

AGENDA
GULFPORT CITY PLANNING COMMISSION MEETING
CITY HALL COUNCIL CHAMBERS
THURSDAY, JANUARY 26, 2023 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 - December 15, 2022

G. Announcements

G1. If you are aggrieved by a vote of the Planning Commission, see below.

DECISION ITEMS: Except as noted below, items listed on this agenda as “Decision Items” may be appealed to the Gulfport City Council as follows: Any person or any officer, department or agency of the City aggrieved by a decision of the Planning Commission may, within fifteen (15) days thereafter, appeal therefore to the Gulfport City Council by submitting to the Planning Commission (Department of Urban Development – Planning Division) a written notice of appeal specifying the decision from which the appeal is taken. In the case of such appeal, the Planning Commission shall cause a transcript of the proceedings in the case to be certified to the 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.

Exception: The disapproval of a general subdivision plan may be appealed by the subdivider by submitting to the Planning Commission and the Mayor and City Council a written notice of appeal. Upon receipt of notice of appeal, the planning commission shall transmit to the City Council a certified copy of the proceedings upon which the appeal is taken. The City Council may overrule such disapproval by a recorded vote of not less than 2/3 of its entire membership. No other right of appeal exists as to action taken by the Planning Commission on a general subdivision plan. The City Council hearing is not limited to the record created before the Planning Commission.

RECOMMENDATION ITEMS: As to items listed on this agenda as “Recommendation

Items”, the recommendation of the Planning Commission, whether to approve (with or without condition) or disapprove, will automatically be submitted to the City Council by the Department of Urban Development – Planning Division, and the item (except recommendations on Final Plats which are not so limited) will be considered by the City Council on the record created before the Planning Commission. It is not necessary to file anything with the Planning Commission in order to have the matter heard by the City Council.

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. Hearing of Cases

H1. Planning Commission Decision

1. Special Exception 2301SE006:

Special Exception 2301SE006, by agent Austin Keith, tax parcel 0911B-02-013.000, Seeking approval of a liquor store use at 111 Courthouse Rd, Zoned T-6 (Urban Core Zone), Ward 2

**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, seeking approval for an outdoor entertainment venue at 942 1/2 Beach Blvd, Zoned T5 (Urban Center Zone), Ward 2

H2. Planning Commission Recommendation

**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, to allow a Medical Cannabis dispensary as a matter of right in R-B, B-1, B-2, B4, T4+, T5, T6 zoning districts.

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 5, as amended, Section 5.3.3 (a) , 5.4.3 (a), 5.5.3 (a), 5.6.3 (a), and Article 6, Table 10; these amendments are to reflect how unspecified uses of property as processed in these zoning districts.

4. Zoning Map Amendment 2301PC001:

Zoning Map Amendment 2301PC001, by agent Greg Smith, tax parcels 1011D-01-036.000 and 1011D-01-038.001, Requests to rezone from T6 (Urban Core Zone) to T4+ (General Urban Zone "Plus"), 146 Oleander Dr., Zoned T6 (Urban Core Zone), Ward 2

5. Zoning Map Amendment 2301PC003:

Zoning Map Amendment 2301PC003, by owner Advanced Contracting Services, tax parcel 0710M-01-053.003, Requests to rezone from B-2 (General business) to I-1 (Light industry), 0 28th Street, Ward 1

6. Zoning Text Amendment 2301PC007:

Zoning Text Amendment 2301PC007, by agent Freddie Fountain, Amendments to the Comprehensive Zoning Ordinance, as amended, to amend Section III. District Regulations (K) Chart of Permitted Uses (2) Schedule of uses - REDUCING SALON; to allow a reducing salon (i.e. a gym/fitness facility) in I-2 zoning districts

I. Reports

J. Unfinished Business

K. Other Business

K1. Other Business

L. Adjournment

MINUTES
GULFPORT CITY PLANNING COMMISSION
Thursday, December 15, 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 **4:32 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
VIRGINIA ADOLPH
GARLON PEMBERTON
CHRIS ROMANO

BOARD MEMBERS ABSENT:

DOUG HANCOCK
BRANDON ELLIOTT

STAFF MEMBERS PRESENT:

CORY LONG
LORAIN HUGHES
KEVIN BROWN
LESLIE ERVIN

COURT REPORTER:

NONE

E. **Confirmation of Agenda**:

F. **Adoption of Minutes**:

A motion by Mr. Daigle to approve Minutes of the **November 17, 2022**, meeting was seconded by Mr. Jones 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 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

Speaking for the Petition: Ben West, James Foster, David Brown

Speaking against the Petition: None

Other: Attorney Margaret Murdock

Motion: Mr. Jones – To approve applicant request.

Second: Mr. Pemberton

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

Action: Motion carried unanimously.

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

Speaking for the Petition:

Speaking against the Petition:

Motion: Mr. Sellers – To table applicant request.

Second: Mr. Romano

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

Action: Motion carried unanimously.

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

Speaking for the Petition: Thomas Lewis

Speaking against the Petition: None

Motion: Mr. Spann – To approve applicant request.

Second: Mr. Jones

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

Action: Motion carried unanimously.

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

Speaking for the Petition: Caleb Boyles

Speaking against the Petition: None

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

Second: Mr. Pemberton

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

Action: Motion carried unanimously.

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

Speaking for the Petition: Ashley Lemonl, Philip Shaw

Speaking against the Petition: None

Motion: Mr. Pemberton – To approve applicant request.

Second: Mr. Hewes

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

Action: Motion carried unanimously.

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

Speaking for the Petition: Virgil Gillespie, Allen Purvis, Lenny Sawyer, Peter Vicari, Dennis Chavers, Larry Vaughn

Speaking against the Petition: Gene Davis, Rebecca Davis, Carol Cernicley, Shirley Godsey, Roger Brunell, S. Rebecca Kershaw, Cyrus Brown, Mike Marshall, Mark Mayer. Ken Kroupa, Beth Kroupa

Motion: Mr. Pemberton – To approve applicant request.

Second: Mr. Sellers

KEITH WILLIAMS	– Absent
HAROLD SPANN	– Yea
VIRGINIA ADOLPH	– Absent (Left Meeting at 5:52 p.m.)
CHARLIE HEWES	– Yea
BJ SELLERS	– Yea
WM. PRINCE JONES	– Acting Chairman
DOUG HANCOCK	– Absent
BRANDON ELLIOTT	– Absent
TIM DAIGLE JR	– Absent (Left Meeting at 5:20 p.m.)
GARLON PEMBERTON	– Yea
CHRIS ROMANO	– Yea

Action: With the removal of parcel 1010N-04-029.000 that fronts Georgia Place from the request by the applicant, the motion carried unanimously.

2. Zoning Map Amendment 2211PC195:
(Postponed from November 17th Meeting)

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:

Speaking against the Petition:

Motion: Mr. Sellers – To table applicant request.

Second: Mr. Romano

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

Action: Motion carried unanimously.

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.

Speaking for the Petition:

Speaking against the Petition:

Motion: Postponed by Planning Administrator

Second:

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

Action: Motion carried.

4. Zoning Text Amendment 2212PC224:

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

Speaking for the Petition:

Speaking against the Petition:

Motion: Postponed by Planning Administrator

Second:

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

Action: Motion carried.

5. Zoning Text Amendment 2212PC226:

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

Speaking for the Petition: Attorney Margaret Murdock, Greg Holmes

Speaking against the Petition:

Motion: Mr. Sellers – To approve applicant request.

Second: Mr. Spann

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

Action: Motion carried unanimously.

1. 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

Speaking for the Petition:

Speaking against the Petition:

Motion: Postponed by Planning Administrator

Second:

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

Action: Motion carried.

2. Resubdivison 2212PC220: (Withdrawn by Admisistration)

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

Speaking for the Petition:

Speaking against the Petition:

Motion: Withdrawn

Second:

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

Action: Motion carried.

3. 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

Speaking for the Petition: Freddie Fountain

Speaking against the Petition: None

Motion: Mr. Hewes – To approve applicant request.

Second: Mr. Pemberton

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

Action: Motion carried unanimously.

J. Other Business

**4. 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

Speaking for the Petition: Attorney Margaret Murdock,

Speaking against the Petition:

Motion: Mr. Pemberton – To approve mailed notices are not necessary with respect to Case #: 2209PC171

Second: Mr. Hewes

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

Action: Motion Carried unanimously.

I. Adjournment

There being no further business, a Motion was made by **Mr. Sellers** to adjourn, seconded by **Mr. Hewes** and carried unanimously. The meeting adjourned at **7:42 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: January 26, 2023

Re: Planning Commission Decision

MEMORANDUM

To: City of Gulfport Zoning Board of Adjustment and Appeals

From: Greg Holmes, Planning Administrator
Urban Development Department

Date of Hearing: January 26, 2023

Re: Special Exception 2301SE006:

Special Exception 2301SE006, by agent Austin Keith, tax parcel 0911B-02-013.000, Seeking approval of a liquor store use at 111 Courthouse Rd, Zoned T-6 (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/daiquiri 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/daiquiri 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/daiquiri 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/daiquiri 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

3. Variances are required for canopy placement, height, and size. Approval will be contingent upon approval from the Zoning Board. This Special Exception does not waive this requirement.

DEPARTMENTAL CONDITIONS

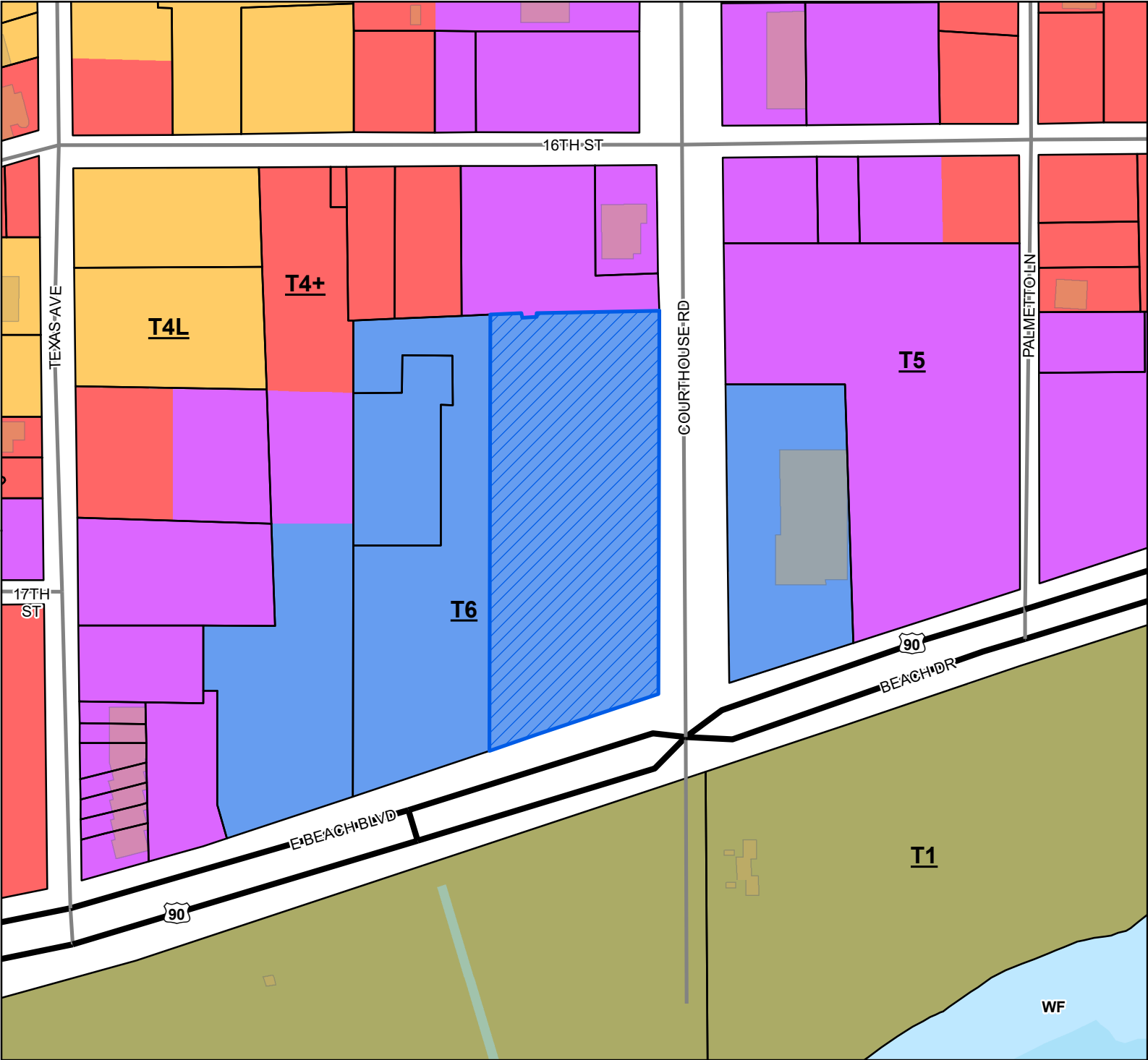
<u>Engineering:</u>	No conditions. Memo dated 01/04/2023.
<u>Public Works:</u>	No conditions. Memo dated 01/11/2023.
<u>Traffic and Safety:</u>	No conditions. Memo dated 01/05/2023.
<u>Building Code Services:</u>	Must meet all current building codes and City of Gulfport Ordinances. Memo dated 01/05/2023.
<u>GIS:</u>	No conditions. Memo dated 01/11/2023.
<u>Police Department:</u>	No conditions. Memo dated 01/06/2023.
<u>Fire Department:</u>	No conditions. Memo dated 01/05/2023.
<u>City Arborist:</u>	No conditions. Memo dated 01/05/2023.

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

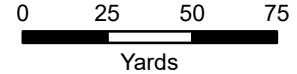
- T6
- T5
- T4+
- T4L
- T1

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



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
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

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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

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*.

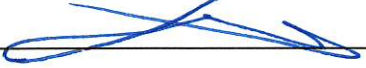
I hereby certify that I have read and understand this application and that all information and attachments are true and correct. I also certify that I agree to comply with all applicable city codes, ordinances and state laws. Finally, I certify that I am the owner of the property involved in this request 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

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]

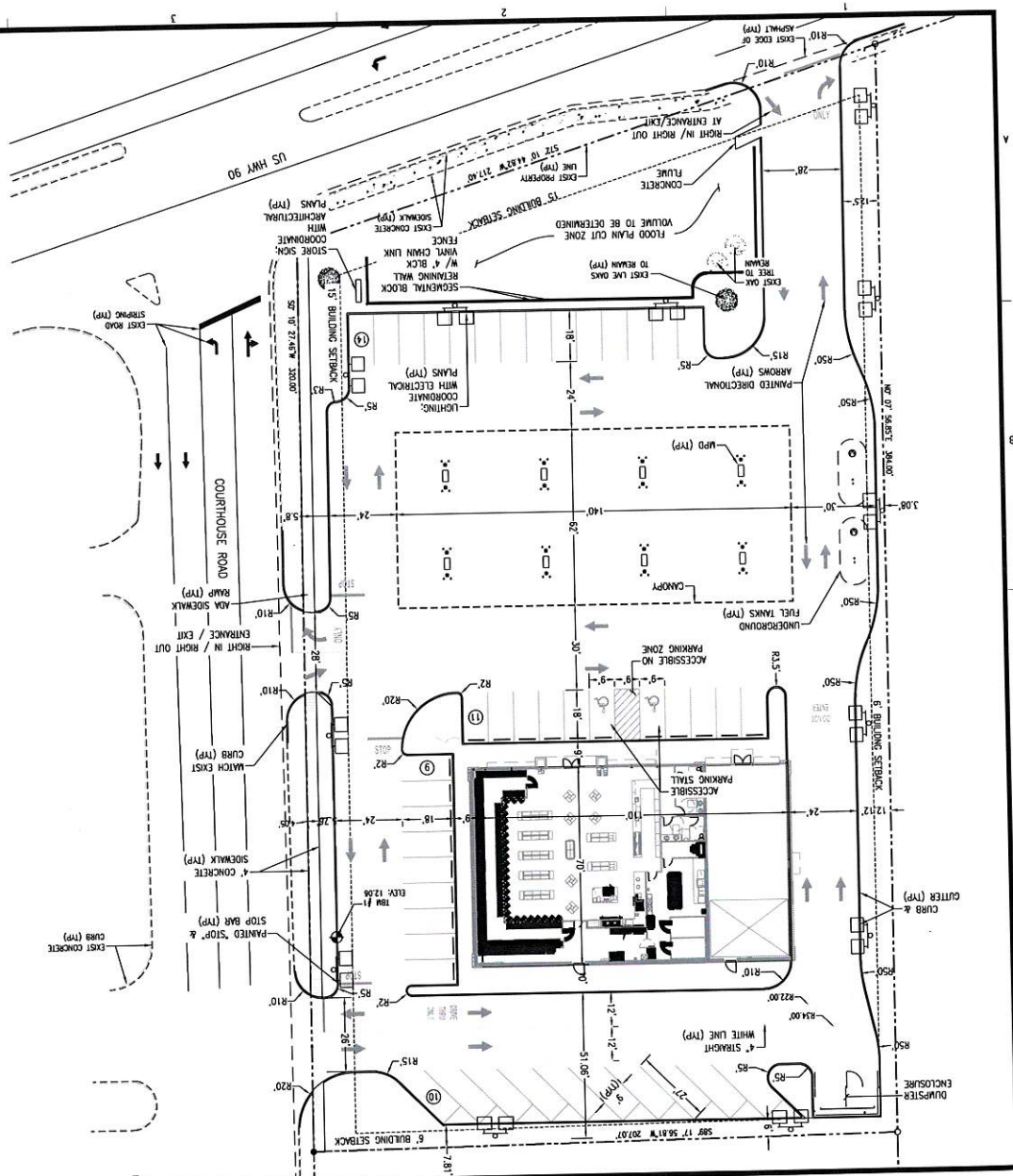
Notary Public



Commission Expiration

[illegible]

GENERAL SITE NOTES:



REPORT: _____
NAME: _____

C2.0

SEAL: _____

PRELIMINARY -
FOR CONSTRUCTION

SHEET NUMBER: _____

**GULFPORT US HWY 90 FUEL
STATION AND STORE**



Pickering

Pickering Firm, Inc.
Transportation • Environmental • Water Resources

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

			V
			V
			V
			V
			V

REVISIONS:



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.



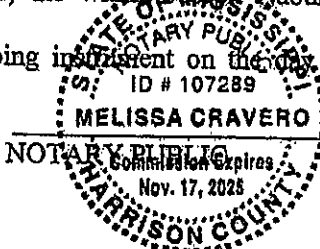
Joseph Naoum Salloum


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


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 day and year therein mentioned.

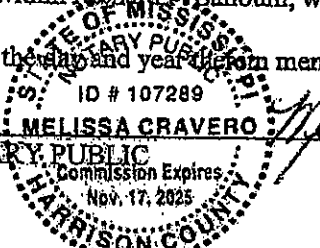
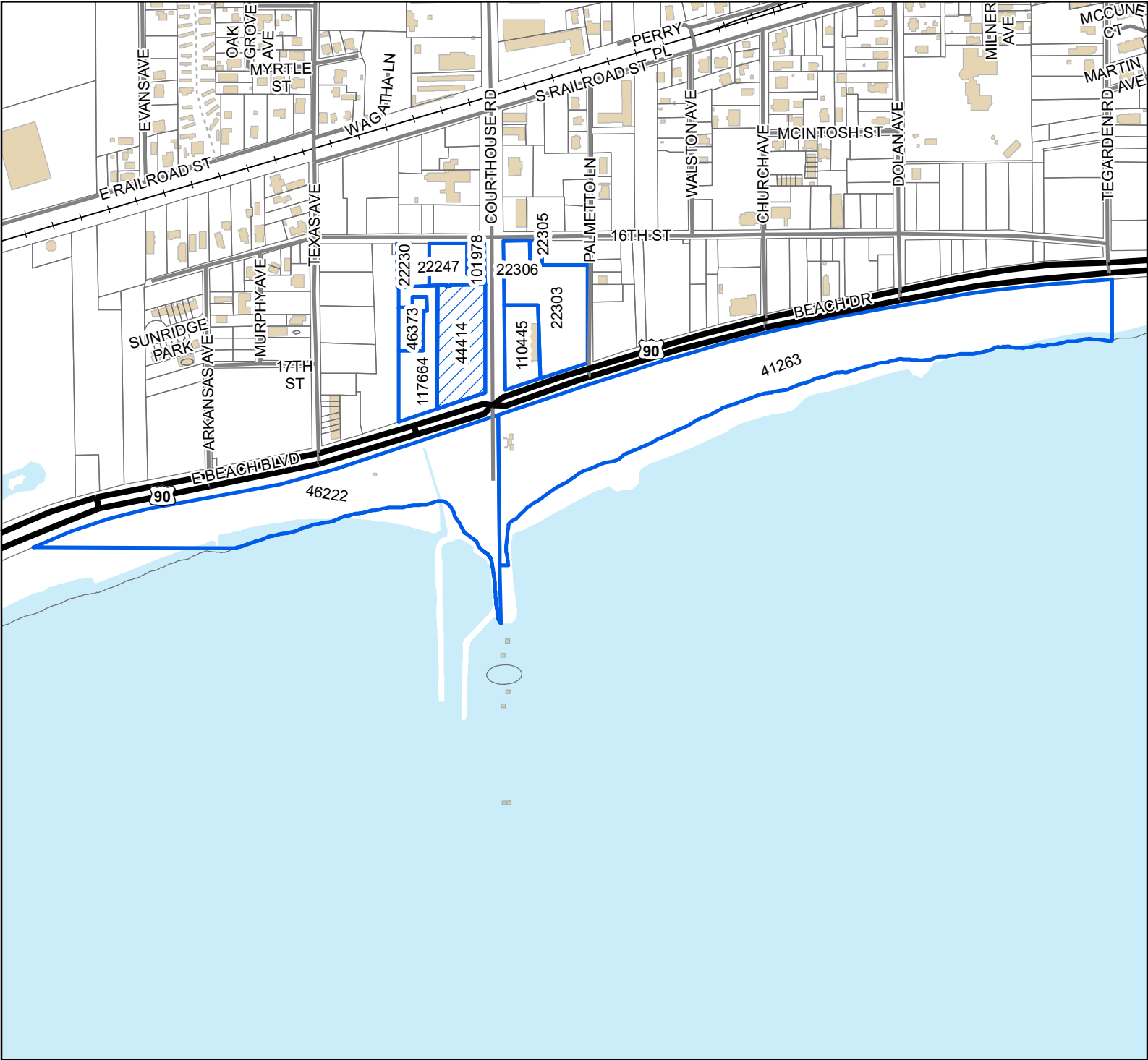

NOTARY PUBLIC
Melissa Cravero

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

0 90 180 270
Yards

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 2301SE006, 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 26, 2023**, in the Council Chambers at the Gulfport City Hall located at 2309 15th Street.

For more information, visit <https://www.gulfport-ms.gov/agendas/> then click the City of Gulfport Zoning Board for **Thursday, January 26, 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:
IPL0104298
Order Status:
Submitted
Classification:
Legals & Public Notices
Package:
BLX - Legal Ads
Final Cost:
63.12
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
January 4, 2023 2:29:50 PM EST
Amount:
63.12

SCHEDULE FOR AD NUMBER IPL01042980

January 11, 2023
SunHerald (Biloxi)

PREVIEW FOR AD NUMBER IPL01042980**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, January 26, 2023 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 2301PC002, by agent Bryce McMurry, tax parcel 08100-02-012.000, Requests to convert portion of Mobile Home Park into RV use, 2800 19th Ave, Zoned B-2 (General business), Ward 3
Special Exception 2301SE006, by agent Austin Keith, tax parcel 0911B-02-013.000, seeking approval of a liquor store use at 111 Courthouse Rd, Zoned T-6 (Urban Core Zone), Ward 2

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

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, to allow a Medical Cannabis dispensary as a matter of right in R-B, B-1, B-2, B4, T4+, T5, T6 zoning districts.

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

Zoning Text Amendment 2212PC225, by CRC Westside, amendments to the SmartCode Zoning Article 5, as amended, Section 5.3.3 (a), 5.4.3 (a), 5.5.3 (a), 5.6.3 (a), and Article 6, Table 10; to establish how unspecified uses of property are addressed in areas subject to SmartCode.

Zoning Map Amendment 2301PC001, by agent Greg Smith, tax parcels 1011D-01-036.000 and 1011D-01-038.001, Requests to rezone from T6 (Urban Core Zone) to T4+ (General Urban Zone "Plus"), 146 Oleander Dr., Zoned T6 (Urban Core Zone), Ward 2

Zoning Map Amendment 2301PC003, by owner Advanced Contracting Services, tax parcel 0710M-01-053.003, Requests to rezone from B-2 (General business) to I-1 (Light industry), 0 28th Street, Ward 1

Zoning Text Amendment 2301PC007, by agent Freddie Fountain, Amendments to the Comprehensive Zoning Ordinance, as amended, to amend Section III. District Regulations (K) Chart of Permitted Uses (2) Schedule of uses - REDUCING SALON; to allow a reducing salon (i.e. a gym/fitness facility) in I-2 zoning districts

Zoning Text Amendment 2301PC008 by City of Gulfport, amendments to the accessory building ordinance Sec. IV. Supplementary regulations. (2) Accessory building; to consider changes to limitations on size, height, setbacks, and number allowed.

This the 4th day of January, 2023
Virginia Adolph, Vice - 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: January 26, 2023

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, seeking approval for an outdoor entertainment venue at 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 - Original
January 26, 2023

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

<u>Engineering:</u>	No comments as of 11/9/22.
<u>Public Works:</u>	No comments as of 11/9/22.
<u>Traffic and Safety:</u>	No conditions. Memo dated 10/31/2022.
<u>Building Code Services:</u>	No comments as of 11/9/22.
<u>GIS:</u>	No comments as of 11/9/22.
<u>Police Department:</u>	No comments as of 11/9/22.
<u>Fire Department:</u>	No conditions. Memo dated 10/27/2022.

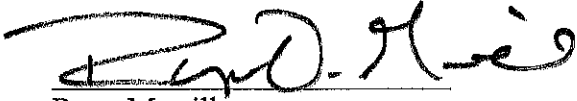
Technical Report
PLANNING COMMISSION APPROVAL

City Arborist:

No conditions. Memo dated 10/31/2022.

DIRECTOR APPROVAL

This report has been reviewed and approved by:

A handwritten signature in black ink, appearing to read "Ryan Merrill", written over a horizontal line.

Ryan Merrill

Director of Urban Development Department

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

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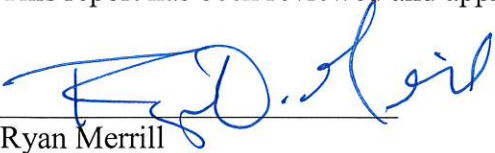
Technical Report
PLANNING COMMISSION APPROVAL

City Arborist:

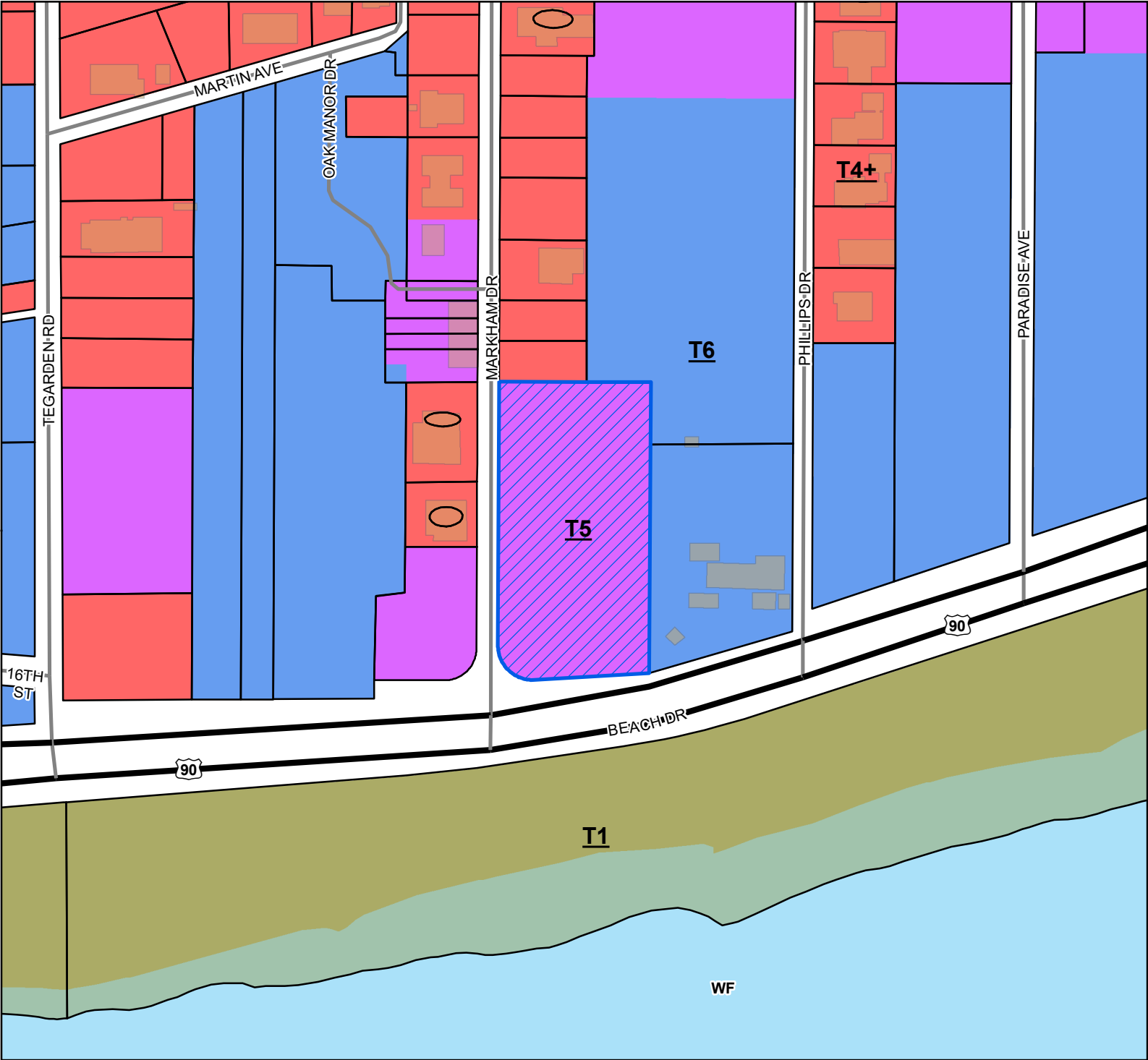
No conditions. Memo dated 10/31/2022.

DIRECTOR APPROVAL

This report has been reviewed and approved by:

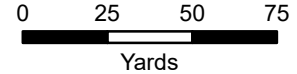


Ryan Merrill
Director of Urban Development Department



- 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.



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

APPLICATION FOR PLANNING COMMISSION APPROVAL

Property Information

TAX PARCEL #

1	0	1	1	0

 -

0	3

 -

0	0	8

 .

0	0	0

For Staff Use Only

Case Number: 2211PC194Date Received: 9/19/22

Receipt Number: _____

Received By: _____

Zoning: T5Ward: 2 Flood: VESize: 1.53 acres

(If necessary, use separate sheet of paper)

Address of Property Involved: 942 1/2 Beach BlvdLot(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@conwill.com
Email

Email

[Signature]
Signature of Owner

Signature of Agent

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



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

September 16, 2022

The City of Gulfport
Gulfport Planning and Zoning Commission
1410 24th 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,

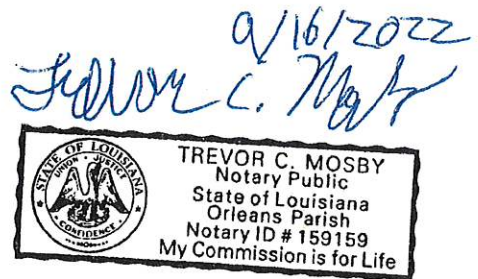


Daniel O Conwill, IV

942 ½ Beach Blvd., LLC

910 West Beach Blvd.

Pass Christian, MS 39571





Michael Watson

SECRETARY OF STATE

This is not an official certificate of good standing.

Name History

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

Business Information

Business Type:	Limited Liability Company
Business ID:	1318382
Status:	Good Standing
Effective Date:	01/06/2022
State of Incorporation:	Mississippi
Principal Office Address:	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 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.

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.

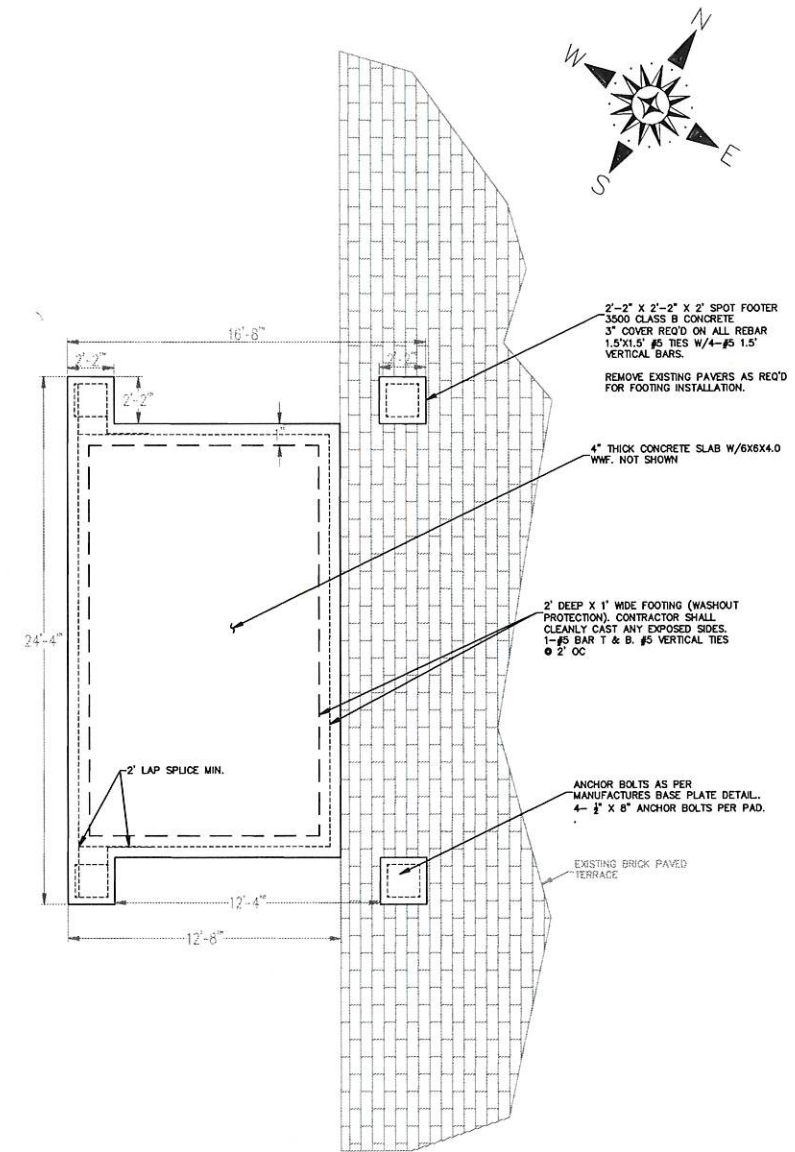
This property is situated in Zone "AE-20" "VE-21-22" per FEMA Flood Insurance Rate Map, City of Gulfport, Harrison County, Mississippi, Community Panel Number 28047C-0268-G, Revised: 6/16/09.

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

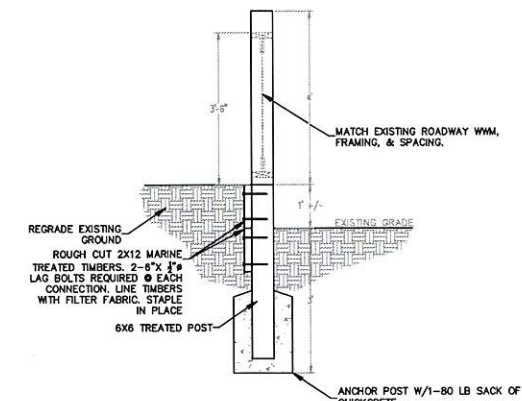
10888B

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



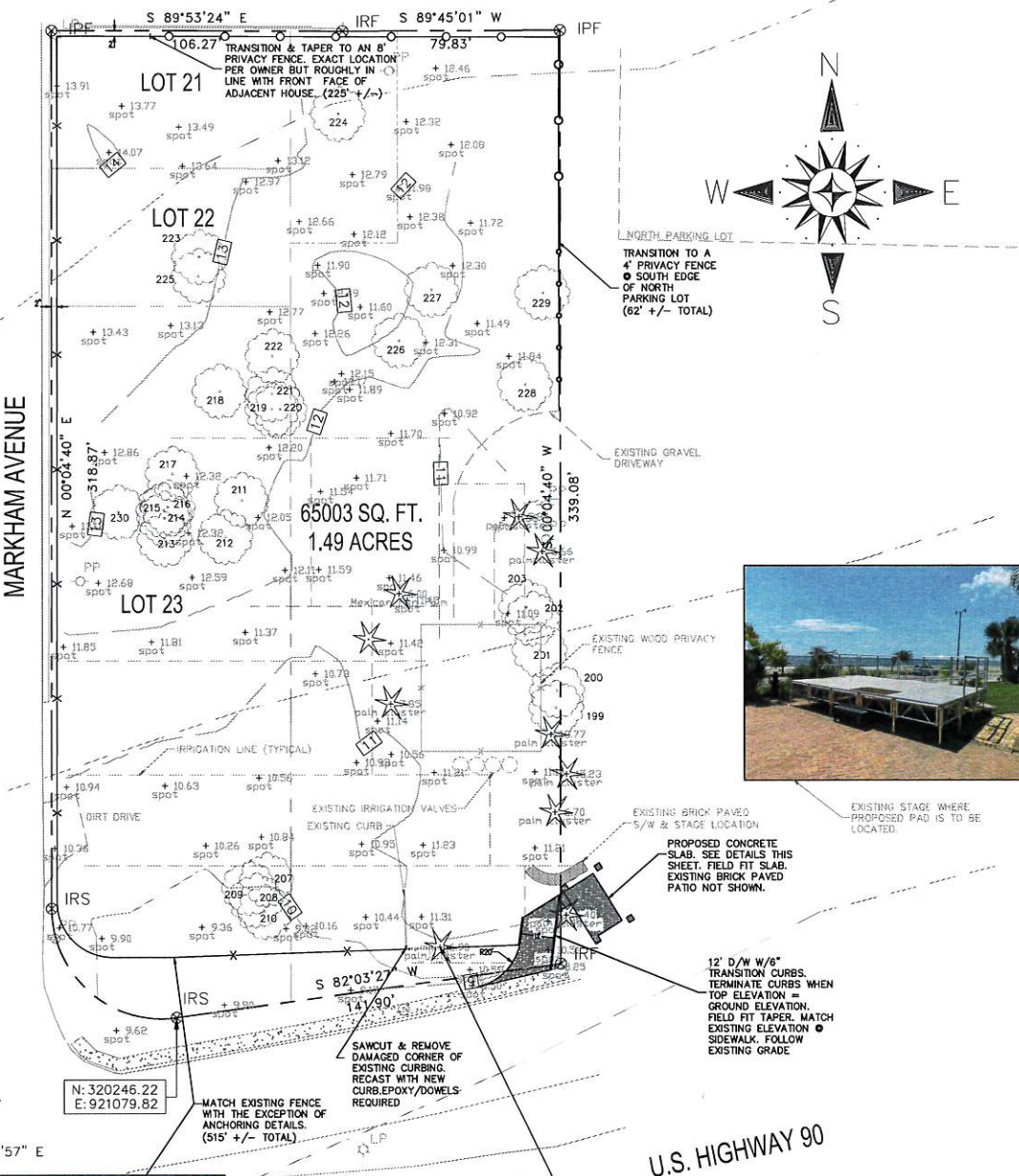
FOUNDATION PLAN

SCALE:1"=4'



FENCE DETAIL

SCALE:N/A



EXISTING CONDITIONS & SITE PLAN

SCALE:1"=30'



Property in deed south of Highway 90 not included in this survey.



SAWCUT & REMOVE DAMAGED CORNER OF EXISTING CURBING. RECAST WITH NEW CURB EPOXY/DOWELS REQUIRED @ TIE-IN



EXISTING STAGE WHERE PROPOSED PAD IS TO BE LOCATED.

Sheet Title
EXISTING CONDITIONS, SITE, &
FOUNDATION PLAN

Project Name
FELIX'S OYSTER BAR & GRILL
GULFPORT, MS 39503



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

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)

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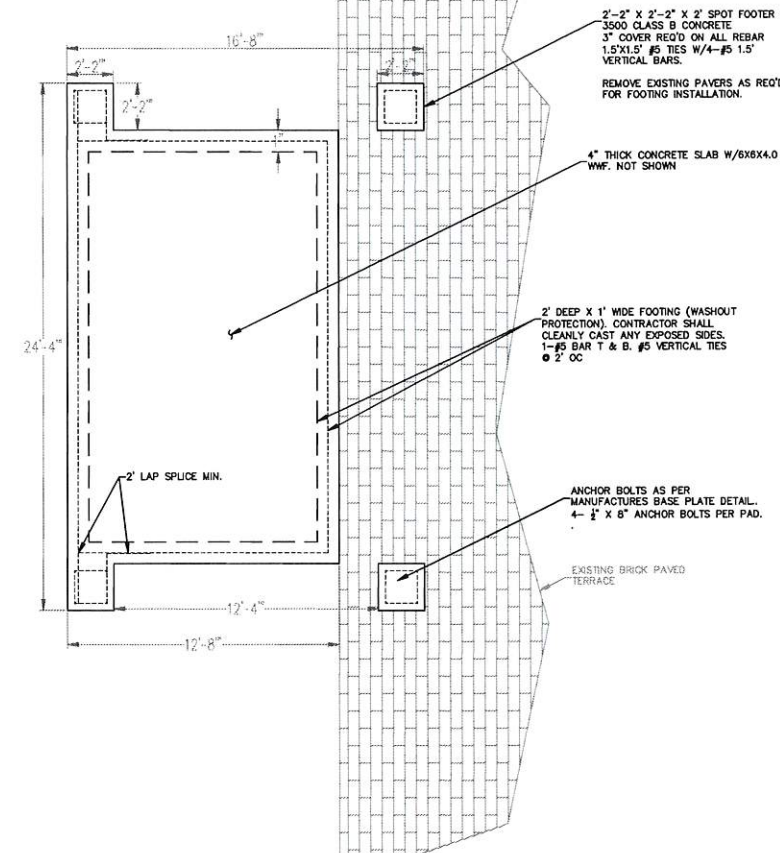
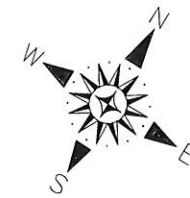
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Gary A. Durbin, P.L.S. 2401
December 2, 2021
Revised: December 15, 2021

10888B

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

FOUNDATION PLAN
SCALE: 1"=4'



Drawn	JAG
Checked	JAG
Approved	
Date	9/5/22

Sheet Title	EXISTING CONDITIONS, SITE, & FOUNDATION PLAN
Project Name	FELIX'S OYSTER BAR & GRILL GULFPORT, MS 39503
Surveyor	GARY A. DURBIN, P.L.S. 13048 RIVERWALK CIRCLE, DIBERVILLE, MS. 39540 PH. (228) 365-3632 Teletokgd@aol.com
Client	970 TOMMY MUNRO DR., STE D DIBERVILLE, MS 39552 C: 228-437-7355 JASON.ACAD@GMAIL.COM
Sheet	C1
Project No.	08-22E

ALCAD
Advanced Construction & Development



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.
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STATE OF MISSISSIPPI
COUNTY OF HARRISON
FIRST JUDICIAL DISTRICT

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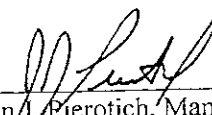
SEE EXHIBIT "A" ATTACHED HERETO

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 19th 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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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.



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

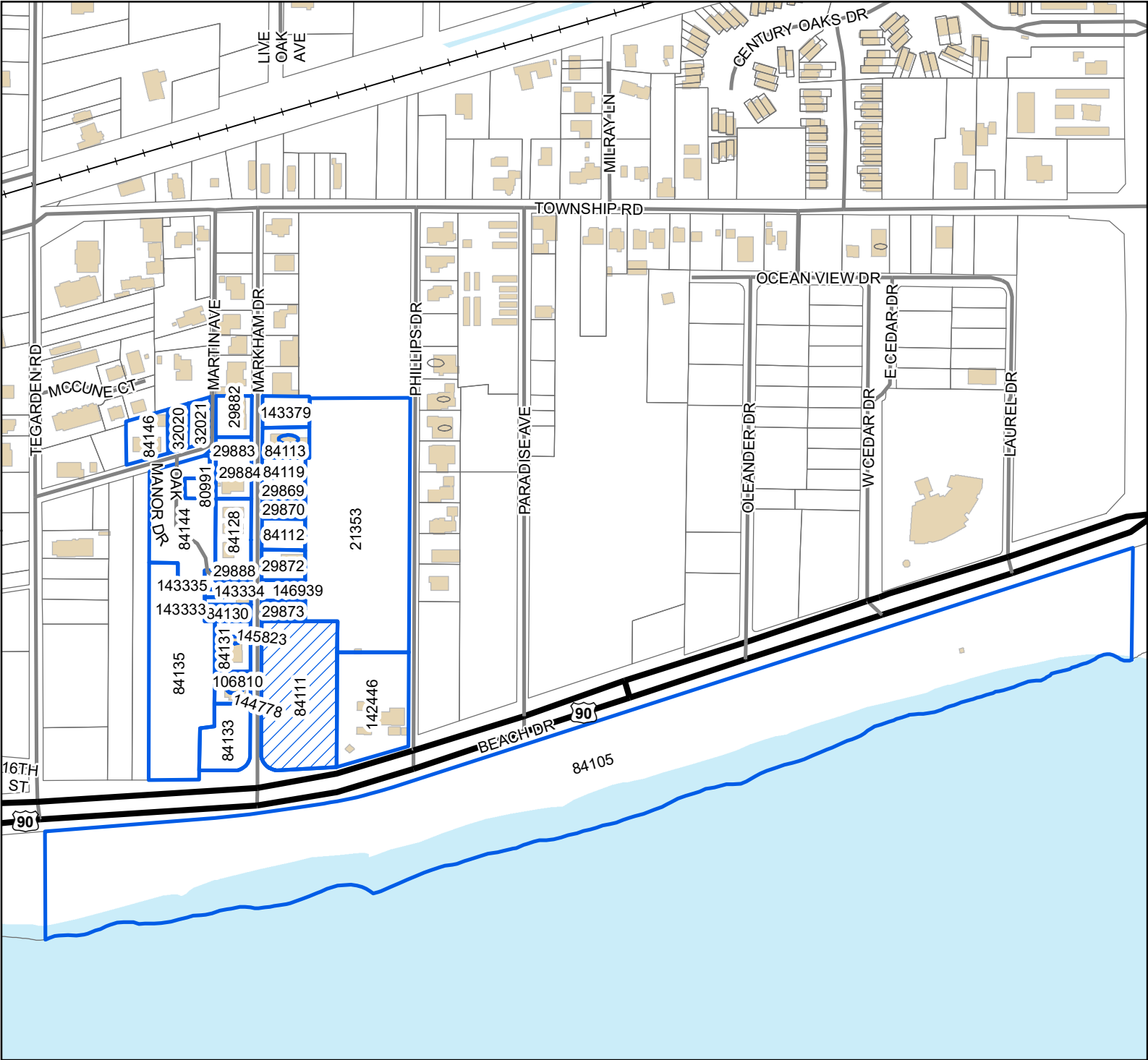
AMOUNT PAID: 75.00

PAID BY: FELIX'S
PAYMENT METH: CHECK

REFERENCE:

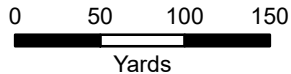
AMT TENDERED: 75.00
AMT APPLIED: 75.00
CHANGE: .00

Mail	PPIN	Parcel ID	Name	Address	City	State	ZIP
N	84111	1011D-03-008.000	DANIEL O. CONWILL, IV (OWNER)	942 BEACH DRIVE	GULFPORT	MS	39507
			Adjacent Property Owners (2211PC194)				
	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
	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. 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:
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 Bell,

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 >>](#)

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:
IPL0104298
Order Status:
Submitted
Classification:
Legals & Public Notices
Package:
BLX - Legal Ads
Final Cost:
63.12
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
January 4, 2023 2:29:50 PM EST
Amount:
63.12

SCHEDULE FOR AD NUMBER IPL01042980

January 11, 2023
SunHerald (Biloxi)

PREVIEW FOR AD NUMBER IPL01042980**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, January 26, 2023 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 2301PC002, by agent Bryce McMurry, tax parcel 08100-02-012.000, Requests to convert portion of Mobile Home Park into RV use, 2800 19th Ave, Zoned B-2 (General business), Ward 3
Special Exception 2301SE006, by agent Austin Keith, tax parcel 0911B-02-013.000, seeking approval of a liquor store use at 111 Courthouse Rd, Zoned T-6 (Urban Core Zone), Ward 2

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

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, to allow a Medical Cannabis dispensary as a matter of right in R-B, B-1, B-2, B4, T4+, T5, T6 zoning districts.

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

Zoning Text Amendment 2212PC225, by CRC Westside, amendments to the SmartCode Zoning Article 5, as amended, Section 5.3.3 (a), 5.4.3 (a), 5.5.3 (a), 5.6.3 (a), and Article 6, Table 10; to establish how unspecified uses of property are addressed in areas subject to SmartCode.

Zoning Map Amendment 2301PC001, by agent Greg Smith, tax parcels 1011D-01-036.000 and 1011D-01-038.001, Requests to rezone from T6 (Urban Core Zone) to T4+ (General Urban Zone "Plus"), 146 Oleander Dr., Zoned T6 (Urban Core Zone), Ward 2

Zoning Map Amendment 2301PC003, by owner Advanced Contracting Services, tax parcel 0710M-01-053.003, Requests to rezone from B-2 (General business) to I-1 (Light industry), 0 28th Street, Ward 1

Zoning Text Amendment 2301PC007, by agent Freddie Fountain, Amendments to the Comprehensive Zoning Ordinance, as amended, to amend Section III. District Regulations (K) Chart of Permitted Uses (2) Schedule of uses - REDUCING SALON; to allow a reducing salon (i.e. a gym/fitness facility) in I-2 zoning districts

Zoning Text Amendment 2301PC008 by City of Gulfport, amendments to the accessory building ordinance Sec. IV. Supplementary regulations. (2) Accessory building; to consider changes to limitations on size, height, setbacks, and number allowed.

This the 4th day of January, 2023
Virginia Adolph, Vice - 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: January 26, 2023

Re: Planning Commission Recommendation

MEMORANDUM

To: City of Gulfport Planning Commission

From: Greg Holmes, Planning Administrator
Urban Development Department

Date of Hearing: January 26, 2023

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, to allow a Medical Cannabis dispensary as a matter of right in R-B, B-1, B-2, B4, T4+, T5, T6 zoning districts.

Technical Report

ZONING TEXT AMENDMENT

GENERAL INFORMATION

Case File Number: 2209PC171

Hearing Date: Original – September 22, 2022
Remanded – December 15, 2022
Rehearing – January 26, 2023

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 new zoning districts. 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.

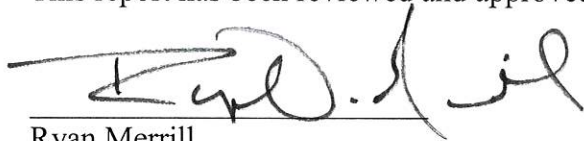
EXECUTIVE SUMMARY

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: Original – September 22, 2022
Remanded – December 15, 2022

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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.

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Ryan Merrill
Director of Urban Development Department



Technical Report

ZONING TEXT AMENDMENT

GENERAL INFORMATION

Case File Number: 2209PC171

Hearing Date: September 22, 2022

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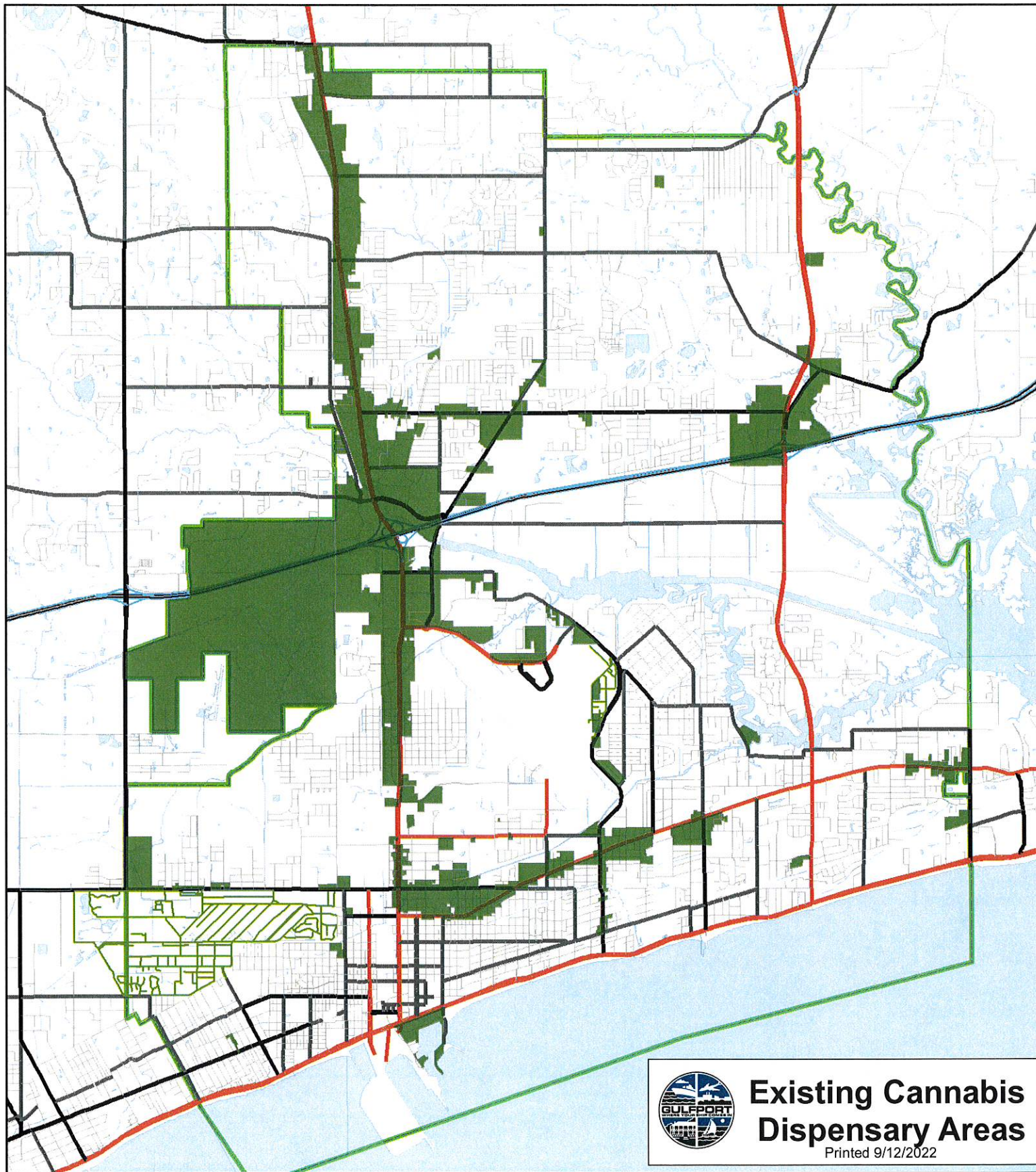
Should there be bad results, changing the rules and then changing them back is problematic. The non-conforming rules are not quick when it comes eliminating uses that are causing distress.

DIRECTOR APPROVAL

This report has been reviewed and approved by:

Greg Pietrangelo
Director of Urban Development Department

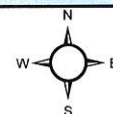
Existing Regulations		Proposed Regulations		SmartCode Community Impacts	
Zone	Acres Existing	Zone2	Acres Proposed	Zone5	Acres SmartCode
B-2	3689.8	B-2	3689.8	T4+	142.8
B-4	1751.2	B-4	1751.2	T5	1.6
		B-1	350.7	T6	0.0
		R-B	811.6		
		T4+	422.0		
		T5	205.2		
		T6	142.1		
Total Acres	5440.9		7372.5		144.4
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



Existing Cannabis Dispensary Areas

Printed 9/12/2022

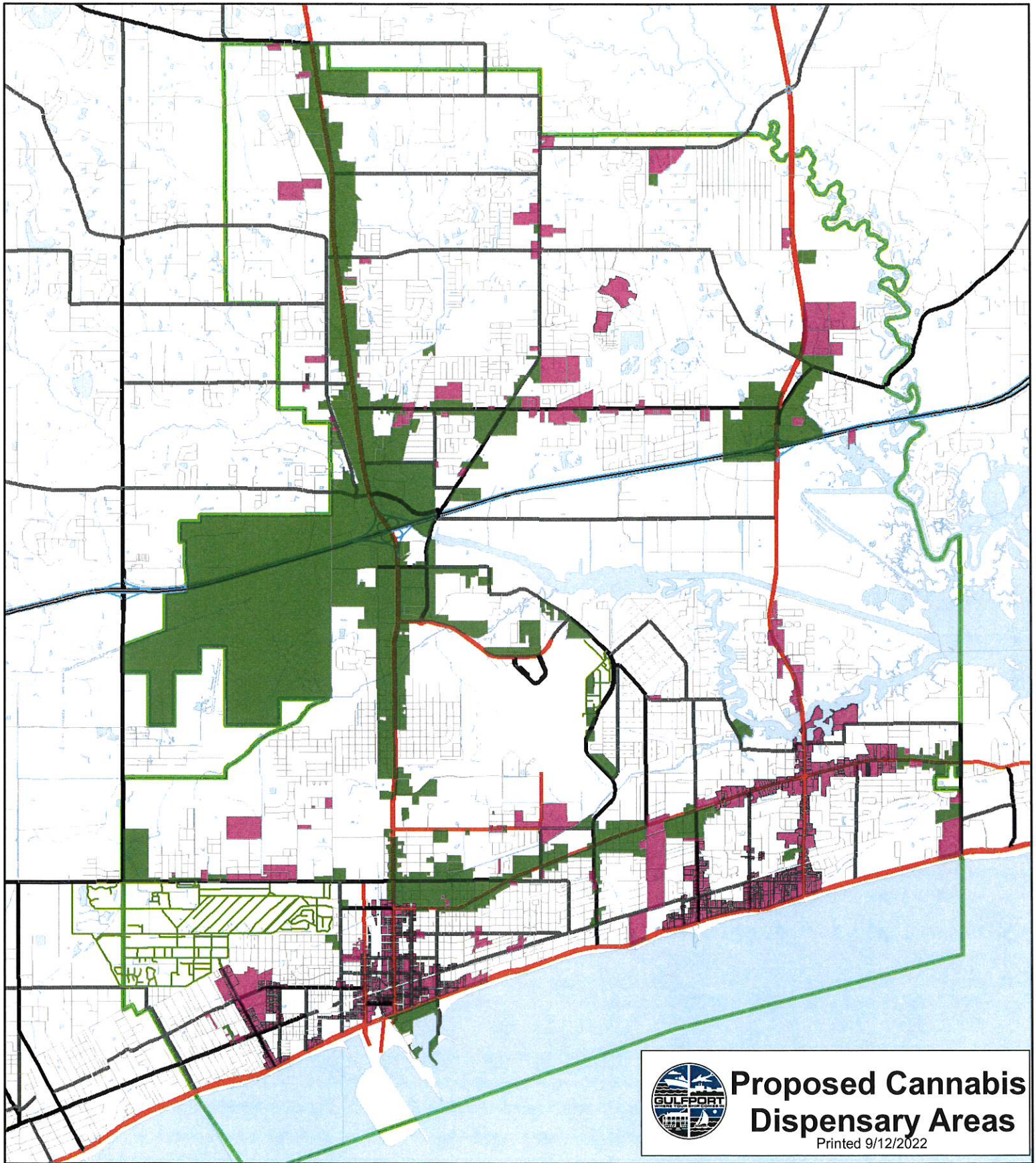
- Cannabis Areas**
- Existing
- Legend:**
- Interstate Highway
 - Principal Arterial
 - Minor Arterial
 - Collector
 - Minor/Residential
 - Access Ramp
 - Military
 - Alley
 - Water Features



1 inch = 6,500 feet

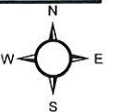
DATA DISCLAIMER:

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.



Proposed Cannabis Dispensary Areas

Printed 9/12/2022



1 inch = 6,500 feet

DATA DISCLAIMER:

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\$175.00



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 #: 2209PC171

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.)

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

Gulfport MS 39507

City State Zip code

225-588-8783

Home Phone Work/Cell Phone

laurenlee@luminoussolutions.org

Email

[Signature]

Signature Of Owner

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.

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 Greenvue 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 , T 1 , T 2	R - E	R - U E	R - 1 - 1 5	R - 1 - 1 0	R - 1 - 7 5 , T 3	R - 1 - 5	R - 2	R - 3	R - 4	R - O , T 4 L	R - B , T 4 +	B - 1 , T 5	B - 2 , T 6	B - 4	E - G	I- 1	I- 2	I- 3	S B	W F	A E
MANUFACTURING																						
Cannabis Disposal	R ±	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	R	R	—	—	—

Entity; Cannabis Processing Facility (See definitions for distance requiremen ts)																				
Cannabis Disposal Entity; Cannabis Processing 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 requiremen ts)	P ±	—	—	—	—	—	—	—	—	—	—	—	—	—	—	P	P	—	—	—

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-E	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
COMMUNICATION, TRANSPORTATION, AND UTILITIES																						
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 — = Not allowed ± = T-zones removed (see definitions)																						
Names of Uses and Conditions	A-1, T1, T2	R-E	R-U-E	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
RETAIL AND WHOLESALE TRADE																						
Medical Cannabis Dispensary (See definitions for distance requirements)	—	—	—	—	—	—	—	—	—	—	—	P	P	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)	—	—	—	—	—	—	—	—	—	—	—	P	P	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
SERVICES																						
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-U-E	R-1-1-5	R-1-1-0	R-1-7-5, T3	R-1-2-5	R-2-3	R-3-4	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
RESOURCES PRODUCTION OR EXTRACTION																					
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 15th Street, Gulfport, Mississippi 39501); (b) in the first floor lobby of the City's Hardy Building (1410 24th Avenue, Gulfport, Mississippi 39501); and (c) in the first floor lobby of the County Courthouse in Gulfport (1801 23rd 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 P.M., 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 Pamber-ton, 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 I-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 Gautreaux, 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 >>](#)

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.

19

20

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BEFORE THE CITY OF GULFPORT PLANNING COMMISSION

2209PC171

COURT REPORTER'S CERTIFICATE

I, Norma Jean Ladner Soroe, Certified Shorthand Reporter, do hereby certify that to the best of my skill and ability I have reported the hearing held before the City of Gulfport Planning Commission and that the foregoing 60 pages constitute a true and correct transcription of said hearing held on the 22nd day of September 2022.

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

Witness my signature this the 26th day of October 2022.

NORMA JEAN LADNER SOROE, CSR #1297
Certified Shorthand Reporter

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Payment Type:
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SCHEDULE FOR AD NUMBER IPL01042980

January 11, 2023
SunHerald (Biloxi)

PREVIEW FOR AD NUMBER IPL01042980**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, January 26, 2023 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 2301PC002, by agent Bryce McMurry, tax parcel 08100-02-012.000, Requests to convert portion of Mobile Home Park into RV use, 2800 19th Ave, Zoned B-2 (General business), Ward 3
Special Exception 2301SE006, by agent Austin Keith, tax parcel 0911B-02-013.000, seeking approval of a liquor store use at 111 Courthouse Rd, Zoned T-6 (Urban Core Zone), Ward 2

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

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, to allow a Medical Cannabis dispensary as a matter of right in R-B, B-1, B-2, B4, T4+, T5, T6 zoning districts.

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

Zoning Text Amendment 2212PC225, by CRC Westside, amendments to the SmartCode Zoning Article 5, as amended, Section 5.3.3 (a), 5.4.3 (a), 5.5.3 (a), 5.6.3 (a), and Article 6, Table 10; to establish how unspecified uses of property are addressed in areas subject to SmartCode.

Zoning Map Amendment 2301PC001, by agent Greg Smith, tax parcels 1011D-01-036.000 and 1011D-01-038.001, Requests to rezone from T6 (Urban Core Zone) to T4+ (General Urban Zone "Plus"), 146 Oleander Dr., Zoned T6 (Urban Core Zone), Ward 2

Zoning Map Amendment 2301PC003, by owner Advanced Contracting Services, tax parcel 0710M-01-053.003, Requests to rezone from B-2 (General business) to I-1 (Light industry), 0 28th Street, Ward 1

Zoning Text Amendment 2301PC007, by agent Freddie Fountain, Amendments to the Comprehensive Zoning Ordinance, as amended, to amend Section III. District Regulations (K) Chart of Permitted Uses (2) Schedule of uses - REDUCING SALON; to allow a reducing salon (i.e. a gym/fitness facility) in I-2 zoning districts

Zoning Text Amendment 2301PC008 by City of Gulfport, amendments to the accessory building ordinance Sec. IV. Supplementary regulations. (2) Accessory building; to consider changes to limitations on size, height, setbacks, and number allowed.

This the 4th day of January, 2023
Virginia Adolph, Vice - 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: January 26, 2023

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 - Original
January 26, 2023

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:

A handwritten signature in black ink, appearing to read 'Ryan Merrill', is written over a horizontal line.

Ryan Merrill
Director of Urban Development Department

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

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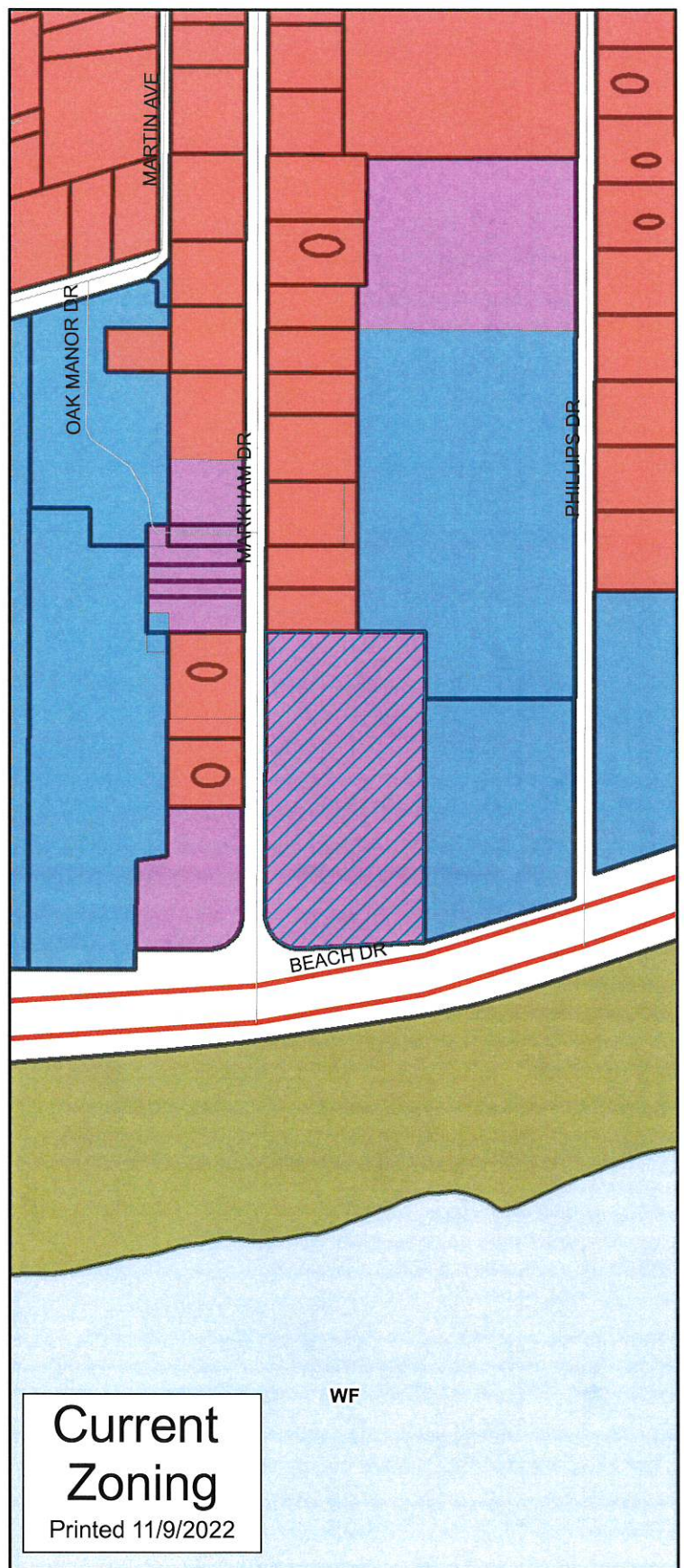
DIRECTOR APPROVAL

This report has been reviewed and approved by:

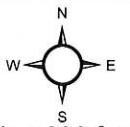


Ryan Merrill

Director of Urban Development Department

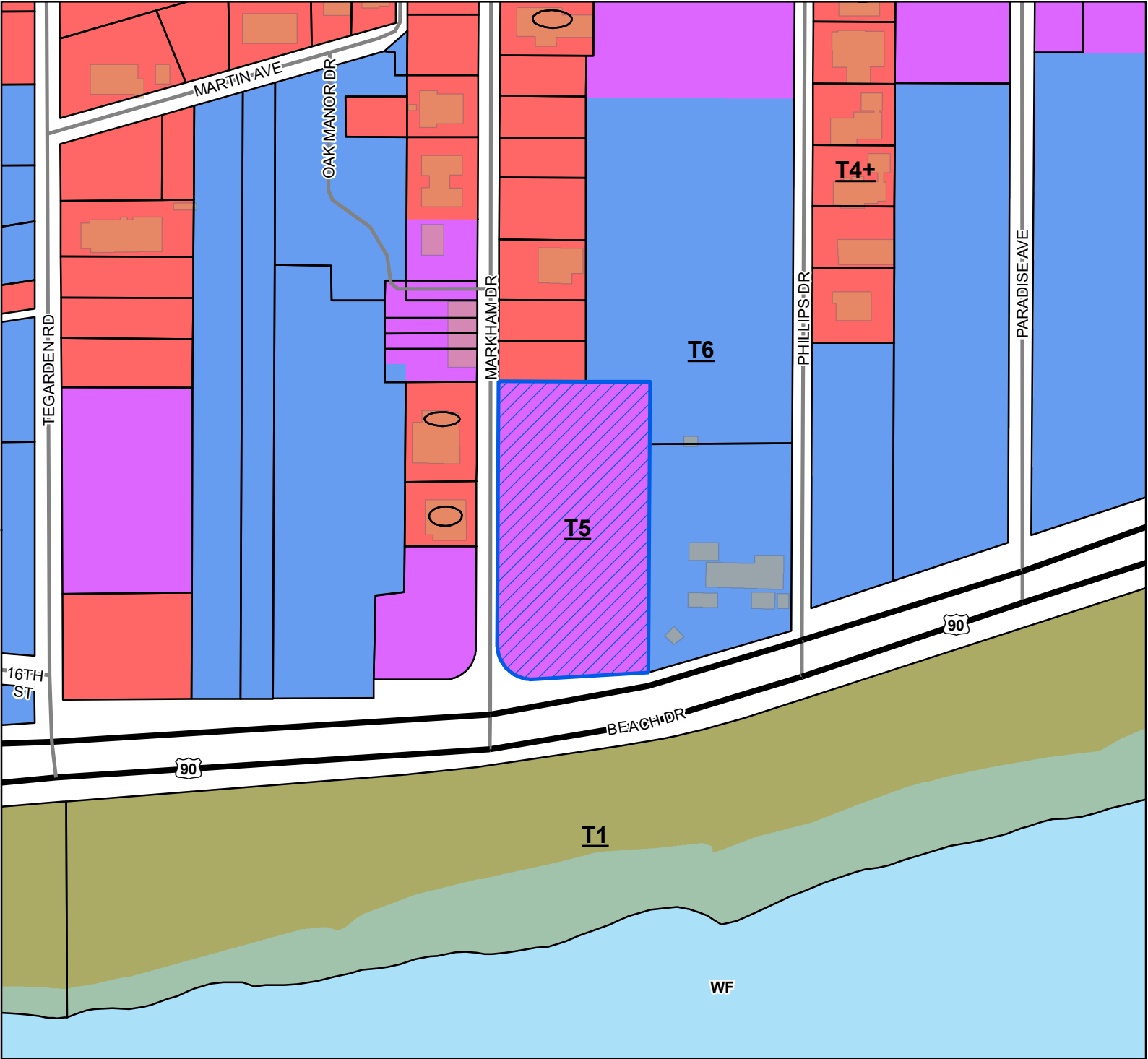


-  Parcels selection
-  Principal Arterial
-  Minor/Residential
-  WaterFeatures
-  Parcels



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.



Legend

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

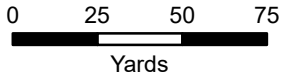
Smart Code

- 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.



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

**APPLICATION FOR ZONING MAP
AMENDMENT/LAND USE
RECLASSIFICATION (SMARTCODE)**
Property Information

For Staff Use Only

Case File #: 2211PC195Date Received: 9/19/22

Receipt #: _____

Received By: _____

Zoning: T5Ward: 2 Flood: VESize: 1.53 acres

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 BlvdLot(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

AGENT

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@alconwill.com

Email

Signature Of Owner

Printed Name Of Agent

Mailing Address

City

State

Zip code

Home Phone

Work/Cell Phone

Email

Signature Of Agent

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

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

September 16, 2022

The City of Gulfport
Gulfport Planning and Zoning Commission
1410 24th 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,

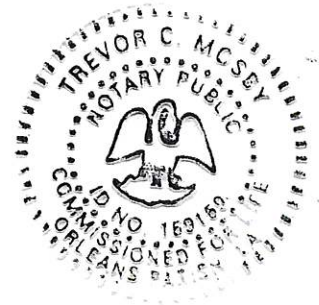
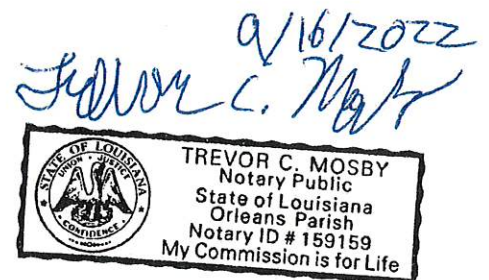


Daniel O Conwill, IV

942 ½ Beach Blvd., LLC

910 West Beach Blvd.

Pass Christian, MS 39571





Michael Watson

SECRETARY OF STATE

This is not an official certificate of good standing.

Name History

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

Business Information

Business Type:	Limited Liability Company
Business ID:	1318382
Status:	Good Standing
Effective Date:	01/06/2022
State of Incorporation:	Mississippi
Principal Office Address:	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

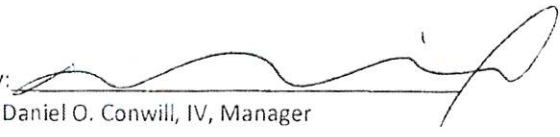
942 Beach Dr
Gulfport,MS 39507

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.

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

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.

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.

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

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.

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

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

Drawn	JAG
Checked	JAG
Approved	
Date	9/6/22

Title	EXISTING CONDITIONS, SITE, & FOUNDATION PLAN
-------	--

Street Name
FELIX'S OYSTER BAR & GRILL
GULFPORT, MS 39503

O TOMMY MUNRO DR., STE D
D'IBERVILLE, MS 39532
C: 228-437-7533
JASON.ACAD@GMAIL.COM

ALAD

Sheet
C1

Project No.	08-22E
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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:

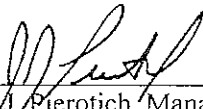
SEE EXHIBIT "A" ATTACHED HERETO

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 19th 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.

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.

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

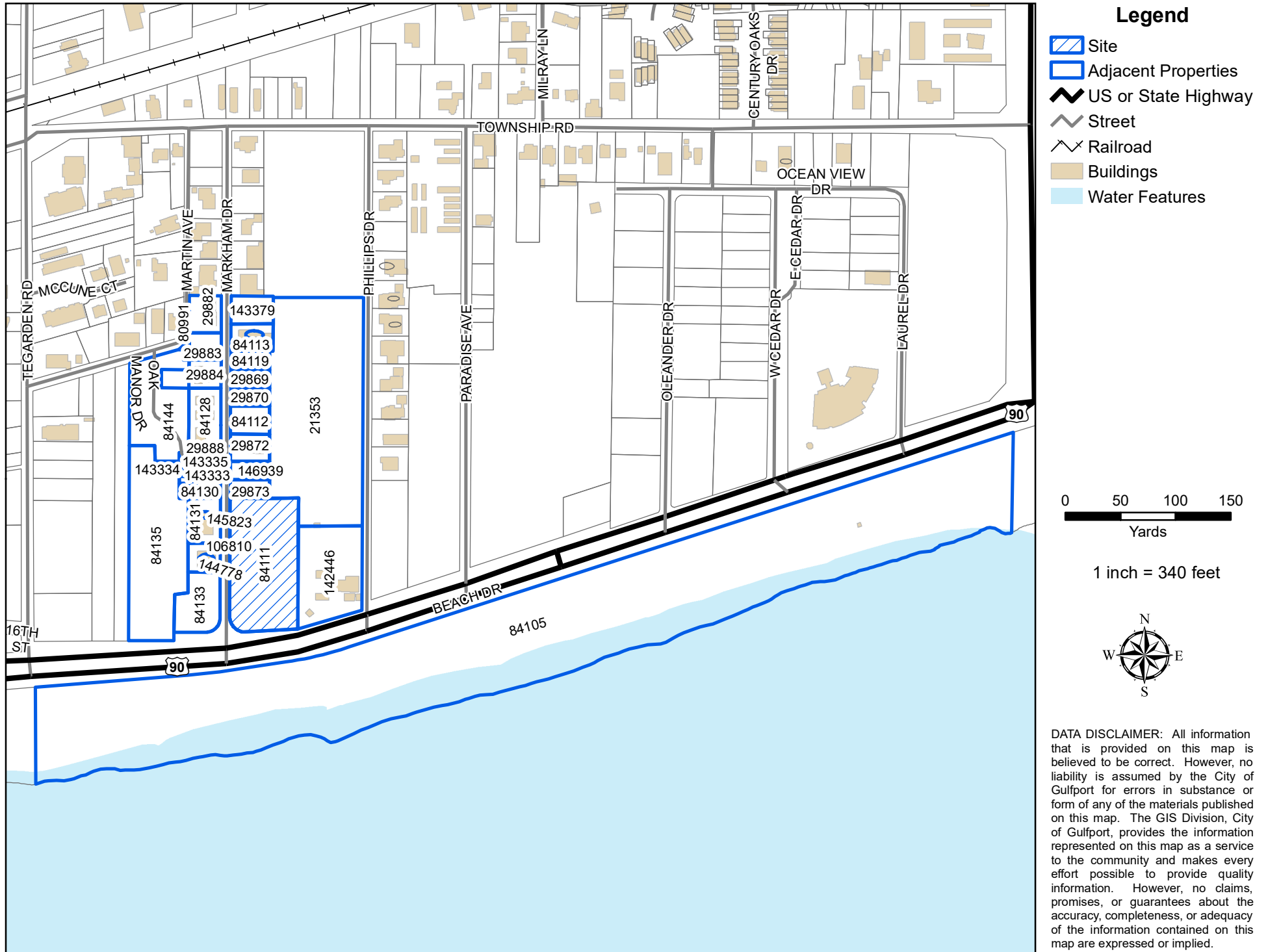
REFERENCE:

AMT TENDERED: 175.00
AMT APPLIED: 175.00
CHANGE: .00

Mail	PPIN	Parcel ID	Name	Address	City	State	ZIP
N	84111	1011D-03-008.000	DANIEL O. CONWILL IV	942 BEACH DRIVE	GULFPORT	MS	39507
	Adjacent Property Owners (2211PC195)						
	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	MCGRRAW FRANK ADAM	127 MARKHAM DR	GULFPORT	MS	39501
N	145823	1011D-03-034.004	MCGRRAW 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

2211PC195

Zoning Map Amendment



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. 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:
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 Bell,

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: January 26, 2023

Re: Zoning Text Amendment 2212PC225:

Zoning Text Amendment 2212PC225, by CRC Westside, amendments to the SmartCode Zoning Article 5, as amended, Section 5.3.3 (a) , 5.4.3 (a), 5.5.3 (a), 5.6.3 (a), and Article 6, Table 10; these amendments are to reflect how unspecified uses of property as processed in these zoning districts.



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

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.

☐

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

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

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

NAME OF OWNER (PRINT) _____

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
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 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

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.

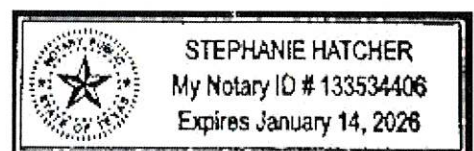
Stefani Beard

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!

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:
IPL0104298
Order Status:
Submitted
Classification:
Legals & Public Notices
Package:
BLX - Legal Ads
Final Cost:
63.12
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
January 4, 2023 2:29:50 PM EST
Amount:
63.12

SCHEDULE FOR AD NUMBER IPL01042980

January 11, 2023
SunHerald (Biloxi)

PREVIEW FOR AD NUMBER IPL01042980**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, January 26, 2023 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 2301PC002, by agent Bryce McMurry, tax parcel 08100-02-012.000, Requests to convert portion of Mobile Home Park into RV use, 2800 19th Ave, Zoned B-2 (General business), Ward 3
Special Exception 2301SE006, by agent Austin Keith, tax parcel 0911B-02-013.000, seeking approval of a liquor store use at 111 Courthouse Rd, Zoned T-6 (Urban Core Zone), Ward 2

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

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, to allow a Medical Cannabis dispensary as a matter of right in R-B, B-1, B-2, B4, T4+, T5, T6 zoning districts.

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

Zoning Text Amendment 2212PC225, by CRC Westside, amendments to the SmartCode Zoning Article 5, as amended, Section 5.3.3 (a), 5.4.3 (a), 5.5.3 (a), 5.6.3 (a), and Article 6, Table 10; to establish how unspecified uses of property are addressed in areas subject to SmartCode.

Zoning Map Amendment 2301PC001, by agent Greg Smith, tax parcels 1011D-01-036.000 and 1011D-01-038.001, Requests to rezone from T6 (Urban Core Zone) to T4+ (General Urban Zone "Plus"), 146 Oleander Dr., Zoned T6 (Urban Core Zone), Ward 2

Zoning Map Amendment 2301PC003, by owner Advanced Contracting Services, tax parcel 0710M-01-053.003, Requests to rezone from B-2 (General business) to I-1 (Light industry), 0 28th Street, Ward 1

Zoning Text Amendment 2301PC007, by agent Freddie Fountain, Amendments to the Comprehensive Zoning Ordinance, as amended, to amend Section III. District Regulations (K) Chart of Permitted Uses (2) Schedule of uses - REDUCING SALON; to allow a reducing salon (i.e. a gym/fitness facility) in I-2 zoning districts

Zoning Text Amendment 2301PC008 by City of Gulfport, amendments to the accessory building ordinance Sec. IV. Supplementary regulations. (2) Accessory building; to consider changes to limitations on size, height, setbacks, and number allowed.

This the 4th day of January, 2023
Virginia Adolph, Vice - Chairman
City of Gulfport Planning Commission
W00000000
Publication Dates

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

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 on the _____ day of _____, 2023, the following Ordinance:

ORDINANCE NO. _____

AN ORDINANCE AMENDING APPENDIX D TO THE CODE OF ORDINANCES - SMARTCODE, ARTICLE 5 – BUILDING – SCALE PLANS, 5.3 SPECIFIC TO SUB-URBAN TRANSECT ZONE (T3), 5.3.3 (A) BUILDING FUNCTION AND DENSITY (T3), 5.4 SPECIFIC TO GENERAL URBAN TRANSECT ZONES (T4L, T4+), 5.3.4 (A) BUILDING FUNCTION AND DENSITY (T4L, T4+), 5.5 SPECIFIC TO URBAN CENTER TRANSECT ZONES (T5) 5.5.3 (A) BUILDING FUNCTION AND DENSITY (T5), 5.6 SPECIFIC TO URBAN CORE TRANSECT ZONES (T6) 5.6.3(A) BUILDING FUNCTION AND DENSITY (T6), AND ARTICLE 6 TABLE 10, 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 City of Gulfport Planning Commission, that the text of the Smartcode Ordinance (Appendix D to the City of Gulfport Code of Ordinances) should be amended to establish how uses not addressed in Smartcode are handled by the City. The case file number is 2212PC225.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF GULFPORT, MISSISSIPPI, AS FOLLOWS:

SECTION 1. That the Smartcode Ordinance (Appendix D to the City of Gulfport Code of Ordinances), as amended, be and the same is hereby amended to read as follows under appendix D – Smartcode, Article 5. – Building – Scale Plans, 5.3 Specific to Sub-Urban Transect Zone (T3), 5.3.3 (a) Building Function and Density, should be amended, as follows:

EXISTING:
5.3.3 (a)

Buildings in each Transect Zone shall conform to the Functions described in Table 10 or 11 and Section 5.3.11. Functions that do not conform to the requirements of Tables 10 and 11 shall require approval by Warrant or by Variance.

AMEND TO READ:

5.3.3 (a)

Buildings in each Transect Zone shall conform to the Functions described in Table 10 or 11 and Section 5.3.11. **Any function not listed in this table is subject to CRC warrant appealable to the Planning Commission by way of a written appeal of the decision of the CRC submitted to the Planning Office (within the Department of Urban Development) within fifteen (15) days after the decision of the CRC.**

SECTION 2. That the Smartcode Ordinance (Appendix D of the City of Gulfport Code of Ordinances), as amended, be and the same is hereby amended to read as follows under appendix D – Smartcode, Article 5. – Building

– Scale Plans, 5.4 Specific to General Urban Zone “Limited” (T4L) and General Urban Zone “Plus” (T4+), 5.4.3 (a) Building Function and Density, should be amended, as follows:

EXISTING:

5.4.3 (a)

Buildings in each Transect Zone shall conform to the Functions described in Tables 10 and 11 and Sections 5.4.11a or b. Functions that do not conform to the requirements of Tables 10 and 11 shall require approval by Warrant or by Variance.

AMEND TO READ:

5.4.3 (a)

Buildings in each Transect Zone shall conform to the Functions described in Tables 10 and 11 and Sections 5.4.11a or b. **Any function not listed in this table is subject to CRC warrant appealable to the Planning Commission by way of a written appeal of the decision of the CRC submitted to the Planning Office (within the Department of Urban Development) within fifteen (15) days after the decision of the CRC.**

SECTION 3. That the Smartcode Ordinance (Appendix D of the City of Gulfport Code of Ordinances), as amended, be and the same is hereby amended to read as follows under appendix D – Smartcode, Article 5. – Building – Scale Plans, 5.5 Specific to Urban Center Zone (T5), 5.5.3 (a), should be amended, as follows:

EXISTING:

5.5.3 (a)

Buildings in each Transect Zone shall conform to the Functions described in Tables 10 and 11 and Section 5.5.11. Functions that do not conform to the requirements of Tables 10 and 11 shall require approval by Warrant or by Variance.

AMEND TO READ:

5.5.3 (a)

Buildings in each Transect Zone shall conform to the Functions described in Tables 10 and 11 and Section 5.5.11. **Any function not listed in this table is subject to CRC warrant appealable to the Planning Commission by way of a written appeal of the decision of the CRC submitted to the Planning Office (within the Department of Urban Development) within fifteen (15) days after the decision of the CRC.**

SECTION 4. That the Smartcode Ordinance (Appendix D of the City of Gulfport Code of Ordinances), as amended, be and the same is hereby amended to read as follows under appendix D – Smartcode, Article 5. – Building – Scale Plans, 5.6 Specific to Urban Core Zone (T6), 5.6.3 (a) Building and Density, should be amended, as follows:

EXISTING:

5.6.3 (a)

Buildings in each Transect Zone shall conform to the Functions described in Tables 10 and 11 and Section 5.6.11. Functions that do not conform to the requirements of Tables 10 and 11 shall require approval by Warrant or by Variance.

AMEND TO READ:

5.6.3 (a)

Buildings in each Transect Zone shall conform to the Functions described in Tables 10 and 11 and Section 5.6.11. Any function not listed in this table is subject to CRC warrant appealable to the Planning Commission by way of a written appeal of the decision of the CRC submitted to the Planning Office (within the Department of Urban Development) within fifteen (15) days after the decision of the CRC.

SECTION 5. That the Smartcode Ordinance (Appendix D of the City of Gulfport Code of Ordinances), as amended, be and the same is hereby amended to read as follows under appendix D – Smartcode, Article 6 Table 10, should be amended, as follows:

EXISTING:

SMARTCODE
City of Gulfport, Mississippi

TABLE 10 BUILDING FUNCTION-SPECIFIC

TABLE 10: Specific Function. This table expands on the Building Function categories of Table 11 to delegate specific functions within Transect Zones. Note that the Function Intensity limits of Table 11 apply to the uses in this table.

	T1	T2	T3	T4L	T4+	T5	T6	SD
a. RESIDENTIAL								
Apartment Building				□	□	□	□	
Row House			○	□	□	□	□	
Duplex House				□	□	□	□	
Sideyard House			◆	○	□	□		
Cottage Court				○	□			
Single-Family House		○	□	□	□			
Estate House		○						
Accessory Unit		○	□	□	□			
Manufactured House			◆					◆
Temporary Tent	◆	◆	◆	◆	◆	◆	◆	◆
Live-Work Unit		○	□	□	□	□	□	◆
Work-Live Unit				□	□	□	□	◆
b. LODGING								
Hotel (no room limit)						□	□	◆
Inn (up to 12 rooms)		◆		□	□	□	□	
Inn (up to 5 rooms)		◆	□	□	□	□	□	
S.R.O. hostel			◆	◆	◆	◆	◆	◆
School Dormitory				□	□	□	□	□
c. OFFICE								
Office Building				□	□	□	□	◆
Suite in Mixed-Use Building				□	□	□	□	◆
Live-Work Unit		○	□	□	□	□	□	◆
Work-Live Unit				□	□	□	□	◆
d. RETAIL								
Open-Market Building	□	□	□	□	□	□	□	□
Retail Building				□	□	□	□	◆
Display Gallery				□	□	□	□	◆
Restaurant				□	□	□	□	◆
Kiosk				□	□	□	□	◆
Liquor Selling Establishment					◆	◆	◆	◆
Nightclub						◆	◆	◆
Adult Entertainment							◆	◆
Work-Live Unit				□	□	□	□	◆
e. CIVIC								
Bus Shelter		□	□	□	□	□	□	□
Convention Center							◆	□
Conference Center						◆	□	□
Exhibition Center							◆	□
Fountain or Public Art	□	□	□	□	□	□	□	□
Library			□	□	□	□	□	□
Live Theater				□	□	□	□	□
Movie Theater					□	□	□	□
Museum				◆	◆	□	□	□
Nightclub						◆	◆	◆
Outdoor Auditorium	◆	□				□	□	□
Parking Structure				□	□	□	□	□
Passenger Terminal						◆	◆	□

	T1	T2	T3	T4L	T4+	T5	T6	SD
e. CIVIC (cont'd)								
Sports Stadium							◆	□
Surface Parking Lot			◆	◆	◆	◆	◆	□
Religious Assembly				◆	○	□	□	□
f. OTHER: AGRICULTURE								
Grain Storage	□	□						◆
Livestock Pen	◆	◆						◆
Greenhouse	□	□	◆					◆
Stable	□	□	◆					◆
Kennel	□	□	◆	◆	◆	◆	◆	◆
f. OTHER: AUTOMOTIVE								
Gasoline	◆				◆	◆	◆	□
Automobile Service								□
Truck Maintenance								□
Drive-Through Facility						◆	◆	□
Rest Stop	□	□						◆
Roadside Stand	□	□						◆
Billboard							◆	◆
Shopping Center								◆
Shopping Mall								◆
f. OTHER: CIVIL SUPPORT								
Fire Station		□	□	□	□	□	□	□
Police Station				□	□	□	□	□
Cemetery	□	◆	◆					□
Funeral Home				□	□	□	□	□
Hospital						◆	◆	□
Medical Clinic				◆	○	□	□	□
f. OTHER: EDUCATION								
College					◆	◆	◆	□
High School					◆	◆	◆	□
Trade School					◆	◆	◆	□
Elementary School		◆	□	□	□	□	□	□
Other- Childcare Center		□	□	□	□	□	□	◆
f. OTHER: INDUSTRIAL								
Heavy Industrial Facility								□
Light Industrial Facility							◆	□
Truck Depot								□
Laboratory Facility							◆	□
Water Supply Facility								□
Sewer and Waste Facility								□
Electric Substation	◆	◆	◆	◆	◆	◆	◆	□
Antenna Tower	◆	◆						□
Cremation Facility								□
Warehouse							◆	□
Produce Storage								□
Mini-Storage								□

◆ BY PLANNING COMMISSION APPROVAL

○ BY WARRANT

□ BY RIGHT

SECTION 6. The Governing Authority further finds that the following shall serve as an explanatory statement of this Ordinance for purposes of publication: “This Ordinance amends the Smartcode to establish procedures for addressing how uses not addressed therein are handled by the City (CRC Warrant appealable to the Planning Commission).” 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 15th Street, Gulfport, Mississippi 39501); (b) in the first floor lobby of the City’s Hardy Building (1410 24th Avenue, Gulfport, Mississippi 39501); and (c) in the first floor lobby of the County Courthouse in Gulfport (1801 23rd 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.

SECTION 7. This Ordinance shall 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.

The above and foregoing Ordinance, after having been first reduced to writing and read by the Clerk, was introduced by Councilmember _____, seconded by Councilmember _____, and was adopted by the following roll call vote:

AYES NAYS ABSENT

WHEREUPON, the President declared the motion carried and the Ordinance adopted, this the _____ day of _____, 2023.

(SEAL)

ATTEST: ADOPTED:

CLERK OF THE COUNCIL COUNCIL PRESIDENT

The above and foregoing Ordinance was submitted to and approved by the Mayor, this the _____ day of _____, 2023.

APPROVED:

MAYOR

MEMORANDUM

To: City of Gulfport Zoning Board of Adjustment and Appeals

From: Greg Holmes, Planning Administrator
Urban Development Department

Date of Hearing: January 26, 2023

Re: **Zoning Map Amendment 2301PC001:**

Zoning Map Amendment 2301PC001, by agent Greg Smith, tax parcels 1011D-01-036.000 and 1011D-01-038.001, Requests to rezone from T6 (Urban Core Zone) to T4+ (General Urban Zone "Plus"), 146 Oleander Dr., Zoned T6 (Urban Core Zone), Ward 2

Technical Report

Zoning Map Amendment

GENERAL INFORMATION

Case File Number: 2301PC001

Hearing Date: January 26, 2023

Current Zoning/Use: T6 / Vacant lots

Legal: Zoning Map Amendment 2301PC001, by agent Greg Smith, tax parcels 1011D-01-036.000 and 1011D-01-038.001, Requests to rezone from T6 (Urban Core Zone) to T4+ (General Urban Zone "Plus"), 146 Oleander Dr., Zoned T6 (Urban Core 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 is requesting to rezone approximately 13,024 square feet of property from T6 (Urban Core Zone) to T4+ (General Urban Zone "Plus"). As presented, the applicant states, "the lots have been surveyed and house plans have been drawn." It is further stated that construction will start when building permits are issued and that the homes will be ready for occupancy within four months from permitting, depending on labor, materials and weather.

According to the City's 2002 Comprehensive Plan, this area was intended to become commercial in the future land use plan, with residential use of two-four units (see attached map). However, this area has had surrounding properties rezoned to allow for single-family homes, which is now in harmony with the neighborhood.

The applicant has chosen character of the neighborhood as changed as justification for change of the current zoning district:

1. Mistake or error is not addressed by the applicant.



Technical Report

Zoning Map Amendment

2. The applicant addresses Character of the Neighborhood changing by stating, “many other homes have been constructed using T4+ zoning in this area on East Cedar Drive, West Cedar Drive, and Oleander Drive and all business development along Cowan-Lorraine Road has been north of the railroad tracks.” No additional description for public need were included in the applicant’s statement.

EXECUTIVE SUMMARY

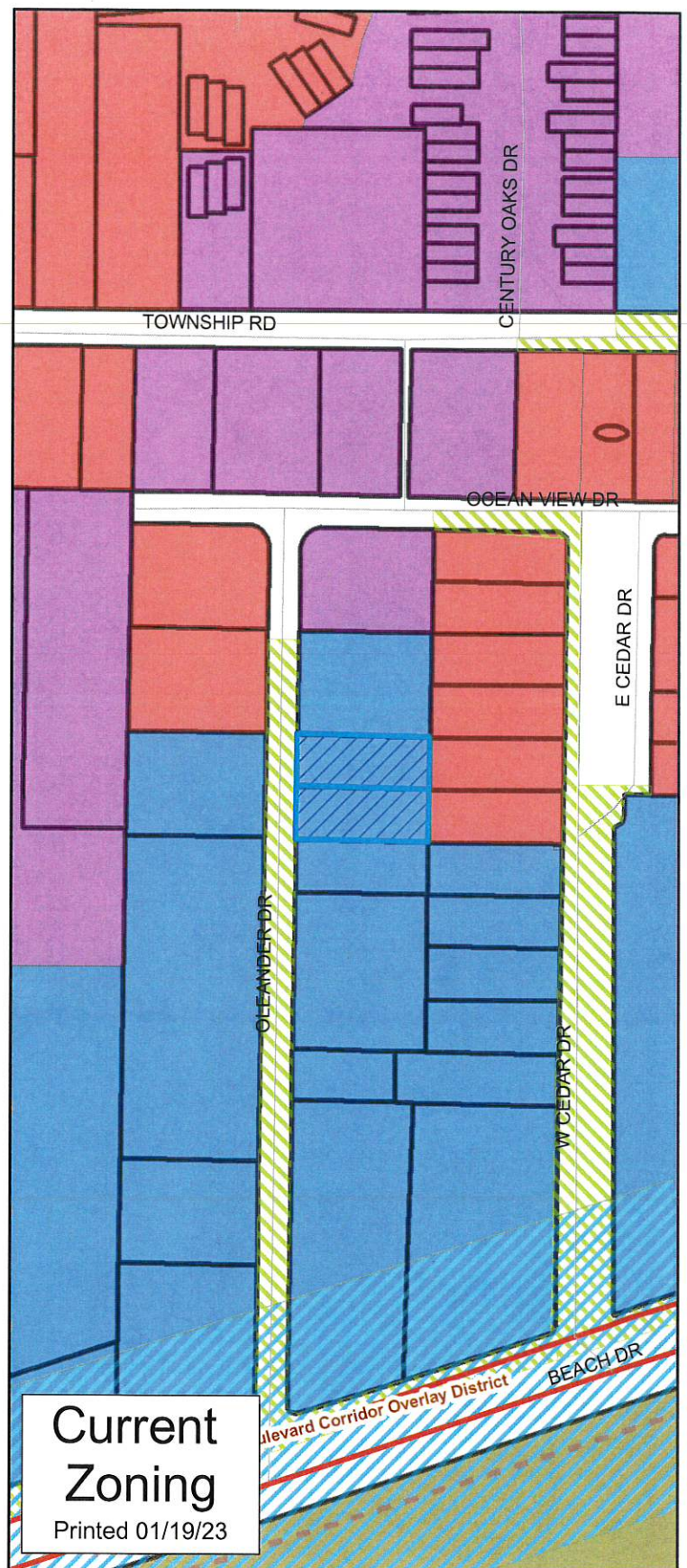
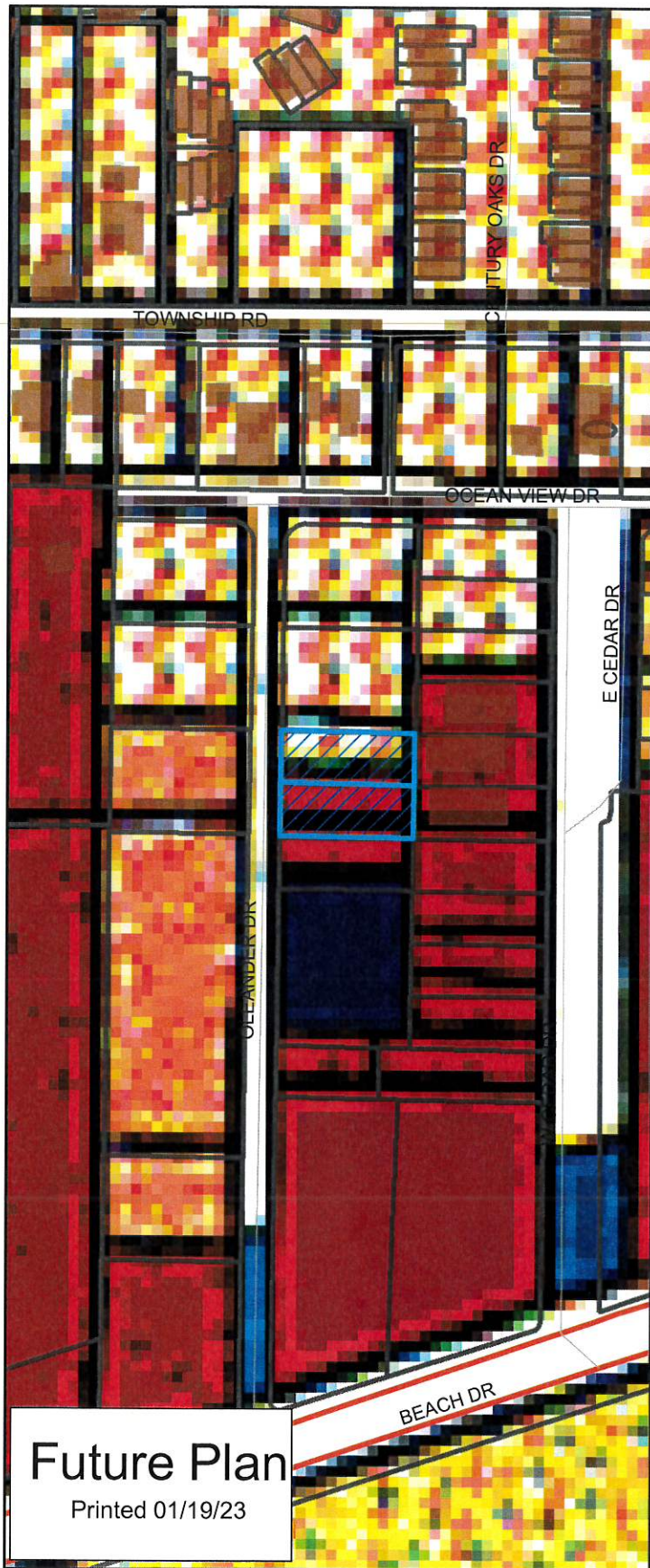
The future plan of the City’s growth indicated that continuing with commercial in this area was in the future. Although the applicant has not proven with clear and convincing evidence for a zoning change as required by the state, the staff notes that there are more single-family homes in the surrounding neighborhood than commercial uses and rezoning to T4+ would be in harmony. Therefore, the staff recommends approval of the request.

DIRECTOR APPROVAL

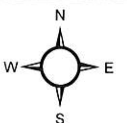
This report has been reviewed and approved by:



Ryan Merrill
Director of Urban Development Department



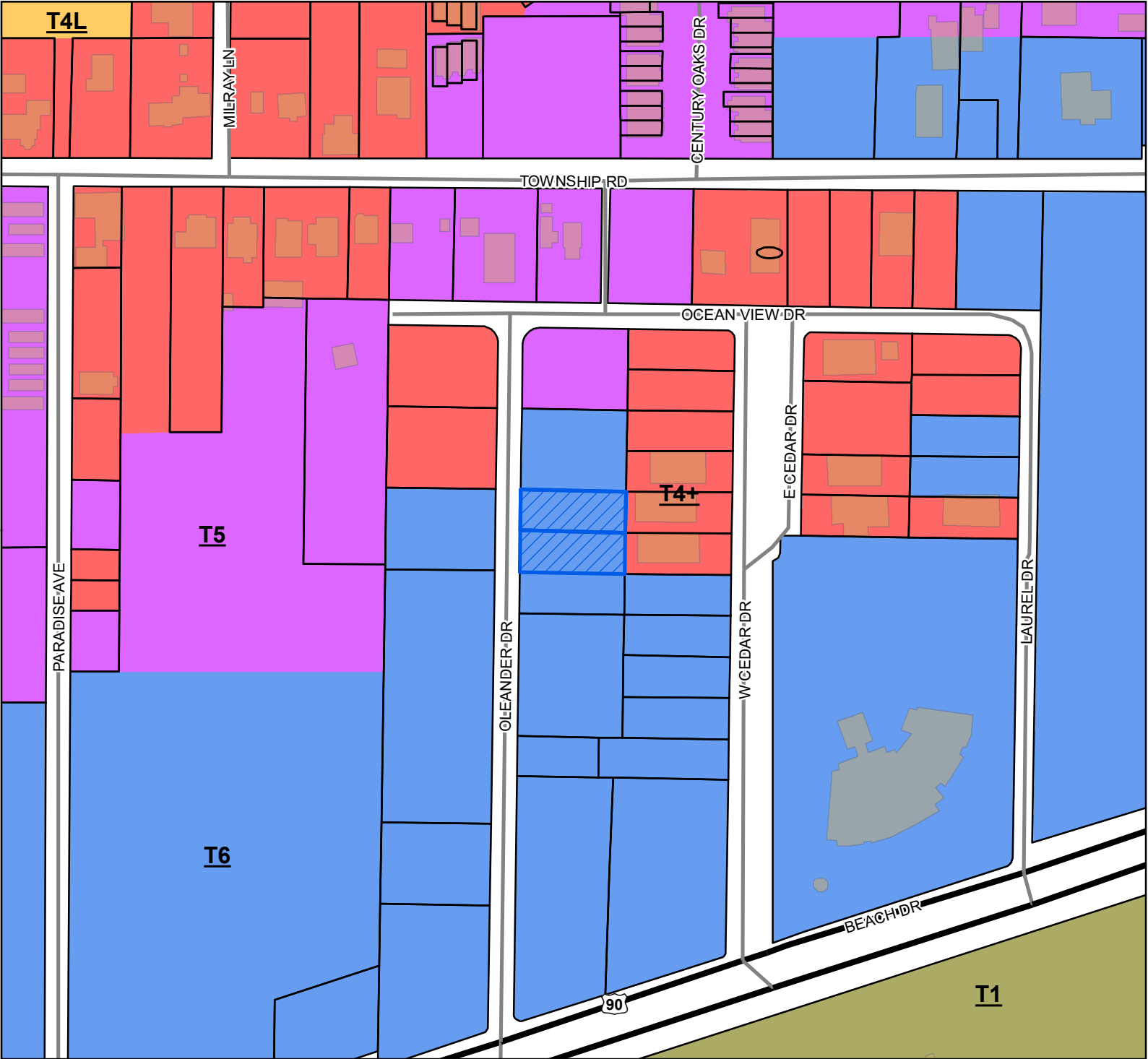
- Parcels selection
- Principal Arterial
- Minor/Residential
- Water Features
- Parcels



1 inch = 167 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.



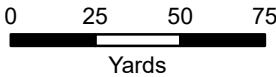
- Site
- US or State Highway
- Street
- Parcels
- Buildings

Smart Code

- T6
- T5
- T4+
- T4L
- T1

Site Information

1011D-01-036.000
1011D-01-038.001
Zoning: T6 (Urban Core Zone)
Size: 13,024 sq.ft.
Flood: AE



1 inch = 170 feet



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



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

For Staff Use Only

APPLICATION FOR ZONING MAP
AMENDMENT/LAND USE
RECLASSIFICATION (SMARTCODE)
Property Information

Case File #: 232/2001Date Received: 11-1-11Receipt #: Received By: LH & KBZoning: T6Ward: 2 Flood: AEKB

TAX PARCEL #	1	0	1	1	D	-	0	1	-	0	3	6	.	0	0	0
	1	0	1	1	D	-	0	1	-	0	3	8	.	0	0	1
						-			-				.			

lot sizes: 13,034 sq. ft.

(If necessary, use separate sheet of paper)

Address of Property Involved: 146 Oleander DriveLot(s) 45 & 46, Block(s) , Subdivision LakelandGeneral Location: East of Tegarden, West of Cowardin, South of Township,
North of Beach Blvd

GENERAL DESCRIPTION OF REQUEST:

Change zoning to T4+ from 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

Triplett Homes, LLC

Printed Name Of Owner

14 Poplar Circle

Mailing Address

Gulfport Ms 39507
City State Zip code

Home Phone 228-243-0777

Work/Cell Phone

mon.e.kah@gmail.com

Email

[Signature]
Signature Of Owner

AGENT

Greg Smith

Printed Name Of Agent

P O Box 7704

Mailing Address

Gulfport Ms 39506
City State Zip code

City

State

Zip code

Home Phone 228-263-3456

Work/Cell Phone

gtsmith1225@gmail.com

Email

[Signature]
Signature Of Agent

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



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



Designation of Agent

I, Monica Triplett, being property owner of 146 Oleander Dr
PRINT NAME PRIMARY ADDRESS OR PARCEL
 which is the subject of this application hereby authorize Greg Smith 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.

Monica Triplett
 Signature

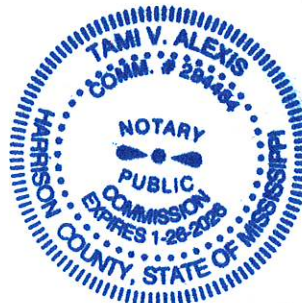
12-2-22
 Date

STATE OF MISSISSIPPI | COUNTY OF HARRISON

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

[Signature]
 Notary Public

1-26-24
 Commission Expiration



E. This area was rezoned in 2007 from residential to the Smart Code and no development has occurred except on the properties that were rezoned to T4+.

In 2009 Mississippi City, Handsboro, downtown, and some of the west side of Gulfport changed back to residential zoning and development has occurred. The present zoning is penalizing the property owners because they cannot build a single-family home. All business development along Cowan-Lorraine Road has been north of the railroad tracks.

The character of the neighborhood has changed.

F.

1. The property is owned by Triplett Homes, LLC, a single member LLC with Monica Triplett as the member. Deeds have been provided.
2. The lots have been surveyed and house plans have been drawn. Construction will start when a building permit is issued, which usually takes two months. Lot prep and slab will take about three weeks, and framing about 30-45 days depending on material and labor. Exterior siding, roofing, plumbing, HVAC, electrical, sheetrock, painting, flooring, and trim work will take approximately 45 days depending on the weather, labor, and materials. Driveway, landscape, and finishing will take about 14 days. Home should be ready for occupancy four months from permitting, depending on labor, materials, and the weather.
3. This change in zoning should not affect the surrounding land uses. Many other homes have been constructed using T4+ zoning in this area on East Cedar Drive, West Cedar Drive, and Oleander Drive. This change in zoning would allow land that has been vacant over 17 years to be used for housing similar to the area before Hurricane Katrina. Housing is needed in the area.
4. Change the zoning to T4+. This area has been improperly zoned for commercial use. A change to T4+ would correct this error.



Michael Watson

SECRETARY OF STATE

This is not an official certificate of good standing.

Name History

Name	Name Type
Triplett Homes, LLC	Legal

Business Information

Business Type:	Limited Liability Company
Business ID:	1299571
Status:	Good Standing
Effective Date:	08/19/2021
State of Incorporation:	Mississippi
Principal Office Address:	1444 Mill Rd Gulfport, MS 39507

Registered Agent

Name
Monica Renee Triplett
1444 Mill Rd
Gulfport, MS 39507

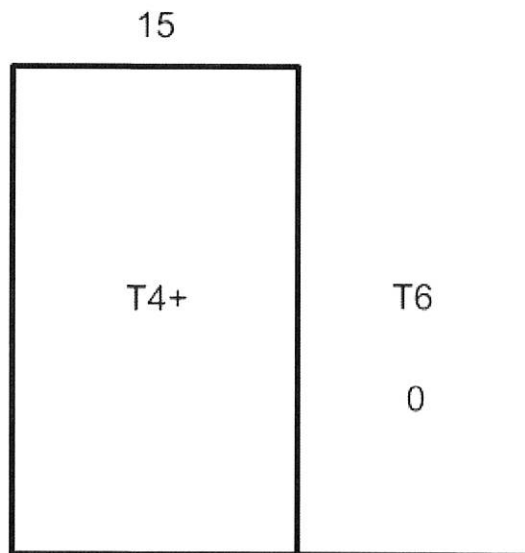
Officers & Directors

Name	Title
Monica Renee Triplett 1444 Mill Rd Gulfport, MS 39507	Manager

Types of Proof

1. See attached map.
2. The area was vacant when it was zoned T6.
I have completed ten new homes in the area with two more under construction since the zoning was changed to T4+.
4. See attached map.

6. Construction Activity- last 17 years



I am responsible for 12 of the 15 in the last 3 years. Greg Smith

30	29	28	T6 27	T6 26	For Home 25 T4+	24 T4	23 T4	22 T4+	21 T4+	20	19	18	17
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Ocean View Drive

VACANT	T6 50	T4+ 33 HOME	F4+	17	NOT VACANT	T6
VACANT	T6 49	T4+ 34 HOME	T6 VACANT	14	NOT VACANT	T6
+ HOME	T6 48	T4+ 35 HOME	T6 VACANT	13	NOT VACANT	T6
+ New Coast. Under way	T6 47	T4+ 36 HOME	F4+ HOME	10	NOT VACANT	T6
VACANT	T6 46	T4+ 37 HOME	T4+ HOME	9	HOME	T4+
VACANT	T6 45	T4+ 38 HOME	Sienna Condos			
VACANT	T6 44	T6 39 VACANT				
VACANT	T6 43	T6 40 VACANT				
VACANT NOT T4+						
NOT T4+ VACANT						

Cedar Drive

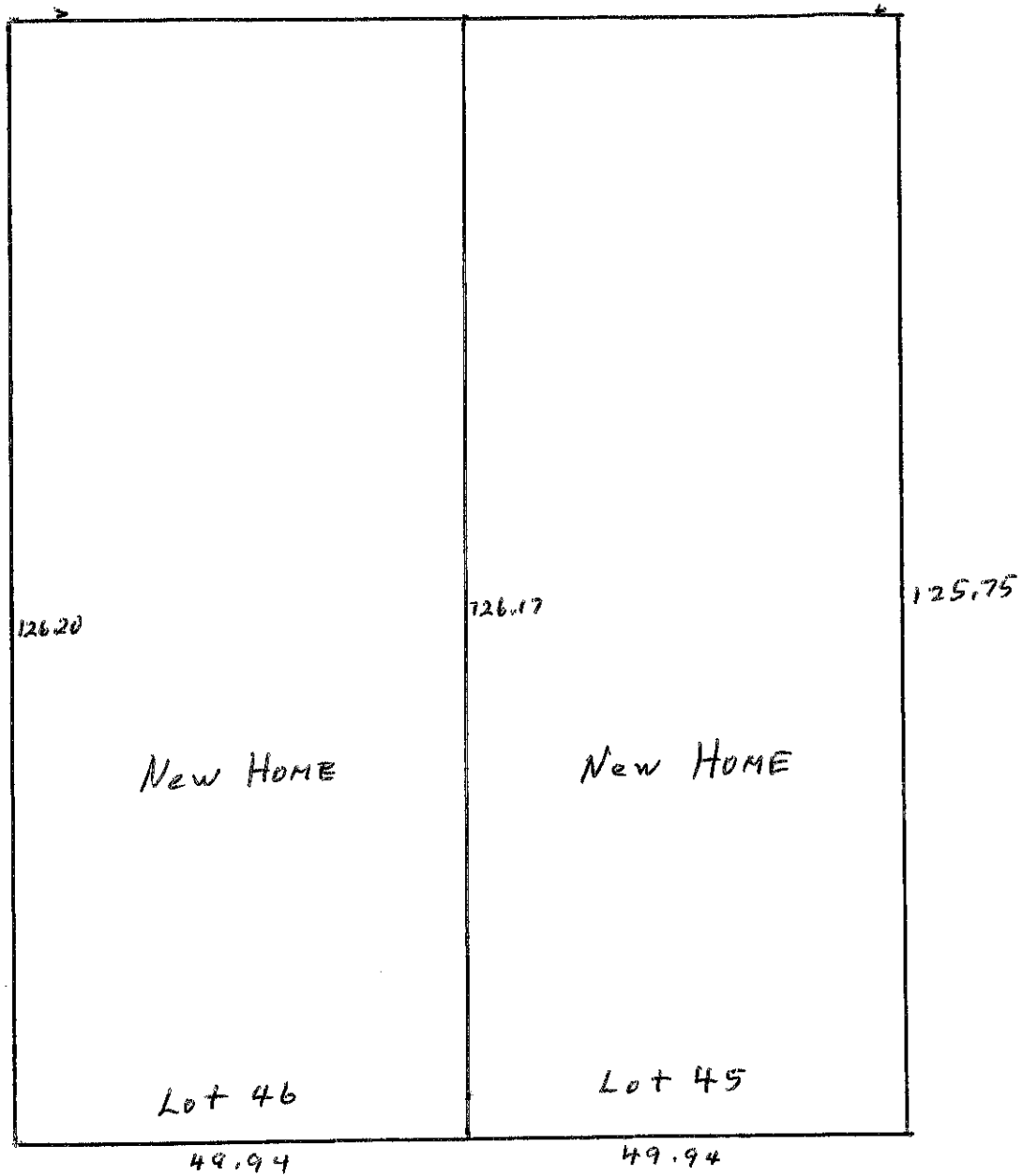
Laurd Drive

ZONING
NOT
T4+

Beach Blvd

MAP For Types of Proof #1 and #4

Site Plan



OLEANDER DRIVE

Return To and Prepared By:
JAMES C. SIMPSON, JR.
Wise Carter Child & Caraway, P.A.
2510 14th Street, Suite 1125
Gulfport, MS 39501
(228) 867-7141

STATE OF MISSISSIPPI
COUNTY OF HARRISON
FIRST JUDICIAL DISTRICT

INDEXING INSTRUCTIONS: Lots 46, Lakeland Subdivision, First Judicial District of
Harrison County, Mississippi

WARRANTY DEED

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

**KAY FRANCES BURKE
1163 NURSERY AVENUE
METAIRIE, LA 70005
(504) 450-0276**

do hereby sell, convey and warrant unto:

**TRIPLETT HOMES, LLC
14 POPLAR CIR
GULFPORT, MS 39507
(228) 229-4289**

the following described real property situated and located in the First Judicial District of Harrison County, Mississippi, more particularly and certainly described as follows:

Lot Forty-Six (46), Lakeland, 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 10, at Page 29 (Copy Book 4A at Page 326).

The above described property is no part of the Grantor's homestead.

This conveyance is subject to any and all recorded rights-of-way, easements and prior reservations of any oil, gas, minerals and other rights.

Taxes for the year 2022 are prorated between the Grantor and the Grantees with the Grantees paying same when due.

WITNESS THE SIGNATURES of the Grantor, this the 29th day of November 2022.

Kay Frances Burke
KAY FRANCES BURKE

STATE OF MISSISSIPPI

COUNTY OF HARRISON

PERSONALLY came and appeared before me on this day, the undersigned authority in and for the County and State aforesaid, the within named Kay Frances Burke, who acknowledged that she signed and delivered the above and foregoing instrument on the day and year therein set out as the act and deed of the corporation having full authority to do so.

WITNESS my hand and official seal of office on this the 29th day of November 2022.

Lisa Marie Verhovshek
NOTARY PUBLIC

My Commission Expires:

Nov 26, 2025



Return To and Prepared By:
JAMES C. SIMPSON, JR.
Wise Carter Child & Caraway, P.A.
2510 14th Street, Suite 1125
Gulfport, MS 39501
(228) 867-7141

STATE OF MISSISSIPPI
COUNTY OF HARRISON
FIRST JUDICIAL DISTRICT

INDEXING INSTRUCTIONS: Lots 45, Lakeland Subdivision, First Judicial District of
Harrison County, Mississippi

WARRANTY DEED

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

**KAY FRANCES BURKE
1163 NURSERY AVENUE
METAIRIE, LA 70005
(504) 450-0276**

do hereby sell, convey and warrant unto:

**TRIPLETT HOMES, LLC
14 POPLAR CIR
GULFPORT, MS 39507
(228) 229-4289**

the following described real property situated and located in the First Judicial District of Harrison County, Mississippi, more particularly and certainly described as follows:

Lot Forty-Five (45), of Lakeland Subdivision, according to the map or plat thereof on file and of record in the office of the Chancery Clerk of Harrison County, Mississippi, in Plat Book 10, at Page 29.

The above described property is no part of the Grantor's homestead.

This conveyance is subject to any and all recorded rights-of-way, easements and prior reservations of any oil, gas, minerals and other rights.

Taxes for the year 2022 are prorated between the Grantor and the Grantees with the Grantees paying same when due.

WITNESS THE SIGNATURES of the Grantor, this the 29th day of November 2022.

Kay Frances Burke
KAY FRANCES BURKE

STATE OF MISSISSIPPI

COUNTY OF HARRISON

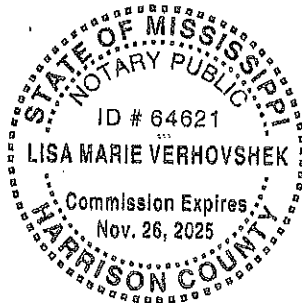
PERSONALLY came and appeared before me on this day, the undersigned authority in and for the County and State aforesaid, the within named Kay Frances Burke, who acknowledged that she signed and delivered the above and foregoing instrument on the day and year therein set out as the act and deed of the corporation having full authority to do so.

WITNESS my hand and official seal of office on this the 29th day of November 2022.

Lisa Marie Verhovshek
NOTARY PUBLIC

My Commission Expires:

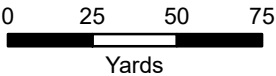
Nov 26, 2025





Legend

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



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.

Mail	PPIN	Parcel ID	Name	Address	City	State	ZIP
	31507	1011D-01-036.000	TRIPLETT HOMES, LLC (OWNER)	14 POPLAR CIRCLE	GULFPORT	MS	39507
			GREG SMITH (AGENT)	PO BOX 7704	GULFPORT	MS	39506
			Adjacent Property Owners (2301PC001)				
	31512	1011D-01-026.000	ALLEN MATTHEW E & HILLARY L	10812 SHAW CT	PARKER	CO	80134
	146202	1011D-01-049.001	AUSTIN TONY L & JUDITH B	138 E CEDAR DR	GULFPORT	MS	39507
	84039	1011D-01-034.000	BELTWAY SOUTH INVESTMENTS LLC	141 WEBB LANE	FLOWOOD	MS	39232
N	31520	1011D-01-045.000	BELTWAY SOUTH INVESTMENTS LLC	141 WEBB LANE	FLOWOOD	MS	39232
	31511	1011D-01-025.000	BLUE RIBBON PROPERTIES LLC	390 FLY AWAY COURT	BILOXI	MS	39532
	31488	1011D-01-050.000	BROOKS M DENNIS & BECKY M	525 GLEN VALLEY WAY	GULFPORT	MS	39507
	118610	1011D-01-038.001	BURKE KAY FRANCES	1163 NURSERY AVE	METAIRIE	LA	70005
	31521	1011D-01-046.000	CEDAR BEACH LLC	3604 TULANE AVE	NEW ORLEANS	LA	70119
	84098	1011D-01-048.000	CHATWORTH INVESTMENTS LLC	3908 TENNESSEE AVE	CHATTANOOGA	TN	37409
	31510	1011D-01-039.000	CHAUVERS DENNIS	146 TEAGARDEN RD	GULFPORT	MS	39503
	84030	1011D-01-023.000	DHAC REAL ESTATE LLC	853 E VALLEY BLVD	SAN GABRIEL	CA	91776
	31485	1011D-01-049.000	DREWES JASON E & WAGNER CARA B	134 E CEDAR DR	GULFPORT	MS	39507
	146649	1011D-01-040.004	FOGT DERICK & THY	5213 MONTIANO LN	DUBLIN	CA	94568
	31513	1011D-01-027.000	GULF RENTALS LLC	P O BOX 444	BILOXI	MS	39533
N	21340	1011D-01-024.000	GULF RENTALS LLC	P O BOX 444	BILOXI	MS	39533
	31509	1011D-01-038.000	NELSON LINDA G	2501 GULF AVE #19	GULFPORT	MS	39501
	127444	1011D-01-044.001	PERKINS DON D	830 BROOKWAY BLVD	BROOKHAVEN	MS	39601
	31523	1011D-01-035.000	PERKINS WILLIAM W & BETTY-TRUSTEES-	415 NATCHEZ RD	BROOKHAVEN	MS	39601
	31519	1011D-01-044.000	PERKINS WILLIAM W JR	405 PERKINS DRIVE	BROOKHAVEN	MS	39601
N	31502	1011D-01-040.000	SMITH GREGORY	1444 MILL RD	GULFPORT	MS	39507
	146647	1011D-01-040.002	SMITH GREGORY	1444 MILL RD	GULFPORT	MS	39507
N	96807	1011D-01-040.001	SMITH GREGORY T	PO BOX 7704	GULFPORT	MS	39506
N	146828	1011D-01-040.005	SMITH GREGORY T	PO BOX 7704	GULFPORT	MS	39506
	84035	1011D-01-028.000	TANNER RICHARD M	3631 PERRYMAN RD	OCEAN SPRINGS	MS	39564
	146648	1011D-01-040.003	TRIPLETT HOMES LLC	1444 MILL RD	GULFPORT	MS	39507
	31491	1011D-01-051.000	VARADI JOHN	P O BOX 980	COMO	MS	38619

RE: Zoning Map Amendment 2301PC001, by agent Greg Smith, tax parcels 1011D-01-036.000 and 1011D-01-038.001, Requests to rezone from T6 (Urban Core Zone) to T4+ (General Urban Zone "Plus"), 146 Oleander Dr., Zoned T6 (Urban Core 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, January 26, 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 Planning Commission for **Thursday, January 26, 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:
IPL0104298
Order Status:
Submitted
Classification:
Legals & Public Notices
Package:
BLX - Legal Ads
Final Cost:
63.12
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
January 4, 2023 2:29:50 PM EST
Amount:
63.12

SCHEDULE FOR AD NUMBER IPL01042980

January 11, 2023
SunHerald (Biloxi)

PREVIEW FOR AD NUMBER IPL01042980**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, January 26, 2023 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 2301PC002, by agent Bryce McMurry, tax parcel 08100-02-012.000, Requests to convert portion of Mobile Home Park into RV use, 2800 19th Ave, Zoned B-2 (General business), Ward 3
Special Exception 2301SE006, by agent Austin Keith, tax parcel 0911B-02-013.000, seeking approval of a liquor store use at 111 Courthouse Rd, Zoned T-6 (Urban Core Zone), Ward 2

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

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, to allow a Medical Cannabis dispensary as a matter of right in R-B, B-1, B-2, B4, T4+, T5, T6 zoning districts.

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

Zoning Text Amendment 2212PC225, by CRC Westside, amendments to the SmartCode Zoning Article 5, as amended, Section 5.3.3 (a), 5.4.3 (a), 5.5.3 (a), 5.6.3 (a), and Article 6, Table 10; to establish how unspecified uses of property are addressed in areas subject to SmartCode.

Zoning Map Amendment 2301PC001, by agent Greg Smith, tax parcels 1011D-01-036.000 and 1011D-01-038.001, Requests to rezone from T6 (Urban Core Zone) to T4+ (General Urban Zone "Plus"), 146 Oleander Dr., Zoned T6 (Urban Core Zone), Ward 2

Zoning Map Amendment 2301PC003, by owner Advanced Contracting Services, tax parcel 0710M-01-053.003, Requests to rezone from B-2 (General business) to I-1 (Light industry), 0 28th Street, Ward 1

Zoning Text Amendment 2301PC007, by agent Freddie Fountain, Amendments to the Comprehensive Zoning Ordinance, as amended, to amend Section III. District Regulations (K) Chart of Permitted Uses (2) Schedule of uses - REDUCING SALON; to allow a reducing salon (i.e. a gym/fitness facility) in I-2 zoning districts

Zoning Text Amendment 2301PC008 by City of Gulfport, amendments to the accessory building ordinance Sec. IV. Supplementary regulations. (2) Accessory building; to consider changes to limitations on size, height, setbacks, and number allowed.

This the 4th day of January, 2023
Virginia Adolph, Vice - 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: January 26, 2023

Re: Zoning Map Amendment 2301PC003:

Zoning Map Amendment 2301PC003, by owner Advanced Contracting Services, tax parcel 0710M-01-053.003, Requests to rezone from B-2 (General business) to I-1 (Light industry), 0 28th Street, Ward 1

Technical Report

Zoning Map Amendment

GENERAL INFORMATION

Case File Number: 2301PC003

Hearing Date: January 26, 2023

Current Zoning/Use: B-2 / Vacant lot

Legal: Zoning Map Amendment 2301PC003, by owner Advanced Contracting Services, tax parcel 0710M-01-053.003, Requests to rezone from B-2 (General business) to I-1 (Light industry), 0 28th Street, Ward 1

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 2.15 acres of property from B-2 (General business) to an I-1 (Light industrial) zone. Upon staff review of the property, the site was approved for a cell telecommunication tower in 2001 (Variance case # 010ZB069) and subdivided without city approval in 2004 and placing the existing tower on a separate parcel. Currently, this property is vacant.

According to the City's 2002 Comprehensive Plan, this area was intended to become general commercial. The current zoning would allow for a contractor's office with limited indoor storage of equipment, materials, and supplies that is not as intensive as the industrial zoning to the south.

The applicant has addressed change of the neighborhood and public need as justification for change of the current zoning district:

1. Mistake or error is not addressed by the applicant.
2. The applicant addresses Character of the Neighborhood changing by stating, "the rezoning is requested due to the character of the neighborhood downgrading." growth of the

Technical Report

Zoning Map Amendment

surrounding area is exponential. The public need is addressed in that there is a need for the development of business / office space for contractors in the area.

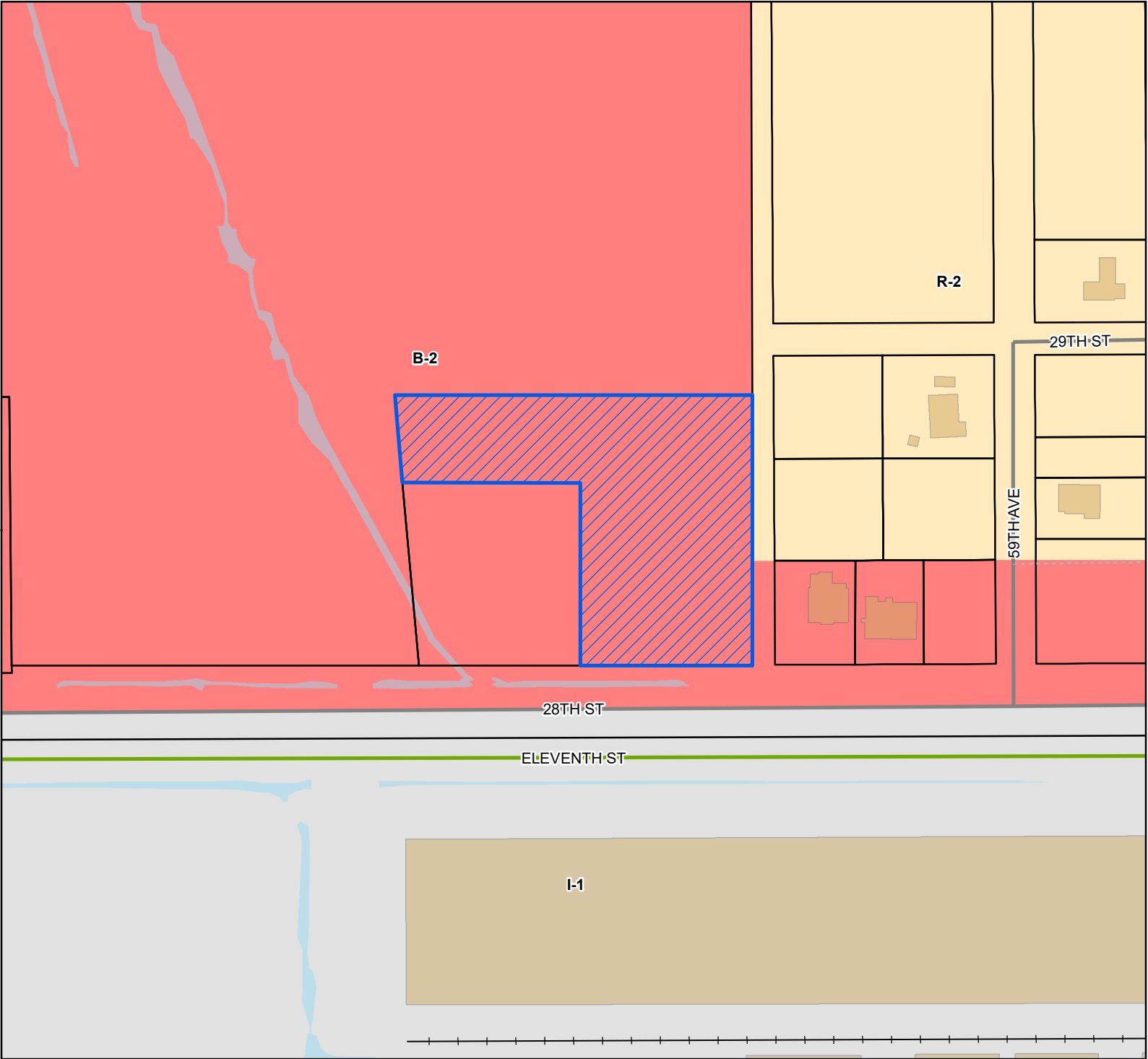
EXECUTIVE SUMMARY

The future plan of the City's growth indicated that continuing with commercial along 28th Street was in the future. It should be noted that this board has approved the rezoning along 28th Street from its intended zoning of commercial to a lesser zone of R-B (Residence-business) to keep with the commercial zoning and would make single-family homes in the surrounding neighborhood conforming, case # 2206PC115 and case # 2211PC202. The proposed location of an industrial zone is not in harmony with the commercial and residential nature of the surrounding area. In addition, the applicant has not proven with clear and convincing evidence for a zoning change as required by the state, therefore, the staff recommendation is to deny the request.

DIRECTOR APPROVAL

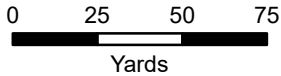
This report has been reviewed and approved by:

Ryan Merrill
Director of Urban Development Department



- Site
 - Street
 - Military Street
 - Alley
 - Railroad
 - Parcels
 - Buildings
 - Water Features
- Zoning**
- B-2 - General Business District
 - I-1 - Light Industry District
 - R-2 - Single Family Residence District (Medium Density)

Site Information
0710M-01-053.003
Zoning: B-2 (General business district)
Size: 2.15 acre
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 #: 2301PC003Date Received: 12-6-22

Receipt #: _____

Received By: KBZoning: B-2Ward: 1 Flood: X

APPLICATION FOR ZONING MAP AMENDMENT/LAND USE RECLASSIFICATION (SMARTCODE)

Property Information

TAX PARCEL #

0	7	1	0	M

 -

0	1

 -

0	5	3

 •

0	0	3

(If necessary, use separate sheet of paper)

Address of Property Involved: _____

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

General Location: North of CB Base, touching CD Base, 1000' East of Canal Rd

GENERAL DESCRIPTION OF REQUEST:

Change Zoning from B-2 to I-1

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

Advanced Contracting Services

Printed Name Of Owner

24080 Anna Savcier Rd

Mailing Address

Gulfport MS 39503

City

State

Zip code

228-236-7717

Home Phone

Work/Cell Phone

advancedcontractingservices@yahoo.com

Email

[Signature]

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.

I am requesting rezoning due to the character of the neighborhood downgrading and for the public need of development in this area of business / office space for contractors.

Request for rezoning a 2.5 acre lot parcel # 0710M-01-053.003 from B-2 to I-1. The lot is located directly across from the 613 acre I-1 CB Base on the north side of 28th St and roughly 1000' east of Canal Rd. This lot is located between the contractor entrance on the CB Base and Canal Rd. The described property surrounds a lot with a huge Cell Tower on it.

Advanced Contracting Services is a local Gulfport contractor that is in need of an office and area to park and house equipment that we use. We are one of the contractors that is called regularly to do work on the CB Base and we would not be of any harm to noise or traffic in this area with this business location. We plan to develop the property with a building in the next year to have an office space and house some of the equipment. Our plan is to also fence the property where needed to block the view onto the property and to keep a nice clean look.

We would like to help develop this area of Gulfport that lays dormant and we feel needs improvements.

I Ian Nuschke owner of Advanced Contracting Services, a Gulfport based contractor, is asking you to accept my request for rezoning of this parcel to I-1 zoning.



Michael Watson

SECRETARY OF STATE

This is not an official certificate of good standing.

Name History

Name	Name Type
Advanced Contracting Services, LLC	Legal

Business Information

Business Type:	Limited Liability Company
Business ID:	978217
Status:	Good Standing
Effective Date:	02/07/2011
State of Incorporation:	Mississippi
Principal Office Address:	24080 Anno Saucier Rd Gulfport, MS 39503

Registered Agent

Name
Nuschke, Ian A
11530 US 49, Suite C
Gulfport, MS 39503

Officers & Directors

Name	Title
Ian A Nuschke 24080 Anno Saucier Rd Gulfport, MS 39503	Member

A B C CONTRACTOR

20 22

BUILDING CODE SERVICES

1410 24TH AVE., ROOM 114, WILLIAM H. HARDY BUILDING,
GULFPORT, MS 39501

THIS IS TO

CERTIFY THAT

NUSCHKE IAN A
ADVANCED CONTRACTING INC

HAS QUALIFIED UNDER ORDINANCE No. 1891 AS A

BUILDING CONTRACTOR OR SUB-CONTRACTOR

LICENSED TO DO WORK IN THE CITY OF GULFPORT, MISS.

THIS LICENSE EXPIRES ON

DEC 31, 2022

INS EXPIRATION

06/03/2023

CONTRACTOR LIC. No.

39149

MIKE EDWARDS (J.S.)

BUILDING OFFICIAL

2813

THIS LICENSE MUST BE POSTED
IN A CONSPICUOUS PLACE

BUSINESS # 9533

State of Mississippi
CITY OF GULFPORT
PRIVILEGE TAX LICENSE

FY2023

License Number 10265

ORIGINAL

LICENSE IS HEREBY GRANTED TO:

ADVANCED CONTRACTING SERVICES LLC
IAN NUSCHKE
3410 A. AVENUE
GULFPORT, MS 39507

Location :

3410 A AVENUE

CATEGORY: ADMINISTRATIVE SERVICES

TYPE : ADMINISTRATIVE SERVICES

DESC: CONSTRUCTION OFFICE

DATE ISSUED 10/28/2022

Jasmin Seferovic

CLERK

EXPIRES 09/30/2023

IN THE CITY OF GULFPORT, COUNTY OF
HARRISON, STATE OF MISSISSIPPI ON THE
EXPRESS CONDITION THAT LICENSEE
SHALL OBSERVE AND OBEY THE LAWS OF
THE STATE AND THE ORDINANCES OF THE
CITY OF GULFPORT AS ARE NOW IN FORCE
OR MAY HEREAFTER BE ENACTED

THIS LICENSE IS NOT TRANSFERABLE AND
IS SUBJECT TO SUMMARY REVOCATION
IN CASE THE LICENSEE VIOLATES THE
LAWS AND ORDINANCES THEN IN FORCE
AND EFFECT.

IF = IRON PIPE
IR = IRON ROD
PK = PK NAIL
RA = RAIL ROAD SPIKE
CS = COTTON SPINDLE
CM = CONCRETE MONUMENT

S = SET
F = FOUND
D = DEED BEARING/DISTANCE
P = PLAT BEARING/DISTANCE
OHE = OVERHEAD UTILITY LINES
NTS = NOT TO SCALE

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.

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PARCEL IN THE SOUTHWEST QUARTER OF
SECTION 31, TOWNSHIP 07 SOUTH, RANGE 11 WEST,
CITY OF GULFPORT, HARRISON COUNTY, MISSISSIPPI
HARRISON COUNTY TAX PARCEL 0710M-01-053.003
SURVEYED FOR MACILL PROPERTIES, INC. MAY 2006

PENDING REFERENCES:			
PARCEL NUMBER	LANDGRABBER	DEED#:	BOOK/PAGE
0710M-01-053-000	ARMSTRONG, C. E.	10272/555	1208/575
		47714/45	208/384
ROW ACQUISITION			
ROW ACQUISITION	CITY OF DULUTH		
0710M-01-053-001	PIANU, L. V.	1392/526	132/116
		10272/555	107/614
0710M-01-054-002	BERNETT, P. W.	1259/326	1268/527
		47714/45	201/504
0710M-01-053-003	GORDY, E. R.	1440/582	131/716
	1250/178	1092/500	180/178
		47714/45	280/584
0710M-01-054-004	JGSTA TOWNS, INC.	1388/306	1505/119
	1380/052	1462/552	1317/115
		1228/178	
		1301/7	54/484
OLEN TERRACE SUBDIVISION PLAT, 1928			
PREVIOUS REFERENCE SURVEY PLAT SURVEYED BY			
JAMES C. CLARKE, DATED 1909			
ROBERT E. DAVIS, DATED 1909			
RICHARD O. PERMUTT, DATED 1901 AND 2009			

SURVEY DESCRIPTION:

SOURCE DESCRIPTION:
SAME PROPERTY AS PER DEED BOOK 1480, PAGE 532 AND AS TAX PARCEL 0710M-01-053.003
A PARCEL OF LAND SITUATED IN AND BEING A PART OF THE SOUTHWEST QUARTER OF SECTION 31, TOWNSHIP 07
SOUTH, RANGE 11 WEST, CITY OF GULFPORT, HARRISON COUNTY, MISSISSIPPI, AND BEING MORE PARTICULARLY
DESCRIBED AS FOLLOWS:

COMMENCING AT A COTTON SPINDLE MARKING THE SOUTHWEST CORNER OF SAID SECTION 31, RUN NORTH 33.15 FEET TO A POINT, THEN RUN NORTH 88°48'40" EAST 34.80 FEET TO A COTTON SPINDLE MARKING THE NORTH MARGIN OF 28TH STREET AND THE EAST MARGIN OF CANAL ROAD AS LOCATED PRIOR TO JANUARY 1933, THEN CONTINUE EASTWARD ALONG SAID PRIOR 1930 NORTHERN MARGIN OF 28TH STREET 382.36 FEET TO A POINT; THEN LEAVING SAID PRIOR NORTHERN MARGIN RUN NORTH 00°00'00" WEST 31.00 FEET TO A CONCRETE MARKER AT THE PRESENT NORTHERN MARGIN OF 28TH STREET, THEN RUN EASTWARD ALONG PRESENT NORTHERN MARGIN OF 28TH STREET 441.03 FEET TO AN IRON ROD FOR THE POINT OF BEGINNING (P.O.B.).

FROM THIS POINT OF BEGINNING RUN
NORTH 00°04'00" WEST 332.82 FEET TO AN IRON ROD, THEN RUN
SOUTH 89°57'30" EAST 486.07 FEET TO AN IRON ROD, THEN RUN
SOUTH 00°04'00" EAST 351.85 FEET TO AN IRON ROD ON THE PRESENT NORTHERN MARGIN OF 28TH STREET,
THEN RUN WESTWARD ALONG SAID PRESENT NORTHERN MARGIN
SOUTH 89°56'50" WEST 244.56 FEET TO AN IRON ROD, THEN LEAVING SAID PRESENT NORTHERN MARGIN RUN
NORTH 00°07'05" EAST 227.31 FEET TO AN IRON ROD, THEN RUN
SOUTH 89°56'35" WEST 197.92 FEET TO AN IRON ROD, THEN RUN
SOUTH 00°08'38" WEST 227.12 FEET TO AN IRON ROD, THEN RUN
SOUTH 89°56'60" WEST 23.49 FEET TO THE POINT OF BEGINNING.

PARCEL CONTAINS 2.52 ACRES, MORE OR LESS.

RR BRK' END
APPARENTLY SET AFTER 2000
AT 0.5 H OF CSF

CORNER
TON 31
P.O.C.

McGILL PROPERTIES, INC.

SECTION 31, TOWNSHIP 07 SOUTH, RANGE 11 WEST
CITY OF GULFPORT, HARRISON COUNTY, MISSISSIPPI

BOUNDARY SURVEY

LAND SURVEYING
INCORPORATED

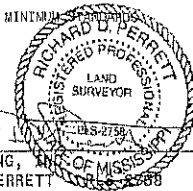
203 - 48th STREET
GULFPORT, MS 39507
MOBILE (228) 354-0452 FAX (228) 603-6937

NUMB (22B) 364-8452 FAX (22A) 863-6937

SCALE:	1" = 100'
PLOT DATE:	03/10/2005
DRAWN BY:	BDP
CHECKED BY:	BDP
DWG NAME:	Plot - MacRLong
REUSED:	

SUBJECT PROPERTY WAS SURVEYED UNDER MY DIRECT SUPERVISION
AND ALL DATA SHOWN ARE CORRECT TO THE BEST OF MY KNOWLEDGE

CLASS B SURVEY, WINTER



LAND SURVEYING, MISSISSIPPI
RICHARD D. PERRETT
MAY 06, 2006



SCALE

0 50 100 20

(1 inch = 100 feet)

NAVAL CONSTRUCTION
BATTALION CENTER

SUBJECT PROPERTY LIES IN ZONES "X" AND "AE" OF
F.I.R.M. 285253 0003 C, REVISED OCTOBER 04, 2002.

THIS SURVEY AND PLAT WERE PREPARED ONLY FOR CLIENT AS NAMED HEREON
AND NO THIRD OR OTHER PARTY CERTIFICATION IS EXPRESSED OR IMPLIED.
ALL BEARINGS/DISTANCES AND ANGLE MEASUREMENTS ARE ASSURED UNLESS NOTED OTHERWISE.
BEARINGS ARE GIVEN IN THE TRUTHED FROM STATE PLANE COORDINATE SYSTEM.
THIS SURVEY PERFORMED WITHOUT THE BENEFIT OF A TITLE REPORT.
THIS PLAT IS CERTIFIED ONLY TO THAT DATA SHOWN HEREON AND MAY NOT BE
COMPLETE OR ALL-INCLUSIVE FOR ANY PURPOSES OR USES OTHER THAN THOSE
AS ORIGINALLY CONTRACTED FOR BY CLIENT.
VERIFICATION OF ACTUAL FIELD CONDITIONS IS REQUIRED BEFORE DETAILED
PLANNING OR CONSTRUCTION IS COMMENCED.



Area Map

Printed 9/12/2022



● Addresspoints Edits addresspoints Harrison_NAIP_2021.sid

STRUCT_CLASS

- Commercial
- Device/Utility
- Primary
- Residential
- Unclassified
- ~ Minor Arterial
- ~ Minor/Residential
- ~ Military
- ~ Alley
- ~ WaterFeatures
- ▭ Parcels

RGB

- Red: Band_1
- Green: Band_2
- Blue: Band_3

tax parcel #
0710M-01-053.003

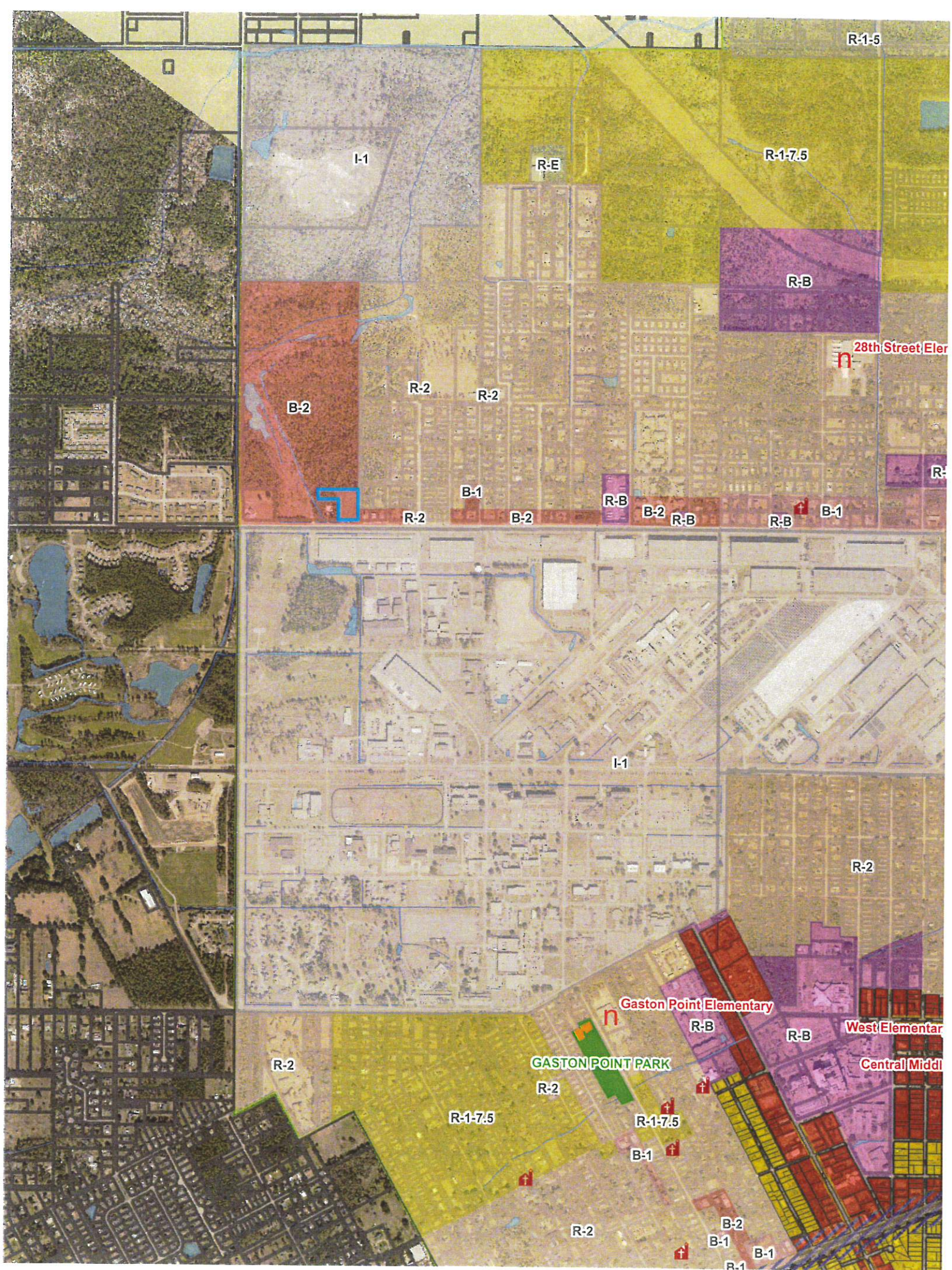


1 inch = 176 feet

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deed shows 2. 2.15 calcutched





SCANNED



[Signature] 1st JUDICIAL DISTRICT
Instrument 2022-0023910-D-11
Filed/Recorded 09/21/2022 1:20:01 PM
Total Fees 26.00
5 Pages Recorded

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

RETURN TO:
Michael J. Yentzen
Esplanade Land & Title Co., LLC
1914 24th Avenue
Gulfport, MS 39507
(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,

MCGILL PROPERTIES, INC.
A MISSISSIPPI CORPORATION
P.O. BOX 2163
GULFPORT, MS 39505
228.365.6968

does hereby sell, convey, and warrant unto

ADVANCED CONTRACTING SERVICES, LLC
A MISSISSIPPI LIMITED LIABILITY COMPANY
24080 ANNO SAUCIER ROAD
GULFPORT, MS 39503
228.236.7717

the following described land and property, lying and being situated in Harrison County, Mississippi, First Judicial District, and more particularly and certainly described as follows:

(See Exhibit A attached)(Page 3)

Indexing instructions: A PARCEL OF LAND SITUATED IN THE SOUTHWEST QUARTER OF SECTION 31, TOWNSHIP 7 SOUTH, RANGE 11 WEST, CITY OF GULFPORT, HARRISON COUNTY, MISSISSIPPI, FIRST JUDICIAL DISTRICT.

This conveyance is subject to all covenants, restrictions, easements, rights of way and other matters of record. 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 their assigns any deficit on the actual proration.

WITNESS the signature of the Grantor on this the 21st day of September, 2022.

MCGILL PROPERTIES, INC. - Grantor

[Signature of Emma McGill]

Emma McGill, President

STATE OF MISSISSIPPI
COUNTY OF HARRISON

PERSONALLY appeared before me, the undersigned authority in and for the said county and state, on this 21st day of September, 2022, within my jurisdiction, the within named EMMA MCGILL who acknowledged that he signed, executed and delivered the above and foregoing instrument as PRESIDENT of MCGILL PROPERTIES, INC., A MISSISSIPPI CORPORATION, after being duly authorized to do so.

GIVEN under my hand and official seal of office.

My Commission Expires:

MAY 26, 2026


NOTARY PUBLIC



EXHIBIT "A"

LEGAL DESCRIPTION: A PARCEL OF LAND SITUATED IN AND BEING A PART OF THE SOUTHWEST QUARTER OF SECTION 31, TOWNSHIP 7 SOUTH, RANGE 11 WEST, CITY OF GULFPORT, HARRISON COUNTY, MISSISSIPPI, FIRST JUDICIAL DISTRICT, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS TO-WIT:

COMMENCING AT A COTTON SPINDLE MARKING THE SOUTHWEST CORNER OF SAID SECTION 31, RUN NORTH 33.15 FEET TO A POINT, THEN RUN NORTH 89 DEGREES 45 MINUTES 40 SECONDS EAST 34.90 FEET TO A COTTON SPINDLE MARKING THE NORTH MARGIN OF 28TH STREET AND THE EAST MARGIN OF CANAL ROAD AS LOCATED PRIOR TO JANUARY 1993, THEN CONTINUE EASTWARD ALONG SAID PRIOR 1993 NORTHERN MARGIN OF 28TH STREET, NORTH 89 DEGREES 45 MINUTES 40 SECONDS EAST 362.36 FEET TO A POINT, THEN LEAVING SAID PRIOR NORTHERN MARGIN RUN NORTH 00 DEGREES 04 SECONDS 00 SECONDS WEST 31.00 FEET TO A CONCRETE MARKER AT THE PRESENT NORTHERN MARGIN OF 28TH STREET, THEN RUN EASTWARD ALONG PRESENT NORTHERN MARGIN OF 28TH STREET, SOUTH 89 DEGREES 37 MINUTES 34 SECONDS EAST 441.03 FEET TO AN IRON ROD FOR THE POINT OF BEGINNING. FROM THIS POINT OF BEGINNING RUN NORTH 00 DEGREES 04 MINUTES 00 SECONDS WEST 332.62 FEET TO AN IRON ROD, THEN RUN SOUTH 89 DEGREES 57 MINUTES 30 SECONDS EAST 466.07 FEET TO AN IRON ROD, THEN RUN SOUTH 00 DEGREES 04 MINUTES 00 SECONDS EAST 331.85 FEET TO AN IRON ROD ON THE PRESENT NORTHERN MARGIN OF 28TH STREET, THEN RUN WESTWARD ALONG SAID PRESENT NORTHERN MARGIN, SOUTH 89 DEGREES 56 MINUTES 50 SECONDS WEST 244.56 FEET TO AN IRON ROD, THEN LEAVING SAID PRESENT MARGIN RUN NORTH 00 DEGREES 07 MINUTES 05 SECONDS EAST 227.31 FEET TO AN IRON ROD, THEN RUN SOUTH 89 DEGREES 53 MINUTES 35 SECONDS WEST 197.92 FEET TO AN IRON ROD, THEN RUN SOUTH 00 DEGREES 08 MINUTES 36 SECONDS WEST 227.12 FEET TO AN IRON ROD, THEN RUN SOUTH 89 DEGREES 56 MINUTES 50 SECONDS WEST 23.49 FEET TO THE POINT OF BEGINNING. PARCEL CONTAINS 2.52 ACRES, MORE OR LESS. (TAX PARCEL # 0710M-01-053.003).

**UNANIMOUS CONSENT OF THE
DIRECTORS AND SHAREHOLDERS OF MCGILL PROPERTIES, INC.
TO TAKE ACTION WITHOUT A MEETING**

The undersigned, being the Directors and Shareholders of **MCGILL PROPERTIES, INC.**, a MISSISSIPPI Corporation, hereby unanimously consent to the following actions taken without a meeting:

Be it resolved by the Directors and Shareholders of **MCGILL PROPERTIES, INC.**, that consent is hereby given to Emma McGill, President, to execute all necessary closing documents to convey the property known as NHN 28th Street, Gulfport, Mississippi, 39501 to **ADVANCED CONTRACTING SERVICES, LLC**, a MISSISSIPPI Limited Liability Company on or about September 21, 2022.

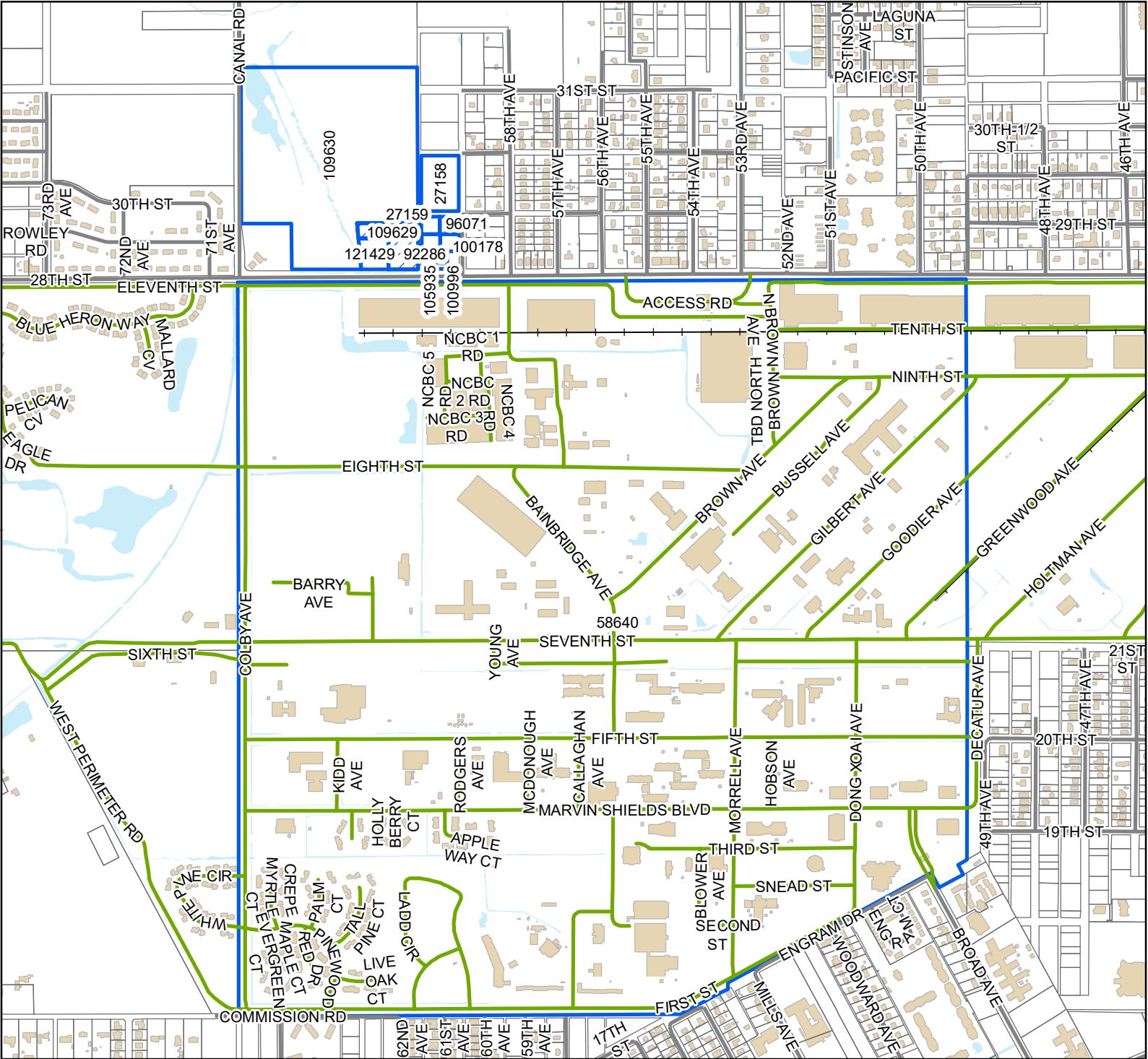
Witness the signatures of the Directors and Shareholders of **MCGILL PROPERTIES, INC.**, below.



Emma McGill, President/Director & Shareholder

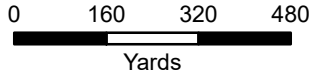


Dustin A. McGill, Vice President/ Director & Shareholder



Legend

- Site
- Adjacent Properties
- Street
- Military Street
- Alley
- Railroad
- Buildings
- Water Features



1 inch = 1,000 feet



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Mail	PPIN	Parcel ID	Name	Address	City	State	ZIP
	109629	0710M-01-053.003	ADVANCED CONTRACTING SERVICES (OWNE	24080 ANNE SAUCIER RD	GULFPORT	MS	39505
			Adjacent Property Owners (2301PC003)				
N	100178	0710M-01-012.004	BARTHOLOMEW JOSEPH A & DEBORAH	19070 LANDON ROAD	GULFPORT	MS	39503
	100996	0710M-01-012.005	BARTHOLOMEW JOSEPH A & DEBORAH	19070 LANDON ROAD	GULFPORT	MS	39503
	109630	0710M-01-053.002	DRAKE MARY CAROLYN -ETAL-	159 EDGEWATER DR	BILOXI	MS	39531
	121429	0710M-01-053.004	GTP ACQUISITION PARTNERS II LLC	P O BOX 723597	ATLANTA	GA	31139
	96071	0710M-01-012.003	MASON ELIZABETH A	2821 59TH AVE	GULFPORT	MS	39501
	92286	0710M-01-012.001	MAY HUBERT H JR	9300 COCONUT DR	OCEAN SPRINGS	MS	39564
	105935	0710M-01-012.006	ROJAS HECTOR	27460 ROAD 310	PASS CHRISTIAN	MS	39571
	27158	0710M-01-011.000	SNEED JOHN O & ELIZABETH S WETHEM	114 DRIFTWOOD DR	LONG BEACH	MS	39560
	58640	0711F-01-001.000	U S GOVT	4802 JEFFERSON AVE	GULFPORT	MS	39501
	27159	0710M-01-012.000	WARD JOSEPH BENJAMIN	25429 PECAN RD	PASS CHRISTIAN	MS	39571

RE: Zoning Map Amendment 2301PC003, by owner Advanced Contracting Services, tax parcel 0710M-01-053.003, Requests to rezone from B-2 (General business) to I-1 (Light industry), 0 28th Street, 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, January 26, 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 Planning Commission for **Thursday, January 26, 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.

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URBAN DEVELOPMENT
PLANNING DIVISION

P.O. Box 1780
Gulfport, MS 39502

*****IMPORTANT MESSAGE*****

BARTHOLOMEW JOSEPH A & DEBORAH
19070 LANDON ROAD
GULFPORT, MS 39503



URBAN DEVELOPMENT
PLANNING DIVISION

P.O. Box 1780
Gulfport, MS 39502

*****IMPORTANT MESSAGE*****

DRAKE MARY CAROLYN -ETAL-
159 EDGEWATER DR
BILOXI, MS 39531



URBAN DEVELOPMENT
PLANNING DIVISION

P.O. Box 1780
Gulfport, MS 39502

*****IMPORTANT MESSAGE*****

GTP ACQUISITION PARTNERS II LLC
P O BOX 723597
ATLANTA, GA 31139



URBAN DEVELOPMENT
PLANNING DIVISION

P.O. Box 1780
Gulfport, MS 39502

*****IMPORTANT MESSAGE*****

MASON ELIZABETH A
2821 59TH AVE
GULFPORT, MS 39501

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:
IPL0104298
Order Status:
Submitted
Classification:
Legals & Public Notices
Package:
BLX - Legal Ads
Final Cost:
63.12
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
January 4, 2023 2:29:50 PM EST
Amount:
63.12

SCHEDULE FOR AD NUMBER IPL01042980

January 11, 2023
SunHerald (Biloxi)

PREVIEW FOR AD NUMBER IPL01042980**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, January 26, 2023 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 2301PC002, by agent Bryce McMurry, tax parcel 08100-02-012.000, Requests to convert portion of Mobile Home Park into RV use, 2800 19th Ave, Zoned B-2 (General business), Ward 3
Special Exception 2301SE006, by agent Austin Keith, tax parcel 0911B-02-013.000, seeking approval of a liquor store use at 111 Courthouse Rd, Zoned T-6 (Urban Core Zone), Ward 2

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

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, to allow a Medical Cannabis dispensary as a matter of right in R-B, B-1, B-2, B4, T4+, T5, T6 zoning districts.

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

Zoning Text Amendment 2212PC225, by CRC Westside, amendments to the SmartCode Zoning Article 5, as amended, Section 5.3.3 (a), 5.4.3 (a), 5.5.3 (a), 5.6.3 (a), and Article 6, Table 10; to establish how unspecified uses of property are addressed in areas subject to SmartCode.

Zoning Map Amendment 2301PC001, by agent Greg Smith, tax parcels 1011D-01-036.000 and 1011D-01-038.001, Requests to rezone from T6 (Urban Core Zone) to T4+ (General Urban Zone "Plus"), 146 Oleander Dr., Zoned T6 (Urban Core Zone), Ward 2

Zoning Map Amendment 2301PC003, by owner Advanced Contracting Services, tax parcel 0710M-01-053.003, Requests to rezone from B-2 (General business) to I-1 (Light industry), 0 28th Street, Ward 1

Zoning Text Amendment 2301PC007, by agent Freddie Fountain, Amendments to the Comprehensive Zoning Ordinance, as amended, to amend Section III. District Regulations (K) Chart of Permitted Uses (2) Schedule of uses - REDUCING SALON; to allow a reducing salon (i.e. a gym/fitness facility) in I-2 zoning districts

Zoning Text Amendment 2301PC008 by City of Gulfport, amendments to the accessory building ordinance Sec. IV. Supplementary regulations. (2) Accessory building; to consider changes to limitations on size, height, setbacks, and number allowed.

This the 4th day of January, 2023
Virginia Adolph, Vice - 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: January 26, 2023

Re: **Zoning Text Amendment 2301PC007:**

Zoning Text Amendment 2301PC007, by agent Freddie Fountain, Amendments to the Comprehensive Zoning Ordinance, as amended, to amend Section III. District Regulations (K) Chart of Permitted Uses (2) Schedule of uses - REDUCING SALON; to allow a reducing salon (i.e. a gym/fitness facility) in I-2 zoning districts

Technical Report

ZONING TEXT AMENDMENT

GENERAL INFORMATION

Case File Number: 2301PC007

Hearing Date: January 26, 2023

Legal: Zoning Text Amendment 2301PC007, by agent Freddie Fountain, Amendments to the Comprehensive Zoning Ordinance, as amended, to amend Section III. District Regulations (K) Chart of Permitted Uses (2) Schedule of uses - REDUCING SALON; to allow a reducing salon (i.e. a gym/fitness facility) in I-2 zoning districts

TECHNICAL DETAILS

The applicant requests to amend the text to the zoning ordinance to allow for a Reducing Salon (gym/fitness facility) in industrial zoning. Specifically, the applicant would like the reducing salon use to be allowed by right in an I-2 (Heavy industry) zone.

By allowing a citywide change and not just a site specific, this text amendment would further dilute the intent for industrial zoning. The intention of industrial zones are that these districts are placed in areas that are suitable for manufacturing and related activities and are separated from residential areas by commercial business or natural barriers.

As per the Chart of Permitted Uses, a Reducing Salon, which would include spas, yoga studios, etc. are allowed by right in R-B, B-1, B-2, B-4, T4+, T5, and T6 zones which are more abundant (see maps). By allowing more and more commercial style uses such as, medical offices, RV Park, and restaurants, this would lessen available land intended for industrial uses causing long-term development ramifications.

EXECUTIVE SUMMARY

Due to the availability of multiple zones that allow for the use by right, commercial uses creeping in on industrial zones would dilute available land intended for industrial districts; the staff recommends the request to be denied.

DIRECTOR APPROVAL

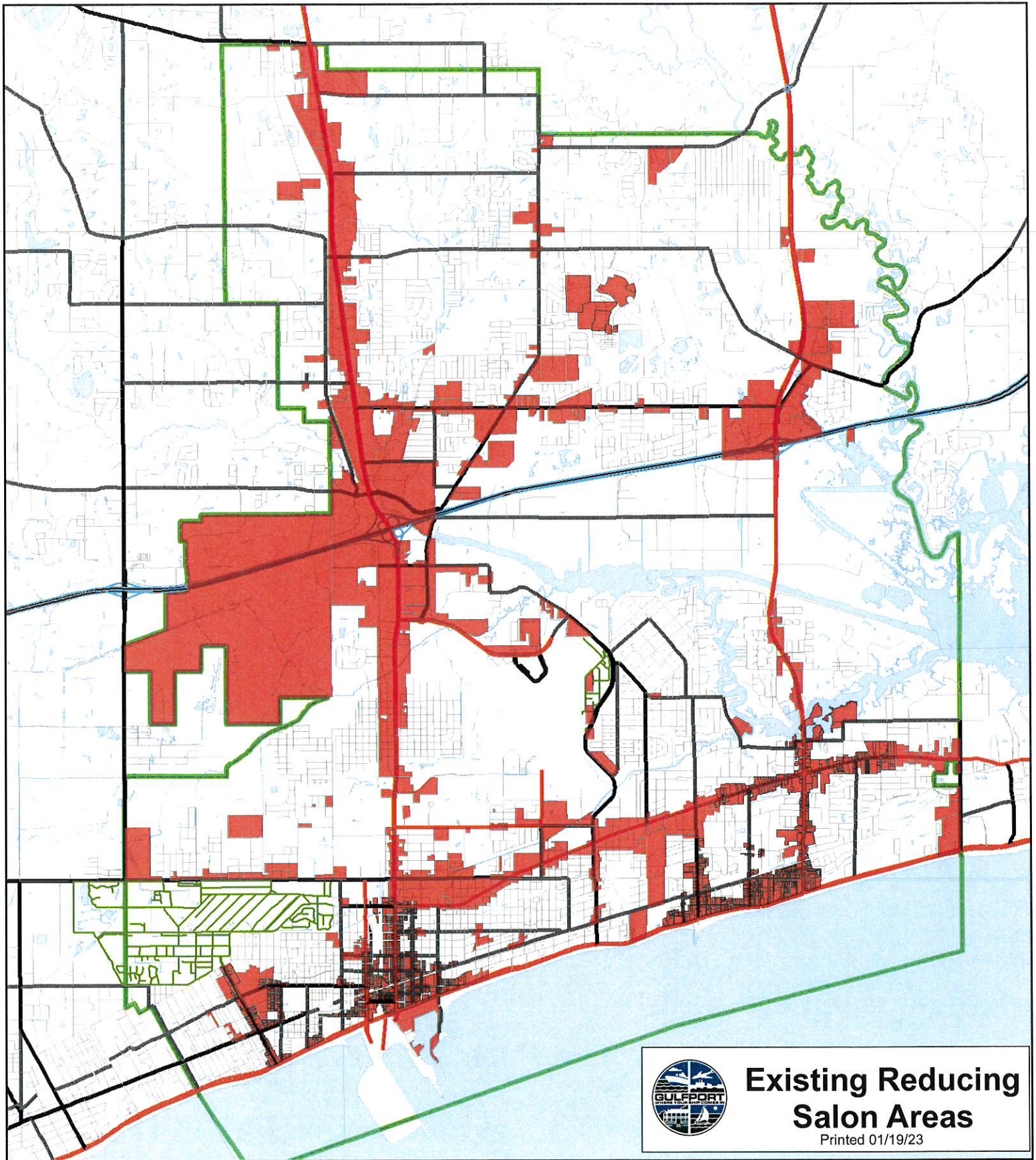
This report has been reviewed and approved by:



Ryan Merrill

Director of Urban Development Department

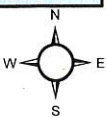




Existing Reducing Salon Areas

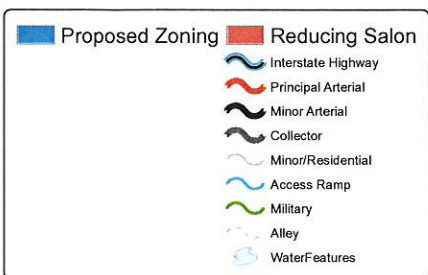
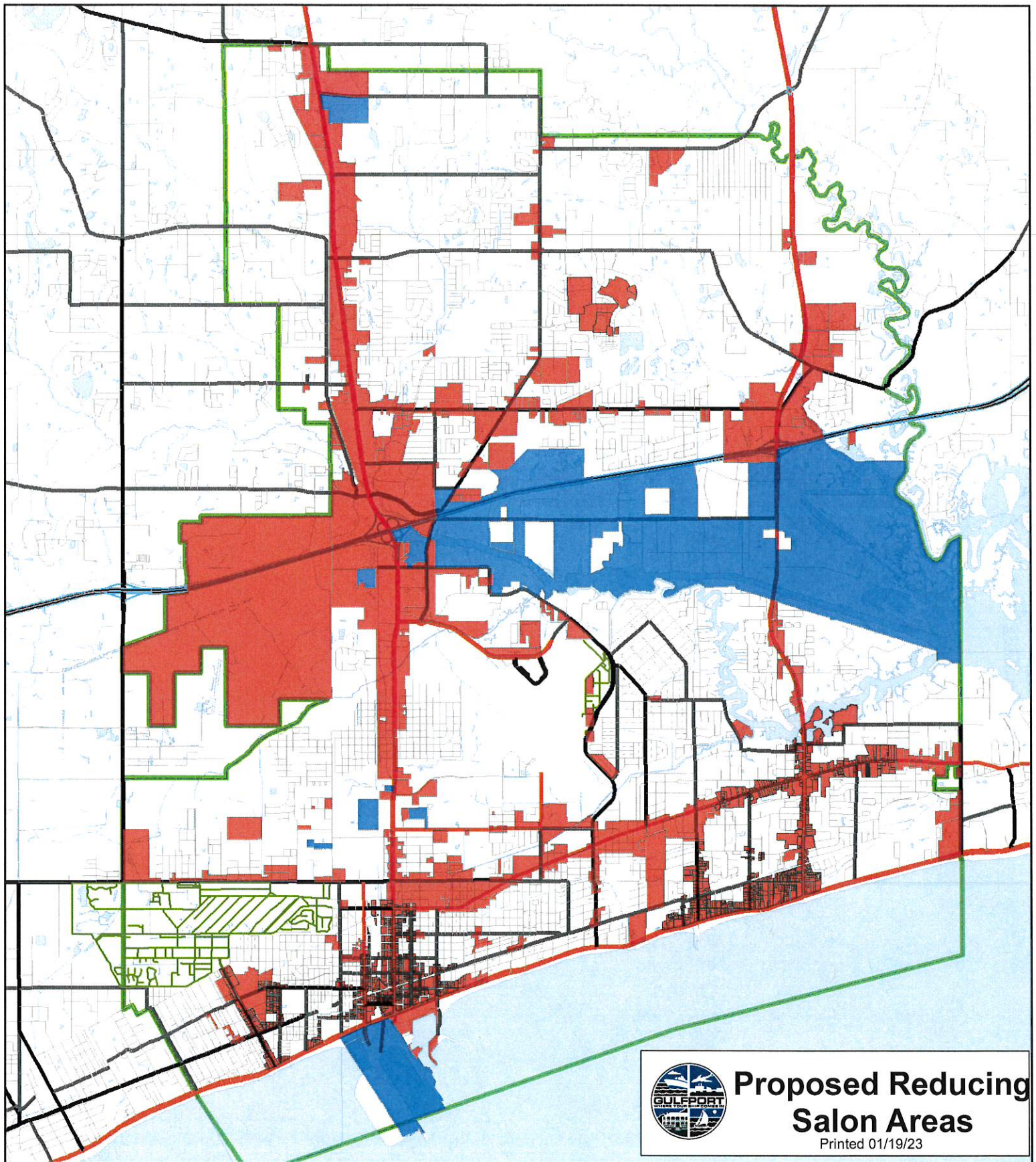
Printed 01/19/23

- Interstate Highway
- Principal Arterial
- Minor Arterial
- Collector
- Minor/Residential
- Access Ramp
- Military
- Alley
- WaterFeatures
- Reducing Salon



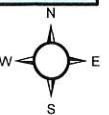
1 inch = 6,500 feet

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Proposed Reducing Salon Areas

Printed 01/19/23



1 inch = 6,500 feet

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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 #: 2301PC007Date Received: 12/07/22

Receipt #: _____

Received By: AP

Zoning: _____

Ward: _____ Flood: _____

GENERAL DESCRIPTION OF REQUEST: (If necessary, attach a separate sheet of paper detailing the purpose of the request.)

Addition of reducing salon as an "Allowed by Right" use in an I2 zoning district where it is currently listed as "not allowed" on Page 7 of 9 of the Chart of Permitted Uses within the current Zoning Ordinance.

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

Seaway Business Center, LLC. - Jennifer Davi

Printed Name Of Owner

1822 15th Street, Ste. A

Mailing Address

Gulfport MS 39501

City State Zip code

228-224-5337

Home Phone Work/Cell Phone

davijennifer@aol.com

Email

Signature Of Owner

AGENT

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 H. MUST BE SUBMITTED FOR A COMPLETE APPLICATION.

**OPERATING AGREEMENT OF
SEAWAY BUSINESS CENTER, LLC**

The Operating Agreement ("Agreement") of **SEAWAY BUSINESS CENTER, LLC**, a limited liability company (the "Company"), is adopted and entered into by **JACK KRONGARD and JENNIFER DAVI** as the sole members [the "Member(s)", which term includes any other persons who may become Member(s) of the Company in accordance with the terms of this Agreement and the Act] and the Company pursuant to and in accordance with the Mississippi Limited Liability Company Act, as amended from time to time ("Act"). Terms used in the Agreement which are not otherwise defined shall have the respective meanings given those terms in the Act.

The parties agree as follows:

**SECTION ONE
NAME**

The name of the limited liability company under which it was formed is **SEAWAY BUSINESS CENTER, LLC**. The Certificate of Formation which was filed with the Secretary of State of the State of Mississippi on the 7th day of April, 2021, a copy of which is attached hereto as Exhibit "A" is hereby ratified, confirmed, approved, and adopted.

**SECTION TWO
TERM**

The Company shall continue until dissolved in accordance with the Act.

**SECTION THREE
MANAGEMENT**

Management of the Company is vested in its Member(s), who will manage the Company in accordance with the Act. Any Member exercising management powers or responsibilities will be deemed to be a manager for purposes of applying the provisions of the Act, unless the context otherwise requires, and the Member will have and be subject to all of the duties and liabilities of a manager provided in the Act. The Member(s) will have the power to do any and all acts necessary or convenient to or for the furtherance of the purposes of the Company set forth in this Agreement, including all powers of Member(s) under the Act.

**SECTION FOUR
PURPOSE**

The purpose of the Company is to lease construction equipment, and to engage in any lawful act or activity for which limited liability companies may be formed under the Act and to engage in any and all activities necessary or incidental to these acts.

SECTION FIVE
ADDRESS

The business address of the Member(s) and the Company is 1822 15th Street, Suite A, Gulfport, MS 39501.

SECTION SIX
COMPANY OWNERSHIP

The Company shall be owned by the Member(s) in the following percentages:

<u>MEMBER</u>	<u>PERCENT</u>
Jack Krongard	50%
Jennifer Davi	50%

All the assets of the Company are now, and as to assets subsequently purchased or acquired by the Company shall be, owned by the Member(s) in the above percentages.

SECTION SEVEN
ADDITIONAL CONTRIBUTIONS

No member is required to make any additional capital contribution to the Company.

SECTION EIGHT
ALLOCATIONS OF PROFITS AND LOSSES

The Company's profits and losses will be allocated in proportion to the percentage ownership of the Member(s) in the Company.

SECTION NINE
DISTRIBUTIONS

Distributions shall be made to the Member(s) at the times and in the aggregate amounts determined by the Member(s). Such distributions shall be allocated among the Member(s) in the same proportion as their percentage ownership in the Company.

SECTION TEN
WITHDRAWAL OF MEMBER

A Member may withdraw from the Company in accordance with the Act.

SECTION ELEVEN ASSIGNMENTS

A Member may assign in whole or part his or her membership interest in the Company; provided, however, an assignee of a membership interest may not become a Member without the vote or written consent of at least a majority in interest of the Member(s), other than the Member who assigns or proposes to assign his or her membership.

SECTION TWELVE INTERNAL MATTERS

1. Jack Krongard, is hereby designated as the Managing Member of the Company, and shall continue as such for a five (5) year period and thereafter, until his or her successor is designated by a majority vote of or statement from the Member(s) at an annual meeting. The Managing Member shall be charged with the responsibility for the executive management of the Company in accordance with the desires of the Member(s) in line with matters of general policy which are determined by a majority vote or statement from the Member(s).

2. The Member(s) shall hold an annual meeting during the month of January in each year. Special meetings may be called by the Managing Member. A quorum at any annual meeting of the Company shall be a majority of or statement from the Member(s). Notice of either the annual or a special meeting shall be given in writing at least five (5) days before the date of the meeting. One of the Member(s) shall be designated as Secretary of the Company and shall keep minutes of each meeting of the Member(s).

SECTION THIRTEEN FINANCIAL AND ACCOUNTING SERVICES

1. The fiscal year of the Company shall begin January 1 and end the following December 31 in each year.

2. Books and records of the operations of the Company shall be maintained at the main office of the Company located at 1822 15th Street, Suite A, Gulfport, MS 39501.

3. As soon as possible after the close of the fiscal year, financial statements and income tax returns shall be prepared and a copy thereof forwarded to each Member.

4. The Managing Member, and other Member(s) if desired, shall be designated to sign checks, drafts and other similar instruments on behalf of the Company.

5. Funds may be borrowed on behalf of the Company and noted or other instruments may be executed relative thereto only upon the signature of the Managing Member and one other Member.

6. The Member(s) shall determine from time to time what life insurance, if any, shall be carried on the lives of the Member(s) for the benefit of the Company.

7. The Member(s) shall determine from time to time what other insurance the Company shall carry.

8. All funds of the Company are to be deposited in its name in such bank account or accounts as shall be designated by the Managing Member. All withdrawals there from are to be made upon checks signed by the designated Member.

9. The firm books shall be kept on a cash basis and shall be closed and balanced at December 31st, the end of the Company's fiscal year. The Member(s) shall, at all times, have access to the Company's books through the office located at 1822 15th Street, Suite A, Gulfport, MS 39501.

SECTION FOURTEEN ADMISSION OF ADDITIONAL MEMBER(S)

One or more additional Member(s) of the Company may be admitted to the Company with a majority vote of at least seventy-five percent (75%); or written consent of at least seventy-five percent (75%) in interest of the Member(s) [as defined in the Act].

SECTION SIXTEEN EXCULPATION OF MEMBER-MANAGERS

A Member exercising management power or responsibilities for on or behalf of the Company will not have personal liability to the Company or its Member(s) for damaged for any breach of duty in that capacity, provided that nothing in this Section shall eliminate or limit: (I) the liability of any Member If a judgment or other final adjudication adverse to him or her established misconduct or a knowing violation of law, or that he or she personally gained in fact a financial profit or other advantage to which he or she was not legally entitled, or (II) the liability of any Member for any act or omission prior to the date of first inclusion of this paragraph in the Agreement.

SECTION SEVENTEEN GOVERNING LAW

This Agreement shall be governed by, and construed in accordance with, the laws of the State of Mississippi, all rights and remedies being governed by those laws.

SECTION EIGHTEEN INDEMNIFICATION

To the fullest extent permitted by law, the Company shall indemnify and hold harmless, and may advance expenses to, any Member, manager or other person, or any executor or

AMENDMENT TO
OPERATING AGREEMENT
OF
SEAWAY BUSINESS CENTER, LLC

This AMENDMENT to OPERATING AGREEMENT of SHS BUILDING, LLC (the "Company") is made and entered into on the 10th day of February, 2022 by the undersigned person(s).

WHEREAS, the Company is a limited liability company that was formed within the state of Mississippi pursuant to the Articles of Organization on the 7TH day of April, 2021 and an Operating Agreement (the "Agreement") was created.

NOW THEREFORE, the Members wish to amend the Agreement as set forth below:

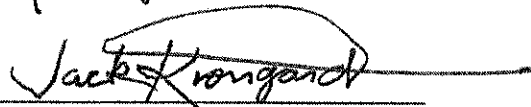
As of this day, the Member's Ownership Interest of the Company shall be as follows:

Jennifer Davi	40%
Jack Krongard	40%
Robert Stinson	20%

All remaining sections of the Agreement shall remain the same.

IN WITNESS WHEREOF, this Amendment to the Operating Agreement has been executed as of the date written above by:


Jennifer Davi, Member


Jack Krongard, Member

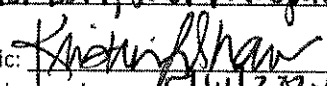

Robert Stinson, Member

State of: Mississippi

County of: Harrison

Subscribed and sworn before me the 10th day of February, 20 22.

By Jennifer Davi, Jack Krongard, Robert Stinson who is personally known

Notary Public: 
My commission expires: 5/14/2024



administrator of the estate of such Member, manager or other person (collectively, the "Indemnitees"), from and against any and all claims and demands whatsoever; provided, however, that no indemnification may be made to or on behalf of any Indemnitee of a judgment or other final adjudication adverse to such Indemnitee establishes: (I) that his or her acts were committed in bad faith or were the result of active and deliberate dishonesty and were material to the cause of action so adjudicated, or (II) that he or she personally gained in fact a financial profit or other advantage to which he or she was not legally entitled. The provisions of this section shall continue to afford protection to each Indemnitee regardless of whether he or she remains a Member, manager, employee or agent of the Company.

SECTION NINETEEN TAX MATTERS

The Member(s) of the Company intend that the Company be treated as a partnership for all income tax purposes, and will file all necessary and appropriate forms in furtherance of that position.

SECTION TWENTY MISCELLANEOUS

1. Each Member shall punctually pay and satisfy all his present and future private debts and engagements, and shall indemnify any Member(s), their heirs, executors, or administrators, and the Company from such debts and from all actions, proceedings, damages and expenses on account thereof.

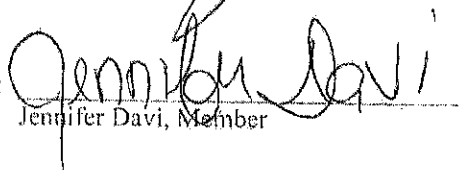
2. This Limited Liability Company Agreement supersedes all prior articles of Partnership and Addenda thereto.

Witness our signature to this Operating Agreement of **SEAWAY BUSINESS CENTER, LLC**, on the day and date first mentioned herein above.

By:


Jack Krongard, Managing Member

By:


Jennifer Davi, Member



Written Statement for Zoning Text Amendment

for

Parcel # - 0909D-02-006.000

Fountain & Associates is making this application on behalf of Seaway Business Center, LLC. Freddie Fountain is the representative with Fountain & Associates that will be making the presentation. The property located at 13334 Seaway Road is in an Industrial Zoning District (I-2). This is also known as a "Heavy Industry District". Things such as manufacturing and production plants are what are commonly seen in this district. Along Seaway Road, there has been a precedence set over the years along Seaway Road that non-industrial uses be allowed. Uses such as (Office, Banks, Blueprinting and Photostating, Post Office Branch, Etc.) What is being requested is that a Gym Facility be allowed in this zoning district. By the "Chart of Permitted Uses" this use is known as a "Reducing Salon" (listed on Page 7 of 9 of the "Chart of Permitted Uses"). This use is no different than any of the other businesses that are allowed along Seaway Road. The area needs more facilities for people to exercise and get healthy. Orange Grove, Seaway Island, and Bayou View areas will be in very close proximity to this site and will likely be some of the users of this facility. There are not many small gyms in this area to serve the large population in these fairly dense areas. This would be a nice addition to this area. The building that this proposed use would be within has begun the foundation work and is scheduled to be completed by early to mid-summer. If approved, this facility would be completed around the same time as the building or shortly after. Allowing this use to be approved will give the residents of Gulfport and surrounding areas a place to exercise and get healthy.

CHART OF PERMITTED USES (Contains Publication Corrections and Additional Ordinance Amendments No. 2264, 2753, & 2903)

* NEED NOT BE CONDUCTED ENTIRELY WITHIN A COMPLETELY ENCLOSED STRUCTURE.

R = ALLOWED BY RIGHT P = PLANNING COMMISSION APPROVAL X = SPECIAL EXCEPTION -- = NOT ALLOWED A = ADMINISTRATIVE

NAMES OF USES AND CONDITIONS	A-1, T1, T2	RE	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-3	B-4	E-G	I-1	I-2	I-3	SB	WF	AE
DIESEL ENGINE REPAIR	--	--	--	--	--	--	--	--	--	--	--	--	--	X	--	--	--	R	R	R	--	--	--
DOG POUND*	--	--	--	--	--	--	--	--	--	--	--	--	R	R	R	R	--	X	X	X	--	--	--
DRY-CLEANING, SELF-SERVICE	--	--	--	--	--	--	--	--	--	--	--	--	R	R	R	R	--	R	R	R	--	--	--
DRY-CLEANING	--	--	--	--	--	--	--	--	--	--	--	--	R	R	R	R	--	R	R	R	--	--	--
ELECTRIC REPAIR SHOP	--	--	--	--	--	--	--	--	--	--	--	--	R	R	R	R	--	R	R	R	--	--	--
ELEVATOR MAINTENANCE AND SERVICE	--	--	--	--	--	--	--	--	--	--	P	P	P	P	P	P	--	R	P	P	--	--	--
EXTERMINATORS	--	--	P	--	--	P	P	--	--	--	--	R	R	R	R	R	--	--	--	--	--	--	--
FIRE STATION	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
FIX-IT SHOP; INCLUDING SMALL APPLIANCE REPAIRS	--	--	--	--	--	--	--	--	--	--	--	--	--	R	--	--	--	R	--	R	--	--	--
FOOD LOCKER PLANT; RENTING ONLY INDIVIDUAL LOCKERS FOR CUSTOMER STORAGE OF FOOD; CUTTING AND PACKAGING OF MEATS AND GAME, BUT NOT INCLUDING SLAUGHTERING OR EVISCERATING THEREOF	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	P	--	--	--	--	--	--	--
FUNERAL HOME, MORTUARY OR UNDERTAKING ESTABLISHMENT	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	--	--	--	--	--	--	--
FURNITURE REPAIR; INCLUDING UPHOLSTERING AND REFINISHING	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	R	--	--	--
HOSPITAL OR SANITARIUM	--	--	--	--	--	--	--	--	--	--	--	--	R	R	R	R	--	--	--	--	--	--	--
INCINERATOR	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
INTERIOR DECORATING SHOP	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
JUNKYARD; INCLUDING STORAGE, Baling OR SALE OF RAGS, PAPER, IRON OR JUNK; MUST BE ENCLOSED WITHIN A FENCE AT LEAST SEVEN (7) FEET HIGH AND ADEQUATE TO OBSTRUCT VIEW, NOISE, AND PASSAGE OF PERSONS; CHAINLINK OR SIMILAR FENCE WILL BE PERMITTED IF SCREEN PLANTING IS PROVIDED*	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	R	--	--	--	--
LABORATORY	--	--	--	--	--	--	--	--	--	--	--	--	R	R	R	R	--	--	--	R	R	R	--
LABORATORY; DENTAL, MEDICAL OR OPTICAL	--	--	--	--	--	--	--	--	--	--	--	--	R	R	R	R	--	--	--	--	--	--	--
LAUNDRY, SELF-SERVICE	--	--	--	--	--	--	--	--	--	--	--	--	R	R	R	R	--	R	--	--	--	--	--
LAUNDRY AND/OR DRY-CLEANING PICKUP STATION	--	--	--	--	--	--	--	--	--	--	--	--	--	R	R	R	--	R	R	P	R	--	--
LAUNDRY, LINEN SUPPLY OR DIAPER SERVICE	--	--	--	--	--	--	--	--	--	--	--	--	--	R	R	R	--	--	--	--	--	--	--
LOAN OFFICE	--	--	--	--	--	--	--	--	--	--	--	--	R	R	R	R	--	--	--	R	R	R	--
LOCKSMITH	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	R	R	R	--
MACHINE SHOP	--	--	--	--	--	--	--	--	--	--	--	--	P	R	R	R	--	--	--	--	--	--	--
MINIWAREHOUSE	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
MODULAR STRUCTURES	--	--	--	--	--	X	--	X	--	--	X	X	R	X	X	X	--	P	--	--	--	--	--
NURSERY, DAY-CARE OR KINDERGARTEN	--	--	--	--	--	--	--	X	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
NURSING HOME	--	--	--	--	--	--	--	--	--	--	--	--	R	R	R	R	--	--	--	R	R	R	--
OFFICE	--	--	--	--	--	--	--	--	--	--	--	--	R	R	R	R	--	--	--	R	--	R	--
OPTICIAN	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
PAINTING AND DECORATING CONTRACTOR	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
PASSENGER DEPOT, RAILWAY OR BUS	--	--	--	--	--	--	--	--	--	--	--	--	P	R	R	R	--	R	--	--	--	--	--
PHOTOGRAPHIC STUDIO AND/OR PROCESSING	--	--	--	--	--	--	--	--	--	--	--	--	--	R	R	R	--	--	--	--	--	--	--
PICTURE FRAMING AND/OR MIRROR SILVERING	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
PIPE STORAGE YARD	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	--	--	--	--	--	--	--
PLUMBING SHOP	--	--	--	--	--	--	--	--	--	--	--	--	--	P	R	R	--	--	--	--	--	--	--
POLICE SUBSTATION, INCLUDING HIGHWAY PATROL	--	--	--	--	--	--	--	--	--	--	--	--	P	R	R	R	--	--	--	--	--	--	--
POST OFFICE, BRANCH	--	--	--	--	--	--	--	--	--	--	--	--	--	R	R	R	--	--	--	--	--	--	--
PRESSING, ALTERING AND REPAIR OF WEARING APPAREL	--	--	--	--	--	--	--	--	--	--	--	--	--	R	R	R	--	--	--	--	--	--	--
RADIO AND TELEVISION REPAIR SHOP	--	--	--	--	--	--	--	--	--	--	--	--	R	R	R	R	--	--	--	R	--	--	--
REDUCING SALON	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	X	X	--	--
REHABILITATION HEALTH CLINICS AND PLASMA CENTERS, SEE SECTION XII FOR ADDITIONAL REQUIREMENTS. ORD. 2903 MAY 2017	--	--	--	--	--	--	--	--	--	--	--	--	--	R	--	--	--	--	--	R	R	R	--
RUG CLEANING	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
SAND AND TRAVEL STORAGE YARD*	--	--	P	--	--	P	--	P	--	--	P	P	--	--	--	--	--	--	--	--	--	--	--
SCHOOLS, ELEMENTARY AND/OR SECONDARY; MEETING ALL REQUIREMENTS OF THE LAW OF THE STATE OF MISSISSIPPI PERTAINING TO PUBLIC EDUCATION	--	--	--	--	--	--	--	--	--	--	--	--	R	R	R	R	--	--	--	--	--	--	--
SHOE REPAIR SHOP	--	--	--	--	--	--	--	--	--	--	--	--	--	R	R	R	--	--	--	R	--	--	--
SIGN SHOP	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
SMALL ANIMAL CLINIC	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
SMALL ANIMAL CLINIC WITH BOARDING FACILITIES	--	--	--	--	--	--	--	--	--	--	--	--	R	R	R	R	--	--	--	--	--	--	--
STUDIO FOR PROFESSIONAL WORK OR TEACHING OF FINE ARTS, SUCH AS PHOTOGRAPHY, DRAMA AND SPEECH	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

Seaway Business Center, LLC
1822 15th Street, Ste. A
Gulfport, MS 39501

December 6, 2022

City of Gulfport
Planning Department
1410 24th Avenue
Gulfport, MS 39501

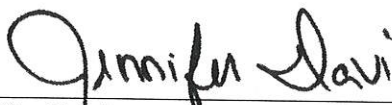
RE: **Agent Letter for Zoning Text Amendment**
Tax Parcel #s: 0909D-02-006.000
Gulfport, Mississippi

To Whom It May Concern:

Please allow this letter to serve as official notice that **Freddie Fountain with Fountain & Associates**, is authorized to act as agent on behalf of **Seaway Business Center, LLC** in any Planning Commission or City Council matters for the above referenced address.

If you have any questions, please call me at 228-224-5337.

Sincerely,



Jennifer Davi



Notary





John 11 - GULFPORT DISTRICT
Instrument 2022-0005924-D-11
Filed/Recorded 03/15/2022 1:35:01 PM
Total Fees 26.00
4 Pages Recorded

Indexing: NE ¼ of 14-7-11

STATE OF MISSISSIPPI

COUNTY OF HARRISON

FIRST JUDICIAL DISTRICT

Prepared by and return to:
David B. Estes
MS Bar No. 101404
Integrity Land Title, LLC
1806 23rd Avenue, Suite A
Gulfport, MS 39501
(228)896-8962
File #4060

WARRANTY DEED

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

CAMDAV, LLC
A MISSISSIPPI LIMITED LIABILITY COMPANY
2032 BEACH DRIVE
GULFPORT, MS 39507
(228) 224-5337

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

SEAWAY BUSINESS CENTER, LLC
A MISSISSIPPI LIMITED LIABILITY COMPANY
1822 15th STREET, SUITE A
GULFPORT, MS 39501
(228) 224-5337

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

SEE ATTACHED EXHIBIT "A"

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

TAXES for the year 2022 and all subsequent years are hereby assumed by the Grantee herein.

WITNESS my signature on this the 14th day of March, 2022.

CAMDAV, LLC

BY: Jennifer Davi
Jennifer Davi, Managing Member

STATE OF MISSISSIPPI
COUNTY OF HARRISON

Personally appeared before me, the undersigned authority in and for the said county and state, on this 14th day of March, 2022, within my jurisdiction, the within named Jennifer Davi, who acknowledged that she is the Managing Member of CAMDAV, LLC, a Mississippi Limited Liability Company, and that for and on behalf of said limited liability company, and as its act and deed, she executed and delivered the above and foregoing instrument, after first having been duly authorized by said limited liability company so to do.

Janet N. Fowler
NOTARY PUBLIC

My Commission expires:
9/20/2023



Exhibit "A"

Parcel 1)

A PARCEL OF LAND SITUATED IN THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 AND THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 14, TOWNSHIP 7 SOUTH, RANGE 11 WEST, 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 THE SOUTHEAST CORNER OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 14; THENCE S89°32'12"W 3144.1' TO AN IRON ROD FOUND AT THE POINT OF BEGINNING; THENCE N00°47'20"W 380.60'; THENCE WEST 300.77'; THENCE S00°53'47"E 382.58' TO AN IRON ROD FOUND; THENCE S00°52'01"E 177.09' TO AN IRON ROD SET ON THE NORTH MARGIN OF SEAWAY ROAD; THENCE ALONG SAID NORTH MARGIN, S89°52'39"E 299.82' TO AN IRON ROD SET; THENCE N00°47'20"W 179.70' TO THE POINT OF BEGINNING, CONTAINING 3.860 ACRES.

And also

Parcel 2)

A PARCEL OF LAND SITUATED IN THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 AND THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 14, TOWNSHIP 7 SOUTH, RANGE 11 WEST, 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 THE SOUTHEAST CORNER OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 14; THENCE S89°32'12"W 3144.1' TO AN IRON ROD FOUND; THENCE N00°47'20"W 380.60' TO THE POINT OF BEGINNING; THENCE N00°47'20"W 372.16'; THENCE S89°15'45"W 62.01'; THENCE N00°47'20"W 606.45'; THENCE S89°21'00"W 116.00'; THENCE N01°09'43"W 176.83' TO THE SOUTH MARGIN OF INTERSTATE NO. 10; THENCE ALONG SAID SOUTH MARGIN, S80°17'43"W 125.81' TO AN IRON ROD FOUND; THENCE S00°55'24"E 721.77' TO AN IRON ROD FOUND; THENCE N89°43'36"W 239.21' TO AN IRON ROD SET; THENCE S00°48'39"E 203.72' TO AN IRON ROD FOUND; THENCE N89°20'19"E 239.71' TO AN IRON ROD FOUND; THENCE S00°53'47"E 210.54'; THENCE EAST 300.77' TO THE POINT OF BEGINNING, CONTAINING 7.494 ACRES.

And also:

Parcel 3)

A PARCEL OF LAND SITUATED IN THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 AND THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 14, TOWNSHIP 7 SOUTH, RANGE 11 WEST, 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 THE SOUTHEAST CORNER OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 14; THENCE S89°32'12"W 3144.1' TO AN IRON ROD FOUND; THENCE N00°47'20"W 752.76' TO THE POINT OF BEGINNING; THENCE N00°47'20"W 811.71' TO AN IRON ROD FOUND ON THE SOUTH MARGIN OF INTERSTATE NO. 10; THENCE ALONG SAID SOUTH MARGIN, S80°17'43"W 181.34'; THENCE S01°09'43"E 176.83'; THENCE N89°21'00"E 116.00'; THENCE S00°47'20"E 606.45'; THENCE N89°15'45"E 62.01' TO THE POINT OF BEGINNING, CONTAINING 1.647 ACRES.

Including and as to all parcels described above, the following easement which shall serve as a perpetual right-of-way and access/utility easement running across and over parcels 1 and 2, and serving parcel 3;

AN INGRESS AND EGRESS AND UTILITY EASEMENT SITUATED IN THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 AND THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 14, TOWNSHIP 7 SOUTH, RANGE 11 WEST, 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 THE SOUTHEAST CORNER OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 14; THENCE S89°32'12"W 3144.1' TO AN IRON ROD FOUND; THENCE N00°47'20"W 27.48' TO THE POINT OF BEGINNING; THENCE N00°47'20"W 725.28'; THENCE WEST 30.01'; THENCE S00°47'20"E 705.10'; THENCE S47°47'50"W 220.74'; THENCE S00°01'59"E 78.25' TO THE NORTH MARGIN OF SEAWAY ROAD; THENCE ALONG SAID NORTH MARGIN, S89°52'39"E 45.30'; THENCE N00°02'12"W 58.28'; THENCE N44°59'07"E 210.03' TO THE POINT OF BEGINNING.

The above described parcels being the same property described in and as conveyed to CamDav, LLC in Instrument Number 2021-0029387D-11 dated October 18, 2021 and recorded on October 19, 2021 in the Land Deed Records of the First Judicial District of Harrison County, Mississippi.

**Indexing: Parcel in NE ¼ of SW ¼ & SE ¼ of NW 1/4
of S 14-7-11, Harrison County, MS**

STATE OF MISSISSIPPI

COUNTY OF HARRISON

FIRST JUDICIAL DISTRICT

**Prepared by and return to:
David B. Estes
MS Bar No. 101404
Integrity Land Title, LLC
1806 23rd Avenue
Gulfport, MS 39501
(228)896-8962
File#3275**

WARRANTY DEED

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

**TREATED MATERIALS COMPANY, INC.
A Mississippi Corporation
P.O. Box 2848
Gulfport, MS 39502
(228) 697-0401**

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

**CAMDAY, LLC
2082 Beach Blvd.
Gulfport, MS 39507
(228) 224-5337**

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

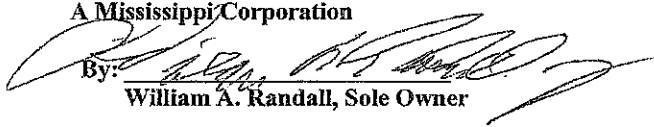
SEE ATTACHED EXHIBIT "A"

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

TAXES for the year 2021 are hereby prorated and the same are hereby assumed by the Grantee herein. It is agreed and understood that the taxes for the current year have been prorated as of this date on an estimated basis, and that when said taxes are actually determined, if the proration as of this date is incorrect, the parties herein agree to pay on a basis of an actual proration. All subsequent years' taxes are specifically assumed by Grantee herein.

WITNESS its signature on this the 13 day of April, 2021.

TREATED MATERIALS COMPANY, INC.
A Mississippi Corporation

By: 

William A. Randall, Sole Owner

STATE OF MISSISSIPPI

COUNTY OF HARRISON

Personally appeared before me, the undersigned authority in and for the said county and state on this 13 day of April, 2021, within my jurisdiction, the within named William A. Randall, who acknowledged that he is the Sole Owner of TREATED MATERIALS COMPANY, INC., A Mississippi Corporation, and that for and on behalf of said corporation, and as its act and deed he executed the above foregoing instrument, after first having been duly authorized by said corporation so to do.


NOTARY PUBLIC

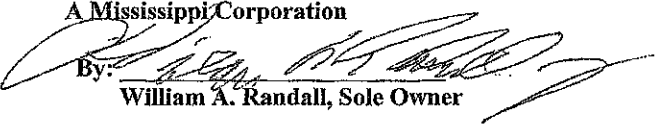
(SEAL)

My Commission Expires:

TAXES for the year 2021 are hereby prorated and the same are hereby assumed by the Grantee herein. It is agreed and understood that the taxes for the current year have been prorated as of this date on an estimated basis, and that when said taxes are actually determined, if the proration as of this date is incorrect, the parties herein agree to pay on a basis of an actual proration. All subsequent years' taxes are specifically assumed by Grantee herein.

WITNESS its signature on this the 13 day of April, 2021.

TREATED MATERIALS COMPANY, INC.
A Mississippi Corporation

By: 

William A. Randall, Sole Owner

STATE OF MISSISSIPPI

COUNTY OF HARRISON

Personally appeared before me, the undersigned authority in and for the said county and state on this 13 day of April, 2021, within my jurisdiction, the within named William A. Randall, who acknowledged that he is the Sole Owner of TREATED MATERIALS COMPANY, INC., A Mississippi Corporation, and that for and on behalf of said corporation, and as its act and deed he executed the above foregoing instrument, after first having been duly authorized by said corporation so to do.



NOTARY PUBLIC

(SEAL)

My Commission Expires:

EXHIBIT "A"

A parcel of land situated and being located in the Northwest $\frac{1}{4}$ and the Southwest $\frac{1}{4}$ of Section 14, Township 7 South, Range 11 West, First Judicial District of Harrison County, Mississippi and being more particularly described as follows, to-wit: Commencing at a point on the $\frac{1}{2}$ Section line running East and West through said Section 14, which point is south 89 degrees 32 minutes 12 seconds West 3444.1 feet from the east line of said Section 14 and said point being on the east line of the property of Pamela B. Edwards and Cynthia Bailey Adams; thence run North 00 degrees 52 minutes 45 seconds West 593.3 feet along the said east line of Edwards and Adams to the northeast corner of property leased to Gulf Coast Coors, Inc. for the Point of Beginning of the parcel herein described; thence continue from said Point of Beginning, North 00 degrees 52 minutes 45 seconds West 199.88 feet along the said east line of Edwards and Adams to the southeast corner of the property of John Fayard Fast Freight, Inc. (Deed Book 1215 at page 525); thence run North 89 degrees 44 minutes 41 seconds West 600.11 feet along the north line of Edwards and Adams and the south line of Fayard to the southwest corner of Fayard and the west line of Edwards and Adams; thence run South 00 degrees 52 minutes 45 seconds East 800.70 feet along the west line of Edwards and Adams to the $\frac{1}{2}$ Section Line; thence continue South 00 degrees 52 minutes 45 seconds East 172.5 feet along the west line of Edwards and Adams to the northerly margin of Seaway Road; thence run North 89 degrees 59 minutes 42 seconds East 359.48 feet along the northerly margin of Seaway Road to the southwest corner of the property leased to Gulf Coast Coors, Inc.; thence run North 00 degrees 52 minutes 45 seconds West 175.37 feet to the $\frac{1}{2}$ Section Line; thence continue North 00 degrees 52 minutes 45 seconds West 591.90 feet to the northwest corner of the property leased to Gulf Coast Coors, inc.; then run North 89 degrees 12 minutes 12 seconds East 239.45 feet to the Point of Beginning. Described parcel contains 9.15 acres.

Subject to any and all reservations recorded in Deed Book 1231 at Page 451 in the First Judicial District of Harrison County, Mississippi.

LESS AND EXCEPT:

A parcel of land situated and being located in the Southeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$, Southwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$, Northwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ and the Northeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 14, Township 7 South, Range 11 West, First Judicial District of Harrison County, Mississippi and being more particularly described as follows, to-wit: Commencing at the southeast corner of the Southeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of said Section 14, Township 7 South, Range 11 West; thence S 89°32'12"W 3444.1 feet along the $\frac{1}{2}$ Section Line; thence N 01°01'58" W 793.13 feet to the southeast corner of property now or formerly of John Fayard Fast Freight Inc.; thence N 89°51'48" W 239.21 feet along the south line of property now or formerly of John Fayard Fast Freight Inc. to the Point of Beginning; thence continue along said south line N 89°51'48" W 361.16 feet to the southwest corner of said Fayard property; thence S 01°05'04" E 799.34 feet to the $\frac{1}{2}$ Section Line; thence S 00°59'53" E 172.14 feet to the north margin of Seaway Road; thence N 89°58'23" E 358.95 feet along the north margin of Seaway Road; thence N 00°53'24" W 175.14 feet to the $\frac{1}{2}$ Section Line; thence N 00°57'02" W 795.62 feet to the Point of Beginning. Containing 8.02 acres.

**Indexing: Parcel in NE ¼ of SW ¼ & SE ¼ of NW 1/4
of S 14-7-11, Harrison County, MS**

STATE OF MISSISSIPPI

COUNTY OF HARRISON

FIRST JUDICIAL DISTRICT

**Prepared by and return to:
David B. Estes
MS Bar No. 101404
Integrity Land Title, LLC
1806 23rd Avenue
Gulfport, MS 39501
(228)896-8962
File#3275**

QUITCLAIM DEED

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

**TIMBER PRODUCTS, INC.
A Mississippi Corporation
P.O. Box 2848
Gulfport, MS 39502
(228) 697-0401**

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

**TREATED MATERIALS COMPANY, INC.
A Mississippi Corporation
P.O. Box 2848
Gulfport, MS 39502
(228) 697-0401**

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

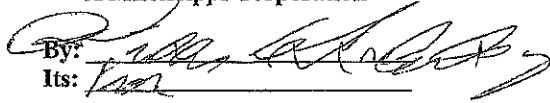
SEE ATTACHED EXHIBIT "A"

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

TAXES for the year 2021 are hereby prorated and the same are hereby assumed by the Grantee herein. It is agreed and understood that the taxes for the current year have been prorated as of this date on an estimated basis, and that when said taxes are actually determined, if the proration as of this date is incorrect, the parties herein agree to pay on a basis of an actual proration. All subsequent years' taxes are specifically assumed by Grantee herein.

WITNESS its signature on this the 17 day of April, 2021.

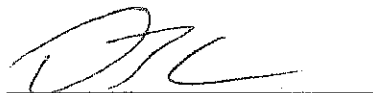
TIMBER PRODUCTS, INC.
A Mississippi Corporation

By: 
Its: _____

STATE OF MISSISSIPPI

COUNTY OF HARRISON

Personally appeared before me, the undersigned authority in and for the said county and state on this 17 day of April, 2021, within my jurisdiction, the within named William A. Randall Jr., who acknowledged that he is the President of TIMBER PRODUCTS, INC., A Mississippi Corporation, and that for and on behalf of said corporation, and as its act and deed he executed the above foregoing instrument, after first having been duly authorized by said corporation so to do.


NOTARY PUBLIC

(SEAL)

My Commission Expires:

EXHIBIT "A"

A parcel of land situated and being located in the Northeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ and the Southeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ and the Northeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 14, Township 7 South, Range 11 West, First Judicial District of Harrison County, Mississippi; and being more particularly described as follows: Commencing at the southeast corner of the Southeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of said Section 14, Township 7 South, Range 11 West, thence run South $89^{\circ}32'12''$ West 3,144.1 feet along the $\frac{1}{2}$ Section Line running East and West to the Point of Beginning; thence North $00^{\circ}54'16''$ West 1564.62 feet to the south margin of U.S. Interstate 10; thence South $80^{\circ}09'25''$ West 307.12 feet along the south margin of U.S. Interstate 10 to the northwest corner of property now or formerly of John Fayard Fast Freight Inc.; thence South $01^{\circ}01'58''$ East 721.61 feet along the west line of said Fayard property to the southeast corner of said Fayard property; thence North $89^{\circ}51'48''$ West 239.21 feet along the south line of said Fayard property; thence South $00^{\circ}57'02''$ East 203.72 feet; thence North $89^{\circ}12'23''$ East 239.45 feet; thence South $01^{\circ}01'58''$ East 593.00 feet to the $\frac{1}{2}$ Section Line; thence South $00^{\circ}58'35''$ East 177.09 feet to the north margin of Seaway Road; thence South $89^{\circ}59'40''$ East 299.82 feet along the north margin of Seaway Road; thence North $00^{\circ}54'16''$ West 179.70 feet to the $\frac{1}{2}$ Section Line and the Point of Beginning. Containing 13.00 acres.

AND ALSO:

An easement for driveway purposes, 30 feet in width, over and across the existing driveway, which is denominated a road upon the plat of J. Michael Cassady, R. L. S., re-certified November 8, 1989, over and across the following described real property:

A parcel of land situated and being located in the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 14, Township 7 South, Range 11 West, First Judicial District of Harrison County, Mississippi, and being more particularly described as: Commencing at the southeast corner of the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of said Section 14, Township 7 South, Range 11 West; thence run South $89^{\circ}32'$ West 3,144.1 feet along the half section line running East and West to the Point of Beginning, thence continue South $89^{\circ}32'$ West 300.0 feet along the said half section line; thence run South $00^{\circ}53'$ East 177.3 feet to the northerly margin of Seaway Road; thence run east 300.0 feet along the northerly margin of Seaway Road; thence run North $00^{\circ}53'$ West 179.7 feet to the Point of Beginning.

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:
IPL0104298
Order Status:
Submitted
Classification:
Legals & Public Notices
Package:
BLX - Legal Ads
Final Cost:
63.12
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
January 4, 2023 2:29:50 PM EST
Amount:
63.12

SCHEDULE FOR AD NUMBER IPL01042980

January 11, 2023
SunHerald (Biloxi)

PREVIEW FOR AD NUMBER IPL01042980**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, January 26, 2023 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 2301PC002, by agent Bryce McMurry, tax parcel 08100-02-012.000, Requests to convert portion of Mobile Home Park into RV use, 2800 19th Ave, Zoned B-2 (General business), Ward 3
Special Exception 2301SE006, by agent Austin Keith, tax parcel 0911B-02-013.000, seeking approval of a liquor store use at 111 Courthouse Rd, Zoned T-6 (Urban Core Zone), Ward 2

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

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, to allow a Medical Cannabis dispensary as a matter of right in R-B, B-1, B-2, B4, T4+, T5, T6 zoning districts.

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

Zoning Text Amendment 2212PC225, by CRC Westside, amendments to the SmartCode Zoning Article 5, as amended, Section 5.3.3 (a), 5.4.3 (a), 5.5.3 (a), 5.6.3 (a), and Article 6, Table 10; to establish how unspecified uses of property are addressed in areas subject to SmartCode.

Zoning Map Amendment 2301PC001, by agent Greg Smith, tax parcels 1011D-01-036.000 and 1011D-01-038.001, Requests to rezone from T6 (Urban Core Zone) to T4+ (General Urban Zone "Plus"), 146 Oleander Dr., Zoned T6 (Urban Core Zone), Ward 2

Zoning Map Amendment 2301PC003, by owner Advanced Contracting Services, tax parcel 0710M-01-053.003, Requests to rezone from B-2 (General business) to I-1 (Light industry), 0 28th Street, Ward 1

Zoning Text Amendment 2301PC007, by agent Freddie Fountain, Amendments to the Comprehensive Zoning Ordinance, as amended, to amend Section III. District Regulations (K) Chart of Permitted Uses (2) Schedule of uses - REDUCING SALON; to allow a reducing salon (i.e. a gym/fitness facility) in I-2 zoning districts

Zoning Text Amendment 2301PC008 by City of Gulfport, amendments to the accessory building ordinance Sec. IV. Supplementary regulations. (2) Accessory building; to consider changes to limitations on size, height, setbacks, and number allowed.

This the 4th day of January, 2023
Virginia Adolph, Vice - Chairman
City of Gulfport Planning Commission
W00000000
Publication Dates

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