



City of Gulfport, Mississippi

Agenda City Council

2309 15th Street
Gulfport, MS 39501

Tuesday, August 22, 2023

1:30 PM

*Gulfport City Hall
Council Chambers*

1:30 P.M. Invocation, Pledge of Allegiance, Call to Order

Agenda Order Confirmation or adjustment of the agenda order

Presentation Agenda

- **Mayor's Report**
- **Presentation – of the Mayor's Proposed Budget for Fiscal Year Ending September 30, 2024.**

Policy Issues

Code Enforcement / Planning

- 1** Code Enforcement Hearing - on resolution to declare that certain properties are in such a state of uncleanness as to be a menace to the public health, safety and welfare of the community and to authorize advertisements for bids and lot clean-ups and/or demolitions.
- 2** Final Plat - approval of 16-lot subdivision (Plantation Oaks Subdivision) on a tax parcel zoned R-B (Residence-business) - located at Three Rivers Road - Case # 2303PC025 - Ward 6.
- 3** Final Plat - approval of 84-lot subdivision (Swan Ridge) on tax parcels 0807F-01-003.000 and 0807F-01-004.000 located at South Swan Road - Case # 2308PC094 - Ward 7.
- 4** Variance Denial - variance to exceed the allowable height for an accessory building - zoned R-UE (Urban residence estate) - located at 20 54th Street - Case # 2307ZB073 - Ward 4 - with Appeal.
- 5** Variance Denial - variance to exceed the allowable size for an accessory building - zoned R-UE (Urban residence estate) - located at 20 54th Street - Case # 2307ZB074 - Ward 4 - with Appeal.

- 6 Variance Denial - variance to decrease the allowable front yard setback on a second street frontage - zoned R-1-7.5 (Single-family) - located at 1936 Beach Drive - Case # 2307ZB080 - Ward 2 - with Appeal.

Ordinances

- 7 Reconsideration – Ordinance No. 3280 - amending Chapter 9, Article IV, Section 9-106(c) - Case # 2305PC059. (approved 08/08/2023)
- 8 Ordinance - providing for the salary of compensation for one (1) "Landscape Manager" position, and for related purposes.

Resolutions

- 9 Resolution - approving Award to and Contract with H2O Innovation Operation and Maintenance, Inc., for Residential and Light Commercial Collection, Transport and Disposal of Trash Waste, and for related purposes.
- 10 Resolution - approving Lease Agreement with South Mississippi Business Machines of Gulfport, Inc., concerning copier/printer rental for Leisure Services Department, and for related purposes.
- 11 Resolution - approving Lease with the United States of America concerning certain real properties identified therein for a term ending June 30, 2093, and for related purposes.
- 12 Resolution - approving Memorandum of Understanding with the Mississippi Department of Marine Resources in connection with the North Gulfport Wastewater Treatment Plant Ultraviolet (UV) Disinfection Replacement Project, and for related purposes.
- 13 Resolution - approving Professional Services Agreement with Kayla Seals for part time Emergency Dispatch Services, and for related purposes.
- 14 Resolution - approving Amendment No. 1 to the Memorandum of Interlocal Cooperation Agreement between Harrison County and the City of Gulfport for the provision of Ambulance Service, and for related purposes.
- 15 Resolution - authorizing the donation of funds to Gulfport Main Street Association, in accord with Miss. Code Ann. Section 21-19-44.1, and for related purposes.
- 16 Resolution - authorizing an expenditure (in the form of a fee waiver) for advertising and bringing into favorable notice the opportunities, possibilities and resources of the City of Gulfport in connection with the STEM NOLA Event, and for related purposes.

- 17 Resolution - approving the temporary closure of municipal right of way for 2nd Annual Breland Block Party, and for related purposes.

Budget Amendments / Docket of Claims

- 18 Budget Amendment #98 - increasing line item 286 Capital (CNET) from restitution.
- 19 Budget Amendment #99 - increasing line item 277 Vehicles from drug related arrest.
- 20 Budget Amendment #100 - increasing line item 213 Photo & Fingerprint from PropertyRoom.com.
- 21 Budget Amendment #101 - funding purchase of Bucket Truck approved in FY 2022.
- 22 Budget Amendment #102 - funding Solid Waste Invoices for H2O Innovation Operation and Maintenance, Inc. for the remainder of Fiscal Year 2023.
- 23 Budget Amendment #103 - funding Streets and Drainage Operating Accounts for the remainder of Fiscal Year 2023.
- 24 Budget Amendment #104 - allocating Leisure Services funding.
- 25 Docket of Claims - to be approved through August 23, 2023.

Routine Agenda

- 26 Acknowledgment - of previously approved and subsequently executed Agreements, Contracts, and/or Documents - to be made a part of the minutes.
- 27 Code Enforcement Notice(s) - to be made a part of the minutes.
- 28 Letter - regarding bid awarded by Purchasing to Allan J Harris Company for a 22 HP Hidrostral Pump - Public Works Department - to be made a part of the minutes.
- 29 Letter - regarding bid awarded by Purchasing to Crown Dodge for 1500 Ram Tradesman - Building Maintenance - to be made a part of the minutes.
- 30 Public Records Request - for the month of July 2023 - to be made a part of the minutes.

Public Agenda

- **Citizen Forum - Up to thirty minutes shall be allowed for public input with a three minute time limit on each speaker.**

Council Comments

Memorial Adjournment

Executive Session

Setting of Next Meeting and Adjournment

TABLE OF CONTENTS

WARD 1

PARCEL	LOCATION	OWNER
0711K-01-048.000	1422 GENEVIEVE DR	GIBBS CHARLES ROLAND -ESTATE-
0711H-05-077.000	1800 42ND AVE	QUINTERO MARIA LIDIA FERRERA

WARD 2

PARCEL	LOCATION	OWNER
0811A-06-053.000	1322 22ND ST	PHAM QUANG VINH
0811A-03-047.000	1229 24TH ST	BELL SUSAN RENEE & JUDY M KLEINMAN
0811L-04-068.000	3300 WEST RAILROAD ST	WESTCOTT ROY N

WARD 3

PARCEL	LOCATION	OWNER
0811H-05-048.000	1332 EAST RAILROAD ST	HUYNH LOI
0811G-04-007.000	2022 17TH AVE	ANDERSON WILLIE C -ESTATE-

WARD 4

PARCEL	LOCATION	OWNER
0910N-05-024.000	405 31ST ST	BOTROS MAGDY A & HANAA A MERSHREKI
1010G-02-042.000	1790 MAGNOLIA ST	ROBINSON ESTELLE

WARD 6

PARCEL	LOCATION	OWNER
0908J-01-027.000	8 KATHERINE PL	MAY PHILLIP D

**CODE ENFORCEMENT DIVISION**

P.O. Box "S"

Gulfport, MS 39502-1780

Phone: 228-868-5718

Gulfport Police Department

2210 15th St.

Gulfport, MS 39501

July 25, 2023

GIBBS CHARLES ROLAND -ESTATE-
1007 PLEASANT OAKS RD APT E
PARKVILLE, MD 21234

Reference: Tax Parcel Number: 0711K-01-048.000
1422 GENEVIEVE DR

As the City of Gulfport works to ensure a safe and healthy environment for our citizens and visitors, it is sometimes necessary to request the help of private property owners to improve the safety, health and appearance of our City. As a part of ongoing efforts, Code Enforcement personnel recently conducted a visual inspection of the above noted property. As a result, violations of one or more of the following laws, statutes, codes or ordinances were identified: Section 21-19-11 (Miss Code Ann. 1972 as amended), the International Property Maintenance Code (IPMC), and applicable Municipal Ordinances. The violations are as follows and based on the violations identified, the City requests that you take the following corrective actions:

Violation(s):	Corrective Actions Required:
OVERGROWN PROPERTY, IPMC 302.4	CUT & CLEAN THE PROPERTY
WEEDS, VINES, TREE OR LIMBS	REMOVE WEEDS, VINES, LIMBS, TR
TRASH & DEBRIS, IPMC 308.1	REMOVE/HAUL OFF TRASH & DEBRIS
PROHIBITED DEBRIS, SEC. 4-174	REMOVE PROHIBITED ITEMS
INOPERABLE VEHICLE, IPMC 302.8	REMOVE OR REPAIR & LEGALLY TAG
FENCE VIOLATION, IPMC 304.2	REPAIR, MAINTENANCE OR REMOVE

The City is asking that you please take the above actions within the next FOURTEEN (14) days to prevent further action as set out in the paragraph below.

NOTICE OF HEARING

If you have not taken the above noted corrective actions within the 14 days provided, you are hereby given notice of and invited to attend a public hearing before the Gulfport City Council on, 08/22/2023 at 1:30 PM on the 2nd Floor of Gulfport's City Hall, 2309 15th Street, on the violations set forth above. At this hearing, the City Council will be asked to adjudicate that the subject property is in a state of uncleanness or a menace to the public health, safety and welfare of the community. This adjudication will also authorize the City of Gulfport to re-enter the property for a period of one (1) year without any further hearings if notice is posted on this property and at City Hall on the first floor, 2309 15th Street, Gulfport, MS at least seven (7) days prior to re-entering the property for resolution of the same type of violation. In addition, the City Council will be asked to authorize advertisement for bids to perform the necessary corrective actions. All costs incurred will be assessed to your property taxes and/or posted to the county Judgment Rolls. Please contact our office at (228) 868-5718, if you have any questions about this letter or if the requested corrective actions are taken within the Fourteen (14) day period in order to avoid our proceeding with a public hearing on your property.

Respectfully yours,

Tyler Wales

Tyler Wales - CODE ENFORCEMENT

cc: Mayor Billy Hewes

Council Member: KENNETH CASEY SR

Case Number: 11823

**CODE ENFORCEMENT DIVISION**

P.O. Box "S"

Gulfport, MS 39502-1780

Phone: 228-868-5718

Gulfport Police Department

2210 15th St.

Gulfport, MS 39501

July 25, 2023

GIBBS CHARLES ROLAND -ESTATE-
1422 GENEVIEVE DR
GULFPORT, MS 39501

Reference: Tax Parcel Number: 0711K-01-048.000
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Tyler Wales - CODE ENFORCEMENT

cc: Mayor Billy Hewes

Council Member: KENNETH CASEY SR

Case Number: 11823







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P.O. Box "S"

Gulfport, MS 39502-1780

Phone: 228-868-5718

Gulfport Police Department

2210 15th St.

Gulfport, MS 39501

August 4, 2023

QUINTERO MARIA LIDIA FERRERA

1800 1/2 42ND AVE

GULFPORT, MS 39501

Reference: Tax Parcel Number: 0711H-05-077.000
1800 42ND AVE

As the City of Gulfport works to ensure a safe and healthy environment for our citizens and visitors, it is sometimes necessary to request the help of private property owners to improve the safety, health and appearance of our City. As a part of ongoing efforts, Code Enforcement personnel recently conducted a visual inspection of the above noted property. As a result, violations of one or more of the following laws, statutes, codes or ordinances were identified: Section 21-19-11 (Miss Code Ann. 1972 as amended), the International Property Maintenance Code (IPMC), and applicable Municipal Ordinances. The violations are as follows and based on the violations identified, the City requests that you take the following corrective actions:

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Respectfully yours,

Tyler Wales

Tyler Wales - CODE ENFORCEMENT

cc: Mayor Billy Hewes

Council Member: KENNETH CASEY SR

Case Number: 11896

**CODE ENFORCEMENT DIVISION**

P.O. Box "S"

Gulfport, MS 39502-1780

Phone: 228-868-5718

Gulfport Police Department

2210 15th St.

Gulfport, MS 39501

August 4, 2023

QUINTERO MARIA LIDIA FERRERA

1800 42ND AVE

GULFPORT, MS 39501

Reference: Tax Parcel Number: 0711H-05-077.000
1800 42ND AVE

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cc: Mayor Billy Hewes

Council Member: KENNETH CASEY SR

Case Number: 11896





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P.O. Box "S"

Gulfport, MS 39502-1780

Phone: 228-868-5718

Gulfport Police Department

2210 15th St.

Gulfport, MS 39501

August 4, 2023

PHAM QUANG VINH
7784 WHITNEY DR
RIVERSIDE, CA 92509

Reference: Tax Parcel Number: 0811A-06-053.000
1322 22ND ST

As the City of Gulfport works to ensure a safe and healthy environment for our citizens and visitors, it is sometimes necessary to request the help of private property owners to improve the safety, health and appearance of our City. As a part of ongoing efforts, Code Enforcement personnel recently conducted a visual inspection of the above noted property. As a result, violations of one or more of the following laws, statutes, codes or ordinances were identified: Section 21-19-11 (Miss Code Ann. 1972 as amended), the International Property Maintenance Code (IPMC), and applicable Municipal Ordinances. The violations are as follows and based on the violations identified, the City requests that you take the following corrective actions:

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BROKEN WINDOWS IPMC 304.13	REPAIR/REPLACE BROKEN WINDOW

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Respectfully yours,

Josh Troutman

Josh Troutman - CODE ENFORCEMENT

cc: Mayor Billy Hewes

Council Member: RON ROLAND

Case Number: 11547

**CODE ENFORCEMENT DIVISION**

P.O. Box "S"

Gulfport, MS 39502-1780

Phone: 228-868-5718

Gulfport Police Department

2210 15th St.

Gulfport, MS 39501

August 4, 2023

PHAM QUANG VINH

1322 22ND ST

GULFPORT, MS 39501

Reference: Tax Parcel Number: 0811A-06-053.000
1322 22ND ST

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Josh Troutman - CODE ENFORCEMENT

cc: Mayor Billy Hewes

Council Member: RON ROLAND

Case Number: 11547



Gulfport
MISSISSIPPI

Gulfport, MS 39502-1780
Phone: 228-868-5718
Gulfport Police Department
2210 15th St.
Gulfport, MS 39501

August 4, 2023

PHAM QUANG VINH
7784 WHITNEY DR
RIVERSIDE, CA 92509

Reference: Tax Parcel Number: 0811A-06-053.000
1322 22ND ST

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cc: Mayor Billy Hewes
Council Member RON ROLAND

Case Number: 11547

Aug 4, 2023





**CODE ENFORCEMENT DIVISION**

P.O. Box "S"

Gulfport, MS 39502-1780

Phone: 228-868-5718

Gulfport Police Department

2210 15th St.

Gulfport, MS 39501

August 4, 2023

BELL SUSAN RENEE & JUDY M KLEINMAN
1229 24TH STREET
GULFPORT, MS 39501

Reference: Tax Parcel Number: 0811A-03-047.000
1229 24TH ST

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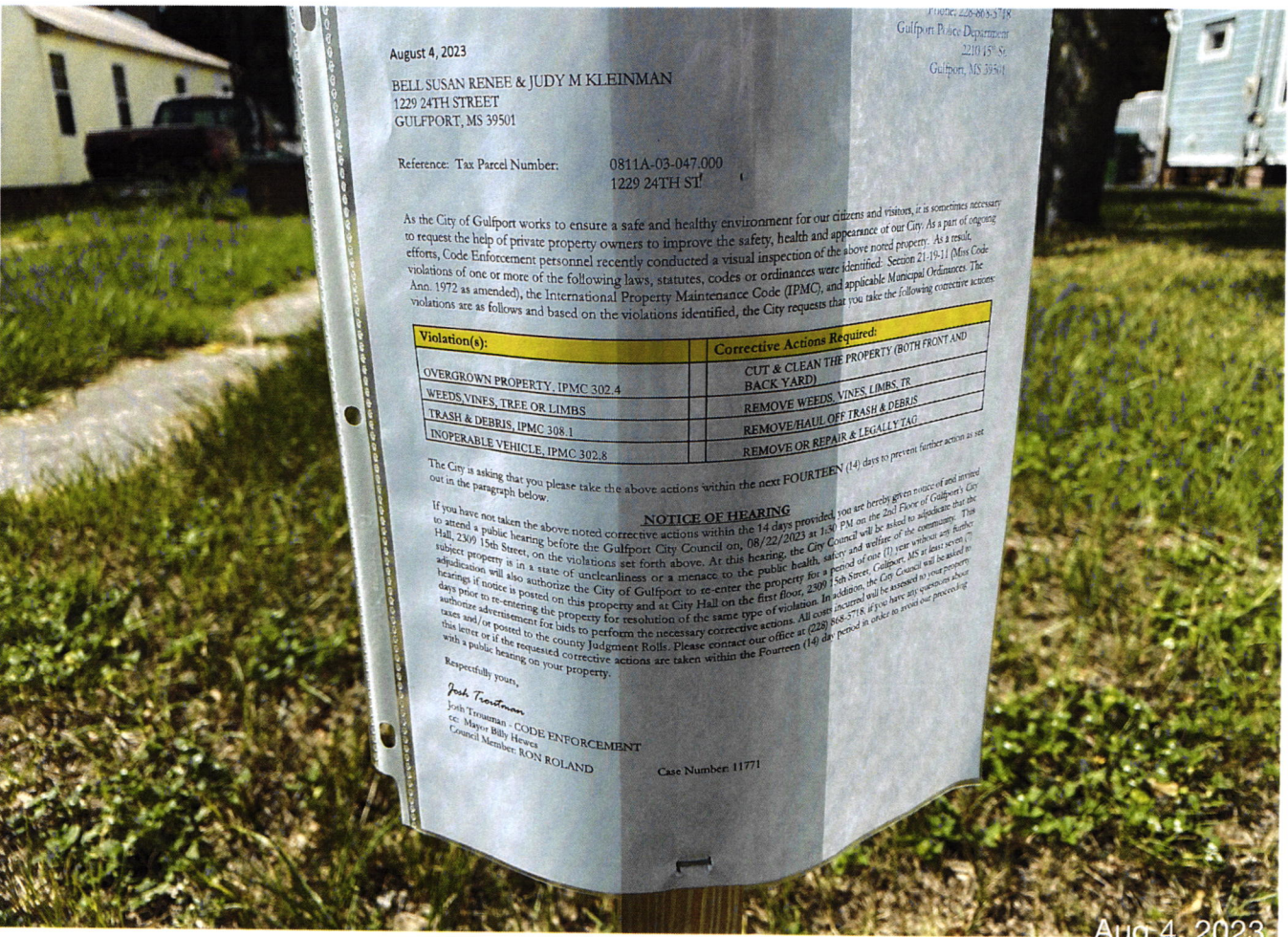
Josh Troutman

Josh Troutman - CODE ENFORCEMENT

cc: Mayor Billy Hewes

Council Member: RON ROLAND

Case Number: 11771



August 4, 2023

BELL SUSAN RENEE & JUDY M KLEINMAN
1229 24TH STREET
GULFPORT, MS 39501

Reference: Tax Parcel Number: 0811A-03-047.000
1229 24TH ST

As the City of Gulfport works to ensure a safe and healthy environment for our citizens and visitors, it is sometimes necessary to request the help of private property owners to improve the safety, health and appearance of our City. As a part of ongoing efforts, Code Enforcement personnel recently conducted a visual inspection of the above noted property. As a result, violations of one or more of the following laws, statutes, codes or ordinances were identified: Section 21-18-11 (Miss Code Ann. 1972 as amended), the International Property Maintenance Code (IPMC), and applicable Municipal Ordinances. The violations are as follows and based on the violations identified, the City requests that you take the following corrective actions:

Violation(s):	Corrective Actions Required:
OVERGROWN PROPERTY, IPMC 302.4	CUT & CLEAN THE PROPERTY (BOTH FRONT AND BACK YARD)
WEEDS, VINES, TREE OR LIMBS	REMOVE WEEDS, VINES, LIMBS, TR
TRASH & DEBRIS, IPMC 308.1	REMOVE/HAUL OFF TRASH & DEBRIS
INOPERABLE VEHICLE, IPMC 302.8	REMOVE OR REPAIR & LEGALLY TAG

The City is asking that you please take the above actions within the next FOURTEEN (14) days to prevent further action as set out in the paragraph below.

NOTICE OF HEARING

If you have not taken the above noted corrective actions within the 14 days provided, you are hereby given notice of and invited to attend a public hearing before the Gulfport City Council on, 08/22/2023 at 1:30 PM on the 2nd Floor of Gulfport's City Hall, 2309 15th Street, on the violations set forth above. At this hearing, the City Council will be asked to adjudicate that the subject property is in a state of uncleanness or a menace to the public health, safety and welfare of the community. This adjudication will also authorize the City of Gulfport to re-enter the property for a period of not more than seven (7) days prior to re-entering the property for resolution of the same type of violation. In addition, the City Council will be asked to authorize advertisement for bids to perform the necessary corrective actions. All costs incurred will be assessed to your property taxes and/or posted to the County Judgment Rolls. Please contact our office at (228) 868-5718 if you have any questions about this letter or if the requested corrective actions are taken within the Fourteen (14) day period in order to avoid our proceeding with a public hearing on your property.

Respectfully yours,

Josh Trueman
Josh Trueman - CODE ENFORCEMENT
cc: Mayor Billy Hewes
Council Member: RON ROLAND

Case Number 11771





**CODE ENFORCEMENT DIVISION**

P.O. Box "S"

Gulfport, MS 39502-1780

Phone: 228-868-5718

Gulfport Police Department

2210 15th St.

Gulfport, MS 39501

August 1, 2023

WESTCOTT ROY N
3300 WEST RAILROAD ST
GULFPORT, MS 39501

Reference: Tax Parcel Number: 0811L-04-068.000
3300 WEST RAILROAD ST

As the City of Gulfport works to ensure a safe and healthy environment for our citizens and visitors, it is sometimes necessary to request the help of private property owners to improve the safety, health and appearance of our City. As a part of ongoing efforts, Code Enforcement personnel recently conducted a visual inspection of the above noted property. As a result, violations of one or more of the following laws, statutes, codes or ordinances were identified: Section 21-19-11 (Miss Code Ann. 1972 as amended), the International Property Maintenance Code (IPMC), and applicable Municipal Ordinances. The violations are as follows and based on the violations identified, the City requests that you take the following corrective actions:

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Respectfully yours,

Tyler Wales

Tyler Wales - CODE ENFORCEMENT

cc: Mayor Billy Hewes

Council Member: RON ROLAND

Case Number: 11859

**CODE ENFORCEMENT DIVISION**

P.O. Box "S"

Gulfport, MS 39502-1780

Phone: 228-868-5718

Gulfport Police Department

2210 15th St.

Gulfport, MS 39501

August 1, 2023

WESTCOTT ROY N
1411 CANAL ST
NEW ORLEANS, LA 70112

Reference: Tax Parcel Number: 0811L-04-068.000
3300 WEST RAILROAD ST

As the City of Gulfport works to ensure a safe and healthy environment for our citizens and visitors, it is sometimes necessary to request the help of private property owners to improve the safety, health and appearance of our City. As a part of ongoing efforts, Code Enforcement personnel recently conducted a visual inspection of the above noted property. As a result, violations of one or more of the following laws, statutes, codes or ordinances were identified: Section 21-19-11 (Miss Code Ann. 1972 as amended), the International Property Maintenance Code (IPMC), and applicable Municipal Ordinances. The violations are as follows and based on the violations identified, the City requests that you take the following corrective actions:

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Respectfully yours,

Tyler Wales

Tyler Wales - CODE ENFORCEMENT

cc: Mayor Billy Hewes

Council Member: RON ROLAND

Case Number: 11859



Gulfport
MISSISSIPPI

CODE ENFORCEMENT DIVISION
P.O. Box "S"
Gulfport, MS 39502-1780
Phone: 228-868-5718
Gulfport Police Department
2210 15th St.
Gulfport, MS 39501

August 1, 2023
WESTOOTT ROYN
1411 CANAL ST
NEW ORLEANS, LA 70112

Reference: Tax Parcel Number: 0811L-04-068.000
3300 WEST RAILROAD ST

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Respectfully yours,
Tyler Wales
Tyler Wales - CODE ENFORCEMENT
cc: Mayor Billy Hewes
Council Member BON ROLAND

Case Number: 11859

Aug 1, 2023 at 3:54 PM





**CODE ENFORCEMENT DIVISION**

P.O. Box "S"

Gulfport, MS 39502-1780

Phone: 228-868-5718

Gulfport Police Department

2210 15th St.

Gulfport, MS 39501

August 4, 2023

HUYNH LOI
2172 PAULA CIRCLE
OCEAN SPRINGS, MS 39564

Reference: Tax Parcel Number: 0811H-05-048.000
1332 EAST RAILROAD ST

As the City of Gulfport works to ensure a safe and healthy environment for our citizens and visitors, it is sometimes necessary to request the help of private property owners to improve the safety, health and appearance of our City. As a part of ongoing efforts, Code Enforcement personnel recently conducted a visual inspection of the above noted property. As a result, violations of one or more of the following laws, statutes, codes or ordinances were identified: Section 21-19-11 (Miss Code Ann. 1972 as amended), the International Property Maintenance Code (IPMC), and applicable Municipal Ordinances. The violations are as follows and based on the violations identified, the City requests that you take the following corrective actions:

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TRASH & DEBRIS, IPMC 308.1	REMOVE/HAUL OFF TRASH & DEBRIS
EXT MAINTENANCE, IPMC 304.1	MAKE NECESSARY REPAIRS
VACANT STRUCTURE, IPMC 301.3	BOARD UP AND SECURE OPENINGS
FENCE VIOLATION, IPMC 304.2	REPAIR, MAINTENANCE OR REMOVE
BROKEN WINDOWS IPMC 304.13	REPAIR/REPLACE BROKEN WINDOW

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Respectfully yours,

Josh Troutman

Josh Troutman - CODE ENFORCEMENT
cc: Mayor Billy Hewes
Council Member: ELLA HOLMES-HINES

Case Number: 11787

**CODE ENFORCEMENT DIVISION**

P.O. Box "S"

Gulfport, MS 39502-1780

Phone: 228-868-5718

Gulfport Police Department

2210 15th St.

Gulfport, MS 39501

August 4, 2023

HUYNH LOI
1332 EAST RAILROAD ST
GULFPORT, MS 39501

Reference: Tax Parcel Number: 0811H-05-048.000
1332 EAST RAILROAD ST

As the City of Gulfport works to ensure a safe and healthy environment for our citizens and visitors, it is sometimes necessary to request the help of private property owners to improve the safety, health and appearance of our City. As a part of ongoing efforts, Code Enforcement personnel recently conducted a visual inspection of the above noted property. As a result, violations of one or more of the following laws, statutes, codes or ordinances were identified: Section 21-19-11 (Miss Code Ann. 1972 as amended), the International Property Maintenance Code (IPMC), and applicable Municipal Ordinances. The violations are as follows and based on the violations identified, the City requests that you take the following corrective actions:

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VACANT STRUCTURE, IPMC 301.3	BOARD UP AND SECURE OPENINGS
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Respectfully yours,

Josh Troutman

Josh Troutman - CODE ENFORCEMENT
cc: Mayor Billy Hewes
Council Member: ELLA HOLMES-HINES

Case Number: 11787



Gulfport
MISSISSIPPI

August 4, 2023

HUYNH LOI
2172 PAULA CIRCLE
OCEAN SPRINGS, MS 39564

Reference: Tax Parcel Number: 0811H-05-048.000
1332 EAST RAILROAD ST

CODE ENFORCEMENT DIVISION
P.O. Box "S"
Gulfport, MS 39502-1780
Phone: 228-868-5718
Gulfport Police Department
2210 15th St.
Gulfport, MS 39501

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Respectfully yours,

Josh Troutman
Josh Troutman - CODE ENFORCEMENT
cc: Mayor Billy Hewes
Council Member BILLA HOLMES-HINES

Case Number: 11787

August 4, 2023





**CODE ENFORCEMENT DIVISION**

P.O. Box "S"

Gulfport, MS 39502-1780

Phone: 228-868-5718

Gulfport Police Department

2210 15th St.

Gulfport, MS 39501

August 4, 2023

ANDERSON WILLIE C -ESTATE-
2022 17TH AVE
GULFPORT, MS 39501

Reference: Tax Parcel Number: 0811G-04-007.000
2022 17TH AVE

As the City of Gulfport works to ensure a safe and healthy environment for our citizens and visitors, it is sometimes necessary to request the help of private property owners to improve the safety, health and appearance of our City. As a part of ongoing efforts, Code Enforcement personnel recently conducted a visual inspection of the above noted property. As a result, violations of one or more of the following laws, statutes, codes or ordinances were identified: Section 21-19-11 (Miss Code Ann. 1972 as amended), the International Property Maintenance Code (IPMC), and applicable Municipal Ordinances. The violations are as follows and based on the violations identified, the City requests that you take the following corrective actions:

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TRASH & DEBRIS, IPMC 308.1	REMOVE/HAUL OFF TRASH & DEBRIS
PROHIBITED DEBRIS, SEC. 4-174	REMOVE PROHIBITED ITEMS
VACANT STRUCTURE, IPMC 301.3	BOARD UP AND SECURE OPENINGS

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Respectfully yours,

Josh Troutman

Josh Troutman - CODE ENFORCEMENT
cc: Mayor Billy Hewes
Council Member: ELLA HOLMES-HINES

Case Number: 11892

**CODE ENFORCEMENT DIVISION**

P.O. Box "S"

Gulfport, MS 39502-1780

Phone: 228-868-5718

Gulfport Police Department

2210 15th St.

Gulfport, MS 39501

August 4, 2023

ANDERSON WILLIE C -ESTATE-
2020 17TH AVE
GULFPORT, MS 39501

Reference: Tax Parcel Number: 0811G-04-007.000
2022 17TH AVE

As the City of Gulfport works to ensure a safe and healthy environment for our citizens and visitors, it is sometimes necessary to request the help of private property owners to improve the safety, health and appearance of our City. As a part of ongoing efforts, Code Enforcement personnel recently conducted a visual inspection of the above noted property. As a result, violations of one or more of the following laws, statutes, codes or ordinances were identified: Section 21-19-11 (Miss Code Ann. 1972 as amended), the International Property Maintenance Code (IPMC), and applicable Municipal Ordinances. The violations are as follows and based on the violations identified, the City requests that you take the following corrective actions:

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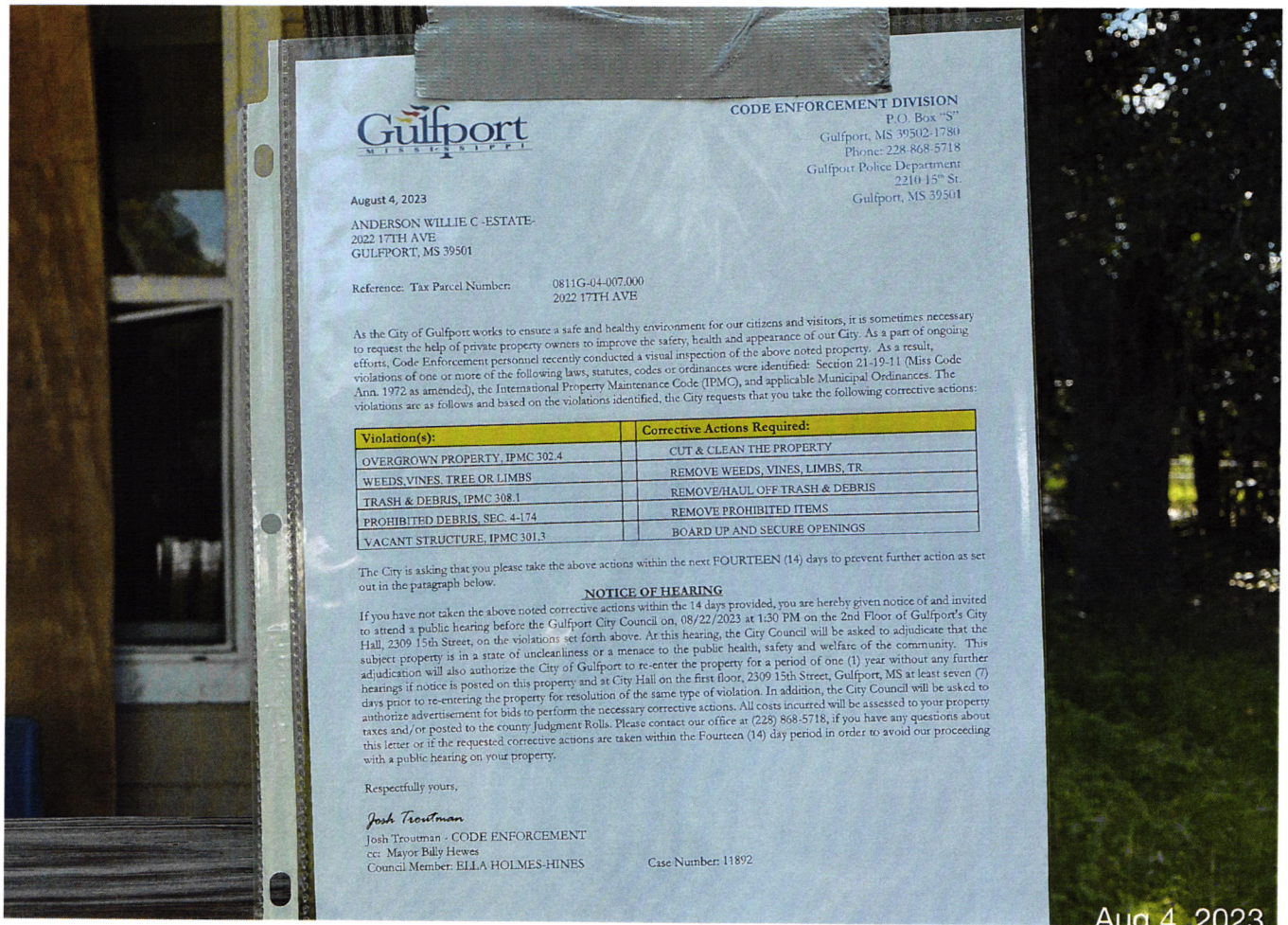
Josh Troutman

Josh Troutman - CODE ENFORCEMENT

cc: Mayor Billy Hewes

Council Member: ELLA HOLMES-HINES

Case Number: 11892



CODE ENFORCEMENT DIVISION
P.O. Box "S"
Gulfport, MS 39502-1780
Phone: 228-868-5718
Gulfport Police Department
2210 15th St.
Gulfport, MS 39501

August 4, 2023
ANDERSON WILLIE C -ESTATE-
2022 17TH AVE
GULFPORT, MS 39501

Reference: Tax Parcel Number: 0811G-04-007.000
2022 17TH AVE

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Respectfully yours,

Josh Troutman

Josh Troutman - CODE ENFORCEMENT
cc: Mayor Billy Hewes
Council Member: ELLA HOLMES-HINES

Case Number: 11892

Aug 4 2023







**CODE ENFORCEMENT DIVISION**

P.O. Box "S"

Gulfport, MS 39502-1780

Phone: 228-868-5718

Gulfport Police Department

2210 15th St.

Gulfport, MS 39501

August 3, 2023

BOTROS MAGDY A & HANAA A MERSHREKI
15468 PARKWOOD DR N
GULFPORT, MS 39503

Reference: Tax Parcel Number: 0910N-05-024.000
405 31ST ST

As the City of Gulfport works to ensure a safe and healthy environment for our citizens and visitors, it is sometimes necessary to request the help of private property owners to improve the safety, health and appearance of our City. As a part of ongoing efforts, Code Enforcement personnel recently conducted a visual inspection of the above noted property. As a result, violations of one or more of the following laws, statutes, codes or ordinances were identified: Section 21-19-11 (Miss Code Ann. 1972 as amended), the International Property Maintenance Code (IPMC), and applicable Municipal Ordinances. The violations are as follows and based on the violations identified, the City requests that you take the following corrective actions:

Violation(s):	Corrective Actions Required:
OVERGROWN PROPERTY, IPMC 302.4	CUT & CLEAN THE PROPERTY
WEEDS, VINES, TREE OR LIMBS	REMOVE WEEDS, VINES, LIMBS, TR
TRASH & DEBRIS, IPMC 308.1	REMOVE/HAUL OFF TRASH & DEBRIS

The City is asking that you please take the above actions within the next FOURTEEN (14) days to prevent further action as set out in the paragraph below.

NOTICE OF HEARING

If you have not taken the above noted corrective actions within the 14 days provided, you are hereby given notice of and invited to attend a public hearing before the Gulfport City Council on, 08/22/2023 at 1:30 PM on the 2nd Floor of Gulfport's City Hall, 2309 15th Street, on the violations set forth above. At this hearing, the City Council will be asked to adjudicate that the subject property is in a state of uncleanliness or a menace to the public health, safety and welfare of the community. This adjudication will also authorize the City of Gulfport to re-enter the property for a period of one (1) year without any further hearings if notice is posted on this property and at City Hall on the first floor, 2309 15th Street, Gulfport, MS at least seven (7) days prior to re-entering the property for resolution of the same type of violation. In addition, the City Council will be asked to authorize advertisement for bids to perform the necessary corrective actions. All costs incurred will be assessed to your property taxes and/or posted to the county Judgment Rolls. Please contact our office at (228) 868-5718, if you have any questions about this letter or if the requested corrective actions are taken within the Fourteen (14) day period in order to avoid our proceeding with a public hearing on your property.

Respectfully yours,

Josh Troutman

Josh Troutman - CODE ENFORCEMENT

cc: Mayor Billy Hewes

Council Member: RUSTY WALKER

Case Number: 11752

**CODE ENFORCEMENT DIVISION**

P.O. Box "S"

Gulfport, MS 39502-1780

Phone: 228-868-5718

Gulfport Police Department

2210 15th St.

Gulfport, MS 39501

August 3, 2023

BOTROS MAGDY A & HANAA A MERSHREKI

405 31ST ST

GULFPORT, MS 39507

Reference: Tax Parcel Number: 0910N-05-024.000
405 31ST ST

As the City of Gulfport works to ensure a safe and healthy environment for our citizens and visitors, it is sometimes necessary to request the help of private property owners to improve the safety, health and appearance of our City. As a part of ongoing efforts, Code Enforcement personnel recently conducted a visual inspection of the above noted property. As a result, violations of one or more of the following laws, statutes, codes or ordinances were identified: Section 21-19-11 (Miss Code Ann. 1972 as amended), the International Property Maintenance Code (IPMC), and applicable Municipal Ordinances. The violations are as follows and based on the violations identified, the City requests that you take the following corrective actions:

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Respectfully yours,

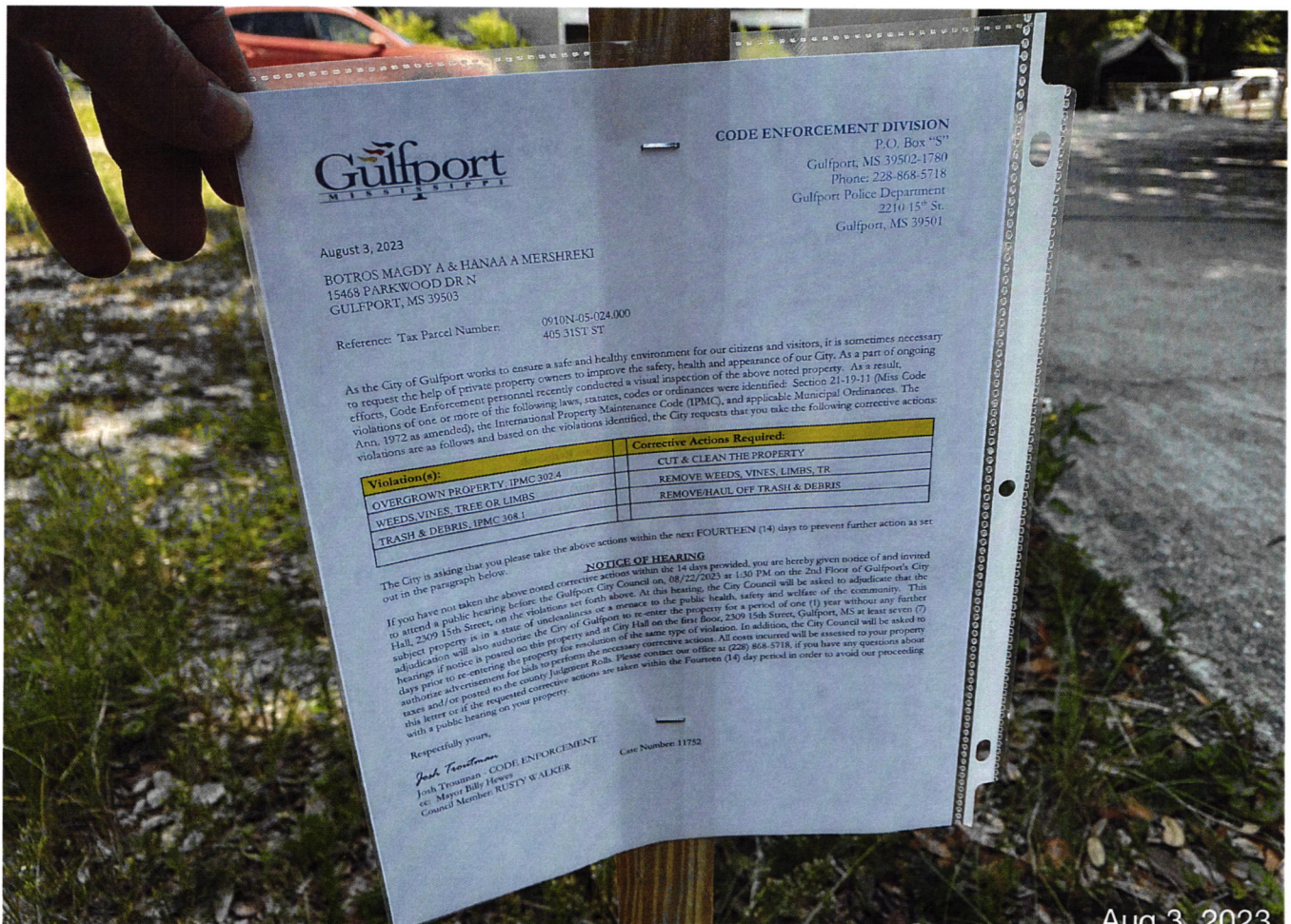
Josh Troutman

Josh Troutman - CODE ENFORCEMENT

cc: Mayor Billy Hewes

Council Member: RUSTY WALKER

Case Number: 11752







**CODE ENFORCEMENT DIVISION**

P.O. Box "S"

Gulfport, MS 39502-1780

Phone: 228-868-5718

Gulfport Police Department

2210 15th St.

Gulfport, MS 39501

August 1, 2023

ROBINSON ESTELLE
1779 A MAGNOLIA ST
GULFPORT, MS 39501

Reference: Tax Parcel Number: 1010G-02-042.000
1790 MAGNOLIA ST

As the City of Gulfport works to ensure a safe and healthy environment for our citizens and visitors, it is sometimes necessary to request the help of private property owners to improve the safety, health and appearance of our City. As a part of ongoing efforts, Code Enforcement personnel recently conducted a visual inspection of the above noted property. As a result, violations of one or more of the following laws, statutes, codes or ordinances were identified: Section 21-19-11 (Miss Code Ann. 1972 as amended), the International Property Maintenance Code (IPMC), and applicable Municipal Ordinances. The violations are as follows and based on the violations identified, the City requests that you take the following corrective actions:

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Respectfully yours,

Candace Gemmill

Candace Gemmill - CODE ENFORCEMENT

cc: Mayor Billy Hewes

Council Member: RUSTY WALKER

Case Number: 11867





**CODE ENFORCEMENT DIVISION**

P.O. Box "S"

Gulfport, MS 39502-1780

Phone: 228-868-5718

Gulfport Police Department

2210 15th St.

Gulfport, MS 39501

August 8, 2023

MAY PHILLIP D
8 KATHERINE PLACE
GULFPORT, MS 39503

Reference: Tax Parcel Number: 0908J-01-027.000
8 KATHERINE PL

As the City of Gulfport works to ensure a safe and healthy environment for our citizens and visitors, it is sometimes necessary to request the help of private property owners to improve the safety, health and appearance of our City. As a part of ongoing efforts, Code Enforcement personnel recently conducted a visual inspection of the above noted property. As a result, violations of one or more of the following laws, statutes, codes or ordinances were identified: Section 21-19-11 (Miss Code Ann. 1972 as amended), the International Property Maintenance Code (IPMC), and applicable Municipal Ordinances. The violations are as follows and based on the violations identified, the City requests that you take the following corrective actions:

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Respectfully yours,

Jeremy Perry

Jeremy Perry - CODE ENFORCEMENT

cc: Mayor Billy Hewes

Council Member: R LEE FLOWERS

Case Number: 11763

MEMORANDUM – CITY OF GULFPORT

Date: AUGUST 8, 2023

To: Mayor Billy Hewes
City Council Members

From: Police Department
Code Enforcement Division

Subject: Chapter 3 Notice(s) to be made part of the minutes.

RE: Chapter 3 Notice(s) Of Certain Property Within The City Of Gulfport
per the International Property Maintenance Code (IPMC) For The Said
Properties Being Described:

- Parcel 1: 0811L-04-006.000. Lots 20 To 23 Blk 173 Original Gulfport. Property Located At 3019 15th St. For Violation Of Remove/Haul Off Trash & Debris, Make Necessary Repairs, Bring Bldg Up To Code Or Demo. Lock Kevin H Case: 11865
- Parcel 2: 0811L-04-006.000. Lots 20 To 23 Blk 173 Original Gulfport. Property Located At 3019 15th St. For Violation Of Remove/Haul Off Trash & Debris, Make Necessary Repairs, Bring Bldg Up To Code Or Demo. Lock Kevin H Case: 11873
- Parcel 3: 0811L-04-006.000. Lots 20 To 23 Blk 173 Original Gulfport. Property Located At 3019 15th St. For Violation Of Remove/Haul Off Trash & Debris, Make Necessary Repairs, Bring Bldg Up To Code Or Demo. Lock Kevin H Case: 11885
- Parcel 4: 0811L-04-006.000. Lots 20 To 23 Blk 173 Original Gulfport. Property Located At 3019 15th St. For Violation Of Remove/Haul Off Trash & Debris, Make Necessary Repairs, Bring Bldg Up To Code Or Demo. Lock Kevin H Case: 11899
- Parcel 5: 0810N-03-013.000. Lot 16 Blk 6 Standard Land. Property Located At 2228 30th St. For Violation Of Cut & Clean The Property, Remove Weeds, Vines, Limbs, Tr, Remove/Haul Off Trash & Debris, Remove Prohibited Items, Remove Or Repair & Legally Tag, Park In Approved Location, Remove Clutter And Debris, Remove Or Relocate Furniture. Anderson Timothy T Case: 11900
- Parcel 6: 0811L-04-006.000. Lots 20 To 23 Blk 173 Original Gulfport. Property Located At 3019 15th St. For Violation Of Remove/Haul Off Trash & Debris, Make Necessary Repairs, Bring Bldg Up To Code Or Demo. Lock Kevin H Case: 11906

**CODE ENFORCEMENT DIVISION**

P.O. Box "S"
Gulfport, MS 39502-1780
Phone: 228-868-5718

August 1, 2023

Gulfport Police Department
2210 15th St.
Gulfport, MS 39501

LOCK KEVIN H
3019 15TH ST
GULFPORT, MS 39501

**NOTICE OF VIOLATION(S) UNDER CHAPTER 3 OF THE
INTERNATIONAL PROPERTY MAINTENANCE CODE AND
ORDER FOR IMMEDIATE CORRECTIVE ACTIONS**

Reference: Tax Parcel Number: 0811L-04-006.000
3019 15TH ST

The City of Gulfport has adopted various provisions of the International Property Maintenance Code (IPMC) as part of an effort to protect the health, safety, and welfare of its citizens and visitors. The City's Code Enforcement personnel recently conducted a visual inspection of the above noted property. This inspection has revealed that violations of Chapter 3 of the IPMC presently exist on this property and are required to be corrected.

The violations are as follows:

Violation(s):	Required Corrective & Remedial Action(s):
TRASH & DEBRIS, IPMC 308.1	REMOVE/HAUL OFF TRASH & DEBRIS
EXT MAINTENANCE, IPMC 304.1	MAKE NECESSARY REPAIRS
UNSAFE STRUCTURE, MS 21-19-11	BRING BLDG UP TO CODE OR DEMO

You are required to take the above actions to remediate and correct these cited violations within **FOURTEEN (14) days of the date of this Notice/Order**. Failure to timely take these actions in order to correct these violations will result in the assessment of a civil penalty/fine in the amount of \$250.00 for each violation thereof and the City may further seek any other or additional legal or equitable remedies available to it as well as recover attorneys' fees, court costs, and other expenses associated with enforcement.

Please contact our office at (228) 868-5718 if you have any questions about this Notice/Order or if the required corrective actions are taken within the fourteen (14) day period in order to avoid our proceeding with a violation hereof.

Respectfully yours,

Tyler Wales

Tyler Wales
City of Gulfport Code Official

Case Number: 11865



Aug 1, 2023 at 11:21 AM



Aug 1, 2023 at 3:43 PM



CODE ENFORCEMENT DIVISION
P.O. Box "S"
Gulfport, MS 39502-1780
Phone: 228-868-5718

August 1, 2023

LOCK KEVIN H
3019 15TH ST
GULFPORT, MS 39501

Gulfport Police Department
2210 15th St.
Gulfport, MS 39501

**NOTICE OF VIOLATION(S) UNDER CHAPTER 3 OF THE
INTERNATIONAL PROPERTY MAINTENANCE CODE AND
ORDER FOR IMMEDIATE CORRECTIVE ACTIONS**

Reference: Tax Parcel Number: 0811L-04-006.000
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Respectfully yours,
Tyler Wales

Tyler Wales
City of Gulfport Code Official

Case Number: 11865

Aug 1, 2023 at 3:43 PM



CODE ENFORCEMENT DIVISION

P.O. Box "S"
Gulfport, MS 39502-1780
Phone: 228-868-5718

August 2, 2023

Gulfport Police Department
2210 15th St.
Gulfport, MS 39501

LOCK KEVIN H
3019 15TH ST
GULFPORT, MS 39501

**NOTICE OF VIOLATION(S) UNDER CHAPTER 3 OF THE
INTERNATIONAL PROPERTY MAINTENANCE CODE AND
ORDER FOR IMMEDIATE CORRECTIVE ACTIONS**

Reference: Tax Parcel Number: 0811L-04-006.000
3019 15TH ST

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EXT MAINTENANCE, IPMC 304.1	MAKE NECESSARY REPAIRS
UNSAFE STRUCTURE, MS 21-19-11	BRING BLDG UP TO CODE OR DEMO

You are required to take the above actions to remediate and correct these cited violations within **FOURTEEN (14) days of the date of this Notice/Order**. Failure to timely take these actions in order to correct these violations will result in the assessment of a civil penalty/fine in the amount of \$250.00 for each violation thereof and the City may further seek any other or additional legal or equitable remedies available to it as well as recover attorneys' fees, court costs, and other expenses associated with enforcement.

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Respectfully yours,

Tyler Wales

Tyler Wales
City of Gulfport Code Official

Case Number: 11873



CODE ENFORCEMENT DIVISION

P.O. Box "S"
Gulfport, MS 39502-1780
Phone: 228-868-5718

August 2, 2023

Gulfport Police Department
2210 15th St.
Gulfport, MS 39501

LOCK KEVIN H
PO BOX 6993
GULFPORT, MS 39506

**NOTICE OF VIOLATION(S) UNDER CHAPTER 3 OF THE
INTERNATIONAL PROPERTY MAINTENANCE CODE AND
ORDER FOR IMMEDIATE CORRECTIVE ACTIONS**

Reference: Tax Parcel Number: 0811L-04-006.000
3019 15TH ST

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UNSAFE STRUCTURE, MS 21-19-11	BRING BLDG UP TO CODE OR DEMO

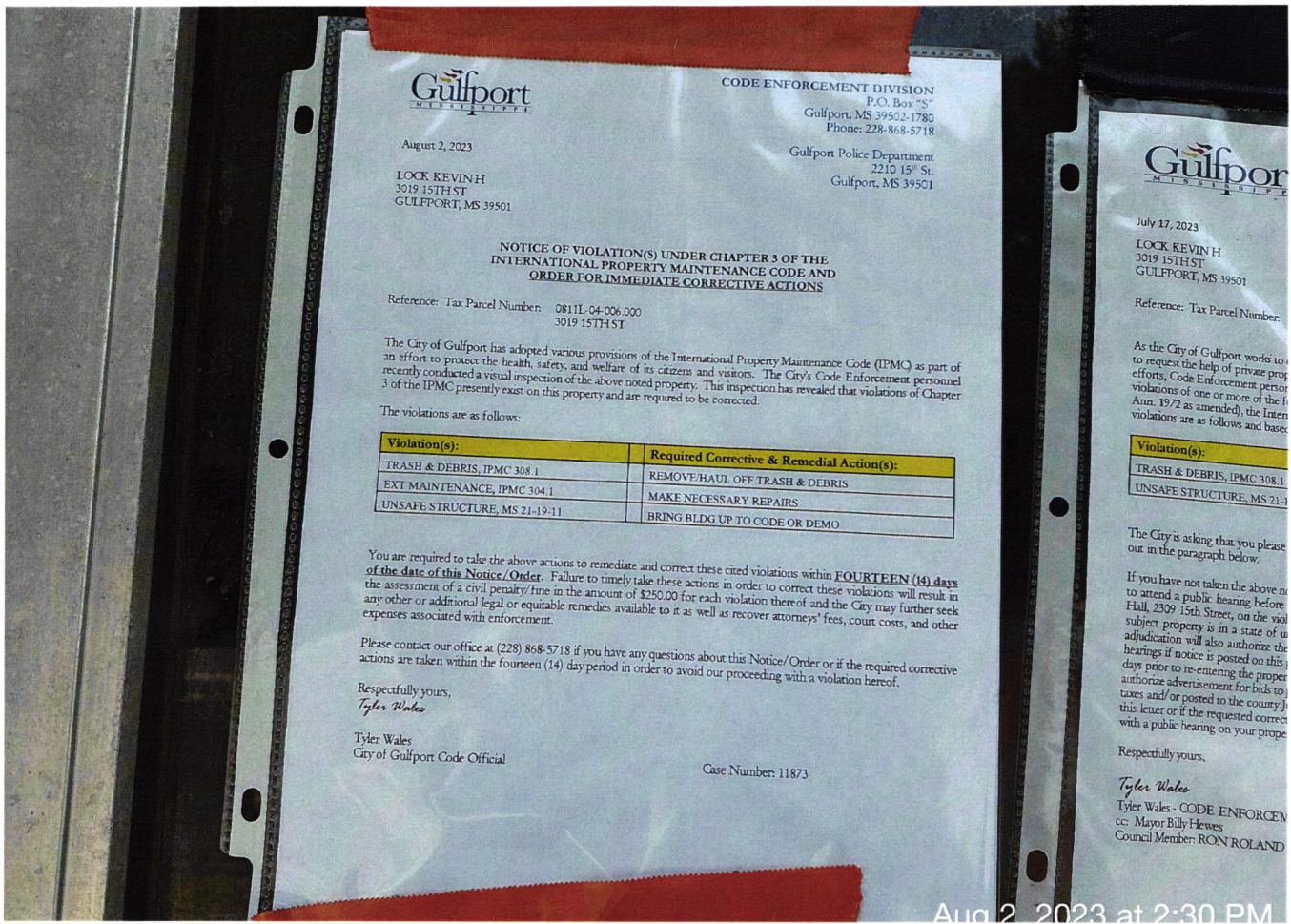
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Respectfully yours,
Tyler Wales

Tyler Wales
City of Gulfport Code Official

Case Number: 11873









**CODE ENFORCEMENT DIVISION**

P.O. Box "S"

Gulfport, MS 39502-1780

Phone: 228-868-5718

August 3, 2023

Gulfport Police Department

2210 15th St.

Gulfport, MS 39501

LOCK KEVIN H
3019 15TH ST
GULFPORT, MS 39501

**NOTICE OF VIOLATION(S) UNDER CHAPTER 3 OF THE
INTERNATIONAL PROPERTY MAINTENANCE CODE AND
ORDER FOR IMMEDIATE CORRECTIVE ACTIONS**

Reference: Tax Parcel Number: 0811L-04-006.000
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Respectfully yours,

Tyler Wales

Tyler Wales
City of Gulfport Code Official

Case Number: 11885

**CODE ENFORCEMENT DIVISION**

P.O. Box "S"

Gulfport, MS 39502-1780

Phone: 228-868-5718

August 3, 2023

Gulfport Police Department

2210 15th St.

Gulfport, MS 39501

LOCK KEVIN H
PO BOX 6993
GULFPORT, MS 39506

**NOTICE OF VIOLATION(S) UNDER CHAPTER 3 OF THE
INTERNATIONAL PROPERTY MAINTENANCE CODE AND
ORDER FOR IMMEDIATE CORRECTIVE ACTIONS**

Reference: Tax Parcel Number: 0811L-04-006.000
3019 15TH ST

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UNSAFE STRUCTURE, MS 21-19-11	BRING BLDG UP TO CODE OR DEMO

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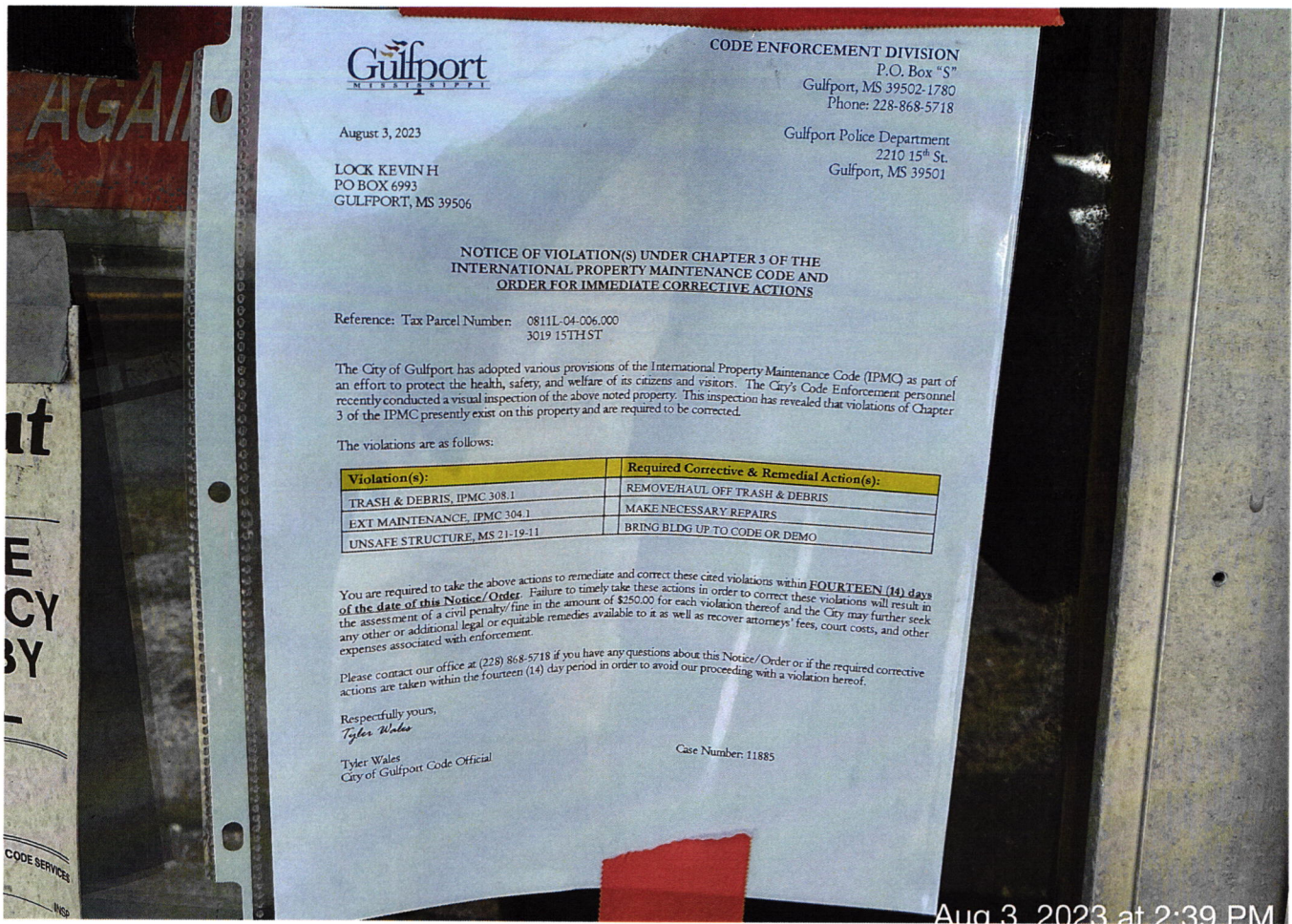
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Respectfully yours,

Tyler Wales

Tyler Wales
City of Gulfport Code Official

Case Number: 11885









CODE ENFORCEMENT DIVISION

P.O. Box "S"
Gulfport, MS 39502-1780
Phone: 228-868-5718

August 4, 2023

Gulfport Police Department
2210 15th St.
Gulfport, MS 39501

LOCK KEVIN H
3019 15TH ST
GULFPORT, MS 39501

**NOTICE OF VIOLATION(S) UNDER CHAPTER 3 OF THE
INTERNATIONAL PROPERTY MAINTENANCE CODE AND
ORDER FOR IMMEDIATE CORRECTIVE ACTIONS**

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Respectfully yours,
Tyler Wales

Tyler Wales
City of Gulfport Code Official

Case Number: 11899



CODE ENFORCEMENT DIVISION

P.O. Box "S"
Gulfport, MS 39502-1780
Phone: 228-868-5718

August 4, 2023

Gulfport Police Department
2210 15th St.
Gulfport, MS 39501

LOCK KEVIN H
PO BOX 6993
GULFPORT, MS 39506

**NOTICE OF VIOLATION(S) UNDER CHAPTER 3 OF THE
INTERNATIONAL PROPERTY MAINTENANCE CODE AND
ORDER FOR IMMEDIATE CORRECTIVE ACTIONS**

Reference: Tax Parcel Number: 0811L-04-006.000
3019 15TH ST

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UNSAFE STRUCTURE, MS 21-19-11	BRING BLDG UP TO CODE OR DEMO

You are required to take the above actions to remediate and correct these cited violations within **FOURTEEN (14) days of the date of this Notice/Order**. Failure to timely take these actions in order to correct these violations will result in the assessment of a civil penalty/fine in the amount of \$250.00 for each violation thereof and the City may further seek any other or additional legal or equitable remedies available to it as well as recover attorneys' fees, court costs, and other expenses associated with enforcement.

Please contact our office at (228) 868-5718 if you have any questions about this Notice/Order or if the required corrective actions are taken within the fourteen (14) day period in order to avoid our proceeding with a violation hereof.

Respectfully yours,
Tyler Wales

Tyler Wales
City of Gulfport Code Official

Case Number: 11899



Gulfport
MISSISSIPPI

August 4, 2023

LOCK KEVIN H
3019 15TH ST
GULFPORT, MS 39501

Gulfport, MS 39502-1780
Phone: 228-868-5718

Gulfport Police Department
2210 15th St.
Gulfport, MS 39501

**NOTICE OF VIOLATION(S) UNDER CHAPTER 3 OF THE
INTERNATIONAL PROPERTY MAINTENANCE CODE AND
ORDER FOR IMMEDIATE CORRECTIVE ACTIONS**

Reference: Tax Parcel Number: 0811L-04-006.000
3019 15TH ST

The City of Gulfport has adopted various provisions of the International Property Maintenance Code (IPMC) as part of an effort to protect the health, safety, and welfare of its citizens and visitors. The City's Code Enforcement personnel recently conducted a visual inspection of the above noted property. This inspection has revealed that violations of Chapter 3 of the IPMC presently exist on this property and are required to be corrected.

The violations are as follows:

Violation(s):	Required Corrective & Remedial Action(s):
TRASH & DEBRIS, IPMC 308.1	REMOVE/HAUL OFF TRASH & DEBRIS
EXT MAINTENANCE, IPMC 304.1	MAKE NECESSARY REPAIRS
UNSAFE STRUCTURE, MS 21-19-11	BRING BLDG UP TO CODE OR DEMO

You are required to take the above actions to remediate and correct these cited violations within **FOURTEEN (14) days** of the date of this Notice/Order. Failure to timely take these actions in order to correct these violations will result in the assessment of a civil penalty/fine in the amount of \$250.00 for each violation thereof and the City may further seek any other or additional legal or equitable remedies available to it as well as recover attorneys' fees, court costs, and other expenses associated with enforcement.

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Respectfully yours,
Tyler Wales
Tyler Wales
City of Gulfport Code Official

Case Number: 11899

Aug 4, 2023 at 2:15 PM



**CODE ENFORCEMENT DIVISION**

P.O. Box "S"

Gulfport, MS 39502-1780

Phone: 228-868-5718

August 7, 2023

Gulfport Police Department

2210 15th St.

Gulfport, MS 39501

TIMOTHY ANDERSON
9146 LOBUOY RD
PASS CHRISTIAN, MS 39571

**NOTICE OF VIOLATION(S) UNDER CHAPTER 3 OF THE
INTERNATIONAL PROPERTY MAINTENANCE CODE AND
ORDER FOR IMMEDIATE CORRECTIVE ACTIONS**

Reference: Tax Parcel Number: 0810N-03-013.000
2228 30TH ST

The City of Gulfport has adopted various provisions of the International Property Maintenance Code (IPMC) as part of an effort to protect the health, safety, and welfare of its citizens and visitors. The City's Code Enforcement personnel recently conducted a visual inspection of the above noted property. This inspection has revealed that violations of Chapter 3 of the IPMC presently exist on this property and are required to be corrected.

The violations are as follows:

Violation(s):	Required Corrective & Remedial Action(s):
OVERGROWN PROPERTY, IPMC 302.4	CUT & CLEAN THE PROPERTY
WEEDS, VINES, TREE OR LIMBS	REMOVE WEEDS, VINES, LIMBS, TR
TRASH & DEBRIS, IPMC 308.1	REMOVE/HAUL OFF TRASH & DEBRIS
PROHIBITED DEBRIS, SEC. 4-174	REMOVE PROHIBITED ITEMS
INOPERABLE VEHICLE, IPMC 302.8	REMOVE OR REPAIR & LEGALLY TAG
IMPROPER RESIDENTIAL PARKING	PARK IN APPROVED LOCATION
CLUTTER, IPMC 302.10	REMOVE CLUTTER AND DEBRIS
INDOOR FURNITURE OUTSIDE	REMOVE OR RELOCATE FURNITURE

You are required to take the above actions to remediate and correct these cited violations within **FOURTEEN (14) days of the date of this Notice/Order**. Failure to timely take these actions in order to correct these violations will result in the assessment of a civil penalty/fine in the amount of \$250.00 for each violation thereof and the City may further seek any other or additional legal or equitable remedies available to it as well as recover attorneys' fees, court costs, and other expenses associated with enforcement.

Please contact our office at (228) 868-5718 if you have any questions about this Notice/Order or if the required corrective actions are taken within the fourteen (14) day period in order to avoid our proceeding with a violation hereof.

Respectfully yours,

Josh Troutman

Josh Troutman
City of Gulfport Code Official

Case Number: 11900

**CODE ENFORCEMENT DIVISION**

P.O. Box "S"

Gulfport, MS 39502-1780

Phone: 228-868-5718

August 7, 2023

Gulfport Police Department

2210 15th St.

Gulfport, MS 39501

TIMOTHY ANDERSON
2228 30TH ST
GULFPORT, MS 39501

**NOTICE OF VIOLATION(S) UNDER CHAPTER 3 OF THE
INTERNATIONAL PROPERTY MAINTENANCE CODE AND
ORDER FOR IMMEDIATE CORRECTIVE ACTIONS**

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Respectfully yours,

Josh Troutman

Josh Troutman
City of Gulfport Code Official

Case Number: 11900



Gulfport
MISSISSIPPI

August 7, 2023

TIMOTHY ANDERSON
9146 LOBUOY RD
PASS CHRISTIAN, MS 39571

CODE ENFORCEMENT DIVISION
P.O. Box "S"
Gulfport, MS 39502-1780
Phone: 228-868-5718

Gulfport Police Department
2210 15th St.
Gulfport, MS 39501

**NOTICE OF VIOLATION(S) UNDER CHAPTER 3 OF THE
INTERNATIONAL PROPERTY MAINTENANCE CODE AND
ORDER FOR IMMEDIATE CORRECTIVE ACTIONS**

Reference: Tax Parcel Number: 0810N-03-013.000
2228 30TH ST

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You are required to take the above actions to remediate and correct these cited violations within **FOURTEEN (14) days** of the date of this Notice/Order. Failure to timely take these actions in order to correct these violations will result in the assessment of a civil penalty/fee in the amount of \$250.00 for each violation thereof and the City may further seek any other or additional legal or equitable remedies available to it as well as recover attorneys' fees, court costs, and other expenses associated with enforcement.

Please contact our office at (228) 868-5718 if you have any questions about this Notice/Order or if the required corrective actions are taken within the fourteen (14) day period in order to avoid our proceeding with a violation herof.

Respectfully yours,
John Tringola
City of Gulfport Code Official

Case Number: 11900

Aug 7, 2023

**CODE ENFORCEMENT DIVISION**

P.O. Box "S"
Gulfport, MS 39502-1780
Phone: 228-868-5718

August 7, 2023

Gulfport Police Department
2210 15th St.
Gulfport, MS 39501

LOCK KEVIN H
3019 15TH ST
GULFPORT, MS 39501

**NOTICE OF VIOLATION(S) UNDER CHAPTER 3 OF THE
INTERNATIONAL PROPERTY MAINTENANCE CODE AND
ORDER FOR IMMEDIATE CORRECTIVE ACTIONS**

Reference: Tax Parcel Number: 0811L-04-006.000
3019 15TH ST

The City of Gulfport has adopted various provisions of the International Property Maintenance Code (IPMC) as part of an effort to protect the health, safety, and welfare of its citizens and visitors. The City's Code Enforcement personnel recently conducted a visual inspection of the above noted property. This inspection has revealed that violations of Chapter 3 of the IPMC presently exist on this property and are required to be corrected.

The violations are as follows:

Violation(s):	Required Corrective & Remedial Action(s):
TRASH & DEBRIS, IPMC 308.1	REMOVE/HAUL OFF TRASH & DEBRIS
EXT MAINTENANCE, IPMC 304.1	MAKE NECESSARY REPAIRS
UNSAFE STRUCTURE, MS 21-19-11	BRING BLDG UP TO CODE OR DEMO

You are required to take the above actions to remediate and correct these cited violations within **FOURTEEN (14) days of the date of this Notice/Order**. Failure to timely take these actions in order to correct these violations will result in the assessment of a civil penalty/fine in the amount of \$250.00 for each violation thereof and the City may further seek any other or additional legal or equitable remedies available to it as well as recover attorneys' fees, court costs, and other expenses associated with enforcement.

Please contact our office at (228) 868-5718 if you have any questions about this Notice/Order or if the required corrective actions are taken within the fourteen (14) day period in order to avoid our proceeding with a violation hereof.

Respectfully yours,

Tyler Wales

Tyler Wales
City of Gulfport Code Official

Case Number: 11906

**CODE ENFORCEMENT DIVISION**

P.O. Box "S"
Gulfport, MS 39502-1780
Phone: 228-868-5718

August 7, 2023

Gulfport Police Department
2210 15th St.
Gulfport, MS 39501

LOCK KEVIN H
PO BOX 6993
GULFPORT, MS 39506

**NOTICE OF VIOLATION(S) UNDER CHAPTER 3 OF THE
INTERNATIONAL PROPERTY MAINTENANCE CODE AND
ORDER FOR IMMEDIATE CORRECTIVE ACTIONS**

Reference: Tax Parcel Number: 0811L-04-006.000
3019 15TH ST

The City of Gulfport has adopted various provisions of the International Property Maintenance Code (IPMC) as part of an effort to protect the health, safety, and welfare of its citizens and visitors. The City's Code Enforcement personnel recently conducted a visual inspection of the above noted property. This inspection has revealed that violations of Chapter 3 of the IPMC presently exist on this property and are required to be corrected.

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EXT MAINTENANCE, IPMC 304.1	MAKE NECESSARY REPAIRS
UNSAFE STRUCTURE, MS 21-19-11	BRING BLDG UP TO CODE OR DEMO

You are required to take the above actions to remediate and correct these cited violations within **FOURTEEN (14) days of the date of this Notice/Order**. Failure to timely take these actions in order to correct these violations will result in the assessment of a civil penalty/fine in the amount of \$250.00 for each violation thereof and the City may further seek any other or additional legal or equitable remedies available to it as well as recover attorneys' fees, court costs, and other expenses associated with enforcement.

Please contact our office at (228) 868-5718 if you have any questions about this Notice/Order or if the required corrective actions are taken within the fourteen (14) day period in order to avoid our proceeding with a violation hereof.

Respectfully yours,
Tyler Wales

Tyler Wales
City of Gulfport Code Official

Case Number: 11906



CODE ENFORCEMENT DIVISION

P.O. Box "S"
Gulfport, MS 39502-1780
Phone: 228-868-5718

Gulfport Police Department
2210 15th St.
Gulfport, MS 39501

August 7, 2023

LOCK, KEVIN H
3019 15TH ST
GULFPORT, MS 39501

NOTICE OF VIOLATION(S) UNDER CHAPTER 3 OF THE
INTERNATIONAL PROPERTY MAINTENANCE CODE AND
ORDER FOR IMMEDIATE CORRECTIVE ACTIONS

Reference: Tax Parcel Number: 0811L-04-006.000
3019 15TH ST

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Please contact our office at (228) 868-5718 if you have any questions about this Notice/Order or if the required corrective actions are taken within the fourteen (14) day period in order to avoid our proceeding with a violation hereof.

Respectfully yours,

Tyler Wales

Tyler Wales
City of Gulfport Code Official

Case Number: 11906

Aug 7, 2023 at 3:01 PM



Aug 7, 2023 at 3:01 PM





MEMORANDUM – CITY OF GULFPORT

Date: AUGUST 8, 2023

To: Mayor Billy Hewes
City Council Members

From: Police Department
Code Enforcement Division

Subject: 7-Day Notice(s) to be made part of the minutes.

RE: 7-Day Notice(s) Of Certain Property Within The City Of Gulfport per
Mississippi Code §21-19-11(2) For The Said Properties Being Described:

Parcel 1: 0710K-01-037.000. Lot 18 New Pinehurst Subd Unit 2. Property Located At 3401 54th Ave. For Violation Of Remove Prohibited Items. Ince Phillip Ryan Case: 11623

Parcel 2: 0710K-01-037.001. Lots 17 New Pinehurst Subd Unit 2. Property Located At 3403 54th Ave. For Violation Of Remove Prohibited Items. Cleary Christopher Case: 11625

Parcel 3: 0711K-03-011.000. Lot 17 Blk 5 Parkway Add. Property Located At 1111 Fournier Ave. For Violation Of Remove Prohibited Items. White Sands MHC LLC Case: 11668



CODE ENFORCEMENT DIVISION

P.O. Box "S"
Gulfport, MS 39502-1780
Phone: 228-868-5718
Gulfport Police Department
2210 15th St.
Gulfport, MS 39501

8/3/2023

VIA REGULAR U. S. MAIL

INCE PHILLIP RYAN
3401 54TH AVE
GULFPORT, MS 39501

NOTICE OF PROPERTY DETERMINED TO BE A MENACE TO PUBLIC HEALTH, SAFETY AND WELFARE OF THE COMMUNITY

Re: 3401 54TH AVE

Dear INCE PHILLIP RYAN:

This is written notice in accordance with Miss. Code Ann. § 21-19-11(2) (Rev. 2019) that property owned by you at 3401 54TH AVE, Gulfport, MS has been determined by me to be in such a state of uncleanness as to be a menace to the public health, safety and welfare of the community and is therefore in need of cleaning. As a consequence, the City of Gulfport is authorized under this State law (Miss. Code Ann. § 21-19-11(2)) to enter upon this property to have it cleaned and to assess you the amount of monies incurred by the City as part of this effort (up to \$250.00) plus administrative costs of the City up to \$50.00. These assessments can be determined by the City's Governing Authority to constitute a civil debt and could then be the subject of a lawsuit against you for recovery, to include court costs, attorneys' fees, and interest, or, at the option of the Governing Authority, these will be collected as an assessment against this property and which shall be a lien against the property and enrolled in the Office of the Circuit Clerk of the County as other judgments are enrolled and which would follow title of the property. As also set out in § 21-19-11, the City is further permitted to re-enter upon this property for a period of one (1) year after this cleaning occurs without any further hearing or action if notice is posted on the property and at City Hall at least seven (7) days before the property is re-entered for cleaning.

In order to avoid these actions being taken against you, you must have the property properly cleaned (so that it no longer is in a state of uncleanness as to be a menace to the public health, safety and welfare of the community) and have this completed **within seven (7) days of the date of this letter**. On or after the eighth (8th) day following the date of this letter, the City will commence efforts to have it cleaned and will then pursue assessment and recovery of costs and monies against you and the property as set out above or as otherwise permitted under law. The City may additionally pursue other actions or efforts against you and/or the property, which could include, without limitation, other assessments, penalties, damages, and relief under civil, criminal, and/or administrative laws or regulations.

If you have any questions concerning this Notice or its contents, please immediately contact Tyler Wales at (228) 868-5718.

Sincerely,

Tyler Wales

Code Enforcement Officer

- cc: (1) City Council Clerk (for recordation in the Minutes of the City's Governing Authority)
(2) City Hall Lobby Code Enforcement Postings (for posting)
(3) Subject Property at 3401 54TH AVE (for posting)
(4) City Attorney's Office





CODE ENFORCEMENT DIVISION

P.O. Box "S"

Gulfport, MS 39502-1780

Phone: 228-868-5718

Gulfport Police Department

2210 15th St.

Gulfport, MS 39501

8/3/2023

VIA REGULAR U. S. MAIL

CLEARY CHRISTOPHER
18511 DEVIN CT
GULFPORT, MS 39503

**NOTICE OF PROPERTY DETERMINED TO BE A MENACE TO PUBLIC HEALTH, SAFETY AND
WELFARE OF THE COMMUNITY**

Re: 3403 54TH AVE

Dear CLEARY CHRISTOPHER:

This is written notice in accordance with Miss. Code Ann. § 21-19-11(2) (Rev. 2019) that property owned by you at 3403 54TH AVE, Gulfport, MS has been determined by me to be in such a state of uncleanliness as to be a menace to the public health, safety and welfare of the community and is therefore in need of cleaning. As a consequence, the City of Gulfport is authorized under this State law (Miss. Code Ann. § 21-19-11(2)) to enter upon this property to have it cleaned and to assess you the amount of monies incurred by the City as part of this effort (up to \$250.00) plus administrative costs of the City up to \$50.00. These assessments can be determined by the City's Governing Authority to constitute a civil debt and could then be the subject of a lawsuit against you for recovery, to include court costs, attorneys' fees, and interest, or, at the option of the Governing Authority, these will be collected as an assessment against this property and which shall be a lien against the property and enrolled in the Office of the Circuit Clerk of the County as other judgments are enrolled and which would follow title of the property. As also set out in § 21-19-11, the City is further permitted to re-enter upon this property for a period of one (1) year after this cleaning occurs without any further hearing or action if notice is posted on the property and at City Hall at least seven (7) days before the property is re-entered for cleaning.

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Sincerely,

Tyler Wales

Code Enforcement Officer

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(2) City Hall Lobby Code Enforcement Postings (for posting)
(3) Subject Property at 3403 54TH AVE (for posting)
(4) City Attorney's Office



CODE ENFORCEMENT DIVISION

P.O. Box "S"
Gulfport, MS 39502-1780
Phone: 228-868-5718
Gulfport Police Department
2210 15th St.
Gulfport, MS 39501

8/3/2023

VIA REGULAR U. S. MAIL

CLEARY CHRISTOPHER
3403 54TH AVE
GULFPORT, MS 39503

NOTICE OF PROPERTY DETERMINED TO BE A MENACE TO PUBLIC HEALTH, SAFETY AND WELFARE OF THE COMMUNITY

Re: 3403 54TH AVE

Dear CLEARY CHRISTOPHER:

This is written notice in accordance with Miss. Code Ann. § 21-19-11(2) (Rev. 2019) that property owned by you at 3403 54TH AVE, Gulfport, MS has been determined by me to be in such a state of uncleanliness as to be a menace to the public health, safety and welfare of the community and is therefore in need of cleaning. As a consequence, the City of Gulfport is authorized under this State law (Miss. Code Ann. § 21-19-11(2)) to enter upon this property to have it cleaned and to assess you the amount of monies incurred by the City as part of this effort (up to \$250.00) plus administrative costs of the City up to \$50.00. These assessments can be determined by the City's Governing Authority to constitute a civil debt and could then be the subject of a lawsuit against you for recovery, to include court costs, attorneys' fees, and interest, or, at the option of the Governing Authority, these will be collected as an assessment against this property and which shall be a lien against the property and enrolled in the Office of the Circuit Clerk of the County as other judgments are enrolled and which would follow title of the property. As also set out in § 21-19-11, the City is further permitted to re-enter upon this property for a period of one (1) year after this cleaning occurs without any further hearing or action if notice is posted on the property and at City Hall at least seven (7) days before the property is re-entered for cleaning.

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Tyler Wales

Code Enforcement Officer

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(2) City Hall Lobby Code Enforcement Postings (for posting)
(3) Subject Property at 3403 54TH AVE (for posting)
(4) City Attorney's Office





CODE ENFORCEMENT DIVISION

P.O. Box "S"
Gulfport, MS 39502-1780
Phone: 228-868-5718
Gulfport Police Department
2210 15th St.
Gulfport, MS 39501

7/6/2023

VIA REGULAR U. S. MAIL

WHITE SANDS MHC LLC
P O BOX 783
BILOXI, MS 39533

**NOTICE OF PROPERTY DETERMINED TO BE A MENACE TO PUBLIC HEALTH, SAFETY AND
WELFARE OF THE COMMUNITY**

Re: 1111 FOURNIER AVE

Dear COASTAL PROPERTIES MANAGEMENT LLC:

This is written notice in accordance with Miss. Code Ann. § 21-19-11(2) (Rev. 2019) that property owned by you at 1111 FOURNIER AVE, Gulfport, MS has been determined by me to be in such a state of uncleanness as to be a menace to the public health, safety and welfare of the community and is therefore in need of cleaning. As a consequence, the City of Gulfport is authorized under this State law (Miss. Code Ann. § 21-19-11(2)) to enter upon this property to have it cleaned and to assess you the amount of monies incurred by the City as part of this effort (up to \$250.00) plus administrative costs of the City up to \$50.00. These assessments can be determined by the City's Governing Authority to constitute a civil debt and could then be the subject of a lawsuit against you for recovery, to include court costs, attorneys' fees, and interest, or, at the option of the Governing Authority, these will be collected as an assessment against this property and which shall be a lien against the property and enrolled in the Office of the Circuit Clerk of the County as other judgments are enrolled and which would follow title of the property. As also set out in § 21-19-11, the City is further permitted to re-enter upon this property for a period of one (1) year after this cleaning occurs without any further hearing or action if notice is posted on the property and at City Hall at least seven (7) days before the property is re-entered for cleaning.

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If you have any questions concerning this Notice or its contents, please immediately contact Tyler Wales at (228) 868-5718.

Sincerely,

Tyler Wales

Code Enforcement Officer

- cc: (1) City Council Clerk (for recordation in the Minutes of the City's Governing Authority)
(2) City Hall Lobby Code Enforcement Postings (for posting)
(3) Subject Property at 1111 FOURNIER AVE (for posting)
(4) City Attorney's Office



CODE ENFORCEMENT DIVISION

P.O. Box "S"
Gulfport, MS 39502-1780
Phone: 228-868-5718
Gulfport Police Department
2210 15th St.
Gulfport, MS 39501

7/6/2023

VIA REGULAR U. S. MAIL

WHITE SANDS MHC LLC
1111 FOURNIER AVE
GULFPORT, MS 39501

NOTICE OF PROPERTY DETERMINED TO BE A MENACE TO PUBLIC HEALTH, SAFETY AND WELFARE OF THE COMMUNITY

Re: 1111 FOURNIER AVE

Dear COASTAL PROPERTIES MANAGEMENT LLC:

This is written notice in accordance with Miss. Code Ann. § 21-19-11(2) (Rev. 2019) that property owned by you at 1111 FOURNIER AVE, Gulfport, MS has been determined by me to be in such a state of uncleanness as to be a menace to the public health, safety and welfare of the community and is therefore in need of cleaning. As a consequence, the City of Gulfport is authorized under this State law (Miss. Code Ann. § 21-19-11(2)) to enter upon this property to have it cleaned and to assess you the amount of monies incurred by the City as part of this effort (up to \$250.00) plus administrative costs of the City up to \$50.00. These assessments can be determined by the City's Governing Authority to constitute a civil debt and could then be the subject of a lawsuit against you for recovery, to include court costs, attorneys' fees, and interest, or, at the option of the Governing Authority, these will be collected as an assessment against this property and which shall be a lien against the property and enrolled in the Office of the Circuit Clerk of the County as other judgments are enrolled and which would follow title of the property. As also set out in § 21-19-11, the City is further permitted to re-enter upon this property for a period of one (1) year after this cleaning occurs without any further hearing or action if notice is posted on the property and at City Hall at least seven (7) days before the property is re-entered for cleaning.

In order to avoid these actions being taken against you, you must have the property properly cleaned (so that it no longer is in a state of uncleanness as to be a menace to the public health, safety and welfare of the community) and have this completed **within seven (7) days of the date of this letter**. On or after the eighth (8th) day following the date of this letter, the City will commence efforts to have it cleaned and will then pursue assessment and recovery of costs and monies against you and the property as set out above or as otherwise permitted under law. The City may additionally pursue other actions or efforts against you and/or the property, which could include, without limitation, other assessments, penalties, damages, and relief under civil, criminal, and/or administrative laws or regulations.

If you have any questions concerning this Notice or its contents, please immediately contact Tyler Wales at (228) 868-5718.

Sincerely,

Tyler Wales

Code Enforcement Officer

- cc: (1) City Council Clerk (for recordation in the Minutes of the City's Governing Authority)
(2) City Hall Lobby Code Enforcement Postings (for posting)
(3) Subject Property at 1111 FOURNIER AVE (for posting)
(4) City Attorney's Office



MEMORANDUM – CITY OF GULFPORT

Date: AUGUST 8, 2023

To: Mayor Billy Hewes
City Council Members

From: Police Department
Code Enforcement Division

Subject: Declaring Property In A State Of Uncleanliness To Be A Menace To
The Public Health And Safety Of The Community And Authorizing Lot
Clean-Up and/or Demolitions

RE: Resolutions Declaring Property In A State Of Uncleanliness To Be A
Menace To The Public Health And Safety Of The Community And
Authorizing Lot Clean-Up and/or Demolitions And For The Approval
To Advertise For Bids To Be Presented On The 22nd Day Of August,
2023, To The City Council:

WARD 1

Parcel 1: 0711K-01-048.000. Lot 13 Owen Homes Subd.. 1422 Genevieve Dr. Cut &
Clean The Property, Remove Weeds, Vines, Limbs, Trees, Remove/Haul Off Trash
& Debris, Remove Prohibited Items, Remove Or Repair & Legally Tag, Repair,
Maintenance Or Remove. Gibbs Charles Roland -Estate-

Parcel 2: 0711H-05-077.000. Lot 6 & N 1/2 Of 18th St. That Joins Lot 6 On S Line Now
Vacated As Per Decree Bk. 515 Pg. 161 Blk. 12 Southmoor Heights Re-Survey.
1800 42nd Ave. Remove Prohibited Items. Quintero Maria Lidia Ferrera

WARD 2

Parcel 3: 0811A-06-053.000. Lot 8 Blk 30 Replat Of Broad Acres. 1322 22nd St.
Remove/Haul Off Trash & Debris, Remove Prohibited Items, Repair/Replace
Broken Window. Pham Quang Vinh

Parcel 4: 0811A-03-047.000. W 50 Ft Lots 1 To 3 Blk 24 Broad Acres. 1229 24th St. Cut
& Clean The Property, Remove Weeds, Vines, Limbs, Trees, Remove/Haul Off
Trash & Debris, Remove Or Repair & Legally Tag. Bell Susan Renee & Judy M
Kleinman

Parcel 5: 0811L-04-068.000. Lots 7 & 8 & E 54 Ft Of Lots 9 To 11 Less Strip Off S Side For Street Blk 169 Original Gulfport. 3300 West Railroad St. Cut & Clean The Property, Remove Weeds, Vines, Limbs, Trees, Remove/Haul Off Trash & Debris. Westcott Roy N

WARD 3

Parcel 6: 0811H-05-048.000. Lots 6 & 7 Blk 10 Soria City. 1332 East Railroad St. Cut & Clean The Property, Remove Weeds, Vines, Limbs, Trees, Remove/Haul Off Trash & Debris, Make Necessary Repairs, Board Up And Secure Openings, Repair, Maintenance Or Remove, Repair/Replace Broken Window. Huynh Loi

Parcel 7: 0811G-04-007.000. Lots 40 To 42 Blk 21 Soria City. 2022 17th Ave. Cut & Clean The Property, Remove Weeds, Vines, Limbs, Trees, Remove/Haul Off Trash & Debris, Remove Prohibited Items, Board Up And Secure Openings. Anderson Willie C -Estate-

WARD 4

Parcel 8: 0910N-05-024.000. Lots 5 & 6 Blk 20 Rev Of Magnolia Grove. 405 31st St. Cut & Clean The Property, Remove Weeds, Vines, Limbs, Trees, Remove/Haul Off Trash & Debris. Botros Magdy A & Hanaa A Mershreki

Parcel 9: 1010G-02-042.000. Beg At Sw Cor Of Intersection Of Harrison Rd & Magnolia St & Run Wly Along S Mar Of Magnolia St 60 Ft S 250 Ft E 60 Ft N 250 Ft To Beg Sec 29-7-10. 1790 Magnolia St. Remove/Haul Off Trash & Debris. Robinson Estelle

WARD 6

Parcel 10: 0908J-01-027.000. Lot 12 Blk 2 Colonial Est Subd. 8 Katherine Pl. Cut & Clean The Property, Remove Weeds, Vines, Limbs, Trees, Remove/Haul Off Trash & Debris. May Phillip D

There came on for consideration at a meeting of the Mayor and members of the Council of the City of Gulfport, Mississippi, held on the 22nd day of August, 2023, the following Resolution:

A RESOLUTION OF THE MAYOR AND MEMBERS OF THE COUNCIL OF THE CITY OF GULFPORT FINDING AND ADJUDICATING THAT THE HEREIN DESCRIBED PARCELS OF LAND ARE IN SUCH A STATE OF UNCLEANLINESS AS TO BE A MENACE TO THE PUBLIC HEALTH, SAFETY, AND WELFARE OF THE COMMUNITY AND AUTHORIZING ADVERTISEMENT FOR BIDS TO HAVE LAND CLEANED AND TO ASSESS THE COSTS TO THE SAID PROPERTIES

WHEREAS, Mayor and members of the Council of the City of Gulfport finds, determines, and adjudicates, based upon the investigation of the City of Gulfport Police Department Code Enforcement Division, that the parcels of land described below are in such a state of uncleanness as to be a menace to the public health, safety and welfare of the community; and

WHEREAS, said properties, as described herein, are lying and being within the City of Gulfport, First Judicial District, Harrison County, Mississippi; and

WHEREAS, the parcels investigated by the City of Gulfport Police Department Code Enforcement Division and recommended by them for adjudication as being parcels in such a state of uncleanness as to be a menace to the public health, safety and welfare of the community are as follows:

- Parcel 1: 0711K-01-048.000. Lot 13 Owen Homes Subd.. 1422 Genevieve Dr. Cut & Clean The Property, Remove Weeds, Vines, Limbs, Trees, Remove/Haul Off Trash & Debris, Remove Prohibited Items, Remove Or Repair & Legally Tag, Repair, Maintenance Or Remove. Gibbs Charles Roland -Estate-
- Parcel 2: 0711H-05-077.000. Lot 6 & N 1/2 Of 18th St. That Joins Lot 6 On S Line Now Vacated As Per Decree Bk. 515 Pg. 161 Blk. 12 Southmoor Heights Re-Survey. 1800 42nd Ave. Remove Prohibited Items. Quintero Maria Lidia Ferrera
- Parcel 3: 0811A-06-053.000. Lot 8 Blk 30 Replat Of Broad Acres. 1322 22nd St. Remove/Haul Off Trash & Debris, Remove Prohibited Items, Repair/Replace Broken Window. Pham Quang Vinh
- Parcel 4: 0811A-03-047.000. W 50 Ft Lots 1 To 3 Blk 24 Broad Acres. 1229 24th St. Cut & Clean The Property, Remove Weeds, Vines, Limbs, Trees, Remove/Haul Off Trash & Debris, Remove Or Repair & Legally Tag. Bell Susan Renee & Judy M Kleinman
- Parcel 5: 0811L-04-068.000. Lots 7 & 8 & E 54 Ft Of Lots 9 To 11 Less Strip Off S Side For Street Blk 169 Original Gulfport. 3300 West Railroad St. Cut & Clean The Property, Remove Weeds, Vines, Limbs, Trees, Remove/Haul Off Trash & Debris. Westcott Roy N
- Parcel 6: 0811H-05-048.000. Lots 6 & 7 Blk 10 Soria City. 1332 East Railroad St. Cut & Clean The Property, Remove Weeds, Vines, Limbs, Trees, Remove/Haul Off

Trash & Debris, Make Necessary Repairs, Board Up And Secure Openings, Repair, Maintenance Or Remove, Repair/Replace Broken Window. Huynh Loi

- Parcel 7: 0811G-04-007.000. Lots 40 To 42 Blk 21 Soria City. 2022 17th Ave. Cut & Clean The Property, Remove Weeds, Vines, Limbs, Trees, Remove/Haul Off Trash & Debris, Remove Prohibited Items, Board Up And Secure Openings. Anderson Willie C -Estate-
- Parcel 8: 0910N-05-024.000. Lots 5 & 6 Blk 20 Rev Of Magnolia Grove. 405 31st St. Cut & Clean The Property, Remove Weeds, Vines, Limbs, Trees, Remove/Haul Off Trash & Debris. Botros Magdy A & Hanaa A Mershreki
- Parcel 9: 1010G-02-042.000. Beg At Sw Cor Of Intersection Of Harrison Rd & Magnolia St & Run Wly Along S Mar Of Magnolia St 60 Ft S 250 Ft E 60 Ft N 250 Ft To Beg Sec 29-7-10. 1790 Magnolia St. Remove/Haul Off Trash & Debris. Robinson Estelle
- Parcel 10: 0908J-01-027.000. Lot 12 Blk 2 Colonial Est Subd. 8 Katherine Pl. Cut & Clean The Property, Remove Weeds, Vines, Limbs, Trees, Remove/Haul Off Trash & Debris. May Phillip D

WHEREAS, the Mayor and members of the Council of the City of Gulfport further find, determine and adjudicate that advertisement for bids to clean the above referenced properties should be made in the form and manner by law provided; and

WHEREAS, the Mayor and members of the Council further find, determine and adjudicate that the cost of the demolition and lot cleanup shall not exceed the aggregate amount of \$20,000.00 per parcel shall be a lien against said property and shall be enrolled in the office of the Circuit Clerk of the First Judicial District of Harrison County, Mississippi as other judgments are enrolled, and thereafter, the Tax Collector of the Municipality shall, upon order of the Mayor and members of the Council, proceed to sell the herein described land to satisfy said lien as now provided by law for the sale of land for delinquent municipal taxes.

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

SECTION 1. That the matters, facts and things recited in the Preamble hereto are hereby adopted as the official findings of the Governing Authority.

SECTION 2. That the City Clerk be and is hereby authorized to advertise for bids to clean the property described above lying and being within the City of Gulfport, First Judicial District of Harrison County, Mississippi.

SECTION 3. That the cost of cleanup of the herein described property, including any penalty assessed, shall be a lien against said property and shall be enrolled in the office of the Circuit Clerk of the First Judicial District of Harrison County, Mississippi, and thereafter, the

Tax Collector of the City, shall, upon order of the Mayor and members of the Council, proceed to sell the land to satisfy said lien as now provided by law for the sale of lands delinquent municipal taxes.

Councilmember _____ moved the adoption of the Resolution, which motion was seconded by Councilmember _____. Upon being put to a roll call vote, the following ballots were cast:

YEAS:

NAYS:

ABSENT:

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

(SEAL)

ATTEST:

ADOPTED:

CLERK OF THE COUNCIL

PRESIDENT OF THE COUNCIL

The above and foregoing Resolution having been submitted to and approved by the Mayor, this the _____ day of _____, 2023.

APPROVED:

MAYOR

MEMORANDUM

To: City of Gulfport Planning Commission

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

Date of Hearing: August 22, 2023

Re: Final Plat - approval of 16-lot subdivision (Plantation Oaks Subdivision) on a tax parcel zoned R-B (Residence-business) - located at Three Rivers Road - Case # 2303PC025 - Ward 6.

Final Plat 2303PC025, by agent Freddie Fountain, Tax Parcel 0907J-01-001.101, seeking approval of Final Plat for 16 single-family residential lots (Plantation Oaks Subdivision) at 0 Three Rivers Road, Zoned R-B (Residential Business), Ward 6

Technical Report
Final Plat
(Plantation Oaks Phase II)

GENERAL INFORMATION

Case File Number: 2303PC025

Hearing Date: April 27, 2023

Current Zoning/Use: R-B / Vacant Property

Legal: Final Plat 2303PC025, by agent Freddie Fountain, Tax Parcel 0907J-01-001.101, seeking approval of Final Plat for 16 single-family residential lots (Plantation Oaks Subdivision) at 0 Three Rivers Road, Zoned R-B (Residential Business), Ward 6

TECHNICAL DETAILS

The applicant requests approval of a Final Plat to create a new 16-lot 4.0-acre residential subdivision, named Plantation Oaks Phase Two, on tax parcel 0907J-01-001.101, zoned R-B (Residential Business). This new subdivision is a continuation of Plantation Oaks residential development. Phase I was approved by the Planning Commission on September 26, 2013 case number (1310PC081). In addition, City Council approved Phase I on October 22, 2013. Notably, Plantation Oaks Subdivision Phase III General Plan was approved by Planning Commission on December 15, 2022.

Regulations state that the minimum property size for new single-family home in this zoning district is 7,500 square feet with a front yard setback of 25 feet and a side and rear yard setback of 8 feet, with lot width of 60 feet. In review of the Final Plat, the applicant meets or exceeds the city's requirements for this zoning district. Street access created for this closed-end street (cul-de-sac) is connected to existing roadways and provides an ingress and egress off Three Rivers Road.

The proposed parcels are located adjacent to existing city rights-of-way, and are protected by Gulfport Fire and Police. In addition, all lots will have capacity for city water and sewer. However, required copy of the covenants and warranty bonds have not been provided.

EXECUTIVE SUMMARY

The applicant meets or exceeds the city's requirements for this zoning district. However, the applicant has not provided the required copy of covenants nor a copy of the warranty bond. Please note that Engineering Department requires final inspection with all close out documentation. Therefore, the staff recommends conditional approval.

Any approval should consider these conditions:

1. 2 copies Mylar, 1 copy Linen must be submitted before case can be heard by City Council.
2. All construction shall comply with all City Building Codes and Ordinances.
3. Oak Arbor Drive needs stop signs and stop bars on both ends.

Technical Report
Final Plat
(Plantation Oaks Phase II)

4. Needs final inspection with all close out documents.
5. Tree permit will be required before tree work can be started.
6. Applicant must provide required covenants and warranty bonds.

DEPARTMENTAL CONDITIONS

Engineering:

Conditions. Memo dated 4/18/23.
1. See Public Works notes.

Public Works:

Needs final inspection with all close out documents. Memo dated 4/18/23.

Traffic and Safety:

Conditions. Oak Arbor Drive needs stop signs and stop bars on both ends. Memo dated 3/9/23.

Building Code Services:

Conditions. Must meet all current Building Codes and City Ordinance. Memo dated 4/18/23.

GIS:

No conditions. Memo date 4/13/23.

Police Department:

No conditions. Memo dated 3/9/23.

Fire Department:

No conditions. Memo dated 4/17/23.

City Arborist:

No conditions. Memo dated 4/13/2023.

DIRECTOR APPROVAL

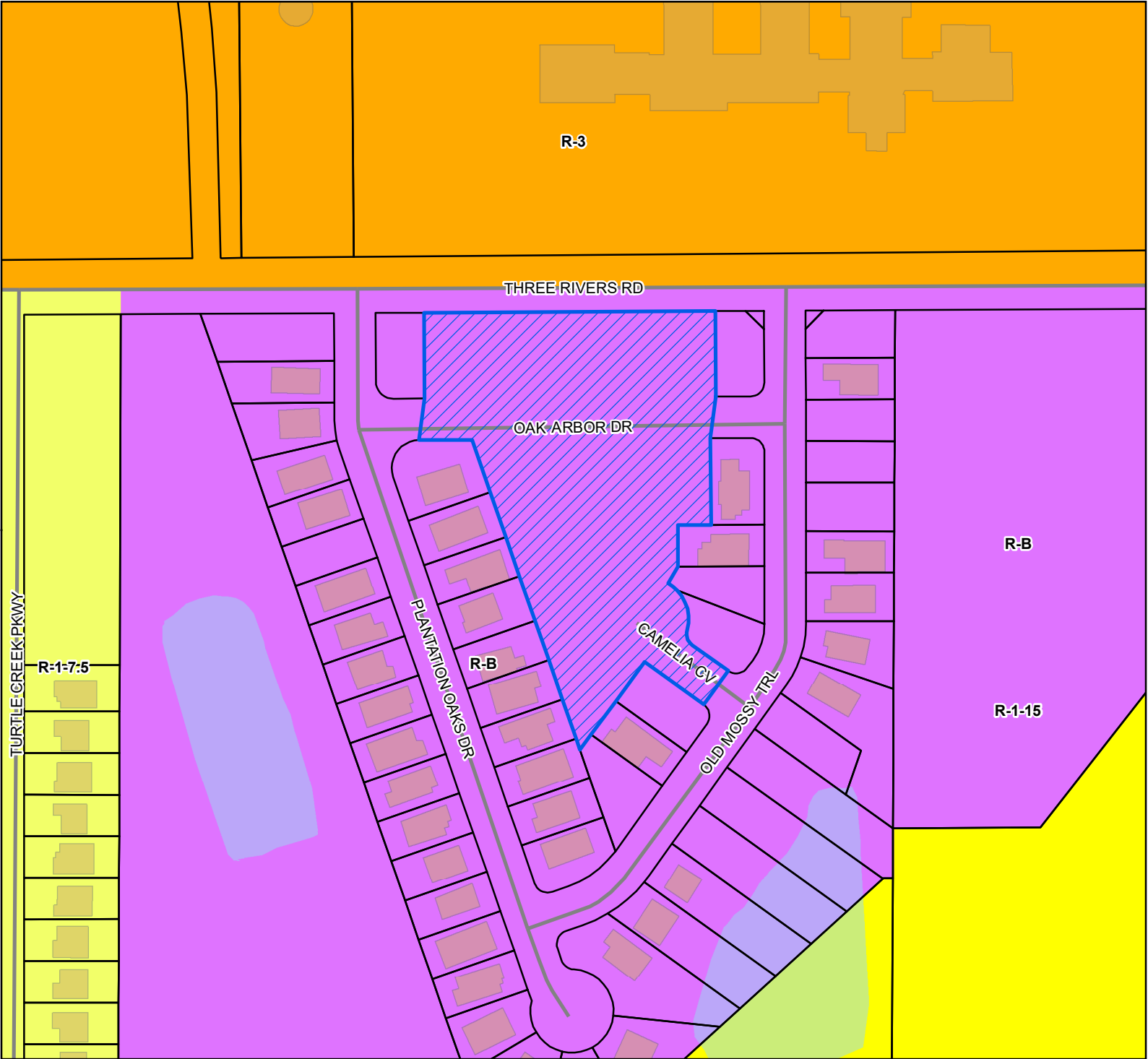
This report has been reviewed and approved by:



Ryan Merrill

Director of Urban Development Department





Legend

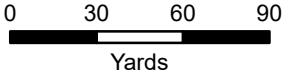
- Site
- Street
- Parcels
- Buildings
- Water Features

Zoning

- R-1-15 - Single Family Residence District (Low Density)
- R-1-7.5 - Single Family Residence District (Low Density)
- R-3 - General Residence (High Density)
- R-B - Residence-Business District

Site Information

0907J-01-001.101
 Zoning: R-B(Residence-Business)
 Size: 8.5 acres
 Flood: X



1 inch = 200 feet



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

\$255.00 ~~\$255.00~~

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

For Staff Use Only

Case File #: 2303PC025Date Received: 02-1-23

Receipt #: _____

Received By: ICBZoning: R.BWard: 6 Flood: XSize: 8.5 Acres

(If necessary, use separate sheet of paper)

TAX PARCEL #	0	9	0	7	J	-	0	1	-	0	0	1	•	1	0	1
						-			-				•			
						-			-				•			

Address of Property Involved: 0 Three Rivers Rd.Lot(s) ^{N/A} _____, Block(s) ^{N/A} _____, Subdivision _____General Location: West of Old Mossy Trail, East of Turtle Creek Parkway, and South of Three Rivers Rd.**GENERAL DESCRIPTION OF REQUEST:**

Final Plat approval for the new 16 single family residential lots included in the second phase of the Plantation Oaks Subdivision.

OWNERSHIP AND CERTIFICATION:

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

OWNER**AGENT**

Plantation Oaks, LLC

Printed Name Of Owner
1460 Beach Blvd.

Mailing Address

Biloxi MS 39530

City State Zip code
228-218-0040

Home Phone Work/Cell Phone
N/A

Email

Richard Bailey
Signature Of Owner

Freddie Fountain

Printed Name Of Agent
1822 15th St. Suite 12

Mailing Address

Gulfport MS 39503

City State Zip code
N/A 228-861-5209

Home Phone Work/Cell Phone
freddie@fountainllc.com

Email

Freddie Fountain
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.**

**Plantation Oaks, LLC
1460 Beach Blvd
Biloxi, MS 39530**

January 30, 2023

City of Gulfport
Planning Department
1410 24th Avenue
Gulfport, MS 39502

**RE: Agent Letter for Application for
General Subdivision Plan
Tax Parcel #s: 0907J-01-001.005
Gulfport, Mississippi**

To Whom It May Concern:

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

If you have any questions, please call me at 228-218-0040.

Sincerely,


Richard Baudry, Owner


Notary



SITUATED IN THE NW 1/4 OF THE NW 1/4 OF
SECTION 36, TOWNSHIP 6 SOUTH, RANGE 11
WEST, CITY OF GULFPORT, FIRST JUDICIAL
DISTRICT OF HARRISON COUNTY, MISSISSIPPI

A PARCEL OF LAND SITUATED IN THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 36, TOWNSHIP 8 SOUTH, RANGE 11 WEST, CITY OF GULFPORT, FIRST JUDICIAL DISTRICT OF HARRIS COUNTY, MISSISSIPPI, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS WITH THE BEARINGS BASED ON STATE PLANE GRID COORDINATES (NAD 83) AND BEING MORE PARTICULARLY BEGINNING AT A 1/2" IRON ROD FOUND AT THE NORTHEAST CORNER OF LOT 58, OF SAID PLATON, OAKS SUBDIVISION, PHASE 1; THENCE ALONG THE SOUTH MARGIN OF THREE RIVERS ROAD, N89°33'49"E 120.00' TO A 1/2" IRON ROD FOUND AT THE NORTHWEST CORNER OF LOT 36 OF SAID SUBDIVISION; THENCE N00°29'11"E 425.00' TO THE SOUTHWEST CORNER OF SAID LOT 38; THENCE S00°24'30"W 60.33' TO A 1/2" IRON ROD FOUND AT THE NORTHWEST CORNER OF LOT 39 OF SAID SUBDIVISION; THENCE S80°19'39"E 126.00' TO A 1/2" IRON ROD FOUND AT THE SOUTHWEST CORNER OF SAID LOT 39; THENCE S89°34'33"W 48.00' TO THE NORTHWEST CORNER OF LOT 40 OF SAID SUBDIVISION; THENCE S00°02'15"E 60.00' TO A 1/2" IRON ROD FOUND AT THE SOUTHWEST CORNER OF SAID LOT 40; THENCE ALONG THE WEST LINE OF LOT 41 OF SAID SUBDIVISION, S30°03'33"W 27.20' TO A 1/2" IRON ROD FOUND; THENCE ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 80.00', AN ARC LENGTH OF 79.60' AND A CHORD BEARING AND DISTANCE OF S22°01'11"E 73.10' TO A 1/2" IRON ROD FOUND; THENCE ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 20.00', AN ARC LENGTH OF 24.14' AND A CHORD BEARING AND DISTANCE OF S16°20'07"E 22.70' TO A 1/2" IRON ROD FOUND; THENCE S00°04'35"E 54.00' TO A 1/2" IRON ROD FOUND; THENCE S35°58'33"W 59.97' TO A 1/2" IRON ROD FOUND; THENCE S00°04'35"E 54.00' TO A 1/2" IRON ROD FOUND; THENCE ALONG THE NORTHWEST LINE OF SAID LOT 48, N44°22'45"W 104.91' TO A 1/2" IRON ROD FOUND AT THE NORTHWEST CORNER OF SAID LOT 48; THENCE S03°26'59"W 156.71' TO A 1/2" IRON ROD FOUND ON THE EAST LINE OF LOT 48 OF SAID SUBDIVISION; THENCE N19°08'00"W 156.00' TO A 1/2" IRON ROD FOUND AT THE NORTHEAST CORNER OF LOT 50 OF SAID SUBDIVISION; THENCE N19°15'12"W 335.85' TO A 1/2" IRON ROD FOUND AT THE NORTHWEST CORNER OF LOT 55 OF SAID SUBDIVISION; THENCE ALONG THE NORTH LINE OF SAID LOT 55, S89°32'53"W 76.16' TO A 1/2" IRON ROD FOUND; THENCE N07°11'32"E 80.55' TO THE SOUTHEAST CORNER OF LOT 56 OF SAID SUBDIVISION; THENCE N00°28'11"W 125.00' TO THE POINT OF BEGINNING, CONTAINING 4.020 ACRES.

THIS IS TO CERTIFY THAT THE UNDERSIGNED IS THE OWNER OF RECORD OF THE LAND SHOWN ON THIS PLAT AND DECLARES THIS TO BE A CORRECT PLAT OF PLANTATION OAKS SUBDIVISION, PHASE 2 AND THAT SAID OWNER HEREBY DEDICATES THE RIGHTS-OF-WAY, UTILITIES AND EASEMENTS UNTO THE CITY OF GULFPORT, HARRISON COUNTY FOR PUBLIC USE FOREVER.

WITNESS MY SIGNATURE ON THIS _____ DAY OF _____
2023.

PLANTATION OAKS, LLC BY IT'S MANAGING MEMBER DERRY LANE, INC.

BY: RICHARD BAUDRY
MANAGING MEMBER

STATE OF MISSISSIPPI, COUNTY OF HARRISON

PERSONALLY appeared before me, the undersigned authority in and for the said county and state, on this the _____ day of _____, 2023, within my jurisdiction, the within named Richard Baudry, who acknowledged to me that he is President of Derry Lane, Inc, a Mississippi Corporation, a Member of Plantation Oaks, LLC, a limited liability company, and that for and on behalf of said corporation as member of said limited liability company, and as the act and deed of said corporation as member of said limited liability company, he executed and delivered the above and foregoing instrument, after first having been duly authorized by said corporation and said limited liability company so to do.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS _____ DAY OF _____, 2023.

NOTARY PUBLIC

MY COMMISSION EXPIRES:

- 1.) FIELD SURVEY PERFORMED WITH A COMBINATION OF TOPCON VR GPS RECEIVER AND TOPCON GPT-900SA ROBOTIC TOTAL STATION.
- 2.) STATE PLANE COORDINATES AND BEARINGS SHOWN HEREON ARE BASED ON GRID NORTH DERIVED BY GPS OBSERVATION UTILIZING THE PEARL DUDLEY, INC. RTK NETWORK, AND ARE BASED ON SPc (2801 M5 E).
- 3.) 1/2" X 16" IRON RODS SET AT ALL LOT CORNERS.
- 4.) SURVEY CLASS- "B"
- 5.) TOTAL LOTS - 16
- 6.) THIS ENTIRE PHASE 2 LIES IN ZONE "E" ACCORDING TO FIRM MAP NUMBER 28047C0260H DATED DECEMBER 21, 2017.
- 7.) DATE OF FIELD SURVEY- JANUARY 13, 2023
- 8.) THERE IS A 10 FEET WIDE DRAINAGE AND/OR UTILITY EASEMENT RESERVED ALONG ALL FRONT LOT LINES, UNLESS OTHERWISE SHOWN.
- 9.) SEE LOT 10 FOR TYPICAL MINIMUM BUILDING SETBACKS.

THIS SUBDIVISION PLAT HAS BEEN SUBMITTED TO AND APPROVED
BY THE MAYOR AND CITY COUNCIL OF THE CITY OF GULFPORT,
MISSISSIPPI BY ORDER DULY ADOPTED ON THE _____ DAY
OF _____, 2023, AND ENTERED IN THE
OFFICIAL MINUTES OF THE CITY OF GULFPORT IN MINUTE BOOK
NO.: _____ PAGES _____.

CITY OF GULFPORT

BY: BILLY HEWES, MAYOR

DATE OF EXECUTION

BY: _____
F.B. "RUSTY" WALKER, IV
COUNCIL PRESIDENT

DATE OF EXECUTION

I, CLIFFORD A. CROSBY, A REGISTERED PROFESSIONAL LAND SURVEYOR IN AND FOR THE STATE OF MISSISSIPPI, DO HEREBY CERTIFY THAT THE FOREGOING PLAT AND DESCRIPTION ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

WITNESS MY SIGNATURE ON THIS _____ DAY OF _____
2023.

CLIFFORD A. CROSBY, P.L.S. NO. 2539

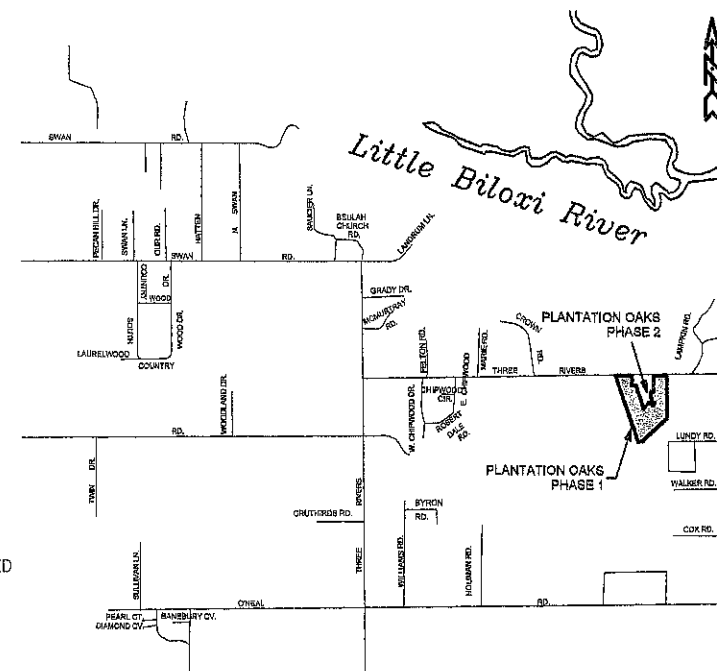
THIS SUBDIVISION HAS BEEN SUBMITTED TO AND APPROVED BY THE GULFPORT CITY PLANNING COMMISSION ON THE _____ DAY OF _____, 2023.

KEITH WILLIAMS, CHAIRMAN
GULFPORT CITY PLANNING COMMISSION

ALL IMPROVEMENTS HAVE BEEN INSTALLED IN ACCORD WITH THE REQUIREMENTS OF THESE REGULATIONS AND WITH THE ACTION OF THE PLANNING COMMISSION IN GIVING TENTATIVE APPROVAL OF THE GENERAL SUBDIVISION PLAN.

THE CITY ENGINEER IS HEREBY GIVEN ON THIS _____ DAY OF _____, 2023.

WAYNE E. MILLER, P.E.
CITY ENGINEER



VICINITY MAP
NOT TO SCALE

WE, THE UNDERSIGNED, DO HEREBY CERTIFY THAT WE HAVE COMPARED THIS
DUPLICATE PLAT OF PLANTATION OAKS SUBDIVISION, PHASE 2,
WITH THE ORIGINAL PLAT HEREOF AND FIND THE SAME TO BE AN
EXACT COPY THEREFORE.

WITNESS OUR SIGNATURES ON THIS _____ DAY OF _____
2023.

DEPUTY CLERK

CLIFFORD A. CROSBY, P.L.S. NO. 2539

FILED AND RECORDED IN DUPLICATE ON THIS _____ DAY OF _____
2023, IN THE RECORD OF PLATS OF HARRISON COUNTY, MISSISSIPPI IN PLAT
BOOK _____, ON PAGE _____.

JOHN MCADAMS, CHANCERY CLERK

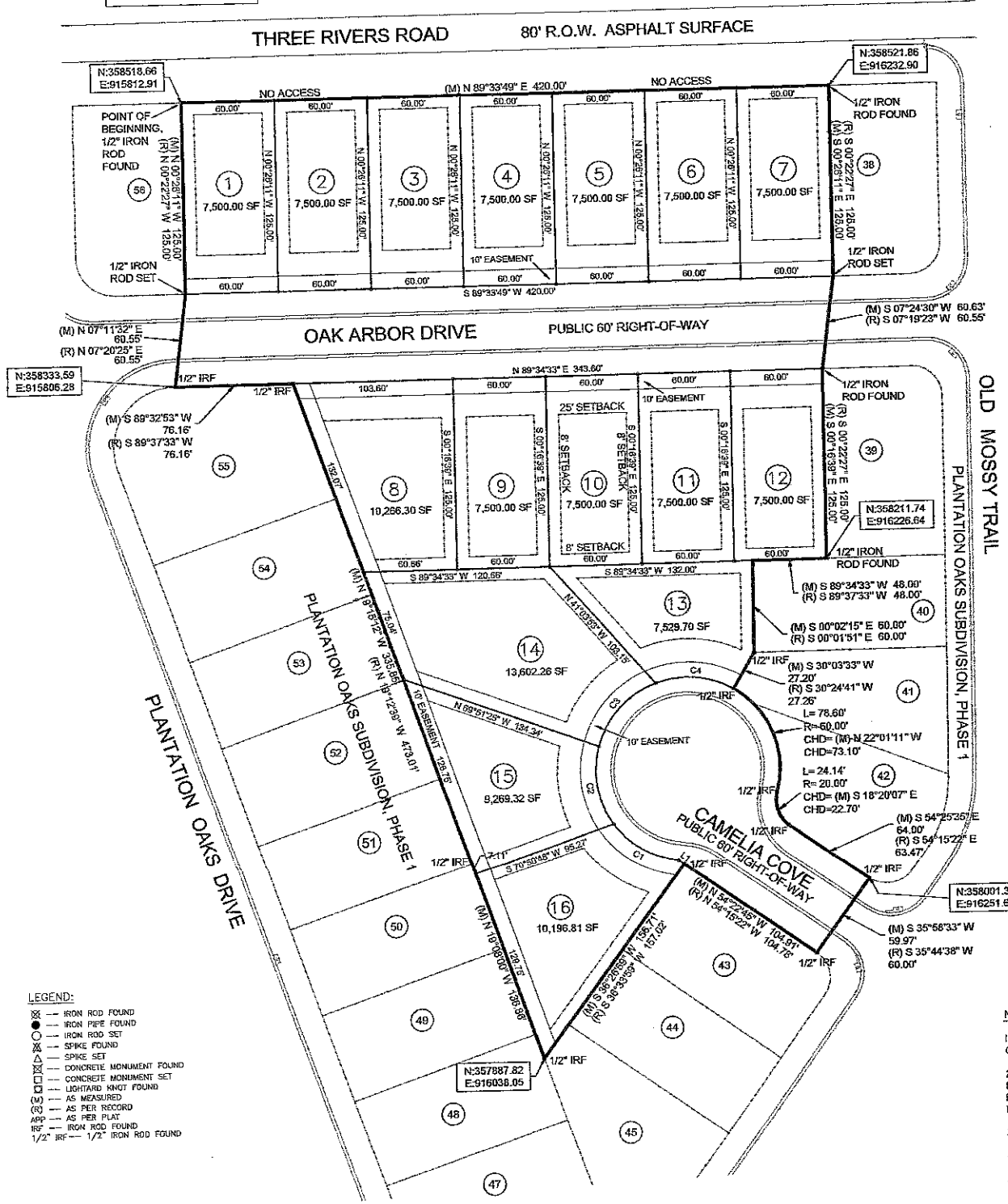
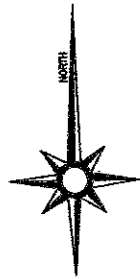
BY: _____ D.C. _____



CROSBY SURVEYING
PROFESSIONAL LAND SURVEYING
716 LIVE OAK DRIVE
BILOXI, MISSISSIPPI 39532
PHONE: 226-234-1649
EMAIL: cliffordcrosby@gmail.com



AT POINT OF BEGINNING,
CONVERGENCE ANGLE=
-0°06'36.81"
SCALE FACTOR= 0.99995537



LINE	BEARING	DISTANCE
L1	(M) N 52° 23' 05" W	4.38'

CURVE	ARC LENGTH	RADIUS	CHORD BEARING	CHORD LENGTH
C1	89.55'	60.00'	(M) S 89° 13' 18" E	49.08'
C2	53.20'	60.00'	(M) N 09° 40' 41" W	51.48'
C3	67.17'	60.00'	(M) N 43° 01' 08" E	55.03'
C4	52.64'	60.00'	(M) S 84° 35' 58" E	50.88'

REFERENCE MATERIALS:

- 1.) HARRISON COUNTY TAX MAPS
- 2.) HARRISON COUNTY PROPERTY LINK
- 3.) FINAL RECORDED PLAT OF PLANTATION OAKS, PHASE 1

NOTES:

- 1.) FIELD SURVEY PERFORMED WITH A COMBINATION OF TOPCON VR GPS RECEIVER AND TOPCON GPT-9005A ROBOTIC TOTAL STATION.
- 2.) STATE PLANE COORDINATES AND BEARINGS SHOWN HEREON ARE BASED ON GRID NORTH DERIVED BY GPS OBSERVATION UTILIZING THE EARL DUDLEY, INC. RTK NETWORK, AND ARE BASED ON SPC (2301) MGS 13.
- 3.) 1/2" X 1/8" IRON RODS SET AT ALL LOT CORNERS.
- 4.) SURVEY CLASS- "B"
- 5.) TOTAL LOTS - 16
- 6.) THIS ENTIRE PHASE 2 LIES IN ZONE "X" ACCORDING TO FIRM MAP NUMBER 28047C0260H DATED DECEMBER 21, 2017.
- 7.) DATE OF FIELD SURVEY- JANUARY 13, 2023
- 8.) THERE IS A 10 FEET WIDE DRAINAGE AND/OR UTILITY EASEMENT RESERVED ALONG ALL FRONT LOT LINES, UNLESS OTHERWISE SHOWN.
- 9.) SEE LOT 10 FOR TYPICAL MINIMUM BUILDING SETBACKS.

FLOOD ZONE NOTE:

BY GRAPHIC PLOTTING ONLY, THIS PROPERTY IS LOCATED IN F.I.R.M. ZONE "X" ACCORDING TO MAP NUMBER 28047C0260H, DATED DECEMBER 21, 2017.

ZONING, R-B DISTRICT:

Building site area. The minimum building site area shall be:
7,500 square feet.

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

Building height limit. No structure shall exceed forty-five (45) feet in height.

Yards required. The minimum dimensions of yards shall be:

Front yard—25 feet.

Side yard—8 feet.

Rear yard—8 feet.

FOR MORE INFORMATION, CONTACT THE CITY OF GULFPORT PLANNING DEPARTMENT, PH: 228-868-5710

PLANTATION OAKS SUBDIVISION PHASE 2

SITUATED IN THE NW 1/4 OF THE NW 1/4 OF
SECTION 36, TOWNSHIP 6 SOUTH, RANGE 11
WEST, CITY OF GULFPORT, FIRST JUDICIAL
DISTRICT OF HARRISON COUNTY, MISSISSIPPI



CROSBY SURVEYING
PROFESSIONAL LAND SURVEYING
716 LIVE OAK DRIVE
BLOOM, MISSISSIPPI 39532
PHONE: 228-234-1649
EMAIL: cliffordcrosby@gmail.com



1st Judicial District
Instrument 2011 5988 D -J1
Filed/Recorded 9/16/2011 02:18 P
Total Fees \$ 12.00
3 Pages Recorded

PREPARED BY AND RETURN TO JERRY D. RILEY
RILEY LAW FIRM / P O BOX 550 GULFPORT MS
39502 228-864-4511/ #5359

GRANTOR: BCH Properties, LLC
10600 Derry Lane
Ocean Springs, MS 39564
228-218-0040
GRANTEE: Plantation Oaks, LLC
10600 Derry Lane
Ocean Springs, MS 39564
228-218-0040

STATE OF MISSISSIPPI
COUNTY OF Harrison

Indexing: NW 1/4 of NW 1/4
in Section 36, Township 6 South,
Range 11 West, Harrison co., MS

WARRANTY DEED

FOR AND IN CONSIDERATION of the sum of Ten Dollars (\$10.00) cash in hand paid and other good and valuable consideration, the receipt and sufficiency of all of which is hereby acknowledged, the undersigned BCH Properties, LLC, a Mississippi Limited Liability Company, does hereby sell, convey and warrant unto Plantation Oaks, LLC, a Mississippi Limited Liability Company, the following described land and property located and being situated in Harrison County, State of Mississippi and being more particularly described as follows, to-wit:

See Attached Exhibit "A"

THIS CONVEYANCE is subject to any and all recorded restrictive covenants, rights of way, easements and the prior reservation of any oil, gas and other minerals.

IT IS AGREED and understood that the taxes for the current year have been pro-rated as of this date on an estimated basis. When said taxes are actually determined, if the proration as of this date is incorrect, then the Grantor agrees to pay to the Grantee, or its assigns, any deficit on an actual proration, and likewise, the Grantee agrees to pay to the Grantor, or its assigns, any amount overpaid by it.

WITNESS THE SIGNATURE of the above company by its Members after being duly authorized so to execute and deliver the same, this the 15th day of September, 2011

BCH Properties, LLC

Ira S. Herrington, Member

Clifford A. Crosby, Member

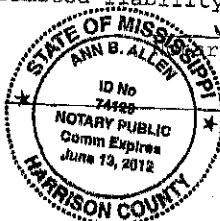
Derry Lane, Inc., Member

By: Richard Baudry, President

STATE OF MISSISSIPPI
COUNTY OF HARRISON

PERSONALLY appeared before me, the undersigned authority in and for the said county and state, on this the 15th day of September, 2011, within my jurisdiction, the within named Richard Baudry, who acknowledged to me that he is President of Derry Lane, Inc., a Mississippi Corporation, a Member of BCH Properties, LLC, a limited liability company, and that for and on behalf of said corporation as member of said limited liability company, and as the act and deed of said corporation as member of said limited liability company, he executed and delivered the above and foregoing instrument, after first having been duly authorized by said corporation and said limited liability company so to do.

My Commission Expires:



STATE OF MISSISSIPPI
COUNTY OF HARRISON

PERSONALLY appeared before me, the undersigned authority in and for the said county and state, on this the 15th day of September, 2011, within my jurisdiction, the within named Clifford A. Crosby, a Member of BCH Properties, LLC, a limited liability company, and that for and on behalf of said corporation as member of said limited liability company, and as the act and deed of said corporation as member of said limited liability company, he executed and delivered the above and foregoing instrument, after first having been duly authorized by said corporation and said limited liability company so to do.

My Commission Expires:



STATE OF MISSISSIPPI
COUNTY OF HARRISON

PERSONALLY appeared before me, the undersigned authority in and for the said county and state, on this the 15th day of September, 2011, within my jurisdiction, the within named Ira S. Herrington, a Member of BCH Properties, LLC, a limited liability company, and that for and on behalf of said corporation as member of said limited liability company, and as the act and deed of said corporation as member of said limited liability company, he executed and delivered the above and foregoing instrument, after first having been duly authorized by said corporation and said limited liability company so to do.

My Commission Expires:



Notary Public

EXHIBIT "A"

Parcel A

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

For a point of beginning, commence at the SE corner of the NW 1/4 of the NW 1/4 of Section 36, Township 6 South, Range 11 West, First Judicial District of Harrison County, Mississippi and thence run North 00 degrees 07' 54" West 1242.20 feet to an iron rod situated on the south margin of Threa Rivers Road, thence run South 89 degrees 49' 15" West along the south margin of said road a distance of 1116.58 feet to an iron rod; thence run South 00 degrees 00' 04" East 1241.33 feet to an iron rod; thence run North 89 degrees 51' 56" East 1119.41 feet back to the POINT OF BEGINNING.

Less and Except:

A parcel of land situated in the NW 1/4 of the NW 1/4 of Section 36, Township 6 South, Range 11 West, City of Gulfport, First Judicial District of Harrison County, Mississippi, and also being more particularly described as follows:

Commencing at the SE corner of the NW 1/4 of the NW 1/4 of Section 36 Township 6 South, Range 11 West, First Judicial District, Harrison County, State of Mississippi and using it as the Point of Beginning, run thence N 89 degrees 42' 18" W 475 feet; run thence N 00 degrees 17' 44" E 15 feet; run thence N 47 degrees 42' 07" E 620.39 feet; run thence N 89 degrees 51' 44" E 15.00 feet; run thence S 00 degrees 08' 16" E 435 feet back to the Point of Beginning.

And also described as:

A PARCEL OF LAND SITUATED IN THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 36, TOWNSHIP 6 SOUTH, RANGE 11 WEST, CITY OF GULFPORT, FIRST JUDICIAL DISTRICT OF HARRISON COUNTY, MISSISSIPPI, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCING AT AN IRON ROD AT THE SOUTHEAST CORNER OF SAID NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 36, SAID POINT HAVING COORDINATES OF NORTH-357266.87 AND EAST-915488.90 (M.S.P.C.S.- 2301 EAST ZONE/NAD 83 IN FEET); THENCE ALONG THE EAST LINE OF SAID NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 36, N00°09'51"W 435.00' TO THE POINT OF BEGINNING; THENCE FURTHER ALONG SAID EAST LINE, N00°09'51"W 821.24' TO AN IRON ROD FOUND ON THE SOUTH MARGIN OF THREE RIVERS ROAD; THENCE ALONG SAID SOUTH MARGIN OF THREE RIVERS ROAD, S89°37'33"W 1107.11' TO AN IRON ROD FOUND; THENCE S00°19'39"W 1242.20' TO AN IRON ROD FOUND; THENCE S89°36'39"E 643.37' TO AN IRON ROD FOUND; THENCE N04°17'11"E 15.07' TO AN IRON ROD FOUND; THENCE N47°44'39"E 620.82'; THENCE N89°58'09"E 15.00' TO THE POINT OF BEGINNING, CONTAINING 29.393 ACRES AND BEING THAT SAME PROPERTY DESCRIBED IN INSTRUMENT NO. 1007-0005044-D-11 OF THE LAND RECORDS OF THE FIRST JUDICIAL DISTRICT OF HARRISON COUNTY, MISSISSIPPI.

AND ALSO:

Parcel B

A parcel of land situated in the Northwest 1/4 of the Northwest 1/4 of Section 36, Township 6 South, Range 11 West, City of Gulfport, First Judicial District of Harrison County, Mississippi, and also being more particularly described as follows.

Commencing at the Southeast corner of the NW 1/4 of the NW 1/4 of Section 36, Township 6 South, Range 11 West, First Judicial District, Harrison County, State of Mississippi, and using it as the Point of Beginning run thence North 89 degrees 42 minutes 16 seconds West 475 feet, thence North 00 degrees 17 minutes 44 second East 15 feet, thence North 47 degrees 42 minutes 07 seconds East 620.39 feet, thence North 89 degrees 51 minutes 44 seconds East 15.00 feet, thence South 00 degrees 08 minutes 16 seconds East 435 feet back to the Point of Beginning. Together with access easement as recorded in Instrument No. 2007 2693 D-11.

And also described as:

A PARCEL OF LAND SITUATED IN THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 36, TOWNSHIP 6 SOUTH, RANGE 11 WEST, CITY OF GULFPORT, FIRST JUDICIAL DISTRICT OF HARRISON COUNTY, MISSISSIPPI, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT AN IRON ROD AT THE SOUTHEAST CORNER OF SAID NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 36, SAID POINT HAVING COORDINATES OF NORTH-357266.87 AND EAST-915488.90 (M.S.P.C.S.- 2301 EAST ZONE/NAD 83 IN FEET); THENCE N89°42'16"W 475.07' TO AN IRON ROD FOUND; THENCE N04°17'11"E 15.07' TO AN IRON ROD FOUND; THENCE N47°44'39"E 620.82'; THENCE N89°58'09"E 15.00'; THENCE S00°19'39"E 1242.20' TO THE POINT OF BEGINNING, CONTAINING 2.524 ACRES AND BEING THAT SAME PROPERTY DESCRIBED IN INSTRUMENT NO. 2007-001513-D-11 OF THE LAND RECORDS OF THE FIRST JUDICIAL DISTRICT OF HARRISON COUNTY, MISSISSIPPI, TOGETHER WITH THAT ACCESS EASEMENT RECORDED IN INSTRUMENT NO. 2007-0002693-D-11 OF THE LAND RECORDS OF THE FIRST JUDICIAL DISTRICT OF HARRISON COUNTY, MISSISSIPPI.

Richard Bandy

RE: Final Plat 2303PC025, by agent Freddie Fountain, Tax Parcel 0907J-01-001.101, seeking approval of Final Plat for 16 single-family residential lots (Plantation Oaks Subdivision) at 0 Three Rivers Road, Zoned R-B (Residential Business), Ward 6

To Applicants and Adjacent Property Owners:

The City of Gulfport Planning Commission will hold a public hearing to consider the above application at 4:30 P.M. on **Thursday, April 27, 2023**, in the Council Chambers at the Gulfport City Hall located at 2309 15th Street.

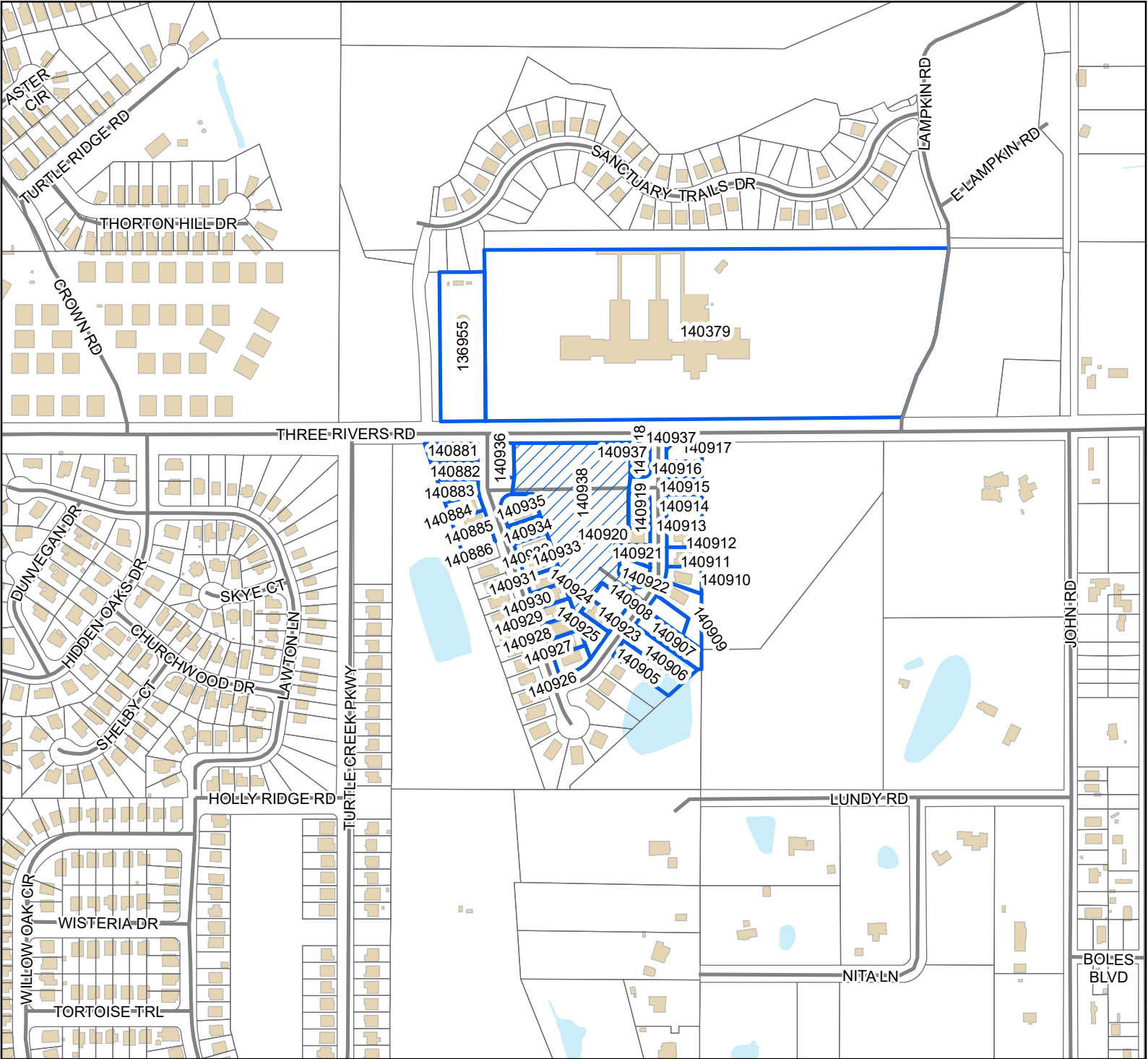
For more information, visit <http://www.gulfport-ms.gov/agenda/> then click the City of Gulfport Planning Commission for **Thursday, April 27, 2023**. A map showing the location of the property involved is located at this website. If you have any questions or comments, please contact this office at the phone number 228-868-5710 or email planners@gulfport-ms.gov. The application is available for viewing in the Planning Division office at 1410 24th Avenue.

RE: Final Plat 2303PC025, by agent Freddie Fountain, Tax Parcel 0907J-01-001.005, seeking approval of Final Plat for 16 single-family residential lots (Plantation Oaks Subdivision) at 0 Three Rivers Road, Zoned R-B (Residential Business), Ward 6

To Applicants and Adjacent Property Owners:

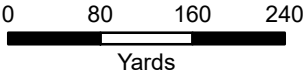
The City of Gulfport Planning Commission will hold a public hearing to consider the above application at 4:30 P.M. on **Thursday, March 23, 2023**, in the Council Chambers at the Gulfport City Hall located at 2309 15th Street.

For more information, visit <http://www.gulfport-ms.gov/agendas/> then click the City of Gulfport Planning Commission for **Thursday, March 23, 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.



Legend

- Site
- Adjacent Properties
- Street
- 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			PLANTATION OAKS LLC (OWNERS)	1460 BEACH BLVD	BILOXI	MS	39530
			FREDDIE FOUNTAIN (AGENT)	1822 15TH ST. SUITE 12	GULFPORT	MS	39503
			Adjacent Property Owners				
	136955	0907G-01-001.009	HARRISON CO UTILITY AUTH	PO BOX 2409	GULFPORT	MS	39503
	140379	0907G-01-001.010	HARRISON CO SCHOOL DISTRICT	11072 HWY 49	GULFPORT	MS	39503
	140936	0907J-01-001.099	ADAMS HOMES LLC	100 W GARDEN ST	PENSACOLA	FL	32502
N	140905	0907J-01-001.068	ADAMS HOMES LLC	100 W GARDEN ST	PENSACOLA	FL	32502
N	140906	0907J-01-001.069	ADAMS HOMES LLC	100 W GARDEN ST	PENSACOLA	FL	32502
N	140907	0907J-01-001.070	ADAMS HOMES LLC	100 W GARDEN ST	PENSACOLA	FL	32502
N	140908	0907J-01-001.071	ADAMS HOMES LLC	100 W GARDEN ST	PENSACOLA	FL	32502
N	140910	0907J-01-001.073	ADAMS HOMES LLC	100 W GARDEN ST	PENSACOLA	FL	32502
N	140911	0907J-01-001.074	ADAMS HOMES LLC	100 W GARDEN ST	PENSACOLA	FL	32502
	140912	0907J-01-001.075	FRATANTUONO GENENDAL PRICE & GERALD	14058 OLD MOSSY TRAIL	GULFPORT	MS	39503
N	140913	0907J-01-001.076	ADAMS HOMES LLC	100 W GARDEN ST	PENSACOLA	FL	32502
N	140914	0907J-01-001.077	ADAMS HOMES LLC	100 W GARDEN ST	PENSACOLA	FL	32502
N	140915	0907J-01-001.078	ADAMS HOMES LLC	100 W GARDEN ST	PENSACOLA	FL	32502
	140916	0907J-01-001.079	HARDER CLIFFORD J SR & MARY J	14038 OLD MOSSY TRAIL	GULFPORT	MS	39503
N	140935	0907J-01-001.098	ADAMS HOMES LLC	100 W GARDEN ST	PENSACOLA	FL	32502
	140919	0907J-01-001.082	HOLIFIELD MITCHELL RAY II -ETAL-	14057 OLD MOSSY TRAIL	GULFPORT	MS	39503
	140920	0907J-01-001.083	ROBIN BRENT A & KIMBERLY K	14063 OLD MOSSY TRAIL	GULFPORT	MS	39503
	140924	0907J-01-001.087	HAYES TRISHA MARIE	14093 OLD MOSSY TRAIL	GULFPORT	MS	39503
N	140927	0907J-01-001.090	ADAMS HOMES LLC	100 W GARDEN ST	PENSACOLA	FL	32502
N	140928	0907J-01-001.091	ADAMS HOMES LLC	100 W GARDEN ST	PENSACOLA	FL	32502
	140929	0907J-01-001.092	MUSSA CARL J & LISA J	14054 PLANTATION OAKS DR	GULFPORT	MS	39503
N	140930	0907J-01-001.093	ADAMS HOMES LLC	100 W GARDEN ST	PENSACOLA	FL	32502
	140931	0907J-01-001.094	MILLER KYLE S & ADKINS CHELSIE D	14044 PLANTATION OAKS DR	GULFPORT	MS	39503
	140932	0907J-01-001.095	BRANNUM JOHNNY & LEEANN	14038 PLANTATION OAKS DR	GULFPORT	MS	39503
N	140934	0907J-01-001.097	ADAMS HOMES LLC	100 W GARDEN ST	PENSACOLA	FL	32502
	140933	0907J-01-001.096	QUILLIN GREGORY ROSS & SHAN	14034 PLANTATION OAKS DR	GULFPORT	MS	39503
N	140881	0907J-01-001.044	ADAMS HOMES LLC	100 W GARDEN ST	PENSACOLA	FL	32502
N	140882	0907J-01-001.045	ADAMS HOMES LLC	100 W GARDEN ST	PENSACOLA	FL	32502
N	140883	0907J-01-001.046	ADAMS HOMES LLC	100 W GARDEN ST	PENSACOLA	FL	32502
N	140884	0907J-01-001.047	ADAMS HOMES LLC	100 W GARDEN ST	PENSACOLA	FL	32502
N	140885	0907J-01-001.048	ADAMS HOMES LLC	100 W GARDEN ST	PENSACOLA	FL	32502
N	140886	0907J-01-001.049	ADAMS HOMES LLC	100 W GARDEN ST	PENSACOLA	FL	32502
N	140923	0907J-01-001.086	ADAMS HOMES LLC	100 W GARDEN ST	PENSACOLA	FL	32502

Mail	PPIN	Parcel ID	Name	Address	City	State	ZIP
N	140925	0907J-01-001.088	ADAMS HOMES LLC	100 W GARDEN ST	PENSACOLA	FL	32502
N	140926	0907J-01-001.089	ADAMS HOMES LLC	100 W GARDEN ST	PENSACOLA	FL	32502
N	140917	0907J-01-001.080	ADAMS HOMES LLC	100 W GARDEN ST	PENSACOLA	FL	32502
N	140918	0907J-01-001.081	ADAMS HOMES LLC	100 W GARDEN ST	PENSACOLA	FL	32502
N	140937	0907J-01-001.100	PLANTATION OAKS LLC	10600 DERRY LANE	OCEAN SPRINGS	MS	39564
N	140909	0907J-01-001.072	ADAMS HOMES LLC	100 W GARDEN ST	PENSACOLA	FL	32502
N	140938	0907J-01-001.101	PLANTATION OAKS LLC	P O BOX 268	BILOXI	MS	39533
N	140922	0907J-01-001.085	ADAMS HOMES LLC	100 W GARDEN ST	PENSACOLA	FL	32502
N	140921	0907J-01-001.084	ADAMS HOMES LLC	100 W GARDEN ST	PENSACOLA	FL	32502

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:****IPL0112426****Order Status:**

Submitted

Classification:

Legals & Public Notices

Package:

BLX - Legal Ads

Final Cost:

55.24

Payment Type:

Account Billed

User ID:

IPL0024925

PREVIEW FOR AD NUMBER IPL01124260**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 2, 2023 12:15:40 PM EST

Amount:

55.24

SCHEDULE FOR AD NUMBER IPL01124260

March 8, 2023

SunHerald (Biloxi)

LEGAL NOTICE PUBLIC HEARING

In conformance with Section VIII of the Comprehensive Zoning Ordinance of the City of Gulfport, Mississippi, 1979 as amended, notice is hereby given advising that the Gulfport City Planning Commission will hold a public hearing in the City of Gulfport, Mississippi at 4:30 P.M., Thursday, March 23, 2023 in the Council Chambers of the Gulfport City Hall located at 2309 15th Street to consider the following requests. A copy of the requests will be available for public review at the office of the Department of Urban Development, Planning Division, located on first floor of the William H. Hardy Building, 1410 24th Avenue.

Planning Commission Approval 2303PC026, by agent John Wolfe, seeking approval for a medical cannabis dispensary at Tax Parcel 0910M-01-027.000, 820 Pass Rd, Zoned B-2 (General Business), Ward 3

Zoning Text Amendment 2302PC016, by agent David P. Sullivan, Amendments to the Comprehensive Zoning Ordinance, as amended, to amend Section III (K) , (2) to allow, with Planning Commission Approval, a medical cannabis dispensary use in T4+, R-B zoning districts.

Zoning Map Amendment 2303PC024, by agent Donovan Scruggs, Requesting to rezone Tax Parcel 0908M-01-001.000, from R-1-10 (Single-Family) to R-B (Residential Business), 13283 Dedeaux Rd, Ward 5

Final Plat 2303PC025, by agent Freddie Fountain, Tax Parcel 0907J-

01-001.005, seeking approval of Final
Plat for 16 single-family residential
lots (Plantation Oaks Subdivision) at 0
Three Rivers Road, Zoned R-B (Resi-
dential Business), Ward 6

This the 2nd day of March, 2023
Keith Williams, - Chairman
City of Gulfport Planning Commission
W00000000
Publication Dates

LEGAL NOTICE PUBLIC HEARING

In conformance with Section VIII of the Comprehensive Zoning Ordinance of the City of Gulfport, Mississippi, 1979 as amended, notice is hereby given advising that the Gulfport City Planning Commission will hold a public hearing in the City of Gulfport, Mississippi at 4:30 P.M., Thursday, April 27, 2023 in the Council Chambers of the Gulfport City Hall located at 2309 15th Street to consider the following requests. A copy of the requests will be available for public review at the office of the Department of Urban Development, Planning Division, located on first floor of the William H. Hardy Building, 1410 24th Avenue.

Planning Commission Approval 2304PC030, by owner Tracy M. McMurphy, seeking approval for a home-based online property management company at Tax Parcel 0708I-01-010.001, 16114 Orange Grove Rd, Zoned R-1-15 (Single Family), Ward 7

Planning Commission Approval 2304PC031, by agent Waseem Younis, seeking approval for a medical cannabis dispensary at Tax Parcel 1010H-02-019.000 2159 E Pass Road, Zoned B-2 (General Business) Ward 2

Planning Commission Approval 2304PC033, by agent Peter Vicari, seeking approval for a luxury RV resort at Tax Parcels 1010N-04-032.000, 10111C-01-013.000, 10111C-01-010.000, 10111C-01-011.145, 10111C-01-011.000, Zoned T4+ (General Urban Zone "Plus") Ward 2

Planning Commission Approval 2304PC036, by agent Stacey Barber, seeking approval for an use of car wash and storage facility at Tax Parcels 1008M-01-008.000, 1008M-01-007.000, 11236 Lorraine Road & 11268 Lorraine Rd, Zoned B-2 (General Business), Ward 6

Planning Commission Approval 2304PC037, by agent Donovan Scroggs, seeking approval for an indoor shooting range at Tax Parcels 0809I-01-020.000 & 0809I-01-021.000, 9506 Creosote Road & 9524 Creosote Road, Zoned I-2 (Heavy Industry), Ward 3

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

Planning Commission Approval 2304PC039, by agent Freddie Fountain, seeking approval for a reducing salon within a multi-tenant commercial building at Tax Parcel 0909D-02-006.000, 13334 Seaway Road, Zoned I-2 (Heavy Industry) Ward 5

Planning Commission Approval 2304PC040, by agent Tasheena Guldry, seeking approval for use of a car lot at Tax Parcel 0910I-02-003.000, 739 E Pass Road, Zoned T5 (Urban Center Zone), Ward 2

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

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

Final Plat 2303PC025, by agent Freddie Fountain, Tax Parcel 0907J-01-001.101, seeking approval of Final Plat for 16 single-family residential lots (Plantation Oaks Subdivision) at 0 Three Rivers Road, Zoned R-B (Residential Business), Ward 6

General Plan 2304PC034, by agent Robert Riemann, seeking approval of a General Plan for a new 25 lot townhouse development, Tax Parcel 0809B-03-017.000, Zoned R-3 (Single Family), Ward 7

Zoning Map Amendment 2304PC041, by agent Robert Heinrich, Requesting to rezone Tax Parcels 0711K-04-037.006, 0711K-04-037.007, 0711K-04-037.008 & 0711K-04-037.009 from R-1-7.5 (Single Family) to R-2 (Single Family), 1415 Jo Ellen Cir, 1413 Jo Ellen Circle, 1411 Jo Ellen Cir, 1409 Jo Ellen Cir, Ward 1

Final Plat 2304PC042, by owner River Pointe Estates, LLC, seeking approval of final plat for 7 Single-family lots (River Point Estates Subdivision) at 10550 O'Neal Road, Tax Parcels 1007O-01-028.000, 1007O-01-028.014, 1007O-01-028.012, 1007O-01-028.008, Zoned R-E (Residential Estate), Ward 6

This the 7th day of April 2023
Keith Williams, Chairman
City of Gulfport Planning Commission
W00000000
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Attention: Matilda Welch

GULFPORT URBAN DEVELOPMENT
PO BOX 1780
GULFPORT, MS 39502

LEGAL NOTICE PUBLIC HEARING

In conformance with Section VIII of the Comprehensive Zoning Ordinance of the City of Gulfport, Mississippi, 1979 as amended, notice is hereby given advising that the Gulfport City Planning Commission will hold a public hearing in the City of Gulfport, Mississippi at 4:30 P.M., Thursday, April 27, 2023 in the Council Chambers of the Gulfport City Hall located at 2309 15th Street to consider the following requests. A copy of the requests will be available for public review at the office of the Department of Urban Development, Planning Division, located on first floor of the William H. Hardy Building, 1410 24th Avenue.

Planning Commission Approval 2304PC030, by owner Tracy M. McMurphy, seeking approval for a home-based online property management company at Tax Parcel 0708I-01-010.001, 16114 Orange Grove Rd, Zoned R-1-15 (Single Family), Ward 7

Planning Commission Approval 2304PC031, by agent Waseem Younis, seeking approval for a medical cannabis dispensary at Tax Parcel 1010H-02-019.000 2159 E Pass Road, Zoned B-2 (General Business) Ward 2

Planning Commission Approval 2304PC033, by agent Peter Vicari, seeking approval for a luxury RV resort at Tax Parcels 1010N-04-032.000, 10111C-01-013.000, 1011C-01-010.000, 1011C-01-011.145, 1011C-01-011.000, Zoned T4+(General Urban Zone "Plus") Ward 2

Planning Commission Approval 2304PC036, by agent Stacey Barber, seeking approval for an use of car wash and storage facility at Tax Parcels 1008M-01-008.000, 1008M-01-007.000, 11236 Lorraine Road & 11268 Lorraine Rd, Zoned B-2 (General Business), Ward 6

Planning Commission Approval 2304PC037, by agent Donovan Scruggs, seeking approval for an indoor shooting range at Tax Parcels 0809I-01-020.000 & 0809I-01-021.000, 9506 Creosote Road & 9524 Creosote Road, Zoned I-2(Heavy Industry), Ward 3

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

Planning Commission Approval 2304PC039, by agent Freddie Fountain, seeking approval for a reducing salon within a multi-tenant commercial building at Tax Parcel 0909D-02-006.000, 13334 Seaway Road, Zoned I-2 (Heavy Industry) Ward 5

Planning Commission Approval 2304PC040, by agent Tasheena Guidry, seeking approval for use of a car lot at Tax Parcel 0910I-02-003.000, 739 E Pass Road, Zoned T5 (Urban Center Zone), Ward 2

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

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

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This the 7th day of April 2023
Keith Williams, Chairman
City of Gulfport Planning Commission
IPL0117606
Apr 7 2023

STATE OF MISSISSIPPI COUNTY OF HARRISON

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

1 insertion(s) published on:
04/07/23

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

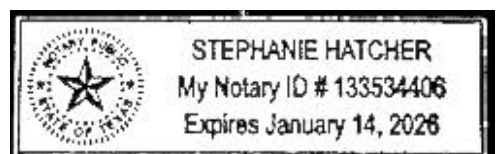
Stefani Beard

Sworn to and subscribed before me this 10th day of April in the year of 2023

Stephanie Hatcher

Notary Public

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



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

CITY OF GULFPORT PLANNING COMMISSION

2303PC025

TRANSCRIPT OF HEARING

April 27, 2023

TRANSCRIPT OF HEARING HELD BEFORE THE CITY OF GULFPORT
PLANNING COMMISSION HELD IN THE CITY COUNCIL CHAMBERS,
GULFPORT, MISSISSIPPI, ON THE 27TH DAY OF APRIL 2023
COMMENCING AT 4:30 P.M. AND REPORTED BY
NORMA JEAN LADNER SOROE, CERTIFIED SHORTHAND REPORTER.

COMMISSION MEMBERS PRESENT:

KEITH WILLIAMS, President
WILLIAM "PRINCE" JONES
CHARLIE HEWES
HAROLD SPANN (not present, left meeting)
TIMOTHY DAIGLE, JR.
DOUG HANCOCK
CHRIS ROMANO
BRYAN JACOBS
VIRGINIA ADOLPH

STAFF PRESENT:

GREG HOLMES
SU-LIN FEATHERSTON
MATILDA WELCH
LESLIE ERVIN

ALSO PRESENT:

HON. MARGARET MURDOCK, City Attorney

1 H2.3 Final Plat 2303PC025

2 MS. ERVIN: Final Plat 2303PC025 has been
3 duly and timely noticed as required by law. The applicant
4 is seeking approval of final plat for 16 single family
5 residential lots, Plantation Oaks Subdivision, at 0 Three
6 Rivers Road, zoned R-B residential business, Ward 6. A copy
7 of the packet Exhibit A considered is hereby offered to the
8 record.

9 MR. WILLIAMS: Thank you.

10 Commissioners, since I'm back on track of
11 where we are in the agenda, Case PC 008 was postponed to the
12 May meeting, as well, so if you're looking at it on your
13 electronic device or hard copy be sure you go to the next
14 case which is PC 025.

15 Okay.

16 MR. FOUNTAIN: Nick Fountain, 1822 15th
17 Street, Suite 12.

18 I'm just here to present the final plat.
19 We've constructed the subdivision according to the
20 construction plans and specifications. They were approved
21 by the city.

22 I'm here to answer any questions.

23 MR. WILLIAMS: Any questions of the
24 applicant?

25 MR. HEWES: It says on here in the technical

1 report that you have not provided the required copy of the
2 covenants nor a copy of the warranty bond.

3 MR. FOUNTAIN: Yes, we're working on that.
4 Well, we met with the city two weeks ago to do a final
5 walk-through. They had a couple of questions about some of
6 the drainage in the cul-de-sac, and we've got a surveyor
7 coming out to take shots on that. And we're sending that
8 in.

9 We've discussed it with the city engineering
10 department.

11 MR. HEWES: Are y'all good with that?

12 MR. HOLMES: Yes, sir. If you guys approve,
13 that will be something that we take as conditions, and we
14 will have that before the actual council time.

15 MR. HEWES: Thank you, Greg.

16 MR. WILLIAMS: Any other questions for the
17 applicant?

18 All right. Thank you. Appreciate it.

19 Anyone else here to speak for the request?

20 Anyone here to speak against this request?

21 Yes.

22 MR. BURTON: Hello. My name is Chris Burton.
23 I'm at 14104 Old Mossy Trail. I'm a resident of Plantation
24 Oaks.

25 I'm just here because we've had a number of

1 problems, issues that have come up, and now with this second
2 phase we really don't want to see that continue.

3 I don't see the lot numbers on there. But
4 I'm on the area where the lake is at or the pond, the large
5 pond to our right as we're looking at it. And there's quite
6 a bit of erosion there.

7 Matter of fact, just on my way over here, I
8 had talked to my neighbor because Adams doesn't seem to be
9 addressing it when we brought it up with them. And we're
10 going to contractors on our own to try to get it fixed. It
11 gets pretty steep when the rains come in.

12 Directly across the street from me there's an
13 open lot that's had a pad laid I think probably last summer.
14 Nothing has happened. And there's a couple other homes
15 there that are in various stages of construction. They're
16 taking a long time. I don't know what the time frame is
17 from start to finish or if there is one, but we've had some
18 vandalism in these open homes, and I don't again want to see
19 that happen in this phase because I didn't move to this area
20 to put up with vandalism and things like that.

21 So the streets in that area are pretty bad.
22 I know the Phase 2 area where they're wanting to finish up,
23 they just paved that. But where we live at, the streets are
24 torn up. They're very bad shape. In front of my house is
25 basically a gravel road.

1 I put a ticket in to get it fixed a few
2 months ago. Haven't heard anything. I know there is some
3 work being done right now, but the streets are in terrible
4 condition. I mean, if someone from Adams would actually
5 live there, they would have gotten those fixed. I don't
6 know if that is Adams' responsibility or the city, but I was
7 just hoping things like that would be addressed.

8 MR. HEWES: So are you saying that Adams
9 Homes developed that area where you live on Mossy Trail, Old
10 Mossy Trail? Adams Homes built that area, developed that
11 area?

12 MR. BURTON: Correct.

13 MR. HEWES: My question is this. Is Adams
14 Homes building this new --

15 MR. FOUNTAIN: (From audience) No, I don't
16 know if the developer has worked out as far as the home
17 builder, but this is the same developer developing Phase 1
18 and 2, so I can't answer any questions if Adams Homes tore
19 up anything.

20 MR. BURTON: It's my understanding that Adams
21 is the third builder in there. I believe it was Acadian and
22 maybe Elliott and then Adams.

23 I purchased my home from Adams, so that's who
24 I'm dealing with. And it's been challenging at times, I'll
25 just say that.

1 MR. WILLIAMS: All right. Greg?

2 MR. HOLMES: Give a little point of clarity.
3 I don't think Adams was the original developer of this
4 subdivision. But there's a difference between a developer
5 and a home builder. It's not the same thing.

6 As far as his concern, those streets have
7 been final platted, warrant bond, those are our streets. So
8 I would suggest you go out and pay a little visit to Hewes
9 Avenue because those are City of Gulfport streets. This is
10 a new phase in there that's going to have to go through the
11 warranty bond period in order to eventually become our
12 streets. But the party (inaudible) has to be all those
13 streets.

14 MR. WILLIAMS: Okay. All right. Any other
15 comments?

16 MR. BURTON: Just while this construction is
17 going on, like I said, there were a few homes in various
18 stages of development and construction, and they've been
19 vandalized a couple of times. Is there any way to get a
20 little more police presence in that area while it's being
21 done so the folks that live there don't have to deal?

22 MR. WILLIAMS: I mean, I'm sure that the
23 police department of the City of Gulfport is doing all they
24 can to get the patrol. I mean, part of this approval of
25 final plat, I can't say that we're going to increase police

1 patrol through there.

2 MR. BURTON: Oh, I just wanted to bring it
3 up, that's all.

4 MR. WILLIAMS: No, that's fine. That's fine.
5 So, yeah, I mean, that's more of your councilman or
6 councilwoman, whoever represents you in that area, not part
7 of what this planning commission does.

8 MR. BURTON: Okay. Just wanted to bring it
9 up. Thank you.

10 MR. WILLIAMS: Appreciate it. Thank you.
11 Anyone else to speak? Yes.

12 MS. BRANNUM: Hello. I'm Lee Ann Brannum. I
13 live at 14038 Plantation Oaks Drive.

14 My husband and I moved to Gulfport in late
15 2018 and came here as retirees. My house was sold to me, it
16 was built by Elliott, and when we closed on our home in
17 December of 2018, we were told that there was going to be
18 green space left between Plantation Oaks and Old Mossy
19 Trail. And now there's a cul-de-sac and five homes.

20 The lots that are around that cul-de-sac are
21 not very deep at all. They're very pie shaped.

22 I'm just curious about how that's going to
23 affect my home on Plantation Oaks. I mean, am I going to
24 have something right up in my back door? And it definitely
25 has changed immensely from what the neighborhood was

1 described to me when we purchased.

2 MR. WILLIAMS: Okay. Greg, I assume -- and
3 this is final plat approval, that's what we're dealing with,
4 but any building has got to meet all required city setbacks
5 and those type of things, correct?

6 MR. HOLMES: Yes, sir.

7 MS. BRANNUM: And as far as the street being
8 torn up, that happened when the developer or whoever cleaned
9 -- cleared the road or cleared the trees. They had a lot of
10 big equipment in, and they actually didn't get a burn permit
11 for another project and trucked in a bunch of other debris,
12 just 18-wheeler after 18-wheeler of debris. You can look
13 back in the records. They actually pulled their burn permit
14 and shut them down.

15 So we'd just like to make sure that whoever
16 is going to be clearing this Phase 2 is going to be
17 following the rules.

18 MR. WILLIAMS: It's cleared and developed.
19 The lots are developed. It's ready to start building houses
20 on it.

21 MS. BRANNUM: No, it's not.

22 MR. FOUNTAIN: (From audience) Yes, ma'am, it
23 is. Phase 2 is the parcel in blue.

24 MR. WILLIAMS: I'm sorry. Yeah. So what
25 we're dealing with here, this has been cleared, the lots

1 have been developed, all the infrastructure has been put in.
2 So, yes.

3 MS. BRANNUM: The infrastructure is there,
4 streets are there, and I understand the water and stuff is
5 there.

6 But there are a lot of trees still left on
7 those lots, and there's a nice buffer. I'm jut wanting to
8 know how much is going to come down, you know.

9 MR. WILLIAMS: Yeah. And we can't really
10 tell you that, because some people when they come in and buy
11 those lots will, you know, clearcut the lot, and others will
12 leave trees in order to build a home. So...

13 MS. BRANNUM: Where might I find what the
14 regulations are as far as setbacks and distance to property.

15 MR. WILLIAMS: Greg, can they call the
16 planning department and get those answers? Su-Lin, they can
17 call the planning department?

18 MS. FEATHERSTON: Yes.

19 MR. WILLIAMS: Yeah, you can get one of them.

20 Thank you so much. Appreciate it.

21 Anyone else here to speak against the
22 request?

23 MS. HAYES: I'm Trisha Hayes. I live at
24 14093 Old Mossy Trail.

25 I purchased my home back in 2016. Acadian

1 Homes was in there. My home is actually a Butler home. And
2 then Elliott came in and built two or three homes.

3 Since then, they have, I mean, sold the
4 majority of the property to Adams Homes. Since then, our
5 roads are tore up. I actually have a lot directly if you're
6 looking at my home to the left of it. The lot was cleared.
7 There's a slab there, and it's been there since last June.

8 Driving down our roads, it's like Mr. Chris
9 said, it's like a gravel road. You pay \$350,000 for a house
10 and you have gravel roads and you have a slab sitting there
11 with, you know, grass as tall as me.

12 It's unacceptable. Those lots they're saying
13 is ready to be built on, none of them are cleared, not one
14 of them. They've torn up my irrigation system. They've
15 amended the covenants without notifying any of us in the
16 residential area.

17 I had some issues over there where the home
18 across the street was broken into, and as they yelled at me,
19 before I knew it, I had a large amount of Gulfport Police
20 Department at the house, having to clear the home as I'm
21 walking my dog at midnight. And it was just about 20
22 minutes of missing my 21-year-old daughter.

23 Very rude, very ugly things, obnoxious things
24 being yelled at us.

25 Things are not being followed when they are

1 building in this subdivision. Our neighbors and I, you
2 know, they're changing the covenants. I have a blue fence,
3 and, you know, you look at the covenants when you're buying
4 a house, and you're thinking, okay, I'm going to have strict
5 covenants, and this is how it's going to look. Well,
6 everything has been amended and changed. And I have a blue
7 fence as I look to the left of me. I have dog-eared fence.
8 The gables have been changed. The wood soffit is now -- has
9 been changed to vinyl. We were never notified.

10 What I do ask is that this be put on hold for
11 a while, at least fix our roads, finish building the house
12 next door to me. You know, I'm afraid of the erosion level
13 that's actually going to take place because that slab is so
14 much higher than my property and it's just steep down. And
15 we don't even know what that's going to be like.

16 MR. WILLIAMS: Ma'am, I understand your
17 concerns. And the roads are with the road department, so
18 you all need to get in touch with someone there. If you're
19 not getting any help there, then check with your
20 councilperson.

21 The covenants are not controlled by this
22 commission, nor are they controlled by the city. They're
23 controlled by homeowners' associations, and I don't know how
24 active the homeowner association is in your area, but you'll
25 need to address that with them. We don't have any control

1 over that.

2 This is a final plat approval, and it has met
3 all the requirements of the city. So that's what we're here
4 to approve.

5 So if you'll get with the road department or
6 get with your councilperson about the roads so you can get
7 something done on it and then I'm not sure who the president
8 of your homeowners' association is, but maybe there needs to
9 be a little bit more strict on it.

10 MS. HAYES: So Zone 1, the first zone doesn't
11 need to take place and be completed before Zone 2 because I
12 just have a slab, and they're ready to build on Zone 2 now.

13 MR. WILLIAMS: Yeah. But just like this one,
14 just like we said, this is a developer. They come in and do
15 the infrastructure and all and make the lots ready to build
16 which these are ready build, they have to be cleared or
17 whatever, they're ready to build. And so they can sell
18 them. If they sold a lot to somebody and they poured a slab
19 and that's all they've done on it, then that's not the
20 control of the city, that's the property owner has got to do
21 something with it.

22 MR. DAIGLE: There is no requirement that I'm
23 aware of for them to finish that. It's not actually to
24 their advantage to do that because they're having to pay
25 higher taxes on that once they start developing it and plat

1 it and the person just leaving it a vacant land.

2 So that usually doesn't happen as far as I'm
3 aware of. There's no stipulation against them doing that.

4 MR. HANCOCK: And I think probably more
5 importantly, it's not this developer that's pouring slabs
6 and leaving the slabs undeveloped, it's whoever was sold the
7 piece of property. So we're talking about different people.
8 I think that's what we're trying to get at here. This
9 developer wants to get final plat approval is not the person
10 that's responsible for the roads that are damaged, is not
11 the same person or group that's responsible for the slabs
12 that are poured and left there. Those are different
13 entities.

14 MR. DAIGLE: Greg, you did say that the roads
15 that are damaged, that's all been final platted and turn it
16 over to the city?

17 MR. HOLMES: If you're talking about the
18 roads on Plantation Oaks and Old Mossy Trail, yes, sir,
19 those are city roads.

20 MR. DAIGLE: So, you see, even if we did do
21 something to penalize them, the developer is under no
22 obligation to do anything with that. So we're kind of like
23 talking about two different things. We don't really have
24 any -- can't really do anything about the roads.

25 MR. WILLIAMS: Ms. Virginia?

1 MS. ADOLPH: I hear this, and it might be a
2 little bit confusing.

3 Call Mr. Greg Holmes and the staff, public
4 works does, you can call there in terms of roads and speak
5 to personnel. They will help you. Put your questions down
6 and ask them. Call planning, talk to them and get your
7 answers.

8 I heard the gentleman speak a little bit
9 earlier. Follow up is everything. As large as our city is
10 and as many demands put on the personnel, you have to call
11 them every week. If y'all are retired, you got time to do
12 that. Call them.

13 MS. HAYES: I'm not retired.

14 MS. ADOLPH: Well, if you're not, call them
15 anyway and check on your stuff.

16 MR. WILLIAMS: Keeping in mind, don't call
17 the planning department to ask them to get that house built
18 on that slab because there's nothing they can do about it.
19 Don't call the planing department and say that the facade is
20 now going to another material, because that's homeowners'
21 associations, that's not it.

22 MS. ADOLPH: Right.

23 MR. WILLIAMS: So, yes, I'm not sure what it
24 needs that the planning department, maybe they can send you
25 in the right direction. Okay.

1 MS. HAYES: I understand. Thank you.

2 MR. WILLIAMS: Thank you. Appreciate it.

3 Anyone else here to speak against the
4 request?

5 All right. Commissioners, any questions or
6 comments? And again, I think that these citizens coming
7 here and talking about it, those are issues that need to be
8 taken care of. Roads being in bad shape, you've got a
9 gravel road, need to take care of that. Somebody having to
10 deal with, you know, 20 police showing up at midnight
11 because there's issues going on, that's not a good thing,
12 but obviously not in the purview of what this commission is
13 being asked to handle in this case or any other case. So
14 hopefully they can get some help with council people or
15 public works and those type things.

16 With all that said, I'd like to see if
17 there's a motion on this case, please?

18 MR. HEWES: Mr. Chair, I move we approve Case
19 2303PC025 final plat.

20 MR. WILLIAMS: With any conditions?

21 MR. HEWES: With any conditions, yes, sir.

22 MR. WILLIAMS: Thank you, sir.

23 I've got a motion to approve. Do I have a
24 second?

25 MR. HANCOCK; Second.

1 MR. WILLIAMS: Motion and a second to approve
2 with conditions. Any further discussion? If not, all those
3 in favor signify by saying aye. Any opposed? All right.
4 Thank you. It's been approved. Appreciate it.

5 (Unanimous vote.)

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2303PC025

I, Norma Jean Ladner Soroce, Certified Shorthand Reporter, do hereby certify that to the best of my skill and ability I have reported the hearing held before the City of Gulfport Planning Commission and that the foregoing 16 pages constitute a true and correct transcription of said hearing held on the 27th day of April 2023.

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

Witness my signature this the 8th day of May 2023.

N.J. SOROE, CSR #1297
Certified Shorthand Reporter



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

For Staff Use Only

Case File #: 2308PC094
Date Received: 6/29/2023
Receipt #: _____
Received By: RB
Zoning: R-1-10
Ward: 7 Flood: _____
Size: 35.206 acres
(If necessary, use separate sheet of paper)

APPLICATION FOR FINAL PLAT

Property Information

TAX PARCEL #	0	8	0	7	F	-	0	1	-	0	0	3	●	0	0	0
	0	8	0	7	f	-	0	1	-	0	0	4	●	0	0	0
						-			-				●			

Address of Property Involved: 15221 and 15201 South Swan Road, Gulfport, Mississippi 39503

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

General Location: 4 miles North of I-10, 0.6 miles East of Highway 49 and 1.4 miles West of Three Rivers Road

GENERAL DESCRIPTION OF REQUEST:

Approval of Final Plat of Swan Ridge Subdivision.

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

Kirk L. Ladner

Printed Name Of Owner

18226 Highway 53

Mailing Address

Gulfport Mississippi 39503

City State Zip code

228-832-2151 228-380-2151

Home Phone Work/Cell Phone

Email

Kirk Ladner

Signature Of Owner

AGENT

Rumsey Consulting Engineering, Inc. - Lawrence C. Rumsey, P.E.

Printed Name Of Agent

910 Howard Avenue

Mailing Address

Biloxi Mississippi 39530

City State Zip code

228-432-9344 228-380-0559

Home Phone Work/Cell Phone

rcei@rumseyengineering.com

Email

Lawrence C. Rumsey

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.

IMPORTANT NOTICE

1. Please be advised that failure to submit a complete application, with all supporting documents, could **delay your hearing date**. The Planning Commission will not consider a request until all information is submitted and accurate.
2. Please be advised that the application deadline dates posted are designed to allow the staff time to review the application and receive required comments from coordinating agencies. The application is not considered complete until all required information from the applicant is available for review by the staff and coordinating agencies.
3. Please see page 5 to determine the deadline dates for filing your application.

SUBMISSION REQUIREMENTS

- A. Page one of this application, completed and signed.
- B. Proof of ownership (Copy of deed or affidavit)
- C. If applicable, notarized proof of authority to act as agent for owner (board resolution, etc.)
- D. The City of Gulfport Planning Division Staff will notify, by letter, property owners adjacent to the requested action identified in this application using the Land Roll database from the County Tax Office. If you would like to have additional persons or property owners notified, please provide a list of additional persons to be notified.
- E. Specification requirements.

The final plat will be submitted in six black line copies in a sheet size no larger than **18 by 24 inches** and one copy no larger than **11 by 17 inches**. Where necessary, the plan may be on several sheets accompanied by an index sheet showing the entire subdivision. Two electronic versions of the general plan shall also be provided with the application in the form of an AutoCad .DWG file or .DXF 16-bit file.

Once Planning Commission Approval is received the following final plats will be provided prior to City Council Consideration: 2 copies Mylar, 1 copies Linen, 7 black lines.

The final plat shall contain the following information:

- **Location map.** A diagram showing the location of the proposed subdivision.
- **Survey data.** Primary control points, approved by the city engineer, or descriptions and ties to such control points, to which all dimensions, angles, bearings and similar data on the plat shall be referred; the boundary lines of the subdivision, right-of-way lines of streets, easements and other rights-of-way, and property lines of residential lots and other sites, with accurate dimensions, bearings or deflection angles, and radii, arcs and central angles of all curves; the location and description of monuments, according to state law; and statement of the closure error.
- **Miscellaneous data.** Notations giving scale, (true) north arrow, and date of final plat.
- **Streets.** The name, right-of-way width and location of streets and other public way.
- **Lots and blocks.** Identification by letter of each street and by number of each lot in each block.
- **Nonresidential sites.** The purpose for which sites, other than residential lots, are dedicated or reserved.
- **Utilities.** The location and dimensions of any utility rights-of-way or easements.
- **Easements.** The location, dimensions and purpose of any other easements.
- **Building setback line.** Minimum building setback line on all lots and other sites.
- **Adjoining land.** The names of recorded subdivision plats of adjoining platted land by record name, date and number; the names of record owners of adjoining unsubdivided land.
- **Certificate of owner.** Notarized certification by the landowner of the adoption of the plat and the dedication of streets and other public areas.
- **Certificate of survey.** Certification by the registered professional engineer or land surveyor that the plat represents a survey made by him, that the monuments shown thereon actually exist as located and that all dimensional and other data are correct.

STORM WATER REQUIREMENTS

Mississippi Department of Environmental Quality requires the issuance of Storm Water Permits in accordance with the provisions of the Mississippi Water Pollution Control Law (Section 49-17-1 et seq., Mississippi Code of 1972).

There are currently two types of permits: 1) Small Construction Activities that Disturb One (1) Acre to Less than Five (5) Acres; and 2) Large Construction General Permit (five (5) acres or more).

If you are not familiar with these requirements, our office has available the referenced permit packages. Our office does not issue the permit. We do require that any individual, partnership, company, corporation, etc., that is requesting the issuance of a building permit, tree permit, or any type of action from our Planning Commission or Zoning Board of Appeal and Adjustment, which has been identified and applies to the Mississippi Water Pollution Control Law, be provided with and acknowledge receipt of the Small Construction General Permit Packet or Large Construction General Permit Packet, before final action can be taken by this Department.

If you need additional information on these permits, please contact Mississippi Department of Environment Quality (MDEQ) at (601) 961-5171 or

www.deq.state.ms.us.

- **Approvals.** Space for certificates of approval of the planning commission, the city engineer and the county health officer, where such approval is called for by these regulations. The certificate of the city engineer shall state that the subdivided Has complied with one (1) of the following alternatives:

a) A bond or certified check has been posted, which is available to the city and in sufficient amount to assure such completion of all required improvements;

OR

b) All improvements have been installed in accord with the requirements of these regulations and with the action of the Planning Commission in giving tentative approval of the general subdivision plan.

- **Flood zone designations.** The location of all flood zone designations as shown on the latest Flood Insurance Rate Map.

F. Attendant items: The final plat shall be accompanied by the following items:

- **Protective covenants.** The protective covenants in form for recording.
- **Engineering plans.** The cross sections and profiles of streets showing grades approved by city engineer. The profiles shall be drawn to city standard scale and elevations and shall be based on a datum plane that is mean gulf level.
- **Conveyances.** A conveyance to the city by fee simple or by easement of land set aside for parks, recreation area or other public use, such conveyance to be without reservation of right except for restriction that land is to be dedicated only to the specified purposes.
- **Abstracts.** An abstract of title disclosing a good and merchantable fee simple title in the landowner. A title insurance policy may be substituted for the abstract if specifically approved by the Planning Commission.

G. Cash or check payable to the City of Gulfport in the amount of **\$175.00 plus \$5.00 for each lot.**

ACTING AGENT AUTHORIZATION FORM

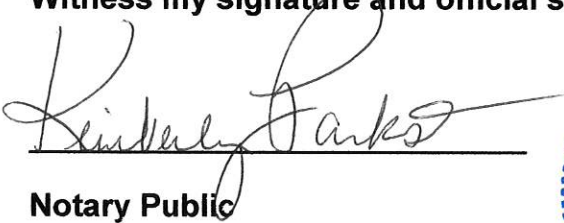
I, Kirk L. Ladner, authorize Lawrence C. Rumsey of Rumsey Consulting Engineering, Inc., to act as my agent in all matters regarding the proposed subdivision development of Swan Ridge, located at 15221 South Swan Road, Gulfport, Mississippi 39530.



Kirk L. Ladner, Owner

Before me, the undersigned authority in and for the State of Mississippi, County of Harrison, personally appeared the aforementioned, Kirk L. Lander, who acknowledged that he signed and delivered the foregoing acting agent authorization form on the day and year therein mentioned.

Witness my signature and official seal of the office this 28th day of June, 2023.


Notary Public



Department of Engineering

4050 Hewes Avenue
Gulfport, MS 39507-3903
Phone: 228-868-5740
Fax: 228-214-2238

June 30, 2023

Mr. Greg Holmes
Urban Development Planning Division
Post Office Box 1780
1410 24th Avenue, Room 206
Gulfport, MS 39502
Telephone (228) 868-5710
Fax (228) 868-5708
Email: gholmes@gulfport-ms.gov

Re: Swan Ridge Subdivision

Dear Mr. Holmes:

On June 20, 2023, Engineering and Public Works conducted a final inspection of the referenced subdivision, and deficiencies were noted. A follow-up inspection took place on June 29, 2023 and all punch list items were completed.

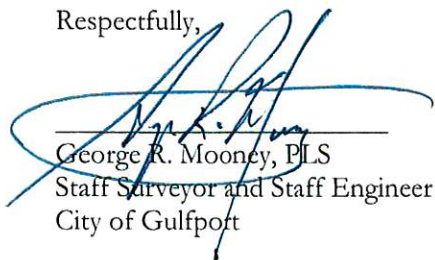
Since the development was approved to use soil cement as the road base, two (2) warranties will be required. A warranty bond in the amount of \$50,900 is required for a period of one (1) year to cover all infrastructure except roadway, and a warranty bond in the amount of \$24,700 is required for a period of three (3) years to cover the roadway.

At the conclusion of the warranty periods, the developer is required to notify the city to schedule the warranty inspections. Prior to acceptance for perpetual maintenance all deficiencies shall be corrected.

We recommend acceptance of the subdivision and the start of the one and three year warranty periods based on the above conditions.

If you have any questions or concerns, please feel free to contact me.

Respectfully,


George R. Mooney, PLS
Staff Surveyor and Staff Engineer
City of Gulfport

Cc: Wayne Miller, P.E., Director of Engineering and Public Works
Jeremy Harrison, P.E., Assistant Director of Engineering
Tyler Gentry, Assistant Director of Public Works

Attachments: 1. Engineering Inspection Report
2. Map

SUBDIVISION INSPECTION CHECKLIST

SUBDIVISION:	Swan Ridge
TYPE OF INSPECTION:	Final Inspection
DATE:	June 20, 2023
PERSONS PRESENT:	Brian McKnight, Department of Public Works Brian Jones, Department of Public Works George R. Mooney, Staff Engineer Kyle Deang, Engineering Technician David Sanzin, H2O Innovation Kirk Ladner, Owner Mark Kraninger, Department of Public Works Joe Johnson, Department of Public Works

CHECKLIST ITEMS

STREETS & DRAINAGE:

- Is debris/silt and vegetation in streets, curbs, pipes, and catchbasins? ☐ Yes ☒ No ☐ N/A
- Is street paving/concrete acceptable? ☒ Yes ☐ No ☐ N/A
- Is drainage pipe in ROW concrete? ☒ Yes ☐ No ☐ N/A
- Are catchbasin openings sized correctly? ☒ Yes ☐ No ☐ N/A
- Are curbs & gutter broken/settled? ☐ Yes ☒ No ☐ N/A
- Is rebar present in curb? ☒ Yes ☐ No ☐ N/A
- Are street lights present & spaced correctly? ☐ Yes ☒ No ☐ N/A
- Are lots graded to direct water to drainage systems? ☒ Yes ☐ No ☐ N/A
- Is/Are detention pond(s) holding water? ☒ Yes ☐ No ☐ N/A
- Is/Are the banks of detention pond(s) & ditches stabilized? ☒ Yes ☐ No ☐ N/A
- Are swales/ditches able to be maintained by residents? ☐ Yes ☒ No ☐ N/A
- Is erosion control provided at outfalls? ☒ Yes ☐ No ☐ N/A
- Are any extra easements required? ☐ Yes ☒ No ☐ N/A

WATER & SEWER:

- Are all water meters installed & with no broken/missing parts? ☒ Yes ☐ No ☐ N/A
- Are all water lines and appurtenances installed in accordance with city standards? ☒ Yes ☐ No ☐ N/A
- Are sewer cleanouts installed & with no broken/missing parts? ☒ Yes ☐ No ☐ N/A

4. Are all manholes installed in accordance with city standards?

☒ Yes ☐ No ☐ N/A

TRAFFIC & SAFETY:

1. Are street name signs correct & in place?

☒ Yes ☐ No ☐ N/A

2. Are traffic control signs correct & in place?

☒ Yes ☐ No ☐ N/A

PUNCHLIST ITEMS

1. SMH07 – Need to form invert **COMPLETE**
2. Concrete donut missing for water valve near hydrant at end of Pen Place cul de sac **COMPLETE**
3. SMH08 – Need to form invert **COMPLETE**
4. SMH 2A – Grout under ring **COMPLETE**
5. SMH 16 – Need to form invert **COMPLETE**
6. Add sealant to pavement at intersection of Cygnet Cove and Swan Ridge Circle **COMPLETE**
7. Top of all storm drain boxes need to be cleaned **COMPLETE**
8. Add riprap to outfall at east detention pond **COMPLETE**
9. Backfill to the back of curb throughout subdivision **COMPLETE**
10. Stop bars need to be painted **COMPLETE**

Signed: _____



Date: 6/29/2023

Name: George Mooney

Title: Staff Surveyor & Staff Engineer



Swan Ridge Subdivision

This Instrument prepared by and to be returned to:

Margaret Murdock, MS Bar #9824
City of Gulfport
Post Office Box 1780
Gulfport, Mississippi 39502-1780
(228) 868-5811

**COVENANTS AND AGREEMENTS FOR PERMANENT MAINTENANCE
OF STORM WATER SYSTEMS**

CITY OF GULFPORT STORM WATER MANAGEMENT PROGRAM

THIS COVENANT/AGREEMENT made and entered into this 27th day of
June, 20 23, by and between "Grantor" (hereinafter referred to as "Owner")

Kirk L. Ladner
18226 Highway 53
Gulfport, Mississippi 39503

and the "Grantee" (hereinafter referred to as the "City")

CITY OF GULFPORT, MISSISSIPPI

P.O. Box 1780
Gulfport, MS 39501
(228) 868-5700

WHEREAS, Owner owns certain real property located in the City of Gulfport, First Judicial District, Harrison County, Mississippi, as described in Exhibit "A" hereto (hereinafter called the "Property"); and

WHEREAS, Owner is in the process of making or has made improvements to the Property; and

WHEREAS, the Site Plan/Subdivision Plan known as (Name of Plan/Development) _____
Swan Ridge

hereinafter called the "Plan," which is expressly incorporated herein by reference, as approved, or to be approved, by the City, provides for the construction and maintenance of storm water facilities, best management practices, and improvements within the confines of the Property; and

WHEREAS, the City requires that on-site storm water facilities, best management practices, and improvements as shown on the Plan be constructed and adequately maintained by Owner, its successors and assigns, including any homeowners association that assumes ownership thereof;

WHEREAS, the term "storm water facilities", as used hereinafter, refers to water quantity and/or water quality facilities, and other best management practices and improvements related to the handling of storm water including but not limited to detention basins, retention basins, storm water ponds, storm water wetlands, water quality buffers, swales, ditches, pipes, inlets, separators, filtering devices, water quality structures.

WHEREAS, Owner, its successors and assigns, understands that the execution and adherence to the provisions of this Covenant/Agreement is a condition precedent to the City's permitting, and/or approving the Site Plan, Storm Water Management Plan, and/or Subdivision Plan for the Property and the development located thereon;

WHEREAS, this Covenant/Agreement and the obligations found in it are required by City Ordinance and by the Environmental Protection Agency (EPA) by and through any and all applicable EPA rules and regulations.

NOW, THEREFORE, in consideration of the foregoing premises and mutual covenants the parties hereby agree as follows:

1. The on-site storm water facilities on the Property shall be constructed, operated, and maintained by Owner, its successors and assigns, in accordance with the approved Plan and specifications identified in the Plan, as well as in accordance with State and Federal requirements and regulations, including, without limitation, the Mississippi Department of Environmental Quality's "Storm Water Design Standards Manual," the City of Gulfport's "Erosion, Sediment, and Post Construction Control Ordinance" (Ordinance No. 2419) (Appendix C in the City's Code of Ordinances) and any and all other applicable City Ordinances and regulations, including, but not limited to, the City's "Stormwater Pollution Prevention Plan" (these documents are collectively referred to hereinafter as the "governing documents")
2. Owner, its successors and assigns (which for purposes of this document shall include, but not be limited to, any homeowners or business owners association), shall adequately maintain the storm water facilities on the Property. Adequate maintenance required by this Covenant/Agreement shall include, but is not limited to, scheduled and corrective maintenance as described on/in the approved Plan and/or as described in the governing documents (as defined herein) for all storm water facilities that are intended to manage and/or control storm water on the Property, with such

storm water facilities to include, but not be limited to pipes, drainage structures, ditches, swales, vegetation, berms, pond areas, outlet structures, maintenance shelf(s) and access roads, or any other improvement associated with storm water on the Property but excluding any such improvements located on, under, or within any publicly owned or dedicated rights-of-way in which State or City has accepted maintenance of the roadways and/or drainage facilities. Adequate maintenance is herein defined as keeping such storm water facilities in good working condition such that they satisfactorily perform their intended design functions.

3. Owner, its successors and assigns, shall inspect the storm water facilities as described on/in the approved Plan and/or as described in the governing documents (as defined herein) to assure safe and proper functioning of the storm water facilities located on the Property. Any and all deficiencies identified during such inspections shall be repaired, as necessary, at the Owner's expense.
4. Owner, its successors and assigns, hereby grants permission to the City, its authorized agents and employees, to enter upon the Property and to inspect the storm water facilities located on the Property as deemed necessary by the City for the purposes of protecting the public health, safety or welfare, for the purposes of investigating or inspecting any reported or suspected deficiencies in the storm water facilities on the Property, for the purposes of responding to or investigating citizens' complaints related to the management or control of storm water on the Property, or for any other purpose deemed necessary by the City including, but not limited to, confirming compliance with this Covenant/Agreement. The City shall provide Owner, its successors and assigns, with a copy of any inspection findings, as well as a directive to commence with any required repairs. Owner shall, within a reasonable period of time thereafter and without undue delay, provide to the City detailed plans concerning the repair of the implicated storm water facilities located on the Property. To the extent that the City does not agree with or to the contemplated repairs proposed by Owner, the City may submit an alternate repair plan to Owner or require Owner to submit a detailed repair plan prepared by a professional engineer, licensed in the State of Mississippi.
5. In the event Owner, its successors and assigns, fails to maintain the storm water facilities on the Property in good working condition acceptable to the City, or fails to make repairs as specified in the inspection report within a reasonable time frame as established by the City, with such time frame not to be shorter than thirty (30) days, the City shall impose a civil penalty upon Owner, its successors and assigns, in the amount of the estimated cost of the necessary repairs, as certified by the City Engineer. The City may undertake any and all means available to it to collect this civil penalty from the appropriate party/ies. It is expressly understood and agreed that this Covenant/Agreement imposes no obligation or responsibility on the City to routinely inspect, maintain or repair any storm water facilities located on the property.
6. This Covenant/Agreement shall impose no liability on the City with respect to the inspection, maintenance or repair of any storm water facilities on the Property, nor does the City assume any obligation or duty to undertake or perform any action allowed for, or permitted by, this Covenant/Agreement. The Owner, its successors and assigns, further agrees to defend and fully indemnify and hold the City harmless from any and all liability, claims and lawsuits in any way arising out of or related to the management, operation, maintenance, or failure of any storm water facilities subject to this Covenant/Agreement, the Plan and/or this Covenant/Agreement.
7. Notwithstanding any right extended to the City pursuant to this Covenant/Agreement, it is expressly recognized and acknowledged that the City retains all prosecutorial rights and remedies available to it, including the enforcement of any and all applicable City ordinances, against the

Owner, its successors and assigns, relating to the operation, maintenance, and/or repair of storm water facilities located on the Property as well as with respect to enforcement of this Covenant/Agreement.

8. This Covenant/Agreement shall be recorded among the land records of Harrison County, Mississippi, First Judicial District, shall run with the land, and shall be binding on the Owner, its administrators, executors, assigns, heirs and any other successors in interest, including homeowners association/s.

INDEXING INSTRUCTIONS: NW 1/4 OF THE SE 1/4 OF SECTION 28, TOWNSHIP 6 SOUTH, RANGE 11 WEST, CITY OF GULFPORT, HARRISON COUNTY, MS.

IN WITNESS WHEREOF the undersigned have caused this Covenant/Agreement to be executed on the date first written above.

WITNESSES:

[Signature]
Witness:

[Signature]
Witness:

OWNER:

KIRK LADNER
Individual/Company/Corporation/Partnership Name

By: Kirk Ladner
Title: OWNER

STATE OF Mississippi
COUNTY OF Harrison

ACKNOWLEDGEMENT

I, the undersigned Notary Public, do hereby certify that Kirk Ladner

_____, personally appeared before me this day and acknowledged the due execution of the foregoing instrument

WITNESS my hand and seal this 27th day of June, 2023.

Kimberly Parks (SEAL)
Notary Public for Mississippi

My Commission Expires: _____



Exhibit "A"

LEGAL DESCRIPTION:

A parcel of land situated and being located in the NW 1/4 of the SE 1/4 of Section 28, Township 6 South, Range 11 West, City of Gulfport, First Judicial District of Harrison County, Mississippi; and being more particularly described as follows:

Beginning at a Found Flagged Concrete Post located at the Northeast corner of Lot 20, Tara Hills Subdivision, Phase II as recorded in the Office of the Chancery Clerk of Harrison County, First Judicial District in Plat Book 40 at Page 12; thence run South 89°43'08" West along the North line of Lots 20 and 21, Tara Hills Subdivision, Phase II a distance of 320.56 feet to a found iron pin located at the Northeast corner of Lot 22, Tara Hills Subdivision, Phase II; thence run South 89°43'39" West along the North line of Lot 22 a distance of 79.83 feet to a found iron pin located at the Northwest corner of Lot 22, Tara Hills Subdivision, Phase II and the Northeast corner of Lot 11, Tara Hills Subdivision, Phase III as recorded in the Office of the Chancery Clerk of Harrison County, First Judicial District in Plat Book 42 at Page 14; thence run South 89°49'56" West along the North line of said Lot 11 a distance of 79.69 feet to a found iron pin located at the Northeast corner of Lot 12, Tara Hills Subdivision, Phase III; thence run South 89°42'11" West along the North line of said Lot 12 a distance of 80.08 feet to a found iron pin located at the Northeast corner of Lot 13, Tara Hills Subdivision, Phase III; thence run South 89°41'57" West along the North line of said Lot 13 a distance of 89.86 feet to a found iron pin located at the Northeast corner of Lot 14, Tara Hills Subdivision, Phase III; thence run South 89°36'33" West a distance of 124.21 feet to a found iron pin located at the Northeast corner of Lot 15, Tara Hills Subdivision, Phase III; thence run South 89°45'59" West along the North line of said Lot 15, Tara Hills Subdivision, Phase III a distance of 195.97 feet to a found iron pin located at the Northwest corner of Lot 15, Tara Hills Subdivision, Phase III and the Northeast corner of the property now or formerly of Charles Larry Benefield; thence run South 89°40'51" West along the North line of the property of Charles Larry Benefield a distance of 381.88 feet to a found iron pin located at the Northwest corner of Charles Larry Benefield; thence run North 00°15'04" East along the East line of the property now or formerly of Timothy James Daigle, Jr. and Jeneé Michelle Daigle a distance of 1312.57 feet to a found iron pin and a point on the apparent South margin of South Swan Road; thence run North 89°37'13" East along the apparent South margin of South Swan Road a distance of 595.56 feet to a set iron pin with a cap; thence run South 00°02'40" West along the West line of the property now or formerly of Kirk L. Ladner a distance of 313.05 feet to a set iron pin with a cap; thence run South 74°20'36" East a distance of 291.15 feet to a set iron pin with a cap; thence run South 00°02'40" West a distance of 43.88 feet to a found axle located at the Southwest corner of the property now or formerly of Eddie Wayne Miles; thence run South 89°43'39" East along the South line of the property of Eddie Wayne Miles a distance of 466.82 feet to a set iron pin with a cap located at the Southeast corner of the property of Eddie Wayne Miles; thence run South 00°36'07" East along the West line of the property now or formerly of Cheryl High et al a distance of 217.95 feet to a set iron pin with a cap; thence run South 00°08'24" East along the West line of the property now or formerly of Cheryl L. High a distance of 653.81 feet to the Point of Beginning; said property contains 1,464,844 square feet, or approximately 33.63 acres.

A.P.R. = AS PER RECORD
A.P.S. = AS PER SURVEY
A.P.C. = AS PER CALCULATION
A.P.T. = AS PER TAX MAP
C.N.S. = COULD NOT SET

LEGEND:

- = FOUND IRON PIN (F.I.P.)
- = SET IRON PIN WCAP (S.I.P. WCAP)
- = SECTION CORNER
- = CONCRETE MONUMENT

WETLANDS DELINEATION BY
BROWN & MITCHELL, INC.,
DATED MARCH 20, 2007

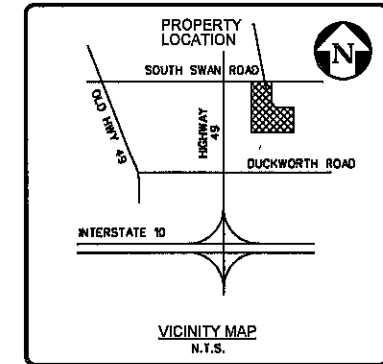
A.P.S. CURVE DATA						A.P.S. CURVE DATA					
CURVE NO.	ARC	RADIUS	TANGENT	CHORD DIRECTION	CHORD LENGTH	CURVE NO.	ARC	RADIUS	TANGENT	CHORD DIRECTION	CHORD LENGTH
(A)	432.72'	450.00'	234.73'	S27°35'33"W	416.24'	(G)	342.19'	263.60'	200.00'	N37°20'35"W	318.66'
(B)	110.19'	115.00'	59.74'	S27°41'26"W	106.02'	(H)	79.47'	281.29'	40.00'	N56°26'19"W	79.20'
(C)	151.69'	193.14'	80.00'	S22°15'31"E	147.82'	(I)	79.48'	284.65'	40.00'	N66°20'40"W	79.22'
(D)	158.03'	411.58'	80.00'	S55°45'31"E	157.06'	(J)	109.33'	295.00'	55.30'	S50°29'34"E	108.70'
(E)	102.46'	249.76'	51.96'	S78°30'38"E	101.74'	(K)	146.89'	261.28'	75.44'	S45°00'18"E	144.96'
(F)	157.23'	100.26'	100.00'	N44°46'20"E	141.60'						

SWAN RIDGE

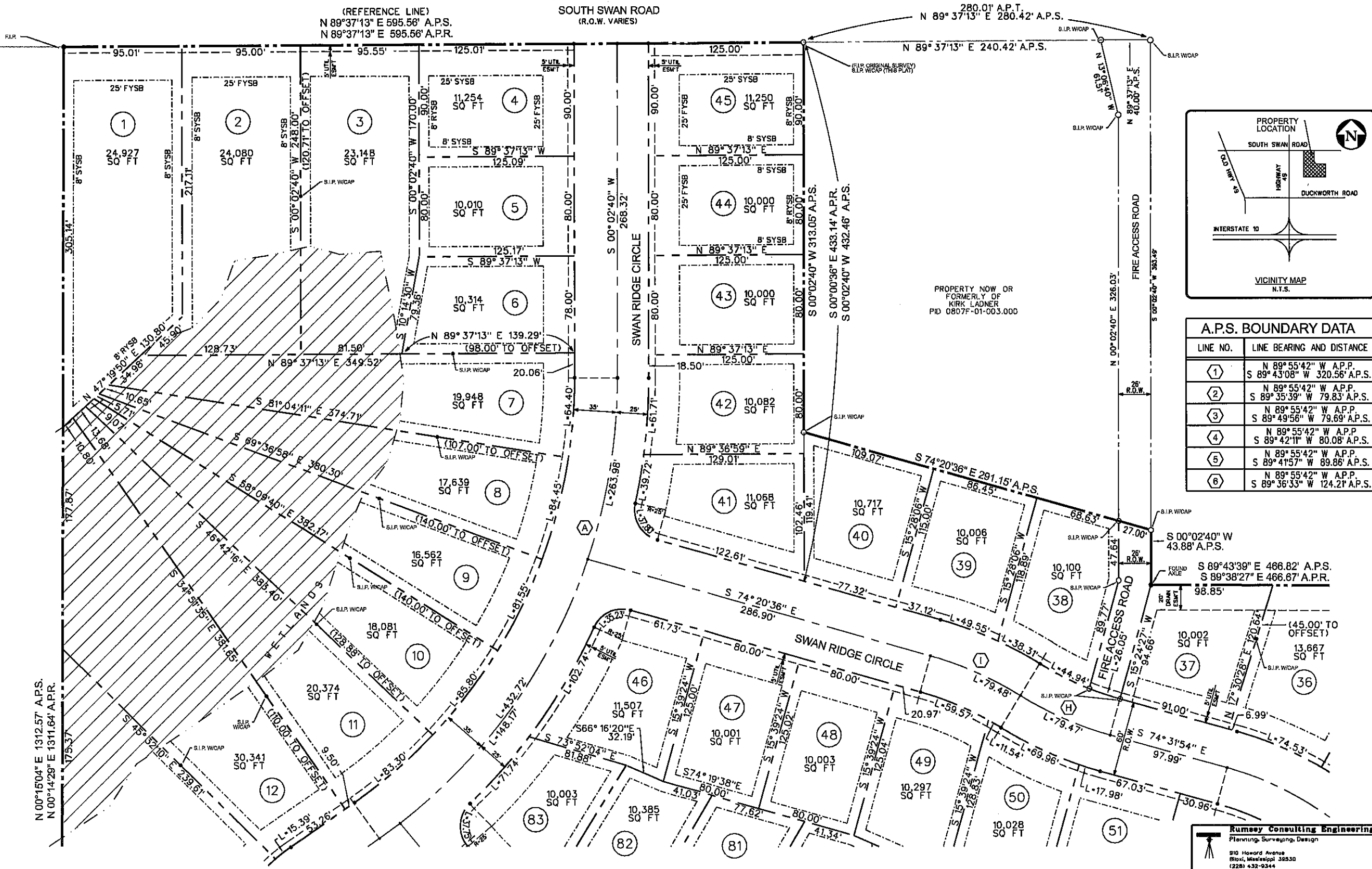
City of Gulfport, Harrison County, Mississippi
Page One of Four



SCALE: 1" = 50'
CLASS 'B' SURVEY



A.P.S. BOUNDARY DATA	
LINE NO.	LINE BEARING AND DISTANCE
(1)	N 89°55'42" W A.P.P. S 89°43'08" W 320.56' A.P.S.
(2)	N 89°55'42" W A.P.P. S 89°35'39" W 79.83' A.P.S.
(3)	N 89°55'42" W A.P.P. S 89°49'56" W 79.69' A.P.S.
(4)	N 89°55'42" W A.P.P. S 89°42'11" W 80.08' A.P.S.
(5)	N 89°55'42" W A.P.P. S 89°41'57" W 89.86' A.P.S.
(6)	N 89°55'42" W A.P.P. S 89°36'33" W 124.21' A.P.S.



Rumsey Consulting Engineering, Inc.
Planning, Surveying, Design
810 Howard Avenue
Biloxi, Mississippi 39530
(228) 432-9344

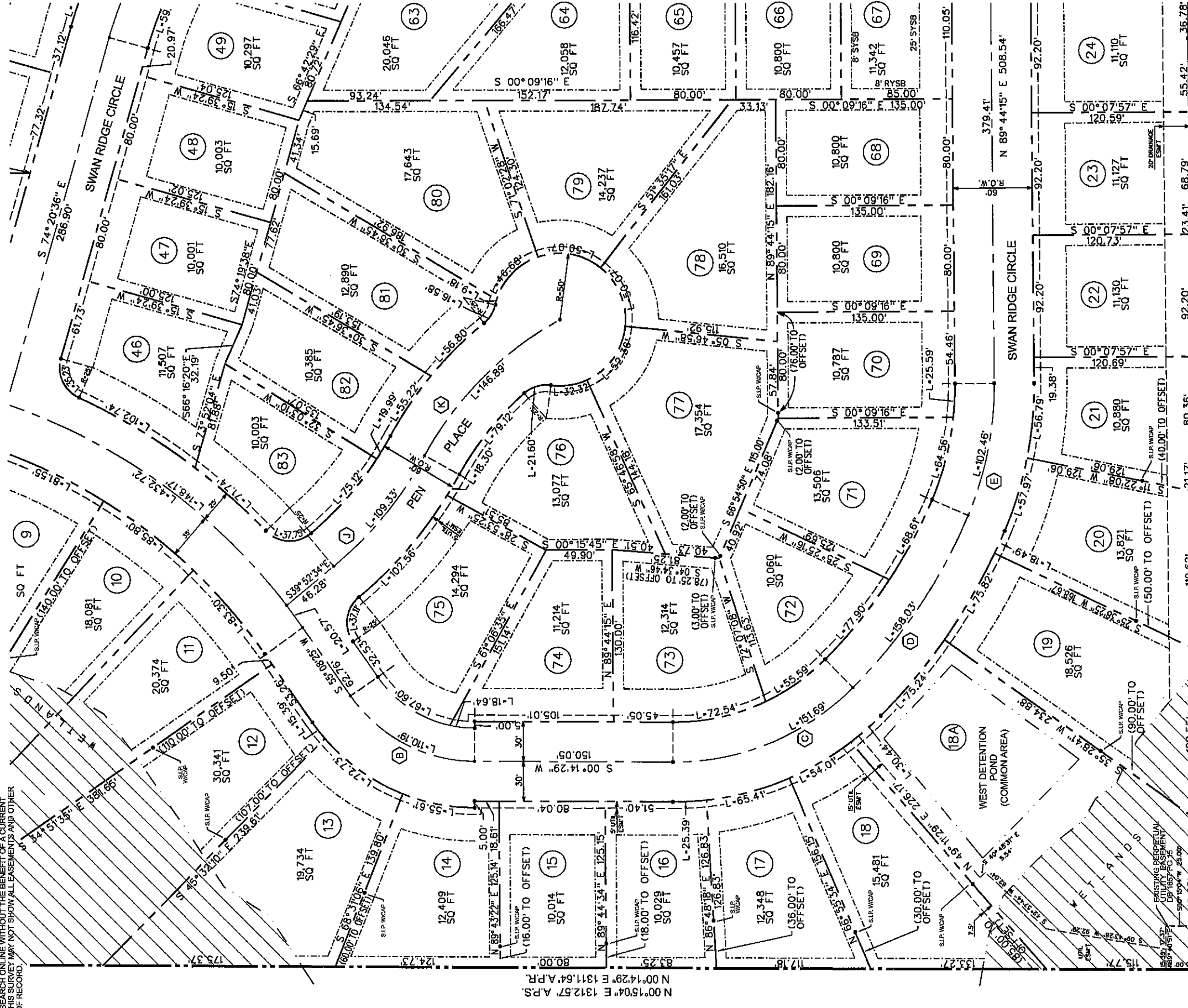
A.P.R. = AS PER RECORD
A.P.S. = AS PER SURVEY
A.P.C. = AS PER CALCULATION
C.N.T. = AS PER TAX MAP
C.N.S. = COULD NOT SET

NOTICE: GRAPHIC INFORMATION PROVIDED BY CLIENT AND PERFORMED BY BROWN & MITCHELL, INC. DRAWING DATED 03-20-07
BOUNDARY SURVEY PERFORMED BY JOHN MARK OTTO, P.S., DATED MARCH 21, 2007 AND PROVIDED BY CLIENT AND REVERIFIED BY LAWRENCE C. RUMSEY, P.L.S., ON OCTOBER 7, 13 AND 14, 2021.

THIS SURVEY WAS PERFORMED FROM INFORMATION PROVIDED BY CLIENT AND REVERIFIED FROM THE BROWN & MITCHELL, INC. RECORDS. THIS SURVEY MAY NOT SHOW ALL EASEMENTS AND OTHER RESTRICTIONS OF RECORD.

SWAN RIDGE

City of Gulfport, Harrison County, Mississippi
Page Two of Four



S 89° 43' 22\" W 381.84' A.P.R.
S 89° 40' 51\" W 381.88' A.P.S.

PROPERTY NOW OR
FORMERLY OF
CHARLES LARRY BENEFIELD
PID 0807F-01-005.000

= WETLANDS DELINEATION BY
BROWN & MITCHELL, INC.,
DATED MARCH 20, 2007

- LEGEND:
- FOUND IRON PIN (FLP.)
 - SET IRON PIN W/ CAP (SLIP W/ CAP)
 - SECTION CORNER
 - CONCRETE MONUMENT

(15) PROPERTY NOW OR
FORMERLY OF
ROBERT B. JOHNSON
PID 0807F-01-005.049

N 89° 55' 42\" W 195.85' A.P.P.
S 89° 45' 59\" W 195.97' A.P.S.

S 89° 44' 15\" W 569.64' A.P.P.
N 89° 55' 42\" W 569.86' A.P.P.

PROPERTY NOW OR
FORMERLY OF
T & D HOMES, LLC
PID 0807F-01-005.048

TARA HILLS SUBDIVISION PHASE III
PB 42 PG 14

Brown & Mitchell, Inc.
Planning, Surveying, Design
930 Howard Avenue
Biloxi, Mississippi 39230
(228) 432-4344

A.P.R. = AS PER RECORD
A.P.S. = AS PER SURVEY
A.P.C. = AS PER CALCULATION
A.P.T. = AS PER TAX MAP
C.N.S. = COULD NOT SET

NOTES:
1. TOPOGRAPHIC INFORMATION PROVIDED BY CLIENT AND PERFORMED BY BROWN & MITCHELL, INC., DRAWING DATED 03-20-07

BOUNDARY SURVEY PERFORMED BY JOHN MARK OTTO, P.S., DATED MARCH 21, 2007 AND PROVIDED BY CLIENT AND REVERIFIED BY LAWRENCE C. RUMSEY, P.L.S., ON OCTOBER 7, 13 AND 14, 2021.

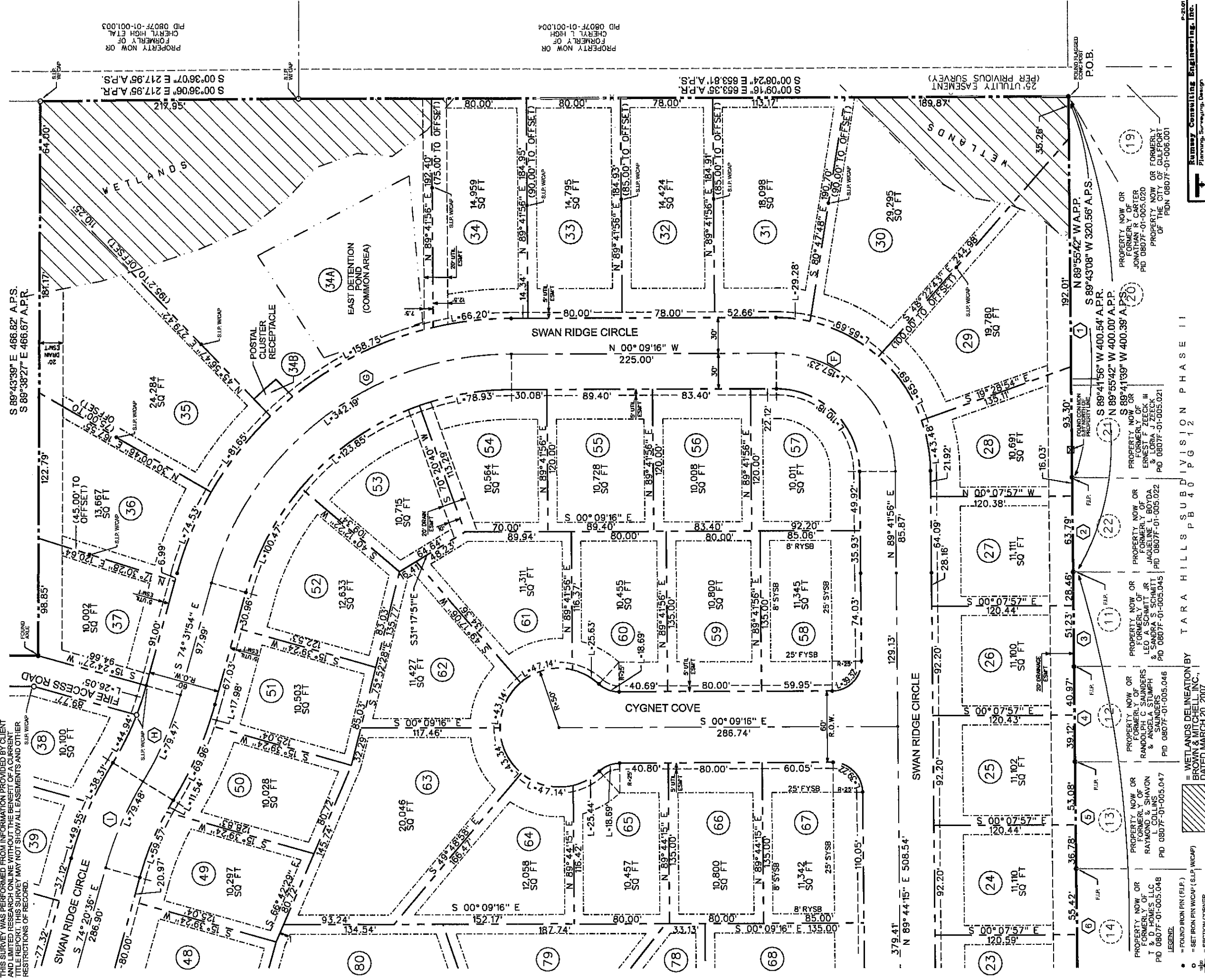
THIS SURVEY WAS PERFORMED FROM INFORMATION PROVIDED BY CLIENT AND LIMITED RESEARCH ONLINE WITHOUT THE BENEFIT OF A CURRENT TITLE RECORD. THIS SURVEY MAY NOT SHOW ALL EASEMENTS AND OTHER RESTRICTIONS OF RECORD.

SWAN RIDGE

City of Gulfport, Harrison County, Mississippi
Page Three of Four



SCALE: 1" = 50'
CLASS 'B' SURVEY



- = FOUND IRON PIN (E.L.P.)
- ⊗ = SET IRON PIN W/CP (S.L.P. W/CP)
- ⊕ = SECTION CORNER
- = CONCRETE MONUMENT

WETLANDS DELINEATION BY
BROWN & MITCHELL, INC.,
DATED MARCH 20, 2007

TARA HILLS SUBDIVISION PHASE II

Sumney Consulting Engineering, Inc.
Planning, Surveying, Design
910 Howard Avenue
Suite 100, Gulfport, Mississippi 39503
(228) 432-9344



1st Judicial District
Instrument 2011 4837 D -J1
Filed/Recorded 7/28/2011 03:22 P
Total Fees \$ 12.00
2 Pages Recorded

1

Prepared By and Return To:
Schwartz, Orgler & Jordan, PLLC
15487 Oak Lane Drive, Suite 200-I
Gulfport, MS 39503
(228) 832-8550
File #110879

Indexing Instructions:
Pt of NW 1/4 of SE 1/4 of Sec. 28,
Township 6 South, Range 11 West,
Harrison County, Mississippi

STATE OF MISSISSIPPI

COUNTY OF HARRISON

WARRANTY DEED

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

**PAUL C. SCHIPPEL, an unmarried man,
15201 South Swan Road
Gulfport, MS 39507
(228) 424-3841**

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

**KIRK LADNER,
18226 Highway 53
Gulfport, MS 39503
(228) 832-2151**

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

**Commencing at the Northeast corner of the Northwest Quarter of the Southeast
Quarter (NW 1/4 of the SE 1/4) of Section 28, Township 6 South, Range 11
West, Harrison County, Mississippi, and run thence West 466.69 feet to the
Point of Beginning, being a P.K. nail in the centerline of South Swan Road;
thence along said centerline run West 280.01 feet; thence South 466.69 feet;
thence East 280.01 feet; thence North 466.69 feet to the Point of Beginning.**

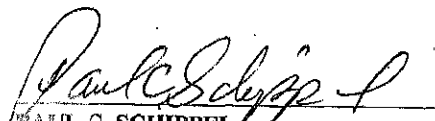
**LESS AND EXCEPT that part of said property situated within the right-of-way
of South Swan Road across the North margin thereof.**

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

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

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

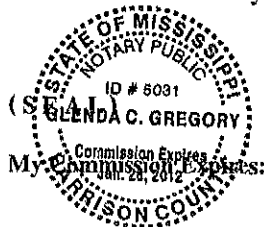
WITNESS THE SIGNATURE of the Grantor on this the 27th day of July, 2011.


PAUL C. SCHIPPEL

STATE OF MISSISSIPPI
COUNTY OF HARRISON

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

GIVEN under my hand and official seal on this the 27th day of July, 2011.




NOTARY PUBLIC

PREPARED BY:
WATKINS LUDLAM WINTER & STENNIS, P.A.
POST OFFICE DRAWER 160
GULFPORT, MS 39502
228-864-3094

STATE OF MISSISSIPPI
COUNTY OF HARRISON



J. H. H. H.
1st Judicial District
Instrument 2005 11344 D -J1
Filed/Recorded 1 11 2005 3 18 P
Total Fees 12.00
2 Pages Recorded

WARRANTY DEED

FOR AND IN CONSIDERATION of the sum of Ten Dollars (\$10.00) cash in hand paid and other good and valuable consideration, the receipt and sufficiency of all of which is hereby acknowledged, the undersigned **HARRELL S. EDWARDS and ADELINE B. EDWARDS**, do hereby sell, convey and warrant unto **KIRK L. LADNER**, the following described land and property located and being situated in Harrison County, First Judicial District, State of Mississippi and being more particularly described as follows, to-wit:

A parcel of land located in the Northwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 28, Township 6 South, Range 11 West, City of Gulfport, First Judicial District of Harrison County, Mississippi and being more particularly described as follows:

Commencing at a nail found in the asphalt of South Swan Road being the Northeast corner of said Northwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 28; Thence South 00 degrees 24 minutes 41 seconds East 466.58 feet along the east line of Said Northwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ to an iron rod found at the POINT OF BEGINNING; Thence South 00 degrees 39 minutes 11 seconds East 871.33 feet to a concrete post found at the Southeast corner of said Northwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$; Thence South 89 degrees 20 minutes 33 seconds West 1351.88 feet along the south line of said Northwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ to an iron rod found at the Southwest corner of said Northwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$; Thence North 00 degrees 08 minutes 57 seconds West, 1311.45 feet along the west line of said Northwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ to an iron rod found at the south right-of-way of South Swan Road; Thence North 89 degrees 14 minutes 03 seconds East 595.56 feet along said South right-of-way of South Swan Road to an iron rod set; Thence South 00 degrees 23 minutes 01 seconds East 433.07 feet to an iron pipe found; Thence North 89 degrees 57 minutes 59 seconds East 746.87 feet to THE POINT OF BEGINNING.

THIS CONVEYANCE is subject to any and all recorded restrictive covenants, rights of way, easements and the prior reservation of any oil, gas and other minerals.

IT IS AGREED and understood that the taxes for the current year have been pro-rated as of this date on an estimated basis. When said taxes are actually determined, if the proration as of this date is incorrect, then the Grantor agrees to pay to the Grantee, or its assigns, any deficit on an actual proration, and likewise, the Grantee agrees to pay to the Grantor, or its assigns, any amount overpaid by it.

WITNESS THE SIGNATURE of the above this the 10 day of January 2005.

Harrell S. Edwards
Harrell S. Edwards

Adeline B. Edwards
Adeline B. Edwards

STATE OF NEW MEXICO
COUNTY OF Bernalillo

Personally appeared before me, the undersigned authority in and for the said county and state, on this 10th day of January, 2005, within my jurisdiction, the within named **HARRELL S. EDWARDS** and **ADELINE B. EDWARDS**, duly identified before me, who acknowledged that they is executed and delivered the above and foregoing instrument.

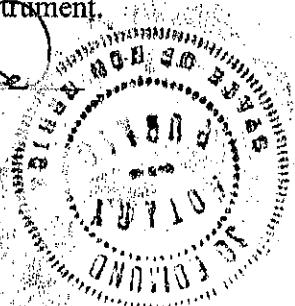
[Signature]
Notary Public

My Commission Expires:

11-10-05

Grantor: Harrell S. Edwards
Adeline B. Edwards
8704 Avenales, NE
Albuquerque, NM 87111
PH: 505-299-2742

Grantee: Kirk L. Ladner
18226 Highway 53
Gulfport, MS 39503
PH: 832-2151





Department of Engineering

4050 Hewes Avenue
Gulfport, MS 39507-3903
Phone: 228-868-5740
Fax: 228-214-2238

June 30, 2023

Mr. Greg Holmes
Urban Development Planning Division
Post Office Box 1780
1410 24th Avenue, Room 206
Gulfport, MS 39502
Telephone (228) 868-5710
Fax (228) 868-5708
Email: gholmes@gulfport-ms.gov

Re: Swan Ridge Subdivision

Dear Mr. Holmes:

On June 20, 2023, Engineering and Public Works conducted a final inspection of the referenced subdivision, and deficiencies were noted. A follow-up inspection took place on June 29, 2023 and all punch list items were completed.

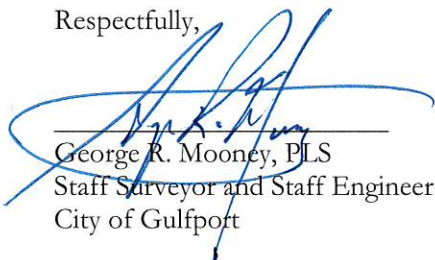
Since the development was approved to use soil cement as the road base, two (2) warranties will be required. A warranty bond in the amount of \$50,900 is required for a period of one (1) year to cover all infrastructure except roadway, and a warranty bond in the amount of \$24,700 is required for a period of three (3) years to cover the roadway.

At the conclusion of the warranty periods, the developer is required to notify the city to schedule the warranty inspections. Prior to acceptance for perpetual maintenance all deficiencies shall be corrected.

We recommend acceptance of the subdivision and the start of the one and three year warranty periods based on the above conditions.

If you have any questions or concerns, please feel free to contact me.

Respectfully,


George R. Mooney, PLS
Staff Surveyor and Staff Engineer
City of Gulfport

Cc: Wayne Miller, P.E., Director of Engineering and Public Works
Jeremy Harrison, P.E., Assistant Director of Engineering
Tyler Gentry, Assistant Director of Public Works

Attachments: 1. Engineering Inspection Report
2. Map

**SUBDIVISION INSPECTION CHECKLIST**

SUBDIVISION:	Swan Ridge
TYPE OF INSPECTION:	Final Inspection
DATE:	June 20, 2023
PERSONS PRESENT:	Brian McKnight, Department of Public Works Brian Jones, Department of Public Works George R. Mooney, Staff Engineer Kyle Deang, Engineering Technician David Sanzin, H2O Innovation Kirk Ladner, Owner Mark Kraninger, Department of Public Works Joe Johnson, Department of Public Works

CHECKLIST ITEMS**STREETS & DRAINAGE:**

- | | | | |
|---|---|--|------------------------------|
| 1. Is debris/silt and vegetation in streets, curbs, pipes, and catchbasins? | ☐ Yes | ☒ No | ☐ N/A |
| 2. Is street paving/concrete acceptable? | ☒ Yes | ☐ No | ☐ N/A |
| 3. Is drainage pipe in ROW concrete? | ☒ Yes | ☐ No | ☐ N/A |
| 4. Are catchbasin openings sized correctly? | ☒ Yes | ☐ No | ☐ N/A |
| 5. Are curbs & gutter broken/settled? | ☐ Yes | ☒ No | ☐ N/A |
| 6. Is rebar present in curb? | ☒ Yes | ☐ No | ☐ N/A |
| 7. Are street lights present & spaced correctly? | ☐ Yes | ☒ No | ☐ N/A |
| 8. Are lots graded to direct water to drainage systems? | ☒ Yes | ☐ No | ☐ N/A |
| 9. Is/Are detention pond(s) holding water? | ☒ Yes | ☐ No | ☐ N/A |
| 10. Is/Are the banks of detention pond(s) & ditches stabilized? | ☒ Yes | ☐ No | ☐ N/A |
| 11. Are swales/ditches able to be maintained by residents? | ☐ Yes | ☒ No | ☐ N/A |
| 12. Is erosion control provided at outfalls? | ☒ Yes | ☐ No | ☐ N/A |
| 13. Are any extra easements required? | ☐ Yes | ☒ No | ☐ N/A |

WATER & SEWER:

- | | | | |
|---|---|-----------------------------|------------------------------|
| 1. Are all water meters installed & with no broken/missing parts? | ☒ Yes | ☐ No | ☐ N/A |
| 2. Are all water lines and appurtenances installed in accordance with city standards? | ☒ Yes | ☐ No | ☐ N/A |
| 3. Are sewer cleanouts installed & with no broken/missing parts? | ☒ Yes | ☐ No | ☐ N/A |

4. Are all manholes installed in accordance with city standards?

☒ Yes ☐ No ☐ N/A

TRAFFIC & SAFETY:

1. Are street name signs correct & in place?

☒ Yes ☐ No ☐ N/A

2. Are traffic control signs correct & in place?

☒ Yes ☐ No ☐ N/A

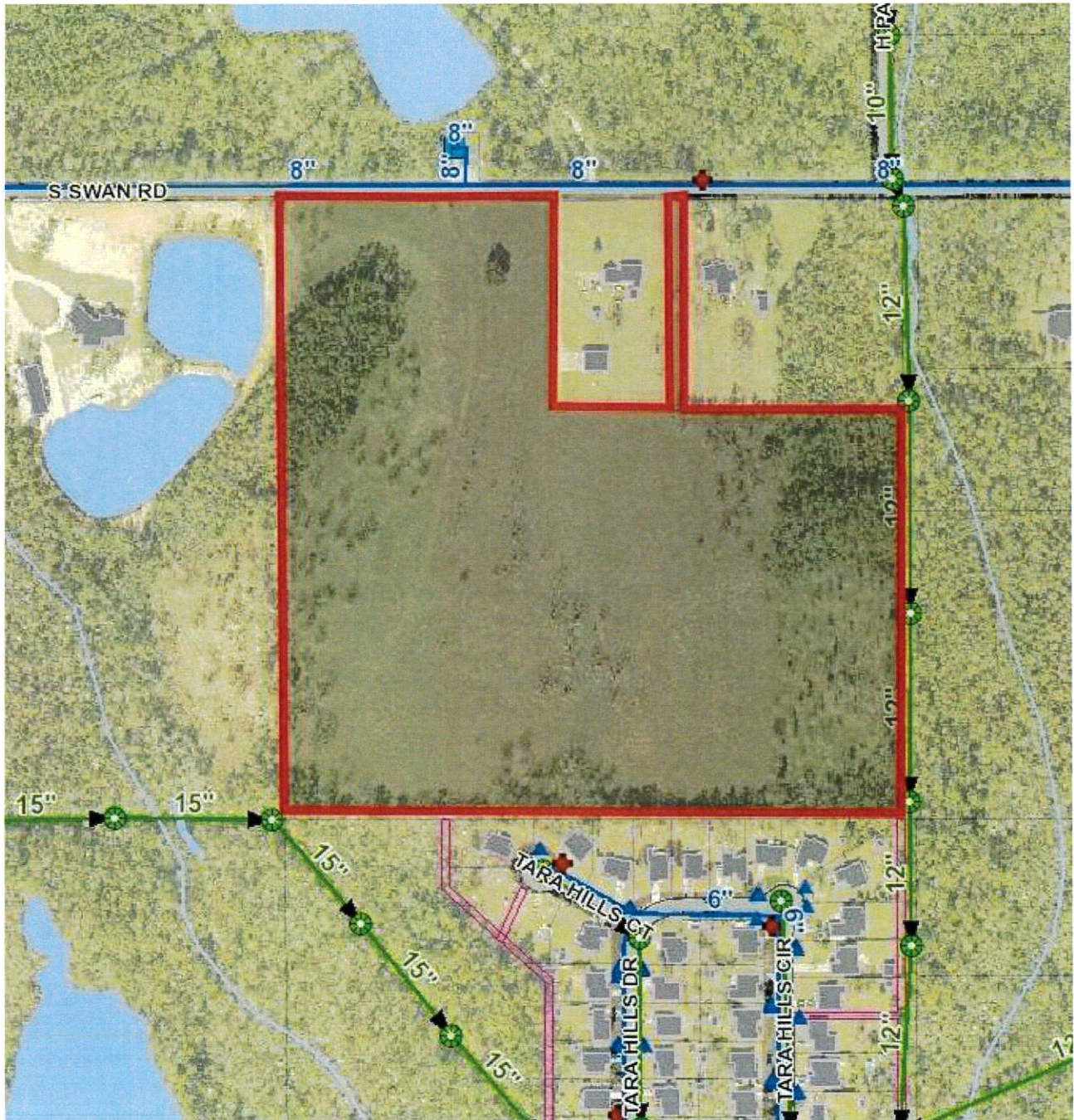
PUNCHLIST ITEMS

1. SMH07 – Need to form invert **COMPLETE**
2. Concrete donut missing for water valve near hydrant at end of Pen Place cul de sac **COMPLETE**
3. SMH08 – Need to form invert **COMPLETE**
4. SMH 2A – Grout under ring **COMPLETE**
5. SMH 16 – Need to form invert **COMPLETE**
6. Add sealant to pavement at intersection of Cygnet Cove and Swan Ridge Circle **COMPLETE**
7. Top of all storm drain boxes need to be cleaned **COMPLETE**
8. Add riprap to outfall at east detention pond **COMPLETE**
9. Backfill to the back of curb throughout subdivision **COMPLETE**
10. Stop bars need to be painted **COMPLETE**

Signed: 

Date: 6/29/2023

Name: George Mooney Title: Staff Surveyor & Staff Engineer



Swan Ridge Subdivision

This Instrument prepared by and to be returned to:

Margaret Murdock, MS Bar #9824

City of Gulfport

Post Office Box 1780

Gulfport, Mississippi 39502-1780

(228) 868-5811

**COVENANTS AND AGREEMENTS FOR PERMANENT MAINTENANCE
OF STORM WATER SYSTEMS**

CITY OF GULFPORT STORM WATER MANAGEMENT PROGRAM

THIS COVENANT/AGREEMENT made and entered into this 27th day of
June, 20 23, by and between "Grantor" (hereinafter referred to as "Owner")
Kirk L. Ladner
18226 Highway 53
Gulfport, Mississippi 39503

and the "Grantee" (hereinafter referred to as the "City")

CITY OF GULFPORT, MISSISSIPPI

P.O. Box 1780

Gulfport, MS 39501

(228) 868-5700

WHEREAS, Owner owns certain real property located in the City of Gulfport, First Judicial District, Harrison County, Mississippi, as described in Exhibit "A" hereto (hereinafter called the "Property"); and

WHEREAS, Owner is in the process of making or has made improvements to the Property; and

WHEREAS, the Site Plan/Subdivision Plan known as (Name of Plan/Development) _____

Swan Ridge

hereinafter called the "Plan," which is expressly incorporated herein by reference, as approved, or to be approved, by the City, provides for the construction and maintenance of storm water facilities, best management practices, and improvements within the confines of the Property; and

WHEREAS, the City requires that on-site storm water facilities, best management practices, and improvements as shown on the Plan be constructed and adequately maintained by Owner, its successors and assigns, including any homeowners association that assumes ownership thereof;

WHEREAS, the term "storm water facilities", as used hereinafter, refers to water quantity and/or water quality facilities, and other best management practices and improvements related to the handling of storm water including but not limited to detention basins, retention basins, storm water ponds, storm water wetlands, water quality buffers, swales, ditches, pipes, inlets, separators, filtering devices, water quality structures.

WHEREAS, Owner, its successors and assigns, understands that the execution and adherence to the provisions of this Covenant/Agreement is a condition precedent to the City's permitting, and/or approving the Site Plan, Storm Water Management Plan, and/or Subdivision Plan for the Property and the development located thereon;

WHEREAS, this Covenant/Agreement and the obligations found in it are required by City Ordinance and by the Environmental Protection Agency (EPA) by and through any and all applicable EPA rules and regulations.

NOW, THEREFORE, in consideration of the foregoing premises and mutual covenants the parties hereby agree as follows:

1. The on-site storm water facilities on the Property shall be constructed, operated, and maintained by Owner, its successors and assigns, in accordance with the approved Plan and specifications identified in the Plan, as well as in accordance with State and Federal requirements and regulations, including, without limitation, the Mississippi Department of Environmental Quality's "Storm Water Design Standards Manual," the City of Gulfport's "Erosion, Sediment, and Post Construction Control Ordinance" (Ordinance No. 2419) (Appendix C in the City's Code of Ordinances) and any and all other applicable City Ordinances and regulations, including, but not limited to, the City's "Stormwater Pollution Prevention Plan" (these documents are collectively referred to hereinafter as the "governing documents")
2. Owner, its successors and assigns (which for purposes of this document shall include, but not be limited to, any homeowners or business owners association), shall adequately maintain the storm water facilities on the Property. Adequate maintenance required by this Covenant/Agreement shall include, but is not limited to, scheduled and corrective maintenance as described on/in the approved Plan and/or as described in the governing documents (as defined herein) for all storm water facilities that are intended to manage and/or control storm water on the Property, with such

storm water facilities to include, but not be limited to pipes, drainage structures, ditches, swales, vegetation, berms, pond areas, outlet structures, maintenance shelf(s) and access roads, or any other improvement associated with storm water on the Property but excluding any such improvements located on, under, or within any publicly owned or dedicated rights-of-way in which State or City has accepted maintenance of the roadways and/or drainage facilities. Adequate maintenance is herein defined as keeping such storm water facilities in good working condition such that they satisfactorily perform their intended design functions.

3. Owner, its successors and assigns, shall inspect the storm water facilities as described on/in the approved Plan and/or as described in the governing documents (as defined herein) to assure safe and proper functioning of the storm water facilities located on the Property. Any and all deficiencies identified during such inspections shall be repaired, as necessary, at the Owner's expense.
4. Owner, its successors and assigns, hereby grants permission to the City, its authorized agents and employees, to enter upon the Property and to inspect the storm water facilities located on the Property as deemed necessary by the City for the purposes of protecting the public health, safety or welfare, for the purposes of investigating or inspecting any reported or suspected deficiencies in the storm water facilities on the Property, for the purposes of responding to or investigating citizens' complaints related to the management or control of storm water on the Property, or for any other purpose deemed necessary by the City including, but not limited to, confirming compliance with this Covenant/Agreement. The City shall provide Owner, its successors and assigns, with a copy of any inspection findings, as well as a directive to commence with any required repairs. Owner shall, within a reasonable period of time thereafter and without undue delay, provide to the City detailed plans concerning the repair of the implicated storm water facilities located on the Property. To the extent that the City does not agree with or to the contemplated repairs proposed by Owner, the City may submit an alternate repair plan to Owner or require Owner to submit a detailed repair plan prepared by a professional engineer, licensed in the State of Mississippi.
5. In the event Owner, its successors and assigns, fails to maintain the storm water facilities on the Property in good working condition acceptable to the City, or fails to make repairs as specified in the inspection report within a reasonable time frame as established by the City, with such time frame not to be shorter than thirty (30) days, the City shall impose a civil penalty upon Owner, its successors and assigns, in the amount of the estimated cost of the necessary repairs, as certified by the City Engineer. The City may undertake any and all means available to it to collect this civil penalty from the appropriate party/ies. It is expressly understood and agreed that this Covenant/Agreement imposes no obligation or responsibility on the City to routinely inspect, maintain or repair any storm water facilities located on the property.
6. This Covenant/Agreement shall impose no liability on the City with respect to the inspection, maintenance or repair of any storm water facilities on the Property, nor does the City assume any obligation or duty to undertake or perform any action allowed for, or permitted by, this Covenant/Agreement. The Owner, its successors and assigns, further agrees to defend and fully indemnify and hold the City harmless from any and all liability, claims and lawsuits in any way arising out of or related to the management, operation, maintenance, or failure of any storm water facilities subject to this Covenant/Agreement, the Plan and/or this Covenant/Agreement.
7. Notwithstanding any right extended to the City pursuant to this Covenant/Agreement, it is expressly recognized and acknowledged that the City retains all prosecutorial rights and remedies available to it, including the enforcement of any and all applicable City ordinances, against the

Owner, its successors and assigns, relating to the operation, maintenance, and/or repair of storm water facilities located on the Property as well as with respect to enforcement of this Covenant/Agreement.

8. This Covenant/Agreement shall be recorded among the land records of Harrison County, Mississippi, First Judicial District, shall run with the land, and shall be binding on the Owner, its administrators, executors, assigns, heirs and any other successors in interest, including homeowners association/s.

INDEXING INSTRUCTIONS: NW 1/4 OF THE SE 1/4 OF SECTION 28, TOWNSHIP 6 SOUTH, RANGE 11 WEST, CITY OF GULFPORT, HARRISON COUNTY, MS.

IN WITNESS WHEREOF the undersigned have caused this Covenant/Agreement to be executed on the date first written above.

WITNESSES:

[Signature]
Witness:

[Signature]
Witness:

OWNER:

KIRK LADNER
Individual/Company/Corporation/Partnership Name

By: Kirk Ladner
Title: OWNER

STATE OF Mississippi
COUNTY OF Harrison

ACKNOWLEDGEMENT

I, the undersigned Notary Public, do hereby certify that Kirk Ladner

_____, personally appeared before me this day and acknowledged the due execution of the foregoing instrument

WITNESS my hand and seal this 27th day of June, 2023.

Kimberly Parks (SEAL)
Notary Public for Mississippi

My Commission Expires: _____



Exhibit "A"

LEGAL DESCRIPTION:

A parcel of land situated and being located in the NW 1/4 of the SE 1/4 of Section 28, Township 6 South, Range 11 West, City of Gulfport, First Judicial District of Harrison County, Mississippi; and being more particularly described as follows:

Beginning at a Found Flagged Concrete Post located at the Northeast corner of Lot 20, Tara Hills Subdivision, Phase II as recorded in the Office of the Chancery Clerk of Harrison County, First Judicial District in Plat Book 40 at Page 12; thence run South 89°43'08" West along the North line of Lots 20 and 21, Tara Hills Subdivision, Phase II a distance of 320.56 feet to a found iron pin located at the Northeast corner of Lot 22, Tara Hills Subdivision, Phase II; thence run South 89°43'39" West along the North line of Lot 22 a distance of 79.83 feet to a found iron pin located at the Northwest corner of Lot 22, Tara Hills Subdivision, Phase II and the Northeast corner of Lot 11, Tara Hills Subdivision, Phase III as recorded in the Office of the Chancery Clerk of Harrison County, First Judicial District in Plat Book 42 at Page 14; thence run South 89°49'56" West along the North line of said Lot 11 a distance of 79.69 feet to a found iron pin located at the Northeast corner of Lot 12, Tara Hills Subdivision, Phase III; thence run South 89°42'11" West along the North line of said Lot 12 a distance of 80.08 feet to a found iron pin located at the Northeast corner of Lot 13, Tara Hills Subdivision, Phase III; thence run South 89°41'57" West along the North line of said Lot 13 a distance of 89.86 feet to a found iron pin located at the Northeast corner of Lot 14, Tara Hills Subdivision, Phase III; thence run South 89°36'33" West a distance of 124.21 feet to a found iron pin located at the Northeast corner of Lot 15, Tara Hills Subdivision, Phase III; thence run South 89°45'59" West along the North line of said Lot 15, Tara Hills Subdivision, Phase III a distance of 195.97 feet to a found iron pin located at the Northwest corner of Lot 15, Tara Hills Subdivision, Phase III and the Northeast corner of the property now for formerly of Charles Larry Benefield; thence run South 89°40'51" West along the North line of the property of Charles Larry Benefield a distance of 381.88 feet to a found iron pin located at the Northwest corner of Charles Larry Benefield; thence run North 00°15'04" East along the East line of the property now or formerly of Timothy James Daigle, Jr. and Jene Michelle Daigle a distance of 1312.57 feet to a found iron pin and a point on the apparent South margin of South Swan Road; thence run North 89°37'13" East along the apparent South margin of South Swan Road a distance of 595.56 feet to a set iron pin with a cap; thence run South 00°02'40" West along the West line of the property now or formerly of Kirk L. Ladner a distance of 313.05 feet to a set iron pin with a cap; thence run South 74°20'36" East a distance of 291.15 feet to a set iron pin with a cap; thence run South 00°02'40" West a distance of 43.88 feet to a found axle located at the Southwest corner of the property now or formerly of Eddie Wayne Miles; thence run South 89°43'39" East along the South line of the property of Eddie Wayne Miles a distance of 466.82 feet to a set iron pin with a cap located at the Southeast corner of the property of Eddie Wayne Miles; thence run South 00°36'07" East along the West line of the property now or formerly of Cheryl High et al a distance of 217.95 feet to a set iron pin with a cap; thence run South 00°08'24" East along the West line of the property now or formerly of Cheryl L. High a distance of 653.81 feet to the Point of Beginning; said property contains 1,464,844 square feet, or approximately 33.63 acres.

WARRANTY BOND

Bond No. 1001148370

KNOW ALL MEN BY THESE PRESENTS, That we, Kirk L. Ladner Excavating Contractors, Inc., as Principal, and U. S. Specialty Insurance Company, a corporation organized under the laws of the State of Texas, and authorized to do surety business in the State of Mississippi, as Surety, are held and firmly bound unto City of Gulfport, as Obligee, in the sum of Fifty Thousand Nine Hundred and No/100----- Dollars (\$ 50,900.00), lawful money of the United States of America, for the payment of which sum well and truly to be made, we bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

WHEREAS, on the 5th day of September, 2023, the Principal entered into a contract with the Obligee for the Swan Ridge Subdivision, 15201 South Swan Road, Gulfport, MS 39503-Infrastructure, excluding Roadways.

WHEREAS, under the terms of the specifications for said work, the Principal is required to give a bond for Fifty Thousand Nine Hundred and No/100----- Dollars (\$ 50,900.00), to protect the Obligee against the result of faulty materials or workmanship, general wear and tear excepted, for a period of One (1) Year after the date of completion and acceptance of said contract.

NOW, THEREFORE, if the Principal shall for a period of One (1) Year from 09/05/23, the date of completion and acceptance of the work performed under the contract, replace any and all defects arising in said work whether resulting from defective materials or defective workmanship, general wear and tear excepted, then the above obligation to be void, otherwise to remain in full force and effect.

SIGNED, SEALED AND DATED this 29th day of June, 2023.

Kirk L. Ladner Excavating Contractors, Inc.

By: Kirk Ladner

U.S. Specialty Insurance Company

By: Kathleen B. Scarborough
Kathleen B. Scarborough, Attorney-in-Fact



**TOKIO MARINE
HCC**

POWER OF ATTORNEY

**AMERICAN CONTRACTORS INDEMNITY COMPANY TEXAS BONDING COMPANY
UNITED STATES SURETY COMPANY U.S. SPECIALTY INSURANCE COMPANY**

KNOW ALL MEN BY THESE PRESENTS: That American Contractors Indemnity Company, a California corporation, Texas Bonding Company, an assumed name of American Contractors Indemnity Company, United States Surety Company, a Maryland corporation and U.S. Specialty Insurance Company, a Texas corporation (collectively, the "Companies"), do by these presents make, constitute and appoint:

Jim E. Brashier, Troy P. Wagener, Dewey B. Mason, Kathleen B. Scarborough, Susan Skrimetta, John W. Nance, Russell Beattie, Lisa R. Butler, Patrick Thomas Mason, James Eley Brashier, Lesslie Ryan Anderson, Debbie Lynn Dunaway

its true and lawful Attorney(s)-in-fact, each in their separate capacity if more than one is named above, with full power and authority hereby conferred in its name, place and stead, to execute, acknowledge and deliver **any and all bonds, recognizances, undertakings or other instruments or contracts of suretyship to include riders, amendments, and consents of surety, providing the bond penalty does not exceed** *****Unlimited***** Dollars (***unlimited***). This Power of Attorney shall expire without further action on January 31st, 2024. This Power of Attorney is granted under and by authority of the following resolutions adopted by the Boards of Directors of the Companies:

Be it Resolved, that the President, any Vice-President, any Assistant Vice-President, any Secretary or any Assistant Secretary shall be and is hereby vested with full power and authority to appoint any one or more suitable persons as Attorney(s)-in-Fact to represent and act for and on behalf of the Company subject to the following provisions:

Attorney-in-Fact may be given full power and authority for and in the name of and on behalf of the Company, to execute, acknowledge and deliver, any and all bonds, recognizances, contracts, agreements or indemnity and other conditional or obligatory undertakings, including any and all consents for the release of retained percentages and/or final estimates on engineering and construction contracts, and any and all notices and documents canceling or terminating the Company's liability thereunder, and any such instruments so executed by any such Attorney-in-Fact shall be binding upon the Company as if signed by the President and sealed and effected by the Corporate Secretary.

Be it Resolved, that the signature of any authorized officer and seal of the Company heretofore or hereafter affixed to any power of attorney or any certificate relating thereto by facsimile, and any power of attorney or certificate bearing facsimile signature or facsimile seal shall be valid and binding upon the Company with respect to any bond or undertaking to which it is attached.

IN WITNESS WHEREOF, The Companies have caused this instrument to be signed and their corporate seals to be hereto affixed, this 23rd day of September, 2021.

**AMERICAN CONTRACTORS INDEMNITY COMPANY TEXAS BONDING COMPANY
UNITED STATES SURETY COMPANY U.S. SPECIALTY INSURANCE COMPANY**

State of California

County of Los Angeles



By: 

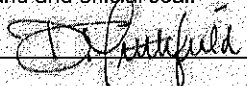
Daniel P. Aguilar, Vice President

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.

On this 23rd day of September, 2021, before me, D. Littlefield, a notary public, personally appeared Daniel P. Aguilar, Vice President of American Contractors Indemnity Company, Texas Bonding Company, United States Surety Company and U.S. Specialty Insurance Company who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person 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 

(seal)

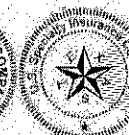
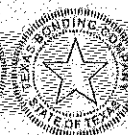


I, Kio Lo, Assistant Secretary of American Contractors Indemnity Company, Texas Bonding Company, United States Surety Company and U.S. Specialty Insurance Company, do hereby certify that the above and foregoing is a true and correct copy of a Power of Attorney, executed by said Companies, which is still in full force and effect; furthermore, the resolutions of the Boards of Directors, set out in the Power of Attorney are in full force and effect.

In Witness Whereof, I have hereunto set my hand and affixed the seals of said Companies at Los Angeles, California this 29th day of June, 2023.

Corporate Seals
Bond No. 1001148370

Agency No. 17033




Kio Lo, Assistant Secretary

WARRANTY BOND

Bond No. 1001148371

KNOW ALL MEN BY THESE PRESENTS, That we, Kirk L. Ladner Excavating Contractors, Inc., as Principal, and U. S. Specialty Insurance Company, a corporation organized under the laws of the State of Texas, and authorized to do surety business in the State of Mississippi, as Surety, are held and firmly bound unto City of Gulfport, as Obligee, in the sum of Twenty-Four Thousand Seven Hundred and No/100----- Dollars (\$ 24,700.00), lawful money of the United States of America, for the payment of which sum well and truly to be made, we bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

WHEREAS, on the 5th day of September, 2023, the Principal entered into a contract with the Obligee for the Swan Ridge Subdivision, 15201 South Swan Road, Gulfport, MS 39503 - Roadways.

WHEREAS, under the terms of the specifications for said work, the Principal is required to give a bond for Twenty Four Thousand Seven Hundred and No/100----- Dollars (\$ 24,700.00), to protect the Obligee against the result of faulty materials or workmanship, general wear and tear excepted, for a period of Three (3) Years after the date of completion and acceptance of said contract.

NOW, THEREFORE, if the Principal shall for a period of Three (3) Years from 09/05/23, the date of completion and acceptance of the work performed under the contract, replace any and all defects arising in said work whether resulting from defective materials or defective workmanship, general wear and tear excepted, then the above obligation to be void, otherwise to remain in full force and effect.

SIGNED, SEALED AND DATED this 29th day of June, 2023.

Kirk L. Ladner Excavating Contractors, Inc.

By: Kirk Ladner

U.S. Specialty Insurance Company

By: Kathleen B. Scarborough
Kathleen B. Scarborough, Attorney-in-Fact



TOKIOMARINE
HCC

POWER OF ATTORNEY

AMERICAN CONTRACTORS INDEMNITY COMPANY TEXAS BONDING COMPANY
UNITED STATES SURETY COMPANY U.S. SPECIALTY INSURANCE COMPANY

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State of California

County of Los Angeles



By: 

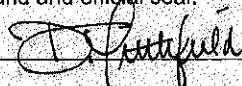
Daniel P. Aguilar, Vice President

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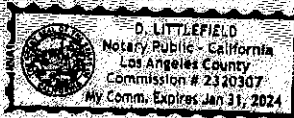
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I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature 

(seal)



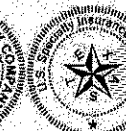
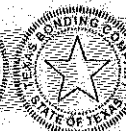
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In Witness Whereof, I have hereunto set my hand and affixed the seals of said Companies at Los Angeles, California this 29th day of June, 2023.

Corporate Seals

Bond No. 1001148371

Agency No. 17033




Kio Lo, Assistant Secretary

MEMORANDUM

To: City of Gulfport Zoning Board of Adjustment and Appeals

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

Date of Hearing: August 22, 2023

Re: Variance Denial - variance to exceed the allowable height for an accessory building - zoned R-UE (Urban residence estate) - located at 20 54th Street - Case # 2307ZB073 - Ward 4 - with Appeal.

Variance 2307ZB073, by owner Rebeca Fairley, is seeking approval for 18 feet in height for a detached accessory structure where 14 feet is the height limit, Tax Parcel 0909J-03-017.000, 20 54th Street, Zoned R-UE (Urban residence estate), Ward 4

MEMORANDUM

To: Mayor Billy Hewes and
Gulfport City Council

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

Date: August 11, 2023

Re: Variance 2307ZB073, by owner Rebeca Fairley, is seeking approval for 18 feet in height for a detached accessory structure where 14 feet is the height limit, Tax Parcel 0909J-03-017.000, 20 54th Street, Zoned R-UE (Urban residence estate), Ward 4

Zoning Board of Adjustments and Appeals recommendation: To **approve** applicant request.

Motion: Mrs. Wiginton

Second: Mrs. North

Leslie North	- Acting Chair -Nay
Mary Ann Wiginton	-Yea
Michael Daniels	-Nay
Robert Pharr	-Yea
Nathan Boddie	-Nay

Action: Motion fails 3-2

Speaking for the Petition:

1. Rebeca Fairley

Speaking against the Petition: None

On July 20, 2023, the Zoning Board of Adjustments and Appeals recommended approval of the above referenced case.

Please place the attached item on the Council agenda for August 22, 2023.

Technical Report

VARIANCE

GENERAL INFORMATION

Case File Number: 2307ZB073

Hearing Date: July 20, 2023

Current Zoning/Use: R-UE / Single – family

Legal: Variance 2307ZB073, by owner Rebeca Fairley, is seeking approval for 18 feet in height for a detached accessory structure where 14 feet is the height limit, Tax Parcel 0909J-03-017.000, 20 54th Street, Zoned R-UE (Urban residence estate), Ward 4

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 seeking approval for a variance of 4 feet to allow for an 18 foot in height detached accessory structure where 14 feet is the height limit.

- (a) Applicant notes that, “the storage Shop has already been built and they do not want to alter it in any way” and “they do not have storage to store their boat, golf carts, tools, etc.”
- (b) The applicant claims that they were unaware that they needed a work permit to build a shop on their property. Therefore, they did not know there were City requirements nor restrictions of the Bayou View Covenants.
- (c) The applicant claims that, “Bayou View is an older neighborhood, and I believe that is why there have not been many new structures in the area. Most of the residents are older and may not have the need to add on or add additional structures to their property. I, however, needed the space to store my extra vehicles, boats, work trucks, tools and more.” Beyond it being the choice of the applicant to build the detached accessory structure; thus, this hardship condition is not met. The applicant knew the physical character of the property prior to buying it.
- (d) According to the applicant, “this structure will add value to the property and future property owners. It is in compliance to the design of the homes and other shops I have seen in the surrounding area.”
- (e) The applicant claims that approval of this variance will not grant special privileges that any other neighbor could not endure. Granting this variance would provide special privileges and set a precedence in that only one property does not comply with ordinance in regards to accessory building height limits.
- (f) This property is zoned R-UE, and a single-family home with one accessory structure are allowed by right.

EXECUTIVE SUMMARY

Applicant is seeking approval for a variance to allow for an 18 feet in height detached accessory structure where 14 feet is the height limit. The city changed the accessory building ordinance in 2018 with the intent of guiding accessory structures; with hardship requirements when considering a variance. Having an accessory structure would be consistent with the neighborhood. However, a detached accessory structure of this height is not consistent with the neighborhood.

Any approval should consider these conditions:

1. Approval grants a variance of 4 feet to allow for an 18 foot in height accessory structure where 14 feet is the height limit.

DEPARTMENTAL CONDITIONS

Engineering: No comment as of 07/07/2023.

Public Works: No comment as of 07/07/2023.

Traffic and Safety: No conditions. Memo dated 06/27/2023.

Technical Report

VARIANCE

Building Code Services: No conditions. Memo dated 06/30/2023.

GIS: No conditions. Memo dated 06/28/2023.

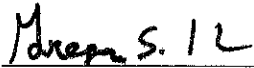
Police Department: No comment as of 07/07/2023.

Fire Department: No conditions. Memo dated 06/27/2023.

City Arborist: No conditions. Memo dated 06/27/2023.

DIRECTOR APPROVAL

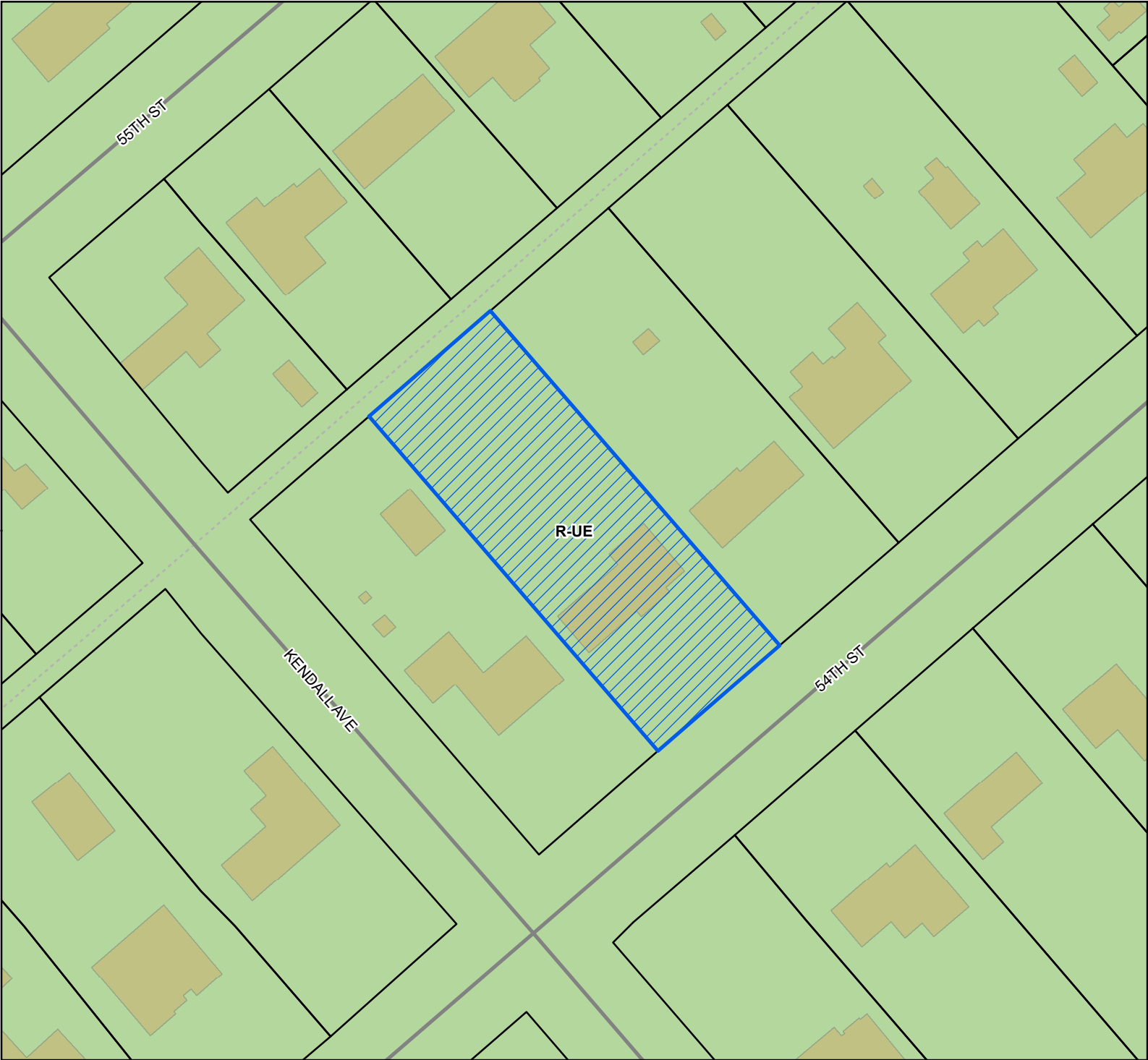
This report has been reviewed and approved by:



Greg Holmes

Director of Urban Development Department





 Site

 Street

 Alley

 Parcels

 Buildings

Zoning

 R-UE - Residential Urban Estate

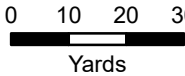
Site Information

0909J-03-017.000

Zoning: R-UE (Urban residence estates districts)

Size: 36964.7 sqft

Flood: X



1 inch = 100 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
2307ZB073

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

0909J	-03-	017	.000																

Property Address: 20 54th Street Gulfport MS 39507
 Lot(s) 7, Block(s) 1, Subdivision Bayou View

General Description of Request: approval for variance for 18 foot height where 14 is allowed.

OWNERSHIP AND CERTIFICATION

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

OWNER

AGENT

Rebecca Fairley
 Printed Name of Owner
20 54th Street
 Mailing Address
Gulfport MS 39507
 City 228-449-9091 State MS Zip code
 Home Phone panacheoil.com Work/Cell Phone
 Email [Signature]
 Signature of Owner

 Printed Name of Agent

 Mailing Address

 City _____ State _____ Zip code

 Home Phone _____ Work/Cell Phone

 Email

 Signature of Agent

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

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

NAME OF OWNER (PRINT)

Rebecca Fairley

ADDRESS (STREET, CITY, STATE, ZIP CODE)

20 Elm Street

PHONE # (H)

228-444-9091

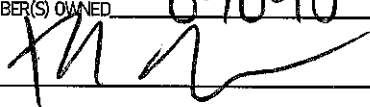
(WK/CELL)

228-822-0120

TAX PARCEL NUMBER(S) OWNED

09090-03-017.000

SIGNATURE



NAME OF OWNER (PRINT)

ADDRESS (STREET, CITY, STATE, ZIP CODE)

PHONE # (H)

(WK/CELL)

TAX PARCEL NUMBER(S) OWNED

SIGNATURE

NAME OF OWNER (PRINT)

ADDRESS (STREET, CITY, STATE, ZIP CODE)

PHONE # (H)

(WK/CELL)

TAX PARCEL NUMBER(S) OWNED

SIGNATURE

Important Notice

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

Submission Requirements

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

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

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

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

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

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

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

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

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

Variance Submissions



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

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



Covenant Affidavit

I, Rebecca Fairley, being owner or agent of the property 20 5th Street
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] 5-25-23
Signature Date

STATE OF MISSISSIPPI | COUNTY OF HARRISON

Given under my hand and seal of office this the 30 day of May, 20 23

[Signature]

Notary Public

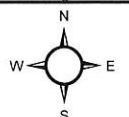
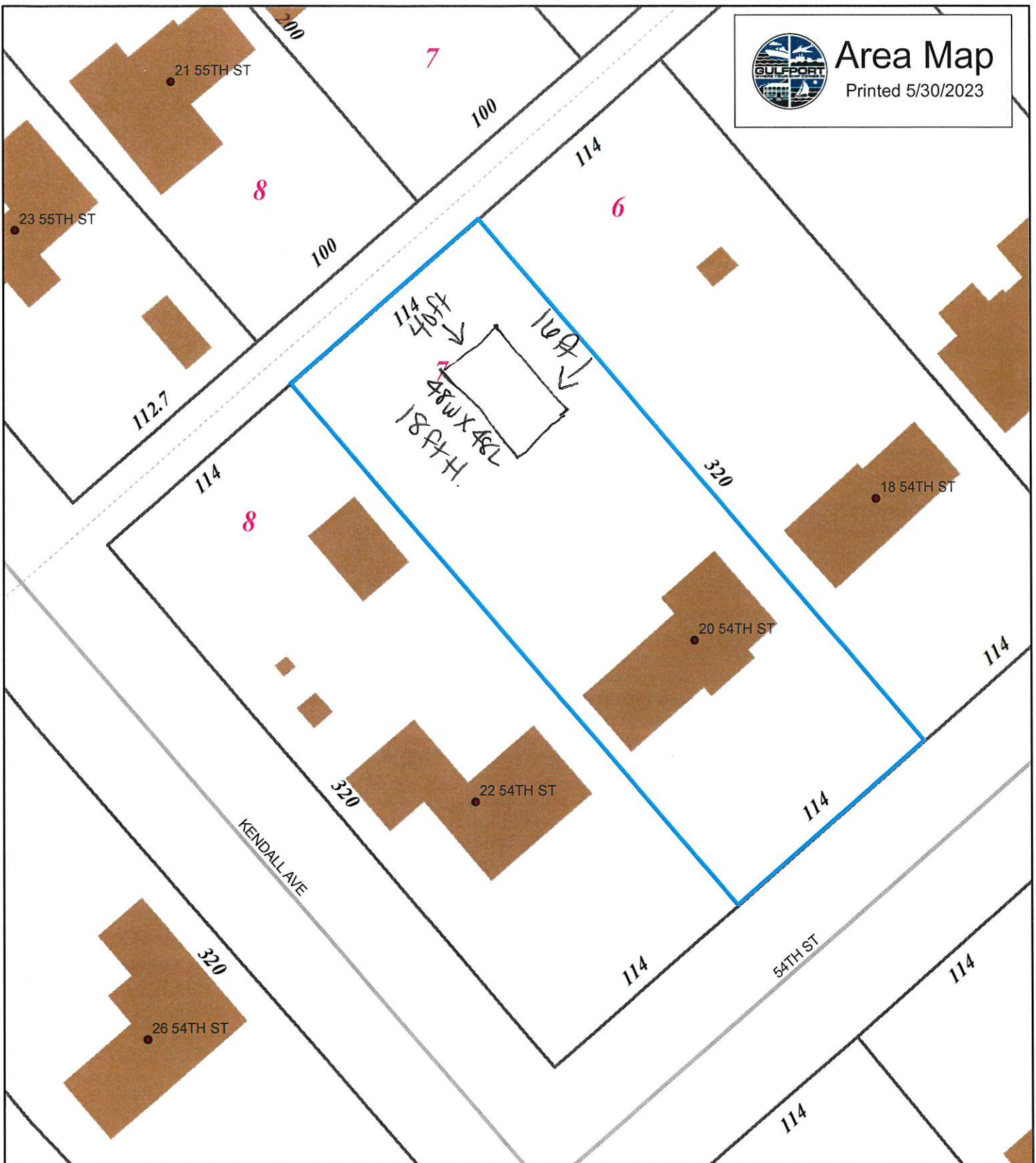


Commission Expiration



Area Map

Printed 5/30/2023



1 inch = 60 feet

- Address points
- ~ Minor/Residential
- Alley
- Parcels

Rebecca J. M.
5-30-23

DATA DISCLAIMER:

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Variance Submissions Questions

20 54th Street Gulfport Ms 39507

Seeking Approval of a storage Shop at my place of residence:

1. My property is plenty big enough to support a structure of this size in height and width. I currently do not have storage to store my boat, golf carts, tools etc.... The size and or height of this structure are not affecting any surrounding properties or structures. I am asking for a variance due to the fact it is built, and I would hate to have to alter it in any way.
2. I was unaware that I needed a work permit to build a shop on my property therefore I did not know there were city requirements via the city or restrictions of bayou view. I have only ever lived in the county and was not even aware that a convenience in bayou view.
3. Bayou View is an older neighborhood, and I believe that is why there have not been many new structures in the area. Most of the residents are older and may not have the need to add on or add additional structures to their property. I, however, needed the space to store my extra vehicles, boats, work trucks, tractors, tools and more.
4. This structure will add value to the property and future property owners. It is compliant to the design of the homes and other shops I have seen in the surrounding area. It is a wooden structure, with shingles and hardy siding. It is also tucked away in the back corner of the property, so it is not visible to the street view.
5. This storage shop does not allow any extra benefit that any other neighbor could not endure. I have seen other homes that have multiples storage units in their back yard this is just under one roof instead of several which supports the size. Also, the size and height allows us to store the many items that we own in the back of my property so they are not an eye soar in the front of the property.
6. It seems as if it is my right as a homeowner and property owner that I would be able to have such a structure on my property to keep items stored and keep the front of the home looking presentable. If not, I would have boats, trucks, golf carts, tools, and more in the yard and would destroy our items from weather and elements.

From: Thomas M. Jones MJones@flygpt.com
Subject: Construction of Shed
Date: May 26, 2023 at 8:35:35 AM
To: panache0110@aol.com

Ms. Fairley,

After having internal discussions at the airport and a phone call with the City of Gulfport, it was determined by the Airport Authority that your proposed shed will not impact airport operations and you do not need approval from the airport. We have taken a look at the site where the construction is proposed and determined that, as long as the building stays under 57 feet in height, it will not be endangering any of the airport surfaces. Please feel free to contact me at 228-596-6940 if there is anything else we can help you with.

Thank you.
Michael

Thomas M. Jones
Operations Supervisor
Gulfport-Biloxi International Airport
14035-L Airport Rd. | Gulfport, MS 39503
(228) 863-5951 (o) | (228) 863-1908 (c)
www.FLYGPT.com

We Make Flying Easier.





FIRE DEPARTMENT

P.O. Box 1780
Gulfport, MS 39502
Phone: 228-868-5950
Fax: 228-868-5808

Rebecca Fairley
20 54th St.
Gulfport, MS 39507

Central Station
1515 23rd Avenue
Gulfport, MS 39501

May 25, 2023

Internationally Accredited Gulfport Fire Department (GFD) is a full-spectrum life safety agency protecting a population of more than 72,000 citizens and a metro-population of greater than 416,000 people who live, work and play in Mississippi's second largest city. Gulfport Fire Department is one of only two Mississippi agencies that has an ISO Fire Suppression Rating of 2 out of 10 (with 1 being the highest rating). A total of 160 plus uniformed fire personnel protect life, property and the environment through their direct involvement in fire prevention, firefighting, emergency medical care, technical rescue, hazardous materials mitigation, disaster response, public education and community service. An equally committed non-sworn cadre of professional support personnel provide technical and administrative expertise in their corresponding pursuit of the department's mission. The expansive capabilities of the department include high-angle rescue, special operations response and all-hazards mitigation to include multi-story (High Rise) occupancies. In consideration of the department's capabilities as applied to the proposed development at 20 54th St. Gulfport, Ms., the Gulfport Fire Department Fire Chief approves of this general plan. Compliance with applicable codes and standards assumed.

Sincerely,

A handwritten signature in black ink that reads "Billy Kelley". The signature is fluid and cursive, with the first name "Billy" and last name "Kelley" clearly distinguishable.

Billy Kelley
Fire Chief City of Gulfport



1st Judicial District
Instrument 2021-11544-D-11
Filed/Recorded 08/10/2021 09:30 AM
Total Fees \$26.00
2 Pages Recorded

Our File #B210707

Prepared by & Return To:
Schwartz, Orgler & Jordan, PLLC
P O Box 4682
Biloxi, MS. 39535
228-388-7441

INDEX: Lot 7, Blk 1, Gulfport Bayou View

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,

Hollis T. Holleman and wife, Lucy Jackson Holleman,

11655 Stanton Circle, Gulfport, MS 39503, (334) 315-077,1

does hereby sell, convey and warrant unto

Rebeca Nichole Fairley,

12481 Preservation Dr, Gulfport, MS 39503, (228) 669-9091,

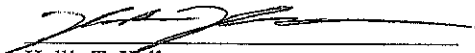
the following described land and property being located in the First Judicial District of Harrison County, Mississippi, being more particularly described as follows, to-wit:

Lot Seven (7), Block One (1) of Gulfport Bayou View Subdivision, a subdivision according to the official map or plat thereof on file and of record in the office of the Chancery Clerk of the First Judicial District of Harrison County, Mississippi, in Plat Book 17 at Page 9 thereof, reference to which is hereby made in aid of and as a part of this description. Together with all improvements thereon and all rights and appurtenances thereunto belonging or in anyway appertaining.

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 by the Grantee herein.

WITNESS OUR SIGNATURES, on this the 9th day of August, 2021.


Hollis T. Holleman


Lucy Jackson Holleman

STATE OF MISSISSIPPI

COUNTY OF HARRISON

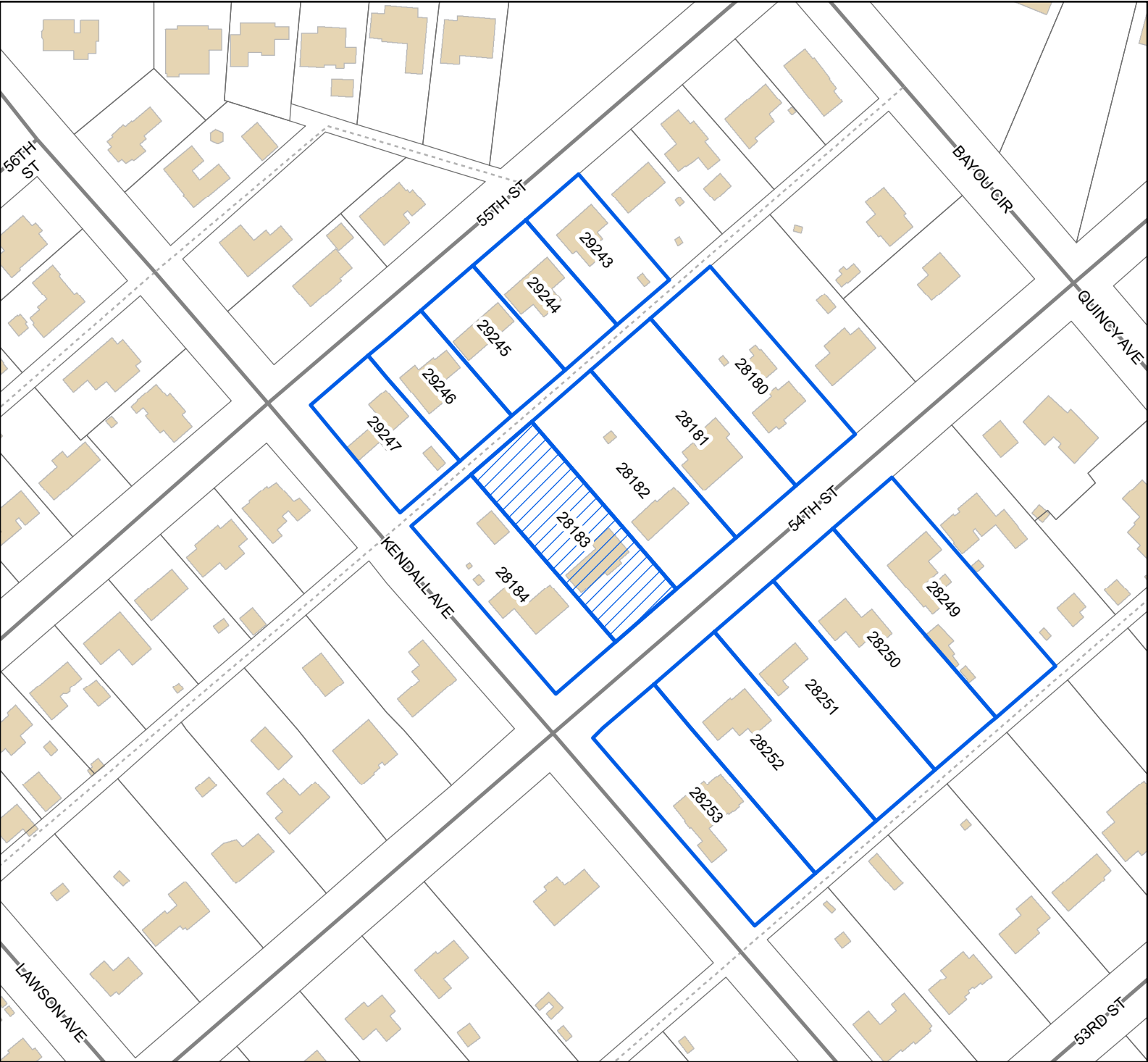
THIS DAY PERSONALLY CAME AND APPEARED BEFORE ME, the undersigned authority in and for the jurisdiction aforesaid, Hollis T. Holleman and wife, Lucy Jackson Holleman, who acknowledged that the above and foregoing instrument was signed and delivered as the free and voluntary act and deed of the Grantors on the day and in the year therein mentioned.

GIVEN UNDER MY HAND AND OFFICIAL SEAL OF OFFICE, this the 9th day of August, 2021.

My Commission Expires

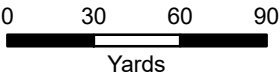



NOTARY PUBLIC



Legend

- Site
- Adjacent Properties
- Street
- Alley
- Buildings



1 inch = 200 feet



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

Mail	PPIN	Parcel ID	Name	Address	City	State	ZIP
Y			REBECA FAIRLEY (OWNER)	20 54TH ST	GULFPORT	MS	39507
			Adjacent Property Owners (2307ZB073)				
	29244	0909J-03-005.000	ELLZEY BELINDA M	17 55TH ST	GULFPORT	MS	39507
	28253	0909O-04-063.000	DAVIS JOSEPH P & LEANN	21 54TH ST	GULFPORT	MS	39507
	28250	0909J-03-021.000	SEARCY LYNSI M	15 54TH ST	GULFPORT	MS	39507
	28184	0909J-03-018.000	MCGHEE WILLIAM G & CURRY PATTI A M	205 16TH ST	GULFPORT	MS	39507
	28180	0909J-03-014.000	PEARSON DAVID CHRISTOPHER & ERIN B	14 54TH ST	GULFPORT	MS	39507
	29243	0909J-03-006.000	JONES TERESA	15 55TH STREET	GULFPORT	MS	39507
	28252	0909O-04-064.000	ROSENBLATT LINDSAY M & LAUREN E	19 54TH ST	GULFPORT	MS	39507
	29247	0909K-02-052.000	DAVIDSON ROBERTA O & JOE JR	23 22TH ST	GULFPORT	MS	39501
	28181	0909J-03-015.000	PAPANIA STEPHEN & KATHRYN	16 54TH ST	GULFPORT	MS	39507
	28251	0909J-03-020.000	RESTER RYAN & SHEENA	4918 COURTHOUSE RD	GULFPORT	MS	39507
	28182	0909J-03-016.000	COMPTON SALETA G	18 54TH ST	GULFPORT	MS	39501
	29246	0909J-03-003.000	SHAW LUCILLE Z	21 55TH ST	GULFPORT	MS	39507
	28249	0909J-03-022.000	KLOTZBACH LOUIS S JR & CONNIE B	13 54TH ST	GULFPORT	MS	39507
	29245	0909J-03-004.000	BALTAR HENRY E JR	PO BOX 8722	GULFPORT	MS	39506

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:
IPL0129144
External Order #:
438155
Order Status:
Submitted
Classification:
Legals & Public Notices
Package:
BLX - Legal Ads
Final Cost:
72.88
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
June 27, 2023 11:49:23 AM EDT
Amount:
72.76
Date
June 28, 2023 11:23:45 PM EDT
Amount:
0.12

SCHEDULE FOR AD NUMBER IPL01291440

July 5, 2023

PREVIEW FOR AD NUMBER IPL01291440**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, July 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 2306ZB062, by agent Garlon Pemberton, is seeking approval for a 1.5-foot (18-inch) side setback where 8 feet is required, Tax Parcel 1010D-01-008.004, 8813 Lorraine Rd, Zoned R-B (Residence-business), Ward 4

Variance 2307ZB073, by owner Rebeca Fairley, is seeking approval for 18 feet in height for a detached accessory structure where 14 feet is the height limit, Tax Parcel 0909J-03-017.000, 20 54th Street, Zoned R-UE (Urban residence estate), Ward 4

Variance 2307ZB074, by owner Rebeca Fairley, is seeking approval for an accessory detached structure size of 2,304 square feet where 600 square feet is the size limit, Tax Parcel 0909J-03-017.000, 20 54th Street, Zoned R-UE (Urban residence estate), Ward 4

Variance 2307ZB075, by agent C. Roberds General Contractors, LLC, seeking approval for a 57-stone for drives in a boat parking area where only concrete or asphalt is allowed, Tax Parcel 1010F-01-021.000, 1408 Cowan Road, Zone T6 (Urban Core Zone), Ward 4

Variance 2307ZB078, by agent Freddie Fountain, is seeking approval for a 5-foot side yard setback for the addition to an existing home where 8-feet is required, Tax Parcel 0811H-04-033.000, 1315 2nd Street, Zoned R-1-7.5 (Single-family), Ward 2

Variance 2307ZB080, by agent Freddie Fountain, is seeking approval for a 9-foot and 9-inch front yard setback where 25 feet is required on a second street frontage, Tax Parcel 1010O-02-002.001, 1936 Beach Drive, Zoned R-1-7.5 (Single-family), Ward 2

Variance 2307ZB082, by owners Dalaney Mecham and Hannah Shirley, is seeking approval for a 6-foot wooden fence along the front continuous facade where a 4-foot fence is the height limit, Tax Parcel 0909O-01-007.000, 1 Shady Side Circle, Zoned R-1-7.5 (Single-family), Ward 4

This the 28th day of June 2023
A. Leslie North, Chairman
City of Gulfport Zoning Board of Adjustment and Appeals
IPL0129144
Jul 5 2023

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

SunHerald (Biloxi)



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

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

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

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

AFFIDAVIT OF PUBLICATION

Account #	Order Number	Identification	Order PO	Amount	Cols	Depth
36845	438155	Print Legal Ad-IPL01291440 - IPL0129144		\$72.88	2	50 L

Attention: Matilda Welch
GULFPORT URBAN DEVELOPMENT
PO BOX 1780
GULFPORT, MS 39502

accountspayable@gulfport-ms.gov

LEGAL NOTICE PUBLIC HEARING

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This the 28th day of June 2023
A. Leslie North, Chairman
City of Gulfport Zoning Board of Adjustment and Appeals
IPL0129144
Jul 5 2023

STATE OF MISSISSIPPI COUNTY OF HARRISON

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

1 insertion(s) published on:
07/05/23

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

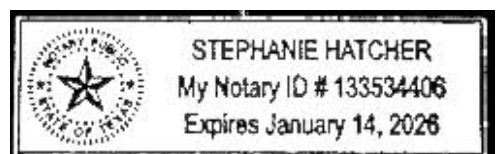
Stefani Beard

Sworn to and subscribed before me this 7th day of July in the year of 2023

Stephanie Hatcher

Notary Public

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



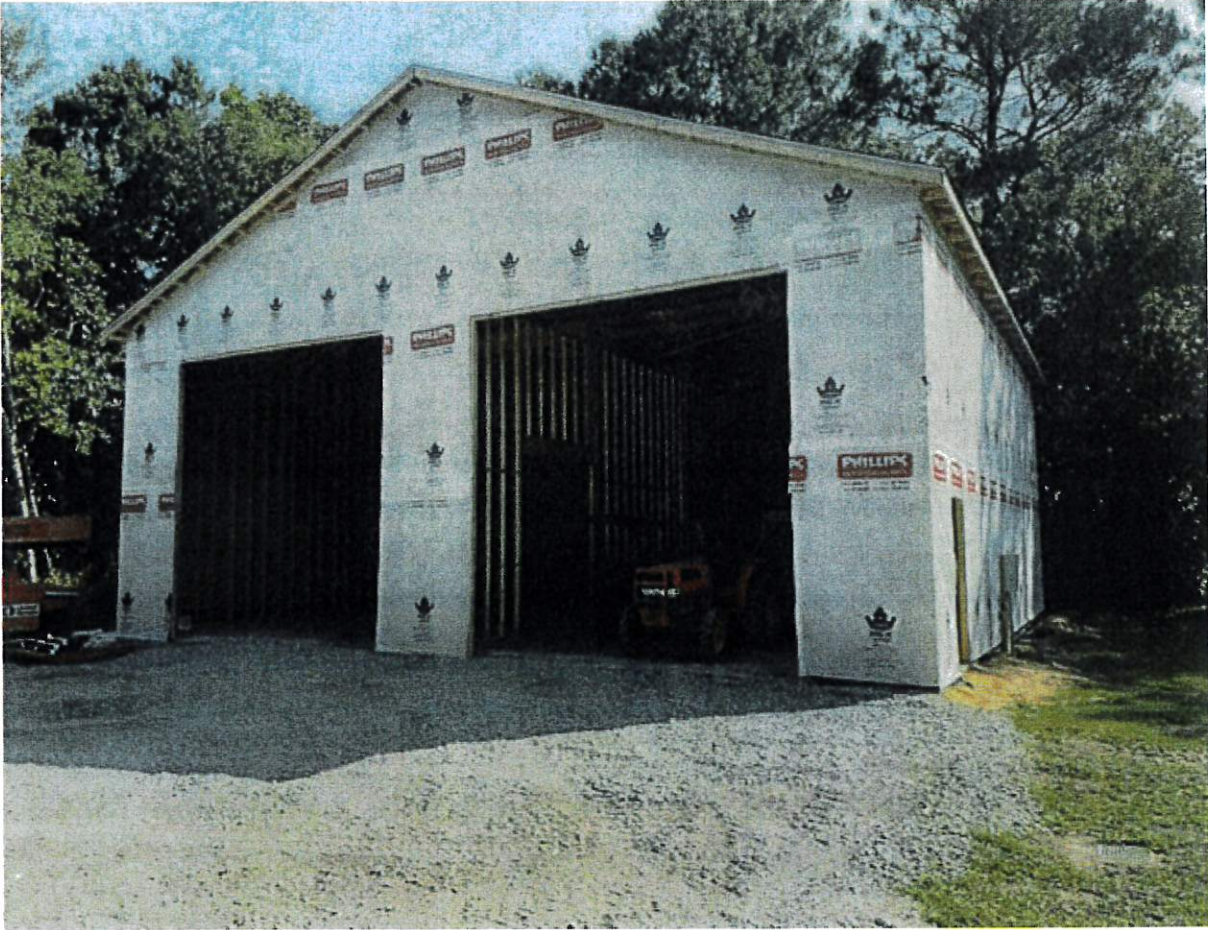
Extra charge for lost or duplicate affidavits.
Legal document please do not destroy!

EXHIBIT
B
2307 ZAO 73
tabbles

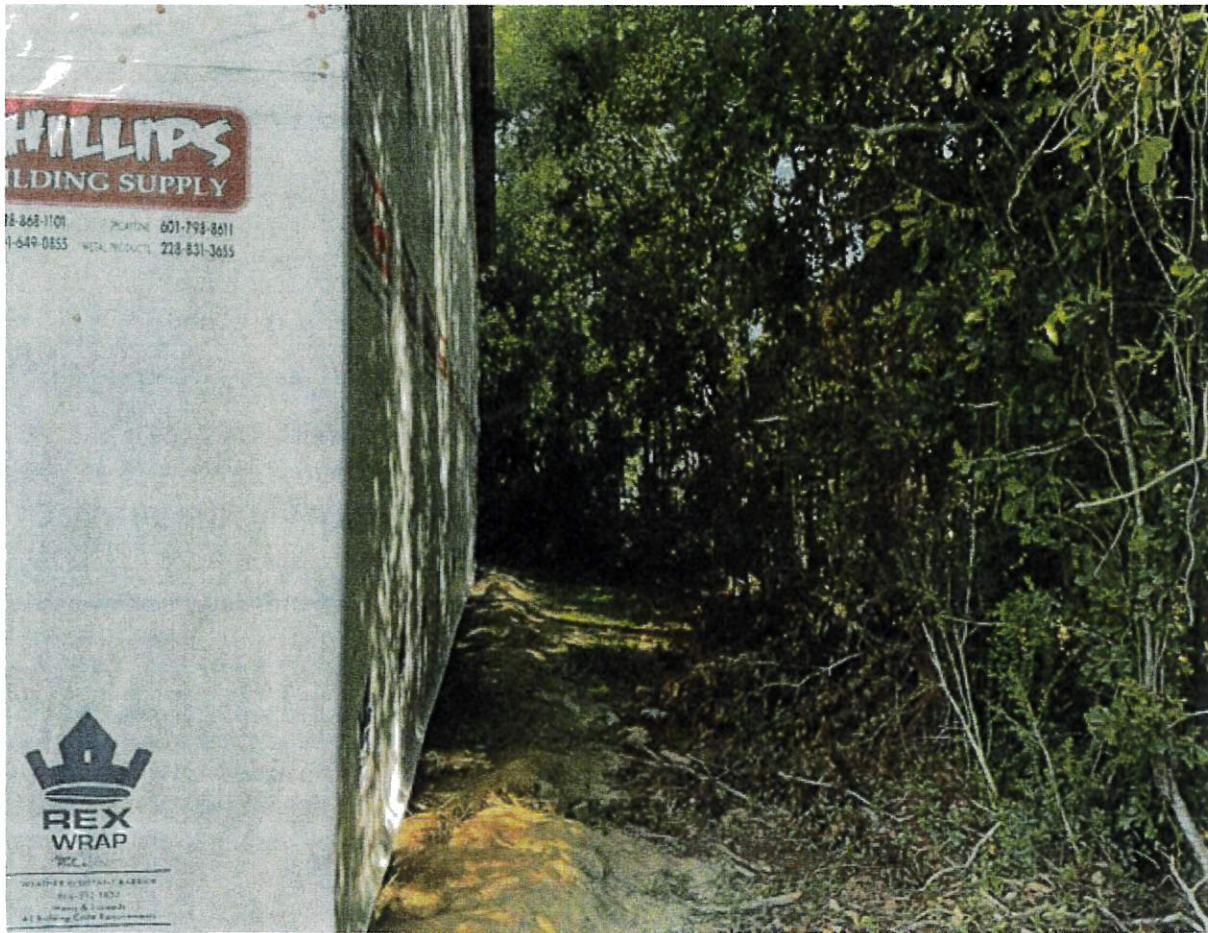






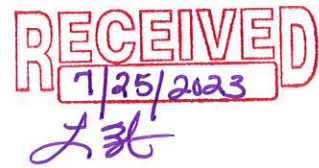


Sent from my iPhone



Rebeca Fairley
20 54th Street
Gulfport Ms 30507
Case # 2307ZB703 & 2307B074

July 25, 2023



Mayor Billy Hewes and City Council of Gulfport Ms:

I, Rebeca Fairley, am seeking approval of 18 feet in height for a detached accessory structure where 14 is the limit along with approval for the structure size of 2304 sq feet where 600 square feet is the size limit. I was unaware of the restrictions in my neighborhood or that I was to request a work permit to build a shop on my property. I apologize and I am fully aware of this going forward.

I bought my home in Sept 2021 and realized very quickly that I needed more storage. I own a boat, two antique cars, 2 golf carts, bikes, scooters, along with various items that I need to store safely to keep their value and for theft prevention. To the left of my home is a home that has recently had someone steal several items from the residence. As much as I believe Bayou View to be a safe place, we are still subject to harm when things are left outside of our homes, which is the reason I wanted to build a safe place to store my valuables to begin with. The structure is built nicely and is not a nuisance to anyone in the surrounding area. It does not block anyone's view or driveway. It is not harmful to the environment nor the community.

On June 26th, I had a card and a note from Buddy Sheriff from the Code office stating there was a complaint from a resident that I may not have a work permit. I did not have a work permit and he proceeded to tell me what I needed to do to acquire one. I was informed by the planning and development office that there was a city convenience that restricted height over 14 feet and square footage over 600 sq feet. They let me know I could seek approval and attend a hearing on July 20th. Before I ever went to the code office, my building was built except for siding and garage doors. The siding was on the way and the workers were scheduled to come out the next day June 27th. I was never told to stop proceeding with the construction. In the meantime, I put my boat in the shop and the next few days I noticed a yeti ice chest and other fishing utensils were stolen. It is obvious we live in a world where people are watching or are aware of what others are doing when progress is taking place. I need this structure to store my valuables and I need garage doors to keep my items from being stolen in which they have been installed also to ensure my items are not stolen again.

I attended the hearing on July 20, 2023, and was denied by 3 out of the 5 councilmen at the day of the hearing on both size and height variances. Not one person showed up to testify if the structure is an issue or not.

I am kindly seeking approval for this structure. It is a beautifully built structure, and I need the storage.

Thank you in advance for hearing me out.

Rebeca Fairley

A handwritten signature in blue ink, appearing to be "Rebeca Fairley", written over a horizontal line.

MISCELLANEOUS PAYMENT RECPT#: 12308389
CITY OF GULFPORT

GULFPORT, MS 39501

DATE: 07/25/23 TIME: 12:19:04
CLERK: VORUITT DEPT:
CUSTOMER#: 140348
FAIRLEY REBECA
COMMENT:

CHG: PZD PLANNING AND ZO 50.00

AMOUNT PAID: 50.00

PAID BY: FAIRLEY REBECA
PAYMENT METH: CASH

REFERENCE:

AMT TENDERED: 50.00
AMT APPLIED: 50.00
CHANGE: .00

CITY OF GULFPORT
ZONING BOARD OF ADJUSTMENT AND APPEALS

TRANSCRIPT OF HEARING

July 20, 2023

TRANSCRIPT OF HEARING HELD BEFORE THE CITY OF GULFPORT
ZONING BOARD OF ADJUSTMENT AND APPEALS HELD IN THE CITY
COUNCIL CHAMBERS, GULFPORT, MISSISSIPPI, ON THE 20TH DAY OF
JULY 2023 COMMENCING AT 3:00 P.M. AND REPORTED BY
NORMA JEAN LADNER SOROE, CERTIFIED SHORTHAND REPORTER.

COMMISSION MEMBERS PRESENT:

LESLIE NORTH, President
MARY ANN WIGINTON
NATHAN BODDIE
MICHAEL DANIELS
ROBERT PHARR, JR.

STAFF PRESENT:

GREG HOLMES
SU-LIN FEATHERSTON
MATILDA WELCH
SAMUEL SWEETING

1 2. Variance 2307ZB073

2 MS. WELCH: Variance Case Number 073 has been
3 duly and timely noticed as required by law. The applicant
4 is seeking approval for 18 feet in height for a detached
5 accessory structure where 14 feet is the height limit at 20
6 54th Street, zoned RUE urban residence estates, Ward 4. A
7 copy of the packet considered is hereby offered to the
8 record.

9 MS. NORTH: Is there anybody here to speak
10 for the petition?

11 MS. FAIRLEY: Hello. My name is Rebecca
12 Fairley. I'm at 20 54th Street in Gulfport, Mississippi.

13 MS. NORTH: You want to tell us a little bit
14 about --

15 MS. FAIRLEY: I've honestly always been -- I
16 was raised in the county, and I wanted to build a shop in my
17 new residence. I've only been there for about a year and a
18 half. And just for storage and lawn mowers and things like
19 that. And so I started building a shop in my back yard,
20 and then I was notified that I needed to have a work
21 permit.

22 The shop was already built. I didn't know
23 that I was supposed to have a work permit.

24 And then I went to apply for the work permit
25 and then went down to planning and zoning and then found out

1 that there was a variance for the size or height -- height
2 is what we're on right now.

3 MS. NORTH: How big is your house? What's
4 the size of your house?

5 MS. FAIRLEY: The size of my house is 2478
6 square feet.

7 MS. NORTH: So the shop is the same size as
8 your house?

9 MS. FAIRLEY: It is. Yeah, it kind of came
10 out larger than I anticipated. But I have like extra
11 vehicles and I don't have enough space for them in my
12 driveway. So I was trying to find a covered space, you
13 know, to put them in the back and stuff like that.

14 MR. BODDIE: Who built the shop?

15 MS. FAIRLEY: J&L Construction.

16 MR. BODDIE: And they didn't indicate you
17 needed any kind of permit?

18 MS. FAIRLEY: Unh-unh. He's out of
19 Vancleave.

20 MR. BODDIE: Is it gravel floor or is there a
21 concrete slab?

22 MS. FAIRLEY: It's a slab.

23 MR. BODDIE: What kind of work do you do, if
24 you don't mind me asking?

25 MS. FAIRLEY: So I own a ladies' boutique

1 called Panache, but my husband is a plumber and so he has a
2 work truck. But then we also have two antique vehicles,
3 too.

4 MR. BODDIE: So you're not a mechanic.

5 MS. FAIRLEY: No. Oh, and we have a boat so
6 again, we have all these things and we just don't have
7 anywhere to put them.

8 MS. NORTH: But as a plumber, would your
9 husband have not known that you needed to have a permit?

10 MS. FAIRLEY: No. He also was from like -- I
11 mean, I don't know. I just got married to him, so I had
12 already started building the shop before we got married.

13 MS. WIGINTON: I noticed in the packet that
14 there had been approval from the airport or the aviation
15 group and also from the fire department.

16 MS. FAIRLEY: Yes, ma'am.

17 MS. WIGINTON: And they put you through all
18 this, and they didn't indicate to you that you needed a
19 building permit?

20 MS. FAIRLEY: Well, I had to get all that in
21 order to get this variance approved is what I was told.

22 MS. WIGINTON: I see. So it's after the
23 fact.

24 MS. FAIRLEY: Yes.

25 MS. WIGINTON: All this is after the fact.

1 MS. FAIRLEY: Yes, ma'am.

2 MS. NORTH: So we have two sets of pictures.
3 We have pictures where the siding has not been put on. At
4 what point was that picture taken?

5 MS. FAIRLEY: That was whenever I got the
6 actual notice that I needed a permit.

7 MS. NORTH: Okay. Then we have a picture
8 where the siding is on there. When was that taken?

9 MS. FAIRLEY: I was literally like in the
10 middle of the guys coming to put the siding on.

11 MS. WIGINTON: What backs up to you on the
12 back side?

13 MS. FAIRLEY: An alley.

14 MS. WIGINTON: An alley?

15 MS. FAIRLEY: Yes, ma'am.

16 MS. NORTH: Does anybody else have any
17 questions?

18 So what we're going to have to do is finish
19 this particular file, and then we'll call you back up.

20 So we need to go ahead and finish with this
21 one first. Do you want to go ahead and sit down?

22 MS. FAIRLEY: Okay.

23 MS. NORTH: Is there anybody else here to
24 speak for the petition?

25 Anybody here to speak against the petition?

1 All right. We don't have anybody here to
2 speak against it.

3 So we have heard staff's report. We've heard
4 from the applicant. Is there any question or any discussion
5 before we call for a vote?

6 MR. DANIELS: I have a question.

7 MS. NORTH: So go ahead and come back up.

8 MR. DANIELS: Does the neighbor -- looking at
9 the neighbor, they have a little small shed on their lot, as
10 well. It's not as big.

11 MS. FAIRLEY: Unh-unh.

12 MR. DANIELS: I was looking --

13 MS. FAIRLEY: I know there's actually a shed
14 on both adjacent properties. I don't know how big the other
15 one is. There's like woods growing up around it.

16 But the other one, I mean, I'd say it's
17 probably about maybe half the size.

18 MR. DANIELS: All right. I was looking at
19 the diagram that was prepared.

20 Thank you.

21 MS. NORTH: If there's nothing else, do we
22 have a motion?

23 MS. WIGINTON: I make a motion since it's a
24 nice building, no one has spoken against it, that we go
25 ahead and approve the request.

1 MS. NORTH: We have a motion to approve the
2 applicant's request. Do we have a second?

3 Okay. I'm going to second it only because we
4 need to make -- go ahead and hear this through to a vote.

5 So I second. Call for the vote.

6 MR. PHARR: Yea.

7 MS. WIGINTON: Yea.

8 MR. BODDIE: Nay.

9 MR. DANIELS: Nay.

10 MS. NORTH: Nay.

11 So that part has been denied. But you will
12 be able to appeal it.

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BEFORE THE CITY OF GULFPORT
ZONING BOARD OF ADJUSTMENT AND APPEALS

2307ZB073

COURT REPORTER'S CERTIFICATE

I, Norma Jean Ladner Soroë, Certified Shorthand Reporter, do hereby certify that to the best of my skill and ability I have reported the hearing held before the City of Gulfport Zoning Board of Adjustment and Appeals and that the foregoing 7 pages constitute a true and correct transcription of said hearing held on the 20th day of July 2023.

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

Witness my signature this the 5th day of August 2023.

NORMA JEAN LADNER SOROE, CSR #1297
Certified Shorthand Reporter

MEMORANDUM

To: City of Gulfport Zoning Board of Adjustment and Appeals

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

Date of Hearing: August 22, 2023

Re: Variance Denial - variance to exceed the allowable size for an accessory building - zoned R-UE (Urban residence estate) - located at 20 54th Street - Case # 2307ZB074 - Ward 4 - with Appeal.

Variance 2307ZB074, by owner Rebeca Fairley, is seeking approval for an accessory detached structure size of 2,304 square feet where 600 square feet is the size limit, Tax Parcel 0909J-03-017.000, 20 54th Street, Zoned R-UE (Urban residence estate), Ward 4

MEMORANDUM

To: Mayor Billy Hewes and
Gulfport City Council

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

Date: August 11, 2023

Re: Variance 2307ZB074, by owner Rebeca Fairley, is seeking approval for an accessory detached structure size of 2,304 square feet where 600 square feet is the size limit, Tax Parcel 0909J-03-017.000, 20 54th Street, Zoned R-UE (Urban residence estate), Ward 4

Zoning Board of Adjustments and Appeals recommendation: To **approve** applicant request.

Motion: Mr. Boddie

Second: Mrs. Wiginton

Leslie North	-Acting Chair -Nay
Mary Ann Wiginton	-Yea
Michael Daniels	-Nay
Robert Pharr	-Yea
Nathan Boddie	-Nay

Action: Motion fails 3-2

Speaking for the Petition:

1. Rebeca Fairley

Speaking against the Petition: None

On July 20, 2023, the Zoning Board of Adjustments and Appeals recommended approval of the above referenced case.

Please place the attached item on the Council agenda for August 22, 2023.

Technical Report

VARIANCE

GENERAL INFORMATION

Case File Number: 2307ZB074

Hearing Date: July 20, 2023

Current Zoning/Use: R-UE / Single – family

Legal: Variance 2307ZB074, by owner Rebeca Fairley, is seeking approval for an accessory detached structure size of 2,304 square feet where 600 square feet is the size limit, Tax Parcel 0909J-03-017.000, 20 54th Street, Zoned R-UE (Urban residence estate), Ward 4

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 seeking approval for a variance of 1,704 square feet to allow for an accessory structure size of 2,304 square feet where 600 square feet is the size limit.

- (a) Applicant notes that, “the storage Shop has already been built and they do not want to alter it in any way” and “they do not have storage to store their boat, golf carts, tools, etc.”
- (b) The applicant claims that they were unaware that they needed a work permit to build a shop on their property. Therefore, they did not know there were City requirements nor restrictions of the Bayou View Covenants.
- (c) The applicant claims that, “Bayou View is an older neighborhood, and I believe that is why there have not been many new structures in the area. Most of the residents are older and may not have the need to add on or add additional structures to their property. I, however, needed the space to store my extra vehicles, boats, work trucks, tools and more.” Beyond it being the choice of the applicant to build the detached accessory structure; thus, this hardship condition is not met. The applicant knew the physical character of the property prior to buying it.
- (d) According to the applicant, “this structure will add value to the property and future property owners. It is in compliance to the design of the homes and other shops I have seen in the surrounding area.”
- (e) The applicant claims that approval of this variance will not grant special privileges that any other neighbor could not endure. Granting this variance would provide special privileges and set a precedence in that only one property does not comply with ordinance in regards to accessory building height limits.
- (f) This property is zoned R-UE, and a single-family home with one accessory structure are allowed by right.

EXECUTIVE SUMMARY

Applicant is seeking approval for a variance to allow for an accessory structure size of 2,304 square feet where 600 square feet is the size limit. The city changed the accessory building ordinance in 2018 with the intent of guiding accessory structures; with hardship requirements when considering a variance. Having an accessory structure would be consistent with the neighborhood. However, an accessory structure of this size is not consistent with the neighborhood.

Any approval should consider these conditions:

1. Approval grants a variance of 1,704 square feet to allow for a 2,304 square feet accessory structure where 600 square feet is the limit.

DEPARTMENTAL CONDITIONS

Engineering: No comment as of 07/07/2023.

Public Works: No comment as of 07/07/2023.

Traffic and Safety: No conditions. Memo dated 06/27/2023.

Technical Report

VARIANCE

Building Code Services: No conditions. Memo dated 06/30/2023.

GIS: No conditions. Memo dated 06/28/2023.

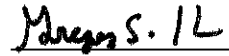
Police Department: No comment as of 07/07/2023.

Fire Department: No conditions. Memo dated 06/27/2023.

City Arborist: No conditions. Memo dated 06/27/2023.

DIRECTOR APPROVAL

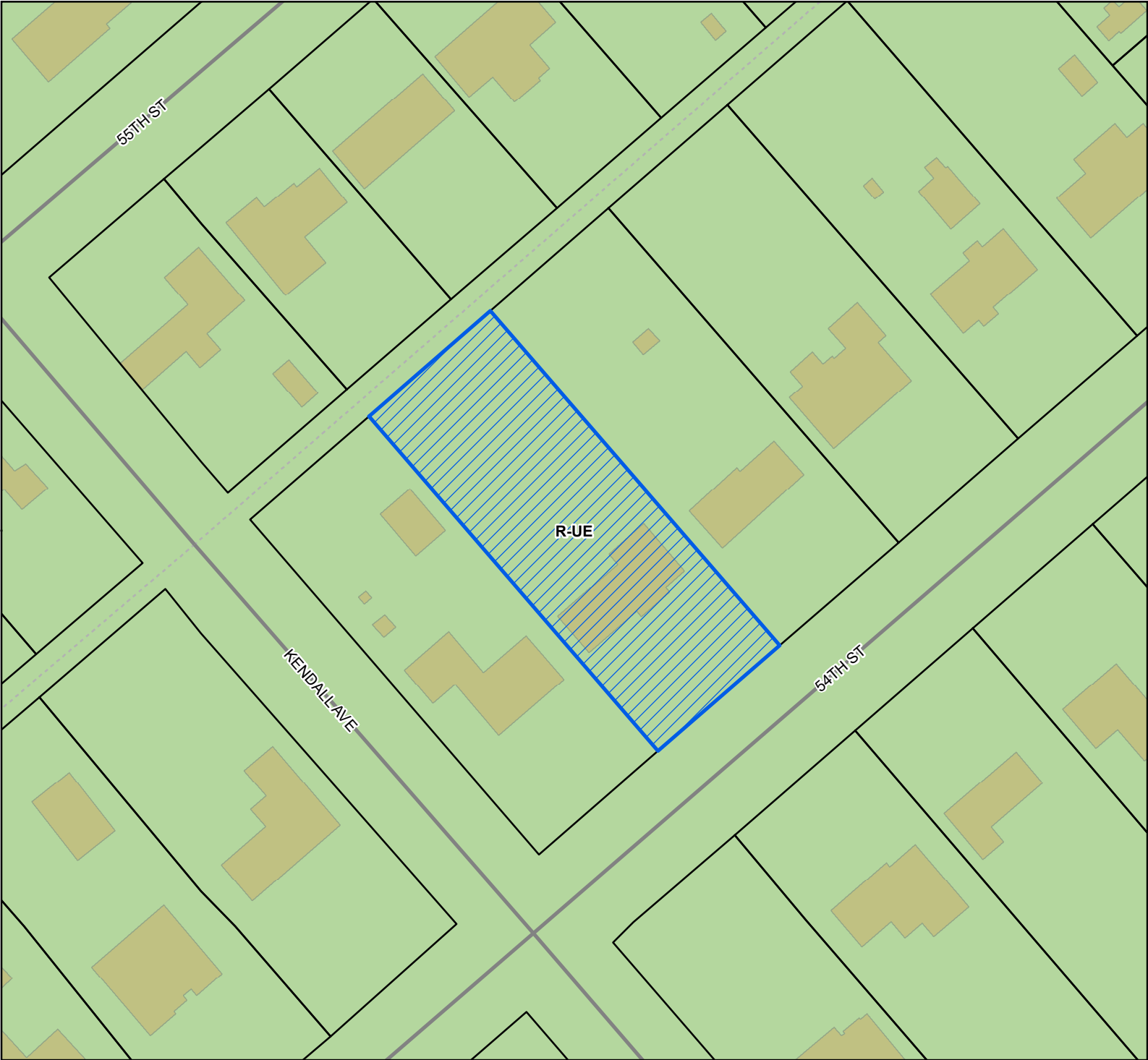
This report has been reviewed and approved by:



Greg Holmes

Director of Urban Development Department





Site

Street

Alley

Parcels

Buildings

Zoning

R-UE - Residential Urban Estate

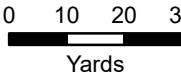
Site Information

0909J-03-017.000

Zoning: R-UE (Urban residence estates districts)

Size: 36964.7 sqft

Flood: X



1 inch = 100 feet



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Case Number
2307 ZB 074

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

0	9	0	9	5	-	0	3	-	0	1	7	.	0	0	8						-			-				.			
					-			-				.									-			-				.			
					-			-				.									-			-				.			

General Description of Request: approval for variance for 2304
sq ft where 1600 sq ft is allowed

Page 1 of 10

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

Rebecca Fairley

ADDRESS (STREET, CITY, STATE, ZIP CODE)

20 131 WA Street Guilford MS 39507

PHONE # (H)

728 822-0120

(WK/CELL)

728-609-9001

TAX PARCEL NUMBER(S) OWNED

09095-03-017.000

SIGNATURE: _____

NAME OF OWNER (PRINT) _____

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

PHONE # (H) _____

(WK/CELL) _____

TAX PARCEL NUMBER(S) OWNED _____

SIGNATURE: _____

NAME OF OWNER (PRINT) _____

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

PHONE # (H) _____

(WK/CELL) _____

TAX PARCEL NUMBER(S) OWNED _____

SIGNATURE: _____

Important Notice

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

Submission Requirements

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

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

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

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

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

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

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

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

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

Variance Submissions



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

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

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

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

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

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

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



Covenant Affidavit

I, Rebecca Fairley, being owner or agent of the property 20 SAM ST.
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

5-30-23
Date

STATE OF MISSISSIPPI | COUNTY OF HARRISON

Given under my hand and seal of office this the 30 day of May, 2023

Rhonda Gaddis
Notary Public

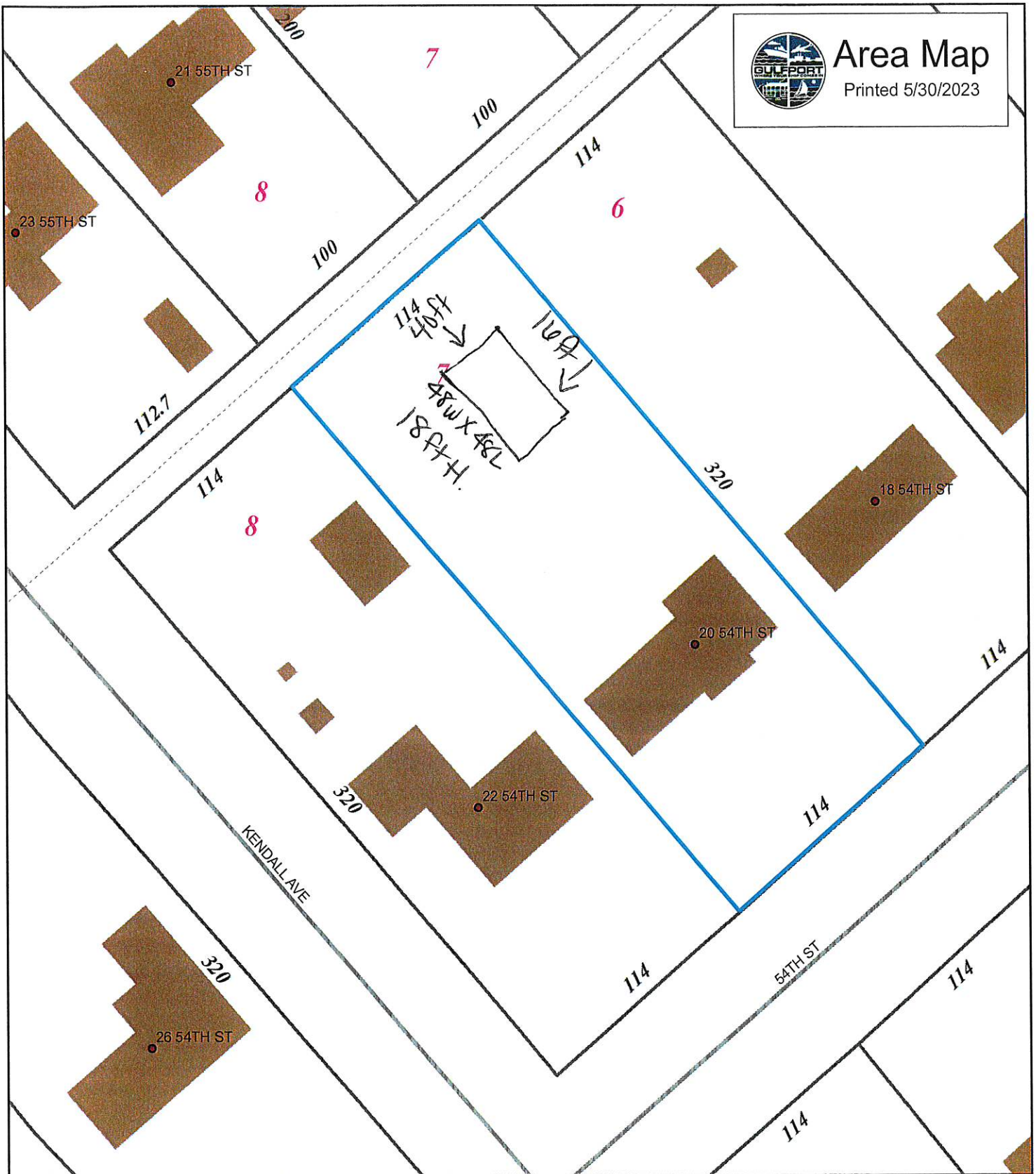


Commission Expiration

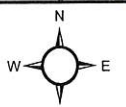


Area Map

Printed 5/30/2023



- Addresspoints
- ~ Minor/Residential
- Alley
- ▭ Parcels



1 inch = 60 feet

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Variance Submissions Questions

20 54th Street Gulfport Ms 39507

Seeking Approval of a storage Shop at my place of residence:

1. My property is plenty big enough to support a structure of this size in height and width. I currently do not have storage to store my boat, golf carts, tools etc.... The size and or height of this structure are not affecting any surrounding properties or structures. I am asking for a variance due to the fact it is built, and I would hate to have to alter it in any way.
2. I was unaware that I needed a work permit to build a shop on my property therefore I did not know there were city requirements via the city or restrictions of bayou view. I have only ever lived in the county and was not even aware that a convenance in bayou view.
3. Bayou View is an older neighborhood, and I believe that is why there have not been many new structures in the area. Most of the residents are older and may not have the need to add on or add additional structures to their property. I, however, needed the space to store my extra vehicles, boats, work trucks, tractors, tools and more.
4. This structure will add value to the property and future property owners. It is compliant to the design of the homes and other shops I have seen in the surrounding area. It is a wooden structure, with shingles and hardy siding. It is also tucked away in the back corner of the property, so it is not visible to the street view.
5. This storage shop does not allow any extra benefit that any other neighbor could not endure. I have seen other homes that have multiples storage units in their back yard this is just under one roof instead of several which supports the size. Also, the size and height allows us to store the many items that we own in the back of my property so they are not an eye soar in the front of the property.
6. It seems as if it is my right as a homeowner and property owner that I would be able to have such a structure on my property to keep items stored and keep the front of the home looking presentable. If not, I would have boats, trucks, golf carts, tools, and more in the yard and would destroy our items from weather and elements.

From: Thomas M. Jones MJones@flygpt.com
Subject: Construction of Shed
Date: May 26, 2023 at 8:35:35 AM
To: panache0110@aol.com

Ms. Fairley,

After having internal discussions at the airport and a phone call with the City of Gulfport, it was determined by the Airport Authority that your proposed shed will not impact airport operations and you do not need approval from the airport. We have taken a look at the site where the construction is proposed and determined that, as long as the building stays under 57 feet in height, it will not be endangering any of the airport surfaces. Please feel free to contact me at 228-596-6940 if there is anything else we can help you with.

Thank you.
Michael

Thomas M. Jones
Operations Supervisor
Gulfport-Biloxi International Airport
14035-L Airport Rd. | Gulfport, MS 39503
(228) 863-5951 (o) | (228) 863-1908 (c)
www.FLYGPT.com

We Make Flying Easier.





FIRE DEPARTMENT

P.O. Box 1780
Gulfport, MS 39502
Phone: 228-868-5950
Fax: 228-868-5808

Rebecca Fairley
20 54th St.
Gulfport, MS 39507

Central Station
1515 23rd Avenue
Gulfport, MS 39501

May 25, 2023

Internationally Accredited Gulfport Fire Department (GFD) is a full-spectrum life safety agency protecting a population of more than 72,000 citizens and a metro-population of greater than 416,000 people who live, work and play in Mississippi's second largest city. Gulfport Fire Department is one of only two Mississippi agencies that has an ISO Fire Suppression Rating of 2 out of 10 (with 1 being the highest rating). A total of 160 plus uniformed fire personnel protect life, property and the environment through their direct involvement in fire prevention, firefighting, emergency medical care, technical rescue, hazardous materials mitigation, disaster response, public education and community service. An equally committed non-sworn cadre of professional support personnel provide technical and administrative expertise in their corresponding pursuit of the department's mission. The expansive capabilities of the department include high-angle rescue, special operations response and all-hazards mitigation to include multi-story (High Rise) occupancies. In consideration of the department's capabilities as applied to the proposed development at 20 54th St. Gulfport, Ms., the Gulfport Fire Department Fire Chief approves of this general plan. Compliance with applicable codes and standards assumed.

Sincerely,

A handwritten signature in black ink that reads "Billy Kelley". The signature is fluid and cursive, with the first and last names clearly legible.

Billy Kelley
Fire Chief City of Gulfport



1st Judicial District
Instrument 2021-11544-D-11
Filed/Recorded 08/10/2021 09:30 AM
Total Fees \$26.00
2 Pages Recorded

Our File #B210707

Prepared by & Return To:
Schwartz, Orgler & Jordan, PLLC
P O Box 4682
Biloxi, MS. 39535
228-388-7441

INDEX: Lot 7, Blk 1, Gulfport Bayou View

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,

Hollis T. Holleman and wife, Lucy Jackson Holleman,

11655 Stanton Circle, Gulfport, MS 39503, (334) 315-077,1

does hereby sell, convey and warrant unto

Rebeca Nichole Fairley,

12481 Preservation Dr, Gulfport, MS 39503, (228) 669-9091,

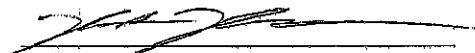
the following described land and property being located in the First Judicial District of Harrison County, Mississippi, being more particularly described as follows, to-wit:

Lot Seven (7), Block One (1) of Gulfport Bayou View Subdivision, a subdivision according to the official map or plat thereof on file and of record in the office of the Chancery Clerk of the First Judicial District of Harrison County, Mississippi, in Plat Book 17 at Page 9 thereof, reference to which is hereby made in aid of and as a part of this description. Together with all improvements thereon and all rights and appurtenances thereunto belonging or in anyway appertaining.

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 by the Grantee herein.

WITNESS OUR SIGNATURES, on this the 9th day of August, 2021.


Hollis T. Holleman


Lucy Jackson Holleman

STATE OF MISSISSIPPI

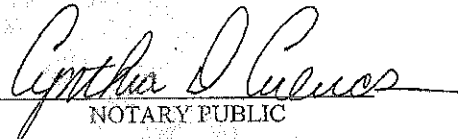
COUNTY OF HARRISON

THIS DAY PERSONALLY CAME AND APPEARED BEFORE ME, the undersigned authority in and for the jurisdiction aforesaid, Hollis T. Holleman and wife, Lucy Jackson Holleman, who acknowledged that the above and foregoing instrument was signed and delivered as the free and voluntary act and deed of the Grantors on the day and in the year therein mentioned.

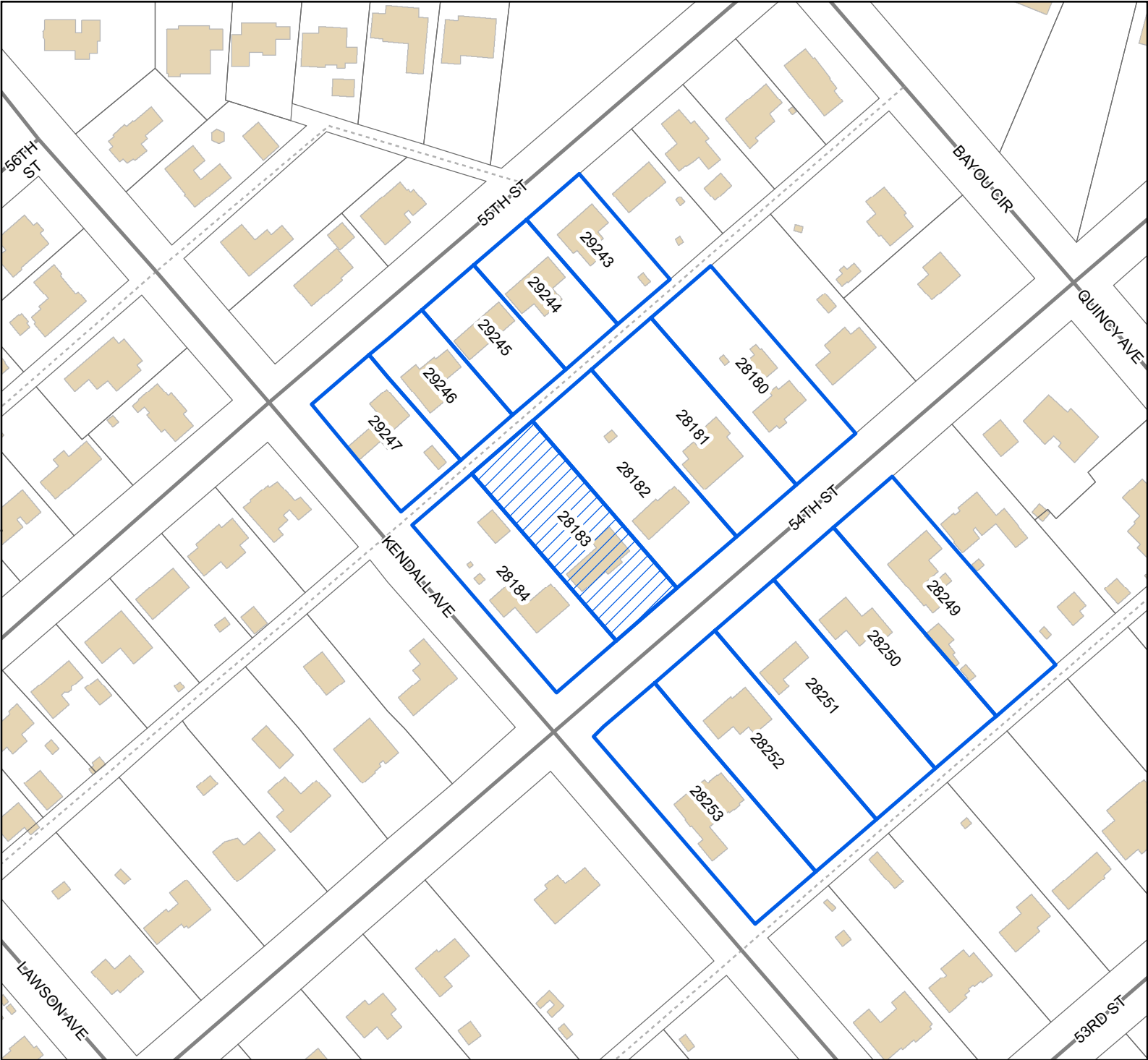
GIVEN UNDER MY HAND AND OFFICIAL SEAL OF OFFICE, this the 9th day of August, 2021.

My Commission Expires



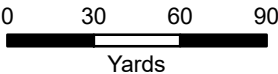

NOTARY PUBLIC

Mail	PPIN	Parcel ID	Name	Address	City	State	ZIP
Y			REBECA FAIRLEY (OWNER)	20 54TH ST	GULFPORT	MS	39507
			Adjacent Property Owners (2307ZB074)				
	29244	0909J-03-005.000	ELLZEY BELINDA M	17 55TH ST	GULFPORT	MS	39507
	28253	0909O-04-063.000	DAVIS JOSEPH P & LEANN	21 54TH ST	GULFPORT	MS	39507
	28250	0909J-03-021.000	SEARCY LYNSI M	15 54TH ST	GULFPORT	MS	39507
	28184	0909J-03-018.000	MCGHEE WILLIAM G & CURRY PATTI A M	205 16TH ST	GULFPORT	MS	39507
	28180	0909J-03-014.000	PEARSON DAVID CHRISTOPHER & ERIN B	14 54TH ST	GULFPORT	MS	39507
	29243	0909J-03-006.000	JONES TERESA	15 55TH STREET	GULFPORT	MS	39507
	28252	0909O-04-064.000	ROSENBLATT LINDSAY M & LAUREN E	19 54TH ST	GULFPORT	MS	39507
	29247	0909K-02-052.000	DAVIDSON ROBERTA O & JOE JR	23 22TH ST	GULFPORT	MS	39501
	28181	0909J-03-015.000	PAPANIA STEPHEN & KATHRYN	16 54TH ST	GULFPORT	MS	39507
	28251	0909J-03-020.000	RESTER RYAN & SHEENA	4918 COURTHOUSE RD	GULFPORT	MS	39507
	28182	0909J-03-016.000	COMPTON SALETA G	18 54TH ST	GULFPORT	MS	39501
	29246	0909J-03-003.000	SHAW LUCILLE Z	21 55TH ST	GULFPORT	MS	39507
	28249	0909J-03-022.000	KLOTZBACH LOUIS S JR & CONNIE B	13 54TH ST	GULFPORT	MS	39507
	29245	0909J-03-004.000	BALTAR HENRY E JR	PO BOX 8722	GULFPORT	MS	39506



Legend

- Site
- Adjacent Properties
- Street
- Alley
- Buildings



1 inch = 200 feet



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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:
IPL0129144
External Order #:
438155
Order Status:
Submitted
Classification:
Legals & Public Notices
Package:
BLX - Legal Ads
Final Cost:
72.88
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
June 27, 2023 11:49:23 AM EDT
Amount:
72.76
Date
June 28, 2023 11:23:45 PM EDT
Amount:
0.12

SCHEDULE FOR AD NUMBER IPL01291440

July 5, 2023

PREVIEW FOR AD NUMBER IPL01291440**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, July 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 2306ZB062, by agent Garlon Pemberton, is seeking approval for a 1.5-foot (18-inch) side setback where 8 feet is required, Tax Parcel 1010D-01-008.004, 8813 Lorraine Rd, Zoned R-B (Residence-business), Ward 4

Variance 2307ZB073, by owner Rebeca Fairley, is seeking approval for 18 feet in height for a detached accessory structure where 14 feet is the height limit, Tax Parcel 0909J-03-017.000, 20 54th Street, Zoned R-UE (Urban residence estate), Ward 4

Variance 2307ZB074, by owner Rebeca Fairley, is seeking approval for an accessory detached structure size of 2,304 square feet where 600 square feet is the size limit, Tax Parcel 0909J-03-017.000, 20 54th Street, Zoned R-UE (Urban residence estate), Ward 4

Variance 2307ZB075, by agent C. Roberds General Contractors, LLC, seeking approval for a 57-stone for drives in a boat parking area where only concrete or asphalt is allowed, Tax Parcel 1010F-01-021.000, 1408 Cowan Road, Zone T6 (Urban Core Zone), Ward 4

Variance 2307ZB078, by agent Freddie Fountain, is seeking approval for a 5-foot side yard setback for the addition to an existing home where 8-feet is required, Tax Parcel 0811H-04-033.000, 1315 2nd Street, Zoned R-1-7.5 (Single-family), Ward 2

Variance 2307ZB080, by agent Freddie Fountain, is seeking approval for a 9-foot and 9-inch front yard setback where 25 feet is required on a second street frontage, Tax Parcel 1010O-02-002.001, 1936 Beach Drive, Zoned R-1-7.5 (Single-family), Ward 2

Variance 2307ZB082, by owners Dalaney Mecham and Hannah Shirley, is seeking approval for a 6-foot wooden fence along the front continuous facade where a 4-foot fence is the height limit, Tax Parcel 0909O-01-007.000, 1 Shady Side Circle, Zoned R-1-7.5 (Single-family), Ward 4

This the 28th day of June 2023
A. Leslie North, Chairman
City of Gulfport Zoning Board of Adjustment and Appeals
IPL0129144
Jul 5 2023

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AFFIDAVIT OF PUBLICATION

Account #	Order Number	Identification	Order PO	Amount	Cols	Depth
36845	438155	Print Legal Ad-IPL01291440 - IPL0129144		\$72.88	2	50 L

Attention: Matilda Welch
GULFPORT URBAN DEVELOPMENT
PO BOX 1780
GULFPORT, MS 39502

accountspayable@gulfport-ms.gov

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, July 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 2306ZB062, by agent Garlon Pemberton, is seeking approval for a 1.5-foot (18-inch) side setback where 8 feet is required, Tax Parcel 1010D-01-008.004, 8813 Lorraine Rd, Zoned R-B (Residence-business), Ward 4

Variance 2307ZB073, by owner Rebeca Fairley, is seeking approval for 18 feet in height for a detached accessory structure where 14 feet is the height limit, Tax Parcel 0909J-03-017.000, 20 54th Street, Zoned R-UE (Urban residence estate), Ward 4

Variance 2307ZB074, by owner Rebeca Fairley, is seeking approval for an accessory detached structure size of 2,304 square feet where 600 square feet is the size limit, Tax Parcel 0909J-03-017.000, 20 54th Street, Zoned R-UE (Urban residence estate), Ward 4

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This the 28th day of June 2023
A. Leslie North, Chairman
City of Gulfport Zoning Board of Adjustment and Appeals
IPL0129144
Jul 5 2023

STATE OF MISSISSIPPI COUNTY OF HARRISON

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

1 insertion(s) published on:
07/05/23

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

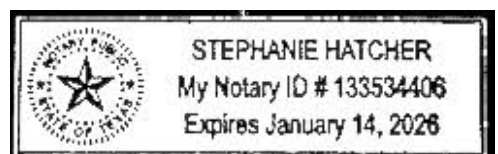
Stefani Beard

Sworn to and subscribed before me this 7th day of July in the year of 2023

Stephanie Hatcher

Notary Public

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



Extra charge for lost or duplicate affidavits.
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CITY OF GULFPORT
ZONING BOARD OF ADJUSTMENT AND APPEALS

2307ZB074

TRANSCRIPT OF HEARING

July 20, 2023

TRANSCRIPT OF HEARING HELD BEFORE THE CITY OF GULFPORT
ZONING BOARD OF ADJUSTMENT AND APPEALS HELD IN THE CITY
COUNCIL CHAMBERS, GULFPORT, MISSISSIPPI, ON THE 20TH DAY OF
JULY 2023 COMMENCING AT 3:00 P.M. AND REPORTED BY
NORMA JEAN LADNER SOROE, CERTIFIED SHORTHAND REPORTER.

COMMISSION MEMBERS PRESENT:

LESLIE NORTH, President
MARY ANN WIGINTON
NATHAN BODDIE
MICHAEL DANIELS
ROBERT PHARR, JR.

STAFF PRESENT:

GREG HOLMES
SU-LIN FEATHERSTON
MATILDA WELCH
SAMUEL SWEETING

1 3. Variance 2307ZB074

2 MS. WELCH: Variance Case Number 074 has been
3 duly and timely noticed as required by law. The applicant
4 is seeking approval for an accessory detached structure size
5 of 2,304 square feet where 600 square feet is the size
6 limit, 20 54th Street, zoned RUE, urban residence estate,
7 Ward 4. A copy of the packet considered is hereby offered
8 to the record.

9 MS. NORTH: I think we did that backwards.

10 Anybody here to speak for the petition?

11 MS. FAIRLEY: My name is Rebecca Fairley, and
12 I'm at 20 54th Street, Gulfport, Mississippi.

13 MS. NORTH: So this part is for the size.

14 MS. FAIRLEY: Yes, ma'am.

15 MS. NORTH: Anybody have any questions?

16 MS. WIGINTON: At the time that you were
17 preparing to build, no one in your neighborhood said
18 anything to you about size or what's required or anything?

19 MS. FAIRLEY: No, ma'am. The house to the
20 left of me, it's vacant; no one even lives there. And then
21 there's an older lady that lives next to me on the
22 right-hand side.

23 MS. WIGINTON: And have you lived there for
24 how long?

25 MS. FAIRLEY: For about a year and a half.

1 MR. PHARR: The home that you're living in,
2 was it already existing when you bought it?

3 MS. FAIRLEY: Yes, sir.

4 MR. BODDIE: The garage, the new garage was
5 already there when you bought it?

6 MS. FAIRLEY: The home was already there when
7 I purchased it, and it has a garage attached to the house.

8 MR. BODDIE: But this wasn't there when you
9 bought it?

10 MS. FAIRLEY: No. He's asking about the
11 home. Correct?

12 Okay.

13 MR. BODDIE: So I misunderstood.

14 MS. FAIRLEY: No. I literally just built the
15 garage that's in the back of the house.

16 MS. NORTH: Which is what this is --

17 MR. FAIRLEY: Correct.

18 MR. PHARR: What prompted this concern
19 regarding the permit? Did the inspector come out?

20 MS. FAIRLEY: Yeah. An inspector came out
21 and said, you know, you have to have a work permit in order
22 to build this. And I said, oh. And I said, well, what do I
23 need to do? And he just told me the steps to take.

24 And so I went downtown, and then, you know, I
25 filed for a work permit, paid for both variances, I believe,

1 and then I went to the planning with Mr. Samuel here, and
2 then we went over all the different bylaws versus Bayou View
3 and the city.

4 But again, I didn't know. I didn't know.

5 MR. PHARR: So no plans were submitted prior
6 to building this?

7 MS. FAIRLEY: No, sir. I just hired a
8 construction, the owner of the construction company, and
9 told him I wanted to put a shop in the back and he was like,
10 not a problem.

11 MS. NORTH: I'd like to ask staff. Was there
12 a complaint filed?

13 MS. FEATHERSTON: Yes. On May 23rd, there
14 was a complaint come in that work was being done without a
15 permit. And therefore one of our inspectors went out. And
16 when they went out, he said that there was no permit to be
17 shown because one hadn't been pulled. And he informed the
18 homeowner what the next steps were because it looked like
19 the permit itself, one being built without a permit is a
20 violation, and two, that it might have violated the
21 accessory building ordinance and that she was to come down
22 to the planning just to confirm and speak to us on what the
23 next steps were.

24 MR. BODDIE: One more question for the staff.
25 Is there any -- are there any steps that can be taken by the

1 City of Gulfport pursuing the J&L Contractors or a phone
2 call to Mississippi State Board of Contractors? Or we're
3 kind of keep our hands off of it.

4 MS. FEATHERSTON: I think the building code
5 official to look and see if such contracting company even
6 has a contractor's license with Gulfport. And we come
7 across this a lot as contractors tell the homeowners if they
8 do tell them a permit is required for them to pull the
9 permit because they know couldn't because they're not
10 licensed in Gulfport.

11 MR. BODDIE: But being licensed with the City
12 of Gulfport is I guess subservient to being licensed with
13 the state.

14 MS. FEATHERSTON: You have to be licensed
15 with them.

16 MS. BODDIE: Yeah. So regardless of whether
17 or not they're licensed with Gulfport, they somehow have a
18 license with the state, and I think we would still have an
19 avenue for the city to pursue.

20 MS. FEATHERSTON: Yeah. That's information I
21 can give to the building code official, and he can pursue it
22 further.

23 MR. BODDIE: Okay. Thank you.

24 MR. DANIELS: I have a question for the
25 staff. Does the applicant have any other alternatives other

1 than obviously tearing it down? That's my first question.

2 MS. FEATHERSTON: Not tearing it down all the
3 way, just make it conforming to the allowable size and
4 height limit for property less than an acre at this time.

5 We are looking at redoing the accessory
6 building ordinance text amendment, but that's not happening
7 at this time. And so in order for her to be able to keep
8 the structure as is would either get approved to deviate
9 from the accessory building ordinance or to bring it into
10 conformity.

11 MS. NORTH: And let's just clarify what if.
12 So if it's not approved, then there is an appeal that can be
13 filed, and then it would go to the zoning board?

14 MS. FEATHERSTON: It would go to City
15 Council.

16 MS. NORTH: City Council.

17 MS. FAIRLEY: I really didn't think that
18 building on your own property was, you know, so bad per se.
19 I mean, I was just building a shop. I wasn't, you know,
20 bringing anything terrible to my community, you know. I
21 mean, it's just for storage for my own home, you know.

22 MS. NORTH: Well, unfortunately, this happens
23 more than we like to know.

24 MR. DANIELS: I think part of the issue is
25 that it happens often people don't know, and ends up

1 possibly setting a precedent for somebody else after yours,
2 okay, she has one, now we're going to build ours higher and
3 have some kind of a whatever in it. And they do that for
4 malicious purposes.

5 I think that's only I guess the biggest that
6 we -- I totally understand it's already built. You didn't
7 know. You can't -- if you don't know, you don't know. It's
8 unfortunate that the contractor didn't do their simple due
9 diligence and pull a permit and get it done.

10 So unfortunate situation. So (mumbling).

11 MS. NORTH: Any other questions?

12 MS. WIGINTON: And your contractor never said
13 anything to you about -- does he build in the Gulfport area?

14 MS. FAIRLEY: I honestly don't know. I got
15 the contact from like my dad, and again, we always lived in
16 the county so we never -- I never knew about permits or
17 anything like that. And I didn't think to ask.

18 MS. WIGINTON: The county requires permits
19 and has for a long time.

20 MS. FAIRLEY: I'm sorry, what?

21 MS. WIGINTON: The county requires permits,
22 too. Harrison County does.

23 MS. FAIRLEY: Gotcha. Well, I guess like, I
24 mean, again, I'm just going off of whatever my parents have
25 done, I mean, this is the first time I've really ever built

1 anything on my own, you know. I really didn't know.

2 MR. BODDIE: The county can be more difficult
3 than the City of Gulfport to get stuff done as far as
4 permitting goes if you do it right and get a permit. But,
5 I'm good.

6 MS. NORTH: Any other questions?

7 Thank you.

8 Is there anybody else here to speak for the
9 petition?

10 Is there anybody here to speak against the
11 petition?

12 Is there any more discussion, or does anybody
13 have any questions as far as staff?

14 Okay. Is there a motion?

15 MR. BODDIE: For the sake of conversation, I
16 make a motion to approve the request.

17 MS. NORTH: We have a motion to approve.

18 MS. WIGINTON: I'll second.

19 MS. NORTH: We have a second.

20 Call for the vote.

21 MS. WIGINTON: He said for the conversation.

22 MR. PHARR: Conversation.

23 MS. NORTH: Well, not for conversation. Just
24 to get it moving.

25 MS. WIGINTON: To get it moving?

1 MR. PHARR: Yea.

2 MS. WIGINTON: Yea.

3 MR. BODDIE: Nay.

4 MR. DANIELS: Nay.

5 MS. NORTH: Nay.

6 This has not been approved.

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BEFORE THE CITY OF GULFPORT.
ZONING BOARD OF ADJUSTMENT AND APPEALS

2307ZB074

COURT REPORTER'S CERTIFICATE

I, Norma Jean Ladner Soroë, Certified Shorthand Reporter, do hereby certify that to the best of my skill and ability I have reported the hearing held before the City of Gulfport Zoning Board of Adjustment and Appeals and that the foregoing 9 pages constitute a true and correct transcription of said hearing held on the 20th day of July 2023.

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

Witness my signature this the 6th day of August 2023.

NORMA JEAN LADNER SOROE, CSR #1297
Certified Shorthand Reporter

MEMORANDUM

To: City of Gulfport Zoning Board of Adjustment and Appeals

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

Date of Hearing: August 22, 2023

Re: Variance Denial - variance to decrease the allowable front yard setback on a second street frontage - zoned R-1-7.5 (Single-family) - located at 1936 Beach Drive - Case # 2307ZB080 - Ward 2 - with Appeal.

Variance 2307ZB080, by agent Freddie Fountain, is seeking approval for a 9-foot and 9-inch front yard setback where 25 feet is required on a second street frontage, Tax Parcel 1010O-02-002.001, 1936 Beach Drive, Zoned R-1-7.5 (Single-family), Ward 2

MEMORANDUM

To: Mayor Billy Hewes and
Gulfport City Council

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

Date: August 11, 2023

Re: Variance 2307ZB080, by agent Freddie Fountain, is seeking approval for a 9-foot and 9-inch front yard setback where 25 feet is required on a second street frontage, Tax Parcel 1010O-02-002.001, 1936 Beach Drive, Zoned R-1-7.5 (Single-family), Ward 2

Zoning Board of Adjustments and Appeals recommendation: To **approve** applicant request.

Motion: Mr. Boddie

Second: Mrs. North

Leslie North	-Acting Chair -Nay
Mary Ann Wiginton	-Nay
Michael Daniels	-Yea
Robert Pharr	-Nay
Nathan Boddie	-Yea

Action: Motion failed 3-2

Speaking for the Petition:

1. Freddie Fountain

Speaking against the Petition: William Weatherly

On July 20, 2023, the Zoning Board of Adjustments and Appeals recommended approval of the above referenced case.

Please place the attached item on the Council agenda for August 22, 2023.

Technical Report

VARIANCE

GENERAL INFORMATION

Case File Number: 2307ZB080

Hearing Date: July 20, 2023

Current Zoning/Use: R-1-7.5 / Vacant Property

Legal: Vairance 2307ZB080, by agent Freddie Fountain, is seeking approval for a 9-foot and 9-inch front yard setback where 25 feet is required on a second street frontage, Tax Parcel 1010O-02-002.001, 1936 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 seeking approval for a variance of 15.1 feet to allow for a 9-foot and 9-inch front yard setback where 25 feet is required on a second street frontage. The property is on a corner lot, which is subject to a second frontage and must meet a front yard setback of 25 feet from Beach Drive and an west side second frontage setback of 25 feet from Southern Circle. The staff notes that all other setbacks are met as required.

- (a) The applicant notes, they requesting a variance to allow them to be 9-foot and 9-inch off the property line on the west side of the property.
- (b) In the application, the applicant cites that, "this lot was purchased by the applicant at the current size. They were not aware that they would have to meet the front yard setback requirement on both frontages. The home they have designed for this lot will not fit within the allowed building footprint as required."
- (c) It is stated by the applicant, "the lot being a corner lot and being held to the front yard setback of two sides of the property does not allow for the desired home to be constructed." Beyond it being the choice of the applicant to build the home at the desired size; thus, this hardship condition is not met. The applicant knew the physical character of the property prior to buying it.
- (d) According to the applicant, the applicant is asking to be allowed to build their home within the allowed side yard setback set forth in the zoning district. The lot being on a corner requires the setback to be larger than a non-corner lot. Therefore, creating a hardship with the home size.
- (e) The applicant does not address whether or not they will be allowed special privileges. The approval of this variance will grant special privileges that any other neighbor on a second frontage lot does not have by right. Granting this variance would provide special privileges and set a precedence in that only one property does not comply with ordinance in regards to second frontage lots.
- (f) This property is zoned R-1-7.5 (Single-family), and a house is a permitted use by right.

EXECUTIVE SUMMARY

Applicant is seeking approval for a variance to allow for a 9-foot and 9-inch front yard setback where 25 feet is required on a second street frontage. The applicant has not proved or provided information to make this a hardship. The City of Gulfport Zoning Ordinances states minimum front and second frontage setbacks are twenty-five (25) feet for an R-1-7.5 zoning district.

Any approval should consider these conditions:

1. Approval grants a variance of 15.1 feet to allow for a 9-foot and 9-inch front yard setback where 25 feet is required on a second street frontage.

DEPARTMENTAL CONDITIONS

Engineering: No comment as of 07/07/2023.

Public Works: No comment as of 07/07/2023.

Traffic and Safety: No conditions. Memo dated 06/27/2023.

Technical Report

VARIANCE

Building Code Services: No conditions. Memo dated 06/30/2023.

GIS: No conditions. Memo dated 06/28/2023.

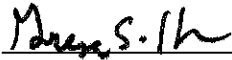
Police Department: No comment as of 07/07/2023.

Fire Department: No conditions. Memo dated 06/27/2023.

City Arborist: No conditions. Memo dated 06/27/2023.

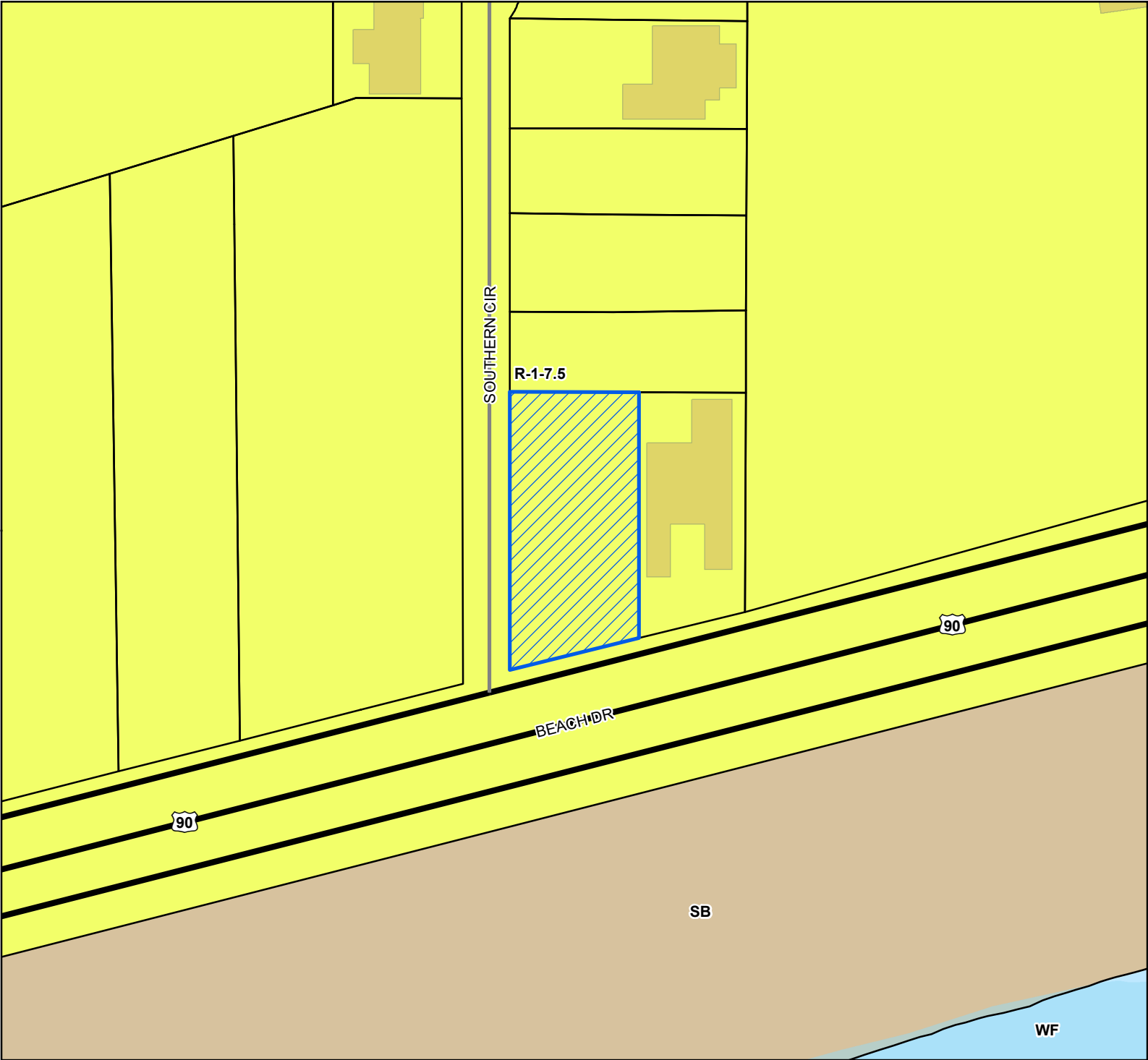
DIRECTOR APPROVAL

This report has been reviewed and approved by:



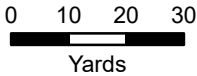
Greg Holmes

Director of Urban Development Department



- Site
- US or State Highway
- Street
- Parcels
- Buildings
- Water Features
- Zoning**
 - R-1-7.5 - Single Family
 - Residence District (Low Density)
 - SB - Sand Beach
 - WF - Water Front

Site Information
10100-02-002.001
Zoning: R-1-7.5 (Single Family)
Size: 17563.74 acres
Flood: AE



1 inch = 100 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
2307ZB080

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

Property Address: 1936 Beach Drive Gulfport, MS 39501
 Lot(s) _____, Block(s) _____, Subdivision _____

General Description of Request: Requesting a variance for a 9'9" setback where 25 feet is required on the corner.

OWNERSHIP AND CERTIFICATION

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

OWNER

AGENT

Bo Pennington
 Printed Name of Owner
815 Patterson Rd
 Mailing Address
New Orleans LA 70113
 City State Zip code
504-343-3620
 Home Phone Work/Cell Phone
bo@pentekhomes.com
 Email
[Signature]
 Signature of Owner

Freddie Fountain
 Printed Name of Agent
1822 15th St, Ste. 12
 Mailing Address
Gulfport MS 39501
 City State Zip code
228-861-5209
 Home Phone Work/Cell Phone
Freddie@fountainllc.com
 Email
[Signature]
 Signature of Agent

Important Notice

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

Submission Requirements

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

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

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

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

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

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

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

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

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

Variance Submissions



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

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

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

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

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

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

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



Written Statement for Side Yard Setback Variance **for** **1936 Beach Drive** **Parcel # - 10100-02-002.001**

Fountain & Associates is making this application on behalf of Pentek Design Build, LLC. Freddie Fountain is the representative of Fountain & Associates that will be making the presentation. The property is located at 1942 B Beach Drive in a R-1-7.5 zoning district. The Owner is requesting a variance to grant an eight-foot side yard setback where 25 foot is required. Answers to all the required questions are below and numbered according to the variance submission applications' numbers.

1. The variance being requested is on the west side of the property which would be considered the side yard in this case. This zoning district allows for an eight-foot side yard setback, but because this is a corner lot the setback on this side would be required to be twenty-five feet which is the same as what is required on the south side. The Owner is requesting a variance to allow him to be eight feet off the property line on this side of the property.
2. This lot was purchased by the Owner at the current size. He was not aware that he would have to meet the front yard setback requirement on both frontages. The home he has designed for this lot will not fit within the allowed building footprint as required.
3. The lot being a corner lot and being held to the front yard setback on two sides of the property does not allow for the desired home to be constructed.
4. The Owner is asking to be allowed to build his home within the allowed side yard setback set forth in the zoning district. The lot being on a corner requires the setback to be larger than a non-corner lot. Therefore, creating a hardship with the home size.
5. The home being built on this lot will be a great improvement to the vacant land as it currently sits. The setback being requested is the same as every other non-corner lot in this zoning district.
6. The use for this property is by right with no needed additional approvals other than the side yard setback variance being requested.



Covenant Affidavit

I, Bo Pennington, being owner or agent of the property 1936 Beach Drive
PRINT NAME PRIMARY ADDRESS OR PARCEL

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

[Signature]
Signature

6/6/23
Date

STATE OF MISSISSIPPI | COUNTY OF HARRISON

Given under my hand and seal of office this the 6th day of June, 20 23

[Signature]

Notary Public



May 3, 2026

Commission Expiration

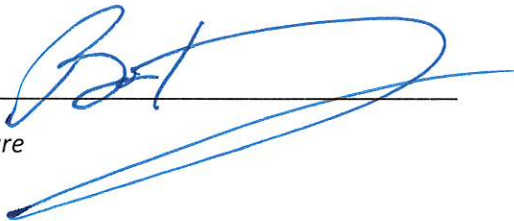


Designation of Agent

I, Bo Pennington, being property owner of 1936 Beach Drive
PRINT NAME PRIMARY ADDRESS OR PARCEL
 which is the subject of this application hereby authorize Fredric Fountain 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.

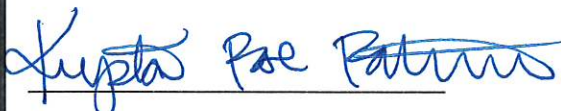
The petitioner understands and acknowledges that the City will rely upon the agent's representations in approval or denial of said petition.


 Signature

6/6/23
 Date

STATE OF MISSISSIPPI | COUNTY OF HARRISON

Given under my hand and seal of office this the 6th day of June, 20 23


 Notary Public

May 3, 2026
 Commission Expiration



[illegible] $3/32'' \approx 1'-0''$

MARK SCHROEDER, ARCHITECT, AIA
400 HARRISON AVE. SUITE A NO. L.A. 70124 (504) 581-1100

1936 BEACH BLVD. RESIDENCE

1936 BEACH BLVD.

SITE PLAN

Scale 3/16" = 1'-0"	SHT # 1 OF 6
Drawing File BEACHBLVD.dwg	
Date 5/15/2023	
Drawn by E. JACOBS	



Louisiana
**SECRETARY
 OF STATE**
 R. KYLE ARDOIN

(<https://www.sos.la.gov/Pages/default.aspx>)

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Name	Type	City	Status
PENTEK DESIGN BUILD, LLC	Limited Liability Company	NEW ORLEANS	Active

Previous Names

PENTEK HOMES, LLC (Changed: 11/14/2019)

Business: PENTEK DESIGN BUILD, LLC

Charter Number: 41381014K

Registration Date: 12/30/2013

Domicile Address

1139 ORETHA CASTLE HALEY
 NEW ORLEANS, LA 70113

Mailing Address

1139 ORETHA CASTLE HALEY
 NEW ORLEANS, LA 70113

Status

Status: Active

Annual Report Status: In Good Standing

File Date: 12/30/2013

Last Report Filed: 1/10/2023

Type: Limited Liability Company

Registered Agent(s)

Agent:	BO PENNINGTON
Address 1:	1139 ORETHA CASTLE HALEY
City, State, Zip:	NEW ORLEANS, LA 70113
Appointment Date:	12/30/2013

Officer(s)

Additional Officers: No

Officer:	BO PENNINGTON
Title:	Manager
Address 1:	1139 ORETHA CASTLE HALEY
City, State, Zip:	NEW ORLEANS, LA 70113

Amendments on File (3)

Description	Date
Appointing, Change, or Resign of Officer	9/1/2015
Appointing, Change, or Resign of Officer	2/4/2016
Name Change	11/14/2019

[Back to Search Results](#)[New Search](#)[View Shopping Cart](#)

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SCANNED



J. K. [Signature] 1st Judicial District
Instrument 2020 1382 D -J1
Filed/Recorded 2/4/2020 03:32 P
Total Fees \$ 25.00
3 Pages Recorded

Prepared by and return to:
David B. Estes
MS Bar No. 101404
Integrity Land Title, LLC
2200 25th Avenue
Gulfport, MS 39501
(228) 896-8962

Indexing: Part of Lot 69, L.A. Frederick
Survey and in Part of Lot 41, Country
Club Estates, Section 32, T7S, R10W,
1st JD, Harrison County, MS.

Our File No. 2836

REVIEWED

**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 considerations, the receipt and sufficiency of all of which is hereby
acknowledged, the undersigned,

RICK CAMARENA, a single person
1511 18th Avenue
Gulfport, MS 39503
(228) 896-5488

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

PENTEK DESIGN BUILD, LLC,
a Louisiana limited liability company
1139 Oretha Castle Haley
New Orleans, LA 70113
(504) 343-3620

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

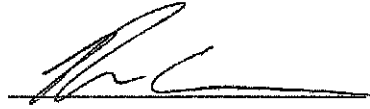
SEE EXHIBIT "A" ATTACHED HERETO

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

TAXES for the year 2020 are hereby prorated and the same are hereby assumed by the
Grantee herein. It is agreed and understood that the taxes for the current year have been prorated

as of this date on an estimated basis, and that when said taxes are actually determined, if the proration as of this date is incorrect, the parties herein agree to pay on a basis of an actual proration. All subsequent years' taxes are specifically assumed by Grantee herein.

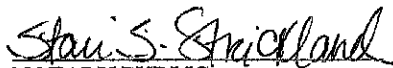
WITNESS my signature on this the 30th day of January, 2020.



RICK CAMARENA

STATE OF MISSISSIPPI
COUNTY OF HARRISON

Personally, appeared before me, the undersigned authority in and for the said county and state on this 30th day of January, 2020, within my jurisdiction, the within named RICK CAMARENA who acknowledged that he executed the above and foregoing instrument.


NOTARY PUBLIC

(SEAL)

My Commission Expires:



EXHIBIT "A"

LEGAL DESCRIPTION OF PARCEL B: AS PER SURVEY

A parcel of land situated and being located in a part of Lot 69, L. A. FREDERICK SURVEY and in a part of Lot 41, COUNTRY CLUB ESTATES (Plat Book 21, Page 35), Section 32, Township 7 South, Range 10 West, City of Gulfport, First Judicial District of Harrison County, Mississippi and being more particularly described as follows, to-wit:

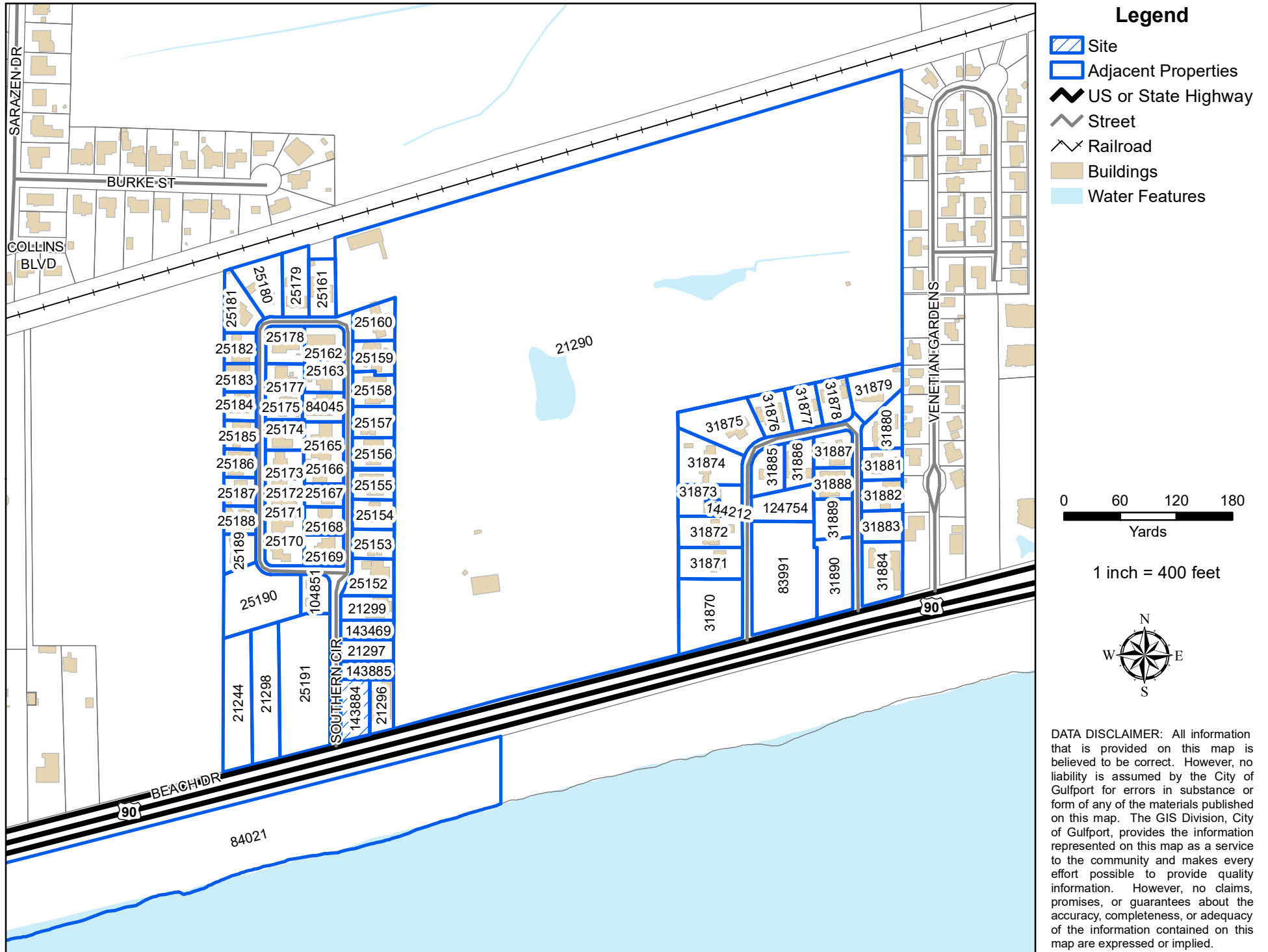
BEGINNING at a chiseled cross in concrete at the intersection of the easterly margin of Southern Circle with the northerly margin of the Service Road to U. S. Highway 90/Beach Boulevard and said POINT OF BEGINNING being on the west line of said Lot 41; thence run from said POINT OF BEGINNING, North 75 degrees 46 minutes 56 seconds East 96.69 feet along the northerly margin of the Service Road to U. S. Highway 90/Beach Boulevard to an iron rod; thence run North 00 degrees 08 minutes 57 seconds East 173.49 feet to an iron rod; thence run South 89 degrees 32 minutes 32 seconds West 95.62 feet to an iron rod on the easterly margin of Southern Circle and the west line of said Lot 41; thence run South 00 degrees 25 minutes 05 seconds East 196.48 feet along the easterly margin of Southern Circle and the west line of said Lot 41 to the POINT OF BEGINNING.

INDEXING INSTRUCTIONS: Part of Lot 69, L. A. FREDERICK SURVEY and in a part of Lot 41, COUNTRY CLUB ESTATES (Plat Book 21, Page 35), Section 32, Township 7 South, Range 10 West, City of Gulfport, First Judicial District of Harrison County, Mississippi.

Mail	PPIN	Parcel ID	Name	Address	City	State	ZIP
Y			BO PENNINGTON(OWNER)	815 PATTERSON RD	NEW ORLEANS	LA	70113
			FREDDIE FOUNTIAN(AGENT)	1822 15TH STREET, SUITE 12	GULFPORT	MS	39501
			Adjacent Property Owners(2307ZB080)				
	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
	25169	10100-02-046.000	WIECK TERESA M & MARTIN JEFFERY R	205 SOUTHERN CIRCLE	GULFPORT	MS	39507
	25170	10100-02-031.000	SMITH LYNN L & MELISSA S	350 SOUTHERN CIRCLE	GULFPORT	MS	39507
	25179	10100-02-019.000	BERTUCCI FELIX J III	282 SOUTHERN CIR	GULFPORT	MS	39507
	31879	1010P-03-020.000	MILLER JOHN H & CAROLYN M	11 MOCKINGBIRD LANE	GULFPORT	MS	39507
	25163	10100-02-040.000	FAERBER DONALD EDWARD -ESTATE-	247 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
	31888	1010P-03-034.000	TINDELL SEAN	20 MOCKINGBIRD LANE	GULFPORT	MS	39507
	84045	10100-02-041.000	BRAWDY ANTHONY DUANE & JENNIFER L	239 SOUTHERN CIR	GULFPORT	MS	39507
	31871	1010P-03-028.000	SCHMALZEL MICHAEL & MONICA WENWJOE	3 MOCKINGBIRD LANE	GULFPORT	MS	39507
	31878	1010P-03-021.000	HORTON LARRY C & RITA M	10 MOCKINGBIRD LN	GULFPORT	MS	39507
	31877	1010P-03-022.000	JONES DEBORAH	9 MOCKINGBIRD LN	GULFPORT	MS	39507
	21290	1010P-03-038.000	ARBOR SITES LLC	4910 NORTH MONROE ST	TALLAHASSEE	FL	32303
	25187	10100-02-027.000	CARRELL WILLIAM THOMAS & EMMA SIU	337 SOUTHERN CIRCLE	GULFPORT	MS	39507
	31873	1010P-03-026.000	CRUTHIRDS DOUGLAS C & JULIE P	5 MOCKINGBIRD LN	GULFPORT	MS	39503
	143884	10100-02-002.001	PENTEK DESIGN BUILD LLC	1139 ORETHA CASTLE HALEY	NEW ORLEANS	LA	70113
	25158	10100-02-014.000	LAMEY NANCY	246 SOUTHERN CIRCLE	GULFPORT	MS	39503
	25161	10100-02-018.000	PAGAN ADALBERTO GIRON & TERESA R	264 SOUTHERN CIR	GULFPORT	MS	39507
	25162	10100-02-039.000	GASTON MICHAEL WELD & JUDY COOK	251 SOUTHERN CIRCLE	GULFPORT	MS	39507
	25173	10100-02-034.000	JOHNSON RACHEAL L	334 SOUTHERN CIRCLE	GULFPORT	MS	39507
	31875	1010P-03-024.000	RYAN MICHAEL C & KERRICK M	7 MOCKINGBIRD LANE	GULFPORT	MS	39507
	31885	1010P-03-031.000	RABBITT EDWARD	17 MOCKINGBIRD LAND	GULFPORT	MS	39507
	25172	10100-02-033.000	RADIX PAMELA A	336 SOUTHERN CIR	GULFPORT	MS	39507
	25167	10100-02-044.000	WALLER MARY LOU W ETAL	217 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
	31886	1010P-03-032.000	COLEMAN CECIL C & DOROTHY R	18 MOCKINGBIRD LN	GULFPORT	MS	39507
	25168	10100-02-045.000	PICKETT KELLY M	211 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
	104851	10100-02-047.002	COX ELIZABETH STEWART	133 SOUTHERN CIR	GULFPORT	MS	39507

Mail	PPIN	Parcel ID	Name	Address	City	State	ZIP
	31881	1010P-03-018.000	WILSON PATRICIA K	13 MOCKINGBIRD LN	GULFPORT	MS	39507
	25166	1010O-02-043.000	KELTON ROBERT E SR	2230 BEACH DR, UNIT 1208	GULFPORT	MS	39507
	25160	1010O-02-016.000	PAUL MATTHEW GABRIEL & KERRI	7352 MAHONEY DR	PASS CHRISTIAN	MS	39571
	25180	1010O-02-020.000	DELK C DAVID	288 SOUTHERN CIR	GULFPORT	MS	39507
	25182	1010O-02-022.000	LESLIE ANN GWIN -TRUSTEE-	323 SOUTHERN CIRCLE	GULFPORT	MS	39507
	31876	1010P-03-023.000	HILL ELLIS D & MARTHA LYNN	2668 BEACH BLVD #1702	BILOXI	MS	39531
	25165	1010O-02-042.000	MILLER EDWARD O & S DIANE	233 SOUTHERN CIR	GULFPORT	MS	39507
	31874	1010P-03-025.000	KROUPA KENNETH J & BETH A	6 MOCKINGBIRD LN	GULFPORT	MS	39507
	25174	1010O-02-035.000	O'REILLY LOUIS P & JOAN M	332 SOUTHERN CIR	GULFPORT	MS	39507
	25156	1010O-02-012.000	PUCKETT CAMILLE S	230 SOUTHERN CIRCLE	GULFPORT	MS	39507
	31872	1010P-03-027.000	CHAUVIN HOLLY PAULETTE & GREENE RON	4 MOCKINGVIRD LN	GULFPORT	MS	39503
	21297	1010O-02-004.000	WEATHERLY WALLACE W MD	111 S LEFLORE ST	CLEVELAND	MS	38732
	25155	1010O-02-010.000	SPARKS TEFFANIE EVE	220 SOUTHERN CIRCLE	GULFPORT	MS	39507
	84021	1010O-03-001.000	GULFPORT CITY OF	P O BOX 76	JACKSON	MS	39205
	25183	1010O-02-023.000	KILPATRICK LARRY E JR & LAURA F	325 SOUTHERN CIR	GULFPORT	MS	39507
	25175	1010O-02-036.000	ANDERSON JANIS J -TRUSTEE	330 SOUTHERN CIR	GULFPORT	MS	39501
	25178	1010O-02-038.000	OLSEN JOHN KEVIN JR & AMY FORD	304 SOUTHERN CIR	GULFPORT	MS	39507
	31882	1010P-03-017.000	LOVELACE CHERYL H	14 MOCKINGBIRD LN	GULFPORT	MS	39501
	31890	1010P-03-036.000	TAYARA WAKKAS	7059 GREENVIEW COVE	PASS CHRISTIAN	MS	39571
	25152	1010O-02-007.000	CUEVAS RONALD DALE & PATRICIA P	144 SOUTHERN CIRCLE	GULFPORT	MS	39507
	31870	1010P-03-029.000	ANDERSON ROY III	4900 COURTHOUSE RD	GULFPORT	MS	39507
	25159	1010O-02-015.000	ROOSA CHRISTOPHER A	256 SOUTHERN CIRCLE	GULFPORT	MS	39507
	31880	1010P-03-019.000	WARREN GERALD M & PATTYE W	12 MOCKINGBIRD LN	GULFPORT	MS	39507
	25157	1010O-02-013.000	SANDERS BETTY COATS	244 SOUTHERN CIRCLE	GULFPORT	MS	39507
	31887	1010P-03-033.000	TOWNSEND JERREL R & DEBRA K	19 MOCKINGBIRD LN	GULFPORT	MS	39507
	25186	1010O-02-026.000	HANNA HUGH BOYD JR & ELIZABETH LANE	335 SOUTHERN CIRCLE	GULFPORT	MS	39507
	31884	1010P-03-015.000	DAVI JENNIFER	2082 BEACH BLVD	GULFPORT	MS	39507
	21299	1010O-02-005.000	WEATHERLY WILLIAM B & CALLEN	140 SOUTHERN CIR	GULFPORT	MS	39507
	25154	1010O-02-009.000	HUTH GEORGE II	110 MARIKESH DRIVE	DALPHNE	AL	36526
	83991	1010P-03-030.000	FPIR REALTY LLC	1875 I ST NW SUITE 500	WASHINGTON	DC	20005
	124754	1010P-03-030.001	FPIR REALTY LLC	18111 PROCTOR ST	HOUSTON	TX	77038
	21298	1010O-02-048.000	MAVAR KAREN W -TRUSTEE-	2314 N COUNTRY CLUB LANE	BILOXI	MS	39532
	25191	1010O-02-047.000	HERCHENHAHN JERRY T & CHERIE M	45 HARDY CT STE #260	GULFPORT	MS	39507
	21296	1010O-02-002.000	KRONGARD JOHN J & KELLY M	1942 BEACH DR	GULFPORT	MS	39507
	25153	1010O-02-008.000	FLOYD EVELYN P -TOD-	200 SOUTHERN CIR	GULFPORT	MS	39507

Variance



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:
IPL0129144
External Order #:
438155
Order Status:
Submitted
Classification:
Legals & Public Notices
Package:
BLX - Legal Ads
Final Cost:
72.88
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
June 27, 2023 11:49:23 AM EDT
Amount:
72.76
Date
June 28, 2023 11:23:45 PM EDT
Amount:
0.12

SCHEDULE FOR AD NUMBER IPL01291440

July 5, 2023

PREVIEW FOR AD NUMBER IPL01291440**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, July 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 2306ZB062, by agent Garlon Pemberton, is seeking approval for a 1.5-foot (18-inch) side setback where 8 feet is required, Tax Parcel 1010D-01-008.004, 8813 Lorraine Rd, Zoned R-B (Residence-business), Ward 4

Variance 2307ZB073, by owner Rebeca Fairley, is seeking approval for 18 feet in height for a detached accessory structure where 14 feet is the height limit, Tax Parcel 0909J-03-017.000, 20 54th Street, Zoned R-UE (Urban residence estate), Ward 4

Variance 2307ZB074, by owner Rebeca Fairley, is seeking approval for an accessory detached structure size of 2,304 square feet where 600 square feet is the size limit, Tax Parcel 0909J-03-017.000, 20 54th Street, Zoned R-UE (Urban residence estate), Ward 4

Variance 2307ZB075, by agent C. Roberds General Contractors, LLC, seeking approval for a 57-stone for drives in a boat parking area where only concrete or asphalt is allowed, Tax Parcel 1010F-01-021.000, 1408 Cowan Road, Zone T6 (Urban Core Zone), Ward 4

Variance 2307ZB078, by agent Freddie Fountain, is seeking approval for a 5-foot side yard setback for the addition to an existing home where 8-feet is required, Tax Parcel 0811H-04-033.000, 1315 2nd Street, Zoned R-1-7.5 (Single-family), Ward 2

Variance 2307ZB080, by agent Freddie Fountain, is seeking approval for a 9-foot and 9-inch front yard setback where 25 feet is required on a second street frontage, Tax Parcel 1010O-02-002.001, 1936 Beach Drive, Zoned R-1-7.5 (Single-family), Ward 2

Variance 2307ZB082, by owners Dalaney Mecham and Hannah Shirley, is seeking approval for a 6-foot wooden fence along the front continuous facade where a 4-foot fence is the height limit, Tax Parcel 0909O-01-007.000, 1 Shady Side Circle, Zoned R-1-7.5 (Single-family), Ward 4

This the 28th day of June 2023
A. Leslie North, Chairman
City of Gulfport Zoning Board of Adjustment and Appeals
IPL0129144
Jul 5 2023

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SunHerald (Biloxi)



Beaufort Gazette
Belleville News-Democrat
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Fresno Bee

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

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

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

AFFIDAVIT OF PUBLICATION

Account #	Order Number	Identification	Order PO	Amount	Cols	Depth
36845	438155	Print Legal Ad-IPL01291440 - IPL0129144		\$72.88	2	50 L

Attention: Matilda Welch
GULFPORT URBAN DEVELOPMENT
PO BOX 1780
GULFPORT, MS 39502

accountspayable@gulfport-ms.gov

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, July 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 2306ZB062, by agent Garlon Pemberton, is seeking approval for a 1.5-foot (18-inch) side setback where 8 feet is required, Tax Parcel 1010D-01-008.004, 8813 Lorraine Rd, Zoned R-B (Residence-business), Ward 4

Variance 2307ZB073, by owner Rebeca Fairley, is seeking approval for 18 feet in height for a detached accessory structure where 14 feet is the height limit, Tax Parcel 0909J-03-017.000, 20 54th Street, Zoned R-UE (Urban residence estate), Ward 4

Variance 2307ZB074, by owner Rebeca Fairley, is seeking approval for an accessory detached structure size of 2,304 square feet where 600 square feet is the size limit, Tax Parcel 0909J-03-017.000, 20 54th Street, Zoned R-UE (Urban residence estate), Ward 4

Variance 2307ZB075, by agent C. Roberds General Contractors, LLC, seeking approval for a 57-stone for drives in a boat parking area where only concrete or asphalt is allowed, Tax Parcel 1010F-01-021.000, 1408 Cowan Road, Zone T6 (Urban Core Zone), Ward 4

Variance 2307ZB078, by agent Freddie Fountain, is seeking approval for a 5-foot side yard setback for the addition to an existing home where 8-feet is required, Tax Parcel 0811H-04-033.000, 1315 2nd Street, Zoned R-1-7.5 (Single-family), Ward 2

Variance 2307ZB080, by agent Freddie Fountain, is seeking approval for a 9-foot and 9-inch front yard setback where 25 feet is required on a second street frontage, Tax Parcel 1010O-02-002.001, 1936 Beach Drive, Zoned R-1-7.5 (Single-family), Ward 2

Variance 2307ZB082, by owners Dalaney Mecham and Hannah Shirley, is seeking approval for a 6-foot wooden fence along the front continuous facade where a 4-foot fence is the height limit, Tax Parcel 0909O-01-007.000, 1 Shady Side Circle, Zoned R-1-7.5 (Single-family), Ward 4

This the 28th day of June 2023
A. Leslie North, Chairman
City of Gulfport Zoning Board of Adjustment and Appeals
IPL0129144
Jul 5 2023

STATE OF MISSISSIPPI COUNTY OF HARRISON

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

1 insertion(s) published on:
07/05/23

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

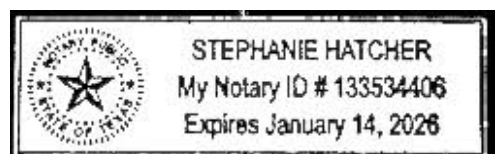
Stefani Beard

Sworn to and subscribed before me this 7th day of July in the year of 2023

Stephanie Hatcher

Notary Public

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



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



August 1, 2023

City of Gulfport
Planning and Zoning Department
1410 24th Avenue
Gulfport, MS 39502

RE: **Appeal of Zoning Board of Adjustment and Appeal Decision**
Case#: Variance 2307ZB080
Address: 1936 Beach Drive
Tax Parcel #s: 10100-02-002.001
Gulfport, Mississippi

Fountain & Associates made application on June 5th on behalf of Pentek Design Build, LLC for a 9 foot 9 inch side yard setback where a 25 feet is required on the second frontage for this lot. This request was denied at the July 20th Zoning Board of Adjustment and Appeal meeting. We would like to appeal this decision to City Council for further consideration. This variance is necessary in order to construct the proposed home. This will be a large, custom home that will increase the value of the surrounding properties and be a beautiful addition to the neighborhood. This home being built on a corner lot and the ordinance requiring that both street frontages meet a front yard setback reduces the buildable size of the lot. If this lot was not on a corner, there would not be a need for a variance. The proposed house sits back from Beach Drive 58' 9" on the east side and more on the western side of the property. This puts the house far enough back from the street to still allow visibility of the traffic coming west bound on Beach Drive.

CITY OF GULFPORT
ZONING BOARD OF ADJUSTMENT AND APPEALS

2307ZB080

TRANSCRIPT OF HEARING

July 20, 2023

TRANSCRIPT OF HEARING HELD BEFORE THE CITY OF GULFPORT
ZONING BOARD OF ADJUSTMENT AND APPEALS HELD IN THE CITY
COUNCIL CHAMBERS, GULFPORT, MISSISSIPPI, ON THE 20TH DAY OF
JULY 2023 COMMENCING AT 3:00 P.M. AND REPORTED BY
NORMA JEAN LADNER SOROE, CERTIFIED SHORTHAND REPORTER.

COMMISSION MEMBERS PRESENT:

LESLIE NORTH, President
MARY ANN WIGINTON
NATHAN BODDIE
MICHAEL DANIELS
ROBERT PHARR, JR.

STAFF PRESENT:

GREG HOLMES
SU-LIN FEATHERSTON
MATILDA WELCH
SAMUEL SWEETING

1 6. Variance 2307ZB080

2 MS. WELCH: Variance Case Number 080 has been
3 duly and timely noticed as required by law. The applicant
4 is seeking approval for a 9 foot 9 inch front yard setback
5 where 25 feet is required on a second frontage, 1936 Beach
6 Drive, zoned R-1-7.5 single family, Ward 2. A copy of the
7 packet considered is hereby offered to the record.

8 MS. NORTH: Anybody here to speak for the
9 petition?

10 MR. FOUNTAIN: Again, Freddie Fountain, 1822
11 15th Street, Gulfport, Mississippi.

12 This is a home builder that I've worked with
13 in the past. He builds homes that are in Louisiana, New
14 Orleans, Greater New Orleans area. He's building a second
15 home here, and as stated in the package, I mean, this is on
16 the second frontage. He's abiding by and actually exceeding
17 the setback on the actual frontage along Beach Drive. This
18 is on the Southern Circle side of the property which he -- I
19 believe is a eight foot side yard setback if it wasn't on a
20 corner.

21 So if it wasn't a second frontage, he would
22 meet the side yard setbacks. And it's just the general
23 shape of the lot and the configuration of it that's giving
24 him difficulties with being able to fit the home that he
25 wants there.

1 And I believe in the package, did we include
2 some of the house plans, as well? Or is it just a site
3 plan?

4 MS. NORTH: It's just a site.

5 MR. PHARR: All we have is the site plan.

6 MR. FOUNTAIN: I apologize for that.

7 But you can see it's going to be a very nice
8 home, nice pool. It's not going to be a small home. It's
9 going to complement the neighborhood as far as size.

10 And we've spoken with some of the residents
11 that I know in the area, and from what I've been told, none
12 of them had any opposition. There's been at least three
13 neighbors that have reached out to me, and some of the
14 neighbors in the area, they come out in full force. So for
15 me to not get any opposition or hear about any opposition I
16 felt like was pretty good.

17 MS. NORTH: Any questions?

18 Thank you.

19 Okay. Is there anybody else here to speak
20 for the petition?

21 Anybody here to speak against the petition?

22 Come forward.

23 MR. WEATHERLY: How y'all doing?

24 My name is William Weatherly, and I live --
25 I'm the next house up from this development. I live at 140

1 Southern Circle. My brother owns two lots -- yeah, if you
2 can put that up -- he owns two lots in red just north of the
3 driveway that's on the north side of this proposed house.
4 My house, I have an empty lot north of those two lots, and
5 then I have a house there.

6 I own two other lots on Southern Circle
7 around the corner.

8 Mr. Fountain has never reached out to me or
9 talked to me about any of this.

10 I did get a notice. I went and reviewed the
11 plans at the city office. And I have two or three comments.

12 Nothing has been mentioned about the two huge
13 oak trees that are on the property. You see them from this
14 aerial.

15 This particular builder, typical home
16 builder, they're just going to do whatever they want to do.
17 And they'll ask permission, get away with it if they can,
18 and he's going to mow those trees down and build just about
19 side to side, eight feet on the east side and he wants 9.9
20 feet on the west side.

21 I'm not sure how many feet he has across the
22 front. I'm guessing it's 70 or 80 feet. Do you have
23 another with the distance up on it east and west?

24 MR. BODDIE: East to west, it's 95.6 feet.

25 MR. WEATHERLY: That's what I thought that,

1 95 feet.

2 So he wants to use -- I'm going to just have
3 to get my calculator out, and I apologize -- he wants to use
4 77 feet of that east-west distance. That's ridiculous.

5 And the problem is you say what's the big
6 deal. The big deal is he's pinching in on the street.
7 There's a real good reason for this 25 foot setback on what
8 is a major street. There's 35 houses that are on Southern
9 Circle, 33. There's right now five undeveloped lots. Well,
10 six with the guy across the street. So you got six more
11 houses to go.

12 So you got almost 40 houses that are there
13 now. A lot of traffic comes in and out of that street.
14 I've been living there over 60 years, and I'm probably the
15 oldest resident on that street.

16 We've been dealing with other issues with the
17 gentleman who built on Parcel A. He's encroaching on the
18 easement I have, a dedicated easement on the east side.
19 He's two or three feet built his yard and raised the grade,
20 and I've got to go deal with that issue. It's not sorted
21 out.

22 They built a driveway on the north side of
23 this parcel, some on my brother's property. Raised the
24 grade up about two feet --

25 MS. NORTH: Okay. Let's try to keep it to

1 this particular case.

2 MR. WEATHERLY: Fair enough.

3 I think it's -- well, two to three main
4 points I'd like to make.

5 He doesn't have a hardship. Variances
6 require a hardship. He just wants a big old house. He
7 wants to use every square inch of that property he can.
8 There's really no hardship. I want to make that point.

9 Second point is, there's a safety issue.
10 There's no stop sign at Southern Circle and that drive. It
11 comes into the drive at a low point. When you look left,
12 the grade goes up severely; you look right, the grade goes
13 up severely. Southern Circle is not at a 90 degree angle.
14 It's about a 60 to 70 degree angle when you're approaching
15 from driving west, turn onto Southern Circle, it's not 90
16 degrees, it's a hard turn in there. There's a lot of kids
17 who sit out there during the week waiting on the bus stop
18 right there at that location. That's where the bus stops.

19 And to take away any visibility from some of
20 the older residents who live on the street, some of the kids
21 who are catching the bus, just doesn't make any sense to me.
22 Just because somebody wants to do it, you shouldn't approve
23 it.

24 Under no circumstances would I approve this
25 if I were in your position. And I ask you to give it a hard

1 consideration. Thank you.

2 MS. NORTH: Any questions?

3 MR. WEATHERLY: And I'm also -- I meant to
4 mention of I may -- I'm speaking for my brother, too. He's
5 in Texas. He would be here if he could, but he lives way
6 out the other side of Abilene. He couldn't be here. So he
7 has those two lots.

8 I do want to make one other point.

9 His two lots have a 25 foot setback, as my
10 third vacant lot does. That's what we're dealing with.
11 That's fine. But with this house moving closer to the
12 street, there goes our views, there goes our breeze from the
13 south, there goes our visibility. For him to say it doesn't
14 affect the neighborhood is just wrong.

15 Thank you.

16 MS. NORTH: Is there anybody else here to
17 speak against the petition?

18 Okay. Mr. Fountain, can you come up? We
19 have some questions for you.

20 MR. BODDIE: So where would the Live oaks be
21 on this site plan?

22 MR. FOUNTAIN: So the homeowner has pulled a
23 permit before him being granted permits previously with a
24 previous site plan to cut those trees already.

25 So those trees could have already been cut.

1 He decided to build a different house which would still be
2 cutting the trees. But he has been granted a permit by the
3 City of Gulfport before to cut those trees.

4 So if he would have taken action, the trees
5 could be gone by now anyway.

6 But, yes, both trees would be impacted by
7 this.

8 MR. BODDIE: Impacted or cut down?

9 MR. FOUNTAIN: They would have to be cut
10 down. They are not -- they are inside the footprint of the
11 building. And there could not be a house built on this
12 reasonably with those trees there.

13 MR. BODDIE: Was there a house built before
14 Hurricane Katrina on this site?

15 MR. FOUNTAIN: On both lots together.

16 MR. BODDIE: Both lots together. So somebody
17 subdivided this.

18 MR. FOUNTAIN: That was subdivided in
19 probably -- I would have to look back at the records, but I
20 think it was around 2017, 2016, somewhere in that time
21 frame, this was split.

22 MR. BODDIE: So were the oak trees there when
23 this gentleman purchased this lot?

24 MR. FOUNTAIN: Yes, sir.

25 MR. BODDIE: So he knew about the oak trees.

1 So could a structure be built, a habitable house be built on
2 this site smaller and avoid messing up the oak trees, avoid
3 touching the oak trees?

4 MR. FOUNTAIN: I would say yes, anything can
5 be built to avoid oak trees if it's deemed necessary.

6 MR. BODDIE: Okay.

7 MR. FOUNTAIN: and I wanted to comment on a
8 few things Mr. Weatherly sTated.

9 As far as the site distance for the road,
10 this house sits back because technically your pool is not
11 required to meet the setback requirements, and on the
12 closest frontage the actual home is 58 foot 9 inches from
13 Beach Drive's right-of-way.

14 MR. BODDIE: Is that pool going to be flush
15 with the dirt or elevated with a patio around it?

16 MR. FOUNTAIN: He has not decided that yet.

17 MR. BODDIE: Is it going to have a four foot
18 fence surrounding it?

19 MR. FOUNTAIN: That's a requirement for the
20 International Building Code for life safety.

21 MR. BODDIE: Okay.

22 The city's arborist isn't going to know about
23 and keeping the -- speaking for the oak trees, it provides
24 us an opportunity so, you know.

25 The placement of this house if it is over the

1 footprint of these oak trees, the site plan slightly --
2 well, I guess it's not an as-is site plan. An as-is site
3 plan would have been appreciated showing these oak trees, so
4 I'm glad that came to light.

5 I'm satisfied.

6 MS. NORTH: Other questions?

7 MR. PHARR: Mr. Fountain, you said some of
8 the neighbors were in harmony with that. It would have been
9 nice if you had provided us with some of those letters or at
10 least had some of them come down.

11 I'm looking at the site plan here, and it
12 seems rather large here. We didn't have any idea about the
13 physical site until the complainant brought it to us which
14 raises our concern with regard to the size of the
15 development of the property in itself.

16 I just wanted you to know that.

17 MR. FOUNTAIN: Yes, sir.

18 If this was not a corner lot, this would meet
19 the setbacks.

20 As far as blocking views, I mean, it's
21 really, I mean, we can't be held for blocking somebody's
22 view. I mean, that's...

23 MR. BODDIE: I agree with you on that.

24 MR. FOUNTAIN: I mean, he bought a piece of
25 real estate; he's allowed to build there. I mean, blocking

1 somebody's view cannot -- that's...

2 MR. BODDIE: And that's --

3 MS. NORTH: We understand that.

4 MS. BODDIE: -- very reasonable. We get that
5 a argument a lot up here, you know, oh, I live on the north
6 side of Second Street, and I got three parcels south of me,
7 don't want anything being built because it's going to mess
8 up my beach view. You're not on the beach.

9 You know, I wholeheartedly get that.

10 But this is a very large house. And this is
11 a corner. And this has been recently subdivided. Nobody, I
12 mean, this issue did not -- was not born with the creation
13 of this land.

14 MR. FOUNTAIN: I mean, it's six years ago
15 that it was subdivided, roughly.

16 MR. BODDIE: So six years ago is not the
17 distant past.

18 MS. NORTH: Is there a house on the Parcel A?

19 MR. FOUNTAIN: Yes, ma'am.

20 MS. WIGINTON: Do I understand that the
21 houses north, I guess north of here, all have to have a 25
22 front setback, that's from the front door.

23 MR. FOUNTAIN: Yes, ma'am. And this house
24 does have a 25 foot --

25 MS. WIGINTON: And that doesn't affect this

1 house?

2 MR. FOUNTAIN: This house has a 25 foot front
3 yard setback from Beach Drive.

4 The pool deck meets the 25 foot setback. The
5 actual home is about 58 foot 9 inches on the closest side
6 from Beach Drive. So it meets the front yard setback.
7 We're being held to a double frontage which I know we have
8 worked on projects in the past where we've negotiated well,
9 okay, the address is Beach Drive so that's the front yard
10 setback.

11 And we've also worked on projects before in
12 the past that we were allowed to go half of the front yard
13 setback.

14 MS. WIGINTON: That's where the 25 feet comes
15 in because he's on a corner lot, 25 foot on each side
16 regardless of where the front door is.

17 MS. NORTH: Any other questions?

18 Thank you.

19 Are we ready to make a motion?

20 MR. BODDIE: I'd like to offer a motion. I
21 offer the motion that we approve the applicant's request on
22 the condition that no oak trees are cut down in the
23 placement of that house.

24 MS. NORTH: We have a motion to approve the
25 request with the addition of no oak trees being cut down.

1 Do we have a second?

2 MR. BODDIE: Excuse me. I'd like to amend
3 that. No Live oaks.

4 MS. NORTH: No Live oaks. Do we have a
5 second?

6 All right. For the sake of moving this
7 forward, I will second this and we'll call for a vote.

8 MS. WIGINTON: What's the second?

9 MS. NORTH: The second would be to approve
10 the application with the caveat that no Live oaks be cut
11 down.

12 MR. PHARR: You're asking for a second?

13 MR. DANIELS: I have a question, though. If
14 he already has approval of the city to be able to cut down,
15 how does that --

16 MR. BODDIE: That was for a prior set of
17 plans.

18 MS. FEATHERSTON: So if a tree permit was
19 pulled and approved to remove any trees on the property and
20 it's been more than six months and no work has been done,
21 then a new tree permit is required.

22 MS. NORTH: Okay. Can you come forward for a
23 second? Do you know when that permit was pulled?

24 MR. FOUNTAIN: The permit was renewed -- I
25 don't know when that date of the last approval was, but that

1 approval has been granted twice.

2 I would have to look back in my files at the
3 office to see when that was granted.

4 MS. NORTH: And we don't have that?

5 MS. FEATHERSTON: I will have to look that
6 up, as well, when we get back to the office.

7 But again, if that renewal is more than six
8 months old, another tree permit will be required. It only
9 lasts six months.

10 MR. BODDIE: So what's done is done. But if
11 a new one is needed, the stipulation will kick in.

12 MS. FEATHERSTON: Correct.

13 MR. FOUNTAIN: And with this requirement, he
14 would have to build a 20 foot wide house.

15 MS. NORTH: We are in the middle of a motion
16 and a second. We have to finish this.

17 MR. FOUNTAIN: I was asked to come back up,
18 so...

19 MS. NORTH: I'm just letting everybody know
20 because I see people their raising hands and stuff. We have
21 to finish this.

22 So we need to call for the vote.

23 You have to vote on it.

24 MR. PHARR: Nay.

25 MS. WIGINTON: Nay.

1 MR. DANIELS: Nay.

2 MR. BODDIE: Yea.

3 MS. NORTH: Okay.

4 MR. DANIELS: So that motion died, right?

5 MR. BODDIE: So that motion died.

6 MR. PHARR: The motion died for lack of a
7 second.

8 MS. NORTH: No, I seconded it.

9 MR. PHARR: You second? I'm sorry.

10 MS. NORTH: So I have to vote.

11 So nay.

12 So either way, it dies.

13 MR. BODDIE: Somebody can offer a second
14 motion, an alternate motion.

15 MS. NORTH: Do we have an alternate motion?

16 MR. PHARR: The alternate motion would be
17 that we determine whether the tree removal permit is valid
18 or in good standing now or whether a new one is required
19 which would complement the motion that you have offered
20 pursuant to a regular motion.

21 MR. BODDIE: May I add or offer something?
22 We were given limited information with this. I'm sure
23 there's an as-is site plan floating around. Would it be
24 prudent to table this until the next meeting to offer all
25 parties involved to bring an as-is site plan so we can

1 actually see what's there and make a more informed decision?

2 MR. PHARR: Yes. And any supporting
3 neighbors or whatever would certainly be appropriate, as
4 well, so we can have a pretty broad perspective on what
5 we're voting on to possibly reach some kind of consensus as
6 to how they're going to develop this property to be in
7 harmony with the existing neighborhood and reconcile
8 themselves with the neighbors there. And we're not against
9 any development, but there are neighbors that are there and
10 the concerns that are raised are for the benefit of hoping
11 to find a happy medium. So we need all the information we
12 can get.

13 MS. NORTH: Okay. Staff, do we need to
14 regroup here?

15 MR. HOLMES: The original motion was to
16 approve it, and it was seconded. But that motion failed
17 because it was denied, you know. So it's done.

18 Now, you could have brought up a second
19 motion if you want for that first one and it wasn't properly
20 seconded, then you could have overturned that motion.

21 But once you vote on something, it's done.

22 MS. NORTH: It's done. Okay. So this can be
23 appealed, but it has been denied based on the votes that we
24 just did.

25

BEFORE THE CITY OF GULFPORT
ZONING BOARD OF ADJUSTMENT AND APPEALS

2307ZB080

COURT REPORTER'S CERTIFICATE

I, Norma Jean Ladner Soroë, Certified Shorthand Reporter, do hereby certify that to the best of my skill and ability I have reported the hearing held before the City of Gulfport Zoning Board of Adjustment and Appeals and that the foregoing 17 pages constitute a true and correct transcription of said hearing held on the 20th day of July 2023.

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

Witness my signature this the 11th day of August 2023.

NORMA JEAN LADNER SOROE, CSR #1297
Certified Shorthand Reporter

MEMORANDUM

To: Mayor Billy Hewes and
Gulfport City Council

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

Date: June 28, 2023

Re: Sign Ordinance Text Amendment 2305PC059, by City of Gulfport Administration, To amend the Sign Ordinance, section 9-106(c), to provide for a limited exemption from certain provisions (size, type, location & placement) for signs placed on property owned by the Gulfport Redevelopment Commission & to provide for City approval of size, type, location & placement.

Planning Commission recommendation: To approve applicant request.

Motion: Mr. Sellers

Second: Mr. Hancock

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

Action: Motion carried unanimously

Speaking for the Petition:

1. Margaret Murdock

Speaking against the Petition: None

On May 25, 2023, the Planning Commission recommended approval of the above referenced case.

Please place the attached item on the Council agenda for July 5, 2023.



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

APPLICATION FOR ZONING TEXT AMENDMENT

For Staff Use Only

Case File #: 2305PC059Date Received: 4/25/2023

Receipt #: _____

Received By: 22

Zoning: _____

Ward: _____ Flood: _____

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

59-1066
Amend the Sign Ordinance to provide for a limited
exemption from certain provisions (size, type,
location & placement) for signs placed on property
owned by the Gulfport Redevelopment Commission &
to provide for City approval of size, type, location & placement.

OWNERSHIP AND CERTIFICATION:

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

OWNER

AGENT

City of Gulfport - Administration
Printed Name Of Owner

Printed Name Of Agent

Mailing Address

Mailing Address

City State Zip code

City State Zip code

Home Phone Work/Cell Phone

Home Phone Work/Cell Phone

Email

Email

Signature Of Owner

Signature Of Agent

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



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

Sign Ordinance Amendment

Submission Requirements

- A. Attached.
- B. N/A
- C. N/A
- D. N/A – please notice as appropriate under the ordinance
- E. N/A
- F. N/A as this is not an amendment to the Zoning Ordinance
- G.
 - 1. Interest – City of Gulfport
 - 2. Effect of Amendment – the effect of the amendment will be to exempt signs sought to be placed on property owned by the City of Gulfport’s Urban Renewal Agency (Gulfport Redevelopment Commission) from the sign ordinance’s requirements as to size, type, location and placement and to require that such signs be approved, in advance, as to those factors by the City’s Governing Authority (i.e., Mayor and City Council).
 - 3. Error – not applicable



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

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

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

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

AFFIDAVIT OF PUBLICATION

Account #	Order Number	Identification	Order PO	Amount	Cols	Depth
36845	417943	Print Legal Ad-IPL01215990 - IPL0121599		\$98.32	2	77 L

Attention: Matilda Welch

GULFPORT URBAN DEVELOPMENT
PO BOX 1780
GULFPORT, MS 39502

accountspayable@gulfport-ms.gov

LEGAL NOTICE PUBLIC HEARING

In conformance with Section VIII of the Comprehensive Zoning Ordinance of the City of Gulfport, Mississippi, 1979 as amended, notice is hereby given advising that the Gulfport City Planning Commission will hold a public hearing in the City of Gulfport, Mississippi at 4:30 P.M., Thursday, May 25, 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.

Zoning Text Amendment 2302PC016, by agent David P. Sullivan, Amendments to the Comprehensive Zoning Ordinance, as amended, to amend Section III (K), (2) to allow, with Planning Commission Approval, a medical cannabis dispensary use in T4+ zoning districts.

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

Zoning Map Amendment 2305PC046, by owner Gregory Smith, requesting to rezone Tax Parcel 1011D-01-007.000 from T5 (Urban Center Zone) to T4+ (General Urban Zone "Plus"), 1123 Ocean View Dr, Ward 2

Planning Commission Approval 2305PC047, by owner Lisa Aronson, requests approval for a mobile home on an individual lot, Tax Parcel 0810B-03-033.000, 8319 South Carolina Ave, Zoned R-1-5 (Single-family), Ward 3

General Plan 2305PC049, by owner River Pointe Estates LLC, Tax Parcels 1007O-01-028.000, 1007O-01-028.014, 1007O-01-028.012, 1007O-01-028.008, seeking approval of General Plan of seven single family residential lots (River Pointe Estates) at 10550 O'Neal Road, Zoned R-E (Residence Estate), Ward 6

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General Plan 2305PC051, by agent Robert Riemann, seeking approval for a General Plan for Six Lot Townhouses in the B2 Zoning and One Lot Single Family Residence in the R-1-5 zoning, Tax Parcel 0808O-02-017.000, Zoned B-2 (General Business) R-1-5 (Single Family), Ward 5

Final Plat 2305PC053, by applicant Brown, Mitchell, & Alexander Inc., Tax Parcel 1008M-04-006.000, seeking approval for re-platting of Lot 2 of Gulfport Promenade into 4 lots, relocation of the ingress & egress easement, and create a drainage easement at Dedeaux Road, Zoned B-2 (General Business), Ward 6

Zoning Text Amendment 2305PC054, by City of Gulfport Administration, to amend the Comprehensive Zoning Ordinance of "Hotel" by deleting the words "and nightly and weekly vacation rentals located in one- and two- family dwelling units."

Zoning Text Amendment 2305PC058, by City of Gulfport Administration, to amend various sections of Article III, Chapter 9 Subdivisions, to eliminate Planning Commission consideration of a final plat, to create processes for Council consideration of a final plat, to eliminate notice to tenants on sketch and general subdivision plans, to remove certified mail requirement for notices and to otherwise streamline the final plat approval process.

Zoning Text Amendment 2305PC059, by City of Gulfport Administration, To amend the Sign Ordinance, section 9-106(c), to provide for a limited exemption from certain provisions (size, type, location & placement) for signs placed on property owned by the Gulfport Redevelopment Commission & to provide for City approval of size, type, location & placement.

Zoning Text Amendment 2305PC060, by City of Gulfport Administration, to amend the Comprehensive Zoning Ordinance (Appendix A) at Sections I and IV(A) to add non-motorized trailers to the definition of mobile food vendors, to add additional residential uses to the areas where mobile food vendors may operate and to reorganize the existing ordinance.

This the 3rd day of May 2023
Keith Williams, Chairman
City of Gulfport Planning Commission
IPL0121599
May 10 2023

STATE OF MISSISSIPPI COUNTY OF HARRISON

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

1 insertion(s) published on:

05/10/23

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

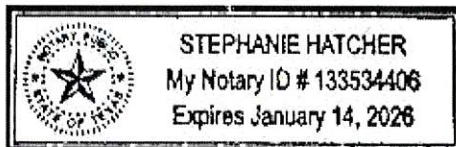
Stefani Beard

Sworn to and subscribed before me this 10th day of May in the year of 2023

Stephanie Hatcher

Notary Public

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



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



Beaufort Gazette
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Bellingham Herald
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Columbus Ledger-Enquirer
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Herald Sun - Durham
Idaho Statesman
Island Packet
Kansas City Star
Lexington Herald-Leader
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Miami Herald

el Nuevo Herald - Miami
Modesto Bee
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The State - Columbia
Sun Herald - Biloxi

Sun News - Myrtle Beach
The News Tribune Tacoma
The Telegraph - Macon
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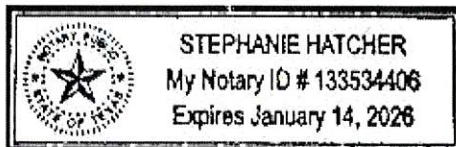
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CITY OF GULFPORT PLANNING COMMISSION

2305PC059

TRANSCRIPT OF HEARING

May 25, 2023

TRANSCRIPT OF HEARING HELD BEFORE THE CITY OF GULFPORT
PLANNING COMMISSION HELD IN THE CITY COUNCIL CHAMBERS,
GULFPORT, MISSISSIPPI, ON THE 25TH DAY OF MAY 2023
COMMENCING AT 4:30 P.M. AND REPORTED BY
NORMA JEAN LADNER SOROE, CERTIFIED SHORTHAND REPORTER.

COMMISSION MEMBERS PRESENT:

KEITH WILLIAMS, President
WILLIAM "PRINCE" JONES
VIRGINIA ADOLPH
B.J. SELLERS
CHARLIE HEWES
HAROLD SPANN
DOUG HANCOCK
BRYAN JACOBS

STAFF PRESENT:

GREG HOLMES
SU-LIN FEATHERSTON
LESLIE ERVIN
RHONDA GADDIS
KEVIN BROWN

ALSO PRESENT:

MARGARET MURDOCK ESQ., City Attorney

1 H2.7 Sign Ordinance Text Amendment 2305PC059

2 MS. GADDIS: Sign Ordinance Text Amendment
3 2305PC059 has been duly and timely noticed as required by
4 law. The City of Gulfport Administration to amend the sign
5 ordinance Section 9-106(c) to provide for limited exemption
6 from certain provisions, size, type, location, and
7 placement, for signs placed on property owned by the
8 Gulfport Redevelopment Commission and to provide for city
9 approval for size, type, location, and placement.

10 A copy of the packet Exhibit A considered is
11 hereby offered to the record.

12 MR. WILLIAMS: All right. Ms. Margaret.

13 MS. MURDOCK: Okay. This is an amendment
14 requested by the administration, obviously. The city has
15 what's called an urban renewal agency. We officially call
16 it the Gulfport Redevelopment Commission. They own a number
17 of properties around town and a number of buildings, some of
18 which are fairly significant. For example, they own the
19 former Baptist Church property and they own the Aquarium
20 building.

21 They are the mechanism by which we have done
22 a lot of urban renewal and some redevelopment projects
23 within the city over the last years.

24 In order to allow for a bit of creativity on
25 those properties that are owned by the redevelopment

1 commission, because they do have some landmark development,
2 for example, the Aquarium, where perhaps sign rules that
3 apply elsewhere may not really work with a large and
4 landmark development.

5 This would allow, remove from the sign
6 ordinance, if the property is owned by the GRC, the size,
7 type, location, and placement of any signs on that property
8 would no longer be subject to the sign ordinance but would
9 be subject to the final approval before it can go up of the
10 city's governing authority. The governing authority is the
11 City Council subject to veto by the mayor.

12 So basically the City Council would be the
13 ones approving the size, type, location, and placement of
14 signs on property owned by the Gulfport Redevelopment
15 Commission.

16 This is not extended any further than
17 property owned by the redevelopment commission. And thus
18 far, relationship of the redevelopment commission to their
19 tenants has always been a very good one.

20 So this will allow, as I said, for a little
21 bit more creativity and some better communication, some
22 way-finding signs and so forth that aren't allowed under
23 strict enforcement of the sign ordinance as it currently
24 exists.

25 MR. WILLIAMS: Any questions?

1 MR. HEWES: Just out of curiosity, this is
2 just going to be on their property so it wouldn't affect
3 signs coming from the airport or other properties saying
4 this way to the Aquarium?

5 MS. MURDOCK: Correct. It's only on property
6 owned by the GRC. Yes.

7 MR. SELLERS: So, I'm sure not against it,
8 I'm just curious. But does this open the door for private
9 owners to say how can you let them do it, you can't let us
10 do it?

11 MR. WILLIAMS: And B.J. asked, so I'm going
12 to go on there, too, because that was going to be my
13 question that when I read this, it was kind of like, okay,
14 this entity that is for the City of Gulfport, y'all can do
15 what y you want because there's some uniqueness of your
16 properties and things, but we have a lot of people that own
17 properties that would say, hey, mine is just as unique and
18 those type things. So walk us through that, if you would,
19 because I know that would be a consideration.

20 MS. MURDOCK: The Gulfport Redevelopment
21 Commission or the city's Urban Renewal Agency is comprised
22 of five members who are appointed by the city, so in many
23 ways they're answerable to the city's governing authority.
24 And they really don't have the authority to do what they
25 want because they are subject to approval under this

1 proposal by the city's governing authority, the mayor and
2 City Council.

3 The City Council speaks through its minutes,
4 so it's not something that would be done in a back room.
5 It's something that would be considered at a City Council
6 meeting with full discussion and debate.

7 The GRC, because of how it is established, is
8 a governmental entity. So we are not extending this into
9 the private world. We're staying within the government's
10 sphere by leaving it that way.

11 Keeping in mind, too, we do have other
12 governmental entities that are exempt from the sign
13 ordinance, so this is in keeping with that.

14 MR. HEWES: My only concern is I trust the
15 current administration because I know how they think, in 30,
16 or 40 years when these places aren't bright and shiny any
17 more, someone may do some stuff that's not proper. It's
18 kind of like us changing the zoning for people taking it
19 right now are fine, but the ones coming behind them might
20 not be.

21 I guess that would have to be addressed by
22 the administration as it comes around.

23 MS. MURDOCK: I think that's accurate, yes.

24 MR. WILLIAMS: Other questions?

25 If not, can we get a motion?

1 MR. SELLERS: Mr. Chairman, I move we approve
2 Case File 2305PC059 as presented.

3 MR. WILLIAMS: Do I have a second to that
4 motion?

5 MR. HANCOCK: Second.

6 MR. WILLIAMS: Motion and a second. Any
7 further discussion? If not, all those in favor signify by
8 saying aye. Any opposed to it? All right.

9 (Unanimous vote.)

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BEFORE THE CITY OF GULFPORT PLANNING COMMISSION

2305PC059

COURT REPORTER'S CERTIFICATE

I, Norma Jean Ladner Soroë, Certified Shorthand Reporter, do hereby certify that to the best of my skill and ability I have reported the hearing held before the City of Gulfport Planning Commission and that the foregoing 6 pages constitute a true and correct transcription of said hearing held on the 25th day of May 2023.

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

Witness my signature this the 1st day of June 2023.

NORMA JEAN LADNER SOROE, CSR #1297
Certified Shorthand Reporter

There came on for consideration at a duly constituted meeting of the City Council and Mayor of the City of Gulfport held on the ____ day of _____, 2023, the following Ordinance:

ORDINANCE NO. _____

**AN ORDINANCE AMEND SECTION 9-106 (c) OF THE CODE OF ORDINANCES;
AND FOR RELATED PURPOSES**

WHEREAS, presently, signs located on property owned or under the control of the City's Urban Renewal Agency, the Gulfport Redevelopment Commission, must meet all requirements of the sign ordinance, including provisions thereof related to placement, location, size and type as well as the permitting requirements set forth in the Sign Ordinance; and

WHEREAS, the City desires to streamline the process for approval of signs located on property owned by or under the control of the said urban renewal agency by exempting signs proposed to be located on such property from the requirements related to placement, location, size and type, but not from the permitting requirements of the Sign Ordinance and by requiring that the governing authority of the city approve, in advance, the proposed signs' placement, location, size and type; and

WHEREAS, the Mayor and City Council of the City of Gulfport, Mississippi, find and do so determine, based upon the recommendation of the Gulfport City Planning Commission, that the City's sign ordinance, which is codified at Chapter 9, Article IV of the Code of Ordinances should be amended to reflect the changes outlined above

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

SECTION 1: That Chapter 9, Article IV, Section 9-106 Government Property, be and the same is hereby amended, as follows:

EXISTING (material to be deleted in stfjel<1JH, material to be added is underlined):

(c) Governmental signs: Property owned by or under the control of the United States of America or the State of Mississippi and which is not subject to the police power of the city and property owned by or under the control of the city are hereby declared to be exempt from all sign regulations set forth in the city's Sign Ordinance (Section 9-76, et seq.). In addition, governmental signs for control of traffic and other regulatory purposes, street signs, danger signs, railroad crossing signs, and signs of public service companies indicating danger and aids to service or safety which are erected by or on the order of a public officer in the performance of his public duty. Signs on property owned by or under the control of the city's urban renewal agency are exempt from those provisions of the Sign Ordinance relating to placement, location, size, and type but not the permitting process and associated requirements set forth in the Sign Ordinance, provided that the city's governing authority has approved, in advance, the sign's placement, location, size and type, and such approval appears in the minutes of the governing authority.

AMEND TO READ:

(c) Governmental signs: Property owned by or under the control of the United States of America or the State of Mississippi and which is not subject to the police power of the city and property owned by or under the control of the city are hereby declared to be exempt from all sign regulations set forth in the city's Sign Ordinance (Section 9-76, et seq.). In addition, governmental signs for control of traffic and other regulatory purposes, street signs, danger signs, railroad crossing signs, and signs of public service companies indicating danger and aids to service or safety which are erected by or on the order of a public officer in the performance of his public duty. Signs on property owned by or under the control of the city's urban renewal agency are exempt from those provisions of the Sign Ordinance relating to placement, location, size, and type but not the permitting process and associated requirements set forth in the Sign Ordinance, provided that the city's governing authority has approved, in advance, the sign's placement, location, size and type, and such approval appears in the minutes of the governing authority.

SECTION 2. The Governing Authority further finds that the following shall serve as an explanatory statement of this Ordinance for purposes of publication: "This Ordinance amends the City's Code of Ordinances (Section 9-106(c)) to exempt signs proposed to be located on property owned by or under the control of the Gulfport Development Commission from requirements related to sign placement, location, size and type as found in the Sign Ordinance,

but not from the permitting requirements of the Sign Ordinance and by requiring that the placement, location, size and type of any sign sought to be placed on such property must be approved, in advance, by the City's governing authority. A copy of the full text of this Ordinance is available to municipal residents upon request to the City Clerk." For the next thirty (30) days, a copy of the full text of this Ordinance shall be posted by the City Clerk: (a) in the first floor lobby at City Hall (2309 15th Street, Gulfport, Mississippi 39501); (b) in the first floor lobby of the City's Hardy Building (1410 24th Avenue, Gulfport, Mississippi 39501); and (c) in the first floor lobby of the County Courthouse in Gulfport (1801 23rd Avenue, Gulfport, Mississippi 39501). The City Clerk shall further furnish any resident of the City a copy of the full text of this Ordinance upon request.

SECTION 3: This Ordinance shall be in full force and effect thirty (30) days after the date of passage. It shall be published according to law and shall be spread upon the minutes of the Gulfport City Council.

The above and foregoing Ordinance, after having been first reduced to writing, was introduced by _____, seconded by _____ and was adopted by the following roll call votes, to-wit:

YEAS:

NAYS:

ABSTENTIONS:

ABSENT:

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

(SEAL:)

ATTEST:

ADOPT:

CLERK OF THE COUNCIL

PRESIDENT

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

MAYOR

There came on for consideration at a duly constituted meeting of the City Council and Mayor of the City of Gulfport held on the _____ day of _____, 2023, the following Ordinance:

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AND FOR RELATED PURPOSES**

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WHEREAS, the City desires to streamline the process for approval of signs located on property owned by or under the control of the said urban renewal agency by exempting signs proposed to be located on such property from the requirements related to placement, location, size and type, but not from the permitting requirements of the Sign Ordinance and by requiring that the governing authority of the city approve, in advance, the proposed signs' placement, location, size and type; and

WHEREAS, the Mayor and City Council of the City of Gulfport, Mississippi, find and do so determine, based upon the recommendation of the Gulfport City Planning Commission, that the City's sign ordinance, which is codified at Chapter 9, Article IV of the Code of Ordinances should be amended to reflect the changes outlined above

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NAYS:

ABSTENTIONS:

ABSENT:

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

(SEAL:)

ATTEST:

ADOPT:

CLERK OF THE COUNCIL

PRESIDENT

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

MAYOR



Human Resources

P.O. Box 1780
Gulfport, MS 39502
Phone: 228-868-5831
Fax: 228-868-5722

Human Resources
1422 23rd Ave
Gulfport, MS 39501

MEMO TO: City Council
Mayor, Billy Hewes
Chief Administrative Officer, Leonard Papania
City Attorney, Jeff Bruni

FROM: Samantha S. Sherrill, Human Resources Manager

RE: Leisure Services- Landscape Manager (Refill)

DATE: July 21, 2023

The Director of Leisure Services, with the approval of administration is requesting council approval to re-fill the position of Landscape Manager to Grade 206. The position was vacated by our newly appointed Director of Leisure Services.

Please provide an ordinance for (1) Landscape Manager position, Grade 206 (\$47,531.48-\$70,767.90), funded at step 21 (\$58,457.73).

This position will be posted at a range of \$50,426.15-\$58,457.73.



City of Gulfport, Mississippi Job Description

Landscape Manager (LSM)

Department: 417 – Leisure Services
EEO Class: Professional
Date Revised: 10-10-11

FLSA Status: Exempt
Date Approved:

Position Overview

The Landscape Manager performs work of a supervisory nature. Duties include overseeing the grass cutting program of the City, operating the greenhouse, designing and installing landscaping, performs site plan reviews, supervising beautification personnel and maintaining trash cleanup, chemical applications, irrigation, recreational amenities, contract labor in City parks, sports fields, streetscapes and R.O.W.'s

The work is distinguished by responsibility for planning, scheduling, coordinating, tracking and expediting landscaping and beautification projects and programs. Considerable independence and judgment, based on training and experience, is exercised in carrying out assignments.

Essential Job Functions

Essential duties and functions, pursuant to the Americans with Disabilities Act, may include the following. Other related duties may be assigned.

- Attractively designs healthy and well-maintained lawns, gardens, and grounds to create a positive first impression, establish a peaceful mood, and increase property values.
- Creates designs using Computer Aided Design (CAD), ArcView, or other similar type program. This program prints a detailed design from a computer drawing. Also, ability to hand sketch simple designs.
- Plans and supervise other workers' daily activities.
- Oversee installation and maintenance of landscaped areas such as grade property, install lighting or sprinkler systems, and build walkways, terraces, patios, decks, and fountains.
- Supervises transporting and planting new vegetation, ensures transplant, mulch, fertilize, and water flowering plants, trees, and shrubs.
- Manages mowing, edging, trimming, fertilizing, dethatching, and mulching on a regular basis during the growing season.
- Maintaining plants in greenhouse, indoor gardens, or outside by watering, pruning, fertilizing and digging.
- Analyze soil, leaves, flowers and trunks for signs of disease, often in a lab.

- Keep detailed reports about jobs and/or plant progress.
- While preparing a design considers other factors such as local and federal rules that protect the land. May talk to environmental scientists about ways to restore natural resources. May communicate with engineers about how to arrange roads, buildings, or drainage.
- Identifies and correct soil deficiencies. Identifies and treat pests and diseases on plants.
- Uses growth regulators.
- Oversees mixing of pesticides, herbicides, fungicides, or insecticides and apply them through sprays, dusts, vapors into the soil, or onto trees, shrubs, lawns, or botanical crops.
- Prepares fields, garden beds or lawn areas by cultivating soil and adding fertilizers and compost.
- Plants and transplants flowers, shrubs, trees and lawns.
- Maintains gardens by fertilizing, trimming and making sure that plants are receiving adequate water.
- Prunes trees and hedges in ways that help the plants' health, are safe and look good.
- Maintains designated lawn and grass areas using machinery, fertilizers and chemicals
- Services equipment such as tools, lawn mowers and heavy machinery.
- Operate and install irrigation and drainage systems.
- Develops long-term plans, set budgets and manage the financial aspects of the division.

Knowledge, Skills and Abilities

Must possess required knowledge, skills, abilities and experience and be able to explain and demonstrate, with or without reasonable accommodations, that the essential functions of the job can be performed.

- Ability to apply basic professional knowledge to design of simple and complex landscaping construction management.
- Ability to perform on-site design services, interpret drawings, specs, codes, standards, regulatory requirements, and carry out field engineering work.
- Knowledge of contract administration as it relates to writing specifications and construction supervision to administer contract once awarded.
- Knowledge of special requirements of the contract such as safety, EEO, labor standards, park rules/regulations to ensure compliance.
- Ability to review project work performed by other landscaping personnel; ability to assist other personnel in reviewing quantities, costs, accuracy of specs, completeness, constructability, and to coordinate with other professions.
- Knowledge of branch/division/organizational policies and regulations such as work assignments, training programs, vehicle use/assignment, and travel

- policies/regulations.
- Ability to deal/communicate effectively with other City employees, public officials, and the public.
 - Skill and ability to represent the City's interest during negotiations, to monitor costs, handle potential claims, change orders, time extensions and other problems.
 - Ability to make project presentations to upper management.
 - Ability to communicate effectively both orally and in writing.
 - Ability to technically supervise others doing similar work, those providing special services-testing, inspections, beautification staff, as well as supervising the contract work itself or that of day labor personnel.
 - Ability to maintain harmonious and effective working relationships with other employees, supervisor and other departments.

Education and Experience

Graduate of an accredited college or university with a Bachelor of Science degree in architectural engineering, architecture, landscape architecture, horticulture or related field. Minimum 3 years related experience in horticulture or landscape architecture. 2-3 years supervisory experience. Other combinations of experience and education that meet the minimum requirements may be substituted.

Required Licenses or Certificates

Must possess valid driver's license.

Physical Demands and Working Conditions

The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

Physical requirements include occasional lifting/carrying of 50+ pounds; visual acuity, speech and hearing; hand and eye coordination and manual dexterity necessary to operate a computer keyboard and basic office equipment. Subject to sitting, standing, reaching, walking, twisting and kneeling to perform the essential functions. Working conditions are both indoors and outdoors.

Memorandum – City of Gulfport

Department of Leisure Services

To: Mayor Billy Hewes and Members of the City Council

CC: Leonard Papania, CAO

Todd Harman, CPA, Director of Finance

Legal Department

From: Randall Wales, Director of Leisure Services

Date: July 26, 2023

Re: **Request to refill available City position-
Landscape Manager**

The Department of Leisure Services is requesting approval to re-fill the vacant position of Landscape Manager (Grade 206) that was recently held by me (Randy Wales). This position oversees the Beautification Division for the Department of Leisure Services. Areas of responsibility include maintaining many of the major R.O.W.'s (e.g., Hwy 605, Hwy 49, Seaway Rd., O'Neal Rd.), playgrounds, splash pads, piers and boat launches, sports fields (e.g., Bayou View Youth Sports Complex), the downtown streetscape, municipal building grounds and parks. This position also coordinates the use of manpower and equipment with other departments, divisions or government agencies.

I recommend approval to refill the Landscape Manager position.

Attachments: 1. Job Description
2. Personnel Requisition Form dated 7/24/2023

There came on for consideration at a duly constituted meeting of the Mayor and Members of the City Council of the City of Gulfport, Mississippi, held on the _____ day of _____, 2023, the following Resolution:

A RESOLUTION BY THE GULFPORT CITY COUNCIL TO APPROVE AWARD TO AND CONTRACT WITH H2O INNOVATION OPERATION AND MAINTENANCE, INC., FOR RESIDENTIAL AND LIGHT COMMERCIAL COLLECTION, TRANSPORT AND DISPOSAL OF TRASH WASTE, AND FOR RELATED PURPOSES

WHEREAS, the city desires to enter into a six (6) year contract for solid waste (i.e., trash waste) collection, transport and disposal services (hereinafter, “the services”) for residential and light commercial customers and sought proposals from interested vendors to provide the services to the solid waste customers (residential and light commercial) of the City of Gulfport; and

WHEREAS, pursuant to authority of the City Council, the City solicited proposals for the provision of the services and received proposals from three (3) vendors; and

WHEREAS, after thorough evaluation of the three (3) proposals received, the selection committee and the purchasing manager recommend that a six (6) year contract for provision of the services be awarded to H2O Innovation Operation and Maintenance, Inc.; and

WHEREAS, the Council finds it is in the best interest of the City to award the contract for the aforementioned services to H2O Innovation Operation and Maintenance, Inc., and to approve a contract with H2O Innovation Operation and Maintenance, Inc.

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

SECTION 1. That the matters, facts, and things recited in the Preamble hereto are hereby adopted as the official findings of the Governing Authority.

SECTION 2. That the award to H2O Innovation Operation and Maintenance, Inc., of a six (6) year contract for the services outlined herein hereto, be and the same is hereby approved, and that the Contract attached hereto as Exhibit “A” be and the same is hereby approved and the Mayor is authorized to execute and deliver the same on behalf of the City.

SECTION 3. That this Resolution be, and it is hereby ordered to be spread on the minutes of the Governing Authority, and to be in full force and effect immediately upon its passage and enactment according to law.

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

AYES

NAYS

ABSENT

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

(SEAL)

ATTEST:

ADOPTED:

CLERK OF THE COUNCIL

PRESIDENT

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

APPROVED:

MAYOR



Memorandum – City of Gulfport

PUBLIC WORKS AND ENGINEERING

To: Mayor Billy Hewes and Members of the City Council

CC: Leonard Papania, CAO
Todd Harman, CPA, Director of Finance and Accounting
Tyler Gentry, Assistant Director of Public Works – Operations
Jessica Versiga, Purchasing Agent
Legal Department

From: Wayne E. Miller, P.E., Director of Public Works and Engineering

WEM

Date: 08/14/2023

Re: City of Gulfport H2O Innovation Operation & Maintenance, LLC Contract
(Residential and Light Commercial Trash Waste)

On August 8, 2023, the Gulfport City Council authorized the City Administration to enter into discussions with H2O Innovation Operation & Maintenance, LLC “H2O” regarding their proposal to provide services associated with the collection and disposal of residential and light commercial trash waste in the City of Gulfport, with the ultimate aim of entering into a contract for the same. The parties have since agreed to pricing and options in this endeavor as referenced and outlined below for consideration and final approval.

With respect to the City of Gulfport’s award of the above contract that is scheduled to commence October 1, 2023 and terminate on September 30, 2029 unless an extension is authorized as defined in the RFQ. H2O has requested a December 1, 2023 commencement date due to the delay in receiving the needed trucks to perform the services required by the contract. This is also to confirm that we are proceeding with Alternate No. 4 (Collection and Disposal of All “Trash Waste” (with no container) in Lieu of Base Proposal) in the City of Gulfport weekly with “No Type of Truck Required” for a monthly rate of \$6.80 per unit. In accordance with the terms and conditions advertised in the notice to bidders/proposers, these fees will be adjusted annually using the “Index for the Bureau of Labor Statistics Consumer Price Index for All Urban Customers, U.S. City Average (CPI-U), “Water and Sewer and Trash Collection Services” with a positive cap of 2.5% and a bottom cap of 1% as stated in Section 16.03 entitled “Compensation Adjustment; Escalation” of the Requirements, Conditions and Specifications” in the Request for Proposals associated with this contract.

I am further asking for your consideration and approval of the attached proposed contract for these services. Our Department, the Administration, and Legal have worked together in reaching this final version of a contract.

I recommend approval of this item.

Attachments

1. Contract with H2O Innovation Operation & Maintenance, LLC. for Residential and Light Commercial Trash Waste and Collection and Disposal Services.

There came on for consideration at a duly constituted meeting of the Mayor and Members of the City Council of the City of Gulfport, Mississippi, held on the _____ day of _____, 2023, the following Resolution:

A RESOLUTION BY THE GULFPORT CITY COUNCIL TO APPROVE DIGITAL COLOR COPIER SERVICE AGREEMENT BETWEEN THE CITY OF GULFPORT AND SOUTH MISSISSIPPI BUSINESS MACHINES OF GULFPORT, INC., FOR THE DEPARTMENT OF LEISURE SERVICES; AND FOR RELATED PURPOSES

WHEREAS, the City of Gulfport desires to enter into a Digital Color Copier Service Agreement with South Mississippi Business Machines of Gulfport, Inc. (“SMBM”), for the servicing of a digital color printer/copier in the Department of Leisure Services, which is attached hereto as Exhibit “A”; and

WHEREAS, the Council finds it is in the best interest of the City to approve the Digital Color Copier Service Agreement concerning the color copier in the Department of Leisure Services as found in Exhibit “A” hereto.

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

SECTION 1. That the matters, facts, and things recited in the Preamble hereto are hereby adopted as the official findings of the Governing Authority.

SECTION 2. That the Digital Color Copier Service Agreement concerning the servicing of a color printer/copier for the Department of Leisure Services be and the same is hereby approved in substantially the same form as attached hereto as Exhibit “A” hereto; and the Mayor is, hereby, authorized to execute the same on behalf of the City of Gulfport.

SECTION 3. That this Resolution be, and it is hereby ordered to be spread on the minutes of the Governing Authority, and to be in full force and effect immediately upon its passage and enactment according to law.

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

AYES

NAYS

ABSENT

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

(SEAL)

ATTEST:

ADOPTED:

CLERK OF THE COUNCIL

PRESIDENT

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

APPROVED:

MAYOR



SMBM SOUTH MISSISSIPPI BUSINESS MACHINES

THE FUTURE OF BUSINESS IS HERE.

PO Box 697 · Gulfport, MS. 39502 · Tel: 228-864-4845 · Fax: 228-868-9546 · Email: contracts@smbm.net

DIGITAL COPIER SERVICE AGREEMENT

Account # 045300 Customer Name CITY OF GULFPORT
 Contract # MC 17560 Address or Location P O BOX 1780
 City, State, Zip GULFPORT, MS 39502 Phone # _____

SEE ATTACHMENT FOR LIST OF MACHINES COVERED UNDER THIS AGREEMENT

Our Full Service Agreement has been designed to insure a longer and more productive life for your equipment. This agreement is designed to prevent untimely and costly breakdowns and maintain the highest print quality available. We will provide quality factory trained technicians as well as the highest quality parts and supplies for your equipment.

Hardware Terms

On-site service will be provided during normal business hours (Mon-Fri, 7:30am-4:30pm). Non-contract on-site service rate is \$150.00 per hour, minimum one hour per call. Service performed on-site after 5pm weekdays is charged at a rate of \$225.00 per hour, minimum one hour per call.

Agreement includes the following:

- All parts, labor and supplies, inclusive of black toner, color toner, developer, drum, cleaning rollers and heat rollers. Contract allows one toner for every SEE ATTACHED color copies and one toner for every SEE ATTACHED black copies. Any toner used above these limits will be chargeable at current SMBM rate. SMBM reserves the right to monitor toner usage on all active contracts. Upon completion/termination of this agreement, any spare toners that are not returned to SMBM will be charged at the prevailing rate.
- Loaner machine delivered within 24 hours if technician determines that machine cannot be repaired on-site in a timely manner.
- Periodic service checks performed with the customer first initiating the call.
- Free phone support during normal business hours for hardware related service issues.

Agreement excludes the following:

- Staples, toner collection bottles, broken cassettes, damaged exit trays or paper, unless noted by a SMBM representative in writing.
- Service due to the use of inferior or incompatible supplies.
- Service or repairs made necessary due to accident, general misuse or abuse, neglect, theft, riot, vandalism, lightning, electrical power failure, power surges, fire or water casualty, or any other Act of God.
- Key operator functions (such as loading paper, changing toner and/or toner collection bottles, removing simple paper jams, cleaning the glass).
- Printer monitoring software, scanning software and/or network configuration, maintenance or restoration.
- Print drivers, print controllers, print servers, network interface cards (NIC) and network switches will not be covered under this agreement. These units will require an additional MFP Software Agreement.

Hardware Conditions

- Agreement will automatically renew year to year at the prevailing rate.
- Agreement shall remain in effect until either party elects to cancel with a 30 day advance written notice.
- If at any time parts become no longer accessible from the manufacturer, the contract becomes null and void immediately.
- Customer agrees to install SMBM approved surge protection devices on all equipment. Failure to do so may void agreement.
- All equipment under this agreement must have proper electrical supply/grounding per the manufacturer's specifications.
- SMBM reserves the right to change the terms/conditions of this agreement with a 30 day advance written notice.
- Agreement is not subject to any other terms/conditions either stated or implied, unless agreed upon by SMBM in writing.
- Any changes to this agreement by anyone other than a SMBM representative voids the agreement.
- Signature, purchase order and/or payment constitutes acceptance of terms as stated.

Beginning Date 8/1/23-7/31/24 Contract Type: ☒ Monthly ☐ Quarterly ☐ Semi-Annually ☐ Annually
 Black Base Rate \$ SEE CPC RATE Copy Allowance N/A Overage Rate N/A CPC Rate .014
 Color Base Rate \$ _____ Copy Allowance _____ Overage Rate _____ CPC Rate _____
 Exceptions to this Agreement: (8) BROTHER MFC-L6900DW
 Purchase Order # _____ Beginning Meters: B/W _____ Color _____
 Signature: _____ Title: _____ Date _____



PO Box 697 · Gulfport, MS. 39502 · Tel: 228-864-4845 · Fax: 228-868-9546 · Email: contracts@smbm.net

DIGITAL COLOR PRINTER SERVICE AGREEMENT

Account # 045300 Customer Name CITY OF GULFPORT
 Mach ID# see attached Address or Location P O BOX 1780
 Contract # MC 17560 City, State, Zip GULFPORT, MS 39502 Phone # _____
 Install Date 5-3-17 Model # see attached Serial # see attached

Our Full Service Agreement has been designed to insure a longer and more productive life for your equipment. This agreement is designed to prevent untimely and costly breakdowns and maintain the highest print quality available. We will provide quality factory trained technicians as well as the highest quality parts and supplies for your equipment.

Hardware Terms

On-site service will be provided during normal business hours (Mon-Fri, 7:30am-4:30pm). Non-contract on-site service rate is \$125.00 per hour, minimum one hour per call. Service performed on-site after 5pm weekdays is charged at a rate of \$175.00 per hour, minimum one hour per call.

Agreement includes the following:

- All parts, labor and supplies, inclusive of black toner, color toner, developer, drum, cleaning rollers and heat rollers. Contract allows one toner for every see attached color copies and one toner for every see attached black copies. Any toner used above these limits will be chargeable at current SMBM rate. SMBM reserves the right to monitor toner usage on all active contracts. Upon completion/termination of this agreement, any spare toners that are not returned to SMBM will be charged at the prevailing rate.
- Loaner machine delivered within 24 hours if technician determines that machine cannot be repaired on-site in a timely manner.
- Periodic service checks performed with the customer first initiating the call.
- Free phone support during normal business hours for hardware related service issues.

Agreement excludes the following:

- Staples, toner collection bottles, broken cassettes, damaged exit trays or paper, unless noted by a SMBM representative in writing.
- Service due to the use of inferior or incompatible supplies.
- Service or repairs made necessary due to accident, general misuse or abuse, neglect, theft, riot, vandalism, lightning, electrical power failure, power surges, fire or water casualty, or any other Act of God.
- Key operator functions (such as loading paper, changing toner and/or toner collection bottles, removing simple paper jams, cleaning the glass).
- Printer monitoring software, scanning software and/or network configuration, maintenance or restoration.
- Print drivers, print controllers, print servers, network interface cards (NIC) and network switches will not be covered under this agreement. These units will require an additional MFP Software Agreement.

Hardware Conditions

- Agreement will automatically renew year to year at the prevailing rate.
- Agreement shall remain in effect until either party elects to cancel with a 30 day advance written notice.
- If at any time parts become no longer accessible from the manufacturer, the contract becomes null and void immediately.
- Customer agrees to install SMBM approved surge protection devices on all equipment. Failure to do so may void agreement.
- All equipment under this agreement must have proper electrical supply/grounding per the manufacturer's specifications.
- SMBM reserves the right to change the terms/conditions of this agreement with a 30 day advance written notice.
- Agreement is not subject to any other terms/conditions either stated or implied, unless agreed upon by SMBM in writing.
- Any changes to this agreement by anyone other than a SMBM representative voids the agreement.
- Signature, purchase order and/or payment constitutes acceptance of terms as stated.

Beginning Date 8/1/23-7/31/24 Contract Type: ☒ Monthly ☐ Quarterly ☐ Semi-Annually ☐ Annually
 Black Base Rate \$ SEE CPC RATE Copy Allowance N/A Overage Rate N/A CPC Rate .02
 Color Base Rate \$ SEE CPC RATE Copy Allowance N/A Overage Rate N/A CPC Rate .12
 Exceptions to this Agreement: (5) BROTHER MFC-L9570CDW

Purchase Order # _____ Beginning Meters: B/W _____ Color _____
 Signature: _____ Title: _____ Date: _____



SMBM SOUTH MISSISSIPPI BUSINESS MACHINES

THE FUTURE OF BUSINESS IS HERE.

PO Box 697 · Gulfport, MS. 39502 · Tel: 228-864-4845 · Fax: 228-868-9546 · Email: contracts@smbm.net

DIGITAL COLOR COPIER SERVICE AGREEMENT

Account # 045300 Customer Name CITY OF GULFPORT - GULFPORT LEISURE SERVICES
Mach ID# 10357 Address or Location SPORTSPLEX - 17200 16TH ST, BLDG D
Contract # MC 17560 City, State, Zip GULFPORT, MS 39501 Phone # _____
Install Date 8/2/2018 Model # SHARP MX-3050V Serial # 7505335Y

Our Full Service Agreement has been designed to insure a longer and more productive life for your equipment. This agreement is designed to prevent untimely and costly breakdowns and maintain the highest print quality available. We will provide quality factory trained technicians as well as the highest quality parts and supplies for your equipment.

Hardware Terms

On-site service will be provided during normal business hours (Mon-Fri, 7:30am-4:30pm). Non-contract on-site service rate is \$125.00 per hour, minimum one hour per call. Service performed on-site after 5pm weekdays is charged at a rate of \$175.00 per hour, minimum one hour per call.

Agreement includes the following:

- All parts, labor and supplies, inclusive of black toner, color toner, developer, drum, cleaning rollers and heat rollers. Contract allows one toner for every 21,600 color copies and one toner for every 36,000 black copies. Any toner used above these limits will be charged at current SMBM rate. SMBM reserves the right to monitor toner usage on all active contracts. Upon completion/termination of this agreement, any spare toners that are not returned to SMBM will be charged at the prevailing rate.
- Loaner machine delivered within 24 hours if technician determines that machine cannot be repaired on-site in a timely manner.
- Periodic service checks performed with the customer first initiating the call.
- Free phone support during normal business hours for hardware related service issues.

Agreement excludes the following:

- Staples, toner collection bottles, broken cassettes, damaged exit trays or paper, unless noted by a SMBM representative in writing.
- Service due to the use of inferior or incompatible supplies.
- Service or repairs made necessary due to accident, general misuse or abuse, neglect, theft, riot, vandalism, lightning, electrical power failure, power surges, fire or water casualty, or any other Act of God.
- Key operator functions (such as loading paper, changing toner and/or toner collection bottles, removing simple paper jams, cleaning the glass).
- Printer monitoring software, scanning software and/or network configuration, maintenance or restoration.
- Print drivers, print controllers, print servers, network interface cards (NIC) and network switches will not be covered under this agreement. These units will require an additional MFP Software Agreement.

Hardware Conditions

- Agreement will automatically renew year to year at the prevailing rate.
- Agreement shall remain in effect until either party elects to cancel with a 30 day advance written notice.
- If at any time parts become no longer accessible from the manufacturer, contract becomes null and void immediately.
- Customer agrees to install SMBM approved surge protection devices on all equipment. Failure to do so may void agreement.
- All equipment under this agreement must have proper electrical supply/grounding per the manufacturer's specifications.
- SMBM reserves the right to change the terms/conditions of this agreement with a 30 day advance written notice.
- Agreement is not subject to any other terms/conditions either stated or implied, unless agreed upon by SMBM in writing.
- Any changes to this agreement by anyone other than a SMBM representative voids the agreement.
- Signature, purchase order and/or payment constitutes acceptance of terms as stated.

Beginning Date 8/1/23-7/31/24 Contract Type: ☒ Monthly ☐ Quarterly ☐ Semi-Annually ☐ Annually
Black Base Rate \$ SEE CPC RATE Copy Allowance N/A Overage Rate N/A CPC Rate .013
Color Base Rate \$ SEE CPC RATE Copy Allowance N/A Overage Rate N/A CPC Rate .08

Exceptions to this Agreement: _____

Purchase Order # _____ Beginning Meters: B/W _____ Color _____

Signature: _____ Title: _____ Date _____



COPIERS ATTACHED TO AGREEMENT

Account # 045300 Customer Name CITY OF GULFPORT

Contract # 17560 Beginning Date 5-1-2022 Expiration Date _____

Mach ID	Model	Serial #	Toner Yield	Location of Equipment
2515	MFC-L6900DW	J6N291442	18,000	WESTSIDE COMMUNITY CENTER
2512	MFC-L6900DW	J6N291412	18,000	GASTON POINT COMMUNITY CENTER
2514	MFC-L6900DW	J6N291443	18,000	GASTON HEWES REC CENTER
2513	MFC-L6900DW	J6N290485	18,000	LYMAN COMMUNITY CENTER
2554	MFC-L6900DW	M6N362736	18000	HERBERT WILSON REC CENTER
2553	MFC-L6900DW	M6N362696	18,000	HANDBORO COMMUNITY CENTER
2551	MFC-L6900DW	M6N362740	18,000	FRANCIS COLLINGS FITNESS CENTER
2552	MFC-L9570CDW	C7J123632	18,000	ORANGE GROVE COMMUNITY CENTER
2547	MFC-L9570CDW	C7J123632	B-8100 / C-8100	CITY ARBORIST OFFICE
10269	MFC-L9570CDW	M7J208660	B-8100 / C-8100	WESTSIDE COMMUNITY CTR
10750	MFC-L9570CDW	E8J247753	B-8100 / C-8100	CEMETARY DEPT
10816	MFC-L9570CDW	M8J343640	B-8100 / C-8100	SENIOR CENTER
10357	MX-3050V	7505355Y	B-36000 / C-21600	SPORTSPLEX
11075	MFC-L9570CDW	A0J492847	B-8100 / C-8100	SPORTSPLEX

There came on for consideration at a duly constituted meeting of the Mayor and Members of the City Council of the City of Gulfport, Mississippi, held on the ____ day of _____, 2024, the following Resolution:

**A RESOLUTION BY THE GULFPORT CITY COUNCIL APPROVING A LEASE
WITH THE UNITED STATES OF AMERICA CONCERNING CERTAIN REAL
PROPERTIES IDENTIFIED THEREIN FOR A TERM ENDING JUNE 30, 2093, AND
FOR RELATED PURPOSES**

WHEREAS, the United States of America previously expressed a desire to conduct national guard training at the Gulfport Biloxi International Airport in the City of Gulfport, Harrison County, Mississippi, and to construct barracks, mess halls, training and administration buildings and other facilities to be used in connection with such training; and

WHEREAS, the United States of America has, since 1953, conducted such training and constructed the necessary facilities used in connection therewith, on real property owned by the City of Gulfport that is situated near or adjacent to the Gulfport Biloxi International Airport pursuant to a 1953 Lease Agreement, as amended by multiple Supplemental Agreements, between the City of Gulfport and the United States of America, which Lease Agreement will expire on June 30, 2043; and

WHEREAS, the United States of America desires enter into a new Lease Agreement with the City of Gulfport and provide for a term beginning on January 1, 2024, and ending on June 30, 2093, and has provided a proposed Lease to the City of Gulfport for consideration (see Exhibit “A” hereto).

WHEREAS, the Governing Authority of the City of Gulfport has reviewed the proposed Lease and finds that it is in the best interest of the City of Gulfport that the same be approved and executed and delivered by the Mayor.

**NOW THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY
COUNCIL OF THE CITY OF GULFPORT, MISSISSIPPI, AS FOLLOWS, TO WIT:**

Section 1. That the matters, facts and things recited in the Preamble hereto are hereby adopted as the official findings of the Governing Authority.

Section 2. That the Lease between the City of Gulfport and the United States of America concerning the national guard training facilities mentioned herein, be and the same is hereby approved in substantially the form attached hereto as Exhibit “A”, and that the Mayor be, and he is hereby, authorized to execute and deliver the same on behalf of the City of Gulfport.

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

AYES

NAYS

ABSENT

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

(SEAL)

ATTEST:

ADOPTED:

CLERK OF THE COUNCIL

PRESIDENT

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

APPROVED:

MAYOR

Lease No. ANGMS-5-23-0018
Supersedes DA-01-076 ENG-1733

**LEASE TO
DEPARTMENT OF THE AIR FORCE**

**FROM
CITY OF GULFPORT, MS
FOR**

**AIR NATIONAL GUARD BASE
GULFPORT – BILOXI REGIONAL AIRPORT**

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THIS LEASE is made as of the ____ day of _____, 2023, by and between (the “Lessor”) and The United States of America, on behalf of the Air National Guard, having accountability and jurisdiction over the property listed herein, acting through the Secretary of the Air Force (the “Government” or the “Air Force and the Air National Guard”). The Lessor and the Government may sometimes be referred to jointly as the “Parties,” and each separately as a “Party.” The term “Lessor” includes its successors and assigns, if any. Lessee includes its assigns, if any.

The Government is entering into the Lease under the authority contained in [10 U.S.C. § 2661 and 10 U.S.C. § 2663 (c) *if using land and buildings owned by Lessor*], [10 U.S.C. § 2661 *if only leasing buildings owned by Lessor*], [10 U.S.C. § 2663(c) *if only leasing land and all buildings and facilities are owned/will be built by US for ANGB use*].

Commented [OLSNUHS1]: Once finalized/reviewed, this will be in “blue” like below since one or other needs to be chosen.

NOW, THEREFORE, the Lessor, for the consideration set forth below, hereby leases to the Government the Leased Premises (identified below), subject to the following conditions:

Leased Premises includes the real property described on **Exhibit A** and depicted on **Exhibit B** together with the right of the Government and its officers, employees, invitees, licensees, agents and contractors to use the streets, common driving areas, sidewalks, and walkways around the real property for access to and from public streets and highways (the “Leased Premises”), and certain personal property, if any, identified in **Exhibit A** (the “Personal Property”). The Personal Property is an integral part of the Leased Premises and may be used by the Government in connection with its use of the real property included in the Leased Premises.

BASIC TERMS

1. TERM

1.0. Term. 50 year(s), beginning on 1 July, 2043, (Term Beginning Date) and ending on 30 June, 2093

2. RENT

2.1. The consideration for this lease will be at no cost to the Government other than the protection, care, and maintenance of the leased area.

3. CORRESPONDENCE

3.0. Whenever the Government or the Lessor shall desire to give or serve upon the other a notice, demand, order, direction, determination, requirement, consent or approval, request, or other communication with respect to this Lease or with respect to the Leased Premises and any improvements located thereon, each such notice, demand, order, direction, determination, requirement, consent or approval, request, or other communication shall be in writing and shall not be effective for any purpose unless same shall be given or served by personal delivery to the Party or Parties to whom such notice, demand, order, direction, determination, requirement, consent or approval, request, or other communication is directed or by mailing the same, in duplicate, to such Party or Parties through a nationally recognized and reputable overnight delivery service at the regular delivery address for the parties specified below. In the latter case, delivery shall be effective on the date confirmed by the records of such service. All correspondence that must be sent, and all notices required or desired to be given under this Lease, must be addressed, to:

with a copy to:

National Guard Bureau
3501 Fetchet Ave
Joint Base Andrews, MD 20762-5157

and, if to the Lessor, to:

OFFICE OF MAYOR
P.O. Box 1780
Gulfport, MS 39502

or to another address that the Parties may from time to time otherwise direct. Notice shall be given in writing and enclosed in a sealed envelope to the address of the receiving Party, and either hand-delivered, or sent by United States Postal Service, or by recognized overnight courier. The communication will be deemed delivered when received by the addressee.

4. ACCESS AND INSPECTION

4.0. Lessor shall have the right to access the Leased Premises for purposes of inspection at any reasonable time with reasonable prior notice to the Government.

5. DEFAULT AND TERMINATION

5.1. The failure of the Lessor or the Government to comply with any provision of this Lease, where such failure to comply continues for thirty (30) days after delivery of written notice, shall constitute a default or breach of this Lease. If, however, the time required to return to compliance exceeds the thirty (30) day period, the defaulting Party shall not be deemed to be in default if within such period the actions necessary to bring the Lease into compliance have begun and are diligently and continuously pursued to until the default has been cured.

5.1.1. In the event of any default and breach of this Lease, the non-defaulting Party may terminate this Lease at any time after expiration of the cure period provided for in Condition 5.1 upon written notice of the termination. The termination notice shall be effective as of a date to be specified in the notice, which shall be at least seven (7) but not more than thirty (30) days after receipt of the notice.

5.2. The Government may terminate this Lease at any time by giving the Lessor at least thirty (30) days prior written notice.

5.3. The Government shall vacate and surrender the Leased Premises to the Lessor on or before the date of expiration of the Lease, or its earlier termination. The Government will remove all of its property from the Leased Premises and restore them to as good order and condition, reasonable wear and tear and damage beyond the control of the Government excepted, as that existing on the Term Beginning Date, subject to Condition 7 below. In the alternative and at the Government's discretion, the Government may convey any remaining improvements to lessor and/or compensate the Lessor for the diminution in value of the promises in lieu of removal and/or restoration.

OPERATION OF THE PREMISES

6. CONDITION OF LEASED PREMISES

6.1. Prior to the Term Beginning Date, the following reports will be prepared and signed by the Parties and attached as exhibits:

6.1.1. A physical condition report (PCR) is attached to this Lease as **Exhibit C**. The PCR sets forth the agreed physical appearance and condition of the Leased Premises on the Term Beginning Date as determined from a joint inspection by the Parties. Any failure on the part of the Lessor to fully disclose any known latent defect on the Leased Premises shall be grounds for termination of this Lease by the Government.

6.1.2. An Environmental Baseline Survey (EBS) is attached to this Lease as **Exhibit D**. The EBS sets forth those environmental conditions and matters on and affecting the Leased Premises on the Term Beginning Date, as determined from the records and analyses reflected in the EBS. Any failure on the part of the Lessor to fully disclose any

known environmental condition or hazard on the Leased Premises shall be grounds for termination of this Lease by the Government.

6.2. At the expiration or earlier termination or revocation of this Lease, the following reports will be signed by representatives of the Parties and attached as exhibits and made a part of this Lease within ten (10) business days after it vacates the Leased Premises:

6.2.1. An update of the PCR signed by representatives of the Lessor and the Government, which shall be attached as **Exhibit C-1** to this Lease, shall be completed on the termination of this Lease. The update of the PCR will set forth the agreed physical appearance and condition of the Leased Premises on the ending date of this Lease as determined from a joint inspection by the Parties.

6.2.2. An update of the EBS signed by representatives of the Lessor and the Government, which shall be attached as **Exhibit D-1** to this Lease, shall be completed on the termination of this Lease. The update of the EBS will set forth those environmental conditions and matters on and affecting the Leased Premises on the ending date of this Lease as determined from the records and analyses reflected in the EBS.

7. CONSTRUCTION AND ALTERATIONS

7.0. The Government may place, construct, or make substantial improvements, structures, alterations, or additions to, or installations upon, and otherwise modify or alter the Leased Premises (“Alterations”) with (or without) the prior written consent of the Lessor. Unless otherwise agreed in writing, all Alterations shall remain the property of the Government when annexed to the Leased Premises.

8. MAINTENANCE OF LEASED PREMISES

8.0. The Government shall keep the Leased Premises in good order and repair during the term of this Lease.

9. UTILITIES AND SERVICES

9.0. The Government shall be responsible for all utilities, janitorial services, building maintenance, and grounds maintenance for the Leased Premises.

10. USE OF LEASED PREMISES

10.0. Use: National Guard purposes subject, however, to all applicable provisions of this Lease. The Government may use the Leased Premises for any use not otherwise prohibited by this Lease.

ENVIRONMENT

11. ENVIRONMENTAL PROTECTION

11.1. Compliance with Law. The Government shall comply, at its sole cost and expense, with the Federal, state, and local laws, regulations, and standards that are or may become applicable to its activities on the Leased Premises, including, without limitation, obtaining any environmental permits required for its operations under this Lease. The Government, however, shall not be responsible for any act or omission of the Lessor that contaminates the Leased Premises, and the Lessor agrees to comply with all applicable environmental laws and regulations as a result of any such act or omission, and to the extent permitted by law, the Lessor agrees to hold the Government harmless from, and indemnify and defend the Government against, any action arising from contamination on, and migrating upon, the Leased Premises by the Lessor.

11.2. Wetlands. The Government shall protect any wetlands found or identified on the Leased Premises from destruction, loss, or degradation, consistent with the requirements of applicable law.

12. HISTORIC PROPERTY

12.0. The Government will comply with all laws applicable to historical property located on the Leased Premises, if any.

CHANGES IN OWNERSHIP OR CONTROL

13. ASSIGNMENTS, SUBLEASES, AND LICENSES

13.1. The Government may not assign this Lease or sublet the Leased Premises for any purpose not provided in this agreement without the prior written consent of the Lessor, which shall not be unreasonably withheld, delayed, or qualified.

13.1.1. Any assignment or sublease granted by the Government shall be consistent with all of the terms and Conditions of this Lease and shall terminate immediately upon the expiration or any earlier termination of this Lease. Under any assignment made, with or without consent, the assignee shall be deemed to have assumed all of the obligations of the Government under this Lease.

13.1.2. The Government shall deliver to the Lessor, for its prior written consent, a copy of each agreement of sublease or assignment it proposes to execute. Consent or

rejection by the Lessor shall be given within ten (10) business days of receipt of the proposed agreement.

13.1.3. Any agreement of sublease or assignment must expressly provide that: (a) the sublease or assignment, as the case may be, is subject to all of the terms and Conditions of the Lease; (b) the sublease shall terminate on the expiration or earlier termination of this Lease; (c) the sublessee or assignee, as the case may be, shall assume all of the obligations of the Government; and (d) in case of any conflict between any provisions of this Lease and any provisions of the agreement of sublease or assignment, this Lease will control. A copy of this Lease must be attached to the agreement of sublease or assignment.

13.2. The Lessor shall not engage in any financing or other transactions creating any mortgage lien upon the Leased Premises; place or suffer to be placed upon the Leased Premises any other lien or other encumbrances; or suffer any levy or attachment to be made on the Lessee's interest in the Leased Premises. Any mortgage, encumbrance, or lien shall be deemed to be a violation of this condition and constitute a failure to comply with the terms of this Lease on the date of its execution or filing of record regardless of whether or when it is foreclosed or otherwise enforced.

14. EASEMENTS AND RIGHTS OF WAY

14.1. This Lease is subject to all existing easements, rights-of-way, and rights in the nature of an easement or right-of-way (collectively "Outgrants") related to the Leased Premises.

14.2. The Lessor has identified all Outgrants.

14.3. The holders of such Outgrants shall have reasonable rights of ingress and egress over the Leased Premises in order to carry out the purpose of the Outgrants.

GENERAL PROVISIONS

15. HEADINGS OR TITLES

15.0. The brief headings or titles preceding each condition are merely for purposes of identification, convenience, and ease of reference, and will be completely disregarded in the construction of this Lease.

16. COUNTERPARTS

16.0. This Lease is executed in two (2) counterparts each of which is deemed an original of equal dignity with the other, and which is deemed one and the same instrument as the other.

17. ENTIRE AGREEMENT

17.0. It is expressly agreed that this written instrument embodies the entire agreement between the Parties regarding the use of the Leased Premises by the Government, and there are no understandings or agreements, verbal or otherwise, between the Parties except as expressly set forth in this Lease. This instrument may only be modified or amended by mutual agreement of the Parties in one writing signed by each Party.

18. TIME OF THE ESSENCE

18.0. Time shall be of the essence with this Lease.

19. TAXES

19.0. The Lessor shall pay to the proper authority, when and as the same become due and payable, all taxes, assessments, and similar charges that, at any time during the term of this Lease, may be imposed upon the Lessor with respect to the Leased Premises.

20. GENERAL INDEMNIFICATION BY LESSEE

20.0. The Government cannot indemnify the Lessor for any purpose.

21. INSURANCE

21.0. The Government is self-insured.

22. DISPUTES

22.0. The Parties shall at all times try to resolve disputes in an amicable manner. However, the Parties reserve all rights afforded them under law to resolve any such dispute by any lawful means.

23. AMENDMENTS

23.0. This Lease may be amended at any time by mutual agreement of the Parties in one writing and signed by a duly authorized representative of each Party.

24. REPORT TO CONGRESS

24.0. This Lease is not reportable under 10 U.S.C. § 2662.

25. DAMAGE TO GOVERNMENT PROPERTY

25.0. The Lessor shall not be responsible for damage to government property pursuant to any grants provided under this agreement, except those of gross negligence or willful misconduct on the part of lessor, lessor's agents, and lessor's assigns.

26. COMPLIANCE WITH APPLICABLE LAWS

26.0. The Government will comply with all applicable laws in its use and occupancy of the Leased Premises. Nothing in this Lease shall be construed to constitute a waiver of Federal Supremacy or Federal sovereign immunity.

27. RESTRICTIONS ON USE OF LEASED PREMISES

27.0. RESERVED

28. EXHIBITS

28.0. Five (5) exhibits are attached to and made a part of this Lease, as follows:

Exhibit A - Description of Leased Premises
Exhibit B - Map of the Leased Premises
Exhibit C - Physical Condition Report
Exhibit D - Environmental Baseline Survey

Lease No. ANGMS-5-23-0018
Supersedes DA-01-076 ENG-1733

IN WITNESS WHEREOF, the Parties have caused this Lease to be executed by their duly authorized representatives on the dates shown below.

**CITY OF GULFPORT (A Municipal
Corporations of the State of Mississippi)**

Date: _____

By: _____

Lease No. ANGMS-5-23-0018
Supersedes DA-01-076 ENG-1733

THE UNITED STATES OF AMERICA
by the Secretary of the Air Force

Date: _____

By: _____
JUDITH H. TEPPERMAN, GS-15, DAF
Chief, Real Property Management Division
Installations, Directorate

EXHIBIT A— DESCRIPTION OF PREMISES

Parcel No. 1

All of Block 61 of Gulfport Bayou View Subdivision as shown on the plat on record in the office of the Chancery Clerk, Harrison County, Mississippi, subject to easement for Government-owned natural gas line crossing said block; said parcel comprising 73 acres, more or less.

Parcel No. 2

All of Lots 2, 3, and 4, and the north 107 feet of Lot 5, and all that part of Lot 1 lying south of a line 125 feet north of, and parallel to, the southern boundary of said Lot 1; all lots lying and being in Block 60 of aforementioned Gulfport Bayou View Subdivision; said parcel comprising 5 acres, more or less.

Parcel No. 3

Commencing at the west corner of the intersection of 54th St. and Washington Avenue, as shown on the plat of the aforementioned Gulfport Bayou View Subdivision, and running southwesterly along the northwestern right-of-way line of 54th St. 620 feet, more or less, to the point of intersection with the southwest right-of-way line of a 30-foot Government-owned gas line right-of-way easement, which is the point of beginning; thence northwesterly

300 feet, more or less, along said southwest right-of-way line of said gas line easement to a point lying 200 feet southeast of the northwest edge of the parking ramp extended; thence southwesterly, parallel with and 200 feet from said northwestern edge of parking ramp 1,500 feet, more or less, to a point lying 200 feet east of the western edge of said parking ramp; thence southerly, parallel to and 200 feet from said western edge 1,150 feet, more or less, to a point bearing due west from a point lying 79 feet south of the northwest corner of Lot 7 of Block 60; thence easterly 540 feet, more or less, to the west right-of-way line of Hughes Avenue; thence northerly along said right-of-way line of Hughes Avenue 1,200 feet, more or less, to the northwest right-of-way line of 54th St.; thence northeasterly along said northwest right-of-way line of 54th St. 190 feet, more or less, to the point of beginning; said parcel comprising 23 acres, more or less.

Parcel No. 4

Lots Nos. 1 thru 8, and 20 thru 24 of Block 59 as recorded on plat of aforementioned Gulfport Bayou View Subdivision; said parcel comprising 16 acres, more or less.

Parcel No. 5

Beginning at a point on the west right-of-way line of Hughes Avenue as recorded on plat of aforementioned Gulfport Bayou View Subdivision; said point lying where the extended north building line of Hangar No. T-4215 (Municipal Hangar No. 1) intersects said west right-of-way line; thence northerly 100 feet along said west right-of-way line to a point; thence westerly 250 feet, more or less, to a point lying 25 feet westerly of the extended west building line of said hangar; thence southerly 25 feet west of and parallel to said west building line 400 feet, more or less, to a point 100 feet south of the extended south building line of said hangar; thence easterly 250 feet, more or less, to the west right-of-way line of said Hughes Avenue; thence northerly along said west right-of-way line 300 feet, more or less, to the point of beginning; said parcel comprising 2.4 acres, more or less.

Parcel No. 6

Commencing at the extreme eastern corner of Taxiway No. 5 of the Gulfport Municipal Airport, as identified by the paved portion of said taxiway; thence northeasterly along the extended south-eastern edge of said taxiway 115 feet to the point of beginning; thence continue along said extended southeastern edge 212.8 feet to a point; thence with a deflection angle of $90^{\circ}03'$ to the left 494.6 feet to a point; thence with a deflection angle of $55^{\circ}00'30''$ to the left 73.7 feet to a point; thence with a deflection angle of $54^{\circ}46'$ to the right 661.6 feet to a point; thence with a deflection angle of $90^{\circ}00'$ to the left 150.3 feet; thence with a deflection angle of $89^{\circ}46'30''$ to the left 1,196.8 feet to the point of beginning; said parcel comprising 5.5 acres, more or less.

Parcel No. 7

Beginning at the southwest corner of Lot 18 of Block 51 as recorded on plat of aforementioned Gulfport Bayou View Subdivision; thence along the southeast line of Glover Street extended 400 feet to a point; thence southeasterly and at right angles to said extended southeast right-of-way line 300 feet to a point; thence northeasterly and parallel to said southwest right-of-way line of Glover Street 400 feet to a point; thence northeasterly and at right angles 300 feet to the point of beginning; said parcel comprising 2.8 acres, more or less.

Parcel No. 8

Commencing at the center of the northwest side of Building T-4503 of Gulfport Municipal Airport lying and being in the southwest

quarter of the northeast quarter of the southeast quarter of Section 27, Township 7 south, Range 11 west; thence 400 feet northwesterly and parallel with the southwestern edge of the northwest-southeast runway of said airport to the point of beginning; thence southwesterly and parallel to the southeastern edge of Taxiway No. 8 of said airport 275 feet to a point; thence southeasterly and parallel to said southwest edge of said runway 700 feet to a point; thence northeasterly and parallel with said southeast edge of said taxiway 550 feet to a point; thence northwesterly and parallel to said southwest edge of said runway 700 feet to a point; thence southwesterly and parallel to said southeast edge of said taxiway 275 feet to the point of beginning; said parcel comprising 8.8 acres, more or less.

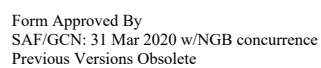
Parcel No. 9

Beginning at the point of intersection of the south right-of-way line of Hardstanding No. 22 with the west right-of-way line of Taxiway No. 7 of Gulfport Municipal Airport; thence in a northerly direction along said west right-of-way line of said taxiway 2,350 feet, more or less, to a point of intersection with the center line of Hardstanding No. 14; thence northwesterly with the center line of said hardstanding 250 feet; thence due west 950 feet, more or less, to the west boundary line of said Municipal Airport; thence southerly along said west boundary line 3,000 feet, more or less, to a corner in said boundary; thence easterly along said boundary 110 feet, more or less, to a corner of said boundary; thence northeasterly 1,230 feet, more or less, to the point of beginning; said parcel comprising 71 acres, more or less.

Lease No. ANGMS-5-23-0018
Supersedes DA-01-076 ENG-1733

Reserving to the City of Gulfport the right to keep and maintain in the above parcels its water wells and water distribution systems, its sewer lines and systems, and other pipes and lines for public utilities, together with the right of ingress and egress through, over, and across said parcels to repair, maintain, and operate these facilities.

EXHIBIT B—MAP OF PREMISES



Lease No. ANGMS-5-23-0018
Supersedes DA-01-076 ENG-1733

EXHIBIT C—PHYSICAL CONDITION REPORT

Not Applicable

Lease No. ANGMS-5-23-0018
Supersedes DA-01-076 ENG-1733

**EXHIBIT D—ENVIRONMENTAL BASELINE SURVEY/ENVIRONMENTAL CONDITION OF
PROPERTY REPORT**

The EBS/ECP titled and dated is hereby incorporated by this reference.

There came on for consideration at a duly constituted meeting of the Mayor and Members of the City Council of the City of Gulfport, Mississippi, held on the ____ day of _____, 2023, the following RESOLUTION:

A RESOLUTION BY THE GULFPORT CITY COUNCIL APPROVING MEMORANDUM OF UNDERSTANDING BETWEEN THE MISSISSIPPI DEPARTMENT OF MARINE RESOURCES AND THE CITY OF GULFPORT IN CONNECTION WITH THE NORTH GULFPORT WASTEWATER TREATMENT PLANT ULTRAVIOLET (UV) DISINFECTION REPLACEMENT PROJECT, AND FOR RELATED PURPOSES

WHEREAS, the City of Gulfport desires to undertake a project to update the North Gulfport Wastewater Treatment Plant which utilizes an ultraviolet (UV) system for disinfection of the liquid stream prior to discharge as more fully set forth in the Memorandum of Wayne Miller, Director of Public Works and Engineering; and

WHEREAS, the City of Gulfport is seeking release of \$1,200,000.00 in GOMESA funding for the Project through the Mississippi Department of Marine Resources; and

WHEREAS, MDMR presented a Memorandum of Understanding (see Exhibit “B” attached) to the City concerning the award and the conditions under which the MDMR will allocate the said funds to the aforementioned project (reimbursement basis only), and the same has been reviewed and is believed to be in the best interest of the City of Gulfport that the City enter into the same with MDMR.

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

Section 1. That the matters, facts and things recited in the Preamble hereto are hereby adopted as the official findings of the Governing Authority.

Section 2. That the Memorandum of Understanding attached hereto as Exhibit “B” be and the same is hereby approved, and the Mayor be and he is hereby authorized to execute and deliver the same on behalf of the City of Gulfport.

Section 3. That this Resolution be, and it is hereby ordered to be spread on the minutes of the governing Authority, and to be in full force and effect as provided by law.

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

AYES

NAYS

ABSENT

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

(SEAL)

ATTEST:

ADOPTED:

CLERK OF THE COUNCIL

PRESIDENT

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

APPROVED:

MAYOR

Memorandum – City of Gulfport



PUBLIC WORKS & ENGINEERING

To: Mayor Billy Hewes and Members of the City Council

CC: Leonard Papania, CAO
Todd Harman, CPA, Director of Finance and Accounting
Tyler Gentry, Assistant Director of Public Works – Operations
Jeremy Harrison, P.E., Assistant to the City Engineer
Lee Wood, Project Manager
Jessica Versiga, Purchasing Agent
Legal Department

From: Wayne E. Miller, P.E., Director of Public Works and Engineering

WEM

Date: August 14, 2023

Re: Request Permission to Enter a Memorandum of Understanding (MOU)
with the Mississippi Department of Marine Resources (MDMR) for the North Gulfport
Wastewater Treatment Plant Ultraviolet (UV) Disinfection Replacement Project

Attached for your consideration is a Memorandum of Understanding (MOU) with the Mississippi Department of Marine Resources to update the North Gulfport Wastewater Treatment Plant Ultraviolet (UV) Disinfection process.

This project will update the North Gulfport Wastewater Treatment Plant which utilizes an ultraviolet (UV) system for disinfection of the liquid stream prior to discharge. The existing UV system has remained in continuous operation for over 20 years and is nearing the end of its useful life as indicated by the persistent need for significant repairs during recent years. The current system is one of the earliest design versions that will not allow the system to be upgraded with the electronic ballast that has been around for over 10 years. There are issues with the automation of the unit which now forces the system to operate at full capacity continuously, thus resulting in excessive electrical usage resulting in higher power costs. UV technology has advanced significantly since the original installation, thereby rendering the existing system obsolete due to energy inefficiency.

I recommend approval of this item.

Attachment:

1. Memorandum of Understanding (MOU) with MDMR



STATE OF MISSISSIPPI

Tate Reeves
Governor

MISSISSIPPI DEPARTMENT OF MARINE RESOURCES

Joe Spraggins, Executive Director

MEMORANDUM OF UNDERSTANDING BETWEEN THE MISSISSIPPI DEPARTMENT OF MARINE RESOURCES AND CITY OF GULFPORT

This Memorandum of Understanding (the "MOU") is entered into between the Mississippi Department of Marine Resources (hereinafter "MDMR") and City of Gulfport (hereinafter "COG") for the purpose of establishing the agreed upon conditions under which MDMR may allocate funds to COG for North Gulfport Wastewater Treatment Plant Ultraviolet (UV) Disinfection Replacement ("the Project") pursuant to the Gulf of Mexico Energy Security Act of 2006, Public Law 109-432 (hereinafter "GOMESA"). This MOU is entered into pursuant to and subject to the terms of GOMESA and relates to MDMR funds obtained through GOMESA, in the amount of One Million Two Hundred Thousand Dollars (\$1,200,000.00). The COG will use some or all of the funds, which will be provided on a reimbursement basis, to advance the Project.

RECITALS

WHEREAS, GOMESA authorizes the disbursement of funds for projects and activities for the purposes of coastal protection, including conservation, coastal restoration, hurricane protection, infrastructure directly affected by coastal wetland losses, as well as mitigation of damage to fish, wildlife, or natural resources; and,

WHEREAS, funding for GOMESA is directed to the State of Mississippi through the Bureau of Ocean Energy Management within the Department of Interior; and,

WHEREAS, the Governor of the State of Mississippi has directed that MDMR will administer GOMESA funding for the State; and,

WHEREAS, MDMR is authorized to allocate and disburse GOMESA funds in accordance with GOMESA in a manner as determined by the MDMR; and,

WHEREAS, GOMESA funds are federal funds and cannot be used to match any other federal funds unless those programs specifically state that such funds can be used for matching; and,

WHEREAS, the COG proposes the Project to update The North Gulfport Wastewater Treatment Plant which utilizes an ultraviolet (UV) system for disinfection of the liquid stream prior to discharge. The existing UV system has remained in continuous operation for over 20 years and is nearing the end of its useful life as indicated by the persistent need for significant repairs during recent years. The current system is one of the earliest design versions that will not allow the system to be upgraded with the electronic ballast that has been around for over 10 years. There are issues with the automation of the unit which now forces the system to operate at full capacity continuously, thus resulting in excessive electrical usage resulting in higher power costs. UV technology has advanced significantly since the original installation, thereby rendering the existing system obsolete due to energy inefficiency; and,

WHEREAS, the COG asserts that the Project's goals/objectives will upgrade the City of Gulfport's infrastructure in this region and develop better water quality in the environment receiving the effluent. The new updated and advanced disinfection system for the wastewater treatment plant discharge will improve the water quality in the area by aiding in restoring the level of biological diversity, habitat potential, and food present that impacts the survival of wildlife. This improved effluent will produce a healthier aquatic eco-system which will result in a more suitable habitat and mitigate damage to fish, wildlife, and other natural resources; and,

WHEREAS, the MDMR requests COG maintain on file all documentation related to the receipt, investment and expenditure of the funds provided for the Project, and furnish any such documentation to the MDMR upon request; and,

WHEREAS, COG agrees to expend the funds in accordance with the purposes as outlined in GOMESA; and,

WHEREAS, COG agrees to provide quarterly and final reports to MDMR that summarize the expenditure of the funds reimbursed by MDMR and the status of the Project until such time as the final expenditure of these funds has been made; and,

WHEREAS, MDMR finds, consistent with GOMESA, that it is in the best interest of the State of Mississippi that funds made available from GOMESA should be allocated to COG, on a reimbursement basis, for the Project.

NOW THEREFORE, IT IS MUTUALLY AGREED BY THE MISSISSIPPI DEPARTMENT OF MARINE RESOURCES AND CITY OF GULFPORT, AS FOLLOWS:

SECTION 1. Each and all of the facts and findings set forth in the preamble clauses of this memorandum are hereby found and determined to be true and accurate and are incorporated herein by this reference thereto as though set forth again in words and figures.

SECTION 2. This MOU shall be effective upon execution by both parties and shall remain in effect for a term of three years (36 months) with one optional one-year (12 months) renewal, for a total of four (4) years, unless terminated earlier. The term may be extended prior to expiration upon the written agreement of both parties.

SECTION 3. MDMR, pursuant to GOMESA, shall provide funds received from Mississippi's allocation of GOMESA funding in an amount up to One Million Two Hundred Thousand Dollars (\$1,200,000.00) to COG, on a reimbursement basis, for the purpose of providing funds to accomplish the Project as described herein.

SECTION 4. COG shall request payment of funds hereunder for Project costs on a reimbursement basis (such requests, "Reimbursement Requests"), unless otherwise directed by MDMR. COG shall submit written Reimbursement Requests no more frequently than monthly and no less frequently than quarterly. Each Reimbursement Request must be accompanied by detailed supporting documentation of costs incurred as required by MDMR. All Reimbursement Requests for time periods ending June 30 of any year during the term of this MOU shall be submitted no later than July 31 of that same year. MDMR will pay all properly documented Reimbursement Requests within forty-five (45) days after MDMR's receipt of same, except for any amounts disputed by MDMR in good faith. Reimbursement Requests shall be sent to Russell Weatherly, GOMESA Project Manager, Mississippi Department of Marine Resources, 1141 Bayview Avenue, Biloxi, MS 39530, russell.weatherly@dmr.ms.gov.

SECTION 5. COG agrees to use all funds received from MDMR as allocated from GOMESA funding **solely** for the purposes set forth herein and authorized by GOMESA and upon the terms and provisions of this MOU; and further, by execution of this MOU, COG does hereby certify that all GOMESA funds it receives from the MDMR shall be used exclusively for the Project. COG understands that failure on its part to adhere to any provision within this MOU may result in termination of this MOU by the MDMR and in immediate action by the State to recover any improperly expended funds.

SECTION 6. COG agrees to comply with all applicable provisions of CFR 2 §200, *et seq.*, including §200.501 which states that a non-Federal entity that expends Seven Hundred Fifty Thousand Dollars and No/100 (\$750,000.00) or more during the non-Federal entity's fiscal year in Federal awards must have a single or program-specific audit conducted for that year.

SECTION 7. COG agrees to comply with all applicable provisions of Section 70914 of the Infrastructure Investment and Jobs Act (Pub. L. 117-58), also known as the Build America,

Buy America Act.

SECTION 8. COG agrees to maintain on file all documentation in accordance with the recitals of this MOU and to submit such documentation to MDMR upon request.

SECTION 9. COG agrees to provide MDMR quarterly reports summarizing expenditure of GOMESA funds received from MDMR for the Project and the status of the Project until such time as the final expenditure or final investment of the funds has been made. The first quarterly report shall be provided within ninety (90) days of the effective date of this MOU, and thereafter within thirty (30) days of each calendar quarter end. COG shall also provide MDMR with a final report summarizing the expenditures and use of the funds upon completion of the Project and final expenditure. Failure to timely submit reports may result in delay of payment of Reimbursement Requests. Reports shall be sent to Russell Weatherly, GOMESA Project Manager, Mississippi Department of Marine Resources, 1141 Bayview Avenue, Biloxi, MS 39530, russell.weatherly@dmr.ms.gov.

SECTION 10. COG agrees to maintain copies of all invoices and documentation related to the funds allocated by MDMR for the Project sufficient to satisfy and confirm, to MDMR's satisfaction, that such funds have been expended **solely** for the purposes provided in GOMESA.

SECTION 11. COG shall comply with and all activities under this MOU shall be subject to all applicable Federal, State, and local laws and regulations, as now existing and as may be amended or modified.

SECTION 12. COG understands and acknowledges that if the Mississippi State Legislature fails to pass an appropriation bill for the MDMR and the prior year's appropriation bill expires, or if the Legislature fails to give MDMR the authority to expend funds, or if funds are otherwise unavailable, then the MDMR may, in its sole discretion, terminate this agreement or issue a Stop Work Order to COG in lieu of termination. If a Stop Work Order is issued, COG agrees to adhere to its terms.

SECTION 13. This MOU shall be governed by and construed in accordance with the laws of the State of Mississippi, excluding its conflict of laws provisions, and any litigation with respect thereto shall be brought in the state courts of Harrison County, Mississippi.

SECTION 14. Attached hereto as Attachment A and incorporated herein by reference is the document supporting the request for GOMESA funding submitted by COG. This document outlines the scope of work to be completed for the Project. Any change in the scope of work is subject to approval by the MDMR in writing and may require an amendment to this MOU and written approval of the GOMESA Committee and others.

SECTION 15. Attached hereto as Attachment B and incorporated herein by reference is the budget for the Project submitted by COG.

SECTION 16. Attached hereto as Attachment C and incorporated herein by reference is the Project Selection Form approved and executed by the GOMESA Committee. In the event of a

discrepancy between Attachment A and Attachment C, Attachment C will govern.

SECTION 17. All notices or information required or permitted to be given pursuant to this MOU shall be in writing and personally delivered or sent by Certified United States mail, postage prepaid, return receipt requested, to the party to whom the notice should be given at the address set forth below. Notice shall be deemed given when actually received or when refused. The parties agree to promptly notify each other in writing of any change of address.

For COG:

City of Gulfport
Attention: Billy Hewes, Mayor
P.O. Box 1780
Gulfport, MS 39502
wmiller@gulfport-ms.gov

For MDMR:

Mississippi Department of Marine Resources
Attention: Joe Spraggins, Executive Director
1141 Bayview Ave.
Biloxi, Mississippi 39530
Email: crystal.matta@dmr.ms.gov

IN WITNESS WHEREOF, the parties have affixed their signatures on the dates indicated below.

MISSISSIPPI DEPARTMENT OF MARINE RESOURCES

By: _____

Joe Spraggins, Executive Director

Date: _____

CITY OF GULFPORT

By: _____

Billy Hewes, Mayor

Date: _____



GOMESA PHASE II PROJECT FUNDING Request for Funding FY2023

Official Use Only

Project Number: _____

Requesting Agency: _____

PROJECT SUMMARY

1. Title of Project:

red outlines indicate required fields

North Gulfport Wastewater Treatment Plant Ultraviolet (UV) Disinfection Replacement

2. Location of Project:

10371 Larkin Smith Drive, Gulfport, MS, Harrison County

3. Requesting Organization:

City of Gulfport

4. Requesting Organization Representative:

a. Name: Billy Hewes

e. Address:

P.O. Box 1780 Gulfport, MS 39502

b. Position: Mayor

c. Phone: 228-868-5810

f. Email:

bhewes@gulfport-ms.gov

d. Fax: 228-868-5800

5. Funding Requested:

\$4,100,000

6. Have any other State or Federal funding sources been identified for the project?

☐ Yes

☒ No

7. If yes, enter amount and source of additional funds:

Amount:

Source of Additional Funds:

8. Total Project Funds

\$4,100,000



ENHANCE • PROTECT • CONSERVE

GOMESA PHASE II PROJECT FUNDING

Request for Funding FY2023

PROJECT SUMMARY

9. Provide Brief Project Description/Overview:

The North Gulfport Wastewater Treatment Plant utilizes an ultraviolet (UV) system for disinfection of the liquid stream prior to discharge. The existing UV system has remained in continuous operation for over 20 years and is nearing the end of its useful life as indicated by persistent need for significant repairs during recent years. The current system is one of the earliest design versions that will not allow the system to be upgraded with the electronic ballast that has been around for over 10 years. There are issues with the automation of the unit which now forces the system to operate at full capacity continuously, thus resulting in excessive electrical usage resulting in higher power costs. UV technology has advanced significantly since the original installation, thereby rendering the existing system obsolete due to energy inefficiency.

10. LIST Project Goals/Objectives:

The objective of the project is to install a new UV system that would operate at a high disinfection rate and nearly double the current peak design capacity. The improved efficiencies and additional capacity will support continued growth in the North Gulfport area.

This project has been studied by the Harrison County Utility Authority and identified as an appropriate action to rectify this deteriorating system. With the requested GOMESA funds, this project will remedy a current issue while enriching the conditions of the natural environment.



GOMESA PHASE II PROJECT FUNDING

Request for Funding FY2023

PROJECT SUMMARY

11. Which of the following authorized uses set forth in the GOMESA Act does this project fall under? Check all that apply. Explain SPECIFICALLY and in detail how the project meets the required criteria.

- ☐ (A) *Projects and activities for the purposes of coastal protection, including conservation, coastal restoration, hurricane protection, and infrastructure directly affected by coastal wetland losses*

- ☒ (B) *Mitigation of damage to fish, wildlife, or natural resources.*

This project will upgrade the City of Gulfport's infrastructure in this region and develop better water quality in the environment receiving the effluent. The new updated and advanced disinfection system for the wastewater treatment plant discharge will improve the water quality in the area by aiding in restoring the level of biological diversity, habitat potential, and food present that impacts the survival of wildlife. This improved effluent will produce a healthier aquatic eco-system which will result in a more suitable habitat and mitigate damage to fish, wildlife, and other natural resources.

- ☐ (C) *Implementation of a federally-approved marine, coastal, or conservation management plan.*

- ☐ (D) *Mitigation of the impact of activities through funding of onshore infrastructure projects.*



GOMESA PHASE II PROJECT FUNDING Request for Funding FY2023

PROJECT SUMMARY

12. Project Timetable/Milestones:

Notice to Proceed: October 2022
Obtain project permits: October 2022 - July 2023
Development of design and construction documents: October 2022 - June 2023
Bidding and award of contract: July 2023 - August 2023
Construction of project: September 2023 - December 2024

13. Project Timing



Short-term (3 year or less)



Deferred/long-term (3-5 years)



GOMESA PHASE II PROJECT FUNDING Request for Funding FY2023

APPLICATION SUMMARY

14. Current status of architectural/engineering plans & specifications for this project (if applicable): *Check one from each group.*

- Group 1:** ☐ Completed
☐ In Progress
☐ Ready to Bid
☒ Other (identify)

Not completed

- Group 2:** ☐ Paid for
☐ Funds budgeted
☐ Funds not budgeted

15. In what way does this project meet the goals and objectives of the Department of Marine Resources, which includes enhancing, protecting and conserving the marine interest of Mississippi for present and future generations.?

This project will upgrade the City of Gulfport's infrastructure in this region and develop better water quality in the environment receiving the effluent. The new updated and advanced disinfection system for the wastewater treatment plant discharge will improve the water quality in the area by aiding in restoring the level of biological diversity, habitat potential, and food present that impacts the survival of wildlife. This improved effluent will produce a healthier aquatic eco-system which will result in a more suitable habitat and mitigate damage to fish, wildlife, and other natural resources.

The Gulfport Lake is the receiving stream for the Wastewater Treatment Plant. Having a cleaner effluent will help protect the water quality of the Gulf of Mexico and its users. The project will also help with the treatment of increase quantity of wastewater during wet weather events. Currently during these times the effluent meets the water quality permit but is not the highest quality the plant can meet due to overload of the treatment process.

This project will also aid the City of Gulfport with planning and costs of compliance with the Environmental Protection Agency (EPA) and the Mississippi Department of Environmental Quality (MDEQ) regulations related to wastewater and the MS4 Stormwater Program.



GOMESA PHASE II PROJECT FUNDING Request for Funding FY2023

APPLICATION SUMMARY

16. Estimated number of years to completion: 2

17. Estimated Completion Date: December 2024

18. Prioritize if your agency has submitted multiple projects:

5

SIGNATURES

Requesting Agency Representative:


Signature

6/17/22
Date

Attach a detailed project description, project schematics, drawings, or any regulatory permits as appropriate.

*Progress notes must be submitted quarterly on all projects funded by GOMESA.

****Before submitting application, please make sure to complete the Budget form on page 7.**

Attachment B



GOMESA PHASE II PROJECT FUNDING Request for Funding FY2023

BUDGET

Category	Total
Salaries, wages, Fringe	
Travel	
Architecture & Engineering	\$ 533,000.00
Legal	
Consulting	
Construction	\$ 3,567,000.00
Site Work	
Equipment	
Indirects	
Other	
Total	\$ 4,100,000.00



Attachment C

GOMESA Phase II Funding Project Selection Form

Applicant: Wayne Miller - Director of Public Works and Engineering

Business/Agency: City of Gulfport

Address: P. O. Box 1780 - Gulfport, MS 39502

Phone: 2288685740 Email: wmiller@gulfport-ms.gov

Project Name: N Gulfport Wastewater Treatment Plant Ultraviolet Disinfection Repl

Anticipated Budget: \$1,200,000.00 Anticipated Timeline: 7/1/2023 to 6/30/2026

Projects must meet at least one of the GOMESA criteria listed below. Please check all that apply.
Additional justification may be requested.

Column A

- ☒ Coastal protection of natural resources
- ☒ Mitigation of natural or marine resources
- ☐ Conservation management
- ☒ Onshore infrastructure projects resulting from coastal damage

Column B

- ☒ Coastal restoration and resiliency efforts
- ☐ Ecological restoration

PROPOSED PROJECT NARRATIVE

The North Gulfport Wastewater Treatment Plant utilizes an ultraviolet (UV) system for disinfection of the liquid stream prior to discharge into Gulfport Lake. The existing UV system has remained in continuous operation for over 20 years and has reached the end of its useful life as indicated by persistent need for significant repairs during recent years. The current system is one of the earliest design versions that will not allow the system to be upgraded with the electronic ballast that has been around for over 10 years. There are issues with the automation of the unit which now forces the system to operate at full capacity continuously, thus resulting in excessive electrical usage resulting in higher power costs. UV technology has advanced significantly since the original installation, thereby rendering the existing system obsolete due to energy inefficiency. The objective of the project is to install a new UV system that would operate at a high disinfection rate and nearly double the current peak daily capacity. The improved efficiencies and additional capacity will support continued growth in the North Gulfport area. This project has been studied by the Harrison County Utility Authority and identified as an appropriate action to rectify this deteriorating system. With the requested GOMESA funds, this project will remedy a current issue while enriching the conditions of the natural environment.

REQUIRED SIGNATURES

GOMESA Committee:

MDMR Committee Representative

Joe S. Higgins
Joe S. Higgins (Mar 16, 2023 14:59 CDT)
Signature

MDA Committee Representative

Laura Hipp
Laura Hipp (Mar 16, 2023 16:13 CDT)
Signature

MDEQ Committee Representative

Chris Wells
Chris Wells (Mar 17, 2023 16:25 CDT)
Signature

Executive Director

Title Date

Deputy Executive Director

Title Date

Executive Director

Title Date

March 17, 2023

There came on for consideration at a duly constituted meeting of the Mayor and Members of the City Council of the City of Gulfport, Mississippi, held on the _____ day of _____, 2023, the following Resolution:

**A RESOLUTION BY THE GULFPORT CITY COUNCIL TO APPROVE
PROFESSIONAL SERVICES CONTRACT FOR EMERGENCY DISPATCH SERVICES WITH
KAYLA SEALS, AND FOR RELATED PURPOSES**

WHEREAS, the City of Gulfport, Mississippi, is a municipal corporation organized and existing according to the laws of the State of Mississippi is governed by its Mayor and City Council ("Governing Authority"); and

WHEREAS, the City of Gulfport, by and through the Gulfport Police Department, provides emergency dispatch services to the citizens of and visitors to the City of Gulfport; and

WHEREAS, due to recent personnel changes in the Police Department, it is necessary to retain a contractor to provide part time emergency dispatch services to the City of Gulfport; and

WHEREAS, because of turnover of personnel, the Administration desires to contract with Kayla Seals to provide such services; and

WHEREAS, under the proposed Professional Services Agreement (Exhibit "A"), Seals would provide consulting services on an as needed basis at an hourly rate set forth in the agreement.

**NOW THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL
OF THE CITY OF GULFPORT, MISSISSIPPI, AS FOLLOWS, TO WIT:**

Section 1. That the matters, facts and things recited in the Preamble hereto are hereby adopted as the official findings of the Governing Authority.

Section 2. That the Professional Services Agreement be and it is hereby approved in substantially the same form as is found in Exhibit "A" to this resolution, and the Mayor be and he is, hereby, authorized to execute the same on behalf of the City of Gulfport.

Section 3. That this Resolution shall be in effect immediately upon its passage and enactment according to law, and shall be spread upon the minutes of the Gulfport City Council.

The above and foregoing Resolution, after having been first reduced to writing and ready by the Clerk,

was introduced by _____, seconded by _____, and was adopted by the following roll call vote:

AYES

NAYS

ABSENT

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

(SEAL)

ATTEST:

ADOPTED:

CLERK OF THE COUNCIL

PRESIDENT

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

APPROVED:

MAYOR

STATE OF MISSISSIPPI
COUNTY OF HARRISON
CITY OF GULFPORT

PROFESSIONAL SERVICES AGREEMENT

THIS AGREEMENT FOR PROFESSIONAL SERVICES ("Agreement") entered into and executed in Gulfport, Mississippi on the day and year hereinafter set forth by and between the **CITY OF GULFPORT, MISSISSIPPI** (herein the "City"), having an address of Post Office Box 1780, Gulfport, Mississippi 39502, and **KAYLA SEALS**, having an address of 10900 East Taylor Road #143C, Gulfport, MS 39503 (herein "Seals") for the purposes and according to the terms, covenants, and conditions hereinafter set forth, to-wit:

WITNESSETH THAT:

WHEREAS, the City of Gulfport, Mississippi is a municipal corporation organized and existing according to the laws of the State of Mississippi and is governed by its Mayor and City Council ("Governing Authority"); and

WHEREAS, the City of Gulfport is in need of part time emergency dispatchers to ensure that the City's emergency dispatching needs are met; and

WHEREAS, Seals has experience and related education in the field of emergency dispatch and, specifically, emergency dispatch in and for the City of Gulfport.

NOW THEREFORE, for good and valuable consideration as herein provided, Seals agrees to perform professional services according to the following conditions, terms, and provisions, to-wit:

1 . Scope of Work. Seals shall, in a satisfactory and proper manner, and under the terms and conditions provided herein, and in accordance with any governing laws and professional rules of conduct, perform emergency dispatch services (operate communications equipment to receive and transmit messages and information including police and fire emergencies according to established procedures, as more fully set forth herein) for the City of Gulfport.

2. Manner of Service. Services provided by Seals pursuant to or in accordance with this Agreement shall be performed in a professional, prompt and competent manner and in accordance with the

laws of the State of Mississippi and the United States of America and conform to high and ethical standards in the community and in the State of Mississippi. Services to be provided by Seals, insofar as applicable and necessary in any given assignment, shall include, but not be limited to the following related to emergency dispatch:

- Operates telephones, radios, and all other essential communications equipment.
- Receives calls which must be properly processed: obtain address and nature of call; dispatches appropriate personnel and equipment to the scene.
- Maintains radio contact with all fire units in the field
- Maintains status and current information on all units in and out of service.
- Receives routine calls and gives information as requested by the public and officers.
- Receives and transmits messages between field units and with other Public Safety Agencies.
- Assists in testing radio frequencies, make routine announcement and relays messages via radio.
- Maintains wrecker log in CAD.
- Is familiar with the General Orders used by the department..
- Knows signal and 10 dash codes used by the department.
- Uses the NCIC computer and obtain a working knowledge of the system and laws that govern its use.
- Follow established emergency dispatch procedures of the City of Gulfport.

3. Compensation. During the term of this Agreement, the City shall compensate Seals at the hourly rate of \$15.81 per hour with a not to exceed of \$25,000.00 per annum. It is specifically understood that no travel expenses or billable time shall be charged or incurred for travel time to and from Seals home to City offices and that the only compensation Seals will receive from the City is for actual time worked for services provided by Seals to the City under this Agreement. Seals shall submit detailed billing statements to the City in accordance with the terms of the Agreement set forth herein or as otherwise required by the City and shall submit the same via electronic mail to the Commander of Support Bureau (cfulks@gulfport-ms.gov) or other such e-mail addresses as may, from time to time, be provided, in writing, to Seals, with copy to the Support Bureau Administrative Assistant (cnecaise@gulfport-ms.gov) at or such other e-mail address as may, from time to time, be provided, in writing, to Seals by 5:00 p.m. on the first Monday of each month during the duration of this Agreement. The City shall pay Seals within thirty (30) days of the City's receipt of detailed billing invoices submitted by Seals. There is no guarantee of work to be assigned to Seals under this

Agreement and, therefore, there is no minimum or maximum amount of work to be assigned to Seals. Other than compensation for services as specifically set forth in this Paragraph, no other benefits or compensation shall be owed by City as a result of services performed under this Agreement.

4. **Term of Service.** The term of this Agreement shall be for twelve (12) consecutive months commencing August 23, 2023, and expiring on August 22, 2024, ("term") unless sooner terminated or canceled as set forth herein. The term of this Agreement may be extended for an additional twelve (12) month period subject to approval by the City's Governing Authority.

5. **Non-Exclusive Contract.** This is a non-exclusive contract as to each party hereto, and each party retains the right at any time to contract with other persons or entities, including another governmental entity, where such engagement shall not result in a conflict of interest or other ethical conflict.

6. **Termination.** (a) *For convenience.* Either party may terminate this Agreement at any time for any reason (or no reason) by giving the other party written notice of termination at least thirty (30) days prior to the effective date of termination. (b) *For default.* Breach or failure to perform any provision of this Agreement shall be an "event of default." If the party in breach fails to cure any default within fifteen (15) days from receipt of written notice of an event of default, then this Agreement may be terminated immediately for default by written notice to the breaching party or party in default and in such event, either party may assert any remedies at law or in equity that it/he deems to be entitled for breach of contract.

7. **Waiver; Remedies.** (a) Failure to enforce any provision of this Agreement in which an event of default has occurred shall not constitute a waiver of rights to subsequently enforce this contract and each provision hereof. To the extent allowable by law, and subject to any state and federal law immunities, each party agrees to indemnify the other against any loss or damages resulting from an event of default not cured as provided herein. (b) If any party is required to obtain or utilize the services of an attorney to enforce any provision of this Agreement for failure to cure any default as herein provided, then the party in default shall be liable for the other party's reasonable attorney's fees and costs of litigation.

8. Independent Contractor; Professional Services Contract; Materials, Equipment, and Resources. (a) Seals certifies that she is certified, experienced, and qualified and able to perform any and all emergency dispatch services for which she accepts engagement under this Agreement, and she agrees to notify City immediately if her credentials change so as to limit her professional qualifications, which shall be grounds for cancellation of this Agreement and of any further obligations for payment of unearned fees by the City hereunder. (b) This is a professional services contract in which Seals shall at all times be acting as and considered an independent contractor with the City and not an employee of the City or any of the City's employees, servants, agents, or representatives. Seals shall have no claim under this Agreement or otherwise against the City for wages, salary, vacation pay, sick leave, retirement benefits, Social Security, Workers' Compensation benefits, unemployment insurance benefits, or benefits of any kind or sort other than the compensation as set forth herein.

9. Taxes. City and Seals acknowledge and agree that Seals will be solely and completely responsible for any and all taxes due and owing to any governmental entity or agency (local, state and/or federal) on any monies or compensation received by Seals from City under this Agreement.

10. Compliance with Legal Obligations. Seals agrees that, in rendering services under this Agreement, she shall comply with all federal, state, and local laws.

11. Records. It is understood and acknowledged that all documents used by Seals in her provision of services under this Agreement shall become the property of the City and shall be kept and maintained in the Police Department.

12. Identification of Conflicts of Interest. Upon assignment of a matter under this Agreement, Seals will make reasonable and diligent efforts to determine if any potential conflicts of interest exist in the case or matter concerning her involvement or provision of services for the City in connection with the same.

13. Insurance; Defense of Claims. Seals covenants and agrees to indemnify and hold harmless the City and the City's employees, servants, agents, officials, and representatives from and against any loss, damage, costs, charges, expenses, and fees, whether direct or indirect and whether known or unknown, in

any way arising out of or by reason of any negligent or intentional act or omission on the part of Seals or anyone acting for, on behalf of, or at the direction of Seals in the performance or execution of this Agreement or in any way arising out of this Agreement. In case any suit or legal proceedings shall be brought against the City or any of its employees, servants, agents, officials, or representatives at any time on account of or by reason of any negligent or intentional act or omission by Seals or anyone acting for, on behalf of, or at the direction of Seals, Seals hereby covenants and agrees to assume the defense thereof and to defend the same at the Seals's own expense and to fully pay for any and all loss, damages, costs, charges, expenses, fees, attorneys' fees and other expenses and any and all judgments that may be incurred by or obtained by or against the City or any of the City's employees, servants, agents, officials, or representatives in such suits or other proceedings or actions.

14. Confidentiality. Seals agrees to keep confidential and not use or disclose, except in furtherance of the purposes of the services called for under this Agreement, any confidential information that Seals may acquire during the term of, and in the course of, or as a result of, the provision of services that he provides under this Agreement.

15. Notices. Official notice to Seals shall be to the mailing address identified above unless a change of address is provided to the City in writing. Official notice to the City shall be to the Commander of Support Bureau, City of Gulfport, 2309 15th Street, Gulfport, Mississippi 39501 with copy to the City Attorney at the same address. All official notices shall be in writing and served by U. S. Mail or by hand delivery. The point of contact for the City under this Agreement shall be the Chief Administrative Officer.

16. Severability. Should any clause, portion or section of this Agreement be unenforceable or invalid for any reason, City and Seals acknowledge and agree that such unenforceability or invalidity shall not affect the enforceability or validity of the remainder of the Agreement. The captions/titles have no effect or meaning other than as headings to identify the paragraphs.

17. Governing Law. City and Seals acknowledge and agree that this Agreement shall be construed in accordance with the laws of the State of Mississippi.

18. Entire Agreement and Amendments. This Agreement constitutes the entire agreement of the parties and supersedes and cancels all previous written or oral agreements or representations relating to the subject matter hereof. This Agreement may not be amended, supplemented or modified except by a written document signed by the City and Seals.

19. Successors. This Agreement shall inure to the benefit of and may be enforced by the City, its successors and assigns, and shall be binding upon Seals, his executors, administrators, heirs, and other successors in interest. Seals's rights and obligations under this Agreement are not assignable.

20. Official Approval of Contract. This Agreement shall take full force and effect only after it is approved by the Governing Authority for the City and signed by the Mayor and Seals.

WITNESS OUR SIGNATURES as duly authorized and voluntarily signed on the day and year hereinafter stated.

KAYLA SEALS
10900 East Taylor Road #143C
Gulfport, MS 39503

By: _____

Date: _____

CITY OF GULFPORT
Post Office Box 1780
Gulfport, Mississippi 39502-1780

By: _____

Printed Name: _____

Title: Mayor

Date: _____

There came on for consideration at a duly constituted meeting of the Mayor and Members of the City Council of the City of Gulfport, Mississippi, held on the _____ day of _____, 2023, the following Resolution:

**A RESOLUTION BY THE GULFPORT CITY COUNCIL
TO APPROVE AMENDMENT NO. 1 TO THE MEMORANDUM OF INTERLOCAL
COOPERATION AGREEMENT BETWEEN HARRISON COUNTY AND THE CITY
OF GULFPORT FOR THE PROVISION OF AMBULANCE SERVICE, AND FOR
RELATED PURPOSES**

WHEREAS, in 1993, the City of Gulfport and Harrison County entered into an Interlocal Cooperation Agreement for the provision of ambulance services within the City of Gulfport; and

WHEREAS, the City of Gulfport desires to amend the said Interlocal Agreement to adjust the provisions thereof concerning the duration of the Agreement; and

WHEREAS, a proposed AMENDMENT NO. 1 TO MEMORANDUM OF INTERLOCAL COOPERATION AGREEMENT BETWEEN HARRISON COUNTY AND THE CITY OF GULFPORT FOR THE PROVISION OF AMBULANCE SERVICE is attached hereto as Exhibit “A” which will set the term for the Interlocal Agreement to run, annually, from February 1 through January 31; and

WHEREAS, the Amendment approved by this Resolution will and is intended to replace the AMENDMENT NO. 1 TO MEMORANDUM OF INTERLOCAL COOPERATION AGREEMENT BETWEEN HARRISON COUNTY AND THE CITY OF GULFPORT FOR THE PROVISION OF AMBULANCE SERVICE which was approved by the Gulfport City Council on August 8, 2023.

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

SECTION 1. That the matters, facts, and things recited in the Preamble hereto are hereby adopted as the official findings of the Governing Authority.

SECTION 2. That the Amendment No. 1 to MEMORANDUM OF INTERLOCAL COOPERATION AGREEMENT BETWEEN HARRISON COUNTY AND THE CITY OF GULFPORT FOR THE PROVISION OF AMBULANCE SERVICE be and the same is hereby approved in the form as is found in Exhibit “A” to this resolution, and the Mayor (or his designee) is, hereby, authorized to execute the same on behalf of the City of Gulfport.

SECTION 3. That this resolution shall be in full force and effect upon passage. It shall be shall be spread on the minutes of the Gulfport City Council.

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

AYES

NAYS

ABSENT

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

(SEAL)

ATTEST:

ADOPTED:

CLERK OF THE COUNCIL

PRESIDENT

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

MAYOR

HARRISON COUNTY, FIRST JUDICIAL DISTRICT

STATE OF MISSISSIPPI

AMENDMENT NO. 1

**TO MEMORANDUM OF INTERLOCAL COOPERATION AGREEMENT
BETWEEN HARRISON COUNTY AND THE CITY OF GULFPORT
FOR THE PROVISION OF AMBULANCE SERVICE**

This Amendment is attached to, made a part of, and incorporated by reference into the “Memorandum of Interlocal Cooperation Agreement Between Harrison County and the City of Gulfport for the Provision of Ambulance Service” (hereinafter, “the Agreement”), executed in 1993 by the City of Gulfport, Mississippi and Harrison County, Mississippi regarding the provision of ambulance services, also generally referred to as “emergency medical services” or “EMS,” as more fully described therein. The Agreement is in need of amendment in order to provide that the term of such Agreement shall now be February 1 to January 31 of each calendar year instead of October 1 to September 30, as more fully described below:

1. Amend and replace the entirety of Paragraph 2 on page three (3) of the Agreement to now say the following:

“2. Duration of Agreement: This Agreement shall be in effect for a term commencing thirty (30) days after date of final execution hereof by the City and County and shall continue down through September 30, 1993, and thereafter shall be automatically renewed on an annual basis unless either party shall officially act to terminate the Agreement, and shall give written notice to the other party of its intention not to renew said Agreement sixty (60) days or more prior to the annual renewal date hereof. From initial effective date of the Agreement through, October 1, 2022, the renewal date shall be on October 1 until terminated. The duration of the Agreement for the October 1, 2022, through September 30, 2023, term shall be extended through and until January 31, 2024, and thereafter this Agreement shall be on a term of February 1 through January 31 of the next calendar year and the renewal date for such extended term and each annual (one-year) term thereafter shall be on February 1 of each succeeding year until terminated. The Agreement shall be automatically renewed on an annual basis unless either party shall officially act to terminate the Agreement, and shall give written notice to the other party of its intention not to renew said Agreement sixty (to) days or more prior to the annual renewal date hereof.”

2. No other changes to the original Agreement are made with this Amendment No. 1.

This AMENDMENT NO. 1 is hereby made a part of and incorporated into the Agreement, approved and executed by the parties in 1993 and is effective once executed by both parties below, with the effective date of last referenced signature hereto.

IN WITNESS whereof, the parties hereto have made and executed this Amendment No 1, as of this _____ day of August, 2023.

CITY OF GULFPORT, MISSISSIPPI

HARRISON COUNTY, MISSISSIPPI

BY: _____
BILLY HEWES, MAYOR OF
CITY OF GULFPORT, MISSISSIPPI

BY: _____
REBECCA POWERS, PRESIDENT OF
HARRISON COUNTY BOARD OF
SUPERVISORS

DATE: _____

DATE: _____

ATTEST: _____
RASHIDA BELL, CITY CLERK

ATTEST: _____
JOHN MCADAMS, CHANCERY CLERK

There came on for consideration at a duly constituted meeting of the Mayor and Members of the City Council of the City of Gulfport, Mississippi, held on the ____ day of _____, 2023, the following Resolution:

A RESOLUTION BY THE GULFPORT CITY COUNCIL TO AUTHORIZE THE DONATION OF FUNDS TO GULFPORT MAIN STREET ASSOCIATION, IN ACCORD WITH MISS. CODE ANN. SECTION 21-19-44.1, AND FOR RELATED PURPOSES

WHEREAS, Miss. Code Ann. Section 21-19-44.1 authorizes municipalities to donate funds from the treasury of the municipality to the municipality's Main Street Project, Incorporated, in support of any economic development program or endeavor of the corporation, for the development of the municipality's central business district or for any lawful purpose of the municipality and to execute contracts and agreement and to expend municipal funds in support of any project sponsored by the corporation, the municipality or any other nonprofit corporation engaged in local economic development; and

WHEREAS, the City of Gulfport desires to support the economic development programs and endeavors of the Gulfport Main Street Association which are targeted at the development of the City's downtown area, specifically in support of Main Street's 14th Annual View the Cruise by donating the sum of \$10,000.00 to Gulfport Main Street Association; and

WHEREAS, the Governing Authority of the City of Gulfport is of the opinion that the City of Gulfport benefits from such donation and that such is in the best interest of the City of Gulfport.

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

Section 1. That the matters, facts and things recited in the Preamble hereto are hereby adopted as the official findings of the Governing Authority.

Section 2. That the City of Gulfport, by and through its Mayor, is hereby authorized, pursuant to Miss. Code Ann. Section 21-19-44.1, to donate \$10,000.00 to the Gulfport Main Street Association in support of development projects and activities in the downtown area of Gulfport, in particular, the 14th Annual View the Cruise to be held in downtown Gulfport in October 2023, payable by special check, as needed.

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

AYES

NAYS

ABSENT

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

(SEAL)

ATTEST:

ADOPTED:

CLERK OF THE COUNCIL

PRESIDENT

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

APPROVED:

MAYOR

Invoice

FROM: Gulfport Main Street Association
P.O. Box 1780
Gulfport, MS 39502

DATE: August 1, 2023

INVOICE NUMBER: 000016

INVOICE DUE: August 10, 2023

BILL TO: City of Gulfport
2309 15th Street
Gulfport, MS 39501

TOTAL DUE:

\$10,000

DESCRIPTION	PRICE		TOTAL
View the Cruise Donation	\$10,000		\$10,000

THANK YOU!

Kristen Garriga

WE VALUE YOUR PARTNERSHIP WITH GMSA AND
WE ARE LOOKING FORWARD TO A GREAT VTC! PLEASE MAKE CHECKS PAYABLE
TO GULFPORT MAIN STREET ASSOCIATION.



Facility Use Fee Waiver Request Form

Date of Request: 08/15/2023

Name of Person Submitting Request: Lawrence Jackson, CAO

Organization or Group Requesting Fee Waiver:

Name: Center for the Innovative Training of Youth d/b/a STEM NOLA

Address: 4910 Drexel St., Box #61 Phone Number: 504-391-0730
New Orleans, LA 70125

Reason for Fee Waiver Request:

Non-Profit Organization engaging students in a FREE STEM program, thus there is no income to cover costs of site. We partner with local communities to donate the space so we can engage their young residents in STEM.

Primary Contact Person:

Name: Devin Floyd

Address: 4910 Drexel St., Box #61 New Orleans, LA 70125

Phone Number: 504-258-2653 E-Mail Address: Dfloyd@stemnola.com

Facility/facilities requested: Gaston Point Rec Ctr. Date/s of Event: 8/26/2023

Event Type: STEM Saturday

Event Time(start and end): 9am to 12:30pm

Date/s Required for Set Up and Breakdown: Friday 8/25 Setup/Sat 8/26 breakdown

Anticipated Attendance (Number of Persons per day): 150

Fee Waiver Total: **Rental Fee:** \$ _____ X _____ **Hours** = _____
(Must include set-up and breakdown times)



Facility Use Fee Waiver Request Form

Circle one:

- | | Y | or | N |
|--|-------------------------------------|----|-------------------------------------|
| • Is applicant a 501 (c) non-profit pursuant to applicable IRS regulations?
<i>If yes please, provide us with a copy of your 501 (c) non-profit status with this request.</i> | ☒ | | ☐ |
| • Does applicant intend to sell vendor space or tables? | ☐ | | ☒ |
| • Is there a charge to enter this event? | ☐ | | ☒ |
| • Is it open and free to the public? <i>(pre-registration required)</i> | ☒ | | ☐ |

Submit all documents to Reggie Sims at rsims@gulfport-ms.gov or submit to the facility at the time of completing the Facility Use Application. All Fee Waiver Request must be approved by the City Council. Please note that if your request is approved, you will be responsible for set-up and breakdown of your event (setting up tables and chairs).

I HAVE READ AND UNDERSTAND ALL OF THE ABOVE ITEMS AND STATEMENTS IN THIS REQUEST FOR USE AND ATTEST THAT ALL ARE TRUE. I FURTHER UNDERSTAND THAT THE EVENT DESCRIBED HEREIN SHALL FURTHER BE GOVERNED BY AN ACCOMPANYING AGREEMENT FOR USE OF THE FACILITY AND THE APPLICANT AGREES TO ABIDE BY THE TERMS THEREOF AS WELL AS ANY AND ALL POLICIES THAT THE CITY MAY PROSCRIBE. IT IS FURTHER UNDERSTOOD THAT THE CITY OF GULFPORT, IN ITS SOLE DISCRETION, RESERVES THE RIGHT TO REFUSE TO ALLOW THE EVENT AND/OR CERTAIN ACTIVITIES OF THE EVENT, AS DESCRIBED HEREIN TO BE HELD IN OR AROUND THE FACILITY.

Lawrence Jackson, Jr. CAO
SIGNATURE

Lawrence Jackson, Jr.

PRINTED NAME

8/15/2023

DATE

There came on for consideration at a duly constituted meeting of the Mayor and Members of the City Council of the City of Gulfport, Mississippi, held on the _____ day of _____, 2023, the following Resolution:

A RESOLUTION TO APPROVE THE TEMPORARY CLOSURE OF MUNICIPAL RIGHT OF WAY FOR A LIMITED PERIOD FOR A PUBLIC PURPOSE OR EVENT (2nd ANNUAL BRELAND BLOCK PARTY), AND FOR RELATED PURPOSES

WHEREAS, Miss. Code Ann. § 21-19-15 provides that “[t]he governing authorities of municipalities shall have power to make all needful police regulations necessary for the preservation of good order and peace of the municipality and to prevent injury to, destruction of, or interference with public or private property”; and

WHEREAS, pursuant, therefore to Miss. Code Ann. § 21-19-15 and numerous Mississippi Attorney General opinions concerning the same, the City of Gulfport, Mississippi, may temporary close a municipal right of way for public purposes and/or public events, in order to preserve “good order” and prevent damage to public or private property, so long as alternative means of ingress and egress to the affected areas are available to the public; and

WHEREAS, from time to time, public events are held around the City, including the event which is the subject of the street closure request letter/memo attached hereto as Exhibits A and B, which require temporary closure of a public street in order to preserve “good order” and prevent damage to public or private property and where alternative means of ingress and egress to the affected areas are available to the public; and

WHEREAS, the street closure request letter/memo contains specific and necessary information regarding the portion of public rights of way to be closed temporarily, and the date/s and time/s of said closure, so as to allow the City to make an informed decision about the need for the closure; and

WHEREAS, the Mayor and City Council are of the opinion that the right of way closure, including closure to parked vehicles, requested in Exhibit “A” hereto is in the best interest of the City so as to preserve “good order” and to prevent damage to public or private property and that alternative means of ingress/egress to the affected areas are available to the public.

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

SECTION 1. That the matters, facts, and things recited in the Preamble hereto are hereby adopted as the official findings of the Governing Authority.

SECTION 2. That the portion of street identified in Exhibits “A” and “B” hereto shall be closed for the date/times identified in Exhibits “A” and “B” (or for other city approved date/times as may be required due to rescheduling of the event due to weather or other unforeseen circumstances), in order to preserve “good order” and to prevent damage to public or private property and that alternative means of ingress/egress to the affected areas shall be made available to the public.

SECTION 3. That this resolution shall be spread upon the Minutes of the Gulfport City Council, and shall be in full force and effect immediately upon its passage and enactment according to law.

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

AYES

NAYS

ABSENT

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

(SEAL)

ATTEST:

ADOPTED:

CLERK OF THE COUNCIL

PRESIDENT

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

MAYOR



EVENTS DIVISION

P.O. Box 1780
Gulfport, MS 39502
Phone: 228-868-5789

MEMORANDUM

TO: City Councilmembers
Billy Hewes, Mayor
Leonard Papania, Chief Administrative Officer

FROM: William Lehman, Special Events Manager

DATE: August 11, 2023

RE: Road Closure – Breland 2nd Annual Block Party

Annette Breland requests approval for a road closure at 22nd St, between 30th Ave and 31st Ave for the 2nd Annual Breland Block Party. The event application is in process and upon approval from all city departments, will have an Event Permit for this event.

Thank you in advance for your consideration. Please reach out if you have any questions.

A handwritten signature in blue ink, appearing to read "William Lehman".

William Lehman
Special Events Manager
Office of the CAO



Gulfport Police Department

Date: July 31, 2023

To: Mayor Billy Hewes and City Council Members

From: Adam Cooper, Chief of Police 

Re: Budget Amendment

The following checks was received and I ask that you deposit the amount into the listed line items in the Coastal Narcotics Enforcement Team budget.

This money comes from CNET cases where restitution has to be paid from defendants.

Check Number 51265 in the amount of \$31.75

Check Number 51325 in the amount of \$50.00

Check Number 51284 in the amount of \$60.00

Check Number 51141 in the amount of \$35.00

Check Number 51211 in the amount of \$82.00

Total..... \$258.75

Revenue line item 285-492600.....\$258.75

Expense line items to be increased:

286-630100 Police Narcotics Task Force Capital \$258.75

This amendment must be spread on the Council minutes so the funds can be spent according to federal, state and local statutes. Therefore, I ask that you place this on the next Council agenda.

Gulfport Police Department

Memo

To: Mayor Billy Hewes

From: Chief Adam Cooper 

Date: July 31, 2023

Re: Increase Line Item

The following check was issued by Connie Ladner's office Circuit Clerk of Harrison County for Restitution for drug related arrests.

Check number (51275) amount of \$472.50 (GPD cases)

I request your permission to place these funds in the account below:

Account Number	Increase Amount	Increase Amount
Forfeiture and Seizure County and Local Shared Vehicles- 277-630200	\$472.50	
County/Local Shared Revenue 275-493100		\$472.50

This amendment must be spread on the Council minutes so the funds can be spent according to federal, state and local statutes. Therefore, I ask that you place this on the next Council agenda.

Gulfport Police Department

Memo

To: Mayor Billy Hewes and City Council Members

From: Chief Adam Cooper 

Date: July 31, 2023

Re: Budget Amendment

The following check was issued to the City of Gulfport from PropertyRoom.com. I request your permission to place these funds in the account below.

Check Number (64555) amount of \$3,207.70

Account Number	Increase Amount	Increase Amount
Police Revenue 010-502500	\$3,207.70	
Photo & Fingerprint 213-615200		\$3,207.70
TOTAL	\$3,207.70	\$3,207.70

I appreciate your help. If you have questions, please call.



Budget Amendment – City of Gulfport

PUBLIC WORKS AND ENGINEERING

To: Todd Harman, CPA, Director of Finance

CC: Mayor Billy Hewes
Leonard Papania, CAO
Jeremy Harrison, P.E., Assistant City Engineer
Tyler Gentry, Assistant Director of Public Works - Operations
Legal Department

From: Wayne E. Miller, P.E., Director of Public Works and Engineering

Date: 08/11/2023

Re: Budget Amendment to Fund Purchase of Bucket Truck Approved in FY 2022

FROM	TO	AMOUNT
General Fund	315-630200 (Traffic - Vehicles)	\$169,467.00
	TOTAL	\$169,467.00

The Department of Public Works is requesting approval to transfer \$169,467.00 from the General Fund to the Traffic Vehicles account in order to fund the purchase of a new bucket truck which was approved in Fiscal year 2022.

On March 22, 2022 Council approved the purchase of a bucket truck from Altec Industries for a total of \$169,497.00; this price was reached through a reverse auction process. This was funded in the Fiscal Year 2022 budget and ordered March 30, 2022. However, there was a long lead time in getting the bucket truck built/set up properly and shipping, and at the close of Fiscal Year 2022, the encumbered funds did not roll forward into Fiscal Year 2023, even though a purchase order was already in place.

On August 8, 2023, the bucket truck we ordered through reverse auction in 2022 was delivered. The company will be submitting an invoice soon, but there are no funds in place in the account. We request that the funds originally approved for this purchase in Fiscal Year 2022 be approved for Fiscal Year 2023 so we can pay the vendor for services/equipment rendered.

I hereby recommend this budget amendment.



Memorandum - City of Gulfport

Purchasing

To: The Honorable Mayor and City Council

From: Jessica Versiga, Purchasing Agent

Date: March 14, 2022

**Re: Bucket Truck Reverse Auction
Public Works – Traffic Division**

On March 7th the purchasing department performed a reverse auction for the purchase of a bucket truck. There was only one bidder, Altec Industries. The bid came in at \$169,467.00.

We request permission to issue a purchase order to Altec Industries for this bucket truck.

Thank you for your consideration.



Budget Amendment – City of Gulfport

PUBLIC WORKS AND ENGINEERING

To: Todd Harman, CPA, Director of Finance

CC: Mayor Billy Hewes
Leonard Papania, CAO
Jeremy Harrison, P.E., Assistant City Engineer
Tyler Gentry, Assistant Director of Public Works - Operations
Legal Department

From: Wayne E. Miller, P.E., Director of Public Works and Engineering

Date: 08/11/2023

Re: Budget Amendment to Fund Solid Waste Invoices for H2O Innovation Operation and Maintenance, Inc. for Remainder of Fiscal Year 2023

FROM	TO	AMOUNT
Sold Waste Fund	850-621800 (Solid Waste – Privatization)	\$140,200.00
	TOTAL	\$140,200.00

The Department of Public Works is requesting approval to transfer \$140,200.00 from the Solid Waste Fund to the Solid Waste Privatization account in order to fund the estimated invoices for the remainder for Fiscal Year 2023.

When the Solid Waste Addendum to the contract for Operations and Maintenance of the Water and Sewer Systems as well as the Streets and Drainage Systems and other systems for the City of Gulfport with H2O Innovation Operation and Maintenance Inc. was originally approved in May 2022, the total annual services charge was \$600,000.00. The Public Works Department budgeted \$625,000.00 for the Privatization account for Solid Waste for Fiscal Year 2023.

However, in December 2022 Council approved the first amendment to this addendum, allowing the contract annual cost to change from \$600,000.00 to \$859,300.00. Then in April 2023, a 3% CPI Increase totaling \$25,779.00 was also added to the contract. Therefore, the current contract amount (since April 2023) is \$885,079.00, which is approximately \$70,100 per month.

The budget for the solid waste contract has not been added to yet this fiscal year as we were waiting to see how much we would need around the end of the fiscal year. Currently there is only \$828 of solid waste funds encumbered to the privatization purchase order. In order to continue proper payment of solid waste invoices based on expected costs, we request a transfer of \$140,200.00 from the Solid Waste Fund into the Solid Waste Privatization Account.

I hereby recommend this budget amendment.



Budget Amendment – City of Gulfport

PUBLIC WORKS AND ENGINEERING

To: Todd Harman, CPA, Director of Finance

CC: Mayor Billy Hewes
Leonard Papania, CAO
Jeremy Harrison, P.E., Assistant City Engineer
Tyler Gentry, Assistant Director of Public Works - Operations
Legal Department

From: Wayne E. Miller, P.E., Director of Public Works and Engineering

Date: 08/11/2023

Re: Budget Amendment to Fund Streets and Drainage Operating Accounts for Remainder of Fiscal Year 2023

FROM	TO	AMOUNT
General Fund	311-614300 (Shells, Gravel, Sand)	\$15,000.00
General Fund	311-610700 (Operating Supplies)	\$10,000.00
General Fund	311-614600 (Storm Drain Pipes)	\$10,000.00
	TOTAL	\$35,000.00

The Department of Public Works is requesting approval to transfer \$35,000.00 from the General Fund to the above listed Streets and Drainage accounts in order to fund continued operations through the end of Fiscal Year 2023.

As Fiscal Year 2023 draws to a close, Public Works is watching various accounts to ensure there will be adequate funding available for necessary expenditures related to everyday operations.

We request the aforementioned transfer in order to provide adequate funding.

I hereby recommend this budget amendment.



SCANNED



[Signature] 1st JUDICIAL DISTRICT
Instrument 2023-0015233-D-J1
Filed/Recorded 08/03/2023 8:41:01 AM
Total Fees 26.00
3 Pages Recorded

**This Instrument prepared by and
to be returned to:**

Margaret Murdock, Esq.
City Attorney's Office
P.O. Box 1780
Gulfport, Mississippi 39502
(228) 868-5811

Indexing Instructions:

Lot 2, Gulfport Promenade Subdivision, City of
Gulfport, First Judicial District, Harrison
County, Mississippi

PERPETUAL DRAINAGE EASEMENT

FOR AND IN CONSIDERATION of the sum of ONE and NO/100 Dollars (\$1.00), cash in hand paid, and other good and valuable considerations, the receipt and sufficiency of which is hereby acknowledged, the undersigned **Grantors**,

NORTH PARK HOLDINGS, LLC

2591 23rd Avenue
Gulfport, Mississippi 39501
Telephone: (228) 897-1995

do hereby grant, convey, assign, and transfer unto **Grantee**,

CITY OF GULFPORT, MISSISSIPPI

A Mississippi Municipal Corporation
2309 15th Street
Gulfport, Mississippi 39501
Telephone (228) 868-5811

a perpetual easement for construction, installation, operation and/or maintenance of a drainage system over, across, and under the following described real property situated and being in the City of Gulfport, First Judicial District of Harrison County, Mississippi, more particularly described as follows, to-wit:

See Exhibit "A" attached.

Grantors further grant unto the City of Gulfport and its employees and contractors a Right of Entry on Grantors' remaining and adjacent property for the purpose of construction and maintenance of said drainage system. Any damage caused to Grantors' remaining and adjacent property as a direct result of the City's use of the Right of Entry will be repaired, as reasonably possible, to pre-damage condition.

WITNESS OUR SIGNATURES on this the 28th day of July, 2023.

JOHN BOOTHBY, MANAGER

SCOTT DELANO, MEMBER

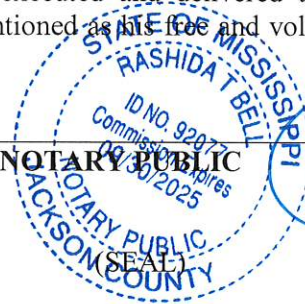
STATE OF Mississippi
COUNTY/PARISH OF Jackson

PERSONALLY CAME and appeared before me, the undersigned authority in and for the jurisdiction aforesaid on this the 28th day of July, 2023, JOHN BOOTHBY, who acknowledged to me that he is the MANAGER of NORTHPARK HOLDINGS, LLC, a Mississippi Limited Liability Company, and that he signed, executed and delivered the above and foregoing instrument in writing on the day and date therein mentioned as his free and voluntary act and deed, after first being duly authorized to do so.

My Commission Expires:

9/30/2025

NOTARY PUBLIC



STATE OF Mississippi
COUNTY/PARISH OF Jackson

PERSONALLY CAME and appeared before me, the undersigned authority in and for the jurisdiction aforesaid on this the 28th day of July, 2023, SCOTT DELANO, who acknowledged to me that he is a MEMBER of NORTHPARK HOLDINGS, LLC, a Mississippi Limited Liability Company, and that he signed, executed and delivered the above and foregoing instrument in writing on the day and date therein mentioned as his free and voluntary act and deed, after first being duly authorized to do so.

My Commission Expires:

9/30/2025

NOTARY PUBLIC

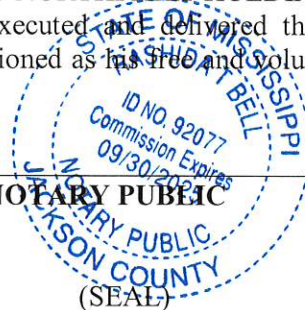


Exhibit "A"

Drainage Easement

Legal description of a 70-foot drainage easement across Lot 2 of the Gulfport Promenade Subdivision located in Section 7, Township 7 South, Range 10 West, City of Gulfport, Harrison County, Mississippi, more particularly described as follow:

Commencing at the Southwest corner of Lot 2, Gulfport Promenade Subdivision as shown on the plat thereof filed in the Record of Plats of Harrison County Mississippi in Plat Book 59, Pages 25 and 26, and run thence N0°09'08"W 29.2 feet along the West line of said Lot 2 to a point on the north line of a Detention Basin Easement shown on said plat, thence continue N0°09'08"W 440.59 feet to a point on the south line of a perpetual easement granted to the City of Gulfport at Deed Book 1613 Page 130, run thence N89°50'36"E along said south line 70.0 feet to a point, run thence S0°09'08"E 440.96 feet to a point on the north line of said Detention Basin, run thence N89°51'2"W along said north line 70.0 feet to the Point of Beginning. Said parcel contains +/-30857 square feet or +/-0.71 acres.



SCANNED



John 1st JUDICIAL DISTRICT
Instrument 2023-0015232-D-J1
Filed/Recorded 08/03/2023 8:40:01 AM
Total Fees 27.00
2 Pages Recorded

This Instrument prepared by and to be returned to:
Margaret Murdock, MS Bar #9824
City of Gulfport
Post Office Box 1780
Gulfport, Mississippi 39502-1780
(228) 868-5811

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

VACATION AND RELEASE OF EASEMENT

FOR AND IN CONSIDERATION of the sum of ONE and NO/100 (\$1.00) DOLLARS, cash in hand paid, and other good and valuable considerations, the receipt and sufficiency of which is hereby acknowledged, I, **BILLY HEWES, MAYOR, CITY OF GULFPORT, MISSISSIPPI**, a body politic and municipal corporation established and existing according to the Laws of the State of Mississippi Grantor, do hereby release, vacate and otherwise extinguish any claim of the City of Gulfport, Mississippi, to the easement for "vehicular and pedestrian ingress and egress" over and across certain real property described as follows:

A parcel of land (easement) situated and being located in the NW 1/4 of the SW 1/4 of Section 7, Township 7 South, Range 10 West, City of Gulfport, First Judicial District of Harrison County, Mississippi; and being more particularly described as follows:

Commence at the northwest corner of the SW 1/4 of said Section 7; thence S 00°26'16" E 30.00 feet along the west line of the SW 1/4 of said Section 7 to the south margin of Dedeaux Road; thence N 89°50'36" E 265.00 feet along the south margin of Dedeaux Road to the Point Of Beginning, said point also being the most northeast corner of an existing Perpetual Easement to the City of Gulfport, Mississippi (W.D. Book 1613, Pages 134-135); thence continue N 89°50'36" E 25.00 feet along the south margin of Dedeaux Road; thence S 00°26'16" E 317.00 feet; thence S 89°50'36" W 25.00 feet to the most southeast corner of said existing Perpetual Easement to the City of Gulfport, Mississippi (W.D. Book 1613, Pages 134-135); thence N 00°26'16" W 317.00 feet along the east line of said existing Perpetual Easement to the said Point Of Beginning.

Said parcel of land (easement) contains 7,925 square feet or 0.182 acre, more or less.

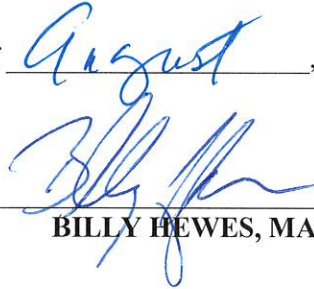
Said Easement previously conveyed to the City by that certain Easement on file in the Land Records of Harrison County, Mississippi, First Judicial District, at Instrument No. 2008 7102-D-J1.

INDEXING INSTRUCTIONS:

Lot 2, Gulfport Promenade Subdivision, First Judicial District,
Harrison County, Mississippi, First Judicial District

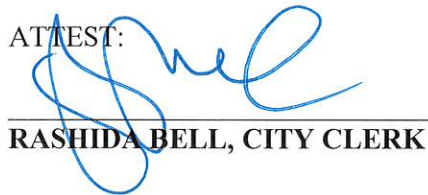
Also described as, NW ¼ of the SW ¼ of Section 7, Township 7
South, Range 11 West, First Judicial District, Harrison County,
Mississippi, First Judicial District

WITNESS MY SIGNATURE on this the 1st day of August, 2023.



BILLY HEWES, MAYOR

ATTEST:



RASHIDA BELL, CITY CLERK

**STATE OF MISSISSIPPI
COUNTY OF HARRISON**

PERSONALLY CAME and appeared before me, the undersigned authority in and for the
jurisdiction aforesaid on this the 1st day of August, 2023, BILLY
HEWES, who acknowledged to me that he is the MAYOR of the City of Gulfport, Mississippi, and that
he signed, executed and delivered the above and foregoing instrument in writing on the day and date
therein mentioned as his free and voluntary act and deed after first being authorized to do so.



NOTARY PUBLIC

My Commission Expires:

9/21/25





SCANNED



[Signature] 1st JUDICIAL DISTRICT
Instrument 2023-0015236-D-J1
Filed/Recorded 08/03/2023 8:42:01 AM
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**This Instrument prepared by and
to be returned to:**

Margaret Murdock, Esq.
City Attorney's Office
P.O. Box 1780
Gulfport, Mississippi 39502
(228) 868-5811

Indexing Instructions:

Lot 2, Gulfport Promenade Subdivision, City of
Gulfport, First Judicial District, Harrison
County, Mississippi

PERPETUAL INGRESS/EGRESS EASEMENT

FOR AND IN CONSIDERATION of the sum of ONE and NO/100 Dollars (\$1.00), cash in hand paid, and other good and valuable considerations, the receipt and sufficiency of which is hereby acknowledged, the undersigned **Grantors**,

NORTHPARK HOLDINGS, LLC

2591 23rd Avenue
Gulfport, Mississippi 39501
Telephone: (228) 897-1995

do hereby grant, convey, assign, and transfer unto **Grantee**,

CITY OF GULFPORT, MISSISSIPPI

A Mississippi Municipal Corporation
2309 15th Street
Gulfport, Mississippi 39501
Telephone (228) 868-5811

a perpetual, non-exclusive, perpetual easement for vehicular and pedestrian ingress and egress on, over and across the herein described property to provide access to a well site for which an easement was previously granted to Grantee by Waring and Windham Partnership by Perpetual Easement dated December 27, 2002, and recorded in Deed Book 1613 at page 134 in the office of the Chancery Clerk of the First Judicial District of Harrison County, Mississippi, which property is, more particularly described as follows, to-wit:

See Exhibit "A" attached.

The Grantor reserves the right to use said land hereinabove described for other purposes not inconsistent with the rights hereby granted.

WITNESS OUR SIGNATURES on this the 28 day of July, 2023.

John Boothby
JOHN BOOTHBY, MANAGER

Scott Delano
SCOTT DELANO, MEMBER

STATE OF Mississippi
COUNTY/PARISH OF Jackson

PERSONALLY CAME and appeared before me, the undersigned authority in and for the jurisdiction aforesaid on this the 28th day of July, 2023, JOHN BOOTHBY, who acknowledged to me that he is a MANAGER of NORTHPARK HOLDINGS, LLC, a Mississippi Limited Liability Company, and that he signed, executed and delivered the above and foregoing instrument in writing on the day and date therein mentioned as his free and voluntary act and deed, after first being duly authorized to do so.

My Commission Expires:

9/30/2025



STATE OF Mississippi
COUNTY/PARISH OF Jackson

PERSONALLY CAME and appeared before me, the undersigned authority in and for the jurisdiction aforesaid on this the 28th day of July, 2023, SCOTT DELANO, who acknowledged to me that he is a MEMBER of NORTHPARK HOLDINGS, LLC, a Mississippi Limited Liability Company, and that he signed, executed and delivered the above and foregoing instrument in writing on the day and date therein mentioned as his free and voluntary act and deed, after first being duly authorized to do so.

My Commission Expires:

9/30/2025

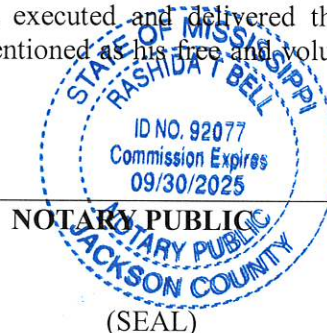


Exhibit "A"

Ingress/Egress Easement

Legal Description of a 25-foot Ingress and Egress easement across Lot 2 of the Gulfport Promenade Subdivision located in Section 7, Township 7 South, Range 10 West, City of Gulfport, Harrison County, Mississippi, more particularly described as follow:

Commencing at the Southwest corner of Lot 2, Gulfport Promenade Subdivision as shown on the plat thereof filed in the Record of Plats of Harrison County Mississippi in Plat Book 59, Pages 25 and 26, and run thence N0°09'08"W 521.67 feet along the West line of said Lot 2 to a point, run thence S89°47'14"E 179.25 feet to a point, run thence N90°0'0"E 22.66 feet to the east line of a perpetual easement granted to the City of Gulfport and filed at Deed Book 1613 Page 134 and the Point of Beginning, thence continue N90°0'0"E 357.94 feet to a point on the west margin of Northpark Drive, run thence S0°13'10"W along said west margin 7.22 feet to a point, run thence S7°33'05"W along said west margin 17.97 feet to a point, run thence S90°0'0"W 355.36 feet to a point on the east line of said perpetual easement, run thence N0°26'16"W along said east line 25.0 feet to the Point of Beginning. Said parcel contains +/-8926 square feet or +/-0.21 acres.

MEMORANDUM – CITY OF GULFPORT

Date: AUGUST 8, 2023

To: Mayor Billy Hewes
City Council Members

From: Police Department
Code Enforcement Division

Subject: Chapter 3 Notice(s) to be made part of the minutes.

RE: Chapter 3 Notice(s) Of Certain Property Within The City Of Gulfport
per the International Property Maintenance Code (IPMC) For The Said
Properties Being Described:

- Parcel 1: 0811L-04-006.000. Lots 20 To 23 Blk 173 Original Gulfport. Property Located At 3019 15th St. For Violation Of Remove/Haul Off Trash & Debris, Make Necessary Repairs, Bring Bldg Up To Code Or Demo. Lock Kevin H Case: 11865
- Parcel 2: 0811L-04-006.000. Lots 20 To 23 Blk 173 Original Gulfport. Property Located At 3019 15th St. For Violation Of Remove/Haul Off Trash & Debris, Make Necessary Repairs, Bring Bldg Up To Code Or Demo. Lock Kevin H Case: 11873
- Parcel 3: 0811L-04-006.000. Lots 20 To 23 Blk 173 Original Gulfport. Property Located At 3019 15th St. For Violation Of Remove/Haul Off Trash & Debris, Make Necessary Repairs, Bring Bldg Up To Code Or Demo. Lock Kevin H Case: 11885
- Parcel 4: 0811L-04-006.000. Lots 20 To 23 Blk 173 Original Gulfport. Property Located At 3019 15th St. For Violation Of Remove/Haul Off Trash & Debris, Make Necessary Repairs, Bring Bldg Up To Code Or Demo. Lock Kevin H Case: 11899
- Parcel 5: 0810N-03-013.000. Lot 16 Blk 6 Standard Land. Property Located At 2228 30th St. For Violation Of Cut & Clean The Property, Remove Weeds, Vines, Limbs, Tr, Remove/Haul Off Trash & Debris, Remove Prohibited Items, Remove Or Repair & Legally Tag, Park In Approved Location, Remove Clutter And Debris, Remove Or Relocate Furniture. Anderson Timothy T Case: 11900
- Parcel 6: 0811L-04-006.000. Lots 20 To 23 Blk 173 Original Gulfport. Property Located At 3019 15th St. For Violation Of Remove/Haul Off Trash & Debris, Make Necessary Repairs, Bring Bldg Up To Code Or Demo. Lock Kevin H Case: 11906

MEMORANDUM – CITY OF GULFPORT

Date: **AUGUST 8, 2023**

To: **Mayor Billy Hewes
City Council Members**

From: **Police Department
Code Enforcement Division**

Subject: **7-Day Notice(s) to be made part of the minutes.**

RE: **7-Day Notice(s) Of Certain Property Within The City Of Gulfport per
Mississippi Code §21-19-11(2) For The Said Properties Being Described:**

Parcel 1: 0710K-01-037.000. Lot 18 New Pinehurst Subd Unit 2. Property Located At 3401 54th Ave. For Violation Of Remove Prohibited Items. Ince Phillip Ryan Case: 11623

Parcel 2: 0710K-01-037.001. Lots 17 New Pinehurst Subd Unit 2. Property Located At 3403 54th Ave. For Violation Of Remove Prohibited Items. Cleary Christopher Case: 11625

Parcel 3: 0711K-03-011.000. Lot 17 Blk 5 Parkway Add. Property Located At 1111 Fournier Ave. For Violation Of Remove Prohibited Items. White Sands MHC LLC Case: 11668



**PURCHASING
DEPARTMENT**

P.O. Box 1780
Gulfport, MS 39502
Phone: 228-868-5705
Fax: 228-868-0223

William H. Hardy Building
1410 24th Ave. 2nd Floor
Gulfport, MS 39501

MEMORANDUM

TO: City Councilmembers
Mayor Billy Hewes

FROM: Olivia McMahan, Procurement Specialist

DATE: July 31, 2023

RE: 22 HP Hidrostal Pump – Public Works Department

The Purchasing Department received and reviewed the quotes received on the above referenced item and determined Allan J Harris Company, Inc to be the lowest and best bid for a total amount of \$26,630.00

Purchase Order #232770 was issued, and the tabulation sheet used to make our lowest and best bid determination is attached. We respectfully request this be spread across the minutes.

Thank you for your consideration.

PUBLIC DEPARTMENT - 22 HP Hidrostal Pump
PO # 232770

QTY		ALLAN J HARRIS COMPANY, INC		BAY MOTOR WINDING, INC		BEAR MOTOR	
E5K-LL4R+EEXW4-BEP 935GPM AT 35'TDH HYDRAULIC ASSEMBLY, E5K-LL, REGULABLE, HI- CHROME CONSTRUCTION, MAT 4, E5K-LL4R DRY-PIT (IMMERSIBLE) MOTOR, 22HP MAX VFD, 1740RPM, 1.00S.F., STANDARD OIL COOLING, 82 FEET CABLE, FM, 230V/460V, EEXW4	1	\$ 26,630.00	\$ 26,630.00	\$ 35,787.50	\$ 35,787.50	NO BID	NO BID
			\$ -		\$ -		\$ -
			\$ -		\$ -		\$ -
Total			\$ 26,630.00	\$ 35,787.50			NO BID



**PURCHASING
DEPARTMENT**

P.O. Box 1780
Gulfport, MS 39502
Phone: 228-868-5705
Fax: 228-868-0223

William H. Hardy Building
1410 24th Ave. 2nd Floor
Gulfport, MS 39501

MEMORANDUM

TO: City Councilmembers
Mayor Billy Hewes

FROM: Jessica Versiga, Purchasing Agent

DATE: August 2, 2023

RE: 2023 Ram 1500 – Building Maintenance

The Purchasing Department received and reviewed the quotes received on the above referenced item and determined Crown Dodge to be the lowest and best bid for a total amount of \$42,909.00.

Purchase Order #232799 was issued, and the tabulation sheet used to make our lowest and best bid determination is attached. We respectfully request this be spread across the minutes.

Thank you for your consideration.

PO # 232799	Crown Dodge		Premier CDJR		Champion	
2023 1500 RAM	\$42,909.00		\$45,747.01		\$47,490.00	

Department	Requestor	Request Date	Pre-Payment Date (sent invoice to requestor)	Completion Date	Requested Information	Status	Cost
WB	Ian O' Donald	7/2/2023	7/3/2023	7/3/2023	Requesting list of addresses of locked out accounts for not paying water	completed-too vague 7/3/2023 emailed letter	\$0.00
UD	Mary Treen	7/3/2023	7/7/2023	7/7/2023	Building permit applications/issued residential & commercial over \$10k requesting permits from 5/31/23 to 6/10/23	complete	\$8.75
PD	Dena Cox	7/3/2023	7/13/2023	7/13/2023	Please provide police report for MVA on 6/26/2023 Client: James Drawdy Vehicle : 2017 Toyota Prius Other Parties Involved : Baron Fulford- Location : Seaway and Hwy 49	complete- no records found 7/13/23 emailed letter	\$0.00
UD	Kelli Bell	7/3/2023	7/7/2023	7/7/2023	Approved stamped building plans for 1121 Cowan Rd Suite B	complete DROP BOX LINK	\$4.37
PD	Tammy Worley	7/3/2023	7/3/2023	7/3/2023	Requesting a copy of the crash report for a vehicle vs. pedestrian accident Dedeaux Road. Driver is David Harrell; pedestrian is Teshawna Taylor. Teshawna Taylor	completed-no signature 7/3/2023 emailed letter	\$0.00
PD	Tammy Worley	7/3/2023	7/3/2023	7/3/2023	Requesting a copy of the crash report for a vehicle vs. pedestrian accident Dedeaux Road. Driver is David Harrell; pedestrian is Teshawna Taylor. Teshawna Taylor	completed	\$0.00
UD	David Mineer	7/4/2023	7/7/2023	7/7/2023	Requesting copies of all issued building permits from 6/1/2023-6/30/2023	complete-DROP BOX LINK	\$4.37
PD	Kanesha Johnson	7/5/2023	7/5/2023	7/5/2023	Report # for crash 3/6/2023- Driver Cassandra Zeffreys ; Location : Crossroads Pkwy and Three Rivers Rd	completed	\$0.00
Court	Byron Wilbert-1	7/6/2023	7/7/2023	7/7/2023	Shaquana McCovery abstract from 2012-2021	completed	\$0.00
Court	Byron Wilbert-2	7/6/2023	7/10/2023	7/10/2023	Preston Moore abstract for 9/30/2009	complete- no records 7/10/23 emailed letter	\$0.00
Court	Byron Wilbert-3	7/6/2023	7/7/2023	7/7/2023	Shelia McClemore- The abstract for 2006/8/2, 2008/07/15, and 2018/12/17	completed	\$0.00
Court	Daniel Griffin	7/6/2023	7/7/2023	7/7/2023	Request of records of past offenses for military form (abstract) all 8	completed	\$0.00
UD	Tia Lauren	7/6/2023	7/6/2023	7/6/2023	Could you provide us information regarding vacant lot for the property of 8186 Michigan Ave, Gulfport Harrison, MS 39501, as to what happened to the property	completed-too vague 7/6/2023 emailed letter	\$0.00
UD	Phillip Carlisle	7/6/2023	7/20/2023	7/20/2023	Certificate of occupancy for 15173 Clemson Ave, Gulfport, MS 39503	completed- no records found 7/20/2023 emailed letter	\$0.00
PD	Joseph Davis	7/7/2023	7/11/2023	7/11/2023	All body cam video from responding officers regarding motor vehicle accident on June 29, 2023, Case # 2023-00059659	complete- will need name 7/11/2023 emailed letter	\$0.00
PD	David Roots	7/7/2023	7/11/2023	7/11/2023	2023-00039887- Police involved shooting on 4 May 2023 at SW corner of 1530 Hewes Ave Gulfport, MS 39507	completed-active letter emailed 7/11/2023	\$0.00
PD	Michelle Peterson	7/7/2023	7/18/2023	7/18/2023	All crash/accident reports involving Terry L. Johnson, regardless of whether Mr. Johnson was the driver or a passenger involved in the crash	completed	\$0.00
PD	Mary Miller	7/7/2023	7/14/2023	7/14/2023	2023-00053527- Please provide all body cam footage	completed	\$0.00
UD	Michelle Parker	7/7/2023	7/24/2023	7/24/2023	Certificate of occupancy for 15090 Baylor Ave, Gulfport, M S39503	complete- no records 7/24/2023 emailed letter	\$0.00
Court	NICS	incorrect year	7/7/2023	7/7/2023	Unknown case number- expunged case for doa 11/19/2017	completed- records requested dated for incorrect date and year 7/10/23 emailed letter	\$0.00
Court	BJ Deakle	7/10/2023	7/11/2023	7/11/2023	Bruce Alan Wooten, dog at large citation numbers 8770 and 8771- a full copy of the municipal court case file, docket, court hearing notes, photos and videos	completed	\$22.25
PD	Jennifer Griffin	7/10/2023	7/14/2023	7/14/2023	Isabella Nieves- Welfare check - 1017 44th Ave Gulfport	completed	\$0.00
Court	Byron Wilbert-1	7/10/2023	7/11/2023	7/11/2023	David McLemore- abstract for 3/6/1995 and 4/16/2022	completed	\$0.00
Court	Byron Wilbert-2	7/10/2023	7/11/2023	7/11/2023	Preson Moore- Abstract for 9/30/2009	completed- no records found 7/11/2023 emailed letter	\$0.00
WB	Ian O' Donald	7/10/2023	7/12/2023	7/12/2023	Requesting list of addresses of locked out accounts for none payment from 1/2023 to 7/23	complete	\$8.75
Court	Bella Dedeaux	7/10/2023	7/11/2023	7/11/2023	To fill out visitation form 4-9-12 all 3 abstract for that violation	completed-pending payment	\$9.50
UD	Nathan Houston	7/10/2023	7/11/2023	7/11/2023	List of new businesses with phone numbers for month of June 2023	complete	\$4.37
PD	Gary Crep	7/10/2023	7/11/2023	7/11/2023	Subjects Name: Robert H. Harper Jr. - Request any reports, court docs, videos, photos, test results on the subject DUI arrest on 4/9/2023	complete- active case 7/11/2023 emailed letter	\$0.00
Court	Gary Crep	7/10/2023	7/11/2023	7/11/2023	Subjects Name: Robert H. Harper Jr. - Request any reports, court docs, videos, photos, test results on the subject DUI arrest on 4/9/2023	completed- active case emailed 7/12/2023	\$0.00
Court	Demetrius Douglas	7/10/2023	7/11/2023	7/11/2023	Requesting dissolution of court documents from May 2011 or May 2012. I was incarcerated for 28 days at the Harrison County Adult Detention Center in Gulfport, MS for Contempt of Court- Failure to Comply with Court Order	completed- no records found 7/11/2023 emailed letter	\$0.00
UD	Mary Treen	7/10/2023	7/24/2023	7/24/2023	Building permit applications/issued residential & commercial over \$10k requesting permits from 6/20-7/8/2023	complete- DROP BOX LINK	\$8.75
PD	Joseph Davis	7/11/2023	7/19/2023	7/19/2023	All body cam video from responding officers regarding motor vehicle accident on June 29, 2023, Case # 2023-00059659; Subject Name : Koa Moore	completed	\$0.00
UD	Akash Baddi	7/11/2023	7/24/2023	7/24/2023	File #: 1021815 Add: 105 New Haven Court Orange Grove, MS 39503 1. Permits that need to be closed out	complete- no records 7/24/23 emailed letter	\$0.00
Court	Byron Wilbert-1	7/11/2023	7/13/2023	7/13/2023	Joseph Anderson - Abstract for 12/28/2010, 3/10/2015, 10/17/2015, 2/5/2016, and 6/21/2016	completed	\$0.00
Court	Byron Wilbert-2	7/11/2023	7/13/2023	7/13/2023	Kizzy Reed- The abstract for 8/23/2004, 5/6/2007, 1/8/2009 and 11/17/2009	completed	\$0.00
UD	EJ Roberts	no date	7/12/2023	7/12/2023	Certificate of Occupancy	complete too vague and no date 7/12/2023 emailed letter	\$0.00
PD	Lori Beauchamp	7/12/2023	7/14/2023	7/14/2023	Cody Mack Mercer Records- 407409, 427496, 403714, 382344	completed-too vague 7/14/23 emailed letter	\$0.00
Court	N. Nicole Coney	7/12/2023	7/12/2023	7/12/2023	Arrest Case No. 08-015690- date of incident 8/8/2015. This individual was eventually charged with- foreign warrant/fugitive/holding- warrant issued, please provide status of warrant?	completed- asked question 7/12/2023 emailed letter	\$0.00
Court	Amie Battle	7/12/2023	7/13/2023	7/13/2023	James Dennis Ward- Request for abstracts and narratives for any cases with Gulfport PD AND Municipal Court	completed	\$0.00
PD	Amie Battle	7/12/2023	7/13/2023	7/13/2023	James Dennis Ward- Request for abstracts and narratives for any cases with Gulfport PD AND Municipal Court	completed	\$0.00
Court	Janet Vital	7/12/2023	7/13/2023	7/13/2023	Lacita Maria Frank- Background Investigation- Any and all criminal acts including police reports and full court dispositions for this individual being considered for a national security position.	completed	\$0.00
UD	Paula Hewes	7/12/2023	7/13/2023	7/13/2023	13212 Westminster Blvd Gulfport, MS 39503- Copy of CO	completed	\$4.37
UD	Kimberly Papania-1	7/12/2023	8/9/2023	8/9/2023	Any all construction , permit records & licenses, drafts, any permit drawings & construction drawings, reference drawings, contractor/sub license permits for address : 2137 E. Pass Rd Gulfport, MS 39507	complete- too vague emailed letter 8/9/2023	\$0.00
Engineering	Kimberly Papania-1	7/12/2023	8/1/2023	8/1/2023	Any all construction , permit records & licenses, drafts, any permit drawings & construction drawings, reference drawings, contractor/sub license permits for address : 2137 E. Pass Rd Gulfport, MS 39507	completed	\$8.75
UD	Kimberly Papania-2	7/12/2023	8/8/2023	8/8/2023	Any and all construction/permit records, drafts, any permit drawings & construction drawings, 5 reference letters or certificate of responsibility , certificate of insurance for address: 2033 E. Pass Rd Gulfport, MS 39507. Any other certifications and or licenses including subs & general co.	completed-too vague 8/8/2023 emailed letter	\$0.00
Engineering	Kimberly Papania-2	7/12/2023	8/1/2023	8/1/2023	Any and all construction/permit records, drafts, any permit drawings & construction drawings, 5 reference letters or certificate of responsibility , certificate of insurance for address: 2033 E. Pass Rd Gulfport, MS 39507. Any other certifications and or licenses including subs & general co.	completed - DROP BOX LINK	\$4.37
UD	Kimberly Papania-3	7/12/2023	8/8/2023	8/8/2023	Any and all construction/permit records, drafts, any permit drawings & construction drawings, 5 reference letters or certificate of responsibility , certificate of insurance for address: 1107 Cowan Rd Gulfport, MS 39507. Any other certifications and or licenses including subs & contractor	completed-too vague 8/8/2023 emailed letter	\$0.00
Engineering	Kimberly Papania-3	7/12/2023	8/1/2023	8/1/2023	Any and all construction/permit records, drafts, any permit drawings & construction drawings, 5 reference letters or certificate of responsibility , certificate of insurance for address: 1107 Cowan Rd Gulfport, MS 39507. Any other certifications and or licenses including subs & contractor	complete -DROP BOX LINK	\$30.62
UD	Kimberly Papania-4	7/12/2023	8/8/2023	8/8/2023	Any and all construction/permit records, drafts, any permit drawings & construction drawings, 5 reference letters or certificate of responsibility , certificate of insurance for address: 1109 Cowan Rd Gulfport, MS 39507. Any other certifications and or licenses including subcontractor & general	completed-too vague 8/8/2023 emailed letter	\$0.00
Engineering	Kimberly Papania-4	7/12/2023	8/1/2023	8/1/2023	Any and all construction/permit records, drafts, any permit drawings & construction drawings, 5 reference letters or certificate of responsibility , certificate of insurance for address: 1109 Cowan Rd Gulfport, MS 39507. Any other certifications and or licenses including subcontractor & general	completed	\$8.75
UD	Kimberly Papania-5	7/12/2023	8/8/2023	8/8/2023	Any and all construction/permit records, drafts, any permit drawings & construction drawings, 5 reference letters or certificate of responsibility , certificate of insurance for address: 2079 E. Pass Rd Gulfport, MS 39507. Any other certifications and or licenses including sub & general	completed-too vague 8/8/2023 emailed letter	\$0.00

Engineering	Kimberly Papania-5	7/12/2023	8/1/2023	8/1/2023	Any and all construction/permit records, drafts, any permit drawings & construction drawings, 5 reference letters or certificate of responsibility, certificate of insurance for address: 2079 E. Pass Rd Gulfport, MS 39507. Any other certifications and or licenses including sub & general	complete -DROP BOX LINK	\$8.75
UD	Kimberly Papania-6	7/12/2023	8/8/2023	8/8/2023	Any all construction, permit records drafts, any permit drawings & construction drawings, 5 reference letter or certificate of responsibility, certificate of insurance for address: 1302 Magnolia Street Gulfport, MS 39507. Any other certifications and or licenses and any general and sub, permits & license & qualification	completed- too vague 8/8/2023 emailed letter	\$0.00
Engineering	Kimberly Papania-6	7/12/2023	8/1/2023	8/1/2023	Any all construction, permit records drafts, any permit drawings & construction drawings, 5 reference letter or certificate of responsibility, certificate of insurance for address: 1302 Magnolia Street Gulfport, MS 39507. Any other certifications and or licenses and any general and sub, permits & license & qualification	complete-DROP BOX LINK	\$8.75
	Kimberly Papania-7	wrong date	7/12/2023	7/12/2023	Any all construction, permit records drafts, any permit drawings & construction drawings, 5 reference letter or certificate of responsibility, certificate of insurance for address: 1302 Magnolia Street Gulfport, MS 39507. Any other certifications and or licenses for sub & general contractors	completed- wrong data emailed letter on 7/13/2023	\$0.00
UD	Kimberly Papania -8	7/12/2023	8/8/2023	8/8/2023	Any and all construction/permit records, drafts, any permit drawings & construction drawings, 5 reference letters or certificate of responsibility, certificate of insurance for address: 2093 E. Pass Rd Gulfport, MS 39507. Any other certifications and or licenses including sub & general	completed- too vague 8/8/2023 emailed letter	\$0.00
Engineering	Kimberly Papania -8	7/12/2023	8/1/2023	8/1/2023	Any and all construction/permit records, drafts, any permit drawings & construction drawings, 5 reference letters or certificate of responsibility, certificate of insurance for address: 2093 E. Pass Rd Gulfport, MS 39507. Any other certifications and or licenses including sub & general	complete- DROP BOX LINK	\$8.75
PD- Subpoena	Dawn Cavers (Moe vs Grissett)	7/13/2023	7/13/2023	7/13/2023	Subpoena Information prepared by Police Department on 7/13/2023 and sent to me. - EMAIL DOCUMENTS	complete-pending payment	\$17.50
UD	Ej Roberts State Farm	7/13/2023	8/7/2023	8/7/2023	Certificate of Occupancy: 10456 E. Landon Green Circle Gulfport, MS 39507	completed-address not in city limits 8/7/2023 emailed letter	\$0.00
PD	Blake Kaplan	7/13/2023	7/18/2023	7/18/2023	I would like any and all letters the police chief, the police department or the city administration has received from Harrison County, its sheriff or its representatives about policy changes or operational updates at the Harrison County Jail. I am seeking any letters from the last six months. I would like these letters emailed to me.	complete	\$4.37
UD	Sebastian Laroux	7/13/2023	8/7/2023	8/7/2023	Certificate of Occupancy for Wolf River: address above	completed- address does not exist 8/7/2023 emailed letter	\$0.00
FD	Tubb Insurance Agency	7/13/2023	7/13/2023	7/13/2023	Fire at 1010 Shirley St., Gulfport, MS 39503	complete- too vague emailed letter 7/13/23	\$0.00
UD	Melinda Thibodeaux	7/13/2023	8/7/2023	8/7/2023	Certificate of original occupancy of house at 11533 Briar stone Place Gulfport (City)	complete-pending payment	\$4.37
PD- Subpoena	Donald Moore (McBride vs Rouse)	7/14/2023	7/14/2023	7/14/2023	Subpoena Information prepared by Police Department on 7/14/2023 and hand delivered to me DISC ONLY TO BE MAILED BY ME	complete- 7/27 rec'd receipt from UD by email and mailed disc on 7/28/23 (already had postage \$1.59)	\$16.59
FD	Tubb Insurance Agency	7/14/2023	7/14/2023	7/14/2023	I am looking to get a copy of incident report #2023-00006948 on a fire that happened on 7/9/2023 at 1010 Shirley Dr., Gulfport, MS 39503	complete	\$4.37
Code Enforcement	Doris Pilgrim	7/14/2023	7/17/2023	7/17/2023	Photos pertaining to 1729 22st Gulfport, MS 39501 ; Parcel # 08116.04.126.000	complete-pending payment	\$68.00
	Delaney Weeks	7/14/2023		7/17/2023	Voluntary disconnected ordered from last 30 days 5/13/23 to 6/13/23	complete - too vague 7/17/23 emailed letter	\$0.00
PD	K Tura Lyles	7/14/2023	7/18/2023	7/18/2023	Incident Location: 170065th Avenue Gulfport MS 39501. This request should include but is not limited to all police reports, body cam or dash cam footage, dispatch tapes and logs, 911 audio, radio communications, CAD reports, photographs, videos, investigative reports, witness and victim statements obtained, notes or audio from any interviews that have been conducted, along with any other documents regarding this incident	complete-too vague 7/18/23 emailed letter	\$0.00
	Delaney Weeks	no date	7/14/2023	7/14/2023	Voluntary disconnected ordered from last 30 days 5/13/23 to 6/13/23	completed- not signed or dated 7/14/23 emailed letter	\$0.00
PD	L. Rylee Area/Huber Thomas, LLC	7/17/2023	7/17/2023	7/17/2023	MVA 5/1/23- Case numbers 202302528623050125; We would like to know if there is any body camera footage and if so we would like a copy	complete- ask question and no signature 7/17/2023 emailed letter	\$0.00
	Joseph Hudson	no date	7/17/17/2023	7/17/2023	Copies of records of demolition of structure after fire at 11826 Klein Road Gpt	complete-no date emailed letter 7/17/2023	\$0.00
WB	Delaney Weeks	7/17/2023	7/21/2023	7/21/2023	Voluntary water disconnects ordered from last 30 days 5/13/23 to 6/13/23	completed	\$4.37
PD	Morgan and Morgan Law Firm	7/17/2023	7/17/2023	7/17/2023	GP22-6838- Please provide copies of any 911 calls and/or CADs generated as a result of an incident that occurred at O'Maddy's Bar & Grille at 5405 Shore Blvd., S. Gulfport, FL 33707 from 4/23/2022 on or around 1:45am	complete-sent request to wrong agency/state 7/17/23 emailed letter	\$0.00
Code Enforcement	Joseph Hudson	7/17/2023	7/21/2023	7/21/2023	Copies of records of demolition of structure after fire at 11826 Klein Road Gulfport, MS 39503	completed-pending payment	\$4.37
	Tia Lauren	7/17/2023	7/17/2023	7/17/2023	Could you provide us an information who demolished the property, why and when the property was demolished	completed- asked question 7/12/2023 emailed letter	\$0.00
PD-Subpoena	Jay Foster (Herring vs Matute)	7/18/2023	7/18/2023	7/18/2023	Subpoena Information prepared by Police Department on 7/18/2023 and sent to me. DISC ONLY TO BE MAILED BY PD	complete-pending payment	\$19.37
	Brandi Mann	wrong date	7/18/2023	7/18/2023	Utility billing voluntary water disconnect 6/13-7/13	complete-wrong date and years not listed for disconnect dates 7/18/23 emailed letter	\$0.00
Court	Byron Wilbert	7/18/2023	7/19/2023	7/19/2023	Madonna Shannon abstract for 1/25/2022 (speeding ticket)	completed	\$0.00
PD-Subpoena	D Jeffrey White (Misita vs Overing)	7/18/2023	7/18/2023	7/18/2023	Subpoena Information prepared by Police Department on 7/18/2023 INFORMATION WILL BE MAILED BY PD	complete-pending payment	\$17.50
	Brandi Mann-2	wrong date	7/19/2023	7/19/2023	Utility billing voluntary water disconnect 6/13-7/13	complete-wrong date and years not listed for disconnect dates 7/19/23 emailed letter	\$0.00
PD	Tomeka Smith-1	7/19/2023	7/21/2023	7/21/2023	All records- Offense violence against Earlie Ragsdale	completed	\$0.00
PD	Tomeka Smith-2	7/19/2023	7/21/2023	7/21/2023	All records-Domestic violence against Earlie Ragsdale	completed	\$0.00
WB	Brandi Mann	7/19/2023	7/21/2023	7/21/2023	Utility billing voluntary water disconnect from 6/13/23- 7/19/23	complete	\$4.37
Court	Byron Wilbert	7/20/2023	7/20/2023	7/20/2023	Diane Dorsey- Abstract for 11/6/2009 and 8/27/2010	complete	\$0.00
Court	NICS	7/20/2023	7/20/2023	7/20/2023	Stapleton, Bodrick Lee- Please provide disposition level	complete	\$0.00
PD	Tim Holleman	7/20/2023	7/20/2023	7/20/2023	see attached	completed- sent letter need to submit actual request 7/20/23 emailed letter	\$0.00
Court	Olen Redmond	7/20/2023	7/21/2023	7/21/2023	Final Disposition - G1024237, G2014236; G1025769, G10344262, G1065020; TH0499803	completed	\$10.25
Court	Detective Dustin Weir	7/20/2023	7/21/2023	7/21/2023	Waiver of rights forms for DUI convictions on cases 09-001769, 08-031120, 08-027217, 96052229, 06-003843 (Commonly Penclton)	completed	\$0.00
PD	Tim Holleman-1	7/20/2023	7/21/2023	7/21/2023	All CAD reports for The Gates at the Three Rivers Apartment Homes 11200 Three Rivers Road Gulfport MS for June 14, 2023 and June 15, 2023	completed	\$0.00
PD	Tim Holleman-2	7/20/2023	7/21/2023	7/21/2023	All CAD reports for building 19, Apartment K, The Gates at the Three Rivers Apartment Homes 11200 Three Rivers Road Gulfport, MS for June 14, 2023 and June 15, 2023	complete- Shaina will invoice	\$0.00
PD	Tim Holleman-3	7/20/2023	8/10-Per PD will reach back out to legal	8/10-Per PD will reach back out to legal	All body cam videos for any GPD officer at Building 19, Apartment K, The Gates at the Three Rivers Apartment Homes, 11200 Three Rivers Road, Gulfport, MS for June 14, 2023.	7/20- emailed ext. letter records are due 8/10/23	\$0.00
PD	Tim Holleman-4	7/20/2023	8/10/2023	8/10/2023	All reports as to any interaction with any occupants of Building 19, Apartment K, The Gates at the Three Rivers Homes, 11200 Three Rivers Gulfport, MS on June 14, 2023	completed-Per PD emailed invoice and letter	\$0.00
PD	Tim Holleman-5	7/20/2023	8/10-Per PD will reach back out to legal	8/10-Per PD will reach back out to legal	All body cam videos for any GPD officer at Building 19 Apartment K, The Gates at the Three Rivers Apartment Homes, 11200 Three Rivers Road Gulfport, MS for June 15, 2023	7/20- emailed ext. letter records are due 8/10/23	\$0.00
PD	Tim Holleman-6	7/20/2023	7/21/2023	7/21/2023	All reports as to any interaction with any occupants of Building 19, Apartment K, The Gates at the Three Rivers Homes, 11200 Three Rivers Road Gulfport, MS on June 15, 2023	complete-no records 7/21/23 emailed letter	\$0.00
	Investigator Stacina Jones	7/21/2023	7/21/2023	7/21/2023	Any offense, incident or accident reports that may have involved that applicant Szuhlykah Halsey, W/F dob: 1/13/1991, last four of her SS # 4538. She is in the employment process with my agency	complete- records request not signed emailed letter 7/21/23	\$0.00

PD	Investigator Stacina Jones	7/21/2023	7/24/2023	7/24/2023	Any offense, incident or accident reports that may have involved that applicant Suzhykah Halsey, W/F dob: 1/13/1991, last four of her SS # 4538. She is in the employment process with my agency	completed-no records 7/24/23 emailed letter	\$0.00
PD	Blue Hill Specialty Insurance Co	7/21/2023	7/21/2023	7/21/2023	Reference Gulfport Police Report Number 202300055899. FOIA request for related 911 calls and CAD reports	completed-pending payment	\$0.00
Court	NICS	7/24/2023	7/25/2023	7/25/2023	Possession of Marijuana - Bigot, Murray, Jr.	complete- no records 7/25/2023 emailed letter	\$0.00
PD	Robert Boisselle	7/24/2023	8/2/2023	8/2/2023	2023-061445- DV Assault on Sarah Boisselle by Joe Coleman on 7/8/2023	complete- active case letter 8/2/2023 emailed	\$0.00
	City of Clinton	7/24/2023	7/24/2023	7/24/2023	See attached request	completed- sent letter need to submit actual request 7/24/23 emailed letter	\$0.00
UD	Mai Nguyen-1	7/24/2023	8/7/2023	8/7/2023	Permit for roof- Century Oaks Permit # 202003170	completed-pending payment	\$4.37
FD	Mai Nguyen-2	7/24/2023	7/28/2023	7/28/2023	Any fire report for 1217 B Century Oaks Drive	complete- no records 7/28/23 mailed letter via US mail	\$0.00
PD	K Tura Lyles	7/24/2023	8/10-Per PD will reach back out to legal	8/10-Per PD will reach back out to legal	Fire incident: January 25, 2023 at 1700 65th Avenue, Gulfport, MS 39501. This request should include but is not limited to, all police records, body cam or dash cam footage, dispatch tapes and logs, 911 audio, radio communications, CAD reports, photographs, videos, investigative notes, witness and victim statements obtained, notes or audio from any interviews that have been conducted, along with any other documents regarding this incident.	7/24- emailed ext. letter records are due 8/11/23	\$0.00
FD	Mary Pigott	7/25/2023	8/9/2023	8/9/2023	Fire incident report . Location : William Bell Apartments., 1700 65th Ave., Gulfport, MS Date: 1/25/2023 Victim Names: Kakashi Audrey (DOB 1/21/2023 and Vashun Vivarette (age 6)	complete-pending payment	\$4.37
Court	Samuel Scott	7/25/2023	7/25/2023	7/25/2023	99006270. I work at Eglin AFB in a secure area. I cannot take my cell phone into my office. My work phone and hours I'm at work are above in the phone number section	completed- too vague 7/25/2023 emailed letter	\$0.00
Court	Samuel Scott	7/25/2023	7/27/2023	7/27/2023	Case # 99006270/ For a shoplifting charge in Gulfport. This occurred in the late 1990s. I am applying for a real estate license in Florida and I need to submit these documents with license application to match what is on my background check	completed- pending payment	\$9.00
Subpoena	Webb, Sanders & Williams, PLLC (Emmanuel Bentley Subpoena)	7/25/2023	7/25/2023	7/25/2023	Per phone convo with Janine Williams on 7/25/2023- she will get documents out b/c she has a letter to go with them.	complete	\$8.75
FD	Carr Allison	7/25/2023	7/26/2023	7/26/2023	4/3/2021- 911 call to 13th St/43rd Avenue- Gulfport, MS re: Freddie Lee Jones	complete	\$4.37
UD	Ashleigh Fallo- State Farm	7/25/2023	8/7/2023	8/7/2023	Certificate of Occupancy for : 13740 Fox Hill Drive Gulfport, MS 39503 *Please make sure that the code edition is stated on the CO. If not, a simple letter on the City of Gulfport Letter Heading stating which code edition it was built to is acceptable.	complete	\$4.37
Court	Ingrid Fields	7/25/2023	7/27/2023	7/27/2023	Simple assault 2008	completed	\$9.00
	Melanie Arata	wrong year	7/25/2023	7/25/2023	Need certificate of occupancy, building. If state/county does not issue a cert of occupancy provide a building permit and inspection card reflecting all inspections	completed-wrong year-emailed letter 7/25/2023	\$0.00
Court	Brian Salter	7/25/2023	7/27/2023	7/27/2023	Final Disposition- Citation G1003785	completed	\$9.00
	Melanie Arata-2	wrong year	7/26/2023	7/26/2023	Need certificate of occupancy, building. If state/county does not issue a cert of occupancy provide a building permit and inspection card reflecting all inspections. Property address is 15237 Cemetery Rd. Gulfport, MS 39503. Need for current year this is a new manufactured home	completed-wrong year-emailed letter 7/26/2023	\$0.00
UD	Jesus Valdelamar	7/25/2023	8/7/2023	8/7/2023	Electronic copies of any applications, site plan, and documents relating to the installation of new wireless communications tower between June 21- July 25, 2023. Please exclude all small cell sites as we are only concerned with macro tower sites	complete- no records found 8/7/2023 emailed letter	\$0.00
Court	Kimberly Coleman	7/25/2023	7/28/2023	7/28/2023	Simple Assault/Domestic Violence Arrest Agency : MS02400200- Gulfport Police Dept. Subject Name: Arthur Tenner Arrest Charge: 07-034060	completed	\$9.00
UD	Melanie Arata	7/26/2023	8/7/2023	8/7/2023	Need certificate of occupancy, building. If state/county does not issue a cert of occupancy provide a building permit and inspection card reflecting all inspections. Property address is 15237 Cemetery Rd. Gulfport, MS 39503. Need for current year this is a new manufactured home	completed- address does not exist 8/7/2023 emailed letter	\$0.00
UD	Luis Martinez	7/26/2023	8/8/2023	8/8/2023	All permits and other documentation related to the renovation of 2703 bulls Ave Gulfport Permit # 202002074	complete-pending payment	\$4.37
PD	Shemeka Trotter/MDCPS	7/26/2023	7/26/2023	7/26/2023	Amber Edwards call to service on 6/28/23 to Coastal Family Health Center	completed	\$0.00
PD	Silbert, Pâtre & Friedman	7/26/2023	8/10/2023	8/10/2023	2023-0056780- Patrice Lombard ; all dash cam/body cam , videos , photos, CAD/dispatch log and 911 calls	completed	\$0.00
PD	Andrew Reish	7/26/2023	8/10/2023	8/10/2023	2023-00030981- Requesting all body camera footage in relation to this auto accident to include both driver statements to all police officers involved	complete-pending payment	\$0.00
PD	Joseph Davis	7/26/2023	8/10/2023	8/10/2023	Subjects Name: Kenyata Brumsey- all body cam video responding officers regarding motor vehicle accident on June 29, 2023. Case # 2023-00058715	complete-pending payment	
	Gulf South Associates 1	7/26/2023	7/26/2023	7/26/2023	Property Condition Assessment for 10330 Express Drive, Gulfport, MS (Ryder Truck Maintenance Shop) A copy of the most recent property inspection (if any). A copy of any violations for the property. A copy of any local wildfire codes in effect that cover the property	completed-no signature emailed letter 7/26/23	\$0.00
	Gulf South Associates 2	7/26/2023	7/26/2023	7/26/2023	Property Condition Assessment for 10330 Express Drive, Gulfport, MS (Ryder Truck Maintenance Shop) A copy of the most recent property inspection (if any). A copy of any violations for the property. A copy of the zoning designation for the property (an email confirmation works as well)	completed-no signature emailed letter 7/26/23	\$0.00
PD	Gregory Martell	7/26/2023	8/10/2023	8/10/2023	Copies of any and all incident or arrest reports for anyone arrested or charged for violating the Harrison County , ? ___ or other local , ? ___ during Hurricane Ida in August 2021- except Benjamin Dagley Ohio	complete-pending payment	0
UD	Gulf South Associates 1	7/26/2023	8/7/2023	8/7/2023	Property Condition Assessment for 10330 Express Drive, Gulfport, MS (Ryder Truck Maintenance Shop) A copy of the most recent property inspection (if any). A copy of any violations for the property. A copy of any local wildfire codes in effect that cover the property	complete- will need to request zoning determination letter 8/7/2023 emailed letter	0
Code Enforcement	Gulf South Associates 1	7/26/2023	7/28/2023	7/28/2023	Property Condition Assessment for 10330 Express Drive, Gulfport, MS (Ryder Truck Maintenance Shop) A copy of the most recent property inspection (if any). A copy of any violations for the property. A copy of any local wildfire codes in effect that cover the property	completed- no records 7/28/23 emailed letter	0
FD	Gulf South Associates 1	7/26/2023	8/9/2023	8/9/2023	Property Condition Assessment for 10330 Express Drive, Gulfport, MS (Ryder Truck Maintenance Shop) A copy of the most recent property inspection (if any). A copy of any violations for the property. A copy of any local wildfire codes in effect that cover the property	complete	4.37
UD	Gulf South Associates 2	7/26/2023	8/7/2023	8/7/2023	Property Condition Assessment for 10330 Express Drive, Gulfport, MS (Ryder Truck Maintenance Shop) A copy of the most recent property inspection (if any). A copy of any violations for the property. A copy of the zoning designation for the property (an email confirmation works as well)	complete- will need to request zoning determination letter 8/7/2023 emailed letter	0
Code Enforcement	Gulf South Associates 2	7/26/2023	7/28/2023	7/28/2023	Property Condition Assessment for 10330 Express Drive, Gulfport, MS (Ryder Truck Maintenance Shop) A copy of the most recent property inspection (if any). A copy of any violations for the property. A copy of the zoning designation for the property (an email confirmation works as well)	completed- no records 7/28/23 emailed letter	0
UD	Bethany Bell	7/27/2023	8/7/2023	8/7/2023	Certificate of Occupancy for address below: 12092 Michael Grade Dr Gulfport, MS 39503	complete	\$4.37
	John Cornish	7/27/2023	7/27/2023	7/27/2023	Certificate of Occupancy	completed-too vague 7/27/23 emailed letter	\$0.00
Court	Victor Vic-Vincent	7/27/2023	7/28/2023	7/28/2023	Protection from abuse order Matthew Wallace Case # PO 2023210 Daniella Wallace	completed- can't release records 7/28/23 emailed letter	\$0.00
PD	Brittany Castiglia	7/27/2023	8/2/2023	8/2/2023	2023-00058697- Accident report with subjects information and auto insurance information. All information listed within this case	completed	\$0.00
UD	Hunter Day	7/27/2023	8/7/2023	8/7/2023	I am requested the building permits pulled on my home renovation in 2017. The property address is 162 Bayou Circle Gulfport, MS 39507	complete	\$4.37
UD	John Cornish	7/27/2023	8/10/2023	8/10/2023	Certificate of Occupancy - 13740 Chase Meadow Way Gulfport, MS 39503	completed-pending payment	\$4.37
UD	Jennifer Larson	7/27/2023	8/10/2023	8/10/2023	Certificate of Occupancy for address above for insurance purposes	completed-pending payment	\$4.37
UD	Jenny Green	7/27/2023	8/10/2023	8/10/2023	Please advise on the below stated property if they have any : 1) invoices for weeds or tall grass and mowing lines 2) open/expired permits 3) open code violations Property address: 8351 North Carolina Avenue Gulfport, MS 39501 Parcel ID- 0810b-03-020.000	completed-pending payment	\$4.37

Code Enforcement	Jenny Green	7/27/2023	7/28/2023	7/28/2023	Please advise on the below stated property if they have any : 1) invoices for weeds or tall grass and mowing lines 2) open/expired permits 3) open code violations Property address: 8351 North Carolina Avenue Gulfport, MS 39501 Parcel ID- 0810b-03-020.000	complete- no records 7/28/2023 emailed letter	\$0.00
Public Works	Jaime Kleckamp	7/27/2023	7/31/2023	7/31/2023	We are requesting any traffic related studies received from the neighbors on around Amistion Avenue and Highway 90 in Gulfport	completed- no records 7/31/2023 emailed letter	\$0.00
	Virgil Gillespie	7/27/2023	7/31/2023	7/31/2023	See attached	completed- incomplete request 7/31/2023 emailed letter	\$0.00
Court	Leigha Thompson	7/28/2023	7/28/2023	7/28/2023	DeAngelo Thompson- Simple Domestic June 2022- Only need no contact Order	completed-pending payment	\$9.88
	Christine McMullen	7/28/2023	7/28/2023	7/28/2023	Certificate of Occupancy	completed- too vague emailed letter 7/28/23	\$0.00
	Lori Trochessett	7/28/2023	7/28/2023	7/28/2023	Certificate of Occupancy	completed- too vague emailed letter 7/28/23	\$0.00
Court	Matthew Becker	7/28/2023	7/28/2023	7/28/2023	Please provide court abstracts for misdemeanor and traffic offenses committed by Jose I. Jimenez- Villegas, a/k/a Josue Jimenez	completed	\$0.00
FD	Eric Hobbs	7/28/2023	8/4/2023	8/4/2023	Fire building 7/25/23 2366995 Location of Loss : 126 Cantrelle Drive	complete- no records 8/4/2023 emailed records	\$0.00
PD	Erica Carter	7/29/2023	7/31/2023	7/31/2023	Jessica Burgos, D.O.B 1/13/1991, AKA A. Szuhlykah s. Halsey. She is currently I employment process with us	completed- no records 7/31/23 emailed letter	\$0.00
Code Enforcement	WF Holder, III	7/31/2023	8/4/2023	8/4/2023	The entire file of Gulfport Planning Commission form 3/8/2021 to 10/30/2022 as to any proposed improvements, alterations, proposed constructions or improvements to the building at 3801 25th Ave, Gulfport, MS made by _____ LLC or Donald Saucier 3801 25th Ave, owner Edward R. Cohen	completed- no records 8/4/2023 emailed letter	\$0.00
Planning & Zoning	WF Holder, III	7/31/2023	8/4/2023	8/4/2023	The entire file of Gulfport Planning Commission form 3/8/2021 to 10/30/2022 as to any proposed improvements, alterations, proposed constructions or improvements to the building at 3801 25th Ave, Gulfport, MS made by _____ LLC or Donald Saucier 3801 25th Ave, owner Edward R. Cohen	completed- no records 8/4/2023 emailed letter	\$0.00
Court	De'Angela Thompson	7/31/2023	7/31/2023	7/1/2023	All pass cases # Protection Order Leigha Thompson	completed	\$14.00
PD	Kanesha Johnson -1	7/31/2023	7/31/2023	7/31/2023	Report # for crash 7/21/2023- Driver Terrell Fairley ; Location : Hwy 49 and 28th Street	completed	\$0.00
PD	Kanesha Johnson-2	7/31/2023	7/31/2023	7/31/2023	Report # for crash 7/28/2023- Driver Lavelle Bryant ; Location : 30th Ave and 17th St.	completed	\$0.00
UD	Virgil Gillespie-1	7/31/2023	8/10/2023	8/10/2023	The application for a permit to build a swimming pool at 246 Southern Circle Gulfport, MS Lot 7 Country Club Estates (Tax Parcel No . 10100-02-014.000) The time period is the last (2) years	complete-pending payment	\$4.37
UD	Virgil Gillespie-2	7/31/2023	8/10/2023	8/10/2023	The permit to build a swimming pool at 246 Southern Circle Gulfport, MS Lot 7, Country Club Estates(Tax Parcel No . 10100-02-014.000) The time period is the last (2) years	complete-pending payment	\$4.37
TOTAL							\$455.00