

AGENDA
ZONING BOARD OF ADJUSTMENT AND APPEALS
CITY HALL COUNCIL CHAMBERS
THURSDAY, JANUARY 18, 2024 AT 3:00 PM

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

F1. Zoning Board Meeting - December 21, 2023

- G. Hearing of Cases**

G1. Public Declaration of Appeal Process of Chairman

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

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

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

G3. Routine Agenda

1. Variance 2401ZB005:

Variance 2401ZB005, by agent Kenneth Jones, seeking approval for 10-foot side yard setbacks on all proposed subdivision lots, Tax Parcel 0807G-01-001.000, 0 South Swan Rd, Zoned R-1-15 (Single-Family), Ward 7

H. Adjournment

MINUTES

ZONING BOARD OF ADJUSTMENT AND APPEALS MEETING

Thursday, December 21, 2023 3:00 P.M.

GULFPORT CITY COUNCIL CHAMBERS

A. **Prayer**: The Zoning Board led a prayer.

B. **Pledge of Allegiance**: The Pledge of Allegiance was recited.

C. **Call to Order**: The meeting of the Planning Commission was called to order at **3:03pm.**

D. **Determination of a Quorum**:

BOARD MEMBERS PRESENT:

MARY ANN WIGINTON
LESLIE NORTH
ROBERT PHARR
NATHAN BODDIE
NICHOLAS HAHN
HAL KAIGLER

BOARD MEMBERS ABSENT:

MICHAEL DANIELS

STAFF MEMBERS PRESENT:

SU-LIN FEATHERSTON
LESLIE ERVIN
BRYCE CLUGH

COURT REPORTER:

NORMA SOROE

E. **Confirmation of Agenda:**

F. **Approval of Minutes:**

Motion by Mrs. Wiginton and seconded by Mr. Pharr to approve Minutes of the **November 16, 2023**, Zoning Board meeting was carried unanimously.

G. **Hearing of cases:**

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

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

G3. Routine Agenda:

1. Variance 2308ZB105: (Tabled to November meeting)

Variance 2308ZB105, by agent Baker, Donelson, Bearman, Caldwell & Berkowitz, PC, is seeking approval for a 300-feet high wireless communication tower, where 50-feet is the height limit, and setback of 50-feet, where 175-feet is required by excessive height ordinance, Tax Parcel 1007M-01-037.000, 11330 O'Neal Rd, Zoned B-1 (Neighborhood business), Ward 6

Speaking for the Petition: Patton Hahn

Speaking against the Petition: None

Motion: Mr. Boddie - to approve the request

Second: Mrs. Wiginton

Leslie North	- Chairman
Mary Ann Wiginton	- Yea
Michael Daniels	- Absent
Robert Pharr	- Yea
Nathan Boddie	- Yea
Nicholas Hahn	- Nay
Hal Kaigler	- Yea

Action: Motion carried 4-1

2. Variance 2312ZB136:

Variance 2312ZB136, by owners Antonio and Fatima Boyd, seeking approval for a 20-foot front yard setback on all frontages, at Tax Parcel 0711L-01-069.000, 17th Street, Zoned R-1-7.5 (Single-family), Ward 1

Speaking for the Petition: Antonio Boyd

Speaking against the Petition: None

Motion: Mr. Pharr - to approve the request

Second: Mrs. Wiginton

Leslie North	- Chairman
Mary Ann Wiginton	- Yea
Michael Daniels	- Absent
Robert Pharr	- Yea
Nathan Boddie	- Yea
Nicholas Hahn	- Yea
Hal Kaigler	- Yea

Action: Motion Carried Unanimously

3. Variance 2312ZB137:

Variance 2312ZB137, by agent J.R. Walsh, seeking approval for an additional accessory structure, at Tax Parcel 0811G-06-011.000, 1511 18th Ave, Zoned T4+ (General Urban Zone "Plus"), Ward 2

Speaking for the Petition: None

Speaking against the Petition: None

Motion: Mr. Boddie - to table until January meeting due to applicant not being present.

Second: Mrs. Wiginton

Leslie North	- Chairman
Mary Ann Wiginton	- Yea
Michael Daniels	- Absent
Robert Pharr	- Yea
Nathan Boddie	- Yea
Nicholas Hahn	- Yea
Hal Kaigler	- Yea

Action: Motion Carried Unanimously

4. Variance 2312ZB138:

Variance 2312ZB138, by agent J.R. Walsh, seeking approval for a 90 inch (7.5 feet) tall stone wall, at Tax Parcel 0811G-06-011.000, 1511 18th Ave, Zoned T4+ (General Urban Zone "Plus"), Ward 2

Speaking for the Petition: None

Speaking against the Petition: None

Motion: Mr. Pharr - to table until January meeting due to applicant not being present.

Second: Mr. Kaigler

Leslie North	- Chairman
Mary Ann Wiginton	- Yea
Michael Daniels	- Absent
Robert Pharr	- Yea
Nathan Boddie	- Yea
Nicholas Hahn	- Yea
Hal Kaigler	- Yea

Action: Motion Carried Unanimously

5. Variance 2312ZB139:

Variance 2312ZB139, by agent Munn Enterprises, Inc., seeking approval for a wall sign not facing a dedicated right of way, at Tax Parcel 1009E-02-002.001, 10213 Lorraine Rd, Zoned I-1 (Light Industry), Ward 5

Speaking for the Petition: Kerri Little

Speaking against the Petition: None

Motion: Mr. Boddie - to approve the request

Second: Mr. Hahn

Leslie North	- Chairman
Mary Ann Wiginton	- Yea
Michael Daniels	- Absent
Robert Pharr	- Yea
Nathan Boddie	- Yea
Nicholas Hahn	- Yea
Hal Kaigler	- Yea

Action: Motion Carried Unanimously

6. Variance 2312ZB145:

Variance 2312ZB145, by owner James E. Brown, seeking approval for a side yard setback of 3 feet, at Tax Parcel 0908A-01-001.006, 12594 Oak Forest Drive, Zoned R-1-15 (Single-family), Ward 6

Speaking for the Petition: James Brown

Speaking against the Petition: None

Motion: Mrs. Wiginton - to approve the request

Second: Mr. Boddie

Leslie North	- Chairman
Mary Ann Wiginton	- Yea
Michael Daniels	- Absent
Robert Pharr	- Yea
Nathan Boddie	- Yea
Nicholas Hahn	- Yea
Hal Kaigler	- Yea

Action: Motion Carried Unanimously

7. Variance 2312ZB148:

Variance 2312ZB148, by agent Residential Designs, seeking approval for a 19-foot and 8 inch setback for a second-frontage, at Tax Parcel 0909P-01-019.000, 11562 Otto Ave, Zoned R-1-7.5 (Single-family), Ward 4

Speaking for the Petition: Wayne O’Neal

Speaking against the Petition: None

Motion: Mr. Boddie - to approve the request

Second: Mrs. Wiginton

- Leslie North - **Chairman**
- Mary Ann Wiginton - Yea
- Michael Daniels - Absent
- Robert Pharr - Yea
- Nathan Boddie - Yea
- Nicholas Hahn - Nay
- Hal Kaigler - Yea

Action: Motion carried 4-1

8. Variance 2312ZB149:

Variance 2312ZB149, by agent Addison Riemann, seeking approval of a wall sign not facing the public right of way, at Tax Parcel 0809K-02-002.001, Zoned B-4 (Highway Business), Ward 3

Speaking for the Petition: Robert Addison Riemann

Speaking against the Petition: None

Motion: Mr. Boddie - to approve the request

Second: Mr. Pharr

- Leslie North - **Chairman**
- Mary Ann Wiginton - Yea
- Michael Daniels - Absent
- Robert Pharr - Yea
- Nathan Boddie - Yea
- Nicholas Hahn - Yea
- Hal Kaigler - Yea

Action: Motion Carried Unanimously

9. Variance 2312ZB151:

Variance 2312ZB151, by agent Terry Moran and Associates, PLLC, is seeking approval for a 35-foot front yard setback, at Tax Parcels 0809L-01-005.000, 0809L-01-005.001, Old Hwy 49, Zoned B-4 (Highway Business), Ward 1

Speaking for the Petition: Terry Moran

Speaking against the Petition: None

Motion: Mr. Boddie - to approve the request

Second: Mrs. Wiginton

Leslie North - **Chairman**
Mary Ann Wiginton - Yea
Michael Daniels - Absent
Robert Pharr - Yea
Nathan Boddie - Yea
Nicholas Hahn - Yea
Hal Kaigler - Yea

Action: Motion Carried Unanimously

Adjournment:

Motion by **Mrs. Wiginton** to adjourn the meeting was seconded by **Mr. Boddie** and carried unanimously. The meeting adjourned **3:49pm**.

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

Michael Daniels, Secretary

Date: _____

MEMORANDUM

To: City of Gulfport Zoning Board of Adjustment and Appeals

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

Date of Hearing: January 18, 2024

Re: Public Declaration of Appeal Process of Chairman

MEMORANDUM

To: City of Gulfport Zoning Board of Adjustment and Appeals

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

Date of Hearing: January 18, 2024

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

MEMORANDUM

To: City of Gulfport Zoning Board of Adjustment and Appeals

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

Date of Hearing: January 18, 2024

Re: Routine Agenda

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MEMORANDUM

To: City of Gulfport Zoning Board of Adjustment and Appeals

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

Date of Hearing: January 18, 2024

Re: Variance 2401ZB005:

Variance 2401ZB005, by agent Kenneth Jones, seeking approval for 10-foot side yard setbacks on all proposed subdivision lots, Tax Parcel 0807G-01-001.000, 0 South Swan Rd, Zoned R-1-15 (Single-Family), Ward 7

Technical Report

VARIANCE

GENERAL INFORMATION

Case File Number: 2401ZB005

Hearing Date: January 18, 2024

Current Zoning/Use: R-1-15 / Single Family

Legal: Variance 2401ZB005, by agent Kenneth Jones, seeking approval for 10-foot side yard setbacks on all proposed subdivision lots, Tax Parcel 0807G-01-001.000, 0 South Swan Rd, Zoned R-1-15 (Single-Family), Ward 7

TECHNICAL DETAILS

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

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

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

Technical Report

VARIANCE

The applicant requests a side yard setback variance for all lots in the subdivision of 10 feet.

- (a) The applicant states since their property is approximately 37.5% wetlands that they require to preserve as much of the wetlands as possible. However, many properties have been built on wetlands before this, therefore this is not a unique circumstance.
- (b) Applicant states that wetlands are naturally occurring and should therefore be preserved. However, with the process of delineation and mitigation of the wetlands, building upon the property is well within reason and so the special conditions do directly result from the applicant.
- (c) The applicant does not suffer a hardship as building upon wetlands and complying to ordinance is achievable without this variance.
- (d) Applicant states that the variance is required in order to allow for more square footage on each lot to remain profitable. However, that does not mean that the ordinance is depriving the applicant of rights commonly enjoyed by other properties. While other subdivisions in the area have structures close to the property line, these structures exist in an area that was recently annexed into Gulfport and are preexisting nonconforming.
- (e) Applicant states that since they are only impacting one-half acre of wetlands on the property and retaining approximately 30 acres of wetlands, the property is less dense than would be allowed without the variance. This does not adequately address the question, as this does not answer whether or not the work done will still be within the other ordinances required to build on this property outside of this variance. Upon staff review of the sight plans, the work done will not be out of the scope of any ordinances.
- (f) This property is zoned R-1-15 and allows for the construction of a single family subdivision by right.

EXECUTIVE SUMMARY

No legitimate hardships were provided by the applicant in the written request. City ordinance requires a 15 foot side yard setback on each individual plot. Applicant is asking for a 10 foot setback in order to mitigate how much of the wetlands on the property they have to mitigate. The proposed subdivision does not go against any other ordinances established for subdivisions. While there are subdivisions in the area that do have structures close to the side yard property line, these properties were recently annexed into Gulfport and are preexisting nonconforming.

Any approval should consider these conditions:

- 1. Must meet all current building codes and City of Gulfport Ordinances.
- 2. Approval allows for 10 foot side yard setbacks.
- 3. Must provide documentation that the wetlands have been mitigated.
- 4. Protected trees need to be preserved and protected during the project.

DEPARTMENTAL CONDITIONS

Engineering: No conditions. 12/01/2023.

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

Technical Report

VARIANCE

Traffic and Safety: No conditions. Memo dated 01/08/2024.

Building Code Services: Must meet all current building codes and City of Gulfport Ordinances. Provide documentation that the wetlands have been mitigated. 01/04/2024.

GIS: No conditions. Memo dated 12/20/2023.

Police Department: No comment as 01/08/2024.

Fire Department: No conditions. Memo dated 12/20/2023.

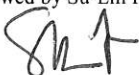
City Arborist: Protected trees must be preserved and protected during the project. Memo dated 12/20/2023.

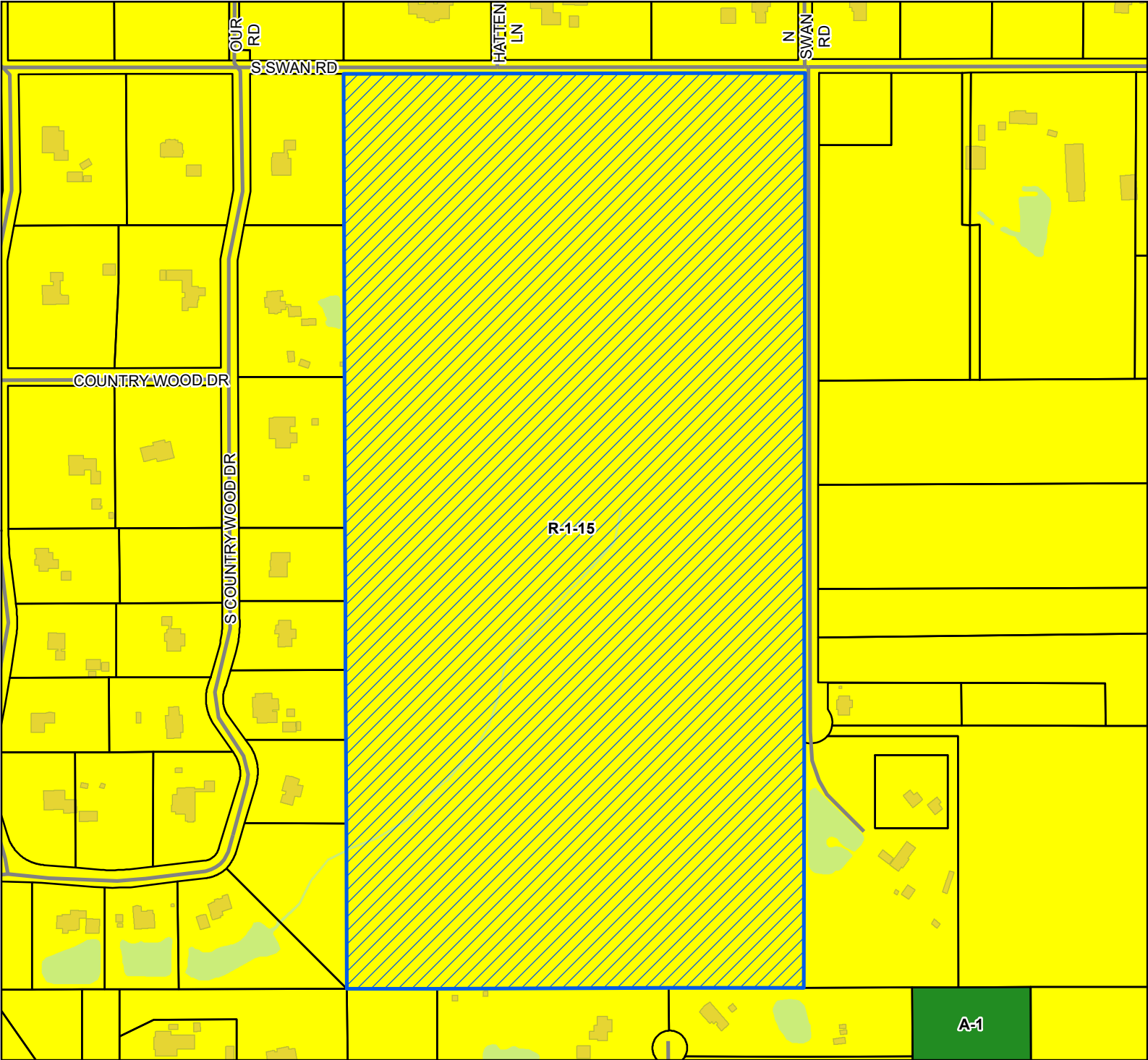
DIRECTOR APPROVAL

This report has been reviewed and approved by:



Greg Holmes
Director of Urban Development Department





Site

Street

Parcels

Buildings

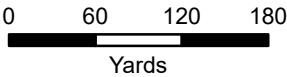
Water Features

Zoning

A-1 - Agricultural District

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

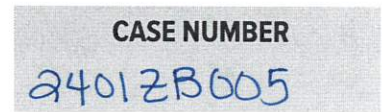
Site Information
0807G-01-001.000
Zoning: R-1-15 (Single Family)
Size: 80 acres
Flood: X



1 inch = 400 feet



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



OWNER:

The Flair Family, LLC, Beatrice A. Flair, Member

Printed Name of Owner

614 WILLOWRIDGE DRIVE

Mailing Address

LULING LA 70070

City State Zip Code

Home Phone

Work/Cell Phone

Email

Signature of Owner

Beatrice A. Flair

AGENT:

Gulf Coast Development & Design, LLC - Kenneth Jones

Printed Name of Agent

919 2nd Street

Mailing Address

Gulfport MS 39501

City State Zip Code
228-596-4471

Home Phone

Work/Cell Phone

kenneth@gcdevelopmentdesign.com

Email

Signature of Agent

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

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

Name of Owner (PRINT) The Flair Family, LLC, Alan Timothy Flair, Member

Address (Street, City, State, Zip Code) Same as above

Phone (Home) (Work) (Cell)

Tax Parcel Number(s) Owned: 0807G-01-001.000

Signature: Alan T. Flair

Name of Owner (PRINT) The Flair Family, LLC, Gustave B. Flair, Member

Address (Street, City, State, Zip Code) Same as above

Phone (Home) (Work) (Cell)

Tax Parcel Number(s) Owned: 0807G-01-001.000

Signature: Gustave B. Flair

Name of Owner (PRINT)

Address (Street, City, State, Zip Code)

Phone (Home) (Work) (Cell)

Tax Parcel Number(s) Owned:

Signature:



(https://www.sos.la.gov/Pages/default.aspx)

Search for Louisiana Business Filings

Buy Certificates and Certified Copies	Print Annual Report for Filing	Subscribe to Electronic Notification	Print Detailed Record
Name	Type	City	Status
THE FLAIR FAMILY, LLC	Limited Liability Company	LULING	Active
Previous Names			
Business: THE FLAIR FAMILY, LLC			
Charter Number: 41039252K			
Registration Date: 12/28/2012			
Domicile Address			
614 WILLOWRIDGE DRIVE			
LULING, LA 70070			
Mailing Address			
C/O ALAN TIMOTHY FLAIR			
P.O. BOX 951			
METAIRIE, LA 70004			
Status			
Status: Active			
Annual Report Status: Not In Good Standing for failure to file Annual Report			
File Date: 12/28/2012			
Last Report Filed: 1/4/2022			
Type: Limited Liability Company			
Registered Agent(s)			
Agent: ALAN TIMOTHY FLAIR			
Address 1: 614 WILLOWRIDGE DRIVE			
City, State, Zip: LULING, LA 70070			
Appointment Date: 12/28/2012			
Officer(s)			
Officer: ALAN TIMOTHY FLAIR			
Title: Manager			
Address 1: 614 WILLOWRIDGE DRIVE			
City, State, Zip: LULING, LA 70070			
Officer: BEATRICE A. FLAIR			
Title: Member			
Address 1: 614 WILLOWRIDGE DRIVE			
City, State, Zip: LULING, LA 70070			
Officer: GUSTAVE B. FLAIR			
Title: Member			
Address 1: 614 WILLOWRIDGE DR			
City, State, Zip: LULING, LA 70070			
Amendments on File			
No Amendments on file			
Back to Search Results			
New Search			
View Shopping Cart			

Variance Request

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

The subject property contains a large amount (approximately 30 acres) of wetlands, or about 37.5% of the site. If the site was all uplands, many more lots could be placed on the land and no variance would be needed. However, in order preserve as much wetland area as possible and to keep drainage areas un-impacted, we are asking for a side yard setback to 10 feet instead of the required 15 feet. This will allow the applicant to only impact a small area (less than ½ acre) for road crossings.

All lot sizes and other setbacks of the R-1-15 zoning will be met.

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.)

Wetlands are naturally occurring and should be preserved, if possible. If these areas did not exist on the property, then no variance would be necessary.

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?)

Because over one-third (1/3) of the land is wetlands, it creates less area to increase the lot width and thereby comply with the zoning ordinance. The desire of the applicant and subsequent builder is to construct homes that are wide and in keeping with the surrounding area. The 15-foot side yard setback, if met, would result in less lots being able to be developed, or constructing houses of less width or square feet and potentially less value.

Vacant land depending on topography and soil conditions will contain varying amounts of wetlands. Over 37.5% of the property being classified as wetlands is considered high and has created the need for the variance application.

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

As discussed previously, the applicant is only requesting a side yard variance of 10 feet instead of the required 15 feet, however all other R-1-15 zoning requirements related to setbacks and lot sizes will be met. Maintaining the current lot width needed to ensure that the development is profitable would force the home builder to construct homes of less width (and most likely less square footage) on each lot.

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?)

Because the applicant is only impacting less than one-half (1/2) acre of wetlands on the property and retaining approximately 30 acres of wetlands, the property is still substantially less dense than would be allowed without the variance if no, or less, wetlands existed on the property. Meaning that if there were no wetlands or less wetlands more lots would be able to be placed on the same area of land and would not require a variance. This variance will allow the applicant to work with the current wetlands and drainage on the property instead of severely impacting it.

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.

Applicant plans to construct a single-family residential subdivision, which is allowed by right in the R-1-15 zoning district.

DONALD R. JONES, ATTORNEY, PLLC

ATTORNEY AT LAW

1605 23RD AVENUE

P.O. BOX 7555

GULFPORT, MS 39506

donaldjonesatty@gmail.com

Telephone 228-864-8965

Fax 228-864-3252

December 1, 2023

Mr. Kenneth L. Jones, II
Gulf Coast Development & Design, LLC

RE: THE FLAIR FAMILY, LLC
E1/2 of SW1/4, Sec. 27-6-11,
Harrison County, Miss.
Tax Parcel # 0807G-01-001.000
Our file no. 235090

Dear Mr. Jones:

This is to confirm that I have this date made an examination of the deed records of the above referenced property and have determined that the current owner of said property is The Flair Family, LLC. Further, the documents furnished to me show that the current owners of The Flair Family, LLC are Beatrice Flair, Gustave Flair and Alan Timothy Flair.

This letter is limited to the current ownership of said property and does not reflect any liens, easements or other encumbrances that may be applicable to subject property.

Thank you for your attention and courtesies in this matter.

Sincerely,

DONALD R. JONES, ATTORNEY, PLLC



Donald R. Jones

DRJ:gh

October 15, 2023

City of Gulfport
Urban Development – Planning Division
1410 24th Avenue
Gulfport, MS 39501

To Whom It May Concern:

As owners of parcel 0807G-01-001.000, we the Members of The Flair Family, LLC (the owner of the property), authorize Kenneth Jones and/or Andy Phelan of Gulf Coast Development and Design, LLC to act as agent regarding the rezoning and permitting for Parcel 0807G-01-001.000. We also state that the application will not violate any restrictive or protective covenants.

Sincerely,


The Flair Family, LLC

By: Beatrice A. Flair (Print Name)

State of Louisiana
County of Orleans

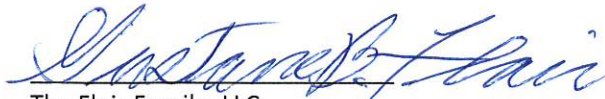
Personally appeared before me, the undersigned authority in and for the said county and state, on this
-day of November, 2023, within my jurisdiction, the within named Beatrice A. Flair [name(s) of person(s) acknowledged], who acknowledged that (he)(she)(they) executed the above and foregoing instrument.

Name: 

My Commission Expires.

Lauren B. Griffin
Attorney/Notary Public
State of Louisiana
Notary ID# 148527
My commission expires with life

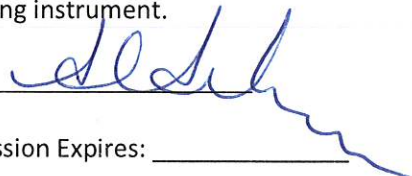
Remaining Signatures on Separate Pages


The Flair Family, LLC

By: **Gustave B. Flair** (Print Name)

State of Louisiana
County of Orleans

Personally appeared before me, the undersigned authority in and for the said county and state, on this 10th day of November, 2023, within my jurisdiction, the within named **Gustave B. Flair** [name(s) of person(s) acknowledged], who acknowledged that (he)(she)(they) executed the above and foregoing instrument.

Name: 

My Commission Expires: _____

Anna C. Artiomow
Notary Public
State of Louisiana
Notary ID# 69679
My commission expires with life

Alan Timothy Flair

The Flair Family, LLC

By: **Alan Timothy Flair** (Print Name)

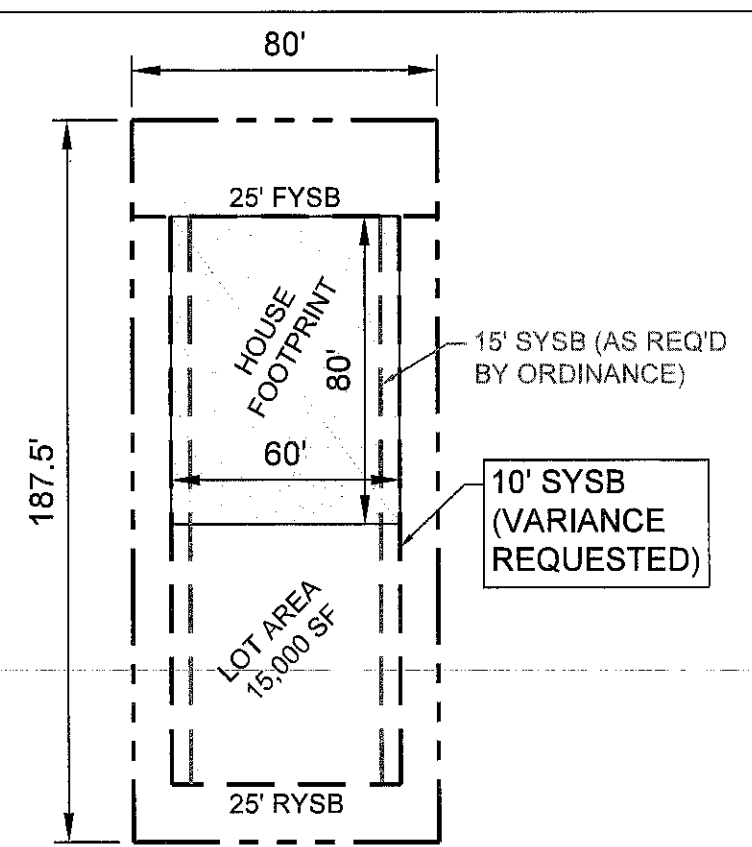
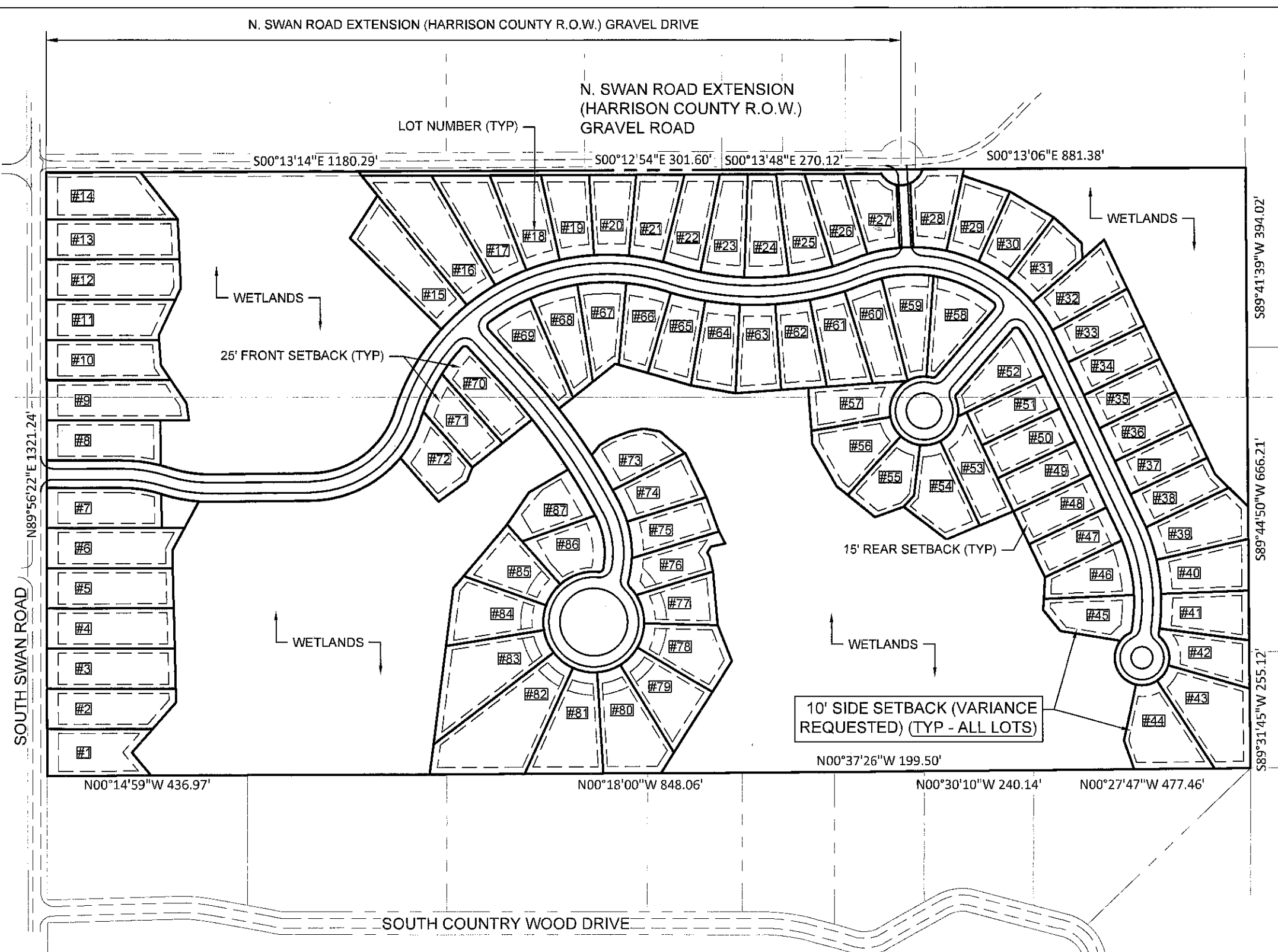
State of Louisiana
County of Orleans

Personally appeared before me, the undersigned authority in and for the said county and state, on this 3rd day of November, 2023, within my jurisdiction, the within named **Alan Timothy Flair** [name(s) of person(s) acknowledged], who acknowledged that (he)(she)(they) executed the above and foregoing instrument.

Name: [Signature]

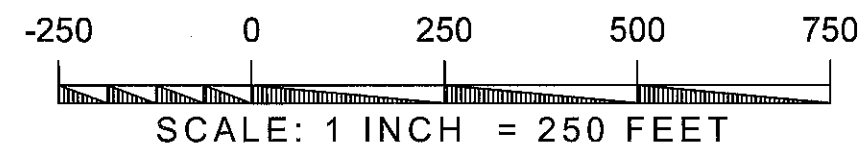
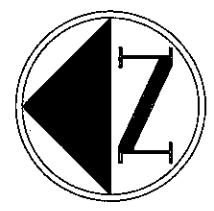
My Commission Expires: Robert J. Bergeron
Attorney/Notary Public
State of Louisiana
Notary ID# 20697
Commission expires with life





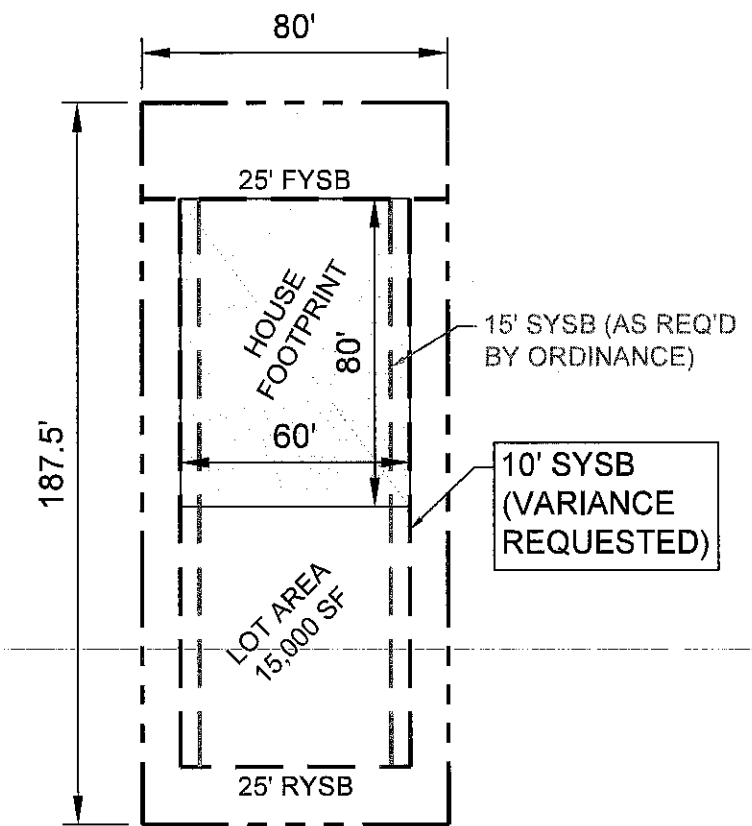
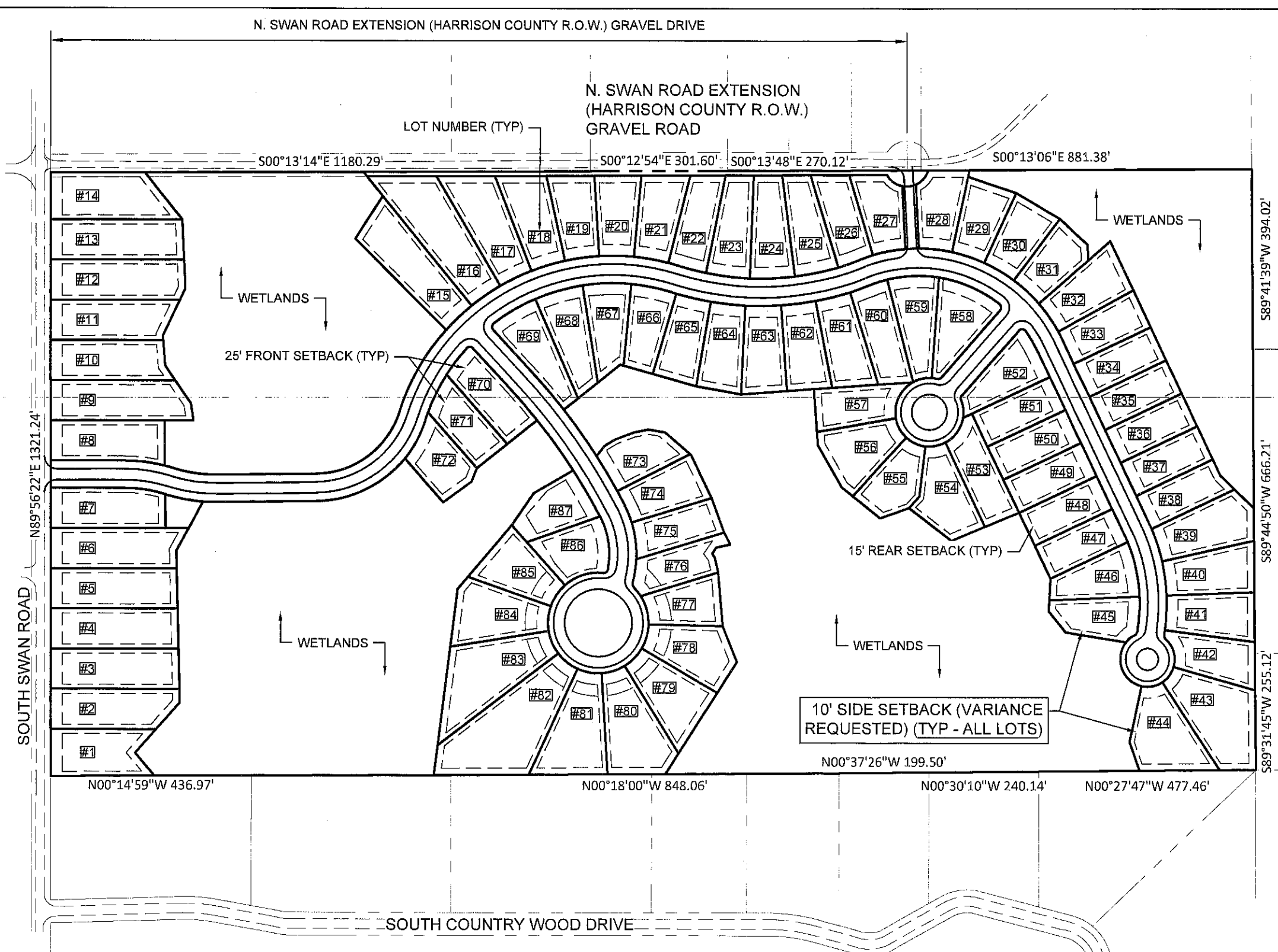
TYPICAL MINIMUM LOT DIMENSIONS
N.T.S.

PARCEL INFORMATION	
PIDN:	0807G-01-001.000
PARCEL AREA:	79.86 AC
PARCEL ZONING:	R-1-15 (SINGLE FAMILY RESIDENCE DISTRICTS - LOW DENSITY)
BUILDING SITE AREA	
REQUIRED -	15,000 SF
PROVIDED -	15,000 SF (MINIMUM)
BUILDING SITE COVERAGE	
REQUIRED -	45% MAX
PROVIDED -	26.67% MAX
BUILDING HEIGHT LIMIT	
REQUIRED -	3 STORIES OR 35 FEET IN HEIGHT
PROVIDED -	2 STOREIES OR < 35 FEET IN HEIGHT
YARDS REQUIRED	
REQUIRED FRONT YARD -	25 FEET
PROVIDED FRONT YARD -	25 FEET
REQUIRED SIDE YARD -	15 FEET
PROVIDED SIDE YARD -	10 FEET***
REQUIRED REAR YARD -	15 FEET
PROVIDED REAR YARD -	15 FEET
*** 5' SIDE YARD SETBACK VARIANCE REQUESTED	



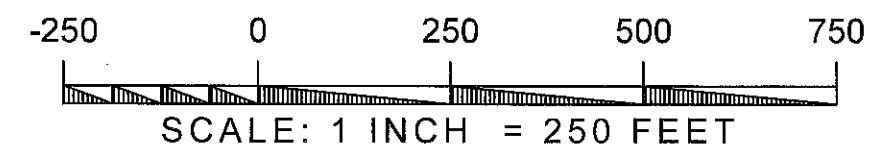
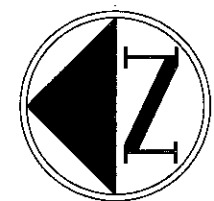
SWAN LANDING ESTATES

87 LOT RESIDENTIAL SUBDIVISION



TYPICAL MINIMUM LOT DIMENSIONS
N.T.S.

PARCEL INFORMATION
PIDN: 0807G-01-001.000
PARCEL AREA: 79.86 AC
PARCEL ZONING: R-1-15 (SINGLE FAMILY RESIDENCE DISTRICTS - LOW DENSITY)
BUILDING SITE AREA
REQUIRED - 15,000 SF
PROVIDED - 15,000 SF (MINIMUM)
BUILDING SITE COVERAGE
REQUIRED - 45% MAX
PROVIDED - 26.67% MAX
BUILDING HEIGHT LIMIT
REQUIRED - 3 STORIES OR 35 FEET IN HEIGHT
PROVIDED - 2 STOREIES OR < 35 FEET IN HEIGHT
YARDS REQUIRED
REQUIRED FRONT YARD - 25 FEET
PROVIDED FRONT YARD - 25 FEET
REQUIRED SIDE YARD - 15 FEET
PROVIDED SIDE YARD - 10 FEET***
REQUIRED REAR YARD - 15 FEET
PROVIDED REAR YARD - 15 FEET
*** 5' SIDE YARD SETBACK VARIANCE REQUESTED



SWAN LANDING ESTATES

87 LOT RESIDENTIAL SUBDIVISION



ACT OF EXCHANGE

UNITED STATES OF AMERICA

BETWEEN BETTY BLANCAND FLAIR

STATE OF LOUISIANA

AND THE FLAIR FAMILY L.L.C.

PARISH OF ORLEANS

BE IT KNOWN, that on this 26th day of December, 1999,

BEFORE ME, Patricia G. Breckenridge, a Notary Public duly commissioned and qualified in and for the State of Louisiana, and in the presence of the witnesses hereinafter named and undersigned,

PERSONALLY CAME AND APPEARED:

BETTY BLANCAND FLAIR, a person of the full age of majority and a resident of and domiciled in the Parish of Orleans, State of Louisiana, appearing herein in her individual capacity, and who declared that her mailing address is 2538 Calhoun Street, New Orleans, LA 70118, and that her social security number is 457-38-0662; and also appearing herein in her capacity as the subscribing member and manager of The Flair Family L.L.C., a limited liability company formed on December 26, 1999 under the laws of the State of Louisiana

(hereinafter "Appearer")

who further declared that she does hereby make an exchange of the following described real property on the express terms and conditions hereinafter set forth, as follows, to-wit:

For and in consideration of the issuance and transfer to Appearer individually of a membership interest in The Flair Family L.L.C., Appearer individually does hereby transfer, grant, bargain, assign, and deliver with all legal warranties and with full substitution and subrogation in and to all the rights and actions of warranty which she has or may have unto the Flair Family L.L.C., which she represents herein in her capacity as subscribing member and manager, the following described property:

A CERTAIN PIECE OR PORTION OF GROUND, together with all the improvements thereon, containing eighty (80) acres, situated in the East one-half of the Southwest quarter of Section 27, Township 6, South of Range 11 West, of the First Judicial District of Harrison County, Mississippi; and bounded on the North by South Swan Road, on the East by North Swan Road Extension, on the South by property formerly owned by Robert Barber et al, and on the West by Country Wood Drive.

Being the same property acquired by Mrs. Betty Blancand Flair by an act of transfer dated August 14, 1956 pursuant to an Order dated August 9, 1956 of the Chancery Court of Harrison County, Mississippi in Proceedings No. 35,851, entitled Estate of Gus Blancand.

(hereinafter "The Mississippi Property").

Act of Exchange Between
Betty Blancand Flair and The Flair
Family L.L.C.
December 26, 1999
Page two

Now for and in consideration of the transfer of The Mississippi Property to The Flair Family L.L.C., Appearer in her capacity as manager and subscribing member thereof does issue, grant, bargain, assign, convey, transfer, and deliver to Appearer in her individual capacity, with all legal warranties and with full rights of substitution and subrogation, the following described property, to-wit:

TWO HUNDRED (200) UNITS OF VOTING MEMBERSHIP
INTEREST AND ONE THOUSAND (1,000) UNITS OF NON-
VOTING MEMBERSHIP INTEREST IN THE FLAIR FAMILY
L.L.C.

This exchange is made and mutually accepted by the Appearer in her dual capacities.

THUS DONE AND PASSED in New Orleans, Louisiana, on this 26th day of December, 1999, in the presence of the undersigned competent witnesses and me, Notary, after due reading of the whole.

WITNESSES:

Margaret C. Dugan

Betty B. Flair
BETTY B. FLAIR, Individually, and as
Manager and Subscribing Member of
The Flair Family L.L.C.

Judith Salato

Patricia G. Breckenridge
PATRICIA G. BRECKENRIDGE

NOTARY PUBLIC
MY COMMISSION IS ISSUED FOR LIFE

This act prepared by:
Patricia G. Breckenridge
Attorney at Law
2824 Calhoun Street
New Orleans, LA 70-118
504-866-3702

Grantor: Betty B. Flair, 2538 Calhoun Street, New Orleans, LA 70118; 504-861-9084

Grantee: The Flair Family LLC, 2538 Calhoun Street, New Orleans, LA 70118; 504-861-9084

Instrument No. 3704

STATEMENT OF FEES

Recording Fee \$6.00
Records Management Fee \$1.00
Abstract of Sale \$1.00
Marginal Entry \$1.00
Other \$1.00
TOTAL FEES COLLECTED \$8.00

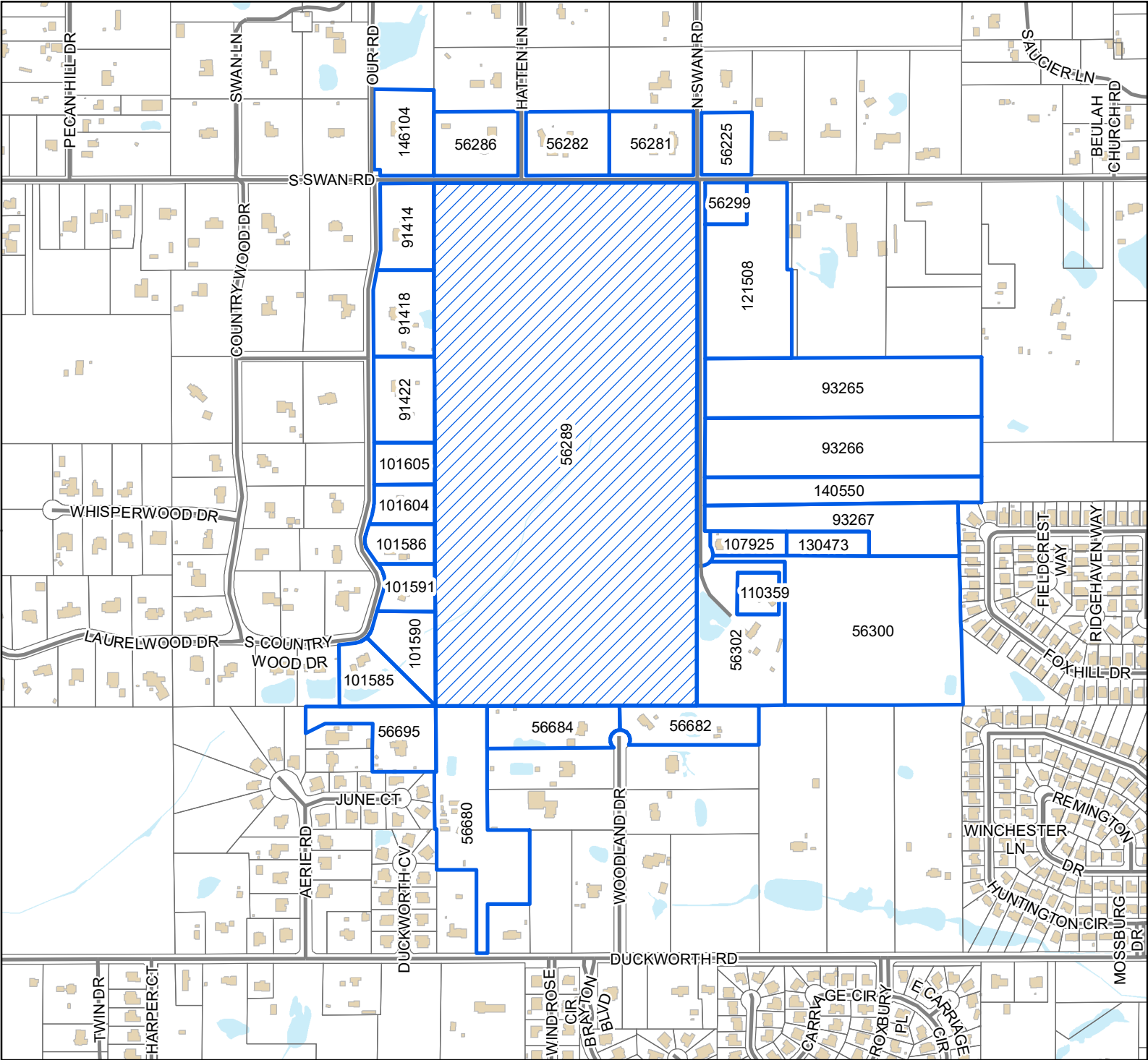
STATE OF MISSISSIPPI, COUNTY OF HARRISON, FIRST JUDICIAL DISTRICT:

I hereby certify that this instrument was received and filed for record at 12 o'clock
and 51 minutes P. M. on 4th day of May, A.D. 2000
and recorded May 5 2000 in Records of Deeds
Book 1494 Pages 561-562

JOHN McADAMS, Chancery Clerk

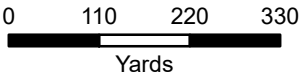
By Debbie Boulla, D.C.

Mail	PPIN	Parcel ID	Name	Address	City	State	ZIP
Y		0807G-01-001.000	THE FLAIR FAMILY, LLC, BEATRICE A FLAIR, MEMBER (OWNER)	614 WILLOWRIDGE DRIVE	LULING	LA	70070
			GULF COAST DEVELOPMENT & DESIGN, LLC (AGENT)	919 2ND STREET	GULFPORT	MS	39501
			Adjacent Property Owners (2401ZB005)				
107925	0807H-01-006.001		CASTILLEJA HENRY MATTHEW JR	14241 S SWAN RD	GULFPORT	MS	39503
56286	0807B-01-017.000		PALMORE CARROLL A JR	14386 S SWAN RD	GULFPORT	MS	39503
93266	0807H-01-007.002		PAGE PAUL B	14349 4TH AVE	GULFPORT	MS	39503
56225	0807A-01-027.000		MIXON PAMELA M & WILLIAM K	14250 NORTH SWAN RD	GULFPORT	MS	39503
56289	0807G-01-001.000		FLAIR FAMILY LLC THE	225 GULF DR	WAVELAND	MS	39576
91414	0807G-01-002.000		LADNIER PASANDRA A & JEFFREY ETAL	14221 COUNTRY WOOD DR	GULFPORT	MS	39503
56300	0807H-01-005.000		MORRIS M C & LINDA -TRUSTEES-	13862 GULF HAVEN ROAD	GULFPORT	MS	39503
56680	0807J-01-010.000		MERRITT GLENN B & VALERI M	14380 DUCKWORTH RD	GULFPORT	MS	39503
56281	0807B-01-005.000		SWEEBE CHRISTOPHER L & ADDISON	14247 N SWAN RD	GULFPORT	MS	39503
91422	0807G-01-004.000		GRAY LAMAR S & SUSAN A	14501 S COUNTRYWOOD DR	GULFPORT	MS	39503
93265	0807H-01-007.001		REALTY INTERNATIONAL LLC	9122 VICTORIA CIR	GULFPORT	MS	39503
101591	0807G-01-008.000		GILMORE MARK S & KARLA G	14593 COUNTRYWOOD DR	GULFPORT	MS	39503
110359	0807H-01-006.003		JARVIS JANET BRICKLEY & DAVID MARK	14251 S SWAN RD	GULFPORT	MS	39503
56682	0807J-01-004.000		SMITH NANCY E	13516 WOODLAND DR	GULFPORT	MS	39503
56684	0807J-01-005.000		ABEL CHRISTOPHER J	13517 WOODLAND DR	GULFPORT	MS	39503
101590	0807G-01-009.000		HICKEY CHRIS & ANITA ETAL	2002 STONEBRIDGE CT	MANSFEILD	TX	76063
101585	0807G-01-010.000		GOFORTH JERRY & LINDA	14661 COUNTRY WOOD DR	GULFPORT	MS	39503
101604	0807G-01-006.000		HOWZE LYNDA RUTH & KIP DUDLEY	14553 S COUNTRY WOOD DR	GULFPORT	MS	39503
91418	0807G-01-003.000		SELLERS WILLIAM R & SANDRA N	14263 COUNTRY WOOD DRIVE	GULFPORT	MS	39503
101605	0807G-01-005.000		LUCKETT CLEOTHA JR & CONNIE R	14525 S COUNTRY WOOD DR	GULFPORT	MS	39503
56282	0807B-01-006.000		BOZANT PAUL & HEATHER	14300 HATTEN LANE	GULFPORT	MS	39503
101586	0807G-01-007.000		BEY RASHAWN	14575 S COUNTRYWOOD DR	GULFPORT	MS	39503
56302	0807H-01-006.000		COURTEAUX MILTON A JR -TOD-	14241 S SWAN RD	GULFPORT	MS	39503
56299	0807H-01-008.000		REALTY INTERNATIONAL LLC	P O BOX 4246	GULFPORT	MS	39502
93267	0807H-01-007.003		DAVENPORT TABITHA	14361 CARRIAGE CIRCLE	GULFPORT	MS	39503
56695	0807J-01-013.000		PETRO SHAWN M	14440 DUCKWORTH RD	GULFPORT	MS	39503
146104	0807B-01-018.001		MIXON JAMES ADAM & ASHLEY	14363 HATTEN LN	GULFPORT	MS	39503



Legend

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



1 inch = 700 feet



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

RE: Variance 2401ZB005, by agent Kenneth Jones, seeking approval for 10-foot side yard setbacks on all proposed subdivision lots, Tax Parcel 0807G-01-001.000, 0 South Swan Rd, Zoned R-1-15 (Single-Family), Ward 7

To Applicants and Adjacent Property Owners:

The City of Gulfport Zoning Board of Adjustments and Appeals will hold a public hearing to consider the above application at 3:00 P.M. on **Thursday, January 18, 2024**, in the Council Chambers at the Gulfport City Hall located at 2309 15th Street.

For more information, visit <https://www.gulfport-ms.gov/agendas/> then click the City of Gulfport Zoning Board for **Thursday, January 18, 2024**. 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.



The Beaufort Gazette
The Belleville News-Democrat
Bellingham Herald
Centre Daily Times
Sun Herald
Idaho Statesman
Bradenton Herald
The Charlotte Observer
The State
Ledger-Enquirer

Durham | The Herald-Sun
Fort Worth Star-Telegram
The Fresno Bee
The Island Packet
The Kansas City Star
Lexington Herald-Leader
The Telegraph - Macon
Merced Sun-Star
Miami Herald
El Nuevo Herald

The Modesto Bee
The Sun News - Myrtle Beach
Raleigh News & Observer
Rock Hill | The Herald
The Sacramento Bee
San Luis Obispo Tribune
Tacoma | The News Tribune
Tri-City Herald
The Wichita Eagle
The Olympian

AFFIDAVIT OF PUBLICATION

Account #	Order Number	Identification	Order PO	Amount	Cols	Depth
36845	502206	Print Legal Ad-IPL01525640 - IPL0152564		\$49.15	1	33 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, January 18, 2024 in the Council Chambers of the Gulfport City Hall located at 2309 15 th Street to consider the following requests. A copy of the requests will be available for public review at the office of the Department of Urban Development-Planning Division located on first floor of the William H. Hardy Building, 1410 24th Avenue.

Variance 2401ZB005, by agent Kenneth Jones, seeking approval for 10-foot side yard setbacks on all proposed subdivision lots, Tax Parcel 0807G-01-001.000, 0 South Swan Rd, Zoned R-1-15 (Single-Family), Ward 7

This the 19th day of December 2023
A. Leslie North, Chairman
City of Gulfport Zoning Board of Adjustment and Appeals
IPL0152564
Jan 3 2024

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:
01/03/24

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.

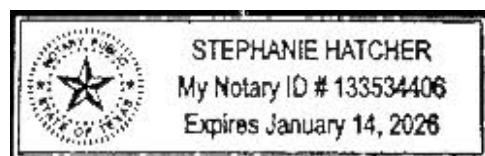
Stefani Beard

Sworn to and subscribed before me this 3rd day of January in the year of 2024

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!