

AGENDA
ZONING BOARD OF ADJUSTMENT AND APPEALS
CITY HALL COUNCIL CHAMBERS
THURSDAY, APRIL 20, 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 - March 16, 2023

(No meeting held due to lack of cases)_

- 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 2304ZB028:
Withdrawn by Administration:

Variance 2304ZB028, by owner Robert Ross Cruthirds, seeking approval to allow an additional accessory structure, Tax Parcel 0909O-02-028.000, 4908 Kendall Ave, Zoned R-1-7.5 (Single-family), Ward 4

2. Variance 2304ZB032:

Variance 2304ZB032; by agent Peter Vicari, seeking approval to allow for a 15-foot front yard setback where 50-feet is required, Tax Parcels 1011C-01-010.000, 1011C-01-011.000, 1011C-01-011.145, 1011C-01-013.000, 1010N-04-032.000, Zoned T5 (Urban Center) & T6 (Urban Core), Ward 2

3. Variance 2304ZB035:

Variance 2304ZB035, by agent Elliott Homes, seeking approval to allow for a 5-foot front and side yard setbacks, reduction of minimum required lot size of 7,500 square feet to 5,000 square feet, and of entire site coverage of 50% while lot coverage will be 45%, Tax Parcel 1010O-02-050.000, 1856 Beach Drive, Zoned R-1-7.5 (Single-family), Ward 2

4. Special Exception 2304SE038:
Deferred to May Meeting:

Special Exception 2304SE038, by agent Kenyetter Johnson, is seeking approval for day care use, Tax Parcel 0808L-04-001.001, 15487 Oak Ln, Zoned B-4 (Highway Business), Ward 7

5. Variance 2304ZB043:

Variance 2304ZB043, by owner Highland Lake Townhomes, LLC, seeking approvals for allowance of building height of 16 feet fence/wall exceeding the 6 feet height limit, and for sign height of 10 feet exceeding height limit of 6 feet, Tax Parcel 1008F-01-001.000, 0 Ollie Rd, Zoned R-B (Residence Business) ,Ward 6

H. Adjournment

MEMORANDUM

To: City of Gulfport Zoning Board of Adjustment and Appeals

From: Su-Lin Featherston, Planning Administrator
Urban Development Department

Date of Hearing: April 20, 2023

Re: Public Declaration of Appeal Process of Chairman

MEMORANDUM

To: City of Gulfport Zoning Board of Adjustment and Appeals

From: Su-Lin Featherston, Planning Administrator
Urban Development Department

Date of Hearing: April 20, 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: Su-Lin Featherston, Planning Administrator
Urban Development Department

Date of Hearing: April 20, 2023

Re: Routine Agenda

MEMORANDUM

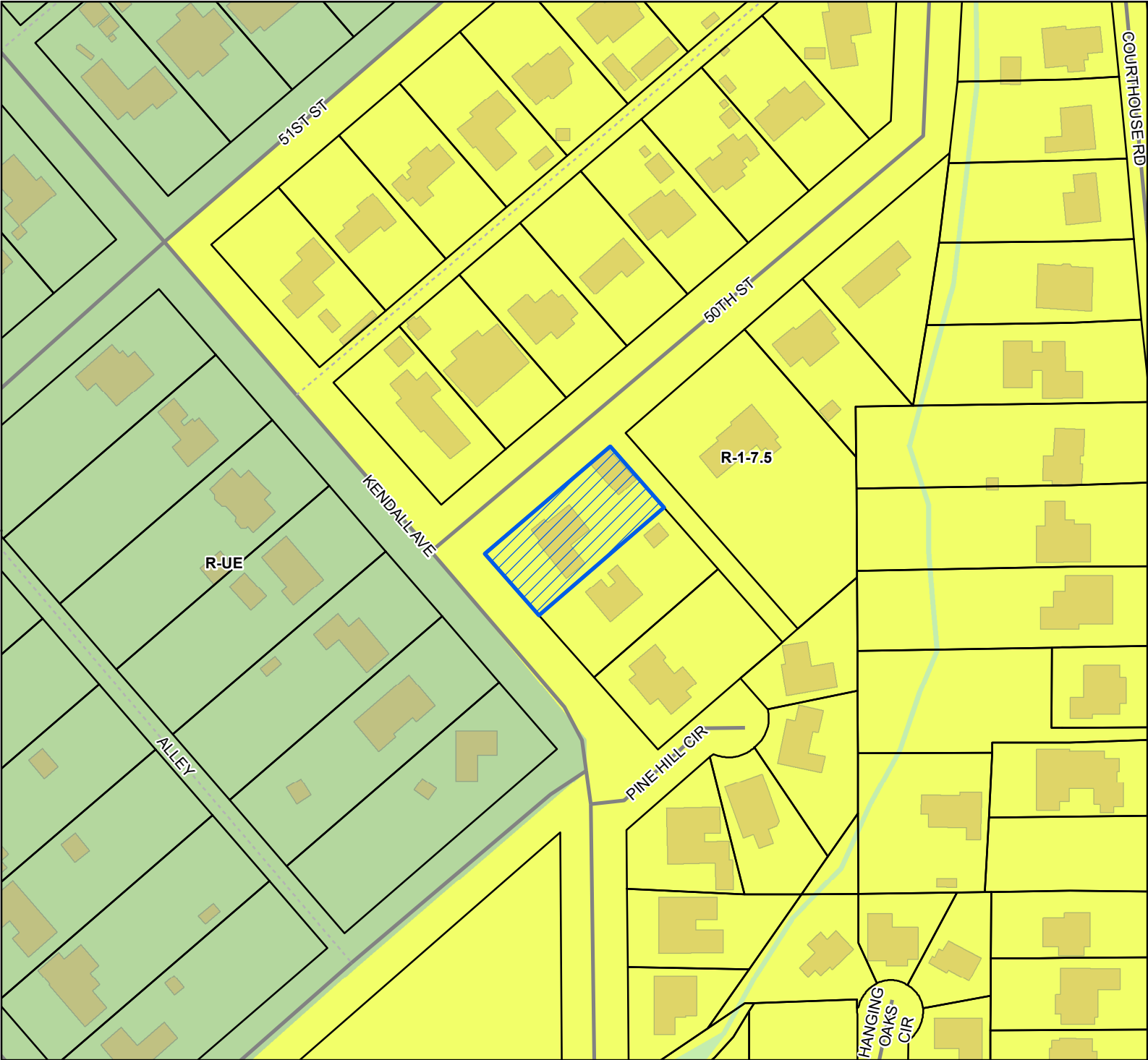
To: City of Gulfport Zoning Board of Adjustment and Appeals

From: Su-Lin Featherston, Planning Administrator
Urban Development Department

Date of Hearing: April 20, 2023

Re: Variance 2304ZB028:
Withdrawn by Administration:

Variance 2304ZB028, by owner Robert Ross Cruthirds, seeking approval to allow an additional accessory structure, Tax Parcel 0909O-02-028.000, 4908 Kendall Ave, Zoned R-1-7.5 (Single-family), Ward 4



Legend

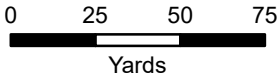
- Site
- Street
- Alley
- Parcels
- Buildings
- Water Features

Zoning

- R-1-7.5 - Single Family Residence District (Low Density)
- R-UE - Residential Urban Estate

Site Information

09090-02-028.000
Zoning: R-1-7.5 (Single-family residence)
Size: 20294.86 sqft
Flood: X



1 inch = 170 feet



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Case Number
2304 ZB028

REQUESTED ACTION BY THE ZONING BOARD OF ADJUSTMENTS AND APPEALS

	Appeal of Planning Administrator
	Excessive Height
	Fence Variance
	Special Exception
	Variance - request additional structure where only one is allowed

0	9	0	9	0	-	0	2	-	0	2	8	.	0	0	0
					-			-				.			
					-			-				.			
					-			-				.			

Property Address: 4908 Kendall Ave Gulfport MS 39507

AGENT

Ross Cuthberts

Printed Name of Owner

4908 Kendall Ave

Mailing Address

Gulfport MS 39507

City

State

Zip code

228-861-3955

Home Phone

Work/Cell Phone

ross@crescivine.com

Email

Signature of Owner

Printed Name of Agent

Mailing Address

City

State

Zip code

Home Phone

Work/Cell Phone

Email

Signature of Agent



Covenant Affidavit

I, Robert Ross Cruthirz, being owner or agent of the property 09090-02-028.000
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

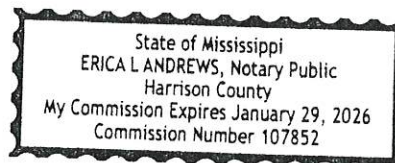
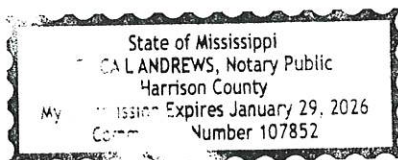
2-2-2023

Date

STATE OF MISSISSIPPI | COUNTY OF HARRISON

Given under my hand and seal of office this the 2 day of February, 20 23

Notary Public



January 29, 2026

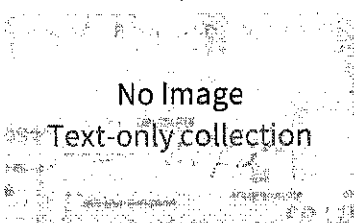
Commission Expiration

i Note: This site uses cookies as set out in our cookie policy. To change your preferences please go to our cookie policy. By continuing to use our site, you agree to our use of cookies.



Silas Cruthirds

in the U.S., Social Security Death Index, 1935-2014



Request copy of original application

Add alternate information

Report issue

Name: Silas Cruthirds

SSN: 428-20-1318

Last Residence: 39501 Gulfport, Harrison, Mississippi, USA

BORN: 16 Dec 1923

Last Benefit: 39501, Gulfport, Harrison, Mississippi, United States of America

Died: Aug 1979

State (Year) SSN issued: Mississippi (Before 1951)

Save & create tree

Cancel

Source Citation

Number: 428-20-1318; Issue State: Mississippi; Issue Date: Before 1951

Source Information

Ancestry.com. U.S., Social Security Death Index, 1935-2014 [database on-line]. Provo, UT, USA: Ancestry.com Operations Inc, 2014.

Original data: Social Security Administration. *Social Security Death Index, Master File*. Social Security Administration.

Description

The Social Security Administration Death Master File contains information on millions of deceased individuals with United States social security numbers whose deaths were reported to the Social Security Administration. Birth years for the individuals listed range from 1875 to last year. Information in these records includes name, birth date, death date, and last known residence. [Learn more...](#)

Suggested Records



- ☐ U.S., Find A Grave Index, 1600s-Current
S R Cruthirds
- ☐ U.S. City Directories, 1822-1995
Silas R Cruthirds
- ☐ U.S. City Directories, 1822-1995
Silas R Cruthirds
- ☐ U.S., Department of Veterans Affairs BIRLS Death File, 1850-2010
Silas Cruthirds
- ☐ U.S. Public Records Index, 1950-1993, Volume 1
Silas R Cruthirds Jr
- ☐ U.S., Department of Veterans Affairs BIRLS Death File, 1850-2010
Jack Cruthirds

Show More ▼



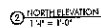
Write a comment.

Make a Connection

[Find others](#) who are researching Silas Cruthirds in Public Member Trees

I would like to appeal the zoning law stating that I cannot have 2 free-standing structures on my property. I currently have a free-standing garage on my property that was there when the house was purchased by myself. I would like to build a free-standing outdoor living area that would be enjoyed by myself and my family. This new structure would blend in with the house and garage so it would not stand out and be an eye soar to any neighbors around me.

- 1) I currently have a separate free-standing garage in the back left corner of my property. The new outdoor living area I'm wanting to build and have drawn would not be attached to the back of my house. Therefore, it would be an additional free-standing structure.
- 2) I purchased the property and the garage was already built on it.
- 3) The only way to avoid the zoning ordinance would be to tie this structure into the roof of my house. Where this is going that is a main valley for water shed off my roof therefore it would create water shed problems during a heavy rain. Also, the cost associated with having to tie it into my existing roof line would be much greater than a freestanding structure.
- 4) This will add value to my house and be built so that it blends in with the existing structures on my property. Having this outdoor living space would bring enjoyment to myself and my family during nice weather days.
- 5) There is no special benefit that will come from this. Just enjoyment for myself and my family.
- 6) I should have the right to build a structure like this for me to enjoy it with my family and friends on my property. This is a simple outdoor living area.



DCA PLLC
Adam Birke Davis, Architect

OUTDOOR KITCHEN
CRUTHIRDS RESIDENCE

1000 VANDAN AVE CHAFFET HTS. 29507



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Archford

ICA PLC, also listed on the London Stock Exchange, has been advised by its directors that it is not aware of any person or company having been approached by any person or company to acquire or attempt to acquire the company or any part of its business.

Considerations: *How long will it take to get the information?*

PROJECT No.	22151
DATE	27 OCT 2022
REV DATE	

SECTIONS & ELEVATIONS

A2.1

SCANNED



J. Jordan 1st Judicial District
Instrument 2018 3411 D -J1
Filed/Recorded 6/ 1/2018 04:18 P
Total Fees \$ 12.00
5 Pages Recorded

Prepared By & Return To:
Schwartz, Orgler & Jordan, PLLC
12206 Hwy 49
Gulfport, MS 39503
(228) 832-8550
Our File: 180820

Index As: Lot 1 Gulfport Bayou View 1st
Addition Block 22A

STATE OF MISSISSIPPI
COUNTY OF HARRISON



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,

**The Charles Cruthirds and Frances Cruthirds Revocable Trust also known as The
Frances Cruthirds and Charles Cruthirds Revocable Trust
2326 Park Place
Gulfport, MS 39507
(228) 861-3950**

do hereby sell, convey and warrant unto

**Robert R. Cruthirds, a single man
4908 Kendall Avenue
Gulfport, MS 39507
(228) 861-3955**

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

**Lot One (1), Block 22A, First Addition to Gulfport Bayou View
Subdivision, the plat of which is recorded in Book 17, Page 40, in the
Office of the Chancery Clerk of Harrison County, Mississippi.**

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

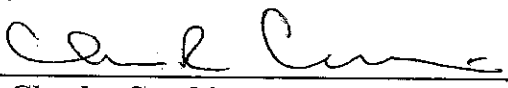
THIS CONVEYANCE is subject to any and all recorded restrictive covenants, rights-of-way and easements applicable to subject property, and subject to any and all prior recorded reservations, conveyances and leases of oil, gas and minerals by previous owners.

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

2
by the Grantee herein.

IN WITNESS WHEREOF, The Charles Cruthirds and Frances has caused this conveyance to be executed by its duly authorized officer, having first been duly authorized to do so, on this the 30th day of May, 2018.

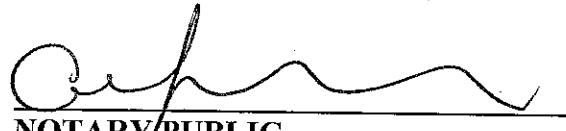
**The Charles Cruthirds and Frances Cruthirds
Revocable Trust also known as The Frances
Cruthirds and Charles Cruthirds Revocable Trust**


By: **Charles Cruthirds, Trustee**

**STATE OF MISSISSIPPI
COUNTY OF HARRISON**

PERSONALLY appeared before me, the undersigned authority of law in and for this jurisdiction, the within named **Charles Cruthirds**, who acknowledged to me that he is the **Trustee** for the **The Charles Cruthirds and Frances Cruthirds Revocable Trust also known as The Frances Cruthirds and Charles Cruthirds Revocable Trust**, and that for and on behalf of the **Trust**, and as its act and deed he signed and delivered the foregoing instrument of writing on the day and year therein mentioned, in his full representative capacity, having been first duly authorized to do so.

GIVEN UNDER MY HAND AND OFFICIAL SEAL OF OFFICE, this the 30th day of May, 2018.


NOTARY PUBLIC

My Commission Expires:



IN WITNESS WHEREOF, The Charles Cruthirds and Frances has caused this conveyance to be executed by its duly authorized officer, having first been duly authorized to do so, on this the 30th day of May, 2018.

3

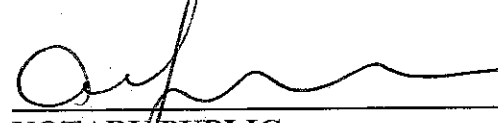
**The Charles Cruthirds and Frances Cruthirds
Revocable Trust also known as The Frances
Cruthirds and Charles Cruthirds Revocable Trust**


By: Frances Cruthirds, Trustee

**STATE OF MISSISSIPPI
COUNTY OF HARRISON**

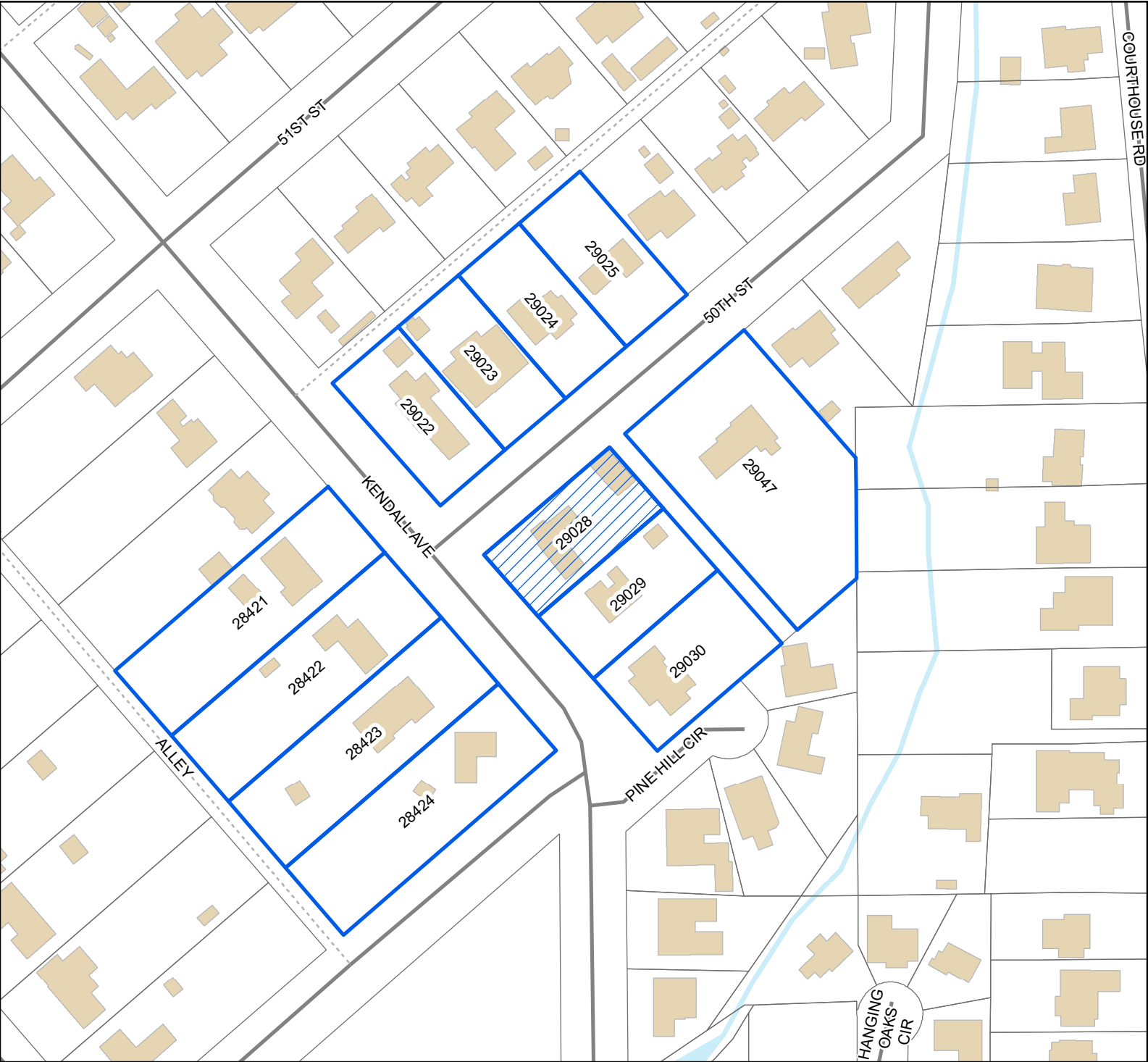
PERSONALLY appeared before me, the undersigned authority of law in and for this jurisdiction, the within named **Frances Cruthirds**, who acknowledged to me that he is the **Trustee** for the **The Charles Cruthirds and Frances Cruthirds Revocable Trust also known as The Frances Cruthirds and Charles Cruthirds Revocable Trust**, and that for and on behalf of the **Trust**, and as its act and deed he signed and delivered the foregoing instrument of writing on the day and year therein mentioned, in his full representative capacity, having been first duly authorized to do so.

**GIVEN UNDER MY HAND AND OFFICIAL SEAL OF OFFICE, this the 30th
day of May, 2018.**


NOTARY PUBLIC

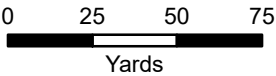
My Commission Expires:





Legend

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



1 inch = 170 feet



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Mail	PPIN	Parcel ID	Name	Address	City	State	ZIP
N	29028	0909O-02-028.000	CRUTHIRDS ROBERT R (OWNER)	4908 KENDALL AVE	GULFPORT	MS	39507
	Adjacent Property Owners (2304ZB028)						
	29024	0909O-01-049.000	DOMBROWSKI GARRETT	22 50TH ST	GULFPORT	MS	39507
	29023	0909O-01-048.000	WITTMANN JACK & CLARK JENNIFER	24 50TH ST	GULFPORT	MS	39507
	29022	0909O-01-047.000	COOPER GREGORY & MICHELE H	5002 KENDALL AVE	GULFPORT	MS	39507
	29047	0909O-02-029.000	MYERS DIANE H	21 50TH ST	GULFPORT	MS	39507
	28423	0909O-03-020.000	COLEMAN JAMES J JR & LURLEAN J	5003 KENDALL AVE	GULFPORT	MS	39501
	28424	0909O-03-021.000	CLARK MELANIE JENNER	5112 COURTHOUSE RD	GULFPORT	MS	39507
	29029	0909O-02-027.000	MAJURE TERRI GAIL WADDELL	4906 KENDALL AVE	GULFPORT	MS	39507
	28421	0909O-03-018.000	MEADOWS JONELLE DENICOLA	5007 KENDALL AVE	GULFPORT	MS	39507
	29030	0909O-02-026.000	BRUCE ROBERT C JR & MYRA M	4 PINE HILL CIR	GULFPORT	MS	39507
	29025	0909O-01-050.000	CARTER GLENDA L	20 50TH ST	GULFPORT	MS	39507
	28422	0909O-03-019.000	WEAVER JAMES WILLIAM JR	5005 KENDALL AVE	GULFPORT	MS	39507

MEMORANDUM

To: City of Gulfport Zoning Board of Adjustment and Appeals

From: Su-Lin Featherston, Planning Administrator
Urban Development Department

Date of Hearing: April 20, 2023

Re: Variance 2304ZB032:

Variance 2304ZB032; by agent Peter Vicari, seeking approval to allow for a 15-foot front yard setback where 50-feet is required, Tax Parcels 1011C-01-010.000, 1011C-01-011.000, 1011C-01-011.145, 1011C-01-013.000, 1010N-04-032.000, Zoned T5 (Urban Center) & T6 (Urban Core), Ward 2

Technical Report

VARIANCE

GENERAL INFORMATION

Case File Number: 2304ZB032

Hearing Date: April 20, 2023

Current Zoning/Use: T4+ / Commercial Structures

Legal: Variance 2304ZB032; by agent Peter Vicari, seeking approval to allow for a 15-foot front yard setback where 50-feet is required, Tax Parcels 1011C-01-010.000, 1011C-01-011.000, 1011C-01-011.145, 1011C-01-013.000, 1010N-04-032.000, Zoned T5 (Urban Center) & T6 (Urban Core), 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, a variance of 35 feet, to allow for a 15-foot front yard setback where 50-feet is required. The City of Gulfport Zoning Ordinances states minimum park front setback are twenty-five (25) feet except when park abuts on a designated major thoroughfare; then the minimum shall be fifty (50) feet.

- (a) The applicant notes there are conditions and circumstances peculiar to this property and what will be constructed on the property. The applicant states there will be no raised structures such as buildings, but only parking slabs for the parking of RVs on this property.
- (b) In the application, the applicant states it is clear that the applicant did not create the conditions necessitating the variance, but rather the natural lay of land, the location of oak trees, and the large amount of wetlands make this necessary in order to make this project feasible.
- (c) The applicant states the hardship which necessitate this request for a variance do not occur on other properties, first because there is no other property which can reasonably be expected to be devoted to the same use as this property is being devoted to. All other developments along US highway 90 are structures that are built above ground.
- (d) The applicant states placing RV pads in the location shown on site plan is being accomplished in such a way that there are a number of lost sites.
- (e) The applicant states that again, it is pointed out that benefit conferred upon this piece of property by granting this variance will probably never impact any other property as all other properties that have to adhere to this setback will consist of structures above the ground and not merely cement pads that will be capable of being vacated in event of storms.
- (f) This property is zoned T5 and a RV park is an allowed use with Planning Commission Approval.

EXECUTIVE SUMMARY

The applicant has not met the six hardship criteria, and the hardship provided does not meet merit; Therefore, staff recommends denial of this request, the applicant has not proved or provided information to make this a hardship. The City of Gulfport Zoning Ordinances states minimum park front setback are twenty-five (25) feet except when park abuts on a designated major thoroughfare; then the minimum shall be fifty (50) feet.

Any approval should consider these conditions:

- 1. Ensure drainage does not adversely impact adjacent lots
- 2. Must meet all current building codes and City of Gulfport Ordinances
- 3. Approval grants a variance of 35 feet to allow for 15 foot front yard setback where 50 feet is required.

DEPARTMENTAL CONDITIONS

Engineering:

Ensure drainage does not adversely impact adjacent lots. Memo dated 4/11/2023.

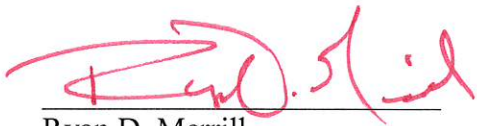
Technical Report

VARIANCE

<u>Public Works:</u>	No conditions. Memo dated 4/6/2023.
<u>Traffic and Safety:</u>	No conditions. Memo dated 4/5/2023.
<u>Building Code Services:</u>	Must meet all current building codes and City of Gulfport Ordinances. Memo dated 3/30/2023.
<u>GIS:</u>	No conditions. Memo dated 3/31/2023.
<u>Police Department:</u>	No conditions. Memo dated of 3/31/2023.
<u>Fire Department:</u>	No conditions. Memo dated 3/30/2023.
<u>City Arborist:</u>	No conditions. Memo dated 3/30/2023.

DIRECTOR APPROVAL

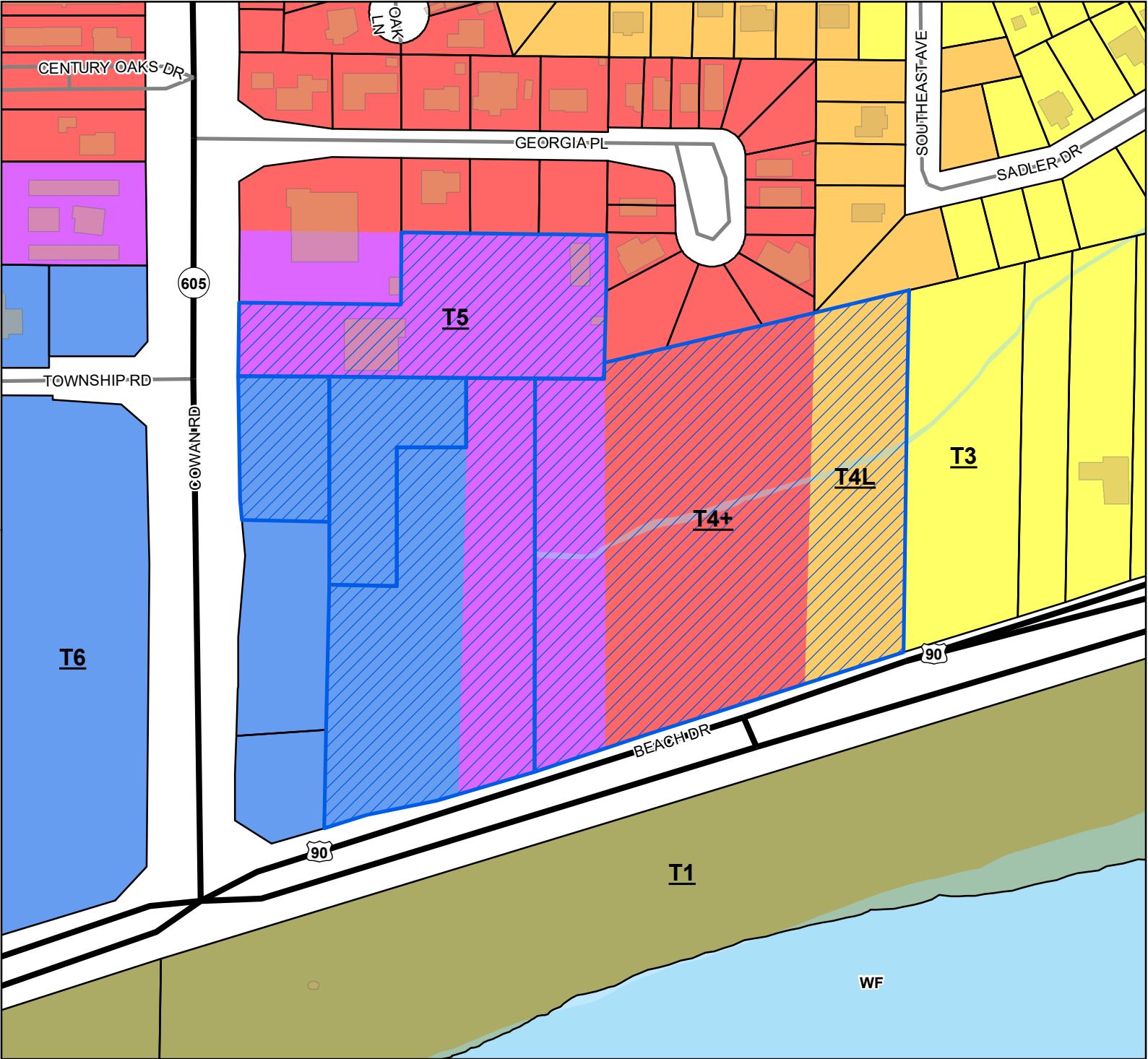
This report has been reviewed and approved by:



Ryan D. Merrill
Director of Urban Development Department



Variance



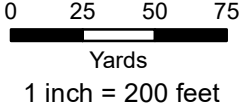
-  Site
-  US or State Highway
-  Street
-  Parcels
-  Buildings
-  Water Features

 T6
 T5
 T4+
 T4L
 T3
 T1

Zoning

 WF - Water Front

Site Information
1010N-04-032.000
1011C-01-013.000
1011C-01-010.000
1011C-01-011.145
1011C-01-011.000
Zoning: T5 (Urban Center Zone)
Size: 11.8 acres
Flood: AE



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

For Staff Use Only

Case File #: 023042LB032Date Received: 3-4-23

Receipt #: _____

Received By: KB

Zoning: _____

Ward: _____ Flood: _____

Size: _____

APPLICATION FOR VARIANCE

Property Information

TAX PARCEL #

1	0	1	0	N	-	0	4	-	0	3	2	●	0	0	0
1	0	1	1	C	-	0	1	-	0	1	3	●	0	0	0
1	0	1	1	C	-	0	1	-	0	1	0	●	0	0	0

(If necessary, use separate sheet of paper)

Address of Property Involved: Northeast corner U.S. 90 and Cowan Lorraine Road

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

General Location: Northeast corner U.S. 90 and Cowan Lorraine Road

GENERAL DESCRIPTION OF REQUEST:

Allow for a 15 foot setback along Highway 90 instead of a 50 foot setback.

OWNERSHIP AND CERTIFICATION:

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

OWNER

M & P Development, LLC

Printed Name Of Owner
1900 Destrehan Avenue

Mailing Address
Harvey, LA 70058

City State Zip code
(504) 347-1196

Home Phone Work/Cell Phone
pete@petevicari.com

Email

Signature Of Owner

AGENT

Peter Vicari

Printed Name Of Agent
1900 Destrehan Avenue

Mailing Address
Harvey, LA 70058

City State Zip code
(504) 347-1196

Home Phone Work/Cell Phone
pete@petevicari.com

Email

Signature Of Agent

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

☐

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

ATTACHMENT TO APPLICATION FOR VARIANCE

TAX PARCEL # ***J***
1011C-0~~0~~-011.145
1011C-01-011.000

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.

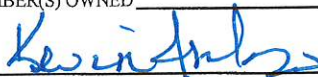
I hereby certify that I have read and understand this application and that all information and attachments are true and correct. I also certify that I agree to comply with all applicable city codes, ordinances and state laws. Finally, I certify that I am the owner of the property involved in this request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

NAME OF OWNER (PRINT) IB Investments, LLC

ADDRESS (STREET, CITY, STATE, ZIP CODE) 8682 Hickory Court, Daphne, AL 36527

PHONE # (H) _____ (WK/CELL) (228) 669-8113

TAX PARCEL NUMBER(S) OWNED 1011C-01-011.000 and 1011C-01-011.145

SIGNATURE: 

NAME OF OWNER (PRINT) _____

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

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

TAX PARCEL NUMBER(S) OWNED _____

SIGN: _____

NAME OF OWNER (PRINT) _____

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

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

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: Peter Vicari

AGENT AUTHORIZATION FORM

PROPERTY LEGAL DESCRIPTION:

Tax Parcel # 1010N-04-02³²~~9~~.000

Tax Parcel # 1011C-04¹~~4~~.145

Property Owner: IB Investments, LLC

The undersigned, registered property owners of the above noted property, do hereby authorize

Peter Vicari

(Agent)

to act on my behalf and take all actions necessary with the Gulfport Planning and Zoning Department for the purposes of seeking a variance from 50 feet to 15 feet along Highway 90.

Property Owner's Address (if different than property above):

8682 Hickory Court, Daphne, AL 36527

Telephone: (228) 669-8113

We hereby certify the above information submitted in this application is true and accurate to the best of our knowledge.

IB Investments, LLC

Kevin Adams

Authorized Signature (Owner)

Melissa A. Watrous

Notary

Date: 3/1/23

Date: 3/1/2023



AGENT AUTHORIZATION FORM

PROPERTY LEGAL DESCRIPTION:

Tax Parcel #1010N-04-032.000

Tax Parcel #1011C-01-013.000

Tax Parcel #1011C-01-010.000

Property Owner: M & P Development, LLC

The undersigned, registered property owners of the above noted property, do hereby authorize

Peter Vicari

(Agent)

to act on my behalf and take all actions necessary with the Gulfport Planning and Zoning Department for the purposes of seeking a variance from 50 feet to 15 feet along Highway 90.

Property Owner's Address (if different than property above):

1900 Destrehan Avenue, Harvey, LA 70058

Telephone: (504) 347-1196

We hereby certify the above information submitted in this application is true and accurate to the best of our knowledge.

M & P Development, LLC


Authorized Signature (Owner)

Date:

3/1/2023


Notary

Date:

3-1-2023



POC Holdings, Inc.
Special Board Meeting
DECEMBER 27, 2018

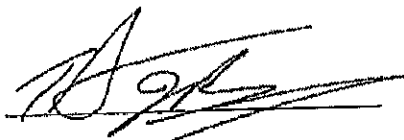
A special meeting of the Board of Directors was held today with the following members present: Robert Barnes, Sean Busby, and Martha Underwood. The purpose of the meeting was to consider procedures necessary to sell real estate owned by the company.

Because of the numerous documents required to finalize real estate sales and the possible scheduling problems involved with any of the current officers attending the closings, it was proposed that certain PriorityOne Bank officers be named as officers of POC Holdings, Inc., and be granted authority to execute such documents on the company's behalf.

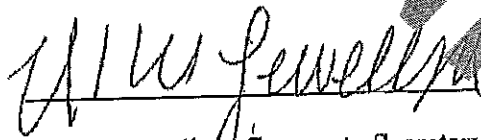
Upon motion made and second, the board unanimously named the following as officers of POC Holdings, Inc., and granted them the authority to execute sales contracts, warranty deeds, closing statements, and any other documents relating to the sale of real estate:

- Barry Winford, CCO
- Russell Smith, Special Assets Officer

There being no further business to come before the board, the meeting was adjourned.



Robert Barnes, President



Nicole Lewellyn, Corporate Secretary

GILLESPIE LAW FIRM

VIRGIL G. GILLESPIE

March 1, 2023

City of Gulfport
Urban Development - Planning Division
1410 24th Ave.
Gulfport, MS 39501

Re: Application for Variance
Parcel Nos. 1010N-04-032.000; 1011C-01-013.000; 1011C-01-010.000;
1011C-01-011.145; and 1011C-01-011.000
Filed on behalf of M&P Development, LLC (owner); IB Investment, LLC (owner); and
Peter Vicari as Agent

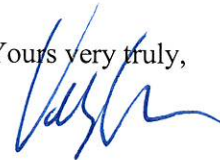
Gentlemen:

I submit herewith the following:

1. Application for Variance signed in duplicate originals by both Owners and the Agent;
2. Agent Authorization Form by IB Investments, LLC;
3. Agent Authorization Form by M&P Development, LLC;
4. Deed to the property owned by M&P Development, LLC;
5. Deed to the property owned by IB Investments, LLC;
6. Required Answers to Six Questions;
7. Affidavit of Virgil G. Gillespie;
8. Site plan of Luxury RV Resort;
9. Map with measurements; and
10. Check for \$75.00 as a filing fee.

Thank you for your attention in this matter.

Yours very truly,



VIRGIL G. GILLESPIE
Attorney at Law

VGG/ah

Enclosures: *As stated above.*

Cc: M&P Development LLC
Peter Vicari
IB Investments, LLC
Bill Williams, Esq.

APPLICATION FOR VARIANCE:

REQUIRED ANSWERS TO SIX QUESTIONS

Question No. 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?)

Answer to No. 1: There are conditions and circumstances peculiar to this property and what will be constructed on the property. First, there will be no raised structures such as buildings, but only parking slabs for the parking of RVs on the property. In order to preserve a large amount of wetlands and give the resort an open feeling, it is necessary to avoid building on a large wetlands/wild area as shown on the site plan. Furthermore, especially along the beachfront, there are numerous old live oak trees which need to be preserved and at least six if not more sites are given up for this purpose.

Question No. 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.)

Answer to No. 2: It is clear that the Applicant did not create the conditions necessitating the variance, but rather the natural lay of the land, the location of the oak trees, and the large amount of wetlands make this necessary in order to make this project feasible. Again, please note that there will be no above ground structures located within the variance area, but rather only parking slabs.

Question No. 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?)

Answer to No. 3: The hardships which necessitate this request for a variance do not occur on other properties, first, because there is no other property which can reasonably be expected to be devoted to the same use as this property is being devoted to. All other developments along U.S. Highway 90 are structures that are built above ground, whereas in this particular instance, no structures will be built above the surface of the ground. The project is designed in such a way as to preserve natural fauna and flora of the area.

Question No. 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.)

Answer to No. 4: As stated above, placing the RV pads in the location shown on the site plan is being accomplished in such a way that there are a number of lost sites. This parcel of property upon which the RV park is being constructed is on one of the most viable and commercially usable sites on U.S. Highway 90, and it is therefore necessary to receive this variance, especially in view of the lay of the property, the necessity of accomplishing a certain number of sites to make the park economically viable, considering all of its other amenities and preservation of wetlands, trees, etc.

Question No. 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?)

Answer to No. 5: Again, it is pointed out that the benefit conferred upon this piece of property by granting this variance will probably never impact any other property as all other properties that have to adhere to this setback will consist of structures above the ground and not merely cement pads that will be capable of being vacated in the event storms, etc. and are totally different than all other structures that will be built in this area or similarly zoned properties.

Question No. 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.

Answer to No. 6: The use proposed of this property is permissible by right with Planning Commission approval.

STATE OF MISSISSIPPI
COUNTY OF HARRISON

AFFIDAVIT OF VIRGIL G. GILLESPIE

PERSONALLY, came and appeared before me the undersigned authority in and for the above-mentioned County and State, Virgil G. Gillespie, who after being by me first duly sworn on oath deposes and says as follows:

This Affidavit is being made pursuant to the requirements of the City of Gulfport to receive a variance.

The undersigned is an active practicing Attorney in the city of Gulfport, Mississippi and has practiced law since August of 1965.

The undersigned has reviewed the title to the land involved in the request for a variance and such land is not covered by any restrictive or protective covenants.

Further, Affiant sayeth not.



VIRGIL G. GILLESPIE

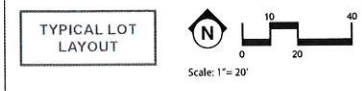
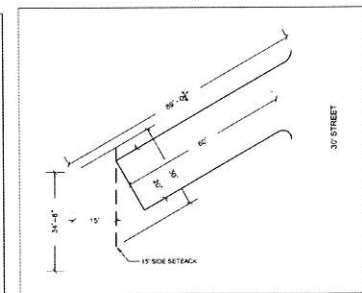
GIVEN under my hand and official seal of office, this the 1st day of march 2023.

My commission expires:



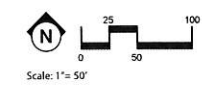


NOTARY PUBLIC



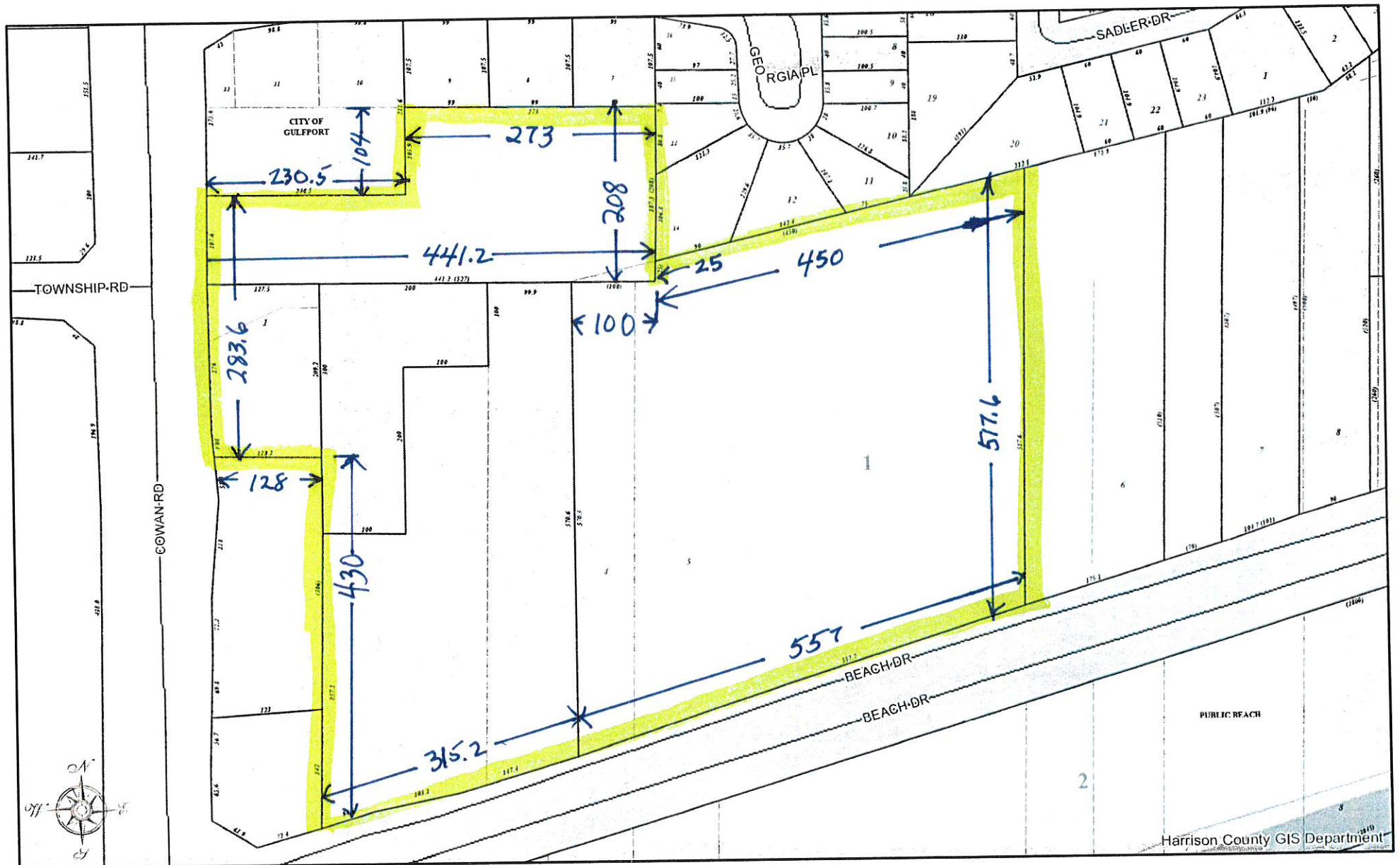
ID	ITEM
A	ENTRANCE/EXIT GATES
B	CHECK-IN PARKING
C	DOG PARK
D	CLUBHOUSE/OFFICE
E	PLAYGROUND
F	SPLASH PAD
G	LAZY RIVER
H	SECONDARY AMENITY AREA
I	PERGOLA
J	SWIM UP BAR
K	FIRE PIT
L	POOL
M	POOL DECK
N	CAFE
O	LAUNDRY/BATH HOUSE
P	STREAM
Q	STORMWATER RETENTION
R	EASEMENT
S	6" PRIVACY FENCE
T	6" DECORATIVE ALUMINUM FENCE
U	UNDISTURBED WETLAND (<0.5AC)
V	DISTURBED WETLAND (>0.5AC)
W	100 LF DRAIN PIPE
X	DUMPSTER ENCLOSURE
Y	OVERFLOW PARKING

97 TOTAL RV PADS



Gulfport Luxury RV Resort - City of Gulf Port, Mississippi

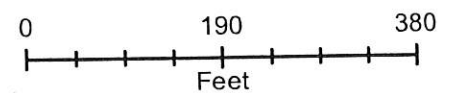
My Map



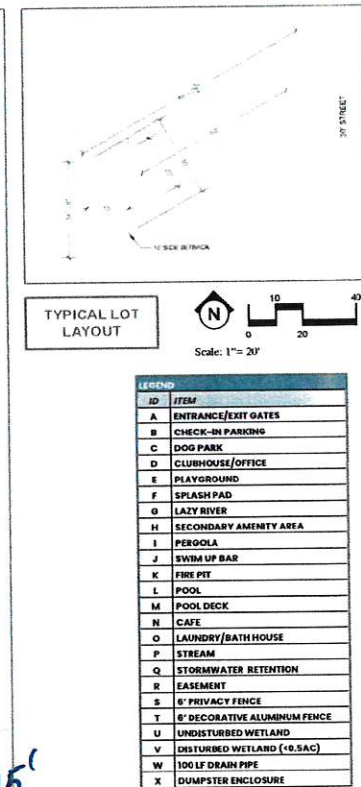
HARRISON COUNTY, MISSISSIPPI

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: March 1, 2023



Harrison County GIS Department





1st JUDICIAL DISTRICT
Instrument 2022-0026415-D-J1
Filed/Recorded 10/20/2022 10:05:01 AM
Total Fees 31.00
10 Pages Recorded

Prepared by:
Julien K. Byrne III
Attorney at Law
311 East Second St.
Pass Christian, MS 39571
(228) 452-9408
Mississippi Bar Number: 7654

Return to:
Julien K. Byrne III
Attorney at Law
311 East Second St.
Pass Christian, MS 39571
(228) 452-9408

INDEX AS FOLLOWS: Parcel 1: Exempt Parcel 2: Sec. 31, T7S, R10W; Parcel 3: Parts of Lots 4 & 5 and the Blackman Lot of the Uriel Wright Subd; Parcel 4: Sec. 6, T8S, R10W; Parcel 5: SW 1/4 of the SE 1/4 of SE 1/4 of Sec. 31, T7S, R10W; all located in Harrison Co., 1st Jud. Dist., MS

STATE OF MISSISSIPPI
COUNTY OF HARRISON
FIRST JUDICIAL DISTRICT

SPECIAL WARRANTY DEED

For and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) cash on hand paid and other good and valuable considerations, the receipt and sufficiency of all of which is hereby acknowledged, POC HOLDINGS, INC., a Mississippi corporation, of 220 Main Avenue North, Magee, MS 39111, (601) 849-6431, does hereby sell, convey and specially warrant unto M & P COMMERCIAL DEVELOPMENT, LLC, a Louisiana limited liability company, of 1900 Destrehan Avenue, Harvey, LA 70058, 504-329-1301, the following described real property situated in Harrison County, First Judicial District, State of Mississippi, described as:

PARCEL 1: Lot 8, JIM ALLEN SUBDIVISION, as per the official map or plat thereof on file and of record in the office of the Chancery Clerk of the First Judicial District of Harrison County, Mississippi, in Plat Book 20 at Page 4.

AND ALSO:

Lot 10, JIM ALLEN SUBDIVISION, a subdivision according to the official map or plat thereof on file and of record in the office of the Chancery Clerk of the First Judicial District, Harrison County, Mississippi, in Plat Book 20 at Page 4, thereof reference to which is hereby made in aid of and as a part of this description.

PARCEL 2: Lots 11 and 12, JIM ALLEN SUBDIVISION, according to the official map or plat thereof on file and of record in the office of the Chancery Clerk of the First Judicial District of Harrison County, Mississippi, in Plat Book 20 at Page 4.

LESS AND EXCEPT

Beginning at a point of intersection of the southern line of grantors property with the centerline of construction of State Project No. 94-9371-00-005-10 at Highway Survey Station 1+317.947; from said Point of Beginning run thence South 89 degrees 40 minutes 30 seconds West along said southern property line, a distance of 1.556 meters (5.105 feet) to the present eastern right-of-way line of Cowan Road; thence run North 00 degrees 03 minutes 37 seconds West along the present eastern right-of-way line of said Cowan Road, a distance of 37.769 meters (109.150 feet) to the present southern right-of-way line of Georgia Place; thence run South 89 degrees 50 minutes 03 seconds East along the present southern right-of-way line of said Georgia Place, a distance of 62.110 meters (203.725 feet) to a point on the present southern right-of-way line of Georgia Place that is 5.000 meters (18.156 feet) southerly of and perpendicular to the centerline of Survey of Georgia Place relocation at Station 1+094.792 as shown on the plans for said project at Station 1+375.330; thence run South 82 degrees 11 minutes 43 seconds West a distance of 30.125 meters (98.835 feet); thence run South 58 degrees 17 minutes 03 seconds West, a distance of 12.809 meters (42.024 feet) to a point that is 20.000 meters (65.617 feet) Easterly of and perpendicular to the centerline of construction of said project at Station 1+340; thence run South 00 degrees 35 minutes 04 seconds East along a line that is 20.000 meters (65.617 feet) Easterly of and parallel with the centerline of construction of said project, a distance of 22.144 meters (72.651 feet) to the southern line of grantors property; thence run South 89 degrees 40 minutes 30 seconds West along said southern property line, a distance of 20.000 meters (65.617 feet) to the Point of Beginning, containing 0.085 hectares (0.211 acres), more or less, and being situated in and part of Lots 11 and 12 of JIM ALLEN SUBDIVISION in Plat Book 20, Page 4, in the Chancery Clerk's office, City of Gulfport, First Judicial District, Harrison County, Mississippi, Section 31, Township 7 South, Range 10 West.

AND ALSO:

A parcel of land situated in Section 31, Township 7 South, Range 10 West, City of

RS

Gulfport, First Judicial District of Harrison County, Mississippi, and being more particularly described as follows, to-wit:

Beginning at the southwest corner of Lot 12 of JIM ALLEN SUBDIVISION, thence run East along the south line of said subdivision a distance of 595 feet to the southeast corner of Lot 7 of said subdivision; thence run South and perpendicular to the south line of said subdivision a distance of 104 feet; thence run West and along the north line of the property of the City of Gulfport, a distance of 595 feet to the east margin of Cowan Road; thence run North and along said east margin of Cowan Road a distance of 104 feet to the Point of Beginning.

LESS AND EXCEPT:

Begin at the point of intersection of the northern line of grantors property with the centerline of construction of State Project No. 94-9371-00-005-10 at Highway Survey Station 1+317.947; from said Point of Beginning run thence North 89 degrees 40 minutes 30 seconds East along said northern property line, a distance of 20.000 meters (65.617 feet); thence run South 00 degrees 35 minutes 04 seconds East along a line that is 20.000 meters (65.617 feet) easterly of and parallel with the centerline of construction of said project, a distance of 32.216 meters (105.696 feet) to the southern line of grantors property; thence run North 89 degrees 46 minutes 16 seconds West along said southern property line, a distance of 21.838 meters (71.647 feet) to the present eastern right-of-way line of Cowan Road thence run North 00 degrees 05 minutes 00 seconds West along the present eastern right-of-way line of said Cowan Road, a distance of 32.005 meters (105.003 feet) to the northern line of grantors property; thence run North 89 degrees 40 minutes 30 seconds East along said northern property line, a distance of 1.550 meters (5.105 feet) to the Point of Beginning, containing 0.070 hectares (0.172 acres), more or less, and being situated in and a part of the Southwest 1/4 of the Southeast 1/4 of Section 31, Township 7 South, Range 10 West, City of Gulfport, First Judicial District, Harrison County, Mississippi.

LESS AND EXCEPT from Parcels 1 and 2 above that portion of the Parcels 1 and 2 conveyed to the City of Gulfport by Special Warranty Deeds recorded as Deed Instrument 2009 8397 D-J1 and Deed Instrument 2009 8399 D-J1, more particularly described as follows:

PARCEL A: That certain parcel of land and property off of the East end of parcel conveyed to Cowan Road and Highway 90, LLC by Land Deed Record Instrument No. 2007 8630 D-J1 situated in the Southwest 1/4 of the Southeast 1/4 (SW 1/4 of the SE 1/4) of Section 31, Township 7 South, Range 10 West, in the City of Gulfport, First Judicial District of Harrison County, Mississippi, more particularly described as follows, to-wit:

Beginning at a 3/4 inch iron pipe being the southeast corner of Lot 7 of JIM ALLEN SUBDIVISION on file and of record in Plat Book 20, Page 4, in the office of the Chancery Clerk of the First Judicial District of Harrison County, Mississippi; thence South 00 degrees 05 minutes 30 seconds West 104.25 feet along the west line

RS

of GEORGIA PLACE SUBDIVISION on file and of record in Plat Book 37 at Page 20 in the aforesaid Chancery Clerk's office, to the northeast corner of the property conveyed to the City of Gulfport per Deed Book 574 at Page 499 in the aforesaid Chancery Clerk's office and a 1/2 inch iron rod; thence North 89 degrees 50 minutes 18 seconds West 75.00 feet along the North line of said property now or formerly of Gulfport to a 1/2 inch iron rod; thence North 00 degrees 05 minutes 30 seconds East 104.21 feet to the south line of Lot 7 of said JIM ALLEN SUBDIVISION and a 1/2 inch iron rod; thence South 89 degrees 52 minutes 19 seconds East 75.00 feet to the Point of Beginning.

Said parcel contains 0.179 acres, more or less, shown and described as "Parcel B Boundary Description" on Plat of Survey prepared by J. Colter Ratliff, Professional Surveyor, as of September 4, 2009.

PARCEL B: Those certain parcels of land and property that together contain a contiguous parcel, situated and being in Section 31, Township 7 South, Range 10 West, in the City of Gulfport, First Judicial District of Harrison County, Mississippi, and being a part and parcel of the property conveyed to Cowan Road and Highway 90, LLC by Quitclaim Deed dated August 21, 2007, recorded as Deed Instrument No. 2007 8630 D-J1 in the Land Deed Records in the office of the Chancery Clerk of the First Judicial District of Harrison County, Mississippi, particularly identified and described as follows, to-wit:

Commencing at a 3/4 inch iron pipe being the southeast corner of Lot 7 of JIM ALLEN SUBDIVISION on file and of record in Plat Book 20 at Page 4, First Judicial District of Harrison County, Mississippi; thence South 00 degrees 05 minutes 30 seconds West 104.25 feet along the west line of GEORGIA PLACE SUBDIVISION on file and of record in Plat Book 37, at Page 20, to the northeast corner of the property conveyed to the City of Gulfport per Deed Book 574 at Page 499, and a 1/2 inch iron rod; thence North 89 degrees 50 minutes 18 seconds West 296.87 feet along the north line of said City of Gulfport property to a 1/2 inch iron rod and the Point of Beginning; thence continue North 89 degrees 50 minutes 18 seconds West 230.53 feet to the east margin of Cowan Road per conveyance to the Mississippi Transportation Commission (Deed Book 1438 Page 277) and a 3/4 inch pipe; thence North 00 degrees 40 minutes 04 seconds West 103.95 feet along said east margin of Cowan Road to the southwest margin of Lot 12, JIM ALLEN SUBDIVISION to the east margin of Cowan Road per conveyance to Mississippi Transportation Commission (Deed Book 1430 Page 646); thence North 00 degrees 32 minutes 02 seconds West 71.66 feet along said east margin of Cowan Road to a 6 inch square monument; thence North 58 degrees 46 minutes 02 seconds East 42.02 feet along the said margin of the Mississippi Transportation Commission deed for entrance to Georgia Place from Cowan Road; thence North 81 degrees 58 minutes 32 seconds East 98.84 feet, along the south margin of Georgia Place; thence South 89 degrees 52 minutes 12 seconds East 98.81 feet along the south line of Georgia Place to a 1 - 1/2 inch iron pipe being the northeast corner of Lot 10; thence run South 00 degrees 03 minutes 18 seconds West along the east line of Lot 10 a distance of 107.68 feet, to a mag nail at the southeast corner of Lot 10; thence continue South 00 degrees 03 minutes 18 seconds West a distance of 103.93 feet, to the Point of

RS

Beginning.

Said parcel containing 1.089 acres, more or less, and being a portion of the property conveyed to Cowan Road and Highway 90, LLC per Deed Instrument Number 2007 863 D-J1, and specified in plat of survey of J. Colter Ratliff, Licensed Professional Surveyor, as of November 16, 2009.

PARCEL 3: That part of Lots 4 and 5 and the "Blackman" Lot of the URIEL WRIGHT SUBDIVISION of the Ludlow Survey per plat recorded in Deed Book 27, Page 384, in the office of the Chancery Clerk, First Judicial District of Harrison County, Mississippi, which lies north of the north right-of-way line of U.S. Highway 90, and being more particularly described as follows:

Commencing at an iron rod in an iron pipe at the intersection of the east margin of Cowan Road with the line between Section 31, Township 7 South, Range 10 West and Fractional Section 6, Township 8 South, Range 10 West; thence run North 89 degrees 38 minutes 12 seconds East for a distance of 499.07 feet to an iron rod at the northwest corner of said Lot 4 and the Point of Beginning; thence run South 00 degrees 14 minutes 43 seconds West along the west line of said Lot 4, said line being marked by a chiseled "X" on the seawall, for a distance of 570.27 feet to an iron rod on the north right-of-way line of U.S. Highway 90; thence run North 72 degrees 02 minutes 00 seconds East along said north right-of-way line for a distance of 551.71 feet to a railroad spike on the east line of said "Blackman" Lot, said line being marked by a chiseled "X" on the seawall; thence run North 00 degrees 13 minutes 24 seconds East along said east line for a distance of 27.61 feet to an iron rod at the northeast corner of said "Blackman" Lot; thence run South 76 degrees 53 minutes 22 seconds West along the south line COWAN ROAD HOMES SUBDIVISION for a distance of 134.49 feet to a concrete monument; thence run South 76 degrees 58 minutes 02 seconds West along the south line of GEORGE PLACE SUBDIVISION and the north line of said URIEL WRIGHT SUBDIVISION for a distance of 394.50 feet to an iron rod on the township line; thence run North 89 degrees 35 minutes 41 seconds West along said township line 14.76 feet to the Point of Beginning. This parcel contains 6.59 acres, more or less.

PARCEL 4: A parcel of land located in Fractional Section 6, Township 7 South, Range 10 West, Gulfport, Harrison County, First Judicial District, Mississippi, more particularly described as:

Beginning at the intersection of the east margin of Cowan Road with the north line of Fractional Section 6, and from said Point of Beginning running thence North 89 degrees 58 minutes 30 seconds East along the north line of said Section 6 a distance of 200.1 feet; running thence South 0 degrees 18 minutes 10 seconds West a distance of 209.2 feet; running thence South 89 degrees 49 minutes 30 seconds West a distance of 208.7 feet to the east margin of Cowan Road; running thence North 2 degrees 38 minutes 30 seconds East along said east margin a distance of 210 feet to the Point of Beginning.

LESS AND EXCEPT THE FOLLOWING TRACT:

RS

Begin at the point of intersection of the northern line of grantors property with the centerline of construction of State Project No. 94-9371-00-005-10; from said Point of Beginning run thence South 89 degrees 45 minutes 10 seconds East along said northern property line, a distance of 20.000 meters (65.617 feet); thence run South 00 degrees 35 minutes 04 seconds East along a line that is 20.000 meters (65.617 feet) Easterly of and parallel with the centerline of construction of said project, a distance of 53.819 meters (176.572 feet) to a point that is 20.000 meters (65.617 feet) Easterly of and perpendicular to the centerline of construction of said project at Station 1+200; thence run South 05 degrees 09 minutes 34 seconds East, a distance of 10.061 meters (33.009 feet) to the southern line of grantors property; thence run North 89 degrees 45 minutes 13 seconds West along said southern property line, a distance of 24.009 meters (78.770 feet) to the present eastern right-of-way line of Cowan Road; thence run North 00 degrees 23 minutes 38 seconds East along the present eastern right-of-way line of said Cowan Road, a distance of 63.847 meters (209.472 feet) to the northern line of grantors property; thence run South 89 degrees 45 minutes 10 seconds East along said northern property line, a distance of 2.116 meters (6.942 feet) to the Point of Beginning, containing 0.145 hectares (0.358 acres) more or less, and being situated in the part of Fractional Section 6, Township 8 South, Range 10 West, City of Gulfport, First Judicial District, Harrison County, Mississippi.

AND, ALSO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A parcel of land situated and being located in Fractional Section 6, Township 8 South, Range 10 West, City of Gulfport, First Judicial District of Harrison County, Mississippi, and being more particularly described as follows, to-wit:

Beginning at the intersection of the new easterly right-of-way of Cowan Road as presently staked by State Project No. 94-9371-00-005-10 with the north line of Fractional Section 6, Township 8 South, Range 10 West, thence run from said Point of Beginning, North 89 degrees 47 minutes 57 seconds East 139.27 feet; thence run South 00 degrees 10 minutes 57 seconds West 210.56 feet; thence run North 89 degrees 38 minutes 05 seconds West 124.85 feet to the new easterly right-of-way of Cowan Road; thence run North 05 degrees 09 minutes 34 seconds West 30.75 feet along the new easterly right-of-way of Cowan Road; thence run North 00 degrees 35 minutes 04 seconds West 176.70 feet along the new easterly right-of-way of Cowan Road to the Point of Beginning.

PARCEL 5: That certain parcel of land and property situated and being in the Southwest Quarter (SW 1/4) of the Southeast Quarter (SE 1/4) of Section 31, Township 7 South, Range 10 West, in the City of Gulfport, Harrison County, First Judicial District, Mississippi, conveyed to the City of Gulfport, Mississippi, by Warranty Deed dated August 12, 1966 from W.H. Grove, Jr. recorded in Deed Book 574 at Page 499 of the Records of Deeds to Lands in the office of the Chancery Clerk of Harrison County, First Judicial District, Mississippi, LESS AND EXCEPT that part off to the West side thereof conveyed by Deed dated October 28, 1998 from the City of Gulfport to the Mississippi Transportation Commission for the widening of

RS

Cowan Road, recorded in Deed Book 1434 at Pages 602-606 of the aforesaid records; AND SUBJECT TO: perpetual easements in favor of Bellsouth Telecommunications, Inc., upon, over and under a portion of said property to construct, operate and maintain communications facilities granted by the City of Gulfport: (1) dated August 19, 1998, recorded in Deed Book 1421 at Page 418-421 of the aforesaid records, (2) filed for record on March 1, 2000, and recorded in Deed Book 1485 at Pages 447-449 of the aforesaid records; and (3) dated August 30, 2007, recorded as Deed Instrument 2007 9109 D-J1 of the aforesaid land deed records.

AND SAID PROPERTY hereinabove identified is also more particularly described in calls and distance as shown by boundary line survey prepared by J. Colter Ratliff, P.S., dated August 26, 2009, as follows:

Commence at an iron rod being the southeast corner of Lot 7, JIM ALLEN SUBDIVISION, Plat Book 20 at Page 4, First Judicial District of Harrison County, Mississippi; thence South 00 degrees 05 minutes 30 seconds West 104.25 feet to a 1/2 inch iron rod; thence South 00 degrees 19 minutes 38 seconds West 30 feet to a 1/2 inch iron rod and the Point of Beginning; thence South 00 degrees 19 minutes 38 seconds West 53.04 feet to the north line of the property conveyed to Cowan Road and Highway 90, LLC per Deed Instrument 2007 8631 D-J1 and a 4 inch square concrete monument, thence South 76 degrees 52 minutes 14 seconds West 86.87 feet along said north line to a 1/2 inch iron rod; thence North 89 degrees 42 minutes 10 seconds West 14.82 feet along said north line to a 1 inch iron rod; thence South 89 degrees 28 minutes 45 seconds West 296.02 feet to an iron pipe; thence South 89 degrees 41 minutes 35 seconds West 130.37 feet (more or less) to the east margin of Cowan Road and a 1/2 inch iron rod; thence North 00 degrees 35 minutes 55 seconds West 107.58 feet along said east margin to an iron pipe; thence South 89 degrees 50 minutes 18 seconds East 497.40 feet (more or less) from Cowan Road margin to a 1/2 inch iron rod; thence continue South 89 degrees 50 minutes 18 seconds East 30.00 feet to a 1/2 inch iron rod at the west margin of GEORGIA PLACE SUBDIVISION as per official map or plat in Plat Book 37 at Page 20; thence South 00 degrees 19 minutes 38 seconds West along said west margin line of GEORGIA PLACE SUBDIVISION 30.00 feet to a 1/2 inch iron rod at the Point of Beginning.

SAID PROPERTY IS SUBJECT TO perpetual easements in favor of Bellsouth Telecommunications, Inc., its successors and assigns identified and recorded as stated above and more particularly described, as follows: (1)(a) Commence at an iron rod being the SE corner of Lot 7, JIM ALLEN SUBDIVISION; thence South 00 degrees 05 minutes 30 seconds West 104.25 feet to the Point of Beginning of easement, and thence run North 89 degrees 50 minutes 18 seconds West 30.0 feet to an iron rod; thence South 00 degrees 19 minutes 38 seconds West 30.0 feet to an iron rod; thence South 89 degrees 50 minutes 19 seconds East 30 feet; thence run North 00 degrees 19 minutes 38 seconds East 30 feet to the Point of Beginning; and (b) commence at an iron rod being the southeast corner of Lot 7, JIM ALLEN SUBDIVISION, and thence run South 00 degrees 05 minutes 30 seconds West 104.25 feet to an iron rod; thence run South 00 degrees 19 minutes 38 seconds West 30 feet to the Point of Beginning of the easement; thence run North 89 degrees 50

RS

minutes 19 seconds West 10 feet; thence run South 00 degrees 19 minutes 38 seconds West to the north line of the property conveyed to Cowan Road and Highway 90, LLC per Deed Instrument 2007 8631 D-J1; thence run North 76 degrees 52 minutes 14 seconds East along said north line to a 4 inch square concrete monument at the southwest corner of Lot 13, GEORGIA PLACE SUBDIVISION, per Plat Book 37 at Page 20; and thence run North 00 degrees 19 minutes 38 seconds East a distance of 53.04 feet to the Point of Beginning.

And (2) commence at an iron pipe being at the southeast corner of Lot 7, JIM ALLEN SUBDIVISION, thence run South 00 degrees 05 minutes 30 seconds West 104.25 feet to an iron rod; thence South 00 degrees 19 minutes 38 seconds West 83.04 feet to a 4 inch square concrete monument; thence South 78 degrees 52 minutes 14 seconds West 86.87 feet to a 1/2 inch iron rod at the Point of Beginning of the easement; thence North 89 degrees 42 minutes 10 seconds West 14.82 feet to a 1 inch iron rod; and thence run South 89 degrees 28 minutes 45 seconds West 281.2 feet (more or less) to the southwest corner of 5.0 foot easement per Deed Book 1485 at Pages 447-449; thence North 00 degrees 22 minutes 06 seconds East 5.0 feet; thence North 89 degrees 28 minutes 45 seconds East and parallel to the south property line now or formerly of City of Gulfport a distance of 296.02 feet to a point; and thence continue North 89 degrees 28 minutes 45 seconds East to the north line of property conveyed to Cowan Road and Highway 90, LLC by Deed Instrument 2007 8631 D-J1; and thence South 76 degrees 52 minutes 14 seconds West along said north line to a 1/2 inch rod at the Point of Beginning.

And (3) a 5 foot square expansion easement (Deed Instrument 2007 9109 D-J1) expanding the 5 foot easement described above from its West terminus South 89 degrees 28 minutes 45 seconds West 5 feet along the south line of property now or formerly of City of Gulfport.

LESS AND EXCEPT:

That title and right acquired by Harrison County Utility Authority in Eminent Domain action to that parcel described in Cause #D2401-17-00898, Court of Eminent Domain, Harrison County, Mississippi, and adjacent to an easement to access same, in Deed Instrument 2016 555 D-J1, dated June 15, 2016, and in Deed Instrument 2016 562 D-J1.

It being the intention of the Grantor to sell and convey all that property acquired by it in that certain Substitute Trustee's Deed dated July 1, 2016 and recorded as Deed Instrument 2016 4755 D-J1 and re-filed as Deed Instrument 2016 4758 D-J1, all in the office of the Chancery Clerk of Harrison County, First Judicial District, Mississippi.

The above described property is conveyed subject to restrictions, reservations and easements of record.

RS

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

The above described property forms no part of the homestead of the Grantor herein.

Witness the signature of the Grantor this 18th day of October, 2022.

POC HOLDINGS, INC.

By:

Russell Smith

RUSSELL SMITH, Special Assets Officer

STATE OF MISSISSIPPI

COUNTY OF Forrest

Personally came and appeared before me, the undersigned authority in and for the jurisdiction aforesaid, RUSSELL SMITH, who acknowledged that he is Special Assets Officer of POC HOLDINGS, INC., a Mississippi corporation, and as its act and deed, he executed the above and foregoing instrument of writing on the day and in the year therein written, he having been first duly authorized to do so.

Given under my hand and official seal of office this 18 day of October, 2022



Rebecca Taylor
NOTARY PUBLIC

My Commission Expires: 02/18/2024

AFFIX SEAL



1st Judicial District
Instrument 2014 10395 D -J1
Filed/Recorded 12/31/2014 02:45 P
Total Fees \$ 155.00
3 Pages Recorded

Prepared by and after recording return to:
J. William Williams, MBN 99709
Williams & Nichols, PA
Post Office Box 60
Gulfport, Mississippi 39502-0060
Telephone No. (228) 265-8200
Facsimile: (228) 265-8050

Grantor's Name, Address and Telephone Number:
CHATEAU MISSISSIPPI II, L.L.C, a Mississippi limited
liability company
319 Market Street
Natchez, Mississippi 39121
(601) 446-6621

Grantee's Names, Address and Telephone Number:
IB INVESTMENTS, LLC, a Mississippi limited liability
company
8692 Highway Court
Birmingham, Alabama 36527
(228) 381-0000

Indexing Instructions:

Fractional Section 6, Township 8 South, Range 10 West; and
Units 100-129; 154-171; 200-229; 254-271; 300-329;
354-371, all of the CHATEAU DE LA MER
CONDOMINIUMS, City of Gulfport, First Judicial District of
Harrison County, Mississippi

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 which is hereby acknowledged, the undersigned CHATEAU MISSISSIPPI II, LLC, a Mississippi limited liability company ("**Grantor**"), does sell, grant, convey, and warrant unto IB INVESTMENTS, LLC, a Mississippi limited liability company ("**Grantee**"), the real property, together with all improvements thereon, situated in Harrison County, First Judicial District,

Mississippi, and more particularly described on Exhibit "A," which is hereby incorporated by reference.

The conveyance is made subject to all protective covenants, rights of way, easements, and oil, gas or mineral reservations or conveyances of use or record pertaining to the subject property.

Taxes for the current year are assumed by the Grantee.

WITNESS, the Grantee has caused this instrument to be executed, this the 31st day of December, 2014.

CHATEAU MISSISSIPPI II, LLC, a Mississippi limited liability company

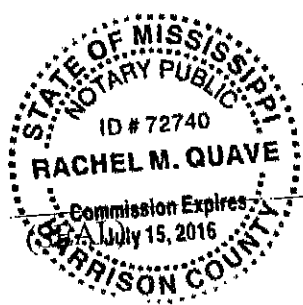
By: *Andrew B. Day*
Name: Andrew B. Day
Title: Manager

**STATE OF MISSISSIPPI
COUNTY OF HARRISON**

PERSONALLY APPEARED BEFORE ME, the undersigned authority in and for the said county and state, on this 31st day of December, 2014, within my jurisdiction, the within named ANDREW B. DAY, who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed in the above and foregoing instrument and acknowledged that he executed the same in his representative capacity, and that by his signature on the instrument, and as the act and deed of the person or entity upon behalf of which he acted, executed the above and foregoing instrument, after first having been duly authorized so to do

SWORN TO AND SUBSCRIBED before me on the 31st day of December, 2014.

Rachel M. Quave
NOTARY PUBLIC



My Commission Expires: _____

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EXHIBIT "A"

Legal Description

A certain piece or portion of ground situated in the State of Mississippi, City of Gulfport, being a portion of fractional Section 6, Township 8 South, Range 10 West, and more fully described as follows:

Commence at the intersection of the East margin of Cowan Road and the North line of Fractional Section 6. Measure thence N 89° 58' 30" E along the North line of fractional Section 6 a distance of 200.10 feet to a point, the True Point of Beginning. Thence from the True Point of Beginning measure N 89° 58' 30" E a distance of 99.87 feet to a point; thence N 89° 4' 30" E a distance of 200.40 feet to a point; thence S 0° 18' 10" W a distance of 570.60 feet to a point on the northerly right of way line of U.S. Highway 90; thence S 72° 02' 00" W along the northerly right of way line of U. S. Highway 90 a distance of 317.10 feet to a point; thence N 0° 18' 10" E a distance of 455.90 feet to a point; thence N 0° 18' 10" E a distance of 209.20 feet to a point, the True Point of Beginning.

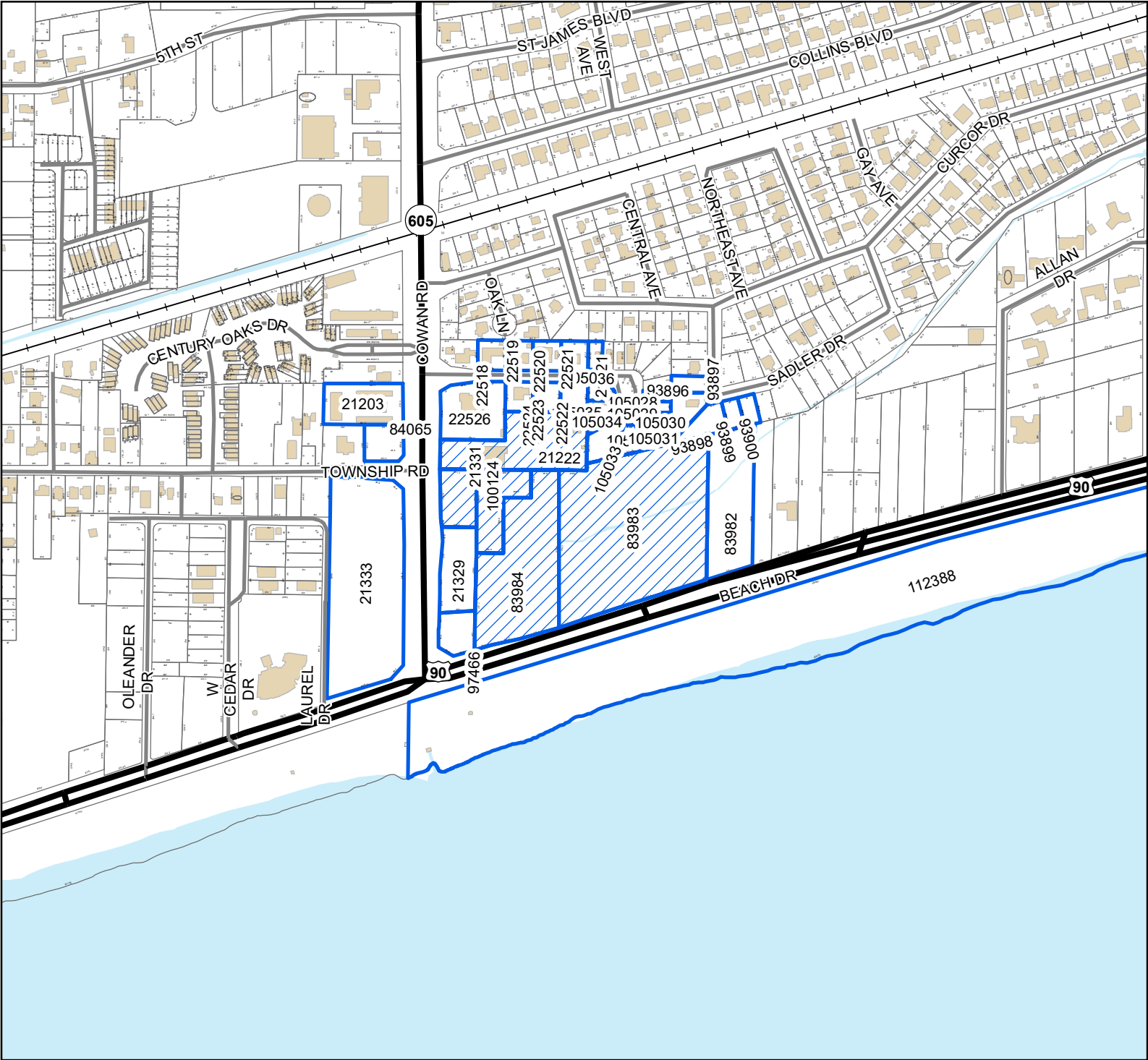
The above described property was acquired by U. S. Home Corporation by virtue of Warranty Deeds recorded in Deed Book 892, Pages 70 through 73, and Deed Book 893, Pages 416 through 417, found of record in the Records of Deeds in the Office of the Chancery Clerk for the First Judicial District of Harrison County, Mississippi.

LESS AND EXCEPT:

Begin at the point of intersection of the Western line of property of Chateau de la Mer Owners Association, Inc. with the present Northwestern right-of-way line of U.S. Highway No. 90 as shown on the plans for State Project No. 94-9371-0-005-10; from said point of beginning run thence North 00° 06' 53" East, along said Western property line, a distance of 200.2 meters (8.045 feet); thence run North 72° 42' 59" East a distance of 19.693 meters (64.610 feet) to a point that is 76.000 meters (249.345 feet) Easterly of and perpendicular to the centerline of construction of said project at Station 1+062; thence run North 78° 20' 38" East, a distance of 31.447 meters (103.173 feet) to the present Northwestern right-of-way line of U.S. Highway No. 90; thence run South 73° 32' 24" West along said present Northwestern right-of-way line, a distance of 51.728 meters (169.711 feet) to the point of beginning, containing 0.009 hectares (0.023 acres), more or less and being situated in and a part of Fractional Section 6, Township 8 South Range 10 West, City of Gulfport, First Judicial District, Harrison County, Mississippi.

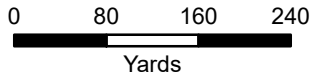
ALSO DESCRIBED AS FOLLOWS:

Condominium Unit Numbers 100 through 129, inclusive; and also Condominium Unit Numbers 154 through 171, inclusive; and also Condominium Unit Numbers 200 through 229, inclusive; and also Condominium Unit Numbers 254 through 271, inclusive; and also Condominium Unit Numbers 300 through 329, inclusive; and also Condominium Unit Numbers 354 through 371 **CHATEAU DE LA MER CONDOMINIUMS** together with all interest in the common elements thereof of the Chateau De La Mer Condominium, Gulfport, First Judicial District of Harrison County, Mississippi, as recorded in Plat Book 32, Page 38 and according to the Declaration thereof which is recorded in Book 907, Pages 1-66, in the Records of Deed in the office of the Chancery Clerk of Harrison County, First Judicial District, Mississippi. Together with all appurtenances thereof, all according to the said Declaration of Condominium.



Legend

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



1 inch = 500 feet



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

Mail	PPIN	Parcel ID	Name	Address	City	State	ZIP
Y			M&P DEVELOPMENT, LLC(OWNER)	1900 DESTREHAN AVE	HARVEY	LA	70058
Y			PETER VICARI(AGENT)	1900 DESTREHAN AVE	HARVEY	LA	70058
			Adjacent Property Owners(2304ZB032)				
	93896	1010N-04-011.023	FLANAGAN ERIC S & ANGELA D MARTIN	696 WILLOW MILL CT	MARIETTA	GA	30068
	22524	1010N-04-028.000	ROSS RONALD E & LYDIA J	1426 GEORGIA PL	GULFPORT	MS	39507
	22523	1010N-04-029.000	POC HOLDINGS INC	PO BOX 516	MAGEE	MS	39111
	105028	1010N-04-019.007	ROSICK JAMES A	1549 PARSONS BEND CT	O'FALLON	MO	63366
	93897	1010N-04-011.024	GOZA KEVIN LEO & TAMMIE DORRIS	6334 WIRTZ RD	FLOWOOD	MS	39232
N	112388	1011C-02-001.000	GULFPORT CITY OF				0
	21329	1011C-01-012.000	VASS HOLDINGS LLC	PO BOX 835	PURVIS	MS	39475
	93899	1010N-04-011.026	MOEINI MOHAMMAD	P O BOX 8833	GULFPORT	MS	39506
	84065	1010M-03-006.000	ZIEGLER TERRY M	P O BOX 6460	GULFPORT	MS	39506
N	105027	1010N-04-019.006	FLANAGAN ERIC SHEA & MARTIN ANGELA	696 WILLOW MILL CT	MARIETTA	GA	30068
	83982	1011C-01-008.000	TAYLOR MARTHA A HAYS	912 BENT TREE CIRCLE	PASS CHRISTIAN	MS	39571
	105032	1010N-04-019.011	DAVENPORT PATRICIA	1132 MARIGNY	MANDEVILLE	LA	70448
	21331	1011C-01-013.000	POC HOLDINGS INC	PO BOX 516	MAGEE	MS	39111
N	93898	1010N-04-011.025	GOZA KEVIN LEO & TAMMIE DORRIS	6334 WIRTZ RD	FLOWOOD	MS	39232
	105029	1010N-04-019.008	OWEN SHERRY L	P O BOX 673	GULFPORT	MS	39502
	22518	1010N-04-023.000	BELL SYLVIA M -ESTATE-	1419 GEORGIA PL	GULFPORT	MS	39501
	21221	1010N-04-019.000	PERKINS CHARLES F	401 3RD AVE NORTH	COLUMBUS	MS	39701
	105023	1010N-04-019.002	CALISCH LESA	C/O 928 COURTHOUSE RD	GULFPORT	MS	39507
	22517	1010N-04-024.000	DAVIS GENE CLARK & REBECCA TULLOS	1421 GEORGIA PL	GULFPORT	MS	39507
	105024	1010N-04-019.003	KERSHAW SARA R & ROGER BRUNELL	1457 GEORGIA PL	GULFPORT	MS	39507
	100124	1011C-01-011.145	IB INVESTMENTS LLC	8682 HICKORY COURT	DAPHNE	AL	36527
	105030	1010N-04-019.009	CERNICKY CAROL & BRUCE	1472 GEORGIA PLACE	GULFPORT	MS	39507
	105036	1010N-04-019.015	CYRUS BERNIE	75124 HWY 25	COVINGTON	LA	70435
	21203	1010M-03-005.000	CURLY OAKS LLC	2187 COLLINS BLVD	GULFPORT	MS	39507
	22520	1010N-04-021.000	WOJCIK DONALD & SHAPLEY MARY	1431 GEORGIA PLACE	GULFPORT	MS	39507
	22521	1010N-04-020.000	WHITING DAVID -ESTATE-	1441 GEORGIA PL	GULFPORT	MS	39507
N	93900	1010N-04-011.027	FLANAGAN ERIC SHEA & ANGELA D MARTI	696 WILLIOW MILL CT	MARIETTA	GA	30068
	105035	1010N-04-019.014	MARSHALL MICHAEL L & REBECCA B	1450 GEORGIA PL	GULFPORT	MS	39507
	105034	1010N-04-019.013	MARSHALL MICHAEL L & REBECCA B	1454 GEORGIA PL	GULFPORT	MS	39507
N	83983	1011C-01-010.000	POC HOLDINGS INC	PO BOX 516	MAGEE	MS	39111
	105033	1010N-04-019.012	GARVEY MICHAEL & JACLYN	1458 GEORGIA PL	GULFPORT	MS	39507
	93895	1010N-04-011.022	SACHSEL JAMES ALLEN & KELLY NICOLE	395 SOUTHEAST AVENUE	GULFPORT	MS	39507
	105031	1010N-04-019.010	CARSEN SUSAN	10 BANEBOURY COVE	GULFPORT	MS	39503

Mail	PPIN	Parcel ID	Name	Address	City	State	ZIP
	22519	1010N-04-022.000	PAGITT JIMMY DAN & MARIE	1429 GEORGIA PLACE	GULFPORT	MS	39507
	105022	1010N-04-019.001	MAYER MARK SPENCER	1449 GEORGIA PL	GULFPORT	MS	39507
	21204	1010M-03-004.000	HALLE DON E ETAL	225 COWAN RD	GULFPORT	MS	39507
N	83984	1011C-01-011.000	IB INVESTMENTS LLC	8682 HICKORY COURT	DAPHNE	AL	36527
	21333	1011D-01-001.000	DHAC REAL ESTATE LLC	853 E VALLEY BLVD	SAN GABRIEL	CA	91776
N	22526	1010N-04-026.000	GULFPORT CITY OF				0
	22522	1010N-04-030.000	BRITT BEVERLY	1115 NEWELL RD NW	BROOKHAVEN	MS	39601
N	21222	1010N-04-032.000	POC HOLDINGS INC	PO BOX 516	MAGEE	MS	39111

RE: Variance 2304ZB032; by agent Peter Vicari, seeking approval to allow for a 15-foot front yard setback where 50-feet is required, Tax Parcels 1011C-01-010.000, 1011C-01-011.000, 1011C-01-011.145, 1011C-01-013.000, 1010N-04-032.000, Zoned T5 (Urban Center) & T6 (Urban Core), 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, April 20, 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, April 20, 2023**. A map showing the location of the property involved is located at this website. If you have any questions or comments, please contact this office at the phone number 228-868-5710 or email planners@gulfport-ms.gov. The application is available for viewing in the Planning Division office at 1410 24th Avenue.

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#8203**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:
IPL0116521
Order Status:
Submitted
Classification:
Legals & Public Notices
Package:
BLX - Legal Ads
Final Cost:
60.88
Payment Type:
Account Billed
User ID:
IPL0024925

ACCOUNT INFORMATION

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

TRANSACTION REPORT

Date
March 29, 2023 11:50:51 PM EDT
Amount:
60.88

SCHEDULE FOR AD NUMBER IPL01165210

April 5, 2023
SunHerald (Biloxi)

PREVIEW FOR AD NUMBER IPL01165210**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 PM., Thursday, April 20, 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 2304ZB032: by agent Peter Vicari, seeking approval to allow for a 15-foot front yard setback where 50-feet is required, Tax Parcels 1011C-01-010.000, 1011C-01-011.000, 1011C-01-011.145, 1011C-01-013.000, 1010N-04-032.000, Zoned T5 (Urban Center) & T6 (Urban Core), Ward 2

Variance 2304ZB035: by agent Elliott Homes, seeking approval to allow for a 5-foot front and side yard setbacks, reduction of minimum required lot size of 7,500 square feet to 5,000 square feet, and of entire site coverage of 50% while lot coverage will be 45%, Tax Parcel 1010O-02-050.000, 1856 Beach Drive, Zoned R-1-7.5 (Single-family), Ward 2

Special Exception 2304SE038: by agent Kenyetter Johnson, is seeking approval for day care use, Tax Parcel 0808L-04-001.001, 15487 Oak Ln, Zoned B-4 (Highway Business), Ward 7

Variance 2304ZB043: by owner Highland Lake Townhomes, LLC, seeking approvals for allowance of building height of 16 feet fence/wall exceeding the 6 feet height limit, and for sign height of 10 feet exceeding height limit of 6 feet, Tax Parcel 1008F-01-001.000, 0 Ollie Rd, Zoned R-B (Residence Business), Ward 6

This the 29th day of March 2023
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: Su-Lin Featherston, Planning Administrator
Urban Development Department

Date of Hearing: April 20, 2023

Re: Variance 2304ZB035:

Variance 2304ZB035, by agent Elliott Homes, seeking approval to allow for a 5-foot front and side yard setbacks, reduction of minimum required lot size of 7,500 square feet to 5,000 square feet, and of entire site coverage of 50% while lot coverage will be 45%, Tax Parcel 1010O-02-050.000, 1856 Beach Drive, Zoned R-1-7.5 (Single-family), Ward 2

Technical Report

VARIANCE

GENERAL INFORMATION

Case File Number: 2304ZB035

Hearing Date: April 20, 2023

Current Zoning/Use: R-1-7.5 / Single Family Residence

Legal: Variance 2304ZB035, by agent Elliott Holmes, Tax Parcel 10100-02-050.000, Requesting variances for allowance of 5 foot front setbacks, 5 foot side setbacks, reduction of minimum required lot size of 7,500 square feet to 5,000, and of entire site coverage of 50% while lot coverage will be 45%, 1856 Beach Drive, Zoned R-1-7.5 (Single Family), 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 is requesting four variances for the proposed development of 102 single family homes: 1): 5 foot front yard setbacks where 25 feet is required, 2): reduction of side yard setbacks from 8 feet to 5 feet, 3): reduction of building site area required from 7,500 square feet to 5,000 square feet, 4): building site coverage to be 45 percent while entire site coverage will be 50 percent.

- (a) The applicant states that they do not wish to rezone the subject site from current zoning of R-1-7.5 but they state "the zoning required to meet the highest and best use of this site is R-1-5."
- (b) Applicant claims that the subject site was "zoned for William Carey University and student housing structures." Current zoning allows for single family residences by right, and College or University land uses per Planning Commission Approval.
- (c) These variances are requested in order for the applicant to deviate from the current R-1-7.5 zoning district regulations for regulations resembling an R-1-5 zoning district. A hardship has not been provided in the applicant's statement as they wish to keep the current zoning in order to prevent mobile homes from being placed on the subject site.
- (d) Applicant claims that the subject site is in a "high growth area where demand is only increasing for diversity of homes." Subject site for the proposed development is zoned R-1-7.5 which allows for Single Family homes and abuts other subdivisions that consist of Single Family homes.
- (e) Applicant claims that approval of these variances would not provide special privileges that others cannot receive. Upon review of the surrounding community, other properties surrounding the subject site conform to zoning district regulations. Granting these variances would provide special privileges to the proposed development.
- (f) This property is zoned R-1-7.5 which allows for Single Family home by right.

Any approval should consider these conditions:

- 1. Must meet all current building Codes and City of Gulfport Ordinances.
- 2. All Protected Trees shall be protected and preserved, per chapter eight of the city's ordinance. A tree permit is required for any work on or with trees can be performed.
- 3. Approval grants a variance of 5-foot front yard setbacks where 25 feet is required.
- 4. Approval grants a variance of 5-foot side yard setbacks where 8 feet is required
- 5. Approval grants a variance of lot size of 5,000 square feet where 7,500 square feet is required.

EXECUTIVE SUMMARY

The six hardship criteria have not been met as regards any of the four requests included in this application. The hardships identified by the applicant in their application do not meet the minimum criteria required by the ordinance to justify granting the variances requested. The applicant has caused their own hardship and is requesting variances with the surrounding community. As respects the portion of the request that seeks to reduce the minimum lot size from 7,500 square feet to 5,000 square feet, the applicant, for all practical purposes is seeking to downzone the property from R-1-7.5 to R-1-5, requiring that the applicant prove elements required property (Drews v. City of Hattiesburg, 904 So. 2d, 138 (Miss. 2005)). The Zoning Board does not consider zoning matters; that is the responsibility of the Planning Commission.

Technical Report

VARIANCE

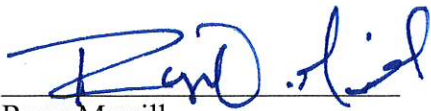
As such, the portion of the request aimed at reducing the minimum lot size must be handled as a rezoning matter through the Planning Commission. In light of the foregoing, Staff recommends that the request be denied.

DEPARTMENTAL CONDITIONS

<u>Engineering:</u>	No conditions. Memo dated 4/11/2023.
<u>Public Works:</u>	No conditions. Memo dated 4/11/2023.
<u>Traffic and Safety:</u>	No conditions. Memo dated 4/10/2023.
<u>Building Code Services:</u>	Must meet all current building Codes and City of Gulfport Ordinances. Memo dated 3/30/2023.
<u>GIS:</u>	No conditions. Memo dated 4/4/2023.
<u>Police Department:</u>	No comment as of 4/11/2023.
<u>Fire Department:</u>	No conditions. Memo dated 3/30/2023.
<u>City Arborist:</u>	All Protected Trees shall be protected and preserved, per chapter eight of the city's ordinance. A tree permit is required for any work on or with trees can be performed. Memo dated 3/30/2023.

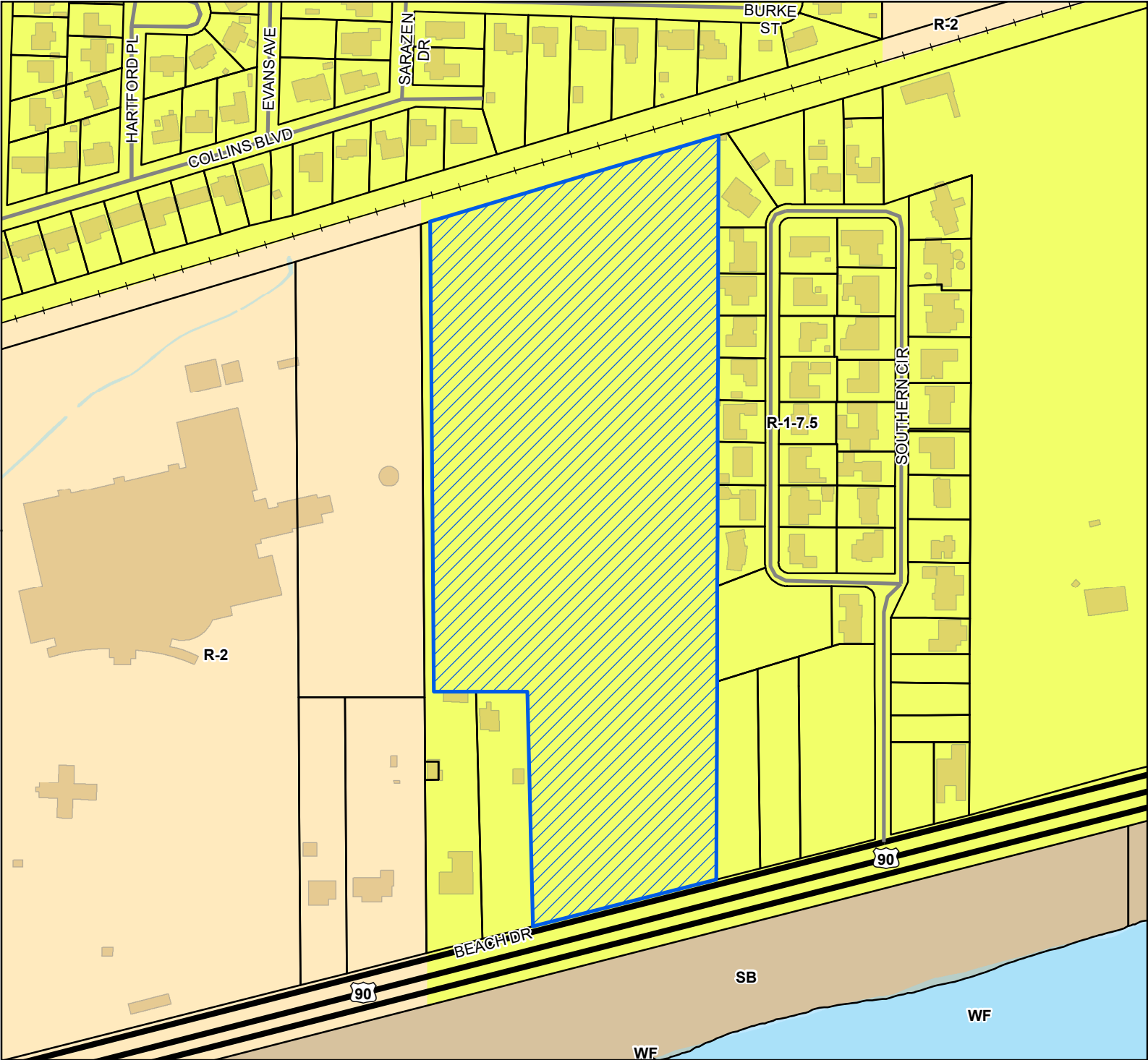
DIRECTOR APPROVAL

This report has been reviewed and approved by:



Ryan Merrill
Director of Urban Development Department





Site

US or State Highway

Street

Railroad

Parcels

Buildings

Water Features

Zoning

R-1-7.5 - Single Family Residence District (Low Density)

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

SB - Sand Beach

WF - Water Front

Site Information

10100-02-050.000

Zoning: R-1-7.5 (Single Family Residence District(Low Density))

Size: 19.953 acres

Flood: X

1 inch = 300 feet

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



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

Case Number
2304 ZB 035

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

1	0	1	0	0	-	0	2	-	0	5	0	.	0	0	0					-						.			
					-							.								-						.			
					-							.								-						.			

Property Address: 1856 Beach Drive Gulfport, MS 39507

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

William Carey University - Ben Burnett

Printed Name of Owner
710 William Carey Parkway

Mailing Address
Hattiesburg MS 39402
City State Zip code
601.318.6144

Home Phone Work/Cell Phone
bburnett@wmcarey.edu

Email

Ben Burnett

Signature of Owner

DocuSigned by:

Ben Burnett

5477259EC45C48C

AGENT

Elliott Homes LLC - Josh Fleming

Printed Name of Agent
1402 Pass Road

Mailing Address
Gulfport MS 39501
City State Zip code
941.468.1058

Home Phone Work/Cell Phone
Jfleming@myelliottthome.com

Email

Josh Fleming

Signature of Agent

SUPPLEMENTAL INFORMATION for
VARIANCE SUBMISSION

1.) What is special about your property that you need to request a variance?

As of today, the current zoning on this project is R1-7.5. The zoning required to meet the highest and best use of this site is R1-5. Without having to rezone the property which could potentially devalue the surrounding communities. We would like to keep the current zoning and request the following variances:

Variance 1:

5' front setbacks on all Rear-Load homes due to architectural need.

Variance 2:

Side Setbacks reduced from 8' to 5'.

Variance 3:

Minimum lot sized reduced from 7,500 to 5,000.

Variance 4:

Lot coverage ratio to be 45%. However, the entire site 50%.

2.) Show that you did not cause the need for the variance.

The property was zoned for William Carey University campus and student housing structures and has been vacant since the devastation of Hurricane Katrina.

3.) 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 goal of Elliott Homes is to build the proposed plat and housing mix presented on the attached as it meets current demand and raises the real estate values of surrounding properties. We have both front and rear load homes planned for this project to give it diversity/ fill the need which creates a problem for zoning as they require different setbacks. If we rezoned to the needed R1-5 and for whatever reason unable to follow through with the project, we feel the things allowable by right in an R1-5 zoning would not be at the best interest of the city and surrounding communities. Therefor we are proposing to keep the current zoning as is (R1-7.5) and grant variances that are specific to this layout.

- 4.) **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.**

The proposed development will generate additional tax revenue for the City of Gulfport, Harrison County and Harrison County Schools. The mix-use residential subdivision will also increase the value of all surrounding homes. We want to keep the current zoning and granted above variances to maintain the architectural feel and increase property values. The vacant land is in a high growth area where demand is only increasing for diversity of homes (rear load & front load).

- 5.) **Will you receive any special benefit that others who follow the Zoning Ordinance cannot receive?**

There will be no special benefit that others cannot receive all structures and amenities for the proposed project are allowed by right under the current zoning.

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

The subject property is in a location more prone to Single-Family residential use. The proposed development and variances will be consistent with the surrounding neighborhood. If granted, the variances will have no effect on the area.



ELLIOTT
HOMES

City of Gulfport Planning and Zoning

We have conducted extensive research on the needs of today's consumers, our real estate values and demand related to single family housing in our region. We feel the old William Carey project is a solution to a national affordability crisis and an attraction for 67 million people around the US looking for a lifestyle change. If done right this is a great way to grow the population of the city by 102 residents with a higher-than-average median income.

As of today, the current zoning on this project is R1-7.5. The zoning required to meet the highest and best use of this site is R5. The goal of Elliott Homes is to build the proposed plat and housing mix presented on the attached as it meets current demand and raises the real estate values of surrounding properties. We have both front and rear load homes planned for this project to give it diversity/ fill the need which creates a problem for zoning as they require different setbacks. If we rezoned to the needed R5 and did not follow through with the project, we feel the things allowable by right in an R5 would not be at the best interest of the city and surrounding communities. Therefor we are proposing to keep the current zoning as is (R1-7.5) and grant variances that are specific to this layout.

Variance Requests:

Variance 1:

- 5' front set on all rear load homes due to architectural need (lots: 1-10, 56-67, 69-73 & 98-103).

Variance 2:

- Side setback reduced from 8' to 5'.

Variance 3:

- Minimum lot size reduced from 7,500 to 5,000.

Variance 4:

- Lot coverage ratio to be 45%. However, the entire site to be 50%

We sincerely appreciate your willingness to work with us as we strive to follow our purpose and "Create A Place Where Life Gets Better" on the MS coast.

Sincerely,

Josh Fleming
Land Acquisition Manager
Elliott Land Developments



ELLIOTT
HOMES



CURRENT ZONING:

R-1-7.5 districts: Single-family residence districts.

These districts are composed mainly of areas containing one-family and open areas where such development seems likely to occur. The district regulations are designed to protect the residential character of the districts by prohibiting all commercial activities; to encourage a suitable neighborhood environment for family life by including among the permitted uses such facilities as schools and churches; to prevent overcrowding of the land by requiring certain minimum yard and other open spaces for all buildings; and to avoid excessive population density by requiring a certain minimum building site area for each dwelling unit.

Permitted uses. See chart at end of this section.

Building site area. Except as provided in section IV, the minimum building site area shall be:

For a one-family dwelling—7,500 square feet.

For any other permitted uses—10,000 square feet.

Building site coverage. The maximum building site coverage by all buildings shall be forty-five (45) percent.

Building height limit. Except as provided in section IV, no structure shall exceed thirty-five (35) feet in height.

Yards required. Except as provided in section IV, the minimum dimensions of yards shall be:

Front yard—25 feet.

Side yard—8 feet.

Rear yard—8 feet.



Designation of Agent

Ben Burnett - William Carey University
 I, Ben Burnett, being property owner of 10100-02-050.000
PRINT NAME PRIMARY ADDRESS OR PARCEL
 which is the subject of this application hereby authorize Elliott Homes LLC - Josh Fleming 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.

Ben Burnett

3-1-23

Signature

DocuSigned by:
Ben Burnett
 5477253EC45C48C...

Date

STATE OF MISSISSIPPI | COUNTY OF HARRISON

Given under my hand and seal of office this the 1st day of March, 20 23

Charlotte Green

Notary Public

July 31, 2024

Commission Expiration



Certificate Of Completion

Envelope Id: 8C0F3EEF85F748E1BDB9E7794D8C5C9F
 Subject: Complete with DocuSign: Variance App- WCU.pdf
 Source Envelope:
 Document Pages: 10
 Certificate Pages: 5
 AutoNav: Enabled
 EnvelopeId Stamping: Enabled
 Time Zone: (UTC-06:00) Central Time (US & Canada)

Status: Completed

Envelope Originator:
 Josh Fleming
 1402 Pass Road
 Gulfport, MS 39501
 jfleming@myelliottthome.com
 IP Address: 24.117.75.202

Record Tracking

Status: Original
 3/1/2023 10:11:26 AM

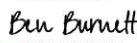
Holder: Josh Fleming
 jfleming@myelliottthome.com

Location: DocuSign

Signer Events

Ben Burnett
 bburnett@wmcarey.edu
 Security Level: Email, Account Authentication
 (None)

Signature

DocuSigned by:

 5477253EC45C48C...

Signature Adoption: Pre-selected Style
 Using IP Address: 76.8.254.131

Timestamp

Sent: 3/1/2023 10:14:10 AM
 Viewed: 3/1/2023 10:30:15 AM
 Signed: 3/1/2023 10:30:39 AM

Electronic Record and Signature Disclosure:

Accepted: 3/1/2023 10:30:15 AM
 ID: 128809c6-f970-44ff-94f0-7532d4ef0c4c

In Person Signer Events**Signature****Timestamp****Editor Delivery Events****Status****Timestamp****Agent Delivery Events****Status****Timestamp****Intermediary Delivery Events****Status****Timestamp****Certified Delivery Events****Status****Timestamp****Carbon Copy Events****Status****Timestamp**

Josh Fleming
 jfleming@myelliottthome.com
 Elliott Homes

Security Level: Email, Account Authentication
 (None)

Electronic Record and Signature Disclosure:
 Not Offered via DocuSign

COPIED

Sent: 3/1/2023 10:30:41 AM

Witness Events**Signature****Timestamp****Notary Events****Signature****Timestamp****Envelope Summary Events****Status****Timestamps**

Envelope Sent Hashed/Encrypted
 Certified Delivered Security Checked
 Signing Complete Security Checked
 Completed Security Checked

3/1/2023 10:14:10 AM
 3/1/2023 10:30:15 AM
 3/1/2023 10:30:39 AM
 3/1/2023 10:30:41 AM

Payment Events

Status

Timestamps

Electronic Record and Signature Disclosure

ELECTRONIC RECORD AND SIGNATURE DISCLOSURE

From time to time, Matt Hanish (we, us or Company) may be required by law to provide to you certain written notices or disclosures. Described below are the terms and conditions for providing to you such notices and disclosures electronically through the DocuSign, Inc. (DocuSign) electronic signing system. Please read the information below carefully and thoroughly, and if you can access this information electronically to your satisfaction and agree to these terms and conditions, please confirm your agreement by clicking the 'I agree' button at the bottom of this document.

Getting paper copies

At any time, you may request from us a paper copy of any record provided or made available electronically to you by us. You will have the ability to download and print documents we send to you through the DocuSign system during and immediately after signing session and, if you elect to create a DocuSign signer account, you may access them for a limited period of time (usually 30 days) after such documents are first sent to you. After such time, if you wish for us to send you paper copies of any such documents from our office to you, you will be charged a \$0.00 per-page fee. You may request delivery of such paper copies from us by following the procedure described below.

Withdrawing your consent

If you decide to receive notices and disclosures from us electronically, you may at any time change your mind and tell us that thereafter you want to receive required notices and disclosures only in paper format. How you must inform us of your decision to receive future notices and disclosure in paper format and withdraw your consent to receive notices and disclosures electronically is described below.

Consequences of changing your mind

If you elect to receive required notices and disclosures only in paper format, it will slow the speed at which we can complete certain steps in transactions with you and delivering services to you because we will need first to send the required notices or disclosures to you in paper format, and then wait until we receive back from you your acknowledgment of your receipt of such paper notices or disclosures. To indicate to us that you are changing your mind, you must withdraw your consent using the DocuSign 'Withdraw Consent' form on the signing page of a DocuSign envelope instead of signing it. This will indicate to us that you have withdrawn your consent to receive required notices and disclosures electronically from us and you will no longer be able to use the DocuSign system to receive required notices and consents electronically from us or to sign electronically documents from us.

All notices and disclosures will be sent to you electronically

Unless you tell us otherwise in accordance with the procedures described herein, we will provide electronically to you through the DocuSign system all required notices, disclosures, authorizations, acknowledgements, and other documents that are required to be provided or made available to you during the course of our relationship with you. To reduce the chance of you inadvertently not receiving any notice or disclosure, we prefer to provide all of the required notices and disclosures to you by the same method and to the same address that you have given us. Thus, you can receive all the disclosures and notices electronically or in paper format through the paper mail delivery system. If you do not agree with this process, please let us know as described below. Please also see the paragraph immediately above that describes the consequences of your electing not to receive delivery of the notices and disclosures

electronically from us.

How to contact Matt Hanish:

You may contact us to let us know of your changes as to how we may contact you electronically, to request paper copies of certain information from us, and to withdraw your prior consent to receive notices and disclosures electronically as follows:

To contact us by email send messages to: matt@myelliotthome.com

To advise Matt Hanish of your new e-mail address

To let us know of a change in your e-mail address where we should send notices and disclosures electronically to you, you must send an email message to us at matt@myelliotthome.com and in the body of such request you must state: your previous e-mail address, your new e-mail address. We do not require any other information from you to change your email address..

In addition, you must notify DocuSign, Inc. to arrange for your new email address to be reflected in your DocuSign account by following the process for changing e-mail in the DocuSign system.

To request paper copies from Matt Hanish

To request delivery from us of paper copies of the notices and disclosures previously provided by us to you electronically, you must send us an e-mail to matt@myelliotthome.com and in the body of such request you must state your e-mail address, full name, US Postal address, and telephone number. We will bill you for any fees at that time, if any.

To withdraw your consent with Matt Hanish

To inform us that you no longer want to receive future notices and disclosures in electronic format you may:

- i. decline to sign a document from within your DocuSign session, and on the subsequent page, select the check-box indicating you wish to withdraw your consent, or you may;
- ii. send us an e-mail to matt@myelliotthome.com and in the body of such request you must state your e-mail, full name, US Postal Address, and telephone number. We do not need any other information from you to withdraw consent.. The consequences of your withdrawing consent for online documents will be that transactions may take a longer time to process..

Required hardware and software

Operating Systems:	Windows® 2000, Windows® XP, Windows Vista®; Mac OS® X
Browsers:	Final release versions of Internet Explorer® 6.0 or above (Windows only); Mozilla Firefox 2.0 or above (Windows and Mac); Safari™ 3.0 or above (Mac only)
PDF Reader:	Acrobat® or similar software may be required to view and print PDF files
Screen Resolution:	800 x 600 minimum
Enabled Security Settings:	Allow per session cookies

****** These minimum requirements are subject to change. If these requirements change, you will be asked to re-accept the disclosure. Pre-release (e.g. beta) versions of operating systems and browsers are not supported.

Acknowledging your access and consent to receive materials electronically

To confirm to us that you can access this information electronically, which will be similar to other electronic notices and disclosures that we will provide to you, please verify that you were able to read this electronic disclosure and that you also were able to print on paper or electronically save this page for your future reference and access or that you were able to e-mail this disclosure and consent to an address where you will be able to print on paper or save it for your future reference and access. Further, if you consent to receiving notices and disclosures exclusively in electronic format on the terms and conditions described above, please let us know by clicking the 'I agree' button below.

By checking the 'I agree' box, I confirm that:

- I can access and read this Electronic CONSENT TO ELECTRONIC RECEIPT OF ELECTRONIC RECORD AND SIGNATURE DISCLOSURES document; and
- I can print on paper the disclosure or save or send the disclosure to a place where I can print it, for future reference and access; and
- Until or unless I notify Matt Hanish as described above, I consent to receive from exclusively through electronic means all notices, disclosures, authorizations, acknowledgements, and other documents that are required to be provided or made available to me by Matt Hanish during the course of my relationship with you.



Covenant Affidavit

Josh Fleming - Elliott Homes LLC
I, _____, being owner or agent of the property 10100-02-050.000
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

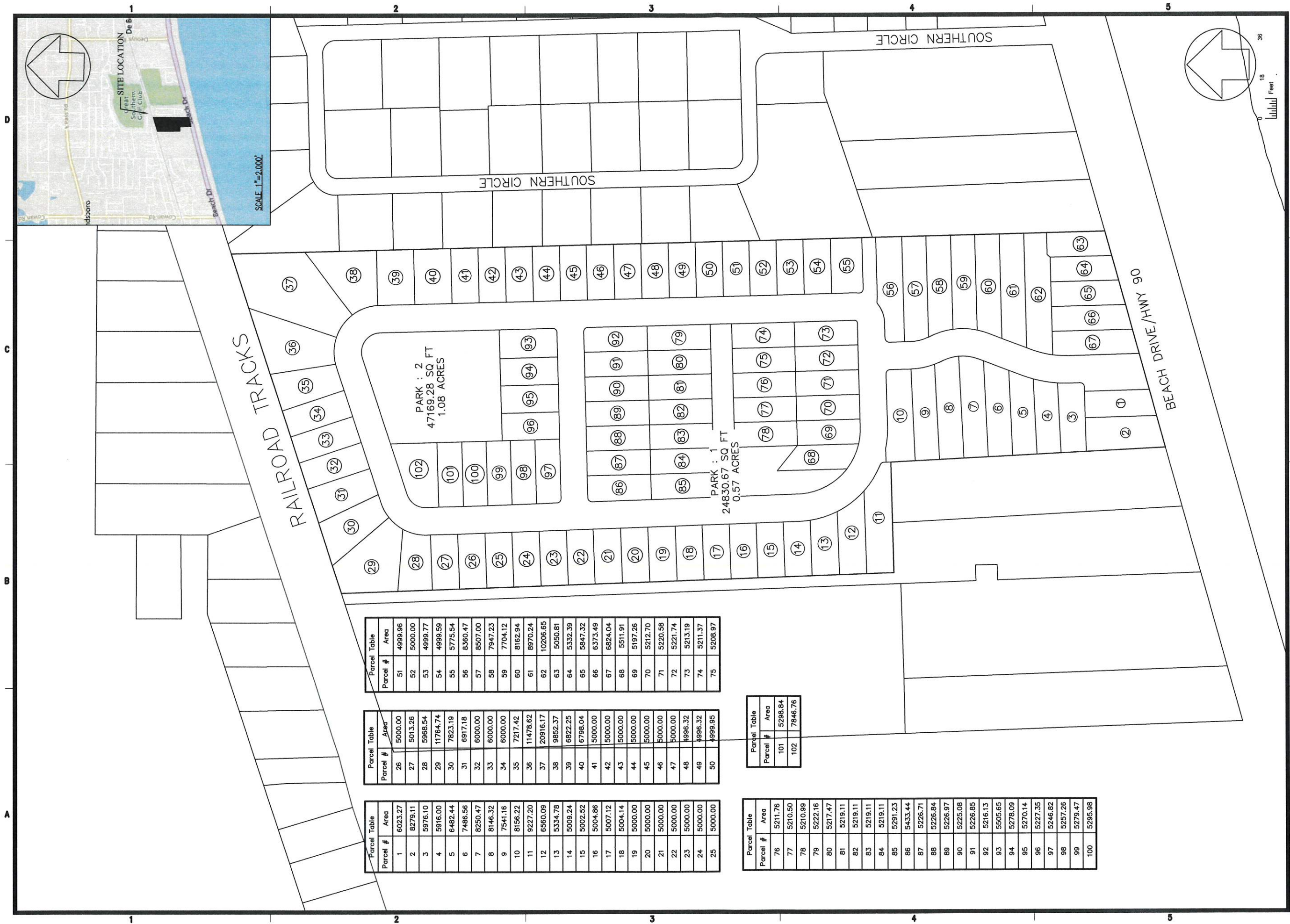
March 1st, 2023
Date

STATE OF MISSISSIPPI | COUNTY OF HARRISON

Given under my hand and seal of office this the 1ST day of March, 20 23

[Signature]
Notary Public

04/26/2025
Commission Expiration



Parcel Table	
Parcel #	Area
51	4999.96
52	5000.00
53	4999.77
54	4999.59
55	5775.54
56	8360.47
57	8507.00
58	7947.23
59	7704.12
60	8162.94
61	8970.24
62	10206.65
63	5050.81
64	5332.39
65	5847.32
66	6373.49
67	8824.04
68	5511.91
69	5197.26
70	5212.70
71	5220.58
72	5221.74
73	5213.19
74	5211.37
75	5208.97

Parcel Table	
Parcel #	Area
26	5000.00
27	5013.26
28	5968.54
29	11764.74
30	7823.19
31	6917.18
32	6000.00
33	6000.00
34	6000.00
35	7217.42
36	11478.62
37	20916.17
38	9852.37
39	8822.25
40	6798.04
41	5000.00
42	5000.00
43	5000.00
44	5000.00
45	5000.00
46	5000.00
47	5000.00
48	4996.32
49	4996.32
50	4999.95

Parcel Table	
Parcel #	Area
101	5298.84
102	7846.76

Parcel Table	
Parcel #	Area
76	5211.76
77	5210.50
78	5210.99
79	5222.16
80	5217.47
81	5219.11
82	5219.11
83	5219.11
84	5219.11
85	5291.23
86	5433.44
87	5226.71
88	5226.84
89	5226.97
90	5225.08
91	5226.85
92	5216.13
93	5505.65
94	5278.09
95	5270.14
96	5227.35
97	5246.82
98	5257.26
99	5279.47
100	5295.98

REVISIONS:

PROJECT #

1:10100-02-050.000

DATE:

DRAWN BY:

ELLIOTT HOMES, LLC

DESIGNER:

JOSH FLEMING

CHECKED BY:

N/A

ELLIOTT HOMES

1402 PASS ROAD
GULFPORT, MS 39501

BEACH DRIVE

CITY OF GULFPORT, MS 39553
HARRISON COUNTY, MS

SEAL:

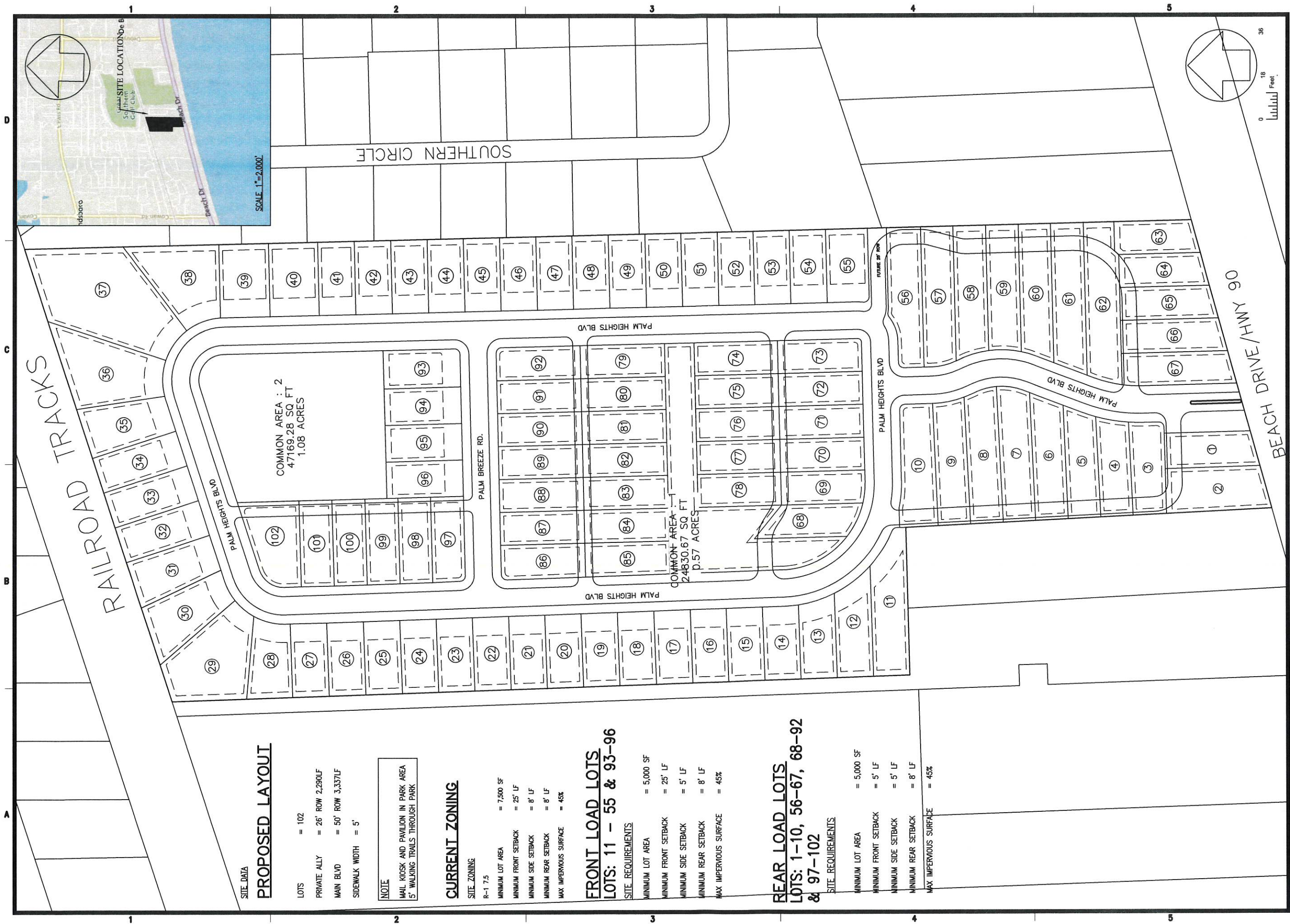
SKETCH PLAT
NOT FOR CONSTRUCTION USE

SHEET NUMBER:

1-OF-3

DESCRIPTION:

PARCEL AREA



REVISIONS:

PROJECT #: 10100-02-050.000
DATE:
DRAWN BY: ELLIOTT HOMES, LLC
DESIGNER: JOSH FLEMING
CHECKED BY: N/A

ELLIOTT HOMES

1402 PASS ROAD
GULFPORT, MS 39501

BEACH DRIVE

CITY OF GULFPORT, MS 39553

HARRISON COUNTY, MS

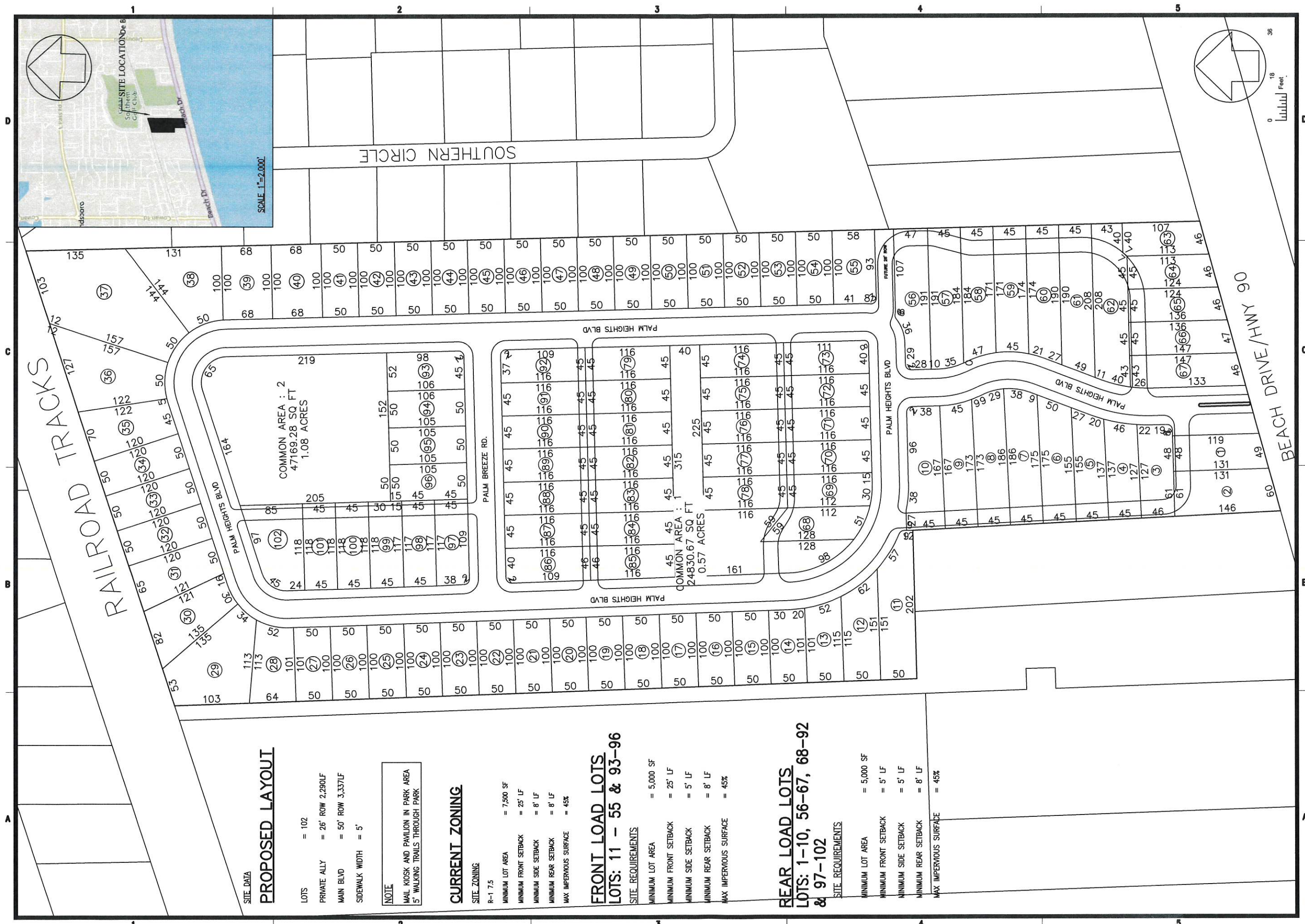
SEAL:

SKETCH PLAT

NOT FOR CONSTRUCTION USE

SHEET NUMBER:
2-OF-3

DESCRIPTION:
SETBACKS



PROPOSED LAYOUT

LOTS = 102
PRIVATE ALLY = 25' ROW 2,290LF
MAIN BLVD = 50' ROW 3,337LF
SIDEWALK WIDTH = 5'

NOTE
MAIL KIOSK AND PAVILION IN PARK AREA
5' WALKING TRAILS THROUGH PARK

CURRENT ZONING

SITE ZONING
R-1 7.5
MINIMUM LOT AREA = 7,500 SF
MINIMUM FRONT SETBACK = 25' LF
MINIMUM SIDE SETBACK = 8' LF
MINIMUM REAR SETBACK = 8' LF
MAX IMPERVIOUS SURFACE = 45%

FRONT LOAD LOTS
LOTS: 11 - 55 & 93-96

SITE REQUIREMENTS
MINIMUM LOT AREA = 5,000 SF
MINIMUM FRONT SETBACK = 25' LF
MINIMUM SIDE SETBACK = 5' LF
MINIMUM REAR SETBACK = 8' LF
MAX IMPERVIOUS SURFACE = 45%

REAR LOAD LOTS
LOTS: 1-10, 56-67, 68-92 & 97-102

SITE REQUIREMENTS
MINIMUM LOT AREA = 5,000 SF
MINIMUM FRONT SETBACK = 5' LF
MINIMUM SIDE SETBACK = 5' LF
MINIMUM REAR SETBACK = 8' LF
MAX IMPERVIOUS SURFACE = 45%

REVISIONS:

PROJECT: 10100-02-050.000

DATE:

DRAWN BY: ELLIOTT HOMES, LLC

DESIGNER: JOSH FLEMING

CHECKED BY: N/A

ELLIOTT HOMES

1402 PASS ROAD
GULFPORT, MS 39501

BEACH DRIVE
CITY OF GULFPORT, MS 39553
HARRISON COUNTY, MS

SEAL:

SKETCH PLAT
NOT FOR CONSTRUCTION USE

SHEET NUMBER:

3-OF-3

DESCRIPTION:

LOT DIMENSIONS

WARRANTY DEED

FOR AND IN CONSIDERATION of the sum of Ten Dollars (\$10.00), cash in hand paid and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Gulf Coast Company, Inc., a Mississippi business corporation which has heretofore filed a statement of Intent to Dissolve, does hereby sell, convey, and warrant unto William Carey College, a non profit corporation, all property, real, personal, or mixed, no matter where situated or how comprised, of which Gulf Coast Company, Inc., is possessed, including, but not limited to, the following described property located in the South Half of Section 32, Township 7 South, Range 10 West, Harrison County, Mississippi:

Beginning at an iron stake where the dividing line between Lots 71 and 72 intersects the north boundary line of the asphalt service road, running east and west between Gulfport and Biloxi, then running in a southwesterly direction along the north boundary of said asphalt road a distance of 410 feet to an iron stake; thence in a northerly direction 505 feet, more or less, to an iron stake at the northeast corner of the old covered board walk which formerly connected the Junior and Senior Departments of Gulf Coast Military Academy; thence in a westerly direction along the north boundary line of the old covered board walk a distance of 200 feet, more or less, to an iron stake 20 feet east of the east boundary line of the present Money property; thence north parallel to the east line of the Money property a distance of 1025 feet, more or less, to a point on the south right of way of the Louisville and Nashville Railroad; thence in a northeasterly direction along the south right of way of said railroad to the northeast corner of Lot 72; thence South along the east boundary line of said Lot 72 a distance of 1609 feet, more or less, to a point of beginning, including all appurtenances pertaining to said property, all personal property located thereon, and any and all other lands conveyed to Mississippi Gulf Coast Corporation in that certain general Warranty Deed recorded at Deed Book 476, page 506 of Public Records of Harrison County, Mississippi.

By accepting this Warranty Deed, the Grantee, William Carey College, assumes the obligation to pay all debts and liabilities of the Grantor under that certain Deed of Trust recorded in Book 438, pages 153-159.

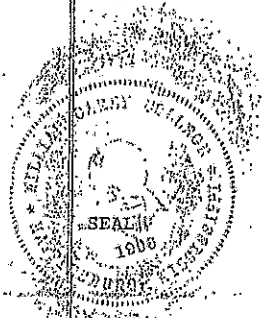
This conveyance is made pursuant to the authority of Section 79-3-173, Mississippi Code, 1972, and is for the purpose of conveying the assets of Gulf Coast Company, Inc., to William Carey College, a non profit corporation, which is the sole shareholder of the stock of Gulf Coast Company, Inc.

WITNESS the signatures of the President and Secretary of Gulf Coast Company, Inc., on this, the 5th day of March, 1982.

GULF COAST COMPANY, INC.

BY: J. Ralph Noonkester
PRESIDENT

BY: H. L. Dickens
SECRETARY



STATE OF MISSISSIPPI
COUNTY OF FORREST

PERSONALLY appeared before me, the undersigned authority, James R. Noonkester and Hugh L. Dickens, personally known to me to be President and Secretary, respectively, of Gulf Coast Company, Inc., a Mississippi business corporation, who each stated to me that he signed, executed, and delivered the foregoing Warranty Deed in his capacity as such officer of Gulf Coast Company, Inc., as his own free and voluntary act and deed, and as the free and voluntary act and deed of said corporation.

J. Ralph Noonkester
PRESIDENT

H. L. Dickens
SECRETARY

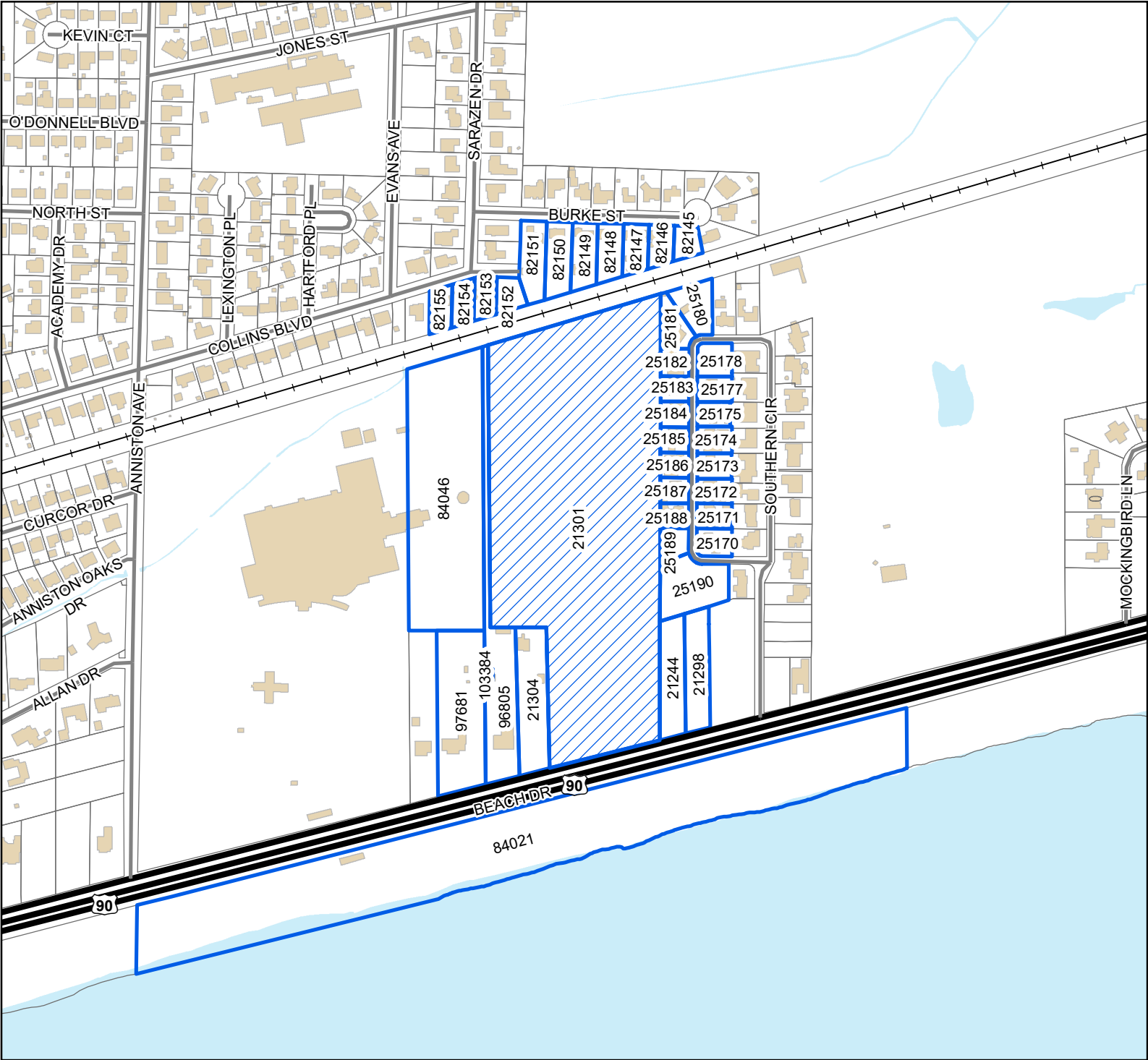
SWORN TO AND SUBSCRIBED before me on this, the 5th day of March, 1982.

J. D. Dims
NOTARY PUBLIC

My Commission Expires August 9, 1985.

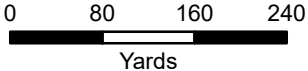
1057 1260
STATEMENT OF FEES
First Page 1.00
Add. Page 1.00
And Record Section 1.00
Mortgage Entry at 50
Total Fees 4.00

STATE OF MISSISSIPPI, COUNTY OF HARRISON, FIRST JUDICIAL DISTRICT:
I hereby certify that this instrument was received and filed for record at 10 o'clock and 02 minutes A. M. on 18 day of March, A.D. 19 82 and recorded March 15, 19 82 In Records of Deeds Book 425 Pages 367-368
G. N. Crowl, Chartered Clerk
By [Signature] D.C.



Legend

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



1 inch = 500 feet



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

Mail	PPIN	Parcel ID	Name	Address	City	State	ZIP
Y		10100-02-050.000	WILLIAM CAREY UNIVERSITY(OWNER)	710 WILLIAM CAREY PARKWAY	HATTIESBURG	MS	39402
			ELLIOT HOMES LLC(AGENT)	1402 PASS ROAD	GULFPORT	MS	39501
			Adjacent Property Owners (2304ZB035)				
	25177	10100-02-037.000	JENNER CHRISTIE ELLEN	306 SOUTHERN CIR	GULFPORT	MS	39507
	25189	10100-02-029.000	HANNUM BOB & DEBBIE	351 SOUTHERN CIRCLE	GULFPORT	MS	39507
103384	10100-02-051.003	DOUGLAS JOHN WILLIAM & CANDACE	1828 BEACH DRIVE	GULFPORT	MS	39507	
	25170	10100-02-031.000	PURPLE MARTIN REALTY LLC	205 SOUTHERN CIRCLE	GULFPORT	MS	39507
	25184	10100-02-024.000	O'CONNOR SYLVIA J	5337 LOST OAK DR	BATON ROUGE	LA	70817
	25181	10100-02-021.000	JONES DAVID W	291 SOUTHERN CIR	GULFPORT	MS	39507
	82147	10100-01-002.016	BULEY DONALD W & KAREN C	2412 BURKE STREET	GULFPORT	MS	39507
	82152	10100-01-002.021	WILLIAMS KYLE M	2430 COLLINS BLVD	GULFPORT	MS	39507
N	21301	10100-02-050.000	WILLIAM CAREY COLLEGE				0
	25187	10100-02-027.000	CARRELL WILLIAM THOMAS & EMMA SIU	337 SOUTHERN CIRCLE	GULFPORT	MS	39507
	82148	10100-01-002.017	CALDWELL VIRGINIA CLAIR & JAMES BYR	980 COURTHOUSE RD	GULFPORT	MS	39507
	21304	10100-02-051.000	DOUGLAS CAROL	1830 BEACH DRIVE	GULFPORT	MS	39507
	82150	10100-01-002.019	LEE KATHRYN & LEE MICHELLE	2406 BURKE ST	GULFPORT	MS	39507
	25173	10100-02-034.000	JOHNSON RACHEAL L	334 SOUTHERN CIRCLE	GULFPORT	MS	39507
	96805	10100-02-051.002	DOUGLAS JOHN WILLIAM & CANDACE	1828 BEACH DRIVE	GULFPORT	MS	39507
	84046	10100-02-052.000	UNITED STATES OF AMERICA	370 N CAPITOL ST BOX 1303	WASHINGTON	DC	20317
	25172	10100-02-033.000	RADIX PAMELA A	336 SOUTHERN CIR	GULFPORT	MS	39507
	25188	10100-02-028.000	KENDRICK JAMES L & ELIZABETH C	339 SOUTHERN CIRCLE	GULFPORT	MS	39507
	25185	10100-02-025.000	ROGERS ROSE MARIE	333 SOUTHERN CIR	GULFPORT	MS	39507
	25171	10100-02-032.000	ORR CHARLOTTE C -TRUSTEE-	338 SOUTHERN CIR	GULFPORT	MS	39501
	25190	10100-02-030.000	SAMUEL BARRY -TRUSTEE-	340 VINCENT AVE	METAIRIE	LA	70005
	82153	10100-01-002.022	SAMS MARY MELISSA	2428 COLLINS BLVD	GULFPORT	MS	39507
	25180	10100-02-020.000	DELK C DAVID	288 SOUTHERN CIR	GULFPORT	MS	39507
	25182	10100-02-022.000	LESLIE ANN GWIN -TRUSTEE-	323 SOUTHERN CIRCLE	GULFPORT	MS	39507
	25174	10100-02-035.000	O'REILLY LOUIS P & JOAN M	332 SOUTHERN CIR	GULFPORT	MS	39507
N	84021	10100-03-001.000	GULFPORT CITY OF	P O BOX 76	JACKSON	MS	39205
	82151	10100-01-002.020	HOLDEN DENTON E & TOSHIKO	2404 BURKE STREET	GULFPORT	MS	39507
	82146	10100-01-002.015	GOODNIGHT GEORGE L & THERESA L	2414 BURKE STREET	GULFPORT	MS	39507
	25183	10100-02-023.000	KILPATRICK LARRY E JR & LAURA F	325 SOUTHERN CIR	GULFPORT	MS	39507
	25175	10100-02-036.000	ANDERSON JANIS J -TRUSTEE	330 SOUTHERN CIR	GULFPORT	MS	39501
	82155	10100-01-002.024	LANGSTON JOANNE YOUNG	2424 COLLINS	GULFPORT	MS	39507
	82149	10100-01-002.018	ISELL TIMOTHY T & JUDY D	2408 BURKE ST	GULFPORT	MS	39507
	25178	10100-02-038.000	OLSEN JOHN KEVIN JR & AMY FORD	304 SOUTHERN CIR	GULFPORT	MS	39507

Mail	PPIN	Parcel ID	Name	Address	City	State	ZIP
82145	10100-01-002.014	SULLIVAN PATRICK R	2416 BURKE STREET	GULFPORT	MS	39507	
82154	10100-01-002.023	CAPIOLA ANDREW JOSEPH	2426 COLLINS BLVD	GULFPORT	MS	39503	
25186	10100-02-026.000	HANNA HUGH BOYD JR & ELIZABETH LANE	335 SOUTHERN CIRCLE	GULFPORT	MS	39507	
21244	10100-02-049.000	SAMUEL BARRY -TRUSTEE-	340 VINCENT AVE	METAIRIE	LA	70005	
97681	10100-02-052.001	WARR BRENT & LAURA	1814 BEACH DR	GULFPORT	MS	39507	
21298	10100-02-048.000	MAVAR KAREN W -TRUSTEE-	2314 N COUNTRY CLUB LANE	BILOXI	MS	39532	

RE: Variance 2304ZB035, by agent Elliott Homes, seeking approval to allow for a 5-foot front and side yard setbacks, reduction of minimum required lot size of 7,500 square feet to 5,000 square feet, and of entire site coverage of 50% while lot coverage will be 45%, Tax Parcel 10100-02-050.000, 1856 Beach Drive, Zoned R-1-7.5 (Single-family), 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, April 20, 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, April 20, 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.

SL
#8203

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:
IPL0116521
Order Status:
Submitted
Classification:
Legals & Public Notices
Package:
BLX - Legal Ads
Final Cost:
60.88
Payment Type:
Account Billed
User ID:
IPL0024925

ACCOUNT INFORMATION

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

TRANSACTION REPORT

Date
March 29, 2023 11:50:51 PM EDT
Amount:
60.88

SCHEDULE FOR AD NUMBER IPL01165210

April 5, 2023
SunHerald (Biloxi)

PREVIEW FOR AD NUMBER IPL01165210**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 PM., Thursday, April 20, 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 2304ZB032: by agent Peter Vicari, seeking approval to allow for a 15-foot front yard setback where 50-feet is required, Tax Parcels 1011C-01-010.000, 1011C-01-011.000, 1011C-01-011.145, 1011C-01-013.000, 1010N-04-032.000, Zoned T5 (Urban Center) & T6 (Urban Core), Ward 2

Variance 2304ZB035: by agent Elliott Homes, seeking approval to allow for a 5-foot front and side yard setbacks, reduction of minimum required lot size of 7,500 square feet to 5,000 square feet, and of entire site coverage of 50% while lot coverage will be 45%, Tax Parcel 1010O-02-050.000, 1856 Beach Drive, Zoned R-1-7.5 (Single-family), Ward 2

Special Exception 2304SE038: by agent Kenyetter Johnson, is seeking approval for day care use, Tax Parcel 0808L-04-001.001, 15487 Oak Ln, Zoned B-4 (Highway Business), Ward 7

Variance 2304ZB043: by owner Highland Lake Townhomes, LLC, seeking approvals for allowance of building height of 16 feet fence/wall exceeding the 6 feet height limit, and for sign height of 10 feet exceeding height limit of 6 feet, Tax Parcel 1008F-01-001.000, 0 Ollie Rd, Zoned R-B (Residence Business), Ward 6

This the 29th day of March 2023
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: Su-Lin Featherston, Planning Administrator
Urban Development Department

Date of Hearing: April 20, 2023

Re: Special Exception 2304SE038:
Deferred to May Meeting:

Special Exception 2304SE038, by agent Kenyetter Johnson, is seeking approval for day care use, Tax Parcel 0808L-04-001.001, 15487 Oak Ln, Zoned B-4 (Highway Business), Ward 7

Technical Report

SPECIAL EXCEPTION

GENERAL INFORMATION

Case File Number: 2304SE038

Hearing Date: Zoning Board April 20, 2023
Planning Commission April 27, 2023

Current Zoning/Use: B-4 / Commercial Structure

Legal: Special Exception 2304SE038; by agent Kenyetter Johnson, is seeking approval for day care use, Tax Parcel 0808L-04-001.001, 15487 Oak Ln, Zoned B-4 (Highway Business), Ward 7

TECHNICAL DETAILS

The applicant requests special exception for a day care use located at 15487 Oak Ln. Hours of operation will be 6:00 a.m. to 6:00 p.m. As proposed, the site plan accommodates ample off-street turn-around space. 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 hair clinic, orthodontic office, Alpha Best Education office, and other businesses within the same complex. The staff recommendation is to approve the request.

Any approval should consider these conditions:

1. Must meet all current building Codes and City of Gulfport Ordinances.
2. Change of use to (I-4) Occupancy Classification. Must have complete (Smoke Detection Coverage) Fire Alarm. All Childcare Rooms must have exit doors (Direct) to Exterior or be protected by Automatic Sprinkler.
3. Special exception for a daycare use must be approved by the Zoning Board and Planning Commission.

DEPARTMENTAL CONDITIONS

Engineering: No conditions. Memo dated 04/11/2023.

Public Works: No conditions. Memo dated 04/06/2023.

Traffic and Safety: No conditions. Memo dated 04/05/2023.

Technical Report

SPECIAL EXCEPTION

Building Code Services: Must meet all current building Codes and City of Gulfport Ordinances. Memo dated 03/30/2023.

GIS: No conditions. Memo dated 03/31/2023.

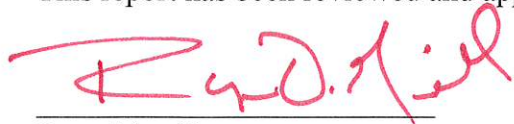
Police Department: No conditions. Memo dated 03/31/2023.

Fire Department: Change of use to (I-4) Occupancy Classification. Must have complete (Smoke Detection Coverage) Fire Alarm. All Childcare Rooms must have exit doors (Direct) to Exterior or be protected by Automatic Sprinkler. Memo dated 03/30/2023.

City Arborist: No conditions. Memo dated 03/30/2023.

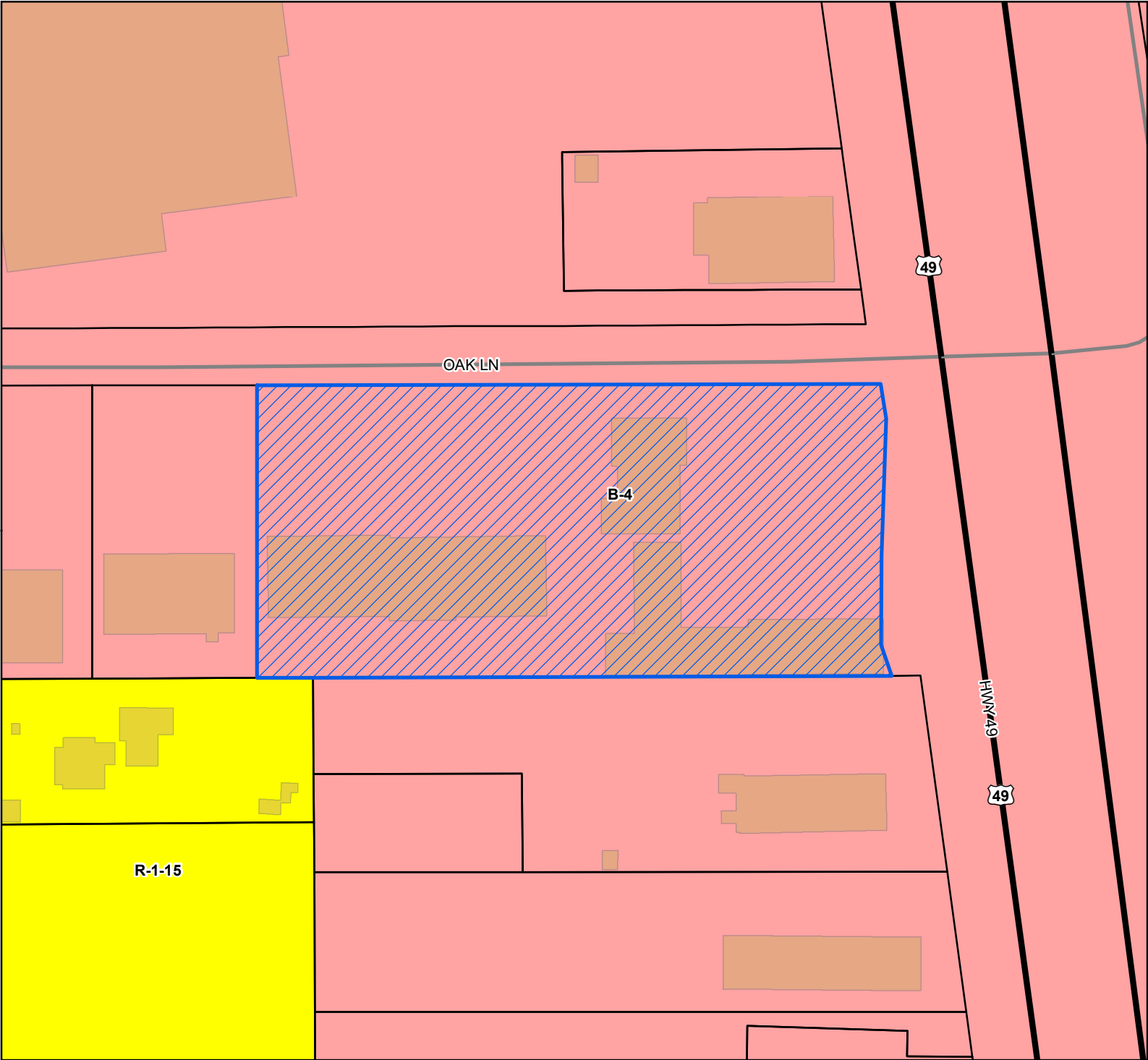
DIRECTOR APPROVAL

This report has been reviewed and approved by:



Ryan Merrill
Director of Urban Development Department





Site

US or State Highway

Street

Parcels

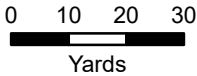
Buildings

Zoning

B-4 - Highway Business District

R-1-15 - Single Family Residence District (Low Density)

Site Information
0808L-04-001.001
Zoning: B-4 (Highway Business District)
Size: 2.18 acres
Flood: X



1 inch = 100 feet



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

Case Number
2304SE038

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

0	8	0	8	L	-	0	4	-	0	0	1	.	0	0	1					-										
					-							.								-						.				
					-							.								-						.				

Property Address: 15487 OAK LN PLACE, GULF PORT, MS

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

RIA PROPERTIES AZ LLC
RAMIRO RODRIGUEZ

Printed Name of Owner

614 CRESCENT LN

Mailing Address

MADERA CA 93636

City

State

Zip code

(928) 210-2085

Home Phone

Work/Cell Phone

ramiro_rodriguez@hotmail.com

Email

Signature of Owner

AGENT

KENYETTER Johnson

Printed Name of Agent

11090 AMBER DRIVE

Mailing Address

Diberville MS 39540

City

State

Zip code

240 412 9674

228 207 7270

Home Phone

Work/Cell Phone

With your child in mind@gmail.com

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) Ramiro Rodriguez

ADDRESS (STREET, CITY, STATE, ZIP CODE) 614 CRESCENT LN MADERA CA 93636

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

TAX PARCEL NUMBER(S) OWNED 0808L-04-001.001

SIGNATURE: _____

NAME OF OWNER (PRINT) Gloria E. Alvarado

ADDRESS (STREET, CITY, STATE, ZIP CODE) 614 CRESCENT LN MADERA CA 93636

PHONE # (H) _____ (WK/CELL) 928 503-9090

TAX PARCEL NUMBER(S) OWNED 0808L-04-001.001

SIGNATURE: _____

NAME OF OWNER (PRINT) Susana G. Rodriguez

ADDRESS (STREET, CITY, STATE, ZIP CODE) 614 CRESCENT LN Madera, CA 93636

PHONE # (H) _____ (WK/CELL) 601-818-0348

TAX PARCEL NUMBER(S) OWNED 0808L-04-001.001

SIGNATURE: _____



Designation of Agent

I, Ramiro Rodriguez, being property owner of 0808L-04-001.001
PRINT NAME PRIMARY ADDRESS OR PARCEL
 which is the subject of this application hereby authorize Kenyetta Johnson 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

2/22/23
 Date

STATE OF MISSISSIPPI | COUNTY OF HARRISON

Given under my hand and seal of office this the _____ day of _____, 20____

see Attached Ca. Notary Page

Notary Public

Commission Expiration

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1189

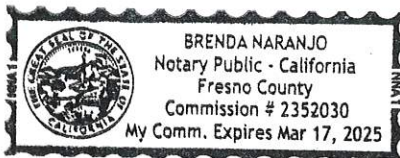
A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California)
 County of Fresno)
 On Feb 22, 2023 before me, Brenda Naranjo, Notary Public
 Date Here Insert Name and Title of the Officer
 personally appeared Ramiro Rodriguez
 Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Signature Brenda Naranjo
 Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: Designation of Agent
 Document Date: 2-22-2023 Number of Pages: 1
 Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: Ramiro Rodriguez
☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☒ Individual ☐ Attorney in Fact
☐ Trustee ☐ Guardian or Conservator
☐ Other: _____
 Signer Is Representing: Self

Signer's Name: _____
☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Individual ☐ Attorney in Fact
☐ Trustee ☐ Guardian or Conservator
☐ Other: _____
 Signer Is Representing: _____



Covenant Affidavit

I, Rafino Ponce, being owner or agent of the property 0808L-04-001.001
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

2/22/23
Date

STATE OF MISSISSIPPI | COUNTY OF HARRISON

Given under my hand and seal of office this the _____ day of _____, 20____

See Attached Ca. Notary
Notary Public

Commission Expiration

CALIFORNIA JURAT WITH AFFIANT STATEMENT

GOVERNMENT CODE § 8202

- ☒ See Attached Document (Notary to cross out lines 1-6 below)
☐ See Statement Below (Lines 1-6 to be completed only by document signer[s], *not* Notary)

1
2
3
4
5
6

[Signature]
 Signature of Document Signer No. 1

[Signature]
 Signature of Document Signer No. 2 (if any)

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 Fresno

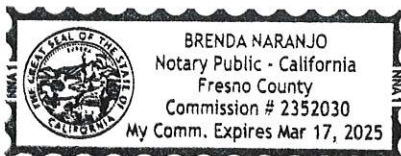
Subscribed and sworn to (or affirmed) before me
 on this 22 day of February, 2023
 by Date Month Year

(1) Ramiro Rodriguez

(and (2) _____),
 Name(s) of Signer(s)

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

Signature Brenda Naranjo
 Signature of Notary Public



Place Notary Seal Above

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: Covenant Affidavit Document Date: 2-22-2023

Number of Pages: 1 Signer(s) Other Than Named Above: _____

EXHIBIT A

LEGAL DESCRIPTION

A parcel of land situated in the Northwest One-Fourth of the Northwest One-Fourth (NW 1/4 of the NW 1/4) of Section 9, Township 7 South, Range 11 West, First Judicial District of Harrison County, Mississippi, being more particularly described as follows, to-wit: Commencing at the Northwest corner of Section 9, Township 7 South, Range 11 West, and thence run North 89 degrees 27 minutes 30 seconds East along the North line of said Section 9 a distance of 35.0 feet to an iron rod; thence run North 89 degrees 27 minutes 30 seconds East along the North line of Section 9 a distance of 354.71 feet to the POINT OF BEGINNING; thence run North 89 degrees 27 minutes 30 seconds East along said section line a distance of 452.72 feet to a point situated on the West right-of-way line of U.S. Highway 49; thence run South 07 degrees 45 minutes 25 seconds East along said right-of-way a distance of 211.68 feet to a point; thence run South 89 degrees 27 minutes 32 seconds West a distance of 481.15 feet to a point; thence run North 00 degrees 02 minutes 17 seconds West a distance of 210.01 feet to the Point of Beginning. Said parcel contains 2.25 acres, more or less.

STATE OF MISSISSIPPI
COUNTY OF HARRISON

**CONSENT OF THE MEMBERS OF
RIA PROPERTIEZ AZ, LLC.**

The undersigned, being all of the members in RIA PROPERTIEZ AZ LLC, an Arizona limited liability company (the "Company"), do hereby acknowledge, represent and consent as follows:

A. The undersigned members are all of the members of the Company. The Company will purchase the real property described on the attached Exhibit A (the "Real Property").

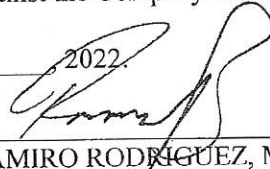
B. The undersigned members hereby consent to and authorize the Company to purchase the Real Property from GRYDER'S AT "OAK LANE PLACE", LLC ("Seller") for the sum of \$2,200,000.00, pursuant to the terms of the Contract for the Sale and Purchase of Real Estate (the "Contract") dated August 5, 2022, to finance the purchase with a loan from The Peoples Bank, Biloxi, Mississippi, in the amount of \$1,540,000.00 and to execute and deliver whatever documents and take whatever steps are necessary to consummate the purchase and loan contemplated by the Contract, including but not limited to executing and delivering all warranty deeds, deed of trusts, assignments of leases and any and all other documents (the "Closing Documents") required for the purpose of purchasing all of the Sellers's right, title and interest in and to the Real Property and financing the purchase with The Peoples Bank, Biloxi, Mississippi.

C. The Company is a limited liability company formed under, validly existing and in good standing under the laws of the State of Arizona, is qualified to do business in each other jurisdiction where the conduct of its business or the ownership of its properties requires such qualification and has full power, authority and legal right to execute and deliver the Sale Documents and to perform the obligations under the terms of the Contract.

D. The execution, delivery and performance by the Company of the Sale Documents have been duly authorized by all necessary membership action of the Company, do not require any further membership approval or the approval or consent of any trustee or the holders of any indebtedness of the Company, do not contravene any law, regulation or order binding on the Company or the operating agreement, and do not contravene the provisions of or constitute a default under any indenture, mortgage, contract or other agreement or instrument to which the Company is a party or by which the Company or any of its properties may be bound or affected.

E. The Sale Documents when executed by the Ramiro Rodriguez, Manager of the Company, on behalf of the Company, will have been duly executed and delivered by the Company and will constitute the legal, valid and binding obligations of the Company enforceable against the Company in accordance with their respective terms.

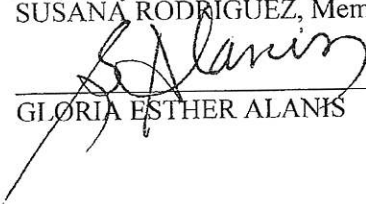
DATED this the 17 day of October, 2022.



RAMIRO RODRIGUEZ, Member



SUSANA RODRIGUEZ, Member



GLORIA ESTHER ALANIS

Exhibit A: Legal Description
Exhibit B: Articles of Organization

I am requesting a special exception
for a childcare center use.

The hours of operation will be
Monday thru Friday 6:00am-6:00pm.

WRITTEN STATEMENT
TO
ZONING BOARD

- 1) THE SITE ALREADY HAS INGRESS AND EGRESS FROM A PUBLIC RIGHT OF WAY.
- 2) THE SITE HAS A PARKING LOT WITH STRIPED PARKING FOR PROPOSED BUSINESSES.
- 3) WILL BE UTILIZING THE PROVIDED DUMPSTER ON SITE.
- 4) THE EXISTING COMMERCIAL BUILDING ALREADY HAS WATER AND SEWER UTILITIES.
- 5) THERE IS A FENCE THAT PROVIDES SCREENING FROM THE ADJACENT RESIDENTIAL PROPERTY.
- 6) WE ARE NOT DOING ANY ADDITIONAL SIGNAGE.
- 7) STATE REQUIRES AN OUTSIDE PORTION TO BE FENCED IN FOR OUTDOOR PLAY.
- 8) WE ARE SURROUNDED BY COMMERCIAL ZONING AND PART OF THE COMMERCIAL CORRIDOR.
- 9) SPECIAL EXCEPTION WILL BE IN HARMONY WITH COMMERCIAL USE BECAUSE IT IS IN COMMERCIAL ZONING.

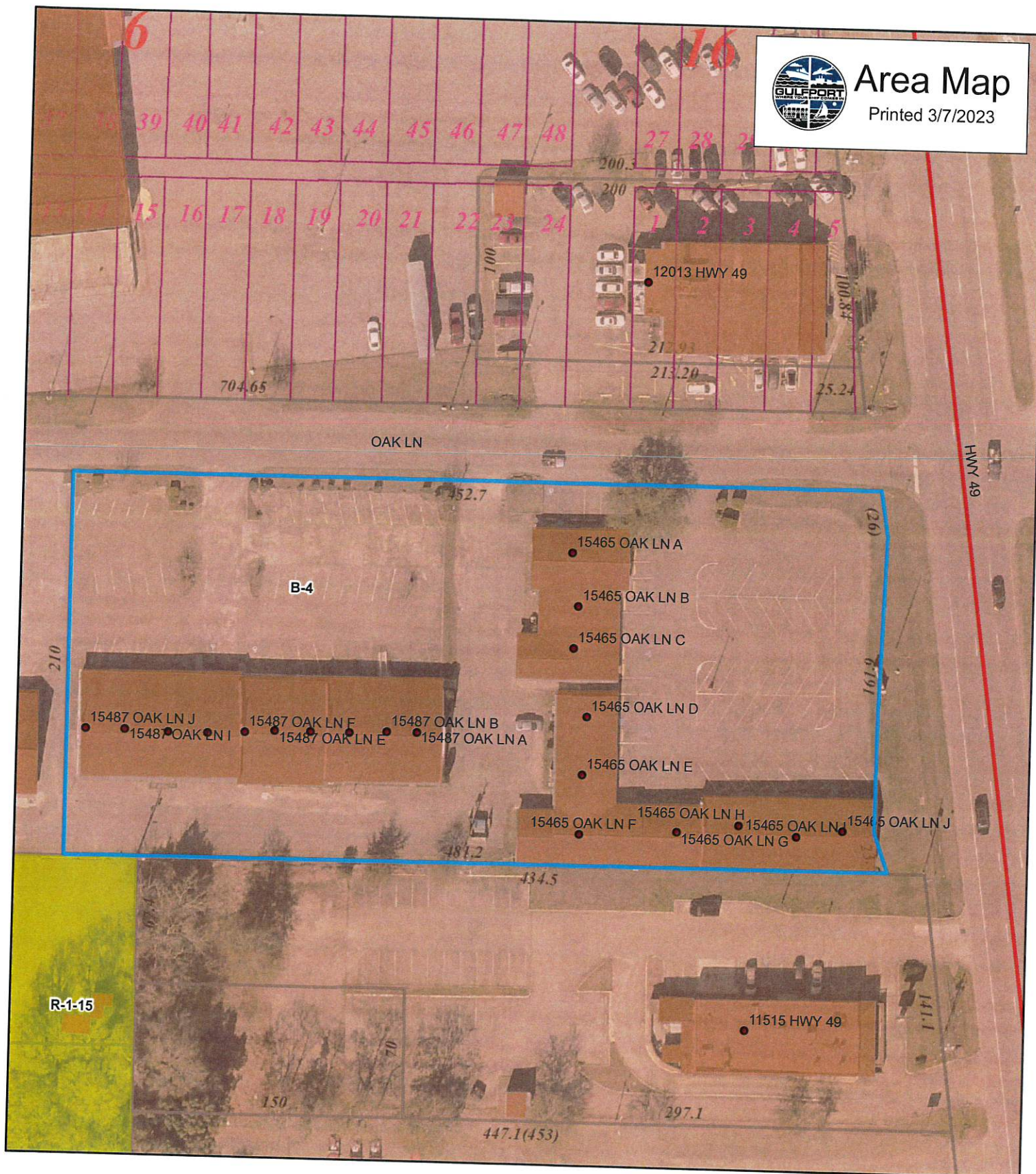
WRITTEN STATEMENT
TO
PLANNING COMMISSION

- 1) INGRESS AND EGRESS OFF OF PUBLIC HIGHWAY HAS ALREADY BEEN PROVIDED.
- 2) THE SITE ALREADY HAS EXISTING HOOK UP TO WATER AND SEWER UTILITY LINES.
- 3). WE ARE NOT ASKING FOR ANY ADDITIONAL FIRE/POLICE SERVICES.
- 4) WE ALREADY HAVE ON SITE PARKING THAT IS AVAILABLE TO THE COMMERCIAL DEVELOPMENT.



Area Map

Printed 3/7/2023



Harrison_HughRes_2020.sid

● Addresspoints	RGB
Principal Arterial	Red: Band_1
Minor/Residential	Green: Band_2
WaterFeatures	Blue: Band_3
Parcels	



1 inch = 70 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.

PREPARED BY and RETURN TO:
David A. Wheeler, Esquire
Wheeler & Wheeler, PLLC
P.O. Box 264
Biloxi, MS 39533
(228) 374-6720
MSB 7126

INDEXING: NW 1/4 of NW 1/4 Sec. 9,
T7S-R11W, Harrison County, 1st Jud. Dist., MS

STATE OF MISSISSIPPI
COUNTY OF HARRISON
FIRST JUDICIAL DISTRICT

WARRANTY DEED

FOR AND IN CONSIDERATION of the sum of Ten and No/100 Dollars (\$10.00), cash in hand paid and other good and valuable consideration, the receipt of which is hereby acknowledged, GRYDER'S AT "OAK LANE PLACE", LLC, a Mississippi limited liability company, 2113 Government Street, Suite D4, Ocean Springs, MS 39564 (228) 875-7217, *GRANTOR*, does hereby GRANT, SELL, BARGAIN, CONVEY and WARRANT to RIA PROPERTIEZ AZ, LLC, an Arizona limited liability company, 614 Crescent Lane, Madera, CA 93636 (559) 660-2873, an undivided two-thirds interest and GLORIA E. ALANIS, 614 Crescent Lane, Madera, CA 93636 (559) 660-2873, an undivided one-third interest, *GRANTEES*, all right, title and interest in and to the following described real property, together with all improvements situated thereon, lying and being situated in the First Judicial District of Harrison County, Mississippi, more particularly described as follows, to-wit:

A parcel of land situated in the Northwest One-Fourth of the Northwest One-Fourth (NW 1/4 of the NW 1/4) of Section 9, Township 7 South, Range 11 West, First Judicial District of Harrison County, Mississippi, being more particularly described as follows, to-wit: Commencing at the Northwest corner of Section 9, Township 7 South, Range 11 West, and thence run North 89 degrees 27 minutes 30 seconds East along the North line of said Section 9 a distance of 35.0 feet to an iron rod; thence run North 89 degrees 27 minutes 30 seconds East along the North line of Section 9 a distance of 354.71 feet to the POINT OF BEGINNING; thence run North 89 degrees 27 minutes 30 seconds East along said section line a distance of 452.72 feet to a point situated on the West right-of-way line of U.S. Highway 49; thence run South 07 degrees 45 minutes 25 seconds East along said right-of-way a distance of 211.68 feet to a point; thence run South 89 degrees 27 minutes 32 seconds West a distance of 481.15 feet to a point; thence run North 00 degrees 02 minutes 17 seconds West a distance of 210.01 feet to the Point of Beginning. Said parcel contains 2.25 acres, more or less.

The Grantor herein intends, and by its execution of this instrument does, transfer unto Grantees all right, title and interest it presently has in and to the above described property, subject to all restrictions, easements and rights of way of record.

It is agreed and understood that the taxes for the current year have been prorated as of this date on an estimated basis, and when said taxes are actually determined, if the proration as of this date is incorrect, the Grantor agrees to pay said Grantees or their assigns any deficit on actual proration. This conveyance and Grantor's warranty of title is subject to: (a) all restrictions of record, (b) all easements and rights of way of record; (c) prior reservations of oil,

gas and mineral rights; (d) current year taxes, if any; and (e) all matters which would be revealed by an accurate inspection and/or survey of the subject property.

WITNESS MY SIGNATURE, this the 17 day of Oct., 2022.

GRYDER'S AT "OAK LANE PLACE", LLC - Owner/Seller

By: Micha Vickery Gryder
MICHA VICKERY GRYDER, Manager

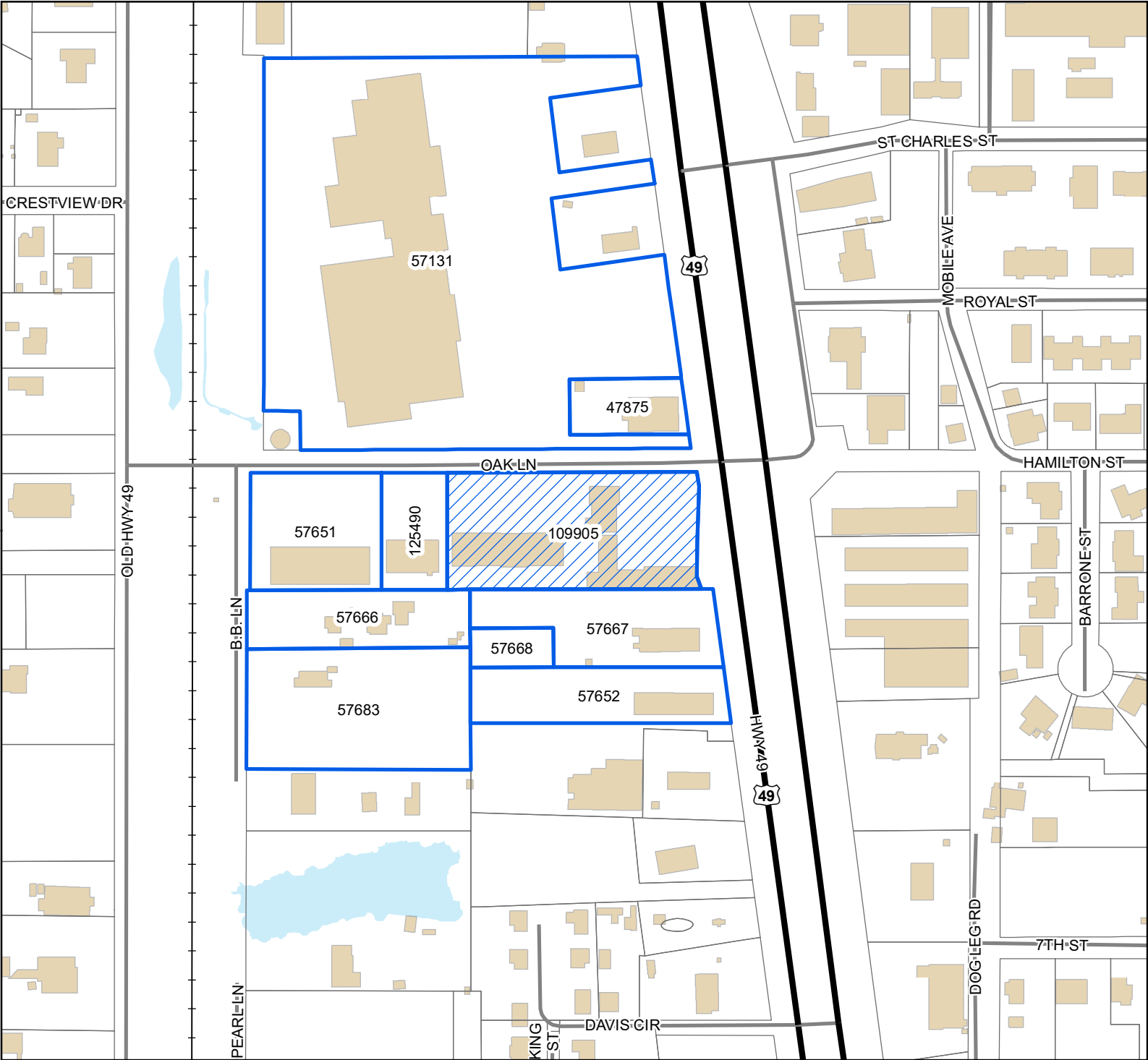
STATE OF MISSISSIPPI
COUNTY OF HARRISON

Personally appeared before me, the undersigned authority in and for the said County and State, on this 17th day of October, 2022, within my jurisdiction, the within named MICHA VICKERY GRYDER, who acknowledged that she is the Manager of GRYDER'S AT "OAK LANE PLACE", LLC, a Mississippi limited liability company, and that for and on behalf of the said limited liability company, and as its act and deed, she executed the above and foregoing instrument, after first having been duly authorized by said limited liability company so to do.

Holly E. Cox
NOTARY PUBLIC

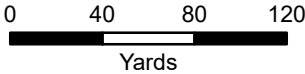
My Commission Expires:





Legend

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



1 inch = 250 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		0808L-04-001.001	RIA PROPERTIES AZ LLC(OWNER)	614 CRESENT LN	MADERA	CA	93636
Y			KENNYETTER JOHNSON(AGENT)	11090 AMBER DR	D'IBERVILLE	MS	39540
			Adjacent Property Owners(2304SE038)				
	47875	0808E-04-012.000	ROJAS HECTOR	2815 22ND AVE	GULFPORT	MS	39501
	57683	0808L-04-005.000	TORJUSEN ROBERT D & PATRICIA A	12530 JOHN ROSS RD	GULFPORT	MS	39503
	57667	0808L-04-002.000	BH INVESTMENTS LLC	11497 HWY 49 N	GULFPORT	MS	39503
	57666	0808L-04-005.001	MAULDIN AVERY L & ANN JEAN	22072 RED FOX RUN	SAUCIER	MS	39574
	57668	0808L-04-003.000	BH INVESTMENTS LLC	11497 HWY 49 N	GULFPORT	MS	39503
	57652	0808L-04-006.000	BH INVESTMENTS LLC	13084 OLD HWY 49	GULFPORT	MS	39503
	109905	0808L-04-001.001	GRYDER'S AT OAK LANE PLACE LLC	2113 GOVERNMENT ST	OCEAN SPRINGS	MS	39564
	125490	0808L-04-001.002	RLS PROPERTIES LLC	11590 STANTON CIR	GULFPORT	MS	39503
	57651	0808L-04-001.000	MOSAIC MINISTRIES	2226 BIENVILLE BLVD	OCEAN SPRINGS	MS	39564
	57131	0808E-04-010.000	DELMAR PLAZA HOLDINGS LLC	225 SPRINGHILL MEMORIAL PL	MOBILE	AL	36608

RE: Special Exception 2304SE038, by agent Kenyetter Johnson, is seeking approval for day care use, Tax Parcel 0808L-04-001.001, 15487 Oak Ln, Zoned B-4 (Highway Business), Ward 7

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, April 20, 2023**, in the Council Chambers at the Gulfport City Hall located at 2309 15th Street.

For more information, visit <https://www.gulfport-ms.gov/agendas/> then click the City of Gulfport Zoning Board for **Thursday, April 20, 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:****IPL0116521****Order Status:**

Submitted

Classification:

Legals & Public Notices

Package:

BLX - Legal Ads

Final Cost:

60.88

Payment Type:

Account Billed

User ID:

IPL0024925

ACCOUNT INFORMATION

GULFPORT URBAN DEVELOPMENT IP

PO BOX 1780

GULFPORT, MS 39502

228-868-5705

AccountsPayable@gulfport-ms.gov

GULFPORT URBAN DEVELOPMENT

TRANSACTION REPORT**Date**

March 29, 2023 11:50:51 PM EDT

Amount:

60.88

SCHEDULE FOR AD NUMBER IPL01165210

April 5, 2023

SunHerald (Biloxi)

PREVIEW FOR AD NUMBER IPL01165210**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, April 20, 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 2304ZB032, by agent Peter Vicari, seeking approval to allow for a 15-foot front yard setback where 50-feet is required, Tax Parcels 1011C-01-010.000, 1011C-01-011.000, 1011C-01-011.145, 1011C-01-013.000, 1010N-04-032.000, Zoned T5 (Urban Center) & T6 (Urban Core), Ward 2

Variance 2304ZB035, by agent Elliott Homes, seeking approval to allow for a 5-foot front and side yard setbacks, reduction of minimum required lot size of 7,500 square feet to 5,000 square feet, and of entire site coverage of 50% while lot coverage will be 45%, Tax Parcel 1010O-02-050.000, 1856 Beach Drive, Zoned R-1-7.5 (Single-family), Ward 2

Special Exception 2304SE038, by agent Kenyetter Johnson, is seeking approval for day care use, Tax Parcel 0808L-04-001.001, 15487 Oak Ln, Zoned B-4 (Highway Business), Ward 7

Variance 2304ZB043, by owner Highland Lake Townhomes, LLC, seeking approvals for allowance of building height of 16 feet fence/wall exceeding the 6 feet height limit, and for sign height of 10 feet exceeding height limit of 6 feet, Tax Parcel 1008F-01-001.000, 0 Ollie Rd, Zoned R-B (Residence Business), Ward 6

This the 29th day of March 2023

A. Lee Palermo, Chairman

City of Gulfport Zoning Board of Adjustment and Appeals

W000000000

Publication Dates

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

MEMORANDUM

To: City of Gulfport Zoning Board of Adjustment and Appeals

From: Su-Lin Featherston, Planning Administrator
Urban Development Department

Date of Hearing: April 20, 2023

Re: Variance 2304ZB043:

Variance 2304ZB043, by owner Highland Lake Townhomes, LLC, seeking approvals for allowance of building height of 16 feet fence/wall exceeding the 6 feet height limit, and for sign height of 10 feet exceeding height limit of 6 feet, Tax Parcel 1008F-01-001.000, 0 Ollie Rd, Zoned R-B (Residence Business) , Ward 6

Technical Report

VARIANCE

GENERAL INFORMATION

Case File Number: 2304ZB043

Hearing Date: April 20, 2023

Current Zoning/Use: R-B / Commercial Structures

Legal: Variance 2304ZB043, by owner Highland Lake Townhomes, LLC, seeking approvals for allowance of building height of 16 feet fence/wall exceeding the 6 feet height limit, and for sign height of 10 feet exceeding height limit of 6 feet, Tax Parcel 1008F-01-001.000, 0 Ollie Rd, Zoned R-B (Residence Business) Ward 6

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 a subdivision identification sign. More specifically a variance of 10 feet to allow building height of 16 feet where 6 feet is the height limit, and a variance of 2 feet, to allow for a 6-foot wall, in the contiguous front where 4 feet is required.

- (a) The applicant notes special conditions exist the property where the sign will be placed will not be visible to any passing traffic. Because of the location of the property, the entrance monument will only be visible to people that residents or visitors of highland lake townhomes subdivision. Having this entrance create a more “grand entrance” per the applicant. This will be placed in the same area as the clubhouse and pool to anchor the subdivision and the amenities.
- (b) The applicant states that although they are requesting for the installation of this sign, they believe the variance is warranted to bring additional investment to the subdivision which will increase the aesthetic appeal of the entrance.
- (c) The applicant states the property is unusual because it is set off of any major road and will not be seen by any traffic other than residents or visitors. There is vegetation separating this property from adjacent properties.
- (d) The applicant states not allowing this variance would prohibit additional investment by a developer wishing to increase the amenities and value of the subdivision by creating a nice entrance.
- (e) The applicant states there is no special privilege associated with this variance request because this property is separated from any major roadways. Although the roads inside the subdivision will eventually become public, there will be no traffic passing this sign that is not expressly going into subdivision as a resident or visitor.
- (f) The property is zoned R-B and a subdivision identification sign is allowed by right.

EXECUTIVE SUMMARY

The applicant has not proved or provided enough evidence to state that the six requirements for hardships has been met. Therefore, staff recommends denial of the applicants request.

Any approval should consider these conditions:

- 1. Must meet all current building codes and City of Gulfport Ordinances.
- 2. Approval grants a variance of 10 feet to allow a building height 16 feet where 6 feet is the limit for an subdivision identification sign.
- 3. Approval grants a variance of 2 feet to allow a 6-foot wall where 4 feet is the limit.

DEPARTMENTAL CONDITIONS

Engineering: No conditions. Memo dated 4/11/2023.

Public Works: No conditions. Memo dated 4/6/2023.

Traffic and Safety: No conditions. Memo dated 4/5/2023.

Technical Report

VARIANCE

Building Code Services: Must meet all current building codes and City of Gulfport Ordinances. Memo dated 3/30/2023.

GIS: No conditions. Memo dated 3/31/2023.

Police Department: No conditions. Memo dated of 3/31/2023.

Fire Department: No conditions. Memo dated 3/30/2023.

City Arborist: No conditions. Memo dated 3/30/2023.

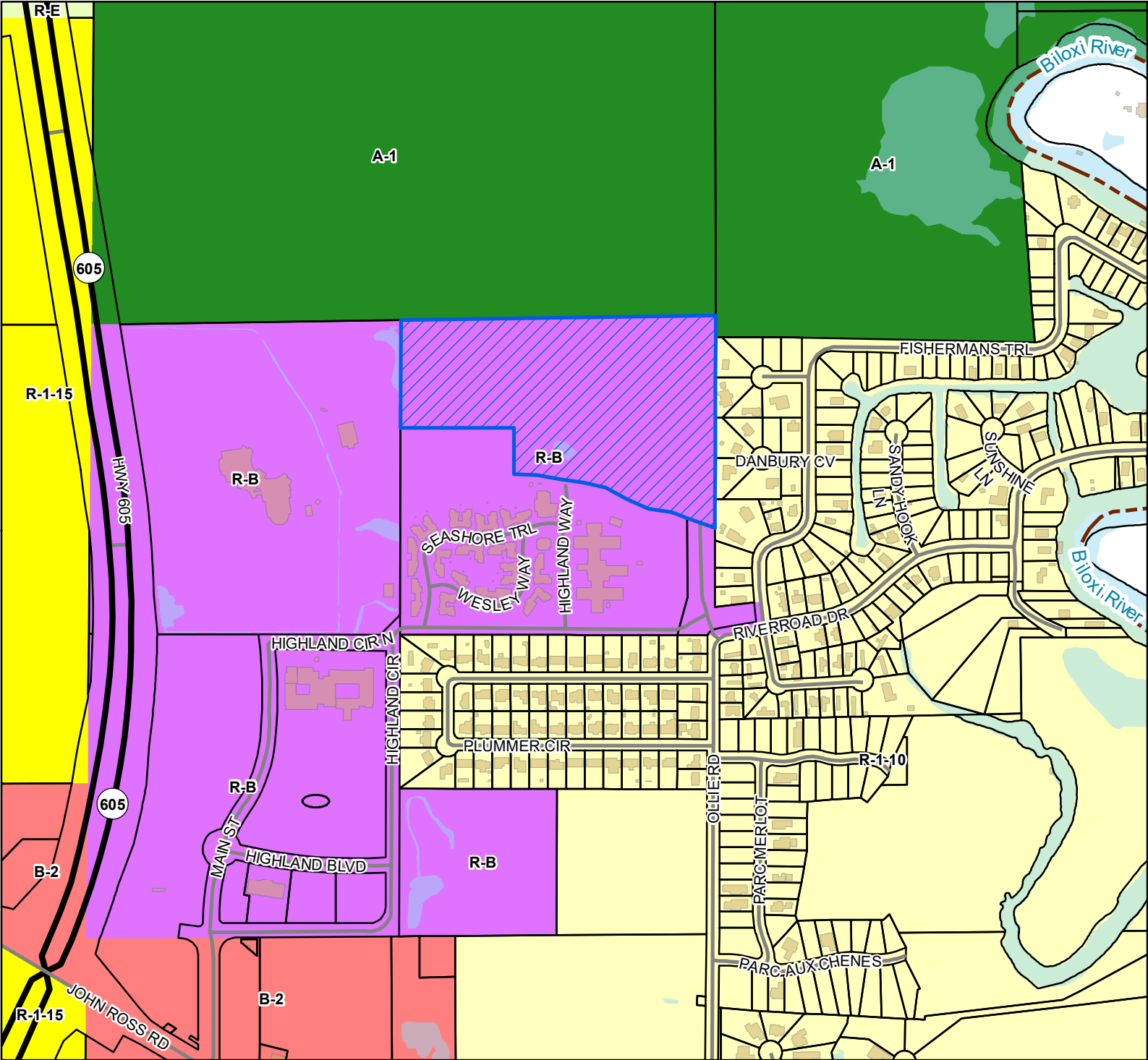
DIRECTOR APPROVAL

This report has been reviewed and approved by:



Ryan D. Merrill
Director of Urban Development Department

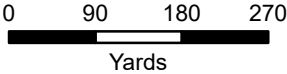




- Site
- US or State Highway
- Street
- Parcels
- Buildings
- Water Features
- City Limit
- Zoning**
 - A-1 - Agricultural District
 - B-2 - General Business District
 - R-1-10 - Single Family Residence (Low Density)
 - R-1-15 - Single Family Residence District (Low Density)

- R-B - Residence-Business District
- R-E - Residence-Estate

Site Information
1008F-01-001.000
Zoning: R-B (Residence-Business District)
Size: 20.758 acres
Flood: X



1 inch = 600 feet



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Zoning Board of Adjustments and Appeals Application

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

Tax Parcel Numbers

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

OWNERSHIP AND CERTIFICATION

OWNER

AGENT

Printed Name of Owner

Printed Name of Agent

Mailing Address

State

Zip code

228-596-4471

City

State

Zip code

Home Phone

Work/Cell Phone

Home Phone

Work/Cell Phone

Email

Email

Signature of Owner

Signature of Agent



Covenant Affidavit

I, Kenneth Jones ^{Member Highland Lake Townhomes, LLC}, being owner or agent of the property 1008F-01-001.000
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

3/7/23
Date

STATE OF MISSISSIPPI | COUNTY OF HARRISON

Given under my hand and seal of office this the 7th day of March, 20 23

Melissa L. Lloyd
Notary Public



November 13, 2024
Commission Expiration

Subdivision Identification Sign

Variance Submission

Highland Lake Townhomes, LLC is requesting a subdivision identification sign variance for the Highland Lake Townhomes Subdivision located on parcel 1008F-01-001.000 for 1) fence/wall height in excess of 6 ft (proposing 16 ft); and 2) Sign height in excess of 6 ft. (proposing a logo plaque at approximately 10 ft)

1. Special conditions exist the property where the sign will be placed will not be visible to any passing traffic. Because of the location of the property, the entrance monument will only be visible to people that are residents or visitors of the Highland Lake Townhomes Subdivision. Having this entrance monument will create a more "grand entrance" and will be placed in the same area as the clubhouse and pool to anchor the subdivision and the amenities.
2. Although we are requesting for the installation of this sign, we believe that the variance is warranted to bring additional investment to the subdivision which will increase the aesthetic appeal of the entrance. It will also not adversely affect neighboring property owners.
3. This property is unusual because it is set off of any major road and will not be seen by any traffic other than residents or visitors. There is vegetation separating this property from adjacent properties.
4. Not allowing this variance would prohibit additional investment by a developer wishing to increase the amenities and value of the subdivision by creating a nice entrance. These entrances not only give the neighborhood identity but large entrance monuments have been shown to help increase property values.
5. There is no special privilege associated with this variance request because this property is separated from any major roadways. Although the roads inside the subdivision will eventually become public, there will be no traffic passing this sign that is not expressly going into the subdivision as a resident or visitor. Therefore, granting this variance will not set a precedent for other variances to be granted.
6. The fence/wall is allowed by right. The variance is only for the height of the wall/fence and the height of the sign plaque.

Certificate Of Completion

Envelope Id: 9A6DC9F94FD54A6EB9F8929D1EA0D69C

Status: Completed

Subject: Complete with DocuSign: RESOLUTION OF Highland Lake, LLC.pdf

Source Envelope:

Document Pages: 1

Signatures: 4

Envelope Originator:

Certificate Pages: 5

Initials: 0

Kenneth Jones

AutoNav: Enabled

P.O. Box 442

Envelope Stamping: Enabled

Ocean Springs, 39566

Time Zone: (UTC-06:00) Central Time (US & Canada)

kjonescbc@gmail.com

IP Address: 24.116.30.130

Record Tracking

Status: Original

Holder: Kenneth Jones

Location: DocuSign

3/8/2023 11:05:26 AM

kjonescbc@gmail.com

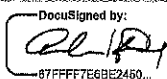
Signer Events

Adam Dial

adamdial@me.com

Security Level: Email, Account Authentication
(None)

Signature

DocuSigned by:

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Timestamp

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Viewed: 3/8/2023 11:50:44 AM

Signed: 3/8/2023 11:50:58 AM

Signature Adoption: Drawn on Device

Using IP Address: 50.86.55.217

Signed using mobile

Electronic Record and Signature Disclosure:

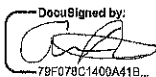
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Andy Phelan

andy@gcdevelopmentdesign.com

Security Level: Email, Account Authentication
(None)

DocuSigned by:

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Signed using mobile

Electronic Record and Signature Disclosure:

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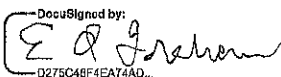
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Ed Trehern

edtrehern@gmail.com

La Dolce Vita

Security Level: Email, Account Authentication
(None)

DocuSigned by:

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Sent: 3/8/2023 11:07:55 AM

Viewed: 3/8/2023 11:59:45 AM

Signed: 3/8/2023 11:59:53 AM

Signature Adoption: Drawn on Device

Using IP Address: 96.18.79.56

Electronic Record and Signature Disclosure:

Accepted: 7/7/2022 12:07:14 PM

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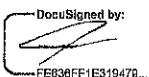
Kenneth Jones

kjonescbc@gmail.com

Member

Gulf Coast Development & Design, LLC

Security Level: Email, Account Authentication
(None)

DocuSigned by:

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Sent: 3/8/2023 11:07:54 AM

Viewed: 3/8/2023 11:09:52 AM

Signed: 3/8/2023 11:09:59 AM

Signature Adoption: Drawn on Device

Using IP Address: 24.116.30.130

Electronic Record and Signature Disclosure:

Not Offered via DocuSign

In Person Signer Events	Signature	Timestamp
Editor Delivery Events	Status	Timestamp
Agent Delivery Events	Status	Timestamp
Intermediary Delivery Events	Status	Timestamp
Certified Delivery Events	Status	Timestamp
Carbon Copy Events	Status	Timestamp
Witness Events	Signature	Timestamp
Notary Events	Signature	Timestamp
Envelope Summary Events	Status	Timestamps
Envelope Sent	Hashed/Encrypted	3/8/2023 11:07:55 AM
Certified Delivered	Security Checked	3/8/2023 11:09:52 AM
Signing Complete	Security Checked	3/8/2023 11:09:59 AM
Completed	Security Checked	3/8/2023 11:59:53 AM
Payment Events	Status	Timestamps
Electronic Record and Signature Disclosure		

RESOLUTION OF HIGHLAND LAKE TOWNHOMES, LLC

Effective March 7, 2023

The undersigned constituting the members of Highland Lake Townhomes, LLC, a Mississippi Limited Liability Company (the "Company"), do hereby adopt the following resolutions at a duly called meeting of the Members of the Company:

WHEREAS, Company wishes to build a entrance monument located on Parcel 1008F-01-001.000 which will require variances with the City of Gulfport;

WHEREAS, all prerequisite acts and proceedings preliminary to the adoption of these resolution have been taken and done in due and proper form, time, and manner;

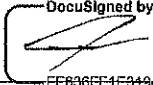
NOW, THEREFORE, BE IT RESOLVED, that the sign is deemed to be in the best interest of development and the Company.

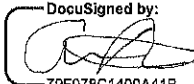
FURTHERMORE, Kenneth Jones II, as Member, of the Company is hereby authorized and directed to take such further actions as, in his judgment, as are necessary to complete variance including, but not limited to, executing such documentation as is necessary to request the variance, attend meetings as representative of the Company, etc.

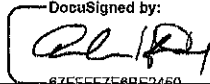
FURTHERMORE, this Resolution shall remain in effect until expressly terminated in writing by the Company's members.

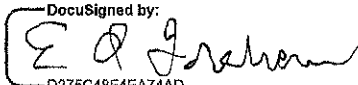
IN WITNESS WHEREOF, below are signatures of the members of the Company effective as of the date set forth above.

Highland Lake Townhomes, LLC

BY: 
KLJ CRE, Corp, by Kenneth Jones

BY: 
Phelan Engineering, LLC, by Andy Phelan

BY: 
Multum, LLC, by Adam Dial

BY: 
Trehern Investments, by Ed Trehern

Prepared by and Return to:
Nicole W. Sullivan, MSB #105498
Coast Title Company, LLC
101 Rouselle Place, Suite B
Ocean Springs, MS 39564
Telephone: 228-334-5122

INDEXING INSTRUCTIONS: PT OF THE NE 1/4 OF SE 1/4 OF 6-7-10

COVER PAGE FOR WARRANTY DEED

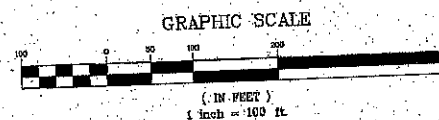
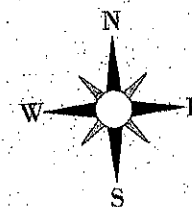
GRANTOR(S):

GH VILLAGE, LLC
a Mississippi limited liability company
4680 Hickory Ridge
Jackson, MS39211
Telephone: (601) 260-6390

GRANTEE(S):

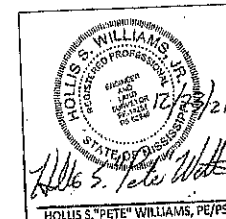
HIGHLAND LAKE TOWNHOMES, LLC
a Mississippi limited liability company
919 2nd Street
Gulfport, MS 39503
Telephone: (228) 596-4471

LOCATED IN SECTION 6, T7S, R10W
CITY OF GULFPORT
1ST JUDICIAL DISTRICT
HARRISON CO., MISSISSIPPI



- NOTES:
1. ALL BEARINGS ON THIS PLAT ARE REFERENCED TO AND BASED ON MISSISSIPPI STATE PLANE GRID NORTH/EAST ZONE - NAD 83 AS DERIVED BY HIGH PRECISION GPS SURVEY USING TRIMBLE R-10 BASE AND R12 ROVER IN REAL TIME KINEMATIC MODE.
 2. DATE OF FIELD SURVEY 12/12/2021.
 3. IN PROVIDING THIS BOUNDARY SURVEY NO ATTEMPT HAS BEEN MADE TO OBTAIN OR SHOW DATA CONCERNING EXISTENCE, SIZE, DEPTH, CONDITION, CAPACITY OR LOCATION OF ANY UTILITY EXISTING ON THE SITE, WHETHER PRIVATE, MUNICIPAL OR PUBLIC OWNED EXCEPT AS SHOWN HEREON.
 4. NO ABSTRACT OF TITLE, NOR TITLE COMMITMENT, OR RESULTS OF A TITLE SEARCH WERE FURNISHED TO THE SURVEYOR. ALL DOCUMENTS OF RECORD REVIEWED ARE NOTED HEREON. THERE MAY EXIST OTHER DOCUMENTS OF RECORD THAT MAY AFFECT THIS SURVEYED PARCEL.
 5. THE PROFESSIONAL SURVEYOR HAS MADE NO INVESTIGATION OR INDEPENDENT SEARCH FOR EASEMENTS OF RECORD, ENCUMBRANCES, RESTRICTIVE COVENANTS, OWNERSHIP TITLE EVIDENCE, OR ANY OTHER FACTS THAT AN ACCURATE AND CURRENT TITLE SEARCH MAY DISCLOSE.
 6. SUBSURFACE AND ENVIRONMENTAL CONDITIONS WERE NOT SURVEYED OR EXAMINED OR CONSIDERED AS PART OF THIS SURVEY. NO EVIDENCE OR STATEMENT IS MADE CONCERNING THE EXISTENCE OF UNDERGROUND OR OVERHEAD CONDITIONS, CONTAINERS OR FACILITIES THAT MAY AFFECT THE USE OR DEVELOPMENT OF THIS PROPERTY.
 7. THIS SURVEY IS VALID ONLY IF THE DRAWING INCLUDES THE ORIGINAL SEAL AND ORIGINAL SIGNATURE OF THE SURVEYOR.

- REFERENCES:
1. HARRISON COUNTY TAX MAP
 2. HARRISON COUNTY OWNERSHIP MAP
 3. INSTRUMENT NO. 2008 6052 D-J1
 4. INSTRUMENT NO. 2017 896 D-J1
 5. INSTRUMENT NO. 2010 3971 D-J1
 6. INSTRUMENT NO. 1969 004 D-J1
 7. INSTRUMENT NO. 2013 2535 D-J1
 8. INSTRUMENT NO. 2008 9999 D-J1



LEGAL DESCRIPTION
A PARCEL OF LAND BEING SITUATED IN THE NE 1/4 OF THE SE 1/4 OF SECTION 6, TOWNSHIP 7 SOUTH; RANGE 10 WEST; HARRISON COUNTY, MISSISSIPPI, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

MISSISSIPPI, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A FOUND IRON ROD AT THE SOUTHWEST CORNER OF THE NE 1/4 OF THE SE 1/4 OF SECTION 6, T7S, R10W, HARRISON COUNTY, MS; THENCE RUN ALONG THE WEST LINE OF NE 1/4 OF THE SE 1/4 OF SAID SECTION 6 NORTH 00 DEGREES 04 MINUTES 11 SECONDS EAST 284.36 FEET TO A FOUND IRON ROD; ALSO BEING THE POINT OF BEGINNING; THENCE CONTINUE ALONG SAID WEST LINE NORTH 00 DEGREES 08 MINUTES 45 SECONDS EAST 455.47 FEET TO A FOUND IRON PIPE AT THE NORTHWEST CORNER OF SAID NE 1/4; THENCE RUN ALONG THE NORTH LINE OF SAID NE 1/4 NORTH 89 DEGREES 57 MINUTES 53 SECONDS EAST 1362.96 FEET TO A FOUND IRON ROD AT THE NORTHEAST CORNER OF SAID NE 1/4; THENCE RUN ALONG THE EAST LINE OF SAID NE 1/4 SOUTH 00 DEGREES 07 MINUTES 29 SECONDS WEST 884.60 FEET TO A FOUND IRON ROD; THENCE LEAVING SAID EAST LINE RUN NORTH 68 DEGREES 44 MINUTES 27 SECONDS WEST 147.73 FEET TO A FOUND IRON ROD; THENCE RUN NORTH 70 DEGREES 25 MINUTES 32 SECONDS WEST 72.33 FEET TO A SET IRON ROD; THENCE RUN NORTH 81 DEGREES 51 MINUTES 14 SECONDS WEST 100.40 FEET TO A SET IRON ROD; THENCE RUN NORTH 66 DEGREES 48 MINUTES 57 SECONDS WEST 101.63 FEET TO A SET IRON ROD; THENCE RUN NORTH 62 DEGREES 48 MINUTES 55 SECONDS WEST 104.75 FEET TO A FOUND IRON ROD; THENCE RUN NORTH 77 DEGREES 17 MINUTES 05 SECONDS WEST 100.37 FEET TO A FOUND IRON ROD; THENCE RUN NORTH 82 DEGREES 26 MINUTES 57 SECONDS WEST 100.03 FEET TO A SET IRON ROD; THENCE RUN NORTH 80 DEGREES 48 MINUTES 18 SECONDS WEST 100.39 FEET TO A FOUND IRON ROD; THENCE RUN NORTH 87 DEGREES 43 MINUTES 05 SECONDS WEST 99.99 FEET TO A FOUND IRON ROD; THENCE RUN NORTH 00 DEGREES 05 MINUTES 58 SECONDS EAST 198.52 FEET TO A FOUND IRON ROD; THENCE RUN SOUTH 89 DEGREES 55 MINUTES 51 SECONDS WEST 478.80 FEET BACK TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 20.135 ACRES MORE OR LESS.

SUBJECT TO ANY EXISTING EASEMENT AND/OR RIGHTS-OF-WAYS.

PROJECT # 2024	DATE 12/23/23
SCALE 1" = 500'	DRAWN BY CHUCK
CLASS "B"	REVISION

W ENGINEERING, P.A.

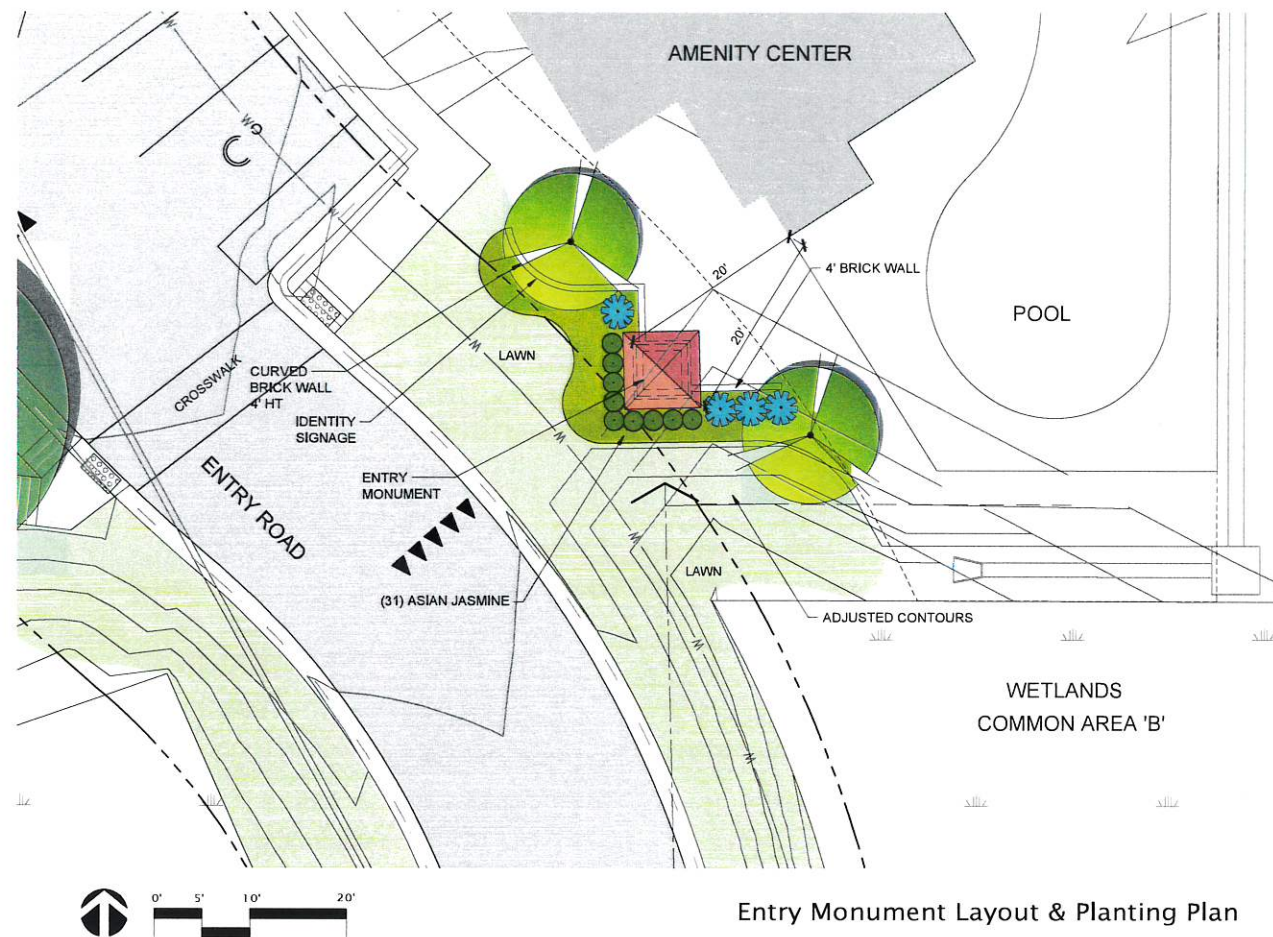
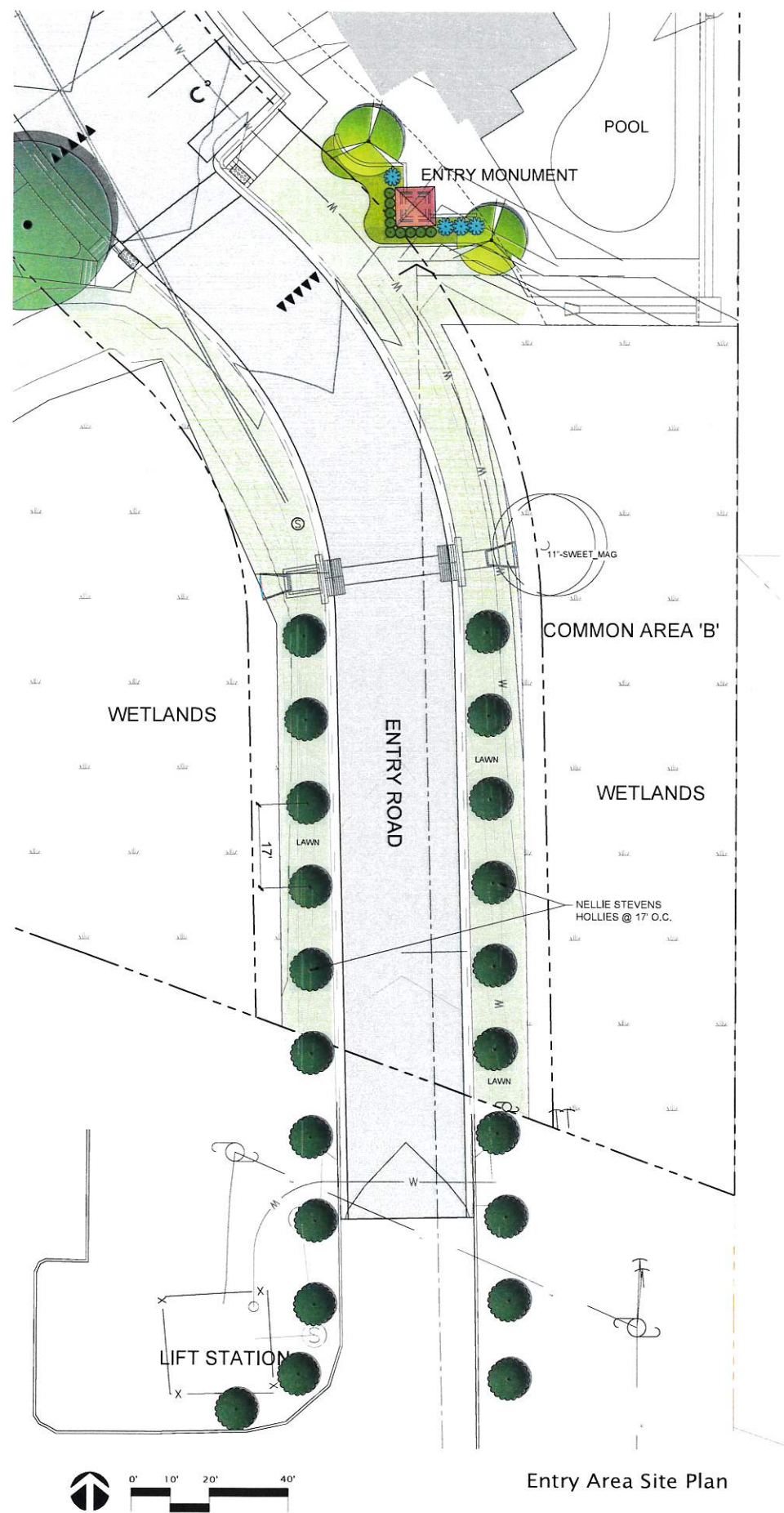
301 Central Avenue East
Wiggins, MS 39577

Office 601-928-5981
www.weng-ms.com

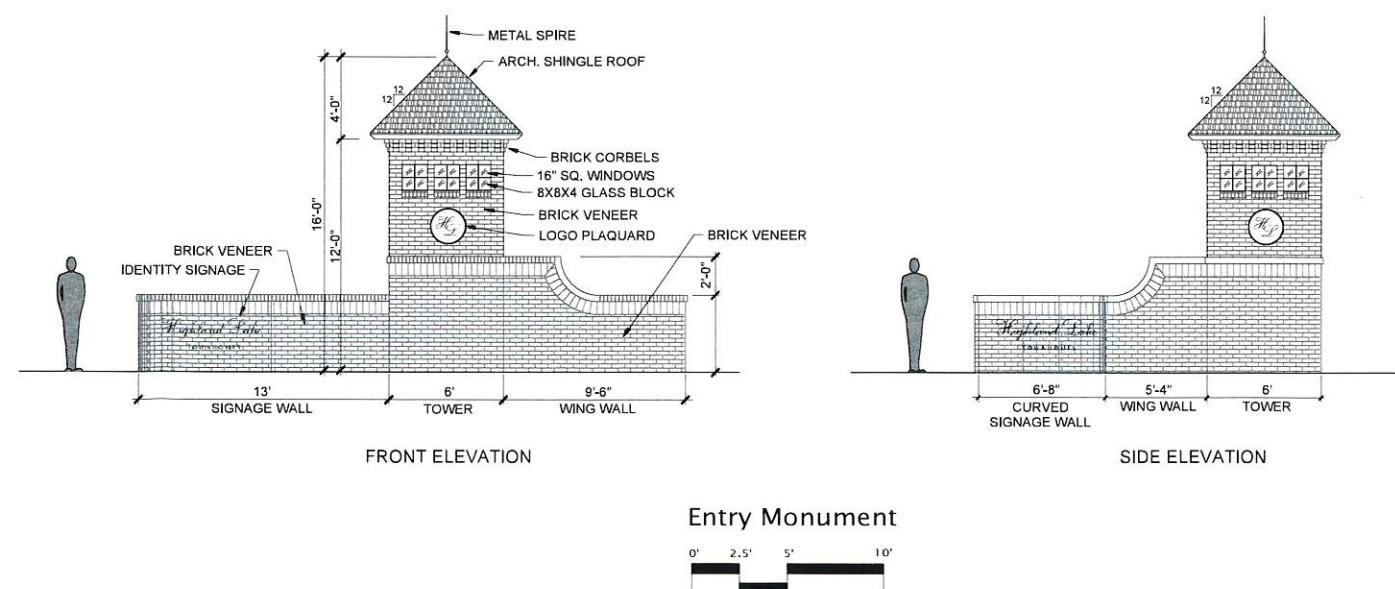
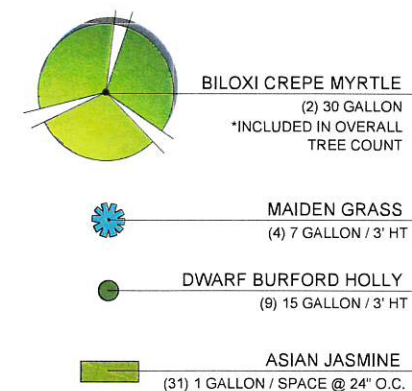
PLAT OF SURVEY FOR:

Gulf Coast Development & Design

SITUATED IN SECTION 6, T7S, R10W
HARRISON COUNTY, MISSISSIPPI



Entry Monument Plant Key & Shedule



Highland Lake

TOWNHOMES

Gulfport, MS

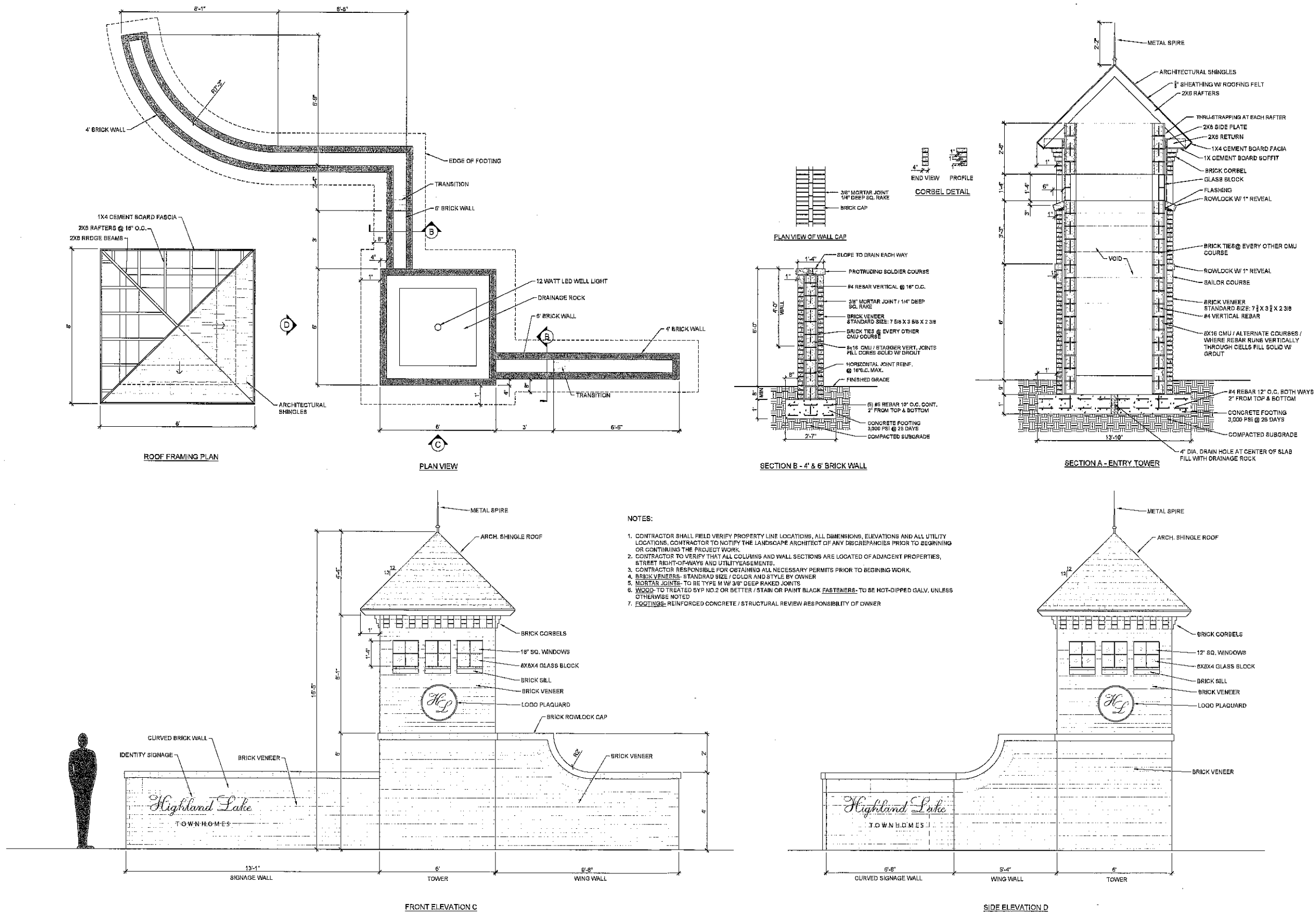
Entry Statement
Conceptual Landscape Plans
February 7, 2023

2 / 4



surroundingz
landscape architecture
228-382-4090 | surroundingz.com
Bobbie C. Varnant | Landscape Architect

Disclaimer: Drawings and Specifications are property of Surroundingz, PLLC and are not to be used or reproduced without permission



Entry Monument

SCALE: 3/8"=1'-0"



surroundingz
LANDSCAPE ARCHITECTURE
AND PLANNING CONSULTING

228.382.4090
3126 Eagle Point Drive
Ocean Springs, MS
surroundingz.com

FINAL PLANS
NOT FOR CONSTRUCTION
FEBRUARY 7, 2023

HIGHLAND LAKE
TOWNHOMES
GULFPORT, MS

Landscape Architect's Seal

Revisions:		
No.	Date	Comments

Date: February 7, 2023
Job No: 23009
Drawn for: G.C.D.D.
Drawn by: RES
Checked by: RES

Sheet Title:
Entry Monument
Detail

Sheet Number:

FOR CONSTRUCTION - FEBRUARY 7, 2023

STATE OF MISSISSIPPI
COUNTY OF HARRISON

WARRANTY DEED

FOR AND IN CONSIDERATION of the price and 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, **GH VILLAGE, LLC**, a Mississippi limited liability company, does hereby grant, bargain, sell, convey and warrant unto **HIGHLAND LAKE TOWNHOMES, LLC**, a Mississippi limited liability company, that certain tract, piece or parcel of land situated in Harrison County, Mississippi, together with all improvements, buildings, fixtures, and appurtenances thereunto belonging, and being more particularly described as follows, to-wit:

A PARCEL OF LAND BEING SITUATED IN THE NE 1/4 OF THE SE 1/4 OF SECTION 6, TOWNSHIP 7 SOUTH, RANGE 10 WEST, HARRISON COUNTY, MISSISSIPPI, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

COMMENCING AT A FOUND IRON ROD AT THE SOUTHWEST CORNER OF THE NE 1/4 OF THE SE 1/4 OF SECTION 6, T7S, R10W, HARRISON COUNTY, MS; THENCE RUN ALONG THE WEST LINE OF NE 1/4 OF THE SE 1/4 OF SAID SECTION 6 NORTH 00 DEGREES 04 MINUTES 11 SECONDS EAST 884.36 FEET TO A FOUND IRON ROD, ALSO BEING THE POINT OF BEGINNING; THENCE CONTINUE ALONG SAID WEST LINE NORTH 00 DEGREES 03 MINUTES 41 SECONDS EAST 455.47 FEET TO A FOUND IRON PIPE AT THE NORTHWEST CORNER OF SAID NE 1/4; THENCE RUN ALONG THE NORTH LINE OF SAID NE 1/4 NORTH 89 DEGREES 57 MINUTES 53 SECONDS EAST 1362.96 FEET TO A FOUND IRON ROD AT THE NORTHEAST CORNER OF SAID NE 1/4; THENCE RUN ALONG THE EAST LINE OF SAID NE 1/4 SOUTH 00 DEGREES 07 MINUTES 29 SECONDS WEST 884.60 FEET TO A FOUND IRON ROD; THENCE LEAVING SAID EAST LINE RUN NORTH 69 DEGREES 44 MINUTES 27 SECONDS WEST 141.71 FEET TO A FOUND IRON ROD; THENCE RUN NORTH 70 DEGREES 25 MINUTES 32 SECONDS WEST 72.13 FEET TO A SET IRON ROD; THENCE RUN NORTH 81 DEGREES 51 MINUTES 14 SECONDS WEST 100.40 FEET TO A SET IRON ROD; THENCE RUN NORTH 66 DEGREES 57 MINUTES 47 SECONDS WEST 101.63 FEET TO A SET IRON ROD; THENCE RUN NORTH 62 DEGREES 48 MINUTES 55 SECONDS WEST 104.75 FEET TO A FOUND IRON ROD; THENCE RUN NORTH 77 DEGREES 17 MINUTES 05 SECONDS WEST 100.37 FEET TO A FOUND IRON ROD; THENCE RUN NORTH 82 DEGREES 26 MINUTES 57 SECONDS WEST 100.03 FEET TO A SET IRON ROD; THENCE RUN NORTH 80 DEGREES 48 MINUTES 18 SECONDS WEST 100.39 FEET TO A FOUND IRON ROD; THENCE RUN NORTH 87 DEGREES 43 MINUTES 06 SECONDS WEST 99.96 FEET TO A FOUND IRON ROD; THENCE RUN NORTH 00 DEGREES 05 MINUTES 58 SECONDS EAST 198.52 FEET TO A FOUND IRON ROD; THENCE RUN SOUTH 89 DEGREES 55 MINUTES 51 SECONDS WEST 478.80 FEET BACK TO THE POINT OF BEGINNING.

AND ALSO

The Beneficial Easement rights arising out of the Reciprocal Easement and Restriction Agreement, dated December 31, 2008 and recorded as Instrument No. 2009-27-D-J1; and also that Amended and Restated Reciprocal Easement and Restriction Agreement, dated May 14, 2010 and recorded as Instrument 20-3970-D-J1, in the office of the Chancery Clerk of Harrison County (First Judicial District), Mississippi.

This conveyance is subject to all covenants, easements, restrictions, reservations, and other matters of record, all zoning and building laws, rules and regulations and ordinances, and all matters that would be disclosed by an accurate survey of said property.

Taxes for the year 2022 have been pro-rated between the parties and the payment of same when due on January 1, 2022, shall be the responsibility of the Grantees herein.

WITNESS THE SIGNATURE(S) OF THE GRANTOR(S), on the 28th day of July, 2022.

GH VILLAGE, LLC

By:

Noel Simms, Member

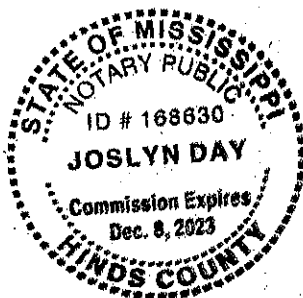
[signatures on separate pages]

STATE OF MISSISSIPPI

COUNTY OF Hinds

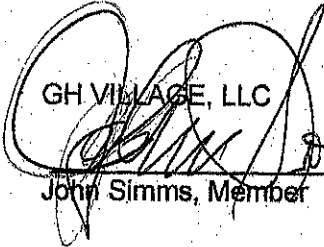
This day, personally appeared before me, the undersigned Notary Public, in and for the aforesaid County and State, the within named NOEL SIMMS, who acknowledged that his a Member of GH VILLAGE, LLC, a Mississippi limited liability company, and who acknowledged to me that he executed, signed and delivered, the foregoing Warranty Deed on the day and year herein mentioned as his true and voluntary act and deed.

Given under my hand and official seal of office, this the 28 day of July, 2022.



[Signature]
NOTARY PUBLIC

MY COMMISSION EXPIRES: Dec 8 2023

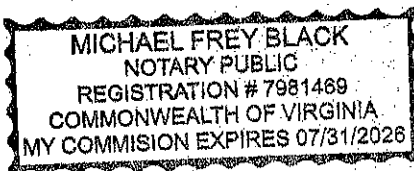
By:  GH VILLAGE, LLC
John Simms, Member

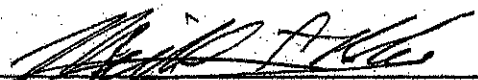
State of Virginia
~~DISTRICT OF COLUMBIA~~

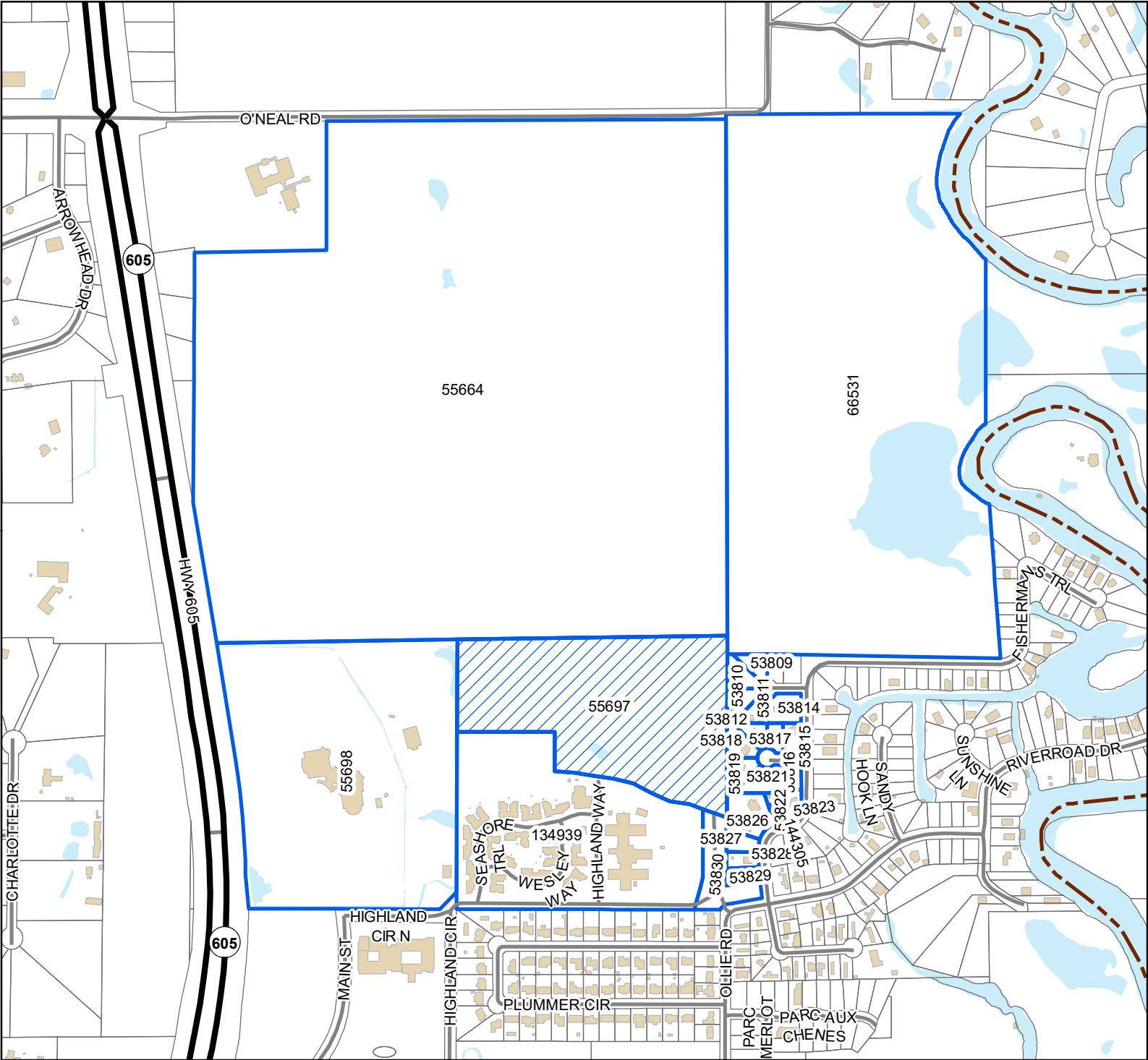
COUNTY OF Fairfax

This day, personally appeared before me, the undersigned Notary Public, in and for the aforesaid County and State, the within name JOHN SIMMS, who acknowledged that he is a Member of GH VILLAGE, LLC, a Mississippi limited liability company, and who acknowledged to me that he executed, signed and delivered, the foregoing Warranty Deed on the day and year herein mentioned as his true and voluntary act and deed.

Given under my hand and official seal of office, this the 28 day of July, 2022.

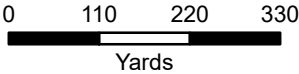



NOTARY PUBLIC
MY COMMISSION EXPIRES: 07/31/2026



Legend

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



1 inch = 700 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		1008F-01-001.000	HIGHLAND LAKE TOWNHOMES, LLC(OWNER)	919 2ND ST	GULFPORT	MS	39501
N			Adjacent Property Owners(2304ZB043)				
	53819	1008G-02-049.003	MCCLELLAN RYAN S	10513 DANBERRY COVE	GULFPORT	MS	39503
	53815	1008G-02-052.000	MAJORS JUDY	10494 DANBURY COVE	GULFPORT	MS	39503
N	53816	1008G-02-049.002	MAJORS JUDY	10494 DANBURY COVE	GULFPORT	MS	39503
	53817	1008G-02-049.001	JOHNSON THOMAS E & DAWN M	10514 DANBURY CV	GULFPORT	MS	39503
	53812	1008G-02-050.000	CHILDS KAREN F	P O BOX 1074	LA CANADA	CA	91012
	53828	1008G-02-068.000	FORTENBERRY GRETCHEN S	12205 FISHERMAN'S TRAIL	GULFPORT	MS	39503
	66531	1008B-01-003.000	BEN A RICHARDS LAND COMPANY LLC	P O BOX 6073	GULFPORT	MS	39506
	53814	1008G-02-051.000	RUCHLEWICZ MARK T & SANDRA K	12283 FISHERMANS TRL	GULFPORT	MS	39503
N	53822	1008G-02-054.000	ROSE RICHARD	12238 ROSE POINT	GULFPORT	MS	39503
	53809	1008G-02-047.000	GULFPORT HIGHLANDS DEVELOPMENT LP	4680 HICKORY RIDGE RD	JACKSON	MS	39211
	53810	1008G-02-048.000	DEFELIPPO DEANNA	10518 HUCKLEBERRY COVE	GULFPORT	MS	39503
	53811	1008G-02-049.000	BRIGHT JEROMY	10517 HUCKLEBERRY CV	GULFPORT	MS	39503
	53818	1008G-02-049.005	WALLEY KAREN & JEREMY	10516 DANBURY COVE	GULFPORT	MS	39503
N	53827	1008G-02-067.000	HAY JOHN C & CARRIE A	12209 FISHERMAN TRAILS	GULFPORT	MS	39503
	53830	1008G-02-070.000	GULFPORT HIGHLANDS DEVELOPMENT LP	4680 HICKORY RD	JACKSON	MS	39211
	53826	1008G-02-062.001	HAY JOHN C & CARRIE A	12209 FISHERMANS TRAIL	GULFPORT	MS	39503
N	53829	1008G-02-069.000	ROSE RICHARD	12238 ROSE POINT	GULFPORT	MS	39503
	55698	1008F-01-007.000	FIRST BAPTIST CHURCH GULFPORT	12190 HWY 605	GULFPORT	MS	39503
	134939	1008F-01-002.000	SEASHORE CAMPGROUNDS RETIREMENT	COMMUNITY INC	GULFPORT	MS	39503
N	55664	1008C-01-001.000	BEN A RICHARDS LAND COMPANY LLC	P O BOX 6073	GULFPORT	MS	39506
	55697	1008F-01-001.000	GH VILLAGE LLC	4680 HICKORY RIDGE RD	JACKSON	MS	39211
	53823	1008G-02-060.000	ROSE RICHARD	12238 ROSE POINT DR	GULFPORT	MS	39503
	53821	1008G-02-053.000	KEENEY DAVE & SHARON	10509 DANBURY COVE	GULFPORT	MS	39503
	144305	1008G-02-060.001	FORDHAM BART T & TERESA F	10521 RIVER ROAD DR	GULFPORT	MS	39503

RE: Variance 2304ZB043, by owner Highland Lake Townhomes, LLC, seeking approvals for allowance of building height of 16 feet fence/wall exceeding the 6 feet height limit, and for sign height of 10 feet exceeding height limit of 6 feet, Tax Parcel 1008F-01-001.000, 0 Ollie Rd, Zoned R-B (Residence Business), Ward 6

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, April 20, 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, April 20, 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.

82
#8203**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:****IPL0116521****Order Status:****Submitted****Classification:****Legals & Public Notices****Package:****BLX - Legal Ads****Final Cost:****60.88****Payment Type:****Account Billed****User ID:****IPL0024925****ACCOUNT INFORMATION****GULFPORT URBAN DEVELOPMENT IP****PO BOX 1780****GULFPORT, MS 39502****228-868-5705****AccountsPayable@gulfport-ms.gov****GULFPORT URBAN DEVELOPMENT****TRANSACTION REPORT****Date****March 29, 2023 11:50:51 PM EDT****Amount:****60.88****SCHEDULE FOR AD NUMBER IPL01165210****April 5, 2023****SunHerald (Biloxi)****PREVIEW FOR AD NUMBER IPL01165210****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 PM., Thursday, April 20, 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 2304ZB032: by agent Peter Vicari, seeking approval to allow for a 15-foot front yard setback where 50-feet is required, Tax Parcels 1011C-01-010.000, 1011C-01-011.000, 1011C-01-011.145, 1011C-01-013.000, 1010N-04-032.000, Zoned T5 (Urban Center) & T6 (Urban Core), Ward 2

Variance 2304ZB035: by agent Elliott Homes, seeking approval to allow for a 5-foot front and side yard setbacks, reduction of minimum required lot size of 7,500 square feet to 5,000 square feet, and of entire site coverage of 50% while lot coverage will be 45%, Tax Parcel 1010O-02-050.000, 1856 Beach Drive, Zoned R-1-7.5 (Single-family), Ward 2

Special Exception 2304SE038: by agent Kenyetter Johnson, is seeking approval for day care use, Tax Parcel 0808L-04-001.001, 15487 Oak Ln, Zoned B-4 (Highway Business), Ward 7

Variance 2304ZB043: by owner Highland Lake Townhomes, LLC, seeking approvals for allowance of building height of 16 feet fence/wall exceeding the 6 feet height limit, and for sign height of 10 feet exceeding height limit of 6 feet, Tax Parcel 1008F-01-001.000, 0 Ollie Rd, Zoned R-B (Residence Business), Ward 6

This the 29th day of March 2023

A. Lee Palermo, Chairman

City of Gulfport Zoning Board of Adjustment and Appeals

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Publication Dates

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