

AGENDA
ZONING BOARD OF ADJUSTMENT AND APPEALS
CITY HALL COUNCIL CHAMBERS
THURSDAY, JANUARY 19, 2023 AT 3:00 PM

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

F1. Zoning Board Meeting - December 15, 2022

G. Hearing of Cases

G1. Public Declaration of Appeal Process of Chairman

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

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

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

G3. Routine Agenda

- 1. Variance 2301ZB004:**
(Withdrawn by Administration)

Variance 2301ZB004, by owners James & Amiee Wallace, tax parcel 0909K-02-048.000, Variance for side yard setback, 31 55th Street, Zoned R-UE (Urban residence estate), Ward 4

2. Variance 2301ZB005:
(Postponed to February Meeting)

Variance 2301ZB005, by agent Austin Keith, tax parcel 0911B-02-013.000, Variance for detached accessory structure, 111 Courthouse Rd, Zoned T6 (Urban Core Zone), Ward 2

3. Special Exception 2301ZB006:

Special Exception 2301ZB006, by agent Austin Keith, tax parcel 0911B-02-013.000, Liquor store use, 111 Courthouse Rd, Zoned T6 (Urban Core Zone), Ward 2

H. Adjournment

MINUTES

ZONING BOARD OF ADJUSTMENT AND APPEALS MEETING

Thursday, December 15, 2022 3:00 P.M.

GULFPORT CITY COUNCIL CHAMBERS

- A. **Prayer**: The Zoning Board led a prayer.
- B. **Pledge of Allegiance**: The Pledge of Allegiance was recited.
- C. **Call to Order**: The meeting of the Planning Commission was called to order at **3:01 p.m.**
- D. **Determination of a Quorum**:

BOARD MEMBERS PRESENT:

MARY ANN WIGINGTON
NATHAN BODDIE
LESLIE NORTH
LEE PALERMO
ROBERT PHARR
MICHAEL DANIELS

BOARD MEMBERS ABSENT:

JOHNATHAN MARSHALL

STAFF MEMBERS PRESENT:

CORY LONG
LESLIE ERVIN
LORAIN HUGHES
KEVIN BROWN

COURT REPORTER:

NONE

E. Confirmation of Agenda:

F. Approval of Minutes:

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

G. Hearing of cases:

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

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

G3. **Routine Agenda**:

1. **Variance 2212ZB217:** Variance 2212ZB217, by owners Arthur & Shunda Kemp, tax parcel 0707P-01-029.016, Variance for side setback, 13188 Tiara Dr, Zoned R-1-15 (Single-family), Ward 7

Speaking for the Petition: Arthur Kemp

Speaking against the Petition: None

Motion: Mr. Boddie – To approve applicant request.

Second: Mr. Pharr

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

Action: Motion carried unanimously.

Adjournment:

Motion by **Mr. Boddie** to adjourn the meeting was seconded by **Mr. Daniels** and carried unanimously. The meeting adjourned **3:10 p.m.**

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

Nathan Boddie, Secretary

Date: _____

MEMORANDUM

To: City of Gulfport Zoning Board of Adjustment and Appeals

From: Greg Holmes, Planning Administrator
Urban Development Department

Date of Hearing: January 19, 2023

Re: Public Declaration of Appeal Process of Chairman

MEMORANDUM

To: City of Gulfport Zoning Board of Adjustment and Appeals

From: Greg Holmes, Planning Administrator
Urban Development Department

Date of Hearing: January 19, 2023

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

MEMORANDUM

To: City of Gulfport Zoning Board of Adjustment and Appeals

From: Greg Holmes, Planning Administrator
Urban Development Department

Date of Hearing: January 19, 2023

Re: Routine Agenda

MEMORANDUM

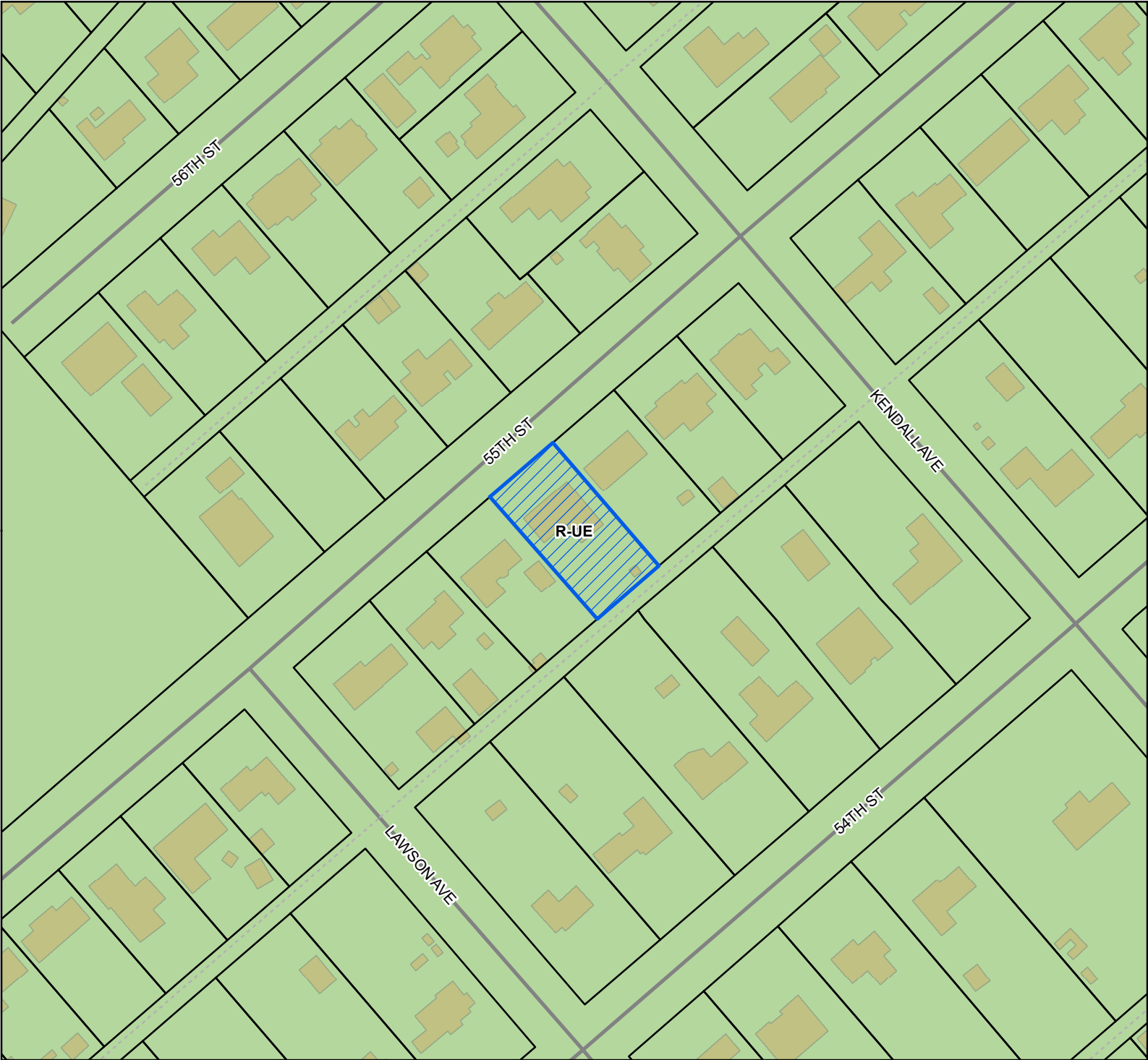
To: City of Gulfport Zoning Board of Adjustment and Appeals

From: Greg Holmes, Planning Administrator
Urban Development Department

Date of Hearing: January 19, 2023

Re: Variance 2301ZB004:
(Withdrawn by Administration)

Variance 2301ZB004, by owners James & Amiee Wallace, tax parcel 0909K-02-048.000,
Variance for side yard setback, 31 55th Street, Zoned R-UE (Urban residence estate), Ward 4



Site

Street

Alley

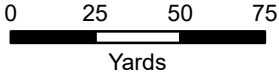
Parcels

Buildings

Zoning

R-UE - Residential Urban Estate

Site Information
0909K-02-048.000
Zoning: R-UE (Urban residence estate district)
Size: 20,079.64 sq.ft.
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.

Case Number
23012B004

REQUESTED ACTION BY THE ZONING BOARD OF ADJUSTMENTS AND APPEALS

	Appeal of Planning Administrator
	Excessive Height
	Fence Variance
	Special Exception
✓	Variance of 5 feet

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OWNERSHIP AND CERTIFICATION

AGENT

Signature of Agent

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. We can only accept applications with *original signatures*.

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) Aimee L. WallaceADDRESS (STREET, CITY, STATE, ZIP CODE) 31 55th St. Gulfport MS 39507PHONE # (H) _____ (WK/CELL) 228-229-3323TAX PARCEL NUMBER(S) OWNED 0909K-02-048.000SIGNATURE: Aimee Wallace

NAME OF OWNER (PRINT) _____

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

PHONE # (H) _____ (WK/CELL) _____

TAX PARCEL NUMBER(S) OWNED _____

SIGNATURE: _____

NAME OF OWNER (PRINT) _____

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

PHONE # (H) _____ (WK/CELL) _____

TAX PARCEL NUMBER(S) OWNED _____

SIGNATURE: _____

Important Notice

1. Please be advised that failure to submit a complete application, with all supporting documents, could **delay your hearing date**. The Zoning Board 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. **The following supplement pages are required per application type. Select one of the following:**
 - ☐ Appeal of Planning Administrator (see page 4)
 - ☐ Excessive Height (see page 5)
 - ☐ Fence Variance (see page 6)
 - ☐ Special Exception (see page 7)
 - ☒ Variance (see page 8)
4. All  will need to be **initialed by applicant** with required documentation before application can be accepted.

Submission Requirements

 **Page one of this application, completed and signed.**

 **Site plan.** Please note that approval of your request, in part, is based on your site plan.

- The property lines and dimensions have been provided on the drawing.
- All buildings and structures located on the property have been identified.
- All dimensions of buildings and structures have been noted on the site plan.
- All distances from the property lines to all the buildings and structures have been identified and noted on the site plan.
- Street names have been provided which abut the property.
- Traffic flow, parking and driveways have been identified.
- If required buffer strips have been identified
- Other pertinent information as needed to pictorially demonstrate the proposed development/use.

 **Proof of ownership** (Copy of deed i.e., Warranty Deed or Quitclaim Deed)

 **If applicable, notarized proof of authority to act as agent** for owner (board resolution, etc.) (see page 9)

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**.

 An **affidavit** stating the request is not in violation of restrictive or protective covenants. (see page 10)

 **Cash or check** payable to the City of Gulfport in the amount of **\$75.00**.

 **I the owner/agent acknowledge this is a complete application**

Variance Submissions



Answer the following six questions individually and thoroughly as a separate attachment.

1. Demonstrate that special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same district. (i.e., What is special about your property that you need to request a variance?)
2. Demonstrate that the special conditions and circumstances do not result from the actions of the applicant. (i.e., Show that you did not cause the need for the variance.)
3. Demonstrate that an unnecessary hardship is created by the physical character of the property and is peculiar and unusual to such an extent that it is evidence that amendment of the zoning ordinance does not offer a reasonable solution. (i.e., Explain what your hardship is and why the property cannot comply with the zoning ordinance. Further, explain why this hardship is not commonly found on other properties?)
4. Demonstrate how the literal interpretation of the provisions of the zoning ordinance would deprive the applicant of rights commonly enjoyed by properties in the same district under the terms of the zoning ordinance. (i.e., Explain how the request meets the right of reasonable economic return and/or the right to reasonable development of your property which might generally be expected in your district.)
5. Demonstrate that the granting of the variance will not confer on the applicant any special privilege that is denied by this ordinance to other lands, structures, or buildings in the same district, other than to permit the applicant to use their property in a manner as nearly equivalent to uses generally permitted in the district considering the conditions and circumstances involved and hardship. (i.e., Will you receive any special benefit that others who follow the Zoning Ordinance cannot receive?)
6. State whether the use proposed is permissible by right, with planning approval or by special exception with respect to uses of land or structures.



Covenant Affidavit

I, Aimee Wallace, being owner or agent of the property 31 55th St. Gulfport, MS
PRINT NAME PRIMARY ADDRESS OR PARCEL 39507

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

Aimee Wallace
Signature

12/6/22
Date

STATE OF MISSISSIPPI | COUNTY OF HARRISON

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

Sub
Notary Public

11/30/2025
Commission Expiration





5 December 2022

Dear Sir or Ma'am,

Please take the below comments into consideration for my variance request for garage placement 5 feet from property line at my residence located at 31 55th St. Gulfport MS. 39507.

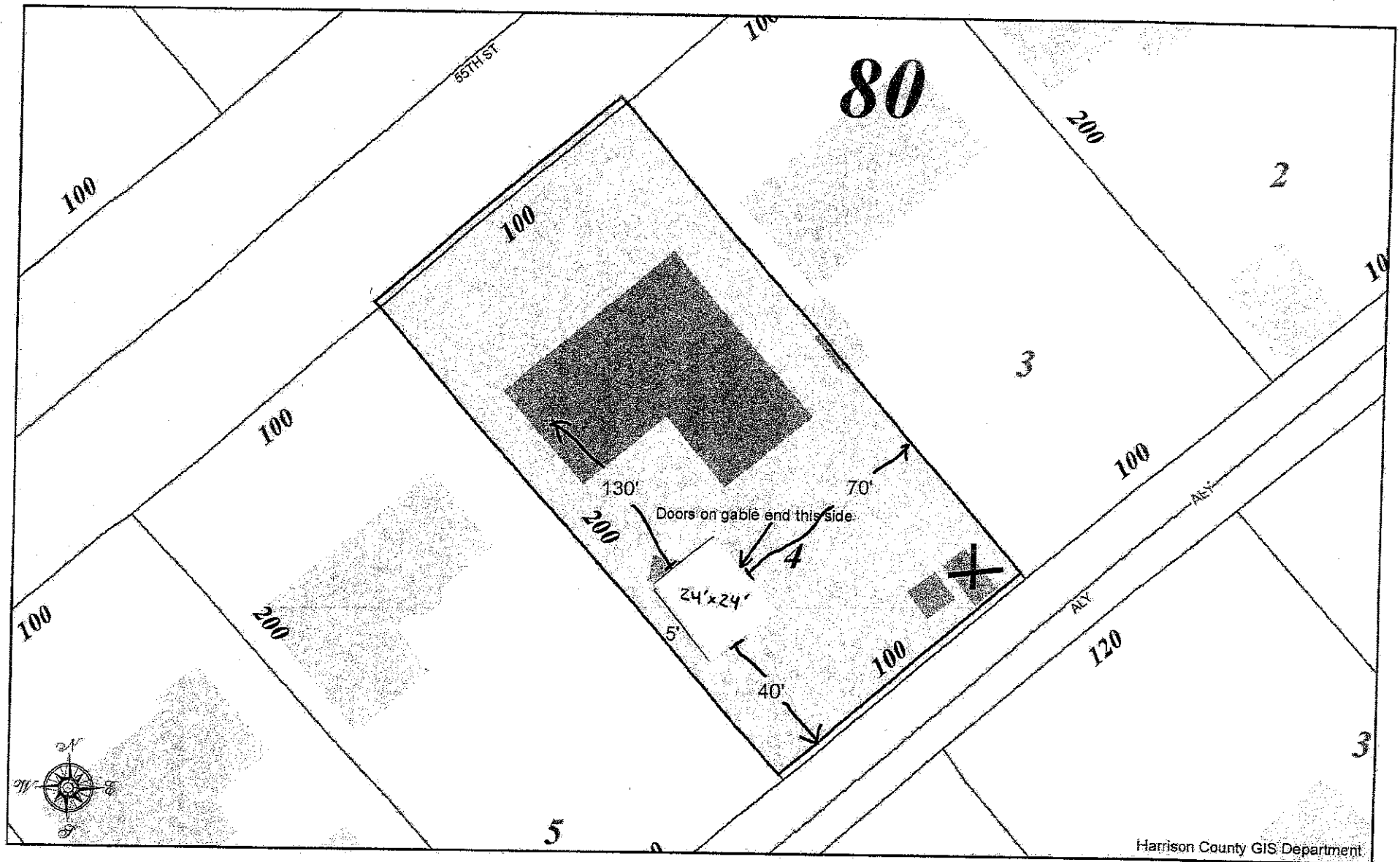
1. I have a Magnolia tree centered in my back yard that would make it difficult to traverse from the alley into the proposed garage entryway. I would like to keep this tree for shade and aesthetics so placing my garage 3 feet farther West (5' from property line vs 8') would allow more room to enter/exit the proposed garage at the centered garage door that faces East.
2. This is a mature Magnolia tree that was on the property when purchased in March of 2021. It has a trunk circumference of greater than 18" so as far as I know, it is a protected species and cannot be cut down, damaged or manipulated.
3. The fact that I have very limited storage space on my property makes it a hardship on my family and myself for the following reasons: a) My carport is cluttered with outdoor furniture, tools and such causing an eyesore in the neighborhood. This also entices criminally minded people to frequent me and my families "safe space" as there are multiple posts of stolen property from porches in our local social media pages. b) I currently am paying \$130 per month for a storage container which is located on my rental property 15 miles away in the county. Being that it is on my rental property, I am forced to lower my rental income by \$200 for it being there. This is approximately \$330 in finances per month I am out for not having my own storage at my home.
4. I believe the city of Gulfport's 8 foot ordinance deprives me of rights many of my neighbors share. As noticed driving around and through my neighborhood, there are several accessory structures within the 8 foot stand off and some possibly within the 5' stand-off. My property did not come with a garage, only a carport and a small tool shed. I currently have no space to store my lawnmower, large tools and other accessories that need to be placed in a secure structure to prevent theft, poor weather damage and eyesore.
5. Granting of this variance would not confer on the applicant any special privilege that is not already allowed or has been allowed to others in the area. The variance would allow my garage to match the property line stand off of my West neighbor that currently has his garage at approx. 5' of our shared property line.
6. I believe the use proposed is permissible by right since the Bayou View ordinance only requires for accessory structures to be 5 feet from the property line.

Thank you for your time and consideration.

Sincerely,

Jim Wallace
540-604-4162
31 55th St. Gulfport MS. 39507

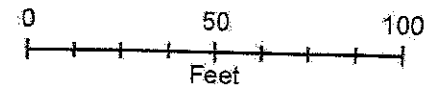
James Wallace Site Plan



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: October 30, 2022





SCANNED



1st Judicial District
Instrument 2021 6263 D - J1
Filed/Recorded 5/11/2021 10:53 A
Total Fees \$ 31.00
10 Pages Recorded

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

Indexing Instructions:

File#210615

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,

JUANITA BLACK COMBS
surviving joint tenant of Kincheon Varner Combs, Deceased
411 MAGAZINE CIRCLE
GULFPORT, MS 39507
228-234-2202

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

JAMES WALLACE a/k/a JAMES WALLACE, JR.
and wife, **AIMEE WALLACE,**
as tenants by the entirety with full rights
of survivorship and not as tenants in common,
31 55th street
Gulfport, MS 39507
228-229-3323

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 Four (4), Block Eighty (80), FOURTH ADDITION TO GULFPORT BAYOU VIEW SUBDIVISION, a subdivision according to the official map or plat thereof on file and of record in the Office of the Chancery Clerk of the First Judicial District of Harrison County, Mississippi, in Plat Book 19 at Page 19 thereof, reference to which is hereby made in aid of and as a part of this description.

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

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

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

WITNESS THE SIGNATURE of the Grantor on this the 7th day of May, 2021.

Juanita B. Combs by Frances M. Cruthirds AIF
JUANITA BLACK COMBS
By: **Frances M. Cruthirds,**
f/k/a Frances C. McGuire, Attorney in fact.

STATE OF MISSISSIPPI

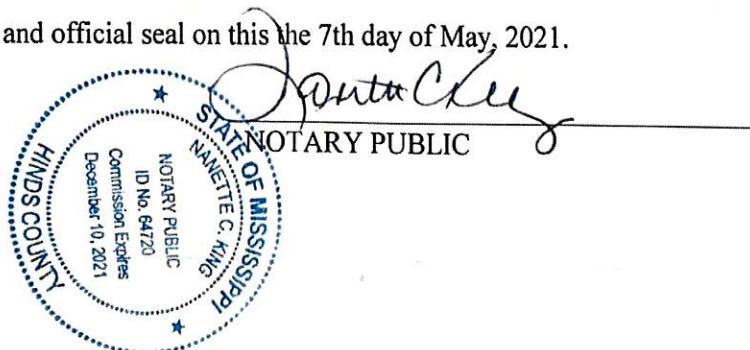
COUNTY OF HARRISON

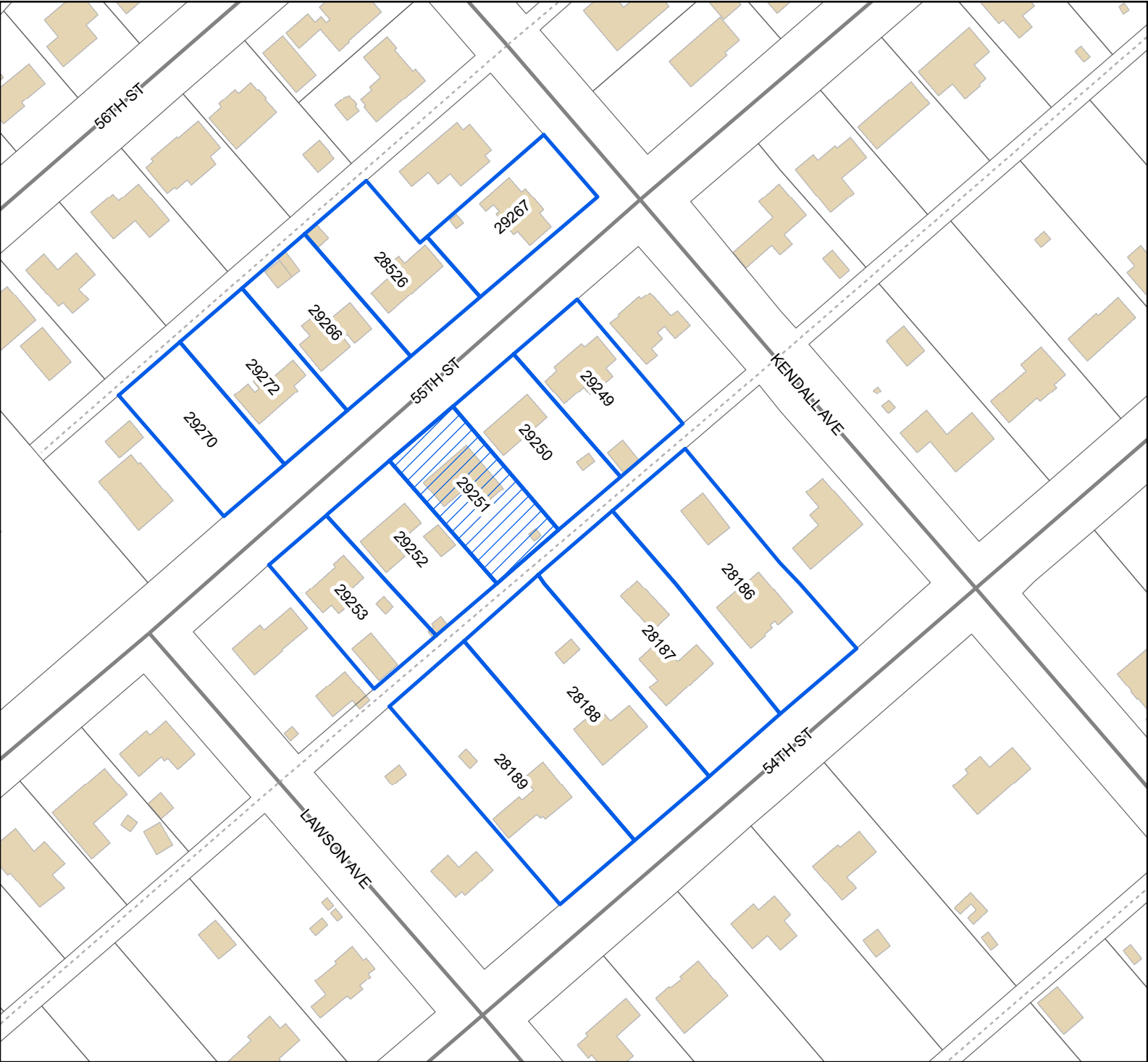
THIS DAY PERSONALLY CAME AND APPEARED BEFORE ME, the undersigned authority in and for the jurisdiction aforesaid, **Frances M. Cruthirds, f/k/a Frances C. McGuire**, who acknowledged that she is **Attorney in fact** for **Juanita Black Combs**, and as its act and deed, she signed, sealed and delivered the above and foregoing instrument of writing on the day and in the year therein mentioned, she having been first duly authorized to do so in her full representative capacity.

GIVEN under my hand and official seal on this the 7th day of May, 2021.

(SEAL)

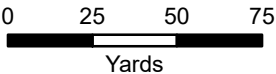
My Commission Expires:





Legend

- Site
- Adjacent Properties
- Street
- Alley
- Buildings



1 inch = 170 feet



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Mail	PPIN	Parcel ID	Name	Address	City	State	ZIP
29251	0909K-02-048.000		WALLACE JAMES & AIMEE (OWNER)	31 55TH ST	GULFPORT	MS	39507
			Adjacent Property Owners (2301ZB004)				
29249	0909K-02-050.000		BERRY SARAH E -TRUSTEE-	25 55TH ST	GULFPORT	MS	39507
28526	0909K-02-043.000		EILERMANN JANET & TERRY TOLAR	14352 CHESTWOOD COVE	GULFPORT	MS	39507
29250	0909K-02-049.000		ESLAVA SANDRA ISON & DALE BRIAN	27-55TH STREET	GULFPORT	MS	39507
29270	0909K-02-046.000		HATHCOCK MARK P JR & TIFFANY L	413 KAHLER ST UNIT 1	GULFPORT	MS	39507
29267	0909K-02-042.000		JOACHIM MILTON A IV	5501 KENDALL AVE	GULFPORT	MS	39507
28187	0909N-01-002.000		LAMPLEY JEREMY A	30 54TH STREET 4607	GULFPORT	MS	39507
29266	0909K-02-044.000		MEINZINGER RODGER & PAM	32 55TH ST	GULFPORT	MS	39507
29252	0909K-02-047.000		NEHER BENJAMIN & JAIME	33 55TH ST	GULFPORT	MS	39507
28186	0909N-01-001.000		PITCOVICH GARY L II & HEATHER J	#28 54TH ST	GULFPORT	MS	39507
29253	0909N-01-006.000		ROBERTSON ANTHONY & CARRIE	35 55TH ST	GULFPORT	MS	39507
28188	0909N-01-003.000		ROGERS HENRY M & AMANDA K	32 54TH ST	GULFPORT	MS	39507
28189	0909N-01-004.000		WINNINGHAM RACHELLE & RYAN SHEA	34 54TH ST	GULFPORT	MS	39507
29272	0909K-02-045.000		ZAHEDI MARY CECELIA	34-55TH STREET	GULFPORT	MS	39507

RE: Variance 2301ZB004, by owners James & Amiee Wallace, tax parcel 0909K-02-048.000, Variance for side yard setback, 31 55th Street, Zoned R-UE (Urban residence estate), Ward 4

To Applicants and Adjacent Property Owners:

The City of Gulfport Zoning Board of Adjustments and Appeals will hold a public hearing to consider the above application at 3:00 P.M. on **Thursday, January 19, 2023**, in the Council Chambers at the Gulfport City Hall located at 2309 15th Street.

For more information, visit <http://www.gulfport-ms.gov/agendas/> then click the City of Gulfport Zoning Board for **Thursday, January 19, 2023**. A map showing the location of the property involved is located at this website. If you have any questions or comments, please contact this office at the phone number 228-868-5710 or email planners@gulfport-ms.gov. The application is available for viewing in the Planning Division office at 1410 24th Avenue.

THANK YOU for your legal submission!

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

ORDER DETAILS

Order Number:
IPL0103093
Order Status:
Submitted
Classification:
Legals & Public Notices
Package:
BLX - Legal Ads
Final Cost:
27.60
Payment Type:
Account Billed
User ID:
IPL0024925

PREVIEW FOR AD NUMBER IPL01030930**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
December 21, 2022 1:21:02 PM EST
Amount:
27.60

SCHEDULE FOR AD NUMBER IPL01030930

January 4, 2023
SunHerald (Biloxi)

LEGAL NOTICE PUBLIC HEARING

In conformance with Section VIII of the Comprehensive Zoning Ordinance of the City of Gulfport, Mississippi, 1979, as amended, notice is hereby given advising that the Zoning Board of Adjustment and Appeals will hold a public hearing in the City of Gulfport, Mississippi at 3:00 P.M., Thursday, January 19, 2023 in the Council Chambers of the Gulfport City Hall located at 2309 15 th 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 24 th Avenue.

Variance 2301ZB004, by owners James & Amiee Wallace, tax parcel 0909K-02-048.000, Variance for side yard setback, 31 55th Street, Zoned R-UE (Urban residence estate), Ward 4

Variance 2301ZB005, by agent Austin Keith, tax parcel 0911B-02-013.000, Variance for detached accessory structure, 111 Courthouse Rd, Zoned T6 (Urban Core Zone), Ward 2

Special Exception 2301ZB006, by agent Austin Keith, tax parcel 0911B-02-013.000, Liquor store use, 111 Courthouse Rd, Zoned T6 (Urban Core Zone), Ward 2

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

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

MEMORANDUM

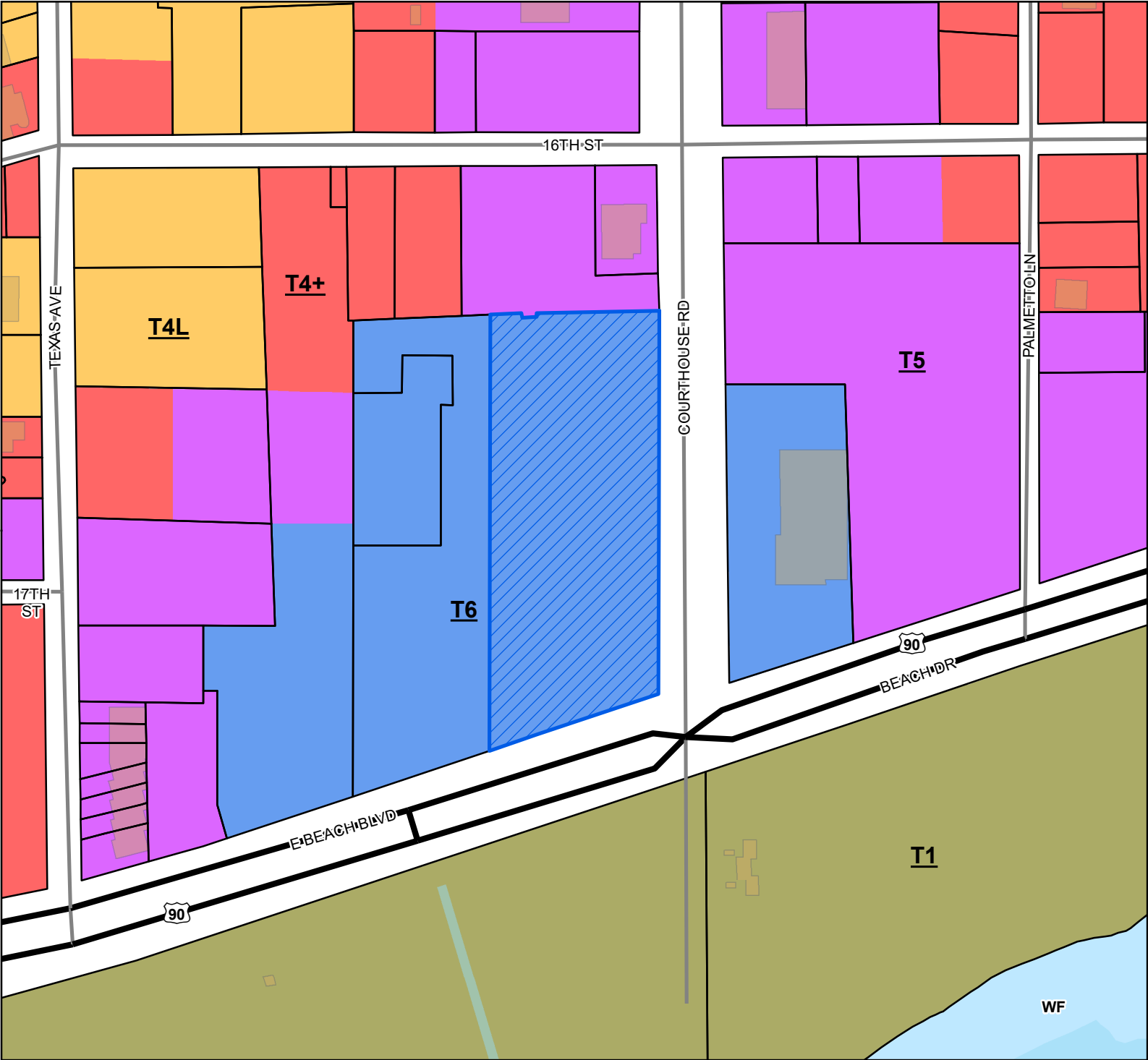
To: City of Gulfport Zoning Board of Adjustment and Appeals

From: Greg Holmes, Planning Administrator
Urban Development Department

Date of Hearing: January 19, 2023

Re: Variance 2301ZB005:
(Postponed to February Meeting)

Variance 2301ZB005, by agent Austin Keith, tax parcel 0911B-02-013.000, Variance for detached accessory structure, 111 Courthouse Rd, Zoned T6 (Urban Core Zone), Ward 2



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

Smart Code

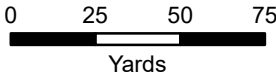
- T6
- T5
- T4+
- T4L
- T1

Zoning

- WF - Water Front

Site Information

0911B-02-013.000
Zoning: T6 (Urban Core Zone)
Size: 2.38 acre
Flood: AE



1 inch = 170 feet



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Case Number
23012B005

REQUESTED ACTION BY THE ZONING BOARD OF ADJUSTMENTS AND APPEALS

	Appeal of Planning Administrator
	Excessive Height
	Fence Variance
	Special Exception
✓	Variance - Detached canopy structure

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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. We can only accept applications with original signatures

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. We can only accept applications with *original signatures*.

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) Beth Holdings, LLC

ADDRESS (STREET, CITY, STATE, ZIP CODE) 188 Chantilly Dr. Madison, Ms, 39110

PHONE # (H) _____ (WK/CELL) 601-238-5918

TAX PARCEL NUMBER(S) OWNED 0911B-02-013.000

SIGNATURE: 

NAME OF OWNER (PRINT) _____

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

PHONE # (H) _____ (WK/CELL) _____

TAX PARCEL NUMBER(S) OWNED _____

SIGNATURE: _____

NAME OF OWNER (PRINT) _____

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

PHONE # (H) _____ (WK/CELL) _____

TAX PARCEL NUMBER(S) OWNED _____

SIGNATURE: _____

Important Notice

1. Please be advised that failure to submit a complete application, with all supporting documents, could **delay your hearing date**. The Zoning Board 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. **The following supplement pages are required per application type. Select one of the following:**
 - ☐ Appeal of Planning Administrator (see page 4)
 - ☐ Excessive Height (see page 5)
 - ☐ Fence Variance (see page 6)
 - ☐ Special Exception (see page 7)
 - ☒ Variance (see page 8)
4. All **RB** will need to be **initialed by applicant** with required documentation before application can be accepted.

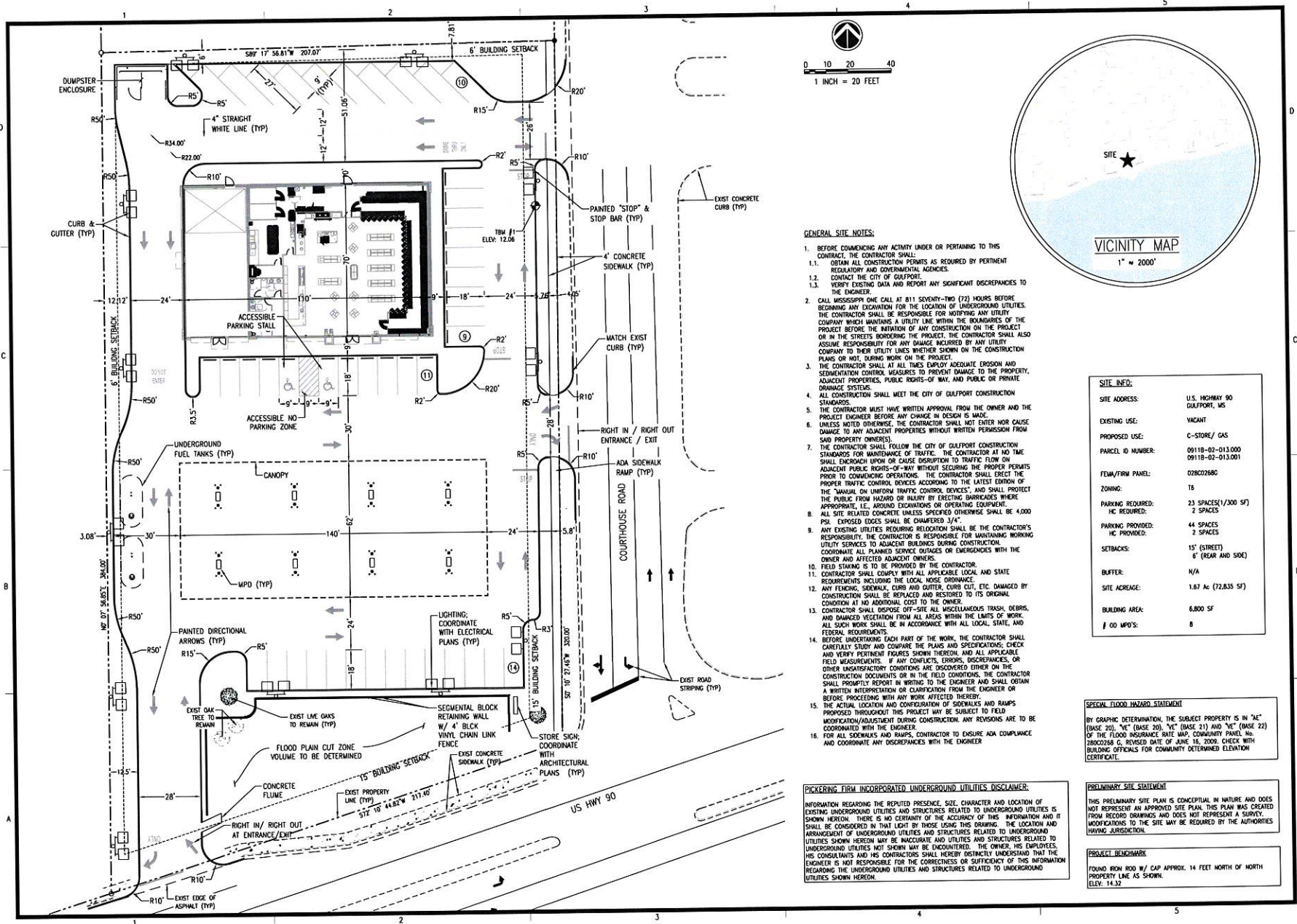
Submission Requirements

- RB** **Page one of this application, completed and signed.**
- RB** **Site plan.** Please note that approval of your request, in part, is based on your site plan.
- The property lines and dimensions have been provided on the drawing.
 - All buildings and structures located on the property have been identified.
 - All dimensions of buildings and structures have been noted on the site plan.
 - All distances from the property lines to all the buildings and structures have been identified and noted on the site plan.
 - Street names have been provided which about the property.
 - Traffic flow, parking and driveways have been identified.
 - If required buffer strips have been identified
 - Other pertinent information as needed to pictorially demonstrate the proposed development/use.
- RB** **Proof of ownership** (Copy of deed i.e., Warranty Deed or Quitclaim Deed)
- RB** If applicable, notarized proof of **authority to act as agent** for owner (board resolution, etc.) (see page 9)
- 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**.
- RB** An **affidavit** stating the request is not in violation of restrictive or protective covenants. (see page 10)
- RB** **Cash or check** payable to the City of Gulfport in the amount of **\$75.00**.
- RB** **I the owner/agent acknowledge this is a complete application**

Variance Submissions

RB **Answer the following six questions** individually and thoroughly as a separate attachment.

1. Demonstrate that special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same district. (i.e., What is special about your property that you need to request a variance?)
2. Demonstrate that the special conditions and circumstances do not result from the actions of the applicant. (i.e., Show that you did not cause the need for the variance.)
3. Demonstrate that an unnecessary hardship is created by the physical character of the property and is peculiar and unusual to such an extent that it is evidence that amendment of the zoning ordinance does not offer a reasonable solution. (i.e., Explain what your hardship is and why the property cannot comply with the zoning ordinance. Further, explain why this hardship is not commonly found on other properties?)
4. Demonstrate how the literal interpretation of the provisions of the zoning ordinance would deprive the applicant of rights commonly enjoyed by properties in the same district under the terms of the zoning ordinance. (i.e., Explain how the request meets the right of reasonable economic return and/or the right to reasonable development of your property which might generally be expected in your district.)
5. Demonstrate that the granting of the variance will not confer on the applicant any special privilege that is denied by this ordinance to other lands, structures, or buildings in the same district, other than to permit the applicant to use their property in a manner as nearly equivalent to uses generally permitted in the district considering the conditions and circumstances involved and hardship. (i.e., Will you receive any special benefit that others who follow the Zoning Ordinance cannot receive?)
6. State whether the use proposed is permissible by right, with planning approval or by special exception with respect to uses of land or structures.



REVISIONS:	
1	
2	
3	
4	
5	

PROJECT #: 26295.00
DATE: SEPTEMBER 2022
DRAWN BY: AAK
DESIGNER: AAK
CHECKED BY: CBW



GULFPORT US HWY 90 FUEL STATION AND STORE
GULFPORT, HARRISON COUNTY, MISSISSIPPI

SEAL:
PRELIMINARY - NOT FOR CONSTRUCTION

SHEET NUMBER:
C2.0

DESCRIPTION:
SITE PLAN

1. We would like to request a variance to have a detached canopy for a gas station in front of the building, facing Hwy 90. This is the only option for the building, as connecting the canopy to the building, would place the entire building in the VE zone, and eliminate the option for flood proofing the store front. It is also not an option to re-configure the site layout, as that would place the store front building in the VE zone.
2. This is circumstances created by the location of the property, and not by the actions of the applicant.
3. The need for this variance is due to the location of the property. The south portion of the parcel is located in the VE zone. As stated, connecting the auxiliary structure canopy, to the store front, would place the entire structure in the VE zone and eliminate the option of floodproofing, rather than bringing additional fill. Bringing in additional fill would not be an option, as it would put the site over the net cut/fill for the VE zone.
4. Several other similar fuel station/ convenience stores along Hwy 90 have detached canopy structures like proposed. There is an economic need for this type of business in the area as well.
5. The applicant will not be receiving any benefit not granted to other businesses by granting this request. Just allows the applicant the use to have an auxiliary structure configured in a way on the site that best utilizes the property.
6. This proposed business is allowed with planning commission approval.



Designation of Agent

I, Ravinder S. Bedi, being property owner of 0911B-02-013.000
PRINT NAME PRIMARY ADDRESS OR PARCEL
 which is the subject of this application hereby authorize _____ to act as my
PRINT NAME
 representative with the City of Gulfport's Zoning Board of Adjustment and Appeals, and/or Planning
 Commission, and/or City Council, and/or permitting and licensing, as required by the City.

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

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

12-5-22

Signature

Date

STATE OF MISSISSIPPI | COUNTY OF HARRISON

Given under my hand and seal of office this the 5 day of December, 2022

Notary Public



Commission Expiration



Covenant Affidavit

I, Ravinder S. Bedi, being owner or agent of the property 0911B-02-013.000
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] 12-5-22
Signature Date

STATE OF MISSISSIPPI | COUNTY OF HARRISON

Given under my hand and seal of office this the 5 day of December, 2022

[Signature]
Notary Public



Commission Expiration



J1 - GULFPORT DISTRICT
INSTRUMENT 2022-0004029-D-J1
FILED/RECORDED 2/21/2022 11:49:01 AM
TOTAL FEES \$28.00
3 PAGES RECORDED

Prepared by/Return to:
Giddens Law Firm, PLLC
385 Edgewood Terrace
Jackson, MS 39206
601-373-4647

Indexing Instructions: US Government Lot 6, Fractional Sec 1, T8S, R11W, Harrison County,
first judicial district, MS

SPECIAL WARRANTY DEED

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

Joseph Naoum Salloum and Richard P. Salloum
P.O. Box 1176
Gulfport, MS 39502
Telephone: 228-896-4824

do hereby sell, convey and specially warrant unto

Beth Holdings, LLC
188 Chantilly Dr.
Madison, MS 39110
Telephone: 601-238-5918

the following described property located and situated in the 1st Judicial District of Harrison County,
Mississippi, to-wit:

SEE ATTACHED EX. A

EXCEPTED from the warranty hereof are all easements, rights of way, zoning ordinances, oil, gas and mineral interest, and restrictive and protective covenants, of record which may affect subject property.

AD VALOREM taxes for the current year shall be prorated on an estimated basis only. Once the actual tax amount is determined, if the proration as of this date is incorrect, the parties herein agree to pay any amounts owed to one another.

WITNESS THE SIGNATURE of the Grantors this 16 day of February, 2022.

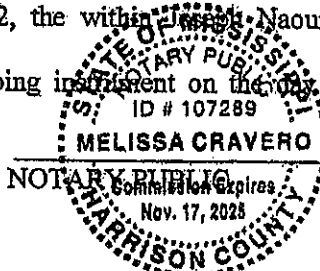

Joseph Naoum Salloum


Richard P. Salloum

STATE OF Mississippi
COUNTY OF Harrison

Personally appeared before me, the undersigned authority in and for the jurisdiction above stated, on this 16 day of February, 2022, the within Joseph Naoum Salloum, who acknowledged he executed the above and foregoing instrument on the 16 day and year therein mentioned.

STATE OF Mississippi
COUNTY OF Harrison


NOTARY PUBLIC
Melissa Cravero

Personally appeared before me, the undersigned authority in and for the jurisdiction above stated, on this 16 day of February, 2022, the within Richard P. Salloum, who acknowledged he executed the above and foregoing instrument on the 16 day and year therein mentioned.

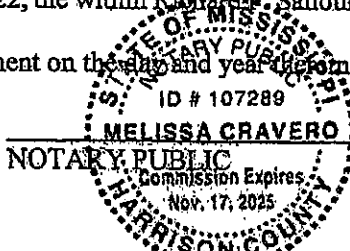
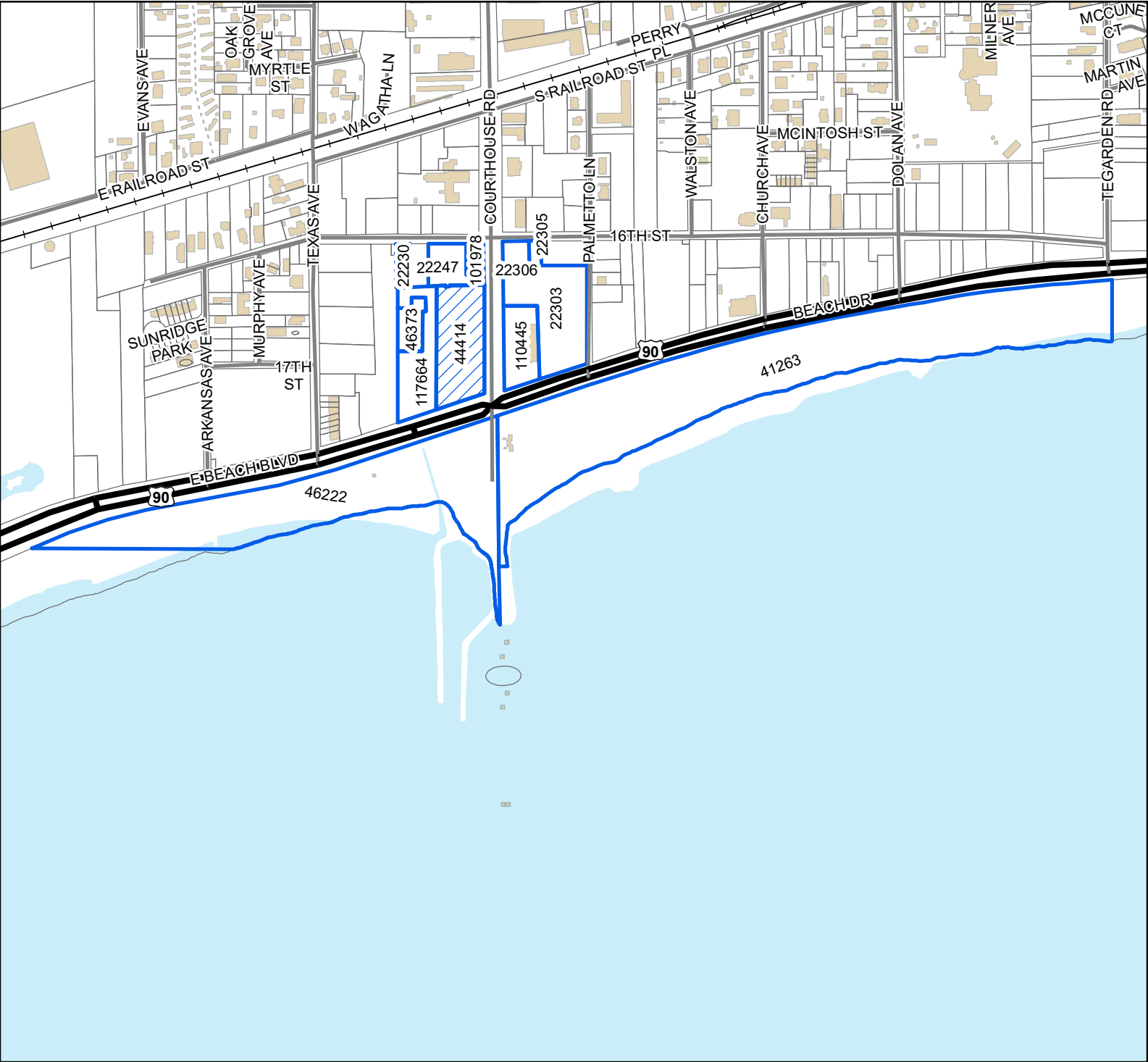

NOTARY PUBLIC
Melissa Cravero

EXHIBIT "A"

A parcel of land situated and being located in U. S. Government Lot 6, Fractional Section 1, Township 8 South, Range 11 West, City of Gulfport, First Judicial District of Harrison County, Mississippi, and being more particularly described as follows, to-wit:

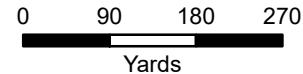
Beginning at a mag nail at the intersection of the northerly right-of-way of U. S. Highway 90 / East Beach Boulevard with the westerly right-of-way of Courthouse Road; thence run South 72 degrees 10 minutes 45 seconds West a distance of 217.40 feet along the northerly right-of-way of U. S. Highway 90 / East Beach Boulevard to a cut x in an existing concrete sidewalk; thence run North 00 degrees 07 minutes 57 seconds East a distance of 384.00 feet to a 1/2 inch iron rod; thence run North 89 degrees 17 minutes 57 seconds East a distance of 207.07 feet to a 3/4 inch iron rod on the westerly right-of-way of Courthouse Road; thence run South 00 degrees 10 minutes 27 seconds West distance of 320.00 feet along the westerly right-of-way of Courthouse Road to the POINT OF BEGINNING.

Said parcel contains 1.67 acres or 72,836 square feet, more or less.



Legend

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



1 inch = 600 feet



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

Mail	PPIN	Parcel ID	Name	Address	City	State	ZIP
	44414	0911B-02-013.000	BETH HOLDINGS, LLC (OWNER)	188 CHANTILLY DR	MADISON	MS	39110
			AUSTIN KEITH (AGENT)	126 RUE MAGNOLIA	BILOXI	MS	39530
			Adjacent Property Owners (2301ZB005)				
	22305	0911A-02-098.000	ANDERSON VIRGINIA ETAL	57 TROSSACH ROAD	STATEN ISLAND	NY	10304
	22230	0911B-02-011.000	COOPER KENNETH & CAROL K	2103 WARFIELD AVE	REDONDO BEACH	CA	90278
	22303	0911A-02-101.000	CREEKS II LLC THE	799 DESTINY PLANTATION BLVD 4603	BILOXI	MS	39532
N	22247	0911B-02-012.000	GULFPORT CITY OF	AMERICAN LEGION POST 119 PARK			0
N	41263	0911A-03-001.000	GULFPORT CITY OF -BEACHES-				0
N	46222	0911B-03-001.000	GULFPORT CITY OF -BEACHES-	25 JAY DR RT 7	GULFPORT	MS	39503
N	101978	0911B-02-013.002	HARRISON CO				0
	110445	0911A-02-101.001	JASON ASSOCIATES LLC C/O PROPERTY MAN	1055 ST CHARLES AVE, SUITE 701	NEW ORLEANS	LA	70130
	22306	0911A-02-097.000	KOSKAN ALLEN J PA -ESTATE-	19247 CHAMPION CIRCLE	GULFPORT	MS	39503
N	117664	0911B-02-015.002	QUACH MINH SO & VICTORIA NGO	3712 EVANGELINE DR	CHALMETTE	LA	70043
	46373	0911B-02-015.000	QUACH MINH SO & VICTORIA NGO	3712 EVANGELINE DR	CHALMETTE	LA	70043

RE: Variance 2301ZB005, by agent Austin Keith, tax parcel 0911B-02-013.000, Variance for detached accessory structure, 111 Courthouse Rd, Zoned T6 (Urban Core Zone), Ward 2

To Applicants and Adjacent Property Owners:

The City of Gulfport Zoning Board of Adjustments and Appeals will hold a public hearing to consider the above application at 3:00 P.M. on **Thursday, January 19, 2023**, in the Council Chambers at the Gulfport City Hall located at 2309 15th Street.

For more information, visit <http://www.gulfport-ms.gov/agendas/> then click the City of Gulfport Zoning Board for **Thursday, January 19, 2023**. A map showing the location of the property involved is located at this website. If you have any questions or comments, please contact this office at the phone number 228-868-5710 or email planners@gulfport-ms.gov. The application is available for viewing in the Planning Division office at 1410 24th Avenue.

THANK YOU for your legal submission!

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

ORDER DETAILS

Order Number:
IPL0103093
Order Status:
Submitted
Classification:
Legals & Public Notices
Package:
BLX - Legal Ads
Final Cost:
27.60
Payment Type:
Account Billed
User ID:
IPL0024925

PREVIEW FOR AD NUMBER IPL01030930**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
December 21, 2022 1:21:02 PM EST
Amount:
27.60

SCHEDULE FOR AD NUMBER IPL01030930

January 4, 2023
SunHerald (Biloxi)

LEGAL NOTICE PUBLIC HEARING

In conformance with Section VIII of the Comprehensive Zoning Ordinance of the City of Gulfport, Mississippi, 1979, as amended, notice is hereby given advising that the Zoning Board of Adjustment and Appeals will hold a public hearing in the City of Gulfport, Mississippi at 3:00 P.M., Thursday, January 19, 2023 in the Council Chambers of the Gulfport City Hall located at 2309 15 th 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 24 th Avenue.

Variance 2301ZB004, by owners James & Amiee Wallace, tax parcel 0909K-02-048.000, Variance for side yard setback, 31 55th Street, Zoned R-UE (Urban residence estate), Ward 4

Variance 2301ZB005, by agent Austin Keith, tax parcel 0911B-02-013.000, Variance for detached accessory structure, 111 Courthouse Rd, Zoned T6 (Urban Core Zone), Ward 2

Special Exception 2301ZB006, by agent Austin Keith, tax parcel 0911B-02-013.000, Liquor store use, 111 Courthouse Rd, Zoned T6 (Urban Core Zone), Ward 2

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

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

MEMORANDUM

To: City of Gulfport Zoning Board of Adjustment and Appeals

From: Greg Holmes, Planning Administrator
Urban Development Department

Date of Hearing: January 19, 2023

Re: Special Exception 2301ZB006:

Special Exception 2301ZB006, by agent Austin Keith, tax parcel 0911B-02-013.000, Liquor store use, 111 Courthouse Rd, Zoned T6 (Urban Core Zone), Ward 2

Technical Report

SPECIAL EXCEPTION

GENERAL INFORMATION

Case File Number: 2301ZB006

Hearing Date: Zoning Board January 19, 2023
Planning Commission January 26, 2023

Current Zoning/Use: T6 / Urban Core Zone

Legal: Special Exception 2301ZB006, by agent Austin Keith, tax parcel 0911B-02-013.000, Liquor store use, 111 Courthouse Rd, Zoned T-6 (Urban Core Zone), Ward 2

TECHNICAL DETAILS

The applicant requests special exception in order to establish a liquor store/daquiri shop located at 111 Courthouse Rd, zoned T6 (Urban Core Zone). Ordinance 3158 approved on August 3, 2022, eliminated the distance requirements required in the chart of uses for these establishments. The proposed liquor store/daquiri shop use is still required to go through Special Exception.

The property is currently vacant and the applicant states that there are no issues with utilities, access, or parking with the proposed site and use.

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

EXECUTIVE SUMMARY

In review of this application and documents submitted by the applicant, the requested Zoning Board approval for the use of a liquor store is consistent with the requirements in the City of Gulfport's Chart of Permitted Uses. Additionally, the growth and established developments of the community is such that this proposal would be common within the district. With some of the surrounding area such as Orangutang's Daiquiris & Bar being less than 500 feet away from 111 Courthouse Rd., the applicants request is consistent with their community. The staff recommendation is to approve the applicant's request.

Any approval should consider these conditions:

1. Special exception use of liquor sales must be approved by the Zoning Board and the Planning Commission.
2. This parcel is located in an AE/VE Flood Zone. Anything Constructed must be in accordance with the current Building Code and in accordance with the City of Gulfport Floodplain Ordinance.

Technical Report
SPECIAL EXCEPTION

DEPARTMENTAL CONDITIONS

Engineering: No conditions. Memo dated 01/04/2023.

Public Works: No conditions. Memo dated 01/04/2023.

Traffic and Safety: No conditions. Memo dated 12/22/2022.

Building Code Services: This parcel is located in an AE/VE Flood Zone. Anything Constructed must be in accordance with the current Building Code and in accordance with the City of Gulfport Floodplain Ordinance. Memo dated 12/21/2022.

GIS: No comment. Memo dated 01/09/2023.

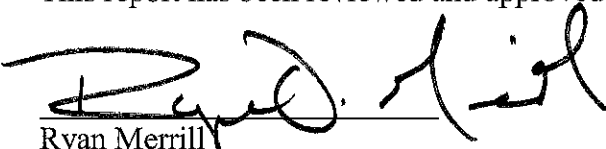
Police Department: No conditions. Memo dated 12/22/2022.

Fire Department: No conditions. Memo dated 12/22/2022.

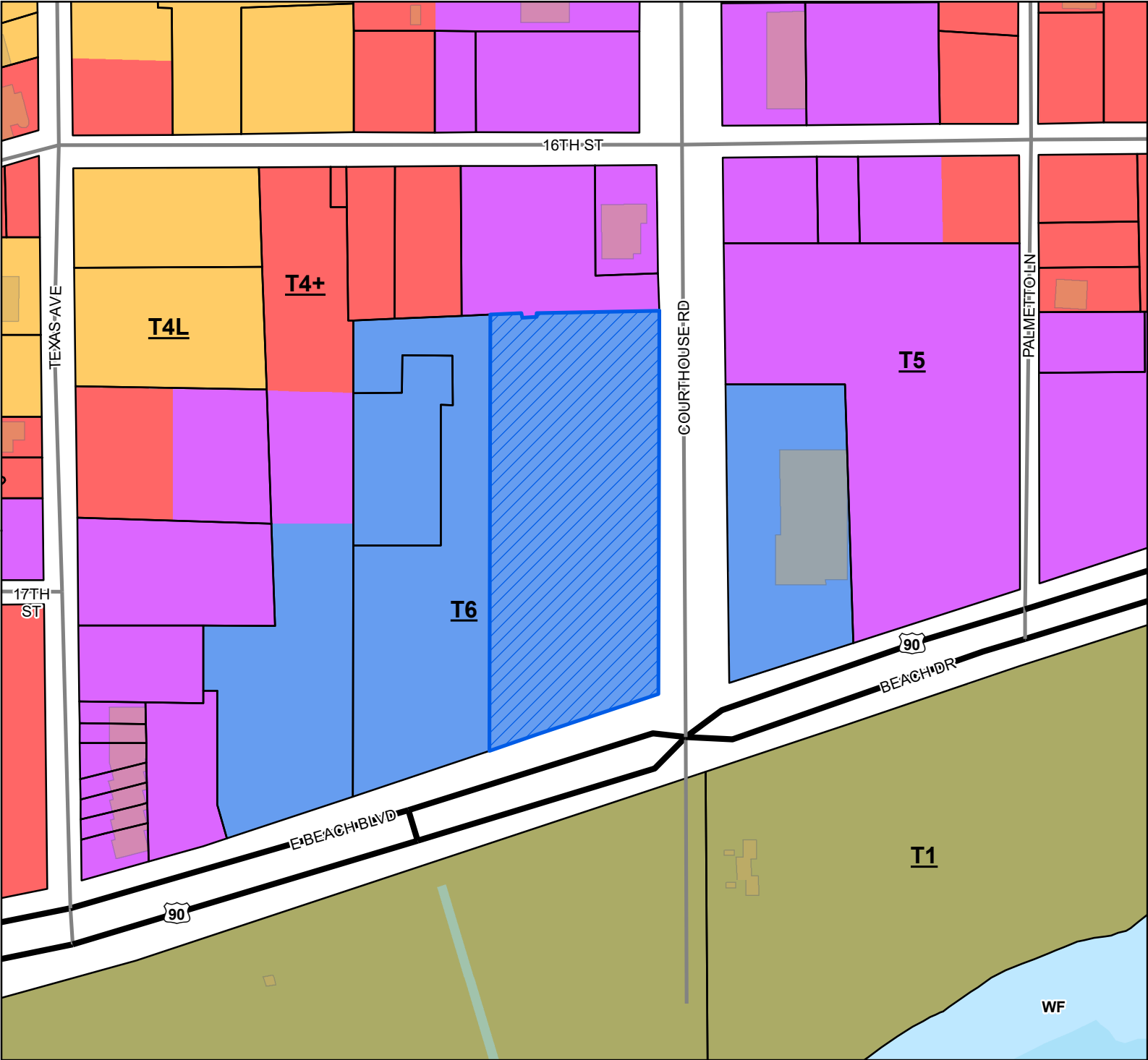
City Arborist: No comment. Memo dated 01/09/2023.

DIRECTOR APPROVAL

This report has been reviewed and approved by:



Ryan Merrill
Director of Urban Development Department



Legend

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

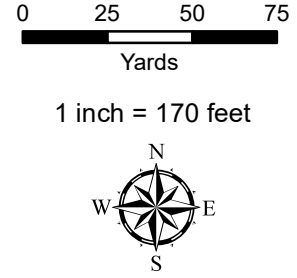
Smart Code

- T6
- T5
- T4+
- T4L
- T1

Zoning

- WF - Water Front

Site Information
0911B-02-013.000
Zoning: T6 (Urban Core Zone)
Size: 2.38 acre
Flood: AE



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Case Number
23012B006

REQUESTED ACTION BY THE ZONING BOARD OF ADJUSTMENTS AND APPEALS

	Appeal of Planning Administrator
	Excessive Height
	Fence Variance
✓	Special Exception - Liquor store as tenant space
	Variance

0	9	1	1	B	-	0	2	-	0	1	3	.	0	0	0						-			-				.			
					-			-				.									-			-				.			
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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. We can only accept applications with original signatures

Signature of Agent

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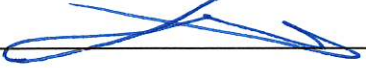
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NAME OF OWNER (PRINT) Beth Holdings, LLC

ADDRESS (STREET, CITY, STATE, ZIP CODE) 188 Chantilly Dr, Madison, Ms, 39110

PHONE # (H) _____ (WK/CELL) 601-238-5918

TAX PARCEL NUMBER(S) OWNED 0911B-02-013.000

SIGNATURE: 

NAME OF OWNER (PRINT) _____

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

PHONE # (H) _____ (WK/CELL) _____

TAX PARCEL NUMBER(S) OWNED _____

SIGNATURE: _____

NAME OF OWNER (PRINT) _____

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

PHONE # (H) _____ (WK/CELL) _____

TAX PARCEL NUMBER(S) OWNED _____

SIGNATURE: _____

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 - ☐ Excessive Height (see page 5)
 - ☐ Fence Variance (see page 6)
 - ☒ Special Exception (see page 7)
 - ☐ Variance (see page 8)
4. All **RB** will need to be ***initialed by applicant*** with required documentation before application can be accepted.

Submission Requirements

RB **Page one of this application**, completed and signed.

RB **Site plan**. Please note that approval of your request, in part, is based on your site plan.

- The property lines and dimensions have been provided on the drawing.
- All buildings and structures located on the property have been identified.
- All dimensions of buildings and structures have been noted on the site plan.
- All distances from the property lines to all the buildings and structures have been identified and noted on the site plan.
- Street names have been provided which about the property.
- Traffic flow, parking and driveways have been identified.
- If required buffer strips have been identified
- Other pertinent information as needed to pictorially demonstrate the proposed development/use.

RB **Proof of ownership** (Copy of deed i.e., Warranty Deed or Quitclaim Deed)

RB If applicable, notarized proof of **authority to act as agent** for owner (board resolution, etc.) (see page 9)

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**.

RB An **affidavit** stating the request is not in violation of restrictive or protective covenants. (see page 10)

RB **Cash or check** payable to the City of Gulfport in the amount of **\$75.00**.

RB **I the owner/agent acknowledge this is a complete application**

Special Exception Submissions

NOTE: The criteria below outlines each Board's requirements. Each Board does not need to be addressed separately; you may consolidate these responses when appropriate. Keep in mind, however, each item must be thoroughly addressed.

A WRITTEN STATEMENT MUST BE SUBMITTED TO THE ZONING BOARD OF ADJUSTMENT AND APPEALS ADDRESSING THE FOLLOWING:

RB The following, where applicable must be addressed:

- Ingress and egress to property and proposed structures thereon with particular reference to automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire or catastrophe.
- Off-street parking and loading areas where required, with particular attention to those items listed in the above bullet statement and the economic, noise, glare or odor effects of the special exception on adjoining properties and properties generally in the district.
- Refuse and service areas, with particular reference to the two items in the above.
- Utilities, with reference to the location, availability, and compatibility.
- Screening and buffering with reference to type, dimensions, and character.
- Signs, if any, and proposed exterior lighting with reference to glare, traffic safety, economic effect, and compatibility and harmony with properties in the district.
- Required yards and other open space.
- General compatibility with adjacent properties and other property in the district.
- Over view of why the special exception will be in harmony with the general purpose and intent of the Zoning Ordinance.

A WRITTEN STATEMENT MUST BE SUBMITTED TO THE PLANNING COMMISSION ADDRESSING THE FOLLOWING:

Note: The uses listed below are permitted upon approval of location and the site plan thereof by the Planning Commission as being appropriate.

RB The following, where applicable must be addressed:

- Transportation and access.
- Water supply and waste disposal.
- Fire, police protection and other public facilities.
- Not causing undue traffic congestion or creating a traffic hazard, and as being in harmony with the orderly and appropriate development of the district in which the use is located.

We would like to propose a daiquiri shop/ liquor store as a tenant space with the proposed Convenience store on the corner of Hwy 90 & Courthouse Rd. The proposed site meets the distance requirements of the limits of four hundred (400) feet of any church, school, kindergarten, or funeral home set forth in state regulations, (Miss Code Ann. Section 67-1-51 (3))

- The building will be attached with the proposed convenience store to make one structure. Ingress and egress to the proposed structure will be provided by a 26' drive on the Northeast corner of the site that will connect to Courthouse Rd, as well as 28' drive to the Southwest that will connect to Hwy 90. Parking will be provided around the site with 44 spaces provided. The tenant space will be 2,000 square feet, which requires 7 spaces, and the Convenience store space will be 4,800 square feet, requiring 16 spaces. The entire building will require 24 spaces, with the 44 providing being adequate.
- Dumpster area will be provided on the Northwest corner of the site, with access for garbage trucks to pick up.
- Utilities will be provided on the North side of the building with Water, Sewer and Natural Gas. Signage will be provided with the convenience store signage at the front of the site.
- The zone in which the project will be taking place is zoned T6, which allows retail space and liquor stores, as long as tenant operates in compliance with Miss Code Ann. Sec. 64-1-51. As demonstrated, the property meets the distance requirements set forth.
- Access will be provided to the property through the two drives on the property stated.
- This project will be meeting all requirements of Police and Fire protection.
- There is no additional anticipated traffic caused by this project.



Designation of Agent

I, Ravinder S. Bedi, being property owner of 0911B-02-013.000
PRINT NAME PRIMARY ADDRESS OR PARCEL
 which is the subject of this application hereby authorize _____ to act as my
PRINT NAME
 representative with the City of Gulfport's Zoning Board of Adjustment and Appeals, and/or Planning
 Commission, and/or City Council, and/or permitting and licensing, as required by the City.

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

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

[Signature] 12-5-22
 Signature Date

STATE OF MISSISSIPPI | COUNTY OF HARRISON

Given under my hand and seal of office this the 5 day of December, 2022

[Signature]
 Notary Public



[Signature]
 Commission Expiration



Covenant Affidavit

I, Ravinder S. Bedi, being owner or agent of the property 0911B-02-013.000
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

12-5-22

Date

STATE OF MISSISSIPPI | COUNTY OF HARRISON

Given under my hand and seal of office this the 5 day of December, 2022

[Signature]

Notary Public



Commission Expiration



J1 - GULFPORT DISTRICT
INSTRUMENT 2022-0004028-D-J1
FILED/RECORDED 2/21/2022 11:49:01 AM
TOTAL FEES \$26.00
3 PAGES RECORDED

Prepared by/Return to:
Giddens Law Firm, PLLC
385 Edgewood Terrace
Jackson, MS 39206
601-373-4647

Indexing Instructions: US Government Lot 6, Fractional Sec 1, T8S, R11W, Harrison County,
first judicial district, MS

SPECIAL WARRANTY DEED

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

Joseph Naoum Salloum and Richard P. Salloum
P.O. Box 1176
Gulfport, MS 39502
Telephone: 228-896-4824

do hereby sell, convey and specially warrant unto

Beth Holdings, LLC
188 Chantilly Dr.
Madison, MS 39110
Telephone: 601-238-5918

the following described property located and situated in the 1st Judicial District of Harrison County,
Mississippi, to-wit:

SEE ATTACHED EX. A

EXCEPTED from the warranty hereof are all easements, rights of way, zoning ordinances, oil, gas and mineral interest, and restrictive and protective covenants, of record which may affect subject property.

AD VALOREM taxes for the current year shall be prorated on an estimated basis only. Once the actual tax amount is determined, if the proration as of this date is incorrect, the parties herein agree to pay any amounts owed to one another.

WITNESS THE SIGNATURE of the Grantors this 16 day of February, 2022.



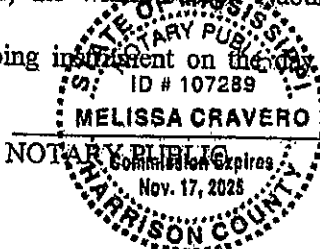
Joseph Naoum Salloum


Richard P. Salloum

STATE OF Mississippi
COUNTY OF Harrison

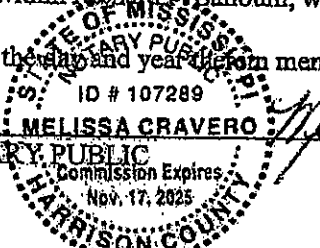
Personally appeared before me, the undersigned authority in and for the jurisdiction above stated, on this 16 day of February, 2022, the within Joseph Naoum Salloum, who acknowledged he executed the above and foregoing instrument on the day and year therein mentioned.

STATE OF Mississippi
COUNTY OF Harrison



Melissa Cravero

Personally appeared before me, the undersigned authority in and for the jurisdiction above stated, on this 16 day of February, 2022, the within Richard P. Salloum, who acknowledged he executed the above and foregoing instrument on the day and year therein mentioned.



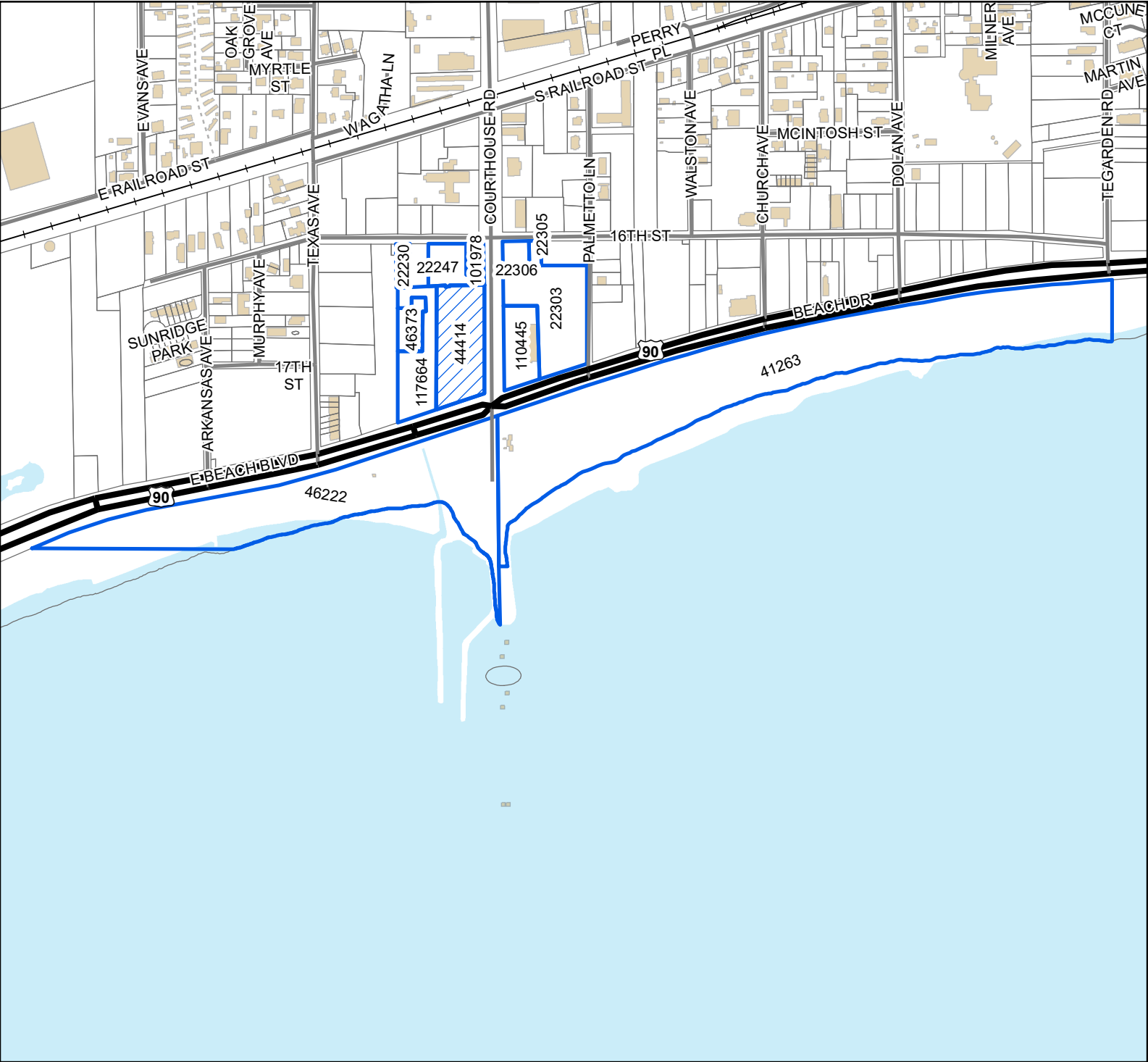
Melissa Cravero

EXHIBIT "A"

A parcel of land situated and being located in U. S. Government Lot 6, Fractional Section 1, Township 8 South, Range 11 West, City of Gulfport, First Judicial District of Harrison County, Mississippi, and being more particularly described as follows, to-wit:

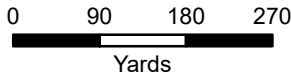
Beginning at a mag nail at the intersection of the northerly right-of-way of U. S. Highway 90 / East Beach Boulevard with the westerly right-of-way of Courthouse Road; thence run South 72 degrees 10' minutes 45 seconds West a distance of 217.40 feet along the northerly right-of-way of U. S. Highway 90 / East Beach Boulevard to a cut x in an existing concrete sidewalk; thence run North 00 degrees 07 minutes 57 seconds East a distance of 384.00 feet to a 1/2 inch iron rod; thence run North 89 degrees 17 minutes 57 seconds East a distance of 207.07 feet to a 3/4 inch iron rod on the westerly right-of-way of Courthouse Road; thence run South 00 degrees 10 minutes 27 seconds West distance of 320.00 feet along the westerly right-of-way of Courthouse Road to the POINT OF BEGINNING.

Said parcel contains 1.67 acres or 72,836 square feet, more or less.



Legend

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



1 inch = 600 feet



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

Mail	PPIN	Parcel ID	Name	Address	City	State	ZIP
	44414	0911B-02-013.000	BETH HOLDINGS, LLC (OWNER)	188 CHANTILLY DR	MADISON	MS	39110
			AUSTIN KEITH (AGENT)	126 RUE MAGNOLIA	BILOXI	MS	39530
			Adjacent Property Owners (2301ZB006)				
	22305	0911A-02-098.000	ANDERSON VIRGINIA ETAL	57 TROSSACH ROAD	STATEN ISLAND	NY	10304
	22230	0911B-02-011.000	COOPER KENNETH & CAROL K	2103 WARFIELD AVE	REDONDO BEACH	CA	90278
	22303	0911A-02-101.000	CREEKS II LLC THE	799 DESTINY PLANTATION BLVD 4603	BILOXI	MS	39532
N	22247	0911B-02-012.000	GULFPORT CITY OF	AMERICAN LEGION POST 119 PARK			0
N	41263	0911A-03-001.000	GULFPORT CITY OF -BEACHES-				0
N	46222	0911B-03-001.000	GULFPORT CITY OF -BEACHES-	25 JAY DR RT 7	GULFPORT	MS	39503
N	101978	0911B-02-013.002	HARRISON CO				0
	110445	0911A-02-101.001	JASON ASSOCIATES LLC C/O PROPERTY MAN	1055 ST CHARLES AVE, SUITE 701	NEW ORLEANS	LA	70130
	22306	0911A-02-097.000	KOSKAN ALLEN J PA -ESTATE-	19247 CHAMPION CIRCLE	GULFPORT	MS	39503
N	117664	0911B-02-015.002	QUACH MINH SO & VICTORIA NGO	3712 EVANGELINE DR	CHALMETTE	LA	70043
	46373	0911B-02-015.000	QUACH MINH SO & VICTORIA NGO	3712 EVANGELINE DR	CHALMETTE	LA	70043

RE: Special Exception 2301ZB006, by agent Austin Keith, tax parcel 0911B-02-013.000, Liquor store use, 111 Courthouse Rd, Zoned T6 (Urban Core Zone), Ward 2

To Applicants and Adjacent Property Owners:

The City of Gulfport Zoning Board of Adjustments and Appeals will hold a public hearing to consider the above application at 3:00 P.M. on **Thursday, January 19, 2023**, in the Council Chambers at the Gulfport City Hall located at 2309 15th Street.

For more information, visit <http://www.gulfport-ms.gov/agendas/> then click the City of Gulfport Zoning Board for **Thursday, January 19, 2023**. A map showing the location of the property involved is located at this website. If you have any questions or comments, please contact this office at the phone number 228-868-5710 or email planners@gulfport-ms.gov. The application is available for viewing in the Planning Division office at 1410 24th Avenue.

THANK YOU for your legal submission!

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

ORDER DETAILS

Order Number:
IPL0103093
Order Status:
Submitted
Classification:
Legals & Public Notices
Package:
BLX - Legal Ads
Final Cost:
27.60
Payment Type:
Account Billed
User ID:
IPL0024925

PREVIEW FOR AD NUMBER IPL01030930**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
December 21, 2022 1:21:02 PM EST
Amount:
27.60

SCHEDULE FOR AD NUMBER IPL01030930

January 4, 2023
SunHerald (Biloxi)

LEGAL NOTICE PUBLIC HEARING

In conformance with Section VIII of the Comprehensive Zoning Ordinance of the City of Gulfport, Mississippi, 1979, as amended, notice is hereby given advising that the Zoning Board of Adjustment and Appeals will hold a public hearing in the City of Gulfport, Mississippi at 3:00 P.M., Thursday, January 19, 2023 in the Council Chambers of the Gulfport City Hall located at 2309 15 th 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 24 th Avenue.

Variance 2301ZB004, by owners James & Amiee Wallace, tax parcel 0909K-02-048.000, Variance for side yard setback, 31 55th Street, Zoned R-UE (Urban residence estate), Ward 4

Variance 2301ZB005, by agent Austin Keith, tax parcel 0911B-02-013.000, Variance for detached accessory structure, 111 Courthouse Rd, Zoned T6 (Urban Core Zone), Ward 2

Special Exception 2301ZB006, by agent Austin Keith, tax parcel 0911B-02-013.000, Liquor store use, 111 Courthouse Rd, Zoned T6 (Urban Core Zone), Ward 2

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

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

