

AGENDA
ZONING BOARD OF ADJUSTMENT AND APPEALS
CITY HALL COUNCIL CHAMBERS
THURSDAY, MAY 16, 2024 AT 3:00 PM

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

F1. Zoning Board Meeting - April 18, 2025

- G. Hearing of Cases**

G1. Public Declaration of Appeal Process of Chairman

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

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

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

G3. Routine Agenda

1. Variance 2403ZB026: (Deferred to May Meeting)

Variance 2403ZB026, by agent Rebecca Gillum, seeking approval for 5-foot side yard setbacks, where 8 feet is required, Tax Parcel 0811G-04-116.000, 2011 17th Ave, Zoned R-2 (Single-family), Ward 3

2. Variance 2405ZB059:

Variance 2405ZB059, by owners OMT, LLC and FTO, LLC, seeking approval for parking that pulls out into right of way, Tax Parcel 0811B-05-012.000, 1602 26th Street, Zoned B-2 (General Business), Ward 3

3. Variance 2405ZB060:

Variance 2405ZB060, by agent Jonathan Fernandez, seeking approval for parking that pulls out into right of way, Tax Parcel 0910M-03-072.000, 1015 Pass Road, Zoned B-2 (General Business), Ward 3

4. Variance 2405ZB061:

Variance 2405ZB061, by owners Tim and Tracie Bruni, seeking approval for a eight-foot tall fence where the height limit is six feet, Tax Parcel 1010D-03-014.000, 51 Shoreline Lane, Zoned R-1-7.5 (Single-family), Ward 4

5. Variance 2405ZB063:

Variance 2405ZB063, by owner Michael Bogan, seeking approval for a 4-foot rear yard setback where 8 feet is required, Tax Parcel 0811G-04-116.000, 2011 17th Ave, Zoned R-2 (Single-family), Ward 3

6. Variance 2405ZB064:

Variance 2405ZB064, by agent Morgan Speranzo Hado, seeking approval for a 22-foot and one-inch front yard setback where 25 feet is required, Tax Parcels 1009N-01-002.061, 1009N-01-002.062, Georgian Way, Zoned R-2 (Single-family), Ward 5

7. Special Exception 2405SE067:

Special Exception 2405SE067, by agent Frankie Jackson, seeking approval for a tattoo parlor, Tax Parcel 1010G-03-003.002, 2033 E Pass Road Unit B, Zoned B-2 (General-business), Ward 2

8. Variance 2405ZB070: (Removed by Planning Staff)

Variance 2405ZB070, by agent Jon D. Storonsky, application request a variance for one additional roof sign where there is no street frontage, Tax Parcel 0808K-03-113.001, 15142 Dedeaux Road, Zoned R-B (Residence-business), Ward 7

9. Variance 2405ZB071:

Variance 2405ZB071, by agent Amanda Crose and designated agent Donovan Scruggs, seeking approval for a 21-foot and 3.5-inch setback on a second frontage where 25 feet is

required, Tax Parcel 0908E-01-001.001, 11030 Alphabet Road Zoned R-1-10 (Single-family), Ward 6

10. Variance 2405ZB072:

Variance 2405ZB072, by agent Amanda Crose and designated agent Donovan Scruggs, seeking approval for a 23-foot and 2-inch setback on a second frontage where 25 feet is required, Tax Parcel 0908C-01-001.000, 11102 Alphabet Road, Zoned R-1-10 (Single-family), Ward 6

11. Variance 2405ZB073:

Variance 2405ZB073, by agent Amanda Crose and designated agent Donovan Scruggs, seeking approval for a 21-foot and 2-inch setback on a second frontage where 25 feet is required, Tax Parcel 0908C-01-001.000, 11041 Alphabet Road, Zoned R-1-10 (Single-family), Ward 6

12. Variance 2405ZB075:

Variance 2405ZB075, by owner Diane Myers, seeking approval for a gravel driveway where asphalt or concrete is required, Tax Parcel 0909O-02-029.000, 21 50th Street, Zoned R-1-7.5 (Single-family), Ward 4

13. Variance 2406ZB078:

Variance 2406ZB078, by agent Bryan Hall, seeking approval for fence columns of 7 feet and 4 inches in height where the height limit is 6 feet, Tax Parcels 1009N-01-002.001, 1009N-01-002.002, 1009N-01-002.003, 1009N-01-002.004, 1009N-01-002.023, 1009N-01-002.024, 1009N-01-002.025, 1009N-01-002.026, 1009N-01-002.027, 1009N-01-002.028, 1009N-01-002.029, 1009N-01-002.030, 1009N-01-002.031, 1009N-01-002.032, 1009N-01-002.033, 1009N-01-002.034, 10881 Lily Lane, 10887 Lily Lane, 10893 Lily Lane, 10899 Lily Lane, 10809 Lily Lane, 10815 Lily Lane, 10821 Lily Lane, 10827 Lily Lane, 10833 Lily Lane, 10839 Lily Lane, 10845 Lily Lane, 10851 Lily Lane, 10857 Lily Lane, 10863 Lily Lane, 10869 Lily Lane, 10875 Lily Lane, Zoned R-2 (Single-family), Ward 5

H. Adjournment

MINUTES

ZONING BOARD OF ADJUSTMENT AND APPEALS MEETING

Thursday, April 18, 2024 3:00 P.M.

GULFPORT CITY COUNCIL CHAMBERS

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

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

C. **Call to Order**: The meeting of the Planning Commission was called to order at **3:05 P.M.** .

D. **Determination of a Quorum**:

BOARD MEMBERS PRESENT:

MARY ANN WIGINTON
ROBERT PHARR
NATHAN BODDIE
HAL KAIGLER
MICHAEL DANIELS
LESLIE NORTH

BOARD MEMBERS ABSENT:

NICHOLAS HAHN

STAFF MEMBERS PRESENT:

SU-LIN FEATHERSTON
SAMUEL SWEETING
GREGORY HOLMES
BRYCE CLUGH

COURT REPORTER:

NORMA SOROE

E. **Confirmation of Agenda**:

F. **Approval of Minutes**:

Motion by Mr. Pharr and seconded by Mr. Boddie to approve Minutes of the **March 21, 2024**, Zoning Board meeting was carried unanimously.

G. **Hearing of cases**:

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

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

G3. Routine Agenda:

**1. Variance 2403ZB032:
(Postponed to April Meeting)**

Variance 2403ZB032, by agent Terry Robinson, seeking approval for zero required parking for retail use, Tax Parcel 0910N-06-014.000, 3200 B Ave, Zoned B-2 (General-business), Ward 4

Speaking for the Petition: Terry Robinson

Speaking against the Petition: None

Motion: Mr. Boddie – to approve the applicant’s request.

Second: Mrs. Wiginton

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

Action: Motion carried unanimously

**2. Variance 2403ZB036:
(Deferred to April meeting due to applicant not being present)**

Variance 2403ZB036, by agent Robert Addison Riemann, seeking approval for an additional wall sign on the eastern elevation, Tax Parcel 0809K-02-002.001, 15223 Creosote Road, Zoned B-4 (Highway-business), Ward 3

Speaking for the Petition: Addison Riemann

Speaking against the Petition: None

Motion: Mrs. Wiginton – to approve the applicant’s request.

Second: Mr. Pharr

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

Action: Motion carried unanimously

3. Variance 2404ZB041:

Variance 2404ZB041, by owner Kay Webber Cochran, seeking approval for an additional accessory structure, Tax Parcels 0811H-02-034.000, 0811H-02-035.000, 1524 Olive Ave, 1526 Olive Ave, Zoned R-1-7.5 (Single-family), Ward 2

Speaking for the Petition: Myrtis Franke

Speaking against the Petition: James Thompson

Motion: Mr. Boddie – to approve the applicant’s request.

Second: Mrs. Wiginton

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

Action: Motion carried unanimously

4. Variance 2404ZB042:

Variance 2404ZB042, by owner Kay Webber Cochran, seeking approval for an 8-foot fence where 4-feet is the height limit, Tax Parcels 0811H-02-035.000, 0811H-02-034.000, 1524 Olive Avenue, 1526 Olive Avenue, Zoned R-1-7.5 (Single-family), Ward 2

Speaking for the Petition: Myrtis Franke

Speaking against the Petition: James Thompson, Janet Lawrence

Motion: Mr. Boddie – to approve the applicant’s request.

Second: Mr. Kaigler

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

Action: Motion carried 4-1

5. Variance 2404ZB048:

Variance 2404ZB048, by agent Terry Robinson, seeking approval for parking to pull out onto city right of way, Tax Parcel 0910N-06-014.000, 3200 B Ave, Zoned B-2 (General-business), Ward 4

Speaking for the Petition: Terry Robinson

Speaking against the Petition: None

Motion: Mr. Boddie – to approve the applicant’s request.

Second: Mrs. Wiginton

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

Action: Motion Carried unanimously

**6. Variance 2404ZB052:
(Withdrawn by staff)**

Variance 2404ZB052, by agent Patricia Tomasello, seeking approval for lot size of 6352 square feet where 7500 square feet is required, Tax Parcel 0710O-02-102.002, 29th Street, Zoned R-B (Residence-business), Ward 1

Speaking for the Petition:

Speaking against the Petition:

Motion:

Second:

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

Action:

Adjournment:

Motion by **Mr. Boddie** to adjourn the meeting was seconded by **Mr. Pharr** and carried unanimously. The meeting adjourned **3:57 P.M.**

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

Michael Daniels, Secretary

Date: _____

MEMORANDUM

To: City of Gulfport Zoning Board of Adjustment and Appeals

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

Date of Hearing: May 16, 2024

Re: Public Declaration of Appeal Process of Chairman

MEMORANDUM

To: City of Gulfport Zoning Board of Adjustment and Appeals

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

Date of Hearing: May 16, 2024

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

MEMORANDUM

To: City of Gulfport Zoning Board of Adjustment and Appeals

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

Date of Hearing: May 16, 2024

Re: Routine Agenda

MEMORANDUM

To: City of Gulfport Zoning Board of Adjustment and Appeals

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

Date of Hearing: May 16, 2024

Re: Variance 2403ZB026: (Deferred to May Meeting)

Variance 2403ZB026, by agent Rebecca Gillum, seeking approval for 5-foot side yard setbacks, where 8 feet is required, Tax Parcel 0811G-04-116.000, 2011 17th Ave, Zoned R-2 (Single-family), Ward 3

Technical Report

VARIANCE

GENERAL INFORMATION

Case File Number: 2403ZB026

Hearing Date: May 16, 2024

Current Zoning/Use: R-2 / Vacant Lot

Legal: Variance 2403ZB026, by agent Rebecca Gillum, seeking approval for 5-foot side yard setbacks, where 8 feet is required, Tax Parcel 0811G-04-116.000, 2011 17th Ave, Zoned R-2 (Single-family), Ward 3

TECHNICAL DETAILS

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

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

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

Technical Report

VARIANCE

The applicant is seeking approval for variances to allow for 5-foot side yard setbacks where 8 feet is required for the construction of a new single-family home at 2011 17th Ave. In review of the site plan submitted by the applicant, the front setback will be met as required by city ordinance.

- (a) The applicant notes, that the “property, with a width of 60’, poses a challenge, given the dimensions of the home they intend to build. The proposed home, measuring 30’ in width, and including a garage of 20”, totals 50’. As per zoning regulations, the setbacks for the property mandate 25’ at the front, 8’ on the sides, and 8’ at the rear (requesting 4’ at the rear) (Case #: 2405ZB063). Under these constraints, the intended home does not conform to the prescribed dimensions.” The applicant provides no comments that reflect on the hardship of the property or the structures.
- (b) In the application, the applicant cites that the “hardship/discrepancy was not caused by their actions; rather, it is a result of the existing dimensions of their property and the intended construction.”
- (c) These variances are requested in order to allow the applicant to deviate from the 8 feet side setbacks for a 5 feet side setbacks on each side of the property. The applicant purchased the property knowing the existing dimensions of the property. Further, the applicant could build a single-family home to comply with zoning.
- (d) Applicant states that, “Without the requested variance, they would face significant limitations in designing a home that meets their needs and adheres to the aesthetics and functional requirements of the neighborhood. The denial of the variance would impose a considerable hardship on their ability to make reasonable use of their property within the confines of the existing regulations.” Neighboring properties are not compliant with the correct uses in the appropriate zoning. Most homes in the neighborhood are preexisting nonconforming.
- (e) The applicant does not address whether or not they will not be receiving any special privileges that others cannot receive. There are other properties throughout Gulfport that have been approved for variances for side yard setbacks, including those within the R-2 zoning districts.
- (f) This property is zoned R-2, and a single-family residence use is allowed by right.

EXECUTIVE SUMMARY

Applicant is seeking approval for variances to allow for 5-foot side yard setbacks where 8 feet is required. Applicant is wishing to bring the property to conformity through a variance request. Upon staff review of the surrounding properties, neighboring structures appear to have preexisting nonconforming side yard setbacks which creates harmony in the neighborhood for the property in question.

Any approval should consider these conditions:

1. Must meet all current building Codes and City of Gulfport Ordinances
2. Approval grants variances of 5-foot side yard setbacks where 8 feet is required.
3. Roof drainage from any new structures cannot impact neighboring properties.

Technical Report

VARIANCE

DEPARTMENTAL CONDITIONS

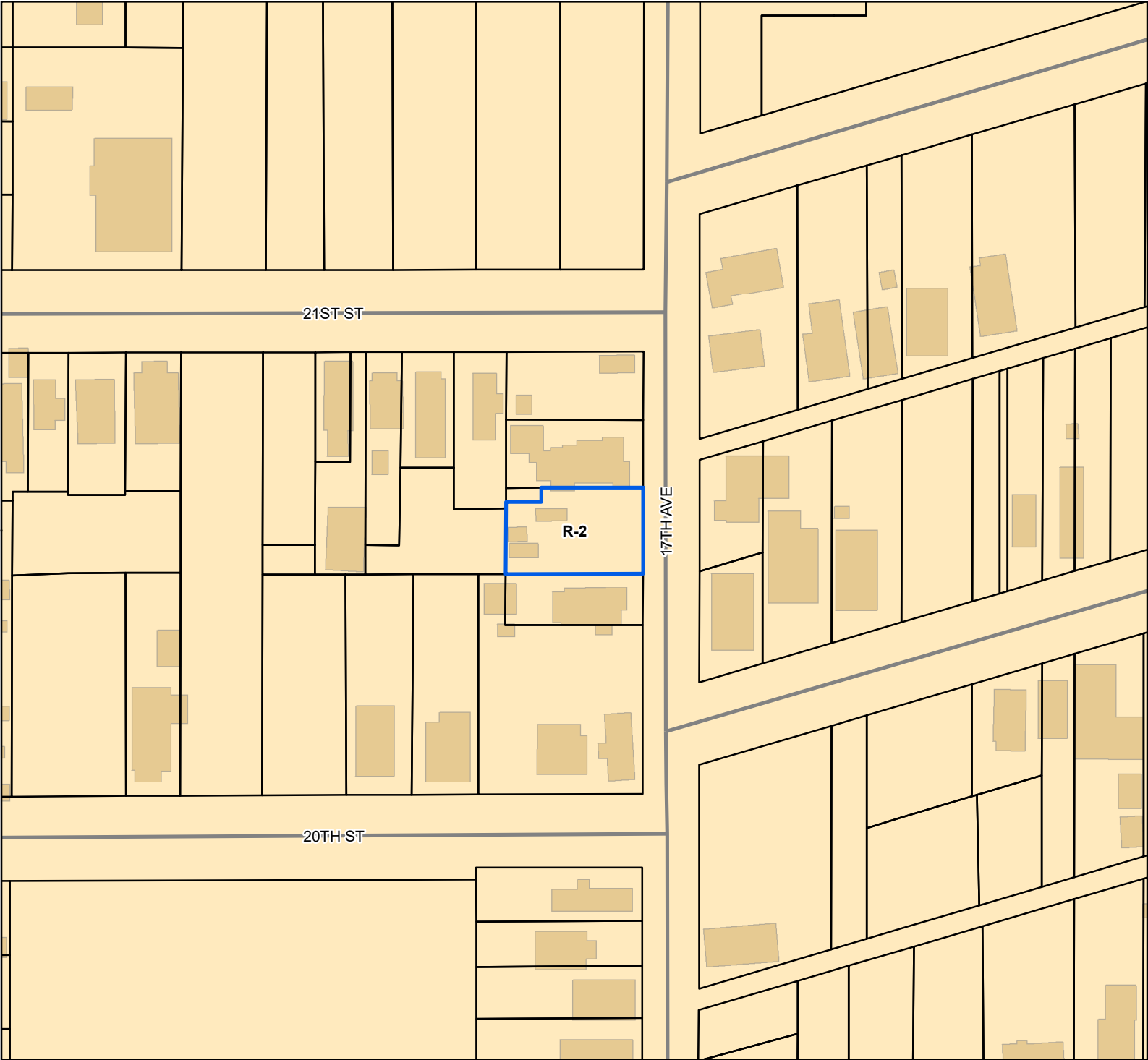
<u>Engineering:</u>	Roof drainage from any new structures cannot impact neighboring properties. Memo dated 4/29/2024.
<u>Public Works:</u>	Prevent roof drainage from impacting neighboring properties. Memo dated 05/2/2024.
<u>Traffic and Safety:</u>	No comment as of 5/2/2024.
<u>Building Code Services:</u>	Must meet all current building Codes and City of Gulfport Ordinances. Memo dated 4/26/2024.
<u>GIS:</u>	No conditions. Memo dated 5/1/2024.
<u>Police Department:</u>	No comment as of 5/2/2024.
<u>Fire Department:</u>	No conditions. Memo dated 4/25/2024.
<u>City Arborist:</u>	No conditions. Memo dated 4/25/2024.

DIRECTOR APPROVAL

This report has been reviewed and approved by:



Greg Holmes
Director of Urban Development Department



Street

Parcels

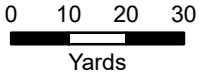
Buildings

Zoning

R-2 - Single Family

Residence District (Medium Density)

Site Information
0811G-04-116.000
Zoning:R-2 (Single Family)
Size:5889.78 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.



CASE NUMBER

240323026

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

0811G-04-116.000	

Property Address:

2011 17th Ave. Gulfport, MS. 39501

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

General Description of Request: Need a Variance to change side
Setbacks From 8' to 5'

Site is 60' wide and home being built is 30' wide plus
garage is 20' = 50' . we need 5' side setbacks

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:Michael Bogan

Printed Name of Owner

2005 17th Ave.

Mailing Address

Gulfport, MS 39501

City

State

Zip Code

228-261-0721

Home Phone

Work/Cell Phone

MBogan98@gmail.com

Email

Michael Bogan

Signature of Owner

AGENT:Rebecca Gilum

Printed Name of Agent

921 Monet St.

Mailing Address

Gulfport, MS 39507

City

State

Zip Code

228-806-9788

Home Phone

Work/Cell Phone

Rebeccagilum1023@yahoo

Email

Rebecca Gilum

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) N/A

Address (Street, City, State, Zip Code) _____

Phone (Home) _____ (Work) _____ (Cell) _____

Tax Parcel Number(s) Owned: _____

Signature: _____

Name of Owner (PRINT) N/A

Address (Street, City, State, Zip Code) _____

Phone (Home) _____ (Work) _____ (Cell) _____

Tax Parcel Number(s) Owned: _____

Signature: _____

Name of Owner (PRINT) N/A

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:

- ☒ **Page one of this application**, completed and signed.
- ☒ **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 abut the property.
 - ☒ Traffic flow, parking and driveways have been identified.
 - If required buffer strips have been identified
 - Other pertinent information as needed to pictorially demonstrate the proposed development/use.
- ☒ **Proof of ownership** (Copy of deed i.e., Warranty Deed or Quitclaim Deed)
- ☒ If applicable, notarized proof of **authority to act as agent** for owner (board resolution, etc.) (see page 9)

The City of Gulfport Planning Division Staff will notify, by letter, property owners adjacent to the requested action identified in this application using the Land Roll database from the County Tax Office. If you would like to have additional persons or property owners notified, please provide a list of **additional persons to be notified**.
- ☒ An **affidavit** stating the request is not in violation of restrictive or protective covenants. (See page 10)
- ☒ **Cash or check** payable to the City of Gulfport in the amount of **\$75.00**
- ☒ **the owner/agent acknowledge this is a complete application**

VARIANCE SUBMISSIONS



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

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

Variance Submissions

From: Rebecca Gillum (rebeccagillum1023@yahoo.com)

To: rebeccagillum1023@yahoo.com

Date: Thursday, January 18, 2024 at 10:39 AM CST

1.) Mr. Bogan's property located at 2011 17th Ave. Gulfport, MS. 39501 and his request for a 5' side setback. I would like to present the relevant details in a clear and concise manner.

Mr. Bogan's property, with a width of 60', poses a challenge given the dimensions of the home he intends to build. The proposed home, measuring 30' in width, and including a garage of 20', totals 50'. As per zoning regulations, the setbacks for the property mandate 25' at the front, 8' on the sides, and 8' at the rear. Under these constraints, the intended home does not conform to the prescribed dimensions.

However, with a 5' side setback, Mr. Bogan can align the construction within the specified regulations, allowing the home to fit seamlessly within the property boundaries. This adjustment addresses the current non-compliance and ensures adherence to the zoning requirements.

Mr. Bogan recognizes the significance of complying with zoning regulations and has carefully considered the implications of the proposed variance. The modest adjustment of a 5' side setback would accommodate the construction without compromising the integrity of the neighborhood or causing any inconvenience to neighboring properties.

We kindly request the Zoning Board's consideration and approval of the 5' side variance for 2011 17th Street. We believe that this adjustment is a reasonable solution, aligning with the spirit of the zoning regulations while allowing Mr. Bogan to proceed with his construction plans.

2.) Mr. Bogan's property has specific setback requirements, including 8' on the sides. However, the dimensions of his property, coupled with the proposed home and garage, create a situation where the prescribed setbacks cannot be met without the requested 5' side setback variance.

Mr. Bogan did not cause this discrepancy; rather, it is a result of the existing dimensions of his property and the intended construction.

3.) Without the requested variance, Mr. Bogan would face significant limitations in designing a home that meets his needs and adheres to the aesthetic and functional requirements of the neighborhood. The denial of the variance would impose a considerable hardship on Mr. Bogan, hindering his ability to make reasonable use of his property within the confines of the existing regulations.

It is essential to recognize that granting the 5' side setback variance would not only alleviate the potential hardship for Mr. Bogan but also contribute to the reasonable development of the property.

4.) Mr. Bogan is the proud owner of the lot adjacent to the property for which the variance is being sought. This ownership not only demonstrates his vested interest in the neighborhood but also signifies responsible land management. By having control over both lots, Mr. Bogan aims to enhance the overall aesthetics and functionality of the area.

5.) Mr. Bogan wishes to emphasize that his request for a 5' side variance is meticulously planned to avoid causing any discomfort or inconvenience to neighboring properties. He is committed to maintaining the harmony and character of the neighborhood. The variance, as requested, would have minimal impact on the surrounding environment, ensuring that the property remains in harmony with the existing homes in the neighborhood.

6.), Mr. Bogan respectfully requests the Zoning Board's approval for the 5' side setback variance, taking into account his ownership of the adjacent lot and the careful planning to avoid any discomfort to others. We trust that the Zoning Board will weigh these factors judiciously and make a decision that aligns with the best interests of the community.



Gillum Group

LIFESTYLE
REAL ESTATE

Rebecca Gillum
Associate Broker
228-806-9788(C) 228-990-6600(O)
rebeccagillum1023@yahoo.com

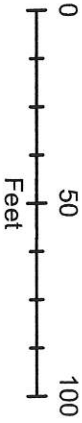




HARRISON COUNTY, MISSISSIPPI

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

MAP DATE: January 18, 2024



Garage
20'-0" x 19'-4"

20'-0" x 19'-4"
Garage

50' WIDE

Owner's Bedroom
12'-6" x 13'-4"

Owner's Bath

Bath 2

WIC

Kitchen
14'-4" x 10'-0"

Dining Room
14'-4" x 8'-7"

Bedroom 2
11'-0" x 10'-0"

Bedroom 3
11'-0" x 10'-0"

Great Room
14'-4" x 10'-8"

Utility

Front Porch

Mr. Michael Bogan

From: Dan McGinn (dan@mcmurphyhomes.com)

To: rebeccagillum1023@yahoo.com

Cc: rod@mcmurphyhomes.com

Date: Tuesday, January 16, 2024 at 10:59 AM CST

Rebecca,

Good morning, I was just thinking more about it and they will most likely want you to go there and "wet sign" a variance application.

Thanks,

Dan McGinn
919-623-0762
dan@mcmurphyhomes.com



WE BUILD ON YOUR LAND

From: Rebecca Gillum <rebeccagillum1023@yahoo.com>
Sent: Tuesday, January 16, 2024 9:43 AM
To: Dan McGinn <dan@mcmurphyhomes.com>
Subject: Re: Mr. Michael Bogan

Yes, I most certainly will give you a call if needed. Thank you.



Gillum Group
**LIFESTYLE
REAL ESTATE**

Rebecca Gillum
Associate Broker
228-806-9788(C) 228-990-6600(O)
rebeccagillum1023@yahoo.com



On Monday, January 15, 2024 at 10:24:06 AM CST, Dan McGinn <dan@mcmurphyhomes.com> wrote:

Rebecca,

Please reach out to planning and zoning with the city of Gulfport. Their phone number is (228) 868-5710. Let them know that you are requesting a variance to encroach into the side setbacks. Let me know if you have any trouble connecting with them.

Thanks,

Dan McGinn
919-623-0762
dan@mcmurphyhomes.com

MCMURPHY
— HOMES —
SINCE 1955

WE BUILD ON YOUR LAND

From: Rod Barbee <rod@mcmurphyhomes.com>
Sent: Monday, January 15, 2024 10:19 AM
To: Rebecca Gillum <rebeccagillum1023@yahoo.com>
Cc: Dan McGinn <dan@mcmurphyhomes.com>; Mac McMurphy <mac@mcmurphyhomes.com>
Subject: Re: Mr. Michael Bogan

 Rebecca,

Re: Mr. Michael Bogan | Eleanore Built Sideways W/4 Car Tandem
Garage

Please feel free to reach out to Dan McGinn or Mac McMurphy if you have any questions about getting a variance for the side setbacks for Mr. Bogan. Mac and Dan are both copied on this email. A quick synopsis of this project is shown below.

Rebecca (Agent) and Michael (Buyer) will need to get the variance from the municipality to change the side setbacks from 8' to 5'. Mr. Bogan's site is 60' wide and the home being built is 30' wide plus the garage is 20' = 50'. We can build this with 5' side setbacks.

We want to get this agreement completed as soon as possible as our base pricing will definitely go up on February 1, 2024. The below is just a rough draft. Dan and I will go through this and clean it up but I went over all the details with Mr. Bogan and showed him the plans of a similar home like this that we are building in Gulfport.

In the below picture I was showing this as a carport upfront and a garage directly behind the carport. Mr. Bogan wants this to be a tandem garage that can hold 4 cars.

cc: Mac
Dan

Re: Michael Bogan

From: Rod Barbee (rod@mcmurphyhomes.com)

To: rebeccagillum1023@yahoo.com; sunny.miceli@ccm.com

Date: Thursday, January 11, 2024 at 06:54 PM CST

To: Rebecca and Sunny

Re: Mr. Michael Bogan

I have been working on this and I think I have a possible option for Mr. Bogan. It gives him a space for 4 cars (1 two car garage and a two car carport) while Keeping this price reasonable. He really wants this type of space.

Rebecca would only have to get the zoning board to get the side setbacks down to 5' vs currently at 8'. When Dan and I spoke with them, they did not seem closed at all to this possibility. This way we are not asking for a rear setback variance also. I will review the possible option with Dan on Friday.

If we turn the Eleanor plan sideways which we have done already for a buyer and then add the garage and carport then this makes the home 50' wide which works on the 60' frontage with 5' setbacks for the rear. No rear setback variance needed.

We definitely can not build this home without a \$10,000 minimum deposit.

Eleanor plan:	\$166,899	(Turning the plan sideways and adding a garage & carport)
Add 2 Car Garage:	\$24,000	
Add 2 Car Carport:	\$14,000	
Site Prep Estimate:	\$7,500	(This is an estimate only – This could be lower or slightly higher)
Design Fee:	\$1,200	
Total:	\$213,599	

Re: 2011 17th Avenue - Gulfport

From: Rod Barbee (rod@mcmurphyhomes.com)

To: rebeccagillum1023@yahoo.com

Date: Wednesday, January 10, 2024 at 06:12 PM CST

Re: 2011 17th Avenue – Michael Bogan

Dan McGinn (Head of Construction) contacted the Gulfport zoning department. The setbacks for the property are 25' Front, 8' Sides and 8' Rear. At these metrics the home does not fit.

Dan asked for a variance and they stated that they are open to looking at allowing a variance where the side setbacks are 5' but this would have to be approved by the board. At 5' side setback then the home will fit.

Rebecca as Michael's agent can contact the zoning department and complete the application needed to get this completed. <https://www.gulfport-ms.gov/planning/>

- Click on: [Zoning Board of Adjustments and Appeals Application](#)

The option of allowing Michael to quit claim the land to McMurphy Homes and let us build the home without an initial down-payment of \$10,000 was not approved.

Please don't hesitate to contact me as needed.

NOTE: The tandem garage does not work with the above metrics. We can build the home as is if Michael approves.

Thanks,

Rod Barbee – Head of Sales | McMurphy Homes
919-641-8109



Variance Submission Questions / Response

- 1.) Mr. Bogan's site is 60' wide and the home being built is 30' wide plus the garage is 20' = 50'.

The setbacks for the property are 25' Front, 8' Sides and 8' Rear. At these metrics the home he is wanting to have built does not fit. With A 5' side setback, then the home will fit.

- 2.) The special conditions that are being requested are not a result of the actions of Mr. Bogan. He is requesting a 5' side setback. With Mr. Bogan owning the lot next to the one he is wanting to obtain the variance for
- 3.) Mr. Bogan is currently living in the home located next to this lot. The home he wants to have built that is in his budget does not fit the property. The builder has come up with a solution to have the home built, however he needs the 5' side setback.

First and foremost, Mr. Bogan is the proud owner of the lot adjacent to the property for which the variance is being sought. This ownership not only demonstrates his vested interest in the neighborhood but also signifies responsible land management. By having control over both lots, Mr. Bogan aims to enhance the overall aesthetics and functionality of the area.

Furthermore, Mr. Bogan wishes to emphasize that his request for a 5' side variance is meticulously planned to avoid causing any discomfort or inconvenience to neighbor properties. He is committed to maintaining the harmony and character of the neighborhood. The variance, as requested, would have minimal impact on the surrounding environment, ensuring that the property remains in harmony with the existing structures.

- 4.)



DESIGNATION OF AGENT

I, Michael Bogan being property owner of 2011 17th Ave. Gulfport ms 39501
PRINT NAME PRIMARY ADDRESS OR PARCEL
which is the subject of this application hereby authorize Rebecca Gillum 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 or said petition.

Michael Bogan
SIGNATURE

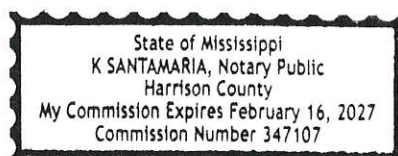
1/17/24
DATE

STATE OF MISSISSIPPI | COUNTY OF HARRISON

Given under my hand and seal of office this the 17 day of January, 20 24

K Santamaria
NOTARY PUBLIC

February 16 2027
COMMISSION EXPIRATION





COVENANT AFFIDAVIT

I, Michael Boyan being property owner or agent of the property 201 17th Ave. Gulfport, MS 39501
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.

Michael Boyan
SIGNATURE

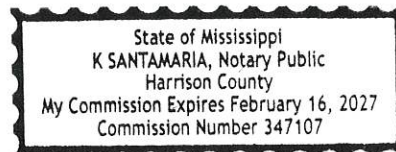
1/17/24
DATE

STATE OF MISSISSIPPI | COUNTY OF HARRISON

Given under my hand and seal of office this the 17 day of January, 20 24

K Santamaria
NOTARY PUBLIC

February 16 2027
COMMISSION EXPIRATION



SCANNED

PREPARED BY:

MARLENE MISKELL
106 CARSON DRIVE
GULFPORT, MS 39503
Ph. (228) 328-7249

RECORDING REQUESTED BY

AND WHEN RECORDED MAIL TO:

MICHAEL BOGAN
2005 17TH AVENUE
GULFPORT, MS 39501
Ph. (228) 261-0721

MAIL TAX STATEMENTS TO:

MICHAEL BOGAN
2005 17TH AVENUE
GULFPORT, MS 39501



Recorded by: [Signature]
Instrument 2015 1045 B - 31
Filed/Recorded 2/20/2015 11:25 AM
Total Fees \$ 12.00
Pages Recorded

SPACE ABOVE THIS LINE FOR RECORDER'S USE ONLY

QUITCLAIM DEED

KNOW ALL MEN BY THESE PRESENTS THAT:

THIS QUITCLAIM DEED, made and entered into on the 23 day of February, 20 15, between GREATER MOUNT REST BAPTIST CHURCH, a single person, whose address is 3725 34TH AVENUE, GULFPORT, Mississippi 39501, ph. (228) 328-7249 ("Grantor"), and MICHAEL BOGAN, a married person, whose address is 2005 17TH AVENUE, GULFPORT, Mississippi 39501, ph. (228) 261-0721 ("Grantee").

For and in consideration of the sum of \$6,500.00, the receipt and sufficiency of which is hereby acknowledged, Grantor hereby Remises, Releases, AND FOREVER Quitclaims to Grantee, the property located in Harrison County, Mississippi, described as:

2

COM ON S MAR 21ST ST. & W MAR OF 17TH AVE S 100 FT TO POB W 75 FT S 10 FT W 25 FT S 50 FT E 100 FT N 60 FT TO POB PART OF LOT 13 DAY BAKER DIV SEC 3-8-11 DAY BAKER DIVISION DISALLOWED HE 2001 BLOCK 000 DEED BOOK -1402 PAGE 8

Prior instrument reference: Quitclaim Deed, Volume/Book DEED BOOK-1402, Page 8, Document No. DAY BAKER DIVISION, of the Recorder of HARRISON, Mississippi, recorded _____.

SUBJECT TO all, if any, valid easements, rights of way, covenants, conditions, reservations and restrictions of record.

Grantor grants all of the Grantor's rights, title and interest in and to all of the above described property and premises to the Grantee, and to the Grantee's heirs and assigns forever in fee simple, so that neither Grantor nor Grantor's heirs legal representatives or assigns shall have, claim, or demand any right or title to the property, premises, or appurtenances, or any part thereof.

Tax/Parcel ID Number: 0811G-04-116.000

IN WITNESS WHEREOF the Grantor has executed this deed on the 23rd day of February, 2015.

2-23-2015
Date

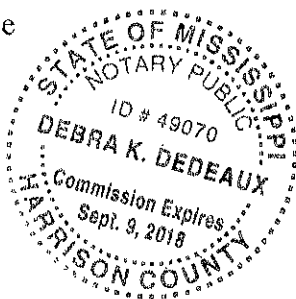
Greater Mount Rest Baptist Church
GREATER MOUNT REST BAPTIST CHURCH, Grantor
Marlene Miskell (Church Clerk)

STATE OF Mississippi
COUNTY OF Harrison

Personally appeared before me, the undersigned authority in and for the said county and state, on this the 23rd day of February, 2015 within my jurisdiction, the within named Marlene Miskell, who acknowledged that they executed the above and foregoing instrument.

Debra K. DeDeaux NOTARY PUBLIC
My Commission expires: Sept. 9, 2018

(Affix official seal, if applicable)



IN WITNESS WHEREOF the Grantee has executed this deed on the 23 day of February, 20 15.

2-23-15
Date

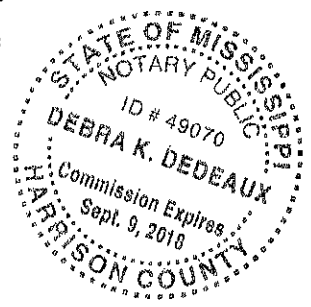
Michael Bogan
MICHAEL BOGAN Grantee

STATE OF Mississippi
COUNTY OF Harrison

Personally appeared before me, the undersigned authority in and for the said county and state, on this the 23rd day of February, 20 15 within my jurisdiction, the within named Michael Bogan, who acknowledged that they executed the above and foregoing instrument.

Debra K. DeDeaux NOTARY PUBLIC
My Commission expires: Sept. 9, 2018

(Affix official seal, if applicable)

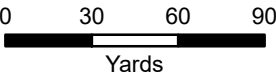


Mail	PPIN	Parcel ID	Name	Address	City	State	ZIP
		0811G-04-116.000	MICHEAL BOGAN (OWNER)	2005 17TH AVE	GULFPORT	MS	39501
			REBECCA GILLUM (AGENT)	921 MONET ST	GULFPORT	MS	39507
			Adjacent Property Owners (2403ZB026)				
25534	0811G-04-119.000		MCCLENDON HELEN L -TRUSTEE-	5107 QUINCY AVE	GULFPORT	MS	39507
25565	0811G-04-121.000		WILBERT RANDY	1711 22ND ST	GULFPORT	MS	39501
25567	0811G-04-123.000		FOSTER VERN G	1713 22ND ST	GULFPORT	MS	39501
34812	0811G-04-009.000		LAKE ORA MAE	1634 21ST ST	GULFPORT	MS	39501
25541	0811G-04-117.000		DUNLAP ALBERT LEON & GWENDOLYN L	P O BOX 1477	GULFPORT	MS	39502
25573	0811G-04-115.000		DUNNIGAN GARY LEWIS	11089 N RIVERVUE CIRCLE	BILOXI	MS	39532
88014	0811G-04-027.000		JONES NATALINE	3507 NUNNALLY ST	GULFPORT	MS	39501
100973	0811G-04-116.004		BABIN TODD	617 CARMADELLE ST	MARRERO	LA	70072
88390	0811G-04-100.000		QUINCE MARGIE F	1619- 20TH STREET	GULFPORT	MS	39501
88389	0811G-04-096.000		HOOKER EDITH	150 JAMES DRIVE	GULFPORT	MS	39503
25574	0811G-04-098.000		MONROE MARCUS HAYES	503 MAGNOLIA LANE	GULFPORT	MS	39507
25576	0811G-04-099.000		WATSON BEVERLY A	3252 FLAMINGO WAY	SIERRA VISTA	AZ	85650
103376	0811G-04-028.001		FOXWORTH JOHN A JR	1231-28TH ST	GULFPORT	MS	39501
34814	0811G-04-007.000		ANDERSON WILLIE C -ESTATE-	2020 17TH AVE	GULFPORT	MS	39501
34813	0811G-04-008.000		HOLMES GLADYS & EBB -EST-	ATTN: MARCELLUS HOLMES	GULFPORT	MS	39501
34793	0811G-04-025.000		WILLIAMS PHYLIS YVONNE -L/E-	1634 20TH ST	GULFPORT	MS	39501
100972	0811G-04-116.003		BARKER VELMA J	2548 W GEORGE ST	GULFPORT	MS	39503
25569	0811G-04-113.000		TYLER HENRY PROPERTIES LLC	P O BOX 2009	GULFPORT	MS	39505
25575	0811G-04-111.000		JOHNSON ALLEN K & TAYLOR JOAN F J	13201 TYLER CIRCLE	GULFPORT	MS	39503
25566	0811G-04-122.000		FOSTER WANDA LYNN	1713 22ND ST	GULFPORT	MS	39501
99134	0811G-04-116.002		DUNNIGAN JACQULINE	13060 WINDCREST LN	GULFPORT	MS	39503
25539	0811G-04-097.000		BOGAN MICHEAL A	2005 17TH AVE	GULFPORT	MS	39501
34792	0811G-04-026.000		TROUTMAN TERREL G	1638 20TH ST	GULFPORT	MS	39501
25535	0811G-04-120.000		BOB'S CONTRACTING SERVICES INC	82 DAVIS RD	BROOKLYN	MS	39425
25571	0811G-04-112.000		BRYANT CARRIE K	621 25TH ST	GULFPORT	MS	39501



Legend

- Site
- Adjacent Properties
- Street
- Alley
- Buildings



1 inch = 200 feet



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

RE: Variance 2403ZB026, by agent Rebecca Gillum, seeking approval for 5-foot side yard setbacks, where 8 feet is required, Tax Parcel 0811G-04-116.000, 2011 17th Ave, Zoned R-2 (Single-family), Ward 3

To Applicants and Adjacent Property Owners:

The City of Gulfport Zoning Board of Adjustments and Appeals will hold a public hearing to consider the above application at 3:00 P.M. on **Thursday, March 21, 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 Zoning Board for **Thursday, March 21, 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: Variance 2403ZB026, by agent Rebecca Gillum, seeking approval for 5-foot side yard setbacks, where 8 feet is required, Tax Parcel 0811G-04-116.000, 2011 17th Ave, Zoned R-2 (Single-family), Ward 3

To Applicants and Adjacent Property Owners:

The City of Gulfport Zoning Board of Adjustments and Appeals will hold a public hearing to consider the above application at 3:00 P.M. on **Thursday, May 16, 2024**, in the Council Chambers at the Gulfport City Hall located at 2309 15th Street.

For more information, visit <https://www.gulfport-ms.gov/agendas/> then click the City of Gulfport Zoning Board for **Thursday, May 16, 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	546606	Print Legal Ad-IPL01707030 - IPL0170703		\$113.35	2	76 L

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

accountspayable@gulfport-ms.gov

LEGAL NOTICE PUBLIC HEARING

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

Variance 2403ZB026, by agent Rebecca Gillum, seeking approval for 5-foot side yard setbacks, where 8 feet is required, Tax Parcel 0811G-04-116.000, 2011 17th Ave, Zoned R-2 (Single-family), Ward 3

Variance 2405ZB059, by owners OMT, LLC and FTO, LLC, seeking approval for parking that pulls out into right of way, Tax Parcel 0811B-05-012.000, 1602 26th Street, Zoned B-2 (General Business), Ward 3

Variance 2405ZB060, by agent Jonathan Fernandez, seeking approval for parking that pulls out into right of way, Tax Parcel 0910M-03-072.000, 1015 Pass Road, Zoned B-2 (General Business), Ward 3

Variance 2405ZB061, by owners Tim and Tracie Bruni, seeking approval for a eight-foot tall fence where the height limit is six feet, Tax Parcel 1010D-03-014.000, 51 Shoreline Lane, Zoned R-1-7.5 (Single-family), Ward 4

Variance 2405ZB063, by owner Michael Bogan, seeking approval for a 4-foot rear yard setback where 8 feet is required, Tax Parcel 0811G-04-116.000, 2011 17th Ave, Zoned R-2 (Single-family), Ward 3

Variance 2405ZB064, by agent Morgan Speranzo Hado, seeking approval for a 22-foot and one-inch front yard setback where 25 feet is required, Tax Parcels 1009N-01-002.061, 1009N-01-002.062, Georglan Way, Zoned R-2 (Single-family), Ward 5

Special Exception 24055E067, by agent Frankie Jackson, seeking approval for a tattoo parlor, Tax Parcel 1010G-03-003.002, 2033 E Pass Road Unit B, Zoned B-2 (General-business), Ward 2

Variance 2405ZB071, by agent Amanda Crose and designated agent Donovan Scruggs, seeking approval for a 21-foot and 3.5-inch setback on a second frontage where 25 feet is required, Tax Parcel 0906E-01-001.001, 11030 Alphabet Road Zoned R-1-10 (Single-family), Ward 6

Variance 2405ZB072, by agent Amanda Crose and designated agent Donovan Scruggs, seeking approval for a 23-foot and 2-inch setback on a second frontage where 25 feet is required, Tax Parcel 0908C-01-001.000, 11102 Alphabet Road, Zoned R-1-10 (Single-family), Ward 6

Variance 2405ZB073, by agent Amanda Crose and designated agent Donovan Scruggs, seeking approval for a 21-foot and 2-inch setback on a second frontage where 25 feet is required, Tax Parcel 0908C-01-001.000, 11041 Alphabet Road, Zoned R-1-10 (Single-family), Ward 6

Variance 2405ZB075, by owner Diane Myers, seeking approval for a gravel driveway where asphalt or concrete is required, Tax Parcel 0909O-02-029.000, 21 50th Street, Zoned R-1-7.5 (Single-family), Ward 4

Variance 2406ZB076, by agent Bryan Hall, seeking approval for fence columns of 7 feet and 4 inches in height where the height limit is 6 feet, Tax Parcels 1009N-01-002.001, 1009N-01-002.002, 1009N-01-002.003, 1009N-01-002.004, 1009N-01-002.023, 1009N-01-002.024, 1009N-01-002.025, 1009N-01-002.026, 1009N-01-002.027, 1009N-01-002.028, 1009N-01-002.029, 1009N-01-002.030, 1009N-01-002.031, 1009N-01-002.032, 1009N-01-002.033, 1009N-01-002.034, 10881 Lily Lane, 10887 Lily Lane, 10893 Lily Lane, 10899 Lily Lane, 10809 Lily Lane, 10815 Lily Lane, 10821 Lily Lane, 10827 Lily Lane, 10833 Lily Lane, 10839 Lily Lane, 10845 Lily Lane, 10851 Lily Lane, 10857 Lily Lane, 10863 Lily Lane, 10869 Lily Lane, 10875 Lily Lane, Zoned R-2 (Single-family), Ward 5

This the 24th day of April 2024
A. Leslie North, Chairman
City of Gulfport Zoning Board of Adjustment and Appeals
IPL0170703
May 1 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:

05/01/24

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.

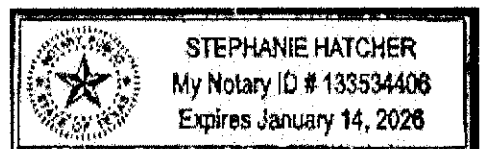
Mary Castro

Sworn to and subscribed before me this 1st day of May 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: May 16, 2024

Re: Variance 2405ZB059:

Variance 2405ZB059, by owners OMT, LLC and FTO, LLC, seeking approval for parking that pulls out into right of way, Tax Parcel 0811B-05-012.000, 1602 26th Street, Zoned B-2 (General Business), Ward 3

Technical Report

VARIANCE

GENERAL INFORMATION

Case File Number: 2405ZB059

Hearing Date: May 16, 2024

Current Zoning/Use: B-2 / Commercial Structures

Legal: Variance 2405ZB059, by owners OMT, LLC and FTO, LLC, seeking approval for parking that pulls out into right of way, Tax Parcel 0811B-05-012.000, 1602 26th Street, Zoned B-2 (General Business), Ward 3

TECHNICAL DETAILS

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

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

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

Technical Report

VARIANCE

The applicant requests a parking variance to allow for backing out into the city right of way. The ordinance states that each off-street parking space, which shall be at least nine (9) feet wide and eighteen (18) feet long, exclusive of access or maneuvering area, ramps and other appurtenances, shall be located off the street right-of-way, and except for one-family and two-family dwellings, facilities shall be so planned that vehicles do not back into the roadway. All required spaces and access thereto must be paved.

- (a) The applicant states that they “would like a variance to use the existing parking spaces.” Thus, the applicant does not properly address the special conditions. The circumstances exist which are peculiar to the land. Staff notes that there is no street parking. The condition of the property was once allowed prior to zoning changes in the city.
- (a) The applicant does not adequately address this question. No special conditions and circumstances exist. And the condition does not exist as result from the actions of the applicant. In the application, the applicant explains that the parking condition is preexisting; “It was the way it is (currently) when we purchased the building.” Implying that they assumed there would be no issue with the parking.
- (b) The applicant states that, the parking spaces existing before we purchased the building. Parking for businesses and the churches on our street have a variance to back into the city right of way.” Upon visiting the site, staff acknowledged that the majority of businesses located on that street back out into the city right of way. Unfortunately, there was not a variance in Munis to confirm what the applicants believed.
- (c) The applicant states, “We have a tenant who has contacted the city to get a permit to operate their business. They were advised that a variance for backing into the city right of way is needed.” The applicant did not adequately address this question. The building was not occupied for over one (1) year. When a new tenant occupies a pre-existing nonconforming business, the new tenants is required to obtain a variance or they are to bring the building up to current code; which requires proper on-site parking (as described above).
- (d) The applicant states in their application that they will not receive any special benefit, explaining that the entire street has similar parking, including a church. Staff acknowledges that granting this variance would not provide special privileges because other businesses in the area already enjoy this privilege due to the nonconforming pre-existing parking challenges.
- (e) This property is zoned B-2, and some commercial uses are allowed by right.

EXECUTIVE SUMMARY

The applicant requests a variance to continue to back into the city right of way. Upon visiting the site, staff confirmed that the current parking spaces are a preexisting challenge. Two applicants wishing to start a candle making business at this location visited our office to obtain a privilege license and were unable to do so, due to the parking that backs into the city right of way. The new renters explained that there will not be any customers visiting this location. They intend to use the building as a work space to make candles. Not a candle store. The location does meet the requirement for amount of parking needed for this location. The only problem is the need to back into the city right of way. If the variance is granted, it would be in harmony with the neighborhood parking.

Technical Report

VARIANCE

Any approval should consider these conditions:

1. Approval allows for backing out into city right of way.
2. Must comply with all rules and regulations.

DEPARTMENTAL CONDITIONS

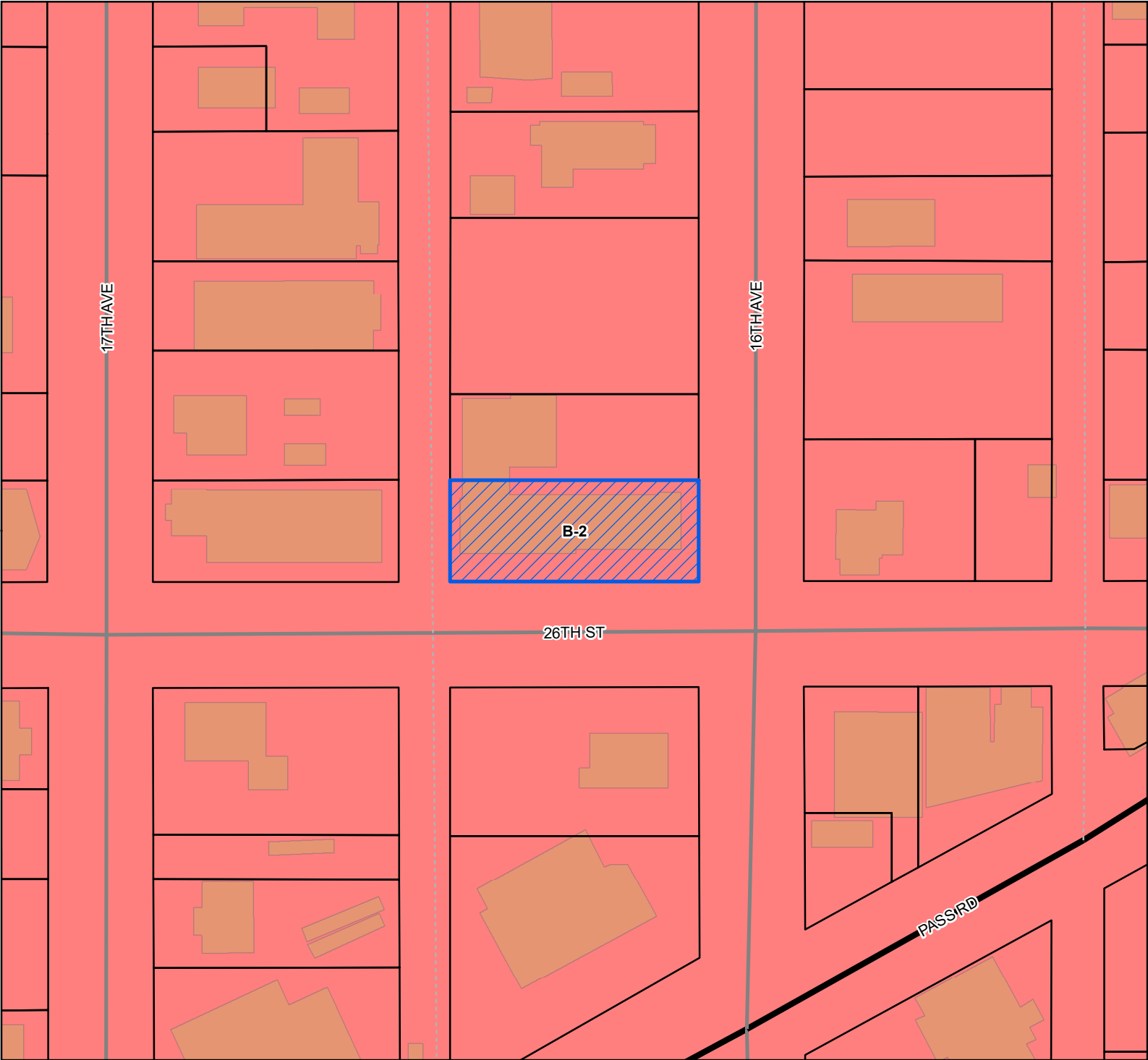
<u>Engineering:</u>	No comment. Memo dated 4/29/2024.
<u>Public Works:</u>	No conditions. Memo dated 5/2/2024.
<u>Traffic and Safety:</u>	No conditions. Memo dated 4/4/2024.
<u>Building Code Services:</u>	No conditions. Parking is existing and has been since the entire time I have been with the City of Gulfport. Memo dated 4/26/2024.
<u>GIS:</u>	No conditions. Memo dated 5/1/2024.
<u>Police Department:</u>	No comment as of 5/1/2024.
<u>Fire Department:</u>	No conditions. Memo dated 4/25/2024.
<u>City Arborist:</u>	No conditions. Memo dated 4/25/2024.

DIRECTOR APPROVAL

This report has been reviewed and approved by:



Greg Holmes
Director of Urban Development Department



Site

US or State Highway

Street

Alley

Parcels

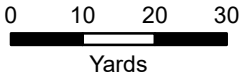
Buildings

City Limit

Zoning

B-2 - General Business District

Site Information
0811B-05-012.000
Zoning: B-2 (General Business Districts)
Size: 8363.2 sqft
Flood: X



1 inch = 80 feet



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

OWNER:OMT, LLC & FTO, LLC

Printed Name of Owner

PO Box 6976

Mailing Address

GULFPORT, MS 39506

City

State

Zip Code

228-697-1473

Home Phone

Work/Cell Phone

jwd32159@gmail.com

Email

Signature of Owner

AGENT:

Printed Name of Agent

Mailing Address

City

State

Zip Code

Home Phone

Work/Cell Phone

Email

Signature of Agent

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

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

Name of Owner (PRINT) JOHN DANIEL - OMT, LLCAddress (Street, City, State, Zip Code) PO Box 6976 GPT MS 39506Phone (Home) _____ (Work) _____ (Cell) 228-697-1473Tax Parcel Number(s) Owned: 0811B-05-012.000Signature: John DanielName of Owner (PRINT) DANESE DANIEL - OMT, LLCAddress (Street, City, State, Zip Code) PO Box 6976 GPT MS 39506Phone (Home) _____ (Work) _____ (Cell) 228-861-2356Tax Parcel Number(s) Owned: 0811B-05-012.000Signature: Danese DanielName of Owner (PRINT) WILLETTA GALES - FTO, LLCAddress (Street, City, State, Zip Code) PO Box 6976 GPT, MS 39506Phone (Home) _____ (Work) _____ (Cell) 850-465-2762Tax Parcel Number(s) Owned: 0811B-05-012.000Signature: X Willetta Gales

OWNER:

OMT, LLC + FTO, LLC
Printed Name of Owner

PO Box 6976
Mailing Address

GULFPORT MS 39506
City State Zip Code

Home Phone _____ Work/Cell Phone _____

Home Phone _____ Work/Cell Phone _____

Home Phone _____ Work/Cell Phone _____

Email jwd32159@gmail.com

Signature of Owner John W Paul

AGENT:

Printed Name of Agent _____

Mailing Address _____

City State Zip Code _____

Home Phone _____ Work/Cell Phone _____

Email _____

Signature of Agent _____

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

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

Name of Owner (PRINT) MECHAELE BUCKLEY - FTO, LLC

Address (Street, City, State, Zip Code) PO Box 6976 GPT, MS 39506

Phone (Home) _____ (Work) _____ (Cell) 228-697-2066

Tax Parcel Number(s) Owned: 0811B-05-012.000

Signature: X [Signature]

Name of Owner (PRINT) _____

Address (Street, City, State, Zip Code) _____

Phone (Home) _____ (Work) _____ (Cell) _____

Tax Parcel Number(s) Owned: _____

Signature: _____

Name of Owner (PRINT) _____

Address (Street, City, State, Zip Code) _____

Phone (Home) _____ (Work) _____ (Cell) _____

Tax Parcel Number(s) Owned: _____

Signature: _____



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



Michael Watson
SECRETARY OF STATE

This is not an official certificate of good standing.

Name History

Name	Name Type
F.T.O. LLC	Legal

Business Information

Business Type:	Limited Liability Company
Business ID:	1197355
Status:	Good Standing
Effective Date:	01/03/2020
State of Incorporation:	Mississippi
Principal Office Address:	207 25TH ST GULFPORT, MS 39507

Registered Agent

Name
Willetta D Gales 207 25th St. Gulfport , MS 39507

Officers & Directors

Name	Title
MICHAEL G BUCKLEY P O BOX 8132 GULFPORT, MS 39506	Manager
WILLETTA D GALES P O BOX 8132 GULFPORT, MS 39506	Manager



COVENANT AFFIDAVIT

I, JOHN DANIEL being property owner or agent of the property 1602 26th St.
PRINT NAME GPT MS 39501
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.

X [Signature]
SIGNATURE

3-5-24
DATE

STATE OF MISSISSIPPI | COUNTY OF HARRISON

Given under my hand and seal of office this the 5 day of MARCH, 20 24

[Signature]
NOTARY PUBLIC

9-13-27
COMMISSION EXPIRATION



OMT, LLC

PO Box 6976
Gulfport, MS 39506

DESIGNATION OF AGENT

We, JOHN DANIEL and DANESE DANIEL being property owners of 1602 26th St GPT, MS 39501 which is the subject of this application hereby authorize JOHN DANIEL to act as 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 requested 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 representation and/or declarations relating to this petition.

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

John Daniel

Signature

3-22-2024

Date

Danese Daniel

Signature

3-22-2024

Date

STATE OF MISSISSIPPI – COUNTY OF HARRISON

Given under my hand and seal of office this the 22 day of March, 2024

[Signature]

Notary Public

3-22-24

Date



FTO, LLC

PO Box 8132
Gulfport, MS 39506

DESIGNATION OF AGENT

We, Willetta Gales and Michael Buckley being property owners of 1602 26th St, Gulfport, MS 39501 which is the subject of this application hereby authorize John Daniel to act as 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 requested 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 representation and/or declarations relating to this petition.

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

[Signature]

Signature

3/25/24

Date

[Signature]

Signature

3-25-24

Date

STATE OF MISSISSIPPI – COUNTY OF HARRISON

Given under my hand and seal of office this the 25th day of MARCH, 2024

[Signature]

Notary Public

3-25-24

Date





VARIANCE SUBMISSIONS



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

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

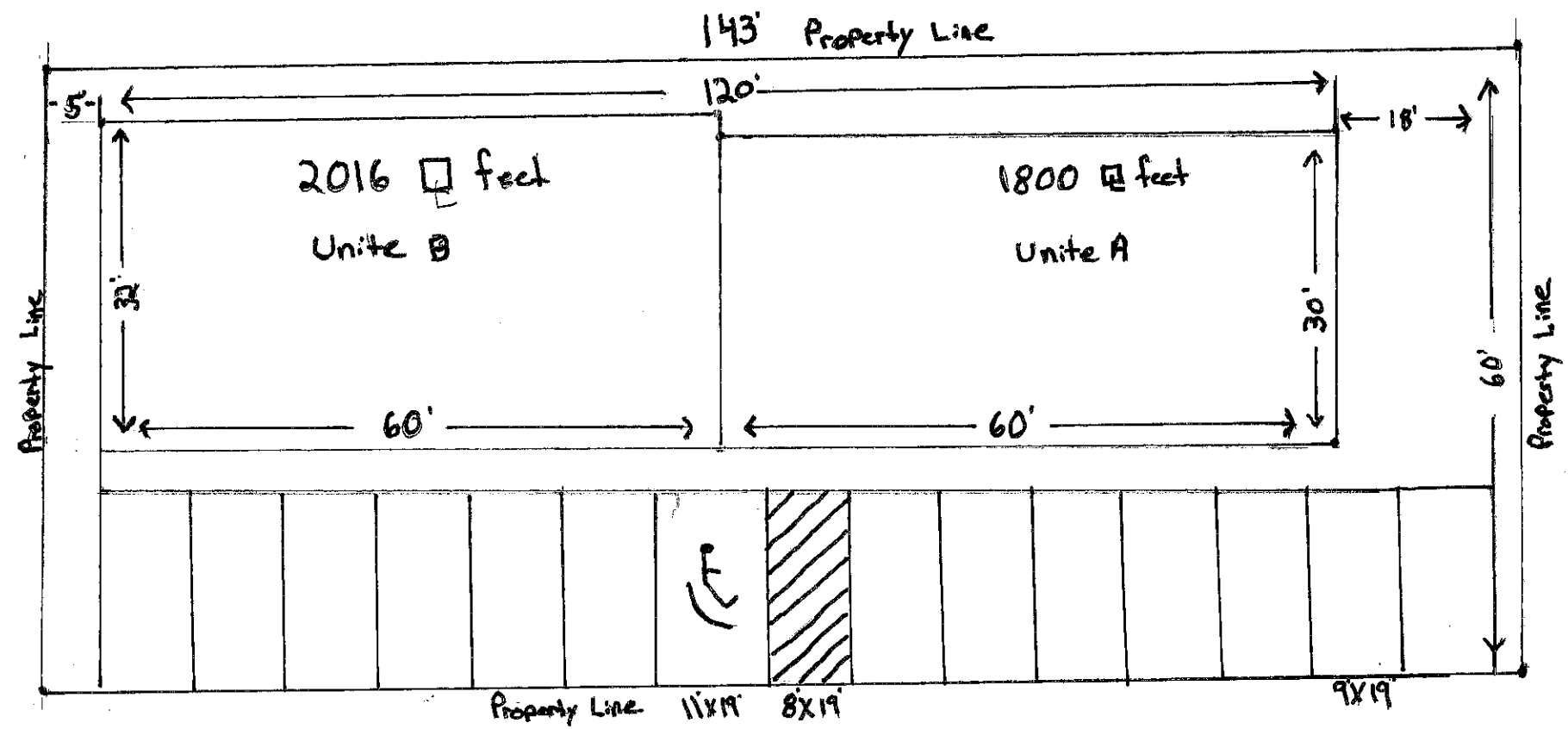
* Add To PAGE 8 OF 10

- ① We would like a variance to use the existing parking spaces.
- ② The parking places existed when we purchased the building.
- ③ The parking spaces existed before we purchased the building. Parking for business & church is on our street. Have the variance to back into City right of way.
- ④ We have a tenant who has contacted the City to get a permit to operate their business. They were advised that a variance for parking is needed.
- ⑤ We will not receive any special benefit. The entire street, including a church, has this type of parking.
- ⑥ The new tenant cannot occupy the building until the variance is approved.



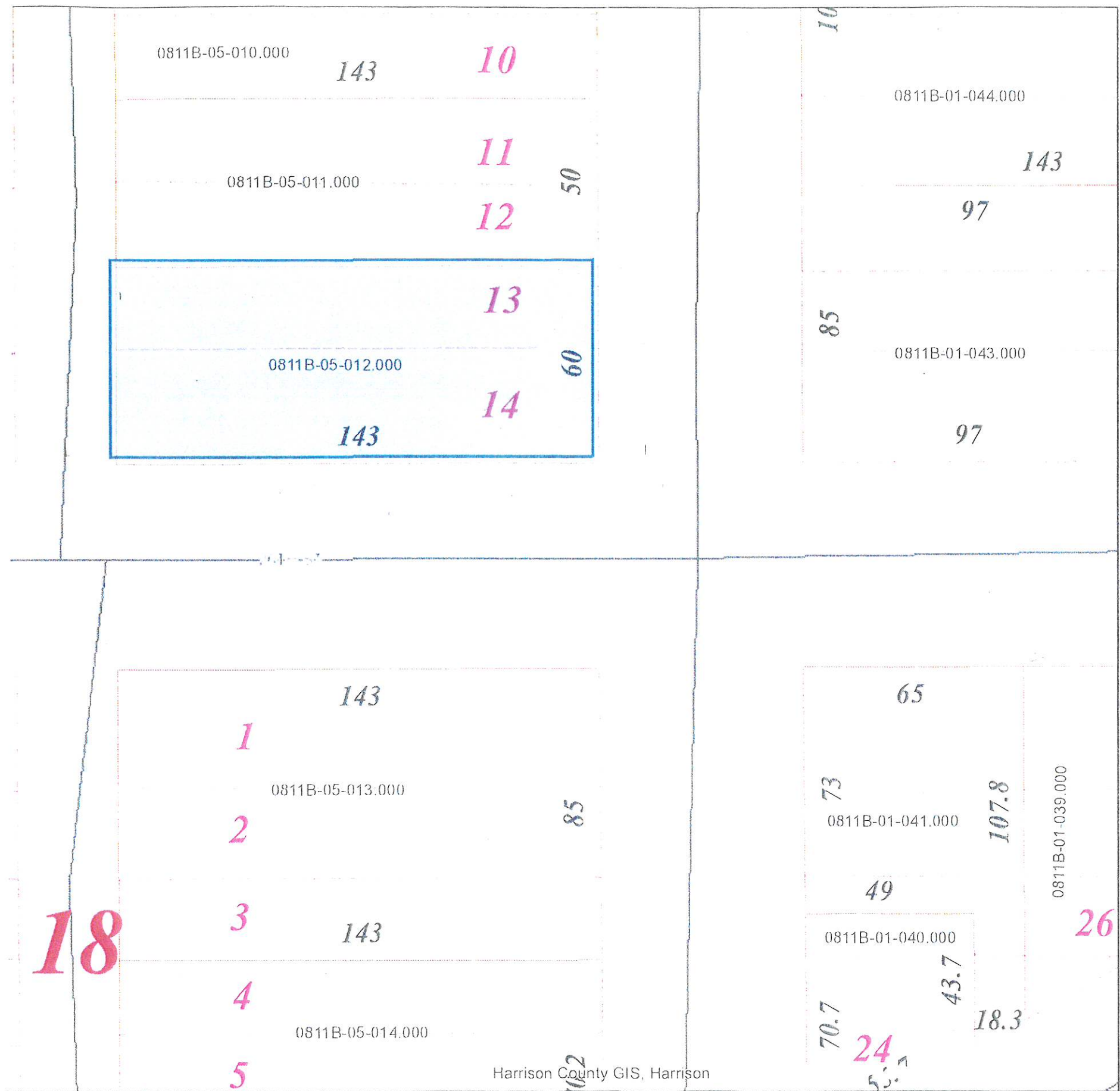
Scale 1/8" = 1 FT

Alley



16th AVE

26th St



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

1 inch = 50 feet





J. Jones 1st Judicial District
Instrument 2020 13672 D -J1
Filed/Recorded 10/16/2020 03:05 P
Total Fees \$ 26.00
2 Pages Recorded

Prepared by:
Donald R. Jones, #3197
Attorney at Law
P. O. Box 7555
Gulfport, MS 39506
(228) 864-8965
File #205171

Return to:
Donald R. Jones
Attorney at Law
P. O. Box 7555
Gulfport, MS 39506
(228) 864-8965

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, ROBERT C. EASTERLING, 1440 Mills Road, Gulfport, MS 39507, 228-669-1025, does hereby sell, convey and warrant unto O.M.T., L.L.C., P. O. Box 6976, Gulfport, MS 39506, 228-575-0700, and F.T.O. LLC, P. O. Box 8132, Gulfport, MS 39506, Phone: 228-697-2066, 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:

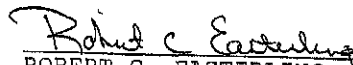
Lots Thirteen (13) and Fourteen (14), Block Eleven (11), ARLINGTON HEIGHTS, a subdivision according to the map or plat thereof on file and of record in the office of the Chancery Clerk of the First Judicial District of Harrison County, Mississippi, in Plat Book 3 at Page 57 (Copy Book 2 at Page 104) 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.

THE ABOVE described property is not now nor has it ever been a part of the homestead of the Grantor herein.

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

WITNESS MY SIGNATURE, on this the 16th day of October, 2020.


ROBERT C. EASTERLING

STATE OF MISSISSIPPI

COUNTY OF HARRISON

THIS DAY PERSONALLY CAME AND APPEARED BEFORE ME, the undersigned authority in and for the jurisdiction aforesaid, ROBERT C. EASTERLING, 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.

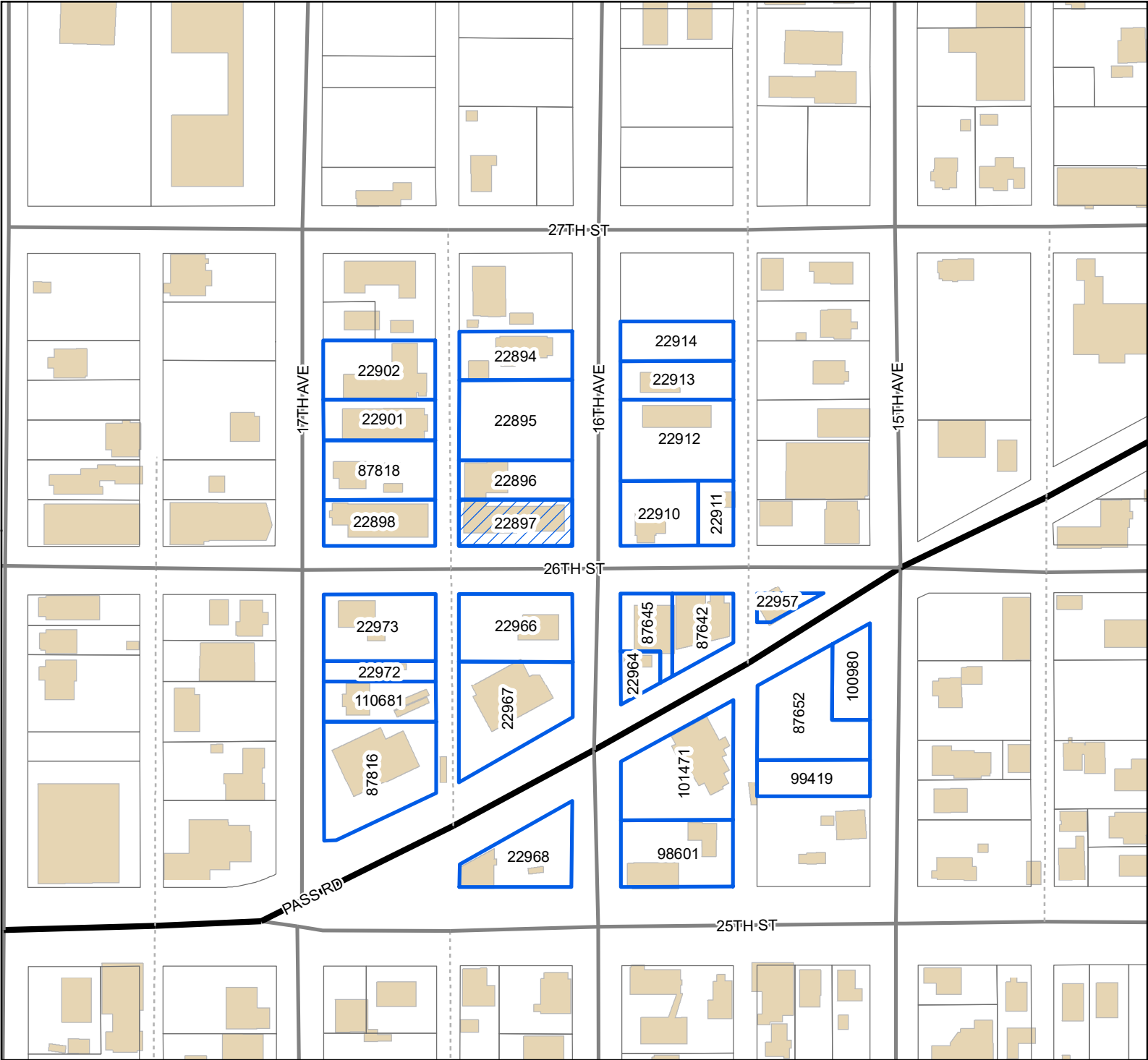
GIVEN UNDER MY HAND AND OFFICIAL SEAL OF OFFICE, this the 16th day of October, 2020.


NOTARY PUBLIC

My Commission Expires:

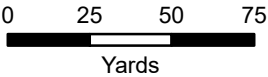


Mail	PPIN	Parcel ID	Name	Address	City	State	ZIP
Y	22897	0811B-05-012.000	O M T LLC & F T O LLC (OWNERS)	P O BOX 6976	GULFPORT	MS	39506
N			Adjacent Property Owners (2405ZB059)				
	100980	0811B-02-030.001	3 HERMANOS PROPERTY LLC	60 S 24TH STREET	WYANDANCH	NY	11798
	101471	0811B-02-031.003	CAPTAIN HOOK'S PROPERTY LLC	1519 PASS RD	GULFPORT	MS	39501
	22902	0811B-05-021.000	CHILDREN'S WORLD LEARNING ACADEMY	18129 AUTRY DR	GULFPORT	MS	39503
	22910	0811B-01-043.000	CRAIG KYLE & DROZ AMARILYS MACHADO	630 MAGNOLIA DR	BAY ST LOUIS	MS	39520
	22966	0811B-05-013.000	EL-HAMAKI HUSSEIN	2500 16TH AVE	GULFPORT	MS	39501
	22967	0811B-05-014.000	ELHAMAKI INVESTMENTS LLC	2500 16TH AVE	GULFPORT	MS	39501
	22898	0811B-05-018.000	FOUR ACES PROPERTIES LLC	16215 ORAL RD	BILOXI	MS	39532
	22913	0811B-01-045.000	HUTCHINSON MATHEW	18353 SKY LANE	SAUCIER	MS	39574
	22896	0811B-05-011.000	HUXLEY LEMOIN	15138 MILLS RD	GULFPORT	MS	39503
	22968	0811B-02-032.000	JARRARD DAVID C JR	20370 GORDON ST	SAUCIER	MS	39574
	87645	0811B-01-041.000	JESUS CHRIST APOSTOLIC CHURCH ETAL	P O BOX 1199	GULFPORT	MS	39502
	87818	0811B-05-019.000	KINSEY IRENE	2604 17TH AVE	GULFPORT	MS	39501
	22973	0811B-05-017.000	MONDA MICHAEL L W	331A BAYOU BLUE RD	HOUMA	LA	70364
	22957	0811B-01-038.000	MPH PROPERTIES LLC	212 47TH ST	GULFPORT	MS	39507
	22914	0811B-01-046.000	REFUGE TEMPLE CHURCH	P O BOX 3392	GULFPORT	MS	39505
	22911	0811B-01-042.000	SHIVLEY LINDA	1522 26TH ST	GULFPORT	MS	39501
	22901	0811B-05-020.000	SMITH CONTRACTING CO LLC	2606 17TH AVE	GULFPORT	MS	39501
	22964	0811B-01-040.000	SWEATT DAVID	2612 CAMERON STREET	MOBILE	AL	36607
	87642	0811B-01-039.000	TSG REAL ESTATE LLC	440 GREEN TEAL COURT	BILOXI	MS	39531
	22972	0811B-05-016.000	VINCENT J D	1620 PASS RD	GULFPORT	MS	39501
	87816	0811B-05-015.000	VINCENT JACK	P O BOX 271	GULFPORT	MS	39502
	22894	0811B-05-009.000	WITRAGO MARIVEL MERCEDES	2625 16TH AVE	GULFPORT	MS	39501



Legend

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



1 inch = 175 feet



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

RE: Variance 2405ZB059, by owners OMT, LLC and FTO, LLC, seeking approval for parking that pulls out into right of way, Tax Parcel 0811B-05-012.000, 1602 26th Street, Zoned B-2 (General Business), Ward 3

To Applicants and Adjacent Property Owners:

The City of Gulfport Zoning Board of Adjustments and Appeals will hold a public hearing to consider the above application at 3:00 P.M. on **Thursday, May 16, 2024**, in the Council Chambers at the Gulfport City Hall located at 2309 15th Street.

For more information, visit <https://www.gulfport-ms.gov/agendas/> then click the City of Gulfport Zoning Board for **Thursday, May 16, 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	546606	Print Legal Ad-IPL01707030 - IPL0170703		\$113.35	2	76 L

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

accountspayable@gulfport-ms.gov

LEGAL NOTICE PUBLIC HEARING

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

Variance 2403ZB026, by agent Rebecca Gillum, seeking approval for 5-foot side yard setbacks, where 8 feet is required, Tax Parcel 0811G-04-116.000, 2011 17th Ave, Zoned R-2 (Single-family), Ward 3

Variance 2405ZB059, by owners OMT, LLC and FTO, LLC, seeking approval for parking that pulls out into right of way, Tax Parcel 0811B-05-012.000, 1602 26th Street, Zoned B-2 (General Business), Ward 3

Variance 2405ZB060, by agent Jonathan Fernandez, seeking approval for parking that pulls out into right of way, Tax Parcel 0910M-03-072.000, 1015 Pass Road, Zoned B-2 (General Business), Ward 3

Variance 2405ZB061, by owners Tim and Tracie Bruni, seeking approval for a eight-foot tall fence where the height limit is six feet, Tax Parcel 1010D-03-014.000, 51 Shoreline Lane, Zoned R-1-7.5 (Single-family), Ward 4

Variance 2405ZB063, by owner Michael Bogan, seeking approval for a 4-foot rear yard setback where 8 feet is required, Tax Parcel 0811G-04-116.000, 2011 17th Ave, Zoned R-2 (Single-family), Ward 3

Variance 2405ZB064, by agent Morgan Speranzo Hado, seeking approval for a 22-foot and one-inch front yard setback where 25 feet is required, Tax Parcels 1009N-01-002.061, 1009N-01-002.062, Georglan Way, Zoned R-2 (Single-family), Ward 5

Special Exception 24055E067, by agent Frankie Jackson, seeking approval for a tattoo parlor, Tax Parcel 1010G-03-003.002, 2033 E Pass Road Unit B, Zoned B-2 (General-business), Ward 2

Variance 2405ZB071, by agent Amanda Crose and designated agent Donovan Scruggs, seeking approval for a 21-foot and 3.5-inch setback on a second frontage where 25 feet is required, Tax Parcel 0906E-01-001.001, 11030 Alphabet Road Zoned R-1-10 (Single-family), Ward 6

Variance 2405ZB072, by agent Amanda Crose and designated agent Donovan Scruggs, seeking approval for a 23-foot and 2-inch setback on a second frontage where 25 feet is required, Tax Parcel 0908C-01-001.000, 11102 Alphabet Road, Zoned R-1-10 (Single-family), Ward 6

Variance 2405ZB073, by agent Amanda Crose and designated agent Donovan Scruggs, seeking approval for a 21-foot and 2-inch setback on a second frontage where 25 feet is required, Tax Parcel 0908C-01-001.000, 11041 Alphabet Road, Zoned R-1-10 (Single-family), Ward 6

Variance 2405ZB075, by owner Diane Myers, seeking approval for a gravel driveway where asphalt or concrete is required, Tax Parcel 0909O-02-029.000, 21 50th Street, Zoned R-1-7.5 (Single-family), Ward 4

Variance 2406ZB076, by agent Bryan Hall, seeking approval for fence columns of 7 feet and 4 inches in height where the height limit is 6 feet, Tax Parcels 1009N-01-002.001, 1009N-01-002.002, 1009N-01-002.003, 1009N-01-002.004, 1009N-01-002.023, 1009N-01-002.024, 1009N-01-002.025, 1009N-01-002.026, 1009N-01-002.027, 1009N-01-002.028, 1009N-01-002.029, 1009N-01-002.030, 1009N-01-002.031, 1009N-01-002.032, 1009N-01-002.033, 1009N-01-002.034, 10881 Lily Lane, 10887 Lily Lane, 10893 Lily Lane, 10899 Lily Lane, 10809 Lily Lane, 10815 Lily Lane, 10821 Lily Lane, 10827 Lily Lane, 10833 Lily Lane, 10839 Lily Lane, 10845 Lily Lane, 10851 Lily Lane, 10857 Lily Lane, 10863 Lily Lane, 10869 Lily Lane, 10875 Lily Lane, Zoned R-2 (Single-family), Ward 5

This the 24th day of April 2024
A. Leslie North, Chairman
City of Gulfport Zoning Board of Adjustment and Appeals
IPL0170703
May 1 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:
05/01/24

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.

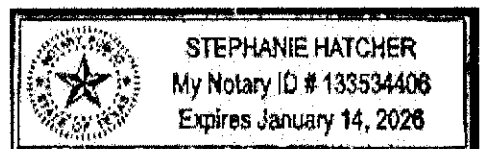
Mary Castro

Sworn to and subscribed before me this 1st day of May 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: May 16, 2024

Re: Variance 2405ZB060:

Variance 2405ZB060, by agent Jonathan Fernandez, seeking approval for parking that pulls out into right of way, Tax Parcel 0910M-03-072.000, 1015 Pass Road, Zoned B-2 (General Business), Ward 3

Technical Report

VARIANCE

GENERAL INFORMATION

Case File Number: 2405ZB060

Hearing Date: May 16, 2024

Current Zoning/Use: B-2 / Commercial Structures

Legal: Variance 2405ZB060, by agent Jonathan Fernandez, seeking approval for parking that pulls out into right of way, Tax Parcel 0910M-03-072.000, 1015 Pass Road, Zoned B-2 (General Business), Ward 3

TECHNICAL DETAILS

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

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

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

Technical Report

VARIANCE

The applicant requests a parking variance to back out into the city right-of-way. The ordinance states that each off-street parking space, which shall be at least nine (9) feet wide and eighteen (18) feet long, exclusive of access or maneuvering area, ramps and other appurtenances, shall be located off the street right-of-way, and except for one-family and two-family dwellings, facilities shall be so planned that vehicles do not back into the roadway. All required spaces and access thereto must be paved. The applicant addresses the hardship questions below.

- (a) The applicant states that “the property is currently subdivided into several different suites which are rented out by different tenants. This is the tenant’s business location that they use to make a living. The building has always had parking in front of the building like many other structures in the same area on Pass Rd.” While this statement alone does not directly answer the question, indirectly, it shows that due to the overall placement of the building along with its size shows that having reasonable parking with on-site turn around would be infeasible. The preexisting buildings’ sizes is approximately 50% of the overall lot size, and therefore demonstrates that there is a genuine hardship related to the parking.
- (b) The applicant notes, “there has always been this many units in this building and previous to the current owner purchasing the building it was completely rented out and had no problems with the parking or permits.” While that doesn’t directly answer the question, it should be noted that the structure is preexisting, therefore this hardship was not the direct result of the applicant. Given that this building predates the ordinance, we request a variance to maintain its original use without disruption. Although new uses are required to meet parking regulations, this site does not accommodate that requirement.
- (c) The applicant states, “It’s an unnecessary hardship not just for the owner of the building but for the tenants because reduced parking is undesirable for the tenants, resulting in below market rents and diminishes the properties ability to serve the Gulfport community.” This statement does not apply to this case. An ordinance change is needed as it would be more appropriate in this circumstance.
- (d) The applicant remarks that, “If the variance is not approved it would make this building obsolete causing severe financial strain.” Upon staff review, there are several properties in the surrounding area that must also back out into city right-of-way, it would be within reason to approve this request as the ordinance does directly prevent this property from being in line with the surrounding properties. Current businesses, on the same street, such as Lucky Bubbles Laundromat, U-Haul Moving and Storage & Incurigible Motorsports are nonconforming pre-existing businesses because they all have the same parking challenges.
- (e) Applicant states that they will not receive any special privileges. An approval will keep the tenants in place and allow for future tenants to be able to get permits for their businesses. As there are several properties in the neighboring area that already require backing out into city right-of-way, granting approval for this variance would not confer any special privileges unto the applicant. Current businesses, on the same street, such as Lucky Bubbles Laundromat, U-Haul Moving and Storage & Incurigible Motorsports did not go through variances for backing into the right-of-way. I completed my research through Munis.
- (f) This property is zoned B-2, and commercial use is allowed by right.

Technical Report

VARIANCE

EXECUTIVE SUMMARY

In review of this application and documents submitted by the applicant, the requested variance to allow for backing out of a parking space directly into the city right-of-way, is a reasonable request. Upon visiting the site, staff confirmed that the current location of the parking cannot be altered or improved upon in any way. Current businesses, on the same street, such as Lucky Bubbles Laundromat, U-haul Self Storage & Mobile Squad are nonconforming pre-existing businesses because they all have the same parking challenges. The current parking is the applicants' only option for parking. There is no space in the rear of the building for parking and there is no feasible way to change the current parking, to meet the ordinance requirements. The applicants face a true ingress/egress hardship.

Any approval should consider these conditions:

1. Must comply with all rules and regulations.
2. Approval would allow backing out into the city right-of-way.
3. Parking is existing and has been there since this building was built.

DEPARTMENTAL CONDITIONS

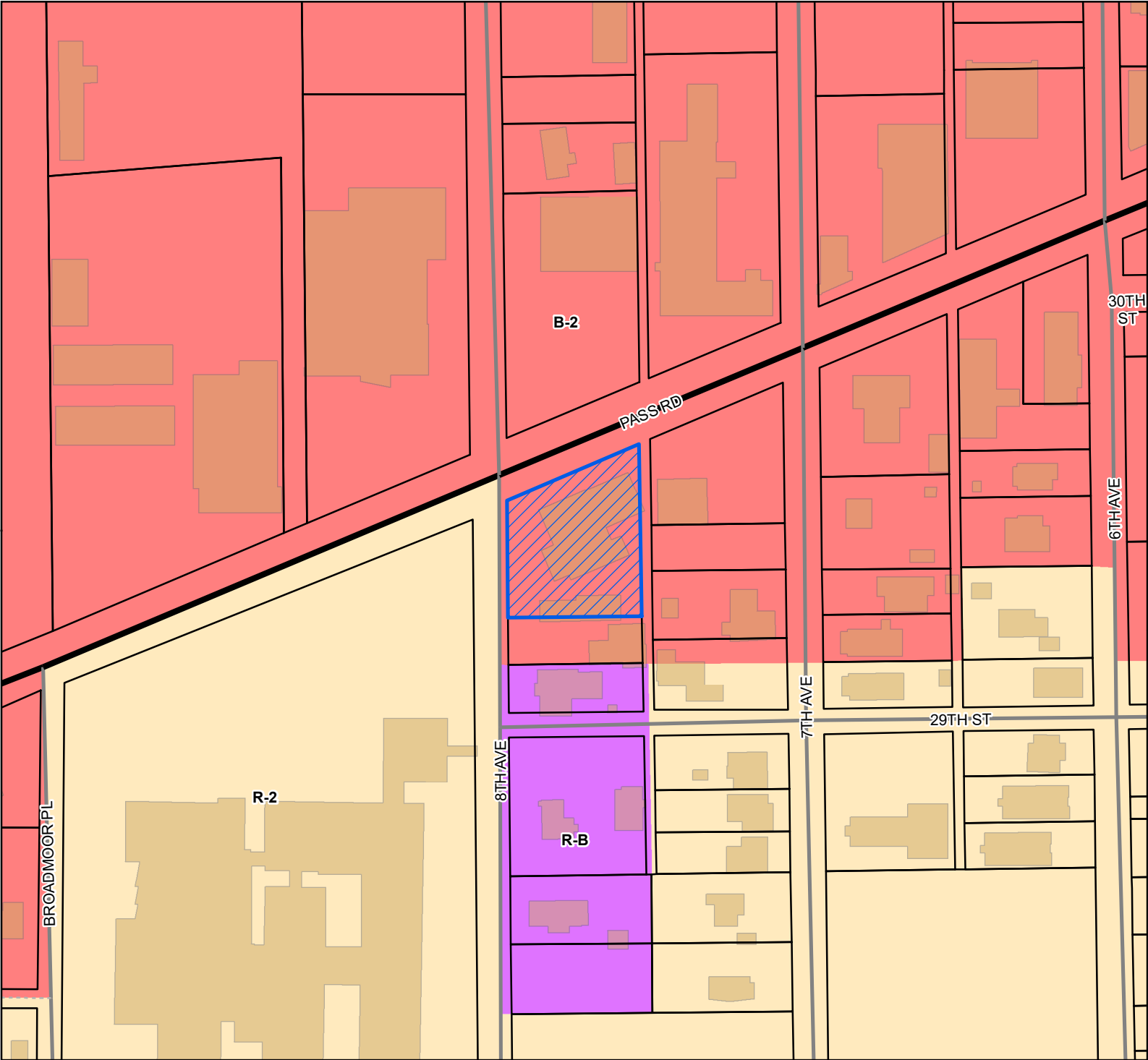
<u>Engineering:</u>	No conditions. Memo dated 4/29/2024.
<u>Public Works:</u>	No conditions. Memo dated 5/2/2024.
<u>Traffic and Safety:</u>	No comment as of 5/2/2024.
<u>Building Code Services:</u>	Parking is existing and has been there since this building was built. Memo dated 4/26/2024.
<u>GIS:</u>	No conditions. Memo dated 5/1/2024.
<u>Police Department:</u>	No comment as of 5/2/2024.
<u>Fire Department:</u>	No conditions. Memo dated 4/25/2024.
<u>City Arborist:</u>	No conditions. Memo dated 4/25/2024.

DIRECTOR APPROVAL

This report has been reviewed and approved by:



Greg Holmes
Director of Urban Development Department



Site

US or State Highway

Street

Alley

Parcels

Buildings

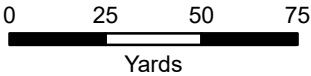
Zoning

B-2 - General Business District

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

R-B - Residence-Business District

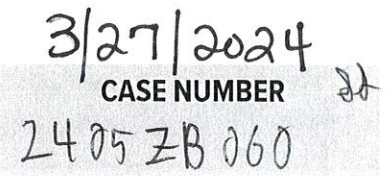
Site Information
0910M-03-072.000
Zoning: B-2 (General business)
Size: 22585.06 sqft
Flood: X



1 inch = 150 feet



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



OWNER:

Julia Nuto Gomez
 Printed Name of Owner
12225 Arrowhead Dr
 Mailing Address
Gulfport MS 39503
 City State Zip Code
601 716 714
 Home Phone Work/Cell Phone
Julynuto8A@hotmail.com
 Email
Julia Nuto
 Signature of Owner

AGENT:

Jonathan Fernandez
 Printed Name of Agent
922 Porter Ave Ste 101
 Mailing Address
Ocean Springs MS 39564
 City State Zip Code
228-623-6501
 Home Phone Work/Cell Phone
Jonathan@BRGCZI.com
 Email
Jonathan Fernandez
 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) _____
 Address (Street, City, State, Zip Code) _____
 Phone (Home) _____ (Work) _____ (Cell) _____
 Tax Parcel Number(s) Owned: _____
 Signature: _____

Name of Owner (PRINT) _____
 Address (Street, City, State, Zip Code) _____
 Phone (Home) _____ (Work) _____ (Cell) _____
 Tax Parcel Number(s) Owned: _____
 Signature: _____

Name of Owner (PRINT) _____
 Address (Street, City, State, Zip Code) _____
 Phone (Home) _____ (Work) _____ (Cell) _____
 Tax Parcel Number(s) Owned: _____
 Signature: _____

VARIANCE SUBMISSIONS

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

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

1. The property is currently subdivided into several different suites which are rented out by different tenants. This is their business location that they use to make a living. The building has always had parking Infront of the building like many other structures in the same area on pass rd.
2. There has always been this many units on this building and previous to Julia purchasing the building it was completely rented out and had no problems with the parking or permits. This is pre existing and was nothing Julia or the tenants did.
3. It's unnecessary hardship not just for the owner of the building but for the tenants because reduced parking is undesirable for tenants, resulting in below market rents and diminishes the properties ability to serve the Gulfport community.
4. If the variance is not approved it would make this building obsolete causing severe financial strain on Julia and her family. It would also cause tenants to move out of the building making them lose income and pressed to find other accommodations for their stores. Loosing parking or not being able to rent out a space because of parking will cause a loss of over 40% in rental income or higher; which in turn will decrease the value of the building making it impossible to sell in the future. Which in turn would diminish the property value of surrounding commercial spaces.
5. I will not receive any special benefit from it. It will keep my tenants in place and allow for future tenants to be able get permits for their businesses.
6. This is a special exception with respect to uses of land or structures.



DESIGNATION OF AGENT

I, Julia Nieto being property owner of 1015 Pass Rd. Gulfport MS 39501
PRINT NAME PRIMARY ADDRESS OR PARCEL
which is the subject of this application hereby authorize Jonathan Fernandez 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.

Julia Nieto
SIGNATURE

3/18/24
DATE

STATE OF MISSISSIPPI | COUNTY OF HARRISON

Given under my hand and seal of office this the 18 day of March, 20 24

M. Iglesias
NOTARY PUBLIC

06.19.2027
COMMISSION EXPIRATION



Revision Date 11/02/2020



COVENANT AFFIDAVIT

I, Julia Nieto being property owner or agent of the property 1015 Pass Rd, Gulfport
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.

Julia Nieto
SIGNATURE

3/18/24
DATE

STATE OF MISSISSIPPI | COUNTY OF HARRISON

Given under my hand and seal of office this the 18 day of March, 20 24

M. Iglesias
NOTARY PUBLIC

06.19.2027
COMMISSION EXPIRATION



COPY

Prepared By & Return To:
Schwartz, Orgler & Jordan, PLLC
12206 Hwy 49
Gulfport, MS 39503
(228) 832-8550
Our File: 210698

Index As:
**Lots 19-26, inclusive, Blk 20, Myrtle
Resurvey to the City of Gulfport,
Harrison County, 1st JD, MS**

**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,

**ROLEH, INC.
A MS Corporation (75% interest) and
HERBERT J. STELLY (25% interest)**

() _____

do hereby sell, convey and warrant unto

**JULIA M. NIETO-GOMEZ
16057 BILL BOND ROAD
SAUCIER, MS 39574**
() _____

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

**Lots Nineteen (19) to Twenty-Six (26) inclusive, in Block Twenty (20) of the MYRTLE
RESURVEY to the City of Gulfport, 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; less and accept the right-of-way of Pass Road.**

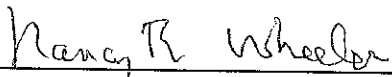
THE ABOVE described property is no part the homestead of the Grantor herein.

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

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

IN WITNESS WHEREOF, **ROLEH, INC.**, has caused this conveyance to be executed by its duly authorized officer, having first been duly authorized to do so, on this the 9th day of April, 2021.

ROLEH, INC.


By: **NANCY R. WHEELER, Secretary/Director**

STATE OF MISSISSIPPI
COUNTY OF HARRISON

THIS DAY PERSONALLY CAME AND APPEARED BEFORE ME, the undersigned authority in and for the jurisdiction aforesaid, **NANCY R. WHEELER**, who acknowledge that **she** is the **Secretary/Director** of **ROLEH, INC., A MS Corporation**, and as its act and deed, she signed, sealed and delivered the above and foregoing instrument of writing on the day and in the year therein mentioned, for and on behalf of said entity, having been first duly authorized to do so.

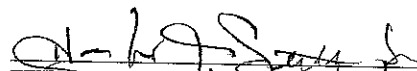
GIVEN UNDER MY HAND AND OFFICIAL SEAL OF OFFICE, this the 9th day of April, 2021.

Celeste Paige
NOTARY PUBLIC

My Commission Expires:



WITNESS THE SIGNATURE of the Grantor on this the 9th day of April, 2021.


HERBERT J. STELLY

STATE OF MISSISSIPPI
COUNTY OF HARRISON

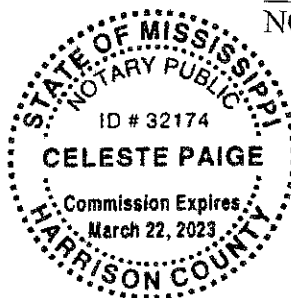
THIS DAY personally appeared before me, the undersigned authority in and for the jurisdiction aforesaid, **HERBERT J. STELLY**, who acknowledged that he signed, executed and delivered the above and foregoing instrument as a voluntary act and deed on the day and year therein mentioned.

GIVEN under my hand and official seal on this the 9th day of April, 2021.


NOTARY PUBLIC

(SEAL)

My Commission Expires:



**Corporate Resolution by the Board of Directors
for
Roleh, Inc.**

We, the undersigned, comprised of a majority of the directors of this Corporation, consent and agree that the following corporate resolution was made on the 7th day of April, 2021, at the location:

12457 Crestwood Dr.
Gulfport, MS 39503

We do hereby consent to the adoption of the following as if it was adopted at a regular called meeting of the Board of Directors for this Corporation. In accordance with State laws and the Bylaws of this Corporation, the Board of Directors decided unanimously that:

The Roleh, Inc. property at 1015 Pass Road, Gulfport, MS, will be sold to Julia M. Nieto-Gomez, at a closing to take place on Friday, April 9th, 2021, at 11:00 a.m., at the law offices of Schwartz, Orgler & Jordan, 12206 Hwy. 49, Gulfport, MS. The conditions of sale are set out in the Buyer's Counter Offer #1, dated March 16, 2021.

Now, therefore, it is resolved, that the Corporation shall:
Be represented at the above property closing by its Secretary, Nancy R. Wheeler, who is empowered to sign all legally binding documents related to and finalizing the sale of said property.

The Officers of this Corporation are hereby authorized to perform the acts to carry out this Resolution.

[signatures on the following page]

We, the undersigned directors of this Corporation constituting a quorum of the Board, consent and agree to all of the above on this 7th day of April, 2021.

Nancy L. Roberts-Moneir
Director Signature

Nancy L. Roberts-Moneir
Printed Name

04/07/2021
Date

Nancy R. Wheeler
Director Signature

Nancy R. Wheeler
Printed Name

04/07/2021
Date

The Secretary of the Corporation certifies that the above is a true and correct copy of the Resolution that was duly adopted at a meeting of the Board of Directors.

Nancy R. Wheeler
Secretary Signature

Nancy R. Wheeler
Printed Name

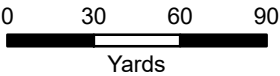
04/07/2021
Date

Mail	PPIN	Parcel ID	Name	Address	City	State	ZIP
Y	32507	0910M-03-072.000	NIETO-GOMEZ JULIE M (OWNER)	12225 ARROWHEAD DR	GULFPORT	MS	39503
Y			FERNANDEZ JONATHAN (AGENT)	922 PORTER AVE, STE 101	OCEAN SPRINGS	MS	39564
N			Adjacent Property Owners (2405ZB060)				
	83776	0910M-01-065.000	1000 PASS ROAD LLC	29 COLONEL WINK DRIVE	GULFPORT	MS	39507
	83854	0910M-03-059.000	APPLE HOLDINGS LLC	P O BOX 7503	GULFPORT	MS	39506
	98714	0910M-03-060.001	BRELAND JO ANN	2905 7TH AVENUE	GULFPORT	MS	39501
	32506	0910M-03-071.000	CARRANZA MERCEDES & SARAH K	16164 ORANGE GROVE RD	GULFPORT	MS	39503
	21789	0810P-02-002.000	GULF COAST HOLDINGS LLC	C/O BRANDT MANAGEMENT, LTD	METAIRIE	LA	70002
N	21787	0810P-03-001.000	GULFPORT CITY OF				0
	32427	0910M-01-066.000	GULFPORT FDO LLC	P O BOX 639	DEXTER	MO	63841
	83856	0910M-03-061.000	HARRISON SCOTT & DORA JEAN	2829 7TH AVE	GULFPORT	MS	39501
	98715	0910M-03-060.002	HASEN BONNIE	420 PINNACLE HEIGHTS LANE	LAS VEGAS	NV	89144
	32505	0910M-03-070.000	KASAFIREK ALLEN & TERRY	2900 8TH AVE	GULFPORT	MS	39501
	83855	0910M-03-060.000	PILGRIM DORIS B -L/E-	2103 20TH AVE	GULFPORT	MS	39501
	32513	0910M-03-069.000	Y M OF MS LLC	630 BAY COVE DR UNIT 213	BILOXI	MS	39532



Legend

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



1 inch = 200 feet



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

RE: Variance 2405ZB060, by agent Jonathan Fernandez, seeking approval for parking that pulls out into right of way, Tax Parcel 0910M-03-072.000, 1015 Pass Road, Zoned B-2 (General Business), Ward 3

To Applicants and Adjacent Property Owners:

The City of Gulfport Zoning Board of Adjustments and Appeals will hold a public hearing to consider the above application at 3:00 P.M. on **Thursday, May 16, 2024**, in the Council Chambers at the Gulfport City Hall located at 2309 15th Street.

For more information, visit <https://www.gulfport-ms.gov/agendas/> then click the City of Gulfport Zoning Board for **Thursday, May 16, 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	546606	Print Legal Ad-IPL01707030 - IPL0170703		\$113.35	2	76 L

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

accountspayable@gulfport-ms.gov

LEGAL NOTICE PUBLIC HEARING

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

Variance 2403ZB026, by agent Rebecca Gillum, seeking approval for 5-foot side yard setbacks, where 8 feet is required, Tax Parcel 0811G-04-116.000, 2011 17th Ave, Zoned R-2 (Single-family), Ward 3

Variance 2405ZB059, by owners OMT, LLC and FTO, LLC, seeking approval for parking that pulls out into right of way, Tax Parcel 0811B-05-012.000, 1602 26th Street, Zoned B-2 (General Business), Ward 3

Variance 2405ZB060, by agent Jonathan Fernandez, seeking approval for parking that pulls out into right of way, Tax Parcel 0910M-03-072.000, 1015 Pass Road, Zoned B-2 (General Business), Ward 3

Variance 2405ZB061, by owners Tim and Tracie Bruni, seeking approval for a eight-foot tall fence where the height limit is six feet, Tax Parcel 1010D-03-014.000, 51 Shoreline Lane, Zoned R-1-7.5 (Single-family), Ward 4

Variance 2405ZB063, by owner Michael Bogan, seeking approval for a 4-foot rear yard setback where 8 feet is required, Tax Parcel 0811G-04-116.000, 2011 17th Ave, Zoned R-2 (Single-family), Ward 3

Variance 2405ZB064, by agent Morgan Speranzo Hado, seeking approval for a 22-foot and one-inch front yard setback where 25 feet is required, Tax Parcels 1009N-01-002.061, 1009N-01-002.062, Georglan Way, Zoned R-2 (Single-family), Ward 5

Special Exception 24055E067, by agent Frankie Jackson, seeking approval for a tattoo parlor, Tax Parcel 1010G-03-003.002, 2033 E Pass Road Unit B, Zoned B-2 (General-business), Ward 2

Variance 2405ZB071, by agent Amanda Crose and designated agent Donovan Scruggs, seeking approval for a 21-foot and 3.5-inch setback on a second frontage where 25 feet is required, Tax Parcel 0906E-01-001.001, 11030 Alphabet Road Zoned R-1-10 (Single-family), Ward 6

Variance 2405ZB072, by agent Amanda Crose and designated agent Donovan Scruggs, seeking approval for a 23-foot and 2-inch setback on a second frontage where 25 feet is required, Tax Parcel 0908C-01-001.000, 11102 Alphabet Road, Zoned R-1-10 (Single-family), Ward 6

Variance 2405ZB073, by agent Amanda Crose and designated agent Donovan Scruggs, seeking approval for a 21-foot and 2-inch setback on a second frontage where 25 feet is required, Tax Parcel 0908C-01-001.000, 11041 Alphabet Road, Zoned R-1-10 (Single-family), Ward 6

Variance 2405ZB075, by owner Diane Myers, seeking approval for a gravel driveway where asphalt or concrete is required, Tax Parcel 0909O-02-029.000, 21 50th Street, Zoned R-1-7.5 (Single-family), Ward 4

Variance 2406ZB076, by agent Bryan Hall, seeking approval for fence columns of 7 feet and 4 inches in height where the height limit is 6 feet, Tax Parcels 1009N-01-002.001, 1009N-01-002.002, 1009N-01-002.003, 1009N-01-002.004, 1009N-01-002.023, 1009N-01-002.024, 1009N-01-002.025, 1009N-01-002.026, 1009N-01-002.027, 1009N-01-002.028, 1009N-01-002.029, 1009N-01-002.030, 1009N-01-002.031, 1009N-01-002.032, 1009N-01-002.033, 1009N-01-002.034, 10881 Lily Lane, 10887 Lily Lane, 10893 Lily Lane, 10899 Lily Lane, 10809 Lily Lane, 10815 Lily Lane, 10821 Lily Lane, 10827 Lily Lane, 10833 Lily Lane, 10839 Lily Lane, 10845 Lily Lane, 10851 Lily Lane, 10857 Lily Lane, 10863 Lily Lane, 10869 Lily Lane, 10875 Lily Lane, Zoned R-2 (Single-family), Ward 5

This the 24th day of April 2024
A. Leslie North, Chairman
City of Gulfport Zoning Board of Adjustment and Appeals
IPL0170703
May 1 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:

05/01/24

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.

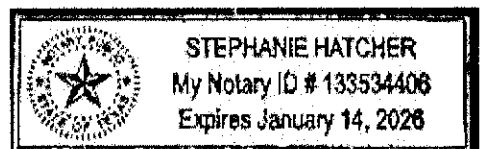
Mary Castro

Sworn to and subscribed before me this 1st day of May 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: May 16, 2024

Re: Variance 2405ZB061:

Variance 2405ZB061, by owners Tim and Tracie Bruni, seeking approval for a eight-foot tall fence where the height limit is six feet, Tax Parcel 1010D-03-014.000, 51 Shoreline Lane, Zoned R-1-7.5 (Single-family), Ward 4

Technical Report

VARIANCE

GENERAL INFORMATION

Case File Number: 2405ZB061

Hearing Date: May 16, 2024

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

Legal: Variance 2405ZB061, by owners Tim and Tracie Bruni, seeking approval for a eight-foot tall fence where the height limit is six feet, Tax Parcel 1010D-03-014.000, 51 Shoreline Lane, Zoned R-1-7.5 (Single-family), Ward 4

TECHNICAL DETAILS

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

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

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

Technical Report

VARIANCE

The applicant requests a height variance for a wooden fence of 8 feet. The applicant addresses the hardship questions below.

- (a) The applicant states that because their property slopes along the north to south and east to west, the land is uneven. They also state that they have had drainage issues which is why they have decided to build the fence along with a retaining wall. This statement indicates that due to the way that the property slopes, having the fence remain 6 feet in height consistently along the property line would cause unevenness of the fence overall.
- (b) The applicant states that that the fence is between their property and their neighbor's and therefore does not distract from the visuals. This does not answer the question of whether or not the special conditions directly result in the actions of the applicant. Due to the property being near water, the placing of the fence itself seems to be a way of helping ease the drainage issue. However, wanting the height to be up to 8 feet seems to be in use of maintaining visual consistency along the property line and not in service of helping with the drainage.
- (c) Applicant states that the design of the fence is the same as their neighbors. This statement does not answer the question of whether or not this physical characteristic of the property causes a hardship.
- (d) The applicant states that the "fence is built with concrete retaining wall and galvanized steel poles to hold up both wooden sides of this fence." This does not address the question of whether or not the literal interpretation of the ordinance would deprive the applicant of rights commonly enjoyed by this district.
- (e) Applicant does not answer this question. While an approval of an 8 foot fence would be in harmony with the existing neighborhood, all fences located near the property in that area that are above 6 feet do not have permits pulled associated with that work. It appears that area had been annexed into Gulfport some time ago, and any fence that was put up were either done prior to annexation or done without permission.
- (f) This property is zoned R-1-7.5, and a fence is allowed by right.

EXECUTIVE SUMMARY

While the applicant's request for an 8 foot fence would be in line with the surrounding area, it seems that a majority of the fences above 6 foot in the surrounding area were either pre-existing nonconforming or unpermitted. The overall purpose of the fence is to ease drainage and the property itself does slope downward. The overall request for 8 feet seems to be requested for visual consistency for the fence.

Any approval should consider these conditions:

1. Must comply with all rules and regulations.
2. Approval would allow for building a fence at 8 feet.

Technical Report

VARIANCE

DEPARTMENTAL CONDITIONS

Engineering: No conditions. Memo dated 4/29/2024.

Public Works: No conditions. Memo dated 5/2/2024.

Traffic and Safety: No conditions. Memo dated 4/4/2024.

Building Code Services: No conditions. Memo dated 04/26/2024.

GIS: No conditions. Memo dated 5/1/2024.

Police Department: No comment as of 5/3/2024.

Fire Department: No conditions. Memo dated 4/25/2024.

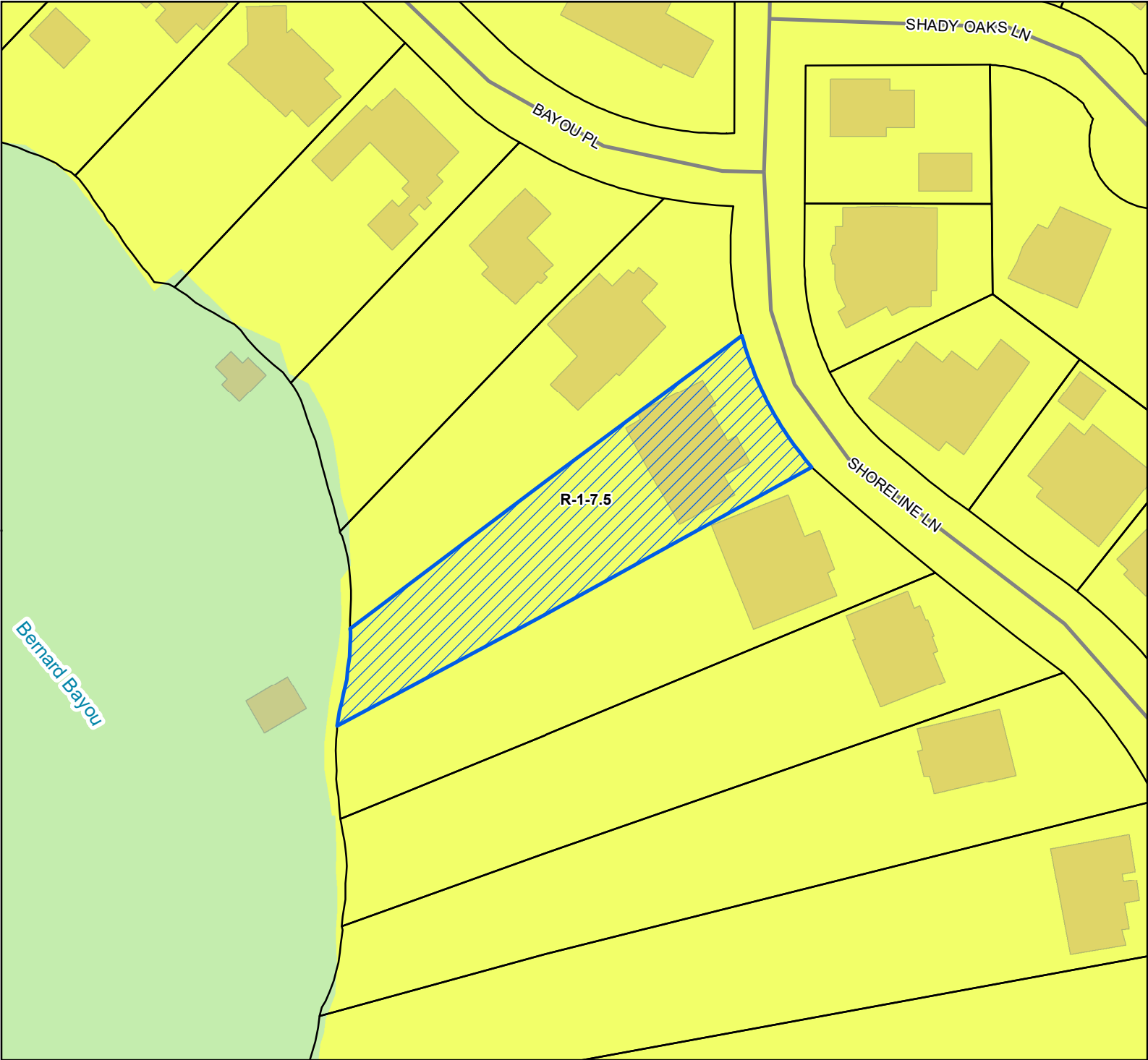
City Arborist: No conditions. Memo dated 04/25/2024.

DIRECTOR APPROVAL

This report has been reviewed and approved by:



Greg Holmes
Director of Urban Development Department



 Site

 Street

 Parcels

 Buildings

 Water Features

Zoning

R-1-7.5 - Single Family

 Residence District (Low Density)

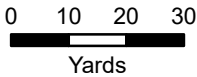
Site Information

1010D-03-014.000

Zoning: R-1-7.5 (Single-family)

Size: 29629.6 sqft

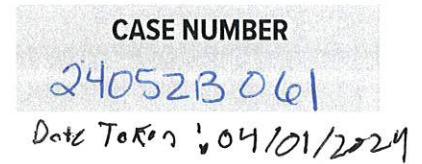
Flood: AE



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.



OWNER:

Tim Bruni
 Printed Name of Owner
51 Shoreline Lane
 Mailing Address
Gulfport MS 39503
 City State Zip Code
228-669-1008 228-669-1008
 Home Phone Work/Cell Phone
Reel doctb@ms.gov.com
 Email
[Signature]
 Signature of Owner

AGENT:

 Printed Name of Agent

 Mailing Address

 City State Zip Code

 Home Phone Work/Cell Phone

 Email

 Signature of Agent

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

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

Name of Owner (PRINT) Tim Bruni
 Address (Street, City, State, Zip Code) 51 Shoreline Lane
 Phone (Home) 228-669-1008 (Work) 228-669-1008 (Cell) 228-669-1008
 Tax Parcel Number(s) Owned: 10/00-03-014.000
 Signature: [Signature]

Name of Owner (PRINT) Tracie Bruni
 Address (Street, City, State, Zip Code) 51 Shoreline Lane
 Phone (Home) 228-669-1008 (Work) 228-617-2022 (Cell) 228-617-2022
 Tax Parcel Number(s) Owned: 10/00-03-014.000
 Signature: Tracie Bruni

Name of Owner (PRINT) _____
 Address (Street, City, State, Zip Code) _____
 Phone (Home) _____ (Work) _____ (Cell) _____
 Tax Parcel Number(s) Owned: _____
 Signature: _____

Fence Variance Submissions

_____ Please explain the nature of the project that requires the variance(s). When determining a variance to fence, wall, and hedge requirements, the zoning board shall consider the following, which must also be addressed by the applicant on a separate sheet of paper:

1. Safety in regard to the subject property, adjacent properties, ingress and egress, streets, alleyways, and water bodies;
2. Visual impact on adjacent properties, streets, alleyways, and water bodies;
3. Design in relation to other structures on the same lot, adjacent properties, and the neighborhood;
4. Impact on ingress and egress, if applicable;
5. Screening, buffering or separation of any nuisance or hazardous feature;
6. Compatibility with adjacent properties;

Fence Variance Submissions

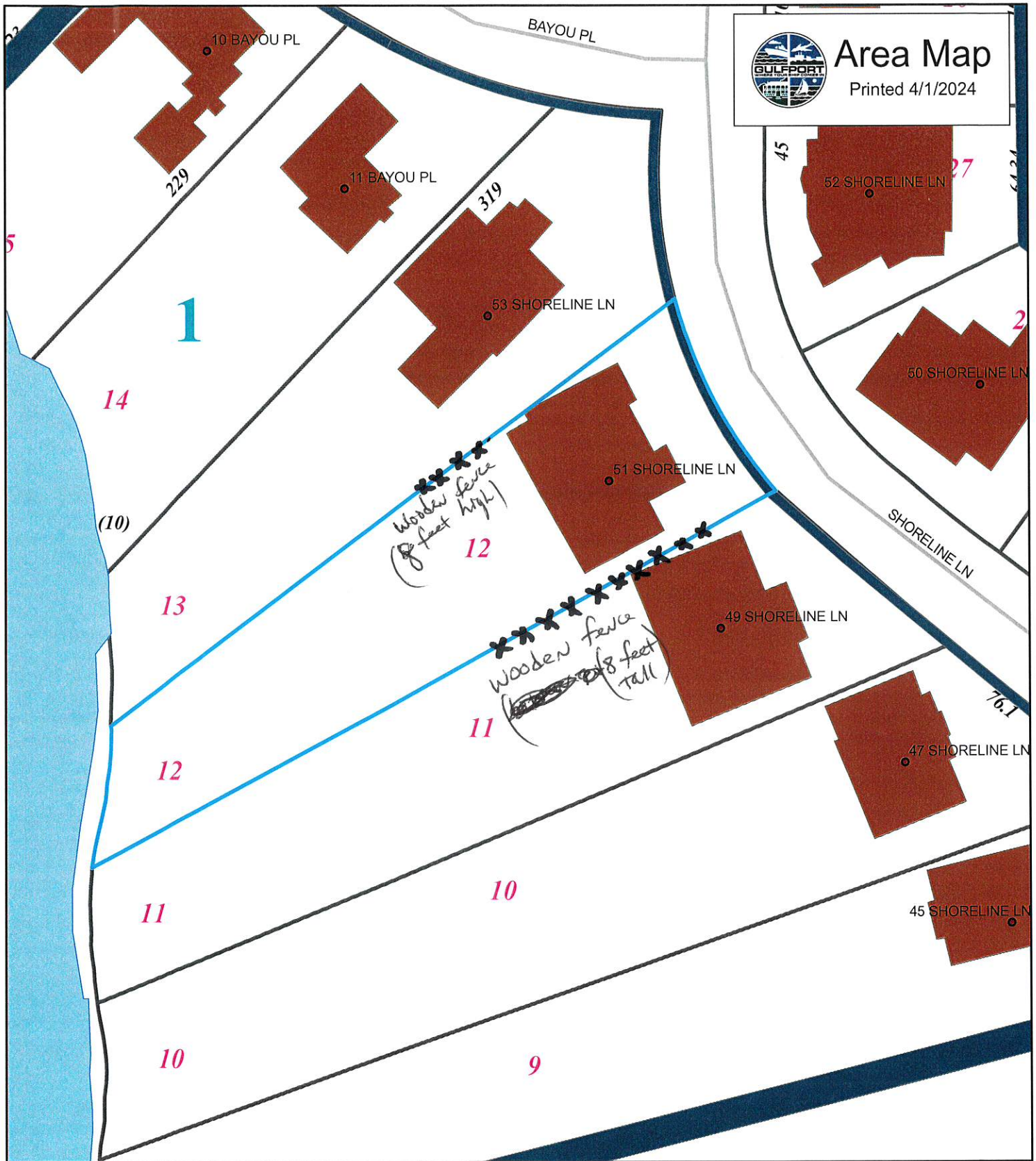
1. My adjacent properties are both sloped from north to south and from east to west. So the land is somewhat uneven. Before I built my fence, I was having drainage problems with water and dirt flowing into my neighbor's yard to the south. The water even flooded my neighbor's bottom floor when it would be a heavy rain. So my neighbor and I decided together to build a fence with a retaining wall so there would no longer be any flooding issues. So I agreed to build the fence on my side of the property.
2. Visual impact—My fence is in between my property (51 Shoreline Lane) and my neighbor (at 49 Shoreline Lane). So it does not distract from any visuals in the neighborhood since it is located directly in between both of our homes. It also covers up my neighbors AC units and gives my neighbor privacy on his windows in his basement. My neighbor also agreed to all the dimensions and the style of this fence and they're going to pay for half the fence as well.
3. Design--The design of my fence is exactly like my neighbors to the north side of my property (53 Shoreline Lane). It has the same height and retaining wall as my neighbor. So we made it uniform to match their fence. The total height of my fence (which includes the retaining wall and my 6 foot wooden fence) varies from 7 to 8 feet tall because it is on a slope so it's hard to keep the same height all the way down the property to make it look uniform. There are other properties around my neighborhood who have fences that are at least 8 feet tall and their property is flat (not sloped). Also, the height of both of our homes is very tall over 30 feet tall so it doesn't look like the fence is visually that tall. Also, because the property is sloped so much, if you were to stand at 6 feet tall you would be able to see over my fence and so there wouldn't be any privacy.
4. Safety—this fence was built with concrete retaining wall and galvanized steel poles to hold up both wooden sides of this fence. So this fence is very sturdy and it will not come down. So it is very safe.

Tim and Tracie Bruni

51 Shoreline Lane

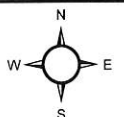
Gulfport, MS 39503

Parcel # 1010D-03-014.000



Samuel L. L. 4/1/24

4-1-24



1 inch = 64 feet

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0910A-01-013.000

1010D-02-013.000

SHORELINE LN

0910A-01-014.000

Address: 53-
Coords: 30.410482 , -89.035381

1010D-03-015.000

Address: 51-
Coords: 30.410258 , -89.03519

39503

1010D-03-014.000

Address: 49-
Coords: 30.410058 , -89.035013

1010D-03-013.001

1010D-03-013.000





COVENANT AFFIDAVIT

I, Tim Brunini being property owner or agent of the property 51 Shoreline Lane
PRINT NAME Gulfport, MS 39503
PRIMARY ADDRESS OR PARCEL
which is the subject of this application, hereby state that this variance request is not in violation of any
restrictive or protective covenants.

[Signature]
SIGNATURE

3-21-24
DATE

STATE OF MISSISSIPPI | COUNTY OF HARRISON

Given under my hand and seal of office this the 21st day of March, 20 24

[Signature]
NOTARY PUBLIC



COMMISSION EXPIRATION



John 1st Judicial District
Instrument 2020 12586 D - J1
Filed/Recorded 9/30/2020 10:28 A
Total Fees \$ 26.00
2 Pages Recorded

Our File #B200734

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

INDEX: Lot 12, Bayou Oaks, Part 1

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,

Thomas L. Clark, Sr. and wife, Mary E. Clark,

4900 Thunderbird Drive Apt 735, Boulder, CO 80303, (228) 365-3565,

do hereby sell, convey and warrant unto

Timothy Bruni and wife, Tracie Bruni,

1447 Champlin Circle, Gulfport, MS 39507, (228) 669-1008,

as tenants by the entirety 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:

Lot Twelve (12), Bayou Oaks Subdivision, Unit One (1), 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 32 at Page 35 thereof, reference to which is hereby made in aid of and as a part of this description.

AND ALSO:

That portion of raised deck and boat shed encroaching into the riparian rights of Lot Twelve (12), Bayou Oaks Subdivision, Unit One (1), 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 32 at Page 35 as shown by survey of J. Michael Cassady, Surveyor, dated November 26, 1991.

For the same consideration Grantors further quitclaim, release and convey to the Grantees all of their riparian and littoral rights associated with said property, and further quitclaim, release and convey all of their interest in any property located waterward of the boundaries of the plat of Bayou Oaks Subdivision.

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.

WITNESS OUR SIGNATURES, on this the 22 day of September, 2020.

① Thomas L. Clark, Sr.
Thomas L. Clark, Sr.

② Mary E. Clark
Mary E. Clark

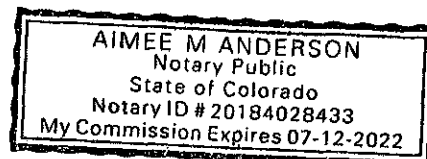
STATE OF Colorado
COUNTY OF Boulder

THIS DAY PERSONALLY CAME AND APPEARED BEFORE ME, the undersigned authority in and for the jurisdiction aforesaid, Thomas L. Clark, Sr. and wife, Mary E. Clark, 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.

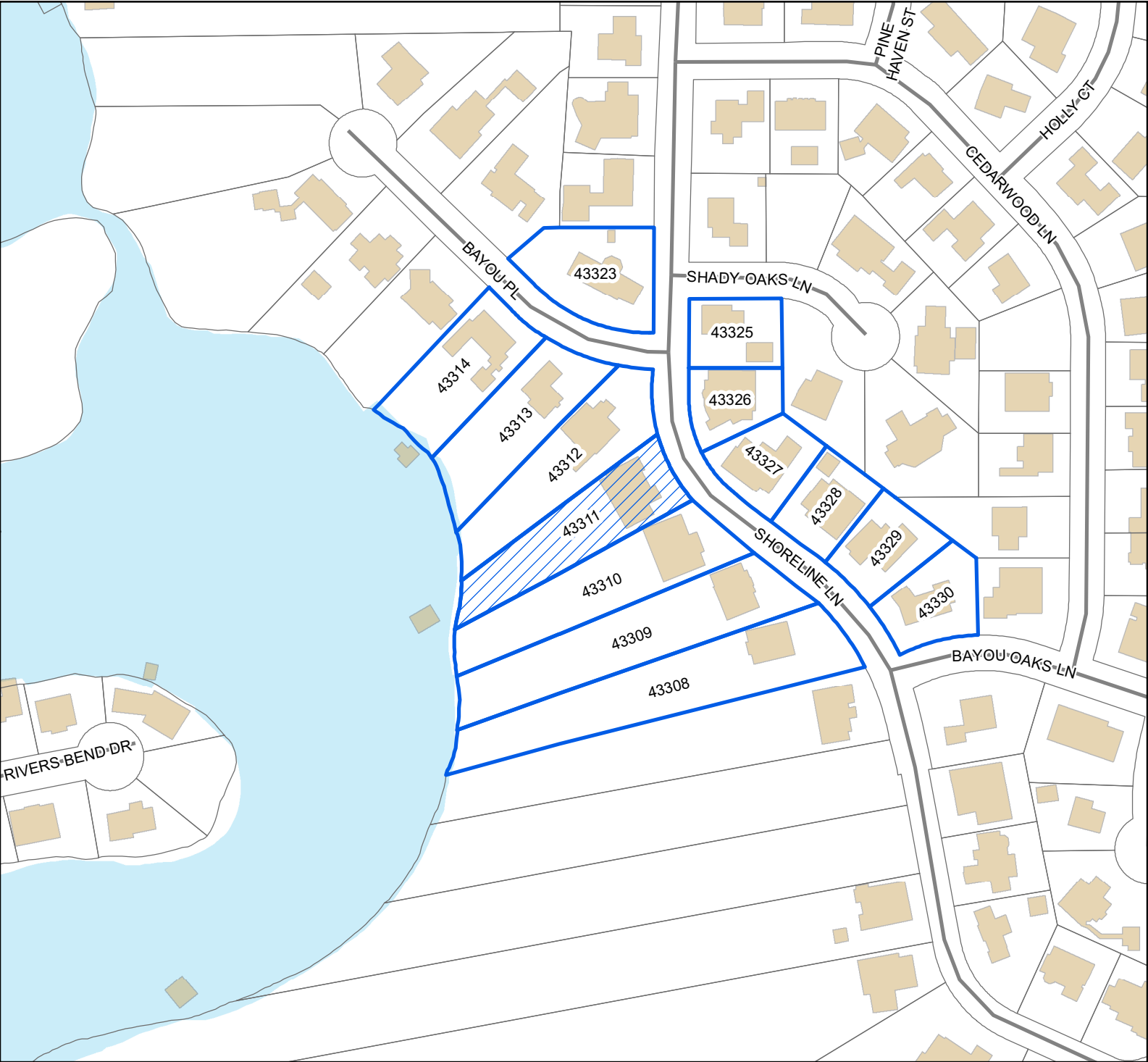
GIVEN UNDER MY HAND AND OFFICIAL SEAL OF OFFICE, this the 22 day of September, 2020.

Aimee M. Anderson
NOTARY PUBLIC

My Commission Expires: 7/12/22

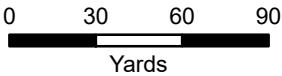


Mail	PPIN	Parcel ID	Name	Address	City	State	ZIP
Y		1010D-03-0143.000	TIM BRUNI (OWNER)	51 SHORELINE LN	GULFPORT	MS	39503
Y			TRACIE BRUNI (OWNER)	51 SHORELINE LN	GULFPORT	MS	39503
			Adjacent Property Owners(2405ZB061)				
	43309	1010D-03-013.000	BANKSTON RALPH L JR & TANIA S	47 SHORELINE LN	GULFPORT	MS	39501
	43330	1010D-02-022.000	HOWES JOSEPH D & MARY JO	14 BAYOU OAKS LN	GULFPORT	MS	39501
	43328	1010D-02-020.000	CHANDLER DANIEL R & ESMERALDA	48 SHORELINE LN	GULFPORT	MS	39507
	43329	1010D-02-021.000	JONES DUANE PERRY & SERITA HUTTON	46 SHORELINE LN	GULFPORT	MS	39503
	43312	1010D-03-015.000	BLALACK CHAD W & VIRGINIA A	53 SHORELINE LANE	GULFPORT	MS	39503
	43326	1010D-02-018.000	MCCORMICK J B SR & ELIZABETH S	52 SHORELINE LN	GULFPORT	MS	39503
	43314	0910A-01-013.000	VAN KIRK F WILLIAM JR & JAMIE-TRUST	10 BAYOU PLACE	GULFPORT	MS	39503
	43310	1010D-03-013.001	WARREN RUSSELL DENNIS II & PAULA P	49 SHORELINE LANE	GULFPORT	MS	39503
	43327	1010D-02-019.000	MURRAY MICHAEL JOHN & AMY COLE	50 SHORELINE LN	GULFPORT	MS	39507
	43313	0910A-01-014.000	PIERCE ANGELINA	213 CIRCLE DR	MATTOON	IL	61938
	43308	1010D-03-012.000	WESSLER WILLIAM P & NANCY S	45 SHORELINE LN	GULFPORT	MS	39503
	43325	1010D-02-017.000	RIVIERE CLARE R	54 SHORELINE LANE	GULFPORT	MS	39503
	43323	1010D-02-016.000	OWEN JOSEPH S SR & SHERRY	111 DOGWOOD DR	GULFPORT	MS	39501



Legend

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



1 inch = 200 feet



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RE: Variance 2405ZB061, by owners Tim and Tracie Bruni, seeking approval for a eight-foot tall fence where the height limit is six feet, Tax Parcel 1010D-03-014.000, 51 Shoreline Lane, Zoned R-1-7.5 (Single-family), Ward 4

To Applicants and Adjacent Property Owners:

The City of Gulfport Zoning Board of Adjustments and Appeals will hold a public hearing to consider the above application at 3:00 P.M. on **Thursday, May 16, 2024**, in the Council Chambers at the Gulfport City Hall located at 2309 15th Street.

For more information, visit <https://www.gulfport-ms.gov/agendas/> then click the City of Gulfport Zoning Board for **Thursday, May 16, 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	546606	Print Legal Ad-IPL01707030 - IPL0170703		\$113.35	2	76 L

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

accountspayable@gulfport-ms.gov

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Variance 2405ZB061, by owners Tim and Tracie Bruni, seeking approval for a eight-foot tall fence where the height limit is six feet, Tax Parcel 1010D-03-014.000, 51 Shoreline Lane, Zoned R-1-7.5 (Single-family), Ward 4

Variance 2405ZB063, by owner Michael Bogan, seeking approval for a 4-foot rear yard setback where 8 feet is required, Tax Parcel 0811G-04-116.000, 2011 17th Ave, Zoned R-2 (Single-family), Ward 3

Variance 2405ZB064, by agent Morgan Speranzo Hado, seeking approval for a 22-foot and one-inch front yard setback where 25 feet is required, Tax Parcels 1009N-01-002.061, 1009N-01-002.062, Georglan Way, Zoned R-2 (Single-family), Ward 5

Special Exception 2405SE067, by agent Frankie Jackson, seeking approval for a tattoo parlor, Tax Parcel 1010G-03-003.002, 2033 E Pass Road Unit B, Zoned B-2 (General-business), Ward 2

Variance 2405ZB071, by agent Amanda Crose and designated agent Donovan Scruggs, seeking approval for a 21-foot and 3.5-inch setback on a second frontage where 25 feet is required, Tax Parcel 0906E-01-001.001, 11030 Alphabet Road Zoned R-1-10 (Single-family), Ward 6

Variance 2405ZB072, by agent Amanda Crose and designated agent Donovan Scruggs, seeking approval for a 23-foot and 2-inch setback on a second frontage where 25 feet is required, Tax Parcel 0908C-01-001.000, 11102 Alphabet Road, Zoned R-1-10 (Single-family), Ward 6

Variance 2405ZB073, by agent Amanda Crose and designated agent Donovan Scruggs, seeking approval for a 21-foot and 2-inch setback on a second frontage where 25 feet is required, Tax Parcel 0908C-01-001.000, 11041 Alphabet Road, Zoned R-1-10 (Single-family), Ward 6

Variance 2405ZB075, by owner Diane Myers, seeking approval for a gravel driveway where asphalt or concrete is required, Tax Parcel 0909O-02-029.000, 21 50th Street, Zoned R-1-7.5 (Single-family), Ward 4

Variance 2406ZB076, by agent Bryan Hall, seeking approval for fence columns of 7 feet and 4 inches in height where the height limit is 6 feet, Tax Parcels 1009N-01-002.001, 1009N-01-002.002, 1009N-01-002.003, 1009N-01-002.004, 1009N-01-002.023, 1009N-01-002.024, 1009N-01-002.025, 1009N-01-002.026, 1009N-01-002.027, 1009N-01-002.028, 1009N-01-002.029, 1009N-01-002.030, 1009N-01-002.031, 1009N-01-002.032, 1009N-01-002.033, 1009N-01-002.034, 10881 Lily Lane, 10887 Lily Lane, 10893 Lily Lane, 10899 Lily Lane, 10809 Lily Lane, 10815 Lily Lane, 10821 Lily Lane, 10827 Lily Lane, 10833 Lily Lane, 10839 Lily Lane, 10845 Lily Lane, 10851 Lily Lane, 10857 Lily Lane, 10863 Lily Lane, 10869 Lily Lane, 10875 Lily Lane, Zoned R-2 (Single-family), Ward 5

This the 24th day of April 2024
A. Leslie North, Chairman
City of Gulfport Zoning Board of Adjustment and Appeals
IPL0170703
May 1 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:
05/01/24

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.

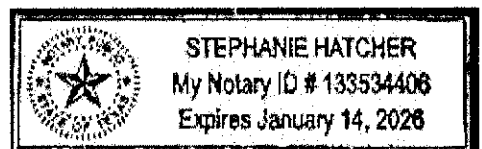
Mary Castro

Sworn to and subscribed before me this 1st day of May 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: May 16, 2024

Re: Variance 2405ZB063:

Variance 2405ZB063, by owner Michael Bogan, seeking approval for a 4-foot rear yard setback where 8 feet is required, Tax Parcel 0811G-04-116.000, 2011 17th Ave, Zoned R-2 (Single-family), Ward 3

Technical Report

VARIANCE

GENERAL INFORMATION

Case File Number: 2405SE063

Hearing Date: May 16, 2024

Current Zoning/Use: R-2/ Vacant Lot

Legal: Variance 2405ZB063, by owner Michael Bogan, seeking approval for a 4-foot rear yard setback where 8-feet is required, Tax Parcel 0811G-04-116.000, 2011 17th Ave, Zoned R-2 (Single-family), Ward 3

TECHNICAL DETAILS

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

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

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

Technical Report

VARIANCE

The applicant requests a variance of 4-feet to allow a setback of 4-feet in the rear of the property where 8-feet is required. The applicant has addressed the six (6) hardship questions below.

- (a) The applicant provides no comments that reflect on the hardship of the property or the structures.
- (b) The applicant states that the special condition “the condition was already decided since I purchased the property and I am not able to contact the owner. The number that I have tried to reach him at is no longer a working number.” While the applicant did not create the condition, it appears that he was aware of property’s
- (c) The hardship stated by the applicant is that “the property to the rear of his property pushes setbacks into my property.” A small rectangular section in the rear of the applicant’s property was parceled off. Creating an odd shape for the applicant’s property causing the need for smaller setbacks in the rear of the property. The applicant expressed interest in purchasing the small parcel to combine the parcel with his own; in an effort to have the space needed to build his home within the required setbacks. He was unsuccessful in his efforts because he was not able to make contact with the owner.
- (d) That literal interpretation of the provisions of this ordinance would deprive the applicant of rights commonly enjoyed by properties in the same district under the terms of this ordinance. The applicant addresses this question by stating “If he is not allowed the 4-foot setback, he will not be able to build his home.” If the setback variance were approved, it would not provide an advantage over similar dwellings in the area.
- (e) Applicant states that there are no special benefits in granting this variance I own the lot that I am building on and the lot next to it.
- (f) This property is zoned R-2, Single Family homes are allowed by right in this zoning district.

EXECUTIVE SUMMARY

The applicant requests a variance of 4-feet to allow a rear yard setback of 4-feet where 8-feet is required for the build of a single-family home.

Any approval should consider these conditions:

- 1. Approval allows a variance of 4-feet rear setback for a four-foot (4-ft) front yard setback where 8 feet is required.
- 2. Must meet all current building codes and City of Gulfport ordinances.
- 3. Roof drainage from any new structures cannot impact neighboring properties.

DEPARTMENTAL CONDITIONS

Technical Report

VARIANCE

<u>Engineering:</u>	Roof drainage from any new structures cannot impact neighboring properties. Memo dated 04/29/2024.
<u>Public Works:</u>	Roof drainage to not impact neighboring properties. Memo dated 05/02/2024.
<u>Traffic and Safety:</u>	No comment as of 05/07/2024.
<u>Building Code Services:</u>	Must meet all current building codes and City of Gulfport Ordinances. Memo dated 04/26/2024.
<u>GIS:</u>	No conditions. Memo dated 05/01/2024.
<u>Police Department:</u>	No comment as of 05/07/2024.
<u>Fire Department:</u>	No conditions. Memo dated 04/25/2024.
<u>City Arborist:</u>	No conditions. Memo dated 04/25/2024.

DIRECTOR APPROVAL

This report has been reviewed and approved by:

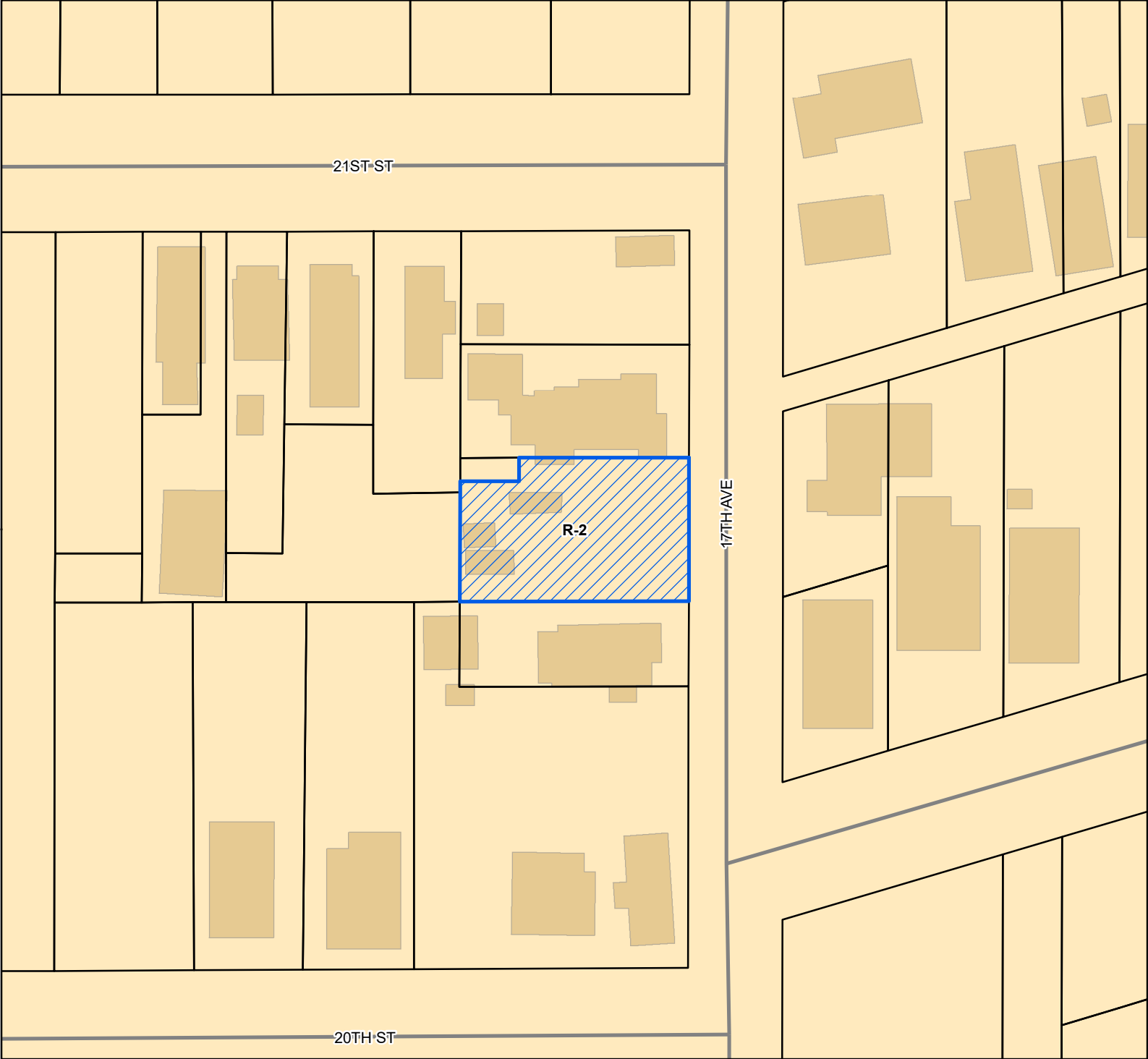


Greg Holmes
Director of Urban Development Department



2405ZB063

Variance



Site

Street

Parcels

Buildings

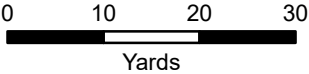
City Limit

Zoning

R-2 - Single Family

Residence District (Medium Density)

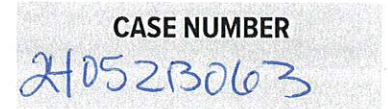
Site Information
0811G-04-116.000
Zoning:R-2 (Single-Family)
Size: 5889.7 sqft
Flood: X



1 inch = 60 feet



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



OWNER:Michael Bogan

Printed Name of Owner

2005 17th Ave.

Mailing Address

Gulfport, MS. 39507

City

State

Zip Code

228-261-0721

Home Phone

Work/Cell Phone

mbogan98@gmail.com

Email

Michael Bogan

Signature of Owner

AGENT:

Printed Name of Agent

Mailing Address

City

State

Zip Code

Home Phone

Work/Cell Phone

Email

Signature of Agent

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

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

Name of Owner (PRINT) Michael Bogan N/AAddress (Street, City, State, Zip Code) 2011 17th Ave.Phone (Home) 228 261-0721 (Work) _____ (Cell) _____

Tax Parcel Number(s) Owned: _____

Signature: _____

Name of Owner (PRINT) _____

Address (Street, City, State, Zip Code) _____

Phone (Home) _____ (Work) _____ (Cell) _____

Tax Parcel Number(s) Owned: _____

Signature: _____

Name of Owner (PRINT) _____

Address (Street, City, State, Zip Code) _____

Phone (Home) _____ (Work) _____ (Cell) _____

Tax Parcel Number(s) Owned: _____

Signature: _____

VARIANCE SUBMISSIONS

✓ See Attached

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

1. Demonstrate that special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same district. (i.e., What is special about your property that you need to request a variance?)
2. Demonstrate that the special conditions and circumstances do not result from the actions of the applicant. (i.e., Show that you did not cause the need for the variance.) *It was there already and can't get in touch with owner.*
3. Demonstrate that an unnecessary hardship is created by the physical character of the property and is peculiar and unusual to such an extent that it is evidence that amendment of the zoning ordinance does not offer a reasonable solution. (i.e., Explain what your hardship is and why the property cannot comply with the zoning ordinance. Further, explain why this hardship is not commonly found on other properties?)
4. Demonstrate how the literal interpretation of the provisions of the zoning ordinance would deprive the applicant of rights commonly enjoyed by properties in the same district under the terms of the zoning ordinance. (i.e., Explain how the request meets the right of reasonable economic return and/or the right to reasonable development of your property which might generally be expected in your district.)
5. Demonstrate that the granting of the variance will not confer on the applicant any special privilege that is denied by this ordinance to other lands, structures, or buildings in the same district, other than to permit the applicant to use their property in a manner as nearly equivalent to uses generally permitted in the district considering the conditions and circumstances involved and hardship. (i.e., Will you receive any special benefit that others who follow the Zoning Ordinance cannot receive?) *NO special Benefit*
6. State whether the use proposed is permissible by right, with planning approval or by special exception with respect to uses of land or structures. *allow by rights*

1. Small panel sitting at the rear of property
2. It was already decided since I purchased the property and , I am not able to contact the owner. The number that I have tried to reach him at are no longer a working number.
3. The hardship in this matter is that the parcel in the rear is pushing setbacks into my property
4. If not allowed for the 4ft setback I will not be able to build my home
5. There are no special benefits in granting this variance I own the lot I'm building on and the one to the left
6. The use of this lot is allowed by rights. I am building a home on this lot which is zoned residential.



COVENANT AFFIDAVIT

I, Michael Bagan being property owner or agent of the property 2011 17th Ave
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.

Michael Bagan
SIGNATURE

3/22/24
DATE

STATE OF MISSISSIPPI | COUNTY OF HARRISON

Given under my hand and seal of office this the 22nd day of March, 20 24

Samuel Sweeting
NOTARY PUBLIC

05/22/27
COMMISSION EXPIRATION





Area Map

Printed 3/22/2024

2015 17

0811G-04-117.000

0811G-04-116.001

0811G-04-116.004

0811G-04-116.003

0811G-04-116.000

2011 17TH AVE

0811G-04-097.000

2005 17TH AVE

0811G-04-098.000

0811G-04-096.000

4 ft set back

20 ft set back

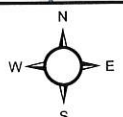
10 ft

5 ft set back

5 ft set back

17th Ave

Michael Boggs's Lot

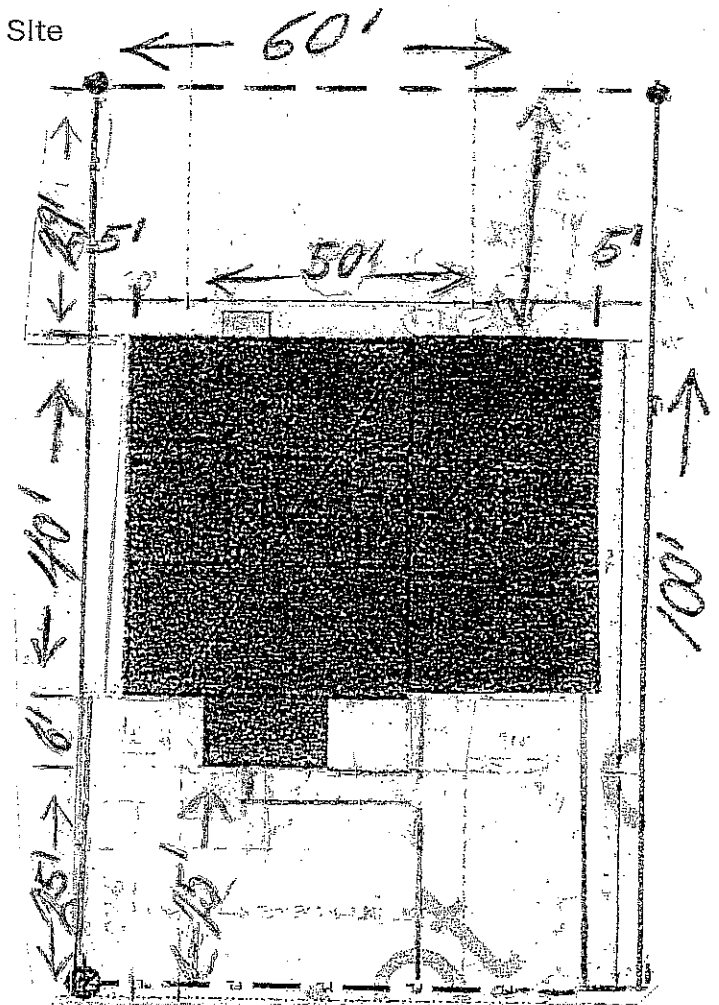
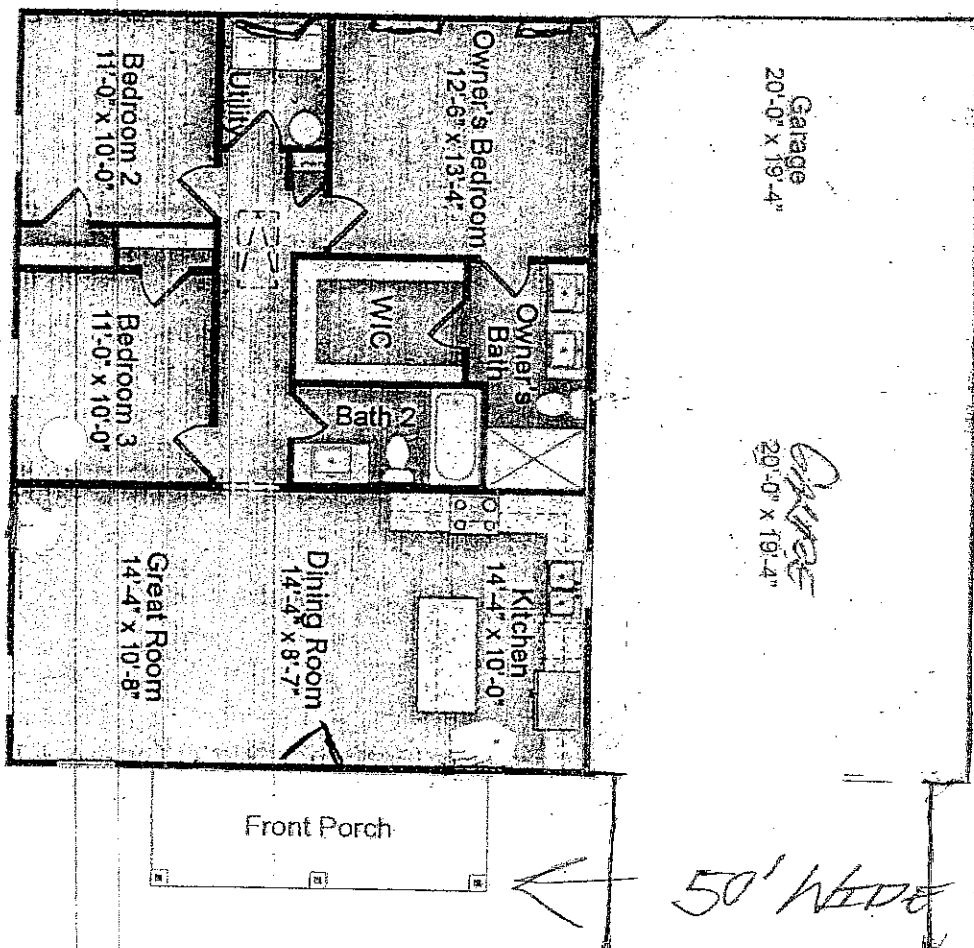
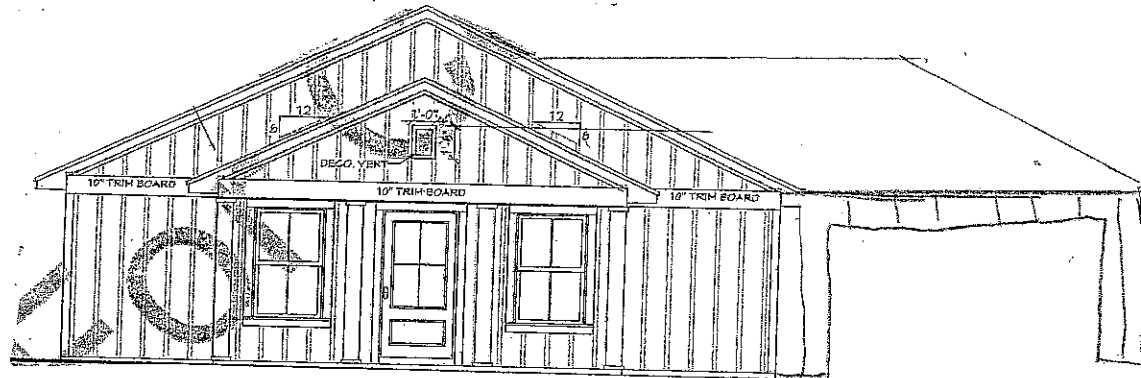


1 inch = 17 feet

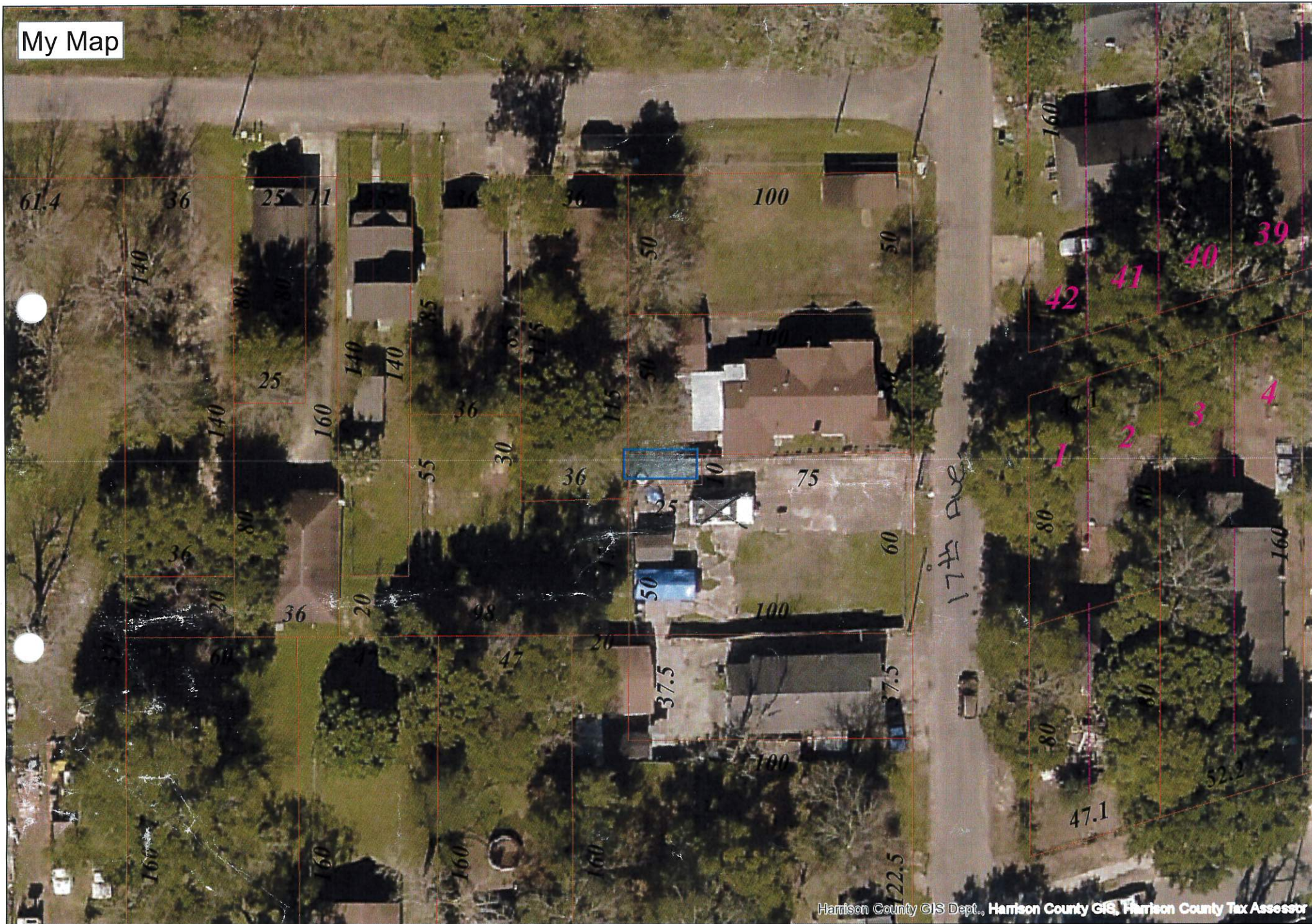
- Addresspoints
- WaterFeatures
- Parcels

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- Michael Bogan
- 2011 17th Avenue, Gulfport, MS 39501
- Site: 60' Wide x 100' Length
- New Home Build: 50' Wide x 40' Length
- McMurphy Homes Eleanor Plan
- Modified To Build A 4 Car Tandem Garage Per Customer's Request
- Need Variance For 5' Side Setbacks For Both Sides In Order For Home To Fit. 5' on Left Side plus 50' Wide Home plus 5' on Right Side = 60' Total
- Below Is A Rough Draft Of The Layout Of The Home & The Home On The Site



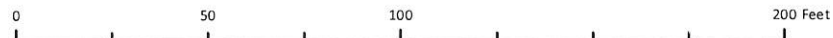
My Map



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



Date: 3/8/2024
Time: 2:24:54 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



SCANNED

PREPARED BY:

MARLENE MISKELL

106 CARSON DRIVE

GULFPORT, MS 39503

Ph. (228) 328-7249

RECORDING REQUESTED BY

AND WHEN RECORDED MAIL TO:

MICHAEL BOGAN

2005 17TH AVENUE

GULFPORT, MS 39501

Ph. (228) 261-0721

MAIL TAX STATEMENTS TO:

MICHAEL BOGAN

2005 17TH AVENUE

GULFPORT, MS 39501



Harrison County District
Instrument 2015 1045 to 11
Filed/Recorded 2/26/2015 11:25 AM
Total Fees \$ 12.00
3 Pages Recorded

SPACE ABOVE THIS LINE FOR RECORDER'S USE ONLY

QUITCLAIM DEED

KNOW ALL MEN BY THESE PRESENTS THAT:

THIS QUITCLAIM DEED, made and entered into on the 23 day of February, 20 15, between GREATER MOUNT REST BAPTIST CHURCH, a single person, whose address is 3725 34TH AVENUE, GULFPORT, Mississippi 39501, ph. (228) 328-7249 ("Grantor"), and MICHAEL BOGAN, a married person, whose address is 2005 17TH AVENUE, GULFPORT, Mississippi 39501, ph. (228) 261-0721 ("Grantee").

For and in consideration of the sum of \$6,500.00, the receipt and sufficiency of which is hereby acknowledged, Grantor hereby Remises, Releases, AND FOREVER Quitclaims to Grantee, the property located in Harrison County, Mississippi, described as:

2
COM ON S MAR 21ST ST. & W MAR OF 17TH AVE S 100 FT TO POB W 75 FT S 10 FT W 25 FT
S 50 FT E 100 FT N 60 FT TO POB PART OF LOT 13 DAY BAKER DIV SEC 3-8-11 DAY BAKER
DIVISION DISALLOWED HE 2001 BLOCK 000 DEED BOOK -1402 PAGE 8

Prior instrument reference: Quitclaim Deed, Volume/Book DEED BOOK-1402, Page 8, Document
No. DAY BAKER DIVISION, of the Recorder of HARRISON, Mississippi, recorded _____.

SUBJECT TO all, if any, valid easements, rights of way, covenants, conditions, reservations and
restrictions of record.

Grantor grants all of the Grantor's rights, title and interest in and to all of the above described property
and premises to the Grantee, and to the Grantee's heirs and assigns forever in fee simple, so that neither
Grantor nor Grantor's heirs legal representatives or assigns shall have, claim, or demand any right or title
to the property, premises, or appurtenances, or any part thereof.

Tax/Parcel ID Number: 0811G-04-116.000

IN WITNESS WHEREOF the Grantor has executed this deed on the 23rd day of
February, 2015.

2-23-2015
Date

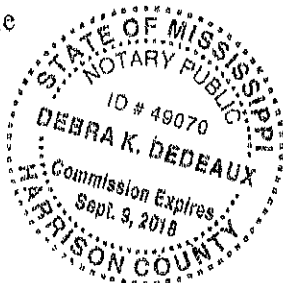
Greater Mount Rest Baptist Church
GREATER MOUNT REST BAPTIST CHURCH, Grantor
Marlene Miskell (Church Clerk)

STATE OF Mississippi
COUNTY OF Harrison

Personally appeared before me, the undersigned authority in and for the said county and state, on this the
23rd day of February, 2015 within my jurisdiction, the within named
Marlene Miskell, who acknowledged that they executed the above and foregoing instrument.

Debra K. DeDeaux NOTARY PUBLIC
My Commission expires: Sept. 9, 2018

(Affix official seal, if applicable)



IN WITNESS WHEREOF the Grantee has executed this deed on the 23 day of February, 20 15.

2-23-15
Date

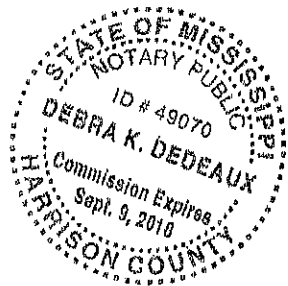
Michael Bogan
MICHAEL BOGAN Grantee

STATE OF Mississippi
COUNTY OF Harrison

Personally appeared before me, the undersigned authority in and for the said county and state, on this the 23rd day of February, 20 15 within my jurisdiction, the within named Michael Bogan, who acknowledged that they executed the above and foregoing instrument.

Debra K. DeDeaux NOTARY PUBLIC
My Commission expires: Sept. 9, 2018

(Affix official seal, if applicable)

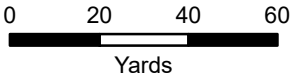


Mail	PPIN	Parcel ID	Name	Address	City	State	ZIP
Y	88398	0811G-04-116.000	BOGAN MICHAEL (OWNER)	2005 17TH AVE	GULFPORT	MS	39501
N			Adjacent Property Owners (2405ZB063)				
	34811	0811G-04-010.000	AMOS JANICE F ETAL	1622 21ST ST	GULFPORT	MS	39501
	34814	0811G-04-007.000	ANDERSON WILLIE C -ESTATE-	2020 17TH AVE	GULFPORT	MS	39501
	100973	0811G-04-116.004	BABIN TODD	617 CARMADELLE ST	MARRERO	LA	70072
	100972	0811G-04-116.003	BARKER VELMA J	2548 W GEORGE ST	GULFPORT	MS	39503
N	25568	0811G-04-114.000	BARKER VELMA J	2548 W GEORGE ST	GULFPORT	MS	39503
	25535	0811G-04-120.000	BOB'S CONTRACTING SERVICES INC	82 DAVIS RD	BROOKLYN	MS	39425
	25539	0811G-04-097.000	BOGAN MICHEAL A	2005 17TH AVE	GULFPORT	MS	39501
	25571	0811G-04-112.000	BRYANT CARRIE K	621 25TH ST	GULFPORT	MS	39501
	25541	0811G-04-117.000	DUNLAP ALBERT LEON & GWENDOLYN L	P O BOX 1477	GULFPORT	MS	39502
N	25542	0811G-04-118.000	DUNLAP ALBERT LEON & GWENDOLYN L	P O BOX 1477	GULFPORT	MS	39502
	25573	0811G-04-115.000	DUNNIGAN GARY LEWIS	11089 N RIVERVUE CIRCLE	BILOXI	MS	39532
	99134	0811G-04-116.002	DUNNIGAN JACQULINE	13060 WINDCREST LN	GULFPORT	MS	39503
	25567	0811G-04-123.000	FOSTER VERN G	1713 22ND ST	GULFPORT	MS	39501
	25566	0811G-04-122.000	FOSTER WANDA LYNN	1713 22ND ST	GULFPORT	MS	39501
	103376	0811G-04-028.001	FOXWORTH JOHN A JR	1231-28TH ST	GULFPORT	MS	39501
	34813	0811G-04-008.000	HOLMES GLADYS & EBB -EST-	ATTN: MARCELLUS HOLMES	GULFPORT	MS	39501
	25570	0811G-04-116.001	HOOKER EDITH	150 JAMES DR	GULFPORT	MS	39503
N	88389	0811G-04-096.000	HOOKER EDITH	150 JAMES DRIVE	GULFPORT	MS	39503
	25575	0811G-04-111.000	JOHNSON ALLEN K & TAYLOR JOAN F J	13201 TYLER CIRCLE	GULFPORT	MS	39503
	88014	0811G-04-027.000	JONES NATALINE	3507 NUNNALLY ST	GULFPORT	MS	39501
N	109964	0811G-04-027.001	JONES NATALINE	3507 NUNNALLY ST	GULFPORT	MS	39501
	34812	0811G-04-009.000	LAKE ORA MAE	1634 21ST ST	GULFPORT	MS	39501
	25534	0811G-04-119.000	MCCLENDON HELEN L -TRUSTEE-	5107 QUINCY AVE	GULFPORT	MS	39507
	25574	0811G-04-098.000	MONROE MARCUS HAYES	503 MAGNOLIA LANE	GULFPORT	MS	39507
	88390	0811G-04-100.000	QUINCE MARGIE F	1619- 20TH STREET	GULFPORT	MS	39501
	34792	0811G-04-026.000	TROUTMAN TERREL G	1638 20TH ST	GULFPORT	MS	39501
	34794	0811G-04-024.000	TURNAGE CHRISTOPHER	1634 20TH ST	GULFPORT	MS	39501
	25569	0811G-04-113.000	TYLER HENRY PROPERTIES LLC	P O BOX 2009	GULFPORT	MS	39505
	25576	0811G-04-099.000	WATSON BEVERLY A	3252 FLAMINGO WAY	SIERRA VISTA	AZ	85650
	25565	0811G-04-121.000	WILBERT RANDY	1711 22ND ST	GULFPORT	MS	39501
	34646	0811G-04-029.000	WILLIAMS PHYLIS	1634 20TH ST	GULFPORT	MS	39501
	34793	0811G-04-025.000	WILLIAMS PHYLIS YVONNE -L/E-	1634 20TH ST	GULFPORT	MS	39501



Legend

-  Site
-  Adjacent Properties
-  Street
-  Buildings



1 inch = 129 feet



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

RE: Variance 2405ZB063, by owner Michael Bogan, seeking approval for a 4-foot rear yard setback where 8 feet is required, Tax Parcel 0811G-04-116.000, 2011 17th Ave, Zoned R-2 (Single-family), Ward 3

To Applicants and Adjacent Property Owners:

The City of Gulfport Zoning Board of Adjustments and Appeals will hold a public hearing to consider the above application at 3:00 P.M. on **Thursday, May 16, 2024**, in the Council Chambers at the Gulfport City Hall located at 2309 15th Street.

For more information, visit <https://www.gulfport-ms.gov/agendas/> then click the City of Gulfport Zoning Board for **Thursday, May 16, 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	546606	Print Legal Ad-IPL01707030 - IPL0170703		\$113.35	2	76 L

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

accountspayable@gulfport-ms.gov

LEGAL NOTICE PUBLIC HEARING

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

Variance 2403ZB026, by agent Rebecca Gillum, seeking approval for 5-foot side yard setbacks, where 8 feet is required, Tax Parcel 0811G-04-116.000, 2011 17th Ave, Zoned R-2 (Single-family), Ward 3

Variance 2405ZB059, by owners OMT, LLC and FTO, LLC, seeking approval for parking that pulls out into right of way, Tax Parcel 0811B-05-012.000, 1602 26th Street, Zoned B-2 (General Business), Ward 3

Variance 2405ZB060, by agent Jonathan Fernandez, seeking approval for parking that pulls out into right of way, Tax Parcel 0910M-03-072.000, 1015 Pass Road, Zoned B-2 (General Business), Ward 3

Variance 2405ZB061, by owners Tim and Tracie Bruni, seeking approval for a eight-foot tall fence where the height limit is six feet, Tax Parcel 1010D-03-014.000, 51 Shoreline Lane, Zoned R-1-7.5 (Single-family), Ward 4

Variance 2405ZB063, by owner Michael Bogan, seeking approval for a 4-foot rear yard setback where 8 feet is required, Tax Parcel 0811G-04-116.000, 2011 17th Ave, Zoned R-2 (Single-family), Ward 3

Variance 2405ZB064, by agent Morgan Speranzo Hado, seeking approval for a 22-foot and one-inch front yard setback where 25 feet is required, Tax Parcels 1009N-01-002.061, 1009N-01-002.062, Georglan Way, Zoned R-2 (Single-family), Ward 5

Special Exception 24055E067, by agent Frankie Jackson, seeking approval for a tattoo parlor, Tax Parcel 1010G-03-003.002, 2033 E Pass Road Unit B, Zoned B-2 (General-business), Ward 2

Variance 2405ZB071, by agent Amanda Crose and designated agent Donovan Scruggs, seeking approval for a 21-foot and 3.5-inch setback on a second frontage where 25 feet is required, Tax Parcel 0906E-01-001.001, 11030 Alphabet Road Zoned R-1-10 (Single-family), Ward 6

Variance 2405ZB072, by agent Amanda Crose and designated agent Donovan Scruggs, seeking approval for a 23-foot and 2-inch setback on a second frontage where 25 feet is required, Tax Parcel 0908C-01-001.000, 11102 Alphabet Road, Zoned R-1-10 (Single-family), Ward 6

Variance 2405ZB073, by agent Amanda Crose and designated agent Donovan Scruggs, seeking approval for a 21-foot and 2-inch setback on a second frontage where 25 feet is required, Tax Parcel 0908C-01-001.000, 11041 Alphabet Road, Zoned R-1-10 (Single-family), Ward 6

Variance 2405ZB075, by owner Diane Myers, seeking approval for a gravel driveway where asphalt or concrete is required, Tax Parcel 0909O-02-029.000, 21 50th Street, Zoned R-1-7.5 (Single-family), Ward 4

Variance 2406ZB076, by agent Bryan Hall, seeking approval for fence columns of 7 feet and 4 inches in height where the height limit is 6 feet, Tax Parcels 1009N-01-002.001, 1009N-01-002.002, 1009N-01-002.003, 1009N-01-002.004, 1009N-01-002.023, 1009N-01-002.024, 1009N-01-002.025, 1009N-01-002.026, 1009N-01-002.027, 1009N-01-002.028, 1009N-01-002.029, 1009N-01-002.030, 1009N-01-002.031, 1009N-01-002.032, 1009N-01-002.033, 1009N-01-002.034, 10881 Lily Lane, 10887 Lily Lane, 10893 Lily Lane, 10899 Lily Lane, 10809 Lily Lane, 10815 Lily Lane, 10821 Lily Lane, 10827 Lily Lane, 10833 Lily Lane, 10839 Lily Lane, 10845 Lily Lane, 10851 Lily Lane, 10857 Lily Lane, 10863 Lily Lane, 10869 Lily Lane, 10875 Lily Lane, Zoned R-2 (Single-family), Ward 5

This the 24th day of April 2024
A. Leslie North, Chairman
City of Gulfport Zoning Board of Adjustment and Appeals
IPL0170703
May 1 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:
05/01/24

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.

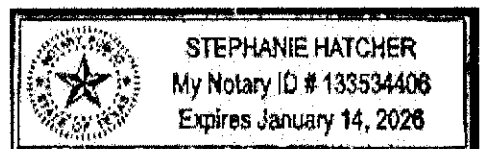
Mary Castro

Sworn to and subscribed before me this 1st day of May 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: May 16, 2024

Re: Variance 2405ZB064:

Variance 2405ZB064, by agent Morgan Speranzo Hado, seeking approval for a 22-foot and one-inch front yard setback where 25 feet is required, Tax Parcels 1009N-01-002.061, 1009N-01-002.062, Georgian Way, Zoned R-2 (Single-family), Ward 5

Technical Report

VARIANCE

GENERAL INFORMATION

Case File Number: 2405ZB064

Hearing Date: May 16, 2024

Current Zoning/Use: R-2 / Vacant Lots

Legal: Variance 2405ZB064, by agent Morgan Speranzo Hado, seeking approval for a 22-foot and one-inch front yard setback where 25 feet is required, Tax Parcels 1009N-01-002.061, 1009N-01-002.062, Georgian Way, Zoned R-2 (Single-family), Ward 5

TECHNICAL DETAILS

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

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

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

Technical Report

VARIANCE

The applicant request variances for two future residential homes front yard setback of 22-foot and one-inch front yard setback where 25 feet is required for the construction of two new single-family home at 11048 Georgian Way and 11054 Georgian Way. In review of the site plan submitted by the applicant, the rear and side setbacks will be met as required by city ordinance.

- (a) The applicant notes that “the style of this home has a porch that protrudes out beyond the home”. However, adjacent properties with the same length, width, and area have been able to build a single-family home that meets the required setbacks.
- (b) In the application, the applicant cites that the plans for the home design were purchased as is. However, by looking at the existing neighborhood, the other homes are in compliance with all City of Gulfport setback requirements. Approving this variance would set a precedence for future homes in the existing neighborhood.
- (c) The applicant states that they would inherit considerable cost to change the design and the owners would like to add a pool in the near future. The ordinance requires the applicant to prove that the hardship is created by the physical character of the property that is peculiar and unusual to such an extent that it is evidence that amendment of the zoning ordinance does not offer a reasonable solution. The applicant has not proven that a hardship of this kind exist due to the fact that the adjacent property owners were able to build a home with similar lot sizes and square footages as the applicant. Further, approval of this variance would confer unto the applicant special privileges that is denied by this ordinance to other lands, structures, or buildings in the same district. An ordinance change may offer a reasonable solution.
- (d) The developer states that the current home design was approved by him. The ordinance states the applicant must demonstrate how the literal interpretation of the provisions of the zoning ordinance would deprive the applicant of rights commonly enjoyed by properties in the same district under the terms of the zoning ordinance. The applicant has not proven a hardship in this case because the applicant would be able to meet the setback required with some simple building modifications to their home design.
- (e) Further, the granting of this variance would confer special privileges unto the applicant that was deprived to other applicant under the city ordinance. Homes in the immediate surrounding area meet city standards and setbacks. The approval of these variances will set a precedence.
- (f) This property is zoned R-2, and a single-family residence use is allowed by right.

EXECUTIVE SUMMARY

The applicant request variances for two future residential homes front yard setback of 22-foot and one-inch front yard setback where 25 feet is required. It is caused as a direct result of the applicant wanting a specific home design for the two lots. Both, lots are currently unfinished and the completion of these plans are contingent on a near future development. There are currently no other houses located in this plat that have required a variance for a front setback and this would establish precedence in the surrounding area.

Any approval should consider these conditions:

1. Approval grants variances of 22-foot and one-inch front yard setback where 25 feet is required.

Technical Report

VARIANCE

2. Must meet all current building Codes and City of Gulfport Ordinances.
3. The generator and AC unit serving the home cannot be placed in the drainage and utility servitude/easement in the rear of the parcel.
4. Generator & AC unit cannot be placed in the drainage & utility easement. Memo dated 5/2/2024.

DEPARTMENTAL CONDITIONS

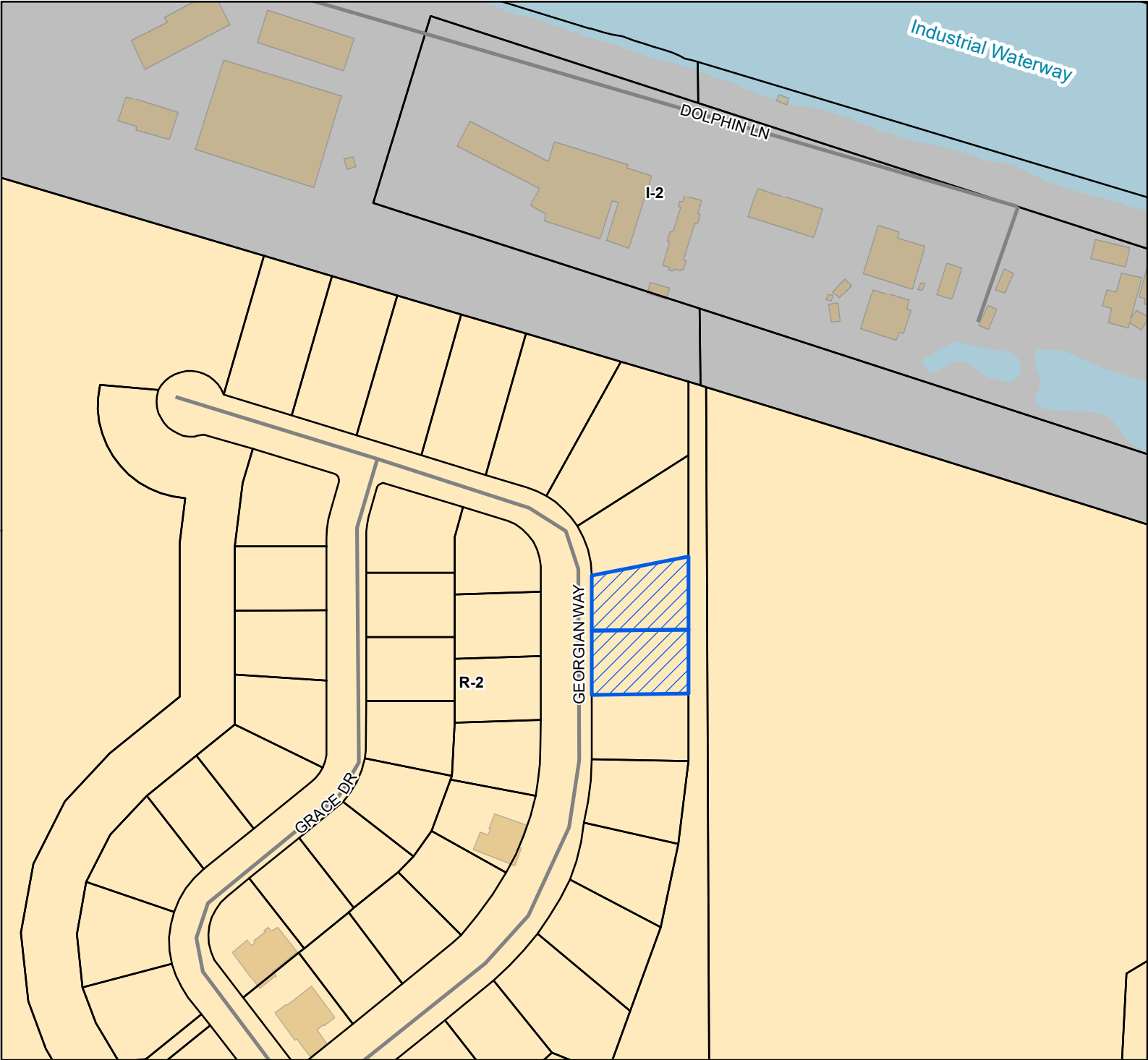
<u>Engineering:</u>	The generator and AC unit serving the home cannot be placed in the drainage and utility servitude/easement in the rear of the parcel. Memo dated 4/29/2024.
<u>Public Works:</u>	Generator & AC unit cannot be placed in the drainage & utility easement. Memo dated 5/2/2024.
<u>Traffic and Safety:</u>	No comment as of 5/2/2024.
<u>Building Code Services:</u>	Must meet all current building Codes and City of Gulfport Ordinances. Memo dated 4/26/2024.
<u>GIS:</u>	No conditions. Memo dated 5/1/2024.
<u>Police Department:</u>	No comment as of 5/2/2024.
<u>Fire Department:</u>	No conditions. Memo dated 4/25/2024.
<u>City Arborist:</u>	No conditions. Memo dated 4/25/2024.

DIRECTOR APPROVAL

This report has been reviewed and approved by:



Greg Holmes
Director of Urban Development Department



 Site

 Street

 Parcels

 Buildings

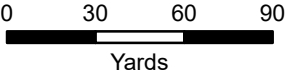
 Water Features

Zoning

 I-2 - Heavy Industry District

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

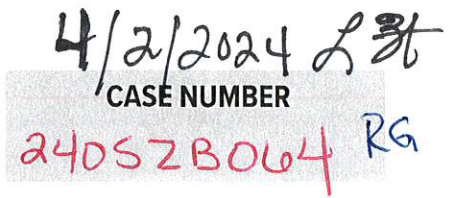
Site Information
1009N-01-002.061
1009N-01-002.062
Zoning: R-2 (Single-family)
Size: 24496.63 sqft
Flood: X



1 inch = 195 feet



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OWNER:_____
Printed Name of Owner_____
Mailing Address_____
City State Zip Code_____
Home Phone Work/Cell Phone_____
Email_____
Signature of Owner**AGENT:**_____
Printed Name of Agent_____
Mailing Address_____
City State Zip Code_____
Home Phone Work/Cell Phone_____
Email_____
Signature of Agent

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

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

Name of Owner (PRINT) _____

Address (Street, City, State, Zip Code) _____

Phone (Home) _____ (Work) _____ (Cell) _____

Tax Parcel Number(s) Owned: _____

Signature: _____

Name of Owner (PRINT) _____

Address (Street, City, State, Zip Code) _____

Phone (Home) _____ (Work) _____ (Cell) _____

Tax Parcel Number(s) Owned: _____

Signature: _____

Name of Owner (PRINT) _____

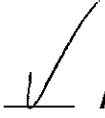
Address (Street, City, State, Zip Code) _____

Phone (Home) _____ (Work) _____ (Cell) _____

Tax Parcel Number(s) Owned: _____

Signature: _____

VARIANCE SUBMISSIONS



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

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

1. The style of this Home has a porch that protrudes out from the Home. We would like to leave the Design as is.
2. Plan was Purchased as is
3. We would incur considerable cost to change the Design. The owners would like to add a pool in the near future
4. The Developer stated that this was approved by him.
5. Multiple Approvals in the Neighborhood
6. Single Family Res approved



DESIGNATION OF AGENT

I, Ramazan, Regina Ramazan being property owner of 11048/11054 Georgian Way, Gulfport, MS
PRINT NAME PRIMARY ADDRESS OR PARCEL
which is the subject of this application hereby authorize Morgan Speranzo-Hoda to act as Coastal Homes, LLC
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.

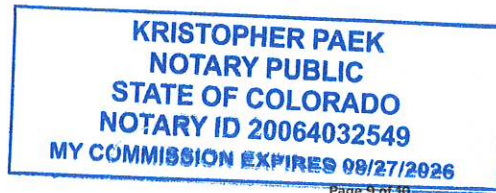
Such representation shall be for all purposes concerning any manner, right, or obligation relating to this petition. This designation authorizes my agent to make verbal or written representations and/or declarations on my behalf, and I shall be legally bound by said verbal or written representations 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] 3/15/24
SIGNATURE DATE
Regina Ramazan
STATE OF MISSISSIPPI COUNTY OF HARRISON
Colorado Jefferson

Given under my hand and seal of office this the 15 day of March, 20 24

[Signature] 8/27/2026
NOTARY PUBLIC COMMISSION EXPIRATION





COVENANT AFFIDAVIT

I, Morgan Speranze Hoda being property owner or agent of the property 11048/11054 Georgian way/Gulfport
PRINT NAME PRIMARY ADDRESS OR PARCEL
which is the subject of this application, hereby state that this variance request is not in violation of any
restrictive or protective covenants.

[Signature]
SIGNATURE

4/1/24
DATE

STATE OF MISSISSIPPI | COUNTY OF HARRISON

Given under my hand and seal of office this the 1st day of April, 20 24

[Signature]
NOTARY PUBLIC



05/22/2027
COMMISSION EXPIRATION

TAX YEAR 2025



LAND ROLL CHANGE REQUEST FORM

The Tax Assessor's office will no longer combine or split parcels upon request unless there is a deed or other legal document filed of record in the Chancery Clerk's office within the proper legal time frame and which meets the statutory requirements, or unless there is an official written request given to this office by a governing entity.

Owner: Ramazan + Regina Ramazani Date: 3/18/24

Address: 4907 Hogback Ridge Rd Morrison CO 80465

Phone # 228 277 0323 Request taken by: [Signature]

BEFORE THIS REQUEST CAN BE COMPLETED BY THE TAX ASSESSOR'S OFFICE THE FOLLOWING MUST BE CHECKED BY A DEPUTY FOR EACH PARCEL INVOLVED AND MUST BE SIGNED BY THE PROPERTY OWNER.

Parcel Numbers Involved

1009N-01-002.062 1009N-01-002.061

- ☐ SPLIT
- ☐ COMBINATION (PARCEL # TO KEEP) _____
- ☐ ARE PARCELS CONTIGUOUS YES ☒ NO ☐
- ☐ ARE PARCELS MIXED TITLE YES ☐ NO ☒
- ☐ ARE THERE IMPROVEMENTS INVOLVED YES ☐ NO ☒
- ☐ IF THERE ARE IMPROVEMENTS, WHICH PARCEL OR PARCELS ARE THE IMPROVEMENTS LOCATED ON n/a
- ☐ IS THERE A HOMESTEAD INVOLVED YES ☐ NO ☒
- ☐ IF THERE IS A HOMESTEAD INVOLVED, WHICH PARCEL HAS THE PRIMARY HOME ON IT n/a
- ☐ ARE PARCELS IN SAME TAXING DIST YES ☒ NO ☐
- ☐ IF THIS IS A SPLIT FOR A MOBILE HOME, HAS THE SPLIT BEEN APPROVED BY ZONING YES ☐ NO ☒
- ☐ ARE ALL APPLICABLE GOVERNMENTAL REQUESTS ATTACHED YES ☐ NO ☐

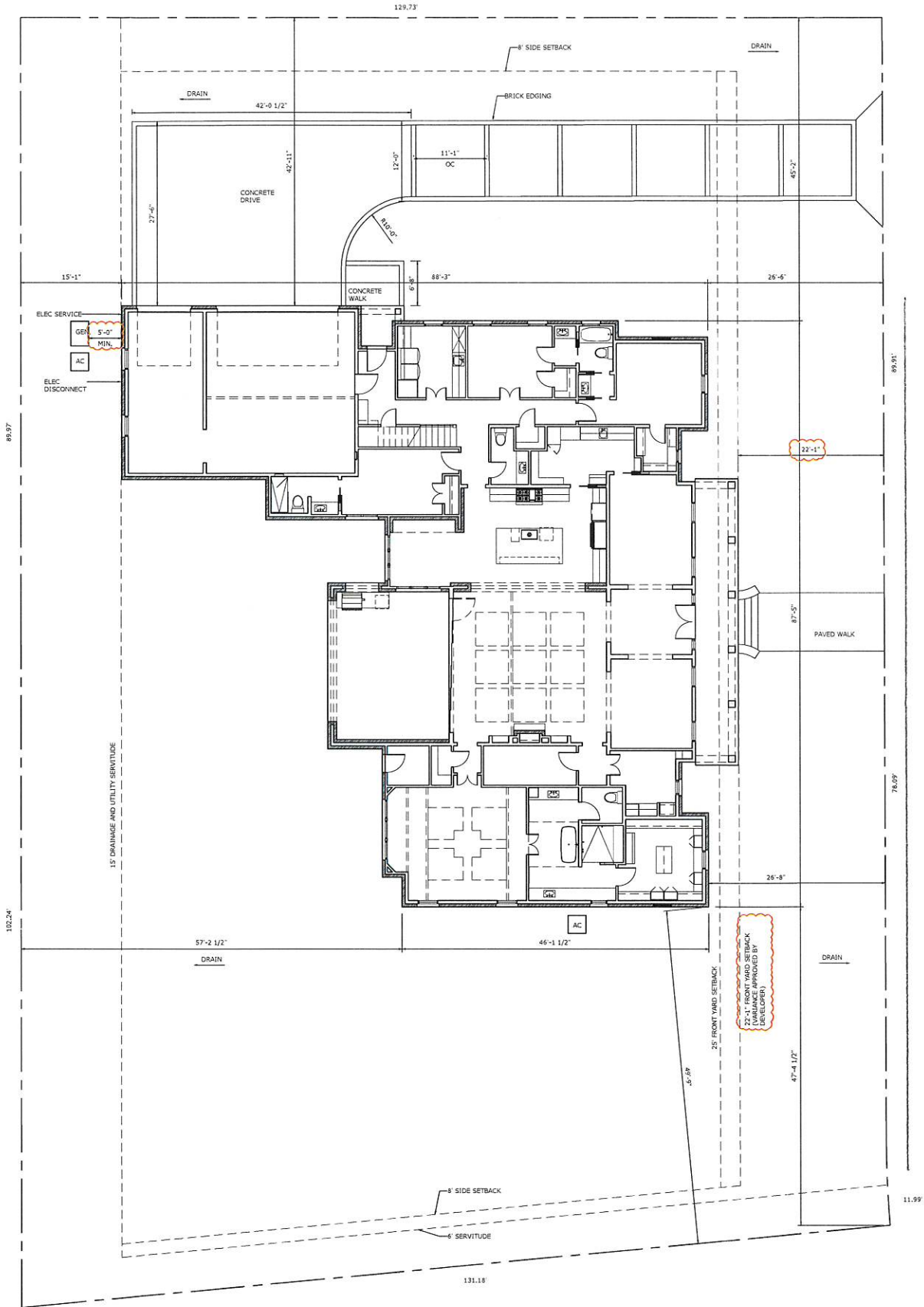
PROPERTY OWNER

If a mortgage company pays the taxes on any of the parcels involved in this request, it is up to you, the property owner, to notify the mortgage company of the change that may result from this request if approved.

Signature of property owner: [Signature]

If not signed in front of a Deputy Tax Assessor this form must be notarized.

EXISTING 20' UTILITY SERVICE



1 SITE PLAN
SCALE: 3/32" = 1'-0"

ENTOURAGE DESIGN PROJECT #
23-655

project address:
11048/11054
Georgian Way
Gulfport, Mississippi
39503

ownership:
Ramy and Regina
Ramazani

architect:
MARC BERARD
ARCHITECT

PO BOX 531883
New Orleans, LA 70153
504.913.3293
MARC@ENTOURAGEDSIGN.NET
MS license #5639



The construction documents (including both drawings and specifications) have been prepared by and are the property of Entourage Design + Development or under the direct supervision of Entourage Design + Development. Copyright © 2021, all rights reserved.

Any reproduction or use of these documents, other than use solely for this project, without written consent and approval from Entourage Design + Development is prohibited. Illegal use of this document will be prosecuted.

Contractor shall perform work shown in the construction documents to be in compliance of local city and state adopted codes. All general conditions, industry standards of craftsmanship, manufacturer's recommendations and all other applicable regulations and requirements to ensure that the project complies with the intended design and structural integrity.

Entourage Design + Development is not in charge of and shall not be held responsible for the contractor's means and methods of construction including techniques, sequences, procedures, safety measures with the work performed or failure to carry out the work in accordance with the contract documents.

Contractor is not to scale drawings and to use written dimensions only. Contractor shall verify all dimensions prior to commencement of construction.

Notify the architect of any discrepancies immediately.

ISSUED:
November 28, 2023
DELTA NO. 1 - March 18, 2024

Sheet Name:
A1

This drawing or digital copy is the property of Entourage Design and Development, LLC. Any reproduction, replication, or distribution without the written consent of the architect is prohibited. Builder shall verify all dimensions prior to commencement of construction. Plans are released for the sole residence hereby noted.



1st JUDICIAL DISTRICT
Instrument 2023-0018499-D-J1
Filed/Recorded 09/14/2023 2:59:01 PM
Total Fees 26.00
2 Pages Recorded

Prepared By & Return To:
Schwartz, Orgler & Jordan, PLLC
12206 Hwy 49
Gulfport, MS 39503
(228) 832-8550
Our File: 231408

Index As:

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,

BROOKESTONE GULF COAST, LLC
a Mississippi limited liability company
111 LUNDGREN LANE
BILOXI, MS 39532
228-669-9102

does hereby sell, convey and warrant unto

RAMAZAN RAMAZANI and wife REGINA RAMAZANI
as tenants by the entirety with full rights
of survivorship and not as tenants in common
4907 HOGBACK RIDGE ROAD
MORRISON, CO 80465
228-239-0323

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

Lot Sixty One (61) BROOKESTONE SUBDIVISION, a subdivision according to the official map or plat thereof on file and of record in the Office of the Chancery Clerk of the First Judicial District of Harrison County, Mississippi, in Plat Book 60, at Page 19, thereof, reference to which is hereby made in aid of and as a part of this description.

and also:

Lot Sixty Two (62) BROOKESTONE SUBDIVISION, a subdivision according to the official map or plat thereof on file and of record in the Office of the Chancery Clerk of the First Judicial District of Harrison County, Mississippi, in Plat Book 60, at Page 19, thereof, reference to which is hereby

made in aid of and as a part of this description.

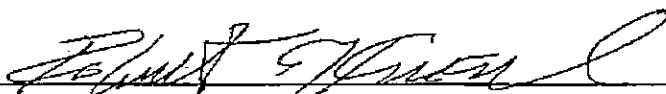
THE ABOVE described property is no part the homestead of the Grantor herein.

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

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

IN WITNESS WHEREOF, BROOKESTONE GULF COAST, LLC, a Mississippi limited liability company has caused this conveyance to be executed by its duly authorized officer, he having first been duly authorized to do so, on this the 13th day of September, 2023.

BROOKESTONE GULF COAST, LLC
A Mississippi limited liability company

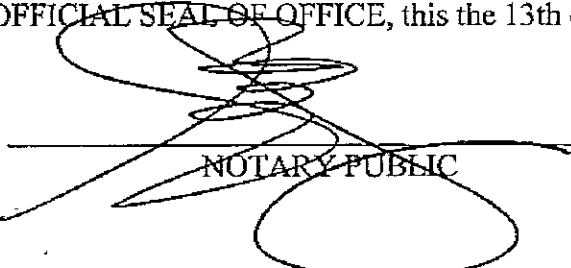

By: **ROBERT JOSEPH KNESAL, MANAGER**

STATE OF MISSISSIPPI

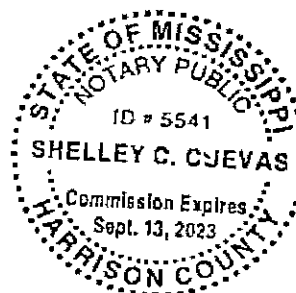
COUNTY OF HARRISON

THIS DAY PERSONALLY CAME AND APPEARED BEFORE ME, the undersigned authority in and for the jurisdiction aforesaid, ROBERT JOSEPH KNESAL, who acknowledge that he is MANAGER of BROOKESTONE GULF COAST, LLC, a Mississippi limited liability company and as its act and deed, he signed, sealed and delivered the above and foregoing instrument of writing on the day and in the year therein mentioned, for and on behalf of said entity, he having been first duly authorized to do so.

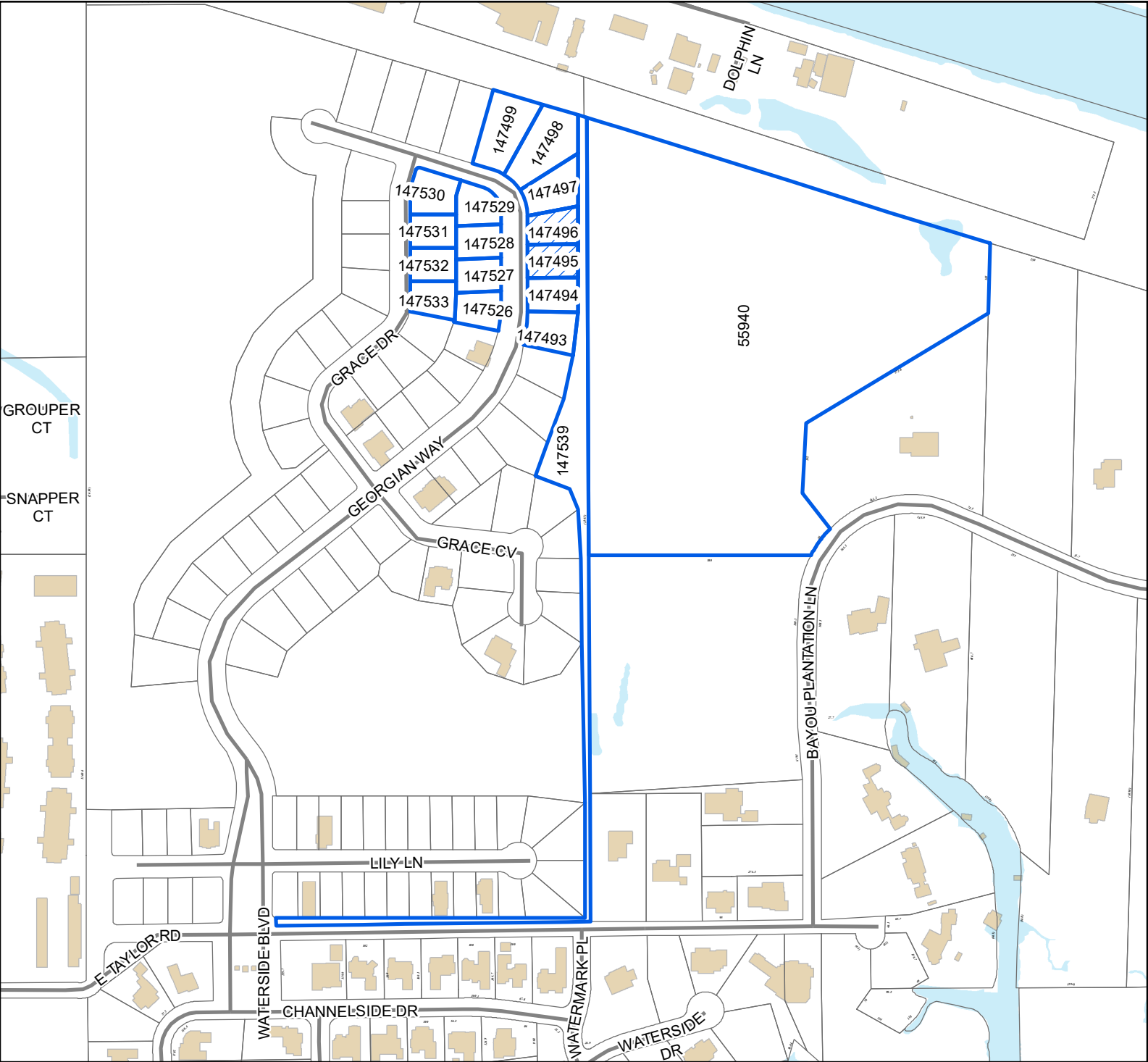
GIVEN UNDER MY HAND AND OFFICIAL SEAL OF OFFICE, this the 13th day of September, 2023.


NOTARY PUBLIC

My Commission Expires:

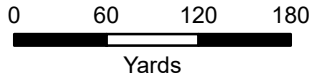


Mail	PPIN	Parcel ID	Name	Address	City	State	ZIP
Y	147496	1009N-01-002.062	BROOKSTONE GULF COAST LLC (OWNER)	111 LUNDGREEN LN	GULFPORT	MS	39503
Y	147495	1009N-01-002.061	BROOKSTONE GULF COAST LLC (OWNER)	111 LUNDGREEN LN	GULFPORT	MS	39503
Y			SPERANZO-HODA MORGAN (AGENT)	14244 LONGWOOD CIRCLE	D'IBERVILLE	MS	39540
N			Adjacent Property Owners (2405ZB064)				
N	147494	1009N-01-002.060	BROOKSTONE GULF COAST LLC	111 LUNDGREEN LN	GULFPORT	MS	39503
N	147499	1009N-01-002.065	BROOKSTONE GULF COAST LLC	111 LUNDGREEN LN	GULFPORT	MS	39503
N	147498	1009N-01-002.064	BROOKSTONE GULF COAST LLC	111 LUNDGREEN LN	GULFPORT	MS	39503
N	147497	1009N-01-002.063	BROOKSTONE GULF COAST LLC	111 LUNDGREEN LN	GULFPORT	MS	39503
N	147493	1009N-01-002.059	BROOKSTONE GULF COAST LLC	111 LUNDGREEN LN	GULFPORT	MS	39503
N	147528	1009N-01-002.094	BROOKSTONE GULF COAST LLC	111 LUNDGREEN LN	GULFPORT	MS	39503
N	147532	1009N-01-002.098	BROOKSTONE GULF COAST LLC	111 LUNDGREEN LN	GULFPORT	MS	39503
N	147527	1009N-01-002.093	BROOKSTONE GULF COAST LLC	111 LUNDGREEN LN	GULFPORT	MS	39503
N	147526	1009N-01-002.092	BROOKSTONE GULF COAST LLC	111 LUNDGREEN LN	GULFPORT	MS	39503
N	147533	1009N-01-002.099	BROOKSTONE GULF COAST LLC	111 LUNDGREEN LN	GULFPORT	MS	39503
N	147539	1009N-01-002.105	BROOKSTONE GULF COAST LLC	111 LUNDGREEN LN	GULFPORT	MS	39503
	147531	1009N-01-002.097	BROWN CRAIG	14397 CREOSOTE RD	GULFPORT	MS	39503
	147529	1009N-01-002.095	BROWN SIDNEY J SR & RHEANNE	12353 WHITE OAK DR	GULFPORT	MS	39503
	147530	1009N-01-002.096	MCCOOL JOSHUA W	5334 HIALEAH DR	JACKSON	MS	39211
	55940	1009O-02-002.000	WATCHMEN DEVELOPERS LLC	156 LINDA CIRCLE	OCEAN SPRINGS	MS	39564



Legend

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



1 inch = 375 feet



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

RE: Variance 2405ZB064, by agent Morgan Speranzo Hado, seeking approval for a 22-foot and one-inch front yard setback where 25 feet is required, Tax Parcels 1009N-01-002.061, 1009N-01-002.062, Georgian Way, Zoned R-2 (Single-family), Ward 5

To Applicants and Adjacent Property Owners:

The City of Gulfport Zoning Board of Adjustments and Appeals will hold a public hearing to consider the above application at 3:00 P.M. on **Thursday, May 16, 2024**, in the Council Chambers at the Gulfport City Hall located at 2309 15th Street.

For more information, visit <https://www.gulfport-ms.gov/agendas/> then click the City of Gulfport Zoning Board for **Thursday, May 16, 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	546606	Print Legal Ad-IPL01707030 - IPL0170703		\$113.35	2	76 L

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

accountspayable@gulfport-ms.gov

LEGAL NOTICE PUBLIC HEARING

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

Variance 2403ZB026, by agent Rebecca Gillum, seeking approval for 5-foot side yard setbacks, where 8 feet is required, Tax Parcel 0811G-04-116.000, 2011 17th Ave, Zoned R-2 (Single-family), Ward 3

Variance 2405ZB059, by owners OMT, LLC and FTO, LLC, seeking approval for parking that pulls out into right of way, Tax Parcel 0811B-05-012.000, 1602 26th Street, Zoned B-2 (General Business), Ward 3

Variance 2405ZB060, by agent Jonathan Fernandez, seeking approval for parking that pulls out into right of way, Tax Parcel 0910M-03-072.000, 1015 Pass Road, Zoned B-2 (General Business), Ward 3

Variance 2405ZB061, by owners Tim and Tracie Bruni, seeking approval for a eight-foot tall fence where the height limit is six feet, Tax Parcel 1010D-03-014.000, 51 Shoreline Lane, Zoned R-1-7.5 (Single-family), Ward 4

Variance 2405ZB063, by owner Michael Bogan, seeking approval for a 4-foot rear yard setback where 8 feet is required, Tax Parcel 0811G-04-116.000, 2011 17th Ave, Zoned R-2 (Single-family), Ward 3

Variance 2405ZB064, by agent Morgan Speranzo Hado, seeking approval for a 22-foot and one-inch front yard setback where 25 feet is required, Tax Parcels 1009N-01-002.061, 1009N-01-002.062, Georglan Way, Zoned R-2 (Single-family), Ward 5

Special Exception 2405SE067, by agent Frankie Jackson, seeking approval for a tattoo parlor, Tax Parcel 1010G-03-003.002, 2033 E Pass Road Unit B, Zoned B-2 (General-business), Ward 2

Variance 2405ZB071, by agent Amanda Crose and designated agent Donovan Scruggs, seeking approval for a 21-foot and 3.5-inch setback on a second frontage where 25 feet is required, Tax Parcel 0906E-01-001.001, 11030 Alphabet Road Zoned R-1-10 (Single-family), Ward 6

Variance 2405ZB072, by agent Amanda Crose and designated agent Donovan Scruggs, seeking approval for a 23-foot and 2-inch setback on a second frontage where 25 feet is required, Tax Parcel 0908C-01-001.000, 11102 Alphabet Road, Zoned R-1-10 (Single-family), Ward 6

Variance 2405ZB073, by agent Amanda Crose and designated agent Donovan Scruggs, seeking approval for a 21-foot and 2-inch setback on a second frontage where 25 feet is required, Tax Parcel 0908C-01-001.000, 11041 Alphabet Road, Zoned R-1-10 (Single-family), Ward 6

Variance 2405ZB075, by owner Diane Myers, seeking approval for a gravel driveway where asphalt or concrete is required, Tax Parcel 0909O-02-029.000, 21 50th Street, Zoned R-1-7.5 (Single-family), Ward 4

Variance 2406ZB076, by agent Bryan Hall, seeking approval for fence columns of 7 feet and 4 inches in height where the height limit is 6 feet, Tax Parcels 1009N-01-002.001, 1009N-01-002.002, 1009N-01-002.003, 1009N-01-002.004, 1009N-01-002.023, 1009N-01-002.024, 1009N-01-002.025, 1009N-01-002.026, 1009N-01-002.027, 1009N-01-002.028, 1009N-01-002.029, 1009N-01-002.030, 1009N-01-002.031, 1009N-01-002.032, 1009N-01-002.033, 1009N-01-002.034, 10881 Lily Lane, 10887 Lily Lane, 10893 Lily Lane, 10899 Lily Lane, 10809 Lily Lane, 10815 Lily Lane, 10821 Lily Lane, 10827 Lily Lane, 10833 Lily Lane, 10839 Lily Lane, 10845 Lily Lane, 10851 Lily Lane, 10857 Lily Lane, 10863 Lily Lane, 10869 Lily Lane, 10875 Lily Lane, Zoned R-2 (Single-family), Ward 5

This the 24th day of April 2024
A. Leslie North, Chairman
City of Gulfport Zoning Board of Adjustment and Appeals
IPL0170703
May 1 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:
05/01/24

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.

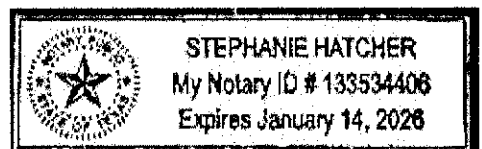
Mary Castro

Sworn to and subscribed before me this 1st day of May 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: May 16, 2024

Re: Special Exception 2405SE067:

Special Exception 2405SE067, by agent Frankie Jackson, seeking approval for a tattoo parlor,
Tax Parcel 1010G-03-003.002, 2033 E Pass Road Unit B, Zoned B-2 (General-business), Ward 2

Technical Report

SPECIAL EXCEPTION

GENERAL INFORMATION

Case File Number: 2405SE067

Hearing Date: Zoning Board May 16, 2024
Planning Commission May 23, 2024

Current Zoning/Use: B-2 / Commercial Business

Legal: Special Exception 2405SE067, by agent Frankie Jackson, seeking approval for a tattoo parlor, Tax Parcel 1010G-03-003.002, 2033 E Pass Road Unit B, Zoned B-2 (General-business), Ward 2

TECHNICAL DETAILS

The applicant requests a Special Exception to allow a tattoo shop located at 2033 E. Pass Road, Unit B. A site visit was conducted by staff, it appears that the applicant meets all distance requirements of 1,000 feet from any school, liquor store, museum or library. The site is located between Hotworx yoga studio and Coast Day Spa. In addition, staff noted that the site is equipped with the required parking (23 parking spaces, front and back) of a tattoo shop and the other established businesses. With the surrounding businesses being mixed use, the tattoo shop would be in harmony with the surrounding area.

EXECUTIVE SUMMARY

Upon staff review of the submitted application and site visit, the site parking lot provides onsite turnaround and exceeds the number of required parking spaces for the proposed use.

Any approval should consider these conditions:

1. Approval would allow the use of a tattoo shop.

DEPARTMENTAL CONDITIONS

Engineering: No conditions. Memo dated 04/29/2024.

Public Works: No conditions. Memo dated 05/2/2024.

Traffic and Safety: No comment as of 05/7/2024.

Building Code Services: Must meet all current building codes and City of Gulfport Ordinances. Memo dated 04/26/2024.

GIS: No conditions. Memo dated 05/01/2024.

Technical Report
SPECIAL EXCEPTION

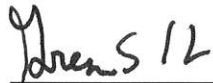
Police Department: No comment as of 05/07/2024.

Fire Department: No conditions. Memo dated 04/25/2024.

City Arborist: No conditions. Memo dated 04/25/2024.

DIRECTOR APPROVAL

This report has been reviewed and approved by:

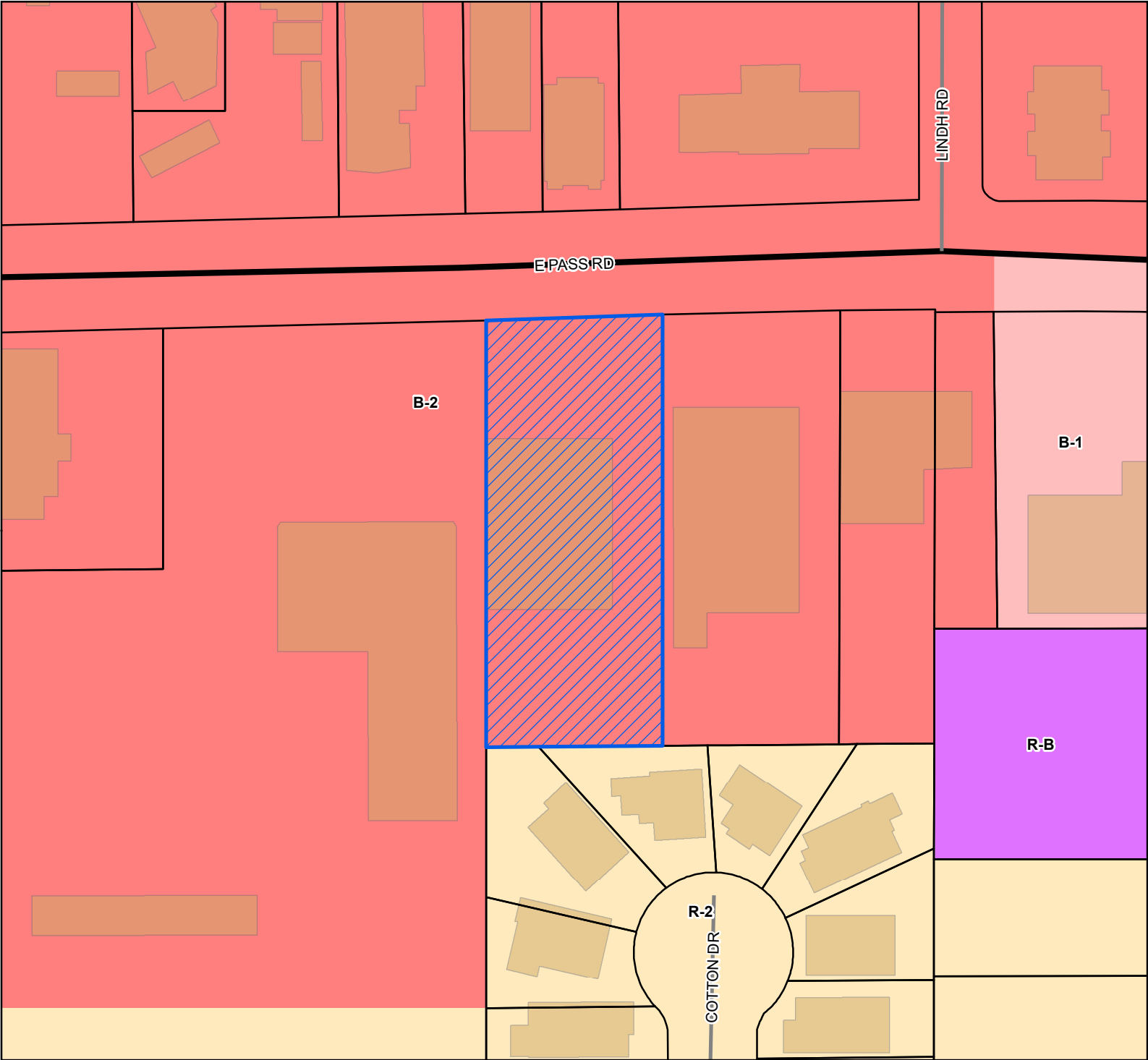


Greg Holmes
Director of Urban Development Department



2405SE067

Special Exception

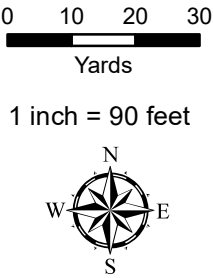


Site
 US or State Highway
 Street
 Parcels
 Buildings
 City Limit

Zoning

- B-1 - Neighborhood Business District
- B-2 - General Business District
- R-2 - Single Family Residence District (Medium Density)
- R-B - Residence-Business District

Site Information
 1010G-03-003.002
 Zoning:B-2 (General Business Districts)
 Size: 31824.8 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.

OWNER:_____
Printed Name of Owner_____
Mailing Address_____
City State Zip Code_____
Home Phone Work/Cell Phone_____
Email_____
Signature of Owner**AGENT:**_____
Printed Name of Agent_____
Mailing Address_____
City State Zip Code_____
Home Phone Work/Cell Phone_____
Email_____
Signature of Agent

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

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

Name of Owner (PRINT) _____

Address (Street, City, State, Zip Code) _____

Phone (Home) _____ (Work) _____ (Cell) _____

Tax Parcel Number(s) Owned: _____

Signature: _____

Name of Owner (PRINT) _____

Address (Street, City, State, Zip Code) _____

Phone (Home) _____ (Work) _____ (Cell) _____

Tax Parcel Number(s) Owned: _____

Signature: _____

Name of Owner (PRINT) _____

Address (Street, City, State, Zip Code) _____

Phone (Home) _____ (Work) _____ (Cell) _____

Tax Parcel Number(s) Owned: _____

Signature: _____

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.

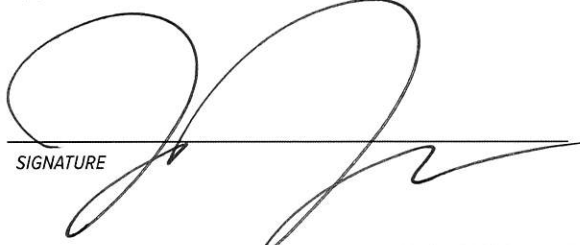


DESIGNATION OF AGENT

I, Spin Doctor LLC being property owner of 2033 E. Pass Rd Suite B
PRINT NAME PRIMARY ADDRESS OR PARCEL
which is the subject of this application hereby authorize Frankie Jackson 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

3-26-24

DATE

STATE OF MISSISSIPPI | COUNTY OF HARRISON

Given under my hand and seal of office this the 26th day of March, 20 24


NOTARY PUBLIC

5-14-2027

COMMISSION EXPIRATION





COVENANT AFFIDAVIT

I, Spin Doctor LLC being property owner or agent of the property 2033 E. Pass Rd Suite B
PRINT NAME PRIMARY ADDRESS OR PARCEL

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

SIGNATURE

DATE

3.26.24

STATE OF MISSISSIPPI | COUNTY OF HARRISON

Given under my hand and seal of office this the 26th day of March, 20 24.

Lauren Hadley Watson
NOTARY PUBLIC

5-14-2027

COMMISSION EXPIRATION





Michael Watson

SECRETARY OF STATE

This is not an official certificate of good standing.

Name History

Name	Name Type
Spindocor Properties, LLC	Legal

Business Information

Business Type:	Limited Liability Company
Business ID:	1193144
Status:	Good Standing
Effective Date:	11/07/2019
State of Incorporation:	Mississippi
Principal Office Address:	440 Green Teal Ct, 440 Green Teal Ct Biloxi, MS 39531

Registered Agent

Name
Ivan M. Spinner
440 Green Teal Court
Biloxi, MS 39531

Officers & Directors

Name	Title
Ivan M. Spinner 440 Green Teal Court Biloxi, MS 39531	Manager

1. Ingress and egress to the property has clear access in case of emergency, also safe for pedestrians and also has good traffic flow onto pass Rd. See pg 37 of site plan.
 2. There is no off street parking. Parking for tenants and customers will be in the front and rear of the building. See pg 37 of site plan.
 3. Trash dumpsters are located in the rear of the building in the East rear corner. See pg 37 of site plan.
 4. All utility services is located in the rear of the building and is clear for servicing. (Electric meter box, water meter & disconnect and cleanouts).
 5. There is no bushes or shrubs in front of the building except a small patch of grass in the front of the parking lot that's roughly 2' x 32' in dimension.
 6. There will be a low lit sign above the unit displaying the shop's name.
 7. There is no required yardage for the business.
8. In regards to general compatibility with other properties and harmony with the general purpose of the zoning ordinance; the business will cater to the same high end clientele as the surrounding business. Also continue to match esthetics of the surrounding business as well.

1. There will be no problem with transportation or access as per pg 37 on the site plan.
2. Water supply & disposal will be provided from the city.
3. Fire, police protection & other public facilities will be provided by the city of Gulfport.
4. See Answer #1 at the top of this page.

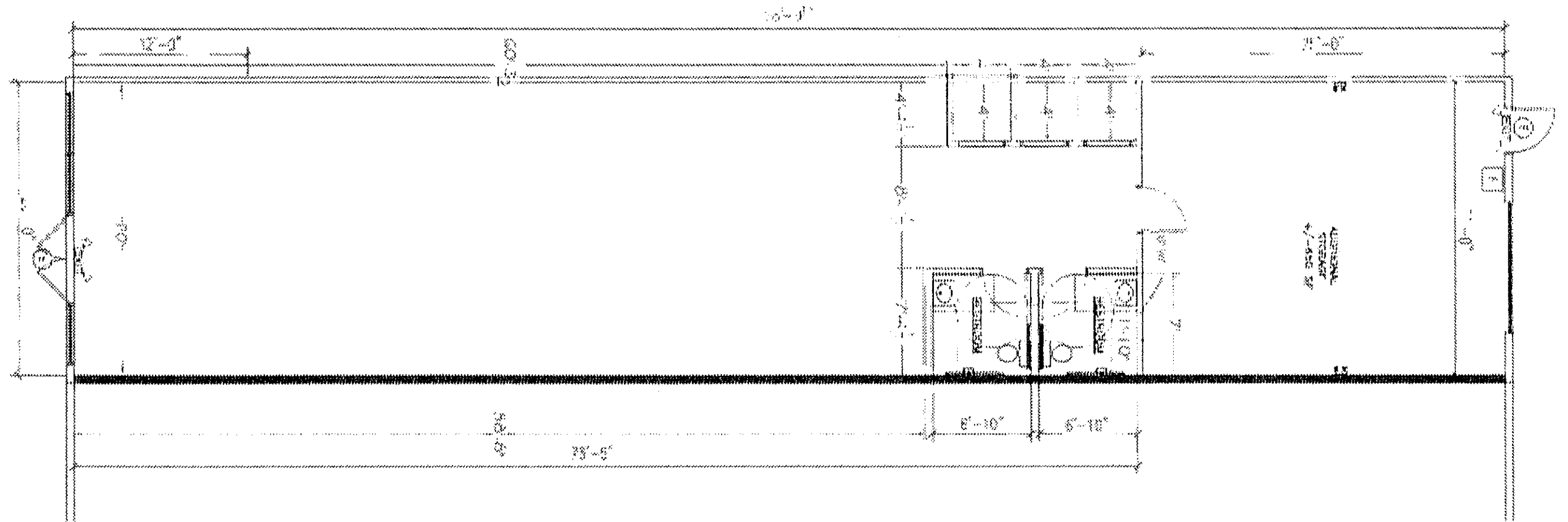
4/15/24

I Frankie Jackson  propose that the tattoo parlor meets the distant requirements set forth herein.


4/15/24

Rhonda Gaddis
4/15/25





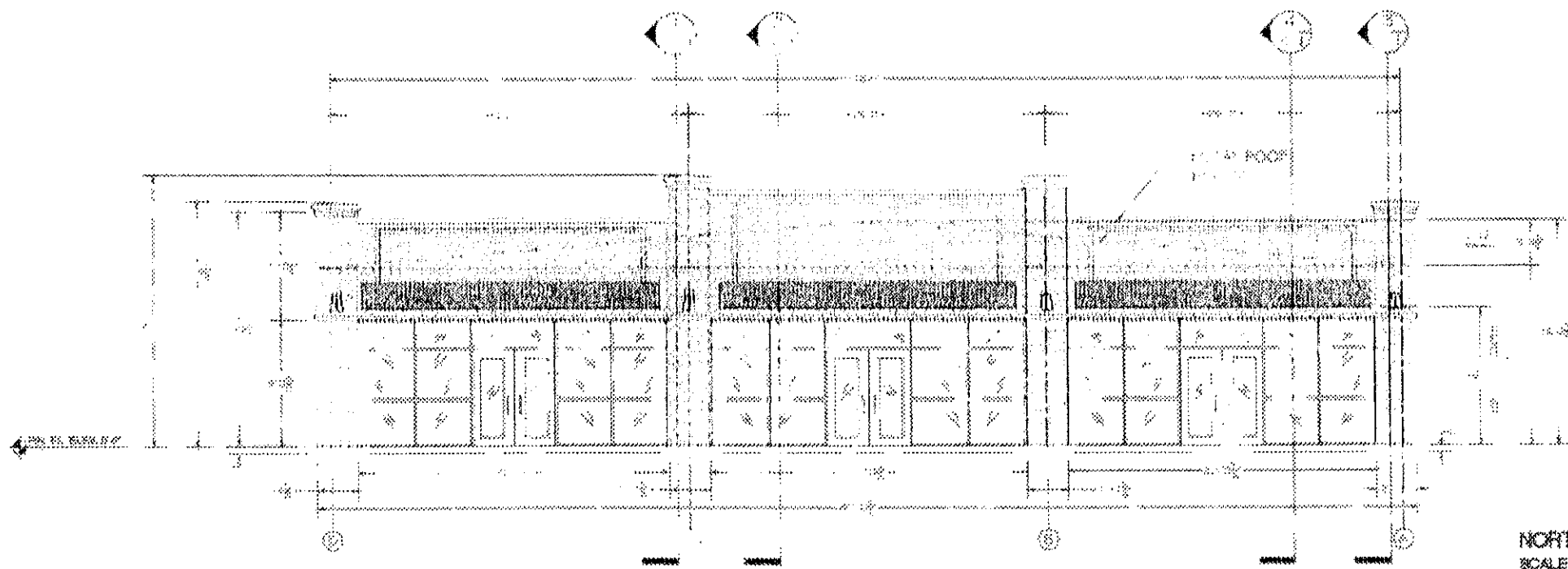
60



15

SCALE 1/4" = 1'-0"

SDS



NORTH ELEVATION
SCALE 1/4" = 1'-0"

SDS

New P. tall house
2033 Pass Road
JAN 11, 2011

SDS

THURS



J. Henderson 1st Judicial District
Instrument 2020 708 D -J1
Filed/Recorded 1/22/2020 02:55 P
Total Fees \$ 26.00
5 Pages Recorded

Prepared By and Return To:
Schwartz, Orgler & Jordan, PLLC
12206 Hwy 49
Gulfport, MS 39503
(228) 832-8550
File #200116

Index as follows:
Part of Section 29, T7S, R10W
Harrison County, 1st JD, MS

STATE OF MISSISSIPPI
COUNTY OF HARRISON
FIRST JUDICIAL DISTRICT

QUITCLAIM DEED

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

JERNIGAN PROPERTIES, LLC
A Mississippi Limited Liability Company
229 DEBUYS ROAD
GULFPORT, MS 39507
(228) 896-7574

and

TSG REAL ESTATE, LLC
A Mississippi Limited Liability Company
440 GREEN TEAL COURT
BILOXI, MS 39531
(954) 662-3500

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

SPINDOCTOR PROPERTIES, LLC
A Mississippi Limited Liability Company
440 GREEN TEAL COURT
BILOXI, MS 39531
(954) 662-3500

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

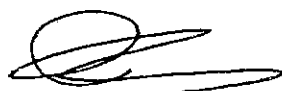
Attached hereto as Exhibit "A"

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

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

WITNESS THE SIGNATURES of the Grantors on this the 22 day of January, 2020.

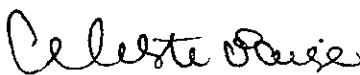
JERNIGAN PROPERTIES, LLC

BY: 
JEREMY JERNIGAN, Manager/Member

STATE OF MISSISSIPPI
COUNTY OF HARRISON

PERSONALLY appeared before me, the undersigned authority of law in and for this jurisdiction, the within named **JEREMY JERNIGAN**, who acknowledged to me that he is the **Manager/Member** of **JERNIGAN PROPERTIES, LLC, A Mississippi Limited Liability Company**, who acknowledged that he signed and delivered the above and foregoing instrument of writing on the day and year therein mentioned, for and on behalf of said company, having been duly authorized so to do.

WITNESS my signature and official seal of office on this the 22nd day of January, 2020.


NOTARY PUBLIC

My Commission Expires:



WITNESS THE SIGNATURE of the Grantor on this the 22 day of January, 2020.

SPINNER REAL ESTATE PROPERTIES, LLC

BY: _____

IVAN M. SPINNER, Manager/Member

STATE OF MISSISSIPPI
COUNTY OF HARRISON

PERSONALLY appeared before me, the undersigned authority of law in and for this jurisdiction, the within named **IVAN M. SPINNER**, who acknowledged to me that he is the **Manager/Member** of **SPINNER REAL ESTATE PROPERTIES, LLC**, A Mississippi Limited Liability Company, who acknowledged that he signed and delivered the above and foregoing instrument of writing on the day and year therein mentioned, for and on behalf of said company, having been duly authorized so to do.

WITNESS my signature and official seal of office on this the 22nd day of January, 2020.

Celeste Paige

NOTARY PUBLIC



My Commission Expires:

EXHIBIT A
LEGAL DESCRIPTION

Parcel of land situated and being located in Section 29, Township 7 South, Range 10 West, City of Gulfport, First Judicial District of Harrison County, Mississippi and being more particularly described as follows, to wit:

Commencing at the Southeast Corner of Block Sixteen (16), GREAT SOUTHERN GOLF ESTATES, UNIT THREE (3), thence run North 00 degrees 08 minutes 05 seconds West, a distance of 525.11 feet along the East line of GREAT SOUTHERN GOLF ESTATES, UNIT Three (3), and the East line of the property of Entex to the Point of Beginning of the parcel herein described; thence continue from said Point of Beginning, North 00 degrees 08 minutes 05 seconds West a distance of 279.00 feet along the East line of Entex property to the Southerly margin of Pass Road; thence run North 89 degrees 14 minutes 01 seconds East a distance of 115.97 feet along the Southerly margin of Pass Road; thence run South 00 degrees 08 minutes 05 seconds East, a distance of 279 feet; thence run South 89 degrees 14 minutes 01 seconds West, a distance of 115.97 feet to the Point of Beginning. Parcel contains 32,353 square feet, more or less.

AND ALSO

An easement situated in the Southeast Quarter of the Southwest Quarter (SE 1/4 of the SW 1/4) of Section 29, Township 7 South, Range 10 West, City of Gulfport, First Judicial District of Harrison County, Mississippi and being more particularly described as follows with the bearings based on State Plane Grid North (MS East Zone 2301):

Commencing at the Southeast Corner of Lot Sixteen (16), GREAT SOUTHERN GOLF ESTATES, UNIT THREE (3); thence North 00 degrees 08 minutes 05 seconds West 525.11 feet (record) to a One Half Inch (1/2") iron rod found; thence North 00 degrees 14 minutes 40 seconds West 278.50 feet to a One Half Inch (1/2") iron rod found on the South margin of E. Pass Road; thence along said South margin, North 89 degrees 10 minutes 46 seconds East 115.91 feet to a One Half Inch (1/2") iron rod found; thence further along said South margin, North 89 degrees 17 minutes 06 seconds East 4.00 feet to the point of beginning; thence further along said South margin, North 89 degrees 17 minutes 06 seconds East 109.96 feet to a One Half Inch (1/2") iron rod found; thence South 00 degrees 32 minutes 39 seconds East 278.96 feet to a One Half Inch (1/2") iron rod found; thence South 89 degrees 25 minutes 39 seconds West 115.35 feet to a One Half Inch (1/2") iron rod with cap; thence North 00 degrees 15 minutes 29 seconds West 56.71 feet; thence North 85 degrees 06 minutes 53 seconds East 65.69 feet; thence North 77 degrees 45 minutes 41 seconds East 21.47 feet; thence North 11 degrees 33 minutes 02 minutes East 8.51 feet; thence North 00 degrees 14 minutes 13 seconds West 140.61 feet; thence South 89 degrees 51 minutes 54 seconds West 88.27 feet; thence North 00 degrees 15 minutes 29 seconds West 41.55 feet; thence North 87 degrees 03 minutes 00 seconds East 4.14 feet; thence North 31 degrees 06 minutes 45 seconds East 3.32 feet; thence North 00 degrees 12 minutes 44 seconds West 15.37 feet; thence North 30 degrees 55 minutes 58 seconds West 3.68 feet to the point of beginning, containing 18,190.60 square feet, more or less.

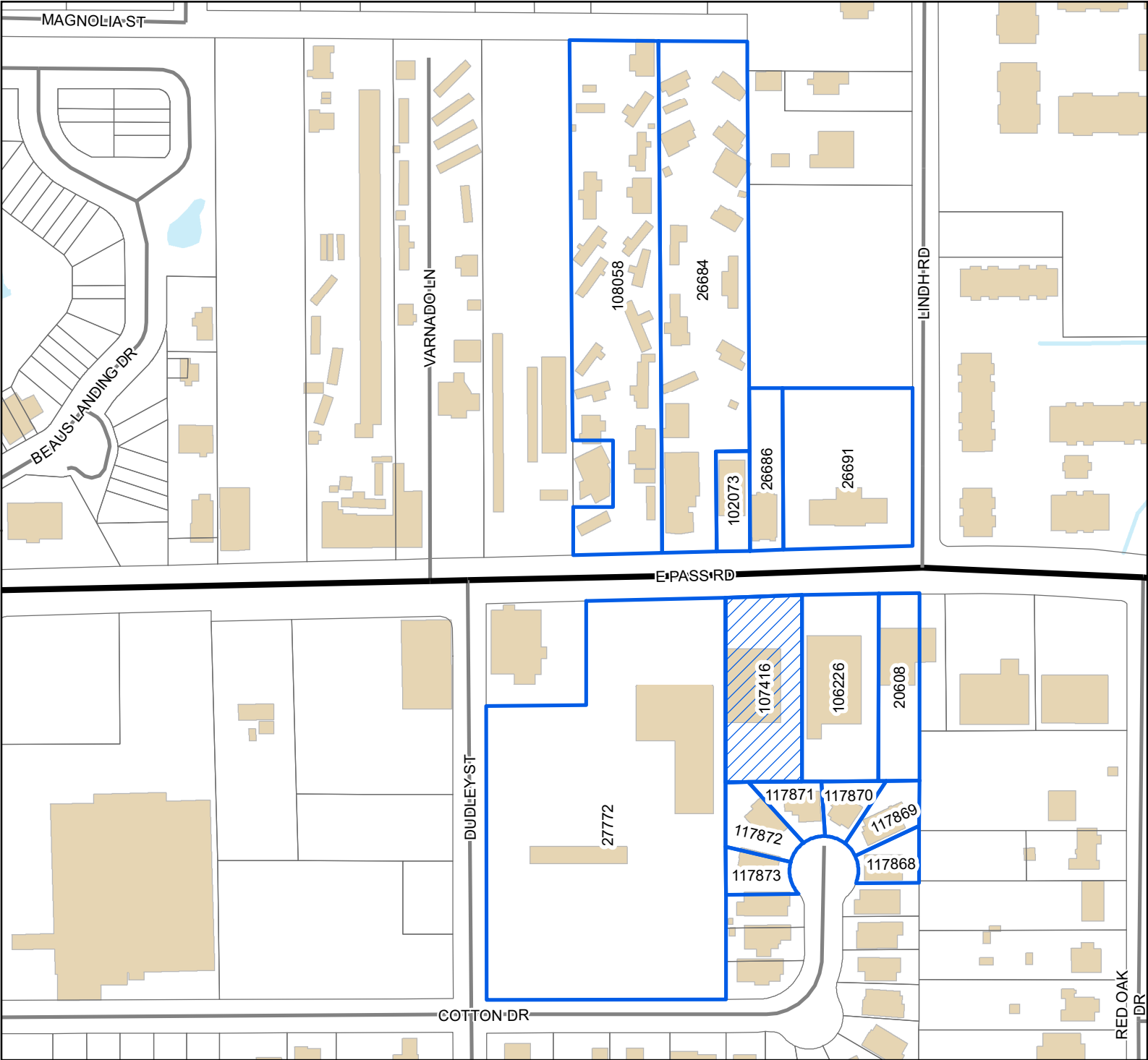
GRANTORS herein retain use and possession of the following described easement:

An Easement situated in the Southeast Quarter of the Southwest Quarter (SE 1/4 of the SW 1/4) of Section 29, Township 7 South, Range 10 West, City of Gulfport, First Judicial District of Harrison County, Mississippi and being more particularly described as follows with the bearings based on State Plane Grid North (MS East Zone 2301):

Commencing at the Southeast Corner of Lot Sixteen (16), GREAT SOUTHERN GOLF ESTATES, UNIT THREE (3); thence North 00 degrees 08 minutes 05 seconds West 525.11 feet (Record) to a One Half Inch (1/2") iron rod found; thence North 00 degrees 14 minutes 40 seconds West 278.50 feet to a One Half Inch (1/2") iron rod found on the South margin of E. Pass Road; thence along said South margin, North 89 degrees 10 minutes 46 seconds East 80.16 feet to the Point of Beginning; thence South 00 degrees 06 minutes 13 seconds West 9.34 feet; thence South 88 degrees 48 minutes 43 seconds West 77.59 feet; thence South 00 degrees 13 minutes 48 seconds East 63.68 feet; thence North 89 degrees 59 minutes 19 seconds East 85.03 feet; thence South 00 degrees 11 minutes 49 seconds East 113.70 feet; thence South 89 degrees 59 minutes 58 seconds West 84.97 feet; thence South 00 degrees 22 minutes 54 seconds East 75.34 feet; thence North 89 degrees 45 minutes 46 seconds East 113.31 feet; thence North 00 degrees 15 minutes 29 seconds West 242.16 feet; thence South 87 degrees 03 minutes 00 seconds West 5.72 feet; thence North 49

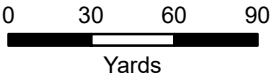
degrees 48 minutes 48 seconds West 4.05 feet; thence North 03 degrees 02 minutes 26 seconds West 14.61 feet; thence North 12 degrees 42 minutes 11 seconds East 4.62 feet to the South margin of E. Pass Road; thence along said South margin, South 89 degrees 10 minutes 46 seconds West 27.28 feet, to the Point of Beginning, containing 19,241.85 square feet, more or less.

Mail	PPIN	Parcel ID	Name	Address	City	State	ZIP
Y	107416	1010G-03-003.002	SPINDOCTOR PROPERTIES LLC (OWNER)	440 GREEN TEAL CT	BILOXI	MS	39531
Y			JACKSON FRANKIE (AGENT)	14365 AUTUMN CHASE	GULFPORT	MS	39503
N			Adjacent Property Owners (2405SE067)				
	117868	1010G-03-002.010	BETANCOURT TIFFANY ETAL	2444 COTTON DR	GULFPORT	MS	39507
	26686	1010G-02-017.000	CARR GLORIA ANN -L/E-	2138 DRIFTWOOD DR	BILOXI	MS	39531
	108058	1010G-02-019.001	FERNWOOD RETIREMENT PARK LLC	140 SOUTHERN CIR	GULFPORT	MS	39507
	117870	1010G-03-002.012	GOODMAN DARLENE M	2448 COTTON DR	GULFPORT	MS	39507
	117871	1010G-03-002.013	HARRIS CARSON & ELIZABETH	2449 COTTON DRIVE	GULFPORT	MS	39507
	102073	1010G-02-018.001	JONES USA & EDWARD A JR -EST-	2421 BURKE ST	GULFPORT	MS	39507
N	26684	1010G-02-018.000	JONES USA & EDWARD A JR -EST-	2421 BURKE ST	GULFPORT	MS	39507
	117869	1010G-03-002.011	LATIMER KENNETH D	2446 COTTON DRIVE	GULFPORT	MS	39507
	27772	1010G-03-004.000	MISSORAM LLC	106 VAIL	WATCHUNG	NJ	7060
	26691	1010G-02-016.000	NGUYEN MINH ETAL	2090 E PASS ROAD	GULFPORT	MS	39507
	117873	1010G-03-002.015	PETERSEN EVETT E	2445 COTTON DR	GULFPORT	MS	39507
	117872	1010G-03-002.014	SMITH HOLLY W	2447 COTTON DR	GULFPORT	MS	39507
N	20608	1010G-03-001.000	SPINDOCTOR PROPERTIES LLC	440 GREEN TEAL COURT	BILOXI	MS	39531
N	106226	1010G-03-003.001	SPINDOCTOR PROPERTIES LLC	440 GREEN TEAL COURT	BILOXI	MS	39531



Legend

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



1 inch = 208 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 2405SE067, by agent Frankie Jackson, seeking approval for a tattoo parlor, Tax Parcel 1010G-03-003.002, 2033 E Pass Road Unit B, Zoned B-2 (General-business), Ward 2

To Applicants and Adjacent Property Owners:

The City of Gulfport Zoning Board of Adjustments and Appeals will hold a public hearing to consider the above application at 3:00 P.M. on **Thursday, May 16, 2024**, in the Council Chambers at the Gulfport City Hall located at 2309 15th Street.

For more information, visit <https://www.gulfport-ms.gov/agendas/> then click the City of Gulfport Zoning Board for **Thursday, May 16, 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	546606	Print Legal Ad-IPL01707030 - IPL0170703		\$113.35	2	76 L

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

accountspayable@gulfport-ms.gov

LEGAL NOTICE PUBLIC HEARING

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

Variance 2403ZB026, by agent Rebecca Gillum, seeking approval for 5-foot side yard setbacks, where 8 feet is required, Tax Parcel 0811G-04-116.000, 2011 17th Ave, Zoned R-2 (Single-family), Ward 3

Variance 2405ZB059, by owners OMT, LLC and FTO, LLC, seeking approval for parking that pulls out into right of way, Tax Parcel 0811B-05-012.000, 1602 26th Street, Zoned B-2 (General Business), Ward 3

Variance 2405ZB060, by agent Jonathan Fernandez, seeking approval for parking that pulls out into right of way, Tax Parcel 0910M-03-072.000, 1015 Pass Road, Zoned B-2 (General Business), Ward 3

Variance 2405ZB061, by owners Tim and Tracie Bruni, seeking approval for a eight-foot tall fence where the height limit is six feet, Tax Parcel 1010D-03-014.000, 51 Shoreline Lane, Zoned R-1-7.5 (Single-family), Ward 4

Variance 2405ZB063, by owner Michael Bogan, seeking approval for a 4-foot rear yard setback where 8 feet is required, Tax Parcel 0811G-04-116.000, 2011 17th Ave, Zoned R-2 (Single-family), Ward 3

Variance 2405ZB064, by agent Morgan Speranzo Hado, seeking approval for a 22-foot and one-inch front yard setback where 25 feet is required, Tax Parcels 1009N-01-002.061, 1009N-01-002.062, Georglan Way, Zoned R-2 (Single-family), Ward 5

Special Exception 24055E067, by agent Frankie Jackson, seeking approval for a tattoo parlor, Tax Parcel 1010G-03-003.002, 2033 E Pass Road Unit B, Zoned B-2 (General-business), Ward 2

Variance 2405ZB071, by agent Amanda Crose and designated agent Donovan Scruggs, seeking approval for a 21-foot and 3.5-inch setback on a second frontage where 25 feet is required, Tax Parcel 0906E-01-001.001, 11030 Alphabet Road Zoned R-1-10 (Single-family), Ward 6

Variance 2405ZB072, by agent Amanda Crose and designated agent Donovan Scruggs, seeking approval for a 23-foot and 2-inch setback on a second frontage where 25 feet is required, Tax Parcel 0908C-01-001.000, 11102 Alphabet Road, Zoned R-1-10 (Single-family), Ward 6

Variance 2405ZB073, by agent Amanda Crose and designated agent Donovan Scruggs, seeking approval for a 21-foot and 2-inch setback on a second frontage where 25 feet is required, Tax Parcel 0908C-01-001.000, 11041 Alphabet Road, Zoned R-1-10 (Single-family), Ward 6

Variance 2405ZB075, by owner Diane Myers, seeking approval for a gravel driveway where asphalt or concrete is required, Tax Parcel 0909O-02-029.000, 21 50th Street, Zoned R-1-7.5 (Single-family), Ward 4

Variance 2406ZB076, by agent Bryan Hall, seeking approval for fence columns of 7 feet and 4 inches in height where the height limit is 6 feet, Tax Parcels 1009N-01-002.001, 1009N-01-002.002, 1009N-01-002.003, 1009N-01-002.004, 1009N-01-002.023, 1009N-01-002.024, 1009N-01-002.025, 1009N-01-002.026, 1009N-01-002.027, 1009N-01-002.028, 1009N-01-002.029, 1009N-01-002.030, 1009N-01-002.031, 1009N-01-002.032, 1009N-01-002.033, 1009N-01-002.034, 10881 Lily Lane, 10887 Lily Lane, 10893 Lily Lane, 10899 Lily Lane, 10809 Lily Lane, 10815 Lily Lane, 10821 Lily Lane, 10827 Lily Lane, 10833 Lily Lane, 10839 Lily Lane, 10845 Lily Lane, 10851 Lily Lane, 10857 Lily Lane, 10863 Lily Lane, 10869 Lily Lane, 10875 Lily Lane, Zoned R-2 (Single-family), Ward 5

This the 24th day of April 2024
A. Leslie North, Chairman
City of Gulfport Zoning Board of Adjustment and Appeals
IPL0170703
May 1 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:
05/01/24

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.

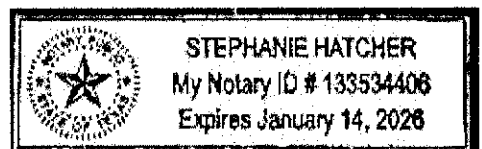
Mary Castro

Sworn to and subscribed before me this 1st day of May 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

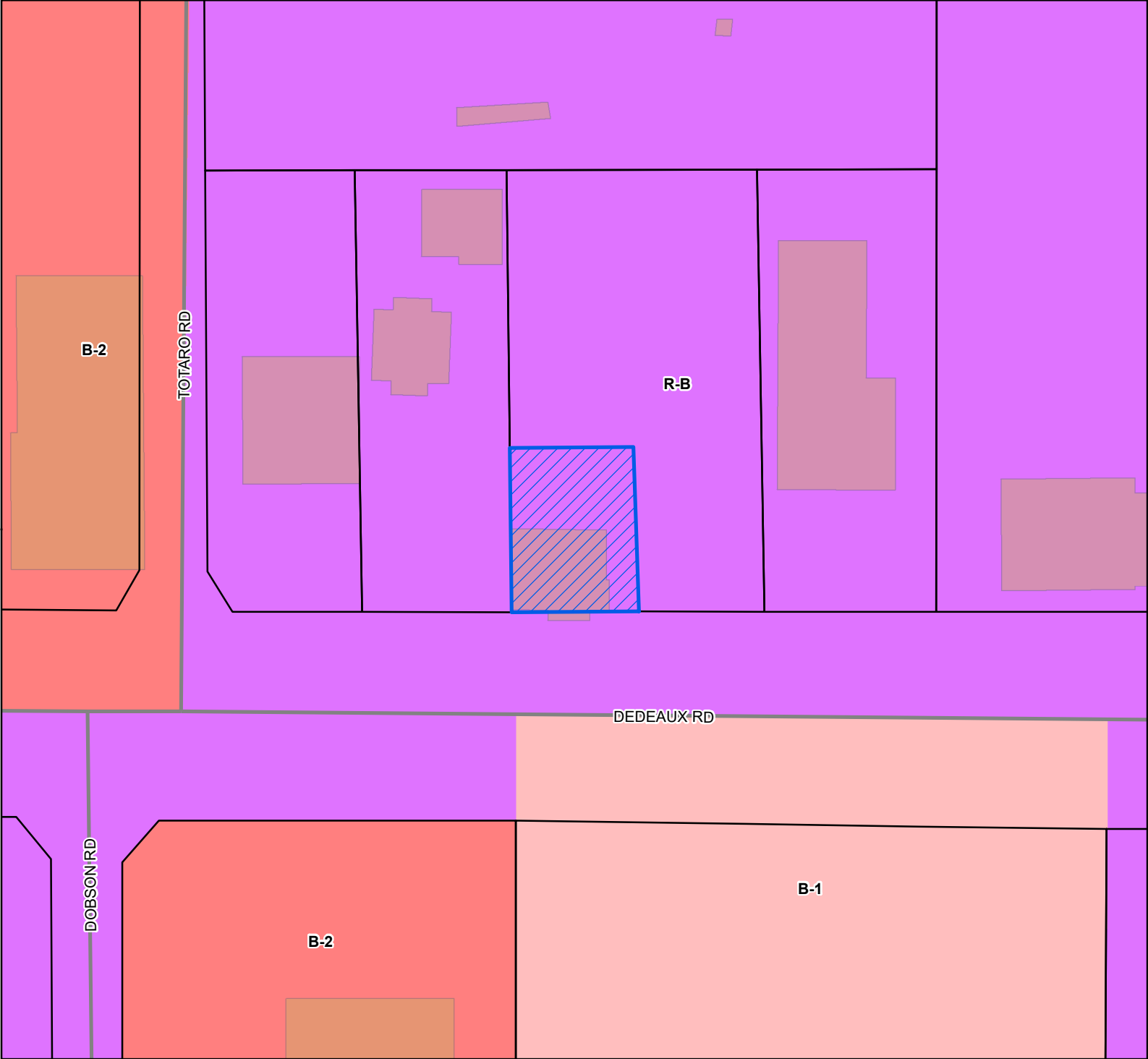
To: City of Gulfport Zoning Board of Adjustment and Appeals

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

Date of Hearing: May 16, 2024

Re: Variance 2405ZB070: (Removed by Planning Staff)

Variance 2405ZB070, by agent Jon D. Storonsky, application request a variance for one additional roof sign where there is no street frontage, Tax Parcel 0808K-03-113.001, 15142 Dedeaux Road, Zoned R-B (Residence-business), Ward 7



Site

Street

Parcels

Buildings

City Limit

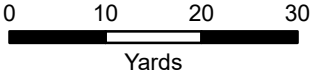
Zoning

B-1 - Neighborhood Business District

B-2 - General Business District

R-B - Residence-Business District

Site Information
0808K-03-113.001
Zoning:R-B (Residence-business)
Size: 3856.6 sqft
Flood: X



1 inch = 60 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.

RG

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

0808K-03-113.001	

Property Address:

15142 Dideaux Rd. Gulfport ms 39503

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

General Description of Request: Request variance to install (1) set of front 16 channel letters on backer panel attached to aluminum raceway, to be installed to roof top, total Sgfl. 21.3' (See Attached Draw)

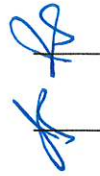
OWNERSHIP AND CERTIFICATION:

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**.

IMPORTANT NOTICE:

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

Submission Requirements:



Page one of this application, completed and signed.



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



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



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

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



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



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



I the owner/agent acknowledge this is a complete application

OWNER:South MS Holdings LLC

Printed Name of Owner

15132 Dedeaux Rd.

Mailing Address

Gulfport ms 39503

City

State

Zip Code

228-832-4634 228-323-2774

Home Phone

Work/Cell Phone

CIBouique1970@gmail.com

Email

Signature of Owner

AGENT:Jon D. Stbronskyj

Printed Name of Agent

15132 Dedeaux Rd. Gulfport ms 39503

Mailing Address

Gulfport ms 39503

City

State

Zip Code

228-832-4634 Wk 228-342-0968 cell

Home Phone

Work/Cell Phone

Sales@signsplusinc.US

Email

Signature of Agent

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

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

Name of Owner (PRINT) _____

Address (Street, City, State, Zip Code) _____

Phone (Home) _____ (Work) _____ (Cell) _____

Tax Parcel Number(s) Owned: _____

Signature: _____

Name of Owner (PRINT) _____

Address (Street, City, State, Zip Code) _____

Phone (Home) _____ (Work) _____ (Cell) _____

Tax Parcel Number(s) Owned: _____

Signature: _____

Name of Owner (PRINT) _____

Address (Street, City, State, Zip Code) _____

Phone (Home) _____ (Work) _____ (Cell) _____

Tax Parcel Number(s) Owned: _____

Signature: _____

- ☐ DRAWING APPROVED
- ☐ REVISE AS NOTED & RESUBMIT
- APPROVAL SIGNATURE: _____

signs *plus*

graphics • manufacturing • installation • service

PRINT NAME: _____

APPROVAL DATE: _____

CLIENT	DATE
In & Out Tobacco	4/2/24
15142 Dedeaux Rd	PAGE
Gulfport, MS 39503	1/5



Sign 1

East Elevation

SPECS:

CL SIZE: 110" x 28"
SQ. FT.: 21.3"
SIZE X
SQ. FT.: X
OAH: 28"
LETTER DEPTH: 5"

First "T" SIZE: 6.5" x 10"
JEWELITE COLOR: Black
RETURN COLOR: Black
LED COLOR: White
VOLTAGE: 120v
MOUNTING: Raceway

NOTES:

Channel Letter on Aluminum Frame

[Not for Fabrication]



J. D. [Signature] 1st Judicial District
Instrument 2021- 3768 - D - J1
Filed/Recorded 03/22/2021 8:03 AM
Total Fees \$ 26.00
3 Pages Recorded

PREPARED BY:

Law Offices of
LAURA F. PAULK, PLLC
16127 Orange Grove Road
Gulfport, MS 39503
228-831-1818
LFP File No.: 2107302
MS Bar No.: 10733

Return To:

Law Offices of
LAURA F. PAULK, PLLC
16127 Orange Grove Road
Gulfport, MS 39503
228-831-1818
LFP File No.: 2107302

STATE OF MISSISSIPPI

COUNTY OF HARRISON

WARRANTY DEED

For and in consideration of the sum of Ten Dollars (\$10.00), cash in hand paid this date, and other good and valuable consideration, the receipt and sufficiency of all of which is hereby acknowledged,

Gilbert C. Weaver, Grantor
15142 Dedeaux Road
Gulfport, MS 39503
228-297-2013

does hereby sell, convey and warrant unto

South MS Holding, LLC, a Mississippi Limited Liability Company, Grantee
15132 Dedeaux Road
Gulfport, MS 39503
228-323-2774,

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

(See Exhibit A attached)

INDEXING INSTRUCTIONS: Pcl in SW 1/4 of NE 1/4, Sec. 9-7-11,
Harrison Co., MS

Property is no part of the homestead of the Grantor.

South MS Holdings, LLC, a Mississippi Limited Liability Company, Grantee
15132 Dedeaux Road
Gulfport, MS 39503
228-323-2774,

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

(See Exhibit A attached)

INDEXING INSTRUCTIONS: Pcl in SW 1/4 of NE 1/4, Sec. 9-7-11,
Harrison Co., MS

Property is no part of the homestead of the Grantor.

It is agreed and understood that the taxes for the current year have been prorated as of this date on an estimated basis and are assumed by the Grantee. When said taxes are actually determined, if the proration as of this date is incorrect, the Parties hereto agree to pay on the basis of an actual proration.

This conveyance is made expressly subject to any and all restrictive covenants, rights-of-way,

easements, and mineral reservations and any other rights now of record which effect the above described property.

WITNESS MY SIGNATURE, this the 19th day of March, 2021.

Gilbert C. Weaver
Gilbert C. Weaver

STATE OF MISSISSIPPI

COUNTY OF HARRISON

Personally appeared before me, the undersigned Notary Public in and for the above named jurisdiction, the within named, Gilbert C. Weaver, who acknowledged that he signed and delivered the foregoing instrument on the day and year therein stated.

Given under my hand and seal, this the 19th day of March, 2021.

Candace M. Dye
NOTARY PUBLIC

My Commission Expires:



EXHIBIT A

LEGAL DESCRIPTION

A parcel of land lying and being situated in Section 9, Township 7 South, Range 11 West, First Judicial District of Harrison County, Mississippi, being more particularly described as follows, to-wit:

Commencing at the intersection of the North line of Dedeaux Road and the East line of the West one-half (W 1/2) of the Northeast Quarter (NE 1/4) of Section 9, Township 7 South, Range 11 West, Harrison County, Mississippi; thence Westerly along the North line of Dedeaux Road a distance of 128.2 feet to the Point of Beginning; thence Westerly along the North line of Dedeaux Road a distance of 54.0 feet to a point; thence Northerly a distance of 88.0 feet to a point; thence Easterly and parallel to the North line of Dedeaux Road a distance of 54.0 feet to a point; thence Southerly a distance of 88.0 feet to the Point of Beginning.

JCU

MISCELLANEOUS PAYMENT RECPT#: 12692285
CITY OF GULFPORT

GULFPORT, MS 39501

DATE: 04/02/24 TIME: 16:17:11
CLERK: msellier DEPT:
CUSTOMER#:

COMMENT:

CHG: PZD PLANNING AND ZO 75.00

AMOUNT PAID: 75.00

PAID BY:
PAYMENT METH: CHECK
1916

REFERENCE:

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

Var
2405 ZB070



COVENANT AFFIDAVIT

I, Charles Bourque
South Ms Holding LLC being property owner or agent of the property 15142 Dedmore 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.

[Signature] 4.2.24
SIGNATURE DATE

STATE OF MISSISSIPPI | COUNTY OF HARRISON

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

Chasity Smith
NOTARY PUBLIC



Feb 28 2027
COMMISSION EXPIRATION



DESIGNATION OF AGENT

I, South MS Holding LLC being property owner of 15142 Dedmon Rd.
PRINT NAME PRIMARY ADDRESS OR PARCEL
which is the subject of this application hereby authorize Jon D. Storonsky 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 or said petition.

SIGNATURE

4-2-24

DATE

STATE OF MISSISSIPPI | COUNTY OF HARRISON

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

NOTARY PUBLIC



Chasity
Smith

Feb 28 2027

COMMISSION EXPIRATION



Michael Watson

SECRETARY OF STATE

This is not an official certificate of good standing.

Name History

Name	Name Type
South MS Holding, LLC	Legal

Business Information

Business Type:	Limited Liability Company
Business ID:	1090126
Status:	Good Standing
Effective Date:	04/06/2016
State of Incorporation:	Mississippi
Principal Office Address:	15132 Dedeaux Road Gulfport, MS 39503

Registered Agent

Name
Ira Charles Bourque 15132 Dedeaux Road Gulfport, MS 39503

Officers & Directors

Name	Title
Ira Charles Bourque 15132 Dedeaux Road Gulfport, MS 39503	Member, President

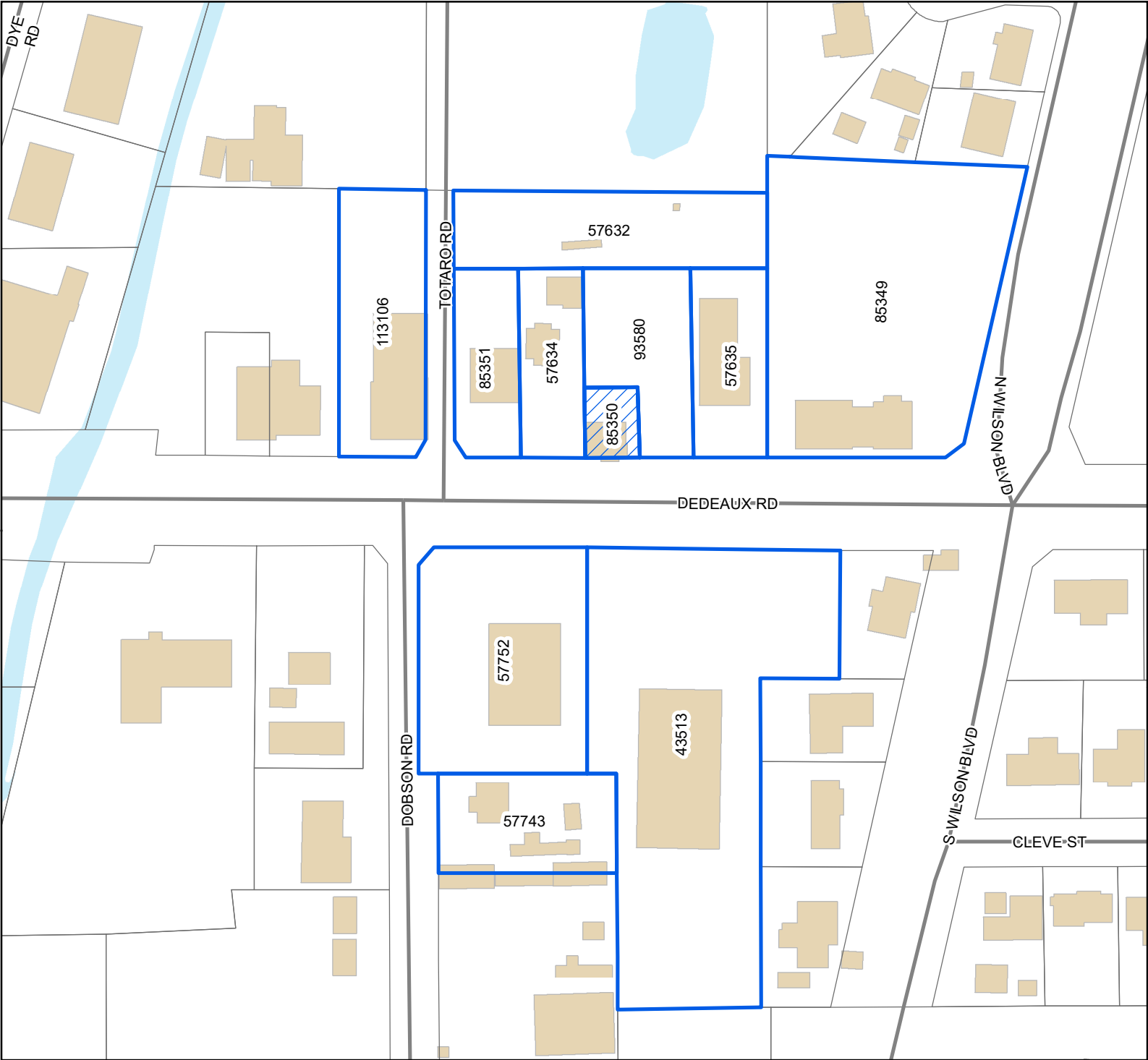
VARIANCE SUBMISSIONS

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

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

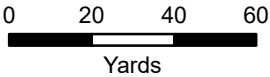
1. The buildy is located so close Dedeaux Rd. the front channel letter set main visibility is directly in front of store. Placing the two channel letter sets off the east and west elevation gives so much visibility of the traffic.
2. This is an exisly location. Bldg is already built.
3. The buildy has a rooftop along half of the building. If installed further back from the road the signs are not visible
1/2 back
4. Will reduce overall visibility of the store.
5. Other signs have been approved in the community.
6. no, needs variances.

Mail	PPIN	Parcel ID	Name	Address	City	State	ZIP
Y	85350	0808K-03-113.001	SOUTH MS HOLDING LLC (OWNER)	15132 DEDEAUX RD	GULFPORT	MS	39503
Y			STORONSKYJ JON	15132 DEDEAUX RD	GULFPORT	MS	39503
N			Adjacent Property Owners (2405ZB070)				
	57634	0808K-03-114.000	COBB TERRY & MARGARET	21313 MITCHELL RD	SAUCIER	MS	39574
	43513	0808N-04-002.000	DEKOVNER BETTY -TRUSTEE-	RHODES FAMILY TRUST THE	IRVINE	CA	92614
	85351	0808K-03-115.000	JEFFERSON TAMIKA	15154 DEDEAUX ROAD	GULFPORT	MS	39503
	57752	0808N-04-031.000	O'REILLY AUTOMOTIVE INC	C/O THOMAS REUTERS PTS	CHICAGO	IL	60606
	113106	0808K-03-116.001	PING YU LLC	15164 DEDEAUX RD	GULFPORT	MS	39503
	85349	0808K-03-111.000	POPPS FERRY INVESTMENT GROUP LLC	2330 ATKINSON RD	BILOXI	MS	39531
N	57632	0808K-03-113.000	SOUTH MS HOLDING LLC	15132 DEDEAUX RD	GULFPORT	MS	39503
N	93580	0808K-03-113.002	SOUTH MS HOLDING LLC	15132 DEDEAUX RD	GULFPORT	MS	39503
N	57635	0808K-03-112.000	SOUTH MS HOLDING LLC	15132 DEDEAUX RD	GULFPORT	MS	39503
	57743	0808N-04-032.000	WOODALL LINDA	18116 ROBIN OAKS	GULFPORT	MS	39503



Legend

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



1 inch = 140 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.

MEMORANDUM

To: City of Gulfport Zoning Board of Adjustment and Appeals

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

Date of Hearing: May 16, 2024

Re: Variance 2405ZB071:

Variance 2405ZB071, by agent Amanda Crose and designated agent Donovan Scruggs, seeking approval for a 21-foot and 3.5-inch setback on a second frontage where 25 feet is required, Tax Parcel 0908E-01-001.001, 11030 Alphet Road Zoned R-1-10 (Single-family), Ward 6

Technical Report

VARIANCE

GENERAL INFORMATION

Case File Number: 2405ZB071

Hearing Date: May 16, 2024

Current Zoning/Use: R-1-10/ Vacant Lot

Legal: Variance 2405ZB071, by agent Amanda Crose and designated agent Donovan Scruggs, seeking approval for a 21-foot and 3.5-inch setback on a second frontage where 25 feet is required, Tax Parcel 0908E-01-001.001, 11030 Alphabet Road Zoned R-1-10 (Single-family), Ward 6

TECHNICAL DETAILS

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

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

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

Technical Report

VARIANCE

The applicant requests a variance of 3 foot and 8.5 inches for a second frontage setback of 21 feet and 3.5 inches where 25 feet is required.

- (a) The applicant states that the “the variance that is being requested is based on a platted setback that exceeds the requirements of the R-1-10 District for the specific situation,” and that “in the case of Lot 9, the adjacent land is an unplatted and undivided parcel of land.” They also stated that “there is no ‘lot’ to the rear, and there is no dedicated street or right of way,” and that “the greater setback should not be required on the corner yard of Lot 9 when the potential lot to the rear has no established orientation or configuration.” Upon a site visit, it was noted that the property does sit on a corner lot but the current right of way present is currently unfinished, as the rest of it would developed on a future development plan.
- (b) The applicant states that “the subject lot is approximately 75 feet,” and that “corner lots are required by Gulfport regulations to be slightly larger to accommodate an additional setback where necessary.” They also state that “this places a unique burden on the smaller, narrower, corner lots.” It should be noted that the lot was originally platted as a part of the “Phase 9” plan and ultimately, this issue is a result of the original design of the subdivision.
- (c) Applicant states that “corner lots, by ordinance are required to be larger other lots to accommodate increased setbacks. A review of other lots in Phase 9 shows that Lot 9 is the smallest lot in the Phase (of 21 lots). Other corner lots are larger and have widths of approximately 85 feet. The width of Lot 9 at the proposed building line is approximately 75 feet. This shows that the subject lot with a width of 75 feet (at the building line) and an area of 10,130 square feet is not typical or ‘larger’ as required by the zoning and subdivision regulations.” This demonstrates that the lot in question is smaller than the average corner lot in that area.
- (d) The applicant states “the proposed setback are compliant with the zoning ordinance and the variance is from a greater requirement that is imposed by the Phase 9 plat. According to existing conditions, the side yard setback should be 8 feet as imposed by the Zoning Ordinance.” This does not answer the question of whether or not the literal interpretation of the provisions of the zoning ordinance would deprive the applicant of rights commonly enjoyed by properties in the same area.
- (e) Applicant states that “granting the variance does not provide any special privilege to the lot. In fact, [it] removes a burden that is uniquely placed on corner lots, especially those that are smaller than most lots within Phase 9.” There are presently no properties within this plan that have had to go for a variance for a second frontage setback and granting this variance would set a precedence.
- (f) This property is zoned R-1-10 and a single family home is allowed by right.

EXECUTIVE SUMMARY

The applicant’s request 21 foot and 3.5 inches for a second frontage setback instead of the required 25 feet seems to be caused as a direct result of how the overall design of the plat was, as there is currently a unfinished public right of way next to the lot that the completion of is contingent on a future development. There are currently no other houses located in this plat that have required a variance for an second frontage and this would establish precedence in that area.

Technical Report

VARIANCE

Any approval should consider these conditions:

1. Must comply with all rules and regulations.
2. Approval would allow 21 foot and 3.5 inches for a second frontage setback where 25 feet is required.

DEPARTMENTAL CONDITIONS

<u>Engineering:</u>	No conditions. Memo dated 4/29/2024.
<u>Public Works:</u>	No conditions. Memo dated 5/2/2024.
<u>Traffic and Safety:</u>	No conditions. Memo dated 4/4/2024.
<u>Building Code Services:</u>	No conditions. Memo dated 04/26/2024.
<u>GIS:</u>	No conditions. Memo dated 5/1/2024.
<u>Police Department:</u>	No comment as of 5/3/2024.
<u>Fire Department:</u>	No conditions. Memo dated 4/25/2024.
<u>City Arborist:</u>	No conditions. Memo dated 04/25/2024.

DIRECTOR APPROVAL

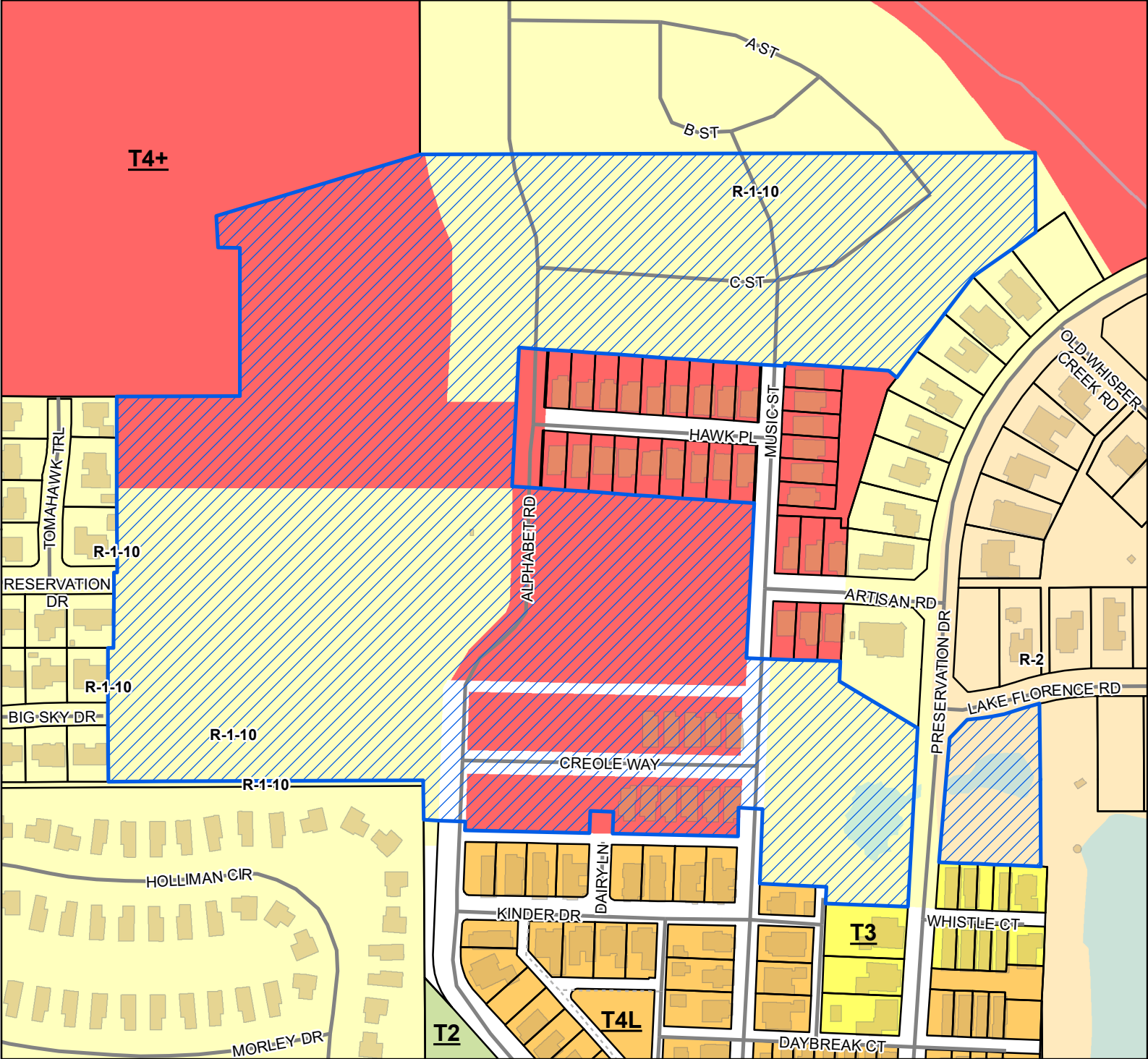
This report has been reviewed and approved by:



Greg Holmes

Director of Urban Development Department





Legend

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

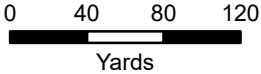
Smart Code

- T4+
- T4L
- T3
- T2

Zoning

- R-1-10 - Single Family Residence (Low Density)
- R-2 - Single Family Residence District (Medium Density)

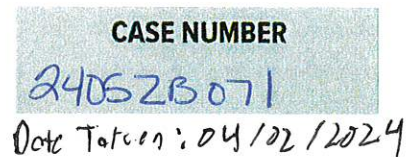
Site Information
0908E-01-001.001
Zoning: R-1-10 (Single-family)
T4+ (General Urban "Plus")
Size: 47.9 AC
Flood: X



1 inch = 300 feet



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



OWNER:Florence Gardens, LLC

Printed Name of Owner

12321 Preservation Drive

Mailing Address

Gulfport MS 39503

City

State

Zip Code

Home Phone

Work/Cell Phone

RYAN@FLORENCEGARDENS.COM

Email

B. Sld

Signature of Owner

AGENT:Amanda Crose, Elliott Homes

Printed Name of Agent

1402 Pass Road

Mailing Address

Gulfport MS 39501

City

State

Zip Code

228-213-0783

Home Phone

Work/Cell Phone

acrose@myelliotthome.com

Email

Amanda Crose

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) _____

Address (Street, City, State, Zip Code) _____

Phone (Home) _____ (Work) _____ (Cell) _____

Tax Parcel Number(s) Owned: _____

Signature: _____

Name of Owner (PRINT) _____

Address (Street, City, State, Zip Code) _____

Phone (Home) _____ (Work) _____ (Cell) _____

Tax Parcel Number(s) Owned: _____

Signature: _____

Name of Owner (PRINT) _____

Address (Street, City, State, Zip Code) _____

Phone (Home) _____ (Work) _____ (Cell) _____

Tax Parcel Number(s) Owned: _____

Signature: _____



DESIGNATION OF AGENT

RYAN GOLDIN ON BEHALF OF
I, FLORENCE GARDENS being property owner of 11030 Alphabet Road
PRINT NAME PRIMARY ADDRESS OR PARCEL
which is the subject of this application hereby authorize Amanda Crose 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 or said petition.

[Signature]
SIGNATURE

APRIL 2, 2024

DATE

STATE OF MISSISSIPPI | COUNTY OF HARRISON

Given under my hand and seal of office this the 2 day of April, 2024

[Signature]
NOTARY PUBLIC

January 9, 2028





DESIGNATION OF AGENT

RYAN GOLDIN ON BEHALF OF
I, FLORENCE GARDENS being property owner of 11030 Alphabet Road
PRINT NAME PRIMARY ADDRESS OR PARCEL
which is the subject of this application hereby authorize Donovan Schiggs 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 or said petition.

[Signature] APRIL 2, 2024
SIGNATURE DATE

STATE OF MISSISSIPPI | COUNTY OF HARRISON

Given under my hand and seal of office this the 2 day of April, 20 24
[Signature] January 9, 2024
NOTARY PUBLIC COMMISSION EXPIRATION





COVENANT AFFIDAVIT

RYAN GOLDIN ON BEHALF OF
I, FLORENCE GARDEN being property owner or agent of the property 11030 Alphabet Road
PRINT NAME PRIMARY ADDRESS OR PARCEL

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

[Signature] APRIL 2, 2024
SIGNATURE DATE

STATE OF MISSISSIPPI | COUNTY OF HARRISON

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

[Signature]
NOTARY PUBLIC



January 9, 2028
COMMISSION EXPIRATION



Michael Watson

SECRETARY OF STATE

This is not an official certificate of good standing.

Name History

Name

FLORENCE GARDENS, LLC

Name Type

Legal

Business Information

Business Type:

Limited Liability Company

Business ID:

690646

Status:

Good Standing

Effective Date:

08/14/2000

State of Incorporation:

Mississippi

Principal Office Address:

12321 PRESERVATION DR, 12321 PRESERVATION DR
GULFPORT, MS 39503

Registered Agent

Name

Goldin, Martin
14231 Seaway Road
Gulfport, MS 39503

Officers & Directors

Name

Martin Goldin
12321 PRESERVATION DR
GULFPORT, MS 39503

Title

Member

VARIANCE SUBMISSIONS

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

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

Corner, Side Yard Variance, Florence Gardens, Phase 9, Lot 9

1. Demonstrate that special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same district.

The proposed corner yard setback for Lot 9, Phase 9 of Florence Garden is proposed at 21'3 1/2". This distance is only 3'8 1/2" deficient of the required platted setback. The variance that is being requested is based on a platted setback that exceeds the requirements of the R-1.10 District for the specific situation. The FYSB for the R-1.10 is 25 feet, and the side yard setback is 8 feet. The Gulfport Zoning Ordinance (within the Supplementary Requirements) imposes a greater side yard setback on corner lots when the lot to the rear faces the same street as the corner yard. In the case of Lot 9, the adjacent land is an unplatted and undivided parcel of land. There is no "lot" to the rear, and there is no dedicated street or right of way. The greater setback should not be required on the corner yard of Lot 9 when the potential lot to the rear has no established orientation or configuration.

The variance being requested is based on the 25 ft. setback imposed on the Phase 9 plat and not of the Gulfport Zoning Ordinance.

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

Elliott Homes is the prospective purchaser of Lot 9. The proposed side yard setback on the corner yard is proposed to be at 21'3 1/2". The platted setback of 25 feet for the corner yard area exceeds the requirements of the zoning regulations which should be 8 feet as currently configured. The future Phase 10 appears to need a rezoning to T4+ to be constructed or platted in a manner consistent with the Master Plan. This phase, according to the Master Plan is to be developed in a manner consistent with Phase 6 that includes smaller lots and smaller setbacks. If this occurs the setback on the corner side yard of Lot 9 would be imposed at 15 feet. At present, Phase 10 is not platted and, accordingly, the lot layout or configuration to be considered is the large, undivided parcel.

The requested variance is from the requirements of the Phase 9 plat and not City of Gulfport Regulations. The platted setback exceeds the City's requirements. Florence Gardens has approved the requested variance.

The subject lot has a width that is approximately 75 feet. Corner lots are required by Gulfport regulations to be slightly larger to accommodate an additional setback where necessary. This lot is narrower than many of the lots within Phase 9 including corner lots. This places a unique burden on the smaller, narrower, corner lots.

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

The proposed variance does not seek relief of the zoning ordinance. The variance is from the Phase 9 platted setback of 25 feet for corner yards. This is a hardship that is not common on other properties within the area and only on corner lots with phase 9 of Florence Gardens. The setbacks imposed for corner lots are greater than those imposed on other lots within the subdivision or Phase 9 or within the district, in general.

Corner lots, by ordinance, are required to be larger other lots to accommodate increased setbacks. A review of other lots in Phase 9 shows that Lot 9 is smallest lot in the Phase (of 21 lots). Other corner lots are larger and have widths of approximately 85 feet. The width of Lot 9 at the proposed building line is approximately 75 feet. This shows that the subject lot with a width of 75 feet (at the building line) and an area of 10,130 square feet is not typical or 'larger' as required by the zoning and subdivision regulations.

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

The proposed setback are compliant with the zoning ordinance and the variance is from a greater requirement that is imposed by the Phase 9 plat. According to existing conditions, the side yard setback should be 8 feet as imposed by the Zoning Ordinance. The increased setback requirement is imposed by plat. Because there is no dedicated roadway and no platted lot to the rear, the greater setback should not be imposed by the Zoning Regulations.

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

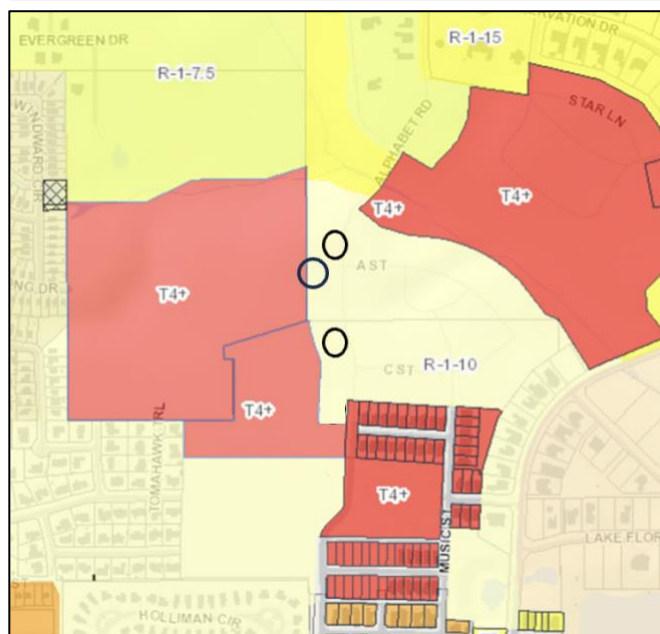
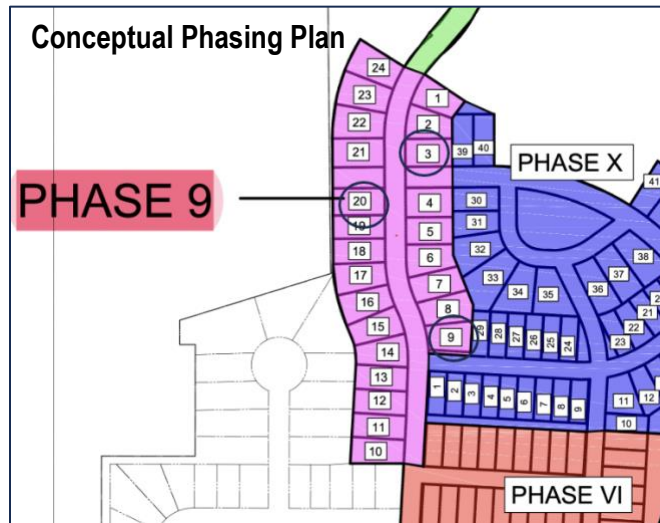
The area located to the rear of the property is unplatted and undivided. The additional setback required on the side yard of corner lots only applies in certain situations with the lots and streets. In this case, the 'lot to rear' and the street have not been platted or dedicated. At present these lots and streets do not exist, and until platted or constructed, the Plans are subject to change.

While there is a Master Plan that shows the future lot as facing the street of the corner yard, this Plan also requires a rezoning to be developed as shown on the Plan. If the rezoning occurs to T4+ the side yard on the corner lot (Lot 9) will be no more than 15 feet, according to Zoning Regulations. If the parcel is not rezoned, the proposed layout cannot be approved or is not consistent with the zoning ordinance. The rear lot shown on the future or proposed plat is not consistent with existing zoning and should not considered at this time.

Granting the variance does not provide any special privilege to the lot. In fact, it removes a burden that is uniquely placed on corner lots, especially those that are smaller than most of the lots within Phase 9.

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

The proposed use of Single-family Residential is permitted "by right".



SURVEY NOTES:

Field work completed July 15, 2019.

The total area contained within this plat is 6.907 Acres, more or less.

By graphical plotting only, this parcel is located in ZONE X of the flood hazard boundary and flood insurance rate map

Version Number: 2.3.3.3

Map Number: 28047C0260H

Map Revised: December 21, 2017

Phase 6

BUILDING SETBACKS: Zone T4+

FYSB (FRONT YARD SET BACK)

SYSB (SIDE YARD SET BACK)

Second Frontage

RYSB (REAR YARD SET BACK)

No Minimum - 18' Maximum

No Minimum - 6' Maximum

5' Minimum - 12' Maximum

3' Minimum

Overview:

Florence Garden is a community comprised of approximately 600 acres. It has developed in a block by block (or phase by phase) pattern according to conceptual frameworks. Lot sizes vary to accommodate different structures or housing types, and the overall development incorporates different zoning districts. The development, at present, includes a variety of districts that range between Traditional Districts (R-1.7.5 or R-1.10) to Hybrid or SmartCode Districts (T4+, T4L, or T3). The subject phase (phase 9) is currently zoned R-1.10. To the west of Phase 9 is an area designated as T4+, and to the east is an area zoned R-1.10. Neither of these areas are platted.

The applicant is requesting corner lot or side yard variances on three lots (Lots 3,9, and 20 of Phase 9 of Florence Gardens). While it appears these three lots comply with the City of Gulfport Zoning Regulations, there is a platted 25 ft. setback along the side yard of corner lots. This setback exceeds the requirements of the City. Additionally, these lots fail to include the increased area for corner lots as described in Section 9-50 Design Standards (D) Lots (5) Corner lots of the Subdivision Regulations, "Corner lots for residential use shall be increased in width over the minimum specified herein so that front yard distance can be provided on both streets, and the building setback line shall be so located."

Lot 3 and 9

While Lots 3 and 9 are corner lots and likely adjacent to future lots, these future or adjacent phases and lots have not been platted according to Harrison County Land Records and a review of Gulfport GIS. While the future phases may have lots that would front different streets than the adjacent lot (subject lots 3 and 9), the future phasing plan also shows lots to the east (phase 10) developing in a T4+ pattern (despite R-1.10 zoning). These assumptions or plans are subject to change.

If Phase 10 (unplatted) is developed as planned and consistent with Phase 6, the front yard setbacks can range between 0 and 15 feet. This would establish a side corner yard of 15 feet on Lots 3 and 9.

Phase 6 is an earlier phase that developed to the south of Phase 9. This Phase (Phase 6) developed within a T4+ District and required/established no minimum front yard setback and a maximum setback of 18 feet. While currently designated as R-1.10, Phase 10 appears to be planned to be developed in a manner consistent with Phase 6 which would require a rezoning to T4+. This approval is not assured.

If this same front yard requirement is provided for Phase 10 as developed in Phase 6 (which would be no minimum or zero), the required side yard setback of Lots 9* and 3 would be 8 feet (the minimum required side yard by the Gulfport Zoning Ordinance) or 15 feet as required in a typical T4+ District, according to the Supplementary Requirements of the zoning ordinance. Phase 10 will require a rezoning, but the phase cannot be platted as configured without a rezoning.

At present, Phase 10 is an undivided and unplatted parcel of land. Because there is no required yard established for lots that have not been platted, the corner side yard requirements of Lot 9 and 3 should be only 8 feet. If Phase 10 is platted in a manner similar to Phase 6, there will be no minimum front yard setback and the maximum front yard setback will be 18 feet. The developer of the lot is proposing side yards of at least 21 feet which should comply with any of the above noted situations.

*Lot 9 – This lot is unique in that there is a 50 ft right of way that is separated by a buffer area of 10 feet. This 'buffer' area actually separates the corner, side yard from the r.o.w. and, provides a greater setback than the proposed 21 feet. Because of this 'buffer area' the side yard could be reduced to 8 feet since the lot does not actually abut r.o.w. This would mean that Lot 9 should not be considered a corner lot because it is adjacent to a buffer area.

Lot 3 and 9 have widths that are smaller than many lots within Phase 9 and was not platted to include larger areas to accommodate additional setbacks. Lot 9, for example, is the smallest lot within Phase 9 and Lot 3 is smaller than the majority of lots within the phase. Other corner lots within Phase 9 have widths of 83 or 85 feet while these two lots have widths that are 80 feet or less.

<u>SURVEY NOTES:</u>	
Field work completed April 22, 2022.	
The total area contained within this plot is 8.712 Acres, more or less.	
By graphical plotting only, this parcel is located in ZONE X, ZONE X (SHADED), & ZONE AE of the flood hazard boundary and flood insurance rate map.	
Version Number: 2.3.3.3	
Map Number: 28047C0260H	
Map Revised: December 21, 2017	
<u>BUILDING SETBACKS:</u> Zone R-1-10 (See Lots 14 & 21 for typical setbacks)	
FYSB (FRONT YARD SET BACK)	25'
SYSB (SIDE YARD SET BACK)	8'
Second Frontage	25'
RYSB (REAR YARD SET BACK)	8'
ALL SETBACKS ARE SUBJECT TO PLATTED EASEMENTS	

Phase 9

Lot 20

Lot 20 is adjacent to an unplatted phase. At present, it is not clear how the future development will be oriented. For this reason, the increased setback is not required. The area in this adjacent phase is designated as T4+. The Gulfport Zoning Ordinance established the T4+ Front Yard Setback at 15 feet. Depending on the orientation of the lot, if platted and developed, the required front yard setback would be 15 feet. The proposed setback of Lot 20 exceeds 21 feet.

Lot 20 has a width of only 78 feet. This width makes it one of the narrowest corner lots within the development. It fails to include a larger area required for corner lots.

Supplementary Requirements from Gulfport Zoning Regulations

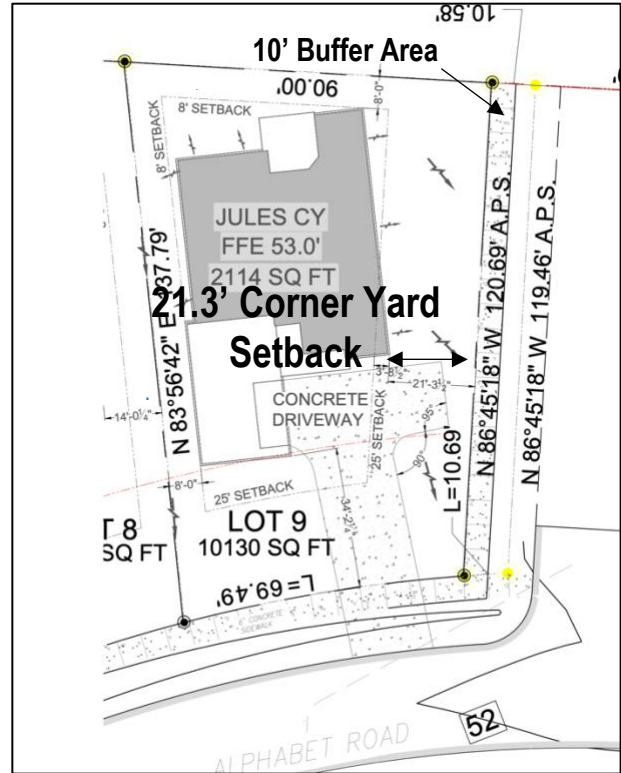
Corner building site. In any district, a corner building site having to its rear a building site facing toward the intersecting or side street shall have provided on the intersecting or side street side of the corner building site a side yard having a width equal at least to the depth of the front yard required for a structure on the building site to the rear of the corner building site; provided, however, that this regulation shall not be applied to reduce the buildable width of the corner building site to less than thirty (30) feet.

“Required” by the City of Gulfport should mean the minimum setback established by the Gulfport Zoning Regulations. Covenants are not enforced by the City. Once approval is provided by Florence Garden, the City should be able to permit. Because the adjacent areas have not been platted, it is not possible to determine what the front yards will be for the adjacent areas or lots.

Summary

According to this review, all three lots should be considered compliant with the requirements of the Gulfport Zoning Regulations and no variance is needed from the City’s Zoning Regulations. It appears that the 25 ft. setback requirements of Florence Garden are effective and some relief is required from established setbacks of the neighborhood.

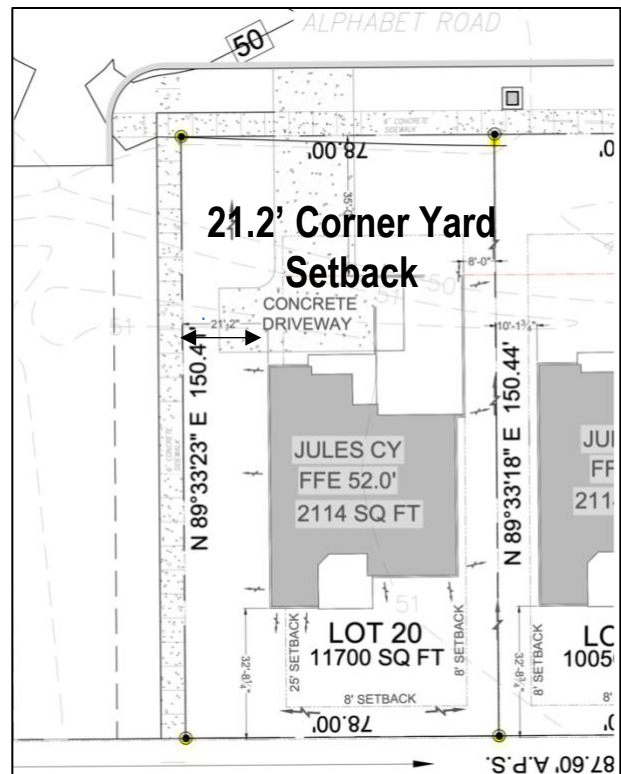
These three corner lots do not include the ‘increased widths’ that are necessary of the additional setback imposed the plat of Phase 9. The variances being requested are from the platted setbacks. The lots and proposed setbacks appear to be consistent with Gulfport’s standards.

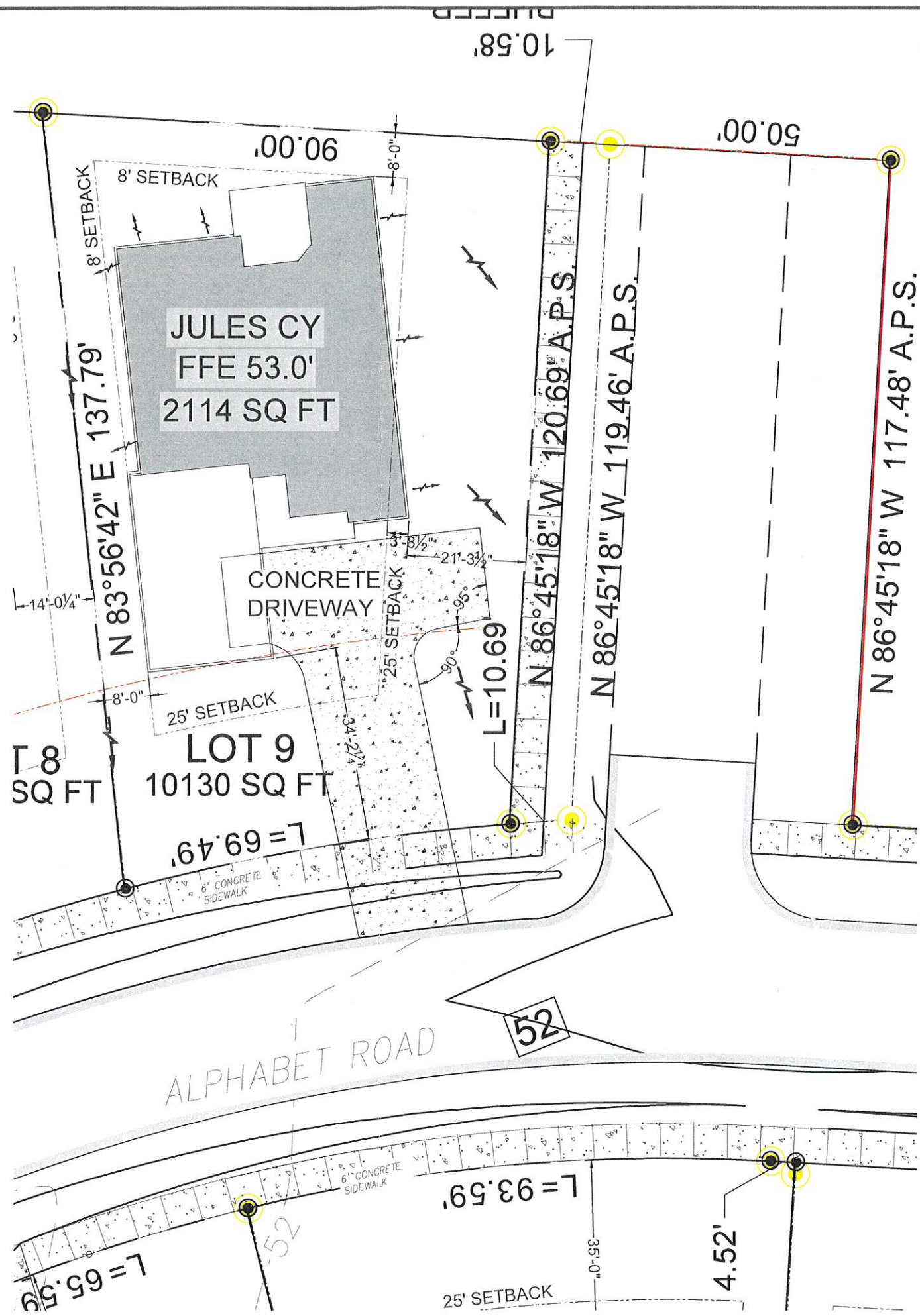


All three lots 'back up' to phases that are either zoned T4+ or are planned to be developed as a T4+ District. The required front yard setback in a T4+ District is 15 feet. This would establish a corner lot side yard on these three lots at 15 feet. Proposed corner lot setbacks of these lots range between 21 and 23 feet (approximately). These corner lots, side yard setbacks will exceed the required setbacks of lots developed along the rear portions of these lots.

None of these adjacent areas have been platted, and at present, the streets have not been improved or platted. Until the lots are established or approved, there is no certainty regarding the necessary front yard setbacks of these adjacent lots.

These three lots do not include the increased widths or areas that are required for corner lots. This places a unique hardship on these lots and have caused the need for variances.





DRAINAGE DIRECTION

Sheet L9 Project No 23-0701	DRAWING TITLE: SITE PLAN LOT 9	PROJECT TITLE: FLORENCE GARDENS 12321 PRESERVATION DRIVE GULFPORT, MS 39503	 W. RUSS SMALLWOOD Complete Design-Build Services GULFPORT, MISSISSIPPI 39507 TELEPHONE: (228) 263-5482 Serving the Gulf Coast since 1981.



John R. ... 1st Judicial District
Instrument 2019 1155 D - J1
Filed/Recorded 2/27/2019 10:31 A
Total Fees \$ 14.00
5 Pages Recorded

Prepared by:
David B. Pilger
Attorney at Law
1406 Bienville Blvd., Suite 101
Ocean Springs, MS 39564
(228) 215-0011

Grantor:
Seaway Development Company,
a Mississippi limited liability
P.O. Box 2879
Gulfport, MS 39505
Telephone: (228) 897-1776

Return To:
David B. Pilger
Attorney at Law
1406 Bienville Blvd., Suite 101
Ocean Springs, MS 39564
(228) 215-0011

Grantee:
Florence Gardens, LLC,
a Mississippi limited liability company
12327 Preservation Dr.
Gulfport, MS 39503
Telephone: (228) 326-7292

File No. Z197049N

INDEXING INSTRUCTIONS: NW ¼ of NW ¼, Sec. 1-7-S-R11W; NE ¼, NE ¼ of SE ¼, NW ¼ of SE ¼, NW ¼ of SE ¼, SW ¼ of SE ¼, and NE ¼ of SW ¼, Sec. 2-T7S-R11W; NW ¼ of NE ¼ and SW ¼ of NE ¼, Sec. 11-T7S-R11W; all in the 1st Judicial District, Harrison County, MS

**STATE OF MISSISSIPPI
COUNTY OF HARRISON
FIRST JUDICIAL DISTRICT**

CORRECTED 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, **SEAWAY DEVELOPMENT COMPANY, LLC**, a Mississippi limited liability company, do hereby sell, convey and warrant unto **FLORENCE GARDENS, LLC**, a Mississippi limited liability company, all of that certain tract, piece or parcel of land situated in the First Judicial District of Harrison County, Mississippi, together with all improvements, buildings, fixtures, and appurtenances thereunto belonging, and being more particularly described as follows, to-wit:

SEE ATTACHED EXHIBIT "A"

This deed is being done to correct the date on the notary acknowledgment on Warranty Deed recorded as Instrument No. 2005-13959-D-J1 in 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 quitclaims any and all oil, gas, and other minerals owned, if any, to Grantee. 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 21st day of February, 2019.

SEAWAY DEVELOPMENT COMPANY, LLC,
a Mississippi limited liability company

By: Steven L. Goldin
STEVEN L. GOLDIN, Managing Member

ACKNOWLEDGEMENT

STATE OF MISSISSIPPI
COUNTY OF HARRISON

PERSONALLY, APPEARED BEFORE ME, the undersigned authority in and for the jurisdiction aforesaid, STEVEN L. GOLDIN, who acknowledged that he is the Managing Member of SEAWAY DEVELOPMENT COMPANY, LLC, a Mississippi limited liability company, who acknowledged before me that he/she signed, executed and delivered the above and foregoing instrument on the day and year thereof, for the use and purposes therein mentioned.

GIVEN UNDER MY HAND AND OFFICIAL SEAL, on this the 21st day of February, 2019.

(AFFIX SEAL)

Michelle Lindsay
NOTARY PUBLIC

My commission expires: April 3, 2020



EXHIBIT "A"

(Legal Description)

PARCEL I

Being one and the same as that parcel acquired by Warranty Deed from William Russell Love and Amanda Collins Love dated January 22, 1999, and recorded in Deed Book 1439 at Page 11:

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

Commencing at a nail with cap found at the northwest corner of section 1, said point lying in the centerline of O'Neal Road; thence along the West line of said Section 1, S00°24'10"W 25.04' to an iron rod on the South margin of O'Neal Road, being the Point of Beginning; thence along said South margin, N89°12'31"E 344.74' to an iron rod found; thence S01°10'15"W 871.18' to an iron rod found; thence S89°08'57"E 149.99' to an iron rod found; thence S01°10'45"W 442.60' to an iron rod lying on the South line of the Northwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 1; thence along said south line, S89°50'03"W 477.00' to an iron rod at the Southwest corner of the Northwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 1; thence along the West line of Section 1, N00°24'10"E 1312.39' to the Point of Beginning, containing 11.661 acres.

PARCEL II

Being one and the same as that parcel acquired by Warranty Deed from Adrian O'Neal, et al, Trustees of the Edon Family Trust, dated September 28, 1998, and recorded in Deed Book 1426 at Page 205:

A parcel of land being that part of the Northeast $\frac{1}{4}$ of Section 2, Township 7 South, Range 11 West, City of Gulfport, Harrison County, Mississippi, lying South of the South margin of O'Neal Road, and also the Northeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 2, Township 7 South, Range 11 West, City of Gulfport, Harrison County, Mississippi, being more particularly described as follows:

Commencing at a nail with cap located at the Northeast corner of Section 2, Township 7 South, Range 11 West, City of Gulfport, Harrison County, Mississippi, said point lying in the centerline of O'Neal Road; thence along the East line of said Section 2, S00°13'23"W 25.04' to an iron rod on the South margin of O'Neal Road, said point being the Point of Beginning; thence further along said East section line, S00°24'10"W 2649.82' to a fence corner found at the Northeast corner of the Northeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 2; thence further along said East section line, S00°08'28"E 1319.91' to an iron rod found at the Southeast corner of the Northeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 2; thence along the South line of the Northeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$, N89°53'59"W 1346.42' to an iron

pipe found at the Southwest corner of said Northeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 2; thence along the West line of the Northeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 2, N00°11'30"W 1327.36' to a lightard knot found at the Southeast corner of the Southwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 2; thence along the South line of said Southwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 2, S89°46'21"W 1329.38' to a wood fence corner post found at the Southwest corner of said Southwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 2; thence along the West line of said Southwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 2, N00°35'03"W 1343.79' to an iron rod found at a fence corner post, being the Northwest corner of the Southwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 2; thence along the West line of the Northwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 2, N00°37'03"W 838.84' to an iron pipe found; thence N00°24'31"E 451.93' to an iron pipe found on the South margin of O'Neal Road; thence along said South margin of O'Neal Road, N89°46'16"E 2715.42' to the Point of Beginning, containing 204.433 acres. Said property being subject to a 5-acre Southern Natural Gas Corp. right-of-way located in the Northeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 2 and described in Deed Book 187, Page 530.

PARCEL III

Being one and the same as that parcel acquired by Alan H. Goldin, et al., by Warranty Deed from Lewis N. Vance and Jeff Vance dated July 15, 1998, and recorded in Deed Book 1416 at Page 417:

All of the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$, all of the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$, a portion of the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$; Section 2, Township 7 South, Range 11 West; also a portion of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 11, Township 7 South, Range 11 West; City of Gulfport, First Judicial District of Harrison County, Mississippi; said parcels of land being more particularly described as follows:

For the Point of Beginning, Commence at a light wood post located at the Northeast corner of the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of said Section 2; thence S00°08'18" W 2667.72 feet along the East line of the W $\frac{1}{2}$ of the SE $\frac{1}{4}$ of said Section 2; thence continue S00°08'18"W 1217.01 feet along the East line of the NW $\frac{1}{4}$ of NE $\frac{1}{4}$ said Section 11, to a point located on the Southeast right-of-way of a 100-foot wide easement to Mississippi Power Company; thence S67°22'17"W 268.00 feet along said Southeast right-of-way of a 100-foot wide easement to Mississippi Power Company, to a point located on the South line of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of said Section 11; thence S89°27'02"W 642.21 feet along the South line of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of said Section 11; thence N00°02'19"W 842.38 feet; thence N 89°35'47"W 444.55 feet to a point located on the West line of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of said Section 11; thence N 00°03'04"W 489.69 feet along the West line of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of said Section 11; thence N 00°26'34"E 1324.71 feet along the West line of the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of said Section 2; thence S89°59'19" W 687.38 feet along the South line of the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of said Section 2, to a point located on the East line of Reservation Estates, Unit 2, Part 3, said point being located 11.26 feet northerly

from an iron rod located at the Southeast corner of Lot 10, Reservation Estates, Unit 2 Part 3; thence N00°30'22"E 277.36 feet; thence S89°32'05"E 11.39 feet; thence N00°48'55"E 116.81 feet; thence 00°23'29"E 59.78 feet to an iron rod located at the Southeast corner of Lot 43, Reservation Estates, Unit 2 Part 3; thence N00°28'23"E 365.20 feet to an iron rod located at the Northeast corner of Lot 46, Reservation Estates, Unit 2 Part 3; thence S89°31'51"E 269.51 feet; thence N00°28'09"E 320.00 feet; thence N89°31'51"W 45.00 feet; thence N00°28'09"E 70.00 feet; thence N73°39'43"E 464.44 feet; thence S89°50'48"E 1329.30 feet along the North line of the NW ¼ of the SE ¼ of said Section 2, to the said Point of Beginning.

Together with a non-exclusive, perpetual easement for ingress and egress more particularly described as follows:

Commence at the Southwest corner of the NW ¼ of the NE ¼, Section 11, Township 7 South, Range 11 West, Harrison County, Mississippi; thence South 89°57'10" East a distance of 334.29 feet to a point of beginning; thence Northeasterly along the arch of a curve to the right whose radius is 110.57 feet and delta angle is 89°35'04" a distance of 172.88 feet to a point; thence South 0°22'06" East a distance of 50 feet to a point; thence Southwesterly along the arch of a curve to the right whose radius is 60.57 feet and delta angle is 89°35'04" a distance of 94.57 feet to a point; thence North 89°57'10" West a distance of 50 feet to the point of beginning.

AND ALSO, the following parcel which is conveyed by quitclaim, without warranty and may be subject to claims of others:

A parcel of land within the SW¼ of the NE¼ of Section 11, Township 7 South, Range 11 West, Harrison County, Mississippi, lying North of the Mississippi Power Company easement and described as starting at the SE corner of the NW ¼ of the NE ¼ of Section 11, Township 7 South, Range 11 West and run West a distance of 465.6 feet for the point of beginning; thence continue West a distance of 203.9 feet; thence run South 84.0 feet; run thence Northeast along the Southern boundary of the Mississippi Power Company easement a distance of 220.6 feet to the point of beginning.

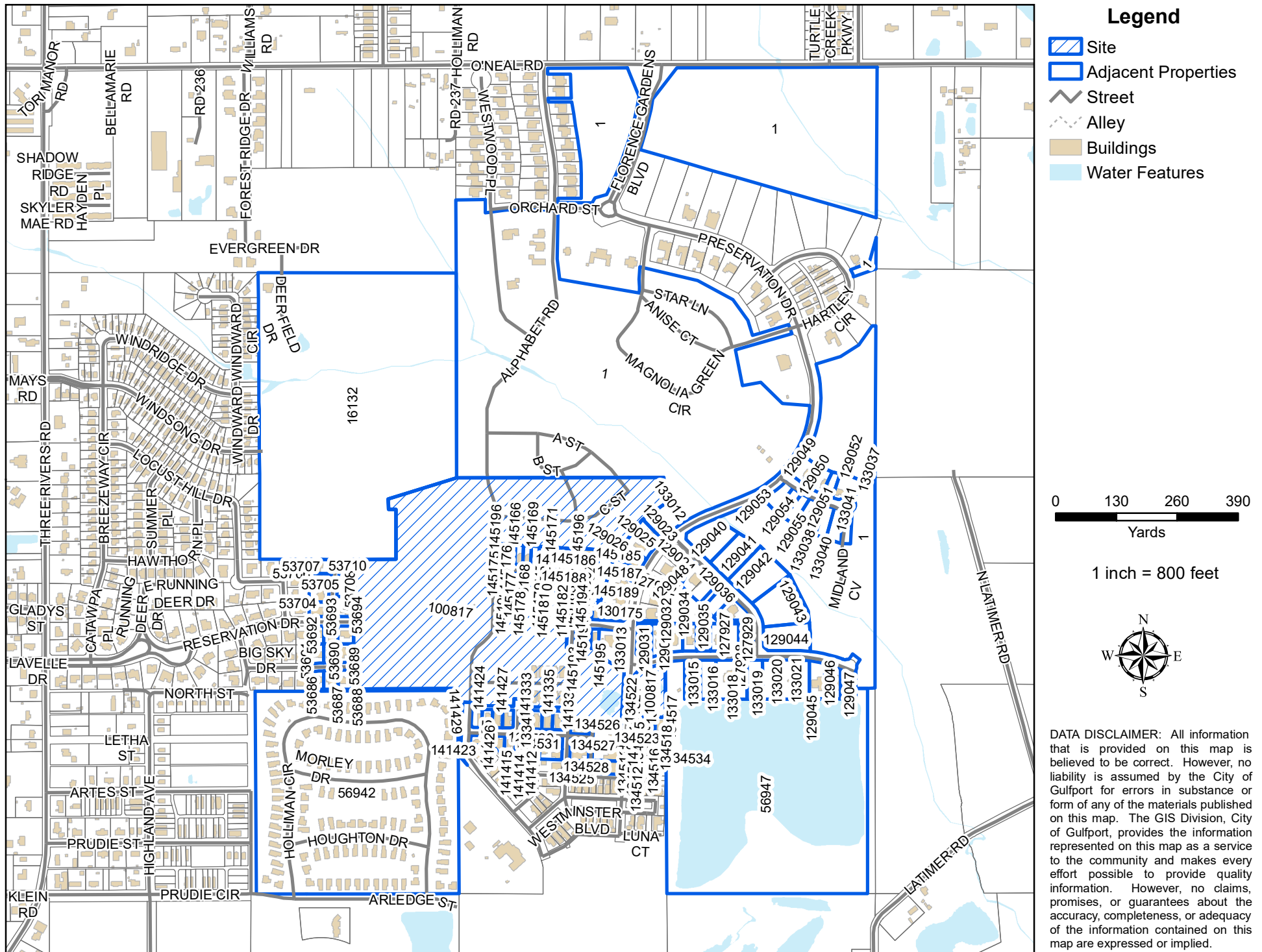
Mail	PPIN	Parcel ID	Name	Address	City	State	ZIP	
		0908E-01-001.001	FLORENCE GARDENS LLC (OWNER)	12321 PRESERVATION DRIVE	GULFPORT	MS	39503	
			AMANDA CROSE (AGENT)	1402 PASS ROAD	GULFPORT	MS	39501	
			DONOVAN SCRUGGS (DESIGNATED AGENT)	317 PINE DRIVE	OCEAN SPRINGS	MS	39564	
			Adjacent Property Owners (2405ZB071)					
		0908E-01-062.000	CAMPBELL JOHNATHON	610 PALM COURT	GULFPORT	MS	39501	
53690		0908E-01-061.000	RAY MARK STEVEN & DARI STARLING	145 GARY ST	GULFPORT	MS	39503	
53691		0908E-01-060.000	ANDERSON KELLY & NOLA	108 BIG SKY DR	GULFPORT	MS	39503	
53693		0908E-01-050.000	EVANS VIRGINIA H	134 RESERVATION DR	GULFPORT	MS	39503	
53688		0908E-01-063.000	BALDWIN CLAUDIA V	113 BIG SKY DR	GULFPORT	MS	39503	
53709		0908E-01-047.000	TATE BARBARA E & TURNER CARLOTTA	101 TOMAHAWK TRAIL	GULFPORT	MS	39503	
53706		0908E-01-044.000	WANZO VICTORIA L & WILLIE JR	102 TOMAHAWK TRAIL	GULFPORT	MS	39503	
53704		0908E-01-042.000	NOERNBERG WILLIAM E II &	ASHLIE RENEE WYATT	GULFPORT	MS	39503	
53705		0908E-01-043.000	MOODY ARTIES JONES JR & SHARON L	100 TOMAHAWK TRAIL	GULFPORT	MS	39503	
53686		0908E-01-065.000	KIRSTEIN CHRISTOPHER & ELLEN	109 BIG SKY DR	GULFPORT	MS	39503	
53687		0908E-01-064.000	MCKINNEY JOHNNY F	111 BIG SKY DR	GULFPORT	MS	39503	
53708		0908E-01-048.000	PROCTOR ALAN -TRUSTEE-	133 RESERVATION DR	GULFPORT	MS	39503	
53694		0908E-01-049.000	CLIFTON ROBERT VINCENT	136 RESERVATION DRIVE	GULFPORT	MS	39503	
53692		0908E-01-051.000	HILL ANTHONY MICHEAL	132 RESERVATION DR	GULFPORT	MS	39503	
133037		0908F-01-037.001	HAGWOOD TERESA W	18534 DEER DR	SAUCIER	MS	39574	
129024		0908F-01-011.000	GOLDIN ALAN H & HOPE U	12223 PRESERVATION DR	GULFPORT	MS	39503	
129025		0908F-01-012.000	LIEBERMAN STACY RESIDENCE TRUST	14231 SEAWAY RD STE 7000	GULFPORT	MS	39503	
129035		0908F-01-022.000	WHITEMAN GINA & CHRISTOPHER	13130 WHISTLE CT	GULFPORT	MS	39503	
129051		0908F-01-036.000	CLOWER JOHN ROBBINS JR & BARBARA	C/O HELEN CLOWER ELMER	ARLINGTON	TX	76012	
129049		0908C-01-001.023	WARD PHILLIP	13062 MIDLAND COVE	GULFPORT	MS	39503	
129027		0908F-01-014.000	FREITAG JOE & MARLA	P O BOX 2277	BAY ST LOUIS	MS	39521	
129033		0908F-01-020.000	POOLE CRYSTAL DANIEL & MARCUS	13140 LAKE FLORENCE ROAD	GULFPORT	MS	39503	
129034		0908F-01-021.000	JACOBS SUSAN	13134 LAKE FLORENCE RD	GULFPORT	MS	39503	
129045		0908F-01-032.000	BENTZ JULIE	13095 LAKE FLORENCE DR	GULFPORT	MS	39503	
129046		0908F-01-033.000	WEEMS LAUREN G -TRUSTEE-	13087 LAKE FLORENCE RD	GULFPORT	MS	39503	
129047		0908F-01-034.000	SUROWIEC WALTER JOSEPH	13081 LAKE FLORENCE RD	GULFPORT	MS	39503	
127922		0908F-01-005.000	GOLDIN SCOTT LEE	12207 PRESERVATION DRIVE	GULFPORT	MS	39503	
130175		0908F-01-041.000	KATSIS KAYE ANNE -TOD-	12199 PRESERVATION DR	GULFPORT	MS	39503	
129031		0908F-01-018.000	BARBAY TROY & JILL JOIA	12366 THREE RIVERS RD	GULFPORT	MS	39503	
129054		0908F-01-039.000	JOHNSON STEVEN MICHAEL	14095 RIDGEWAY DR	GULFPORT	MS	39503	
N		129048	0908F-01-035.000	FLORENCE GARDENS LLC	12321 PRESERVATION DRIVE	GULFPORT	MS	39503
		129023	0908F-01-010.000	HOPE TIM R & BETTY A	12227 PRESERVATION DR	GULFPORT	MS	39503

Mail	PPIN	Parcel ID	Name	Address	City	State	ZIP
	127927	0908F-01-007.000	GOLDIN MICHAEL & RUSSELL -TRUSTEES-	13124 LAKE FLORENCE RD	GULFPORT	MS	39503
N	129055	0908F-01-040.000	FLORENCE GARDENS LLC	12321 PRESERVATION DRIVE	GULFPORT	MS	39503
N	129042	0908F-01-029.000	FLORENCE GARDENS LLC	12321 PRESERVATION DRIVE	GULFPORT	MS	39503
	129044	0908F-01-031.000	BURRELL ANDREW C & ASHLEY	12562 LAKE VILLIAGE DRIVE	GULFPORT	MS	39507
	127928	0908F-01-008.000	GOLDIN STEVEN L & DEBORAH H	13123 LAKE FLORENCE RD	GULFPORT	MS	39503
	129036	0908F-01-023.000	BARBAY JORDAN & JORDAN ABULIEL	12179 OLD WHISPER CREEK DR	GULFPORT	MS	39503
N	133020	0908F-01-050.000	FLORENCE GARDENS LLC	12321 PRESERVATION DRIVE	GULFPORT	MS	39503
N	129053	0908F-01-038.000	JOHNSON STEVEN MICHAEL	14095 RIDGEWAY DR	GULFPORT	MS	39503
N	129040	0908F-01-027.000	FLORENCE GARDENS LLC	12321 PRESERVATION DRIVE	GULFPORT	MS	39503
	129041	0908F-01-028.000	MCVAY LARRY C II & EDIRNE A	12190 OLD WHISPER CREEK DR	GULFPORT	MS	39503
N	133015	0908F-01-045.000	FLORENCE GARDENS LLC	12321 PRESERVATION DRIVE	GULFPORT	MS	39503
N	133016	0908F-01-046.000	FLORENCE GARDENS LLC	12321 PRESERVATION DRIVE	GULFPORT	MS	39503
N	129052	0908F-01-037.000	HAGWOOD TERESA W	18534 DEER DR	SAUCIER	MS	39574
	129050	0908C-01-001.024	BORMANN LEAANN	13058 MIDLAND COVE	GULFPORT	MS	39503
N	133041	0908F-01-040.004	SAGGIO NANCY & KELLY NORTHLEE	13748 LAWTON LANE	GULFPORT	MS	39503
N	129043	0908F-01-030.000	FLORENCE GARDENS LLC	12321 PRESERVATION DRIVE	GULFPORT	MS	39503
N	133012	0908F-01-042.000	FLORENCE GARDENS LLC	12321 PRESERVATION DRIVE	GULFPORT	MS	39503
	133021	0908F-01-051.000	GOLDIN JASON	13099 LAKE FLORENCE RD	GULFPORT	MS	39503
N	134519	0908F-01-002.044	FERREIRA ALEJANDRO E	13138 WHISTLE CT	GULFPORT	MS	39503
	134520	0908F-01-002.045	MASCARO ALEJANDRO E FERREIRA	13138 WHISTLE CT	GULFPORT	MS	39503
	134521	0908F-01-002.046	CREEL JAMES E & NANCY A	13146 WHISTLE COURT	GULFPORT	MS	39503
	134513	0908F-01-002.038	LAWSON DAVID W & ANN G	13149 WHISTLE CT	GULFPORT	MS	39503
	134524	0908F-01-002.049	HERBERT ARTHUR J III & ELLEN G	11991 PRESERVATION DR	GULFPORT	MS	39503
	134525	0908F-01-002.050	ENGLISH OTIS J JR & PATRICIA A	11987 PRESERVATION DR	GULFPORT	MS	39503
	134526	0908F-01-002.051	MALONE RICHARD A	11998 MUSIC STREET	GULFPORT	MS	39503
	134527	0908F-01-002.052	KROLL DONALD A & MARLENE B	11994 MUSIC STREET	GULFPORT	MS	39503
	134528	0908F-01-002.053	GRAY PHILLIP W & LILLIAN K	11990 MUSIC ST	GULFPORT	MS	39503
	134534	0908F-01-002.059	FLORENCE GARDENS RES NEIGHBORHOOD	OWNERS ASSOCIATION INC	GULFPORT	MS	39503
N	133040	0908F-01-040.003	SAGGIO NANCY & KELLY NORTHLEE	13745 LAWTON LANE	GULFPORT	MS	39503
	129032	0908F-01-019.000	VANN MICHAEL A & THERESA	13144 LAKE FLORENCE RD	GULFPORT	MS	39503
	127929	0908F-01-009.000	ROGERS JOHN M & CATHERINE	13310 WESTMINISTER BLVD	GULFPORT	MS	39503
N	133019	0908F-01-049.000	FLORENCE GARDENS LLC	12321 PRESERVATION DRIVE	GULFPORT	MS	39503
	134522	0908F-01-002.047	RAGLAND JOHN D & SHELLEY -TOD-	13150 WHISTLE CT	GULFPORT	MS	39503
	134517	0908F-01-002.042	GIBSON TOM & PAM	13129 WHISTLE CT	GULFPORT	MS	39503
	134516	0908F-01-002.041	WEATHERLY TRINH THU & GARY LEN	13137 WHISTLE COURT	GULFPORT	MS	39503
	134515	0908F-01-002.040	COBB DAPHNE	13141 WHISTLE COURT	GULFPORT	MS	39503

Mail	PPIN	Parcel ID	Name	Address	City	State	ZIP
	134514	0908F-01-002.039	LOVE GREG Z & PAM JO	13145 WHISTLE CT	GULFPORT	MS	39503
	134512	0908F-01-002.037	SMITH JOHNATHAN H & JAMES C BARNES	13150 DAYBREAK CT	GULFPORT	MS	39503
	134523	0908F-01-002.048	WETZEL RAUN JOSEPH & VICTORIA R	11995 PRESERVATION DR	GULFPORT	MS	39503
	134530	0908F-01-002.055	DEMOLA MICHAEL C & SUZANNE	11993 MUSIC ST	GULFPORT	MS	39503
	134531	0908F-01-002.056	HARWELL WILLIAM D IV & MELISSA	18294 WILD TURKEY COVE	SAUCIER	MS	39574
N	133018	0908F-01-048.000	GOLDIN STEVEN L & DEBORAH H	13123 LAKE FLORENCE RD	GULFPORT	MS	39503
	53710	0908E-01-046.000	EDWARDS SANDRA M	103 TOMAHAWK TRAIL	GULFPORT	MS	39503
	53707	0908E-01-045.000	DAVISON MICHAEL A & LAKISHA T	104 TOMAHAWK TRAIL	GULFPORT	MS	39503
N	16132	0908E-01-001.000	FLORENCE GARDENS LLC	12321 PRESERVATION DR	GULFPORT	MS	39503
	141333	0908F-01-053.000	PIZZETTA DANETTE SHAW	13315 KINDER DR	GULFPORT	MS	39503
	141334	0908F-01-054.000	HINES OWEN CLARK JR & KELLY FLYNN	13311 KINDER DRIVE	GULFPORT	MS	39503
	141335	0908F-01-055.000	GILREATH MICHAEL H & CYNTHIA	13307 KINDER DR	GULFPORT	MS	39503
	141413	0908F-01-060.000	MARSHALL CHAD E & JARRID HILL	13318 KINDER DR	GULFPORT	MS	39503
	141425	0908F-01-072.000	FREEMAN JUDY E	13333 KINDER DR	GULFPORT	MS	39503
	141426	0908F-01-073.000	RICE SIDNEY EARL JR & SHELLY	13327 KINDER DR	GULFPORT	MS	39503
	141415	0908F-01-062.000	MURRAY MATTHEW JACOB & CHRISTINE B	13326 KINDER DR	GULFPORT	MS	39503
	141423	0908F-01-070.000	JOHNSON ROSALIND D	2021 ALPHABET RD	GULFPORT	MS	39503
	141424	0908F-01-071.000	JOACHIM CHARLES LOUIS & DIANA E	13337 KINDER DR	GULFPORT	MS	39503
	141414	0908F-01-061.000	MASSEY CHARLES P	13322 KINDER DR	GULFPORT	MS	39503
	134518	0908F-01-002.043	WHITEMAN BRIDGET M & RALPH ANDREW	13130 WHISTLE COURT	GULFPORT	MS	39503
N	56947	0908F-01-001.000	FLORENCE GARDENS LLC	12321 PRESERVATION DRIVE	GULFPORT	MS	39503
	56942	0908E-02-001.000	HOLLIMAN PLACE LLC	P O BOX 349	OXFORD	MS	38655
N	141429	0908F-01-002.061	FLORENCE GARDENS LLC	12321 PRESERVATION DRIVE	GULFPORT	MS	39503
	141427	0908F-01-074.000	JACKSON AVERY & LAUREN	13323 KINDER DR	GULFPORT	MS	39503
	141336	0908F-01-056.000	REGISTER MARK A & JANICE M	13303 KINDER DR	GULFPORT	MS	39503
	141412	0908F-01-059.000	MICHELLI MADELEINE	13314 KINDER DRIVE	GULFPORT	MS	39503
	145193	0908E-01-001.112	HODO DEVIN K & SARAH E JAMES	13233 ARTISAN RD	GULFPORT	MS	39503
	145195	0908E-01-001.114	MADELEY SCOTT	13225 ARTISAN RD	GULFPORT	MS	39503
N	145196	0908E-01-001.115	FLORENCE GARDENS LLC	12321 PRESERVATION DR	GULFPORT	MS	39503
	145166	0908E-01-001.085	DILTS BRENT C	13336 HAWK PLACE	GULFPORT	MS	39503
	145167	0908E-01-001.086	DAVIS JAMES R & KAREN L	13332 HAWK PLACE	GULFPORT	MS	39503
	145168	0908E-01-001.087	BARRETTE CHRISTIAN SCOTT & MARIAH N	13328 HAWK PLACE	GULFPORT	MS	39503
N	145169	0908E-01-001.088	ELLIOTT HOMES LLC	1402 PASS RD	GULFPORT	MS	39501
	145170	0908E-01-001.089	MCFARLAND JAMES A & SARAH O	13320 HAWK PLACE	GULFPORT	MS	39503
	145171	0908E-01-001.090	MCCOMMON RICHARD ANTHONY & MARTHA	13316 HAWK PLACE	GULFPORT	MS	39503
	145172	0908E-01-001.091	AMERICAN LEBANESE SYRIAN ASSOCIATED	CHARITIES INC	MEMPHIS	TN	38105

Mail	PPIN	Parcel ID	Name	Address	City	State	ZIP
	145173	0908E-01-001.092	ELLIOTT HOMES LLC	1402 PASS RD	GULFPORT	MS	39501
N	145174	0908E-01-001.093	MANAS KENNETH SALVADOR & MICKI LE	13304 HAWK PLACE	GULFPORT	MS	39503
	145192	0908E-01-001.111	MIRICK CAROLYN	13226 ARTISAN RD	GULFPORT	MS	39503
	145191	0908E-01-001.110	FRONTZ THERESA ANNE & NICHOLAS M	13230 ARTISAN RD	GULFPORT	MS	39503
	145190	0908E-01-001.109	ROGERS STEVEN & SHEILA YVETTE	13234 ARTISAN RD	GULFPORT	MS	39503
	145184	0908E-01-001.103	HODA BRENDA	12224 MUSIC ST	GULFPORT	MS	39503
	145185	0908E-01-001.104	NAMIN ARYA & JAMIE	12220 MUSIC ST	GULFPORT	MS	39501
	145186	0908E-01-001.105	LEVY SAM & DANA G	12216 MUSIC ST	GULFPORT	MS	39503
	145187	0908E-01-001.106	ERICKSON MATTHEW EDWARD -ETAL-	12212 MUSIC ST	GULFPORT	MS	39503
	145188	0908E-01-001.107	DAINES JUDY & KENNETH	12208 MUSIC ST	GULFPORT	MS	39503
N	145189	0908E-01-001.108	JOHNSON STEVEN MICHAEL	12204 MUSIC ST	GULFPORT	MS	39503
	145183	0908E-01-001.102	ELLIOTT ASHLEY K & FLEMING JOSHUA T	13305 HAWK PLACE	GULFPORT	MS	39503
N	145175	0908E-01-001.094	ELLIOTT HOMES LLC	1402 PASS RD	GULFPORT	MS	39501
	145176	0908E-01-001.095	BAILEY JEFFREY G & RYAN KAY PETRO	13333 HAWK PLACE	GULFPORT	MS	39503
	145177	0908E-01-001.096	DUPLICHEN CLARK A & MICHELLE M	13329 HAWK PLACE	GULFPORT	MS	39503
N	145178	0908E-01-001.097	ELLIOTT HOMES LLC	1402 PASS RD	GULFPORT	MS	39501
	145179	0908E-01-001.098	MOLINO CHRISTOPHER & MERI-MICHAELLE	13321 HAWK PL	GULFPORT	MS	39503
	145180	0908E-01-001.099	OESCHGER DAVID C	13317 HAWK PL	GULFPORT	MS	39503
	145181	0908E-01-001.100	KIGER RONNIE SYLVESTER & AMELIA R	13313 HAWK PLACE	GULFPORT	MS	39503
	145182	0908E-01-001.101	RIVERS SHELIA L	13309 HAWK PL	GULFPORT	MS	39503
	129026	0908F-01-013.000	TRAN JOHN H & TRAN H NGUYEN-TRUSTEE	12215 PRESERVATION DR	GULFPORT	MS	39503
	133013	0908F-01-043.000	SEAL WILLIAM JOSHUA & BOBBI NICOLE	12187 PRESERVATION DR	GULFPORT	MS	39503
	133038	0908F-01-040.001	LEWIS CARTER & NICOLE	18098 LAKE VISTA DR	GULFPORT	MS	39503
N	100817	0908E-01-001.001	FLORENCE GARDENS LLC	12321 PRESERVATION DRIVE	GULFPORT	MS	39503
	145194	0908E-01-001.113	EZELL JOSEPH & BARNETT TRACI	13229 ARTISAN RD	GULFPORT	MS	39503
N	1	0908C-01-001.000	FLORENCE GARDENS LLC	12321 PRESERVATION DRIVE	GULFPORT	MS	39503

Variance



RE: Variance 2405ZB071, by agent Amanda Crose and designated agent Donovan Scruggs, seeking approval for a 21-foot and 3.5-inch setback on a second frontage where 25 feet is required, Tax Parcel 0908E-01-001.001, 11030 Alphabet Road Zoned R-1-10 (Single-family), Ward 6

To Applicants and Adjacent Property Owners:

The City of Gulfport Zoning Board of Adjustments and Appeals will hold a public hearing to consider the above application at 3:00 P.M. on **Thursday, May 16, 2024**, in the Council Chambers at the Gulfport City Hall located at 2309 15th Street.

For more information, visit <https://www.gulfport-ms.gov/agendas/> then click the City of Gulfport Zoning Board for **Thursday, May 16, 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	546606	Print Legal Ad-IPL01707030 - IPL0170703		\$113.35	2	76 L

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

accountspayable@gulfport-ms.gov

LEGAL NOTICE PUBLIC HEARING

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

Variance 2403ZB026, by agent Rebecca Gillum, seeking approval for 5-foot side yard setbacks, where 8 feet is required, Tax Parcel 0811G-04-116.000, 2011 17th Ave, Zoned R-2 (Single-family), Ward 3

Variance 2405ZB059, by owners OMT, LLC and FTO, LLC, seeking approval for parking that pulls out into right of way, Tax Parcel 0811B-05-012.000, 1602 26th Street, Zoned B-2 (General Business), Ward 3

Variance 2405ZB060, by agent Jonathan Fernandez, seeking approval for parking that pulls out into right of way, Tax Parcel 0910M-03-072.000, 1015 Pass Road, Zoned B-2 (General Business), Ward 3

Variance 2405ZB061, by owners Tim and Tracie Bruni, seeking approval for a eight-foot tall fence where the height limit is six feet, Tax Parcel 1010D-03-014.000, 51 Shoreline Lane, Zoned R-1-7.5 (Single-family), Ward 4

Variance 2405ZB063, by owner Michael Bogan, seeking approval for a 4-foot rear yard setback where 8 feet is required, Tax Parcel 0811G-04-116.000, 2011 17th Ave, Zoned R-2 (Single-family), Ward 3

Variance 2405ZB064, by agent Morgan Speranzo Hado, seeking approval for a 22-foot and one-inch front yard setback where 25 feet is required, Tax Parcels 1009N-01-002.061, 1009N-01-002.062, Georglan Way, Zoned R-2 (Single-family), Ward 5

Special Exception 2405SE067, by agent Frankie Jackson, seeking approval for a tattoo parlor, Tax Parcel 1010G-03-003.002, 2033 E Pass Road Unit B, Zoned B-2 (General-business), Ward 2

Variance 2405ZB071, by agent Amanda Crose and designated agent Donovan Scruggs, seeking approval for a 21-foot and 3.5-inch setback on a second frontage where 25 feet is required, Tax Parcel 0906E-01-001.001, 11030 Alphabet Road Zoned R-1-10 (Single-family), Ward 6

Variance 2405ZB072, by agent Amanda Crose and designated agent Donovan Scruggs, seeking approval for a 23-foot and 2-inch setback on a second frontage where 25 feet is required, Tax Parcel 0908C-01-001.000, 11102 Alphabet Road, Zoned R-1-10 (Single-family), Ward 6

Variance 2405ZB073, by agent Amanda Crose and designated agent Donovan Scruggs, seeking approval for a 21-foot and 2-inch setback on a second frontage where 25 feet is required, Tax Parcel 0908C-01-001.000, 11041 Alphabet Road, Zoned R-1-10 (Single-family), Ward 6

Variance 2405ZB075, by owner Diane Myers, seeking approval for a gravel driveway where asphalt or concrete is required, Tax Parcel 0909O-02-029.000, 21 50th Street, Zoned R-1-7.5 (Single-family), Ward 4

Variance 2406ZB076, by agent Bryan Hall, seeking approval for fence columns of 7 feet and 4 inches in height where the height limit is 6 feet, Tax Parcels 1009N-01-002.001, 1009N-01-002.002, 1009N-01-002.003, 1009N-01-002.004, 1009N-01-002.023, 1009N-01-002.024, 1009N-01-002.025, 1009N-01-002.026, 1009N-01-002.027, 1009N-01-002.028, 1009N-01-002.029, 1009N-01-002.030, 1009N-01-002.031, 1009N-01-002.032, 1009N-01-002.033, 1009N-01-002.034, 10881 Lily Lane, 10887 Lily Lane, 10893 Lily Lane, 10899 Lily Lane, 10809 Lily Lane, 10815 Lily Lane, 10821 Lily Lane, 10827 Lily Lane, 10833 Lily Lane, 10839 Lily Lane, 10845 Lily Lane, 10851 Lily Lane, 10857 Lily Lane, 10863 Lily Lane, 10869 Lily Lane, 10875 Lily Lane, Zoned R-2 (Single-family), Ward 5

This the 24th day of April 2024
A. Leslie North, Chairman
City of Gulfport Zoning Board of Adjustment and Appeals
IPL0170703
May 1 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:
05/01/24

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.

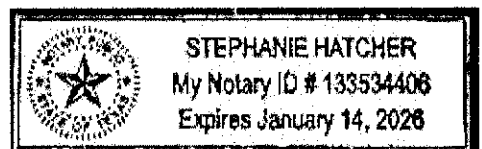
Mary Castro

Sworn to and subscribed before me this 1st day of May 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: May 16, 2024

Re: Variance 2405ZB072:

Variance 2405ZB072, by agent Amanda Crose and designated agent Donovan Scruggs, seeking approval for a 23-foot and 2-inch setback on a second frontage where 25 feet is required, Tax Parcel 0908C-01-001.000, 11102 Alphabet Road, Zoned R-1-10 (Single-family), Ward 6

Technical Report

VARIANCE

GENERAL INFORMATION

Case File Number: 2405ZB072

Hearing Date: May 16, 2024

Current Zoning/Use: R-1-10/ Vacant Lot

Legal: Variance 2405ZB072, by agent Amanda Crose and designated agent Donovan Scruggs, seeking approval for a 23-foot and 2-inch setback on a second frontage where 25 feet is required, Tax Parcel 0908C-01-001.000, 11102 Alphabet Road, Zoned R-1-10 (Single-family), Ward 6

TECHNICAL DETAILS

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

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

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

Technical Report

VARIANCE

The applicant requests a variance of 1 foot and 10 inches for a second frontage setback of 21 feet and 2 inches where 25 feet is required.

- (a) The applicant states that the “the variance that is being requested is based on a platted setback that exceeds the requirements of the R-1-10 District for the specific situation,” and that “in the case of Lot 3, the adjacent land is an unplatted and undivided parcel of land.” They also stated that “there is no ‘lot’ to the rear, and there is no dedicated street or right of way,” and that “the greater setback should not be required on the corner yard of Lot 20 when the potential lot to the rear has no established orientation or configuration.” Upon a site visit, it was noted that the property does sit on a corner lot but the current right of way present is currently unfinished, as the rest of it would developed on a future development plan.
- (b) The applicant states that “the subject lot has a width that is only 80 feet,” and that “corner lots are required by Gulfport regulations to be slightly larger to accommodate an additional setback where necessary.” They also state that “this places a unique burden on the smaller, narrower, corner lots.” It should be noted that the lot was originally platted as a part of the “Phase 9” plan and ultimately, this issue is a result of the original design of the subdivision.
- (c) Applicant states that “corner lots, by ordinance are required to be larger other lots to accommodate increased setbacks. A review of other lots in Phase 9 shows that Lot 3 is smaller than more than 60 percent of the lots in the phase.” This demonstrates that the lot in question is smaller than the average corner lot in that area.
- (d) The applicant states “the proposed setback are compliant with the zoning ordinance and the variance is from a greater requirement that is imposed by the Phase 9 plat. According to existing conditions, the side yard setback should be 8 feet as imposed by the Zoning Ordinance.” This does not answer the question of whether or not the literal interpretation of the provisions of the zoning ordinance would deprive the applicant of rights commonly enjoyed by properties in the same area.
- (e) Applicant states that “granting the variance does not provide any special privilege to the lot. In fact, [it] removes a burden that is uniquely placed on corner lots, especially those that are smaller than most lots within Phase 9.” There are presently no properties within this plan that have had to go for a variance for a second frontage setback and granting this variance would set a precedence.
- (f) This property is zoned R-1-10 and a single family home is allowed by right.

EXECUTIVE SUMMARY

The applicant’s request 23 foot and 2 inches for a second frontage setback instead of the required 25 feet seems to be caused as a direct result of how the overall design of the plat was, as there is currently a unfinished public right of way next to the lot that the completion of is contingent on a future development. There are currently no other houses located in this plat that have required a variance for an second frontage and this would establish precedence in that area.

Technical Report

VARIANCE

Any approval should consider these conditions:

1. Must comply with all rules and regulations.
2. Approval would allow 23 foot and 2 inches for a second frontage setback where 25 feet is required.

DEPARTMENTAL CONDITIONS

<u>Engineering:</u>	No conditions. Memo dated 4/29/2024.
<u>Public Works:</u>	No conditions. Memo dated 5/2/2024.
<u>Traffic and Safety:</u>	No conditions. Memo dated 4/4/2024.
<u>Building Code Services:</u>	No conditions. Memo dated 04/26/2024.
<u>GIS:</u>	No conditions. Memo dated 5/1/2024.
<u>Police Department:</u>	No comment as of 5/3/2024.
<u>Fire Department:</u>	No conditions. Memo dated 4/25/2024.
<u>City Arborist:</u>	No conditions. Memo dated 04/25/2024.

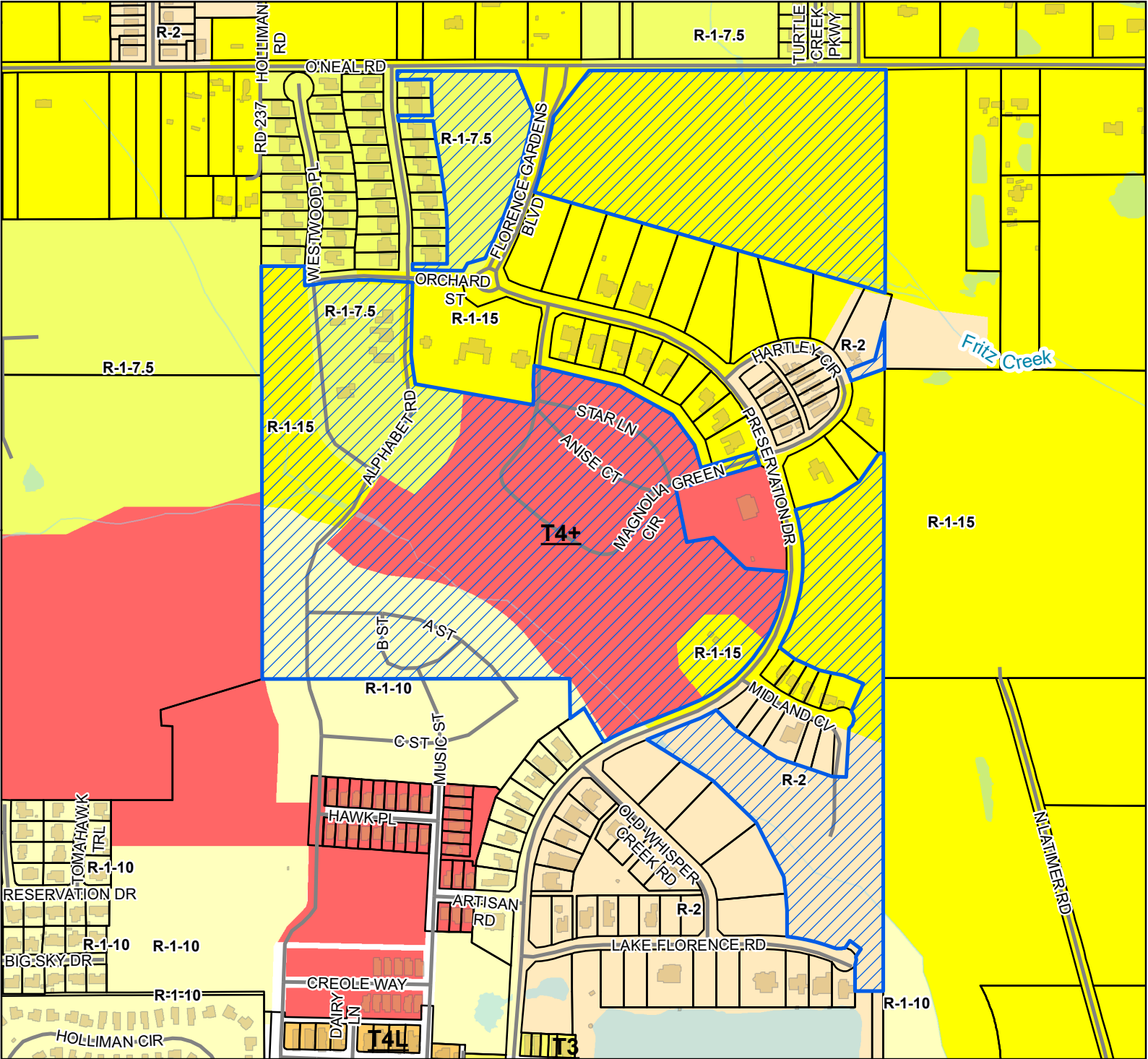
DIRECTOR APPROVAL

This report has been reviewed and approved by:



Greg Holmes
Director of Urban Development Department

Variance



 Site

 Street

 Alley

 Parcels

 Buildings

 Water Features

Smart Code

 T4+

 T4L

 T3

Zoning

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

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

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

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

Site Information

0908C-01-001.000

Zoning: R-1-10 (Single-family)

R-1-7.5 (Single-family)

R-1-5 (Single-family)

R-2 (Single-family)

T4+ (General Urban "Plus")

Size: 122.2 AC

Flood: AE, X

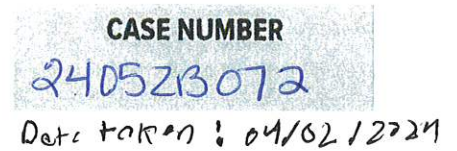
0 90 180 270

Yards

1 inch = 600 feet

N
W E
S

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



OWNER:Florence Gardens, LLC

Printed Name of Owner

12321 Preservation Drive

Mailing Address

Gulfport MS 39903

City

State

Zip Code

Home Phone

Work/Cell Phone

RYAN@FLORENCEGARDENS.COM

Email

[Signature]

Signature of Owner

AGENT:Amanda Crose, Elliott Homes

Printed Name of Agent

1402 Pass Road

Mailing Address

Gulfport MS 39901

City

State

Zip Code

228-213-0783

Home Phone

Work/Cell Phone

acrose@myelliottshome.com

Email

[Signature]

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) _____

Address (Street, City, State, Zip Code) _____

Phone (Home) _____ (Work) _____ (Cell) _____

Tax Parcel Number(s) Owned: _____

Signature: _____

Name of Owner (PRINT) _____

Address (Street, City, State, Zip Code) _____

Phone (Home) _____ (Work) _____ (Cell) _____

Tax Parcel Number(s) Owned: _____

Signature: _____

Name of Owner (PRINT) _____

Address (Street, City, State, Zip Code) _____

Phone (Home) _____ (Work) _____ (Cell) _____

Tax Parcel Number(s) Owned: _____

Signature: _____



DESIGNATION OF AGENT

RYAN GOLDIN ON BEHALF OF

I, FLORENCE GARDENS being property owner of 11102 Alphabet Road
PRINT NAME PRIMARY ADDRESS OR PARCEL
which is the subject of this application hereby authorize Amanda Croge 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

APRIL 2, 2024
DATE

STATE OF MISSISSIPPI | COUNTY OF HARRISON

Given under my hand and seal of office this the 2 day of April, 20 24
[Signature] January, 9 2028
NOTARY PUBLIC COMMISSION EXPIRATION





DESIGNATION OF AGENT

RYAN GOLDIN ON BEHALF OF
I, FLORENCE GARDENS being property owner of 11102 Alphabet Road
PRINT NAME PRIMARY ADDRESS OR PARCEL
which is the subject of this application hereby authorize Donovan Schuggs 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 or said petition.

[Signature]
SIGNATURE

APRIL 2, 2024
DATE

STATE OF MISSISSIPPI | COUNTY OF HARRISON

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

[Signature]
NOTARY PUBLIC

January 9, 2028
COMMISSION EXPIRATION





COVENANT AFFIDAVIT

RYAN GOLDIN ON BEHALF OF
I, FLORENCE GARDENS being property owner or agent of the property 11102 Alphabet Road
PRINT NAME PRIMARY ADDRESS OR PARCEL

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

[Signature] APRIL 2, 2024
SIGNATURE DATE

STATE OF MISSISSIPPI | COUNTY OF HARRISON

Given under my hand and seal of office this the 2 day of April, 2024

[Signature]
NOTARY PUBLIC



January 9, 2028
COMMISSION EXPIRATION

VARIANCE SUBMISSIONS

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

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

Corner, Side Yard Variance, Florence Gardens, Phase 9, Lot 3

1. Demonstrate that special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same district.

The proposed corner yard setback for Lot 3, Phase 9 of Florence Garden is proposed at 23'2". This distance is only 1'10" deficient of the required platted setback. The variance that is being requested is based on a platted setback that exceeds the requirements of the R-1.10 District for the specific situation. The FYSB for the R-1.10 is 25 feet, and the side yard setback is 8 feet. The Gulfport Zoning Ordinance imposes a greater side yard setback on corner lots when the lot to the rear faces the same street as the corner yard. In the case of Lot 3, the adjacent land is an unplatted and undivided parcel of land. There is no "lot" to the rear, and there is no dedicated street or right of way. The greater setback should not be required on the corner yard of Lot 3 when the potential lot to the rear has no established orientation or configuration.

The variance being requested is based on the 25 ft. setback imposed on the Phase 9 plat and not of the Gulfport Zoning Ordinance.

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

Elliott Homes is the prospective purchaser of Lot 3. The proposed side yard setback on the corner yard is proposed to be 23'2". The platted setback of 25 feet for the corner yard area exceeds the requirements of the zoning regulations which should be 8 feet as currently configured. The future Phase 10 appears to need a rezoning to T4+ to be constructed or platted in a manner consistent with the Master Plan. This phase, according to the Master Plan is to be developed in a manner consistent with Phase 6 that includes smaller lots and smaller setbacks. If this occurs the setback on the corner side yard of Lot 3 would be imposed at 15 feet. At present, Phase 10 is not platted and, accordingly, the lot layout or configuration to be considered is the large, undivided parcel.

The requested variance is from the requirements of the Phase 9 plat and not City of Gulfport Regulations. The platted setback exceeds the City's requirements. Florence Gardens has approved the requested variance.

The subject lot has a width that is only 80 feet. Corner lots are required by Gulfport regulations to be slightly larger to accommodate an additional setback where necessary. This lot is narrower than many of the lots within Phase 9 including corner lots. This places a unique burden on the smaller, narrower, corner lots.

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

The proposed variance does not seek relief of the zoning ordinance. The variance is from the Phase 9 platted setback of 25 feet for corner yards. This is a hardship that is not common on other properties within the area and only on corner lots with phase 9 of Florence Gardens. The setbacks imposed for corner lots are greater than those imposed on other lots within the subdivision or Phase 9 or within the district, in general.

Corner lots, by ordinance, are required to be larger other lots to accommodate increased setbacks. A review of other lots in Phase 9 shows that Lot 3 is smaller than more than 60 percent of the lots in the subdivision. It is smaller in area and width than lots 21 and 4 (nearby corner lots). These lots have widths of 83 and 85 feet and areas of 12,486 and 11,475 square feet. This shows that the subject lot with a width of 80 feet and an area of 10,800 square feet is not typical or 'larger' as required by the zoning and subdivision regulations.

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

The proposed setback are compliant with the zoning ordinance and the variance is from a greater requirement that is imposed by the Phase 9 plat. According to existing conditions, the side yard setback should be 8 feet as imposed by the Zoning Ordinance. The increased setback requirement is imposed by plat. Because there is no dedicated roadway and no platted lot to the rear, the greater setback should not be imposed by the Zoning Regulations.

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

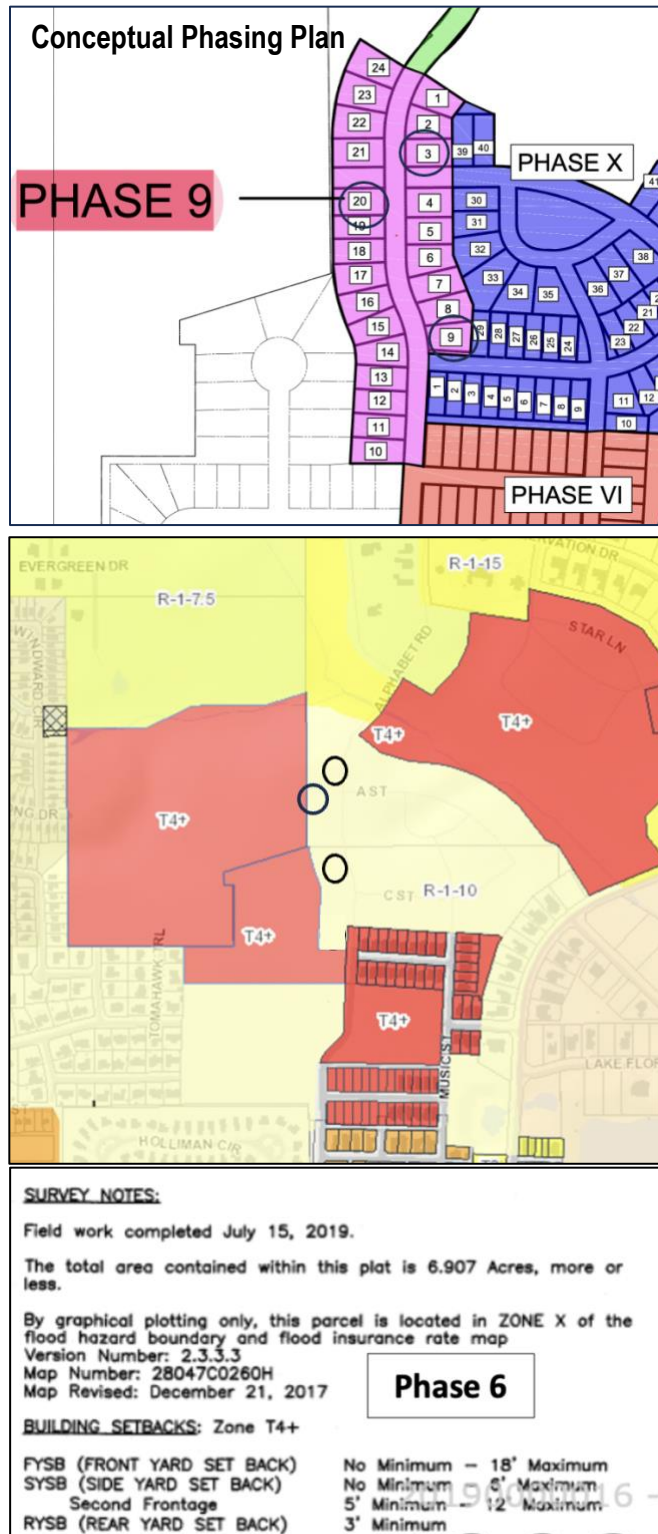
The area located to the rear of the property is unplatted and undivided. The additional setback required on the side yard of corner lots only applies in certain situations with the lots and streets. In this case, the 'lot to rear' and the street have not been platted or dedicated. At present these lots and streets do not exist, and until platted or constructed, the Plans are subject to change.

While there is a Master Plan that shows the future lot as facing the street of the corner yard, this Plan also requires a rezoning to be developed as shown on the Plan. If the rezoning occurs to T4+ the side yard on the corner lot (Lot 3) will be no more than 15 feet, according to Zoning Regulations. If the parcel is not rezoned, the proposed layout cannot be approved or is not consistent with the zoning ordinance. The rear lot shown on the future or proposed plat is not consistent with existing zoning and should not be considered at this time.

Granting the variance does not provide any special privilege to the lot. In fact, it removes a burden that is uniquely placed on corner lots, especially those that are smaller than most of the lots within Phase 9.

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

The proposed use of Single-family Residential is permitted "by right".



If Phase 10 (unplatted) is developed as planned and consistent with Phase 6, the front yard setbacks can range between 0 and 15 feet. This would establish a side corner yard of 15 feet on Lots 3 and 9.

Overview:

Florence Garden is a community comprised of approximately 600 acres. It has developed in a block by block (or phase by phase) pattern according to conceptual frameworks. Lot sizes vary to accommodate different structures or housing types, and the overall development incorporates different zoning districts. The development, at present, includes a variety of districts that range between Traditional Districts (R-1.7.5 or R-1.10) to Hybrid or SmartCode Districts (T4+, T4L, or T3). The subject phase (phase 9) is currently zoned R-1.10. To the west of Phase 9 is an area designated as T4+, and to the east is an area zoned R-1.10. Neither of these areas are platted.

The applicant is requesting corner lot or side yard variances on three lots (Lots 3, 9, and 20 of Phase 9 of Florence Gardens). While it appears these three lots comply with the City of Gulfport Zoning Regulations, there is a platted 25 ft. setback along the side yard of corner lots. This setback exceeds the requirements of the City. Additionally, these lots fail to include the increased area for corner lots as described in Section 9-50 Design Standards (D) Lots (5) Corner lots of the Subdivision Regulations, "Corner lots for residential use shall be increased in width over the minimum specified herein so that front yard distance can be provided on both streets, and the building setback line shall be so located."

Lot 3 and 9

While Lots 3 and 9 are corner lots and likely adjacent to future lots, these future or adjacent phases and lots have not been platted according to Harrison County Land Records and a review of Gulfport GIS. While the future phases may have lots that would front different streets than the adjacent lot (subject lots 3 and 9), the future phasing plan also shows lots to the east (phase 10) developing in a T4+ pattern (despite R-1.10 zoning). These assumptions or plans are subject to change.

Phase 6 is an earlier phase that developed to the south of Phase 9. This Phase (Phase 6) developed within a T4+ District and required/established no minimum front yard setback and a maximum setback of 18 feet. While currently designated as R-1.10, Phase 10 appears to be planned to be developed in a manner consistent with Phase 6 which would require a rezoning to T4+. This approval is not assured.

If this same front yard requirement is provided for Phase 10 as developed in Phase 6 (which would be no minimum or zero), the required side yard setback of Lots 9* and 3 would be 8 feet (the minimum required side yard by the Gulfport Zoning Ordinance) or 15 feet as required in a typical T4+ District, according to the Supplementary Requirements of the zoning ordinance. Phase 10 will require a rezoning, but the phase cannot be platted as configured without a rezoning.

At present, Phase 10 is an undivided and unplatted parcel of land. Because there is no required yard established for lots that have not been platted, the corner side yard requirements of Lot 9 and 3 should be only 8 feet. If Phase 10 is platted in a manner similar to Phase 6, there will be no minimum front yard setback and the maximum front yard setback will be 18 feet. The developer of the lot is proposing side yards of at least 21 feet which should comply with any of the above noted situations.

*Lot 9 – This lot is unique in that there is a 50 ft right of way that is separated by a buffer area of 10 feet. This 'buffer' area actually separates the corner, side yard from the r.o.w. and, provides a greater setback than the proposed 21 feet. Because of this 'buffer area' the side yard could be reduced to 8 feet since the lot does not actually abut r.o.w. This would mean that Lot 9 should not be considered a corner lot because it is adjacent to a buffer area.

Lot 3 and 9 have widths that are smaller than many lots within Phase 9 and was not platted to include larger areas to accommodate additional setbacks. Lot 9, for example, is the smallest lot within Phase 9 and Lot 3 is smaller than the majority of lots within the phase. Other corner lots within Phase 9 have widths of 83 or 85 feet while these two lots have widths that are 80 feet or less.

<u>SURVEY NOTES:</u>	
Field work completed April 22, 2022.	
The total area contained within this plot is 8.712 Acres, more or less.	
By graphical plotting only, this parcel is located in ZONE X, ZONE X (SHADED), & ZONE AE of the flood hazard boundary and flood insurance rate map.	
Version Number: 2.3.3.3	
Map Number: 28047C0260H	
Map Revised: December 21, 2017	
<u>BUILDING SETBACKS:</u> Zone R-1-10 (See Lots 14 & 21 for typical setbacks)	
FYSB (FRONT YARD SET BACK)	25'
SYSB (SIDE YARD SET BACK)	8'
Second Frontage	25'
RYSB (REAR YARD SET BACK)	8'
ALL SETBACKS ARE SUBJECT TO PLATTED EASEMENTS	

Phase 9

Lot 20

Lot 20 is adjacent to an unplatted phase. At present, it is not clear how the future development will be oriented. For this reason, the increased setback is not required. The area in this adjacent phase is designated as T4+. The Gulfport Zoning Ordinance established the T4+ Front Yard Setback at 15 feet. Depending on the orientation of the lot, if platted and developed, the required front yard setback would be 15 feet. The proposed setback of Lot 20 exceeds 21 feet.

Lot 20 has a width of only 78 feet. This width makes it one of the narrowest corner lots within the development. It fails to include a larger area required for corner lots.

Supplementary Requirements from Gulfport Zoning Regulations

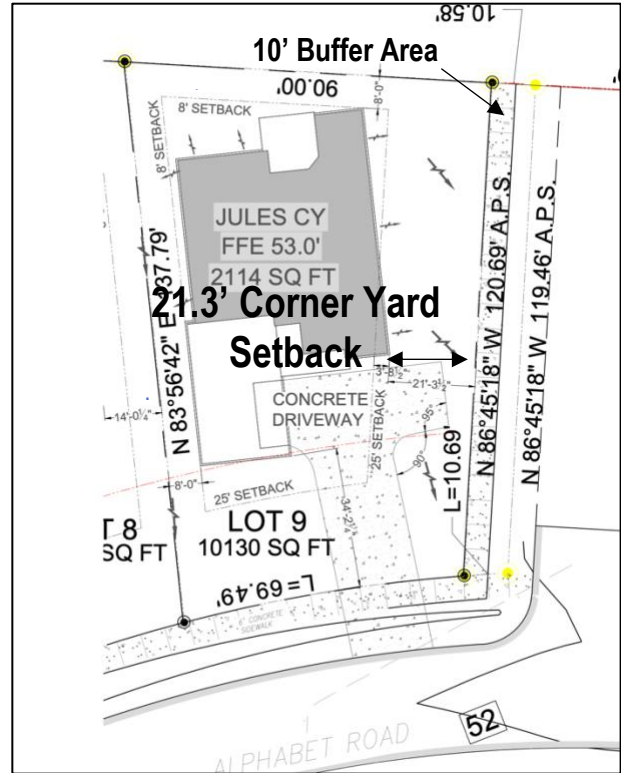
Corner building site. In any district, a corner building site having to its rear a building site facing toward the intersecting or side street shall have provided on the intersecting or side street side of the corner building site a side yard having a width equal at least to the depth of the front yard required for a structure on the building site to the rear of the corner building site; provided, however, that this regulation shall not be applied to reduce the buildable width of the corner building site to less than thirty (30) feet.

“Required” by the City of Gulfport should mean the minimum setback established by the Gulfport Zoning Regulations. Covenants are not enforced by the City. Once approval is provided by Florence Garden, the City should be able to permit. Because the adjacent areas have not been platted, it is not possible to determine what the front yards will be for the adjacent areas or lots.

Summary

According to this review, all three lots should be considered compliant with the requirements of the Gulfport Zoning Regulations and no variance is needed from the City’s Zoning Regulations. It appears that the 25 ft. setback requirements of Florence Garden are effective and some relief is required from established setbacks of the neighborhood.

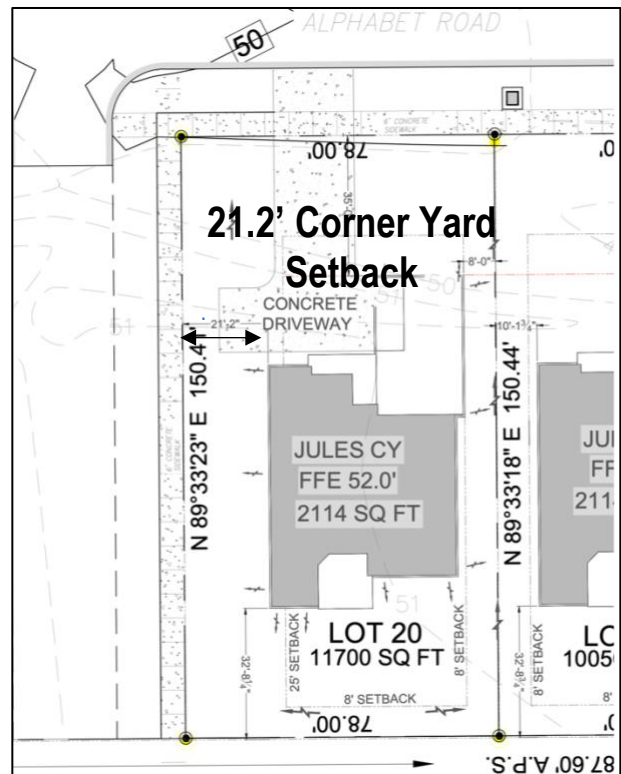
These three corner lots do not include the ‘increased widths’ that are necessary of the additional setback imposed the plat of Phase 9. The variances being requested are from the platted setbacks. The lots and proposed setbacks appear to be consistent with Gulfport’s standards.



All three lots 'back up' to phases that are either zoned T4+ or are planned to be developed as a T4+ District. The required front yard setback in a T4+ District is 15 feet. This would establish a corner lot side yard on these three lots at 15 feet. Proposed corner lot setbacks of these lots range between 21 and 23 feet (approximately). These corner lots, side yard setbacks will exceed the required setbacks of lots developed along the rear portions of these lots.

None of these adjacent areas have been platted, and at present, the streets have not been improved or platted. Until the lots are established or approved, there is no certainty regarding the necessary front yard setbacks of these adjacent lots.

These three lots do not include the increased widths or areas that are required for corner lots. This places a unique hardship on these lots and have caused the need for variances.





Michael Watson

SECRETARY OF STATE

This is not an official certificate of good standing.

Name History

Name	Name Type
FLORENCE GARDENS, LLC	Legal

Business Information

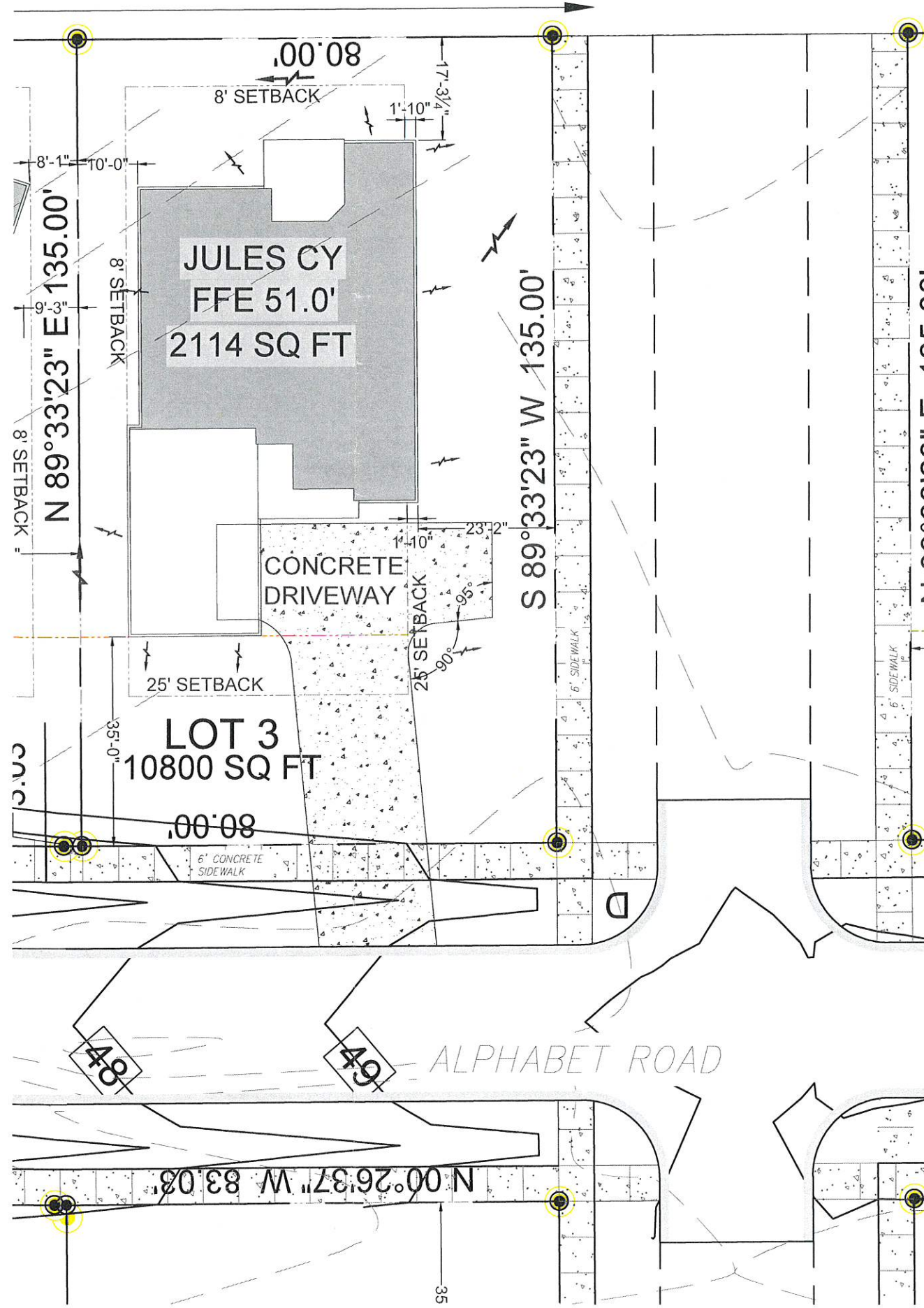
Business Type:	Limited Liability Company
Business ID:	690646
Status:	Good Standing
Effective Date:	08/14/2000
State of Incorporation:	Mississippi
Principal Office Address:	12321 PRESERVATION DR, 12321 PRESERVATION DR GULFPORT, MS 39503

Registered Agent

Name
Goldin, Martin
14231 Seaway Road
Gulfport, MS 39503

Officers & Directors

Name	Title
Martin Goldin 12321 PRESERVATION DR GULFPORT, MS 39503	Member



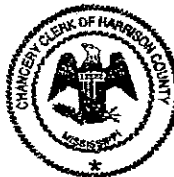
DRAINAGE DIRECTION

Sheet
L3
Project No
23-0701

DRAWING TITLE:
**SITE PLAN
LOT 3**

PROJECT TITLE:
**FLORENCE GARDENS
12321 PRESERVATION DRIVE
GULFPORT, MS 39503**

W. RUSS SMALL WOOD
Complete Design-Build Services
GULFPORT, MISSISSIPPI 39507
TELEPHONE: (228) 263-5482
Serving the Gulf Coast since 1981.



1st Judicial District
Instrument 2019 1155 D -J1
Filed/Recorded 2/27/2019 10:31 A
Total Fees \$ 14.00
5 Pages Recorded

Prepared by:
David B. Pilger
Attorney at Law
1406 Bienville Blvd., Suite 101
Ocean Springs, MS 39564
(228) 215-0011

Grantor:
Seaway Development Company,
a Mississippi limited liability
P.O. Box 2879
Gulfport, MS 39505
Telephone: (228) 897-1776

Return To:
David B. Pilger
Attorney at Law
1406 Bienville Blvd., Suite 101
Ocean Springs, MS 39564
(228) 215-0011

Grantee:
Florence Gardens, LLC,
a Mississippi limited liability company
12327 Preservation Dr.
Gulfport, MS 39503
Telephone: (228) 326-7292

File No. Z197049N

INDEXING INSTRUCTIONS: NW ¼ of NW ¼, Sec. 1-7-S-R11W; NE ¼, NE ¼ of SE ¼, NW ¼ of SE ¼, NW ¼ of SE ¼, SW ¼ of SE ¼, and NE ¼ of SW ¼, Sec. 2-T7S-R11W; NW ¼ of NE ¼ and SW ¼ of NE ¼, Sec. 11-T7S-R11W; all in the 1st Judicial District, Harrison County, MS

**STATE OF MISSISSIPPI
COUNTY OF HARRISON
FIRST JUDICIAL DISTRICT**

CORRECTED 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, **SEAWAY DEVELOPMENT COMPANY, LLC**, a Mississippi limited liability company, do hereby sell, convey and warrant unto **FLORENCE GARDENS, LLC**, a Mississippi limited liability company, all of that certain tract, piece or parcel of land situated in the First Judicial District of Harrison County, Mississippi, together with all improvements, buildings, fixtures, and appurtenances thereunto belonging, and being more particularly described as follows, to-wit:

SEE ATTACHED EXHIBIT "A"

This deed is being done to correct the date on the notary acknowledgment on Warranty Deed recorded as Instrument No. 2005-13959-D-J1 in 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 quitclaims any and all oil, gas, and other minerals owned, if any, to Grantee. 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 21st day of February, 2019.

SEAWAY DEVELOPMENT COMPANY, LLC,
a Mississippi limited liability company

By: Steven L. Goldin
STEVEN L. GOLDIN, Managing Member

ACKNOWLEDGEMENT

STATE OF MISSISSIPPI
COUNTY OF HARRISON

PERSONALLY, APPEARED BEFORE ME, the undersigned authority in and for the jurisdiction aforesaid, STEVEN L. GOLDIN, who acknowledged that he is the Managing Member of SEAWAY DEVELOPMENT COMPANY, LLC, a Mississippi limited liability company, who acknowledged before me that he/she signed, executed and delivered the above and foregoing instrument on the day and year thereof, for the use and purposes therein mentioned.

GIVEN UNDER MY HAND AND OFFICIAL SEAL, on this the 21st day of February, 2019.

(AFFIX SEAL)

Michelle Lindsay
NOTARY PUBLIC

My commission expires: April 3, 2020



EXHIBIT "A"
(Legal Description)

PARCEL I

Being one and the same as that parcel acquired by Warranty Deed from William Russell Love and Amanda Collins Love dated January 22, 1999, and recorded in Deed Book 1439 at Page 11:

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

Commencing at a nail with cap found at the northwest corner of section 1, said point lying in the centerline of O'Neal Road; thence along the West line of said Section 1, S00°24'10"W 25.04' to an iron rod on the South margin of O'Neal Road, being the Point of Beginning; thence along said South margin, N89°12'31"E 344.74' to an iron rod found; thence S01°10'15"W 871.18' to an iron rod found; thence S89°08'57"E 149.99' to an iron rod found; thence S01°10'45"W 442.60' to an iron rod lying on the South line of the Northwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 1; thence along said south line, S89°50'03"W 477.00' to an iron rod at the Southwest corner of the Northwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 1; thence along the West line of Section 1, N00°24'10"E 1312.39' to the Point of Beginning, containing 11.661 acres.

PARCEL II

Being one and the same as that parcel acquired by Warranty Deed from Adrian O'Neal, et al, Trustees of the Edon Family Trust, dated September 28, 1998, and recorded in Deed Book 1426 at Page 205:

A parcel of land being that part of the Northeast $\frac{1}{4}$ of Section 2, Township 7 South, Range 11 West, City of Gulfport, Harrison County, Mississippi, lying South of the South margin of O'Neal Road, and also the Northeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 2, Township 7 South, Range 11 West, City of Gulfport, Harrison County, Mississippi, being more particularly described as follows:

Commencing at a nail with cap located at the Northeast corner of Section 2, Township 7 South, Range 11 West, City of Gulfport, Harrison County, Mississippi, said point lying in the centerline of O'Neal Road; thence along the East line of said Section 2, S00°13'23"W 25.04' to an iron rod on the South margin of O'Neal Road, said point being the Point of Beginning; thence further along said East section line, S00°24'10"W 2649.82' to a fence corner found at the Northeast corner of the Northeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 2; thence further along said East section line, S00°08'28"E 1319.91' to an iron rod found at the Southeast corner of the Northeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 2; thence along the South line of the Northeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$, N89°53'59"W 1346.42' to an iron

4

pipe found at the Southwest corner of said Northeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 2; thence along the West line of the Northeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 2, N00°11'30"W 1327.36' to a lightard knot found at the Southeast corner of the Southwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 2; thence along the South line of said Southwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 2, S89°46'21"W 1329.38' to a wood fence corner post found at the Southwest corner of said Southwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 2; thence along the West line of said Southwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 2, N00°35'03"W 1343.79' to an iron rod found at a fence corner post, being the Northwest corner of the Southwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 2; thence along the West line of the Northwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 2, N00°37'03"W 838.84' to an iron pipe found; thence N00°24'31"E 451.93' to an iron pipe found on the South margin of O'Neal Road; thence along said South margin of O'Neal Road, N89°46'16"E 2715.42' to the Point of Beginning, containing 204.433 acres. Said property being subject to a 5-acre Southern Natural Gas Corp. right-of-way located in the Northeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 2 and described in Deed Book 187, Page 530.

PARCEL III

Being one and the same as that parcel acquired by Alan H. Goldin, et al., by Warranty Deed from Lewis N. Vance and Jeff Vance dated July 15, 1998, and recorded in Deed Book 1416 at Page 417:

All of the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$, all of the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$, a portion of the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$; Section 2, Township 7 South, Range 11 West; also a portion of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 11, Township 7 South, Range 11 West; City of Gulfport, First Judicial District of Harrison County, Mississippi; said parcels of land being more particularly described as follows:

For the Point of Beginning, Commence at a light wood post located at the Northeast corner of the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of said Section 2; thence S00°08'18" W 2667.72 feet along the East line of the W $\frac{1}{2}$ of the SE $\frac{1}{4}$ of said Section 2; thence continue S00°08'18"W 1217.01 feet along the East line of the NW $\frac{1}{4}$ of NE $\frac{1}{4}$ said Section 11, to a point located on the Southeast right-of-way of a 100-foot wide easement to Mississippi Power Company; thence S67°22'17"W 268.00 feet along said Southeast right-of-way of a 100-foot wide easement to Mississippi Power Company, to a point located on the South line of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of said Section 11; thence S89°27'02"W 642.21 feet along the South line of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of said Section 11; thence N00°02'19"W 842.38 feet; thence N 89°35'47"W 444.55 feet to a point located on the West line of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of said Section 11; thence N 00°03'04"W 489.69 feet along the West line of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of said Section 11; thence N 00°26'34"E 1324.71 feet along the West line of the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of said Section 2; thence S89°59'19" W 687.38 feet along the South line of the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of said Section 2, to a point located on the East line of Reservation Estates, Unit 2, Part 3, said point being located 11.26 feet northerly

from an iron rod located at the Southeast corner of Lot 10, Reservation Estates, Unit 2 Part 3; thence N00°30'22"E 277.36 feet; thence S89°32'05"E 11.39 feet; thence N00°48'55"E 116.81 feet; thence 00°23'29"E 59.78 feet to an iron rod located at the Southeast corner of Lot 43, Reservation Estates, Unit 2 Part 3; thence N00°28'23"E 365.20 feet to an iron rod located at the Northeast corner of Lot 46, Reservation Estates, Unit 2 Part 3; thence S89°31'51"E 269.51 feet; thence N00°28'09"E 320.00 feet; thence N89°31'51"W 45.00 feet; thence N00°28'09"E 70.00 feet; thence N73°39'43"E 464.44 feet; thence S89°50'48"E 1329.30 feet along the North line of the NW ¼ of the SE ¼ of said Section 2, to the said Point of Beginning.

Together with a non-exclusive, perpetual easement for ingress and egress more particularly described as follows:

Commence at the Southwest corner of the NW ¼ of the NE ¼, Section 11, Township 7 South, Range 11 West, Harrison County, Mississippi; thence South 89°57'10" East a distance of 334.29 feet to a point of beginning; thence Northeasterly along the arch of a curve to the right whose radius is 110.57 feet and delta angle is 89°35'04" a distance of 172.88 feet to a point; thence South 0°22'06" East a distance of 50 feet to a point; thence Southwesterly along the arch of a curve to the right whose radius is 60.57 feet and delta angle is 89°35'04" a distance of 94.57 feet to a point; thence North 89°57'10" West a distance of 50 feet to the point of beginning.

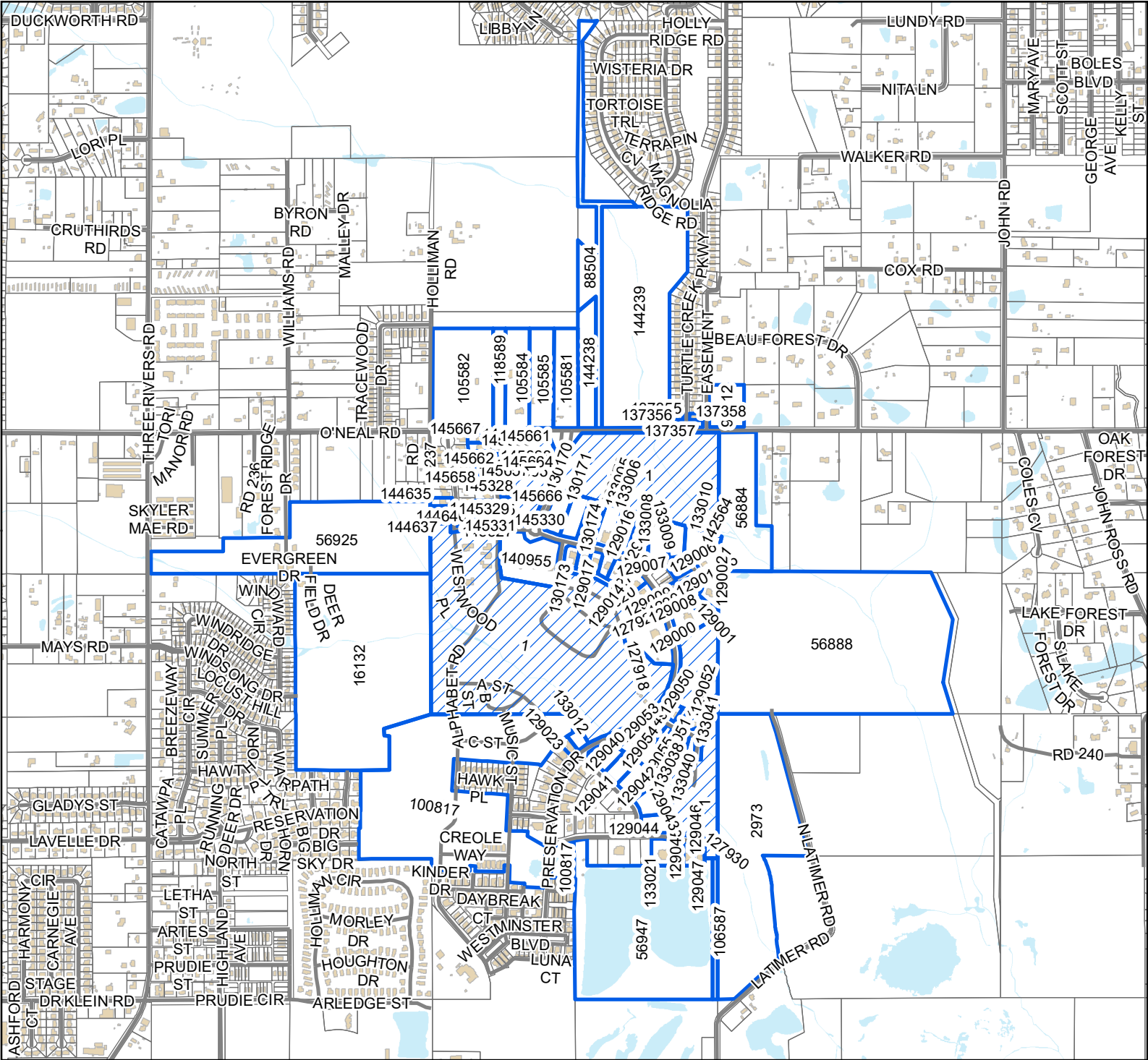
AND ALSO, the following parcel which is conveyed by quitclaim, without warranty and may be subject to claims of others:

A parcel of land within the SW¼ of the NE¼ of Section 11, Township 7 South, Range 11 West, Harrison County, Mississippi, lying North of the Mississippi Power Company easement and described as starting at the SE corner of the NW ¼ of the NE ¼ of Section 11, Township 7 South, Range 11 West and run West a distance of 465.6 feet for the point of beginning; thence continue West a distance of 203.9 feet; thence run South 84.0 feet; run thence Northeast along the Southern boundary of the Mississippi Power Company easement a distance of 220.6 feet to the point of beginning.

Mail	PPIN	Parcel ID	Name	Address	City	State	ZIP
Y		0908C-01-001.000	FLORENCE GARDENS, LLC (OWNER)	12321 PRESERVATION DRIVE	GULFPORT	MS	39503
			AMANDA CROSS, ELLIOTT HOMES (AGENT)	1402 PASS ROAD	GULFPORT	MS	39503
			DONOVAN SCRUGGS (DESIGNATED AGENT)	317 PINE DRIVE	OCEAN SPRINGS	MS	39564
			Adjacent Property Owners(2405ZB072)				
	106587	0908F-01-001.001	FORE WALLACE C	P O BOX 3058	GULFPORT	MS	39505
	127921	0908C-01-001.004	GUIROLA LOUIS JR & STEPHANIE	12453 PRESERVATION DR	GULFPORT	MS	39503
	127920	0908C-01-001.003	MCCULLOUGH MICHAEL S & JENNIFER	12457 PRESERVATION DRIVE	GULFPORT	MS	39503
	127919	0908C-01-001.002	OTERO MICHAEL & STACEY L	12461 PRESERVATION DR	GULFPORT	MS	39503
	129014	0908C-01-001.019	GIBSON JASON & ERIN L	12469 PERSEVTION DR	GULFPORT	MS	39503
	105585	0907N-01-003.006	FAMILY WORSHIP CENTER OF GULFPORT I	15011 PARKWOOD DRIVE	GULFPORT	MS	39503
	93312	0907O-01-023.023	RANKIN OTIS G & DEBRA S	12530 O'NEAL RD	GULFPORT	MS	39503
	105582	0907N-01-003.003	BANKS ANNETTA E	15350 HWY 49 N	GULFPORT	MS	39503
	129015	0908C-01-001.020	GIBSON JASON THOMAS & ERIN LYNN	12469 PRESERVATION DR	GULFPORT	MS	39503
	129016	0908C-01-001.021	DENNIS PADRICK D & MARY M	12473 PRESERVATION DR	GULFPORT	MS	39503
	129017	0908C-01-001.022	SHAM MICHAEL D II & EMILY A	12477 PRESERVATION DRIVE	GULFPORT	MS	39503
	118589	0907N-01-003.008	YOCOM BRADLEY A & JEANIE M	13188 O'NEAL ROAD	GULFPORT	MS	39503
	105584	0907N-01-003.005	YOCOM BRADLEY ALLEN & JEANIE MARIE	13188 O'NEAL RD	GULFPORT	MS	39503
N	2973	0908G-01-003.000	FORE WALLACE C	14270 CREOSOTE RD	GULFPORT	MS	39503
	105581	0907N-01-003.007	LOFTIN CONSORCIA S	14481 AUTUMN CHASE	GULFPORT	MS	39503
	130174	0908C-01-001.029	FAIRLEY CLAYTON	12481 PRESERVATION DR	GULFPORT	MS	39503
N	56884	0908B-01-006.000	FLORENCE GARDENS LLC	12321 PRESERVATION DRIVE	GULFPORT	M3	39503
	133037	0908F-01-037.001	HAGWOOD TERESA W	18534 DEER DR	SAUCIER	MS	39574
	56888	0908B-01-008.000	W C FORE TRUCKING CO INC	14270 CREOSOTE RD	GULFPORT	MS	39503
N	130171	0908C-01-001.026	FLORENCE GARDENS LLC	12321 PRESERVATION DRIVE	GULFPORT	MS	39503
	130172	0908C-01-001.027	LOVELL FRANK A & NANCY D	12478 PRESERVATION DR	GULFPORT	MS	39503
	129009	0908C-01-001.014	GARCIA KENT & LAURRI LEE	12440 PRESERVATION DRIVE	GULFPORT	MS	39503
	129006	0908C-01-001.011	BAKER DONALD G & MARY A -TRUSTEES-	13059 HARTLEY CIR	GULFPORT	MS	39503
	129051	0908F-01-036.000	CLOWER JOHN ROBBINS JR & BARBARA	C/O HELEN CLOWER ELMER	ARLINGTON	TX	76012
	129049	0908C-01-001.023	WARD PHILLIP	13062 MIDLAND COVE	GULFPORT	MS	39503
	129045	0908F-01-032.000	BENTZ JULIE	13095 LAKE FLORENCE DR	GULFPORT	MS	39503
	129046	0908F-01-033.000	WEEMS LAUREN G -TRUSTEE-	13087 LAKE FLORENCE RD	GULFPORT	MS	39503
	129047	0908F-01-034.000	SUROWIEC WALTER JOSEPH	13081 LAKE FLORENCE RD	GULFPORT	MS	39503
	129005	0908C-01-001.010	LAMBERTH YVONNE	13055 HARTLEY CIRCLE	GULFPORT	MS	39503
	129004	0908C-01-001.009	ENNIS BRADLEY A	13051 HARTLEY CIRCLE	GULFPORT	MS	39503
	129003	0908C-01-001.008	CHAPUIS WILLIAM LYNN & BRENDA S	13047 HARTLEY CIR	GULFPORT	MS	39503
	129054	0908F-01-039.000	JOHNSON STEVEN MICHAEL	14095 RIDGEWAY DR	GULFPORT	MS	39503

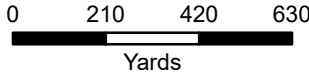
Mail	PPIN	Parcel ID	Name	Address	City	State	ZIP
N	130170	0908C-01-001.025	FLORENCE GARDENS LLC	12321 PRESERVATION DRIVE	GULFPORT	MS	39503
	130173	0908C-01-001.028	BROSIG THOMAS J & ROBIN MIDCALF	12485 PRESERVATION DR	GULFPORT	MS	39503
N	133010	0908C-01-001.035	FLORENCE GARDENS LLC	12321 PRESERVATION DRIVE	GULFPORT	MS	39503
	129001	0908C-01-001.006	VO SANG & HONG-AN NGUYEN	115 RESERVATION DR	GULFPORT	MS	39503
	133005	0908C-01-001.030	STANICH CHARLES A & ROXANNE Q	3505 FORREST PRESERVE CIR	GAUTIER	MS	39553
N	133006	0908C-01-001.031	FLORENCE GARDENS LLC	12321 PRESERVATION DRIVE	GULFPORT	MS	39503
N	133007	0908C-01-001.032	FLORENCE GARDENS LLC	12321 PRESERVATION DRIVE	GULFPORT	MS	39503
	133008	0908C-01-001.033	LANDON HOMES	9113 OLD CCC CAMP ROAD	OCEAN SPRINGS	MS	39564
	129007	0908C-01-001.012	MITCHELL ROBERT ARTHUR	13063 HARTLEY CIR	GULFPORT	MS	39503
	129023	0908F-01-010.000	HOPE TIM R & BETTY A	12227 PRESERVATION DR	GULFPORT	MS	39503
N	129055	0908F-01-040.000	FLORENCE GARDENS LLC	12321 PRESERVATION DRIVE	GULFPORT	MS	39503
N	129042	0908F-01-029.000	FLORENCE GARDENS LLC	12321 PRESERVATION DRIVE	GULFPORT	MS	39503
	129044	0908F-01-031.000	BURRELL ANDREW C & ASHLEY	12562 LAKE VILLIAGE DRIVE	GULFPORT	MS	39507
N	129053	0908F-01-038.000	JOHNSON STEVEN MICHAEL	14095 RIDGEWAY DR	GULFPORT	MS	39503
N	129040	0908F-01-027.000	FLORENCE GARDENS LLC	12321 PRESERVATION DRIVE	GULFPORT	MS	39503
	129041	0908F-01-028.000	MCVAY LARRY C II & EDIRNE A	12190 OLD WHISPER CREEK DR	GULFPORT	MS	39503
N	127918	0908C-01-001.001	FLORENCE GARDENS LLC	12271 PRESERVATION DRIVE	GULFPORT	MS	39503
N	129052	0908F-01-037.000	HAGWOOD TERESA W	18534 DEER DR	SAUCIER	MS	39574
	129010	0908C-01-001.015	DUTRUCH TONI G	12444 PRESERVATION DRIVE	GULFPORT	MS	39503
	129008	0908C-01-001.013	FOX DUNCAN	12396 PRESERVATION DRIVE	GULFPORT	MS	39503
	129050	0908C-01-001.024	BORMANN LEAANN	13058 MIDLAND COVE	GULFPORT	MS	39503
	133041	0908F-01-040.004	SAGGIO NANCY & KELLY NORTHLEE	13748 LAWTON LANE	GULFPORT	MS	39503
	129043	0908F-01-030.000	FLORENCE GARDENS LLC	12321 PRESERVATION DRIVE	GULFPORT	MS	39503
	133012	0908F-01-042.000	FLORENCE GARDENS LLC	12321 PRESERVATION DRIVE	GULFPORT	MS	39503
	133021	0908F-01-051.000	GOLDIN JASON	13099 LAKE FLORENCE RD	GULFPORT	MS	39503
	133009	0908C-01-001.034	FLORENCE GARDENS LLC	12321 PRESERVATION DRIVE	GULFPORT	MS	39503
	129002	0908C-01-001.007	CROMWELL JASON & JOANIE	P O BOX 3597	GULFPORT	MS	39505
	129000	0908C-01-001.005	DOUGLAS DAVID EUGENE & GRACE ELAINE	13024 HARTLEY CIR	GULFPORT	MS	39503
	133040	0908F-01-040.003	SAGGIO NANCY & KELLY NORTHLEE	13745 LAWTON LANE	GULFPORT	MS	39503
	137357	0907N-01-001.060	CHAMBERLAIN DEBORAH R	13000 TURTLE CREEK PKWY	GULFPORT	MS	39503
	137358	0907N-01-001.061	OAKS DARRELL E & VIRGINIA L	13008 TURTLE CREEK PKWY	GULFPORT	MS	39503
	137355	0907N-01-001.058	TATE COREY RENEE JR	13009 TURTLE CREEK PKWY	GULFPORT	MS	39503
N	16132	0908E-01-001.000	FLORENCE GARDENS LLC	12321 PRESERVATION DR	GULFPORT	MS	39503
	144239	0907N-01-001.099	TURTLE CREEK HOME OWNERS ASSOC	181 MAIN ST	BILOXI	MS	39530
	140955	0908C-01-001.037	GOLDIN MARTIN C	12503 PRESERVATION DR	GULFPORT	MS	39503
N	56947	0908F-01-001.000	FLORENCE GARDENS LLC	12321 PRESERVATION DRIVE	GULFPORT	MS	39503

Mail	PPIN	Parcel ID	Name	Address	City	State	ZIP
	142564	0908C-01-001.038	WESSON AUGUSTUS & ASHLEY	13050 HARTLEY CIRCLE	GULFPORT	MS	39503
	88504	0907N-01-001.000	TURTLE CREEK SUBDIVISION LLC	P O BOX 4579	HOUSTON	TX	77210
N	144238	0907N-01-001.098	TURTLE CREEK HOME OWNERS ASSOC	181 MAIN ST	BILOXI	MS	39530
	144647	0908C-01-001.058	SPIERS BENNIE P & DEBRA J	12508 WESTWOOD PL	GULFPORT	MS	39503
N	144636	0908C-01-001.047	LANDON HOMES LLC	9113 OLD CCC CAMP ROAD	OCEAN SPRINGS	MS	39564
	144635	0908C-01-001.046	BARANELLO JOHN PAUL & PAMELA ANN	12517 WESTWOOD PLACE	GULFPORT	MS	39503
	144646	0908C-01-001.057	DEL RIO EDDY M & LISA Y	12512 WESTWOOD PLACE	GULFPORT	MS	39503
	145326	0908C-01-001.061	SINGH MANPREET	12513 ALPHABET RD	GULFPORT	MS	39503
	145330	0908C-01-001.065	WINTER DAVID S & ANNE H	12514 ALPHABET RD	GULFPORT	MS	39503
	145325	0908C-01-001.060	MELLO JOAQUIN NICOLAS & NICOLE T	12521 ALPHABET RD	GULFPORT	MS	39503
	145327	0908C-01-001.062	COOLEY MICHAEL T & WEEKS AMBER M	12505 ALPHABET RD	GULFPORT	MS	39503
	145328	0908C-01-001.063	LEIGH STANLEY & WYNELL	12530 ALPHABET RD	GULFPORT	MS	39503
	145329	0908C-01-001.064	SISSON FALON R & ADAM P	12522 ALPHABET RD	GULFPORT	MS	39503
	145331	0908C-01-001.066	GAGNE CONSTANCE	12506 ALPHABET RD	GULFPORT	MS	39503
	145665	0908C-01-001.078	BOWEN JOSEPH A & SHERRY A	12546 ALPHABET RD	GULFPORT	MS	39503
N	145667	0908C-01-001.080	FLORENCE GARDENS LLC	12321 PRESERVATION DR	GULFPORT	MS	39503
	145654	0908C-01-001.067	ALLEN NATANLIE	12585 ALPHABET RD	GULFPORT	MS	39503
	145655	0908C-01-001.068	POOLE LARRY SR & CRYSTAL A	12577 ALPHABET ROAD	GULFPORT	MS	39503
	145656	0908C-01-001.069	CLARK CORNELIUS J & SHAWNDA B KING	12569 ALPHABET RD	GULFPORT	MS	39503
	145657	0908C-01-001.070	ROLING GLORIA JEANNE -TRUSTEE-	12561 ALPHABET RD	GULFPORT	MS	39503
	145658	0908C-01-001.071	HEAD TRACY G	12553 ALPHABET ROAD	GULFPORT	MS	39503
	145663	0908C-01-001.076	PETERSON TODD MICHAEL & JANA MARIE	12562 ALPHABET RD	GULFPORT	MS	39503
	145664	0908C-01-001.077	BOST GARY B & DONNA M	12554 ALPHABET RD	GULFPORT	MS	39503
	145666	0908C-01-001.079	FREELAND JAMES THOMAS & KIMBERLY	12538 ALPHABET RD	GULFPORT	MS	39503
	145662	0908C-01-001.075	FAIR ERIC M & ROBIN	12570 ALPHABET RD	GULFPORT	MS	39503
N	56925	0908D-01-015.000	FLORENCE GARDENS LLC	12321 PRESERVATION DR	GULFPORT	MS	39503
	133038	0908F-01-040.001	LEWIS CARTER & NICOLE	18098 LAKE VISTA DR	GULFPORT	MS	39503
	137356	0907N-01-001.059	GONZALES RENALDO & PATRICIA	13001 TURTLE CREEK PARKWAY	GULFPORT	MS	39503
N	100817	0908E-01-001.001	FLORENCE GARDENS LLC	12321 PRESERVATION DRIVE	GULFPORT	MS	39503
N	1	0908C-01-001.000	FLORENCE GARDENS LLC	12321 PRESERVATION DRIVE	GULFPORT	MS	39503
	145661	0908C-01-001.074	LAKEY TERRY & MARY	12578 ALPHABET RD	GULFPORT	MS	39503
	144637	0908C-01-001.048	HUFF RICHARD & KELLY	12507 WESTWOOD PLACE	GULFPORT	MS	39503



Legend

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



1 inch = 1,300 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: Variance 2405ZB072, by agent Amanda Crose and designated agent Donovan Scruggs, seeking approval for a 23-foot and 2-inch setback on a second frontage where 25 feet is required, Tax Parcel 0908C-01-001.000, 11102 Alphabet Road, Zoned R-1-10 (Single-family), Ward 6

To Applicants and Adjacent Property Owners:

The City of Gulfport Zoning Board of Adjustments and Appeals will hold a public hearing to consider the above application at 3:00 P.M. on **Thursday, May 16, 2024**, in the Council Chambers at the Gulfport City Hall located at 2309 15th Street.

For more information, visit <https://www.gulfport-ms.gov/agendas/> then click the City of Gulfport Zoning Board for **Thursday, May 16, 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	546606	Print Legal Ad-IPL01707030 - IPL0170703		\$113.35	2	76 L

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

accountspayable@gulfport-ms.gov

LEGAL NOTICE PUBLIC HEARING

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

Variance 2403ZB026, by agent Rebecca Gillum, seeking approval for 5-foot side yard setbacks, where 8 feet is required, Tax Parcel 0811G-04-116.000, 2011 17th Ave, Zoned R-2 (Single-family), Ward 3

Variance 2405ZB059, by owners OMT, LLC and FTO, LLC, seeking approval for parking that pulls out into right of way, Tax Parcel 0811B-05-012.000, 1602 26th Street, Zoned B-2 (General Business), Ward 3

Variance 2405ZB060, by agent Jonathan Fernandez, seeking approval for parking that pulls out into right of way, Tax Parcel 0910M-03-072.000, 1015 Pass Road, Zoned B-2 (General Business), Ward 3

Variance 2405ZB061, by owners Tim and Tracie Bruni, seeking approval for a eight-foot tall fence where the height limit is six feet, Tax Parcel 1010D-03-014.000, 51 Shoreline Lane, Zoned R-1-7.5 (Single-family), Ward 4

Variance 2405ZB063, by owner Michael Bogan, seeking approval for a 4-foot rear yard setback where 8 feet is required, Tax Parcel 0811G-04-116.000, 2011 17th Ave, Zoned R-2 (Single-family), Ward 3

Variance 2405ZB064, by agent Morgan Speranzo Hado, seeking approval for a 22-foot and one-inch front yard setback where 25 feet is required, Tax Parcels 1009N-01-002.061, 1009N-01-002.062, Georglan Way, Zoned R-2 (Single-family), Ward 5

Special Exception 24055E067, by agent Frankie Jackson, seeking approval for a tattoo parlor, Tax Parcel 1010G-03-003.002, 2033 E Pass Road Unit B, Zoned B-2 (General-business), Ward 2

Variance 2405ZB071, by agent Amanda Crose and designated agent Donovan Scruggs, seeking approval for a 21-foot and 3.5-inch setback on a second frontage where 25 feet is required, Tax Parcel 0906E-01-001.001, 11030 Alphabet Road Zoned R-1-10 (Single-family), Ward 6

Variance 2405ZB072, by agent Amanda Crose and designated agent Donovan Scruggs, seeking approval for a 23-foot and 2-inch setback on a second frontage where 25 feet is required, Tax Parcel 0908C-01-001.000, 11102 Alphabet Road, Zoned R-1-10 (Single-family), Ward 6

Variance 2405ZB073, by agent Amanda Crose and designated agent Donovan Scruggs, seeking approval for a 21-foot and 2-inch setback on a second frontage where 25 feet is required, Tax Parcel 0908C-01-001.000, 11041 Alphabet Road, Zoned R-1-10 (Single-family), Ward 6

Variance 2405ZB075, by owner Diane Myers, seeking approval for a gravel driveway where asphalt or concrete is required, Tax Parcel 0909O-02-029.000, 21 50th Street, Zoned R-1-7.5 (Single-family), Ward 4

Variance 2406ZB076, by agent Bryan Hall, seeking approval for fence columns of 7 feet and 4 inches in height where the height limit is 6 feet, Tax Parcels 1009N-01-002.001, 1009N-01-002.002, 1009N-01-002.003, 1009N-01-002.004, 1009N-01-002.023, 1009N-01-002.024, 1009N-01-002.025, 1009N-01-002.026, 1009N-01-002.027, 1009N-01-002.028, 1009N-01-002.029, 1009N-01-002.030, 1009N-01-002.031, 1009N-01-002.032, 1009N-01-002.033, 1009N-01-002.034, 10881 Lily Lane, 10887 Lily Lane, 10893 Lily Lane, 10899 Lily Lane, 10809 Lily Lane, 10815 Lily Lane, 10821 Lily Lane, 10827 Lily Lane, 10833 Lily Lane, 10839 Lily Lane, 10845 Lily Lane, 10851 Lily Lane, 10857 Lily Lane, 10863 Lily Lane, 10869 Lily Lane, 10875 Lily Lane, Zoned R-2 (Single-family), Ward 5

This the 24th day of April 2024
A. Leslie North, Chairman
City of Gulfport Zoning Board of Adjustment and Appeals
IPL0170703
May 1 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:
05/01/24

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.

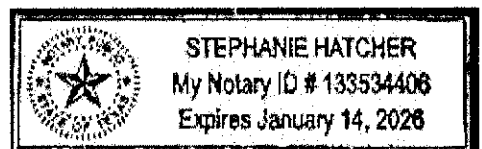
Mary Castro

Sworn to and subscribed before me this 1st day of May 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: May 16, 2024

Re: Variance 2405ZB073:

Variance 2405ZB073, by agent Amanda Crose and designated agent Donovan Scruggs, seeking approval for a 21-foot and 2-inch setback on a second frontage where 25 feet is required, Tax Parcel 0908C-01-001.000, 11041 Alphabet Road, Zoned R-1-10 (Single-family), Ward 6

Technical Report

VARIANCE

GENERAL INFORMATION

Case File Number: 2405ZB073

Hearing Date: May 16, 2024

Current Zoning/Use: R-1-10/ Vacant Lot

Legal: Variance 2405ZB073, by agent Amanda Crose and designated agent Donovan Scruggs, seeking approval for a 21-foot and 2-inch setback on a second frontage where 25 feet is required, Tax Parcel 0908C-01-001.000, 11041 Alphabet Road, Zoned R-1-10 (Single-family), Ward 6

TECHNICAL DETAILS

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

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

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

Technical Report

VARIANCE

The applicant requests a variance of 3 feet and 10 inches for a second frontage setback of 21 feet and 2 inches where 25 feet is required.

- (a) The applicant states that the “the variance that is being requested is based on a platted setback that exceeds the requirements of the R-1-10 District for the specific situation,” and that “in the case of Lot 20, the adjacent land is an unplatted and undivided parcel of land.” They also stated that “there is no ‘lot’ to the rear, and there is no dedicated street or right of way,” and that “the greater setback should not be required on the corner yard of Lot 20 when the potential lot to the rear has no established orientation or configuration.” Upon a site visit, it was noted that the property does sit on a corner lot but the current right of way present is currently unfinished, as the rest of it would developed on a future development plan.
- (b) The applicant states that “the subject lot has a width that is only 78 feet,” and that “corner lots are required by Gulfport regulations to be slightly larger to accommodate an additional setback where necessary.” They also state that “this places a unique burden on the smaller, narrower, corner lots.” It should be noted that the lot was originally platted as a part of the “Phase 9” plan and ultimately, this issue is a result of the original design of the subdivision.
- (c) Applicant states that “corner lots, by ordinance are required to be larger other lots to accommodate increased setbacks. A review of other lots in Phase 9 shows that Lot 20 is not one of the larger lots in the phase. The depth of the lot provides a greater lot area, but the width of Lot 20 is only 78 feet. Other corner lots have larger areas and widths of approximately 85 feet. This shows that the subject lot with a width of 78 feet is not typical or ‘larger’ as required by the zoning and subdivision regulations.” This demonstrates that the lot in question is smaller than the average corner lot in that area.
- (d) The applicant states “the proposed setback are compliant with the zoning ordinance and the variance is from a greater requirement that is imposed by the Phase 9 plat. According to existing conditions, the side yard setback should be 8 feet or, at maximum 15 feet as required within the T4+ to the rear, as imposed by the Zoning Ordinance.” This does not answer the question of whether or not the literal interpretation of the provisions of the zoning ordinance would deprive the applicant of rights commonly enjoyed by properties in the same area.
- (e) Applicant states that “granting the variance does not provide any special privilege to the lot. In fact, [it] removes a burden that is uniquely placed on corner lots, especially those that are smaller than most lots within Phase 9.” There are presently no properties within this plan that have had to go for a variance for a second frontage setback and granting this variance would set a precedence.
- (f) This property is zoned R-1-10 and a single family home is allowed by right.

EXECUTIVE SUMMARY

The applicant’s request 21 feet and 2 inches for a second frontage setback instead of the required 25 feet seems to be caused as a direct result of how the overall design of the plat was, as there is currently a unfinished public right of way next to the lot that the completion of is contingent on a future development. There are currently no other houses located in this plat that have required a variance for an second frontage and this would establish precedence in that area.

Technical Report

VARIANCE

Any approval should consider these conditions:

1. Must comply with all rules and regulations.
2. Approval would allow 21 foot and 2 inches for a second frontage setback where 25 feet is required.

DEPARTMENTAL CONDITIONS

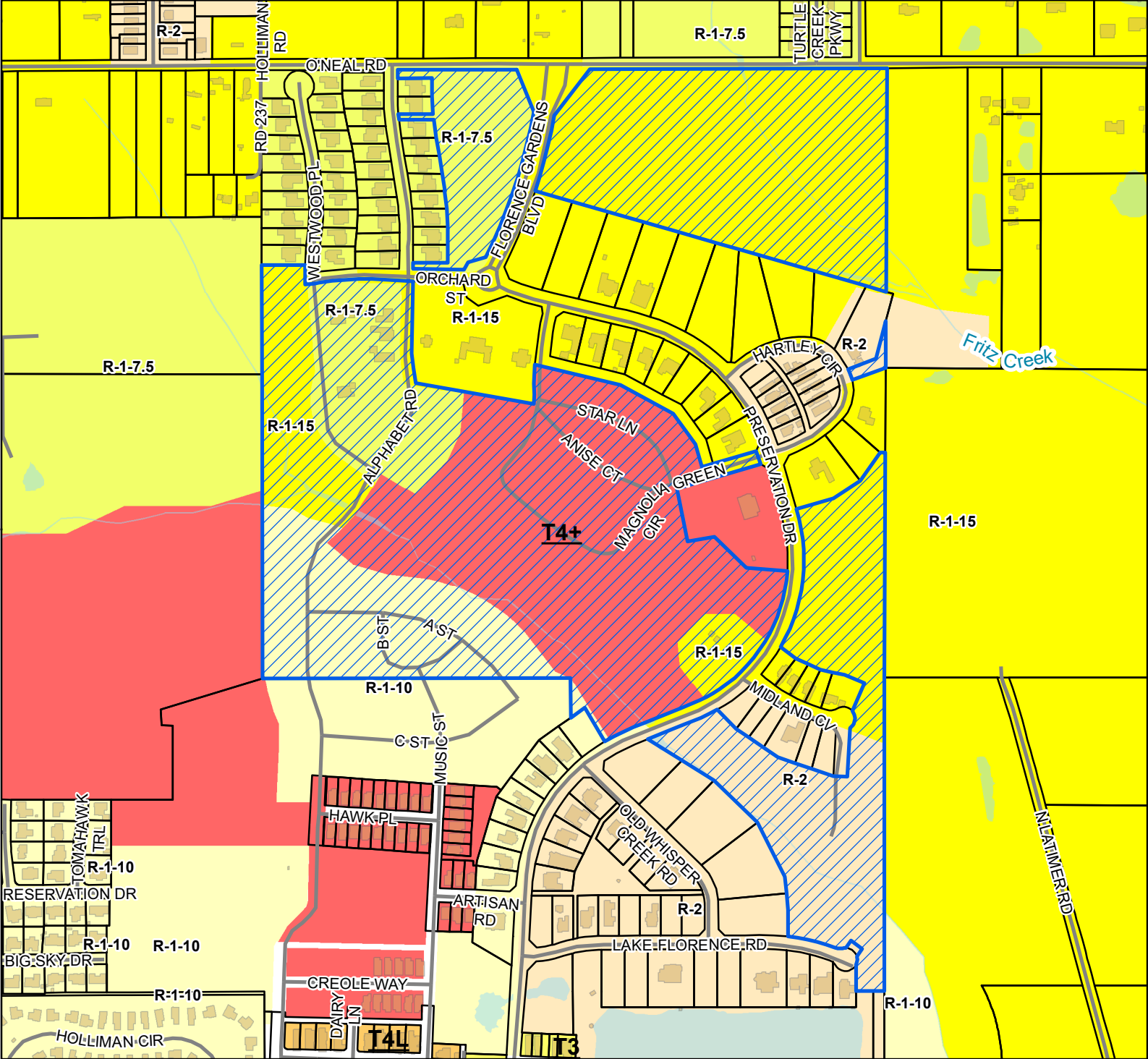
<u>Engineering:</u>	No conditions. Memo dated 4/29/2024.
<u>Public Works:</u>	No conditions. Memo dated 5/2/2024.
<u>Traffic and Safety:</u>	No conditions. Memo dated 4/4/2024.
<u>Building Code Services:</u>	No conditions. Memo dated 04/26/2024.
<u>GIS:</u>	No conditions. Memo dated 5/1/2024.
<u>Police Department:</u>	No comment as of 5/3/2024.
<u>Fire Department:</u>	No conditions. Memo dated 4/25/2024.
<u>City Arborist:</u>	No conditions. Memo dated 04/25/2024.

DIRECTOR APPROVAL

This report has been reviewed and approved by:



Greg Holmes
Director of Urban Development Department



Legend

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

Smart Code

- T4+
- T4L
- T3

Zoning

- R-1-10 - Single Family Residence (Low Density)
- R-1-15 - Single Family Residence District (Low Density)
- R-1-7.5 - Single Family Residence District (Low Density)
- R-2 - Single Family Residence District (Medium Density)

Site Information

0908C-01-001.000

Zoning: R-1-10 (Single-family)

R-1-7.5 (Single-family)

R-1-5 (Single-family)

R-2 (Single-family)

T4+ (General Urban "Plus")

Size: 122.2 AC

Flood: AE, X

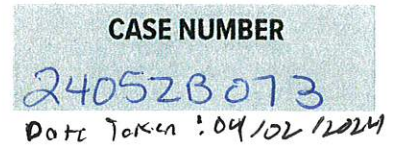
0 90 180 270

Yards

1 inch = 600 feet



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



OWNER:Florence Gardens, LLC

Printed Name of Owner

12321 Preservation Drive

Mailing Address

Gulfport MS 39503

City

State

Zip Code

Home Phone

Work/Cell Phone

RYAN@FLORENCEGARDENS.COM

Email

[Signature]

Signature of Owner

AGENT:Amanda Crose, Elliott Homes

Printed Name of Agent

1402 Pags Road

Mailing Address

Gulfport MS 39501

City

State

Zip Code

228-213-0783

Home Phone

Work/Cell Phone

acrose@myelliott.com

Email

Amanda Crose

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) _____

Address (Street, City, State, Zip Code) _____

Phone (Home) _____ (Work) _____ (Cell) _____

Tax Parcel Number(s) Owned: _____

Signature: _____

Name of Owner (PRINT) _____

Address (Street, City, State, Zip Code) _____

Phone (Home) _____ (Work) _____ (Cell) _____

Tax Parcel Number(s) Owned: _____

Signature: _____

Name of Owner (PRINT) _____

Address (Street, City, State, Zip Code) _____

Phone (Home) _____ (Work) _____ (Cell) _____

Tax Parcel Number(s) Owned: _____

Signature: _____



DESIGNATION OF AGENT

RYAN GOLDIN ON BEHALF OF
I, FLORENCE GARDENS being property owner of 11041 Alphabet Road
PRINT NAME PRIMARY ADDRESS OR PARCEL
which is the subject of this application hereby authorize Amanda Crose 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 or said petition.

[Signature]
SIGNATURE

APRIL 2, 2024

DATE

STATE OF MISSISSIPPI | COUNTY OF HARRISON

Given under my hand and seal of office this the

2

day of

April

, 20

24

[Signature]

NOTARY PUBLIC

January 9, 2028





DESIGNATION OF AGENT

RYAN GOLDIN ON BEHALF OF
I, FLORENCE GARDENS being property owner of 11041 Alphabet Road
PRINT NAME PRIMARY ADDRESS OR PARCEL
which is the subject of this application hereby authorize Donovan Scruggs 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 or said petition.

SIGNATURE

APRIL 3, 2024

DATE

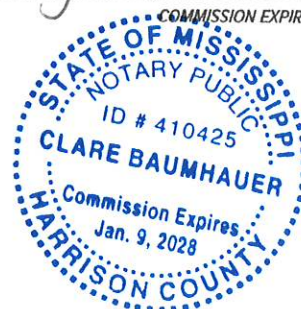
STATE OF MISSISSIPPI | COUNTY OF HARRISON

Given under my hand and seal of office this the 2 day of April, 2024

NOTARY PUBLIC

January 9, 2028

COMMISSION EXPIRATION





COVENANT AFFIDAVIT

RYAN GOLDIN ON BEHALF OF

I, FLORENCE GARDENS being property owner or agent of the property 11041 Alphabet Road
PRINT NAME PRIMARY ADDRESS OR PARCEL

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

[Signature]
SIGNATURE

APRIL 2, 2024

DATE

STATE OF MISSISSIPPI | COUNTY OF HARRISON

Given under my hand and seal of office this the 2 day of April, 2024

[Signature]
NOTARY PUBLIC



January 9, 2028
COMMISSION EXPIRATION

VARIANCE SUBMISSIONS

W

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

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

Corner, Side Yard Variance, Florence Gardens, Phase 9, Lot 20

1. Demonstrate that special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same district.

The proposed corner yard setback for Lot 20, Phase 9 of Florence Garden is proposed at 21'2". This distance is only 3'10" deficient of the required platted setback. The variance that is being requested is based on a platted setback that exceeds the requirements of the R-1.10 District for the specific situation. The FYSB for the R-1.10 is 25 feet, and the side yard setback is 8 feet. The Gulfport Zoning Ordinance (within the Supplementary Requirements) imposes a greater side yard setback on corner lots when the lot to the rear faces the same street as the corner yard. In the case of Lot 20, the adjacent land is an unplatted and undivided parcel of land. There is no "lot" to the rear, and there is no dedicated street or right of way. Additionally, the rear area is currently zoned as T4+. This area requires a front yard setback of 15 feet. So if an increased setback is required, by ordinance, for Lot 20, the increased setback would only be 15 feet. The proposed setback exceeds this requirement. Regardless, a greater setback should not be required on the corner yard of Lot 20 when the potential lot to the rear has no established orientation or configuration.

The variance being requested is based on the 25 ft. setback imposed on the Phase 9 plat and not of the Gulfport Zoning Ordinance.

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

Elliott Homes is the prospective purchaser of Lot 20. The proposed side yard setback on the corner yard is proposed to be at 21'2". The platted setback of 25 feet for the corner yard area exceeds the requirements of the zoning regulations which should be 8 feet as currently configured. The property to the rear has a zoning designation as T4+. The greatest corner lot setback that should be imposed would be 15 feet, however, at present, the property to the rear is not platted and the street or right of way is not dedicated.

The requested variance is from the requirements of the Phase 9 plat and not City of Gulfport Regulations. The platted setback exceeds the City's requirements. Florence Gardens has approved the requested variance.

The subject lot has a width that is only 78 feet. Corner lots are required by Gulfport regulations to be slightly larger to accommodate an additional setback where necessary. This lot is narrower than many of the lots within Phase 9 including corner lots. This places a unique burden on the smaller, narrower, corner lots.

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

The proposed variance does not seek relief of the zoning ordinance. The variance is from the Phase 9 platted setback of 25 feet for corner yards. This is a hardship that is not common on other properties within the area and only on corner lots with phase 9 of Florence Gardens. The setbacks imposed for corner lots are greater than those imposed on other lots within the subdivision or Phase 9 or within the district, in general.

Corner lots, by ordinance, are required to be larger other lots to accommodate increased setbacks. A review of other lots in Phase 9 shows that Lot 20 is not one of the larger lots within this phase. The depth of the lot provides a greater lot area, but the width of Lot 20 is only 78 feet. Other corner lots have larger areas and have widths of approximately 85 feet. This shows that the subject lot with a width of 78 feet is not typical or 'larger' as required by the zoning and subdivision regulations.

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

The proposed setback are compliant with the zoning ordinance and the variance is from a greater requirement that is imposed by the Phase 9 plat. According to existing conditions, the side yard setback should be 8 feet or, at maximum 15 feet as required within the T4+ to the rear, as imposed by the Zoning Ordinance. The increased setback requirement is imposed by plat. Because there is no dedicated roadway and no platted lot to the rear, the greater setback should not be imposed by the Zoning Regulations.

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

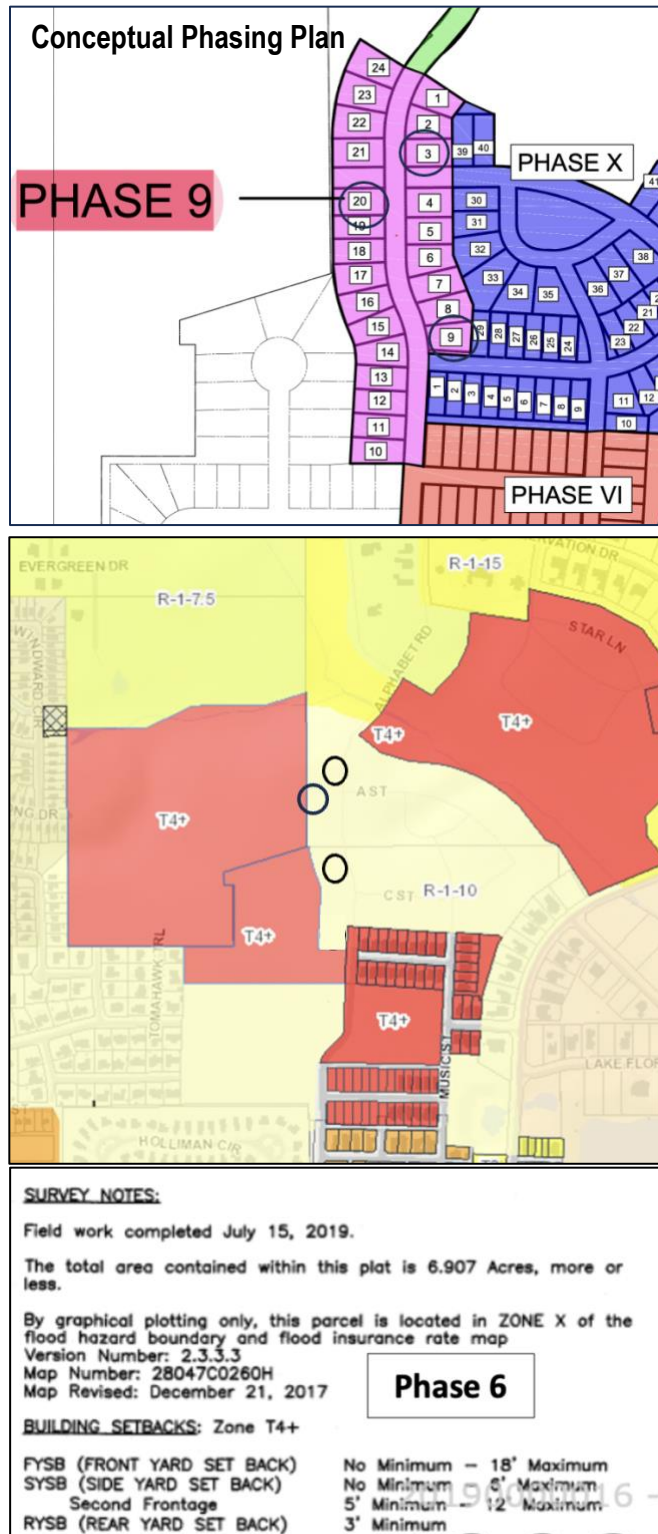
The area located to the rear of the property is unplatted and undivided. The additional setback required on the side yard of corner lots only applies in certain situations with the lots and streets. In this case, the 'lot to rear' and the street have not been platted or dedicated. At present these lots and streets do not exist, and until platted or constructed, the Plans are subject to change.

While there is a Master Plan that shows the future lot as facing the street of the corner yard, this Plan also requires a rezoning to be developed as shown on the Plan. If the rezoning occurs to T4+ the side yard on the corner lot (Lot 20) will be no more than 15 feet, according to Zoning Regulations. If the parcel is not rezoned, the proposed layout cannot be approved or is not consistent with the zoning ordinance. The rear lot shown on the future or proposed plat is not consistent with existing zoning and should not be considered at this time.

Granting the variance does not provide any special privilege to the lot. In fact, it removes a burden that is uniquely placed on corner lots, especially those that are smaller than most of the lots within Phase 9.

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

The proposed use of Single-family Residential is permitted "by right".



If Phase 10 (unplatted) is developed as planned and consistent with Phase 6, the front yard setbacks can range between 0 and 15 feet. This would establish a side corner yard of 15 feet on Lots 3 and 9.

Overview:

Florence Garden is a community comprised of approximately 600 acres. It has developed in a block by block (or phase by phase) pattern according to conceptual frameworks. Lot sizes vary to accommodate different structures or housing types, and the overall development incorporates different zoning districts. The development, at present, includes a variety of districts that range between Traditional Districts (R-1.7.5 or R-1.10) to Hybrid or SmartCode Districts (T4+, T4L, or T3). The subject phase (phase 9) is currently zoned R-1.10. To the west of Phase 9 is an area designated as T4+, and to the east is an area zoned R-1.10. Neither of these areas are platted.

The applicant is requesting corner lot or side yard variances on three lots (Lots 3, 9, and 20 of Phase 9 of Florence Gardens). While it appears these three lots comply with the City of Gulfport Zoning Regulations, there is a platted 25 ft. setback along the side yard of corner lots. This setback exceeds the requirements of the City. Additionally, these lots fail to include the increased area for corner lots as described in Section 9-50 Design Standards (D) Lots (5) Corner lots of the Subdivision Regulations, "Corner lots for residential use shall be increased in width over the minimum specified herein so that front yard distance can be provided on both streets, and the building setback line shall be so located."

Lot 3 and 9

While Lots 3 and 9 are corner lots and likely adjacent to future lots, these future or adjacent phases and lots have not been platted according to Harrison County Land Records and a review of Gulfport GIS. While the future phases may have lots that would front different streets than the adjacent lot (subject lots 3 and 9), the future phasing plan also shows lots to the east (phase 10) developing in a T4+ pattern (despite R-1.10 zoning). These assumptions or plans are subject to change.

Phase 6 is an earlier phase that developed to the south of Phase 9. This Phase (Phase 6) developed within a T4+ District and required/established no minimum front yard setback and a maximum setback of 18 feet. While currently designated as R-1.10, Phase 10 appears to be planned to be developed in a manner consistent with Phase 6 which would require a rezoning to T4+. This approval is not assured.

If this same front yard requirement is provided for Phase 10 as developed in Phase 6 (which would be no minimum or zero), the required side yard setback of Lots 9* and 3 would be 8 feet (the minimum required side yard by the Gulfport Zoning Ordinance) or 15 feet as required in a typical T4+ District, according to the Supplementary Requirements of the zoning ordinance. Phase 10 will require a rezoning, but the phase cannot be platted as configured without a rezoning.

At present, Phase 10 is an undivided and unplatted parcel of land. Because there is no required yard established for lots that have not been platted, the corner side yard requirements of Lot 9 and 3 should be only 8 feet. If Phase 10 is platted in a manner similar to Phase 6, there will be no minimum front yard setback and the maximum front yard setback will be 18 feet. The developer of the lot is proposing side yards of at least 21 feet which should comply with any of the above noted situations.

*Lot 9 – This lot is unique in that there is a 50 ft right of way that is separated by a buffer area of 10 feet. This 'buffer' area actually separates the corner, side yard from the r.o.w. and, provides a greater setback than the proposed 21 feet. Because of this 'buffer area' the side yard could be reduced to 8 feet since the lot does not actually abut r.o.w. This would mean that Lot 9 should not be considered a corner lot because it is adjacent to a buffer area.

Lot 3 and 9 have widths that are smaller than many lots within Phase 9 and was not platted to include larger areas to accommodate additional setbacks. Lot 9, for example, is the smallest lot within Phase 9 and Lot 3 is smaller than the majority of lots within the phase. Other corner lots within Phase 9 have widths of 83 or 85 feet while these two lots have widths that are 80 feet or less.

<u>SURVEY NOTES:</u>	
Field work completed April 22, 2022.	
The total area contained within this plot is 8.712 Acres, more or less.	
By graphical plotting only, this parcel is located in ZONE X, ZONE X (SHADED), & ZONE AE of the flood hazard boundary and flood insurance rate map.	
Version Number: 2.3.3.3	
Map Number: 28047C0260H	
Map Revised: December 21, 2017	
<u>BUILDING SETBACKS:</u> Zone R-1-10 (See Lots 14 & 21 for typical setbacks)	
FYSB (FRONT YARD SET BACK)	25'
SYSB (SIDE YARD SET BACK)	8'
Second Frontage	25'
RYSB (REAR YARD SET BACK)	8'
ALL SETBACKS ARE SUBJECT TO PLATTED EASEMENTS	

Phase 9

Lot 20

Lot 20 is adjacent to an unplatted phase. At present, it is not clear how the future development will be oriented. For this reason, the increased setback is not required. The area in this adjacent phase is designated as T4+. The Gulfport Zoning Ordinance established the T4+ Front Yard Setback at 15 feet. Depending on the orientation of the lot, if platted and developed, the required front yard setback would be 15 feet. The proposed setback of Lot 20 exceeds 21 feet.

Lot 20 has a width of only 78 feet. This width makes it one of the narrowest corner lots within the development. It fails to include a larger area required for corner lots.

Supplementary Requirements from Gulfport Zoning Regulations

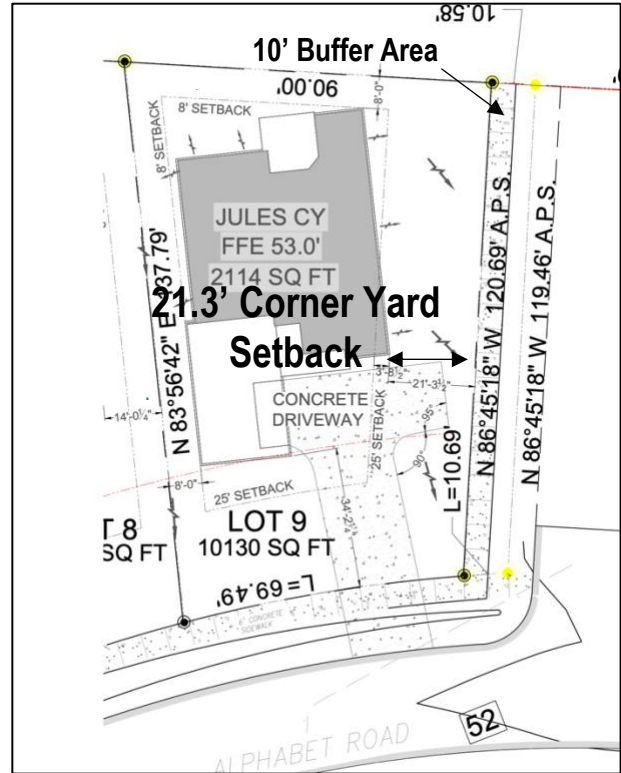
Corner building site. In any district, a corner building site having to its rear a building site facing toward the intersecting or side street shall have provided on the intersecting or side street side of the corner building site a side yard having a width equal at least to the depth of the front yard required for a structure on the building site to the rear of the corner building site; provided, however, that this regulation shall not be applied to reduce the buildable width of the corner building site to less than thirty (30) feet.

“Required” by the City of Gulfport should mean the minimum setback established by the Gulfport Zoning Regulations. Covenants are not enforced by the City. Once approval is provided by Florence Garden, the City should be able to permit. Because the adjacent areas have not been platted, it is not possible to determine what the front yards will be for the adjacent areas or lots.

Summary

According to this review, all three lots should be considered compliant with the requirements of the Gulfport Zoning Regulations and no variance is needed from the City’s Zoning Regulations. It appears that the 25 ft. setback requirements of Florence Garden are effective and some relief is required from established setbacks of the neighborhood.

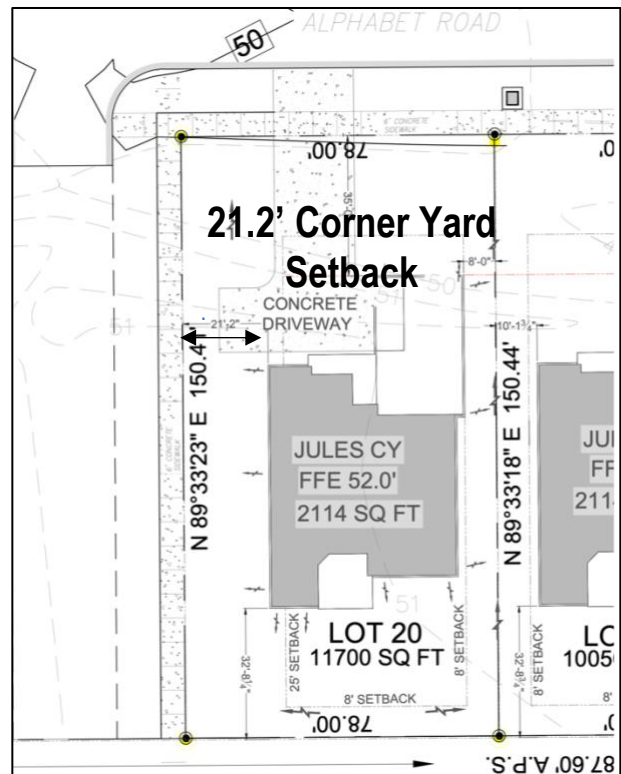
These three corner lots do not include the ‘increased widths’ that are necessary of the additional setback imposed the plat of Phase 9. The variances being requested are from the platted setbacks. The lots and proposed setbacks appear to be consistent with Gulfport’s standards.



All three lots 'back up' to phases that are either zoned T4+ or are planned to be developed as a T4+ District. The required front yard setback in a T4+ District is 15 feet. This would establish a corner lot side yard on these three lots at 15 feet. Proposed corner lot setbacks of these lots range between 21 and 23 feet (approximately). These corner lots, side yard setbacks will exceed the required setbacks of lots developed along the rear portions of these lots.

None of these adjacent areas have been platted, and at present, the streets have not been improved or platted. Until the lots are established or approved, there is no certainty regarding the necessary front yard setbacks of these adjacent lots.

These three lots do not include the increased widths or areas that are required for corner lots. This places a unique hardship on these lots and have caused the need for variances.





Michael Watson

SECRETARY OF STATE

This is not an official certificate of good standing.

Name History

Name	Name Type
FLORENCE GARDENS, LLC	Legal

Business Information

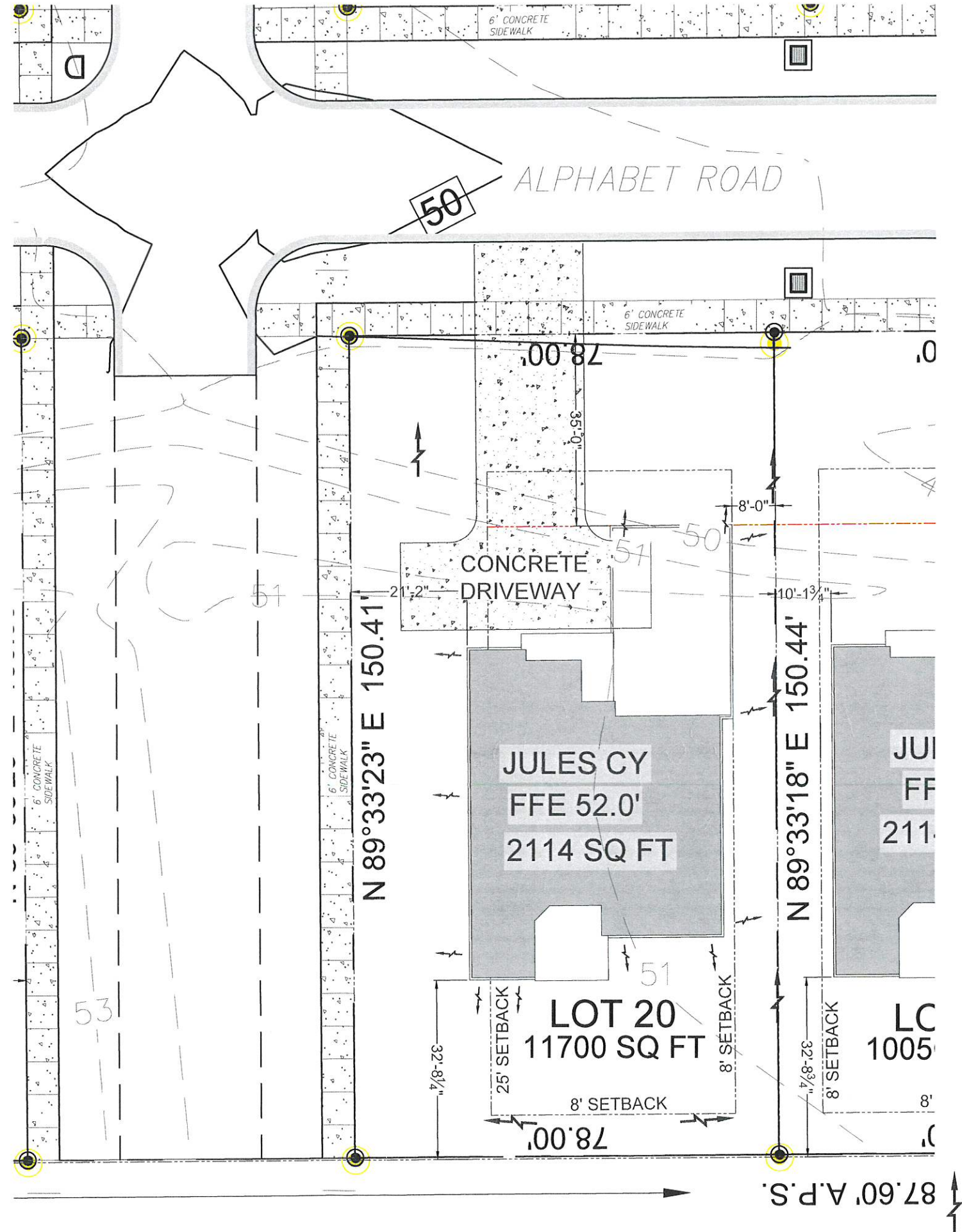
Business Type:	Limited Liability Company
Business ID:	690646
Status:	Good Standing
Effective Date:	08/14/2000
State of Incorporation:	Mississippi
Principal Office Address:	12321 PRESERVATION DR, 12321 PRESERVATION DR GULFPORT, MS 39503

Registered Agent

Name
Goldin, Martin
14231 Seaway Road
Gulfport, MS 39503

Officers & Directors

Name	Title
Martin Goldin 12321 PRESERVATION DR GULFPORT, MS 39503	Member

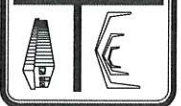


Sheet
L20
Project No
23-0701

SCALE: As Shown
DR. BY: RS
CK. BY:
DATE: 2/24/2024

DRAWING TITLE:
SITE PLAN
LOT 20

PROJECT TITLE:
FLORENCE GARDENS
12321 PRESERVATION DRIVE
GULFPORT, MS 39503



W. RUSS SMALL WOOD
Complete Design-Build Services
GULFPORT, MISSISSIPPI 39507
TELEPHONE: (228) 263-5482
Serving the Gulf Coast since 1981.



[Signature] 1st Judicial District
Instrument 2019 1155 D - J1
Filed/Recorded 2/27/2019 10:31 A
Total Fees \$ 14.00
5 Pages Recorded

Prepared by:
David B. Pilger
Attorney at Law
1406 Bienville Blvd., Suite 101
Ocean Springs, MS 39564
(228) 215-0011

Grantor:
Seaway Development Company,
a Mississippi limited liability
P.O. Box 2879
Gulfport, MS 39505
Telephone: (228) 897-1776

Return To:
David B. Pilger
Attorney at Law
1406 Bienville Blvd., Suite 101
Ocean Springs, MS 39564
(228) 215-0011

Grantee:
Florence Gardens, LLC,
a Mississippi limited liability company
12327 Preservation Dr.
Gulfport, MS 39503
Telephone: (228) 326-7292

File No. Z197049N

INDEXING INSTRUCTIONS: NW ¼ of NW ¼, Sec. 1-7-S-R11W; NE ¼, NE ¼ of SE ¼, NW ¼ of SE ¼, NW ¼ of SE ¼, SW ¼ of SE ¼, and NE ¼ of SW ¼, Sec. 2-T7S-R11W; NW ¼ of NE ¼ and SW ¼ of NE ¼, Sec. 11-T7S-R11W; all in the 1st Judicial District, Harrison County, MS

**STATE OF MISSISSIPPI
COUNTY OF HARRISON
FIRST JUDICIAL DISTRICT**

CORRECTED 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, **SEAWAY DEVELOPMENT COMPANY, LLC**, a Mississippi limited liability company, do hereby sell, convey and warrant unto **FLORENCE GARDENS, LLC**, a Mississippi limited liability company, all of that certain tract, piece or parcel of land situated in the First Judicial District of Harrison County, Mississippi, together with all improvements, buildings, fixtures, and appurtenances thereunto belonging, and being more particularly described as follows, to-wit:

SEE ATTACHED EXHIBIT "A"

This deed is being done to correct the date on the notary acknowledgment on Warranty Deed recorded as Instrument No. 2005-13959-D-J1 in 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 quitclaims any and all oil, gas, and other minerals owned, if any, to Grantee. 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 21st day of February, 2019.

SEAWAY DEVELOPMENT COMPANY, LLC,
a Mississippi limited liability company

By: Steven L. Goldin
STEVEN L. GOLDIN, Managing Member

ACKNOWLEDGEMENT

STATE OF MISSISSIPPI
COUNTY OF HARRISON

PERSONALLY, APPEARED BEFORE ME, the undersigned authority in and for the jurisdiction aforesaid, **STEVEN L. GOLDIN**, who acknowledged that he is the Managing Member of **SEAWAY DEVELOPMENT COMPANY, LLC**, a Mississippi limited liability company, who acknowledged before me that he/she signed, executed and delivered the above and foregoing instrument on the day and year thereof, for the use and purposes therein mentioned.

GIVEN UNDER MY HAND AND OFFICIAL SEAL, on this the 21st day of February, 2019.

(AFFIX SEAL)

Michelle Lindsay
NOTARY PUBLIC

My commission expires: April 3, 2020

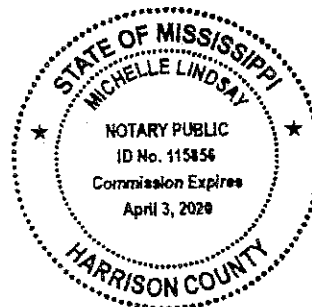


EXHIBIT "A"**(Legal Description)****PARCEL I**

Being one and the same as that parcel acquired by Warranty Deed from William Russell Love and Amanda Collins Love dated January 22, 1999, and recorded in Deed Book 1439 at Page 11:

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

Commencing at a nail with cap found at the northwest corner of section 1, said point lying in the centerline of O'Neal Road; thence along the West line of said Section 1, S00°24'10"W 25.04' to an iron rod on the South margin of O'Neal Road, being the Point of Beginning; thence along said South margin, N89°12'31"E 344.74' to an iron rod found; thence S01°10'15"W 871.18' to an iron rod found; thence S89°08'57"E 149.99' to an iron rod found; thence S01°10'45"W 442.60' to an iron rod lying on the South line of the Northwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 1; thence along said south line, S89°50'03"W 477.00' to an iron rod at the Southwest corner of the Northwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 1; thence along the West line of Section 1, N00°24'10"E 1312.39' to the Point of Beginning, containing 11.661 acres.

PARCEL II

Being one and the same as that parcel acquired by Warranty Deed from Adrian O'Neal, et al, Trustees of the Edon Family Trust, dated September 28, 1998, and recorded in Deed Book 1426 at Page 205:

A parcel of land being that part of the Northeast $\frac{1}{4}$ of Section 2, Township 7 South, Range 11 West, City of Gulfport, Harrison County, Mississippi, lying South of the South margin of O'Neal Road, and also the Northeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 2, Township 7 South, Range 11 West, City of Gulfport, Harrison County, Mississippi, being more particularly described as follows:

Commencing at a nail with cap located at the Northeast corner of Section 2, Township 7 South, Range 11 West, City of Gulfport, Harrison County, Mississippi, said point lying in the centerline of O'Neal Road; thence along the East line of said Section 2, S00°13'23"W 25.04' to an iron rod on the South margin of O'Neal Road, said point being the Point of Beginning; thence further along said East section line, S00°24'10"W 2649.82' to a fence corner found at the Northeast corner of the Northeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 2; thence further along said East section line, S00°08'28"E 1319.91' to an iron rod found at the Southeast corner of the Northeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 2; thence along the South line of the Northeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$, N89°53'59"W 1346.42' to an iron

pipe found at the Southwest corner of said Northeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 2; thence along the West line of the Northeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 2, N00°11'30"W 1327.36' to a lightard knot found at the Southeast corner of the Southwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 2; thence along the South line of said Southwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 2, S89°46'21"W 1329.38' to a wood fence corner post found at the Southwest corner of said Southwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 2; thence along the West line of said Southwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 2, N00°35'03"W 1343.79' to an iron rod found at a fence corner post, being the Northwest corner of the Southwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 2; thence along the West line of the Northwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 2, N00°37'03"W 838.84' to an iron pipe found; thence N00°24'31"E 451.93' to an iron pipe found on the South margin of O'Neal Road; thence along said South margin of O'Neal Road, N89°46'16"E 2715.42' to the Point of Beginning, containing 204.433 acres. Said property being subject to a 5-acre Southern Natural Gas Corp. right-of-way located in the Northeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 2 and described in Deed Book 187, Page 530.

PARCEL III

Being one and the same as that parcel acquired by Alan H. Goldin, et al., by Warranty Deed from Lewis N. Vance and Jeff Vance dated July 15, 1998, and recorded in Deed Book 1416 at Page 417:

All of the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$, all of the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$, a portion of the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$; Section 2, Township 7 South, Range 11 West; also a portion of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 11, Township 7 South, Range 11 West; City of Gulfport, First Judicial District of Harrison County, Mississippi; said parcels of land being more particularly described as follows:

For the Point of Beginning, Commence at a light wood post located at the Northeast corner of the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of said Section 2; thence S00°08'18" W 2667.72 feet along the East line of the W $\frac{1}{2}$ of the SE $\frac{1}{4}$ of said Section 2; thence continue S00°08'18"W 1217.01 feet along the East line of the NW $\frac{1}{4}$ of NE $\frac{1}{4}$ said Section 11, to a point located on the Southeast right-of-way of a 100-foot wide easement to Mississippi Power Company; thence S67°22'17"W 268.00 feet along said Southeast right-of-way of a 100-foot wide easement to Mississippi Power Company, to a point located on the South line of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of said Section 11; thence S89°27'02"W 642.21 feet along the South line of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of said Section 11; thence N00°02'19"W 842.38 feet; thence N 89°35'47"W 444.55 feet to a point located on the West line of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of said Section 11; thence N 00°03'04"W 489.69 feet along the West line of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of said Section 11; thence N 00°26'34"E 1324.71 feet along the West line of the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of said Section 2; thence S89°59'19" W 687.38 feet along the South line of the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of said Section 2, to a point located on the East line of Reservation Estates, Unit 2, Part 3, said point being located 11.26 feet northerly

from an iron rod located at the Southeast corner of Lot 10, Reservation Estates, Unit 2 Part 3; thence N00°30'22"E 277.36 feet; thence S89°32'05"E 11.39 feet; thence N00°48'55"E 116.81 feet; thence 00°23'29"E 59.78 feet to an iron rod located at the Southeast corner of Lot 43, Reservation Estates, Unit 2 Part 3; thence N00°28'23"E 365.20 feet to an iron rod located at the Northeast corner of Lot 46, Reservation Estates, Unit 2 Part 3; thence S89°31'51"E 269.51 feet; thence N00°28'09"E 320.00 feet; thence N89°31'51"W 45.00 feet; thence N00°28'09"E 70.00 feet; thence N73°39'43"E 464.44 feet; thence S89°50'48"E 1329.30 feet along the North line of the NW ¼ of the SE ¼ of said Section 2, to the said Point of Beginning.

Together with a non-exclusive, perpetual easement for ingress and egress more particularly described as follows:

Commence at the Southwest corner of the NW ¼ of the NE ¼, Section 11, Township 7 South, Range 11 West, Harrison County, Mississippi; thence South 89°57'10" East a distance of 334.29 feet to a point of beginning; thence Northeasterly along the arch of a curve to the right whose radius is 110.57 feet and delta angle is 89°35'04" a distance of 172.88 feet to a point; thence South 0°22'06" East a distance of 50 feet to a point; thence Southwesterly along the arch of a curve to the right whose radius is 60.57 feet and delta angle is 89°35'04" a distance of 94.57 feet to a point; thence North 89°57'10" West a distance of 50 feet to the point of beginning.

AND ALSO, the following parcel which is conveyed by quitclaim, without warranty and may be subject to claims of others:

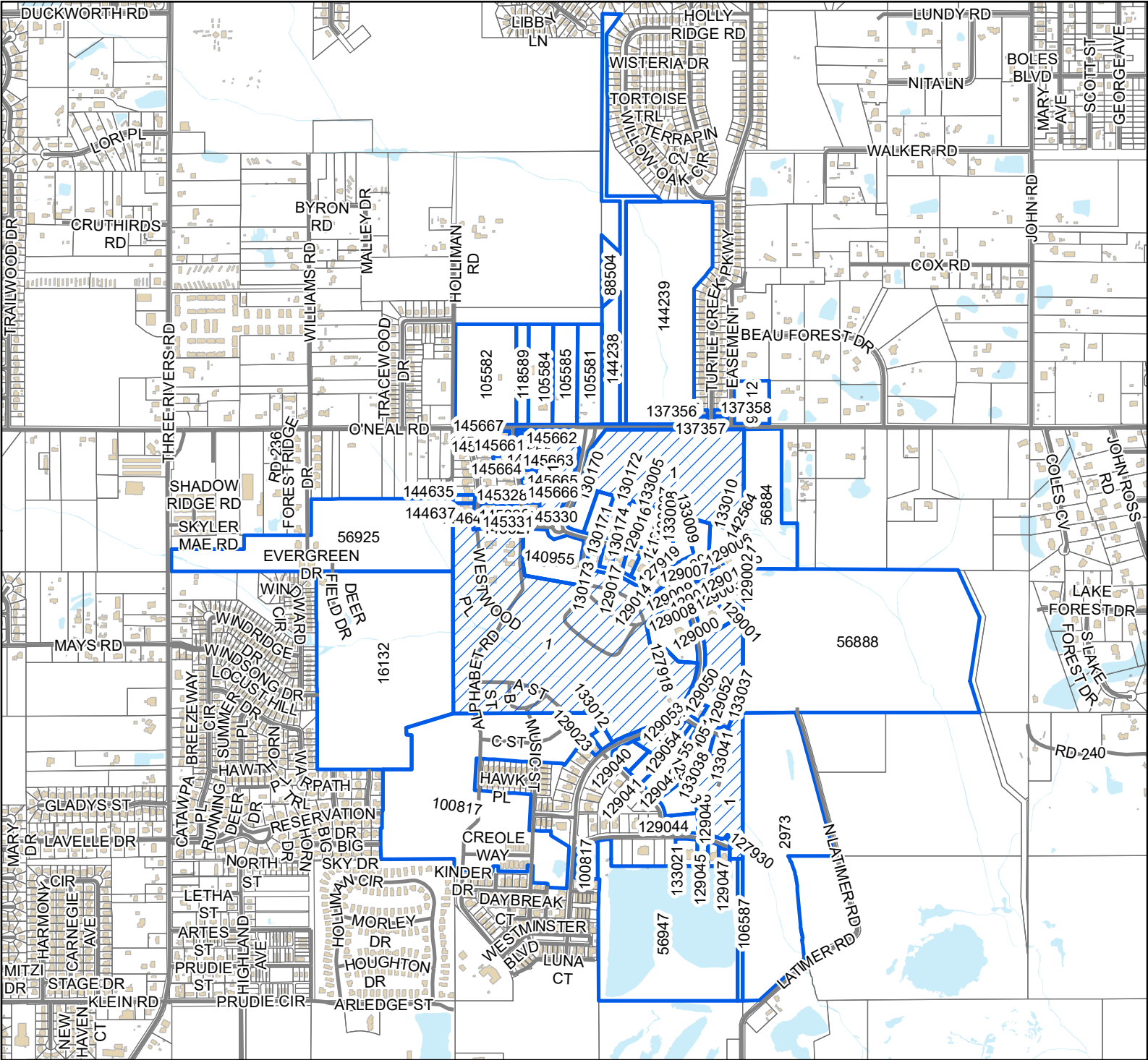
A parcel of land within the SW¼ of the NE¼ of Section 11, Township 7 South, Range 11 West, Harrison County, Mississippi, lying North of the Mississippi Power Company easement and described as starting at the SE corner of the NW ¼ of the NE ¼ of Section 11, Township 7 South, Range 11 West and run West a distance of 465.6 feet for the point of beginning; thence continue West a distance of 203.9 feet; thence run South 84.0 feet; run thence Northeast along the Southern boundary of the Mississippi Power Company easement a distance of 220.6 feet to the point of beginning.

Mail	PPIN	Parcel ID	Name	Address	City	State	ZIP
Y		0908C-01-001.000	FLORENCE GARDENS, LLC (OWNER)	12321 PRESERVATION DRIVE	GULFPORT	MS	39503
			AMANDA CROSS, ELLIOTT HOMES (AGENT)	1402 PASS ROAD	GULFPORT	MS	39503
			DONOVAN SCRUGGS (DESIGNATED AGENT)	317 PINE DRIVE	OCEAN SPRINGS	MS	39564
			Adjacent Property Owners(2405ZB073)				
	106587	0908F-01-001.001	FORE WALLACE C	P O BOX 3058	GULFPORT	MS	39505
	127921	0908C-01-001.004	GUIROLA LOUIS JR & STEPHANIE	12453 PRESERVATION DR	GULFPORT	MS	39503
	127920	0908C-01-001.003	MCCULLOUGH MICHAEL S & JENNIFER	12457 PRESERVATION DRIVE	GULFPORT	MS	39503
	127919	0908C-01-001.002	OTERO MICHAEL & STACEY L	12461 PRESERVATION DR	GULFPORT	MS	39503
	129014	0908C-01-001.019	GIBSON JASON & ERIN L	12469 PERSEVTION DR	GULFPORT	MS	39503
	105585	0907N-01-003.006	FAMILY WORSHIP CENTER OF GULFPORT I	15011 PARKWOOD DRIVE	GULFPORT	MS	39503
	93312	0907O-01-023.023	RANKIN OTIS G & DEBRA S	12530 O'NEAL RD	GULFPORT	MS	39503
	105582	0907N-01-003.003	BANKS ANNETTA E	15350 HWY 49 N	GULFPORT	MS	39503
	129015	0908C-01-001.020	GIBSON JASON THOMAS & ERIN LYNN	12469 PRESERVATION DR	GULFPORT	MS	39503
	129016	0908C-01-001.021	DENNIS PADRICK D & MARY M	12473 PRESERVATION DR	GULFPORT	MS	39503
	129017	0908C-01-001.022	SHAM MICHAEL D II & EMILY A	12477 PRESERVATION DRIVE	GULFPORT	MS	39503
	118589	0907N-01-003.008	YOCOM BRADLEY A & JEANIE M	13188 O'NEAL ROAD	GULFPORT	MS	39503
	105584	0907N-01-003.005	YOCOM BRADLEY ALLEN & JEANIE MARIE	13188 O'NEAL RD	GULFPORT	MS	39503
N	2973	0908G-01-003.000	FORE WALLACE C	14270 CREOSOTE RD	GULFPORT	MS	39503
	105581	0907N-01-003.007	LOFTIN CONSORCIA S	14481 AUTUMN CHASE	GULFPORT	MS	39503
	130174	0908C-01-001.029	FAIRLEY CLAYTON	12481 PRESERVATION DR	GULFPORT	MS	39503
N	56884	0908B-01-006.000	FLORENCE GARDENS LLC	12321 PRESERVATION DRIVE	GULFPORT	M3	39503
	133037	0908F-01-037.001	HAGWOOD TERESA W	18534 DEER DR	SAUCIER	MS	39574
	56888	0908B-01-008.000	W C FORE TRUCKING CO INC	14270 CREOSOTE RD	GULFPORT	MS	39503
N	130171	0908C-01-001.026	FLORENCE GARDENS LLC	12321 PRESERVATION DRIVE	GULFPORT	MS	39503
	130172	0908C-01-001.027	LOVELL FRANK A & NANCY D	12478 PRESERVATION DR	GULFPORT	MS	39503
	129009	0908C-01-001.014	GARCIA KENT & LAURRI LEE	12440 PRESERVATION DRIVE	GULFPORT	MS	39503
	129006	0908C-01-001.011	BAKER DONALD G & MARY A -TRUSTEES-	13059 HARTLEY CIR	GULFPORT	MS	39503
	129051	0908F-01-036.000	CLOWER JOHN ROBBINS JR & BARBARA	C/O HELEN CLOWER ELMER	ARLINGTON	TX	76012
	129049	0908C-01-001.023	WARD PHILLIP	13062 MIDLAND COVE	GULFPORT	MS	39503
	129045	0908F-01-032.000	BENTZ JULIE	13095 LAKE FLORENCE DR	GULFPORT	MS	39503
	129046	0908F-01-033.000	WEEMS LAUREN G -TRUSTEE-	13087 LAKE FLORENCE RD	GULFPORT	MS	39503
	129047	0908F-01-034.000	SUROWIEC WALTER JOSEPH	13081 LAKE FLORENCE RD	GULFPORT	MS	39503
	129005	0908C-01-001.010	LAMBERTH YVONNE	13055 HARTLEY CIRCLE	GULFPORT	MS	39503
	129004	0908C-01-001.009	ENNIS BRADLEY A	13051 HARTLEY CIRCLE	GULFPORT	MS	39503
	129003	0908C-01-001.008	CHAPUIS WILLIAM LYNN & BRENDA S	13047 HARTLEY CIR	GULFPORT	MS	39503
	129054	0908F-01-039.000	JOHNSON STEVEN MICHAEL	14095 RIDGEWAY DR	GULFPORT	MS	39503

Mail	PPIN	Parcel ID	Name	Address	City	State	ZIP
N	130170	0908C-01-001.025	FLORENCE GARDENS LLC	12321 PRESERVATION DRIVE	GULFPORT	MS	39503
	130173	0908C-01-001.028	BROSIG THOMAS J & ROBIN MIDCALF	12485 PRESERVATION DR	GULFPORT	MS	39503
N	133010	0908C-01-001.035	FLORENCE GARDENS LLC	12321 PRESERVATION DRIVE	GULFPORT	MS	39503
	129001	0908C-01-001.006	VO SANG & HONG-AN NGUYEN	115 RESERVATION DR	GULFPORT	MS	39503
	133005	0908C-01-001.030	STANICH CHARLES A & ROXANNE Q	3505 FORREST PRESERVE CIR	GAUTIER	MS	39553
N	133006	0908C-01-001.031	FLORENCE GARDENS LLC	12321 PRESERVATION DRIVE	GULFPORT	MS	39503
N	133007	0908C-01-001.032	FLORENCE GARDENS LLC	12321 PRESERVATION DRIVE	GULFPORT	MS	39503
	133008	0908C-01-001.033	LANDON HOMES	9113 OLD CCC CAMP ROAD	OCEAN SPRINGS	MS	39564
	129007	0908C-01-001.012	MITCHELL ROBERT ARTHUR	13063 HARTLEY CIR	GULFPORT	MS	39503
	129023	0908F-01-010.000	HOPE TIM R & BETTY A	12227 PRESERVATION DR	GULFPORT	MS	39503
N	129055	0908F-01-040.000	FLORENCE GARDENS LLC	12321 PRESERVATION DRIVE	GULFPORT	MS	39503
N	129042	0908F-01-029.000	FLORENCE GARDENS LLC	12321 PRESERVATION DRIVE	GULFPORT	MS	39503
	129044	0908F-01-031.000	BURRELL ANDREW C & ASHLEY	12562 LAKE VILLIAGE DRIVE	GULFPORT	MS	39507
N	129053	0908F-01-038.000	JOHNSON STEVEN MICHAEL	14095 RIDGEWAY DR	GULFPORT	MS	39503
N	129040	0908F-01-027.000	FLORENCE GARDENS LLC	12321 PRESERVATION DRIVE	GULFPORT	MS	39503
	129041	0908F-01-028.000	MCVAY LARRY C II & EDIRNE A	12190 OLD WHISPER CREEK DR	GULFPORT	MS	39503
N	127918	0908C-01-001.001	FLORENCE GARDENS LLC	12271 PRESERVATION DRIVE	GULFPORT	MS	39503
N	129052	0908F-01-037.000	HAGWOOD TERESA W	18534 DEER DR	SAUCIER	MS	39574
	129010	0908C-01-001.015	DUTRUCH TONI G	12444 PRESERVATION DRIVE	GULFPORT	MS	39503
	129008	0908C-01-001.013	FOX DUNCAN	12396 PRESERVATION DRIVE	GULFPORT	MS	39503
	129050	0908C-01-001.024	BORMANN LEAANN	13058 MIDLAND COVE	GULFPORT	MS	39503
	133041	0908F-01-040.004	SAGGIO NANCY & KELLY NORTHLEE	13748 LAWTON LANE	GULFPORT	MS	39503
	129043	0908F-01-030.000	FLORENCE GARDENS LLC	12321 PRESERVATION DRIVE	GULFPORT	MS	39503
	133012	0908F-01-042.000	FLORENCE GARDENS LLC	12321 PRESERVATION DRIVE	GULFPORT	MS	39503
	133021	0908F-01-051.000	GOLDIN JASON	13099 LAKE FLORENCE RD	GULFPORT	MS	39503
	133009	0908C-01-001.034	FLORENCE GARDENS LLC	12321 PRESERVATION DRIVE	GULFPORT	MS	39503
	129002	0908C-01-001.007	CROMWELL JASON & JOANIE	P O BOX 3597	GULFPORT	MS	39505
	129000	0908C-01-001.005	DOUGLAS DAVID EUGENE & GRACE ELAINE	13024 HARTLEY CIR	GULFPORT	MS	39503
	133040	0908F-01-040.003	SAGGIO NANCY & KELLY NORTHLEE	13745 LAWTON LANE	GULFPORT	MS	39503
	137357	0907N-01-001.060	CHAMBERLAIN DEBORAH R	13000 TURTLE CREEK PKWY	GULFPORT	MS	39503
	137358	0907N-01-001.061	OAKS DARRELL E & VIRGINIA L	13008 TURTLE CREEK PKWY	GULFPORT	MS	39503
	137355	0907N-01-001.058	TATE COREY RENEE JR	13009 TURTLE CREEK PKWY	GULFPORT	MS	39503
N	16132	0908E-01-001.000	FLORENCE GARDENS LLC	12321 PRESERVATION DR	GULFPORT	MS	39503
	144239	0907N-01-001.099	TURTLE CREEK HOME OWNERS ASSOC	181 MAIN ST	BILOXI	MS	39530
	140955	0908C-01-001.037	GOLDIN MARTIN C	12503 PRESERVATION DR	GULFPORT	MS	39503
N	56947	0908F-01-001.000	FLORENCE GARDENS LLC	12321 PRESERVATION DRIVE	GULFPORT	MS	39503

Mail	PPIN	Parcel ID	Name	Address	City	State	ZIP
	142564	0908C-01-001.038	WESSON AUGUSTUS & ASHLEY	13050 HARTLEY CIRCLE	GULFPORT	MS	39503
	88504	0907N-01-001.000	TURTLE CREEK SUBDIVISION LLC	P O BOX 4579	HOUSTON	TX	77210
N	144238	0907N-01-001.098	TURTLE CREEK HOME OWNERS ASSOC	181 MAIN ST	BILOXI	MS	39530
	144647	0908C-01-001.058	SPIERS BENNIE P & DEBRA J	12508 WESTWOOD PL	GULFPORT	MS	39503
N	144636	0908C-01-001.047	LANDON HOMES LLC	9113 OLD CCC CAMP ROAD	OCEAN SPRINGS	MS	39564
	144635	0908C-01-001.046	BARANELLO JOHN PAUL & PAMELA ANN	12517 WESTWOOD PLACE	GULFPORT	MS	39503
	144646	0908C-01-001.057	DEL RIO EDDY M & LISA Y	12512 WESTWOOD PLACE	GULFPORT	MS	39503
	145326	0908C-01-001.061	SINGH MANPREET	12513 ALPHABET RD	GULFPORT	MS	39503
	145330	0908C-01-001.065	WINTER DAVID S & ANNE H	12514 ALPHABET RD	GULFPORT	MS	39503
	145325	0908C-01-001.060	MELLO JOAQUIN NICOLAS & NICOLE T	12521 ALPHABET RD	GULFPORT	MS	39503
	145327	0908C-01-001.062	COOLEY MICHAEL T & WEEKS AMBER M	12505 ALPHABET RD	GULFPORT	MS	39503
	145328	0908C-01-001.063	LEIGH STANLEY & WYNELL	12530 ALPHABET RD	GULFPORT	MS	39503
	145329	0908C-01-001.064	SISSON FALON R & ADAM P	12522 ALPHABET RD	GULFPORT	MS	39503
	145331	0908C-01-001.066	GAGNE CONSTANCE	12506 ALPHABET RD	GULFPORT	MS	39503
	145665	0908C-01-001.078	BOWEN JOSEPH A & SHERRY A	12546 ALPHABET RD	GULFPORT	MS	39503
N	145667	0908C-01-001.080	FLORENCE GARDENS LLC	12321 PRESERVATION DR	GULFPORT	MS	39503
	145654	0908C-01-001.067	ALLEN NATANLIE	12585 ALPHABET RD	GULFPORT	MS	39503
	145655	0908C-01-001.068	POOLE LARRY SR & CRYSTAL A	12577 ALPHABET ROAD	GULFPORT	MS	39503
	145656	0908C-01-001.069	CLARK CORNELIUS J & SHAWNDA B KING	12569 ALPHABET RD	GULFPORT	MS	39503
	145657	0908C-01-001.070	ROLING GLORIA JEANNE -TRUSTEE-	12561 ALPHABET RD	GULFPORT	MS	39503
	145658	0908C-01-001.071	HEAD TRACY G	12553 ALPHABET ROAD	GULFPORT	MS	39503
	145663	0908C-01-001.076	PETERSON TODD MICHAEL & JANA MARIE	12562 ALPHABET RD	GULFPORT	MS	39503
	145664	0908C-01-001.077	BOST GARY B & DONNA M	12554 ALPHABET RD	GULFPORT	MS	39503
	145666	0908C-01-001.079	FREELAND JAMES THOMAS & KIMBERLY	12538 ALPHABET RD	GULFPORT	MS	39503
	145662	0908C-01-001.075	FAIR ERIC M & ROBIN	12570 ALPHABET RD	GULFPORT	MS	39503
N	56925	0908D-01-015.000	FLORENCE GARDENS LLC	12321 PRESERVATION DR	GULFPORT	MS	39503
	133038	0908F-01-040.001	LEWIS CARTER & NICOLE	18098 LAKE VISTA DR	GULFPORT	MS	39503
	137356	0907N-01-001.059	GONZALES RENALDO & PATRICIA	13001 TURTLE CREEK PARKWAY	GULFPORT	MS	39503
N	100817	0908E-01-001.001	FLORENCE GARDENS LLC	12321 PRESERVATION DRIVE	GULFPORT	MS	39503
N	1	0908C-01-001.000	FLORENCE GARDENS LLC	12321 PRESERVATION DRIVE	GULFPORT	MS	39503
	145661	0908C-01-001.074	LAKEY TERRY & MARY	12578 ALPHABET RD	GULFPORT	MS	39503
	144637	0908C-01-001.048	HUFF RICHARD & KELLY	12507 WESTWOOD PLACE	GULFPORT	MS	39503

Variance



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

RE: Variance 2405ZB073, by agent Amanda Crose and designated agent Donovan Scruggs, seeking approval for a 21-foot and 2-inch setback on a second frontage where 25 feet is required, Tax Parcel 0908C-01-001.000, 11041 Alphabet Road, Zoned R-1-10 (Single-family), Ward 6

To Applicants and Adjacent Property Owners:

The City of Gulfport Zoning Board of Adjustments and Appeals will hold a public hearing to consider the above application at 3:00 P.M. on **Thursday, May 16, 2024**, in the Council Chambers at the Gulfport City Hall located at 2309 15th Street.

For more information, visit <https://www.gulfport-ms.gov/agendas/> then click the City of Gulfport Zoning Board for **Thursday, May 16, 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	546606	Print Legal Ad-IPL01707030 - IPL0170703		\$113.35	2	76 L

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

accountspayable@gulfport-ms.gov

LEGAL NOTICE PUBLIC HEARING

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

Variance 2403ZB026, by agent Rebecca Gillum, seeking approval for 5-foot side yard setbacks, where 8 feet is required, Tax Parcel 0811G-04-116.000, 2011 17th Ave, Zoned R-2 (Single-family), Ward 3

Variance 2405ZB059, by owners OMT, LLC and FTO, LLC, seeking approval for parking that pulls out into right of way, Tax Parcel 0811B-05-012.000, 1602 26th Street, Zoned B-2 (General Business), Ward 3

Variance 2405ZB060, by agent Jonathan Fernandez, seeking approval for parking that pulls out into right of way, Tax Parcel 0910M-03-072.000, 1015 Pass Road, Zoned B-2 (General Business), Ward 3

Variance 2405ZB061, by owners Tim and Tracie Bruni, seeking approval for a eight-foot tall fence where the height limit is six feet, Tax Parcel 1010D-03-014.000, 51 Shoreline Lane, Zoned R-1-7.5 (Single-family), Ward 4

Variance 2405ZB063, by owner Michael Bogan, seeking approval for a 4-foot rear yard setback where 8 feet is required, Tax Parcel 0811G-04-116.000, 2011 17th Ave, Zoned R-2 (Single-family), Ward 3

Variance 2405ZB064, by agent Morgan Speranzo Hado, seeking approval for a 22-foot and one-inch front yard setback where 25 feet is required, Tax Parcels 1009N-01-002.061, 1009N-01-002.062, Georglan Way, Zoned R-2 (Single-family), Ward 5

Special Exception 2405SE067, by agent Frankie Jackson, seeking approval for a tattoo parlor, Tax Parcel 1010G-03-003.002, 2033 E Pass Road Unit B, Zoned B-2 (General-business), Ward 2

Variance 2405ZB071, by agent Amanda Crose and designated agent Donovan Scruggs, seeking approval for a 21-foot and 3.5-inch setback on a second frontage where 25 feet is required, Tax Parcel 0906E-01-001.001, 11030 Alphabet Road Zoned R-1-10 (Single-family), Ward 6

Variance 2405ZB072, by agent Amanda Crose and designated agent Donovan Scruggs, seeking approval for a 23-foot and 2-inch setback on a second frontage where 25 feet is required, Tax Parcel 0908C-01-001.000, 11102 Alphabet Road, Zoned R-1-10 (Single-family), Ward 6

Variance 2405ZB073, by agent Amanda Crose and designated agent Donovan Scruggs, seeking approval for a 21-foot and 2-inch setback on a second frontage where 25 feet is required, Tax Parcel 0908C-01-001.000, 11041 Alphabet Road, Zoned R-1-10 (Single-family), Ward 6

Variance 2405ZB075, by owner Diane Myers, seeking approval for a gravel driveway where asphalt or concrete is required, Tax Parcel 0909O-02-029.000, 21 50th Street, Zoned R-1-7.5 (Single-family), Ward 4

Variance 2406ZB076, by agent Bryan Hall, seeking approval for fence columns of 7 feet and 4 inches in height where the height limit is 6 feet, Tax Parcels 1009N-01-002.001, 1009N-01-002.002, 1009N-01-002.003, 1009N-01-002.004, 1009N-01-002.023, 1009N-01-002.024, 1009N-01-002.025, 1009N-01-002.026, 1009N-01-002.027, 1009N-01-002.028, 1009N-01-002.029, 1009N-01-002.030, 1009N-01-002.031, 1009N-01-002.032, 1009N-01-002.033, 1009N-01-002.034, 10881 Lily Lane, 10887 Lily Lane, 10893 Lily Lane, 10899 Lily Lane, 10809 Lily Lane, 10815 Lily Lane, 10821 Lily Lane, 10827 Lily Lane, 10833 Lily Lane, 10839 Lily Lane, 10845 Lily Lane, 10851 Lily Lane, 10857 Lily Lane, 10863 Lily Lane, 10869 Lily Lane, 10875 Lily Lane, Zoned R-2 (Single-family), Ward 5

This the 24th day of April 2024
A. Leslie North, Chairman
City of Gulfport Zoning Board of Adjustment and Appeals
IPL0170703
May 1 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:
05/01/24

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.

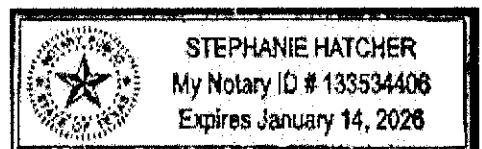
Mary Castro

Sworn to and subscribed before me this 1st day of May 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: May 16, 2024

Re: Variance 2405ZB075:

Variance 2405ZB075, by owner Diane Myers, seeking approval for a gravel driveway where asphalt or concrete is required, Tax Parcel 0909O-02-029.000, 21 50th Street, Zoned R-1-7.5 (Single-family), Ward 4

Technical Report

VARIANCE

GENERAL INFORMATION

Case File Number: 2405ZB075

Hearing Date: May 16, 2024

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

Legal: Variance 2405ZB075, by owner Diane Myers, seeking approval for a gravel driveway where asphalt or concrete is required, Tax Parcel 0909O-02-029.000, 21 50th Street, Zoned R-1-7.5 (Single-family), Ward 4

TECHNICAL DETAILS

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

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

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

Technical Report

VARIANCE

The applicant requests a variance to allow a gravel driveway where concrete or asphalt are required for a residential use.

- (a) The applicant states that they do not have a driveway for their home. They only have an alley way leading to their carport. Staff notes that there is access to the property from 50th Street.
- (b) In the application, the applicant notes that when they bought their home, it did not have a driveway. However, they bought the house knowing it did not have a driveway. In review of the site plan submitted by the applicant, there is no access available on the site without the City providing it. However, the hardship is created by the applicant because they want a gravel driveway instead of the required concrete or asphalt driveway, which is allowed by right.
- (c) The applicant states that, they do not have a driveway and gravel is environmentally friendly and helps the ground water to dissipate. However, gravel driveways, overtime, could form pot holes as well as grass and weeds grow through the gravel and would not be aesthetically pleasing, if not regularly maintained. In addition, the applicant would not need a variance if they were to do an asphalt or concrete driveway, which is allowed by right.
- (d) The applicant notes that others in the neighborhood enjoy a front driveway and they would like to have the same privilege. The applicant is allowed the same privilege as others in their neighborhood, if they were to provide a concrete or asphalt driveway.
- (e) Granting this variance would provide special privileges and set a precedence as other homeowners in the neighborhood have concrete or asphalt parking.
- (f) This property is zoned R-1-7.5, and a single family residence is allowed by right.

EXECUTIVE SUMMARY

The staff conducted a site visit confirmed that there is only access to the property available by driving through the Alley. In addition, the applicant states in the application that they do not have a driveway on their property. However, the hardship is not that the applicant cannot have a driveway, which is allowed by right, they wish to have gravel instead of the required concrete or asphalt. A site visit was conducted and approval of this variance would give this applicant special privileges due to there are no other gravel driveways in the surrounding area.

Any approval should consider these conditions:

- 1. A variance grants a gravel driveway surface where concrete or asphalt are required.
- 2. The portion of the driveway on City right-of-way must be hard surfaced with either concrete or asphalt.
- 3. Must provide concrete apron to protect the street.
- 4. Portion of driveway in City right-of-way to be concrete or asphalt.

DEPARTMENTAL CONDITIONS

Engineering:

The portion of the driveway on City right-of-way must be hard surfaced with either concrete or asphalt. Memo dated 4/29/2024.

Technical Report

VARIANCE

<u>Public Works:</u>	Portion of driveway in City right-of-way to be concrete or asphalt. Memo dated 5/2/2024.
<u>Traffic and Safety:</u>	No comment as of 5/2/2024.
<u>Building Code Services:</u>	Must provide concrete apron to protect the street. Memo dated 4/26/2024.
<u>GIS:</u>	No conditions. Memo dated 5/1/2024.
<u>Police Department:</u>	No comment as of 5/2/2024.
<u>Fire Department:</u>	No conditions. Memo dated 4/25/2024.
<u>City Arborist:</u>	No conditions. Memo dated 4/25/2024.

DIRECTOR APPROVAL

This report has been reviewed and approved by:



Greg Holmes
Director of Urban Development Department















250TH ST

09090-01-049.000

000

09090-01-050.000

1550TH ST

3088

09090-02-031.000

09090-02-030.000

09090-02-004

4947

09090-02-005

337

2150TH ST 3843

09090-02-029.000

1501

09090-02-028.000

3211

4908 KENDALL AVE

475

09090-02-027.000

2307

09090-02-026.000

3710

09090-02-025.000

2958

09090-02-006.000

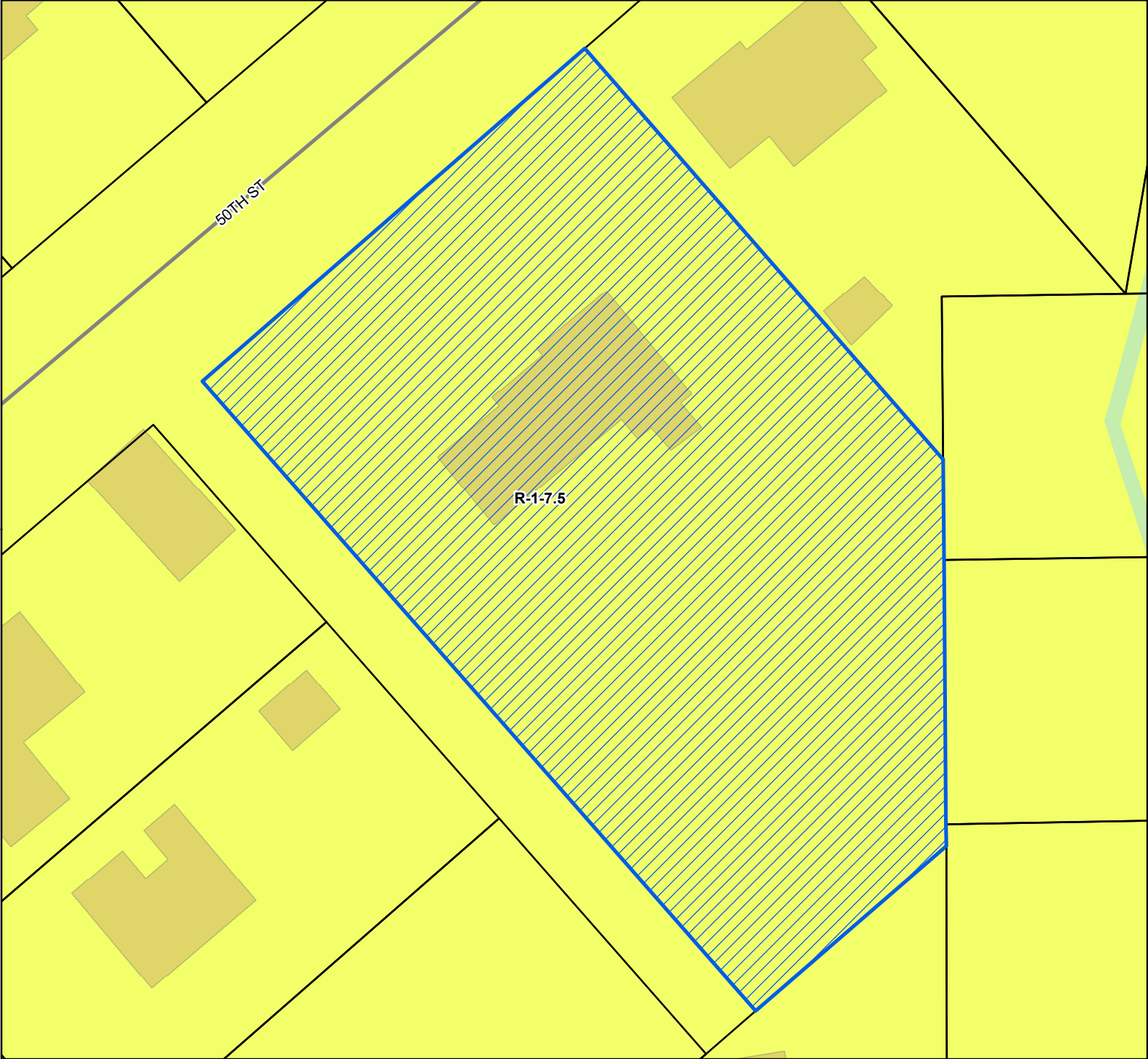
228

09090-02-007.000

09090-02-008.000

0909P-02-050.000

Resub Parcel B



 Site

 Street

 Parcels

 Buildings

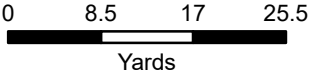
 Water Features

Zoning

R-1-7.5 - Single Family

 Residence District (Low Density)

Site Information
09090-02-029.000
Zoning: R-1-7.5 (Single-family)
Size: 1.29 acres
Flood: X



1 inch = 53 feet



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1801
23rd Ave



CASE NUMBER
24052B075

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

09090-02-029.000	

Property Address:

21 50th Street
Lot(s) 8+9 Block(s) 3 Subdivision Gulfport Bay View

General Description of Request:

Requesting gravel driveway where concrete or asphalt is required

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:

Printed Name of Owner

Mailing Address

City

State

Zip Code

Home Phone

Work/Cell Phone

Email

Signature of Owner

AGENT:

Printed Name of Agent

Mailing Address

City

State

Zip Code

Home Phone

Work/Cell Phone

Email

Signature of Agent

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

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

Name of Owner (PRINT)

Address (Street, City, State, Zip Code)

Phone (Home)

(Work)

(Cell)

Tax Parcel Number(s) Owned:

Signature:

Name of Owner (PRINT)

Address (Street, City, State, Zip Code)

Phone (Home)

(Work)

(Cell)

Tax Parcel Number(s) Owned:

Signature:

Name of Owner (PRINT)

Address (Street, City, State, Zip Code)

Phone (Home)

(Work)

(Cell)

Tax Parcel Number(s) Owned:

Signature:

VARIANCE SUBMISSIONS

J

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

1. Demonstrate that special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same district. (i.e., What is special about your property that you need to request a variance?) *There is no driveway in front. Only from alley in back. The home needs a driveway*
2. Demonstrate that the special conditions and circumstances do not result from the actions of the applicant. (i.e., Show that you did not cause the need for the variance.) *house I bought didn't have a driveway*
3. Demonstrate that an unnecessary hardship is created by the physical character of the property and is peculiar and unusual to such an extent that it is evidence that amendment of the zoning ordinance does not offer a reasonable solution. (i.e., Explain what your hardship is and why the property cannot comply with the zoning ordinance. Further, explain why this hardship is not commonly found on other properties?) *there is no driveway*
4. Demonstrate how the literal interpretation of the provisions of the zoning ordinance would deprive the applicant of rights commonly enjoyed by properties in the same district under the terms of the zoning ordinance. (i.e., Explain how the request meets the right of reasonable economic return and/or the right to reasonable development of your property which might generally be expected in your district.) *Others enjoy a driveway & I would like to also*
5. Demonstrate that the granting of the variance will not confer on the applicant any special privilege that is denied by this ordinance to other lands, structures, or buildings in the same district, other than to permit the applicant to use their property in a manner as nearly equivalent to uses generally permitted in the district considering the conditions and circumstances involved and hardship. (i.e., Will you receive any special benefit that others who follow the Zoning Ordinance cannot receive?) *everyone else has a driveway. It will improve property value*
6. State whether the use proposed is permissible by right, with planning approval or by special exception with respect to uses of land or structures. *all houses have driveways. gravel is environmentally friendly + helps ground water to dissipate*



COVENANT AFFIDAVIT

I, Angene Myers being property owner or agent of the property 21 South St. Gulfport MS 39507
PRINT NAME PRIMARY ADDRESS OR PARCEL
which is the subject of this application, hereby state that this variance request is not in violation of any
restrictive or protective covenants.

SIGNATURE

DATE

STATE OF MISSISSIPPI | COUNTY OF HARRISON

Given under my hand and seal of office this the 2nd day of April, 2021

NOTARY PUBLIC



COMMISSION EXPIRATION

21 50th Street Gulfport, MS.



Not to scale

- Gravel / River Rock Driveway
- 10ft x 12ft cement driveway at the roadway of 50th Street
- 74ft x 12ft gravel/river rock driveway with a curve to the front of the residence.
- 66ft x 12ft gravel/river rock driveway to open into a 42ft x 40ft car parking.
- 6in x 6in cement curb to border driveway and car park to contain gravel/river rock



J. H. H. 1st Judicial District
Instrument 2021 4613 D -J1
Filed/Recorded 4/ 6/2021 02:57 P
Total Fees \$ 26.00
2 Pages Recorded

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

Indexing Instructions:

File#210602

STATE OF MISSISSIPPI

COUNTY OF HARRISON

WARRANTY DEED

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

JOHN BENTON STICKER and wife, JORDAN HENNING STICKER
1811 AUGUST BEND
MADISON, MS 39110
601-754-1990

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

DIANE H. MYERS,
21 50TH STREET
GULFPORT, MS 39507
228-253-4478

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

Lots Eight (8) and Nine (9), Block 3, Extension of FIRST (1ST) ADDITION to GULFPORT BAYOU VIEW SUBDIVISION, a subdivision according to the official map or plat thereof on file and of record in the Office of the Chancery Clerk of the First Judicial District of Harrison County, Mississippi, in Plat Book 18 at Page 18 thereof, reference to which is hereby made in aid of and as a part of this description.

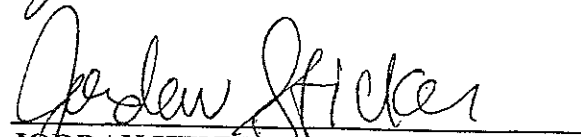
THIS CONVEYANCE is subject to any and all recorded restrictive covenants, rights-of-way and easements applicable to subject property, and any prior recorded reservations, conveyances and leases of oil, gas and minerals by previous owners of subject property.

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

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

WITNESS THE SIGNATURE of the Grantors on this the 5th day of April, 2021.


JOHN BENTON STICKER

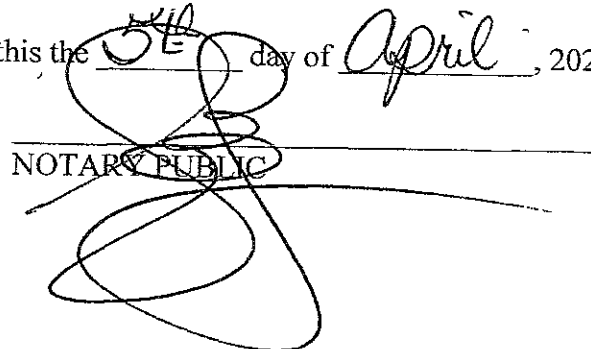

JORDAN HENNING STICKER

STATE OF MISSISSIPPI

COUNTY OF HARRISON

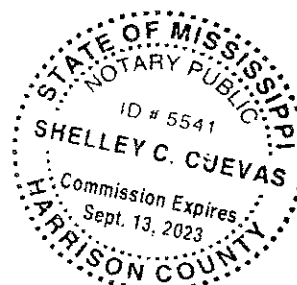
THIS DAY personally appeared before me, the undersigned authority in and for the jurisdiction aforesaid, JOHN BENTON STICKER and JORDAN HENNING STICKER, who acknowledged that they signed, executed and delivered the above and foregoing instrument as a voluntary act and deed on the day and year therein mentioned.

GIVEN under my hand and official seal on this the 5th day of April, 2021.


NOTARY PUBLIC

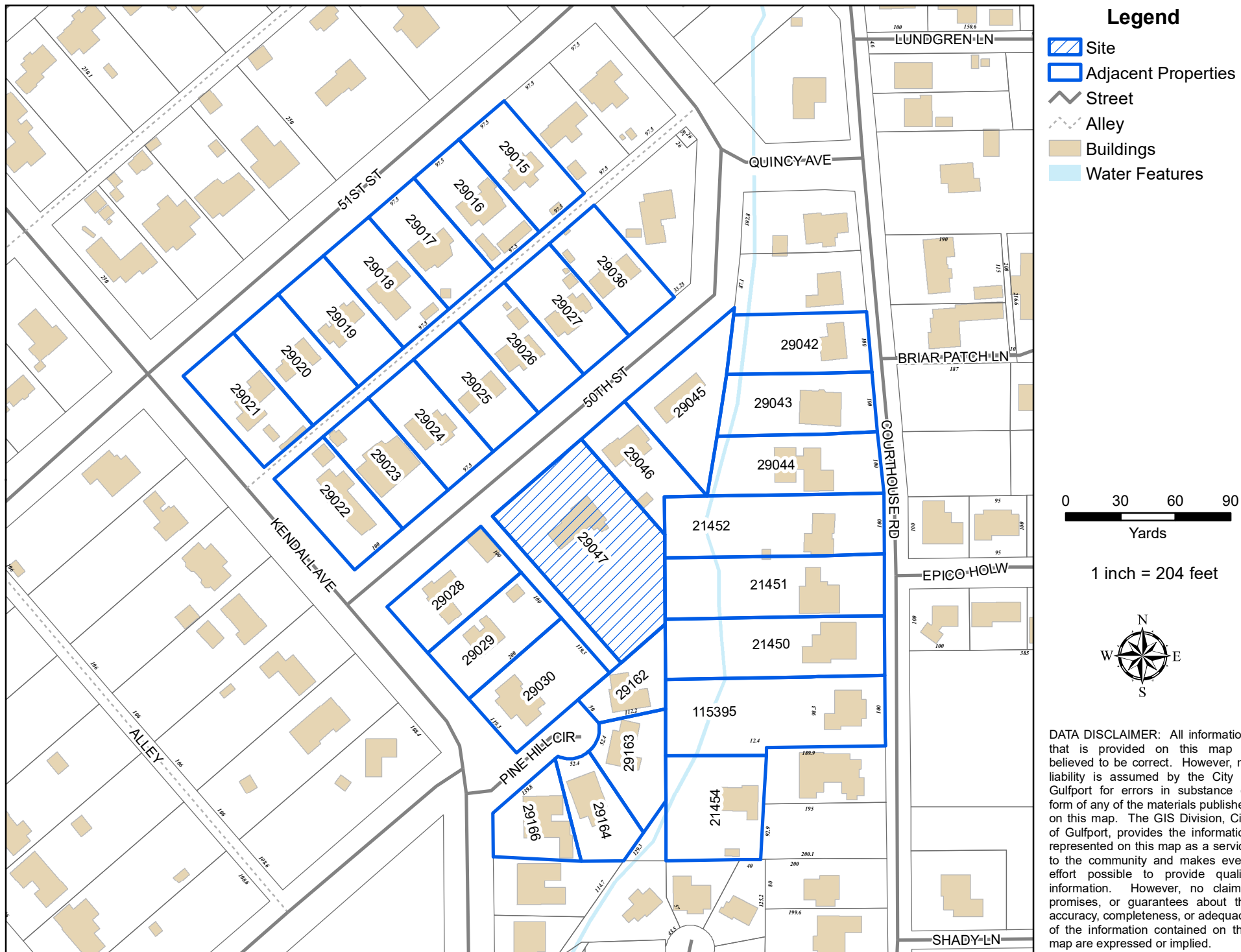
(SEAL)

My Commission Expires:



Mail	PPIN	Parcel ID	Name	Address	City	State	ZIP
Y N	29047	0909O-02-029.000	MYERS DIANE H (OWNER)	21 50TH ST	GULFPORT	MS	39507
			Adjacent Property Owner (2405ZB075)				
	29036	0909O-01-053.000	ARDE JARRED A	10 50TH ST	GULFPORT	MS	39507
	29027	0909O-01-052.000	BEARD EDWARD L & PHYLLIS A	16 50TH STREET	GULFPORT	MS	39507
	29019	0909O-01-044.000	BISHOP ANTHONY A & MARY R	21 51ST ST	GULFPORT	MS	39501
	29163	0909O-02-024.000	BROCK SHARON L	2 PINE HILL CIR	GULFPORT	MS	39507
	29030	0909O-02-026.000	BRUCE ROBERT C JR & MYRA M	4 PINE HILL CIR	GULFPORT	MS	39507
	29044	0909O-02-005.000	CARRIERE BRIAN & MEREDITH	4919 COURTHOUSE RD	GULFPORT	MS	39507
	29025	0909O-01-050.000	CARTER GLENDA L	20 50TH ST	GULFPORT	MS	39507
	21452	0909O-02-006.000	CLARK ROGER -TRUSTEE-	4915 COURTHOUSE RD	GULFPORT	MS	39507
	29016	0909O-01-041.000	COMPTON CURTIS M JR & DEBORAH L	15 51ST ST	GULFPORT	MS	39501
	29022	0909O-01-047.000	COOPER GREGORY & MICHELE H	5002 KENDALL AVE	GULFPORT	MS	39507
	29028	0909O-02-028.000	CRUTHIRDS ROBERT R	4908 KENDALL AVE	GULFPORT	MS	39507
	115395	0909P-02-050.000	CUTRER TERRY LOUIS & PAMELA SUE	4907-A COURTHOUSE RD	GULFPORT	MS	39507
	29026	0909O-01-051.000	D'ANGELO MELISSA	18 50TH ST	GULFPORT	MS	39507
	29024	0909O-01-049.000	DOMBROWSKI GARRETT	22 50TH ST	GULFPORT	MS	39507
	29018	0909O-01-043.000	GATES NEVILLE JR	19 51ST ST	GULFPORT	MS	39507
	29021	0909O-01-046.000	HOLCOMB REBECCA M	25 51ST STREET	GULFPORT	MS	39507
	29164	0909O-02-023.000	JARRELL JANA H -TRUSTEE-	1 PINE HILL CIRCLE	GULFPORT	MS	39507
	21454	0909O-02-010.000	KNESAL CHRISTOPHER JARROD & SUMMER	4909 COURTHOUSE RD	GULFPORT	MS	39507
	29029	0909O-02-027.000	MAJURE TERRI GAIL WADDELL	4906 KENDALL AVE	GULFPORT	MS	39507
	29042	0909O-02-003.000	MARTIN JARON	1309 CARROLLTON AVE APT 226	METAIRIE	LA	70005
	29020	0909O-01-045.000	MCCAFFREY ALTON L & CECELIA V	23 51ST STREET	GULFPORT	MS	39507
	29017	0909O-01-042.000	MIRE HUEY MATTHEW & ANNA BURWELL	17 51ST STREET	GULFPORT	MS	39507
	29045	0909O-02-031.000	ROBINSON MARCIA H	13 50TH ST	GULFPORT	MS	39507
	29046	0909O-02-030.000	SHANKS ELIZABETH A	15 50TH STREET	GULFPORT	MS	39507
	29166	0909O-02-022.000	SHOEMAKE DEREK M & LAURA S	4848 KENDALL AVE	GULFPORT	MS	39507
	29043	0909O-02-004.000	SOUTHERN PROPERTIES LLC -ETAL-	169 RUE MAGNOLIA	BILOXI	MS	39530
	29162	0909O-02-025.000	SPENCER LYNN M	3 PINEHILL CIR	GULFPORT	MS	39507
	29015	0909O-01-040.000	SUMRALL THOMAS KEVIN	13 51ST ST	GULFPORT	MS	39507
	21451	0909O-02-007.000	TYNES JOHN W & TAMMY L	4913 COURTHOUSE RD	GULFPORT	MS	39507
	21450	0909O-02-008.000	VAN ZUTPHEN KATHY BROWN -TRUSTEE-	4911 COURTHOUSE RD	GULFPORT	MS	39507
	29023	0909O-01-048.000	WITTMANN JACK & CLARK JENNIFER	24 50TH ST	GULFPORT	MS	39507

Variance



RE: Variance 2405ZB075, by owner Diane Myers, seeking approval for a gravel driveway where asphalt or concrete is required, Tax Parcel 09090-02-029.000, 21 50th Street, Zoned R-1-7.5 (Single-family), Ward 4

To Applicants and Adjacent Property Owners:

The City of Gulfport Zoning Board of Adjustments and Appeals will hold a public hearing to consider the above application at 3:00 P.M. on **Thursday, May 16, 2024**, in the Council Chambers at the Gulfport City Hall located at 2309 15th Street.

For more information, visit <https://www.gulfport-ms.gov/agendas/> then click the City of Gulfport Zoning Board for **Thursday, May 16, 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	546606	Print Legal Ad-IPL01707030 - IPL0170703		\$113.35	2	76 L

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

accountspayable@gulfport-ms.gov

LEGAL NOTICE PUBLIC HEARING

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

Variance 2403ZB026, by agent Rebecca Gillum, seeking approval for 5-foot side yard setbacks, where 8 feet is required, Tax Parcel 0811G-04-116.000, 2011 17th Ave, Zoned R-2 (Single-family), Ward 3

Variance 2405ZB059, by owners OMT, LLC and FTO, LLC, seeking approval for parking that pulls out into right of way, Tax Parcel 0811B-05-012.000, 1602 26th Street, Zoned B-2 (General Business), Ward 3

Variance 2405ZB060, by agent Jonathan Fernandez, seeking approval for parking that pulls out into right of way, Tax Parcel 0910M-03-072.000, 1015 Pass Road, Zoned B-2 (General Business), Ward 3

Variance 2405ZB061, by owners Tim and Tracie Bruni, seeking approval for a eight-foot tall fence where the height limit is six feet, Tax Parcel 1010D-03-014.000, 51 Shoreline Lane, Zoned R-1-7.5 (Single-family), Ward 4

Variance 2405ZB063, by owner Michael Bogan, seeking approval for a 4-foot rear yard setback where 8 feet is required, Tax Parcel 0811G-04-116.000, 2011 17th Ave, Zoned R-2 (Single-family), Ward 3

Variance 2405ZB064, by agent Morgan Speranzo Hado, seeking approval for a 22-foot and one-inch front yard setback where 25 feet is required, Tax Parcels 1009N-01-002.061, 1009N-01-002.062, Georglan Way, Zoned R-2 (Single-family), Ward 5

Special Exception 24055E067, by agent Frankie Jackson, seeking approval for a tattoo parlor, Tax Parcel 1010G-03-003.002, 2033 E Pass Road Unit B, Zoned B-2 (General-business), Ward 2

Variance 2405ZB071, by agent Amanda Crose and designated agent Donovan Scruggs, seeking approval for a 21-foot and 3.5-inch setback on a second frontage where 25 feet is required, Tax Parcel 0906E-01-001.001, 11030 Alphabet Road Zoned R-1-10 (Single-family), Ward 6

Variance 2405ZB072, by agent Amanda Crose and designated agent Donovan Scruggs, seeking approval for a 23-foot and 2-inch setback on a second frontage where 25 feet is required, Tax Parcel 0908C-01-001.000, 11102 Alphabet Road, Zoned R-1-10 (Single-family), Ward 6

Variance 2405ZB073, by agent Amanda Crose and designated agent Donovan Scruggs, seeking approval for a 21-foot and 2-inch setback on a second frontage where 25 feet is required, Tax Parcel 0908C-01-001.000, 11041 Alphabet Road, Zoned R-1-10 (Single-family), Ward 6

Variance 2405ZB075, by owner Diane Myers, seeking approval for a gravel driveway where asphalt or concrete is required, Tax Parcel 0909O-02-029.000, 21 50th Street, Zoned R-1-7.5 (Single-family), Ward 4

Variance 2406ZB076, by agent Bryan Hall, seeking approval for fence columns of 7 feet and 4 inches in height where the height limit is 6 feet, Tax Parcels 1009N-01-002.001, 1009N-01-002.002, 1009N-01-002.003, 1009N-01-002.004, 1009N-01-002.023, 1009N-01-002.024, 1009N-01-002.025, 1009N-01-002.026, 1009N-01-002.027, 1009N-01-002.028, 1009N-01-002.029, 1009N-01-002.030, 1009N-01-002.031, 1009N-01-002.032, 1009N-01-002.033, 1009N-01-002.034, 10881 Lily Lane, 10887 Lily Lane, 10893 Lily Lane, 10899 Lily Lane, 10809 Lily Lane, 10815 Lily Lane, 10821 Lily Lane, 10827 Lily Lane, 10833 Lily Lane, 10839 Lily Lane, 10845 Lily Lane, 10851 Lily Lane, 10857 Lily Lane, 10863 Lily Lane, 10869 Lily Lane, 10875 Lily Lane, Zoned R-2 (Single-family), Ward 5

This the 24th day of April 2024
A. Leslie North, Chairman
City of Gulfport Zoning Board of Adjustment and Appeals
IPL0170703
May 1 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:
05/01/24

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.

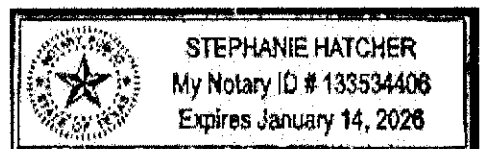
Mary Castro

Sworn to and subscribed before me this 1st day of May
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: May 16, 2024

Re: Variance 2406ZB078:

Variance 2406ZB078, by agent Bryan Hall, seeking approval for fence columns of 7 feet and 4 inches in height where the height limit is 6 feet, Tax Parcels 1009N-01-002.001, 1009N-01-002.002, 1009N-01-002.003, 1009N-01-002.004, 1009N-01-002.023, 1009N-01-002.024, 1009N-01-002.025, 1009N-01-002.026, 1009N-01-002.027, 1009N-01-002.028, 1009N-01-002.029, 1009N-01-002.030, 1009N-01-002.031, 1009N-01-002.032, 1009N-01-002.033, 1009N-01-002.034, 10881 Lily Lane, 10887 Lily Lane, 10893 Lily Lane, 10899 Lily Lane, 10809 Lily Lane, 10815 Lily Lane, 10821 Lily Lane, 10827 Lily Lane, 10833 Lily Lane, 10839 Lily Lane, 10845 Lily Lane, 10851 Lily Lane, 10857 Lily Lane, 10863 Lily Lane, 10869 Lily Lane, 10875 Lily Lane, Zoned R-2 (Single-family), Ward 5

Technical Report

VARIANCE

GENERAL INFORMATION

Case File Number: 2406ZB078

Hearing Date: May 16, 2024

Current Zoning/Use: R-2 / Single Family Homes

Legal: Variance 2406ZB078, by agent Bryan Hall, seeking approval for fence columns of 7 feet and 4 inches in height where the height limit is 6 feet, Tax Parcels 1009N-01-002.001, 1009N-01-002.002, 1009N-01-002.003, 1009N-01-002.004, 1009N-01-002.023, 1009N-01-002.024, 1009N-01-002.025, 1009N-01-002.026, 1009N-01-002.027, 1009N-01-002.028, 1009N-01-002.029, 1009N-01-002.030, 1009N-01-002.031, 1009N-01-002.032, 1009N-01-002.033, 1009N-01-002.034, 10881 Lily Lane, 10887 Lily Lane, 10893 Lily Lane, 10899 Lily Lane, 10809 Lily Lane, 10815 Lily Lane, 10821 Lily Lane, 10827 Lily Lane, 10833 Lily Lane, 10839 Lily Lane, 10845 Lily Lane, 10851 Lily Lane, 10857 Lily Lane, 10863 Lily Lane, 10869 Lily Lane, 10875 Lily Lane, Zoned R-2 (Single-family), Ward 5

TECHNICAL DETAILS

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

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

Technical Report

VARIANCE

- (f) That the use proposed is permissible by right or with planning approval or by special exception.

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

The applicant requests a variance in order to construct a subdivision fence with brick columns at 7 feet and 4 inches in height where the height limit is 6 feet.

- (a) Applicant does not address the question about the property's special conditions.
- (b) Applicant does not address the question regarding whether the special conditions result from the applicant. Upon staff review, the applicant has caused their own hardship by wanting to construct a fence higher than the 6-foot height limit, and has already begun construction of said fence.
- (c) The applicant does not address the question regarding how the hardship is created by the physical character of the property. Upon staff review, the hardship is created by the applicant wishing to build a fence that exceeds the 6-foot fence height.
- (d) The applicant does not address the question regarding the literal interpretations of the ordinance. The applicant does mention about an existing fence across the street from the site of the proposed fence, and how they are making the fence similar in design.
- (e) Applicant mentions that they are building their fence to match the existing fence across the street, on the south side of East Taylor Road, with their proposed fence to be 6 feet in height with the 7-feet and 4-inch-tall columns. Upon a site visit conducted on May 2nd, staff was able to confirm that the already constructed portion of the proposed fence matches the existing fence on the south side of East Taylor Road, directly across from the proposed fence. Upon staff review of the existing fence, it was permitted back in 2021 for 8 feet in height.
- (f) This property is zoned R-2, and fences with single family homes are allowed by right.

EXECUTIVE SUMMARY

Applicant is seeking approval for 7-foot and 4-inch tall brick columns for a subdivision fence where 6 feet is the height limit. Proposed fence is to run within the property lines of the parcels running parallel to the north side of East Taylor Road. The applicant does not address any hardships that result from the physical characteristics of the property, and is causing their own hardship by seeking to build brick columns for a subdivision fence that exceeds the height limit. Applicant claims that they are constructing their fence to match the already existing fence on the south side of East Taylor Road. Upon a site visit conducted on May 2nd, staff was able to confirm that the already constructed portion of the proposed fence matches the mentioned existing fence. Upon staff review of the existing fence, it was permitted back in 2021 for 8 feet in height. With the existing permitted fence, the applicant's request would be in harmony with the surrounding neighborhood.

Any approval should consider these conditions:

1. Must submit plans and obtain permits.
2. Approval allows for 7-foot and 4-inch tall fence columns where 6 feet is the height limit.

Technical Report

VARIANCE

DEPARTMENTAL CONDITIONS

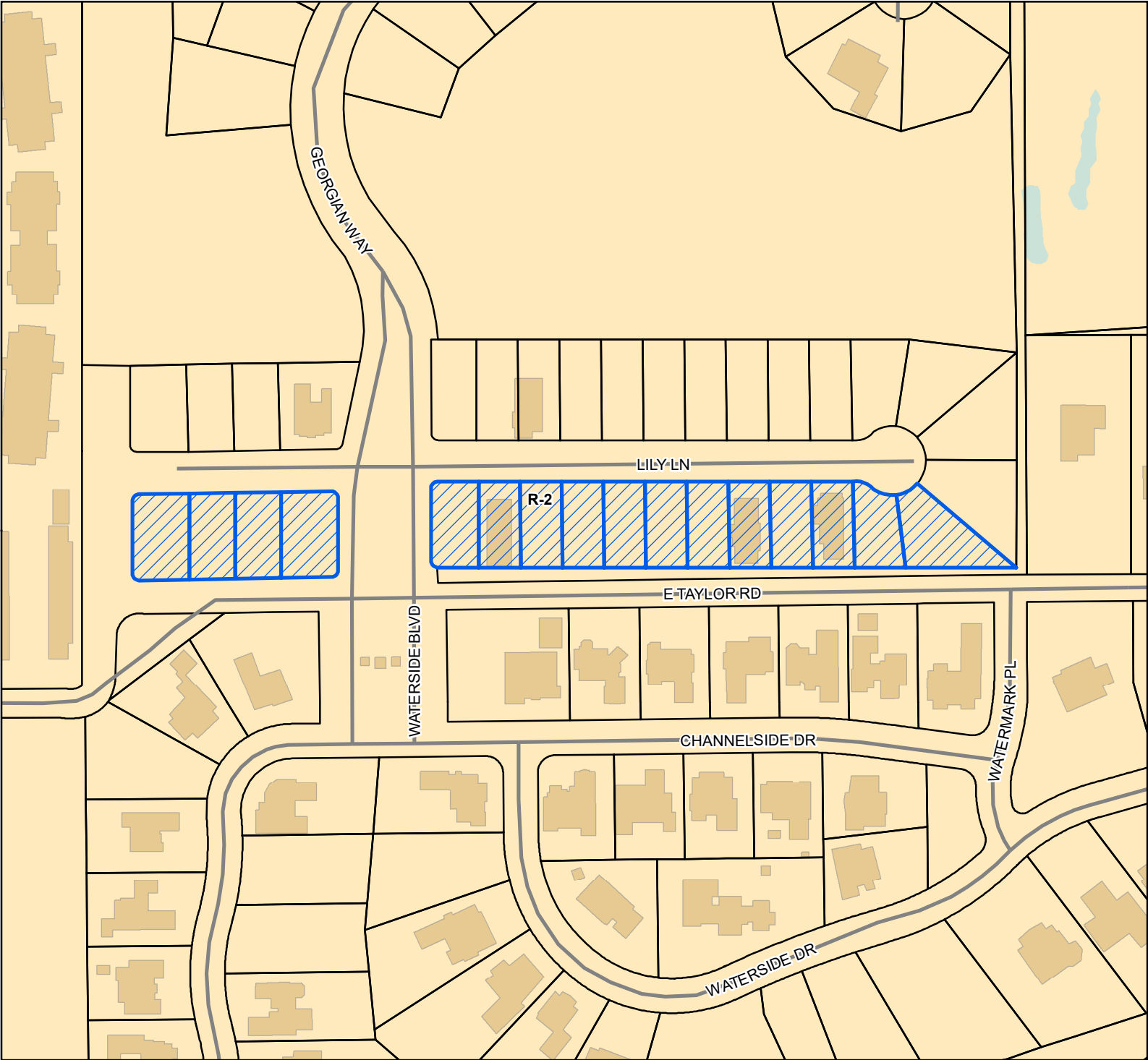
<u>Engineering:</u>	No conditions. Memo dated 4/29/24.
<u>Public Works:</u>	No conditions. Memo dated 5/2/24.
<u>Traffic and Safety:</u>	No comment as of 5/7/24.
<u>Building Code Services:</u>	Must submit plans and obtain permits. Memo dated 4/26/24.
<u>GIS:</u>	No conditions. Memo dated 5/1/24.
<u>Police Department:</u>	No comment as of 5/7/24.
<u>Fire Department:</u>	No conditions. Memo dated 4/25/24.
<u>City Arborist:</u>	No conditions. Memo dated 4/25/24.

DIRECTOR APPROVAL

This report has been reviewed and approved by:



Greg Holmes
Director of Urban Development Department



- Site
- Street
- Parcels
- Buildings
- Water Features

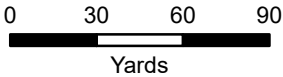
Zoning

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

Site Information

- 1009N-01-002.001
- 1009N-01-002.002
- 1009N-01-002.003
- 1009N-01-002.004
- 1009N-01-002.023
- 1009N-01-002.024
- 1009N-01-002.025
- 1009N-01-002.026
- 1009N-01-002.027
- 1009N-01-002.028
- 1009N-01-002.029
- 1009N-01-002.030
- 1009N-01-002.031
- 1009N-01-002.032
- 1009N-01-002.033
- 1009N-01-002.034

Zoning: R-2 (Single Family)
Size: 3.01 Acres
Flood: X



1 inch = 200 feet



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



CASE NUMBER

240628 078 dd

received: 4/8/24

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

1	0	0	9	N	-	0	1	-	0	0	2	.	0	0	1		1	0	0	9	N	-	0	1	-	0	0	2	.	0	0	2
1	0	0	9	N	-	0	1	-	0	0	2	.	0	0	3		1	0	0	9	N	-	0	1	-	0	0	2	.	0	0	4
1	0	0	9	N	-	0	1	-	0	0	2	.	0	2	3		1	0	0	9	N	-	0	1	-	0	0	2	.	0	2	4

Property Address:

0 Georgian Way
Lot(s) _____ Block(s) _____ Subdivision Brookestone

General Description of Request: Fence Variance for Columns to
be 7'4" in height.

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**.



CASE NUMBER

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

1009N-01-002.025	1009N-01-002.026
1009N-01-002.027	1009N-01-002.028
1009N-01-002.029	1009N-01-002.030

Property Address:

Continued from Page 1

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

General Description of Request: _____

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*.



CASE NUMBER

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

1009N-01-002.031	1009N-01-002.032
1009N-01-002.033	1009N-01-002.034

Property Address:

Continued list

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

General Description of Request: _____

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:

Printed Name of Owner

Mailing Address

City State Zip Code

Home Phone Work/Cell Phone

Email

Signature of Owner

AGENT:

Printed Name of Agent

Mailing Address

City State Zip Code

Home Phone

Work/Cell Phone

Email

Signature of Agent

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

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

Name of Owner (PRINT) Clark Builders Inc
Address (Street, City, State, Zip Code) P.O. Box 320489 Flowood MS 39232
Phone (Home) _____ (Work) _____ (Cell) (228) 233-6410
Tax Parcel Number(s) Owned: 1009N-01-002.001 - .035
Signature: Bryan Hall

Name of Owner (PRINT) Eric & Tina Kaltenberger
Address (Street, City, State, Zip Code) 10869 Lily Lane, Gulfport MS 39503
Phone (Home) Same as cell (Work) _____ (Cell) 970-391-5615
Tax Parcel Number(s) Owned: 1009N-01-002.001 - .033
Signature: Jena Kaltenberger

Name of Owner (PRINT) Hunter & Kelli McCreight
Address (Street, City, State, Zip Code) 10833 Lily Lane Gulfport, MS 39503
Phone (Home) _____ (Work) _____ (Cell) 251-656-6476
Tax Parcel Number(s) Owned: 1009N-01-002.001 - .027
Signature: Kelli McCreight

CLARK BUILDERS, INC.

PO Box 320489
Flowood, MS 39232

To City of Gulfport Building Code Services,

Please let this letter serve as submission for Bryan Hall to act on our behalf for the construction of new single family homes in the City of Gulfport. Bryan is authorized to renew licenses, sign for and obtain permits, call for inspection requests, and sign any needed documents on our behalf. Bryan is also authorized to perform any work or services necessary on behalf of our license holder, Brent Clark, that may be needed at any time.

Should you have any further questions please feel free to contact us at 601-613-7447.

Thanks



Brent Clark

Brent Clark, President
Clark Builders, Inc.
PO Box 320489
Flowood, MS 39232
License MS16016





DESIGNATION OF AGENT

I, Clark Builders Inc being property owner of 1009 N 01-002.001 - .004 + .023-034
PRINT NAME PRIMARY ADDRESS OR PARCEL
which is the subject of this application hereby authorize Bryan M Hall 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

4/2/2024
DATE

STATE OF MISSISSIPPI | COUNTY OF HARRISON

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

[Signature]
NOTARY PUBLIC

June 10, 2025





COVENANT AFFIDAVIT

I, Bryan M Hall being property owner or agent of the property 1009N-01-002.601-004
PRINT NAME PRIMARY ADDRESS OR PARCEL 4.0237
which is the subject of this application, hereby state that this variance request is not in violation of any .034
restrictive or protective covenants.

Bryan M Hall
SIGNATURE

4/2/2024
DATE

STATE OF MISSISSIPPI | COUNTY OF HARRISON

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

Renee A. McClung
NOTARY PUBLIC

June 10, 2025
COMMISSION EXPIRATION





Michael Watson

SECRETARY OF STATE

This is not an official certificate of good standing.

Name History

Name	Name Type
Clark Builders, Inc.	Legal

Business Information

Business Type:	Profit Corporation
Business ID:	932064
Status:	Good Standing
Effective Date:	05/13/2008
State of Incorporation:	Mississippi
Principal Office Address:	186 Dogwood Ln. S. Florence, MS 39073

Registered Agent

Name
Clark, Brent
186 Dogwood Lane S
Florence, MS 39073

Officers & Directors

Name	Title
Hez L Hollingsworth Post Office Drawer 119 Forest, MS 39074	Incorporator
Brent Clark 186 Dogwood Lane S Florence, MS 39073	Director, President
Richard Barry Clark 186 Dogwood Ln. S. Florence, MS 39073	Secretary

Fence Variance Submissions

BH ✓

Please explain the nature of the project that requires the variance(s). When determining a variance to fence, wall, and hedge requirements, the zoning board shall consider the following, which must also be addressed by the applicant on a separate sheet of paper:

1. Safety in regard to the subject property, adjacent properties, ingress and egress, streets, alleyways, and water bodies;
2. Visual impact on adjacent properties, streets, alleyways, and water bodies;
3. Design in relation to other structures on the same lot, adjacent properties, and the neighborhood;
4. Impact on ingress and egress, if applicable;
5. Screening, buffering or separation of any nuisance or hazardous feature;
6. Compatibility with adjacent properties;

This Project is to add ~1060' of fencing to the front of the Brookstone Subdivision. Columns will be spaced 30' with a height of 7' 7". The fence between the columns will be 6'. Please refer to attached drawing for reference.

- 1) No Safety Issues
 - 2) Fence on East Taylor
 - 3) Design to Match Subdivision Entrance
 - 4) No Impact on ingress or egress
 - 5) No screening any hazardous features
 - 6) Matches style of fence on South side of East Taylor
- Columns + Wood fence

Brookestone Fence Render Example
Stone Column to match subdivision Entry
Wood Fencing (stained early American)

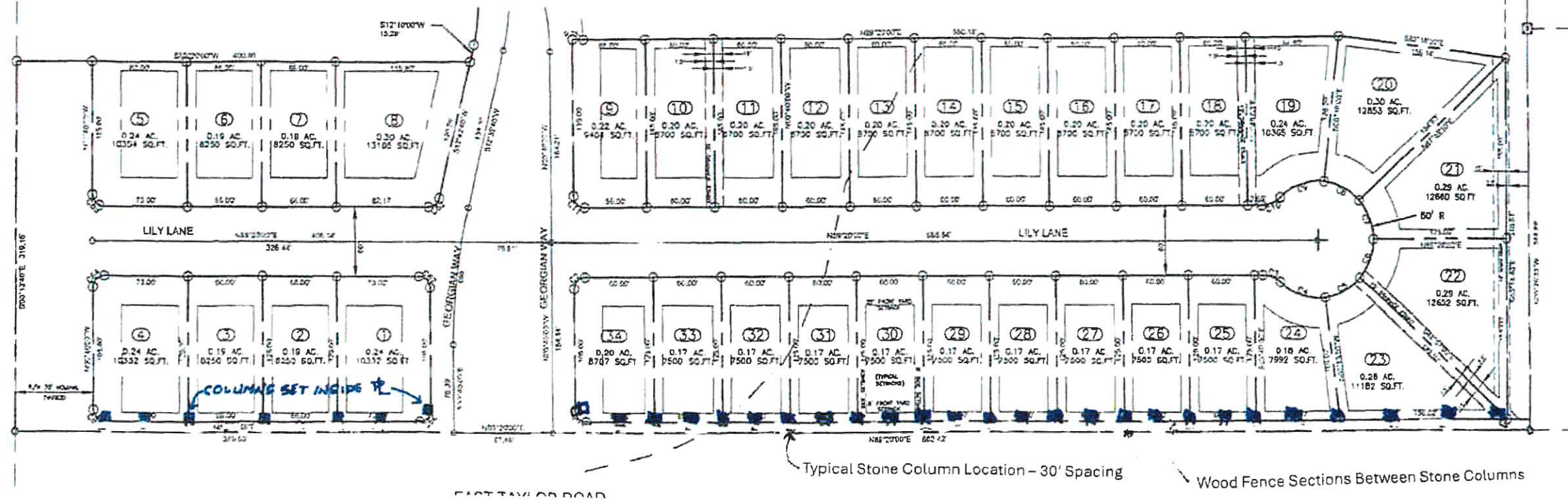
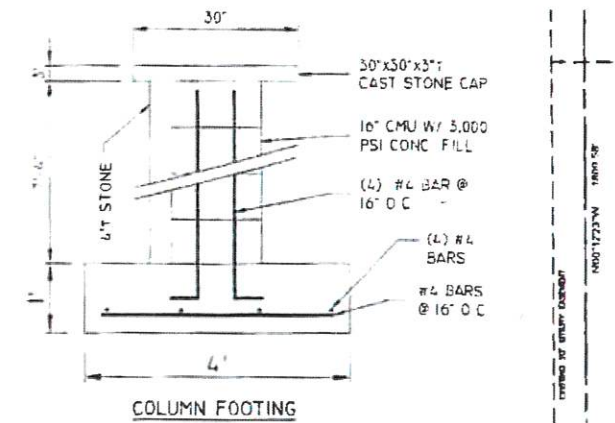


PLAT OF BROOKESTONE



Robert J. Smeal
2/22/24
REV. 4/3/24
RJS

WOOD FENCE DETAILS

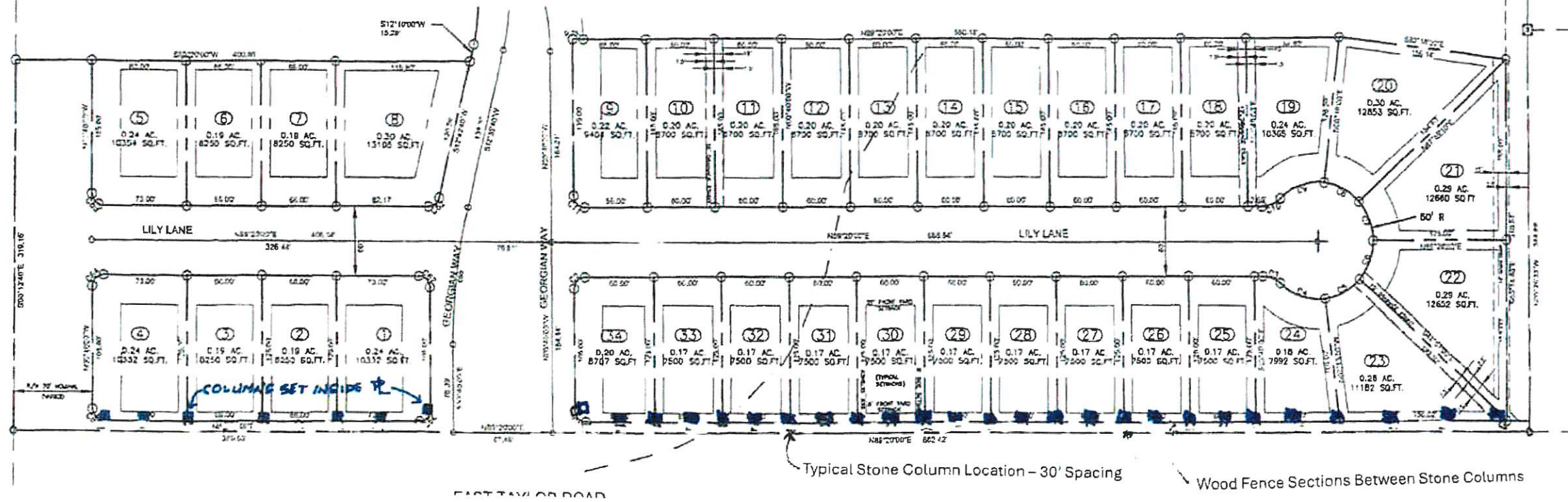
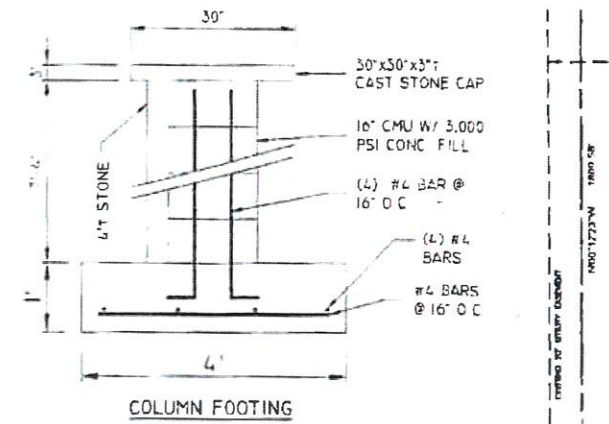


PLAT OF BROOKESTONE



Rev. 4/3/24
RK

WOOD FENCE DETAILS



Prepared By & Return To:
Schwartz, Orgler & Jordan, PLLC
12206 Hwy 49
Gulfport, MS 39503
(228) 832-8550
Our File: 231583

Index As:

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,

CLARK BUILDERS, INC
a Mississippi Corporation
186 DOGWOOD LANE
FLORENCE, MS 39073
601-613-7447

does hereby sell, convey and warrant unto

ERIC A. KALTENBERGER and wife, TINA L. KALTENBERGER
as tenants by the entirety with full rights
of survivorship and not as tenants in common
10869 LILY LANE
GULFPORT, MS 39503
970-391-5615

the following described land and property being located in Harrison County, Mississippi,

being more particularly described as follows, to-wit:

Lot Thirty-Three (33), BROOKESTONE SUBDIVISION, a subdivision according to the official map or plat thereof on file and of record in the Office of the Chancery Clerk of the First Judicial District of Harrison County, Mississippi, in Plat Book 60, at Page 19, thereof, reference to which is hereby made in aid of and as a part of this description.

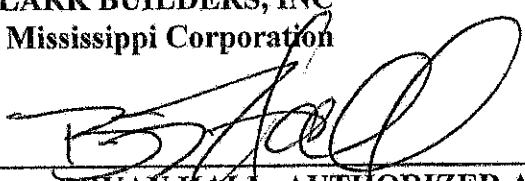
THE ABOVE described property is no part the homestead of the Grantor herein.

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

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

IN WITNESS WHEREOF, CLARK BUILDERS, INC, a Mississippi Corporation has caused this conveyance to be executed by its duly authorized officer, he having first been duly authorized to do so, on this the 12th day of September, 2023.

CLARK BUILDERS, INC
A Mississippi Corporation

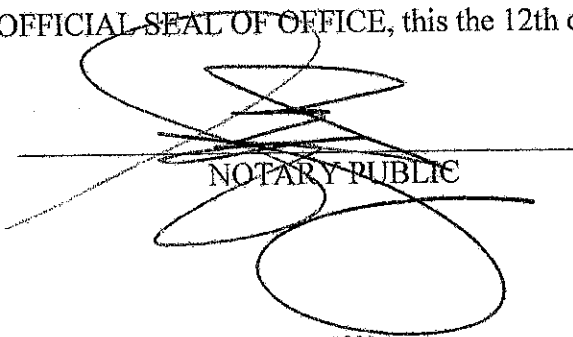

By: **BRYAN HALL, AUTHORIZED AGENT**

STATE OF MISSISSIPPI

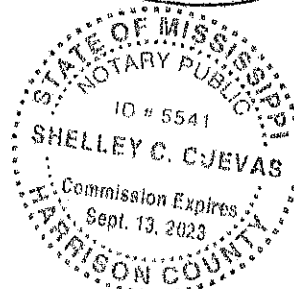
COUNTY OF HARRISON

THIS DAY PERSONALLY CAME AND APPEARED BEFORE ME, the undersigned authority in and for the jurisdiction aforesaid, BRYAN HALL, who acknowledge that he is the AUTHORIZED AGENT of CLARK BUILDERS, INC, a Mississippi Corporation and as its act and deed, he signed, sealed and delivered the above and foregoing instrument of writing on the day and in the year therein mentioned, for and on behalf of said entity, he having been first duly authorized to do so.

GIVEN UNDER MY HAND AND OFFICIAL SEAL OF OFFICE, this the 12th day of September, 2023.


NOTARY PUBLIC

My Commission Expires:





SCANNED



[Signature] 1st JUDICIAL DISTRICT
Instrument 2023-0025720-D-J1
Filed/Recorded 12/22/2023 1:53:01 PM
Total Fees 26.00
2 Pages Recorded

Prepared By & Return To:
Schwartz, Orgler & Jordan, PLLC
12206 Hwy 49
Gulfport, MS 39503
(228) 832-8550
Our File: 232121

Index As:

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,

CLARK BUILDERS, INC
A Mississippi Corporation
186 DOGWOOD LANE
FLORENCE, MS 39073
601-613-7447

does hereby sell, convey and warrant unto

HUNTER McCREIGHT and spouse KELLI McCREIGHT
as tenants by the entirety with full rights of
survivorship and not as tenants in common,
10833 LILLY LANE
GULFPORT, MS 39503
662-507-5330

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

Lot Twenty-Seven (27), BROOKESTONE SUBDIVISION, a subdivision according to the official map or plat thereof on file and of record in the Office of the Chancery Clerk of the First Judicial District of Harrison County, Mississippi, in Plat Book 60, at Page 19, thereof, reference to which is hereby made in aid of and as a part of this description.

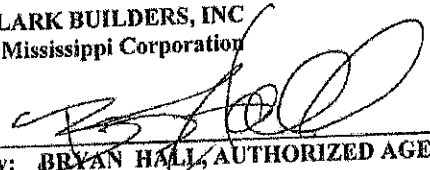
THE ABOVE described property is no part the homestead of the Grantor herein.

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

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

IN WITNESS WHEREOF, **CLARK BUILDERS, INC**, a Mississippi Corporation has caused this conveyance to be executed by its duly authorized officer, he having first been duly authorized to do so, on this the 15th day of December, 2023.

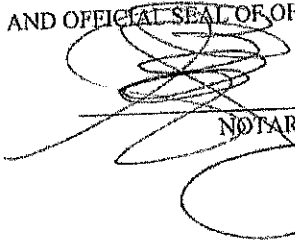
CLARK BUILDERS, INC
A Mississippi Corporation


By: **BRYAN HALL, AUTHORIZED AGENT**

STATE OF MISSISSIPPI
COUNTY OF HARRISON

THIS DAY PERSONALLY CAME AND APPEARED BEFORE ME, the undersigned authority in and for the jurisdiction aforesaid, **BRYAN HALL**, who acknowledge that he is AUTHORIZED AGENT of **CLARK BUILDERS, INC**, a Mississippi Corporation and as its act and deed, he signed, sealed and delivered the above and foregoing instrument of writing on the day and in the year therein mentioned, for and on behalf of said entity, he having been first duly authorized to do so.

GIVEN UNDER MY HAND AND OFFICIAL SEAL OF OFFICE, this the 15th day of December, 2023.


NOTARY PUBLIC

My Commission Expires:



REVIEWED

SCANNED



J1 - GULFPORT DISTRICT
Instrument 2021-0030442-D-J1
Filed/Recorded 10/29/2021 2:50:02 PM
Total Fees 26.00
2 Pages Recorded

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

Indexing Instructions:

File# 212294

STATE OF MISSISSIPPI

COUNTY OF HARRISON

WARRANTY DEED

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

BROOKESTONE GULF COAST, LLC
formerly **BROOKSTONE GULF COAST, LLC**
a Mississippi limited liability company
111 LUNDGREN LANE
BILOXI, MS 39532
228-669-9102

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

CLARK BUILDERS, INC,
A Mississippi Corporation
186 DOGWOOD LANE
FLORENCE, MS 39073
601-613-7447

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

Lots One (1), Two (2), Three (3), Four (4), Five (5), Six (6), Seven (7), Eight (8), Nine (9), Ten (10), Eleven (11), Twelve (12), Thirteen (13), Fourteen (14), Fifteen (15), Sixteen (16), Seventeen (17), Eighteen (18), Nineteen (19), Twenty (20), Twenty-One (21), Twenty-Two (22), Twenty-Three (23), Twenty-Four (24), Twenty-Five (25), Twenty-Six (26), Twenty-Seven (27), Twenty-Eight (28), Twenty-Nine (29), Thirty (30), Thirty-One (31), Thirty-Two (32), Thirty-Three (33), and Thirty-Four (34), **BROOKESTONE SUBDIVISION**, a subdivision according to the official map or plat thereof on file and of record in the Office of the Chancery Clerk of the First Judicial District of Harrison County, Mississippi, in Plat Book 60, at Page 19, thereof, reference to which is hereby made in aid of and as a part of this description.

Our File Number 212294,

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

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

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

IN WITNESS WHEREOF, BROKESTONE GULF COAST, LLC, a Mississippi limited liability company has caused this conveyance to be executed by its duly authorized officer, she having first been duly authorized to do so, on this the 29th day of October, 2021.

BROKESTONE GULF COAST, LLC

BY: Barbara C. Allen
BARBARA C. ALLEN, MANAGER

STATE OF MISSISSIPPI

COUNTY OF HARRISON

THIS DAY PERSONALLY CAME AND APPEARED BEFORE ME, the undersigned authority in and for the jurisdiction aforesaid, BARBARA C. ALLEN, who acknowledge that she is MANAGER of BROKESTONE GULF COAST, LLC, a Mississippi limited liability company and as its act and deed, she signed, sealed and delivered the above and foregoing instrument of writing on the day and in the year therein mentioned after having been first duly authorized to do so.

GIVEN under my hand and official seal on this the 29th day of October, 2021.

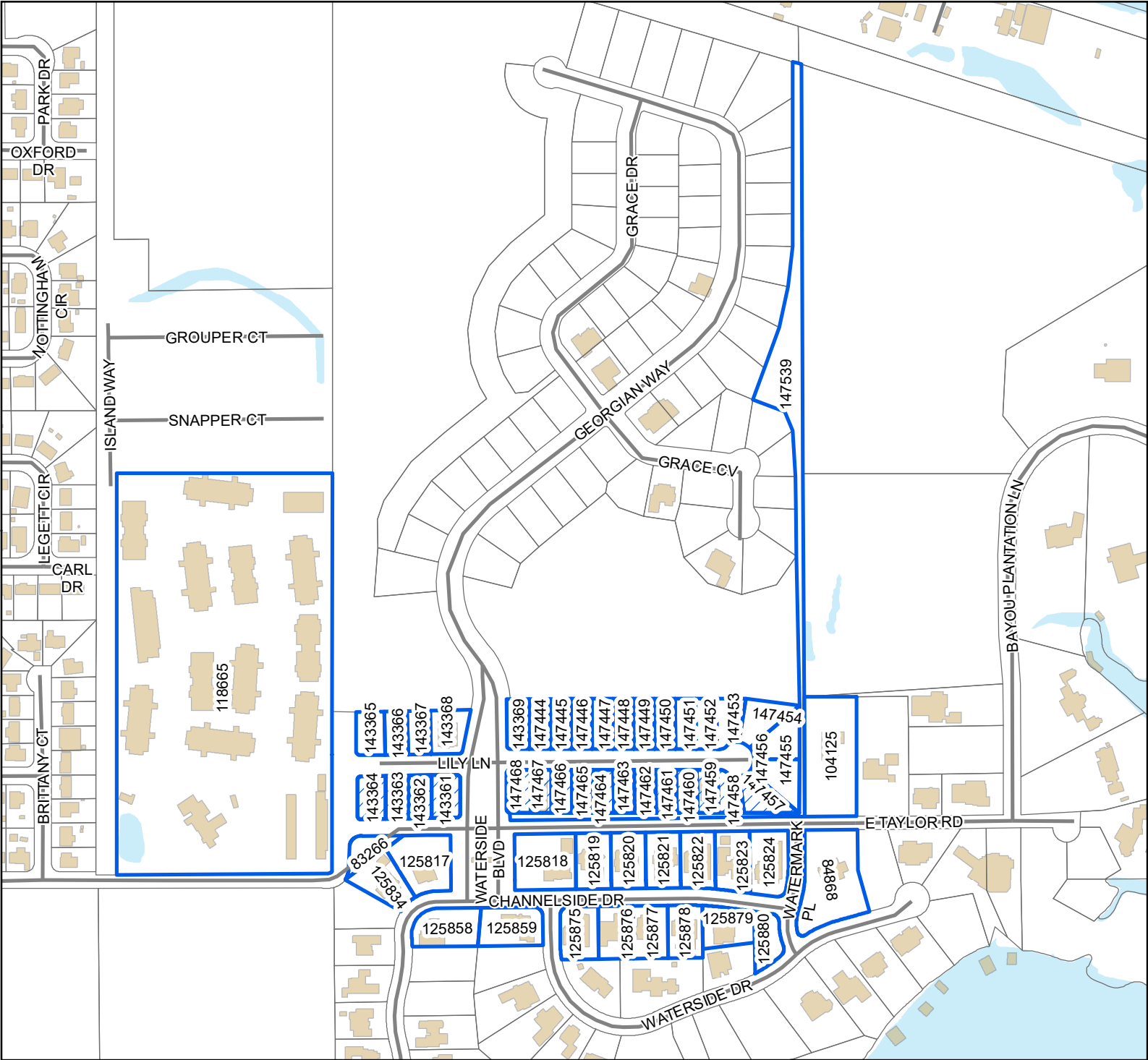
NOTARY PUBLIC

(SEAL)

My Commission Expires:

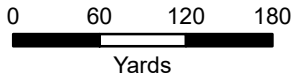


Our File Number 212294,



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.

Mail	PPIN	Parcel ID	Name	Address	City	State	ZIP	
Y		1009N-01-002.001	CLARK BUILDERS INC(OWNERS)	P.O. BOX 320489	FLOWOOD	MS	39232	
		1009N-01-002.033	ERIC & TINA KATLTENBERGER(OWNERS)	10869 LILY LANE	GULFPORT	MS	39503	
		1009N-01-002.027	HUNTER & KELLI MCCREIGHT(OWNERS)	10833 LILY LANE	GULFPORT	MS	39503	
			BRYAN HALL (AGENT)	P.O. BOX 320489	FLOWOOD	MS	39232	
			Adjacent Property Owners(2406ZB078)					
118665		1009N-01-004.001	MMP2-HARBIN LLC	1610 16TH AVE	NASHVILLE	TN	37212	
104125		1009O-02-004.001	TOWLES JAMES SETH	10840 E TAYLOR RD	GULFPORT	MS	39503	
83266		1009N-01-003.000	GULFPORT CITY OF	P O BOX 1780	GULFPORT	MS	39502	
125859		1010C-01-001.026	MCCABE MATTHEW J & HOLLY A	10967 WATERSIDE DRIVE	GULFPORT	MS	39503	
125879		1010C-01-001.046	PRINGLE JOSEPH RIVES & MICHELE B	10879 CHANNELSIDE DR	GULFPORT	MS	39503	
125877		1010C-01-001.044	MCCABE GARY A & MARY S	10899 CHANNELSIDE DR	GULFPORT	MS	39503	
125878		1010C-01-001.045	RESTER JOHN K -TRUSTEE-	P O BOX 1662	GULFPORT	MS	39502	
125817		1009N-01-003.001	SELLERS BENNIE JAMES JR & KATHRYN L	10968 CHANNELSIDE DRIVE	GULFPORT	MS	39503	
125834		1010C-01-001.001	SHARP MYLES ETHAN & DARIA OCCHI	10978 CHANNELSIDE DR	GULFPORT	MS	39503	
125875		1010C-01-001.042	PLUMMER MARGARET K	10919 CHANNELSIDE DRIVE	GULFPORT	MS	39503	
125821		1009N-01-003.005	COURTENAY DANIEL & LAURA	10898 CHANNELSIDE DR	GULFPORT	MS	39503	
125819		1009N-01-003.003	JALAL SHWAN & KURDONYA HAWRAMI	10918 CHANNELSIDE DR	GULFPORT	MS	39503	
125880		1010C-01-001.047	RWB SR LLC	P O BOX 6252	GULFPORT	MS	39506	
125824		1009N-01-003.008	FORE PAT H III	10868 CHANNELSIDE DR	GULFPORT	MS	39503	
125823		1009N-01-003.007	LEWAKOWSKI THOMAS J & MELINDA D	10878 CHANNELSIDE DR	GULFPORT	MS	39503	
125820		1009N-01-003.004	SYMMES COWLES E & MARY E	10908 CHANNELSIDE DRIVE	GULFPORT	MS	39503	
125818		1009N-01-003.002	MONAHAN STEPHANIE F & LAWRENCE S SR	10928 CHANNELSIDE DR	GULFPORT	MS	39503	
125858		1010C-01-001.025	KILLEBREW JOHN A JR & LISA S	10989 CHANNELSIDE DR	GULFPORT	MS	39503	
125876		1010C-01-001.043	HAGE MICHAEL G & ASHLEY H	10909 CHANNELSIDE DRIVE	GULFPORT	MS	39503	
125822		1009N-01-003.006	HARPER OSWAGO Y & TAMARA WALKER	10888 CHANNELSIDE DR	GULFPORT	MS	39503	
		143362	1009N-01-002.002	CLARK BUILDERS INC	186 DOGWOOD LANE	FLORENCE	MS	39073
N		143364	1009N-01-002.004	CLARK BUILDERS INC	186 DOGWOOD LANE	FLORENCE	MS	39073
N		143363	1009N-01-002.003	CLARK BUILDERS INC	186 DOGWOOD LANE	FLORENCE	MS	39073
N		143361	1009N-01-002.001	CLARK BUILDERS INC	186 DOGWOOD LANE	FLORENCE	MS	39073
N		143368	1009N-01-002.008	CLARK BUILDERS INC	186 DOGWOOD LANE	FLORENCE	MS	39073
N		143366	1009N-01-002.006	CLARK BUILDERS INC	186 DOGWOOD LANE	FLORENCE	MS	39073
N		143367	1009N-01-002.007	CLARK BUILDERS INC	186 DOGWOOD LANE	FLORENCE	MS	39073
N		143365	1009N-01-002.005	CLARK BUILDERS INC	186 DOGWOOD LANE	FLORENCE	MS	39073
N		147463	1009N-01-002.029	CLARK BUILDERS INC	186 DOGWOOD LANE	FLORENCE	MS	39073

Mail	PPIN	Parcel ID	Name	Address	City	State	ZIP
N	147468	1009N-01-002.034	CLARK BUILDERS INC	186 DOGWOOD LANE	FLORENCE	MS	39073
N	147467	1009N-01-002.033	CLARK BUILDERS INC	186 DOGWOOD LANE	FLORENCE	MS	39073
N	147466	1009N-01-002.032	CLARK BUILDERS INC	186 DOGWOOD LANE	FLORENCE	MS	39073
N	143369	1009N-01-002.009	CLARK BUILDERS INC	186 DOGWOOD LANE	FLORENCE	MS	39073
N	147444	1009N-01-002.010	CLARK BUILDERS INC	186 DOGWOOD LANE	FLORENCE	MS	39073
N	147445	1009N-01-002.011	CLARK BUILDERS INC	186 DOGWOOD LANE	FLORENCE	MS	39073
N	147446	1009N-01-002.012	CLARK BUILDERS INC	186 DOGWOOD LANE	FLORENCE	MS	39073
N	147447	1009N-01-002.013	CLARK BUILDERS INC	186 DOGWOOD LANE	FLORENCE	MS	39073
N	147448	1009N-01-002.014	CLARK BUILDERS INC	186 DOGWOOD LANE	FLORENCE	MS	39073
N	147450	1009N-01-002.016	CLARK BUILDERS INC	186 DOGWOOD LANE	FLORENCE	MS	39073
N	147449	1009N-01-002.015	CLARK BUILDERS INC	186 DOGWOOD LANE	FLORENCE	MS	39073
N	147451	1009N-01-002.017	CLARK BUILDERS INC	186 DOGWOOD LANE	FLORENCE	MS	39073
N	147452	1009N-01-002.018	CLARK BUILDERS INC	186 DOGWOOD LANE	FLORENCE	MS	39073
N	147453	1009N-01-002.019	CLARK BUILDERS INC	186 DOGWOOD LANE	FLORENCE	MS	39073
N	147454	1009N-01-002.020	CLARK BUILDERS INC	186 DOGWOOD LANE	FLORENCE	MS	39073
N	147455	1009N-01-002.021	CLARK BUILDERS INC	186 DOGWOOD LANE	FLORENCE	MS	39073
N	147457	1009N-01-002.023	CLARK BUILDERS INC	186 DOGWOOD LANE	FLORENCE	MS	39073
N	147456	1009N-01-002.022	CLARK BUILDERS INC	186 DOGWOOD LANE	FLORENCE	MS	39073
N	147458	1009N-01-002.024	CLARK BUILDERS INC	186 DOGWOOD LANE	FLORENCE	MS	39073
N	147459	1009N-01-002.025	CLARK BUILDERS INC	186 DOGWOOD LANE	FLORENCE	MS	39073
N	147460	1009N-01-002.026	CLARK BUILDERS INC	186 DOGWOOD LANE	FLORENCE	MS	39073
N	147461	1009N-01-002.027	CLARK BUILDERS INC	186 DOGWOOD LANE	FLORENCE	MS	39073
N	147462	1009N-01-002.028	CLARK BUILDERS INC	186 DOGWOOD LANE	FLORENCE	MS	39073
N	147464	1009N-01-002.030	CLARK BUILDERS INC	186 DOGWOOD LANE	FLORENCE	MS	39073
N	147465	1009N-01-002.031	CLARK BUILDERS INC	186 DOGWOOD LANE	FLORENCE	MS	39073
	147539	1009N-01-002.105	BROOKSTONE GULF COAST LLC	111 LUNDGREEN LN	GULFPORT	MS	39503
	84868	1010B-04-003.000	MIHNOVETS JONATHAN & EMILY	10836 WATERMARK PL	GULFPORT	MS	39503

RE: Variance 2406ZB078, by agent Bryan Hall, seeking approval for fence columns of 7 feet and 4 inches in height where the height limit is 6 feet, Tax Parcels 1009N-01-002.001, 1009N-01-002.002, 1009N-01-002.003, 1009N-01-002.004, 1009N-01-002.023, 1009N-01-002.024, 1009N-01-002.025, 1009N-01-002.026, 1009N-01-002.027, 1009N-01-002.028, 1009N-01-002.029, 1009N-01-002.030, 1009N-01-002.031, 1009N-01-002.032, 1009N-01-002.033, 1009N-01-002.034, 10881 Lily Lane, 10887 Lily Lane, 10893 Lily Lane, 10899 Lily Lane, 10809 Lily Lane, 10815 Lily Lane, 10821 Lily Lane, 10827 Lily Lane, 10833 Lily Lane, 10839 Lily Lane, 10845 Lily Lane, 10851 Lily Lane, 10857 Lily Lane, 10863 Lily Lane, 10869 Lily Lane, 10875 Lily Lane, Zoned R-2 (Single-family), Ward 5

To Applicants and Adjacent Property Owners:

The City of Gulfport Zoning Board of Adjustments and Appeals will hold a public hearing to consider the above application at 3:00 P.M. on **Thursday, May 16, 2024**, in the Council Chambers at the Gulfport City Hall located at 2309 15th Street.

For more information, visit <https://www.gulfport-ms.gov/agendas/> then click the City of Gulfport Zoning Board for **Thursday, May 16, 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	546606	Print Legal Ad-IPL01707030 - IPL0170703		\$113.35	2	76 L

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

accountspayable@gulfport-ms.gov

LEGAL NOTICE PUBLIC HEARING

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

Variance 2403ZB026, by agent Rebecca Gillum, seeking approval for 5-foot side yard setbacks, where 8 feet is required, Tax Parcel 0811G-04-116.000, 2011 17th Ave, Zoned R-2 (Single-family), Ward 3

Variance 2405ZB059, by owners OMT, LLC and FTO, LLC, seeking approval for parking that pulls out into right of way, Tax Parcel 0811B-05-012.000, 1602 26th Street, Zoned B-2 (General Business), Ward 3

Variance 2405ZB060, by agent Jonathan Fernandez, seeking approval for parking that pulls out into right of way, Tax Parcel 0910M-03-072.000, 1015 Pass Road, Zoned B-2 (General Business), Ward 3

Variance 2405ZB061, by owners Tim and Tracie Bruni, seeking approval for a eight-foot tall fence where the height limit is six feet, Tax Parcel 1010D-03-014.000, 51 Shoreline Lane, Zoned R-1-7.5 (Single-family), Ward 4

Variance 2405ZB063, by owner Michael Bogan, seeking approval for a 4-foot rear yard setback where 8 feet is required, Tax Parcel 0811G-04-116.000, 2011 17th Ave, Zoned R-2 (Single-family), Ward 3

Variance 2405ZB064, by agent Morgan Speranzo Hado, seeking approval for a 22-foot and one-inch front yard setback where 25 feet is required, Tax Parcels 1009N-01-002.061, 1009N-01-002.062, Georglan Way, Zoned R-2 (Single-family), Ward 5

Special Exception 24055E067, by agent Frankie Jackson, seeking approval for a tattoo parlor, Tax Parcel 1010G-03-003.002, 2033 E Pass Road Unit B, Zoned B-2 (General-business), Ward 2

Variance 2405ZB071, by agent Amanda Crose and designated agent Donovan Scruggs, seeking approval for a 21-foot and 3.5-inch setback on a second frontage where 25 feet is required, Tax Parcel 0906E-01-001.001, 11030 Alphabet Road Zoned R-1-10 (Single-family), Ward 6

Variance 2405ZB072, by agent Amanda Crose and designated agent Donovan Scruggs, seeking approval for a 23-foot and 2-inch setback on a second frontage where 25 feet is required, Tax Parcel 0908C-01-001.000, 11102 Alphabet Road, Zoned R-1-10 (Single-family), Ward 6

Variance 2405ZB073, by agent Amanda Crose and designated agent Donovan Scruggs, seeking approval for a 21-foot and 2-inch setback on a second frontage where 25 feet is required, Tax Parcel 0908C-01-001.000, 11041 Alphabet Road, Zoned R-1-10 (Single-family), Ward 6

Variance 2405ZB075, by owner Diane Myers, seeking approval for a gravel driveway where asphalt or concrete is required, Tax Parcel 0909O-02-029.000, 21 50th Street, Zoned R-1-7.5 (Single-family), Ward 4

Variance 2406ZB076, by agent Bryan Hall, seeking approval for fence columns of 7 feet and 4 inches in height where the height limit is 6 feet, Tax Parcels 1009N-01-002.001, 1009N-01-002.002, 1009N-01-002.003, 1009N-01-002.004, 1009N-01-002.023, 1009N-01-002.024, 1009N-01-002.025, 1009N-01-002.026, 1009N-01-002.027, 1009N-01-002.028, 1009N-01-002.029, 1009N-01-002.030, 1009N-01-002.031, 1009N-01-002.032, 1009N-01-002.033, 1009N-01-002.034, 10881 Lily Lane, 10887 Lily Lane, 10893 Lily Lane, 10899 Lily Lane, 10809 Lily Lane, 10815 Lily Lane, 10821 Lily Lane, 10827 Lily Lane, 10833 Lily Lane, 10839 Lily Lane, 10845 Lily Lane, 10851 Lily Lane, 10857 Lily Lane, 10863 Lily Lane, 10869 Lily Lane, 10875 Lily Lane, Zoned R-2 (Single-family), Ward 5

This the 24th day of April 2024
A. Leslie North, Chairman
City of Gulfport Zoning Board of Adjustment and Appeals
IPL0170703
May 1 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:

05/01/24

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.

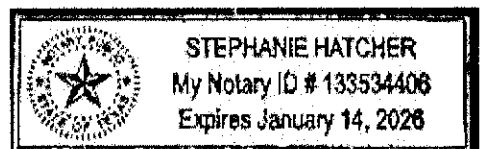
Mary Castro

Sworn to and subscribed before me this 1st day of May 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!