaction is performed. The roadway will then have approximately 2' of borrow clay material imported in to establish a sufficient subbase for the vehicular loading. All utility and drainage pipe crossings will be bedded in select sandy material and backfilled with borrow clay material. The imported soil will be mechanically compacted until meeting/exceeding all requirements of the City of Gulfport. All topsoil material will be stockpiled on site to use for fine grading and backfilling behind curb, once construction of utilities and roadways are complete.

If you have any questions, please contact me at (228)860-8812.

Best Regards,

Nick Fountain

**Fountain & Associates**  
**City of Gulfport – Engineering Department**

**Soils Report – Plantation Oaks Ph.3**

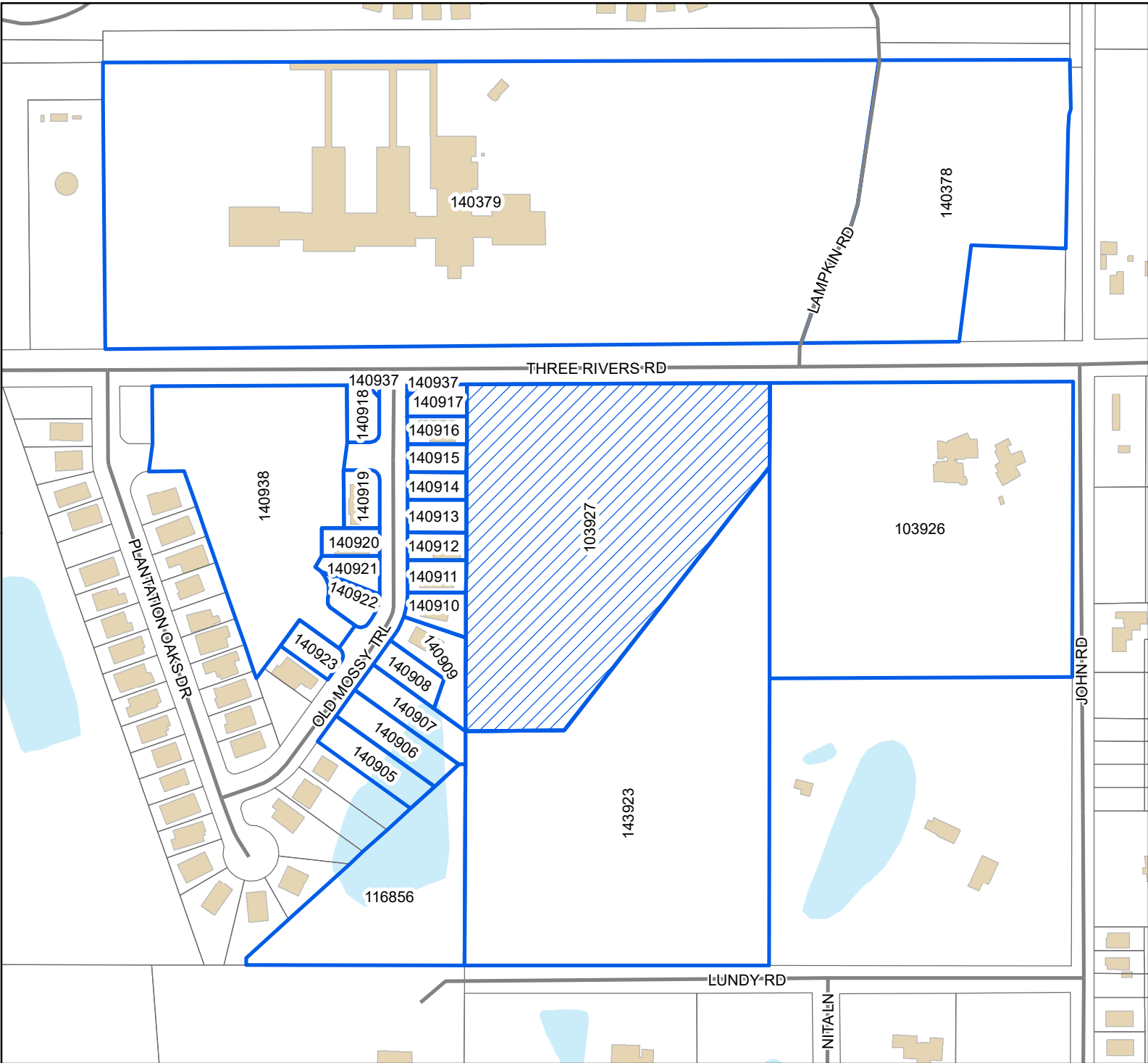
**1**







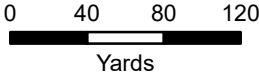


Mail	PPIN	Parcel ID	Name	Address	City	State	ZIP
	103927	0907J-01-001.005	PLANTATION OAKS LLC (OWNER)	1460 BEACH BLVD	BILOXI	MS	39530
			FREDDIE FOUNTAIN W/ FOUNTAIN & ASSOC	1822 15TH STREET, STE. 12	GULFPORT	MS	39501
N			<b>Adjacent Property Owners (2212PC221)</b>				
N	140905	0907J-01-001.068	ADAMS HOMES LLC	100 W GARDEN ST	PENSACOLA	FL	32502
N	140906	0907J-01-001.069	ADAMS HOMES LLC	100 W GARDEN ST	PENSACOLA	FL	32502
N	140907	0907J-01-001.070	ADAMS HOMES LLC	100 W GARDEN ST	PENSACOLA	FL	32502
N	140908	0907J-01-001.071	ADAMS HOMES LLC	100 W GARDEN ST	PENSACOLA	FL	32502
N	140910	0907J-01-001.073	ADAMS HOMES LLC	100 W GARDEN ST	PENSACOLA	FL	32502
N	140911	0907J-01-001.074	ADAMS HOMES LLC	100 W GARDEN ST	PENSACOLA	FL	32502
N	140913	0907J-01-001.076	ADAMS HOMES LLC	100 W GARDEN ST	PENSACOLA	FL	32502
N	140914	0907J-01-001.077	ADAMS HOMES LLC	100 W GARDEN ST	PENSACOLA	FL	32502
N	140915	0907J-01-001.078	ADAMS HOMES LLC	100 W GARDEN ST	PENSACOLA	FL	32502
N	140923	0907J-01-001.086	ADAMS HOMES LLC	100 W GARDEN ST	PENSACOLA	FL	32502
N	140917	0907J-01-001.080	ADAMS HOMES LLC	100 W GARDEN ST	PENSACOLA	FL	32502
N	140918	0907J-01-001.081	ADAMS HOMES LLC	100 W GARDEN ST	PENSACOLA	FL	32502
N	140909	0907J-01-001.072	ADAMS HOMES LLC	100 W GARDEN ST	PENSACOLA	FL	32502
N	140922	0907J-01-001.085	ADAMS HOMES LLC	100 W GARDEN ST	PENSACOLA	FL	32502
	140921	0907J-01-001.084	ADAMS HOMES LLC	100 W GARDEN ST	PENSACOLA	FL	32502
	103926	0907J-01-001.004	BROWN VANESSA L	13481 JOHN RD	GULFPORT	MS	39503
	140378	0907G-01-001.012	ELLIOTT LAND DEVELOPMENTS LLC	1402 PASS RD	GULFPORT	MS	39501
	140912	0907J-01-001.075	FRATANTUONO GENENDAL PRICE & GERALD	14058 OLD MOSSY TRAIL	GULFPORT	MS	39503
	140916	0907J-01-001.079	HARDER CLIFFORD J SR & MARY J	14038 OLD MOSSY TRAIL	GULFPORT	MS	39503
	140379	0907G-01-001.010	HARRISON CO SCHOOL DISTRICT	11072 HWY 49	GULFPORT	MS	39503
	140919	0907J-01-001.082	HOLIFIELD MITCHELL RAY II -ETAL-	14057 OLD MOSSY TRAIL	GULFPORT	MS	39503
N	143923	0907J-01-001.103	PLANTATION OAKS LLC	PO BOX 268	BILOXI	MS	39533
N	116856	0907J-01-001.013	PLANTATION OAKS LLC	P O BOX 268	BILOXI	MS	39533
	140937	0907J-01-001.100	PLANTATION OAKS LLC	10600 DERRY LANE	OCEAN SPRINGS	MS	39564
	140938	0907J-01-001.101	PLANTATION OAKS LLC	P O BOX 268	BILOXI	MS	39533
	140920	0907J-01-001.083	ROBIN BRENT A & KIMBERLY K	14063 OLD MOSSY TRAIL	GULFPORT	MS	39503



Legend

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



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.



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

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

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

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

## AFFIDAVIT OF PUBLICATION

Account #	Order Number	Identification	Order PO	Amount	Cols	Depth
36845	351542	Print Legal Ad-IPL00996680 - IPL0099668		\$49.92	1	86 L

Attention: Matilda Welch

PO BOX 1780  
 GULFPORT, MS 39502

**LEGAL NOTICE  
 PUBLIC HEARING**

In conformance with Section VIII of the Comprehensive Zoning Ordinance of the City of Gulfport, Mississippi, 1979 as amended, notice is hereby given advising that the Gulfport City Planning Commission will hold a public hearing in the City of Gulfport, Mississippi at 4:30 P.M., Thursday, December 14, 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 2212PC215**, by owner Thomas Lewis, tax parcel 0907J-01-021.003, Requests a home occupation for independent freight dispatch service, 13593 Wind Rose Circle, Zoned R-1-15 (Single-family), Ward 7

**Planning Commission Approval 2212PC216**, by owner William Caleb Boyles, tax parcel 0908J-01-024.008, Requests a home occupation for engraving and cerakoting firearms, 22 Jay Drive, Zoned R-1-10 (Single-family), Ward 6

**Resubdivision 2212PC218**, by agent Joyce Unsworth, tax parcel 07100-02-102.002, Divide into two new parcels, 4809 29th Street, Zoned B-1 (Neighborhood business), Ward 1

**Resubdivision 2212PC219**, by agent Jimmy Miles, tax parcel 0810N-05-023.000, Divide into three new parcels, 32nd St, Zoned B-2 (General business), Ward 3

**Resubdivision 2212PC220**, by agent Josh Fleming, tax parcels 0811G-02-030.000 & 0811G-02-016.000, divide into two new parcels, 1512 E Beach Blvd & Thornton Ave, Zoned R-B (Residence-Business) Ward 2

**General Plan 2212PC221**, by agent Freddie Fountain with Fountain & Associates, LLC, tax parcel 0907J-01-001.005, Approval of a General Plan for 17-Lot subdivision (Plantation Oaks Subdivision - Phase III), 0 Three Rivers Road, Zoned R-B (Residence-business), Ward 6

**Appeal 2212PC222**, by agent Shaw Design Group, PA, tax parcel 0809K-01-001.026, to Appeal City of Gulfport Design Standards, 9394 Three River Road, Zoned B-2 (General business), Ward 3

**Zoning Text Amendment 2212PC224**, by CRC Westside, amendments to the SmartCode Zoning Ordinance, as amended, Section 5.3.3 h

**Zoning Text Amendment 2212PC225**, by CRC Westside, amendments to the SmartCode Zoning Article 6, as amended, Section 5.3.3 a Table 10

**Zoning Text Amendment 2212PC226**, by City of Gulfport, Amendments to the Comprehensive Zoning Ordinance, as amended, District Regulations, (J) Chart of Permitted Uses (2) Schedule of uses - Residential Hotel

This is the 22th day of November, 2022  
 Keith Williams, Chairman  
 City of Gulfport Planning Commission  
 IPL0099668  
 Nov 30 2022

### STATE OF MISSISSIPPI COUNTY OF HARRISON

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

1 insertion(s) published on:  
 11/30/22

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

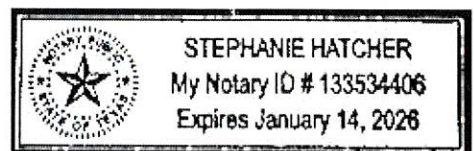
*Stefani Beard*

Sworn to and subscribed before me this 30th day of November in the year of 2022

*Stephanie Hatcher*

Notary Public

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



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

mw

**RE: General Plan 2212PC221, by agent Freddie Fountain with Fountain & Associates, LLC, tax parcel 0907J-01-001.005, Approval of a General Plan for 17-Lot subdivision (Plantation Oaks Subdivision - Phase III), 0 Three Rivers Road, Zoned R-B (Residence-business), Ward 6**

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, December 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 Planning Commission for **Thursday, December 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](mailto:planners@gulfport-ms.gov). The application is available for viewing in the Planning Division office at 1410 24<sup>th</sup> Avenue.

# MEMORANDUM

**To:** City of Gulfport Planning Commission

**From:** Greg Holmes, Planning Administrator  
Urban Development Department

**Date of Hearing:** December 15, 2022

**Re:** Zoning Text Amendment 2209PC171:  
Remanded Back By City Council

Zoning Text Amendment 2209PC171, by Lauren Illing, City of Gulfport, Amendments to the Comprehensive Zoning Ordinance, as amended, Section I Definitions (B) Words and Phrases Medical cannabis Establishment and Section III District Regulations, (K) Chart of Permitted Uses, (2) Schedule of Uses Medical Cannabis Dispensary

# Technical Report

## ZONING TEXT AMENDMENT

### **GENERAL INFORMATION**

Case File Number: 2209PC171

Hearing Date: Original – September 22, 2022  
Remanded – December 15, 2022

Legal: Zoning Text Amendment 2209PC171, by Lauren Illing, City of Gulfport, Amendments to the Comprehensive Zoning Ordinance, as amended, Section I Definitions (B) Words and Phrases Medical cannabis Establishment and Section III District Regulations, (K) Chart of Permitted Uses, (2) Schedule of Uses Medical Cannabis Dispensary

### **TECHNICAL DETAILS**

The applicant requests to amend the text to the zoning ordinance to allow for the expansion of medical cannabis dispensaries into Zones. Specifically, the applicant would like to add the B-1 and R-B zones. Further, the applicant would like to remove the Transect Zone limitation in the existing ordinance, thereby allowing the “hybrid” code areas access by the dispensaries.

Statistically, this change could open up an additional 3 square miles of potential locations for dispensaries within the city (see table provided). This would allow the use to be located within 18.7% of the city as opposed to the 13.8% currently allowed. Maps are attached to the report to assist in a more spatial view of the expansion.

### **EXECUTIVE SUMMARY**

Initial conversations about the new medical cannabis laws included taking a more conservative approach to these before allowing them throughout the city. As a dispensary has not yet opened in Gulfport, it is difficult to determine the affect this use will have on the surrounding properties under the current city and state guidelines.

Should there be bad results, changing the rules and then changing them back is problematic. The non-conforming rules are not quick when it comes eliminating uses that are causing distress.

### **DIRECTOR APPROVAL**

This report has been reviewed and approved by:

---

Ryan Merrill  
Director of Urban Development Department



# **Technical Report**

## *ZONING TEXT AMENDMENT*

### ***GENERAL INFORMATION***

Case File Number: 2209PC171

Hearing Date: September 22, 2022

Legal: Zoning Text Amendment 2209PC171, by Lauren Illing, City of Gulfport, Amendments to the Comprehensive Zoning Ordinance, as amended, Section I Definitions (B) Words and Phrases Medical cannabis Establishment and Section III District Regulations, (K) Chart of Permitted Uses, (2) Schedule of Uses Medical Cannabis Dispensary

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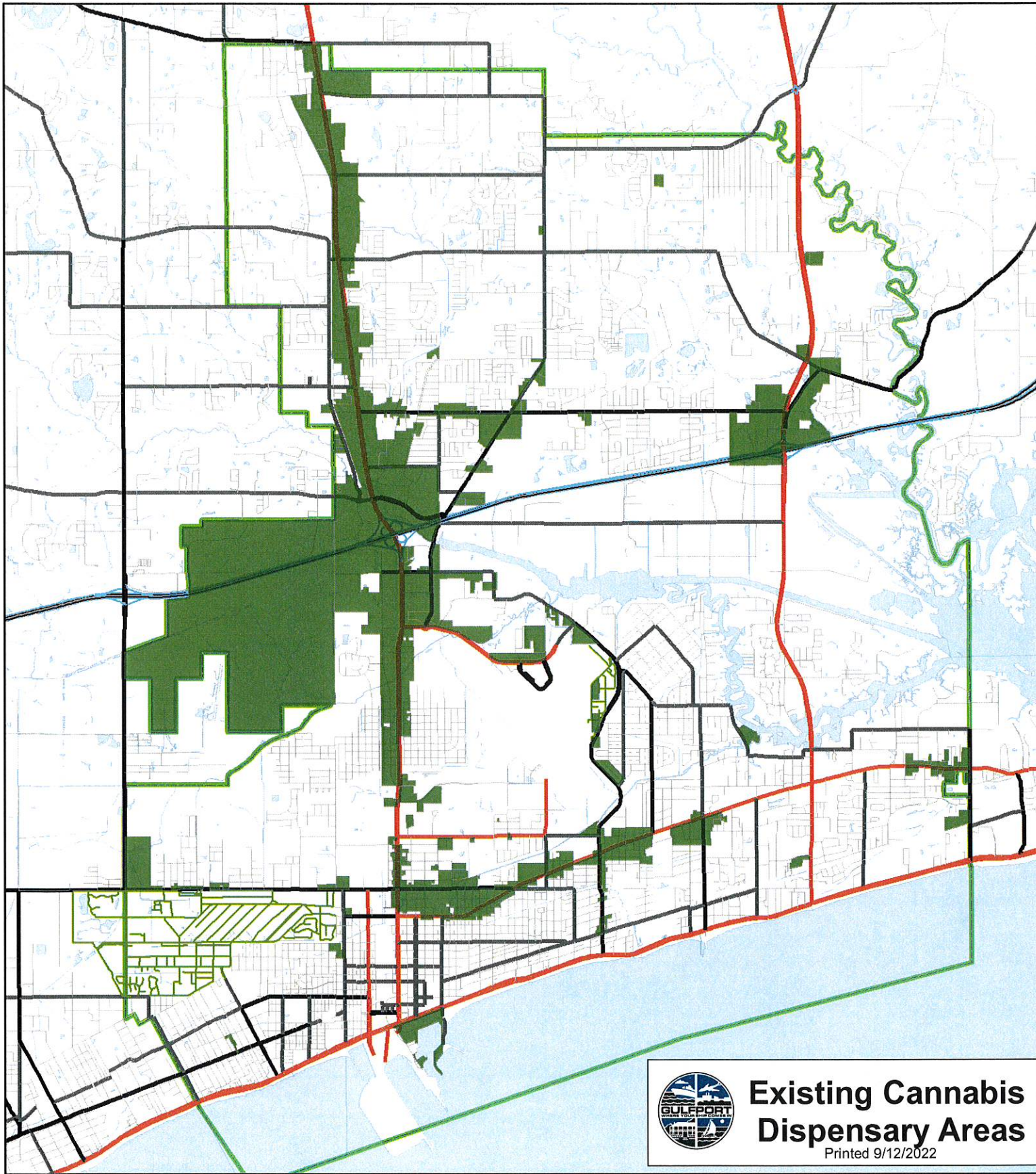
### ***DIRECTOR APPROVAL***

This report has been reviewed and approved by:

---

Greg Pietrangelo  
Director of Urban Development Department

Existing Regulations		Proposed Regulations		SmartCode Community Impacts	
Zone	Acres Existing	Zone2	Acres Proposed	Zone5	Acres SmartCode
B-2	3689.8	B-2	3689.8	T4+	142.8
B-4	1751.2	B-4	1751.2	T5	1.6
		B-1	350.7	T6	0.0
		R-B	811.6		
		T4+	422.0		
		T5	205.2		
		T6	142.1		
<hr/>					
Total Acres	5440.9		7372.5		144.4
Square Miles	8.5		11.5		0.2
City Square Miles	61.7		61.7		61.7
City Percentile	13.8		18.7		0.37



- | Cannabis Areas |                    |
|----------------|--------------------|
|                | Interstate Highway |
|                | Principal Arterial |
|                | Minor Arterial     |
|                | Collector          |
|                | Minor/Residential  |
|                | Access Ramp        |
|                | Military           |
|                | Alley              |
|                | WaterFeatures      |
|                | Existing           |



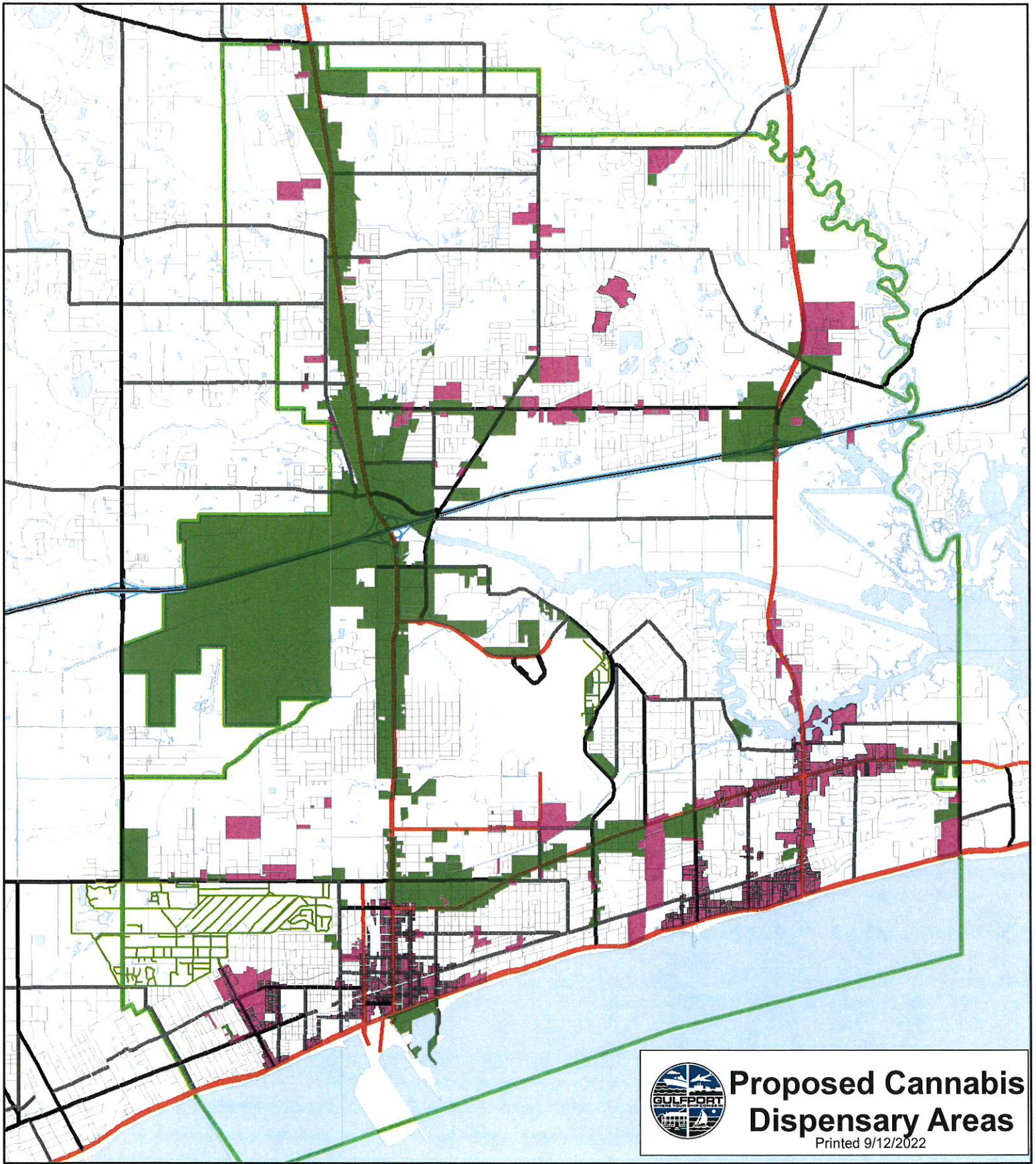
## Existing Cannabis Dispensary Areas

Printed 9/12/2022





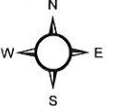
1 inch = 6,500 feet

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**Proposed Cannabis  
Dispensary Areas**  
 Printed 9/12/2022

- |  |                    |  |
|--|--------------------|--|
|  | Interstate Highway | <b>Cannabis Areas</b>  |
|  | Principal Arterial |  Existing |
|  | Minor Arterial     |  Proposed |
|  | Collector          |  |
|  | Minor/Residential  |  |
|  | Access Ramp        |  |
|  | Military           |  |
|  | Alley              |  |
|  | Water Features     |  |



1 inch = 6,500 feet

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\$175.00



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

For Staff Use Only

Case File #: 2209PC171

Date Received: \_\_\_\_\_

Receipt #: \_\_\_\_\_

Received By: \_\_\_\_\_

Zoning: \_\_\_\_\_

Ward: \_\_\_\_\_ Flood: \_\_\_\_\_

### APPLICATION FOR ZONING TEXT AMENDMENT

**GENERAL DESCRIPTION OF REQUEST:** (If necessary, attach a separate sheet of paper detailing the purpose of the request.)

Ordinance 3130: Section 1, Medical Cannabis Establishment  
definition - remove the sentence stating "The symbol  
plus-minus ...."  
Section 2, schedule of uses, Retail: Wholesale Trade - remove  
legend entry stating "T zones removed (see definitions)."

#### 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

Lauren Lee Stuart Illing  
Printed Name Of Owner

\_\_\_\_\_  
Printed Name Of Agent

2505 Greenview Dr.  
Mailing Address

\_\_\_\_\_  
Mailing Address

Gulfport MS 39507  
City State Zip code

\_\_\_\_\_  
City State Zip code

225-588-8783  
Home Phone Work/Cell Phone

\_\_\_\_\_  
Home Phone Work/Cell Phone

laurenlee@luminoussolutions.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 H. MUST BE SUBMITTED FOR A COMPLETE APPLICATION.**

## F. Reason for Text Amendment Request

### 3. Increase in need for sites

Increased needs for business sites, in addition to sites that are available, make it necessary and desirable to reclassify an area or to extend the boundaries of an existing district.

*As a Gulfport resident planning to apply for licensure within the newly enacted state Medical Cannabis program, my team and I spent well over a year trying to find properties available for sale in Gulfport which met state requirements of being 1,000 feet from an active place of worship or school. There were very few properties that met this state eligibility requirement and only one that was also located in an existing medical hub. The zoning for that property (located at 1301 31st Ave, 39501) is T4+, which is allowed by right for use as an Apothecary per the City of Gulfport Chart of Permitted Uses.*

## G. Written statements requesting an amendment to the Comprehensive Zoning Ordinance or SmartCode Ordinance:

### 1. Interest

*Applicant Name: Lauren Lee Illing*

*Address: 2505 Greenview Drive, 39507*

*Corporation Represented: Chief Operating Officer, Southern Roots Therapeutics of Mississippi (SRT-MS)*

*Interest: SRT-MS would like to operate a licensed Medical Cannabis Dispensary at a property located within a T4+ zone, as part of an existing medical services hub.*

### 2. Condition for Change

*#3, increase in need for sites.*

### 3. Development Schedule

*Building renovations and build-out is expected to take 2-3 months to complete; expected business opening date (pending receipt of local Privilege License) is Q1 2023.*

### 4. Effects of Amendment

Nature of proposed amendment:

*This amendment brings the City of Gulfport into alignment with Mississippi Senate Bill 2095. Section 19: Local Ordinances, which restricts municipalities from making dispensary operation **impracticable**.*

*"(2) No municipality or county may prohibit dispensaries either expressly or through the enactment of ordinances or regulations that make their operation impracticable in the jurisdiction."*

**Description of proposed amendment:**

*By allowing Medical Cannabis Dispensaries to operate in the same zones as Apothecaries (R-B, T4+ B-1, T5 B-2, T6 B-3), the City of Gulfport is sufficiently limiting the location to appropriate retail and wholesale trade zones. This classification of permitted uses is reasonable given that a Medical Cannabis Dispensary, per SN2095, is essentially an Apothecary given that it is only allowed to sell medicine and medical supplies to eligible patients who have received recommendations from their physicians.*

**Effect of proposed amendment:**

*By allowing Medical Cannabis Dispensaries to operate in the same zoning as Apothecaries, the City of Gulfport will remain consistent with the stated intention of the Comprehensive Zoning and SmartCode Ordinances, "to carry out the object of sound, stable and desirable environment." Medical Cannabis Dispensaries licensed by the state Department of Revenue will undergo extensive operational scrutiny and compliance requirements. They will specifically serve patients who have received recommendations from their physicians to purchase pharmaceutical grade Cannabis medicine.*

*This proposed amendment will serve the citizens of Gulfport by bringing investment to the area, by honoring the will of the 82.7% of Harrison County voters who supported the implementation of a medical Cannabis program in the state of Mississippi, and by supporting effective and compassionate treatments for patients who are suffering with debilitating conditions.*

There came on for consideration at a duly constituted meeting of the City Council and Mayor of the City of Gulfport held on the \_\_\_\_\_ day of \_\_\_\_\_, 2022, the following Ordinance:

**ORDINANCE NO. \_\_\_\_\_**

AN ORDINANCE AMENDING THE OFFICIAL TEXT OF THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF GULFPORT, MISSISSIPPI ADOPTED THE 29TH DAY OF JUNE, 1979, SECTION I DEFINITIONS (B) WORDS AND PHRASES AND SECTION III DISTRICT REGULATIONS, (K) CHART OF PERMITTED USES, (2) SCHEDULE OF USES, MANUFACTURING, RETAIL AND WHOLESALE TRADE, SERVICES CATEGORIES.

**WHEREAS**, the Mayor and City Council of the City of Gulfport, Mississippi, find and do so determine, based upon the recommendation of the Gulfport City Planning Commission, that the Comprehensive Zoning Ordinance should be amended to add various definitions to the same and to allow additions and/or changes to certain uses in the Chart of Permitted Uses as they relate to particular zoning districts. The case file number is 2205PC085.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF GULFPORT, MISSISSIPPI, AS FOLLOWS:

**SECTION 1:** That the Official text of the Comprehensive Zoning Ordinance of the City of Gulfport, adopted the 29th day of June, 1979, as amended, be and the same is hereby amended to read as follows under Section I Definitions, (B) Words and Phrases, which adds the following definitions in the appropriate alphabetical location:

*Sec. I. – Definitions.*

\*\*\*\*

*(B) Words and phrases: Words and phrases used in this ordinance are defined as follows:*

\*\*\*\*

*Cannabis cultivation facilities:* means a business entity licensed and registered by the Mississippi Department of Health that acquires, grows, cultivates and harvests medical cannabis in an indoor, enclosed, locked and secure area. See definition of “medical cannabis establishment” for distance requirements and applicable zones.

*Cannabis disposal entity:* means a business licensed and registered by the Mississippi Department of Health that is involved in the commercial disposal or destruction of medical cannabis. See definition of “medical cannabis establishment” for distance requirements and applicable zones.

*Cannabis processing facility:* means a business entity that is licensed and registered by the Mississippi Department of Health that:

- (a) Acquires or intends to acquire cannabis from a cannabis cultivation facility;
- (b) Possesses cannabis with the intent to manufacture a cannabis product;
- (c) Manufactures or intends to manufacture a cannabis product from unprocessed cannabis or a cannabis extract; and
- (d) Sells or intends to sell a cannabis product to a medical cannabis dispensary, cannabis testing facility or cannabis research facility.

See definition of “medical cannabis establishment” for distance requirements and applicable zones.

*Cannabis research facility:* means a research facility at any university or college in this state or an independent entity licensed and registered by the Mississippi Department of Health pursuant to this chapter that acquires cannabis from cannabis cultivation facilities and cannabis processing facilities in order to research cannabis, develop best practices for specific medical conditions, develop medicines and provide

commercial access for medical use. See definition of “medical cannabis establishment” for distance requirements and applicable zones.

*Cannabis testing facility:* means an independent entity licensed and registered by the Mississippi Department of Health that analyzes the safety and potency of cannabis. See definition of “medical cannabis establishment” for distance requirements and applicable zones.

*Cannabis transportation entity:* means an independent entity licensed and registered by the Mississippi Department of Health that is involved in the commercial transportation of medical cannabis. See definition of “medical cannabis establishment” for distance requirements and applicable zones.

*Medical cannabis dispensary:* means an entity licensed and registered with the Mississippi Department of Revenue that acquires, possesses, stores, transfers, sells, supplies or dispenses medical cannabis, equipment used for medical cannabis, or related supplies and educational materials to cardholders. See definition of “medical cannabis establishment” for distance requirements and applicable zones.

*Medical cannabis establishment:* means a cannabis cultivation facility, cannabis processing facility, cannabis testing facility, medical cannabis dispensary, cannabis transportation entity, cannabis disposal entity or cannabis research facility licensed and registered by the appropriate agency. The main point of entry of a medical cannabis establishment shall not be located within one thousand (1,000) feet of the nearest property boundary line of any school, church or childcare facility. A medical cannabis establishment may receive a waiver to this distance restriction by receiving approval from the school, church or child care facility and by applying for a waiver with its respective licensing agency, provided that the main point of entry of the cannabis establishment is not located within five hundred (500) feet of the nearest property boundary line of any school, church or child care facility. No medical cannabis dispensary may be located within a one-thousand-five-hundred-feet (1,500) radius from the main point of entry of the dispensary to the main point of entry of another medical cannabis dispensary. The symbol plus-minus (“±”) used in the chart of permitted uses indicates the removal of all transect zones (T1, T2, T3, T4L, T+, T5, T6) from ~~any use constituting a medical cannabis establishment, except for a Retail and Wholesale Trade Use.~~

**SECTION 2:** That the official text of the Comprehensive Zoning Ordinance of the City of Gulfport, adopted the 29th day of June, 1979, be and the same is hereby amended to make the following additions and/or changes to certain uses in the Chart of Permitted Uses as they relate to particular zoning districts.

In Appendix A – Zoning – Section III District Regulations, (K) Chart of Permitted Uses, (2) Schedule of uses, MANUFACTURING – Cannabis Disposal Facility; and Cannabis Processing Facility should be amended as follows:

* Need not be conducted entirely within a completely enclosed structure.																						
R = Allowed by Right P = Planning Commission approval X = Special exception — = Not allowed ± = T zones removed (see definitions)																						
Names of Uses and Conditions	A-1, T1, T2	R-E	R-U-E	R-1-1-5	R-1-1-0	R-1-7-5, T3	R-1-5	R-2	R-3	R-4	R-O, T4L	R-B, T4+	B-1, T5	B-2, T6	B-4	E-G	I-1	I-2	I-3	S-B	W-F	A-E
MANUFACTURING																						
Cannabis Disposal	R ±	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	R	R	—	—	—



In Appendix A – Zoning – Section III District Regulations, (K) Chart of Permitted Uses, (2) Schedule of uses, COMMUNICATION, TRANSPORTATION, AND UTILITIES – Cannabis Transportation Facility should be amended as follows:

* Need not be conducted entirely within a completely enclosed structure.																						
R = Allowed by Right P = Planning Commission approval X = Special exception – = Not allowed ± = T zones removed (see definitions)																						
Names of Uses and Conditions	A-1, T1, T2	R-E	R-U	R-1-1-5	R-1-1-0	R-1-7-5, T3	R-1-1-5	R-2	R-3	R-4	R-O, T4 L	R-B, T4 +	B-1, T5	B-2, T6	B-4	E-G	I-1	I-2	I-3	S-B	W-F	A-E
<b>COMMUNICATION, TRANSPORTATION, AND UTILITIES</b>																						
Cannabis Transportation Facility (See definitions for distance requirements)	P ±																	R	R			
Cannabis Transportation Facility (Within 500 feet of a Residential Use as shown in this chart. This will be measured property line to property line. See definitions for distance requirements)	P ±																	P	P			

In Appendix A – Zoning, Section III District Regulations, (K) Chart of Permitted Uses, (2) Schedule of uses, RETAIL AND WHOLESALE TRADE – Medical Cannabis Dispensary, as follows:

* Need not be conducted entirely within a completely enclosed structure.																						
R = Allowed by Right P = Planning Commission approval X = Special exception — = <del>Not allowed</del> ± = T zones removed (see definitions)																						
Names of Uses and Conditions	A-1, T1, T2	R-E	R-U-E	R-1-1-5	R-1-1-10	R-1-7-5, T3	R-1-5	R-2	R-3	R-4	R-O, T4-L	R-B, T4+	B-1, T5	B-2, T6	B-4	E-G	I-1	I-2	I-3	S-B	W-F	A-E
<b>RETAIL AND WHOLESALE TRADE</b>																						
Medical Cannabis Dispensary (See definitions for distance requirements)													R	R	R ±	R						
Medical Cannabis Dispensary (Within 500 feet of a Residential Use as shown in this chart. This will be measured property line to property line. See definitions for distance requirements)													R	R	P ±	P						

In Appendix A – Zoning – Section III District Regulations, (K) Chart of Permitted Uses, (2) Schedule of uses, SERVICES – Cannabis Research Facility; and Cannabis Testing Facility should be amended as follows:

* Need not be conducted entirely within a completely enclosed structure.																						
R = Allowed by Right P = Planning Commission approval X = Special exception — = Not allowed ± = T zones removed (see definitions)																						
Names of Uses and Conditions	A-1, T1, T2	R-E	R-UE	R-1-15	R-1-10	R-1-7.5, T3	R-1-5	R-2	R-3	R-4	R-O, T4L	R-B, T4+	B-1, T5	B-2, T6	B-4	E-G	I-1	I-2	I-3	S-B	W-F	A-E
<b>SERVICES</b>																						
Cannabis Research Facilities; Cannabis Testing Facilities (See definitions for distance requirements)	P ±	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	R	R	—	—	
Cannabis Research Facilities; Cannabis Testing Facilities (Within 500 feet of a Residential Use as shown in this chart. This will be measured property line to property line. See definitions for distance requirements)	P ±	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	P	P	—	—	

In Appendix A – Zoning – Section III District Regulations, (K) Chart of Permitted Uses, (2) Schedule of uses, RESOURCES PRODUCTION OR EXTRACTION – Cannabis Cultivation should be amended as follows:

* Need not be conducted entirely within a completely enclosed structure.																					
R = Allowed by Right P = Planning Commission approval X = Special exception – = Not allowed																					
Names of Uses and Conditions	A-1, T1, T2	R-E	R-UE	R-1-1-5	R-1-1-0	R-1-7-5, T3	R-1-2-5	R-3	R-4	R-O, T4, L	R-B, T4, +	B-1, T5	B-2, T6	B-4	E-G	I-1	I-2	I-3	S-B	W-F	A-E
<b>RESOURCES PRODUCTION OR EXTRACTION</b>																					
Cannabis Cultivation (See definitions for distance requirements)	R ±	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	R	R	–	–	–
Cannabis Cultivation (Within 500 feet of a Residential Use as shown in this chart. This will be measured property line to property line. See definitions for distance requirements)	P ±	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	P	P	–	–	–

**SECTION 3:** With the specific finding made by the Governing Authority herein that the immediate effectiveness of this Ordinance is needed and necessary for the immediate and temporary preservation of the public peace, health and safety, most especially associated with the Mississippi Legislature’s recent adoption of the “Mississippi Medical Cannabis Act” and the effect this has on the City and its inhabitants, this Ordinance shall be in full force and become effective immediately upon its passage by unanimous vote and enactment according to law and shall be spread on the minutes of the Gulfport City Council. For failure to be adopted unanimously as reflected by the votes registered herein, this Ordinance shall take effect thirty (30) days after the date of passage hereof.

**SECTION 4.** The Governing Authority further finds that the following shall serve as an explanatory statement of this Ordinance for purposes of publication: “This Ordinance amends Appendix A to the City’s Code of Ordinances (the Zoning Ordinance) by adding various definitions associated with the Mississippi Medical Cannabis Act and amending the Zoning Ordinance’s ‘Chart of Permitted Uses’ related thereto. A copy of the full text of this Ordinance is available to municipal residents upon request to the City Clerk.” For the next thirty (30) days, a copy of the full text of this Ordinance shall be posted by the City Clerk: (a) in the first floor

lobby at City Hall (2309 15<sup>th</sup> Street, Gulfport, Mississippi 39501); (b) in the first floor lobby of the City's Hardy Building (1410 24<sup>th</sup> Avenue, Gulfport, Mississippi 39501); and (c) in the first floor lobby of the County Courthouse in Gulfport (1801 23<sup>rd</sup> Avenue, Gulfport, Mississippi 39501). The City Clerk shall further furnish any resident of the City a copy of the full text of this Ordinance upon request.

The above and foregoing Ordinance, after having been first reduced to writing, was introduced by \_\_\_\_\_, seconded by \_\_\_\_\_ and was adopted, by the following roll call votes, to wit:

YEAS:            ABSTENTIONS:            ABSENCES:            NAYS:

WHEREUPON the President declared the motion carried and the Ordinance adopted this the \_\_\_\_\_ day of \_\_\_\_\_, 2022.

(SEAL:)

ATTEST:

ADOPTED:

\_\_\_\_\_  
CLERK OF THE COUNCIL

\_\_\_\_\_  
PRESIDENT

The above and foregoing Ordinance was submitted to and approved by the Mayor, this the \_\_\_\_\_ day of \_\_\_\_\_, 2022.

APPROVED:

\_\_\_\_\_  
MAYOR

PERMITS/INSP PAYMENT RECPT#: 11412474  
CITY OF GULFPORT  
GULFPORT MS 39501

DATE: 08/02/22 TIME: 17:16  
CLERK: lbarefoot DEPT:  
CUSTOMER#: 0

COMMENT:

CHG: PZD PLANNING AND ZO 175.00

AMOUNT PAID: 175.00

PAID BY: LAUREN L ILLING  
PAYMENT METH: CHECK  
REFERENCE: 2506

AMT TENDERED: 175.00  
AMT APPLIED: 175.00  
CHANGE: .00

**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:**  
IPL0088455

**Order Status:**  
Submitted

**Classification:**  
Legals & Public Notices

**Package:**  
BLX - Legal Ads

**Final Cost:**  
59.04

**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**  
September 1, 2022 10:59:14 AM EDT

**Amount:**  
58.92

**Date**  
September 1, 2022 11:00:32 AM EDT

**Amount:**  
0.12

**SCHEDULE FOR AD NUMBER IPL00884550**

September 5, 2022  
SunHerald (Biloxi)

**PREVIEW FOR AD NUMBER IPL00884550****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 PM., Thursday, September 22, 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.

**Final Plat 2209PC160**, by owners Necaise Land L.P. & Dennis Stieffel, tax parcels 08071-01-001.052 & 08071-01-001.053, Approval of Final Plat for 3-lot subdivision (The Hunington Phase 4), Three Rivers Rd, Zoned R-1-15, (Single-family), Ward 7

**Planning Commission Approval 2209SE161**, by agent Garlon Pemberton, tax parcel 1010H-02-030.000, Request automotive sales use, 2137 E. Pass Road, Zoned B-1 (Neighborhood Business), Ward 2

**Resubdivision 2209PC162**, by owner Michael Morken, Divide into two new parcels, tax parcel 0811E-03-043.000, 1723 31st Ave, Zoned T3 (Sub-Urban Zone), Ward 2

**Zoning Map Amendment 2209PC166**, by agent Donovan Scruggs, tax parcels 08091-01-020-000, 08091-01-021.000, Request to rezone property from B-2 (General Business) to -2 (Heavy industry districts), 9506 and 9524 Creosote Rd. Zoned B-2 (General Business), Ward 3

**Planning Commission Approval 2209PC167**, by owner Danyel Nichols, tax parcel 0710H-04-048.000, Requests a duplex use, Zoned R-1-5 (Single-family), Pear St & Hawthorn St, Ward 3

**General Plan 2209PC168**, by agent Heinrich and Associates, tax parcels 10090-02-002.015 & 10090-02-002.000, Approval of a General Plan for 10-Lot subdivision (Bayou Plantations Subdivision Phase 2), Bayou Plantation Ln, Zoned R-2 (Single-family), Ward 5

**Planning Commission Approval 2209PC169**, by owner Gregory Pittman, tax parcel 0810E-01-041.000, Requests mobile home use, 8250 Indlaria Ave, Zoned R-1-5 (Single-family), Ward 3

**Planning Commission Approval 2209PC170**, by agent Randy Kirby, tax parcel 0809N-03-006.002, Requests a medical cannabis dispensary use, 9113 Hwy 49, Zoned B-4 (Highway business), Ward 3

**Zoning Text Amendment 2209PC171**, by Lauren Illing, City of Gulfport, Amendments to the Comprehensive Zoning Ordinance, as amended, Section I Definitions (B) Words and Phrases Medical cannabis Establishment and Section III District Regulations, (K) Chart of Permitted Uses, (2) Schedule of Uses (Medical Cannabis Dispensary)

**Resubdivision 2209PC172**, by owners Nicholas Shay, Ronald David Brown, Leah Simon, & Carlos Gaultreaux, tax parcel 0811L-04-122.000, Divide into two new parcels, 1301 31st Ave, Zoned T4+ (General Urban Zone "Plus"), Ward 2

**General Plan 2209PC173**, by owner C&G Holdings, LLC, tax parcel 1010M-01-013.001, Requests approval for a 75-lot Zero Lot Line subdivision (Gulf Grove), Cowan Rd, Zoned T4+ (General Urban Zone "Plus") and T4L (General Urban Zone "Limited"), Ward 2

This the 1st day of September, 2022  
Keith Williams, Chairman  
City of Gulfport Planning Commission  
IPL0088455  
Sep 5 2022

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CITY OF GULFPORT PLANNING COMMISSION

2209PC171

TRANSCRIPT OF HEARING

September 22, 2022

\*\*\*\*\*

TRANSCRIPT OF HEARING HELD BEFORE THE CITY OF GULFPORT  
PLANNING COMMISSION HELD IN THE CITY COUNCIL CHAMBERS,  
GULFPORT, MISSISSIPPI, ON THE 22ND DAY OF SEPTEMBER 2022  
COMMENCING AT 4:30 P.M. AND REPORTED BY  
NORMA JEAN LADNER SOROE, CERTIFIED SHORTHAND REPORTER.

\*\*\*\*\*

COMMISSION MEMBERS PRESENT:

- VIRGINIA ADOLPH, Acting President
- WILLIAM "PRINCE" JONES
- VIRGINIA ADOLPH
- B.J. SELLERS
- CHARLIE HEWES
- HAROLD SPANN
- TIMOTHY DAIGLE, JR.
- DOUG HANCOCK

NOT PRESENT:

- KEITH WILLIAMS

STAFF PRESENT:

- GREG PIETRANGELO
- GREG HOLMES
- SU-LIN FEATHERSTON
- LESLIE ERVIN
- CORY LONG
- LORAIN HUGHES

1 9. Zoning Text Amendment 2209PC171

2 MR. LONG: Item Number 9, Zoning Text  
3 Amendment 2209PC171, has been duly and timely noticed as  
4 required by law. The applicant requests amendments to the  
5 comprehensive zoning ordinance, as amended, Section I  
6 Definitions (B) Words and Phrases Medical Cannabis  
7 Establishment, and Section III District Regulations (K)  
8 Chart of Permitted Uses (2) Schedule of Uses Medical  
9 Cannabis Dispensary. A copy of the packet considered is  
10 hereby offered to the record.

11 MS. ADOLPH: Since this is a zoning text  
12 amendment, who will be speaking for this?

13 MS. ILLING: Good evening. My name is Lauren  
14 Lee Illing. My address is 2505 Greenview Drive in Gulfport.

15 And I'm here as the chief operating officer  
16 of Southern Roots Therapeutics of Mississippi. We were also  
17 awarded a dispensary license from the State Department of  
18 Revenue pending local permitting. And I'm here to request  
19 commission support in amending the ordinance as implemented  
20 due to insufficient site availability.

21 And I am distributing supplemental research  
22 that updates that information.

23 Our team spent a year and a half searching  
24 for properties suitable for use as a cannabis dispensary.  
25 We were eagerly anticipating the state's application start

1 date. And under competitive pressure because the state does  
2 not allow properties within 1500 feet, there can't be two  
3 dispensaries.

4 So everyone was in a bit of a time crunch to  
5 find real estate. And after a year and a half on the real  
6 estate market in Gulfport searching for a property to  
7 purchase, we found three that met state requirements  
8 regarding a thousand feet from church or school.

9 We put in offers on all three of those. And  
10 only one of those offers was accepted. And the property is  
11 zoned appropriately to operate a medical facility, a  
12 pharmacy, and we purchased the property with the expectation  
13 that dispensaries would be treated like medical facilities  
14 given that we have a license with the state and report to  
15 the Department of Health and we can only make transactions  
16 with eligible patients that have received a recommendation  
17 from their doctor.

18 So at this time, I'm asking that the  
19 ordinance be amended. And I have confirmed the real estate  
20 search this week that indeed out of 31 commercial properties  
21 available for purchase in Gulfport right now, less than half  
22 of them meet the local requirements of being located in the  
23 zone B-2 or B-4, and it's only 29 percent meet the state  
24 requirements. And so when those two requirements are  
25 stacked on top of each other, we have a single commercial

1 property available that's eligible to operate a dispensary,  
2 and that particular property is not suitable for a  
3 dispensary because, to quote the listing, it is great for  
4 construction companies to house crew. It is a property with  
5 a couple of shacks on it next to the airport. It's not  
6 suitable for any retail purposes.

7           So I do believe that the site shortage  
8 creates a real public need because patients are preparing to  
9 have this medicine that they've waited a long time for, and  
10 the state legislation passed in 2020, and now patients are  
11 still waiting, and we want to be sure that patients have  
12 access to safe and convenient locations to purchase their  
13 medicine.

14           So we, you know, we want to recognize the  
15 city and all of their effort because this is new and it's  
16 difficult to figure out and try to anticipate what the  
17 city's needs will be and how we can best serve the  
18 constituents and especially the patients. And we respect  
19 that to the best of your ability the city created an  
20 ordinance that was intended to ease into the program gently.

21           But the reality is that by restricting  
22 cannabis facilities to operating in only 13 percent of the  
23 city, it makes it impracticable to operate one of these  
24 businesses.

25           And as a local business, as a small business,

1 family owned operation, you know, we really are committed to  
2 compliance. We are committed to navigating this process as  
3 best as we can so that we can have a good result that is a  
4 win-win for everyone. And we want to get to the point where  
5 dispensaries are bringing in \$3 million of tax revenue to  
6 the municipality which is my estimate based on four  
7 dispensaries operating for five years.

8           So we see dispensaries as an asset to the  
9 city. And as arduous as it is to receive a state license,  
10 there is significant expense related, including a \$40,000  
11 upfront fee to the state, you know, the local small  
12 businesses that are entering this industry are very highly  
13 professional. They are -- I think you can expect them to be  
14 good contributors to the business community and good  
15 neighbors.

16           So as part of our business operations, we  
17 expect to operate like any other medical facility serving  
18 between 20 to 40 patients per day. We will have operating  
19 hours during business, normal business hours. There's no  
20 access allowed to the property outside of operating hours  
21 per the state guidelines. We have a detailed security plan  
22 with full coverage monitoring camera system, security  
23 features, and we're absolutely committed to strict  
24 compliance with our state and local regulatory bodies.

25           We will operate under the same kinds of

1 regulatory frameworks that a pharmacy does. And so, as  
2 such, I think it is appropriate that we be treated like a  
3 medical facility and zoned accordingly.

4           So as part of this package, I am submitting a  
5 letter from our Board of Directors and also a letter from  
6 Gulfport residents that I'd like to read to you.

7           (Reading) As Gulfport residents who live in  
8 the neighborhood near a proposed cannabis dispensary, we  
9 believe that dispensaries should be allowed to locate in the  
10 same commercial areas where pharmacies, apothecaries, or  
11 medical offices are allowed to operate. Given the state  
12 laws in place, we do not anticipate dispensaries causing any  
13 negative impact to neighborhoods. Rather, we see this type  
14 of medical facility as an asset to our area and  
15 wholeheartedly welcome the business investment. Please  
16 support this amendment to insure that patients in Gulfport  
17 have safe, convenient, and unimpeded access to their legal  
18 medicine. (End reading)

19           MS ADOLPH: Thank you. If we have any other  
20 questions, we will call you back.

21           MS. ILLING: Thank you.

22           MS. ADOLPH: Anyone else to speak on this  
23 zoning request?

24           PERSON IN AUDIENCE: I didn't hear what you  
25 said.

1 MS. ADOLPH: Anyone else to speak for this  
2 zoning text amendment request? For it.

3 MS. WORSHAM: For it. My name is Melody  
4 Worsham. I live at 6474 Florence Road, Biloxi.

5 And I'd like to read my comments if you don't  
6 mind.

7 But I would like to start with Ms. Adolph and  
8 Mr. Spann, I heard you a minute ago about your concerns  
9 that, you know, walking that fine line and making sure that  
10 you're doing this appropriately and safely in order to do  
11 this.

12 You are the ones blazing the trail here, you  
13 know. That's your job. And I think that's wonderful.

14 One of the things that I've done is I have  
15 followed the legislation since it started. As a matter of  
16 fact, I followed this legislation for five years. And one  
17 thing that I'm sure about is that our legislature consulted  
18 very successful programs in other states and said how do we  
19 make this safe, how do we make this proper, and how do we  
20 keep this with integrity so that we're thinking about the  
21 patients that we're trying to take care of here, the people  
22 who need the medicine that can't handle the chemicals and  
23 the alternatives that are in the pharmaceutical companies.  
24 They can't handle those things.

25 And they have come up with an extremely

1 careful wonderful way for dispensaries to open and operate  
2 so that I, as a patient, I can walk in with integrity.

3           So I'm a Harrison County resident, but I'm  
4 also a mental health worker. And so I serve a lot of people  
5 that have chronic pain and also people who live with PTSD.

6           I'm coming to you today to advocate for one  
7 in four Gulfport residents who live with a chronic  
8 debilitating condition. I'm asking you to adhere to the  
9 spirit of SB 2095 in not creating such restrictions that it  
10 makes it impossible for a dispensary to set up and operate  
11 in a manner that is practical for the sake of patients who  
12 need medical cannabis.

13           One in eight Gulfport residents lives with a  
14 disability. Hundreds of Gulfport residents are battling  
15 cancer. And due to the number of veterans that we have in  
16 this city and those who have endured hardships, 16 percent  
17 of the population of Gulfport lives with PTSD. They suffer  
18 and battle with it every day.

19           Fifty thousand seventy-eight Harrison County  
20 people voted for the medical cannabis program. And as  
21 someone had already mentioned, it's 82 percent. They voted  
22 to have access to the alternative relief for their suffering  
23 besides opiates, anti-psychotics, and other medications with  
24 potentially lethal and debilitating side effects.

25           These are people who are suffering, and

1 Gulfport right now has the opportunity to provide safe  
2 secure access to medical cannabis for all of Harrison  
3 County, not just your city's residents.

4 Right now, Gulfport zoning is limiting that  
5 access to the detriment of suffering patients. As Ms.  
6 Illing just mentioned, there's only one property that even  
7 qualifies for a dispensary according to the zoning that has  
8 been set forth.

9 Imagine if you will a person in Saucier  
10 requiring to drive every single week which is required by  
11 law to the one and only dispensary that's miles away.  
12 Imagine a veteran living with PTSD only given one choice in  
13 this beautiful robust city to purchase their medicine.  
14 Imagine an elderly husband having to drive to a blighted or  
15 industrial area every week to get medicine for his wife with  
16 breast cancer.

17 And then please imagine if you will a head of  
18 household that's able to return to the workforce because his  
19 seizures are no longer controlling his life.

20 That's the difference that we're asking here.

21 I strongly believe that the zoning decisions  
22 -- and it's happening all over the state, there's that  
23 stigma and that understanding and that thought that we've  
24 had of cannabis for so many years that this is something  
25 that hippies do and we just want them to have psychedelic

1 time.

2           Well, I live with PTSD and chronic pain, and  
3 I can assure you, I'm not trying to do that. I'm a  
4 hard-working person, and I serve people every day in the  
5 city, and I am not looking for just a good time here. I'm  
6 looking to be relieved of my pain. I'm looking for relief  
7 in my mind so that I can sleep and I can work well and I can  
8 continue to serve our Gulf Coast residents.

9           It seems illogical that I can purchase  
10 oxycontin and Xanax from a pharmacy inside of a busy grocery  
11 store right by that hotel, by the way, and people don't  
12 think anything less of me. But then suddenly we're nervous  
13 about someone walking into a dispensary that I have to go  
14 into like a jewelry store. You go into one part, I have to  
15 show and verify that I have my card, I qualify to get in and  
16 then the door unlocks for me to go into the next section.

17           And so it's not even having access like a  
18 grocery store pharmacy does. It doesn't even have that  
19 access. It's much more stricter.

20           These are not places with black light  
21 posters. Dispensaries are for veterans, they're for people  
22 fighting cancer, they're for our senior citizens, they're  
23 for people who have been injured on the job, and we have a  
24 lot of industry here, we have a lot of people that have been  
25 wounded and injured from work that suffer in chronic pain.

1 Gulfport should be proud to provide this  
2 service to its residents and neighbors and make every effort  
3 to zone dispensaries the same way that they zone any other  
4 medical or wellness providers in town.

5 The City of Gulfport has the opportunity to  
6 provide dignity to the people who have asked for the medical  
7 cannabis program in the community. And it's just a perk  
8 that the city will benefit economically for doing the right  
9 thing by the 50,000 people who voted for it.

10 I respectfully ask this commission for the  
11 sake of our chronically ill community members to adopt the  
12 zoning ordinances in keeping with the spirit and the  
13 guidelines that are prescribed in SB 2095 Section 20.

14 Thank you so much for giving me your time.

15 MS. ADOLPH: Thank you so much.

16 Anyone else to speak for this?

17 Your name and address.

18 MS. CALHOUN: I'm Angie Calhoun at 10  
19 Canebreak Boulevard, Flowood, Mississippi.

20 I come before you again asking you to please  
21 look into your heart and your mind and to think about what  
22 if it were your child, your loved one, who like my son, like  
23 many of your residents, pharmaceutical drugs were not  
24 working. They were making him sicker. Imagine your child,  
25 your 17-year-old on 17 pharmaceutical prescriptions, some

1 that have lifelong side effects. And you're desperate. You  
2 think that your child is going to die. You'll do anything.  
3 I would have stood in front of an 18-wheeler gladly and let  
4 it run over me to save my son's life.

5           And like I said, I went to another state, and  
6 he eventually moved to gain that quality of life. He takes  
7 one medication, one real medication. The School of  
8 Pharmacy at the University of Mississippi soundly has the  
9 proof and the science to prove that it is a medicine that  
10 helps sick people.

11           And it really, really is bothersome to hear  
12 the naysayers or to think that -- because I did hear things  
13 in the background. But I want you to realize that you're  
14 blocking access of safe clean medicine to your residents, to  
15 your people. And they're going to have to go somewhere else  
16 to get that medication.

17           And it is like Ms. Worsham said, they don't  
18 feel like driving. When my son was at his sickest, I had to  
19 take him everywhere. He could not drive because he, too,  
20 had a seizure disorder. I had to push him into a doctor's  
21 office in a wheelchair.

22           These people need ease of access to get their  
23 medicine. And I'm asking you to please, please -- the  
24 research has been done. Other cities, Oxford, Mississippi,  
25 Pearl, Mississippi, Richland, Mississippi, there are many

1 cities that you can look at their ordinances and look at  
2 that.

3           It's not -- it is new, but it's not rocket  
4 science. This is something that is -- you're delivering a  
5 safe clean legal medicine to your sick people.

6           And I get calls every week from people in  
7 your area along the coastline. Y'all have so many disabled  
8 veterans. And, I mean, they're having to drive somewhere  
9 else. And they are suffering. They have seen the worst of  
10 the worst. And if they have given their time and their  
11 energy and their soul to saving our country so we can be  
12 free, we should be giving them the medical freedom to treat  
13 their PTSD and their pain with a safe legal medicine.

14           So I just please, I ask you to please  
15 reconsider and think about the people that are suffering in  
16 your area and to help make a way for dispensaries to be here  
17 in Gulfport.

18           MR. HEWES: Just a couple of questions.

19           What's the closest dispensary to Gulfport  
20 where people are dispensing medical marijuana?

21           MS. CALHOUN: You know, I work for patients,  
22 and so I would assume that Biloxi potentially could have  
23 one. You know, I don't keep track of all of them. But when  
24 it's made aware to me that a city is blocking access, then,  
25 you know, I do try to intervene because it affects my

1 patients.

2 MR. HEWES: And then another question. Since  
3 y'all mentioned, a lot of people mentioned the veterans, has  
4 the V.A. adopted anything where they could have a medical  
5 dispensary for medical marijuana, or any of the DOD  
6 facilities?

7 MS. CALHOUN: You know, they haven't, sadly.  
8 They refuse to acknowledge that it is true medicine for sick  
9 people. But the University of Mississippi does.

10 MR. HEWES: I think it helps people. But I  
11 just have an issue with the zoning. And that's the concern.  
12 Not whether it works for the right person.

13 I think everybody on this board would  
14 consider the same thing. It's just a matter of zoning.

15 MS. ADOLPH: Anyone else to speak for this  
16 request?

17 Can we get you to fill out a card, sir? Go  
18 ahead and speak, and you can do it afterwards.

19 Can you give us your name and address.

20 MR. FLAGGS: Thank you for allowing me to  
21 come up. I'm Elliot Flaggs. My address is 400 North Point  
22 Parkway, Jackson, Mississippi 39211.

23 So in support of, I simply come with a  
24 question. I understand that it was the City Council's  
25 decision to opt into the -- well, rather the City Council's

1 decision not to opt out when they had the opportunity before  
2 I think the May 3rd date which was in the legislation.

3           So I know this isn't the City Council. I  
4 know this is the planning commission, but just out of  
5 curiosity, what was the intent or do you know what the  
6 intent was behind the City Council's decision not to opt  
7 out, but instead in theory opting in, but yet severely  
8 limiting the availability of locations for dispensaries to  
9 what research has shown as one parcel?

10           So as an attorney, I'm just curious if anyone  
11 knows the intent.

12           Again, I know this is not the City Council,  
13 but just a --

14           MS. ADOLPH: Mr. Flaggs, now, you know we're  
15 private citizens that serve on this planning commission to  
16 make the best decisions that we can. And we dare not, dare  
17 not interpret or try to second guess the decisions of our  
18 City fathers and our Mother because with Ella, I think I'd  
19 be in trouble in terms of their decisions on the City  
20 Council.

21           MR. FLAGGS: Yes, ma'am.

22           MS. ADOLPH: Our decisions are that of  
23 citizenry that make the best decisions that we can in terms  
24 of recommendations that will then go to the City Council.

25           I think Mr. Hugh Keating is back there. And

1 did I say that right, Mr Keating?

2 MR. KEATING: (Indicates yes.)

3 MS. ADOLPH: Thank you, sir.

4 So we can't speak for them at all. We can  
5 only speak for the the minds, the hearts, the expertise of  
6 the citizens that have been appointed to this commission.

7 MR. FLAGGS: Yes, ma'am. And I appreciate  
8 that answer.

9 Again, it was just simple curiosity. Thank  
10 you for your time.

11 MS. ADOLPH: Yes, sir.

12 MR. HANCOCK: Let me just make one quick  
13 question, statement, while you're sitting here. This may  
14 address your question.

15 I don't know, I wouldn't characterize it as  
16 the City opting in and severely limiting locations. When I  
17 look at the chart that the previous lady gave us and the  
18 number of locations, I see that the local, the number of  
19 locations out of 29 that meet the local requirements is 13  
20 of 29, that only nine meet the state requirements.

21 So, to me, that doesn't look like something  
22 that the City is trying to opt out of what the state  
23 intended. Looks like the City of Gulfport is pretty open  
24 and what we voted on is pretty open. So I don't really  
25 agree with what your assessment.

1 MR. FLAGGS: I understand. Thank you.

2 MS. ADOLPH: Anything else, Mr. Flaggs, that  
3 you want to share with us?

4 MR. FLAGGS: That's it.

5 MS. ADOLPH: Please fill that out.

6 MR. FLAGG: Yes, ma'am.

7 MS. ADOLPH: Anyone else to speak for this  
8 request? Yes, sir.

9 MR. FARRIS: Hello. My name is Colton  
10 Farris, and my residence is 1504 Wilhurst Street, Jackson,  
11 Mississippi.

12 And I've become somewhat the cannabis  
13 insurance specialist for, I'd say unofficially, the State of  
14 Mississippi. My agency, we have cannabis clients from  
15 California to Maine and sprinkled everywhere in between, and  
16 I've worked directly with the two that have come before you  
17 today, and I can say that both of them are by far two of the  
18 most professional establishments I personally have the  
19 pleasure of working with.

20 I have, like I said, coincidentally several  
21 of them, of my clients, are all hoping to be in the downtown  
22 area City of Gulfport, and each of them have the same goal  
23 in mind which is to open up a professional run medical  
24 establishment in Gulfport and help make Gulfport a medical  
25 hub for these up and coming cannabis patients.

1                   Now, every single one of my clients that has  
2 come into downtown Gulfport or south of I-10 for that matter  
3 is aware that they're going to have some increased costs  
4 such as property, wind and hail insurance, I'm sure all of  
5 you are familiar with.

6                   My client here today, Southern Roots, for  
7 example, has spent \$36,000 here to date just on insuring  
8 their Hattiesburg, Jackson, and Gulfport locations. Thirty  
9 thousand of that \$36,000 alone has gone to the Mississippi  
10 Wind & Hail pool to their wind and hail insurance on their  
11 property.

12                   Now, I'm also sure that each of you are aware  
13 that this same property was vacant for two years prior to  
14 them purchasing it. No one had even really bat an eye at it  
15 from my understanding.

16                   Well, it's again my understanding that the  
17 City of Gulfport, as well as all the other cities in the  
18 Tier 1 counties, have been working directly with Mississippi  
19 Power on the cultivation side of things where they have  
20 identified six to 12 I think warehouse style facilities that  
21 they have marked as vacant property locations, and a total  
22 cultivations that if you move in and operate out of one of  
23 these marked vacant locations that have been vacant for over  
24 six months that they'll give them 50 percent rebates on  
25 their LED lights and they'll also discount their utility

1 bills for 15 percent for the first two years.

2           Now, neither of my clients here today are  
3 asking for any preferential treatment or any discount on  
4 their bills. They're just simply asking that they can use  
5 their property for the intended purpose of running  
6 professional medical facility and hopefully bringing a more  
7 medical hub to downtown Gulfport.

8           I just think that if you deny this request, I  
9 think it's just going to send a message to all these  
10 cannabis operators that they should go to the next city over  
11 or more north to Hattiesburg or Jackson. There are a lot of  
12 -- the Gulf Coast has been very favorable to cannabis  
13 operators throughout this entire process until downtown  
14 Gulfport in this whole incident.

15           MS. ADOLPH: Thank you. Anything else you  
16 want to share with us, sir?

17           MR. FARRIS: Right now I think that's it.

18           MR. SELLERS: I must ask, you may know, the  
19 same question that Mr. Hewes asked a while ago. Where is  
20 the nearest current operating dispensary to where we're  
21 sitting right now?

22           MR FARRIS: So I don't think -- there's none  
23 open yet is the catch. None of the dispensaries are opening  
24 yet because none of the cultivations have product yet. So  
25 becoming operational right now would be -- it wouldn't be

1 smart business practice to open up with no product. In  
2 fact, a lot of them can't even get a cannabis policy yet  
3 until they have product in the store or going to be  
4 operational within 30 days.

5 Most product will be available come -- it  
6 will be scarce, let's say that -- November through the end  
7 of the year I would say. But November you'll start seeing  
8 probably some product.

9 MR. SELLERS: Are there any that are ready to  
10 open when the product is available?

11 MR. FARRIS: I've not heard of any -- like I  
12 said the -- so the real kicker for most people in doing  
13 business anywhere near I-10 or south of I-10 has really been  
14 an insurance and property issue, again, property being  
15 limited, hard to find, just based on all the rules and regs.  
16 They said there's not a licensing cap. But there is a  
17 licensing cap because the State of Mississippi is only so  
18 big, and a thousand feet here, a thousand feet there will  
19 start dwindling down those properties pretty quickly.

20 But the insurance costs alone operating down  
21 here is astronomically more expensive. And because cannabis  
22 is still federally illegal, you actually can't get insurance  
23 for -- you can't get insurance from a Nationwide or State  
24 Farm or anybody like that because they have exclusions in  
25 their contracts that say, you know, excludes illegal

1 activity. So you actually have to go to specific cannabis  
2 carriers or your options are very much dwindled compared to  
3 if this were a bar or a restaurant or an accounting firm,  
4 anything like that, I could write that policy all day every  
5 day. But things get a lot more complicated and a lot more  
6 expensive when cannabis comes involved.

7 MS. ADOLPH: Mr. Farris, thank you so much.

8 MR. FARRIS: Thank you very much for having  
9 me.

10 MS. ADOLPH: I mean, this is just  
11 enlightening, I'm telling you. I appreciate you, sir.

12 MR. FARRIS: Well, thank you. I appreciate  
13 your time.

14 MS. ADOLPH: Thank you.

15 MR. HANCOCK: I want to ask him more  
16 questions before he leaves.

17 MS. ADOLPH: Before he leaves? Okay.

18 MR. HANCOCK: I heard you say something just  
19 a minute ago that the State Farms and some of the other I  
20 guess bigger outfits won't insure them because of the  
21 illegal activity, but it's legal in the State of Mississippi  
22 now.

23 MR. FARRIS: Yes. So they have the -- it's  
24 pretty much just the fact that they're so big they view it  
25 as we're making so much money over here, I'm going to let a

1 thousand other people get their turn before we even think  
2 about it.

3           And so some of them just don't want to play  
4 ball with them really. I mean, we have more I'd say  
5 Progressive has been the most favorable in coming around.  
6 They're helping insure a lot of the transportation guys, or  
7 at least they're allowing them to get transportation for the  
8 auto and then we provide through a cannabis carrier the  
9 insurance for the cash or the cargo.

10           But they could insure it if they wanted to,  
11 they're just choosing not to. So then you have to go to  
12 cannabis carriers who pretty much have created their own  
13 contractual policies, not traditional policies, their own  
14 specialized policies with specialized wording to make sure  
15 that this stuff is insurable so that they can meet the state  
16 and city guidelines with the general liability and product  
17 liability requirements because the last thing we want is any  
18 operation here or any operation in the state operating  
19 without product liability insurance. I mean, it would be a  
20 nightmare.

21           MR. HANCOCK: So it's really more -- it's not  
22 that they --

23           MR. FARRIS: It's not that they can't.

24           MR. HANCOCK: It's not that it's illegal,  
25 they're just choosing not to.

1 MR. FARRIS: They're choosing to -- they have  
2 such a nationwide umbrella that they're choosing to look at  
3 federal law and not state law. Simplest way to put it.

4 MR. HANCOCK: And in my mind, that's their  
5 mistake. It's better, more business for you.

6 MR. FARRIS: Exactly. Actually it hurts the  
7 cannabis operators. They end up paying what I call a  
8 cannabis tax, and our hope is to get enough of these guys  
9 together that in the end when these guys do come around we  
10 can bundle it and get them better deals whenever those guys  
11 do come about because we do that all the time with, you  
12 know, Liberty Mutual, not State Farm but Liberty Mutual,  
13 Nationwide, those type people.

14 If this were a liquor store, I could do it --  
15 I mean, it would be -- I could teach a monkey how to put it  
16 in a system.

17 MS. ADOLPH: Thank you, sir.

18 MR. FARRIS: Thank you all.

19 MS. ADOLPH: Anyone else to speak for this  
20 request?

21 Yes, ma'am. We'd ask you to fill out a card  
22 when you finish.

23 MS. BONNER: Good evening. Thank you for  
24 your time this evening. My name is Natalie Bonner. I  
25 reside at 1012 Township Road, Gulfport, Mississippi.

1 I am the Director of Minorities for Medical  
2 Marijuana. And I'm also a social equity and inclusion  
3 activist.

4 And I come before you in support of this  
5 amendment asking you to strongly give it your utmost  
6 consideration as a member of the most disenfranchised with  
7 the cannabis industry.

8 One available property just doesn't support  
9 the free enterprise model of our state or our nation. And  
10 it actually impedes and prevents free enterprise for small  
11 business, women owned small businesses, minority business  
12 enterprises to operate in the City of Gulfport, as well as  
13 patients with medical marijuana cards.

14 Mr. Hancock consistently asked where will  
15 citizens be able to get the medicine, their medicine, where  
16 is the closest dispensary, and that question has not been  
17 answered. No one knows. And that question will continue to  
18 be posed because of the lack of available spaces in the City  
19 of Gulfport.

20 The current zoning is restrictive and further  
21 impedes access in my opinion to those most disenfranchised  
22 communities. And when I say that for those who aren't  
23 aware, a disenfranchised community member, such as myself,  
24 are greatly impacted by the failed war on drugs.

25 So we are impeding access to medicinal medicine

1 for the State of Mississippi, and by adopting this amendment  
2 you will create an opportunity for jobs for those  
3 communities that have been harmed by the war on drugs.

4 More dispensaries within the city is not only  
5 about patient access, as Ms. Melody and Ms. Angie Calhoun  
6 has mentioned, but it's also about access to jobs for people  
7 in our community, access to medicine for people in our  
8 community, and, for me, that access is very important for  
9 those people of color.

10 I would like to also help you to understand  
11 that if this was something labeled an apothecary, this would  
12 not be an issue. When you look at the raw definition of  
13 apothecary, it's a place where medicine is made and  
14 dispensed. A medical marijuana dispensary falls within that  
15 same definition. It's a place where medicine is made and  
16 dispensed. People can get jobs there which helps to benefit  
17 the community.

18 By adopting the zoning text amendment, you  
19 are allowing Southern Roots Therapy to open up a business  
20 that will employ our local citizens. And those citizens,  
21 because they have a very robust social equity plan as part  
22 of their business operation, it's going to allow the  
23 disenfranchised community to participate in the industry  
24 that is heavily regulated and also heavily represented by  
25 people who don't look like the disenfranchised. But we all

1 know that our incarceration system is heavily represented by  
2 the disenfranchised.

3           So I really implore you to really give this  
4 your utmost consideration. It will not bring any additional  
5 crime to the city. It's actually going to help patients and  
6 make this medicine more accessible, as well as create  
7 employment. And as Ms. Illing's presentation to you showed,  
8 the revenue that it will bring to the city. And part of  
9 that revenue is because of employment opportunities, not  
10 only by Southern Roots Therapies, but other dispensaries  
11 that are going to come to the city.

12           So that is what I'd like to present to you as  
13 part of your consideration is not the harm, and I know this  
14 isn't about the plant itself, but it's about the opportunity  
15 by adopting this amendment that will help people that look  
16 like me with access and employment.

17           And that's all that I'd like to speak, to  
18 say.

19           MS. ADOLPH: Thank you, Ms. Bonner. Thank  
20 you, ma'am.

21           Anyone else to speak for this zoning  
22 amendment?

23           Yes, sir. You were gracious enough to let  
24 the lady speak.

25           MR. PETTEY: I'm Bill Pettey. My address is

1 1225 31st Avenue, Gulfport, Mississippi.

2 Just speaking strictly to, just two short  
3 comments to make about this.

4 Number one, I am two doors down from the  
5 location where this is seeking to be located and wanted to  
6 express to the commission that speaking at least on behalf  
7 of myself that I have absolutely no objection whatsoever and  
8 welcome that to the neighborhood. Would be a great  
9 improvement to the neighborhood.

10 And secondly, as a property owner in the  
11 neighborhood, to describe for those who may not be familiar  
12 on exactly where this is located. It is cater-corner  
13 directly across the street from physicians offices and an  
14 outpatient surgical clinic. Therefore, at least in my  
15 opinion, it would be a perfect fit for the neighborhood.

16 And for those reasons, I would just recommend  
17 that it would be approved.

18 MS. ADOLPH: Thank you, Mr. Pettey, for the  
19 clarification.

20 MR. DAIGLE: Could I ask him one quick  
21 question?

22 MS. ADOLPH: Yes.

23 MR. HANCOCK: So what we're doing here it  
24 looks like changing what we approved a month or so ago to  
25 include among others R-B. So we're not really approving

1 specific locations, but more changing the zoning but you  
2 spoke about one in particular. What's the address of the  
3 one you're talking about?

4 MR. PETTEY: The address, I think it's -- is  
5 it, what? -- 1301? 1301 31st Avenue which is two doors  
6 north of my property.

7 MR. HANCOCK: 31st Avenue?

8 MR. PETTEY: That's correct. It's what used  
9 to be the old St. Matthews Lutheran Church, that property.

10 Thank you.

11 MS. ADOLPH: Thank you, Mr. Pettey.

12 Anyone else to speak for this request?

13 Anyone else to speak for this request? Anyone to speak for  
14 this request?

15 Anyone to speak against this proposed text  
16 zoning amendment?

17 MR. BRIGHT: Good evening. My name is Howard  
18 Bright, 1213 31st Avenue, Gulfport.

19 We all know the old saying, location,  
20 location, location. And I've heard a lot of these people  
21 speak. None of them live in that neighborhood in that close  
22 proximity.

23 Mr. Pettey owns a house there. That thing is  
24 a piece of shit.

25 MS. ADOLPH: Sir.

1 MR. PETTEY: It's falling down. It needs to  
2 be torn down. Excuse me, I'm sorry.

3 MS. ADOLPH: Yes, sir.

4 MR. BRIGHT: That house is a complete eyesore  
5 to our total neighborhood. People have complained about it  
6 constantly. And it hasn't achieved anything.

7 There's also in that area eight to nine  
8 airbnbs. Most of those people aren't here. They only live  
9 there part-time.

10 How is this going to affect them and their  
11 business and their livelihoods when somebody goes to a GPS  
12 to rent this airbnb and they see, oh, my kids are going to  
13 be staying next to a medical marijuana facility. They're  
14 not going to come.

15 These people have worked on those houses,  
16 bought them, rebuilt them, cleaned them up, cleaned the  
17 yards up to make part of their livelihood off of that, and  
18 they're going to be introduced to some situation like this.

19 Another point I'd like to make is there is no  
20 way that I believe that there's no locations in the City of  
21 Gulfport that can support this legally. There's plenty of  
22 vacant lots in commercial areas, industrial areas. You can  
23 go to some of these malls, there's empty storefronts. Now,  
24 whether they would fit into the zoning, I'm not really sure.  
25 But I do not believe unless they showed me a map that they

1 checked every property for sale or available in Gulfport  
2 that could not support this business.

3 To get back into, okay, so there's emotional  
4 speakers, and I feel sorry for these individuals. But,  
5 okay, we'd have nothing left, so maybe I'll put one in your  
6 subdivision. I'd run it out of my basement. Is that  
7 acceptable?

8 You have zoning laws. We need to stick to  
9 them.

10 I think that's about all I have to say.

11 MS. ADOLPH: Thank you, Mr. Bright.

12 MR. BRIGHT: Thank you.

13 MS. ADOLPH: Anyone else to express their  
14 discontent?

15 MR. HENDERSON: How y'all doing? My name is  
16 Ken Henderson. I live at 1212 32nd Avenue.

17 I also would like to ask Mr. Pettey, first of  
18 all, you don't live there, and it would be great if you'd do  
19 something with your house.

20 In the last two --

21 MS. ADOLPH: (Pounds gavel)

22 MR. HENDERSON: I'm sorry, ma'am.

23 MS. ADOLPH: Now, we will not have --

24 MR. HENDERSON: I'm sorry, ma'am.

25 In the last two years, I've spent --

1 MS. ADOLPH: -- inappropriateness. And we're  
2 not going to have this.

3 MR. HENDERSON: I'm so sorry, Ms. Virginia.  
4 My bad. So sorry.

5 I want to say that I'm not against medical  
6 marijuana. I was one of the 82 percent that actually voted  
7 for it.

8 I don't want it in my back yard. I have four  
9 children. I just put a couple of hundred thousand dollars  
10 into remodeling a house, and I'm directly behind it in the  
11 alley. I own two properties, as a matter of fact. I bought  
12 one about six months ago that is also there, an investment  
13 property on 12th, 3116.

14 Owning multiple properties there, it's a very  
15 big concern. It's a residential area. It's a lot different  
16 than the motel or the hotel. But it's a big deal.

17 Would you want it in your back yard is all I  
18 can say to you guys.

19 I don't think you would.

20 I hate that these folks -- this property was  
21 -- it's been vacant for two years since the church moved.  
22 It was actually purchased, and the gentleman wanted to make  
23 it a wedding venue. And he came before you guys, and I  
24 think it was shot down. He had to go jump through some  
25 hoops. But then his wife ended up getting a position in Las

1 Vegas with -- a very good job with one of the casinos, and  
2 they moved. And they sold this property to these folks.

3 So, yes, there's some half-truths there.

4 Again, I'm not anti-cannabis. This isn't  
5 about pro or anti. This is about opening a cannabis  
6 dispensary in a 100-year-old residential neighborhood that  
7 was a church just two and a half years ago. Okay? And  
8 that's tongue in cheek. I don't know.

9 I apologize so much for what I did. I  
10 apologize. But when you care about your property and you  
11 care about where you live, ma'am, and you see a house that  
12 is blighted or you see someone coming in and you just want  
13 to fight for it. And I apologize.

14 So, please, all of y'all, accept my apology.

15 MS. ADOLPH: We do, indeed.

16 MR. DAIGLE: Hold on a second.

17 MR. HENDERSON: I know that, sir.

18 MR. DAIGLE: I have a question. I'm --  
19 because it was mentioned earlier, and I'm trying to figure  
20 out. This is a zoning text amendment where they're trying  
21 to -- the case being made is that they want to amend the  
22 text for it to be legal to be able to sell in B-1 and R-B.

23 Am I correct on that?

24 Why do we keep hearing about a specific  
25 properties? This is the second time St. Matthews Church has

1 been brought up.

2 MR. HENDERSON: That's the property that  
3 they're in, sir.

4 MR. DAIGLE: Who?

5 MR. HEWES: I don't think he understands what  
6 was asked.

7 This is not about the property. This is  
8 about city zoning.

9 MR. DAIGLE: But we keep hearing about a  
10 specific property. So I'm curious is there something else  
11 going on, if there's already some sort of an agreement that  
12 we're not aware of, or something going on where they're  
13 trying to change this to suit a specific property that's  
14 already been bought, being operated out of in some form or  
15 fashion.

16 MR. HENDERSON: You're asking me --

17 MR. DAIGLE: I am asking you.

18 MR. HENDERSON: -- if they're operating out  
19 of it?

20 MR. DAIGLE: No. I'm asking you is there  
21 something else that you know of that -- because you're the  
22 second person to mention this specific property.

23 MR. HENDERSON: Forgive me. I want to make  
24 sure I'm clear. What you're asking, sir, is if I realize  
25 that this is -- this is a zoning -- yeah, they're trying to

1 amend the 500 foot regulation so they can have it zoned as  
2 eligible to sell cannabis, that's correct.

3 MR. DAIGLE: No.

4 MR. HENDERSON: Okay.

5 MR. DAIGLE: They're trying restate the text.  
6 So the text now does not allow them to operate in R-B and  
7 B-1.

8 MR. HENDERSON: Okay. Yeah, the're trying to  
9 restate --

10 (Talking over each other.)

11 MR. HENDRSON: Yeah. They want to make it a  
12 right of ownership versus a planning commission issue. Is  
13 that correct?

14 MR. DAIGLE: That it's guaranteed by right  
15 that they can operate in R-B or B-1. But you're referencing  
16 a specific property, you said would you want them --

17 MR. SELLERS: I think I may possibly clarify  
18 that.

19 MR. DAIGLE: Go ahead, please.

20 MR. SELLERS: And I recommend, I suggest that  
21 we bring the lady from Southern Roots back to discuss this  
22 because she's actually the one that brought this  
23 application. The site he's talking talk about I think is  
24 Southern Roots site is my understanding.

25 MR. HENDERSON: The next issue that we're

1 going to be hearing after this is also a Southern Roots  
2 issue where they're seeking to split the property so that --

3 MS. ADOLPH: Mr. Henderson, we can only  
4 address this issue right now. Okay?

5 MR. HENDERSON: Oh, I'm sorry. We'll wait  
6 for that one. I'm sorry. I'm excited. I like being up  
7 here.

8 MS. ADOLPH: And we appreciate as a citizen  
9 your passion, believe me.

10 MR. HENDERSON: Well, it's my home.

11 MS. ADOLPH: Well, just hold it a little  
12 back.

13 MR. HENDERSON: I can pull the reins back.

14 MS. ADOLPH: Pull it in.

15 MR. HENDERSON: Sorry, ma'am.

16 MS. ADOLPH: Thank you, sir.

17 Anyone else to speak against this? And we  
18 need your card.

19 MR. HANCOCK: Can I say something?

20 MS. ADOLPH: Yes.

21 MR. HANCOCK: So just to clarify on why we  
22 had to gavel earlier I think is because you're not allowed  
23 to address people in the audience. You have to address the  
24 commission. That was the mistake he made. So just to  
25 clarify that.

1           So my question, and this may clarify his  
2 comments, is to Greg, and that is: I think what we're  
3 getting at is if we add the additional zones by approving  
4 this measure, then they won't have to come back before the  
5 commission to open dispensaries in these additional zones,  
6 just like they wouldn't have to open or come back here and  
7 get our approval to open a dispensaries in the two that  
8 already exist. Is that right?

9           MR. HOLMES: Correct. They would be allowed  
10 by right.

11           MR. HANCOCK: Okay. And then another  
12 question for you that was a little bit confusing --

13           THE COURT REPORTER: Can you talk into your  
14 microphone? I'm having a problem hearing.

15           MR. HANCOCK: Sorry about that.

16           Another question that's a little bit  
17 confusing for me is does this change the 500 foot  
18 requirement? One of the zones is R-B, so you're going to be  
19 right in the middle of residences if we were to approve this  
20 measure that includes R-B. So would this add R-B and they'd  
21 still have to be 500 feet from a residence, or does that  
22 eliminate the 500 feet?

23           MR. HOLMES: It's my understanding that they  
24 want to add the R-B, B-1, and the remove the 500 feet.

25           MS. ADOLPH: Can you speak a little louder,

1 Mr. Holmes? We can't understand.

2 MR. HOLMES: I'm sorry. I'm not a loud  
3 person, but I can try.

4 MS. ADOLPH: I know.

5 MR. HOLMES: It's my understanding that  
6 they're requesting to add this use in B-1 and R-B and remove  
7 the 500 foot distance requirement.

8 MR. HANCOCK: Okay. Is that listed in this  
9 request somewhere? I didn't see the removal of the 500 foot  
10 requirement.

11 MS. ILLING: (From audience) I'm sorry, that's  
12 not the intent.

13 MS. ADOLPH: Wait, Ms. Illing. One moment.

14 MR. HANCOCK: We'll get you back.

15 MR. COLA: My name is Gordon Cola.

16 MS. ADOLPH: Wait one moment. Let us finish  
17 this to the staff.

18 MR. COLA: Oh, y'all looked at me.

19 MR. HOLMES: According to the information you  
20 guys submitted, that's the request. You'd have to clarify  
21 from the applicant if they want to amend that. But based on  
22 information that we got, that's what the request is.

23 MR. HANCOCK: So the request is to add the  
24 zones but not to eliminate the 500 foot requirement? Or the  
25 request is to eliminate the 500 foot requirement?

1 MR. HOLMES: The way it's written in there  
2 instead of it being planning commission approval for 500  
3 foot, it's an R to be by right. So that would make it that  
4 you don't need planning commission approval if you're within  
5 500 feet of residential use.

6 PERSON IN AUDIENCE: Please speak up.

7 MR. HANCOCK: So you would have to -- they  
8 would still have to get approval from the planning  
9 commission and --

10 MR. HOLMES: They would not.

11 MR. HANCOCK: Oh, they would not?

12 MR. HOLMES: Right.

13 MR. HANCOCK: Okay.

14 MS. ADOLPH: So at this point for clarity  
15 purposes, would you stand up and say that again? Because I  
16 know that everyone didn't hear what our expert said coming  
17 from the city.

18 MR. HOLMES: Based on the information that  
19 was submitted to us, they're removing that requirement for  
20 it to be within -- to be planning commission approval within  
21 500 feet. In the chart, it's listed as P which is planning  
22 commission approval. What was submitted to us has an R for  
23 right. So the request is for it to be by right.

24 MS. ADOLPH: By right. So they -- it would  
25 not have to come before planning for any additional

1 ventures --

2 MR. HOLMES: Correct.

3 MS. ADOLPH: -- in our city.

4 Thank you, sir, for the clarity.

5 Anything else for our experts right now?

6 MR. HANCOCK: No.

7 MS. ADOLPH: Sorry, sir.

8 MR. COLA: No problem.

9 MS. ADOLPH: Could you state your name and  
10 your address.

11 MR. COLA: Yeah. My name is Gordon Cola,  
12 C-O-L-A. I've lived at 1123 32nd Avenue for 36 years. No,  
13 I'm sorry. For 30 years, I'm sorry. Thirty years, after  
14 Katrina and before Katrina.

15 This is a historical residential  
16 neighborhood. My house is 112 years old with several other  
17 houses that are 100 plus years old that people have sunk  
18 hundreds of thousands of dollars in.

19 We are trying to hold this neighborhood  
20 together, even though we have several vermin in our  
21 neighborhood, and that's a nice way to say it.

22 We have our own problems. And we are  
23 sticking together as a neighborhood to try to solve those  
24 problems without the city's help. We have pleaded to the  
25 city.

1 I don't know if I'm speaking proper on the  
2 agenda here tonight, but as far as I know, they want to put  
3 this dispensary at that location of the old church.

4 I don't have a problem with legal marijuana  
5 or medical marijuana. This is America. Do what you want if  
6 it makes you feel good as long as you don't hurt anybody.  
7 If it's your medicine, it's good.

8 But in that location, I feel it's bad.  
9 There's plenty other locations in this city and the Gulf  
10 Coast.

11 We already have a gas station, a Chevron  
12 station, right there two blocks from me, one block from  
13 where the supposed site is going to be, that causes major  
14 chaos in that neighborhood.

15 We don't need anything to attract any other  
16 type of element in that neighborhood because once me and  
17 other people leave that neighborhood, that neighborhood is  
18 gone. It's over with. It will be nothing but rentals. And  
19 Gulfport don't need any more rentals. They need home  
20 ownership. They need people to invest.

21 So please do not allow that business to go at  
22 that location. There are other locations in this area for  
23 that.

24 MS. ADOLPH: Is there anything else you want  
25 to share with us pertinent to this right now?

1 MR. COLA: No. I'm just saying, you know, I  
2 mean, I'm proud of my house. Like I said, it's 112 years  
3 old.

4 MS. ADOLPH: It's beautiful. I got one of  
5 those.

6 MR. COLA: Please don't push me out of the  
7 neighborhood. My house was built before this dispensary,  
8 and this dispensary will be built close to my house.

9 That's all I have to say.

10 MS. ADOLPH: Thank you for coming to talk to  
11 us as a citizen. Thank you.

12 MR. COLA: All right. Thank you.

13 MS. ADOLPH: Anyone else to speak against  
14 this request? Anyone else to speak against this request?

15 MR. FOSTER: Good evening. My name is Jim  
16 Foster. I live at 816 Lewis Avenue in Gulfport. That's the  
17 West Side.

18 So I'm here to speak against this text  
19 amendment because, as I understand it, it will affect the  
20 West Side in the Smart Code district by allowing what  
21 currently is allowed through planning commission approval in  
22 a T4+, a T5, and it appears to me also a T6 generally to be  
23 allowed by right instead of planning commission approval.

24 And so I believe that the reason that these  
25 are currently by planning comission approval is because the

1 intent is to get input back from the community so that you  
2 folks can make a deliberative decision as to whether that  
3 would be appropriate use in that particular area or not.

4           And if these are changed by right, then  
5 that's exactly what's going to happen. They're going to go  
6 in in those areas without any consideration of what the  
7 neighborhood particularly thinks.

8           And I know it wasn't intended, but there's  
9 been a lot of discussion about the next agenda item which is  
10 currently a planning commission approval. If it was to be a  
11 medical marijuana dispensary, it would be planning  
12 commission approval and would have to come before this body  
13 and you've already heard a number of people are opposed to  
14 that.

15           If the proposed change were to be enacted,  
16 they could withdraw that request right now because it would  
17 be allowed there by right.

18           So I would just urge you, I think you've got  
19 a good set of rules to go by right now, and I would urge  
20 you to not approve this text change amendment.

21           And that kind of leads me to, you know, why,  
22 why would you want to change that from planning commission  
23 approval to a by right, especially something new like this  
24 which we have no idea how it's going to impact the  
25 communities when these dispensaries are opened.

1           It seems to me that the reason, the why, the  
2 answer is because they do want to take out that public  
3 feedback of whether it's right for this particular area,  
4 this particular location or not. And it would be a by  
5 location decision since these would be by right.

6           So that pretty much sums it up. And I do  
7 appreciate you all. This is why they call it a thankless  
8 job, I guess.

9           MS. ADOLPH: Thank you, Mr. Foster.  
10 Appreciate it.

11          MR. FOSTER: Thank you. Questions?

12          MS. ADOLPH: Anyone else to speak against  
13 this?

14          MR. MCCOWN: Good evening.

15          MS. ADOLPH: Good evening.

16          MR. MCCOWN: First, let me try to clear up a  
17 little bit --

18          MS. ADOLPH: Your name and address.

19          MR. MCCOWN: Jeff McCown, William J. McCown,  
20 702 Camp Avenue, in the West Side.

21           Let me try to clear up a little bit of I  
22 think some confusion because there's several speakers that  
23 have spoke on Item Number 10 in your agenda when what we're  
24 focused on is Item Number 9.

25           And how did that come to be?

1 Well, Item Number 10 mentions a specific  
2 address, and apparently there's some community knowledge.  
3 How did I learn about Item Number 10? It's because that  
4 address was mentioned in the application for Item Number 9.  
5 This 1301 31st Avenue is the address that I believe Ms.  
6 Illing referred to as the only one that accepted their offer  
7 out of three possible offers that they made.

8 So I'm not trying to speak on Item Number 10  
9 because we're focused on Item Number 9 which is a zoning  
10 amendment.

11 MS. ADOLPH: Thank you, sir.

12 MR. MCCOWN: Okay? But I believe that's  
13 exactly how we got some input on Item Number 10 a little  
14 early here.

15 With regard to Item Number 9, a zoning text  
16 amendment, part of the application that I saw comes from  
17 this Chart of Permitted Uses. I ran a copy of one specific  
18 page here. And this is along the lines that Jim Foster, the  
19 person just before me, mentioned. It appears that some  
20 things in here that are currently listed as planning  
21 commission approval with a P designation are hand modified  
22 with an R for by right, including the question around  
23 whether this 500 feet within a residential would be affected  
24 by this. And if that was voted on and approved as a by  
25 right, I believe what I heard, what I thought before I came

1 here anyway, was that that would essentially remove that 500  
2 feet within a residential situation from a requirement.

3 Well, in doing so, that means that people  
4 would not be able to come and voice any kind of approval or  
5 disapproval should a specific address, like Number 10, in  
6 the agenda come up as for discussion. And by removing the  
7 input of the community, that's exactly the wrong way that  
8 this whole zoning situation with regard to the dispensary  
9 was set up.

10 So I've heard that this is a fairly new  
11 section having to do with a new use, and I've heard how it  
12 was set up. I've heard that there are more city locations  
13 that would be permissible by the conditions than what the  
14 Mississippi state conditions would allow. I believe I heard  
15 that correctly.

16 MR. HANCOCK: Correct.

17 MR. MCCOWN: From that, it appears to me that  
18 this is a zoning issue, number one, that the request is to  
19 make things by right rather than planning commission  
20 approval, number two, and that my personal opinion that that  
21 would be the wrong direction, especially given that it's a  
22 new use where public input should be on a location specific  
23 situation be allowed.

24 That's the nature of my request tonight, to  
25 disallow this zoning text amendment. I don't know if

1 there's other situations in here that I may have overlooked.  
2 I'm specifically referring to this one that I saw the pencil  
3 marks on that changed planning commission approval to by  
4 right.

5           If there are others in the definitions or  
6 otherwise, I'm not sure about the cannabis dispensary use,  
7 but I'm really against anything having to do with removing  
8 public input to the planning commission.

9           MS. ADOLPH: Thank you, sir.

10           Anyone else to speak against this text  
11 amendment? Anyone else to speak against this? Anyone else  
12 to speak against this measure?

13           Yes, sir. Take your time.

14           MR. CAMERON: You have to forgive me. I'm  
15 blind, so it's difficult to maneuver.

16           MS. ADOLPH: Take your time. Take your time.

17           MR. CAMERON: My name is Drew Cameron. My  
18 family has owned the property at 1219 31st Avenue since  
19 1947. My family has lived there, different members of my  
20 family have lived there.

21           I hate to see a facility of this nature go  
22 into this residential neighborhood. They're talking about a  
23 500 foot boundary from the actual dispensary if that's what  
24 that's going to be.

25           Our home is 225 feet from this facility. You

1 have four other residential homes in approximately that same  
2 distance, way less than 300 feet.

3 I hate to see the scope of the neighborhood  
4 change like this. I, like so many others, don't have a  
5 problem with medical marijuana.

6 What I have a problem with is locating this  
7 facility in a residential neighborhood. It's true, we do  
8 have Memorial's Outpatient Surgical Center, as well as  
9 medical offices, right there.

10 I have talked with a doctor who practices in  
11 that medical clinic. He said, Drew, I am not against  
12 medical marijuana. He said, I am for it but this in my  
13 opinion is not a proper location to locate this facility.

14 Since CSX closed the railroad crossing there  
15 at 31st Avenue, it's a dead-end, if you will. There is not  
16 a lot of parking around this property except for the Gulf  
17 South or Memorial Outpatient Surgical Center which is  
18 directly across the street. I'm afraid if you have a lot of  
19 people coming in here seeking medical assistance through  
20 cannabis it's going to create a problem for them.

21 But it's also going to create a problem on  
22 the street. There's very, very little parking. Our lot is  
23 a 25 foot lot. It's part of Original Gulfport. They don't  
24 build them like that any more I don't think. But that's an  
25 issue.

1           The house immediately south of us stayed on  
2 the market for over 12 years because there was no parking.  
3 It had been a pediatric cardiologist's office. And I don't  
4 know what he was thinking when he bought that place but  
5 there are two parking spots out front and maybe four in  
6 back.

7           Prior to that, it was a law office with 16  
8 attorneys, secretaries, receptionist. They had to move out  
9 because after they bought it they realized there's no  
10 parking here.

11           So one of the issues for us is what happens  
12 to the parking. We've got one space in front of our house.  
13 That's it. Most people own two cars. We can't park in the  
14 back because people when they come they choose to park in  
15 front.

16           I just don't think our neighborhood can  
17 survive the number of people that would be coming into a  
18 proposed dispensary there.

19           The other thing is several years ago, we had  
20 a hookah bar just on the other side of the doctors' offices  
21 over there. About 3:00 a.m. one morning, we heard -- we  
22 were woken up by three shots. People came out of the hookah  
23 bar to rob a guy shooting three times, left him for dead.  
24 As we understand it, they got \$20 out of it.

25           Medical marijuana, I'm sure, is much, much

1 more valuable than that. If they put that in there, I'm  
2 worried about security. Someone has spoken to the issue of  
3 security in there, and it would be properly supervised.  
4 But, you know, you're going to have to convince me of that  
5 if it goes in there.

6 I'm really concerned about that there will  
7 probably be robberies, holdups, shootings. I don't know  
8 that. I can only suppose. But it does cross my mind. I  
9 have a very big concern about that.

10 I would appreciate it if you would not allow  
11 this in a primarily residential neighborhood. We've got  
12 five houses right there on 31st Avenue just immediately  
13 south of this facility. You have other homes on 32nd Avenue  
14 that people have talked about. It's residential. It's not  
15 something that would be -- I can't imagine any pharmacy  
16 locating in there. Just it doesn't make sense.

17 But at any rate, that's my opinion. I  
18 appreciate your time. Thank you for hearing me.

19 MS. ADOLPH: Thank you, Mr. Cameron. Thank  
20 you.

21 Anyone else to speak against this? Anyone  
22 else to speak against this zoning text amendment?

23 MR. DIX: My name is Brian Dix. My address  
24 is 23920 Stablewood Drive, Pass Christian, Mississippi.

25 I appreciate y'all's time this evening.

1 I'm a physician. I've practiced in Harrison  
2 County 29 years. I'm an anesthesiologist. I know a little  
3 bit about opioids. I also deal in chronic pain management.  
4 I deal in opioid interventional treatment. We do a lot of  
5 it right down the street. Gulf South Outpatient Surgery  
6 Center with Memorial Hospital is renting that property now.

7 I am not opposed to medicinal marijuana. I  
8 have a lot of patients I see in my office who are on  
9 medicine marijuana, and they get it at other areas.

10 I am opposed to the zoning change because if  
11 you all change this zone tonight, it's going to allow a lot  
12 of other people to put these in a lot of places that you  
13 might not otherwise want them.

14 I'll just leave it at that. I agree with the  
15 last two people ahead of me who spoke very eloquently. If  
16 it does pass, I'll be back to speak on the next issue.

17 Thank you for your time.

18 MS. ADOLPH: Thank you, Dr. Dix.

19 Anyone else to speak against this zoning text  
20 amendment?

21 I have recognized you to come back and give  
22 some clarity as the author presenting this.

23 MS. ILLING: Thank you.

24 So just to clarify, yes, per the application,  
25 the property that is intended to be leased for the

1 dispensary and the property where the state has awarded a  
2 license is at 1301 31st Avenue. That is zoned T4+ which,  
3 you know, as illustrated by the clinics on the street is a  
4 zoning that is commercial. It is a zoning that allows for  
5 medical facilities to operate.

6           So that zoning extends to 32nd, and then up  
7 north of the railroad tracks a couple of, one or two blocks  
8 north of the railroad tracks.

9           That is a transect zone that from my research  
10 through public record request was established to create  
11 hybrid uses so that downtown Gulfport could be a vibrant  
12 place to live and work, a place where someone could choose  
13 to live downtown and be able to walk to go out to eat and  
14 walk across the street to see their doctor or go to their  
15 pharmacy.

16           So it is a commercial zone. And the -- that  
17 is not especially relevant to this particular request which  
18 is about the text amendment generally. And I think there  
19 might have been -- well, a little misunderstanding, but I  
20 certainly would -- I would support -- I would be happy if  
21 the commission did support adding the zones by commission  
22 approval.

23           These additional zones that are being  
24 requested including T4+ and T5, they, you know -- if those  
25 zones were to include planning commission approval, I think

1 that is very warranted because, you know, I trust that  
2 you're the body that has the best interest of the city at  
3 heart and is able to make determinations on a case by case  
4 basis.

5 MS. ADOLPH: Thank you for the clarity.  
6 Thank you.

7 MR. DAIGLE: So, before you go. I'm sorry.

8 I guess I'm not understanding what your --  
9 because now you're talking T4+ and T5, and, Greg, what I'm  
10 understanding is that the application is to include B-1 and  
11 R-B. Is that correct?

12 MR. HANCOCK: No. There's a list of about  
13 eight of them. It's on Page 215 of your packet. Currently  
14 in the existing regulations of B-2 and B-4, what they want  
15 to add is in addition to B-2 and B-4, they want to add B-1,  
16 R-B, T4+, T5, and T6. Is that correct?

17 MR. LONG: Do you want me to speak on this?

18 MR. DAIGLE: Please.

19 MS. ADOLPH: I think you have to trade now.

20 MS. ILLING: Thank you.

21 MS. ADOLPH: And who are you?

22 MR. LONG: I'm Cory. My name is Cory Long.  
23 I work for the City of Gulfport, staff member, 1410 24th  
24 Avenue, Gulfport, Mississippi.

25 If you look through her application, one of

1 the things in there is the ordinance that was actually  
2 passed by the planning commission and then by the City.

3           One of the items that she wrote on there, one  
4 of the definitions was a strike-through on any use that is  
5 specific to the T zones. Okay? So that was allowed to  
6 stay, the T zones were allowed to stay. But there were some  
7 modifications to that under her request to open up the T  
8 zones.

9           So right now you're only allowed in the B-2,  
10 B-4 zones for medical cannabis dispensaries. So her request  
11 is going to allow the zones to jump to a B-1 and an R-B. In  
12 addition to that, the equivalents to those in Smart  
13 Code/Hybrid Code, which would include T4+, T5, T6.

14           So if you look at the maps under the request  
15 -- sorry, Mr. Spann, I'm sorry to have to pivot you around.  
16 This map is actually in your packet. It's just we zoomed in  
17 on the locations to help you see them a little better.

18           The green zones are the areas that are  
19 currently allowed for medical cannabis dispensaries.

20           Now, that area right there in the southwest  
21 corner is deceptive because a lot of that is city owned  
22 property. But ultimately I believe that turned into about  
23 13.8 percent of the city for just the B-2 and B-4 for  
24 medical cannabis dispensaries.

25           And, Greg, if you don't mind moving through

1 the slides because this jumps from quadrant to quadrant of  
2 the city, assuming I-10 and Highway 49 create a quadrant.

3           So the northeast quadrant of the city, you would  
4 see where these zones could potentially open up. And, yes,  
5 it includes some of the areas along eastern Dedeaux Road, a  
6 little bit further north along 605, Florence Gardens  
7 potentially, and Three Rivers Road.

8           Greg, if you don't mind, please.

9           And then you get to the southeastern quadrant  
10 of the city, and then you see where the T zones scatter  
11 along Pass Road, all the way down 605 to Highway 90. And  
12 then back toward the downtown area, if you don't mind one  
13 more time, Greg, please, you'll see that it opens up onto  
14 downtown, 20th Street heading west, and then potentially  
15 some areas of West Side.

16           That being said, her request was by right..  
17 That was her request for that. But the planning commission  
18 has the authority to modify that request to planning  
19 commission approval, special exception, allowed in certain  
20 zones and not allowed in certain zones. It is within your  
21 latitude the way I understand it. Greg, is that correct?

22           That's the way I understand it's within your  
23 latitude. I was just up to provide information for you guys  
24 to help you make a better decision.

25           MR. DAIGLE: Thank you.

1 MS. ADOLPH: Any other questions of Mr. Long?

2 Thank you.

3 Commissioners, you've heard the discussion.

4 MR. HANCOCK: Let me ask another question. I  
5 think I've already convinced myself of what the answer is.

6 But typically when there's a zoning text  
7 amendment, in the years that I've been here, that's always  
8 been brought to us by the city. I don't recall a time when  
9 the zoning text amendment has been brought to us by someone  
10 other than the city.

11 MR. SELLERS: I agree with that.

12 MS. ADOLPH: I agree.

13 MR. HANCOCK: And it even says it was -- this  
14 is why I was confused because if I'm reading the agenda, it  
15 says zoning text amendment PC 171 by Lauren Illing, City of  
16 Gulfport.

17 She's not with the City of Gulfport. So I'm  
18 not sure why it says that. This is somebody outside of the  
19 city, outside of the administration, that's bringing this to  
20 us. I don't think I've seen that before. Am I correct?

21 MR. SELLERS: I'd agree. I don't think in  
22 all the time I've ever seen that either, to my recollection.

23 MR. LONG: Cory Long again, staff.

24 So during the records search that I was doing  
25 this, I actually have found that there's been several

1 instances of this historically. It has not happened in the  
2 relatively recent past. But when you get back historic and  
3 you fall back about eight, ten years, even before I started  
4 with the planning office, I found that there are some  
5 records of other people requesting zoning changes.

6 And so it's well within the applicant's  
7 right. If I made a mistake on the legal description, it was  
8 mostly probably because it's a City of Gulfport ordinance,  
9 and there may have been some misreading on my part. But it  
10 is our ordinance that the applicant is requesting to amend.

11 MS. ADOLPH: If that is the case, Mr. Long,  
12 could it be designated as a citizen of the City of Gulfport  
13 rather than saying just City of Gulfport which then presents  
14 a lack of clarity for us as commissioners.

15 MR. LONG: I understand. That's all I can do  
16 really is apologize on that. Just like everybody else,  
17 we're hit with a lot of cases. So all we can do is our  
18 best.

19 MS. ADOLPH: Okay. Not complaining. You do  
20 a good job.

21 MR. HANCOCK: I'll also point out this real  
22 quickly that this is -- we passed a plan in this body within  
23 the last few months, and this, to me, this would be a major  
24 overhaul to the plan that we passed a few months ago. It's  
25 kind of odd that it includes R-B which is going to get you

1 really, really close to some residents.

2           If we had heartburn against about the last  
3 one, this is a lot -- this goes a lot farther in that  
4 direction.

5           So I'm really kind of surprised that they  
6 even put that in this request. The last case, I was kind of  
7 on the fence about it because I really kind of disagree with  
8 the classification of a hotel as a house as a home. But  
9 nevertheless it is.

10           But in this case, we would basically be  
11 approving by right because they've scratched through the  
12 code and put an R instead of a P.

13           So to put these things in all the R-B  
14 locations, that would be a gross, a really, really big  
15 change to what we passed three or four months ago.

16           So just something that makes me  
17 uncomfortable.

18           MS. ADOLPH: I hear you thinking out loud,  
19 Mr. Hancock. Do you want to offer a motion then?

20           MR. HANCOCK: I will eventually, but I'll  
21 give other people a chance to talk.

22           MS. ADOLPH: Still thinking out loud? Anyone  
23 else?

24           MR. SELLERS: I would say I agree with Doug  
25 in the fact, in several matters there, but one I don't ever

1 remember a text amendment coming from the public.

2 I am one of the ones who felt like a hotel  
3 was somewhat restrictive considering it a residence, but in  
4 this particular application, you are talking about by right  
5 allowing R-B zones and all that, and I just can't go that  
6 far and agree to that.

7 My suggestion would be that the groups in  
8 favor of making changes get with the city planning  
9 department and discuss the possibilities and see if some  
10 reasonable agreement can't be arrived at to maybe possibly  
11 open up some other venues, areas, to dispensaries.

12 But I can't approve this as presented. And I  
13 don't really see any way we can even modify it at this point  
14 without more information and more discussion.

15 So I will go ahead and make a motion to deny  
16 the request Case File 2209PC171 and again suggest that  
17 continued discussion be carried on in this matter with the  
18 planning department.

19 MR. HANCOCK: I'll second that.

20 MS. ADOLPH: We have a motion and a second to  
21 deny Zoning Text Amendment request 2209PC171. Is there any  
22 need for further discussion?

23 MR. DAIGLE: I just want to throw out I'm in  
24 favor of figuring out a good avenue so this medical  
25 marijuana can find a place in the community. I've heard a

1 lot of good compelling arguments where I think it's going to  
2 find a place. I think that my opinion is because I was also  
3 in favor of the previous case that we had with the hotel. I  
4 don't think -- I know hotel is considered in a residential  
5 zoning area, but I don't think it's a personal residence.  
6 But that's my opinion.

7 I do think there's a place for this. There  
8 were other options I think that they could have gone down.  
9 I just want to state what is out there in the future.  
10 There's B-3, there's B-1. If you're trying to do one zoning  
11 area at a time, seeing if maybe we can grab a little bit  
12 this, spread it out, I think though that my opinion is this  
13 is just too much. I can't support it, especially without it  
14 having planning commission approval.

15 So that's my thought. But I do think it has  
16 a place, and I don't want to just throw out there that I'm  
17 not in favor of medical marijuana because I think it has a  
18 place in our community.

19 MS. ADOLPH: Thank you, Mr. Daigle.

20 Any other comments coming from commissioners?

21 Reverend Spann?

22 MR. SPANN: I just feel strongly about what  
23 we voted on last time. And this one here, yes, it has a  
24 place in our community. And I would implore them to find,  
25 look to find those places that are permitted by what we

1 voted on as a planning commission.

2 MS. ADOLPH: Thank you, sir.

3 Coach Jones?

4 MR. JONES: Basically, I'm in agreement with  
5 90 percent of this committee. And when you think about  
6 across the state, you may have 27 or 29, whatever. It's not  
7 a great number.

8 Now, I do know marijuana works. My  
9 brother-in-law died taking it, but it gave him an appetite.

10 But at this time, I just can't support it as  
11 for it being where they want it to be, and we don't know  
12 enough about the background.

13 MS. ADOLPH: Thank you, sir.

14 Any other comments? We have a motion and a  
15 second on the floor to deny Zoning Text Amendment 2209PC171.  
16 Those all in favor of denial, please raise your hand.

17 (Unanimous vote.)

18 MS. ADOLPH: The motion is then denied.

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1           BEFORE THE CITY OF GULFPORT PLANNING COMMISSION

2  
3 2209PC171  
4

5  
6                           COURT REPORTER'S CERTIFICATE  
7

8           I, Norma Jean Ladner Soroe, Certified Shorthand  
9 Reporter, do hereby certify that to the best of my skill and  
10 ability I have reported the hearing held before the City of  
11 Gulfport Planning Commission and that the foregoing 60 pages  
12 constitute a true and correct transcription of said hearing  
13 held on the 22nd day of September 2022.

14           I do further certify that my certificate annexed  
15 hereto applies only to the original and certified  
16 transcript. The undersigned assumes no responsibility for  
17 the accuracy of any reproduced copies not made under my  
18 control and direction.

19           Witness my signature this the 26th day of October  
20 2022.  
21

22  
23 \_\_\_\_\_  
24 NORMA JEAN LADNER SOROE, CSR #1297  
25 Certified Shorthand Reporter