

AGENDA
GULFPORT CITY PLANNING COMMISSION MEETING
CITY HALL COUNCIL CHAMBERS
THURSDAY, MARCH 28, 2024 AT 4:30 PM

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

F1. Planning Commission Meeting - February 22, 2024

G. Announcements

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

DECISION ITEMS: Except as noted below, items listed on this agenda as “Decision Items” may be appealed to the Gulfport City Council as follows: Any person or any officer, department or agency of the City aggrieved by a decision of the Planning Commission may, within fifteen (15) days thereafter, appeal therefore to the Gulfport City Council by submitting to the Planning Commission (Department of Urban Development – Planning Division) a written notice of appeal specifying the decision from which the appeal is taken. In the case of such appeal, the Planning Commission shall cause a transcript of the proceedings in the case to be certified to the City Council, and the matter will be heard on said transcripts. The filing fee for an appeal is based on the actual cost of the required official transcript and any related miscellaneous charges.

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

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

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

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

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

H. Hearing of Cases

H1. Planning Commission Decision

1. Planning Commission Approval 2402PC011: (Deferred to March Meeting Date)

Planning Commission Approval 2402PC011, by agent M2 Enterprises, Inc., seeking approval for auto sales of less than fifty vehicles, Tax Parcel 0910M-03-058.000, 941 Pass Rd, Zoned B-2 (General Business), Ward 3

2. Planning Commission Approval 2403PC029:

Planning Commission Approval 2403PC029, by owner JKA Properties LLC, seeking approval for church use, Tax Parcels 0910I-02-008.001, 0910I-02-008.000, 729 E Pass Rd., Zoned T5 (Urban Center), Ward 2

3. Special Exception 2403SC031:

Special Exception 2403SC031, by agent Tyler Hickman, seeking approval for daiquiri shop, Tax Parcels 0908N-04-004.000, 0908N-04-004.001, 13211 Dedeaux Road, Zoned B-1 (Neighborhood business), Ward 5

4. Planning Commission Approval 2403PC039:

Planning Commission Approval 2403PC039, by agents Charles Gant and Warren Dedeaux, seeking approval for a townhouse development, Tax Parcels 0908M-01-009.00, 0908M-01-009.001, 0908M-01-014.000, Zoned B-1 (Neighborhood-business), Ward 5

5. Planning Commission Approval 2403PC040:

Planning Commission Approval 2403PC040, by agent Vinson Keyhea, seeking approval for car sales of less than 50 vehicles, Tax Parcel 0910N-06-020.000, Zoned B-2 (General-Business) Ward 4

6. General Plan 2402PC014: (Postponed to March Meeting)

General Plan 2402PC014, by agent Kenneth Jones, seeking approval for an 84-lot subdivision with five outparcels (Swan Landing Estates), Tax Parcel 0807G-01-001.000,

South Swan Road, Zoned R-1-15 (Single-family), Ward 7

H2. Planning Commission Recommendation

1. Zoning Map Amendment 2403PC020:

Zoning Map Amendment 2403PC020, by owner David Cospelich, Request rezone to B-1 (Neighborhood Business), Tax Parcels 0907H-02-001.001, 0907H-02-002.000, 1007E-01-002.000, 1007E-01-003.000, Zoned R-1-10 (Single Family Residence), River Road, Ward 6

2. Zoning Map Amendment 2403PC024:

Zoning Map Amendment 2403PC024, by owner Rock Solid Property, Requests to rezone to T5 (Urban Center Zone), Tax Parcel 1010N-01-087.001, Zoned T4+ (General Urban Zone "Plus"), Cowan Road, Ward 2

3. Zoning Map Amendment 2403PC025:

Zoning Map Amendment 2403PC25, by agent Allison Vencil, requesting to rezone the entire parcel to T4+ (General Urban Zone "Plus"), Tax Parcel 0911B-02-009.002, 210 Texas Ave, Zoned T4+ (General Urban Zone "Plus") and T5 (Urban Center Zone), Ward 2

I. Reports

J. Unfinished Business

K. Other Business

K1. Other Business

Discussion regarding changes to the sign ordinance.

L. Adjournment

MINUTES
GULFPORT CITY PLANNING COMMISSION
Thursday, February 22, 2024, 4:30 P.M.
City Hall Council Chambers

- A. **Prayer:** The Planning Commission led a prayer.
- B. **Pledge of Allegiance:** The Pledge of Allegiance was recited.
- C. **Call to Order:** The meeting of the Planning Commission was called to order at **4:30**.
- D. **Determination of a Quorum:** A roll call was performed and a quorum was determined.

BOARD MEMBERS PRESENT:

KEITH WILLIAMS
WM. PRINCE JONES
CHARLIE HEWES
BRYAN JACOBS
VIRGINIA ADOLPH
CHRIS ROMANO
BILL WILLIAMS
HAROLD SPANN
DOUG HANCOCK BJ SELLERS
TIM DAIGLE JR

BOARD MEMBERS ABSENT:

NONE

STAFF MEMBERS PRESENT:

SU-LIN FEATHERSTON
RHONDA GADDIS
BRYCE CLUGH

COURT REPORTER:

NORMA SOROE

E. **Confirmation of Agenda:**

F. **Adoption of Minutes:**

Motion by **Mr. Daigle** and seconded by **Mr. Jones** to approve Minutes of the **January 25, 2024**, Planning Commission meeting was carried unanimously.

G. **Hearing of Cases:**

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

G2. The Chairperson asked for anyone speaking at the meeting to complete a Speaker’s Card.

G3. Routine Agenda

H1. Planning Commission Decisions

1. Planning Commission Approval 2312PC147:

Planning Commission Approval 2312PC147, by agent Deberah Couvillion, seeking approval for a mobile home use, at Tax Parcel 0810E-03-048.000, Ohio Ave, Zoned R-1-5 (Single-family), Ward 3

Speaking for the Petition: Beverly Watson

Speaking against the Petition: None

Motion: Mr. Jones motion to approve request

Second: Mr. Hewes to approve request - with conditions

KEITH WILLIAMS	– Chairman
VIRGINIA ADOLPH	– Yea
CHARLIE HEWES	– Yea
BJ SELLERS	– Yea
WM. PRINCE JONES	– Yea
DOUG HANCOCK	– Yea
BRYAN JACOBS	– Absent
TIM DAIGLE JR	– Yea
CHRIS ROMANO	– Absent
HAROLD SPANN	– Absent
BILL WILLIAMS	– Absent

Action: Motion carried unanimously

2. Planning Commission Approval 2402PC010: (Withdrawn by Planning Staff)

Planning Commission Approval 2402PC010, by agent Damien Pardoe, seeking approval for a medical cannabis processing facility, Tax Parcel 0809A-02-009.000, 14092 Fastway Lane, Zoning I-2 (Heavy Industry), Ward 5

Speaking for the Petition:

Speaking against the Petition:

Motion:

Second:

KEITH WILLIAMS	– Chairman
VIRGINIA ADOLPH	–
CHARLIE HEWES	–
BJ SELLERS	–
WM. PRINCE JONES	–
DOUG HANCOCK	–
BRYAN JACOBS	–
TIM DAIGLE JR	–
CHRIS ROMANO	–
HAROLD SPANN	–
BILL WILLIAMS	–

Action:

3. Planning Commission Approval 2402PC011: (Deferred to March meeting date)

Planning Commission Approval 2402PC011, by agent M2 Enterprises, Inc., seeking approval for auto sales of less than fifty vehicles, Tax Parcel 0910M-03-058.000, 941 Pass Rd, Zoned B-2 (General Business), Ward 3

Speaking for the Petition

Speaking against the Petition:

Motion:

Second:

KEITH WILLIAMS	– Chairman
VIRGINIA ADOLPH	–
CHARLIE HEWES	–
BJ SELLERS	–
WM. PRINCE JONES	–
DOUG HANCOCK	–
BRYAN JACOBS	–
TIM DAIGLE JR	–
CHRIS ROMANO	–
HAROLD SPANN	–
BILL WILLIAMS	–

Action:

4. Special Exception 2402SE013:

Special Exception 2402SE013, by owner Riaan LLC, seeking approval for liquor store use, Tax Parcel 1008M-01-007.000, 11268 Lorraine Rd, Zoned B-2 (General Business), Ward 6

Speaking for the Petition: Stacey Barber

Speaking against the Petition: None

Motion: Mr. Hewes to approve request

Second: Mr. Sellers

KEITH WILLIAMS	– Chairman
VIRGINIA ADOLPH	– Yea
CHARLIE HEWES	– Yea
BJ SELLERS	– Yea
WM. PRINCE JONES	– Yea
DOUG HANCOCK	– Yea
BRYAN JACOBS	– Absent
TIM DAIGLE JR	– Yea
CHRIS ROMANO	– Absent
HAROLD SPANN	– Absent
BILL WILLIAMS	– Absent

Action: Motion carried unanimously

5. **General Plan 2402PC014: (Posponed to March meeting date)**

General Plan 2402PC014, by agent Kenneth Jones, seeking approval for an 87-lot subdivision with five outparcels (Swan Landing Estates), Tax Parcel 0807G-01-001.000, South Swan Road, Zoned R-1-15 (Single-family), Ward 7

Speaking for the Petition:

Speaking against the Petition:

Motion:

Second:

KEITH WILLIAMS	– Chairman
VIRGINIA ADOLPH	–
CHARLIE HEWES	–
BJ SELLERS	–
WM. PRINCE JONES	–
DOUG HANCOCK	–
BRYAN JACOBS	–
TIM DAIGLE JR	–
CHRIS ROMANO	–
HAROLD SPANN	–
BILL WILLIAMS	–

Action:

H2. Planning Commission Recommendation

6. **Zoning Map Amendment 2402PC015:**

Zoning Map Amendment 2402PC015, by owner Ben W. Childers, requesting to rezone to T4+ (General Urban Zone "Plus"), Tax Parcels 1010E-02-006.000, 1010E-02-007.000, 1123 Bridge Street & 1115 Bridge Street, Zoned T3 (Sub-Urban Zone), Ward 4

Speaking for the Petition: Ben Childers, Chip Hawkins

Speaking against the Petition: None

Motion: Mr. Sellers to approve request – with conditions

Second: Mrs. Adolph

KEITH WILLIAMS	– Chairman
VIRGINIA ADOLPH	– Yea
CHARLIE HEWES	– Yea
BJ SELLERS	– Yea
WM. PRINCE JONES	– Yea
DOUG HANCOCK	– Yea
BRYAN JACOBS	– Absent
TIM DAIGLE JR	– Yea
CHRIS ROMANO	– Absent
HAROLD SPANN	– Absent
BILL WILLIAMS	– Absent

Action: Motion carried unanimously

K. Other Business

I. Adjournment

There being no further business, a Motion was made by **Mr. Hewes** to adjourn,
seconded by **Mrs. Adolph** and carried unanimously. The meeting adjourned at **4:45pm.**

William Prince Jones, Secretary

Date:

MEMORANDUM

To: City of Gulfport Planning Commission

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

Date of Hearing: March 28, 2024

Re: Planning Commission Decision

MEMORANDUM

To: City of Gulfport Planning Commission

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

Date of Hearing: March 28, 2024

Re: Planning Commission Approval 2402PC011: (Deferred to March Meeting Date)

Planning Commission Approval 2402PC011, by agent M2 Enterprises, Inc., seeking approval for auto sales of less than fifty vehicles, Tax Parcel 0910M-03-058.000, 941 Pass Rd, Zoned B-2 (General Business), Ward 3

Technical Report

PLANNING COMMISSION APPROVAL

GENERAL INFORMATION

Case File Number: 2402PC011

Hearing Date: March 28, 2024

Current Zoning/Use: B-2 / Commercial Structure

Legal: Planning Commission Approval 2402PC011, by agent M2 Enterprises, Inc., seeking approval for auto sales of less than fifty vehicles, Tax Parcel 0910M-03-058.000, 941 Pass Rd, Zoned B-2 (General Business), Ward 3

TECHNICAL DETAILS

The applicant requests Planning Commission approval to have an auto sales of less than 50 vehicles in a B-2 zoning district. As it stands, there are car dealerships that house less than 50 cars at 617 Pass Road and 803 Pass Road which are nearly 1700 feet and 750 feet away from this property, and therefore this establishes that this property would not be setting precedence in this area for the proposed use. There are no definable issues with customer parking, as the current business there has 8 available parking spots for customers and accommodates on site turnaround. While a site plan for where the vehicles for sale would be placed was not produced, upon staff review there appears to be plenty of space available to place the vehicles on the property. This structure's parking is in harmony with other properties in this district.

EXECUTIVE SUMMARY

With the existing business in that area working in vehicle sales and the current structure meeting parking requirements as well as being in harmony with the rest of the district, there are no definable issues to this request.

Any approval should consider these conditions:

1. Must meet all current Building Codes and City of Gulfport Ordinances.
2. Must submit parking lot design to Traffic and Safety.
3. Approval allows for auto sales of less than fifty vehicles.

DEPARTMENTAL CONDITIONS

Engineering: No conditions. Memo dated 03/15/24.

Public Works: No conditions. Memo dated 03/14/24.

Traffic and Safety: Must submit parking lot design to Traffic and Safety. Memo dated 03/07/24.

Building Code Services: Must meet all current Building Codes and City of Gulfport Ordinances. Memo dated 02/07/24.

Technical Report
PLANNING COMMISSION APPROVAL

GIS: No conditions. Memo dated 03/14/24.

Police Department: No memo submitted as of 03/15/24.

Fire Department: No conditions. Memo dated 03/06/24.

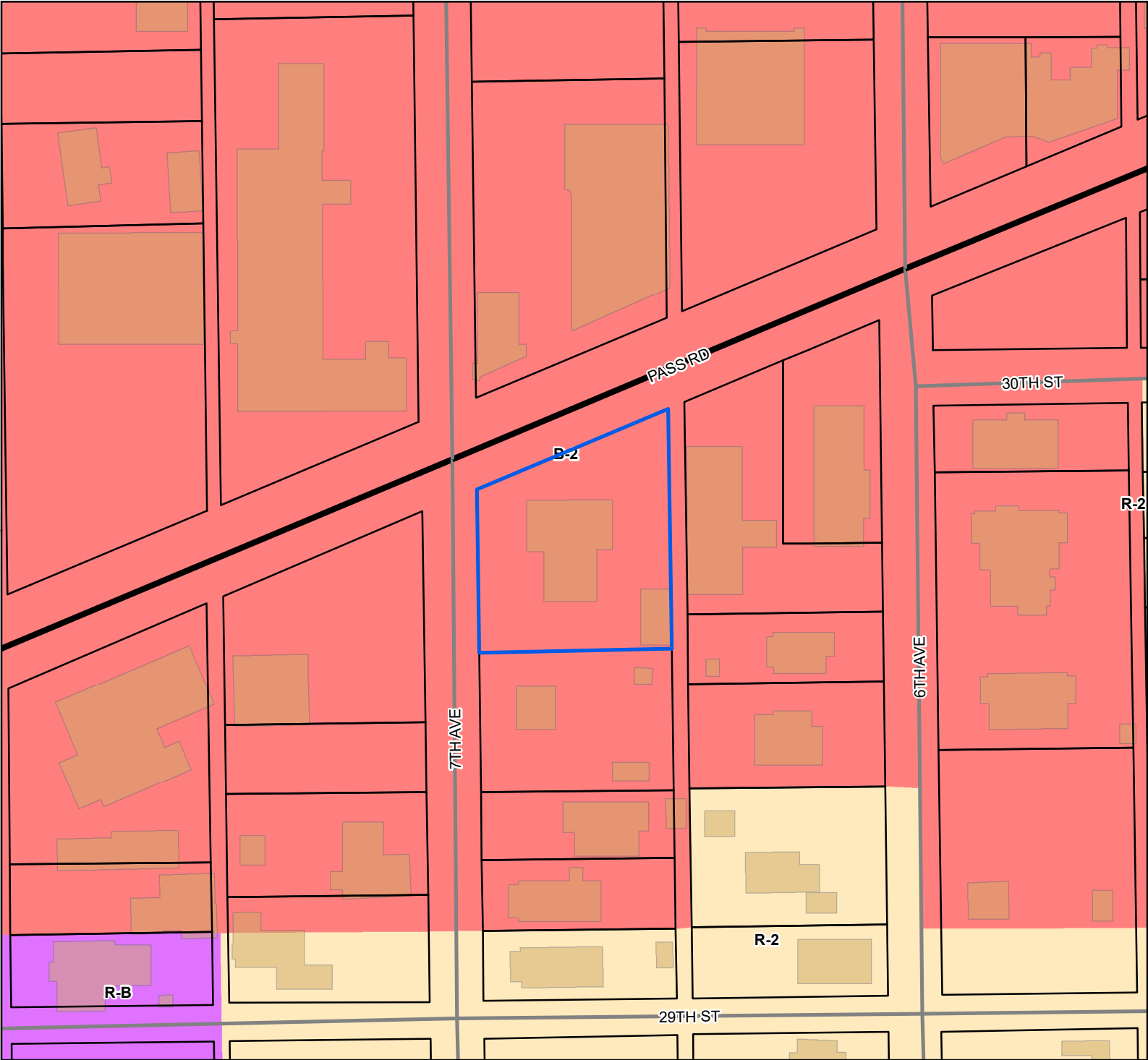
City Arborist: No conditions. Memo dated 03/07/24.

DIRECTOR APPROVAL

This report has been reviewed and approved by:



Greg Holmes
Director of Urban Development Department



US or State Highway

Street

Parcels

Buildings

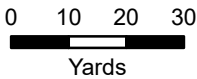
Zoning

B-2 - General Business District

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

R-B - Residence-Business District

Site Information
0910M-03-058.000
Zoning: B-2 (General Buisness District)
Size: 20118.43 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

APPLICATION FOR PLANNING COMMISSION APPROVAL

Property Information

TAX PARCEL # 0910M-03-058.000

(If necessary, use separate sheet of paper)

For Staff Use Only

Case Number: 2402PC011Date Received: 12/22/23

Receipt Number: _____

Received By: JSZoning: B-2Ward: 3 Flood: _____Size: 20118.43 sqftAddress of Property Involved: 941 PASS RDLot(s) 30 to 35, Block(s) 19, Subdivision MYRTLE RESURVEYGeneral Location: PASS Rd

GENERAL DESCRIPTION OF REQUEST:

would like to BE Able to SELL Automobiles
IN B2 ZONING DISTRICT. LESS THAN 50 VEHICLES.

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

OMT LLC

Printed Name of Owner

P.O. Box 6976

Mailing Address

Gulfport MS 39506

City State Zip code

228-697-1473

Home Phone

Work/Cell Phone

jwd32159@gmail.com

Email

John W Vanit

Signature of Owner

AGENT

M2 ENTERPRISES, INC. d.b.a.

Printed Name of Agent

941 PASS RD INCORRIGIBLE MOTORSPORTS

Mailing Address

GULFPORT MS 39501

City State Zip code

951-210-5404

Home Phone

Work/Cell Phone

matt@incorrigiblemotorsports.com

Email

Matthew Vanit, President

Signature of Agent

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

☐

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



Designation of Agent

I, John D. Davis, being property owner of 941 Post Rd.
PRINT NAME PRIMARY ADDRESS OR PARCEL
 which is the subject of this application hereby authorize MONTY NEW SUMNER to act as my
PRINT NAME
 representative with the City of Gulfport's Zoning Board of Adjustment and Appeals, and/or Planning Commission, and/or City Council, and/or permitting and licensing, as required by the City.

Such representation shall be for all purposes concerning any manner, right, or obligation relating to this petition. This designation authorizes my agent to make verbal or written representations and/or declarations on my behalf, and I shall be legally bound by said verbal or written representations and/or declarations relating to this petition.

The petitioner understands and acknowledges that the City will rely upon the agent's representations in approval or denial of said petition.

Signature

12-20-23

Date

STATE OF MISSISSIPPI | COUNTY OF HARRISON

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

Notary Public



Nov. 7, 2027

Commission Expiration



Covenant Affidavit

I, John DANIEL, being owner or agent of the property 941 Pass Rd
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.

John W. Daniel
Signature

12-20-23
Date

STATE OF MISSISSIPPI | COUNTY OF HARRISON

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

Joshua Reyer
Notary Public



Nov. 7, 2027
Commission Expiration



Michael Watson

SECRETARY OF STATE

This is not an official certificate of good standing.

Name History

Name	Name Type
O.M.T., L.L.C.	Legal

Business Information

Business Type:	Limited Liability Company
Business ID:	671728
Status:	Good Standing
Effective Date:	06/01/1999
State of Incorporation:	Mississippi
Principal Office Address:	1901 29th Street Gulfport, MS 39501

Registered Agent

Name
Danese T Daniel 2252 Beach Drive , Unit 2205 Gulfport, MS 39507

Officers & Directors

Name	Title
John W Daniel 1901 29TH STREET GULFPORT, MS 39505	Manager, President
John W Daniel P O BOX 6976 GULFPORT, MS 39506	Member
Danese T Daniel 2252 Beach Drive, Unit 2205 Gulfport, MS 39507	Treasurer, Vice President

**Contact information**

Matthew Svendsen, President
M2 Enterprise, Inc. d.b.a. Incorrigible Motorsports
(228-701-9461
matt@incorrigiblemotorsports.com
941 Pass Rd. Gulfport, MS 39501

To

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

Esteemed Members of Urban Development – Planning Division

RE: Application for Planning Commission Approval – Section F.

- With regards to Transportation and Access:
 - The location has been established for many years in the Gulfport community and offers access off of Pass Rd. without having to cause traffic to stop for turn-in purposes. Front parking is wide and spacious and currently has 8 individual curbed parking spaces for customers. The east section of the parking area allows for vehicles to be displayed.
 - The property has ingress/egress access through a wide fence off 7th Avenue near the rear of the lot, and well as a large gate opening on the east side of the parking area, easily allowing for vehicles to be moved from the secured fence lot to the front as needed without obstructing traffic.
 - The facility lot allows for display of vehicles along Pass Rd. frontage as well as behind the secured fence along Pass Rd. and 7th Avenue.
- With regards to Water Supply:
 - Facility is an established facility that has catered to Marine applications (boat dealership) and for the last year plus offering automotive accessories and installation. The facility has several access points for hoses for maintaining

the property.

- With regards to waste disposal:
 - We currently have trash service that picks up along 7th Avenue.
- With regards to Fire and Police:
 - The Facility offers ample access for Fire if needed. In addition, a city hydrant is located at the corner of 7th Ave and Pass Rd. some 20 feet from the front showroom facility.
 - Police can find easy visibility into the facility from the front parking area. The facility is transparent allowing Police to put eyes on all four corners of the facility without exiting their vehicle from both Pass Rd. as well as 7th Ave. The business also has HD cameras showing all 4 sides of the facility as well as capturing sound. We have been visited and asked by Gulfport PD to assist with video and sound recordings of happenings in the area a few times this past year, in which we have welcome the opportunity to lend assistance.
- Other Public Facilities:
 - We have two restroom facilities open to customers.
- How in harmony with the orderly and appropriate development of the district in which the use is located:
 - The location is surrounded by automotive type companies in both directions along Pass Rd... It is very fitting with what the district offers the community for services. In addition, we keep the facility clean and organized, market well and offer a "premium" product for customers... Since moving in (January 2023) 3 vacant locations across the street have been filled – D&D Auto Group, Amigos Automotive, and Babers Appliances. Much of this growth is contributed to the professional way we conduct business and uphold our facilities.

Sincerely,



Matthew Svendsen, President

M2 Enterprise, Inc. d.b.a. Incurrible Motorsports

December 20, 2023

0910M-01-065.000 (1 AC)

(155)

(155)

0910M-03-059.000

145

0910M-03-060.002

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150

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18

(152)

0910M-01-051.000

17

(150)

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(175)

33

0910M-03-058.000

(115)

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140

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28

0910M-03-057.000

100

27

19

Harrison County GIS, Harrison



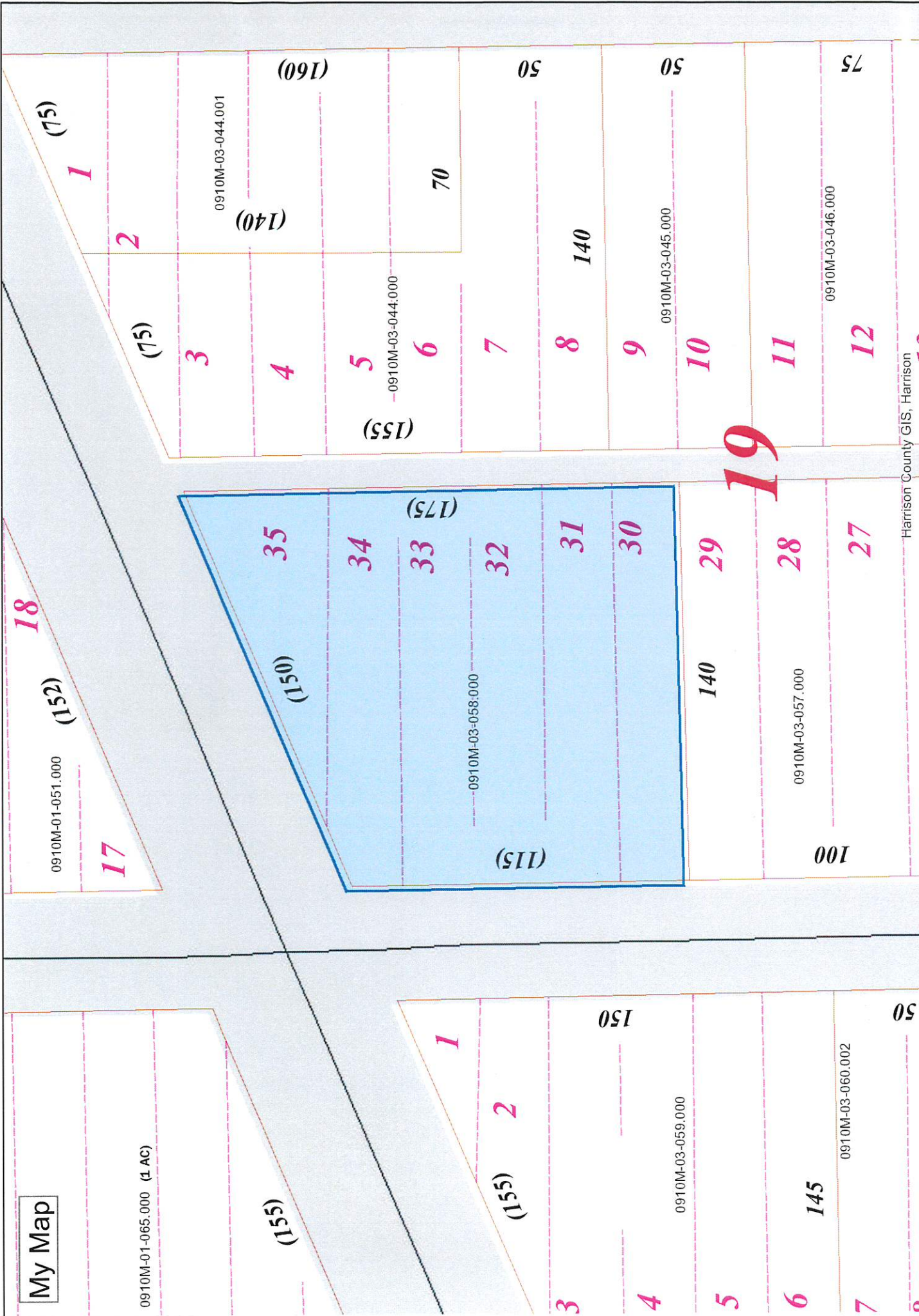
1 inch = 50 feet

Date: 12/15/2023

Time: 1:33:13 PM



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



0910M-01-065.000 (1 AC)

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150

0910M-03-053.000

0910M-03-060.002

0910M-03-044.001

0910M-03-044.000

0910M-03-045.000

0910M-03-046.000

0910M-03-058.000

0910M-03-057.000

18

(152)

0910M-01-051.000

17

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Date: 12/15/2023

Time: 1:34:20 PM



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

1 inch = 50 feet



Harrison County GIS Dept., Harrison County GIS, Harrison County Tax Assessor

My Map

0910M-01-065.000

0910M-01-051.000

0910M-03-044.001

0910M-03-044.000

0910M-03-053.000

0910M-03-059.000

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0910M-03-057.000

0910M-03-043.000

0910M-03-060.002

(155)

4

5

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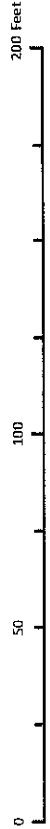
31

30

28

41

Harrison County GIS Dept., Harrison County GIS, Harrison County Tax Assessor



1 inch = 50 feet

Date: 12/15/2023

Time: 1:34:20 PM

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



J. H. Jones 1st Judicial District
Instrument 2019 10729 D - J1
Filed/Recorded 12/31/2019 09:20 A
Total Fees \$ 17.00
2 Pages Recorded

PREPARED BY AND RETURN TO:
David W. Jones, Attorney, PLLC
1605 Twenty-third Avenue
Gulfport, MS 39501
(228) 864-8965
File #199100

REVIEW

STATE OF MISSISSIPPI
COUNTY OF HARRISON
FIRST JUDICIAL DISTRICT

WARRANTY DEED

FOR AND IN CONSIDERATION of the sum of Ten Dollars (\$10.00), cash in hand paid, and other good and valuable consideration, the receipt and sufficiency of all of which is hereby acknowledged, the undersigned, **George Gresham Bethea, 92 M Parker Road, McHenry, MS 39561, (228) 731-2820**, does hereby sell, convey and warrant unto, **O.M.T., L.L.C., 2252 Beach Drive #2205, Gulfport, MS 39507, (228) 697-1473**, the following described land and property being located in the First Judicial District, Harrison County, Mississippi, being more particularly described as follows, to-wit:

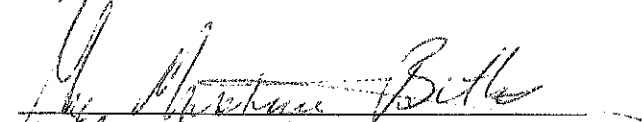
Lots Thirty (30), Thirty-one (31), Thirty-two (32), Thirty-three (33), Thirty-four (34) and Thirty-five (35), Block Nineteen (19), MYRTLE RESURVEY, a subdivision according to the official map or plat thereof on file and of record in the office of the Chancery Clerk of the First Judicial District of Harrison County, Mississippi, in Plat Book 3 at Page 46 (Copy Book 2 at Page 93) thereof, reference to which is hereby made in aid of and as a part of this description.

LESS AND EXCEPT that portion conveyed as a right-of-way for Pass Christian Road, as shown by instrument recorded in Deed Book 256 at Page 439 of the Deed Records of Harrison County, Mississippi.

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

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

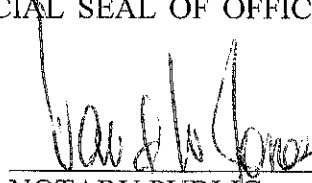
WITNESS MY SIGNATURE, on December 30, 2019.


George Gresham Bethea

STATE OF MISSISSIPPI
COUNTY OF HARRISON

THIS DAY PERSONALLY CAME AND APPEARED BEFORE ME, the undersigned authority in and for the jurisdiction aforesaid, George Gresham Bethea, who acknowledged that the above and foregoing instrument was signed and delivered as the free and voluntary act and deed of the Grantor on the day and in the year therein mentioned.

GIVEN UNDER MY HAND AND OFFICIAL SEAL OF OFFICE, on December 30, 2019.


NOTARY PUBLIC



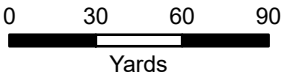
My Commission Expires:
January 8, 2021

Mail	PPIN	Parcel ID	Name	Address	City	State	ZIP
			OMT LLC (OWNER)	P.O. BOX 6976	GULFPORT	MS	39506
			M2 ENTERPRISES INC (AGENT)	941 PASS RD	GULFPORT	MS	39501
			Adjacent Property Owners (2402PC011)				
32496	0910M-03-056.000		AARON THOMAS B & LINDA M	1380 S INDIANFIELD ST	BENNETT	CO	80102
32490	0910M-03-047.000		SLAUGHTER HOWARD B & CATHERINE R	17 KIMBALL DR	GULFPORT	MS	39507
98714	0910M-03-060.001		BRELAND JO ANN	2905 7TH AVENUE	GULFPORT	MS	39501
32489	0910M-03-046.000		MCPARTLAND JAMES L	2915 6TH AVE	GULFPORT	MS	39501
83854	0910M-03-059.000		APPLE HOLDINGS LLC	P O BOX 7503	GULFPORT	MS	39506
32487	0910M-03-044.000		HAGE LIMITED PARTNERSHIP	400 PASS RD	GULFPORT	MS	39507
32498	0910M-03-058.000		OMT LLC	2252 BEACH DR #2205	GULFPORT	MS	39507
114826	0910M-03-055.000		DEEN LATONIA D	2904 7TH AVE	GULFPORT	MS	39501
98715	0910M-03-060.002		HASEN BONNIE	420 PINNACLE HEIGHTS LANE	LAS VEGAS	NV	89144
32494	0910M-03-054.000		CHAIN MARGARET WALKER	2900 7TH AVE	GULFPORT	MS	39501
32488	0910M-03-045.000		PINEDA MARIA DELFINA	2917 6TH AVE	GULFPORT	MS	39501
32439	0910M-01-051.000		MILNER JOHN K & LINDA B	940 PASS RD	GULFPORT	MS	39501
32436	0910M-01-049.000		COASTAL PLAIN LAND & DEVELOPMENT IN	2937 ASTER PL	MOBILE	AL	36119
83855	0910M-03-060.000		PILGRIM DORIS B -L/E-	2103 20TH AVE	GULFPORT	MS	39501
83776	0910M-01-065.000		1000 PASS ROAD LLC	29 COLONEL WINK DRIVE	GULFPORT	MS	39507
83853	0910M-03-049.000		KADERLI BARBARA A	2911- 6TH AVENUE	GULFPORT	MS	39501
32497	0910M-03-057.000		THOMAS JACK & DELL	944 CLEVELAND AVE	GULFPORT	MS	39507
83765	0910M-01-050.000		COASTAL PLAIN LAND & DEVELOPMENT IN	2937 ASTER PLACE	MOBILE	AL	36119



Legend

-  Site
-  Adjacent Properties
-  US or State Highway
-  Street
-  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.

RE: Planning Commission Approval 2402PC011, by agent M2 Enterprises, Inc., seeking approval for auto sales of less than fifty vehicles, Tax Parcel 0910M-03-058.000, 941 Pass Rd, Zoned B-2 (General Business), Ward 3

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 28, 2024**, 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 28, 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	528938	Print Legal Ad-IPL01632770 - IPL0163277		\$83.65	2	56 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, March 28, 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 24 th Avenue.

Planning Commission Approval 2402PC011, by agent M2 Enterprises, Inc., seeking approval for auto sales of less than fifty vehicles, Tax Parcel 0910M-03-058.000, 941 Pass Rd, Zoned B-2 (General Business), Ward 3

Planning Commission Approval 2403PC029, by owner JKA Properties LLC, seeking approval for church use, Tax Parcels 0910I-02-008.001, 0910I-02-008.000, 729 E Pass Rd., Zoned T5 (Urban Center), Ward 2

Special Exception 2403SC031, by agent Tyler Hickman, seeking approval for daiquiri shop, Tax Parcels 0908N-04-004.000, 0908N-04-004.001, 13211 Dedeaux Road, Zoned B-1 (Neighborhood business), Ward 5

Planning Commission Approval 2403PC039, by agents Charles Gant and Warren Dedeaux, seeking approval for a townhouse development, Tax Parcels 0908M-01-009.00, 0908M-01-009.001, 0908M-01-014.000, Zoned B-1 (Neighborhood-business), Ward 5

Planning Commission Approval 2403PC040, by agent Vinson Keyhea, seeking approval for car sales of less than 50 vehicles, Tax Parcel 0910N-06-020.000, Zoned B-2 (General-Business) Ward 4

General Plan 2402PC014, by agent Kenneth Jones, seeking approval for an 84-lot subdivision with five outparcels (Swan Landing Estates), Tax Parcel 0807G-01-001.000, South Swan Road, Zoned R-1-15 (Single-family), Ward 7

Zoning Map Amendment 2403PC020, by owner David Cospelich, Request rezone to B-1 (Neighborhood Business), Tax Parcels 0907H-02-001.001, 0907H-02-002.000, 1007E-01-002.000, 1007E-01-003.000, Zoned R-1-10 (Single Family Residence), River Road, Ward 6

Zoning Map Amendment 2403PC024, by owner Rock Solid Property, Requests to rezone to T5 (Urban Center Zone), Tax Parcel 1010N-01-087.001, Zoned T4 (General Urban Zone "Plus"), Cowan Road, Ward 2

Zoning Map Amendment 2403PC025, by agent Allison Vencil, requesting to rezone the entire parcel to T4+ (General Urban Zone "Plus"), Tax Parcel 0911B-02-009.002, 210 Texas Ave, Zoned T4+ (General Urban Zone & "Plus") and T5 (Urban Center Zone), Ward 2

This the 6th day of March 2024

Keith Williams, Chairman
City of Gulfport Planning Commission
IPL0163277
Mar 8 2024

STATE OF MISSISSIPPI COUNTY OF HARRISON

Before me, the undersigned Notary of Dallas County, Texas personally appeared Mary Castro, 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:
03/08/24

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.

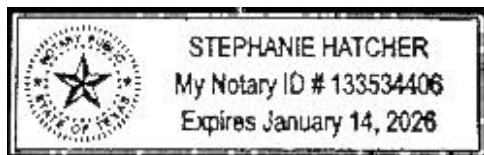
Mary Castro

Sworn to and subscribed before me this 14th day of
March 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!

MEMORANDUM

To: City of Gulfport Planning Commission

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

Date of Hearing: March 28, 2024

Re: Planning Commission Approval 2403PC029:

Planning Commission Approval 2403PC029, by owner JKA Properties LLC, seeking approval for church use, Tax Parcels 0910I-02-008.001, 0910I-02-008.000, 729 E Pass Rd., Zoned T5 (Urban Center), Ward 2

Technical Report

PLANNING COMMISSION APPROVAL

GENERAL INFORMATION

Case File Number: 2403PC029

Hearing Date: March 28, 2024

Current Zoning/Use: T5 / Commercial Structures

Legal: Planning Commission Approval 2403PC029, by owner JKA Properties LLC, seeking approval for church use, Tax Parcels 0910I-02-008.001, 0910I-02-008.000, 729 E Pass Rd., Zoned T5 (Urban Center), Ward 2

TECHNICAL DETAILS

Applicant is seeking approval for a church use in a commercial building at 729 E Pass Road. With the subject site being located in commercial district, there is potential to disrupt businesses in the surrounding area that may be impacted by church uses, such as liquor stores and tattoo parlors. Per Ordinance 3158, any proposed use that would serve liquor would be need to meet the state's distance requirements. Upon staff review, there are no existing businesses that would be affected, and there are other pre-existing church uses that are nearby the subject site. The closest church use being within 1500 feet of the subject site.

EXECUTIVE SUMMARY

Applicant is seeking approval for a church use in a T5 zoning district (Urban Center Zone) which per ordinance requires Planning Commission. The application meets the requirements for a church use going before Planning Commission. However, the board should keep in mind that allowing the use could hinder future potential businesses that serve liquor. Upon staff review, there are no existing business, such as liquor stores or tattoo parlors, nearby the subject site. There are at least three pre-existing churches nearby the location of the proposed church use.

Any approval should consider these conditions:

1. Must meet all building Codes and City of Gulfport Ordinances.
2. Tree survey & tree permits required. Protected trees need to be preserved & protected.
3. Approval allows for a church use.

DEPARTMENTAL CONDITIONS

Engineering: No conditions. Memo dated 3/15/24.

Public Works: No conditions. Memo dated 3/14/24.

Traffic and Safety: No conditions. Memo dated 3/7/24.

Building Code Services: Must meet all building Codes and City of Gulfport Ordinances. Memo dated 3/6/24.

Technical Report
PLANNING COMMISSION APPROVAL

GIS: No conditions. Memo dated 3/14/24.

Police Department: No comment as of 3/18/24.

Fire Department: No conditions. Memo dated 3/6/24.

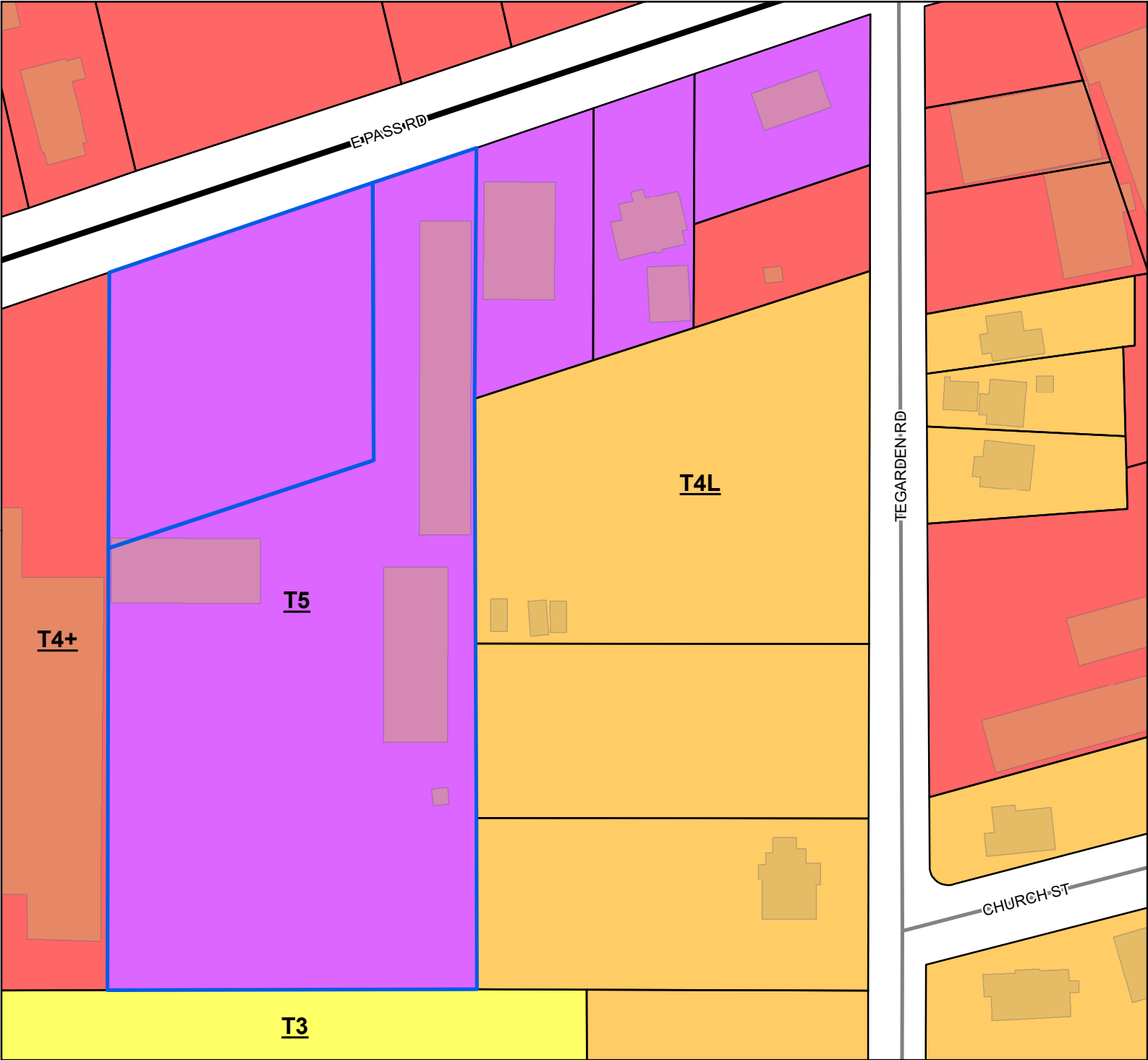
City Arborist: Tree survey & tree required. Protected trees need to be preserved & protected. Memo dated 3/7/24.

DIRECTOR APPROVAL

This report has been reviewed and approved by:



Greg Holmes
Director of Urban Development Department



US or State Highway

Street

Parcels

Buildings

Smart Code

T5

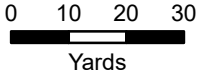
T4+

T4L

T3

Site Information

0910I-02-008.000
0910I-02-008.001
0910I-02-005.000
Zoning T5 (Urban Center)
T4L (General Urban (Limited))
Size: 4.85 AC
Flood: X



1 inch = 100 feet



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

For Staff Use Only

APPLICATION FOR PLANNING COMMISSION APPROVAL

Property Information

TAX PARCEL #

0	9	1	0	I
0	9	1	0	I
0	9	1	0	I

 -

0	2
0	2
0	2

 -

0	0	8
0	0	8
0	0	5

 .

0	0	1
0	0	0
0	0	0

(If necessary, use separate sheet of paper)

Case Number: 2403PL029Date Received: 01/29/2024

Receipt Number: _____

Received By: L36Zoning: T5Ward: 2 Flood: XSize: 2.5 acresAddress of Property Involved: 729 E. Pass Rd. Gulfport MS 39507

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

General Location: 729 E. Pass RD UNIT N IS

GENERAL DESCRIPTION OF REQUEST:

JP
Parking ~~share~~ request for the 3 parcels, Church use.
Requesting planning commission approval for a
church use.

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

JKA Properties LLC

Printed Name of Owner

729 E. Pass Rd. Ste A2

Mailing Address

Gulfport MS 39507
City State Zip code

228 860 0171

Home Phone

Work/Cell Phone

jkapropertiesllc@hotmail.com
Email

Signature of Owner

Printed Name of Agent

Mailing Address

City State Zip code

Home Phone

Work/Cell Phone

Email

Signature of Agent

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



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

1. Transportation and uses provided by the city of Gulfport
2. water supply: Gulfport water Dep = provided by the city of Gulfport
- 3) waste disposal: waste pro = provided by the city of Gulfport
- 4) Fire and Police protection: Gulfport city = provided by the city of Gulfport
- 5) other public facilities: provided by the city of Gulfport
- 6) will not cause undue traffic congestion or create a traffic hazard. because there is no extra traffic
- 7) There are other churches in the community and that is why it is in harmony with the orderly and appropriate development of the district in which the use is located.



Michael Watson

SECRETARY OF STATE

This is not an official certificate of good standing.

Name History

Name	Name Type
JKA Properties, LLC	Legal

Business Information

Business Type:	Limited Liability Company
Business ID:	1093623
Status:	Good Standing
Effective Date:	05/24/2016
State of Incorporation:	Mississippi
Principal Office Address:	1200 College Street Gulfport, MS 39507

Registered Agent

Name
Jose Santamaria 1200 College Street Gulfport, MS 39507

Officers & Directors

Name	Title
Jose Santamaria 1200 College Street Gulfport, MS 39507	Manager



SCANNED



J. J. J. J1 - GULFPORT DISTRICT
Instrument 2022-0009280-D-J1
Filed/Recorded 04/22/2022 8:02:01 AM
Total Fees 26.00
3 Pages Recorded

Indexing: 3 parcels in NE ¼ of NE ¼ and SE ¼ of NE ¼ of S 36-7-11

STATE OF MISSISSIPPI

COUNTY OF HARRISON

FIRST JUDICIAL DISTRICT

Prepared by and return to:
David B. Estes
MS Bar No. 101404
Integrity Land Title, LLC
1806 23rd Avenue, Ste A
Gulfport, MS 39501
(228)896-8962
File#4021

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,

THOMAS PRESS PROPERTIES, LLC
A MISSISSIPPI LIMITED LIABILITY COMPANY
572 A Magnolia Street
Gulfport, MS 39507
(228) 731-7136

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

JKA PROPERTIES, LLC
A MISSISSIPPI LIMITED LIABILITY COMPANY
1200 College Street
Gulfport, MS 39507
(228) 860-0171

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

TAXES for the year 2022 are hereby prorated and the same are hereby assumed by the Grantee herein. It is agreed and understood that the taxes for the current year have been prorated as of this date on an estimated basis, and that when said taxes are actually determined, if the proration as of this date is incorrect, the parties herein agree to pay on a basis of an actual proration. All subsequent years' taxes are specifically assumed by Grantee herein.

WITNESS its signature this the 21 day of April, 2022.

**THOMAS PRESS PROPERTIES, LLC
A MISSISSIPPI LIMITED LIABILITY COMPANY**

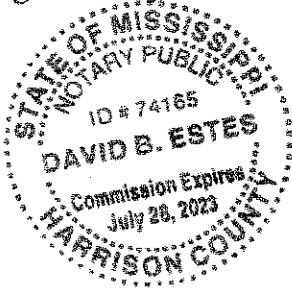
By: Jack Dell Thomas
By: Jessica Windham/Executrix

STATE OF MISSISSIPPI

COUNTY OF HARRISON

Personally appeared before me, the undersigned authority in and for the said county and state, on this 21 day of April, 2022, within my jurisdiction, the within named Jack Dell Thomas, who acknowledged that he is MEMBER of Thomas Press Properties, LLC, a Mississippi Limited Liability Company, and that for and on behalf of said limited liability company, and as its act and deed, he executed and delivered the above and foregoing instrument, after first having been duly authorized by said limited liability company so to do.

(SEAL)



[Signature]
NOTARY PUBLIC

STATE OF MISSISSIPPI

COUNTY OF HARRISON

Personally appeared before me, the undersigned authority in and for the said county and state, on this 21 day of April, 2022, within my jurisdiction, the within named Jessica Windham, who acknowledged that she is the Executrix of Karen Juanita Press, Deceased, who is a Member of Thomas Press Properties, LLC, a Mississippi Limited Liability Company, and that for and on behalf of said limited liability company, and as its act and deed, she executed and delivered the above and foregoing instrument, after first having been duly authorized by said

- ① Commencing at the Southwest corner of Pass Christian Road and Teagarden Road and running thence South along the West line of Teagarden Road 200 feet to the Point of Beginning; thence Southwesterly and parallel to the South line of the Pass Christian Road 300 feet; thence South 165 feet; thence East 284 feet to the West line of Teagarden Road; thence North along the West line of Teagarden Road to the Point of Beginning; and being located in the City of Gulfport, Harrison County, Mississippi.

AND

- ② That certain lot or parcel of land described as beginning at a point on the South line of the Pass Christian Road, which said point is North 70 degrees 36 minutes East 412.8 feet from the Northeast corner of the property now or formerly of Wakulla Edgewater Company, for a Point of Beginning; of the property herein described; thence North 70 degrees 44 minutes East along the South line of Pass Christian Road a distance of 200 feet; thence South 200 feet; thence South 70 degrees 44 minutes West parallel with the South line of Pass Christian Road a distance of 200 feet to a point due South of the Point of Beginning; thence North 200 feet to the Point of Beginning; said property being located in and a part of Section 36, Township 7 South, Range 11 West, Harrison County, Mississippi, as more particularly described by plat of James A. Martin, Civil Engineer.

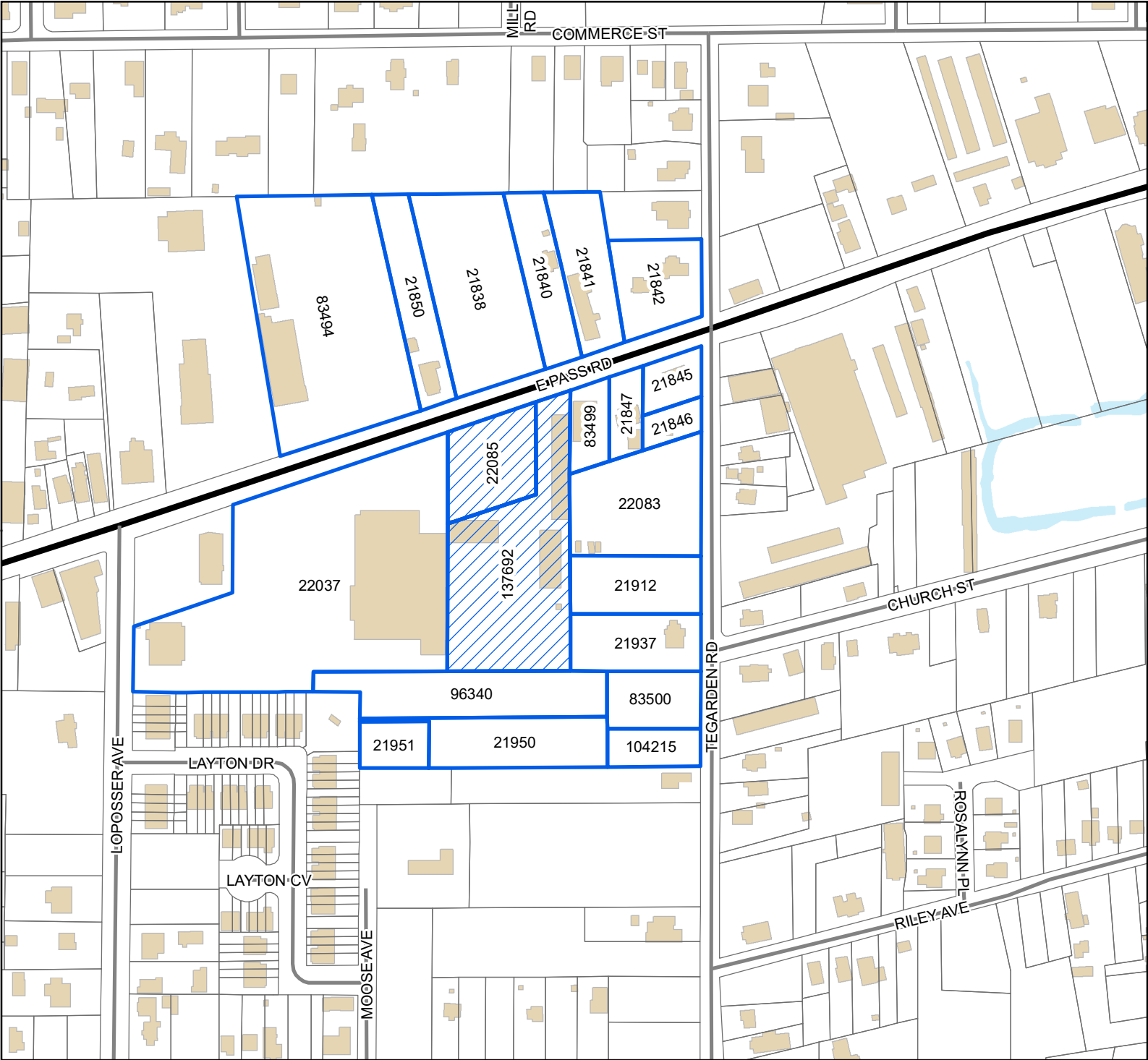
AND

- ③ Beginning at a point which is on the South line of the Pass Christian Road, which point is North 70 degrees, 36 minutes East 412.8 feet from the Northeast corner of the Wakulla Edgewater property, and running thence North 70 degrees 44 minutes East along the South line of the Pass Christian Road a distance of 281.8 feet to the Point of Beginning of the land herein conveyed; thence run South 615 feet, more or less, to the North line of the property of Turner; thence West along the North line of the Turner property a distance of 275 feet, more or less, to a point due South of the Southwest corner of the Jack Thomas property; thence North 315 feet, more or less, to the Southwest corner of the Jack Thomas property; thence Easterly along the South line of the Jack Thomas property and parallel with the South line of the Pass Christian Road a distance of 200 feet, more or less, to the Southeast corner of the said Thomas property; thence North along the East line of the Jack Thomas property a distance of 200 feet, more or less, to the South line of the Pass Christian Road; thence Easterly along the South line of the Pass Christian Road a distance of 81.8 feet to the Place of Beginning, said property being bounded on the East by properties of Rich, Graves and Yeats, on the South by Turner, on the West by Rich and on the North by property of Grantee and the Pass Christian Road, being situated in a part of Section 36, Township 7 South, Range 11 West, Harrison County, Mississippi.

Less and except:

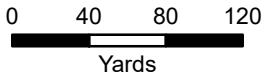
A parcel of land situated and being in Section 36, Township 7 South, Range 11 West, Harrison County, Mississippi, described as: Commencing at the intersection of the West line of Teagarden Road and the South margin of Pass Christian Road and run thence Southwesterly along the South margin of Pass Christian Road a distance of 300.0 feet to the point of beginning; and from said point of beginning continue thence Southwesterly along the South margin of Pass Christian Road a distance of 281.2 feet to the Northwest corner of the herein described property of Jack Thomas and the Northeast corner of Trend Lands, Inc.; thence running South a distance of 14.1 feet to a point on the proposed right-of-way of Pass Christian Road; thence run Northeasterly along said proposed right-of-way a distance of 281.2 feet to the East line of Jack Thomas and the West line of Sellier and Williams; thence run North along said line a distance of 11.5 feet to the point of beginning;

Mail	PPIN	Parcel ID	Name	Address	City	State	ZIP
Y		0910I-02-008.000	JKA PROPERTIES LLC (OWNER)	729 E PASS RD	GULFPORT	MS	39507
			Adjacent Property Owners (2403PC029)				
	20997	1010L-06-022.000	BAILEY PROPERTIES INC	P O BOX 6039	GULFPORT	MS	39506
	21951	0910I-02-011.000	HENDERSON IVA	1001 CHURCH ST	GULFPORT	MS	39507
	21950	0910I-02-012.000	OWEN JOE SAM	PO BX 673	GULFPORT	MS	39502
	21001	1010L-06-020.000	BOWIN STEPHANIE K & IRBY KATHRYN	730 TEGARDEN RD	GULFPORT	MS	39507
	83494	0910I-01-068.000	MBH GPT REAL ESTATE LLC	328 N COLUMBIA ST	COVINGTON	LA	70433
	22039	0910I-02-010.000	GIMENEZ RUBEN	603 EAST PASS RD	GULFPORT	MS	39507
	21846	0910I-02-002.000	SBA PROPERTIES INC	8051 CONGRESS AVE	BOCA RATON	FL	33487
	100966	1010L-06-015.001	HUDSON KENNETH M & KAREN	1308 SHERWOOD DR.	GULFPORT	MS	39507
	21845	0910I-02-001.000	GIEGER WILEY W & JANE W ETAL	319 JAMAICA DR	OCEAN SPRINGS	MS	39564
	21840	0910I-01-064.000	SWEAT DONALD E	132 MORRISON AVE	BILOXI	MS	39530
	21842	0910I-01-061.000	ARDE WARREN A & JENNIFER	PO BOX 8575	GULFPORT	MS	39506
	20998	1010L-06-021.000	BAYOU RENTAL PROPERTIES INC	445 TEGARDEN RD	GULFPORT	MS	39507
	114059	1010L-06-021.001	BAILEY PROPERTIES INC	PO BOX 3001	GULFPORT	MS	39505
	21002	1010L-06-017.000	TALBERT EARLINE -EST-	726 TEGARDEN RD	GULFPORT	MS	39507
	96340	0910I-02-012.001	HURLBERT MELVA D & VELVA JOANNE	2187 COLLINS BLVD	GULFPORT	MS	39507
	83500	0910I-02-013.000	OWEN JOE SAM	P O BOX 673	GULFPORT	MS	39502
	21912	0910I-02-006.000	JOHNSON JACQUELYN WELLS ETAL	658 TEAGARDEN RD	GULFPORT	MS	39507
	21015	1010L-06-015.000	HUDSON GLENA A -EST-	1309 PINE CREST HB	GULFPORT	MS	39507
	21937	0910I-02-007.000	BUI JOSEPH -EST-	280 1ST STREET	BILOXI	MS	39530
	21838	0910I-01-066.000	FULLHOUSE VENTURE CO LP	P O BOX 1139	GULFPORT	MS	39502
	21850	0910I-01-067.000	CARDEN CAROLYN M	2581 BRIGHTON CIRCLE	BILOXI	MS	39531
	104215	0910I-02-013.001	LAIN CHRISTOPHER & MANDERICO JUBE	661 TEGARDEN RD	GULFPORT	MS	39507
	21000	1010L-06-019.000	PRESS KAREN JUANITA	572 MAGNOLIA ST	GULFPORT	MS	39507
	22083	0910I-02-005.000	JKA PROPERTIES LLC	1200 COLLEGE ST	GULFPORT	MS	39507
	22037	0910I-02-009.000	FIRST TIBER SA INC	P O BOX 016727	MIAMI	FL	33101
	21841	0910I-01-062.000	STAFFORD PROPERTIES LLC	8775 SUNDANCE LN	GULFPORT	MS	39503



Legend

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



1 inch = 300 feet



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

RE: Planning Commission Approval 2403PC029, by owner JKA Properties LLC, seeking approval for church use, Tax Parcels 0910I-02-008.001, 0910I-02-008.000, 729 E Pass Rd., Zoned T5 (Urban Center), Ward 2

To Applicants and Adjacent Property Owners:

The City of Gulfport Planning Commission will hold a public hearing to consider the above application at 4:30 P.M. on **Thursday, March 28, 2024**, 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 28, 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	528938	Print Legal Ad-IPL01632770 - IPL0163277		\$83.65	2	56 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, March 28, 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 24 th Avenue.

Planning Commission Approval 2402PC011, by agent M2 Enterprises, Inc., seeking approval for auto sales of less than fifty vehicles, Tax Parcel 0910M-03-058.000, 941 Pass Rd, Zoned B-2 (General Business), Ward 3

Planning Commission Approval 2403PC029, by owner JKA Properties LLC, seeking approval for church use, Tax Parcels 0910I-02-008.001, 0910I-02-008.000, 729 E Pass Rd., Zoned T5 (Urban Center), Ward 2

Special Exception 2403SC031, by agent Tyler Hickman, seeking approval for daiquiri shop, Tax Parcels 0908N-04-004.000, 0908N-04-004.001, 13211 Dedeaux Road, Zoned B-1 (Neighborhood business), Ward 5

Planning Commission Approval 2403PC039, by agents Charles Gant and Warren Dedeaux, seeking approval for a townhouse development, Tax Parcels 0908M-01-009.00, 0908M-01-009.001, 0908M-01-014.000, Zoned B-1 (Neighborhood-business), Ward 5

Planning Commission Approval 2403PC040, by agent Vinson Keyhea, seeking approval for car sales of less than 50 vehicles, Tax Parcel 0910N-06-020.000, Zoned B-2 (General-Business) Ward 4

General Plan 2402PC014, by agent Kenneth Jones, seeking approval for an 84-lot subdivision with five outparcels (Swan Landing Estates), Tax Parcel 0807G-01-001.000, South Swan Road, Zoned R-1-15 (Single-family), Ward 7

Zoning Map Amendment 2403PC020, by owner David Cospelich, Request rezone to B-1 (Neighborhood Business), Tax Parcels 0907H-02-001.001, 0907H-02-002.000, 1007E-01-002.000, 1007E-01-003.000, Zoned R-1-10 (Single Family Residence), River Road, Ward 6

Zoning Map Amendment 2403PC024, by owner Rock Solid Property, Requests to rezone to T5 (Urban Center Zone), Tax Parcel 1010N-01-087.001, Zoned T4 (General Urban Zone "Plus"), Cowan Road, Ward 2

Zoning Map Amendment 2403PC025, by agent Allison Vencil, requesting to rezone the entire parcel to T4+ (General Urban Zone "Plus"), Tax Parcel 0911B-02-009.002, 210 Texas Ave, Zoned T4+ (General Urban Zone & "Plus") and T5 (Urban Center Zone), Ward 2

This the 6th day of March 2024

Keith Williams, Chairman
City of Gulfport Planning Commission
IPL0163277
Mar 8 2024

STATE OF MISSISSIPPI COUNTY OF HARRISON

Before me, the undersigned Notary of Dallas County, Texas personally appeared Mary Castro, 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:
03/08/24

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.

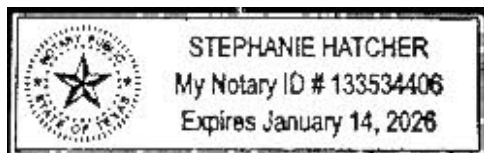
Mary Castro

Sworn to and subscribed before me this 14th day of
March 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!

MEMORANDUM

To: City of Gulfport Zoning Board of Adjustment and Appeals

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

Date of Hearing: March 28, 2024

Re: Special Exception 2403SC031:

Special Exception 2403SC031, by agent Tyler Hickman, seeking approval for daiquiri shop, Tax
Parcels 0908N-04-004.000, 0908N-04-004.001, 13211 Dedeaux Road, Zoned B-1
(Neighborhood business), Ward 5

Technical Report

SPECIAL EXCEPTION

GENERAL INFORMATION

Case File Number: 2403SC031

Hearing Date: Zoning Board March 21, 2024
Planning Commission March 28, 2024

Current Zoning/Use: B-1 / Commercial Structure

Legal: Special Exception 2403SC031, by agent Tyler Hickman, seeking approval for daiquiri shop, Tax Parcels 0908N-04-004.000, 0908N-04-004.001, 13211 Dedeaux Road, Ste 4, Zoned B-1 (Neighborhood business), Ward 5

TECHNICAL DETAILS

The applicant is requesting a Special Exception to be granted to open a daiquiri shop at 13211 Dedeaux, Rd Ste 4. The applicant has provided certification they are meeting the states distance regulations as per Ordinance 3158. The proposed daiquiri shop would still be required to go through Special Exception for Zoning Board and Planning Commission approval.

EXECUTIVE SUMMARY

The applicant would like to open a daiquiri shop at the above-mentioned location. This location is located in Dedeaux Plaza on Dedeaux Rd. The plaza currently houses a liquor store (Davis Liquor and Wine), a restaurant (Mama's Seafood), a market (Tienda Los Amigos), and a laundry mat (Supersudz). The parking appears sufficient. There is sufficient room for proper ingress and egress to safely operate this type of business at this location. It does not appear that this use will adversely impact the adjacent properties.

Any approval should consider these conditions:

1. Special exception use of daiquiri shop must be approved by the Zoning Board and the Planning Commission.
2. Must meet all current Codes and City of Gulfport ordinances.

DEPARTMENTAL CONDITIONS

Engineering: No conditions. Memo dated 03/07/2024.

Public Works: No conditions. As of 07/11/2024.

Traffic and Safety: No conditions. Memo dated 03/06/2024.

Building Code Services: Must meet all current building Codes and City of Gulfport Ordinances. Memo dated 02/27/2024.

Technical Report

SPECIAL EXCEPTION

GIS: No conditions. Memo dated 02/28/2024.

Police Department: No comment as of 03/07/2024.

Fire Department: No conditions. Memo dated 02/27/2024.

City Arborist: No conditions. Memo dated 02/27/2024.

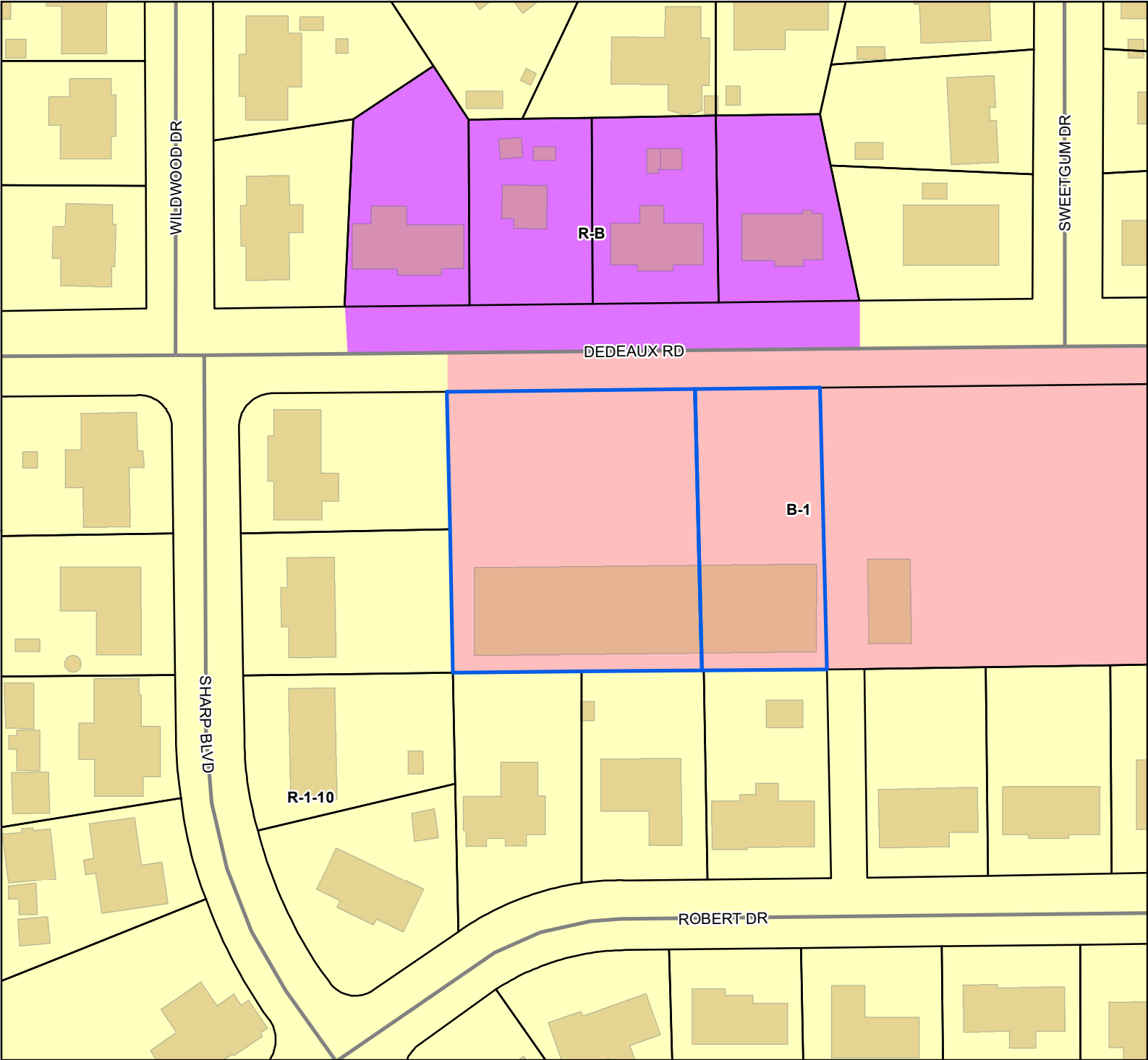
DIRECTOR APPROVAL

This report has been reviewed and approved by:



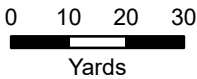
Greg Holmes
Director of Urban Development Department





 Street
 Parcels
 Buildings
Zoning
 B-1 - Neighborhood Business District
 R-1-10 - Single Family Residence (Low Density)
 R-B - Residence-Business District

Site Information
 0908N-04-004.000
 0908N-04-004.001
 Zoning B-1 (Neighborhood Business)
 Size: 1.24 AC
 Flood: X



1 inch = 100 feet



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CASE NUMBER
2403SC031

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

ZONING BOARD OF ADJUSTMENTS AND APPEALS APPLICATION

REQUESTED ACTION BY THE ZONING BOARD OF ADJUSTMENTS AND APPEALS
(A separate submission form is required for each request)

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

TAX PARCEL NUMBERS

0	9	0	8	N	-	0	4	-	0	0	4	.	0	0	0		0	9	0	8	N	-	0	4	-	0	0	4	.	0	0	1
					-			-				.										-			-				.			
					-			-				.										-			-				.			

Property Address:

13211 Dedeaux Rd. Gulfport, MS 39503 Suite 4
Lot(s) _____ Block(s) _____ Subdivision _____

General Description of Request: Daiquiri Shop - Daiquiri to
Go / Liquor Use

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:DE NGUYEN

Printed Name of Owner

10233 HUTTER RD.

Mailing Address

GULFPORT MS 39503

City

State

Zip Code

812-216-0284

Home Phone

Work/Cell Phone

Sathitran@yahoo.com

Email

Nguyen

Signature of Owner

AGENT:Tyler Hickman

Printed Name of Agent

21431 Pete Hickman

Mailing Address

644 Savier, MS. 39574

City

State

Zip Code

228-861-6602

Home Phone

Work/Cell Phone

Email

Pete Hickman

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) DE NGUYEN

Address (Street, City, State, Zip Code)

Phone (Home)

(Work) 228-832-2275(Cell) 228-265-4239

Tax Parcel Number(s) Owned:

Signature:

NguyenX Name of Owner (PRINT) HOANG TRANAddress (Street, City, State, Zip Code) 15068 LOVELESS DR

Phone (Home)

(Work) 228-832-2275(Cell) 228-265-4239

Tax Parcel Number(s) Owned:

Signature:

Hoang Tran

Name of Owner (PRINT)

Address (Street, City, State, Zip Code)

Phone (Home)

(Work)

(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:

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

P **Site plan.** Please note that approval of your request, in part, is based on your **11" by 17"** 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.

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

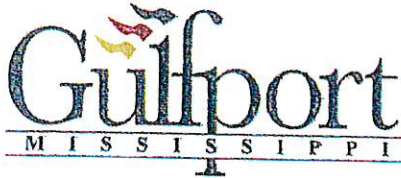
P If applicable, notarized proof of **authority to act as agent** for owner (board resolution, etc.) (see page 9)

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)

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

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



DESIGNATION OF AGENT

I, DE NGUYEN being property owner of 13211 Dedoaux Rd
PRINT NAME PRIMARY ADDRESS OR PARCEL
which is the subject of this application hereby authorize Tyler Hickman to act as
PRINT NAME
my representative with the City of Gulfport's Zoning Board of Adjustment and Appeals, and/or Planning Commission, and/or City Council, and/or permitting and licensing, as required by the City.

Such representation shall be for all purposes concerning any manner, right, or obligation relating to this petition. This designation authorizes my agent to make verbal or written representations and/or declarations on my behalf, and I shall be legally bound by said verbal or written representations and/or declarations relating to this petition.

The petitioner understands and acknowledges that the City will rely upon the agent's representations in approval or denial of said petition.

[Signature]
SIGNATURE

1/24/24
DATE

STATE OF MISSISSIPPI | COUNTY OF HARRISON

Given under my hand and seal of office this the 24 day of January, 20 24

[Signature]
NOTARY PUBLIC

August 28, 2027
COMMISSION EXPIRATION





COVENANT AFFIDAVIT

I, Tyler M. Hickman being property owner or agent of the property 13211 Dedeaux Rd.
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.

Tyler M. Hickman
SIGNATURE

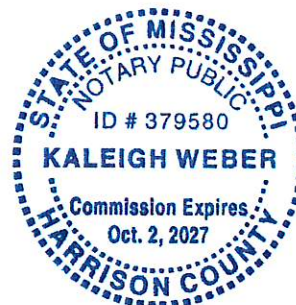
2/1/24
DATE

STATE OF MISSISSIPPI | COUNTY OF HARRISON

Given under my hand and seal of office this the 2 day of February, 20 24

Kaleigh Weber
NOTARY PUBLIC

Oct 2, 2027
COMMISSION EXPIRATION



Case 2403SC031

Southern Daiquiri's does certify they are meeting the states distance requirements at the location proposed with the City of Gulfport at 13211 Dedeaux Rd. Gulfport, MS 39503.

Tyler M. Hickman

Tyler M. Hickman

STATE OF MISSISSIPPI

COUNTY OF HARRISON

FIRST JUDICIAL DISTRICT

Personally appeared before me, the undersigned authority in and for the above said County and State, the within named , Tyler M. Hickman who acknowledged that he/they/she, executed and delivered the above and foregoing instrument. Given under my hand and seal of office, this the 12th day of March 2024.

Rhonda Gaddis



I, Tyler M. Hickman does hereby give permission to Mike Pritchard to represent me on behalf of Southern Daiquiri's LLC at the proposed meeting for the City of Gulfport. Tyler Hickman will be unable to attend.

Tyler M. Hickman

Special Exception Submissions

NOTE: The criteria below outlines each Board's requirements. Each Board does not need to be addressed separately; you may consolidate these responses when appropriate. Keep in mind, however, each item must be thoroughly addressed.

A WRITTEN STATEMENT MUST BE SUBMITTED TO THE ZONING BOARD OF ADJUSTMENT AND APPEALS ADDRESSING THE FOLLOWING:



The following, where applicable must be addressed:

- Ingress and egress to property and proposed structures thereon with particular reference to automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire or catastrophe.
- Off-street parking and loading areas where required, with particular attentino to those items listed in the above bullet statement and the economic, noise, glare or odor effects of the special exception on adjoining properties and properties generally in the district.
- Refuse and service areas, with particular reference to the two items in the above.
- Utilities, with reference to the location, availability, and compatibility.
- Screening and buffering with reference to type, dimensions, and character.
- Signs, if any, and proposed exterior lighting with reference to glare, traffic safety, economic effect, and compatibility and harmony with properites in the district.
- Required yards and other open space.
- General compatibilty with adjacent properties and other property in the district.
- Over view of why the special exception will be in harmony with the general purpose and intent of the Zoning Ordinance.

A WRITTEN STATEMENT MUST BE SUBMITTED TO THE PLANNING COMMISSION ADDRESSING THE FOLLOWING:

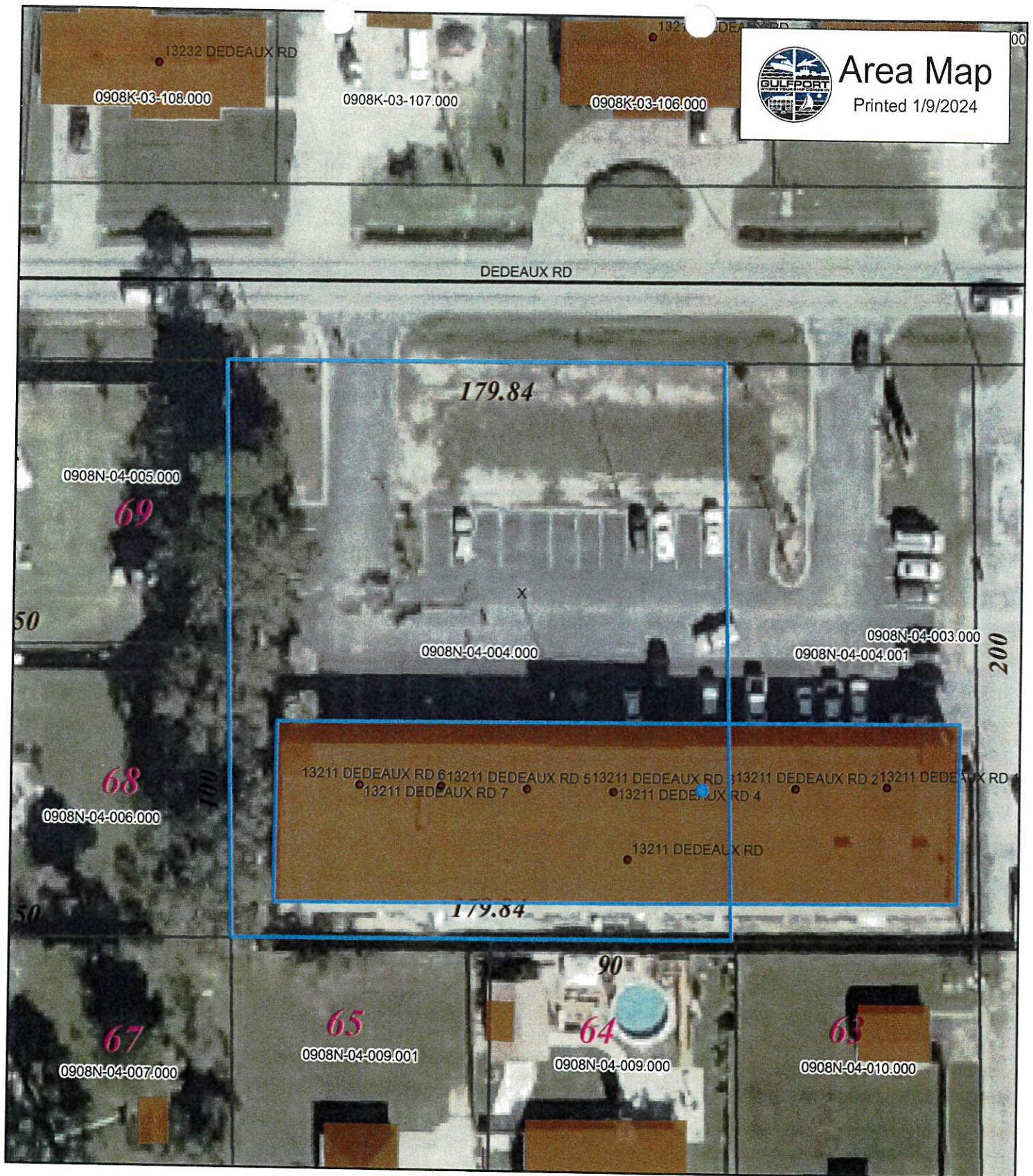
NOTE: The uses listed below are permitted upon approval of location and the site plan thereof by the Planning Commission as being appropriate.



The following, where applicable must be addressed:

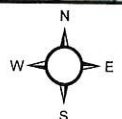
- Transportation and access
- Water supply and waste disposal
- Fire, police protection and other public facilities
- Not causing undue traffic congestion for creating a traffic hazard, as as being in harmony wit the orderly and appropriate development of the district in which the use is located.

- There is ingress and egress to the property and proposed structures with direct access to Dedeaux Rd. There are separate entrance and exits for this structure.
- There is plenty of on site parking for this property structure in accordance with zoning laws.
- The refuse and service areas are located in the front west area of the structure.
- There are utilities for the structure in compatible with the City of Gulfport and there are no other utilities needed.
- There is a buffer in between the ingress and egress and also separating the parking lot from Dedeaux Rd.
- There is one sign needed in accordance with the structure on the front of the building.
- There is an open space in between the parking lot and Dedeaux Rd. (Grass).
- The special exemption being applied for as a To Go Dqiquiri/liquor use will be in harmony with the general purpose and intent of the zoning ordinance due to a liquor store being on site already.
- Transportation and access is and will be used by Dedeaux Rd.
- Water suppl and waste disposal is at the location and is in accordance with the City of Gulfport utilities and there is no other utilities needed for this special exemption.
- Gulfport Fire Department station 10 is the closest Fire station and the area is patrolled by Gulfport Police Department.
- The use will not cause any traffic congestion as the structure has applicable parking for the structure and has ingress and egress to Dedeaux Rd.

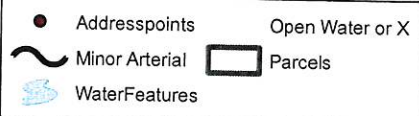


Area Map

Printed 1/9/2024



1 inch = 45 feet



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INDEXING INSTRUCTION:
Index in NW1/4 of SE1/4 of Section 11, Township 7 South, Range 11 West,
First Judicial District of Harrison County, Mississippi

STATE OF MISSISSIPPI
COUNTY OF HARRISON
FIRST JUDICIAL DISTRICT



[Signature]
1st Judicial District
Instrument 2006 1764 D -J1
Filed/Recorded 3 2 2006 10 A
Total Fees 12.00
2 Pages Recorded

WARRANTY DEED

For and in consideration of the sum of Ten and No/100 Dollars, cash in hand paid, and other good and valuable considerations, the receipt and sufficiency of all of which are hereby acknowledged, the undersigned, **Lee Brothers, LLC**, does hereby sell, convey and warrant to **De V. Nguyen and Hoang V. Tran**, as joint tenants with full rights of survivorship and not as tenants in common, the following described real property, with improvements thereon, situated and being in the First Judicial District of Harrison County, Mississippi, to-wit:

Commencing at the intersection of the south line of Dedeaux Road and the west line of the Southeast Quarter (SE 1/4), Section 11, Township 7 South, Range 11 West, Harrison County, First Judicial District, Mississippi; thence North 89 degrees 10 minutes East a distance of 620 feet to the Point of Beginning; thence South 00 degrees 50 minutes East a distance of 200 feet; thence South 89 degrees 10 minutes West a distance of 270 feet; thence North 00 degrees 50 minutes West a distance of 200 feet to the South line of Dedeaux Road; thence North 89 degrees 10 minutes East a distance of 270 feet to the Point of Beginning.

This conveyance is made subject to the lien for ad valorem taxes for the current year, as well as such restrictions, reservations, easements and other matters affecting the title thereto (with the exception of printed exclusions from the coverage of any title insurance commitment or policy) as are revealed to Grantees by any survey, title opinion, title insurance commitment or title insurance policy delivered to Grantee(s) contemporaneously with sale.

Estimated city and 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 Grantees agree 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.

Witness my signature, this 10th day of February, 2006.

Lee Brothers, LLC

BY:

[Signature]

Anthony Lee, Member/Manager

STATE OF CALIFORNIA

COUNTY OF ORANGE

Personally appeared before me, the undersigned authority in and for the said county and state, on this 10th day of February, 2006, within my jurisdiction, the within named Anthony Lee, who acknowledged that he is the Manager of Lee Brothers, LLC, and that for and on behalf of the said limited liability company, and as its act and deed, he executed the above and foregoing instrument, after first having been duly authorized by said company so to do.



(SEAL)


NOTARY PUBLIC

My commission expires:

4/20/2007

Grantor(s) address:

Lee Brothers, LLC
1936 W. Meadowbrook Dr.
Santa Ana, CA 92704

Telephone No. 714-371-6280

Grantee(s) address:

De V. Nguyen and Hoang V. Tran
15068 Lovelace Drive
Gulfport, MS 39523

Telephone No. 601-812-525-8378

Prepared by:
DAVID S. RAINES
Post Office Box 7618
Gulfport, MS 39506-7618
Telephone: (228) 897-2201

MISCELLANEOUS PAYMENT RECPT#: 12593680
CITY OF GULFPORT

GULFPORT, MS 39501

DATE: 02/01/24 TIME: 09:58:54
CLERK: Jseferovl DEPT:
CUSTOMER#:

COMMENT:

CHG: PZD PLANNING AND ZO 75.00

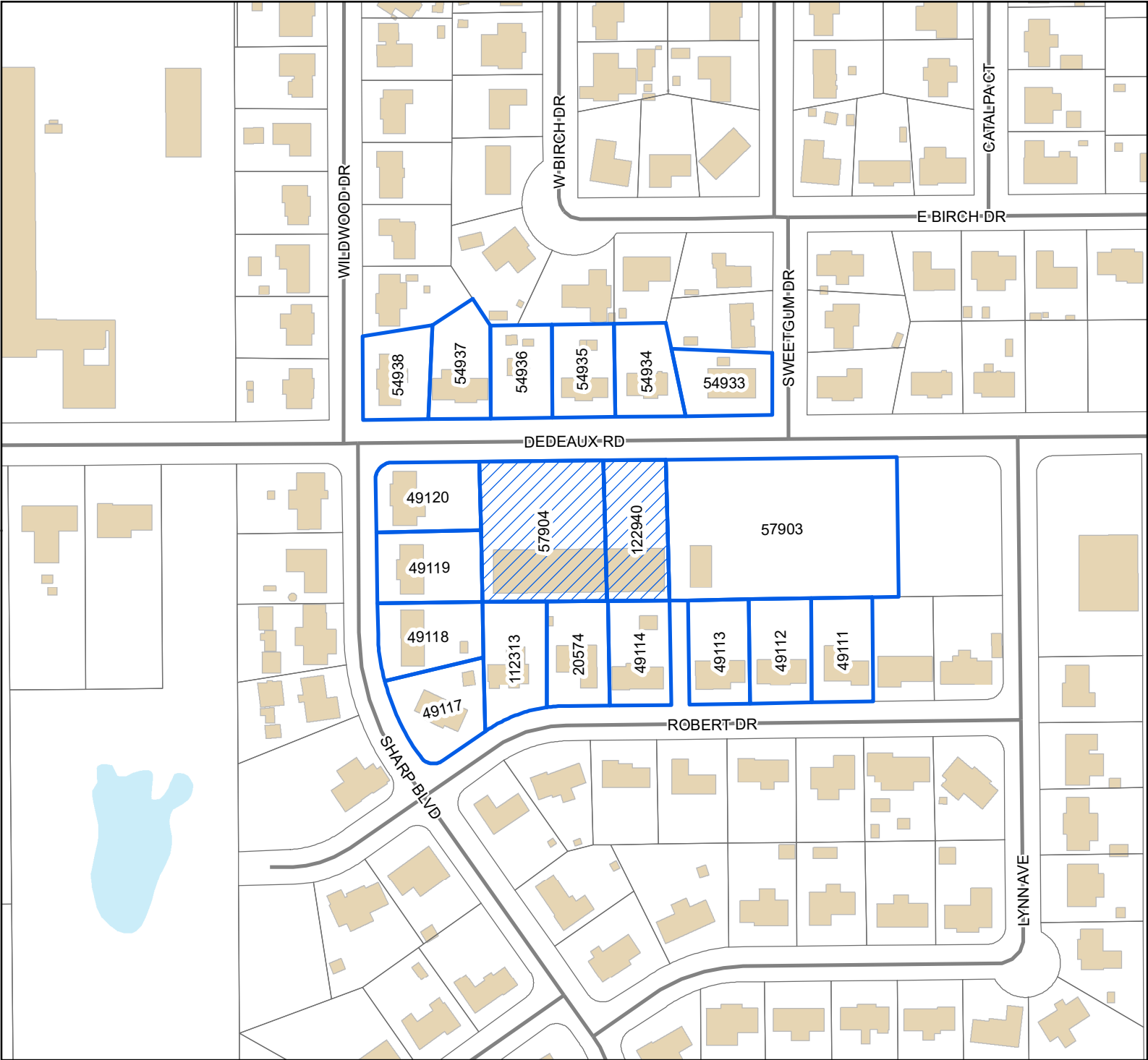
AMOUNT PAID: 75.00

PAID BY: JOHN M. PRITCHARD
PAYMENT METH: CHECK
4669

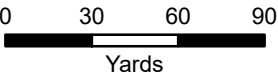
REFERENCE:

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

Mail	PPIN	Parcel ID	Name	Address	City	State	ZIP
Y		0908N-04-004.000	DE NGUYEN (OWNER)	10233 HUTTER RD	GULFPORT	MS	39503
			TYLER HICKMAN (AGENT)	21431 PETE HICKMAN	SAUCIER	MS	39574
			Adjacent Property Owners (2403SC031)				
54936		0908K-03-107.000	THOMAS WALTER JR & VERA L	13232 DEDEAUX RD	GULFPORT	MS	39503
54933		0908K-03-104.000	MOEINI MOHAMMAD -ESTATE-	P O BOX 8833	GULFPORT	MS	39506
57903		0908N-04-003.000	NGUYEN DE VAN & JOE T	10233 HUTTER RD	GULFPORT	MS	39503
49120		0908N-04-005.000	BH INVESTMENTS LLC	13084 OLD HWY 49	GULFPORT	MS	39503
54934		0908K-03-105.000	EICHENBERG RICHARD L & SARAH N	24406 LINDA LN	GULFPORT	MS	39503
49117		0908N-04-008.000	RICHARDSON CARL & PEARLIE	507 SHARP BLVD	GULFPORT	MS	39503
54935		0908K-03-106.000	LOUVIERE DYLAN & STRAHAN KELLY	13216 DEDEAUX RD	GULFPORT	MS	39503
49112		0908N-04-012.000	DELAHUNT ROBERT & VANESSA D	2314 ROBERT DR	GULFPORT	MS	39503
49111		0908N-04-013.000	TRAN JOHN	13688 HIDDEN OAKS DR	GULFPORT	MS	39503
49114		0908N-04-010.000	DIVYNE PROPERTY LLC	2308 ROBERT DR	GULFPORT	MS	39503
112313		0908N-04-009.001	LEVY TIFFANY	2041 SHADY LANE RD	PICKENS	MS	39146
49118		0908N-04-007.000	WENG QICAI	4282 TUX RIVER CIR	D'IBERVILLE	MS	39540
54938		0908K-03-071.000	COBLENTZ ALEXIS DENISE	800 WILDWOOD DR	GULFPORT	MS	39503
49119		0908N-04-006.000	DEDEAUX JOSHUA & BRITTANY L	503 SHARP BLVD	GULFPORT	MS	39503
49113		0908N-04-011.000	JEFFRIES PATRICIA ANN	2312 ROBERTS DR	GULFPORT	MS	39503
20574		0908N-04-009.000	BALL ALVANETTA & DEWITT	2308 ROBERT DRIVE	GULFPORT	MS	39501
122940		0908N-04-004.001	NGUYEN DE V & TRAN HOANG V	15068 LOVELESS DR	GULFPORT	MS	39503



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



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.

RE: Special Exception 2403SC031, by agent Tyler Hickman, seeking approval for daiquiri shop, Tax Parcels 0908N-04-004.000, 0908N-04-004.001, 13211 Dedeaux Road, Zoned B-1 (Neighborhood business), Ward 5

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 28, 2024**, 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, March 28, 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	528938	Print Legal Ad-IPL01632770 - IPL0163277		\$83.65	2	56 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, March 28, 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 24 th Avenue.

Planning Commission Approval 2402PC011, by agent M2 Enterprises, Inc., seeking approval for auto sales of less than fifty vehicles, Tax Parcel 0910M-03-058.000, 941 Pass Rd, Zoned B-2 (General Business), Ward 3

Planning Commission Approval 2403PC029, by owner JKA Properties LLC, seeking approval for church use, Tax Parcels 0910I-02-008.001, 0910I-02-008.000, 729 E Pass Rd., Zoned T5 (Urban Center), Ward 2

Special Exception 2403SC031, by agent Tyler Hickman, seeking approval for daiquiri shop, Tax Parcels 0908N-04-004.000, 0908N-04-004.001, 13211 Dedeaux Road, Zoned B-1 (Neighborhood business), Ward 5

Planning Commission Approval 2403PC039, by agents Charles Gant and Warren Dedeaux, seeking approval for a townhouse development, Tax Parcels 0908M-01-009.00, 0908M-01-009.001, 0908M-01-014.000, Zoned B-1 (Neighborhood-business), Ward 5

Planning Commission Approval 2403PC040, by agent Vinson Keyhea, seeking approval for car sales of less than 50 vehicles, Tax Parcel 0910N-06-020.000, Zoned B-2 (General-Business) Ward 4

General Plan 2402PC014, by agent Kenneth Jones, seeking approval for an 84-lot subdivision with five outparcels (Swan Landing Estates), Tax Parcel 0807G-01-001.000, South Swan Road, Zoned R-1-15 (Single-family), Ward 7

Zoning Map Amendment 2403PC020, by owner David Cospelich, Request rezone to B-1 (Neighborhood Business), Tax Parcels 0907H-02-001.001, 0907H-02-002.000, 1007E-01-002.000, 1007E-01-003.000, Zoned R-1-10 (Single Family Residence), River Road, Ward 6

Zoning Map Amendment 2403PC024, by owner Rock Solid Property, Requests to rezone to T5 (Urban Center Zone), Tax Parcel 1010N-01-087.001, Zoned T4 (General Urban Zone "Plus"), Cowan Road, Ward 2

Zoning Map Amendment 2403PC025, by agent Allison Vencil, requesting to rezone the entire parcel to T4+ (General Urban Zone "Plus"), Tax Parcel 0911B-02-009.002, 210 Texas Ave, Zoned T4+ (General Urban Zone & "Plus") and T5 (Urban Center Zone), Ward 2

This the 6th day of March 2024

Keith Williams, Chairman
City of Gulfport Planning Commission
IPL0163277
Mar 8 2024

STATE OF MISSISSIPPI COUNTY OF HARRISON

Before me, the undersigned Notary of Dallas County, Texas personally appeared Mary Castro, 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:
03/08/24

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.

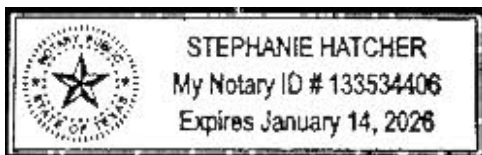
Mary Castro

Sworn to and subscribed before me this 14th day of
March 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!

MEMORANDUM

To: City of Gulfport Planning Commission

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

Date of Hearing: March 28, 2024

Re: Planning Commission Approval 2403PC039:

Planning Commission Approval 2403PC039, by agents Charles Gant and Warren Dedeaux, seeking approval for a townhouse development, Tax Parcels 0908M-01-009.00, 0908M-01-009.001, 0908M-01-014.000, Zoned B-1 (Neighborhood-business), Ward 5

Technical Report

PLANNING COMMISSION APPROVAL

GENERAL INFORMATION

Case File Number: 2403PC039

Hearing Date: March 28, 2024

Current Zoning/Use: B-1 / Vacant lots

Legal: Planning Commission Approval 2403PC039, by agents Charles Gant and Warren Dedeaux, seeking approval for a townhouse development, Tax Parcels 0908M-01-009.00, 0908M-01-009.001, 0908M-01-014.000, Zoned B-1 (Neighborhood-business), Ward 5

TECHNICAL DETAILS

Applicant is seeking Planning Commission approval for the use of a townhouse development, of 204 lots, in a B-1 zoning district. While the provided townhome use is allowed in B-1 zoning districts, it requires Planning Commission approval per City of Gulfport's Ordinances.

When looking through the application, the applicant states "the proposed density is in harmony with the smaller lots, apartments, and mobile home park that lie nearby." Upon staff review of the surrounding area, majority of the residential uses surrounding the proposed developments are single-family homes within R-4 (General residence) or R-1-10 (Single-family) zoning districts. While there is a mobile home park west of the subject site, said mobile home park predates the ordinance.

Looking over the application, while sidewalks are illustrated and labeled on the site plan they do not have any listed dimensions regarding their width, the listed lots sizes do meet current townhome subdivision requirements, and the illustrated setbacks meet the requirements for townhouse developments. Engineering and Public Works has listed in their conditions that the right-of-ways for the proposed townhouse development will need to be sixty (60) feet wide instead of the proposed fifty (50) feet wide. Approval for any infrastructure will require approval through a General Plan, the present case is in regards to the associated use of townhomes in a B-1 zoning district.

EXECUTIVE SUMMARY

Applicant is seeking Planning Commission approval for the use of the proposed townhouse development in a B-1 zoning district. While there is a existing mobile home park, as mentioned by the applicant, said mobile home park is pre-existing and the majority of the residential uses surrounding the proposed development are single-family homes in R-4 (General residence) or R-1-10 zoning districts, meaning the applicant's request will not be in harmony with the surrounding area.

Any approval should consider these conditions:

1. Right of ways to be 60'

Technical Report

PLANNING COMMISSION APPROVAL

2. Provide engineered construction plans at time of permitting
3. Provide plans at time of permitting.
4. Provide all state and federal permits.
5. Must meet all current building Codes and City of Gulfport Ordinances.
6. Tree survey & tree permits required. Protected trees need to be preserved and protected.
7. Approval for the use of the proposed townhouse development, any approval for infrastructure will require a General Plan and Final Plat.

DEPARTMENTAL CONDITIONS

Engineering:

Conditions:

1. Right of way to be 60'
2. Provide engineered construction plans at time of permitting
3. Provide all state and federal permits. Memo dated 3/15/24.

Public Works:

Conditions:

1. Right of way to be 60'
2. Provide plans at time of permitting. Memo dated 3/14/24.

Traffic and Safety:

No conditions. Memo dated 3/7/24.

Building Code Services:

Must meet all current building Codes and City of Gulfport Ordinances. Memo dated 3/6/24.

GIS:

No conditions. Memo dated 3/14/24.

Police Department:

No comment as of 3/18/24.

Fire Department:

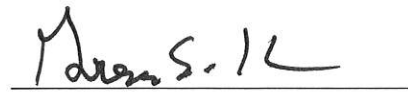
No conditions. Memo dated 3/6/24.

City Arborist:

Tree Survey & tree permits required. Protected trees need to be preserved & protected. Memo dated 3/7/24.

DIRECTOR APPROVAL

This report has been reviewed and approved by:



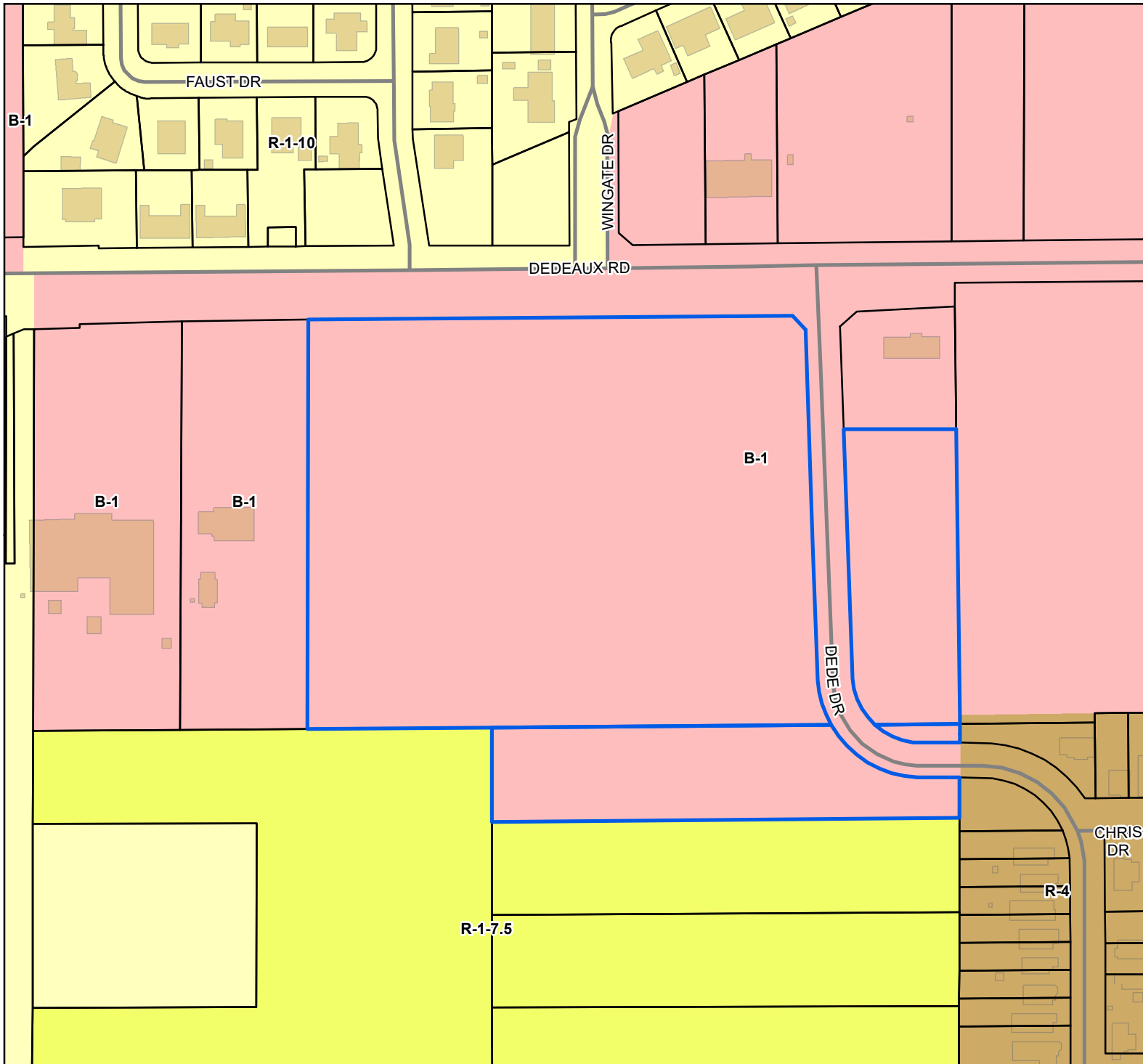
Greg Holmes

Director of Urban Development Department



2403PC039

Planning Commission Approval



Street

Parcels

Buildings

Zoning

B-1 - Neighborhood Business District

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

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

R-4 - General Residence (High Density)

Site Information

0908M-01-009.000

0908M-01-009.001

0908M-01-014.000

Zoning B-1 (Neighborhood Business)

Size: 13.2 AC

Flood: X

0 30 60 90

Yards

1 inch = 200 feet



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

APPLICATION FOR PLANNING COMMISSION APPROVAL

Property Information

TAX PARCEL #	0	9	0	8	M	-	0	1	-	0	0	9	●	0	0	0
	0	9	0	8	M	-	0	1	-	0	0	9	●	0	0	1
	0	9	0	8	M	-	0	1	-	0	1	4	●	0	0	0

For Staff Use Only
Case Number: 2903 PC039
Date Received: 2/6/24
Receipt Number: _____
Received By: JS
Zoning: B-1
Ward: 5 Flood: _____
Size: 13.2 acres

(If necessary, use separate sheet of paper)

Address of Property Involved: 13450 Dedeaux Road

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

General Location: South of Dedeaux Road at the intersection of Dede Drive

GENERAL DESCRIPTION OF REQUEST:

Request Planning Commission approval to allow a townhome development in a B-1 zoning district.

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

Printed Name of Owner

Dedeaux Properties ILP Wanna Dedeaux

Mailing Address

13407 Dedeaux Road

City	State	Zip code
Gulfport	MS	39503

Home Phone

Work/Cell Phone

228-669-3696

Email

[Signature]
Signature of Owner

Printed Name of Agent

Charles Gant & Wanna Dedeaux

Mailing Address

14397 Creosote Road2

City	State	Zip code
Gulfport	MS	39503

Home Phone

Work/Cell Phone

charlie@gant-brown.com

Email

[Signature]
Signature of Agent

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

☐

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

Supplemental Statement

1. Transportation and Access:

The subject property is located on the recently widened portion of Dedeaux Road. Proposed roads will connect to Dede Drive and there will not be any new connections to Dedeaux Road.

2. Water Supply:

There are existing water mains along Dedeaux Road and Dede Drive that are available to serve the development.

3. Waste Disposal:

There are existing sanitary sewer mains along Dedeaux Road and Dede Drive that are available to serve the development.

4. Fire and Police Protection:

All roads will be constructed in accordance to the International Fire Code and fire hydrants in addition to those already present will be provided for fire protection.

5. Other Public Facilities:

Green space will be provided around the drainage detention areas.

6. Why the Proposal will not cause undue traffic congestion or create a traffic hazard:

Proposed roads will connect to Dede Drive which connects to the end of the recently widened area of Dedeaux Road.

7. Why the Proposal is in harmony with the orderly and appropriate development of the district in which the use is located:

The proposed townhome development is allowed in the existing B-1 zoning district with Planning Commission approval. The proposed density is in harmony with the smaller lots, apartments, and the mobile home park that lie nearby. Developments with higher densities should be placed in areas with major multi-lane roads such as Dedeaux Road.



Designation of Agent

Dedeaux Properties I, LP
Its Managing Partner, W.A. Dedeaux Builders, Inc
I, Its President, Warren H. Dedeaux, being property owner of 0908M-01-009.000
PRINT NAME 0908M-01-014.000
PRIMARY ADDRESS OR PARCEL 0908M-01-009.001
which is the subject of this application hereby authorize Warren H. Dedeaux and Charlie Gant 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 Warren H. Dedeaux as President of
W.A. Dedeaux Builders, Inc., Managing Member of
Dedeaux Properties I, LP

2-6-2024

Date

STATE OF MISSISSIPPI | COUNTY OF HARRISON

Given under my hand and seal of office this the 6 day of Feb, 20 2024

Notary Public



10/25/27

Commission Expiration



Michael Watson

SECRETARY OF STATE

This is not an official certificate of good standing.

Name History

Name

Dedeaux Properties I, L.P.

Name Type

Legal

Business Information

Business Type: Limited Partnership
Business ID: 895478
Status: Good Standing
Effective Date: 07/13/2006
State of Incorporation: Mississippi
Principal Office Address: 13407 Dedeaux Road
Gulfport, MS 39503-4510

Registered Agent

Name

Warren H Dedeaux
1310 27th Ave, Second Floor, Suite 1
Gulfport, MS 39501

Officers & Directors

Name

W.A. Dedeaux Builders, Inc.
13407 Dedeaux Road
Gulfport, MS 39503-4510

Title

General Partner

**Dedeaux Properties I, LP, Dedeaux Utility Co, Inc. & W.A. Dedeaux
Builders, Inc.
Corporate Resolutions
07/14/2023**

The following resolutions are hereby adopted by the signatures of the shareholders below:

Resolution One:

Pertaining to Dedeaux Utility Co, Inc. and W.A. Dedeaux Builders, Inc. the officers are hereby elected to be as follows:

President – Warren H. Dedeaux

Vice President – Patricia A. Lehmann

Secretary – Paula S. Sweet

Treasurer – Betsy D. Martin

Resolution Two:

Pertaining to Dedeaux Properties I, LP, Dedeaux Utility Co, Inc. and W.A. Dedeaux Builders, Inc. signatures for ALL checking accounts open for all three of these entities shall be as follows:

Betsy D. Martin, Patricia A. Lehmann, Paula S. Sweet and Warren H. Dedeaux shall all be added as authorized signatures at the bank which holds said accounts. Authority to sign checks shall be as follows: Paula S. Sweet shall be the sole authorized signature for single person signatures on the Dedeaux Utility “Palm Plaza” account with said authority being limited to checks being issued in accord with executing the normal operating budget of said account. Warren H. Dedeaux shall be the sole authorized signature for single signatures on the remaining accounts with said authority being limited to checks being issued in accord with executing the board approved annual operating budgets. In the event that checks are required outside of the approved operating budgets or in the event that Paula S.

Sweet, on the Dedeaux Utility "Palm Plaza" account, and/or Warren H. Dedeaux, on the remaining accounts, become incapacitated or unable to issue such single signature checks in accord with the approved operating budgets, the other bank authorized signatures may step in and execute signatures on the checks but all such checks must have two of the authorized signatures.

Approved by the Shareholders

Betsy D. Martin 7-14-23
Betsy D. Martin

Patricia A. Lehmann 7/14/23
Patricia A. Lehmann

Paula S. Sweet 7/14/23
Paula S. Sweet

Warren H. Dedeaux
Warren H. Dedeaux

W. Sawyer Sr. All Above



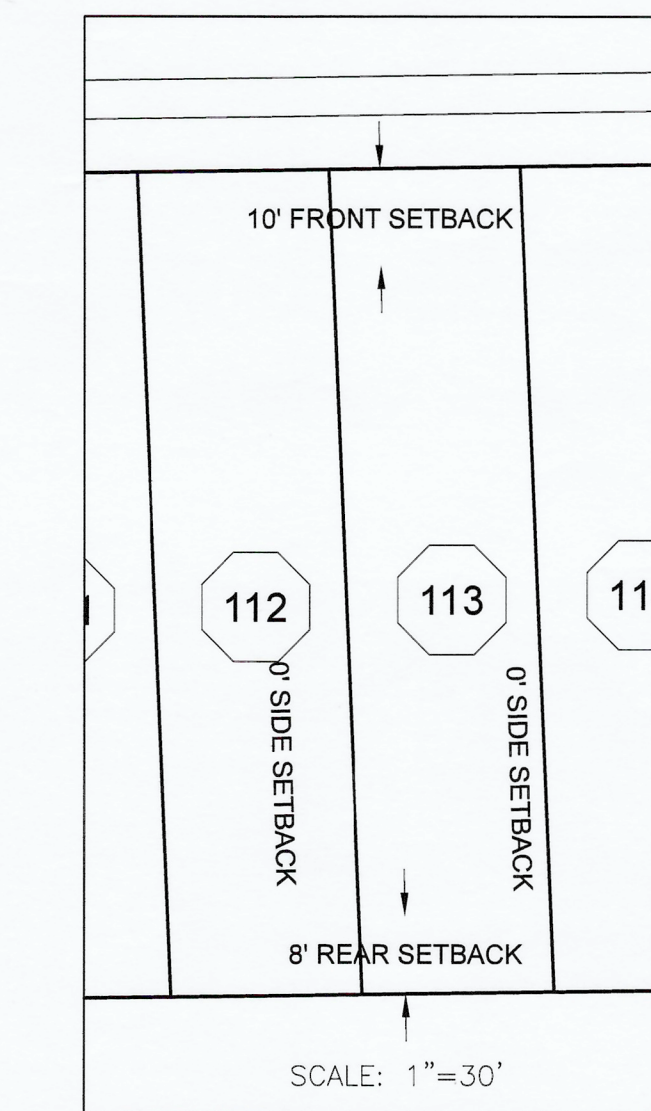
DEDEAUX ROAD

TYPICAL ROAD SECTION

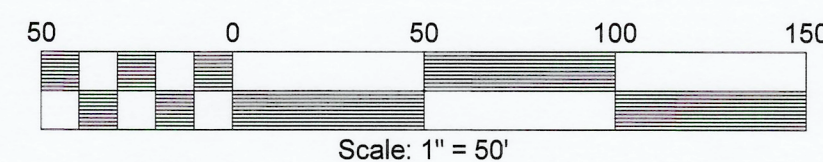
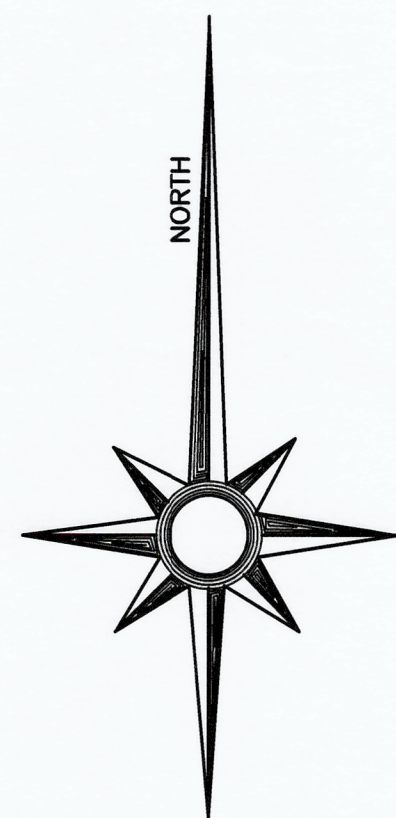
N.T.S.

LOT SIZES

Lot	Area (sf)	Lot	Area (sf)	Lot	Area (sf)	Lot	Area (sf)
1	3052	52	2068	104	2459	155	1701
2	1701	53	2080	105	1701	156	1701
3	1701	54	3117	106	1701	157	1701
4	1701	55	3950	107	1701	158	2471
5	1701	56	2305	108	1701	159	2459
6	1701	57	1990	109	1701	160	1701
7	1701	58	1805	110	1701	161	1701
8	1701	59	1716	111	1701	162	1701
9	1701	60	1700	112	1701	163	1701
10	1701	61	1700	113	1701	164	1701
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12	1701	63	1700	115	1701	166	1701
13	1701	64	1700	116	1701	167	1701
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15	1701	66	1700	118	1701	169	1701
16	1701	67	1700	119	1701	170	1701
17	1701	68	1700	120	1701	171	1701
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23	1701	74	1710	126	1701	177	1701
24	1701	75	1700	127	1701	178	1701
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26	1701	77	2550	129	3402	180	1701
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29	1701	80	1700	132	2381	183	1701
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34	1824	85	1700	137	1701	188	1883
35	1837	86	1700	138	1701	189	1896
36	1849	87	1700	139	1701	190	1908
37	1861	88	1700	140	1701	191	1921
38	1873	89	1700	141	1701	192	1933
39	1885	90	1700	142	1701	193	1946
40	1898	91	1700	143	1701	194	1958
41	1922	92	1701	144	1701	195	1971
42	1934	93	1932	144	1701	196	1996
43	1946	94	1795	145	1701	197	2008
44	1958	95	1746	146	1701	198	2021
45	1971	96	1779	147	1701	199	2033
46	1983	97	1887	148	1701	200	2046
47	1995	98	2727	149	1701	201	2056
48	2019	99	1701	150	1701	202	2018
49	2032	100	1701	151	1701	203	1892
50	2044	101	1701	152	1701	204	4815
51	2056	102	1701	153	1701		
		103	2551	154	1701		



TYPICAL LOT SETBACK





1st Judicial District
Instrument 2013 5929 D - J1
Filed/Recorded 8/23/2013 01:40 P
Total Fees \$ 12.00
8 Pages Recorded

This Instrument prepared by and to be returned to:

Chelsea H. Brannon, MS Bar #102805
City of Gulfport
Post Office Box 1780
Gulfport, Mississippi 39502-1780
(228) 868-5811

WARRANTY DEED

FOR AND IN CONSIDERATION of the sum of SIXTY-NINE THOUSAND, THREE HUNDRED DOLLARS and NO/100 (\$69,300.00), cash in hand paid, and other good and valuable considerations, the receipt and sufficiency of which is hereby acknowledged, **Grantor**,

DEDEAUX PROPERTIES I, LP

13407 Dedeaux Road
Gulfport, Mississippi 39503
Telephone (228) 864-8965

does hereby sell, convey and warrant unto **Grantee**,

CITY OF GULFPORT, MISSISSIPPI

A Mississippi Municipal Corporation
Post Office Box 1780
Gulfport, Mississippi 39502-1780
Telephone (228) 868-5811

the following described real property situated and being in the City of Gulfport, First Judicial District of Harrison County, Mississippi, to-wit:

See Exhibit "A" attached.

INDEXING INSTRUCTIONS:

The NW ¼ of the SW ¼ of Section 11
Township 7 South, Range 11 West
City of Gulfport, First Judicial District
Harrison County, Mississippi

It is understood that this property is being conveyed for the purpose of improving an existing public right-of-way identified as Dedeaux Road. Grantor shall continue to have ingress and egress over the property identified in Exhibit "A" until such time as the improvements are completed.

Grantor, for the same consideration, hereby quitclaims and releases any and all rights and remaining interests in and to the land adjacent to the above described conveyance, presently containing a public right-of-way identified as Dedeaux Road, including, but not limited to property previously granted by easement, identified on page 96 of Deed Book 398 of the Land Records of Harrison County, Mississippi.

This conveyance is less and except any and all recorded oil, gas or other mineral rights granted, reserved or excepted by former owners, and is subject to any and all recorded restrictions or covenants and any and all presently existing or recorded easements or rights-of-way affecting said property.

Grantor shall be responsible for ad valorem taxes for the current year and prior years, and Grantee shall assume tax responsibility of the identified portion of the property as a tax exempt municipal government owner for all future years.

WITNESS MY SIGNATURE on this the 21st day of August, 2013.

Dedeaux Properties I, LP

By: W.A. Dedeaux Builders, Inc., General Partner

By: Christine L. Dedeaux
Christine L. Dedeaux, President

STATE OF MISSISSIPPI
COUNTY OF HARRISON

THIS DAY PERSONALLY APPEARED BEFORE ME, the undersigned authority in and for the said county and state, on this the 21st day of August, 2013, within my jurisdiction, the within named Christine L. Dedeaux, who acknowledged that she is President of W.A. Dedeaux Builders, Inc., the General Partner of Dedeaux Properties I, LP, and that for and on behalf of the said corporation, and as its act, she executed and delivered the above and foregoing instrument, after having been duly authorized by said corporation so to do.

David W. Jones
NOTARY PUBLIC

My Commission Expires
January 8, 2017



Exhibit "A"

A parcel of land situated and being located in a portion of the NW ¼ of the SW ¼ of Section 11, Township 7 South, Range 11 West, City of Gulfport, First Judicial District of Harrison County, Mississippi, to-wit:

FOR THE POINT OF BEGINNING, commence at the northwest corner of property now or formerly to Dedeaux Properties I, L.P. (Harrison County Instrument #2007-4887-D-J1, Parcel 4), said point being located on the existing south right-of-way of Dedeaux Road (as surveyed in January, 2013), said Point Of Beginning having grid coordinates N. 345,361.09 and E. 910,195.71 based on the Mississippi State Plane Coordinate System, East Zone, NAD 83 (in feet), coordinates and courses herein are grid values based on said coordinate system using a combined factor of (scale) 0.999956283 with a convergence angle of -00°07'09" (at the P.O.B.); thence N 89°22'50" E 726.33 feet along said existing south right-of-way of Dedeaux Road to the northeast corner of said property now or formerly to Dedeaux Properties I, L.P., said point also being the intersection of said existing south right-of-way of Dedeaux Road with the existing west right-of-way of Dede Drive;

THENCE S 02°19'21" E 60.26 feet along the east boundary of said property now or formerly to Dedeaux Properties I, L.P., also being along said existing west right-of-way of Dede Drive; thence N 51°25'16" W 22.95 feet; thence westerly 171.69 feet along a curve, said curve being concave to the north, having a central angle of 01°42'02" with a radius of 5,784.58 feet, also having a chord bearing and distance of S 88°37'02" W 171.69 feet to the end of said curve; thence S 89°28'03" W 538.71 feet to a point located on the west boundary of said property now or formerly to Dedeaux Properties I, L.P.; thence N 00°33'18" W 47.20 feet along said west boundary of property now or formerly to Dedeaux Properties I, L.P. to the said Point Of Beginning.

The property herein described, is a total of 34,652 square feet or 0.796 acre, more or less, being a portion of the same property conveyed to Dedeaux Properties I, LP from W.A. Dedeaux (Instrument 2007-4887-D-J1) dated May 11, 2007, as said Instrument was filed for recorded May 11, 2007, in the Land Records of Harrison County, Mississippi.

STATE OF MISSISSIPPI
COUNTY OF HARRISON
FIRST JUDICIAL DISTRICT



John H. ...
1st Judicial District
Instrument 2007 4887 D -J1
Filed/Recorded 5 11 2007 4 17 P
Total Fees 12.00
5 Pages Recorded

WARRANTY DEED

For and in consideration of the sum of Ten Dollars (\$10.00) cash in hand paid, and other good, legal, and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the undersigned, W.A. DEDEAUX, does hereby sell, convey, and warrant unto DEDEAUX PROPERTIES I, L.P., a Mississippi limited partnership, the following described interests in the land and property lying and being situated in Harrison County, State of Mississippi, being more particularly described as follows, to-wit:

PARCEL 2

A parcel of land situated in the Northwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 11, Township 7 South, Range 11 West, Harrison County, Mississippi being more fully described as follows:

Commencing at the Southwest corner of the Southwest $\frac{1}{4}$ of Section 11, Township 7 South, Range 11 West, Harrison County, Mississippi; thence N00°02'31"W 1330.05' to a point; thence N89°32'02"E 683.25' to a point; thence N00°18'40"W 532.75' to an iron rod; thence N89°28'35"E 670.00'; thence N00°11'52"W 56.65' to an iron rod; thence N00°26'27"W 76.77' to the point of beginning; thence S89°27'25"W 115.80' to an iron rod; thence along a curve having a chord of N25°10'14"W, a length of 76.99', a radius of 100' and length of 79.04' to an iron rod; thence N02°26'37"W 358.37' to an iron rod; thence N89°14'34"E 160.53' to an iron rod; thence S00°26'27"E 455.53' to the point of beginning, containing 1.48 acres, more or less.

PARCEL 4

A parcel of land situated in the Northwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 11, Township 7 South, Range 11 West, Harrison County, Mississippi being more fully described as follows:

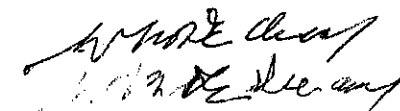
Commencing at the Southwest corner of the Southwest $\frac{1}{4}$ of Section 11, Township 7 South, Range 11 West, Harrison County, Mississippi; thence N00°02'31"W 1330.05' to a point; thence N89°32'02"E 683.25' to a point; thence N00°18'40"W 532.75' to an iron rod; thence N00°20'14"W 133.19' to the point of beginning and an iron rod; thence S89°27'25"W 271.33' to an iron rod; thence N00°41'59"W 633.93' to an iron rod on the south margin of Dedeaux Road; thence N89°14'34"E along said south margin 726.35' to an iron rod; thence S02°26'37"E 568.70' to an iron rod; thence along a curve having a chord of S16°11'47"E, a length of 70.89', a radius of 150 and length of 71.56' to an iron rod; thence thence [sic] S89°27'25"W 491.27' to the point of beginning, containing 10.74 acres, more or less.

A SURVEY OF SAID PARCELS OF LAND IS ATTACHED HEREWITH AS "EXHIBIT A."

This conveyance is made subject to any and all recorded liens, building restrictions, zoning ordinances, rights of way, easements, or mineral reservations applicable to the above described property.

Ad valorem taxes for the year 2007 are to be assumed by the Grantee herein as of the date of this conveyance.

WITNESS THE SIGNATURE of the Grantor, this the 11 day of May, 2007.



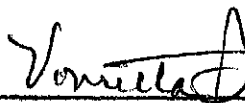
W.A. Dedeaux

STATE OF MISSISSIPPI

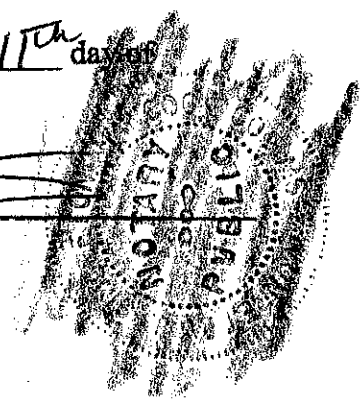
COUNTY OF ^{vs} ~~HARRISON~~ Hancock

Personally appeared before me, the undersigned authority in and for the jurisdiction aforesaid, the within named W.A. DEDEAUX, who acknowledged that he signed and delivered the above and foregoing instrument on the day and year therein written.

GIVEN UNDER MY HAND AND OFFICIAL SEAL, this the 17th day of May, 2007.



Notary Public



My Commission Expires: My Commission Expires: Dec 3, 2008

Grantors' Address:

W.A. Dedeaux
13407 Dedeaux Rd
Gulfport, MS 39503
(228) 539-3570

Grantee's Address:

Dedeaux Properties I, L.P.
13407 Dedeaux Road
Gulfport, Mississippi 39503
(228) 539-3570

Prepared by and Return original
Warranty Deed to:

Harris H. Barnes, III (MSB # 2018)
BARNES, BROOM, AND McLEOD, P.A.
5 River Bend Place, Suite A
Flowood, Mississippi 39232-7618
(601) 981-6336

ATTORNEY

Indexing Instructions: Northwest ¼ of the Southwest ¼ of Section 11, Township 7 South,
Range 11, West, Harrison County, Mississippi.

5

LESS AND MORE

U.S. NOTES, MORE OR LESS

THE UNIVERSITY OF CHICAGO

OF BEING SURVEYED, CONTAINING 1.48 ACRES, MORE OR LESS.

IS THERE ANY OTHER INFORMATION?

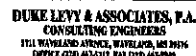
OF DEPARTMENTS, CONTAINING 0.75 ACRES, MORE OR LESS.

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED

OF COUNTRY, CONTAINING 11 1/4 ACRES, MORE OR LESS



IN THE NW 1/4 OF THE SW 1/4
OF SECTION 31-2-11
HARRISON COUNTY, MISSISSIPPI



DATE	11-21-05
CHECKED BY	PA
SCALE	1"=100'
DRAWN BY	04-1008
SHEET	

STATE OF MISSISSIPPI
COUNTY OF HARRISON
FIRST JUDICIAL DISTRICT



John H. ...
1st Judicial District
Instrument 2007 4888 D -J1
Filed/Recorded 5 11 2007 4 18 P
Total Fees 12.00
6 Pages Recorded

WARRANTY DEED

For and in consideration of the sum of Ten Dollars (\$10.00) cash in hand paid, and other good, legal, and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the undersigned, W.A. DEDEAUX BUILDERS, INC., does hereby sell, convey, and warrant unto DEDEAUX PROPERTIES I, L.P., a Mississippi limited partnership, the following described interests in the land and property lying and being situated in Harrison County, State of Mississippi, being more particularly described as follows, to-wit:

PARCEL 1

A parcel of land situated in the Northwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 11, Township 7 South, Range 11 West, Harrison County, Mississippi, and being more fully described as follows:

Commencing at the Southwest corner of the Southwest $\frac{1}{4}$ of Section 11, Township 7 South, Range 11 West, Harrison County, Mississippi; thence N00°02'31"W 1330.05' to a point; thence N89°32'02"E 683.25' to a point; thence N00°18'40"W 532.75' to the point of beginning and an iron rod; thence N00°20'14"W 133.19' to an iron rod; thence N89°27'25"E 670.00' to an iron rod on the East line of said Northwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$; thence S00°26'27"W along said East line 76.77' to an iron rod; thence S00°11'52"E 56.65' to an iron rod; thence S89°28'35"W 670.00' to the point of beginning, containing 2.05 acres, more or less.

Less and Except

That portion of a 50' wide road right-of-way (Dede Drive) being more fully described as follows:

Commencing at the Southwest corner of the Southwest $\frac{1}{4}$ of Section 11, Township 7 South, Range 11 West, Harrison County, Mississippi; thence N00°02'31"W 1330.05' to a point; thence N89°32'02"E 683.25' to a point; thence N00°18'40"W 532.75' to an iron rod; thence N00°20'14"W 133.19' to an iron rod;

2

thence N89°27'25"E 491.27' to an iron rod and the point of beginning; thence N89°27'25"E 62.93' to an iron rod; thence along a curve concave to the Northeast, having a radius of 100', and a length of 72.42' to an iron rod; thence N89°27'25"E 48.37' to an iron rod on the East line of the Northwest ¼ of the Southwest ¼ of Section 11-7-11; thence S00°26'27"W along said East line 50.00' to an iron rod; thence N89°43'47"E 47.42' to an iron rod; thence along a curve concave to the Northeast, having a radius of 150.00', and a length of 159.23' to the point of beginning, containing 0.19 acres, more or less.

PARCEL 3

A parcel of land situated in the Northwest ¼ of the Southwest ¼ of Section 11, Township 7 South, Range 11 West, Harrison County, Mississippi, and being more fully described as follows:

Commencing at the Southwest corner of the Southwest ¼ of Section 11, Township 7 South, Range 11 West, Harrison County, Mississippi; thence N00°02'31"W 1330.05' to a point; thence N89°32'02"E 683.25' to a point; thence N00°18'40"W 532.75' to an iron rod; thence N89°28'35"E 670.00' to a point; thence N00°11'52"W 56.65' to an iron rod; thence N00°26'27"W 50.00' to a point; thence N02°26'27"W 455.53' to the point of beginning [*sic*] and an iron rod; thence N00°26'27"W 208.70' to an iron rod on the South margin of Dedeaux Road; thence S89°14'34"W along said South margin 167.83' to an iron rod; thence S00°26'27"E 208.70' to an iron rod; thence N89°14'34"E 160.53' to the point of beginning, containing 0.79 acres, more or less.

A SURVEY OF SAID PARCELS OF LAND IS ATTACHED HEREWITH AS "EXHIBIT A."

This conveyance is made subject to any and all recorded liens, building restrictions, zoning ordinances, rights of way, easements, or mineral reservations applicable to the above described property.

3

Ad valorem taxes for the year 2007 are to be assumed by the Grantee herein as of the date of this conveyance.

WITNESS THE SIGNATURE of the Grantor, this the 11 day of May, 2007.

W.A. DEDEAUX BUILDERS, INC.



W.A. Dedeaux, Its President

4

STATE OF MISSISSIPPI

COUNTY OF ²³~~HARRISON~~ *Hancock*

Personally appeared before me, the undersigned authority in and for the jurisdiction aforesaid, the within named W.A. DEDEAUX, President of W.A. DEDEAUX BUILDERS, INC., who acknowledged that he signed and delivered the above and foregoing instrument on the day and year therein written.

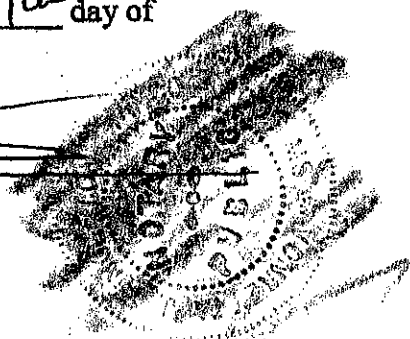
GIVEN UNDER MY HAND AND OFFICIAL SEAL, this the 11th day of

May, 2007.

Vanetta
Notary Public

My Commission Expires: Dec 3, 2008

My Commission Expires: _____



Grantors' Address:

W.A. Dedeaux Builders, Inc.

13407 Dedeaux Rd

Gulfport, MS 39503

(228) 539-3570

Grantee's Address:

Dedeaux Properties I, L.P.

13407 Dedeaux Road

Gulfport, Mississippi 39503

(228) 539-3570

Prepared by and Return original

Warranty Deed to:

Harris H. Barnes, III (MSB # 2018)

BARNES, BROOM, AND McLEOD, P.A.

5 River Bend Place, Suite A

Flowood, Mississippi 39232-7618

(601) 981-6336

ATTORNEY

Indexing Instructions: Northwest ¼ of the Southwest ¼ of Section 11, Township 7 South,
Range 11 West, Harrison County, Mississippi.

6

CALL AND LISTEN
THAT POSITION IS

2.19 ACRES MORE OR LESS

EXPLANATION PAGE 2

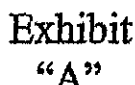
ALLEGEDLY

77 05 140 281

STRENGTHS, CHALLENGES & THE FUTURE

PRECEDING PAGE 4:

CONTRACTS 14.74 ACRES

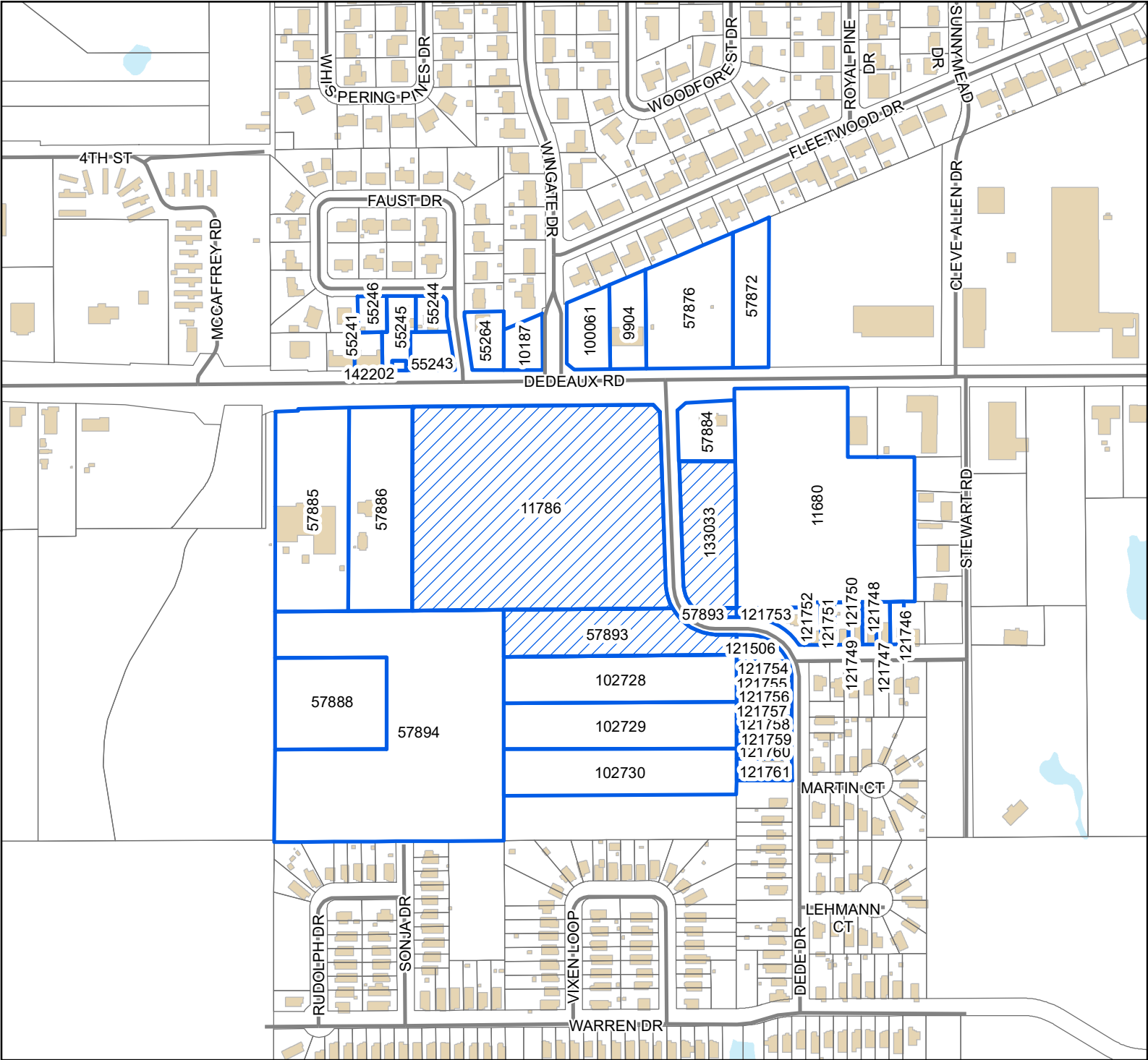


IN THE NW 1/4 OF THE NW 1/4
OF SECTION 17-9-19
HARRISON COUNTY, MISSISSIPPI.

Abstract

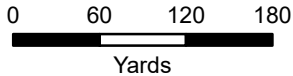


Mail	PPIN	Parcel ID	Name	Address	City	State	ZIP
Y		0908M-01-009.000	DEDEAUX PROPERTIES I LP (OWNER) CHARLES GANT & WARREN DEDEAUX (AGENTS)	13407 DEDEAUX RD 14397 CREOSOTE RD	GULFPORT GULFPORT	MS MS	39503 39503
			Adjacent Property Owners(2403PC039)				
102730	0908M-01-014.003	SCHAFHIRT WILLIAM M		13185 JOHN RD.	GULFPORT	MS	39503
55244	0908L-02-015.019	CONLEY JENNIE		144 FAUST DR	GULFPORT	MS	39503
102729	0908M-01-014.002	SCHAFHIRT CYNTHIA JO		13185 JOHN RD	GULFPORT	MS	39503
57876	0908L-01-003.000	COAST ELECTRIC POWER ASSN		P O BOX 359	KILN	MS	39556
55264	0908L-02-015.000	CHANDLER JUSTIN		106 FAUST DR	GULFPORT	MS	39503
55246	0908L-02-015.017	HARPER GLORIA J		140 FAUST DR	GULFPORT	MS	39503
55241	0908L-02-015.030	LOTT ROBERT C		13506 DEDEAUX RD	GULFPORT	MS	39503
57872	0908L-01-002.000	FORD GRADY		16352 ORANGE GROVE RD	GULFPORT	MS	39503
9904	0908L-01-004.000	WB PROPERTY LLC		13430 DEDEAUX RD	GULFPORT	MS	39503
102728	0908M-01-014.001	LADNER DICKIE JOE & JENNIFER A		24040 TIM BRADLEY RD	SAUCIER	MS	39574
121760	0908M-01-017.091	PERLEY JOHN		19396 WALLACE WAY	SAUCIER	MS	39574
121748	0908M-01-017.079	MITCHELL TAMMY K		13364 CHRIS DR	GULFPORT	MS	39503
121747	0908M-01-017.078	BARAHONA JAIME RODERICO C ETAL		13360 CHRIS DRIVE	GULFPORT	MS	39503
121758	0908M-01-017.089	MADERE LISA G		11165 DEDE DRIVE	GULFPORT	MS	39503
121754	0908M-01-017.085	COMEAU JENNIFER		11181 DEDE DR	GULFPORT	MS	39503
121755	0908M-01-017.086	MACH VI HOLDING LLC		6001 OLDE OAKVIEW	OCEAN SPRINGS	MS	39564
121749	0908M-01-017.080	LUGO MARCELA		4828 30TH ST	GULFPORT	MS	39501
121750	0908M-01-017.081	WALKER LATRICE S		13372 CHRIS DRIVE	GULFPORT	MS	39503
121751	0908M-01-017.082	WHITTEMORE DANIEL & HALEY ELIZEBETH		13376 CHRIS DRIVE	GULFPORT	MS	39503
121752	0908M-01-017.083	HERRITT TIFFANY N		13380 CHRIS DR	GULFPORT	MS	39503
121761	0908M-01-017.092	BOURQUE KENNETH		12530 FOX FOREST DRIVE	GULFPORT	MS	39503
121756	0908M-01-017.087	SUMELONG SAMUEL KWewe		C/O 8917 LORRAINE RD	GULFPORT	MS	39503
121746	0908M-01-017.077	CREIGHTON AMERY J		PO BOX 511	SAUCIER	MS	39574
121753	0908M-01-017.084	MIXON MARTIN F		11190 DEDE DR	GULFPORT	MS	39503
121757	0908M-01-017.088	TOLAR TERRY & EILERMANN JANET		2620 RUE PALAFOX	BILOXI	MS	39531
121759	0908M-01-017.090	HIGHTOWER WILLIE C & JULIANA S		11161 DEDE DR	GULFPORT	MS	39503
55245	0908L-02-015.018	MANALO RICHARD		142 FAUST DR	GULFPORT	MS	39503
57888	0908M-01-012.000	HEINZ CHAS MRS		1604 BELMONT PL	METAIRIE	LA	70001
57886	0908M-01-010.000	CONNER JOHNNY R & CASSANDRA L		21960 BLACKWELL FARM RD	GULFPORT	MS	39503
11680	0908M-01-007.000	ALLEN BEVERAGES INC		P O BOX 2037	GULFPORT	MS	39505
57885	0908M-01-011.000	MISSISSIPPI STATE UNIVERSITY OF AGR		195 LEE BLVD, YMCA BLDING STE 350	MISSISSIPPI STAT	MS	39762



Legend

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



1 inch = 400 feet



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

RE: Planning Commission Approval 2403PC039, by agents Charles Gant and Warren Dedeaux, seeking approval for a townhouse development, Tax Parcels 0908M-01-009.00, 0908M-01-009.001, 0908M-01-014.000, Zoned B-1 (Neighborhood-business), Ward 5

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 28, 2024**, 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 28, 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	528938	Print Legal Ad-IPL01632770 - IPL0163277		\$83.65	2	56 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, March 28, 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 24 th Avenue.

Planning Commission Approval 2402PC011, by agent M2 Enterprises, Inc., seeking approval for auto sales of less than fifty vehicles, Tax Parcel 0910M-03-058.000, 941 Pass Rd, Zoned B-2 (General Business), Ward 3

Planning Commission Approval 2403PC029, by owner JKA Properties LLC, seeking approval for church use, Tax Parcels 0910I-02-008.001, 0910I-02-008.000, 729 E Pass Rd., Zoned T5 (Urban Center), Ward 2

Special Exception 2403SC031, by agent Tyler Hickman, seeking approval for daiquiri shop, Tax Parcels 0908N-04-004.000, 0908N-04-004.001, 13211 Dedeaux Road, Zoned B-1 (Neighborhood business), Ward 5

Planning Commission Approval 2403PC039, by agents Charles Gant and Warren Dedeaux, seeking approval for a townhouse development, Tax Parcels 0908M-01-009.00, 0908M-01-009.001, 0908M-01-014.000, Zoned B-1 (Neighborhood-business), Ward 5

Planning Commission Approval 2403PC040, by agent Vinson Keyhea, seeking approval for car sales of less than 50 vehicles, Tax Parcel 0910N-06-020.000, Zoned B-2 (General-Business) Ward 4

General Plan 2402PC014, by agent Kenneth Jones, seeking approval for an 84-lot subdivision with five outparcels (Swan Landing Estates), Tax Parcel 0807G-01-001.000, South Swan Road, Zoned R-1-15 (Single-family), Ward 7

Zoning Map Amendment 2403PC020, by owner David Cospelich, Request rezone to B-1 (Neighborhood Business), Tax Parcels 0907H-02-001.001, 0907H-02-002.000, 1007E-01-002.000, 1007E-01-003.000, Zoned R-1-10 (Single Family Residence), River Road, Ward 6

Zoning Map Amendment 2403PC024, by owner Rock Solid Property, Requests to rezone to T5 (Urban Center Zone), Tax Parcel 1010N-01-087.001, Zoned T4 (General Urban Zone "Plus"), Cowan Road, Ward 2

Zoning Map Amendment 2403PC025, by agent Allison Vencil, requesting to rezone the entire parcel to T4+ (General Urban Zone "Plus"), Tax Parcel 0911B-02-009.002, 210 Texas Ave, Zoned T4+ (General Urban Zone & "Plus") and T5 (Urban Center Zone), Ward 2

This the 6th day of March 2024

Keith Williams, Chairman
City of Gulfport Planning Commission
IPL0163277
Mar 8 2024

STATE OF MISSISSIPPI COUNTY OF HARRISON

Before me, the undersigned Notary of Dallas County, Texas personally appeared Mary Castro, 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:
03/08/24

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.

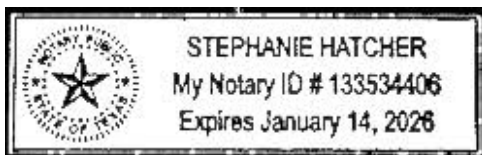
Mary Castro

Sworn to and subscribed before me this 14th day of
March 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!

MEMORANDUM

To: City of Gulfport Planning Commission

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

Date of Hearing: March 28, 2024

Re: Planning Commission Approval 2403PC040:

Planning Commission Approval 2403PC040, by agent Vinson Keyhea, seeking approval for car sales of less than 50 vehicles, Tax Parcel 0910N-06-020.000, Zoned B-2 (General-Business) Ward 4

Technical Report

PLANNING COMMISSION APPROVAL

GENERAL INFORMATION

Case File Number: 2403PC040

Hearing Date: March 28, 2024

Current Zoning/Use: B-2 / Commercial Structure

Legal: Planning Commission Approval 2403PC040, by agent Vinson Keyhea, seeking approval for car sales of less than 50 vehicles, Tax Parcel 0910N-06-020.000, Zoned B-2 (General-Business) Ward 4

TECHNICAL DETAILS

The applicant is requesting approval for car sales of less than 50 vehicles at 507 Pass Road, which is in a B-2 zoning district. Upon staff review of the surrounding area, there are car dealerships that accommodate less than 50 vehicles along pass road. The closest to the subject site being at 707 Pass Road being around 1200 feet away from the subject site, with two other existing like businesses close by at 711 Pass Road and 803 Pass Road. That said, the beforementioned businesses are pre-existing but are within B-2 zoning districts which would allow for the use, per Planning Commission Approval.

EXECUTIVE SUMMARY

Applicant is requesting approval for an automobile sales use of less than 50 vehicles in a B-2 zoning district. Upon staff review of the surrounding area, there are at least three other existing car dealerships that accommodate less than 50 vehicles. The closest of the three dealerships being roughly 1200 feet from the subject site. While these three dealerships are pre-existing, they are each within a B-2 zoning district as well which would require them to go through Planning Commission for approval. As these existing businesses, each with active business licenses with the City of Gulfport, perform the same use the proposed business would be in harmony with the surrounding area.

Any approval should consider these conditions:

1. Must meet all building Codes and City of Gulfport Ordinances.
2. Approval allows for car sales of less than 50 vehicles.

DEPARTMENTAL CONDITIONS

Engineering: No conditions. Memo dated 3/15/24.

Public Works: No conditions. Memo dated 3/14/24.

Traffic and Safety: No conditions. Memo dated 3/7/24.

Technical Report

PLANNING COMMISSION APPROVAL

Building Code Services: Must meet all building Codes and City of Gulfport Ordinances.
Memo dated 3/6/24.

GIS: No conditions. Memo dated 3/14/24.

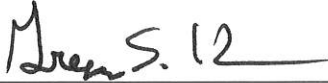
Police Department: No comment as of 3/18/24.

Fire Department: No conditions. Memo dated 3/7/24.

City Arborist: No conditions. Memo dated 3/7/24.

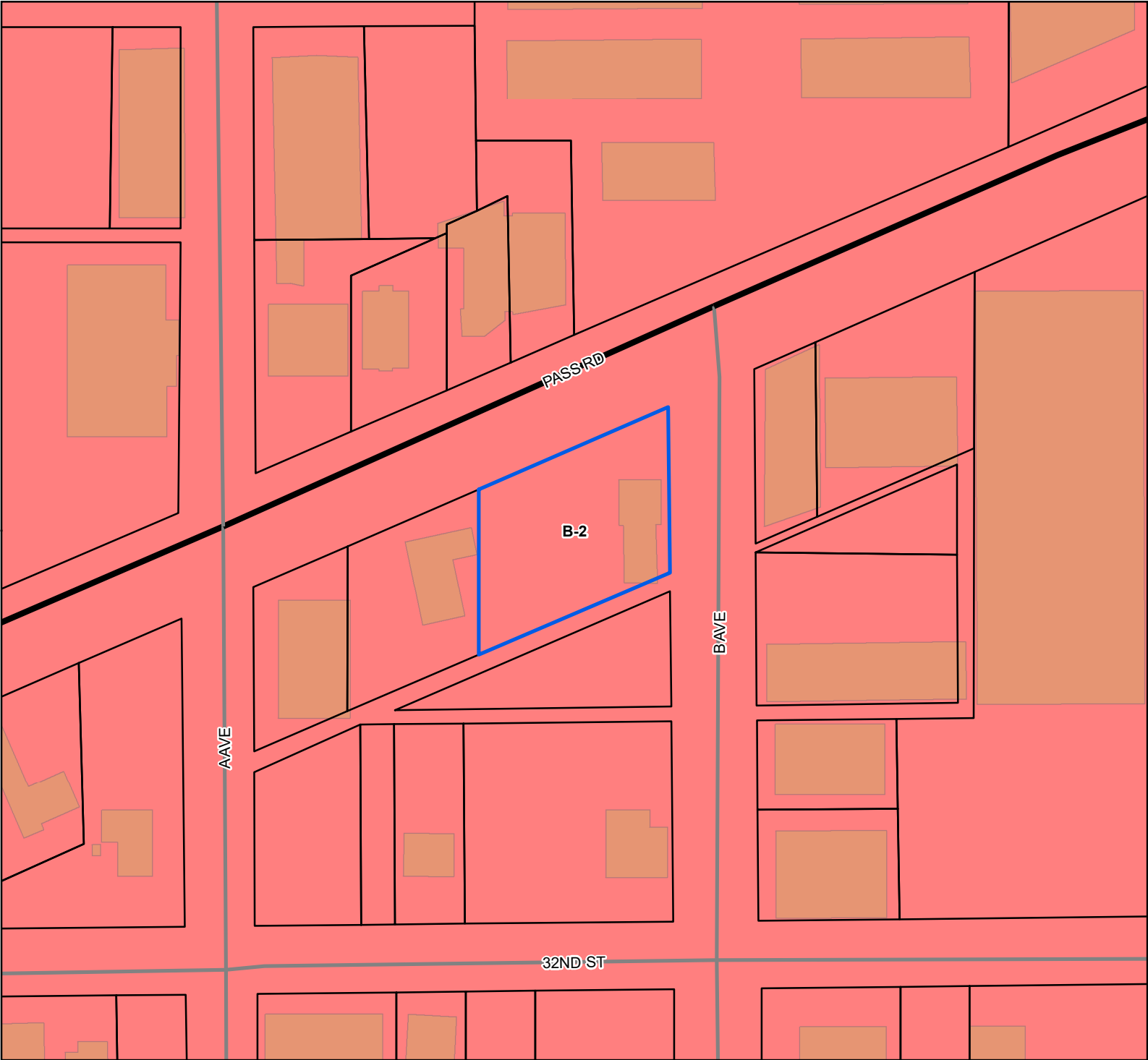
DIRECTOR APPROVAL

This report has been reviewed and approved by:



Greg Holmes
Director of Urban Development Department



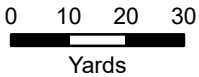


US or State Highway
 Street
 Parcels
 Buildings

Zoning

B-2 - General Business District

Site Information
0910N-06-020.000
Zoning B-2 (General Business)
Size: 16372.91 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

For Staff Use Only

Case Number: 2403PC040

Date Received: 2/6/2024

Receipt Number: _____

Received By: Rg

Zoning: B-2

Ward: 4 Flood: X

Size: 16372.9 sq ft

(If necessary, use separate sheet of paper)

APPLICATION FOR PLANNING COMMISSION APPROVAL

Property Information

TAX PARCEL #

0	9	1	0	N	-	0	6	-	0	2	0	•	0	0	0
					-			-				•			
					-			-				•			

Address of Property Involved: 507 Pass Road Gulfport MS 39507

Lot(s) 8, 9, 10, 11, 12, 13 Block(s) 8, Subdivision Revision of Magnolia Groves

General Location: Between Hewes Ave + Courthouse Road. Across from the train museum.

GENERAL DESCRIPTION OF REQUEST:

Request for allowance for dealership to have less than 50 vehicles.

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

Auto Cash Inc.
Printed Name of Owner

521 E Cedar Ave
Mailing Address

Crestview FL 32539
City State Zip code

N/A 850 305-0434
Home Phone Work/Cell Phone

Melanie.guthrie@mgrpca.biz
Email

Melanie Guthrie
Signature of Owner

Melanie Guthrie

Vinson Keyhea
Printed Name of Agent

14328 North White Dr.
Mailing Address

Gulfport MS 39503
City State Zip code

N/A 228-324-0319
Home Phone Work/Cell Phone

Bossman 4964@gmail.com
Email

Vinson Keyhea
Signature of Agent

Vinson Keyhea

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 reverse of this sheet to determine the deadline dates for filing your application.

SUBMISSION REQUIREMENTS

A. Page one of this application, completed and signed. ✓

B. 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.
- Required buffer strips have been identified.
- Other pertinent information as needed to pictorially demonstrate the proposed development/use.

C. Proof of ownership (Copy of deed or affidavit) ✓

D. If applicable, notarized proof of authority to act as agent for owner (board resolution, etc.)

E. 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.

F. Provide a written statement addressing the following issues:

Explain how the site plan is appropriate with regard to:

- Transportation and access - public
- Water supply } City water/
- Waste disposal } disposal
- Fire and Police protection } City of Gulfport
- Other public facilities } Alarm system
- Why the proposal will not cause undue traffic congestion or create a traffic hazard. open access to property. No restrictions for entry.
- Why the proposal is in harmony with the orderly and appropriate development of the district in which the use is located.

Growth in community
G. Cash or check payable to the City of Gulfport in the amount of \$75.00.

F. Provide a written statement addressing the following issues:

Explain how the site plan is appropriate with regard to:

☐ **Transportation and access** are appropriate. Public transportation is available and provided by Coast Transit Authority. Transportation and access are easily accessible. No additional requirements would be necessary.

☐ **Water supply** is available through the City of Gulfport. No additional requirements necessary.

☐ **Waste disposal** is through "Waste Pro of Gulfport".

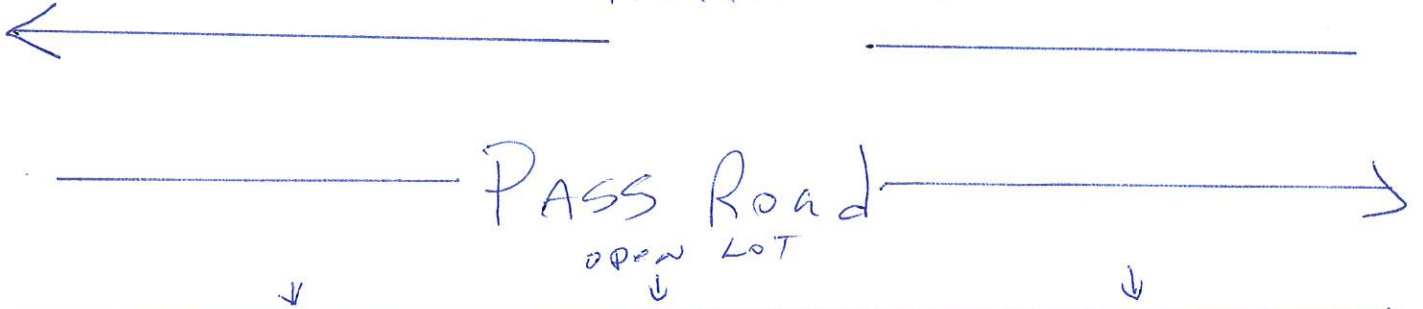
☐ **Fire and Police protection** are provided through the City of Gulfport.

☐ **Other public facilities** are available, such as, community centers (Gaston Hewes Recreation Center, Hebert Wilson Recreation Center), churches, and Train Museum.

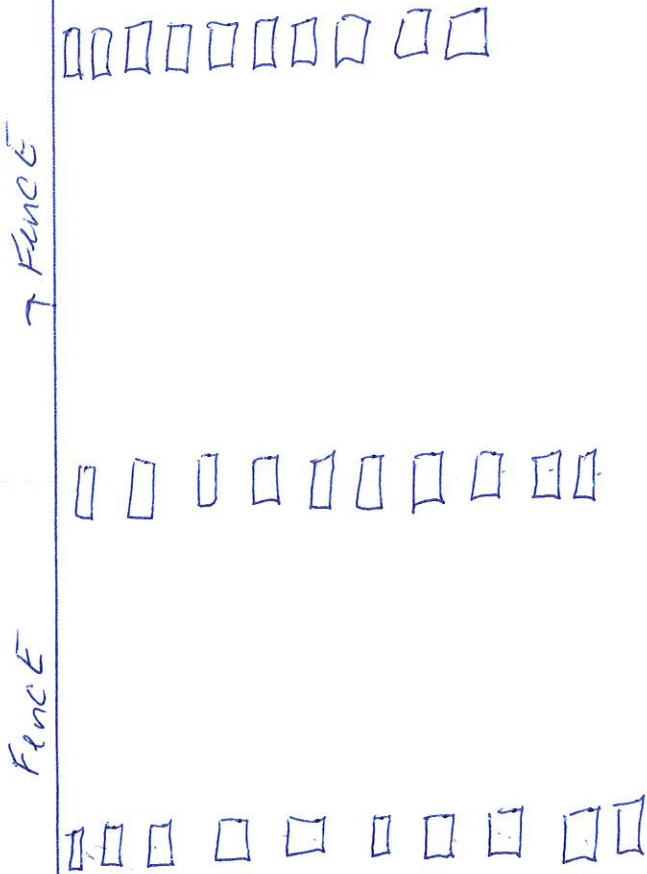
☐ **Why the proposal will not cause undue traffic congestion or create a traffic hazard.** There is easy/open access on and off of the property. This will prevent undue traffic congestion and/or traffic hazards.

☐ **Why the proposal is in harmony with the orderly and appropriate development of the district in which the use is located.** The property is in a business zone district. Therefore, the proposal is in harmony with the appropriate development of the district. It will add to the growth and development of the community.

Traffic Flow



120'



EXISTING
PARKING

EXISTING
PARKING

side walk

Building

70.50'

22.25'

149'

13 Avenue E

February 5, 2024

Application for Planning Commission Approval.

Authority to Act as Agent.

I Melanie Guthrie owner of the Auto Cash Inc. Building, grant authority to Vinson Keyhea to act as Agent for purposes of requesting approval to use this building as a car dealership with fewer than 50 cars.



Melanie Guthrie

Appeared before me on 5th of February, 2024.

Notary: Sarah A. Olier

Commission Expires: Sept. 25, 2026



F0001
Fee: \$ 50



Michael Watson
SECRETARY OF STATE

2024084475

Business ID: 1428578
Filed: 02/06/2024 03:28 PM
Michael Watson
Secretary of State

P.O. BOX 136
JACKSON, MS 39205-0136
TELEPHONE: (601) 359-1633

Articles of Incorporation

Business Information

Business Type: Profit Corporation
Business Name: Auto Cash Incorporated
Business Email: melanie.guthrie@mgcpa.biz
Future Effective Date: 02/06/2024
Period of Duration: Perpetual

NAICS Code/Nature of Business

522299 - International, Secondary Market, and All Other Nondepository Credit Intermediation

Registered Agent

Name: Melanie Guthrie
Address: 507 Pass Road
Gulfport, MS 39507

Stock Information

Classes:	No. of Shares:
Common	1000

Signature

The undersigned certifies that:

- 1) he/she has notified the above-named registered agent of this appointment;
- 2) he/she has provided the agent an address for the company, and;
- 3) the agent has agreed to serve as registered agent for this company

By entering my name in the space provided, I certify that I am authorized to file this document on behalf of this entity, have examined the document and, to the best of my knowledge and belief, it is true, correct and complete as of this day **02/06/2024**.

Name:
Melanie Guthrie
Incorporator

Address:
521 Cedar Avenue
Crestview, FL 32539

F0012
Fee: \$ 10



Michael Watson
SECRETARY OF STATE

2024084747

Business ID: 1428578
Filed: 02/06/2024 04:02 PM
Michael Watson
Secretary of State

Articles/Certificate of Amendment

Business Details

Business ID: 1428578

Business Name: Auto Cash Incorporated

Current Registered Agent

Name: Melanie Guthrie
Address: 507 Pass Road
Gulfport, MS 39507

Amended Registered Agent

Name: Melanie Guthrie CPA
Address: 507 Pass Road
Gulfport, MS 39507

Adoption and Approval Voting

The amendment(s) was(were) adopted on 02/06/2024.

- ☒ The Incorporators.
- ☐ The Directors without shareholder action and shareholder action was not required.
- ☐ The shareholders in the manner required by the Mississippi Business Corporation Act and the Articles of Incorporation.

NAICS Code/Nature of Business

522299 - International, Secondary Market, and All Other Nondepository Credit
Intermediation

Signature

The undersigned certifies that:

- 1) he/she has notified the above-named registered agent of this appointment;
- 2) he/she has provided the agent an address for the company, and;
- 3) the agent has agreed to serve as registered agent for this company

By entering my name in the space provided, I certify that I am authorized to file this document on behalf of this entity, have examined the document and, to the best of my knowledge and belief, it is true, correct and complete as of this day **02/06/2024**.

Name:

Address:

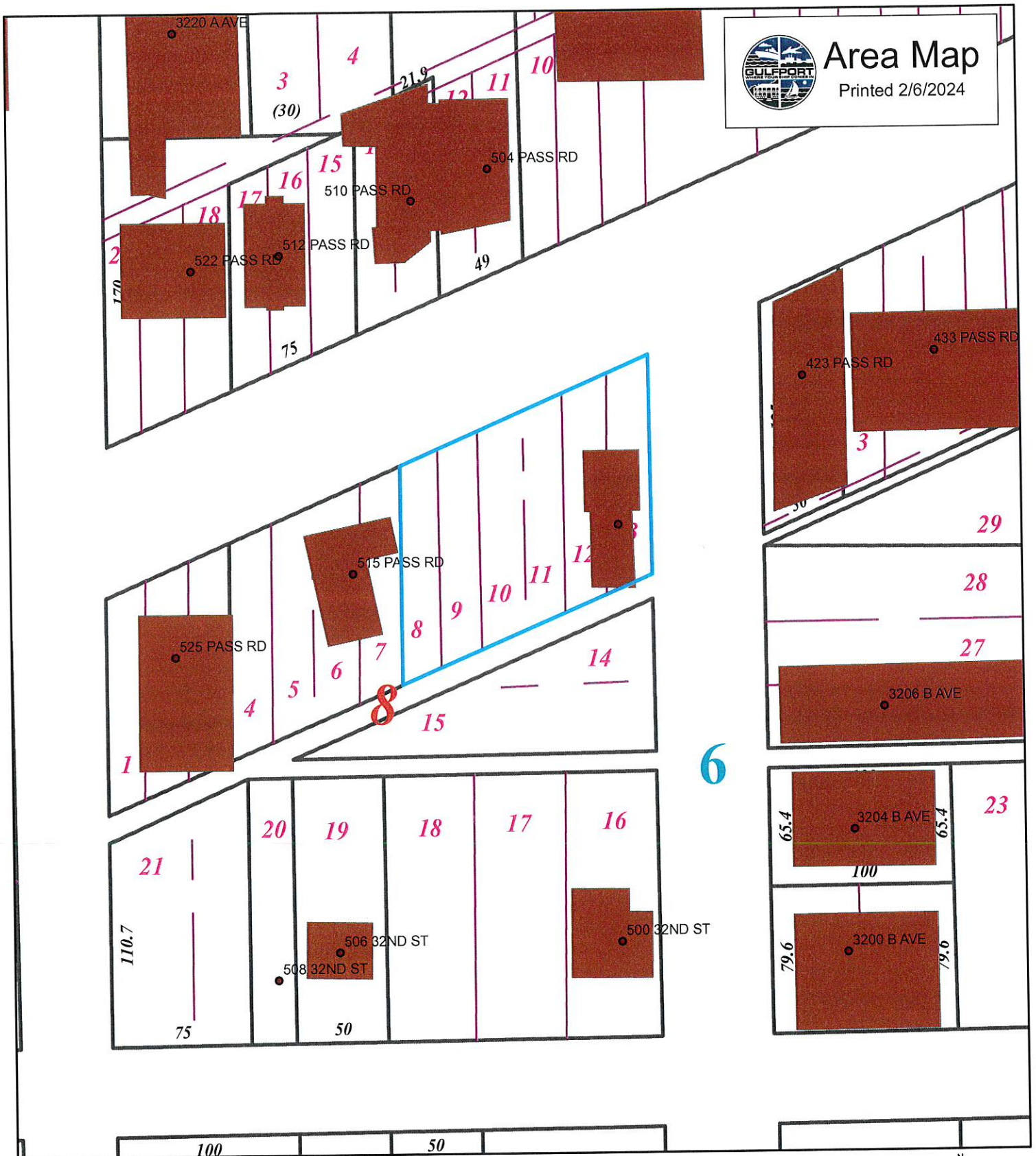
Melanie Guthrie CPA
President

521 Cedar Avenue
Crestview, FL 32539



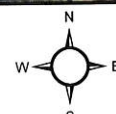
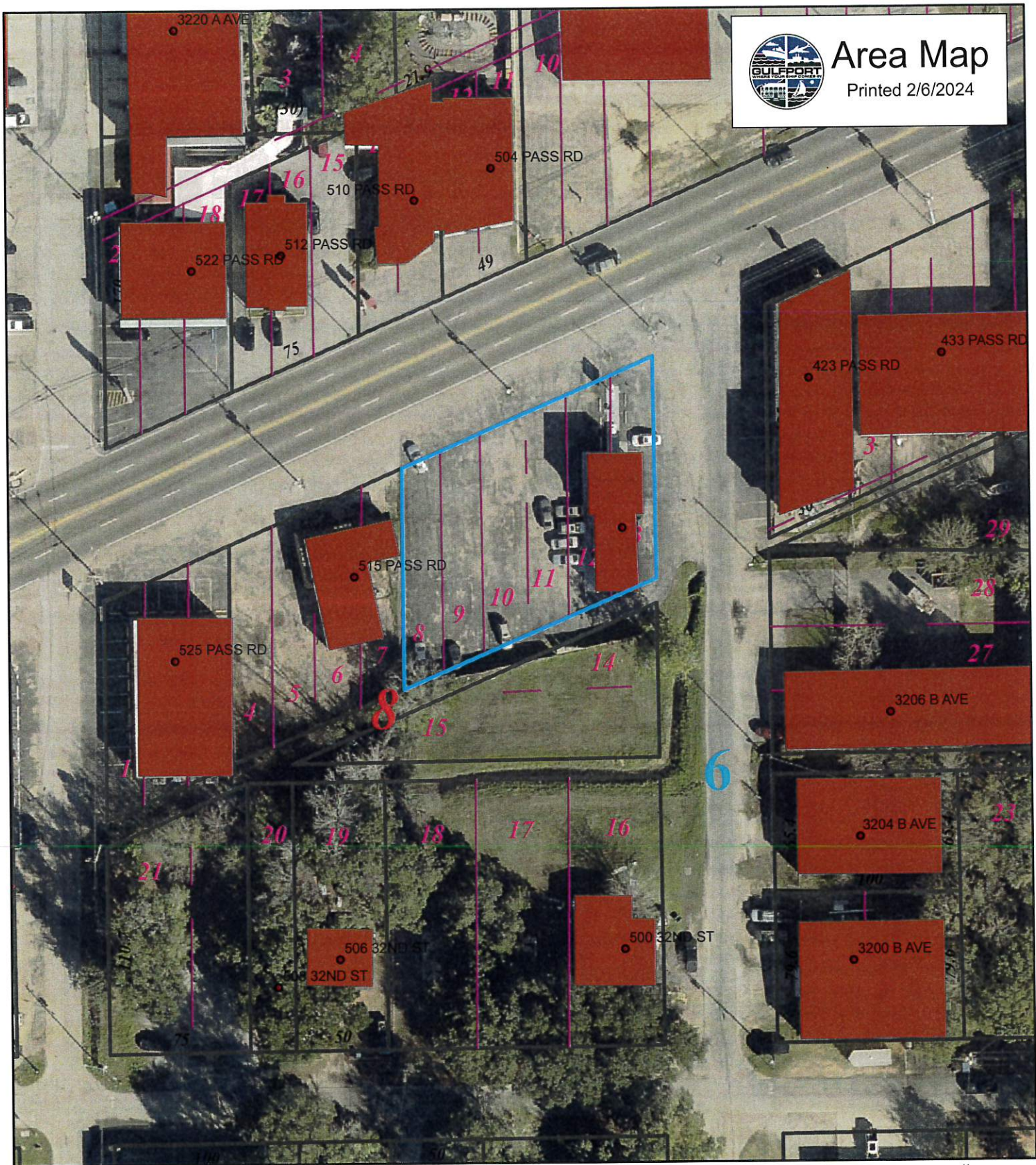
Area Map

Printed 2/6/2024



- Address points
- Water Features
- Parcels

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1 inch = 69 feet

●	Addresspoints	Harrison_HughRes_2020.sid
☁	WaterFeatures	RGB
□	Parcels	
		Red: Band_1
		Green: Band_2
		Blue: Band_3

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J. L. Jordan 1st Judicial District
Instrument 2014 3541 D -J1
Filed/Recorded 5/27/2014 01:18 P
Total Fees \$ 17.00
2 Pages Recorded

PREPARED BY & RETURN TO:
Schwartz, Orgler & Jordan, PLLC
PO BOX 4682
BILOXI MS 39535
228-388-7441

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,

LARRY REDDOCH AND WIFE, BILL REDDOCH,

61 Shoreline Ln, Gulfport, MS 39503, 228-596-8890,

do hereby sell, convey and warrant unto

AUTO CASH INCORPORATED, A MISSISSIPPI CORPORATION,

4799 Live Oak Church Rd, Crestview, FL 32539, 850-682-0798,

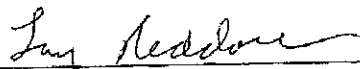
the following described land and property being located in the First Judicial District of Harrison County, Mississippi, being more particularly described as follows, to-wit:

Lots Eight, Nine, Ten, Eleven, Twelve and Thirteen (8-13 inclusive), Block Eight (8), REVISION OF MAGNOLIA GROVE SUBDIVISION, as per the official map or plat thereof; on file and of record in the office of the Chancery Clerk of the First Judicial District of Harrison County, Mississippi in Plat Book 3 at Page 36 (Copy Book 1A at Page 83) thereof; reference to which is hereby made in aid of and as a part of this description.

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

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

WITNESS OUR SIGNATURES, on this the 19th day of May, 2014.


Larry Reddoch


Bill Reddoch

STATE OF MISSISSIPPI
COUNTY OF HARRISON

THIS DAY PERSONALLY CAME AND APPEARED BEFORE ME, the undersigned authority in and for the jurisdiction aforesaid, Larry Reddoch and Bill Reddoch, 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.

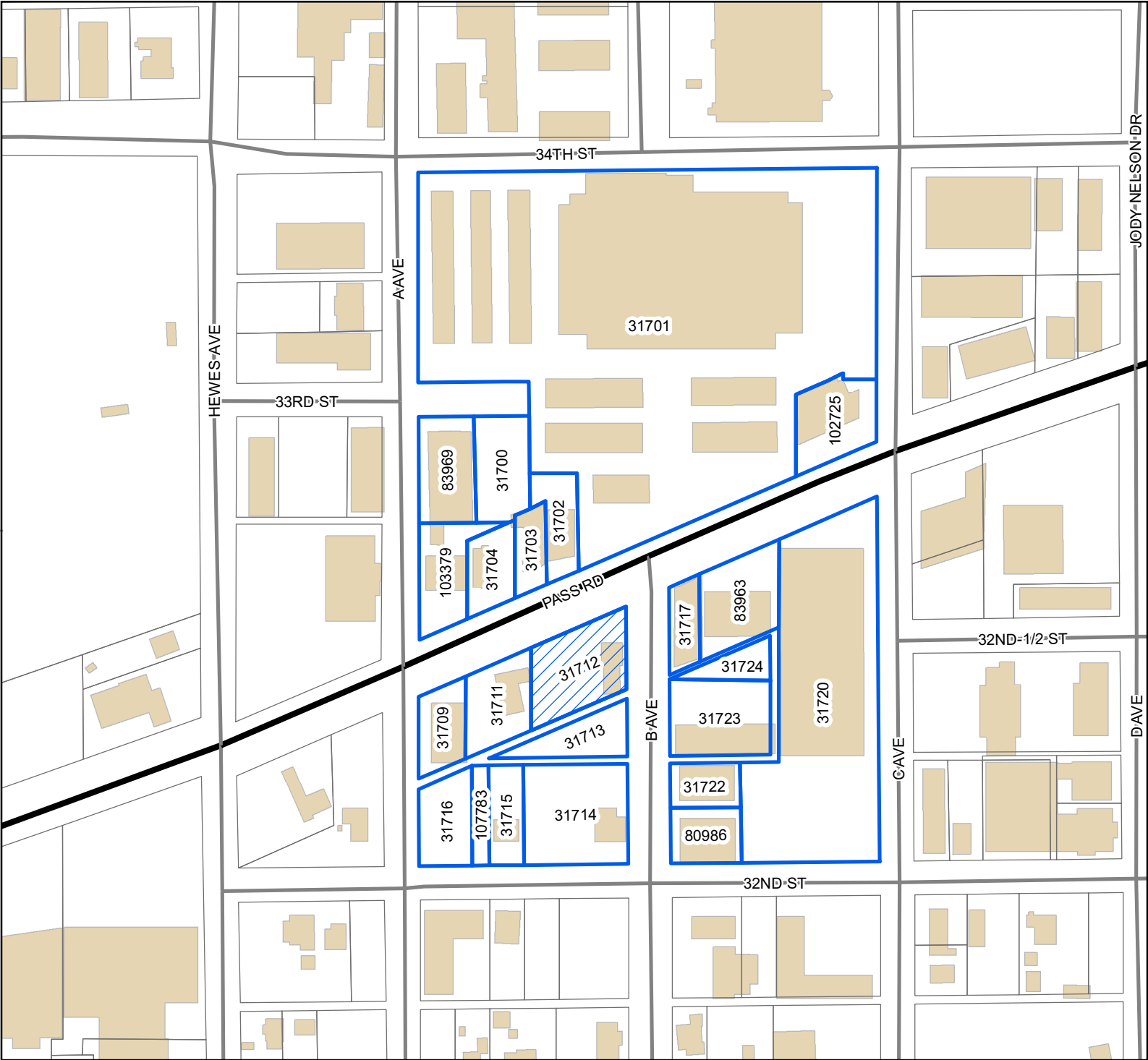
GIVEN UNDER MY HAND AND OFFICIAL SEAL OF OFFICE, this the 19th day of May, 2014.


NOTARY PUBLIC

My Commission Expires _____

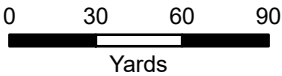


Mail	PPIN	Parcel ID	Name	Address	City	State	ZIP
		0910N-06-020.000	AUTO CASH INC (OWNER)	521 CEDAR AVE.	CRESTVIEW	FL	32539
			VINSON KEYHEA (AGENT)	14328 NORTH WHITE	GULFPORT	MS	39503
			Adjacent Property Owners(2403PC040)				
31704	0910N-07-014.000		HOLDEN JOHN W JR	P O BOX 1055	CLEVELAND	TN	37364
83969	0910N-07-012.000		CARR CHARLES D -TRUSTEE-	19400 NORTH POINT COVE	GULFPORT	MS	39503
31709	0910N-06-022.000		HLR PROPERTIES LLC	1115 PASS ROAD	GULFPORT	MS	39501
31723	0910N-06-015.000		BEATTIES JACK	3206 B AVE	GULFPORT	MS	39501
31720	0910N-06-017.000		JOHN C ROBINSON BROWN CONDOR ASSN	C/O CITY OF GULFPORT -LESSOR-	GULFPORT	MS	39506
102725	0910N-07-008.001		ANEDEE HOLDING LLC	P O BOX 1925	GULFPORT	MS	39502
80986	0910N-06-014.000		FENNELL SAMUEL J -ESTATE-	11371 PETON DR	GULFPORT	MS	39503
31722	0910N-06-014.001		EARTH INC	P O BOX 1842	GULFPORT	MS	39501
31714	0910N-06-024.000		BREWER INGLE C JR & LEE MICHEAL	7360 RUSHING ROBINSON RD	BILOXI	MS	39532
31700	0910N-07-011.000		MUELLER RICHARD P JR	15384 5TH STREET	GULFPORT	MS	39503
31715	0910N-06-025.000		QUIN EDWARD E JR	529 32ND ST	GULFPORT	MS	39501
31716	0910N-06-026.000		QUIN SHERYL V	12478 LEEWARD DR	GULFPORT	MS	39503
83963	0910N-06-018.000		VINTAGE PROPERTIES LLC	19 KIMBALL DRIVE	GULFPORT	MS	39507
31701	0910N-07-009.000		3K'S LLC ETAL	150 GOVERNMENT ST	MOBILE	AL	36602



Legend

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



1 inch = 200 feet



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RE: Planning Commission Approval 2403PC040, by agent Vinson Keyhea, seeking approval for car sales of less than 50 vehicles, Tax Parcel 0910N-06-020.000, Zoned B-2 (General-Business) Ward 4

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 28, 2024**, 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 28, 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	528938	Print Legal Ad-IPL01632770 - IPL0163277		\$83.65	2	56 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, March 28, 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 24 th Avenue.

Planning Commission Approval 2402PC011, by agent M2 Enterprises, Inc., seeking approval for auto sales of less than fifty vehicles, Tax Parcel 0910M-03-058.000, 941 Pass Rd, Zoned B-2 (General Business), Ward 3

Planning Commission Approval 2403PC029, by owner JKA Properties LLC, seeking approval for church use, Tax Parcels 0910I-02-008.001, 0910I-02-008.000, 729 E Pass Rd., Zoned T5 (Urban Center), Ward 2

Special Exception 2403SC031, by agent Tyler Hickman, seeking approval for daiquiri shop, Tax Parcels 0908N-04-004.000, 0908N-04-004.001, 13211 Dedeaux Road, Zoned B-1 (Neighborhood business), Ward 5

Planning Commission Approval 2403PC039, by agents Charles Gant and Warren Dedeaux, seeking approval for a townhouse development, Tax Parcels 0908M-01-009.00, 0908M-01-009.001, 0908M-01-014.000, Zoned B-1 (Neighborhood-business), Ward 5

Planning Commission Approval 2403PC040, by agent Vinson Keyhea, seeking approval for car sales of less than 50 vehicles, Tax Parcel 0910N-06-020.000, Zoned B-2 (General-Business) Ward 4

General Plan 2402PC014, by agent Kenneth Jones, seeking approval for an 84-lot subdivision with five outparcels (Swan Landing Estates), Tax Parcel 0807G-01-001.000, South Swan Road, Zoned R-1-15 (Single-family), Ward 7

Zoning Map Amendment 2403PC020, by owner David Cospelich, Request rezone to B-1 (Neighborhood Business), Tax Parcels 0907H-02-001.001, 0907H-02-002.000, 1007E-01-002.000, 1007E-01-003.000, Zoned R-1-10 (Single Family Residence), River Road, Ward 6

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This the 6th day of March 2024

Keith Williams, Chairman
City of Gulfport Planning Commission
IPL0163277
Mar 8 2024

STATE OF MISSISSIPPI COUNTY OF HARRISON

Before me, the undersigned Notary of Dallas County, Texas personally appeared Mary Castro, 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:
03/08/24

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.

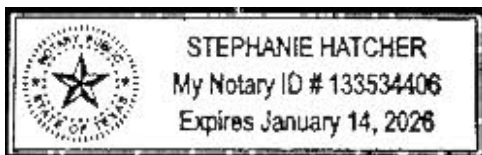
Mary Castro

Sworn to and subscribed before me this 14th day of
March 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!

MEMORANDUM

To: City of Gulfport Planning Commission

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

Date of Hearing: March 28, 2024

Re: General Plan 2402PC014: (Postponed to March Meeting)

General Plan 2402PC014, by agent Kenneth Jones, seeking approval for an 84-lot subdivision with five outparcels (Swan Landing Estates), Tax Parcel 0807G-01-001.000, South Swan Road, Zoned R-1-15 (Single-family), Ward 7

Technical Report

*General Plan
(Swan Landing Estates)*

GENERAL INFORMATION

Case File Number: 2402PC014

Hearing Date: March 28, 2024

Current Zoning/Use: R-1-15 / Vacant Property

Legal: General Plan 2402PC014, by agent Kenneth Jones, seeking approval for an 84-lot subdivision with five outparcels (Swan Landing Estates), Tax Parcel 0807G-01-001.000, South Swan Road, Zoned R-1-15 (Single-family), Ward 7

TECHNICAL DETAILS

The applicant requests approval of a General Plan to create a new 87-lot single-family home subdivision with 5 outparcels, (Swan Landing Estates), containing approximately 80 acres on tax parcel 0807G-01-001.000, Zoned R-1-15 (Single-family) district.

Regulations state that the minimum property size for a new single-family home in this zoning district is 15,000 square feet with a front yard setback of 25 feet and a side and rear yard setback of 15 feet, with lot width of 60 feet. Site plan illustrates the appropriate setbacks for an R-1-15 zoning district. Lots are clearly labeled and meet the square-footage requirements for the zoning regulations.

The proposed parcel is located adjacent to existing city right-of-way, South Swan Road, which are protected by Gulfport Fire and Police, and will have capacity for water and sewer. The applicant has also provided a copy of the proposed covenants for the potential subdivision.

Any approval should consider these conditions:

1. Provide engineered construction plans for permitting.
2. Provide all state and federal permits.
3. Lots 1-10 must have circle driveway to prevent backing into R.O.W.
4. Provide construction plans at time of permitting.
5. Show sidewalk continuity.
6. Provide general utility plan.
7. Provide general drainage and infrastructure plan.
8. Provide wetland delineation documents.
9. Provide an approved SWPPP plan.
10. Must meet all current building Codes and City of Gulfport Ordinances.
11. Preserve & protect protected trees. Tree survey is required along with tree permits.

Technical Report

*General Plan
(Swan Landing Estates)*

DEPARTMENTAL CONDITIONS

Engineering:

Conditions:

1. Provide engineered construction plans for permitting
2. Provide all state and federal permits.

Memo dated 3/15/24

Public Works:

Conditions:

1. Lots 1-10 must have circle driveway to prevent backing into R.O.W.
2. Provide construction plans at time of permitting.

Memo dated 3/14/24.

Traffic and Safety:

No conditions. Memo dated 3/17/24.

Building Code Services:

Conditions:

1. Show sidewalk continuity. (pending zoning, engineering)
2. Provide general utility plan.
3. Provide general drainage and infrastructure plan.
4. Show fire hydrants locations on site with spacing distances.
5. Provide wetland delineation documents.
6. Provide an approved large construction SWPPP plan.
7. Provide all State and Federal Permits.
8. Must meet all current building Codes and City of Gulfport Ordinances.

Memo dated 3/6/24.

GIS:

Conditions:

1. Digital data provided did not include utilities (water, sewer, hydrants, manholes). ,DWG and .PDF utilities will be required before Final Plat approval. Memo date 3/14/24.

Police Department:

No comment as of 3/18/24.

Fire Department:

No conditions. Memo dated 3/6/24.

City Arborist:

Conditions:

1. Preserve & protect protected trees. Tree survey is required along with tree permits. Memo dated 3/7/24.

Technical Report
General Plan
(Swan Landing Estates)

DIRECTOR APPROVAL

This report has been reviewed and approved by:



Greg Holmes
Director of Urban Development Department

Technical Report

*General Plan
(Swan Landing Estates)*

GENERAL INFORMATION

Case File Number: 2402PC014

Hearing Date: February 22, 2024

Current Zoning/Use: R-1-15 / Vacant Property

Legal: General Plan 2402PC014, by agent Kenneth Jones, seeking approval for an 87-lot subdivision with five outparcels (Swan Landing Estates), Tax Parcel 0807G-01-001.000, South Swan Road, Zoned R-1-15 (Single-family), Ward 7

TECHNICAL DETAILS

The applicant requests approval of a General Plan to create a new 87-lot single-family home subdivision with 5 outparcels, (Swan Landing Estates), containing approximately 80 acres on tax parcel 0807G-01-001.000, Zoned R-1-15 (Single-family) district.

Regulations state that the minimum property size for a new single family home in this zoning district is 15,000 square feet with a front yard setback of 25 feet and a side and rear yard setback of 15 feet, with lot width of 60 feet. However, the applicant applied for a variance allowing for side yard setbacks on the proposed lots to be reduced to 10 feet, Case # 2401ZB005. Zoning Board of Adjustments and Appeals approved the applicant's variance January 18, 2024. Upon review of the proposed subdivision, lots are clearly labeled and meet the square-footage requirements for the zoning regulations.

The proposed parcel is located adjacent to existing city right-of-way, South Swan Road, which are protected by Gulfport Fire and Police, and will have capacity for water and sewer. The applicant has also provided a copy of the proposed covenants for the potential subdivision.

Currently, as of the writing this report, an appeal has been filed regarding the beforementioned variance case, Case# 2401ZB005. Approval for proposed setbacks on the general plan is contingent on the appeal being denied.

Any approval should consider these conditions:

1. Plans to address all comments from development review meeting on 8/30/23.
 - a. Gravity sewer to tie into existing system to west; easements required 15' min.
 - b. Gated 15' paved emergency access into development.
 - c. S Swan Rd ditch to be piped for access to fronting lots.
 - d. Sidewalks to be installed at time of acceptance – Performance bods accepted.
 - e. All additional documents/permits/approval for residential subdivision development
2. Must meet all current building Codes and City of Gulfport Ordinances.

Technical Report

*General Plan
(Swan Landing Estates)*

3. Pending secondary access (emergency) & infrastructure improvements streets/water/hydrants.
4. Preserve & protect protected trees. Tree survey is required along with tree permits.
5. Any approval contingent on the appeal for Case# 2401ZB005, being denied of the proposed setbacks on the general plan.

DEPARTMENTAL CONDITIONS

Engineering:

Conditions: Plans to address all comments from development review meeting on 8/30/23. Memo dated 12/11/18.

1. Gravity sewer to tie into existing system to west; easements required 15' min.
2. Gated 15' paved emergency access into development.
3. S Swan Rd ditch to be piped for access to fronting lots.
4. Sidewalks to be installed at time of acceptance – Performance bods accepted.
5. All additional documents/permits/approval for residential subdivision development.

Public Works:

No comment as of 2/8/24.

Traffic and Safety:

No conditions. Memo dated 1/30/24.

Building Code Services:

Conditions: Must meet all current building Codes and City of Gulfport Ordinances. Memo dated 1/25/24.

GIS:

No conditions. Memo date 2/6/24.

Police Department:

No comment as of 2/8/24.

Fire Department:

Conditions: Pending secondary access (emergency) & infrastructure improvements streets/water/hydrants. Memo dated 1/25/24.

City Arborist:

Conditions: Preserve & protect protected trees. Tree survey is required along with tree permits. Memo dated 1/25/24.

Technical Report

General Plan
(Swan Landing Estates)

DIRECTOR APPROVAL

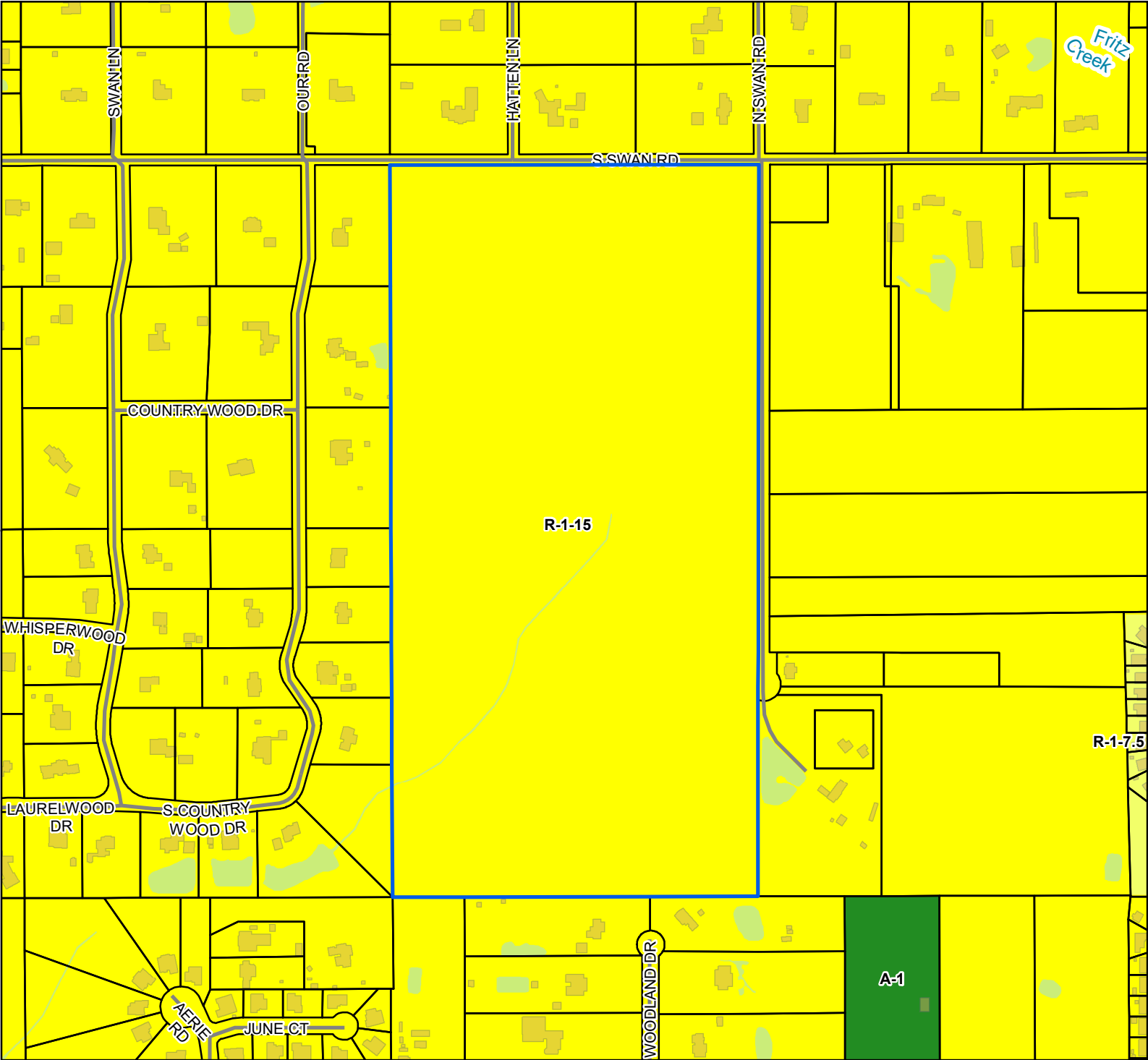
This report has been reviewed and approved by:



Greg Holmes

Director of Urban Development Department





Street

Parcels

Buildings

Water Features

Zoning

- A-1 - Agricultural District
- R-1-15 - Single Family Residence District (Low Density)
- R-1-7.5 - Single Family Residence District (Low Density)

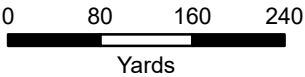
Site Information

0807G-01-001.000

Zoning: R-1-15 (Single Family)

Size: 80 Acres

Flood: X



1 inch = 500 feet



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



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

APPLICATION FOR GENERAL SUBDIVISION PLAN

Property Information

TAX PARCEL #

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					-			-				●			
					-			-				●			

(If necessary, use separate sheet of paper)

Address of Property Involved: 0 South Swan Road - Approximately 80 Acres

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

General Location: South Side of S. Swan Rd between Country Wood Dr. & N. Swan Rd.

GENERAL DESCRIPTION OF REQUEST:

Plan Approval for an 87-Lot Single-Family Subdivision, and 5 outparcels (common areas).

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

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

Beatrice Flair
Signature Of Owner

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

Kenneth Jones
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.

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

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

NAME OF OWNER (PRINT) The Flair Family, LLC, Alan Timothy Flair, Member

ADDRESS (STREET, CITY, STATE, ZIP CODE) Same as above

PHONE # (H) _____ (W) _____

TAX PARCEL NUMBER(S) OWNED 0807G-01-001.000

SIGNATURE: Alan Timothy Flair

NAME OF OWNER (PRINT) The Flair Family, LLC, Gustave B. Flair, Member

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

PHONE # (H) _____ (W) _____

TAX PARCEL NUMBER(S) OWNED 0807G-01-001.000

SIGNATURE: Gustave B. Flair

NAME OF OWNER (PRINT) BEATRICE A. FLAIR, THE FAMILY, LLC

ADDRESS (STREET, CITY, STATE, ZIP CODE) SAME AS ABOVE

PHONE # (H) _____ (W) _____

TAX PARCEL NUMBER(S) OWNED 0807G-01-001.000

SIGNATURE: Beatrice A. Flair

(Use additional forms as needed)

IN CASES OF MULTIPLE APPLICANTS, PLEASE IDENTIFY THE PERSON WHO WILL BE ACTING AS YOUR SPOKES PERSON/AGENT FOR YOU: _____



(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)

Additional Officers: No

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](#)

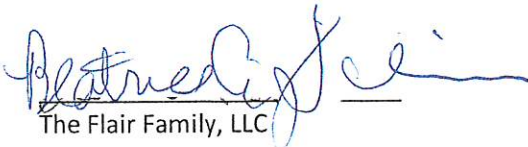
October 15, 2023

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

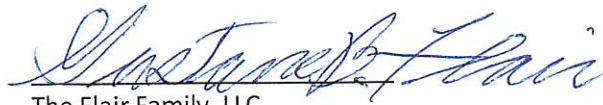
Personally appeared before me, the undersigned authority in and for the said county and state, on this -day of November, 2023, within my jurisdiction, the within named Beatrice A. Flair [name(s) of person(s) acknowledged], who acknowledged that (he)(she)(they) executed the above and foregoing instrument.

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

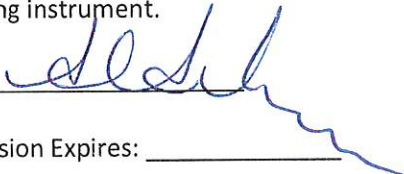


The Flair Family, LLC

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





CIVIL ENGINEERING DESIGN AND CONSULTING

City of Gulfport Engineering
4050 Hewes Ave
Gulfport, MS 39507

12/29/2023

Re: Swan Landing Estates – Preliminary Drainage Study

To Whom it May Concern -

I am providing this letter as an accompaniment to a General Plan Application for Swan Landing Estates Subdivision, an 87-lot single family residential subdivision planned at South Swan Road across from Hatten Lane. Per section 7 of Appendix C of Gulfport's Code of ordinance, the project is being designed for a fifty (50) year frequency storm event.

Based on a topographical survey of this site reviewed against USGS quadrangle maps, it was determined that approximately 16 acres of this site drain to the east (towards Fritz Creek) with 37.5 acres draining westerly (towards Flat Branch); note on-site downstream wetlands which will remain unchanged during construction were omitted from this study. Utilizing Hydroflow computer software, it was determined peak 50-year flow rates to the east and west were 19.62 cfs and 61.46 cfs, respectively, for a combined total on-site peak of 71.96 cfs.

After design of on-site grading and drainage improvements, including 5 detention ponds, resulting post-construction peak flows for the east, west, and total were observed at: 18.81 cfs, 60.49 cfs, and 71.56 cfs, respectively. All flow rates observed in the post-construction analysis were lower peak flows than pre-construction.

With this letter, please find output data from Hydroflow and StormSewers design software to further illustrate on-site drainage calculations.

Please call (228.229.5021) or email (andy@gcdevelopmentdesign.com) with any questions.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Andy Phelan', is written over a light blue circular stamp.

Andy Phelan
Owner
Civil Engineer (MS #19480)

Enclosures

Hydraflow Hydrographs – Peak flow Analysis (30 pages)
StormSewer – Design Drainage Structure Analysis (1 page)
StormSewer – Design Drainage Pipe Analysis (1 page)

Hydraflow Hydrographs - Peak Flow Analysis

Hydrograph Summary Report

Hydraflow Hydrographs Extension for Autodesk® Civil 3D® by Autodesk, Inc. v2024

Hyd. No.	Hydrograph type (origin)	Peak flow (cfs)	Time interval (min)	Time to Peak (min)	Hyd. volume (cuft)	Inflow hyd(s)	Maximum elevation (ft)	Total strge used (cuft)	Hydrograph Description
1	Rational	13.98	1	23	24,117	----	----	----	EX-NORTHWEST
2	Rational	18.01	1	33	44,578	----	----	----	EX-MIDWEST
3	Rational	37.48	1	38	106,810	----	----	----	EX-SOUTHWEST
4	Rational	19.62	1	71	104,451	----	----	----	EX-EAST
5	Combine	61.46	1	38	175,025	1, 2, 3,	----	----	EX-WEST
6	Combine	71.96	1	38	279,182	4, 5	----	----	EX-TOTAL
8	Rational	19.98	1	20	29,970	----	----	----	POST-DIRECT-NW
9	Rational	18.07	1	10	12,633	----	----	----	POST-DIRECT-MIDWEST
10	Rational	30.55	1	24	51,258	----	----	----	POST-DIRECT-SOUTHWEST
11	Combine	49.61	1	20	92,855	8, 9, 10	----	----	POST-DIRECT-WEST
12	Rational	22.99	1	25	40,169	----	----	----	POST-TO-POND1
13	Reservoir	6.900	1	48	39,989	12	71.64	27,136	POST-THRU-POND1
14	Rational	32.23	1	33	74,340	----	----	----	POST-TO-POND2
15	Reservoir	14.08	1	57	73,475	14	66.16	39,093	POST-THRU-POND2
16	Rational	17.61	1	34	41,846	----	----	----	POST-TO-POND3
17	Reservoir	4.125	1	68	41,622	16	64.06	29,397	POST-THRU-POND3
18	Rational	14.33	1	10	10,014	----	----	----	POST-DIRECT-SOUTHEAST
19	Rational	10.78	1	15	11,302	----	----	----	POST-TO-POND4
20	Reservoir	2.549	1	30	10,990	19	69.01	7,870	POST-THRU-POND4
21	Rational	17.45	1	39	47,575	----	----	----	POST-TO-POND5
22	Reservoir	13.21	1	51	47,119	21	73.76	8,014	POST-THRU-POND5
24	Combine	18.81	1	10	67,993	18, 20, 22,	----	----	POST-EAST
25	Combine	60.49	1	24	247,942	11, 13, 15, 17,	----	----	POST-WEST
26	Combine	71.56	1	20	315,935	24, 25	----	----	POST-TOTAL
SouthSwanHF.gpw					Return Period: 50 Year			Friday, 12 / 29 / 2023	

Hydrograph Report

Hydraflow Hydrographs Extension for Autodesk® Civil 3D® by Autodesk, Inc. v2024

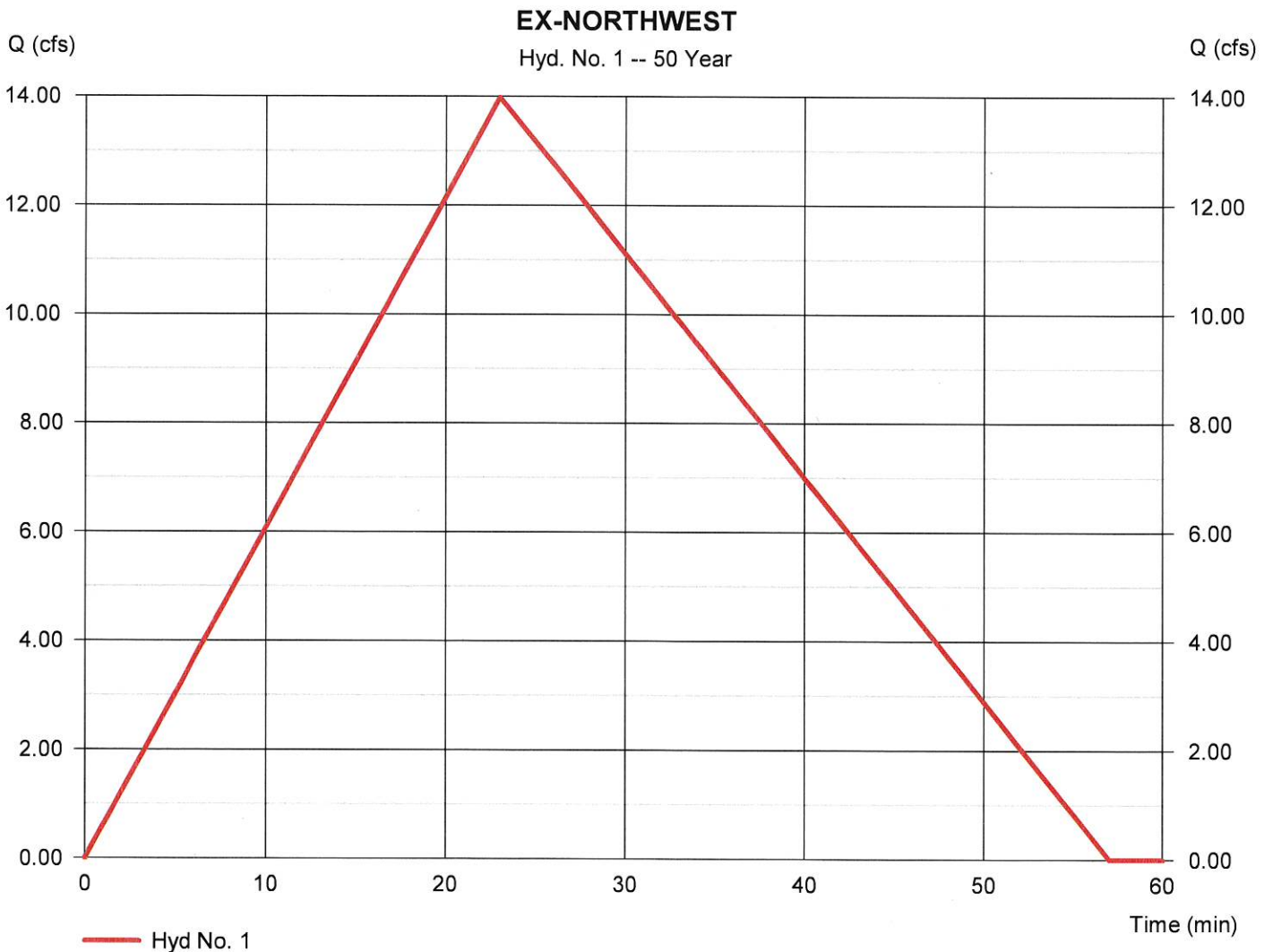
Friday, 12 / 29 / 2023

Hyd. No. 1

EX-NORTHWEST

Hydrograph type	= Rational	Peak discharge	= 13.98 cfs
Storm frequency	= 50 yrs	Time to peak	= 23 min
Time interval	= 1 min	Hyd. volume	= 24,117 cuft
Drainage area	= 6.220 ac	Runoff coeff.	= 0.3*
Intensity	= 7.492 in/hr	Tc by FAA	= 23.00 min
IDF Curve	= Gulfport.IDF	Asc/Rec limb fact	= 1/1.5

* Composite (Area/C) = $[(16.490 \times 0.30) + (23.010 \times 0.30) + (9.570 \times 0.30) + (6.060 \times 0.30)] / 6.220$



Hydrograph Report

Hydraflow Hydrographs Extension for Autodesk® Civil 3D® by Autodesk, Inc. v2024

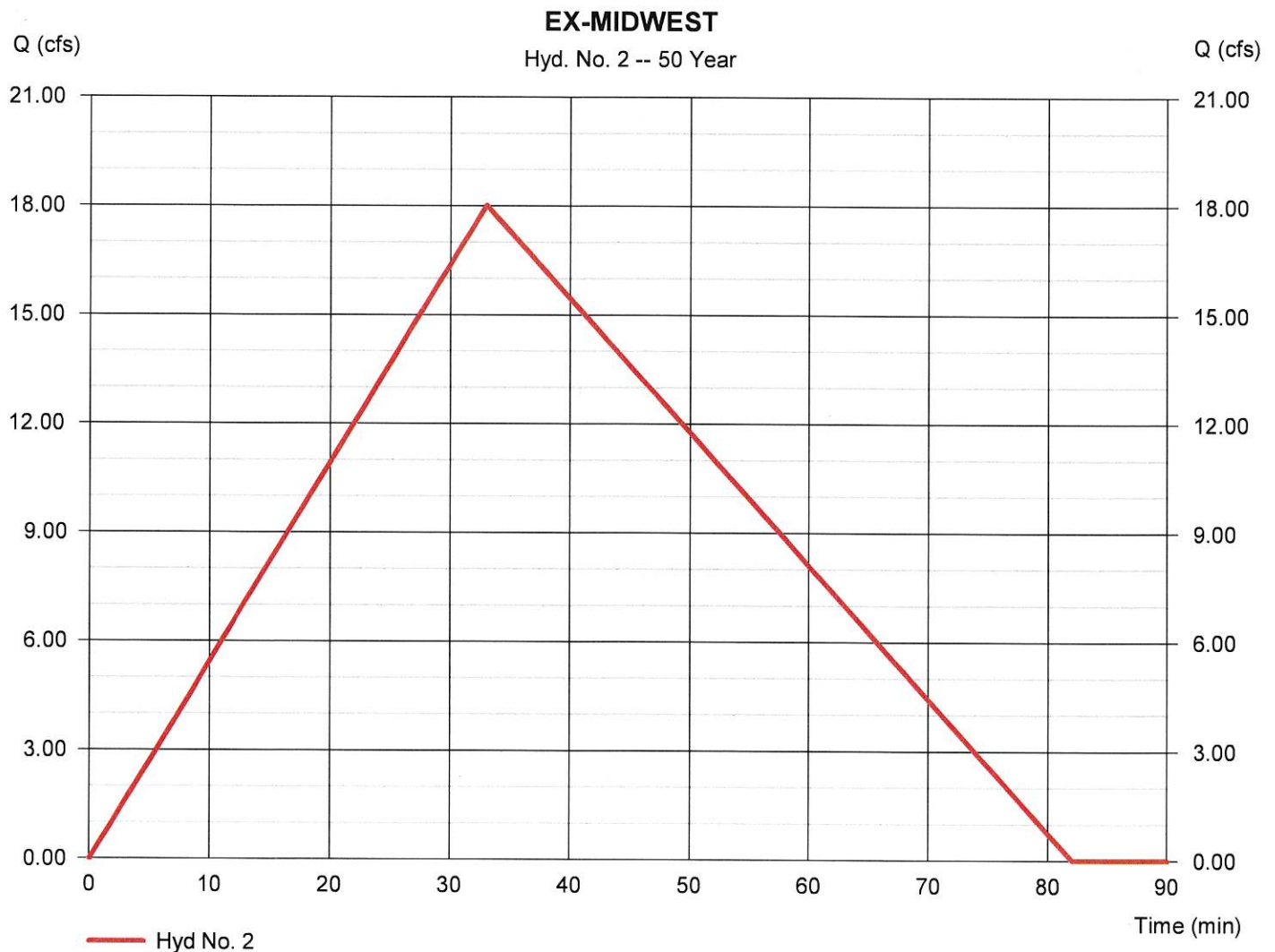
Friday, 12 / 29 / 2023

Hyd. No. 2

EX-MIDWEST

Hydrograph type	= Rational	Peak discharge	= 18.01 cfs
Storm frequency	= 50 yrs	Time to peak	= 33 min
Time interval	= 1 min	Hyd. volume	= 44,578 cuft
Drainage area	= 9.650 ac	Runoff coeff.	= 0.3*
Intensity	= 6.222 in/hr	Tc by FAA	= 33.00 min
IDF Curve	= Gulfport.IDF	Asc/Rec limb fact	= 1/1.5

* Composite (Area/C) = $[(16.490 \times 0.30) + (23.010 \times 0.30) + (9.570 \times 0.30) + (6.060 \times 0.30)] / 9.650$



Hydrograph Report

Hydraflow Hydrographs Extension for Autodesk® Civil 3D® by Autodesk, Inc. v2024

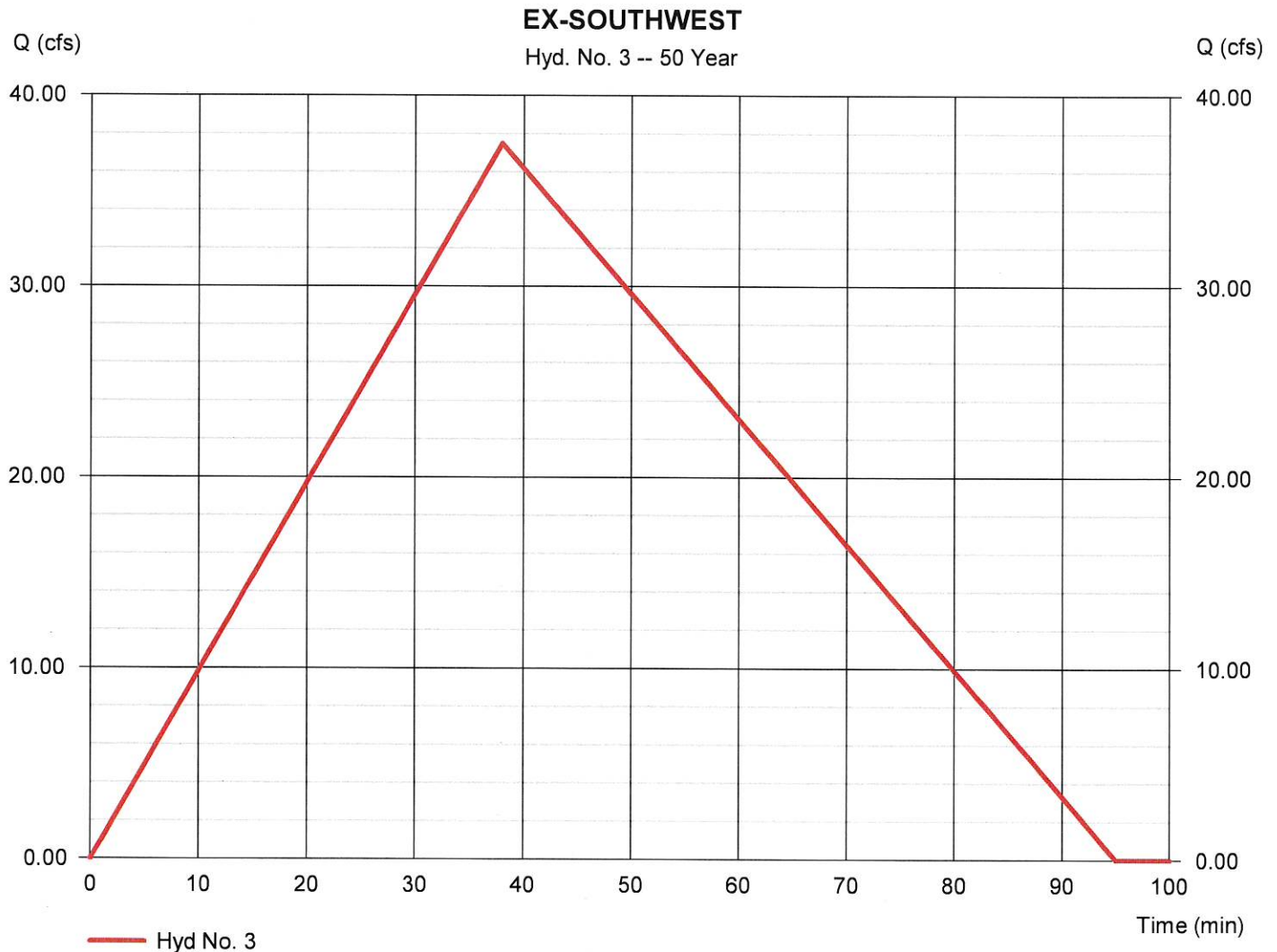
Friday, 12 / 29 / 2023

Hyd. No. 3

EX-SOUTHWEST

Hydrograph type	= Rational	Peak discharge	= 37.48 cfs
Storm frequency	= 50 yrs	Time to peak	= 38 min
Time interval	= 1 min	Hyd. volume	= 106,810 cuft
Drainage area	= 21.640 ac	Runoff coeff.	= 0.3*
Intensity	= 5.773 in/hr	Tc by FAA	= 38.00 min
IDF Curve	= Gulfport.IDF	Asc/Rec limb fact	= 1/1.5

* Composite (Area/C) = $[(16.490 \times 0.30) + (23.010 \times 0.30) + (9.570 \times 0.30) + (6.060 \times 0.30)] / 21.640$



Hydrograph Report

Hydraflow Hydrographs Extension for Autodesk® Civil 3D® by Autodesk, Inc. v2024

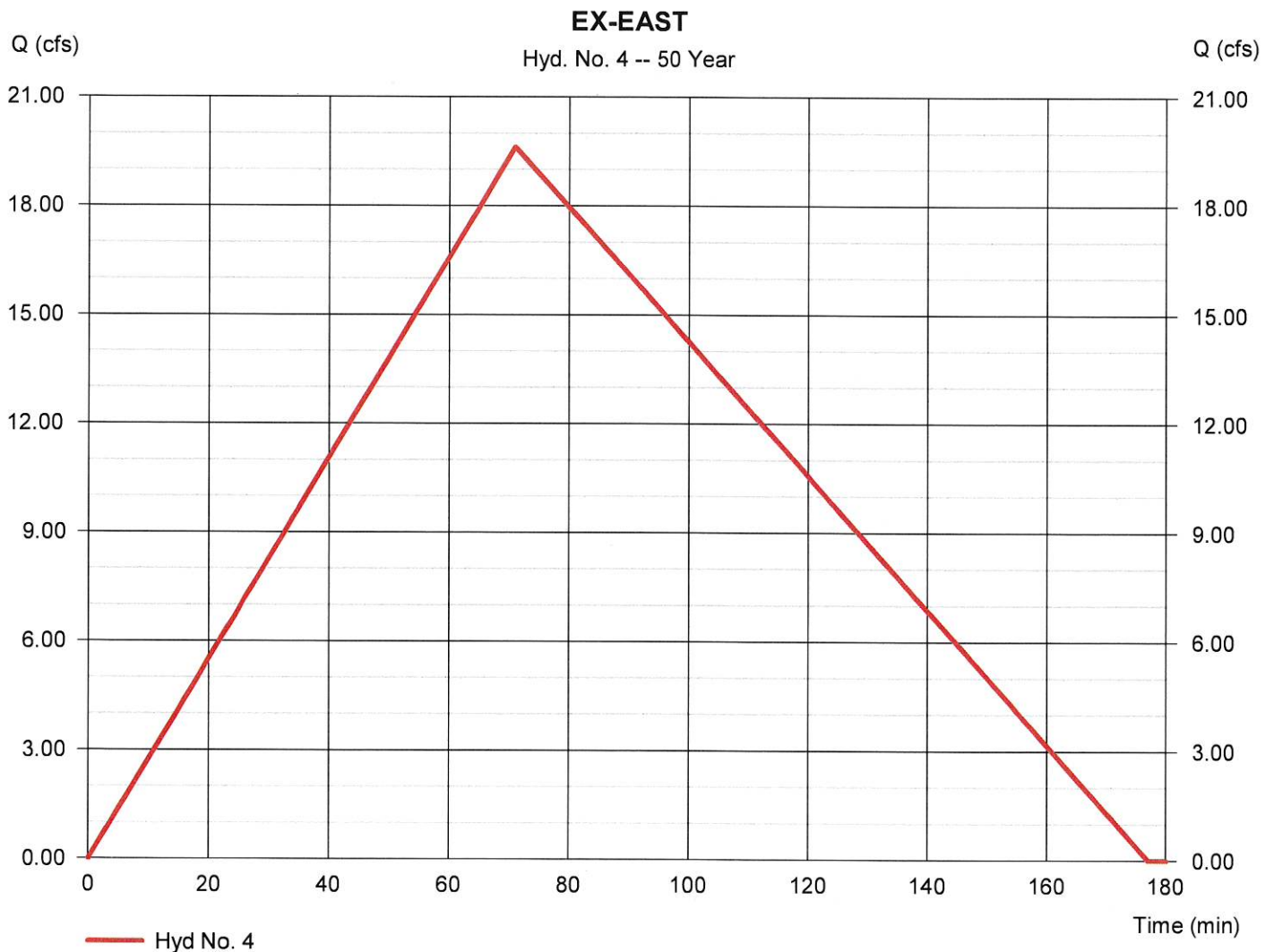
Friday, 12 / 29 / 2023

Hyd. No. 4

EX-EAST

Hydrograph type	= Rational	Peak discharge	= 19.62 cfs
Storm frequency	= 50 yrs	Time to peak	= 71 min
Time interval	= 1 min	Hyd. volume	= 104,451 cuft
Drainage area	= 15.960 ac	Runoff coeff.	= 0.3*
Intensity	= 4.097 in/hr	Tc by FAA	= 71.00 min
IDF Curve	= Gulfport.IDF	Asc/Rec limb fact	= 1/1.5

* Composite (Area/C) = $[(2.740 \times 0.30) + (3.980 \times 0.30) + (15.100 \times 0.30) + (2.910 \times 0.30)] / 15.960$



Hydrograph Report

Hydraflow Hydrographs Extension for Autodesk® Civil 3D® by Autodesk, Inc. v2024

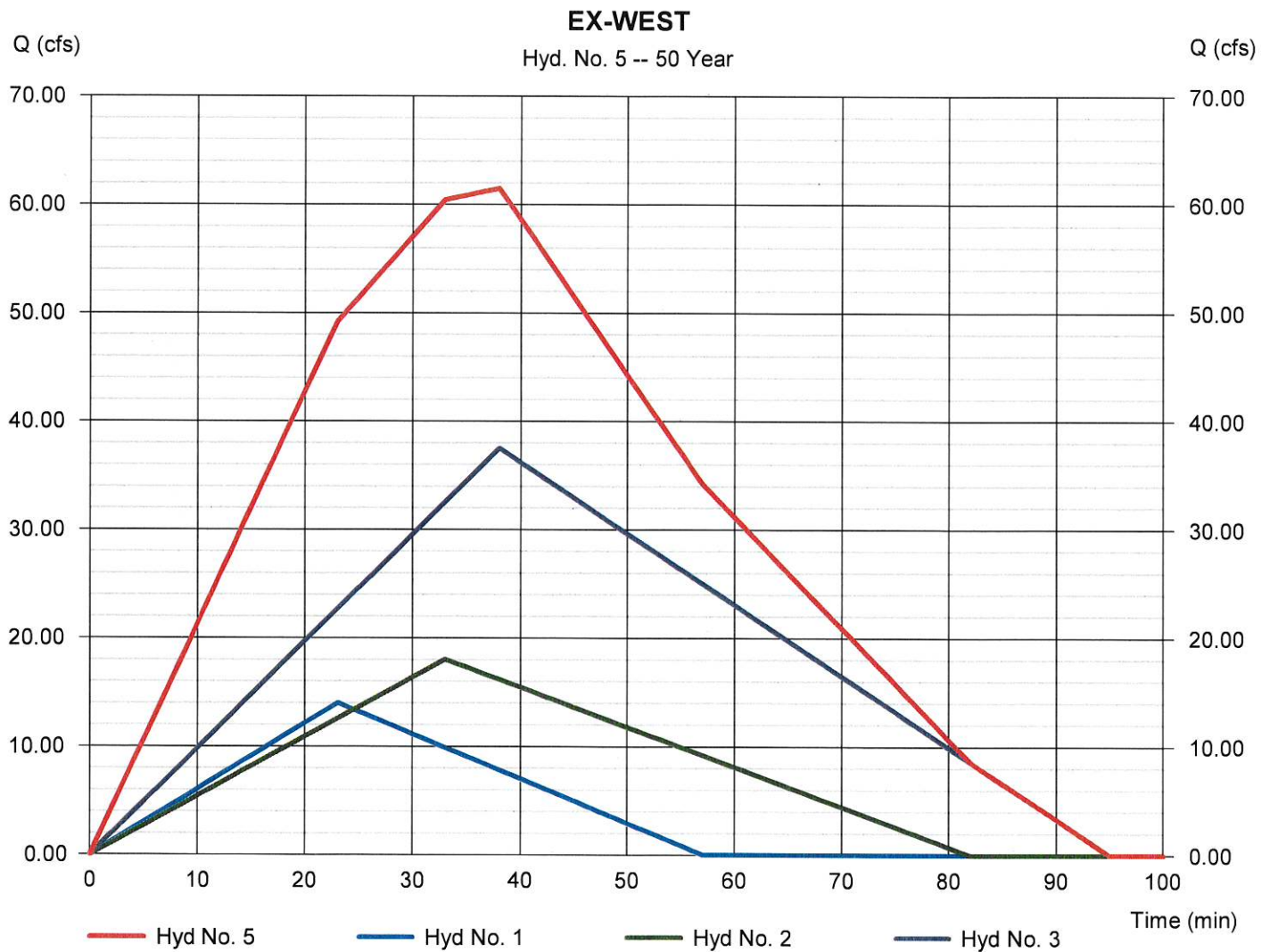
Friday, 12 / 29 / 2023

Hyd. No. 5

EX-WEST

Hydrograph type = Combine
Storm frequency = 50 yrs
Time interval = 1 min
Inflow hyds. = 1, 2, 3

Peak discharge = 61.46 cfs
Time to peak = 38 min
Hyd. volume = 175,025 cuft
Contrib. drain. area = 37.510 ac



Hydrograph Report

Hydraflow Hydrographs Extension for Autodesk® Civil 3D® by Autodesk, Inc. v2024

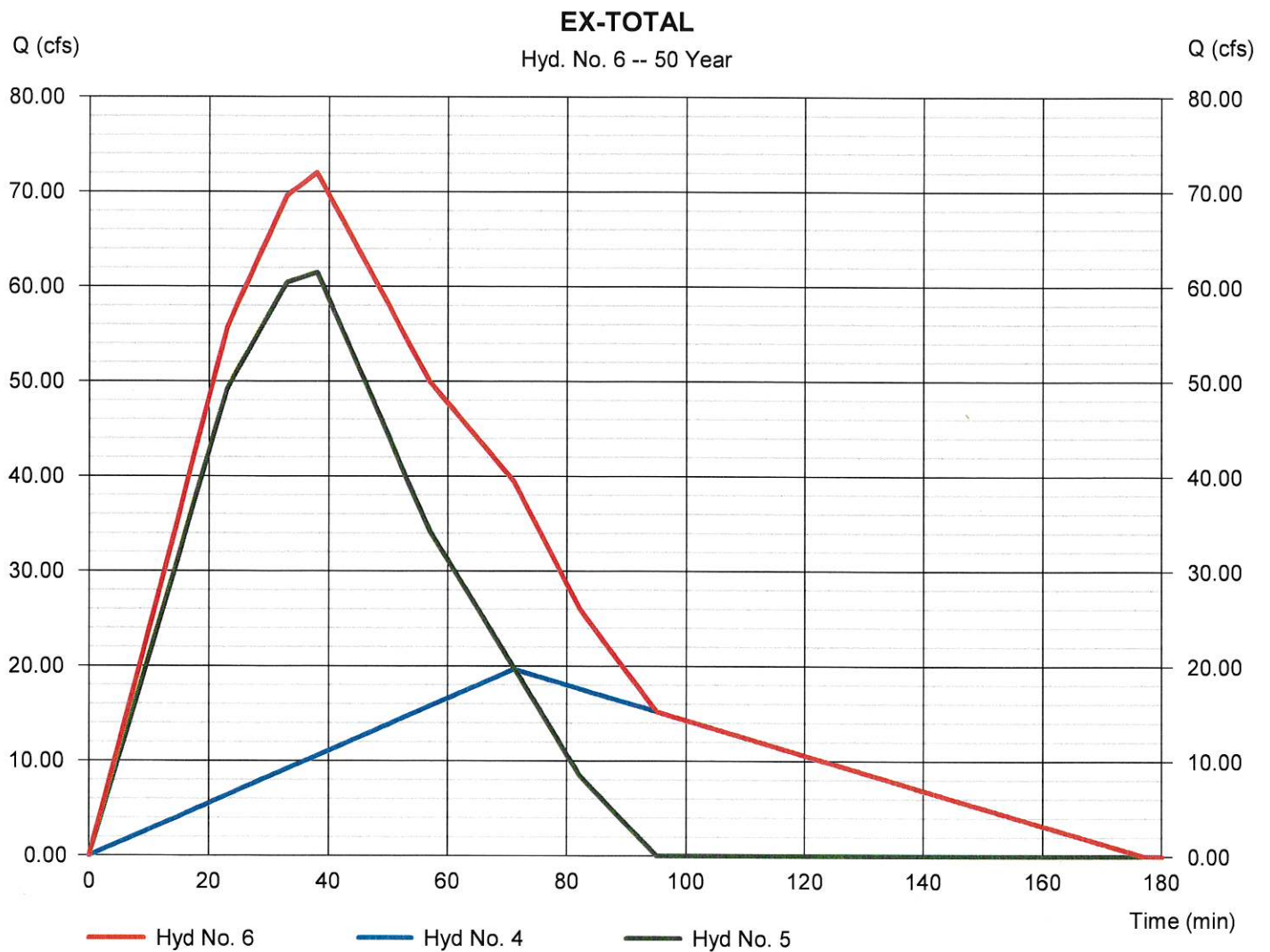
Friday, 12 / 29 / 2023

Hyd. No. 6

EX-TOTAL

Hydrograph type = Combine
Storm frequency = 50 yrs
Time interval = 1 min
Inflow hyds. = 4, 5

Peak discharge = 71.96 cfs
Time to peak = 38 min
Hyd. volume = 279,182 cuft
Contrib. drain. area = 15.960 ac



Hydrograph Report

8

Hydraflow Hydrographs Extension for Autodesk® Civil 3D® by Autodesk, Inc. v2024

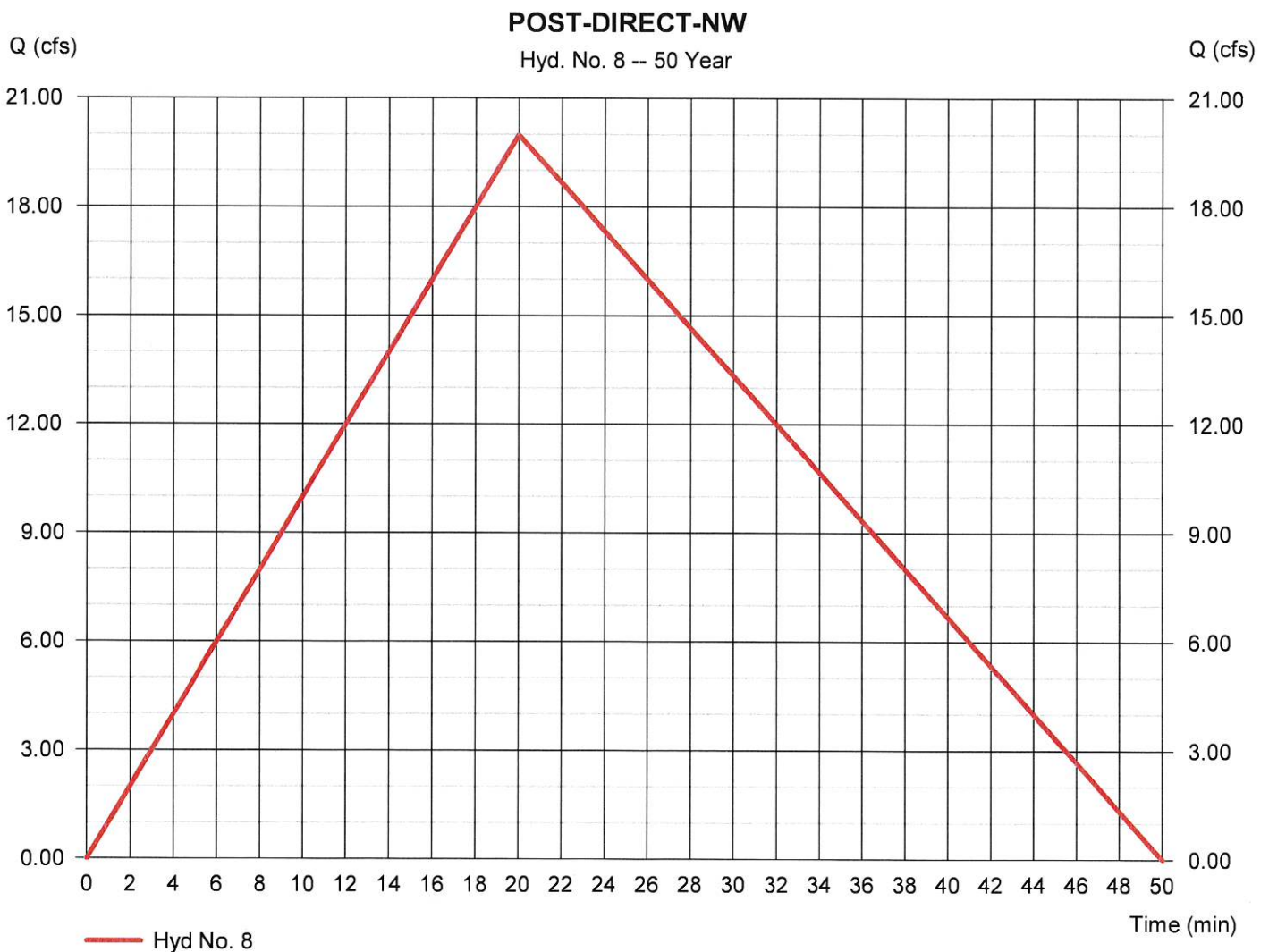
Friday, 12 / 29 / 2023

Hyd. No. 8

POST-DIRECT-NW

Hydrograph type	= Rational	Peak discharge	= 19.98 cfs
Storm frequency	= 50 yrs	Time to peak	= 20 min
Time interval	= 1 min	Hyd. volume	= 29,970 cuft
Drainage area	= 6.220 ac	Runoff coeff.	= 0.4*
Intensity	= 8.031 in/hr	Tc by FAA	= 20.00 min
IDF Curve	= Gulfport.IDF	Asc/Rec limb fact	= 1/1.5

* Composite (Area/C) = [(3.200 x 0.50) + (3.020 x 0.30)] / 6.220



Hydrograph Report

Hydraflow Hydrographs Extension for Autodesk® Civil 3D® by Autodesk, Inc. v2024

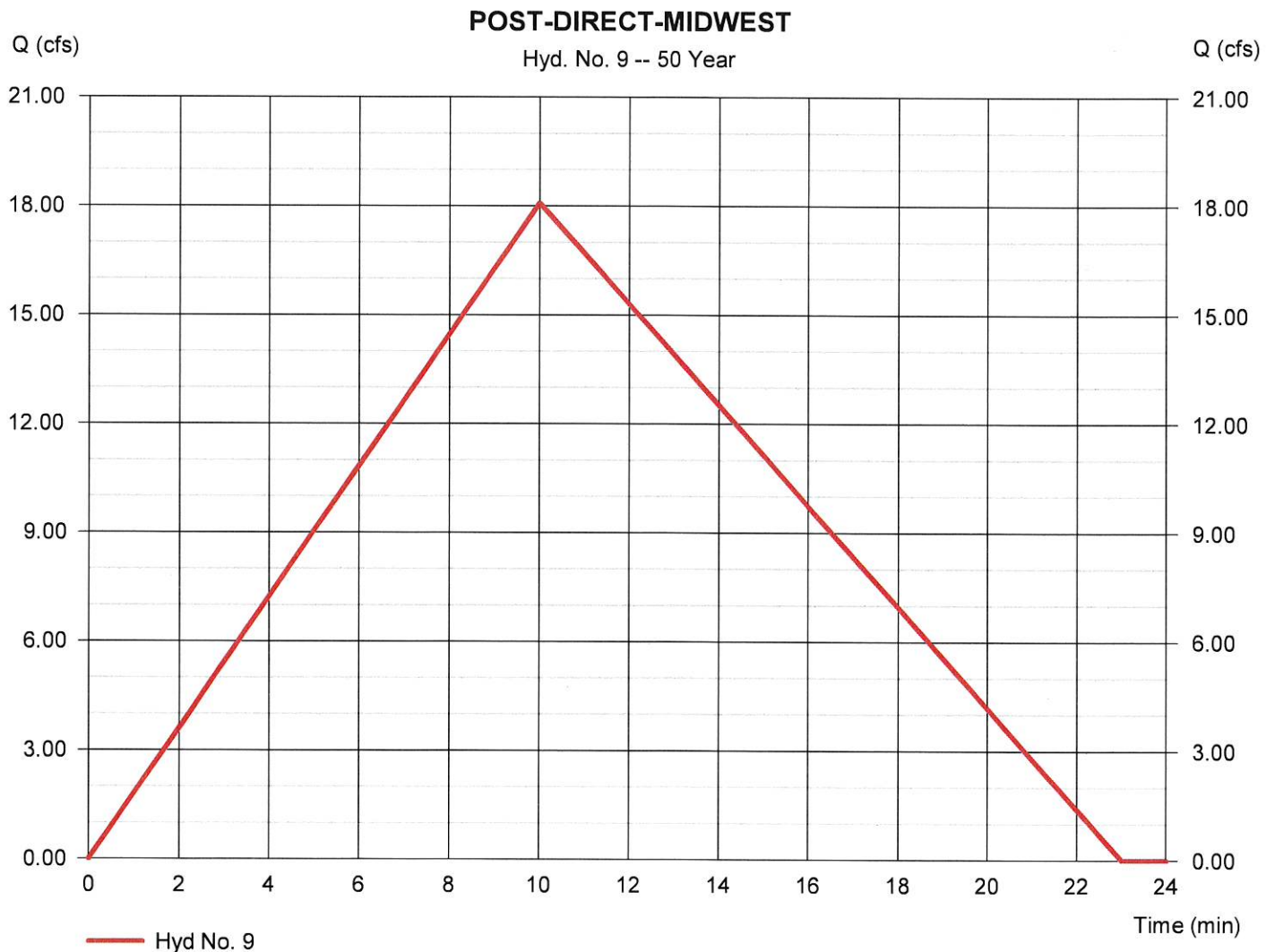
Friday, 12 / 29 / 2023

Hyd. No. 9

POST-DIRECT-MIDWEST

Hydrograph type	= Rational	Peak discharge	= 18.07 cfs
Storm frequency	= 50 yrs	Time to peak	= 10 min
Time interval	= 1 min	Hyd. volume	= 12,633 cuft
Drainage area	= 3.280 ac	Runoff coeff.	= 0.5*
Intensity	= 11.020 in/hr	Tc by User	= 10.00 min
IDF Curve	= Gulfport.IDF	Asc/Rec limb fact	= 1/1.33

* Composite (Area/C) = [(4.300 x 0.55) + (0.290 x 0.30)] / 3.280



Hydrograph Report

Hydraflow Hydrographs Extension for Autodesk® Civil 3D® by Autodesk, Inc. v2024

Friday, 12 / 29 / 2023

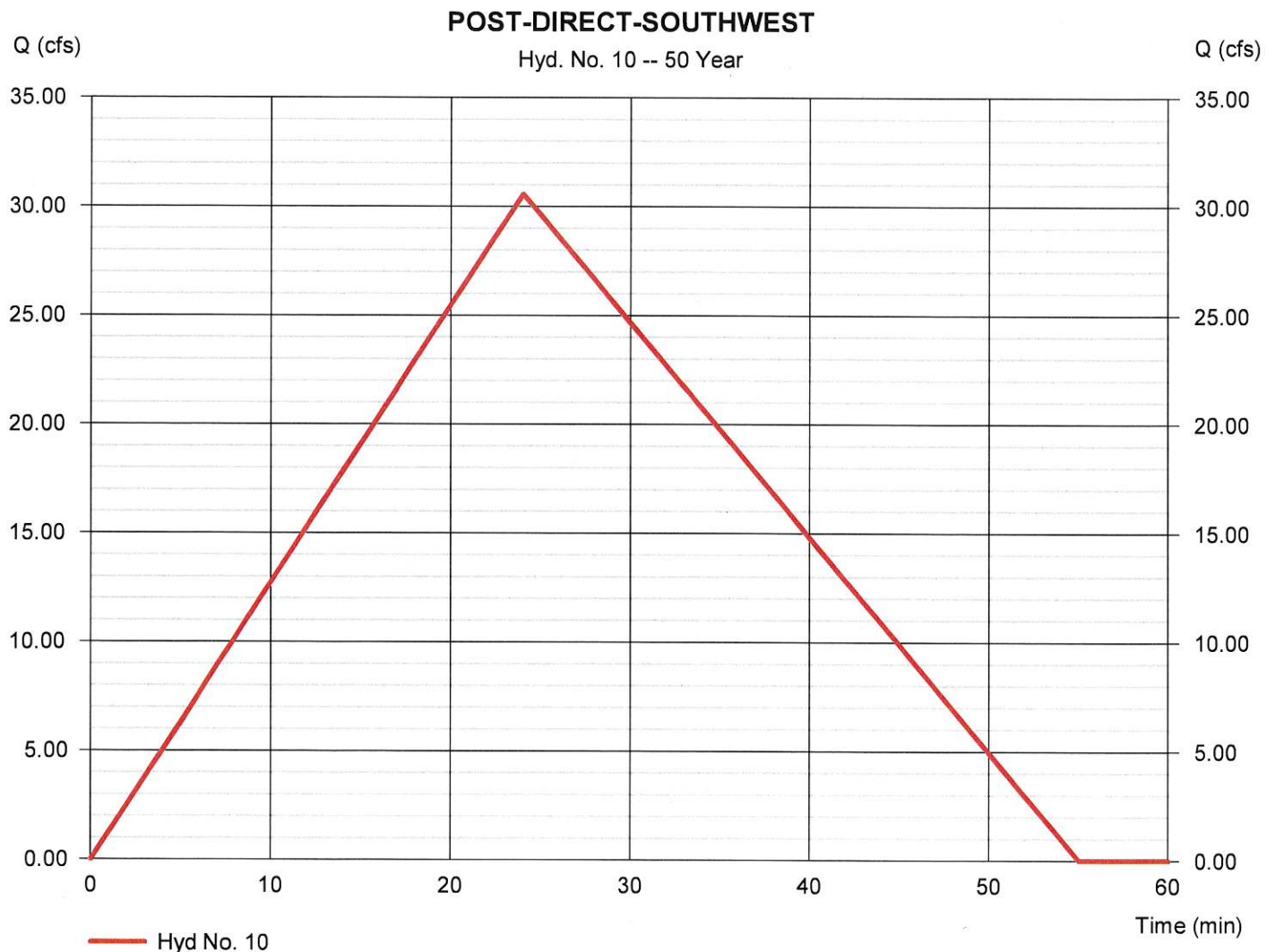
Hyd. No. 10

POST-DIRECT-SOUTHWEST

Hydrograph type = Rational
 Storm frequency = 50 yrs
 Time interval = 1 min
 Drainage area = 8.680 ac
 Intensity = 7.333 in/hr
 IDF Curve = Gulfport.IDF

Peak discharge = 30.55 cfs
 Time to peak = 24 min
 Hyd. volume = 51,258 cuft
 Runoff coeff. = 0.48*
 Tc by FAA = 24.00 min
 Asc/Rec limb fact = 1/1.33

* Composite (Area/C) = $[(7.780 \times 0.50) + (0.900 \times 0.30)] / 8.680$



Hydrograph Report

Hydraflow Hydrographs Extension for Autodesk® Civil 3D® by Autodesk, Inc. v2024

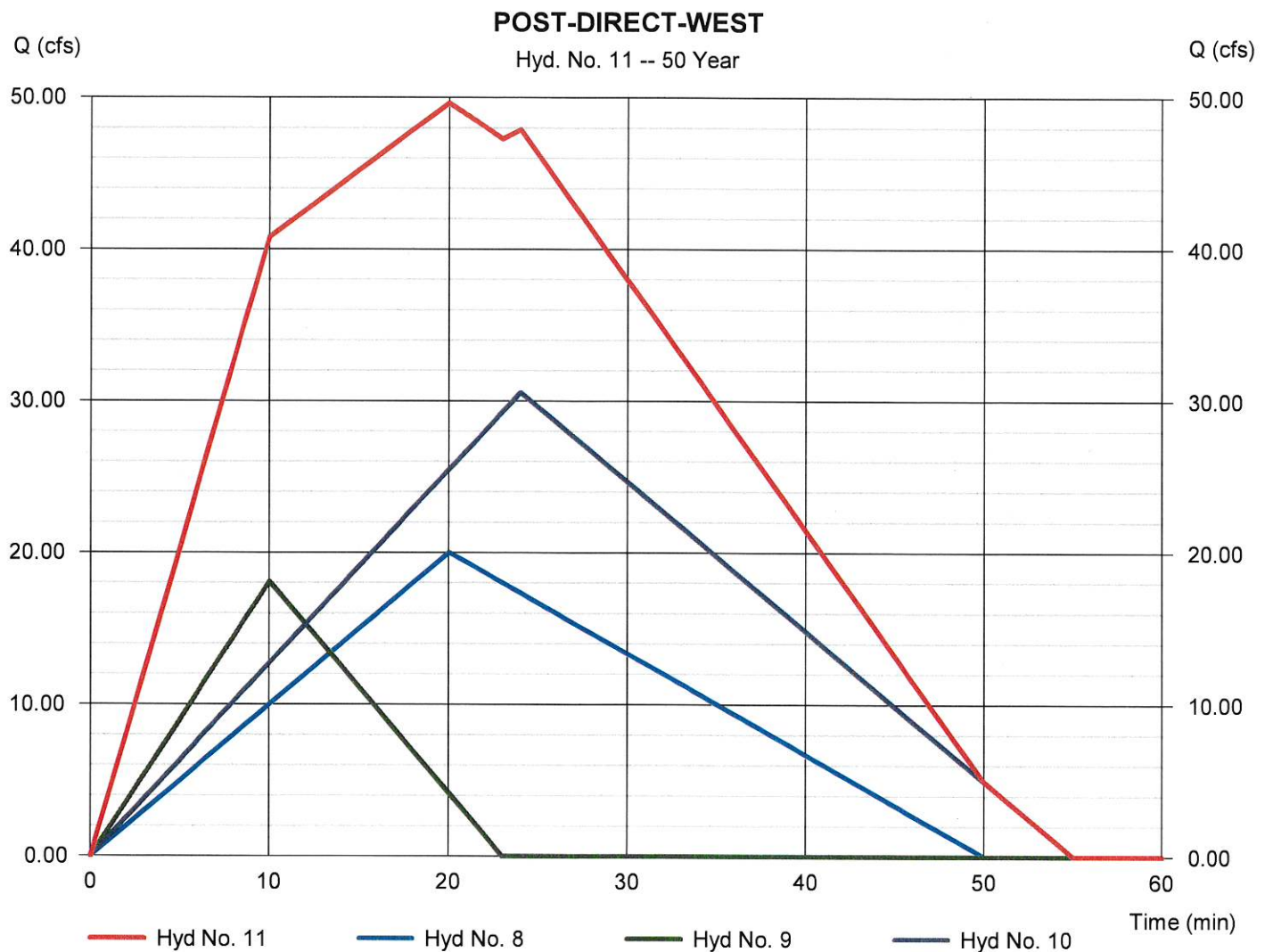
Friday, 12 / 29 / 2023

Hyd. No. 11

POST-DIRECT-WEST

Hydrograph type = Combine
Storm frequency = 50 yrs
Time interval = 1 min
Inflow hyds. = 8, 9, 10

Peak discharge = 49.61 cfs
Time to peak = 20 min
Hyd. volume = 92,855 cuft
Contrib. drain. area = 18.180 ac



Hydrograph Report

Hydraflow Hydrographs Extension for Autodesk® Civil 3D® by Autodesk, Inc. v2024

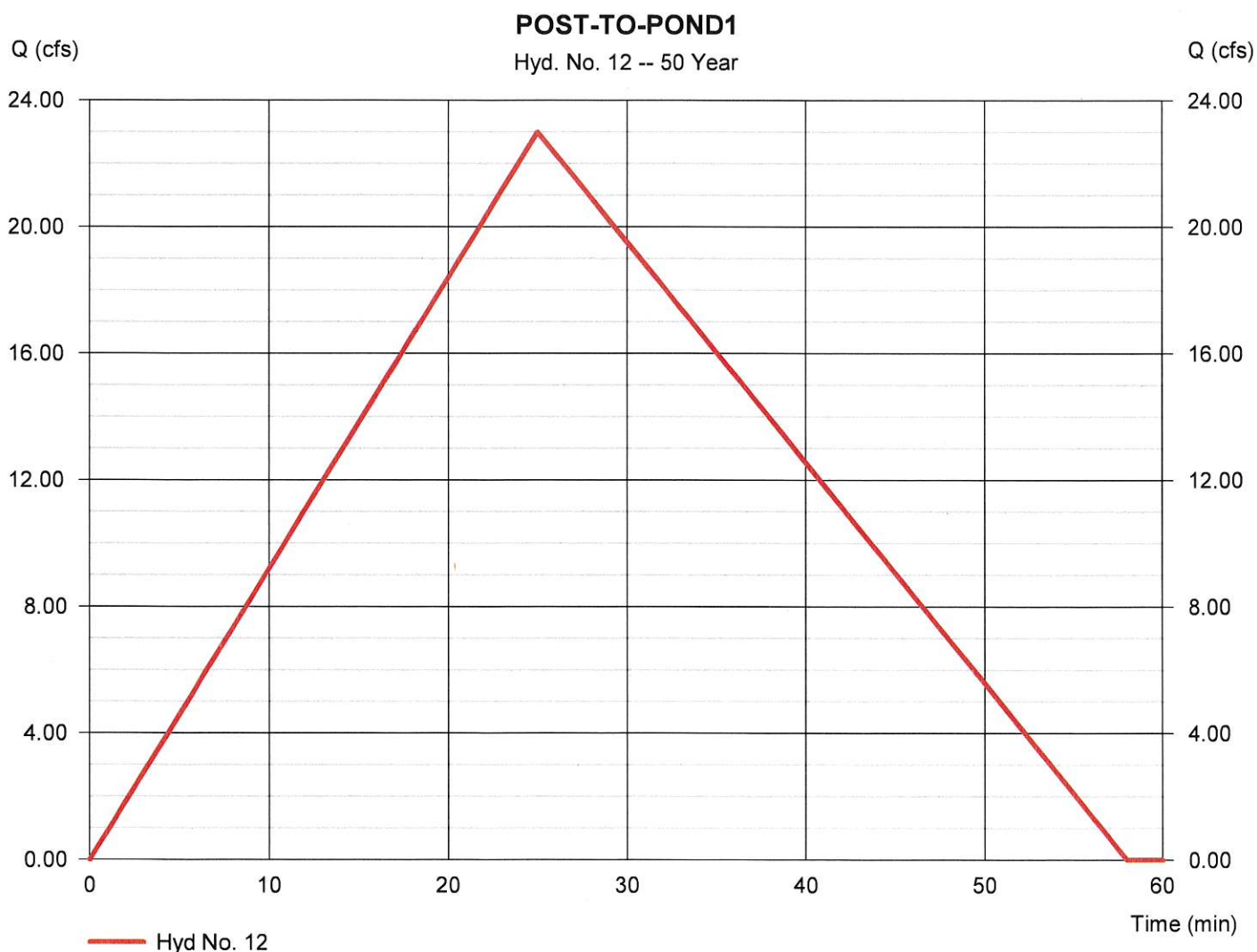
Friday, 12 / 29 / 2023

Hyd. No. 12

POST-TO-POND1

Hydrograph type	= Rational	Peak discharge	= 22.99 cfs
Storm frequency	= 50 yrs	Time to peak	= 25 min
Time interval	= 1 min	Hyd. volume	= 40,169 cuft
Drainage area	= 6.400 ac	Runoff coeff.	= 0.5*
Intensity	= 7.183 in/hr	Tc by FAA	= 25.00 min
IDF Curve	= Gulfport.IDF	Asc/Rec limb fact	= 1/1.33

* Composite (Area/C) = [(3.200 x 0.55) + (3.020 x 0.30)] / 6.400



Hydrograph Report

Hydraflow Hydrographs Extension for Autodesk® Civil 3D® by Autodesk, Inc. v2024

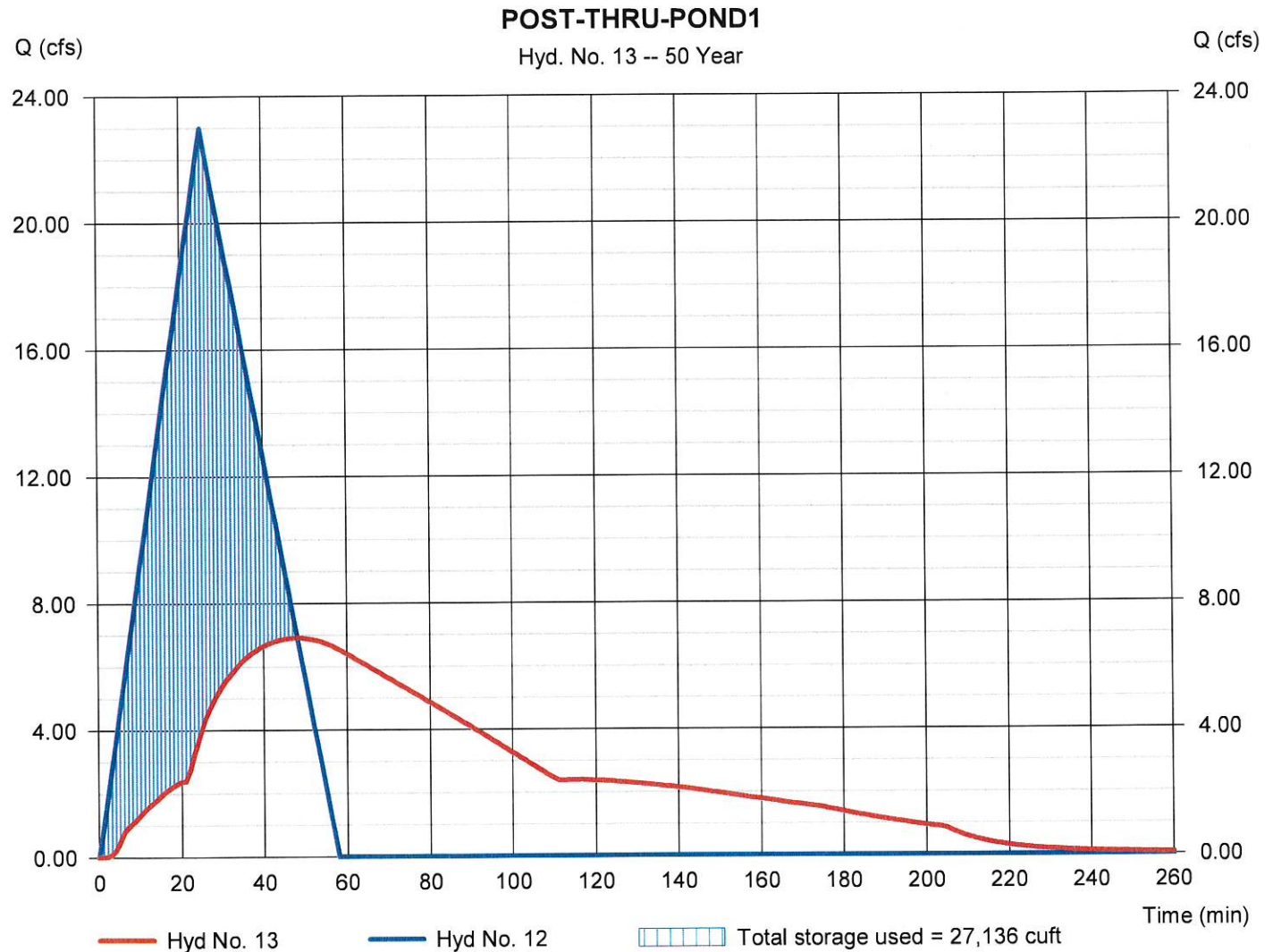
Friday, 12 / 29 / 2023

Hyd. No. 13

POST-THRU-POND1

Hydrograph type	= Reservoir	Peak discharge	= 6.900 cfs
Storm frequency	= 50 yrs	Time to peak	= 48 min
Time interval	= 1 min	Hyd. volume	= 39,989 cuft
Inflow hyd. No.	= 12 - POST-TO-POND1	Max. Elevation	= 71.64 ft
Reservoir name	= POND 1	Max. Storage	= 27,136 cuft

Storage Indication method used.



Pond Report

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Hydraflow Hydrographs Extension for Autodesk® Civil 3D® by Autodesk, Inc. v2024

Friday, 12 / 29 / 2023

Pond No. 1 - POND 1

Pond Data

Contours -User-defined contour areas. Conic method used for volume calculation. Beginning Elevation = 69.50 ft

Stage / Storage Table

Stage (ft)	Elevation (ft)	Contour area (sqft)	Incr. Storage (cuft)	Total storage (cuft)
0.00	69.50	01	0	0
0.50	70.00	5,813	982	982
0.75	70.25	11,240	2,094	3,076
1.00	70.50	16,811	3,483	6,559
1.50	71.00	17,964	8,691	15,250
2.00	71.50	18,868	9,206	24,456
2.50	72.00	19,952	9,703	34,159
3.00	72.50	21,243	10,296	44,455

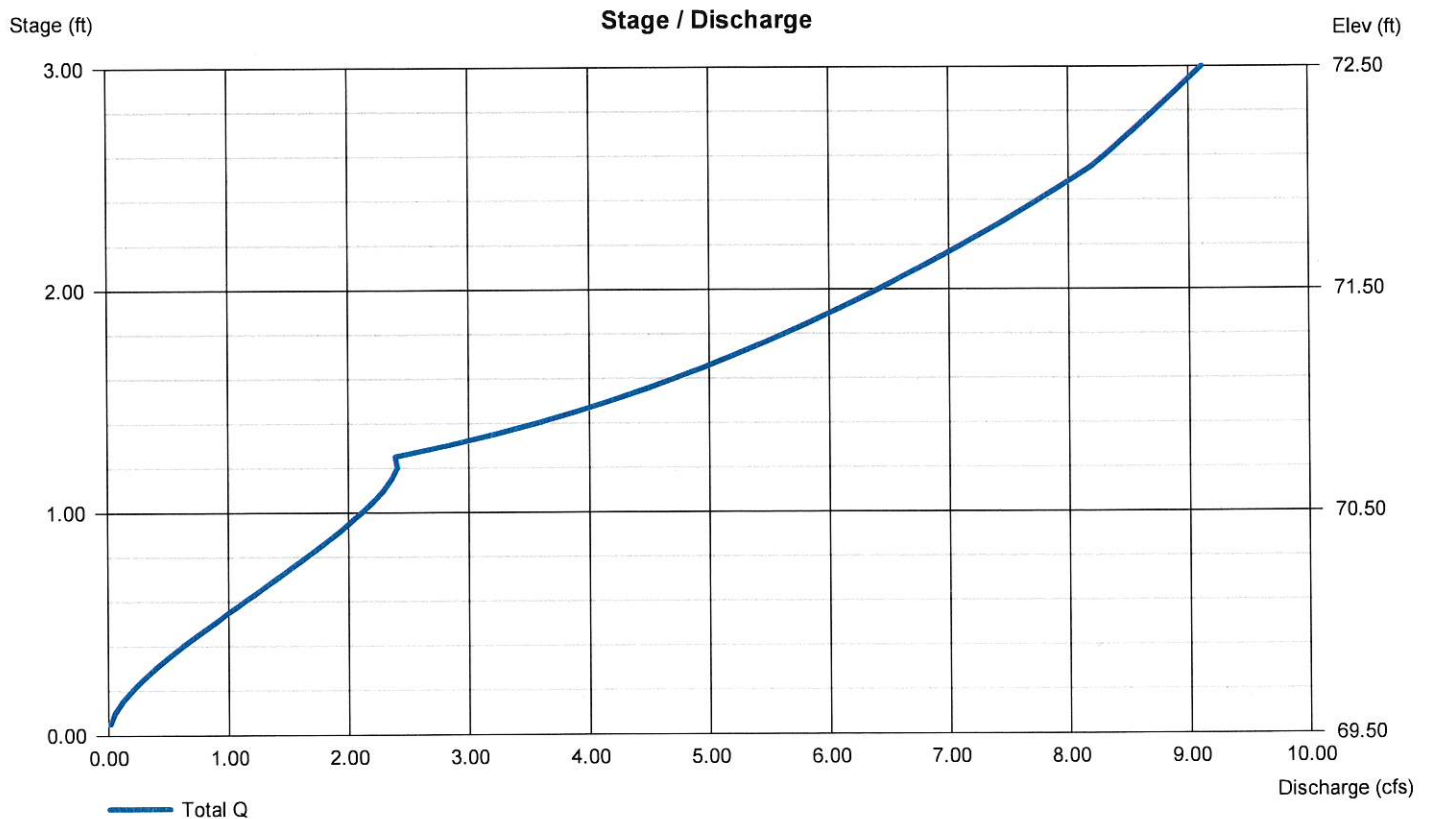
Culvert / Orifice Structures

	[A]	[B]	[C]	[PrfRsr]
Rise (in)	= 15.00	0.00	0.00	0.00
Span (in)	= 15.00	0.00	0.00	0.00
No. Barrels	= 1	0	0	0
Invert El. (ft)	= 69.50	0.00	0.00	0.00
Length (ft)	= 24.00	0.00	0.00	0.00
Slope (%)	= 0.50	0.00	0.00	n/a
N-Value	= .013	.013	.013	n/a
Orifice Coeff.	= 0.60	0.60	0.60	0.60
Multi-Stage	= n/a	No	No	No

Weir Structures

	[A]	[B]	[C]	[D]
Crest Len (ft)	= 0.00	0.00	0.00	0.00
Crest El. (ft)	= 0.00	0.00	0.00	0.00
Weir Coeff.	= 3.33	3.33	3.33	3.33
Weir Type	= ---	---	---	---
Multi-Stage	= No	No	No	No
Exfil.(in/hr)	= 0.000 (by Wet area)			
TW Elev. (ft)	= 0.00			

Note: Culvert/Orifice outflows are analyzed under inlet (ic) and outlet (oc) control. Weir risers checked for orifice conditions (ic) and submergence (s).



Hydrograph Report

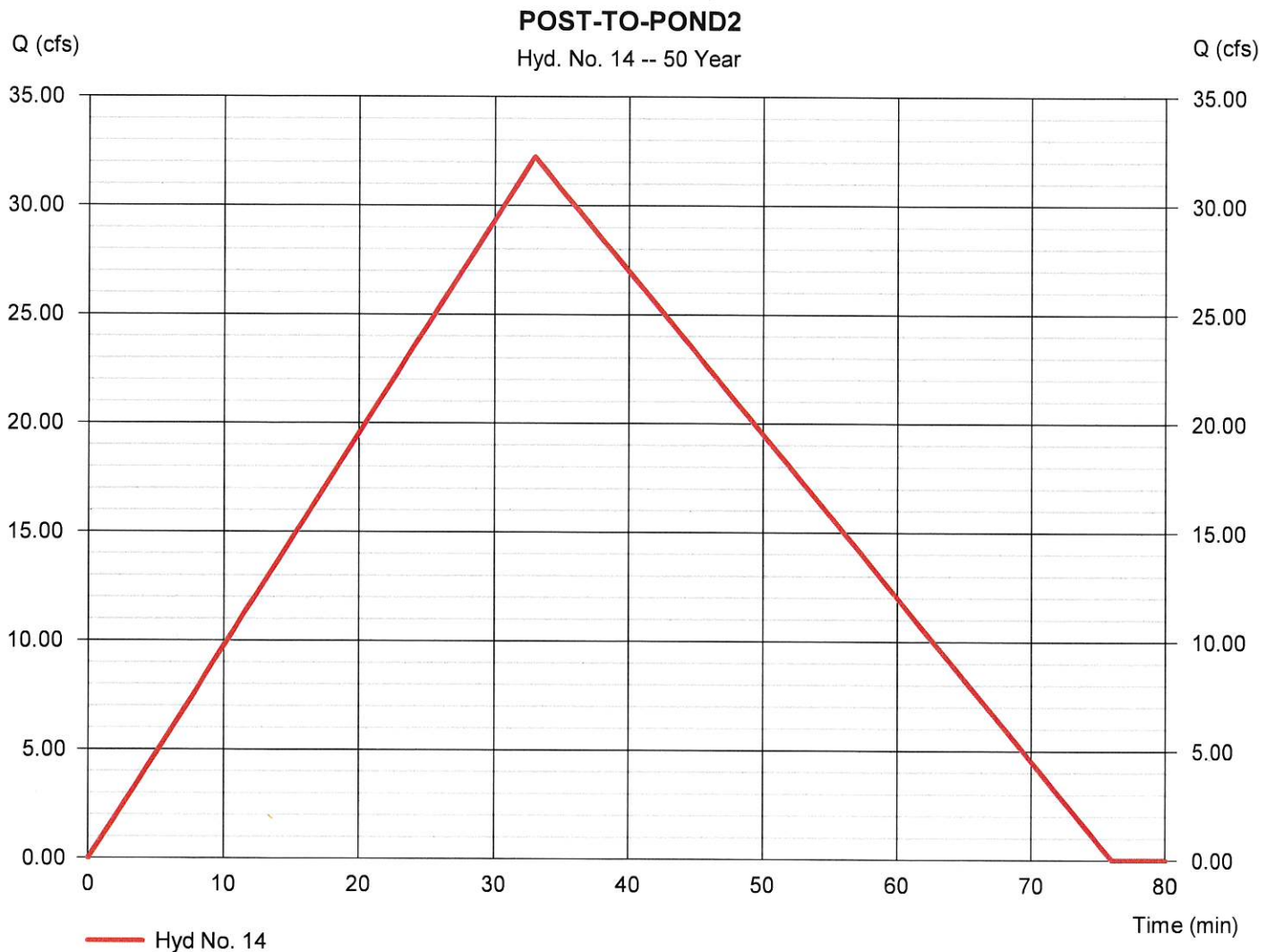
Hydraflow Hydrographs Extension for Autodesk® Civil 3D® by Autodesk, Inc. v2024

Friday, 12 / 29 / 2023

Hyd. No. 14

POST-TO-POND2

Hydrograph type	= Rational	Peak discharge	= 32.23 cfs
Storm frequency	= 50 yrs	Time to peak	= 33 min
Time interval	= 1 min	Hyd. volume	= 74,340 cuft
Drainage area	= 10.360 ac	Runoff coeff.	= 0.5
Intensity	= 6.222 in/hr	Tc by FAA	= 33.00 min
IDF Curve	= Gulfport.IDF	Asc/Rec limb fact	= 1/1.33



Hydrograph Report

Hydraflow Hydrographs Extension for Autodesk® Civil 3D® by Autodesk, Inc. v2024

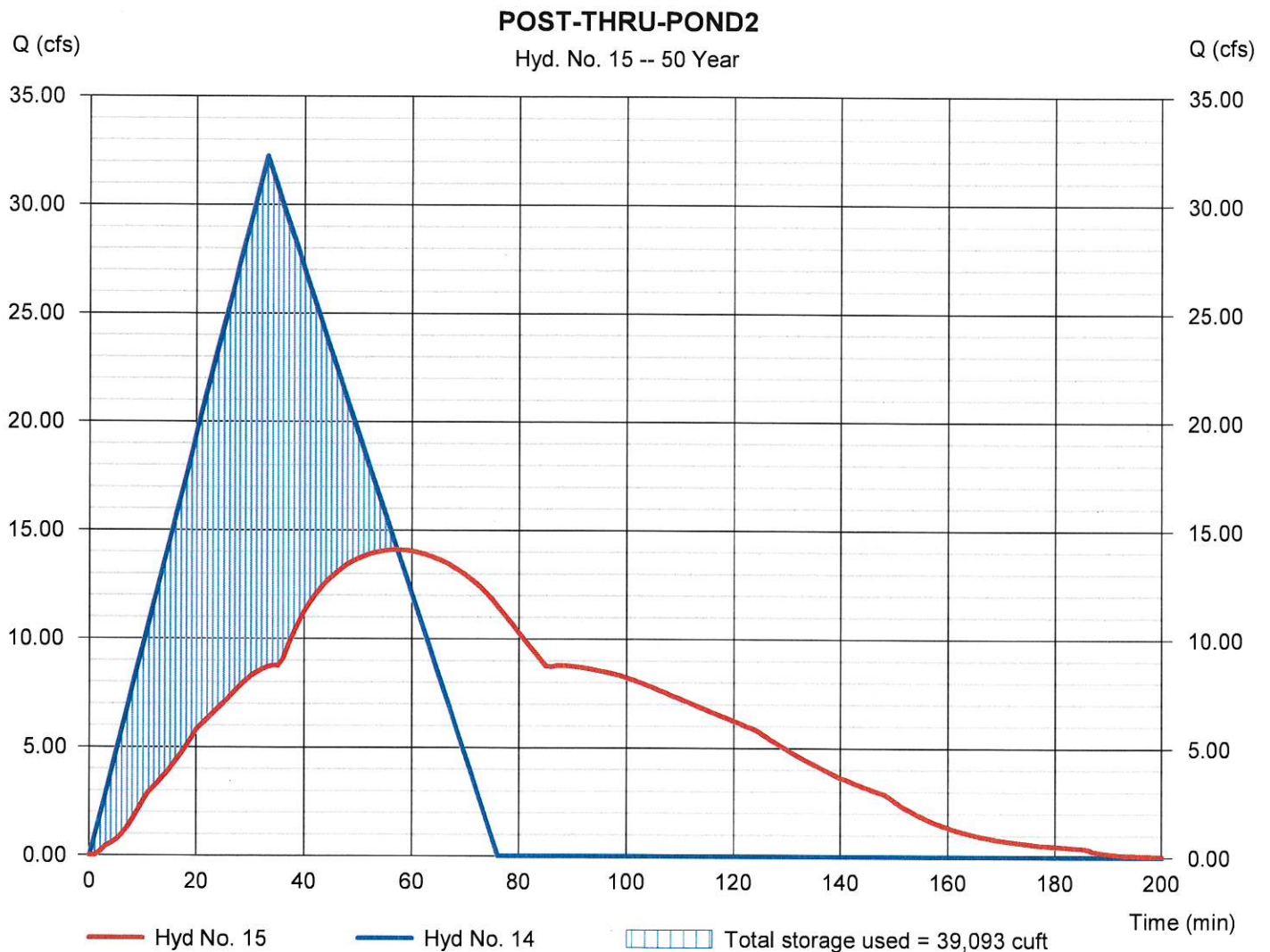
Friday, 12 / 29 / 2023

Hyd. No. 15

POST-THRU-POND2

Hydrograph type	= Reservoir	Peak discharge	= 14.08 cfs
Storm frequency	= 50 yrs	Time to peak	= 57 min
Time interval	= 1 min	Hyd. volume	= 73,475 cuft
Inflow hyd. No.	= 14 - POST-TO-POND2	Max. Elevation	= 66.16 ft
Reservoir name	= POND2	Max. Storage	= 39,093 cuft

Storage Indication method used.



Pond Report

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Hydraflow Hydrographs Extension for Autodesk® Civil 3D® by Autodesk, Inc. v2024

Friday, 12 / 29 / 2023

Pond No. 3 - POND2

Pond Data

Contours -User-defined contour areas. Conic method used for volume calculation. Beginning Elevation = 63.75 ft

Stage / Storage Table

Stage (ft)	Elevation (ft)	Contour area (sqft)	Incr. Storage (cuft)	Total storage (cuft)
0.00	63.75	00	0	0
0.25	64.00	1,929	161	161
0.75	64.50	8,933	2,502	2,663
1.25	65.00	15,797	6,101	8,764
1.75	65.50	27,435	10,674	19,438
2.00	65.75	29,089	7,064	26,501
2.25	66.00	30,022	7,388	33,889
3.25	67.00	34,534	32,248	66,138

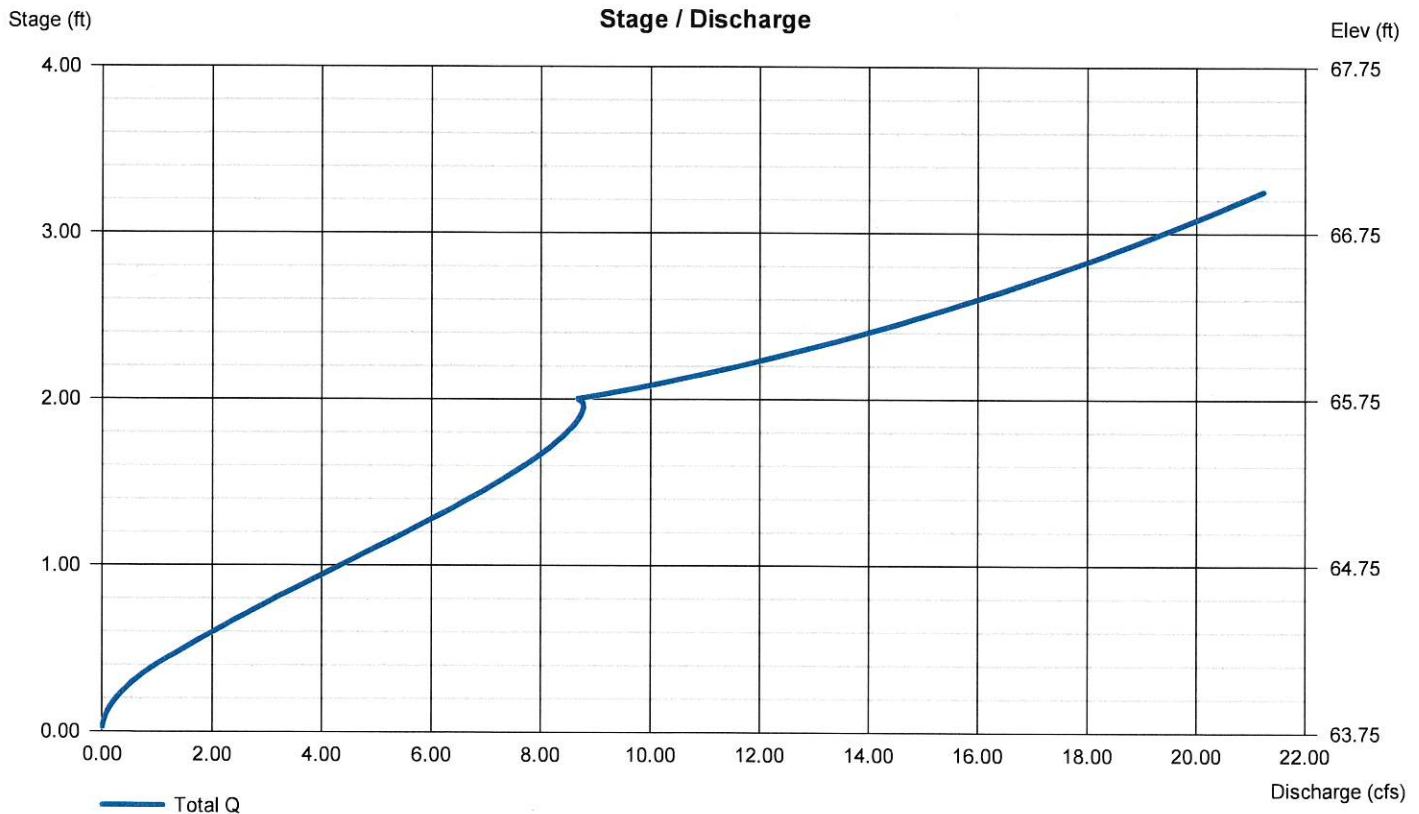
Culvert / Orifice Structures

	[A]	[B]	[C]	[PrfRsr]
Rise (in)	= 24.00	0.00	0.00	0.00
Span (in)	= 24.00	0.00	0.00	0.00
No. Barrels	= 1	0	0	0
Invert El. (ft)	= 63.75	0.00	0.00	0.00
Length (ft)	= 50.00	0.00	0.00	0.00
Slope (%)	= 0.50	0.00	0.00	n/a
N-Value	= .013	.013	.013	n/a
Orifice Coeff.	= 0.60	0.60	0.60	0.60
Multi-Stage	= n/a	No	No	No

Weir Structures

	[A]	[B]	[C]	[D]
Crest Len (ft)	= 0.00	0.00	0.00	0.00
Crest El. (ft)	= 0.00	0.00	0.00	0.00
Weir Coeff.	= 3.33	3.33	3.33	3.33
Weir Type	= ---	---	---	---
Multi-Stage	= No	No	No	No
Exfil.(in/hr)	= 0.000 (by Wet area)			
TW Elev. (ft)	= 0.00			

Note: Culvert/Orifice outflows are analyzed under inlet (ic) and outlet (oc) control. Weir risers checked for orifice conditions (ic) and submergence (s).



Hydrograph Report

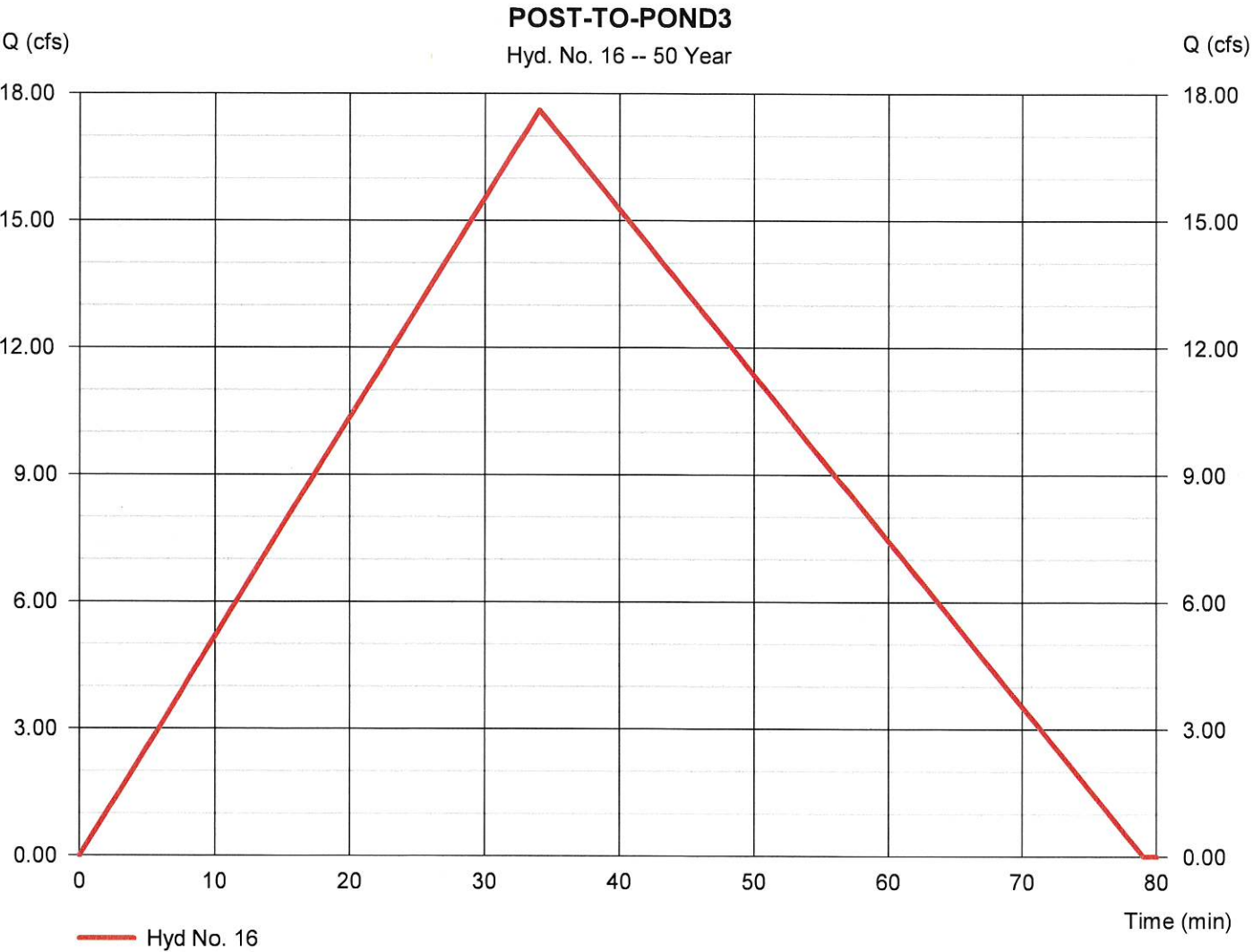
Hydraflow Hydrographs Extension for Autodesk® Civil 3D® by Autodesk, Inc. v2024

Friday, 12 / 29 / 2023

Hyd. No. 16

POST-TO-POND3

Hydrograph type	= Rational	Peak discharge	= 17.61 cfs
Storm frequency	= 50 yrs	Time to peak	= 34 min
Time interval	= 1 min	Hyd. volume	= 41,846 cuft
Drainage area	= 5.750 ac	Runoff coeff.	= 0.5
Intensity	= 6.124 in/hr	Tc by FAA	= 34.00 min
IDF Curve	= Gulfport.IDF	Asc/Rec limb fact	= 1/1.33



Hydrograph Report

Hydraflow Hydrographs Extension for Autodesk® Civil 3D® by Autodesk, Inc. v2024

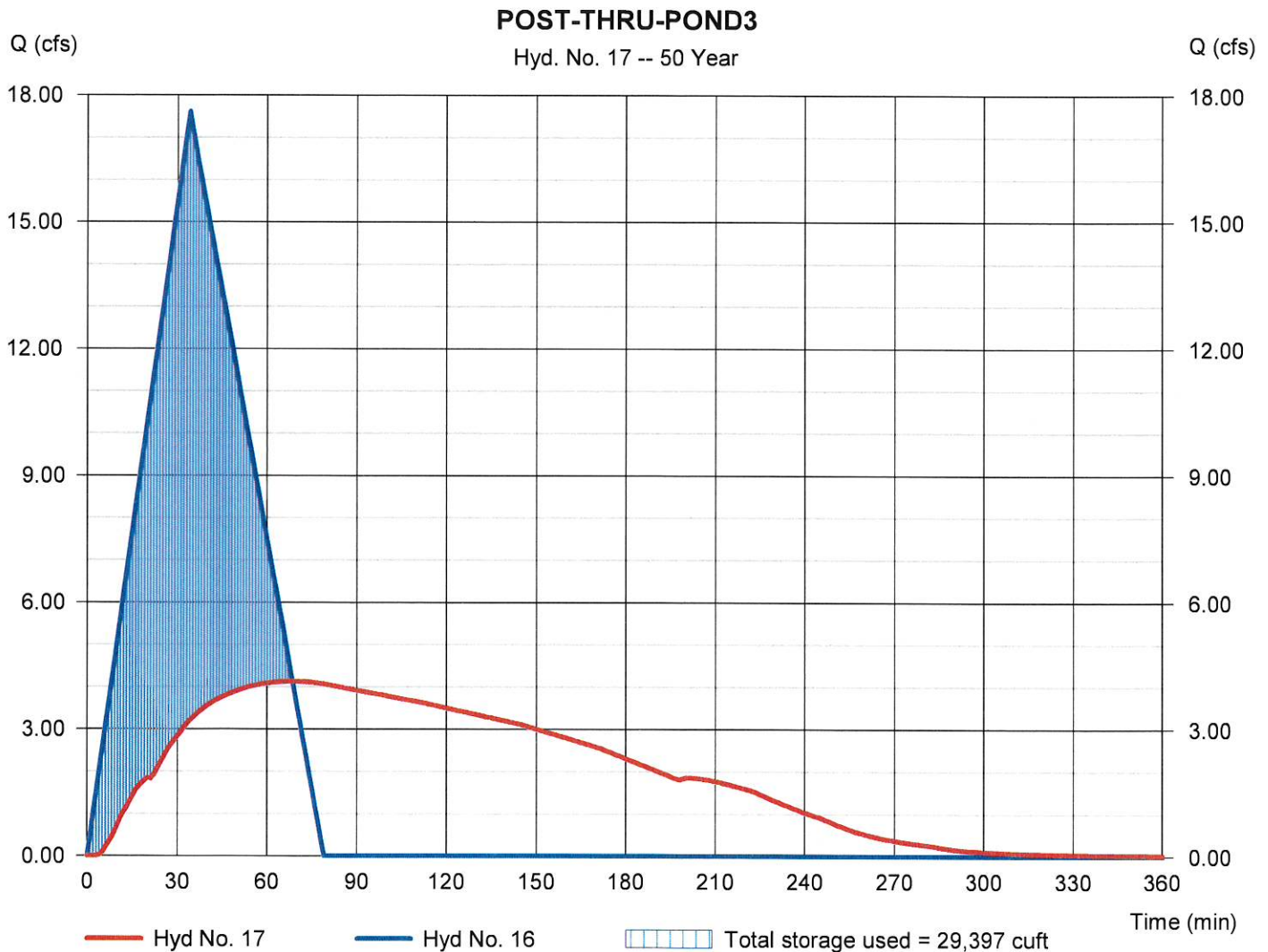
Friday, 12 / 29 / 2023

Hyd. No. 17

POST-THRU-POND3

Hydrograph type	= Reservoir	Peak discharge	= 4.125 cfs
Storm frequency	= 50 yrs	Time to peak	= 68 min
Time interval	= 1 min	Hyd. volume	= 41,622 cuft
Inflow hyd. No.	= 16 - POST-TO-POND3	Max. Elevation	= 64.06 ft
Reservoir name	= POND3	Max. Storage	= 29,397 cuft

Storage Indication method used.



Pond Report

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Hydraflow Hydrographs Extension for Autodesk® Civil 3D® by Autodesk, Inc. v2024

Friday, 12 / 29 / 2023

Pond No. 4 - POND3

Pond Data

Contours -User-defined contour areas. Conic method used for volume calculation. Begining Elevation = 61.75 ft

Stage / Storage Table

Stage (ft)	Elevation (ft)	Contour area (sqft)	Incr. Storage (cuft)	Total storage (cuft)
0.00	61.75	01	0	0
0.25	62.00	1,041	90	90
0.50	62.25	3,195	505	594
0.75	62.50	5,566	1,081	1,676
1.00	62.75	8,000	1,686	3,362
1.25	63.00	12,629	2,556	5,919
1.50	63.25	15,216	3,475	9,394
1.75	63.50	22,002	4,626	14,020
2.00	63.75	28,446	6,288	20,308
2.25	64.00	29,880	7,289	27,597
3.25	65.00	33,585	31,711	59,308

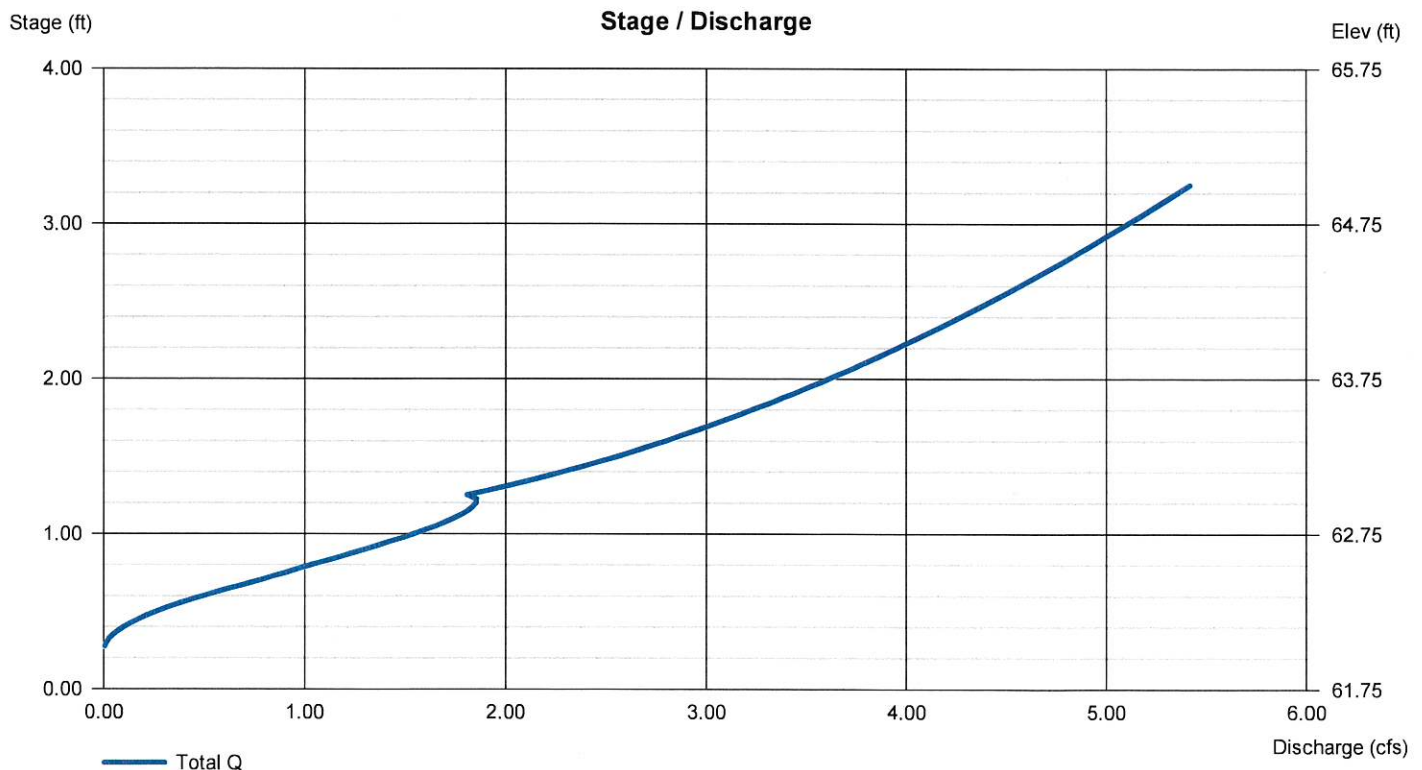
Culvert / Orifice Structures

	[A]	[B]	[C]	[PrfRsr]
Rise (in)	= 12.00	0.00	0.00	0.00
Span (in)	= 12.00	0.00	0.00	0.00
No. Barrels	= 1	0	0	0
Invert El. (ft)	= 62.00	0.00	0.00	0.00
Length (ft)	= 50.00	0.00	0.00	0.00
Slope (%)	= 0.50	0.00	0.00	n/a
N-Value	= .013	.013	.013	n/a
Orifice Coeff.	= 0.60	0.60	0.60	0.60
Multi-Stage	= n/a	No	No	No

Weir Structures

	[A]	[B]	[C]	[D]
Crest Len (ft)	= 0.00	0.00	0.00	0.00
Crest El. (ft)	= 0.00	0.00	0.00	0.00
Weir Coeff.	= 3.33	3.33	3.33	3.33
Weir Type	= ---	---	---	---
Multi-Stage	= No	No	No	No
Exfil.(in/hr)	= 0.000 (by Wet area)			
TW Elev. (ft)	= 0.00			

Note: Culvert/Orifice outflows are analyzed under inlet (ic) and outlet (oc) control. Weir risers checked for orifice conditions (ic) and submergence (s).



Hydrograph Report

Hydraflow Hydrographs Extension for Autodesk® Civil 3D® by Autodesk, Inc. v2024

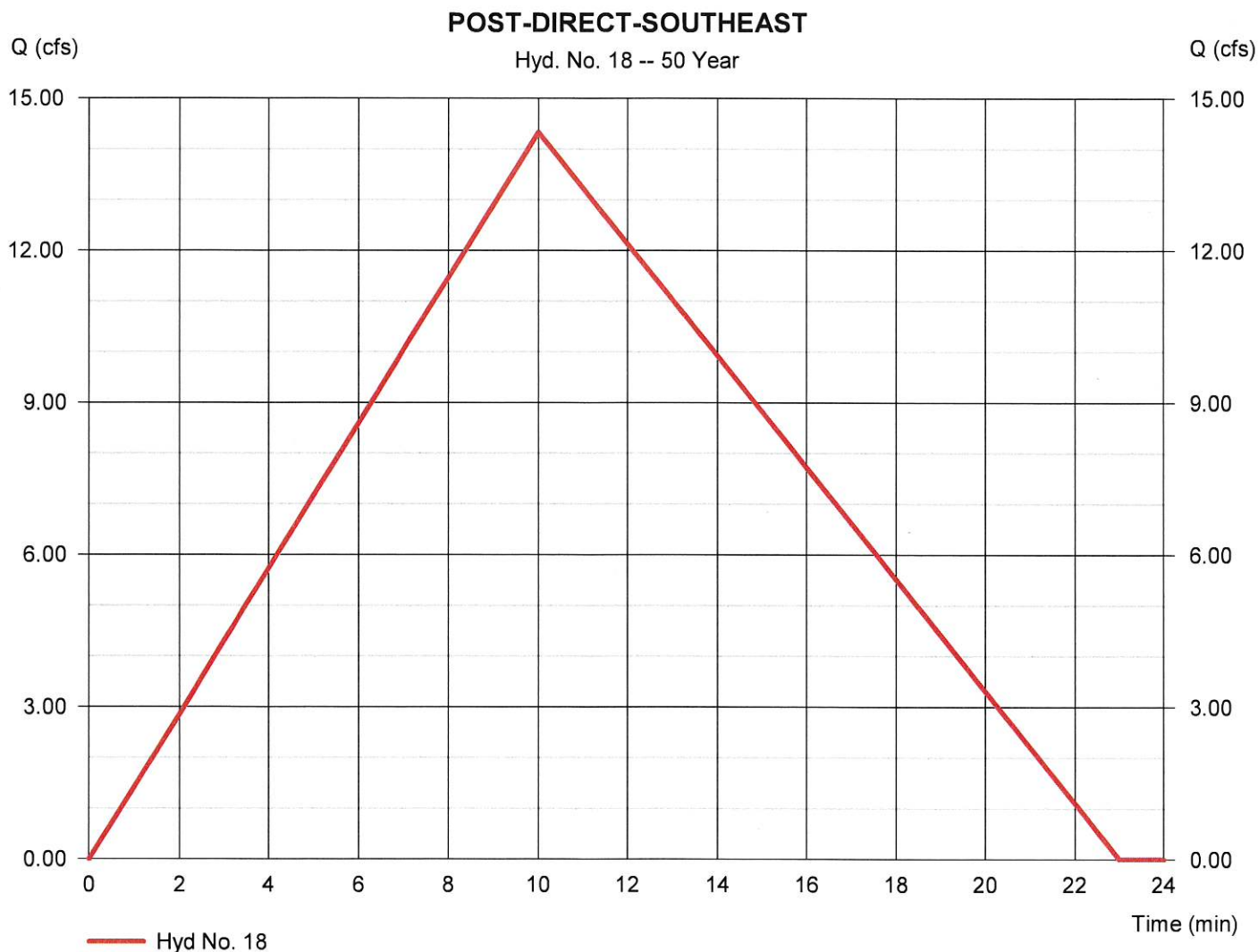
Friday, 12 / 29 / 2023

Hyd. No. 18

POST-DIRECT-SOUTHEAST

Hydrograph type	= Rational	Peak discharge	= 14.33 cfs
Storm frequency	= 50 yrs	Time to peak	= 10 min
Time interval	= 1 min	Hyd. volume	= 10,014 cuft
Drainage area	= 2.600 ac	Runoff coeff.	= 0.5*
Intensity	= 11.020 in/hr	Tc by User	= 10.00 min
IDF Curve	= Gulfport.IDF	Asc/Rec limb fact	= 1/1.33

* Composite (Area/C) = $[(5.850 \times 0.50) + (4.510 \times 0.30)] / 2.600$



Hydrograph Report

Hydraflow Hydrographs Extension for Autodesk® Civil 3D® by Autodesk, Inc. v2024

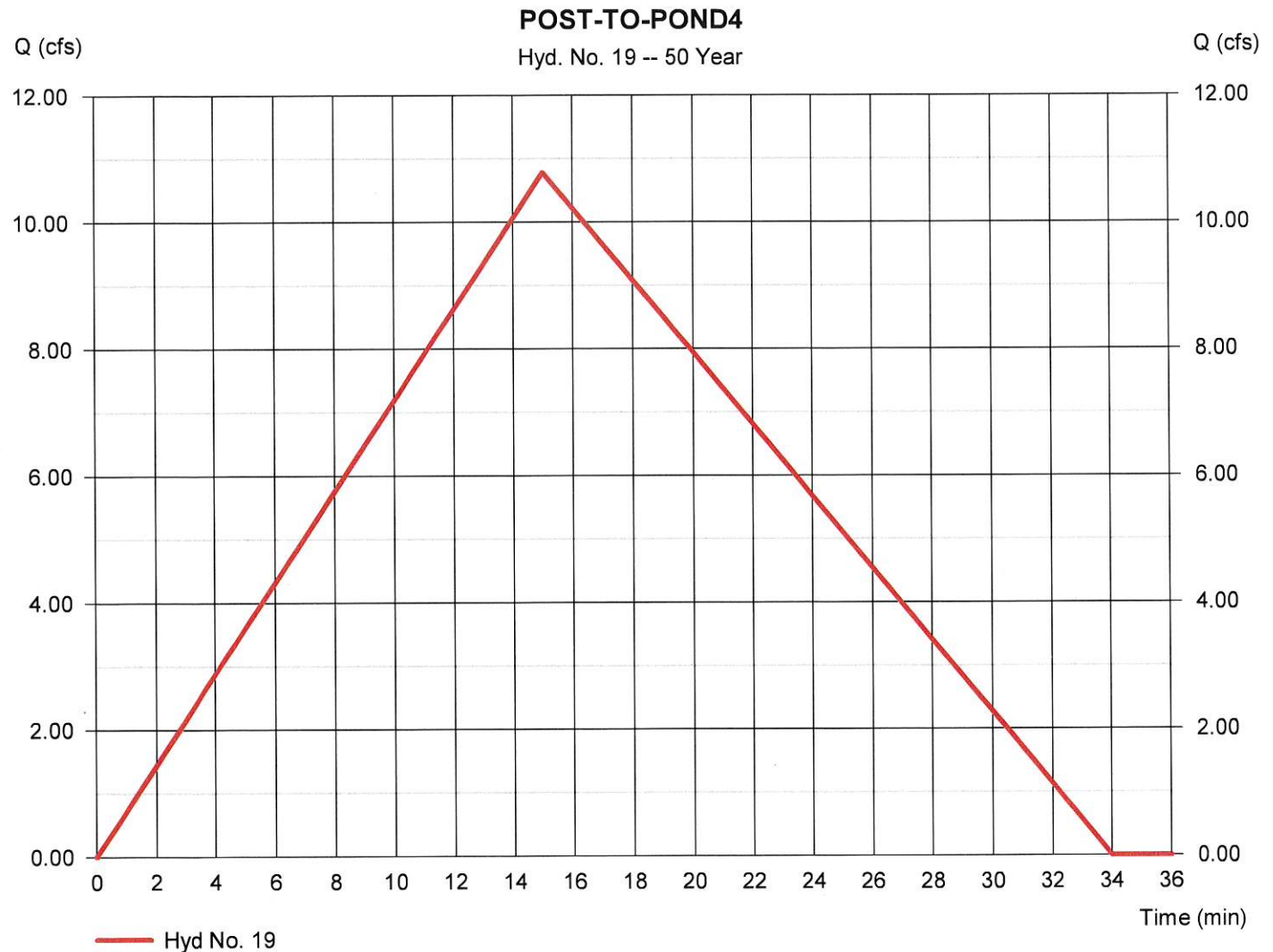
Friday, 12 / 29 / 2023

Hyd. No. 19

POST-TO-POND4

Hydrograph type	= Rational	Peak discharge	= 10.78 cfs
Storm frequency	= 50 yrs	Time to peak	= 15 min
Time interval	= 1 min	Hyd. volume	= 11,302 cuft
Drainage area	= 2.340 ac	Runoff coeff.	= 0.5*
Intensity	= 9.213 in/hr	Tc by User	= 15.00 min
IDF Curve	= Gulfport.IDF	Asc/Rec limb fact	= 1/1.33

* Composite (Area/C) = [(2.450 x 0.50)] / 2.340



Hydrograph Report

Hydraflow Hydrographs Extension for Autodesk® Civil 3D® by Autodesk, Inc. v2024

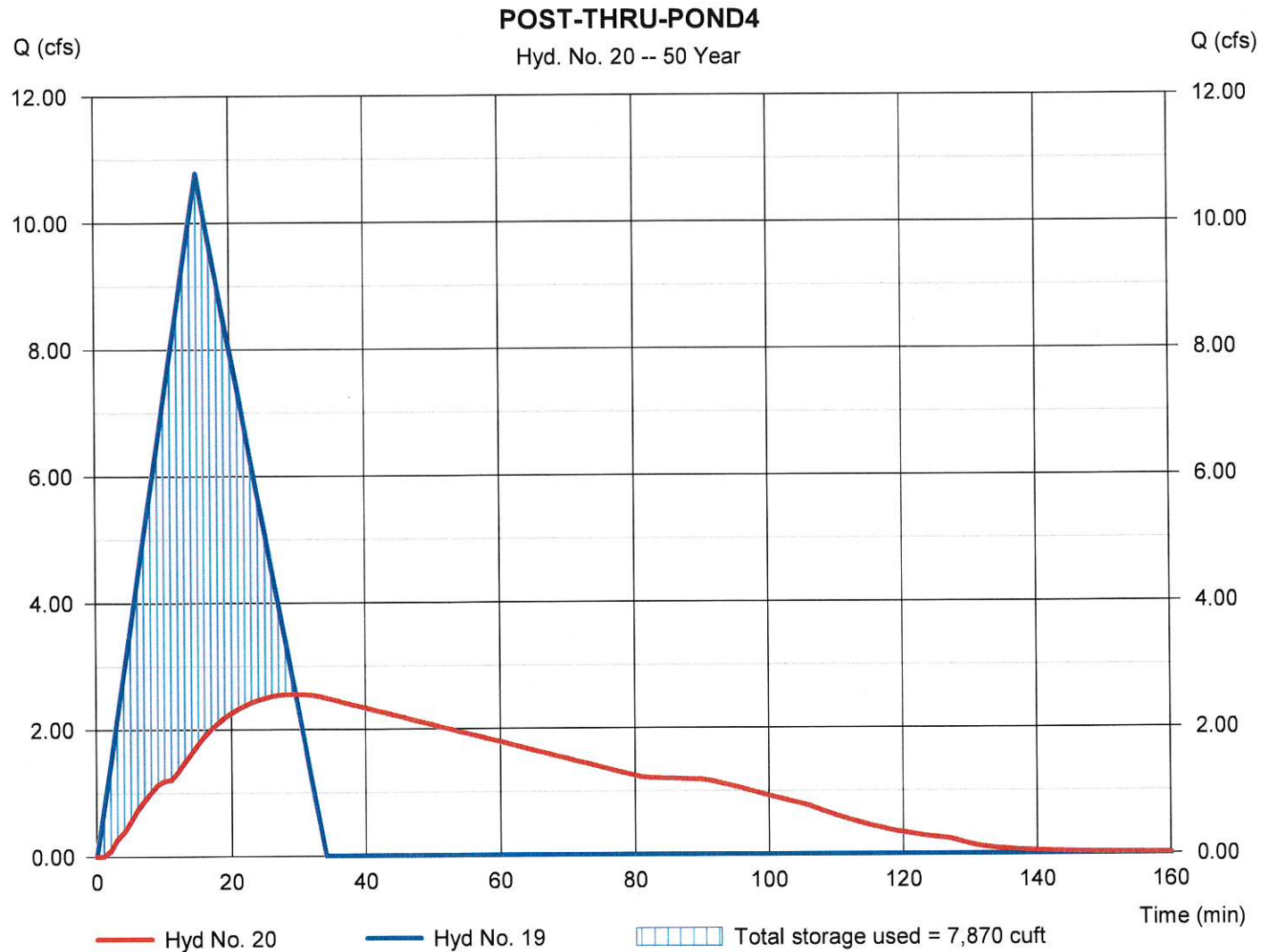
Friday, 12 / 29 / 2023

Hyd. No. 20

POST-THRU-POND4

Hydrograph type	= Reservoir	Peak discharge	= 2.549 cfs
Storm frequency	= 50 yrs	Time to peak	= 30 min
Time interval	= 1 min	Hyd. volume	= 10,990 cuft
Inflow hyd. No.	= 19 - POST-TO-POND4	Max. Elevation	= 69.01 ft
Reservoir name	= POND4	Max. Storage	= 7,870 cuft

Storage Indication method used.



Pond Report

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Hydraflow Hydrographs Extension for Autodesk® Civil 3D® by Autodesk, Inc. v2024

Friday, 12 / 29 / 2023

Pond No. 5 - POND4

Pond Data

Contours -User-defined contour areas. Conic method used for volume calculation. Beginning Elevation = 67.25 ft

Stage / Storage Table

Stage (ft)	Elevation (ft)	Contour area (sqft)	Incr. Storage (cuft)	Total storage (cuft)
0.00	67.25	01	0	0
0.25	67.50	1,656	141	141
0.50	67.75	2,968	570	711
0.75	68.00	4,711	951	1,663
1.75	69.00	7,609	6,102	7,765
2.75	70.00	10,196	8,870	16,635
3.00	70.25	10,851	2,630	19,265

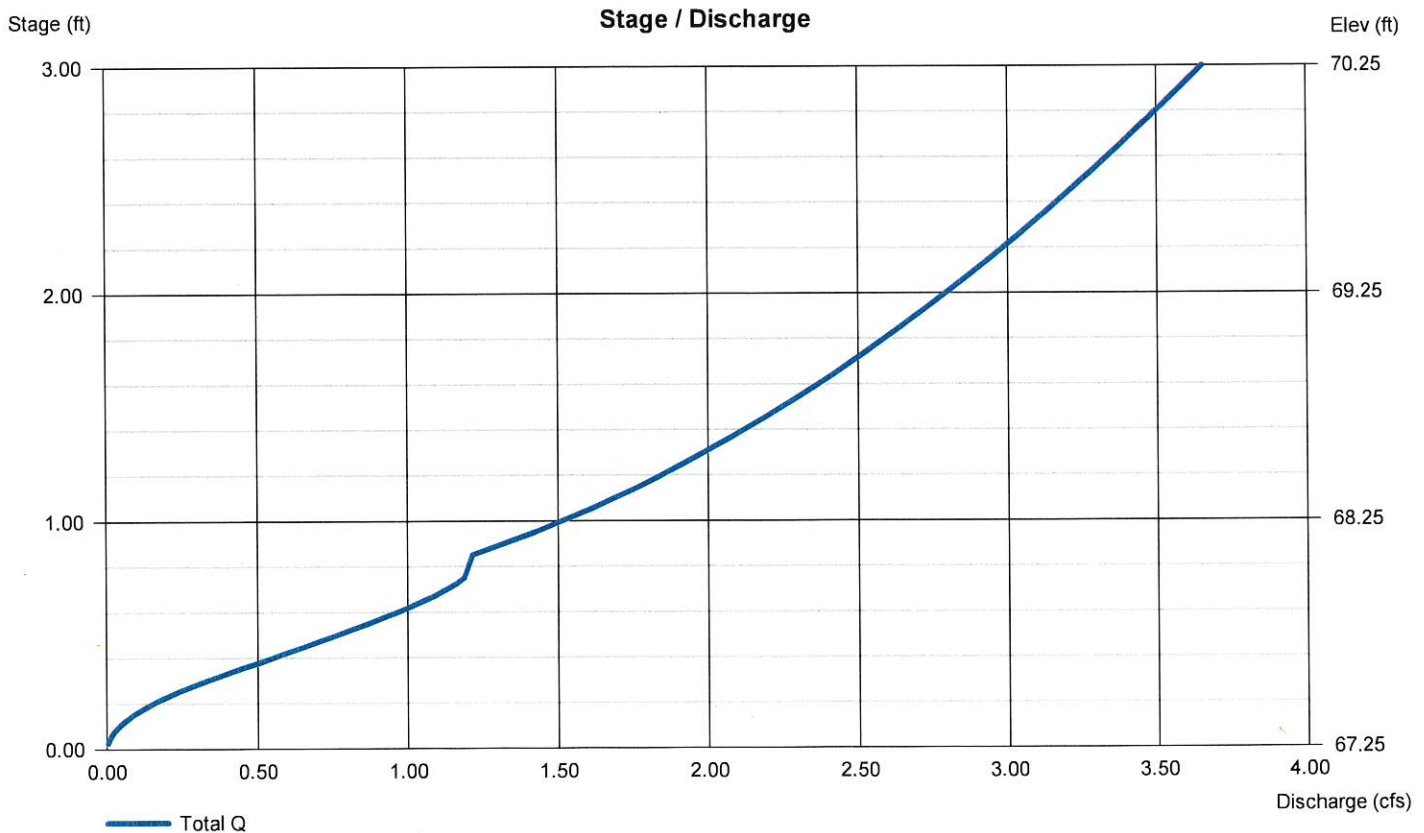
Culvert / Orifice Structures

	[A]	[B]	[C]	[PrfRsr]
Rise (in)	= 10.00	0.00	0.00	0.00
Span (in)	= 10.00	0.00	0.00	0.00
No. Barrels	= 1	0	0	0
Invert El. (ft)	= 67.25	0.00	0.00	0.00
Length (ft)	= 50.00	0.00	0.00	0.00
Slope (%)	= 0.50	0.00	0.00	n/a
N-Value	= .013	.013	.013	n/a
Orifice Coeff.	= 0.60	0.60	0.60	0.60
Multi-Stage	= n/a	No	No	No

Weir Structures

	[A]	[B]	[C]	[D]
Crest Len (ft)	= 0.00	0.00	0.00	0.00
Crest El. (ft)	= 0.00	0.00	0.00	0.00
Weir Coeff.	= 3.33	3.33	3.33	3.33
Weir Type	= ---	---	---	---
Multi-Stage	= No	No	No	No
Exfil.(in/hr)	= 0.000 (by Wet area)			
TW Elev. (ft)	= 0.00			

Note: Culvert/Orifice outflows are analyzed under inlet (ic) and outlet (oc) control. Weir risers checked for orifice conditions (ic) and submergence (s).



Hydrograph Report

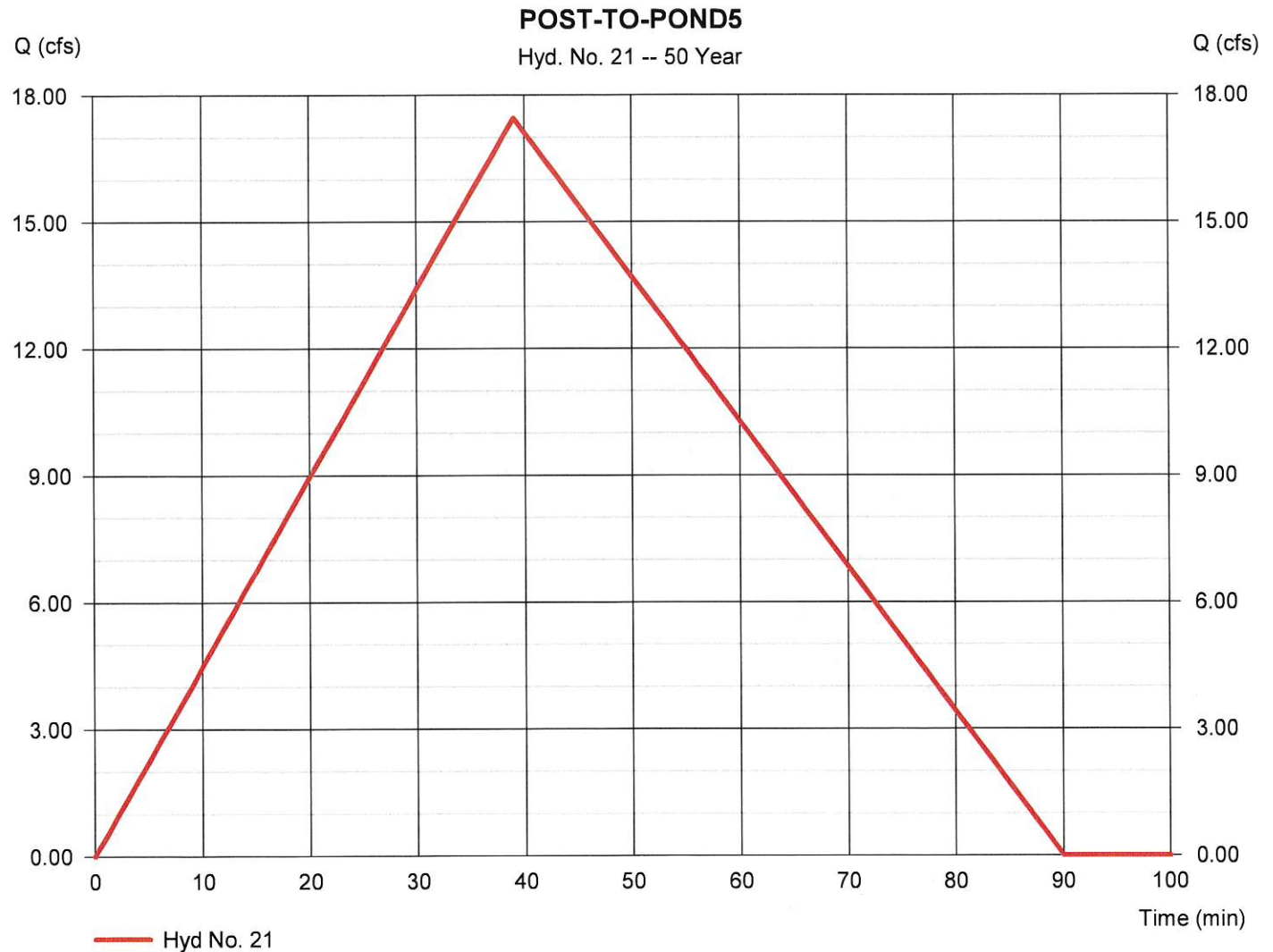
Hydraflow Hydrographs Extension for Autodesk® Civil 3D® by Autodesk, Inc. v2024

Friday, 12 / 29 / 2023

Hyd. No. 21

POST-TO-POND5

Hydrograph type	= Rational	Peak discharge	= 17.45 cfs
Storm frequency	= 50 yrs	Time to peak	= 39 min
Time interval	= 1 min	Hyd. volume	= 47,575 cuft
Drainage area	= 7.860 ac	Runoff coeff.	= 0.39
Intensity	= 5.693 in/hr	Tc by FAA	= 39.00 min
IDF Curve	= Gulfport.IDF	Asc/Rec limb fact	= 1/1.33



Hydrograph Report

Hydraflow Hydrographs Extension for Autodesk® Civil 3D® by Autodesk, Inc. v2024

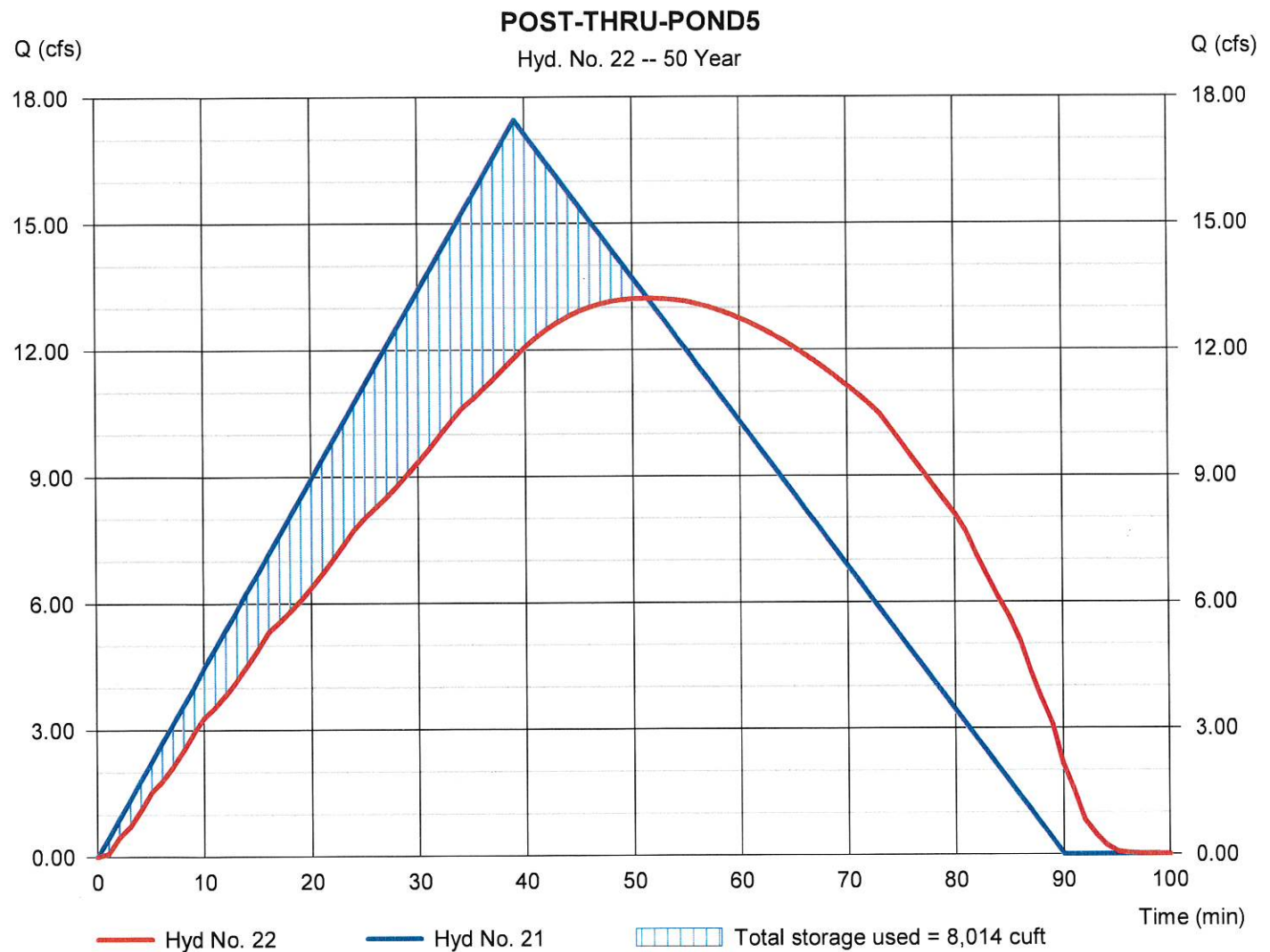
Friday, 12 / 29 / 2023

Hyd. No. 22

POST-THRU-POND5

Hydrograph type	= Reservoir	Peak discharge	= 13.21 cfs
Storm frequency	= 50 yrs	Time to peak	= 51 min
Time interval	= 1 min	Hyd. volume	= 47,119 cuft
Inflow hyd. No.	= 21 - POST-TO-POND5	Max. Elevation	= 73.76 ft
Reservoir name	= POND5	Max. Storage	= 8,014 cuft

Storage Indication method used.



Pond Report

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Hydraflow Hydrographs Extension for Autodesk® Civil 3D® by Autodesk, Inc. v2024

Friday, 12 / 29 / 2023

Pond No. 6 - POND5

Pond Data

Contours -User-defined contour areas. Conic method used for volume calculation. Beginning Elevation = 72.00 ft

Stage / Storage Table

Stage (ft)	Elevation (ft)	Contour area (sqft)	Incr. Storage (cuft)	Total storage (cuft)
0.00	72.00	01	0	0
0.25	72.25	293	26	26
0.50	72.50	671	117	143
0.75	72.75	1,589	274	418
1.00	73.00	3,593	631	1,048
1.25	73.25	6,727	1,270	2,318
1.50	73.50	11,002	2,194	4,512
1.75	73.75	16,050	3,361	7,873
2.00	74.00	16,968	4,126	12,000
2.25	74.25	17,597	4,320	16,320
2.50	74.50	18,229	4,478	20,797

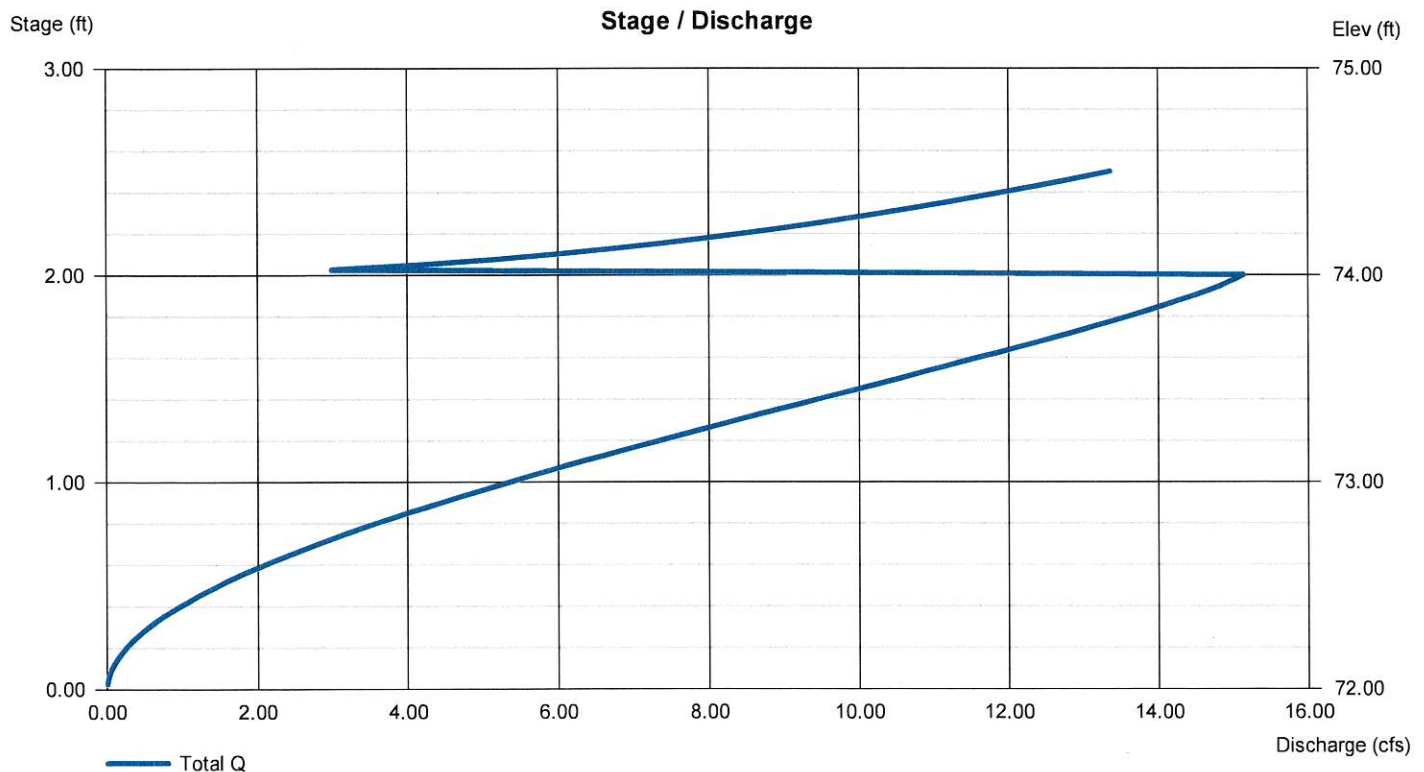
Culvert / Orifice Structures

	[A]	[B]	[C]	[PrfRsr]
Rise (in)	= 24.00	0.00	0.00	0.00
Span (in)	= 24.00	0.00	0.00	0.00
No. Barrels	= 1	0	0	0
Invert El. (ft)	= 72.00	0.00	0.00	0.00
Length (ft)	= 23.00	0.00	0.00	0.00
Slope (%)	= 0.00	0.00	0.00	n/a
N-Value	= .013	.013	.013	n/a
Orifice Coeff.	= 0.60	0.60	0.60	0.60
Multi-Stage	= n/a	No	No	No

Weir Structures

	[A]	[B]	[C]	[D]
Crest Len (ft)	= 0.00	0.00	0.00	0.00
Crest El. (ft)	= 0.00	0.00	0.00	0.00
Weir Coeff.	= 3.33	3.33	3.33	3.33
Weir Type	= ---	---	---	---
Multi-Stage	= No	No	No	No
Exfil.(in/hr)	= 0.000 (by Wet area)			
TW Elev. (ft)	= 0.00			

Note: Culvert/Orifice outflows are analyzed under inlet (ic) and outlet (oc) control. Weir risers checked for orifice conditions (ic) and submergence (s).



Hydrograph Report

Hydraflow Hydrographs Extension for Autodesk® Civil 3D® by Autodesk, Inc. v2024

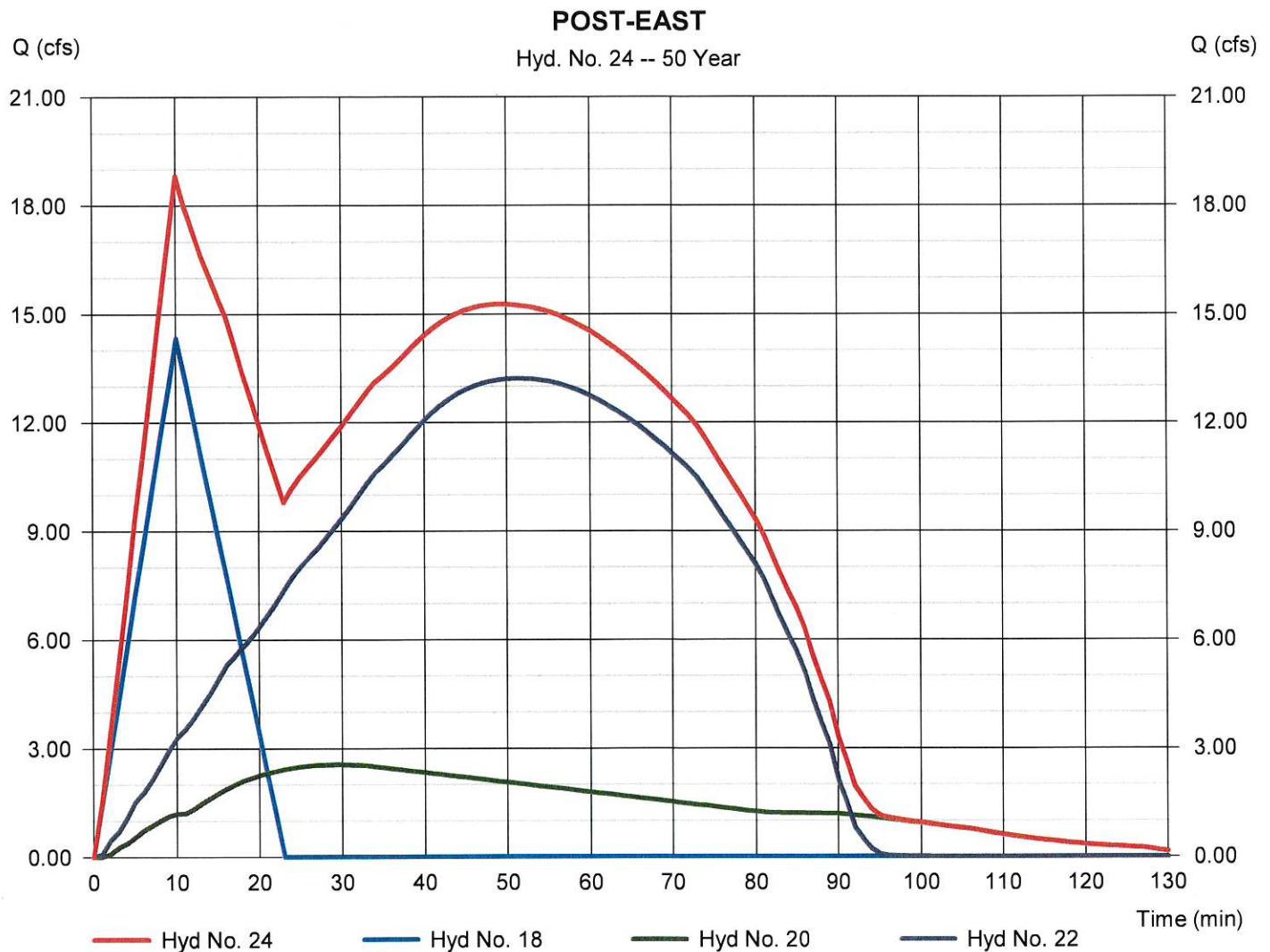
Friday, 12 / 29 / 2023

Hyd. No. 24

POST-EAST

Hydrograph type = Combine
 Storm frequency = 50 yrs
 Time interval = 1 min
 Inflow hyds. = 18, 20, 22

Peak discharge = 18.81 cfs
 Time to peak = 10 min
 Hyd. volume = 67,993 cuft
 Contrib. drain. area = 2.600 ac



Hydrograph Report

Hydraflow Hydrographs Extension for Autodesk® Civil 3D® by Autodesk, Inc. v2024

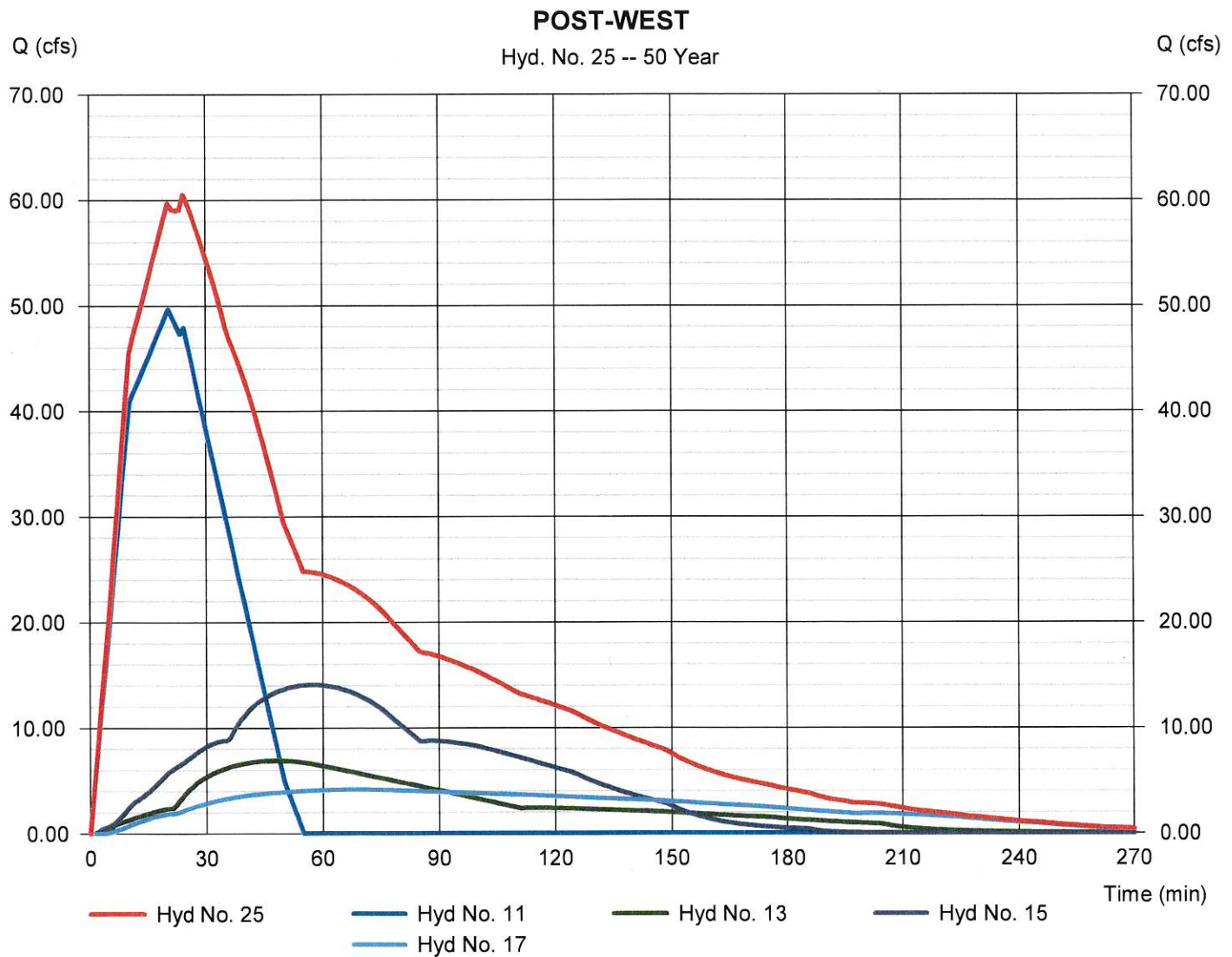
Friday, 12 / 29 / 2023

Hyd. No. 25

POST-WEST

Hydrograph type = Combine
 Storm frequency = 50 yrs
 Time interval = 1 min
 Inflow hyds. = 11, 13, 15, 17

Peak discharge = 60.49 cfs
 Time to peak = 24 min
 Hyd. volume = 247,942 cuft
 Contrib. drain. area = 0.000 ac



Hydrograph Report

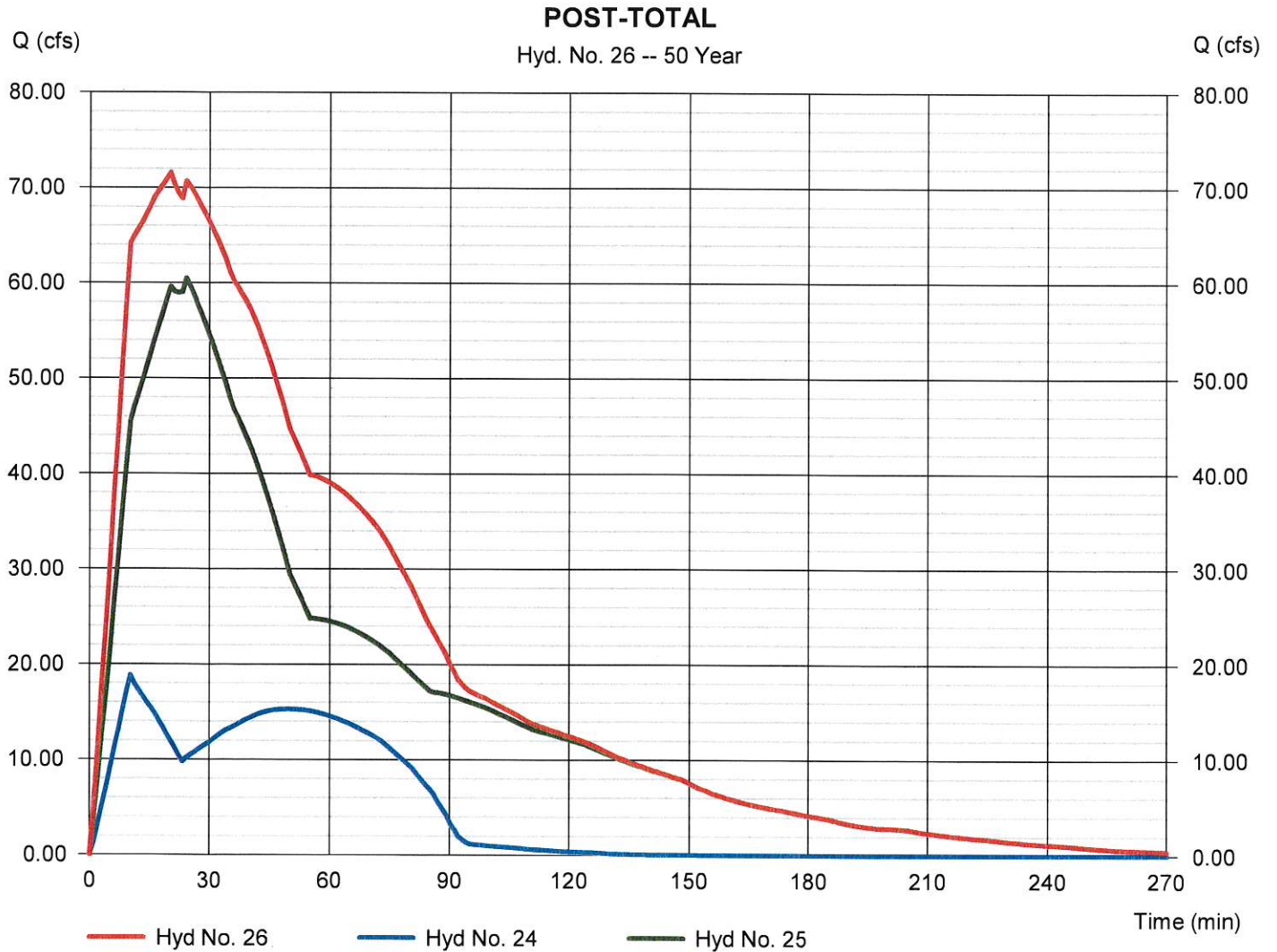
Hydraflow Hydrographs Extension for Autodesk® Civil 3D® by Autodesk, Inc. v2024

Friday, 12 / 29 / 2023

Hyd. No. 26

POST-TOTAL

Hydrograph type	= Combine	Peak discharge	= 71.56 cfs
Storm frequency	= 50 yrs	Time to peak	= 20 min
Time interval	= 1 min	Hyd. volume	= 315,935 cuft
Inflow hyds.	= 24, 25	Contrib. drain. area	= 0.000 ac



StormSewer - Design Drianage Structure Analysis

PE-INLET

Line No.	Inlet ID	Gnd/Rim El Up (ft)	Invert Up (ft)	Inlet Depth (ft)	Drng Area (ac)	Inlet Time (min)	Runoff Coeff (C)	Incr Q (cfs)	Q Byp (cfs)	Q Carry (cfs)	Q Capt (cfs)	Gutter Spread (ft)
1	A1	75.30	72.06	0.53	0.72	10.0	0.90	7.14	0.00	0.00	7.14	15.15
2	A2	75.30	72.20	0.50	0.44	10.0	0.90	4.36	0.00	0.00	4.36	13.44
3	A3	74.09	74.03		6.18	39.5	0.35	12.23	0.00	0.00	12.23	
4	B1	71.91	68.52	0.53	0.54	10.0	0.90	5.36	0.00	0.00	5.36	15.41
5	B2	71.91	68.66	0.54	0.56	10.0	0.90	5.55	0.00	0.00	5.55	15.79
6	B3	69.22	68.85		22.70	47.4	0.38	44.19	0.00	0.00	44.19	
7	C1	72.41	70.18	0.30	1.24	20.0	0.40	3.98	0.00	0.00	3.98	32.18
8	C2	70.56	70.71		2.29	20.0	0.50	9.20	0.00	0.00	9.20	
9	D1	71.35	67.00	0.51	0.99	10.0	0.60	6.55	0.00	0.00	6.55	14.30
10	D2	71.35	67.86	0.55	1.20	10.0	0.60	7.93	0.00	0.00	7.93	16.25
11	E1	68.66	65.05	0.87	1.52	10.0	0.60	10.05	0.00	0.00	10.05	89.46
12	E2	70.99	67.70	0.55	0.89	10.0	0.60	5.88	0.00	0.00	5.88	16.41
13	E3	70.99	67.84	0.55	0.54	10.0	0.60	3.57	0.00	0.00	3.57	15.96
14	F1	68.82	65.16	0.51	0.70	10.0	0.60	4.63	0.00	0.00	4.63	13.98
15	F2	68.82	65.36	0.53	0.79	10.0	0.60	5.22	0.00	0.00	5.22	15.15
16	G1	63.91	62.15	0.43	1.03	10.0	0.60	6.81	0.00	0.00	6.81	45.16
17	H1	68.71	68.61		0.90	15.0	0.40	3.32	0.00	0.00	3.32	
Project File: S-Swan-StormDrain.stm												
Number of lines: 17										Date: 12/29/2023		

NOTES: ** Critical depth

StormSewer - Design Drianage Pipe Analysis

PE-PIPE

Line No.	Line ID	Line Size (in)	Line Length (ft)	Invert Dn (ft)	Line Slope (%)	Invert Up (ft)	Total Area (ac)	Flow Rate (cfs)	Capac Full (cfs)	Cover Up (ft)	Cover Dn (ft)
1	A0-A1	24	26.190	71.89	0.65	72.06	7.34	18.11	18.22	1.24	-4.43
2	A1-A2	24	27.000	72.06	0.52	72.20	6.62	14.47	16.29	1.10	1.24
3	A2-A3	15	8.000	73.00	12.87	74.03	6.18	12.23	23.17	-1.19	1.05
4	B0-B1	36	11.420	68.45	0.61	68.52	23.80	49.21	52.22	0.39	-2.40
5	B1-B2	36	27.000	68.52	0.52	68.66	23.26	46.76	48.03	0.25	0.39
6	B2-B3	30	14.110	68.66	1.35	68.85	22.70	44.19	47.59	-2.13	0.75
7	C0-C1	30	319.010	69.85	0.10	70.18	3.53	12.72	13.19	-0.27	-10.76
8	C1-C2	24	266.610	70.18	0.20	70.71	2.29	9.20	10.08	-2.15	0.23
9	D0-D1	24	210.832	66.00	0.47	67.00	2.19	14.44	16.88	2.35	n/a
10	D1-D2	15	27.000	67.40	1.70	67.86	1.20	7.93	8.43	2.24	2.70
11	E0-E1	30	261.222	64.50	0.21	65.05	2.95	18.64	18.82	1.11	n/a
12	E1-E2	18	312.346	65.05	0.85	67.70	1.43	9.39	9.67	1.79	2.11
13	E2-E3	15	27.000	67.70	0.52	67.84	0.54	3.57	4.65	1.90	2.04
14	F0-F1	18	221.318	63.50	0.75	65.16	1.49	9.81	9.85	2.16	n/a
15	F1-F2	15	27.000	65.16	0.74	65.36	0.79	5.22	5.56	2.21	2.41
16	G0-G1	18	70.240	61.85	0.43	62.15	1.03	6.81	6.86	0.26	-1.50
17	H0-H1	15	52.081	68.45	0.31	68.61	0.90	3.32	3.58	-1.15	-1.25

Project File: S-Swan-StormDrain.stm

Number of lines: 17

Date: 12/29/2023

NOTES: ** Critical depth

THIS INSTRUMENT WAS PREPARED BY:

Sabrina B. Ruffin, MSB#103659
Hand Arendall Harrison Sale LLC
104 St. Francis Street, Ste. 300
Mobile, Alabama 36602
(251) 432-5511

WHEN RECORDED RETURN TO:

Hand Arendall Harrison Sale LLC
Attn: Jody Maddock
104 St. Frances St., Suite 300
Mobile, Alabama 36602
(251) 432-5511

Indexing Instructions: Lots 1 through 87, all common areas, and all other property shown on that certain plat of subdivision for Swan Landing Estates Subdivision recorded in Map Book [REDACTED], at Page [REDACTED] of the Office of the Chancery Clerk of Harrison County, First (1st) Judicial District of Mississippi.

GULF COAST DEVELOPMENT & DESIGN, LLC
919 2nd Street
Gulfport, MS 39501
Residence no.: N/A
Business no.: (228) 596-4471

DECLARATION OF CONDITIONS, COVENANTS AND RESTRICTIONS

OF

SWAN LANDING ESTATES SUBDIVISION

THIS DECLARATION OF CONDITIONS, COVENANTS AND RESTRICTIONS (this "Declaration") is made this [REDACTED] day of [REDACTED], 2023, by Gulf Coast Development & Design, LLC, a Mississippi limited liability company ("Declarant", as further defined below).

WITNESSETH:

WHEREAS, on _____, Declarant recorded in Plat Book _____, Page _____ of the Office of the Chancery Clerk of Harrison County, First (1st) Judicial District (the "Public Records"), a subdivision plat for Swan Landing Estates Subdivision ("Plat of Subdivision", as further defined below) pertaining to certain real property owned by Declarant in Harrison County, Mississippi, as more specifically described on Exhibit "A" hereto.

NOW, THEREFORE, DECLARANT HEREBY DECLARES, that subject to the provisions hereof, all of the Lots (hereinafter defined) shall be held, sold and conveyed by the Owners and the Common Area (hereinafter defined) shall be held by the Association subject to the restrictions, covenants and conditions contained herein for the purposes of protecting the value and desirability of, and which shall run with, the Community Property (hereinafter defined) and be binding on all parties having any right, title or interest in the Community Property or any part thereof, their heirs, successors and assigns, and shall inure to the benefit of each Owner of any portion thereof.

ARTICLE ONE
GENERAL PROVISIONS

1.01 Restrictive Covenants and Easements Running with the Land. The use of the Community Property shall be in accordance with the provisions and restrictions of this Declaration, all of which are to be construed as restrictive covenants and/or easements, as applicable, running with the land and with the title to each and every Lot and shall be binding upon all Owners and other persons having interests therein and upon their heirs, personal representatives, successors, grantees and assigns.

1.02 Terminology. Whenever the context requires, words used in the singular shall be construed to mean or to include the plural and vice versa, and pronouns of any gender shall be deemed to include and to designate the masculine, feminine or neuter gender.

1.03 Definitions. The following terms, when capitalized herein, shall have the meaning set forth in this Section 1.03:

- (a) [INTENTIONALLY DELETED].
- (b) "Architectural Review Committee" means the Architectural Review Committee as established by the Board of Directors in accordance with the Bylaws.
- (c) "Articles of Incorporation" means the Articles of Incorporation of Swan Landing Estates Owners Association, Inc., a Mississippi non-profit corporation, as recorded in the records of the Office of the Secretary of State of Mississippi, as the same may hereafter be amended, altered or repealed from time to time.

- (d) "Association" means Swan Landing Estates Owners Association, Inc., a Mississippi non-profit corporation.
- (e) "Board" or "Board of Directors" means the Board of Directors of the Association, established in accordance with the Articles of Incorporation and Bylaws of the Association.
- (f) "Builder" means any commercial home builder or contractor who owns one or more Lots in the Subdivision and is in the business of constructing residential structures to sell to owner-occupants.
- (g) "Bylaws" means the Bylaws of the Association, as the same may hereafter be amended, altered or repealed from time to time.
- (h) "Common Area" means all real property within the Subdivision which is owned or leased by the Association or dedicated for use or maintenance by the Association or its members, regardless of whether title has been conveyed to the Association.
- (i) "Community Property" means all of the Lots and the Common Area, collectively.
- (j) "Declarant" means Gulf Coast Development & Design, LLC, a Mississippi limited liability company, its successors and assigns which expressly are assigned and assume the Declarant's rights as "Declarant" hereunder.
- (k) "House" or "Home" means any single family dwelling unit situated upon a Lot.
- (l) "Lot" means each and every numbered lot shown on the Plat of Subdivision.
- (m) "Member" means every person or entity who is a member of the Association.
- (n) "Mortgagee" means a holder or beneficiary of any mortgage, deed of trust, deed with vendor's lien reserved, or any other form of instrument used for the purpose of encumbering or conveying real property as security for payment or satisfaction of any obligation.
- (o) "Owner" means the record owner, whether one or more persons or entities, of a fee simple title to any Lot, including contract sellers, but excluding mortgagees, lien holders, lessees, tenants, and those having such interests solely as security for the performance of an obligation.
- (p) "Person" means any individual, corporation, trust, partnership, joint venture, limited liability company or other entity.
- (q) "Plat of Subdivision" has the meaning ascribed to such term hereinabove.

- (r) "Subdivision" means Swan Landing Estates Subdivision, a subdivision as shown on the Plat of Subdivision.
- (s) "Turnover" means the earlier to occur of (i) Declarant relinquishing control of the Association in a written instrument recorded in the real property records of Harrison County, Mississippi, (ii) three (3) months after one hundred percent (100%) of the lots in the Subdivision have been conveyed to persons other than Declarant or Declarant's successors or assigns, or (iii) December 31, 2043; provided, however, that in the event of a conflict between Mississippi law and the foregoing, the applicable Mississippi law shall control.

ARTICLE TWO COMMON AREA

2.01 Common Area. The Association, subject to the rights of the Owners set forth in this Declaration, the Articles of Incorporation and the Bylaws, shall be responsible for the exclusive maintenance, management, and control of the Common Area and all improvements thereon, and shall keep the Common Area in good, clean, attractive, and sanitary condition, order, and repair pursuant to the terms and conditions of this Declaration. The Association has the right to restrict the use and govern the operation of the Common Area by promulgating reasonable rules and regulations, including with respect to any Common Area facilities, the right to charge reasonable one-time or monthly fees for the use thereof by the Owners as the Association deems necessary or appropriate. Rules and regulations may be established by the Association to regulate the use of the Common Area.

2.02 Right of Enjoyment. Subject to any rules and regulations promulgated by the Board of Directors and the terms and conditions of the Bylaws, every Member shall have a right and easement of enjoyment of the Common Area, and such easement shall be appurtenant to and pass with the title to each Lot.

2.03 Lots Subject to Covenants, Restrictions, Limitations and Term. Each Lot that shall be conveyed, held, devised, leased, or demised at any time hereafter shall be subject to all the terms, conditions, covenants, restrictions, and limitations herein contained, and the obligation to observe and perform the same whether or not it be so expressed in the deed or other instrument of conveyance of the Lot or real property, and such shall run with the Lot or real property and be appurtenant thereto as if fully set out in such deed or instrument of conveyance, subject to the terms and conditions hereof.

2.04 Easements. As used in this Declaration, "Coast Easement" means that certain Right-of-Way Easement granted to Coast Electric Power Association and recorded at Instrument 2003-0012270-D-J1 of the Public Records. The Coast Easement is hereby adopted as part of this Declaration. As shown on the Plat of Subdivision, the Coast Easement is located on portions of Lot 1, Lot 43, Common Area "A", and Common Area "B", as depicted on the Plat of Subdivision, all of which shall be subject to the Coast Easement, including the use restrictions therein. Without limiting the foregoing, (a) if an Owner constructs a fence or other structure on the portion of his

or her Lot that is subject to the Coast Easement, such Owner shall be responsible for any and all costs associated with removing, replacing and/or relocating such fence or structure if requested to do so by the holder or owner of the Coast Easement, and (b) with regard to any entrance monument, landscaping, and/or other improvement that may be located on Common Area "A" or Common Area "B" from time to time (as applicable and collectively the "Entrance Feature"), if the holder or Owner of the Coast Easement exercises any rights thereunder and removes, damages and/or alters any improvements located thereon, then the Association shall cause the Entrance Feature to be repaired or reconstructed, and the costs thereof shall be charged to the Owners as a special Assessment in accordance with Section 4.04 below.

2.05 Overhead Wires. No Lot shall be served with any overhead electrical or communications service, and no Owner shall erect power poles for such service; provided, however, that nothing herein shall be construed to prohibit overhead street lighting or ornamental yard lighting provided that such lighting is constructed in accordance with the terms and conditions hereof.

2.06 Control of Common Area. The Association may, upon approval by the Board of Directors, sell, subdivide, lease, mortgage, grant easements over or otherwise encumber the Common Area, or exchange all or any portion of the Common Area for Lots or other real property, or purchase or acquire any additional real property and dedicate the same as Common Area subject to the terms of this Declaration.

2.07 Condemnation. In the event of a taking by eminent domain of any portion of the Common Area on which improvements have been constructed, the Association shall restore or replace such improvements so taken on the remaining Common Area, unless within sixty (60) days after such taking, an alternative plan is approved by at least seventy-five percent (75%) of the voting interests of the Members. The provisions of this Declaration applicable to replacement or restoration of damaged improvements on the Common Area shall also apply to and govern the actions to be taken in the event that the improvements are not restored or replaced after a condemnation.

2.08 Liability. Owners, occupants and their guests shall use and enjoy the Common Area at their own risk and shall assume sole responsibility for their personal belongings used or stored there. The Association, Declarant and their respective officers, directors, employees, representatives and agents shall not be held liable for personal injury to any person, nor for loss or damage to personal belongings used or stored on any of the Common Area. The Association shall not be liable for injury or damage to any person or property (a) caused by the elements or by an Owner or any other person, (b) resulting from any rain or other surface water which may leak or flow from any street, pipe, plumbing, drain, conduit, appliance, equipment, security system, or utility line or facility, the responsibility for the maintenance of which is that of the Association, or (c) caused by any street, pipe, plumbing, drain, conduit, appliance, equipment, security system, utility line, facility, or from any portion of the Common Area, the responsibility for the maintenance of which is that of the Association, becoming out of repair. Nor shall the Association be liable to any Owner or occupant for loss or damage, by theft or otherwise, of any property of such Owner or occupant.

ARTICLE THREE
ASSOCIATION MEMBERSHIP AND VOTING RIGHTS

3.01 Membership. Each Owner shall be a Member, subject to the terms and conditions of the Articles of Incorporation and the Bylaws.

3.02 Voting. Voting by Owners shall be in accordance with the Bylaws.

3.03 Assignment. The share of a Member in the funds and assets of the Association cannot be assigned, hypothecated, or transferred in any manner except as an appurtenance of said Owner's Lot.

ARTICLE FOUR
COVENANT FOR MAINTENANCE ASSESSMENTS

4.01 Personal Obligation of Assessments. Declarant, for each Lot, hereby covenants, and each Owner of any Lot by acceptance of a deed therefor, whether or not it shall be so expressed in such deed, is deemed to covenant and agree to pay to the Association: (1) annual assessments or charges, (2) special assessments, and (3) any individual assessments, fines or charges charged against the Lot or Owner, as such assessments are hereinafter established and shall be collected as hereinafter provided (singularly, an "Assessment" and collectively, the "Assessments"), as such Assessments are hereinafter established and shall be collected as hereinafter provided. The annual, special, and individual assessments, together with interest, costs, an administrative late fee not to exceed the greater of twenty-five and no/100 dollars (\$25.00) or five percent (5%) of the amount of each installment that is past due, and reasonable attorneys' fees, shall be a charge on the Lot and shall be a continuing lien upon the property against which each such Assessment is made effective from and relating back to the date on which this Declaration was recorded. Any payment received and accepted by the Association shall be applied first to any interest accrued, then to any administrative late fee, then to any costs and reasonable attorney's fees, and then to the delinquent Assessments. Each such Assessment, together with interest, costs, the administrative late fee and reasonable attorneys' fees, shall also be the personal obligation of the person who was the Owner of such Lot at the time when the Assessment fell due. The personal obligation for delinquent Assessments shall pass to successors in title.

4.02 Purpose of Assessments. The Assessments levied by the Association shall be used to provide for the operation of the Association and the management, care and maintenance of the Common Area and any improvements constructed thereon, including provision for appropriate insurance against casualty and liability. At the Board's discretion, the Association may establish and maintain a reserve fund with such sums as the Board determines in good faith are necessary and adequate for the periodic maintenance, repair, and replacement of improvements to the Common Area (the "Reserve Account").

4.03 Annual Assessments. To provide the total sum necessary for the insurance purchased by the Association hereunder, the Reserve Account, the maintenance, repair and

replacement (as applicable) of any improvements located on the Common Area, and any and all other expenses of the Association (whether pertaining to the ownership, operation, use, maintenance, and/or repair of the Common Areas or otherwise), each Member for each Lot owned shall pay a portion of the total amount necessary for such purposes to the Association. The portion to be paid by each Member for each Lot shall be determined in accordance with Section 4.06 hereof. The amount of the annual Assessment assessed against each Member as provided under the foregoing sentence shall be assessed by the Association as a lien at the beginning of each annual Assessment period.

4.04 Special Assessments for Capital Improvements Upon Common Area. In addition to the annual Assessments authorized above, the Board of Directors may levy, in any assessment year, a special Assessment applicable to that year only for the purpose of defraying, in whole or in part, the cost of any construction, reconstruction, repair or replacement of a capital improvement upon the Common Area and any entrance wall or signage, including fixtures and personal property related thereto.

4.05 Date of Commencement of Annual Assessments and Due Dates. The Assessments provided for herein shall only be assessed against Lots upon which a House has been constructed, and will commence as to a particular Lot upon conveyance of the Lot to any Owner who is not the Declarant or a Builder. The first annual Assessment shall be adjusted according to the number of months remaining in the calendar year. The Board of Directors shall fix the amount of the annual Assessment against each Lot at least thirty (30) days in advance of each annual Assessment period. Written notice of the annual Assessment shall be sent to every Owner subject thereto. The Board of Directors shall determine if annual and special Assessments will be collected annually, quarterly or at some other interval and shall set due dates for Assessment payments. If the Board of Directors does not fix an annual Assessment in advance of any annual Assessment period, the annual Assessment for the period will be the same as for the prior period until the Board fixes a new annual Assessment amount.

4.06 Assessment Shares. Each Member shall be responsible for a portion of any annual or special Assessments levied against the Members equal to a fraction calculated in accordance with the following: the numerator of such fraction shall be the number of Lots owned by such Member and the denominator of which shall be the total number of Lots in the Subdivision at the time such Assessment is levied. The quotient of such fraction shall be multiplied by the total sum of the applicable Assessment, and the resulting figure shall be the portion of such Assessment that is owed by the applicable Member.

4.07 Initial Capital Contribution Assessment. An Assessment is hereby levied against, and due upon the closing of the sale of each Lot in the amount of the greater of (a) Two Hundred and No/100 Dollars (\$200.00), or (b) one-fourth (1/4) of the then current annual Assessment against the purchaser of each Lot (whether such Lot has a completed Home located upon it or otherwise) and against each subsequent purchaser of each Lot; provided, however, that in the case of sales of Lots by Declarant to a Builder, the Builder shall be exempt from such Assessment. The proceeds of such Assessments may be used by the Association for any purpose for which the Association is authorized under the Articles of Incorporation, Bylaws or this Declaration.

4.08 Reservation of Lien; Effect of Nonpayment of Assessments; and Remedies of the Association. Any Assessment not paid within thirty (30) days after the due date shall bear interest thereon at a rate to be set by the Board of Directors but in no event greater than the maximum percentage rate as may then be permitted under the laws of the State of Mississippi. The Association may bring an action at law or in equity against the Owner personally obligated to pay any Assessment. Furthermore, a lien is hereby reserved in favor of the Association against each Lot in the amount of all Assessments outstanding against such Lot (the "Assessment Lien"). Interest, costs, and reasonable attorneys' fees of any action brought by the Association in respect of an Assessment and/or the Assessment Lien applicable to such Assessment shall be added to the amount of such Assessment and shall be secured by the Assessment Lien. Each such Owner, by his acceptance of a deed to or other conveyance of an interest in a Lot, hereby expressly vests in the Association the right and power to bring all actions, in the name of the Association, against such Owner personally for the collection of each Assessment as a debt and to foreclose the Assessment Lien in the manner provided for the foreclosure and sale under a mortgage and deed of trust pursuant to Mississippi law. Each Owner hereby expressly grants to the Association a power of sale in connection with the Assessment Lien. The Association, including its agents, successors, assigns, attorneys in fact or other legal representatives, shall have the power to appoint a trustee or substitute trustee to perform the sale, and the Association shall have the right to bid at any foreclosure sale and to acquire and hold, lease, encumber, and convey the same. At any such public sale, the appointed trustee may execute and deliver to the purchaser a conveyance of the property in fee simple. No Owner may waive or otherwise escape liability for the Assessments by non-use of the Common Area or abandonment of said Owner's Lot. The Board of Directors may also suspend the use rights of any Owner of the Common Area in the event of a failure to pay any Assessment within thirty (30) days of the applicable due date. Furthermore, and without limiting any rights of the Association hereunder, the Association shall have the right to transfer, assign and convey to any third party any debt associated with any unpaid Assessments and the Assessment Lien that is associated therewith.

4.09 Election of Remedies. Institution of a suit at law to collect payment of any delinquent Assessments shall not be deemed to be an election by the Association which shall prevent its thereafter seeking enforcement of the collection by foreclosure of any sums remaining owing to it, nor shall proceeding by foreclosure to effect such collection be deemed to be an election precluding the institution of a suit at law to collect any sum then remaining owing to the Association. The Association shall be entitled to bid at any sale held in connection with the foreclosure of the Assessment Lien and may apply as a cash credit against its bid all sums secured by the lien enforced.

4.10 Subordination of the Lien to Deeds of Trust. The Assessment Lien shall be subordinate to the lien of any first deed of trust on a Lot. Sale or transfer of any Lot shall not affect the Assessment Lien; provided, however, the sale or transfer of any Lot pursuant to foreclosure of a first deed of trust on said Lot or any proceeding in lieu thereof, shall extinguish the Assessment Lien as to payments which became due prior to such sale or transfer. No sale or transfer shall relieve such Lot from liability for any Assessments thereafter becoming due or from the Assessment Lien associated therewith or relieve the prior Owner from any personal liability for any unpaid Assessments occurring prior to said sale or transfer.

4.11 Estoppel Letter. The Association shall, within thirty (30) days after receiving a written request therefor and for a reasonable charge, as established by the Board of Directors, certify to the amount of any unpaid Assessments constituting a lien on a specified Lot. A certification letter signed by an officer of the Association or the Association's managing agent, if any, as to the amount of Assessments due with respect to a Lot shall be binding upon the Association.

ARTICLE FIVE **MAINTENANCE AND REPAIR**

5.01 Maintenance. The Association shall provide maintenance of the Common Area. In addition, the Association shall have the right, but not the obligation, to maintain other property not owned by the Association, whether within or without the Subdivision and to enter into easement and covenant to share costs agreements regarding such property where the Board has determined that such action would benefit the Owners. Without limiting the foregoing, the Association shall have a reasonable right of entry upon any Lot to make emergency repairs and to do other work reasonably necessary for the proper maintenance and operation of the Common Area and to carry out its rights and duties set forth in this Declaration. Each Owner shall maintain his or her respective Lot and shall also maintain and repair, at such Owner's sole cost and expense, said Owner's House, patio and yard area keeping the same in good condition and making all structural repairs and maintenance, external and internal, as may be required from time to time, including, but not limited to maintenance and repairs of any enclosed patio area, screens and screen doors, exterior door and window fixtures, glass, and other hardware. Each Owner shall also be responsible for the maintenance and repair of any fence or fences erected on such Owner's Lot and gates appurtenant thereto.

5.02 Failure to Maintain. In the event an Owner shall fail to maintain and repair his Lot and the improvements situated thereon, as provided for herein and provided that the failure to so maintain shall cause damage or injury to the adjoining Lot or to common structural elements which affect an adjoining Lot, the Association, after approval by a majority vote of the Board of Directors, shall have the right, through its agents and employees, to enter upon said Lot and to repair, maintain, and restore the Lot and the House and any other improvements erected thereon. The cost of the same shall be added to and become part of the Assessment to which such Lot is subject; provided, however, if a dispute arises concerning the foregoing between the Owner and the Association, the matter may be submitted to arbitration in accordance with the mutual agreement of the parties.

5.03 Damage to Common Area. Notwithstanding anything contained in this Article Five to the contrary, each Owner shall be personally responsible and personally liable for any damage to the Common Area, or any portion thereof, caused by the Owner and/or the Owner's family members, guests, invitees, lessees or licensees as a consequence of the negligence, recklessness or willful misconduct of such person. The cost of repair for any damage so caused by the Owner, the Owner's family members, guests, invitees, lessees or licensees shall be an individual Assessment against the Owner responsible therefor and the Lot of such Owner.

ARTICLE SIX
ARCHITECTURAL CONTROL

6.01 Submission of Plans and Specifications. No House, building, fence, wall, or other structure or improvement shall be constructed, erected, or maintained upon any Lot, nor shall any exterior addition to or change or alteration therein be made until the plans and specifications of the same shall have been submitted by an Owner to and approved in writing as in harmony with this Declaration by the Architectural Review Committee. Two (2) copies of the building or construction plans and specifications (collectively, the "Plans") shall be submitted to the Architectural Review Committee. Prior to commencement of any construction activities on a Lot, an Owner's Plans must be approved by the Architectural Review Committee as to conformity and harmony with this Declaration. The Architectural Review Committee may, from time to time, establish additional written design guidelines for the Subdivision, and a copy of any such guidelines then in effect shall be made available to any Member requesting a copy of same from the Association.

6.02 Approval or Disapproval. The Architectural Review Committee shall indicate its approval or disapproval of such plans and specifications by delivering, in writing, notice of such approval or disapproval to the requesting Owner. In the event the Architectural Review Committee fails to approve or disapprove such design and location within thirty (30) days after said plans and specifications have been submitted to it, approval shall be deemed automatically given. Notwithstanding the immediately preceding sentence, if an Owner constructs, modifies, or alters any improvement on his or her Lot prior to delivering the applicable plans and specifications to the Architectural Review Committee as required hereunder, then such plans and specifications shall not be deemed approved if the Architectural Review Committee fails to approve or disapprove of such plans and specifications within said thirty (30) day period.

6.03 Right of Inspection. The Architectural Review Committee shall have the right, but not the obligation, to inspect the Owner's Lot and improvements during construction and prior to occupancy to inspect whether construction is proceeding in accordance with the construction plans submitted and approved by the Architectural Review Committee. Failure of an Owner to comply with the provisions of this Section 6.03, or failure of an Owner to carry out construction in accordance with the provisions of this Article, shall subject such Owner to such remedies as might be available at law or in equity (including, but not limited to, specific performance and injunction, payment of the prosecuting parties' reasonable legal fees and expenses).

6.04 Limited Review. The scope of review by the Architectural Review Committee is limited to appearance only and does not include any responsibility for structural soundness, suitability of construction or materials, compliance with building or zoning codes or standards, this Declaration, or any other similar or dissimilar factors.

6.05 Waiver of Liability. Neither the Architectural Review Committee nor any architect nor agent thereof nor the Association nor any agent or employee of any of the foregoing shall be responsible in any way for the failure of any improvements to comply with the requirements of this Declaration, nor for any defects in any plans and specifications submitted, revised or approved

in accordance with the foregoing provisions, nor for any structural or other defects in any work done according to such plans and specifications, and all persons relying thereon or benefiting therefrom agree not to sue or claim against the entities and persons referred to in this Section for any cause arising out of the matters referred to herein and further agree to and do hereby release said entities and persons for any and every such cause.

ARTICLE SEVEN **USE RESTRICTIONS**

7.01 Residential Use; Commercial Activity. Except as is hereinafter provided in this Section and in Section 10.01(c) hereof, each Lot is hereby restricted to a private, single-family dwelling for residential use. No commercial activities of any kind whatsoever shall be conducted in any Home, any other building located on a Lot, or any portion of any Lot; provided, however, that (a) an Owner may conduct a business entirely within his Home so long as (i) such business uses only ten percent (10%) of the total square footage of such Home, (ii) such business does not result in parking of additional vehicles on the Subdivision streets or Common Areas, (iii) such business is secondary to the use of the Lot for residential purposes, and (iv) such business shall not violate any applicable zoning ordinances, and (b) Builders shall have the right to use a House as a "model home" and to operate a sales office from such model home.

7.02 Subdivision of Lots. Each Lot shall be conveyed as a separately designated and legally described freehold estate subject to the terms, conditions, and provisions hereof, to easements and rights-of-way, and matters of public record. No Lot may be subdivided into a smaller Lot or Lots unless approved by the Association; provided, however, that an entire Lot may be combined with an entire adjacent Lot and occupied as one Lot but assessed and governed as two Lots.

7.03 Signs. No sign of any kind shall be displayed on any Lot (including, without limitation, any signage within a Home that is visible from the exterior of such Home), except (i) that any Owner actively attempting to sell his Lot may place a "for sale" sign of less than four (4) square feet on his Lot; (ii) during the building of homes in the Subdivision, Declarant and/or the Builders in the Subdivision may place signs at the entrance and/or on any Lot to advertise the Subdivision and the Lots for sale therein and (iii) any Owner may display a sign of reasonable size provided by a contractor for security services within 10 feet of any entrance to the home.

7.04 Noxious and Offensive Activity. No noxious or offensive activity shall be carried on, in or upon any Lot, nor shall anything be done thereon which may be or become an annoyance or nuisance to any other Owner.

7.05 Design Criteria; Structure. All improvements to be constructed or otherwise located on a Lot by an Owner shall comply with the following requirements:

- (a) Any House shall contain a minimum of one thousand two hundred seventy (1,270) square feet of heated and cooled living space.

- (b) No House may exceed three (3) habitable stories above grade.
- (c) All sidewalks shall be constructed along the street right-of-way of each Lot in accordance with a uniform plan established by the Declarant. Accordingly, each site Plan submitted to the Architectural Review Committee shall show the location and material to be used for construction of the sidewalk, all as required and approved by the Architectural Review Committee. Each Owner shall construct or cause to be constructed on his or her Lot the approved sidewalk upon completion of the House on his or her Lot and before occupancy thereof. It shall be each Owner's responsibility to maintain any portion of a sidewalk situated on the Owner's Lot so that such sidewalk remains in an attractive, well-kept condition.
- (d) The residential structure may contain a garage or carport; provided however, that no garage or carport may have a screen located in the vehicular-entryway or a flat roof, and any such garage or carport shall be in conformity with the general architecture of the primary residential building or structure. Without limiting the foregoing, the roof shingles of any such garage or carport must match the roof shingles of the House.
- (e) No window air-conditioning units shall be permitted on the front or sides of any residence so as to be visible from the front line of such Lot.
- (f) Underground electrical distribution facilities are required and no overhead electrical or similar wiring or lines shall be permitted.
- (g) All outside radio and T.V. antennas (including satellite dishes and other signal receiving/transmitting equipment) shall be installed in such a way as to minimize visibility from the front of the Lot and shall be placed on the back or side of any roof.
- (h) Driveways must be made of concrete. In no event may any driveway be painted, scored or otherwise colored. Any driveway extension must be approved by the Architectural Review Committee and any such extension shall not impede any utility easement.
- (i) Fences constructed or erected on any Lot shall be of wood construction. Each fence must be a picket fence design, privacy fence design or shadowbox fence design. No fence shall exceed six feet in height. The application of paint or stain to a fence resulting in any solid color appearance is strictly prohibited, provided, however, that clear stain or waterproof coating may be applied to fences to maintain the natural wood appearance. Walls or other designs are not permissible. No fence shall be constructed from the front property line to 20 feet behind the corner of the house nearest front property line. No fence upon any residential Lot shall be constructed over or within the boundaries of any dedicated easement in the Subdivision. Any portion of a fence which faces a street, alley, or Common Area shall have a finished side appearance facing said street, alley, or Common Area. Notwithstanding

anything contained in this paragraph to the contrary, any fence located on a Lot that faces or abuts a pond or lake must be constructed of metal and measure four feet (4') in height.

- (j) All Lots shall be grassed in the entire designated yard area by sodding and the yard shall be landscaped upon the completion of construction and before occupancy. It shall be the Owner's responsibility to maintain any landscaping or fences situated on a Lot so that such improvements remain in an attractive, well-kept condition.
- (k) No outside clothes lines shall be permitted.
- (l) Following construction of a Home on a Lot, existing drainage shall not be altered in any manner, and specifically shall not be altered in such a manner as to divert the flow of water onto an adjacent Lot.

7.06 Animals. No animals, livestock, or poultry of any kind shall be raised, bred, or kept on any Lot except that dogs, cats, and other household pets may be kept subject to the rules and regulations adopted by the Association, provided that they are not kept, bred, or maintained for any commercial purpose. Pets must be kept leashed and/or under control at all times. Notwithstanding the foregoing, the restrictions in this Section 7.06 shall not apply to any service animals, support animals, and any other animals permissible under the Americans with Disabilities Act.

7.07 Waste. No rubbish, trash, garbage, or other waste material shall be kept or permitted upon any Lot except in sanitary containers located in appropriate area, screened and concealed from view.

7.08 Accessory Structures. Except as otherwise provided for herein, no patio cover, building or storage unit of any kind shall be erected, placed or set on any Lot unless such structure is attached to the House erected on the same Lot and the architecture and character of such structure matches that of said House. Notwithstanding the foregoing, one (1) accessory building may be erected, placed or set on any Lot if such structure is: (a) no more than twelve (12) feet by sixteen (16) feet in size; (b) no more than nine (9) feet in height; (c) located upon the back yard of such Lot; (d) enclosed on all sides by a wooden fence of at least six (6) feet in height; (e) of the same architecture and character of the House located on such Lot; and (f) approved by the Architectural Review Committee. Without limiting the foregoing, the roof shingles of the accessory building and the House must match.

7.09 Temporary Structures. No structure of a temporary character, trailer, mobile home, motor home, modular building unit, basement, tent, shack, garage, barn, or other outbuilding shall be used at any time on the Lots as a residence, either temporarily or permanently.

7.10 Vehicles.

- (a) No inoperative cars, trucks or other types of vehicles shall be allowed to remain either on or adjacent to any Lot; provided, however, this provision shall not apply to any such vehicle being kept in an enclosed garage.
- (b) No trucks larger than a one-ton pickup shall be parked in the Subdivision, except those reasonably necessary to complete approved improvements.
- (c) Recreational vehicles, campers and semi-trucks shall not be parked or stored on any Lot. Boats and utility trailers shall be parked in garages or basements or shall be stored out of sight from all neighbors and fully screened by a privacy fence of no less than six (6) feet in height.
- (d) Parking in yards, on sidewalks and in front of private driveways is strictly prohibited
- (e) There shall be no major repair performed on any motor vehicle on or adjacent to any Lot unless performed inside an enclosed garage.
- (f) No noxiously loud or dangerous vehicles shall be allowed to be operated on any Lot, including, without limitation, all terrain vehicles (aka ATVs).

7.11 Construction. Any and all improvements on any Lot shall comply with the standards and provisions of Harrison County, and its applicable building code. The use of dumpsters for cleaning and construction sites is permitted.

7.12 Pollution. There shall be no noxious emission of smoke, dust, odor, fumes, glare, noise, vibration, electrical or magnetic disturbance, detectable at the lot line or beyond.

7.13 Outdoor Lighting. No exterior lighting fixture (other than fixtures approved by the Architectural Review Committee) shall be installed within or upon any Lot without adequate and proper shielding of the fixture. No lighting fixture shall be installed that may become an annoyance or a nuisance to Owners or occupants of adjacent properties. No flood lights or security lights shall be allowed on any Lot. No light shall be attached to the soffits of any improvements on the Lot unless the lights are recessed.

7.14 Garbage and Refuse Disposal. No Lot shall be used or maintained as a dumping ground for rubbish, trash, garbage, or waste. All storage equipment for such material shall be kept in a clean and sanitary condition and screened from street view.

7.15 Oil and Mining Operations. No activity or hardware used for the purpose of exploration or extraction of minerals, oil, or gas shall be allowed on any Community Property at any time.

7.16 Firearms and Fireworks. The display or discharge of firearms or fireworks on any Lot or any Common Area is prohibited; provided, however, that the display of lawful firearms on the Common Area is permitted by law enforcement officers and also is permitted for the limited purpose of transferring firearms across the Common Area to or from an Owner's Lot. The term "firearms" includes "B-B" guns, pellet guns and other firearms of all types, regardless of size.

7.17 No Hanging of Items. No clothes, sheets, blankets, towels, laundry of any kind or other articles shall be hung out or exposed on any balconies, patios, or railings. Notwithstanding the foregoing, (a) in the event the Association purchases any flags or other decorative items, each Owner shall hang any such flag or other decorative item from the exterior of such Owner's Home at the location, in the manner and at such times as shall be required by the Association in the Association's sole and absolute discretion, and (b) each Owner may exhibit or display on such Owner's Lot a current flag of the United States on a pole that does not extend beyond the highest point on the roof of such Owner's Home.

7.18 Hazardous Items. No one shall use or permit to be brought onto any Lot or upon any of the Common Area any flammable oils or fluids such as gasoline, kerosene, naphtha or benzene, or other explosives or articles deemed hazardous to life, limb or property, without the written consent of the Board of Directors; provided, however, that an Owner may store and possess gasoline and other flammable or hazardous materials typically used in the operation and maintenance of a single family residence and yard, in reasonable quantities for personal use upon Owner's Lot without obtaining such written consent. The Board of Directors may require removal of any flammable or hazardous materials from the Subdivision if it determines, in its sole and absolute discretion, that any type or quantity of material is in violation of this Section.

7.19 Water and Sewer Service. The Owner of each Lot shall be required to connect to and use the central water distribution system and central sanitary sewage disposal system serving the Subdivision, and shall be responsible for paying all connection fees and assessments. No septic tanks or wells will be permitted.

7.20 Windows and Window Treatments. The exterior facing of window coverings must be off-white or a neutral color. Reflective glass shall not be permitted on the exterior of any House or other structure. No foil or other reflective materials shall be installed on any windows or used for sunscreens, blinds, shades or for other purposes. All exterior window styles, materials, and colors and all hurricane or storm shutters must be approved by the Architectural Review Committee; provided, however, that in no event shall burglar bars and/or wrought iron doors be permitted. Hurricane or storm shutters (a) may not be closed or otherwise installed to cover windows unless and until a tropical storm or hurricane warning is issued by the National Weather Service for the County in which the Subdivision is located, and (b) shall be opened and/or otherwise removed within seventy-two (72) hours of the storm's passage.

7.21 Lots on Wetland Areas, Body of Water. No Lot shall be increased in size by filling in of any wetlands, body of water, creek or any waterway on which it may abut without appropriate governmental permits (if any are required) and prior written approval of the Architectural Review Committee.

7.22 Compliance With Law. In all cases, each Owner shall comply in all respects with all applicable laws, rules and regulations (including, without limitation, applicable zoning ordinances) promulgated by any governmental authority having jurisdiction over the Lots and the Common Area.

7.23 Swimming Pools. No swimming pools shall be constructed, altered or maintained upon any Lot without the prior written approval of the Architectural Review Committee in accordance with Article Six hereof. Notwithstanding the foregoing, any such swimming pool must also be constructed, equipped, and maintained in accordance with the laws, ordinances, regulations, rules and standards of any city, county, and/or state authorities having jurisdiction over the Subdivision. Any Owner who desires to construct a swimming pool on such Owner's Lot shall also, prior to completion of such swimming pool, construct a fence around such swimming pool, which fence must also be approved by the Architectural Review Committee in accordance with Article Six hereof. Notwithstanding anything contained herein to the contrary, pools shall not be screened.

7.24 Stormwater Drainage Improvements. Owners shall not alter, fill or otherwise change any stormwater improvements made to such Owner's Lot by Declarant in the development of the Subdivision or by any Builder during the construction of a Home on such Owner's Lot, including, without limitation, any drainage ditches and/or swales, without the prior written approval of the Association, which may be withheld by the Association in its sole and absolute discretion.

7.25 Outdoor Equipment. No outdoor equipment, tools, generators, or sporting equipment (including but not limited to basketball goals) may be installed or affixed to any Lot or House without prior written approval from the Architectural Review Committee; provided, however, that portable outdoor equipment, tools, generators, or sporting equipment may be used on a temporary basis and removed from view immediately after use. Certain outdoor equipment including firepits, grills, patio furniture, artificial vegetation, playground equipment and/or trampolines may be placed on a Lot, however such items must be placed behind the House, on the rear side of the Lot, and enclosed with a fence, with prior approval of the Architectural Review Committee required for the fencing design, materials, height and location for such fencing.

7.26 Holiday Displays. Notwithstanding anything to the contrary in this Declaration, including but not limited to those certain restrictions set forth in Section 7.13, holiday lighting and holiday decorations shall be permitted to be placed, installed, located, and/or erected upon the exterior portion of the Home or Owner's Lot beginning no earlier than thirty (30) days before a holiday, and shall be removed in their entirety no later than fourteen (14) days following such holiday. In no way limiting the foregoing, the Architectural Review Committee and/or the Association may establish additional standards and/or rules and regulations regarding holiday lights and/or decorations. The Association may require the removal of any holiday lighting and/or decoration that creates a nuisance, which includes but is not limited to, spillover to adjacent Lots, excessive noise, light shining directly onto adjacent Homes, and/or the cause of excessive vehicular traffic within the Subdivision.

7.27 Solar Panels and Collectors. No solar panels and/or solar collectors (as applicable, "Solar Equipment") may be placed on a Home without prior written approval from the Architectural Review Committee; provided, however, that if such approval is granted by the Architectural Review Committee, such solar equipment must be located on the rear elevations of the Home. Notwithstanding the foregoing, if a Home's rear elevation is in the line of sight of any lake, pond or Common Area, and such line of sight is unobstructed in the opinion of the Architectural Review Committee, then the Architectural Review Committee may prohibit the installation of Solar Equipment on such Home. The Architectural Review Committee shall have the right to grant variances if needed to comply with any future changes to applicable laws.

7.28 Rules and Regulations. The Association may, from time to time, establish additional written use guidelines for the Subdivision, and a copy of any such guidelines then in effect shall be made available to any Owner requesting a copy of same from the Association.

ARTICLE EIGHT

ADDITIONAL RESTRICTIONS

8.01 Leasing. Homes and Lots may be leased by an Owner for residential purposes only; provided, however, that any such leasing activities shall be subject to the following terms and conditions: (a) any such lease and the rights of any tenants thereunder are hereby made expressly subject to the power of the Association to prescribe reasonable rules and regulations relating to the lease and rental of Lots and Homes and to enforce the same directly against such tenant or other occupant by the exercise of such remedies as the Board of Directors deems appropriate, including eviction; (b) no such lease shall be for less than six (6) months; and (c) all leases must be in writing, with a copy provided to the Association upon request by the Association. Any Owner who leases his Home or any portion thereof shall be responsible for the acts of his tenants, including, without limitation, the violation of this Declaration and/or any rules and regulations promulgated by the Association hereunder. Notwithstanding the foregoing, this Section shall not apply with respect to any Lot subject to a mortgage which is insured or guaranteed by the Federal Housing Administration or the Veterans Administration, or where the provisions of this Section are otherwise prohibited by law.

8.02 Restrictions on Mortgaging Lots. Nothing contained herein shall be construed to place any restrictions on an Owner's right to encumber his Lot.

8.03 Regulations. Reasonable regulations concerning the use of the Lots and the Common Area may be made and amended from time to time by the Board of Directors.

8.04 Lender's Notices. Upon written request to the Association, identifying the name and address of the holder, insurer or guarantor and the Lot number or address, any holder of a deed of trust, insurer, or guarantor will be entitled to timely written notice of:

- (a) Any condemnation or casualty loss that affects either a material portion of the Common Area or the Lot securing its deed of trust.

- (b) Any sixty (60) day delinquency in the payment of Assessments or charges owed by the Owner of any Lot on which it holds the deed of trust.

ARTICLE NINE
ENFORCEMENT; DURATION; AMENDMENT

9.01 Enforcement. The Association, the Board of Directors, the Architectural Review Committee and/or any Owner shall have the right to enforce by any proceeding at law or in equity, all restrictions, conditions, covenants, reservations, liens and charges imposed by the provisions of this Declaration. Failure by the Association, the Board of Directors, the Architectural Review Committee and/or any Owner to enforce any covenant or restriction herein contained shall in no event be deemed a waiver of the right to do so thereafter.

9.02 Enforcement by Owners. An Owner may file a legal action for the violation of this Declaration (the "Complainant"), provided that the following procedure is strictly followed:

- (a) The Complainant must first give the Association written notice of the alleged violation of this Declaration together with a demand seeking that the Association enforce the terms of this Declaration as against said violator; and
- (b) The Association must fail to cause a cure of the alleged violation or, if the alleged violation has not been cured, fail to commence legal proceedings against said violator for the enforcement of the terms and conditions of this Declaration within one hundred twenty (120) days of the date of the Association's receipt of the notice referenced in subsection (a) hereof.

9.03 Attorneys' Fees. In any action (whether in advance of or prior to the initiation of any legal or equitable proceeding, in arbitration, in trial, in any administrative or other similar proceedings, or in any appeal from any of the same) pertaining to any condition, restriction or covenant herein contained (due to their alleged violation or breach) or for the enforcement of any lien against any Lot or against any Person, unless otherwise expressly provided in this Declaration to the contrary for specific instances and conflicts, the prevailing party shall be entitled to recover all costs, including reasonable legal fees and expenses.

9.04 Term. This Declaration is to take effect upon recordation and shall be binding upon the Association and all Owners and all persons and entities claiming title under and through them for fifty (50) years after the date this Declaration is recorded in the public records, after which it shall be automatically extended for successive ten (10) year periods unless an instrument in writing, signed by Members holding at least eighty percent (80%) of the voting interests in the Association, has been recorded within the year preceding the beginning of each successive period of ten (10) years, agreeing to change said covenants and restrictions, in whole or in part, or to terminate the same, in which case this Declaration shall be modified or terminated as specified therein.

9.05 No Additional Burden. Except as provided in Article Ten, no amendment of this Declaration shall place an additional burden or restriction or requirement on any Lot where the Owner of such Lot does not join in said amending instrument.

9.06 Amendments. Except as provided in Article Ten, this Declaration may be amended by vote of the Members having sixty-seven percent (67%) of the voting interests in the Association, or by a written instrument signed by the same percentage of Members; provided, however, that unless and until Turnover has occurred no such amendment may be effected without the written consent of Declarant to such amendment, which consent may be withheld by Declarant in Declarant's sole and absolute discretion. Declarant shall have and reserves the right at any time and from time to time, without the joinder or consent of any other party to amend this Declaration by any instrument in writing duly signed, acknowledged and filed for record for the purpose of correcting any typographical or grammatical error, ambiguity or inconsistency appearing herein, provided that any such amendment shall be consistent with and in furtherance of the general plan and scheme of development as evidenced by this Declaration and shall not impair or adversely affect the vested property or other rights of any Owner or such Owner's Mortgagee.

ARTICLE TEN

RESERVED DECLARANT RIGHTS

10.01 General Reserved Rights. Until Turnover, Declarant reserves unto itself, its successors and assigns:

- (a) A right-of-way and easement for ingress and egress and easement for utilities, drainage, maintenance, repairs and other related uses over, along, and across the Common Area for all purposes relating in any manner to the subdividing, developing or aiding in the development of the Subdivision or any parts or parts thereof or additions thereto by Declarant or others.
- (b) The right to grant easements and rights-of-way of ingress and egress and for drainage, utilities, maintenance and repairs along, over, across and under the Common Area to any person, firm, corporation or entity for use as ingress or egress or for drainage, utilities, maintenance and repairs.
- (c) The right to maintain, and grant Builders the right to maintain, a sales office and/or a management office and/or one or more model homes in the Subdivision and to maintain signs therein advertising the Subdivision and to conduct its business and sales activities pertaining to the Subdivision therein and therefrom.

Except as set forth in Section 10.04, all of the above rights and interests reserved by Declarant may be exercised by Declarant without the consent or concurrence of the Association or any Member.

10.02 Amendment of Declaration by Declarant. Until Turnover, Declarant reserves unto itself the right, authority and power to amend this Declaration in any manner Declarant deems necessary and appropriate. Any amendment to this Declaration made in accordance with this

Section shall require only the signature of Declarant and shall not require the signature of any other Owner or any Mortgagee of any Owner, except as required by Section 10.04.

10.03 Rights in Regard to the Association. Until Turnover, Declarant shall have the sole and exclusive right to (1) appoint, remove and replace all of the members of the Board of Directors of the Association; (2) appoint all of the officers of the Association; (3) appoint, remove and replace the members of the Architectural Review Committee of the Association as defined in and in accordance with the Bylaws; (4) amend the Articles of Incorporation and the Bylaws; and (5) take all other action on behalf of the Association and vote on all other matters required to be voted on or approved by the members of the Association. Upon Turnover, the then-current members of the Association shall be entitled to vote on all the foregoing matters subject to any restrictions set forth in this Declaration and the Bylaws.

10.04 Consent of D.R. Horton to Certain Matters. Declarant may not exercise any rights reserved in this Article Ten, or take any action or grant any approval as Declarant under this Declaration (other than any other approval given in the ordinary course as an Owner and not as Declarant) without obtaining the prior written consent of D.R. Horton, Inc. -- Birmingham, an Alabama corporation.

10.05 Turnover. All rights of Declarant hereunder shall automatically terminate upon Turnover, except those rights that Declarant holds as an Owner and not by virtue of being the declarant under this Declaration, which shall continue as long as Declarant is an Owner.

ARTICLE ELEVEN

INSURANCE; CASUALTY

11.01 Insurance on Common Area. The Association shall obtain the insurance coverage necessary to satisfy the requirements, if any, of the Federal Home Loan Mortgage Corporation, the Federal National Mortgage Association, the U.S. Department of Veterans Affairs, and the U.S. Department of Housing and Urban Development, as applicable to the Subdivision. Without limiting the foregoing, the Board shall obtain casualty insurance for all insurable improvements, whether or not located on the Common Area, which the Association is obligated to maintain. This insurance shall provide, at a minimum, fire and extended coverage and shall be in an amount sufficient to cover the full replacement cost of any repair or reconstruction in the event of damage or destruction from any such hazard. The Board shall obtain a public liability policy applicable to the Common Area covering the Association and its Members for all damage or injury caused by the negligence of the Association or any of its Members or agents, and, if reasonably available, directors' and officers' liability insurance. Policies may contain a reasonable deductible as determined by the Board. In addition to the other insurance required by this section, the Board shall obtain worker's compensation insurance, if and to the extent necessary to satisfy the requirements of applicable laws, and a fidelity bond or bonds on directors, officers, employees and other persons handling or responsible for the Association's funds, if reasonably available. If obtained, the amount of fidelity coverage shall cover the maximum funds that will be in the custody of the Association or its management agent at any time while the policy is in force, or any lesser amount of fidelity coverage allowable under the applicable Fannie Mae guidelines. Fidelity

coverage shall contain a waiver of all defenses based upon the exclusion of persons serving without compensation. All such insurance coverage shall be written in the name of the Association. The expense of all insurance coverage obtained by the Association in accordance with this Section shall be a Common Expense.

11.02 Individual Insurance. By virtue of taking title to a Lot subject to the terms of this Declaration, each Owner acknowledges that the Association has no obligation to provide any insurance for any portion of individual Lots and each Owner covenants and agrees with all other Owners and with the Association that each Owner shall carry all-risk casualty insurance on the Lot and all structures constructed thereon and a liability policy covering damage or injury occurring on a Lot. The casualty insurance shall cover loss or damage by fire and other hazards commonly insured under an all-risk policy, if reasonably available and shall be in an amount sufficient to cover the full replacement cost of any repair or reconstruction in the event of damage or destruction from any such hazard. The policies required hereunder shall be in effect at all times.

11.03 Damage and Destruction – Insured by Association. Not later than ninety (90) days after damage or destruction by fire or other casualty to any portion of any improvement covered by insurance written in the name of the Association, the Board or its duly authorized agent shall proceed with the filing and adjustment of all claims arising under such insurance and obtain reliable and detailed estimates of the cost of repair or reconstruction of the damaged or destroyed property. Repair or reconstruction, as used in this Section, means repairing or restoring the property to substantially the same condition and location that existed prior to the fire or other casualty, allowing for any changes or improvements necessitated by changes in applicable building codes. Any damage or destruction to property covered by insurance written in the name of the Association shall be repaired or reconstructed unless, within 120 days after the casualty, a proposal not to repair or reconstruct such property is approved by at least seventy-five percent (75%) of the voting interests of the Members. If for any reason either the amount of the insurance proceeds to be paid as a result of such damage or destruction, or reliable and detailed estimates of the cost of repair or reconstruction, or both, are not made available to the Association within such period, then the period shall be extended until such information shall be made available; provided, however, such extension shall not exceed one hundred eighty (180) days. If the damage or destruction for which the insurance proceeds are paid is to be repaired or reconstructed and such proceeds are not sufficient to defray the cost thereof, the Board of Directors shall, without the necessity of a vote of the Members, levy a special Assessment against the Owner of each Lot. Additional Assessments may be made in like manner, as necessary, at any time during or following the completion of any repair or reconstruction. If the funds available from insurance exceed the costs of repair or reconstruction or if the improvements are not repaired or reconstructed, such excess shall be deposited to the benefit of the Association. In the event that it should be determined by the Association in the manner described above that the damage or destruction shall not be repaired or reconstructed and no alternative improvements are authorized, the property shall thereafter be maintained by the Association in a neat and attractive condition.

11.04 Damage and Destruction – Insured by Owners. The damage or destruction by fire or other casualty to all or any portion of any improvement on a Lot shall be repaired by the Owner thereof within ninety (90) days after such damage or destruction or, where repairs cannot be completed within ninety (90) days, they shall be commenced within such period and shall be

completed within a reasonable time thereafter. Alternatively, the Owner may elect to demolish all improvements on the Lot and remove all debris therefrom within ninety (90) days after such damage or destruction.

ARTICLE TWELVE MISCELLANEOUS

12.01 Savings. If any provision or provisions of this Declaration, or any article, section, sentence, clause, phrase, or word herein, or the application thereof, is in any circumstances held invalid, the validity of the remainder of this Declaration and the application thereof shall not be affected thereby.

12.02 Captions. The captions in this Declaration are for convenience only and are not a part of this Declaration and do not in any way limit or amplify the terms and provisions of this Declaration.

12.03 Applicable Law. The laws of the State of Mississippi shall govern this Declaration. All actions or proceedings in any way, manner or respect, arising out of or from or related to this Declaration shall be litigated only in courts having situs within the county in which the Subdivision is located. Each Owner hereby consents and submits to the jurisdiction of any local, state or federal court located within said county and state and hereby waives any rights it may have to transfer or change the venue of any such litigation. The prevailing party in any litigation in connection with this Declaration shall be entitled to recover from the other party all costs and expenses, including, without limitation, fees of attorneys and paralegals, incurred by such party in connection with any such litigation.

12.04 Effect of Waiver or Consent. A waiver or consent, express or implied, to or of any breach or default by any Person in the performance by that Person of its obligations hereunder is not a consent or waiver to or of any breach or default in the performance by that Person of the same or any other obligations of that Person. Failure on the part of a Person to complain of any act or to declare any Person in default hereunder, irrespective of how long that failure continues, does not constitute a waiver by that Person of its rights with respect to that default.

12.05 Headings. The headings and captions herein are used solely as a matter of convenience and shall not define, limit or expand any term or provision of this Declaration.

12.06 Interpretation. The provisions of this Declaration shall be liberally construed to effectuate its purpose of creating a uniform plan for the development and operation of a subdivision in accordance with Mississippi law. Failure to enforce any provision hereof shall not constitute a waiver of the right to enforce said provision or any other provision hereof.

12.07 Notice. All notices required or desired under this Declaration to be sent to the Association shall be sent certified mail, return receipt requested, by hand delivery or by a recognized overnight courier who maintains verification of delivery, to the Secretary of the Association, at such address as the Association may designate from time to time by notice in

writing to all Owners. All notices to any Owner shall be delivered by hand delivery, by a recognized overnight courier who maintains verification of delivery in person, or sent by first (1st) class mail to the address of such Owner's Lot, or to such other address as he may have designated from time to time, in a writing duly received, to the Association.

12.08 Conflict Between Documents. If there is any conflict or inconsistency between the terms and conditions of this Declaration and the terms and conditions of the Articles of Incorporation, the Bylaws or any rules and regulations promulgated hereunder, the terms and conditions of this Declaration shall control. If there is any conflict or inconsistency between the terms and conditions of the Articles of Incorporation and the terms and conditions of the Bylaws or any rules and regulations promulgated hereunder, the terms and conditions of the Articles of Incorporation shall control. If there is any conflict or inconsistency between the terms and conditions of the Bylaws and the terms and conditions of any rules and regulations promulgated hereunder, the terms and conditions of the Bylaws shall control.

[Remainder of Page Intentionally Left Blank]

IN WITNESS WHEREOF, Declarant has executed this Declaration by and through its duly authorized representative as of the date first set forth above.

DECLARANT:

GULF COAST DEVELOPMENT & DESIGN,
LLC, a Mississippi limited liability company

By: _____
Name: Kenneth Jones
As Its: Authorized Member

STATE OF MISSISSIPPI :
COUNTY OF HARRISON :

Personally appeared before me, the undersigned authority in and for the said county and state, on this ____ day of _____, 2023, within my jurisdiction, the within named Kenneth Jones, who acknowledged that he, as Authorized Member of Gulf Coast Development & Design, LLC, a Mississippi limited liability company, and that for and on behalf of the said limited liability company, and as its act and deed he executed the above and foregoing instrument, after first having been duly authorized by said limited liability company so to do.

{SEAL}

NOTARY PUBLIC
My Commission Expires: _____

EXHIBIT "A"
DESCRIPTION OF THE SUBDIVISION PROPERTY

All property within the Swan Landing Estates Subdivision as shown on the plat recorded in Plat Book _____, Page _____ in the Office of the Chancery Clerk of Harrison County, First Judicial District, Mississippi.

WETLAND DELINEATION REPORT

+/- 80-Acre North Swan Project Area
Gulfport, Harrison County, MS

Prepared by
Dylan Bartlett, B.S.
Anna Grace Boxx, B.S.
Randy Ellis, B.S.

Ecological Asset Management, LLC

Environmental Consulting and Restoration
803 Highway 90
Bay St. Louis, MS 39520

June 2, 2022

CONFIDENTIAL

WETLAND DELINEATION REPORT
+/- 80- Acre North Swan Project Area
Section 27, Township 6-South, Range 11-West
Gulfport, Harrison County, Mississippi

Introduction

Ecological Asset Management, LLC (EAM) was retained by Engineering Xcellence to conduct a wetland delineation and provide a report for the +/- 80-acre project area (Figure 1) described above. The following sections present EAM's methods, hydrology, vegetation, soils, and conclusion.

Methods

Prior to the field investigation, a variety of in-house data, maps and reports as well as area specific digital repositories were researched and gathered to assist in identifying potential wetlands on the property. Examples of detailed in-house data includes digital elevation models (DEM) compiled from LIDAR elevation data (USGS, 2014), high accuracy true color and Infrared aerial imagery. The field investigation, conducted on May 19, 20, 23 & 24, 2022, was performed according to the wetland delineation definition and procedures outlined in the 1987 Corps of Engineers Wetland Delineation Manual (USACE, 1987) with the Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Atlantic and Gulf Coastal Plain Region (USACE, 2010). An area is a wetland, according to the procedure, if positive wetland indicators are found for each of the three criteria (hydrology, vegetation, and soils). If positive wetland indicators are not found for any of the three criteria, the area cannot be determined a wetland.

Hydrology

The local hydrology was investigated extensively throughout the project area. It was determined that the natural hydrology has not been recently altered. Most on-site drainage is directed into a centralized wetland drain that encourages flow off-site to the southwest. Within the northern portion of the property, a less confined wetland area exists within flatter areas of lower elevation. This feature funnels excess drainage southward into the site's primary system. Additionally, a distinct system traverses the site's southeastern property corner. This system directs drainage from the northeast southwestward.

Vegetation

The subject property contains a mixed forested/shrub upland vegetative community, and a freshwater forested/shrub wetland vegetative community.

The mixed forested/shrub upland vegetative community is dominated by *Nyssa sylvatica* (Black Tupelo), *Magnolia virginiana* (Sweetbay Magnolia), *Pinus palustris* (Longleaf Pine), *Quercus nigra* (Water Oak), *Ilex coriacea* (Large Gallberry) and *Ilex vomitoria* (Yaupon).

The freshwater forested/shrub wetland vegetative community is dominated by *Magnolia virginiana* (Sweetbay Magnolia), *Cyrilla racemiflora* (Swamp Titi), *Pinus palustris* (Longleaf Pine), *Ilex coriacea* (Large Gallberry) and *Vaccinium elliotii* (Elliott's Huckleberry).

Soils

The US Department of Agriculture - Natural Resource Conservation Service's Web Soil Survey shows the following soil map units in the project area: Atmore silt loam, 0 to 2 percent slopes (At), Poarch fine sandy loam, 0 to 2 percent slopes (PoA), Poarch fine sandy loam, 2 to 5 percent slopes (PoB) and Ponzer and Smithton soils (Ps) (USDA-NRCS. Accessed May 24, 2022).

According to the Soil Survey of Harrison County, Mississippi (USDA-SCS, 1975) Atmore silt loam, 0 to 2 percent slopes (At), are poorly drained soils on broad flats. Permeability is moderate in the upper part and slow in the lower part. The available water capacity is medium to high. The water table is at the surface during wet periods. Runoff is slow.

Poarch fine sandy loam, 0 to 2 percent slopes (PoA), is a well-drained soil typically found on broad upland flats. It is strongly to very strongly acid with moderate to moderately slow permeability throughout. It has a slow runoff with medium available water capacity.

Poarch fine sandy loam, 2 to 5 percent slopes (PoB), is a well-drained soil on ridges. The soil is strongly acid of very strongly acid. Permeability is moderate in the upper part and moderately slow in the lower part. Available water capacity is medium. Runoff is slow to medium.

Ponzer and Smithton soils, 0 to 2 percent slopes (Ps), are poorly to very poorly drained soils found in low-lying flats and depressions. The soil is strongly acid of extremely acid. Permeability is moderate in the upper part but moderately slow in the lower part. The available water capacity is medium. There is a high water-table and little to no runoff.

The detailed soil profile descriptions of sample sites can be found in Appendix A. The hydric indicator "1 cm Muck" (A9) was observed in Plot 2. The hydric indicators "Sandy Redox" (S5) and "Depleted Matrix" (F3) were observed in Plots 5 and 6.

Conclusion

Positive wetland indicators were found for hydrology, vegetation, and soils on +/- 30.21 acres of the +/- 80.0-acre project area. This wetland delineation was performed using approved federal guidelines and procedures. In the professional opinion of EAM's field personnel, each specified area satisfies the criteria to be a wetland or waters of the US pursuant to the Army Corps of Engineers' Regional Supplement and appropriate guidance and pursuant to confirmation by appropriate regulatory staff including but not limited to the Army Corps of Engineers. **However, final authority for jurisdictional determinations within the subject property resides with the U.S. Army Corps of Engineers, Mobile District.**

References

University of California Davis-Land, Air and Water Resources (UCD-LAWR). 2018. "California Soil Research Lab (CSRL) processing data for the Soil Survey Geographic Database (SSURGO)." Retrieved from: https://casoilresource.lawr.ucdavis.edu/soil_web/ssurgo.php?action=list_mapunits&areasybol=ms047 . Mississippi, USA

US Army Corps of Engineers Environmental Laboratory (USACE). 1987. "Corps of Engineers Wetlands Delineation Manual," U.S. Army Engineers Waterways Experiment Station, Vicksburg, MS.

US Army Corps of Engineers Environmental Laboratory (USACE). 2010. "Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Atlantic and Gulf Coastal Plain Region (Version 2.0)." U.S. Army Engineers Waterways Experiment Station, Vicksburg, MS.

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US Department of Agriculture-Natural Resources Conservation Service (USDA-NRCS). "Web Soil Survey (WSS)" Retrieved on May 24, 2022, from: <http://websoilsurvey.sc.egov.usda.gov/App/WebSoilSurvey.aspx>

US Department of Agriculture-Soil Conservation Service (USDA-SCS). 1975. "Soil Survey of Harrison County, Mississippi," USDA Natural Resources Conservation Service. Washington, D.C.

US Geologic Survey (USGS). 2014. "Mississippi Coastal QL2 Lidar with 3DEP Extension Lidar 0.7m NPS Lidar Data Acquisition and Processing Production Task, USGS Contract No. G10PC00057, Task Order No. G15PD00091," Contractor, Woolpert, Inc., DEMs distributed by: Mississippi Automated Resource Information System (MARIS).

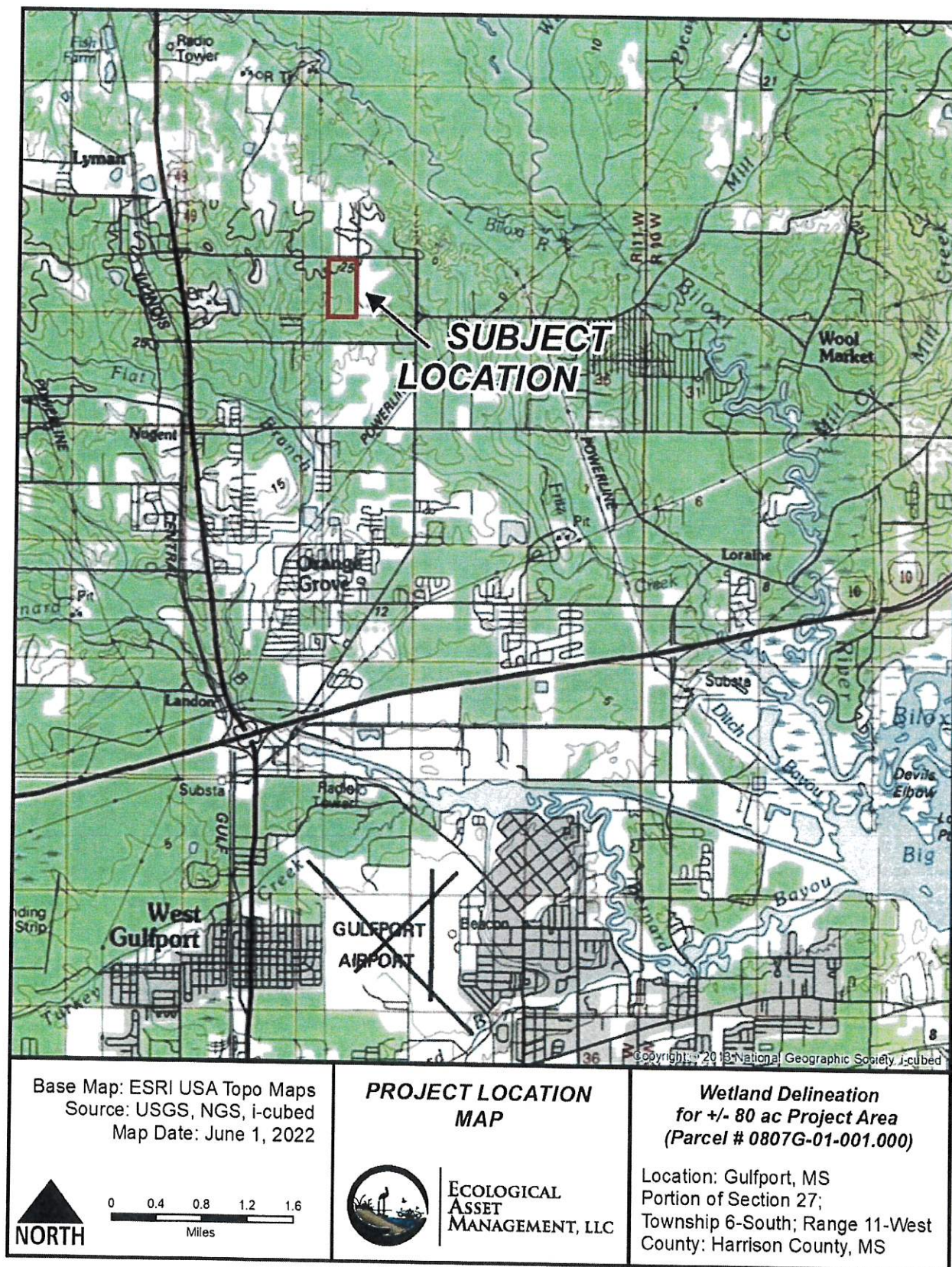


Figure 1: Project Location of the +/- 80-acre North Swan project area; Gulfport, Harrison County, MS.

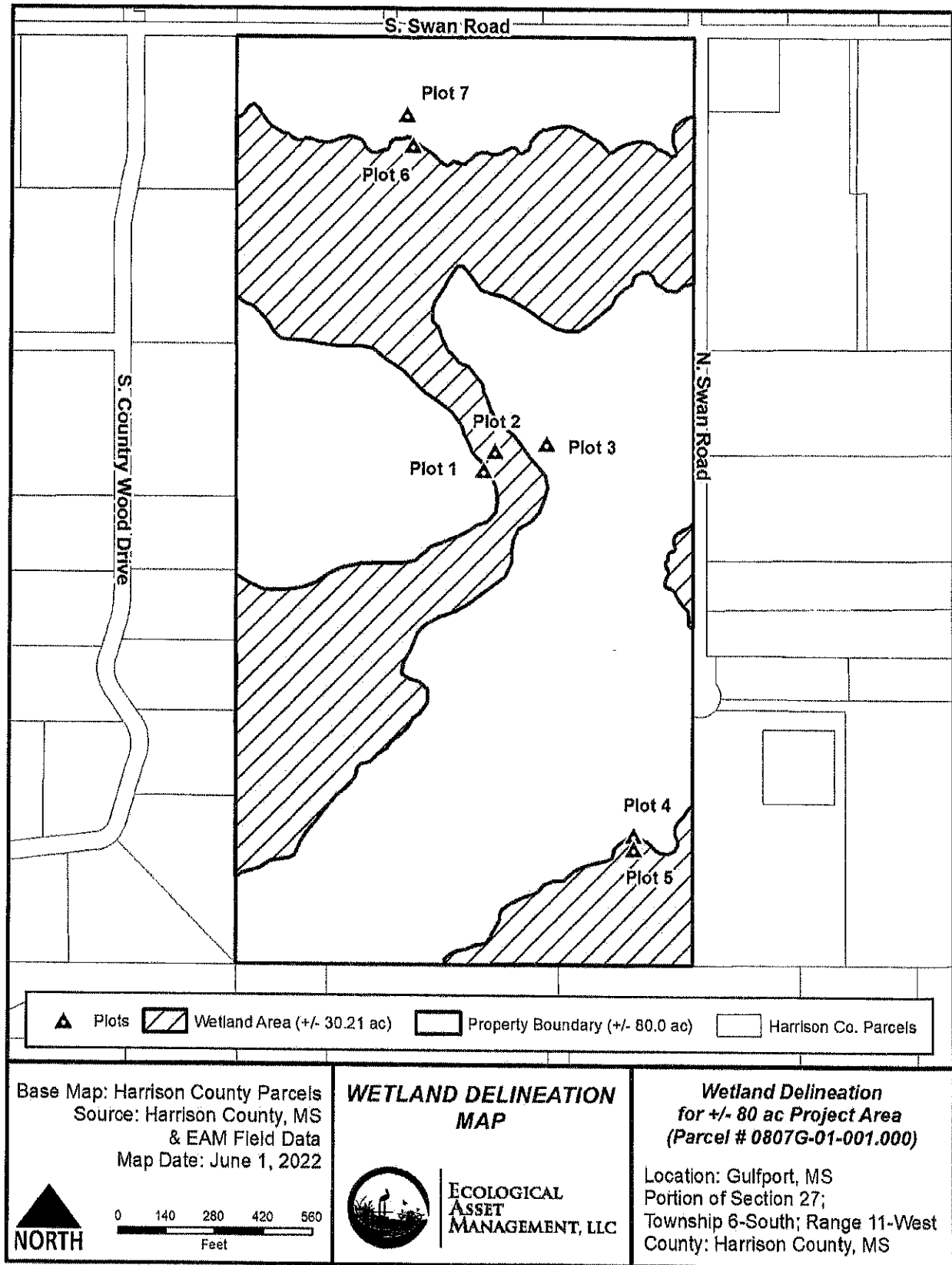


Figure 2: Wetland Delineation Map of the +/- 80-acre North Swan project area; Gulfport, Harrison County, MS.

Appendix A

Wetland Determination Data Forms

WETLAND DETERMINATION DATA FORM - Atlantic and Gulf Coastal Plain Region

Project/Site: 80 ac North Swan City/County: Harrison Sampling Date: 19-May-22
 Applicant/Owner: Engineering Excellence State: MS Sampling Point: Plot 1
 Investigator(s): R. Ellis, D. Bartlett & A.G. Boxx Section, Township, Range: S 27 T 6-S R 11-W
 Landform (hillslope, terrace, etc.): _____ Local relief (concave, convex, none): _____ Slope: 0.0 % / 0.0 °
 Subregion (LRR or MLRA): LRR T Lat.: 30° 29' 22.101" N Long.: 89° 4' 49.077" W Datum: _____
 Soil Map Unit Name: Poarch fine sandy loam, 0 to 2 percent slopes (PoA) NWI classification: N/A

Are climatic/hydrologic conditions on the site typical for this time of year? Yes ☒ No ☐ (If no, explain in Remarks.)
 Are Vegetation ☐ , Soil ☐ , or Hydrology ☐ significantly disturbed? Are "Normal Circumstances" present? Yes ☒ No ☐
 Are Vegetation ☐ , Soil ☐ , or Hydrology ☐ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS - Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present? Yes ☒ No ☐	Is the Sampled Area within a Wetland? Yes ☐ No ☒
Hydric Soil Present? Yes ☐ No ☒	
Wetland Hydrology Present? Yes ☐ No ☒	
Remarks:	

HYDROLOGY

Wetland Hydrology Indicators: Primary Indicators (minimum of one required; check all that apply) ☐ Surface Water (A1) ☐ Aquatic Fauna (B13) ☐ High Water Table (A2) ☐ Marl Deposits (B15) (LRR U) ☐ Saturation (A3) ☐ Hydrogen Sulfide Odor (C1) ☐ Water Marks (B1) ☐ Oxidized Rhizospheres along Living Roots (C3) ☐ Sediment Deposits (B2) ☐ Presence of Reduced Iron (C4) ☐ Drift Deposits (B3) ☐ Recent Iron Reduction in Tilled Soils (C6) ☐ Algal Mat or Crust (B4) ☐ Thin Muck Surface (C7) ☐ Iron Deposits (B5) ☐ Other (Explain in Remarks) ☐ Inundation Visible on Aerial Imagery (B7) ☐ Water-Stained Leaves (B9)		Secondary Indicators (minimum of 2 required) ☐ Surface Soil Cracks (B6) ☐ Sparsely Vegetated Concave Surface (B8) ☐ Drainage Patterns (B10) ☐ Moss Trim Lines (B16) ☐ Dry Season Water Table (C2) ☐ Crayfish Burrows (C8) ☐ Saturation Visible on Aerial Imagery (C9) ☐ Geomorphic Position (D2) ☐ Shallow Aquitard (D3) ☒ FAC-Neutral Test (D5) ☐ Sphagnum moss (D8) (LRR T, U)
Field Observations: Surface Water Present? Yes ☐ No ☒ Depth (inches): _____ Water Table Present? Yes ☐ No ☒ Depth (inches): _____ Saturation Present? (includes capillary fringe) Yes ☐ No ☒ Depth (inches): _____		Wetland Hydrology Present? Yes ☐ No ☒
Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available: 		
Remarks: mid 3% slope		

VEGETATION (Five/Four Strata) - Use scientific names of plants.

Tree Stratum (Plot size: 30m)		Dominant Species?		Indicator Status		Sampling Point: Plot 1	
	Absolute % Cover	Rel. Strat. Cover					
1. <i>Magnolia virginiana</i>	30	☒ 46.2%	FACW	Dominance Test worksheet: Number of Dominant Species That are OBL, FACW, or FAC: <u>4</u> (A) Total Number of Dominant Species Across All Strata: <u>4</u> (B) Percent of dominant Species That Are OBL, FACW, or FAC: <u>100.0%</u> (A/B) Prevalence Index worksheet: Total % Cover of: Multiply by: OBL species <u>0</u> x 1 = <u>0</u> FACW species <u>11.5</u> x 2 = <u>23.0</u> FAC species <u>36</u> x 3 = <u>108</u> FACU species <u>10</u> x 4 = <u>40</u> UPL species <u>0</u> x 5 = <u>0</u> Column Totals: <u>161</u> (A) <u>378</u> (B) Prevalence Index = B/A = <u>2.348</u>			
2. <i>Quercus nigra</i>	5	☐ 7.7%	FAC				
3. <i>Nyssa sylvatica</i>	20	☒ 30.3%	FAC				
4. <i>Pinus palustris</i>	10	☐ 15.4%	FACU				
5.	0	☐ 0.0%					
6.	0	☐ 0.0%					
7.	0	☐ 0.0%					
8.	0	☐ 0.0%					
50% of Total Cover: <u>32.5</u> 20% of Total Cover: <u>13</u> <u>65</u> = Total Cover							
Sapling or Sapling/Shrub Stratum (Plot size: 30m)		Dominant Species?		Indicator Status			
	Absolute % Cover	Rel. Strat. Cover					
1. <i>Ilex coriacea</i>	70	☒ 81.4%	FACW	Hydrophytic Vegetation Indicators: ☐ 1 - Rapid Test for Hydrophytic Vegetation ☒ 2 - Dominance Test is > 50% ☒ 3 - Prevalence Index is ≥ 3.0 ¹ ☐ Problematic Hydrophytic Vegetation ¹ (Explain) ¹ Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.			
2. <i>Acer rubrum</i>	3	☐ 3.5%	FAC				
3. <i>Vaccinium ellipticum</i>	5	☐ 5.8%	FACW				
4. <i>Ilex vomitoria</i>	8	☐ 9.3%	FAC				
5.	0	☐ 0.0%					
6.	0	☐ 0.0%					
7.	0	☐ 0.0%					
8.	0	☐ 0.0%					
50% of Total Cover: <u>43</u> 20% of Total Cover: <u>17.2</u> <u>85</u> = Total Cover							
Shrub Stratum (Plot size: 30m)		Dominant Species?		Indicator Status			
	Absolute % Cover	Rel. Strat. Cover					
1.	0	☐ 0.0%		Definition of Vegetation Strata: Tree - Woody plants, excluding woody vines, approximately 20 ft (6 m) or more in height and 3 in. (7.6 cm) or larger in diameter at breast height (DBH). Sapling - Woody plants, excluding woody vines, approximately 20 ft (6 m) or more in height and less than 3 in. (7.6 cm) DBH. Sapling/Shrub - Woody plants, excluding vines, less than 3 in. DBH and greater than 3.28 ft (1 m) tall. Shrub - Woody plants, excluding woody vines, approximately 3 to 20 ft (1 to 6 m) in height. Herb - All herbaceous (non-woody) plants, including herbaceous vines, regardless of size, and woody plants, except woody vines, less than approximately 3 ft (1 m) in height. Woody vine - All woody vines, regardless of height.			
2.	0	☐ 0.0%					
3.	0	☐ 0.0%					
4.	0	☐ 0.0%					
5.	0	☐ 0.0%					
6.	0	☐ 0.0%					
50% of Total Cover: <u>0</u> 20% of Total Cover: <u>0</u> <u>0</u> = Total Cover							
Herb Stratum (Plot size: 30m)		Dominant Species?		Indicator Status			
	Absolute % Cover	Rel. Strat. Cover					
1. <i>Ilex coriacea</i>	10	☒ 100.0%	FACW	Hydrophytic Vegetation Present? Yes ☒ No ☐			
2.	0	☐ 0.0%					
3.	0	☐ 0.0%					
4.	0	☐ 0.0%					
5.	0	☐ 0.0%					
6.	0	☐ 0.0%					
7.	0	☐ 0.0%					
8.	0	☐ 0.0%					
9.	0	☐ 0.0%					
10.	0	☐ 0.0%					
11.	0	☐ 0.0%					
12.	0	☐ 0.0%					
50% of Total Cover: <u>5</u> 20% of Total Cover: <u>2</u> <u>10</u> = Total Cover							
Woody Vine Stratum (Plot size: 30m)		Dominant Species?		Indicator Status			
	Absolute % Cover	Rel. Strat. Cover					
1.	0	☐ 0.0%					
2.	0	☐ 0.0%					
3.	0	☐ 0.0%					
4.	0	☐ 0.0%					
5.	0	☐ 0.0%					
50% of Total Cover: <u>0</u> 20% of Total Cover: <u>0</u> <u>0</u> = Total Cover							

Remarks: (If observed, list morphological adaptations below).

*Indicator suffix = National status or professional decision assigned because Regional status not defined by FWS.

Sampling Point: Plot 1

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

¹Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains ²Location: PL=Pore Lining, M=Matrix

Indicators for Problematic Hydric Soils³:

- ³Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Type: _____
Depth (Inches): _____

Hydric Soil Present? Yes ☐ No ☒

top layer - low chroma but dry

WETLAND DETERMINATION DATA FORM - Atlantic and Gulf Coastal Plain Region

Project/Site: 80 ac North Swan City/County: Harrison Sampling Date: 19-May-22
 Applicant/Owner: Engineering Excellence State: MS Sampling Point: Plot 2
 Investigator(s): R. Ellis, D. Bartlett & A.G. Boxx Section, Township, Range: S 27 T 6-S R 11-W
 Landform (hillslope, terrace, etc.): _____ Local relief (concave, convex, none): _____ Slope: 0.0 % / 0.0 °
 Subregion (LRR or MLRA): LRR T Lat: 30° 29' 22.652" N Long: 89° 4' 48.709" W Datum: _____
 Soil Map Unit Name: Poarch fine sandy loam, 2 to 5 percent slopes (PoB) NWT classification: PFO4/SS3B

Are climatic/hydrologic conditions on the site typical for this time of year? Yes ☒ No ☐ (If no, explain in Remarks.)
 Are Vegetation ☐ , Soil ☐ , or Hydrology ☐ significantly disturbed? Are "Normal Circumstances" present? Yes ☒ No ☐
 Are Vegetation ☐ , Soil ☐ , or Hydrology ☐ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS - Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present? Yes ☒ No ☐	Is the Sampled Area within a Wetland? Yes ☒ No ☐
Hydric Soil Present? Yes ☒ No ☐	
Wetland Hydrology Present? Yes ☒ No ☐	
Remarks:	

HYDROLOGY

Wetland Hydrology Indicators: Primary Indicators (minimum of one required; check all that apply) ☐ Surface Water (A1) ☐ Aquatic Fauna (B13) ☒ High Water Table (A2) ☐ Marl Deposits (B15) (LRR U) ☒ Saturation (A3) ☐ Hydrogen Sulfide Odor (C1) ☐ Water Marks (B1) ☐ Oxidized Rhizospheres along Living Roots (C3) ☐ Sediment Deposits (B2) ☐ Presence of Reduced Iron (C4) ☐ Drift Deposits (B3) ☐ Recent Iron Reduction in Tilled Soils (C6) ☐ Algal Mat or Crust (B4) ☐ Thin Muck Surface (C7) ☐ Iron Deposits (B5) ☐ Other (Explain in Remarks) ☐ Inundation Visible on Aerial Imagery (B7) ☒ Water-Stained Leaves (B9)		Secondary Indicators (minimum of 2 required) ☐ Surface Soil Cracks (B6) ☐ Sparsely Vegetated Concave Surface (B8) ☒ Drainage Patterns (B10) ☐ Moss Trim Lines (B16) ☐ Dry Season Water Table (C2) ☐ Crayfish Burrows (C8) ☐ Saturation Visible on Aerial Imagery (C9) ☐ Geomorphic Position (D2) ☐ Shallow Aquitard (D3) ☒ FAC-Neutral Test (D5) ☒ Sphagnum moss (D8) (LRR T, U)
Field Observations: Surface Water Present? Yes ☐ No ☒ Depth (inches): _____ Water Table Present? Yes ☒ No ☐ Depth (inches): <u>8</u> Saturation Present? (includes capillary fringe) Yes ☒ No ☐ Depth (inches): <u>0</u>	Wetland Hydrology Present? Yes ☒ No ☐	
Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:		
Remarks:		

VEGETATION (Five/Four Strata) - Use scientific names of plants.

Tree Stratum (Plot size: 30m)				Dominant Species?		Sampling Point: Plot 2	
Species	Absolute % Cover	Rel. Strat. Cover	Indicator	Status	Dominance Test worksheet:		
1. <i>Acer rubrum</i>	20	☐ 17.4%	FAC		Number of Dominant Species That are OBL, FACW, or FAC: <u>7</u> (A)		
2. <i>Magnolia virginiana</i>	40	☒ 34.8%	FACW				
3. <i>Nyssa sylvatica</i>	10	☐ 8.7%	FAC		Total Number of Dominant Species Across All Strata: <u>7</u> (B)		
4. <i>Quercus nigra</i>	5	☐ 4.3%	FAC				
5. <i>Cyrilla racemiflora</i>	40	☒ 34.8%	FACW		Percent of dominant Species That Are OBL, FACW, or FAC: <u>100.0%</u> (A/B)		
6. _____	0	☐ 0.0%					
7. _____	0	☐ 0.0%			Prevalence Index worksheet:		
8. _____	0	☐ 0.0%					
50% of Total Cover: <u>57.5</u> 20% of Total Cover: <u>23</u> <u>115</u> = Total Cover				Total % Cover of: _____ Multiply by: _____ OBL species <u>0</u> x 1 = <u>0</u> FACW species <u>103</u> x 2 = <u>206</u> FAC species <u>42</u> x 3 = <u>126</u> FACU species <u>0</u> x 4 = <u>0</u> UPL species <u>0</u> x 5 = <u>0</u> Column Totals: <u>145</u> (A) <u>332</u> (B) Prevalence Index = B/A = <u>2.290</u>			
Sapling or Sapling/Shrub Stratum (Plot size: 30m)						Hydrophytic Vegetation Indicators:	
Species	Absolute % Cover	Rel. Strat. Cover	Indicator	Status			
1. <i>Ilex coriacea</i>	10	☒ 52.6%	FACW		☐ 1 - Rapid Test for Hydrophytic Vegetation ☒ 2 - Dominance Test is > 50% ☒ 3 - Prevalence Index is ≤ 3.0 ¹ ☐ Problematic Hydrophytic Vegetation ¹ (Explain)		
2. <i>Magnolia virginiana</i>	6	☒ 31.6%	FACW				
3. <i>Acer rubrum</i>	3	☐ 15.8%	FAC		¹ Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.		
4. _____	0	☐ 0.0%					
5. _____	0	☐ 0.0%			Definition of Vegetation Strata:		
6. _____	0	☐ 0.0%					
7. _____	0	☐ 0.0%			Tree - Woody plants, excluding woody vines, approximately 20 ft (6 m) or more in height and 3 in. (7.6 cm) or larger in diameter at breast height (DBH). Sapling - Woody plants, excluding woody vines, approximately 20 ft (6 m) or more in height and less than 3 in. (7.6 cm) DBH. Sapling/Shrub - Woody plants, excluding vines, less than 3 in. DBH and greater than 3.28 ft (1 m) tall. Shrub - Woody plants, excluding woody vines, approximately 3 to 20 ft (1 to 6 m) in height. Herb - All herbaceous (non-woody) plants, including herbaceous vines, regardless of size, and woody plants, except woody vines, less than approximately 3 ft (1 m) in height. Woody vine - All woody vines, regardless of height.		
8. _____	0	☐ 0.0%					
50% of Total Cover: <u>9.5</u> 20% of Total Cover: <u>3.8</u> <u>19</u> = Total Cover							
Shrub Stratum (Plot size: 30m)						Hydrophytic Vegetation Present? Yes ☒ No ☐	
Species	Absolute % Cover	Rel. Strat. Cover	Indicator	Status			
1. _____	0	☐ 0.0%			Remarks: (If observed, list morphological adaptations below).		
2. _____	0	☐ 0.0%					
3. _____	0	☐ 0.0%			*Indicator suffix = National status or professional decision assigned because Regional status not defined by FWS.		
4. _____	0	☐ 0.0%					
5. _____	0	☐ 0.0%			US Army Corps of Engineers		
6. _____	0	☐ 0.0%					
50% of Total Cover: <u>0</u> 20% of Total Cover: <u>0</u> <u>0</u> = Total Cover				Atlantic and Gulf Coastal Plain Region - Version 2.0			
Herb Stratum (Plot size: 30m)							
Species	Absolute % Cover	Rel. Strat. Cover	Indicator	Status			
1. <i>Rhynchospora laxiflora</i>	4	☒ 44.4%	FACW				
2. <i>Ilex coriacea</i>	3	☒ 33.3%	FACW				
3. <i>Ilex vomitoria</i>	2	☒ 22.2%	FAC				
4. _____	0	☐ 0.0%					
5. _____	0	☐ 0.0%					
6. _____	0	☐ 0.0%					
7. _____	0	☐ 0.0%					
8. _____	0	☐ 0.0%					
9. _____	0	☐ 0.0%					
10. _____	0	☐ 0.0%					
11. _____	0	☐ 0.0%					
12. _____	0	☐ 0.0%					
50% of Total Cover: <u>4.5</u> 20% of Total Cover: <u>1.8</u> <u>9</u> = Total Cover							
Woody Vine Stratum (Plot size: 30m)							
Species	Absolute % Cover	Rel. Strat. Cover	Indicator	Status			
1. <i>Vitis rotundifolia</i>	2	☐ 100.0%	FAC				
2. _____	0	☐ 0.0%					
3. _____	0	☐ 0.0%					
4. _____	0	☐ 0.0%					
5. _____	0	☐ 0.0%					
50% of Total Cover: <u>1</u> 20% of Total Cover: <u>0.4</u> <u>2</u> = Total Cover							

SOIL

Sampling Point: Plot 2

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth (inches)	Matrix			Redox Features			Texture	Remarks
	Color (moist)	%		Color (moist)	%	Type ¹ Log ²		
0-15	10YR	3/1	100				Silty Loam	
15-20								
20-25								
25-30								
30-35								
35-40								
40-45								
45-50								
50-55								
55-60								
60-65								
65-70								
70-75								
75-80								
80-85								
85-90								
90-95								
95-100								

¹Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains ²Location: PL=Pore Lining, M=Matrix

Hydric Soil Indicators:

- ☐ Histosol (A1)
- ☐ Histic Epipedon (A2)
- ☐ Black Histic (A3)
- ☐ Hydrogen Sulfide (A4)
- ☐ Stratified Layers (A5)
- ☐ Organic Bodias (A6) (LRR P, T, U)
- ☐ 5 cm Mucky Mineral (A7) (LRR P, T, U)
- ☐ Muck Presence (A8) (LRR U)
- ☒ 1 cm Muck (A9) (LRR P, T)
- ☐ Depleted Below Dark Surface (A11)
- ☐ Thick Dark Surface (A12)
- ☐ Coast Prairie Redox (A16) (MLRA 150A)
- ☐ Sandy Muck Mineral (S1) (LRR O, S)
- ☐ Sandy Gleyed Matrix (S4)
- ☐ Sandy Redox (S5)
- ☐ Stripped Matrix (S6)
- ☐ Dark Surface (S7) (LRR P, S, T, U)

- ☐ Polyvalue Below Surface (S8) (LRR S, T, U)
- ☐ Thin Dark Surface (S9) (LRR S, T, U)
- ☐ Loamy Mucky Mineral (F1) (LRR O)
- ☐ Loamy Clayed Matrix (F2)
- ☐ Depleted Matrix (F3)
- ☐ Redox Dark Surface (F6)
- ☐ Depleted Dark Surface (F7)
- ☐ Redox Depressions (F8)
- ☐ Marl (F10) (LRR U)
- ☐ Depleted Ochric (F11) (MLRA 151)
- ☐ Iron-Manganese Masses (F12) (LRR O, P, T)
- ☐ Umbric Surface (F13) (LRR P, T, U)
- ☐ Delta Ochric (F17) (MLRA 151)
- ☐ Reduced Vertic (F18) (MLRA 150A, 150B)
- ☐ Pledrunt Floodplain Soils (F19) (MLRA 149A)
- ☐ Anomalous Bright Loamy Solls (F20) (MLRA 1

Indicators for Problematic Hydric Soils³

- ☐ 1 cm Muck (A9) (LRR C)
☐ 2 cm Muck (A10) (LRR S)
☐ Reduced Vertic (F18) (outside MLRA 150A,B)
☐ Piedmont Floodplain Soils (F19) (LRR P, S, T)
☐ Anomalous Bright Loamy Soils (F20) (MLRA 153B)
☐ Red Parent Material (TF2)
☐ Very Shallow Dark Surface (TF12)
☐ Other (Explain in Remarks)

³Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if observed):

Type: _____
Depth (inches): _____

Hydric Soil Present? Yes ☒ No ☐

Remarks:

WETLAND DETERMINATION DATA FORM - Atlantic and Gulf Coastal Plain Region

Project/Site: 80 ac North Swan City/County: Harrison Sampling Date: 19-May-22
 Applicant/Owner: Engineering Excellence State: MS Sampling Point: Plot 3
 Investigator(s): R. Ellis, D. Bartlett & A.G. Boxx Section, Township, Range: S 27 T 6-S R 11-W
 Landform (hillslope, terrace, etc.): _____ Local relief (concave, convex, none): _____ Slope: 0.0 % / 0.0 °
 Subregion (LRR or MLRA): LRR T Lat.: 30° 29' 22.869" N Long.: 89° 4' 46.994" W Datum: _____
 Soil Map Unit Name: Baruch fine sandy loam, 2 to 5 percent slopes (PoB) NWI classification: N/A

Are climatic/hydrologic conditions on the site typical for this time of year? Yes ☒ No ☐ (If no, explain in Remarks.)
 Are Vegetation ☐ , Soil ☐ , or Hydrology ☐ significantly disturbed? Are "Normal Circumstances" present? Yes ☒ No ☐
 Are Vegetation ☐ , Soil ☐ , or Hydrology ☐ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS - Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present? Yes ☒ No ☐	Is the Sampled Area with in a Wetland? Yes ☐ No ☒
Hydric Soil Present? Yes ☐ No ☒	
Wetland Hydrology Present? Yes ☐ No ☒	
Remarks:	

HYDROLOGY

Wetland Hydrology Indicators: Primary Indicators (minimum of one required; check all that apply) ☐ Surface Water (A1) ☐ Aquatic Fauna (B13) ☐ High Water Table (A2) ☐ Marl Deposits (B15) (LRR U) ☐ Saturation (A3) ☐ Hydrogen Sulfide Odor (C1) ☐ Water Marks (B1) ☐ Oxidized Rhizospheres along Living Roots (C3) ☐ Sediment Deposits (B2) ☐ Presence of Reduced Iron (C4) ☐ Drift Deposits (B3) ☐ Recent Iron Reduction in Tilled Soils (C6) ☐ Algal Mat or Crust (B4) ☐ Thin Muck Surface (C7) ☐ Iron Deposits (B5) ☐ Other (Explain in Remarks) ☐ Inundation Visible on Aerial Imagery (B7) ☐ Water-Stained Leaves (B9)		Secondary Indicators (minimum of 2 required) ☐ Surface Soil Cracks (B6) ☐ Sparsely Vegetated Concave Surface (B8) ☐ Drainage Patterns (B10) ☐ Moss Trim Lines (B16) ☐ Dry Season Water Table (C2) ☐ Crayfish Burrows (C8) ☐ Saturation Visible on Aerial Imagery (C9) ☐ Geomorphic Position (D2) ☐ Shallow Aquitard (D3) ☒ FAC-Natural Test (D5) ☐ Sphagnum moss (D8) (LRR T, U)
Field Observations: Surface Water Present? Yes ☐ No ☒ Depth (Inches): _____ Water Table Present? Yes ☐ No ☒ Depth (Inches): _____ Saturation Present? (includes capillary fringe) Yes ☐ No ☒ Depth (Inches): _____	Wetland Hydrology Present? Yes ☐ No ☒	
Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:		
Remarks:		

VEGETATION (Five/Four Strata) - Use scientific names of plants.

				Dominant Species?	Indicator	Sampling Point: <u>Plot 3</u>	
				Rel. Strat.	Cover	Status	
Tree Stratum (Plot size: <u>30m</u>)				Absolute % Cover			
1.	<u>Pinus palustris</u>	30	☒	60.0%	FACU		
2.	<u>Magnolia virginiana</u>	20	☒	40.0%	FACW		
3.		0	☐	0.0%			
4.		0	☐	0.0%			
5.		0	☐	0.0%			
6.		0	☐	0.0%			
7.		0	☐	0.0%			
8.		0	☐	0.0%			
50% of Total Cover: <u>25</u>		20% of Total Cover: <u>10</u>	50	= Total Cover			
Sapling or Sapling/Shrub Stratum (Plot size: <u>30m</u>)							
1.	<u>Ilex coriacea</u>	80	☒	100.0%	FACW		
2.		0	☐	0.0%			
3.		0	☐	0.0%			
4.		0	☐	0.0%			
5.		0	☐	0.0%			
6.		0	☐	0.0%			
7.		0	☐	0.0%			
8.		0	☐	0.0%			
50% of Total Cover: <u>40</u>		20% of Total Cover: <u>16</u>	80	= Total Cover			
Shrub Stratum (Plot size: <u>30m</u>)							
1.		0	☐	0.0%			
2.		0	☐	0.0%			
3.		0	☐	0.0%			
4.		0	☐	0.0%			
5.		0	☐	0.0%			
6.		0	☐	0.0%			
50% of Total Cover: <u>0</u>		20% of Total Cover: <u>0</u>	0	= Total Cover			
Herb Stratum (Plot size: <u>30m</u>)							
1.	<u>Ilex coriacea</u>	20	☒	100.0%	FACW		
2.		0	☐	0.0%			
3.		0	☐	0.0%			
4.		0	☐	0.0%			
5.		0	☐	0.0%			
6.		0	☐	0.0%			
7.		0	☐	0.0%			
8.		0	☐	0.0%			
9.		0	☐	0.0%			
10.		0	☐	0.0%			
11.		0	☐	0.0%			
12.		0	☐	0.0%			
50% of Total Cover: <u>10</u>		20% of Total Cover: <u>4</u>	20	= Total Cover			
Woody Vine Stratum (Plot size: <u>30m</u>)							
1.	<u>Smilax glauca</u>	3	☐	100.0%	FAC		
2.		0	☐	0.0%			
3.		0	☐	0.0%			
4.		0	☐	0.0%			
5.		0	☐	0.0%			
50% of Total Cover: <u>1.5</u>		20% of Total Cover: <u>0.6</u>	3	= Total Cover			

Remarks: (If observed, list morphological adaptations below).

Domination Test worksheet:

Number of Dominant Species That are OBL, FACW, or FAC: 3 (A)

Total Number of Dominant Species Across All Strata: 4 (B)

Percent of dominant Species That Are OBL, FACW, or FAC: 75.0% (A/B)

Prevalence Index worksheet

Total % Cover of:	Multiply by:
OBL species <u>0</u>	x 1 = <u>0</u>
FACW species <u>120</u>	x 2 = <u>240</u>
FAC species <u>3</u>	x 3 = <u>9</u>
FACU species <u>30</u>	x 4 = <u>120</u>
UPL species <u>0</u>	x 5 = <u>0</u>
Column Totals: <u>153</u> (A)	<u>369</u> (B)

Prevalence Index = B/A = 2.412

Hydrophytic Vegetation Indicators:

☐ 1 - Rapid Test for Hydrophytic Vegetation

☒ 2 - Dominance Test is > 50%

☒ 3 - Prevalence Index is ≤ 3.0¹

☐ Problematic Hydrophytic Vegetation¹ (Explain)

¹ Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

Definition of Vegetation Strata:

Tree - Woody plants, excluding woody vines, approximately 20 ft (6 m) or more in height and 3 in. (7.6 cm) or larger in diameter at breast height (DBH).

Sapling - Woody plants, excluding woody vines, approximately 20 ft (6 m) or more in height and less than 3 in. (7.6 cm) DBH.

Sapling/Shrub - Woody plants, excluding vines, less than 3 in. DBH and greater than 3.28 ft (1 m) tall.

Shrub - Woody plants, excluding woody vines, approximately 3 to 20 ft (1 to 6 m) in height.

Herb - All herbaceous (non-woody) plants, including herbaceous vines, regardless of size, and woody plants, except woody vines, less than approximately 3 ft (1 m) in height.

Woody vine - All woody vines, regardless of height.

Hydrophytic Vegetation Present? Yes ☒ No ☐

*Indicator suffix = National status or professional decision assigned because Regional status not defined by FWS.

SOIL

Sampling Point: Plot 3

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)								
Depth (inches)	Matrix		Redox Features			Texture	Remarks	
	Color (moist)	%	Color (moist)	%	Type ¹			
0-8	10YR	3/2	100			Fine Sandy Loam		
8-13	10YR	6/6	65	10YR	3/2	35	Fine Sandy Loam	
13-23	10YR	6/6	92	10YR	5/8	8	Fine Sandy Loam	

¹Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains ²Location: PL=Pore Lining, M=Matrix

Hydric Soil Indicators: ☐ Histosol (A1) ☐ Histic Epipedon (A2) ☐ Black Histic (A3) ☐ Hydrogen Sulfide (A4) ☐ Stratified Layers (A5) ☐ Organic Bodies (A6) (LRR P, T, U) ☐ 5 cm Mucky Mineral (A7) (LRR P, T, U) ☐ Muck Presence (A8) (LRR U) ☐ 1 cm Muck (A9) (LRR P, T) ☐ Depleted Below Dark Surface (A11) ☐ Thick Dark Surface (A12) ☐ Coast Prairie Redox (A16) (MLRA 150A) ☐ Sandy Muck Mineral (S1) (LRR O, S) ☐ Sandy Gleyed Matrix (S4) ☐ Sandy Redox (S5) ☐ Stripped Matrix (S6) ☐ Dark Surface (S7) (LRR P, S, T, U)	☐ Polyvalue Below Surface (S8) (LRR S, T, U) ☐ Thin Dark Surface (S9) (LRR S, T, U) ☐ Loamy Mucky Mineral (F1) (LRR O) ☐ Loamy Gleyed Matrix (F2) ☐ Depleted Matrix (F3) ☐ Redox Dark Surface (F6) ☐ Depleted Dark Surface (F7) ☐ Redox Depressions (F8) ☐ Marl (F10) (LRR U) ☐ Depleted Ochric (F11) (MLRA 151) ☐ Iron-Manganese Masses (F12) (LRR O, P, T) ☐ Umbric Surface (F13) (LRR P, T, U) ☐ Delta Ochric (F17) (MLRA 151) ☐ Reduced Vertic (F18) (MLRA 150A, 150B) ☐ Piedmont Floodplain Soils (F19) (MLRA 149A) ☐ Anomalous Bright Loamy Soils (F20) (MLRA 149A, 153C, 153D)	Indicators for Problematic Hydric Soils³: ☐ 1 cm Muck (A9) (LRR O) ☐ 2 cm Muck (A10) (LRR S) ☐ Reduced Vertic (F18) (outside MLRA 150A,B) ☐ Piedmont Floodplain Soils (F19) (LRR P, S, T) ☐ Anomalous Bright Loamy Soils (F20) (MLRA 153B) ☐ Red Parent Material (TF2) ☐ Very Shallow Dark Surface (TF12) ☐ Other (Explain in Remarks)
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³Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (If observed): Type: _____ Depth (inches): _____	Hydric Soil Present? Yes ☐ No ☒
Remarks: Typical PoB	

WETLAND DETERMINATION DATA FORM - Atlantic and Gulf Coastal Plain Region

Project/Site: 80 ac North Swan City/County: Harrison Sampling Date: 20-May-22
 Applicant/Owner: Engineering Excellence State: MS Sampling Point: Plot 4
 Investigator(s): R. Ellis, D. Bartlett & A.G. Boxx Section, Township, Range: S 27 T 6-S R 11-W
 Landform (hillslope, terrace, etc.): _____ Local relief (concave, convex, none): _____ Slope: 0.0 % / 0.0 °
 Subregion (LRR or MLRA): LRR T Lat: 30° 29' 11.848" N Long.: 89° 4' 44.064" W Datum: _____
 Soil Map Unit Name: Poarch fine sandy loam, 0 to 2 percent slopes (PoA) NWI classification: N/A

Are climatic/hydrologic conditions on the site typical for this time of year? Yes ☒ No ☐ (If no, explain in Remarks.)
 Are Vegetation ☐ , Soil ☐ , or Hydrology ☐ significantly disturbed? Are "Normal Circumstances" present? Yes ☒ No ☐
 Are Vegetation ☐ , Soil ☐ , or Hydrology ☐ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS - Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present? Yes ☒ No ☐	Is the Sampled Area within a Wetland? Yes ☐ No ☒
Hydric Soil Present? Yes ☐ No ☒	
Wetland Hydrology Present? Yes ☐ No ☒	
Remarks:	

HYDROLOGY

Wetland Hydrology Indicators: Primary Indicators (minimum of one required; check all that apply) ☐ Surface Water (A1) ☐ Aquatic Fauna (B13) ☐ High Water Table (A2) ☐ Marl Deposits (B15) (LRR U) ☐ Saturation (A3) ☐ Hydrogen Sulfide Odor (C1) ☐ Water Marks (B1) ☐ Oxidized Rhizospheres along Living Roots (C3) ☐ Sediment Deposits (B2) ☐ Presence of Reduced Iron (C4) ☐ Drift Deposits (B3) ☐ Recent Iron Reduction in Tilled Soils (C6) ☐ Algal Mat or Crust (B4) ☐ Thin Muck Surface (C7) ☐ Iron Deposits (B5) ☐ Other (Explain in Remarks) ☐ Inundation Visible on Aerial Imagery (B7) ☐ Water-Stained Leaves (B9)		Secondary Indicators (minimum of 2 required) ☐ Surface Soil Cracks (B6) ☐ Sparsely Vegetated Concave Surface (B8) ☐ Drainage Patterns (B10) ☐ Moss Trim Lines (B16) ☐ Dry Season Water Table (C2) ☐ Crayfish Burrows (C8) ☐ Saturation Visible on Aerial Imagery (C9) ☐ Geomorphic Position (D2) ☐ Shallow Aquitard (D3) ☒ FAC-Neutral Test (D5) ☐ Sphagnum moss (D8) (LRR T, U)
Field Observations: Surface Water Present? Yes ☐ No ☒ Depth (inches): _____ Water Table Present? Yes ☐ No ☒ Depth (inches): _____ Saturation Present? (includes capillary fringe) Yes ☐ No ☒ Depth (inches): _____	Wetland Hydrology Present? Yes ☐ No ☒	
Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:		
Remarks:		

VEGETATION (Five/Four Strata) - Use scientific names of plants.

Sampling Point: Plot 4

Tree Stratum (Plot size: 30m)		Absolute % Cover	Dominant Species? Rel. Strat. Cover	Indicator Status	Dominance Test worksheet:	
1.	<i>Pinus palustris</i>	30	☒ 37.5%	FACU	Number of Dominant Species That are OBL, FACW, or FAC:	<u>3</u> (A)
2.	<i>Nyssa sylvatica</i>	10	☐ 12.5%	FAC	Total Number of Dominant Species Across All Strata:	<u>4</u> (B)
3.	<i>Morella cerifera</i>	5	☐ 6.3%	FAC	Percent of dominant Species That Are OBL, FACW, or FAC:	<u>75.0%</u> (A/B)
4.	<i>Cyrilla racemiflora</i>	15	☐ 18.8%	FACW		
5.	<i>Magnolia virginiana</i>	20	☒ 25.0%	FACW		
6.		0	☐ 0.0%			
7.		0	☐ 0.0%			
8.		0	☐ 0.0%			
50% of Total Cover: <u>40</u> 20% of Total Cover: <u>16</u>		<u>80</u>	= Total Cover			
Sapling or Sapling/Shrub Stratum (Plot size: 30m)		Absolute % Cover	Dominant Species? Rel. Strat. Cover	Indicator Status	Prevalence Index worksheet:	
1.	<i>Ilex coriacea</i>	35	☒ 100.0%	FACW	Total % Cover of:	Multiply by:
2.		0	☐ 0.0%		OBL species <u>0</u>	x 1 = <u>0</u>
3.		0	☐ 0.0%		FACW species <u>78</u>	x 2 = <u>156</u>
4.		0	☐ 0.0%		FAC species <u>13</u>	x 3 = <u>45</u>
5.		0	☐ 0.0%		FACU species <u>30</u>	x 4 = <u>120</u>
6.		0	☐ 0.0%		UPL species <u>0</u>	x 5 = <u>0</u>
7.		0	☐ 0.0%		Column Totals:	<u>123</u> (A) <u>321</u> (B)
8.		0	☐ 0.0%		Prevalence Index = B/A =	<u>2.610</u>
50% of Total Cover: <u>17.5</u> 20% of Total Cover: <u>7</u>		<u>35</u>	= Total Cover			
Shrub Stratum (Plot size: 30m)		Absolute % Cover	Dominant Species? Rel. Strat. Cover	Indicator Status	Hydrophytic Vegetation Indicators:	
1.		0	☐ 0.0%		☐ 1 - Rapid Test for Hydrophytic Vegetation	
2.		0	☐ 0.0%		☒ 2 - Dominance Test is > 50%	
3.		0	☐ 0.0%		☒ 3 - Prevalence Index is ≤ 3.0 ¹	
4.		0	☐ 0.0%		☐ Problematic Hydrophytic Vegetation ¹ (Explain)	
5.		0	☐ 0.0%		¹ Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.	
6.		0	☐ 0.0%			
50% of Total Cover: <u>0</u> 20% of Total Cover: <u>0</u>		<u>0</u>	= Total Cover			
Herb Stratum (Plot size: 30m)		Absolute % Cover	Dominant Species? Rel. Strat. Cover	Indicator Status	Definition of Vegetation Strata:	
1.	<i>Ilex coriacea</i>	8	☒ 100.0%	FACW	Tree - Woody plants, excluding woody vines, approximately 20 ft (6 m) or more in height and 3 in. (7.6 cm) or larger in diameter at breast height (DBH).	
2.		0	☐ 0.0%		Sapling - Woody plants, excluding woody vines, approximately 20 ft (6 m) or more in height and less than 3 in. (7.6 cm) DBH.	
3.		0	☐ 0.0%		Sapling/Shrub - Woody plants, excluding vines, less than 3 in. DBH and greater than 3.28 ft (1m) tall.	
4.		0	☐ 0.0%		Shrub - Woody plants, excluding woody vines, approximately 3 to 20 ft (1 to 6 m) in height.	
5.		0	☐ 0.0%		Herb - All herbaceous (non-woody) plants, including herbaceous vines, regardless of size, and woody plants, except woody vines, less than approximately 3 ft (1 m) in height.	
6.		0	☐ 0.0%		Woody vine - All woody vines, regardless of height.	
7.		0	☐ 0.0%			
8.		0	☐ 0.0%			
9.		0	☐ 0.0%			
10.		0	☐ 0.0%			
11.		0	☐ 0.0%			
12.		0	☐ 0.0%			
50% of Total Cover: <u>4</u> 20% of Total Cover: <u>1.6</u>		<u>8</u>	= Total Cover			
Woody Vine Stratum (Plot size: 30m)		Absolute % Cover	Dominant Species? Rel. Strat. Cover	Indicator Status	Hydrophytic Vegetation Present?	
1.		0	☐ 0.0%		Yes ☒ No ☐	
2.		0	☐ 0.0%			
3.		0	☐ 0.0%			
4.		0	☐ 0.0%			
5.		0	☐ 0.0%			
50% of Total Cover: <u>0</u> 20% of Total Cover: <u>0</u>		<u>0</u>	= Total Cover			
Remarks: (If observed, list morphological adaptations below).						
*Indicator suffix = National status or professional decision assigned because Regional status not defined by FWS.						

Sampling Point Plot 4

[illegible]

¹Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains ²Location: PL=Pore Lining, M=Matrix

Indicators for Problematic Hydric Soils³:

- | | | |
|---|--|---|
| ☐ Histosol (A1)
☐ Histic Epipedon (A2)
☐ Black Histic (A3)
☐ Hydrogen Sulfide (A4)
☐ Stratified Layers (A5)
☐ Organic Bodies (A6) (LRR P, T, U)
☐ 5 cm Mucky Mineral (A7) (LRR P, T, U)
☐ Muck Presence (A8) (LRR U)
☐ 1 cm Muck (A9) (LRR P, T)
☐ Depleted Below Dark Surface (A11)
☐ Thick Dark Surface (A12)
☐ Coast Prairie Redox (A16) (MLRA 150A)
☐ Sandy Muck Mineral (S1) (LRR O, S)
☐ Sandy Gleyed Matrix (S4)
☐ Sandy Redox (S5)
☐ Stripped Matrix (S6)
☐ Dark Surface (S7) (LRR P, S, T, U) | ☐ Polyvalue Below Surface (S8) (LRR S, T, U)
☐ Thin Dark Surface (S9) (LRR S, T, U)
☐ Loamy Mucky Mineral (F1) (LRR O)
☐ Loamy Gleyed Matrix (F2)
☐ Depleted Matrix (F3)
☐ Redox Dark Surface (F6)
☐ Depleted Dark Surface (F7)
☐ Redox Depressions (F8)
☐ Marl (F10) (LRR U)
☐ Depleted Ochric (F11) (MLRA 151)
☐ Iron-Manganese Masses (F12) (LRR O, P, T)
☐ Umbric Surface (F13) (LRR P, T, U)
☐ Delta Ochric (F17) (MLRA 151)
☐ Reduced Vertic (F18) (MLRA 150A, 150B)
☐ Piedmont Floodplain Soils (F19) (MLRA 149A)
☐ Anomalous Bright Loamy Soils (F20) (MLRA 149A, 153C, 153D) | ☐ 1 cm Muck (A9) (LRR O)
☐ 2 cm Muck (A10) (LRR S)
☐ Reduced Vertic (F18) (outside MLRA 150A,B)
☐ Piedmont Floodplain Soils (F19) (LRR P, S, T)
☐ Anomalous Bright Loamy Soils (F20) (MLRA 153B)
☐ Red Parent Material (TF2)
☐ Very Shallow Dark Surface (TF12)
☐ Other (Explain in Remarks) |
|---|--|---|
- ³Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

³Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Type: _____
Depth (inches): _____

Hydric Soil Present? Yes ☐ No ☒

Typical FoA soil

WETLAND DETERMINATION DATA FORM - Atlantic and Gulf Coastal Plain Region

Project/Site: 80 ac North Swan City/County: Harrison Sampling Date: 20-May-22
 Applicant/Owner: Engineering Xcellence State: MS Sampling Point: Plot 5
 Investigator(s): R. Ellis, D. Bartlett & A.G. Boxx Section, Township, Range: S 27 T 6-S R 11-W
 Landform (hillslope, terrace, etc.): _____ Local relief (concave, convex, none): _____ Slope: 0.0 % / 0.0 °
 Subregion (LRR or MLRA): LRR T Lat.: 30° 29' 11.479" N Long.: 89° 4' 44.056" W Datum: _____
 Soil Map Unit Name: Poarch fine sandy loam, 0 to 2 percent slopes (PoA) NWI classification: N/A

Are climatic/hydrologic conditions on the site typical for this time of year? Yes ☒ No ☐ (If no, explain in Remarks.)
 Are Vegetation ☐ , Soil ☐ , or Hydrology ☐ significantly disturbed? Are "Normal Circumstances" present? Yes ☒ No ☐
 Are Vegetation ☐ , Soil ☐ , or Hydrology ☐ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS - Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present? Yes ☒ No ☐	Is the Sampled Area within a Wetland? Yes ☒ No ☐
Hydric Soil Present? Yes ☒ No ☐	
Wetland Hydrology Present? Yes ☒ No ☐	
Remarks:	

HYDROLOGY

Wetland Hydrology Indicators: Primary Indicators (minimum of one required; check all that apply) ☐ Surface Water (A1) ☐ Aquatic Fauna (B13) ☐ High Water Table (A2) ☐ Marl Deposits (B15) (LRR U) ☐ Saturation (A3) ☐ Hydrogen Sulfide Odor (C1) ☐ Water Marks (B1) ☒ Oxidized Rhizospheres along Living Roots (C3) ☐ Sediment Deposits (B2) ☐ Presence of Reduced Iron (C4) ☐ Drift Deposits (B3) ☐ Recent Iron Reduction in Tilled Soils (C6) ☐ Algal Mat or Crust (B4) ☐ Thin Muck Surface (C7) ☐ Iron Deposits (B5) ☐ Other (Explain in Remarks) ☐ Inundation Visible on Aerial Imagery (B7) ☐ Water-Stained Leaves (B9)		Secondary Indicators (minimum of 2 required) ☐ Surface Soil Cracks (B6) ☐ Sparsely Vegetated Concave Surface (B8) ☒ Drainage Patterns (B10) ☐ Moss Trim Lines (B16) ☐ Dry Season Water Table (C2) ☐ Crayfish Burrows (C8) ☐ Saturation Visible on Aerial Imagery (C9) ☒ Geomorphic Position (D2) ☐ Shallow Aquitard (D3) ☒ FAC-Neutral Test (D5) ☐ Sphagnum moss (D8) (LRR T, U)
Field Observations: Surface Water Present? Yes ☐ No ☒ Depth (Inches): _____ Water Table Present? Yes ☐ No ☒ Depth (Inches): _____ Saturation Present? (includes capillary fringe) Yes ☐ No ☒ Depth (Inches): _____	Wetland Hydrology Present? Yes ☒ No ☐	
Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:		
Remarks:		

VEGETATION (Five/Four Strata) - Use scientific names of plants.

 Sampling Point: Plot 5

Tree Stratum (Plot size: <u>30m</u>)		Absolute % Cover	Dominant Species? Rel. Strat. Cover	Indicator Status
1.	<i>Pinus palustris</i>	15	☒ 21.4%	FACU
2.	<i>Cyrilla racemifera</i>	40	☒ 57.1%	FACW
3.	<i>Quercus nigra</i>	5	☐ 7.1%	FAC
4.	<i>Magnolia virginiana</i>	10	☐ 14.3%	FACW
5.		0	☐ 0.0%	
6.		0	☐ 0.0%	
7.		0	☐ 0.0%	
8.		0	☐ 0.0%	
50% of Total Cover: <u>35</u>		20% of Total Cover: <u>14</u>	<u>70</u> = Total Cover	

Sapling or Sapling/Shrub Stratum (Plot size: <u>30m</u>)		Absolute % Cover	Dominant Species? Rel. Strat. Cover	Indicator Status
1.	<i>Ilex coriacea</i>	30	☒ 100.0%	FACW
2.		0	☐ 0.0%	
3.		0	☐ 0.0%	
4.		0	☐ 0.0%	
5.		0	☐ 0.0%	
6.		0	☐ 0.0%	
7.		0	☐ 0.0%	
8.		0	☐ 0.0%	
50% of Total Cover: <u>15</u>		20% of Total Cover: <u>6</u>	<u>30</u> = Total Cover	

Shrub Stratum (Plot size: <u>30m</u>)		Absolute % Cover	Dominant Species? Rel. Strat. Cover	Indicator Status
1.		0	☐ 0.0%	
2.		0	☐ 0.0%	
3.		0	☐ 0.0%	
4.		0	☐ 0.0%	
5.		0	☐ 0.0%	
6.		0	☐ 0.0%	
50% of Total Cover: <u>0</u>		20% of Total Cover: <u>0</u>	<u>0</u> = Total Cover	

Herb Stratum (Plot size: <u>30m</u>)		Absolute % Cover	Dominant Species? Rel. Strat. Cover	Indicator Status
1.	<i>Ilex coriacea</i>	4	☐ 100.0%	FACW
2.		0	☐ 0.0%	
3.		0	☐ 0.0%	
4.		0	☐ 0.0%	
5.		0	☐ 0.0%	
6.		0	☐ 0.0%	
7.		0	☐ 0.0%	
8.		0	☐ 0.0%	
9.		0	☐ 0.0%	
10.		0	☐ 0.0%	
11.		0	☐ 0.0%	
12.		0	☐ 0.0%	
50% of Total Cover: <u>2</u>		20% of Total Cover: <u>0.8</u>	<u>4</u> = Total Cover	

Woody Vine Stratum (Plot size: <u>30m</u>)		Absolute % Cover	Dominant Species? Rel. Strat. Cover	Indicator Status
1.		0	☐ 0.0%	
2.		0	☐ 0.0%	
3.		0	☐ 0.0%	
4.		0	☐ 0.0%	
5.		0	☐ 0.0%	
50% of Total Cover: <u>0</u>		20% of Total Cover: <u>0</u>	<u>0</u> = Total Cover	

Dominance Test worksheet:

Number of Dominant Species That are OBL, FACW, or FAC: 2 (A)

Total Number of Dominant Species Across All Strata: 3 (B)

Percent of dominant Species That are OBL, FACW, or FAC: 66.7% (A/B)

Prevalence Index worksheet:

Total % Cover of: Multiply by:

OBL species	<u>0</u>	x 1 =	<u>0</u>
FACW species	<u>84</u>	x 2 =	<u>168</u>
FAC species	<u>5</u>	x 3 =	<u>15</u>
FACU species	<u>15</u>	x 4 =	<u>60</u>
UPL species	<u>0</u>	x 5 =	<u>0</u>
Column Totals:	<u>104</u> (A)		<u>243</u> (B)

Prevalence Index = B/A = 2.337

Hydrophytic Vegetation Indicators:

- ☐ 1 - Rapid Test for Hydrophytic Vegetation
- ☒ 2 - Dominance Test is $\geq 50\%$
- ☒ 3 - Prevalence Index is $\leq 3.0^1$
- ☐ Problematic Hydrophytic Vegetation ¹ (Explain)

¹ Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

Definition of Vegetation Strata:

Tree - Woody plants, excluding woody vines, approximately 20 ft (6 m) or more in height and 3 in. (7.6 cm) or larger in diameter at breast height (DBH).

Sapling - Woody plants, excluding woody vines, approximately 20 ft (6 m) or more in height and less than 3 in. (7.6 cm) DBH.

Sapling/Shrub - Woody plants, excluding vines, less than 3 in. DBH and greater than 3.28 ft (1 m) tall.

Shrub - Woody plants, excluding woody vines, approximately 3 to 20 ft (1 to 6 m) in height.

Herb - All herbaceous (non-woody) plants, including herbaceous vines, regardless of size, and woody plants, except woody vines, less than approximately 3 ft (1 m) in height.

Woody vine - All woody vines, regardless of height.

Hydrophytic Vegetation Present?

Yes ☒ No ☐

Remarks: (if observed, list morphological adaptations below).

*Indicator suffix = National status or professional decision assigned because Regional status not defined by FWS.

Sampling Point: Plot 5

Atlantic and Gulf Coastal Plain Region - Version 2.0

WETLAND DETERMINATION DATA FORM - Atlantic and Gulf Coastal Plain Region

Project/Site: 80 ac North Swan City/County: Harrison Sampling Date: 24-May-22
 Applicant/Owner: Engineering Excellence State: MS Sampling Point: Plot 6
 Investigator(s): R. Ellis, D. Bartlett & A.G. Boxx Section, Township, Range: S 27 T 6-S R 11-W
 Landform (hillslope, terrace, etc.): _____ Local relief (concave, convex, none): _____ Slope: 0.0 % / 0.0 °
 Subregion (LRR or MLRA): LRR T Lat.: 30° 29' 31.237" N Long.: 89° 4' 51.458" W Datum: _____
 Soil Map Unit Name: Poarch fine sandy loam, 0 to 2 percent slopes (PoA) NWI classification: PFO4/SS3B

Are climatic/hydrologic conditions on the site typical for this time of year? Yes ☒ No ☐ (If no, explain in Remarks.)
 Are Vegetation ☐ , Soil ☐ , or Hydrology ☐ significantly disturbed? Are "Normal Circumstances" present? Yes ☒ No ☐
 Are Vegetation ☐ , Soil ☐ , or Hydrology ☐ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS - Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present? Yes ☒ No ☐	Is the Sampled Area within a Wetland? Yes ☒ No ☐
Hydric Soil Present? Yes ☒ No ☐	
Wetland Hydrology Present? Yes ☒ No ☐	
Remarks:	

HYDROLOGY

Wetland Hydrology Indicators Primary Indicators (minimum of one required; check all that apply) ☐ Surface Water (A1) ☐ Aquatic Fauna (B13) ☐ High Water Table (A2) ☐ Marl Deposits (B15) (LRR U) ☒ Saturation (A3) ☐ Hydrogen Sulfide Odor (C1) ☐ Water Marks (B1) ☒ Oxidized Rhizospheres along Living Roots (C3) ☐ Sediment Deposits (B2) ☐ Presence of Reduced Iron (C4) ☐ Drift Deposits (B3) ☐ Recent Iron Reduction in Tilled Soils (C6) ☐ Algal Mat or Crust (B4) ☐ Thin Muck Surface (C7) ☐ Iron Deposits (B5) ☐ Other (Explain in Remarks) ☐ Inundation Visible on Aerial Imagery (B7) ☐ Water-Stained Leaves (B9)		Secondary Indicators (minimum of 2 required) ☐ Surface Soil Cracks (B6) ☐ Sparsely Vegetated Concave Surface (B8) ☐ Drainage Patterns (B10) ☐ Moss Trim Lines (B16) ☐ Dry Season Water Table (C2) ☐ Crayfish Burrows (C8) ☐ Saturation Visible on Aerial Imagery (C9) ☐ Geomorphic Position (D2) ☐ Shallow Aquitard (D3) ☒ FAC-Neutral Test (D5) ☐ Sphagnum moss (D8) (LRR T, U)
Field Observations: Surface Water Present? Yes ☐ No ☒ Depth (inches): _____ Water Table Present? Yes ☐ No ☒ Depth (inches): _____ Saturation Present? (includes capillary fringe) Yes ☒ No ☐ Depth (inches): <u>17</u>	Wetland Hydrology Present? Yes ☒ No ☐	
Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:		
Remarks:		

VEGETATION (Five/Four Strata) - Use scientific names of plants.

				Sampling Point: <u>Plot 8</u>		
Tree Stratum (Plot size: <u>30m</u>)		Absolute % Cover	Dominant Species? Rel.Strat. Cover	Indicator Status	Dominance Test worksheet:	
1.	<i>Pinus palustris</i>	25	☒ 29.4%	FACU	Number of Dominant Species That are OBL, FACW, or FAC: <u>4</u> (A)	
2.	<i>Quercus nigra</i>	10	☐ 11.8%	FAC	Total Number of Dominant Species Across All Strata: <u>5</u> (B)	
3.	<i>Cynilla racemiflora</i>	15	☐ 17.6%	FACW	Percent of dominant Species That Are OBL, FACW, or FAC: <u>80.0%</u> (A/B)	
4.	<i>Magnolia virginiana</i>	30	☒ 35.3%	FACW		
5.	<i>Symplocos tinctoria</i>	5	☐ 5.9%	FAC		
6.		0	☐ 0.0%			
7.		0	☐ 0.0%			
8.		0	☐ 0.0%			
50% of Total Cover: <u>42.5</u> 20% of Total Cover: <u>17</u>		<u>85</u>	= Total Cover			
Sapling or Sapling/Shrub Stratum (Plot size: <u>30m</u>)		Absolute % Cover	Dominant Species? Rel.Strat. Cover	Indicator Status	Prevalence Index worksheet:	
1.	<i>Ilex coriacea</i>	30	☒ 66.7%	FACW	Total % Cover of: <u>0</u> Multiply by: <u>0</u>	
2.	<i>Vaccinium ellipticifolium</i>	10	☒ 22.2%	FACW	OBL species <u>0</u> x 1 = <u>0</u>	
3.	<i>Cynilla racemiflora</i>	5	☐ 11.1%	FACW	FACW species <u>96</u> x 2 = <u>192</u>	
4.		0	☐ 0.0%		FAC species <u>18</u> x 3 = <u>54</u>	
5.		0	☐ 0.0%		FACU species <u>25</u> x 4 = <u>100</u>	
6.		0	☐ 0.0%		UPL species <u>0</u> x 5 = <u>0</u>	
7.		0	☐ 0.0%		Column Totals: <u>139</u> (A) <u>346</u> (B)	
8.		0	☐ 0.0%		Prevalence Index = B/A = <u>2.489</u>	
50% of Total Cover: <u>22.5</u> 20% of Total Cover: <u>9</u>		<u>45</u>	= Total Cover			
Shrub Stratum (Plot size: <u>30m</u>)		Absolute % Cover	Dominant Species? Rel.Strat. Cover	Indicator Status	Hydrophytic Vegetation Indicators:	
1.		0	☐ 0.0%		☐ 1 - Rapid Test for Hydrophytic Vegetation	
2.		0	☐ 0.0%		☒ 2 - Dominance Test is > 50%	
3.		0	☐ 0.0%		☒ 3 - Prevalence Index is ≤ 3.0 ¹	
4.		0	☐ 0.0%		☐ Problematic Hydrophytic Vegetation ¹ (Explain)	
5.		0	☐ 0.0%		¹ Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.	
6.		0	☐ 0.0%			
50% of Total Cover: <u>0</u> 20% of Total Cover: <u>0</u>		<u>0</u>	= Total Cover			
Herb Stratum (Plot size: <u>30m</u>)		Absolute % Cover	Dominant Species? Rel.Strat. Cover	Indicator Status	Definition of Vegetation Strata:	
1.	<i>Ilex coriacea</i>	6	☒ 100.0%	FACW	Tree - Woody plants, excluding woody vines, approximately 20 ft (6 m) or more in height and 3 in. (7.6 cm) or larger in diameter at breast height (DBH).	
2.		0	☐ 0.0%		Sapling - Woody plants, excluding woody vines, approximately 20 ft (6 m) or more in height and less than 3 in. (7.6 cm) DBH.	
3.		0	☐ 0.0%		Sapling/Shrub - Woody plants, excluding vines, less than 3 in. DBH and greater than 3.28 ft (1 m) tall.	
4.		0	☐ 0.0%		Shrub - Woody plants, excluding woody vines, approximately 3 to 20 ft (1 to 6 m) in height.	
5.		0	☐ 0.0%		Herb - All herbaceous (non-woody) plants, including herbaceous vines, regardless of size, and woody plants, except woody vines, less than approximately 3 ft (1 m) in height.	
6.		0	☐ 0.0%		Woody vine - All woody vines, regardless of height.	
7.		0	☐ 0.0%			
8.		0	☐ 0.0%			
9.		0	☐ 0.0%			
10.		0	☐ 0.0%			
11.		0	☐ 0.0%			
12.		0	☐ 0.0%			
50% of Total Cover: <u>6</u> 20% of Total Cover: <u>1.2</u>		<u>6</u>	= Total Cover			
Woody Vine Stratum (Plot size: <u>30m</u>)		Absolute % Cover	Dominant Species? Rel.Strat. Cover	Indicator Status	Hydrophytic Vegetation Present? Yes ☒ No ☐	
1.	<i>Vitis rotundifolia</i>	3	☐ 100.0%	FAC		
2.		0	☐ 0.0%			
3.		0	☐ 0.0%			
4.		0	☐ 0.0%			
5.		0	☐ 0.0%			
50% of Total Cover: <u>1.5</u> 20% of Total Cover: <u>0.5</u>		<u>3</u>	= Total Cover			
Remarks: (If observed, list morphological adaptations below).						

*Indicator suffix = National status or professional decision assigned because Regional status not defined by RWS.

Sampling Point: Plot 6

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

¹Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains ²Location: PL=Pore Lining, M=Matrix

Hydric Soil Indicators:

- ☐ Histosol (A1)
- ☐ Histic Epipedon (A2)
- ☐ Black Histic (A3)
- ☐ Hydrogen Sulfide (A4)
- ☐ Stratified Layers (A5)
- ☐ Organic Bodies (A6) (LRR P, T, U)
- ☐ 5 cm Mucky Mineral (A7) (LRR P, T, U)
- ☐ Muck Presence (A8) (LRR U)
- ☐ 1 cm Muck (A9) (LRR P, T)
- ☐ Depleted Below Dark Surface (A11)
- ☐ Thick Dark Surface (A12)
- ☐ Coast Prairie Redox (A15) (MLRA 150A)
- ☐ Sandy Muck Mineral (S1) (LRR O, S)
- ☐ Sandy Gleyed Matrix (S4)
- ☒ Sandy Redox (S5)
- ☐ Stripped Matrix (S6)
- ☐ Dark Surface (S7) (LRR P, S, T, U)

- ☐ Polyvalus Below Surface (S8) (LRR S, T, U)
- ☐ Thin Dark Surface (S8) (LRR S, T, U)
- ☐ Loamy Mucky Mineral (F1) (LRR O)
- ☐ Loamy Glayed Matrix (F2)
- ☒ Depleted Matrix (F3)
- ☐ Redox Dark Surface (F6)
- ☐ Depleted Dark Surface (F7)
- ☐ Redox Depressions (F8)
- ☐ Marl (F10) (LRR U)
- ☐ Depleted Ochric (F11) (MLRA 151)
- ☐ Iron-Manganese Masses (F12) (LRR O, P, T)
- ☐ Umbrie Surface (F13) (LRR P, T, U)
- ☐ Delta Ochric (F17) (MLRA 151)
- ☐ Reduced Vartic (F18) (MLRA 150A, 150B)
- ☐ Piedmont Floodplain Soils (F19) (MLRA 149A)
- ☐ Anomalous Bright Loamy Soils (F20) (MLRA 151)

Indicators for Problematic Hydric Soils³

- ☐ 1 cm Muck (A9) (LRR C)
☐ 2 cm Muck (A10) (LRR S)
☐ Reduced Vertic (F18) (outside MLRA 150A,B)
☐ Piedmont Floodplain Soils (F19) (LRR P, S, T)
☐ Anomalous Bright Loamy Soils (F20) (MLRA 153B)
☐ Red Parent Material (TF2)
☐ Very Shallow Dark Surface (TF12)
☐ Other (Explain in Remarks)

³Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if observed):

Type: _____

Depth (inches): _____

Hydric Soil Present? Yes ☒ No ☐

Remarks:

WETLAND DETERMINATION DATA FORM - Atlantic and Gulf Coastal Plain Region

Project/Site: 80 ac North Swan City/County: Harrison Sampling Date: 24-May-22
 Applicant/Owner: Engineering Excellence State: MS Sampling Point: Plot 7
 Investigator(s): R. Ellis, D. Bartlett & A.G. Boxx Section, Township, Range: S 27 T 6-S R 11-W
 Landform (hillslope, terrace, etc.): _____ Local relief (concave, convex, none): _____ Slope: 0.0 % / 0.0 °
 Subregion (LRR or MLRA): LRR T Lat.: 30° 29' 32.094" N Long.: 89° 4' 51.639" W Datum: _____
 Soil Map Unit Name: Poarch fine sandy loam, 0 to 2 percent slopes (PoA) NWI classification: N/A

Are climatic/hydrologic conditions on the site typical for this time of year? Yes ☒ No ☐ (If no, explain in Remarks.)
 Are Vegetation ☐ , Soil ☐ , or Hydrology ☐ significantly disturbed? Are "Normal Circumstances" present? Yes ☒ No ☐
 Are Vegetation ☐ , Soil ☐ , or Hydrology ☐ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS - Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present? Yes ☒ No ☐	Is the Sampled Area within a Wetland? Yes ☐ No ☒
Hydric Soil Present? Yes ☐ No ☒	
Wetland Hydrology Present? Yes ☐ No ☒	
Remarks:	

HYDROLOGY

Wetland Hydrology Indicators: Primary Indicators (minimum of one required; check all that apply) ☐ Surface Water (A1) ☐ Aquatic Fauna (B13) ☐ High Water Table (A2) ☐ Marl Deposits (B15) (LRR U) ☐ Saturation (A3) ☐ Hydrogen Sulfide Odor (C1) ☐ Water Marks (B1) ☐ Oxidized Rhizospheres along Living Roots (C3) ☐ Sediment Deposits (B2) ☐ Presence of Reduced Iron (C4) ☐ Drift Deposits (B3) ☐ Recent Iron Reduction in Tilled Soils (C6) ☐ Algal Mat or Crust (B4) ☐ Thin Muck Surface (C7) ☐ Iron Deposits (B5) ☐ Other (Explain in Remarks) ☐ Inundation Visible on Aerial Imagery (B7) ☐ Water-Stained Leaves (B9)		Secondary Indicators (minimum of 2 required) ☐ Surface Soil Cracks (B6) ☐ Sparsely Vegetated Concave Surface (B8) ☐ Drainage Patterns (B10) ☐ Moss Trim Lines (B16) ☐ Dry Season Water Table (C2) ☐ Crayfish Burrows (C8) ☐ Saturation Visible on Aerial Imagery (C9) ☐ Geomorphic Position (D2) ☐ Shallow Aquitard (D3) ☒ FAC-Neutral Test (D5) ☐ Sphagnum moss (D8) (LRR T, U)
Field Observations: Surface Water Present? Yes ☐ No ☒ Depth (inches): _____ Water Table Present? Yes ☐ No ☒ Depth (inches): _____ Saturation Present? (includes capillary fringe) Yes ☐ No ☒ Depth (inches): _____	Wetland Hydrology Present? Yes ☐ No ☒	
Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:		
Remarks: Dump site		

VEGETATION (Five/Four Strata) - Use scientific names of plants.

				Dominant Species?	Indicator Status	Sampling Point: <u>Plot 7</u>
Tree Stratum (Plot size: <u>30m</u>)				Absolute % Cover	Rel. Strat. Cover	
1.	<u>Pinus palustris</u>	30	☒	44.1%	FACU	
2.	<u>Quercus nigra</u>	20	☒	29.4%	FAC	
3.	<u>Carya illinoensis</u>	10	☐	14.7%	FACU	
4.	<u>Magnolia virginiana</u>	8	☐	11.8%	FACW	
5.		0	☐	0.0%		
6.		0	☐	0.0%		
7.		0	☐	0.0%		
8.		0	☐	0.0%		
50% of Total Cover: <u>34</u>		20% of Total Cover: <u>13.6</u>		68	= Total Cover	
Sapling or Sapling/Shrub Stratum (Plot size: <u>30m</u>)						
1.	<u>Ilex vomitoria</u>	30	☒	62.5%	FAC	
2.	<u>Ilex coriacea</u>	18	☒	37.5%	FACW	
3.		0	☐	0.0%		
4.		0	☐	0.0%		
5.		0	☐	0.0%		
6.		0	☐	0.0%		
7.		0	☐	0.0%		
8.		0	☐	0.0%		
50% of Total Cover: <u>24</u>		20% of Total Cover: <u>9.6</u>		48	= Total Cover	
Shrub Stratum (Plot size: <u>30m</u>)						
1.		0	☐	0.0%		
2.		0	☐	0.0%		
3.		0	☐	0.0%		
4.		0	☐	0.0%		
5.		0	☐	0.0%		
6.		0	☐	0.0%		
50% of Total Cover: <u>0</u>		20% of Total Cover: <u>0</u>		0	= Total Cover	
Herb Stratum (Plot size: <u>30m</u>)						
1.		0	☐	0.0%		
2.		0	☐	0.0%		
3.		0	☐	0.0%		
4.		0	☐	0.0%		
5.		0	☐	0.0%		
6.		0	☐	0.0%		
7.		0	☐	0.0%		
8.		0	☐	0.0%		
9.		0	☐	0.0%		
10.		0	☐	0.0%		
11.		0	☐	0.0%		
12.		0	☐	0.0%		
50% of Total Cover: <u>0</u>		20% of Total Cover: <u>0</u>		0	= Total Cover	
Woody Vine Stratum (Plot size: <u>30m</u>)						
1.	<u>Vitis rotundifolia</u>	5	☒	31.3%	FAC	
2.	<u>Smilax laurifolia</u>	8	☒	50.0%	FACW	
3.	<u>Toxicodendron radicans</u>	3	☐	18.8%	FAC	
4.		0	☐	0.0%		
5.		0	☐	0.0%		
50% of Total Cover: <u>8</u>		20% of Total Cover: <u>3.2</u>		16	= Total Cover	
Dominance Test worksheet: Number of Dominant Species That are OBL, FACW, or FAC: <u>5</u> (A) Total Number of Dominant Species Across All Strata: <u>6</u> (B) Percent of dominant Species That Are OBL, FACW, or FAC: <u>83.3%</u> (A/B) Prevalence Index worksheet: Total % Cover of: <u>68</u> Multiply by: OBL species <u>0</u> x 1 = <u>0</u> FACW species <u>34</u> x 2 = <u>68</u> FAC species <u>58</u> x 3 = <u>174</u> FACU species <u>40</u> x 4 = <u>160</u> UPL species <u>0</u> x 5 = <u>0</u> Column Totals: <u>132</u> (A) <u>402</u> (B) Prevalence Index = B/A = <u>3.045</u>						
Hydrophytic Vegetation Indicators: ☐ 1 - Rapid Test for Hydrophytic Vegetation ☒ 2 - Dominance Test is > 50% ☐ 3 - Prevalence Index is ≤ 3.0 ¹ ☐ Problematic Hydrophytic Vegetation ¹ (Explain)						
Definition of Vegetation Strata: Tree - Woody plants, excluding woody vines, approximately 20 ft (6 m) or more in height and 3 in. (7.6 cm) or larger in diameter at breast height (DBH). Sapling - Woody plants, excluding woody vines, approximately 20 ft (6 m) or more in height and less than 3 in. (7.6 cm) DBH. Sapling/Shrub - Woody plants, excluding vines, less than 3 in. DBH and greater than 3.28 ft (1m) tall. Shrub - Woody plants, excluding woody vines, approximately 3 to 20 ft (1 to 6 m) in height. Herb - All herbaceous (non-woody) plants, including herbaceous vines, regardless of size, and woody plants, except woody vines, less than approximately 3 ft (1 m) in height. Woody vine - All woody vines, regardless of height.						
Hydrophytic Vegetation Present? Yes ☒ No ☐						
Remarks: (If observed, list morphological adaptations below). 						

¹Indicator suffix = National status or professional decision assigned because Regional status not defined by FWS.

Sampling Point: Plot 7

Atlantic and Gulf Coastal Plain Region - Version 2.0

Appendix B

Field Photographs



Figure B-1. View of soil profile from Plot 1 (May 19, 2022).



Figure B-2. View of vegetation from Plot 1 (May 19, 2022).



Figure B-3. View of soil profile from Plot 2 (May 19, 2022).



Figure B-4. View of vegetation from Plot 2 (May 19, 2022).



Figure B-5. View of soil profile from Plot 3 (May 19, 2022).



Figure B-6. View of vegetation from Plot 3 (May 19, 2022).



Figure B-7. View of soil profile from Plot 4 (May 20, 2022).



Figure B-8. View of vegetation from Plot 4 (May 20, 2022).

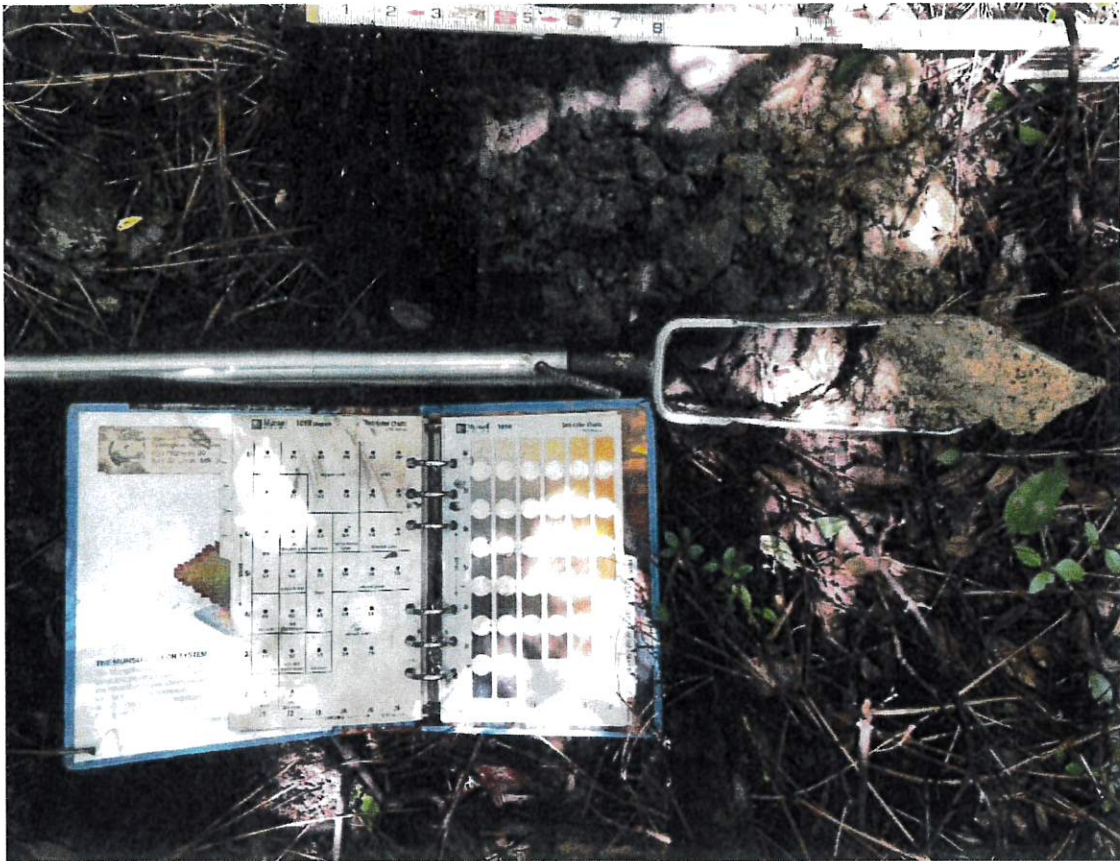


Figure B-9. View of soil profile from Plot 5 (May 20, 2022).



Figure B-10. View of vegetation from Plot 5 (May 20, 2022).



Figure B-11. View of soil profile from Plot 6 (May 24, 2022).



Figure B-12. View of vegetation from Plot 6 (May 24, 2022).

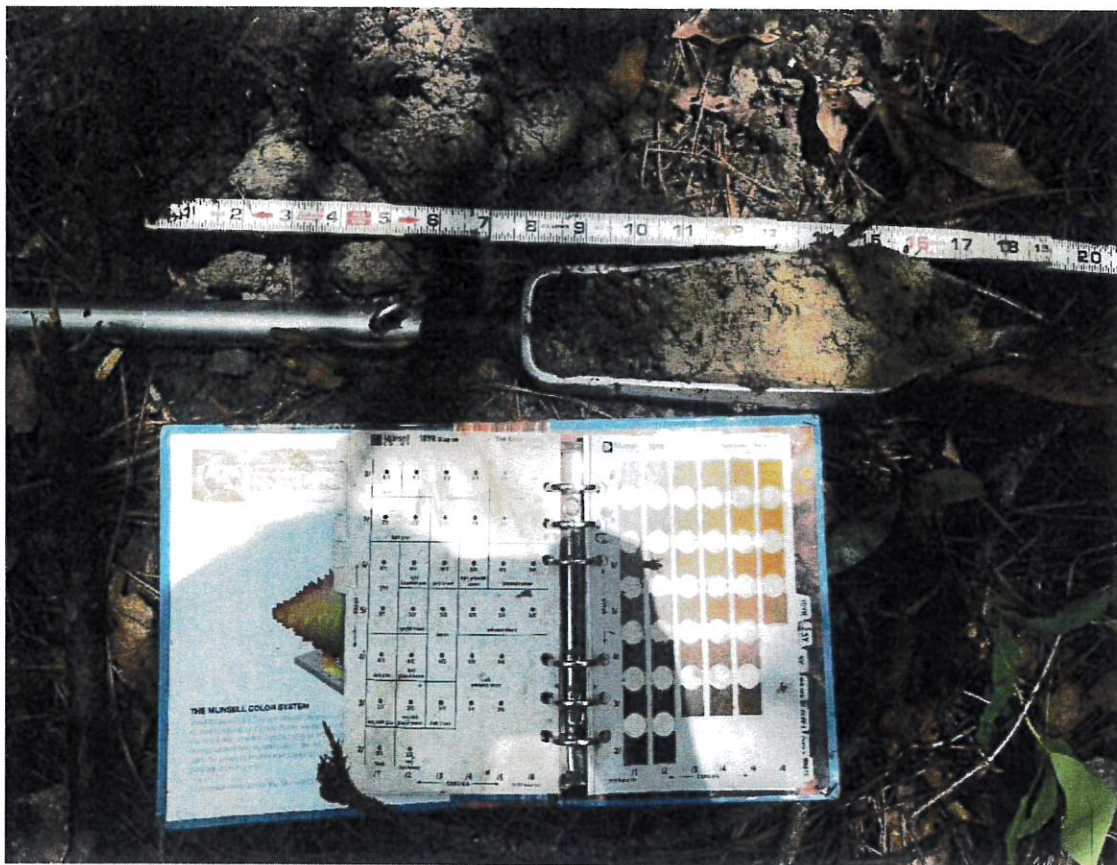


Figure B-13. View of soil profile from Plot 7 (May 24, 2022).



Figure B-14. View of vegetation from Plot 7 (May 24, 2022).

Swan Landing

Site Plan Changes

On February 24, 2024, we met with some neighboring property owners who live in Countrywood Estates. Based on comments from those owners at that meeting, several site plan changes have been made.

It should be noted that our previous site plan conformed to ALL zoning requirements for R-1-15 zoning, and that these changes have been made to help the surrounding residents. These changes resulted in a loss of 3 lots to the overall site plan (previously 87 lots, now 84 lots). *The previous variance request (which was denied by the City Council) would have allowed wider homes on the lots, but the lots themselves met all the zoning requirements.*

1. Lot Size – Residents asked if we could make the lots larger.
 - We increased the square footage of many of the lots.
 - The average Lot SF is now over 19,000 square feet.
 - Greater than 25% of statutory requirement
 - We Increased the width of nearly all lots.
 - Statutory minimum lot width is 60 feet.
 - Previous plan had a minimum lot width at the setback of approximately 80 feet, and the revised site plan has a lot width of approximately 86 feet
 - New plan will honor the 15' statutory setback and no variance will be requested.
 - Reduction of 3 lots - previously 87 lots, now 84 lots
2. Buffers – 3 Residents have lots that will back up to the newly developed lots, and asked if we could install a buffer.
 - Placed a 15'-20' natural/undisturbed buffer along the rear of the lots. No trees or bush will be cut in these areas.
 - Furthermore, now there are only 2 lots backing up to 14501 S Countrywood Dr. where there used to be 3 lots
3. Lots Facing South Swan – Residents asked us to try and remove all lots facing South Swan.
 - While these lots facing South Swan are allowed by right, the following concessions were made:
 - Provided an additional 10' Right-of-Way to the City of Gulfport
 - Increased the minimum front yard setback from 25 feet to 40 feet
 - Added language to General Plan – “Homebuilder to ensure that lots 1-10 (fronting South Swan) are provided with circular driveways or turnarounds such that no vehicles are required to back onto South Swan.
 - Eliminated 4 lots (30% +/-) of lots facing South Swan.
 - Engineering requested that we install concrete piping for the ditch (to eliminate driveway culverts) along South Swan and we will comply with that request.

PHASING NOTE:
PROJECT TO BE CONSTRUCTED IN
THREE (3) PHASES:

PHASE 1 - LOTS 1-10 (10 LOTS)
PHASE 2 - LOTS 11-62 (52 LOTS)
PHASE 3 - LOTS 63-84 (22 LOTS)

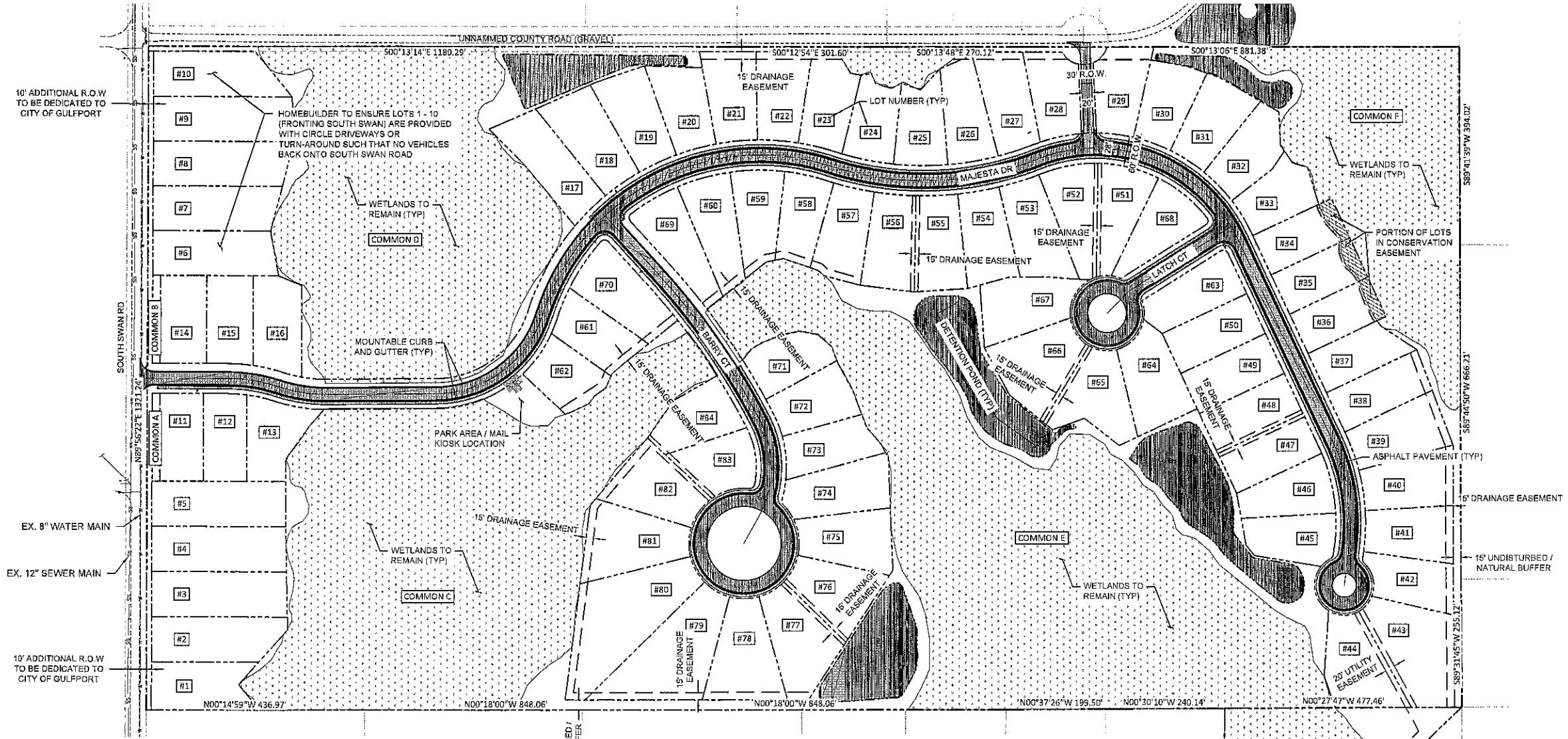
SWAN LANDING ESTATES

SOUTH SWAN ROAD - GULFPORT, MS

LOCATED IN SECTION 27, TOWNSHIP 6 SOUTH, RANGE 11 WEST
CITY OF GULFPORT, 1ST JUDICIAL DISTRICT OF HARRISON COUNTY, MISSISSIPPI



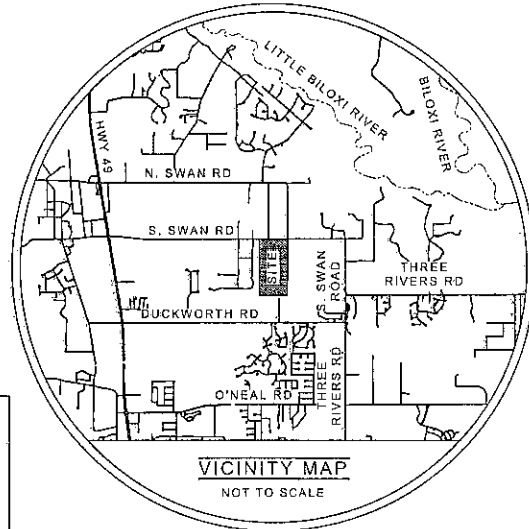
SCALE: 1 INCH = 150 FEET



GENERAL SUBDIVISION PLAN SHEET LEGEND

- 1 OF 7 - PROJECT LAYOUT
- 2 OF 7 - DIMENSIONAL LAYOUT - NORTH
- 3 OF 7 - DIMENSIONAL LAYOUT - MIDDLE
- 4 OF 7 - DIMENSIONAL LAYOUT - SOUTH
- 5 OF 7 - PROJECT TABLES
- 6 OF 7 - BOUNDARY SURVEY
- 7 OF 7 - TOPO SURVEY

SHEET 1 OF 7 - PROJECT LAYOUT



PROPOSED ROAD LENGTHS

MAJESTA DRIVE = 3,225 LF
BARRY COURT = 775 LF
LATCH COURT = 310 LF

LAND AREA ANALYSIS

TOTAL = 78.86 AC (100%)
WETLANDS = 29.73 AC (37.2%)
R.O.W. = 7.35 AC (9.2%)
(INCL. EMERGENCY ACCESS)
COMMON AREA = 5.17 AC (7.7%)
LOTS (87) = 37.80 AC (45.9%)

MINIMUM BUILDING SETBACKS

FRONT YARD = 25 FEET
FRONT YARD (S. SWAN) = 40 FEET
REAR YARD = 15 FEET
SIDE YARD = 15 FEET

MINIMUM BUILDING SITE AREA

MIN REQUIRED = 15,000 SF
MIN PROVIDED = 15,027 SF

BUILDING HEIGHT

MAX REQUIRED: 3 STORIES OR 35 FEET
MAX PROVIDED: < 35 FEET

LOT COVERAGE

MAXIMUM ALLOWED: 45% OF LOT AREA
ANTICIPATED: 40% (MAX)

MISCELLANEOUS DATA

1. PRESENT TRACT DESIGNATION: 0807G-01-001.000
2. SUBDIVISION NAME: SWAN LANDING ESTATES
3. PRESENT OWNER: THE FLAIR FAMILY LLC, 225 GULF DRIVE, WAVELAND, MS 39576
4. SUBDIVIDER: GULF COAST DEVELOPMENT & DESIGN, LLC, 919 2ND STREET, GULFPORT, MS 39501
5. PROJECT ENGINEER: PHELAN ENGINEERING, LLC; ANDY PHELAN, PE
6. PROJECT LAND SURVEYOR: W. ENGINEERING & GEOTECHNICAL; PETE WILLIAMS

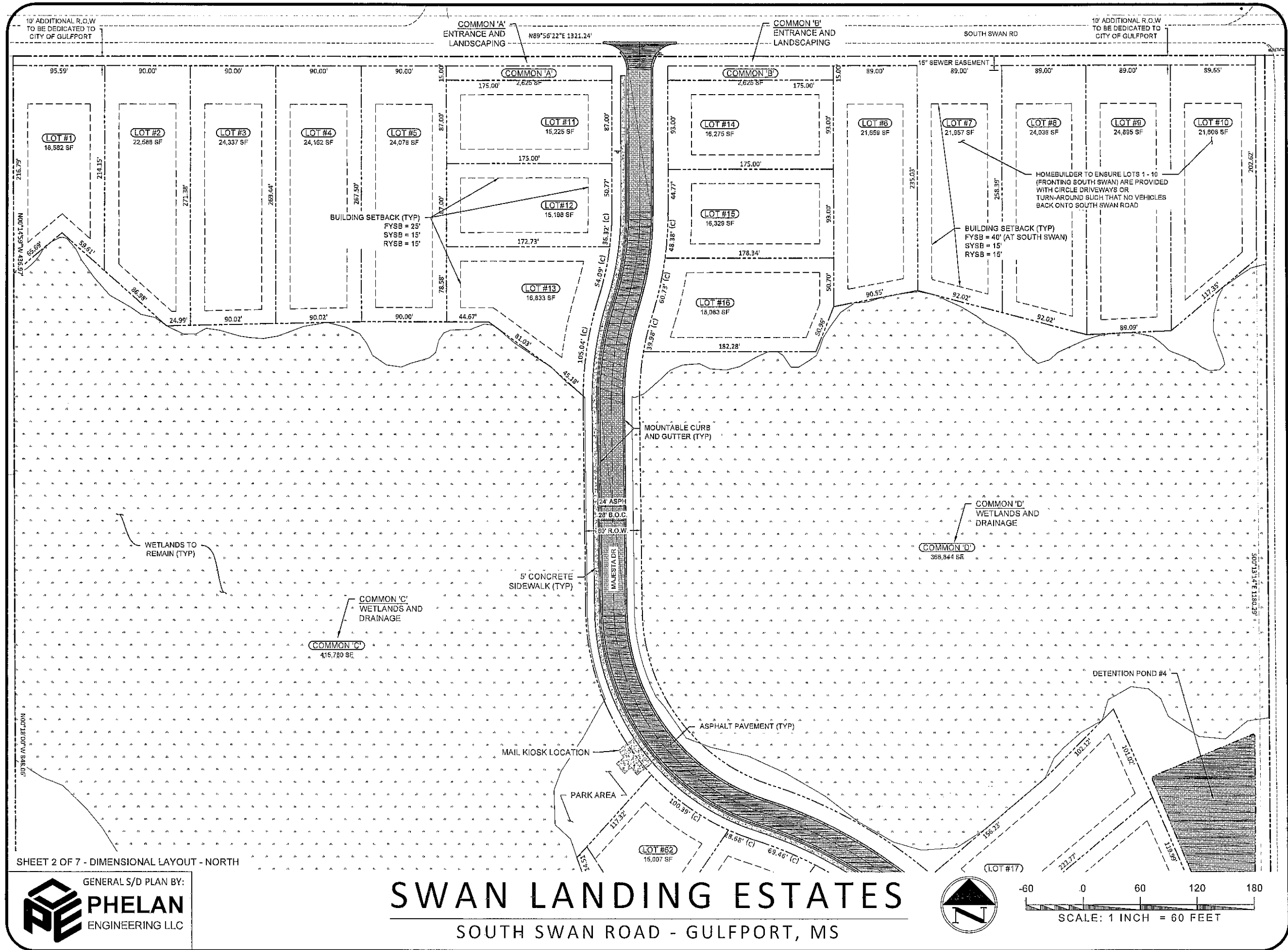
FLOOD NOTE:

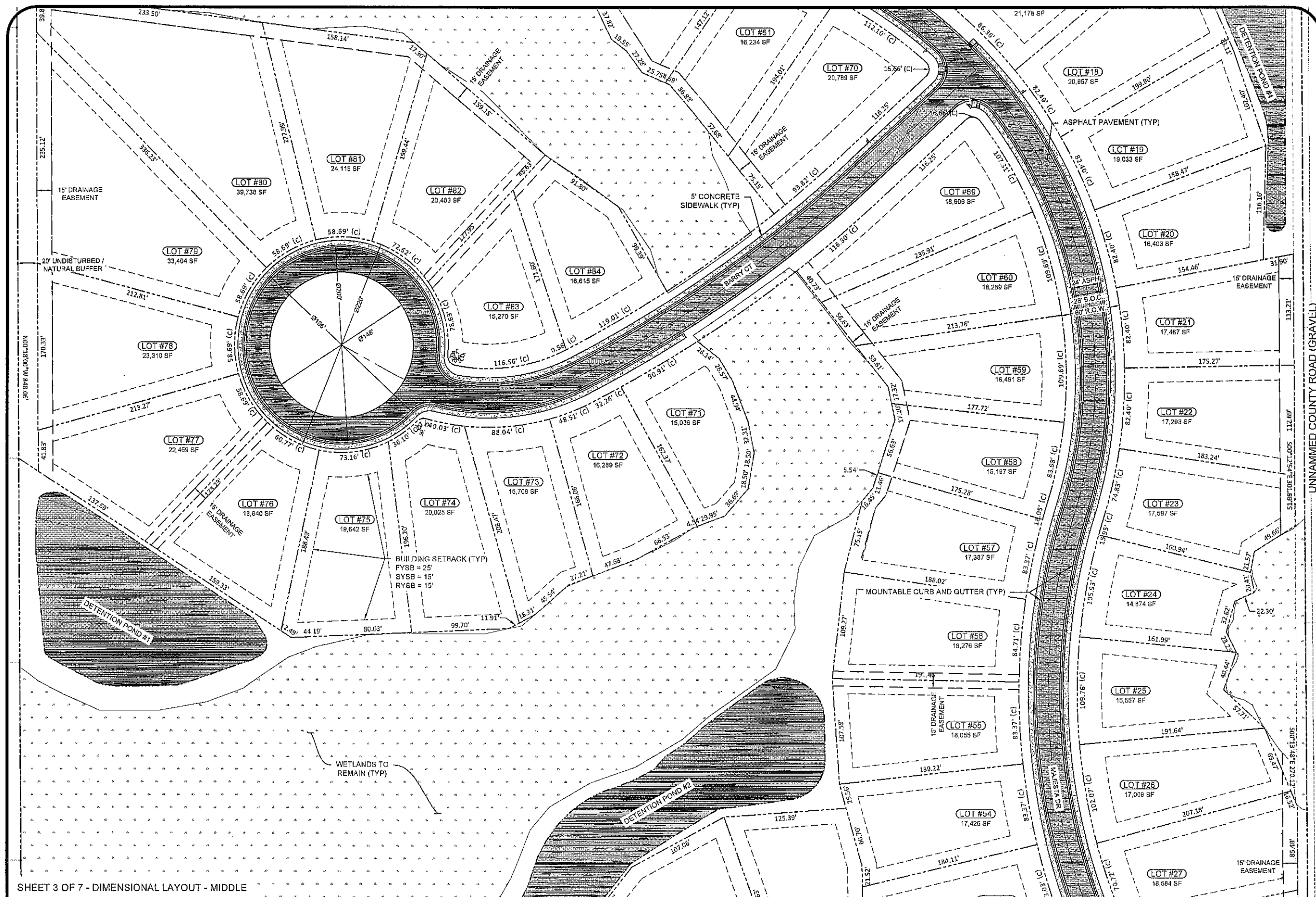
ENTIRE PROPERTY IS LOCATED IN A ZONE X (SHADED) PER MAP NUMBER 28047C0255H (EFFECTIVE 12/21/2017)

EX. 8" SEWER MAIN

EX. 8" WATER MAIN

MARCH 1, 2024





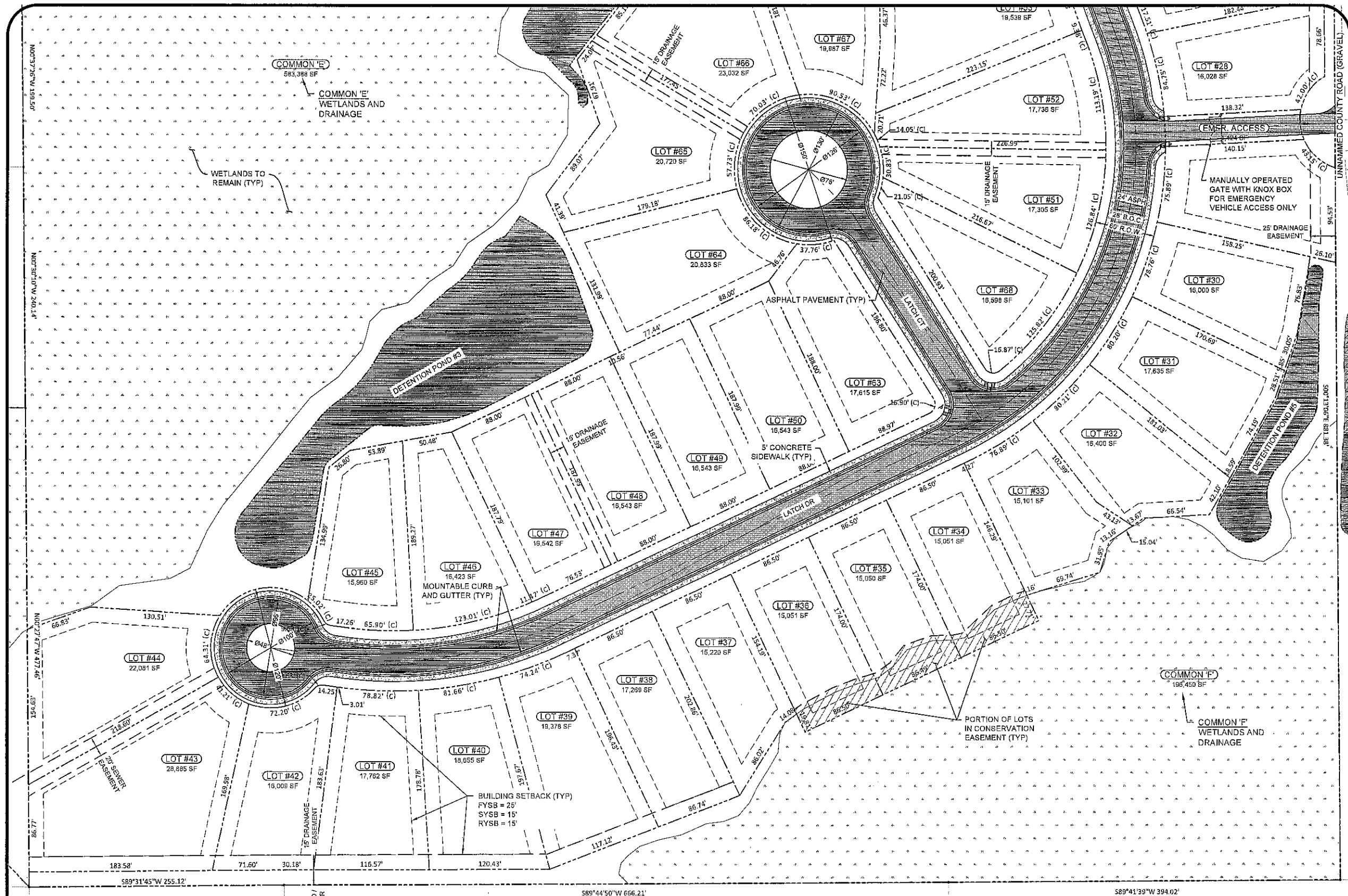
GENERAL S/D PLAN BY:
PHELAN
ENGINEERING LLC

SWAN LANDING ESTATES

SOUTH SWAN ROAD - GULFPORT, MS



MARCH 1, 2024



SHEET 4 OF 7 - DIMENSIONAL LAYOUT - SOUTH



GENERAL S/D PLAN BY:
PHELAN
ENGINEERING LLC

SWAN LANDING ESTATES

SOUTH SWAN ROAD - GULFPORT, MS



MARCH 1, 2024

PARCEL TABLE		
PARCEL #	AREA (SF)	AREA (AC)
COMMON 'A'	2,825	0.060
COMMON 'B'	2,825	0.060
COMMON 'C'	415,780	9.545
COMMON 'D'	368,844	8.487
COMMON 'E'	583,388	13.393
COMMON 'F'	186,450	4.510
EMER. ACCESS	4,124	0.095
LOT #1	18,582	0.427
LOT #2	22,598	0.519
LOT #3	24,337	0.559
LOT #4	24,182	0.555
LOT #5	24,078	0.553
LOT #6	21,659	0.497

PARCEL TABLE		
PARCEL #	AREA (SF)	AREA (AC)
LOT #7	21,957	0.504
LOT #8	24,036	0.552
LOT #9	24,895	0.572
LOT #10	21,608	0.496
LOT #11	15,225	0.350
LOT #13	16,833	0.386
LOT #14	18,275	0.374
LOT #15	16,329	0.375
LOT #16	18,083	0.415
LOT #17	21,178	0.486
LOT #18	20,957	0.481
LOT #19	19,033	0.437
LOT #20	16,403	0.377

PARCEL TABLE		
PARCEL #	AREA (SF)	AREA (AC)
LOT #21	17,467	0.401
LOT #22	17,293	0.397
LOT #23	17,597	0.404
LOT #24	14,874	0.341
LOT #25	15,557	0.357
LOT #26	17,009	0.390
LOT #27	18,584	0.427
LOT #28	16,028	0.368
LOT #29	16,853	0.387
LOT #30	16,000	0.367
LOT #31	17,835	0.405
LOT #32	16,400	0.376
LOT #33	15,101	0.347

PARCEL TABLE		
PARCEL #	AREA (SF)	AREA (AC)
LOT #34	15,051	0.346
LOT #35	15,050	0.346
LOT #36	15,051	0.346
LOT #37	15,220	0.349
LOT #38	17,269	0.396
LOT #39	18,378	0.445
LOT #40	18,855	0.428
LOT #41	17,762	0.406
LOT #42	16,009	0.368
LOT #43	28,985	0.663
LOT #44	22,091	0.507
LOT #45	15,860	0.366
LOT #46	16,423	0.377

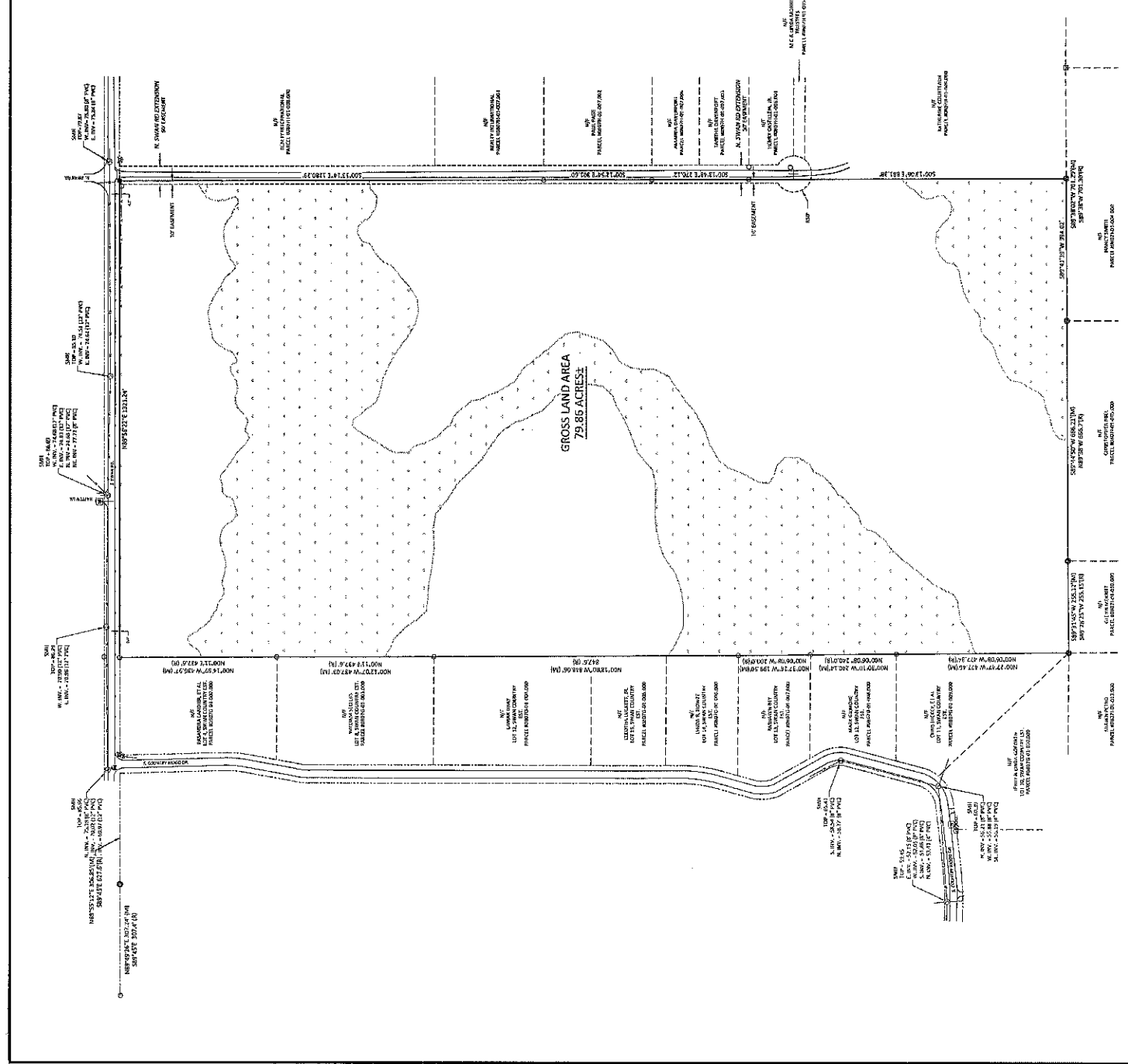
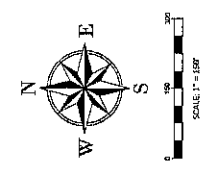
PARCEL TABLE		
PARCEL #	AREA (SF)	AREA (AC)
LOT #47	16,542	0.380
LOT #48	16,543	0.380
LOT #49	16,543	0.380
LOT #50	16,543	0.380
LOT #51	17,305	0.397
LOT #52	17,736	0.407
LOT #53	19,539	0.449
LOT #54	17,426	0.400
LOT #55	18,055	0.414
LOT #56	18,276	0.420
LOT #57	17,387	0.399
LOT #58	15,197	0.349
LOT #59	16,491	0.379

PARCEL TABLE		
PARCEL #	AREA (SF)	AREA (AC)
LOT #60	16,289	0.420
LOT #61	16,234	0.373
LOT #62	15,007	0.345
LOT #63	17,615	0.404
LOT #64	20,833	0.478
LOT #65	20,720	0.476
LOT #66	23,032	0.529
LOT #67	19,987	0.458
LOT #68	16,598	0.381
LOT #69	18,506	0.427
LOT #70	20,789	0.477
LOT #71	15,036	0.345
LOT #72	16,289	0.374

PARCEL TABLE		
PARCEL #	AREA (SF)	AREA (AC)
LOT #73	15,709	0.361
LOT #74	20,025	0.460
LOT #75	19,642	0.451
LOT #76	18,840	0.433
LOT #77	22,459	0.516
LOT #78	23,310	0.535
LOT #79	33,404	0.767
LOT #80	39,738	0.912
LOT #81	24,115	0.554
LOT #82	20,483	0.470
LOT #83	15,270	0.351
LOT #84	16,615	0.381
LOT #12	15,198	0.349

SWAN LANDING ESTATES

SOUTH SWAN ROAD - GULFPORT, MS



ZONING INFORMATION:

1. ZONING DISTRICT: AS PER THE CITY OF GULFPORT, THE PROPERTY IS LOCATED IN ZONING DISTRICT R-1.5 (SINGLE-FAMILY RESIDENCE) (LOW DENSITY).
2. MINIMUM BUILDING HEIGHT: 35'
3. SETBACK REQUIREMENTS:
 - FRONT YARD = 25'
 - SIDE YARD = 10'
 - REAR YARD = 15'

IN RESPONSE TO OUR CLIENT'S REQUEST, THERE WERE SOME UTILITIES LOCATED ON THE PROPERTY THAT WERE NOT SHOWN ON THE PREVIOUS SURVEY. WE FOUND THESE UTILITIES TO BE IN THE PUBLIC RIGHT-OF-WAY. THE UTILITIES WERE LOCATED AS FOLLOWS:

UTILITY	TYPE	LOCATION
WATER	CITY OF GULFPORT	LOCATED ON THE EAST SIDE OF THE PROPERTY
SEWER	CITY OF GULFPORT	LOCATED ON THE EAST SIDE OF THE PROPERTY
TELEPHONE	TELEPHONE COMPANY	LOCATED ON THE EAST SIDE OF THE PROPERTY
POWER	POWER COMPANY	LOCATED ON THE EAST SIDE OF THE PROPERTY
TRAILER	TRAILER	LOCATED ON THE EAST SIDE OF THE PROPERTY
WATER	WATER	LOCATED ON THE EAST SIDE OF THE PROPERTY
SEWER	SEWER	LOCATED ON THE EAST SIDE OF THE PROPERTY
TELEPHONE	TELEPHONE	LOCATED ON THE EAST SIDE OF THE PROPERTY
POWER	POWER	LOCATED ON THE EAST SIDE OF THE PROPERTY
TRAILER	TRAILER	LOCATED ON THE EAST SIDE OF THE PROPERTY

LEGEND	DESCRIPTION
1	AS SHOWN
2	AS SHOWN
3	AS SHOWN
4	AS SHOWN
5	AS SHOWN
6	AS SHOWN
7	AS SHOWN
8	AS SHOWN
9	AS SHOWN
10	AS SHOWN
11	AS SHOWN
12	AS SHOWN
13	AS SHOWN
14	AS SHOWN
15	AS SHOWN
16	AS SHOWN
17	AS SHOWN
18	AS SHOWN
19	AS SHOWN
20	AS SHOWN
21	AS SHOWN
22	AS SHOWN
23	AS SHOWN
24	AS SHOWN
25	AS SHOWN
26	AS SHOWN
27	AS SHOWN

NOTE:
THIS SURVEY HAS BEEN
SCALED TO FIT THIS SHEET

GENERAL NOTES:

1. ALL BEARINGS ON THIS PLAN ARE REFERENCED TO AND BASED ON MISSISSIPPI STATE PLANE GRID NORTH (EAST ZONE - NAD 83) AS DERIVED BY HIGH PRECISION GPS SURVEY USING TRIMBLE R-10 BASE AND R-12 ROVER IN REAL TIME KINEMATIC MODE.
2. DATE OF FIELD SURVEY: 10/23/2023.
3. IN PROVIDING THIS SURVEY, NO ATTEMPT HAS BEEN MADE TO OBTAIN OR SHOW DATA CONCERNING EXISTENCE, SIZE, DEPTH, CONDITION, CAPACITY OR LOCATION OF ANY UTILITY EXISTING ON THE SITE, WHETHER PRIVATE, MUNICIPAL OR PUBLIC OWNED EXCEPT AS SHOWN HEREON.
4. NO ABSTRACT OF TITLE, NOR TITLE COMMITMENT, OR RESULTS OF A TITLE SEARCH WERE FURNISHED TO THE SURVEYOR. ALL DOCUMENTS OF RECORD REVIEWED WERE NOTED HEREON. THERE MAY EXIST OTHER DOCUMENTS OF RECORD THAT MAY AFFECT THIS SURVEYED PARCEL.
5. THE PROFESSIONAL SURVEYOR HAS MADE NO INVESTIGATION OR INDEPENDENT SEARCH FOR EASEMENTS OF RECORD OR OTHER EASEMENTS THAT MAY AFFECT THIS SURVEYED PARCEL.
6. THE LOCATION OF UNDERGROUND UTILITIES ARE SHOWN ON THIS SURVEY AS THEY WERE MARKED ON THE SURVEY. THE SURVEYOR HAS NO RESPONSIBILITY FOR THE LOCATION OF ANY UTILITY EXISTING ON THE SITE. THE LOCATION OF ANY UTILITY EXISTING ON THE SITE IS THE RESPONSIBILITY OF THE OWNER.
7. NO EASEMENT WAS MADE TO EXCAVATE "TWO INCHES" TO LOCATE ANY UTILITIES. ANY EASEMENTS, P.A. ASSESSMENTS, OR RESPONSIBILITY FOR THE ACCURACY OF THE LOCATION OF THE UNDERGROUND UTILITIES SHOWN ON THIS DRAWING.
8. SURFACE AND ENVIRONMENTAL CONDITIONS WERE NOT SURVEYED OR EXAMINED OR CONSIDERED AS PART OF THIS SURVEY. NO EVIDENCE OR STATEMENT IS MADE CONCERNING THE EXISTENCE OF ANY EASEMENTS OR OTHER EASEMENTS THAT MAY AFFECT THIS SURVEYED PARCEL.
9. THIS SURVEY IS MADE ONLY IF THE DRAWING INCLUDES THE ORIGINAL SEAL AND ORIGINAL SIGNATURE OF THE SURVEYOR.

ADDITIONAL NOTES:

1. SUBJECT PROPERTY HAS NOT YET BEEN ASSIGNED AN ADDRESS.
2. SAID DESCRIBED PROPERTY IS LOCATED WITHIN AN AREA HAVING ZONE DESIGNATIONS OF "C" UNIMPAVED (OPEN SPACE) AND "R-1.5" RESIDENTIAL. THE ZONE DESIGNATIONS ARE PER THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) ON FLOOD INSURANCE MAP NO. 28470Z023SH WITH AN EFFECTIVE DATE OF DEC. 21, 2017 IN THE CITY OF GULFPORT (COMMUNITY NUMBER 285253), WHICH IS THE CURRENT FLOOD INSURANCE RATE MAP.
3. GROSS LAND AREA OF SUBJECT PROPERTY: 79.85 ACRES.
4. SUBJECT PROPERTY IS LOCATED IN ZONE R-1.5 AS PER PROVIDED ZONING REPORT.
5. NO OBSERVED EVIDENCE OF CURRENT EARTH MOVING WORK, BUILDING CONSTRUCTION OR BUILDING ADJUSTMENTS AT THE TIME OF SURVEY.
6. NO OBSERVED CHANGES IN STREET RIGHT-OF-WAY (LINES OR OBSERVED EVIDENCE OF RECENT STREET OR SIDEWALK CONSTRUCTION OR REPAIRS) AT THE TIME OF SURVEY.
7. NO OBSERVED EVIDENCE OF SITE USED AS A SOLID WASTE DUMP, SUMP OR LUNATIC LANDFILL AT THE TIME OF SURVEY.
8. THE ACCOMPANYING SURVEY WAS MADE ON THE GROUND AND CORRECTLY SHOWS THE LOCATION OF ALL SURVEYED BUILDINGS, STRUCTURES AND OTHER IMPROVEMENTS SITUATED ON THE ABOVE PREMISES AT THE TIME OF SURVEY. THE SURVEYOR HAS NO RESPONSIBILITY FOR THE LOCATION OF ANY UTILITY EXISTING ON THE ADJACENT LAND ABUTTING SAID PROPERTY EXCEPT AS SHOWN HEREON AS ENCROACHMENTS AND WAS MADE IN ACCORDANCE WITH THE LAWS AND/OR STANDARDS OF CARE OF THE STATE OF MISSISSIPPI.

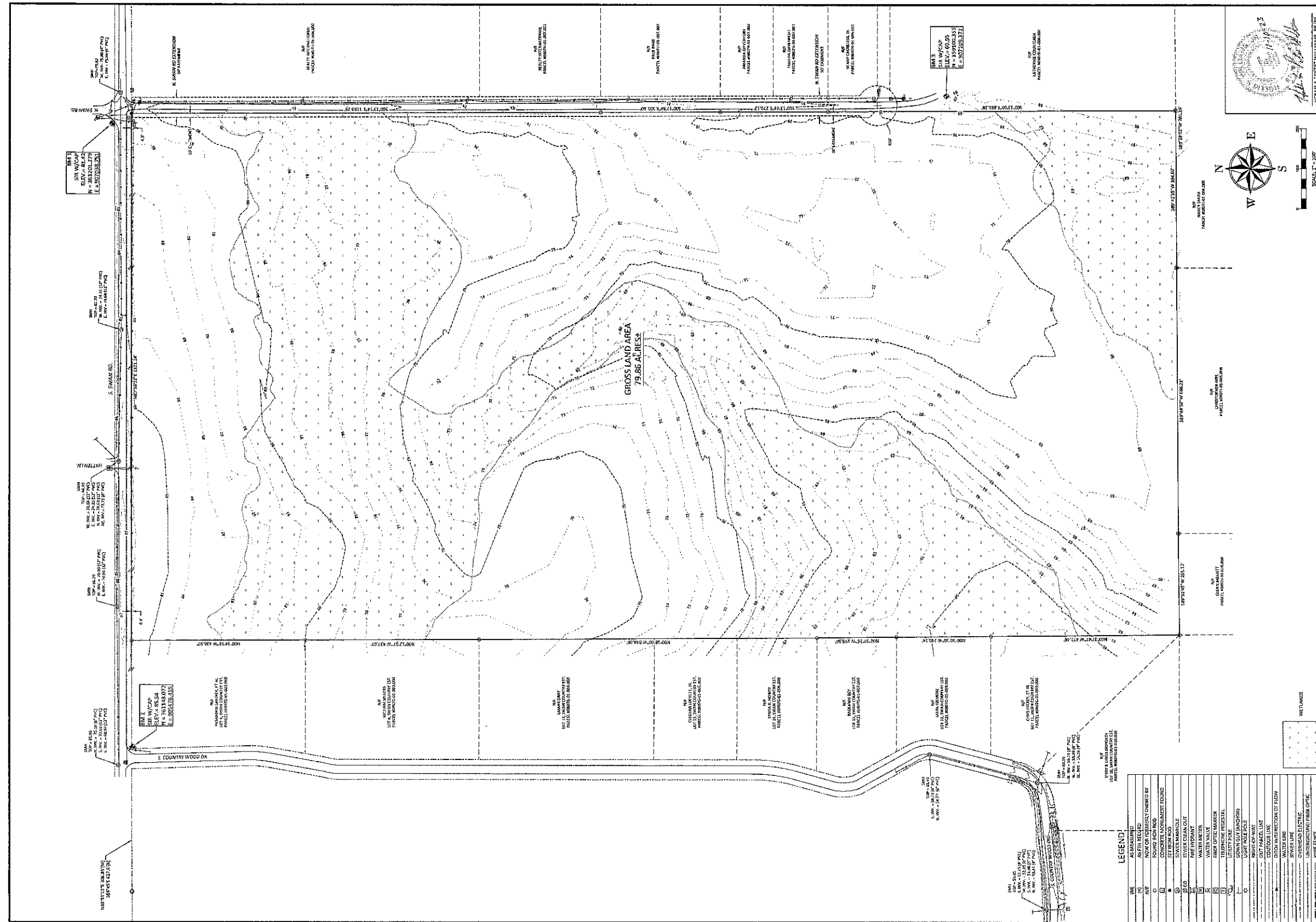
CERTIFICATE OF TITLE PREPARED BY DONALD R. JONES, ATTORNEY, P.L.C., DATED OCTOBER 12, 2023

1. The subject portion of the 2023 and 2024 and 2025 and 2026 and 2027 and 2028 and 2029 and 2030 and 2031 and 2032 and 2033 and 2034 and 2035 and 2036 and 2037 and 2038 and 2039 and 2040 and 2041 and 2042 and 2043 and 2044 and 2045 and 2046 and 2047 and 2048 and 2049 and 2050 and 2051 and 2052 and 2053 and 2054 and 2055 and 2056 and 2057 and 2058 and 2059 and 2060 and 2061 and 2062 and 2063 and 2064 and 2065 and 2066 and 2067 and 2068 and 2069 and 2070 and 2071 and 2072 and 2073 and 2074 and 2075 and 2076 and 2077 and 2078 and 2079 and 2080 and 2081 and 2082 and 2083 and 2084 and 2085 and 2086 and 2087 and 2088 and 2089 and 2090 and 2091 and 2092 and 2093 and 2094 and 2095 and 2096 and 2097 and 2098 and 2099 and 2100 and 2101 and 2102 and 2103 and 2104 and 2105 and 2106 and 2107 and 2108 and 2109 and 2110 and 2111 and 2112 and 2113 and 2114 and 2115 and 2116 and 2117 and 2118 and 2119 and 2120 and 2121 and 2122 and 2123 and 2124 and 2125 and 2126 and 2127 and 2128 and 2129 and 2130 and 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SWAN LANDING ESTATES

SOUTH SWAN ROAD - GULFPORT, MS

NOTE:
THIS SURVEY HAS BEEN
SCALED TO FIT THIS SHEET



REVISIONS	
NO.	DATE

Project No: 2292
DATE: 11/10/23
Scale: 1" = 100'
Drawn By: SCL
Checked By: HSW

Topographical Survey for:
Swan Landing Estates Subdivision
Situated in Section 27, Township 6 South, Range 11 West
City of Gulfport, Harrison County, Mississippi

W ENGINEERING, P.A.
301 Central Ave East
Wiggins, MS 39577
Office 601-925-5981
pw@weng-ms.com

01
Sheet No.

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

January 2, 2024

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

BOOK 1494 PAGE 561



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 437-38-0662; 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").

BOOK 1494 PAGE 562

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. Digne

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

Judith Sabato

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

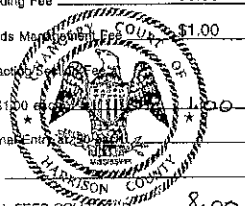
Grantor: Betty B. Flair, 2538 Calhoun Street, New Orleans, LA 70118; 504-861-9084

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

Instrument No. 3764

STATEMENT OF FEES

Recording Fee \$6.00
Records Maintenance Fee \$1.00
Abstract \$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.

LAWRENCE-GREENWOOD 0066

Swan Landing

Site Plan Changes

On February 24, 2024, we met with some neighboring property owners who live in Countrywood Estates. Based on comments from those owners at that meeting, several site plan changes have been made.

It should be noted that our previous site plan conformed to ALL zoning requirements for R-1-15 zoning, and that these changes have been made to help the surrounding residents. These changes resulted in a loss of 3 lots to the overall site plan (previously 87 lots, now 84 lots). *The previous variance request (which was denied by the City Council) would have allowed wider homes on the lots, but the lots themselves met all the zoning requirements.*

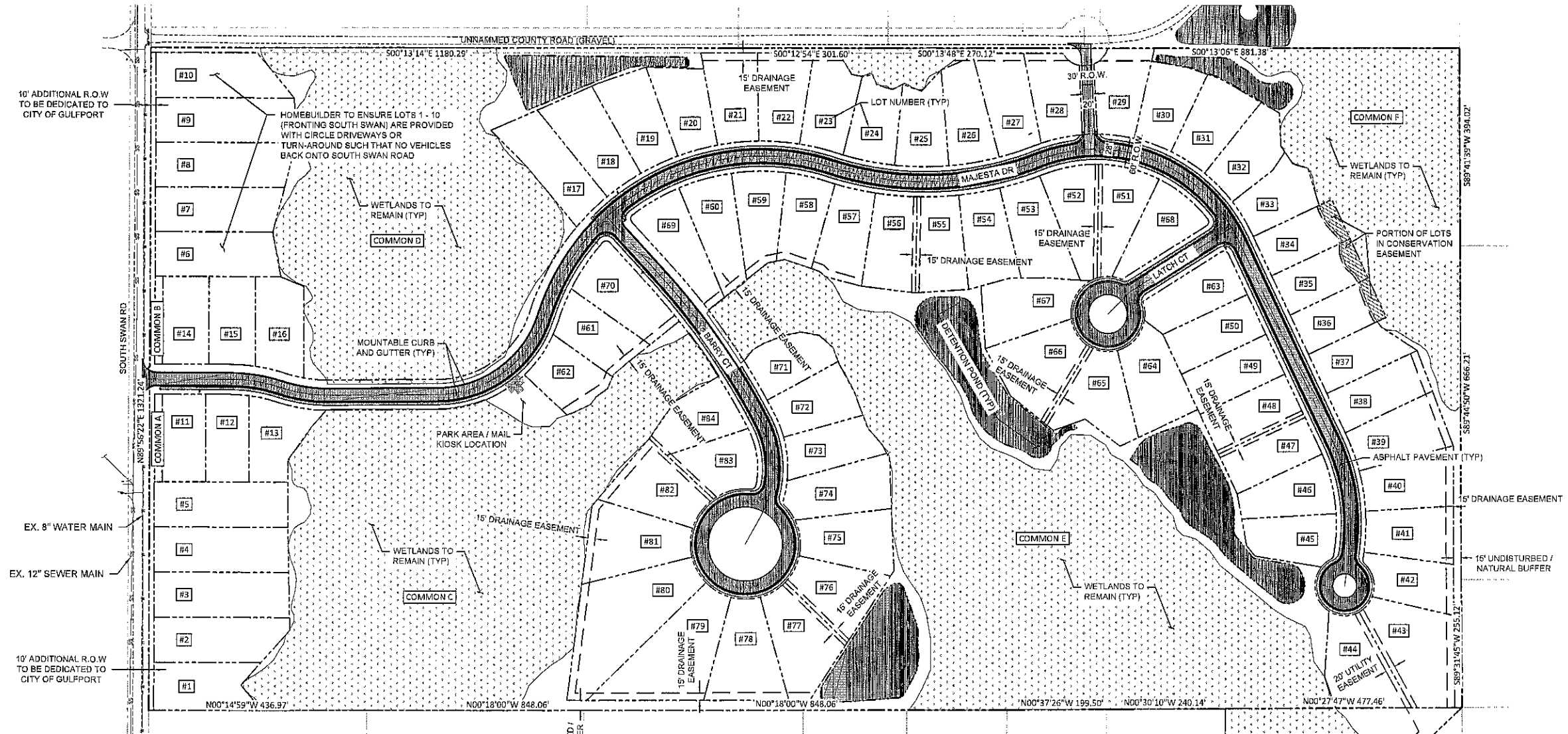
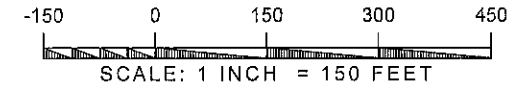
1. Lot Size – Residents asked if we could make the lots larger.
 - We increased the square footage of many of the lots.
 - The average Lot SF is now over 19,000 square feet.
 - Greater than 25% of statutory requirement
 - We Increased the width of nearly all lots.
 - Statutory minimum lot width is 60 feet.
 - Previous plan had a minimum lot width at the setback of approximately 80 feet, and the revised site plan has a lot width of approximately 86 feet
 - New plan will honor the 15' statutory setback and no variance will be requested.
 - Reduction of 3 lots - previously 87 lots, now 84 lots
2. Buffers – 3 Residents have lots that will back up to the newly developed lots, and asked if we could install a buffer.
 - Placed a 15'-20' natural/undisturbed buffer along the rear of the lots. No trees or bush will be cut in these areas.
 - Furthermore, now there are only 2 lots backing up to 14501 S Countrywood Dr. where there used to be 3 lots
3. Lots Facing South Swan – Residents asked us to try and remove all lots facing South Swan.
 - While these lots facing South Swan are allowed by right, the following concessions were made:
 - Provided an additional 10' Right-of-Way to the City of Gulfport
 - Increased the minimum front yard setback from 25 feet to 40 feet
 - Added language to General Plan – “Homebuilder to ensure that lots 1-10 (fronting South Swan) are provided with circular driveways or turnarounds such that no vehicles are required to back onto South Swan.
 - Eliminated 4 lots (30% +/-) of lots facing South Swan.
 - Engineering requested that we install concrete piping for the ditch (to eliminate driveway culverts) along South Swan and we will comply with that request.

PHASING NOTE:
PROJECT TO BE CONSTRUCTED IN
THREE (3) PHASES:
PHASE 1 - LOTS 1-10 (10 LOTS)
PHASE 2 - LOTS 11-62 (52 LOTS)
PHASE 3 - LOTS 63-84 (22 LOTS)

SWAN LANDING ESTATES

SOUTH SWAN ROAD - GULFPORT, MS

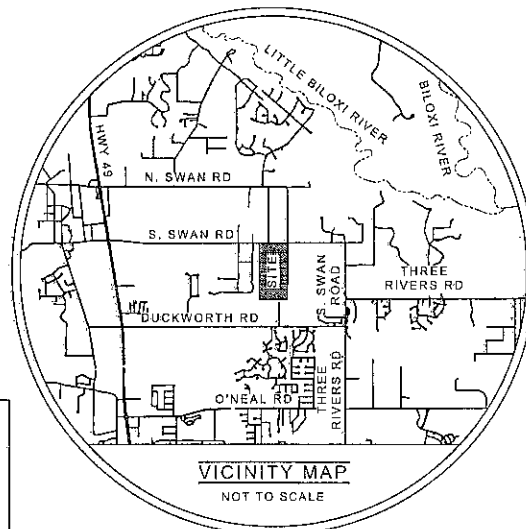
LOCATED IN SECTION 27, TOWNSHIP 6 SOUTH, RANGE 11 WEST
CITY OF GULFPORT, 1ST JUDICIAL DISTRICT OF HARRISON COUNTY, MISSISSIPPI



GENERAL SUBDIVISION PLAN SHEET LEGEND

- 1 OF 7 - PROJECT LAYOUT
- 2 OF 7 - DIMENSIONAL LAYOUT - NORTH
- 3 OF 7 - DIMENSIONAL LAYOUT - MIDDLE
- 4 OF 7 - DIMENSIONAL LAYOUT - SOUTH
- 5 OF 7 - PROJECT TABLES
- 6 OF 7 - BOUNDARY SURVEY
- 7 OF 7 - TOPO SURVEY

SHEET 1 OF 7 - PROJECT LAYOUT



PROPOSED ROAD LENGTHS

MAJESTA DRIVE	= 3,225 LF
BARRY COURT	= 775 LF
LATCH COURT	= 310 LF

LAND AREA ANALYSIS

TOTAL	= 78.86 AC (100%)
WETLANDS	= 29.73 AC (37.2%)
R.O.W.	= 7.35 AC (9.2%)
(INCL. EMERGENCY ACCESS)	
COMMON AREA	= 5.17 AC (7.7%)
LOTS (87)	= 37.80 AC (45.9%)

MINIMUM BUILDING SETBACKS

FRONT YARD	= 25 FEET
FRONT YARD (S. SWAN)	= 40 FEET
REAR YARD	= 15 FEET
SIDE YARD	= 15 FEET

MINIMUM BUILDING SITE AREA

MIN REQUIRED	= 15,000 SF
MIN PROVIDED	= 15,027 SF

BUILDING HEIGHT

MAX REQUIRED:	3 STORIES OR 35 FEET
MAX PROVIDED:	< 35 FEET

LOT COVERAGE

MAXIMUM ALLOWED:	45% OF LOT AREA
ANTICIPATED:	40% (MAX)

MISCELLANEOUS DATA

1. PRESENT TRACT DESIGNATION:
0807G-01-001.000
2. SUBDIVISION NAME: SWAN LANDING ESTATES
3. PRESENT OWNER: THE FLAIR FAMILY LLC, 225
GULF DRIVE, WAVELAND, MS 39576
4. SUBDIVIDER: GULF COAST DEVELOPMENT &
DESIGN, LLC, 919 2ND STREET, GULFPORT,
MS 39501
5. PROJECT ENGINEER: PHELAN ENGINEERING,
LLC; ANDY PHELAN, PE
6. PROJECT LAND SURVEYOR: W. ENGINEERING
& GEOTECHNICAL; PETE WILLIAMS

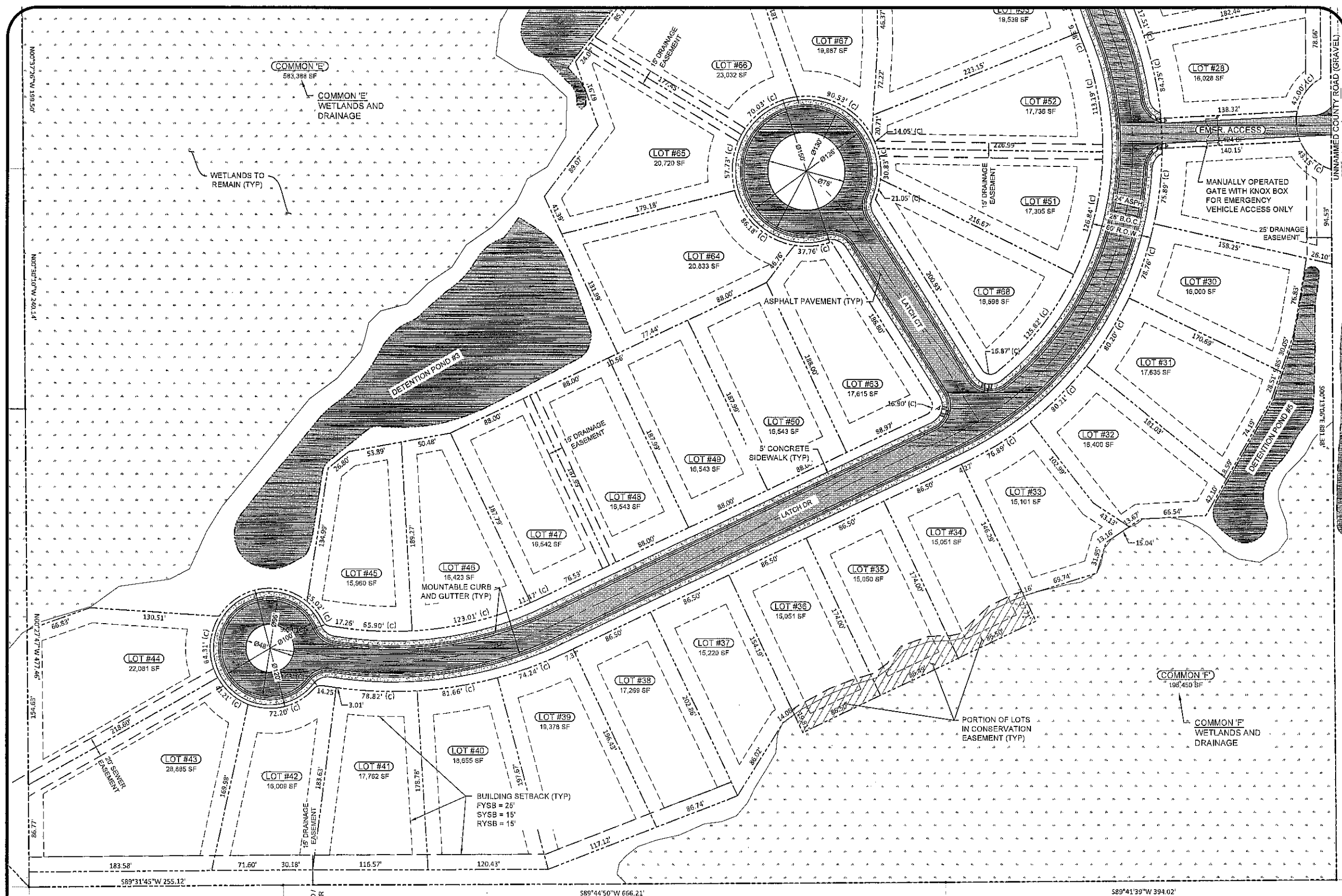
FLOOD NOTE:

ENTIRE PROPERTY IS LOCATED IN A ZONE X
(SHADED) PER MAP NUMBER 28047C0255H
(EFFECTIVE 12/21/2017)

EX. 8" SEWER MAIN

EX. 8" WATER MAIN

MARCH 1, 2024



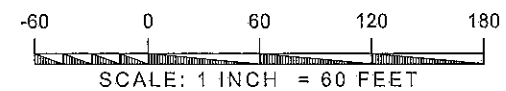
SHEET 4 OF 7 - DIMENSIONAL LAYOUT - SOUTH



GENERAL S/D PLAN BY:
PHELAN
ENGINEERING LLC

SWAN LANDING ESTATES

SOUTH SWAN ROAD - GULFPORT, MS



MARCH 1, 2024

PARCEL TABLE		
PARCEL #	AREA (SF)	AREA (AC)
COMMON 'A'	2,825	0.060
COMMON 'B'	2,825	0.060
COMMON 'C'	415,780	9.545
COMMON 'D'	368,844	8.487
COMMON 'E'	583,388	13.393
COMMON 'F'	186,450	4.510
EMER. ACCESS	4,124	0.095
LOT #1	18,582	0.427
LOT #2	22,598	0.519
LOT #3	24,337	0.559
LOT #4	24,182	0.555
LOT #5	24,078	0.553
LOT #6	21,659	0.497

PARCEL TABLE		
PARCEL #	AREA (SF)	AREA (AC)
LOT #7	21,957	0.504
LOT #8	24,036	0.552
LOT #9	24,895	0.572
LOT #10	21,608	0.496
LOT #11	15,225	0.350
LOT #13	16,833	0.386
LOT #14	18,275	0.374
LOT #15	16,329	0.375
LOT #16	18,083	0.415
LOT #17	21,178	0.486
LOT #18	20,957	0.481
LOT #19	19,033	0.437
LOT #20	16,403	0.377

PARCEL TABLE		
PARCEL #	AREA (SF)	AREA (AC)
LOT #21	17,467	0.401
LOT #22	17,293	0.397
LOT #23	17,597	0.404
LOT #24	14,874	0.341
LOT #25	15,557	0.357
LOT #26	17,009	0.390
LOT #27	18,584	0.427
LOT #28	16,028	0.368
LOT #29	16,853	0.387
LOT #30	16,000	0.367
LOT #31	17,835	0.405
LOT #32	16,400	0.376
LOT #33	15,101	0.347

PARCEL TABLE		
PARCEL #	AREA (SF)	AREA (AC)
LOT #34	15,051	0.346
LOT #35	15,050	0.346
LOT #36	15,051	0.346
LOT #37	15,220	0.349
LOT #38	17,269	0.396
LOT #39	18,378	0.445
LOT #40	18,855	0.428
LOT #41	17,762	0.406
LOT #42	16,009	0.368
LOT #43	28,985	0.663
LOT #44	22,091	0.507
LOT #45	15,860	0.366
LOT #46	16,423	0.377

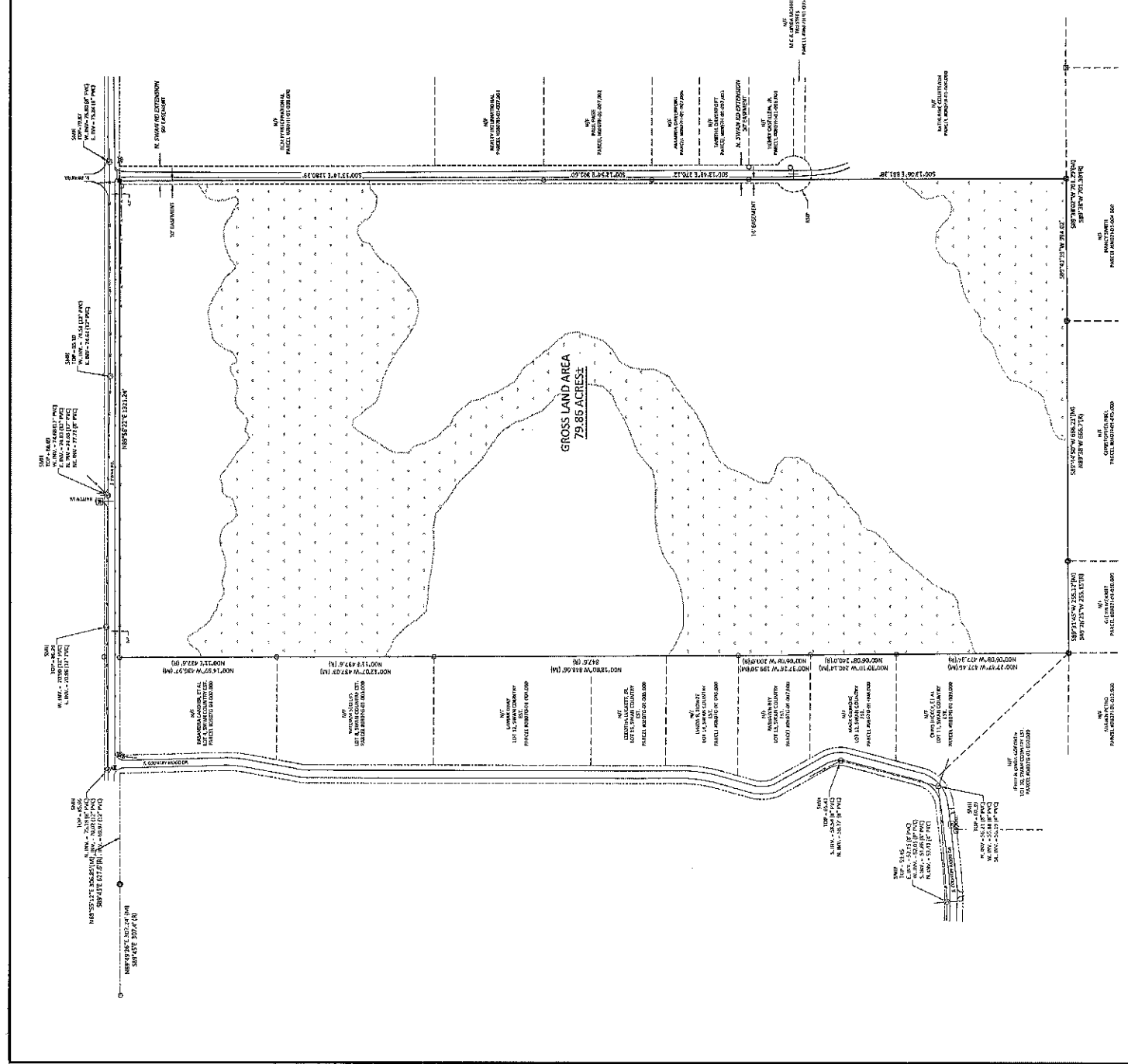
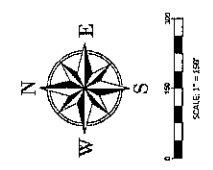
PARCEL TABLE		
PARCEL #	AREA (SF)	AREA (AC)
LOT #47	16,542	0.380
LOT #48	16,543	0.380
LOT #49	16,543	0.380
LOT #50	16,543	0.380
LOT #51	17,305	0.397
LOT #52	17,736	0.407
LOT #53	19,539	0.449
LOT #54	17,426	0.400
LOT #55	18,055	0.414
LOT #56	18,276	0.420
LOT #57	17,387	0.399
LOT #58	15,197	0.349
LOT #59	16,491	0.379

PARCEL TABLE		
PARCEL #	AREA (SF)	AREA (AC)
LOT #60	16,289	0.420
LOT #61	16,234	0.373
LOT #62	15,007	0.345
LOT #63	17,615	0.404
LOT #64	20,833	0.478
LOT #65	20,720	0.476
LOT #66	23,032	0.529
LOT #67	19,987	0.458
LOT #68	16,598	0.381
LOT #69	18,506	0.427
LOT #70	20,789	0.477
LOT #71	15,036	0.345
LOT #72	16,289	0.374

PARCEL TABLE		
PARCEL #	AREA (SF)	AREA (AC)
LOT #73	15,709	0.361
LOT #74	20,025	0.460
LOT #75	19,642	0.451
LOT #76	18,840	0.433
LOT #77	22,459	0.516
LOT #78	23,310	0.535
LOT #79	33,404	0.767
LOT #80	39,738	0.912
LOT #81	24,115	0.554
LOT #82	20,483	0.470
LOT #83	15,270	0.351
LOT #84	16,615	0.381
LOT #12	15,198	0.349

SWAN LANDING ESTATES

SOUTH SWAN ROAD - GULFPORT, MS



ZONING INFORMATION:

1. ZONING DISTRICT: AS PER THE CITY OF GULFPORT, THE PROPERTY IS LOCATED IN ZONING DISTRICT R-1.5 (SINGLE-FAMILY RESIDENCE) (LOW DENSITY).
2. MAXIMUM BUILDING HEIGHT: 35'
3. SETBACK REQUIREMENTS:
 - FRONT YARD = 25'
 - SIDE YARD = 10'
 - REAR YARD = 15'

IN RESPONSE TO OUR CLIENT'S REQUEST, THERE WERE SOME UTILITIES LOCATED WITHIN THE SURVEYED AREA. THE UTILITIES WERE LOCATED AT THE FOLLOWING LOCATIONS:

UTILITY	LOCATION
WATER	CITY OF GULFPORT
SEWER	CITY OF GULFPORT
TELEPHONE	TELEPHONE CO. OF MISSISSIPPI
POWER	MISSISSIPPI POWER CO.
PHONE	AT&T
CABLE	SPRINT

UTILITY	LOCATION
WATER	CITY OF GULFPORT
SEWER	CITY OF GULFPORT
TELEPHONE	TELEPHONE CO. OF MISSISSIPPI
POWER	MISSISSIPPI POWER CO.
PHONE	AT&T
CABLE	SPRINT

NO.	DATE	DESCRIPTION
1	11/09/23	DATE: 11/09/23
2		Scale: 1" = 150'
3		Drawn By: SCL
4		Checked By: HSW

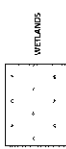
NOTE:
THIS SURVEY HAS BEEN
SCALED TO FIT THIS SHEET

GENERAL NOTES:

1. ALL BEARINGS ON THIS PLAN ARE REFERENCED TO AND BASED ON MISSISSIPPI STATE PLANE GRID NORTH (EAST ZONE - NAD 83) AS DERIVED BY HIGH PRECISION GPS SURVEY USING TRIMBLE R-10 BASE AND R-12 ROVER IN REAL TIME KINEMATIC MODE.
2. DATE OF FIELD SURVEY: 10/23/2023.
3. IN PROVIDING THIS BOUNDARY SURVEY, NO ATTEMPT HAS BEEN MADE TO OBTAIN OR SHOW DATA CONCERNING EXISTENCE, SIZE, DEPTH, CONDITION, CAPACITY OR LOCATION OF ANY UTILITY EXISTING ON THE SITE, WHETHER PRIVATE, MUNICIPAL OR PUBLIC OWNED EXCEPT AS SHOWN HEREON.
4. NO ABSTRACT OF TITLE, NOR TITLE COMMITMENT, OR RESULTS OF A TITLE SEARCH WERE FURNISHED TO THE SURVEYOR. ALL DOCUMENTS OF RECORD REVIEWED ARE NOTED HEREIN. THERE MAY EXIST OTHER DOCUMENTS OF RECORD THAT MAY AFFECT THIS SURVEYED PARCEL.
5. THE PROFESSIONAL SURVEYOR HAS MADE NO INVESTIGATION OR INDEPENDENT SEARCH FOR EASEMENTS OF RECORD OR UNRECORDED EASEMENTS. THE SURVEYOR HAS NO KNOWLEDGE OF ANY UNRECORDED EASEMENTS THAT AN ACCURATE AND CURRENT TITLE SEARCH MAY DISCLOSE.
6. THE LOCATION OF UNDERGROUND UTILITIES ARE SHOWN ON THIS SURVEY AS THEY WERE MARKED ON THE SURVEY. THE SURVEYOR HAS NO KNOWLEDGE OF ANY OTHER UTILITIES THAT MAY BE LOCATED ON THE SURVEYED PARCEL.
7. NO EASEMENT WAS MADE TO EXCAVATE "TWO INCHES" TO LOCATE ANY UTILITIES. ENGINEERING, P.A. ASSUMES NO RESPONSIBILITY FOR THE ACCURACY OF THE LOCATION OF THE UNDERGROUND UTILITIES SHOWN ON THIS DRAWING.
8. SURFACE AND ENVIRONMENTAL CONDITIONS WERE NOT SURVEYED OR EXAMINED OR CONSIDERED AS PART OF THIS SURVEY. NO EVIDENCE OR STATEMENT IS MADE CONCERNING THE EXISTENCE OF ANY EASEMENTS OR ENCROACHMENTS. THE SURVEYOR HAS NO KNOWLEDGE OF ANY EASEMENTS OR ENCROACHMENTS OF THIS PROPERTY.
9. THIS SURVEY IS MADE ONLY IF THE DRAWING INCLUDES THE ORIGINAL SEAL AND ORIGINAL SIGNATURE OF THE SURVEYOR.

ADDITIONAL NOTES:

1. SUBJECT PROPERTY HAS NOT YET BEEN ASSIGNED AN ADDRESS.
2. SAID DESCRIBED PROPERTY IS LOCATED WITHIN AN AREA HAVING ZONE DESIGNATIONS OF "C" UNIMPROVED (Zone determined to be outside the 10% annual chance floodplain) AS PER THE FLOOD INSURANCE RATE MAP (FIRM) OF THE CITY OF GULFPORT (COMMUNITY NUMBER 285253), WHICH IS THE CURRENT FLOOD INSURANCE RATE MAP.
3. GROSS LAND AREA OF SUBJECT PROPERTY: 79.85 ACRES.
4. SUBJECT PROPERTY IS LOCATED IN ZONE R-1.5 AS PER PROVIDED ZONING REPORT.
5. NO OBSERVED EVIDENCE OF CURRENT EARTH MOVING WORK, BUILDING CONSTRUCTION OR BUILDING ADJUSTMENTS AT THE TIME OF SURVEY.
6. NO OBSERVED CHANGES IN STREET RIGHT-OF-WAY (R/W) OR OBSERVED EVIDENCE OF RECENT STREET OR SIDEWALK CONSTRUCTION OR REPAIRS AT THE TIME OF SURVEY.
7. NO OBSERVED EVIDENCE OF SITE USED AS A SOLID WASTE DUMP, SUMP OR LUNATIC LANDFILL AT THE TIME OF SURVEY.
8. THE ACCOMPANYING SURVEY WAS MADE ON THE GROUND AND CORRECTLY SHOWS THE LOCATION OF ALL SURVEYED BUILDINGS, STRUCTURES AND OTHER IMPROVEMENTS SITUATED ON THE ABOVE PREMISES AT THE TIME OF SURVEY. THE SURVEYOR HAS NO KNOWLEDGE OF ANY OTHER IMPROVEMENTS OR STRUCTURES ADJACENT TO OR ABUTTING SAID PROPERTY EXCEPT AS SHOWN HEREON AS ENCROACHMENTS AND WAS MADE IN ACCORDANCE WITH THE LAWS AND/OR STANDARDS OF CARE OF THE STATE OF MISSISSIPPI.



NO.	DATE	DESCRIPTION
1	11/09/23	DATE: 11/09/23
2		Scale: 1" = 150'
3		Drawn By: SCL
4		Checked By: HSW

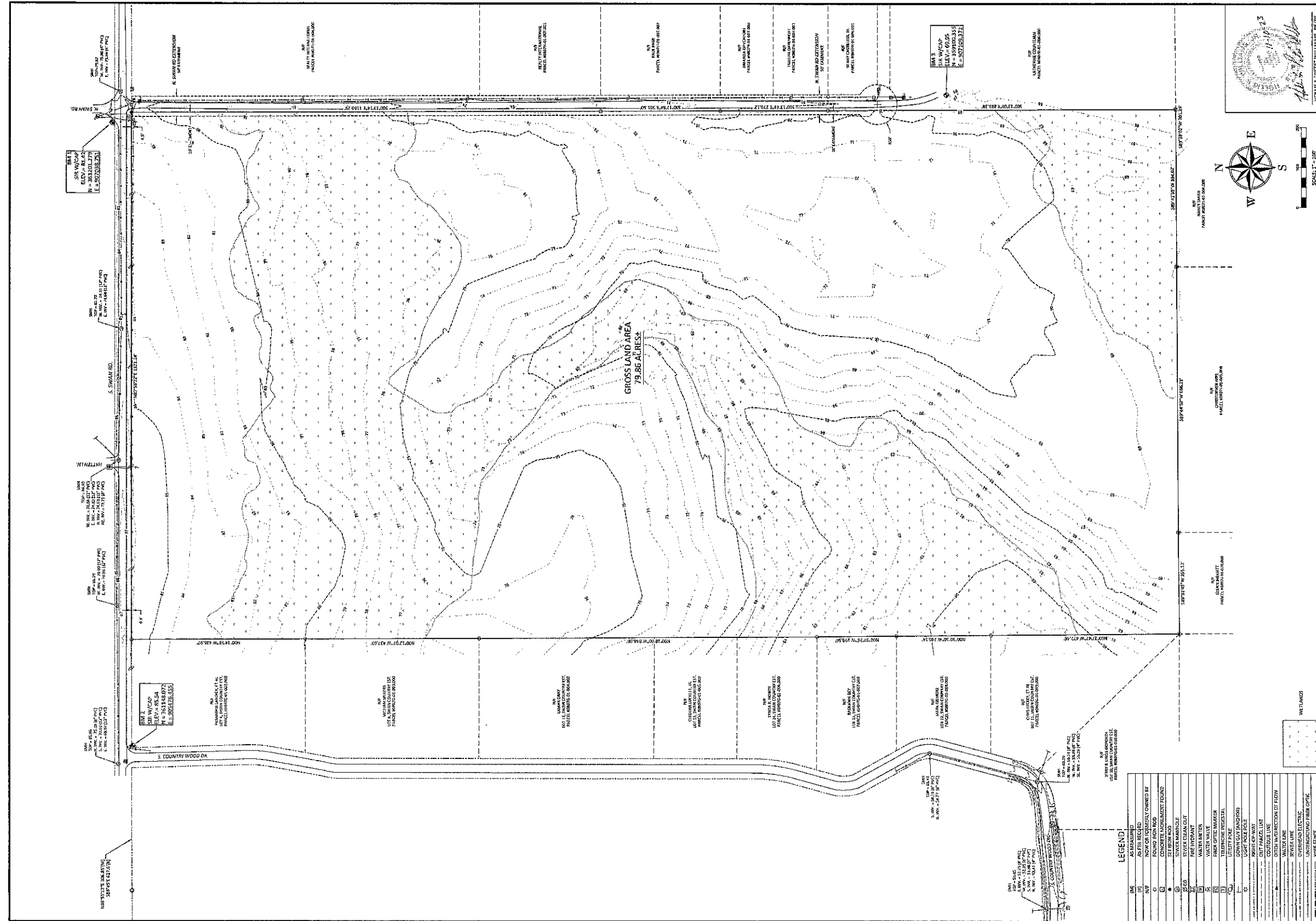
CERTIFICATE OF TITLE PREPARED BY DONALD R. JONES, ATTORNEY, P.L.C., DATED OCTOBER 13, 2023

1. The subject portion of the 2023 and 2024 and 2025 and 2026 and 2027 and 2028 and 2029 and 2030 and 2031 and 2032 and 2033 and 2034 and 2035 and 2036 and 2037 and 2038 and 2039 and 2040 and 2041 and 2042 and 2043 and 2044 and 2045 and 2046 and 2047 and 2048 and 2049 and 2050 and 2051 and 2052 and 2053 and 2054 and 2055 and 2056 and 2057 and 2058 and 2059 and 2060 and 2061 and 2062 and 2063 and 2064 and 2065 and 2066 and 2067 and 2068 and 2069 and 2070 and 2071 and 2072 and 2073 and 2074 and 2075 and 2076 and 2077 and 2078 and 2079 and 2080 and 2081 and 2082 and 2083 and 2084 and 2085 and 2086 and 2087 and 2088 and 2089 and 2090 and 2091 and 2092 and 2093 and 2094 and 2095 and 2096 and 2097 and 2098 and 2099 and 2100 and 2101 and 2102 and 2103 and 2104 and 2105 and 2106 and 2107 and 2108 and 2109 and 2110 and 2111 and 2112 and 2113 and 2114 and 2115 and 2116 and 2117 and 2118 and 2119 and 2120 and 2121 and 2122 and 2123 and 2124 and 2125 and 2126 and 2127 and 2128 and 2129 and 2130 and 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SWAN LANDING ESTATES

SOUTH SWAN ROAD - GULFPORT, MS

NOTE:
THIS SURVEY HAS BEEN
SCALED TO FIT THIS SHEET



REVISIONS	
NO.	DATE
1	11/10/23

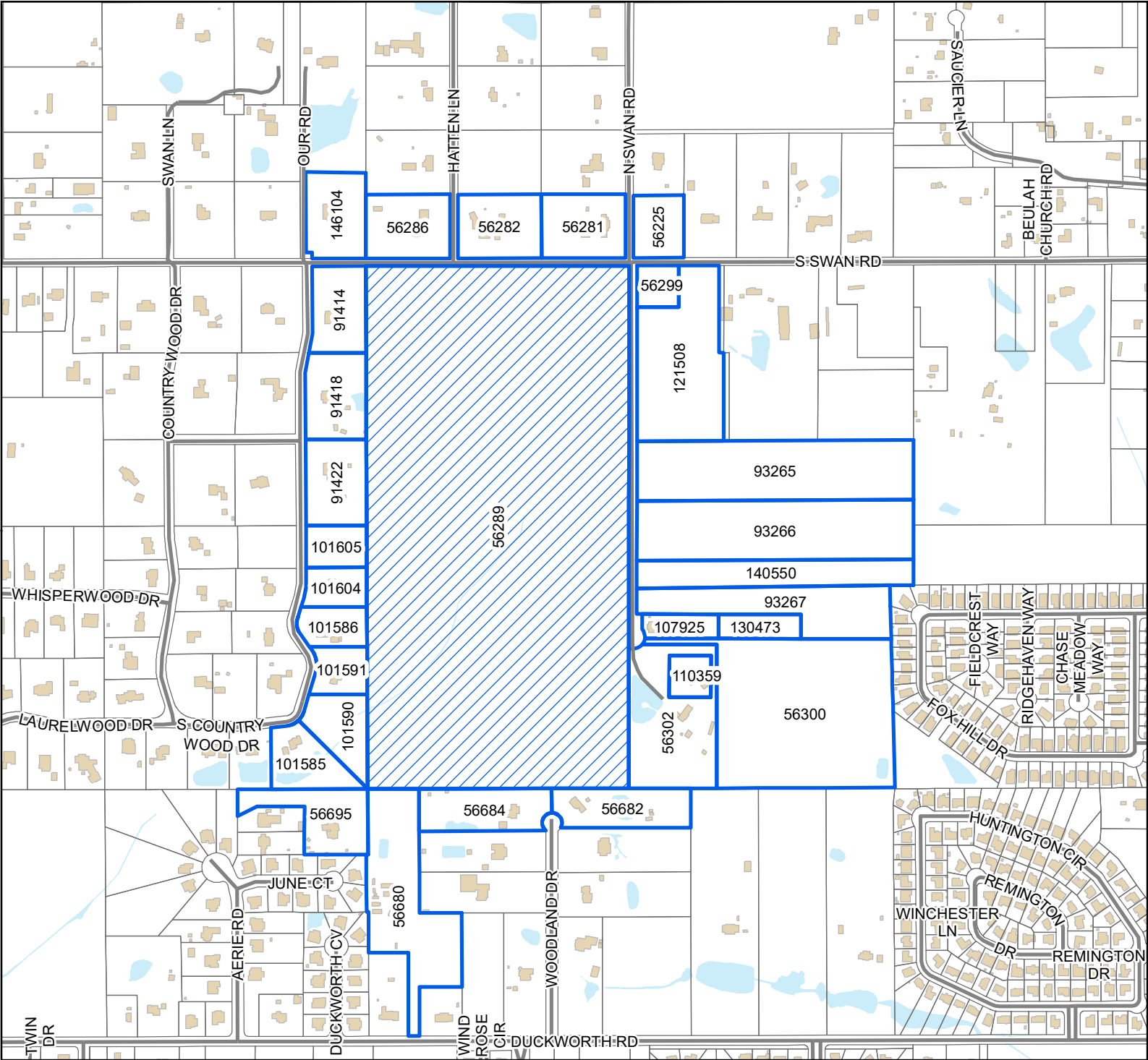
Project No: 2292
DATE: 11/10/23
Scale: 1" = 100'
Drawn By: SCL
Checked By: HSW

Topographical Survey for:
Swan Landing Estates Subdivision
Situated in Section 27, Township 6 South, Range 11 West
City of Gulfport, Harrison County, Mississippi

W ENGINEERING, P.A.
301 Central Ave East
Wiggins, MS 39577
Office 601-925-5981
pw@weng-ms.com

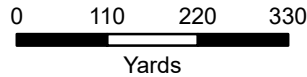
01
Sheet No.

Mail	PPIN	Parcel ID	Name	Address	City	State	ZIP
Y		0807G-01-001.000	THE FLAIR FAMILY LLC (OWNER)	614 WILLOWRIDGE DRIVE	LULING	LA	70070
			KENNETH JONES (AGENT)	919 2ND ST	GULFPORT	MS	39501
			Adjacent Property Owners (2402PC014)				
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 LYNDIA 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
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: General Plan 2402PC014, by agent Kenneth Jones, seeking approval for an 87-lot subdivision with five outparcels (Swan Landing Estates), Tax Parcel 0807G-01-001.000, South Swan Road, Zoned R-1-15 (Single-family), Ward 7

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, February 22, 2024**, 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, February 22, 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.

RE: General Plan 2402PC014, by agent Kenneth Jones, seeking approval for an 84-lot subdivision with five outparcels (Swan Landing Estates), Tax Parcel 0807G-01-001.000, South Swan Road, Zoned R-1-15 (Single-family), Ward 7

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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	513910	Print Legal Ad-IPL01569880 - IPL0156988		\$70.45	2	42 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, February 22, 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 24 th Avenue.

Planning Commission Approval 2312PC147, by agent Deberah Couvillion, seeking approval for a mobile home use, at Tax Parcel 0810E-03-048.000, Ohio Ave, Zoned R-1-5 (Single-family), Ward 3

Planning Commission Approval 2402PC010, by agent Damien Pardoe, seeking approval for a medical cannabis processing facility, Tax Parcel 0809A-02-009.000, 14092 Fastway Lane, Zoning I-2 (Heavy Industry), Ward 5

Planning Commission Approval 2402PC011, by agent M2 Enterprises, Inc., seeking approval for auto sales of less than fifty vehicles, Tax Parcel 0910M-03-058.000, 941 Pass Rd, Zoned B-2 (General Business), Ward 3

Special Exception 2402SE013, by owner Riaan LLC, seeking approval for liquor store use, Tax Parcel 1008M-01-007.000, 11268 Lorraine Rd, Zoned B-2 (General Business), Ward 6

General Plan 2402PC014, by agent Kenneth Jones, seeking approval for an 87-lot subdivision with five outparcels (Swan Landing Estates), Tax Parcel 0807G-01-001.000, South Swan Road, Zoned R-1-15 (Single-family), Ward 7

Zoning Map Amendment 2402PC015, by owner Ben W. Childers, requesting to rezone to T4+ (General Urban Zone "Plus"), Tax Parcels 1010E-02-006.000, 1010E-02-007.000, 1123 Bridge Street & 1115 Bridge Street, Zoned T3 (Sub-Urban Zone), Ward 4

This the 24th day of January 2024

Keith Williams, Chairman
City of Gulfport Planning Commission
PO210200
IPL0156988
Feb 7 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:
02/07/24

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.

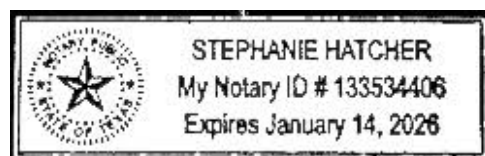
Stefani Beard

Sworn to and subscribed before me this 7th day of February 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!



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	528938	Print Legal Ad-IPL01632770 - IPL0163277		\$83.65	2	56 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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Planning Commission Approval 2402PC011, by agent M2 Enterprises, Inc., seeking approval for auto sales of less than fifty vehicles, Tax Parcel 0910M-03-058.000, 941 Pass Rd, Zoned B-2 (General Business), Ward 3

Planning Commission Approval 2403PC029, by owner JKA Properties LLC, seeking approval for church use, Tax Parcels 0910I-02-008.001, 0910I-02-008.000, 729 E Pass Rd., Zoned T5 (Urban Center), Ward 2

Special Exception 2403SC031, by agent Tyler Hickman, seeking approval for daiquiri shop, Tax Parcels 0908N-04-004.000, 0908N-04-004.001, 13211 Dedeaux Road, Zoned B-1 (Neighborhood business), Ward 5

Planning Commission Approval 2403PC039, by agents Charles Gant and Warren Dedeaux, seeking approval for a townhouse development, Tax Parcels 0908M-01-009.00, 0908M-01-009.001, 0908M-01-014.000, Zoned B-1 (Neighborhood-business), Ward 5

Planning Commission Approval 2403PC040, by agent Vinson Keyhea, seeking approval for car sales of less than 50 vehicles, Tax Parcel 0910N-06-020.000, Zoned B-2 (General-Business) Ward 4

General Plan 2402PC014, by agent Kenneth Jones, seeking approval for an 84-lot subdivision with five outparcels (Swan Landing Estates), Tax Parcel 0807G-01-001.000, South Swan Road, Zoned R-1-15 (Single-family), Ward 7

Zoning Map Amendment 2403PC020, by owner David Cospelich, Request rezone to B-1 (Neighborhood Business), Tax Parcels 0907H-02-001.001, 0907H-02-002.000, 1007E-01-002.000, 1007E-01-003.000, Zoned R-1-10 (Single Family Residence), River Road, Ward 6

Zoning Map Amendment 2403PC024, by owner Rock Solid Property, Requests to rezone to T5 (Urban Center Zone), Tax Parcel 1010N-01-087.001, Zoned T4 (General Urban Zone "Plus"), Cowan Road, Ward 2

Zoning Map Amendment 2403PC025, by agent Allison Vencil, requesting to rezone the entire parcel to T4+ (General Urban Zone "Plus"), Tax Parcel 0911B-02-009.002, 210 Texas Ave, Zoned T4+ (General Urban Zone & "Plus") and T5 (Urban Center Zone), Ward 2

This the 6th day of March 2024

Keith Williams, Chairman
City of Gulfport Planning Commission
IPL0163277
Mar 8 2024

STATE OF MISSISSIPPI COUNTY OF HARRISON

Before me, the undersigned Notary of Dallas County, Texas personally appeared Mary Castro, 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:
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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.

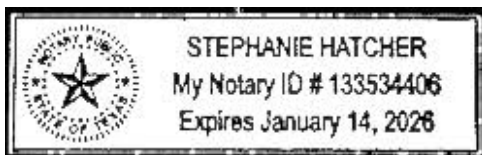
Mary Castro

Sworn to and subscribed before me this 14th day of
March 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!

MEMORANDUM

To: City of Gulfport Planning Commission

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

Date of Hearing: March 28, 2024

Re: Planning Commission Recommendation

MEMORANDUM

To: City of Gulfport Planning Commission

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

Date of Hearing: March 28, 2024

Re: **Zoning Map Amendment 2403PC020:**

Zoning Map Amendment 2403PC020, by owner David Cospelich, Request rezone to B-1 (Neighborhood Business), Tax Parcels 0907H-02-001.001, 0907H-02-002.000, 1007E-01-002.000, 1007E-01-003.000, Zoned R-1-10 (Single Family Residence), River Road, Ward 6

Technical Report

Zoning Map Amendment

GENERAL INFORMATION

Case File Number: 2403PC020

Hearing Date: March 28, 2024

Current Zoning/Use: R-1-10 / Vacant Lots

Legal: Zoning Map Amendment 2403PC020, by owner David Cospelich, Request rezone to B-1 (Neighborhood Business), Tax Parcels 0907H-02-001.001, 0907H-02-002.000, 1007E-01-002.000, 1007E-01-003.000, Zoned R-1-10 (Single Family Residence), River Road, Ward 6

TECHNICAL DETAILS

Amendment of the Zoning Ordinance, including the zoning map, is intended to carry out the objective of a sound, stable, and desirable environment. Casual amendment of the ordinance would be detrimental to the achievement of that objective. Therefore, the ordinance dictates that a property should be considered for rezoning only when one or more of the following conditions prevail according to the Mississippi case law:

When requesting rezoning of real property, **an applicant must prove, by clear and convincing evidence**, one of the following:

1. That there was a mistake in the original zoning, or
2. That the character of the neighborhood has changed to such an extent as to justify reclassification, **and** that there was a public need for rezoning.

The applicant requests to rezone approximately 8.5 acres of property from R-1-10 (Single-Family Residence) district to B-1 (Neighborhood Business) district. Currently, the properties have an abandoned camper and mobile home as well as several vacant parcels. As presented, the applicant requests to rezone the properties from R-1-10 (Single-Family Residence) district to B-1 (Neighborhood Business) district for the purpose of developing and “creating a space where families can safely come and enjoy the Biloxi River with outdoor recreations including: fishing, canoes, swimming, kayaking and camping. Furthermore, the applicant states, “I will personally be managing the business myself and will be overseeing every aspect to provide a safe place for families to enjoy their summer.” The applicant plans to begin design and development 36 months within approval of the zoning change by the Planning Commission. The surrounding consistency of the neighborhood are areas containing general business districts, one-family, two-family and multiple-family dwellings.

The applicant has not provided as justifications for change of the current zoning district.

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

Technical Report

Zoning Map Amendment

2. The need is addressed by the applicant. Applicant noted "The public need is for this area to be cleaned up and to grow and become a nice place and not an eyesore with squatters and drug dealers living dilapidated and having structures not following code with no power, water or sewage."

EXECUTIVE SUMMARY

The applicant wishes to rezone the subject site from R-1-10 (Single-Family Residence) to B-1 (Neighborhood Business) in order to serve the neighbors and visitors that demand more outdoor recreational activities in the area. The comprehensive plan shows the zoning for the subject parcel would stay as R-1-10 (Single-Family Residence). (See the attached site map)

The applicant has not proven with clear and convincing evidence for a zoning change as required by the state, however, the staff notes that there are more single-family homes in the surrounding neighborhood than commercial uses, therefore, rezoning to B-1 would not be in harmony with the existing neighborhood.

Any approval should consider these conditions:

1. Must meet all current building Codes and City of Gulfport Ordinances.
2. Must comply with all Planning & Zoning rules and regulations.
3. Planning Commission only gives recommendation. This will require approval from City Council.
4. If any tree work is to be done in the future, a tree survey & tree permits need to be applied for. Protected trees need to be preserved and protected.

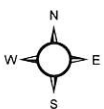
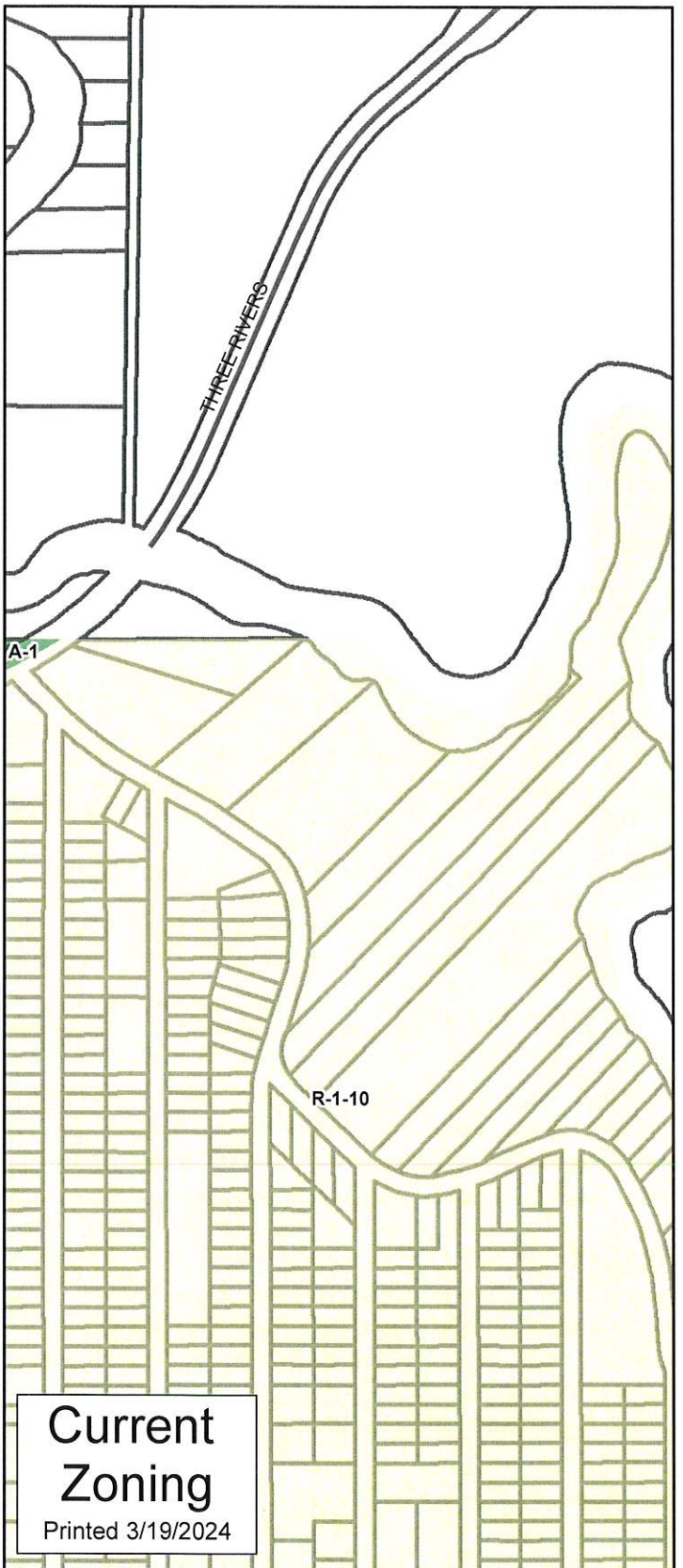
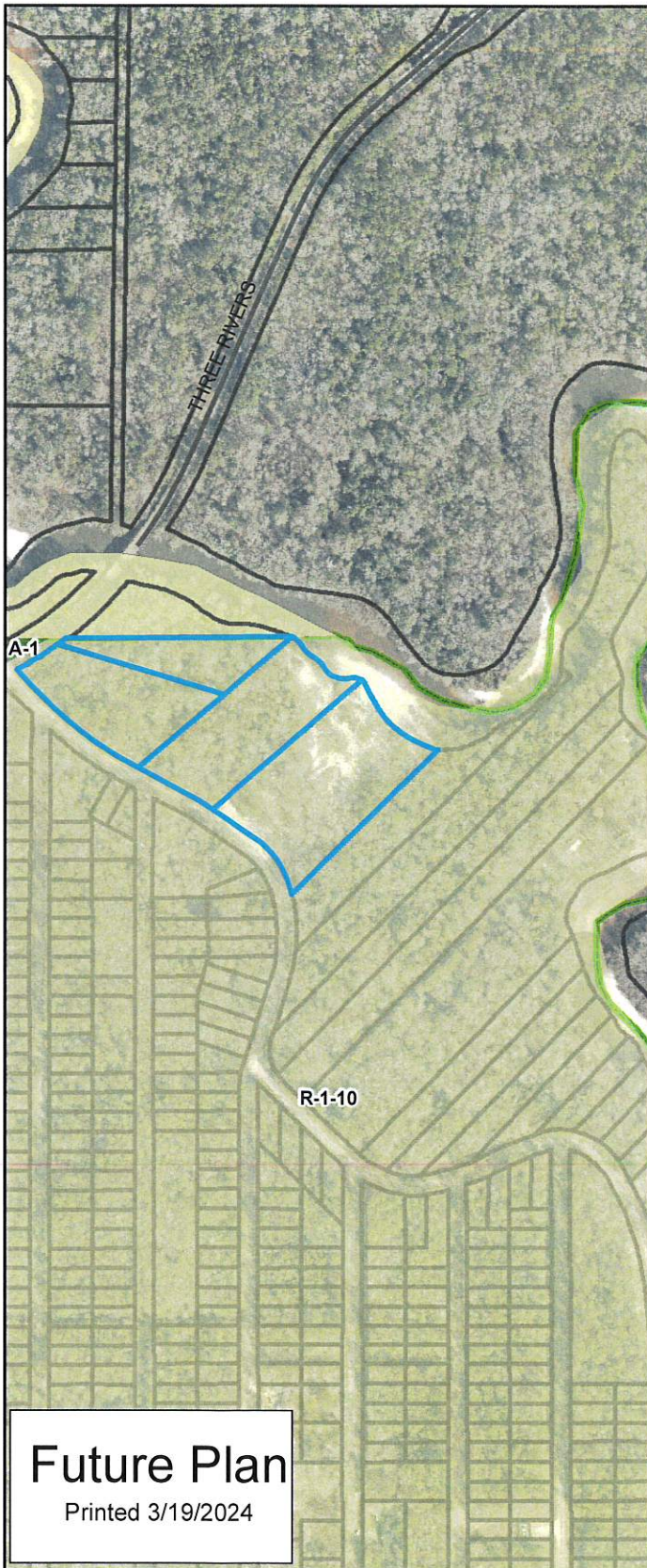
DIRECTOR APPROVAL

This report has been reviewed and approved by:



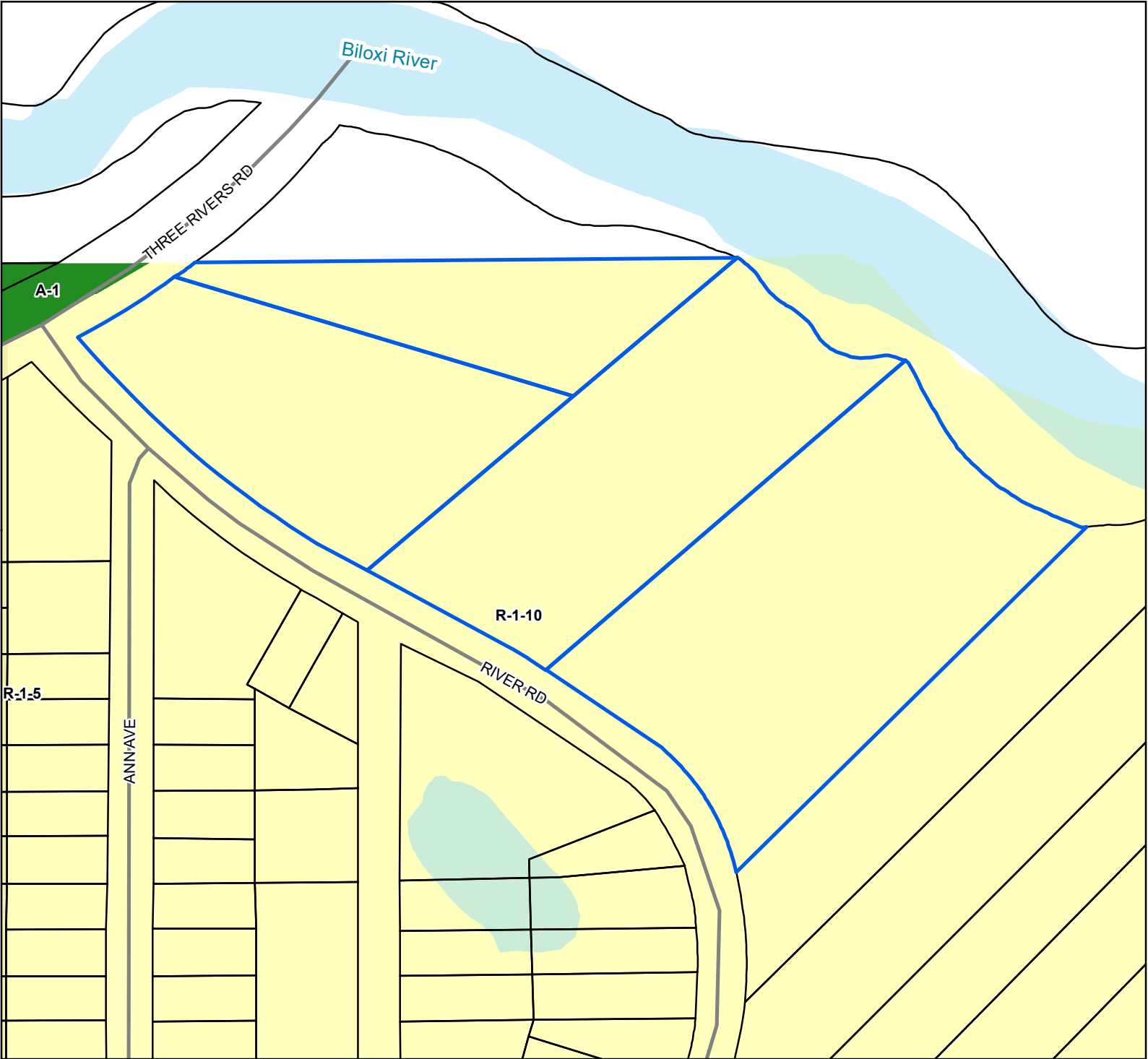
Greg Holmes

Director of Urban Development Department



1 inch = 449 feet

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Street

Parcels

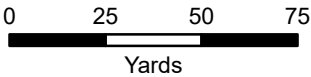
Water Features

Zoning

- A-1 - Agricultural District
- R-1-10 - Single Family Residence (Low Density)
- R-1-5 - Single Family Residence District (Medium Density)

Site Information

0907H-02-001.001
0907H-02-002.000
1007E-01-002.000
1007E-01-003.000
Zoning: R-1-10 (Single Family)
Size: 8.5 acres
Flood: AE



1 inch = 150 feet



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

For Staff Use Only

Case File #: 2403 PC020Date Received: 1/5/23

Receipt #: _____

Received By: JS

Zoning: _____

Ward: _____ Flood: _____

APPLICATION FOR ZONING MAP AMENDMENT/LAND USE

RECLASSIFICATION (SMARTCODE)

TAX PARCEL #	0907H	02	Property Information				001	001	1 ACRE
0907H	02	002	000	000	7 LOTS				
1007E	01	002	000	000	3 LOTS				
1007E	01	003	000	000	PARK				

(If necessary, use separate sheet of paper)

Address of Property Involved: 13850 OR 13756Lot(s) 12, Block(s) 4, Subdivision _____General Location: CORNER OF Three Rivers Rd AND River Road

GENERAL DESCRIPTION OF REQUEST:

RE ZONE TO B1

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
David Cospelich

AGENT

Printed Name Of Owner

14461 Hatten LN.

Printed Name Of Agent

Mailing Address

GULFPORT MS. 39503

Mailing Address

City State Zip code

228-234-7469 Same

City State Zip code

Home Phone Work/Cell Phone

dcospelich@gmail.com

Home Phone Work/Cell Phone

Email

David Cospelich

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 G. MUST BE SUBMITTED FOR A COMPLETE APPLICATION.

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

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

NAME OF OWNER (PRINT)

DAVID COSPELICH

ADDRESS (STREET, CITY, STATE, ZIP CODE)

14461 HATTEN LN.

PHONE # (H)

228-234-7469

(W)

TAX PARCEL NUMBER(S) OWNED

090H-02-001-001, 0907H-02-002.000
1007E-01-002.000, 1007E-01-003.000

SIGNATURE

David CospeLich

NAME OF OWNER (PRINT)

ADDRESS (STREET, CITY, STATE, ZIP CODE)

PHONE # (H)

(W)

TAX PARCEL NUMBER(S) OWNED

SIGNATURE:

NAME OF OWNER (PRINT)

ADDRESS (STREET, CITY, STATE, ZIP CODE)

PHONE # (H)

(W)

TAX PARCEL NUMBER(S) OWNED

SIGNATURE:

(Use additional forms as needed)

IN CASES OF MULTIPLE APPLICANTS, PLEASE IDENTIFY THE PERSON WHO WILL BE ACTING AS YOUR SPOKES PERSON/AGENT FOR YOU:

IMPORTANT NOTICES

1. Please be advised that failure to submit a COMPLETE application, with all supporting documents, may **delay your hearing date**. The Planning Commission will not consider a request until all information required by Ordinance and this application 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 7 to determine the deadline dates for filing your application.
4. Please be advised that, at the hearing on your application, you will be **required** to demonstrate, by **clear and convincing evidence** placed in the record before the Planning Commission, at least one of the following:

That there was a mistake in the original zoning ("mistake" has been determined by the Mississippi Supreme Court to be a "mistake" of a clerical or an administrative nature, not a difference in judgment) OR

That the character of the neighborhood has changed to such an extent as to justify reclassification, AND that there is a public need for rezoning.

The following are types of proof that the Mississippi Supreme Court (*Board of Aldermen, City of Clinton v. Conerly*, 509 So.2d 877 (Miss. 1987) and *Thomas v. Board of Sup'rs of Panola County*, 45 So.3d 1173 (Miss. 2010)) has suggested would be appropriate to be placed in the record to demonstrate the required change to the character of the neighborhood and public need:

- 1) Map showing the circumstances of the area (Conerly)
- 2) The changes in the neighborhood (Conerly)
- 3) Statistics showing a public need (Conerly)
- 4) Maps showing a change or recent rezoning in the area (Thomas)
- 5) Statistics or other evidence of growth in the neighborhood (Thomas)
- 6) Charts showing the quantity of construction (Thomas)

The foregoing is not an exhaustive list and is provided merely for guidance. The City recommends that an applicant for rezoning seek legal counsel as to what evidence the applicant should place in the record, during the hearing before the Planning Commission, in support of the application for rezoning. Neither the City of Gulfport nor its employees can provide an applicant with any legal advice.

FOR SMARTCODE LAND USE RECLASSIFICATIONS:

THERE IS NO MINIMAL SIZE REQUIREMENT. PROPERTIES LOCATED WITHIN SMARTCODE OF APPENDIX D TRANSECT ZONES CAN ONLY BE CONSIDERED FOR REZONING IN WHOLE OR IN PART TO THE SUCCESSIONAL (NEXT HIGHER NUMBERED) TRANSECT ZONE.

FOR TRADITIONAL ZONING:

THE MINIMAL SIZE REQUIREMENTS FOR REQUESTING A REZONING OF PROPERTY ARE AS FOLLOWS:

If you wish to change the zoning of a particular area and the area designated for the proposed change does not abut a district of the proposed classification created by amendment, the following size requirements must be met:

R-1, R-1-5, R-1-7.5, R-1-15, R-3 or R-4 Districts:

Four (4) acres, except where the proposed district would abut an existing district zoned the same as the proposed district.

R-2 District:

Four (4) acres, except where the proposed district would abut an existing R-2, R-O, or R-B district.

R-O District:

Four (4) acres, except where the proposed district would abut an existing R-O, R-B or B-1 district.

R-B District:

Four (4) acres, except where the proposed district would abut an existing R-B, B-1, B-2, B-3, or B-4 district.

B-1 District:

Two (2) acres, except where the proposed district would abut an existing B-1, B-2, B-3 I-1 or I-2.

B-2 District:

Four (4) acres, except where the proposed district would abut an existing B-2, B-3, I-1 or I-2 district.

B-3 District:

Twenty (20) acres, except where the proposed district would abut an existing B-3 district.

B-4 District:

Four (4) acres, except where the proposed district would abut an existing B-4 district.

E-G District:

Seven (7) acres of contiguous land, which minimum acreage is comprised of uplands or fastlands only and not bottomlands or tidelands, and is adjacent to and contiguous with U.S. Highway 90 or adjacent in some part to and contiguous with the Mississippi Sound or adjacent harbor areas.

I-1 or I-3 Districts:

Six (6) acres, except where the proposed district would abut an existing I-1, I-2 or I-3

district.

I-2 District:

Twenty (20) acres, except where the proposed district would abut an existing I-2 district.

A-1 District:

Twelve (12) acres, except where the proposed district would abut an existing A-1 district.

R-E District:

Four (4) acres, except where the proposed district would abut an existing R-E District.

T1 Zone:

Twelve (12) acres, except where the proposed district would abut an existing T1 or T2 district.

T2 Zone:

Twelve (12) acres, except where the proposed district would abut an existing T1 or T2 district.

T3 Zone:

Four (4) acres, except where the proposed district would abut an existing T3 district.

T4L Zone (Limited):

Four (4) acres, except where the proposed district would abut an existing T4L or T4+ district.

T4+ Zone (Plus):

Four (4) acres, except where the proposed district would abut an existing T4+ or T5 district.

T5 Zone:

Two (2) acres, except where the proposed district would abut an existing T5 or T6 district.

T6 Zone:

Four (4) acres, except where the proposed district would abut an existing T6 district.

Once you have ensured that you meet the size requirements, you must also show a need for uses. You must be able to show and demonstrate a need in the area for those uses permitted to the proposed district.

13756-850 River Rd.

Gulfport, Ms 39503

Owner: David Cospelich

14461 Hatten lane, Gulfport,MS 39503

River Road Development LLC.

My name is David Cospelich and I am the sole owner of approximately 10 Acres in the city of Gulfport on the corner of River Road and Three Rivers Road. The property is minutes north of I-10 and is connected to a major evacuation route 605/ Cowan Lorraine Road, the property consist of four separate parcels on the Biloxi River. In 1961, our Harrison County supervisor, Roy E Dedeaux , dedicated this property as a public county park where many families enjoyed it as a familiar swimming hole and picnic spot. In 1994 The city of Gulfport annexed this property into the city corporation. For years the park was left "as is" with no improvements, utilities or infrastructure added. Several years later, the city added a parking lot with limited spaces on the main street, River Road. This area became a huge problem because it quickly became an all night hangout spot for low level criminals breaking the law, dealing drugs, committing theft, domestic disputes ,and continuous unlawful camping with several swimming accidents. Because of the liability and public safety, in 2019 the city quick deeded the said property back to Harrison County. After many attempts to keep it open and running, it became clear that the trespassing and illegal activities would never cease. The county closed the park and placed barricades and clearly posted signage stating the park was no longer open to the public. However, they could not keep the public from trespassing and parking on it illegally. Since my neighbor and I purchased a combined twenty-three acres ,we have completely changed the culture at our end of River Rd.With our presence, the parks has been kept up and the issue of trespassers destroying and stealing from the property has ceased. "The Change" is from a public park with domestic problems to a private property to be used for tourism. "The public need" is creating a space where family's can safely come and enjoy the Biloxi River with outdoor recreations including fishing , canoes, swimming , kayaking and camping. I will personally be managing the business myself and will be overseeing every aspect to provide a safe place for families to enjoy their summer. "The Public Need" is also obvious for this area to be cleaned up and to grow and

become a nice place to visit and not an eyesore with squatters and drug dealers living in dilapidated structures not following code with no power, water or sewage. If you look into the code enforcement records these days you will find this to be an ongoing problem at the moment. Now that the Gulfport Police Department is allowed to back the code enforcement office, things seem to be improving in the area. Brandon Elliot, a prominent home builder here on the coast, has started to expand in an area just to the north west of my property with some affordable homes that will aid in the improvement of this area. To quote one of the city managers in the zoning office: "this just might be the spark that can change this area."

Will start 36 MONTHS WITH IN
APPROVAL 

0907H-01-011.000



Area Map

Printed 1/3/2024

1007E-01-001.000

0907H-01-012.000

THREE RIVERS RD

0907H-02-001.000

0907H-02-001.001

0907H-02-002.000

1007E-01-002.000

0907H-02-003.000

0907H-02-004.000

0907H-02-005.001

0907H-02-009.000

0907H-02-005.000

0907H-02-008.000

0907H-02-007.000

0907H-02-005.002

0907H-02-006.000

0907I-01-046.000

0907I-01-001.000

0907I-01-045.000

RIVER RD

13756 RIVER RD

1007E-01-004.000

1007E-01-005.000

1007L-06-087.000

1007L-06-036.000

1007L-06-086.000

1007L-06-037.000

1007E-01-003.000

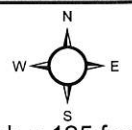
1007L-01-022.001

1007L-01-022.000

1007L-01-021.000

1007L-01-020.000

- Addresspoints
- Collector
- Minor/Residential
- WaterFeatures
- Parcels



1 inch = 125 feet

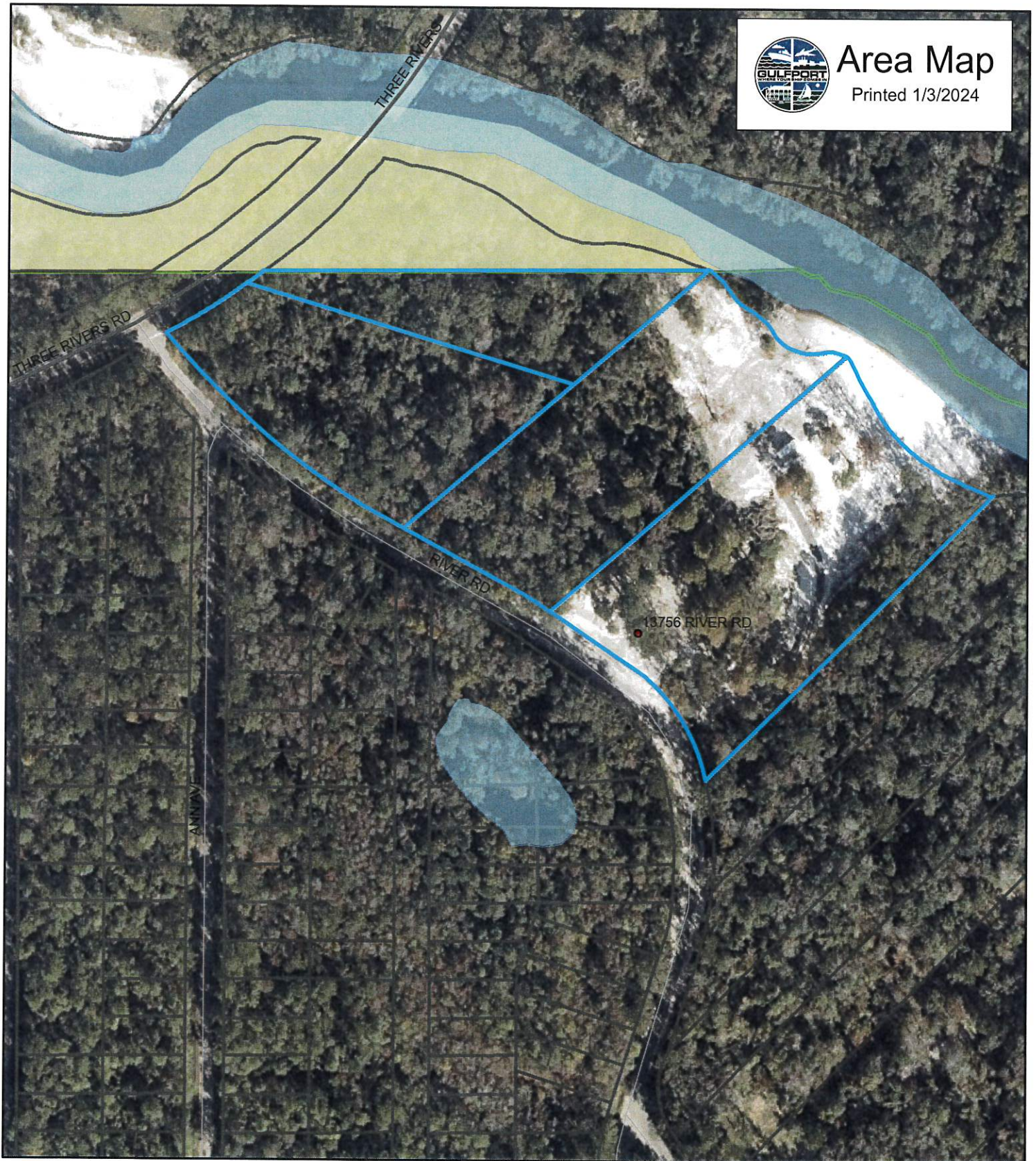
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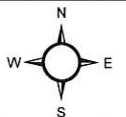


Area Map

Printed 1/3/2024



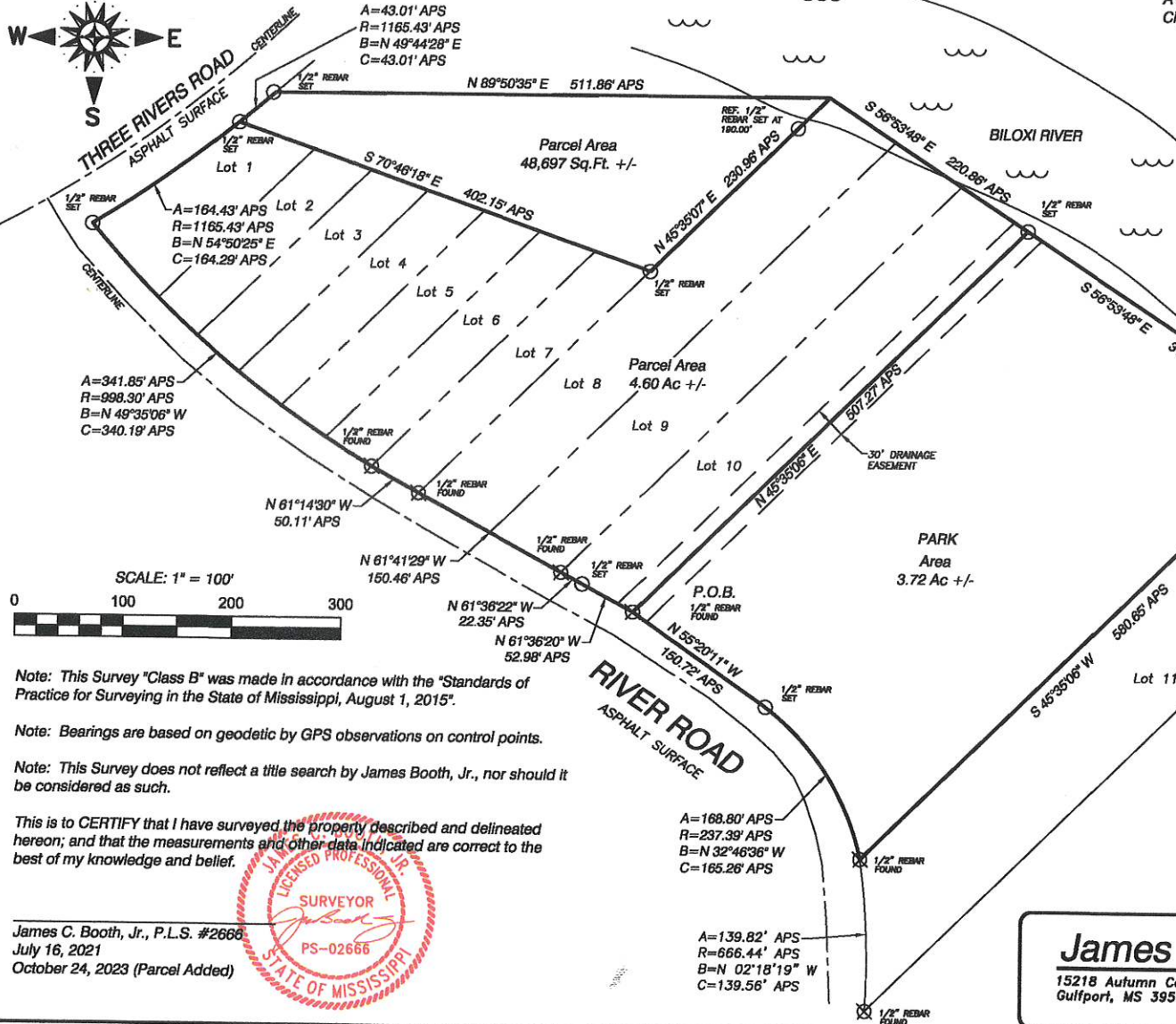
- Addresspoints
- ~ Collector
- ~ Minor/Residential
- WaterFeatures
- Parcels



1 inch = 167 feet

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SURVEY DESCRIPTION:

A survey of Lots 1 thru 10, inclusive, Unit 2, Biloxi River Estates Subdivision, City of Gulfport, First Judicial District of Harrison County, Mississippi.

LEGEND:

- IRON ROD FOUND
- IRON PIPE FOUND
- 1/2" REBAR SET
- Δ.P.S. AS PER SURVEY
- Δ.P.R. AS PER RECORD
- ⊙ POWER POLE

SURVEY DESCRIPTION: Park Parcel

A survey of the Park parcel, Unit 2, Biloxi River Estates Subdivision, City of Gulfport, First Judicial District of Harrison County, Mississippi, and being more particularly described as follows, to-wit:

Beginning at a 1/2" rebar found at the southeast corner of Lot 10, Unit 2, Biloxi River Estates Subdivision; thence N 45°35'06" E 507.27 feet to a 1/2" rebar set at the northeast corner of said Lot 10; thence S 56°53'48" E 317.36 feet to a 1/2" rebar found; thence S 45°35'06" W 580.65 feet to a 1/2" rebar set at the southeast corner of said Park parcel; thence 168.80 feet along a curve to the left having a radius of 237.39 feet and also having a chord bearing and distance of N 02°18'19" W 139.56 feet to a 1/2" rebar set; thence N 55°20'11" W 150.72 feet to the Point of Beginning. Said parcel of land contains 3.72 acres, more or less.

James C. Booth, Jr. PLS

15218 Autumn Court
Gulfport, MS 39503

email: jboothsurveyor@gmail.com

JB

S21-10-085

Note: This Survey "Class B" was made in accordance with the "Standards of Practice for Surveying in the State of Mississippi, August 1, 2015".

Note: Bearings are based on geodetic by GPS observations on control points.

Note: This Survey does not reflect a title search by James Booth, Jr., nor should it be considered as such.

This is to CERTIFY that I have surveyed the property described and delineated hereon; and that the measurements and other data indicated are correct to the best of my knowledge and belief.

James C. Booth, Jr., P.L.S. #2666
July 16, 2021
October 24, 2023 (Parcel Added)





SCANNED

Prepared by & Return to:
David B. Estes
MS Bar No. 101404
Integrity Land Title, LLC
1806 23rd Ave, Suite A
Gulfport, MS 39501
228-896-8962
File # 3625



J. H. H. H. 1st Judicial District
Instrument 2021 9597 D -J1
Filed/Recorded 7/ 2/2021 03:20 P
Total Fees \$ 26.00
8 Pages Recorded

Indexing: Lots 1-10. Biloxi River Estates, Unit II and Park Area

STATE OF MISSISSIPPI
COUNTY OF HARRISON
FIRST JUDICIAL DISTRICT

QUITCLAIM DEED

GRANTOR: HARRISON COUNTY, MISSISSIPPI
POST OFFICE DRAWER CC
GULFPORT, MS 39502
~~(228) 85-4070~~
(228) 865-4070

GRANTEE: DAVID COSPELICH
14461 HATTEN LANE
GULFPORT, MS 39503
(228) 234-7469

Indexing: Lots 1-10 Biloxi River Estates, Unit II

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

STATE OF MISSISSIPPI

COUNTY OF HARRISON

FIRST JUDICIAL DISTRICT

QUITCLAIM DEED

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

**HARRISON COUNTY, MISSISSIPPI
Post Office Drawer CC
Gulfport, MS 39502
(228) 865-4070**

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

**DAVID COSPELICH
14461 Hatten Lane
Gulfport, MS 39503
(228) 234-7469**

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

Lots One (1), Two (2), Three (3), Four (4), Five (5), Six (6), Seven (7), Eight (8), Nine (9) and Ten (10), BILOXI RIVER ESTATES, Unit II, 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 22 at Page 39 thereof, reference to which is hereby made in aid of and as a part of this description.

AND ALSO:

That certain lot designated "Park" located between Lots 10 and 11, Unit II, Biloxi River Estates Subdivision, as per the official map or plat thereof, on file and of record in the office of Chancery Clerk of Harrison County, Mississippi, First Judicial District.

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

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

WITNESS its signature on this the 18 day of June, 2021.

HARRISON COUNTY, MISSISSIPPI

BY: Beverly Martin
Its: Board President

STATE OF MS
COUNTY OF Harrison

Personally appeared before me, the undersigned authority in and for the said county and state on this 18 day of June, 2021, within my jurisdiction, the within named Beverly Martin who acknowledged that he/she is Board President of HARRISON COUNTY, MISSISSIPPI and that for and on behalf of Harrison County, Mississippi and as its act and deed he/she executed the above foregoing instrument, after first having been duly authorized by Harrison County, Mississippi so to do.

Crystal Vincent
NOTARY PUBLIC



My Commission Expires:

Supervisor MARLIN R. LADNER moved the adoption of the following Order:

ORDER ACCEPTING THE HIGHEST BID FROM DAVID COSPELICH IN THE AMOUNT OF \$56,199.99 FOR THE SALE OF SURPLUS PROPERTY BEING LOTS 1-10 OF BILOXI RIVER ESTATES, UNIT II, AND THAT CERTAIN LOT PLATTED "PARK" LOCATED BETWEEN LOTS 10 AND 11, UNIT II, BILOXI RIVER ESTATES SUBDIVISION, AUTHORIZING THE SALE THEREOF PURSUANT TO MISS. CODE ANN. §19-7-3 (1972), AS AMENDED; AND AUTHORIZING THE BOARD PRESIDENT TO EXECUTE A QUITCLAIM DEED TO DAVID COSPELICH UPON PAYMENT THEREFOR; AND FOR RELATED PURPOSES

WHEREAS, Harrison County is the owner of real property commonly referred to as "Dedaux Park" which includes Lots 1-10 of Biloxi River Estates, Unit II, and recorded in Book 1016 at Page 190 of the land records of the Harrison County Chancery Clerk, First Judicial District, and that certain lot designated "Park" located between Lots 10 and 11, Unit II, Biloxi River Estates Subdivision, and recorded in Book 971 at Page 464 of the land records of the Harrison County Chancery Clerk, First Judicial District; and

WHEREAS, Harrison County previously adjudicated that said property was surplus property, and ordered advertisement for sale in accordance Miss. Code Ann. §19-7-3 (1972), As Amended with sealed bids to be received on June 7, 2021; and

WHEREAS, after advertisement, two sealed bids were received on said date and HIGHEST BID was received FROM DAVID COSPELICH IN THE AMOUNT OF \$56,199.99. A copy of said bids are attached hereto and spread on the minutes; and

WHEREAS, the Board of Supervisors of Harrison County, Mississippi accepted the highest bid in accordance with Miss. Code Ann. §19-7-3 (1972), authorized the sale of said property to David Cospelich upon tender of the bid amount, and authorized the Board President to sign a Quitclaim Deed to David Cospelich upon tender thereof; and

NOW, THEREFORE, BE IT ORDERED BY THE BOARD OF SUPERVISORS OF HARRISON COUNTY, MISSISSIPPI, AS FOLLOWS:

SECTION I. The findings, conclusions and statements of fact contained in the foregoing preamble are hereby adopted, ratified and incorporated herein.

SECTION II. Harrison County previously adjudicated that real property commonly referred to as "Dedeaux Park" which includes Lots 1-10 of Biloxi River Estates, Unit II, and recorded in Book 1016 at Page 190 of the land records of the Harrison County Chancery Clerk, First Judicial District, and that certain lot designated "Park" located between Lots 10 and 11, Unit II, Biloxi River Estates Subdivision, and recorded in Book 971 at Page 464 of the land records of the Harrison County Chancery Clerk, First Judicial District was surplus property, and ordered advertisement for sale in accordance Miss. Code Ann. §19-7-3 (1972), As Amended with sealed bids to be received on June 7, 2021; after advertisement, two sealed bids were received on said date and HIGHEST BID was received FROM DAVID COSPELICH IN THE AMOUNT OF \$56,199.99.

Section III. The Board of Supervisors of Harrison County, Mississippi accepted said bid in accordance with Miss. Code Ann. §19-7-3 (1972), authorizes the sale of said property to David Cospelich upon tender of the bid amount, and the Board President be and is hereby authorized to sign a Quitclaim Deed to David Cospelich upon tender thereof.

Supervisor **KENT JONES** seconded the motion to adopt the above and foregoing Order, whereupon the question was put to a vote with the following results:

Supervisor BEVERLY MARTIN	voted	AYE
Supervisor REBECCA POWERS	voted	AYE
Supervisor MARLIN R. LADNER	voted	AYE
Supervisor KENT JONES	voted	AYE
Supervisor CONNIE M. ROCKCO	voted	AYE

The majority of the members present having voted in the affirmative, the motion was declared carried and the Order adopted on this the 7th day of June 2021.

EXHIBIT "A"

Lots One (1), Two (2), Three (3), and Four (4), Five (5), Six (6), Seven (7), Eight (8), Nine (9) and Ten (10) BILOXI RIVER ESTATES, Unit II, 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 22 at Page 39 thereof, reference to which is hereby made in aid of and as a part of this description.

AND ALSO:

That certain lot designated "Park", located between Lots 10 and 11, Unit II, Biloxi River Estates Sub-division, as per the official map or plat thereof, on file and of record in the office of the Chancery Clerk of Harrison County, Mississippi, First Judicial District.

This lot is commonly known as and referred to as the R. E. DEDEAUX PARK.



City of Gulfport, Mississippi

Minutes - Final City Council

2309 15th Street
Gulfport, MS 39501

Tuesday, September 17, 2019

1:30 P.M.

Gulfport City Hall
Council Chambers

Executive Session

Motion to memorialize the fact that lots one (1), two (2), three (3), four (4), five (5), six (6), seven (7), eight (8), nine (9) and ten (10) of the Biloxi River Estates, Unit II subdivision have not been used as a "public park" by the City minimally since July 1, 2013, and that title to these lots and these properties have reverted back in and to Harrison County as the grantor under the "Special Warranty Deed" executed by the County on October 13, 1997, and as recorded in Deed Box 1389 on pages 355-356 of the Land Records of the Chancery Clerk of Harrison County, First Judicial District, Mississippi; and to authorize the City Attorney's Office and the Mayor to execute, record, and file any document(s) or record that may be required or necessary to further effectuate this memorialization, Moved By Cara Pucheu, Seconded by R.Lee Flowers

Vote: Motion Carried By Unanimous Roll Call Vote

Aye: Kenneth Casey, Ron Roland, Ella Holmes-Hines, R.Lee Flowers, Cara Pucheu

Absent: Rusty Walker, Myles Sharp

EXHIBIT

A



City of Gulfport, Mississippi

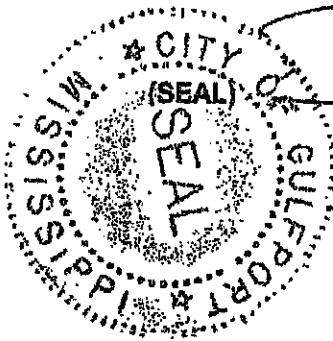
2309 15th Street
Gulfport, Ms. 39501

Official Certification

I, Brittany Rodgers, duly appointed and qualified Deputy City Clerk of the City of Gulfport, MS; do hereby certify that the foregoing is a true and correct copy of:

Motion to memorialize the fact that lots one (1), two (2), three (3), four (4), five (5), six (6), seven (7), eight (8), nine (9) and ten (10) of the Biloxi River Estates, Unit II subdivision have not been used as a "public park" by the City minimally since July 1, 2013, and that title to these lots and these properties have reverted back in and to Harrison County as the grantor under the "Special Warranty Deed" executed by the County on October 13, 1997, and as recorded in Deed Box 1389 on pages 355-356 of the Land Records of the Chancery Clerk of Harrison County, First Judicial District, Mississippi; and to authorize the City Attorney's Office and the Mayor to execute, record, and file any document(s) or record that may be required or necessary to further effectuate this memorialization,
Moved By Cara Pucheu, Seconded by R.Lee Flowers

IN WITNESS, WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Gulfport, Mississippi, this 2nd day of October, 2019.



Brittany Rodgers
Deputy City Clerk

10/2/19
Date

SCANNED



[Signature] 1st JUDICIAL DISTRICT
Instrument 2023-0010008-D-11
Filed/Recorded 05/31/2023 2:17:01 PM
Total Fees 26.00
2 Pages Recorded

INDEXING: SE ¼ of SE ¼ of 25-6-11 and SW ¼ of SW ¼
Of 30-6-10

STATE OF MISSISSIPPI
COUNTY OF HARRISON
FIRST JUDICIAL DISTRICT

Prepared by and return to:
David B. Estes
MS Bar No. 101404
Integrity Land Title, LLC
1806 23rd Avenue, Suite A
Gulfport, MS 39501
(228)896-8962
File # 4617

QUITCLAIM DEED

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

ROBERT M. DALEY AND WIFE, JEREMIA R. DALEY
P O BOX 4273
GULFPORT MS 39502
(228) 234-1186

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

DAVID COSPELICH
14461 HATTEN LANE
GULFPORT MS 39503
(228) 234-7469

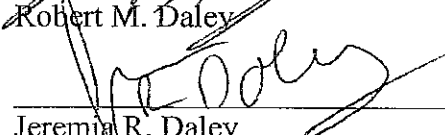
all their right title and interest in the following described land and property located and being
situated in the County of Harrison, First Judicial District, State of Mississippi, more particularly
described as follows, to-wit:

Commencing at the NW corner of Lot 1, Biloxi River Estates, Unit 2 on the south margin
of Three Rivers Road; thence Southeasterly along Lot 70 feet, more or less, to the POINT
OF BEGINNING at City limit line; E along City limit line to west line of Lot 8; thence
Southwesterly along lot to NE corner of Lot 7; thence Northwesterly along subdivision
385.7 feet to the POINT OF BEGINNING. Being a part of the SE ¼ of the SE ¼ of
Section 25, Township 6 South, Range 11 West and part of the SW ¼ of the SW ¼ of
Section 30, Township 6 South, Range 10 West, First Judicial District of Harrison County,
Mississippi. Parcel Number: 0907H-02-001.001

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.

THE SUBJECT PROPERTY is no part of the homestead of the Grantors nor any part thereof.

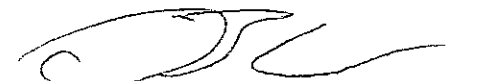
WITNESS our signatures on this the 31 day of May, 2023.


Robert M. Daley

Jeremia R. Daley

STATE OF MISSISSIPPI

COUNTY OF HARRISON

Personally appeared before me, the undersigned authority in and for the said county and state, on this 31 day of May, 2023, within my jurisdiction, the within named Robert M. Daley and wife Jeremia R. Daley, who acknowledged that they executed and delivered the above and foregoing instrument.


NOTARY PUBLIC

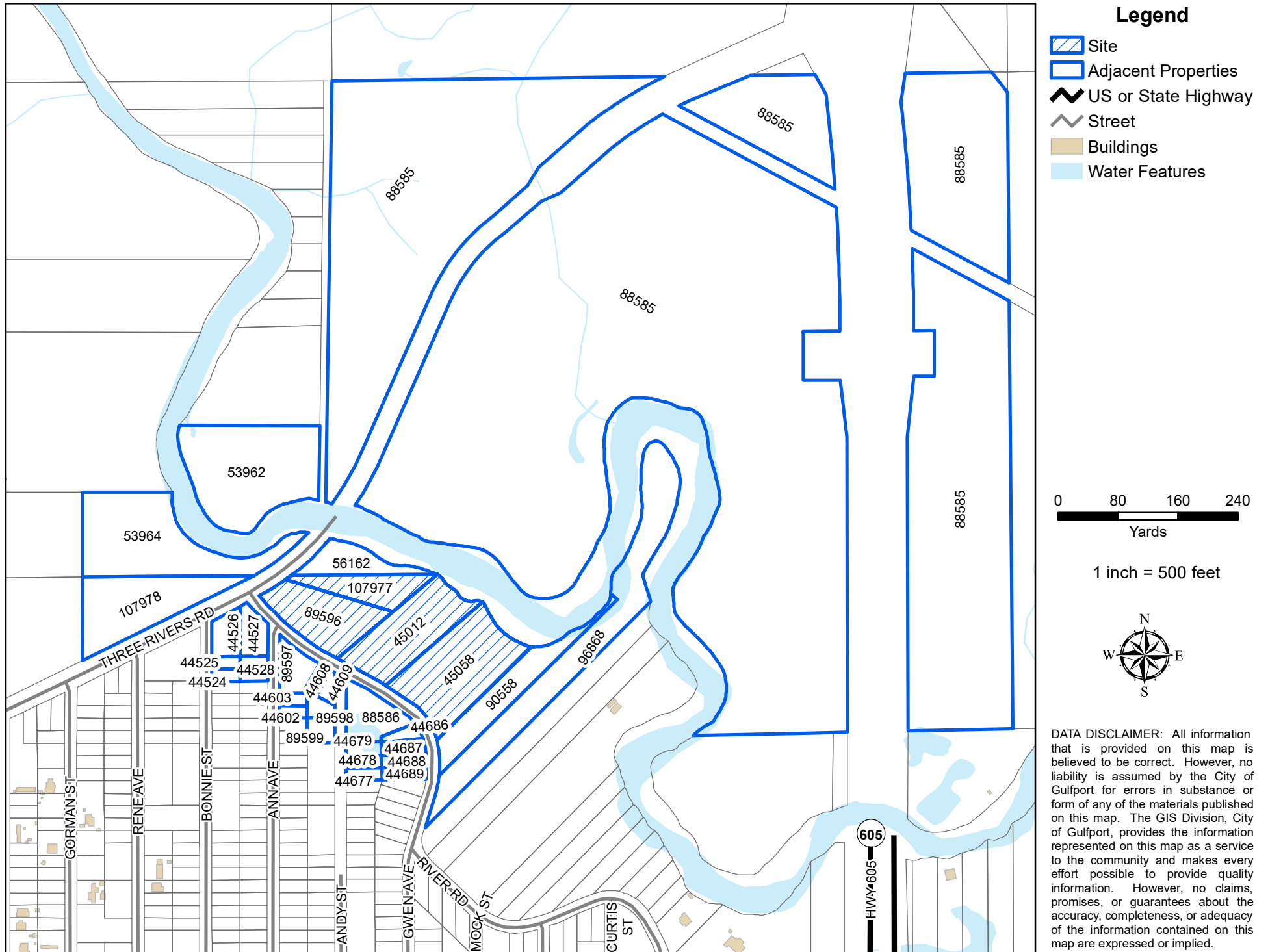
My Commission expires:



Mail	PPIN	Parcel ID	Name	Address	City	State	ZIP
Y		0907H-02-001.001	DAVID COSPELICH (OWNER)	14461 HATTEN LANE	GULFPORT	MS	39503
			Adjacent Property Owners (2403PC020)				
	44677	1007L-06-085.000	QUANTUM MERIT LLC	6113 MADISON DR	GULF SHORES	AL	36542
	53964	0907H-01-012.000	MCCAFFREY PATRICK A & SARAH H	12313 LUNDY RD	GULFPORT	MS	39503
	53962	0907H-01-011.000	HATTEN WILLIAM D	11200 THREE RIVERS RD #22C	GULFPORT	MS	39503
	89598	0907H-02-005.000	CARBAJAL ABRAHAM JR	15211 S SHADOW CREEK DR	BILOXI	MS	39532
	44525	0907H-02-023.000	MY HOME 365 LLC	2207 MCMAHON CT	ORLANDO	FL	32812
	44608	0907H-02-004.000	RURY EMBEY O	110 BRANCH WATER LANE	HUNTSVILLE	AL	35806
	44524	0907H-02-022.000	BROWN BRANDON	2196 POPPS FERRY RD	BILOXI	MS	39532
	44603	0907H-02-009.000	GUERRERO JOSE	33131 LAGO VIEJO DRIVE	LA FERIA	TX	78559
	89597	0907H-02-003.000	HUNT ROBERT DANIEL SR ETAL	6082 ESPY AVE	LONG BEACH	MS	39560
	90558	1007L-01-022.001	ARMSTRONG SPENCER R	15391 MINOSA DR	GULFPORT	MS	39503
	44528	0907H-02-011.000	BABIN TODD	617 CARMADELLE ST	MARRERO	LA	70072
	44602	0907H-02-008.000	GRAY STEPHEN MARK	6201 ST MARTIN RD	BILOXI	MS	39532
	44527	0907H-02-010.000	GRAY JENNIE M	905 EAST BIRCH DRIVE	GULFPORT	MS	39503
	44686	1007E-01-005.000	THOMAS LORA A	129 EDWARDS AVE	PASS CHRISTIAN	MS	39571
	56162	0907H-02-001.000	WARD S ETHAN	4281 BEATLINE RD	LONG BEACH	MS	39560
	96868	1007L-01-022.000	STRAIN BRUCE	6010 VISTA CIRCLE	GULFPORT	MS	39507
	107977	0907H-02-001.001	DALEY ROBERT M & JEREMIA R	P O BOX 4273	GULFPORT	MS	39502
	44526	0907H-02-024.000	RAY EVA M	9433 CARRIAGEWOOD DR	GULFPORT	MS	39503
	88585	1007E-01-001.000	ORANGE GROVE UTILITIES INC	P O BOX 2969	GULFPORT	MS	39505

2403PC020

Zoning Map Amendment



RE: Zoning Map Amendment 2403PC020, by owner David Cospelich, Request rezone to B-1 (Neighborhood Business), Tax Parcels 0907H-02-001.001, 0907H-02-002.000, 1007E-01-002.000, 1007E-01-003.000, Zoned R-1-10 (Single Family Residence), River Road, 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 28, 2024**, 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 28, 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	528938	Print Legal Ad-IPL01632770 - IPL0163277		\$83.65	2	56 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, March 28, 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 24 th Avenue.

Planning Commission Approval 2402PC011, by agent M2 Enterprises, Inc., seeking approval for auto sales of less than fifty vehicles, Tax Parcel 0910M-03-058.000, 941 Pass Rd, Zoned B-2 (General Business), Ward 3

Planning Commission Approval 2403PC029, by owner JKA Properties LLC, seeking approval for church use, Tax Parcels 0910I-02-008.001, 0910I-02-008.000, 729 E Pass Rd., Zoned T5 (Urban Center), Ward 2

Special Exception 2403SC031, by agent Tyler Hickman, seeking approval for daiquiri shop, Tax Parcels 0908N-04-004.000, 0908N-04-004.001, 13211 Dedeaux Road, Zoned B-1 (Neighborhood business), Ward 5

Planning Commission Approval 2403PC039, by agents Charles Gant and Warren Dedeaux, seeking approval for a townhouse development, Tax Parcels 0908M-01-009.00, 0908M-01-009.001, 0908M-01-014.000, Zoned B-1 (Neighborhood-business), Ward 5

Planning Commission Approval 2403PC040, by agent Vinson Keyhea, seeking approval for car sales of less than 50 vehicles, Tax Parcel 0910N-06-020.000, Zoned B-2 (General-Business) Ward 4

General Plan 2402PC014, by agent Kenneth Jones, seeking approval for an 84-lot subdivision with five outparcels (Swan Landing Estates), Tax Parcel 0807G-01-001.000, South Swan Road, Zoned R-1-15 (Single-family), Ward 7

Zoning Map Amendment 2403PC020, by owner David Cospelich, Request rezone to B-1 (Neighborhood Business), Tax Parcels 0907H-02-001.001, 0907H-02-002.000, 1007E-01-002.000, 1007E-01-003.000, Zoned R-1-10 (Single Family Residence), River Road, Ward 6

Zoning Map Amendment 2403PC024, by owner Rock Solid Property, Requests to rezone to T5 (Urban Center Zone), Tax Parcel 1010N-01-087.001, Zoned T4 (General Urban Zone "Plus"), Cowan Road, Ward 2

Zoning Map Amendment 2403PC025, by agent Allison Vencil, requesting to rezone the entire parcel to T4+ (General Urban Zone "Plus"), Tax Parcel 0911B-02-009.002, 210 Texas Ave, Zoned T4+ (General Urban Zone & "Plus") and T5 (Urban Center Zone), Ward 2

This the 6th day of March 2024

Keith Williams, Chairman
City of Gulfport Planning Commission
IPL0163277
Mar 8 2024

STATE OF MISSISSIPPI COUNTY OF HARRISON

Before me, the undersigned Notary of Dallas County, Texas personally appeared Mary Castro, 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:
03/08/24

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.

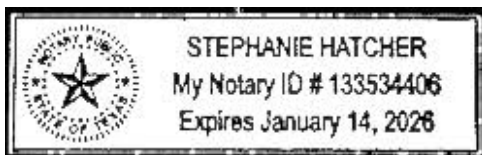
Mary Castro

Sworn to and subscribed before me this 14th day of
March 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!

MEMORANDUM

To: City of Gulfport Planning Commission

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

Date of Hearing: March 28, 2024

Re: Zoning Map Amendment 2403PC024:

Zoning Map Amendment 2403PC024, by owner Rock Solid Property, Requests to rezone to T5 (Urban Center Zone), Tax Parcel 1010N-01-087.001, Zoned T4+ (General Urban Zone "Plus"), Cowan Road, Ward 2

Technical Report

Zoning Map Amendment

GENERAL INFORMATION

Case File Number: 2403PC024

Hearing Date: March 28, 2024

Current Zoning/Use: T5 / Vacant Lot

Legal: Zoning Map Amendment 2403PC024, by owner Rock Solid Property, Requests to rezone to T5 (Urban Center Zone), Tax Parcel 1010N-01-087.001, Zoned T4+ (General Urban Zone "Plus"), Cowan Road, Ward 2

TECHNICAL DETAILS

Amendment of the Zoning Ordinance, including the zoning map, is intended to carry out the objective of a sound, stable, and desirable environment. Casual amendment of the ordinance would be detrimental to the achievement of that objective. Therefore, the ordinance dictates that a property should be considered for rezoning only when one or more of the following conditions prevail according to the Mississippi case law:

When requesting rezoning of real property, **an applicant must prove, by clear and convincing evidence**, one of the following:

1. That there was a mistake in the original zoning, or
2. That the character of the neighborhood has changed to such an extent as to justify reclassification, **and** that there was a public need for rezoning.

The applicants are requesting to rezone approximately 11,275 square feet of property from the current zoning of T4+ (General Urban Zone "Plus") to T5 (Urban Center Zone). Currently the property is a vacant lot and the applicant has stated their intent to combine the subject parcel with the neighboring northern parcel, already zoned T5, and construct a commercial structure that will house a restaurant use with a drive through. While both zonings allow for the proposed restaurant use; the applicant had expressed that they would have the drive through extend from the northern parcel and through the subject site, which would require the two parcels to be combined. However, in order for the parcels to be combined, both would need to be matching zoning. The proposed restaurant use would be in harmony with the area, as there are already light-intensity commercial uses nearby along Cowan Road that are typical to a neighborhood business zoning district. That said, these locations are Zoned T4+ which is equivalent to a R-B (Residence-Business) district.

According to the City's 2002 Comprehensive Plan, the subject site is intended to allow for neighborhood business in the future use plan, meaning the change in zoning would be in harmony with what is proposed.

The applicant has chosen public need as justification for change of the current zoning district:

- (a) Mistake or error is not addressed by the applicant.

Technical Report

Zoning Map Amendment

- (b) Need is addressed by the applicant as this zoning change would allow for the combination of the subject parcel with the neighboring parcel zoned T5, and for the development of the proposed restaurant use. This would be in harmony with the existing commercial businesses along Cowan Road.

EXECUTIVE SUMMARY

The future plan of the City's growth indicated that this area is to remain commercial and allow for neighborhood business uses, such as the proposed restaurant use. While most of the proposed restaurant use is in harmony with the surrounding businesses along Cowan Road, a majority of the locations for these commercial businesses are T4+.

Any approval should consider these conditions:

1. Tree survey & Tree permits required. Protected trees need to be preserved and protected.
2. Must meet all current building Codes and City of Gulfport Ordinances.
3. Planning Commission can only give a recommendation for approval for the rezoning, approval would need to be granted by City Council.

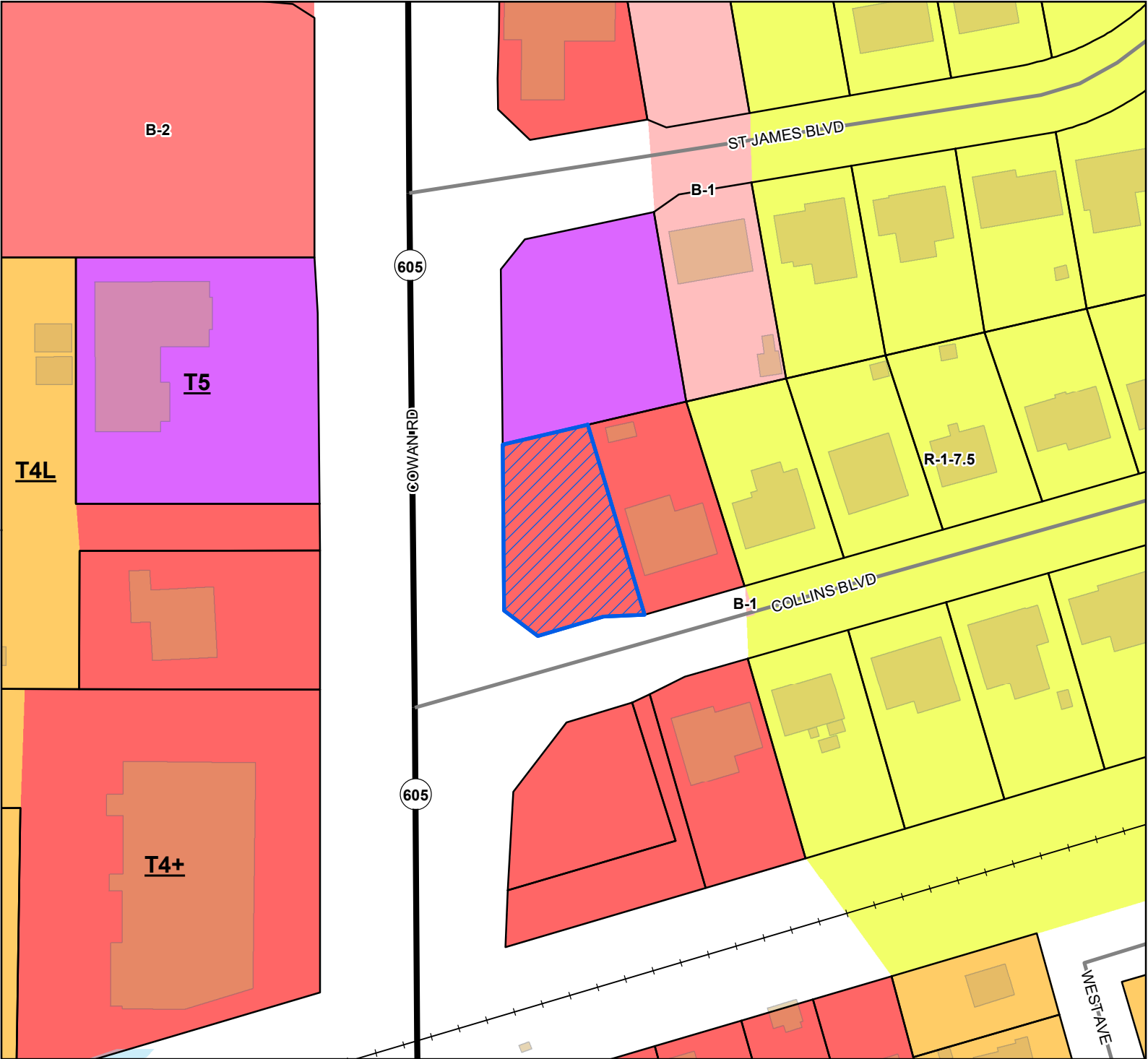
DIRECTOR APPROVAL

This report has been reviewed and approved by:



Greg Holmes

Director of Urban Development Department



Legend

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

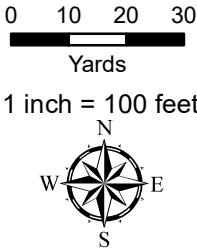
Smart Code

- T5
- T4+
- T4L

Zoning

- B-1 - Neighborhood Business District
- B-2 - General Business District
- R-1-7.5 - Single Family Residence District (Low Density)

Site Information
 1010N-01-087.001
 Zoning: T4+ (General Urban Zone "Plus")
 Size: 11275.18 sqft
 Flood: X



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



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

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

For Staff Use Only

Case File #: 2403 PC024Date Received: 1/10/24

Receipt #: _____

Received By: JJZoning: MW T4+Ward: 2 Flood: X

TAX PARCEL #

1	0	1	0	N
1	0	1	0	N

 -

0	1
0	1

 -

0	8	7
0	8	7

 •

0	0	0
0	0	1

MW T4+

(If necessary, use separate sheet of paper)

Address of Property Involved: From St. James Blvd to Collins Blvd facing Cowan RdLot(s) 8, 9, 10, 11, Block(s) 8, Subdivision Cowan Road Homes Annex

General Location: _____

GENERAL DESCRIPTION OF REQUEST:Combine lots and rezone all to T-5**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

Boek Solid Property | Donna Tindall

Printed Name Of Owner

Printed Name Of Agent

PO Box 18860

Mailing Address

Mailing Address

Hattiesburg MS 39404

City State Zip code

City State Zip code

601-447-6226

Home Phone Work/Cell Phone

Home Phone Work/Cell Phone

231concepts@comcast.net

Email

Email

Donna Tindall

Signature Of Owner

Signature Of Agent

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

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

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

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

NAME OF OWNER (PRINT) Scott Tindall

ADDRESS (STREET, CITY, STATE, ZIP CODE) 9909 Sudan Pl Upper Marlboro MD 20772

PHONE # (H) _____ (W) 301-861-6877

TAX PARCEL NUMBER(S) OWNED 1010N-01-087.000, 1010N-01-087.001

SIGNATURE: Scott Tin

NAME OF OWNER (PRINT) Will Cuevas

ADDRESS (STREET, CITY, STATE, ZIP CODE) 5131 Beatlme Rd Long Beach MS 39560

PHONE # (H) _____ (W) 228-216-4887

TAX PARCEL NUMBER(S) OWNED 1010N-01-087.000, 1010N-01-087.001

SIGNATURE: William L. Cuevas

NAME OF OWNER (PRINT) Donna Tindall

ADDRESS (STREET, CITY, STATE, ZIP CODE) 88 Morrell Cir Hattiesburg MS 39402

PHONE # (H) _____ (W) 601-447-6226

TAX PARCEL NUMBER(S) OWNED 1010N-01-087.000, 1010N-01-087.001

SIGNATURE: Donna Tindall

(Use additional forms as needed)

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

PERSON/AGENT FOR YOU: Donna Tindall

IMPORTANT NOTICES

1. Please be advised that failure to submit a COMPLETE application, with all supporting documents, may **delay your hearing date**. The Planning Commission will not consider a request until all information required by Ordinance and this application 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 7 to determine the deadline dates for filing your application.
4. Please be advised that, at the hearing on your application, you will be **required** to demonstrate, by **clear and convincing evidence** placed in the record before the Planning Commission, at least one of the following:

That there was a mistake in the original zoning (“mistake” has been determined by the Mississippi Supreme Court to be a “mistake” of a clerical or an administrative nature, not a difference in judgment) OR

That the character of the neighborhood has changed to such an extent as to justify reclassification, AND that there is a public need for rezoning.

The following are types of proof that the Mississippi Supreme Court (*Board of Aldermen, City of Clinton v. Conerly*, 509 So.2d 877 (Miss. 1987) and *Thomas v. Board of Sup’rs of Panola County*, 45 So.3d 1173 (Miss. 2010)) has suggested would be appropriate to be placed in the record to demonstrate the required change to the character of the neighborhood and public need:

- 1) Map showing the circumstances of the area (Conerly)
- 2) The changes in the neighborhood (Conerly)
- 3) Statistics showing a public need (Conerly)
- 4) Maps showing a change or recent rezoning in the area (Thomas)
- 5) Statistics or other evidence of growth in the neighborhood (Thomas)
- 6) Charts showing the quantity of construction (Thomas)

The foregoing is not an exhaustive list and is provided merely for guidance. The City recommends that an applicant for rezoning seek legal counsel as to what evidence the applicant should place in the record, during the hearing before the Planning Commission, in support of the application for rezoning. Neither the City of Gulfport nor its employees can provide an applicant with any legal advice.

APPLICATION REQUIREMENTS

A. **Page one (and two, if applicable) 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 may 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. **Provide a written statement addressing the following reasons for your rezoning request:**

The Comprehensive Zoning and SmartCode Ordinances, including the zoning map, are based on comprehensive planning studies and are intended to carry out the object of sound, stable and desirable environment. It is recognized that casual amendment of the ordinances would be detrimental to the achievement of that objective. In order to change the zoning classification of a piece of real property, Mississippi law requires that one of the following be demonstrated by the applicant by **CLEAR AND CONVINCING EVIDENCE:**

1. That there was a **mistake** in the original zoning ("mistake" has been determined by the Mississippi Supreme Court to be a "mistake" of a clerical or an administrative nature) OR
2. That the **character of the neighborhood has changed** to such an extent as to justify reclassification, AND that there is a **public need** for rezoning.

F. **The following items must be addressed in a written statement when you are requesting an amendment to the Comprehensive Zoning Ordinance or SmartCode Ordinance:**

1. **Interest:** The applicant's name, address and interest in the application, and the name, address and interest of every person, firm or corporation represented by the applicant in the application; the name of the owner or owners of the entire land area proposed to be changed in classification or to be included within the proposed district; the name of the owner or owners of all structures then existing thereon and sufficient evidence to establish that the applicant has the right of possession to the land area and structures; the names and addresses of all owners of adjacent property (exclusive of the width of intervening streets, alleys or bodies of water);

2. **Development Schedule:** The time schedule for the beginning and completion of development planned by the applicant in the area; if the development is planned in stages, the time schedule shall indicate the successive stages and the development planned for each stage;

3. **Effect of Amendment:** A report giving the nature, description and effect of the proposed amendment; if the proposed amendment would require a change in the zoning map, a description of the probable effect on the surrounding land uses and properties; and

4. **Error:** The error in the zoning ordinance that would be corrected by the proposed amendment; if the intent is to correct an error.

G. **Cash or check** payable to the City of Gulfport in the amount of **\$175.00**.

FOR SMARTCODE LAND USE RECLASSIFICATIONS:

THERE IS NO MINIMAL SIZE REQUIREMENT. PROPERTIES LOCATED WITHIN SMARTCODE OF APPENDIX D TRANSECT ZONES CAN ONLY BE CONSIDERED FOR REZONING IN WHOLE OR IN PART TO THE SUCCESSIONAL (NEXT HIGHER NUMBERED) TRANSECT ZONE.

FOR TRADITIONAL ZONING:

THE MINIMAL SIZE REQUIREMENTS FOR REQUESTING A REZONING OF PROPERTY ARE AS FOLLOWS:

If you wish to change the zoning of a particular area and the area designated for the proposed change does not abut a district of the proposed classification created by amendment, the following size requirements must be met:

R-1, R-1-5, R-1-7.5, R-1-15, R-3 or R-4 Districts:

Four (4) acres, except where the proposed district would abut an existing district zoned the same as the proposed district.

R-2 District:

Four (4) acres, except where the proposed district would abut an existing R-2, R-O, or R-B district.

R-O District:

Four (4) acres, except where the proposed district would abut an existing R-O, R-B or B-1 district.

R-B District:

Four (4) acres, except where the proposed district would abut an existing R-B, B-1, B-2, B-3, or B-4 district.

B-1 District:

Two (2) acres, except where the proposed district would abut an existing B-1, B-2, B-3 I-1 or I-2.

B-2 District:

Four (4) acres, except where the proposed district would abut an existing B-2, B-3, I-1 or I-2 district.

B-3 District:

Twenty (20) acres, except where the proposed district would abut an existing B-3 district.

B-4 District:

Four (4) acres, except where the proposed district would abut an existing B-4 district.

E-G District:

Seven (7) acres of contiguous land, which minimum acreage is comprised of uplands or fastlands only and not bottomlands or tidelands, and is adjacent to and contiguous with U.S. Highway 90 or adjacent in some part to and contiguous with the Mississippi Sound or adjacent harbor areas.

I-1 or I-3 Districts:

Six (6) acres, except where the proposed district would abut an existing I-1, I-2 or I-3

district.

I-2 District:

Twenty (20) acres, except where the proposed district would abut an existing I-2 district.

A-1 District:

Twelve (12) acres, except where the proposed district would abut an existing A-1 district.

R-E District:

Four (4) acres, except where the proposed district would abut an existing R-E District.

T1 Zone:

Twelve (12) acres, except where the proposed district would abut an existing T1 or T2 district.

T2 Zone:

Twelve (12) acres, except where the proposed district would abut an existing T1 or T2 district.

T3 Zone:

Four (4) acres, except where the proposed district would abut an existing T3 district.

T4L Zone (Limited):

Four (4) acres, except where the proposed district would abut an existing T4L or T4+ district.

T4+ Zone (Plus):

Four (4) acres, except where the proposed district would abut an existing T4+ or T5 district.

T5 Zone:

Two (2) acres, except where the proposed district would abut an existing T5 or T6 district.

T6 Zone:

Four (4) acres, except where the proposed district would abut an existing T6 district.

Once you have ensured that you meet the size requirements, you must also show a need for uses. You must be able to show and demonstrate a need in the area for those uses permitted to the proposed district.



Michael Watson

SECRETARY OF STATE

This is not an official certificate of good standing.

Name History

Name	Name Type
Rock Solid Property LLC	Legal

Business Information

Business Type:	Limited Liability Company
Business ID:	1409844
Status:	Good Standing
Effective Date:	09/20/2023
State of Incorporation:	Mississippi
Principal Office Address:	NO PRINCIPAL OFFICE ADDRESS FOUND

Registered Agent

Name
Donna Tindall
88 Morrell Cir
Hattiesburg, MS 39402

Officers & Directors

Name	Title
Donna J Tindall 88 Morrell Cir Hattiesburg, MS 39402	Manager



January 10, 2024

Hello,

We are applying for rezoning of parcel #1010N-01-087.000 and #1010N-01-087.001. Currently one is zoned T4+ and one is zoned T5. We have just recently purchased both parcels, would like to combine them into one parcel with T5 zoning. Our proposal is to build a 2 bay building approximately 2400-2800 sq ft. One half of the building would house Papa Johns with a drive through. A very basic preliminary drawing of placement of the building is attached, along with the survey and warranty deed. Wayne O'Neal will be our design team leader.

Regarding the reason for the zoning change request: the character of the neighborhood has changed with the addition of multiple commercial businesses on Cowan Rd.

Regarding 1. Interest: Applicant: Donna Tindall 88 Morrell Cir Hattiesburg MS 39402. Residential Designs by Wayne O'Neal 11070 Dauro Rd. Gulfport MS 39503.

Land owned by Rock Solid Property: owners Donna Tindall, Scott Tindall, Will Cuevas

There are no structures on the property.

Adjacent properties: 2004 St James Blvd- Chris Spears with Coast Couple Realty.

2005 Collins Blvd- Steven Hancock

Development Schedule: Design and plan approval 3/24-6/24. Construction: 6/24 – 9/24.

Effect of Amendment: This proposed amendment would benefit the local community and tourists by providing ease of access and ease of pick up of quality food with the drive through window.

Sincerely,

Donna Tindall
Rock Solid Property
12 Stones Pizza

12 Stones Pizza dba Papa Johns Pizza PO Box 18860 Hattiesburg MS 39404

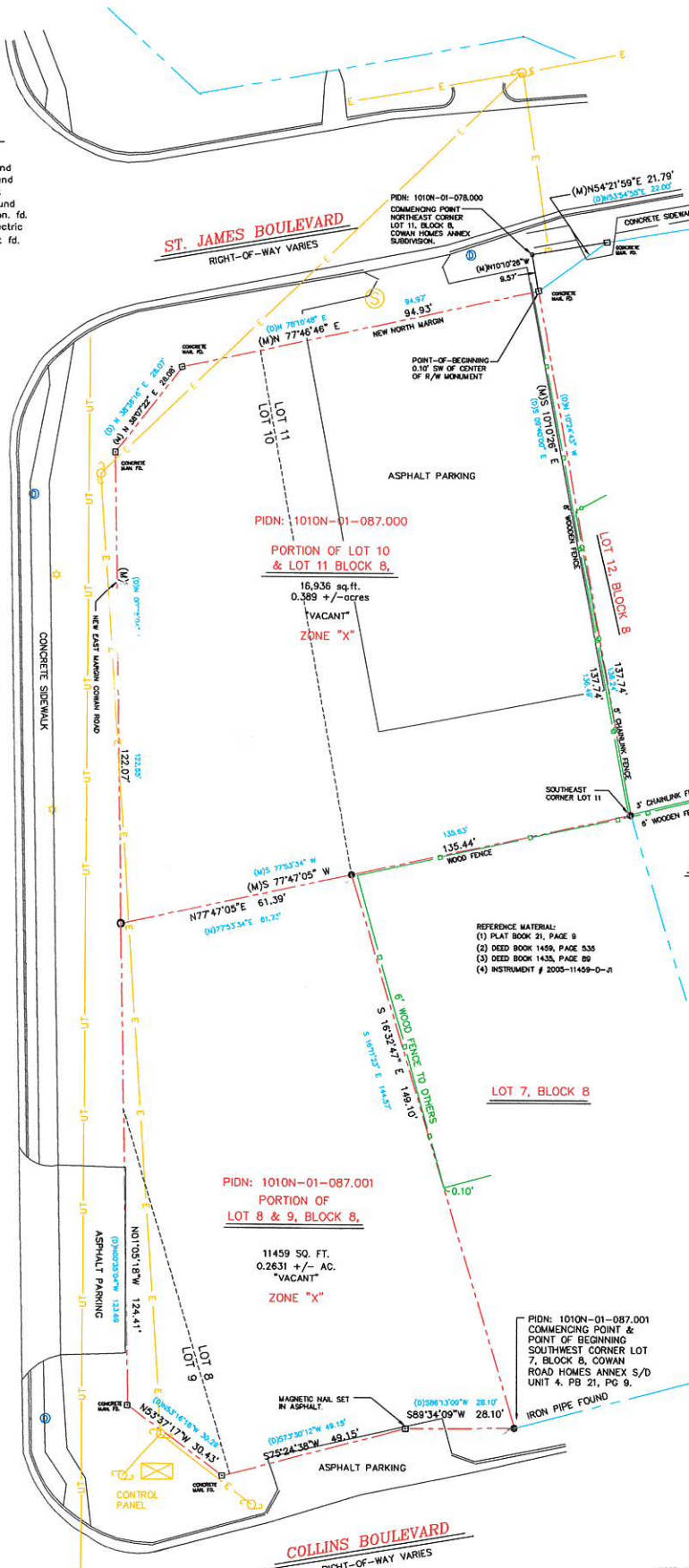


NORTH
SCALE: 1" = 20'

SYMBOL LEGEND

- = iron rod set
- ⊙ = iron rod found
- ⊗ = P.K. nail found
- ⊕ = iron pipe found
- E— = overhead electric
- ⊖ = concrete man. fd.
- ⊙ = lighted knot fd.
- ⊕ = utility pole
- (D) = deed
- (P) = plat
- (R) = record
- (M) = measures
- AC. = acres

COWAN ROAD
RIGHT-OF-WAY VARIES



Note: This survey has been prepared by information provided by the client and without the benefit of a current title report. This survey may not show all easements and other restrictions of record. Surveyor will be made available to add such features to this survey if a current title report or abstract of title is provided to him by proper authority.

This survey does not warrant present ownership.

Deed Description: Deed Book 1475, Page 78, PIDN: 1010N-01-087.000

The following property, together with the improvements thereon, being situated and located in the First Judicial District of Harrison County, Mississippi, to-wit:

Commence at a point on the South margin of St. James Boulevard, said point being the Northeast corner of Lot 11, Block 8, Cowan Road Homes Annex Subdivision, Unit 4, as recorded and on file in the office of the Chancery Clerk, First Judicial District, Harrison County, Mississippi, in Plat Book 21, Page 9; thence run South 09°40'00" East, along the East line of said Lot 11, for a distance of 9.53 feet to the POINT OF BEGINNING; thence continue South 09°40'00" East, along said East line, for a distance of 137.49 feet to the Southeast corner of said Lot 11; thence South 77°53'34" West, along the South line of Lots 11 and 10, for a distance of 135.63 feet to a point; thence run North 0°35'04" West, for a distance of 122.55 feet to a point; thence run North 38°36'16" East, for a distance of 28.07 feet to a point; thence run North 78°10'48" East, for a distance of 94.97 feet to the POINT OF BEGINNING, containing 16860 Square Feet, or 0.39 Acre, approximately. (MEASURED AREA AS PER SURVEY - 16,936 S.F. OR 0.389 ACRES MORE OR LESS.)

Deed Description: 2015-9217-D-JI, PIDN: 1010N-01-087.001

A part of Lots 8 and 9, Block 8, Cowan Road Homes Annex Subdivision, Unit 4, City of Gulfport, First Judicial District, Harrison County, Mississippi, being more particularly as follows, to-wit:

For the POINT OF BEGINNING, commence at a point on the North margin of Collins Boulevard, said point being the Southeast corner of Lot 8, Block 8, Cowan Road Homes Annex Subdivision, Unit 4, as recorded and on file in the office of the Chancery Clerk, First Judicial District, Harrison County, Mississippi, in Plat Book 21, Page 9; thence run South 86°13'00" West, a distance of 28.10 feet to a point; thence run South 73°30'12" West, for a distance of 49.15 feet to a point; thence run North 53°16'12" West, for a distance of 30.29 feet to a point; thence run North 00°35'04" West, for a distance of 123.69 feet to a point on the North line of said Lot 8; thence run North 77°53'34" East, along said North line, for a distance of 61.73 feet to the Northeast corner of said Lot 8; thence run South 16°11'23" East, along the East line of Lot 8, for a distance of 144.67 feet to the POINT-OF-BEGINNING, containing 11,322 square feet, or 0.26 acre, approximately.

REFERENCE MATERIAL:
(1) PLAT BOOK 21, PAGE 9
(2) DEED BOOK 1459, PAGE 535
(3) DEED BOOK 1435, PAGE 89
(4) INSTRUMENT # 2005-11459-D-JI

Note: By Graphic Plotting only, this property is in Zone "X" of the Flood Insurance Rate Map 2804700289G, Community Panel No. 285253-0269-G, revision date June 06, 2009. Check with Building Official for community determined base flood elevation. Exact designation can only be determined by an Elevation Certificate. The above statement is for information only and this survey assumes no liability for the correctness of the cited map(s). In addition the above statement does not represent this surveyor's opinion of the probability of flooding.

Note: This survey "CLASS B" was made in accordance with the current "Standards of Practice for Surveying" in the State of Mississippi.

This is to certify that I have surveyed the property described and delineated hereon, and that the measurements and other data indicated are correct to the best of my knowledge and belief.

Timothy L. Glass

TIMOTHY L. GLASS, P.L.S.
JUNE 15, 2006
MS. REG. NO. 02584
UPDATE: DECEMBER 02, 2021

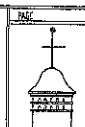


SURVEY FOR:
UNITED COASTAL PROPERTIES, INC.
2020 ENVOI LAFAYETTE BLVD
BLOOMINGDALE, MS 38833
PIDN'S: 1010N-01-087.000 & 1010N-087.001

SURVEY BY:
Glass Land Surveying, Inc.
10455 Pin Oak Drive
Bloomington, MS 38835
(662) 368-9004
EMAIL: GLASS@GLOCS.COM

TYPE SURVEY: BOUNDARY	JOB NO.: L11CHALDWS
DATE OF SURVEY: 06/15/2006	CARLSON PROJ. L11CHAL4
UPDATE: 12/02/2021	SCALE: 1" = 20'
DRAWN BY: TLO	SHEET NO: 1 OF 1

NOTE: ALL BEARINGS SHOWN ON THIS PLAT WERE DERIVED FROM THE RECORDED BEARING OF THE EAST LINE OF LOT 5, BLOCK 8, COWAN ROAD HOMES ANNEX SUB. PLAT BOOK 21, PAGE 9.



RESIDENTIAL DESIGN & COMMERCIAL DIVISION BY WAYNE O'NEAL

"BUDGING CONSULTANT"

WITH:
AFFORDABLE
DESIGN
SERVICES L.L.C.

ADDRESS: 16670 INLAND RD
GULFPORT, MS
39503
OFFICE: 800-832-2296
FAX: 202-832-2295
CELL: 228-669-0665
EMAIL: RESDESIGNS@
CABLEONE.NET

'PAPA JOHN'S PIZZA'
COWAN LORRAINE
GULFPORT, MS.

SCALE

SCALE: 1" = 20'

DATE	24	DEC	2023
------	----	-----	------

COUNTING NUMBER

PIL-SIT.ENG

"SITE PLAN"

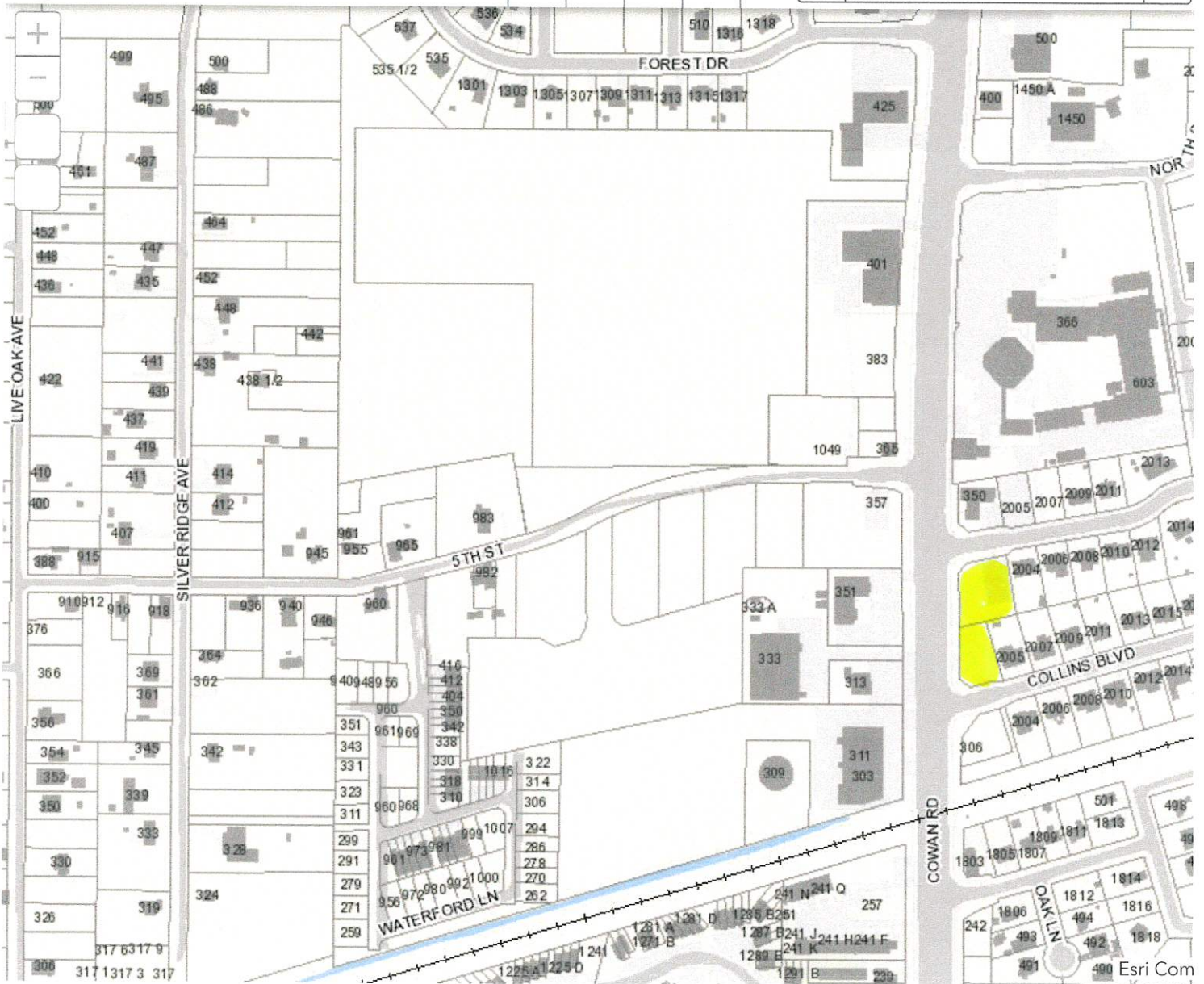
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[illegible]

NOTE
CONTRACTOR & OWNER TO VERIFY ALL DIMENSIONS
& EXISTING BEFORE STARTING CONSTRUCTION

(ADVISED: ITTIFY THIS PAGE, REMOVED)
PLANS AND RELATED INFORMATION, NOT ALL
LOCAL ORC PERSONNEL AND IN CONTACT
WITH WATKINS MINERAL PROPERTY ACQUISITION

NOTES:
1. THE FIRM MUST MAINTAIN AS SURVEY, RECORDS MUST BE MAINTAINED IN A LEGIBLE MANNER EASY TO CONSULTATION. DOCUMENTATION SHALL INCLUDE ALL YOUR SERVICES & ACCURACY OF MEASUREMENTS WITHIN 5% TOLERANCE.
2. CONTRACTOR SHALL LOCATE & VERIFY ALL EXISTING UTILITIES.
3. CONTRACTOR SHALL VERIFY THE FIRM'S ACCESS EASY WITH BUILDING CODE REQUIREMENTS. CONTRACTOR SHALL GARDEN ALL AROUND RESIDENCE TO ENSURE POSITIVE DRAINAGE.
4. CONTRACTOR TO REMOTE EXISTING WASTEWATER KID HIGHER IN THE PLANNED STREET AND PROPERLY DISPOSE TO THE ISSUES PROPERTY. TO IMPROVE EXISTING INFRASTRUCTURE IS



300ft

-89.029 30.386 Degrees

Prepared by:
David B. Pilger
Attorney at Law
1406 Bienville Blvd.
Ocean Springs, MS 39564
(228) 215-0011

Return To:
Pilger Title Co.
1406 Bienville Blvd.
Ocean Springs, MS 39564
(228) 215-0011

Grantor:
United Coastal Properties, Inc.,
a Mississippi Corporation
2020 Bayou LaPorte Dr.
Biloxi, MS 39531
(228) 365-9396

Grantee:
Rock Solid Property LLC,
a Mississippi Limited Liability Company
83 Morrell Cir.
Hattiesburg, MS 39402
(601) 447-6226

File No. Z233028S

INDEXING INSTRUCTIONS: **Pt. of Lots 8, 9, 10, and 11, Blk. 8, Cowan Road Homes Annex S/D,**
Unit 4, 1st JD, Harrison County, MS

STATE OF MISSISSIPPI
COUNTY OF HARRISON
FIRST JUDICIAL DISTRICT

WARRANTY DEED

FOR AND IN CONSIDERATION OF the price and sum of TEN AND NO/100 DOLLARS (\$10.00), cash in hand paid, and other good and valuable consideration, the receipt and sufficiency of all of which is hereby acknowledged, **United Coastal Properties, Inc., a Mississippi Corporation**, does hereby sell, convey and warrant unto **Rock Solid Property LLC, a Mississippi Limited Liability Company**, all of that certain tract, piece or parcel of land situated in Harrison County, Mississippi, together with all improvements, buildings, fixtures, and appurtenances thereunto belonging, and being more particularly described as follows, to-wit:

Legal Description attached hereto as Exhibit "A"

This being the same property as that conveyed to United Coastal Properties, Inc., a Mississippi Corporation, by Warranty Deed recorded in Instrument No. 2015-9217-D-J1, and Warranty Deed recorded in Deed Book 1475, at Page 78, Land Deed Records of Harrison County, Mississippi.

If this property is bounded by water, this conveyance includes any natural accretion, and is subject to any erosion due to the action of the elements. Such riparian and littoral rights as exist are conveyed herewith but without warranty as to their nature or extent. If any portion of the property is below the mean high tide watermark, or is coastal wetlands as defined in the Mississippi Coastal Wetlands Protection Act it is conveyed by quitclaim only.

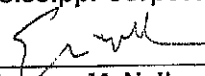
Grantor(s) quitclaim any and all oil, gas, and other minerals owned, if any, to Grantee(s). No mineral search was requested or performed by preparer.

This conveyance is subject to any and all covenants, rights of way, easements, restrictions and reservations of record in the office of the Chancery Clerk in the First Judicial District of Harrison County, Mississippi.

It is agreed and understood that the taxes for the current year have been pro-rated as of this date on an estimated basis, and when said taxes are actually determined, if the proration as of this date is incorrect, the Parties hereto agree to make all necessary adjustments on the basis of an actual proration.

WITNESS MY SIGNATURE, on this the 15th day of December, 2023.

United Coastal Properties, Inc.,
a Mississippi Corporation


By: Eugene McNally,
President and Sole Shareholder

CORPORATE ACKNOWLEDGMENT

STATE OF MISSISSIPPI
COUNTY OF HARRISON

PERSONALLY APPEARED BEFORE ME, the undersigned authority in and for the jurisdiction aforesaid, the within named **Eugene McNally**, the **President and Sole Shareholder** of **United Coastal Properties, Inc., a Mississippi Corporation**, who acknowledged before me that he signed, executed and delivered the above and foregoing instrument on the day and year thereof, for the use and purposes therein mentioned, for and on behalf of the aforesaid entity, after first having been duly authorized so to do.

GIVEN UNDER MY HAND AND OFFICIAL SEAL, on this the 15th day of December, 2023.

(AFFIX SEAL)



My commission expires: _____


NOTARY PUBLIC

DEED ACCEPTED BY:

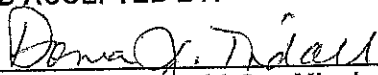

Rock Solid Property LLC, a Mississippi Limited Liability Company
By: Donna J. Tindall, Managing Member

Exhibit "A"

Legal Description

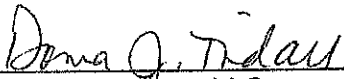
A part of Lots 8 and 9, Block 8, Cowan Road Homes Annex Subdivision, Unit 4, City of Gulfport, First Judicial District, Harrison County, Mississippi, being more particularly described as follows, to wit:

From the Point of Beginning, commence at a point on the North margin of Collins Boulevard, said point being the Southeast corner of Lot 8, Block 8, Cowan Road Homes Annex Subdivision, Unit 4, as recorded and on file in the office of the Chancery Clerk, First Judicial District, Harrison County, Mississippi, in Plat Book 21, Page 9; thence run South $86^{\circ}13'00''$ West, for a distance of 28.10 feet to a point; thence run South $73^{\circ}30'12''$ West, for a distance of 49.15 feet to a point; thence run North $53^{\circ}16'12''$ West, for a distance of 30.29 feet to a point; thence run North $0^{\circ}35'04''$ West, for a distance of 123.69 feet to a point on the North line of said Lot 8; thence run North $77^{\circ}53'34''$ East, along said North line, for a distance of 61.73 feet to the Northeast corner of said Lot 8; thence run South $16^{\circ}11'23''$ East, along the East line of said Lot 8, for a distance of 144.67 feet to the Point of Beginning, containing 11,322 square feet, or 0.26 acre, approximately.

AND ALSO:

A part of Lots 10 and 11, Block 8, Cowan Road Homes Annex Subdivision, Unit 4, City of Gulfport, First Judicial District, Harrison County, Mississippi, being more particularly described as follows, to wit:

Commence at a point on the South margin of St. James Boulevard, said point being the Northeast corner of Lot 11, Block 8, Cowan Road Homes Annex Subdivision, Unit 4, as recorded and on file in the office of the Chancery Clerk, First Judicial District, Harrison County, Mississippi, in Plat Book 21, Page 9; thence run South $09^{\circ}40'00''$ East, along the East line of said Lot 11, for a distance of 9.53 feet to the Point of Beginning; thence continue South $09^{\circ}40'00''$ East, along said East line, for a distance of 137.49 feet to the Southeast corner of said Lot 11; thence run South $77^{\circ}53'34''$ West, along the South line of Lots 11 and 10, for a distance of 135.63 feet to a point; thence run North $0^{\circ}35'04''$ West, for a distance of 122.55 feet to a point; thence run North $38^{\circ}36'16''$ East, for a distance of 28.07 feet to a point; thence run North $78^{\circ}10'48''$ East, for a distance of 94.97 feet to the Point of Beginning, containing 16,960 square feet, or 0.39 acre, approximately.



Rock Solid Property LLC,
a Mississippi Limited Liability Company
By: Donna J. Tindall, Managing Member

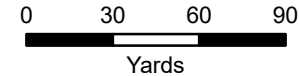
12/15/23
Date

Mail	PPIN	Parcel ID	Name	Address	City	State	ZIP
		1010N-01-087.000	ROCK SOLID PROPERTY (OWNER)	P.O. BOX 18860	HATTIESBURG	MS	39404
			Adjacent Property Owners (2403PC024)				
25452		1010N-01-090.000	HARVEY TYLIA	2009 COLLINS BLVD	GULFPORT	MS	39507
25454		1010N-01-088.000	BLETHEN SHANNAN & MICHELLE	493 OAK LANE	GULFPORT	MS	39507
25453		1010N-01-089.000	OSWALT ROBERT A & MARTHA E	2007 COLLINS BLVD	GULFPORT	MS	39507
25441		1010N-01-100.000	GRINDSTAFF KATHY M	2010 COLLINS BLVD	GULFPORT	MS	39501
117266		1010N-01-087.001	UNITED COASTAL PROPERTIES INC	2020 BAYOU LAPORTE BLVD	BILOXI	MS	39531
25468		1010N-05-086.000	CATHOLIC DIOCESE OF BILOXI	1790 POPPS FERRY ROAD	BILOXI	MS	39532
25469		1010N-05-085.000	350 COWAN LLC	14397 CRESOTE RD	GULFPORT	MS	39503
25460		1010N-01-085.000	PHILLIPS DIANA	2006 ST JAMES BLVD	GULFPORT	MS	39501
117379		1010M-02-002.001	HOGAN PROPERTIES LLC	351 COWAN RD	GULFPORT	MS	39507
25459		1010N-01-086.000	SPEAR KATHRYN D & CHRISTOPHER	P O BOX 6251	GULFPORT	MS	39506
25451		1010N-01-091.000	HILLARD CHRISTOPHER A	2011 COLLINS BLVD	GULFPORT	MS	39507
25445		1010N-01-096.000	DALEY ROBERT M & JEREMIA R	P O BOX 4273	GULFPORT	MS	39502
25467		1010N-05-087.000	ST JAMES CATHOLIC CHURCH	366 COWAN RD	GULFPORT	MS	39507
25443		1010N-01-098.000	LUNDQUIST ROBERTA M	2006 COLLINS BLVD	GULFPORT	MS	39503
25461		1010N-01-084.000	HICKS PATRICIA A	2008 ST JAMES BLVD	GULFPORT	MS	39507
21084		1010M-02-003.000	HUONG NGUYEN THI & PHONG LE	312 RODENBURG AVE	BILOXI	MS	39531
25442		1010N-01-099.000	HANNA HUGH B JR -TRUSTEE-	335 SOUTHERN CIR	GULFPORT	MS	39507
25444		1010N-01-097.000	ROBERTS QUITMAN C & SYDNEY F	2004 COLLINS BLVD	GULFPORT	MS	39507
21085		1010M-02-005.001	COLLINS ENTERPRISES INC	2720 CHANNEL PLACE	BILOXI	MS	39531
21083		1010M-02-002.000	CATHOLIC SOCIAL & COMMUNITY SERVICE	1790 POPPS FERRY RD	BILOXI	MS	39532
25446		1010N-01-095.000	HENDERSON RONALD D & NAKISHA W	11601 CARLENE DR	GULFPORT	MS	39503



Legend

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



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.

RE: Zoning Map Amendment 2403PC024, by owner Rock Solid Property, Requests to rezone to T5 (Urban Center Zone), Tax Parcel 1010N-01-087.001, Zoned T4+ (General Urban Zone "Plus"), Cowan Road, Ward 2

To Applicants and Adjacent Property Owners:

The City of Gulfport Planning Commission will hold a public hearing to consider the above application at 4:30 P.M. on **Thursday, March 28, 2024**, 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 28, 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	528938	Print Legal Ad-IPL01632770 - IPL0163277		\$83.65	2	56 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, March 28, 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 24 th Avenue.

Planning Commission Approval 2402PC011, by agent M2 Enterprises, Inc., seeking approval for auto sales of less than fifty vehicles, Tax Parcel 0910M-03-058.000, 941 Pass Rd, Zoned B-2 (General Business), Ward 3

Planning Commission Approval 2403PC029, by owner JKA Properties LLC, seeking approval for church use, Tax Parcels 0910I-02-008.001, 0910I-02-008.000, 729 E Pass Rd., Zoned T5 (Urban Center), Ward 2

Special Exception 2403SC031, by agent Tyler Hickman, seeking approval for daiquiri shop, Tax Parcels 0908N-04-004.000, 0908N-04-004.001, 13211 Dedeaux Road, Zoned B-1 (Neighborhood business), Ward 5

Planning Commission Approval 2403PC039, by agents Charles Gant and Warren Dedeaux, seeking approval for a townhouse development, Tax Parcels 0908M-01-009.00, 0908M-01-009.001, 0908M-01-014.000, Zoned B-1 (Neighborhood-business), Ward 5

Planning Commission Approval 2403PC040, by agent Vinson Keyhea, seeking approval for car sales of less than 50 vehicles, Tax Parcel 0910N-06-020.000, Zoned B-2 (General-Business) Ward 4

General Plan 2402PC014, by agent Kenneth Jones, seeking approval for an 84-lot subdivision with five outparcels (Swan Landing Estates), Tax Parcel 0807G-01-001.000, South Swan Road, Zoned R-1-15 (Single-family), Ward 7

Zoning Map Amendment 2403PC020, by owner David Cospelich, Request rezone to B-1 (Neighborhood Business), Tax Parcels 0907H-02-001.001, 0907H-02-002.000, 1007E-01-002.000, 1007E-01-003.000, Zoned R-1-10 (Single Family Residence), River Road, Ward 6

Zoning Map Amendment 2403PC024, by owner Rock Solid Property, Requests to rezone to T5 (Urban Center Zone), Tax Parcel 1010N-01-087.001, Zoned T4 (General Urban Zone "Plus"), Cowan Road, Ward 2

Zoning Map Amendment 2403PC025, by agent Allison Vencil, requesting to rezone the entire parcel to T4+ (General Urban Zone "Plus"), Tax Parcel 0911B-02-009.002, 210 Texas Ave, Zoned T4+ (General Urban Zone & "Plus") and T5 (Urban Center Zone), Ward 2

This the 6th day of March 2024

Keith Williams, Chairman
City of Gulfport Planning Commission
IPL0163277
Mar 8 2024

STATE OF MISSISSIPPI COUNTY OF HARRISON

Before me, the undersigned Notary of Dallas County, Texas personally appeared Mary Castro, 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:
03/08/24

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.

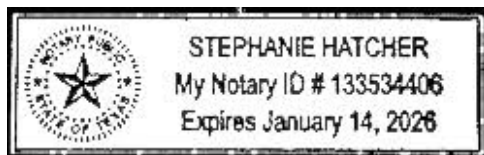
Mary Castro

Sworn to and subscribed before me this 14th day of
March 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!

MEMORANDUM

To: City of Gulfport Planning Commission

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

Date of Hearing: March 28, 2024

Re: **Zoning Map Amendment 2403PC025:**

Zoning Map Amendment 2403PC25, by agent Allison Vencil, requesting to rezone the entire parcel to T4+ (General Urban Zone "Plus"), Tax Parcel 0911B-02-009.002, 210 Texas Ave, Zoned T4+ (General Urban Zone "Plus") and T5 (Urban Center Zone), Ward 2

Technical Report

ZONING MAP AMENDMENT

GENERAL INFORMATION

Case File Number: 2403PC025

Hearing Date: March 28, 2024

Current Zoning/Use: T4+ and T5 / Vacant Lot

Legal: Zoning Map Amendment 2403PC25, by agent Allison Vencil, requesting to rezone the entire parcel to T4+ (General Urban Zone "Plus"), Tax Parcel 0911B-02-009.002, 210 Texas Ave, Zoned T4+ (General Urban Zone "Plus") and T5 (Urban Center Zone), Ward 2

TECHNICAL DETAILS

Amendment of the Zoning Ordinance, including the zoning map, is intended to carry out the objective of a sound, stable, and desirable environment. Casual amendment of the ordinance would be detrimental to the achievement of that objective. Therefore, the ordinance dictates that a property should be considered for rezoning only when one or more of the following conditions prevail according to the Mississippi case law:

When requesting rezoning of real property, **an applicant must prove, by clear and convincing evidence**, one of the following:

1. That there was a mistake in the original zoning, or
2. That the character of the neighborhood has changed to such an extent as to justify reclassification, and that there was a public need for rezoning.

The applicant requests to rezone their parcel to T4+ (General Urban Zone "Plus"). The property is currently split zoned with T4+ and T5 zoning. The applicant would like to remove T5 and make the entire property T4+.

The applicant's intent is to have the property rezoned to unify the lot and to allow for new construction of a multi-family or single-family dwelling. According to the applicant, the lot is currently for sale and states that interested parties will not move forward unless the zoning on the back half of the property is changed from T5 (Urban Center Zone) to T4+ (General Urban Zone "Plus"). There is currently no structure on the property. It has been vacant since Katrina. Applicant also explains that the building that was on the property prior to Hurricane Katrina was a multifamily dwelling.

The applicant has chosen public need as justification for change of the current zoning district:

1. Mistake or error is not addressed by the applicant.
2. The applicant states that the character of the neighborhood is multi and single family.

Technical Report

ZONING MAP AMENDMENT

EXECUTIVE SUMMARY

This parcel is adjacent to T4L (General Urban Zone “Limited”) Zone on the North, T4+ (General Urban Zone “Plus”) to the West, and T5 (Urban Center Zone) to the South.

Currently, the subject property is split-zoned with a T4+ and T5 zoning district that render the property non-conforming by city standards. Thus by rezoning the property to one initial zoning district would correct the non-conformity. Further, the applicant would like to build a single-family home or multi-family. A site visit was conducted by staff and found that the existing neighborhood has a mixed use of residential and multi-family, therefore, the request would be in harmony with the existing uses that are currently present.

Any approval should consider these conditions:

1. Commission only gives recommendation. The rezoning will require approval from City Council.

DIRECTOR APPROVAL

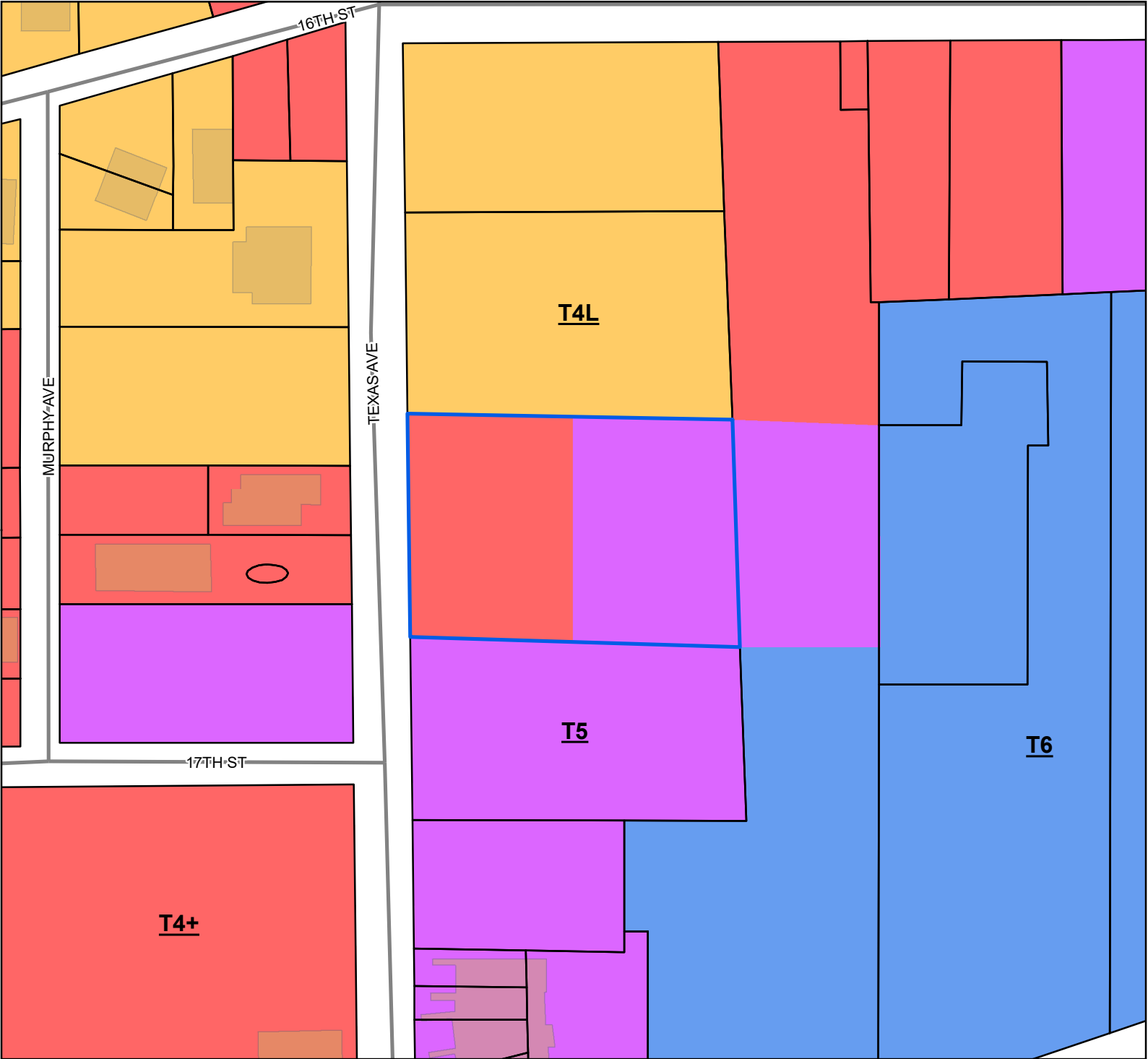
This report has been reviewed and approved by:



Greg Holmes

Director of Urban Development Department





Street

Parcels

Buildings

Smart Code

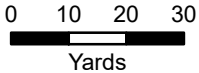
T6

T5

T4+

T4L

Site Information
0911B-02-009.002
Zoning:T4+ (General Urban Zone "Plus")
T5 (Urban Center Zone)
Size:38339.92 sqft
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

For Staff Use Only

Case File #: 2403PC025Date Received: 1/12/24

Receipt #: _____

Received By: BC

Zoning: _____

Ward: _____ Flood: _____

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

Property Information

TAX PARCEL # 0911B-02-009.002

					-				-				•			
					-				-				•			
					-				-				•			

(If necessary, use separate sheet of paper)

Address of Property Involved: 210 Texas Ave Gulfport, MS 39507Lot(s) _____, Block(s) _____, Subdivision N/AGeneral Location: 16th & Texas**GENERAL DESCRIPTION OF REQUEST:**

Zoning is split down the center as T4+ & T5. Public need to rezone to all T4+ and request zoning change

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

William J Smith

Printed Name Of Owner

71205 Whiskey Oaks Ln

Mailing Address

Covington LA 70471

City State Zip code

504-892-5441 985-723-7411

Home Phone Work/Cell Phone

bstavem@ Charter.net

Email

William J Smith
Signature Of Owner

AGENT

Allison Vencil

Printed Name Of Agent

1021 Hwy 90

Mailing Address

Bay St. Louis MS 39520

City State Zip code

985-400-4141

Home Phone Work/Cell Phone

allison.vencil@Vencilgroup.com

Email

Allison C. Vencil
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.

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

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

NAME OF OWNER (PRINT) Emily C. Smith

ADDRESS (STREET, CITY, STATE, ZIP CODE) 71205 Whiskey Oaks Lane
Cornington, LA 70433

PHONE # (H) 504-892-5441 (W) 985-703-7410

TAX PARCEL NUMBER(S) OWNED 0911B-02-009-002

SIGNATURE: Emily C. Smith

NAME OF OWNER (PRINT) Emily C. Smith

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

PHONE # (H) _____ (W) _____

TAX PARCEL NUMBER(S) OWNED _____

SIGNATURE: _____

NAME OF OWNER (PRINT) _____

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

PHONE # (H) _____ (W) _____

TAX PARCEL NUMBER(S) OWNED _____

SIGNATURE: _____

(Use additional forms as needed)

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

PERSON/AGENT FOR YOU: Allison Vencil (Daughter/Agent)



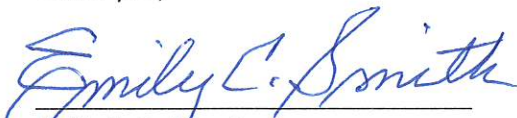
Vencil Group, LLC
P.O. Box 223
Mandeville, LA 70470
Phone: 985-400-4141
allison.vencil@vencilgroup.com

AGENT AUTHORIZATION

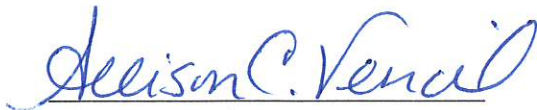
January 2, 2024

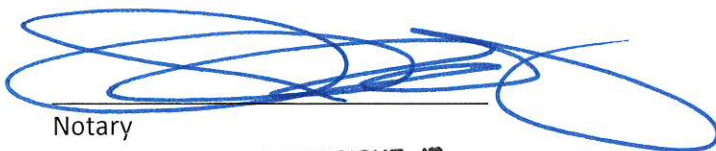
I, William J. Smith and Emily C. Smith of the William & Emily Smith Trust, authorize Allison Vencil (Daughter) to act as our Agent in regard to 210 Texas Ave Gulfport, MS 39507 Application for Zoning Map Amendment for zoning change. Current zoning for Parcel # 0911B-02-009-002 is split down the middle of the lot with one half as T4+ and the other half T5. Change to T4+ for the entire lot is being requested as it is a public need. Allison Vencil will represent us in all future hearings and proceedings and has our authority to do so.

Thank you,

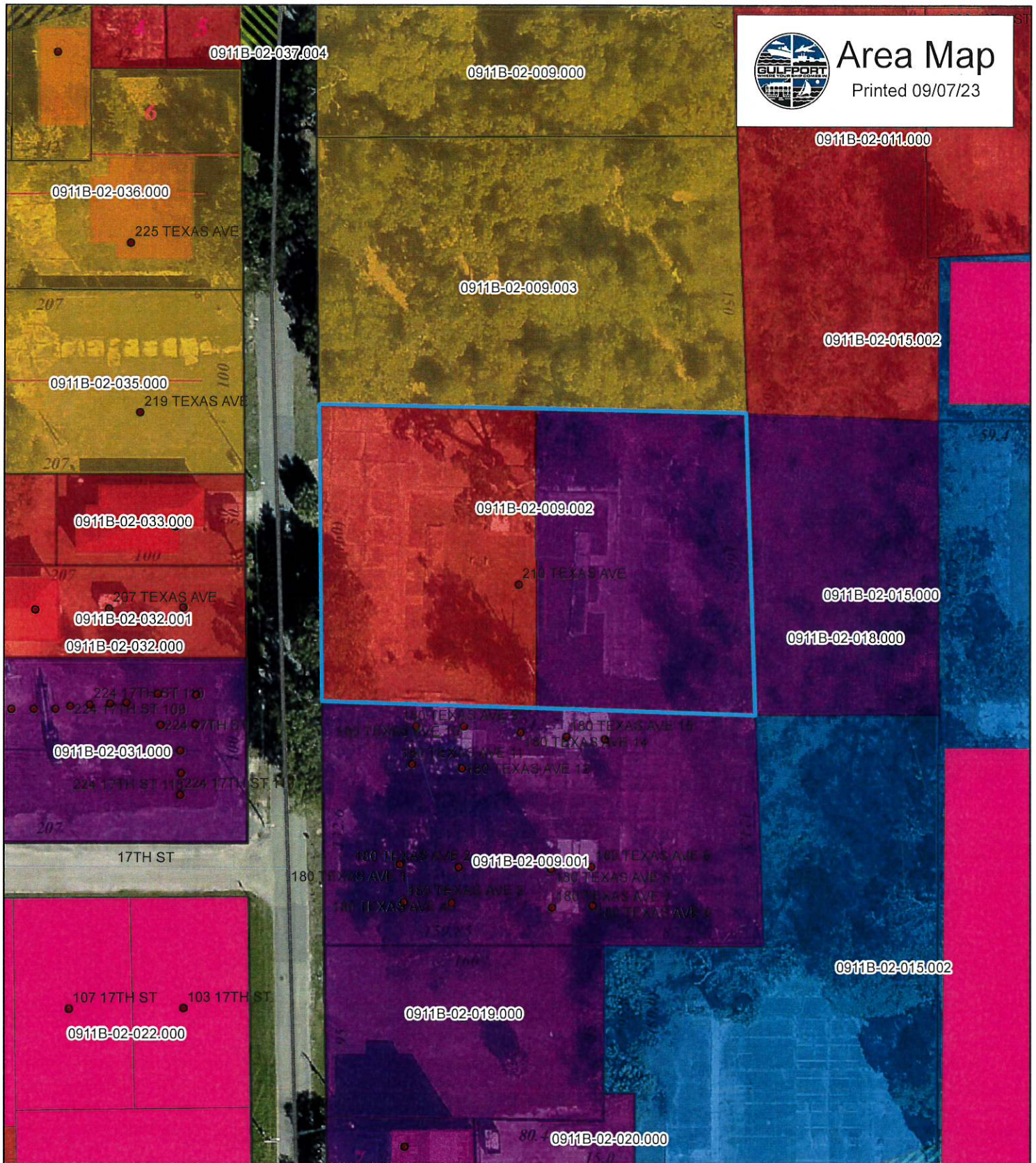

Emily C. Smith - Owner


William J. Smith - Owner


Allison C. Vencil - Agent


Notary

J. J. JUAN J. RODRIGUE, JR.
NOTARY PUBLIC
BAR ROLL #11373
MY COMMISSION IS FOR LIFE



● Addresspoints
 ~ Collector
 ~ Minor/Residential
 ~ WaterFeatures

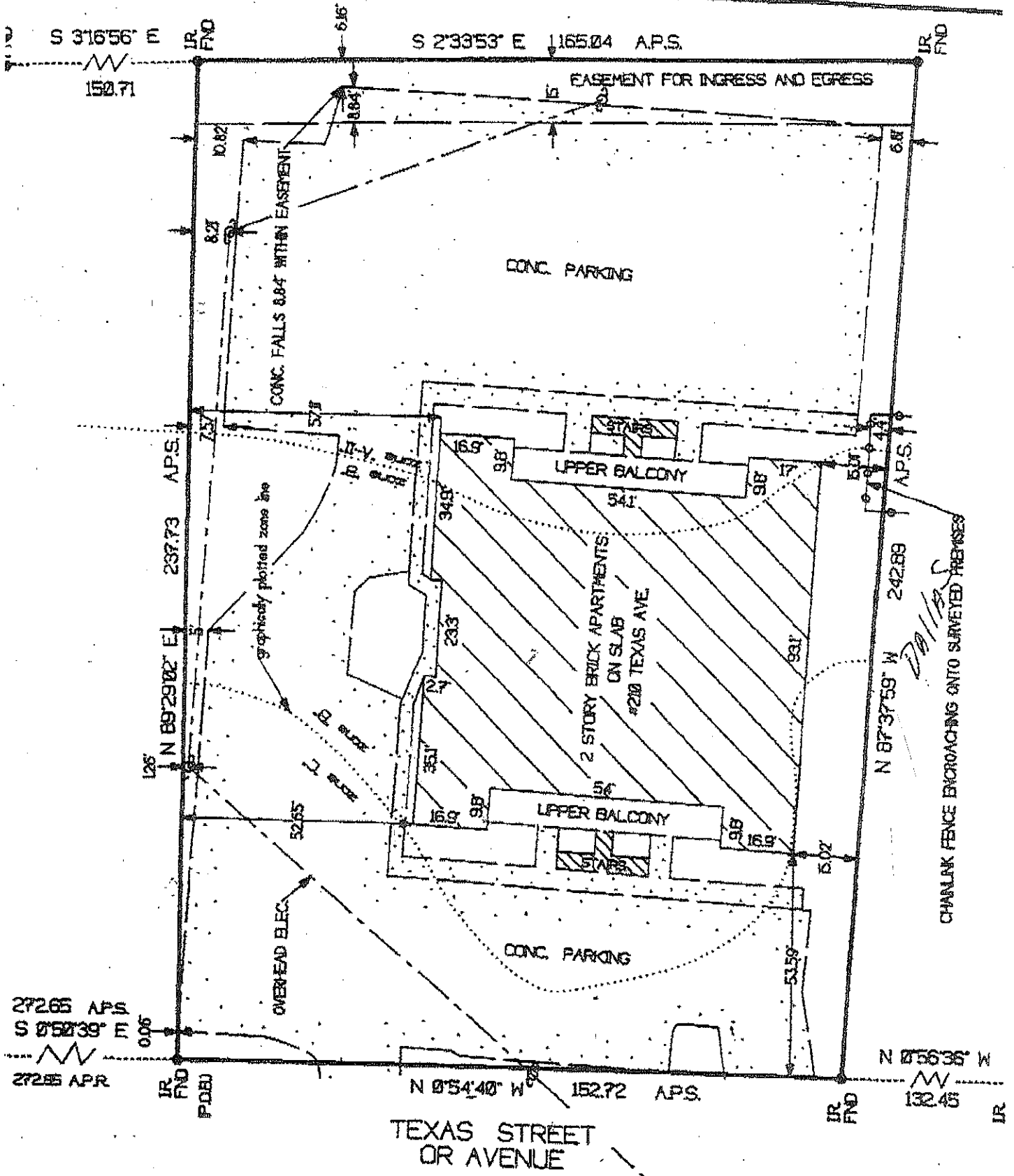
[] Parcels

Smart Code
TZone
 T6
 T5
 T4+
 T4L



1 inch = 70 feet

DATA DISCLAIMER:
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CHARLAK FENCE ENVOACHING ONTO SURVEYED PREMISES

210 Texas Ave
Gulfport, MS
39507

Reasons for rezoning

Zoning is split down the center of the lot.

T4+ on one side and T5 on the back half.

We request a zoning change to T4+ to unify the zoning on the lot. There are interested parties that would like to build multifamily or single family home on the lot. We currently have the lot for sale but interested buyers won't move forward unless zoning on the back half is changed to T4+ from T5. The character of the neighborhood is multi or single family. The building there previously was multifamily before Katrina. No structure stands since Katrina and is a vacant lot. There is a public need for rezoning.

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, VIRGINIA M. MACKEN, 61 BAYOU CIRCLE, GULFPORT, MS 39507, (504) 892-5441, does hereby sell, convey and warrant unto EMILY CROSS SMITH and spouse WILLIAM J. SMITH, 71205 WHISKEY OAKS LANE, COVINGTON, LA 70433, (228) 863-7849, as joint tenants with full rights of survivorship, and not as tenants in common, 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:

A Parcel of land located in Section 1, Township 8 South, Range 11 West, City of Gulfport, First Judicial District of Harrison County, Mississippi, being more particularly described as follows: Commencing at the intersection of the Eastern margin of Texas Street or Avenue with the Southern margin of 16th Street and thence run South 00 degrees 50 minutes 39 seconds East along the Eastern margin of Texas Avenue a distance of 272.85 feet to an iron rod marking the Point of Beginning; thence from said Point of Beginning, run North 89 degrees 29 minutes 02 seconds East a distance of 237.73 feet to an iron rod; thence run South 02 degrees 33 minutes 53 seconds East a distance of 165.04 feet to an iron rod; thence run North 87 degrees 37 minutes 59 seconds West a distance of 242.89 feet to an iron rod situated on the Eastern margin of Texas Street or Avenue; thence run North 00 degrees 54 minutes 40 seconds West along the Eastern margin of Texas Street or Avenue a distance of 152.72 feet to the Point of Beginning.

SUBJECT TO: an easement for ingress and egress across the easternmost fifteen feet (15') hereof, previously conveyed to Robert Barber, Jr., as recorded in the office of the Chancery Clerk of the First Judicial District of Harrison County, Mississippi in Deed Book 884 at Page 596.

THE GRANTOR HEREIN is the surviving joint tenant of Michael Francis Macken who departed this life on July 7, 1997, a copy of the death certificate being attached hereto.

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 Grantees herein.

INDEXING INSTRUCTIONS: 165.04' X 242.89' IN SEC 1, T8S, R11W (SUBJ. TO 15' EASEMENT), BOUNDED: W BY UNKNOWN; E BY PROP. FORMERLY OF BAKER; S BY PROP. FORMERLY OF LENA2; W BY TEXAS ST.

BOOK 1477 PAGE 142

WITNESS MY SIGNATURE, on this the 15th day of December, 1999.

Virginia M. Macken
VIRGINIA M. MACKEN

STATE OF MISSISSIPPI

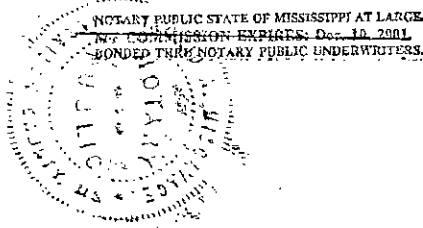
COUNTY OF HARRISON

THIS DAY PERSONALLY CAME AND APPEARED BEFORE ME, the undersigned authority in and for the jurisdiction aforesaid, VIRGINIA M. MACKEN, who acknowledged that the above and foregoing instrument was signed and delivered as the free and voluntary act and deed of the Grantor on the day and in the year therein mentioned.

GIVEN UNDER MY HAND AND OFFICIAL SEAL OF OFFICE, this the 15th day of December, 1999.

[Signature]
NOTARY PUBLIC

My Commission Expires:



STATE OF MISSISSIPPI											
MISSISSIPPI STATE DEPARTMENT OF HEALTH VITAL RECORDS											
BOOK 1477 PAGE 143											
TYPE OR PRINT WITH BLACK INK		FILING DATE JUL 14 1997		CERTIFICATE OF DEATH STATE OF MISSISSIPPI				STATE FILE NUMBER 123-			
DECEASED		1. NAME First Middle Last MICHAEL FRANCIS MACKEN		2. SEX MALE		3a. HOUR OF DEATH 10:45 A		3b. DATE OF DEATH (Month, Day, Year) JULY 7, 1997			
4. RACE (Specify White, Black, American Indian, etc.) WHITE		5a. AGE AT LAST BIRTHDAY 59 Years		5b. MOS 5c. DAYS 5d. HOURS 5e. MINS		6. DATE OF BIRTH (Month, Day, Year) SEPTEMBER 10, 1937		7a. COUNTY OF DEATH HARRISON			
7b. CITY OR TOWN OF DEATH BILOXI		7c. HOSPITAL OR OTHER INSTITUTION-NAME AND NUMBER (If not in either give street address, route number or other location) BILOXI REGIONAL MEDICAL CENTER 24b		7d. IF IN HOSP. OR INST. SPECIFY INPT. OUTPT. EMER. AM OR DOA IN -PATIENT		8. STATE OF BIRTH W. VA					
9. DECEASED'S EDUCATION (Specify only highest grade completed) 10-12 12		10. MARRIED, NEVER MARRIED, WIDOWED, DIVORCED MARRIED		11. SURVIVING SPOUSE (If wife, give maiden name) VIRGINIA NORTHROP		12. WAS DECEASED EVER IN U.S. ARMED FORCES? (Yes or No) YES					
13. ORIGIN OR DESCENT (Specify Cuban, Afro-American, Mexican, etc.) IRISH		14. SOCIAL SECURITY NUMBER 385-34-9981		15a. USUAL OCCUPATION (Kind of work done, most of working life) PHYSICIAN		15b. KIND OF BUSINESS OR INDUSTRY MEDICAL					
16a. RESIDENCE-STATE MS		16b. COUNTY HARRISON		16c. CITY OR TOWN GULFPORT		16d. INSIDE CITY LIMITS (Specify Yes or No) YES		16e. STREET AND NUMBER OR RURAL LOCATION 61 BAYOU CIRCLE			
PARENTS		17. FATHER-NAME First Middle Last WILLIAM MACKEN		18. MOTHER-NAME First Middle Maiden MARY BELL BALL							
INFORMANT		19a. INFORMANT-NAME (Type or print) SEAN MACKEN		19b. MAILING ADDRESS (Street and number or route and box number, City or town, State, ZIP code) 8213 PENNYWELL PL., TAMPA, FL 33615							
DISPOSITION		20a. BURIAL, CREMATION, REMOVAL (Specify) BURIAL		20b. CEMETERY CREMATORY-NAME BILOXI NATIONAL		20c. LOCATION (City and State) BILOXI, MS		21a. EMBALMER-SIGNATURE AND NUMBER JOHN NECAISE PS#193			
		21b. FUNERAL HOME-NAME AND MISSISSIPPI I.D. NUMBER BRADFORD O'KEEFE FUNERAL HOME (24b)		21c. MAILING ADDRESS (Street and number or route and box number, City or town, State, ZIP code) P. O. BOX 133, BILOXI, MS 39533							
PRONOUNCEMENT		22a. PERSON WHO PRONOUNCED DEATH-NAME AND TITLE (Type or print) ANDREW RAGULA M.D.		22b. PRONOUNCED DEAD (Month, Day, Year) ON JULY 7, 1997		22c. PRONOUNCED DEAD (Hour) AT 10:45 A					
CERTIFIER		23a. CERTIFIER-NAME (Type or print) BEN CHENEY M.D.		23b. MAILING ADDRESS (Street and number or route and box number, City or town, State, ZIP code) 111 LAMEUSE ST. BILOXI MS. 39530							
Mississippi State Board of Health Form No. 519 Revised 1-1-89		24a. To the best of my knowledge death occurred due to the cause(s) and manner as stated SIGNATURE: Ben Cheney 24b. DATE SIGNED (Month, Day, Year) 7/9/97 24c. STATE LICENSE NUMBER 11348 24d. NAME OF ATTENDING PHYSICIAN IF OTHER THAN CERTIFIER (Type or print)		24e. On the basis of examination and/or investigation in my opinion death occurred due to the cause(s) and manner as stated. SIGNATURE: [Signature] 24f. TITLE 24g. DATE SIGNED (Month, Day, Year)							
CAUSE OF DEATH		25. PART I. IMMEDIATE CAUSE (Enter one cause only): (a) <u>Renal Failure</u> (b) <u>Hepatorenal Syndrome</u> (c) <u>Cirrhosis</u>		26. PART II. OTHER SIGNIFICANT CONDITIONS-Conditions contributing to death but not resulting in the underlying cause given in PART I		27. AUTOPSY NO		28. WAS CASE REFERRED TO MEDICAL EXAMINER? (Yes or No)			
29a. ACCIDENT, SUICIDE, HOMICIDE, PENDING INVESTIGATION, OR UNDETERMINED (Specify)		29b. DATE OF INJURY (Month, Day, Year)		29c. HOUR OF INJURY (Month, Day, Year)		29d. DESCRIBE HOW OR BY WHAT MEANS INJURY OCCURRED					
29e. INJURY AT WORK (Yes or No)		29f. PLACE OF INJURY (Specify Home, Farm, Street, Factory, Office building, etc.)		29g. LOCATION Street or route number City or town State							

THIS IS TO CERTIFY THAT THE ABOVE IS A TRUE AND CORRECT COPY OF THE CERTIFICATE ON FILE IN THIS OFFICE

F. E. Thompson Jr. MD
F. E. Thompson, Jr., M.D., M.P.H.
STATE HEALTH OFFICER

Nita Cox Gunter
Nita Cox Gunter
STATE REGISTRAR

AUG - 8 97

WARNING: A REPRODUCTION OF THIS DOCUMENT RENDERS IT VOID AND INVALID. DO NOT ACCEPT UNLESS EMBOSSED SEAL OF THE MISSISSIPPI STATE BOARD OF HEALTH IS PRESENT. IT IS ILLEGAL TO ALTER OR COUNTERFEIT THIS DOCUMENT.

Instrument No. 9770

STATEMENT OF FEES

Recording Fee \$6.00
Records Management Fee \$1.00
Abstract of Record Fee \$1.00
Marginal Entry Fee \$1.00
Other
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 1 o'clock and 32 minutes P. M. on 21st day of Dec., A.D. 1999 and recorded December 23 1999 in Records of Deeds Book 1477 Pages 141-143

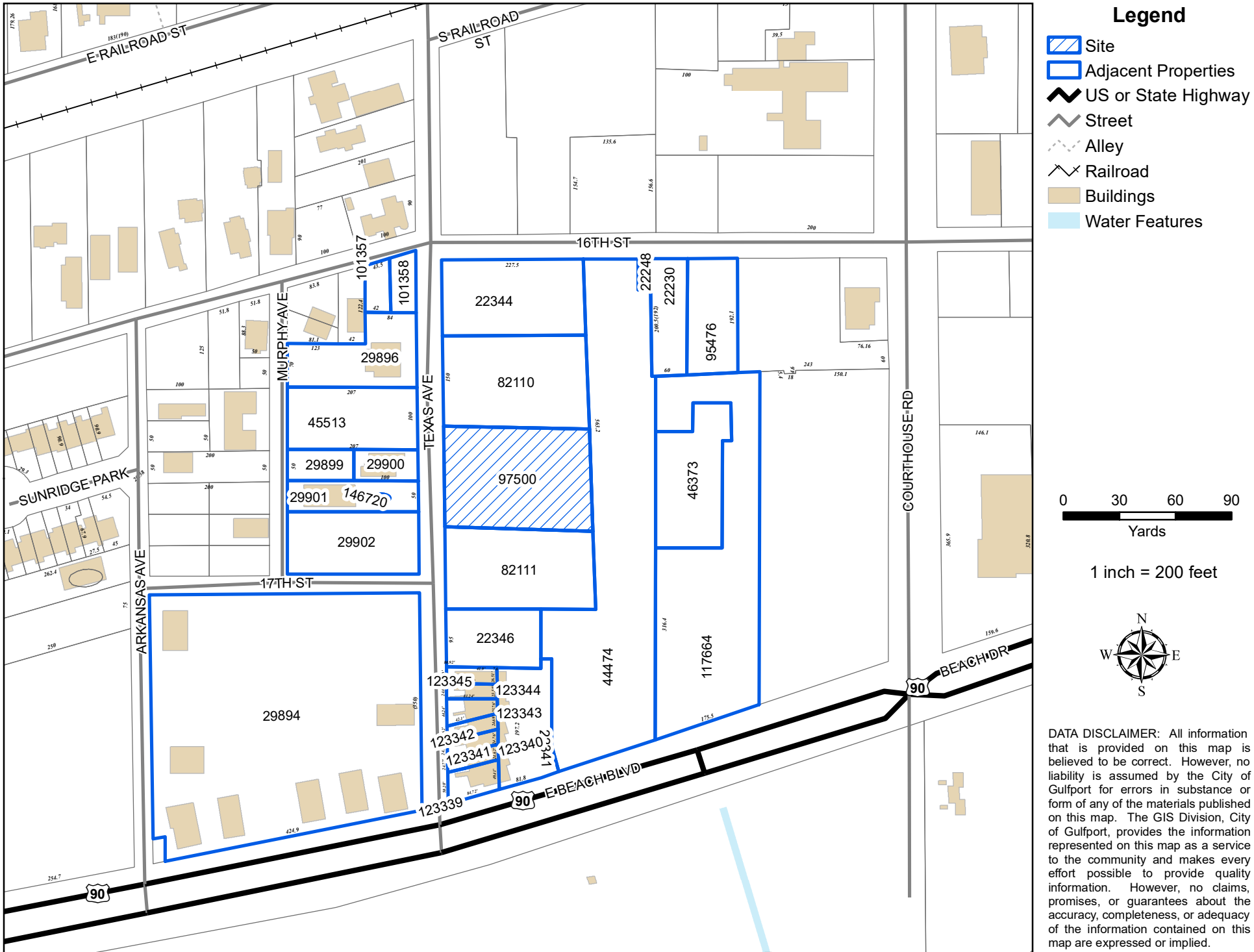
By *John McAdams*, Chancery Clerk
By *John Frederick*, D.C.

LAWRENCE-GREENWOOD 00685

Mail	PPIN	Parcel ID	Name	Address	City	State	ZIP
		0911B-02-009.002	WILLIAM J SMITH (OWNER)	71205 WHISKEY OAKS LN	COVINGTON	LA	70471
			ALLISON VENCIL (AGENT)	1021 HWY 90	BAY ST LOUIS	MS	39520
			Adjacent Property Owners(2403PC025)				
82111	0911B-02-009.001		CHEVALIER BRIAN	2510 PROVENCE PLACE	BILOXI	MS	39531
29902	0911B-02-031.000		KNOX EDWARD	14765 N SWAN RD	GULFPORT	MS	39503
22341	0911B-02-020.000		HRBAC THOMAS D -TRUSTEE-	103 COUNTRY MEADOW	CLINTON	MS	39056
101358	0911B-02-037.004		PLAUCHE PROPERTIES LLC	370 COURTHOUSE RD, STE 106	GULFPORT	MS	39507
95476	0911B-02-015.001		TABOR TERESA	601 STONEBROOK DR	CHATANOOGA	TN	37415
22230	0911B-02-011.000		CARTHUSIAN LLC	300 S TOULME ST	BAY ST LOUIS	MS	39520
82110	0911B-02-009.003		PICKETT ALLAN V	1336 SECOND ST	GULFPORT	MS	39501
29899	0911B-02-034.000		PARKER ROBERT W JR	5200 LAKE SHORE LN LOT #19	DENTON	TX	76208
117664	0911B-02-015.002		QUACH MINH SO & VICTORIA NGO	3712 EVANGELINE DR	CHALMETTE	LA	70043
29900	0911B-02-033.000		MEYER JAMES GORDON	5226 STUDELEY AVE	NORFOLK	VA	23508
22248	0911B-02-010.000		GULF SOUTH PIPELINE COMPANY LP	ATTN: PROPERTY TAX DEPT	HOUSTON	TX	77046
44474	0911B-02-018.000		NGUYEN DAVID	8907 BOULDER SPRING DR	HOUSTON	TX	77083
29896	0911B-02-036.000		PETERS RACHAEL DIANE	54 VALLEY OAK CIR	WOODLAND	TX	77382
97500	0911B-02-009.002		SMITH EMILY C & WILLIAM J	71206 WHISKEY OAKS LN	COVINGTON	LA	70433
45513	0911B-02-035.000		SCHINDLER HUONG NGUYEN	22 OAK TREE DR	SLIDELL	LA	70458
29901	0911B-02-032.000		KNOX EDWARD R	208 MURPHY AVE	GULFPORT	MS	39507
22344	0911B-02-009.000		DELANO TODD & ANDERSON MICKEY	920 CEDAR LAKE RD SUITE E3	BILOXI	MS	39532
22346	0911B-02-019.000		FORBES JACK JR	247 S HIGH SCHOOL AVE	COLUMBIA	MS	39429
29894	0911B-02-022.000		GULFVIEW HOMES LLC	P O BOX 6496	GULFPORT	MS	39506
123345	0911B-02-021.007		DUPLANTIS CODY J & LINDA A	14103 WINTERDALE DR	GRAND ISLAND	FL	32735
123344	0911B-02-021.006		MARTINI JEWELL LLC	875 HOLLY OAK PLACE	MONTEREY PARK	CA	91755
123343	0911B-02-021.005		4C RENTALS LLC	5969 N EAGLE SUMMIT RD	OWASSO	OK	74055
123341	0911B-02-021.003		MILLER JAMES H	80 EAST BEACH BLVD STE 3	GULFPORT	MS	39507
123339	0911B-02-021.001		MILSTEIN MARC	22 HONEY LOCUST COURT	LAFAYETTE HILL	PA	19444

2403PC025

Zoning Map Amendment



RE: Zoning Map Amendment 2403PC025, by agent Allison Vencil, requesting to rezone the entire parcel to T4+ (General Urban Zone "Plus"), Tax Parcel 0911B-02-009.002, 210 Texas Ave, Zoned T4+ (General Urban Zone "Plus") and T5 (Urban Center Zone), Ward 2

To Applicants and Adjacent Property Owners:

The City of Gulfport Planning Commission will hold a public hearing to consider the above application at 4:30 P.M. on **Thursday, March 28, 2024**, 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 28, 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	528938	Print Legal Ad-IPL01632770 - IPL0163277		\$83.65	2	56 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, March 28, 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 24 th Avenue.

Planning Commission Approval 2402PC011, by agent M2 Enterprises, Inc., seeking approval for auto sales of less than fifty vehicles, Tax Parcel 0910M-03-058.000, 941 Pass Rd, Zoned B-2 (General Business), Ward 3

Planning Commission Approval 2403PC029, by owner JKA Properties LLC, seeking approval for church use, Tax Parcels 0910I-02-008.001, 0910I-02-008.000, 729 E Pass Rd., Zoned T5 (Urban Center), Ward 2

Special Exception 2403SC031, by agent Tyler Hickman, seeking approval for daiquiri shop, Tax Parcels 0908N-04-004.000, 0908N-04-004.001, 13211 Dedeaux Road, Zoned B-1 (Neighborhood business), Ward 5

Planning Commission Approval 2403PC039, by agents Charles Gant and Warren Dedeaux, seeking approval for a townhouse development, Tax Parcels 0908M-01-009.00, 0908M-01-009.001, 0908M-01-014.000, Zoned B-1 (Neighborhood-business), Ward 5

Planning Commission Approval 2403PC040, by agent Vinson Keyhea, seeking approval for car sales of less than 50 vehicles, Tax Parcel 0910N-06-020.000, Zoned B-2 (General-Business) Ward 4

General Plan 2402PC014, by agent Kenneth Jones, seeking approval for an 84-lot subdivision with five outparcels (Swan Landing Estates), Tax Parcel 0807G-01-001.000, South Swan Road, Zoned R-1-15 (Single-family), Ward 7

Zoning Map Amendment 2403PC020, by owner David Cospelich, Request rezone to B-1 (Neighborhood Business), Tax Parcels 0907H-02-001.001, 0907H-02-002.000, 1007E-01-002.000, 1007E-01-003.000, Zoned R-1-10 (Single Family Residence), River Road, Ward 6

Zoning Map Amendment 2403PC024, by owner Rock Solid Property, Requests to rezone to T5 (Urban Center Zone), Tax Parcel 1010N-01-087.001, Zoned T4 (General Urban Zone "Plus"), Cowan Road, Ward 2

Zoning Map Amendment 2403PC025, by agent Allison Vencil, requesting to rezone the entire parcel to T4+ (General Urban Zone "Plus"), Tax Parcel 0911B-02-009.002, 210 Texas Ave, Zoned T4+ (General Urban Zone & "Plus") and T5 (Urban Center Zone), Ward 2

This the 6th day of March 2024

Keith Williams, Chairman
City of Gulfport Planning Commission
IPL0163277
Mar 8 2024

STATE OF MISSISSIPPI COUNTY OF HARRISON

Before me, the undersigned Notary of Dallas County, Texas personally appeared Mary Castro, 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:
03/08/24

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.

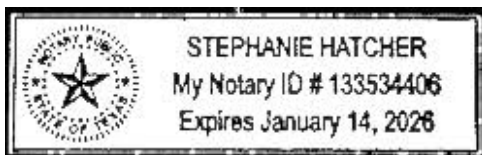
Mary Castro

Sworn to and subscribed before me this 14th day of
March 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!

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 _____, 2024, the following Ordinance:

ORDINANCE NO. _____

**AN ORDINANCE AMENDING SECTION 9-106 (c) OF THE CODE OF ORDINANCES;
AND FOR RELATED PURPOSES**

WHEREAS, presently, signs located on property owned, leased to or under the control of commissions created pursuant to authority found at Miss. Code Ann. § 21-27-11 and § 21-27-13 (i.e., the Mississippi Coast Transit Authority) 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 the said commission upon which such a commission owns and operates a multi-level parking fronting on 15th Street by exempting signs proposed to be located on such structure 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 herein.

**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 Governmental Signs, be and the same is hereby amended, as follows:

EXISTING (material to be deleted in ~~stricken~~, 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 are governmental signs. Signs on property owned by, leased to, 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, type, and pictorial illustration, and such approval appears in the minutes of the governing authority. Governmental signs shall also include those signs affixed to the north side of a multi-level parking building or structure fronting or facing 15th Street in the City's downtown area or affixed to the west side of such multi-level parking building or structure, provided that such building or structure is owned and operated by a commission or authority created pursuant to Miss. Code Ann. § 21-27-13, but only with respect to 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 Ordinance and provided that the City's governing authority has approved in advance a 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, 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 are governmental signs. Signs on property owned by, leased to, 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, type, and pictorial illustration, and such approval appears in the minutes of the governing authority. Governmental signs

shall also include those signs affixed to the north side of a multi-level parking building or structure fronting or facing 15th Street in the City's downtown area or affixed to the west side of such multi-level parking building or structure, provided that such building or structure is owned and operated by a commission or authority created pursuant to Miss. Code Ann. § 21-27-13, but only with respect to 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 Ordinance and provided that the City's governing authority has approved in advance a 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 _____, 2024.

(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 _____, 2024.

MAYOR