

AGENDA
ZONING BOARD OF ADJUSTMENT AND APPEALS
CITY HALL COUNCIL CHAMBERS
THURSDAY, FEBRUARY 16, 2023 AT 3:00 PM

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

F1. Zoning Board Meeting - January 19, 2023

G. Hearing of Cases

G1. Public Declaration of Appeal Process of Chairman

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

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

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

G3. Routine Agenda

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Withdrawn by Administration:

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

2. Variance 2301ZB005:

Variance 2301ZB005, by agent Austin Keith, tax parcel 0911B-02-013.000, Request variances for height, size, and placement of a detached accessory structure, 111 Courthouse Rd, Zoned T6 (Urban Core Zone), Ward 2

3. Special Exception 2301ZB006:

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

4. Variance 2302ZB011:

Withdrawn by Administration:

Variance 2302ZB011, by owner BrookestoneGulf Coast, LLC, tax parcel 1009N-01-002.000, Requests variance for sign size, Zoned R-2 (Single- family), Ward 5

5. Variance 2302ZB013

Variance 2302ZB013, by agent Image Signs, tax parcel 0809P-02-001.031, Requests variance for second set of channel letter to replace current set facing west, 14100 Airport Rd, Zoned B-2(General Business) Ward 3.

6. Special Exception 2302SE015:

Special Exception 2302SE015, by agents Twial & Terrance Johnson, tax parcel 0809K-01-001.019, Requests Special Exception for day care use, 9454 Three Rivers Rd, Zoned B-2 (General business) Ward 3

7. Variance 2302ZB018:

Variance 2302ZB018, by Kaliber Management LLC, tax parcel 0810O-02-012.000, Request variances for distance from an intersection, for dead end road when a circular drive is required, required number of dumping and water stations, and setback requirements for a proposed RV site at 2800 19th St, Zoned B-2 (General business), Ward 3

8. Variance 2302ZB019:

Variance 2302ZB019, by agent Allison Badurak, tax parcels 0909A-01-001.015 & 0909A-01-001.016, Request variance for setbacks off the southern property line, 10414 Express Drive, Zoned I-3 (Planned Industrial), Ward 5

H. Adjournment

MINUTES

ZONING BOARD OF ADJUSTMENT AND APPEALS MEETING

Thursday, January 19, 2023 3:00 P.M.

GULFPORT CITY COUNCIL CHAMBERS

- A. **Prayer**: The Zoning Board led a prayer.
- B. **Pledge of Allegiance**: The Pledge of Allegiance was recited.
- C. **Call to Order**: The meeting of the Planning Commission was called to order at **3:04 PM**.
- D. **Determination of a Quorum**:

BOARD MEMBERS PRESENT:

MARY ANN WIGINGTON
NATHAN BODDIE
LESLIE NORTH
ROBERT PHARR
JOHNATHAN MARSHALL
MICHAEL DANIELS

BOARD MEMBERS ABSENT:

NONE

STAFF MEMBERS PRESENT:

GREG HOLMES
CORY LONG
MATILDA WELCH
KEVIN BROWN

COURT REPORTER:

NORMA SOROE

E. Confirmation of Agenda:

F. Approval of Minutes:

Motion by **Mrs. Wiginton** and seconded by **Mr. Daniels** to approve Minutes of the **December 15, 2022**, Zoning Board meeting was carried unanimously.

G. Hearing of cases:

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

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

G3. Routine Agenda:

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

Speaking for the Petition:

Speaking against the Petition:

Motion:

Second:

Leslie North -
Mary Ann Wiginton -
Michael Daniels -
Robert Pharr -
Nathan Boddie -
Jonathan Marshall -

Action:

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

Speaking for the Petition: None

Speaking against the Petition: None

Motion: Marshall- Postponed to next month’s meeting

Second: Pharr

Leslie North -**Acting Chairwoman**
Mary Ann Wiginton -Yea
Michael Daniels -Yea
Robert Pharr -Yea
Nathan Boddie -Yea
Jonathan Marshall -Yea

Action: Motion carried unanimously.

Adjournment:

Motion by **Mr. Pharr** to adjourn the meeting was seconded by **Mr. Marshall** and carried unanimously. The meeting adjourned **3:08 pm**.

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

Nathan Boddie, Secretary

Date: _____

MEMORANDUM

To: City of Gulfport Zoning Board of Adjustment and Appeals

From: Greg Holmes, Planning Administrator
Urban Development Department

Date of Hearing: February 16, 2023

Re: Public Declaration of Appeal Process of Chairman

MEMORANDUM

To: City of Gulfport Zoning Board of Adjustment and Appeals

From: Greg Holmes, Planning Administrator
Urban Development Department

Date of Hearing: February 16, 2023

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

MEMORANDUM

To: City of Gulfport Zoning Board of Adjustment and Appeals

From: Greg Holmes, Planning Administrator
Urban Development Department

Date of Hearing: February 16, 2023

Re: Routine Agenda

MEMORANDUM

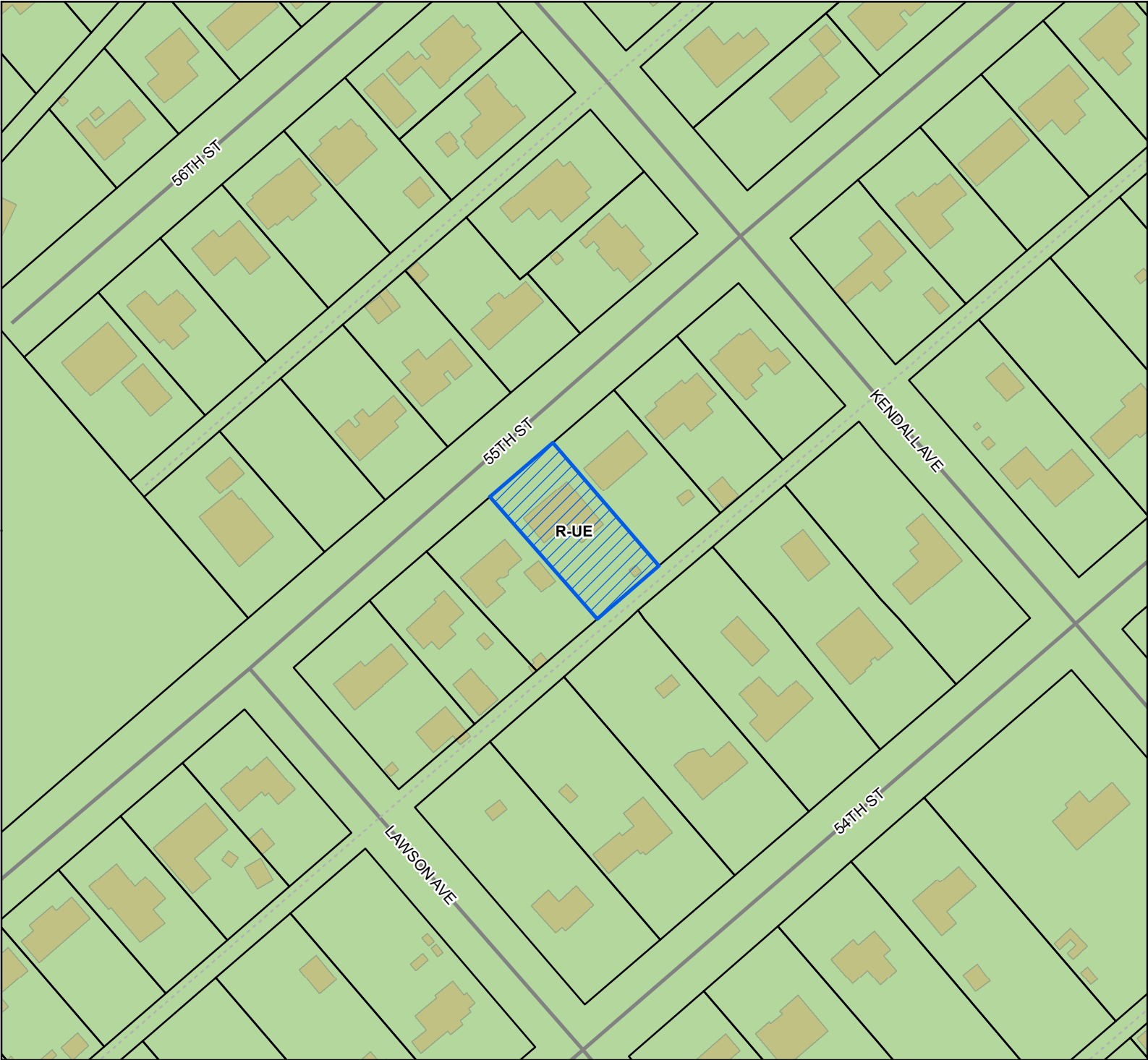
To: City of Gulfport Zoning Board of Adjustment and Appeals

From: Greg Holmes, Planning Administrator
Urban Development Department

Date of Hearing: February 16, 2023

Re: Variance 2301ZB004:
Withdrawn by Administration:

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



Site

Street

Alley

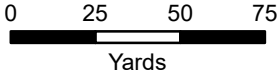
Parcels

Buildings

Zoning

R-UE - Residential Urban Estate

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



1 inch = 170 feet



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

Case Number
23012B004

REQUESTED ACTION BY THE ZONING BOARD OF ADJUSTMENTS AND APPEALS

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

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OWNERSHIP AND CERTIFICATION

AGENT

Email 
Signature of Owner

Signature of Agent

This page must be completed if the property or properties involved have more than one owner. All persons listed as owners to the property or properties listed on page one must complete and sign this part of the application. We can only accept applications with *original signatures*.

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

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

NAME OF OWNER (PRINT) _____

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

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

TAX PARCEL NUMBER(S) OWNED _____

SIGNATURE: _____

NAME OF OWNER (PRINT) _____

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

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

TAX PARCEL NUMBER(S) OWNED _____

SIGNATURE: _____

Important Notice

1. Please be advised that failure to submit a complete application, with all supporting documents, could **delay your hearing date**. The Zoning Board will not consider a request until all information is submitted and accurate.
2. Please be advised that the application deadline dates posted are designed to allow the staff time to review the application and receive required comments from coordinating agencies. The application is not considered complete until all required information from the applicant is available for review by the staff and coordinating agencies.
3. **The following supplement pages are required per application type. Select one of the following:**
 - ☐ Appeal of Planning Administrator (see page 4)
 - ☐ Excessive Height (see page 5)
 - ☐ Fence Variance (see page 6)
 - ☐ Special Exception (see page 7)
 - ☒ Variance (see page 8)
4. All  will need to be **initialed by applicant** with required documentation before application can be accepted.

Submission Requirements

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

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

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

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

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

The City of Gulfport Planning Division Staff will notify, by letter, property owners adjacent to the requested action identified in this application using the Land Roll database from the County Tax Office. If you would like to have additional persons or property owners notified, please provide a list of **additional persons to be notified**.

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

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

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

Variance Submissions



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

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



Covenant Affidavit

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

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

Aimee Wallace

Signature

12/6/22

Date

STATE OF MISSISSIPPI | COUNTY OF HARRISON

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

Sub

Notary Public

11/30/2025

Commission Expiration





5 December 2022

Dear Sir or Ma'am,

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

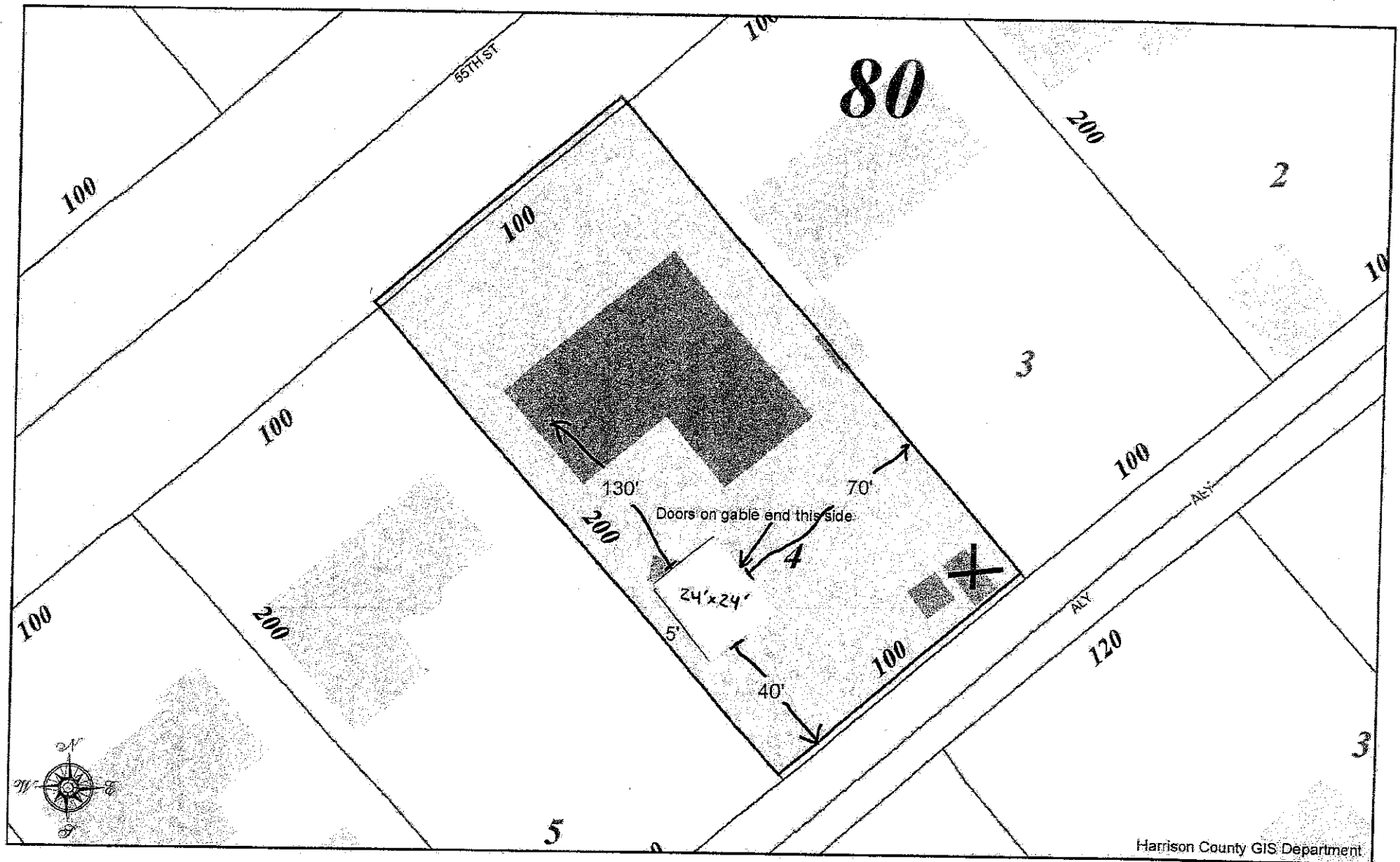
1. I have a Magnolia tree centered in my back yard that would make it difficult to traverse from the alley into the proposed garage entryway. I would like to keep this tree for shade and aesthetics so placing my garage 3 feet farther West (5' from property line vs 8') would allow more room to enter/exit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

Thank you for your time and consideration.

Sincerely,

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

James Wallace Site Plan



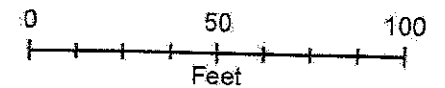
Harrison County GIS Department



HARRISON COUNTY, MISSISSIPPI

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

MAP DATE: October 30, 2022





SCANNED



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

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

Indexing Instructions:

File#210615

STATE OF MISSISSIPPI

COUNTY OF HARRISON

WARRANTY DEED

THAT FOR AND IN CONSIDERATION of the sum of Ten and no/100 Dollars (\$10.00), cash in hand paid, and other good and valuable consideration, the receipt and sufficiency of all of which is hereby acknowledged,

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

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

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

the following described property, together with the improvements, hereditaments and appurtenances thereunto situated and located in the County of Harrison, State of Mississippi, and more particularly described as follows, to-wit:

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

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

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

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

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

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

STATE OF MISSISSIPPI

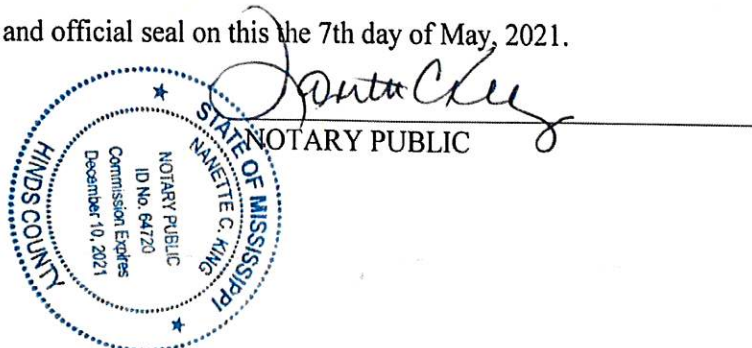
COUNTY OF HARRISON

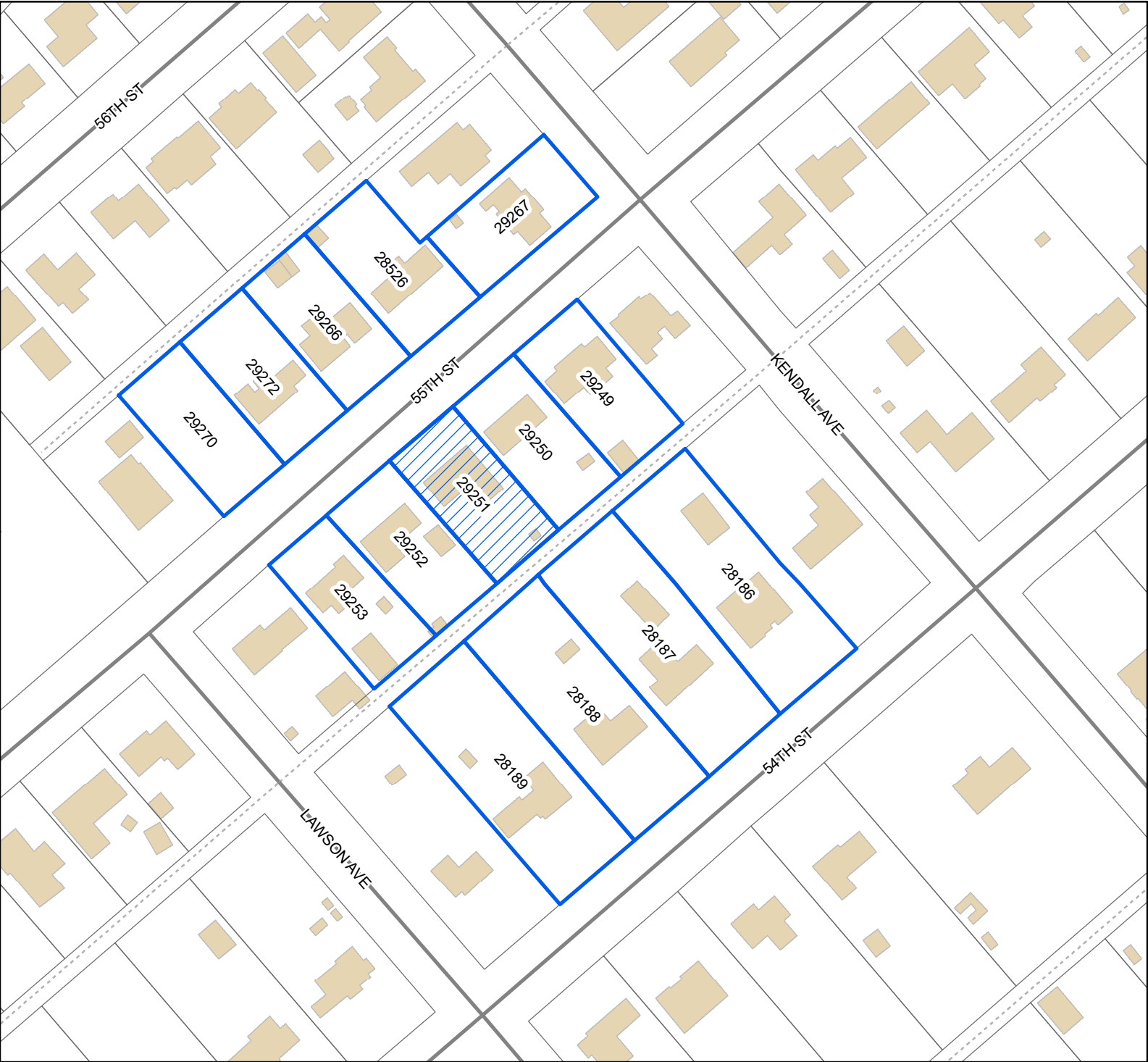
THIS DAY PERSONALLY CAME AND APPEARED BEFORE ME, the undersigned authority in and for the jurisdiction aforesaid, **Frances M. Cruthirds, f/k/a Frances C. McGuire**, who acknowledged that she is **Attorney in fact** for **Juanita Black Combs**, and as its act and deed, she signed, sealed and delivered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

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

(SEAL)

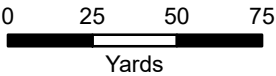
My Commission Expires:





Legend

- Site
- Adjacent Properties
- Street
- Alley
- Buildings



1 inch = 170 feet



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

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

To Applicants and Adjacent Property Owners:

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

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

THANK YOU for your legal submission!

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

ORDER DETAILS

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

PREVIEW FOR AD NUMBER IPL01030930**ACCOUNT INFORMATION**

GULFPORT URBAN DEVELOPMENT IP
PO BOX 1780
GULFPORT, MS 39502
228-868-5705
AccountsPayable@gulfport-ms.gov
GULFPORT URBAN DEVELOPMENT

TRANSACTION REPORT

Date
December 21, 2022 1:21:02 PM EST
Amount:
27.60

SCHEDULE FOR AD NUMBER IPL01030930

January 4, 2023
SunHerald (Biloxi)

LEGAL NOTICE PUBLIC HEARING

In conformance with Section VIII of the Comprehensive Zoning Ordinance of the City of Gulfport, Mississippi, 1979, as amended, notice is hereby given advising that the Zoning Board of Adjustment and Appeals will hold a public hearing in the City of Gulfport, Mississippi at 3:00 P.M., Thursday, January 19, 2023 in the Council Chambers of the Gulfport City Hall located at 2309 15 th Street to consider the following requests. A copy of the requests will be available for public review at the office of the Department of Urban Development-Planning Division located

on first floor of the William H. Hardy Building, 1410 24 th Avenue.

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

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

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

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

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

MEMORANDUM

To: City of Gulfport Zoning Board of Adjustment and Appeals

From: Greg Holmes, Planning Administrator
Urban Development Department

Date of Hearing: February 16, 2023

Re: Variance 2301ZB005:

Variance 2301ZB005, by agent Austin Keith, tax parcel 0911B-02-013.000, Request variances for height, size, and placement of a detached accessory structure, 111 Courthouse Rd, Zoned T6 (Urban Core Zone), Ward 2

Technical Report

VARIANCE

GENERAL INFORMATION

Case File Number: 2301ZB005

Hearing Date: February 16, 2023

Current Zoning/Use: T6 / Vacant

Legal: Variance 2301ZB005, by agent Austin Keith, tax parcel 0911B-02-013.000, Request variances for height, size, and placement of a detached accessory structure, 111 Courthouse Rd, Zoned T6 (Urban Core Zone), Ward 2

TECHNICAL DETAILS

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

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

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

Technical Report

VARIANCE

The applicant requests variances for height, size, and placement of a detached canopy for a gas station in front of the proposed building, facing Highway 90 located at 111 Courthouse Road. Because the canopy is considered a structure, it is required by ordinance to be attached to the building. The applicant wishes for the canopy to be detached; therefore, the canopy would then be considered as an accessory use, thus, requiring the variance.

In addition, as an accessory structure on a parcel of an acre or more are allowed a structure size of 1,000 square feet. The applicant requests a variance to allow for an 8,680 square feet. Further, the max height of any accessory building is 14-feet. Therefore, an additional variance is required due to the canopy being 21'.6" in height. The applicant notes that having the larger canopy will allow for multiple gas pumps and customers.

The applicant states that the hardship surrounding this property is that the property is located in a flood zone and that attaching the canopy would place the entire building in a VE zone and eliminate the option for flood proofing the storefront. In addition, it is not an option to re-configure the site layout, as that would place the storefront building in the VE zone.

- (a) The applicant notes that the property is located in a flood zone and attaching the canopy would place the entire building in the VE zone making it difficult to flood proof the storefront. A site visit was conducted by staff of the surrounding area and found that there are currently two gas stations located 1 Pass Road currently known as "Clarks" which is connected to the main building. However, the gas station located at 401 E. Pass Road currently known as "Circle K" canopy is detached. Therefore, there has been a precedence set to allow for a detached canopy in this area.
- (b) In the application, the applicant cites that, "this is circumstances created by the location of the property, and not by the actions of the applicant. The need for a larger canopy is created by needing more coverage to allow for multiple types of vehicles and trucks.
- (c) The need for this variance is due to the location of the property. As stated, connecting the auxiliary structure canopy to the storefront would place the entire structure in the VE zone and eliminate the option of flood proofing, rather than bringing additional fill would not be an option, as it would put the site over the net cut/fill for the VE zone.
- (d) The applicant further states, "there are several other similar fuel station/convenience stores along Highway 90 have detached canopy structures like proposed. There is an economic need for this type of business in the area as well."
- (e) The applicant would not receive any special privileges if the board were to approve the request due to the fact that there are similar fuel stations with attached canopies in the surrounding area as the applicant has requested.
- (f) This property is zoned T6, and the use of a gas station are permitted uses.

EXECUTIVE SUMMARY

A site visit was conducted by staff of the surrounding area and found that there are currently two gas stations located 1 Pass Road currently known as "Clarks" which is connected to the main building. However, the gas station located at 401 E. Pass Road currently known as "Circle K" canopy is detached. Furthermore, there has been a precedence set to allow for a detached canopy

Technical Report

VARIANCE

in the surrounding areas. Therefore, the staff recommendation is to approve the applicant's request.

Any approval should consider these conditions:

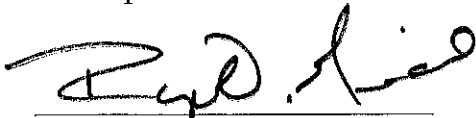
1. Approval would allow for the height, size, and placement of a detached canopy.
2. Plans required at time of permitting.
3. This parcel is located in an AE/VE Flood Zone. Anything constructed must be in compliance with the current Building Codes and in accordance with the City of Gulfport Floodplain Ordinance.

DEPARTMENTAL CONDITIONS

<u>Engineering:</u>	Conditions. Plans required at time of permitting. Memo dated 1/4/2023.
<u>Public Works:</u>	Conditions. See engineering comments. Memo dated 1/4/2023.
<u>Traffic and Safety:</u>	No conditions. Memo dated 12/22/2022.
<u>Building Code Services:</u>	This parcel is located in an AE/VE Flood Zone. Anything constructed must be in compliance with the current Building Codes and in accordance with the City of Gulfport Floodplain Ordinance Memo dated 12/21/2022.
<u>GIS:</u>	No comment as of 1/9/2023.
<u>Police Department:</u>	No conditions. Memo dated 12/22/2022.
<u>Fire Department:</u>	No conditions. Memo dated 12/22/2022.
<u>City Arborist:</u>	No comment as of 1/9/2023.

DIRECTOR APPROVAL

This report has been reviewed and approved by:



Ryan Merrill
Director of Urban Development Department

Google Maps

Gulfport, Mississippi

Google

Street View - Apr 2022

401 E. Pass Road



Google

Google Maps | Pass Road

Gulfport, Mississippi

Google

Street View - Mar 2021



Google

Google Maps 2914 25th Ave

Gulfport, Mississippi

Google

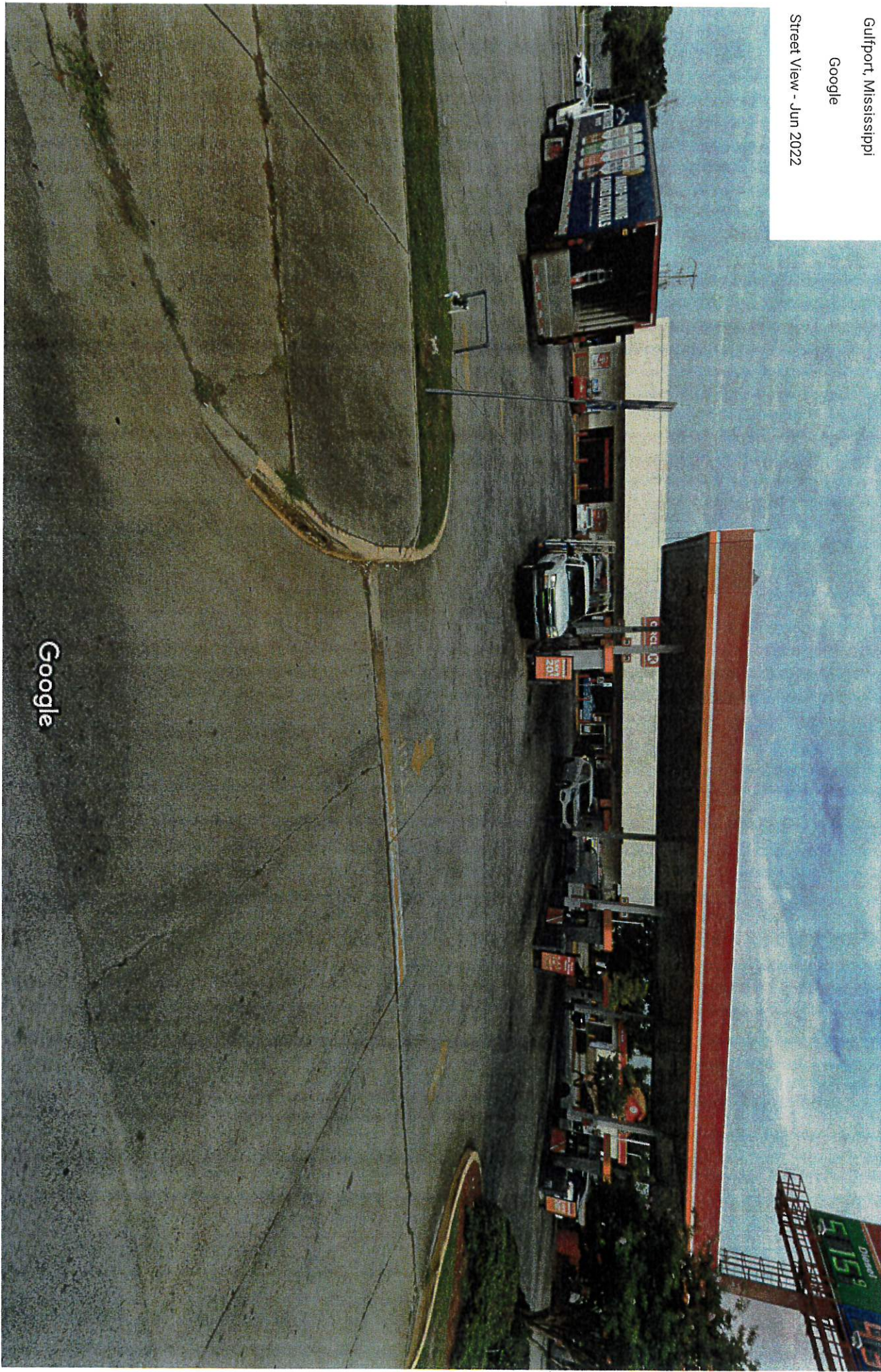
Street View - Jun 2022



Google Maps 2803 US 49

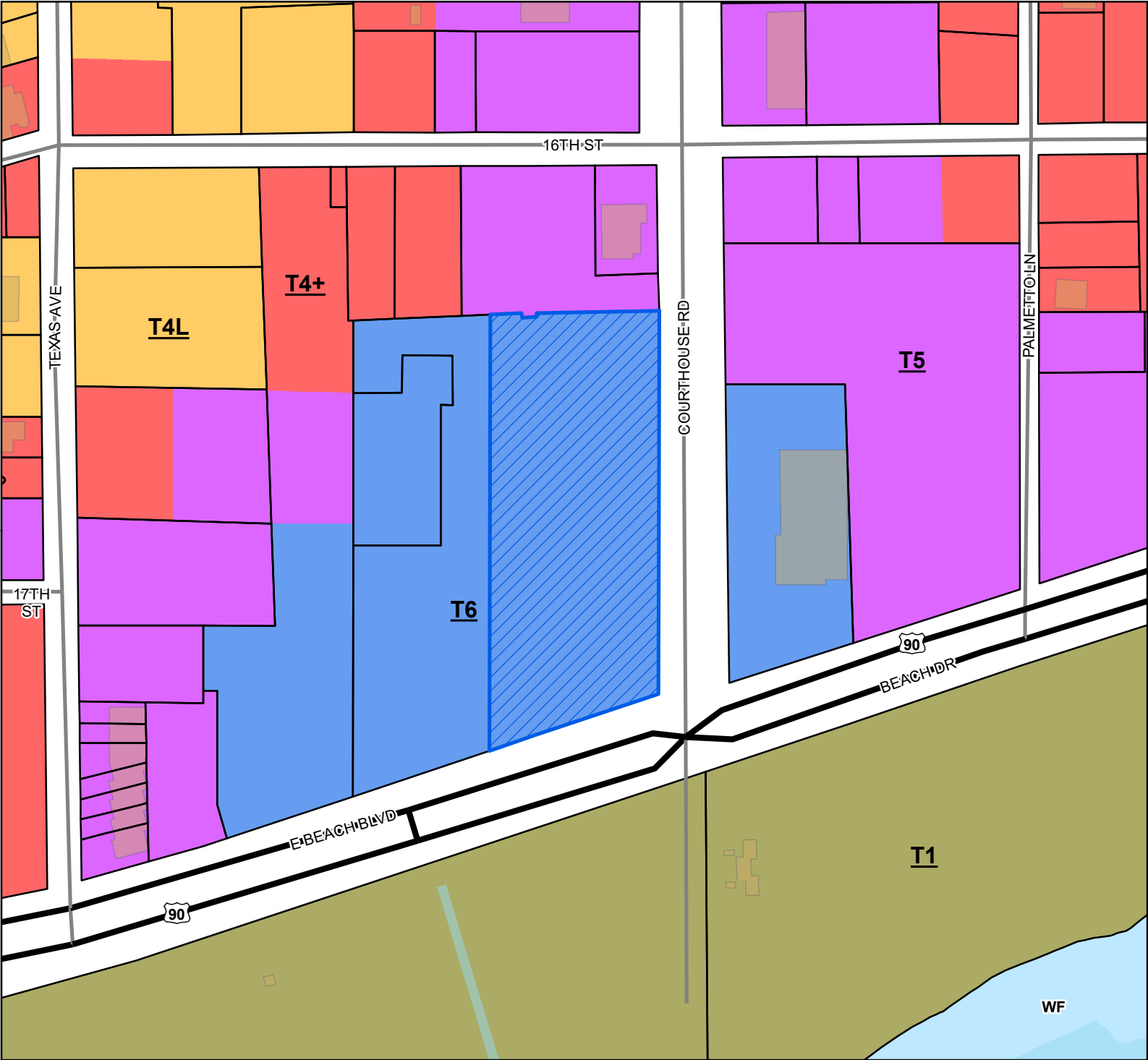
Gulfport, Mississippi
Google

Street View - Jun 2022



Google

[illegible]



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

Smart Code

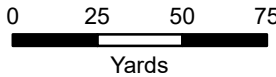
- T6
- T5
- T4+
- T4L
- T1

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.



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

Case Number
23012B005

Zoning Board of Adjustments and Appeals Application

REQUESTED ACTION BY THE ZONING BOARD OF ADJUSTMENTS AND APPEALS

(A separate submission form is required for each request):

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

Tax Parcel Numbers

0	9	1	1	B	-	0	2	-	0	1	3	.	0	0	0					-										
					-			-				.								-						.				
					-			-				.								-						.				

Property Address: 111 Courthouse Rd

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. We can only accept applications with original signatures.

OWNER

Beth Holdings, LLC

Printed Name of Owner
188 Chantilly Dr

Mailing Address

Madison Ms 39110
City State Zip code
601-238-5918

Home Phone Work/Cell Phone
bediinvestments@gmail.com

Email

Signature of Owner

AGENT

Austin Keith

Printed Name of Agent
126 Rue Magnolia

Mailing Address

Biloxi Ms 39530
City State Zip code
228-432-5925

Home Phone Work/Cell Phone

Email

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*.

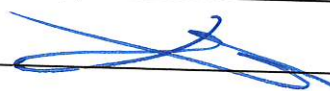
I hereby certify that I have read and understand this application and that all information and attachments are true and correct. I also certify that I agree to comply with all applicable city codes, ordinances and state laws. Finally, I certify that I am the owner of the property involved in this request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

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

1. We would like to request a variance to have a detached canopy for a gas station in front of the building, facing Hwy 90. We would also like to request a variance to allow for a larger canopy structure. This is the only option for the building, as connecting the canopy to the building, would place the entire building in the VE zone, and eliminate the option for flood proofing the store front. It is also not an option to re-configure the site layout, as that would place the store front building in the VE zone. We would also like to request a larger canopy of 8,680 square feet that will be 21'-6" high. Having the larger canopy will allow for multiple gas pumps and more customers.
2. This is circumstances created by the location of the property, and not by the actions of the applicant. The need for a larger canopy is created by needing more coverage to allow for multiple types of vehicles and trucks.
3. The need for this variance is due to the location of the property. The south portion of the parcel is located in the VE zone. As stated, connecting the auxiliary structure canopy, to the store front, would place the entire structure in the VE zone and eliminate the option of floodproofing, rather than bringing additional fill. Bringing in additional fill would not be an option, as it would put the site over the net cut/fill for the VE zone. By having the larger canopy, this will allow for 16 pumps, allowing for more customers to utilize the pumps and cause less traffic from waiting for pumps
4. Several other similar fuel station/ convenience stores along Hwy 90 have detached canopy structures like proposed, as well as the larger canopy structure of larger than 1000 square feet and higher than 14'. There is an economic need for this type of business in the area as well. The canopy size is similar to other canopies within the city.
5. The applicant will not be receiving any benefit not granted to other businesses by granting this request. Just allows the applicant the use to have an auxiliary structure configured in a way on the site that best utilizes the property.
6. This proposed business is allowed with planning commission approval.



Covenant Affidavit

I, Ravinder S. Bedi, being owner or agent of the property 0911B-02-013.000
PRINT NAME PRIMARY ADDRESS OR PARCEL

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

Signature

12-5-22

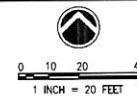
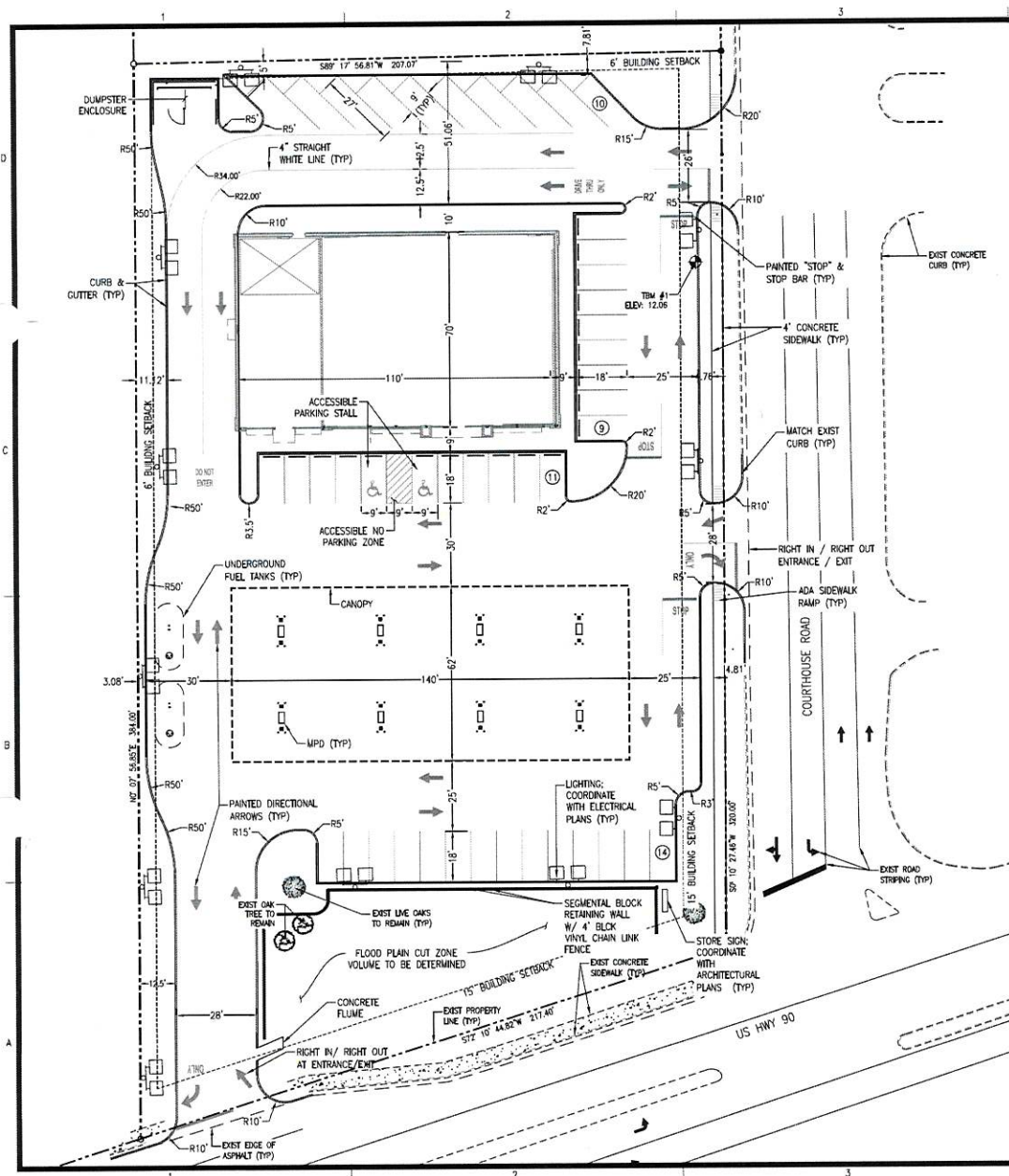
Date

STATE OF MISSISSIPPI | COUNTY OF HARRISON

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

Notary Public

Commission Expiration



GENERAL SITE NOTES:

- BEFORE COMMENCING ANY ACTIVITY UNDER OR PERTAINING TO THIS CONTRACT, THE CONTRACTOR SHALL:
 - OBTAIN ALL CONSTRUCTION PERMITS AS REQUIRED BY PERTINENT REGULATORY AND GOVERNMENTAL AGENCIES.
 - CONTACT THE CITY OF GULFPORT.
 - VERIFY EXISTING DATA AND REPORT ANY SIGNIFICANT DISCREPANCIES TO THE ENGINEER.
- CALL MISSISSIPPI ONE CALL AT 811 SEVENTY-TWO (72) HOURS BEFORE BEGINNING ANY EXCAVATION FOR THE LOCATION OF UNDERGROUND UTILITIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR NOTIFYING ANY UTILITY COMPANY WHICH MAINTAINS A UTILITY LINE WITHIN THE BOUNDARIES OF THE PROJECT BEFORE THE INITIATION OF ANY CONSTRUCTION ON THE PROJECT OR IN THE STREETS BORDERING THE PROJECT. THE CONTRACTOR SHALL ALSO ASSUME RESPONSIBILITY FOR ANY DAMAGE INCURRED BY ANY UTILITY COMPANY TO THEIR UTILITY LINES WHETHER SHOWN ON THE CONSTRUCTION PLANS OR NOT, DURING WORK ON THE PROJECT.
- THE CONTRACTOR SHALL AT ALL TIMES EMPLOY ADEQUATE EROSION AND SEDIMENTATION CONTROL MEASURES TO PREVENT DAMAGE TO THE PROPERTY, ADJACENT PROPERTIES, PUBLIC RIGHTS-OF-WAY, AND PUBLIC OR PRIVATE DRAINAGE SYSTEMS.
- ALL CONSTRUCTION SHALL MEET THE CITY OF GULFPORT CONSTRUCTION STANDARDS.
- THE CONTRACTOR MUST HAVE WRITTEN APPROVAL FROM THE OWNER AND THE PROJECT ENGINEER BEFORE ANY CHANGE IN DESIGN IS MADE.
- UNLESS NOTED OTHERWISE, THE CONTRACTOR SHALL NOT ENTER NOR CAUSE DAMAGE TO ANY ADJACENT PROPERTIES WITHOUT WRITTEN PERMISSION FROM SAID PROPERTY OWNERS.
- THE CONTRACTOR SHALL FOLLOW THE CITY OF GULFPORT CONSTRUCTION STANDARDS FOR MAINTENANCE OF TRAFFIC. THE CONTRACTOR AT NO TIME SHALL ENCROACH UPON OR CAUSE OBSTRUCTION TO TRAFFIC FLOW ON ADJACENT PUBLIC RIGHTS-OF-WAY WITHOUT SECURING THE PROPER PERMITS PRIOR TO COMMENCING OPERATIONS. THE CONTRACTOR SHALL ERECT THE PROPER TRAFFIC CONTROL DEVICES ACCORDING TO THE LATEST EDITION OF THE "MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES", AND SHALL PROTECT THE PUBLIC FROM HAZARD OR INJURY BY ERECTING BARRICADES WHERE APPROPRIATE, I.E. AROUND EXCAVATIONS OR OPERATING EQUIPMENT. ALL SITE RELATED CONCRETE UNLESS SPECIFIED OTHERWISE SHALL BE 4,000 PSI. EXPOSED EXCES SHALL BE CHAMFERED 3/4".
- ANY EXISTING UTILITIES REQUIRING RELOCATION SHALL BE THE CONTRACTOR'S RESPONSIBILITY. THE CONTRACTOR IS RESPONSIBLE FOR MAINTAINING WORKING UTILITY SERVICES TO ADJACENT BUILDINGS DURING CONSTRUCTION. COORDINATE ALL PLANNED SERVICE OUTAGES OR DISRUPTIONS WITH THE OWNER AND AFFECTED ADJACENT OWNERS.
- FIELD STAKING IS TO BE PROVIDED BY THE CONTRACTOR.
- CONTRACTOR SHALL COMPLY WITH ALL APPLICABLE LOCAL AND STATE REQUIREMENTS INCLUDING THE LOCAL NOISE ORDINANCE.
- ANY FENCING, SIDEWALK, CURB AND GUTTER, CURB CUT, ETC. DAMAGED BY CONSTRUCTION SHALL BE REPLACED AND RESTORED TO ITS ORIGINAL CONDITION AT NO ADDITIONAL COST TO THE OWNER.
- CONTRACTOR SHALL DEPOSE OFF-SITE ALL MISCELLANEOUS TRASH, DEBRIS, AND DAMAGED VEGETATION FROM ALL AREAS WITHIN THE LIMITS OF WORK. ALL SUCH WORK SHALL BE IN ACCORDANCE WITH ALL LOCAL, STATE, AND FEDERAL REQUIREMENTS.
- BEFORE UNDERTAKING EACH PART OF THE WORK, THE CONTRACTOR SHALL CAREFULLY STUDY AND COMPARE THE PLANS AND SPECIFICATIONS, CHECK AND VERIFY PERTINENT FIGURES SHOWN THEREON, AND ALL APPLICABLE FIELD MEASUREMENTS. IF ANY CONFLICTS, ERRORS, DISCREPANCIES, OR OTHER UNSATISFACTORY CONDITIONS ARE DISCOVERED EITHER ON THE CONSTRUCTION DOCUMENTS OR IN THE FIELD CONDITIONS, THE CONTRACTOR SHALL PROMPTLY REPORT IN WRITING TO THE ENGINEER AND SHALL OBTAIN A WRITTEN INTERPRETATION OR CLARIFICATION FROM THE ENGINEER OR BEFORE PROCEEDING WITH ANY WORK AFFECTED THEREBY.
- THE ACTUAL LOCATION AND CONFIGURATION OF SIDEWALKS AND RAMP'S PROVIDED THROUGHOUT THIS PROJECT MAY BE SUBJECT TO FIELD MODIFICATION/ADJUSTMENT DURING CONSTRUCTION. ANY REVISIONS ARE TO BE COORDINATED WITH THE ENGINEER.
- FOR ALL SIDEWALKS AND RAMP'S, CONTRACTOR TO ENSURE ADA COMPLIANCE AND COORDINATE ANY DISCREPANCIES WITH THE ENGINEER.

PICKERING FIRM INCORPORATED UNDERGROUND UTILITIES DISCLAIMERS:

INFORMATION REGARDING THE REPORTED PRESENCE, SIZE, CHARACTER AND LOCATION OF EXISTING UNDERGROUND UTILITIES AND STRUCTURES RELATED TO UNDERGROUND UTILITIES IS SHOWN HEREON. THERE IS NO GUARANTEE OF THE ACCURACY OF THIS INFORMATION AND IT SHALL BE CONSIDERED IN THAT LIGHT BY THOSE USING THIS DRAWING. THE LOCATION AND ARRANGEMENT OF UNDERGROUND UTILITIES AND STRUCTURES RELATED TO UNDERGROUND UTILITIES SHOWN HEREON MAY BE INACCURATE AND UTILITIES AND STRUCTURES RELATED TO UNDERGROUND UTILITIES NOT SHOWN MAY BE ENCOUNTERED. THE OWNER, HIS EMPLOYEES, HIS CONSULTANTS AND HIS CONTRACTORS SHALL HERETOFORE UNDERSTAND THAT THE ENGINEER IS NOT RESPONSIBLE FOR THE CORRECTNESS OR SUFFICIENCY OF THIS INFORMATION REGARDING THE UNDERGROUND UTILITIES AND STRUCTURES RELATED TO UNDERGROUND UTILITIES SHOWN HEREON.

SITE INFO:

SITE ADDRESS:	U.S. HIGHWAY 90 GULFPORT, MS
EXISTING USE:	VACANT
PROPOSED USE:	C-STORAGE / GAS
PARCEL ID NUMBER:	0811B-02-011.000 0811B-02-011.001
FEMA/FIRM PANEL:	0280268G
ZONING:	T6
PARKING REQUIRED: INC. REQUIRED:	23 SPACES (1/300 SF) 2 SPACES
PARKING PROVIDED: INC. PROVIDED:	44 SPACES 2 SPACES
SETBACKS:	15' (STREET) 6' (REAR AND SIDE)
BUFFER:	N/A
SITE ACREAGE:	1.67 AC (72,835 SF)
BUILDING AREA:	6,800 SF
# CD MPD'S:	8

SPECIAL FLOOD HAZARD STATEMENT:

BY GRAPHIC DETERMINATION, THE SUBJECT PROPERTY IS IN "AE" (BASE 201, "VE" (BASE 201, "VE" (BASE 21) AND "VE" (BASE 22) OF THE FLOOD INSURANCE RATE MAP. COMMUNITY PANEL NO. 2800268 G, REVISION DATE OF JUNE 16, 2009. CHECK WITH BUILDING OFFICIALS FOR COMMUNITY DETERMINED ELEVATION CERTIFICATE.

PRELIMINARY SITE STATEMENT:

THIS PRELIMINARY SITE PLAN IS CONCEPTUAL IN NATURE AND DOES NOT REPRESENT AN APPROVED SITE PLAN. THIS PLAN WAS CREATED FROM RECORD DRAWINGS AND DOES NOT REPRESENT A SURVEY. MODIFICATIONS TO THE SITE MAY BE REQUIRED BY THE AUTHORITIES HAVING JURISDICTION.

PROJECT BENCHMARK:

ROUND IRON RD W/ CAP APPROX. 14 FEET NORTH OF NORTH PROPERTY LINE AS SHOWN.
ELEV: 14.32

REVISIONS:

NO.	DATE	DESCRIPTION

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

Pickering
Pickering Firm, Inc.
Transportation & Infrastructure Resources
128 Elm Avenue
Gulfport, MS 39503
228.532.2825

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

SEAL:
**PRELIMINARY - NOT
FOR CONSTRUCTION**

SHEET NUMBER:

C2.0

DESCRIPTION:
SITE PLAN



J1 - GULFPORT DISTRICT
INSTRUMENT 2022-0004029-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
Joseph Naoum Salloum
Richard P. Salloum
Richard P. Salloum

STATE OF Mississippi
COUNTY OF Harrison

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

STATE OF Mississippi
COUNTY OF Harrison

NOTARY PUBLIC
ID # 107289
MELISSA CRAVERO
Commission Expires Nov. 17, 2025
Melissa Cravero

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

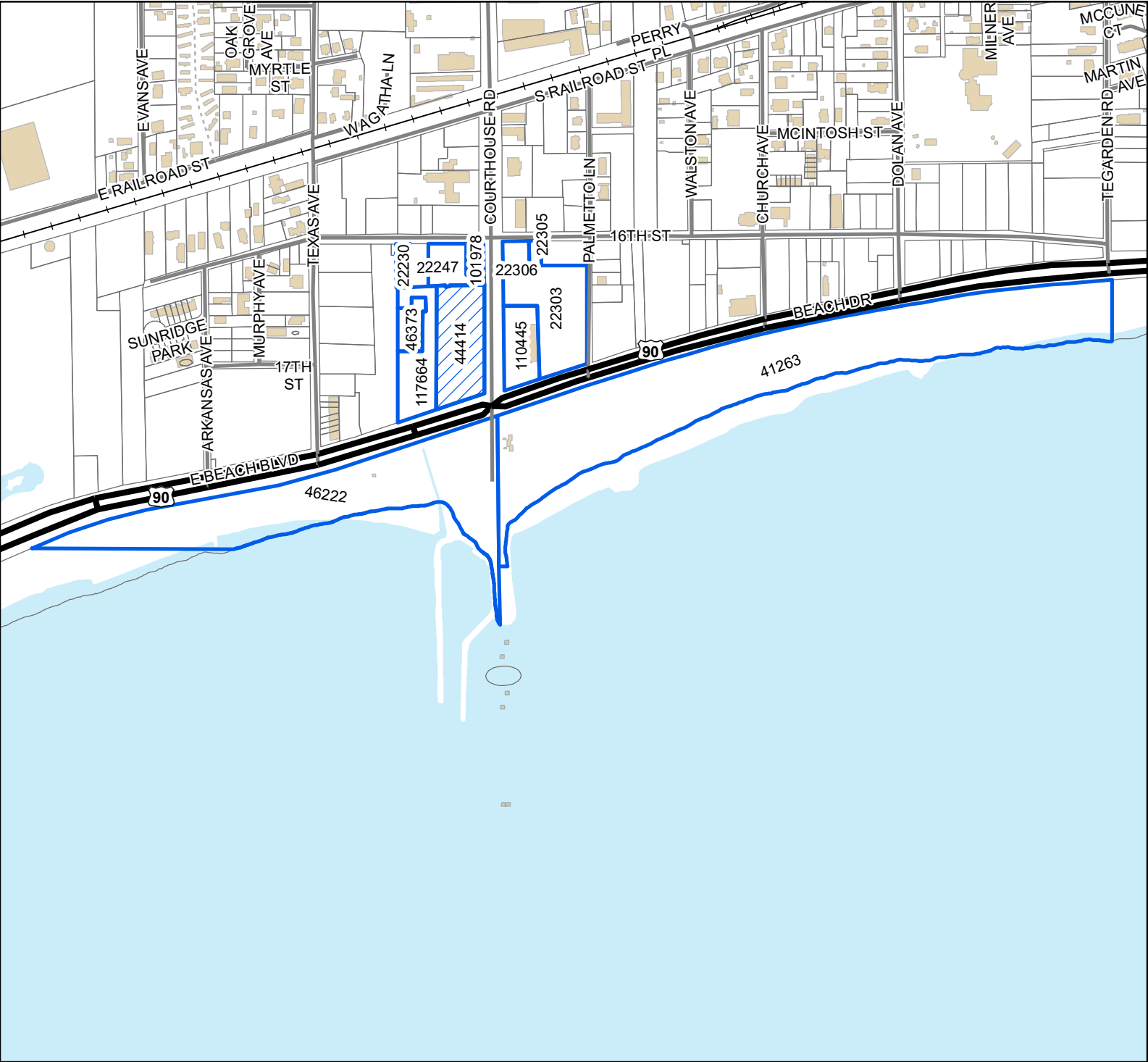
NOTARY PUBLIC
ID # 107289
MELISSA CRAVERO
Commission Expires Nov. 17, 2025
Melissa Cravero

EXHIBIT "A"

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

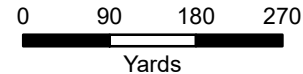
Beginning at a mag nail at the intersection of the northerly right-of-way of U. S. Highway 90 / East Beach Boulevard with the westerly right-of-way of Courthouse Road; thence run South 72 degrees 10 minutes 45 seconds West a distance of 217.40 feet along the northerly right-of-way of U. S. Highway 90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

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



Legend

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



1 inch = 600 feet



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

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

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

To Applicants and Adjacent Property Owners:

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

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

RE: Variance 2301ZB005, by agent Austin Keith, tax parcel 0911B-02-013.000, Request variances for height, size, and placement of a detached accessory structure, 111 Courthouse Rd, Zoned T6 (Urban Core Zone), Ward 2 To Applicants and Adjacent Property Owners:

The City of Gulfport Zoning Board of Adjustments and Appeals will hold a public hearing to consider the above application at 3:00 P.M. on **Thursday, February 16, 2023**, in the Council Chambers at the Gulfport City Hall located at 2309 15th Street.

For more information, visit <http://www.gulfport-ms.gov/agendas/> then click the City of Gulfport Zoning Board for **Thursday, February 16, 2023**. A map showing the location of the property involved is located at this website. If you have any questions or comments, please contact this office at the phone number 228-868-5710 or email planners@gulfport-ms.gov. The application is available for viewing in the Planning Division office at 1410 24th Avenue.

THANK YOU for your legal submission!

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

ORDER DETAILS

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

PREVIEW FOR AD NUMBER IPL01030930**ACCOUNT INFORMATION**

GULFPORT URBAN DEVELOPMENT IP
PO BOX 1780
GULFPORT, MS 39502
228-868-5705
AccountsPayable@gulfport-ms.gov
GULFPORT URBAN DEVELOPMENT

TRANSACTION REPORT

Date
December 21, 2022 1:21:02 PM EST
Amount:
27.60

SCHEDULE FOR AD NUMBER IPL01030930

January 4, 2023
SunHerald (Biloxi)

LEGAL NOTICE PUBLIC HEARING

In conformance with Section VIII of the Comprehensive Zoning Ordinance of the City of Gulfport, Mississippi, 1979, as amended, notice is hereby given advising that the Zoning Board of Adjustment and Appeals will hold a public hearing in the City of Gulfport, Mississippi at 3:00 P.M., Thursday, January 19, 2023 in the Council Chambers of the Gulfport City Hall located at 2309 15 th Street to consider the following requests. A copy of the requests will be available for public review at the office of the Department of Urban Development-Planning Division located

on first floor of the William H. Hardy Building, 1410 24 th Avenue.

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

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

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

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

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

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:**

IPL0107269

External Order #:

375802

Order Status:

Submitted

Classification:

Legals & Public Notices

Package:

BLX - Legal Ads

Final Cost:

47.76

Payment Type:

Account Billed

User ID:

IPL0024925

PREVIEW FOR AD NUMBER IPL01072690**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 25, 2023 6:16:01 PM EST

Amount:

45.48

Date

January 26, 2023 4:04:56 PM EST

Amount:

2.28

SCHEDULE FOR AD NUMBER IPL01072690

February 1, 2023

SunHerald (Biloxi)

**LEGAL NOTICE
PUBLIC HEARING**

In conformance with Section VIII of the Comprehensive Zoning Ordinance of the City of Gulfport, Mississippi, 1979, as amended, notice is hereby given advising that the Zoning Board of Adjustment and Appeals will hold a public hearing in the City of Gulfport, Mississippi at 3:00 P.M., Thursday, February 16, 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

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

Variance 2301ZB005, by agent Austin Keith, tax parcel 0911B-02-013.000, Request variances for height, size, and placement of a detached accessory structure, 111 Courthouse Rd, Zoned T6 (Urban Core Zone), Ward 2

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

Variance 2302ZB011, by owner Brookestone Gulf Coast, LLC, tax parcel 1009N-01-002.000, Requests variance for sign size, Zoned R-2 (Single-family), Ward 5

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

Variance 2302ZB013, by agent Image Signs, tax parcel 0809P-02-001.031, Requests variance for second set of channel letter to replace current set facing west, 14100 Airport Rd, Zoned B-2(General Business) Ward 3.

Special Exception 2302SE015, by agents Twial & Terrance Johnson, tax parcel 0809K-01-001.019, Requests Special Exception for day care use, 9454 Three Rivers Rd, Zoned B-2 (General business) Ward 3

Variance 2302ZB018, by Kaliber Management LLC, tax parcel 08100-02-012.000, Request variances for distance from an intersection, for dead end road when a circular drive is required, required number of dumping and water stations, and setback requirements for a proposed RV site at 2800 19th St, Zoned B-2 (General business), Ward 3

Variance 2302ZB019, by agent Allison Badurak, tax parcels 0909A-01-001.015 & 0909A-01-001.016, Request variance for setbacks off the southern property line, 10414 Express Drive, Zoned I-3 (Planned Industrial), Ward 5

This the 25th day of January 2023
A. Lee Palermo, Chairman
City of Gulfport Zoning Board of Adjustment and Appeals
IPL0107269
Feb 1 2023

MEMORANDUM

To: City of Gulfport Zoning Board of Adjustment and Appeals

From: Greg Holmes, Planning Administrator
Urban Development Department

Date of Hearing: February 16, 2023

Re: Special Exception 2301ZB006:

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

Technical Report

SPECIAL EXCEPTION

GENERAL INFORMATION

Case File Number: 2301ZB006

Hearing Date: Zoning Board February 16, 2023
Planning Commission January 26, 2023

Current Zoning/Use: T6 / Urban Core Zone

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

TECHNICAL DETAILS

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

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

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

EXECUTIVE SUMMARY

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

Any approval should consider these conditions:

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

Technical Report

SPECIAL EXCEPTION

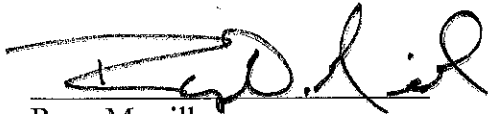
3. Variances are required for canopy placement, height, and size. Approval will be contingent upon approval from the Zoning Board. This Special Exception does not waive this requirement.

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

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

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Technical Report
SPECIAL EXCEPTION

DEPARTMENTAL CONDITIONS

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

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

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

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

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

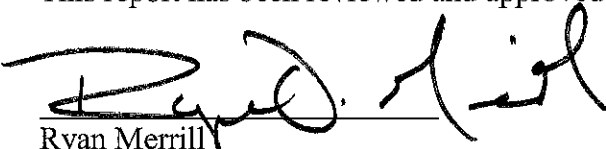
Police Department: No conditions. Memo dated 12/22/2022.

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

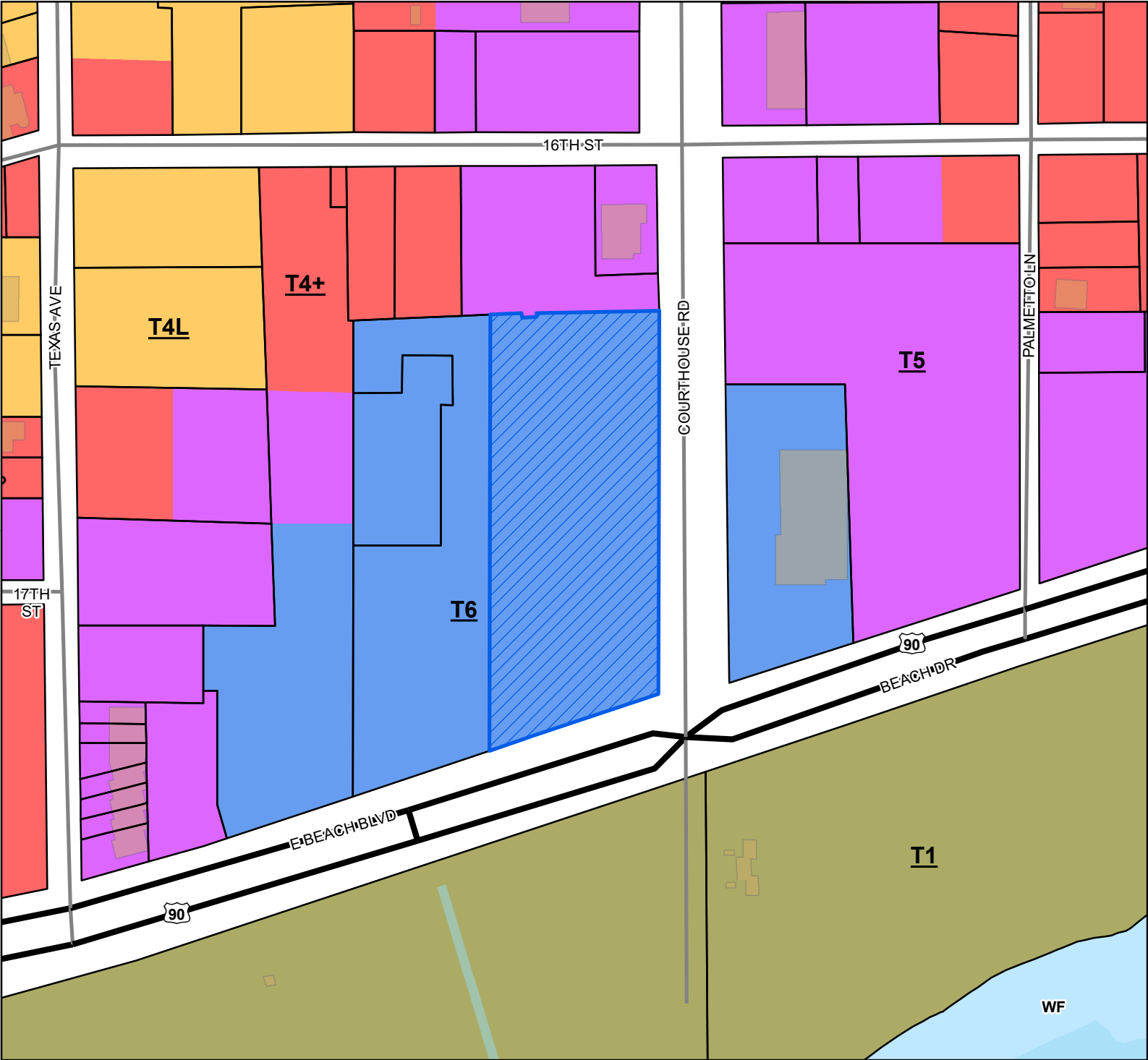
City Arborist: No comment. Memo dated 01/09/2023.

DIRECTOR APPROVAL

This report has been reviewed and approved by:



Ryan Merrill
Director of Urban Development Department



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

Smart Code

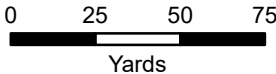
- T6
- T5
- T4+
- T4L
- T1

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

0	9	1	1	B	-	0	2	-	0	1	3	.	0	0	0						-			-				.			
					-			-				.									-			-				.			
					-			-				.									-			-				.			

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*.

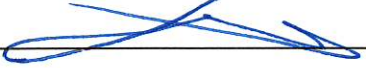
I hereby certify that I have read and understand this application and that all information and attachments are true and correct. I also certify that I agree to comply with all applicable city codes, ordinances and state laws. Finally, I certify that I am the owner of the property involved in this request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

SPECIAL FLOOD HAZARD STATEMENT

BY GRAPHIC DETERMINATION, THE SUBJECT PROPERTY IS IN "A" (BASE 20), "X" (BASE 21) AND "X" (BASE 22) OF THE FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NO. 28000268 G, REVISED DATE OF JUNE 16, 2009. CHECK WITH BUILDING OFFICIALS FOR COMMUNITY DETERMINED ELEVATION CERTIFICATE

STATE INFO.	
SITE ADDRESS	U.S. HIGHWAY 90 GALVESTON, TX
EXISTING USE	MOBILE
PROPOSED USE	5-STORE / GAS
PARTIAL IN NUMBER	109118-18-02-02-013-001
FEW/PRIN PARTIAL	020202060
ZONING	16
PARTIAL REQUIRED	21 SPACES / 1,000 SF
NO REQUIRED	2 SPACES
NO PROVIDED	4 SPACES
STREETS	51 (S) STREET 0 (WALK AND SIDE)
BLVD/FRT	N/A
SITE ADDRESS	1.67 AC (72.55 SF)
BUILDING AREA	6,000 SF
000000	8



A graphic scale bar at the top indicates distances in feet, with markings for 0, 10, 20, and 40. Above the bar, the text "1 INCH = 20 FEET" is written. Below the scale bar is a circular north arrow pointing towards the top of the page.

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



REVISED:							
PROJECT #:	26295.00						
DATE:	SEPTEMBER 2022						
DRAWN BY:	MM						
DESIGNER:	MM						
CHECKED BY:	CBM						



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.



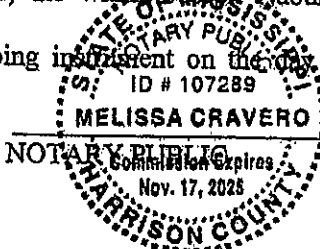
Joseph Naoum Salloum


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.

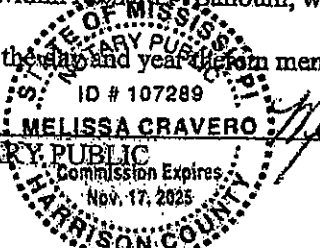
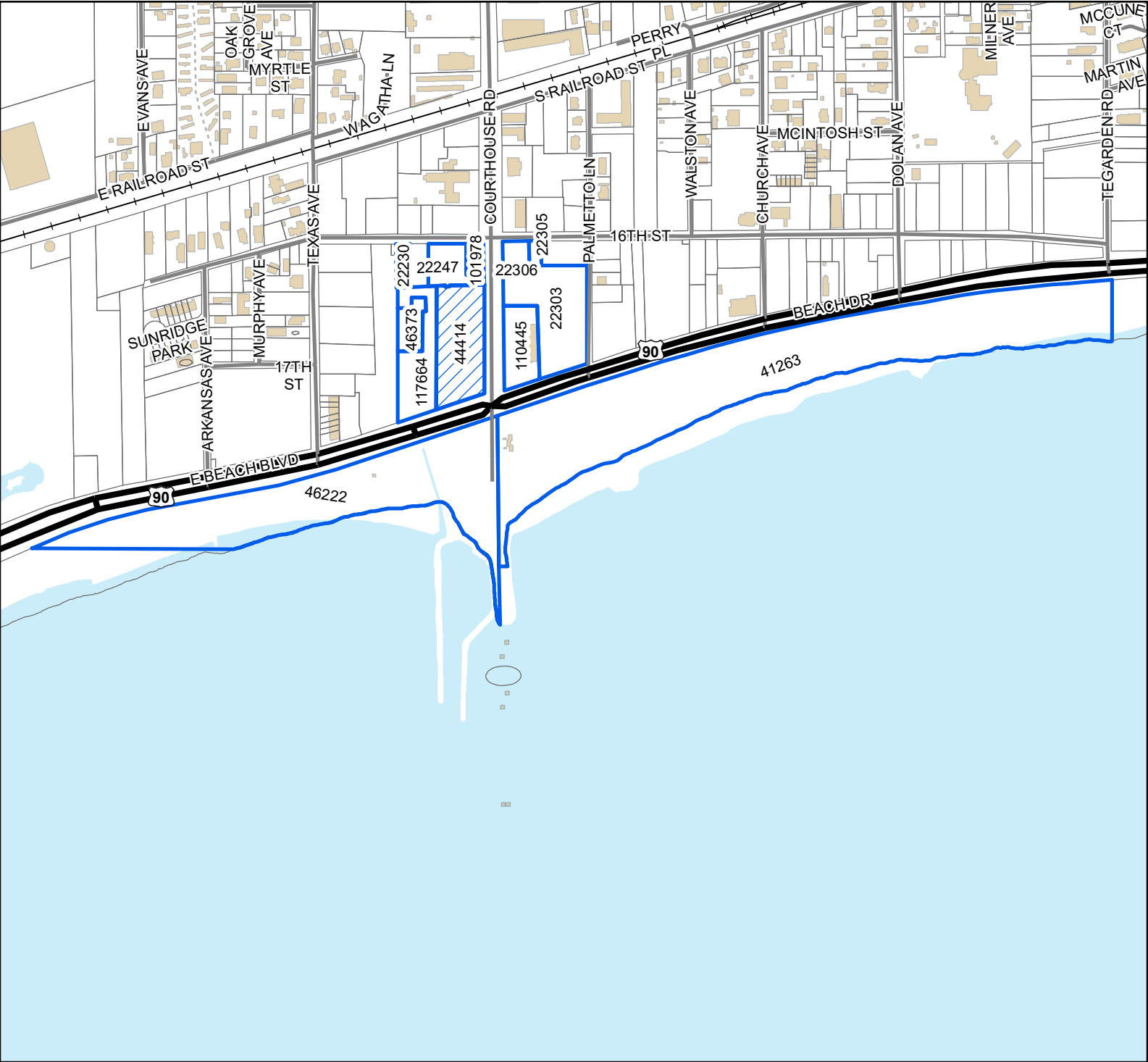

NOTARY PUBLIC
Melissa Cravero

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

To Applicants and Adjacent Property Owners:

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

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

RE: 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

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, February 16, 2023**, in the Council Chambers at the Gulfport City Hall located at 2309 15th Street.

For more information, visit <http://www.gulfport-ms.gov/agendas/> then click the City of Gulfport Zoning Board for **Thursday, February 16, 2023**. A map showing the location of the property involved is located at this website. If you have any questions or comments, please contact this office at the phone number 228-868-5710 or email planners@gulfport-ms.gov. The application is available for viewing in the Planning Division office at 1410 24th Avenue.

THANK YOU for your legal submission!

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

ORDER DETAILS

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

PREVIEW FOR AD NUMBER IPL01030930**ACCOUNT INFORMATION**

GULFPORT URBAN DEVELOPMENT IP
PO BOX 1780
GULFPORT, MS 39502
228-868-5705
AccountsPayable@gulfport-ms.gov
GULFPORT URBAN DEVELOPMENT

TRANSACTION REPORT

Date
December 21, 2022 1:21:02 PM EST
Amount:
27.60

SCHEDULE FOR AD NUMBER IPL01030930

January 4, 2023
SunHerald (Biloxi)

LEGAL NOTICE PUBLIC HEARING

In conformance with Section VIII of the Comprehensive Zoning Ordinance of the City of Gulfport, Mississippi, 1979, as amended, notice is hereby given advising that the Zoning Board of Adjustment and Appeals will hold a public hearing in the City of Gulfport, Mississippi at 3:00 P.M., Thursday, January 19, 2023 in the Council Chambers of the Gulfport City Hall located at 2309 15 th Street to consider the following requests. A copy of the requests will be available for public review at the office of the Department of Urban Development-Planning Division located

on first floor of the William H. Hardy Building, 1410 24 th Avenue.

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

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

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

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

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

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:**

IPL0107269

External Order #:

375802

Order Status:

Submitted

Classification:

Legals & Public Notices

Package:

BLX - Legal Ads

Final Cost:

47.76

Payment Type:

Account Billed

User ID:

IPL0024925

PREVIEW FOR AD NUMBER IPL01072690**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 25, 2023 6:16:01 PM EST

Amount:

45.48

Date

January 26, 2023 4:04:56 PM EST

Amount:

2.28

SCHEDULE FOR AD NUMBER IPL01072690

February 1, 2023

SunHerald (Biloxi)

**LEGAL NOTICE
PUBLIC HEARING**

In conformance with Section VIII of the Comprehensive Zoning Ordinance of the City of Gulfport, Mississippi, 1979, as amended, notice is hereby given advising that the Zoning Board of Adjustment and Appeals will hold a public hearing in the City of Gulfport, Mississippi at 3:00 P.M., Thursday, February 16, 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

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

Variance 2301ZB005, by agent Austin Keith, tax parcel 0911B-02-013.000, Request variances for height, size, and placement of a detached accessory structure, 111 Courthouse Rd, Zoned T6 (Urban Core Zone), Ward 2

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

Variance 2302ZB011, by owner Brookestone Gulf Coast, LLC, tax parcel 1009N-01-002.000, Requests variance for sign size, Zoned R-2 (Single-family), Ward 5

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

Variance 2302ZB013, by agent Image Signs, tax parcel 0809P-02-001.031, Requests variance for second set of channel letter to replace current set facing west, 14100 Airport Rd, Zoned B-2(General Business) Ward 3.

Special Exception 2302SE015, by agents Twial & Terrance Johnson, tax parcel 0809K-01-001.019, Requests Special Exception for day care use, 9454 Three Rivers Rd, Zoned B-2 (General business) Ward 3

Variance 2302ZB018, by Kaliber Management LLC, tax parcel 08100-02-012.000, Request variances for distance from an intersection, for dead end road when a circular drive is required, required number of dumping and water stations, and setback requirements for a proposed RV site at 2800 19th St, Zoned B-2 (General business), Ward 3

Variance 2302ZB019, by agent Allison Badurak, tax parcels 0909A-01-001.015 & 0909A-01-001.016, Request variance for setbacks off the southern property line, 10414 Express Drive, Zoned I-3 (Planned Industrial), Ward 5

This the 25th day of January 2023
A. Lee Palermo, Chairman
City of Gulfport Zoning Board of Adjustment and Appeals
IPL0107269
Feb 1 2023

MEMORANDUM

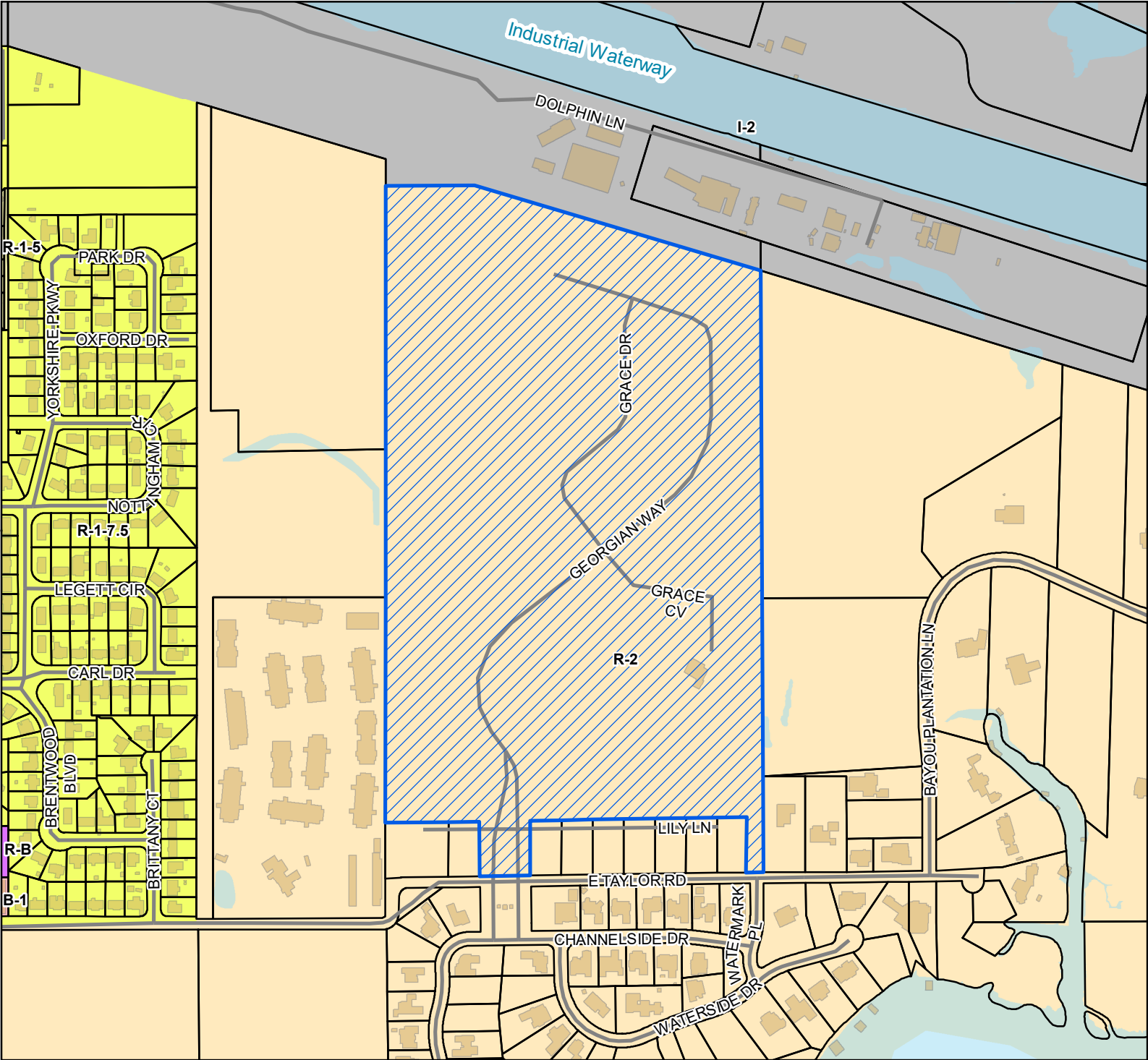
To: City of Gulfport Zoning Board of Adjustment and Appeals

From: Greg Holmes, Planning Administrator
Urban Development Department

Date of Hearing: February 16, 2023

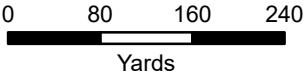
Re: Variance 2302ZB011:
Withdrawn by Administration:

Variance 2302ZB011, by owner BrookestoneGulf Coast, LLC, tax parcel 1009N-01-002.000,
Requests variance for sign size, Zoned R-2 (Single- family), Ward 5



- Site**
- Site
 - Street
 - Parcels
 - Buildings
 - Water Features
- Zoning**
- B-1 - Neighborhood Business District
 - I-2 - Heavy Industry District
 - R-1-5 - Single Family Residence District (Medium Density)
 - R-1-7.5 - Single Family Residence District (Low Density)
 - R-2 - Single Family Residence District (Medium Density)
 - R-B - Residence-Business District

Site Information
1009N-01-002.000
Zoning: R-2(Single Family)
Size:58.5 acres
Flood: X



1 inch = 500 feet



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



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

Case Number
2302 ZB011

Zoning Board of Adjustments and Appeals Application

REQUESTED ACTION BY THE ZONING BOARD OF ADJUSTMENTS AND APPEALS

(A separate submission form is required for each request):

	Appeal of Planning Administrator
	Excessive Height
	Fence Variance
	Special Exception
X	Variance SIGN SIZE

Tax Parcel Numbers

1	0	0	9	N	-	0	1	-	0	0	2	.	0	0	0					-										
					-							.								-										
					-							.								-										

Property Address: **ENTRANCE OF BROOKESTONE SUBD**

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. We can only accept applications with original signatures

OWNER

AGENT

BROOKESTON GULF COAST, LLC

Printed Name of Owner

228 56TH ST

Mailing Address

GULFPORT MS 39507

City

State

Zip code

228 860 5318

Home Phone

Work/Cell Phone

BOBBYKNEE@AOL.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

December 16, 2022

City of Gulfport
Planning Division
1410 24th Ave
Gulfport, MS 39501

Re: Brookestone Subdivision – Sign Variance Application

To whom it may concern:

Please find attached my application for a Sign Variance for the project. Also attached are the construction plans for the sign monument.

We request this variance for the following reasons:

- 1 & 2 We designed the center median at the subdivision entrance to match the size of the Waterside Subdivision entrance directly across the street. We wanted the entrance and exit roads to match so there would be no traffic concern with offset streets. This median is 68' wide which is not typical for most subdivisions. Other subdivisions do not usually have such a large entrance across the street from their proposed developments.
- 3 The size of Waterside entrance caused special circumstances which necessitated us to design our entrance to be geometrically similar to the Waterside entrance. We believe this is a special condition which we needed to match Waterside's entrance width for the sake of good traffic flow and aesthetic appearance. With a median of this size, the maximum size for a sign of 50 sq. ft. and 6 feet of height would be too small of a sign for such a large median. Letters of only 18" high would also not be proportionally appropriate for the monument and sign as designed and necessary for the proper appearance of the entrance. We also believe it was necessary to have a different entrance design and not copy the concept of Waterside's entrance.
- 4 A sign of only 50 sq.ft. and 6 ft of height with only 18" high letters would be dwarfed in the large entrance, especially once the landscaping is installed. The literal interpretation of the size limits would prevent us from having a monument and sign proportionally designed for the entrance median size. Without this variance a smaller monument and sign would not be pleasing and could detract interest from potential lot and home buyers. We are asking for a variance for our sign area of approximately 110 sq.ft. which is a 60 sq.ft. variance from the allowable area of 50 sq.ft.
- 5 Granting of this variance will not confer any special privilege to our development but it will allow us to develop the entry in a geometrically acceptable manner which was necessitated by the island width.
- 6 The monument and sign is allowed by right for our land use, subject to planning approval.

City of Gulfport
Planning Division
December 16, 2022
Page 2

An affidavit stating the request is not in violation of restrictive or protective covenants is included as required.

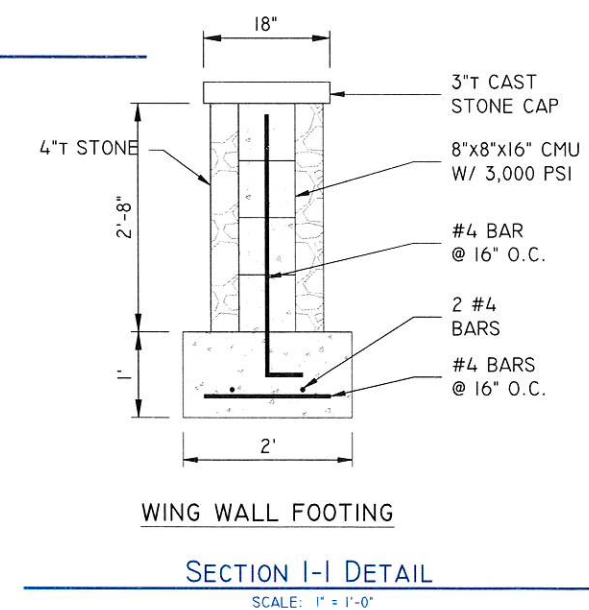
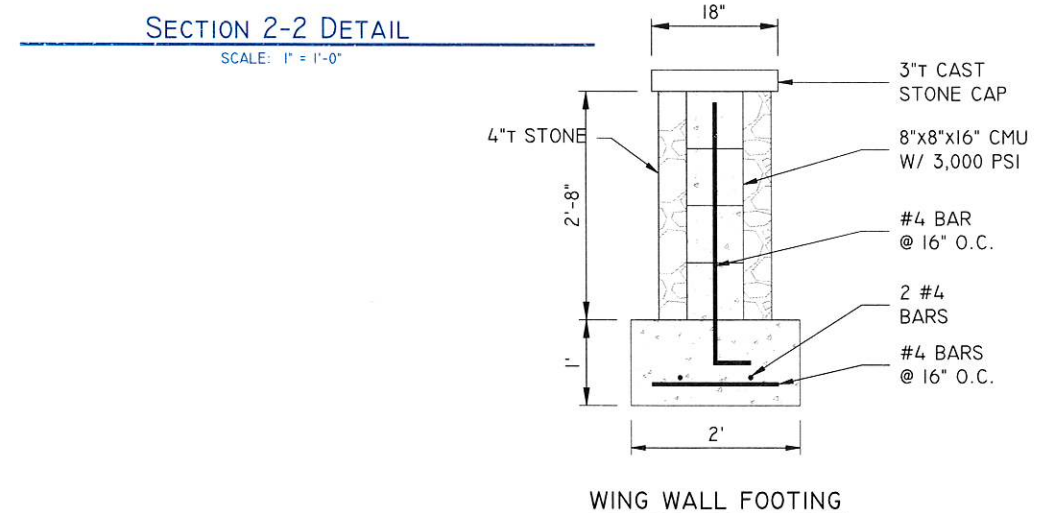
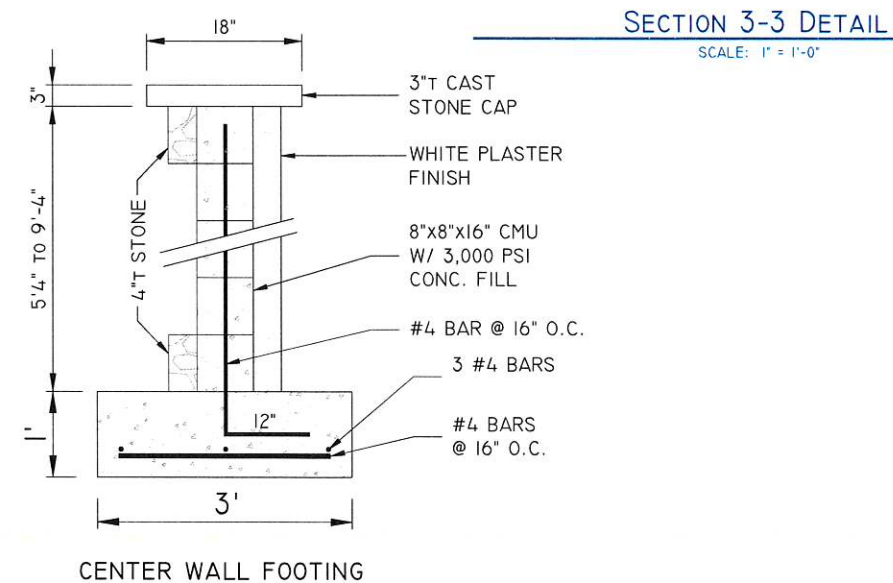
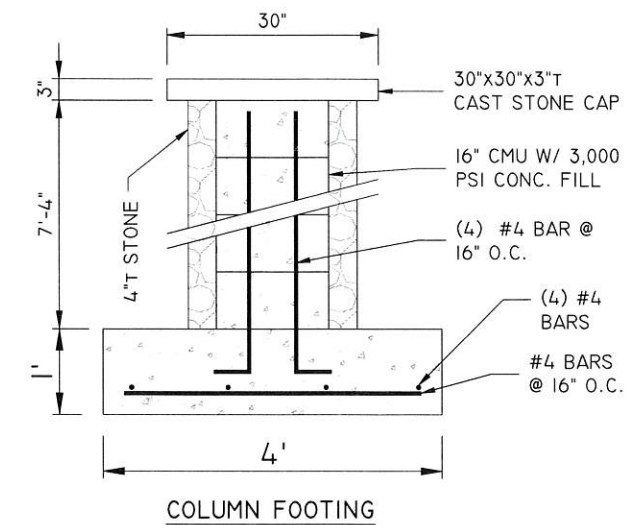
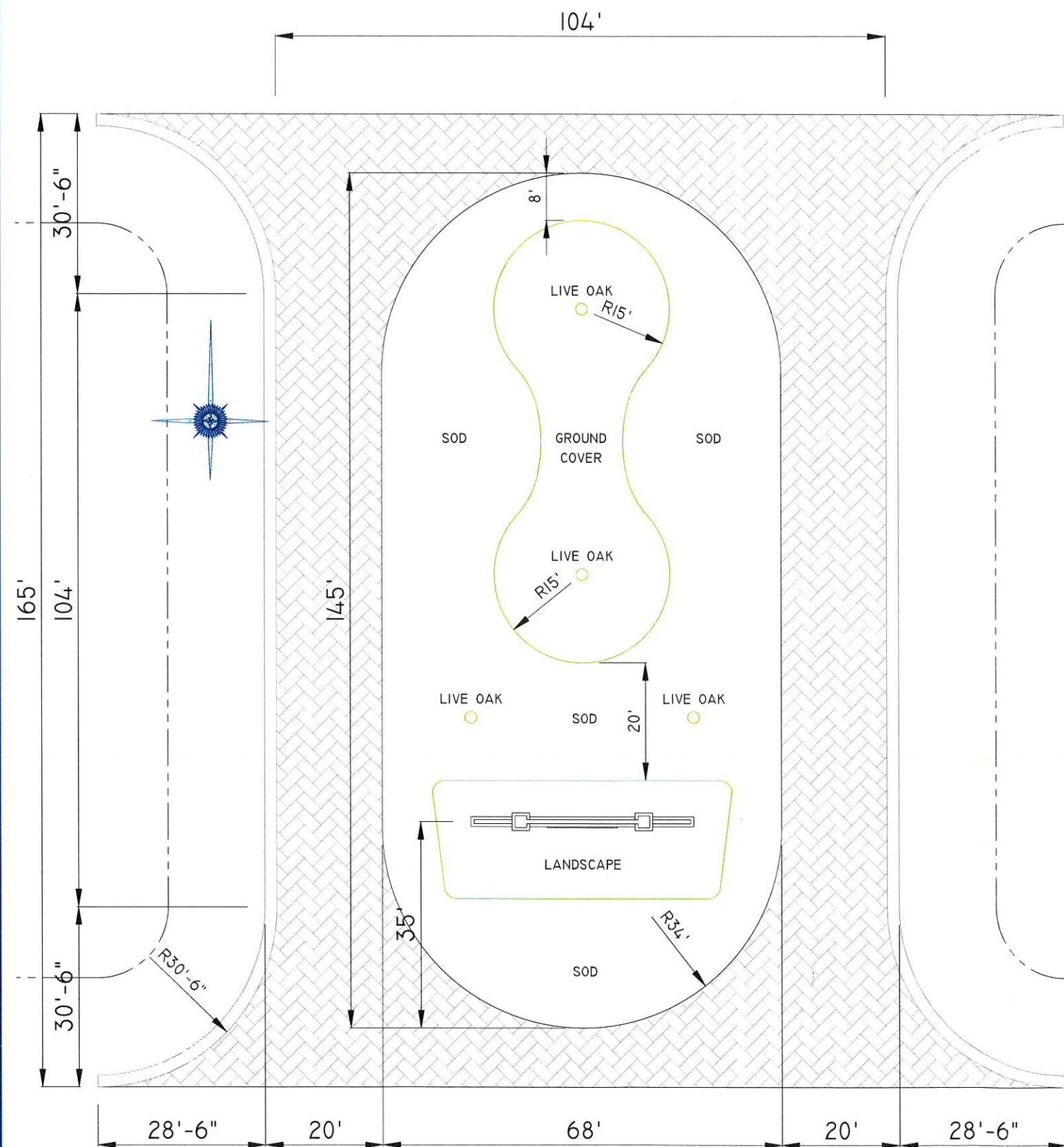
A copy of our proposed draft covenants is included as required.

Should you have any questions please do not hesitate to contact me at 228-860-5318.

Sincerely yours,

A handwritten signature in blue ink, appearing to read "Robert J. Knesal", with a stylized flourish at the end.

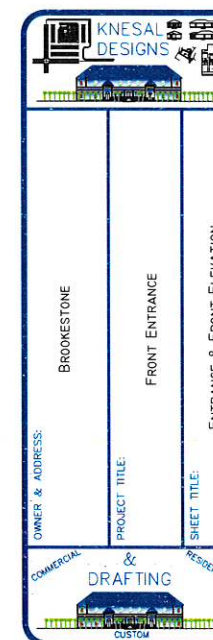
Robert J. Knesal, P. E.



ROBERT J. KNESAL, P.E.
III LUNDGREN LANE
GULFPORT, MS
39507
228-860-5318

[illegible]

SEAL



THE INFORMATION CONTAINED
THIS DOCUMENT IS PROPRIETARY
TO KNESEL DESIGNS, INC. THIS
DOCUMENT MAY NOT BE
DISCLOSED, DUPLICATED, OR USED
FOR ANY PURPOSE IN WHOLE
OR IN PART WITHOUT WRITTEN
CONSENT OF KNESEL DESIGNS
INC.

DRAWN BY: C. JARROD KNESE
REVIEWED BY: ROBERT J. KNESE
DATE: FEBRUARY 26, 2004
SCALE: AS NOTED
JOB #: 44
SHEET: 1 OF 2
ENTRANCE CROSS-SECTION DETAIL



1st Judicial District
Instrument 2020 8812 D - J1
Filed/Recorded 3/25/2020 03:06 P
Total Fees \$ 26.00
8 Pages Recorded

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

File# 162021A

Indexing Instructions:
Pt E 1/2 of SE 1/4 of Section 19-7-10
Harrison County, MS

STATE OF MISSISSIPPI

COUNTY OF HARRISON



WARRANTY DEED

THAT FOR AND IN CONSIDERATION of the sum of Ten and no/100 Dollars (\$10.00), cash in hand paid, and other good and valuable consideration, the receipt and sufficiency of all of which is hereby acknowledged,

BARBARA C. ALLEN
767 DESTINY PLANTATION
BILOXI, MS 39532
228-669-9102

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

BROOKSTONE GULF COAST, LLC,
a Mississippi limited liability company
111 LUNDGREN LANE
GULFPORT, MS 39503
228-669-9102

the following described property, together with the improvements, hereditaments and appurtenances thereunto situated and located in the County of Harrison, State of Mississippi, and more particularly described as follows, to-wit:

Parcel 1:

That certain parcel of land located North of East Taylor Road and being located in and a part of Section 19 and 20, Township 7 South, Range 10 West, City of Gulfport, Mississippi, and being more particularly described as follows, to-wit: Commencing at the corner common of Section 19, 20, 29 and 30, Township 7 South, Range 10 West; thence run North 00 degrees 31 minute 26 seconds West a distance of 176.7 feet, more or less, along the Section line common to Sections 19 and 20 to a point on the North margin of Taylor Road for the POINT OF BEGINNING of the parcel herein described; thence continue from said Point of Beginning, North 00 degrees 31 minutes 26 seconds West along the Section line common to Sections 19 and 20 a distance of 1,117.21 feet;

Our File Number 162021A,

2

thence North 89 degrees 28 minutes 33 seconds West a distance of 105.72 feet; thence run North 00 degrees 31 minutes 26 seconds West a distance of 1,065.31 feet, more or less, to the South Right-of-way of the property now or formerly of Harrison County Development Commission; thence run North 72 degrees 57 minutes 06 seconds West along the said South Right-of-way of the Harrison County Development Commission property a distance of 933.65 feet; Thence run South 89 degrees 47 minutes 50 seconds West a distance of 355.56 feet to the East line of property now or formerly of Dr. J. T. Taylor; thence run South 00 degrees 21 minutes 44 seconds East along the East line of the Taylor property a distance of 2,481.50 feet, more or less, to the North margin of Taylor Road; thence run North 88 degrees 55 minutes 15 seconds East along the North margin of Taylor Road a distance of 1,358.41 feet, more or less to the Point of Beginning. Said parcel containing 70.77 acres, more or less.

And also:

Parcel II: A parcel of land situated and being located in Section 19, Township 7 South, Range 10 West, City of Gulfport, First Judicial District of Harrison County, Mississippi and being more particularly described as follows, to-wit: COMMENCING at the corner common to Sections 19, 20, 29, and 30, Township 7 South, Range 10 West; thence run North 00 degrees 51 minutes 26 seconds West along the line between Sections 19 and 20, a distance of 176.7 feet, more or less, to a point on the North margin of Taylor Road; thence run North 00 degrees 31 minutes 26 seconds West a distance of 1,117.21 feet along the line common to Section 19 and 20, to the POINT OF BEGINNING; from said Point of Beginning, thence run North 89 degrees 28 minutes 33 seconds West a distance of 105.72 feet; thence run North 00 degrees 31 minutes 26 seconds West a distance of 1,065.31 feet, more or less, to the South Right of Way of the property now or formerly of the Harrison County Development Commission; thence run South 72 degrees 57 minutes 06 seconds East along the South Right of Way of said Harrison County Development Commission property a distance of 116.42 feet, more or less, to the common line between Sections 19 and 20; thence run South 00 degrees 31 minutes 26 seconds East, along the line between Section 19 and 20, a distance of 1,032.49 feet, more or less, back to the Point of Beginning.

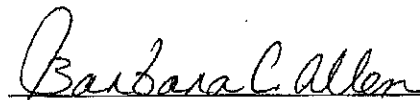
The above described property is not a part of the Homestead of the Grantor herein.

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

Taxes for the current year are hereby assumed by the Grantee

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

WITNESS THE SIGNATURE of the Grantor on this the 26th day of March, 2020.


BARBARA C. ALLEN

STATE OF MISSISSIPPI

COUNTY OF HARRISON

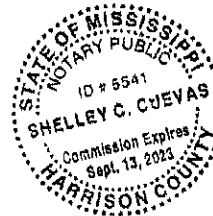
THIS DAY personally appeared before me, the undersigned authority in and for the jurisdiction aforesaid, BARBARA C. ALLEN, who acknowledged that she signed, executed and delivered the above and foregoing instrument as his voluntary act and deed on the day and year therein mentioned.

GIVEN under my hand and official seal on this the 26th day of March, 2020

NOTARY PUBLIC

(SEAL)

My Commission Expires:



LIMITED LIABILITY COMPANY RESOLUTION

COMPANY: BROOKESTONE GULF COAST, LLC, a Mississippi Limited Liability Company

WE, THE UNDERSIGNED, being the sole Members of BROOKESTONE GULF COAST, LLC, a Mississippi Limited Liability Company (the "Company"), do hereby certify that the Company is organized and existing as a Limited Liability Company under and by virtue of the laws of the State of Mississippi.

MEMBERS. We further certify that for purposes of this resolution and all actions of the Company taken pursuant to this resolution, Robert Joseph Knesal and Barbara C. Allen are the sole members of said Company.

CERTIFICATE OF LIMITED LIABILITY COMPANY. We further certify that the Certificate of Limited Liability Company on file with the Mississippi Secretary of State for the Company: (a) is a true and complete copy of the Certificate of Limited Liability Company of the Company; (b) has not been altered, amended, modified or rescinded; (c) is and remains in full force and effect on the date hereof in the form as set forth; and (d) is fully binding on the Company, its Managers and Members.

LIMITED LIABILITY COMPANY AGREEMENT. We further certify that the written Limited Liability Company Agreement of the Company (a) is a true and complete copy of the Limited Liability Company Agreement of the Company; (b) the same has not been altered, amended, modified or rescinded; (c) is and remains in full force and effect on the date hereof in the form as set forth; and (d) is fully binding on the Company and its Members.

WE FURTHER CERTIFY that at a consent meeting of the Members of the Company (or by other duly authorized company action in lieu of a meeting), duly called and held, at which the Members were present and voting (or adopted by consent), the following resolution was adopted:

BE IT RESOLVED, that the Company is hereby authorized by the Managers and Members to sell any of the real property described on Exhibit "A" attached hereto (hereinafter "subject property").

BE IT FURTHER RESOLVED that the Company hereby authorizes Robert Joseph Knesal and Barbara C. Allen, as Managing Members of BROOKESTONE GULF COAST, LLC, to execute the following: (a) Warranty Deeds, (b) Affidavits, (c) Releases, (d) and any other reasonable documents requested by the closing attorney to sell the subject property. It is the specific intention and direction of the company that only one of the aforementioned parties need to sign to sell the subject property, or any lots located thereon. Robert Joseph Knesal and/or Barbara C. Allen, each as a Managing Member, shall have the full authority and capacity to sign documents on behalf of the company, without any further action necessitated by company to authorize said transfers.

BE IT FURTHER RESOLVED that Robert Joseph Knesal and/or Barbara C. Allen, each as a Managing Member of BROOKESTONE GULF COAST, LLC, be and is hereby authorized and empowered to execute any and all documents to complete the foregoing matters.

BE IT FURTHER RESOLVED, that any and all acts authorized pursuant to this resolution and performed prior to the passage of this resolution by the Members are hereby ratified and approved, and that this resolution shall remain in full force and effect and all persons and parties may rely on this resolution, including but not limited to the closing attorney and title company conducting the transactions.

WE FURTHER CERTIFY that Robert Joseph Knesal and Barbara C. Allen, Managers of BROOKESTONE GULF COAST, LLC are the sole Members of the Company for the purposes of this Resolution; that the foregoing resolution now stands of record on the books of the Company; and that the resolution is in full force and effect and has not been modified or revoked in any manner whatsoever.

Execution hereof further waives all notice requirements for the above described meeting under the Mississippi Limited Liability Company Act and any other laws and/or agreements.

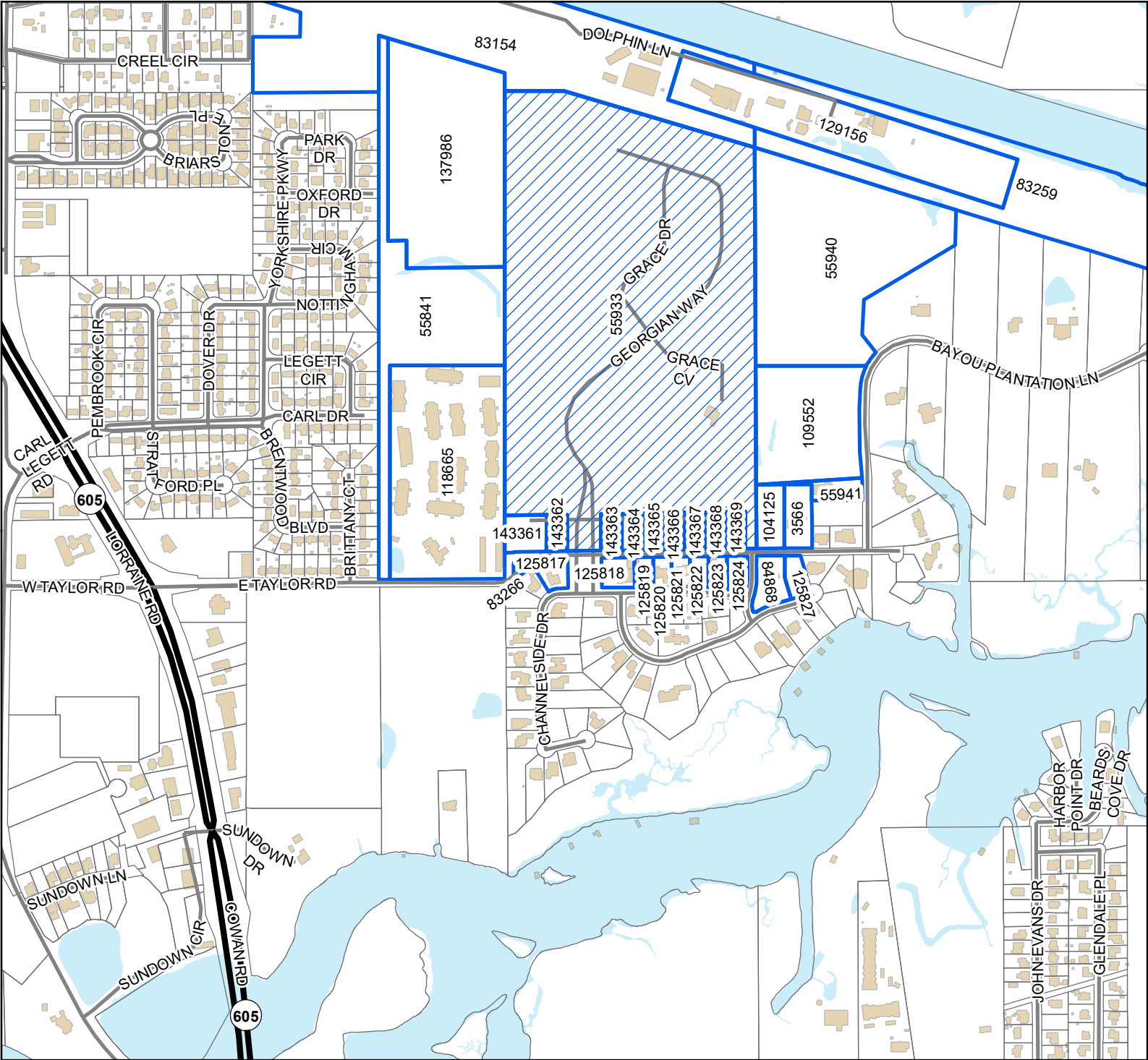
IN WITNESS WHEREOF, the undersigned Member acknowledges that the matters and facts set forth in this Resolution are true and that she signed the same.

July 1, 2021

BROOKESTONE GULF COAST, LLC

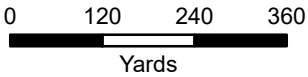

Robert Joseph Knesal, Managing Member


Barbara C. Allen, Managing Member



Legend

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



1 inch = 750 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
Y			BROOKSTONE GULF COAST LLC(OWNER)	28 56TH STREET	GULFPORT	MS	39507
			Adjacent Property Owners				
	129156	1009O-02-001.001	INSTITUTE FOR MARINE MAMMAL STUDIES	P O BOX 207	GULFPORT	MS	39502
	55940	1009O-02-002.000	NATURES PATH LLC	525 NORTH MAIN ST	HATTIESBURG	MS	39401
	118665	1009N-01-004.001	MMP2-HARBIN LLC	C/O LEGACY PROPERTY MANAGEMEN	NASHVILLE	TN	37212
N	109552	1009O-02-002.015	NATURES PATH LLC	525 NORTH MAIN ST	HATTIESBURG	MS	39401
	3566	1009O-02-004.002	BRANCH SAMUEL D & RACHEL	12203 PRESERVATION DR	GULFPORT	MS	39503
	104125	1009O-02-004.001	TOWLES JAMES SETH	10840 E TAYLOR RD	GULFPORT	MS	39503
	83259	1009O-02-001.000	HARRISON CO DEV COMM				0
	55941	1009O-02-004.000	BURRELL ANDREW & ASHLEY	12562 LAKE VILLAGE DR	GULFPORT	MS	39503
	83266	1009N-01-003.000	GULFPORT CITY OF	P O BOX 1780	GULFPORT	MS	39502
	125817	1009N-01-003.001	SELLERS BENNIE JAMES JR & KATHRYN L	10968 CHANNELSIDE DRIVE	GULFPORT	MS	39503
	125821	1009N-01-003.005	COURTENAY DANIEL & LAURA	10898 CHANNELSIDE DR	GULFPORT	MS	39503
	125819	1009N-01-003.003	JALAL SHWAN & KURDONYA HAWRAMI	10918 CHANNELSIDE DR	GULFPORT	MS	39503
N	125827	1009O-02-005.003	BLACKLIDGE RONALD W & BECKY BROCK	10918 CHANNELSIDE DR	GULFPORT	MS	39507
	125824	1009N-01-003.008	FORE PAT H III	10868 CHANNELSIDE DR	GULFPORT	MS	39503
	125823	1009N-01-003.007	LEWAKOWSKI THOMAS J & MELINDA D	10878 CHANNELSIDE DR	GULFPORT	MS	39503
	125820	1009N-01-003.004	SYMMES COWLES E & MARY E	10908 CHANNELSIDE DRIVE	GULFPORT	MS	39503
	125818	1009N-01-003.002	MONAHAN STEPHANIE F & LAWRENCE S SR	10928 CHANNELSIDE DR	GULFPORT	MS	39503
	125822	1009N-01-003.006	HARPER OSWAGO Y & TAMARA WALKER	10888 CHANNELSIDE DR	GULFPORT	MS	39503
	137986	1009N-01-004.002	LAND TRUST FOR MISS COASTAL PLAIN	PO BOX 2457	PURVIS	MS	39475
	55841	1009N-01-004.000	GRAHAM ROBERT N	P O BOX 1207	PURVIS	MS	39475
	83154	1009K-03-001.000	HARRISON CO DEV COMM	12281 INTRAPLEX PKWY	GULFPORT	MS	39503
	55933	1009N-01-002.000	BROOKSTONE GULF COAST LLC	111 LUNDGREEN LN	GULFPORT	MS	39503
	84868	1010B-04-003.000	VERRETT KEVIN D	10836 WATERMARK PL	GULFPORT	MS	39503
	143361	1009N-01-002.001	CLARK BUILDERS INC	186 DOGWOOD LANE	FLORENCE	MS	39073
N	143368	1009N-01-002.008	CLARK BUILDERS INC	186 DOGWOOD LANE	FLORENCE	MS	39073
N	143362	1009N-01-002.002	CLARK BUILDERS INC	186 DOGWOOD LANE	FLORENCE	MS	39073
N	143363	1009N-01-002.003	CLARK BUILDERS INC	186 DOGWOOD LANE	FLORENCE	MS	39073
N	143364	1009N-01-002.004	CLARK BUILDERS INC	186 DOGWOOD LANE	FLORENCE	MS	39073
N	143365	1009N-01-002.005	CLARK BUILDERS INC	186 DOGWOOD LANE	FLORENCE	MS	39073
N	143366	1009N-01-002.006	CLARK BUILDERS INC	186 DOGWOOD LANE	FLORENCE	MS	39073
N	143367	1009N-01-002.007	CLARK BUILDERS INC	186 DOGWOOD LANE	FLORENCE	MS	39073
N	143369	1009N-01-002.009	CLARK BUILDERS INC	186 DOGWOOD LANE	FLORENCE	MS	39073

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:**

IPL0107269

External Order #:

375802

Order Status:

Submitted

Classification:

Legals & Public Notices

Package:

BLX - Legal Ads

Final Cost:

47.76

Payment Type:

Account Billed

User ID:

IPL0024925

PREVIEW FOR AD NUMBER IPL01072690**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 25, 2023 6:16:01 PM EST

Amount:

45.48

Date

January 26, 2023 4:04:56 PM EST

Amount:

2.28

SCHEDULE FOR AD NUMBER IPL01072690

February 1, 2023

SunHerald (Biloxi)

**LEGAL NOTICE
PUBLIC HEARING**

In conformance with Section VIII of the Comprehensive Zoning Ordinance of the City of Gulfport, Mississippi, 1979, as amended, notice is hereby given advising that the Zoning Board of Adjustment and Appeals will hold a public hearing in the City of Gulfport, Mississippi at 3:00 P.M., Thursday, February 16, 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

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

Variance 2301ZB005, by agent Austin Keith, tax parcel 0911B-02-013.000, Request variances for height, size, and placement of a detached accessory structure, 111 Courthouse Rd, Zoned T6 (Urban Core Zone), Ward 2

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

Variance 2302ZB011, by owner Brookestone Gulf Coast, LLC, tax parcel 1009N-01-002.000, Requests variance for sign size, Zoned R-2 (Single-family), Ward 5

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

Variance 2302ZB013, by agent Image Signs, tax parcel 0809P-02-001.031, Requests variance for second set of channel letter to replace current set facing west, 14100 Airport Rd, Zoned B-2(General Business) Ward 3.

Special Exception 2302SE015, by agents Twial & Terrance Johnson, tax parcel 0809K-01-001.019, Requests Special Exception for day care use, 9454 Three Rivers Rd, Zoned B-2 (General business) Ward 3

Variance 2302ZB018, by Kaliber Management LLC, tax parcel 08100-02-012.000, Request variances for distance from an intersection, for dead end road when a circular drive is required, required number of dumping and water stations, and setback requirements for a proposed RV site at 2800 19th St, Zoned B-2 (General business), Ward 3

Variance 2302ZB019, by agent Allison Badurak, tax parcels 0909A-01-001.015 & 0909A-01-001.016, Request variance for setbacks off the southern property line, 10414 Express Drive, Zoned I-3 (Planned Industrial), Ward 5

This the 25th day of January 2023
A. Lee Palermo, Chairman
City of Gulfport Zoning Board of Adjustment and Appeals
IPL0107269
Feb 1 2023

MEMORANDUM

To: City of Gulfport Zoning Board of Adjustment and Appeals

From: Greg Holmes, Planning Administrator
Urban Development Department

Date of Hearing: February 16, 2023

Re: Variance 2302ZB013

Variance 2302ZB013, by agent Image Signs, tax parcel 0809P-02-001.031, Requests variance for second set of channel letter to replace current set facing west, 14100 Airport Rd, Zoned B-2(General Business) Ward 3.

Technical Report

VARIANCE

GENERAL INFORMATION

Case File Number: 2302ZB013

Hearing Date: February 16, 2023

Current Zoning/Use: B-2 / General business districts

Legal: Variance 2302ZB013, by agent Image Signs, tax parcel 0809P-02-001.031, Requests variance for second set of channel letter to replace current set facing west, 14100 Airport Rd, Zoned B-2(General Business) Ward 3.

TECHNICAL DETAILS

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

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

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

Technical Report

VARIANCE

The applicant requests a variance in order to place an additional wall sign on a commercial structure that only has 1 street frontage. Specifically, the applicant requests: 1) wall/facia signs for the west elevation where the sign is permitted for the business' frontage; this sign will still be limited to the 1:3 ratio permitted for the rear wall.

- (a) The applicant states that the "hotel directly across from Gulfport Regional Airport and this hotel already has 2 wall signs in place but they are updating the lettering, not the name. One wall sign over the pool has been approved but they are wanting a 2nd sign on the west elevation of the building where the traffic can see the business." This special condition is specific to the land, structure or building as several other businesses in the area have wall signs located on the rear wall of their business.
- (b) The applicant was aware of the building's location, impediments, and ordinance regarding signs on other elevations of building; therefore, the applicant created the hardships.
- (c) Ordinance change is necessary to accommodate for a wall sign on other elevations of the business, regardless of the precedents set by the Zoning Board.
- (d) The applicant mentions that other properties in the area include signs on multiple faces. One of the properties they mention, Hilton Garden Inn, is located next to Residence Inn and was initially permitted around the same time to have 2 wall signs. Upon staff review, Hilton Garden was found to not be permitted for 2 wall signs.
- (e) The applicant will receive special privileges, there are no other businesses in the area with signs located on more than one elevation facing Airport Road.
- (f) This property is zoned B-2, a hotel and wall signs are permissible.

EXECUTIVE SUMMARY

With this specific request, the hardship has been created by the applicant. Other businesses in the building have been granted variances for wall signs on the rear wall of the building they occupy. The request is similar to other variances issued. Furthermore, there will be a precedence set to allow for a 2nd wall sign on the rear of the building. Therefore, the staff recommendation is to approve the applicant's request.

Any approval should consider these conditions:

- 1. Wall/facia signs for the rear of the building where the sign is permitted for the business' frontage; this sign will still be limited to the 1:3 ratio permitted for the rear wall.
- 2. Signs shall meet the wind load as required by the International Building Code. Engineered plans may be required.

DEPARTMENTAL CONDITIONS

Engineering: No comments. Memo dated 2/6/2023.

Public Works: No conditions. Memo dated 2/6/2023.

Traffic and Safety: No conditions. Memo dated 2/1/2023.

Technical Report

VARIANCE

Building Code Services: No conditions. Memo dated 2/1/2023.

GIS: No conditions. Memo dated 2/6/2023.

Police Department: No conditions. Memo dated 2/1/2023.

Fire Department: No conditions. Memo dated 2/1/2023.

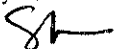
City Arborist: No conditions. Memo dated 2/3/2023.

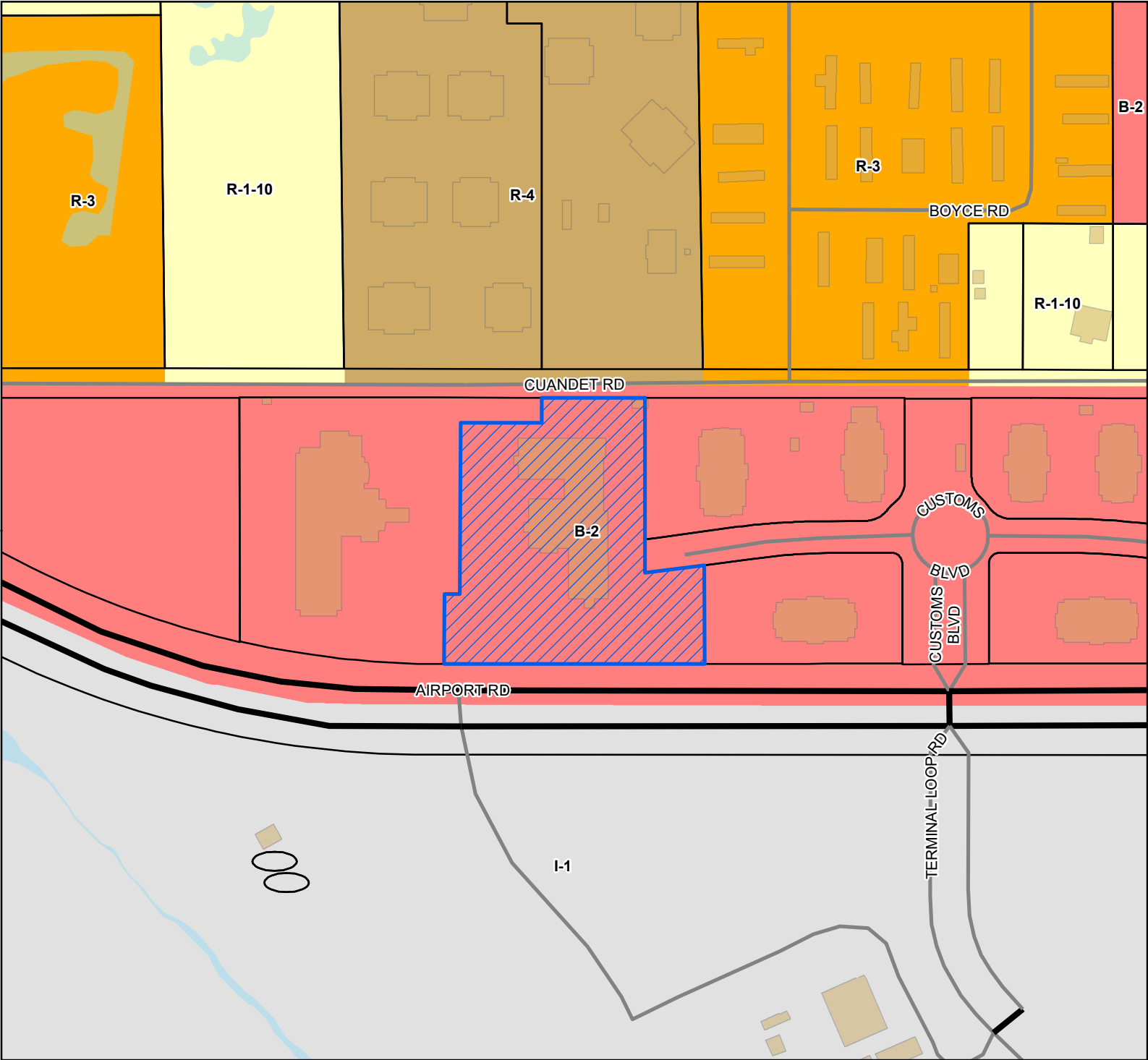
DIRECTOR APPROVAL

This report has been reviewed and approved by:



Ryan Merrill
Director of Urban Development Department





Legend

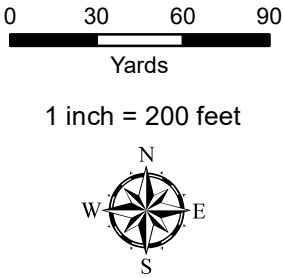
- Site
- US or State Highway
- Street
- Parcels
- Buildings
- Water Features

Zoning

- B-2 - General Business District
- I-1 - Light Industry District
- R-1-10 - Single Family Residence (Low Density)
- R-3 - General Residence (High Density)
- R-4 - General Residence (High Density)

Site Information

0809P-02-001.031
Zoning: B2 (General Business)
Size: 2.56 acres
Flood:AE



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Case Number
2302 ZB 013

REQUESTED ACTION BY THE ZONING BOARD OF ADJUSTMENTS AND APPEALS

	Appeal of Planning Administrator
	Excessive Height
	Fence Variance
	Special Exception
X	Variance

0	8	0	9	P	-	0	2	-	0	0	1	.	0	3	1					-		-			.		
					-			-				.								-		-			.		
					-			-				.								-		-			.		

Page 1 of 10



Designation of Agent

I, Paul Stanton, being owner of the property 0809P-001.031
PRINT NAME PRIMARY ADDRESS OR PARCEL
which is the subject of this application hereby authorize IMAGE SIGNS 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]
Signature **Commonwealth Hotels**
its Agent and Manager

12/7/2022
Date

STATE OF MISSISSIPPI | COUNTY OF HARRISON

Given under my hand and seal of office this the 7th day of December, 2022

Janice Lucille Sketch
Notary Public

Commission Expiration

Janice Lucille Sketch
Notary Public, ID KYNP52351
State at Large, Kentucky
My Commission Expires 6/24/2026



Covenant Affidavit

I, Paul Stanton, being owner or agent of the property 6809P-001.031
PRINT NAME PRIMARY ADDRESS OR PARCEL

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

[Signature] 12/7/2022
Signature Commonwealth Hotels Date
Its Agent and Manager

STATE OF MISSISSIPPI | COUNTY OF HARRISON

Given under my hand and seal of office this the 7th day of December, 2022

Janice Lucille Sketch
Notary Public

Janice Lucille Sketch
Notary Public, ID KYNP52351
State at Large, Kentucky
My Commission Expires 6/24/2026

Commission Expiration

1. I am requesting a variance due to the hotel being directly across from the Gpt-Bil Regional Airport and this hotel already has 2 wall signs in place but they are just updating the lettering, not the name. One wall sign over the pool has been approved but they are wanting a 2nd one facing South as it currently is.
2. The City of Gulfport stated a variance was needed for the 2nd sign.
3. The hotel needs to be allowed 2 wall signs or it would place a hardship on the hotel since this hotel is located across from the airport and needs all the visibility it can get to catch people coming to town. It is a proven fact that places with more visibility get more business and without the visibility revenue could be loss.
4. The hotel next to Residence Inn currently has two wall signs and it was initially permitted around the same time Residence Inn was. Residence Inn also has 2 wall signs at this time and is only changing the look of their lettering. If Residence Inn is only allowed one wall sign than hotels in the area should only be allowed one as well.
5. There are other hotels in the same districts that have more than 1 wall sign for example the hotel next door. These are the only 2 hotels across from airport. Also there are other hotels away from the area that have been allowed 2 wall signs but are not a corner lot.

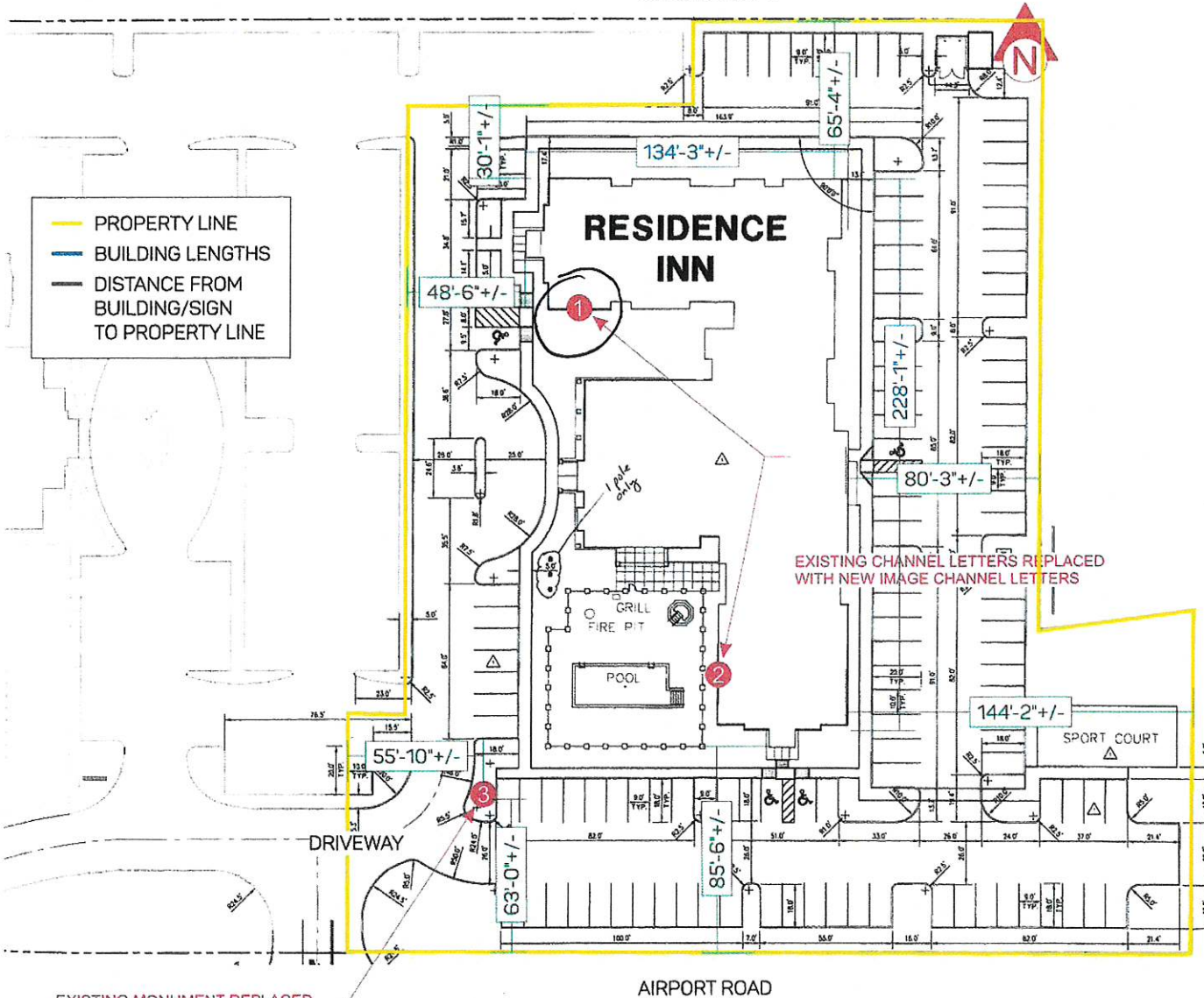
SITE PLAN

Residence INN

BY MARRIOTT

14100 AIRPORT DR
GULFPORT, MS 39503

CUANDET ROAD



EXISTING SIGNS:

- 1 EXISTING CHANNEL LETTERS
- 2 EXISTING CHANNEL LETTERS
- 3 5'-8" X 9'-0" MONUMENT

PROPOSED SIGNS:

- 1 24" SET OF CHANNEL LETTERS
- 2 24" SET OF CHANNEL LETTERS
- 3 3'-6" X 10'-2 13/16" MONUMENT AT 7'-2" OAH

This is the sign for the variance

EXISTING CHANNEL LETTERS REPLACED WITH NEW IMAGE CHANNEL LETTERS

EXISTING MONUMENT REPLACED WITH NEW CABINET AND POLE COVER

Customer: **RESIDENCE INN**

Date: **10/26/22**

Prepared By: **JS/JR**

Note: Color output may not be exact when viewing or printing this drawing. All colors used are PMS or the closest CMYK equivalent. If these colors are incorrect, please provide the correct PMS match and a revision to this drawing will be made.

Location: **GULFPORT, MS**

File Name: **241240 - R3 - GULFPORT, MS**

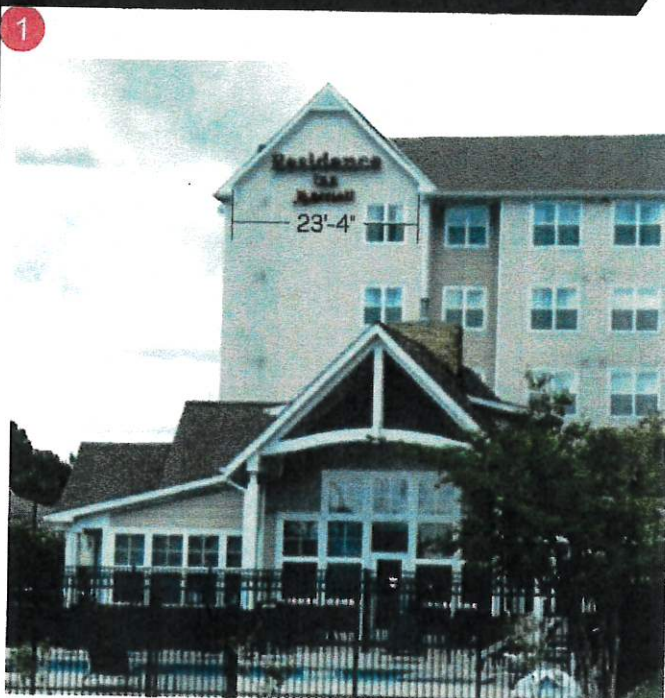
Eng:

persona
SIGNS | LIGHTING | IMAGE

DISTRIBUTED BY SIGN UP COMPANY
700 21st Street Southwest
PO Box 210
Watertown, SD 57201-0210
1.800.843.9888 - www.personasigns.com

BUILDING SIGNAGE

STANDARD SPECS ARE USED FOR THIS PROPOSAL



EXISTING



PROPOSED



GRAPHIC DETAIL
SCALE: 1/4" = 1'-0"

Scope of work:

1. Remove existing channel letters and scrap
2. Existing siding containing mounting and electrical holes to be replaced. Owner to coordinate with their contractor.
3. Paint entire background for a clean uniform look
4. Install new channel letters by connecting to existing power at sign location

APPROVAL BOX - PLEASE INITIAL

CUSTOMER APPROVAL

DATE

NOTE: Elevation drawings are for customer approval only, drawings are not to be used as any installation guide, all dimensions must be verified before installation.

Customer: RESIDENCE INN	Date: 02/24/20	Prepared By: JS	Note: Color output may not be exact when viewing or printing this drawing. All colors used are PMS or the closest CMYK equivalent. If these colors are incorrect, please provide the correct PMS match and a revision to this drawing will be made.
Location: GULFPORT, MS	File Name: 241240 - R3 - GULFPORT, MS	Eng: -	

persona
SIGNS | LIGHTING | IMAGE

DISTRIBUTED BY SIGN UP COMPANY
700 21st Street Southwest
PO Box 210
Watertown, SD 57201-0210
1.800.843.9888 • www.personasigns.com

SCANNED



J. Dunbar 1st Judicial District
Instrument 2016 3626 D -J1
Filed/Recorded 5/25/2016 03:50 P
Total Fees \$ 14.00
17 Pages Recorded

**GROUND LEASE, NON-DISTURBANCE AND ATTORNMENT AGREEMENT AND
CONSENT TO COLLATERAL ASSIGNMENT OF GROUND LEASE**

AMONG

**GULFPORT-BILOXI REGIONAL AIRPORT AUTHORITY,
A CORPORATE BODY POLITIC OF THE STATE OF MISSISSIPPI**

AND

**CPX GULFPORT ES OPAG, LLC,
A MISSISSIPPI LIMITED LIABILITY COMPAY**

AND

**WHITNEY BANK,
A MISSISSIPPI STATE CHARTERED BANK
DOING BUSINESS AS HANCOCK BANK**



Indexing Instruction:

SW 1/4 of SE 1/4; Section 22;
Township 7 South; Range 11 West;
1st Judicial District, Harrison County, MS

**This instrument was prepared by, and after
recording should be returned to:**

Anthony Dunbar, Esq.
Chaffe McCall, LLP
1100 Poydras Street
Suite 2300
New Orleans, Louisiana 70163
Phone Number: 504-585-7029

2

**GROUND LEASE, NON-DISTURBANCE AND ATTORNMENT AGREEMENT AND
CONSENT TO COLLATERAL ASSIGNMENT OF GROUND LEASE**

THIS AGREEMENT is made by and among **GULFPORT-BILOXI REGIONAL AIRPORT AUTHORITY**, a corporate body politic of the State of Mississippi (hereinafter called "Ground Lessor"), and **CPX GULFPORT ES OPAG, LLC**, a Mississippi limited liability company (hereinafter called "Ground Lessee"), and **WHITNEY BANK**, a Mississippi state chartered bank doing business as Hancock Bank ("Lender").

WITNESSETH:

WHEREAS, Ground Lessor is the owner in fee simple of all of that certain piece, parcel or tract of land situated in the City of Gulfport, County of Harrison, State of Mississippi (hereinafter called the "Property"), which is more fully described in **Exhibit A**, which is attached hereto and incorporated herein by reference as if fully set forth at this point; and

WHEREAS, Ground Lessor and Ground Lessee entered into a certain ground lease dated November 2, 2006 (hereinafter, collectively called the "Ground Lease"), and Ground Lessor did lease, let and demise all or part of the Property (hereinafter called "Premises") as described in the Ground Lease to Ground Lessee for the period of time and upon the covenants, terms and conditions therein stated;

WHEREAS, by extending credit to the Ground Lessee, Lender is the holder of certain obligations secured by a Leasehold Deed of Trust, Security Agreement, Assignment of Leases and Rents and Fixture Filing of even date therewith (hereinafter called the "Deed of Trust"), to be recorded in the records of Harrison County, State of Mississippi, constituting a first lien upon the leasehold estate and improvements thereon created by the Ground Lease;

WHEREAS, the parties hereto desire to establish additional rights of quiet and peaceful possession for their benefit and the benefit of any subtenant of Ground Lessee and the Lender, whether now or hereafter existing, and further to define the covenants, terms and conditions precedent to such additional rights; and

WHEREAS, the parties hereto further desire the Ground Lessor's written consent and approval of the Ground Lessee's collateral assignment of the Ground Lease.

NOW, THEREFORE, in consideration of the covenants, terms, conditions, agreements and demises herein contained, and in consideration of other good and valuable consideration, each to the other, the sufficiency and receipt of which are hereby acknowledged, the parties hereto agree, covenant and warrant as follows:

1. Ground Lessor and Ground Lessee hereby assume and agree to perform their respective obligations under the Ground Lease, and agree not to subordinate the Ground Lease or the leasehold estate it creates to any lien or to any other agreement without the consent of Lender.

2. Ground Lessor and Ground Lessee hereby represent, warrant and certify to Lender, for Lender's reliance, that:
 - 2.1 All conditions set forth in Section 3.01 of the Ground Lease have been satisfied or waived.
 - 2.2 Ground Lessor has given the consent to construction of the hotel building improvements upon the Premises as required under Section 5.01 of the Ground Lease.
 - 2.3 The Ground Lease is in full force and effect. The expiration date of the Ground Lease, taking into account only renewal options that Ground lease has exercised, is November 2, 2046.
 - 2.4 The Ground Lease has not been amended or modified except as specified herein.
 - 2.5 No option for renewal or extension of the term of the Ground Lease has been exercised by Ground Lessee.
 - 2.6 To the knowledge of Ground Lessor and Ground Lessee, neither party to the Ground Lease is in default with respect to their obligations thereunder.
 - 2.7 All rent payable on or prior to the date hereof under the Ground Lease has been timely and fully paid by Ground Lessee.
 - 2.8 Without Lender's written consent, Ground Lessor and Ground Lessee will not:
 - 2.8.1 Modify or alter the terms of the Ground Lease; or
 - 2.8.2 Waive performance or release each other from any obligations under the Ground Lease.
 - 2.9 No purported surrender, abandonment, cancellation or termination of the Ground Lease by the Ground Lessee pursuant to the terms of the Ground Lease or otherwise shall be effective unless made with the prior written consent of the Lender.
 - 2.10 Notwithstanding the terms of Section 33 of the Ground Lease to the contrary: (a) the rights of Lender under Section 33.04 of the Ground Lease shall apply with respect to any purported surrender, abandonment, cancellation or termination of the Ground Lease by Ground Lessor and every notice of such surrender, abandonment, cancellation or termination of the Ground Lease shall be served upon Lender; (b) the 60-day period specified in Section 33.04(a) of the Ground Lease shall commence only upon service on Lender of a notice of any such surrender, abandonment, cancellation or termination of the Ground Lease; and (c) the Lender shall only be required to perform those obligations specified in Section 33.04(c) of the Ground Lease to the extent such obligations accrue during the

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period from the date of such notice through the date that Lender no longer holds an interest in the Premises.

3. In the event of an actual surrender, abandonment, cancellation or termination of the Ground Lease, whether by Ground Lessor or Ground Lessee, whether voluntary, involuntary or by operation of law, Ground Lessor shall, upon written request from Lender, enter into, execute and deliver a new lease of the Premises to Lender or its designee for a term equal to the remaining term of the Ground Lease and upon the same covenants, agreements, terms and conditions of the Ground Lease.
4. In the event that Lender elects not to cure an existing default by Ground Lessee under the Ground Lease as provided in Section 33.04 of the Ground Lease and Lender: (a) exercises its rights under Section 33.04 of the Ground Lease thereby succeeding to the interest of Ground Lessee under the Ground Lease by a foreclosure, or (b) obtains such interest by a deed in lieu of foreclosure during the time period allowed for commencement of a foreclosure under Section 33.04, as modified herein, Ground Lessor and Lender agree the Ground Lease shall thereafter be recognized as a direct lease from Ground Lessor to Lender, and Ground Lessor and Lender shall each be bound to the other under all of the terms, covenants and obligations of the Ground Lease during the remainder of the term thereof, to the same extent as now set forth therein and with the same force and effect as if Lender were the Ground Lessee named in the Ground Lease. Furthermore, in the event Lender succeeds to the interest of Ground Lessee, Lender shall succeed to all of Ground Lessee's rights in, related to or concerning the Ground Lease, including but not limited to, rents prepaid or security deposited pursuant to the terms of the Ground Lease, and Ground Lessee shall no longer have any right or interest in such rights. Except as hereinafter provided, Lender shall attorn to Ground Lessor as if Lender were the ground lessee under the Ground Lease or under modifications or amendments to the Ground Lease specified herein, or under any amendments or modifications thereof approved by Lender in writing. Such attornment is to be effective and self-operative, without the execution of or necessity to execute any further instrument or document, immediately upon Lender succeeding to the interest of Ground Lessee under the Ground Lease. There will then be established a direct privity of estate and contract between Ground Lessor and Lender with the same force and effect and with the same relative priority in time and right as though the Ground Lease and such approved modifications and amendments were directly made between Ground Lessor and Lender, but not in respect to any amendment or modification to such Ground Lease not previously approved in writing by Lender.
5. Notwithstanding anything to the contrary in the Ground Lease or in any modifications or amendments thereof, Ground Lessee shall not be in default under the provisions of the Ground Lease unless within thirty (30) days after the occurrence of such default, written notice from Ground Lessor specifying such default is mailed to and received by Lender at the notice address specified herein. Lender shall have the right, but shall not be obligated to cure any such

default on behalf of the Ground Lessee within either: (a) the sixty (60) calendar days after receipt of such notice; or (b) the period permitted under Section 23.07 of the Ground Lease, whichever period is longer. Ground Lessor further agrees not to issue a notice of termination or cancellation of the Ground Lease or invoke any of its remedies, either expressed or implied with respect to the Ground Lease or any modifications or amendments thereto during such period.

6. Notwithstanding anything to the contrary in this Agreement, it is specifically agreed that Ground Lessor shall not, as to Lender, require performance of any covenant, term, or condition of the Ground Lease or the cure of any default which is not susceptible to performance or cure, respectively, by Lender and that Ground Lessor will accept performance by the Lender of any covenant, term, or condition of Ground Lessee with the same effect as if performed by the Ground Lessee.
7. In the event of attornment from Ground Lessor to Lender as herein provided, Lender will thereafter make all rent or payments directly to Ground Lessor and Ground Lessor will waive any defaults of Ground Lessee (whether curable or non-curable) which occurred prior to Lender obtaining title and gaining right of possession to the Premises and becoming substitute Ground Lessee, except for curable defaults of which Lender has timely received notice as herein provided and has undertaken action as provided herein. Ground Lessor waives all notices, joinder and/or service of any and all foreclosure actions by Lender under the Deed of Trust upon the Premises, and of any actions at law by Lender to gain possession of the Premises. It shall not be necessary, except as required by law, for Lender to name Ground Lessor as party to enforce its rights under the Deed of Trust, or any other instrument collateralizing the obligations of Ground Lessor to Lender, or to prosecute any action at law to gain possession of the Premises.
8. The provisions of this Agreement shall be real covenants running with the Premises, and shall be binding upon and inure to the benefit of the respective parties hereto and their respective heirs, executors, administrators, beneficiaries, successors and assigns, including without limitation, any person who shall obtain, directly or by assignment or conveyance, (a) any interest in the Deed of Trust; (b) any certificate of purchase following foreclosure of the Deed of Trust; (c) any certificate of redemption following such foreclosure; (d) any interest in the Premises, whether through foreclosure or otherwise; (e) any interest in the Ground Lease; or (f) any interest in the leasehold estate created by the Ground Lease.
9. Ground Lessor hereby acknowledges and agrees that Ground Lessee may duly execute and deliver a collateral assignment of leases to Lender to secure the obligations of Ground Lessee to Lender.
10. Ground Lessor covenants and agrees for the benefit and reliance of Lender that whenever requested by Lender, Ground Lessor shall, within thirty (30) days after receipt of written request of Lender and without charge, execute and deliver to Lender or Lender's assigns or designees, a written estoppel certificate.

11. Ground Lessor and Ground Lessee hereby jointly and severally agree for the benefit and reliance of Lender as follows:
 - 11.1 That the estate of Ground Lessor and the leasehold interest of Ground Lessee under the Ground Lease shall not merge notwithstanding any union of both estates in either of them or in a third party.
 - 11.2 That any provision in the Ground Lease or in any modification or amendment thereto which grants Ground Lessee any option or other right to purchase or otherwise acquire or secure the remainder estate of Ground Lessor shall be valid or exercisable after Lender has acquired title to the Premises or the leasehold estate created by the Ground Lease by foreclosure, deed in lieu of foreclosure, or otherwise.
 - 11.3 Upon an event of default as defined in the Deed of Trust or other related loan documents ("Event of Default"), Lender may, at its option, without necessity to justify and without liability for such action, exercise any renewal option contained in the Ground Lease. For this purpose, Ground Lessee irrevocably appoints Lender as its attorney-in-fact and hereby irrevocably grants, following an Event of Default during the period of this Agreement, a power of attorney, coupled with an interest, for Lender to exercise any such renewal options.
 - 11.4 Ground Lessor shall not exercise any right it holds to reject the Ground Lease under any applicable bankruptcy or insolvency laws. Any such purported rejection shall be null and void. The Ground Lessee shall cooperate with Lender in opposing any proposed rejection of the Ground Lease by the Ground Lessor and, in the event that, notwithstanding the terms of this Section, any such rejection is determined to be effective by a court of competent jurisdiction, Ground Lessee shall elect to remain in possession of the Premises in accordance with 11 U.S.C. §365(h) or any similar or successor provision of law.
12. Ground Lessor covenants and agrees with Ground Lessee and Lender that Ground Lessor will join in and execute any easement agreements, right-of-way agreements, applications for licenses, franchises, and non-conforming uses, and party wall agreements necessary for Ground Lessee's or Lender's intended use of the Premises, and that no deed of trust upon the leasehold estate shall be prohibited or shall be deemed a prohibited assignment under the Ground Lease.
13. The proceeds of any taking of the Premises by the power of eminent domain or from a sale under threat thereof shall be paid first to satisfy the obligations secured by the Deed of Trust, notwithstanding the terms of Section 29.01 of the Ground Lease to the contrary.
14. If any provision of this Agreement or the application thereof to any entity, person or circumstance shall be invalid or unenforceable to any extent, the remainder of this Agreement and the application of such provisions to other entities, persons or circumstances shall not be affected thereby, and shall be enforced to the greatest extent permitted by law.

15. This Agreement contains the entire agreement between the parties hereto. No variations, modifications or changes herein or hereof shall be binding upon any party hereto unless set forth in a document duly executed by or on behalf of such party.
16. This instrument may be executed in multiple counterparts, all of which shall be deemed originals and with the same effect as if all parties hereto had signed the same document. All of such counterparts shall be construed together and shall constitute one instrument, but in making proof, it shall only be necessary to produce one such counterpart.
17. This Agreement constitutes notice to Ground Lessor of the existence of the Deed of Trust and the address of the Lender required under Section 23.07 of the Ground Lease. All notices, demands, requests and other communications required or permitted hereunder or under the Ground Lease to either Ground Lessee or Ground Lessor shall be given in accordance with the Ground Lease. All notices, demands, requests and other communications required or permitted hereunder or under the Ground Lease to Lender shall be in writing and shall be deemed to be delivered to upon receipt by Lender after the deposit, as provided below, in a regularly maintained receptacle for the United States mail, registered or certified, postage prepaid, addressed as follows:

If to the Lender:

Whitney Bank, a Mississippi state
chartered bank doing business as
Hancock Bank
228 St. Charles Avenue
New Orleans, Louisiana 70130
Attention: Carl Yoder

With a copy to:

Chaffe McCall, LLP
1100 Poydras Street
Suite 2300
New Orleans, Louisiana 70163
Attention: Anthony Dunbar, Esq.

Any party hereto may, by notice to all other parties hereto, designate a different address.

18. Whenever used herein, the singular number shall include the plural, the plural, the singular, and the use of any general shall include all genders. The words "Lender," "Ground Lessor" and "Ground Lessee" shall include their heirs, executors, administrators, beneficiaries, successors and assigns. The word, "Deed of Trust," as used herein, shall mean a Mortgage, Deed of Trust, Trust Deed, Security Deed or Deed to Secure Debt.

SIGNATURE PAGE FOLLOWS

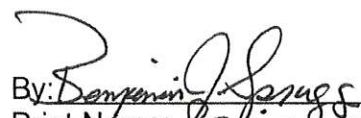
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SIGNATURE PAGE TO GROUND LEASE, NON-DISTURBANCE AND ATTORNMENT
AGREEMENT AND CONSENT TO COLLATERAL ASSIGNMENT OF GROUND
LEASE

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be
executed as of this 18th day of May, 2016.

GROUND LESSOR:

**GULFPORT-BILOXI REGIONAL
AIRPORT AUTHORITY,**
a corporate body politic
of the State of Mississippi

By: 
Print Name: BENJAMIN SPRAGGINS
Title: Chairman

GROUND LESSEE:

CPX GULFPORT ES OPAG, LLC,
a Mississippi limited liability company

By: Gulfport-Biloxi Airport Hotels,
LLC, a Mississippi limited liability
company
Its: Managing Member

By: Corporex Realty &
Investment, LLC, Manager
By: 
Thomas E. Banta
Its: Managing Director

LENDER:

WHITNEY BANK,
a Mississippi state chartered bank doing
business as Hancock Bank

By: _____

Print Name: _____

Its: _____

SIGNATURE PAGE TO GROUND LEASE, NON-DISTURBANCE AND ATTORNMENT
AGREEMENT AND CONSENT TO COLLATERAL ASSIGNMENT OF GROUND
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IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be
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GROUND LESSOR:

**GULFPORT-BILOXI REGIONAL
AIRPORT AUTHORITY,**

a corporate body politic
of the State of Mississippi

By: 
Print Name: BENJAMIN SPRAGGINS
Title: Chairman

GROUND LESSEE:

CPX GULFPORT ES OPAG, LLC,
a Mississippi limited liability company

By: Gulfport-Biloxi Airport Hotels,
LLC, a Mississippi limited liability
company

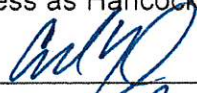
Its: Managing Member

By: Corporex Realty &
Investment, LLC, Manager

By: Thomas E. Banta
Its: Managing Director

LENDER:

WHITNEY BANK,
a Mississippi state chartered bank doing
business as Hancock Bank

By: 
Print Name: CARL J. OVER
Its: Vice-President

STATE OF MississippiCOUNTY OF HARRISON

PERSONALLY APPEARED BEFORE ME, the undersigned authority in and for the said county and state, on this 18th day of May, 2016, within my jurisdiction, the within named Benjamin Spraggins, who acknowledged that he/she is Chairman of **GULFPORT-BILOXI REGIONAL AIRPORT AUTHORITY**, a corporate body politic of the State of Mississippi, and that for and on behalf of the said corporate body politic, and as its act and deed he executed the above and foregoing instrument, after first having been duly authorized by said corporate body politic so to do.

Charla Necaise
NOTARY PUBLIC

My commission expires:
(SEAL)



STATE OF KENTUCKY

COUNTY OF KENTON

PERSONALLY APPEARED BEFORE ME, the undersigned authority in and for the said county and state, on this 24th day of May, 2016, within my jurisdiction, the within named Thomas E. Banta, who acknowledged to me that he is the Managing Director of **CORPOREX REALTY & INVESTMENT, LLC**, a Kentucky limited liability company, the Manager of **GULFPORT-BILOXI AIRPORT HOTELS, LLC**, a Mississippi limited liability company, the managing member of **CPX GULFPORT ES OPAG, LLC**, a Mississippi manager-managed limited liability company, and that for and on behalf of said limited liability company as manager of said Gulfport-Biloxi Airport Hotels, LLC, as managing member of CPX Gulfport ES OPAG, LLC, and as the act and deed of said limited liability company as manager of said Gulfport-Biloxi Airport Hotels, LLC, as managing member of CPX Gulfport ES OPAG, LLC, and as the act and deed of said limited liability companies, he executed the above and foregoing instrument, after first having been duly authorized by said limited liability companies so to do.

Linda S. Cook
NOTARY PUBLIC

My commission expires:
(SEAL)



LINDA S. COOK
Notary Public, Kentucky
State At Large
My Commission Expires
May 29, 2019
Notary ID# 532973

STATE OF Louisiana

COUNTY OF Orleans

PERSONALLY APPEARED BEFORE ME, the undersigned authority in and for the said county and state, on this 24th day of May, 2016, within my jurisdiction, the within named Carl Feder, who acknowledged that he is Vice President of **WHITNEY BANK**, a Mississippi state chartered bank doing business as Hancock Bank, and that for and on behalf of the said bank, and as its act and deed he executed the above and foregoing instrument, after first having been duly authorized by said national banking association so to do.

ANTHONY P. DUNBAR
ATTORNEY AT LAW # 16765
ORLEANS PARISH
COMMISSION IS FOR LIFE



NOTARY PUBLIC

LA-Bar #16765

My commission expires: At My Death

(SEAL)



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EXHIBIT A

Real property in the City of Gulfport, County of Harrison, State of Mississippi, described as follows:

Parcel 1:

A parcel of land being located in the Southwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 22, Township 7 South, Range 11 West, as referenced to the St. Stephens principal meridian. Said parcel lying in the City of Gulfport, First Judicial District of Harrison County, Mississippi. Being more particularly described as follows:

Commence at an iron rod found being the locally accepted corner common to sections 22, 23, 26, and 27, Township 7 South, Range 11 West; thence North 01 degrees 13 minutes 03 seconds East 1039.15 feet to the northern margin of Airport Road and an iron rod found; thence 618.65 feet along a curve to the right being non-tangent with the last described line, said curve having a radius of 1080.92 feet, a central angle of 32 degrees 47 minutes 33 seconds, and a chord of 610.24 feet which bears South 73 degrees 39 minutes 45 seconds West along the northern margin of Airport Road to an iron rod found; thence continue along said road North 89 degrees 57 minutes 11 seconds West 372.53 feet to an iron rod found and the Southeast corner of the property leased to Gulf Breeze Properties, LLC per Deed Book 1429, Page 357, thence continue along said road North 89 degrees 58 minutes 35 seconds West 684.97 feet to the southwest corner of the property leased to the said Gulf Breeze Properties, LLC, an iron rod found, and the Point of Beginning of the property herein described; thence continue along said road North 89 degrees 58 minutes 53 seconds West 349.22 feet to a mag nail set; thence North 00 degrees 06 minutes 28 seconds East 98.44 feet to a mag nail set; thence South 89 degrees 53 minutes 24 seconds East 23.50 feet to an iron rod set; thence North 00 degrees 06 minutes 36 seconds East 251.36 Feet to an iron rod set; thence South 89 degrees 53 minutes 24 seconds East 117.42 feet to an iron rod set; thence North 00 degrees 06 minutes 34 seconds East 36.43 feet to the southern margin of Cuandet Road and an iron set; thence South 89 degrees 57 minutes 04 seconds East 144.84 feet along the southern margin of Cuandet Road to an iron rod found; thence South 00 degrees 08 minutes 49 seconds West 252.72 feet along the west line of the parcel leased to Gulf Breeze Properties, LLC per Deed Book 1292, Page 377 to an iron rod set; thence 19.68 feet along a curve to the left being non-tangent with the last described line, said curve having a radius of 388.74 feet, a central angle of 02 degrees 54 minutes 04 seconds, and a chord of 19.68 feet which bears North 83 degrees 17 minutes 26 seconds East to an iron rod set; thence North 82 degrees 07 minutes 01 second East 44.53 feet to an iron rod found; thence South 00 degrees 06 minutes 58 seconds 141.64 feet along the west line of the parcel leased to Gulf Breeze

Properties, LLC per Deed Book 1429, Page 357 to the Point of Beginning.

Said Parcel containing 107,965 square feet more or less.

Parcels 2, 3 and 4:

Easements created pursuant to Reciprocal Access Easement Agreement dated April 4, 2007, by and between CPX Gulfport OPAG, LLC, CPX Gulfport ES OPAG, LLC, and Gulfport-Biloxi Regional Airport Authority, and recorded as Instrument No. 2007 3687 D-J1, in the Office of the Chancery Clerk of the First Judicial District of Harrison County, Mississippi.

Said easements are described as follows:

Parcel 2:

Reciprocal Access Easement #3

A reciprocal access easement being located in the Southwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 22, Township 7 South, Range 11 West, as referenced to the St. Stephens principal meridian. Said parcel lying in the City of Gulfport, First Judicial District of Harrison County, Mississippi, being more particularly described as follows:

Commence at an iron rod found being the locally accepted corner common to Sections 22, 23, 26, and 27, Township 7 South, Range 11 West; thence North 01 degree 13 minutes 03 seconds East 1039.15 feet to the northern margin of Airport Road and an iron rod found; thence 618.65 feet along a curve to the right being non-tangent with the last described line, said curve having a radius of 1080.92 feet, a central angle of 32 degrees 47 minutes 33 seconds, and a chord of 610.24 feet which bears South 73 degrees 39 minutes 45 seconds West along the northern margin of Airport Road to an iron rod found; thence continue along said road North 89 degrees 57 minutes 11 seconds West 372.53 feet to a iron rod found and the southeast corner of the property leased to Gulf Breeze Properties, LLC per Deed Book 1429, Page 357; thence continue along said road North 89 degrees 58 minutes 35 seconds West 684.97 feet to the southwest corner of the property leased to said Gulf Breeze Properties, LLC, and an iron rod found; thence continue along said road North 89 degrees 58 minutes 53 seconds West 349.22 feet to the point of beginning; thence North 00 degrees 06 minute 28 seconds East 59.16 feet; thence North 89 degrees 58 minutes 53 seconds West 30.21 feet; thence South 00 degrees 01 minute 07 seconds West 56.73 feet to a point of curvature; thence 2.44 feet along the arc of a curve to the right having a radius of 25.00 feet, a central angle of 05 degrees 35 minutes 05 seconds, and a chord of 2.44 feet which bears South 02 degrees 48 minutes 39 seconds West to the north margin of Airport Road; thence South 89 degrees 59 minutes 19 seconds East along the northern margin of said road 9.13 feet to a $\frac{1}{2}$ " iron rod found; thence continue along said road South 89 degrees 58 minutes 53 seconds East 21.11 feet to the point of beginning. Said easement containing 1,785 square feet more or less.

Parcel 3:
Reciprocal Access Easement #4

A reciprocal access easement being located in the Southwest ¼ of the Southeast ¼ of Section 22, Township 7 South, Range 11 West, as referenced to the St. Stephens Principal Meridian. Said parcel lying in the City of Gulfport, First Judicial District of Harrison County, Mississippi, being more particularly described as follows:

Commence at an iron rod found being the locally accepted corner common to Sections 22, 23, 26, and 27, Township 7 South, Range 11 West; thence North 01 degree 13 minutes 03 seconds East 1039.15 feet to the northern margin of Airport Road and an iron rod found; thence 618.65 feet along a curve to the right being non-tangent with the last described line, said curve having a radius of 1080.92 feet, a central angle of 32 degrees 47 minutes 33 seconds, and a chord of 610.24 feet which bears South 73 degrees 39 minutes 45 seconds West along the northern margin of Airport Road to an iron rod found; thence continue along said road North 89 degrees 57 minutes 11 seconds West 372.53 feet to a iron rod found and the southeast corner of the property leased to Gulf Breeze Properties, LLC per Deed Book 1429, Page 357; thence continue along said road North 89 degrees 58 minutes 35 seconds West 684.97 feet to the southwest corner of the property leased to said Gulf Breeze Properties, LLC, and an iron rod found; thence continue along said road North 89 degrees 58 minutes 53 seconds West 349.22 feet; thence North 00 degrees 06 minutes 28 seconds East 98.44 feet to the point of beginning; thence South 89 degrees 53 minutes 24 seconds East 23.50 feet; thence North 00 degrees 06 minutes 36 seconds East 12.01 feet; thence North 89 degrees 53 minutes 24 seconds West 23.50 feet; thence South 00 degrees 06 minutes 28 seconds West 12.01 feet to the point of beginning. Said easement containing 282 square feet more or less.

Parcel 4:
Reciprocal Access Easement #5

A reciprocal access easement being located in the Southwest ¼ of the Southeast ¼ of Section 22, Township 7 South, Range 11 West, as referenced to the St. Stephens principal meridian. Said parcel lying in the City of Gulfport, First Judicial District of Harrison County, Mississippi, being more particularly described as follows:

Commence at an iron rod found being the locally accepted corner common to Sections 22, 23, 26, and 27, Township 7 South, Range 11 West; thence North 01 degree 13 minutes 03 seconds East 1039.15 feet to the northern margin of Airport Road and an iron rod found; thence 618.65 feet along a curve to the right being non-tangent with the last described line, said curve having a radius of 1080.92 feet, a central angle of 32 degrees 47 minutes 33 seconds, and a chord of 610.24 feet which bears South 73 degrees 39 minutes 45 seconds West along the northern margin of Airport Road to an iron rod found; thence continue along said road North 89 degrees 57 minutes 11 seconds West 372.53 feet to a iron rod found and the southeast corner of the property leased to Gulf Breeze Properties, LLC per Deed Book 1429, Page 357; thence continue

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along said road North 89 degrees 58 minutes 35 seconds West 684.97 feet to the southwest corner of the property leased to said Gulf Breeze Properties, LLC, and an iron rod found; thence continue along said road North 89 degrees 58 minutes 53 seconds West 349.22 feet; thence North 00 degrees 06 minutes 28 seconds East 98.44 feet; thence South 89 degrees 53 minutes 24 seconds East 23.50 feet; thence North 00 degrees 06 minutes 36 seconds East 251.36 feet to the point of beginning; thence South 89 degrees 53 minute 24 seconds East 117.42 feet; thence North 00 degrees 06 minutes 34 seconds East 12.51 feet; thence North 89 degrees 53 minutes 24 seconds West 117.42 feet; thence South 00 degrees 06 minutes 36 seconds West 12.51 feet to the point of beginning. Said easement containing 1,469 square feet more or less.

**RESOLUTION AUTHORIZING AND APPROVING THE EXECUTION
OF A CONSENT TO COLLATERAL ASSIGNMENT OF
GROUND LEASE (MARRIOTT RESIDENCE INN)**

WHEREAS, CPX Gulfport ES OPAG, LLC has a bare ground lease with the Gulfport-Biloxi Regional Airport Authority and has constructed and is operating a Marriott Residence Inn hotel (the "Hotel Property") on the Gulfport-Biloxi Regional Airport Authority property; and

WHEREAS, Gulfport-Biloxi Airport Hotels, LLC, through its direct Owner, CPX Gulfport ES OPAG, LLC, (hereinafter sometimes referred to as "Lessor"), is obtaining new lender financing from Whitney Bank, a Mississippi state chartered bank d/b/a Hancock Bank, hereinafter referred to as "Lender" on the Hotel Property; and

WHEREAS, Lender and Lessor have requested that the Gulfport-Biloxi Regional Airport Authority execute a Ground Lease, Non-Disturbance and Attornment Agreement and Consent to Collateral Assignment of Ground Lease, a copy of which is attached hereto and incorporated herein as Exhibit "1", as collateral security only, to obtain such refinancing for the project, securing such financing; and

WHEREAS, the Commissioners of the Gulfport-Biloxi Regional Airport Authority find that the contents of the consent document entitled "Ground Lease, Non-Disturbance and Attornment Agreement and Consent to Collateral Assignment of Ground Lease" (hereinafter referred to as "Consent to Assignment of Lease"), attached hereto and incorporated herein as Exhibit "1", are reasonable, customary and proper; and

WHEREAS, the Commissioners of the Gulfport-Biloxi Regional Airport Authority find that it is in the best interest of the management, operation, and development of the Gulfport-Biloxi Regional Airport Authority to execute the Consent to Assignment of Lease, attached hereto and incorporated herein as Exhibit "1", and to authorize and approve same;

NOW, THEREFORE, BE IT RESOLVED by the Commissioners of the Gulfport-Biloxi Regional Airport Authority as follows:

SECTION 1

The Ground Lease, Non-Disturbance and Attornment Agreement and Consent to Collateral Assignment of Ground Lease by CPX Gulfport Opag, LLC to Whitney Bank, a

Mississippi state chartered bank d/b/a Hancock Bank, is authorized and approved, in the form stated in Exhibit "1", attached hereto and incorporated herein. The Chairman of the Gulfport-Biloxi Regional Airport Authority is authorized and directed to execute said Consent as an act of and on behalf of the Gulfport-Biloxi Regional Airport Authority. After execution, said Consent to Collateral Assignment of Ground Lease shall be spread upon the minutes of the Gulfport-Biloxi Regional Airport Authority.

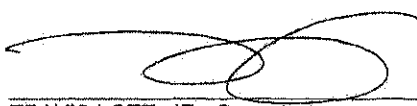
RESOLVED on this the 18th day of May, 2016.

The above and foregoing Resolution was introduced by Commissioner Griffith, who moved the adoption of same. Said motion was seconded by Commissioner Lott. Upon being put to a roll call vote, the results were as follows:

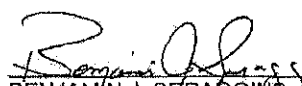
Commissioner Lott voted "Yea"
Commissioner Spraggins voted "Yea"
Commissioner Griffith voted "Yea"

WHEREUPON, Chairman Spraggins called the motion carried and the resolution adopted on this the 18th day of May, 2016.

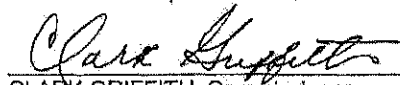
GULFPORT-BILOXI REGIONAL AIRPORT AUTHORITY



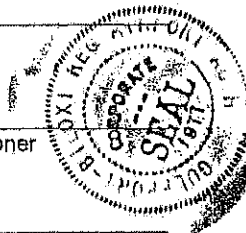
TRAVIS LOTT, JR., Commissioner



BENJAMIN J. SPRAGGINS, Commissioner



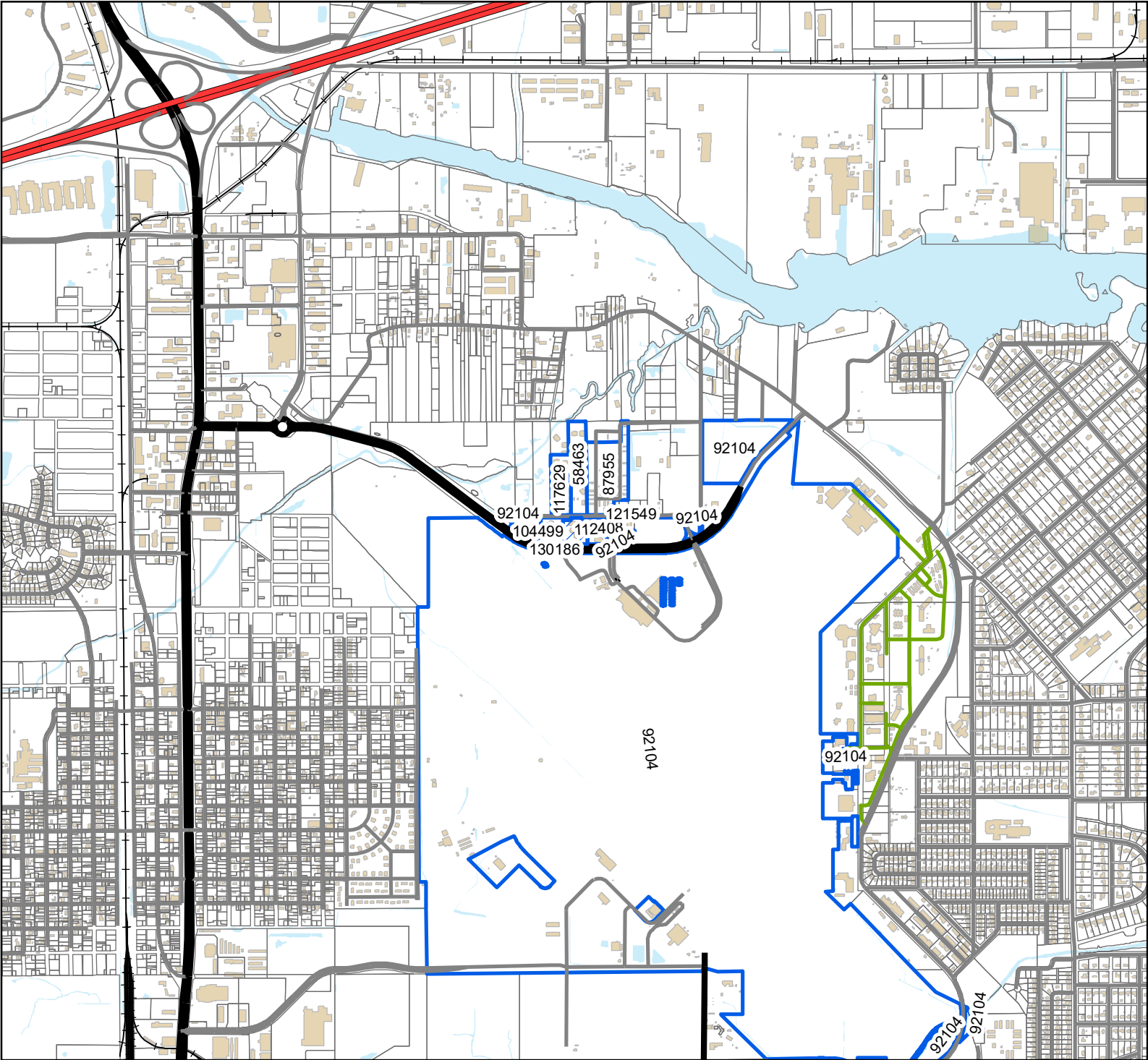
CLARK GRIFFITH, Commissioner



ATTEST:

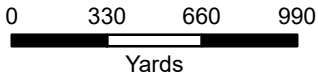
Charles Nease

Mail	PPIN	Parcel ID	Name	Address	City	State	ZIP
Y			PAUL STANTON(OWNER)	100 E RIVERCENTER BLVD STE 1050	COVINGTON	KY	41011
			IMAGE SIGNS (AGENT)	310 S 25TH AVE	HATTIESBURG	MS	39401
Adjacent Property Owners							
N	117629	0809P-01-011.001	ASHTON PARK APARTMENTS LLC	C/O READ PROPERTY GROUP LLC	BROOKLYN	NY	11204
	58463	0809P-01-011.000	ASHTON PARK APARTMENTS LLC	C/O READ PROPERTY GROUP LLC	BROOKLYN	NY	11204
	87955	0809P-01-010.000	ADAMS WILFRED C	18441 ADAMS RD	GULFPORT	MS	39503
	112408	0809P-02-001.022	GULF BREEZE PROPERTIES LLC-LESSE	C/O GPT-BIL REGIONAL AIRPORT AUTH	BILOXI	MS	39533
	121549	0809P-02-001.030	CONCOURSE HOLDING LLC -LESSEE-	C/O GPT-BIL REGIONAL AIRPORT AUTH	RIDGELAND	MS	39157
	130186	0809P-02-001.031	CPX GULFPORT ES OPAG LLC -LESSEE-	C/O GPT-BIL REGIONAL AIRPORT AUTH	COVINGTON	KY	41011
N	104499	0809P-02-001.001	CPX GULFPORT ES OPAG LLC -LESSEE-	C/O GPT-BIL REGIONAL AIRPORT AUTH	COVINGTON	KY	41011
	92104	0809P-02-001.000	GPT-BILOXI REGIONAL AIRPORT AUTH	14035-L AIRPORT RD	GULFPORT	MS	39503



Legend

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



1 inch = 2,000 feet



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RE Variance 2302ZB013, by agent Image Signs, tax parcel 0809P-02-001.031, Requests variance for second set of channel letter to replace current set facing west, 14100 Airport Rd, Zoned B-2(General Business) Ward 3.

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, February 16, 2023**, in the Council Chambers at the Gulfport City Hall located at 2309 15th Street.

For more information, visit <http://www.gulfport-ms.gov/agendas/> then click the City of Gulfport Zoning Board for **Thursday, February 16, 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:**

IPL0107269

External Order #:

375802

Order Status:

Submitted

Classification:

Legals & Public Notices

Package:

BLX - Legal Ads

Final Cost:

47.76

Payment Type:

Account Billed

User ID:

IPL0024925

PREVIEW FOR AD NUMBER IPL01072690**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 25, 2023 6:16:01 PM EST

Amount:

45.48

Date

January 26, 2023 4:04:56 PM EST

Amount:

2.28

SCHEDULE FOR AD NUMBER IPL01072690

February 1, 2023

SunHerald (Biloxi)

**LEGAL NOTICE
PUBLIC HEARING**

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Variance 2301ZB005, by agent Austin Keith, tax parcel 0911B-02-013.000, Request variances for height, size, and placement of a detached accessory structure, 111 Courthouse Rd, Zoned T6 (Urban Core Zone), Ward 2

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

Variance 2302ZB011, by owner Brookestone Gulf Coast, LLC, tax parcel 1009N-01-002.000, Requests variance for sign size, Zoned R-2 (Single-family), Ward 5

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

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Special Exception 2302SE015, by agents Twial & Terrance Johnson, tax parcel 0809K-01-001.019, Requests Special Exception for day care use, 9454 Three Rivers Rd, Zoned B-2 (General business) Ward 3

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This the 25th day of January 2023
A. Lee Palermo, Chairman
City of Gulfport Zoning Board of Adjustment and Appeals
IPL0107269
Feb 1 2023

MEMORANDUM

To: City of Gulfport Zoning Board of Adjustment and Appeals

From: Greg Holmes, Planning Administrator
Urban Development Department

Date of Hearing: February 16, 2023

Re: Special Exception 2302SE015:

Special Exception 2302SE015, by agents Twial & Terrance Johnson, tax parcel 0809K-01-001.019, Requests Special Exception for day care use, 9454 Three Rivers Rd, Zoned B-2 (General business) Ward 3

Technical Report

SPECIAL EXCEPTION

GENERAL INFORMATION

Case File Number: 2302SE015

Hearing Date: Zoning Board February 16, 2023
Planning Commission February 23, 2023

Current Zoning/Use: B-2 / Commercial Structure

Legal: Special Exception 2302SE015, by agents Twial & Terrance Johnson, tax parcel 0809K-01-001.019, Requests Special Exception for day care use, 9454 Three Rivers Rd, Zoned B-2 (General business) Ward 3

TECHNICAL DETAILS

The applicant requests special exception for a day care use located at 9454 Three Rivers Road Suite B. Hours of operation will be 6:30 a.m. to 6:00 p.m. As proposed, the site plan accommodates ample off-street turn-around space and has room to grow any parking needs. In addition, there is an established commercial building at this location, and the applicant states that there are no issues with utilities, access, or parking.

EXECUTIVE SUMMARY

There is an established commercial building at this location, and the applicant states that there are no issues with utilities, access, or parking. The use would be in harmony with the existing neighborhood due to there is currently a children's clinic within the same complex. The staff recommendation is to approve the request.

Any approval should consider these conditions:

1. Approval would allow for a daycare use at 9454 Three Rivers Road Suite B.
2. Must meet all current building codes and all other City of Gulfport Ordinances. Must meet all current accessibility (ADA) requirements.
3. Shall meet all requirements of MS Dept. of Public Health "Uniform Dire Safety" for childcare facility. Fire Alarm/Sprinkler required. Smoke detectors in all rooms.
4. Applicant must receive Planning Commission approval as well for Special Exception Use.

DEPARTMENTAL CONDITIONS

Engineering: No conditions. Memo dated 02/06/2023.

Public Works: No conditions. Memo dated 02/06/2023.

Traffic and Safety: No conditions. Memo dated 02/06/2023.

Technical Report

SPECIAL EXCEPTION

Building Code Services: Conditions: Must meet all current building codes and all other City of Gulfport Ordinances. Must meet all current accessibility (ADA) requirements. Memo dated 02/01/2023.

GIS: No conditions. Memo dated 02/06/2023.

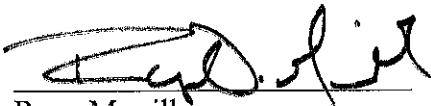
Police Department: No conditions. Memo dated 02/01/2023.

Fire Department: Conditions: Shall meet all requirements of MS Dept. of Public Health "Uniform Fire Safety" for childcare facility. Fire Alarm/Sprinkler required. Smoke detectors in all rooms. Memo dated 02/01/2023.

City Arborist: No conditions. Memo dated 02/03/2023.

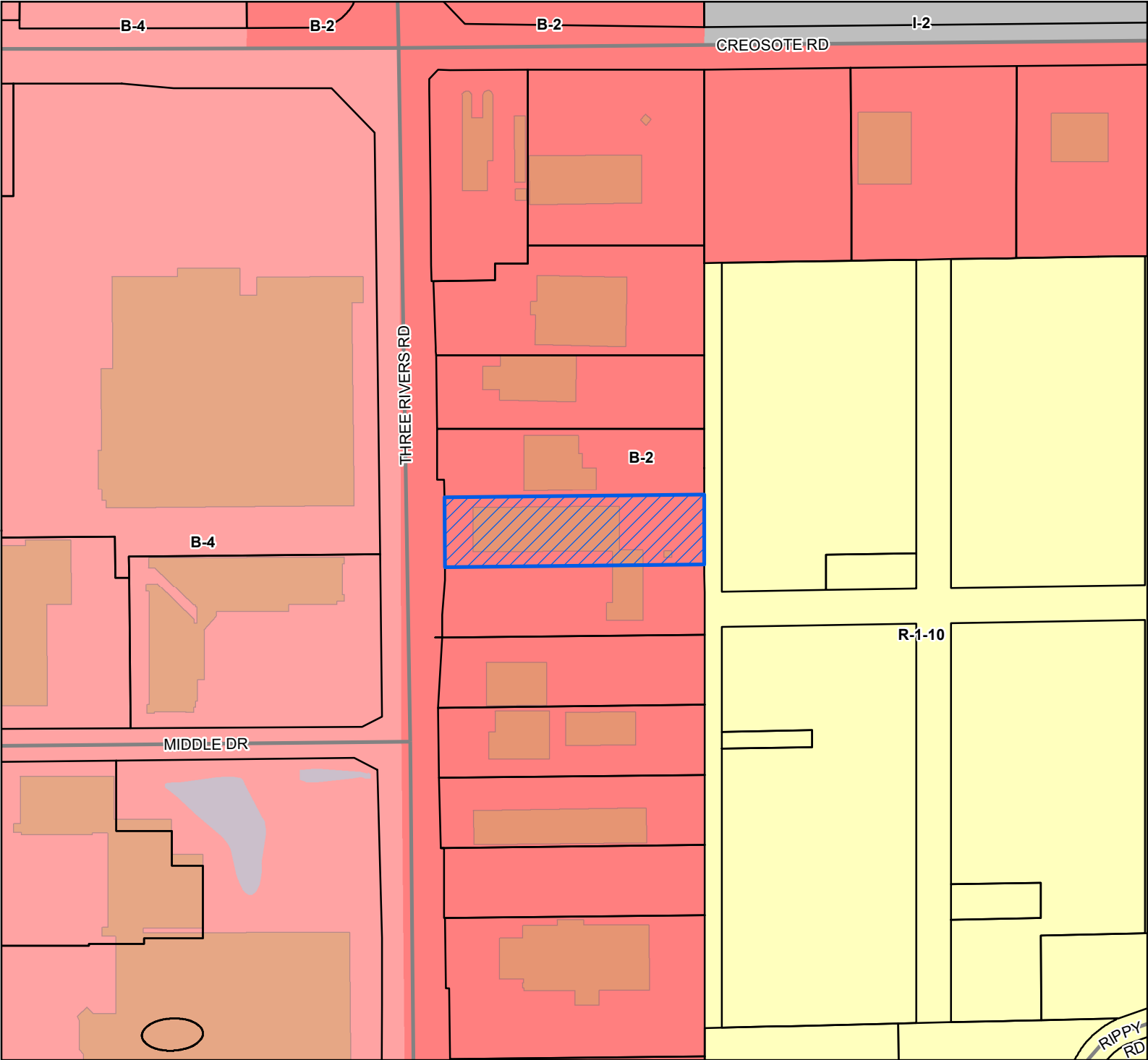
DIRECTOR APPROVAL

This report has been reviewed and approved by:



Ryan Merrill
Director of Urban Development Department





Site

Street

Parcels

Buildings

Water Features

Zoning

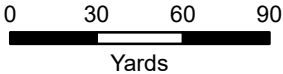
B-2 - General Business District

B-4 - Highway Business District

I-2 - Heavy Industry District

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

Site Information
0809K-01-001.019
Zoning: B-2(General Business)
Size:37,818 Sqft
Flood: X



1 inch = 200 feet



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

Case Number

2302 ~~2302~~ SE 015

Zoning Board of Adjustments and Appeals Application

REQUESTED ACTION BY THE ZONING BOARD OF ADJUSTMENTS AND APPEALS

(A separate submission form is required for each request):

	Appeal of Planning Administrator
	Excessive Height
	Fence Variance
✓	Special Exception (Day care usage)
	Variance

Tax Parcel Numbers

0	8	0	9	K	-	0	1	-	0	0	1	.	0	1	9					-			-			.			
					-							.								-			-			.			
					-							.								-			-			.			

Property Address:

9454 Three Rivers Rd Bpt MS 39503 Suite B

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. We can only accept applications with original signatures.

OWNER

AGENT

Tim Bruni (Roadrunner, LLC)

10144 Terrance Johnson

Printed Name of Owner

9454 (Suite A) Three Rivers Road

Printed Name of Agent

15895 Walker Farm Lane

Mailing Address

Gulfport MS 39503

Mailing Address

Gulfport MS 39503

City

State

Zip code

228-669-1008

City

State

Zip code

(228) 731-4332

Home Phone

Work/Cell Phone

Reel doc # b @ msn.com

Home Phone

Work/Cell Phone

Terrance Johnson 46 @ gmail.com

Email

[Signature]

Signature of Owner

Email

[Signature]

Signature of Agent

Addressing the Zoning Board Requirements!!

Special Exception for Day Care Usage

Hours of operation 6:30am 6:00pm

1. There is already existing Entrance & exit Driveways on site, with a side walk in front of the Building.
2. Parking spaces for clients are existing on site.
3. There is existing Dumpsters Located in the rear of the Property.
4. Utilities are already located in the unit.
5. The Special Exception with harmony, with general Purpose of intent. Being that there is a children's Clinic in Place.

1. There is already existing Entrance & exit
driveways on site. with sidewalk in front of the
Building

2. utilities are already provided.

3. I'm not asking for anything that's
already available to the site.

4. There is already A Parking lot In
Place with the entrance and exit points.



Covenant Affidavit

I, Twila Johnson, being owner or agent of the property 9454 Three Rivers Rd
PRINT NAME PRIMARY ADDRESS OR PARCEL
GPT MS 39503 Suite B

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

Twila Johnson
 Signature

12.30.22
 Date

STATE OF MISSISSIPPI | COUNTY OF HARRISON

Given under my hand and seal of office this the 30 day of December, 2022

Vicky Hardy
 Notary Public

08/21/2023
 Commission Expiration





(member of RoadRunner LLC) Designation of Agent

I, Tim Brown, being owner of the property 9454 Three Rivers Road Gulfport, MS
PRINT NAME PRIMARY ADDRESS OR PARCEL
which is the subject of this application hereby authorize TERRANA JOHNSON to act as my 39503
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]
Signature

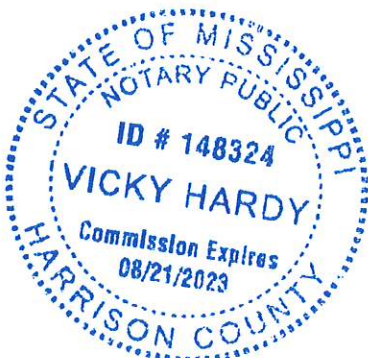
12-30-22
Date

STATE OF MISSISSIPPI | COUNTY OF HARRISON

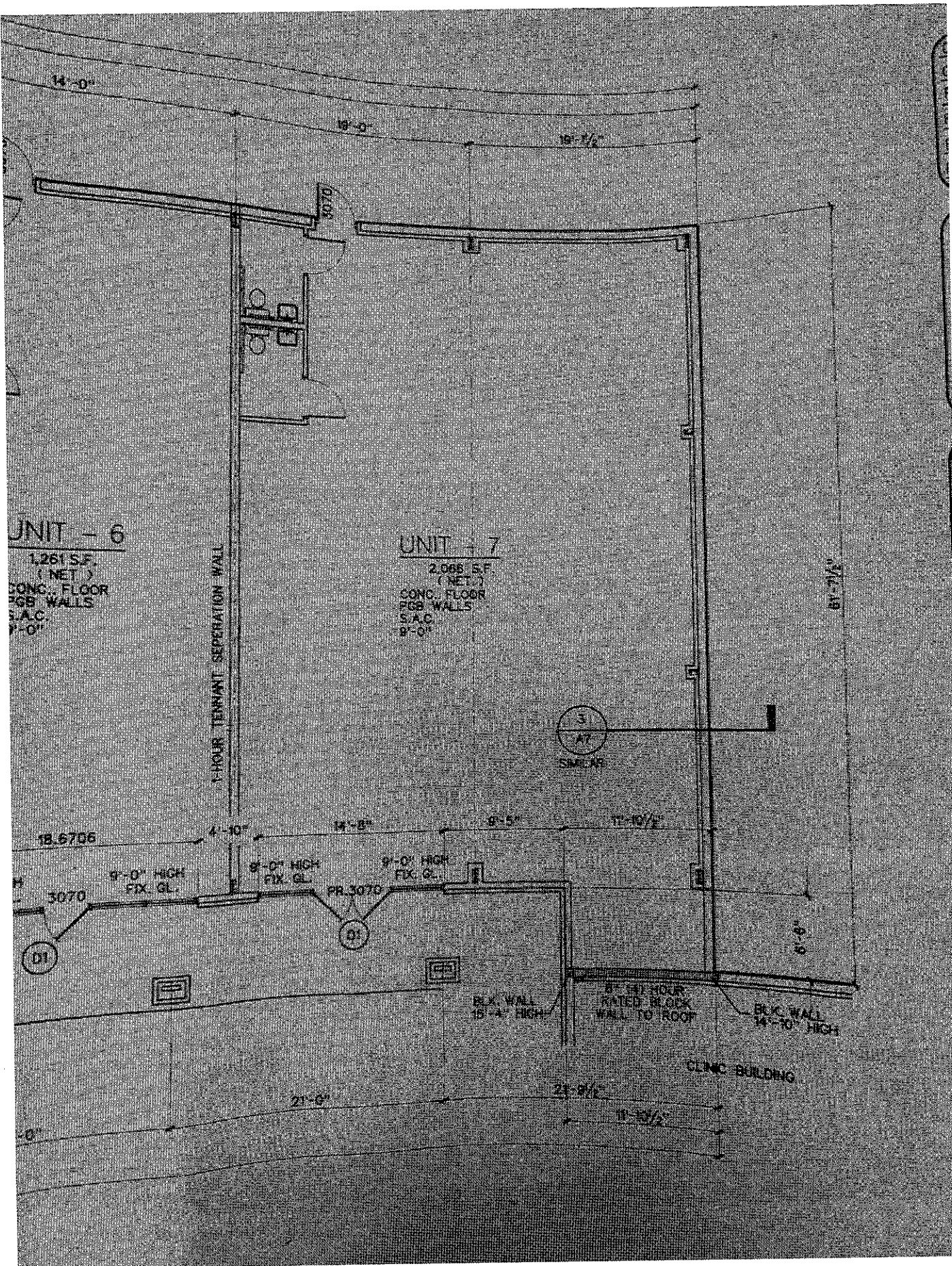
Given under my hand and seal of office this the 30 day of December, 20 22

[Signature]
Notary Public

08/21/2023
Commission Expiration









1st Judicial District

Instrument 2005 12425 D -J1
Filed/Recorded 2 15 2005 4 40 P
Total Fees 12.00

5 Pages Recorded

WARRANTY DEED

STATE OF MISSISSIPPI

COUNTY OF HARRISON

For and in consideration of One Dollar (\$1.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, ROADRUNNER LLC, does hereby grant, bargain, sell, convey and warrant unto the CITY OF GULFPORT, MISSISSIPPI, the following described land:

PARCEL 1

A parcel of land located in and being a portion of Lot 2, THREE RIVERS BUSINESS PARK (Plat Book 40, Page 29), City of Gulfport, First Judicial District of Harrison County, Mississippi; and being more particularly described as follows:

For the Point Of Beginning, Commence at the southwest corner of said Lot 2, THREE RIVERS BUSINESS PARK, said point also being located on the existing east right-of-way of Three Rivers Road; thence N 00°45'37" W 100.74 feet along the west boundary of said Lot 2, THREE RIVERS BUSINESS PARK, also along said existing east right-of-way of Three Rivers Road to the northwest corner of said Lot 2, THREE RIVERS BUSINESS PARK; thence N 89°13'15" E 15.28 feet along the north boundary of said Lot 2, THREE RIVERS BUSINESS PARK to a point located on the proposed new east right-of-way of Three Rivers Road; thence southerly along said proposed new east right-of-way of Three Rivers Road the following three courses, S 00°41'38" E 18.08 feet, S 05°01'00" W 50.25 feet, S 00°41'38" E 32.68 feet to a point located on the south

boundary of said Lot 2, THREE RIVERS BUSINESS PARK; thence S 89°17'15" W 10.16 feet along said south boundary of Lot 2, THREE RIVERS BUSINESS PARK to the said Point Of Beginning.

Said parcel of land contains 1,245 square feet or 0.029 acre, more or less.

PARCEL 2

A parcel of land located in and being a portion of Lot 1, THREE RIVERS BUSINESS PARK (Plat Book 40, Page 29), City of Gulfport, First Judicial District of Harrison County, Mississippi; and being more particularly described as follows:

For the Point Of Beginning, Commence at the southwest corner of said Lot 1, THREE RIVERS BUSINESS PARK, said point also being located on the existing east right-of-way of Three Rivers Road; thence N 00°41'56" W 101.27 feet along the west boundary of said Lot 1, THREE RIVERS BUSINESS PARK, also along said existing east right-of-way of Three Rivers Road to the northwest corner of said Lot 1, THREE RIVERS BUSINESS PARK; thence N 89°15'38" E 15.29 feet along the north boundary of said Lot 1, THREE RIVERS BUSINESS PARK to a point located on the proposed new east right-of-way of Three Rivers Road; thence S 00°41'38" E 101.26 feet along said proposed new east right-of-way of Three Rivers Road to a point located on the south boundary of said Lot 1, THREE RIVERS BUSINESS PARK; thence S 89°13'15" W 15.28 feet along said south boundary of Lot 1, THREE RIVERS BUSINESS PARK to the said Point Of Beginning.

Said parcel of land contains 1,548 square feet or 0.036 acre, more or less.

The grantor herein further warrants that the above described property is no part of its homestead.

It is further understood and agreed that the consideration herein named is in full, complete and final payment and settlement of any claims or demands for damage accrued, accruing, or to accrue to the grantors herein, its heirs, assigns, or legal representatives, for or on account of the construction relating to the widening of Three Rivers Road and/or any other damage, right or claim whatsoever.

It is further understood and agreed that this instrument constitutes the entire agreement between the grantor and the grantee, there being no oral agreements or representations of any kind.

Witness my signature this the 1 day of February, 2005.

ROADRUNNER, LLC

Ronald T. Bruni, Jr.
RONALD T. BRUNI

GRANTOR'S ADDRESS
ROADRUNNER, LLC
C/O DR. RONALD T. BRUNI
334 COURTHOUSE ROAD
GULFPORT, MS 39503

896-5437

GRANTEE ADDRESS
CITY OF GULFPORT
2309 15TH STREET
GULFPORT, MS 39505

868-5811

STATE OF MISSISSIPPI
COUNTY OF HARRISON

Personally appeared before me, the undersigned authority in
and for the said county and state, the within named RONALD T.
BRUNI who acknowledged that he is Owner of ROADRUNNER
LLC, a Limited Liability Corporation, and that for and on behalf
of the said Corporation, and as its act and deed, he executed and
delivered the above and foregoing instrument, after first having
been duly authorized by said Corporation so to do.

GIVEN UNDER MY HAND AND SEAL this the 1 day of Feb.,
2005.

Bridget Roberts
NOTARY PUBLIC

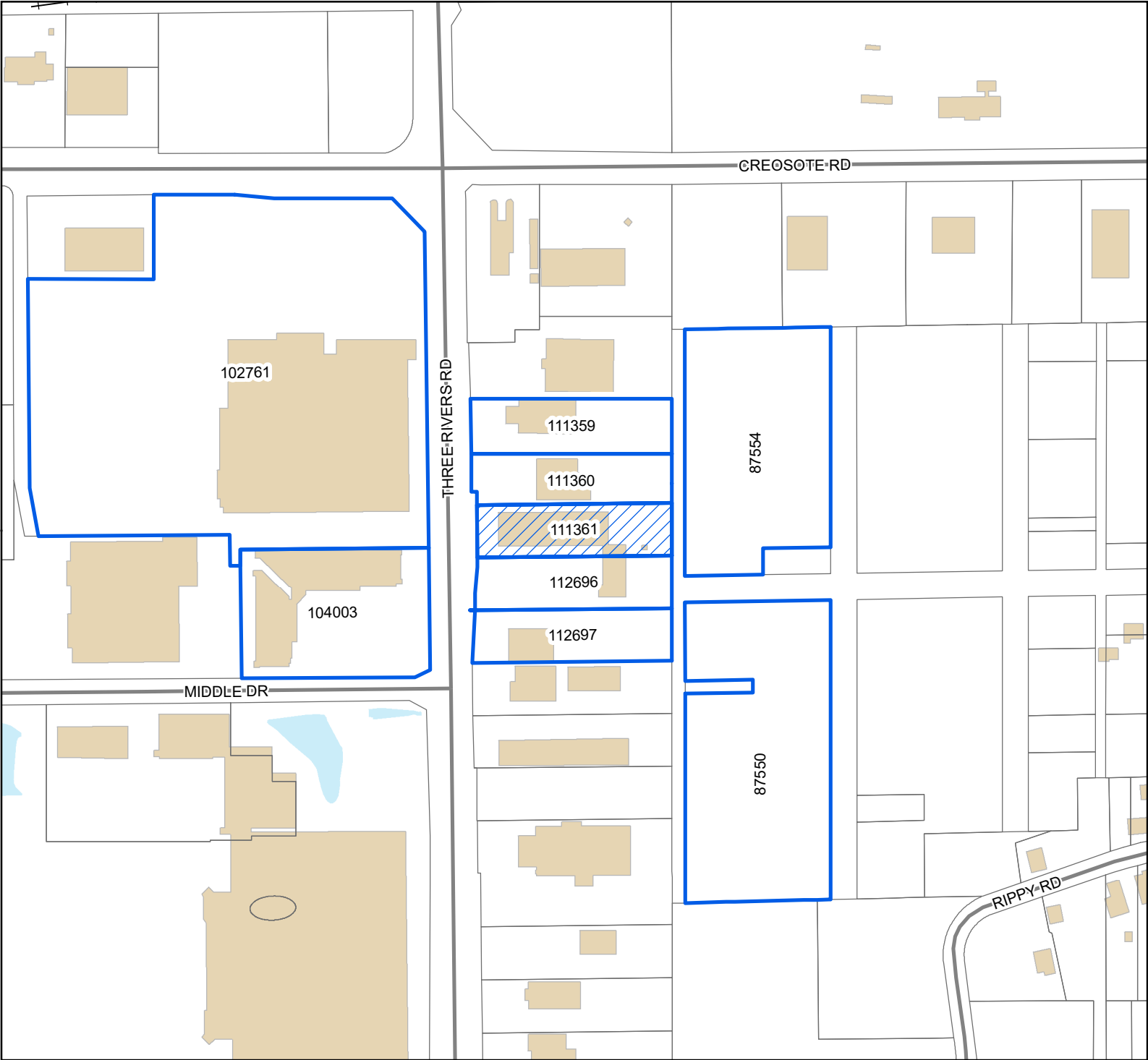
My Commission Expires: 6/21/2005

(SEAL)

PREPARED BY & RETURN TO:
BLACKWELL & WHITE
1613 23RD AVENUE
MOBILE, MS 39501
(228) 864-1484

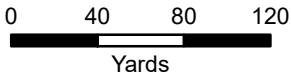
INDEXING INSTRUCTIONS:

N/A



Legend

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



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Mail	PPIN	Parcel ID	Name	Address	City	State	ZIP
Y			TIM BRUNI (OWNER)	9454 THREE RIVERS ROAD STE A	GULFPORT	MS	39503
			TERRANCE & TWILA JOHNSON (AGENT)	15895 WALKER FARM LANE	GULFPORT	MS	39503
			Adjacent Property Owners				
	102761 0809K-01-001.007		LCN ATH GULFPORT (MULTI) LLC	888 7TH AVE 4TH FLOOR	NEW YORK	NY	10019
	87554 0809J-01-078.000		GULFPORT PALACE LLC	P O BOX 190429	DALLAS	TX	75219
	111360 0809K-01-001.018		MUNN DAVID L SR & TINA M	9466 THREE RIVERS RD	GULFPORT	MS	39503
	111359 0809K-01-001.017		BANKSTON PROPERTIES LCC	47 SHORELINE LN	GULFPORT	MS	39503
	104003 0809K-01-001.009		OAKLAND LAND & DEV LLC	P O BOX 952	NATCHEZ	MS	39121
N	111361 0809K-01-001.019		ROADRUNNER LLC	9454 THREE RIVERS RD	GULFPORT	MS	39503
N	112696 0809K-01-001.021		ROADRUNNER LLC	9454 THREE RIVERS RD	GULFPORT	MS	39503
	87550 0809J-01-076.000		GULFPORT PALACE LLC	PO BOX 190429	DALLAS	TX	75219
	112697 0809K-01-001.022		HOWARD'S PAINT & DECORATING INC	9434 THREE RIVERS RD	GULFPORT	MS	39507

RE: Special Exception 2302SE015, by agents Twial & Terrance Johnson, tax parcel 0809K-01-001.019, Requests Special Exception for day care use, 9454 Three Rivers Rd, Zoned B-2 (General business) Ward 3

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THANK YOU for your legal submission!

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IPL0107269

External Order #:

375802

Order Status:

Submitted

Classification:

Legals & Public Notices

Package:

BLX - Legal Ads

Final Cost:

47.76

Payment Type:

Account Billed

User ID:

IPL0024925

PREVIEW FOR AD NUMBER IPL01072690**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 25, 2023 6:16:01 PM EST

Amount:

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Date

January 26, 2023 4:04:56 PM EST

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SCHEDULE FOR AD NUMBER IPL01072690

February 1, 2023

SunHerald (Biloxi)

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

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This the 25th day of January 2023
A. Lee Palermo, Chairman
City of Gulfport Zoning Board of Adjustment and Appeals
IPL0107269
Feb 1 2023

MEMORANDUM

To: City of Gulfport Zoning Board of Adjustment and Appeals

From: Greg Holmes, Planning Administrator
Urban Development Department

Date of Hearing: February 16, 2023

Re: Variance 2302ZB018:

Variance 2302ZB018, by Kaliber Management LLC, tax parcel 0810O-02-012.000, Request variances for distance from an intersection, for dead end road when a circular drive is required, required number of dumping and water stations, and setback requirements for a proposed RV site at 2800 19th St, Zoned B-2 (General business), Ward 3

Technical Report

VARIANCE

GENERAL INFORMATION

Case File Number: 2302ZB018

Hearing Date: February 16, 2023

Current Zoning/Use: B-2 / RV and Mobile Park

Legal: Variance 2302ZB018, by Kaliber Management LLC, tax parcel 08100-02-012.000, Request variances for distance from an intersection, for dead end road when a circular drive is required, required number of dumping and water stations, and setback requirements for a proposed RV site at 2800 19th St, Zoned B-2 (General business), Ward 3

TECHNICAL DETAILS

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

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

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

Technical Report

VARIANCE

The applicant requests two variances for a preexisting non-conforming recreational vehicle (RV) and mobile home park: 1) a variance of 13 feet for a driveway entrance to be 107 feet from the intersection of a public right-of-way where 120 feet is required; 2) a variance to allow a dead-end road without a circular drive where a turnaround is required.

- (a) The applicant notes that the park entrance has existed since 1972 according to historical satellite data. Upon staff review of the site, aerial imagery shows that the site does predate the Supplementary Regulations and is preexisting non-conforming. The existing footprint from the closest driveway entrance to the closest intersection of public streets is not changing. In addition, extension of the existing private street to provide the turnaround could possibly extend past the property line, which would not be allowed, not even with a variance request.
- (b) In the application, it is mentioned that the special conditions are evident with satellite data. Aerial imagery does indicate this development does predate the Supplementary Regulations Ordinance.
- (c) These variances are requested in order to allow the applicant to deviate from the distance from an intersection and turnaround requirements. The statement provided the applicant does not address this section or the variance request. However, since the site is existing, improving it is a step in the right direction.
- (d) According to the applicant, moving the existing entrance would create a burden above and beyond that of just infrastructure changes.
- (e) The customer will receive any special privileges; however, this is preexisting and the improvements to the infrastructure will bring the site into more conformity.
- (f) This property is zoned B-2, and a mobile home park is a not allowed use and a RV park requires Planning Commission approval.

EXECUTIVE SUMMARY

No legitimate hardships were provided by the applicant in the written request. City ordinance requires 6 hardship conditions to be met in order to justify a variance. However, the site predates the Supplementary Regulations ordinance and changes to the infrastructure will bring it into more conformity; therefore, the staff recommendation is to approve the request.

Any approval should consider these conditions:

- 1. Approval grants a variance of 13 feet for a driveway entrance distance from a intersection of public streets to be 107 feet where 120 feet are required.
- 2. Approval grants a variance to allow for a dead-end road when a circular drive is required.
- 3. Must meet all current building codes and City of Gulfport Ordinances.

DEPARTMENTAL CONDITIONS

Engineering: No comments as of 2/7/2023.

Public Works: No comments as of 2/7/2023.

Traffic and Safety: No conditions. Memo dated 2/1/2023.

Technical Report

VARIANCE

Building Code Services: Must meet all current building Codes and City of Gulfport Ordinances. Memo dated 2/1/2023.

GIS: No conditions. Memo dated 2/6/2023.

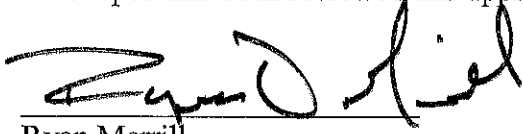
Police Department: No conditions. Memo dated 2/1/2023.

Fire Department: No conditions. Memo dated 2/1/2023.

City Arborist: No conditions. Memo dated 2/3/2023.

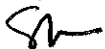
DIRECTOR APPROVAL

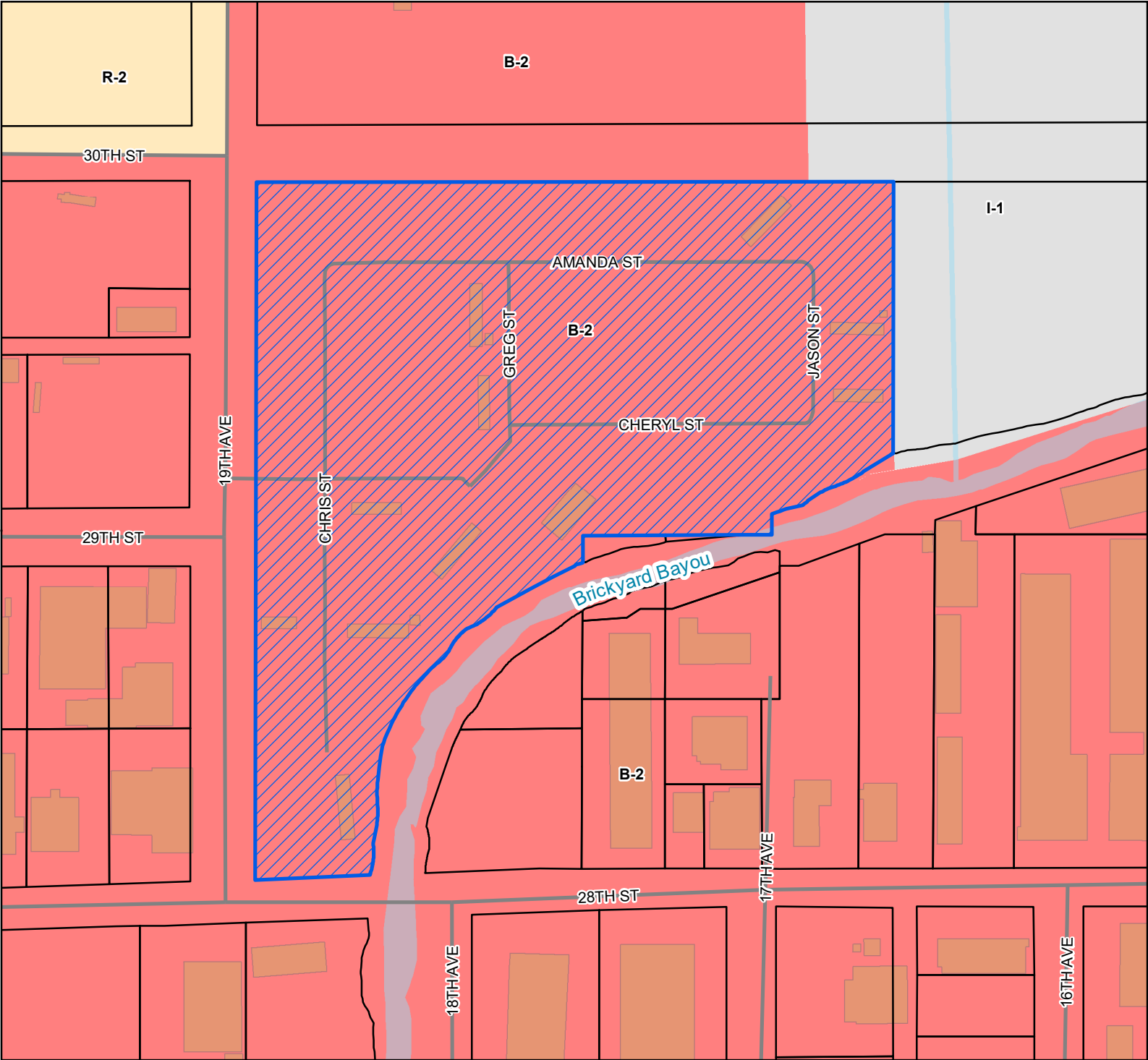
This report has been reviewed and approved by:



Ryan Merrill

Director of Urban Development Department





Site

Street

Parcels

Buildings

Water Features

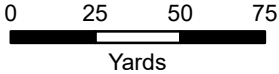
Zoning

B-2 - General Business District

I-1 - Light Industry District

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

Site Information
08100-02-012.000
Zoning: B-2 (General Busness)
Size: 9.8 acres
Flood: X,



1 inch = 170 feet



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

Case Number
23022B018

REQUESTED ACTION BY THE ZONING BOARD OF ADJUSTMENTS AND APPEALS

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

0	8	1	0	0	-	0	2	-	0	1	2	.	0	0	0					-		-			.			
					-			-				.								-		-			.			
					-			-				.								-		-			.			

Page 1 of 10

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.

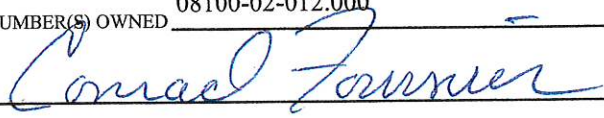
I hereby certify that I have read and understand this application and that all information and attachments are true and correct. I also certify that I agree to comply with all applicable city codes, ordinances and state laws. Finally, I certify that I am the owner of the property involved in this request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

NAME OF OWNER (PRINT) Conrad Fourier

ADDRESS (STREET, CITY, STATE, ZIP CODE) 2775 Saratoga Ave. Merced, CA 95340

PHONE # (H) 209.564.2958 (W) _____

TAX PARCEL NUMBER(S) OWNED 08100-02-012.000

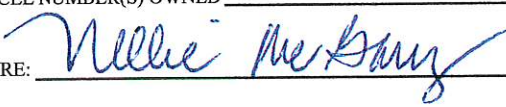
SIGNATURE: 

NAME OF OWNER (PRINT) Nellie McGarry

ADDRESS (STREET, CITY, STATE, ZIP CODE) 1590 W 16th Street Merced, CA 95340

PHONE # (H) 209.201.5693 (W) _____

TAX PARCEL NUMBER(S) OWNED 08100-02-012.000

SIGNATURE: 

NAME OF OWNER (PRINT) _____

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

PHONE # (H) _____ (W) _____

TAX PARCEL NUMBER(S) OWNED _____

SIGNATURE: _____

(Use additional forms as needed)

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

PERSON/AGENT FOR YOU: _____

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

PROPERTY OWNERS' AFFIDAVIT

Owner:

Appointed Agent(s): Bryce McMurry or his associates

Parcel Number(s): 08100-02-012.000

Property Address: 2800 19th Ave Gulfport, MS

Type of Request I (we), the property owner(s) of the subject property, being duly sworn, depose and say the following: 1. That I am (we are) the owner(s) and record title holder(s) of the property described in the attached legal description; 2. That this property constitutes the property for which the above noted land use request is being made to the City of Gulfport; 3. That I (we), the undersigned, have appointed, and do appoint, the above noted person(s) as my (our) agent(s) to execute any agreement(s), and other documents necessary to effectuate such agreement(s) in the process of pursuing the aforementioned land use request; 4. That this affidavit has been executed to induce the City of Gulfport to consider and act on the subject request; 5. That I (we), the undersigned authority, hereby certify that the foregoing statements are true and correct.

Conrad Fournier

Owner (signature)

See attachment

STATE OF _____ SWORN AND SUBSCRIBED BEFORE ME COUNTY OF _____

THIS _____ DAY OF _____, 2022 BY _____

WHO IS/ARE PERSONALLY KNOWN TO ME OR HAS/HAVE PRODUCED AS IDENTIFICATION

(TYPE OF IDENTIFICATION)

(SEAL ABOVE)

Notary Public, Commission No. _____

(Name of Notary typed, printed, or stamped)

Nellie McGarry

Owner (signature)

See attachment

STATE OF _____ SWORN AND SUBSCRIBED BEFORE ME COUNTY OF _____

THIS _____ DAY OF _____, 2022 BY _____

WHO IS/ARE PERSONALLY KNOWN TO ME OR HAS/HAVE PRODUCED AS IDENTIFICATION

(TYPE OF IDENTIFICATION)

(SEAL ABOVE)

Notary Public, Commission No. _____

(Name of Notary typed, printed, or stamped)

CALIFORNIA JURAT

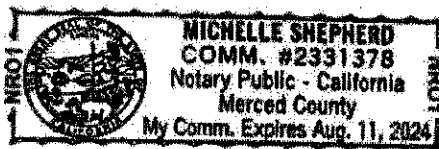
A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California)

County of Merced)

Subscribed and sworn to (or affirmed) before me on this 30th day
of November, 20 22, by Conrad Fournier
and Nellie McGarry

proved to me on the basis of satisfactory evidence to be the person(s)
who appeared before me.



(Seal)

Signature MShepherd

Optional Information

Although the information in this section is not required by law, it could prevent fraudulent removal and reattachment of this jurat to an unauthorized document and may prove useful to persons relying on the attached document.

Description of Attached Document

This certificate is attached to a document titled/for the purpose of

containing _____ pages, and dated _____

Additional Information	
Method of Affiant Identification	
Proved to me on the basis of satisfactory evidence: ☐ form(s) of identification ☐ credible witness(es)	
Notarial event is detailed in notary journal on: Page # _____ Entry # _____	
Notary contact: _____	
Other	
☐ Affiant(s) Thumbprint(s)	☐ Describe: _____

Creekside Willows Redevelopment Variance Request
Number 1

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

- The variance is regarding the park entrance. It is currently located less than 120' away from the intersection of 19th ave and 29th st. We are requesting a variance to allow the park entrance to remain as is and how it has been since at least 1972, according to historical satellite data.
- The property was laid out decades ago in such a manner that the main entrance leads directly to the office building/pool area while the other interior roads of the property branch off of that main entry road. Rerouting the entrance so that it meets the requirements of being 120' away from any intersection would negatively affect the internal traffic flow of the park

• Want to be 70 feet away from ~~the~~ 29th Street

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

- The entrance to the park, according to satellite data, dates back to at least 1972. This appears to coincide closely with the addition of 29th street. From the satellite data available, it is unclear which came first, the park entrance or 29th street.

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

- Moving the entrance will require significant modifications to existing infrastructure. It will necessitate the relocation of multiple lots (either RV or MHP, depending on the proposed location) and will negatively impact how our guests and tenants access both their sites and the amenities that we provide. As is, the goal is to have the southern portion of the park to be dedicated to Manufacture Housing while the northern portion of the park will be RV sites. The current entrance and internal road layout provide the perfect layout for this goal. Moving the entrance further north (assumed proposed location) would put all people coming and going going through the center of the RV portion of the property and exposing a higher percentage of our guests to an unnecessary amount of traffic going by their sites.

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

- As stated above, moving the entrance would create a burden above and beyond that of just the infrastructure changes. It would also require us to sacrifice what is already an established layout that works well for the property.

Creekside Willows Redevelopment Variance Request
Number 1

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

- If we were building a brand new property and requesting the ability to place our entrance in this spot, it would be completely understandable that the request would be denied. However, there is no reason to believe that allowing the entrance to remain could be misconstrued as us receiving any special benefit.

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

- Given the existing layout of the park it is our opinion that this falls under exception with respect to uses of land or structures.

Creekside Willows Redevelopment Variance Request
Number 2

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

- This variance request is regarding the dead end road to the south of the office building. This road was already in place and we would prefer to keep it as is. There is no adequate space to install a turn around at the end of this road. Also, being forced to add a turn around would require the removal of at least one Manufactured Housing Site.

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

- This street will be for access to the Manufactured Housing sites along that road only. The road itself is plenty wide for two way traffic and those who live in those units will have more than enough space to access their driveways and to back out onto the road. We will clearly mark that there is no entry for RV vehicles or other large vehicles that require a significant turn around area.

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

- The requirement to add a turn around area will displace at least one, if not two manufactured housing sites.

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

- As stated above, moving the entrance would create a burden above and beyond that of just the infrastructure changes. It would also require us to sacrifice at least two manufactured housing sites.

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

- If we were building a brand new property and requesting the ability to layout our roads in such a way that a true dead end street would be created, it would be completely understandable that the request would be denied. However, there is no reason to believe that allowing this street to remain a dead end could be misconstrued as a special

Creekside Willows Redevelopment Variance Request
Number 2

benefit. We are simply working towards making the best use of the existing infrastructure as possible.

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

- Given the existing layout of the park it is our opinion that this falls under exception with respect to uses of land or structures.



Covenant Affidavit

I, Bryce McMurphy III being owner or agent of the property 2800 17th Ave
PRINT NAME PRIMARY ADDRESS OR PARCEL
Gulfport, MS 39501

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

[Signature] 17 Jan 23
Signature Date

STATE OF MISSISSIPPI | COUNTY OF HARRISON

Given under my hand and seal of office this the 17th day of Jan, 2023

[Signature]
Notary Public



Sep 1, 2026
Commission Expiration

Certificate Of Completion

Envelope Id: AE360C15834F465592E583EE3211F0A7
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 Source Envelope:
 Document Pages: 2
 Certificate Pages: 2
 AutoNav: Enabled
 EnvelopeId Stamping: Enabled
 Time Zone: (UTC-07:00) Arizona

Status: Completed

Envelope Originator:
 Owen Gates
 oweng@kalibermanagement.com
 IP Address: 172.59.104.185

Record Tracking

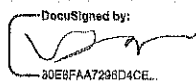
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 oweng@kalibermanagement.com

Location: DocuSign

Signer Events

Bryce McMurry
 bryce@kalibermanagement.com
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Signature

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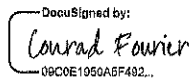
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 Not Offered via DocuSign

Conrad Fourier
 c107r@comcast.net
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 (None)

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In Person Signer Events

Signature

Timestamp

Editor Delivery Events

Status

Timestamp

Agent Delivery Events

Status

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Intermediary Delivery Events

Status

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Certified Delivery Events

Status

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Carbon Copy Events

Status

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Witness Events

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Notary Events

Signature

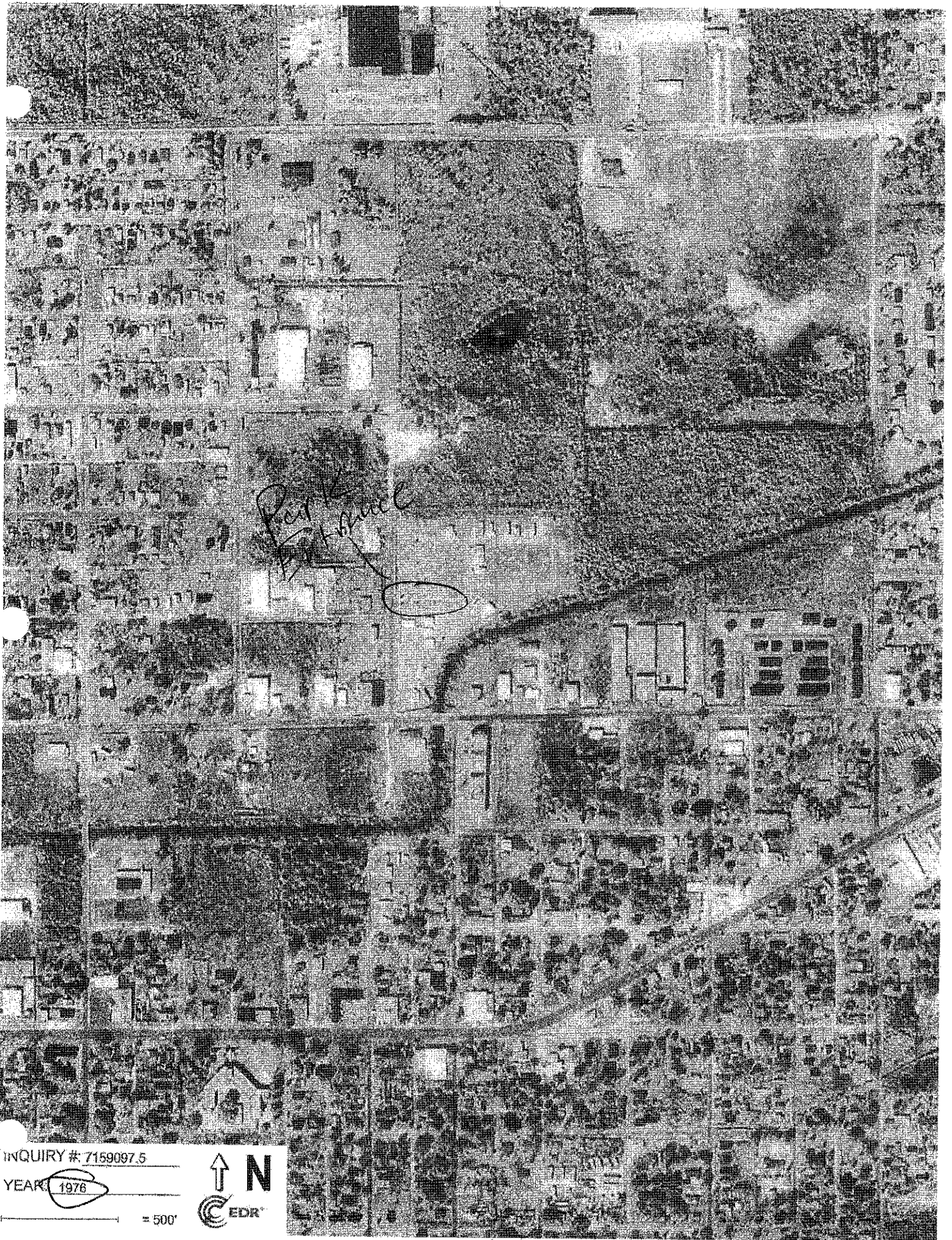
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Envelope Summary Events

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Timestamps

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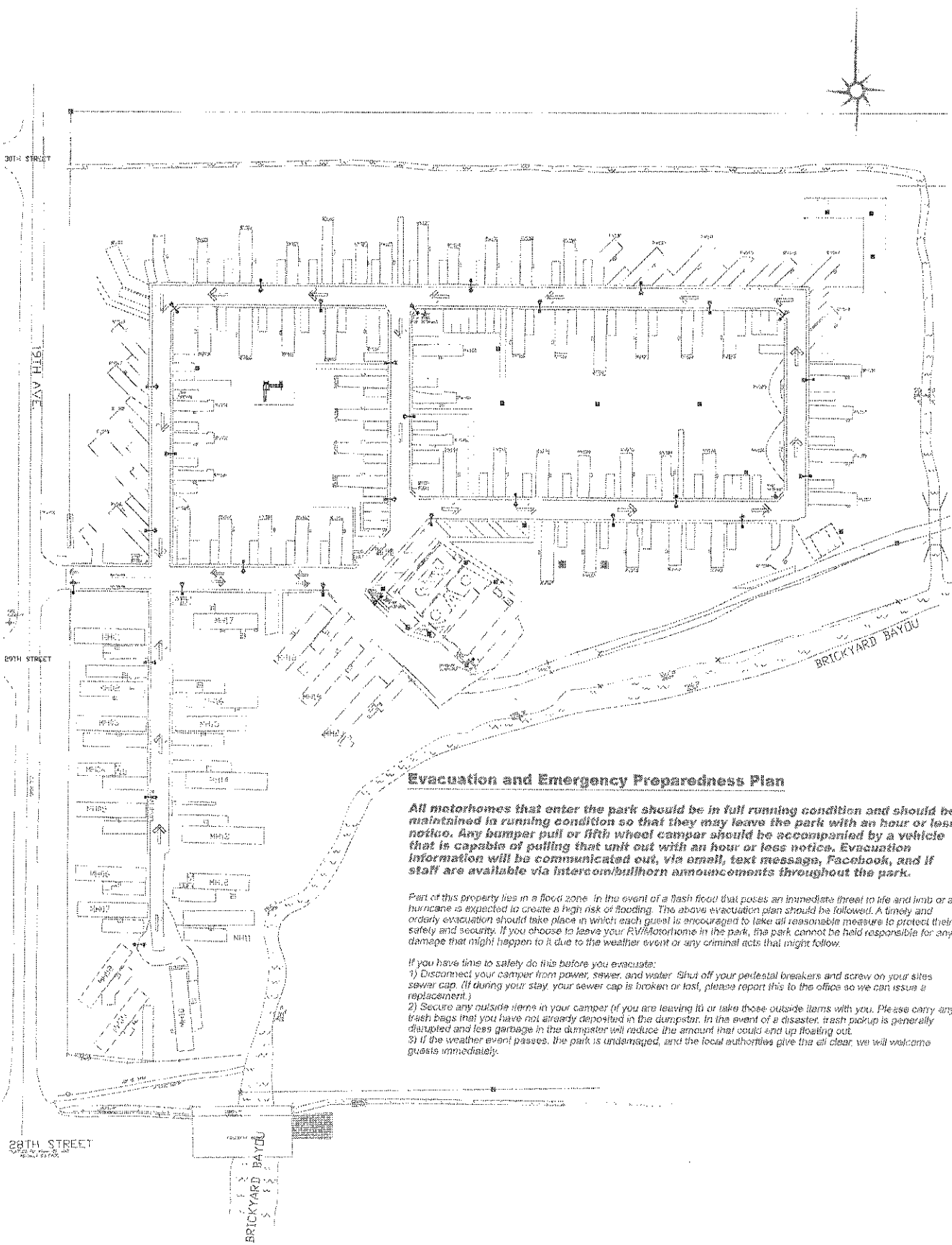


INQUIRY #: 7159097.5

YEAR 1976

= 500'





Evacuation and Emergency Preparedness Plan

All motorhomes that enter the park should be in full running condition and should be maintained in running condition so that they may leave the park with an hour or less notice. Any bumper pull or fifth wheel camper should be accompanied by a vehicle that is capable of pulling that unit out with an hour or less notice. Evacuation information will be communicated out, via email, text message, Facebook, and if staff are available via intercom/bullhorn announcements throughout the park.

Part of this property lies in a flood zone. In the event of a flash flood that poses an immediate threat to life and limb or a hurricane is expected to create a high risk of flooding. The above evacuation plan should be followed. A timely and orderly evacuation should take place in which each guest is encouraged to take all reasonable measure to protect their safety and security. If you choose to leave your RV/Motorhome in the park, the park cannot be held responsible for any damage that might happen to it due to the weather event or any criminal acts that might follow.

If you have time to safely do this before you evacuate:

- 1) Disconnect your camper from power, sewer, and water. Shut off your pedestal breakers and screw on your sites sewer cap. (If during your stay your sewer cap is broken or lost, please report this to the office so we can issue a replacement.)
- 2) Secure any outside items in your camper (if you are leaving it) or take those outside items with you. Please carry any trash bags that you have not already deposited in the dumpster. In the event of a disaster, trash pickup is generally disrupted and less garbage in the dumpster will reduce the amount that could end up floating out.
- 3) If the weather event passes, the park is undamaged, and the local authorities give the all clear, we will welcome guests immediately.

THE WILLOWS AT CREEKSIDE RV RESORT

REVISED			
EVACUATION PLAN			
KINETIC CAPITAL, LLC			
OWNER	DATE	SCALE	



John 1st Judicial District
Instrument 2014 4556 A -J1
Filed/Recorded: 7/8/2014 04:23 P
Total Fees \$ 52.00
4 Pages Recorded

Prepared by & Return to:
David W. Jones, Attorney, PLLC
1605 Twenty-third Avenue
Gulfport, MS 39501
(228) 864-8965
File #149058

STATE OF MISSISSIPPI
COUNTY OF HARRISON
FIRST JUDICIAL DISTRICT

WARRANTY DEED

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

Regency of Mississippi, Inc.
40 North 6th Street
Carbondale, CO 81623
970-963-2440

does hereby sell, convey and warrant unto

The Entrust Group, Inc. FBO Nellie McGarry IRA #50-01366, as to
an undivided 50% interest, and The Entrust Group, Inc. FBO Conrad
Fournier IRA #50-01101, as to an undivided 50% interest
555 - 12th Street, Suite 1250
Oakland, CA 94607
510-587-0950 x229

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

Lots One (1), Two (2), Three (3), Four (4), Five (5), Six (6), Seven (7), Eight (8), Nine (9), Ten (10), Eleven (11), Twelve (12), Thirteen (13), Fourteen (14), Fifteen (15), Sixteen (16), Seventeen (17), Eighteen (18), Nineteen (19), Twenty (20), Twenty-one (21),

2

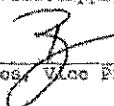
Twenty-two (22), Twenty-three (23) and Twenty-four (24), Block Fourteen (14); Lots Eleven (11), Twelve (12), Thirteen (13) and Fourteen (14), Block Fifteen (15); and that portion of Lots Five (5), Six (6), Seven (7), Eight (8), Nine (9), Ten (10), Eleven (11), Twelve (12), Thirteen (13), Fourteen (14), Fifteen (15), Sixteen (16) and Seventeen (17), Block Nineteen (19) lying North and West of Brickyard Bayou, STANDARD LAND COMPANY ADDITION, a subdivision according to the official map or plat thereof on file and of record in the office of the Chancery Clerk of the First Judicial District of Harrison County, Mississippi, in Plat Book 2 at Page 14 (Copy Book 1 at Page 36) thereof, reference to which is hereby made in aid of and as a part of this description. AND ALSO, those portions of 17th Avenue, 29th Street and the alleys within the above mentioned blocks which have been vacated.

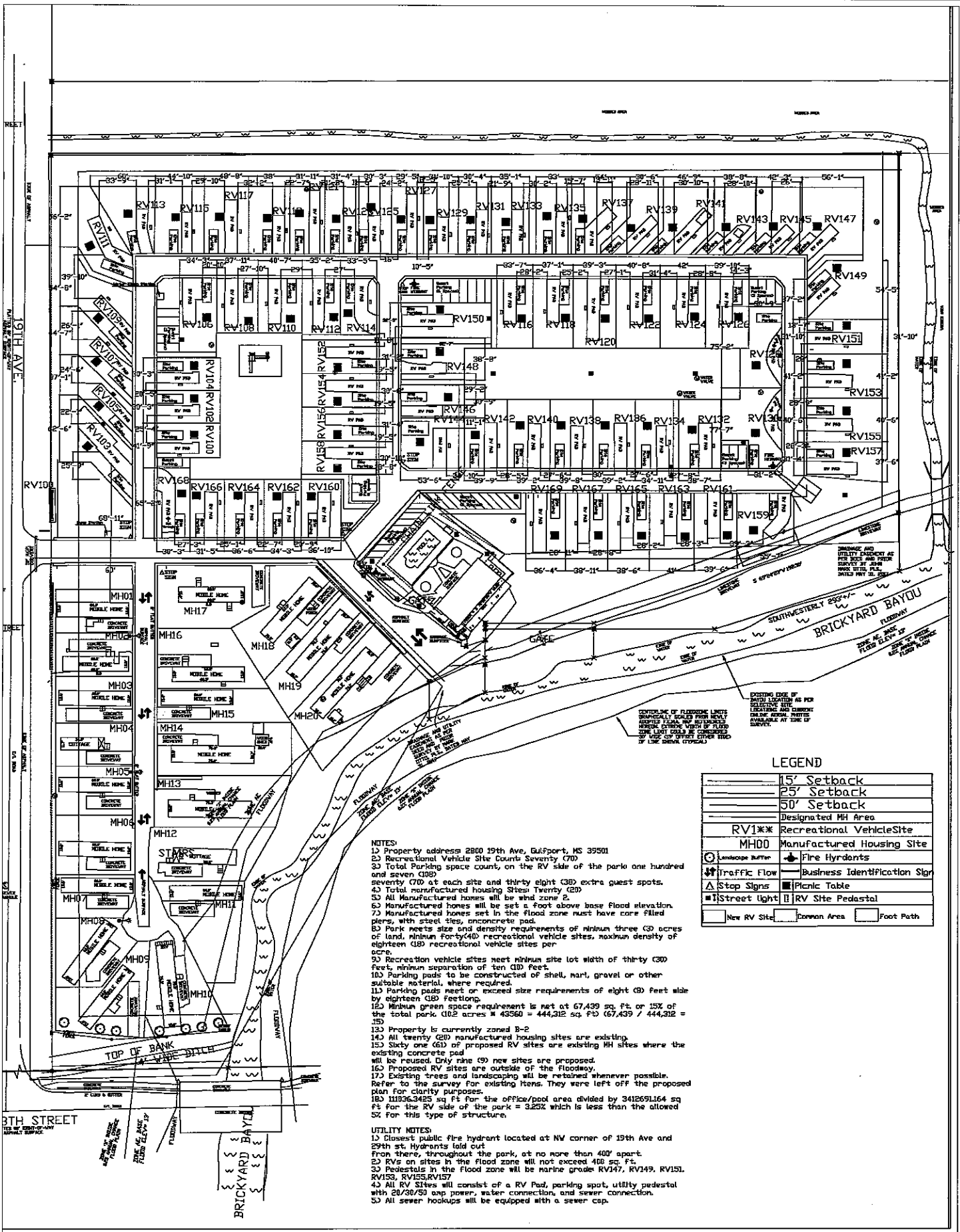
THIS CONVEYANCE is subject to any and all recorded restrictive covenants, rights-of-way and easements applicable to subject property, and subject to any and all prior recorded reservations, conveyances and leases of oil, gas and minerals by previous owners.

AD VALOREM TAXES for the current year have been pro-rated and are hereby assumed by the Grantees herein.

IN WITNESS WHEREOF, Regency of Mississippi, Inc., has caused this conveyance to be executed and delivered by its duly authorized officer, he having first been duly authorized to do so, on this the 30th day of June, 2014.

Regency of Mississippi, Inc.

By: 
Peter Bakos, Vice President



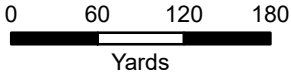
The Willows at Creekside RV Resort

REVISIONS	Proposed Layout
	Kinetic Capital, LLC
DATE	DATE
BY	BY
CHKD	CHKD



Legend

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



1 inch = 400 feet



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

Mail	PPIN	Parcel ID	Name	Address	City	State	ZIP
Y			ENTRUST GROUP INC (OWNERS)	1590 W 16TH STREET	GULFPORT	MS	39501
			KAILBER MANAGEMENT LLC (AGENT)	PO BOX 1724	FAIRHOPE	AL	36533
Adjacent Property Owners							
N	87590	08100-02-008.000	GULFPORT CITY OF				0
	104206	08100-02-011.001	SIMON DWIGHT	2913 19TH AVE	GULFPORT	MS	39501
	35137	08100-02-036.000	O M T LLC	P O BOX 6976	GULFPORT	MS	39501
N	35138	08100-02-035.000	O M T LLC	P O BOX 6976	GULFPORT	MS	39501
N	35139	08100-02-034.000	OMT LLC	P O BOX 6976	GULFPORT	MS	39501
	35112	08100-02-030.000	THOMPSON ROBERT J & JANET R	15259 BRODNAX RD	OCEAN SPRINGS	MS	39565
N	35106	08100-02-010.000	THOMPSON ROBERT J & JANET R	15259 BRODNAX RD	OCEAN SPRINGS	MS	39565
	22859	0811B-05-027.000	COHEN EDWARD	11511 SAVANNAH PL	GULFPORT	MS	39503
	22861	0811B-06-021.000	TEDDY BEARS RESTORATION & CARPET CL	P O BOX 7615	GULFPORT	MS	39506
	35148	08100-02-037.000	MOEINI MOHAMMAD	P O BOX 8833	GULFPORT	MS	39503
	104408	0811B-05-027.001	S & E FASTENERS LLC	P O BOX 479	GULFPORT	MS	39502
	35118	08100-02-013.000	FAITH MISSIONARY BAPTIST CHURCH	3050 19TH AVE	GULFPORT	MS	39501
	35147	08100-02-038.000	THOMPSON ROBERT J & JANET R	15259 BRODNAX RD	GULFPORT	MS	39564
	87832	0811B-06-022.000	BROTZMAN DEAN	1919 -28TH STREET	GULFPORT	MS	39501
	22860	0811B-06-001.000	TEDDY BEARS RESTORATION & CARPET CL	P O BOX 7615	GULFPORT	MS	39506
	87600	08100-02-022.000	PENNELL INC	1518-B 28TH STREET	GULFPORT	MS	39501
	35124	08100-02-021.000	PENNELL TREY & RENEE	1518B 28YH ST	GULFPORT	MS	39501
	87602	08100-02-024.000	MERTZ MANAGEMENT LLC	1717 PASS RD	GULFPORT	MS	39501
	35125	08100-02-020.000	TOP SHOP PENNELL INC	1510 28TH ST	GULFPORT	MS	39501
	87591	08100-02-012.000	ENTRUST GROUP INC	1590 W 16TH STREET	MERCED	CA	95340
	137000	08100-02-016.001	JEFFERSON NORMA	26052 PECAN RD	PASS CHRISTIAN	MS	39571
	87587	08100-02-002.000	FAITH MISSIONARY BAPTIST CHURCH	3050 19TH AVE	GULFPORT	MS	39501
	35145	08100-02-039.000	ZHU WEI HAN & WONG LAI YING	16185 SADDLE DR	GULFPORT	MS	39503
	107033	08100-02-028.001	GLASSEA PROPERTIES LLC	1712 28TH ST	GULFPORT	MS	39501
N	35134	08100-02-028.000	GLASSEA PROPERTIES LLC	1712 28TH ST	GULFPORT	MS	39501
N	140554	08100-02-028.002	GLASSEA PROPERTIES LLC	1712 28TH ST	GULFPORT	MS	39501
	35128	08100-02-023.000	GLASSEA PROPERTIES LLC	1712 28TH STREET	GULFPORT	MS	39501
	144180	08100-02-023.001	GULFPORT CITY OF	PO BOX 1780	GULFPORT	MS	39502
N	144217	08100-02-024.001	GULFPORT CITY OF	PO BOX 1780	GULFPORT	MS	39502

RE: Variance 2302ZB018, by Kaliber Management LLC, tax parcel 0810O-02-012.000, Request variances for distance from an intersection for dead end road when a circular drive is required, required number of dumping and water stations, and setback requirements for a proposed RV site at 2800 19th St, Zoned B-2 (General business), Ward 3

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, February 16, 2023**, in the Council Chambers at the Gulfport City Hall located at 2309 15th Street.

For more information, visit <http://www.gulfport-ms.gov/agendas/> then click the City of Gulfport Zoning Board for **Thursday, February 16, 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:**

IPL0107269

External Order #:

375802

Order Status:

Submitted

Classification:

Legals & Public Notices

Package:

BLX - Legal Ads

Final Cost:

47.76

Payment Type:

Account Billed

User ID:

IPL0024925

PREVIEW FOR AD NUMBER IPL01072690**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 25, 2023 6:16:01 PM EST

Amount:

45.48

Date

January 26, 2023 4:04:56 PM EST

Amount:

2.28

SCHEDULE FOR AD NUMBER IPL01072690

February 1, 2023

SunHerald (Biloxi)

**LEGAL NOTICE
PUBLIC HEARING**

In conformance with Section VIII of the Comprehensive Zoning Ordinance of the City of Gulfport, Mississippi, 1979, as amended, notice is hereby given advising that the Zoning Board of Adjustment and Appeals will hold a public hearing in the City of Gulfport, Mississippi at 3:00 P.M., Thursday, February 16, 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

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

Variance 2301ZB005, by agent Austin Keith, tax parcel 0911B-02-013.000, Request variances for height, size, and placement of a detached accessory structure, 111 Courthouse Rd, Zoned T6 (Urban Core Zone), Ward 2

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

Variance 2302ZB011, by owner Brookestone Gulf Coast, LLC, tax parcel 1009N-01-002.000, Requests variance for sign size, Zoned R-2 (Single-family), Ward 5

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

Variance 2302ZB013, by agent Image Signs, tax parcel 0809P-02-001.031, Requests variance for second set of channel letter to replace current set facing west, 14100 Airport Rd, Zoned B-2(General Business) Ward 3.

Special Exception 2302SE015, by agents Twial & Terrance Johnson, tax parcel 0809K-01-001.019, Requests Special Exception for day care use, 9454 Three Rivers Rd, Zoned B-2 (General business) Ward 3

Variance 2302ZB018, by Kaliber Management LLC, tax parcel 08100-02-012.000, Request variances for distance from an intersection, for dead end road when a circular drive is required, required number of dumping and water stations, and setback requirements for a proposed RV site at 2800 19th St, Zoned B-2 (General business), Ward 3

Variance 2302ZB019, by agent Allison Badurak, tax parcels 0909A-01-001.015 & 0909A-01-001.016, Request variance for setbacks off the southern property line, 10414 Express Drive, Zoned I-3 (Planned Industrial), Ward 5

This the 25th day of January 2023
A. Lee Palermo, Chairman
City of Gulfport Zoning Board of Adjustment and Appeals
IPL0107269
Feb 1 2023

MEMORANDUM

To: City of Gulfport Zoning Board of Adjustment and Appeals

From: Greg Holmes, Planning Administrator
Urban Development Department

Date of Hearing: February 16, 2023

Re: Variance 2302ZB019:

Variance 2302ZB019, by agent Allison Badurak, tax parcels 0909A-01-001.015 & 0909A-01-001.016, Request variance for setbacks off the southern property line, 10414 Express Drive, Zoned I-3 (Planned Industrial), Ward 5

Technical Report

VARIANCE

GENERAL INFORMATION

Case File Number: 2302ZB019

Hearing Date: February 16, 2023

Current Zoning/Use: I-3 / Commercial Structures

Legal: Variance 2302ZB019, by agent Allison Badurak, tax parcels 0909A-01-001.015 & 0909A-01-001.016, Request variance for setbacks off the southern property line, 10414 Express Drive, Zoned I-3 (Planned Industrial), Ward 5

TECHNICAL DETAILS

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

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

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

Technical Report

VARIANCE

The applicant requests a variance for setbacks off the southern property line. More specifically, the applicant requests a variance of 19 feet to be 6 feet south side yard setback where 25 feet is required.

- (a) The applicant notes that the current tenants have utilized the existing space, the extra property located in the rear of the existing building was used for the last 20 years for truck storage for previous owner. However, the requirement for this section is how is the land unique compared to other lands and buildings in the district.
- (b) It is mentioned by the applicant that the property as it currently sits, fit the needs of the additional business and the area in question has similar businesses. The applicant is creating the special condition with the proposed new covered parking structures.
- (c) These variances are requested in order to allow the applicant to deviate from setback requirements. A hard ship has not been provided into the applicant's statement. However, an ordinance change may offer a solution.
- (d) According to the applicant the addition of this boat and RV storage facility would generate added revenue for the city and county. Staff review of the area found that current buildings along Express Drive do not meet south side yard setback.
- (e) Granting this variance would not provide special privileges due to existing buildings not meeting south side yard setbacks.
- (f) This property is zoned I-3, and boat and RV Storage is a permitted use.

EXECUTIVE SUMMARY

Staff recommends approval due to other existing businesses in the area with similar requirements not meeting 25- foot side yard setback. With existing businesses in the area not meeting side yard setbacks a precedent has been established in regards to the property in question.

Any approval should consider these conditions:

- 1. Approval grants a variance of 19 feet to allow a 6foot south side yard setback, where 25 feet is required
- 2. Must meet all current building codes and City of Gulfport ordinances.
- 3. Do no impact Adjacent Properties with drainage.

DEPARTMENTAL CONDITIONS

Engineering: No conditions. Memo dated 2/6/2023.

Public Works: Do no impact Adjacent Properties with drainage. Memo dated 2/6/2023.

Traffic and Safety: No conditions. Memo dated 2/3/2023.

Building Code Services: Must meet all current building codes and City of Gulfport ordinances. Memo dated 2/1/2023.

GIS: No conditions. Memo dated 2/1/2023.

Technical Report

VARIANCE

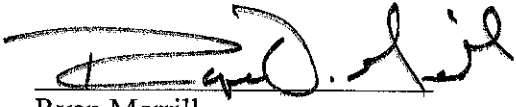
Police Department: No conditions. Memo dated 2/1/2023.

Fire Department: No conditions. Memo dated 2/1/2023.

City Arborist: No conditions. Memo dated 2/3/2023.

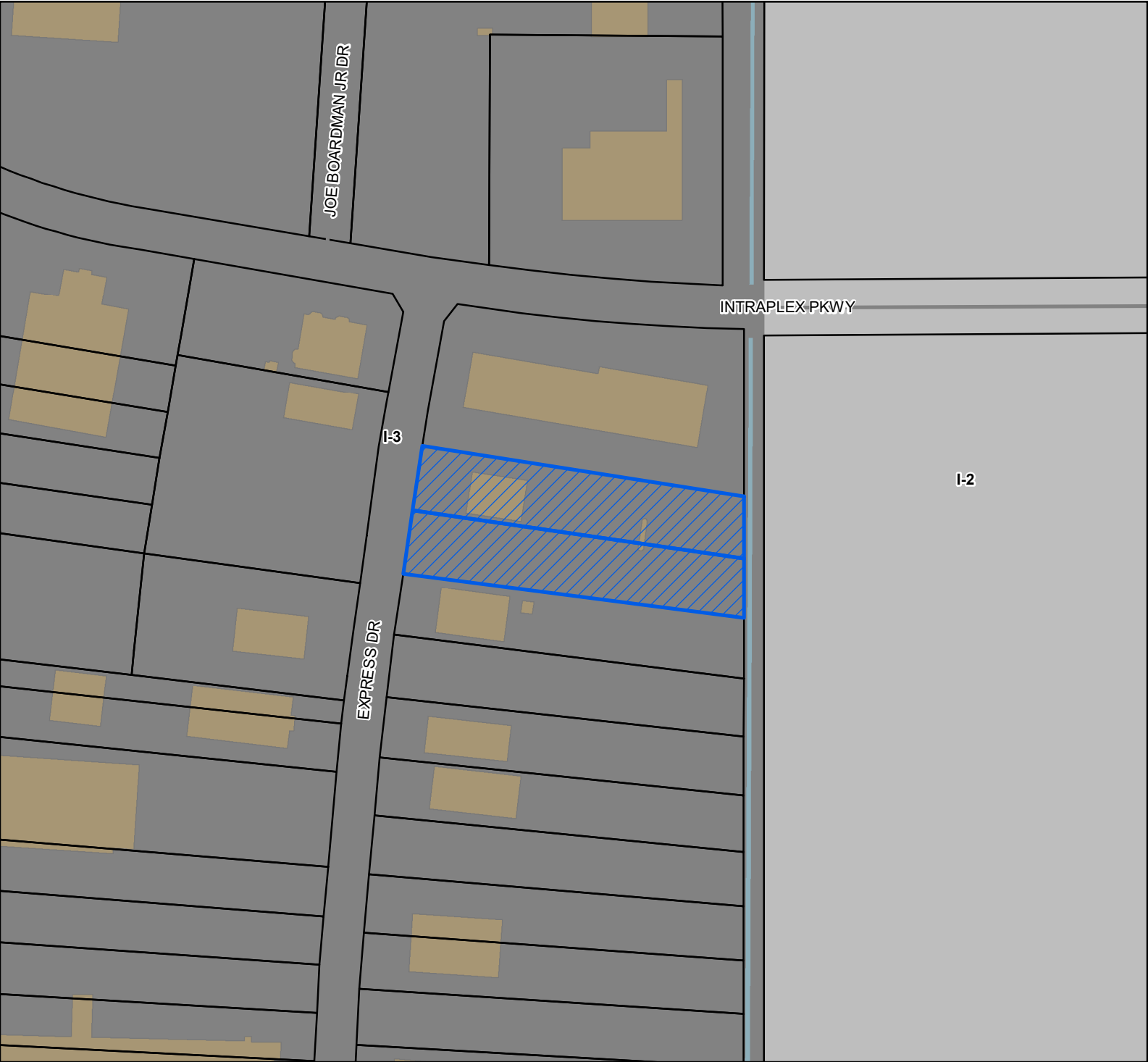
DIRECTOR APPROVAL

This report has been reviewed and approved by:



Ryan Merrill
Director of Urban Development Department





Site

Street

Parcels

Buildings

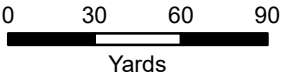
Water Features

Zoning

I-2 - Heavy Industry District

I-3 - Planned Industrial District

Site Information
0909A-01-001.015
0909A-01-001.016
Zoning: I-3 (Planned Industrial)
Size: 2 acres
Flood: X



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.



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

Case Number
23022B019

Zoning Board of Adjustments and Appeals Application

REQUESTED ACTION BY THE ZONING BOARD OF ADJUSTMENTS AND APPEALS

(A separate submission form is required for each request):

☐	Appeal of Planning Administrator
☐	Excessive Height
☐	Fence Variance
☐	Special Exception
☒	Variance

Tax Parcel Numbers

0909A - 01 - 001 . 015	
0909A - 01 - 001 . 016	

Property Address: 10414 Express Drive Gulfport, Ms 39503

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. We can only accept applications with original signatures

OWNER

AGENT

Trinity Real Estate Holdings LLC

Allison Badurakl

Printed Name of Owner

Printed Name of Agent

P.O. Box 7413

10414 Express Drive Unit A

Mailing Address

Mailing Address

Gulfport Ms 39506

Gulfport Ms 39503

City

State

Zip code

City

State

Zip code

228-860-0792

(228-) 860-0792

Home Phone

Work/Cell Phone

Home Phone

Work/Cell Phone

1trinityrealestateholdingsllc@gmail.com

Email

Email

[Signature]

Allison Badurakl

Signature of Owner

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) Kenny Badurak

ADDRESS (STREET, CITY, STATE, ZIP CODE) PO Box 7413, Gulfport, MS, 39506

PHONE # (H) _____ (WK/CELL) 228-263-1284

TAX PARCEL NUMBER(S) OWNED 0909A-01-001.015, 0909A-01-001.016

SIGNATURE: _____

NAME OF OWNER (PRINT) Allison Badurak

ADDRESS (STREET, CITY, STATE, ZIP CODE) PO Box 7413, Gulfport, MS, 39506

PHONE # (H) _____ (WK/CELL) 228-860-0792

TAX PARCEL NUMBER(S) OWNED 0909A-01-001.015, 0909A-01-001.016

SIGNATURE: Allison Badurak

NAME OF OWNER (PRINT) _____

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

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

TAX PARCEL NUMBER(S) OWNED _____

SIGNATURE: _____



Covenant Affidavit

I, Kenneth Braum, being owner or agent of the property 10414 Express Dr
PRINT NAME PRIMARY ADDRESS OR PARCEL Gulfport

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

1/13/2023
Date

STATE OF MISSISSIPPI | COUNTY OF HARRISON

Given under my hand and seal of office this the 13th day of January, 2023.

Matilda Welch
Notary Public

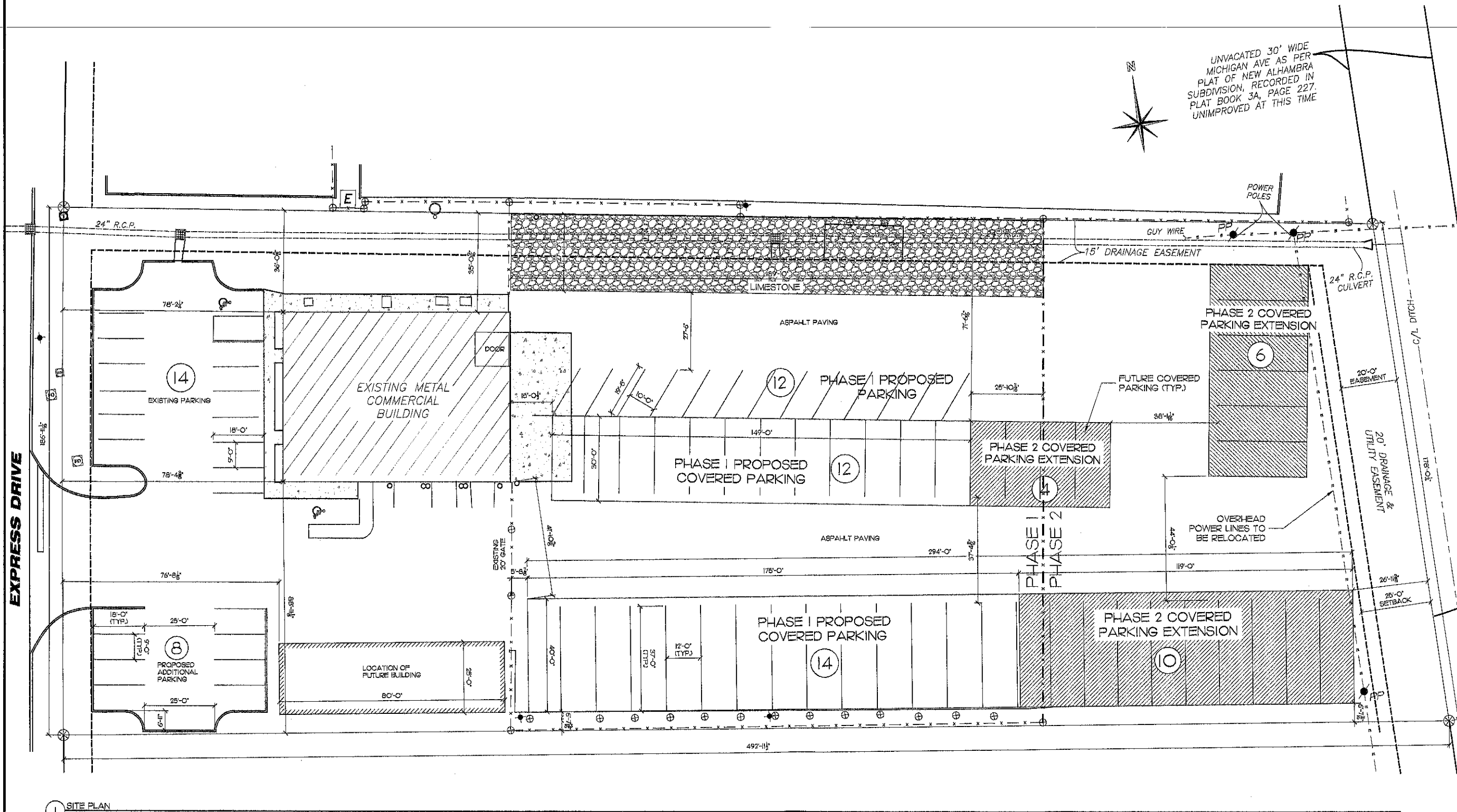


Commission Expiration

1. The current tenants have utilized the existing space, the extra property located in the rear of the existing building was used for the last 20 years for truck storage for the previous owner. We are requesting to cover the existing parking area to be used for boat and RV storage.
2. This property as it currently sits, more than fits the needs of this additional business. In addition, the immediate area already has similar businesses.

3. All other properties that surround the Intraplex 10 in the Industrial Park are currently zoned I 2. This zoning allows Zero side and rear setbacks. We have met the setback requirements for I 3 with the exception of, the southern property line. We adjusted the site plan to meet the requirements on all sides except the southern line. According to the current zoning, the setback on the south is 25'. We are requesting the setback to be 6'. This makes our request a 19' variance on the southern property. This building was already used for the past 20 years for truck storage for the previous owner, we simply want to cover the existing parking area in the rear.
4. The addition of this Boat and RV storage facility, would generate added revenue for the city and county. This is allowed by right, and other facilities in the immediate area already exist within one mile.
5. No special benefits will be received because similar businesses already exist in the immediate area.
6. Yes, it is approved by right based on the zoning and other businesses in the immediate area.

EXPRESS DRIVE



UNVACATED 30' WIDE
MICHIGAN AVE AS PER
PLAT OF NEW ALHAMBRA
SUBDIVISION, RECORDED IN
PLAT BOOK 3A, PAGE 227.
UNIMPROVED AT THIS TIME

POWER
POLES

GUY WIRE

15' DRAINAGE EASEMENT

24" R.C.P.
CULVERT

PHASE 2 COVERED
PARKING EXTENSION

6

FUTURE COVERED
PARKING (TYP.)

PHASE 2 COVERED
PARKING EXTENSION

11

OVERHEAD
POWER LINES TO
BE RELOCATED

PHASE 2 COVERED
PARKING EXTENSION

10

PHASE 1 PROPOSED
COVERED PARKING

14

PHASE 1 PROPOSED
COVERED PARKING

12

PHASE 1 PROPOSED
PARKING

12

EXISTING METAL
COMMERCIAL
BUILDING

EXISTING PARKING
14

PROPOSED
ADDITIONAL
PARKING
8

LOCATION OF
FUTURE BUILDING

1 SITE PLAN
SCALE 1/8"=1'-0"

SHEET TITLE

PROPOSED SITE PLAN

DATE:

06/20/2022

REVISION DATE:

12/05/2022

DRAWN BY:

S. SANTIBANEZ

CHECK BY:

DON PARKER

SHEET

C1

PDM

PARKER DESIGN & MANAGEMENT

STRUCTURAL CONSULTING
ARCHITECTURAL CONSULTING
8195C WOODLAKE ROAD
BILLOM MS, 38532

PHONE: 662-366-1733
FAX: 662-366-1733

PARKING RENOVATION
FOR KSB OFFICE
10414 EXPRESS DR.
GULFPORT, MS. 39503



1st JUDICIAL DISTRICT
Instrument 2022-0023561-D-11
Filed/Recorded 09/16/2022 3:34:01 PM
Total Fees 26.00
2 Pages Recorded

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

Indexing Instructions:

File# 221497

STATE OF MISSISSIPPI

COUNTY OF HARRISON

QUITCLAIM DEED

THAT FOR AND IN CONSIDERATION of the sum of Ten and no/100 Dollars (\$10.00), cash in hand paid, and other good and valuable consideration, the receipt and sufficiency of all of which is hereby acknowledged,

KSB CONTRACTING LLC,
a Mississippi limited liability company
P. O. BOX 7413
GULFPORT, MS 39506
228-263-1284

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

TRINITY REAL ESTATE HOLDINGS, LLC,
a Mississippi limited liability company
P. O. BOX 7413
GULFPORT, MS 39506
228-263-1284

the following described property, together with the improvements, hereditaments and appurtenances thereunto situated and located in the County of Harrison, State of Mississippi, and more particularly described as follows, to-wit:

Lots Fifteen (15), and Sixteen (16), INTRAPLEX 10, INDUSTRIAL PARK, Phase 1, a subdivision according to a map or plat thereof which is on file of record in the office of the Chancery Clerk of Harrison, First Judicial District County, Mississippi, in Plat Book 36, at Page 42, reference to which is hereby made in aid of and is a part of this description.

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

Our File Number 221497,

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

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

IN WITNESS WHEREOF, **KSB CONTRACTING LLC, a Mississippi limited liability company** has caused this conveyance to be executed by its duly authorized officer, he having first been duly authorized to do so, on this the 15th day of September, 2022.

**KSB CONTRACTING LLC,
a Mississippi limited liability company**

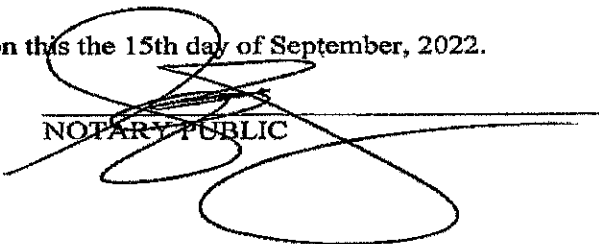
BY: 
Kenneth S Badurak, Manager, Member

STATE OF HARRISON

COUNTY OF HARRISON

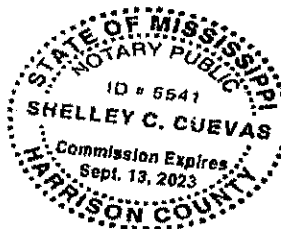
THIS DAY PERSONALLY CAME AND APPEARED BEFORE ME, the undersigned authority in and for the jurisdiction aforesaid, Kenneth S Badurak, who acknowledge that he is the Manager, Member of KSB Contracting, LLC, a Mississippi limited liability company and as its act and deed, he signed, sealed and delivered the above and foregoing instrument of writing on the day and in the year therein mentioned after having been first duly authorized to do so..

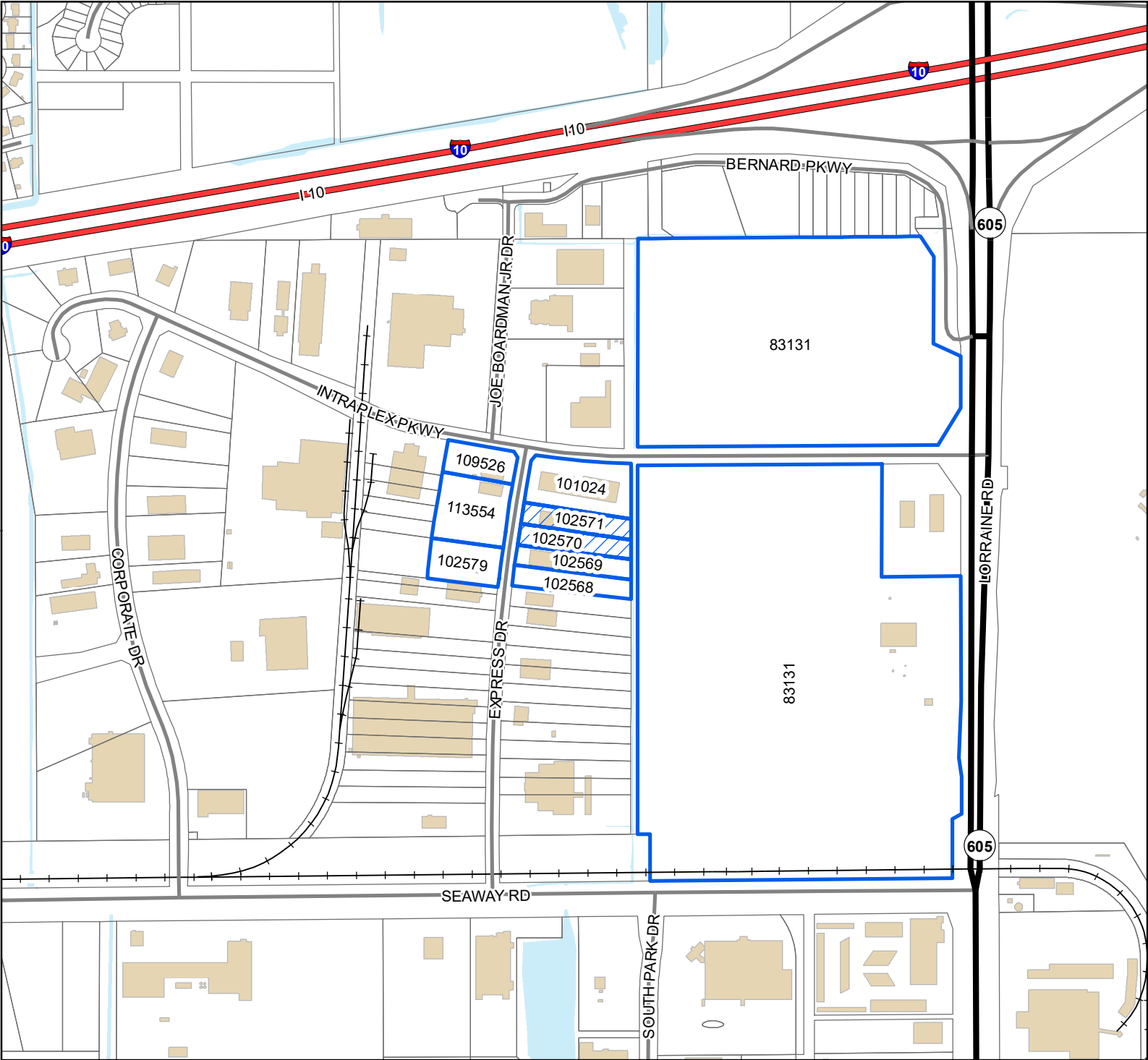
GIVEN under my hand and official seal on this the 15th day of September, 2022.


NOTARY PUBLIC

(SEAL)

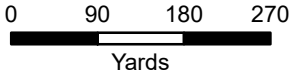
My Commission Expires:





Legend

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



1 inch = 600 feet



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

Mail	PPIN	Parcel ID	Name	Address	City	State	ZIP
Y			TRINITY REAL ESTATE HOLDINGS LLC	P.O BOX 7413	GULFPORT	MS	39506
			KENNY & ALISON BADURAK	10414 EXPRESS DRIVE UNIT A	GULFPORT	MS	39503
			Adjacent Property Owners				
N	102568	0909A-01-001.013	TREBIG EXPRESS LLC ETAL	43 FARNHAM PL	METAIRIE	LA	70005
	102569	0909A-01-001.014	TREBIG EXPRESS LLC ETAL	43 FARNHAM PLACE	METAIRIE	LA	70005
N	102571	0909A-01-001.016	KSB CONTRACTING LLC	P O BOX 7413	GULFPORT	MS	39506
	102570	0909A-01-001.015	KSB CONTRACTING LLC	P O BOX 7413	GULFPORT	MS	39506
	101024	0909A-01-001.017	MANHATTAN SQUARE LP	C/O ERIN KIELLY	METAIRIE	LA	70009
	102579	0909A-01-001.025	EEG MARINE LLC	21019 HAYES RD	LONG BEACH	MS	39560
	109526	0909A-01-001.054	GULF COAST RESTAURANT GROUP INC	P O BOX 6249	GULFPORT	MS	39506
	113554	0909A-01-001.057	J & R PROPERTIES	P O BOX 1176	GULFPORT	MS	39502
	83131	1009D-02-001.000	MISS POWER CO	P O BOX 4079	GULFPORT	MS	39502

RE: Variance 2302ZB019, by agent Allison Badurak, tax parcels 0909A-01-001.015 & 0909A-01-001.016, Request variance for setbacks off the southern property line, 10414 Express Drive, Zoned I-3 (Planned Industrial), Ward 5

To Applicants and Adjacent Property Owners:

The City of Gulfport Zoning Board of Adjustments and Appeals will hold a public hearing to consider the above application at 3:00 P.M. on **Thursday, February 16, 2023**, in the Council Chambers at the Gulfport City Hall located at 2309 15th Street.

For more information, visit <http://www.gulfport-ms.gov/agendas/> then click the City of Gulfport Zoning Board for **Thursday, February 16, 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:**

IPL0107269

External Order #:

375802

Order Status:

Submitted

Classification:

Legals & Public Notices

Package:

BLX - Legal Ads

Final Cost:

47.76

Payment Type:

Account Billed

User ID:

IPL0024925

PREVIEW FOR AD NUMBER IPL01072690**ACCOUNT INFORMATION**

GULFPORT URBAN DEVELOPMENT IP

PO BOX 1780

GULFPORT, MS 39502

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GULFPORT URBAN DEVELOPMENT

TRANSACTION REPORT**Date**

January 25, 2023 6:16:01 PM EST

Amount:

45.48

Date

January 26, 2023 4:04:56 PM EST

Amount:

2.28

SCHEDULE FOR AD NUMBER IPL01072690

February 1, 2023

SunHerald (Biloxi)

**LEGAL NOTICE
PUBLIC HEARING**

In conformance with Section VIII of the Comprehensive Zoning Ordinance of the City of Gulfport, Mississippi, 1979, as amended, notice is hereby given advising that the Zoning Board of Adjustment and Appeals will hold a public hearing in the City of Gulfport, Mississippi at 3:00 P.M., Thursday, February 16, 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

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

Variance 2301ZB005, by agent Austin Keith, tax parcel 0911B-02-013.000, Request variances for height, size, and placement of a detached accessory structure, 111 Courthouse Rd, Zoned T6 (Urban Core Zone), Ward 2

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

Variance 2302ZB011, by owner Brookestone Gulf Coast, LLC, tax parcel 1009N-01-002.000, Requests variance for sign size, Zoned R-2 (Single-family), Ward 5

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Variance 2302ZB013, by agent Image Signs, tax parcel 0809P-02-001.031, Requests variance for second set of channel letter to replace current set facing west, 14100 Airport Rd, Zoned B-2(General Business) Ward 3.

Special Exception 2302SE015, by agents Twial & Terrance Johnson, tax parcel 0809K-01-001.019, Requests Special Exception for day care use, 9454 Three Rivers Rd, Zoned B-2 (General business) Ward 3

Variance 2302ZB018, by Kaliber Management LLC, tax parcel 08100-02-012.000, Request variances for distance from an intersection, for dead end road when a circular drive is required, required number of dumping and water stations, and setback requirements for a proposed RV site at 2800 19th St, Zoned B-2 (General business), Ward 3

Variance 2302ZB019, by agent Allison Badurak, tax parcels 0909A-01-001.015 & 0909A-01-001.016, Request variance for setbacks off the southern property line, 10414 Express Drive, Zoned I-3 (Planned Industrial), Ward 5

This the 25th day of January 2023
A. Lee Palermo, Chairman
City of Gulfport Zoning Board of Adjustment and Appeals
IPL0107269
Feb 1 2023